MOORE COUNTY BOARD OF COMMISSIONERS

TUESDAY, NOVEMBER 20, 2018

REGULAR MEETING

The Moore County Board of Commissioners convened for a Regular Meeting at 5:30 p.m., Tuesday, November 20, 2018, in the Commissioners' Meeting Room on the second floor of the Historic Courthouse in Carthage, North Carolina.

Commissioners Present:
Chair Catherine Graham, Vice Chair Otis Ritter, Jerry Daeke, Louis Gregory, Frank Quis

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Chair Graham called the meeting to order at 5:30 p.m. Reverend Kathryn Dudley of Cameron Presbyterian Church provided the invocation and Assistant County Manager Janet Parris led the Pledge of Allegiance. Chair Graham welcomed everyone and said she was pleased to have so many attendees, and gave a special welcome to members of the military, law enforcement, and elected officials.

UBLIC COMMENT PERIOD

Mr. Marsh Smith commented regarding development.

Chair Graham asked whether any commissioner had a conflict of interest concerning agenda items the Board would address in the meeting and none was stated.

RECOGNITIONS

Sheriff Neil Godfrey

Sheriff Neil Godfrey offered his thanks to the Board of Commissioners and previous commissioners for their support during his employment with the Sheriff's Office since 2002. He recognized the support of all the staff that had contributed to the success of the department as well. He thanked the citizens for allowing him to be Sheriff. Chair Graham said it was an honor and a privilege for her to read a resolution honoring Sheriff Godfrey. She read the resolution on behalf of the Board and presented it to Sheriff Godfrey. Chair Graham then called upon Commissioner Gregory, a retired law enforcement officer, to present Sheriff Godfrey his service weapon, authorized by resolution of the Board. County Manager Wayne Vest then presented to the Sheriff a plaque and remarked regarding the joy and privilege it had been to work with him. Deputy Marty Key presented Sheriff Godfrey his badge. The resolutions honoring Sheriff Neil Godfrey and awarding him his service weapon and badge are hereby incorporated as a part of these minutes by attachment as Appendix A.

Appointment of Deputy Marty Key as Interim Sheriff

County Manager Wayne Vest presented a request for the appointment of Deputy Marty Key as Interim Sheriff. Sheriff Neil Godfrey was the nominee of the Republican Party when he was elected Sheriff in 2014. As a result, the Executive Committee of the Moore County Republican Party met November 14, 2018, and voted unanimously to recommend Deputy Key be appointed to the office of Sheriff to fill the unexpired term of Sheriff Godfrey upon his retirement November 30, 2018, and until the sheriff-elect would be sworn into office on December 3, 2018. Upon motion made by Chair Graham, seconded by Vice Chair Ritter, the Board voted 5-0 to accept the recommendation of the Moore County Republican Party and appoint Marty Key as Sheriff of Moore County to fill the unexpired term of Sheriff Neil Godfrey upon his retirement on November 30, 2018 and until Sheriff-elect Ronnie Fields is sworn in on December 3, 2018. Deputy Key offered comments regarding the honor it was to have this opportunity and thanked the commissioners, the Republican Party, the Sheriff, and his family.

Chair Graham called for a brief recess and those present visited with and offered best wishes to the Sheriff upon his retirement. The Board reconvened at 6:08 p.m.

Dog Tags

Ms. Mary Jo Morris presented a certificate of appreciation to Sheriff Neil Godfrey for his support of the Dog Tags program. She also presented a certificate to Lieutenant Forrest Kirk. Ms. Morris then recognized the newest participants of the Dog Tags class and introduced the soldiers to the commissioners.

PRESENTATIONS

2020 Census

Mr. Terry Henderson with the U.S. Census Bureau distributed a packet of information on the 2020 census to the commissioners and provided a presentation regarding the same. Upon motion made by Commissioner Daeke, seconded by Vice Chair Ritter, the Board voted 5-0 to create a Complete Count Committee, fund community outreach efforts, and appoint Debra Ensminger as the Moore County 2020 Census Liaison.

CONSENT AGENDA

Upon motion made by Commissioner Quis, seconded by Vice Chair Ritter, the Board voted 5-0 to approve the following consent agenda items:

Minutes: October 31, 2018 Special Meeting
Minutes: November 6, 2018 Regular Meeting
Budget Amendments
Tax Releases/Refunds – October 2018
Animal Services Fee Schedule Amendment

The budget amendments, tax releases/refunds resolutions, and amended Animal Services fee schedule are hereby incorporated as a part of these minutes by attachment as Appendices B, C, and D, respectively.

PUBLIC HEARINGS

Public Hearing/Planning – General Use Rezoning Request: Neighborhood Business B-1 to Rural Agricultural – 40 RA-40

Planning Director Debra Ensminger presented information regarding a General Use Rezoning request by Tammy Allred Forest from Neighborhood Business (B-1) to Residential and Agricultural – 40 (RA-40) of an approximate 6.21 acre parcel located at 3221 Vass Carthage Road and adjacent to Bibey Road, owned by Tammy Allred Forest per Deed Book 2015E, Page 629. Commissioner Quis inquired regarding the intent was for the area to be commercial and Ms. Ensminger said it was a mixture. Commissioner Quis asked if there were any plans to expand the commercial nature and Ms. Ensminger said she did not know. *Commissioner Daeke momentarily left the room.*

Chair Graham opened the duly advertised public hearing regarding this matter. Mr. Jerry Stewart of 645 Bibey Road, an adjacent property owner, spoke in support of the request. He said he preferred it to be rezoned to residential to provide a buffer to the commercial area. He said his only concern would be the density. There being no further speakers, Chair Graham closed the public hearing. Commissioner Daeke returned to the meeting room and because he had missed the public hearing, upon motion made by Chair Graham, seconded by Commissioner Quis, the Board voted 4-0 to excuse Commissioner Daeke from the vote.

Upon motion made by Vice Chair Ritter, seconded by Chair Graham, the Board voted 4-0 to adopt the Land Use Plan Consistency Statement and authorize the Chair to execute the document as required by North Carolina General Statute 153A-341. Upon motion made by Vice Chair Ritter, seconded by Commissioner Quis, the Board voted 4-0 to approve the General Use Rezoning request from Neighborhood Business (B-1) to Residential and Agricultural – 40 (RA-40) of an approximate 6.21 acre parcel located at 3221 Vass Carthage Road and adjacent to Bibey Road, owned by Tammy Allred Forest per Deed Book 2015E, Page 629. The consistency statement and Ms. Ensminger's staff report are hereby incorporated as a part of these minutes by attachment as Appendix E.

Public Hearing/Planning – Text Amendments to Unified Development Ordinance

Planning Director Debra Ensminger presented a request for approval of recommended text amendments to the Unified Development Ordinance. Chair Graham opened the duly advertised public hearing regarding this matter. There were no speakers. Upon motion made by Commissioner Gregory, seconded by Chair Graham, the Board voted 5-0 to adopt the Land Use Plan Consistency Statement and authorize the Chair to execute the document as required by North Carolina General Statute 153A-341. Upon motion made by Chair Graham, seconded by Vice Chair Ritter, the Board voted 5-0 to approve the proposed text amendments to the Moore County Unified Development Ordinance. The consistency statement and Ms. Ensminger's staff report are hereby incorporated as a part of these minutes by attachment as Appendix F.

Call to Public Hearing/Planning – Text Amendments to Unified Development Ordinance

Planning Director Debra Ensminger requested the Board called public hearing regarding proposed text amendments to the Unified Development Ordinance. Upon motion made by Vice Chair Ritter, seconded by Commissioner Gregory, the Board voted 5-0 to call a public hearing on December 3, 2018, at 5:30pm to consider the request for Unified Development Ordinance text amendments.

all to Public Hearing/GIS – Amendment to the Road Name and Addressing Ordinance

GIS Manager Rachel Patterson requested the Board call a public hearing regarding an amendment to the Road Name and Addressing Ordinance to add roads. Upon motion made by Commissioner Quis, seconded by Vice

Chair Ritter, the Board voted 5-0 to call a public hearing on December 3, 2018, at 5:30pm to consider amendments to the Moore County Road Name and Addressing Ordinance to add 13 roads to the ordinance.

NEW BUSINESS

Airport – Request for Approval of Stormdrain Pipe Inspection and Rehabilitation Project Budget Ordinance Revision 1 and Resolution Revision 1

Airport Director Ron Maness requested the Board's approval of a revised project budget ordinance and resolution for the stormdrain pipe inspection and rehabilitation project at the Airport. Upon motion made by Commissioner Gregory, seconded by Commissioner Quis, the Board voted 5-0 to approve Revision No. 1 – Project Budget Ordinance and Revision No. 1 Resolution for Project # 36237.67.8.1 Stormdrain Rehabilitation Design and Bidding. The ordinance and resolution are hereby incorporated as a part of these minutes by attachment as Appendix G.

Airport – Request for Approval of Project Budget Ordinance and Resolution for Airport Master Plan Update

Airport Director Ron Maness asked the Board to approve a project budget ordinance and resolution for the Airport Master Plan update. Upon inquiry by Commissioner Quis, brief discussion followed regarding the economic development component of the plan. Commissioner Gregory commented that he had recently attended an Airport Authority meeting that was well-run and perfectly managed, and the County was fortunate to have the people there. Upon motion made by Commissioner Gregory, seconded by Vice Chair Ritter, the Board voted 5-0 to approve the project budget ordinance and resolution for Project # 36237.67.9.2 Airport Master Plan Update, including ALP. The ordinance and resolution are hereby incorporated as a part of these minutes by attachment as Appendix H.

Public Safety – Request for Approval of 2019 NC Emergency Management Grant Program Memorandum of Agreement

Public Safety Director Bryan Phillips requested the Board's approval for the County Manager to sign a Memorandum of Agreement for the North Carolina Emergency Management Grant Program. Vice Chair Ritter made a motion to approve for the County Manager to sign the Memorandum of Agreement for the North Carolina Emergency Management Grant Program and any necessary documents associated with this program upon approval by the County Attorney and Finance Director. Commissioner Quis inquired regarding the $77,455 salary for the Emergency Management Program Manager and Mr. Phillips said that these were matching funds provided by the County toward the grant. Commissioner Quis seconded the motion which carried 5-0.

Finance – Request for Approval of Audit Services Contract Amendment for FY18

Chief Financial Officer Caroline Xiong requested the Board's approval of an amendment audit contract with Martin Starnes and Associates. Commissioner Quis asked if it included the Convention and Visitors Bureau and Ms. Xiong said that it did. She said it included all the component units' audited numbers, including the CVB, ABC Board, and Airport. Upon motion made by Chair Graham, seconded by Commissioner Quis, the Board voted 5-0 to approve the amended audit contract form (LGC-205 Amended) with Martin Starnes and Associates CPAs P.A. as presented for Fiscal Year 2018, upon the approval of the County Attorney and Finance Director.

Administration – Request for Authorization to Publish Notice of Intent to Adopt Resolution Levying an Additional One-Quarter Cent County Sales and Use Tax

County Manager Wayne Vest reviewed that a public notice was required regarding the Board's intent to collect the additional quarter cent sales tax approved by the voters of Moore County on November 6, 2018. Upon motion made by Chair Graham, seconded by Vice Chair Ritter, the Board voted 5-0 to authorize staff to publish a Notice of Intent to Adopt a Resolution Levying an Additional One-Quarter Cent County Sales and Use Tax.

APPOINTMENTS

Child Fatality Prevention Team

Upon motion made by Commissioner Daeke, seconded by Vice Chair Ritter, the Board voted 5-0 to appoint Bryan Phillips to the emergency medical services provider / firefighter position on the Moore County Child Fatality Prevention Team.

NCACC Legislative Goals Conference Voting Delegate

Upon motion made by Commissioner Daeke, seconded by Vice Chair Ritter, the Board voted 5-0 to appoint Commissioner Gregory as the voting delegate for the NCACC Legislative Goals Conference.

MANAGER'S REPORT

County Manager Wayne Vest said the annual employee appreciation event held earlier in the day was fantastic and he appreciated the Board's support. He said Department of Aging Director Terri Prots and her staff, who hosted and catered the event, did a great job. He also said he appreciated all the employees who came out. Mr. Vest wished everyone a happy Thanksgiving.

COMMISSIONERS' COMMENTS

Commissioner Gregory reiterated Mr. Vest's comments and wishes for a happy Thanksgiving. He also commented regarding the Most Valuable Coach award given to Coach Metzger of Pinecrest and he proposed recognizing him at the Board's next meeting.

Chair Graham thanked Commissioner Daeke for being present at the meeting despite not feeling well. She wished everyone and happy Thanksgiving and expressed regrets for her absence at the employee event earlier in the day, which was due to a doctor appointment.

ADJOURNMENT

There being no further business, upon motion made by Vice Chair Ritter, seconded by Commissioner Quis, the Board voted 5-0 to adjourn the November 20, 2018, regular meeting of the Moore County Board of Commissioners at 6:59 p.m.

Chair

Laura M. Williams, Clerk to the Board

COUNTY OF MOORE CORPORATE SEAL NORTH CAROLINA

Appendix A 11/20/2018

COUNTY OF MOORE
STATE OF NORTH CAROLINA

A RESOLUTION TO HONOR SHERIFF NEIL GODFREY

WHEREAS, following a distinguished career with the State Bureau of Investigation, Neil Godfrey was hired as Chief Deputy Sheriff of Moore County on December 2, 2002; and

WHEREAS, Mr. Godfrey was appointed as Sheriff of Moore County and sworn into office on May 1, 2013; and

WHEREAS, Sheriff Godfrey was elected and sworn in for a full term on December 1, 2014; and

WHEREAS, Sheriff Godfrey will retire as Sheriff of Moore County on November 30, 2018; and

WHEREAS, during his tenure, Sheriff Godfrey has been integral to projects accomplished on behalf and for the benefit of Moore County citizens including among many others: the addition of a new public safety center, major improvements to the Animal Operations Division facilities and service, a new radio system to improve coverage for all law enforcement and EMS agencies, improved cooperation and communication with the public; and

WHEREAS, Sheriff Godfrey has fulfilled the mission of the Moore County Sheriff's Office to improve the quality of life for the citizens of Moore County by providing a safe community in which citizens can live, work, and prosper, and has treated all people with courtesy, dignity, and respect; and

WHEREAS, this honorable body hereby acknowledges the sacrifices Sheriff Godfrey has made and the courage, hard work, passion, and dedication with which he has served; and

NOW THEREFORE BE IT RESOLVED that the Moore County Board of Commissioners hereby recognizes and honors Sheriff Neil Godfrey for his exemplary service to the citizens of Moore County, North Carolina and furthermore, with gratitude, commends Sheriff Godfrey for his admirable career and wishes him many happy retirement years.

This the 20th day of November 2018.

COUNTY OF MOORE
STATE OF NORTH CAROLINA

A RESOLUTION TO AWARD BADGE AND SERVICE SIDE ARM TO RETIRING SHERIFF NEIL GODFREY

WHEREAS, pursuant to NCGS § 20-187.2(a) retiring members of a county law-enforcement agency shall receive upon request and at no cost to them, the badge worn or carried by a retiring member. The governing body of a law-enforcement agency may, in its discretion, also award to a retiring member, upon request, the service side arm of such retiring member, at a price determined by such governing body, upon determining that the person receiving the weapon is not ineligible to own, possess, or receive a firearm under the provisions of State or federal law, or if the weapon has been rendered incapable of being fired; and

WHEREAS, Sheriff Neil Godfrey will retire on November 30, 2018 and has made request for his badge and service side arm; and

WHEREAS, the Board of Commissioners accepts the offer of one dollar ($1.00) in good consideration for Sheriff Neil Godfrey's service weapon; and

NOW THEREFORE BE IT RESOLVED, that the Moore County Board of Commissioners hereby honors the request of retiring Sheriff Neil Godfrey for his badge and his service side arm.

This the 20th day of November, 2018.

Catherine Graham, Chair
Moore County Board of Commissioners

Attest:

Laura M. Williams
Clerk to the Board

COUNTY OF MOORE CORPORATE SEAL NORTH CAROLINA

Appendix B
11/20/2018

Fiscal Year 2018/2019

	Budget Line Item Number		Budgeted Amount	Increase/ (Decrease)	Revised Budget
Aging - Fees paid Senior Enrichment Center participants to purchase T-Shirts					
Revenue	10024024 35064	Supplies-Taxable Sales	-	220	220
Expense	10030030 53985	SEC Fundraising	-	220	220

Approved this 20 day of November, 2018

Catherine Graham
Moore County Board of Commissioners

Laura Williams
Clerk to the Board

COUNTY OF MOORE CORPORATE SEAL NORTH CAROLINA

50014

Fiscal Year 2018/2019

	Budget Line Item Number		Budgeted Amount	Increase/ (Decrease)	Revised Budget
	Aging - Multi Year Aging Donations				
Revenue	24018024 32502	Donations	161,499	7,408	168,907
Expense	24030024 53922	Donations	161,126	7,408	168,534

Approved this 20 day of November, 2018

Catherine Graham

Catherine Graham
Moore County Board of Commissioners

Laura M Williams

Laura Williams
Clerk to the Board

COUNTY OF MOORE CORPORATE SEAL NORTH CAROLINA

50015

Fiscal Year 2018/2019

	Budget Line Item Number		Budgeted Amount	Increase/ (Decrease)	Revised Budget
Aging - Fees paid by clients for reduced price nutritional products					
Revenue	10024024 35064	Supplies-Taxable Sales	-	54	54
Expense	10030028 52205	Ensure Expenditures	-	54	54

Approved this 20 day of November, 2018

Catherine Graham

Catherine Graham
Moore County Board of Commissioners

Laura M Williams

Laura Williams
Clerk to the Board

COUNTY OF MOORE CORPORATE SEAL NORTH CAROLINA

50013

Fiscal Year 2018/2019

	Budget Line Item Number		Budgeted Amount	Increase/ (Decrease)	Revised Budget
Sheriff - North Carolina Drug Tax Program					
Revenue	24033005 36075	Drug Seizure Funds	979,664	2,274	981,938
Expense	24019505 53828	Drug Seizure Funds	1,020,162	2,274	1,022,436

Approved this 20 day of November, 2018

Catherine Graham

Catherine Graham
Moore County Board of Commissioners

Laura M Williams

Laura Williams
Clerk to the Board

COUNTY OF MOORE CORPORATE SEAL NORTH CAROLINA 50188

Fiscal Year 2018/2019

	Budget Line Item Number		Budgeted Amount	Increase/ (Decrease)	Revised Budget
Finance/Aging - Triangle J Council of Governments Area Agency on Aging - Close Grants					
Revenue	24032024 36154	Congregate Meals - AR	28,507	(28,507)	-
Expense	24030024 52209	Congregate Meals - AR	25,504	(25,504)	-
Expense	24036056 59918	Transfer to General Fund	177,386	(3,003)	174,383
Revenue	24032024 35216	MIPPA Grant TJC	9,940	(1,750)	8,190
Expense	24030024 53962	MIPPA Grant TJC	1,750	(1,750)	-

Approved this 20 day of November, 2018

Catherine Graham

Catherine Graham
Moore County Board of Commissioners

Laura M Williams

Laura Williams
Clerk to the Board

COUNTY OF MOORE CORPORATE SEAL NORTH CAROLINA 50233

Fiscal Year 2018/2019

	Budget Line Item Number		Budgeted Amount	Increase/ (Decrease)	Revised Budget
	Finance/Public Safety - NC Department of Public Safety - Close Grants				
Revenue	24032010 36076 PS172	Emergency Management Perf	52,959	(52,959)	-
Expense	24021010 53832 PS172	Emergency Management Perf	52,959	(52,959)	-
Revenue	24033010 36173 PS174	LEPC Tier II	1,000	(1,000)	-
Expense	24021010 53942 PS174	LEPC Tier II	1,000	(1,000)	-

Approved this 20 day of November, 2018

Catherine Graham

Catherine Graham
Moore County Board of Commissioners

Laura M Williams

Laura Williams
Clerk to the Board

COUNTY OF MOORE CORPORATE SEAL NORTH CAROLINA

50236

Fiscal Year 2018/2019

	Budget Line Item Number		Budgeted Amount	Increase/ (Decrease)	Revised Budget
	Finance/DSS - Food Nutrition Services Program and Supplemental Nutrition Assistance Program - Close grants				
Revenue	24032044 36077	FNS Admin Funds	76,419	(76,419)	-
Expense	24038044 51203 DS091	Salaries-Resource	7,679	(7,679)	-
Expense	24038044 51203 DS101	Salaries-Resource	12,553	(12,553)	-
Expense	24038044 51810 DS091	FICA/Medicare	588	(588)	-
Expense	24038044 51810 DS101	FICA/Medicare	920	(920)	-
Expense	24038044 52602 DS091	Operating Equipment	19,270	(19,270)	-
Expense	24036056 59918	Transfer to General Fund	177,386	(35,409)	141,977
Revenue	24032044 36153	DSS SNAP	83,770	(83,770)	-
Expense	24038044 51201 DS102	Salaries-Overtime	2,746	(2,746)	-
Expense	24038044 51203 DS102	Salaries-Resource	19,591	(19,591)	-
Expense	24038044 51810 DS102	FICA/Medicare	1,598	(1,598)	-
Expense	24038044 51811 DS102	Retirement	2,480	(2,480)	-
Expense	24038044 51812 DS102	401K Retirement	1,009	(1,009)	-
Expense	24038044 53872 DS102	Professional Services	20,000	(20,000)	-
Expense	24038044 51201	Salaries	617	(617)	-
Expense	24038044 51203	Salaries-Resource	16,624	(16,624)	-
Expense	24038044 51810	FICA/Medicare	1,350	(1,350)	-
Expense	24038044 51811	Retirement	170	(170)	-
Expense	24038044 51812	401K Retirement	16	(16)	-
Expense	24038044 51816	Life Insurance	3	(3)	-
Expense	24036056 59918	Transfer to General Fund	177,386	(17,566)	159,820

Approved this 20 day of November, 2018

Catherine Graham

Catherine Graham
Moore County Board of Commissioners

Laura Williams

Laura Williams
Clerk to the Board

COUNTY OF MOORE CORPORATE SEAL NORTH CAROLINA

50238

Fiscal Year 2018/2019

	Budget Line Item Number		Budgeted Amount	Increase/ (Decrease)	Revised Budget
Finance/Coop Extension - Rural Advancement Foundation International (RAFI) - Close Grant					
Revenue	24033090 36083	Tobacco Trust Grant	10,000	(10,000)	-
Expense	24025090 51200	Salaries	7,625	(7,625)	-
Expense	24025090 52600	Office Supplies	2,375	(2,375)	-

Approved this 20 day of November, 2018

Catherine Graham

Catherine Graham
Moore County Board of Commissioners

Laura Williams

Laura Williams
Clerk to the Board

COUNTY OF MOORE CORPORATE SEAL NORTH CAROLINA

50241

Fiscal Year 2018/2019

	Budget Line Item Number		Budgeted Amount	Increase/ (Decrease)	Revised Budget
	Finance - North Carolina Department of Transportation Division of Aviation & Federal Aviation Administration				
Revenue	45019000 36301	LOC P#36244.57.11.1	244,000	(244,000)	-
Revenue	45043000 36169	PR #36244.57.11.1	2,029,191	(2,029,191)	-
Expense	45059555 55970	PR #36244.57.11.1	2,254,657	(2,254,657)	-
Expense	45059556 59911	Transfer to General Fund	161,090	(18,534)	142,556
Revenue	45019000 36302	LOC P#36244.57.11.2	85,000	(85,000)	-
Revenue	45043000 36170	PR #36244.57.11.2	598,279	(598,279)	-
Expense	45059555 55971	PR #36244.57.11.2*	664,754	(664,754)	-
Expense	45059556 59911	Transfer to General Fund	161,090	(18,525)	142,565
Revenue	45019056 32994	TR FR APT to 67.6.1	10,950	(10,950)	-
Revenue	45042000 36172	PR #36237.67.6.1	96,857	(96,857)	-
Revenue	45042000 36175	2013 Vision	15,819	(15,819)	-
Revenue	45019056 32976	TR FR APT to 2013 Vision	1,755	(1,755)	-
Expense	45059555 55979	PR #36237.67.6.1	107,309	(107,309)	-
Expense	45059556 59920 6.1	6.1 Transfer to Airp Ent	498	(498)	-
Expense	45059555 55986	2013 Vision	15,819	(15,819)	-
Expense	45059556 59964	TRANSF to to Airp Ent	1,755	(1,755)	-

Approved this 20 day of November, 2018

Catherine Graham

Catherine Graham
Moore County Board of Commissioners

Laura Williams
Clerk to the Board

COUNTY OF MOORE CORPORATE SEAL NORTH CAROLINA

50242

Fiscal Year 2018/2019

	Budget Line Item Number		Budgeted Amount	Increase/ (Decrease)	Revised Budget
	Health - Care Management Carry Forward Fund				
Revenue	10019000 32950	Appropriated Fund Balance	5,166,450	8,620	5,175,070
Expense	10039025 52600	Office Supplies	2,334	8,620	10,954

Approved this 20 day of November, 2018

Catherine Graham

Catherine Graham
Moore County Board of Commissioners

Laura M. Williams

Laura Williams
Clerk to the Board

COUNTY OF MOORE CORPORATE SEAL NORTH CAROLINA

58248

Appendix C
11/20/2018

RESOLUTION AUTHORIZING AND APPROVING

(CURRENT) RELEASES AND REFUNDS BY THE

TAX ADMINISTRATOR

WHEREAS, Gary E. Briggs, Moore County Tax Administrator, has certified a list comprised of various county taxes illegally levied and assessed, the amount certified as being in excess of the amount legally due by the taxpayer and therefore should be released or refunded in accordance with General Statute 105-381.

BE IT RESOLVED by the Board of Commissioners of Moore County that the taxpayers shown on said list of releases and refunds submitted by Gary E. Briggs, Tax Administrator, are hereby granted such tax release or refund of the county taxes shown and the County Finance Director is directed to make said refunds.

Adopted this the 20 day of November, 2018.

Catherine P. Graham

Catherine P. Graham, Chair

ATTEST:

Laura M. Williams

Laura M. Williams
Clerk to the Board

COUNTY OF MOORE CORPORATE SEAL NORTH CAROLINA

RESOLUTION AUTHORIZING AND APPROVING

(DELINQUENT) RELEASES AND REFUNDS BY THE

TAX ADMINISTRATOR

WHEREAS, Gary E. Briggs, Moore County Tax Administrator, has certified a list comprised of delinquent taxes illegally due by the taxpayer and therefore should be released or refunded in accordance with General Statute 105-381.

BE IT RESOLVED by the Board of Commissioners of Moore County that the taxpayers shown on said list of releases and refunds submitted by Gary E. Briggs, Tax Administrator, are hereby granted such tax release or refund of the county taxes shown and the County Finance Director is directed to make said refunds.

Adopted this the 20 day of November, 2018.

Catherine P. Graham

Catherine P. Graham, Chair

ATTEST:

Laura M. Williams
Clerk to the Board

COUNTY OF MOORE CORPORATE SEAL NORTH CAROLINA

REAL ESTATE / PERSONAL PROPERTY / MOTOR VEHICLE
RELEASES
OVER - $100
October-18

BILL YEAR	BILL NUMBER	NAME	REASON	AMOUNT
2018	7383	BLACK, BRANDON MICHAEL	MILITARY	$263.44
2018	9606	BRONSON, MARINDA E	PERSONAL PROPERTY NOT LOCATED IN MOORE COUNTY	$264.38
2017	7633	BUTCHER, PATRICK A & LISA A	PERSONAL PROPERTY NOT LOCATED IN MOORE COUNTY	$567.57
2018	59802	C S G HOLDINGS, LLC	ORDER OF BOARD OF EQUALIZATION AND REVIEW	$1,523.49
2012	42689	CENTENO, HENRY	MILITARY	$260.56
2018	51052	COLE, MAMIE L	TAXPAYER QUALIFIES FOR EXEMPTION	$150.00
2018	7053	EHRLER, RYAN R	MILITARY	$292.50
2012	2848	HOW YOU DOIN PIZZERIA	ORDER OF BOARD OF EQUALIZATION AND REVIEW	$321.61
2013	2985	HOW YOU DOIN PIZZERIA	ORDER OF BOARD OF EQUALIZATION AND REVIEW	$294.43
2014	2310	HOW YOU DOIN PIZZERIA	ORDER OF BOARD OF EQUALIZATION AND REVIEW	$323.49
2018	1000119	JORDAN, TEDDY L	PROPERTY QUALIFIES FOR DEFERMENT	$729.48
2018	1000120	JORDAN, TEDDY L	PROPERTY QUALIFIES FOR DEFERMENT	$711.24
2018	1000121	JORDAN, TEDDY L	PROPERTY QUALIFIES FOR DEFERMENT	$705.16
2018	1000122	JORDAN, TEDDY L	PROPERTY QUALIFIES FOR DEFERMENT	$686.93
2012	80769	MADIGAN, DANIEL	MILITARY	$176.31
2018	56364	MASSON, DUSTINA TRUSTEE	TAXPAYER QUALIFIES FOR EXEMPTION	$407.25
2018	59894	MCCASKILL, SHIRLEY D & JAMES C	ORDER OF BOARD OF EQUALIZATION AND REVIEW	$1,102.07
2018	66093	MEARES, WILLIAM R & TERESA A	ORDER OF BOARD OF EQUALIZATION AND REVIEW	$156.41
2018	66094	MEARES, WILLIAM R & TERESA A	ORDER OF BOARD OF EQUALIZATION AND REVIEW	$203.88
2018	66096	MEARES, WILLIAM R & TERESA A	ORDER OF BOARD OF EQUALIZATION AND REVIEW	$324.11
2018	36701	TYHANIC, TERESA JOHNSON	TAXPAYER QUALIFIES FOR EXEMPTION	$894.51
			TOTAL	**$10,358.82**

VTS/MUNIS MOTOR VEHICLES
RELIEF - REFUNDS
OVER - $100
October-18

Bill Year	Bill Number	Customer Name	Reason	Refund Amount
2017	VTS - 0031545805	ARBOGAST, GEORGE EDWARD	TAG SURRENDER	$176.91
2018	VTS - 0043596332	BREIT, WILLIAM EDWARD JR	TAG SURRENDER	$211.42
2018	VTS - 0028679309	BROWN, ARLENE & MARK	TAG SURRENDER	$101.76
2018	VTS - 0043489915	CANEDO, RAUL ALEJANDRO	MILITARY	$136.40
2017	VTS - 0037862345	CHAREST, MICHAEL T	MILITARY	$127.12
2018	53973	DGH MANAGEMENT, LLC	ORDER OF BOARD OF EQUALIZATION AND REVIEW	$1,165.91
2018	69073	FREEMAN, TRENT	ORDER OF BOARD OF EQUALIZATION AND REVIEW	$532.14
2018	VTS - 0033793055	FRIML, SHELBY ELIZABETH	TAG SURRENDER	$135.29
2017	VTS - 0042327653	GRASMAN, JASON JAMES	TAG SURRENDER	$137.87
2018	VTS - 0021508798	GREIM, SCOTT EDWARD	TAG SURRENDER	$179.60
2017	VTS - 0036409622	HARDING, ANGELA MARIE	TAG SURRENDER	$109.40
2018	31862	HILTNER, JANICE	TAXPAYER QUALIFIES FOR EXEMPTION	$270.00
2018	32076	HUGGINS, BARRY	TAXPAYER QUALIFIES FOR EXEMPTION	$407.25
2017	VTS - 0042549642	HYLTON, KRISTIN DUNN	TAG SURRENDER	$180.23
2017	VTS - 0030822214	INSURANCE CONSULTANTS OF PH	TAG SURRENDER	$125.22
2017	VTS - 0043181207	LAWN, MATTHEW WOODROW	TAG SURRENDER	$152.47
2017	VTS - 0020556286	MCCUTCHEN, EMILY	TAG SURRENDER	$159.39
2017	VTS - 0035343649	NICHOLS, ROBERT & DONNA	TAG SURRENDER	$148.94
2017	VTS - 0029982698	PETERS, THOMAS WILLARD	TAG SURRENDER	$106.18
2017	VTS - 0026132016	PHAM, HIEU THANH	MILITARY	$168.97
2017	VTS - 0030960302	ROPER, IMOGENE CREASY	TAG SURRENDER	$125.19
2018	VTS - 0044693360	SCOTT, THOMAS WILLIAM JR	MILITARY	$137.68
2018	VTS - 0043953843	SHOUGH, MATTHEW CARL	TAG SURRENDER	$122.08
2018	VTS - 0008640757	SMITH, RICKY ANDREW	TAG SURRENDER	$103.75
2017	VTS - 0043146447	STROMBERG, MARCIA	TAG SURRENDER	$218.53

VTS/MUNIS MOTOR VEHICLES
RELIEF - REFUNDS
OVER - $100
October-18

Bill Year	Bill Number	Customer Name	Reason	Refund Amount
2017	VTS - 0042989412	TROST, JESSICA LYNN	TAG SURRENDER	$183.41
2017	VTS - 0036650824	USSWALD, CRAIG & JOANNA	TAG SURRENDER	$126.77
2017	VTS - 0043547917	WHITE, TANISHA SHELLY	TAG SURRENDER	$114.56
			TOTAL	**$5,864.44**

Appendix D
11/20/2018

Fee Schedule

SHERIFF - Animal Services

Mission:
Moore County Animal Operations provides temporary shelter for the County's unwanted and stray companion animals, promotes pet placement programs and public education, and enforces State and County animal laws.

Fee Schedule - Item	FY18/19 Fee Amount
Adoption - Dogs	$85.00
Adoption - Cats	$65.00
Adoption - Small Livestock, (goat, sheep, pig, etc)	$25.00
Adoption - Large Livestock, (Horse, Cow, etc.)	$100.00
Military, Senior Citizens, State or Local Government Employees Discount (must show ID).	$60/Dog, $50/Cat
Fix'em Voucher Fee (effective January 24, 2018)	$25.00
Rabies Vaccine	$8.00/dog or cat being vaccinated
Rabies Vaccine - On Site One Time Convenience Fee to be paid per visit not per animal being vaccinated	$15.00
Boarding Fee	$10.00/per day or half day
Return to Owner: If Bordetella (Dogs), DA2 (Dogs) or RCPC (Cats) prior to owner reclaiming	additional $5.00 per shot
Return to Owner: If FELV(Cats) or HWT(Dogs)	additional $15.00 per test
Quarantine Fee	$10.00/per day, if Owner is known payment must be made up front **CHANGE TO** $15.00/per day or half day.
Euthanasia Fee for Owner Surrender animal, each	
Microchip Fee	$20.00 per chip
Microchip Fee for Animals being rescued by Rescue Groups	$10.00 per chip
Cat Trap Deposit Fee - refundable	$50.00
Dog Trap Deposit Fee - refundable	$100.00
Citations- for any offense in violation of the Animal Control Ordinance:	
First Offense	$50.00
Second Offense	$75.00
Third Offense and thereafter	$100.00
Redemption by Owner of animal found running at large and impounded:	
First Impound	Rabies vaccination (if administered) $8.00 and Microchip $20.00 and boarding fee **CHANGE TO:** Rabies ($8.00), DHPP/Bordetella/RCPC ($5,00/each), Microchip ($20), FIV/FelV/HWT ($15), Plus Boarding Fees ($10/day)
Second Impound	Spay or neuter at owner's expense, Animal Services transports to S/N Clinic and boarding fee **CHANGE TO** $150 (plus boarding fees) OR spay/neuter at owner's expense PLUS any vaccinations required and Boarding Fees ($10/day)
Third Impound and thereafter	$100.00 and boarding fee **CHANGE TO** $250 (plus boarding fees) OR spay/neuter at owner's expense PLUS any vaccinations required and Boarding Fees ($10/day)
Special Events and Special Situations	Rate to be determined by the Sheriff
Supplies for sale at AC Office for Dogs & Cats (Sales Tax Included in Cost)	Varies per item determined by the Sheriff

Appendix E
11/20/2018

Moore County Board of Commissioners
Land Use Plan Consistency Statement
General Use Rezoning Request
Neighborhood Business (B-1) to Residential and Agricultural-40 (RA-40)

The Moore County Board of Commissioners finds that:

1. The rezoning request is consistent with the following goals as listed in the 2013 Moore County Land Use Plan:

Goal 1: Preserve and Protect the Ambiance and Heritage of the County of Moore (inclusive of areas around the municipalities)

- Action 1.5.2: Support new developments that utilize existing or implement planned infrastructure that most economically preserves open space and important historical, natural and cultural features.
- Action 1.8.8: Support and promote infill development that will optimize the use of existing infrastructure.

Goal 3: Optimize the Uses of Land Within the County of Moore

- Goal 3.1: Maximize accessibility among living, working, and shopping areas
- Recommendation 3.4: Encourage development in areas where the necessary infrastructure (roads, water, sewer, and schools) are available, planned or most cost-efficiently be provided and extended to serve development.

3. The rezoning request is reasonable and in the public interest considering the property is located adjacent to residential property, is in close proximity to The Village of Whispering Pines, and has availability of public water.

Therefore, the Moore County Board of Commissioners **APPROVES** the General Use Rezoning Request, to result in of the approximate 6.21 acre parcel, located at 3221 Vass-Carthage Road and adjacent to Bibey Road, being rezoned to Residential and Agricultural (RA-40), as proposed.

Catherine Graham — 11/20/2018

Catherine Graham, Chair
Moore County Board of Commissioners

Date

Agenda Item: VI.A.
Meeting Date: November 20, 2018

MEMORANDUM TO THE BOARD OF COMMISSIONERS

FROM: **Debra Ensminger**
Planning & Transportation Director

DATE: **November 7, 2018**

SUBJECT: **General Use Rezoning Request: Neighborhood Business (B-1) to Residential and Agricultural-40 (RA-40)**

PRESENTER: **Debra Ensminger**

REQUEST

Tammy Allred Forest is requesting a General Use Rezoning from Neighborhood Business (B-1) to Residential and Agricultural-40 (RA-40) of an approximate 6.21 acre parcel, located at 3221 Vass-Carthage Road and adjacent to Bibey Road, owned by Tammy Allred Forest per Deed Book 2015E, Page 629.

This case was properly advertised, public hearing sign posted on the property, and all adjacent property owners were notified.

BACKGROUND

The existing use on the property is a Trade Contractor's shop that has been closed for several years.

ZONING DISTRICT COMPATIBILITY

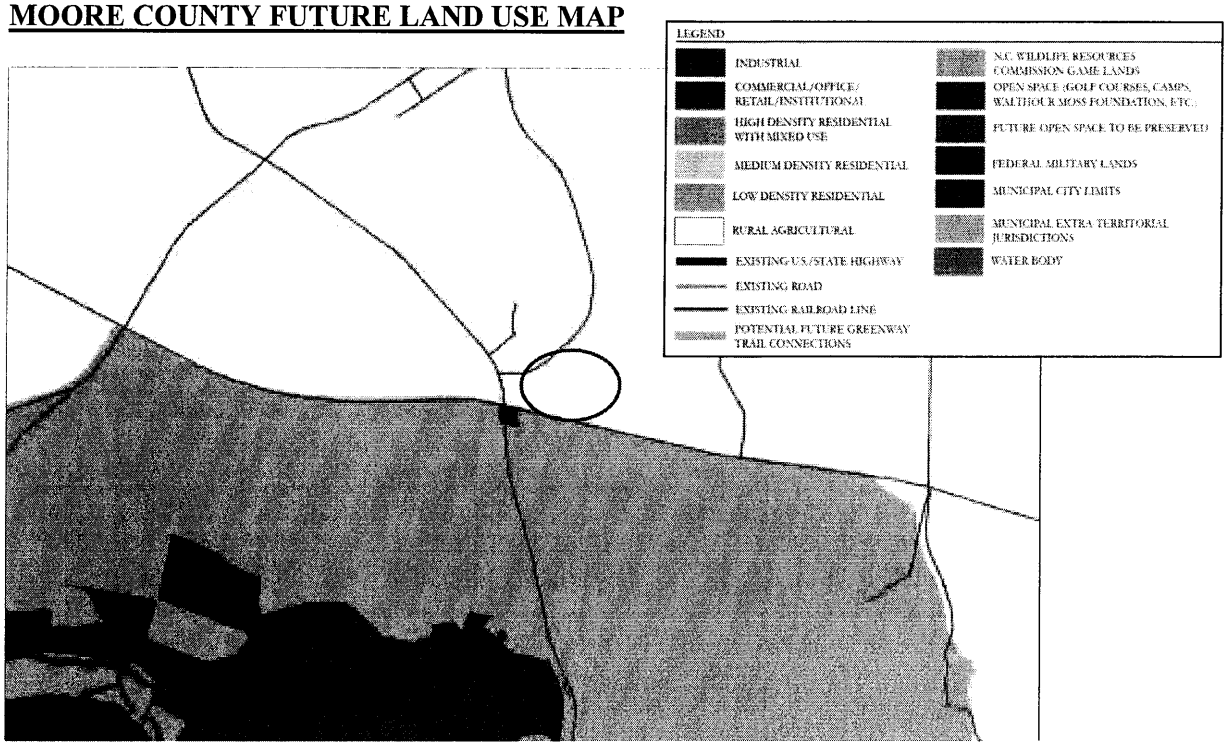
The requested rezoning to Residential and Agricultural-40 (RA-40) is consistent with the adjacent uses in the area, including single family residential and commercial. The surrounding area is zoned a mixture of Neighborhood Business (B-1), Highway Commercial (B-2), Residential and Agricultural-40 (RA-40), and Residential and Agricultural-20 (RA-20) in Moore County jurisdiction and Neighborhood Shopping (NS) and Residential Agricultural (RA) in Whispering Pines Jurisdiction.

CONSISTENCY WITH THE 2013 MOORE COUNTY LAND USE PLAN

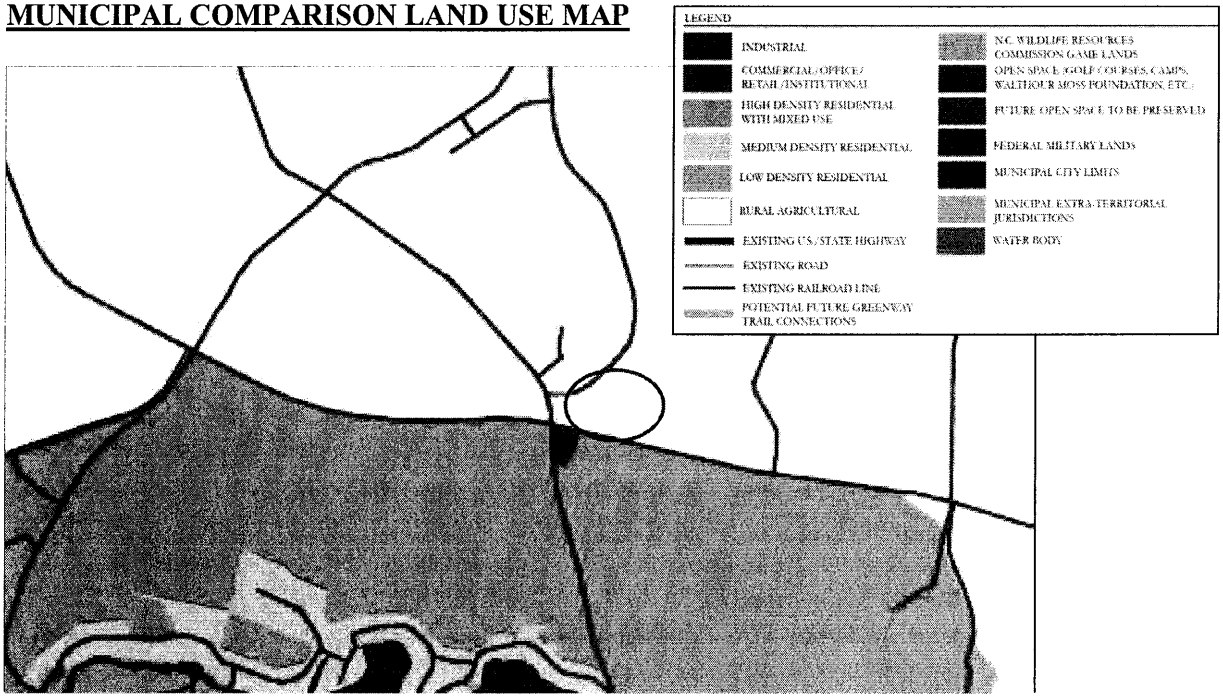
The site has a Rural Agricultural Land Use Classification (RALUC). The requested zoning to RA-40 is compatible with the Rural Agricultural Land Use Classification (RALUC). The Land Use Plan states the primary use of the Rural Agricultural Land Use Classification (RALUC) is to support rural residential life associated with agricultural uses and other rural activities. The Moore County Unified Development Ordinance states the Residential and Agricultural-40 zoning district is created to allow for single family dwellings, duplexes and agricultural use and discouraging any use which would generate traffic on minor streets other than normal traffic to serve residences on those streets.
The rezoning request is also consistent with several goals as included in the attached Land Use Plan Consistency Statement, including Goal 3.1: Maximize accessibility among living, working,

and shopping areas and Action 1.8.8: Support and promote infill development that will optimize the use of existing infrastructure.

MOORE COUNTY FUTURE LAND USE MAP



MUNICIPAL COMPARISON LAND USE MAP



CONSISTENCY WITH THE ADOPTED 2013 LAND USE PLAN

The Moore County Board of Commissioners Consistency Statement which speaks to the Land Use Plan goals is included for the Board's review and consideration.

IMPLEMENTATION PLAN

Hold the public hearing and approve / deny the rezoning request.

ACTION BY THE PLANNING BOARD

The Planning Board met on October 4, 2018 and unanimously recommended approval.

FINANCIAL IMPACT STATEMENT

No financial impact to the County's FY 2018-2019 budget.

RECOMMENDATION

This item requires two separate motions:

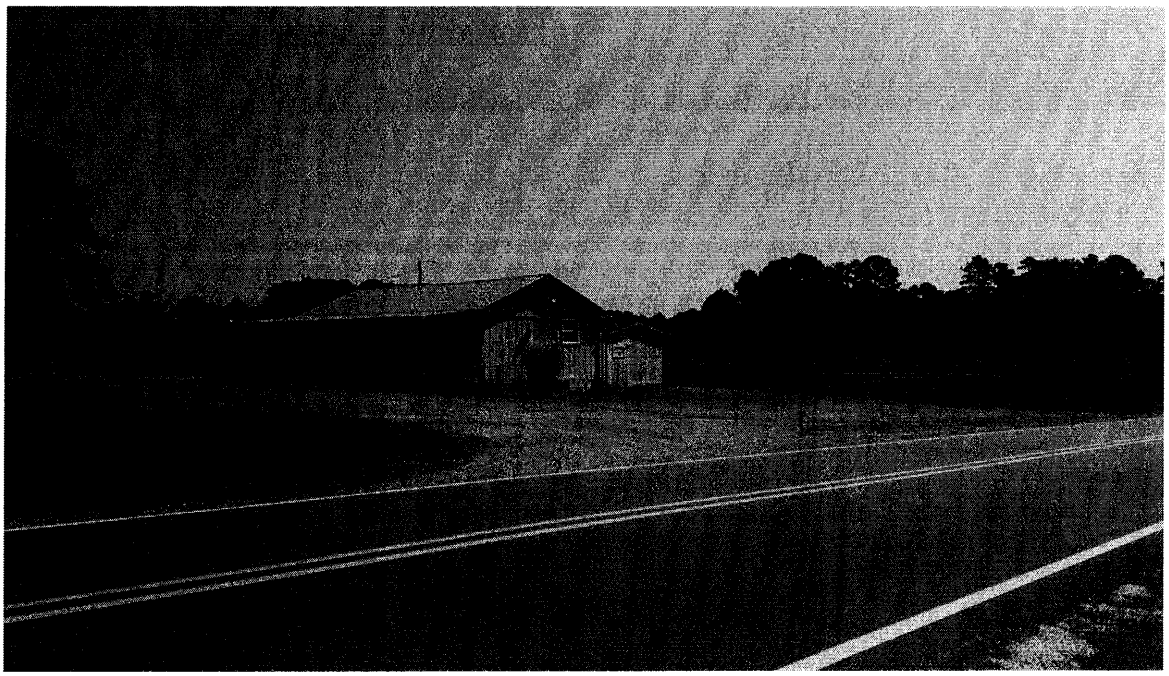
Motion #1: Make a motion to adopt one of the attached Land Use Plan Consistency Statements (Approval or Denial) and authorize the Chairman to execute the document as required by North Carolina General Statute 153A-341.

Motion #2: Make a motion to approve or deny the General Use Rezoning request from Neighborhood Business (B-1) to Residential and Agricultural-40 (RA-40) of an approximate 6.21 acre parcel, located at 3221 Vass-Carthage Road and adjacent to Bibey Road, owned by Tammy Allred Forest per Deed Book 2015E, Page 629.

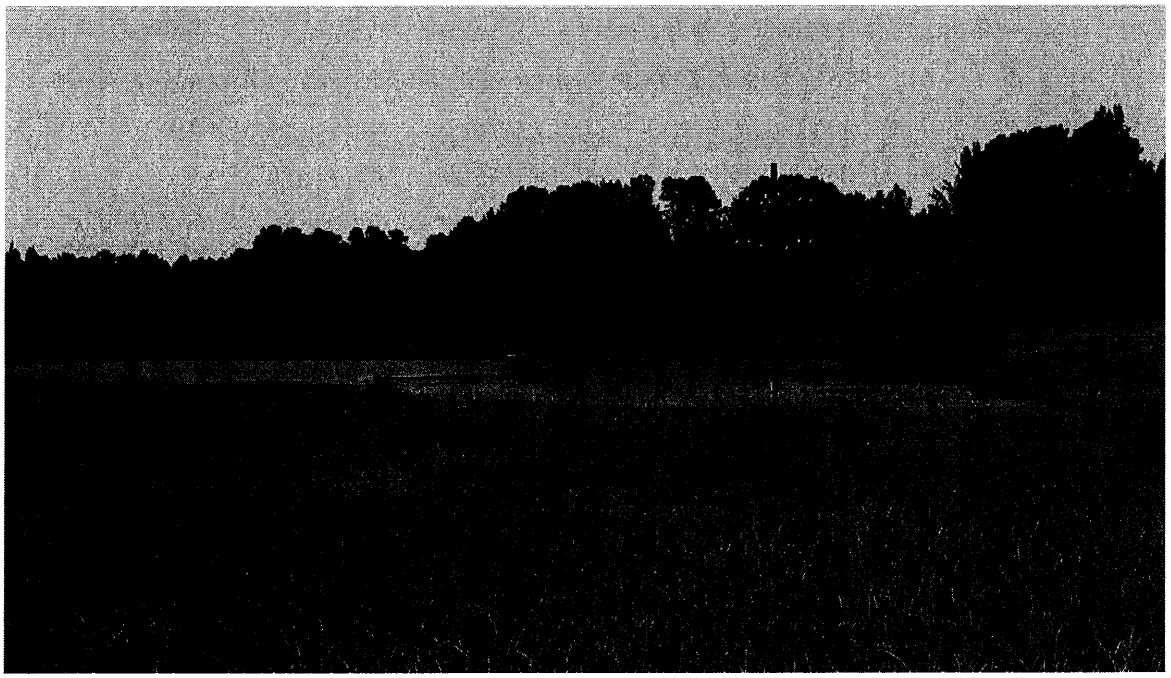
ATTACHMENTS

- Pictures of Property and Adjacent Properties
- Vicinity Map, Land Use Map, Rezoning Map
- Rezoning Application
- Moore County Board of Commissioners Consistency Statement – Approval
- Moore County Board of Commissioners Consistency Statement – Denial
- Deed Book 2015E, Page 629

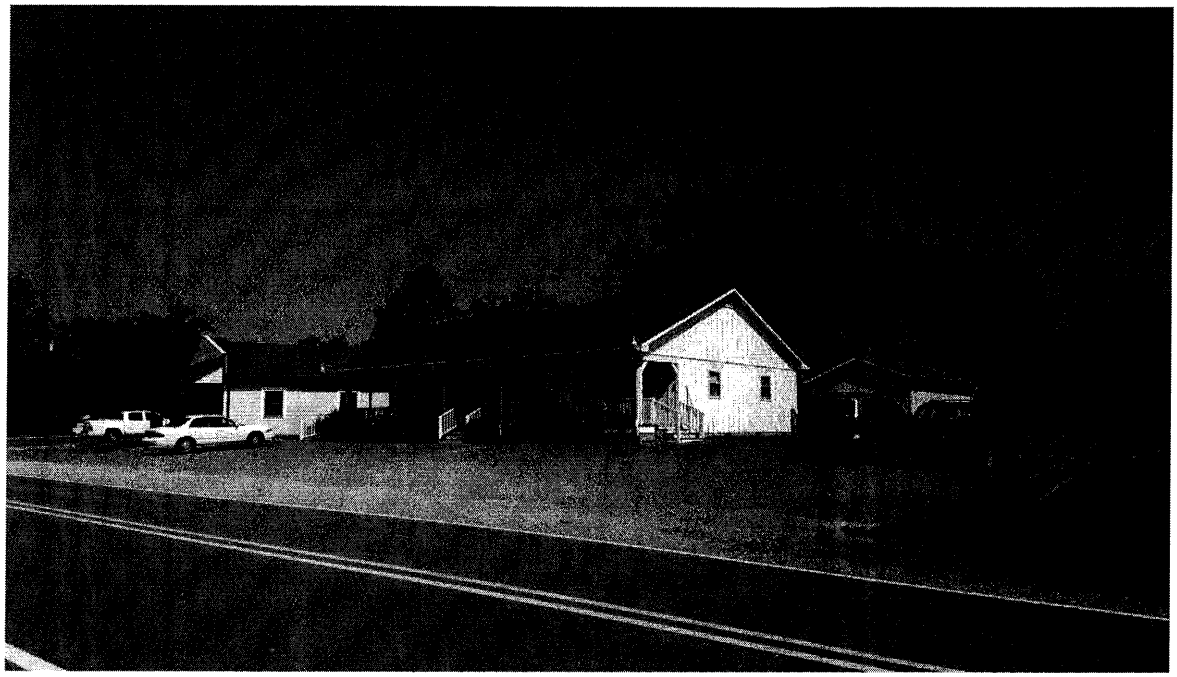
View of subject property from Vass-Carthage Road



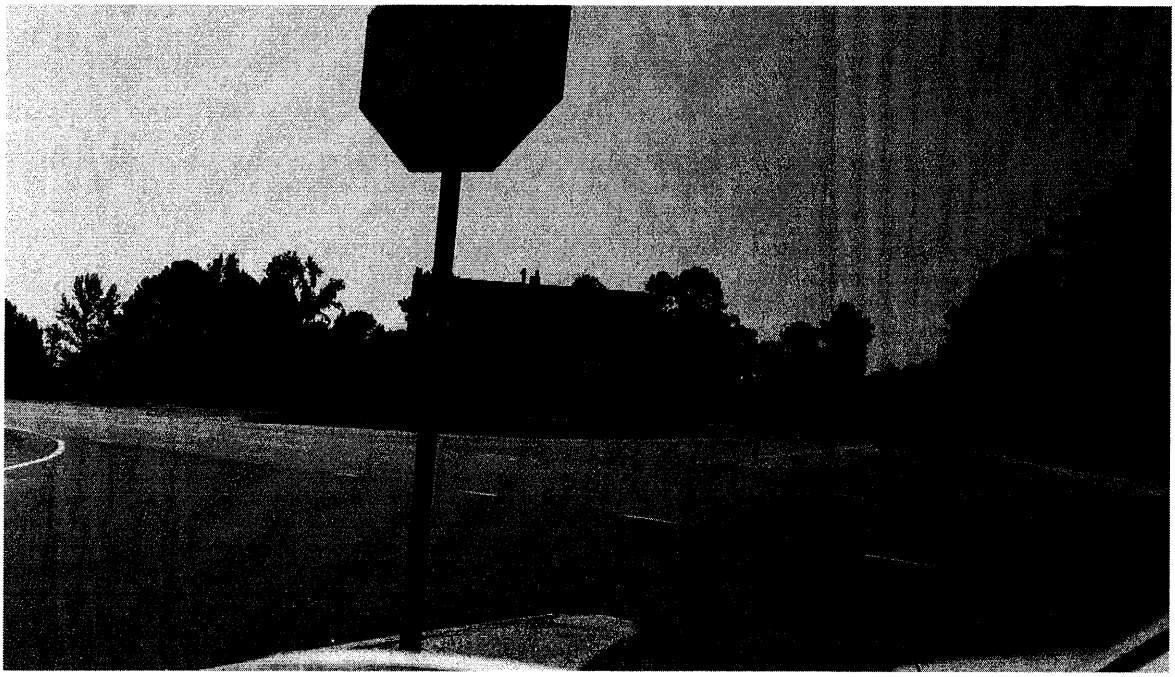
View of subject property from Bibey Road



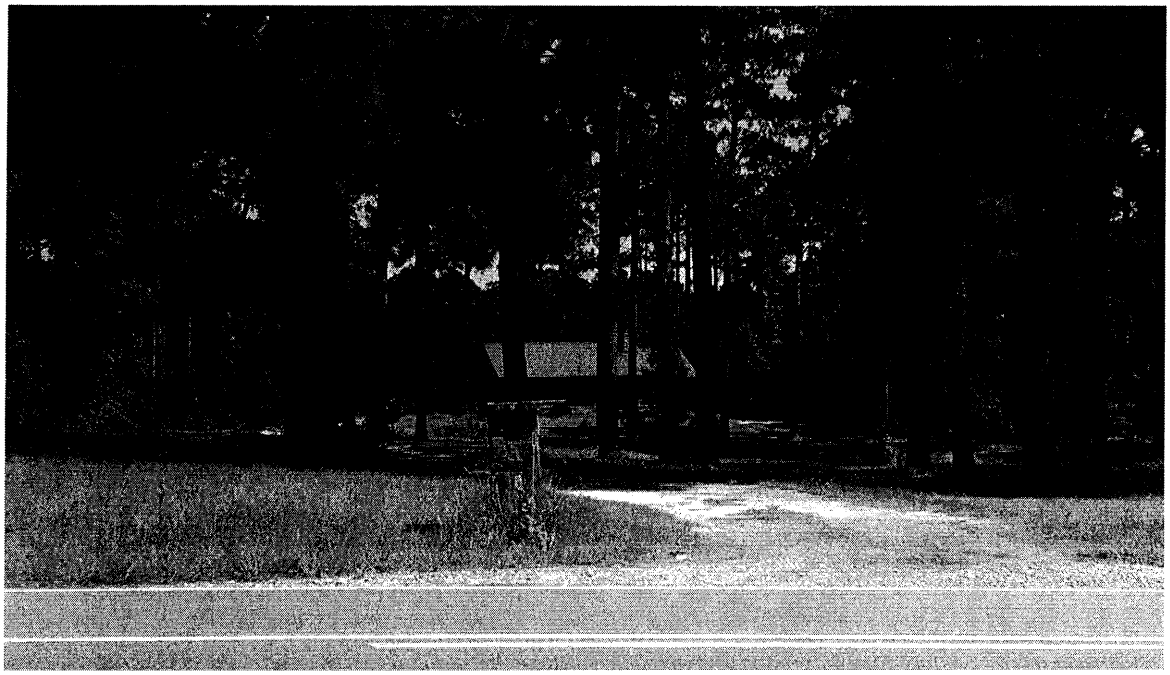
Adjacent property - 3201 Vass-Carthage Road – Whispering Pines Thrift Shop



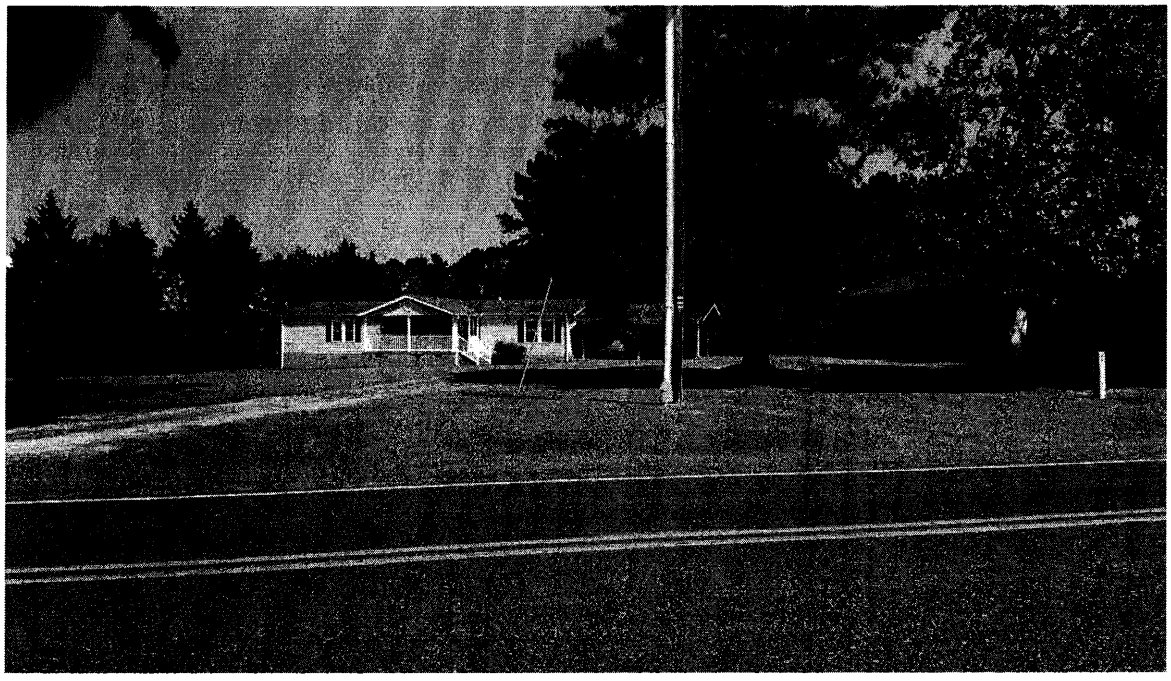
Adjacent property – 3196 Vass-Carthage Road – Farm to Table

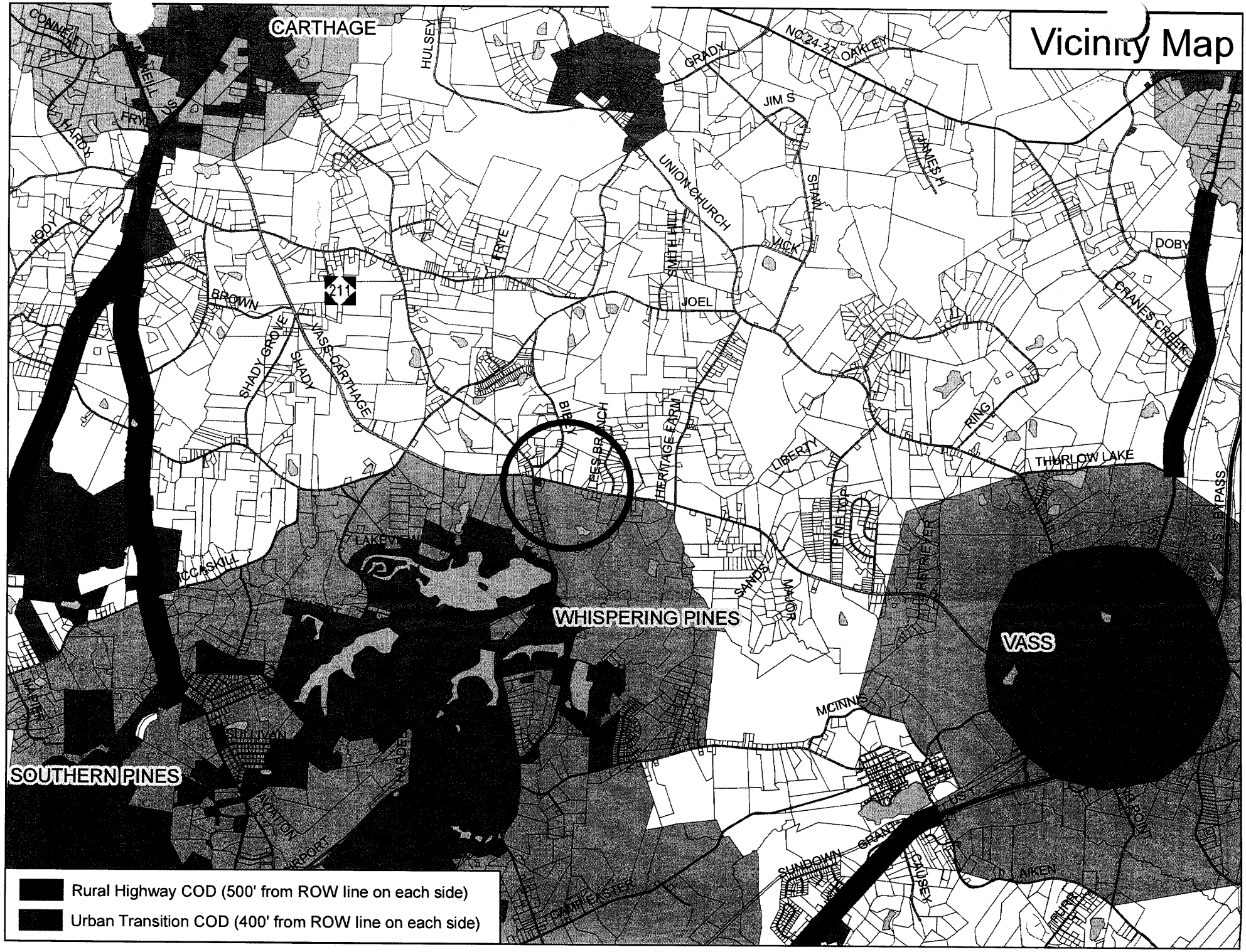


Adjacent Property – 3286 Vass-Carthage Road

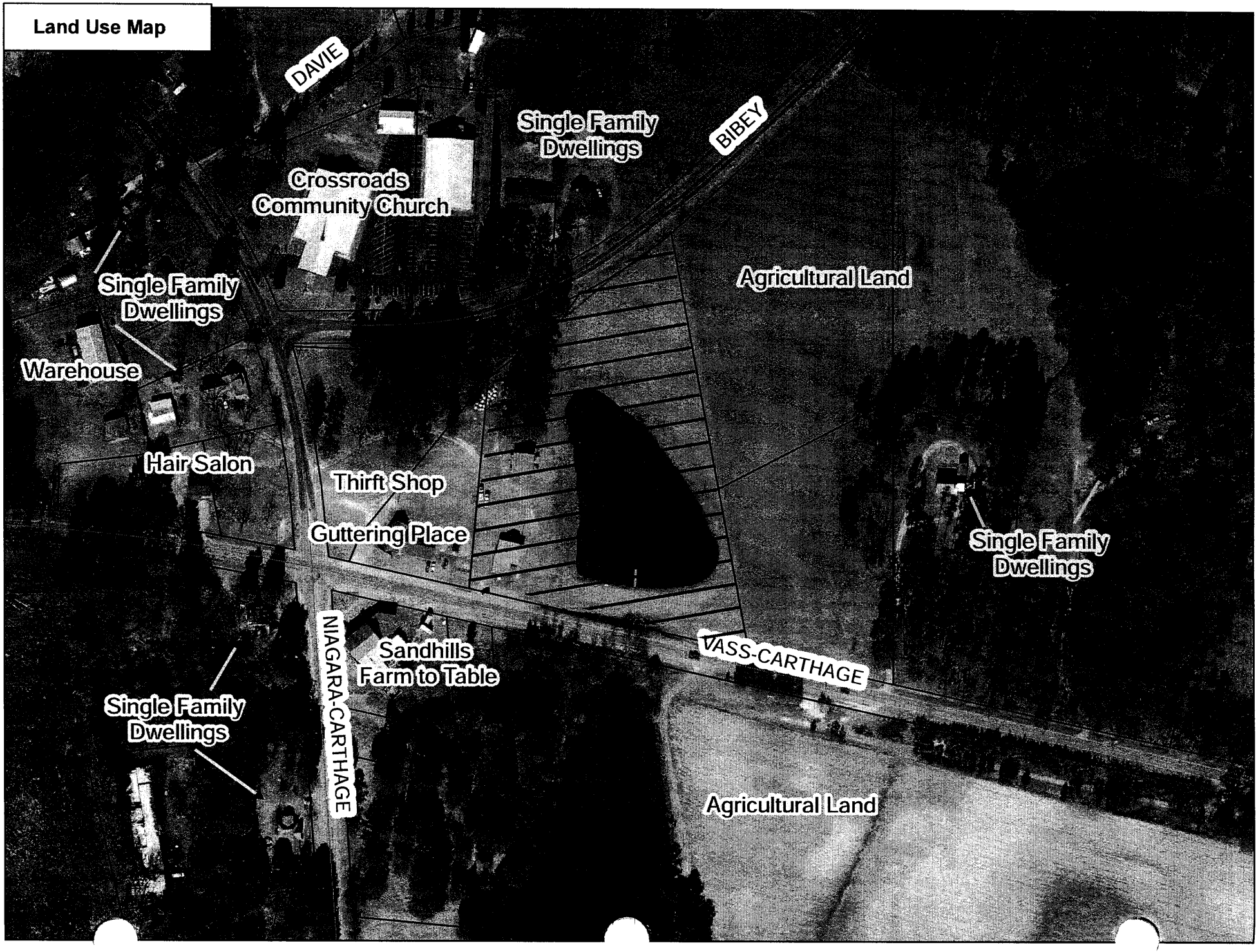


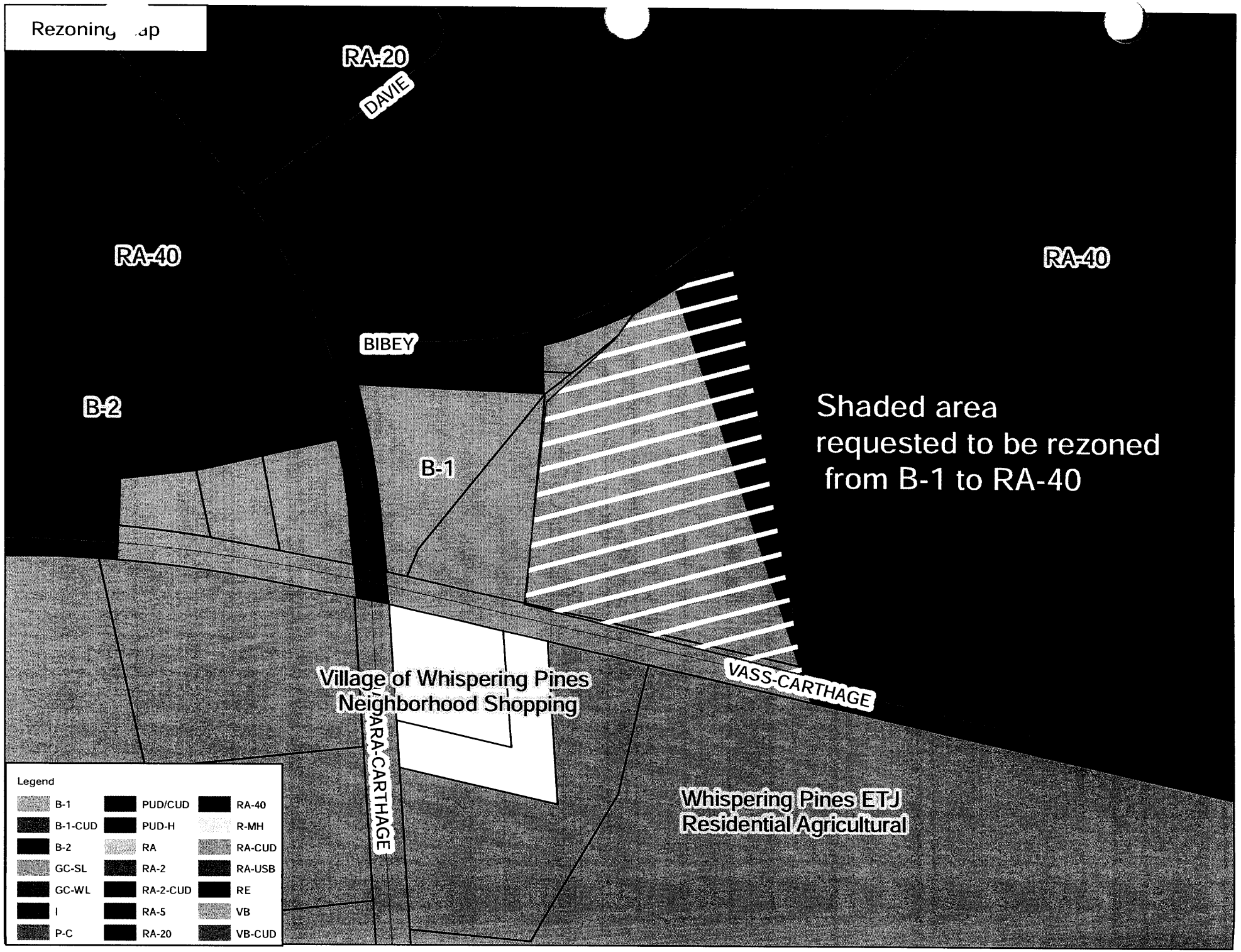
Adjacent Property – 756 Bibey Road




Vicinity Map
CARTHAGE
WHISPERING PINES
VASS
SOUTHERN PINES
HULSEY
GRADY
NC 24-27
OAKLEY
JIM S
JAMES H
UNION CHURCH
SHAW
VICK
JOEL
FRYE
SMITH HILL
DOBY
CRANES CREEK
BROWN
211
SHADY GROVE
SHADY
VASS-CARTHAGE
BIBEY
LEES BRANCH
HERITAGE FARM
LIBERTY
RING
THURLOW LAKE
US 1 BYPASS
PINE TOP
RETRIEVER
SANDS
MAJOR
LAKEVIEW
MCCASKILL
MCINNIS
SULLIVAN
HARDEE
AVIATION
AIRPORT
CAMP EASTER
SUNDOWN
GRANT
CAUSEY
AIKEN
US 1
Rural Highway COD (500' from ROW line on each side)
Urban Transition COD (400' from ROW line on each side)

Land Use Map


DAVIE
Single Family Dwellings
BIBEY
Crossroads Community Church
Agricultural Land
Single Family Dwellings
Warehouse
Hair Salon
Thirft Shop
Guttering Place
Single Family Dwellings
NIAGARA-CARTHAGE
Sandhills Farm to Table
VASS-CARTHAGE
Single Family Dwellings
Agricultural Land


Rezoning Map
RA-20
DAVIE
RA-40
RA-40
BIBEY
B-2
B-1
Shaded area
requested to be rezoned
from B-1 to RA-40
Village of Whispering Pines
Neighborhood Shopping
VASS-CARTHAGE
ARA-CARTHAGE
Whispering Pines ETJ
Residential Agricultural
Legend
B-1
B-1-CUD
B-2
GC-SL
GC-WL
I
P-C
PUD/CUD
PUD-H
RA
RA-2
RA-2-CUD
RA-5
RA-20
RA-40
R-MH
RA-CUD
RA-USB
RE
VB
VB-CUD

County of Moore
Planning and Transportation

"One Team – One Mission"

Inspections/Permitting: (910) 947-2221
Planning: (910) 947-5010
Transportation: (910) 947-3389

GENERAL USE REZONING APPLICATION

Application Date: 8-14-18		APP# 23099	
Location/Address of Property: 3221 Vass Carthage Rd			
Applicant: Tammy Forest		Phone: 910 315-9689	
Applicant Address: 437 Ave. of the Carolinas	City: Whispering Pines	St: NC	Zip: 28327
Owner: Tammy Allred Forest		Phone: 315-9689	
Owner Address: 437 Ave of the Carolinas	City: Whispering Pines	St: NC	Zip: 28327
Current Zoning District: B-1	Proposed Zoning District: RA-40		

Comments:

Rezone B-1 to RA-40
PARCEL ID# 00030841 Legal: MARTIN LAND
Deed Book 2015E Page 629

I (We), the undersigned, certify that all statements furnished in this application are true to the best of my (our) knowledge, and do hereby agree to follow all reasonable requests for information as designated by the County of Moore Zoning Administrator.

Tammy Forest 8-17-18
Applicant/Owner Signature Date

Applicant/Owner Signature Date

Office Use Only:

PAR ID: 00030841

Theresa M. Rompoon 8/21/2018
Received By Date

Moore County Board of Commissioners
Land Use Plan Consistency Statement
General Use Rezoning Request
Neighborhood Business (B-1) to Residential and Agricultural-40 (RA-40)

The Moore County Board of Commissioners finds that:

1. The rezoning request is consistent with the following goals as listed in the 2013 Moore County Land Use Plan:

Goal 1: Preserve and Protect the Ambiance and Heritage of the County of Moore (inclusive of areas around the municipalities)

- Action 1.5.2: Support new developments that utilize existing or implement planned infrastructure that most economically preserves open space and important historical, natural and cultural features.
- Action 1.8.8: Support and promote infill development that will optimize the use of existing infrastructure.

Goal 3: Optimize the Uses of Land Within the County of Moore

- Goal 3.1: Maximize accessibility among living, working, and shopping areas
- Recommendation 3.4: Encourage development in areas where the necessary infrastructure (roads, water, sewer, and schools) are available, planned or most cost-efficiently be provided and extended to serve development.

3. The rezoning request is reasonable and in the public interest considering the property is located adjacent to residential property, is in close proximity to The Village of Whispering Pines, and has availability of public water.

Therefore, the Moore County Board of Commissioners **APPROVES** the General Use Rezoning Request, to result in of the approximate 6.21 acre parcel, located at 3221 Vass-Carthage Road and adjacent to Bibey Road, being rezoned to Residential and Agricultural (RA-40), as proposed.

_____ _____

Catherine Graham, Chair Date
Moore County Board of Commissioners

Moore County Board of Commissioners
Land Use Plan Consistency Statement
General Use Rezoning Request
Neighborhood Business (B-1) to Residential and Agricultural-40 (RA-40)

The Moore County Board of Commissioners finds that:

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- Goal 3.1: Maximize accessibility among living, working, and shopping areas
- Recommendation 3.4: Encourage development in areas where the necessary infrastructure (roads, water, sewer, and schools) are available, planned or most cost-efficiently be provided and extended to serve development.

2. The rezoning request is not reasonable and not in the public interest because the proposed rezoning will have an unreasonable impact on the surrounding community.

Therefore, the Moore County Board of Commissioners **DENIES** the General Use Rezoning Request, to result in of the approximate 6.21 acre parcel, located at 3221 Vass-Carthage Road and adjacent to Bibey Road, being rezoned to Residential and Agricultural (RA-40), as proposed.

_____ _____

Catherine Graham, Chair Date
Moore County Board of Commissioners

LAST WILL AND TESTAMENT

OF

LARRY R. ALLRED

NORTH CAROLINA **MOORE COUNTY**

I, **LARRY R. ALLRED**, of Moore County, North Carolina, being of sound mind and memory, and not acting under duress, coercion or undue influence of any person whomsoever, but considering the uncertainty of my earthly existence, do hereby make, publish and declare this my Last Will and Testament, hereby revoking all Wills and Codicils to Wills heretofore made by me.

ITEM ONE

I direct my Personal Representative to pay out of my estate all of my just debts, funeral expenses, administrative costs, income and inheritance taxes and, if any, the cost of a grave site.

ITEM TWO

I hereby will, devise and bequeath my personal automobile to my friend, **KATHY ALLRED**.

ITEM THREE

I hereby will, devise and bequeath my real property located at 3221 Vass-Carthage Road, Carthage, North Carolina, containing 6.21 acres, unto my daughter, **TAMMY L. ALLRED**.

ITEM FOUR

I hereby will, devise and bequeath 2 acres of real property to my brother and sister-in-law, **JAMES TONY ALLRED** and wife, **KATHY ALLRED**, for and during their natural life and said 2 acres is to be where they live on my real property described in that certain Deed recorded in Deed Book 579, at Page 297 in the Moore County Registry and located in Deep River Township.

Larry R Allred (SEAL)
LARRY R. ALLRED

THIS WILL WAS DRAFTED BY FRANK C. THIGPEN, OF THE LAW FIRM OF THIGPEN & JENKINS, LLP

300 PINEHURST AVENUE, SOUTHERN PINES, NC 28387

ITEM FIVE

I hereby will, devise and bequeath all the rest, residue and remainder of my property, both real, personal, or mixed, wheresover situated and whenever by me acquired, unto my son, TIMOTHY L. ALLRED.

ITEM SIX

I do hereby expressly make it a part of this my Last Will and Testament, that if any person named herein shall not abide by and maintain the Will as it is written, but shall institute or cause to be instituted or shall voluntarily become a party to any caveat, action, or other legal proceeding upon any grounds whatsoever for the purpose of contesting my Will, or any part thereof, such beneficiary and devisee shall take nothing whatsoever under this Will, and the part that such beneficiary or devisee would otherwise have taken shall become a portion of the property and funds passing under the residuary clause of this Will as if such beneficiary or devisee had predeceased me.

ITEM SEVEN

If any share or property hereunder becomes distributable to a beneficiary who has not attained the age of twenty-one (21) years or if any real property shall be devised to a person who has not attained the age of twenty-one (21) years at the date of my death, then such share or property shall immediately vest in the beneficiary, but notwithstanding the provisions herein, my Personal Representative acting as Trustee shall retain possession of the share or property in trust for the beneficiary until the beneficiary attains the age of twenty-one (21), using so much of the net income and principal of the share or property as my Personal Representative deems advisable any other income or resources of the beneficiary or his or her parents known to my Personal Representative. Any income not so paid or applied shall be accumulated and added to principal. The beneficiary's share or property shall be paid over, distributed and conveyed to the beneficiary upon attaining age twenty-one (21), or if he or she

Larry R Allred (SEAL)
LARRY R. ALLRED

shall sooner die, to his or her personal representatives. Whenever my Personal Representative in such of the following ways as my Personal Representative deems best: 1) directly to the beneficiary; 2) to the legally appointed guardian of the beneficiary; 3) to some relative or friend for the care, support and education of the beneficiary; 4) by my Personal Representative using such amounts directly for the beneficiary's care, support, and education; 5) to a custodian for the beneficiary under the Uniform Gifts or Transfers to Minors Act. My Personal Representative as trustee shall have with respect to each share or property so retained all the powers and discretions conferred upon it as Personal Representative.

ITEM EIGHT

I may in the future prepare a list, in my own handwriting and signed by me, of certain items of my personal property and the persons I wish to receive such items at my death. If such a list is found, I direct my Personal Representative to distribute the items so identified to the persons named. If no such list is found, or to the extent such list does not fully dispose of my personal property, then the personal property shall pass as I have previously provided.

ITEM NINE

I nominate and appoint my son, **TIMOTHY ALLRED** as the Personal Representative of this my Last Will and Testament, giving to my said Personal Representative of this, my Last Will and Testament, full right, power and authority to bargain, sell, convey, transfer, deed, compromise, settle, adjust, manage and deal with any and all property and obligations or claims, both in favor of and against my estate, upon such terms and under such conditions as to my said Personal Representative shall deem best for the proper settlement of my estate, **WITHOUT ORDER OF ANY COURT**; and in the execution of said duties and powers of my Personal Representative shall have the power to comply with all legal requirements as to the execution of deeds and all other writings, documents or formalities **WITHOUT ORDER OF COURT**. I desire that my Personal Representative shall serve in such capacity **WITHOUT BOND**.

Larry R Allred (SEAL)
LARRY R. ALLRED

In the event my said Personal Representative shall predecease me or for any reason she is unable to serve as Personal Representative, then I nominate and appoint my beloved daughter, **TAMMY L. ALLRED** as my Substitute Personal Representative, granting to her the same powers as are hereinabove delegated to my Personal Representative, and I request that she shall serve in such capacity **WITHOUT BOND.**

In addition to the powers and authorities granted to my Personal Representative above, I further grant all powers set forth in NCGS 28A-13-3 except as limited by NCGS 28A-13-6 and incorporated such powers in this my Last Will and Testament by reference to NCGS 28A-13-3.

IN WITNESS WHEREOF, I have hereunto set my hand and seal to this, my Last Will and Testament. This, the 2 day of July, 2015.

Larry R Allred (SEAL)
LARRY R. ALLRED

NORTH CAROLINA

COUNTY OF MOORE

CERTIFICATE OF SELF PROVING WILL

BEFORE ME, the undersigned authority, on this day, personally appeared the undersigned persons, known to be the Testator and the witnesses, respectively, whose names are signed to the attached and foregoing instrument, and all of these persons being by me first duly sworn. The Testator declared to me and to the witnesses in my presence that the instrument is his Last Will and Testament; that he had willingly signed or directed another to sign the same for him and he executed in the presence of the witnesses as his free and voluntary act for the purposes therein expressed; or, that the Testator signified that the instrument is his instrument by acknowledging to them his signature previously affixed thereto.

The witnesses stated before me that the foregoing Will was executed and acknowledged by the Testator as his Last Will and Testament in the presence of the witnesses who, in his presence and at his request, subscribed their names thereto as attesting witnesses and that the Testator, at the time of the execution of the Will, was over eighteen (18) years of age and of sound and disposing mind and memory.

Larry R Allred (SEAL)
TESTATOR (LARRY R. ALLRED)

Frank C. Thigpen (SEAL)
WITNESS

Angela O. Pearce (SEAL)
WITNESS

Kami L Brnsn (SEAL)
WITNESS

Subscribed, sworn and acknowledged before me by LARRY R. ALLRED, the Testator, subscribed and sworn before me by Frank C. Thigpen, Angela O. Pearce, and Kami L. Brunson, witnesses.

This, the 2 day of July, 2015.

Misty Bruce
NOTARY PUBLIC

MISTY BRUCE
NOTARY PUBLIC
Moore County
North Carolina
My Commission Expires February 8, 2017

My Commission Expires: 2-8-17

Appendix F
11/20/18

Moore County Board of Commissioners
Land Use Plan Consistency Statement
Text Amendment - Unified Development Ordinance

The Moore County Board of Commissioners finds that:

1. The text amendment request is consistent with the following goals listed in the 2013 Moore County Land Use Plan:

Goal 1: Preserve and Protect the Ambiance and Heritage of the County of Moore (inclusive of areas around municipalities):

- Recommendation 1.5: Encourage and support development and land use principles by ensuring Moore County's cultural, economic, and natural resources are considered appropriately.
- Recommendation 1.7: Support and promote local businesses.

Goal 3: Optimize the Uses of Land Within the County of Moore:

- Recommendation 3.4: Encourage development in areas where the necessary infrastructure (roads, water, sewer, and schools) are available, planned or most cost-efficiently be provided and extended to serve development.

Goal 4: Provide Information and Seek Citizen Participation:

- Action 4.1.1: Continue to support and implement easy to understand guidelines to incorporate throughout governmental departments.

2. The text amendment is consistent with the Goals listed above due to the compatibility of land use goals supporting local businesses and providing them with a transparent permitting process.

3. The text amendment is reasonable and in the public interest because the ordinance has been updated to meet current statutory requirements and be more user-friendly for use by the general public and development community. It also provides clear guidance through the permitting process.

Therefore, the Moore County Board of Commissioners **APPROVES** the text amendment to the Unified Development Ordinance, as proposed.

Catherine Graham
Catherine Graham, Chair
Moore County Board of Commissioners

11/20/2018
Date

Agenda Item: VI.B.
Meeting Date: November 20, 2018

MEMORANDUM TO THE BOARD OF COMMISSIONERS

FROM: **Debra Ensminger**
Planning and Transportation Director

DATE: **November 7, 2018**

SUBJECT: **Unified Development Ordinance Text Amendments**

PRESENTER: **Debra Ensminger**

REQUEST
Moore County Planning Staff is requesting the below text amendments to the Moore County Unified Development Ordinance:

Bold Text – additions to the ordinance
~~Strikethrough Text~~ - deletions from the ordinance

1. AMEND Chapter 2 (Review Bodies and Administrator), Section 2.2 (Planning Board), Subsection A (Powers and Duties) as follows:

   A. Powers and Duties. The Planning Board shall have all the powers and authority pursuant to NCGS 153A-321 and 153A-322 and shall perform any related duties as directed by the Board of Commissioners. The Planning Board shall make recommendations of the following requests:

      1. Amendments to the UDO text and the Zoning Map;
      2. Conditional Use Permits;
      3. Conditional Rezonings;
      ~~4. Public Road Closures; and~~
      5. Amendments to the comprehensive land use plans for Moore County.

   REASON. Correction of a typo.

2. AMEND Chapter 4 (Zoning Permit), Section 4.2 (Application), Subsection A (Pre-Application Meeting) as follows:

   A. ~~Pre-Application~~ **Project Review Team** Meeting. To minimize development planning costs, avoid misunderstandings or interpretations, and ensure compliance with the requirements of this Ordinance, a ~~pre-application~~ **Project Review Team** meeting between the developer and ~~planning~~ staff is ~~encouraged~~ **required for all non-residential**

projects, as determined applicable by the Administrator. The developer is also ~~encouraged~~ **required** to submit a sketch plan.

REASON. Requires Project Review Team Meetings for non-residential projects, as needed.

3. AMEND Chapter 4 (Zoning Permit), Section 4.3 (Action by the Administrator) as follows:

4.3 Action by the Administrator

If the proposed application is in conformity with the provisions of this UDO, and if all applicable permits have been approved by the Moore County Department of Environmental Health, the Administrator shall issue a zoning permit ~~and mail a copy to the property owner,~~ stating: Issuance of a zoning permit shall in no case be construed as waiving any provisions of the UDO, approved plans, specific use standards, and the intended use of such building and land do, in all respects, conform to the provisions of the UDO.

REASON. Removing step of mailing permit by including language in the actual zoning permit approval notes.

4. AMEND Chapter 4 (Zoning Permit), Section 4.4 (Zoning Decision Sign) as follows:

4.4 Zoning Decision Sign

Zoning Decision Sign. The applicant shall post a **sign containing the words** "Zoning Decision" **in letters at least 6 inches high**, including contact information of the Administrator, on the site **in a prominent location including street frontage**, and provide evidence to the Administrator within 10 days of the permit issuance for new non-residential buildings or changes of use, for a minimum of 10 days to notify the neighbors, or the Zoning Permit shall be null and void.

REASON. Provides clarification of statutory language (NCGS 160A-388).

5. AMEND Chapter 7 (General Development Standards), Section 7.11 (Non-Residential Screening), Subsection A (Applicability) as follows:

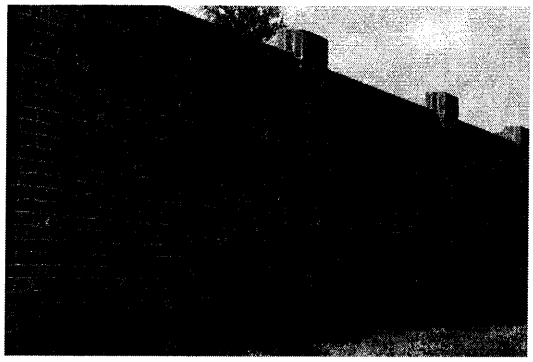
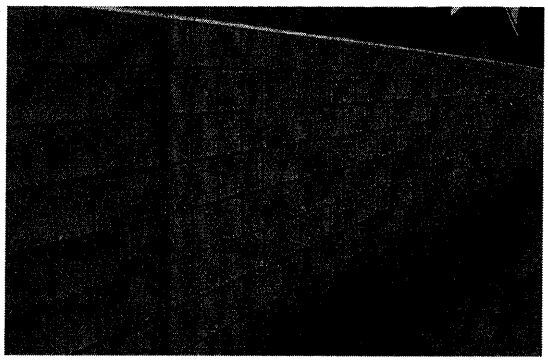
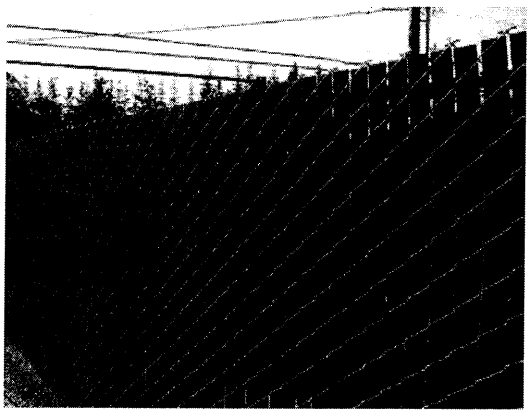
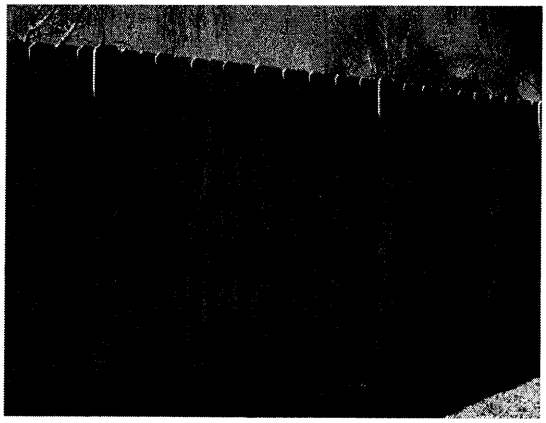
A. Applicability. The standards established in the section are intended to provide adequate buffering between non-residential and residential land uses. Any new development including parking lots or a new use (except agricultural uses, temporary uses, home occupation level 1, neighborhood parks, single family residential, duplexes, and expansions of 250 square feet or less) shall install screening along the side and rear lot lines that abut any residentially zoned property and along any front setback abutting residentially zoned property (not abutting a street right-of-way **or railroad right-of-way**).

REASON. Screening is not required to be installed along a railroad right-of-way due to railroad not being residential property.

6. AMEND Chapter 7 (General Development Standards), Section 7.11 (Non-Residential Screening), Subsection D (Screening Types) as follows:

D. Screening Types. Unless specified elsewhere in this Ordinance, the screening shall be one of the following:

Type 1. A 6 foot high ~~attractive blind and opaque barrier, such as a masonry~~ **brick or stone** wall, **cinder** block wall, basket weave chain link fence, or ~~opaque~~ wooden **plank** fence (including entrance and exit gates) **as depicted in the example pictures below,** with the finished side of fence facing the adjoining property.

REASON. Removed discretionary language and added pictures and the descriptive words such as "cinder" and "plank" for clarification.

7. AMEND Chapter 8 (Specific-Use Standards), Section 8.4 (Accessory Dwelling Located within a Single Family Dwelling), Subsection B (Standards) as follows:

8.4 Accessory Dwelling Located within a ~~Stick Built~~ Single Family Dwelling

A. Definition. An addition (such as a mother-in-law suite) to an existing single family ~~stick-built~~ dwelling, containing separate sleeping, kitchen, and bathroom facilities.

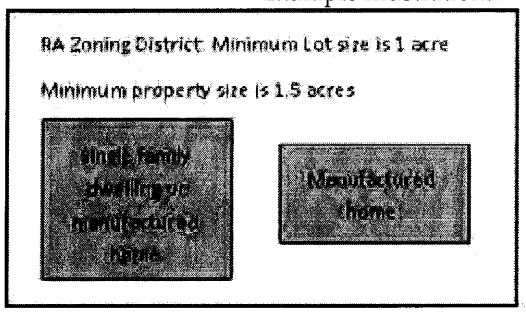
REASON. Removing "stick built" to match the Building Code definition for consistency.

8. AMEND Chapter 8 (Specific-Use Standards), Section 8.6 (Accessory Manufactured Home), Subsection B (Standards) as follows:

A. Definition. An accessory manufactured home located on the same lot as the principal single-family ~~stick-built~~ dwelling OR principal manufactured home.

B. Standards.

Example Illustrations:



a. **There shall be n**o more than ~~1~~ **2** ~~accessory~~ manufactured homes per lot. There shall be a minimum of 1.5 times the minimum lot size requirement for the applicable zoning district for an accessory manufactured home.

b. **There shall be an additional 10 acres of land beyond the minimum lot size for the applicable zoning district allotted for the 2nd accessory manufactured home, in addition to a ~~stick-built~~ dwelling.** Accessory ~~stick-built~~ dwellings shall meet the required principal building setbacks with a minimum separation of 30 feet between any dwellings. An accessory dwelling may be located in the front yard provided it meets the required principal building setbacks. (A lot that existed prior to January 4, 1994 may be developed for single-family residential purposes without being subject to watershed regulations.)

REASON. There may be 2 accessory manufactured homes if a property is a minimum of 10 acres plus the minimum lot size to accommodate rural residential development on larger tracts of land.

9. AMEND Chapter 8 (Specific-Use Standards), Section 8.7 (Accessory Stick-Built Dwellings), Subsection A (Definitions) and B (Standards) as follows:

8.7 Accessory ~~Stick-Built~~ Single Family Dwellings

A. Definition. An accessory (2nd) single-family ~~stick-built~~ dwelling may be located on the same lot as the principal single-family ~~stick-built~~ dwelling. The accessory dwelling may be combined with a detached garage, workshop, barn (barn apartments), etc.

B. Standards. There shall be no more than 2 accessory ~~stick-built~~ dwellings per lot. There shall be an additional 10 acres of land allotted for the 3rd ~~stick-built~~ dwelling. Accessory ~~stick-built~~ dwellings shall meet the required principal building setbacks with a minimum separation of 30 feet between any dwellings. An accessory dwelling may be located in the front yard provided it meets the required principal building setbacks. (A lot that existed prior to January 4, 1994 may be developed for single-family residential purposes without being subject to watershed regulations.)

REASON. Removing "stick built" to match the Building Code definition for consistency.

10. AMEND Chapter 8 (Specific-Use Standards), Section 8.8 (Single Family Dwelling), Subsection A (Definition) as follows:

A. Definition. A detached ~~stick-built (including modular)~~ dwelling **unit** containing sleeping, kitchen, and bathroom facilities constructed in accordance with the standards set forth in the NC Building Code, ~~designed for and~~ used as a permanent residence by 1 family.

REASON. Changing the definition to match the Building Code definition for consistency.

11. AMEND Chapter 8 (Specific-Use Standards), Section 8.11 (Home Occupation, Level 1), Subsection A (Definition) as follows:

A. Definition. Any business, occupation, or activity undertaken for gain that is incidental and secondary to the use of the ~~stick-built or modular~~ single family dwelling.

REASON. Removing "stick built" to match the Building Code definition for consistency.

12. AMEND Chapter 8 (Specific-Use Standards), Section 8.12 (Home Occupation, Level 2), Subsection A (Definition) as follows:

A. Definition. Any business, occupation, or activity undertaken for gain that is incidental and secondary to the use of the ~~stick-built or modular~~ single family dwelling.

REASON. Removing "stick built" to match the Building Code definition for consistency.

13. AMEND Chapter 8 (Specific-Use Standards), Section 8.13 (Manufactured Home), Subsection C (Prohibited) as follows:

C. Prohibited. No manufactured home (mobile home, trailer, manufactured office, etc.) shall be used in any manner for **storage (personal or commercial),** business, or commercial purposes except when used for a sales office on a manufactured home sales

lot, an administrative office for a manufactured home park, or for a temporary use approved by the Administrator.

REASON. Manufactured homes cannot be permitted for storage purposes due to the use being residential.

14. AMEND Chapter 8 (Specific-Use Standards), Section 8.18 (Multifamily Dwellings), Subsection A (Definitions) and Subsection C (Setbacks) as follows:

A. Definition. A building containing 3 or more dwellings per lot, including condominiums, or apartment complexes (including senior citizen apartment complexes). Does not include manufactured home parks, secondary detached ~~stick-built~~ dwelling units, planned unit developments, or nursing homes.

C. Setbacks. All buildings, outdoor recreational activities, and parking shall be located a minimum 50 feet from any residentially zoned property line. Refer to ~~Section 6.78~~ **the specific use standards** for swimming pool requirements.

REASON. References swimming pool section without the specific section number (subject to change.) Removes "stick built" to match the Building Code definition for consistency.

15. AMEND Chapter 8 (Specific-Use Standards), Section 8.23 (Kennels, Overnight), Subsection A (Definition) as follows:

8.1 **Kennels~~, Overnight~~**

A. Definition. ~~A facility where dogs, cats, or other domestic animals over 6 months of age are kept, raised, sold, boarded, bred, shown, treated, or groomed.~~ **A facility where dogs, cats, or other domestic animals are trained, boarded, bred, or raised for compensation.** Such a facility may have an indoor and outdoor component.

REASON. Clarifies that kennels are facilities for compensation purposes and not to be confused with private kennels for personal pets.

16. AMEND Chapter 8 (Specific-Use Standards), Section 8.84 (Recreation, Indoor), Subsection A (Definition) as follows:

A. Definition. A fully enclosed facility providing for one or several recreational uses including sport auditoriums (basketball, dance, martial arts, soccer, swimming, tennis, wrestling), batting cages, bowling alleys, skating rinks, and other recreational uses such as non-profit community centers, non-profit youth ~~club~~ facilities, health and fitness clubs, gyms, and movie theatres.

REASON. Removes "club" from youth facilities so to not limit the use to clubs only.

17. AMEND Chapter 8 (Specific Use Standards), Section 8.92 (Amateur Radio and Receive-only Antenna), Subsection C (Supplemental) as follows:

C. Supplemental. Operation of an amateur station requires an amateur operator license grant from the FCC. **Proposed towers shall be forwarded to the Regional Land Use Advisory Commission for review (NCGS 153A-323B).**

REASON. Required by state statute NCGS 153A-323(B) stating that the proposed changes requiring notice includes "Changes relating to telecommunications towers."

18. AMEND Chapter 8 (Specific Use Standards), Section 8.100 (Mini-Warehouse), Subsection B (Standards) as follows:

B. Standards. All outdoor storage areas shall be located a minimum 50 feet from any residentially zoned property line. No business activity other than the rental of storage units shall be conducted on the premises. Outside storage, **with the exception of vehicles, recreational vehicles, and boats,** shall be enclosed by a chain link fence a minimum 6 feet high and shall be limited to 25% of the total area of the site. There shall be a maximum of 10 inoperable vehicles stored outdoors. 1 parking space per 300 square feet.

REASON. Off-street parking lots does not require fencing.

19. AMEND Chapter 8 (Specific Use Standards), Section 8.111 (Manufactured Home or Recreational Vehicle, Temporary Use), Subsection A (Definition) as follows:

A. Definition. Temporary manufactured home or RV in conjunction with major renovation, construction of a ~~stick built~~ **single family dwelling unit** or manufactured dwelling, or due to casualty damage.

REASON. Removes "stick built" to match the Building Code definition for consistency.

20. AMEND Chapter 10 (Text Amendments & General Use Rezoning), Section 10.2 (Application Process), Subsection A (Submittal) as follows:

A. Submittal. Following a required pre-application conference with the Administrator **and a Project Review Team meeting with all departments, as determined necessary by the Administrator,** the completed application shall be submitted at least 30 days prior to the Planning Board meeting at which it is to be heard. Upon completion of the technical review, the Administrator shall prepare and forward the staff report any related application materials to the Planning Board.

REASON. A Project Review Team meeting is a requirement for all new commercial projects. Adding it to the ordinance clarifies the steps for the applicant.

21. AMEND Chapter 10 (Text Amendments & General Use Rezoning), Section 10.3 (Notice of Public Hearings), Subsection D (Fort Bragg Notification) as follows:

D. Fort Bragg Notification. Rezoning requests and text amendments that would change or affect the permitted uses of land located within 5 miles or less from the perimeter boundary of a military base shall be forwarded to the Regional Land Use Advisory Commission for review (NCGS 153A-323B) not less than 10 days or more than 25 days before the date fixed for the ~~Planning Board~~ **Board of Commissioners** public hearing. Staff shall forward RLUAC's analysis regarding the compatibility of the proposed changes with military operations at the base to the ~~Planning Board and~~ Board of Commissioners.

REASON. The statutes only require that RLUAC's comments go before the Board of Commissioners. Staff will still forward their comments to the Planning Board but if the comments are not ready it will not hold up the board approval process. NCGS 160A-323(B) states "If the adoption or modification of the ordinance would result in any of the changes listed in this subsection and those changes would be located five miles or less from the perimeter boundary of a military base, the board of commissioners shall provide written notice of the proposed changes by certified mail, or by any other written means reasonably designed to provide actual notice, to the commander of the military base or the commander's designee not less than 10 days nor more than 25 days before the date fixed for the public hearing."

22. AMEND Chapter 11 (Conditional Rezoning), Section 11.2 (Application Process), Subsection A (Submittal) as follows:

A. Submittal. Conditional rezoning applications shall be submitted by the owner or an agent with permission granted by the owner. Following a required pre-application conference with the Administrator **and a Project Review Team meeting with all departments, as determined necessary by the Administrator**, the completed application shall be submitted at least 30 days prior to the Planning Board meeting at which it is to be heard and shall include the following:

REASON. A Project Review Team meeting is a requirement for all new commercial projects. Adding it to the ordinance clarifies the steps for the applicant.

23. AMEND Chapter 11 (Conditional Rezoning), Section 11.3 (Notice of Public Hearings), Subsection D (Fort Bragg Notification) as follows:

D. Fort Bragg Notification. Rezoning requests and text amendments that would change or affect the permitted uses of land located within 5 miles or less from the perimeter boundary of a military base shall be forwarded to the Regional Land Use Advisory Commission for review (NCGS 153A-323B) not less than 10 days or more than 25 days before the date fixed for the ~~Planning Board~~ **Board of Commissioners** public hearing. Staff shall forward RLUAC's analysis regarding the compatibility of the proposed

changes with military operations at the base to the ~~Planning Board and~~ Board of Commissioners.

REASON. The statutes only require that RLUAC's comments go before the Board of Commissioners. Staff will still forward their comments to the Planning Board but if the comments are not ready, it will not delay the board approval process. NCGS 160A-323(B) states "If the adoption or modification of the ordinance would result in any of the changes listed in this subsection and those changes would be located five miles or less from the perimeter boundary of a military base, the board of commissioners shall provide written notice of the proposed changes by certified mail, or by any other written means reasonably designed to provide actual notice, to the commander of the military base or the commander's designee not less than 10 days nor more than 25 days before the date fixed for the public hearing."

24. AMEND Chapter 12 (Conditional Use Permits), Section 12.2 (Application Process), Subsection A (Submittal) as follows:

A. Submittal. Conditional use permit applications shall be submitted by the owner or an agent with permission granted by the owner. Following a required pre-application conference with the Administrator **and a Project Review Team meeting with all departments, as determined necessary by the Administrator**, the completed application shall be submitted at least 30 days prior to the Planning Board meeting at which it is to be heard and shall include a site specific development plan prepared in accordance with Section 4.2(C) and proposed phasing, if any, and approximate completion time for the project. Upon completion of the technical review, the Administrator shall prepare and forward the staff report, site plan, and any related application materials to the Planning Board.

REASON. A Project Review Team meeting is a requirement for all new commercial projects. Adding it to the ordinance clarifies the steps for the applicant.

25. AMEND Chapter 18 (Subdivisions), Section 18.6 (Preliminary Plat Submittal and Review), Subsection B (Subdivision Review Approval Steps) as follows:

B. Subdivision Review Approval Steps.

1. **Project Review Team Meeting (sketch plan required)**
2. **Infrastructure Meeting (fire flow test results are required)**
3. Preliminary Plat Submittal and Approval
4. The applicant shall post a sign stating "Subdivision Decision"
5. Construction Plan Submittal and Approval (or Improvement Guarantees approved by the Board of Commissioners)
6. Installation and Inspections of Improvements
7. As-Built Drawings Submittal and Approval
8. Final Plat Approval

REASON. Requires initial meetings for staff to review proposed subdivisions.

26. AMEND Chapter 18 (Subdivisions), Section 18.6 (Preliminary Plat Submittal and Review), Subsection I (Subdivision Decision Sign) as follows:

I. Subdivision Decision Sign. The applicant shall post a **sign containing the words** "Subdivision Decision" **in letters at least 6 inches high**, including contact information of the Administrator, on the site **in a prominent location including street frontage,** and provide evidence to the Administrator within 10 days of preliminary plat approval for a minimum of 10 days to notify the neighbors of the subdivision decision, or the plat shall be null and void.

REASON. Provides clarification of statutory language (NCGS 160A-388).

27. ADD Chapter 18 (Subdivisions), Section 18.7 (Minimum Design Standards), Subsection E (Marginal Access Streets) as follows:

E. **Marginal Access Streets. Where a tract of land to be subdivided adjoins an arterial street, the subdivider shall provide a marginal access street parallel or adjacent to the arterial street for the lots to be developed adjacent to the arterial. Where reverse frontage is established, private driveways shall be prevented from having direct access to the principal arterial. A maximum of 5 lots may front an arterial street as approved by the NCDOT, on a case by case basis.**

REASON. This section was accidently omitted from the Major Subdivision Chapter in the 2016 UDO Rewrite. This language is being added back for clarity on major subdivision development. Also, prior UDO language restricted major subdivisions from allowing private driveways to front existing roads so language is amended to accommodate up to 5 lots to have frontage on an existing road, if approved by the NCDOT.

28. AMEND Chapter 18 (Subdivisions), Section 18.7 (Minimum Design Standards), Subsection F (NCDOT Approval) as follows:

F. NCDOT approval. If any street proposes to access a state-maintained road, the subdivider shall receive NCDOT driveway approval as required by NCDOT's "Policy on Street and Driveway Access to North Carolina Highways" prior to construction and/or final plat approval. NCDOT may require a traffic impact study. **The required Home Owners Association (HOA) documents and by-laws, to be recorded at the same time as the final plat, shall include the following: The HOA shall be responsible for the maintenance of all streets by means of a private road maintenance agreement until the streets are part of the State highway system.**

REASON. The responsibility for the maintenance of streets is needed prior to the roads being taken over by the NCDOT.

29. AMEND Chapter 18 (Subdivisions), Section 18.7 (Minimum Design Standards), Subsection H (Traffic Signs and Control) as follows:

H. ~~Traffic Signs and Control (including street name signs)~~ **Street Name and Traffic Control Signs.** The applicant shall be required to provide and erect, at the developer's expense, street name signs **per the Moore County Road Names & Addressing Ordinance** and traffic control~~s~~ **signs per the NCDOT Manual on Uniform Traffic Control Devices** ~~State and County standards~~ at all intersections within the subdivision **prior to final plat approval.**

REASON. Installation of signs is needed for major subdivision plat approval.

30. AMEND Chapter 18 (Subdivisions), Section 18.7 (Minimum Design Standards), Subsection K (Water and Sewer Options) as follows:

A. Water and Sewer Options. All water and sewer systems shall be installed in accordance with County specifications and standards. Major subdivisions of 20 or more lots are required to install and connect to public or community water and/or sewer. Water supply and sewage disposal facilities to serve Major Subdivision developments may be provided through the use of:

1. Individual wells and septic tanks provided either on each lot or in off-lot locations protected through recorded easements (for subdivisions proposing nineteen or less lots); or
2. A community water and/or sewage disposal system designed, constructed, and maintained in conformity with all applicable County, State and Federal standards, regulations, and policies; or
3. Connection to a **public** water and/or sewage disposal system **shall be provided.** ~~operated by the County of Moore.~~ **All water and sewage facilities shall be designed and installed according to the standards of the Moore County Department of Public Works (or more stringent), Department of Environmental Health, and NC Department of Environmental Quality.** System extensions are permitted only in accordance with applicable water, sewer and land use policies; or
4. A combination of the above alternatives.

REASON. Clarifies that in situations where Moore County does not have public water or sewer available, that the public water and/or sewer shall be installed per the Moore County's standards.

31. AMEND Chapter 18 (Subdivisions), Section 18.7 (Minimum Design Standards), Subsection S (Cluster Mailboxes) as follows:

S. Cluster Mailboxes. Appropriate mail receptacles must be provided for the receipt of mail as approved by the Postal Service and other applicable departments. **Cluster mailboxes**

shall be located outside of the right-of-way and in a HOA maintained area. Approval of installation by the USPS and Building Inspector is required prior to final plat approval.

REASON. The location of the cluster mailboxes is needed for the preliminary and final major subdivisions plats.

32. AMEND Chapter 18 (Subdivisions), Section 18.8 (Conservation Design Standards), Subsection C (Dimensional Requirements) as follows:

C. Dimensional Requirements. No minimum lot size, frontage, or depth is required. The required minimum front, side, and rear setback shall be 10 feet and may be reduced to 5 feet when abutting an alley or dedicated open space or reduced to a zero lot line for duplexes. **Minimum setbacks, measured from the furthest point of the house (such as eves, deck) shall meet the fire code separation requirements, as applicable. (Example: Minimum 31 foot separation requires a minimum 16 foot side setback.)**

REASON. Requires minimum setbacks to meet the Fire Code separation standards.

33. AMEND Chapter 18 (Subdivisions), Section 18.15 (Subdivision Plat Requirements) as follows:

Information Required	Exempt Plat	Family Plat	Minor Plat	Major Prelim. Plat	Major Final Plat
Title Block					
Name, address, and telephone # of surveyor	x	x	x	~~x~~	x
General Information					
Surveyor and/or engineer original signature, seal, & registration #				x	
Surveyor original signature, seal, & registration #	x	x	x	~~x~~	x
Tied to nearest street intersection if within 300 feet		x	x	~~x~~	x
Tied to USGS marker if within 2000 feet	x	x	x	~~x~~	x
Location and description of all monuments, markers and control corners		x	x	~~x~~	x
Minimum 2 control corners present when creating a new road right-of-way	x	x	x	~~x~~	x
All mapping shall comply with NCGS 47-30	x	x	x	~~x~~	x
Amenities & Natural Features Layout					
Existing and proposed **entrance** signs **including site triangles and located outside of the ROW**				x	x
Street Layout					
~~Location of required street trees (include a detail)~~				~~x~~	~~x~~

REASON. The preliminary plat can be drawn by an engineer with the same level of detail. The final plat is required to be sealed by a surveyor and will be drawn and recorded to comply with NCGS 47-30. Street trees description is included in notes on the plat so a drawing is not necessary.

34. AMEND Chapter 18 (Subdivisions), Section 18.16 (Subdivision Plat Requirements) as follows:

Type of Certificate or Statement	Exempt Plat	Family Plat	Minor Plat	Major Prelim. Plat	Major Final Plat
Certificate of Survey Accuracy	x	x	x	~~x~~	x
Review Officer Certification	x	x	x	~~x~~	x
Septic Suitability Certificate Statement		x	~~x~~		
NCDOT Div. of Highways District Engineer Certificate				~~x~~	x

REASON. The preliminary plat is not recorded and does not need surveyor accuracy which is an additional cost. The preliminary plat can be drawn by an engineer with the same details. The final plat is required to be sealed by a surveyor. Septic Suitability is only required for a family plat (typo). NCDOT will sign the same statement at the final plat so it is not necessary to sign the preliminary plat.

35. AMEND Chapter 19 (Definitions), Section 19.2 (Definitions) as follows:

Lot Line, Front. That part of the lot adjacent to **or in close vicinity** to the street right-of-way line or land access easement. **When a lot fronts a street and fronts an access easement the property owner shall have the option to choose the front lot line.**

REASON. Accommodates lots that have double frontage.

36. AMEND Chapter 19 (Definitions), Section 19.2 (Definitions) as follows:

Setback. The required minimum distance between every building ~~or structure~~ measured ~~form~~ from the furthest point of the house (such as eves, deck) from all property lines and/or right-of-way lines ~~and/or easement lines~~ of the lot on which it is located. **Setbacks are not required from easement lines. (This does not include utility easements.)**

REASON. Existing language was used in the previous ordinance. Properties with easements should not be required to meet setback requirements from each access easement which causes an unnecessary hardship on smaller properties. Staff also added clarity on where the setback shall be measured from on the building.

37. ADD Chapter 19 (Definitions), Section 19.2 (Definitions) as follows:

Street, Arterial. A street connecting widely separated areas and designed to carry a large volume of traffic which may be fast, heavy or both. Arterial streets are sometimes referred to as "major thoroughfares," "freeways," "expressways," etc., and are usually numbered State or Federal Highways. Numbered State Secondary Roads are included in this definition.

REASON. Definition was accidently omitted from the Major Subdivision Chapter in the 2016 UDO Rewrite. This language is being added back for clarity on major subdivision development.

38. ADD Chapter 19 (Definitions), Section 19.2 (Definitions) as follows:

Street, Marginal Access. A local street which parallels and is immediately adjacent to arterial streets, and which provides access to abutting properties and protection from through traffic.

REASON. Definition was accidently omitted from the Major Subdivision Chapter in the 2016 UDO Rewrite. This language is being added back for clarity on major subdivision development.

BACKGROUND

Staff is making a periodical update to the Unified Development Ordinance as the needs arise such as language being clarified, typos remedied, statutory requirements, and land use regulation updates to meet the needs of the Moore County citizens.

CONSISTENCY WITH THE ADOPTED 2013 LAND USE PLAN

The text amendment request is consistent with several goals as listed in the attached Land Use Plan Consistency Statement.

IMPLEMENTATION PLAN

Hold the public hearing and approve/deny the text amendment request.

FINANCIAL IMPACT STATEMENT

No financial impact to the County's FY 2018-2019 budget.

PLANNING BOARD RECOMMENDATION

The Planning Board met on October 4, 2018 and unanimously recommended approval.

RECOMMENDATION SUMMARY:

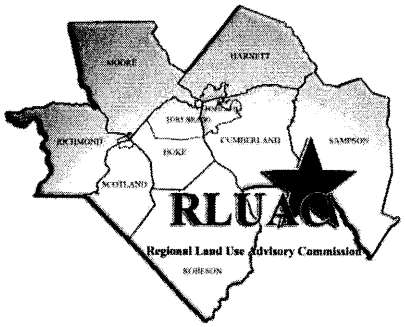
Staff recommends the Moore County Board of Commissioners to make two separate motions:

Motion #1: Make a motion to adopt the attached Moore County Board of Commissioners Land Use Plan Consistency Statement (Approval) and authorize the Chairman to execute the document as required by North Carolina General Statute 153A-341.

Motion #2: Make a motion to approve or deny the proposed text amendment to the Moore County Unified Development Ordinance.

ATTACHMENTS

- RLUAC (Regional Land Use Advisory Commission) Review Letter
- Board of Commissioners Land Use Plan Consistency Statement



MOORE COUNTY
Proposed Text Amendments to Chapters 2, 4, 7, 8, 10, 11, 12, 18 & 19
of the Unified Development Ordinance
November 1, 2018

The Regional Land Use Advisory Commission (RLUAC) staff and Board of Directors have reviewed the proposed text amendments for the Moore County Unified Development Ordinance (specifically Chapters 2, 4, 7, 8, 10, 11, 12, 18 & 19) and find no conflicts with the recommendations contained in the 2003 and 2008 Joint Land Use Studies. In fact, RLUAC very much appreciates the references to the Fort Bragg notification process discussed in Chapters 8, 10 and 11.

RLUAC therefore has no issues or concerns with the proposed text amendments to the Moore County Unified Development Ordinance.

Thank you for allowing RLUAC the opportunity to review these proposed changes.

Robert McLaughlin, Chairman

James Dougherty, Executive Director

* PO Drawer 1510 * Fayetteville * NC * 28302 * Tel: (910) 583-1233 * director@rluac.com *

Appendix G
11/20/2018

PROJECT BUDGET ORDINANCE
Project Airfield Stormdrain Rehabilitation – Design & Bidding
Project # 36237.67.8.1 Revision 1

BE IT ORDAINED, by the Moore County Board of Commissioners, that pursuant to Section 13.2 of Chapter 159 of the General Statutes of North Carolina, the following grant ordinance is hereby adopted:

Section 1: The project authorized is the Stormdrain Rehabilitation – Design & Bidding Project # 36237.67.8.1. This project will utilize the remaining portion of the 2014 Non Primary Entitlement (NPE) funds from Project # 36237.67.7.1 of $48,751 ($43,877 federal; $4,874 local) and 2014 NPE funds that had not been previously allocated to a program in the amount of $25,539 ($22,984 federal; $2,555 local). This project will also need to utilize a portion of 2015 NPE funds in the amount of $17,030 ($15,327 federal; $1,703) local. The total amount of the project was budgeted at $91,320 ($82,188 federal; $9,132 local). The project is now complete. The actual cost of the total project was $90,773 ($81,696 federal; $9,077 local). The remaining funds of $547 ($492 federal; $55 local) are part of the 2015 Non Primary Entitlement funds and will be utilized on project 36237.67.9.2, Airport Master Plan Update.

Section 2: The officers of this unit are hereby directed to proceed with the grant project within the terms of the grant documents, the rules and regulations of the North Carolina Department of Transportation-Division of Aviation and the Federal Aviation Administration, and the budget contained herein.

Section 3: The following revenues are anticipated to be available to complete the Stormdrain Rehabilitation Design & Bidding project:

Funding Source	Current	Inc/(Dec)	Revised Amount
Federal 2014 NPE	$ 66,861	(0)	66,861
Federal 2015 NPE	$ 15,327	(492)	14,835
Local	$ 9,132	(55)	9,077
Total	**$ 91,320**	**(547)**	**90,773**

Section 4: The following amount is an estimate of appropriation for the Stormdrain Rehabilitation Design & Bidding project:

	Current	Inc/(Dec)	Revised Amount
Total	**$ 91,320**	**(547)**	**90,773**

Section 5: The Finance Officer is hereby directed to maintain within the Project Fund sufficient, specific and detailed accounting records to satisfy the requirements of the funding agencies, North Carolina General Statutes and federal regulations, and any other applicable laws.

Section 6: The Finance Officer is directed to report the financial status of the project as requested by the Board.

Section 7: This Project Ordinance shall be entered in the minutes of the Moore County Board of Commissioners meeting after adoption of this Ordinance and copies shall be filed with the Finance Officer.

First adopted on the 20th day of March, 2018, with Revision No. 1 adopted the 20 day of November 2018.

Catherine Graham, Chairman
Moore County Board of Commissioners

Laura M. Williams
Clerk to the Board

COUNTY OF MOORE CORPORATE SEAL NORTH CAROLINA

RESOLUTION AUTHORIZING THE
ACCEPTANCE OF FUNDS FOR
AIRFIELD STORMDRAIN REHABILITATION DESIGN & BIDDING
PROJECT # 36237.67.8.1 Revision #1

WHEREAS, the Moore County Airport Authority is eligible for Non-Primary Entitlement funds (NPE) under the State Aid to Airports Block Grant Program on an annual basis in the amount of $150,000 in federal funds requiring a local match of $16,667 for airfield improvements; and

WHEREAS, the North Carolina Department of Transportation-Division of Aviation has notified the Moore County Airport Authority that 2015 Non-Primary Entitlement funds are awarded for airfield improvements in the amount of $150,000/Federal and requiring a local match of $16,667 (total grant $166,667)

WHEREAS, such allocation of funds will be approved in consideration of local funding available for the portion of Moore County Airport's local share of $16,667 for each year's grant, which was appropriated by the Moore County Airport Authority at their March 13, 2018 meeting for FY15 local match. A portion of 2014 NPE funds in the amount of $74,290 ($66,861 federal; $7,429 local) will be used on this project along with a portion of 2015 NPE funds in the amount of $17,030 ($15,327 federal; $1,703 local). Total cost of the project was budgeted at $91,320 ($82,188 federal; $9,132 local). The project is now complete and cost a total of $90,773 ($81,696 federal; $9,077 local). The remaining funds of $547 ($492 Federal; $55 local) will be utilized on project 36237.67.9.2, Airport Master Plan Update.

NOW, THEREFORE, BE AND IT IS HEREBY RESOLVED THAT the Airport Authority Chairman, Representative of the Moore County Airport Authority, is hereby authorized and empowered to enter into a Grant Agreement and all associated documents and amendments for the following amounts, which will consist of the following work elements: Stormdrain Rehabilitation Design & Bidding in the amount of $91,320.

FURTHER, the County Finance Officer is authorized to request payment under said Federal and/or State Grant, using the Letter of Credit Method, by executing the Request for Funds, Treasury Form 5805, or other forms required as approved by FAA; and

FURTHER, the Moore County Airport Authority is authorized to administer the Grant and any associated State Grant Agreements in accordance with guidelines set out in the said grant agreements and to enter into any associated contracts and agreements as it relates to the project.

Adopted this the 20 day of November 2018.

Catherine Graham

Catherine Graham, Chairman
Moore County Board of Commissioners

Laura M. Williams

Laura M. Williams, Clerk to the Board

Appendix H
11/20/2018

PROJECT BUDGET ORDINANCE
Project Airport Master Plan Update, Including ALP
Project # 36237.67.9.2

BE IT ORDAINED, by the Moore County Board of Commissioners, that pursuant to Section 13.2 of Chapter 159 of the General Statutes of North Carolina, the following grant ordinance is hereby adopted:

Section 1: The project authorized is the Airport Master Plan Update, Including ALP, Project #36237.67.9.2. This project will utilize Federal NPE funds from 2015 in the amount of $135,165; 2016, $150,000; 2017, $150,000; and 2018, $74,175; for a total of $509,340 in federal NPE funds. The total amount of the project will be $565,934 ($509,340 federal; $56,594 local).

Section 2: The officers of this unit are hereby directed to proceed with the grant project within the terms of the grant documents, the rules and regulations of the North Carolina Department of Transportation-Division of Aviation and the Federal Aviation Administration, and the budget contained herein.

Section 3: The following revenues are anticipated to be available to complete the Airport Master Plan Update, Including ALP, Project:

Funding Source	Current
Federal NPE Funds 2015	$ 135,165
Federal NPE Funds 2016	$ 150,000
Federal NPE Funds 2017	$ 150,000
Federal NPE Funds 2018	$ 74,175
Local	$ 56,594
Total	**$ 565,934**

Section 4: The following amount is an estimate of appropriation for the Airport Master Plan Update, Including ALP, Project:

	Current
Total	**$ 565,934**

Section 5: The Finance Officer is hereby directed to maintain within the Project Fund sufficient, specific and detailed accounting records to satisfy the requirements of the funding agencies, North Carolina General Statutes and federal regulations, and any other applicable laws.

Section 6: The Finance Officer is directed to report the financial status of the project as requested by the Board.

Section 7: This Project Ordinance shall be entered in the minutes of the Moore County Board of Commissioners meeting after adoption of this Ordinance and copies shall be filed with the Finance Officer.

First adopted on the 20 day of November 2018.

Catherine Graham, Chairman
Moore County Board of Commissioners

Laura M. Williams
Clerk to the Board

COUNTY OF MOORE
CORPORATE
SEAL
NORTH CAROLINA

RESOLUTION AUTHORIZING THE
ACCEPTANCE OF FUNDS FOR
AIRPORT MASTER PLAN UPDATE, INCLUDING ALP
PROJECT # 36237.67.9.2

WHEREAS, the Moore County Airport Authority is eligible for federal NPE funds in the amount of $509,340 (2015: $135,165; 2016: $150,000; 2017: $150,000; and 2018 $74,175), requiring a local match of $56,594 for an Airport Master Plan Update, Including ALP; and

WHEREAS, the North Carolina Department of Transportation-Division of Aviation has notified the Moore County Airport Authority that federal funds are to be awarded for an Airport Master Plan Update, Including ALP, in the amount of $509,340 federal and requiring a local match of $56,594; and

WHEREAS, such allocation of funds will be approved in consideration of local funding available for the portion of Moore County Airport's local share of $56,594, which was appropriated by the Moore County Airport Authority at their November 13, 2018 meeting for the 10% local match. Total cost of the project will be $565,934 ($509,340 federal; $56,594 local).

NOW, THEREFORE, BE AND IT IS HEREBY RESOLVED THAT the Airport Authority Chairman, Representative of the Moore County Airport Authority, is hereby authorized and empowered to enter into a Grant Agreement and all associated documents and amendments for the following amounts, which will consist of the following work elements: Airport Master Plan Update, Including ALP in the amount of $565,934.

FURTHER, the County's Chief Finance Officer is authorized to request payment under said Federal and/or State Grant, using the State's Partner on-line program. The Chief Finance Officer is also authorized to approve electronically the AV-502 Quarterly Project Status Reports; and

FURTHER, the Moore County Airport Authority is authorized to administer the Grant and any associated State Grant Agreements in accordance with guidelines set out in the said grant agreements and to enter into any associated contracts and agreements as it relates to the project.

Adopted this the 20 day of November 2018.

Catherine Graham

Catherine Graham, Chairman
Moore County Board of Commissioners

Laura M. Williams

Laura M. Williams, Clerk to the Board