The Harnett County Board of Commissioners met in regular session on Monday, October 19, 2020, in the Commissioners Meeting Room, County Administration Building, 420 McKinney Parkway, Lillington, North Carolina. Due to COVID-19 this meeting was open to a limited number of the public to attend in person, wearing required face coverings and maintaining the recommended social distancing of six feet, as the Board and staff continued to demonstrate compliance with State law and prudent public health practices. Citizens and staff were also provided options for listening to the meeting live.

Members present: Mark B. Johnson, Chairman
Joe Miller, Vice Chairman
W. Brooks Matthews, Commissioner
Barbara McKoy, Commissioner
Gordon Springle, Commissioner

Staff present: Paula Stewart, County Manager
Dwight Snow, County Attorney
Kimberly Honeycutt, Finance Officer
Margaret Regina Wheeler, Clerk
Lindsey B. Lucas, Deputy Clerk

Chairman Johnson called the meeting to order at 6:00 pm. Commissioner Barbara McKoy led the Pledge of Allegiance and Invocation.

Chairman Johnson called for any additions or deletions to the published agenda. Commissioner Matthews moved to approve the agenda as published. Commissioner McKoy seconded the motion, which passed unanimously.

Commissioner Springle moved to approve items on the consent agenda. Vice Chairman Miller seconded the motion that passed unanimously.

1. Minutes: October 13, 2020 Work Session
October 5, 2020 Regular Meeting
September 26, 2017 Work Session
September 12, 2017 Work Session
August 29, 2017 Work Session
August 15, 2017 Work Session
August 1, 2017 Work Session
July 11, 2017 Work Session
June 27, 2017 Work Session
2. Budget Amendments:

### 23 Emergency Services

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<td>1104411 586000</td>
<td>Non Capital Asset – Public Safety</td>
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### 148 Emergency Response Planning

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<td>Capital Outlay – Equipment</td>
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<td>2148403 390990</td>
<td>Fund Balance Appropriated</td>
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### 152 Department on Aging

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### 299 Cooperative Extension

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<td>Innovative Grant – Pea Sheller</td>
<td>2,741 increase</td>
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<td>Fund Balance Appropriated</td>
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3. Tax rebates, refunds and releases (Attachment 1)

4. Harnett County Public Information Officer requested approval of the updated Social Media Policy. This county-wide policy addresses the use of social media by the County and County departments for business purposes to facilitate information sharing and serve outreach and communication goals.

5. Harnett County Board of Elections requested approval to accept CARES ACT supplemental funds in the amount of $36,000 to provide $100 hazard pay to poll/election workers for Election Day as well as to prevent, prepare for and respond to the coronavirus pandemic during the 2020 Federal Election cycle.

6. Harnett Soil and Water Conservation District requested approval to enter into a Mutual Aid Agreement involving various Soil and Water Conservation Districts within North Carolina, the North Carolina Association of Conservation Districts and the Division of Soil and Water Conservation for the purposes of training and technical assistance. No additional funding is required.

7. Harnett County Sheriff Wayne Coats requested approval to reclassify position #1265 Detective Corporal (Pay Grade 109 $44,953) to a Detective Sergeant (Pay Grade 110 $47,201). No additional funds are requested for this reclassification.

8. Harnett County General Services / Harnett Area Rural Transit System (HARTS) requested approval to accept the Mid-Carolina Area Agency on Aging FY2020/2021 CARES Act grant in the amount of $4,986.50. The additional grant funding will be used for vehicle supplies, sanitizing products as well as operating services during and due to the COVID-19 public health emergency. There is no local match required.

9. General Services / Harnett Area Rural Transit System (HARTS) requested approval to accept supplemental funding from the North Carolina Department of Transportation (NCDOT) FY2021 CARES Act grant in the amount of $250,771. The additional grant funds will be used for operating services during and due to COVID-19. There is no local match required.

Chairman Johnson opened the meeting for informal comments by the public, allowing up to 3 minutes for each presentation up to 30 minutes. Citizens were allowed to speak in person, call in and provide their public comments verbally during this period or submit their public comments in writing prior to the meeting to be read aloud during the meeting as time allowed. There were no public comments.
Commissioner Springle moved to approve the following appointments. Commissioner McKoy seconded the motion, which passed unanimously.

Harnett County Commission for Women and Youth
Sharonda "Shar" Martinez was appointed to serve on this commission for a term of three years ending October 31, 2023.

Home Community Care Block Grant Committee
Diane Mangum was appointed to serve on this committee.

Library Board of Trustees
Stacy Walsh was appointed to serve on this Board as the representative for the Erwin Public Library for a term of three years ending October 31, 2023.

Paula Stewart recognized October as National Breast Cancer Awareness Month and shared information provided by the Harnett County Health Department about breast cancer, breast cancer screening and community outreach efforts.

Harnett County Planning Services Manager Jay Sikes petitioned the Board for a public hearing regarding proposed Rezoning Case # PLAN 2007-0002, Landowner / Applicant: Triangle Home Pros, LLC / Mauldin-Watkins Surveying; 1.82 +/- acres; Pin # 0636-80-6408.000; From RA-20M to Industrial; SR # 1403 (Cokesbury Road); Buckhorn Township. He noted that the Harnett County Planning Board voted unanimously (5-0) to recommend approval of application based on compatibility with the Land Use Plan and the nonresidential uses in this area. Mr. Sikes said no one spoke in opposition during the meeting.

Mr. Sikes reported that two adjoining metal, non-residential buildings currently occupy the site and the applicant intends to use the site as their business office. Services available include Harnett County public water and private septic tank. The transportation annual daily traffic count is 1,000 along this section of Cokesbury Road with good site distances. Mr. Sikes responded to questions from commissioners.

Mr. Sikes stated staff’s evaluation as:

- The IMPACT to the adjacent property owners and the surrounding community is reasonable, and the benefits of the rezoning outweigh any potential inconvenience or harm to the community. REASONING: The impact to the surrounding community is reasonable, as there are several nonresidential uses in this area.

- The requested zoning district is COMPATIBLE with the existing Land Use Classification. REASONING: The requested zoning is compatible with the existing land use classification of a Rural Center development node. Rural Center development nodes are “small scale commercial centers”. These areas can be suburban in nature and contain smaller, nonresidential uses.
- The proposal does ENHANCE or maintain the public health, safety and general welfare. 
  **REASONING:** The requested zoning to Industrial, whose intent is to promote the 
  development of business and institutional uses, would enhance or maintain the public 
  health, safety and general welfare due to the neighboring, nonresidential parcels. 
- The request is for a SMALL SCALE REZONING and should be evaluated for 
  reasonableness. **REASONING:** Since this parcel is adjacent to the same zoning district, 
  this application does not have to be considered for a Small Scale Rezoning. 

Suggested Statement-of-Consistency: Staff concludes that the requested rezoning to Industrial 
would not have an unreasonable impact on the surrounding community based on the 
nonresidential growth patterns of this area as well as compliance with the County’s Land Use 
Plan. It is recommended that this rezoning request be approved.

Chairman Johnson called to order a public hearing on the matter and opened the meeting for 
comments from the public. Citizens were allowed to speak in person, submit their comments 
regarding the proposed rezoning in writing prior to the meeting or to call in and provide their 
comments verbally during the meeting.

- Wayne Mauldin with Mauldin-Watkins Surveying, the applicant, spoke in favor of the 
  requested rezoning.

Seeing no one else move and hearing no one speak, and having received no written comments, 
Chairman Johnson closed the public hearing. Commissioner Springle moved to approve the 
requested rezoning to Industrial as it would not have an unreasonable impact on the surrounding 
community based on the existing nonresidential uses area as well as compliance with the 
County’s Land Use Plan. Commissioner Matthews seconded the motion that passed 
unanimously.

Mr. Sikes petitioned the Board for a public hearing regarding proposed Rezoning Case # PLAN 
2008-0001, Landowner / Applicant: Landowner/Applicant: Galt Land Development / 4D Site 
Solutions, Inc.; 3.0 +/- acres (out of 72.0 acres); Out of Pin # 9566-88-5648.000; From 
Conservation to RA-20R; SR # 1202 (Johnsonville School Road); Johnsonville Township. He 
noted that the Harnett County Planning Board voted unanimously (5-0) to recommend approval 
of application based on the topography of that land and the compatibility with the Land Use Plan 
and the existing nonresidential uses. Mr. Sikes said three citizens attended the meeting with one 
speaking during the meeting to gain more information but did not oppose the rezoning request.

Mr. Sikes said the County doesn’t see a lot of these types of request. The site is currently vacant 
and wooded. Per the U.D.O., the purpose of the Conservation District is to encourage the 
preservation and continued use of the land for conservation purposes in its natural state, and to 
prohibit intrusive development of the land in areas with alluvial soils, perennial streams, may 
contain wetlands, or that may be subject to flooding. This Conservation District is to be 
measured as 200 linear feet from the normal edge of the river, 400” total. Surrounding land uses 
include undeveloped land and single-family residences. Services available include Harnett 
County public water and private sewer septic tank. The transportation annual daily traffic count 
is 420 with poor site distances.
Mr. Sikes stated staff’s evaluation as:

- The IMPACT to the adjacent property owners and the surrounding community is reasonable, and the benefits of the rezoning outweigh any potential inconvenience or harm to the community. **REASONING:** The impact to the adjacent property owners and the surrounding community is reasonable. The existing zoning district to Conservation is to protect the natural environment as well as citizens and their property from flood hazards. The majority of this area requested to be rezoned is not located within any flood hazard area or noted wetlands.

- The requested zoning district is COMPATIBLE with the existing Land Use Classification. **REASONING:** The requested rezoning is compatible with the existing land use classifications of Agricultural & Rural Residential and Environmentally Sensitive Areas as the use of this area would be for single family residence and preservation of environmentally sensitive areas within open space..

- The proposal does ENHANCE or maintain the public health, safety and general welfare. **REASONING:** The majority of the area that is being requested does not lie within a flood hazard area or delineated wetlands and will not interfere with the remaining conservation area. Therefore, the request to zone a small portion of the conservation area will maintain the public health, safety and general welfare.

- The request is for a SMALL SCALE REZONING and should be evaluated for reasonableness. **REASONING:** The request does not need to be evaluated for a Small Scale Rezoning because the area requested to be rezoned abuts RA-20R zoning.

Suggested Statement-of-Consistency: Staff concludes that the requested rezoning to RA-20R is compatible with the Harnett County regulatory documents, would not have an unreasonable impact on the surrounding community since the special flood hazard area will be preserved. Therefore, it is recommended that this rezoning request be approved with the condition that all of the 100 year flood hazard area remain Conservation area.

Chairman Johnson called to order a public hearing on the matter and opened the meeting for comments from the public. Citizens were allowed to speak in person, to submit their comments regarding the proposed rezoning in writing prior to the meeting or to call in and provide their comments verbally during the meeting.

- Scott Brown with 4D Site Solutions, the applicant, provide information regarding the request and spoke in favor of the requested rezoning. Mr. Brown responded to questions from commissioners.

Seeing no one else move and hearing no one speak, and having received no written comments, Chairman Johnson closed the public hearing. Vice Chairman Miller moved to deny the requested rezoning from Conservation to RA-20R as it would have an unreasonable impact on the surrounding community due to the amount of environmentally sensitive areas. Commissioner Springle seconded the motion that passed 4 – 1 with Commissioner Matthews opposing.
Mr. Sikes petition the Board for a public hearing regarding proposed text amendment: Case # PLAN 2009-0001, Harnett County Unified Development Ordinance; Article V: Use Regulations, Section 11.8 Planned Unit Developments. To amend Harnett County’s U.D.O. to require a commercial/ non-residential component to all Planned Unit Developments. He noted that the Harnett County Planning Board, during their October 5th meeting, voted unanimously (5-0) to recommend approval of application based on compatibility with the Land Use Plan. Mr. Sikes said no one spoke in opposition.

Mr. Sikes stated the Suggested Statement-of-Consistency: Staff concludes that the requested Text Amendment is compatible with and based on the Harnett County Land Use, and the benefits outweigh any potential inconvenience or harm to the community. Therefore, it is recommended that this Text Amendment request be approved. He responded to questions from commissioners.

Chairman Johnson called to order a public hearing on the matter and opened the meeting for comments from the public. Citizens were allowed to speak in person or were allowed to submit their comments regarding the proposed rezoning in writing prior to the meeting or to call in and provide their comments verbally during the meeting. Seeing no one move and hearing no one speak, and having received no written comments, Chairman Johnson closed the public hearing. Commissioner Spingle moved to approve the Resolution Amending the Harnett County Unified Development Ordinance as presented. Vice Chairman Miller seconded the motion that passed unanimously. (Attachment 2)

Mrs. Stewart presented the following reports:
- Harnett County Employee Turnover Report – September 2020
- Veteran Services Activities Report – September 2020
- Public Health Activities Summary – September 2020
- Interdepartmental Budget Amendments

Mrs. Stewart provided an update on COVID-19 in Harnett County.

Mrs. Stewart noted per the County’s Fiscal Policy she can and has approved a grant application, having received verbal approval from the Chairman and Vice Chairman, for Harnett County Emergency Services to apply for the Assistance to Firefighters Grant, in the amount of $397,500 with a required $47,700 county match, to replace the current VIPER Radios for Emergency Service. Mrs. Stewart assured the Board that Emergency Services would come back before the Board seeking approval to accept grant fund if awarded. Discussions about the VIPER system continued.

Chairman Johnson called for any new business. Vice Chairman Miller shared concerns about a recent change in ownership of a zoo for exotic animals located in the County. In 2018 Commission Miller talked about the need to have safety precautions in place so that anything dealing with agriculture needs to go through our Cooperative Extension and Soil & Water October 19, 2020 Regular Meeting Minutes Harnett County Board of Commissioners Page 7 of 8
departments referencing the Board of Adjustment’s approval of a zoo for exotic animals within 7 miles of 100 chicken houses.

Vice Chairman Miller moved that the Board go into closed session to instruct the County staff concerning the position to be taken by the County in negotiating a contract for the acquisition of real property. This motion is made pursuant to N.C. General Statute Section 143-318.11(a)(5). Commissioner Springle seconded the motion which passed unanimously.

Commissioner Springle moved that the Board come out of closed session. Vice Chairman Miller seconded the motion which passed unanimously.

Commissioner McKoy moved to adjourn the meeting at 7:26 pm. Vice Chairman Miller seconded the motion which passed unanimously.

Mark B. Johnson, Chairman
Margaret Regina Wheeler, Clerk
Date 10/19/2020
To: Harnett County Board of Commissioners
Re: Consideration of Refund for Taxes, Interest and Penalties for all Municipalities

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<td>REI</td>
<td>$110.50</td>
<td>$85.00</td>
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William R. Tyson
Tax Administrator
A RESOLUTION AMENDING THE
HARNETT COUNTY UNIFIED DEVELOPMENT ORDINANCE

WHEREAS, the Board of Commissioners of Harnett County adopted the UDO on October 17, 2011 for the purpose of promoting the health, safety, and general welfare of the county residents; and

WHEREAS, this ordinance was adopted under authority granted by the General Assembly of the State of North Carolina, particularly G.S. 153A-340; and

WHEREAS, the UDO contains provisions for amending said ordinance and those provisions have been followed; and

WHEREAS, the Harnett County Planning Board has reviewed the amendment to the article of the UDO as listed below and recommends the adoption of the following amendment.

NOW, THEREFORE BE IT RESOLVED BY THE BOARD OF COMMISSIONERS OF HARNETT COUNTY, NORTH CAROLINA that Harnett County Unified Development Ordinance Article V: Use Regulations, Section 11.8 Planned Unit Developments, of the UDO shall be amended to read as indicated in "Attachment".

"Attachment" is filed with the Unified Development Ordinance in the Clerk to the Board's Office.

Duly adopted this 19th day of October 2020 and effective upon adoption.

HARNETT COUNTY BOARD OF COMMISSIONERS

Mark B. Johnson, Chairman

ATTEST:

Margaret Regina Wheeler, Clerk to the Board
Article V. Use Regulations

11.8 Planned Unit Development

11.8.2 Development Criteria

Unless otherwise stated or outlined herein, all requirements of this Ordinance shall be met.

D. Permissible Uses

4. Nonresidential Development within a PUD

Nonresidential development within a PUD shall be arranged to:

a. Separate pedestrian and vehicular traffic such that pedestrians can safely walk between businesses within the planned unit development and from parking areas to businesses; and

b. Provide access from adjacent residential development into nonresidential development areas, whether or not said residential development is existing or is included as part of the nonresidential PUD.

11.8.3 Design Guidelines

A. Minimum Dimensional & Amenity Requirements

3. Nonresidential Uses

Nonresidential use(s) shall be incorporated within a residential Planned Unit Development when located within the Land Use Plan classifications of Medium Density Residential, Compact Mixed Use, Employment Mixed Use, or Rural Center development nodes. Whether developed as a portion of a residential PUD or development of a nonresidential PUD, nonresidential uses shall meet the following criteria.

In order to facilitate innovative design of nonresidential areas, there shall be no minimum building setback when located adjacent to other nonresidential uses. However, the Outline Development Plan shall outline the all proposed setbacks.

F. Open Space

All planned unit developments shall include open space to optimize use and community interaction within the proposed development, as well as to maintain and preserve significant natural features. Each PUD shall include a minimum amount of open space, as required by this Section. Stormwater management measures and other required undeveloped land, such as BMPs, may be included within this required open space area.