



Town of Micro
Board of Commissioners Meeting AGENDA
Tuesday –November 14, 2023
7:00 p.m.
Micro Town Hall

1. CALL TO ORDER

- Call to Order
- Pledge of Allegiance
- Invocation

2. PUBLIC COMMENT

3. ADJUSTMENT/ADOPTION OF THE AGENDA

- a. Adjustments to the Agenda
- b. Adoption of the Agenda
POTENTIAL ACTION: Adoption of Agenda

4. CONSENT AGENDA

(Items on the consent agenda are considered routine in nature or have been thoroughly discussed at previous meetings. Any member of the Board may request to have an item removed from the consent agenda for further discussion.)

- a. Draft Minutes
 - *June 13, 2023 – Regular Session*
 - *October 10, 2023 – Regular Session*
 - *October 17, 2023 – Special Session*
- b. Certificates of Sufficiency
 - *2023-30-ANX – 325 US 301 South*
 - *2023-32-ANX – Wellons Park Subdivision*
- c. Resolutions to Set Public Hearings
 - *Resolution #2023-18 (2023-30-ANX) & Resolution #2023-19 (2023-32-ANX)*

POTENTIAL ACTION: Adoption of Consent Agenda as Presented

5. SPECIAL PRESENTATION/INTRODUCTIONS

6. FINANCIAL REPORT

- a. Financial Update
Will be presented under Old Business – Central Pines Update

7. PLANNING BOARD REPORT

- a. Planning Board Report
Presenter: Planning Board Representative
Report

POTENTIAL ACTION: None - Informational Only

8. POLICE REPORT

- a. Police Department Monthly Update
Presenter: Macon Jones, Police Chief

POTENTIAL ACTION: None - Informational Only

9. PUBLIC HEARINGS

- a. 2023-33-SUP – Ramriez Roofing Warehouse (*Quasi-Judicial Proceeding*)

Presenter: Duke Thurston, Applicant

- *Application*
- *Public Hearing Notice Letter*
- *Certification of Mailing*
- *DRAFT Approval*

POTENTIAL ACTION: Approval of Special Use Permit

A Quasi-Judicial hearing resembles a court trial where testimony is presented. Citizens may give testimony in a quasi-judicial hearing after they have taken an oath. The Board of Commissioners acts like a court of law and receives only sworn testimony and other credible evidence. In addition, the Board must make findings of fact based upon the evidence presented. The Board refrains from "ex parte communication" about these cases, as the Board must decide based SOLELY on the evidence presented at the hearing itself.

10. NEW BUSINESS

- a. Resolution Adopting Proposed Planning Board By Laws

Presenter: Kimberly A. Moffett, Interim Town Clerk

- *Proposed By Laws*
- *Resolution #2023-20*

POTENTIAL ACTION: Adoption of Resolution #2023-20

- b. Discussion Regarding Re-Adoption of Town of Micro Zoning Map

Presenter: Tyler Queen, Lead for NC Fellow

POTENTIAL ACTION: Authorize Staff to Proceed with Process

- c. Discussion Regarding Changing to Bi-Weekly Paycheck Schedule

Presenter: Lisa Lee, Utility/Billing Clerk

POTENTIAL ACTION: Authorize Staff to Proceed with Schedule Change

- d. Discussion Changing Format for Utility Bills

Presenter: Lisa Lee, Utility/Billing Clerk

POTENTIAL ACTION: Authorize Staff to Proceed with Format Change

11. OLD BUSINESS

- a. Central Pines Regional Council Assistance to Micro – Monthly Update/Report

Presenter: Lee Worsley, Exec. Director – Central Pines Regional Council

POTENTIAL ACTION: None - Informational Only

- b. Micro Utility Billing Policy

Presenter: Lisa Lee, Utility Billing Clerk

- *Utility Billing Policy*
- *Resolution #2023-21*

POTENTIAL ACTION: Adopting of Resolution #2023-21

12. COMMISSIONER REPORTS

- a. Special Events Report
Presenter: Katy Garcia, Commissioner

POTENTIAL ACTION: None - Informational Only

13. CLOSED SESSION

14. ADJOURNMENT

- a. Adjourn the Meeting

POTENTIAL ACTION: Motion to Adjourn



Town of Micro
Board of Commissioners Meeting AGENDA
Tuesday – June 13, 2023
7:00 p.m.
Micro Town Hall

BOARD MEMBERS PRESENT:

Mayor Pro Tem Kevin Worley
Commissioner Katy Garcia
Commissioner Coy Stanley

STAFF & OTHERS PRESENT:

Lisa Lee, Deputy Town Clerk
Lee Worsley, Triangle J COG
Chip Hewett, Town Attorney
Macon Jones, Police Chief

BOARD MEMBERS ABSENT:

Mayor Marty Parnell

1. CALL TO ORDER

- Call to Order
- Pledge of Allegiance
- Invocation

Mayor Pro Tem Worley called the meeting to order at 7:00 p.m. and led everyone in the Pledge of Allegiance. Commissioner Stanley offered the Invocation.

2. PUBLIC COMMENT

Resident addressed trash service and missing pick up of trash in several areas of the town.

Mr. Schullery shared his concerns regarding ditches and how quickly they fill after a heavy downpour of rain. A question was raised regarding the installation of a sidewalk. Commissioner Garcia stated there was confusion regarding whether that portion would be the town or NCDOT responsibility. There was also brief discussion regarding the availability of space for sidewalks.

3. ADJUSTMENT/ADOPTION OF THE AGENDA

- a. Adjustments to the Agenda
- b. Adoption of the Agenda

ACTION: Adoption of Agenda

Motion: Mayor Pro Tem Worley

Second: Commissioner Stanley

Vote: Unanimous

4. CONSENT AGENDA

(Items on the consent agenda are considered routine in nature or have been thoroughly discussed at previous meetings. Any member of the Board may request to have an item removed from the consent agenda for further discussion.)

- a. Draft Minutes
 - May 9, 2023 – Regular Session
- b. Certificate of Sufficiency – 2023-10-ANX – Maci Creek
- c. Resolution to Set Public Hearing – 2023-10-ANX – Maci Creek

ACTION: Adoption of Consent Agenda as Presented

Motion: Commissioner Stanley
Second: Commissioner Garcia
Vote: Unanimous

5. SPECIAL PRESENTATION/INTRODUCTIONS

6. FINANCIAL REPORT

a. Financial Update

Presenter: Lee Worsley, Exec. Director – Triangle J Council of Governments

Mr. Worsley shared information regarding the budget and financial report through June and stated there were no noted changes. He stated this will be a transition year. He further stated that with the board leadership and the hard work of staff, good progress was being made. He stated revenues are in good shape. He further stated that expenditures were above revenues, as expected as they have been that way for the past 3 years. He stated there were budget violations for the past 3 years, but next year will be in line and will be running at a \$50,000 deficit but budget amendments will fix that issue. He further stated that revenues in the Water Sewer budget had been overstated and expected revenue to be \$13,500. He stated the Community Building is in good shape. There was discussion regarding ARPA funds and Mr. Worsley stated we would be using ARPA funds as revenue replacement and that is in compliance.

7. PLANNING BOARD REPORT

a. Planning Board Report

Presenter: Planning Board Representative

Garrett Mitchell was present and provided an updated report. He stated at the last Planning Board meeting, a representative of Salinas Subdivision was present, and it was learned the request would be for four double wide mobile homes. The representative was advised this would require a Special Use Permit process. Ms. Sims has completed a Special Use Permit application to replace her current single wide mobile home and a public hearing is scheduled to be held this evening.

8. POLICE REPORT

a. Police Department Monthly Update

Presenter: Macon Jones, Police Chief

Chief Jones stated the Charger was currently being repaired. He stated he had recently assisted DSS. He stated there would not be a SRO this year. He further stated he had a personal matter he wished to discuss but would wait until a time when the mayor was also available. He stated there were no vendor fees for food trucks during the 301 Yard Sale and requested that Micro waive any fees for the 301 Yard Sale as well.

ACTION: Waive Vendor Fees for 2023 301 Yard Sale

Motion: Mayor Pro Tem Worley
Second: Commissioner Stanley
Vote: Unanimous

9. PUBLIC HEARINGS

a. 2023 – 2024 Annual Budget

Presenter: Lee Worsley, Exec. Director - Triangle J Council of Governments

Mr. Worsley a special meeting is scheduled to be held on June 15, 2023 to adopt the proposed budget which would ensure we were in compliance to have a budget in place by July 1. Information was shared about the many work sessions held. Mr. Worsley also provided information about the proposed budget. He stated there would be no property tax increase. There was discussion regarding water rates. It was stated that there is not enough money budgeted for any repairs regarding the water sewer. It was further stated there would need to be a 5% rate increase as well as cut spending to keep up. It was stated the police department would not be able to have any new hires, there was no funding for employee raises and there is no health insurance provided for employees. Mr. Worsley stated we are looking into the NC Lead Fellow Program, where the town might be able to secure an intern for a year.

Mr. Worsley stated this a public hearing and was open to any comments. He further stated looking down the line, we might be able to do a system development fee if growth increased.

No one wished to make any comments on the budget and the public hearing was closed.

b.

Special Use Permit 2023-12-SUP - *Quasi-Judicial**

Doris Sims – Replace Single Wide w/Double Wide Mobile Home

Presenter: Chip Hewett, Town Attorney

Attorney Hewett was present and provided details regarding a quasi-judicial process. He stated that all testimony must be provided under oath.

Ms. Doris Sims stated she wished to replace her current single-width mobile home with a double-wide. She stated it was needed as the current home was a fire hazard.

With there being no questions, the hearing was closed and turned over to the commissioners for their deliberation. All Findings of Facts were addressed and approved.

ACTION: Approval of 2023-12-SUP

Motion: Mayor Pro Tem Worley

Second: Commissioner Stanley

Vote: Unanimous

c. Special Use Permit 2023-20-SUP –Salinas Subdivision – Four Double Wide Mobile Homes

Presenter: Patti Hildreth, Applicant Representative

As there was no one present for this item, the attorney provided the board with 2 options. It was agreed the item would be tabled to the July 11, 2023 meeting.

ACTION: Table to July 11, 2023 Meeting

Motion: Mayor Pro Tem Worley

Second: Commissioner Stanley
Vote: Unanimous

10. NEW BUSINESS

- a. Salinas Subdivision (Major – Preliminary Plat) – 2023-11-SUB

Presenter: Patti Hildreth, Applicant Representative

No one was present at the meeting to present this item.

ACTION: Tabled to July 11, 2023

- b. '21-'22 Audit Contract & Engagement Letter

Presenter: Lee Worsley, Exec. Director – Triangle J Council of Governments

Mr. Worley stated the fees for the '21-'22 audit contract had been reduced as all requested paperwork was in order.

ACTION: Authorize Execution of Contract & Engagement Letter

Motion: Commissioner Stanley

Second: Commissioner Garcia

Vote: Unanimous

- c. Budget Amendments

Presenter: Lee Worsley, Exec. Director – Triangle Jn Council of Governments

Mr. Worsley provided details regarding the proposed budget amendments which would amend previously expenditures that were over the budget line items.

ACTION: Adoption of Ordinance #2023-06-04

Motion: Mayor Pro Tem Worley

Second: Commissioner Stanley

Vote: Unanimous

11. OLD BUSINESS

- a. Triangle J Assistance to Micro – Monthly Update/Report

Presenter: Lee Worsley, Exec. Director – Triangle J Council of Governments

Mr. Worsley provided an update on the Community Building bidding process. He stated the project had been readvertised and we were currently waiting for the low bidder to attempt to get within our budget. There were changes made to help lower the budget that included replacing the floor with LVP. It is possible we could ask the county for additional funding. Mr. Worsley will have a meeting with the county about this project soon.

12. COMMISSIONER REPORTS

- a. Special Events Report
Presenter: Katy Garcia, Commissioner

Commissioner Garcia reports the Endless Yard Sale is scheduled for June 16-17. There will be a movie in the park on June 24 at 8:00 p.m. The rain date will be July 22. The Kingdom Building will be providing light refreshments.

14. ADJOURNMENT

- a. Adjourn the Meeting

With there being nothing further, the meeting was adjourned at 8:10 p.m.

ACTION: Motion to Adjourn

Motion: Mayor Pro Tem Worley

Second: Commissioner Stanley

Vote: Unanimous

Duly adopted this the 14th day of November 2023 while in regular session.

Marty Parnell
Mayor

ATTEST:

Kimberly A. Moffett, CMC, NCCMC
Interim Town Clerk

**TOWN OF MICRO
CERTIFICATE OF SUFFICIENCY
Annexation Petition 2023-30-ANX**

To the Board of Commissioners of the Town of Micro, North Carolina:

I, Kimberly A. Moffett, Interim Town Clerk, do hereby certify that I have investigated the petition attached hereto and have found as a fact that said petition is signed by all owners of real property lying in the area described therein, in accordance with N.C. G.S. 160A-31.

In witness whereof, I have hereunto set my hand and affixed the seal of the Town of Micro, this the 14th day of November 2023

Kimberly A. Moffett

Kimberly A. Moffett, CMC, NCCMC
Interim Town Clerk
Town of Micro

DESCRIPTION/ ADDRESS:
ANNEXATION # 2023-30-ANX
325 US 301 S. (Newly Assigned Address)
Owner: Hunter Blackwell
Contiguous; 1.25 acres



The Planning Board / Board of Adjustment met on Tuesday – October 24, 2023.

Minutes from the September 26 2023 meeting were adopted.

Item #1

By-Law Discussion Continued

Requested edits to the proposed by-laws were presented by Ms. Moffett. It was consensus of Planning Board to request the Board of Commissioners adopt the Proposed By-Laws. Ms. Moffett stated the by-laws would be presented to the board at the November 2023 meeting for adoption via Resolution.

Item #2

Ramirez Warehouse – Special Use Permit

A Special Use Permit is being requested for a property located at 5396 US Highway 301, Selma. Requested use is for a warehouse, which is allowed in the RA zoning, but must be approved via the Special Use Permit process. The board reviewed the application. Ms. Moffett stated a Quasi-Judicial Public Hearing would be scheduled/advertised for the November 14 2023 Board of Commissioners meeting.

Item #3

Fence/Side Setback Discussion Continued

Requested edits to Section 4-102-1 of the Zoning Ordinance were presented by Ms. Moffett. It was the consensus of the Planning Board to recommend approval of these changes to the Board of Commissioners. Ms. Moffett stated a Public Hearing would be advertised and the hearing would be scheduled for December 12, 2023.

Board of Adjustment:

BOA Member Jon Flemer was issued his Oath of Office



TOWN OF MICRO
PO Box 9
450 US Highway 301 N
Micro, NC 27555
Office: 919-284-2572

SPECIAL USE PERMIT APPLICATION

\$50 fee + any applicable zoning fee(s)



New Special Use Permit



Modification to Previously Approved SUP

SITE INFORMATION:

Name of Project: Ramirez Roofing Warehouse

Acreage of Property: 2.2 Zoning District: RA

County Tag #: 10J99199B NC Pin #: 263620-91-6934

Address/Location: 5396 US HWY 301 Selma NC 27576

Existing Use: Vacant lot Well maintained mowed, trim

APPLICANT INFORMATION:

Applicant: Duke Thurston

Mailing Address: 309 Turnage Rd Smithfield NC 27577

Phone: 919-730-1794

Contact Person Name: Duke Phone: 919-730-1794

Email: Duke Thurston 650@Gmail.com

OFFICE USE ONLY:

Date Received: 10/10/23 Amount Paid: \$50⁰⁰ File Number: 2023-33-SUP

PBZ 10/24/23
TCB 11/14/23

PROPERTY OWNER INFORMATION:

Owner: Ramirez Roofing

Mailing Address: 606 W. Market St Smithfield NC 27577

Phone: 919-464-3712

Phone: _____

Email: JGomez@ramirezroofing.com

EXPLANATION OF PROJECT:

Please provide detailed information concerning this request.

Use for warehouse & storage. Metal & Steel
of proposed 60'x150' warehouse has been on site.
Proposed layout is requested to be central on lots.
General parking.

Always to be clean, neat, orderly, as kept for
past 5 years.

REQUIRED FINDINGS OF FACT:

Section 2-105-6 of the Town of Micro Zoning Ordinance requires applications for a Special Use Permit address the following findings. The burden is on the applicant and failure to adequately address the findings may result in denial of the application. Please attach additional sheets if necessary.

1. The proposed use and development comply with the applicable regulations of this Ordinance.

Yes, RA but applying for SU (Special Use)

2. The proposed use and improvements are compatible with the character of the surrounding area and the capacity of neighboring lands to develop as permitted in the applicable zoning district.

Yes, a large company needing warehouse could also use additional employees.

3. The proposed use will have minimal adverse impact on surrounding land with regard to service delivery, traffic circulation, aesthetics, odor, noise, glare, and vibration.

Yes, should not have any impacts.

4. The use will not deteriorate or otherwise adversely impact water, air, scenic, and other natural resources.

No.

5. The use will maintain safe ingress and egress to the site.

Yes,

6. The use will be served by adequate road and infrastructure to support development of the site.

Yes. no impacts

7. The use will protect property values and preserve public safety and welfare of the surrounding area and community at-large.

Yes, kept clean, neat, orderly

8. The use complies with other applicable town, state, and federal laws regulating development of land within the Town's jurisdiction.

yes

PROCEDURE INFORMATION:

Applications for Special Use Permits shall be referred to the Planning Board. The Planning Board will report on its recommendation to the Board of Commissioners. After notice has been given pursuant to Section 2-103-2, a **quasi-judicial*** hearing shall be held pursuant to Section 2-104. Required mailed notice shall be sent to the owners of property within a ~~500~~ 100' radius subject parcel boundary lines. A simple majority of the Board of Commissioners is required for approval of a Special Use Permit. Conditions for approval, if any, shall be specified in the motion and on the permit.

**A quasi-judicial hearing resembles a court trial where testimony is presented. Citizens may give testimony in a quasi-judicial hearing after they have taken an oath. The Board of Commissioners acts like a court of law and receives only sworn testimony and other credible evidence. In addition, the Board of Commissioners must make findings of fact based upon the evidence presented. The Board of Commissioners refrains from "ex parte communication" about these cases, as the Town Council must decide based solely on the evidence presented at the hearing itself.*

APPLICANT AFFIDAVIT:

I/We, the undersigned, do hereby make application and petition to the Board of Commissioners of the Town of Micro to approve the Special Use Permit. I hereby certify that I have full legal right to request such action and that the statements and/or information made herein or any plans submitted are true and correct to the best of my knowledge. I understand this application and any related material become official records of the Town of Micro, North Carolina.

Jesus Gomez
Print Name


Signature

10-6-23
Date

ADJACENT PROPERTY OWNERS LIST

Project Name: Ramirez Warehouse

The following are all the persons, firm, or corporations owning property within a ~~500~~^{100'} radius.

It is the responsibility of the applicant to correctly identify the current owner, based on records in the Johnston County GIS Office, for all property owners of land within the required public notice radius.

PARCEL NUMBER	NAME	ADDRESS

OWNERS CONSENT FORM

Consent is required from the property owner(s) if an agent/applicant will act on their behalf. A separate form is required for each owner.

Project Name: Ramirez Warehouse Address or PIN#: _____

AGENT/APPLICATION INFORMATION:

Jesus Gomez (Name - please type or print clearly) 606 W. Market St. (Address)
Smithfield, Nc. 27577 (City, State & Zip)

I hereby give CONSENT to the above referenced agent/applicant to act on my behalf, to submit applications and all required documents and materials, and to attend and represent me at all meetings and public hearings pertaining to the following process:

Special Use Permit [] Other If Other Indicate: _____

Furthermore, I hereby give consent to the party designated above to agree to all terms and conditions which may arise as part of the approval of this application.

I hereby certify that I have authority to execute this consent form as/on behalf of the property owner. I understand that any false, inaccurate or incomplete information provided by me, or my agent will result in the denial, revocation or administrative withdrawal of the application, request, approval or permit. I further agree to all terms and conditions that may be imposed as part of the approval process of this application.

OWNER AUTHORIZATION:

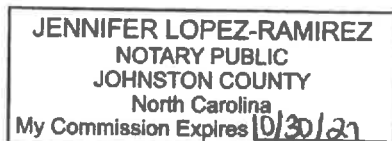
Angel Lopez Hiteclia (Name - please type or print clearly) 121 Strawberry Ln (Address)
[Signature] (Signature) Smithfield NC 27577 (City, State & Zip)

NOTARY:

STATE OF NC COUNTY OF Johnston

Sworn to and subscribed before me Jennifer Lopez-Ramirez a Notary Public for the above State and County, this the 6th day of OCTOBER.

SEAL



Jennifer Lopez-Ramirez
Notary Public Signature

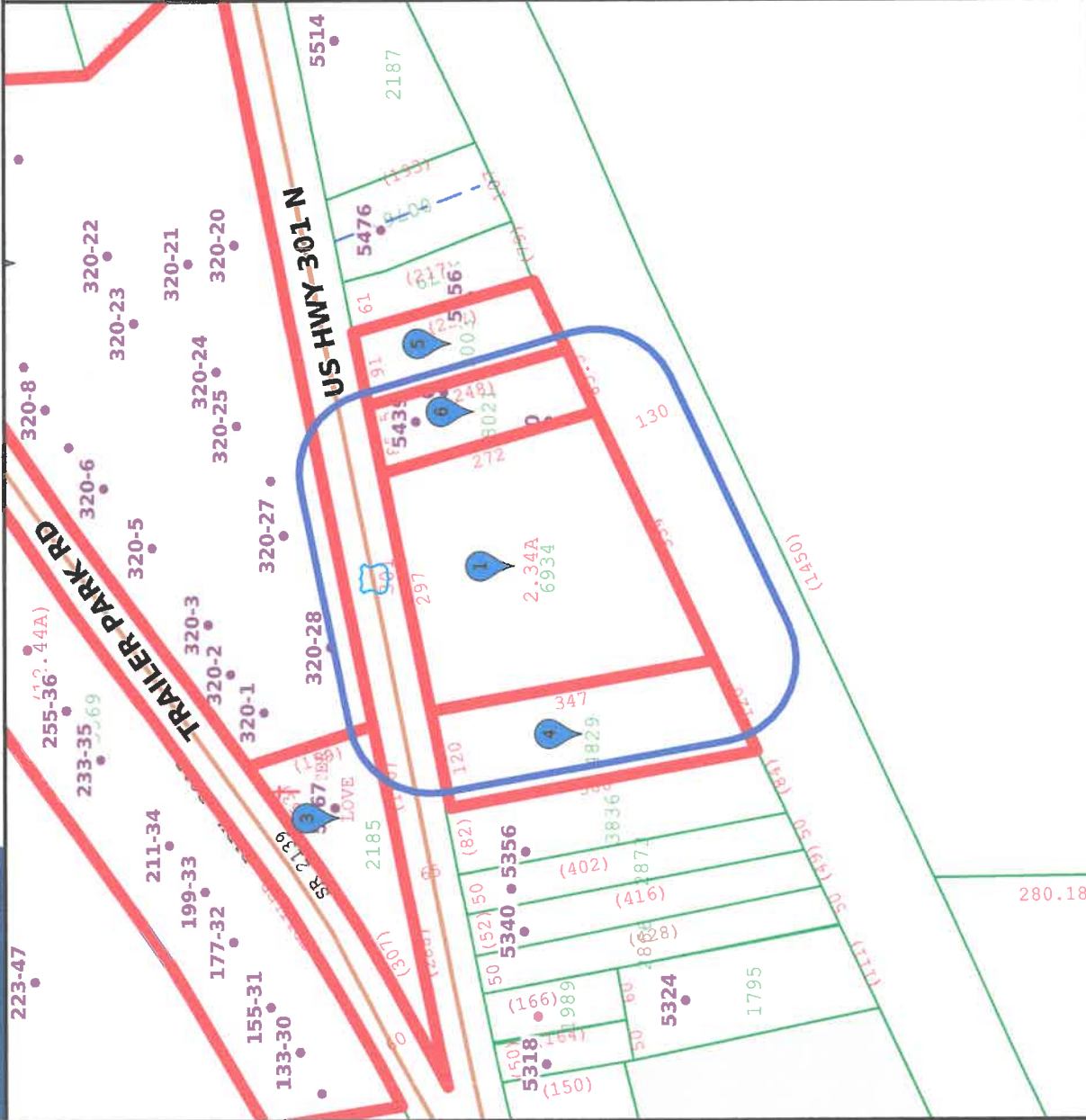
My Commission Expires:

10/30/27



*** DISCLAIMER ***

Johnston County assumes no legal responsibility for the information represented here.



Result 0

id: 10J99199B
Tag: 10J99199B
Owner Name 1: RAMIREZ ROOFING INC
Owner Name 2:
Mail Address 1: 606 W MARKET ST
Mail Address 2:
Mail Address 3: SMITHFIELD, NC 27577-3325

Book: 06551
Page: 0050

Result 0

id: 10007051
Tag: 10007051
Owner Name 1: BEULAH ENTERPRISES INC
Owner Name 2:
Mail Address 1: 136 BEULAHTOWN RD
Mail Address 2:
Mail Address 3: KENLY, NC 27542-8476

Book: 02312
Page: 0326

Scale: 1:2515 - 1 in. = 209.58 feet

(The scale is only accurate when printed landscape on a 8 1/2 x 11 size sheet with no page scaling.)





Result 0

id: 10O07051A
Tag: 10O07051A
Owner Name 1: CHIARI, NANCY DESMOND
Owner Name 2:
Mail Address 1: 4516 SEAGULL DR UNIT 904
Mail Address 2:
Mail Address 3: NEW PRT RCHY, FL 34652-2128
Book: 03999
Page: 0393

Result 0

id: 10O07107
Tag: 10O07107
Owner Name 1: MOZELLE, TOM HEIRS
Owner Name 2:
Mail Address 1: 10835 S FORD RD
Mail Address 2:
Mail Address 3: CHARLOTTE, NC 28214-8323
Book: 00460
Page: 0148

Result 0

id: 10O07109B
Tag: 10O07109B
Owner Name 1: CREECH, DANNY R
Owner Name 2:
Mail Address 1: 100 PECAN ESTATES LN
Mail Address 2:
Mail Address 3: SELMA, NC 27576-5957
Book: 01714
Page: 0578

Result 0

id: 10O07109
Tag: 10O07109
Owner Name 1: CREECH, DANNY R
Owner Name 2:
Mail Address 1: 100 PECAN ESTATES LN
Mail Address 2:
Mail Address 3: SELMA, NC 27576-5957
Book: 01714
Page: 0578



Town of Micro
P.O. Box 9
450 US Highway 301 N.
Micro, NC 27555
Office: 919-284-2572
Police: 919-284-1355

October 27, 2023

Dear Micro Area Property Owner:

The purpose of this letter is to notify you of an application filed with the Town of Micro for a land use change proposal involving property adjacent to, or in close proximity to, property shown in your ownership by Johnston County tax records.

The proposed application is for a Special Use Permit for a Warehouse to be located at 5396 US Highway 301.

This will be a quasi-judicial proceeding, which means this type of hearing resembles a court trial where testimony presented must be done so after taking an oath. The Board of Commissioners acts like a court of law and receives only sworn testimony and other credible evidence. Additionally, the Board of Commissioners must make findings of fact based upon the evidence presented. The Board refrains from "ex parte communication" about these types of cases, as the board must decide each case based solely on the evidence presented at the hearing itself.

The public hearing will be held on **Tuesday, November 14, 2023**. The meeting will be held at the Town of Micro Public Works/Business Center Building located at 450 US Highway 301 N. and will begin at 7:00 p.m.

As per NCGS § 143-318.10 all meetings are open to the public.

Should you have any questions or concerns, please do not hesitate to contact the office at 919-284-2572.

Sincerely,

Kimberly A. Moffett, CMC, NCCMC
Interim Town Clerk

CERTIFICATION OF MAILING NOTICES TO PROPERTY OWNERS
SPECIAL USE PERMIT
RAMIREZ ROOFING WAREHOUSE

I, Kimberly A. Moffett, serving as Interim Town Clerk for the Town of Micro do hereby certify that per the Town of Micro Zoning Ordinance, Section 2-103-2 required Mailed Notices of a Public Hearing (Quasi-Judicial) for the above were mailed via First Class Mail to property owners in accordance with Town of Micro Zoning Ordinance, Section 2-105-4.

Further, certificates of proof are included in the corresponding SUP folder.

Kimberly A. Moffett

Kimberly A. Moffett, CMC, NCCMC
Interim Town Clerk
Town of Micro

Date of Mailings October 27, 2023

**TOWN OF MICRO
SPECIAL USE PERMIT
RAMIREZ ROOFING WAREHOUSE
GRANTED**

On the date listed below, the Board of Commissioners for the Town of Micro met and held an evidentiary hearing to consider the following application:

Applicant: Duke Thurston

Property Owner: Ramirez Roofing

Property Location: 5396 US Highway 301

Brief Property Description: Vacant Lot / 2.2 (+/-) acres

Tax Parcel Number: 10J99199B/263620-91-6934

Proposed Use: Warehouse

Hearing Date: November 14, 2023

Having heard all the evidence and argument presented at the hearing, the Board of Commissioners makes the following findings:

- a) The proposed use and development comply with the applicable regulations of this Ordinance.
- b) The proposed use and improvements are compatible with the character of the surrounding area and the capacity of neighboring lands to develop as permitted in the applicable zoning district.
- c) The proposed use will have minimal adverse impact on surrounding land with regard to service delivery, traffic circulation, aesthetics, odor, noise, glare, and vibration.
- d) The use will not deteriorate or otherwise adversely impact water, air, scenic, and other natural resources.
- e) The use will maintain safe ingress and egress to the site.
- f) The use will be served by adequate road and infrastructure to support development of the site.
- g) The use will protect property values and preserve public safety and welfare of the surrounding area and community at-large.
- h) The use complies with other applicable town, state, and federal laws regulating development of land within the Town's jurisdiction.

CONDITIONS:

None added.

TOWN OF MICRO

BY: _____
Marty Parnell
Mayor

DATE: _____

[Note: Notice of Decision must be sent within 10
business days following effective date of decision per
Code Section 2-104-2(D)]

ATTEST:

_____(SEAL)
Kimberly A. Moffett, CMC, NCCMC
Interim Town Clerk

Planning Board/Board of Adjustment

There is hereby established a Micro Planning Board under the authority of N.C.G.S. 160D-301 . The Planning Board will also serve as the Board of Adjustment under the authority of N.C.G.S. 160D-302.

Composition & Membership

- A.** There shall be a Planning Board consisting of seven (7) members.
1. Four (4) members appointed by the Micro Board of Commissioners shall reside within the town.
 2. Three (3) members appointed by the Johnston County Board of Commissioners shall reside in the town's extraterritorial jurisdiction. If, despite good faith efforts, enough residents of the extraterritorial jurisdiction cannot be found to fill the seats reserved for residents of that area, then the Johnston County Board of Commissioners may appoint other residents of the county (including residents of the Town) to fill these seats. If the Johnston County Board of Commissioners fails to make these appointments within ninety (90) days of receiving a request from the Micro Town Council requesting that they be made, the Board of Commissioners may make these appointments.
- B.** The Planning Board shall, by majority vote of its membership, elect one of its members to serve as Chairperson and preside over the board's meetings and one member to serve as Vice-Chairperson, at its first meeting in March of each fiscal year.
1. A person so designated shall serve in either capacity for a term of one (1) year unless their term of appointment to the board expires sooner. Vacancies in these offices may be filled for the unexpired terms only by majority vote of the board membership.
 2. The Chairperson and Vice-Chairperson shall take part in all deliberations and vote on all issues.
 3. The Chairperson shall set, approve, and make changes to the agenda.
- C.** The Board of Adjustment shall, by majority vote of its membership, elect one of its members to serve as Chairperson and preside over the board's meetings and one member to serve as Vice-Chairperson, at its first meeting in March of each fiscal year.
1. A person so designated shall serve in either capacity for a term of one (1) year unless their term of appointment to the board expires sooner. Vacancies in these offices may be filled for the unexpired terms only by majority vote of the board membership.
 2. The Chairperson and Vice-Chairperson shall take part in all deliberations and vote on all issues.

3. The Chairperson shall set, approve, and make changes to the agenda.
- D. All members appointed to the Planning Board shall, before entering their duties, qualify by taking an oath of office as required by G.S. 160D-309.
- E. Applications for the Planning Board will be reviewed by the Planning Board and then a recommendation may be provided to the Micro Board of Commissioners for the final appointment decision. Final Appointment decision for all applicants is left to the discretion of the Micro Board of Commissioners.
- F. Board members shall be appointed for a three (3)-year term, but a member may continue to serve until their successor has been appointed. Members may serve two consecutive three-year terms. Following completion of the second term, members may reapply for another term after sitting out one year.
- G. Planning Board members serve at the pleasure of the Micro Board of Commissioners.
- H. The absence of any member from more than three (3) regular meetings in a calendar year, except when such absence is excused (sickness or other similar cause, ruled as emergency in nature), will declare the seat to be vacant and in the event of such a vacancy shall be filled by the Micro Board of Commissioners.

Meetings of the Planning Board

- A. Regular meetings of the planning board shall be held at 7:00pm on the fourth Tuesday of each month and shall be held in the Town Micro Public Works Building.
- B. The planning board shall adopt an annual calendar of meetings for the following year in December of each year.
- C. Minutes shall be kept of all Board proceedings by the Micro Town Clerk or Micro Town Deputy Clerk or designee.
- D. A staff member and/or representative from the Town of Micro should attend all Planning Board meetings as staff liaison to the board.
- E. All Board meetings shall be open to the public, and the agenda for each Board meeting shall be made available in advance of the meeting.
- F. The Planning Board may be held as a hybrid meeting if required, meaning in-person and remote participation. All laws regarding virtual meetings must be complied with. Any board member participating remotely shall participate via simultaneous and/or electronic communication and must be able to be fully heard, and if possible seen, by other members of the Planning Board and other individuals in attendance. Any Planning Board Member participating remotely shall provide a voice vote which can be heard and recorded if participating by telephone and shall provide a voice and hand vote if participating by video. It should be noted that all votes will be conducted by roll call to comply with laws around virtual meetings.

G. Quasi-Judicial meetings may not be held in a hybrid meeting format.

Powers and duties of the Planning Board

A. To advise on zoning text amendment and map amendments (Rezoning). After hearing the item at the meeting of the planning board, a recommendation of approval or denial will be made to the Micro Board of Commissioners, who have the final authority for approval or denial.

B. To provide a preliminary review of quasi-judicial decisions, Special Use Permits. It should be noted that no part of said review be used as a basis for the final decision by the Board of Commissioners.

C. To serve as the Board of Adjustment.

D. To carry out other powers and duties as delegated by the Micro Board of Commissioners consistent with state law.

E. To hear and decide upon applications for Variances to this Ordinance when serving as the Board of Adjustment.

F. To hear and decide upon Administrative Appeals when serving as the Board of Adjustment.

Quorum and voting

A. A quorum for the Planning Board shall consist of a majority of the board membership. A quorum is necessary for the board to take official action.

B. All actions of the Planning Board shall be taken by majority vote, with a quorum being present.

C. When hearing a Variance, a super majority vote of 80% of the Board of Adjustment is required.

D. A roll call vote shall be taken upon the request of any board member.

E. Extraterritorial (ETJ) planning board members may vote on all matters considered by the board, regardless of whether the property affected lies within or without the Town.

**RESOLUTION
TOWN OF MICRO
PLANNING BOARD / BOARD OF ADJUSTMENT BY-LAWS**

Whereas it is the desire of the Town of Micro Planning Board / Board of Adjustment to adopt By-Laws; and

Whereas the Town of Micro Board of Commissioners hereby adopts the following as the By-Laws for the Planning Board / Board of Adjustment.

Planning Board/Board of Adjustment

There is hereby established a Micro Planning Board under the authority of N.C.G.S. 160D-301. The Planning Board will also serve as the Board of Adjustment under the authority of N.C.G.S. 160D-302.

Composition & Membership

- A.** There shall be a Planning Board consisting of seven (7) members.
1. Four (4) members appointed by the Micro Board of Commissioners shall reside within the town.
 2. Three (3) members appointed by the Johnston County Board of Commissioners shall reside in the town's extraterritorial jurisdiction. If, despite good faith efforts, enough residents of the extraterritorial jurisdiction cannot be found to fill the seats reserved for residents of that area, then the Johnston County Board of Commissioners may appoint other residents of the county (including residents of the Town) to fill these seats. If the Johnston County Board of Commissioners fails to make these appointments within ninety (90) days of receiving a request from the Micro Board of Commissioners requesting that they be made, the Board of Commissioners may make these appointments.
- B.** The Planning Board shall, by majority vote of its membership, elect one of its members to serve as Chairperson and preside over the board's meetings and one member to serve as Vice-Chairperson, at its first meeting in March of each fiscal year.
1. A person so designated shall serve in either capacity for a term of one (1) year unless their term of appointment to the board expires sooner. Vacancies in these offices may be filled for the unexpired terms only by majority vote of the board membership.

2. The Chairperson and Vice-Chairperson shall take part in all deliberations and vote on all issues.
 3. The Chairperson shall set, approve, and make changes to the agenda.
- C.** The Board of Adjustment shall, by majority vote of its membership, elect one of its members to serve as Chairperson and preside over the board's meetings and one member to serve as Vice-Chairperson, at its first meeting in March of each fiscal year.
1. A person so designated shall serve in either capacity for a term of one (1) year unless their term of appointment to the board expires sooner. Vacancies in these offices may be filled for the unexpired terms only by majority vote of the board membership.
 2. The Chairperson and Vice-Chairperson shall take part in all deliberations and vote on all issues.
 3. The Chairperson shall set, approve, and make changes to the agenda.
- D.** All members appointed to the Planning Board /Board of Adjustment shall, before entering their duties, qualify by taking an oath of office as required by G.S. 160D-309.
- E.** Applications for membership on the Planning Board will be reviewed by the Planning Board and then a recommendation may be provided to the Micro Board of Commissioners for the final appointment decision. Final Appointment decision for all applicants is left to the discretion of the Micro Board of Commissioners.
- F.** Board members shall be appointed for a three (3)-year term, but a member may continue to serve until their successor has been appointed. Members may serve two consecutive three-year terms. Following completion of the second term, members may reapply for another term after sitting out one year.
- G.** Planning Board members serve at the pleasure of the Micro Board of Commissioners.
- H.** The absence of any member from more than three (3) regular meetings in a calendar year, except when such absence is excused (sickness or other similar cause, ruled as emergency in nature), will declare the seat to be vacant and in the event of such a vacancy shall be filled by the Micro Board of Commissioners.

Meetings of the Planning Board

- A. Regular meetings of the planning board shall be held at 7:00pm on the fourth Tuesday of each month and shall be held in the Town Micro Public Works Building. If there are any items to come before the Board of Adjustment, that meeting will be held immediately upon conclusion of the Planning Board.
- B. The Planning Board shall adopt an annual calendar of meetings for the following year in December of each year.
- C. Minutes shall be kept of all Board proceedings by the Micro Town Clerk or Micro Town Deputy Clerk or designee.
- D. A staff member and/or representative from the Town of Micro should attend all Planning Board meetings as staff liaison to the board.
- E. All Board meetings shall be open to the public, and the agenda for each Board meeting shall be made available in advance of the meeting.
- F. The Planning Board may be held as a hybrid meeting if required, meaning in-person and remote participation. All laws regarding virtual meetings must be complied with. Any board member participating remotely shall participate via simultaneous and/or electronic communication and must be able to be fully heard, and if possible seen, by other members of the Planning Board and other individuals in attendance. Any Planning Board Member participating remotely shall provide a voice vote which can be heard and recorded if participating by telephone and shall provide a voice and hand vote if participating by video. It should be noted that all votes will be conducted by roll call to comply with laws around virtual meetings.
- G. Quasi-Judicial meetings **may not** be held in a hybrid meeting format.

Powers and duties of the Planning Board

- A. To advise on zoning text amendment and map amendments (Rezoning). After hearing the item at the meeting of the planning board, a recommendation of approval or denial will be made to the Micro Board of Commissioners, who have the final authority for approval or denial.
- B. To provide a preliminary review of quasi-judicial decisions, Special Use Permits. It should be noted that no part of said review be used as a basis for the final decision by the Board of Commissioners.
- C. To serve as the Board of Adjustment.
- D. To carry out other powers and duties as delegated by the Micro Board of Commissioners consistent with state law.

- E. To hear and decide upon applications for Variances to this Ordinance when serving as the Board of Adjustment.
- F. To hear and decide upon Administrative Appeals when serving as the Board of Adjustment.

Quorum and voting

- A. A quorum for the Planning Board shall consist of a majority of the board membership. A quorum is necessary for the board to take official action.
- B. All actions of the Planning Board shall be taken by majority vote, with a quorum being present.
- C. When hearing a Variance, a super majority vote of 80% of the Board of Adjustment is required.
- D. A roll call vote shall be taken upon the request of any board member.
- E. Extraterritorial (ETJ) planning board members may vote on all matters considered by the board, regardless of whether the property affected lies within or without the Town.

Duly adopted this the 14th day of November 2023 while in regular session.

Marty Parnell
Mayor

ATTEST:

Kimberly A. Moffett, CMC, NCCMC
Interim Town Clerk

TOWN OF MICRO



UTILITY BILL PAYMENT POLICY

Billing Dates/Information:

Utility bills are generated between the 18th and 20th of each month and mailed at that time. If a customer does not receive a bill, it is the responsibility of the customer to ensure that the bill is paid on time. If the customer does not have the bill by the first of the month, they should contact the office at 919-284-2572. The bills are due on the 15th of the month **BEFORE** 5:00 p.m.

Example: January bill is generated January 19 and is due the 15th of February.

Failure to receive a bill is not an excuse for non-payment of the bill.

Late Fees:

A \$50.00 penalty will be added to all accounts that have not been paid as of 5:00 p.m. on the 15th of the month. In the event the 15th of the month falls on a weekend or holiday, the customer shall have until 5:00p.m. on the next business day to make the payment without penalty.

Example: January 15th falls on a Saturday, the customer would have until 5:00 p.m. on the following Monday to make the payment.

Disconnection:

Accounts are subject to disconnect if not paid by the 16th of the month. The town will no longer accept partial payments. When paying a bill online, the total amount due should be paid. *Be sure to include account number (put this in the email line) when paying online.

Disconnections will take place on the 22nd of the month at 9:00 a.m.

There will be NO SECOND NOTICE. Any account that is not current on the 22nd will be disconnected.

At the time of disconnection, a \$50.00 reconnection fee will be added.

The total bill must be paid in full before the service can be reconnected.

Extension(s):

The town understands there may be times when paying your bill is difficult and can offer an extension. This extension can only be granted once every six months. Please contact the office for additional information.

Returned Payments:

Any check returned for Nonsufficient Funds (NSF) will be charged \$35.00. There will be a 5-day grace period for repayment of the check. *

Repayment for NSF's must be cash, money order or credit/debit card only and check writing privileges will be restricted for one year.

**This does not extend the time for a late fee charge.*

Reconnection Fees:

1 st – 3 rd Reconnection	\$ 50.00 per
4 th – 7 th Reconnection	\$ 75.00 per
8 th & Above Reconnection	\$100.00 per

Account Set Up Requirements:

Owners: Proof of ownership

Renters: Lease Agreement OR notarized letter from the landlord

AND

Owners & Renters must provide the following at time of application:

- A Valid driver’s license OR official ID (passport, official government issued ID)
- Social Security OR TIN

Note to Landlords: Landlords will be considered a co-signer on the account. If a tenant moves from the property and has an outstanding bill, landlords may be held responsible for that bill. As a town, we do our best to collect the bill by applying tenants deposit to their final bill.

Account Deposits:

Renters:	\$175.00 + Administrative Fee*
Owners:	\$100.00 + Administrative Fee*
Administrative Fee:	\$ 50.00 (Both Renters & Owners)

Please note that all fees may be updated via the Town of Micro Comprehensive List of Fees & Charges. Staff does it's best to ensure that all fees listed in this policy and all applications are current.

Account Number _____



Town of Micro

Application for Water & Sewer

Date: _____

Deposit: _____

Connect Date: _____

Administration Fee: _____

Customer Name: _____

Mailing Address: _____

*Service Address: _____

Phone Number: _____ Social Security Number: _____

Driver's License Number & State of Issue: _____

Employer's Name: _____

Employer's Address: _____

Employer's Phone Number: _____

Previous Employer: _____

Name/Address & Phone Number of a Relative: _____

Landlord's Name & Phone Number: _____

If I live in the Town of Micro, I am entitled to receive a trash and recycle container. I am required to contact the Town if either container gets damaged. If I or any occupant of my household damages or removes the containers from the property, I will be billed \$75.00 per container. These containers are to be placed curbside the night before scheduled pickup and removed from the curbside within 24 hours of pickup. There will be a fee of \$35.00 charged for any check that is returned for any reason. The Town of Micro participates in the Debt Setoff for any outstanding debts.

This is to certify that all the above information is true to the best of my knowledge and ability, and I understand that providing false information could result in termination of my services.

➔ Signature: _____

Date: _____

Additional Information:

All applicants must have a serviceable address before service will be connected. If a bill is returned to the town as undeliverable, your services will be discontinued without notification.

Please initial and sign below to acknowledge the following:

- I have read and understand this agreement.
- I understand that I will not receive a second notice.
- I understand that the bill is due by 5:00 p.m. on the 15th of the month.
- I understand that if I do not receive a bill by the first of the month, I will call the office for the balance of my bill.
- I understand I am responsible for the bill, whether I receive it or not>
- I understand that if I put bulk trash out, I may be charged an additional fee for pickup and removal.



Applicant Signature

Date

The Federal Government requires us to collect the following demographic information:

<u>Ethnicity:</u>	
Hispanic or Latino	()
Not Hispanic or Latino	()
<u>Race:</u>	
American Indian/Alaskan Native	()
White	()
Pacific Islander	()
Black or African American	()
Asian	()
Other	()
<u>Gender:</u>	
Female	()
Male	()

**TOWN OF MICRO
UTILITY BILLING POLICY**

WHEREAS, it is the recommendation and desire of the Town of Micro Board of Commissioners that a Utility Billing Policy related to the Town of Micro be adopted; and

WHEREAS, having a policy in place related to Utility Billing procedures is a best practice in local governments; and

WHEREAS, this policy will outline payment due dates, late fees, cut off fees and dates that both late fees and cut off fees will become effective on utility bills.

WHEREAS, this Utility Billing Policy will become effective January 1, 2024.

Duly adopted this the 14th day of November, 2023 while in regular session.

Marty Parnell
Mayor

ATTEST:

Kimberly A. Moffett, CMC, NCCMC
Interim Town Clerk