

Bill Kirby Jr.: Who can rescue Moore County's Woodlake?

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They're a touch annoyed.

“Senator Tom McInnis and Representatives Jamie Boles and Allen McNeill did not inform the Moore County Board of Commissioners regarding bills they recently sponsored, Senate Bill 190 and House Bill 281, respectively, authorizing the commissioners to create a special tax district for the Woodlake community to pay for dam repairs,” says a news release from Laura Williams, clerk to the commission board. “The County has been engaged with the Woodlake community since Hurricane Matthew damaged the dam, which was subsequently breached by the state for the safety of residents. There have been multiple meetings of officials and Woodlake residents, including the most recent attended by legislators, commissioners, county staff and Woodlake representatives on Jan. 18 during which only incorporation was discussed. The Woodlake representatives at this meeting requested Sen. McInnis and Rep. Boles pursue a path to incorporation.”

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“The hurricane brought things to a head,” Misiaszek says. “The Maples course had closed by that time, but the Palmer course remained opened. Then when Matthew came, the dam failed, the lake was drained and the ability to water the Palmer course ended. For awhile they had workers pumping water from ponds and even stealing water from a fire hydrant. They hung on, keeping the Palmer and the member’s lounge (bar) open, but finally gave up the ghost.”

Help us, Woodlake residents to include Charles Jones, Lou Mason, Dave Dickerhoff and Misiaszek, pleaded with county commissioners to no avail, and then came along Tom McInnis, Jamie Boles and Allen McNeill with their respective bills that puts the county smack dab in the middle of the Woodlake quandary.

“This is something we’ve been advocating for a couple of years now,” says Misiaszek, who has lived at Woodlake since 2006. “The county commissioners have more than balked at this potential solution.”

Commissioners address issues

Commissioners say they do “sympathize with the daunting situation faced by Woodlake residents.”

But ...

“There are major complex issues that need to be resolved, including ownership and control of the dam and lake,” the county says in the release. “It is currently owned by a German corporation, Woodlake CC Corp. The State of North Carolina has a lien in excess of \$1 million for the dam breach and could take action to enforce that lien, including foreclosure on the dam. Moreover, Resident Superior Court Judge James Webb entered a default judgment in favor of Woodlake residents against Woodlake CC Corp. owned by the German corporation in the amount of \$162.5 million, which is now a lien on the property. There are, in fact, a total of 13 liens against Woodlake CC Corp. totaling \$167,327,727.28. With the total amount of judgments and liens, there is an imminent risk of the owner filing bankruptcy, tying up ownership for several years. These and other legal matters are complicated and difficult to address.”

There are other issues, the county says, including at least \$9 million to restore the dam, and the cost could escalate.

“All of the potential costs need to be identified prior to moving forward,” the county says.

“Additionally, if flood control related to access to N.C. Highway 690 is a purpose of the dam repair,

as stated by Sen. McInnis, the federal and state government roles will need to be identified. As written, the legislation only allows for a special assessment for dam repair, and fails to address future associated costs.”

While Charles Jones, Lou Mason, Dave Dickerhoff and Misiaszek may be among those willing to pay for rebuilding the dam, the county says not every Woodlake home or property owner is in agreement.

“Various groups within Woodlake have approached the county with a number of possible solutions ranging from no county involvement to full county involvement,” the news release says, “ and all of them need to be explored before a final decision is made.”

Commissioner say, too, if the county were to create a new tax assessment district to fund dam repairs, the county would take on substantial debt that could negatively impact its recently improved bond rating with higher interests. It points to recent voter approval of \$103 million in general obligation bonds for county schools and \$20 million for Sandhills Community College in Pinehurst. And the county says it has incurred a \$31 million debt for renovations to McDeeds Creek Elementary School on Camp Easter Road in Southern Pines and more debt is coming for renovations to North Moore High School in Robbins and a judicial mandate for a new courthouse in Carthage.

“The county was very fortunate to receive an improved bond rating for the upcoming GO bond issuance,” the county says, “and is very reluctant to add further debt beyond what is planned and has been discussed with the rating agencies.”

And while elected and administrators for the county say they are not oblivious to the Woodlake plight, there is a hesitance to setting a precedent, as other dams in private communities could be in need of repairs and might expect “county taxpayers to come to the rescue.”

Incorporation is best

And here is the bottom line from the county to Woodlake folks.

“Given the issues presented by the current unresponsive foreign owners, the many unresolved legal intricacies, the unknown repair and ongoing maintenance costs, the potential negative impact on the county’s bond rating for incurring debt beyond what is already planned, and the many other still unknowns, it is regrettable that the local legislative delegation did not consider the county’s concerns before sponsoring the subject bills, nor informing county officials of plans to do so,” the county says. “The county is supportive of the Woodlake community’s efforts to incorporate and feels incorporation is the better direction to pursue at this time. All of these complex issues create major obstacles that make the legislation premature.”

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