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**AGENDA**  
**CUMBERLAND COUNTY BOARD OF COMMISSIONERS**  
**COURTHOUSE – ROOM 118**  
**JUNE 18, 2007**  
**6:45 PM**

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INVOCATION - Commissioner Edward Melvin

PLEDGE OF ALLEGIANCE –

**PUBLIC COMMENT PERIOD (6:45 PM – 7:00 PM)**

Recognition of Retired County Employee: Elizabeth Ramos, Mental Health Department

Recognition of Outgoing Board Member: Harry F. Shaw, FTCC Board of Trustees

Special Presentation to Larry Norris, President, Fayetteville Technical Community College

1. Presentations

- A. Joint Presentation on the Educational Channel Consortium and Time Warner Cable by Mr. Joe Alley, FTCC Director of Media Services, Mr. Eric Collins, Time Warner Cable Government/Public Affairs and Ms. Vicki Villines, FTCC Programming Coordinator.
- B. Presentation by Laura McClettie, Partnership and Data Specialist, US Census Bureau, on 2008 Census Dress Rehearsal.
- C. Presentation of Government Finance Officer's Association Award- Certificate of Achievement for Excellence in Financial Reporting to Ms. Amy Cannon, Assistant County Manager.

2. Consent Agenda APPROVED ALL CONSENT AGENDA ITEMS

- A. Approval of minutes for the June 4, 2007 regular meeting and approval of the minutes of the May 29, 2007 Budget Public Hearing and the May 31, 2007 special budget work session meeting.
- B. Approval of Consideration of Sending Rezoning Case P06-40 Back to the Planning Board.
- C. Approval of Cumberland County Policy Committee Report and Recommendation of a Rate Increase for Sewer Service for the NORCRESS Sanitary Sewer System.

- D. Approval of Towing Service Code Revisions (Amendments to the Fee Schedule for Rotation Wreckers).
- E. Approval of Change Order No. 3 for M & E Contracting to increase contract for Eastover Central Recreation Center.
- F. Approval of an Interlocal Agreement with the Town of Hope Mills for Emergency Back-Up Animal Control Services.
- G. Approval to continue ROAP Grant Transportation Services based upon current service levels until approval of the FY 2008 Grant Funds.
- H. Approval of Recommendation of Facilities Committee to Authorize renovations to Fayetteville Area Convention and Visitors Bureau space and Extension of Lease.
- I. Approval of Settlement of Claim of McKean County Prison, McKean County, Pennsylvania, for Medical Expenses of Prisoner David Davis.
- J. Approval of Sale of Surplus-County Owned Real Property Acquired by Tax Foreclosure:
  - 1) Lots 37-40 John Holmes Sub  
(Located on Pinpoint Rd. off Sunnyside School Rd.)  
PIN 0456-08-1680; Cedar Creek Township
- K. Approval of Sale of Surplus-County Owned Real Property Acquired by Tax Foreclosure:
  - 1) Lot 107 Ellerslie Sec 3  
(Located on Amesbury Road Off Elliott Bridge Rd.)  
PIN 0543-06-5780; Carvers Creek Township
  - 2) Lot 108 Ellerslie Sec  
(Located on Amesbury Road off Elliott Bridge Rd.)  
PIN 0543-06-5861; Carvers Creek Township
  - 3) Lot 6 Foxfire Sec 7 Rev.  
(Located on Sundown Drive off Bonanza Drive)  
PIN 0408-83-4694; Seventy-First Township

L. Budget Revisions:

(1) Mid-Carolina Senior Transportation Fund

Revision in the amount of \$971 to budget passenger contributions received. (B07-358)  
**Funding Source – Fees**

(2) NORCRESS Project

Revision in the amount of \$128 to reduce budget for tap fees to reflect the actual receipts less refunds and to approve the associated capital project ordinance. (B07-370) **Funding Source – Fees**

(3) Tourism Development Authority

Revision in the amount of \$792,000 to budget additional Occupancy Tax collected and to appropriate fund balance for expenditures approved by the TDA Board. (B07-367) **Funding Source – Tourism Development Authority Fund Balance and Taxes**

(4) Juvenile Crime Prevention Programs

Revision in the amount of \$52,619 to adjust budget to the revised state budget. (B07-369) **Funding Source – State**

(5) Group Health Insurance

Revision in the amount of \$500,000 to appropriate fund balance to budget for the year end accrual of the “Incurred but not Recorded” health claims. (B07-373) **Funding Source – Group Health Insurance Fund Balance**

(6) Mental Health

- a. Adult Contracts - Revision in the amount of \$141,201 to budget state start up funds for crisis services. (B07-361) **Funding Source – State**

- b. Developmental Disability Contracts – Revision in the amount of \$20,000 to recognize additional state brain injury funds for clients. (B07-362) **Funding Source – State**
- c. Developmental Disability Contracts – Revision in the amount of \$70,000 to increase budget for Medicaid funded supplies due to additional clients. (B07-363) **Funding Source – Fees**
- d. Comprehensive Treatment Service Program Alternate Family Living – Revision in the amount of \$675,000 to increase contract due to higher utilization than expected. (B07-364) **Funding Source – Fees**
- e. Partial Hospitalization – Revision in the amount of \$796 to appropriate fund balance to pay for FAST bus passes from FY2006. (B07-371) **Funding Source – Mental Health Fund Balance**

(7) Animal Control

Revision in the amount of \$1,460 to appropriate fund balance to cover spay/neuter and rabies charges for prior years and remainder of current fiscal year. (B07-375) **Funding Source – General Fund Fund Balance**

(8) School Capital Outlay / School Bond Projects

Revision in the amount of \$1,780,000 to move certain budgeted expenditures from the School Capital Outlay Fund to the School Bond Project Funds in order to reclassify the source of revenue from sales taxes to bond proceeds to facilitate the closing of the School Bond Project Funds. (B07-376, B07-376A and B07-376B and B07-376C) **Funding Source – Bond Proceeds**

3. Public Hearings

**Uncontested Cases**

Rezoning

- A. Case P07-26. The rezoning of a .24 acre portion of a 26.18 acre tract, from A1 to R15, or to a more restrictive zoning district, located south of Sand Hill Road, west of Tower Road, owned by Terry Spell Land Development LLC. **[NOTE: This case was deferred from the May 21, 2007 Board of Commissioners Meeting]**

APPROVED R15

- B. Case P07-25. The rezoning of 1.0 acre from R6A/Conditional Use to C(P), or to a more restrictive zoning district, at 1227 Shaw Road, owned by Rodney S. Garrett.

APPROVED

- C. Case P06-29. The rezoning of 3.80 acres from R6A to C(P), or to a more restrictive zoning district, at 4848 South Main Street, owned by William K. and Patricia W. Gautier.

APPROVED C(P) CONDITIONAL USE DISTRICT/PERMIT

- D. Case P07-34. The rezoning of .55 acres from R6/Conditional Use to R6, at 137 New Street, owned by Stanley and Lisa Simmons.

APPROVED R6

- E. Case P07-37. The rezoning of 1.0 +/- acre from M(P) to R7.5, or to a more restrictive zoning district, located north of Gray Goose Loop, south of Previs Drive, owned by Huff-Caviness, LLC.

APPROVED R7.5

- F. Case P07-40. The rezoning of 3.27 acres from A1 to R40A, or to a more restrictive zoning district, located at the Southeast Quadrant of Sanderosa and Ben McNatt Roads, owned by Wanda F. Lane.

APPROVED R40A

- G. Case P07-41. The rezoning of 2.0+/- acres from A1 to R40A, or to a more restrictive zoning district, at 4454 Huckleberry Road, owned by Charlie Harris.

APPROVED R40A

**Contested Cases**

- H. Case P07-33. The rezoning of 2.9 acres from R40A to R30A, or to amore restrictive zoning district, at 804 Magnolia Church Road, owned by Betty A. Autry.

DENIED REZONING REQUEST

**Conditional Use District and Permit**

- I. Case P07-32. The rezoning of 59.71 acres from R10 to Mixed Use/Conditional Use District and Permit, or to a more restrictive zoning district, located on the

north side of Rockfish Road, east side of Lakewood Drive, owned by Lillie M. Pate and HCC Investments, LLC.

APPROVED MIXED USE/CONDITIONAL USE DISTRICT & PERMIT (to include the addition of sidewalks along Lakewood and Rockfish Roads)

- J. Case P07-42. The rezoning of a 13.66 acre portion of a 203 acre tract from A1 to A1/Conditional Use District and Permit to expand a quarry, located north of I-295, east of River Road, owned by William Gillis.

APPROVED A1 AGRICULTURAL/CONDITIONAL USE DISTRICT & PERMIT

**Minimum Housing Code Enforcement**

- K. Minimum Housing Code Enforcement

- 1) Case Number: MH 4937-2006  
Property Owner: Terry L. & Debra Lynn Hall  
Property Location: 1760 Ava Road, Autryville, NC  
Parcel Identification Number: 1404-25-8635

OWNER IN COMPLIANCE – NO ACTION NEEDED

- 2) Case Number: MH 4843-2006  
Property Owner: Janice Chavis Locklear  
Property Location: Lot to the rear of 433 Redhawk Drive, Fayetteville, NC  
Parcel Identification Number: 0466-66-7821

GAVE OWNER 60 DAYS TO CORRECT PROBLEM

- 3) Case Number: MH4840-2006  
Property Owner: Janice Chavis Locklear  
Property Location: Lot to the left of 433 Redhawk Drive, Stedman, NC  
Parcel Identification Number: 0466-66-8729

GAVE OWNER 60 DAYS TO CORRECT PROBLEM

- 4) Case Number MH4736-2006  
Property Owner: Bryan and Marilyn Taylor  
Property Location: 5165 Back Street, Fayetteville, NC  
Parcel Identification Number: 0405-85-0240

GAVE OWNER 30 DAYS TO CORRECT PROBLEM

- 5) Case Number: MH5072-2006  
Property Owner: Gene and Sandra Maynor, Sr.

Property Location: 5730 Gregory Street, Fayetteville, NC  
Parcel Identification Number: 0419-95-2499

## GAVE OWNER 30 DAYS TO CORRECT PROBLEM

### Items of Business

#### 4. Nominations to Boards and Committees

##### A. Adult Care Home Community Advisory Committee (1 Vacancy)

Nominees: Wynella Myers

##### B. Animal Control Board (1 Vacancy)

Nominee: Kimberly Luddington

##### C. Board of Adjustment (2 Vacancies)

Nominees: Steve Burnett – reappointment  
Joseph Dykes – reappointment

##### D. Cumberland County Juvenile Crime Prevention Council (6 Vacancies)

Nominees: Gregory Pitts – reappointment  
Gene Hallock – reappointment  
Dr. Polly Davis – reappointment  
Bernard Condlin  
Sue Thomas – reappointment  
Geneva Mixon

##### E. Fayetteville Technical Community College Board of Trustees (1 Vacancy)

Nominees: Jimmy Harvey  
Sheryl Lewis

##### F. Joint Appearance Commission (2 Vacancies)

Nominees: Nancy Smith  
William McFadyen

##### G. Local Emergency Planning Committee (7 Vacancies)

Nominees: Doug Hewett – reappointment  
Sara VanderClute – reappointment  
Capt. Larue Windham – reappointment

Jeffrey Womble – reappointment  
Scott Blecke – reappointment  
Dawn O'Donnell – reappointment  
Steven Harris

H. Mid-Carolina Aging Advisory Committee (5 Vacancies)

Nominees: David McMillan – reappointment  
Patty McArdle – reappointment  
Daniel DeCriscio – reappointment  
Eleanor Ayers – reappointment

I. Workforce Development Board (1 Vacancy)

This item deferred until the next meeting.

5. Appointments to Boards and Committees

ALL NOMINEES APPOINTED

A. Board of Adjustment (3 Vacancies)

Nominees: Melree Hubbard Tart

Alternate Members: James Ingram  
John Swanson

B. Criminal Justice Partnership Advisory Board (3 Vacancies)

Nominees: At-Large Member: Richard A. Hayes (Reappointment)

Criminal Defense Attorney: David Delaney

Superior Court Judge: E. Lynn Johnson

C. Department of Social Services Board (1 Vacancy)

Nominee: Marvin Rouse

**RECESS THE BOARD OF COMMISSIONERS' MEETING.**

**CONVENE THE NORCRESS WATER & SEWER DISTRICT GOVERNING BOARD  
MEETING (SEE SEPARATE AGENDA) / ADJOURN**

**RECONVENE THE REGULAR BOARD OF COMMISSIONERS MEETING.**



6. Closed Session:
- A. Economic Development Matters  
Pursuant to NCGS 143-318.11(a)(4).
  - B. Attorney- Client Matters  
Pursuant to NCGS 143-318.11(a)(3).
  - C. Hear a Report on Investigations of  
Criminal Matter(s) Pursuant to  
NCGS 143-318.11(a)(7).

NO ACTION TAKEN

**THIS MEETING WILL BE BROADCAST LIVE ON TIME WARNER COMMUNITY  
CHANNEL 7.**

**\*\*\*NOTE\*\*\***

**\*\*\*THERE IS NO BOARD OF COMMISSIONERS MEETINGS IN JULY\*\*\***

**MEETINGS:**

- August 6, 2007 - (Monday) – 9:00 AM**
- August 20, 2007 - (Monday) - 6:45 PM**
- September 4, 2007 – (Tuesday) – 9:00 AM**