
AGENDA
CUMBERLAND COUNTY BOARD OF COMMISSIONERS
COURTHOUSE – ROOM 118
APRIL 20, 2009
6:45 PM

INVOCATION - Commissioner Jeannette Council, Chairman

PLEDGE OF ALLEGIANCE

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

Recognition of Outgoing Board Members:

Wendall Troy, Cumberland County Workforce Development Board

Revisions to agenda: Moved Item 2K to follow Item 2A.

Added: Personnel Matter to Closed Session

1. Consent Agenda - APPROVED ITEMS ON CONSENT AGENDA AS RECOMMENDED BY STAFF
 - A. Approval of minutes for the April 6, 2009 regular meeting.
 - B. Approval of Proposed Additions to the State Secondary Road System:

Stone Creek Subdivision: Holloman Drive, Rockrose Drive
 Lemuel Farm Road, Bexley Court
 - C. Approval of Sale of Surplus County-Owned Real Property Acquired by Tax Foreclosure – PIN: 0428-97-5847, Cross Creek Township.
 - D. Approval of Sale of Surplus County-Owned Real Property Acquired by Tax Foreclosure – PIN: 9495-08-9444, Seventy-First Township.
 - E. Approval of Insurance Claim for Grahams Construction - Courthouse Lobby Addition Project.
 - F. Approval of Community Development Affirmative Marketing Policy and Procedures.

- G. Approval of Transfer of Ten (10) MTS-2000 Radios from Cumberland County Sheriff's Office to the Bethany Rural Fire Department.
- H. Approval of Declining Right of First Refusal for Board of Education Surplus Property, Eastover Civic Center, Proposed to be Conveyed to the Town of Eastover.
- I. Approval of Request to Schedule a Public Hearing on May 4, 2009 for Taxpayers' Request for a Refund for Overpayment of Excise Tax Pursuant to NCGS 105-228.37.
- J. Approval of PWC Request for Grant of a Water and Sewer Easement at Western Elementary School and County Library Site.
- K. Approval of a Resolution of Intent to Exchange with Shooters Supply Certain Personal Property Declared Surplus by Sheriff.
- L. Approval of Resolution of Approval of Tax-Exempt Loan to Cotton Fire Department to Build an Addition to Its Fire Station.
- M. Approval of a Proclamation Proclaiming April 26-May 2, 2009 as "Air Quality Week" in Cumberland County.
- N. Approval of a Proclamation Proclaiming May 2009 as Industry Appreciation Month.
- O. Approval of a Proclamation Proclaiming May as Workforce Development Professionals Month.
- P. Approval of a Proclamation Proclaiming 2009 as the "Year of the NCO".
- Q. Budget Revisions:

ACTION: APPROVE

(1) Soil Conservation Cost Share

Revision in the amount of \$521 to appropriate fund balance to roll forward the unexpended Technical Assistance Grant from FY2008. (B09-335) **Funding Source - Grant**

(2) Civic Center/Hotel Motel Occupancy Tax Fund

Revisions in the amount of \$250,000 to transfer funds from Hotel/Motel Occupancy Tax Fund to fund necessary capital replacement items at the Crown Coliseum. (B09-340 and B09-340A) **Funding Source –Hotel/Motel Occupancy Tax**

(3) Governing Body

Revision in the amount of \$16,500 to appropriate fund balance to budget costs associated with the retirement of the Clerk to the Board of County Commissioners and the training of a replacement.
(B09-344) **Funding Source – Fund Balance – General Fund**

2. Public Hearings

Contested Cases – Conditional Use

- A. Case P09-06. Rezoning of 99.63+/- acres from PND Planned Neighborhood Development and R6 Residential to MXD Mixed Use Development/CUD Conditional Use District and the Permit, or to a more restrictive zoning district, located on the south side of SR 1611 (Andrews Road) and west of SR 1612 (Farmers Road), submitted by Attorney and General Manager Alfred E. Cleveland, owned by Andrews Road Company, LLC.

APPROVED MIXED USE DEVELOPMENT/CONDITIONAL USE DISTRICT AND PERMIT WITH DELETION OF THE ORDINANCE RELATED CONDITIONS.

Minimum Housing Code Enforcement Cases

- B. Case Number: MH5632-2008
Property Owner: Willie B. & Rosalyn Y. Shaw
Property Location: 2301 Enloe Street, Fayetteville, NC
Parcel Identification Number: 0416-81-8119

ACTION: 30 DAYS TO DEMOLISH

- C. Case Number: MH5666-2008
Property Owner: Luther & Catherine Whitehead
Property Location: 7635 Cannery Drive, Dunn, NC (Cumberland County)
Parcel Identification Number: 1504-60-7465

ACTION: 30 DAYS TO DEMOLISH

- D. Case Number: MH5565-2008
Property Owners: Beulah H. Gerhart, Michael D. & Peggy T. Canady
Property Location: 5136 Matt Hair Road, Fayetteville, NC
Parcel Identification Number: 0452-92-5181

ACTION: 60 DAYS TO REHABILITATE OR DEMOLISH

- E. Case Number: MH5551-2008
Property Owner: Carole B. Marshall Life Estate

Property Location: 6159 Butler Nursery Road, Fayetteville, NC
Parcel Identification Number: 0451-08-0289

ACTION: 30 DAYS TO DEMOLISH

F. Case Number: MH5703-2008
Property Owner: Alberta C. Baker Heirs
Property Location: 1828 Smith Road, Fayetteville, NC
Parcel Identification Number: 0433-91-2146

ACTION: 30 DAYS TO DEMOLISH

G. Case Number: MH5530-2008
Property Owner: Diane Crisp Godwin
Property Location: 3943 Camden Road
Parcel Identification Number: 0425-14-5774

ACTION: 30 DAYS TO DEMOLISH

H. Case Number: MH5512-2008
Property Owner: N. J. Thaggard Heirs, c/o Elvoir Fisher
Property Location: 7011 Huffman Drive, Fayetteville, NC
Parcel Identification Number: 0460-10-1862

ACTION: 30 DAYS TO DEMOLISH

I. Case Number: MH5729-2008
Property Owner: Stephanie L. Baker
Property Location: 5905 St. Michaels Drive, Fayetteville, NC
Parcel Identification Number: 0454-51-5679

ACTION: 30 DAYS TO DEMOLISH

J. Case Numbers: MH5716 and MH5717-2008
Property Owner: Betty R. Smith, c/o Charles Allen Smith
Property Location: 1395, 1399, 1403 and 1407 Tom Starling Road, Fayetteville, NC
Parcel Identification Numbers: 0433-85-2853 and 0433-85-4831

ACTION: 30 DAYS TO DEMOLISH

Other Public Hearings

K. Consideration of the Cumberland County 2030 Growth Vision Plan and the Land Use Policies Plan. (Both documents are intended to give direction to County and Municipal Governments within Cumberland County in reviewing development proposals; planning growth-related facilities and services; preparing standards and

regulations; working together on growth management issues, and establishing applicable budget and work program priorities.) PLAN APPROVED

- L. Public Hearing – 2009 Draft Community Development Annual Action Plan.

HEARING HELD – NO SPEAKERS – NO ACTION TAKEN

Items of Business

3. Consideration of Amending Chapter 3 of the Cumberland County Code to Refer to the “Animal Services Department” and the “Animal Services Director”. APPROVED

4. Nominations to Boards and Committees:

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

NOMINEE: Daniel Rodriquez

- B. Criminal Justice Partnership Advisory Board (2 Vacancies)

NOMINEES: Captain Charles Kimball – Police Chief/Designee position
Kraig Brown – At-large position

- C. Transportation Advisory Board (2 Vacancies)

NOMINEES: Wendy Nunnery – Urban Transit Provider representative
Michael Roye – Emergency Medical Services representative

5. Appointments to Boards and Committees – NOMINEES IN A-F APPOINTED

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

Nominee: Terri Thomas

- B. Cumberland County Home and Community Care Block Grant (1 Vacancy)

Nominee:

Aging Service Provider: Mary Brymer

- C. Joint Senior Citizens Advisory Board (1 Vacancy)

Nominee: Marlene Jacobs

D. Mental Health Board (1 Vacancy)

Nominee:

Alcoholism, Family Consumer: Dr. Jo Beth Cain

E. Nursing Home Advisory Board (1 Vacancy)

Nominee: Cassandra W. Haire

F. Tourism Development Authority (1 Vacancy)

Nominee:

Hotel/Motel Under 100 Rooms Representative: William S. Wellons, Jr.

6. Closed Session: A. Attorney-Client Matter(s)
Pursuant to NCGS 143-318.11(a)(7).

B. Personnel Matter – NCGS 143-318.11(a)(6)

ADJOURN

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

**MEETINGS: May 4, 2009 (Monday) - 9:00 AM
May 18, 2009 (Monday) - 6:45 PM**