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**ACTION AGENDA**  
**CUMBERLAND COUNTY BOARD OF COMMISSIONERS**  
**COURTHOUSE – ROOM 118**  
**APRIL 19, 2010**  
**6:45 PM**

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INVOCATION - Commissioner Kenneth Edge, Vice Chairman

PLEDGE OF ALLEGIANCE – Noah Wendell Mack - Ashley Elementary School – 3<sup>rd</sup> Grade

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

1. Approval of Agenda - **APPROVED**
  
2. Consent Agenda – **ALL CONSENT AGENDA ITEMS APPROVED**
  - A. Approval of minutes for the April 6, 2010 regular meeting and minutes for the special Board meeting on March 25, 2010.
  - B. Approval of Sale to Cyril Escourse from Community Development Department of a House Located at 911 West Mountain Drive, Fayetteville, Said Sale Having Been Duly Advertised and the 10-Day Upset Period Having Passed.
  - C. Approval of Annual Modification to the Workforce Investment Act Plan.
  - D. Approval of a Resolution in Support of North Carolina's Current Public Alcoholic Beverage Control System.
  - E. Approval of a Proclamation Proclaiming April as "National Child Abuse Prevention Month" and April 21, 2010 as "Purple Day" and "Care Enough to Walk Against Family Violence Day" in Cumberland County.
  - F. Approval of a Proclamation Proclaiming May 2010 as "Industry Appreciation Month" in Cumberland County.
  - G. Approval of a Proclamation Proclaiming May 2-May 8, 2010 as "Air Quality Week" in Cumberland County.

H. Budget Revisions:

(1) Mental Health

- a. Adult Periodic – Revision in the amount of \$50,000 to budget Homeless Grant received from the City of Fayetteville. (B10-324) Funding Source – Local
- b. Child Outpatient / Adult Periodic – Revisions in the total amount of \$112,052 to abolish two positions due to the reduction in state and federal funding for the Deaf and Hard of Hearing program. (B10-325 and B10-325A) Funding Source – Federal, State and Fund Balance

(2) Library Grants

Revision in the amount of \$37,700 to budget funding received from Gates Grant to upgrade computers. (B10-319) Funding Source - Grant

(3) Child Support Enforcement

Revision in the amount of \$270,044 to establish the transition budget for the Child Support Enforcement Program. (B10-323) Funding Source – Federal, General Fund Fund Balance

(4) Juvenile Crime Prevention Program

Revision in the amount of \$11,200 to reduce the County budget to reconcile with state budget. (B10-322) Funding Source - State

(5) WIA Dislocated Worker

Revision in the amount of \$150,000 to recognize additional State funding for clients. (B10-327) Funding Source - State

3. Public Hearings

**Uncontested Cases**

- A. Case P10-10: Rezoning of 1.30+/- acres from C1(P) Planned Local Business to C2(P) Planned Service and Retail, or to a more restrictive zoning district, located at 149 West Manchester Road and west of North Bragg Boulevard (NC HWY 87), south of SR 1451 (West Manchester Road); submitted by Soon Ku and Young Hui Yun (owners) and Don Tyson. **APPROVED C2(P) PLANNED SERVICE AND RETAIL DISTRICT.**

- B. Case P10-11: Rezoning of 2.00+/- acres from C1(P) Planned Local Business and R6A Residential to C(P) Planned Commercial, or to a more restrictive zoning district, located at 3163 Camden Road; submitted by Gayle S. Lanier for Progress Energy Carolinas, Inc. (owner) and Alice S. Wann. **APPROVED C(P) PLANNED COMMERCIAL DISTRICT**

### **Contested Cases**

### **Conditional Use District & Permit Cases**

- C. **\*\*WITHDRAWN\*\*** – CASE P07-32: Modification of the Permit for an approved MXD Mixed Use Development/CUD Conditional Use District, with the Permit allowing for interconnection with Thornsby Lane of the Traemoor Subdivision; consisting of 59.71 +/- acres; located on the north side of SR 1112 (Rockfish Road), east side of SR 1108 (Lakewood Drive); submitted by Jackie Hairr for HCC Investments, LLC (owner). **\*\*WITHDRAWN\*\***
- D. Case P10-07: Rezoning of 2.93+/- acres from R6A Residential and R10 Residential to M1(P) Planned Light Industrial/CUD Conditional Use District for mini-warehousing and the Permit, or to a more restrictive zoning district, located between NC Hwy 210 (Lillington Hwy) and SR 1601 (Chapel Hill Road), north of Samuel Drive; submitted by Willie Smith, Rubin and Juliette McCoy and Parmount Investments, LLC (owners) and Timothy B. Evans. (County & Spring Lake) **APPROVED M1(P) PLANNED LIGHT INDUSTRIAL/CUD CONDITIONAL USE DISTRICT FOR MINI-WAREHOUSING AND THE PERMIT**
- E. Case P10-09: Rezoning of 147.3+/- acres from A1 Agricultural and RR Rural Residential to R7.5 Residential, or to a more restrictive zoning district, located at 1915 and 1919 Tom Starling Road; submitted by Linda S. Johnson, Barbara Smith, Mae S. Parsons, Tommy Woodell and Pamela Domonski (owners) and John Koenig for KAS, LLC. **APPROVED R15 RESIDENTIAL/CUD CONDITIONAL USE DISTRICT FOR 312 LOTS AND THE CD CONSERVANCY/CONDITIONAL USE DISTRICT FOLLOWING THE SPECIAL FLOOD HAZARD AREA AND THE PERMIT TO INCLUDE A NO TREE CUTTING RESTRICTION IN THE CD/CUD PORTION EXCEPT FOR UTILITIES.**

### **Other Public Hearings**

- F. Public Hearing – 2010 Community Development Consolidated Five Year Plan and 2010 Annual Action Plan. **HEARING HELD – NO SPEAKERS – NO ACTION NEEDED**

### **Minimum Housing Code Enforcement**

G. Case Number: MH 6072-2009  
Property Owner: Ernest H. and Evelyn L. Brewington  
Property Location: 304 Wilkes Road, Unit 1, Fayetteville, NC  
Parcel Identification No: 0436-32-0347

#### **ACTION: 30 days to demolish**

H. Case Number: MH 6073-2009  
Property Owner: Ernest H. and Evelyn L. Brewington  
Property Location: Behind and to side of 290 Wilkes Road,  
Fayetteville, NC  
Parcel Identification No: 0436-32-1394

#### **ACTION: 30 days to demolish**

I. Case Number: MH 6028-2009  
Property Owner: Jerry Johnson  
Property Location: 1611 McBryde Street, Linden, NC  
Parcel Identification No: 0542-82-9101

#### **ACTION: 30 days to demolish**

J. Case Number: MH 6038-2009  
Property Owner: Walter Hoover and Vastene C. Simmons  
Property Location: 4228 NC Highway 210 South, Fayetteville, NC  
Parcel Identification No: 0474-08-9882

#### **ACTION: 30 days to demolish**

K. Case Number: MH 6009-2009  
Property Owner: Leticia B. Gilmore  
Property Location: 4664 Gray's Creek Church Road, Hope Mills, NC  
Parcel Identification No: 0442-62-8597

#### **ACTION: 30 days to demolish**

L. Case Number: MH 5607-2008  
Property Owner: Richard E. Rogers, Jr.  
Property Location: 224 Americus Drive, Fayetteville, NC  
Parcel Identification No: 0456-96-8161

#### **ACTION: 30 days to demolish**

## Items of Business

4. Consideration of Cumberland County Finance Committee Recommendation of FY 2011 Employee Medical Plan Changes. **OPTION 3 APPROVED**
5. Presentation of the Fayetteville-Cumberland County Chamber of Commerce Report on Economic Development and Workforce Efforts, by Doug Peters, President. **NO ACTION NEEDED**
6. Consideration of Cumberland County Facilities Committee Report and Recommendations:
  - A. Crown Arena & Theater Project
    1. Hold Public Hearing on the Proposed Installment Financing for the Arena and Theater Upgrades. **PUBLIC HEARING HELD – NO SPEAKERS**
    2. Consider Recommendations from the Facilities Committee and County Engineer for Acceptance of Bids for the Crown Arena and Theater PME & Life Safety Improvements Project and Award a Contract to Rentenbach Constructors Inc. **APPROVED TO REJECT THE BIDS AND TO INSTRUCT STAFF TO REBID THE PROJECT WITH REVISIONS.**
    3. Adopt a Resolution Approving the Installment Financing Contract Under G.S. 160A-20 with RBC Bank for the Total Project Cost and Associated Documents. **APPROVED RESOLUTION**
    4. Approve Budget Revisions that will be Prepared to Reflect the Negotiated Contract Amount to Establish the Project Budget in the Civic Center Cost Center. **REQUEST WITHDRAWN**
  - B. Energy Efficiency & Conservation Block Grant Update - **APPROVED**
  - C. Law Enforcement Center Renovations on Second Floor for Crime Scene Investigation Section - **APPROVED**
  - D. Energy Measures for New Construction and Major Renovation of County Facilities. **APPROVED**
7. Nominations to Boards and Committees:
  - A. Adult Care Home Community Advisory Committee (2 Vacancies)  
  
Nominees: **George W. Mitchell**  
**Daniel Rodriquez**

**Nominees: Dr. Sharon Cooper (A Representative of the Medical Community Whose Specialty is Children)**  
**Judge Beth Keever (A Representative from District Court)**  
**Rosemary Zimmerman (A Representative of Cumberland County Department of Social Services)**

**Nominee: Edwin Deaver**

A. Board of Health (1 Vacancy)

9. Closed Session: A. Economic Development Matter(s)  
Pursuant to NCGS 143-318.11(a)(4).

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