
**ACTION AGENDA
CUMBERLAND COUNTY BOARD OF COMMISSIONERS
COURTHOUSE – ROOM 118
AUGUST 20, 2012
6:45 PM**

INVOCATION - Commissioner Charles Evans

PLEDGE OF ALLEGIANCE –

MaKayla Crawford - 1st grader at Sherwood Park Elementary School
Daniel Crawford - 3rd grader at Sherwood Park Elementary School.

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

Recognition of Retired County Employees:

Laura Britton - Cumberland County Department of Social Services
Sandra Crumpler - Cumberland County Sheriff's Office
Shirley Harris - Cumberland County Department of Social Services
Phillip Izzell - Cumberland County Sheriff's Office
Robert Stanger - Cumberland County Engineering Department

REQUEST TO REMOVE ITEM 2.C. AND ITEM 3.D.

1. Approval of Agenda – **APPROVED AS AMENDED**
2. Consent Agenda – **APPROVED ALL CONSENT ITEMS WITH EXCEPTION OF ITEM 2.C. AS REMOVED**
 - A. Approval of minutes for the August 6, 2012 regular meeting.
 - B. Approval of Induction of 2012 Agriculture Hall of Fame Nominees. **Pg. 7**

Mr. Wayland Ceaton Gardner
Mr. William Carey Pate
 - C. **ITEM REMOVED**

Approval of Renaming Roads that were Severed by Highway I-295 Project within Eureka Springs Area. **Pg. 14**
 - D. Approval of North Carolina Housing Finance Agency (NCHFA) – Urgent Repair Program 2012 Award (URP12). **Pg. 39**

- E. Approval of Delay in Public Hearing for Fayetteville Technical Community College (FTCC) Capital Financing – For Information Only. **Pg. 49**
- F. Approval of Owner Redemption of Sale of Surplus County-Owned Real Property Acquired by Tax Foreclosure – Lot 2A Roscoe McNeill (0.92 AC) – PIN: 0471-06-6615, Cedar Creek Township **Pg. 56**
- G. Approval of Sale of Surplus County-Owned Real Property:
- 1) Lot 29, Jordan Ridge, Sec 4 PT – PIN: 0451-78-5417 and SM PT Lot 4, MJ Hair Estate – PIN: 0451-78-4097, Cross Creek Township **Pg. 58**
 - 2) Lot 2, Book T McLean & Mildred McKethan Property, PIN: 0542-51-8185, Carvers Creek Township **Pg. 60**
 - 3) Lots 78-79 Council Hgts; 1015 Henderson Ave – PIN: 0428-94-0040 Cross Creek Township ***PULLED FROM 8/6/12 AGENDA* Pg. 62**
 - 4) Lots 114 & 116 Savoy Hgts, Sec 1 – PIN: 0437-11-4516
Lot 216 Weiss Ave – PIN: 0437-11-0345
Lot 311 Savoy Hgts – PIN: 0437-00-6970
Lots 403 & 405 Savoy Hgts & Vac to Creek – PIN: 0437-00-0500
Lot 104 Savoy Hgts – PIN: 0437-12-4190
4.05 AC Land, adj Briarwood Hills, Sec 3 – PIN: 0426-54-8992
***PULLED FROM 8/6/12 AGENDA* Pg. 64**
- H. Budget Revisions: **Pgs. 72-76**
- (1) Tax Administration **Pg. 72**

Revision in the amount of \$17,519 to appropriate fund balance to pay Tax Management Association for tax audits. (B13-042) **Funding Source – General Fund Fund Balance Appropriated**
 - (2) Health **Pg. 73**
 - a. Environmental Health - Revision in the amount of \$42,403 to appropriate Health fund balance to purchase supplies and equipment. (B13-035) **Funding Source – Health Fund Balance Appropriated**
 - b. Community Transformation Grant - Revision in the amount of \$83,000 to budget new funds for Youth Tobacco Prevention Program. (B13-045) **Funding Source – Grant Pg. 74**

- c. Employee Pharmacy – Revision in the amount of \$600,000 to appropriate fund balance to purchase additional medications for the Employee Pharmacy (B13-050). **Funding Source – Health Fund Balance Appropriated Pg. 75**

(3) Special Fire Tax **Pg. 76**

Revision in the amount of \$214,151 to appropriate fund balance to pay the Fire Chief's Association 30% of the 1-¼ cent Special Fire Tax actually collected in FY2012.(B13-048) **Funding Source – Fund Balance Appropriated**

3. Public Hearings

Uncontested Rezoning Case

- A. Case P12-38: Rezoning of 1.41+/- acres from A1A Agricultural to R30A Residential or to a more restrictive zoning district; located at 8126 & 8130 Norris Road; submitted by Lillie Joann Godwin, Ricky L. Williams and Chico Lamont Williams (owners) and ECLS, Inc. **Pg. 77 – APPROVED R30A RESIDENTIAL DISTRICT**
- B. Case P12-43: Rezoning of 26.34+/- acres from C(P)/CU Planned Commercial/Conditional Use Overlay for open storage of equipment and supplies to C(P) Planned Commercial or to a more restrictive zoning district, located at 3459 through 3555 Gillespie Street, submitted by Clyde Ray Sr. and Helen R. Weaver (owners) and Zeb Gardner. **Pg. 80 – APPROVED C(P) PLANNED COMMERCIAL DISTRICT**
- C. Case P12-44: Rezoning of 2.18+/- acres from R15 Residential/CUD Conditional Use District for a 312 lot residential subdivision (portion of) and the Permit to A1 Agricultural or to a more restrictive zoning district, located at 1801 Tom Starling Road, submitted by Boyd Dale Jr. and Mae Smith Parsons (owners). **Pg. 83 – APPROVED A1 AGRICULTURAL DISTRICT**

Contested Rezoning Case

- D. **ITEM REMOVED**
Case P12-28: Rezoning of 1.00+/- acre from RR Rural Residential to C2(P) Planned Service and Retail or to a more restrictive zoning district, located at 4446 Clinton Road, submitted by Janice Ivey and Tommy D. Faircloth (owners) and Garris Neil Yarborough, Esq. **Pg. 86**

Zoning Ordinance Text Amendment

- E. Case P12-33: Revision and amendment to the Cumberland County Zoning Ordinance amending Article II, Interpretations, Calculations, and Definitions, Section 203 Definitions of Specific Terms and Words; amending Article IV, Permitted, Conditional and Special Uses, Section 403, Use Matrix by inserting *internet café/video gaming* as a permitted use in the C(P) Planned Commercial district column; amending Article IX, Individual Uses, by creating Section 911.1, entitled: Internet Café/Video Gaming and listing specific development standards; and updating the table of contents as appropriate. **Pg. 90 – TEXT AMENDMENT TO BE RETURNED TO PLANNING BOARD**
- F. Case P12-41: Revision and amendment to the Cumberland County Zoning Ordinance amending Article IV Permitted, Conditional, and Special Uses; Section 403, Use Matrix; inserting footnote “4” in the R6A column for each row listing classes of *Manufactured homes for residential occupancy* with the footnote limiting group developments to one manufactured home when property is zoned R6A. **Pg. 91 – APPROVED ADOPTION OF TEXT AMENDMENT**

Other Public Hearings – Minimum Housing Code Enforcement

- G. Case Number: MH 6699-2012 **Pg. 92**
Property Owner: Doene Carter
Property Location: on lot in front of 6370 Murphy Road
Parcel Identification Number: 0487-37-1517

ACTION: 30 DAYS TO DEMOLISH

- H. Case Number: MH 6646-2012 **Pg. 98**
Property Owner: Patricia Lasanne
Property Location: 4612 Desert Ridge Road, Parkton NC
Parcel Identification Number: 9493-46-0194

ACTION: 30 DAYS TO DEMOLISH

- I. Case Number: MH 6644-2012 **Pg. 105**
Property Owner: Steven Graham
Property Location: 7332 Hypony Trail, Parkton, NC
Parcel Identification Number: 9493-44-4782

ACTION: 30 DAYS TO DEMOLISH

- J. Case Number: MH 6642-2012 **Pg. 113**
Property Owner: John Wallace
Property Location: 7124 Hypony Trail, Parkton , NC
Parcel Identification Number: 9493-46-9017

ACTION: 30 DAYS TO DEMOLISH

K. Case Number: MH 6643-2012 **Pg. 119**
Property Owner: James C Shaw
Property Location: 4611 Balducci Drive, Parkton, NC
Parcel Identification Number: 9493-45-2804

ACTION: 30 DAYS TO DEMOLISH

L. Case Number: MH 6645-2012 **Pg. 125**
Property Owner: Charles McIntyre & Stephanie Foster
Property Location: 4741 Desert Ridge Road, Parkton, NC
Parcel Identification Number: 9493-55-5245

ACTION: 30 DAYS TO DEMOLISH

Items of Business

4. Consideration of Approval of Guaranteed Maximum Price (GMP) and Contract Amendment with Metcon-Balfour Beatty for Detention Center Expansion Project. **Pg. 131** –
ACCEPTED GMP, APPROVED CONTRACT AMENDMENT, AND APPROVED BUDGET REVISION

5. Nominations to Boards and Committees

A) Board of Adjustment (1 Vacancy) **Pg. 159**

NOMINEE: ED DONALDSON

B) Wrecker Review Board (1 Vacancy) **Pg. 163**

NOMINEE: JAY BARR

6. Appointments to Boards and Committees

A. Adult Care Home Community Advisory Committee (2 Vacancies) **Pg. 166**

Nominees: Rebecca Campbell
Pamela Wade

**APPOINTEES: REBECCA CAMPBELL
PAMELA WADE**

B. Animal Control Board (2 Vacancies) **Pg. 169**

Nominees:

Knowledge & Experience in Dog Behavior and/or Handling Position:

Tololope Adeyemi (Reappointment)

Promoting Goals of the Animal Protection Society or the Humane Society or Another Such Broadly Based and Representative Organization Interested in the Care and Protection of Animals Position:

Cristobal S. Berry-Caban (Reappointment)

**APPOINTEES: TOLOLOPE ADEYEMI
CRISTOBAL S. BERRY-CABAN**

C. Board of Adjustment (2 Vacancies) **Pg. 171**

Nominees:

Regular Member: Randy Newsome

Alternate Member: Vickie Mullins

**APPOINTEES: RANDY NEWSOME
VICKIE MULLINS**

D. Cumberland County Juvenile Crime Prevention Council (5 Vacancies) **Pg. 174**

Nominees:

Substance Abuse Professional: Robin Black (Reappointment)

Juvenile Defense Attorney: Sarita Mallard (Reappointment)

Member of Business Community: La-Lisa Hewett-Robinson (Reappointment)

United Way or Non-Profit: Linda Blanton (Reappointment)

At-Large Representative: Margarita Dostall (Reappointment)

**APPOINTEES: ROBIN BLACK
SARITA MALLARD
LA-LISA HEWETT-ROBINSON
LINDA BLANTON
MARGARITA DOSTALL**

E. Joint Appearance Commission (2 Vacancies) **Pg. 179**

Nominees: Noelle Kendrick (Reappointment)

Christopher Mitchell (Reappointment)
APPOINTEES: NOELLE KENDRICK
CHRISTOPHER MITCHELL

F. Joint Planning Board (2 Vacancies) **Pg. 181**

Nominees: Vikki Andrews
Carl Manning
Walter Clark (Reappointment)

NOMINATION OF CARL MANNING WITHDRAWN

APPOINTEES: VIKKI ANDREWS
WALTER CLARK

G. Regional Land Use Advisory Commission (1 Vacancy) **Pg. 183**

Nominee:

Cumberland County Board of Commissioners Position:

Commissioner Billy King (Reappointment)

APPOINTEE: COMMISSIONER BILLY KING

7. Closed Session – **NO CLOSED SESSION HELD**

ADJOURN