
**ACTION AGENDA
CUMBERLAND COUNTY BOARD OF COMMISSIONERS
COURTHOUSE – ROOM 118
DECEMBER 16, 2013
6:45 PM**

INVOCATION – Commissioner Billy King

PLEDGE OF ALLEGIANCE – Commissioner Billy King

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

Recognition of Outgoing Board Member:

Carrie Tyson-Autry, Board of Adjustment

Tom Cain, Joint Senior Citizens Advisory Commission

William Watson, Joint Senior Citizens Advisory Commission

Willie Wright, Library Board of Trustees

Recognition of Retired County Employee:

William Duke - Cumberland County Department of Social Services

Recognition of 2013 Cumberland County Agricultural Hall of Fame Inductees:

Julian McIntyre **(Pg. 6)**

George Raz Autry III **(Pg. 7)**

Recognition of 2013 Cumberland County Young Farmer of the Year – **(Pg. 9)**

Ryan Kennedy

REQUESTED AMENDMENTS TO AGENDA:

**ITEM 4.D. – REVISED RESOLUTION AND MAP TO ADD AN ADDITIONAL
PARCEL TO DISTRICT BOUNDARY**

ITEM 7. – REMOVE FROM AGENDA

**ITEM 10.A. – ADD CLOSED SESSION FOR ATTORNEY/CLIENT MATTER(S)
PURSUANT TO 143-318.11(A)(3)**

**ITEM 10.B. - ADD CLOSED SESSION FOR PERSONNEL MATTER(S)
PURSUANT TO 143-318.11(A)(6)**

1. Approval of Agenda – **APPROVED WITH AMENDMENTS AS REQUESTED**
2. Presentation of the FY 2013 Annual Audit by Ms. Michelle Thompson, CPA, Partner, Cherry Bekaert, L.L.P. – **APPROVED AUDIT REPORT** **(Pg. 10)**
3. Consent Agenda – **APPROVED CONSENT ITEMS 3.A. – 3.E.(8)**
 - A. Approval of minutes for the December 2, 2013 regular meeting.
 - B. Approval of Destruction of Department Records for County Administration, Governing Board and Planning & Inspections. **(Pg. 11)**
 - C. Approval of Sale of Surplus County-Owned Real Property. **(Pg. 15)**
 - D. Approval of Sale of Surplus Property to the City of Fayetteville. **(Pg. 17)**
 - E. Budget Revisions:
 - (1) Health **(Pg. 19)**

Child Health - Revision in the amount of \$41,366 to budget the following initiatives: Families Eating Smart and Moving More, Bicycle Safety Education, Car Seat Safety Education, Pool Safety Education and Teenage Pregnancy Prevention. (B14-222) **Funding Source – Fees**
 - (2) Sheriff's Office
 - a. Sheriff's Grants: Revision in the amount of \$5,964 to reduce the 2011 Byrne Grant for expenses incurred in FY2013. (B14-218) **Funding Source – Federal** **(Pg. 20)**
 - b. Federal Forfeiture-Justice: Revision in the amount of \$282,325 to recognize forfeiture funds to purchase firearms and related equipment and uniforms. (B14-228) **Funding Source- Federal Forfeiture** **(Pg. 21)**
 - (3) Facilities Maintenance/General Government Other **(Pg. 23)**

Revision in the amount of \$75,000 to reallocate maintenance and repair funds from General Government Other to Facilities Maintenance for the demolition of the Legal Aid building. (B14-221 and B14-221A) **Funding Source – Reallocation of Budgeted Expenditures**

- (4) Library **(Pg. 24)**

Revision in the amount of \$904 to recognize a reduction in State Aid.
(B14-217) **Funding Source – State**

- (5) Stoney Point Fire District **(Pg. 25)**

Revision in the amount of \$100 to fund unanticipated refunds to taxpayers.
(B14-225) **Funding Source – Stoney Point Fire Tax**

- (6) Westarea Fire District #10 **(Pg. 26)**

Revision in the amount of \$100 to fund unanticipated refunds to taxpayers.
(B14-226) **Funding Source – Westarea Fire Tax #10**

- (7) Special Fire District **(Pg. 27)**

Revision in the amount of \$350 to fund unanticipated refunds to taxpayers.
(B14-227) **Funding Source – Special Fire District**

- (8) School Capital Outlay Fund **(Pg. 28)**

Revision in the amount of \$266,323 to reallocate budgeted revenue and expenditures to change the funding source of a transfer to the General Fund for debt service from sales tax to lottery funds. (B14-232 and B14-232A)
Funding Source – Sales Tax and Lottery Funds

4. Public Hearings **(Pg. 30-50)**

Uncontested Rezoning Cases

- A. Case P13-46: Rezoning of 42.60+/- acres from R40 Residential/DD Density Development/CUD Conditional Use District and the Permit to R40 Residential, or to a more restrictive zoning district; located on the southwest side of SR 2013 (Old Vander Road), north of SR 2013 (Macedonia Church Road); submitted by D. Lee Herrera on behalf of Roundpoint Asset Management, Inc. (owner) and Larry King and Associates, PLS. - **APPROVED STAFF RECOMMENDATION (Pg. 30)**

Staff Recommendation: Denial of R40 but approval of reversion to A1; adopting and approving the reasonableness statement, finding the Staff Recommendation consistent with LUP and approve reversion to A1
Planning Board Recommendation: Approve Staff Recommendation

Minimum Housing Code Enforcement

- B. Case Number: MH 109-2013 **(Pg. 33)**
Property Owner: Donnie Ray Vause Heirs & Richard Joseph Jarvis
Property Location: 3921 Nashville Drive, Fayetteville, NC
Parcel Identification Number: 0424-75-6077

ACTION: 30 DAYS

- C. Case Number: MH 277-2013 **(Pg. 39)**
Property Owner: Ida Mae Davis Flood Heirs
Property Location: 4920 Wall Street, Linden, NC
Parcel Identification Number: 0574-75-1514

ACTION: 30 DAYS

Other Public Hearings

- D. Public Hearing for the Purpose of Receiving Comments from Property Owners in the Proposed Bragg Estates Water & Sewer District and Consideration of Adoption of a Resolution to Create the Bragg Estates Water & Sewer District – **ADOPTED RESOLUTION TO CREATE BRAGG ESTATES WATER & SEWER DISTRICT** **(Pg. 45)**

Items of Business

5. Presentation of Tourism Development Authority Annual Report by Vivek Tandon, Chairman – **RECEIVED ANNUAL REPORT** **(Pg. 51)**
6. Consideration of Request of Refund of Excise Tax on Conveyance – **APPROVED REFUND OF EXCISE TAX ON CONVEYANCE** **(Pg. 52)**
7. **REMOVED FROM AGENDA** - Consideration of Request from Commissioner Evans to Repeal the Minimum Housing Ordinance for Case Number MH 232-2013 **(Pg. 56)**
8. Nominations to Boards and Committees **(Pgs. 67-74)**
- A. Cumberland County Workforce Development Board (1 Vacancy) **(Pg. 67)**
- NOMINEE(S): CATHERINE JOHNSON FOR THIRD TERM**
9. Appointments to Boards and Committees **(Pgs. 75-88)**
- A. Board of Health (2 Vacancies) **(Pg. 75)**

Nominees:

Optometrist: Dr. William Philbrick

Engineer: Dale Price

**APPOINTEE(S): DR. WILLIAM PHILBRICK
DALE PRICE**

B. Cumberland County Local Emergency Planning Committee (2 Vacancies) **(Pg. 78)**

Nominees:

Law Enforcement Representative: Lt. Robert Dickie

Fire Fighting Representative: Ronnie Willett

**APPOINTEE(S): LT. ROBERT DICKIE
RONNIE WILLET**

C. Joint Senior Citizen Advisory Board (1 Vacancy) **(Pg. 83)**

Nominee: George Hatcher Sr.

APPOINTEE(S): GEORGE HATCHER, SR.

D. Transportation Advisory Board (6 Vacancies) **(Pg. 85)**

Nominees:

Sheltered Workshop Director or Designee: Kena Farrington (Reappointment)

Aging Programs Representative: Elouise Garvin (Reappointment)

DSS Work First Representative: Angelita Marable

Mid-Carolina Council of Governments Director or Designee: Carla Smith

Emergency Medical Services Representative: Brian Pearce

MPO Representative: Deloma West

**APPOINTEE(S): KENA FARRINGTON
ELOUISE GARVIN
ANGELITA MARABLE
CARLA SMITH
BRIAN PEARCE
DELOMA WEST**

10. Closed Sessions:

**A. CLOSED SESSION FOR ATTORNEY/CLIENT MATTER(S)
PURSUANT TO 143-318.11(A)(3)**

**B. CLOSED SESSION FOR PERSONNEL MATTER(S)
PURSUANT TO 143-318.11(A)(6)**

ADJOURN