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**ACTION AGENDA**  
**CUMBERLAND COUNTY BOARD OF COMMISSIONERS**  
**COURTHOUSE – ROOM 118**  
**JUNE 17, 2013**  
**6:45 PM**

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INVOCATION - Commissioner Kenneth Edge

PLEDGE OF ALLEGIANCE –

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

Recognition of Cumberland County Citizens' Academy Graduates

**ITEM 2.E. PULLED FOR SEPARATE DISCUSSION AND ACTION**

1. Approval of Agenda – **APPROVED**
2. Consent Agenda **(Pgs. 12-74) – APPROVED CONSENT ITEMS 2.A. – 2.L.(10) WITH EXCEPTION OF ITEM 2.E.**
  - A. Approval of minutes for the June 3, 2013 regular meeting, June 4, 2013 Special Meetings for Department Head Appeals, June 6, 2013 Special Meeting for Budget Work Session.
  - B. Approval of Proposed Additions to the State Secondary Road System: **(Pg. 12)**  

<u>Crosswinds Subdivision:</u>	Crosswinds Drive (SR 3704 Ext.), Gapway Court, Bellgrove Drive, Hunting Bow Drive, Scipio Court, Scipio Lane, Spinnaker Drive, Indian Wells Court
<u>Hummingbird Place Subdivision:</u>	Sahara Place
<u>Scotsdale at Eastover Subdivision:</u>	Satinwood Court
  - C. Approval of Alcoholic Beverage Control (ABC) Board Travel Policy. **(Pg. 19)**
  - D. Approval of Requests for Proclamations for Cumberland County Citizens Having Reached 100 Years of Age. **(Pg. 21)**
  - E. **PULLED FOR SEPARATE DISCUSSION AND ACTION**

- F. Approval of the Cumberland County Juvenile Crime Prevention Council Contracts Representing Funding Allocations for July 1, 2013 through June 30, 2014. **(Pg. 29)**
- G. Approval of a Resolution of the Cumberland County Board of Commissioners to Repeal Chapter 7, Article I, Division 3, Schedule of License Taxes, Sections 7-54 through 7-85, Cumberland County Code” **(Pg. 32)**
- H. Approval of Interlocal Agreement and Resolution with the Town of Falcon Adopting the Cumberland County Animal Control Ordinance. **(Pg. 40)**
- I. Approval of Lease Agreement for Solid Waste Department with Jernigan Container Site. **(Pg. 44)**
- J. Approval of Sale of Surplus County-Owned Real Property Acquired by Tax Foreclosure: 0.50 Ac Hodge Land; 6189 S US 301 Hwy, PIN #: 0412-67-2832; Rockfish Township. **(Pg. 48)**
- K. Approval of Ordinance Assessing Property for the Cost of Demolition:
- |                               |                                      |                        |
|-------------------------------|--------------------------------------|------------------------|
| 1) Case Number:               | MH 6806-2012                         | <b><u>(Pg. 50)</u></b> |
| Property Owner:               | John D. Williams                     |                        |
| Property Location:            | 313 Charles Street, Fayetteville, NC |                        |
| Parcel Identification Number: | 0426-90-4406                         |                        |
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- |                               |                                      |                        |
|-------------------------------|--------------------------------------|------------------------|
| 2) Case Number:               | MH 6707-2012                         | <b><u>(Pg. 52)</u></b> |
| Property Owner:               | Bernetta M. Weeks                    |                        |
| Property Location:            | 2330 Lake Upchurch Road, Parkton, NC |                        |
| Parcel Identification Number: | 9493-66-7917                         |                        |
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|-------------------------------|---------------------------------------|------------------------|
| 3) Case Number:               | MH 6884-2012                          | <b><u>(Pg. 54)</u></b> |
| Property Owner:               | Virginia H. Bohrk                     |                        |
| Property Location:            | 5009 New Moon Drive, Fayetteville, NC |                        |
| Parcel Identification Number: | 0415-55-3174                          |                        |
- L. Budget Revisions: **(Pgs. 56-74)**
- (1) Health **(Pg. 56)**
- Revision in the amount of \$35,000 to appropriate Health Department fund balance for renovations to the Health Department Pharmacy. (B13-353)  
**Funding Source – Health Department Fund Balance**

(2) Mental Health Other **(Pg. 57)**

Revision in the amount of \$50,000 to appropriate Mental Health fund balance for legal services provided for the merger. (B13-357) **Funding Source – Mental Health Fund Balance**

(3) Cooperative Extension **(Pg. 58)**

Revision in the net amount of \$747 to recognize a Military 4-H Grant of \$13,227 and to reduce fund balance appropriated \$12,480. (B13-356) **Funding Source – Grant and Fund Balance Appropriated**

(4) Solid Waste **(Pg. 59)**

Revision in the amount of \$100,000 to appropriate fund balance to fund estimated Other Post-Employment Benefits (OPEB) audit entry for FY2013. (B13-358) **Funding Source – Solid Waste Fund Balance Appropriated**

(5) Cooperative Extension **(Pg. 60)**

Revision in the amount of \$2,000 to recognize a 4-H National Mentoring Program-Youth & Families with Promise grant that is designed to provide mentoring activities to help reduce juvenile delinquency and school failure in high-risk youth. (B13-361) **Funding Source – Grant**

(6) Health Department Capital Project Closeout **(Pgs. 61-68)**

a. Health Department Capital Project Fund: Revision in the net amount of \$47,575 to make final adjustments to facilitate the closeout of the Health Department Capital Project and to transfer out the unspent cash balance to the Workers Compensation Fund (\$500,000), Health Department (\$120,000), Group Health Insurance (\$300,000), Employee Pharmacy (\$200,000) and the balance to the General Fund (\$102,921). (B13-354) **Funding Source – Other (Pg. 61)**

b. Workers Compensation Fund: Revision to recognize a transfer of \$500,000 from the Health Department Capital Project Fund to fund year-end audit entry. (B13-354A) **Funding Source – Fund Balance Appropriated and Transfer from Health Department Capital Project Fund (Pg. 62)**

c. Health Department Administration: Revision to recognize a transfer of \$34,515 from the Health Department Capital Project Fund to provide funding for additional access to the Electronic

Medical Records archival system. (B13-354B) **Funding Source – Transfer from Health Department Capital Project Fund**  
**(Pg. 63)**

- d. Health Department Medical Records: Revision to recognize a transfer of \$35,485 from the Health Department Capital Project Fund to provide funding to hire two temporary employees for scanning medical records into the Electronic Medical Records archival system. (B13-354C) **Funding Source – Transfer from Health Department Capital Project Fund** **(Pg. 64)**
- e. Health Department Dental Clinic: Revision to recognize a transfer of \$50,000 from the Health Department Capital Project Fund to provide funding to acquire new dental software. (B13-354D) **Funding Source – Transfer from Health Department Capital Project Fund** **(Pg. 65)**
- f. General Government Other: Revision to recognize a transfer of \$102,921 from the Health Department Capital Project Fund to provide funding for various capital improvements. (B13-354E) **Funding Source – Transfer from Health Department Capital Project Fund** **(Pg. 66)**
- g. Group Health Insurance: Revision to recognize a transfer of \$300,000 from the Health Department Capital Project Fund to provide funding to replenish fund balance. (B13-354F) **Funding Source – Transfer from Health Department Capital Project Fund** **(Pg. 67)**
- h. Employee Pharmacy: Revision to recognize a transfer of \$200,000 from the Health Department Capital Project Fund to provide funding to replenish fund balance affected by startup costs. (B13-354G) **Funding Source – Transfer from Health Department Capital Project Fund** **(Pg. 68)**

(7) County Water & Sewer Department/Overhills Sewer Project **(Pg. 69)**

Revision to appropriate County Water & Sewer fund balance to transfer \$84,500 to the Overhills Sewer Capital Project Fund for engineering and design services. (B13-363 and B13-363A) **Funding Source – Fund Balance Appropriated**

(8) Animal Control **(Pg. 71)**

Revision to recognize additional revenue of \$3,675 from Pet Smart Charities to host an adoption clinic. (B13-364) **Funding Source – Other**

- (9) Soil & Water Conservation District **(Pg. 72)**

Revision in the amount of \$5,672 to appropriate fund balance to: pay accrued leave benefits to retiring director; to provide funding for incoming director; and to fund workers compensation expense. (B13-365) **Funding Source – General Fund Fund Balance Appropriated**

- (10) General Government Other/Community Development Fund **(Pg. 73)**

Revision in the amount of \$286,690 to appropriate fund balance to transfer funds to the Community Development Fund to refund American Recovery and Reinvestment Act (ARRA) funds for a project which did not meet a national objective as outlined in the HUD's Community Development Block Grant (CDBG) rules. (B13-366 and B13-366A) **Funding Source – General Fund Fund Balance Appropriated**

- 2.E. Approval of Offer from Kingdom Community Development Corporation to Purchase Certain Real Property Subject to Upset Bid Process. **(Pg. 23)** – **COUNTER OFFER FOR BALANCE OF LOAN**

3. Public Hearings **(Pgs. 75-198)**

**Uncontested Rezoning Case**

- A. Case P13-13: Rezoning of 2.78+/- acres from M(P) Planned Industrial to A1 Agricultural or to a more restrictive zoning district; located at 2276 Clark West Road and on the southwest side of SR 2217 (Clark West Road), east of SR 2216 (Evans Dairy Road); submitted by Stephen M. & Elizabeth Crumpler Clark and Henry E. & Mildred M. Clark (owners). – **APPROVED A1 AGRICULTURAL DISTRICT**

**Staff Recommendation: Approval**

**Planning Board Recommendation: Approve Staff Recommendation (Pg. 75)**

**Uncontested Conditional Zoning Case**

- B. Case P13-05: Rezoning of 2.51+/- acres from A1 Agricultural to R40 Residential or to a more restrictive zoning district, located at 1348 Bainbridge Road, submitted by Walter Scott and Sylvia Deloris Manning (owners) and Robert M. Bennett. – **APPROVED R40 RESIDENTIAL/CZ CONDITIONAL ZONING DISTRICT FOR TWO RESIDENTIAL LOTS**

**Staff Recommendation: Approval of R40/CZ for two residential lots**

**Planning Board Recommendation: Approve Staff Recommendation (Pg. 78)**

### **Contested Rezoning Cases**

- C. Case P13-14: Rezoning of 23.78+/- acres from R40 Residential to R20 Residential or to a more restrictive zoning district; located on the northwest side of Ramsey Street, northeast W Reeves Bridge Road; submitted by W. Stan Taylor (Trustee) on behalf of KM Taylor Family Trust (owner). – **APPROVED R20 RESIDENTIAL DISTRICT**

**Staff Recommendation: Approval**

**Planning Board Recommendation: Approve Staff Recommendation (Pg. 90)**

- D. Case P13-18: Rezoning of 2.56+/- acres from A1 Agricultural to R40 or to a more restrictive zoning district, located on the north side of SR 2245 (Thrower Road) and on the east side of SR 2372 (North Fork Lane), submitted by Ella M. McNair (owner) and Timothy B. Evans. – **APPROVED R40 RESIDENTIAL DISTRICT**

**Staff Recommendation: Approval**

**Planning Board Recommendation: Approve Staff Recommendation (Pg. 94)**

### **Zoning Ordinance Text Amendment**

- E. Case P11-20: Revision and amendment to the Cumberland County Zoning Ordinance, amending Article II Interpretations, Calculations, and Definitions, Section 203. Definitions of Specific Terms and Words by inserting in alphabetical order the term and definition for “Firing Range, Outdoor;” amending Article IV Permitted, Conditional, and Special Uses, Section 403. Use Matrix by inserting in alphabetical order a new row entitled “Firing Range, Outdoor (Sec. 907.1)” in the Land Use column and allowing this use as Conditional Zoning by inserting a “Z” in the CD, A1, A1A, O&I(P), C1(P), C2(P), C(P), M1(P) and M(P) zoning district columns on this same row; amending Article IX Individual Uses by creating and inserting in numerical order a new section entitled: Section 907.1 Firing Range, Outdoor, with sub-sections “A” through “J;” and updating the Table of Contents as appropriate. (Note: This is the original case heading which does not reflect the changes recommended by the Planning Board.) – **APPROVED A1 ZONING; 200 ACRE MINIMUM; 180’ SETBACK FROM SHOOTING STATIONS TO PROPERTY LINES; CONDITIONAL ZONING; DEPARTMENT OF ENERGY SAFETY SEAL;AND OTHER LANGUAGE IN TEXT AMENDMENT**

**Land Use Codes Committee Recommendation: Approval**

**Planning Board Recommendation: Approve Land Use Codes Committee Recommendation with Modifications (Pg. 97)**

### **Minimum Housing Code Enforcement**

F. Case Number: MH 6970-2012 **(Pg. 170)**  
Property Owner: Clinton Graham  
Property Location: 510 Pine Tree Lane, Spring Lake, NC  
Parcel Identification Number: 0511-09-3540

**ACTION: 75 DAYS TO REMOVE DEBRIS**

G. Case Number: MH 6971-2012 **(Pg. 176)**  
Property Owner: Clinton Graham  
Property Location: 520 Pine Tree Lane, Spring Lake, NC  
Parcel Identification Number: 0511-09-3286

**ACTION: 75 DAYS TO REMOVE DEBRIS**

H. Case Number: MH 7019-2013 **(Pg. 182)**  
Property Owner: Secretary of Veteran Affairs  
Property Location: 2701 Brinkley Drive, Spring Lake, NC  
Parcel Identification Number: 0512-49- 3837

**ACTION: 30 DAYS TO DEMOLISH**

I. Case Number: MH 6950-2012 **(Pg. 188)**  
Property Owner: Hubert M. Garrett  
Property Location: 3229 Periwinkle Drive, Fayetteville, NC  
Parcel Identification Number: 0415-12-3561

**ACTION: 30 DAYS TO DEMOLISH**

### **Other Public Hearings**

J. Public Hearing on the Edward Byrne Memorial Justice Assistance Grant (JAG).  
**(Pg. 194)** – **AUTHORIZED COUNTY MANAGER TO SIGN APPLICATION SUBMITTAL**

### **ITEMS OF BUSINESS** **(Pgs. 199-310)**

4. Consideration of Amendments to Animal Control Ordinance (2<sup>nd</sup> Reading). **(Pg. 199)**  
**APPROVED PROPOSED CHANGES TO ANIMAL CONTROL ORDINANCE**
5. Consideration of Mental Health Matters: **(Pgs. 210-237)**
  - A) Merger Agreement with Alliance Behavioral Healthcare. **(Pg.210)**

B) Agreement to Transfer Mental Health Clinic to and Establish a Crisis Services Center by Cape Fear Valley Health Systems, Inc. (Pg. 236)

**APPROVED CONTINGENT ON EXECUTION OF SERVICES CONTRACT  
BETWEEN CAPE FEAR VALLEY HOSPITAL SYSTEM AND ALLIANCE  
BEHAVIORAL HEALTHCARE**

6. Consideration of Approval of FY2014 Cumberland County Budget Ordinance. (Pg. 238)  
– **APPROVED FY14 CUMBERLAND COUNTY BUDGET ORDINANCE**

7. Nominations to Boards and Committees (Pgs. 242-288)

A. Animal Control Board (1 Vacancy) (Pg. 242)

**Applicants that Graduated from County Citizens' Academy: None**

**NOMINEE: VICTOR HOGAN**

B. Cumberland County Workforce Development Board (1 Vacancy) (Pg. 248)

**Applicants that Graduated from County Citizens' Academy: None**

**NOMINEE: JODY RISACHER**

C. Joint Appearance Commission (2 Vacancies) (Pg. 259)

**Applicants that Graduated from County Citizens' Academy: None**

**NOMINEES: GEORGE QUIGLEY  
SHEILA WILSON**

D. Nursing Home Advisory Board (3 Vacancies) (Pg. 265)

**Applicants that Graduated from County Citizens' Academy: None**

**NOMINEES: KENNETH BEAN  
MICHAEL BLAKE  
DR. REBECCA M. CAMPBELL**

E. Parks & Recreation Advisory Commission (2 Vacancies) (Pg. 271)

**Applicants that Graduated from County Citizens' Academy: Ashley Hankins**

**NOMINEES: WILLIAM MCNEILL  
GLENN DRAUGHON  
ASHLEY HANKINS  
STEVEN HARPER**



F. Social Services Board (1 Vacancy) **(Pg. 278)**

**Applicants that Graduated from County Citizens' Academy: None**

**NOMINEE: SUSAN REEDER**

8. Appointments to Boards and Committees **(Pgs. 289-310)**

A) ABC Board (2 Vacancies) **(Pg. 289)**

Nominees: Bob Lewis (Reappointment)  
Alice Stephenson (Reappointment)

**APPOINTEES: BOB LEWIS  
ALICE STEPHENSON**

B) Air Quality Stakeholders' Committee (1 Vacancy) **(Pg. 291)**

Nominee:

Town of Hope Mills Stakeholder: Pat Edwards (Reappointment)

**APPOINTEE: PAT EDWARDS**

C) Fayetteville Technical Community College Board of Trustees (1 Vacancy)  
**(Pg. 295)**

Nominee: Sheryl Lewis (Reappointment)

**APPOINTEE: SHERYL LEWIS**

D) Human Relations Commission (2 Vacancies) **(Pg. 297)**

Nominees: Sandra Mitchell (Reappointment)  
Mitchell Guy (Reappointment)

**APPOINTEES: SANDRA MITCHELL  
MITCHELL GUY**

E) Joint Senior Citizens Advisory Commission (3 Vacancies) **(Pg. 299)**

Nominees: Dwight Palmer, Jr. (Reappointment)  
Daisy D. Maxwell (Reappointment)  
Naomi Ruffin

**APPOINTEES: DWIGHT PALMER, JR.  
DAISY D. MAXWELL  
NAOMI RUFFIN**

F) Jury Commission (1 Vacancy) **(Pg. 302)**

Nominee: Ashley Pastorius

**APPOINTEE: ASHLEY PASTORIUS**

G) Mid-Carolina Aging Advisory Committee (1 Vacancy) **(Pg. 304)**

Nominee:

Elected Official: Frances Collier (Reappointment)

**APPOINTEE: FRANCES COLLIER**

H) Nursing Home Advisory Board (4 Vacancies) **(Pg. 306)**

Nominees: Barbara Spigner (Reappointment)  
Mitchell Guy (Reappointment)  
Dr. John Briggs (Reappointment)  
Cassandra White Haire (Reappointment)

**APPOINTEES: BARBARA SPIGNER  
MITCHELL GUY  
DR. JOHN BRIGGS  
CASSANDRA WHITE HAIRE**

I) Parks and Recreation Advisory Commission (3 Vacancies) **(Pg. 309)**

Nominees: Henry J. Bowden (Reappointment)  
Elvin McNeill (Reappointment)  
Marsha Fogle (Reappointment)

**APPOINTEES: HENRY J. BOWDEN  
ELVIN MCNEILL  
MARSHA FOGLE**

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

**ADJOURN**