
ACTION AGENDA
CUMBERLAND COUNTY BOARD OF COMMISSIONERS
COURTHOUSE – ROOM 118
MAY 20, 2013
6:45 PM

INVOCATION - Commissioner Marshall Faircloth

PLEDGE OF ALLEGIANCE –

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

Certificate of Appreciation to Ms. Sharon Sanders from the Department of the Army in Recognition of Dedication and Support of the U.S. Army Wounded Warrior Program (AW2).

REQUEST TO ADD TO THE AGENDA APPROVAL OF A CERTIFICATE OF APPRECIATION TO RETIRED BEAVER DAM FIRE CHIEF RICHARD BULLARD AS ITEM 2.K. AND A CLOSED SESSION FOR ATTORNEY/CLIENT MATTER(S) PURSUANT TO NCGS 143-318.11(A)(3) AS ITEM 9.C.

1. Approval of Agenda – **APPROVED WITH ADDITIONS AS REQUESTED**
2. Consent Agenda – **APPROVED CONSENT ITEMS 2.A. – 2.J.(7)**
 - A. Approval of minutes for May 6, 2013 regular meeting.
 - B. Approval of Bid Award for In-Car Digital Video Cameras for the Sheriff's Office.
 - C. Approval of a Modification to Existing Professional Services Contract with Koonce, Noble & Associates for Observation of the Southpoint Water Distribution Project.
 - D. Approval of Modification to Existing Professional Services Contract for the Vander Sanitary Sewer Extension.
 - E. Cumberland County Policy Committee Report and Recommendation:
 - 1) Federal Advocacy Partnerships Memorandum of Understanding
 - 2) Americans with Disabilities Act (ADA) Policy
 - 3) Policy Committee Draft Minutes

- F. Approval of Interlocal Agreement and Resolution with the Town of Godwin Adopting the Cumberland County Animal Control Ordinance.
- G. Approval of Ordinance Assessing Property for the Cost of Demolition:
- 1) Case Number: MH6831-2012
Property Owners: Sundust, LLC. & Mark A. Stout
Property Location: 3301 Clinton Road, Fayetteville, NC
Parcel Identification Number: 0456-78-3194
 - 2) Case Number: MH6864-2012
Property Owner: Grace G. Edwards
Property Location: 4624 Gray's Creek Church Road, Hope Mills, NC
Parcel Identification Number: 0442-63-8035
 - 3) Case Number: MH6865-2012
Property Owners: Alice G. Nelson - Heirs c/o Ruby McMillian
Property Location: 4610 Gray's Creek Church Road, Hope Mills, NC
Parcel Identification Number: 0442-63-8230
- H. Approval of Proclamation Proclaiming May 19-25, 2013 as "Public Works Week" in Cumberland County.
- I. Approval of Proclamation Recognizing Terry Sanford High School's Centennial Graduating Class on June 6, 2013.
- J. Budget Revisions:
- (1) Emergency Services Grant

Revision in the amount of \$2,203 to rebudget unexpended funds from the FY2012 Regional Exercise Grant. (B13-323) **Funding Source – State**
 - (2) Overhills Sewer Project/ Water and Sewer Project

Revisions in the amount of \$15,000 to transfer funds from the Water and Sewer Department to establish a new capital project for the Overhills Sewer Project. The initial funding is for the preparation of the Engineering Report and the Environmental Information Document. (B13-331 and B13-331A) **Funding Source – General Fund Water and Sewer Department**
 - (3) Southpoint Water

Revision in the amount of \$2,000 to increase tap fee revenue to fund a contract for installation of water meters. (B13-328) **Funding Source – Fees**

(4) Sheriff

- a. School Law Enforcement - Revision in the amount of \$32,000 to reallocate contingency funds to fund additional fuel costs for remainder of fiscal year. (B13-324) **Funding Source – Reallocation of Budgeted Expenditures**
- b. Revision in the amount of \$125,000 to reallocate contingency funds to fund additional fuel costs for remainder of fiscal year. (B13-325) **Funding Source – Reallocation of Budgeted Expenditures**
- c. Jail and Detention – Revision in the amount of \$80,000 to appropriate fund balance for the purchase of food and provisions and maintenance and repairs on building due to an increase in the average daily inmate population over the year. (B13-326) **Funding Source – General Fund Fund Balance Appropriated**

(5) Recreation and Parks

Revision in the amount of \$150,000 to recognize additional Recreation Tax collections for payment to the City of Fayetteville per the recreation contract for services. (B13-332) **Funding Source – Recreation Tax**

(6) Health

Immunization Clinic – Revision to appropriate Health Department Fund balance to offset a \$61,168 reduction in state funding. (B13-333) **Funding Source – Health Department Fund Balance**

(7) Health Department Capital Project/Tax Administration

Revision to recognize interest and contractor sales tax income to transfer \$131,397 to the Tax Department to purchase and install workstations and to budget the remaining \$501,301 for future capital needs. (B13-334 and B13-334A) **Funding Source – Interest and Sales Tax Contractors Income**

K. **APPROVAL OF A CERTIFICATE OF APPRECIATION TO RETIRED BEAVER DAM FIRE CHIEF RICHARD BULLARD**

3. Public Hearings

Uncontested Rezoning Cases

- A) Case P13-08: Rezoning of 2.99+/- acres from M(P)/CU Planned Industrial/Conditional Use Overlay for manufactured home sales and M(P)

Planned Industrial to M(P) Planned Industrial or to a more restrictive zoning district; located at 2965 Gillespie Street, and on the east side of SR 2273 (Gillespie Street), southwest of SR 2260 (Airport Road); submitted by Stephen D. Wheeler and Carla M. Emmons on behalf of Emmons & Wheeler LLC, and John M. Tyson on behalf of Cedar Creek Crossing West LLC (owners). – **APPROVED M(P) PLANNED INDUSTRIAL DISTRICT**

Staff Recommendation: Approval

Planning Board Recommendation: Approve Staff Recommendation

- B) Case P13-09: Rezoning of 3.66+/- acres from A1 Agricultural to C(P) Planned Commercial or to a more restrictive zoning district; located at 5208 NC HWY 87 South and on the west side of NC HWY 87 South, south of SR 2238 (Sand Hill Road); submitted by Betty B. Walters (owner) and Uta Belletete. – **APPROVED C(P) PLANNED COMMERCIAL DISTRICT**

Staff Recommendation: Approval

Planning Board Recommendation: Approve Staff Recommendation

Uncontested Conditional Zoning Case

- C) Case P13-11: Rezoning of 5.38+/- acres from C3/CU Heavy Commercial/Conditional Use Overlay for outside storage, RR/CU Rural Residential/Conditional Use Overlay for outside storage and RR Rural Residential to C(P)/CZ Planned Commercial/Conditional Zoning district for motor vehicle repair and outside storage or to a more restrictive zoning district, located at 3427 Clinton Road, submitted by Stephen H. Ledwell Trustee (owner) and Andy Nichols. – **APPROVED C(P) PLANNED COMMERCIAL/CZ CONDITIONAL ZONING DISTRICT FOR MOTOR VEHICLE REPAIR WITH OUTSIDE STORAGE**

Staff Recommendation: Approval of C(P)/CZ for motor vehicle repair w/ outside storage

Planning Board Recommendation: Approve Staff Recommendation

Minimum Housing Code Enforcement

- D) Case Number: MH6925-2012
Property Owners: Billy W. & Rachel Wilson
Property Location : 6621 Rockfish Road, Fayetteville, NC
Parcel Identification Number: 0404-26-9762
****THE BOARD OF COMMISSIONERS DEFERRED THIS MINIMUM HOUSING CASE TO MAY 20, 2013 AT THEIR JANUARY 22, 2013 BOARD MEETING ****

ACTION: 30 DAYS

Other Public Hearings

- E) Presentation, Public Hearing and Request for Approval of a Resolution of the North Carolina Department of Transportation 2012-2013 Secondary Roads Improvement Program for Cumberland County - Lee R. Hines, Jr., District Engineer. – **APPROVED 2012-2013 SECONDARY ROADS IMPROVEMENT PROGRAM AND RESOLUTION**

Items of Business

4. Consideration of the Merger Recommendation of the Mental Health Authority, and; - **APPROVED THAT THE COUNTY MANAGER AND THE COUNTY ATTORNEY IMMEDIATELY PROCEED TO NEGOTIATE A MERGER AGREEMENT WITH THE ALLIANCE TO INCLUDE DISCUSSIONS OF THE MENTAL HEALTH CLINIC AND THE ROLE OF CAPE FEAR VALLEY HOSPITAL WITH THE GOALS OF MERGING WITH THE ALLIANCE, DIVESTING THE MENTAL HEALTH CLINIC AND OBTAINING ALL THE NECESSARY STATE APPROVALS WITH THE MERGER TO BE EFFECTIVE JULY 1, 2013 OR AS SOON THEREAFTER AS CAN BE REASONABLY ACCOMPLISHED.**
- A. Consideration of the Decision to Exercise the Authority of the Mental Health Authority - **NO ACTION TAKEN**
5. Presentation of Economic Development Report by Russ Rogerson. - **RECEIVED PRESENTATION**
6. Consideration of Relocating the Live Broadcast of Cumberland County Board Meetings to Fayetteville Cumberland Education Television (FCETV) -Time Warner Channel 5. **APPROVED MOVING LIVE MEETING COVERAGE TO CHANNEL 5 BEGINNING JUNE 10TH**
7. Nominations to Boards and Committees
- A. Adult Care Home Community Advisory Committee (1 Vacancy)
- NOMINEE: DONNA ATKINS**
- B. Air Quality Stakeholders' Committee (1 Vacancy)
- NOMINEE: CHRISTOPHER FRANK**
- C. Board of Adjustment (2 Vacancies)
- NOMINEES: HORACE HUMPHREY
GEORGE LOTT**

D. Cumberland County Local Emergency Planning Committee (1 Vacancy)

NOMINEE: PHILLIP MCCORQUODALE

E. Joint Planning Board (2 Vacancies)

**NOMINEES: DIANE WHEATLEY
CARL MANNING**

8. Appointments to Boards and Committees

A. Adult Care Home Community Advisory Committee (5 Vacancies)

Nominees: Rebecca Campbell (Reappointment)
Daniel Rodriguez (Reappointment)
Ralph T. Cascasan (Reappointment)
Cassandra W. Haire (Reappointment)
Sheba McNeill

**APPOINTEES: REBECCA CAMPBELL
DANIEL RODRIGUEZ
RALPH T. CASCASAN
CASSANDRA W. HAIRE
SHEBA MCNEILL**

9. Closed Session:
- A) Economic Development Matter(s)
Pursuant to NCGS 143-318.11(a)(4).
 - B) Personnel Matter(s) Pursuant to
NCGS 143-318.11(a)(6).
 - C) **ATTORNEY/CLIENT MATTER(S) PURSUANT TO
NCGS 143-318.11(A)(3).**

ADJOURN