
**ACTION AGENDA
CUMBERLAND COUNTY BOARD OF COMMISSIONERS
COURTHOUSE – ROOM 118
NOVEMBER 18, 2013
6:45 PM**

INVOCATION - Commissioner Charles Evans

Minister:

Pledge of Allegiance – Benzhi McNeil - Pine Forest High School – 9th Grade

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

Recognition of Cumberland County Citizens’ Academy Graduates (See Attached List) **(Pg. 7)**

Recognition of Outgoing Board Members:

Bill Mitrisin - Cumberland County Community Child Protection/Fatality Prevention Team

Dr. Joe Mullis - Workforce Development Board

REQUESTED REVISIONS TO AGENDA:

ITEM 4. – REMOVE FROM AGENDA

ITEM 5.D.3) – CHANGE 500 FEET TO 1,000 FEET

ITEM 6.B. - CASE P13-35 – REMOVE FROM AGENDA

ITEM 6.C. - CASE P13-34 – REMOVE FROM AGENDA

ITEM 6.H. - MH25-2013 – REMOVE FROM AGENDA

1. Approval of Agenda – **APPROVED WITH REVISIONS AS REQUESTED**
2. Presentation to the Board of Commissioners from J. Lee Warren, Jr., Cumberland County Register of Deeds and the 2013 President of the North Carolina Association of Registers of Deeds. – **RECEIVED PRESENTATION** **(Pg. 8)**
3. Presentation on the Alliance Behavioral Healthcare Local Business Plan by Ms. Ellen Holliman, CEO. – **RECEIVED PRESENTATION AND APPROVED ALLIANCE BEHAVIORAL HEALTHCARE’S FY14-16 LOCAL BUSINESS PLAN** **(Pg. 9)**
4. **REMOVED FROM AGENDA** - Presentation of the Tourism Development Authority (TDA) Fiscal Year 2012-2013 Annual Status Report by Mr. Vivek Tandon, TDA Chairman. – **(Pg. 33)**

5. Consent Agenda – **APPROVED CONSENT ITEMS 5.A. – 5.H.(5) TO INCLUDE CHANGE TO ITEM 5.D.3) FROM 500 FEET TO 1,000 FEET**
- A. Approval of minutes for the November 4, 2013 regular meeting.
- B. Approval of Rejection of Formal Bid #13-24-CC-F for Office Supplies Due to Change in Office Supply Quantities for Cumberland County Departments. **(Pg. 37)**
- C. Approval of Cumberland County Finance Committee Report and Recommendations: **(Pgs. 38-54)**
- 1) Contract Amendment between Alliance Behavioral Healthcare, Cape Fear Valley Health System, Inc and Cumberland County for Security Services at Roxie Avenue Drop Off Center and Approval of Associated Budget Revision **(Pg. 47)**
- 2) Schedule Public Hearing for December 16, 2013 for the Proposed Creation of Bragg Estates Water and Sewer District **(Pg. 52)**
- 3) Outsourcing the County's Employee Assistant Program **(Pg. 53)**
- D. Approval of Cumberland County Policy Committee Report and Recommendations: **(Pgs. 55-82)**
- 1) Six-Month Contract with FaegreBD for Federal Advocacy Services **(Pg. 60)**
- 2) Phase II of County Smoke Free Initiative to Include Courthouse, Law Enforcement Center, Cumberland County Detention Center and Animal Control - Effective July 1, 2014 **(Pg. 73)**
- 3) **CHANGED 500 FEET TO 1,000 FEET** - Ordinance Prohibiting Certain Activity On or Within **1,000** Feet of a School **(Pg. 79)**
- E. Approval of Demolition of County Owned Property Located at 10599 Colliers Chapel Road, Linden, NC. **(Pg. 83)**
- F. Approval of Payment of Past Year Invoice for Services Rendered to the Cumberland County Transportation Program. **(Pg. 89)**
- G. Approval of Ordinance Assessing Property for the Cost of Demolition: **(Pg. 91)**
- 1) Case Number: MH 7019-2013 **(Pg. 91)**
Property Owner: Secretary of Veteran Affairs
Property Location: 2701 Brinkley Drive, Spring Lake, NC
Parcel Identification Number: 0512-49-3837

H. Budget Revisions: **(Pgs. 93-97)**

(1) Health **(Pg. 93)**

Pregnancy Care Management - Revision in the amount of \$188,916 to appropriate Health Department fund balance to reimburse NC Division of Public Health for unspent funds during the period of September 2011 thru December 2012. (B14-197) **Funding Source – Health Department Fund Balance**

(2) Rural Operating Assistance Program **(Pg. 94)**

Revision in the amount of \$15,213 to adjust the County budget based on final State transportation allocations from the NC Department of Transportation. (B14-196) **Funding Source – State**

(3) Cumberland Road Fire District **(Pg. 95)**

Revision in the amount of \$200 to fund unanticipated refunds to taxpayers. (B14-201) **Funding Source – Cumberland Road Fire Tax**

(4) Vander Fire District **(Pg. 96)**

Revision in the amount of \$2,200 to fund unanticipated refunds to taxpayers. (B14-202) **Funding Source – Vander Fire Tax**

(5) Juvenile Crime Prevention Programs **(Pg. 97)**

Revision in the net amount of \$140,533 to adjust the County JCP budget to actual State allocations. (B14-206) **Funding Source – State and Fund Balance Appropriated**

6. Public Hearings **(Pgs. 98-173)**

Uncontested Rezoning Cases

- A. Case P13-44: Rezoning of 2.56+/- acres from C(P)/CU Planned Commercial/ Conditional Use Overlay to allow a manufactured home park to C(P) Planned Commercial or to a more restrictive zoning district, located at 104 through 116 Tennessee Drive, submitted by Joseph T. Strickland (owner). **(Pg. 98)**

Staff Recommendation: Adopt and approve the reasonableness statement, find request consistent with LUP and approve C(P)

Planning Board Recommendation: Approve Staff Recommendation

ACTION: APPROVED C(P) PLANNED COMMERCIAL DISTRICT

Uncontested Conditional Zoning Case

- B. **REMOVED FROM AGENDA** - Case P13-35: **Case was deferred Board of Commissioners on 10/21/13 to 11/18/13 per Applicant's Request**Rezoning of 177.00+/- acres from A1 Agricultural and CD Conservancy to MXD/CZ Mixed Use Development/
Conditional Zoning or to a more restrictive zoning district; located on the west side of SR 1714 (River Road), north of I-295; submitted by Ingeborg Vinent Heirs and River Bluff Farm C/O Eva Hansen (owners). **(Pg. 101)**

Staff Recommendation: Adopt and approve the reasonableness statement, find request consistent with LUP and approve MXD/CZ
Planning Board Recommendation: Approve Staff Recommendation

Contested Conditional Zoning Case

- C. **REMOVED FROM AGENDA** - Case P13-34: **Applicant has Requested this Case be Withdrawn** Rezoning of 4.93+/- acres from C3 Heavy Commercial to M(P) Planned Industrial or to a more restrictive zoning district; located on the south side of SR 2333 (Corporation Drive), northeast of SR 2252 (Chicken Foot Road); submitted by Carolyn R. Grant (owner) and Josh Sturtz. **(Pg. 120)**

Staff Recommendation: Denial of M(P)/CZ for an asphalt plant as request is not reasonable nor consistent with LUP
Planning Board Recommendation: Approve Staff Recommendation

Land Use Plan

- D. Southwest Cumberland Detailed Land Use Plan - Draft. **(Pg. 125)**

ACTION: APPROVED RESOLUTION FOR ADOPTION OF SOUTHWEST CUMBERLAND LAND USE PLAN

Other Public Hearings - Minimum Housing Code Enforcement

- E. Case Number: MH 116-2013 **(Pg. 127)**
Property Owner: Alecia Marie & David Leon McLaughlin
Property Location: 1609 Halsey Loop, Hope Mills, NC
Parcel Identification Number: 0443-02-5775

ACTION: 90 DAYS

F. Case Number: MH 42-2013 **(Pg. 134)**
Property Owner: Shelia D. Bridges, Sharla D. Lewis,
Craig A. Donner & Jean M. Donner
Property Location: 6766 Rockfish Road, Fayetteville, NC
Parcel Identification Number: 0404-17-4572

ACTION: 90 DAYS

G. Case Number: MH 44-2013 **(Pg. 142)**
Property Owner: Charles & Jacqueline Oatis
Property Location: 5847 Holland Street, Fayetteville , NC
Parcel Identification Number: 0419-75-5540

ACTION: 90 DAYS

H. Case Number: MH 25-2013 **(Pg. 148)**
Property Owner: Sharon Lesley
Property Location: 2562 Bangle Street, Fayetteville, NC
Parcel Identification Number: 0426-10-9571

REMOVED FROM AGENDA

I. Case Number: MH 286-2013 **(Pg. 154)**
Property Owner: Eddie E. Taylor, Jr. & Venessa C. Taylor &
Chase Home Finance, LLC
Property Location: 2501 Quail Forest Drive, Fayetteville, NC
Parcel Identification Number: 0405-95-4474

ACTION: 30 DAYS

J. Case Number: MH 228-2013 **(Pg. 160)**
Property Owner: Lee & Sally Willis
Property Location: 2410 St. Lawrence Road, Fayetteville, NC
Parcel Identification Number: 0415-59-7544

ACTION: 30 DAYS

K. Case Number: MH 232-2013 **(Pg. 167)**
Property Owner: Rosco & Rena McNeill
Property Location: 3643 Classic Road, Fayetteville, NC
Parcel Identification Number: 0424-96-1309

ACTION: 90 DAYS

Items of Business

7. Consideration of Community Development Matters: (Pgs. 174-182)
 - A) Homebuyer Subordination Agreement – **APPROVED SUBORDINATION AGREEMENT AND THAT RELATED DOCUMENTS BE EXECUTED AND RECORDED AS NECESSARY** (Pg. 174)
 - B) Offer to Purchase County Properties – **APPROVED RESOLUTION PROPOSING TO ACCEPT AN OFFER TO PURCHASE CERTAIN REAL PROPERTY** (Pg. 179)
8. Consideration of Adoption of 2014 Board of Commissioners Regular Meeting Dates. **APPROVED** (Pg. 183)
9. Nominations to Boards and Committees (Pg. 185-193)

- A. Civic Center Commission (5 Vacancies) (Pg. 185)

Applicants that Graduated from County Citizens' Academy: Joseph Decosta

**NOMINEES: MCBRYDE GRANNIS
NAT ROBERTSON
WILLIAM TEW, JR.
GEORGE TURNER (ONE-YEAR TERM)
RYAN AUL (ONE-YEAR TERM)**

10. Appointments to Boards and Committees (Pg. 194-195)
 - A. Tourism Development Authority (3 Vacancies) (Pg. 194)

Nominee(s):

Hotels/Motels Under 100 Rooms Representative:

Daniel E. Roberts (Reappointment)
William S. Wellons (Reappointment)

Hotels/Motels Over 100 Rooms Representative:

Vivek Tandon (Reappointment)

**APPOINTEES: DANIEL E. ROBERTS (ONE-YEAR TERM)
WILLIAM S. WELLONS (SECOND FULL TERM)
VIVEK TANDON (ONE-YEAR TERM)**

11. Closed Session: If Needed – **NO CLOSED SESSION HELD**

ADJOURN