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**ACTION AGENDA  
CUMBERLAND COUNTY BOARD OF COMMISSIONERS  
COURTHOUSE – ROOM 118  
OCTOBER 21, 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 Retiree:

Zynovia Nash, Cumberland County Mental Health

Recognition of Outgoing Board Members:

Marvin Rouse, Department of Social Services Board

Amy Garner, Mental Health Center Area Board **(DID NOT ATTEND)**

Liliana Parker, Mental Health Center Area Board

Alejandro Vazquez, Mental Health Center Area Board

Allie Wiggins, Mental Health Center Area Board

Dr. Mary Hales, Mental Health Center Area Board **(ADDED TO AGENDA)**

Recognition of Ruthy Vorder Bruegge as Cumberland 4-H Youth Delegate at North Carolina Association of County Commissioners (NCACC) Youth Summit **(Pg. 7)**

1. Approval of Agenda - **APPROVED**
2. Consent Agenda – **APPROVED CONSENT ITEMS 2.A. – 2.G.(2)**
  - A. Approval of minutes for the October 7, 2013 regular and special meetings of the Board of Commissioners.
  - B. Approval of Cumberland County Finance Committee Report and Recommendation: **(Pg. 8-41)**

- 1) Funding Request for State Veterans Cemetery Project. **(Pg. 17)**
  - 2) Extension of Current Sales Tax Distribution Interlocal Agreement as Requested by the Cumberland County Mayors' Coalition **(Pg. 18)**
  - 3) Policy for Engaging Outside Legal Counsel **(Pg. 25)**
  - C. Approval of Grant of Easement to Allison Holdings, LLC at the Site of the Shell Building. **(Pg. 26)**
  - D. Approval of Declaration of Surplus County-Owned Property and Authorization to Accept Insurance Settlement. **(Pg. 28)**
  - E. Approval of Sale of Surplus County-Owned Real Property Acquired by Tax Foreclosure – PIN: 0437-83-9763; Cross Creek Township. **(Pg. 30)**
  - F. Approval of a Resolution Approving the Release of Reversion Rights in Those Parcels Located at 3533 Furman Drive and 1617 Roxie Avenue and Occupied by Stanton Hospitality House. **(Pg. 32)**
  - G. Budget Revisions: **(Pgs. 42-44)**
    - (1) Mental Health Other **(Pg. 42)**

Revision in the amount of \$175,000 to appropriate Mental Health fund balance to reimburse Cape Fear Valley Medical Center for operating losses in an amount not to exceed \$175,000 for the period of January thru June 2013. (B14-183) **Funding Source – Mental Health Fund Balance Appropriated**
    - (2) Crown Center/Food & Beverage Tax Fund **(Pg. 43)**

Revision in the amount of \$114,000 to budget a transfer from the Prepared Food and Beverage Tax Fund to fund transition costs of \$50,000 incurred by Global Spectrum and to budget the FY2014 Global Spectrum management fee of \$64,000. (B14-191 and B14-191A) **Funding Source – Prepared Food and Beverage Tax Fund Fund Balance Appropriated**
3. Public Hearings **(Pgs. 45-110)**
- Uncontested Rezoning Case**
- A. Case P13-38: Rezoning of 9.88+/- acres from A1 Agricultural to R40 Residential or to a more restrictive zoning district; located west of SR 1006 (Wade Stedman Road), northwest of SR 1006 (Maxwell Road); submitted by Ernest A. Jr. and Ruth Bunce (owners). - **APPROVED STAFF RECOMMENDATION FOR R40 RESIDENTIAL** **(Pg. 45)**

**Staff Recommendation:** Adopt and approve the reasonableness statement, find request consistent with LUP and approve R40

**Planning Board Recommendation:** Approve Staff Recommendation

- B. Case P13-39: Rezoning of 3.07+/- acres from R6A Residential to C2(P) Planned Service and Retail or to a more restrictive zoning district, located at 3857 Legion Road, submitted by Greg McLean on behalf of Trace Investments, LLC. (owner) and Michael J. Adams PLS. – **APPROVED PLANNING BOARD RECOMMENDATION FOR C2(P)** **(Pg. 48)**

**Staff Recommendation:** Adopt and approve the reasonableness statement, find request consistent with LUP and approve C2(P)

**Planning Board Recommendation:** Approve Staff Recommendation

- C. Case P13-42: Rezoning of 3.65+/- acres from R6A Residential to C(P) Planned Commercial or to a more restrictive zoning district; located on the southwest side of SR 1810 (Godwin Falcon Road), northwest of SR 1806 (Sherrill Baggett Road); submitted by Clifton L. Jr. and Josephine Turpin on behalf of Turpin Rentals LLC. (owner) and David R. Evans.- **APPROVED C(P)** **(Pg. 51)**

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

**Planning Board Recommendation:** Approve Staff Recommendation

#### **Contested Conditional Zoning Case**

- D. Case P13-45: Rezoning of 978.40+/- acres from A1 Agricultural to A1/CZ Agricultural/Conditional Zoning district for an outdoor firing range and agricultural uses or to a more restrictive zoning district, located at 2850 Tigerswan Drive, submitted by D. Stewart Precythe on behalf of Precythe Properties, LLC. (owner) and Steven M. Swierkowski on behalf of TigerSwan, Inc. – **APPROVED PLANNING BOARD RECOMMENDATION FOR A1/CZ FOR OUTDOOR FIRING RANGE AND AGRICULTURAL USES WITH CONDITIONS AND ADDED CONDITION CONCERNING OPERATING HOURS** **(Pg. 54)**

**Staff Recommendation:** Adopt and approve the reasonableness statement, find request consistent with LUP and approve A1/CZ for outdoor firing range and agricultural uses with conditions

**Planning Board Recommendation:** Approve Staff Recommendation with added condition concerning operating hours

#### **Uncontested Conditional Zoning Case**

- E. Case P13-35: **\*\*This case was deferred at the September 16, 2013 Board of Commissioners Meeting at the 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). – **CASE DEFERRED TO NOVEMBER 18, 2013 MEETING** **(Pg. 75)**

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

**Planning Board Recommendation:** Approve Staff Recommendation

**Minimum Housing Code Enforcement**

- F. Case Number: MH233-2013 **(Pg. 92)**  
Property Owner: Mychelle L. Stens  
Property Location: 316 Rock Hill Road, Fayetteville, NC  
Parcel Identification Number: 0466-18-7000

**PERMIT ACQUIRED - CASE REMOVED FROM AGENDA**

- G. Case Number: MH6786-2012 **(Pg. 98)**  
Property Owner: Roberto Felix Robles  
Property Location: 4838 Tippit Trail, Fayetteville, NC  
Parcel Identification Number: 0433-76-3055

**ACTION: 30 DAYS**

- H. Case Number: MH107-2013 **(Pg. 105)**  
Property Owner: Alvester McNeil Heirs c/o Linda Adamson  
Property Location: 5671 Cedar Creek Road, Fayetteville, NC  
Parcel Identification Number: 0473-54-9900

**ACTION: 30 DAYS**

**ITEMS OF BUSINESS**

4. Update on Status of Federal Budget – **RECEIVED UPDATE** **(Pg. 111)**
5. Nominations to Boards and Committees **(Pgs. 112-159)**
- A. Cumberland County Finance Corporation and Cumberland County Industrial Facilities and Pollution Control Financing Authority (3 Vacancies) **(Pg. 112)**

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

**NOMINATIONS DEFERRED TO NOVEMBER 4, 2013 MEETING**

- B. Cumberland County Home and Community Care Block Grant Committee  
(3 Vacancies) **(Pg. 116)**

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

**NOMINEE(S):       DEBORAH J. ATKINSON  
                          ANNIE R. HASAN  
                          MARY BRYMER**

- C. Cumberland County Local Emergency Planning Committee (1 Vacancy)  
**(Pg. 124)**

**Applicants that Graduated from County Citizens' Academy:  
Ashley Pastorius (Does Not Meet Specifications for this Committee)  
Daniel Tomita (Does Not Meet Specifications for this Committee)**

**NOMINEE(S):       GREG PHILLIPS**

- D. Farm Advisory Board (3 Vacancies) **(Pg. 136)**

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

**NOMINEE(S):       KEVIN WEST  
                          CLIFTON MCNEILL, JR.  
                          DAVID GILLIS**

- E. Fayetteville Area Convention and Visitors Bureau (1 Vacancy) **(Pg. 142)**

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

**NOMINEE(S):       MANISH MEHTA**

- F. Joint Appearance Commission (1 Vacancy) **(Pg. 150)**

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

**NOMINEE(S):       MATTHEW AUMAN MCLEAN**

- G. Minimum Housing Appeals Board (1 Vacancy) **(Pg. 155)**

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

**NOMINEE(S):       LINDA AMOS**

6. Appointments to Boards and Committees **(Pgs. 160-177)**

A. Air Quality Stakeholders' Committee (1 Vacancy) **(Pg. 160)**

Nominee:

Town of Eastover Stakeholder: C. Kim Nazarchyk

**APPOINTEE(S): C. KIM NAZARCHYK**

B. Board of Adjustment (2 Vacancies) **(Pg. 164)**

Nominees:

Alternate Members: Joseph Decosta  
Alfonso Ferguson Sr.

**APPOINTEE(S): JOSEPH DECOSTA  
ALFONSO FERGUSON, SR.**

C. Cumberland County Library Board of Trustees (2 Vacancies) **(Pg. 167)**

Nominees: Susan Mills (Reappointment)  
Dr. Daniel Montoya

**APPOINTEE(S): SUSAN MILLS  
DR. DANIEL MONTOYA**

D. Joint Senior Citizens Advisory Commission (3 Vacancies) **(Pg. 169)**

Nominees: Roger Ison  
Edna Cogdell  
Elizabeth Deane

**APPOINTEE(S): ROGER ISON  
EDNA COGDELL  
ELIZABETH DEANE**

E. Minimum Housing Appeals Board (2 Vacancies) **(Pg. 171)**

Nominees:

Alternate Members: Luther M. McManus (Reappointment)  
Steve Hogan (Reappointment)

**APPOINTEE(S): LUTHER M MCMANUS  
STEVEN HOGAN**

F. Transportation Advisory Board (1 Vacancy) **(Pg. 174)**

Nominee:

County DSS Director or Designee: Lisa Chance

**APPOINTEE(S): LISA CHANCE**

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

**ADJOURN**