
**ACTION AGENDA
CUMBERLAND COUNTY BOARD OF COMMISSIONERS
COURTHOUSE – ROOM 118
AUGUST 18, 2014
6:45 PM**

INVOCATION - Commissioner Billy King

PLEDGE OF ALLEGIANCE – Joshua D. Morrissey - 4th Grader, Lake Rim Elementary School

Recognition of Mr. Willie S. Geddie, Longtime Volunteer Inducted into State 4-H Hall of Fame

Recognition of Outgoing Board Members:

John D. Pone, Sr.- Parks and Recreation Advisory Board
Dean Smelcer, Jr.- Parks and Recreation Advisory Board

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

1. Approval of Agenda – **APPROVED**
2. Consent Agenda – **APPROVED CONSENT AGENDA ITEMS 2.A. – 2.J.(2)**
 - A. Approval of minutes for the July 28, 2014 Special Meeting for the Consideration of Resolutions Endorsing NCDOT Installation of Road Improvements and the August 4, 2014 regular meeting.
 - B. Approval of Contract with Existing Vendor to Meet New Legislative Requirements. **(Pg. 9)**
 - C. Approval of Bid Award to Internet Engineering for Networking Equipment for the Information Services Department. **(Pg. 11)**
 - D. Approval of Cumberland County Facilities Report and Recommendations: **(Pg. 14)**
 - 1) Approval of FTCC's Request to Utilize Space at Spring Lake Family Resource Center. **(Pg. 24)**
 - 2) Approval of Bid Award to Classic Window and Glass, Inc. for Department of Social Services Window Project. **(Pg. 25)**
 - 3) Approval of the Alliance Behavioral Healthcare Lease. **(Pg. 27)**

- E. Approval of Cumberland County Finance Report and Recommendations (For Information Purposes Only). **(Pg. 34)**
- F. Approval of Demolition of County County-Owned Property Located at 4900 Panda Street, Hope Mills, North Carolina. **(Pg. 49)**
- G. Approval of Ordinance Assessing Property for the Cost of Demolition:
- 1) Case Number: MH 116-2013 **(Pg. 52)**
Property Owner: Alecia & David McLaughlin
Property Location: 1609 Halsey Loop, Hope Mills, NC
Parcel Identification Number: 0443-02-5775
 - 2) Case Number: MH 379-2013 **(Pg. 54)**
Property Owner: Rick Garcia
Property Location: 4909 Panda Street, Hope Mills, NC
Parcel Identification Number: 0413-45-4527
 - 3) Case Number: MH 7025-2013 **(Pg. 56)**
Property Owner: Mary W. Sutton
Property Location: 3563 Camden Road, Fayetteville, NC
Parcel Identification Number: 0425-36-6692
- H. Approval of Sale of Surplus County-Owned Real Property Acquired by Tax Foreclosure: **(Pg. 58)**
- 1) Lots 114 & 116 Savoy Hgts Sec 1 PIN : 0437-11-4516
 - 2) Lots 216 Weiss Ave PIN: 0437-11-0345
 - 3) Lot 311 Savoy Hgts PIN: 0437-00-6970
 - 4) Lots 403 & 405 Savoy Hgts & Vac to Creek PIN: 0437-00-0500
 - 5) Lot 104 Savoy Hgts PIN: 0437-12-4190
 - 6) 4.05 ac Land adj Briarwood Hills Sec 3 PIN: 0426-54-8992
- I. Approval of a Proclamation proclaiming August 24-30, 2014 to be “Human Trafficking Awareness Week” in Cumberland County. **(Pg. 66)**
- J. Budget Revisions: **(Pgs. 67-68)**
- (1) Library Grants **(Pg. 67)**

Revision in the amount of \$8,684 to rebudget remainder of LSTA NC Cardinal Grant from FY2014 to FY2015, not yet received. (B15-034)
Funding Source – State

- (2) Senior Aides **(Pg. 68)**

Revision in the amount of \$14,004 to reconcile county budget with state allocations for FY2015. (B15-038) **Funding Source - State**

3. Public Hearings **(Pgs. 69-139)**

Uncontested Rezoning Case

- A. Case P14-26: Rezoning of 1.92+/- acres from A1 Agricultural to R40 Residential, or to a more restrictive zoning district, located at 1105 John McMillan Road, submitted by Brian S. and Lisa M. Alger (owners). **(Pg. 69)**

Staff Recommendation: 1st Motion: Find the request consistent with the LUP and approve and adopt the reasonableness statement; 2nd

Motion: Approve R40

Planning Board Recommendation: Approve Staff Recommendation

ACTION: FOUND REQUEST CONSISTENT WITH THE LUP AND APPROVED AND ADOPTED THE REASONABLENESS STATEMENT(S)

ACTION: APPROVED RECOMMENDATION OF PLANNING BOARD FOR R40

- B. Case P14-30: Rezoning of 2.65+/- acres from R6 Residential to C2(P) Planned Service and Retail, or to a more restrictive zoning district, located at 1223 Andrews Road, submitted by Jacqueline C. Andrews (owner). **(Pg. 72)**

Staff Recommendation: 1st Motion: Find the request consistent with the LUP and approve and adopt the reasonableness statement; 2nd

Motion: Approve C2(P)

Planning Board Recommendation: Approve Staff Recommendation

ACTION: FOUND REQUEST CONSISTENT WITH THE LUP AND APPROVED AND ADOPTED THE REASONABLENESS STATEMENT(S)

ACTION: APPROVED RECOMMENDATION OF PLANNING BOARD FOR C2(P)

- C. Case P14-31: Rezoning of 5.62+/- acres from A1 Agricultural/CU Conditional Use Overlay and the Permit to allow a trucking business and storage of equipment to A1 Agricultural, or to a more restrictive zoning district, located at 2690 Indiana Court and 5742 Matt Hair Road, submitted by Dolman P. and Mary L. Garces (owners) and Carla Emmons. **(Pg. 75)**

Staff Recommendation: 1st Motion: Find the request consistent with the LUP and approve and adopt the reasonableness statement; 2nd Motion: Approve A1

Planning Board Recommendation: Approve Staff Recommendation

ACTION: FOUND REQUEST CONSISTENT WITH THE LUP AND APPROVED AND ADOPTED THE REASONABLENESS STATEMENT(S)

ACTION: APPROVED RECOMMENDATION OF PLANNING BOARD FOR A1

- D. Case P14-32: Rezoning of 4.75+/- acres from M(P) Planned Industrial to A1 Agricultural, or to a more restrictive zoning district, located at 2679 Wilmington Hwy; submitted by Charles T. Gardner on behalf of Indoor Warehouse Storage, LLC. (owner). **(Pg. 78)**

Staff Recommendation: 1st Motion: Find the request consistent with the LUP and approve and adopt the reasonableness statement; 2nd Motion: Approve A1 and CD (where the floodway exists)

Planning Board Recommendation: Approve staff recommendation

ACTION: FOUND REQUEST CONSISTENT WITH THE LUP AND APPROVED AND ADOPTED THE REASONABLENESS STATEMENT(S)

ACTION: APPROVED RECOMMENDATION OF PLANNING BOARD FOR A1 AND CD (WHERE THE FLOODWAY EXISTS)

- E. Case P14-35: Rezoning of 2.23+/- acres from A1 Agricultural to R40A Residential, or to a more restrictive zoning district, located at 879 and 883 Remley Court, submitted by Bryan Thomas Lawrence (owner). **(Pg. 81)**

Staff Recommendation: 1st Motion: Find the request consistent with the LUP and approve and adopt the reasonableness statement; 2nd Motion: Approve R40A

Planning Board Recommendation: Approve Staff Recommendation

ACTION: FOUND REQUEST CONSISTENT WITH THE LUP AND APPROVED AND ADOPTED THE REASONABLENESS STATEMENT(S)

ACTION: APPROVED RECOMMENDATION OF PLANNING BOARD FOR R40A

Contested Zoning Ordinance Text Amendment

- F. Case P14-38: Revision and amendment to the Cumberland County Zoning Ordinance, by amending Article II Interpretations, Calculations, and

Definitions, Section 203. Definitions of Specific Terms and Words, inserting in alphabetical order the term vocational school, defining the same, and updating the table of contents as appropriate. **(Pg. 84)**

Staff Recommendation: 1st Motion: Find the request consistent with the LUP and approve and adopt the reasonableness statement; 2nd Motion: Approve the text amendment defining the term vocational school
Planning Board Recommendation: Approve Staff Recommendation

ACTION: FOUND THE TEXT AMENDMENT CONSISTENT WITH THE ADOPTED COMPREHENSIVE PLAN DESIGNATED AS THE 2030 GROWTH VISION PLAN BECAUSE THE ZONING LOCATION OF VOCATIONAL SCHOOLS IS IMPACTED BY THE POLICIES CONTAINED IN THE GROWTH VISION PLAN TO PROMOTE A MORE DIVERSIFIED LOCAL ECONOMY, WELL-MANAGED GROWTH AND DEVELOPMENT, THE PRESERVATION OF OPEN SPACE AND RURAL CHARACTER, AND COMPATIBLE COMMERCIAL DEVELOPMENT; AND FURTHER FOUND THE TEXT AMENDMENT REASONABLE AND IN THE PUBLIC INTEREST BECAUSE THE PRINCIPAL IMPACTS OF VOCATIONAL SCHOOLS ARE THE TRAFFIC CONGESTION CREATED BY POTENTIALLY LARGE NUMBERS OF STUDENTS ATTENDING CLASSES, AND THE NEED FOR THE EFFICIENT AND ADEQUATE PROVISION OF TRANSPORTATION, WATER AND SEWER SERVICES FOR THE FACILITIES PROVIDING THOSE SERVICES TO THE PUBLIC.

ACTION: APPROVED AND ADOPTED THE TEXT AMENDMENT AS RECOMMENDED BY THE PLANNING BOARD AND PLANNING STAFF.

Contested Conditional Zoning Case

- G. Case P14-37: Rezoning of 12.20+/- acres from C(P) Planned Commercial/CUD Conditional Use District for a crematory and the Permit and A1 Agricultural to C(P) Planned Commercial/CZ Conditional Zoning for a crematorium, office, meditation room, gazebo and display of equipment and services, or to a more restrictive zoning district, located at 6761 and 6765 Sandy Creek Road, submitted by Karen L. Campbell (owner). **(Pg. 93)**

Staff Recommendation: 1st Motion: Find the request consistent with the LUP and approve and adopt the reasonableness statement; 2nd Motion: Approve C(P)/CZ for a crematorium, meditation room, gazebo and display of equipment and services
Planning Board Recommendation: Approve staff recommendation

ACTION: FOUND REQUEST CONSISTENT WITH THE LUP AND APPROVED AND ADOPTED THE REASONABLENESS STATEMENT(S)

ACTION: APPROVED RECOMMENDATION OF PLANNING BOARD FOR C(P)/CZ FOR A CREMATORIUM, MEDITATION ROOM, GAZEBO AND DISPLAY OF EQUIPMENT AND SERVICES

Minimum Housing Code Enforcement

H. Case Number: MH 537-2014 **(Pg. 108)**
Property Owner: Acie J. Melvin
Property Location: 1114 McLean Trail, Fayetteville NC
Parcel Identification Number: 0520-99-0322

ACTION: 30 DAYS

I. Case Number: MH 527-2014 **(Pg. 115)**
Property Owner: Charles Crockett
Property Location: 1109 Shaw Road, Fayetteville, NC
Parcel Identification Number: 0419-74-4268

ACTION: 30 DAYS

J. Case Number: MH 519-2014 **(Pg. 122)**
Property Owner: Reginald Adams
Property Location: 6000 Abco Lane, Fayetteville, NC
Parcel Identification Number: 0462-99-2389

ACTION: 30 DAYS

K. Case Number: MH 508-2014 **(Pg. 128)**
Property Owner: Renee Wagner
Property Location: 4001 Baird Court, Fayetteville, NC
Parcel Identification Number: 0462-98-4988

ACTION: 30 DAYS

Other Public Hearings

L. Public Hearing for the Bullard Circle Preliminary Assessment Resolution and Adoption of the Final Assessment Resolution. **(Pg. 134)**
PUBLIC HEARING HELD AND ADOPTED FINAL ASSESSMENT RESOLUTION

ITEMS OF BUSINESS

4. Presentation by Brenda Jackson, Department of Social Services Director on the NC Fast Program and Approval of Associated Budget Revision. **(Pg. 140)**
RECEIVED PRESENTATION AND APPROVED ASSOCIATED BUDGET REVISION

5. Consideration of Resolution Authorizing the Filing of an Application for Approval of an Installment Financing Agreement Authorized by NCGS 160A-20. **(Pg. 159)**
APPROVED RESOLUTION

6. Nomination and Appointment of Cumberland County Workforce Development Board (1 Vacancy) **(Pg. 164)**

Nominee: Dr. Curtis Charles

NOMINEE / APPOINTEE: DR. CURTIS CHARLES

7. Nominations to Boards and Committees **(Pgs. 176-204)**

A) Adult Care Home Community Advisory Committee (5 Vacancies) **(Pg. 176)**

NOMINEE(S): MARY ANN AYARS
GEORGE W. MITCHELL
LATARA RAY
RASHEEDAH REID
CARLA FAGAN

B) Animal Control Board (1 Vacancy) **(Pg. 185)**

NOMINEE(S): MELISSA KATZENBERGER

C) Southeastern Economic Development Commission (1 Vacancy) **(Pg. 193)**

NOMINEE(S): COMMISSIONER JEANNETTE COUNCIL

8. Appointments to Boards and Committees **(Pgs. 197-204)**

A. Board of Health (1 Vacancy) **(Pg. 197)**

Nominee: David Greyshock

APPOINTEE(S): DAVID GREYSHOCK

- B. Mid-Carolina Aging Advisory Committee (1 Vacancy) **(Pg. 200)**

Nominee: Willie McKoy Jr.

APPOINTEE(S): WILLIE MCKOY, JR.

- C. Nursing Home Advisory Board (3 Vacancies) **(Pg. 202)**

Nominees: Sonja Council (Reappointment)
Michael Blake (Reappointment)
Ron Rooks

**APPOINTEE(S): SONJA COUNCIL
MICHAEL BLAKE
RON ROOKS**

RECESSED THE BOARD OF COMMISSIONERS' MEETING

**CONVENED THE KELLY HILLS / SLOCUMB ROAD WATER & SEWER
DISTRICT GOVERNING BOARD MEETING (Pg. 205)**

1. Items of Business

- A. Approval of the Minutes for the June 6, 2011 Special Meeting – **APPROVED**
- B. Approval of the Kelly Hills/Slocumb Road Wholesale Sewer and Operation and Maintenance Agreement - **APPROVED**
- C. Ratification of Adoption of Changes to the Kelly Hills/Slocumb Road Water & Sewer District Rate Schedule and Administration Policy Previously Approved at the March 19, 2012 Regular Board of Commissioners Meeting - **RATIFIED**

**ADJOURNED THE KELLY HILLS / SLOCUMB ROAD WATER & SEWER
DISTRICT GOVERNING BOARD MEETING**

RECONVENED THE REGULAR BOARD OF COMMISSIONERS MEETING

9. Closed Session:
- A) Attorney-Client Matter(s) Pursuant to NCGS 143-318.11(a)(3)
 - B) Economic Development Matter(s) Pursuant to NCGS 143-318.11(a)(4)

ADJOURNED