
**ACTION AGENDA
CUMBERLAND COUNTY BOARD OF COMMISSIONERS
COURTHOUSE – ROOM 118
DECEMBER 15, 2014
6:45 PM**

INVOCATION – Commissioner Jeannette Council

PLEDGE OF ALLEGIANCE – Mitchell (Mitch) Johnson, Jr., 1st Grade –
Ed V. Baldwin Elementary School, Hope Mills

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

REQUEST TO REMOVE ITEM 3.D. AND ITEM 5.C.

1. Approval of Agenda – **APPROVED WITH THE REMOVAL OF ITEM 3.D. AND ITEM 5.C. AS REQUESTED**

RECESSED THE BOARD OF COMMISSIONERS' MEETING.

CONVENED THE BRAGG ESTATES WATER & SEWER DISTRICT GOVERNING BOARD MEETING (SEE SEPARATE AGENDA) / ADJOURNED – CONSENT AGENDA ITEMS 1.A. – 1.B. APPROVED (Pg. 7)

RECONVENED THE REGULAR BOARD OF COMMISSIONERS MEETING.

2. Consent Agenda - **APPROVED**
 - A. Approval of minutes for the December 1, 2014 regular meeting.
 - B. Approval of Destruction of Department Records for the following:
 - 1) County Administration **(Pg. 43)**
 - 2) Governing Body **(Pg. 44)**
 - C. Approval of Delinquent Health Department Accounts to be Written Off and Turned Over to the N.C. Debt Set-Off Program. **(Pg. 45)**
 - D. Approval of Demolition of County-Owned Property Located at 4900 Panda Street, Hope Mills, NC - PIN #: 0413-45-4990 – Case No. BI-2014-001. **(Pg. 47)**

- E. Consideration of Declaration of Surplus County Property and Authorization to Accept Insurance Settlement. **(Pg. 51)**
- F. Approval of Bid Award to Internetwork Engineering for the Telephone Infrastructure Project for the Department of Social Services. **(Pg. 55)**
- G. Approval of Ordinance Assessing Property for the Cost of Demolition: **(Pg. 57)**
 - 1) Case Number: MH 431-2013
Property Owner: Henry & Rena M. McMillian
Property Location: 3397 & 3417 Departure Lane, Eastover, NC
Parcel Identification Number: 0469-73-6015
- H. Approval of Cumberland County Facilities Committee Report and Recommendation(s): **(Pg. 59)**
 - 1) Request to Install LED Sign for Public Health Center **(Pg. 66)**
 - 2) Lease Renewal for North Carolina Department of Agriculture and Consumer Services for Office Space Located in the Charlie Rose Ag-Expo Center **(Pg. 70)**
 - 3) Land Purchases for Overhills Sewer Project **(Item included in Overhills Park Water & Sewer Agenda)**
- I. Approval of Grant of Franchise Agreement for Operation of Courthouse and DSS Snack Bars (2nd Reading). **(Pg. 71)**
- J. Approval of Resolution for Designation of Applicant's Agent for Pre-Disaster Mitigation Program Grant (Project Approval: PDMC-PL-04-NC-2014-002) **(Pg. 78)**
- K. Budget Revisions:
 - (1) Library Grants **(Pg. 83)**

Revision in the amount of \$(3,248) due to reduction in State Aid for FY2015. (B15-169) **Funding Source – State**

3. Public Hearings **(Pg. 84-114)**

Uncontested Modification Of Conditional Zoning

- A. **Case P02-04:** Modification of certain zoning districts within an existing Mixed Use Development approved as a Conditional Use Overlay (2001) by rearranging 25.91+/- acres of the district boundaries as follows: 12.67+/- acres of O&I(P)

Planned Office and Institutional/CU Conditional Use to C(P) Planned Commercial/CU Conditional Use consisting of two areas (8.21 +/- acres and 4.46 +/- acres); and 13.24 +/- acres of C(P) Planned Commercial/CU Conditional Use to O&I(P) Planned Office and Institutional/CU Conditional Use or to more restrictive zoning districts; located on the east side of SR 2252 (Chicken Foot Road), south of SR 2238 (Sand Hill Road); submitted by Thomas R. Prewitt on behalf of Prewitt Land Company LLC (owner) and Moorman, Kizer and Reitzel, Inc. **(Pg. 84)**

Staff Recommendation:

1st motion for Case P2-04: Move to find the modification request for Case No. P02-04 is consistent with the adopted comprehensive plan designated as the *2030 Growth Vision Plan*, which calls for “urban” at this location because the districts in the modification request will be oriented towards the residents in the overall development. The request is also consistent with the Draft South Central Detailed Land Use Plan, which calls for “mixed use” at this location, and for the reasons stated in the recommendations of the Planning Staff and as reflected in the minutes of the Planning Board’s consideration of this case, which minutes are to be fully incorporated herein by reference.

2nd motion for case P2-04: Move to find the modification request for Case P02-04 is reasonable as it is an existing approved mixed use that would not change any of the residential, non-residential percentage requirements, as recommended by the Planning Staff and as reflected in the minutes of the Planning Board’s consideration of this case, which minutes are to be fully incorporated herein by reference.

Planning Board Recommendation: Approve Staff Recommendation.

ACTION: APPROVED PLANNING BOARD RECOMMENDATION

Uncontested Rezoning Cases

- B. **Case P14-58:** Rezoning of 65.13 +/- acres from A1 Agricultural to R30 Residential/DD Density Development/ CZ Conditional Zoning district for a 66 lot residential subdivision or to a more restrictive zoning district; located on the southwest side of SR 2243 (Roslin Farm Road), north of Running Fox Road; submitted by Charles T. and Janet K. Gardner (owners). **(Pg. 87)**

Staff Recommendation:

1st motion for Case P14-58: Move to find the request for rezoning consistent with the 2030 Growth Vision Plan, and any other applicable land use plan, reasonable and in the public interest for the reasons stated in the recommendations of the Planning Staff and as reflected in the minutes of the Planning Board’s consideration of this case, which minutes are to be fully incorporated herein by reference.

2nd motion for Case P14-58: Move to approve the rezoning from RR Rural Residential to R30/DD Density Development/ CZ Conditional Zoning as recommended by the Planning Staff and as reflected in the minutes of the Planning Board's consideration of this case, which minutes are to be fully incorporated herein by reference.

Planning Board Recommendation: Approve the Staff Recommendation.

ACTION: APPROVED PLANNING BOARD RECOMMENDATION

- C. **Case P14-59:** Rezoning 1.30+/- acres from R10 Residential to RR Rural Residential or to a more restrictive zoning district; located at 2440, 2444 and 2450 Lillington Highway; submitted by Wilton C. Jones, Sr. (owner) and Gregory Spears. **(Pg. 99)**

Staff Recommendation:

1st motion for Case P14-59: Move to find the request for rezoning consistent with the 2030 Growth Vision Plan, and any other applicable land use plan, reasonable and in the public interest for the reasons stated in the recommendations of the Planning Staff and as reflected in the minutes of the Planning Board's consideration of this case, which minutes are to be fully incorporated herein by reference.

2nd motion for Case P14-59: Move to approve the rezoning from R10 Residential to RR Rural Residential as recommended by the Planning Staff and as reflected in the minutes of the Planning Board's consideration of this case, which minutes are to be fully incorporated herein by reference.

Planning Board Recommendation: Approve the Staff Recommendation.

ACTION: APPROVED PLANNING BOARD RECOMMENDATION

Minimum Housing Code Enforcement

D. **ITEM REMOVED**

Case Number: MH 645-2014 **(Pg. 102)**
Property Owner: Alvin Cooper Billingsley
Property Location: 1056 & 1066 Bernadine Street, Fayetteville, NC
Parcel Identification Number: 0419-88-7332

- E. Case Number: MH 699-2014 **(Pg. 108)**
Property Owner: Eric R. Nelson & Bank of America
Property Location: 6505 Amity Court, Stedman, NC
Parcel Identification Number: 0497-26-5834

ACTION: 30 DAYS

Items of Business

4. Consideration of Designation of Voting Delegate to the NCACC's 2015 Legislative Goals Conference – **COMMISSIONER EDGE DESIGNATED AS VOTING DELEGATE AND COMMISSIONER FAIRCLOTH DESIGNATED AS ALTERNATE VOTING DELEGATE** **(Pg. 115)**

5. Nominations to Boards and Committees **(Pgs. 117-171)**

- A. Board of Health (1 Vacancy) **(Pg. 117)**

NOMINEE(S): DR. CARL CREECH

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

NOMINEE(S): MATTHEW DEMPSTER

- C. **ITEM REMOVED**

Fayetteville Area Convention and Visitors Bureau (2 Vacancies) **(Pg. 138)**

- D. Transportation Advisory Board (7 Vacancies) **(Pg. 146)**

**NOMINEE(S): TOM LLOYD
OCKIDDE HARRIS
ANNE MORRISON
KENNETH WASHINGTON
JOEL STRICKLAND
ALFRED FOOTE
DELOMA WEST**

- E. Cumberland County Workforce Development Board (1 Vacancy) **(Pg. 159)**

NOMINEE(S): BRENDA JACKSON

6. Appointments to Boards and Committees **(Pgs. 172-174)**

- A. Farm Advisory Board (2 Vacancies) **(Pg. 172)**

Farmer Position: Britt Riddle (Reappointment)

Planning Board Representative: Patricia Hall

**APPOINTEE(S): BRITT RIDDLE
PATRICIA HALL**

RECESSED THE BOARD OF COMMISSIONERS' MEETING.

CONVENED THE NORCRESS WATER & SEWER DISTRICT GOVERNING BOARD MEETING (SEE SEPARATE AGENDA) / ADJOURNED - CONSENT AGENDA ITEMS 1.A. – 1.B. APPROVED **(Pg. 175)**

RECONVENED THE REGULAR BOARD OF COMMISSIONERS MEETING.

RECESSED THE BOARD OF COMMISSIONERS' MEETING.

CONVENED THE OVERHILLS PARK WATER & SEWER DISTRICT GOVERNING BOARD MEETING (SEE SEPARATE AGENDA) / ADJOURNED - CONSENT AGENDA ITEMS 1.A. – 1.B. APPROVED **(Pg. 184)**

RECONVENED THE REGULAR BOARD OF COMMISSIONERS MEETING.

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

ADJOURNED