
**ACTION AGENDA
CUMBERLAND COUNTY BOARD OF COMMISSIONERS
COURTHOUSE – ROOM 118
MARCH 17, 2014
6:45 PM**

INVOCATION Commissioner Charles Evans

PLEDGE OF ALLEGIANCE – Mitchell Dale Johnson, Jr., 5 Years Old
Kindergartner at Ed V. Baldwin Elementary School

Special Recognition to Commissioner Jeannette Council on Receiving the M.H. “Jack” Brock Memorial Award

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

REQUEST TO REMOVE ITEM 3.K. FROM THE AGENDA AND ADD AS ITEM 9.C. CLOSED SESSION FOR ECONOMIC DEVELOPMENT MATTER(S) PURSUANT TO NCGS 143-318.11(a)(4)

1. Approval of Agenda – **APPROVED WITH ADDITION AND DELETION AS REQUESTED**

REQUEST TO ADD AS ITEM 2.N. PROCLAMATION NAMING MARCH 28, 2014 AS JAMES E. MARTIN DAY IN CUMBERLAND COUNTY

2. Consent Agenda – **APPROVED CONSENT ITEMS 2.A. – 2.N.**

A. Approval of minutes for the February 6, 2014 special meeting, the February 17, 2014 special and regular meetings, the February 18, 2014 special meeting for the FY15 Federal Advocacy Program Development, and the March 6, 2014 special meeting for closed session economic development matters.

B. Approval of Proposed Additions to the State Secondary Road System: **(Pg. 10)**

Hammond Farms Subdivision:

Hammond Farms Road

The Links at Cypress Lakes Subdivision:

H. Bullard Road (SR 2240 Ext.),
Sand Trap Lane

C. Approval of Daily Deposit Exception for Soil & Water Conservation District. **(Pg. 15)**

- D. Approval of Declaration of Surplus Property for the Cumberland County Sheriff's Office. **(Pg. 16)**
- E. Approval of Request from Hope Mills Area Chamber of Commerce for Reallocation of Funds for Exit 41 Lighting Project. **(Pg. 19)**
- F. Approval of Request from PWC for Easement. **(Pg. 23)**
- G. Approval of Declaration of Surplus County Property and Authorization to Accept Insurance Settlement.
- 1) 2011 Ford Crown Victoria **(Pg. 29)**
 - 2) 2007 Ford Expedition **(Pg. 31)**
- H. Approval of Cumberland County Facilities Report and Recommendation(s):
- 1) Issuance of Requests for Qualifications of Roof Assessments and Parking Lot Pavement Evaluation for County Buildings **(Pg. 33)**
- I. Approval of Cumberland County Finance Report and Recommendation(s):
- 1) Update on Health Insurance, Employee Pharmacy and Clinic **(Pg. 39)**
- J. Approval of Cumberland County Policy Committee Report and Recommendation(s):
- 1) Adoption of Ordinance Repealing Section 9.5-93 of Chapter 9.5, Article III, Smoking, of the Cumberland County Code and Amending Section 9.5-92 of Chapter 9.5, Article III, Smoking, of the Cumberland County Code. **(Pg. 44)**
- K. Approval of Ordinance Assessing Property for the Cost of Demolition:
- 1) Case Number: MH 72-2013 **(Pg. 53)**
Property Owner: Camilla Horne
Property Location: 1931 Middle Road, Eastover, NC
Parcel Identification Number: 0458-67-2259
 - 2) Case Number: MH 6861-2012 **(Pg. 55)**
Property Owner: James Harris
Property Location: 9481 Hillsboro Street, Linden, NC
Parcel Identification Number: 0574-66-7132
 - 3) Case Number: MH 6786-2012 **(Pg. 57)**
Property Owner: Roberto Felix Robles

Property Location: 4838 Tippet Trail, Fayetteville, NC
Parcel Identification Number: 0433-76-3055

- 4) Case Number: MH 104-2013 **(Pg. 59)**
Property Owner: Angela Simon
Property Location: 5613 Belsky Court, Hope Mills, NC
Parcel Identification Number: 0423-04-1219

- L. Approval of Sale of Surplus County-Owned Real Property Acquired
by Tax Foreclosure: Lots 24-27 Raines Property; 809 Montgomery Street;
PIN: 0436-78-6341; Cross Creek Township. **(Pg. 61)**

- M. Budget Revisions: **(Pgs. 63-101)**

(1) Health

- a. Maternal Health - Revision in the amount of \$20,253 to budget additional Medicaid fees to support the Baby Store and purchase incentives and educational materials for Prepared Childbirth classes. (B14-281) **Funding Source – Fees (Pg. 63)**
- b. Adult Health – Revision in the amount of \$47,500 for additional revenue anticipated to be earned for remainder of fiscal year to provide lab services and additional contracted services. (B14-300) **Funding Source – Fees (Pg. 74)**
- c. Sexually Transmitted Disease Clinic – Revision in the amount of \$22,000 to recognize additional Medicaid fees earned for lab services. (B14-301) **Funding Source – Fees (Pg. 75)**
- d. Pharmacy – Revision in the amount of \$21,407 to budget additional fees anticipated to be earned for the remainder of the fiscal year and to purchase additional medications for clinic operations. (B14-303) **Funding Source – Fees (Pg. 76)**

(2) Emergency Services **(Pg. 77)**

Revision in the amount of \$13,955 recognize additional grant funds awarded from the Emergency Management Performance Grant. (B14-280) **Funding Source – State**

(3) General Fund Debt Service **(Pg. 84)**

Revision in the amount of \$95,542 to recognize a reduction in the debt service budget resulting from the reissuance of General Obligation Refunding Bonds. (B14-277) **Funding Source – State**

- (4) Beaver Dam Fire District **(Pg. 86)**

Revision in the amount of \$1,000 to cover unanticipated refunds to taxpayers in the amount of \$200 and to increase contract for additional revenue anticipated to earn for remainder of fiscal year in the amount of \$800. (B14-282) **Funding Source – Beaver Dam Fire Tax**

- (5) Bethany Fire District **(Pg. 87)**

Revision in the amount of \$5,000 to cover unanticipated refunds to taxpayers in the amount of \$400 and to increase contract for additional revenue anticipated to be earned for remainder of fiscal year in the amount of \$4,600. (B14-283) **Funding Source – Bethany Fire Tax**

- (6) Cotton Fire District **(Pg. 88)**

Revision in the amount of \$22,000 to cover unanticipated refunds to taxpayers in the amount of \$1,000 and to increase contract for additional revenue anticipated to be earned for remainder of fiscal year in the amount of \$21,000. (B14-284) **Funding Source – Cotton Fire Tax**

- (7) Cumberland Fire District **(Pg. 89)**

Revision in the amount of \$500 to cover unanticipated refunds to taxpayers. (B14-285) **Funding Source – Cumberland Fire Tax**

- (8) Eastover Fire District **(Pg. 90)**

Revision in the amount of \$5,000 to cover unanticipated refunds to taxpayers in the amount of \$200 and to increase contract for additional revenue anticipated to be earned for remainder of fiscal year in the amount of \$4,800. (B14-286) **Funding Source – Eastover Fire Tax**

- (9) Gray's Creek Fire District #18 **(Pg. 91)**

Revision in the amount of \$500 to cover unanticipated refunds to taxpayers. (B14-287) **Funding Source – Grays Creek #18 Fire Tax**

- (10) Gray's Creek Fire District #24 **(Pg. 92)**

Revision in the amount of \$500 to cover unanticipated refunds to taxpayers. (B14-288) **Funding Source – Grays Creek #24 Fire Tax**

- (11) Lake Rim Fire District **(Pg. 93)**

Revision in the amount of \$1,000 to increase contract for additional revenue anticipated to be earned for remainder of fiscal year. (B14-289)

Funding Source – Lake Rim Fire Tax

- (12) Pearces Mill Fire District **(Pg. 94)**

Revision in the amount of \$5,000 to cover unanticipated refunds to taxpayers in the amount of \$200 and to increase contract for additional revenue anticipated to be earned for remainder of fiscal year in the amount of \$4,800. (B14-290) **Funding Source – Pearces Mill Fire Tax**

- (13) Stedman Fire District **(Pg. 95)**

Revision in the amount of \$1,000 to cover unanticipated refunds to taxpayers in the amount of \$200 and to increase contract for additional revenue anticipated to be earned for remainder of fiscal year in the amount of \$800. (B14-291) **Funding Source – Stedman Fire Tax**

- (14) Stoney Point Fire District **(Pg. 96)**

Revision in the amount of \$5,000 to cover unanticipated refunds to taxpayers in the amount of \$1,000 and to increase contract for additional revenue anticipated to be earned for remainder of fiscal year in the amount of \$4,000. (B14-292) **Funding Source – Stoney Point Fire Tax**

- (15) Vander Fire District **(Pg. 97)**

Revision in the amount of \$20,000 to cover unanticipated refunds to taxpayers in the amount of \$1,000 and to increase contract for additional revenue anticipated to be earned for remainder of fiscal year in the amount of \$19,000. (B14-293) **Funding Source – Vander Fire Tax**

- (16) Wade Fire District **(Pg. 98)**

Revision in the amount of \$1,000 to cover unanticipated refunds to taxpayers in the amount of \$200 and to increase contract for additional revenue anticipated to be earned for remainder of fiscal year in the amount of \$800. (B14-294) **Funding Source – Wade Fire Tax**

- (17) Westarea Fire District **(Pg. 99)**

Revision in the amount of \$20,000 to cover unanticipated refunds to taxpayers in the amount of \$1,000 and to increase contract for additional

revenue anticipated to be earned for remainder of fiscal year in the amount of \$19,000. (B14-295) **Funding Source – Westarea Fire Tax**

(18) Westarea Fire District #10 **(Pg. 100)**

Revision in the amount of \$3,200 to cover unanticipated refunds to taxpayers in the amount of \$200 and to increase contract for additional revenue anticipated to be earned for remainder of fiscal year in the amount of \$3,000. (B14-296) **Funding Source – Westarea #10 Fire Tax**

(19) Emergency Services Grants **(Pg. 101)**

Revision in the amount of \$7,726 to recognize capital outlay purchase of mobile light tower with Emergency Management Grant funds by Duplin County and transferred to Cumberland County at no cost. (B14-305) **Funding Source – Other**

N. **PROCLAMATION NAMING MARCH 28, 2014 AS JAMES E. MARTIN DAY IN CUMBERLAND COUNTY**

3. Public Hearings **(Pgs. 102-166)**

Uncontested Rezoning Cases

- A. Case P14-04: Rezoning of 2.50+/- acres from A1 Agricultural to R40A Residential, or to a more restrictive zoning district, located at 3814 Linden Road, submitted by Rudolph Jacob and Arnice F. Roper (owners). **(Pg. 102)**

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 THE REQUEST CONSISTENT WITH THE LUP AND APPROVED AND ADOPTED THE REASONABLENESS STATEMENT

ACTION: APPROVED R40A

- B. Case P14-06: Rezoning of .67+/- acre from C1(P) Planned Local Business and R6A Residential to C1(P) Planned Local Business, or to a more restrictive zoning district; located at 2986 Cumberland Road; submitted by Neill E. Clark, Billie H. Clark and David E. Clark on behalf of Skibo Properties, LLC. (owner). **(Pg. 105)**

Staff Recommendation: 1st Motion: Find the request consistent with the LUP and approve and adopt the reasonableness statement; 2nd Motion: Approve C1(P)

Planning Board Recommendation: Approve Staff Recommendation

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

ACTION: APPROVED C1(P)

- C. Case P14-07: Rezoning of 1.00+/- acre from A1 Agricultural to R40 Residential, or to a more restrictive zoning district; located on the north side of SR 2245 (Thrower Road), east of SR 2372 (North Fork Lane); submitted by Robert L. McNair (owner) and Timothy B. Evans. **(Pg. 108)**

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 THE REQUEST CONSISTENT WITH THE LUP AND APPROVED AND ADOPTED THE REASONABLENESS STATEMENT

ACTION: APPROVED R40

- D. Case P14-08: Rezoning of 3.00+/- acres from C(P) Planned Commercial and R6A Residential to C(P) Planned Commercial, or to a more restrictive zoning district, located at 3840 and 3850 Legion Road, submitted by James C. and Catherine Melvin (owners) and David Evans. **(Pg. 111)**

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

Planning Board Recommendation: Approve Staff Recommendation

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

ACTION: APPROVED C(P)

Contested Rezoning Cases

- E. Case P14-05: Rezoning of .36+/- acre from R6 Residential to R6A Residential, or to a more restrictive zoning district, located at 3112 Dyke Street, submitted by David Gause (owner). **(Pg. 114)**

Staff Recommendation: 1st Motion: Find the request consistent with the LUP and approve and adopt the reasonableness statement; 2nd Motion: Approve R6A

Planning Board Recommendation: 1st Motion: Did not find the request consistent with the LUP and found the request is not reasonable or in the public interest; 2nd Motion: Deny R6A

ACTION: FOUND THE REQUEST CONSISTENT WITH THE LUP AND FOUND THE REQUEST NOT REASONABLE OR IN THE PUBLIC BEST INTEREST

ACTION: DENIED R6A

Minimum Housing Code Enforcement

F. Case Number: MH 377-2013 **(Pg. 117)**
Property Owner: Tony Leo & John A. Ridzelski
Property Location: 6203 Gregory Street, Fayetteville, NC
Parcel Identification Number: 0419-77-5067

ACTION: 30 DAYS

G. Case Number: MH 375-2013 **(Pg. 123)**
Property Owner: Tony Leo & John A. Ridzelski
Property Location: 6211 Gregory Street, Fayetteville, NC
Parcel Identification Number: 0419-77-5138

ACTION: 30 DAYS

H. Case Number: MH 289-2013 (Unit 1) **(Pg. 129)**
Property Owner: Alfred W. Fann
Property Location: 3045 Custer Ave, Fayetteville, NC
Parcel Identification Number: 0459-27-3445

ACTION: 120 DAYS

I. Case Number: MH 289-2013 (Unit 2) **(Pg. 135)**
Property Owner: Alfred W. Fann
Property Location: 3103 Custer Ave, Fayetteville, NC
Parcel Identification Number: 0459-27-4705

ACTION: 120 DAYS

J. Case Number: MH 374-2013 **(Pg. 141)**
Property Owner: Floyd Parker Heirs, c/o Cynthia Mc Donald
Property Location: 3775 Critter Creek Road, Fayetteville, NC
Parcel Identification Number: 0440-53-6971

ACTION: 60 DAYS

K. REMOVED FROM AGENDA

L. Case Number: MH 431-2013 **(Pg. 155)**
Property Owner: Henry & Rena M. McMillian
Property Location: 3397 & 3417 Departure Lane, Eastover, NC
Parcel Identification Number: 0469-73-6015

ACTION: 30 DAYS

M. Case Number: MH 435-2013 **(Pg. 161)**
Property Owner: Deborah H. Suarez c/o Aaron Suarez
Property Location: 1704 Chaffin Circle, Fayetteville, NC
Parcel Identification Number: 0442-65-7782

ACTION: 30 DAYS

Items of Business

4. Presentation of Six-Month Update on Alliance Behavioral Healthcare System Services by
Ms. Ellen Holliman, CEO. **(Pg. 167)**

ACTION: RECEIVED UPDATE

5. Presentation from Cumberland County CommuniCare and Update on Court-Ordered
Care Services by Ms. Sarah Hallock, Executive Director. **(Pg. 168)**

ACTION: RECEIVED PRESENTATION

6. Report from the Health Director on Water Quality Issues on Bullard Circle Located
Off of Ramsey Street. **(Pg. 180)**

ACTION: RECEIVED REPORT

7. Nominations to Boards and Committees **(Pg. 181-197)**

A. Cumberland County Workforce Development Board (1 Vacancy) **(Pg. 181)**

NOMINEE(S): RODNEY ANDERSON

B. Tourism Development Authority (1 Vacancy) **(Pg. 191)**

NOMINEE(S): MANISH MEHTA

8. Appointments to Boards and Committees **(Pgs. 198-207)**

A. Appointment of Tourism Development Authority Chairperson **(Pg. 198)**

Nominee: Vivek Tandon

APPOINTEE: VIVEK TANDON

B. Appointment of Equalization and Review Board – Appointment of Officers
(Pg. 201)

Nominees: William “Bill” Holland, Chairman
George Turner, First Vice Chairman
Douglas Stephens, Senior Vice Chairman

**APPOINTEE(S): WILLIAM “BILL” HOLLAND, CHAIRMAN
GEORGE TURNER, FIRST VICE CHAIRMAN
DOUGLAS STEPHENS, SENIOR VICE CHAIRMAN**

C. Animal Control Board (2 Vacancies) **(Pg. 205)**

Nominee(s):

At-Large Positions: Shelly Bryan
Cindy Collins

**APPOINTEE(S): SHELLY BRYAN
CINDY COLLINS**

RECESSED THE BOARD OF COMMISSIONERS’ MEETING

**CONVENED THE BRAGG ESTATES WATER & SEWER DISTRICT GOVERNING
BOARD MEETING (SEE SEPARATE AGENDA) / ADJOURNED (PGS. 208-210)**

RECONVENED THE REGULAR BOARD OF COMMISSIONERS MEETING

9. Closed Session
- A. Attorney Client Matter(s) Pursuant to
NCGS 143-318.11(a)(3)
 - B. Personnel Matters Pursuant to
NCGS 143-318.11(a)(6)

**C. ECONOMIC DEVELOPMENT MATTER(S)
PURSUANT TO NCGS 143-318.11(A)(4)**

ADJOURNED