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**ACTION AGENDA**  
**CUMBERLAND COUNTY BOARD OF COMMISSIONERS**  
**COURTHOUSE – ROOM 118**  
**MAY 19, 2014**  
**6:45 PM**

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INVOCATION - Commissioner Jimmy Keefe

PLEDGE OF ALLEGIANCE – Kindergarten Students from New Century International  
Elementary School Mandarin Immersion Program

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

Recognition of North Carolina Association of Student Councils' Adviser of the Year

Andrea Phillips, Pine Forest High School

Recognition of Students Elected to the North Carolina Association of Student Councils

Jake Peede, Pine Forest High School  
Jay Shah, Terry Sanford High School  
Rachel Brittain, Cape Fear High School  
Dorian Wright, E.E. Smith  
Kristel Black, Grays Creek High School  
Alex Shelley, Terry Sanford

Recognition of Citizens Academy Graduates (Listed on Separate Sheet) **(Pg. 9)**

Recognition of Buck Wilson, Public Health Director to Serve on the Center of Public Health  
Quality Advisory Board **(Pg. 10)**

1. Approval of Agenda - **APPROVED**
2. Consent Agenda – **APPROVED CONSENT AGENDA ITEMS 2.A. – 2.M.(7)c.**
  - A. Approval of minutes for May 5, 2014 regular meeting and May 8, 2014 special meeting.
  - B. Approval of Appointment of Deputy Finance Officer for Finance Department. **(Pg. 11)**
  - C. Approval of Renewal of Lease of J. E. Carter Site for Solid Waste Convenience Center. **(Pg. 13)**

- D. Approval of Renewal of Lease of Hubbard Site for Solid Waste Convenience Center. **(Pg. 23)**
- E. Approval of Declaration of Surplus County Property and Authorization to Accept Insurance Settlement. **(Pg. 29)**
- F. Approval of Memorandum of Understanding to Transfer a Companion Animal Mobile Equipment Trailer (CAMET) to Cumberland County Emergency Services. **(Pg. 35)**
- G. Approval of Cumberland County Facilities Committee Report and Recommendation(s): **(Pg. 61)**
1. Approval of Lease Renewal for NC Department of Public Safety Located at 412 Russell Street. **(Pg. 70)**
  2. Approval of Lease Renewal for Coastal Horizons Center, Inc (TASC) Located at 412 Russell Street. **(Pg. 72)**
  3. Approval of Exemption for Request of Qualification Based Selection for Engineering Services Needed to Expand Courthouse Parking. **(Pg. 74)**
  4. Approval of Detention Center Expansion Project Closeout. **(Pg. 77)**
- H. Approval of Cumberland County Finance Committee Report and Recommendation(s) (For Information Purposes Only). **(Pg. 79)**
- I. Approval of Ordinance Assessing Property for the Costs of Demolition (2<sup>nd</sup> Reading). **(Pgs. 87-96)**
- 1) Case Number: MH 6961-2012 **(Pg. 89)**  
Property Owner: Marco Garcia  
Property Location: Colonial Park Drive, Fayetteville, NC  
Parcel Identification Number: 0520-66-9057
  - 2) Case Number: MH 35-2013 **(Pg. 91)**  
Property Owner: Citimortgage, Inc.  
Property Location: 7910 Pinebuff Court, Fayetteville, NC  
Parcel Identification Number: 0533-96-4835
  - 3) Case Number: MH 6529-2011 **(Pg. 93)**  
Property Owner: Isia Johnson, Willie D. Crumpler & Gina Logan  
Property Location: 8238 NC Highway 210S, Autryville, NC  
Parcel Identification Number: 1403-29-7383
  - 4) Case Number: MH 7020-2013 **(Pg. 95)**  
Property Owner: Deborah C. Lucas  
Property Location: 1220 McNeill Street, Spring Lake, NC

Parcel Identification Number: 0502-60-9759

J. Approval of Ordinance Assessing Property for the Costs of Demolition

- 1) Case Number: MH 42-2013 **(Pg. 97)**  
Property Owner: Sheila D. Bridges, Sharla D. Lewis,  
Craig A. Donner & Jean M. Donner  
Property Location: 6766 Rockfish Road, Fayetteville, NC  
Parcel Identification Number: 0404-17-4572

K. Approval of Proclamation Proclaiming May 2014 as “Drug Court Month” in Cumberland County. **(Pg. 99)**

L. Approval of Proclamation Recognizing Mr. Joe Dyer Celebrating his 103<sup>rd</sup> Birthday on May 16, 2014. **(Pg. 100)**

M. Budget Revisions: **(Pgs. 101-116)**

(1) Emergency Services **(Pg. 101)**

Revision in the amount of \$10,000 to recognize Local Emergency Planning Commission (LEPC) Hazardous Materials Planning Grant funds to conduct an LEPC exercise and training. (B14-353) **Funding Source – Grant Funds**

(2) Detention Facility Construction Project/General Government Other **(Pg. 103)**

Revisions in the net amount of \$67,000 to appropriate and transfer General Fund fund balance in the amount of \$309,758, recognize contractor sales tax income in the amount of \$180,675, to reduce Funds to be Provided Future Years in the amount of \$423,433 and pay the final construction contract for the expansion of the Detention Facility, as recommended by the Facilities Committee. (B14-354 and B14-354A) **Funding Source – General Fund Fund Balance and Contractors Sales Tax**

(3) Crown Center/General Fund Debt Service **(Pg. 105)**

Revisions in the amount of \$55,193 to eliminate the transfer to the General Fund for the Crown Center’s portion of the debt service on the Guaranteed Energy Savings Capital lease and move the payments to the Crown Center Debt Service Fund. (B14-361 thru B14-361C) **Funding Source – Reallocation of Budgeted Expenditures and Revenues**

(4) Recreation and Parks **(Pg. 109)**

Revision in the amount of \$175,000 to recognize additional Recreation Tax collections for payment to the City of Fayetteville per the recreation contract for services. (B14-369) **Funding Source – Recreation Tax**

(5) Hope Mills Recreation and Parks **(Pg. 110)**

Revision in the amount of \$50,000 to recognize additional Recreation Tax collections for payment to Hope Mills per the recreation contract for services. (B14-370) **Funding Source – Hope Mills Recreation Tax**

(6) Juvenile Crime Prevention

a. Revision in the amount of \$1,263 to recognize additional state funds for Teen Court. (B14-356) **Funding Source – State (Pg. 111)**

b. Revision in the amount of \$20,779 to recognize additional state funds for the Fayetteville-Cumberland Juvenile Restitution Program. (B14-362) **Funding Source – State (Pg. 112)**

c. Revision in the amount of \$3,774 to adjust Find-A-Friend In-kind to match the State. (B14-371) **Funding Source – In-Kind (Pg. 113)**

(7) Health

a. Environmental Health - Revision in the amount of \$2,913 to budget additional state funds for the Summer Food Program. (B14-366) **Funding Source – State (Pg. 114)**

b. NC Communicable Disease – Revision in the amount of \$4,000 to recognize additional Medicaid Fees to fund operational expenses. (B14-367) **Funding Source – Fees (Pg. 115)**

c. Sexually Transmitted Disease Clinic – Revision in the amount of \$34,000 to recognize additional Medicaid Fees to fund lab services for STD patients. (B14-368) **Funding Source – Fees (Pg. 116)**

3. Public Hearings **(Pgs. 117-189)**

**Uncontested Rezoning Cases**

A) Case P14-13: Rezoning of 10.26+/- acres from A1 Agricultural to R40 Residential, or to a more restrictive zoning district; located on the north side of SR 2245 (Thrower Road), west of NC HWY 87 S; submitted by Vance Upton Tyson, Jr. on behalf of Vance Upton Tyson Heirs (owner) and Tim Evans. **(Pg. 117)**

**Staff Recommendation: 1<sup>st</sup> Motion: Find the request consistent with the LUP and approve and adopt the reasonableness statement; 2<sup>nd</sup> 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 P14-14: Rezoning of 20.85+/- acres from A1 Agricultural to R40 Residential, or to a more restrictive zoning district, located on both sides of SR 2233 (School Road) and southwest of NC HWY 87 S, submitted by Charles J. Devore on behalf of Dorothy Edge Devore Heir (owner) and Tim Evans. **(Pg. 120)**

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

- C) Case P14-18: Rezoning of .82+/- acre from R6A Residential to C(P) Planned Commercial, or to a more restrictive zoning district; located on the northwest side of SR 2337 (Wilmington Hwy), northeast side of SR 2266 (Manley Street); submitted by Ronnie L. Gibson on behalf of A.C.C.S. Allstate Contracting and Cleaning Service, LLC. (owner). **(Pg. 123)**

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

- D) Case P14-19: Rezoning of .19+/- acre from RR Rural Residential/DD Density Development/CUD Conditional Use District to A1 Agricultural, or to a more restrictive zoning district; located south of Running Fox Road, west of Carriage Crossing Road; submitted by Walter W. Little on behalf of Roslin Farms West Owners Association (owner) and Chuck Richardson, PE on behalf of South River EMC. **(Pg. 126)**

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

- E) Case P14-20: Rezoning of .38+/- acre from C1(P) Planned Local Business to C2(P) Planned Service and Retail, or to a more restrictive zoning district, located at 3701 and 3713 Cumberland Road, submitted by Brian V. and Wendy V. Barber (owners) and Kenneth Whitlock. **(Pg. 129)**

**Staff Recommendation: 1<sup>st</sup> Motion: Find the request consistent with the LUP and approve and adopt the reasonableness statement; 2<sup>nd</sup> 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)**

#### **Contested Rezoning Case**

- F) Case P14-15: Rezoning of 20.00+/- acres from RR Rural Residential to R7.5 Residential, or to a more restrictive zoning district; located on the northwest side of SR 1115 (Black Bridge Road), southeast of Home Stakes Drive; submitted by Levane Mabe and Mary Gail Douglas (owners) and Watson Caviness. **(Pg. 132)**

**Staff Recommendation: 1<sup>st</sup> Motion: Find the request consistent with the LUP and approve and adopt the reasonableness statement; 2<sup>nd</sup> Motion: Approve R7.5**

**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 R7.5**

#### **Minimum Housing Code Enforcement**

- G) Case Number: MH 413-2013 **(Pg. 135)**  
Property Owner: Charles & Rosalyn Dent  
Property Location: 1326 Davis Street, Fayetteville, NC (6 units, Tract1)  
Parcel Identification Number: 0419-74-6917

**ACTION: 30 DAYS**

- H) Case Number: MH 415-2013 **(Pg. 142)**  
Property Owner: Charles & Rosalyn Dent  
Property Location: 1371 Davis Street, Fayetteville, NC (Tract 2)  
Parcel Identification Number: 0419-74-7862

**ACTION: 30 DAYS**

- I) Case Number: MH 412-2013 **(Pg. 149)**  
Property Owner: Charles & Rosalyn Dent  
Property Location: 5756 Peele Street, Fayetteville, NC (4 units, Tract 3)  
Parcel Identification Number: 0419-74-5782

**ACTION: 30 DAYS**

- J) Case Number: MH 401-2013 **(Pg. 156)**  
Property Owner: Charles & Rosalyn Dent  
Property Location: 5733 Peele Street, Fayetteville, NC (4 units, Tract 4)  
Parcel Identification Number: 0419-74-3595

**ACTION: 30 DAYS**

- K) Case Number: MH 313-2013 **(Pg. 163)**  
Property Owner: Wilson Williams, Jr.  
Property Location: 4612 Hankins Street, Hope Mills, NC  
Parcel Identification Number: 0423-58-8333

**ACTION: 60 DAYS**

- L) Case Number: MH 249-2013 **(Pg. 169)**  
Property Owner: Rodney E. & Jennifer C. Price & Robert William Price  
Property Location: 1618 Cumberland Drive, Fayetteville, NC  
Parcel Identification Number: 0520-59-6496

**ACTION: 30 DAYS**

- M) Case Number: MH 404-2013 **(Pg. 177)**  
Property Owner: Brittany Nunnery  
Property Location: 7616 Disappearing Trail, Roseboro, NC  
Parcel Identification Number: 1441-11-3438

**ACTION: 30 DAYS**

- N) Case Number: MH 476-2014 **(Pg. 183)**  
Property Owner: Felicia Bevel, c/o Valerie Pace  
Property Location: 2379 Sand Hill Road, Fayetteville, NC  
Parcel Identification Number: 0443-10-2666

**ACTION: 30 DAYS**

Items of Business

4. Nominations to Boards and Committees (Pgs. 190-211)

A. Cumberland County Workforce Development Board (1 Vacancy) (Pg. 190)

**NOMINEE(S): RICHARD EVERETT**

B. Parks and Recreation Advisory Board (2 Vacancies) (Pg. 199)

**NO NOMINATIONS MADE / FORWARD TO FUTURE AGENDA**

C. Social Services Board (1 Vacancy) (Pg. 206)

**NOMINEE(S): COMMISSIONER EDWARD G. MELVIN**

5. Appointments to Boards and Committees (Pg. 212-222)

A. ABC Board (2 Vacancies) (Pg. 212)

Nominees: A. Johnson Chestnutt (Reappointment)  
Terri Thomas (Reappointment)

**APPOINTEE(S): A. JOHNSON CHESTNUTT  
TERRI THOMAS**

B. Fayetteville Technical Community College Board of Trustees (1 Vacancy) (Pg. 214)

Nominee: Dr. Marye Jeffries (Reappointment)

**APPOINTEE(S): DR. MARYE JEFFRIES**

C. Tourism Development Authority (1 Vacancy) (Pg. 216)

Nominee:

Member of the Public Not Affiliated with Travel/Tourism:

Dallas Mack Freeman (Reappointment)

**APPOINTEE(S): DALLAS MACK FREEMAN**

D. Transportation Advisory Board (2 Vacancies) (Pg. 219)

Nominees:

Mental Health Representative or Designee: Vince Wagner (Reappointment)



Urban Transit Provider Representative:

James Roper

**APPOINTEE(S): VINCE WAGNER  
JAMES ROPER**

6. Closed Session: If Needed – **NO CLOSED SESSION NEEDED**

**ADJOURNED**