
**ACTION AGENDA
CUMBERLAND COUNTY BOARD OF COMMISSIONERS
COURTHOUSE – ROOM 118
SEPTEMBER 21, 2015
6:45 PM**

INVOCATION - Commissioner Jimmy Keefe

PLEDGE OF ALLEGIANCE

Emily Sophia Keefe, New Century International Elementary School - 2nd grade

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

Recognition of Commissioner Jeannette Council on Receiving the North Carolina Association of Black County Officials Outstanding Member of the Year Award

REQUEST TO REMOVE ITEM 7.A. CLOSED SESSION FOR ECONOMIC DEVELOPMENT MATTER(S) PURSUANT TO NCGS 143-318.11(A)(4) AND 7.C. CLOSED SESSION FOR PERSONNEL MATTERS PURSUANT TO NCGS 143-318.11(A)(6)

1. Approval of Agenda – **APPROVED WITH REMOVAL OF ITEM 7.A. CLOSED SESSION FOR ECONOMIC DEVELOPMENT MATTER(S) PURSUANT TO NCGS 143-318.11(A)(4) AND ITEM 7.C. CLOSED SESSION FOR PERSONNEL MATTERS PURSUANT TO NCGS 143-318.11(A)(6)**
2. Consent Agenda – **APPROVED CONSENT AGENDA ITEMS 2.A. – 2.I.2)**
 - A. Approval of minutes of the September 8, 2015 regular meeting.
 - B. Approval of Offer to Purchase Surplus Property Described at Lot 5 Permastone Acres West Containing 9.82 Acres. **(Pg. 7)**
 - C. Approval of Payment of Prior Year Payment Request from Emergency Services for Telecommunicator Professional Development. **(Pg. 8)**
 - D. Approval of FY2015-2016 Agreement of Conditions and Local Governmental Resolution for Continued Funding of the Governor's Highway Safety Program Grant for Cumberland County Sobriety Court (3rd Year Funded at 100%). **(Pg. 21)**
 - E. Approval of Ordinance Assessing Property for the Cost of Demolition:

- 1) Case Number: MH 781-2014 **(Pg. 29)**
Property Owner: Randy V. & Melanie E. Kaha
Property Location: 2548 Pinnacle Drive, Fayetteville, NC
Parcel Identification Number: 0415-56-0604
- 2) Case Number: MH 832-2014 **(Pg. 31)**
Property Owner: Evelyn C. Smith
Property Location: 3117 Cope Street, Fayetteville, NC
Parcel Identification Number: 0426-50-7984
- 3) Case Number: MH 855-2014 **(Pg. 33)**
Property Owner: Cleo D. Pickard
Property Location: 6347 Pine Street, Fayetteville, NC
Parcel Identification Number: 0520-48-3629
- 4) Case Number: MH 901-2014 **(Pg. 35)**
Property Owner: Tony L. & Marsha Tyson
Property Location: 6606 Parkton Road, Parkton, NC
Parcel Identification Number: 0403-80-7384

F. Approval of Cumberland County Facilities Committee Report and Recommendation(s): **(Pgs. 37)**

- 1) Fellowship Health Resources Lease Agreement **(Pg. 42)**

G. Approval of Cumberland County Finance Committee Report and Recommendation(s): **(Pgs. 52)**

- 1) Internal Audit Plan **(Pg. 57)**

H. Approval of a Proclamation Designating September 19 - October 3, 2015 as “Fall Litter Sweep” in Cumberland County. **(Pg. 58)**

I. Budget Revisions: **(Pgs. 59)**

- 1) Sheriff’s Office Grants **(Pg. 59)**

Revision in the amount of \$144,414 to recognize the award of the Edward Byrne Justice Grant. (B16-077) **Funding Source – Grant**

- 2) School Capital Outlay II **(Pg. 65)**

Revision in the amount of \$30,000 to budget Capital Outlay expenditures as approved by the Cumberland County Board of Education. (B16-081) **Funding Source – Fund Balance Appropriated (Sales Tax)**

3. Public Hearings **(Pgs. 66-132)**

Uncontested Conditional Zoning Case

- A. **Case P15-44:** Rezoning of 2.27+/- acres from A1 Agricultural to C(P) Planned Commercial, or to a more restrictive zoning district; located in the northern quadrant of SR 1006 (Maxwell Road) and SR 1826 (Wade Stedman Road); submitted by Joseph T. Geddie and Violet G. Dowd (owners) and Par 5 Development Group, LLC. **(Pg. 66)**

Staff Recommendation:

1st motion for Case P15-44: 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 included in the agenda package 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 P15-44: Move to deny the request for C(P) Planned Commercial district but approve the rezoning for C2(P) Planned Service and Retail district as recommended by the Planning Staff included in the agenda package 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

- B. **Case P15-45:** Rezoning of .89+/- acre from C1(P) Planned Local Business to C(P) Planned Commercial or to a more restrictive zoning district; located at 1001, 1001B, 1003 and 1007 Honeycutt Road; submitted by Mary Lee Peaden (owner), Steve and Bev Soderholm. **(Pg. 69)**

Staff Recommendation:

1st motion for Case P15-45: 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 included in the agenda package 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 P15-45: Move to approve the rezoning for C(P) Planned Commercial as recommended by the Planning Staff included in the agenda package 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

Contested Conditional Zoning Case

- C. **Case P15-46:** Rezoning of 252.00+/- acres from PND Planned Neighborhood to MXD Mixed Use/CZ Conditional Zoning or to a more restrictive zoning district; located south of SR 1606 (Elliott Farm Road), west of US 401 (Ramsey Street); submitted by Don B. Broadwell, Jr. on behalf of Broadwell Land Company (owner). **(Pg. 72)**

Staff Recommendation:

1st motion for Case P15-46: 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 included in the agenda package 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 P15-46: Move to approve the rezoning for MXD Mixed Use Development / CZ Conditional Zoning as recommended by the Planning Staff included in the agenda package 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. Case Number: MH 887-2014 **(Pg. 87)**
Property Owner: Mary E. Shipman
Property Location: 7776 Godwin-Falcon Road, Falcon, NC
Parcel Identification Number: 1502-18-9361

ACTION: 30 DAYS

Other Public Hearings

- E. Public Hearing on the Community Development Program Year 2014 Consolidated Annual Performance and Evaluation Report (CAPER) –
**RECEIVED PRESENTATION AND CONDUCTED PUBLIC HEARING -
NO ACTION (Pg. 93)**

ITEMS OF BUSINESS

4. Consideration of Approval of Interlocal Agreement with the City of Fayetteville for Conducting Economic Development Activities. – **APPROVED INTERLOCAL AGREEMENT WITH DELETION OF STATEMENT IN ATTACHMENT 1 REGARDING CURRENT STAFF** **(Pg. 133)**

5. Nominations to Boards and Committees **(Pgs. 139-154)**

- A. Cumberland County Local Emergency Planning Committee (2 Vacancies) **(Pg. 139)**

**NOMINEE(S): KEVIN ARATA
STEVE ROGERS**

6. Appointments to Boards and Committees **(Pgs. 155-163)**

- A. Board of Adjustment (1 Vacancy) **(Pg. 155)**

Nominee:

Regular Member: Alfonso Ferguson, Sr.

APPOINTEE(S): ALFONSO FERGUSON, SR.

- B. Fayetteville Area Convention & Visitors Bureau (2 Vacancies) **(Pg. 158)**

Nominees:

Hotels/Motels Over 100 Rooms Representative: Laura Leal

At-Large Representative: Becki D. Kirby

**APPOINTEE(S): LAURA LEAL
BECKI D. KIRBY**

- C. Joint Senior Citizens Advisory Commission (3 Vacancies) **(Pg. 162)**

Nominees: Carey Berg
Patricia Fairley
Willie Wright

**APPOINTEE(S): CAREY BERG
PATRICIA FAIRLEY
WILLIE WRIGHT**

7. Closed Session:
- A. **REMOVED FROM AGENDA**
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)
 - C. **REMOVED FROM AGENDA**
Personnel Matter(s) Pursuant to
NCGS 143-318.11(a)(6)

**ACTION TO ACCEPT PROPOSAL OF PIEDMONT NATURAL GAS TO PURCHASE
LOT 41 IN THE CUMBERLAND COUNTY INDUSTRIAL CENTER FOR \$125,000
SUBJECT TO UPSET BID PROCESS**

**ACTION TO APPROVE SETTLEMENT OF A CLAIM WITH JULIUS WILLIAMS IN
THE AMOUNT OF \$5,000 FOR ALLEGED INJURIES ARISING OUT OF ALLEGED
FALL AT JAIL ON SEPTEMBER 30, 2012**

ADJOURNED