
**ACTION AGENDA
CUMBERLAND COUNTY BOARD OF COMMISSIONERS
COURTHOUSE – ROOM 118
AUGUST 15, 2016
6:45 PM**

INVOCATION - Commissioner Jimmy Keefe

PLEDGE OF ALLEGIANCE –

NCACC Recognition

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

1. Approval of Agenda - **APPROVED**

REQUEST TO REMOVE ITEMS 2. D. AND 2.E. TO BE BROUGHT BACK AT A LATER TIME

2. Consent Agenda – **APPROVED CONSENT AGENDA ITEMS 2.A. – 2.M.5) WITH THE EXCEPTION OF ITEMS 2.D. AND 2.E. AS REMOVED**
 - A. Approval of minutes for the August 1, 2016 regular meeting.
 - B. Approval of Declaration of Surplus County Property and Authorization to Accept Insurance Settlements.
 - 1) Sheriff's Office **(Pg. 10)**
 - 2) Solid Waste Enterprise Fund **(Pg. 12)**
 - C. Approval of Offer to Purchase Surplus Property Located at 5950 Abco Lane, Fayetteville, and Being Lot 60 McNeill Sands, Sec 4 (2.77 Acs), Plat Book 100, Page 161. **(Pg. 15)**
 - D. **REMOVED** - Approval of Offer of L&I Investments, LLC, to Purchase Certain Real Property Located at 1114 Morgan Street, Fayetteville, NC. **(Pg. 16)**
 - E. **REMOVED** - Approval of Offer of L&I Investments, LLC, to Purchase Certain Real Properties, Being a Lot Containing 0.19 ac. Ashley Street; Lot 204 Savoy Heights, 1112 Turnpike Road; and Lot 206 Savoy Heights, Turnpike Road. **(Pg. 17)**

- F. Approval of Sale of Surplus Real Property, Being Lot 8 McNeill Sands, Sec. 2.
(Pg. 19)
- G. Approval of Cumberland County Facilities Committee Report and Recommendations: **(Pg. 21)**
- 1) Winding Creek Facility Renovation Bid **(Pg. 28)**
 - 2) Resolution of Intent to Lease Certain Real Property to Hometown Sports America, Inc. and Conduct Statutorily Required Advertising **(Pg. 30)**
 - 3) Lease Agreement Renewal for the Williams Solid Waste Container Site **(Pg. 32)**
- H. Approval of Cumberland County Finance Committee Report and Recommendations: **(Pg. 37)**
- 1) Request for Proposals for the Cumberland County Workforce Development Program **(Pg. 55)**
 - 2) Business Process Recommendations for the Food and Nutrition Program at the Department of Social Services **(Pg. 93)**
- I. Approval of Cumberland County Policy Committee Report and Recommendations: **(Pg. 94)**
- 1) Community Transportation Title VI Plan **(Pg. 117)**
 - 2) Community Transportation System Safety Plan Update **(Pg. 118)**
- J. Approval of Demolition of County-Owned Property:
- 1) Case Number: BI-2016-001 **(Pg. 125)**
Property Owner: Cumberland County
Property Location: 324 E. Jenkins Street, Fayetteville, NC
Parcel Identification Number: 0436-33-7038
- K. Approval of Ordinance Assessing Property for the Cost of Demolition:
- 1) Case Number: MH 1224-2015 **(Pg. 128)**
Property Owner: Barbara M. Johnson
Property Location: 6821 Camden Road, Fayetteville, NC
Parcel Identification Number: 0404-04-8665
 - 2) Case Number: MH 1254-2015 **(Pg. 130)**
Property Owner: Isaac Rowland Williams
Property Location: 2402 Moody Street, Fayetteville, NC
Parcel Identification Number: 0426-91-8266

L. Approval of a Proclamation Designating August 26, 2016 as “Women’s Equality Day”. (Pg. 132)

M. Approval of Budget Revisions: (Pg. 133)

General Fund 101

1) Emergency Services - Budget Ordinance Amendment B170002 to recognize grant amount of \$1,000 for the Tier II Grant

The Board is requested to approve Budget Ordinance Amendment B170002 in the amount of \$1,000 representing grant funds from the state of North Carolina, Department of Public Safety, Emergency Management. These funds are to be used for hazardous materials emergency response planning, training and related exercises.

Please note this amendment requires no additional county funds.

2) Sheriff Grants - Budget Ordinance Amendment B170286 to recognize grant amount of \$40,003 for the ICAC Grant

The Board is requested to approve Budget Ordinance Amendment B170286 in the amount of \$40,003 representing grant funds from the state of North Carolina, Department of Public Safety, Governor’s Crime Commission. These funds are to be used in conjunction with initiatives relating to Internet Crimes Against Children (ICAC).

Please note this amendment requires no additional county funds.

REGARDING THE FOLLOWING ITEMS 3 – 4 PLEASE NOTE:

Each fiscal year County departments may have projects that are not complete by the fiscal year end (6/30/16) or items ordered that have not been received by fiscal year end. These projects or items were approved in the Fiscal Year 2016 budget however the money was not spent by June 30, 2016. The following amendments seek to bring those funds forward from FY 2016 into the current fiscal year, allowing departments to complete and pay for these items. These revisions are not using ‘new’ funds, but are recognizing the use of FY16 funds in FY17.

General Fund 101

3) Library - Budget Ordinance Amendment B170019 to appropriate FY16 fund balance in the amount of \$8,496

The Board is requested to approve Budget Ordinance Amendment B170019 in the amount \$8,496 to appropriate fund balance. These funds are to be

used to purchase self-checkout swipe card replacements, however the project was not completed in FY16 but is scheduled for the current year.

Please note this amendment requires a re-appropriation of FY16 fund balance to the current year.

Crown Fund 600

4) Crown - Budget Ordinance Amendment B170486 to appropriate FY16 fund balance in the amount of \$120,273

The Board is requested to approve Budget Ordinance Amendment B170486 in the amount of \$120,273 to appropriate fund balance. The majority of these funds will be used to purchase hand held radio equipment to be used by staff. The remaining balance will be used towards contracted services.

Please note this amendment requires a re-appropriation of FY16 fund balance to the current year.

Contingency Funds Report

- 5) The County Manager approved a decrease in contingency funds of \$6,961. This decrease was due to an increase of Cumberland County's portion of the hazardous materials response unit that is part of our Interlocal Agreement with the City of Fayetteville. At the time the FY17 budget was prepared, the final amount requested by was unknown. The total county portion of the hazardous materials response budget is \$87,961.

3. Public Hearings (Pgs. 135-162)

Uncontested Rezoning Cases

- A. **Case P16-29:** Rezoning of 2.81+/- acres from A1 Agricultural to R40 Residential, or to a more restrictive zoning district, located at 6309 NC Highway 87 South, submitted by Edmon & Eva Horn (owners). **(Pg. 135)**

Staff Recommendation:

1st motion for Case P16-29: 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 P16-29: Move to approve the rezoning for R40 Residential 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 P16-30:** Rezoning of 7.87+/- acres from RR Residential & CD Conservancy District to A1 Agricultural, or to a more restrictive zoning district, located at 8175 McCormick Bridge Rd, submitted by Tom Brooks (agent) on behalf of McCormick Farms Limited Partnership (owner). **(Pg. 138)**

Staff Recommendation:

1st motion for Case P16-30: 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 P16-30: Move to approve the rezoning for A1 Agricultural and CD Conservancy (where the SFSH exists) 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

- C. **Case P16-34:** Rezoning 20.90+/- acres from A1 Agricultural to R20 Residential, or to a more restrictive zoning district; located at the northeast quadrant of US HWY 401 (Ramsey Street) & SR 1704 (Palestine Road); submitted by Glenda Little (owner) & Brian Raynor (agent). **(Pg. 141)**

Staff Recommendation:

1st motion for Case P16-34: 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 P16-34: Move to approve the rezoning for R20 Residential 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

- D. **Case P16-37:** Rezoning of 3.01+/- acres from A1 Agricultural to A1A Agricultural, or to a more restrictive zoning district; located on the west side of SR 2243 (Roslin Farm Road), south of Running Fox Road; submitted by Ada Faye C. Bramble (owner). **(Pg. 144)**

Staff Recommendation:

1st motion for Case P16-37: 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 P16-37: Move to approve the rezoning for A1 Agricultural 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 Rezoning Case

- E. **Case P16-32:** Rezoning of 2.01+/- acre from A1 Agricultural to A1A Agricultural, or to a more restrictive zoning district, located at 1430 Port Richey Lane, submitted by Joy Pittman (owner). **(Pg. 147)**

Staff Recommendation:

1st motion for Case P16-32: 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 P16-32: Move to approve the rezoning for A1 Agricultural 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: Deny the rezoning request

ACTION: DENIED REZONING REQUEST

Minimum Housing Code Enforcement

F. Case Number: MH 1389-2016 **(Pg. 151)**
Property Owner: Peggy Jones & Harry Hales
Property Location: 5025 Cumberland Road, Fayetteville, NC
Parcel Identification Number: 0405-85-2535

ACTION: 30 DAYS

G. Case Number: MH 1414-2016 **(Pg. 157)**
Property Owner: Donald D. Diamond, Sr.
Property Location: 5505 Gilcrest Sands Drive, Hope Mills, NC
Parcel Identification Number: 0413-35-7819

ACTION: 30 DAYS

ITEMS OF BUSINESS

4. Nominations to Boards and Committees **(Pgs. 163-186)**
- A. Alliance Behavioral Healthcare Board of Directors (3 Vacancies) **(Pg. 163)**

**NOMINEE(S): CHRISTOPHER BOSTOCK
LODIES GLOSTON
KENNETH EDGE**

- B. Cumberland County Workforce Development Board (4 Vacancies) **(Pg. 168)**

**NOMINEE(S): JOY MILLER
JIMMY DRISCOLL
DAVID SERVIE
JODY RISACHER**

5. Appointments to Boards and Committees **(Pgs. 187-195)**
- A. Cumberland County Workforce Development Board (3 Vacancies) **(Pg. 187)**

Nominees:

Representative of Business: Jamerus Payton

Representative of Workforce: Crystal Bennett
Carl Manning

**APPOINTEE(S): JAMERUS PAYTON
CRYSTAL BENNETT
CARL MANNING**

B. Transportation Advisory Board (2 Vacancies) **(Pg. 192)**

Nominees:

Sheltered Workshop Director or Designee: Dwayne Beason

County Health Director or Designee: Barbara Carraway

**APPOINTEE(S): DWAYNE BEASON
BARBARA CARRAWAY**

RECESSED THE BOARD OF COMMISSIONERS' MEETING

OVERHILLS PARK WATER & SEWER DISTRICT GOVERNING BOARD:

CONVENED THE OVERHILLS PARK WATER & SEWER DISTRICT GOVERNING BOARD MEETING (SEE SEPARATE AGENDA) **(Pg. 196)**

1. Items of Business

A. Approval of minutes of August 1, 2016 meeting - **APPROVED**

B. Consideration of Overhills Park Water & Sewer District Required Bond Actions: **(Pg. 197)**

1) Bond Order of the Overhills Park Water and Sewer District Authorizing the Issuance of Water and Sewer System Revenue Bonds - **APPROVED (Pg. 199)**

2) Resolution Authorizing the Issuance and Sale of Water and Sewer System Revenue Bond Anticipation Notes in the Aggregate Principal Amount of \$1,379,000 - **APPROVED (Pg. 230)**

ADJOURNED THE OVERHILLS WATER & SEWER DISTRICT GOVERNING BOARD MEETING

CONVENED THE BOARD OF COMMISSIONERS' MEETING

- 6. Closed Session: A. Economic Development Matter(s)
Pursuant to NCGS 143-318.11(a)(4)

ADJOURNED