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**ACTION AGENDA  
CUMBERLAND COUNTY BOARD OF COMMISSIONERS  
COURTHOUSE – ROOM 118  
JUNE 20, 2016  
6:45 PM**

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INVOCATION - Commissioner Marshall Faircloth, Chairman

PLEDGE OF ALLEGIANCE –

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

Recognition of Fayetteville-Cumberland Youth Council (FCYC) on receiving two distinguished awards at the North Carolina State Youth Council Spring Conference. The Fayetteville-Cumberland Youth Council received the award for Most Outstanding Project of the Year and also received the highest honor of the conference: 2016 Most Outstanding Youth Council Award.

**(Pg. 14)**

Recognition of Fayetteville-Cumberland Human Relations Commission's 2016 Martin Luther King Scholarship Award Recipients **(Pg. 15)**

Grant D. Bennett, Pine Forest High School  
Anise M. Butler, E. E. Smith High School  
Cedric D. Craig, Cumberland International Early College High School  
Isaiah L. Downing, Seventy-First High School  
Danielle R. Graham, Cross Creek Early College  
Kenneth C. Hubbard, Jack Britt High School  
Isaiah J. McKoy, Jack Britt High School  
Bryce L. Perry-Martin, Pine Forest High School  
Eleeza C. Thomas, Terry Sanford High School  
Daphne N. Wall, Terry Sanford High School

**REQUEST TO CHANGE ITEM 3.E. FOR CASE P16-25 FROM UNCONTESTED TO CONTESTED REZONING CASE**

1. Approval of Agenda – **APPROVED WITH ITEM 3.E. CHANGED TO CONTESTED**
2. Consent Agenda – **APPROVED CONSENT AGENDA ITEMS 2.A.-2.N. (Pgs. 16-177)**
  - A. Approval of minutes for the May 31, 2016 Special Meeting/Budget Work Session, June 2, 2016 Special Meeting/Budget Work Session, June 6, 2016 Regular Meeting, the June 7, 2016 Special Meeting/Budget Work Session Department Head Appeals and the June 13, 2016 Special Meeting FY17 Budget Public Hearing/Work Session

- B. Approval of Ordinance Assessing Property for the Costs of Demolition: **(Pg. 16)**
- 1) Case Number: MH 1075-2015 **(Pg. 16)**  
Property Owner: Peggy L. & James D. Hair, Etal  
Property Location: 3538 McKinnon Road, Fayetteville, NC  
Parcel Identification Number: 0473-33-9419
- 2) Case Number: MH 1135-2015 **(Pg. 18)**  
Property Owner: Mary Melvin Locke Heirs  
Property Location: 2307 L.A. Dunham Road, Fayetteville, NC  
Parcel Identification Number: 0446-92-9317
- C. Approval of Sale of Surplus Real Property Located at 212 Dallas Street, Fayetteville. **(Pg. 20)**
- D. Approval of the FY 2016-2017 Home and Community Care Block Grant for Older Adults Agreement Between County of Cumberland and Mid-Carolina Area Agency on Aging. **(Pg. 22)**
- E. Approval of Resolution to Lease Certain Real Property to Cumberland County Hospital System, Inc. – 711 Executive Place. **(Pg. 45)**
- F. Approval of Resolution to Lease Certain Real Property to Cumberland County Hospital System, Inc. – 227 Fountainhead Lane. **(Pg. 53)**
- G. Approval of Request for a Sole Source Purchase for a Logging Recorder Upgrade for the Cumberland County Emergency Services Department. **(Pg. 61)**
- H. Approval of Alcoholic Beverage Control (ABC) Board Travel Policy. **(Pg. 64)**
- I. Approval of Revised FY2016-2017 Agreement of Conditions and Local Governmental Resolution for Continued Funding of the Governor's Highway Safety Program Grant for Cumberland County Sobriety Court (Funded at 100%). **(Pg. 75)**
- J. Approval of Cumberland County Facilities Committee Report and Recommendation(s): **(Pgs. 83)**
- 1) Detention Center Hot Water Heater Replacement Project Bid Award **(Pg. 89)**
- (2) Request of CRA Timber Management LLC to Relocate Access Parcel to McKinnon Farm Road **(Pg. 92)**
- K. Approval of Cumberland County Finance Committee Report and Recommendation(s): **(Pgs. 97)**

- (1) Request for Proposal for Bond Counsel **(Pg. 118)**
- (2) Policy to Authorize the Write-Off Internal Audit Discrepancies **(Pg. 120)**
- (3) Consideration of Incurred But Not Reported (IBNR) Budget Revision

Finance Department Budget Ordinance Amendment B160061 to Recognize Incurred But Not Reported (IBNR) Claims of \$2,430,000

The Board is requested to approve Budget Ordinance Amendment number B160061 to recognize health insurance claims that are incurred by June 30, 2016 but have not been billed to BCBS as of that date. The revision will move funds in the amount of \$2,430,000 from the general fund to the health insurance fund to cover the projected shortfall as a result of the IBNR claims. It is anticipated the total will be moved back into the general fund during the second quarter of fiscal year 2017. **(Pg. 122)**

L. Approval of Cumberland County Policy Committee Report and Recommendation(s): **(Pgs. 124)**

- (1) Jail Health Medical Plan Changes **(Pg. 135)**
- (2) Revised Cumberland County Personnel Ordinance **(Pg. 138)**
- (3) Wrecker and Tow Service Rules and Regulations **(Pg. 177)**

M. Budget Revisions: **(Pgs. 178-181)**

- (1) **Health Department Budget Ordinance Amendment B160821 to request scanning services in the amount of \$70,233**

The Board is requested to approve Budget Ordinance Amendment number B160821 for scanning services in the amount of \$70,233. The medical records will be scanned, indexed, and uploaded to the existing system. This project will be completed in phases with FY11 being the first year. Once FY11 is scanned and verified, FY12 and FY13 will be scanned. All records on and after FY14 have already been scanned into the current system.

Please note that this amendment requires the use of Fund Balance Appropriated – Health Department.

- (2) **Sheriff's Office Budget Ordinance Amendment B160224 to Recognize Grant Funds of \$40,003**

The Board is requested to approve Budget Ordinance Amendment number B160224 to recognize Governor's Crime Commission Grant in the amount

of \$40,003. This grant will be used for personnel costs related to overtime, travel, and equipment.

Please note that this amendment requires no additional County funds.

(3) **Board of Education Budget Ordinance Amendment B160318 per Cumberland County School Funding Agreement of \$453,000**

The Board is requested to approve Budget Ordinance Amendment number B160318 to appropriate the adjustment for the actual revenues realized and collected by the County in excess of those estimated for FY16 budget from its ad valorem taxes per the Cumberland County School Funding Agreement Item 3(b).

Additional Fund Balance in the amount of \$453,000 is requested.

(4) **Board of Education Budget Ordinance Amendment B160354 to Appropriate Fund Balance – Sales Tax \$202,358**

The Board is requested to approve Budget Ordinance Amendment number B160354 for \$202,358 to appropriate fund balance (sales tax) to budget Capital Outlay I expenditures as approved by the Cumberland County Board of Education on September 8, 2015 (\$200,000) and June 14, 2016 (\$2,358).

Please note that this amendment requires Fund Balance Appropriated Schools (Sales Tax)

(5) **Court Ordered Evaluations Budget Ordinance Amendment B160378 to Reallocate Funds of \$18,500**

The Board is requested to approve Budget Ordinance Amendment number B160378 to increase Contracted Services – Personnel in the amount of \$18,500. The identified funds are being reallocated from operating expenditures- educational supplies (\$5,000), departmental supplies and materials (\$5,000) and miscellaneous (\$8,500). Contracted Services- Personnel has increased due to the number of court cases.

Please note that this amendment requires no additional County funds.

(6) **Parks and Recreation Budget Ordinance Amendment B160396 to Recognize Additional Tax Revenue of \$100,000**

The Board is requested to approve Budget Ordinance Amendment number B160396 to recognize additional tax revenue to be used, as required, towards all expenses, with the exception of capital projects.

Please note that this amendment requires no additional County funds.

(7) **Hope Mills Recreation Budget Ordinance Amendment B160397 to Recognize Additional Tax Revenue of \$10,000**

The Board is requested to approve Budget Ordinance Amendment number B160397 to recognize additional tax revenue to be used, as required, towards all expenses, with the exception of capital projects.

(8) **Cotton Fire District Budget Ordinance Amendment B160398 to Recognize Additional Tax Revenue of \$20,000**

The Board is requested to approve Budget Ordinance Amendment number B160398 to recognize additional tax revenue (excluding refunds) to be used, as required, towards all expenses associated with the fire district.

Please note that this amendment requires no additional County funds.

(9) **Eastover Fire District Budget Ordinance Amendment B160399 to Recognize Additional Tax Revenue of \$7,500**

The Board is requested to approve Budget Ordinance Amendment number B160399 to recognize additional tax revenue (excluding refunds) to be used, as required, towards all expenses associated with the fire district.

Please note that this amendment requires no additional County funds.

(10) **Godwin Falcon Fire District Budget Ordinance Amendment B160400 to Recognize Additional Tax Revenue of \$3,000**

The Board is requested to approve Budget Ordinance Amendment number B160400 to recognize additional tax revenue (excluding refunds) to be used, as required, towards all expenses associated with the fire district.

Please note that this amendment requires no additional County funds.

(11) **Facilities Management, Facilities Maintenance, Public Buildings Janitorial, Carpenter Shop, Landscaping and Grounds, Public Utilities, and Engineering Budget Ordinance Transfer B160422 to Reallocate Expenditures of \$18,600**

- The Board is requested to approve Budget Ordinance Transfer number B160422 to reallocate \$15,000 from Facilities Management over to Facilities Maintenance. Facilities Maintenance had an increase in HVAC repairs which was not anticipated. Funds were identified in Facilities Management to cover these additional expenditures.
- The Board is requested to approve Budget Ordinance Transfer number B160422 to reallocate \$300 from Public Buildings Janitorial

over to Carpenter Shop. Carpentry vehicles had extensive repairs this year outside of the normal service. Funds were identified from Public Buildings Janitorial to be utilized to cover these additional cost.

- The Board is requested to approve Budget Ordinance Transfer number B160422 to reallocate \$3,300 from Landscaping and Grounds over to Public Utilities (\$200), Engineering (\$1,100), Public Buildings Janitorial (\$1,000) and Carpenter Shop (\$1,000) to cover the final pay period of FY16.

Please note that these transfers requires no additional County funds. The engineering director for the above referenced organizations utilized funds within his other organizations to avoid using Fund Balance Appropriated.

**(12) Soil Conservation District Budget Ordinance Amendment B160451 to Reallocate Expenditures of \$1,000**

The Board is requested to approve Budget Ordinance Amendment number B160451 to reallocate \$1,000 from operating expenditures to salary appropriations to cover the final pay period of FY16.

Please note that this amendment requires no additional County funds

**(13) Employee Pharmacy Budget Ordinance Amendment B160503 to Recognize Additional Insurance Rebates of \$500,000**

The Board is requested to approve Budget Ordinance Amendment number B160503 to recognize \$500,000 from Insurance Rebates to offset the cost of drugs in the operating expenditures.

Please note that this amendment requires no additional County funds. There has been a 40% increase in the volume of prescriptions. This amendment is to recognize the correlated insurance rebates in order to offset the cost of drugs.

**(14) Schools Special Sales Tax and Capital Outlay Lottery Budget Ordinance Amendment B160517 to Reallocate Source of Debt Payment of \$429,951**

The Board is requested to approve Budget Ordinance Amendment number B160517 to recognize the use of school lottery proceeds of \$429,951 instead of school sales tax. Funds are to be used to pay school debt.

Please note that this amendment requires no additional County funds.

(15) **Library - Law Budget Ordinance Amendment B160528 to Reallocate Expenditures to Cover Personnel Cost of \$152.**

The Board is requested to approve Budget Ordinance Amendment number B160528 to reallocate \$152 from operating expenditures to salary appropriations to cover the final pay period of FY16.

Please note that this amendment requires no additional County funds.

- N. Approval of Request from NCDOT for Concurrence to Abandon a Portion of Underwood Road (SR 1730). **(Pgs.182)**

3. Public Hearings **(Pgs. 185-236)**

**Uncontested Rezoning Cases**

- A. **Case P16-20:** Rezoning of 1.50+/- acres from M(P) Planned Industrial & R6A Residential to R6 Residential, or to a more restrictive zoning district; located on the west side of SR 2337 (Wilmington Highway), north side of SR 3904 (Stanley Street); submitted by Sherlene M. Ethridge (owner) and William S. Ethridge (agent). **(Pg. 185-187)**

**Staff Recommendation:**

**1<sup>st</sup> motion for Case P16-20:** 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.

**2<sup>nd</sup> motion for Case P16-20:** Move to approve the rezoning for R6 Residential 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 P16-21:** Rezoning of 3.40+/- acres from A1 Agricultural/CU Conditional Use for an additional dwelling & A1 Agricultural to R40A Residential, or to a more restrictive zoning district, located at 6833 Roslin Farm Road, submitted by Joyce G. Canady (owner) and Christina Pate (agent). **(Pg. 188-190)**

**Staff Recommendation:**

**1<sup>st</sup> motion for Case P16-21:** 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.

**2<sup>nd</sup> motion for Case P16-21:** Move to approve the rezoning for R40A 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**

- C. **Case P16-22:** Rezoning of 88.50+/- acres from A1 Agricultural to R40 Residential/DD Density Development/CZ Conditional Zoning for a 56 lot subdivision, or to a more restrictive zoning district; located on the southeast side of SR 2253 (Swans Creek Church Road), south of SR 2233 (School Road); submitted by Michael S. Bryant and Curtis C. Powell (owners) and Jimmy Kizer, Moorman, Kizer & Reitzel, Inc. (agent). **(Pg. 191-204)**

**Staff Recommendation:**

**1<sup>st</sup> motion for Case P16-22:** 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.

**2<sup>nd</sup> motion for Case P16-22:** Move to approve the rezoning for R40 Residential/DD Density Development/CZ Conditional Zoning for a 56 lot subdivision 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 P16-24:** Rezoning of 31.60+/- acres from M(P) Planned Industrial to A1 Agricultural, or to a more restrictive zoning district, located at 2901 Wilmington Highway, submitted by Carolyn Jeanette Tyson (owner) & Lori S. Epler, Larry King & Associates (agent). **(Pg. 205-207)**

**Staff Recommendation:**

**1<sup>st</sup> motion for Case P16-24:** 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.

**2<sup>nd</sup> motion for Case P16-24:** Move to approve the rezoning for A1 Agricultural and CD Conservancy district where the Special Flood Hazard Area (SFHA) and floodway 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**

**Contested Zoning Case**

- E. **Case P16-25:** Rezoning 1.14+/- acres from RR Residential to C2(P) Planned Service & Retail District, or to a more restrictive zoning district; located on the south side of SR 1112 (Rockfish Road), west of SR 1113 (Waldos Beach Road); submitted by Barbara M. Johnson (owner) & Aby Varghese (agent). **(Pg. 208-210)**

**Staff Recommendation:**

**1<sup>st</sup> motion for Case P16-25:** 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.

**2<sup>nd</sup> motion for Case P16-25:** Move to deny the requested district of C2(P) Planned Service and Retail but approval of the C1(P) Planned Local Business 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**

- F. **Case P15-59:** Rezoning of 4.72+/- acres from A1 Agricultural to R20 Residential, or to a more restrictive zoning district; located on the southeast side SR 4518 (Dulles Road), west of SR 2376 (South Forty Drive); submitted by Robert and Stephanie Vaughn (owners) and Chris Roberts(agent). **(Pg. 211-226)**

**Staff Recommendation:**

**1<sup>st</sup> motion for Case P15-59:** 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 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.

**2<sup>nd</sup> motion for Case P15-59:** Move to approve the rezoning for R20 Residential/CZ Conditional Zoning district for an eight lot subdivision 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**

**Other Public Hearings**

- G. Public Hearing on the Preliminary Assessment Roll for the Bullard Circle Water Extension Project. **CONFIRMED ASSESSMENTS IN THE PRELIMINARY ASSESSMENT ROLL** **(Pg. 227-236)**

**ITEMS OF BUSINESS** **(Pgs. 237-245)**

4. Consideration of a Resolution Authorizing Reallocation of the County's Qualified Energy Conservation Bond Allocation to the State of North Carolina. – **APPROVED RESOLUTION WITH SUBSTITUTION OF "REGION" TO "DUPLIN COUNTY"** **(Pg. 237)**
5. Consideration of a Joint Resolution Between Cumberland County and the City of Fayetteville in Support of a Consolidated 9-1-1 Communications Center. – **APPROVED JOINT RESOLUTION** **(Pg. 242)**

6. Nominations to Boards and Committees (Pgs. 246)

**\*\*There are no Nominations for this Board Meeting\*\***

7. Appointments to Boards and Committees (Pgs. 247-254)

- A. ABC Board (2 Vacancies) (Pg. 247)

Nominee(s): Bob Lewis (Reappointment)  
Frances Jackson

**APPOINTEE(S): BOB LEWIS  
FRANCES JACKSON**

- B. Fayetteville Technical Community College Board of Trustees (1 Vacancy)  
(Pg. 249)

Nominee: Charles Harrell

**APPOINTEE(S): CHARLES HARRELL**

- C. Joint Planning Board (2 Vacancies) (Pg. 251)

Nominees: Dr. Vikki Andrews (Reappointment)  
Lori Epler  
Paul Johnson

**APPOINTEE(S): DR. VIKKI ANDREWS  
LORI EPLER**

- D. Joint Senior Citizens Advisory Commission (1 Vacancy) (Pg. 253)

Nominee: Meagan Honaker

**APPOINTEE(S): MEAGAN HONAKER**

**RECESSED THE BOARD OF COMMISSIONERS' MEETING**

**GRAY'S CREEK WATER & SEWER DISTRICT GOVERNING BOARD:**

CONVENED THE GRAY'S CREEK WATER & SEWER DISTRICT GOVERNING BOARD  
MEETING (SEE SEPARATE AGENDA) - **APPROVED CONSENT AGENDA ITEMS 1.A.  
AND 1.B. (Pg. 255)**

ADJOURNED THE GRAY'S CREEK WATER & SEWER DISTRICT GOVERNING BOARD  
MEETING

**CONVENED AND RECESSED THE BOARD OF COMMISSIONERS' MEETING**

**NORCRESS WATER & SEWER DISTRICT GOVERNING BOARD:**

CONVENED THE NORCRESS WATER & SEWER DISTRICT GOVERNING BOARD MEETING (SEE SEPARATE AGENDA) - **APPROVED CONSENT AGENDA ITEMS 1.A. – 1.D.** **(Pg. 260-271)**

ADJOURNED THE NORCRESS WATER & SEWER DISTRICT GOVERNING BOARD MEETING

**CONVENED AND 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) - **APPROVED CONSENT AGENDA ITEMS 1.A. – 1.C** **(Pg. 272)**

ADJOURNED THE OVERHILLS WATER & SEWER DISTRICT GOVERNING BOARD MEETING

**RECONVENED THE REGULAR BOARD OF COMMISSIONERS MEETING**

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

**ADJOURNED**