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**ACTION AGENDA**  
**CUMBERLAND COUNTY BOARD OF COMMISSIONERS**  
**COURTHOUSE – ROOM 118**  
**MAY 16, 2016**  
**6:45 PM**

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INVOCATION - Commissioner Glenn Adams, Vice Chairman

Minister: Selvyn A. Lindo - Willis Creek A.M.E. Zion Church

PLEDGE OF ALLEGIANCE – Anaya Forte - Grays Creek Middle School

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

Recognition of Citizens’ Academy Graduates (Listed on Separate Sheet) **(Pg. 10)**

**REQUEST TO MOVE CONTESTED REZONING CASE P16-18 TO UNCONTESTED REZONING CASE**

1. Approval of Agenda - **APPROVED**
2. Consent Agenda – **APPROVED CONSENT AGENDA ITEMS 2.A. – 2.K.(7)**
  - A. Approval of minutes for May 2, 2016 regular meeting.
  - B. Approval of the Cumberland County Juvenile Crime Prevention Council Contracts Representing Funding Allocations for July 1, 2016 through June 30, 2017. **(Pg. 11)**
  - C. Approval of Offer to Purchase Surplus Property Being 212 Dallas Street, Maj Pt Lt 19 Helena S. Perry Property. **(Pg. 14)**
  - D. Approval of Ordinance Assessing Property for the Cost of Demolition:
    1. Case Number: MH 887-2014 **(Pg. 15)**  
Property Owner: Mary E. Shipman  
Property Location: 7776 Godwin-Falcon Road, Falcon, NC  
Parcel Identification Number: 1502-18-9361
  - E. Approval of Cumberland County Facilities Committee Report and Recommendation(s): **(Pg. 17)**
    1. Consolidated 911 Communications Center **(Pg. 24)**

2. Lease and Leasehold Improvement Agreements with Cape Fear Valley Health System:
  - A. E. Newton Smith Building **(Pg. 25)**
  - B. Executive Place **(Pg. 27)**
- F. Approval of Resolutions of Intent to Lease Certain Real Property to the Cumberland County Hospital System, Inc. for Specified Portions of the E. Newton Smith Building and the Winding Creek Office Building. **(Pg. 29)**
- G. Approval of Cumberland County Finance Committee Report and Recommendation(s): **(Pg. 31)**
  1. Approval to Set the Public Hearing for June 20, 2016 on the Bullard Circle Special Assessment. **(Pg. 41)**
- H. Approval of Cumberland County Policy Committee Report and Recommendation(s) (Minutes Only). **(Pg. 45)**
- I. Approval of Proclamation Designating the Week of May 15-21, 2016 as “Hurricane Preparedness Week” in Cumberland County. **(Pg. 49)**
- J. Changes in Budget Revision Format. **(Pg. 50)**
- K. Approval of Budget Revisions for May 16, 2016 Agenda: **(Pg. 51)**
  - (1) Library Budget Ordinance Amendment B160044 to Recognize Grant Funds of \$750  
  
 The Board is requested to approve Budget Ordinance Amendment number B160044 to recognize grant funds in the amount of \$750 from the Library Services and Technology Act (State Library of North Carolina) for the Building the Bench Grant program.  
  
 Please note that this amendment requires no additional County funds.
  - (2) Health Department Budget Ordinance Amendment B160126 to Recognize Grant Funds of \$2,700  
  
 The Board is requested to approve Budget Ordinance Amendment number B160126 to recognize grant funds in the amount of \$2,700 to be used for quality improvement training by the Health Department.  
  
 Please note that this amendment requires no additional County funds.

- (3) Health Department Budget Ordinance Amendment B160138 to Recognize Additional NCAIDS Funds of \$11,176

The Board is requested to approve Budget Ordinance Amendment number B160138 to recognize additional funds in the amount of \$11,176 from the State Department of Public Health Aid to Counties. The funds are to be used for CAPUS (Care and Prevention in the United States) which provides intervention activities in order to identify and recruit HIV positive minorities and assist them in reducing their viral load and CD4 count.

Please note that this amendment requires no additional County funds.

- (4) Health Department Budget Ordinance Amendment B160147 to Recognize Additional NCDHHS Funds of \$2,941

The Board is requested to approve Budget Ordinance Amendment number B160147 to recognize additional funds in the amount of \$2,941 from the North Carolina Department of Health and Human Services. The funds are to be used toward Zika virus prevention within the County.

Please note that this amendment requires no additional County funds.

- (5) Medical Examiners Budget Ordinance Amendment B160144 to Increase Allocation for Medical Examiner Charges in the Amount of \$90,000

The Board is requested to approve Budget Ordinance Amendment number B160144 to increase the budget for medical examiner charges for \$90,000. The fees for the medical examiner are imposed by the State and are dependent upon the number of cases in the County each year. Therefore, the requested additional amount is an estimate only, in anticipation of further invoices through the end of the fiscal year.

- (6) JCPC – Find A Friend Budget Ordinance Amendment B160186 to Recognize Additional Funds of \$4,650

The Board is requested to approve Budget Ordinance Amendment number B160186 to recognize additional funds in the amount of \$4,650 from the North Carolina Department of Public Safety. The funds are to be used for scholarships for youth to attend the Find A Friend achievement camp during the summer.

Please note that this amendment requires no additional County funds.

- (7) Information Systems Department Budget Ordinance Amendment B160234 to Appropriate Funds of \$133,000

The Board is requested to approve Budget Ordinance Amendment number B160234 to appropriate funds in the amount of \$133,000 from Contingency funds. The funds are to be used for the purchase of 177 laptops and printers for the Elections Department for use in the November election. Laptops and printers will be purchased in the current year in order to insure all items are in place and operational before the November election.

3. Public Hearings **(Pgs. 53-87)**

**Uncontested Rezoning Cases**

- A. Case P16-15: Rezoning of 3.06+/- acres from A1 Agricultural to R40 Residential, or to a more restrictive zoning district; located on the south side of SR 2245 (Thrower Road), west of NC HWY 87 S; submitted by James Smith, Jr. (owner) and Tim Evans (agent). **(Pg. 53)**

**Staff Recommendation:**

**1<sup>st</sup> motion for Case P16-15:** 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 P16-15:** Move to approve the request for R40 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 P16-16: Rezoning of 1.13+/- acres from A1 Agricultural to R40 Residential, or to a more restrictive zoning district; located on the south side of SR 2245 (Thrower Road), west of NC HWY 87 S; submitted by James Smith, Jr. (owner) and Tim Evans (agent). **(Pg. 56)**

**Staff Recommendation:**

**1<sup>st</sup> motion for Case P16-16:** 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 P16-16:** Move to approve the request for R40 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**

- C. Case P16-17: Rezoning of 20.00+/- acres from RR Residential to A1 Agricultural, or to a more restrictive zoning district; located on the east side of SR 1121 (McDonald Road), south side of SR 1118 (Parkton Road); submitted by Charles & John Calhoun(owners) and Viper Solar, LLC (agent). **(Pg. 59)**

**Staff Recommendation:**

**1<sup>st</sup> motion for Case P16-17:** 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 P16-17:** Move to approve the request for A1 Agricultural 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**

- D. Case P16-18: Rezoning of 66.13+/- acres from R30 Residential/DD Density Development/CZ Conditional Zoning for a 66 lot residential subdivision to R30 Residential & A1 Agricultural or to a more restrictive zoning district; located on the southwest side of SR 2243 (Roslin Road), north of Running Fox Road; submitted by Charles Gardner (owner) and Jimmy Kizer, Moorman, Kizer & Reitzel, Inc. (agent). **(Pg. 66)**

**Staff Recommendation:**

**1<sup>st</sup> motion for Case P16-18:** 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 P16-18:** Move to approve the rezoning for R30 except for the proposed A1 on the NW section, which should be A1 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, except for the proposed A1 on the NW section, which should be A1.

**ACTION: APPROVED PLANNING BOARD RECOMMENDATION**

**Contested Rezoning Cases**

- E. Case P16-02: Rezoning of 25.96+/- acres from A1 Agricultural to R40 Residential, or to a more restrictive zoning district; located on the southwest side of SR 2233 (School Road), west of SR 2251 (Yarborough Road); submitted by Charles Jeffery Devore (owner) and Tim Evans (agent). **(Pg. 62)**

**Staff Recommendation:**

**1<sup>st</sup> motion for Case P16-02:** 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 P16-02:** Move to approve the request 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**

**Minimum Housing Code Enforcement**

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|----|-------------------------------|---------------------------------------|------------------------|
| F. | Case Number:                  | MH 1370-2016                          | <b><u>(Pg. 69)</u></b> |
|    | Property Owner:               | Thomas Wyatte McKinney, Jr.           |                        |
|    | Property Location:            | 3602 & 3638 McBryde Street, Linden NC |                        |
|    | Parcel Identification Number: | 0563-62-1634                          |                        |

**ACTION: 30 DAYS**

- |    |                               |                                     |                        |
|----|-------------------------------|-------------------------------------|------------------------|
| G. | Case Number:                  | MH 1359-2016                        | <b><u>(Pg. 75)</u></b> |
|    | Property Owner:               | Sandra Spearman & Kenneth McMillian |                        |
|    | Property Location:            | 2741 Blossom Road, Fayetteville, NC |                        |
|    | Parcel Identification Number: | 0412-43-7306                        |                        |

**ACTION: 30 DAYS**

H. Case Number: MH 1373-2016 **(Pg. 81)**  
Property Owner: Vermadel Cole Heirs  
Property Location: 2334 Parkridge Drive, Fayetteville, NC  
Parcel Identification Number: 0416-50-7055

**ACTION: 30 DAYS**

**Other Public Hearings**

- I. Public Hearing on an Installment Financing Agreement Authorized by NCGS 159-151 and Authorization for the County Manager, County Attorney and County Finance Director to Execute the Documents Necessary to Finalize the Installment Financing Transaction. **(Pg. 87)**

**ACTION: PUBLIC HEARING HELD; AUTHORIZED EXECUTION OF DOCUMENTS**

Items of Business **(Pgs. 88-133)**

4. Consideration of a Resolution of the Cumberland County Board of Commissioners Supporting the Nomination of Patricia Timmons-Goodson for Federal Court Judge. – **APPROVED**  
**(Pg. 88)**
5. Consideration of Adoption by Resolution of an Amendment to the Fire Insurance Map for the Beaver Dam Fire District. – **ADOPTED** **(Pg. 89)**
6. Nominations to Boards and Committees **(Pgs. 94-124)**
- A. Alliance Behavioral Healthcare Board of Directors (1 Vacancy) **(Pg. 94)**

**NOMINEE(S): DR. JOHN GRIFFIN**

- B. Joint Senior Citizens Advisory Commission (1 Vacancy) **(Pg. 97)**

**NOMINEE(S): AUGUSTA NEWMAN**

- C. Transportation Advisory Board (6 Vacancies) **(Pg. 105)**

**NOMINEE(S): WILLIAM H. ROBINSON  
JIM LOTT  
ADOLPHUS THOMAS  
ELLEN MORALES  
DAVID SCHULER  
ROBYN MCARDLE**

- D. Wrecker Review Board (1 Vacancy) **(Pg. 121)**

**NOMINEE(S): MARSHALL L. GORE**

7. Appointments to Boards and Committees **(Pgs. 125-133)**

A. Board of Adjustment (6 Vacancies) **(Pg. 125)**

Nominees:

Regular Member: Winton McHenry  
George Lott (Reappointment)

Alternate Member: Robert Davis  
Stacy M. Long  
Gregory Parks  
Nathan Galbreath

**APPOINTEE(S): WINTON MCHENRY  
GEORGE LOTT  
ROBERT DAVIS  
STACY M. LONG  
GREGORY PARKS  
NATHAN GALBREATH**

B. Human Relations Commission (2 Vacancies) **(Pg. 128)**

Nominees: Linda Amos (Reappointment)  
Tomecia Sobers (Reappointment)

**APPOINTEE(S): LINDA AMOS  
TOMECIA SOBERS**

C. Parks and Recreation Advisory Board (5 Vacancies) **(Pg. 130)**

Nominees: Steven Harper (Reappointment)  
William McNeill (Reappointment)  
Thomas Cain  
Ryan Douglas  
Iva Marie Kelly  
Antonio Gerald  
Harold Smelcer

**NOMINATION OF THOMAS CAIN AND RYAN DOUGLAS WITHDRAWN**

**APPOINTEE(S): STEVEN HARPER  
WILLIAM MCNEILL  
IVA MARIE KELLY  
ANTONIO GERALD  
HAROLD SMELCER**



D. Social Services Board (1 Vacancy) **(Pg. 132)**

Nominee: Susan Reeder (Reappointment)

**APPOINTEE(S): SUSAN REEDER**

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

**ADJOURNED**