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**ACTION AGENDA  
CUMBERLAND COUNTY BOARD OF COMMISSIONERS  
COURTHOUSE – ROOM 118  
NOVEMBER 21, 2016  
6:45 PM**

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INVOCATION - Commissioner Larry Lancaster

PLEDGE OF ALLEGIANCE –

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

Introduction of Mr. Jerod Roberts, Solid Waste Director

**REQUEST TO REMOVE PUBLIC HEARING ITEM 4.K. 1) AND 2) FROM AGENDA**

1. Approval of Agenda – **APPROVED WITH REMOVAL OF ITEM 4.K. 1) AND 2) AS REQUESTED**
2. Presentation by Dr. Frank Till and Approval of a Proclamation Recognizing December 7, 2016 as “Reading Rocks Day” in Cumberland County. – **RECEIVED PRESENTATION AND APPROVED PROCLAMATION (Pg. 10 )**
3. Consent Agenda – **APPROVED CONSENT AGENDA ITEMS 3.A. – 3.F.8)**
  - A. Approval of Declaration of Surplus County Property Affected by Flooding and Authorization to Accept Insurance Settlements and the associated Budget Ordinance Amendments; B170262, B170263, B170295, B170293, B170294 for the Following Vehicles:  
**(Pg. 11-21)**
    - 1) 2006 Ford Crown Victoria (Sheriff’s Office) **(Pgs. 11-12 )**
    - 2) 2016 Ford Explorer (Sheriff’s Office) **(Pgs. 13-14 )**
    - 3) 1992 Ford F350 (Animal Control) **(Pgs. 15-16 )**
    - 4) 2008 Ford F150 (Animal Control) **(Pgs. 17-19 )**
    - 5) 2011 Ford F150 (Animal Control) **(Pgs. 20-21 )**

- B. Approval of a Resolution Approving the Financing of a Tax Exempt Loan for the Stoney Point Volunteer Fire Department, Inc. to Purchase a Fire Engine and Heavy Rescue Truck. **(Pgs. 22-26)**
- C. Approval of Cumberland County Facilities Committee Report and Recommendations (FOR INFORMATION PURPOSES). **(Pgs. 27-32 )**
- D. Approval of Cumberland County Finance Committee Report and Recommendation: **(Pgs. 33-45 )**
- 1) Request for New Position in County's Public Information Office and Budget Ordinance Amendment B171027 **(Pgs. 46-47 )**
- E. Approval of Ordinance Assessing Property for the Cost of Demolition:**(Pgs. 48-49 )**
- 1) Case Number: MH 1068-2015  
Property Owner: Jason Brandon & Kimberly Ann Fortner  
Property Location: 2771 Clinton Road, Fayetteville, NC  
Parcel Identification Number: 0456-48-6704
- F. Budget Revisions: **(Pgs. 50-52)**

#### **General Fund 101**

- 1) **Sheriff's Office - Budget Ordinance Amendment B170254 to recognize insurance settlement in the amount of \$3,801 from Travelers**

The Board is requested to approve Budget Ordinance Amendment B170254 in the amount of \$3,801 from Travelers for the FL213 2006 Ford Crown Victoria. This settlement is for a vehicle submerged as a result of the rain event on September 29, 2016, not Hurricane Matthew.

Please note this amendment requires no additional county funds.

- 2) **Sheriff's Office - Budget Ordinance Amendment B170255 to recognize insurance settlement in the amount of \$2,370 from Travelers**

The Board is requested to approve Budget Ordinance Amendment B170255 in the amount of \$2,370 from Travelers for the 1988 FL501 School Bus. This settlement is for a vehicle submerged in the flood waters of Hurricane Matthew while parked in the parking lot of the Cumberland County Sheriff's Office Training Center.

Please note this amendment requires no additional county funds.

**3) Library - Budget Ordinance Amendment B170165 to recognize a Storytelling Grant in the amount of \$4,000**

The Board is requested to approve Budget Ordinance Amendment B170165 in the amount of \$4,000. The library has been awarded a Storytelling Festival Grant from the Arts Council.

Please note this amendment requires no additional county funds.

**4) Library - Budget Ordinance Amendment B170166 to recognize an EZ Literacy and Lifelong Learning Grant of \$45,656 with a \$12,500 match of E-Rate funds**

The Board is requested to approve Budget Ordinance Amendment B170166. The library has been awarded an EZ Literacy and Lifelong Learning Grant from the State Library of North Carolina in the amount of \$45,656 with a \$12,500 match that will utilize E-Rate funds. This money will be used to purchase furniture, shelving, iPads, and interactive literacy-based activities for Early Literacy Family Center's at all eight library locations.

Please note this amendment requires no additional county funds.

**5) Health - Budget Ordinance Amendment B170265 to increase the Dentist III position with benefits above budget in the amount of \$27,292**

The Board is requested to approve Budget Ordinance Amendment B170265 in the amount of \$27,292. The Health Director is requesting to hire this position above the budgeted salary due to difficulties filling the position since June 10, 2016. It is projected that Medicaid fees earned by having a permanent fulltime dentist will offset the increase in additional salary with benefits.

Please note this amendment requires no additional county funds.

**6) Emergency Services Grants - Budget Ordinance Amendment B171130 to recognize donated funds of \$37,080 from the Fire Chief's Association**

The Board is requested to approve Budget Ordinance Amendment B171130 in the amount of \$37,080 for funds from the Fire Chief's Association. The funds are to be used for an addendum to the Sunguard Maintenance Contract for Computer Added Dispatch (CAD). The

addendum will enhance dispatching to the Volunteer Fire Stations serving Cumberland County. This addendum will be maintained by the Fire Chief's Association.

Please note this amendment requires no additional county funds

- 7) **Emergency Services - Budget Ordinance Amendment B170238 to transfer \$500 from the recertification line to the salary line**

The Board is requested to approve Budget Ordinance Amendment B170238 in the amount of \$500. This is a transfer from the certification line to the salary line due to an employee achieving certification in law enforcement dispatch.

Please note this amendment requires no additional county funds

#### **Sheriff's Office Inmate Welfare Fund 207**

- 8) **Inmate Welfare Fund - Budget Ordinance Amendment B170070 to allocate \$210,000 of fund balance**

The Board is requested to approve Budget Ordinance Amendment B170070 in the amount of \$210,000. This request was approved by the Inmate Welfare Committee. Telephone commissions are no longer available from the telephone provider to the Inmate Welfare Fund. However, the vendor will update and maintain inmate visitation equipment. Therefore, budgeted revenue needs to be reduced and fund balance appropriated as an offset to this reduction. Additionally, funds are requested to upgrade cameras in the inmate pods in the amount of \$65,000. Cameras will be purchased via state contract and tested prior to purchase to ensure needs of the Detention Center are met. This revision also seeks to reallocate salaries into the correct lines relating to the stipend.

Please note this amendment requires Inmate Welfare Fund Balance.

#### 4. Public Hearings **(Pgs. 53-67)**

##### **Uncontested Rezoning Cases**

- A. **Case P16-36:** Rezoning of 43.06+/- acres from A1 Agricultural to R40 Residential or to a more restrictive zoning district; located between SR 2261 (Alderman Road) and SR 2245 (Thrower Road), west of NC Highway 87 South; submitted by James H. Smith on behalf of JHS Grays Creek Properties, LLC (owners) & Tim Evans (agent) **(Pgs. 53-55)**

**Staff Recommendation:**

**1<sup>st</sup> motion for Case P16-36:** 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.

**Planning Board Recommendation:** Approve the staff recommendation

**2<sup>nd</sup> motion for Case P16-36:** 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.

**ACTION: APPROVED PLANNING BOARD RECOMMENDATION**

- B. **Case P16-40:** Rezoning of .28+/- acres from R10 Residential to O&I(P) Planned Office and Institutional or to a more restrictive zoning district, located at 3227 Legion Road, submitted by Shelly Amanda Baker (owner). **(Pgs. 56-58)**

**Staff Recommendation:**

**1<sup>st</sup> motion for Case P16-40:** 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 P16-40:** Move to approve the rezoning for O&I(P) Planned Office and Institutional 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 P16-41:** Rezoning of 4.07+/- acres from A1 Agricultural to R40 Residential or to a more restrictive zoning district, located at 3410 Thrower Road, submitted by William Edward Brown (owner). **(Pgs. 59-61)**

**Staff Recommendation:**

**1<sup>st</sup> motion for Case P16-41:** 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 P16-41:** 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**

- D. **Case P16-42:** Rezoning of 2.09+/- acres from A1 Agricultural to R40A Residential or to a more restrictive zoning district, located at 2601 Dobbin Holmes Road, submitted by Joseph P. & Linda Combs (owners). **(Pgs. 62-64)**

**Staff Recommendation:**

**1<sup>st</sup> motion for Case P16-42:** 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 P16-42:** 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**

- E. **Case P16-43:** Rezoning of 1.77+/- acres from R6A Residential and C1(P) Planned Local Business to C(P) Planned Commercial or to a more restrictive zoning district, located at 3455 Cumberland Road, submitted by Richard A. Wheeler (owner). **(Pgs. 65-67)**

**Staff Recommendation:**

**1<sup>st</sup> motion for Case P16-43:** 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 P16-43:** 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**

**Minimum Housing Code Enforcement**      **(Pgs. 68-87)**

- F.      Case Number: MH 1558-2016      **(Pgs. 68-74)**  
Property Owner: Darrel Law  
Property Location: 3112 Cricket Road, Fayetteville, NC  
Parcel Identification Number: 0404-09-5810

**ACTION: 30 DAYS**

- G.      Case Number: MH 1561-2016      **(Pgs. 75-80)**  
Property Owner: Randall & Sharon Daniels  
Property Location: 3941 Nashville Drive, Fayetteville, NC  
Parcel Identification Number: 0424-75-3147

**ACTION: 30 DAYS**

- H.      Case Number: MH 1478-2016      **(Pgs. 81-87)**  
Property Owner: John Dennis Williams  
Property Location: 327 Charles Street, Fayetteville, NC  
Parcel Identification Number: 0426-90-2447

**ACTION: 30 DAYS**

**Other Public Hearings**

- I.      Public Hearing on the Proposed 2017 Schedules, Standards and Rules for the 2017 Property Tax Revaluation. – **PUBLIC HEARING HELD (Pg. 88)**
- J.      Public Hearing and Approval of Submission of the 2018 North Carolina Department of Transportation Grant Application for the Community Transportation Program. – **PUBLIC HEARING HELD AND APPROVED SUBMISSION OF GRANT APPLICATION (Pgs. 89-93)**

**K. REMOVED FROM AGENDA**

Public Hearing on the Community Development Substantial Amendment to the 2016 Annual Action Plan. **(Pgs. 94-100)**

- 1) Approval of the Substantial Amendment to the 2016 Annual Action Plan. **(Pgs. 94-98)**
- 2) Approval of Increase in the Per Household Grant Award Amount in the Community Development Housing Rehabilitation Program. **(Pgs. 99-100)**

**Items of Business**

5. Consideration of Request from Grays Creek Properties, LLC. for Removal of Graves to a Private Cemetery Pursuant to NCGS 65-106. - **APPROVED** **(Pgs. 101-125)**
6. Consideration of Disaster Debris Removal and Monitoring Service Contracts. – **APPROVED RESOLUTION AND BUDGET REVISION B170578 FOR UP TO \$600,000 FOR FORTHCOMING CONTRACTS WITH LANDFALL STRATEGIES AND CERES ENVIRONMENTAL** **(Pgs. 126-127)**
7. Nominations to Boards and Committees **(Pgs. 128-164)**

- A. Civic Center Commission (3 Vacancies) **(Pgs. 128-138)**

**NOMINEE(S):**     **JOE GILLIS**  
                          **GREGORY PARKER**  
                          **SHEBA MCNEIL**

- B. Cumberland County Juvenile Crime Prevention Council (1 Vacancy) **(Pgs. 139-154)**

**NOMINEE(S):**     **GREGORY RAYMOND KOONCE, JR.**

- C. North Carolina's Southeast Board of Directors (1 Vacancy) **(Pgs. 155-156)**

**NOMINEE(S):**     **DR. LARRY KEEN**

- D. Senior Citizens Advisory Commission (1 Vacancy) **(Pgs. 157-164)**

**NOMINEE(S):**     **SONJA SATO**

8. Appointments to Boards and Committees **(Pgs. 165-178)**

- A. Cumberland County Workforce Development Board (1 Vacancy) **(Pgs. 165-169)**



Nominee:     Representative of Education/Training:  
David Brand

**APPOINTEE(S):     DAVID BRAND**

B.     Joint Appearance Commission (2 Vacancies)     **(Pgs. 170-171)**

Nominees:     Dennis T. Walker  
Mary Beth MacKenzie

**APPOINTEE(S):     DENNIS T. WALKER  
MARY BETH MACKENZIE**

C.     Tourism Development Authority (1 Vacancy)     **(Pgs. 172-174)**

Nominee:     Hotel/Motels Under 100 Rooms Representative:  
Pavan Patel

**APPOINTEE(S):     PAVAN PATEL**

D.     Transportation Advisory Board (4 Vacancies)     **(Pgs. 175-178)**

Nominees:     At-Large Representatives:  
Anne Morrison (Reappointment)  
Kenneth Washington (Reappointment)  
Joel Strickland (Reappointment)  
Dawn McNair

**APPOINTEE(S):     ANNE MORRISON  
KENNETH WASHINGTON  
JOEL STRICKLAND  
DAWN MCNAIR**

9.     Closed Session:     Economic Development Matter(s)  
Pursuant to NCGS 143.318.11(a)(4)

**ADJOURNED**