
ACTION AGENDA
CUMBERLAND COUNTY BOARD OF COMMISSIONERS
COURTHOUSE – ROOM 118
MAY 15, 2017
6:45 PM

INVOCATION - Commissioner Larry Lancaster

Minister:

PLEDGE OF ALLEGIANCE – Kaitlyn (Katie) Hawkes

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

Introduction of Fayetteville-Cumberland Youth Council Members:

Jenna Nabors
Stephen Ferrand

Recognition of Cumberland County State 4-A Wrestling Champions:

Marcelino Aponte III, Cape Fear High School - 106 Pound Class
Michael Vernagallo, Cape Fear High School – 170 Pound Class

Recognition of Deputy Clerk to the Board Kellie Beam on Achieving her North Carolina Certified County Clerk Certification

Recognition of Citizens' Academy Graduates (See Attached Listing of Graduates) **(Pg. 10)**

REQUEST TO REMOVE ITEM 4. FROM AGENDA (PRESENTATION MADE DURING PUBLIC COMMENT PERIOD)

1. Approval of Agenda – **APPROVED WITH ITEM 4. REMOVED**
2. Consent Agenda – **APPROVED CONSENT AGENDA ITEMS 2.A. – 2.R.11) AND CONTINGENCY FUNDS REPORT**
 - A. Approval of minutes for May 1, 2017 regular meeting and the April 24, 2017 Special Meeting for the FY2018 Budget.
 - B. Approval of the Cumberland County Juvenile Crime Prevention Council Funding Allocations for July 1, 2017 through June 30, 2018. **(Pg. 11)**

- C. Approval to Enter Into Contracts with Community Transportation Service Providers for FY 2018. **(Pg. 14)**
- D. Approval of Alcoholic Beverage Control (ABC) Board Travel Policy. **(Pg. 17)**
- E. Approval of Workforce Development Board Recommendation to Award the One Stop Operator Contract to Two Hawk Workforce Services. **(Pg. 29)**
- F. Approval of a Resolution for Designation of Applicant's Agent for the Hazard Mitigation Grant Program (HMGP) to Obtain Federal and State Aid. **(Pg. 30)**
- G. Approval of Offer to Purchase Surplus Property, Being Lots 11-13, H.L. Dawson S/D, PB 14/39, Located at 2225 Roosevelt Drive, Fayetteville. **(Pg. 33)**
- H. Approval of Offer to Purchase Real Property Being Lot 311 Savoy Heights, Sec. 1, Plat Book 20 at Page 21. **(Pg. 34)**
- I. Approval of Sale of Surplus Real Property, Being a Portion of Lot 12, Block B, Stubbs Acres, Plat Boo, 21/29. **(Pg. 35)**
- J. Approval of Sale of Surplus Properties, Being Lots 114 & 116 Savoy Heights, Sec. 1, Plat Book 20 at Page 21; and 4.05 Acres Land adj. Briarwood Hills, Sec. 3, Plat Book 117 at Page 189. **(Pg. 37)**
- K. Approval of Sale of Surplus Properties, Being Lots 6 & 7, Block D, Spring Lake Subdivision, Plat Book 11 at Page 3, Located at 118 and 105 N. First Street, Spring Lake. **(Pg. 39)**
- L. Approval of Sale of Surplus Real Property, 2323 Applebury Lane. **(Pg. 41)**
- M. Approval of Demolition of County-Owned Property: **(Pg. 43)**
Case Number: BI-2017-001
Property Owner: Cumberland County
Property Location: 218 Preston Avenue, Fayetteville, NC
Parcel Identification Number: 0428-58-5045
- N. Approval of Ordinance Assessing Property for the Cost of Demolition:
Case Number: MH 1478-2016 **(Pg. 46)**
Property Owner: John Dennis Williams
Property Location: 327 Charles Street, Fayetteville, NC
Parcel Identification Number: 0426-90-2447
- O. Approval of Cumberland County Facilities Committee Report and Recommendation(s): **(Pg. 48)**

- 1) Paving / Resurfacing of Historic Courthouse Parking Lot **(Pg. 55)**
 - 2) Paving / Resurfacing of Solid Waste Container Site Driveways **(Pg. 58)**
 - 3) Lease Renewal for NC Department of Public Safety – Adult Probation **(Pg. 61)**
 - 4) Lease Renewal for Coastal Horizons Center, Inc. **(Pg. 74)**
- P. Approval of Cumberland County Finance Committee Report and Recommendation(s) (For Information Purposes). **(Pg. 77)**
- Q. Approval of a Proclamation Recognizing May 21-27, 2017 as “National Public Works Week” in Cumberland County. **(Pg. 92)**
- R. Approval of Budget Ordinance Amendments: **(Pg. 93)**

General Fund 101

- 1) **Public Health - Budget Ordinance Amendment B170110 to recognize additional fees earned in the amount of \$25,000 to purchase vaccines and immunizations.**

The Board is requested to approve Budget Ordinance Amendment B170110 to recognize fees earned from Family Planning and Immunizations in the amount of \$25,000. These funds are to be used to replenish vaccines.

Please note this amendment requires no additional county funds.

- 2) **Public Health - Budget Ordinance Amendment B170116 to recognize additional revenue in the amount of \$10,000 to purchase Long Acting Reversible Contraception's (LARC's).**

The Board is requested to approve Budget Ordinance Amendment B170116 to recognize Medicaid fees earned in the amount of \$10,000. This money will be used to purchase Long Acting Reversible Contraception's (LARC's).

Please note this amendment requires no additional county funds.

- 3) **Public Health - Budget Ordinance Amendment B170117 to recognize additional revenue in the amount of \$15,000 to purchase vaccines.**

The Board is requested to approve Budget Ordinance Amendment B170117 to recognize Medicaid fees earned in the amount of \$15,000. This money will be used to replenish vaccines for Health Express Care.

Please note this amendment requires no additional county funds.

4) Social Services - Budget Ordinance Amendment B170135 to recognize additional revenue and matching expense in the amount of \$464,275.

The Board is requested to approve Budget Ordinance Amendment B170135 to recognize additional revenue received from the Division of Child Care Development and Early Education. These funds will be used for subsidized child care services.

Please note this amendment requires no additional county funds.

5) Social Services - Budget Ordinance Amendment B170145 to recognize grant funds in the amount of \$57,500.

The Board is requested to approve Budget Ordinance Amendment B170145 in the amount of \$57,500 from the NC Department of Public Safety-Emergency Management. Funds in the amount of \$50,000 will be used to aid individuals displaced from their homes during Hurricane Matthew. The remaining funds in the amount of \$7,500 will be used towards the administrative cost of the program.

Please note this amendment requires no additional county funds.

6) Social Services - Budget Ordinance Amendment B170153 to increase funds available for foster care payments in the total amount of \$577,005.

The Board is requested is to approve budget ordinance amendment B170153 in the total amount of \$577,005. This represents additional revenue of \$899,840 and increased expenses of \$1,476,845 for foster care payments. The total \$577,005 includes \$143,559 from identified funds within the organization and \$433,446 from contingency that was specifically allocated for foster care in the FY17 budget. The additional funds are due to the increased number of children in foster care.

Please note this amendment requires the use of county funds of \$433,446 from contingency specifically allocated for foster care in the FY17 budget.

School Fund 106

7) School Capital Outlay Category I - Budget Ordinance Amendment B170984 in the amount of \$3,629,165 for capital outlay category I.

The Board is requested to approve Budget Ordinance Amendment B170984 in the amount of \$3,629,165. This revision is to appropriate fund balance (sales tax) for capital outlay category I (buildings) expenditures as approved by the Cumberland County Board of Education on April 11, 2017.

Please note this amendment requires no additional county funds.

8) School Capital Outlay Category II - Budget Ordinance Amendment B170987 in the amount of \$137,273 for capital outlay category II.

The Board is requested to approve Budget Ordinance Amendment B170987 in the amount of \$137,273. This revision is to appropriate fund balance (sales tax) for capital outlay category II (equipment) expenditures as approved by the Cumberland County Board of Education on April 11, 2017.

Please note this amendment requires no additional county funds.

9) School Capital Outlay Category III - Budget Ordinance Amendment B170989 in the amount of \$123,354 for capital outlay category III.

The Board is requested to approve Budget Ordinance Amendment B170989 in the amount of \$123,354. This revision is to appropriate fund balance (sales tax) for capital outlay category III (vehicles) expenditures as approved by the Cumberland County Board of Education on April 11, 2017.

Please note this amendment requires no additional county funds.

Juvenile Crime Prevention Council (JCPC) Fund 245

10) Find-A-Friend- Budget Ordinance Amendment B170136 to recognize State funds in the amount of \$3,399 for Find-A-Friend.

The Board is requested to approve Budget Ordinance Amendment B170136 in the amount of \$3,399. The JCPC Find A Friend program applied for and was awarded discretionary funds from the State. These funds will be used to purchase a computer server.

Please note this amendment requires no additional county funds.

Enterprise Capital Project Fund 425

11) Crown Improvements Project Funds- Budget Ordinance Amendment B170251 to transfer \$88,212 to the Crown Center Fund.

The Board is requested to approve Budget Ordinance Amendment B170251 in the amount of \$88,212. In 2010, debt was issued for the Crown Theatre and Arena renovation project. This project was completed and funds were remaining from the loan proceeds. Those funds must be used for capital improvements or capital purchases at the Crown. The repair of the service elevator meets the requirement for the use of the remaining funds. The transfer of funds from the Crown Improvements Project Fund to the Crown Center Fund will allow for the elevator repair.

Please note this amendment requires no additional county funds.

Contingency Funds Report

The County Manager approved the use of contingency funds for the Landscaping Department in the amount of \$2,800. A portion of a large tree fell at 109 Bradford Avenue. These funds were utilized to remove the debris.

3. Public Hearings (Pgs. 96-122)

Uncontested Rezoning Cases

- A) **Case P17-16:** Rezoning of 3.90+/- acres from A1 Agricultural to R30 Residential, or to a more restrictive zoning district, located at 7045 Maxwell Road, submitted by Joseph & Violet Dowd (Owners) and Michacel J. Adams (Agent). **(Pg. 96)**

Planning Board Meeting Date:	April 18, 2017
Planning Board Action:	Approve the staff recommendation.
Staff Recommendation:	1 st motion for Case P17-16: 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.
	2 nd motion for Case P17-16: Move to approve the rezoning for R30 Residential.

ACTION: APPROVED PLANNING BOARD ACTION TO APPROVE

Contested Rezoning Cases

- B) **Case P17-13:** Rezoning of 3.08+/- acres from RR Rural Residential to C1(P) Planned Local Business/CZ Conditional Zoning for Convenience Retail with Gasoline Sales & Restaurant, or to a more restrictive zoning district; located at 6020 US HWY 301 S, submitted by A. Maurice Elliot & Helen Elliot Smith on behalf of Madie Elliot Heirs, Daniel & Debora McPhaul (Owners), David L. Pait (Applicant) and William R. Davis, Attorney (Agent). **(Pg. 99)**

Planning Board Meeting Date: April 18, 2017
Planning Board Action: Approve the staff recommendation.
Staff Recommendation: 1st motion for Case P17-13: Move to find the request for rezoning inconsistent with the 2030 Growth Vision Plan, and any other applicable land use plan, not reasonable or in the public interest for the reasons stated in the recommendations of the Planning Staff and as fully reflected in the minutes of the Planning Board Meeting which are incorporated herein by reference.

2nd motion for Case P17-13: Move to deny the request for C1(P) Planned Local Business/CZ Conditional Zoning for convenience retail with gasoline sales & restaurant for the reasons stated in the recommendations of the Planning Staff and as fully reflected in the minutes of the Planning Board Meeting which are incorporated herein by reference.

ACTION: APPROVED PLANNING BOARD ACTION TO DENY

- C) **Case P17-15:** ****REQUEST FOR DEFERRAL TO JUNE 19, 2017****
Rezoning of 6.12+/- acres from A1 Agricultural to R40 & R40A Residential, located at 2157 School Road, submitted by Danora J. Powell (Owner) and Michael J. Adams (Agent). **(Pg. 113)**

Planning Board Meeting Date: April 18, 2017
Planning Board Action: Approve the staff recommendation.
Staff Recommendation: 1st motion for Case P17-15: 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

and as fully reflected in the minutes of the Planning Board Meeting which are incorporated herein by reference.

2nd motion for Case P17-15: Move to approve the request for R40 and R40A Residential Zoning for the reasons stated in the recommendations of the Planning Staff and as fully reflected in the minutes of the Planning Board Meeting which are incorporated herein by reference.

ACTION: APPROVED REQUEST TO DEFER TO JUNE 19, 2017

Minimum Housing Code Enforcement

D) Case Number: MH 1659-2017 **(Pg. 117)**
Property Owner: Dwight D. Sullivan
Property Location: 7336 Hypony Trail, Parkton, NC
Parcel Identification Number: 9493-44-4672

ACTION: 30 DAYS

Items of Business **(Pgs. 123-152)**

4. Presentation of Petition and Request to Name the Cumberland County Courthouse Building in Honor of Judge Edwin Maurice Braswell. – **REMOVED FROM AGENDA (PRESENTATION MADE DURING PUBLIC COMMENT PERIOD)** **(Pg. 123)**

5. Nominations to Boards and Committees **(Pgs. 135-144)**

A. ABC Board (2 Vacancies) **(Pg. 135)**

**NOMINEE(S): LEE BOUGHMAN
KENNETH EDGE
TAMMY SINCLAIR**

6. Appointments to Boards and Committees **(Pgs. 145-152)**

A. Fayetteville Area Convention & Visitors Bureau Board of Directors (1 Vacancy) **(Pg. 145)**

Nominee: Hotel/Motel Over 100 Rooms Representative: Adam Collier

APPOINTEE(S): ADAM COLLIER

B. Jury Commission (1 Vacancy) **(Pg. 148)**

Nominee: Steve Harper (Reappointment)

APPOINTEE(S): STEVE HARPER

C. Tourism Development Authority (1 Vacancy) **(Pg. 150)**

Nominee:

Hotel/Motel Over 100 Rooms Representative: Manish Mehta (Reappointment)

APPOINTEE(S): MANISH MEHTA

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

ADJOURNED