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**AGENDA**  
**CUMBERLAND COUNTY BOARD OF COMMISSIONERS**  
**COURTHOUSE – ROOM 118**  
**MARCH 15, 2004**  
**7:00 PM**

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INVOCATION - Commissioner Billy King

PLEDGE OF ALLEGIANCE – Girl Scout Cadet Troop 1624, Hope Mills

Recognition of Outgoing Board/Committee Members:

J. E. Herndon, Jr. – Minimum Housing Appeals Board

Mary T. Thomas – Cape Fear Valley Health System Board of Trustees

Fayetteville Dogwood Festival 2003 Queens – Katie Elizabeth Mills, Kelly Day

Karmen Leigh Strickland, Sara Elizabeth Snow

Cumberland County 250<sup>th</sup> Anniversary History Briefing –

Mayor Marshal Pitts, City of Fayetteville

Mayor C. Leo Kelly, Town of Linden

Mayor Deborah Tew, Town of Godwin

J. Lee Warren, Jr., Cumberland County Register of Deeds

1. Public Hearings

**Uncontested Cases**

**Rezoning**

- A. Case P04-14. The rezoning of an 88.83 acre portion of a 132.43 acre tract from RR to R10, or to a more restrictive zoning district, east and west of Hoke Loop Road, north of Raeford Road, owned by John A. Williams, Jr. et. al. **Approved R10**
- B. Case P04-15. The rezoning of 38.0 acres from A1 to R40, or a more restrictive zoning district, at 2729 Chicken Foot Road, owned by Annie R. Canady. **Approved R40**
- C. Case P04-18. The rezoning of 5.18 acres from RR to R6, or a more restrictive zoning district, at 7315 Rockfish Road, owned by Irina Anderson. **Deferred action until the third Monday meeting in April**

### Conditional Use Overlay

- D. Case P03-91. A Conditional Use Overlay District and Permit to allow a junk yard and open storage of equipment in an A1 District on 3.21 acres on the northeast side of Whitehead Road, North of NC Highway 24, owned by Zarko Johnson. **Approved Overlay District and Permit with conditions as recommended by Planning Board**
- E. Case P04-08. A Conditional Use Overlay District and Permit to allow automobile sales in an R40 District on 1.01 acres, at 10725 Clayfork Hill Road, owned by William Jeffrey Simpson. **Approved Overlay District and Permit with conditions as recommended by Planning Board**
- F. Case P04-09. A Conditional Use Overlay District and Permit to allow car sales, an office and a detail shop in an A1 District on 1.0 acre on the west side of Clayfork Hill Road, south of Beaver Dam Church Road, owned by William Jeffrey Simpson and Tony Derek Simpson. **Approved Overlay District and Permit with conditions as recommended by Planning Board**
- G. Case P04-17. A Conditional Use Overlay District and Permit to allow a nursery operation in the C1 and C3 Districts on .85 acres at 3610 Cumberland Road, owned by Gladys A. Blanton. **Approved Overlay District and Permit with condition as recommended by Planning Board**

### Contested Cases

- H. Case P04-05. The rezoning of .56 acres from RR to R10, or a more restrictive zoning district, at 2643 Lakeview Drive, owned by Rosina Newton. Followed recommendation of Planning Board and denied rezoning request

### Other Public Hearings

- I. Minimum Housing Code Enforcement **Ordered property owner to remove or demolish the dwelling within 60 days**

Case Number MH 1770-2003

Property Owner: Bobby D. Mullens

Property Location: Lot Behind 6159 Church Street (5 Mobile Homes)  
Fayetteville, NC

Parcel ID Number: 0520-57-3748

## **2. Consent Items **Approved A thru H(13)****

- A. Approval of minutes for the February 17, 2004 regular meeting.
- B. Approval of Declaration of Surplus County Property and Authorization to Accept Insurance Settlement.

C. Approval of Ordinance Assessing Property for the Cost of Demolition:

Case Number MH 1777-2003	Property Owner:	Providencia C. Diaz
	Property Location:	2002 W. Brinkley Drive Spring Lake, NC
	Parcel ID Number:	0513-20-8357

D. Approval of Revisions to Housing Rehabilitation and Emergency Repair Program Policies.

E. Approval of FY 2005 Application for Continuation of Implementation Funding for the Day Reporting Center of the Criminal Justice System Support Unit.

F. Approval of County Finance Committee Report and Recommendation:

- (1) Increase in Fixed Assets Capitalization Threshold.

G. Approval of County Policy Committee Report and Recommendations:

- (1) Revision of Cumberland County Code, Chapter 7, Article V, Ambulances
- (2) Affordable Housing Program Guidelines

H. Budget Revisions:

- (1) Public Buildings Janitorial/General Government

Revision in the amount of \$18,137 to reallocate expenditures to replenish custodial supplies and provide funds for equipment and vehicle maintenance. (B04-361) **Funding Source – Reallocation of Budgeted Expenditures**

- (2) Animal Control

Revisions in the amount of \$29,572 to recognize additional fees earned and to increase operating expenditures and to replace a vehicle. (B04-362) **Funding Source – Fees**

- (3) Law Enforcement Training Facility

Revision in the amount of \$2,180,000 to move budgeted revenue and expenditures from Fund 006 (Animal Control Capital Project Fund) to establish a separate Fund to facilitate accounting and record keeping for the new Law Enforcement Training Facility. (B04-363, B04-363A and B04-363B) **Funding Source – Reallocation of Budgeted Expenditures**

(4) Local School Bond Projects

Revision in the amount of \$375,906 to recognize unbudgeted prior year revenue. (B04-364) **Funding Source – Interest and Contractor Sales Tax**

(5) Planning and Inspections

Revision in the amount of \$1,126 to reallocate expenditures to adjust salaries for higher certification level earned. (B04-367) **Funding Source – Reallocation of Budgeted Expenditures**

(6) Health

a. Immunization Clinic - Revision in the amount of \$2,259 to budget State funds for the Immunization Clinic. (B04-366) **Funding Source – State**

b. Dental Clinic – Revision in the amount of \$2,450 to reallocate budgeted expenditures to fund salary increase for two positions. (B04-368) **Funding Source – Reallocated Budgeted Expenditures**

(7) School C.O. Category I/Category II/Category III

Revisions in the total amount of \$2,046,100 to appropriate fund balance to rebudget unexpended capital outlay funds from the prior fiscal year as approved by the Cumberland County Board of Education on February 10, 2004. (B04-369, B04-369A and B04-369B) **Funding Source – School C.O. Fund Balance**

(8) Sheriff

a. Revision in the amount of \$6,321 to recognize revenue from support provided to the Town of Kitty Hawk during Hurricane Isabel and revenue from the Sheriff's Auction of Found Property. (B04-370) **Funding Source – Miscellaneous**

b. Revision in the amount of \$5,000 to recognize additional concealed weapon fees. (B04-381) **Funding Source – Fees**

- c. Revision in the amount of \$18,072 to recognize insurance settlements to purchase replacement vehicle. (B04-384) **Funding Source - Insurance**

(9) Social Services

Revision in the amount of \$227,696 to increase revenue and expenditures to recognize additional state funding received. (B04-372) **Funding Source – State**

(10) Emergency Services Grants

Revision in the amount of \$932,533 to budget Homeland Security Grant Part II. (B04-376) **Funding Source – Federal Grant**

(11) WIA Dislocated Worker Program

Revision in the amount of \$100,000 to budget for a contract with the State Employment Security Commission for On-The-Job-Training placement of referred dislocated workers. (B04-379) **Funding Source - State**

(12) Mental Health

- a. Developmental Disabilities/Spainhour - Revision in the amount of \$15,000 to transfer funds from Developmental Disabilities to Spainhour to fund temporary workers while employees are on military leave. (B04-382 and B04-382A) **Funding Source – Reallocated Budgeted Expenditures and Revenues**
- b. Adult Community Services – Revision in the amount of \$48,888 to budget additional State funds for general assistance to patients released from State Hospitals. (B04-383) **Funding Source – State**

(13) Legal/General Government Other

Revision in the amount of \$16,319 to reallocate expenditures to implement a Legal Action Workflow System in the Legal Department. (B04-385) **Funding Source – Reallocated Budgeted Expenditures**

## Items of Business

### (3) Consideration of County Facilities Committee Report and Recommendation

- A. County Animal Control Center and Sheriff's Training Center Project Update  
**Approved building programs, building plans and master site plan on both projects and authorized staff to proceed with design development and authorized staff to negotiate the architectural fees for the balance of the design and construction management phases of the project based on the building sizes in the approved conceptual plans**

### (4) Nominations to Boards and Committees

- A. Board of Adjustment (1 Vacancy)

**Nominee: Johnny Lee Council**

- B. Criminal Justice Partnership Advisory Board (1 Vacancy)

**Nominees: Judge Jack A Thompson  
Superior Court Judge**

- C. Library Board of Trustees (1 Vacancy)

**Nominee: Robbin Tatum**

- D. Tourism Development Authority (2 Vacancies)

**Nominees: Katherine Keefe Jensen  
Cameron W. Stout**

- (1) Appointment of TDA Chairman

**Appointed Billy Wellons, Chairman of the TDA**

### (5) Appointments to Boards and Committees

- A. Adult Care Home Community Advisory Committee (3 Vacancies)

**Appointed: Brenda Matthews  
Robert Searle  
Patricia Paul**

- B. Storm Water Advisory Board (1 Vacancy)

Joint Appointee: **Appointed: Dohn Broadwell, Jr.**

**RECESS THE BOARD OF COMMISSIONERS' REGULAR MEETING.**

**CONVENE THE KELLY HILLS/SLOCOMB ROAD WATER & SEWER DISTRICT GOVERNING BOARD MEETING (SEE SEPARATE AGENDA) / ADJOURN**

**RECONVENE THE REGULAR BOARD OF COMMISSIONERS' MEETING.**

- (6) Closed Session:
- A. Attorney-Client Privilege Matter(s) Pursuant to NCGS 143-318.11(a)(3).
  - B. Personnel Matter Pursuant to NCGS 143-318.11(a)(6).

**The Board came out of Closed Session and appointed Robert L. (Bobby) Howard, Director of the Solid Waste Management Department at a salary of \$55,000 per year (salary grade 76), effective immediately.**

**NOTE: The Board of Commissioners met as the Kelly Hills/Slocumb Road Water & Sewer District Governing Board and approved the Minutes from the August 5, 2002 meeting, and approved the bids for the construction of the Kelly Hills/Slocumb Road water and sewer district utility improvements.**

**THIS MEETING WILL BE BROADCAST LIVE ON TIME WARNER COMMUNITY CHANNEL 7.**

**MEETINGS:**

- April 5, 2004 (Monday) - 9:00 AM**
- April 19, 2004 (Monday) - 7:00 PM**