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**AGENDA**  
**CUMBERLAND COUNTY BOARD OF COMMISSIONERS**  
**COURTHOUSE – ROOM 118**  
**FEBRUARY 20, 2007 (TUESDAY)**  
**6:45 PM**

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INVOCATION - Commissioner John Henley

PLEDGE OF ALLEGIANCE – Miah Nash – Rockfish Elementary School

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

1. Consent Agenda

A. Approval of minutes for the February 5, 2007 regular meeting including recessed February 9, 2007 meeting.

B. Approval of Construction Contract Adjustments:

1) Barnhill Contracting Company, Extension of Production Drive, Cumberland Industrial Center - Change Order #1.

2) Paul Howard Construction Company, Lake Upchurch Dam Restoration Project – Change Order #2.

3) Bordeaux Construction, Enhanced Floor Coverings for Animal Control Center – Change Order # ACC-3.

C. Approval of Deferred Forgivable Loan for Affordable Housing for the Disabled – Southview 400.

D. Approval of Declaration of Surplus County Property and Authorization to Accept Insurance Settlement.

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

Case Number:	MH 4748-2006
Property Owner:	Jerome Scott & Robin Johnson
Property Location:	6229 Canadian Avenue, Hope Mills, NC
Parcel Identification Number:	0442-66-9594

F. Approval of a Proclamation Proclaiming April 22-28, 2007 as “Volunteer Week” in Cumberland County.

G. Budget Revisions:

(1) Cumberland Day Reporting Center

Revision in the amount of \$5,255 to budget additional funding from the State. (B07-255) **Funding Source – State**

(2) Health

South Central Partnership for Public Health - Revision in the amount of \$114,304 to rebudget unexpended portion of grant funding available from the prior fiscal year. (B07-252) **Funding Source – State**

(3) Social Services Other

Revision in the amount of \$823,076 to budget additional Child Care funding from the State. (B07-259) **Funding Source – State**

(4) Planning & Inspections

a. Revision in the amount of \$10,000 to budget additional funding to produce printed outreach materials to raise air quality awareness in the Fayetteville area. (B07-247) **Funding Source – State**

b. Revision in the amount of \$1,136 to reallocate budgeted expenditures to recognize increased certification level for an inspector. (B07-253) **Funding Source – Reallocation of Budgeted Expenditures**

(5) Wireless 911 / Emergency 911

Revision in the amount of \$75,524 to adjust for prior year revenue that was recognized in the wrong fund. (B07-254 and B07-254A) **Funding Source – Reallocation of Fund Balance**

(6) Workers' Compensation

Revision in the amount of \$7,400 to reallocate budgeted expenditures to establish a new part-time Administrative Support II position to assist the Benefits Coordinator. (B07-246) **Funding Source – Reallocation of Budgeted Expenditures**

(7) Injured Animal

Revision in the amount of \$668 to budget additional contributions received for the Injured Animal Program. (B07-256) **Funding Source – Contributions**

(8) Juvenile Crime Prevention Program

Revision in the amount of \$132,250 to budget Gang Violence Prevention Grant. (B07-218) **Funding Source – State**

2. Public Hearings

**Uncontested Cases**

**Rezoning**

- A. Case P07-06. The rezoning of 2.58 acres from RR to M(P), or to a more restrictive zoning district, located on the north side of W. Manchester Road, west of Veterans Drive, owned by James LeBlanc American Legion Post #230.
- B. Case P07-07. The rezoning of 7.04 +/- acres from R6A to M(P), or to a more restrictive zoning district, at 423 and 433 Delbert Drive, owned by Rudolf F. and Inge S. Weimann.
- C. Case P07-09. The rezoning of 1.56 +/- acres from R6A and C3 to C(P), or to a more restrictive zoning district, located on the south side of Hudson Street, north of Wilkes Road, owned by Thurmond J. Price.

## Other Public Hearings

### D. Minimum Housing Code Enforcement

1. Case Number: MH 4917-2006  
Property Owner: Paul P. & Angela A. Virtue, Jr.  
Property Location: 2334 George Owen Rd., Fayetteville, NC  
Parcel Identification Number: 0405-84-0497
2. Case Number: MH 4582-2005  
Property Owner: Delwyn Paige Tart  
Property Location: 1142 & 1146 Charmain St., Fayetteville, NC  
Parcel Identification Number: 0419-87-5083
3. Case Number: MH 4911-2006  
Property Owner: Ronald K. Rigsby  
Property Location: 248 East Jenkins St., Fayetteville, NC  
Parcel Identification Number: 0436-32-1953
4. Case Number: MH 4865-2006  
Property Owner: Arthur Hair  
Property Location: 4218 Longview Ave., Hope Mills, NC  
Parcel Identification Number: 0424-21-4934
5. Case Number: MH 4931, MH 4932, MH 4933-2006  
Property Owner: Sharon R. Walden & Brenda E. Furlong  
Property Location: 2200 Crystal Springs Rd,  
Mobile Homes #1, #2, and #3  
Parcel Identification Number: 0415-16-4016

### Items of Business

3. Nominations to Boards and Committees
  - A. Equalization and Review Board (3 Vacancies)
4. Appointments to Boards and Committees
  - A. Adult Care Home Community Advisory Committee (4 Vacancies)  
  
Nominees: Ernestine Mack  
Lonnie Johnson  
Teresa McNeill  
Jacqueline Wolfe

B. Air Quality Stakeholders' Committee (2 Vacancies)

Nominees:     Town of Hope Mills Stakeholder:     Commissioner Jerry Legge  
                         Town of Spring Lake Stakeholder:     Alderwoman Jami Sheppard

C. Nursing Home Advisory Board (1 Vacancy)

Nominee:     William R. Nichols

**ADJOURN**

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

**MEETINGS:     March 5, 2007 (Monday) - CANCELED**  
                         **March 19, 2007 (Monday) - 6:45 PM**

ROBERT N. STANGER, P.E.  
County Engineer



SAM LUCAS  
Engineering Technician

WAYNE DUDLEY, CFM  
Engineering Technician

ENGINEERING DEPARTMENT

Historic Courthouse, 130 Gillespie Street • P.O. Box 1829 • Fayetteville, North Carolina 28302-1829  
Telephone (910) 678-7636 • Fax (910) 678-7635

February 1, 2007

ITEM NO. 1B(1)

**MEMORANDUM**

**TO:** BOARD OF COUNTY COMMISSIONERS

**FROM:** ROBERT N. STANGER, COUNTY ENGINEER *RS*

**THROUGH:** AMY H. CANNON, ASSISTANT COUNTY MANAGER

**SUBJECT:** CHANGE ORDER #1(FINAL) - BARNHILL CONTRACTING COMPANY  
EXTENSION OF PRODUCTION DRIVE - CUMBERLAND INDUSTRIAL CENTER

**BACKGROUND**

Attached is Change Order #1(Final) for Barnhill Contracting Company in the deductive amount of (\$15,033.10) for construction of the above referenced project. This change order includes both additive and deductive items. The additive items include installing a Type III Barricade at the end of the road extension as required by NCDOT and backfilling undercut areas with washed stone in select areas as directed by the engineer for a total add of \$5,712.50. The deductive items include adjusting the bid quantity to the actual in-place quantity for Bid Items 8, 9, 14, 23 & 24 for a total deduct of (\$20,745.60). The net amount of the change order is a deduct of (\$15,033.10).

The change order has been reviewed by the County Attorney's office for legal sufficiency.

**RECOMMENDATION/PROPOSED ACTION**

The recommendation of the County Engineer, MK&R, and management is to approve Change Order #1(Final) for Barnhill Contracting Company in the deductive amount of (\$15,033.10) for the Extension of Production Drive - Cumberland Industrial Center and reduce the contract amount to \$172,467.10.

The proposed action by the Board is to follow the staff recommendation.

*Celebrating Our Past...Embracing Our Future*

# CHANGE ORDER

Distribution To:

OWNER ☐  
ENGINEER ☐  
CONTRACTOR ☐  
FIELD ☐  
OTHER ☐

PROJECT: Cumberland County  
Cumberland Industrial Center  
Extension of Production Drive  
Fayetteville, North Carolina

CHANGE ORDER NUMBER: 1 (FINAL)

INITIATION DATE: January 16, 2007

TO: Barnhill Contracting Company  
P.O. Box 35376  
Fayetteville, NC 28303-5376

ENGINEER'S PROJECT NO:

CONTRACT FOR: General Construction

CONTRACT DATE: February 6, 2006

You are directed to make the following changes in this Contract:

Adjust the bid quantity to actual quantity for the following contract bid items:

Item 8 Borrow Excavation onsite - Reduce from 1110 CY to 0 CY	DEDUCT:	(\$11,322.00)
Item 9 Undercut Excavation - Reduce from 889 CY to 658 CY	DEDUCT:	(\$ 1,940.40)
Item 14 Geotextile Fabric - Reduce from 1333 SY to 689 SY	DEDUCT:	(\$ 676.20)
Item 23 Top Soil Offsite - Reduce from 200 CY to 0 CY	DEDUCT:	(\$ 840.00)
Item 24 Borrow Excavation offsite - Reduce from 889 CY to 226 CY	DEDUCT:	(\$ 5,967.00)

Add the following:

Install Type III Barricade at end of road extension per NCDOT.

ADD: \$ 250.00

Install Washed Stone #57 in undercut areas as directed by the project engineer.

ADD: \$ 5,462.50

**TOTAL DEDUCT: (\$15,033.10)**

Through the acceptance of this Change Order, the Contractor acknowledges that he has reviewed the status of the work to date and that this Change Order represents the final and complete payment for the above stated additional work on the Cumberland Industrial Center Extension of Production Drive Project and includes any and all costs for delays, claims or demands against the Owner and Moorman, Kizer & Reitzel, Inc. The Contractor by accepting the Change Order agrees to indemnify Moorman, Kizer & Reitzel, Inc., the Owner and all other parties associated with this project forever from liens or claims from the Contractor or any other person directly or indirectly acting for, through, or under the Contractor.

Not valid until signed by the Owner and the Engineer.

Signature of the Contractor indicates agreement herewith, including any adjustment in the Contract Sum or the Contract Time.

The original (Contract Sum) ( <del>Guaranteed Maximum Cost</del> ) was.....	\$ 187,500.20
Net change by previously authorized Change Orders.....	\$ 0.00
The (Contract Sum) ( <del>Guaranteed Maximum Cost</del> ) prior to this Change Order was.....	\$ 187,500.20
The (Contract Sum) ( <del>Guaranteed Maximum Cost</del> ) will be ( <del>increased</del> ) ( <del>decreased</del> ) ( <del>unchanged</del> ) by this Change Order.....	(\$ 15,033.10)
The new (Contract Sum) ( <del>Guaranteed Maximum Cost</del> ) including this Change Order will be.....	\$ 172,467.10
The Contract Time will be ( <del>increased</del> ) ( <del>decreased</del> ) ( <del>unchanged</del> ) by.....	(--0--) Days
The Date of Substantial Completion as of the date of this Change Order therefore is unchanged.	

Moorman, Kizer & Reitzel, Inc.  
ENGINEER

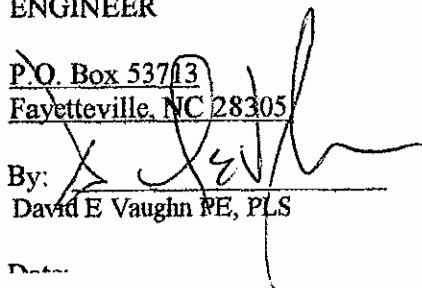
Barnhill Contracting Company  
CONTRACTOR

County of Cumberland  
OWNER

P.O. Box 53713  
Fayetteville, NC 28305

P.O. Box 35376  
Fayetteville, NC 28303

P.O. Box 1829  
Fayetteville, NC 28302

By:   
David E. Vaughn PE, PLS

By:   
Kermit Moser, VP

By: \_\_\_\_\_  
Kenneth Edge, Chairman

Date:

Date:

Date:

ROBERT N. STANGER, P.E.  
County Engineer



SAM LUCAS  
Engineering Technician

WAYNE DUDLEY, CFM  
Engineering Technician

ENGINEERING DEPARTMENT

Historic Courthouse, 130 Gillespie Street • P.O. Box 1829 • Fayetteville, North Carolina 28302-1829  
Telephone (910) 678-7636 • Fax (910) 678-7635

February 9, 2007

ITEM NO. 1B(2)

**MEMORANDUM**

**TO:** BOARD OF COUNTY COMMISSIONERS

**FROM:** ROBERT N. STANGER, COUNTY ENGINEER *Bob*

**THROUGH:** AMY H. CANNON, ASSISTANT COUNTY MANAGER

**SUBJECT:** CHANGE ORDER #2 PAUL HOWARD CONSTRUCTION COMPANY  
LAKE UPCHURCH DAM RESTORATION PROJECT

**BACKGROUND**

Attached is Change Order #2 for Paul Howard Construction Company, Inc., in the amount of \$109,680.00 for additional work on the Lake Upchurch Dam Restoration Project. The contract amount is based on unit prices and estimated quantities for the various work items and requires adjustment to reflect the actual quantities of work in-place. Change Order #2 adjusts the bid quantity of the following:

Item 6 - Earth Fill. The bid quantity is 5,000 CY and the actual quantity installed is 6,206 CY based on revised earth fill calculations provided by the surveyor and approved by the engineer. The contractor's initial as-built survey indicated the quantity of earth fill required to repair the breach was 7,074 CY, however, the upstream face of the re-built dam was at a flatter slope than required by the construction plans. The contractor was instructed to calculate the fill assuming the breach was repaired to the slope indicated on the plans. At the unit price of \$14.00 per CY, this results in an increase of \$16,884.00.

Item 10 - Rip-Rap with Stone Bedding. The bid quantity is 2,500 Tons and the revised estimated quantity is 3,915 Tons due to the requirement from FERC to increase the size of the energy dissipator at the end of the concrete spillway chute. At the unit price of \$60 per Ton, this results in an increase of \$84,900.00. The project was let for bids and contract awarded prior to final plan approval from the regulatory agencies (FERC and NCDENR). This was done because at the time the County was faced with completing the work by the end of May 2006 to comply with our wetlands permit. A one year extension of the permit has been granted by the Corp of Engineers.

Item 11 - Geotextile Fabric. The bid quantity is 3,500 SY and the revised estimated quantity is 4,632 SY due to the increased area of the rip-rap energy dissipator at the end of the concrete spillway chute. At the unit price of \$3.00 per SY, this results in an increase of \$3,396.00.



Item 15 - Permanent Turf Establishment. The bid quantity is 3 AC and the revised estimated quantity is 4 AC due to the need to increase the size of the disposal area for the material excavated for the spillway. At the unit price of \$4,500 per AC, this results in an increase of \$4,500.00.

The County Attorney's Office has reviewed the Change Order for legal sufficiency. There are sufficient monies in the Water & Sewer Fund Balance that can be allocated to the project for this change order.

RECOMMENDATION/PROPOSED ACTION:

The recommendation of the County Engineer, Schnabel Engineering, and management is to:

1. Approve Change Order #2 for Paul Howard Construction Company, Inc., in the amount of \$109,680.00 and increase the contract amount to \$1,964,866.45.
2. Approve the attached budget revision.

The proposed action by the Board is to follow the staff recommendation.

# CHANGE ORDER

Distribution To:

OWNER ☐  
ENGINEER ☐  
CONTRACTOR ☐  
FIELD ☐  
OTHER ☐

PROJECT: Cumberland County  
Lake Upchurch Dam Restoration

CHANGE ORDER NUMBER: 2  
INITIATION DATE: February 4, 2007

TO: Paul Howard Construction Co., Inc.  
7605-I Business Park Drive  
Greensboro, NC 27409

ENGINEER'S PROJECT NO:  
  
CONTRACT FOR: General Construction  
  
CONTRACT DATE: February 6, 2006

You are directed to make the following changes in this Contract:

Increase bid quantity of Item 6 Earth Fill from 5,000 CY to 6,206 CY.	ADD:	\$ 16,884.00
Increase bid quantity of Item 10 Rip-Rap w/Bedding Stone from 2,500 TN to 3,915 TN.	ADD:	\$ 84,900.00
Increase bid quantity of Item 11 Geotextile Fabric from 3,500 SY to 4,632 SY.	ADD:	\$ 3,396.00
Increase bid quantity of Item 15 Permanent Turf Establishment from 3 AC to 4 AC.	ADD:	\$ 4,500.00
	<b>TOTAL:</b>	<b>\$109,680.00</b>

Not valid until signed by the Owner and the Engineer.

Signature of the Contractor indicates agreement herewith, including any adjustment in the Contract Sum or the Contract Time.

The original (Contract Sum) ( <del>Guaranteed Maximum Cost</del> ) was.....	\$	1,787,550.00
Net change by previously authorized Change Orders.....	\$	67,636.45
The (Contract Sum) ( <del>Guaranteed Maximum Cost</del> ) prior to this Change Order was.....	\$	1,855,186.45
The (Contract Sum) ( <del>Guaranteed Maximum Cost</del> ) will be increased by this Change .....	\$	109,680.00
The new (Contract Sum) ( <del>Guaranteed Maximum Cost</del> ) including this Change Order will be.....	\$	1,964,866.45
The Contract Time will be ( <del>increased</del> ) ( <del>decreased</del> ) (unchanged) by .....		(--0--) Days
The Date of Substantial Completion as of the date of this Change Order therefore is unchanged		

Schnabel Engineering South  
ENGINEER

County of Cumberland  
OWNER

Paul Howard Construction Co.  
CONTRACTOR

15-E Glenn Bridge Road  
Arden, NC 28704

P.O. Box 1829  
Fayetteville, NC 28302

7605-I Business Park Drive  
Greensboro, NC 27409

BY: \_\_\_\_\_

BY: \_\_\_\_\_

BY: \_\_\_\_\_

DATE: \_\_\_\_\_

DATE: \_\_\_\_\_

DATE: \_\_\_\_\_

**COUNTY OF CUMBERLAND  
BUDGET REVISION REQUEST**

**Budget Office Use**

Budget Revision No. B07-258

Date Received 2/9/2007

Date Completed \_\_\_\_\_

Fund No. 250 Agency No. 450 Organ. No. 4590

Organization Name: Water and Sewer Fund

**REVENUE**

Revenue Source Code	Description	Current Budget	Increase (Decrease)	Revised Budget
9901	Fund Balance Appropriated	3,324,268	109,680	3,433,948

Total 3,324,268 109,680 3,433,948

**EXPENDITURES**

Object Code	Appr Unit	Description	Current Budget	Increase (Decrease)	Revised Budget
344A	754	Lake Upchurch	1,675,131	109,680	1,784,811

Total 1,675,131 109,680 1,784,811

**Justification:**

Revision in the amount of \$109,680 to appropriate County Water & Sewer fund balance to fund Change Order #2 for Paul Howard Construction Company for additional work on the Lake Upchurch Project.

**Funding Source:**

State: \_\_\_\_\_

Federal: \_\_\_\_\_

**Fund Balance:**

County: \_\_\_\_\_

New: \_\_\_\_\_

Other: \_\_\_\_\_

Other: \_\_\_\_\_

Fees: \_\_\_\_\_

Prior Year: \_\_\_\_\_

Submitted By: \_\_\_\_\_

Date: \_\_\_\_\_

Department Head

Reviewed By: Bob Tucker

Date: 2/9/07

Budget Analyst

Reviewed By: Amy Cannon

Date: 2/14/07

Assistant County Mgr

Reviewed By: \_\_\_\_\_

Date: \_\_\_\_\_

Information Services

**Approved By:**

Date: \_\_\_\_\_

County Manager

Board of County

Commissioners

Date: \_\_\_\_\_

ROBERT N. STANGER, P.E.  
County Engineer



SAM LUCAS  
Engineering Technician

WAYNE DUDLEY, CFM  
Engineering Technician

ENGINEERING DEPARTMENT

Historic Courthouse, 130 Gillespie Street • P.O. Box 1829 • Fayetteville, North Carolina 28302-1829  
Telephone (910) 678-7636 • Fax (910) 678-7635

February 12, 2007

ITEM NO. 1B(3)

**MEMORANDUM**

**TO:** BOARD OF COUNTY COMMISSIONERS

**FROM:** ROBERT N. STANGER, COUNTY ENGINEER *BOB*

**THROUGH:** AMY H. CANNON, ASSISTANT COUNTY MANAGER

**SUBJECT:** ENHANCED FLOOR COVERINGS FOR ANIMAL CONTROL CENTER PROJECT

**BACKGROUND**

The Board awarded a contract for construction of the Animal Control Center & Sheriff's Training Center in October 2005. At that time, Alternate #1 - Enhanced Flooring Package for the Animal Control Center in the amount of \$153,000 was not accepted due to cost constraints. As a result, with the exception of the office areas, the floors in the facility are exposed concrete. Sue Nicholson, Animal Control Director, is very concerned about disease control and the ability to properly sanitize concrete floors in those areas where animals are housed and/or transported within the Center. The enhanced flooring package would have provided a quartz epoxy resin floor covering in the animal preparation areas and all holding areas in addition to other types of floor coverings throughout the building. The attached letter from the project architect indicates that the contractor is willing to provide the County with some credits to be applied towards the cost of the epoxy floor finish due to cracks in the concrete floors. The areas where the epoxy floor covering is needed includes the isolation rooms, large dog kennel areas, small dogs and cats holding rooms, grooming room, euthanasia room, and main corridors. The cost to install the epoxy resin floor covering will not exceed \$52,000 and will be funded from General Fund Contingency.

**RECOMMENDATION/PROPOSED ACTION:**

The recommendation of the County Engineer, Animal Control Director, LSV Partnership, and management is to:

1. Authorize the staff to proceed with installation of the epoxy resin floor coverings in the Animal Control Center in the amount not to exceed \$52,000 and execute a formal change order when the work is complete and the final cost determined.
2. Approve the attached budget revision.

The proposed action by the Board is to follow the staff recommendation.

*Celebrating Our Past...Embracing Our Future*

**The LSV Partnership**  
**Architects/Planners • AIA**

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February 12, 2007

Mr. Bob Stanger  
Cumberland County Department of Engineering  
P.O. Drawer 1829  
Fayetteville, NC 28302

Re: Cumberland County Animal Control Center

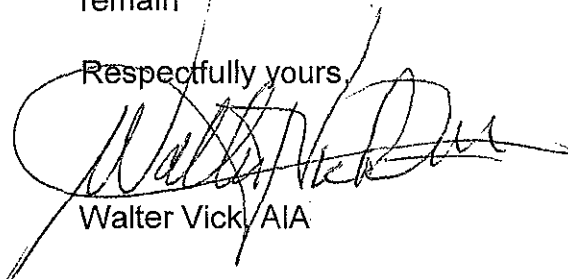
Dear Bob,

This is in follow-up to our conversation on the above project relative to the floor finish in animal-occupied areas. Based upon the current staff's concerns regarding disease control, we have revisited the cost of the epoxy floor finish, which was priced as an alternate, but not included in the contract.

With concessions and credits from the contractor due to cracks in the slab, we have gotten the overall cost down to \$52,000±. This is an excellent value for a long-term, durable and disease resistant finish. We recommend that the county authorize us to proceed on a not-to-exceed basis. Once completed, we would prepare a change order for the final cost.

Please let me know if you have questions or need additional information. I remain

Respectfully yours,



Walter Vick, AIA

**COUNTY OF CUMBERLAND  
BUDGET REVISION REQUEST**

Budget Office Use	
Budget Revision No.	B07-260
Date Received	2/13/2007
Date Completed	

Fund No. 006 Agency No. 424 Organ. No. 4252

Organization Name: Animal Control Facility

**REVENUE**

Revenue Source Code	Description	Current Budget	Increase (Decrease)	Revised Budget
9110	Transfer from General Fund	774,045	52,000	826,045
Total		774,045	52,000	826,045

**EXPENDITURES**

Object Code	Appr Unit	Description	Current Budget	Increase (Decrease)	Revised Budget
3799	ZZG	Construction Other	4,620,253	52,000	4,672,253
Total			4,620,253	52,000	4,672,253

**Justification:**

Revision to budget a transfer from the General Fund in the not to exceed amount of \$52,000 to upgrade the flooring in certain critical areas of the facility to a quartz epoxy resin flooring system which will enhance sanitation and disease control.

**Funding Source:**

State: \_\_\_\_\_ Federal: \_\_\_\_\_ Fund Balance: \_\_\_\_\_ County: \_\_\_\_\_ New: \_\_\_\_\_ Other: \_\_\_\_\_  
Other: \_\_\_\_\_ Fees: \_\_\_\_\_ Prior Year: \_\_\_\_\_

Submitted By: \_\_\_\_\_ Date: \_\_\_\_\_  
Reviewed By: Bob Tucker Date: 2/13/07  
Reviewed By: Ammyl Cannon Date: 2/14/07  
Reviewed By: \_\_\_\_\_ Date: \_\_\_\_\_  
Information Services

Approved By:	
County Manager	Date: _____
Board of County Commissioners	Date: _____

Date:



## COUNTY of CUMBERLAND

### Community Development

#### **MEMORANDUM FOR BOARD OF COMMISSIONERS AGENDA** **FEBRUARY 20, 2007**

**TO:** BOARD OF COUNTY COMMISSIONERS

**THRU:** JUANITA PILGRIM, DEPUTY COUNTY MANAGER *Juanita Pilgrim*

**FROM:** THANENA S. WILSON, COMMUNITY DEVELOPMENT DIRECTOR *Thana Wilson*

**DATE:** FEBRUARY 9, 2007

**SUBJECT:** APPROVAL OF DEFERRED FOREGIVABLE LOAN FOR AFFORDABLE HOUSING FOR THE DISABLED - *SOUTHVIEW 400*

#### **BACKGROUND**

North Carolina Housing Finance Agency (NCHFA) has implemented a new program called the Housing 400 Initiative. This initiative is designed to increase the supply of independent and supportive living apartments for the disabled. Those targeted are persons whose income is at the level of Supplemental Security Income (SSI), which is lower than the income guidelines used for our community development programs.

Murray Duggins, United Developers, has submitted a request for funding for a project under this initiative called *Southview 400*. The proposed project will consist of (2) 1-bedroom and (6) 2-bedroom affordable units for the disabled whose incomes are *at or below 30% of the median income*. Rents will be approximately *\$191 per month with utilities included*. The project will be located off Elk Road in Hope Mills, which is an area surrounded by other affordable rental housing units as well as market rate rental and homeownership units.

The total project development cost is estimated at \$744,000. NCHFA will fund up to 85% of the development budget costs, therefore, Mr. Duggins is requesting a commitment from the County of \$112,000 for the remaining 15% needed. In order for projects like this to succeed, they must be heavily subsidized since the tenants are very low-income and the rents generated are insufficient to cover operating costs. As an added incentive to the program, NCHFA is offering loan terms of 0% deferred for 30 years with operating subsidies provided for approved projects (\$250 for 1- bedroom units and \$300 for 2-bedroom units). However, even with these additional subsidies, project cash flow is minimal.



As affordable housing for the disabled is identified as a priority need in our Consolidated Plan, this is an initiative that we should support by partnering in this development. Participation in this initiative will also contribute to Cumberland County's support of rental projects that provide housing for citizens who fall below 30% of the area median income.

**RECOMMENDATION AND PROPOSED ACTION**

Staff recommends that the Board of Commissioners approve: 1) funding for Southview 400 in the amount of \$112,000 as a 20-year deferred forgivable loan at 0% interest; and 2) issuance of the Conditional Letter of Commitment to be executed by the County Manager.

Attachments: Conditional Letter of Commitment



# COUNTY of CUMBERLAND

## *Community Development*

February 20, 2007

Murray O. Duggins  
United Developers  
Post Office Box 43333  
Fayetteville, North Carolina 28309

Re: ***Southview 400***  
***Conditional Letter of Commitment***

Dear Mr. Duggins:

This letter is to inform you that Cumberland County is committed to providing a \$112,000 20-year deferred forgivable loan from its HOME funds at 0% interest in support of your 8 unit affordable housing development project for the disabled, Southview 400; which will be located off Elk Road in Hope Mills, Cumberland County, North Carolina.

The commitment is contingent upon the completion of a satisfactory environmental review as determined by the County. Upon receipt of this letter, you may undertake non-physical project activities without restriction using your own funds. However, if your funds are used for an activity that has an adverse environmental impact or that limits the choice of alternatives prior to HUD's approval of the County's Request for Release of Funds, the County may be unable to fund your project. Once these items have been properly completed and Community Development receives a Release of Funds for the project from HUD, a permanent letter of commitment can be issued to you.

We are very pleased that you have proposed to undertake this project as part of North Carolina Housing Finance Agency's Housing 400 Initiative to meet a very critical need in our county. As Cumberland County is committed to assisting our disabled and very-low income citizens, this project provides the ideal opportunity to demonstrate such support. We look forward to working with you in completion of another successful affordable housing venture.

Sincerely,

James E. Martin  
County Manager

## EVIDENCE OF CONDITIONAL LOAN COMMITMENT

ATTN: Housing 400 Initiative

The undersigned (hereinafter "Lender") hereby makes the following representation to the North Carolina Housing Finance Agency (hereinafter "NCHFA") to induce NCHFA to approve application from Murray Duggins (hereinafter "Applicant") for the Housing 400 Initiative for a development to be located at Elk Road, Hope Mills, North Carolina, to be known as Southview 400, and to consist of 8 units (hereinafter "Development"):

1. The Lender has made a binding loan commitment (hereinafter "Commitment") to Applicant for the permanent financing of the Development. This Commitment is valid through December 31, 2007.
2. All conditions precedent to the issuance of the Commitment, including, but not limited to, payment of the commitment fees and other fees, and any good faith deposits, required of the Applicant have been met and are deemed satisfied by the Lender.
3. The applicant has accepted the Commitment.
4. The Commitment contains no conditions which are not customary and reasonable for loans of this nature and amount and which are not reasonably expected by the Lender to be met at the time of loan funding.
5. The Lender reasonably expects to close on the loan referenced in the Commitment by December 31, 2007, subject to performance of the Applicant.
6. The undersigned is a duly authorized officer of the Lender who has direct and personal knowledge of the facts contained in the document and who is authorized to execute said document on behalf of the Lender.
7. A copy of the Commitment is attached hereto and incorporated into this document.

COUNTY OF CUMBERLAND

(CORPORATE SEAL)

By: \_\_\_\_\_  
James E. Martin, County Manager



ITEM NO. 1D

## COUNTY of CUMBERLAND

*Office of the Risk Manager*

February 13, 2007

### MEMORANDUM

TO: BOARD OF COUNTY COMMISSIONERS

FROM: JAMES B. SILMAN, RISK MANAGEMENT DIRECTOR *JS*

SUBJECT: CONSIDERATION OF DECLARATION OF SURPLUS  
COUNTY PROPERTY AND AUTHORIZATION TO ACCEPT  
INSURANCE SETTLEMENT

### BACKGROUND

DATE OF ACCIDENT	November 28, 2006
VEHICLE	2006 Ford Crown Victoria
VIN	2FAHP71W56X143682
FLEET #	FL119
MILEAGE	13,000
DEPARTMENT	Sheriff
SETTLEMENT OFFER	\$15,608.00
INSURANCE COMPANY	Allstate

This is a total loss settlement offer.

### RECOMMENDATION/PROPOSED ACTION

Management recommends that the Board of Commissioners:

1. declare the vehicle described above as surplus
2. authorize the Risk Manager to accept \$15,608.00 as settlement
3. allow Allstate Insurance to take possession of the wrecked (surplus) vehicle.

Coastal Carolina  
Market Claim Office  
**Allstate Insurance Company**  
3150 Spring Forest Road, Suite 100  
Raleigh, NC 27618  
Bus: (919) 872-3200



02/12/2007

Cumberland County Sheriff Department  
P.O. Box 1829  
Fayetteville, N.C. 28202  
c/o Mr. Silman

RE: Settlement Offer  
Claim Number 1706944517

Dear Sir, in regards to one 2006 Ford Crown Victoria, VIN  
2FAHP71W56X143682, determined to be a total loss due  
to damage sustained in an accident on 11/28/2006. Allstate Insurance Company  
extends the following settlement offer;

Actual Cash Value of \$15,100.00 + 3% tax 453.00 + tag fee 55.00 for a total of  
\$15,608.00.

The offer as stated is with Allstate Insurance Company taking salvage.

If I can be of further assistance please do not hesitate to call me, 919 210 6792.

Sincerely,

  
Raymond Eledsole  
Allstate Insurance Company

ORDINANCE ASSESSING PROPERTY FOR THE COSTS  
OF DEMOLITION OF A STRUCTURE PURSUANT TO  
THE MINIMUM HOUSING CODE OF CUMBERLAND COUNTY

WHEREAS, the Board of County Commissioners of Cumberland County, North Carolina, on September 18, 2006, enacted an ordinance directing the demolition by the owner(s) of the structure(s), Jerome Scott & Robin Johnson located at 6229 Canadian Avenue, Hope Mills, NC (PIN:0442-66-9594), said ordinance being recorded at Book 7379, page 79, of the Cumberland County Registry of Deeds;

WHEREAS, the time within which said demolition was to be performed has expired and the owner(s) failed to comply with the ordinance within such period; and

WHEREAS, the said ordinance further directed the Minimum Housing Inspector to effect the demolition of the structure(s) in the event the owner(s) failed to do so;

WHEREAS, the Minimum Housing Inspector has reported to this Board that:

- (1) Said work had been accomplished.
- (2) The cost of such work was \$2,500.00.
- (3) There were no salable materials resulting from said work.

NOW THEREFORE, the above report coming on to be considered and the Board of County Commissioners finding it to be a true and accurate accounting, the said Board hereby ORDAINS:

(1) That the real property on which the work was performed be, and it hereby is, assessed in the amount of \$2,500.00, said sum being the unpaid balance of the cost of the work set forth in the Inspector's Report;

(2) That as provided in the Ordinance of Cumberland County dated September 18, 2006, and in Section 160A-443(6) of the General Statutes of North Carolina, the amount of the foregoing assessment be, and hereby does constitute, a lien against the real property upon which such costs were incurred, such property being more particularly described as follows:

The structure and premises located at 6229 Canadian Ave., Hope Mills, NC, as described in Deed Book 5046, page 749, of the Cumberland County Registry and identified in County tax records as PIN 0442-66-9594.

(3) That as further provided in Section 160A-443(6) of the General Statutes of North Carolina, such lien shall be filed, have the same priority, and be collected as the lien for special assessment provided in Article 10 of Chapter 160A of said General Statutes;

(4) That one copy of this resolution be filed in the minutes of this Board of County Commissioners and another copy certified and delivered by the Clerk as a charge to the Tax Collector, who shall thereupon enter the amount of the assessment set forth above upon the Tax Books of the County as a special assessment against the above described property.

\* \* \* \* \*

I certify that the foregoing Ordinance was adopted and ordered by the Board of Commissioners of Cumberland County, North Carolina, this 20<sup>th</sup> day of February, 2007, at 6:45'clock P.M.

\_\_\_\_\_  
Cumberland County Clerk



ITEM NO. IF

BILLY R. KING  
CHAIRMAN

KENNETH S. EDGE  
VICE CHAIRMAN

TALMAGE S. BAGGETT, JR.  
J. BREEDEN BLACKWELL  
JEANNETTE M. COUNCIL  
JOHN T. HENLEY, JR.  
DIANE WHEATLEY

## COUNTY of CUMBERLAND

*Board of County Commissioners*

MARSHA S. FOGLE  
CLERK TO THE BOARD

ANN HYMES  
DEPUTY CLERK

**February 2, 2007**

### **Agenda Item for February 20, 2007**

**TO: Board of Commissioners**

**FROM: Marsha Fogle, Clerk**

**RE: Adoption of a Proclamation proclaiming  
April 22-28, 2007 "VOLUNTEER WEEK" in Cumberland County**

**BACKGROUND:** The Retired Senior Volunteer Program has requested the Board adopt this proclamation in recognition of the many volunteers in our community. Chairman Edge will be present at the Volunteer Luncheon on April 27, 2007 to read the Proclamation.

**ACTION: Adopt**

**Attachment: Proclamation**



COUNTY OF CUMBERLAND

NORTH CAROLINA

## PROCLAMATION

WHEREAS, *Volunteer Week*, a tradition in our County, designates a special time to recognize and celebrate the awesome hard work of volunteers; and

WHEREAS, numerous agencies use Volunteer Week to highlight the many contributions of its volunteers and in support of thousands of service projects in our community; and

WHEREAS, volunteers are among our "most valuable resources" and donate countless hours of service to our community; and

WHEREAS, the Retired Senior Volunteer Program (RSVP) provides coordination for retired citizens (55 and over), who want to contribute their time, talent and skills to others by placing them in hospitals, government offices, non-profit and other various agencies throughout the community.

NOW, THEREFORE, BE IT RESOLVED, that the Board of Commissioners of Cumberland County proclaims April 22-28, 2007 "VOLUNTEER WEEK" in Cumberland County and calls upon all citizens to answer the call of service by volunteering to ensure a better quality of life for everyone.

Adopted this 20<sup>th</sup> day of February, 2007.

---

Kenneth S. Edge, Chairman  
Board of Commissioners

**COUNTY OF CUMBERLAND  
BUDGET REVISION REQUEST**

Budget Office Use	
Budget Revision No.	B07-255
Date Received	2/7/2007
Date Completed	

Fund No. 101 Agency No. 426 Organ. No. 4214

Organization Name: Cumberland Day Reporting Center

ITEM NO. 1 G (1)

**REVENUE**

Revenue Source Code	Description	Current Budget	Increase (Decrease)	Revised Budget
4514	NC Community Corrections Reporting	230,231	5,255	235,486

Total

**EXPENDITURES**

Object Code	Appr Unit	Description	Current Budget	Increase (Decrease)	Revised Budget
2601	131	Office Supplies	1,900	500	2,400
2994	131	Misc. Furniture and Equipment	1,650	1,500	3,150
3443	131	Plaques and Awards	3,065	500	3,565
3474	131	Training	2,600	1,900	4,500
3477	131	Transportation Client	2,000	855	2,855
Total			11,215	5,255	16,470

**Justification:**

Revision in the amount of \$5,255 to recognize additional state reallocated funds per notification received January 16, 2007.

**Funding Source:**

State: 5,255

Other: \_\_\_\_\_

Federal: \_\_\_\_\_

Fees: \_\_\_\_\_

**Fund Balance:**

County: \_\_\_\_\_

New: \_\_\_\_\_

Prior Year: \_\_\_\_\_

Other: \_\_\_\_\_

Submitted By: \_\_\_\_\_

Department Head

Date: \_\_\_\_\_

Reviewed By: Jelly Centry

Budget Analyst

Date: 2-7-07

Reviewed By: Amy N Cannon

Deputy/Assistant County Mgr

Date: 2/14/07

Reviewed By: \_\_\_\_\_

Information Services

Date: \_\_\_\_\_

**Approved By:**

County Manager

Board of County  
Commissioners

Date: \_\_\_\_\_

Date: \_\_\_\_\_

**COUNTY OF CUMBERLAND  
BUDGET REVISION REQUEST**

Budget Office Use	
Budget Revision No.	<u>BON 252</u>
Date Received	<u>2/2/07</u>
Date Completed	

Fund No. 101 Agency No. 431 Organ. No. 432M  
 Organization Name: SOUTH CENTRAL PARTNERSHIP FOR PUBLIC HEALTH

ITEM NO. 16(2)

**REVENUE**

Revenue Source Code	Description	Current Budget	Increase (Decrease)	Revised Budget
4154	SOUTH CENTRAL PARTNERSHIP FOR PUBLIC HEALTH	121,750	114,304	236,054
Total		121,750	114,304	236,054

**EXPENDITURES**

Object Code	Appr Unit	Description	Current Budget	Increase (Decrease)	Revised Budget
4154	221	SOUTH CENTRAL PARTNERSHIP FOR PUBLIC HEALTH	121,750	114,304	236,054
Total			121,750	114,304	236,054

**Justification:**

THIS BUDGET REVISION REQUEST TO CARRYOVER UNEXPENDED PORTION OF SOUTH CENTRAL PARTNERSHIP FOR PUBLIC HEALTH GRANT FUNDING FROM FISCAL YEAR 2006 INTO FISCAL YEAR 2007.

State: \_\_\_\_\_ Federal: \_\_\_\_\_ Fund Balance: \_\_\_\_\_ County: \_\_\_\_\_ Other: 114,304  
 Other: \_\_\_\_\_ Fees: \_\_\_\_\_ Prior Year: \_\_\_\_\_

Submitted By: [Signature] 2/1/07 Date: \_\_\_\_\_  
 Department Head  
 Reviewed By: [Signature] 2/2/07 Date: \_\_\_\_\_  
 Budget Analyst  
 Reviewed By: [Signature] 2/14/07 Date: \_\_\_\_\_  
 Deputy Assistant County Mgr  
 Reviewed By: \_\_\_\_\_ Date: \_\_\_\_\_  
 Information Services

Approved By:	
County Manager	Date: _____
Board of County Commissioners	Date: _____

**COUNTY OF CUMBERLAND  
BUDGET REVISION REQUEST**

Budget Office Use	
Budget Revision No.	<u>B07-259</u>
Date Received	<u>2/9/07</u>
Date Completed	

Fund No. 101 Agency No. 437 Organ. No. 4366

Organization Name: SOCIAL SERVICES OTHER

ITEM NO. 16(3)

**REVENUE**

Revenue Source Code	Description	Current Budget	Increase (Decrease)	Revised Budget
4369	CHILD CARE & DEV FUND	17,011,457	823,076	17,834,533
Total		17,011,457	823,076	17,834,533

**EXPENDITURES**

Object Code	Appr Unit	Description	Current Budget	Increase (Decrease)	Revised Budget
4369	265	CHILD CARE & DEV FUND	17,011,457	823,076	17,834,533
Total			17,011,457	823,076	17,834,533

To recognize additional funding from the Division of Child Development in Child Care Funding for military and Katrina.

Funding Source: State: \_\_\_\_\_ Federal: \_\_\_\_\_ Fund Balance: County: \_\_\_\_\_ New: \_\_\_\_\_ Other: \_\_\_\_\_  
Other: \_\_\_\_\_ Fees: \_\_\_\_\_ Prior Year: \_\_\_\_\_

Submitted By: [Signature] Date: 2-1-07  
 Reviewed By: [Signature] Date: 2/9/07  
 Reviewed By: [Signature] Date: 2/14/07  
 Reviewed By: \_\_\_\_\_ Date: \_\_\_\_\_

Approved By:	
County Manager	Date: _____
Board of County Commissioners	Date: _____

Information Services

**COUNTY OF CUMBERLAND  
BUDGET REVISION REQUEST**

Budget Office Use	
Budget Revision No.	B07-247
Date Received	2/1/07
Date Completed	

Fund No. 101 Agency No. 450 Organ. No. 4502  
 Organization Name: Planning & Inspections

ITEM NO. 16(4)a

**REVENUE**

Revenue Source Code	Description	Current Budget	Increase (Decrease)	Revised Budget
4593	NC DENR Air Quality	6,250	10,000	16,250

Total 10,000

**EXPENDITURES**

Object Code	Appr Unit	Description	Current Budget	Increase (Decrease)	Revised Budget
4593	379	NC DENR Air Quality	8,200	10,000	18,200

Total 8,200 10,000 18,200

**Justification:**

Revision in the amount of \$10,000 to increase funding from the NC Dept of Environment and Natural Resources (NCDENR) to produce printed outreach materials to raise air quality awareness in the Fayetteville area. Funding from NCDENR will be capped at \$16,250 and the County will be required to fund any additional costs which are estimated to be a maximum of \$1,950. (Budget revision B07-214 previously appropriated fund balance in the amount of \$1,950 for this purpose). If County funds are required, the County will apply for reimbursement of 80% of County expenditures against the U.S. DOT 104(f) Grant.

**Funding Source:** State: \_\_\_\_\_ Federal: \_\_\_\_\_ County: \_\_\_\_\_ New: \_\_\_\_\_ Other: \_\_\_\_\_  
 Other: \_\_\_\_\_ Fees: \_\_\_\_\_ Prior Year: \_\_\_\_\_

Submitted By: Thomas J. Floyd Date: 2/1/07  
 Department Head  
 Reviewed By: Bob Tucker Date: 2/1/07  
 Budget Analyst  
 Reviewed By: Amber Cannon Date: 2/14/07  
 Assistant County Mgr  
 Reviewed By: \_\_\_\_\_ Date: \_\_\_\_\_  
 Information Services

<b>Approved By:</b>	
County Manager	Date: _____
Board of County Commissioners	Date: _____

Budget Office Use	
Budget Revision No.	B07-253
Date Received	2/7/07
Date Completed	

ITEM NO. 16(4)b

pg 1 of 2

## EXPENDITURES

Adjust salary to recognize certification of additional level for Michael W. Naylor, Electrical Inspector Level I.

## Information Services

FEB 07 2007

<u>Position#</u>	<u>Title &amp; Grade</u>	<u>Current Budget</u>	<u>Increase/ (decrease)</u>	<u>Revised Budget</u>
PLN0508	Electrical Inspector I (grade 64)	\$32,457	\$1,000	\$33,457

James E. Lawson  
2/12/07

**COUNTY OF CUMBERLAND  
BUDGET REVISION REQUEST**

Budget Office Use	
Budget Revision No.	B07-254
Date Received	2/7/2007
Date Completed	

Fund No. 104 Agency No. 450 Organ. No. 4595

Organization Name: Wireless 911

ITEM NO. 16(5)

**REVENUE**

*pg 1 of 2*

Revenue Source Code	Description	Current Budget	Increase (Decrease)	Revised Budget
7698	Prior Period Adjustment	0	75,524	75,524

Total

**EXPENDITURES**

Object Code	Appr Unit	Description	Current Budget	Increase (Decrease)	Revised Budget
3419	454	Miscellaneous	35,000	75,524	110,524

Total	35,000	75,524	110,524
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**Justification:**

Revision in the amount of \$75,524 to properly account for Wireless 911 revenue received in FY2006 but placed in Emergency 911 Fund.

**Funding Source:**

State: 75,524  
Other: \_\_\_\_\_

Federal: \_\_\_\_\_  
Fees: \_\_\_\_\_

**Fund Balance:**

County: \_\_\_\_\_ New: \_\_\_\_\_  
Prior Year: \_\_\_\_\_

Other: \_\_\_\_\_

Submitted By: \_\_\_\_\_

Department Head

Date: \_\_\_\_\_

Reviewed By: Kelly Centry

Budget Analyst

Date: 2-7-07

Reviewed By: Amy Centry

Deputy/Assistant County Mgr

Date: 2/14/07

Reviewed By: \_\_\_\_\_

Information Services

Date: \_\_\_\_\_

**Approved By:**

Date: \_\_\_\_\_

County Manager

Board of County  
Commissioners

Date: \_\_\_\_\_



**COUNTY OF CUMBERLAND  
BUDGET REVISION REQUEST**

Budget Office Use	
Budget Revision No.	B07-254A
Date Received	2/7/2007
Date Completed	

Fund No. 107 Agency No. 450 Organ. No. 4575

Organization Name: Emergency 911

REVENUE <span style="float: right;">pg 2 of 2</span>				
Revenue Source Code	Description	Current Budget	Increase (Decrease)	Revised Budget
9901	Fund Balance Appropriated	13,525	75,524	89,049

Total					
EXPENDITURES					
Object Code	Appr Unit	Description	Current Budget	Increase (Decrease)	Revised Budget
349H	467	Prior Period Adjustment	0	75,524	75,524
Total			0	75,524	75,524

**Justification:**

Revision in the amount of \$75,524 to appropriate fund balance for revenue received in FY2006 that was for Wireless 911.

**Funding Source:** State: 75,524 Federal: \_\_\_\_\_ **Fund Balance:** County: \_\_\_\_\_ New: \_\_\_\_\_ Other: \_\_\_\_\_  
Other: \_\_\_\_\_ Fees: \_\_\_\_\_ Prior Year: \_\_\_\_\_

Submitted By: \_\_\_\_\_ Date: \_\_\_\_\_  
 Department Head  
 Reviewed By: [Signature] Date: 2-7-07  
 Budget Analyst  
 Reviewed By: [Signature] Date: 2/14/07  
 Deputy Assistant County Mgr  
 Reviewed By: \_\_\_\_\_ Date: \_\_\_\_\_  
 Information Services

<b>Approved By:</b>	
_____	Date: _____
County Manager	
_____	Date: _____
Board of County Commissioners	
_____	Date: _____

**COUNTY OF CUMBERLAND  
BUDGET REVISION REQUEST**

Budget Office Use	
Budget Revision No.	B07-246
Date Received	1/31/2007
Date Completed	

Fund No. 120 Agency No. 410 Organ. No. 4106

Organization Name: Workers' Compensation

ITEM NO. 16(6)

**REVENUE**

pg 1 of 2

Revenue Source Code	Description	Current Budget	Increase (Decrease)	Revised Budget
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Total 0 0 -

**EXPENDITURES**

Object Code	Appr Unit	Description	Current Budget	Increase (Decrease)	Revised Budget
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1265	706	Salaries - Permanent Part Time	0	6,860	6,860
1810	706	FICA Match	15,299	540	15,839
1860	706	Workers' Compensation	1,444,933	(7,400)	1,437,533

Total 1,460,232 - 1,460,232

**Justification:**

Establish a new part time Administrative Support II Position (Grade 65) to assist the Benefits Coordinator. The Benefits Coordinator's workload has increased to the point that the position alone cannot satisfy all the work requirements. Currently, the Risk Manager, Risk Management Specialist, and a Finance Department employee have been assisting with the Benefits Coordinator's workload.

**Funding Source:**

State: \_\_\_\_\_ Federal: \_\_\_\_\_ County: \_\_\_\_\_ New: \_\_\_\_\_ Other: \_\_\_\_\_  
Other: \_\_\_\_\_ Fees: \_\_\_\_\_ Prior Year: \_\_\_\_\_

**Fund Balance:**

Submitted By: James B. Selman  
Department Head

Date: 1/31/07

Reviewed By: Todd H. Hennessey  
Budget Analyst

Date: 1/31/07

Reviewed By: Amy H. Cannon  
Deputy Assistant County Mgr

Date: 2/14/07

Reviewed By: \_\_\_\_\_  
Information Services

Date: \_\_\_\_\_

Approved By:

County Manager

Board of County Commissioners

Date: \_\_\_\_\_

Date: \_\_\_\_\_

RECEIVED

JAN 31 2007

Budget Revision  
B07-246

pg. 2 of 2

<u>Position #</u>	<u>Title &amp; Grade</u>	<u>Current Budget</u>	<u>Increase (decrease)</u>	<u>Revised Budget</u>
RMG-0006	Admin Support II-65	-0-	\$6,860	\$6,860

James E. Lanson  
2/1/07

**COUNTY OF CUMBERLAND  
BUDGET REVISION REQUEST**

Budget Office Use	
Budget Revision No.	B07-256
Date Received	2/8/2007
Date Completed	

Fund No. 240 Agency No. 424 Organ. No. 4251

Organization Name: Injured Animal Fund

ITEM NO. 16(7)

**REVENUE**

Revenue Source Code	Description	Current Budget	Increase (Decrease)	Revised Budget
4697	Injured Animal	1,500	668	2,168

Total

**EXPENDITURES**

Object Code	Appr Unit	Description	Current Budget	Increase (Decrease)	Revised Budget
3204	753	Medical	1,500	668	2,168

Total                      1,500                      668                      2,168

**Justification:**

Revision in the amount of \$668 to recognize additional contributions received for the Injured Animal program.

**Funding Source:**

State: \_\_\_\_\_  
Other: 668

Federal: \_\_\_\_\_  
Fees: \_\_\_\_\_

**Fund Balance:**

County: \_\_\_\_\_ New: \_\_\_\_\_  
Prior Year: \_\_\_\_\_

Other: \_\_\_\_\_

Submitted By: \_\_\_\_\_

**Department Head**

Date: \_\_\_\_\_

Reviewed By: Kelly Autry

**Budget Analyst**

Date: 2-8-07

Reviewed By: Amy N. Cannon

**Deputy Assistant County Mgr**

Date: 2/14/07

Reviewed By: \_\_\_\_\_

**Information Services**

Date: \_\_\_\_\_

**Approved By:**

**County Manager**

**Board of County Commissioners**

Date: \_\_\_\_\_

Date: \_\_\_\_\_

<b>Budget Office Use</b>	
<b>Budget Revision No.</b>	B07-218
<b>Date Received</b>	1/22/2007
<b>Date Completed</b>	

ITEM NO. 16(8)

Total	0	132,250	132,250
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0	132,250	132,250
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**Funding Source:** \_\_\_\_\_ **Fund Balance:** \_\_\_\_\_  
**State:** \_\_\_\_\_ **Federal:** \_\_\_\_\_ **County:** \_\_\_\_\_ **New:** \_\_\_\_\_ **Other:** \_\_\_\_\_  
**Other:** \_\_\_\_\_ **Fees:** \_\_\_\_\_ **Prior Year:** \_\_\_\_\_

## Information Services

Charles C. Morris,  
Chair  
Town of Linden  
Donovan McLaurin,  
Vice-Chair  
Wade, Falcon & Godwin



Thomas J. Lloyd,  
Director  
Cecil P. Combs,  
Deputy Director

Garland C. Hostetter,  
Town of Spring Lake  
Harvey Cain, Jr.,  
Town of Stedman

## COUNTY of CUMBERLAND

### *Planning and Inspections Department*

Clifton McNeill, Jr.,  
Roy Turner,  
Lori Epler,  
Sara E. Piland,  
Cumberland County

FEBRUARY 8, 2007

MEMO TO: CUMBERLAND COUNTY BOARD OF COMMISSIONERS

FROM: CUMBERLAND COUNTY JOINT PLANNING BOARD

SUBJECT: **P07-06: REZONING OF 2.58 ACRES FROM RR TO M(P) OR TO A MORE RESTRICTIVE ZONING DISTRICT, LOCATED ON THE NORTH SIDE OF W. MANCHESTER ROAD, WEST OF VETERANS DRIVE, SUBMITTED BY HERSHEL L. AND ELEANOR I. BOYD, OWNED BY JAMES LEBLANC AMERICAN LEGION POST #230.**

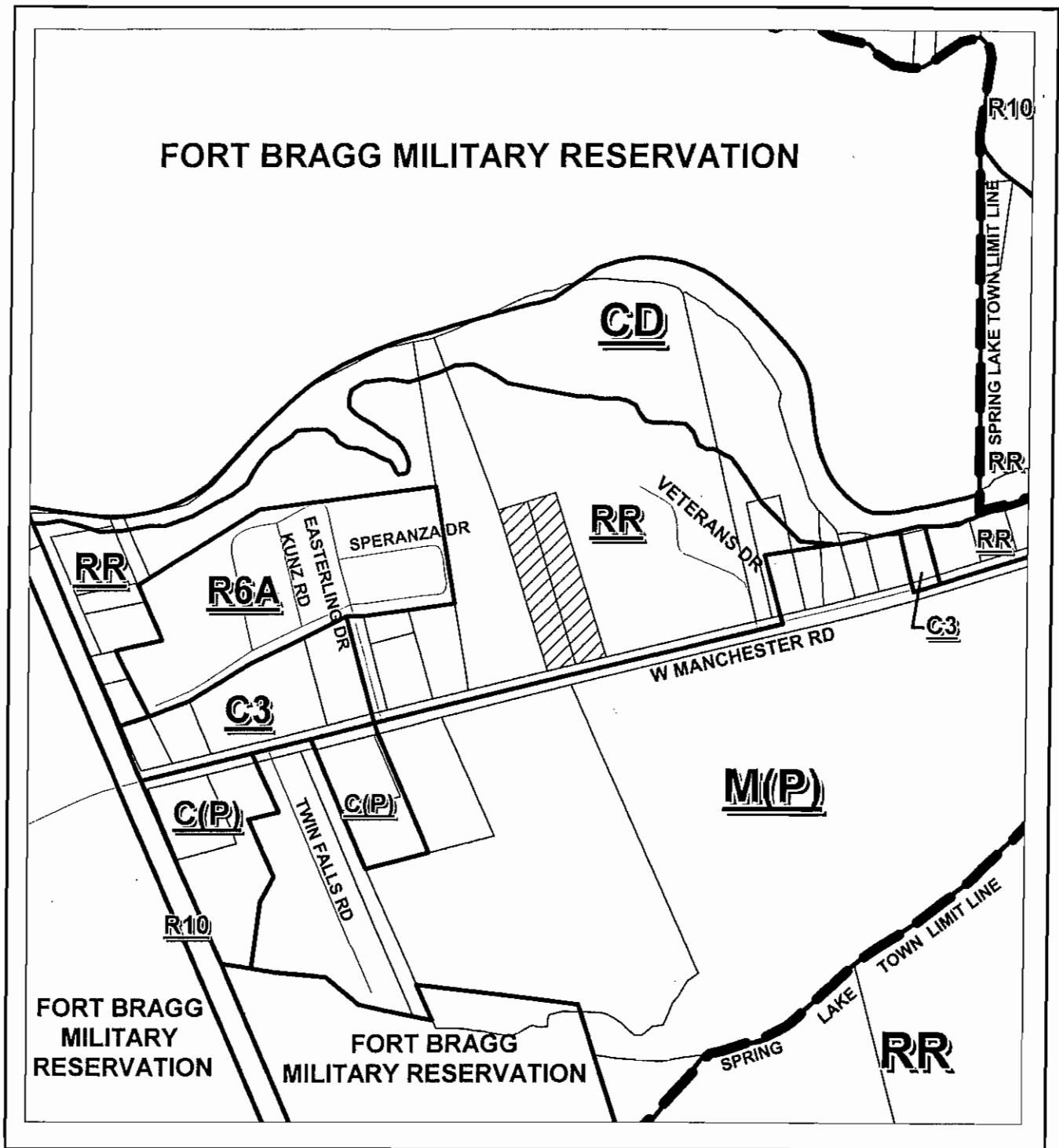
ACTION: THE MEMBERS PRESENT AT THE JANUARY 16, 2007 MEETING VOTED UNANIMOUSLY TO APPROVE THE M(P) PLANNED INDUSTRIAL DISTRICT

**SITE INFORMATION:** Area: 2.58 acres; **Frontage & Location:** 200 feet on W. Manchester Road; **Depth:** 562 feet; **Jurisdiction:** County; **Adjacent Property:** Yes; **Current Use:** Vacant; **Initial Zoning:** January 7, 1977 (Area 11); **Zoning Violation(s):** None; **Surrounding Zoning:** CD, RR, East- CD, RR, C3, M(P), Spring Lake city limit, South-R10, C(P), M(P), city limit-RR, Ft. Bragg reservation, and West-CD, RR, R6A, C(P), C3; **Surrounding Land Use:** Club, manufactured home park, furniture repair, duplex, concrete business (2), and single family residential; **Spring Lake Area Detailed Land Use Plan:** Planned Commercial; **Designated 100-Year Floodplain or Floodway:** No Flood; **Urban Services Area:** Yes; **Water/Sewer Availability:** Spring Lake utilities available; **Soil Limitations:** Yes – Wickham fine sandy (Wmb); **Subdivisions:** A M(P) site plan review will be required prior to any future development of these properties; **Military Impact Area:** Yes; **Ft Bragg/Pope AFB:** 1 mile buffer area – the subject property is partially located within the Accident Potential Zone I and 65-69 dB noise contour. Department of Defense land use compatibility guidelines recommend against certain uses within APZ I depending upon densities of people and/or structures; **Highway Plan:** West Manchester Road is a Minor Thoroughfare. No road improvements or new construction are specified for this area; **Average Daily Traffic Count (2004):** 9,700 on W. Manchester Road.

#### MINUTES OF JANUARY 16, 2007:

Mr. Combs reviewed the site information and stated that staff recommends approval of the M(P) zoning district based on the findings that although the request is not consistent with the Spring Lake Area Detailed Land Use Plan, which calls for planned commercial at this location, the M(P) zoning district is more compatible with the Air Installation Compatible Use Zone (AICUZ) Study of Pope Air Force Base; and the subject property is partially located within the Accident Potential Zone I and the noise contour. Department of Defense guidelines recommends against certain uses (residential, retail trade, some manufacturing, etc.) dependent upon the densities of people and/or structures. There are no other suitable zoning districts to be considered for this request.

**A motion was made by Mrs. Piland and seconded by Mrs. Epler, to follow the staff recommendation and accept case P07-06 as submitted. Unanimous approval.**





Charles C. Morris,  
Chair  
Town of Linden  
Donovan McLaurin,  
Vice-Chair  
Wade, Falcon & Godwin

Garland C. Hostetter,  
Town of Spring Lake  
Harvey Cain, Jr.,  
Town of Stedman

Thomas J. Lloyd,  
Director  
Cecil P. Combs,  
Deputy Director

Clifton McNeill, Jr.,  
Roy Turner,  
Lori Epler,  
Sara E. Piland,  
Cumberland County

## COUNTY of CUMBERLAND

### *Planning and Inspections Department*

FEBRUARY 8, 2007

MEMO TO: CUMBERLAND COUNTY BOARD OF COMMISSIONERS

FROM: CUMBERLAND COUNTY JOINT PLANNING BOARD

SUBJECT: **P07-07:** REZONING OF 7.04+/- ACRES FROM R6A TO M(P) OR TO A MORE RESTRICTIVE ZONING DISTRICT, AT 423 AND 433 DELBERT DRIVE, SUBMITTED BY STEPHEN A. CONNELL, OWNED BY RUDOLF F. AND INGE S. WEIMANN.

ACTION: THE MEMBERS PRESENT AT THE JANUARY 16, 2007 MEETING VOTED UNANIMOUSLY TO APPROVE THE M(P) PLANNED INDUSTRIAL DISTRICT

**SITE INFORMATION:** Area: 7.04 acres; **Frontage & Location:** 441 feet on Delbert Drive; **Depth:** 714 feet; **Jurisdiction:** County; **Adjacent Property:** No; **Current Use:** Residential; **Initial Zoning:** March 15, 1979 (Area 6); **Zoning Violation(s):** None; **Surrounding Zoning:** North-RR, R6A, M(P), East-C(P), C3, M1(P), Fayetteville city limit, South-R10, C(P), M(P), and West-R10, R6A, M(P), M2; **Surrounding Land Use:** Eaton, diesel company, open storage of vehicles and junk, airport, towing company, forklift supplies, container storage, church, and single family residential; **2010 Land Use Plan:** Heavy Industrial; **Urban Services Area:** Yes; **Water/Sewer Availability:** Well / Septic tank – PWC water available, PWC sewer located 900 feet southeast; **Soil Limitations:** None; **Subdivisions:** A M(P) site plan review would be required on either of these lots prior to any development. If these are to be recombined into one lot, a recorded plat will be required; **Military Impact Area:** No; **Highway Plan:** No road improvements or new construction specified for this area; **Notes:** Delbert Drive is a 60 foot platted road.

#### MINUTES OF JANUARY 16, 2007:

Mr. Combs reviewed the case information and stated that staff recommends denial of the M(P) district based on the findings that although the M(P) zoning district is consistent with the 2010 Land Use Plan, a substantial amount of residential property still exists in the area; and the subject property is located on a dirt, public road, which has not been brought up to NC Department of Transportation standards; nor is it suitable to serve industrial type uses. The R6 zoning district could be considered as suitable for this property. The Public Hearing opened.

Mr. Stephen Connell addressed the Board in favor of the request. He stated that the property is currently for sale and that the highest and best use for the property was to have it rezoned to M(P). He stated that the request was consistent with zoning in the area. Mr. Connell stated that he and his client were unaware of the issue with the road but that the applicant would be willing to consider any changes or improvements necessary. He further stated that the Airport Authority had no problems with this rezoning request.



Mr. Rudolf Weimann, owner, addressed the Board. He stated that he had owned the property for more than 30 years and had been trying to utilize it as an airport related parcel for the past few years. He stated that he saw no problem with the M(P) request based on the surrounding zoning. Mr. Weimann further stated that he has repeatedly fielded requests from interested persons requesting that he open an aircraft repair business on the property. He asked that the Board consider the light industrial zoning request.

Chair Morris asked if air traffic crossed the corner of this parcel. Mr. Weimann stated that it did on occasion, but not from the primary runway.

Mr. McNeill asked if the Department of Transportation currently maintained the dirt road in front of this property. Mr. Weimann answered that he maintained the road. Staff verified that this road was not state-maintained. Mr. Weimann stated that the road is heavily used by area businesses and residents.

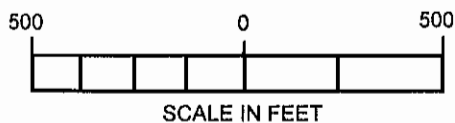
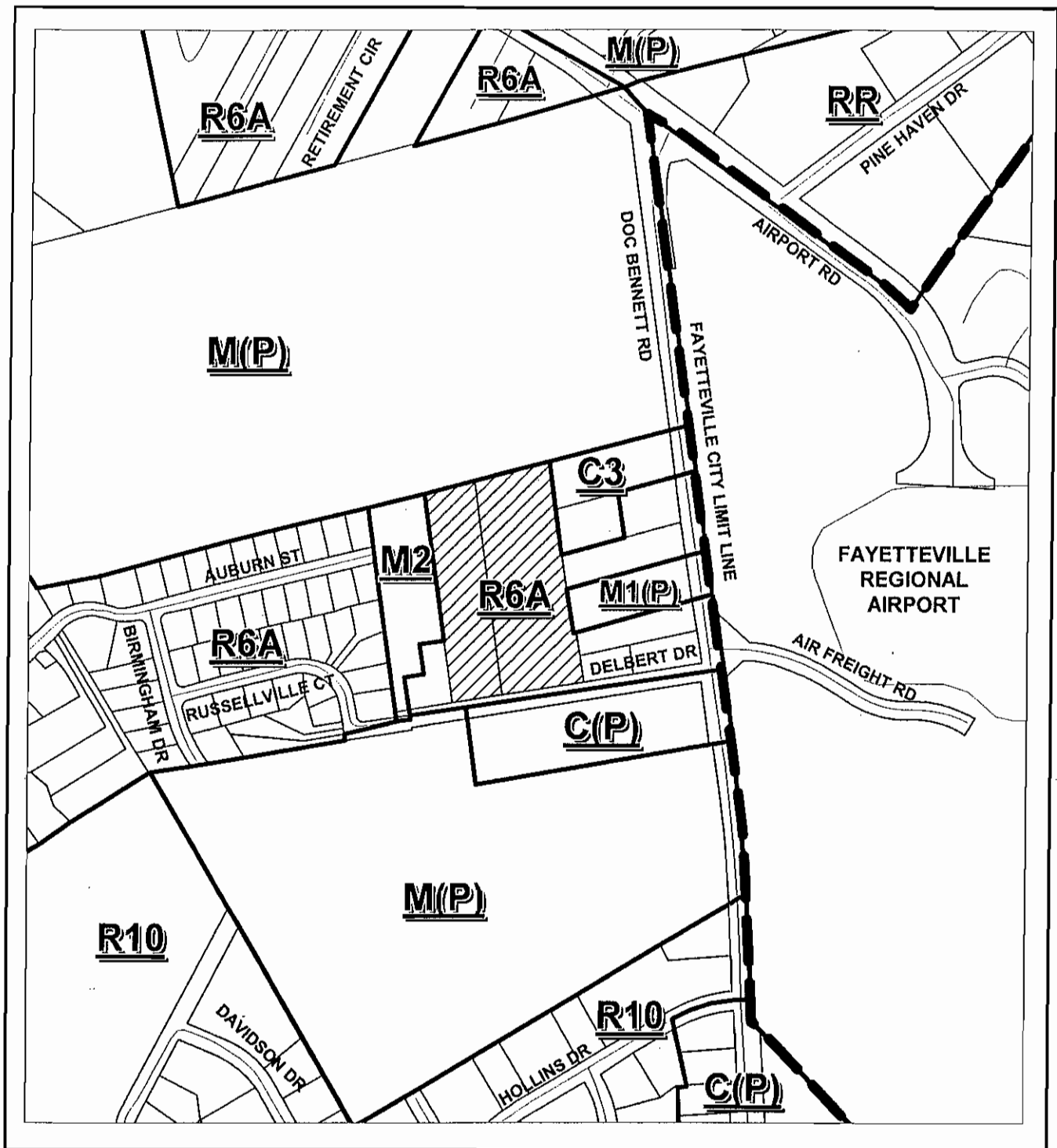
Mrs. Epler advised the applicant that any change of use or zoning on this property would require a driveway permit by the Department of Transportation.

The Public Hearing closed.

Discussion followed on the use and maintenance of Delbert Drive. It was determined that the road did not extend to the neighboring homes and that the road was fenced to prevent access.

Mrs. Epler stated that the Department of Transportation would regulate improvements to the road if the use or zoning of the property changed. Mr. Combs clarified that if the Planning Board approved the applicant's request, a site plan would be required and street improvement would also be required as part of the permit process.

**Mr. McNeill made a motion, seconded by Mrs. Epler, to approve the M(P) zoning district. Unanimous approval.**



## REQUESTED REZONING: R6A TO M(P)

ACREAGE: 7.04 AC.+/-

HEARING NO: P07-07

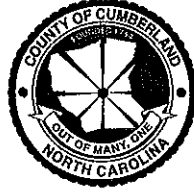
ORDINANCE: COUNTY

HEARING DATE

ACTION

PLANNING BOARD

GOVERNING BOARD



Charles C. Morris,  
Chair  
Town of Linden  
Donovan McLaurin,  
Vice-Chair  
Wade, Falcon & Godwin

Garland C. Hostetter,  
Town of Spring Lake  
Harvey Cain, Jr.,  
Town of Stedman

Thomas J. Lloyd,  
Director  
Cecil P. Combs,  
Deputy Director

Clifton McNeill, Jr.,  
Roy Turner,  
Lori Epler,  
Sara E. Piland,  
Cumberland County

## COUNTY of CUMBERLAND

### *Planning and Inspections Department*

FEBRUARY 8, 2007

MEMO TO: CUMBERLAND COUNTY BOARD OF COMMISSIONERS

FROM: CUMBERLAND COUNTY JOINT PLANNING BOARD

SUBJECT: **P07-09: REZONING OF 1.56+/- ACRES FROM R6A AND C3 TO C(P) OR TO A MORE RESTRICTIVE ZONING DISTRICT, LOCATED ON THE SOUTH SIDE OF HUDSON STREET, NORTH OF WILKES ROAD, SUBMITTED BY WILLIAM R. DAVIS, OWNED BY THURMOND J. PRICE.**

ACTION: THE MEMBERS PRESENT AT THE JANUARY 16, 2007 MEETING VOTED UNANIMOUSLY TO APPROVE O&I(P) OFFICE & INDUSTRIAL DISTRICT FOR THE PORTION OF THE PARCEL CURRENTLY ZONED R6A RESIDENTIAL DISTRICT AND C(P) COMMERCIAL DISTRICT FOR THE PORTION CURRENTLY ZONED C3 COMMERCIAL DISTRICT.

**SITE INFORMATION:** Area: 1.56 acres; **Frontage & Location:** 409 feet on Hudson Street; **Depth:** 159 feet (average); **Jurisdiction:** County; **Adjacent Property:** No; **Current Use:** Vacant and residential; **Initial Zoning:** March 15, 1979 (Area 6); **Zoning Violation(s):** None; **Surrounding Zoning:** North-R6, R6A, C3, M(P), Fayetteville city limit-R6, C3, East-R6A, R6A/CU, C(P), C3, M(P), South-R6A, C(P), C3, M(P), city limit-C3, M2, and West-city limit-R6, R6A, C1(P), C3; **Surrounding Land Use:** Manufactured home sales, sheriff's annex, hotel, vacant commercial, fast food restaurant, no name commercial, business, auto repair, coliseum, residential and vacant land; **2010 Land Use Plan:** Medium Density Residential; **Urban Services Area:** Yes; **Water/Sewer Availability:** PWC / PWC; **Soil Limitations:** None; **Subdivisions:** These lots will need to be combined by plat prior to any development. A C(P) site plan will be required if rezoned to C(P) prior to any development; **Military Impact Area:** No; **Highway Plan:** Owen Drive Extension is identified as a Major Thoroughfare. This proposal calls for a multi-lane facility with a 100 foot right-of-way. Road improvements are included in the 2007-2013 MTIP. Prior years in progress; **Average Daily Traffic Count (2004):** 3,300 on Wilkes Road.

#### MINUTES OF JANUARY 16, 2007:

Mr. Combs reviewed the case information and stated that staff recommends denial of the C(P) zoning district based on the findings that the C(P) zoning district is not consistent with the 2010 Land Use Plan which calls for medium density residential at this location; rezoning this property will encourage commercial development in an area comprised of a residential zoning and uses; and approval of C(P) zoning will create a nonconforming situation due to the dimensional requirements and use being a residential structure. The R6 zoning district could be considered as suitable for this property.

The Public Hearing opened.

Attorney William Davis addressed the Board. He stated that the owner planned to build a dental lab on this property. He further stated that while the 2010 Land Use Plan calls for medium density residential use in this area, the requirement has not been followed. Mr. Davis pointed out that 5 commercial rezoning requests had been approved in this area over the past 10 years. He stated that due to surrounding land use this property should also be approved as an exception to the Land Use Plan requirement. Mr. Davis stated that he had questioned staff about the allowable uses for this property under the O&I(P) and that staff had at first told him a dental lab would not be allowed. Mr. Davis stated that after he reviewed the Ordinance with them, they agreed that a dental lab could be allowed in O&I(P). He stated that while the request was not submitted as O&I(P), the applicant would accept that rezoning approval.

Chair Morris asked Mr. Davis if the entire parcel was being submitted in this request. Mr. Davis stated that only a portion of the property was to be considered for this request. Mr. Combs stated that the file indicated that the applicant had been contacted and had verified that the entire parcel was to be considered for this rezoning request. Mr. McNeill stated that one part of the property was zoned C3 and asked if the county currently had that type of zoning. Mr. Combs stated that the County did not designate C3 zoning and that the Ordinance stated C(P) would be the comparable current zoning for existing C3.

Mrs. Epler asked for verification that Mr. Davis would be agreeable to an O&I(P) approval. Mr. Davis stated that he would accept O&I(P).

Mr. William Vanscyoc, neighbor, addressed the Board in opposition to the request. He stated that while he did not object to the planned use of the property he did object to the commercial zoning based on the other possible uses that would be allowed. He stated that the surrounding area had slowly moved to commercial and the area could not handle more. Mr. Vanscyoc stated that the current traffic problems surrounding the coliseum would only worsen with the generation of more businesses.

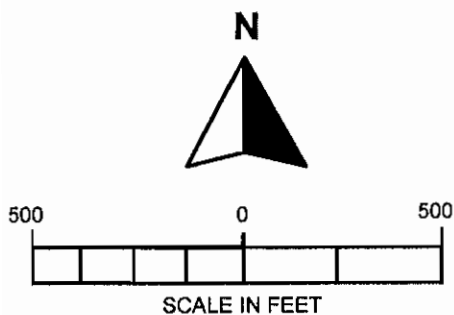
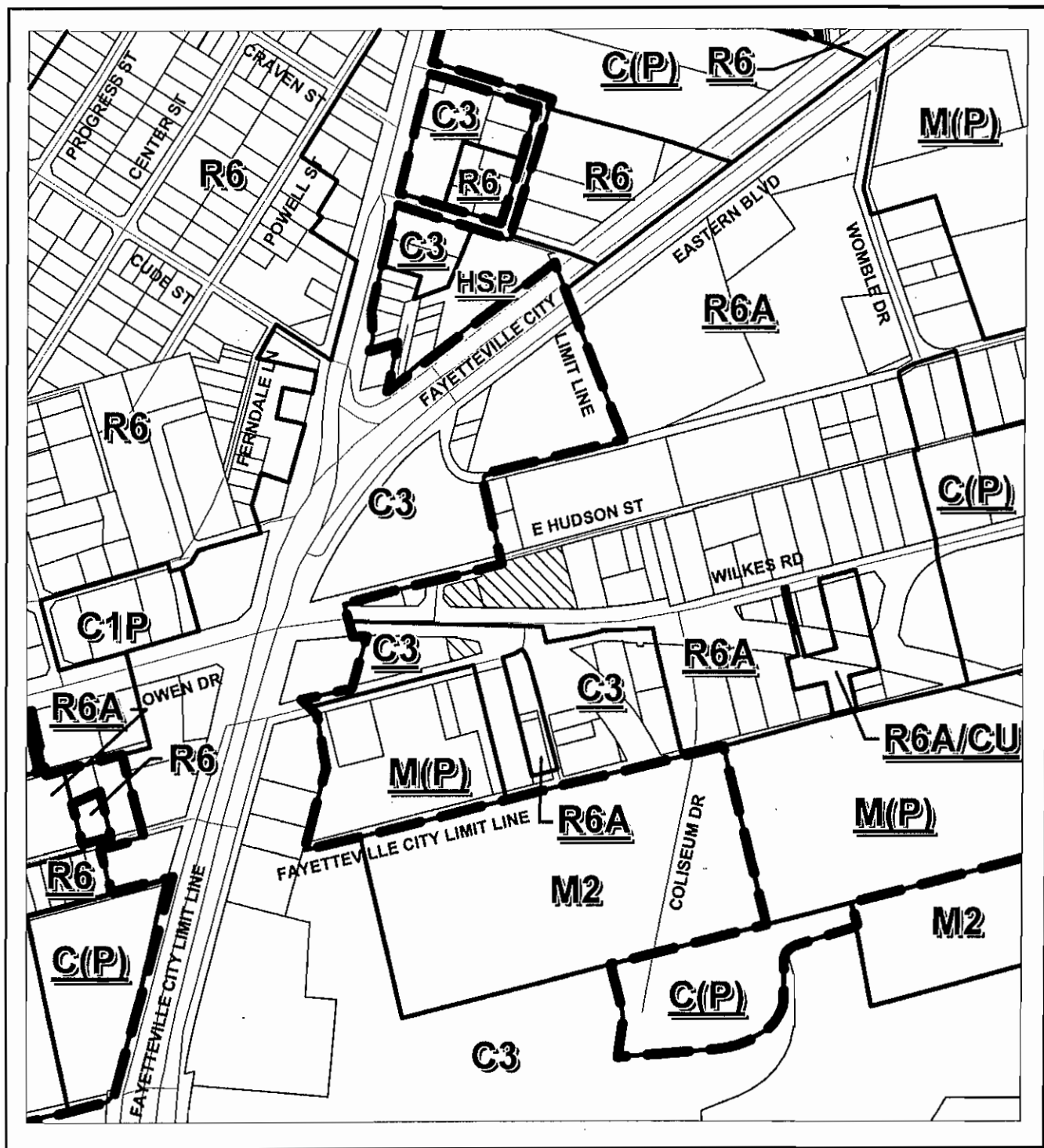
Chair Morris asked Mr. Vanscyoc if he would be opposed to O&I(P) zoning. Mr. Vanscyoc stated that he would not be opposed to it.

Mr. Davis, in rebuttal, stated that the owner intended to operate his own dental business and no other commercial uses would be considered. Mr. Davis further stated that O&I(P) would suffice for his client's intended purpose. Mr. Davis was asked if his client would also be open to the rezoning designation of C(P) being given to the portion of his property currently zoned C3. Mr. Davis stated that his client would accept that.

The Public Hearing closed.

Mrs. Epler asked what the differences were between O&I(P) and C(P) zoning districts regarding minimum lot size and setbacks. She asked for verification that a rezoning approval to O&I(P) would meet those requirements. Mr. Combs read the related area of the Ordinance and advised that O&I(P) would be acceptable for this parcel. He further advised the Board that site plan approval would be required as part of the permit process.

**Mr. Cain made a motion, seconded by Mr. McLaurin, to approve O&I(P) for the portion of the parcel currently zoned R6A and C(P) for the portion currently zoned C3. Unanimous approval.**



## REQUESTED REZONING: R6A TO C(P)

ACREAGE: 1.56 AC.+/-

HEARING NO: P07-09

ORDINANCE: COUNTY

HEARING DATE

ACTION

PLANNING BOARD

GOVERNING BOARD

AFFIDAVIT OF THE HOUSING INSPECTOR'S REPORT  
BEFORE THE BOARD OF CUMBERLAND COUNTY COMMISSIONERS

I, Kim Reeves, Code Enforcement Officer for the County of Cumberland Planning & Inspection Department, acting in my official capacity, being duly sworn, depose and say:

BACKGROUND: That the following is a report on case numbers MH4917-2006

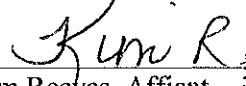
Property Owner: **Paul P. Virtue, Jr. and wife, Angela A. Virtue**

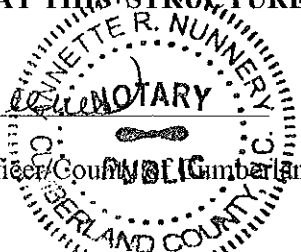
Property Address: **2334 George Owen Road, Fayetteville, NC**

Tax Parcel Identification Number: 0405-84-0497

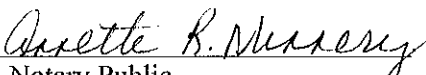
SYNOPSIS: This property consists of a single family dwelling that was inspected on **July 14, 2006**. All property owners and parties of interest were legally served with the Notice of Violations and afforded a Hearing on **August 9, 2006**. The property owners **did attend** the Hearing. It was ordered that the structure be repaired to a minimum standard for human habitation, or be demolished and the debris removed from the premises no later than **October 9, 2006**. The property owners and parties of interest were notified of the appeal procedures when they were served with the Findings of Fact and Order. (See Exhibit A for the Findings of Fact and Order.) No Appeal was filed. Upon my visit to the property on February 8, 2007, no corrective action has been made to the structure. The structure is presently vacant and reasonably secured. In it's present state, the structure constitutes a fire, health, and safety hazard. The estimated cost to repair this structure to a minimum standard for human habitation is **\$36,000.00**. The Assessor for Cumberland County has the structure presently valued at **\$5,053.00**. Attached is a map depicting the location of the property. (See Exhibit B.)

**RECOMMENDATION: IT IS THE RECOMMENDATION OF THE PLANNING & INSPECTION DEPARTMENT THAT THIS STRUCTURE BE DEMOLISHED, AND THE DEBRIS REMOVED FROM THE LOT.**

  
Kim Reeves, Affiant  
Code Enforcement Officer/Cumberland County



Sworn to and Subscribed to by me this  
the 8<sup>th</sup> day of February 2007.

  
Notary Public

My Commission Expires: 10/21/07.

**BOARD FINDINGS AND ACTION CHECK LIST  
MINIMUM HOUSING REHABILITATION AND/OR DEMOLITION ORDINANCE**

Name(s) of Owner(s)

Appearances:

Inspection Dept. Case No.:

**BOARD OF COUNTY COMMISSIONERS MOTION:**

1. If the Board feels that the structure should be demolished, the Board's motion should be:

To adopt the order and report of the Minimum Housing Inspector as the true facts in this case, and

To order the property owner to remove or demolish the dwelling within \_\_\_\_\_ days.

To order the Inspector to remove or demolish the dwelling, if the owner fails to do so and impose a lien on the real property for the cost of such action.

To direct the clerk to incorporate the foregoing findings and orders in an ordinance certified by the Chairman and record the same in the Register of Deeds.

2. **If the Board feels that the property can be rehabilitated, the Board's motion should be:**

To adopt the order and report of the Minimum Housing Inspector as the true facts in this case.

To order the property owner to rehabilitate the property within \_\_\_\_\_ days.

To order the property owner to vacate and secure the property within \_\_\_\_\_ days pending rehabilitation.

To order the Inspector to rehabilitate the property or remove or demolish the dwelling, if the owner fails to do so and impose a lien on the real property for the cost of such action.

To direct the clerk to incorporate the foregoing findings and orders in an ordinance certified by the Chairman and record the same in the Register of Deeds.

3. **If the Board wishes to delay action on the case, the Board's motion should be:**

To adopt the order and report of the Minimum Housing Inspector as the true facts in this case.

To delay a decision on the case until \_\_\_\_\_ (date) in order to give the owner or party of interest time to: \_\_\_\_\_

Charles C. Morris  
Chair  
Town of Linden

Donovan McLaurin  
Vice-Chair  
Wade, Falcon & Godwin  
Garland C. Hostetter,  
Town of Spring Lake  
Harvey Cain, Jr.,  
Town of Stedman



## COUNTY of CUMBERLAND

*Planning and Inspections Department*

Thomas J. Lloyd,  
Director

Cecil P. Combs,  
Deputy Director

Clifton McNeill, Jr.,  
Roy Turner,  
Lori Epler,  
Sara E. Piland,  
Cumberland County

### FINDINGS OF FACT AND ORDER

August 23, 2006

CASE #: MH 4917-2006

**TO:** Paul P. & Angela A. Virtue, Jr. & Parties of Interest  
2265 Ney Court  
Fayetteville, NC 28301

**Property at:** 2334 George Owen Road

A Complaint, Notice of Hearing and Report of Inspection were legally served to the owner or owner's agent, and any party of interest. These documents were in fact received by the owner or owner's agent and party of interest on 7/22/2006.

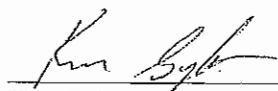
Pursuant of law, a Hearing was conducted in Room 101, of the old courthouse at 130 Gillespie Street, Fayetteville, NC on 8/9/2006 at 9:30:00 AM. The items identified below took place at the Hearing:

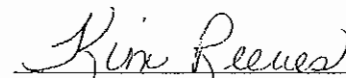
- ☐ 1. No owner or party of interest, or their agent, or representative appeared.
- ☒ 2. An answer was filed by owners and/or parties of interest. The answer was heard, read, and considered. Those present were: Paul P. Virtue, Kim Reeves and George Hatcher.
- ☒ 3. The undersigned inspector personally inspected the dwelling described in the Complaint and Notice of Hearing dated, . Upon the record and all of the evidence offered and contentions made, the undersigned Hearing Officer does thereby find the following fact:
  - ☒ a. The dwelling in question is violative of the Cumberland County Housing Ordinance as per findings in the inspection report with an assigned case number of MH 4917-2006, dated 7/14/2006.
  - ☒ b. Due to these findings, the dwelling are found to be in a substandard condition in accordance with the Cumberland County Ordinance.
  - ☒ c. The dwelling is unfit for human habitation.



- ☒ 4. Due to facts presented above, the Hearing Officer orders as follows:
- ☒ a. The owners and/or parties of interest of the dwelling named above are required to bring such dwelling into compliance with the Cumberland County Housing Ordinance by either repairing, altering, and improving the dwelling up to a minimum standard or by demolishing the structure and then causing the debris to be removed from the premises by a date not later than 10/9/2006. **All required permits must be obtained. A copy of this order must be presented when obtaining permits.**
  - ☒ b. The dwelling shall remain vacated until compliance with this order is completed and removed by the inspector, and the lot must be continuously maintained.
  - ☒ c. The structure shall be/remain secured.
  - ☐ d. By authority of North Carolina General Statutes 14-4, violation of the County code is punishable as a Class 3 Misdemeanor in criminal court and also subjects the violator to injunctive relief and/or a civil penalty of \$50.00 per day for each day's continuing violation after \_\_\_\_.
  - ☒ e. The County Planning/Inspection Department may immediately begin procedures to seek a demolition ordinance from the Cumberland County Board of Commissioners for failure to bring the property into compliance by 10/9/2006. The cost of said demolition will be assessed against the real property in the form of a lien.

An appeal may be made to the Cumberland County Housing Board of Appeals. If an appeal is requested, it must be made in writing and within the time limits specified in the enclosed appeal procedures.

  
Ken Sykes  
Hearing Officer

  
Kim Reeves  
Code Enforcement Officer

Enclosed: Appeals Procedures & Form

cc: Citifinancial Mortgage Co.,  
Attn: Customer Svc., (Acct #0000542682)  
POB 142199, Irving, TX 75014

**PROOF OF LEGAL SERVICE OF FINDINGS OF FACT & ORDER**  
**DATED AUGUST 23, 2006**

7006 0810 0000 1729 0946

**U.S. Postal Service**  
**CERTIFIED MAIL RECEIPT**  
 (Domestic Mail Only; No Insurance Coverage Provided)

For delivery information visit our website at [www.usps.com](http://www.usps.com)

**Official Use Dept.**

Postage \$  
 Certified Fee  
 Return Receipt Fee (Endorsement Required)  
 Restricted Delivery Fee (Endorsement Required)

MH4917KR  
 PAUL P VIRTUE JR & PARTIES OF INTEREST  
 2265 NEY COURT  
 FAYETTEVILLE NC 28301

FOFO  
 VIRTUE JR. for instructions

Postmark  
 AUG 24 2006  
 FAYETTEVILLE NC

**SENDER: COMPLETE THIS SECTION**

- Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:  
 MH4917KR  
 PAUL P VIRTUE JR & PARTIES OF INTEREST  
 2265 NEY COURT  
 FAYETTEVILLE NC 28301

FOFO  
 VIRTUE JR

**COMPLETE THIS SECTION ON DELIVERY**

A. Signature  
 X *Paul P. Virtue Jr.* ☐ Agent ☐ Addressee

B. Received by (Printed Name)  
 Paul P. Virtue Jr.

C. Date of Delivery  
 8-26-06

D. Is delivery address different from item 1? ☐ Yes ☐ No  
 If YES, enter delivery address below:

3. Service Type  
☐ Certified Mail ☐ Express Mail  
☐ Registered ☐ Return Receipt for Merchandise  
☐ Insured Mail ☐ C.O.D.

4. Restricted Delivery? (Extra Fee) ☐ Yes

2. Article (Transit)  
 7006 0810 0000 1729 0946

PS Form 3811, February 2004 Domestic Return Receipt 102595-02-M-1540

7006 0810 0000 1729 0939

**U.S. Postal Service**  
**CERTIFIED MAIL RECEIPT**  
 (Domestic Mail Only; No Insurance Coverage Provided)

For delivery information visit our website at [www.usps.com](http://www.usps.com)

**Official Use Dept.**

Postage \$  
 Certified Fee  
 Return Receipt Fee (Endorsement Required)  
 Restricted Delivery Fee (Endorsement Required)

MH4917KR  
 ANGELA A VIRTUE & PARTIES OF INTEREST  
 2265 NEY COURT  
 FAYETTEVILLE NC 28301

FOFO  
 VIRTUE JR. for instructions

Postmark  
 AUG 24 2006  
 FAYETTEVILLE NC

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1. Article Addressed to:  
 MH4917KR  
 ANGELA A VIRTUE & PARTIES OF INTEREST  
 2265 NEY COURT  
 FAYETTEVILLE NC 28301

FOFO  
 VIRTUE JR

**COMPLETE THIS SECTION ON DELIVERY**

A. Signature  
 X *Paul P. Virtue Jr.* ☐ Agent ☐ Addressee

B. Received by (Printed Name)  
 Paul P. Virtue Jr.

C. Date of Delivery  
 8-26-06

D. Is delivery address different from item 1? ☐ Yes ☐ No  
 If YES, enter delivery address below:

3. Service Type  
☐ Certified Mail ☐ Express Mail  
☐ Registered ☐ Return Receipt for Merchandise  
☐ Insured Mail ☐ C.O.D.

4. Restricted Delivery? (Extra Fee) ☐ Yes

2. Article (Transit)  
 7006 0810 0000 1729 0939

PS Form 3811, February 2004 Domestic Return Receipt 102595-02-M-1540

7006 0810 0000 1729 0953

**U.S. Postal Service**  
**CERTIFIED MAIL RECEIPT**  
 (Domestic Mail Only; No Insurance Coverage Provided)

For delivery information visit our website at [www.usps.com](http://www.usps.com)

**Official Use Dept.**

Postage \$  
 Certified Fee  
 Return Receipt Fee (Endorsement Required)  
 Restricted Delivery Fee (Endorsement Required)

MH4917KR  
 ATTN: CUSTOMER SERVICE  
 CITIFINANCIAL MORTGAGE CO  
 PO BOX 142199  
 IRVING TX 75014 2199

FOFO  
 VIRTUE JR. for instructions

Postmark  
 AUG 24 2006  
 FAYETTEVILLE NC

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1. Article Addressed to:  
 ATTN: CUSTOMER SERVICE  
 CITIFINANCIAL MORTGAGE CO  
 PO BOX 142199  
 IRVING TX 75014 2199

FOFO  
 VIRTUE JR

**COMPLETE THIS SECTION ON DELIVERY**

A. Signature  
 X *Paul P. Virtue Jr.* ☐ Agent ☐ Addressee

B. Received by (Printed Name)  
 Paul P. Virtue Jr.

C. Date of Delivery  
 8-26-06

D. Is delivery address different from item 1? ☐ Yes ☐ No  
 If YES, enter delivery address below:

3. Service Type  
☐ Certified Mail ☐ Express Mail  
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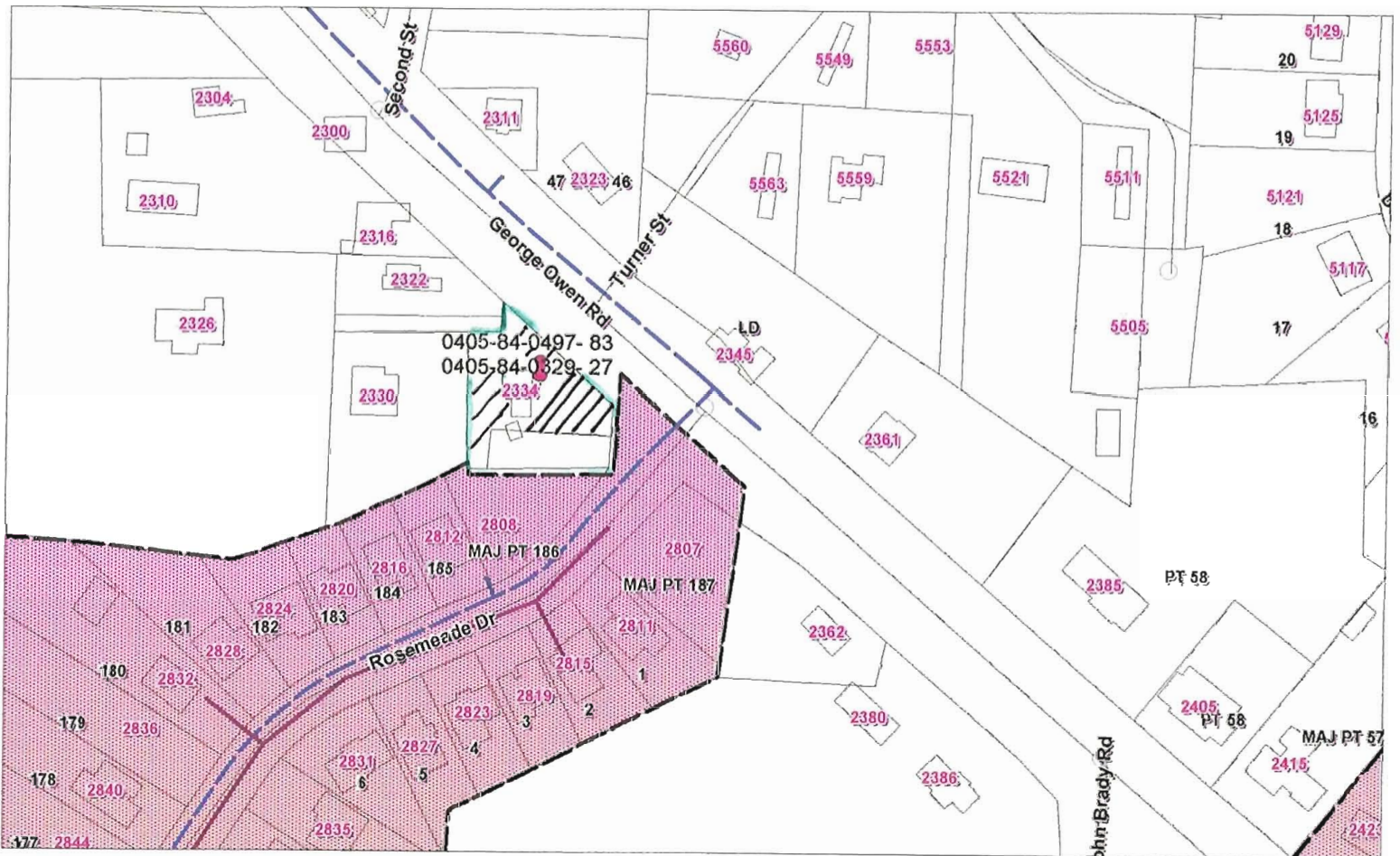
4. Restricted Delivery? (Extra Fee) ☐ Yes

2. Article (Transit)  
 7006 0810 0000 1729 0953

PS Form 3811, February 2004 Domestic Return Receipt 102595-02-M-1540

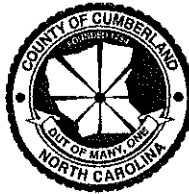
MAP DEPICTING LOCATION OF PROPERTY

**2334 GEORGE OWEN ROAD (OWNER: PAUL & ANGELA VIRTUE)**  
MINIMUM HOUSING CASE # MH4917-2006  
TAX PARCEL IDENTIFICATION NUMBER 0405-84-0497



Charles C. Morris  
Chair  
Town of Linden

Donovan McLaurin  
Vice-Chair  
Wade, Falcon & Godwin  
Garland C. Hostetter,  
Town of Spring Lake  
Harvey Cain, Jr.,  
Town of Stedman



## COUNTY of CUMBERLAND

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Deputy Director

Clifton McNeill, Jr.,  
Roy Turner,  
Lori Epler,  
Sara E. Piland,  
Cumberland County

MEMORANDUM

ITEM NO. 2D(2)

DATE: February 12, 2007

TO: James Martin, County Manager

THROUGH: Cecil Combs, Deputy Director *cc*

FROM: Kim Reeves, Code Enforcement Officer *Kr*

RE: Minimum Housing Case Number 4582-2005, Delwyn Paige Tart

The delay from the compliance date of April 10, 2006, to the February 20, 2007 County Commissioners Meeting is that the original inspector, Ronald Mosley, that was working this case was hurt on the job and out on disability leave.

Mr. Mosely did return to work on a part time basis and continued to work with violators to resolve open cases. After he went back to full time disability leave, the open cases were transferred to other inspectors in November, 2006. We have reinspected all properties, obtained and updated required title searches and are scheduling those cases for the next appropriate action.

AFFIDAVIT OF THE HOUSING INSPECTOR'S REPORT  
BEFORE THE BOARD OF CUMBERLAND COUNTY COMMISSIONERS

I, Kim Reeves, Code Enforcement Officer for the County of Cumberland Planning & Inspection Department, acting in my official capacity, being duly sworn, depose and say:

BACKGROUND: That the following is a report on Minimum Housing Case Number MH4582-2005

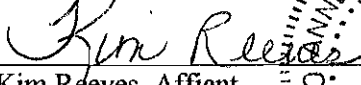
Property Owner: **Delwyn Paige Tart**

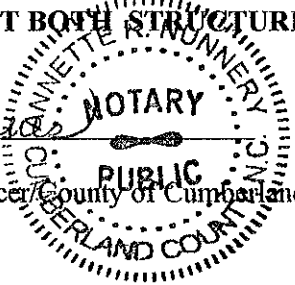
Property Address: **1142 & 1146 Charmain Street, Fayetteville, NC**

Tax Parcel Identification Number: **0419-87-5083**

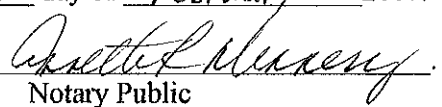
SYNOPSIS: This property consists of two single family structures that were inspected on August 23, 2005. All property owners and parties of interest were legally served the Notice of Violations and afforded a Hearing on November 28, 2005. The property owners **did not attend** the Hearing. It was ordered that the structures be repaired to a minimum standard for human habitation, or be demolished and the debris removed from the premises no later than February 23, 2006. The property owners and parties of interest were notified of the appeal procedures when they were served with the Findings of Fact and Order. (See Exhibit A for the Findings of Fact and Order.) An Appeal was filed. The Housing Board of Appeals Board granted a ninety (90) day extension with a final compliance date of April 10, 2006. (See Exhibit B for the Housing Appeals Board Decision). Upon my visit to the property on February 8, 2007, no corrective action has been made to the structures. The structures are presently vacant and reasonably secured. In their present state, the structures constitute a fire, health, and safety hazard. The estimated cost to repair the structures to a minimum standard for human habitation is \$33,000.00 each. The Assessor for Cumberland County has Structure #1 presently valued at \$7,178.00 and Structure #2 presently valued at \$6,335.00 (**Total Assessed Value \$13,513.00**). Attached is a map depicting the location of the property. (See Exhibit C.)

**RECOMMENDATION: IT IS THE RECOMMENDATION OF THE PLANNING & INSPECTION DEPARTMENT THAT BOTH STRUCTURES BE DEMOLISHED, AND THE DEBRIS REMOVED FROM THE LOT.**

  
Kim Reeves, Affiant  
Code Enforcement Officer/County of Cumberland



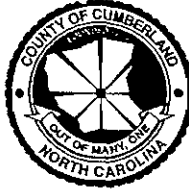
Sworn to and Subscribed to by me this  
the 8th day of February 2007.

  
Notary Public

My Commission Expires: 10/21/07.

Charles C. Morris  
Chair  
Town of Linden

Donovan McLaurin  
Vice-Chair  
Wade, Falcon & Godwin  
Joe W. Mullinax,  
Town of Spring Lake  
Harvey Cain, Jr.,  
Town of Stedman



## COUNTY of CUMBERLAND

### *Planning and Inspections Department*

Nancy Roy, AICP  
Director  
Thomas J. Lloyd,  
Deputy Director

Clifton McNeill, Jr.,  
Roy Turner,  
Dr. Marion Gillis-Olson,  
Lori Epler,  
Cumberland County

### FINDINGS OF FACT AND ORDER

November 28, 2005

CASE #: MH 4582-05

TO: Delwyn Paige Tart & Parties of Interest  
242 Piney Grove Road  
Lagrange, NC 28551

Property at:  
1142 & 1146 Charmain St.  
Lot 74 Shaw Heights  
Fayetteville, NC

A Complaint, Notice of Hearing and Report of Inspection were legally served to the owner or owner's agent, and any party of interest. These documents were in fact received by the owner or owner's agent and party of interest on 10/20/2005.

Pursuant of law, a Hearing was conducted in Room 101, of the old courthouse at 130 Gillespie Street, Fayetteville, NC on 11/28/2005 at 9:15:00 AM. The items identified below took place at the Hearing:

- ☒ 1. No owner or party of interest, or their agent, or representative appeared.
- ☐ 2. An answer was filed by owners and/or parties of interest. The answer was heard, read, and considered. Those present were: \_\_\_\_\_.
- ☒ 3. The undersigned inspector personally inspected the dwelling described in the Complaint and Notice of Hearing dated, 10/17/2005. Upon the record and all of the evidence offered and contentions made, the undersigned Hearing Officer does thereby find the following fact:
  - ☒ a. The dwelling in question is/are violative of the Cumberland County Housing Ordinance as per findings in the inspection report with an assigned case number of MH 4582-05, dated 8/23/2005.
  - ☒ b. Due to these findings, the dwelling is/are found to be in a substandard condition in accordance with the Cumberland County Ordinance.
  - ☒ c. The dwelling is/are unfit for human habitation.

### EXHIBIT A

Findings and Facts of Order

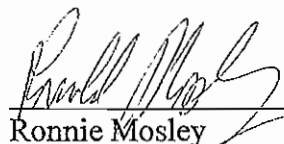
Case #: MH 4582-05

Page 2

- ☒ 4. Due to facts presented above, the Hearing Officer orders as follows:
- ☒ a. The owners and/or party(ies) of interest of the dwelling(s) named above are required to bring such dwelling(s) into compliance with the Cumberland County Housing Ordinance by either repairing, altering, and improving the dwelling(s) up to a minimum standard or by demolishing the structure and then causing the debris to be removed from the premises by a date not later than 2/23/2006. **All required permits must be obtained. A copy of this order must be presented when obtaining permits.**
  - ☒ b. The dwelling(s) shall remain vacated until compliance with this order is completed and removed by the inspector, and the lot must be continuously maintained.
  - ☒ c. The structure shall be/remain secured.
  - ☒ d. A violation is punishable as a misdemeanor and also subjects the violator to injunctive relief and/or a civil penalty of \$50.00 per day for each day's continuing violation after 2/23/2006.
  - ☒ e. The County Planning/Inspection Department may immediately begin procedures to seek a demolition ordinance from the Cumberland County Board of Commissioners for failure to bring the property into compliance by 2/23/2006. The cost of said demolition will be assessed against the real property in the form of a lien.

An appeal may be made to the Cumberland County Housing Board of Appeals. If an appeal is requested, it must be made in writing and within the time limits specified in the enclosed appeal procedures.

  
Ken Sykes  
Hearing Officer

  
Ronnie Mosley  
Code Enforcement Officer

Enclosed: Appeals Procedures & Form

cc:



Sworn to and Subscribed to by me this  
the 28<sup>th</sup> day of November, 2005

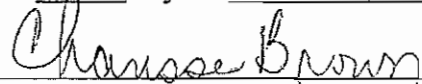
  
Chausse Brown  
Notary Public  
My Commission Expires: 9/29/07

EXHIBIT A

**BOARD FINDINGS AND ACTION CHECK LIST  
MINIMUM HOUSING REHABILITATION AND/OR DEMOLITION ORDINANCE**

Name(s) of Owner(s)

Appearances:

Inspection Dept. Case No.:

**BOARD OF COUNTY COMMISSIONERS MOTION:**

1. If the Board feels that the structure should be demolished, the Board's motion should be:

To adopt the order and report of the Minimum Housing Inspector as the true facts in this case, and

To order the property owner to remove or demolish the dwelling within \_\_\_\_\_ days.

To order the Inspector to remove or demolish the dwelling, if the owner fails to do so and impose a lien on the real property for the cost of such action.

To direct the clerk to incorporate the foregoing findings and orders in an ordinance certified by the Chairman and record the same in the Register of Deeds.

2. If the Board feels that the property can be rehabilitated, the Board's motion should be:

To adopt the order and report of the Minimum Housing Inspector as the true facts in this case.

To order the property owner to rehabilitate the property within \_\_\_\_\_ days.

To order the property owner to vacate and secure the property within \_\_\_\_\_ days pending rehabilitation.

To order the Inspector to rehabilitate the property or remove or demolish the dwelling, if the owner fails to do so and impose a lien on the real property for the cost of such action.

To direct the clerk to incorporate the foregoing findings and orders in an ordinance certified by the Chairman and record the same in the Register of Deeds.

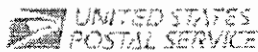
3. If the Board wishes to delay action on the case, the Board's motion should be:

To adopt the order and report of the Minimum Housing Inspector as the true facts in this case.

To delay a decision on the case until \_\_\_\_\_ (date) in order to give the owner or party of interest time to: \_\_\_\_\_



# PROOF OF LEGAL SERVICE OF FINDINGS OF FACT & ORDER DATED NOVEMBER 28, 2005



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[Track & Confirm](#)

## Track & Confirm

### Search Results

Label/Receipt Number: 7005 0390 0006 0047 1990  
Status: **Delivered**

Your item was delivered at 9:03 am on December 02, 2005 in LA GRANGE, NC 28551. A proof of delivery record may be available through your local Post Office for a fee.

Additional information for this item is stored in files offline.

[Track & Confirm](#)

Enter Label/Receipt Number.

[Restore Offline Details](#) - [Return to USPS.com Home](#)



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<b>CONFIDENTIAL USE</b> U.S. Postal Inspection Dept.	
Postage \$	
Certified Fee	2.30
Return Receipt Fee (Endorsement Required)	1.75
Restricted Delivery Fee (Endorsement Required)	
Total Postage & Fees \$	
FOFO MH4582RM DELWYN PAIGE TART & PARTIES OF INTEREST 242 PINEY GROVE ROAD LAGRANGE NC 28551	

Charles C. Morris  
Chair  
Town of Linden

Donovan McLaurin  
Vice-Chair  
Wade, Falcon & Godwin

Garland C. Hostetter,  
Town of Spring Lake  
Harvey Cain, Jr.,  
Town of Stedman



**COUNTY of CUMBERLAND**  
*Planning and Inspections Department*

Nancy Roy, AICP  
Director

Thomas J. Lloyd,  
Deputy Director

Clifton McNeill, Jr.,  
Roy Turner,  
Lori Epler,  
Sara E. Piland,  
Cumberland County

**NOTIFICATION OF HOUSING APPEALS BOARD DECISION**

January 11, 2006

FILE NO: MH 4582-2005

BOARD OF APPEALS MEETING DATE:

PROPERTY OWNER: Delwyn Paige Tart

January 10, 2006, 6:30 P.M.

MAILING ADDRESS: 242 Piney Grove Road  
Lagrange, NC 28551

PROPERTY LOCATION:

1142 & 1146 Charmain Street, Lot 74 Shaw  
Heights, Fayetteville, NC

OWNER/AGENT/  
OR REPRESENTATIVE(S) PRESENT: None

DECISION RENDERED ON THE ABOVE CASE(S):

1. At the above referenced Housing Appeals Board meeting, the Board granted Delwyn Paige Tart a final 90 day extension to demolish or repair the structure at 1142 & 1146 Charmain Street, Lot 74 Shaw Heights, Fayetteville, NC. It is further ordered that the structure be secured within ten days of receipt of this notice.
2. The new compliance date will be 4/10/2006 if the structure is secured within ten days. The Inspector should be notified when the repairs are made and an inspection will be scheduled.
3. Failure to secure the structure within 10 days of receipt of this notice will void the 90 day extension and your compliance date will remain 2/23/2006; failure to comply may result in the following action:
  - a. A \$50.00 per day civil penalty may be imposed for each day's continuing violation after the compliance date.
  - b. The County Inspection Department may immediately begin procedures to seek a demolition ordinance from the Cumberland County Board of Commissioners. The cost of said demolition will be assessed against the real property in the form of a lien.

*Charisse Brown*  
Secretary  
Housing Board of Appeals

RM/cb

**PROOF OF LEGAL SERVICE OF HOUSING APPEALS BOARD DECISION  
DATED JANUARY 11, 2006**

SENDER: COMPLETE THIS SECTION	COMPLETE THIS SECTION ON DELIVERY
<ul style="list-style-type: none"> <li>■ Complete Items 1, 2, and 3. Also complete Item 4 if Restricted Delivery is desired.</li> <li>■ Print your name and address on the reverse so that we can return the card to you.</li> <li>■ Attach this card to the back of the mailpiece, or on the front if space permits.</li> </ul>	<p>A. Signature  <input checked="" type="checkbox"/> <i>Delwyn P. Tart</i>      <input type="checkbox"/> Agent  <input type="checkbox"/> Addressee</p> <p>B. Received by (Printed Name)      C. Date of Delivery  <i>DELWYN P. TART</i>      <i>1-19-06</i></p> <p>D. Is delivery address different from item 1? <input type="checkbox"/> Yes              If YES, enter delivery address below: <input type="checkbox"/> No</p>
<p>1. Article Addressed to:</p> <p align="right">HBA RM MH4582</p> <p>DELWYN PAIGE TART &amp; PARTIES OF INTEREST 242 PINEY GROVE ROAD LAGRANGE NC 28551</p>	<p>3. Service Type</p> <p><input type="checkbox"/> Certified Mail      <input type="checkbox"/> Express Mail  <input type="checkbox"/> Registered      <input type="checkbox"/> Return Receipt for Merchandise  <input type="checkbox"/> Insured Mail      <input type="checkbox"/> G.O.D.</p> <p>4. Restricted Delivery? (Extra Fee)      <input type="checkbox"/> Yes</p>
<p>2. Article Number      7005 0390 0006 0047 1051          (Transfer from)</p>	

PS Form 3811, February 2004

Domestic Return Receipt

102595-02-M-1540

**U.S. Postal Service™**  
**CERTIFIED MAIL™ RECEIPT**  
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**Civilian Inspection Dept.**

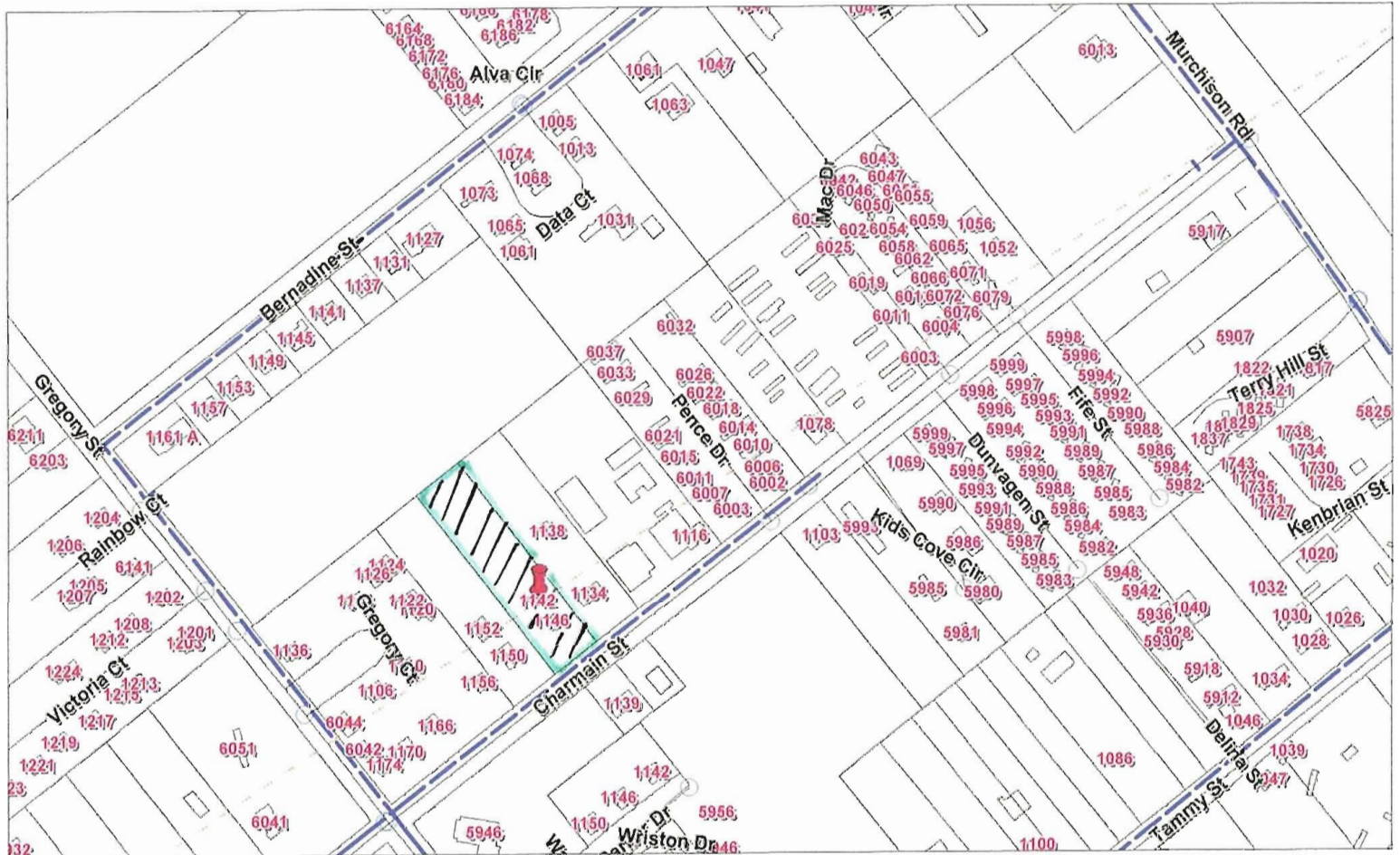
Postage \$			
Certified Fee			
Return Receipt Fee (Endorsement Required)			
Restricted Delivery Fee (Endorsement Required)			
Total			4.64

Sent 1  
 Street or PO City, State ZIP+4  
 DELWYN PAIGE TART & PARTIES OF INTEREST  
 242 PINEY GROVE ROAD  
 LAGRANGE NC 28551

PS Form 3811, February 2004

**MAP DEPICTING LOCATION OF PROPERTY**

**1142 & 1146 CHARMAIN STREET**  
(OWNER: DELWYN PAIGE TART)  
MINIMUM HOUSING CASE # MH4582-2005  
TAX PARCEL IDENTIFICATION NUMBER 0419-87-5083



**EXHIBIT C**

AFFIDAVIT OF THE HOUSING INSPECTOR'S REPORT  
BEFORE THE BOARD OF CUMBERLAND COUNTY COMMISSIONERS

I, George Hatcher, Code Enforcement Officer for the County of Cumberland Planning & Inspection Department, acting in my official capacity, being duly sworn, depose and say:

BACKGROUND: That the following is a report on case numbers MH4911-2006

Property Owner: **Ronald K. Rigsby**

Property Address: **248 East Jenkins Street , Fayetteville, NC**

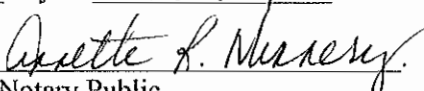
Tax Parcel Identification Number: 0436-32-1953

SYNOPSIS: This property consists of a single family dwelling that was inspected on **June 15, 2006**. All property owners and parties of interest were legally served with the Notice of Violations and afforded a Hearing on **July 12, 2006**. The property owners **did not attend** the Hearing. It was ordered that the structure be repaired to a minimum standard for human habitation, or be demolished and the debris removed from the premises no later than **October 12, 2006**. The property owners and parties of interest were notified of the appeal procedures when they were served with the Findings of Fact and Order. (See Exhibit A for the Findings of Fact and Order.) No Appeal was filed. Upon my visit to the property on February 8, 2007, no corrective action has been made to the structure. The structure is presently vacant and unsecured. In it's present state, the structure constitutes a fire, health, and safety hazard. The estimated cost to repair this structure to a minimum standard for human habitation is **\$30,000.00**. The Assessor for Cumberland County has the structure presently valued at **\$500.00**. Attached is a map depicting the location of the property. (See Exhibit B.)

**RECOMMENDATION: IT IS THE RECOMMENDATION OF THE PLANNING & INSPECTION DEPARTMENT THAT THIS STRUCTURE BE DEMOLISHED, AND THE DEBRIS REMOVED FROM THE LOT.**

  
George Hatcher, Affiant  
Code Enforcement Officer/County of Cumberland

Sworn to and Subscribed to, by me this  
the 8<sup>th</sup> day of February, 2007.

  
Notary Public

My Commission Expires: 10/21/07.

**BOARD FINDINGS AND ACTION CHECK LIST**  
**MINIMUM HOUSING REHABILITATION AND/OR DEMOLITION ORDINANCE**

Name(s) of Owner(s)

Appearances:

Inspection Dept. Case No.:

**BOARD OF COUNTY COMMISSIONERS MOTION:**

1. If the Board feels that the structure should be demolished, the Board's motion should be:

To adopt the order and report of the Minimum Housing Inspector as the true facts in this case,  
and

To order the property owner to remove or demolish the dwelling within \_\_\_\_\_ days.

To order the Inspector to remove or demolish the dwelling, if the owner fails to do so and  
impose a lien on the real property for the cost of such action.

To direct the clerk to incorporate the foregoing findings and orders in an ordinance certified by  
the Chairman and record the same in the Register of Deeds.

2. **If the Board feels that the property can be rehabilitated, the Board's motion should be:**

To adopt the order and report of the Minimum Housing Inspector as the true facts in this case.

To order the property owner to rehabilitate the property within \_\_\_\_\_ days.

To order the property owner to vacate and secure the property within \_\_\_\_\_ days  
pending rehabilitation.

To order the Inspector to rehabilitate the property or remove or demolish the dwelling, if the  
owner fails to do so and impose a lien on the real property for the cost of such action.

To direct the clerk to incorporate the foregoing findings and orders in an ordinance certified by  
the Chairman and record the same in the Register of Deeds.

3. **If the Board wishes to delay action on the case, the Board's motion should be:**

To adopt the order and report of the Minimum Housing Inspector as the true facts in this case.

To delay a decision on the case until \_\_\_\_\_ (date) in order to give the owner  
or party of interest time to: \_\_\_\_\_

4. In addition there is imposed a civil penalty in the amount of \$ \_\_\_\_\_ per day (up to  
a maximum amount of \$3,000.00) for failure to comply with the terms of this Ordinance.

Charles C. Morris  
Chair  
Town of Linden

Donovan McLaurin  
Vice-Chair

Wade, Falcon & Godwin  
Garland C. Hostetter,  
Town of Spring Lake  
Harvey Cain, Jr.,  
Town of Stedman



## COUNTY of CUMBERLAND

*Planning and Inspections Department*

Thomas J. Lloyd,  
Director  
Planning/Inspections

Cecil P. Combs,  
Deputy Director

Clifton McNeill, Jr.,  
Roy Turner,  
Lori Epler,  
Sara E. Piland,  
Cumberland County

### FINDINGS OF FACT AND ORDER

July 18, 2006

CASE #: MH 4911-2006

TO: Ronald K. Rigsby & Parties of Interest  
252 E. Jenkins Street  
Fayetteville, NC 28306

Property at: 248, 252 & lot to right of 252 E. Jenkins Street

A Complaint, Notice of Hearing and Report of Inspection were legally served to the owner or owner's agent, and any party of interest. These documents were in fact received by the owner or owner's agent and party of interest on 6/27/2006.


Pursuant of law, a Hearing was conducted in Room 101, of the old courthouse at 130 Gillespie Street, Fayetteville, NC on 7/12/2006 at 10:00:00 AM. The items identified below took place at the Hearing:


- ☒ 1. No owner or party of interest, or their agent, or representative appeared.
- ☐ 2. An answer was filed by owners and/or parties of interest. The answer was heard, read, and considered. Those present were: \_\_\_\_\_.
- ☒ 3. The undersigned inspector personally inspected the dwelling described in the Complaint and Notice of Hearing dated, 6/23/2006. Upon the record and all of the evidence offered and contentions made, the undersigned Hearing Officer does thereby find the following fact:
  - ☒ a. The dwelling in question is/are violative of the Cumberland County Housing Ordinance as per findings in the inspection report with an assigned case number of MH 4911-2006, dated 6/15/2006.
  - ☒ b. Due to these findings, the dwelling is/are found to be in a substandard condition in accordance with the Cumberland County Ordinance.
  - ☒ c. The dwelling is/are unfit for human habitation.

#### EXHIBIT A

- ☒ 4. Due to facts presented above, the Hearing Officer orders as follows:
- ☒ a. The owners and/or party(ies) of interest of the dwelling(s) named above are required to bring such dwelling(s) into compliance with the Cumberland County Housing Ordinance by either repairing, altering, and improving the dwelling(s) up to a minimum standard or by demolishing the structure and then causing the debris to be removed from the premises by a date not later than **10/12/2006**. **All required permits must be obtained. A copy of this order must be presented when obtaining permits.**
  - ☒ b. The dwelling(s) shall remain vacated until compliance with this order is completed and removed by the inspector, and the lot must be continuously maintained.
  - ☒ c. The structure shall be/remain secured.
  - ☐ d. By authority of North Carolina General Statutes 14-4, violation of the county code is punishable as a Class 3 Misdemeanor in criminal court and also subjects the violator to injunctive relief and/or a civil penalty of \$50.00 per day for each day's continuing violation after \_\_\_\_\_.
  - ☒ e. The County Planning/Inspection Department may immediately begin procedures to seek a demolition ordinance from the Cumberland County Board of Commissioners for failure to bring the property into compliance by **10/12/2006**. The cost of said demolition will be assessed against the real property in the form of a lien.

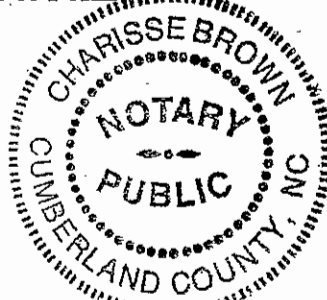
An appeal may be made to the Cumberland County Housing Board of Appeals. If an appeal is requested, it must be made in writing and within the time limits specified in the enclosed appeal procedures.

  
\_\_\_\_\_  
Ken Sykes  
Hearing Officer

  
\_\_\_\_\_  
George Hatcher  
Code Enforcement Officer

Enclosed: Appeals Procedures & Form

cc:



Sworn to and Subscribed to by me  
this the 18<sup>th</sup> day of July, 2006

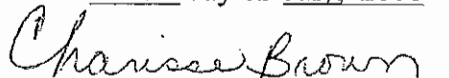
  
\_\_\_\_\_  
Notary Public  
My Commission Expires: 9/29/07

EXHIBIT A



**PROOF OF SERVICE OF FINDINGS OF FACT ORDER  
DATED 7/18/2006 CASE NUMBER MH 4911-2006**

NORTH CAROLINA  
COUNTY OF CUMBERLAND

RETURN TO:

PLANNING/INSPECTION DEPARTMENT  
OLD COURTHOUSE, ROOM 101  
130 GILLESPIE STREET  
FAYETTEVILLE, NC 28301

RE: RONALD RIGSBY  
Name of Violator

Case Number : MH 4911-2006

**AFFIDAVIT OF RETURN OF SERVICE  
(Personal Service to Individual)**

I, GEORGE HATZLER a code enforcement officer with the Cumberland County Planning & Inspection Department, personally served RONALD K. RIGSBY  
name of violator  
a copy of the FINDING OF FACTS ORDER APPEALS PROCEDURE  
citing violations of Article IV Chap 4 of the Cumberland County Code by  
delivering said notice(s) to the violator at the address shown below:

252 E JENKINS ST  
street name

FAYETTEVILLE NC 28306  
city, state, zip

I further certify that said service was completed on this the 20<sup>th</sup> day of JULY, 2006.

George Hatzler  
Code Enforcement Officer

Sworn to and subscribed to before me

this the 6<sup>th</sup> day of JULY, 2006

Notary Public

**EXHIBIT A**

My Commission Expires: 9/29/07 10/21/07

MAP DEPLICITING LOCATION OF PROPERTY  
248 E. Jenkins Street  
Fayetteville NC



Exhibit B

AFFIDAVIT OF THE HOUSING INSPECTOR'S REPORT  
BEFORE THE BOARD OF CUMBERLAND COUNTY COMMISSIONERS

I, George Hatcher, Code Enforcement Officer for the County of Cumberland Planning & Inspection Department, acting in my official capacity, being duly sworn, depose and say:

BACKGROUND: That the following is a report on case numbers MH4865-2006


Property Owner: **Arthur Hair**

Property Address: **4218 Longview Avenue, Hope Mills, NC**

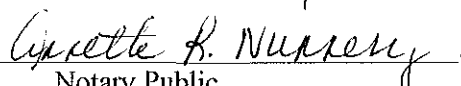
Tax Parcel Identification Number: 0424-21-4934

SYNOPSIS: This property consists of a single family dwelling that was inspected on April 13, 2006. All property owners and parties of interest were legally served with the Notice of Violations and afforded a Hearing on May 3, 2006. The property owners **did attend** the Hearing. It was ordered that the structure be repaired to a minimum standard for human habitation, or be demolished and the debris removed from the premises no later than July 31, 2006. The property owners and parties of interest were notified of the appeal procedures when they were served with the Findings of Fact and Order. (See Exhibit A for the Findings of Fact and Order.) No Appeal was filed. Upon my visit to the property on February 8, 2007, no corrective action has been made to the structure. The structure is presently vacant and unsecured. In it's present state, the structure constitutes a fire, health, and safety hazard. The estimated cost to repair this structure to a minimum standard for human habitation is \$30,000.00. The Assessor for Cumberland County has the structure presently valued at \$3,669.00. Attached is a map depicting the location of the property. (See Exhibit B.)

**RECOMMENDATION: IT IS THE RECOMMENDATION OF THE PLANNING & INSPECTION DEPARTMENT THAT THIS STRUCTURE BE DEMOLISHED, AND THE DEBRIS REMOVED FROM THE LOT.**

  
George Hatcher, Affiant  
Code Enforcement Officer/County of Cumberland

Sworn to and Subscribed to by me this  
the 8<sup>th</sup> day of February 2007.

  
Notary Public

My Commission Expires: 10/21/07.

**BOARD FINDINGS AND ACTION CHECK LIST**  
**MINIMUM HOUSING REHABILITATION AND/OR DEMOLITION ORDINANCE**

Name(s) of Owner(s)

Appearances:

Inspection Dept. Case No.:

**BOARD OF COUNTY COMMISSIONERS MOTION:**

1. If the Board feels that the structure should be demolished, the Board's motion should be:

To adopt the order and report of the Minimum Housing Inspector as the true facts in this case,  
and

To order the property owner to remove or demolish the dwelling within \_\_\_\_\_ days.

To order the Inspector to remove or demolish the dwelling, if the owner fails to do so and  
impose a lien on the real property for the cost of such action.

To direct the clerk to incorporate the foregoing findings and orders in an ordinance certified by  
the Chairman and record the same in the Register of Deeds.

2. **If the Board feels that the property can be rehabilitated, the Board's motion should be:**

To adopt the order and report of the Minimum Housing Inspector as the true facts in this case.

To order the property owner to rehabilitate the property within \_\_\_\_\_ days.

To order the property owner to vacate and secure the property within \_\_\_\_\_ days  
pending rehabilitation.

To order the Inspector to rehabilitate the property or remove or demolish the dwelling, if the  
owner fails to do so and impose a lien on the real property for the cost of such action.

To direct the clerk to incorporate the foregoing findings and orders in an ordinance certified by  
the Chairman and record the same in the Register of Deeds.

3. **If the Board wishes to delay action on the case, the Board's motion should be:**

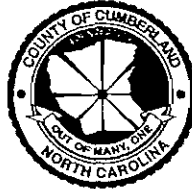
To adopt the order and report of the Minimum Housing Inspector as the true facts in this case.

To delay a decision on the case until \_\_\_\_\_ (date) in order to give the owner  
or party of interest time to: \_\_\_\_\_

4. In addition there is imposed a civil penalty in the amount of \$ \_\_\_\_\_ per day (up to  
a maximum amount of \$3,000.00) for failure to comply with the terms of this Ordinance.

Charles C. Morris  
Chair  
Town of Linden

Donovan McLaurin  
Vice-Chair  
Wade, Falcon & Godwin  
Garland C. Hostetter  
Town of Spring Lake  
Harvey Cain, Jr.,  
Town of Stedman



## COUNTY of CUMBERLAND

### *Planning and Inspections Department*

Thomas J. Lloyd,  
Director  
Planning/Inspections

Clifton McNeill, Jr.,  
Roy Turner,  
Lori Epler,  
Sara E. Piland  
Cumberland County

### FINDINGS OF FACT AND ORDER

May 3, 2006

CASE #: **MH 4865-2006**

TO: Arthur Hair & Parties of Interest  
4254 Longview Avenue  
Hope Mills, NC 28348

Property at: 4218 Longview Avenue

A Complaint, Notice of Hearing and Report of Inspection were legally served to the owner or owner's agent, and any party of interest. These documents were in fact received by the owner or owner's agent and party of interest on **4/19/2006**.

Pursuant of law, a Hearing was conducted in Room 101, of the old courthouse at 130 Gillespie Street, Fayetteville, NC on **5/3/2006** at **9:30 AM**. The items identified below took place at the Hearing:

- ☐ 1. No owner or party of interest, or their agent, or representative appeared.
- ☒ 2. An answer was filed by owners and/or parties of interest. The answer was heard, read, and considered. Those present were: Mr. & Mrs. Hair, Mr. Porter and Ken Sykes.
- ☒ 3. The undersigned inspector personally inspected the dwelling described in the Complaint and Notice of Hearing dated, **4/17/2006**. Upon the record and all of the evidence offered and contentions made, the undersigned Hearing Officer does thereby find the following fact:
  - ☒ a. The dwelling in question is/are violative of the Cumberland County Housing Ordinance as per findings in the inspection report with an assigned case number of **MH 4865-2006**, dated **4/13/2006**.
  - ☒ b. Due to these findings, the dwelling is/are found to be in a substandard condition in accordance with the Cumberland County Ordinance.
  - ☐ c. The dwelling is/are unfit for human habitation.

### EXHIBIT A


Findings and Facts of Order

Case #: MH 4865-2006

Page 2

- ☒ 4. Due to facts presented above, the Hearing Officer orders as follows:
- ☒ a. The owners and/or party(ies) of interest of the dwelling named above are required to bring such dwelling into compliance with the Cumberland County Housing Ordinance by either repairing, altering, and improving the dwelling(s) up to a minimum standard or by demolishing the structure and then causing the debris to be removed from the premises by a date not later than 7/31/2006. **All required permits must be obtained. A copy of this order must be presented when obtaining permits.**
  - ☐ b. The dwelling shall remain vacated until compliance with this order is completed and removed by the inspector, and the lot must be continuously maintained.
  - ☐ c. The structure shall be/remain secured.
  - ☒ d. A violation is punishable as a misdemeanor and also subjects the violator to injunctive relief and/or a civil penalty of \$50.00 per day for each day's continuing violation after 7/31/2006.
  - ☐ e. The County Planning/Inspection Department may immediately begin procedures to seek a demolition ordinance from the Cumberland County Board of Commissioners for failure to bring the property into compliance by \_\_\_\_\_. The cost of said demolition will be assessed against the real property in the form of a lien.

An appeal may be made to the Cumberland County Housing Board of Appeals. If an appeal is requested, it must be made in writing and within the time limits specified in the enclosed appeal procedures.

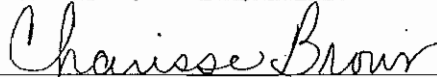
  
\_\_\_\_\_  
Ken Sykes  
Hearing Officer

Enclosed: Appeals Procedures & Form

cc:



Sworn to and Subscribed to by me this  
the 3<sup>th</sup> day of May, 2006

  
\_\_\_\_\_  
Charisse Brown

Notary Public

My Commission Expires: 9/29/07

**EXHIBIT A**

**PROOF OF SERVICE OF FINDINGS OF FACT ORDER  
DATED 5/3/2006 CASE NUMBER MH 4865-2006**

SENDER: COMPLETE THIS SECTION	COMPLETE THIS SECTION ON DELIVERY
<ul style="list-style-type: none"> <li>■ Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.</li> <li>■ Print your name and address on the reverse so that we can return the card to you.</li> <li>■ Attach this card to the back of the mailpiece, or on the front if space permits.</li> </ul>	<p>A. Signature <i>Arthur Hair</i></p> <p>B. Received by (Printed Name) <i>Arthur Hair</i></p> <p>C. Date of Delivery <i>6/2/06</i></p> <p>D. Is delivery address different from item 1? <input type="checkbox"/> Yes If YES, enter delivery address below: <input type="checkbox"/> No</p>
<p>1. Article Addressed to:</p> <p align="right"><del>30047</del> RM MH4865 4866 FoFo</p> <p>ARTHUR HAIR &amp; PARTIES OF INTEREST 4254 LONGVIEW AVENUE HOPE MILLS NC 28348</p>	<p>3. Service Type</p> <p><input type="checkbox"/> Certified Mail    <input type="checkbox"/> Express Mail</p> <p><input type="checkbox"/> Registered    <input type="checkbox"/> Return Receipt for Merchandise</p> <p><input type="checkbox"/> Insured Mail    <input type="checkbox"/> C.O.D.</p> <p>4. Restricted Delivery? (Extra Fee) <input type="checkbox"/> Yes</p>

2. Article (Transf)      7005 0390 0006 0047 6537

PS Form 3811, February 2004


Domestic Return Receipt

102595-02-M-1540

**U.S. Postal Service™**  
**CERTIFIED MAIL™ RECEIPT**  
(Domestic Mail Only; No Insurance Coverage Provided)

For delivery information visit our website at [www.usps.com](http://www.usps.com)

**Cumberland Co. Inspectors**

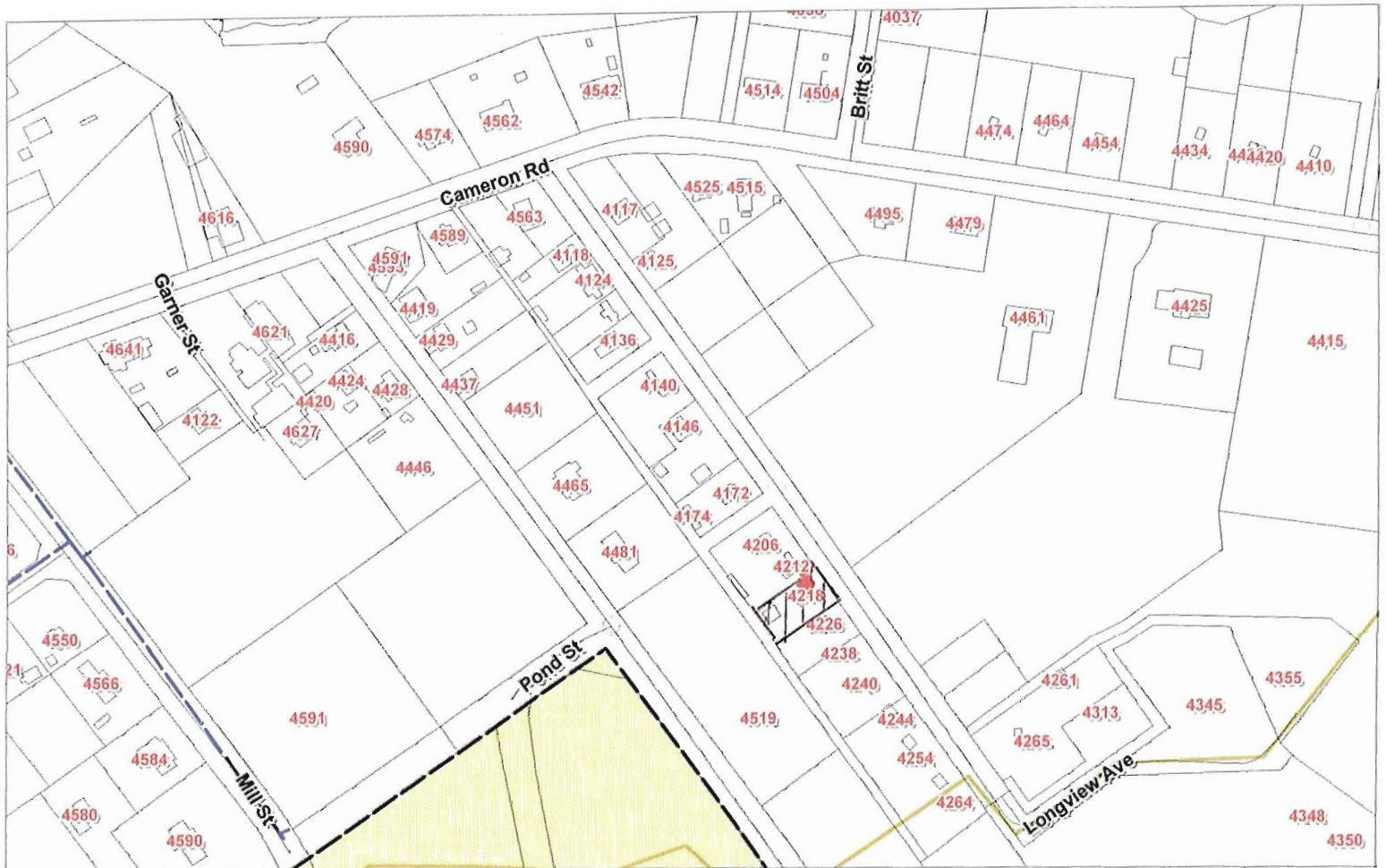
Postage	\$	
Certified Fee		
Return Receipt Fee (Endorsement Required)		
Restricted Delivery Fee (Endorsement Required)		
Total Postage & Fees	\$	

~~30047~~ RM  
MH4865 4866  
FoFo

Sent to:  
Arthur Hair & Parties of Interest  
4254 Longview Avenue  
Hope Mills NC 28348

Instructions

MAP DEPLICITING LOCATION OF PROPERTY  
**4218 Longview Avenue**  
**Hope Mills, NC**



**Exhibit B**



AFFIDAVIT OF THE HOUSING INSPECTOR'S REPORT  
BEFORE THE BOARD OF CUMBERLAND COUNTY COMMISSIONERS

I, George Hatcher, Code Enforcement Officer for the County of Cumberland Planning & Inspection Department, acting in my official capacity, being duly sworn, depose and say:

BACKGROUND: That the following is a report on Minimum Housing Case Numbers MH4931, MH4932 and MH4933-2006

Property Owner: Sharon R. Walden and Brenda E. Furlong

Property Address: 2200 Crystal Springs Road, Mobile Home #1, #2 and #3, Fayetteville, NC

Tax Parcel Identification Number: 0415-16-4016

SYNOPSIS: This property consists of three mobile homes that were inspected on July 19, 2006. All property owners and parties of interest were legally served the Notice of Violations and afforded a Hearing on August 24, 2006. The property owners and parties of interest **attended** the Hearing. It was ordered that the structures be repaired to a minimum standard for human habitation, or be demolished and the debris removed from the premises no later than October 9, 2006. The property owners and parties of interest were notified of the appeal procedures when they were served with the Findings of Fact and Order. (See Exhibit A for the Findings of Fact and Order.) No Appeal was filed. Upon my visit to the property on February 8, 2007, no corrective action has been made to the structures. The structures are presently vacant and unsecured. In their present state, these structures constitute a fire, health, and safety hazard. The estimated cost to repair the structures to a minimum standard for human habitation is \$20,000.00 each. The Assessor for Cumberland County has the mobile homes assessed for \$500.00 each for salvageable materials. Attached is a map depicting the location of the property. (See Exhibit B.)

RECOMMENDATION: IT IS THE RECOMMENDATION OF THE PLANNING & INSPECTION DEPARTMENT THAT THE THREE STRUCTURES BE DEMOLISHED, AND THE DEBRIS REMOVED FROM THE LOT.

George Hatcher  
George Hatcher, Affiant  
Code Enforcement Officer, County of Cumberland

Sworn to and Subscribed to by me this  
the 8<sup>th</sup> day of February, 2007.

Cherelle R. Maresy  
Notary Public

My Commission Expires: 10/21/07.

**BOARD FINDINGS AND ACTION CHECK LIST**  
**MINIMUM HOUSING REHABILITATION AND/OR DEMOLITION ORDINANCE**

Name(s) of Owner(s)

Appearances:

Inspection Dept. Case No.:

**BOARD OF COUNTY COMMISSIONERS MOTION:**

1. If the Board feels that the structure should be demolished, the Board's motion should be:

To adopt the order and report of the Minimum Housing Inspector as the true facts in this case,  
and

To order the property owner to remove or demolish the dwelling within \_\_\_\_\_ days.

To order the Inspector to remove or demolish the dwelling, if the owner fails to do so and  
impose a lien on the real property for the cost of such action.

To direct the clerk to incorporate the foregoing findings and orders in an ordinance certified by  
the Chairman and record the same in the Register of Deeds.

2. **If the Board feels that the property can be rehabilitated, the Board's motion should be:**

To adopt the order and report of the Minimum Housing Inspector as the true facts in this case.

To order the property owner to rehabilitate the property within \_\_\_\_\_ days.

To order the property owner to vacate and secure the property within \_\_\_\_\_ days  
pending rehabilitation.

To order the Inspector to rehabilitate the property or remove or demolish the dwelling, if the  
owner fails to do so and impose a lien on the real property for the cost of such action.

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the Chairman and record the same in the Register of Deeds.

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To adopt the order and report of the Minimum Housing Inspector as the true facts in this case.

To delay a decision on the case until \_\_\_\_\_ (date) in order to give the owner  
or party of interest time to: \_\_\_\_\_

4. In addition there is imposed a civil penalty in the amount of \$\_\_\_\_\_ per day (up to  
a maximum amount of \$3,000.00) for failure to comply with the terms of this Ordinance.

Charles C. Morris  
Chair  
Town of Linden

Donovan McLaurin  
Vice-Chair  
Wade, Falcon & Godwin  
Garland C. Hostetter,  
Town of Spring Lake  
Harvey Cain, Jr.,  
Town of Stedman



## COUNTY of CUMBERLAND

### *Planning and Inspections Department*

Thomas J. Lloyd,  
Director

Cecil P. Combs,  
Deputy Director

Clifton McNeill, Jr.,  
Roy Turner,  
Lori Epler,  
Sara E. Piland,  
Cumberland County

### FINDINGS OF FACT AND ORDER

August 25, 2006

CASE #: MH 4931-2006

TO: Sharon R. & Haywood D. Walden & Brenda E. Furlong & Parties of Interest  
4036 Nashville Drive  
Fayetteville, NC 28306  
2200 Crystal Springs Road  
Fayetteville, NC 28306

Property at: 2200 Crystal Springs Road - Mobile Home #1

A Complaint, Notice of Hearing and Report of Inspection were legally served to the owner or owner's agent, and any party of interest. These documents were in fact received by the owner or owner's agent and party of interest on 7/29/2006.

Pursuant of law, a Hearing was conducted in Room 101, of the old courthouse at 130 Gillespie Street, Fayetteville, NC on 8/24/2006 at 9:30:00 AM. The items identified below took place at the Hearing:

- ☐ 1. No owner or party of interest, or their agent, or representative appeared.
- ☒ 2. An answer was filed by owners and/or parties of interest. The answer was heard, read, and considered. Those present were: Sharon R. Walden, Gerald Reid, Janet Campbell, Richard M. Lewis, George Hatcher and Ken Sykes.
- ☒ 3. The undersigned inspector personally inspected the dwelling described in the Complaint and Notice of Hearing dated, 7/26/06. Upon the record and all of the evidence offered and contentions made, the undersigned Hearing Officer does thereby find the following fact:
  - ☒ a. The dwelling in question is violative of the Cumberland County Housing Ordinance as per findings in the inspection report with an assigned case number of MH 4931-2006, dated 7/19/2006.
  - ☒ b. Due to these findings, the dwelling are found to be in a substandard condition in accordance with the Cumberland County Ordinance.
  - ☒ c. The dwelling is unfit for human habitation.

#### EXHIBIT A

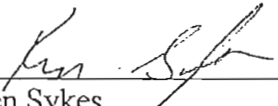
Findings and Facts of Order

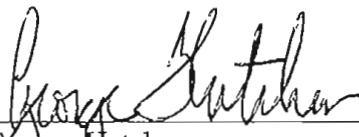
Case #: MH 4931-2006

Page 2

- ☒ 4. Due to facts presented above, the Hearing Officer orders as follows:
- ☒ a. The owners and/or parties of interest of the dwelling named above are required to bring such dwelling into compliance with the Cumberland County Housing Ordinance by either repairing, altering, and improving the dwelling up to a minimum standard or by demolishing the structure and then causing the debris to be removed from the premises by a date not later than 10/9/2006. **All required permits must be obtained. A copy of this order must be presented when obtaining permits.**
  - ☒ b. The dwelling shall remain vacated until compliance with this order is completed and removed by the inspector, and the lot must be continuously maintained.
  - ☒ c. The structure shall be/remain secured.
  - ☐ d. By authority of North Carolina General Statutes 14-4, violation of the County code is punishable as a Class 3 Misdemeanor in criminal court and also subjects the violator to injunctive relief and/or a civil penalty of \$50.00 per day for each day's continuing violation after \_\_\_\_.
  - ☒ e. The County Planning/Inspection Department may immediately begin procedures to seek a demolition ordinance from the Cumberland County Board of Commissioners for failure to bring the property into compliance by 10/9/2006. The cost of said demolition will be assessed against the real property in the form of a lien.

An appeal may be made to the Cumberland County Housing Board of Appeals. If an appeal is requested, it must be made in writing and within the time limits specified in the enclosed appeal procedures.

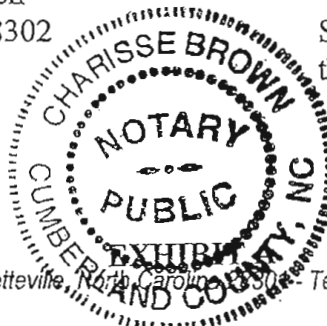
  
\_\_\_\_\_  
Ken Sykes  
Hearing Officer

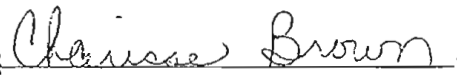
  
\_\_\_\_\_  
George Hatcher  
Code Enforcement Officer

Enclosed: Appeals Procedures & Form

cc: Richard M. Lewis, C/O Janet Campbell  
PO Drawer 1358, Fayetteville, NC 28302

Sworn to and Subscribed to by me  
this the 25<sup>th</sup> day of August, 2006



  
\_\_\_\_\_  
Notary Public  
My Commission Expires: 9/29/07

Charles C. Morris  
Chair  
Town of Linden

Donovan McLaurin  
Vice-Chair  
Wade, Falcon & Godwin  
Garland C. Hostetter,  
Town of Spring Lake  
Harvey Cain, Jr.,  
Town of Stedman



## COUNTY of CUMBERLAND

### *Planning and Inspections Department*

Thomas J. Lloyd,  
Director

Cecil P. Combs,  
Deputy Director

Clifton McNeill, Jr.,  
Roy Turner,  
Lori Epler,  
Sara E. Piland,  
Cumberland County

### FINDINGS OF FACT AND ORDER

August 25, 2006

CASE #: MH 4932-2006

TO: Sharon R. & Haywood D. Walden & Brenda E. Furlong & Parties of Interest  
4036 Nashville Drive 2200 Crystal Springs Road  
Fayetteville, NC 28306-9241 Fayetteville, NC 28306

Property at: 2200 Crystal Springs Road - Mobile Home #2

A Complaint, Notice of Hearing and Report of Inspection were legally served to the owner or owner's agent, and any party of interest. These documents were in fact received by the owner or owner's agent and party of interest on 7/29/2006.

Pursuant of law, a Hearing was conducted in Room 101, of the old courthouse at 130 Gillespie Street, Fayetteville, NC on 8/24/2006 at 9:30:00 AM. The items identified below took place at the Hearing:

- ☐ 1. No owner or party of interest, or their agent, or representative appeared.
- ☒ 2. An answer was filed by owners and/or parties of interest. The answer was heard, read, and considered. Those present were: Sharon R. Walden, Gerald Reid, Janet Campbell and Richard M. Lewis, George Hatcher and Ken Sykes.
- ☒ 3. The undersigned inspector personally inspected the dwelling described in the Complaint and Notice of Hearing dated, 7/26/06. Upon the record and all of the evidence offered and contentions made, the undersigned Hearing Officer does thereby find the following fact:
  - ☒ a. The dwelling in question is violative of the Cumberland County Housing Ordinance as per findings in the inspection report with an assigned case number of MH 4932-2006, dated 7/19/2006.
  - ☒ b. Due to these findings, the dwelling are found to be in a substandard condition in accordance with the Cumberland County Ordinance.
  - ☒ c. The dwelling is unfit for human habitation.

### EXHIBIT A

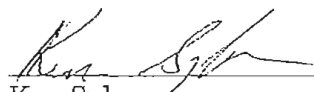
Findings and Facts of Order

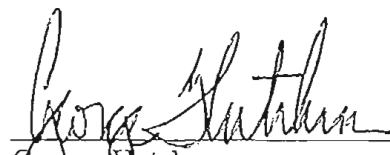
Case #: MH 4932-2006

Page 2

- ☒ 4. Due to facts presented above, the Hearing Officer orders as follows:
- ☒ a. The owners and/or parties of interest of the dwelling named above are required to bring such dwelling into compliance with the Cumberland County Housing Ordinance by either repairing, altering, and improving the dwelling up to a minimum standard or by demolishing the structure and then causing the debris to be removed from the premises by a date not later than 10/9/2006. All required permits must be obtained. A copy of this order must be presented when obtaining permits.
  - ☒ b. The dwelling shall remain vacated until compliance with this order is completed and removed by the inspector, and the lot must be continuously maintained.
  - ☒ c. The structure shall be/remain secured.
  - ☐ d. By authority of North Carolina General Statutes 14-4, violation of the County code is punishable as a Class 3 Misdemeanor in criminal court and also subjects the violator to injunctive relief and/or a civil penalty of \$50.00 per day for each day's continuing violation after \_\_\_\_.
  - ☒ e. The County Planning/Inspection Department may immediately begin procedures to seek a demolition ordinance from the Cumberland County Board of Commissioners for failure to bring the property into compliance by 10/9/2006. The cost of said demolition will be assessed against the real property in the form of a lien.

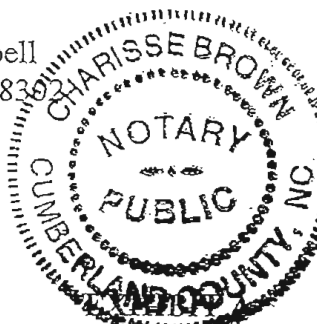
An appeal may be made to the Cumberland County Housing Board of Appeals. If an appeal is requested, it must be made in writing and within the time limits specified in the enclosed appeal procedures.

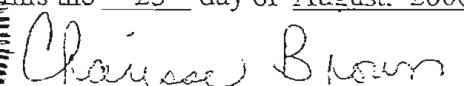
  
Ken Sykes  
Hearing Officer

  
George Hatcher  
Code Enforcement Officer

Enclosed: Appeals Procedures & Form

cc: Richard M. Lewis, C/O Janet Campbell  
PO Drawer 1358, Fayetteville, NC 28302



Sworn to and Subscribed to by me  
this the 25<sup>th</sup> day of August, 2006  
  
Notary Public  
My Commission Expires: 9/29/07

Charles C. Morris  
Chair  
Town of Linden

Donovan McLaurin  
Vice-Chair  
Wade, Falcon & Godwin  
Garland C. Hostetter,  
Town of Spring Lake  
Harvey Cain, Jr.,  
Town of Stedman



## COUNTY of CUMBERLAND

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Clifton McNeill, Jr.,  
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Lori Epler,  
Sara E. Piland,  
Cumberland County

### FINDINGS OF FACT AND ORDER

August 25, 2006

CASE #: MH 4933-2006

TO: Sharon R. & Haywood D. Walden & Brenda E. Furlong & Parties of Interest  
4036 Nashville Drive 2200 Crystal Springs Road  
Fayetteville, NC 28306-9241 Fayetteville, NC 28306

Property at: 2200 Crystal Springs Road - Mobile Home #3

A Complaint, Notice of Hearing and Report of Inspection were legally served to the owner or owner's agent, and any party of interest. These documents were in fact received by the owner or owner's agent and party of interest on 7/29/2006.

Pursuant of law, a Hearing was conducted in Room 101, of the old courthouse at 130 Gillespie Street, Fayetteville, NC on 8/24/2006 at 9:30:00 AM. The items identified below took place at the Hearing:

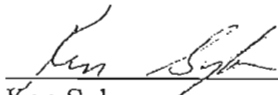
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- ☒ 3. The undersigned inspector personally inspected the dwelling described in the Complaint and Notice of Hearing dated, 7/26/06. Upon the record and all of the evidence offered and contentions made, the undersigned Hearing Officer does thereby find the following fact:
  - ☒ a. The dwelling in question is violative of the Cumberland County Housing Ordinance as per findings in the inspection report with an assigned case number of MH 4933-2006, dated 7/19/2006.
  - ☒ b. Due to these findings, the dwelling are found to be in a substandard condition in accordance with the Cumberland County Ordinance.
  - ☒ c. The dwelling is unfit for human habitation.

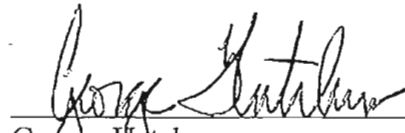
### EXHIBIT A

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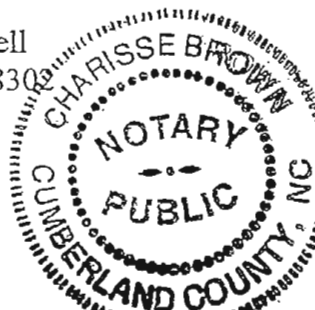
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\_\_\_\_\_  
Ken Sykes  
Hearing Officer

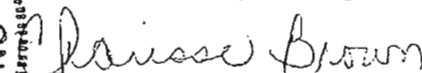
  
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George Hatcher  
Code Enforcement Officer

Enclosed: Appeals Procedures & Form

cc: Richard M. Lewis, C/O Janet Campbell  
PO Drawer 1358, Fayetteville, NC 28302



Sworn to and Subscribed to by me  
this the 25<sup>th</sup> day of August, 2006

  
\_\_\_\_\_  
Notary Public  
My Commission Expires: 9/29/07



PROOF OF SERVICE OF FINDINGS OF FACT ORDER  
DATED 8/25/2006 CASE NUMBER MH 4931-4933-2006

SENDER: COMPLETE THIS SECTION	COMPLETE THIS SECTION ON DELIVERY
<ul style="list-style-type: none"><li>■ Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.</li><li>■ Print your name and address on the reverse so that we can return the card to you.</li><li>■ Attach this card to the back of the mailpiece, or on the front if space permits.</li></ul>	A. Signature <input checked="" type="checkbox"/> Agent <input type="checkbox"/> Addressee <i>Kathy Crisswal</i>
1. Article Addressed to:	B. Received by (Printed Name) <i>KATHY CRISWAL</i>
	C. Date of Delivery <i>8-29-06</i>
	D. Is delivery address different from item 1? <input type="checkbox"/> Yes If YES, enter delivery address below: <input type="checkbox"/> No
	3. Service Type <input type="checkbox"/> Certified Mail <input type="checkbox"/> Express Mail <input type="checkbox"/> Registered <input type="checkbox"/> Return Receipt for Merchandise <input type="checkbox"/> Insured Mail <input type="checkbox"/> C.O.D.
	4. Restricted Delivery? (Extra Fee) <input type="checkbox"/> Yes
2. <i>7003 0500 0004 7403 1006</i> (Transfer from service label)	
PS Form 3811, February 2004 Domestic Return Receipt 102595-02-M-1540	

SENDER: COMPLETE THIS SECTION	COMPLETE THIS SECTION ON DELIVERY
<ul style="list-style-type: none"><li>■ Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.</li><li>■ Print your name and address on the reverse so that we can return the card to you.</li><li>■ Attach this card to the back of the mailpiece, or on the front if space permits.</li></ul>	A. Signature <input checked="" type="checkbox"/> Agent <input type="checkbox"/> Addressee <i>Sharon R Walden</i>
1. Article Addressed to:	B. Received by (Printed Name)
	C. Date of Delivery <i>8/26/06</i>
	D. Is delivery address different from item 1? <input type="checkbox"/> Yes If YES, enter delivery address below: <input type="checkbox"/> No
	3. Service Type <input type="checkbox"/> Certified Mail <input type="checkbox"/> Express Mail <input type="checkbox"/> Registered <input type="checkbox"/> Return Receipt for Merchandise <input type="checkbox"/> Insured Mail <input type="checkbox"/> C.O.D.
	4. Restricted Delivery? (Extra Fee) <input type="checkbox"/> Yes
2. Article 1 <i>7003 0500 0004 7403 0948</i> (Transfer from service label)	
PS Form 3811, February 2004 Domestic Return Receipt 102595-02-M-1540	

EXHIBIT A

PROOF OF SERVICE OF FINDINGS OF FACT ORDER  
DATED 8/25/2006 CASE NUMBER MH 4931-4933-2006

NORTH CAROLINA  
COUNTY OF CUMBERLAND

PLANNING/INSPECTIONS DEPARTMENT

RE: BRENDA FURLONG  
Name of Violator  
MH 4931 - 4933 - 2006  
Case Number

AFFIDAVIT OF RETURN OF SERVICE  
(Personal Service to Individual)

I, GEORGE HATCHER, with the Cumberland County Inspections Department,  
(name & title)

personally served BRENDA FURLONG, a copy of the  
(name of violator)

FINDINGS OF FACT & ORDER & APPEAL PROCEDURES

\_\_\_\_\_ citing violations of

Article IV Chap 4

of the Cumberland County Ordinance by mailing said notice(s) certified and 1<sup>st</sup> class mail to the address shown below,

2200 CRYSTAL SPRINGS DR DEERHILLS NC

and by posting said notice(s) on the property located at 2200 CRYSTAL SPRINGS DR

I further certify that said service was completed on this the 26<sup>th</sup> day of AUGUST, 2006



George Hatcher  
Code Enforcement Officer

Sworn to and subscribed to before me

this the 26<sup>th</sup> day of August, 2006

Annette R Nunnery  
Notary Public

My Commission Expires: 9/29/07 10-21-07

EXHIBIT A

MAP DEPLICITING LOCATION OF PROPERTY  
2200 Crystal Springs Road  
Fayetteville NC

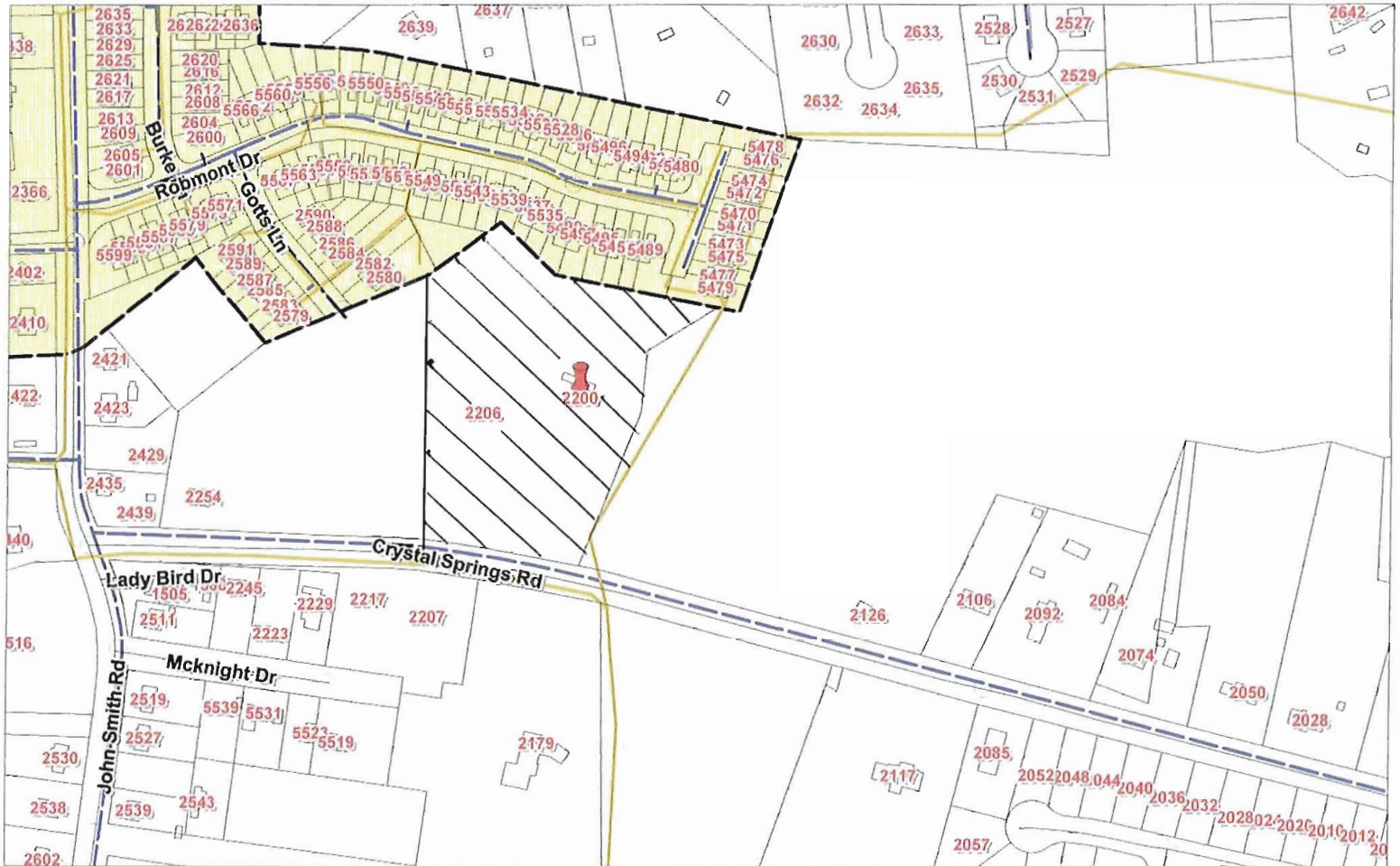
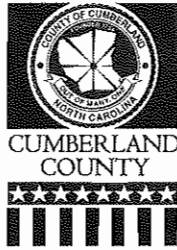


Exhibit B

KENNETH S. EDGE  
Chairman

J. BREEDEN BLACKWELL  
Vice Chairman

JEANNETTE M. COUNCIL  
JOHN T. HENLEY, JR.  
BILLY R. KING  
EDWARD G. MELVIN  
DIANE WHEATLEY



MARSHA S. FOGLE  
Clerk to the Board

MARIE COLGAN  
Deputy Clerk

**BOARD OF COMMISSIONERS**

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(910) 678-7771 • Fax: (910) 678-7770

February 5, 2007

ITEM NO. 3A

**February 20, 2007 Agenda Item**

TO: Board of Commissioners  
FROM: Marie Colgan, Deputy Clerk *MC*  
SUBJECT: Equalization and Review Board Vacancies (3)

The Equalization and Review Board will have the following vacancies as of March 31, 2007:

Appraiser position: Swayne Hamlet – will complete second term. Not eligible for reappointment. Fill the vacancy and make expiration date of this position as March 31, 2010 to align with other members.

At-large position: William E. Holland – will complete first term. Eligible for reappointment but request made for him to fill the Industrialist position. Fill the vacancy.

Industrialist position: W. Carroll Beard, Jr. – will complete second term. Not eligible for reappointment. Suggest **William E. Holland** fill the vacancy.

I have attached the current membership list and applicant list for this Board.

**PROPOSED ACTION**: Make nominations to fill the vacancies (3).

Attachments

cc: Aaron Donaldson, Tax Administrator

*Celebrating Our Past...Embracing Our Future*

APPLICANTS FOR  
EQUALIZATION AND REVIEW BOARD

<u>NAME/ADDRESS/TELEPHONE</u>	<u>OCCUPATION</u>	<u>EDUCATIONAL BACKGROUND</u>
ELLIS, MICHELE M. (W/F) 2508 WOLVEY ROAD FAYETTEVILLE, NC 28312 323-3980/868-3400 (W)	BRANCH MANAGER FINANCIAL INSTITUTION	LICENSED NC LOAN OFFICER
HARRIS, GLENDA PURDIE (B/F) 1874 GOLA DRIVE FAYETTEVILLE, NC 28301 488-2434/630-3041(W)	COMPLIANCE OFFICER	MS – ADMINISTRATION BS
HOLMES, ROGER G. (W/M) 1688 ROCK HILL ROAD FAYETTEVILLE, NC 28312 484-9720/223-0868(W)	REAL ESTATE APPRAISER	BSBA, CERTIFIED REAL ESTATE APPRAISER/ BROKER
HOOD, JOHN GREGORY (W/M) 417 DWIREWOOD DRIVE FAYETTEVILLE, NC 28303 867-3459/488-3101 (W)	CHIEF FINANCIAL OFFICER	4 ½ YEARS OF COLLEGE
HORAN JR., EARL C. ( ) 6229 FALKLAND COURT FAYETTEVILLE, NC 28311 822-2681/867-2116 (W)	REALTOR	BS – ENGINEERING MA – EDUCATION
JOHNSON, JASON N. (B/M) 8436 UMSTEAD ROAD FAYETTEVILLE, NC 28304 864-3999	UNEMPLOYED	BA – POLITICAL SCIENCE (RECENT COLLEGE GRAD)
LEACH, JACQUELINE (AA/F) 5520 MARCIA STREET FAYETTEVILLE, NC 28303 868-4897/677-2977(W)	VISTA VOLUNTEER AMERICORP	ACCOUNTING DEGREE
LOWE, CLABON RODELL (B/M) 512 KENTWELL COURT FAYETTEVILLE, NC 28303 864-7145/396-5710/5663(W)	US ARMY	2 YR DEGREE
KATHY T. OLSEN (W/F) 854 S. REILLY ROAD FAYETTEVILLE, NC 28314-1820 867-4659/864-1459 (W)	REAL ESTATE BROKER	HS; REAL ESTATE GRADUATE SCHOOL

EQUALIZATION AND REVIEW BOARD, Page 2

<u>NAME/ADDRESS/TELEPHONE</u>	<u>OCCUPATION</u>	<u>EDUCATIONAL BACKGROUND</u>
PARSONS, STEVEN A. (W/M) 3701 CLEARWATER DRIVE FAYETTEVILLE, NC 28311 822-4155/822-2000/988-3879	REAL ESTATE APPRAISER	BS – BUSINESS MS-GOV'T CONTRACTING
ROBERTSON, FREDDIE A. (B/M) ROSEHILL RD FAYETTEVILLE, NC 28301 630-6472/988-9781 (W)	COMPUTER INSTRUCTOR	BS – COMPUTER 2335 SCIENCE

## EQUALIZATION AND REVIEW BOARD

## 3 Year Term

<u>Name/Address</u>	<u>Date Appointed</u>	<u>Term</u>	<u>Expires</u>	<u>Eligible For Reappointment</u>
<u>Appraiser</u>				
Swayn G. Hamlet (W/M) 2514 Mirror Lake Drive Fayetteville, NC 28303 485-6980/868-6262(W)	2/04	2nd	Apr/07 4-30-07	No
<u>At Large</u>				
David J. Mack (B/M) 5479 Lynbrook Court Fayetteville, NC 28314 867-1214	3/06	1st	Mar/09 3-31-09	Yes
William E. Holland (W/M) 1998 Dawnview Place Fayetteville, NC 28304 867-3284/678-1390(W)	2/04	1st	Mar/07 3-31-07	Yes
Jimmy Ragland (B/M) 906-C Greenleaf Drive Fayetteville, NC 28303 867-6972	3/06	2nd	Mar/09 3-31-09	No
<u>Businessman</u>				
George Turner 1012 Cain Road Fayetteville, NC 28303 977-3228 (M)/867-1100 or 867-2776 (W)	3/06	2nd	Mar/09 3-31-09	No
<u>Farmer</u>				
David Miller Gillis (W/M) 2701 Gillis Hill Road Fayetteville, NC 28306 487-0684/867-2350(W)	3/06	1st	Mar/09 3-31-09	Yes
<u>Home Builder</u>				
Rodney W. Sherrill (W/M) P.O. Box 53329 Fayetteville, NC 28305 263-0922/829-1010 (W)	3/06	1st	Mar/09 3-31-09	Yes

Equalization and Review Board, Page 2

<u>Name/Address</u>	<u>Date Appointed</u>	<u>Term</u>	<u>Expires</u>	<u>Eligible For Reappointment</u>
<u>Industrialist</u> W. Carroll Beard, Jr. (W/M) 2524 Fordham Drive Fayetteville, NC 28304 485-7050	2/04	2nd	Mar/07 3-31-07	No
<u>Real Estate Agent</u> Curt Alexander (W/M) 1743 Daisy Lane Fayetteville, NC 28303 488-9537/867-2116(W)	2/05	2nd	Mar/08 3-31-08	No

Chairman: Curtis Alexander  
1st Vice Chairman: George Turner  
2nd Vice Chairman: David Mack

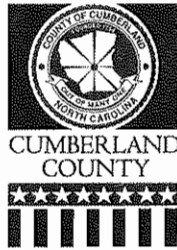
Meetings: 2nd Wednesday of every month – 3:30 PM  
Courthouse – Room 119  
(No meetings in July)



KENNETH S. EDGE  
Chairman

J. BREEDEN BLACKWELL  
Vice Chairman

JEANNETTE M. COUNCIL  
JOHN T. HENLEY, JR.  
BILLY R. KING  
EDWARD G. MELVIN  
DIANE WHEATLEY



MARSHA S. FOGLE  
Clerk to the Board

MARIE COLGAN  
Deputy Clerk

**BOARD OF COMMISSIONERS**

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ITEM NO. 4A

February 5, 2007

**February 20, 2007 Agenda Item**

TO: Board of Commissioners

FROM: Marie Colgan, Deputy Clerk *MC*

SUBJECT: Adult Care Home Community Advisory Committee

**BACKGROUND:** On February 5, 2007, the Board of Commissioners nominated the following for their first term to fill four (4) vacancies on the Adult Care Home Community Advisory Committee:

Nominee: **Ernestine Mack**  
**Lonnie Johnson**  
**Teresa McNeill**  
**Jacqueline Wolfe**

I have attached the current membership list for this committee.

**PROPOSED ACTION:** **Appoint the above.**

Attachments

cc: Andrea Wright, Mid-Carolina Area Agency on Aging

*Celebrating Our Past... Embracing Our Future*

ADULT CARE HOME COMMUNITY ADVISORY COMMITTEE  
Initial Appointment 1 Year/Subsequent Term 3 Years

<u>Name/Address</u>	<u>Date Appointed</u>	<u>Term</u>	<u>Expires</u>	<u>Eligible For Reappointment</u>
Tiffany M. Adams (B/F) 1123 Curry Ford Drive Fayetteville, NC 28314 867-5976/286-1061(W)	2/06	Initial	Feb/07 2/28/07	Yes
Kristin Sharp (B/F) 3434 Lubbock Drive Hope Mills, NC 28348 323-1046/678-8289(W)	10/06	Initial	Oct/07 10/31/07	Yes
Mary Ann Brown-Jackson 1959B James Hamner Way Fayetteville, NC 28311 822-1311/483-3101	1/06	1 <sup>st</sup>	Jan/09 1/31/09	Yes
Edgar F. Merritt (B/M) 1506 Boros Drive Fayetteville, NC 28303 822-2976/286-2552(W)	10/06	Initial	Oct/07 10/31/07	Yes
Herma Jean Bradley ( /F) 714 Topeka Street Fayetteville, NC 28301 822-3689	6/06	1 <sup>st</sup>	June/09 6/30/09	Yes
Mexie Fields ( /F) 1815 Primrose Drive Fayetteville, NC 28301 488-8432	1/06	Initial	Jan/07 1/31/07	Yes
James Ingram(B/M) P.O. Box 87671 Fayetteville, NC 28304 257-1831/488-8415(W)	1/05	Initial	Jan/07 1/31/07	Yes
Julie Smith 3705 Tyson Circle Hope Mills, NC 28348 425-6215	9/05	1 <sup>st</sup>	Aug/08 8/31/08	Yes

<u>Name/Address</u>	<u>Date Appointed</u>	<u>Term</u>	<u>Expires</u>	<u>Eligible For Reappointment</u>
Linda Brownlee-Jones (B/F) 5817 Pettigrew Drive Fayetteville, NC 28314 867-9589	4/06	Initial	Apr/07 4/30/07	Yes
Stephanie Hodges (W/F) 3424 Harrisburg Road Fayetteville, NC 28306 429-9300/292-5651(Cell)	10/06	1 <sup>st</sup>	Nov/09 11/30/09	Yes
Wynella A. Myers (B/F) 706 Sarazan Drive Fayetteville, NC 28303 425-3732	9/06	Initial	Aug/07 8/31/07	Yes
Janet Pelley 6131 Lochview Drive Fayetteville, NC 28311 488-4947	4/06	2nd	April/09 4/30/09	No
John Poulos (W/M) 3025 Brechin Road Fayetteville, NC 28303 867-2622/424-4242(W)	6/06	2nd	June/09 6/30/09	No
Gary Collier (W/M) 6335 Hackberry Hope Mills, NC 28348 423-4853/323-0760, Ext. 7138(W)	2/06	Initial	Feb/07 2/28/07	Yes
Dr. Claudett Tompkins (B/F) 260 Old Farm Road Fayetteville, NC 28314 864-5336/424-4797(W)	9/06	2nd	Aug/09 8/31/09	No
Patricia Paul (W/F) 805 Lakecrest Drive Fayetteville, NC 28301 488-5054	3/04	1 <sup>st</sup>	Mar/07 3/18/07	Yes

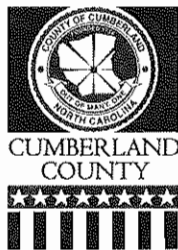
CONTACT: Andrea Wright, Regional Ombudsman, Mid-Carolina Area Agency on Aging,  
P. O. Box 1510, Fayetteville, NC 28302. Phone: 323-4191, ext. 25

MEETINGS: Quarterly: March, June, September, December 1st Thursday of Particular Month,  
10:00 AM, Blue Street Senior Center

KENNETH S. EDGE  
Chairman

J. BREEDEN BLACKWELL  
Vice Chairman

JEANNETTE M. COUNCIL  
JOHN T. HENLEY, JR.  
BILLY R. KING  
EDWARD G. MELVIN  
DIANE WHEATLEY



MARSHA S. FOGLE  
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MARIE COLGAN  
Deputy Clerk

**BOARD OF COMMISSIONERS**

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ITEM NO. 4B

February 5, 2007

**February 20, 2007 Agenda Item**

**MEMORANDUM**

TO: Board of Commissioners  
FROM: Marie Colgan, Deputy Clerk *MC*  
SUBJECT: Air Quality Stakeholders' Committee

BACKGROUND: On February 5, 2007, the Board of Commissioners nominated the following to fill two positions on the Air Quality Stakeholders' Committee:

Town of Hope Mills Stakeholder  
**Commissioner Jerry Legge**

Town of Spring Lake Stakeholder  
**Alderwoman Jami Sheppard**

I have attached the current membership list for this committee.

**PROPOSED ACTION: Appoint the above.**

Attachment

cc: Tom Lloyd, Planning & Inspections Director

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## AIR QUALITY STAKEHOLDERS COMMITTEE

<u>NAME</u>	<u>STAKEHOLDER</u>	<u>DATE APPT'D</u>	<u>TERM</u>	<u>EXPIRES</u>	<u>ELIGIBLE FOR REAPPOINT.</u>
Commissioner Eleanor Ayers PO Box 220 Stedman, NC 28391 323-1892	Town of Stedman	4/06	2 <sup>nd</sup>	4/09 4/30/09	No
Councilman Keith Bates 5404 Chesapeake Road Fayetteville, NC 28311 494-2256 <a href="mailto:Kbates05@nc.rr.com">Kbates05@nc.rr.com</a>	City of Fayetteville	1/07	1 <sup>st</sup>	12/09 12/31/09	Yes
Colonel Gregory Bean Director of Public Works Bldg 3-1631, Butner Road Fort Bragg, NC 28310-5000 396-4009 <a href="mailto:beangg@bragg.army.mil">beangg@bragg.army.mil</a>	Fort Bragg	4/06	2 <sup>nd</sup>	4/09 4/30/09	No
Steven Blanchard, CEO Public Works Commission 8768 Coats Road Linden, NC 28356 223-4002 <a href="mailto:steve.blanchard@faypwc.com">steve.blanchard@faypwc.com</a>	PWC	4/06	2 <sup>nd</sup>	4/09 4/30/09	No
George Breece PO Box 2801 Fayetteville, NC 28302 484-5430(H); 484-5431(Fax) <a href="mailto:george@breece.com">george@breece.com</a>	Citizen	4/06	2 <sup>nd</sup>	4/09 4/30/09	No
Mayor Edwin S. Deaver 5770 Rockfish Road Hope Mills, NC 28348 424-4554; 424-2384(H) <a href="mailto:pcregister@town.hope-mills.nc.us">pcregister@town.hope-mills.nc.us</a>	Citizen	4/06	2 <sup>nd</sup>	4/09 4/30/09	No
Scott Peters Goodyear Tire & Rubber Company 6655 Ramsey Street Fayetteville, NC 28311	Major Industry	4/06	1 <sup>st</sup>	4/09 4/30/09	Yes
Joseph Follet, MD Lafayette Clinic 1756 Metromedical Drive Fayetteville, NC 28304	Medical Rep.	4/06	2 <sup>nd</sup>	4/09 4/30/09	No
Michael Green P.O. Drawer 510 Fayetteville, NC 28302 483-1371 <a href="mailto:mgreen6592@aol.com">mgreen6592@aol.com</a>	Cohen & Green	4/06	2 <sup>nd</sup>	4/09 4/30/09	No

DATE NAME	ELIGIBLE FOR STAKEHOLDER	APPT'D	TERM	EXPIRES	REAPPOINT.
Henry Holt 1709 Clinton Road Fayetteville, NC 28301 483-5137 <a href="mailto:hwhwork@netquick.net">hwhwork@netquick.net</a>	Petroleum Distributor	4/06	2 <sup>nd</sup>	4/09 4/30/09	No
Karl Legatski 122 Magnolia Avenue Fayetteville, NC 28305 484-8684(H) 867-8675 <a href="mailto:karl@celtechinc.net">karl@celtechinc.net</a>	Citizen	4/06	2 <sup>nd</sup>	4/09 4/30/09	No
William A. Martin Cumberland Co. Business Council P.O. Box 9 Fayetteville, NC 28302 484-4242	CCBC	4/06	2 <sup>nd</sup>	4/09 4/30/09	No
Dr. Harold Maxwell 227 Fountainhead Lane Fayetteville, NC 28301 433-3600 <a href="mailto:hamaco@nc.rr.com">hamaco@nc.rr.com</a>	Board of Health	4/06	2 <sup>nd</sup>	4/09 4/30/09	No
Donovan McLaurin PO Box 97 Wade, NC 28395 484-0116; 428-6066(fax) <a href="mailto:mclaurin@outdrs.net">mclaurin@outdrs.net</a>	Homebuilders Association	4/06	2 <sup>nd</sup>	4/09 4/30/09	No
Joe Levister, Jr. FTCC PO Box 35236 Fayetteville, NC 28303 678-8321	FTCC	4/06	1 <sup>st</sup>	4/09 4/30/09	Yes
Denise Sykes Planning/Inspections Department 130 Gillespie Street Fayetteville, NC 28301 678-7629 <a href="mailto:dsykes@co.cumberland.nc.us">dsykes@co.cumberland.nc.us</a>	Towns of Wade Falcon, Godwin	4/06	2 <sup>nd</sup>	4/09 4/30/09	No
Stephen C. Waters, Sr. 4377 Ferncreek Drive Fayetteville, NC 28314 485-2135 <a href="mailto:scwaters@ashland.com">scwaters@ashland.com</a>	APAC aka Crowell Construction	4/06	2 <sup>nd</sup>	4/09 4/30/09	No

<u>DATE NAME</u>	<u>ELIGIBLE FOR STAKEHOLDER</u>	<u>APPT'D</u>	<u>TERM</u>	<u>EXPIRES</u>	<u>REAPPOINT.</u>
Jeannette Council Board of Commissioners PO Box 1829 Fayetteville, NC 28302 488-0691	County of Cumberland	12/06	2 <sup>nd</sup>	4/09 4/30/09	No

Original appointments made March 17, 2003.

Committee will be active for about 3 years.

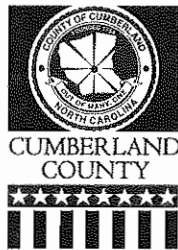
Contact/Staff: Rick Heicksen and Maurizia Chapman – Planning Department – x7615 (fax 678-7638)

No regular meeting date.

KENNETH S. EDGE  
Chairman

J. BREEDEN BLACKWELL  
Vice Chairman

JEANNETTE M. COUNCIL  
JOHN T. HENLEY, JR.  
BILLY R. KING  
EDWARD G. MELVIN  
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MARSHA S. FOGLE  
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**BOARD OF COMMISSIONERS**

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ITEM NO. 4C

February 5, 2007

**February 20, 2007 Agenda Item**

TO: Board of Commissioners  
FROM: Marie Colgan, Deputy Clerk *Mc*  
SUBJECT: Nursing Home Advisory Board

**BACKGROUND:** On February 5, 2007, the Board of Commissioners nominated the following to fill one (1) vacancy on the Nursing Home Advisory Board:

Nominee: **William R. Nichols**

I have attached the current membership list for this board.

**PROPOSED ACTION: Appoint the above.**

Attachments

cc: Andrea Wright, Mid-Carolina Area Agency on Aging

*Celebrating Our Past...Embracing Our Future*



NURSING HOME ADVISORY BOARD  
3 Year Term  
(Initial Appointment One Year)

<u>Name/Address</u>	<u>Date Appointed</u>	<u>Term</u>	<u>Expires</u>	<u>Eligible For Reappointment</u>
Mandella Edwards ( /F) 4151 Village Drive Fayetteville, NC 28304 429-0790(H)	4/06	Initial	April/07 4/30/07	Yes
Rev. Dr. Joe Fleming (B/M) 7235 Ryan Street Fayetteville, NC 28314 864-9084/257-7323(W)	6/06	1st	June/09 6/30/09	Yes
Martha McKoy P.O. Box 42152 Fayetteville, NC 28309 423-0771	9/05	1st	Sept/08 9/30/08	Yes
Edgar F. Merritt (B/M) 1506 Boros Drive Fayetteville, NC 28303 822-2976/286-2552 (W)	12/06	Initial	Dec/07 12/31/07	Yes
William R. Nichols(W/M) 1240 Magnolia Church Road Stedman, NC 28391 483-3934/433-1924(W)	2/06	Initial	Feb/07 2/28/07	Yes
Hervenna Pannell (B/F) 1821 Eichelberger Drive Fayetteville, NC 28303 822-8516/907-9355(W)	2/06	1st	Feb/09 2/28/09	Yes
Robert Pringle (B/M) 1835 Cascade Street Fayetteville, NC 28301 483-7547	10/04	2nd	Oct/07 10/31/07	No
Dr. Kathleen Radcliff(W/F) P.O. Box 53004 Fayetteville, NC 28305 484-4895/868-8153(W)	1/06	1st	Jan/09 1/31/09	Yes
Barbara Randolph (W/F) P.O. Box 36113 Fayetteville, NC 28303 484-3602 (H)	4/06	1st	April/09 4/30/09	Yes

<u>Name/Address</u>	<u>Date Appointed</u>	<u>Term</u>	<u>Expires</u>	<u>Eligible For Reappointment</u>
Navy Thomas (B/F) 7208 Reedy Creek Drive Fayetteville, NC 28314 867-4531/483-2222(W)/224-1332(Cell)	6/06	Initial	June/07 6/30/07	Yes
Lora L. Watson 1516 Chedington Road Hope Mills, NC 28348 485-3558/323-3041(W)	4/04	1st	April/07 4/30/07	Yes

CONTACT: Andrea Wright - Mid-Carolina Area Agency on Aging  
P. O. Box 1510, Fayetteville, NC 28302, (Phone: 323-4191, ext. 25)

Quarterly, (March, June, September & December) at 10:00 AM on the first Wednesday - at various nursing homes in the county.