
AGENDA
CUMBERLAND COUNTY BOARD OF COMMISSIONERS
COURTHOUSE – ROOM 118
MARCH 19, 2007
6:45 PM

INVOCATION - Commissioner Billy King

PLEDGE OF ALLEGIANCE – Kathryn M. Kelly- Van Story Hills Elementary School

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

Presentation of Cumberland County Cares Award: Pamela Boose

Recognition of Cumberland County Retired Employees:

Barbara J. Hood – Department of Social Services
Lynn Renee Pridgen – Cumberland County Public Library
Charles Weaver – Department of Social Services

1. Consent Agenda
 - A. Approval of minutes for the February 20, 2007 regular meeting and the February 23, 2007 special meeting.
 - B. Approval of Municipal Agreement with NCDOT for the Extension of SR 3935, Production Drive.
 - C. Approval of Cumberland County Policy Committee Report and Recommendation Regarding Law Enforcement Promotion Policy.
 - D. Approval of Cumberland County Facilities Report and Recommendation:
 - 1) Consideration of Conversion of Fourth Floor Lobby Into Office Space for District Attorney.
 - 2) Architectural Services for New Public Health Facility – Calloway, Johnson, Moore & West (CJM&W) Contract Amendment.
 - E. Approval of Cumberland County Mental Health Authority's Local Business Plan 2007-2010.

- F. Approval of Transfer of Van from Cumberland County Community Development to The Salvation Army.
- G. Approval of a Cumberland County Health Department Delinquent Accounts to be Turned Over to Collection Agency.
- H. Approval of Addition of New Vaccines to Health Department Fee Schedule.
- I. Approval of Change Order #1 (Final) – W. J. Jackson Construction Company, Gillespie Street Parking Lot Improvements.
- J. Approval of Correction of November 6, 2006 Board of Commissioner Minutes.
- K. Approval of FY 2008 Application for Continuation of Implementation Funding for the Day Reporting Center of the Criminal Justice System Support Unit.
- L. Approval of Sale of Surplus County-Owned Real Property Acquired by Tax Foreclosure:
 - 1. .46 Acre Emily McPherson Land (Located Off Campground Church Road, Off Morganton Road) – PIN: 0408-70-0893; Seventy First Township.
 - 2. Lot 6, Moses Evans Estate Division (1.7 Acs) (Located on River Road, Off Beard and Middle Roads) – PIN: 0449-78-7859; Eastover Township.
 - 3. Lot 1, Manchester Park Sec. 1 (Located on the Corners of E. Manchester Road and Brinkley Drive) – PIN: 0513-20-8357; Manchester Township.
 - 4. 0.51 Ac, McGill Ld (Located on Tine Road, Off Raeford Road, Off Rim Road) – PIN: 9487-41-9319; Seventy First Township.
- M. Approval of Ordinance Assessing Property for the Cost of Demolition:
 - 1) Case Number: MH 4474-2005
Property Owner: Luis R. Rivera
Property Location: 6519 Celestial Pine Dr, Hope Mills, NC
Parcel Identification Number: 0432-41-8749

- N. Approval of Eastover Central Recreation Center - Architectural Reimbursement - Tom Goetz, Architect and Change Order #2- M & E Contracting.
- O. Approval of Approval of a Resolution Allowing Richmond County, North Carolina to Join the Southeastern Economic Development Commission.
- P. Approval of a Proclamation Proclaiming the Weeks of March 12-23, 2007 as “Arbor Weeks” and March 31, 2007 as “Arbor Day” in Cumberland County.
- Q. Approval of a Proclamation Proclaiming April as Fair Housing Month in Cumberland County.
- R. Budget Revisions:

- (1) Kelly Hills Water and Sewer

Revision in the amount of \$19,960 to adjust revenues to reflect the actual PWC Facility Investment fees used on the project. (B07-266) **Funding Source – Fees**

- (2) Water and Sewer

Revision in the amount of \$37,260 to budget actual PWC Facility Investment fees used on the project. (B07-267) **Funding Source – Fees**

- (3) Library Grants

Revision in the amount of \$24,480 to budget additional e-rate funds to upgrade computer capacity and extend the wireless network for public use. (B07-269) **Funding Source – Grant**

- (4) Health

- a. Health Promotion - Revision in the amount of \$7,200 to budget for the “Sisters Informing Sisters on the Transmission of Aids” Grant. (B07-263) **Funding Source – Grant**

- b. Tuberculosis Project – Revision in the amount of \$1,972 to budget reduction in state funding. (B07-264) **Funding Source – State**
- c. Environmental Health – Revision in the amount of \$35,709 to budget additional state funding. (B07-272) **Funding Source – State**
- d. Maternal Care Coordination Program/Administration – Revision in the amount of \$35,000 to reallocate revenue and expenditures to fund operations for the remainder of the fiscal year. (B07-281 and B07-281A) **Funding Source – Reallocation of Budgeted Revenue and Expenditures**

(5) US DOT 104(f) Grant/Unallocated Revenue

Revision in the amount of \$56,315 to budget a prior period adjustment. (B07-273 and B07-273A) **Funding Source – Other**

(6) Mental Health

- a. Smart Start - Revision in the amount of \$19,609 to budget additional state funding to move a part-time position from Periodic Outpatient Services into this cost center. (B07-215) **Funding Source – State**
- b. Developmental Disability Contracts - Revision to adjust state revenue and fund balance appropriated. (B07-278) **Funding Source – State & Fund Balance Appropriated**
- c. Case Management – Revision in the amount of \$66,667 to budget additional state funding and reduce fees. (B07-279) **Funding Source – State and Fees**
- d. Alternative Family Living – Revision in the amount of \$229,000 to budget additional Medicaid fees due to unanticipated increase in billing. (B07-280) **Funding Source – Fees**

(7) General Government Other/Special Fire District Fund

Revision in the amount of \$240,000 to appropriate fund balance to transfer funds to the Special Fire District Fund as a match for a Federal grant to purchase 800 MHz radio equipment. One-half of the match (\$120,000) will be a direct grant to the Special Fire District and the other one-half (\$120,000) will represent a loan to the Fire Chief's Association to be repaid over a five year period. (B07-268 and B07-268A) **Funding Source – General Fund Fund Balance**

(8) Sheriff

Revision in the amount of \$15,608 to recognize insurance settlement to purchase a replacement vehicle. (B07-282) **Funding Source – Insurance Settlement**

2. Presentation on the Proposed E-85, Inc. Ethanol Project.

3. Public Hearings

A. Public Hearing on the proposed Incentive Agreement for the E-85, Inc. Ethanol Project.

Uncontested Cases

Rezoning

B. Case P07-11. The rezoning of 2.52 acres from A1 to R40A, or to a more restrictive zoning district, at 4942 Tabor Church Road, owned by Juan A. and Angela R. Martinez.

C. Case P07-13. The rezoning of three parcels totaling 79.88 acres from R10 to MXD/CUD and Permit, or to a more restrictive zoning district, at 5819, 5933 and 6007 Camden Road, owned by Thomas L. Bradford, Clifford C and Sharon H. McCullough, Jr. and Marjorie R. Hanks.

Contested Cases

D. Case P07-01. The rezoning of four parcels totaling 8.47 +/- acres from R40 to R20, or to a more restrictive zoning district, located on the northwest side of Ramsey Street, east of W. Reeves Bridge Road, owned by Arnell Bobbitt.

- E. Case P06-79. The rezoning of two parcels totaling 68.12 acres from A1 to R20, or to a more restrictive zoning district, at 2835 John McMillan Road, owned by Lawrence C. and Phillip C. Smith.

Other Public Hearings

- F. Public Hearing on Request to Close a Portion of an Unnamed Street Between Rachel Road and Tractor Road.

- G. Minimum Housing Code Enforcement

- 1) Case Number: MH 4959-2006 and MH 4960-2006
Property Owner: Oscar Moses Warren and Oscar Lee Warren
Property Location: 5540 Leitha Lane, Godwin, NC
Parcel Identification Number: 1503-02-2761

Items of Business

4. Consideration of Proposed Schedule for Fiscal Year 2008 Budget Work Sessions and Budget Public Hearing.
5. Nominations to Boards and Committees
- A. Adult Care Home Community Advisory Committee (1 Vacancy)
- B. Community Child Protection Fatality Prevention Team (2 Vacancies)
- C. Local Emergency Planning Committee (5 Vacancies)
- D. Mid-Carolina Aging Advisory Committee (2 Vacancies)
- E. Nursing Home Advisory Board (2 Vacancies)
- F. Tourism Development Authority (2 Vacancies)
6. Appointments to Boards and Committees
- A. Equalization and Review Board – Appointment of Chairman, First Vice Chairman and Second Vice Chairman
- Nominees: George Turner, Chairman
David Mack, First Vice Chairman
William “Bill” Holland, Second Vice Chairman

B. Equalization and Review Board (3 Vacancies)

<u>Nominees:</u>	<u>At-Large Position:</u>	Kathy Olsen (New Appointment)
	<u>Appraiser Position:</u>	Steven Parsons (New Appointment)
	<u>Industrialist Position:</u>	William E. Holland (Reappointment)

RECESS THE BOARD OF COMMISSIONERS' REGULAR MEETING.

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

RECONVENE THE REGULAR BOARD OF COMMISSIONERS' MEETING.

7. Closed Session: A. Attorney Client Matter(s) Pursuant to NCGS 143-318.11(a)(1).
- B. Real Property Matter Pursuant to NCGS 143-318.11(a)(5).
- C. Economic Development Matter(s) Pursuant to NCGS 143-318.11(a)(4).

ADJOURN

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

MEETINGS: April 2, 2007 (Monday) - 9:00 AM
April 16, 2007 (Monday) - 6:45 PM



COUNTY of CUMBERLAND

Office of the County Attorney

March 12, 2007

MEMORANDUM

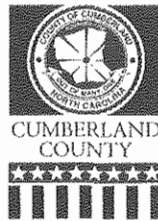
TO: BOARD OF COMMISSIONERS

FROM: GRAINGER R. BARRETT, COUNTY ATTORNEY

SUBJECT: PUBLIC HEARING FOR SCHOOL CONSTRUCTION FINANCING COPS

While the Board of Commissioners had scheduled a public hearing for school construction financing COPS for March 19, 2007, we are not yet ready to proceed with the public hearing. A public hearing would be on the financing contract and documents, which is a stage we have not reached yet. Management continues to discuss structuring alternatives for the financing with the Local Government Commission and the school system. We are still comfortably on track to meet the school system's desired schedule of conducting the financing in early fall after the school system has bids in hand for the projects to be financed.

ROBERT N. STANGER, P.E.
County Engineer



ITEM NO. 1B

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

March 12, 2007

MEMORANDUM

TO: BOARD OF COUNTY COMMISSIONERS

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

THROUGH: AMY H. CANNON, ASSISTANT COUNTY MANAGER

SUBJECT: MUNICIPAL AGREEMENT WITH NCDOT
EXTENSION OF SR3935 PRODUCTION DRIVE

BACKGROUND:

Attached is a copy of the Municipal Agreement between Cumberland County and the North Carolina Department of Transportation for the extension of SR3935 Production Drive in the Cumberland Industrial Center. Production Drive serves the recently constructed Nitta Gelatin Facility. As a part of the industrial inducement agreement with Nitta Gelatin, the County was obligated to extend Production Drive. NCDOT has agreed to participate in the cost of the road construction project in the amount not to exceed \$60,000. Under the terms of the Municipal Agreement, the County is responsible for procuring all necessary right-of-way, environmental and construction permits, and construct the road improvements in accordance with NCDOT standards. NCDOT will reimburse the County the construction costs in an amount not to exceed \$60,000 upon satisfactory completion of the project and submission of the required environmental permit documentation.

In February 2006, the Board of Commissioners approved a contract with Barnhill Contracting Company in the amount of \$187,500.20 for construction of Production Drive extension. The work was completed in October 2006 at a cost of \$172,467.10.

The County Attorney's Office has reviewed the Municipal Agreement with NCDOT for legal sufficiency.

RECOMMENDATION/PROPOSED ACTION:

The recommendation of the County Engineer and management is to approve the Municipal Agreement with NCDOT for the extension of SR3935 Production Drive.

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

Celebrating Our Past...Embracing Our Future

NORTH CAROLINA
CUMBERLAND COUNTY

Revised
1/22/07

NORTH CAROLINA DEPARTMENT
OF TRANSPORTATION

MUNICIPAL AGREEMENT
WBS ELEMENT: 40689

AND

COUNTY OF CUMBERLAND

THIS AGREEMENT is made and entered into on the last date executed below, by and between the North Carolina Department of Transportation, an agency of the State of North Carolina, hereinafter referred to as the "Department" and the County of Cumberland, hereinafter referred to as the "County".

WITNESSETH:

WHEREAS, the Department and the County have plans to make certain street and highway constructions and improvements within the County under WBS Element 40689, Cumberland County, said plans consist of the extension of SR 3935 (Production Drive); said project having a right-of-way width as shown on the project plans on file with the Department's Division Engineer in Fayetteville, North Carolina; and,

WHEREAS, the Department is authorized to participate in the planning and construction of a project approved by the Board of Transportation for the safe and efficient utilization of transportation systems for the public good; and,

WHEREAS, the County has approved the construction of said project and has agreed to participate in the cost of the project as hereinafter set out.

NOW, THEREFORE, in consideration of the premises and the benefits accruing to the Department and the County as the result of the construction of the Project, it is agreed as follows:

1. The County shall provide certification to the Department that the County has acquired all environmental documentation including permits necessary for construction prior to payment being made to the County.

2. The County shall prepare the plans, contractor specifications and estimates (PS&E package) needed to construct the project. All work shall be done in accordance with Departmental standards, specifications, policies and procedures.

3. The County, at no expense or liability whatsoever to the Department, shall be responsible for acquiring for conveyance to the Department the principal right of way and any additional right of way and/or easements required for said project. Acquisition of right of way shall be accomplished in accordance with policies and procedures set forth in the North Carolina Right of Way Manual. The County shall remove from said right of way all obstructions and encroachments of any kind or character including hazardous and contaminated materials. The County shall indemnify and save harmless the Department from any and all claims for damages that might arise on account of said right of way acquisition, drainage and construction easements for the construction of said project.

4. The County, without any cost or liability whatsoever to the Department, shall relocate and adjust all utilities in conflict with the project and shall exercise any rights which it may have under franchise to effect all necessary changes, adjustments, and relocations of telephone, telegraph, and electric power lines; underground cables, gas lines, and other pipelines or conduits; or any privately- or publicly-owned utilities. Said work shall be performed in a manner satisfactory to the Department prior to construction of the project.

5. The County, without cost to the Department, shall provide relocation assistance services and payments for families, businesses, and non-profit organizations being displaced by the project. Such services and payments shall be made in accordance with Public Law 91-646 and the North Carolina General Statutes, Chapter 133, Article 2, Sections 133-5 through 133-17. Relocation assistance services and payments may be accomplished by contract with any municipal corporation or State or Federal Agency rendering such services.

6. The County shall construct, or cause to be constructed, said project in accordance with the plans and specifications of said project as filed with, and approved by, the Department. The County shall enter into and shall administer the construction contract for said project. The proposed extension is .1 mile and the project consist of Nitta Gelatin, a biotech/pharmaceutical facility constructing a new facility to open in the summer of 2006. Extension of roadway will facilitate creation of 20 new jobs.

7. The Department shall oversee all work performed by the County to certify improvements have been accomplished in accordance with Departmental policies and procedures for highway construction.

8. The County, and/or its agent, shall also comply with the following federal policies: (a) Conflict of Interest; (b) Equal Employment Opportunity; and (c) Title VI – Civil Rights Act of 1964.

9. The County, and/or its agent, shall also comply with the following state policy: Minority Business Enterprises/Women Business Enterprises (MBE/WBE) as defined in G. S. 136-28.4

The policy is as follows:

MINORITY AND WOMEN BUSINESS:

7-17-01_R

POLICY

It is the policy of the North Carolina Department of Transportation that minority and women businesses shall have the maximum opportunity to participate in the performance of contracts financed by Non-Federal Funds.

The Contractor is also encouraged to give every opportunity to allow MBE/WBE participation in Supplemental Agreements.

OBLIGATION

The Contractor and any subsequent Subcontractor shall ensure that minority and women businesses have the maximum opportunity to participate in the performance of the work included in this contract. The Contractor and any subsequent Subcontractor shall take all necessary and reasonable steps to ensure that minority and women businesses have the maximum opportunity to compete for and perform a portion of the work included in this contract and shall not discriminate on the basis of race, color,

national origin or sex. Failure on the part of the Contractor to carry out the requirements set forth herein shall constitute a breach of contract and after proper notification, may result in award disqualification, termination of the contract, disqualification from bidding, or other appropriate remedy.

GOALS

Pursuant to the requirements of North Carolina General Statute 136-28.4, the following goals for participation are established for this contract:

Minority Business Enterprises	<u>3%</u>
Women Business Enterprises	<u>2%</u>

The Contractor shall exercise all necessary and reasonable steps to ensure that Minority Businesses (MB) and Women Businesses (WB) participate in at least the percents of the contract as set forth above as goals for this contract.

LISTING OF MB AND WB SUBCONTRACTORS

All bidders, at the time the bid proposal is submitted, must also submit a listing of MB and WB participation on the appropriate form (or facsimile thereof) contained elsewhere in this proposal in order for the bid to be considered responsive. Bidders must indicate the total dollar value of MB and WB participation of the contract. In the event the bidder has no MB and WB participation, he is still required to indicate this on the forms by entering the word or number zero. Blank forms will not be deemed to represent zero participation. BIDS SUBMITTED WHICH DO NOT HAVE MB AND WB PARTICIPATION INDICATED ON THE APPROPRIATE FORM WILL NOT BE READ PUBLICLY DURING THE OPENING OF BIDS. These bids will not be considered for award by the Department and they will be returned to the bidder. Bidders have the option of submitting their MB and WB participation in an abbreviated format as required in Paragraph A below, or the bidders may submit their MB and WB participation in the additional detail required by Paragraph B below. In the event the bidder elects to submit MB and WB participation in accordance with Paragraph A and is determined to be the apparent lowest responsive bidder, that bidder must deliver to the Department no later than 12:00 noon of the sixth day following the opening of bids, a detailed MB and WB submittal as required by Paragraph B below.

Only those MB and WB firms with current certification by the Department will be considered acceptable for listing in the bidders submittal of MB and WB participation.

- A. The contractor shall indicate on the form for listing of MB and WB Subcontractors the following required information:

REQUIRED INFORMATION

- (1) The names of MB and WB firms committed to participate in the contract;
- (2) The Contract Item Numbers of work to be performed by each MB and WB firm; and

- (3) The total dollar amount to be paid to each MB and WB based on agreed upon unit prices.

Failure to indicate the required information on the specified form will cause the bid to be considered nonresponsive and it may be rejected.

- B. In lieu of submitting the information required by (A) above, the bidder may submit the detailed information required below along with the bid proposal form.

REQUIRED INFORMATION

- (1) The names of MB and WB firms committed to participate in the contract;
- (2) The Contract Item Numbers and Contract Item Descriptions and agreed upon unit prices of work to be performed by each MB and WB firm; and
- (3) The total dollar amount to be paid to each MB and WB based on agreed upon unit prices.

Failure to indicate the required information on the specified form will cause the bid to be considered nonresponsive and it may be rejected.

The Department will not allow any substitutions, deletions, or other alterations to the listing of firms committed for MB and WB participation and/or the respective listed contract item numbers after opening of bids. The Department will not allow adjustments to total dollar amount of MB and/or WB participation after the opening of bids which would result in the MB and/or WB participation being less than the contract goal. The only exceptions to the requirements of this paragraph will be: (1) to allow for replacement of a MB or WB firm that had been decertified after opening of bids, and (2) to allow alteration of the listed contract item numbers subject to the Bidder submitting sufficient documentation to verify an obvious error in the initial submittal.

- C. If the bid of the lowest responsive bidder exceeds \$500,000 and if the MB and/or WB participation submitted in response to Paragraph B exceeds the algebraic sum of the MB and WB goals by \$1000 or more, the excess will be placed on deposit by the Department for future use by the bidder. Separate accounts will be maintained for MB and WB participation and these may accumulate for a period not to exceed 24 months.

If the MB and WB participation submitted in response to Paragraph A/B does not meet or exceed the MB and WB contract goals, the apparent lowest responsive bidder must submit information to satisfy the North Carolina Department of Transportation that sufficient reasonable efforts have been made to meet the contract goals. One complete set and nine (9) copies of this information must be received in the office of the State Contractual Services Engineer no later than 12:00 noon of the sixth day following opening of bids. Where the information submitted includes repetitious solicitation letters it will be acceptable to submit a sample representative letter along with a distribution list of the firms being

solicited. Documentation of MB and WB quotations shall be a part of the good faith effort submittal as necessary to demonstrate compliance with the factors listed below which the Department considers in judging good faith efforts. This documentation may include written subcontractor quotations, telephone log notations of verbal quotations, or other types of quotation documentation.

Where the bidder fails to provide this information by the deadline, the Department may impose the following sanctions: (1) disqualify the contractor and any affiliated companies from further bidding for a period of time of no more than 90 days from the date of disqualification as established in notification by certified mail; and (2) disqualify the Contractor and any affiliated companies for award of all contracts for which bids have been received and opened.

The following factors are what the Department will consider in judging whether or not the bidder has made adequate good faith effort:

- (1) Whether the bidder attended any pre-bid meetings that were scheduled by the Department to inform MBs and WBs of subcontracting opportunities;
- (2) Whether the bidder provided written notice to a reasonable number of specific MBs and WBs that their interest in the contract is being solicited and whether the firms solicited could have reasonably been expected to quote the work in the contract;
- (3) Whether the bidder followed up on initial solicitations of interests by contacting MBs and WBs to determine with certainty whether they were interested;
- (4) Whether the bidder selected portions of the work to be performed by MBs and WBs in order to increase the likelihood of meeting the contract goals;
- (5) Whether the bidder provided interested MBs and WBs with adequate information about the plans, specifications and requirements of the contract;
- (6) Whether the bidder negotiated in good faith with interested MBs and WBs not rejecting them as unqualified without sound reasons based on a thorough investigation of their capabilities;
- (7) Whether quotations were received from interested MB and WB firms but rejected as unacceptable without sound reasons why the quotations were considered unacceptable;
- (8) Whether the bidder made efforts to assist interested MBs and WBs in obtaining any required insurance or bonding that may be required by the bid proposal or by the bidder;
- (9) Whether the bidder specifically negotiated with Subcontractors to assume part of the responsibility to meet the contract MB and WB goal when the work to be sublet includes potential for MB and WB participation.

In the event one bidder is the apparent low bidder on two non-federally funded projects within the same letting located in the same geographic area of the state, as a part of the good faith effort the Department will consider allowing the bidder to combine the MB participation on the two projects so long as the overall MB goal value of both projects is achieved.

In the event one bidder is the apparent low bidder on two non-federally funded projects within the same letting located in the same geographic area of the state, as a part of the good faith effort the Department will consider allowing the bidder to combine the WB participation on the two projects so long as the overall WB goal value of both projects is achieved.

Where the apparent lowest responsive bidder fails to submit sufficient participation by MB firms to meet the contract goal, as part of the good faith effort the Department will consider allowing the bidder to withdraw funds to meet the MB goal so long as there are adequate funds available from the bidders MB bank account.

Where the apparent lowest responsive bidder fails to submit sufficient participation by WB firms to meet the contract goal, as part of the good faith effort the Department will consider allowing the bidder to withdraw funds to meet the WB goal so long as there are adequate funds available from the bidders WB bank account.

Where the apparent lowest responsive bidder fails to submit sufficient participation by MB and WB firms to meet the contract goal and upon a determination by the Goal Compliance Committee based upon the information submitted that the apparent lowest responsive bidder failed to make sufficient reasonable efforts to meet the contract goal, the Department may reject the bid.

In the event that the Department does not award the contract to the apparent lowest responsive bidder, the Department reserves the right to award the contract to the next lowest responsive bidder that can satisfy the Department that the contract goal can be met or that adequate good faith efforts have been made to meet the goal.

DIRECTORY OF CERTIFIED BUSINESSES

Included with this Proposal Form is a list of Businesses which have been certified by the North Carolina Department of Transportation. Only those MB firms with current certification may be used to meet the contract MB goal. Only those firms with current certification may be used to meet the contract WB goal.

The listing of an individual firm certified by the Department shall not be construed as an endorsement of the firms capability to perform certain work.

REPLACEMENT OF MBs AND WBs

(A) Performance Related

If any MB or WB Subcontractor indicated on the form for listing of MB and WB Subcontractors, contained elsewhere in this proposal form, does not perform satisfactorily to the extent indicated or anticipated, the Contractor shall take all necessary, reasonable steps to replace the MB Subcontractor with another MB Subcontractor and/or the Contractor shall take all necessary, reasonable steps to replace the WB Subcontractor with another WB Subcontractor.

Any substitution of MB or WB firms after award of the contract shall be approved by the Department. The Contractor shall submit any requests for substitutions through the Resident Engineer and the request must provide a valid basis or reason for the proposed substitution.

To demonstrate necessary, reasonable efforts, the Contractor shall document the steps he has taken to replace any MB or WB Subcontractor that is unable to perform successfully with another MB or WB Subcontractor. Such documentation shall include but not be limited to the following:

- (a) Copies of written notification to MBs/WBs that their interest is solicited in subcontracting the work defaulted by the previous MB or WB Subcontractor or in subcontracting other items of work in the contract.
- (b) Efforts to negotiate with MBs and WBs for specific subbids including at a minimum:
 - (1) The names, addresses, and telephone numbers of MBs and WBs that were contacted;
 - (2) A description of the information provided to MBs and WBs regarding the plans and specifications for portions of the work to be performed; and
 - (3) A statement of why additional agreements with MBs and WBs were not reached.
- (c) For each MB or WB contacted but rejected as unqualified, the reasons for the Contractor's conclusion.
- (d) Efforts made to assist the MBs and WBs contacted, if needed, in obtaining bonding or insurance required by the Contractor.

Failure of the Contractor to demonstrate reasonable efforts to replace a MB or WB firm that does not perform as intended or anticipated, shall be just cause to disqualify the Contractor from further bidding for a period of up to 6 months after notification by certified mail.

(B) Decertification

1. If the Department has approved a Request for Subcontract for a particular MB or WB Subcontractor and that MB or WB Subcontractor is subsequently decertified by the Department; then the Department will not require the Prime Contractor to solicit replacement MB or WB participation equal to the remaining work to be performed by the decertified firm.
2. If a Prime Contractor has listed a MB or WB firm in his low bid submittal and the MB or WB firm is decertified prior to the Department approving a Request for Subcontract for the named MB or WB firm, the Prime Contractor may be required to make a good faith effort to:
 - (a) Replace the decertified firm with a certified firm, or
 - (b) To obtain replacement MB or WB participation in other areas of work.

DEFINITIONS

For purposes of this provision, the following definition will apply:

Minority Business or MB means a small business concern, which is owned and controlled by one or more minorities. Except that such term shall not include any concern or group of concerns controlled by the same minority or minorities which has average annual gross receipts over the preceding 3 fiscal years in excess of \$14,000,000, as adjusted by the Department for inflation. For the purposes of this part, owned and controlled means a business:

- (a) Which is at least 51 percent owned by one or more minorities or in the case of a publicly owned business, at least 51 percent of the stock of which is owned by one or more minorities; and
- (b) Whose management and daily business operations are controlled by one or more such individuals.

Minority is defined as a citizen or lawful permanent resident of the United States and who is:

- (1) Black (a person having origins in any of the black racial groups of Africa);
- (2) Hispanic (a person of Mexican, Puerto Rican, Cuban, Central or South American, or other Spanish culture or origin, regardless of race);
- (3) Asian American (a person having origins in any of the original peoples of the Far East, Southeast Asia, the Indian subcontinent, or the Pacific Islands);
- (4) American Indian

Women Business or WB means a small business concern, which is owned and controlled by one or more women. Except that such term shall not include any

concern or group of concerns controlled by the same woman or women which has average annual gross receipts over the preceding 3 fiscal years in excess of \$14,000,000, as adjusted by the Department for inflation. For the purposes of this part, owned and controlled means a business:

- (a) Which is at least 51 percent owned by one or more women or in the case of any publicly owned business, at least 51 percent of the stock of which is owned by one or more women; and
- (b) Whose management and daily business operations are controlled by one or more of the women who own it.

COUNTING MB/WB PARTICIPATION TOWARD MEETING THE MB/WB GOAL

- (1) If a firm is determined to be an eligible MB or WB firm and certified by the Department, the total dollar value of the participation by the MB or WB will be counted toward the appropriate MB or WB goal. The total dollar value of participation by a certified MB or WB will be based upon unit prices agreed upon by the Prime Contractor and MB or WB Subcontractor.
- (2) The Contractor may count toward its MB or WB goal a portion of the total dollar value of participation with a joint venture, eligible under the standards of this provision, equal to the percentage of the ownership and controls of the MB or WB partner in the joint venture.
- (3)
 - (a) The Contractor may count toward its MB or WB goal only expenditures to MBs or WBs that perform a commercially useful function in the work of a contract. A MB or WB is considered to perform a commercially useful function when it is responsible for execution of a distinct element of the work of a contract and carrying out its responsibilities by actually performing, managing, and supervising the work involved. To determine whether a MB or WB is performing a commercially useful function, the Department will evaluate the amount of work subcontracted, industry practices, and other relevant factors.
 - (b) Consistent with normal industry practices, a MB or WB may enter into subcontracts. If a MB or WB Contractor or Subcontractor subcontracts a significantly greater portion of the work of the contract than would be expected on the basis of normal industry practices, the MB or WB shall be presumed not to be performing a commercially useful function. The MB or WB may present evidence to rebut this presumption to the Department. The Departments decision on the rebuttal of this presumption shall be final.
- (4) A Contractor may count toward its MB or WB goal 60 percent of its expenditures for materials and supplies required to complete the contract and obtained from MB

or WB regular dealer and 100 percent of such expenditures to a MB or WB manufacturer.

- (a) For purposes of this provision, a manufacturer is a firm that operates or maintains a factory or establishment that produces on the premises the materials or supplies obtained by the Contractor.
 - (b) For purposes of this provision, a regular dealer is a firm that owns, operates, or maintains a store, warehouse, or other establishment in which the materials or supplies required for the performance of the contract are bought, kept in stock, and regularly sold to the public in the usual course of business. To be a regular dealer, the firm must engage in, as its principal business and in its own name, the purchase and sale of the products in question. A regular dealer in such bulk items as steel, cement, gravel, stone, and petroleum products need not keep such products in stock, if it owns or operates distribution equipment. Brokers and packagers shall not be regarded as manufacturers or regular dealers within the meaning of this section.
- (5) A contractor may count toward its MB or WB goal the following expenditures to MB or WB firms that are not manufacturers or regular dealers:
- (a) The fees or commissions charged for providing a bona fide service, such as professional, technical, consultant or managerial services and assistance in the procurement of essential personnel, facilities, equipment, materials or supplies required for performance of the contract, provided that the fee or commission is determined by the Department to be reasonable and not excessive as compared with fees customarily allowed for similar services.
 - (b) The fees charged for delivery of materials and supplies required on a job site (but not the cost of the materials and supplies themselves) when the hauler, trucker, or delivery service is not also the manufacturer of or a regular dealer in the materials and supplies, provided that the fee is determined by the Department to be reasonable and not excessive as compared with fees customarily allowed for similar services.
 - (c) The fees or commissions charged for providing any bonds or insurance specifically required for the performance of the contract provided that the fee or commission is determined by the Department to be reasonable and not excessive as compared with fees customarily allowed for similar services.

REPORTS

Within 30 days after receipt of materials, supplies, or services from MBs or WBs, not otherwise documented by Request for Subcontracts (RS-1A/RS-1B), the Contractor shall furnish to the Engineer appropriate documentation (canceled checks, paid invoices, etc.) to verify expenditures with MB and WB concerns. The documentation should also indicate the percentage (60% or 100%) of expenditures claimed for MB or WB credit.

All requests for subcontracts involving MB or WB Subcontractors shall be accompanied by a certification executed by both the Prime Contractor and the MB or WB Subcontractor attesting to the agreed upon unit prices and extensions for the affected contract items. This document shall be on the Departments Form RS-1-D, or in lieu of using the Departments Form, copies of the actual executed agreement between the Prime Contractor and the MB or WB Subcontractor may be submitted. In any event, the Department reserves the right to require copies of actual subcontract agreements involving MB and WB Subcontractors.

The RS-1-D certification forms may be obtained from the Departments Resident Engineer.

These certifications shall be considered a part of the project records, and consequently will be subject to any penalties under State Law associated with falsifications of records related to projects.

REPORTING MINORITY BUSINESS ENTERPRISE OR WOMEN BUSINESS ENTERPRISE PARTICIPATION

When payments are made to Minority Business Enterprise firms or Women Business Enterprise firms, including material suppliers, contractors at all levels (prime, subcontractor, or second tier subcontractor) shall provide the Engineer with an accounting of said payments. This accounting shall be furnished the Engineer for any given month by the end of the following month. Failure to submit this information accordingly may result in (1) withholding of money due in the next partial pay estimate; or (2) removal of an approved Contractor from the prequalified bidders list or the removal of other entities from the approved subcontractors list. The accounting shall list for each payment made to a MB/WB Enterprise firm the following:

- DOT Project Number
- Payee Contractor Name
- Receiving Contractor or Material Supplier
- MB/WB Certification Basis, e.g., Woman Owned, Native American, African American, etc.
- Amount of Payment
- Date of Payment

A responsible fiscal officer of the payee contractor, subcontractor, or second tier subcontractor who can attest to the date and amounts of the payments shall certify that the accounting is correct. A copy of an acceptable report may be obtained from the Engineer.

10. Subject to compliance by the County with the provisions set forth in this Agreement, the Department shall participate in the total construction costs of the project in an amount not to exceed \$60,000 (Economic Development Funds). Construction costs, which exceed this amount, shall be borne by the County.

(A) It is understood by the County, reimbursement to the County is contingent upon the construction of roadway improvements.

(B) Reimbursement to the County shall be made in one lump sum payment upon completion of the project. The County may bill the Department by submitting an invoice, in quadruplicate, to the Department's 6th Division Engineer. Reimbursement to the County shall be made upon approval of each invoice by the 6th Division Engineer and the Department's Financial Division.

(C) If the work is performed by County force account, said invoices shall show an itemization of labor, labor additives, equipment, materials, and other qualifying costs accompanied by supporting documentation, such as copies of time records for labor and equipment, material inventory records and/or vendor invoices or other suitable documentation. Reimbursement shall be based on actual cost incurred with the exception of equipment owned by the County. Reimbursement for rates of equipment owned by the County cannot exceed the Department's rates in effect for the time period in which the work is performed. If the work is performed by a contractor, said invoices shall show the contract cost accompanied by copies of

- the contractor's invoice, cancelled checks to verify payments to contractor, and a sales tax statement from the contractor stating the amount of sales tax paid on materials furnished.

(D) In accordance with OMB Circular A-133, "Audits of States, Local Governments and Non-Profit Organizations" (www.whitehouse.gov/omb/circulars/a133/a133.html), dated June 27, 2003 and the Federal Single Audit Act Amendments of 1996, the County shall arrange for an independent financial and compliance audit of its fiscal operations. The County shall furnish the Department with a copy of the independent audit report within thirty (30) days of completion of the report, but not later than nine (9) months after the County's fiscal year ends.

(E) Failure on the part of the County and/or its consultant, to comply with any of these provisions will be grounds for the Department to terminate participation in the costs of the project.

(F) All invoices must be submitted within one (1) year of completion and acceptance of the project.

(G) The County, and/or its consultant, shall maintain all books, documents, papers, accounting records, and such other evidence as may be appropriate to substantiate costs incurred under this Agreement. Further, the County shall make such materials available at its office at all reasonable times during the contract period, and for five (5) years from the date of final payment under this Agreement, for inspection and audit by the Department's Financial Management Division.

11. The County shall upon completion of the work and acceptance by the Department, convey the right-of-way and road improvements to the Department for inclusion on the State's Secondary Road System for maintenance.

12. As allowed by the Tort Claims Act, the County further agrees to indemnify and hold harmless the Department, to the extent allowed by law, for any third party claims for payment or damages, of any nature, asserted against the Department in connection with any work performed by the County for this project. Furthermore, the County shall be responsible for ensuring compliance with all State, Federal and local environmental laws, regulations and ordinances.

13. The County is prohibited from contracting with or making subawards under transactions covered by this agreement to parties that are suspended or debarred or whose principals are suspended or debarred. Covered transactions include procurement contracts for goods or services equal to or in excess of \$25,000 and all nonprocurement transactions (e.g., subawards to subrecipients). Contractors receiving individual awards for \$25,000 or more and all subrecipients must certify that the organization and its principals are not suspended or debarred. The County may rely upon the certification unless it knows that the certification is erroneous. The County agrees that it is not presently debarred, suspended, proposed for debarment, declared ineligible, or voluntarily excluded from covered transactions by any Federal department or agency.

IT IS UNDERSTOOD AND AGREED upon that the approval of the project by the Department is subject to the conditions of this Agreement and that no expenditure of funds on the part of the Department will be made until the terms of this Agreement have been complied with on the part of the County.

IN WITNESS WHEREOF, this Agreement has been executed, in duplicate, the day and year heretofore set out, on the part of the Department and the County by authority duly given, as evidenced by the attached certified copy of Resolution, Ordinance or Charter Provision, as the case may be.

L.S.
ATTEST:

SEAL

COUNTY OF CUMBERLAND

BY: _____

TITLE: _____

DATE: _____

This instrument has been pre-audited in the manner required by the Local Government Budget and Fiscal Control Act.

Finance Officer

Federal Tax Identification Number:

County of Cumberland

Remittance Address:

DEPARTMENT OF TRANSPORTATION

BY: _____
STATE HIGHWAY ADMINISTRATOR

DATE: _____

APPROVED AS TO EXECUTION

BY: _____
ASSISTANT ATTORNEY GENERAL

DEPARTMENT OF TRANSPORTATION

AND

COUNTY OF CUMBERLAND

Reimbursable Work: The County of Cumberland shall construct roadway improvements which consist of the extension of SR 3935 (Production Drive) and the Department shall reimburse the County for the actual costs of said work up to a maximum amount of \$60,000.

Provisions for the payment of moneys to fall due under this agreement have been made by appropriation duly authorized, as required by the Local Government Budget and Fiscal Control Act.

By: _____

Title: _____

STATE OF NORTH CAROLINA
COUNTY OF CUMBERLAND

I, _____, a Notary Public in and for the County and State aforesaid, do hereby certify that _____ personally came before me for the County of Cumberland and that by authority duly given and as an act of said County of Cumberland, the foregoing certificate was signed by said Finance Officer and the Seal of Cumberland County affixed.

WITNESS my hand and Notarial Seal, this the ____ day of _____, 20____.

Notary Public

My Commission Expires: _____



ITEM NO. 1C

COUNTY of CUMBERLAND

James E. Martin
County Manager


Cliff Spiller
Assistant County Manager

Juanita Pilgrim
Deputy County Manager

Amy H. Cannon
Assistant County Manager

Office of the County Manager

MEMORANDUM

TO: BOARD OF COUNTY COMMISSIONERS
FROM: JAMES MARTIN, COUNTY MANAGER 
DATE: MARCH 6, 2007
**RE: POLICY COMMITTEE REPORT AND RECOMMENDATION
REGARDING LAW ENFORCEMENT PROMOTION POLICY**

BACKGROUND

The Board of Commissioners approved a new salary plan for law enforcement officers ("LEOs") effective July 1, 2006. This plan established a separate grade and salary structure for LEOs which changed the differential between grades that had historically been approximately 5%. The difference between grades for LEOs now ranges from 5% to 16%. Consequently, this variance has impacted salary increases for promotions. Another factor affecting LEO promotions is the career development ("CD") step increases that are granted to LEOs after the first three (3) years of service and every four (4) years thereafter. The CDs are provided to allow LEOs to progress in their respective salary ranges. The salary differential between grades and the CDs are unique factors that have impacted the application of the County's promotion policy to LEOs.

Currently, in accordance with Cumberland County Ordinance Sec. 10-52 "An employee promoted to a position in a grade having a higher salary range shall receive a one-step salary (5%) increase or an increase to the minimum step of the new grade whichever is higher."

With the implementation of the new LEO salary plan some unforeseeable consequences have arisen. The consequence of applying code provisions for promotions is that LEOs lose the benefit and intent of salary progression that the CD steps provide. This creates inequity between some of the senior officers and their junior counterparts.

In order to address these concerns, a proposed promotion policy for LEOs was presented to the Policy Committee on March 1, 2007, who unanimously passed a motion to recommend approval of this proposal to the full Board of County Commissioners (see attached minutes).

RECOMMENDATION / PROPOSED ACTION

Consider the County Personnel Committee's action to approve the proposed LEO promotion policy, with a requested effective date retroactive to July 1, 2006.

cc: Juanita Pilgrim, Deputy County Manager
Amy Cannon, Assistant County Manager
James Lawson, Human Resources Manager

CUMBERLAND COUNTY POLICY COMMITTEE
MARCH 1, 2007 – 9:30 AM
REGULAR MEETING

PRESENT: Commissioner Diane Wheatley
Commissioner Jeannette Council
Commissioner Ed Melvin
James Martin, County Manager
Juanita Pilgrim, Deputy County Manager
Cliff Spiller, Assistant County Manager
Amy Cannon, Assistant County Manager
Grainger Barrett, County Attorney
Sara VanderClute, Public Information Officer
Bob Stanger, County Engineer
Tom Cooney, Public Utilities Director
James Lawson, Human Resources Manager
Laura Blackley, Human Resources Analyst II
Bob Bennett, Storm Water Advisory Board Chair
Dennis Gould, Storm Water Advisory Board
Andrew Barksdale, Reporter – The Fayetteville Observer
Marie Colgan, Deputy Clerk

Commissioner Wheatley called the meeting to order at 9:45 AM

1. Approval of Minutes: January 4, 2007

MOTION: Commissioner Melvin moved to approve.
SECOND: Commissioner Council
VOTE: UNANIMOUS

2. Update on Locke's Creek Drainage Study

Tom Cooney advised that Greg Caison, Storm Water Services Manager, could not be in attendance and introduced two members of the Storm Water Advisory Board. Mr. Cooney stated he had been directed to seek qualified engineering firms to perform a study of the drainage problems at Locke's Creek. A Request for Qualifications was developed and mailed to prospective firms and seven (7) responses were received. Interviews were held with three (3) of the seven firms and a selection committee unanimously selected Jewell Engineering Consultants. They in turn proposed four different scenarios for consideration and scenario #4 was selected by the committee. Scenario #4 looks at the whole basin but, instead of profiling the major stream channels as Scenario #3 would include, profiles the major streams at bridge (i.e., road) crossings. Mr. Cooney directed attendees to the handout and reviewed the maps provided of the area. During a conversation with James Martin after receiving the selection, it was decided that scenario #3 which looks at the whole basin is the most comprehensive of the options. The cost of scenario #3 is \$365,741, as compared to scenario #4, which is \$318,436. Mr. Cooney reminded members that this figure is just for the study. Mr. Stanger informed members that if this study is done that it would provide a good planning tool when looking at rezonings. Commissioner Wheatley questioned what would happen after the study with regard to monies needed for identified problems. There would not be major funding available for large projects. Funds would likely have to come from storm water fees, grants and perhaps assessments or a service district. Several potential avenues were discussed with regard to funding the project: (a) \$50,000 which has been identified by the Joint Stormwater Utility within its utility fund; (b) The City of Fayetteville could be approached for a limited amount of funding

based on the small area of drainage basin within the City limits; (c) the NC Department of Transportation could be approached for potential funding, (d) grant funding, but (e) the County General Fund become the most likely source to provide the majority of the funding. Commissioner Council questioned county-wide benefits/services with regard to the \$50,000 monies available per year from the Stormwater Utility. Mr. Cooney advised that the fees currently being paid are intended to meet the regulatory requirements of the County's NPDES Stormwater permit, which focuses more on quality not quantity. Mr. Martin advised members that he has been reminded that there is a million and a half dollars which has already been budgeted for some water and sewer issues in connection with the City of Fayetteville which could be considered as part of the funding along with the other funding possibilities. Mrs. Pilgrim suggested that this be placed on the FY08 Federal legislative agenda with The Ferguson Group.

MOTION: **Commissioner Melvin moved that staff develop a recommendation for the full study, seek funding and take the recommendation to the Finance Committee.**

SECOND: **Commissioner Council**

VOTE: **UNANIMOUS**

3. Consideration of Law Enforcement Promotion Policy

Mr. Martin reminded attendees of the salary study for law enforcement officers which took place last year. However, the approach that was taken has led to an unanticipated effect, which has resulted in this request being made for a change in the Law Enforcement Promotion Policy. A promotion policy is being recommended that would allow Law Enforcement Officers' relative position in the range of their current classification to be carried forward to the promoted classification. Mr. Martin explained that an officer receives a 5% increase in pay after being with the Sheriff's Office for three (3) years and then receives a 5% increase for a career development step every four years thereafter. However, for individuals receiving certain promotions, depending on the compensation spread between positions, it may result in the loss of the benefit of the career development step increase; thus creating inequity between some of the senior and junior officers. Mr. Lawson added that one of the impacts is that a high performer who advances up the ranks quickly would actually make less money than one who has taken the longer path of advancement. Variances between the salary grades in the new law enforcement salary plan range from 5% to 16%. This differs from other county positions where grades are generally separated by 5%. Ms. Blackley stated that about five (5) employees have already resigned due to the inequities and that Human Resources is holding several actions that will be effected by this inequity, until consideration has been given to the proposed change in the policy. Several examples were presented explaining how the inequities are created. When questioned where the monies will come from for this change, Mr. Martin advised that lapsed salaries in the Sheriff's Department budget would cover pending actions and other actions that would occur through the end of this budget year. Next year's budget will need to be adjusted accordingly using past history of promotions within the last few years.

MOTION: **Commissioner Wheatley moved to accept the policy as presented and to send it forward to the full Board for consideration.**

SECOND: **Commissioner Melvin**

VOTE: **UNANIMOUS**

4. Other Matters of Concern

None stated.

MEETING ADJOURNED: **10:35 AM**



*Item 3
3-1-07*

COUNTY of CUMBERLAND

—♦—
Human Resources Office

February 15, 2007

MEMORANDUM

TO: POLICY COMMITTEE
FROM: JAMES LAWSON, HUMAN RESOURCES MANAGER *jl*
THRU: JAMES MARTIN, COUNTY MANAGER
SUBJECT: LAW ENFORCEMENT PROMOTION POLICY

Historically, Cumberland County's salary plan had a 5% differential in salary between grades. This has changed slightly over the years, due to increasing minimums, with some grades a little less than 5% and some a little more.

Currently, in accordance with Cumberland County Ordinance Sec. 10-52 "An employee promoted to a position in a grade having a higher salary range shall receive a one-step salary increase or an increase to the minimum step of the new grade whichever is higher." Since the elimination of steps from our pay plan, we adopted 5% as a "step", since that was once the difference between steps.

On July 1, 2006, Cumberland County implemented a new salary plan for law enforcement officers ("LEOs") which increased the minimum salary of each law enforcement classification. The positioning of the incumbents in the new plan was based on their relative position in the salary range of the previous plan. This new LEO plan has a separate grade structure with differences between grades that vary in the percentage spread. For example, the differences range from 5% between a Deputy I and Deputy II to 16% between a Major and the Chief Deputy. Of the ten (10) law enforcement classifications, only three (3) have 5% between them and the immediate lower classification with the other six (6) promotional opportunities ranging from 7% to 16%.

With the implementation of the new LEO salary plan some unforeseeable consequences have arisen. The main consequence is the promotion ordinance and the implementation of LEO promotions under the LEO salary plan. Another factor impacting LEO salaries is the career development ("CD") step increases granted to LEOs. In 1980, CD steps were implemented as an incentive to reduce turnover. In accordance with the approved CD policy, LEOs receive a CD step increase of 5% after completion of their first three (3) years of service. Subsequently, they receive CD step increase of 5% after every four (4) years of service. This allows LEOs to move up the salary range in which they are assigned. The consequence of a LEO receiving a promotion may be the loss of the advantage of the CD step. This creates inequity between some of the senior officers and their junior counterparts. In an effort to address this disparity, we recommend a promotional policy which allows LEOs to maintain their relative position in the range of their current classification to be carried forward to the promoted classification. Please see examples on the attached.

cc: Juanita Pilgrim, Deputy County Manager
Amy Cannon, Assistant County Manager
Laura Blackley, Human Resources Analyst II

Example 1, Illustration of Deputy I with current salary of \$36,005 promoted to Deputy III:

<u>Current Position</u>	<u>Current Grade / Minimum</u>	<u>Current Actual Salary</u>	<u>New Position</u>	<u>New Grade / Minimum</u>	<u>Previous Method</u>	<u>Proposed Method</u>
Deputy I	L101 / \$32,500	\$36,005	Deputy III	L103 / \$36,684	\$37,805	<u>\$40,640</u>

Computation:

- 1) Determine the % difference between the minimum salary of the current job classification and the employee's actual salary. $\$36,005 \text{ divided by } \$32,500 = 110.78$
- 2) Multiply the % rate computed in item 1 above by the new minimum salary of the position to which promoted. $\$36,684 \times 110.78\% = \$40,640$
- 3) According to the current policy, the new salary would be the minimum salary for the new position or a 5% increase to the current salary whichever is greater. If you add 5% to \$36,005, the result is \$37,805. Since this amount is greater than the new minimum of \$36,684, then the employee in this example would receive a 5% salary increase.

Example 2, Illustration of Sergeant Specialist with current salary of \$51,308 promoted to Lieutenant: (Above midpoint)

<u>Current Position</u>	<u>Current Grade / Minimum</u>	<u>Current Actual Salary</u>	<u>New Position</u>	<u>New Grade / Minimum</u>	<u>Previous Method</u>	<u>Proposed Method</u>
Sgt Spec	L105 / \$41,205	\$56,682	Lieutenant	L106 / \$44,850	\$59,516	<u>\$61,696</u>

Computation:

- 1) Determine the % difference between the minimum salary of the current job classification and the employee's actual salary. $\$56,682 \text{ divided by } \$41,205 = 137.56\%$
- 2) Multiply the % rate computed in item 1 above by the new minimum salary of the position to which promoted. $\$44,850 \times 137.56\% = \$61,696$.
- 3) Again for comparison purposes, applying the current policy would result in a 5% increase, since the current salary is already greater than the new minimum.

Employee moving to Higher grade
Adjustment to relative position in new grade

Enter "old" Salary \$ 36,005
Enter Minimum of "old" Grade \$ 32,500
percentile 110.78%

Grade	Minimum	This is the "New" Salary.
50	\$15,908	\$17,624
51	\$16,628	\$18,421
52	\$17,367	\$19,240
53	\$18,146	\$20,103
54	\$18,961	\$21,006
55	\$19,816	\$21,953
56	\$20,725	\$22,960
57	\$21,674	\$24,011
58	\$22,659	\$25,103
59	\$23,690	\$26,245
60	\$24,789	\$27,462
61	\$25,968	\$28,769
62	\$27,203	\$30,137
63	\$28,481	\$31,553
64	\$29,814	\$33,029
65	\$31,207	\$34,573
66	\$32,681	\$36,206
67	\$34,232	\$37,924
68	\$35,812	\$39,674
69	\$37,466	\$41,507
70	\$39,200	\$43,428
71	\$41,007	\$45,429
72	\$42,894	\$47,520
73	\$44,877	\$49,717
74	\$46,975	\$52,041
75	\$49,169	\$54,472
76	\$51,441	\$56,989
77	\$53,826	\$59,631
78	\$56,329	\$62,404
79	\$58,947	\$65,304
80	\$61,680	\$68,332
81	\$64,528	\$71,487
82	\$67,531	\$74,814
83	\$70,686	\$78,309
84	\$73,997	\$81,977
85	\$77,444	\$85,796
86	\$81,042	\$89,782
87	\$84,834	\$93,983
88	\$88,800	\$98,377
89	\$92,937	\$102,960
90	\$97,266	\$107,756
91	\$101,809	\$112,789
L101	\$32,500	\$36,005
L102	\$34,125	\$37,805
L103	\$36,884	\$40,640
L104	\$39,243	\$43,475
L105	\$41,205	\$45,649
L106	\$44,850	\$49,687
L107	\$47,093	\$52,172
L108	\$53,625	\$59,408
L109	\$58,987	\$65,349
L110	\$68,211	\$75,567

Employee moving to Higher grade
Adjustment to relative position in new grade

Enter "old" Salary \$ 56,682
Enter Minimum of "old" Grade \$ 41,205
percentile 137.56%

		This is the "New" Salary.
Grade	Minimum	
50	\$15,908	\$21,883
51	\$16,628	\$22,874
52	\$17,367	\$23,890
53	\$18,146	\$24,962
54	\$18,961	\$26,083
55	\$19,816	\$27,259
56	\$20,725	\$28,510
57	\$21,674	\$29,815
58	\$22,659	\$31,170
59	\$23,690	\$32,588
60	\$24,789	\$34,100
61	\$25,968	\$35,722
62	\$27,203	\$37,421
63	\$28,481	\$39,179
64	\$29,814	\$41,012
65	\$31,207	\$42,929
66	\$32,681	\$44,956
67	\$34,232	\$47,090
68	\$35,812	\$49,263
69	\$37,466	\$51,539
70	\$39,200	\$53,924
71	\$41,007	\$56,410
72	\$42,894	\$59,005
73	\$44,877	\$61,733
74	\$46,975	\$64,619
75	\$49,169	\$67,637
76	\$51,441	\$70,763
77	\$53,826	\$74,044
78	\$56,329	\$77,487
79	\$58,947	\$81,088
80	\$61,680	\$84,848
81	\$64,528	\$88,765
82	\$67,531	\$92,896
83	\$70,686	\$97,236
84	\$73,997	\$101,791
85	\$77,444	\$106,533
86	\$81,042	\$111,482
87	\$84,834	\$116,698
88	\$88,800	\$122,154
89	\$92,937	\$127,845
90	\$97,266	\$133,800
91	\$101,809	\$140,049
L101	\$32,500	\$44,707
L102	\$34,125	\$46,943
L103	\$36,684	\$50,463
L104	\$39,243	\$53,983
L105	\$41,205	\$56,682
L106	\$44,860	\$61,696
L107	\$47,093	\$64,782
L108	\$53,625	\$73,767
L109	\$58,987	\$81,143
L110	\$68,211	\$93,832



COUNTY of CUMBERLAND

Human Resources Office

March 13, 2007

MEMORANDUM

TO: POLICY COMMITTEE *and Board of Commissioners*

FROM: JAMES LAWSON, HUMAN RESOURCES MANAGER *JB*
LAURA BLACKLEY, HUMAN RESOURCES ANALYST II

THRU: JAMES MARTIN, COUNTY MANAGER *JM*

SUBJECT: COST COMPARISONS FOR PROPOSED
LAW ENFORCEMENT PROMOTION POLICY

On March 1, 2007, County staff presented a proposed promotion policy for law enforcement officers ("LEOs") to the Policy Committee. The recommendation was developed in order to address unforeseen circumstances resulting from the implementation of the LEO salary plan on July 1, 2006. The main concerns were the loss in the benefit and intent of the LEO career development plan, and pay inequities that result when applying the current promotion policy to LEO promotions. As discussed during the meeting, the equity issues that we are now encountering were not an issue in the previous grade structure for LEOs, because the spread between grades was approximately 5%, which is consistent with the application of the current promotion policy. The LEO plan established a new grade structure with percentages between grades that range from 5% to 16%. This variance in the percentages between grades impacts the ability to apply the current policy, which increases salary to the new minimum or by 5%, whichever is greater.

Based on the information presented at the meeting, the Policy Committee unanimously passed a motion to recommend approval of the proposed policy to the Board of Commissioners. However, it was requested that data be provided to summarize the cost effect of applying the proposed LEO promotion policy in comparison to the current promotion policy.

Please find attached a cost comparison summary that provides a breakdown of the LEO promotions that were processed for fiscal years 2005, 2006 and 2007. The summary lists the job classification and actual salary before and after the promotion. It then lists the cost difference between the current and proposed policies. The total cost difference for each fiscal year is provided at the bottom of each page, with the 3-year grand total listed at the bottom of the last page in the report.

While there are ongoing costs for implementing this proposed promotion policy, the recommendation is out of necessity to prevent the dilemma of salary disparities arising from the application of the current promotion policy.

cc: Juanita Pilgrim, Deputy County Manager
Amy Cannon, Assistant County Manager

FOR PROPOSED LAW ENFORCEMENT OFFICERS PROMOTION POLICY

[illegible]

COST COMPARISONS
FOR PROPOSED LAW ENFORCEMENT OFFICERS PROMOTION POLICY

NAME	DATE	BEFORE PROMOTION		AFTER PROMOTION		INCREASE OF ACTUAL SALARY	SALARY WITH PROPOSED POLICY	INCREASE WITH PROPOSED POLICY	Increased Difference
		JOB CLASSIFICATION	ACTUAL SALARY	JOB CLASSIFICATION	ACTUAL SALARY				
BROADUS, DARLENE	7/10/2005	DEPUTY II	\$31,914	SERGEANT	\$35,186	\$3,272	\$35,186	\$3,272	\$0
LOUGHMAN, TIMOTHY	7/10/2005	SERGEANT SPECIALIST	\$43,173	LIEUTENANT	\$47,599	\$4,426	\$47,599	\$4,426	\$0
BOOSE, ORLANDER	7/24/2005	DEPUTY I	\$31,913	DEPUTY II	\$33,509	\$1,596	\$33,509	\$1,596	\$0
O'BRANOVICH, BRUCE	8/7/2005	DEPUTY II	\$33,509	SERGEANT	\$35,184	\$1,675	\$36,756	\$3,247	\$1,572
HURLEY, MATTHEW	8/7/2005	SERGEANT	\$39,633	SERGEANT SPECIALIST	\$41,615	\$1,982	\$41,615	\$1,982	\$0
MARBLE, STEPHEN	8/7/2005	DEPUTY II	\$37,408	DEPUTY III	\$39,278	\$1,870	\$39,278	\$1,870	\$0
BRYANT, WALTER	8/7/2005	DEPUTY III	\$39,846	SERGEANT SPECIALIST	\$41,838	\$1,992	\$43,663	\$3,817	\$1,825
WILLIAMS, TERESA	8/7/2005	DEPUTY I	\$31,752	DEPUTY II	\$33,340	\$1,588	\$33,340	\$1,588	\$0
REIDY, MICHAEL	8/7/2005	DEPUTY II	\$33,509	DEPUTY III	\$35,184	\$1,675	\$35,184	\$1,675	\$0
HUTCHINS, RONNIE	8/7/2005	DEPUTY I	\$29,508	DEPUTY II	\$30,983	\$1,475	\$30,983	\$1,475	\$0
PETERSON, CHRISTOPHE	8/7/2005	DEPUTY I	\$30,393	DEPUTY I	\$31,914	\$1,521	\$31,914	\$1,521	\$0
FERMIN, LAWRENCE	8/21/2005	DEPUTY III	\$39,654	SERGEANT	\$41,637	\$1,983	\$41,637	\$1,983	\$0
HORNE, PHILLIP	8/21/2005	DEPUTY I	\$29,508	DEPUTY II	\$30,983	\$1,475	\$30,983	\$1,475	\$0
RAY, TERRY	9/4/2005	SERGEANT	\$43,610	LIEUTENANT SPECIALIS	\$45,791	\$2,181	\$49,939	\$6,329	\$4,148
COLLINS, HARRY	9/4/2005	CAPTAIN	\$47,381	MAJOR	\$49,750	\$2,369	\$51,889	\$4,508	\$2,139
BOWDEN, JOSEPH	9/18/2005	DEPUTY II	\$30,983	DEPUTY III	\$32,532	\$1,549	\$32,532	\$1,549	\$0
SPRADLIN, GREGG	9/18/2005	DEPUTY I	\$29,508	DEPUTY II	\$30,983	\$1,475	\$30,983	\$1,475	\$0
STOCKS, LANA	11/27/2005	DEPUTY I	\$30,393	DEPUTY II	\$31,913	\$1,520	\$31,913	\$1,520	\$0
REESE, MAURA	12/11/2005	DEPUTY I	\$29,508	DEPUTY II	\$30,983	\$1,475	\$30,983	\$1,475	\$0
VEST, YOVANA	12/11/2005	DEPUTY I	\$29,508	DEPUTY II	\$30,983	\$1,475	\$30,983	\$1,475	\$0
BOWDEN, JOSEPH	12/12/2005	DEPUTY III	\$32,532	SERGEANT	\$34,159	\$1,627	\$34,159	\$1,627	\$0
JOHNSON, BRIAN	12/25/2005	DEPUTY I	\$29,508	DEPUTY II	\$30,983	\$1,475	\$30,983	\$1,475	\$0
ANDERSON, MARCUS	1/8/2006	DEPUTY III	\$38,388	SERGEANT	\$40,307	\$1,919	\$40,307	\$1,919	\$0
BUCKLEY, TATUM	2/5/2006	DEPUTY II	\$33,509	SERGEANT SPECIALIST	\$35,184	\$1,675	\$38,453	\$4,944	\$3,269
MCDOWELL, YANCEY	2/19/2006	DEPUTY II	\$31,913	DEPUTY III	\$33,509	\$1,596	\$33,509	\$1,596	\$0
JONES, JAMES	2/19/2006	DEPUTY I	\$29,508	DEPUTY II	\$30,983	\$1,475	\$30,983	\$1,475	\$0
WELLS, CURTIS	3/5/2006	DEPUTY I	\$29,508	DEPUTY II	\$30,983	\$1,475	\$30,983	\$1,475	\$0
DEAN, BRADLEY	3/5/2006	DEPUTY II	\$31,913	DEPUTY III	\$33,509	\$1,596	\$33,509	\$1,596	\$0
BRINKLEY, ADAM	4/2/2006	DEPUTY I	\$28,806	DEPUTY II	\$30,246	\$1,440	\$30,246	\$1,440	\$0
PEREZ, DEMETRIO	4/16/2006	DEPUTY II	\$33,509	DEPUTY III	\$35,184	\$1,675	\$35,184	\$1,675	\$0
CLIFTON, ROY	4/30/2006	DEPUTY I	\$29,508	DEPUTY II	\$30,983	\$1,475	\$30,983	\$1,475	\$0
WRIGHT, ENNIS	5/7/2006	SERGEANT SPECIALIST	\$39,499	LIEUTENANT SPECIALIS	\$41,473	\$1,974	\$43,235	\$3,736	\$1,762
PAIT, WOODY	5/14/2006	DEPUTY I	\$31,687	DEPUTY II	\$33,271	\$1,584	\$33,271	\$1,584	\$0

TOTAL FOR FY06

\$14,715

COST COMPARISONS
FOR PROPOSED LAW ENFORCEMENT OFFICERS PROMOTION POLICY

NAME	DATE	BEFORE PROMOTION		AFTER PROMOTION		INCREASE OF ACTUAL SALARY	SALARY WITH PROPOSED POLICY	INCREASE WITH PROPOSED POLICY	Increased Difference
		JOB CLASSIFICATION	ACTUAL SALARY	JOB CLASSIFICATION	ACTUAL SALARY				
GRAHAM, LACY	7/10/2006	SERGEANT	\$37,867	SERGEANT SPECIALIST	\$44,859	\$6,992	\$44,859	\$6,992	\$0
SMITH, NEELIS	7/10/2006	SERGEANT SPECIALIST	\$43,576	LIEUTENANT	\$51,622	\$8,046	\$53,502	\$9,926	\$1,880
NORRIS, PHILLIP	7/10/2006	SERGEANT SPECIALIST	\$47,847	LIEUTENANT SPECIALIS	\$56,682	\$8,835	\$61,683	\$13,836	\$5,001
MILLS, GREGORY	7/10/2006	DEPUTY III	\$33,508	SERGEANT	\$39,695	\$6,187	\$40,434	\$6,926	\$739
LEAKE, SHAWNA	7/23/2006	DEPUTY II	\$37,808	SERGEANT	\$39,698	\$1,890	\$43,133	\$5,325	\$3,435
BAXLEY, CHARLIE	7/23/2006	DEPUTY II	\$43,525	SERGEANT	\$45,701	\$2,176	\$50,053	\$6,528	\$4,352
CASEY, MICHAEL	7/23/2006	SERGEANT SPECIALIST	\$51,308	LIEUTENANT	\$53,873	\$2,565	\$55,847	\$4,539	\$1,974
NEWTON, GEORGE	7/23/2006	DEPUTY I	\$35,750	SERGEANT	\$39,243	\$3,493	\$43,167	\$7,417	\$3,924
HODGES, STEPHEN	7/23/2006	DEPUTY II	\$41,675	DEPUTY III	\$43,759	\$2,084	\$44,800	\$3,125	\$1,041
CLEVELAND, THOMAS	7/23/2006	DEPUTY I	\$32,500	DEPUTY II	\$34,125	\$1,625	\$34,125	\$1,625	\$0
BURNHAM, STEVEN	7/23/2006	DEPUTY I	\$32,500	DEPUTY II	\$34,125	\$1,625	\$34,125	\$1,625	\$0
DANIELS, EUGENE	7/23/2006	SERGEANT	\$46,903	SERGEANT SPECIALIST	\$49,248	\$2,345	\$49,248	\$2,345	\$0
FARNHAM, ADAM	7/23/2006	DEPUTY II	\$36,005	DEPUTY III	\$37,805	\$1,800	\$38,705	\$2,700	\$900
POVEROMO, NICOLE	7/23/2006	DEPUTY II	\$36,005	DEPUTY III	\$37,805	\$1,800	\$38,705	\$2,700	\$900
MORNING, CLAVION	7/23/2006	DEPUTY I	\$33,292	DEPUTY II	\$34,957	\$1,665	\$34,957	\$1,665	\$0
BERES, HEATHER	7/23/2006	DEPUTY I	\$33,292	DEPUTY II	\$34,957	\$1,665	\$34,957	\$1,665	\$0
CONTRERAS, JUDINE	7/23/2006	DEPUTY I	\$33,292	DEPUTY II	\$34,957	\$1,665	\$34,957	\$1,665	\$0
BATES, KEITH	7/23/2006	DEPUTY I	\$33,210	DEPUTY II	\$34,871	\$1,661	\$34,871	\$1,661	\$0
ODGERS, TANEA	7/23/2006	DEPUTY I	\$32,500	DEPUTY II	\$34,125	\$1,625	\$34,125	\$1,625	\$0
MCLAMB, MICHAEL	8/6/2006	DEPUTY I	\$33,292	DEPUTY III	\$36,684	\$3,392	\$37,578	\$4,286	\$894
HALL, GEORGE	9/3/2006	DEPUTY I	\$34,291	DEPUTY II	\$36,006	\$1,715	\$36,006	\$1,715	\$0
WELLS, CURTIS	9/17/2006	DEPUTY II	\$34,956	DEPUTY III	\$37,578	\$2,622	\$39,456	\$4,500	\$1,878
BRITTON, DANIEL	9/17/2006	DEPUTY I	\$33,292	DEPUTY II	\$34,957	\$1,665	\$34,957	\$1,665	\$0
BURNS, JAMES	12/10/2006	DEPUTY I	\$34,398	DEPUTY III	\$36,684	\$2,286	\$38,826	\$4,428	\$2,142
FLOYD, ERNEST	12/24/2006	DEPUTY II	\$46,934	SERGEANT	\$49,281	\$2,347	\$56,672	\$9,738	\$7,391
BAXLEY, CHARLIE	12/24/2006	SERGEANT	\$45,701	SERGEANT SPECIALIST	\$47,986	\$2,285	\$47,986	\$2,285	\$0
HILLER, CHARLES	12/24/2006	DEPUTY I	\$32,500	DEPUTY III	\$36,684	\$4,184	\$36,684	\$4,184	\$0
TUIASOSOPO, JENNIFER	1/8/2007	DEPUTY I	\$32,500	DEPUTY II	\$34,125	\$1,625	\$34,125	\$1,625	\$0
WREN, CHRISTOPHER	1/8/2007	DEPUTY I	\$33,292	DEPUTY II	\$34,957	\$1,665	\$34,957	\$1,665	\$0
HARRIS, NORMAN	1/8/2007	DEPUTY I	\$32,500	DEPUTY II	\$34,125	\$1,625	\$34,125	\$1,625	\$0

COST COMPARISONS
FOR PROPOSED LAW ENFORCEMENT OFFICERS PROMOTION POLICY

NAME	DATE	BEFORE PROMOTION		AFTER PROMOTION		INCREASE OF ACTUAL SALARY	SALARY WITH PROPOSED POLICY	INCREASE WITH PROPOSED POLICY	Increased Difference
		JOB CLASSIFICATION	ACTUAL SALARY	JOB CLASSIFICATION	ACTUAL SALARY				
SAMPSON, MYRON	1/21/2007	LIEUTENANT SPECIALIS	\$51,203	CAPTAIN	\$53,763	\$2,560	\$58,305	\$7,102	\$4,542
HODGES, LYNETTE	1/21/2007	SERGEANT SPECIALIST	\$51,397	LIEUTENANT SPECIALIS	\$53,967	\$2,570	\$58,741	\$7,344	\$4,774
FARNHAM, MELODY	1/21/2007	DEPUTY III	\$41,441	SERGEANT SPECIALIST	\$43,513	\$2,072	\$46,548	\$5,107	\$3,035
SPRADLIN, GREGG	3/4/2007	DEPUTY II	\$34,956	DEPUTY III	\$36,704	\$1,748	\$37,577	\$2,621	\$873
TOTAL FOR FY07									\$49,675

FY05 SALARY SCHEDULE		
TITLE	GRADE	MINIMUM SALARY
DEPUTY I	64	\$28,103
DEPUTY II	65	\$29,417
DEPUTY III	66	\$30,806
SERGEANT	67	\$32,267
SERGEANT SPECIALIST	68	\$33,757
LIEUTENANT	69	\$35,316
LIEUTENANT SPECIALIST	70	\$36,950
CAPTAIN	72	\$40,432
MAJOR	74	\$44,279
CHIEF DEPUTY	77	\$50,738

FY06 SALARY SCHEDULE		
TITLE	GRADE	MINIMUM SALARY
DEPUTY I	64	\$28,806
DEPUTY II	65	\$30,152
DEPUTY III	66	\$31,576
SERGEANT	67	\$33,074
SERGEANT SPECIALIST	68	\$34,601
LIEUTENANT	69	\$36,199
LIEUTENANT SPECIALIS	70	\$37,874
CAPTAIN	72	\$41,443
MAJOR	74	\$45,386
CHIEF DEPUTY	77	\$52,006

FY07 SALARY SCHEDULE		
TITLE	GRADE	MINIMUM SALARY
DEPUTY I	L101	\$32,500
DEPUTY II	L102	\$34,125
DEPUTY III	L103	\$36,684
SERGEANT	L104	\$39,243
SERGEANT SPECIALIST	L105	\$41,205
LIEUTENANT	L106	\$44,850
LIEUTENANT SPECIALIST	L107	\$47,093
CAPTAIN	L108	\$53,625
MAJOR	L109	\$58,987
CHIEF DEPUTY	L110	\$68,211

TOTAL COST TO IMPLEMENT PROPOSED POLICY	
TOTAL FOR FY05	8216
TOTAL FOR FY06	\$14,715
TOTAL FOR FY07	\$49,675



ITEM NO. 10 (1)

COUNTY of CUMBERLAND

James E. Martin
County Manager

Juanita Pilgrim
Deputy County Manager

Office of the County Manager

Cliff Spiller
Assistant County Manager

Amy H. Cannon
Assistant County Manager

MEMORANDUM FOR BOARD OF COMMISSIONERS AGENDA OF MARCH 19, 2007

TO: BOARD OF COUNTY COMMISSIONERS

FROM: CLIFF SPILLER, ASSISTANT COUNTY MANAGER

DATE: MARCH 13, 2007

**SUBJECT: CONSIDERATION OF CONVERSION OF FOURTH FLOOR LOBBY
INTO OFFICE SPACE FOR DISTRICT ATTORNEY (ATTACHMENT)**

BACKGROUND:

On March 13, 2007, the Facilities Committee approved a request from the District Attorney to convert the Fourth Floor lobby area into office space due to an increase in staff.

RECOMMENDATION/PROPOSED ACTION:

The Facilities Committee, Staff, and Management recommend approval of the request and the related budget revision in the amount of \$8000.

CS/cps

CS031307-I



State of North Carolina
General Court of Justice
Twelfth Prosecutorial District

117 DICK STREET, SUITE 427
FAYETTEVILLE, NC 28301-5794

(910) 678-2913
(910) 437-2590 - FAX

EDWARD W. GRANNIS, JR.
DISTRICT ATTORNEY

March 1, 2007

The Honorable James Martin
County Manager
Cumberland County Courthouse
Fayetteville, NC 28301

Dear Mr. Martin:

This note is a follow up to several earlier conversations about office space for my office. As I have mentioned to you and Cliff earlier, I have a number of Assistants which either do not have an office or are doubled or tripled up in an office.

As you are aware, there is virtually no unoccupied space left in this building. To say that it is full and over-flowing is an understatement. Cliff has been most helpful in suggesting possible locations where I could obtain a couple of offices. Unfortunately, these sites are either already occupied or not feasible.

After months of study I can only suggest two possible sites for additional office space:

- (1) Convert the existing Grand Jury quarters to office space. This is a genuinely "Bad" idea but it ultimately may have to happen. It seems to me that it would create 4-5 additional offices contiguous to our present quarters. It would necessitate moving the Grand Jury to an existing courtroom which would substantially disrupt court operations during the 14 weeks that the Grand Jury currently meets. I understand that Senator Rand is currently supporting legislation in this session of the General Assembly which would expand the role of State Grand Juries into more investigative areas than currently allowed by law. If that legislation were to pass, this suggestion would probably have to be downgraded from "Bad" to "Awful."

- (2) Convert the end of the hall facing Franklin Street into two offices. The additional two offices would certainly help in the short term and they would be contiguous to our present operation. This option is the one I would recommend.

In the long term as you move forward in your long range planning process, the operation of the District Attorney in this county will need more space. I do not know if the decision would be to leave us on the 4th floor or move us else where. If the decision were to leave us on the existing 4th floor, I am certain we would need the space currently occupied by County Finance.

As always, I appreciate your consideration of these issues. I look forward to meeting with you and Cliff at your convenience to deal with this problem.

Sincerely,

A handwritten signature in black ink, appearing to be 'E. W. Grannis, Jr.', written in a cursive style.

Edward W. Grannis, Jr.
District Attorney

EWG/sm

Budget Office Use	
Budget Revision No.	B07-284/284A
Date Received	3/13/2007
Date Completed	

REVENUE				
Revenue Source Code	Description	Current Budget	Increase (Decrease)	Revised Budget

Object Code	Appr Unit	Description	Current Budget	Increase (Decrease)	Revised Budget
3431	007	Maintenance and Repair Courtrooms	3,000	8,000	11,000
----- 101-412-4195 - 3903		General Government Other B07-284A Contingency Operating		(8,000)	-
			Total	0	11,000

Funding Source: State: 0 Federal: _____ County: _____ New: _____ Other: _____
Other: _____ Fees: _____ Prior Year: _____

<p align="center">Approved By:</p>	
<p>_____</p> <p align="center">County Manager</p>	<p align="center">Date: _____</p>
<p align="center">Board of County Commissioners</p>	<p align="center">Date: _____</p>

CUMBERLAND COUNTY FACILITIES COMMITTEE
MARCH 13, 2007 – 8:30 AM
REGULAR MEETING

PRESENT: Commissioner Diane Wheatley
Commissioner Billy King
Commissioner John Henley
James Martin, County Manager
Cliff Spiller, Assistant County Manager
Amy Cannon, Assistant County Manager
Grainger Barrett, County Attorney
Rick Moorefield, Assistant County Attorney
Sara VanderClute, Public Information Officer
Bob Stanger, County Engineer
Ed Grannis, District Attorney
Sam Lucas, Engineering Tech
Wayne Raynor, Public Health Director
Eddie Beale, Public Health
David Hohns, Johnson Controls
Jake Regennas, Johnson Controls
Andrew Barksdale, Reporter – The Fayetteville Observer
Marie Colgan, Deputy Clerk

Commissioner Wheatley called the meeting to order at 8:35 AM

MOTION: Commissioner King moved to adjust the agenda to add (1) selection of chair and (2) approval of meeting dates
SECOND: Commissioner Henley
VOTE: Unanimous

1. Selection of Chair

MOTION: Commissioner Henley nominated Billy King.
SECOND: Commissioner Wheatley
VOTE: Unanimous

2. Approval of Meeting Dates

Consensus of the Committee to continue to meet on the second Tuesday of each month at 8:30 am.

3. Approval of Minutes: October 17, 2006

MOTION: Commissioner Wheatley moved to approve.
SECOND: Commissioner Henley
VOTE: UNANIMOUS

4. Update: Parking at the Courthouse during renovations

Mr. Spiller advised that the City of Fayetteville has offered the use of 140 parking spaces located at the corner of Ann and Lamon Streets during the renovations of the parking lot at the Courthouse. Mr. Martin added that an estimate had been given of \$650.00 per day for use of the City FAST bus system, but he suggests utilizing the Extension Service's athletic type school

bus. An air conditioner would need to be added to it and it would be available between the times of 7 – 9 am and 4 – 6 pm (peak hours). A couple of 14-15 seat passenger type vans would be available for other hours of the day for "on demand service" when staff may need to return to the parking lot. Mr. Martin solicited suggestions from members, but they agreed that it was a sound plan.

5. Conversion of fourth floor lobby area into additional office space for District Attorney

Mr. Spiller explained that District Attorney Grannis has additional staff that require space and suggested that the fourth floor lobby be converted into two office spaces; alternately one oversized office be provided. Mr. Spiller advised that it would take about \$8,000.00 for the changes which would cover everything except furniture. Commissioner King questioned whether the changes would still meet the fire codes and Mr. Spiller assured him that they would. Commissioner Henley agreed that it would work for the short term, but also wants long range plans to be considered in the next few months. Commissioner Wheatley reminded members that there may be some space coming available in the Mental Health facilities due to their decrease in direct services.

MOTION: Commissioner Wheatley moved to approve the monies for the conversion of the fourth floor lobby area into additional office space for the District Attorney and to forward it to the full Board for consideration.

SECOND: Commissioner Henley

VOTE: UNANIMOUS

6. Public Health Building – Amendment to Architecture's Agreement

Mr. Stanger advised members that the information provided in their packet was presented to the Board of Health at its February 20, 2007 meeting and that it unanimously approved the recommendation from staff as outlined to be forwarded to this committee for its consideration. Background for this item was provided:

In May, 2004, a qualifications based procurement process was used to select and recommend the firm of Calloway, Johnson, Moore & West to provide architectural services for the Public Health Department Needs Assessment. This assessment process took place from May 2004 through October 4, 2004 when the Board of Commissioners approved the agreement. The cost of the scope of work was approximately \$66,000.00. Prior to proceeding with the first phase of the master plan, the agreement was amended at a cost of \$57,500.00 for required additional architectural services to conduct detailed functional space programming and schematic planning, which resulted in a proposal for an addition of 9,000 square feet to the Public Health building. Amendment # 2 in the amount of \$480,500.00 was later approved by the Board of Commissioners for providing construction plans and specifications, as well as construction administration services. This work began in late September 2005, but was suspended in February, 2006 as consideration began to be given to constructing a new facility in lieu of renovating the existing building. The total fees paid to the architect to date amount to \$475,357.00. The Board of Commissioners endorsed the plan to construct a new Public Health building located on the Department of Social Services site on Ramsey Street at its January 2007 planning meeting. With an approval from management, staff requested an amended scope of services and fee schedule for the new facility from Calloway, Johnson, Moore & West (letter from the firm is in packet). The proposed schedule would have a start date of March 20, 2007 with an estimated completion of construction by July 31, 2009. Discussion ensued regarding the staff's reasoning to agree to another amendment instead of initiating a new professional services procurement process. County Attorney Barrett advised members that North Carolina law requires a

qualification process, not a bid process for design professionals. Members voiced concern raised from local vendors with regard to their non-involvement in this project. Mr. Stanger advised that only one local vendor had responded when the original process began in 2004 and explained that some local vendors have been included through Johnson Calloway (i.e., structural engineer). Commissioner Henley also voiced several concerns including his concern that no discussion had taken place at the Commissioner level when the scope of the project changed. He noted and Mr. Stanger agreed that the inflation rate for construction costs would likely be only about half of projection in the memorandum. Commissioner Wheatley questioned where the funds are coming from and felt that maybe a savings could be realized by re-bidding the project. Mr. Martin advised that funds would have to be borrowed and that the funding was laid out to the Board during the January planning session under the capital projects presentation. The Health Department has already budgeted some monies as well as the County for architectural services, and the LGC will not approve any debt until bids are in our hands.

MOTION: Commissioner Henley moved to approve the proposal presented provided that Johnson Calloway "puts a pencil" to its requested contract services amount and that the proposal be forwarded to the full Board for consideration.

Commissioner Henley advised that he wants to have the full figures regarding the fees provided to Mr. Martin this afternoon for architectural services which had been paid on the new DSS building so members can review them prior to the full Board meeting. County Attorney Barrett informed members that typically architectural firms "own" their work product and their work cannot be just turned over to a new firm, but he will have Mr. Stanger confirm whether that applies in this case.

AMENDED MOTION: Commissioner Henley amended his motion to direct the staff to re-negotiate the proposal for architectural fees and to include this item on the March 19, 2007 Board of Commissioners' agenda.

SECOND: Commissioner Wheatley

VOTE: Commissioner Henley and Wheatley in favor. Commissioner King opposed.

Further discussion ensued and Mr. Raynor advised that he is not clear on the level of local resistance, and that delaying the project would cost taxpayers.

7. Annual update on Guaranteed Energy Savings Project

Mr. Stanger introduced David Hohns and Jake Regennas with Johnson Controls, an international firm with over 100,000 employees. Handouts were provided and Mr. Regennas referred members to the information. Mr. Hohns reminded members that this is a 12-year energy savings project and that this is the first year of the Performance Contracting Value Reports which provide insight into the dollar savings of \$665,494.00 as well as the energy usage savings. The dollar savings have been significantly above those projected. Mr. Regennas reviewed the information provided stressing that one community benefit is a reduction of 8,164 tons of CO₂ which has not been introduced into the environment, making it cleaner, a more comfortable place to stay and work in, and that results in higher productivity and satisfaction. The calculation methods were reviewed as well as the different savings realized for various County facilities. Members agreed that no formal presentation was needed for the full Board. Mr. Hohns presented members with Johnson Controls' new 2007 calendar which features a picture of the historic courthouse for the month of March. In response to a question, he confirmed that they are supporting the North Carolina Association of County Commissioners' annual conference in August and will have a booth. Mr. Stanger advised that the Maintenance

Department received a proposal from JCI to integrate the energy management system of the Department of Social Services and the County Detention Center to the Facility Management System. The cost would be about \$90,000.00 and he would like to request it for this upcoming fiscal year and to apply that amount from the \$200,000.00 additional savings that were realized this year. This would allow them to remotely monitor those facilities in many cases and to make adjustments without sending personnel to the location. Mr. Martin stated that he would like to bring this back to this Committee to include this in the current year.

8. Other matters of concern – none stated

9. Closed Session – Attorney Client Matter NCGS 143-318.11 (a) (3)

MOTION: Commissioner King moved to go into Closed Session for the above noted item.

SECOND: Commissioner Wheatley

VOTE: Unanimous

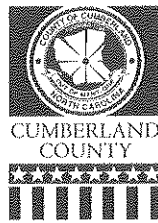
MOTION: Commissioner Henley moved to go back into Open Session.

SECOND: Commissioner Wheatley

VOTE: Unanimous

MEETING ADJOURNED: 10:17 AM

ROBERT N. STANGER, P.E.
County Engineer



ITEM NO. 1D(2)

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

March 14, 2007

MEMORANDUM

TO: BOARD OF COUNTY COMMISSIONERS

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

THROUGH: AMY H. CANNON, ASSISTANT COUNTY MANAGER

SUBJECT: ARCHITECTURAL SERVICES FOR NEW PUBLIC HEALTH FACILITY
CALLOWAY, JOHNSON, MOORE & WEST (CJM&W) CONTRACT AMENDMENT

The following information was presented to the Board of Health at its February 20, 2007 meeting. The Board unanimously approved the recommendation from staff as outlined below to be forwarded to the County Facilities Committee for their consideration.

The County Facilities Committee at its March 13, 2007 meeting considered the request to amend the existing agreement with CJM&W to provide architectural services on the new Public Health Facility Project. Attached is a copy of the meeting minutes. After considerable discussion, the Committee directed staff to re-negotiate the fee proposal and present the information to the Board of Commissioners for their consideration.

BACKGROUND

In accordance with NC General Statutes, a qualifications based procurement process was used by the Facilities Committee of the Board of Public Health in 2004 to select and recommend the firm of Calloway, Johnson, Moore & West to provide architectural services for the Public Health Department Needs Assessment. This process included preparing a detailed Request For Qualifications (RFQ) which was sent to local architectural firms as well as other firms with known public health experience; evaluating the written qualification statements from those firms responding to the RFQ; conducting interviews with three firms that were shortlisted, selecting the firm deemed most qualified; and negotiating an agreement with the selected firm. This process took place from May 2004 through October 4, 2004, when the Board of Commissioners approved the agreement with CJM&W.

The scope of work for the Needs Assessment included an assessment of the functional and physical adequacy of the existing Public Health Facility; an evaluation of the department operations in terms of space utilization, personnel and client flow; development of physical options that correct operational and functional inadequacies within the department; and development of a phasing plan for building

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renovations with square-foot cost estimates that address both short-term and long-term goals of the department. This work, conducted from October 2004 through March 2005 at a cost of \$65,753, is documented in the "Cumberland County Health Department Needs Assessment & Facility Master Plan". The facility master plan included conceptual plans for site improvements, building renovation and new construction necessary to improve the delivery of services by the Public Health Department.

Prior to proceeding with the first phase of the master plan, additional architectural services were required to conduct detailed functional space programming and schematic planning. The agreement with CJM&W was amended in June 2005 to reflect these additional services. The work, conducted from June 2005 through September 2005 at a cost of \$57,500, concluded with detailed schematic plans for the renovation of the 1st, 2nd and 3rd floors and a 9,000 sf addition to the Public Health Building.

The schematic plans became the basis for developing the detailed design drawings for construction of the planned improvements for the facility. Amendment #2 to the agreement with CJM&W in the amount of \$480,500 was approved by the Board of Commissioners in September 2005 to provide construction plans and specifications and construction administration services. This work began in late September 2005 and was suspended in February 2006 at which time consideration was being given to constructing a new facility in lieu of renovating the existing building. A total of \$324,349 in architectural fees was billed at the point the work was suspended. The rising cost of the renovation work, the logistics of 28 separate moves by the public health agencies to accommodate the 4 phase construction plan, and the 30 to 36 month construction schedule prompted staff and the governing boards to address the issue of new construction versus renovation.

CJM&W provided additional services to the County from February 2006 through June 2006 in the amount of \$27,755 to assist in the evaluation of a new facility for Public Health. The total fees paid to the architect to date amounts to \$475,357.

The Board of Commissioners, at its January 2007 planning meeting, endorsed the plan to construct a new Public Health Building to be located on the DSS site on Ramsey Street. With approval from management, staff initiated discussions with CJM&W to provide architectural/engineering services for the design and construction administration of the new facility. A number of factors were considered in staff's recommendation to management to amend the existing agreement with CJM&W rather than begin the architectural selection process anew, including:

- Considerable resources have been expended to date in terms of County staff man-hours working with CJM&W and architectural fees paid to CJM&W that would be duplicated in the event a different firm was selected to provide A/E services for this project.
- The programming and to a lesser extent the schematic and detailed design work previously completed by CJM&W can be incorporated in the design of the new facility saving 2 to 3 months on the design schedule resulting in a reduction in CJM&W's basic A/E fees.
- Duplicating the architectural selection process would add 2 to 3 months to the project schedule resulting in additional project costs due to construction inflation estimated at \$180,000 to \$225,000 per month for a \$20 million construction project. The inflation numbers were provided by the architect, however, based on the current construction market, it appears that inflation is stabilizing in the 6% to 8% range which would result in construction inflation costs of \$100,000 to \$133,000 per month.

- CJM&W has gained considerable knowledge of the operations of the Public Health Department during the past two years and Public Health management has been very satisfied with the services performed by CJM&W to date.

The attached letter from David Mullins dated February 15, 2007, is in response to staff's request to CJM&W to provide an amended scope of services and fee schedule for the new Public Health Facility. The proposed fee for basic services, special consultants and reimbursable expenses is \$1,566,300. As indicated in the letter, the fee reflects a discount of \$229,000 for previous work that can be incorporated in the new project. The proposed fee amounts to 7.83 % of the estimated construction cost which is reasonable for a complex building such as a health center.

The project team proposed by CJM&W includes participation by local firms to provide structural, civil, landscaping and construction administration services.

The scope of services outlined in the letter includes in addition to the customary design and construction administration services, Information Technology (IT) Engineering and Interior Design for furnishings, fixtures and equipment (FFE) selection and procurement.

The proposed schedule anticipates a March 20, 2007 start date with completion of the construction documents by December 21, 2007, award of construction contract by March 3, 2008 and completion of construction by July 31, 2009. The construction schedule is 17 months.

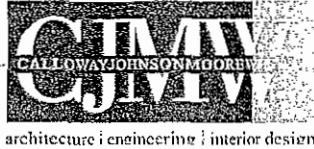
A formal amendment to the existing agreement with CJM&W is being drafted that includes as an exhibit the February 15, 2007 letter outlining the scope of work and fee schedule. The terms and conditions of the amendment will be forwarded to the County Attorney's Office for review and approval for legal sufficiency.

RECOMMENDATION/PROPOSED ACTION:

The recommendation of the County Engineer, the Public Health Director, the Board of Health and management is to:

1. Endorse staff's rationale for amending the current agreement for architectural services for the new facility as opposed to initiating a new professional services procurement process.
2. Approve an amendment to the existing agreement with CJM&W in the amount not to exceed \$1,566,300, subject to some reduction depending on the negotiations currently taking place between the staff and the architect, to provide architectural and engineering services required for the design and construction administration of a new 100,000± sf Public Health Facility as outlined in the February 15, 2007 letter from David Mullins.

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



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info@cjmw.com : www.cjmw.com

February 15, 2007

Mr. Bob Stanger
Cumberland County Engineer
130 Gillespie Street
Fayetteville, NC 28302

Subject: Scope of Services and Fee Amendment to Current Cumberland County
Contract/Purchase Order #H0713 for Architectural/Engineering Design Services

Dear Bob;

I am responding to your and the Board of Health's Facilities Committee's request for CJMW to provide an amended fee and scope of services proposal under our existing contract (*AIA Document B163 (Standard Form of Agreement Between Owner and Architect with Descriptions of Designated Services and Terms and Conditions* as previously amended by the County of Cumberland and agreed to by both parties on September 23, 2004). Our proposed scope of services and amended fees for a new facility (based upon our prior work) is detailed in the attached enclosures and the excerpt of *Document B163, Article 1.1: Schedule of Designated Services*.

Our proposal for the design of a new Health Department facility reflects our previous programming, and both schematic and detailed design work. We have discounted our base A/E fees to reflect this previous work, estimating that it saves two to three months' work in programming and design. We anticipate using the functional space program (updated to include restrooms, engineering spaces, etc. not previously needed); master planning departmental relationships; departmental schematic plans; and significant amounts of construction document details and specifications previously completed. By incorporating our previous work, our enclosed basic A/E fees reflect a discount of \$229,000.

Project Team:

In synopsis of our discussions, Calloway Johnson Moore & West is providing the following team of design and consulting disciplines:

- | | | |
|-----|--|--|
| 1. | Architecture | CJMW |
| 2. | Construction Administration | CJMW & Carroll Beard, PE, Fayetteville |
| 3. | Structural Engineering | Fleming & Associates, Fayetteville |
| 4. | Mechanical Engineering | CJMW |
| 5. | Electrical Engineering | CJMW |
| 6. | Plumbing & Fire Protection Engineering | CJMW |
| 7. | Civil Engineering | Crawford Design Group, Fayetteville |
| 8. | Landscape Architecture | Crawford Design Group, Fayetteville |
| 9. | Interior Design including FFE (Fixtures/Furnishings/Equipment) | CJMW |
| 10. | Information Technology Network Design | EDI, Ltd., Atlanta |

Proposed Revised Scope of Services:

As shown on the attached *Article 1.1: Schedule of Designated Services*, our scope of services includes:

- A. Project Administration and Management Services;
- B. Pre-Design Services, including revision of the functional space program (dated September 22, 2005) and departmental concepts to reflect a new building;
- C. Site Development Services;
- D. Architectural and Engineering Design Services (incorporating some previous design and specifications);
- E. Interior Design Services, including FFE selection, specification, and installation administration;
- F. Bidding Assistance Services;
- G. Contract Administration Services, with local representative, Carroll Beard, PE;
- H. Limited Post-Contract Services; and
- I. Information Technology Engineering Consulting and Design Services.

At your request, we are including IT systems design within our scope. An Owner normally provides IT systems and hardware, as well as telephone systems, under separate design and equipment agreements. This was our assumption in our letter of November 15, 2006, outlining the overall project budget. We did not include IT consulting, design, hardware, cabling, or installation costs. We agree that including this service will assist in coordinating the overall design and also give the County a single point of responsibility.

We will revise the functional space program to reflect a new, freestanding building of approximately 100,000 square feet. This will include such spaces as public lobbies, restrooms, and engineering system support areas (HVAC, electrical, IT) not previously included. We anticipate using most of the existing Functional Space Program, Room Data Catalog information, and clinical departmental concepts.

Proposed Schedule

Being fully knowledgeable of Health Department operations and needs and using previously done work for the Health Department, we are proposing an aggressive schedule for design. Based upon high rates of construction inflation costs over the past three years, we estimate the project is incurring cost increases between \$180,000 and \$225,000 per month.

Based upon the above and utilizing the existing program and related materials, we propose the following schedule for each phase of services:

- | | |
|--|----------------------------------|
| 1. Site Survey/Programming/ IT programming | March 20 – April 20, 2007 |
| 2. Schematic Design | April 23 – June 18, 2007 |
| 3. Design Development | July 1 – September 14, 2007 |
| 4. Construction Documents | September 17 – December 21, 2007 |
| 5. Bidding Assistance | January 2 – February 28, 2008 |



Mr. Bob Stanger
February 15, 2007
Re: Health Department Proposal
Pg. 3

6. Construction Administration:

March 3, 2008 - July 31, 2009

The final Construction Documents of drawings and specifications will be submitted to the Cumberland County Engineer's Office prior to issuance for bidding for final reviews and approvals. CJMW will solicit bids for construction and assist the County in the evaluation of bids and make recommendations on the award for construction. We are assuming approximately 30 days for bidding the project and 30 days for final review, acceptance and contracting between the County and the low bidder. Based upon this and 30 days standard mobilization for the General Contractor, we are assuming a start of construction approximately the first of March 2008.

Proposed Fees

The basis for our work with the County and the Health Department is our existing agreement as referred to, with this proposal as an addendum. Based upon this and the above scope and schedule, we propose to provide architectural, engineering, and interior design services to Cumberland County for the new Health Department facility for the lump sum of **\$1,496,300.00**, which reflects the fee credits referenced above. Reimbursable expenses will be billed additionally at actual costs with a Not-to-Exceed Amount of \$70,000.00 as defined within the Agreement for costs incurred in direct support of the project. A breakdown of fees by discipline is as follows:

Architectural Fees	\$782,000.00
Mechanical/Plumbing/Fire Protection Engineering Fees	\$181,000.00
Electrical Engineering Fees	\$153,000.00
Structural Engineering Fees	\$130,000.00
Sub-Total Base A/E Fees	\$1,246,000.00
Interior Design Fees: FFE selection, specification, purchasing & installation assistance	\$55,000.00
Civil/Landscape Design Fees	\$63,800.00
Soil Boring - 14 to 10' depth each	\$6,500.00
IT Network Consulting/Design Fees (NOTE: IT fees and IT systems/hardware costs are not normally included in A/E fees. Items are normally furnished by Owner under separate agreements.)	\$125,000.00
Sub-Total (Fees Other Than Base Architectural/Engineering)	\$250,300.00
<u>Grand Total Fees</u>	<u>\$1,496,300.00</u>
Reimbursable Expenses Not-to-Exceed	\$70,000.00
<u>Grand Total Fees Including Reimbursable Expenses NTE</u>	<u>\$1,566,300.00</u>

Enclosed are two copies of the *AIA Document B163* for signature and incorporation into our existing agreement with the County. I point out that we are enclosing entire signed copies of the original



Mr. Bob Stanger
February 15, 2007
Re: Health Department Proposal
Pg. 4

document for your use; pages after Page 9 should be the same as those under the extant Agreement. Pages 1 through 9 constitute the entire current amendment in concurrence with the existing Agreement.

Our proposal is comprehensive in scope and design services, and we think the team working with the County and the Health Department brings excellent experience in this complex and specialized building type. We look forward to continuing to work with you and providing excellent services and an outstanding facility that serves the people of Cumberland County well into the twenty-first century.

If you have any questions or comments, please call me.

Sincerely,



J. David Mullins, AIA, ACHA
Director of Healthcare Architecture/Senior Associate

Enclosure



CUMBERLAND COUNTY FACILITIES COMMITTEE
MARCH 13, 2007 – 8:30 AM
REGULAR MEETING

PRESENT: Commissioner Diane Wheatley
Commissioner Billy King
Commissioner John Henley
James Martin, County Manager
Cliff Spiller, Assistant County Manager
Amy Cannon, Assistant County Manager
Grainger Barrett, County Attorney
Rick Moorefield, Assistant County Attorney
Sara VanderClute, Public Information Officer
Bob Stanger, County Engineer
Ed Grannis, District Attorney
Sam Lucas, Engineering Tech
Wayne Raynor, Public Health Director
Eddie Beale, Public Health
David Hohns, Johnson Controls
Jake Regennas, Johnson Controls
Andrew Barksdale, Reporter – The Fayetteville Observer
Marie Colgan, Deputy Clerk

Commissioner Wheatley called the meeting to order at 8:35 AM

MOTION: Commissioner King moved to adjust the agenda to add (1) selection of chair and (2) approval of meeting dates
SECOND: Commissioner Henley
VOTE: Unanimous

1. Selection of Chair

MOTION: Commissioner Henley nominated Billy King.
SECOND: Commissioner Wheatley
VOTE: Unanimous

2. Approval of Meeting Dates

Consensus of the Committee to continue to meet on the second Tuesday of each month at 8:30 am.

3. Approval of Minutes: October 17, 2006

MOTION: Commissioner Wheatley moved to approve.
SECOND: Commissioner Henley
VOTE: UNANIMOUS

4. Update: Parking at the Courthouse during renovations

Mr. Spiller advised that the City of Fayetteville has offered the use of 140 parking spaces located at the corner of Ann and Lamon Streets during the renovations of the parking lot at the Courthouse. Mr. Martin added that an estimate had been given of \$650.00 per day for use of the City FAST bus system, but he suggests utilizing the Extension Service's athletic type school

bus. An air conditioner would need to be added to it and it would be available between the times of 7 – 9 am and 4 – 6 pm (peak hours). A couple of 14-15 seat passenger type vans would be available for other hours of the day for "on demand service" when staff may need to return to the parking lot. Mr. Martin solicited suggestions from members, but they agreed that it was a sound plan.

5. Conversion of fourth floor lobby area into additional office space for District Attorney

Mr. Spiller explained that District Attorney Grannis has additional staff that require space and suggested that the fourth floor lobby be converted into two office spaces; alternately one oversized office be provided. Mr. Spiller advised that it would take about \$8,000.00 for the changes which would cover everything except furniture. Commissioner King questioned whether the changes would still meet the fire codes and Mr. Spiller assured him that they would. Commissioner Henley agreed that it would work for the short term, but also wants long range plans to be considered in the next few months. Commissioner Wheatley reminded members that there may be some space coming available in the Mental Health facilities due to their decrease in direct services.

MOTION: Commissioner Wheatley moved to approve the monies for the conversion of the fourth floor lobby area into additional office space for the District Attorney and to forward it to the full Board for consideration.

SECOND: Commissioner Henley

VOTE: UNANIMOUS

6. Public Health Building – Amendment to Architecture's Agreement


Mr. Stanger advised members that the information provided in their packet was presented to the Board of Health at its February 20, 2007 meeting and that it unanimously approved the recommendation from staff as outlined to be forwarded to this committee for its consideration. Background for this item was provided:

In May, 2004, a qualifications based procurement process was used to select and recommend the firm of Calloway, Johnson, Moore & West to provide architectural services for the Public Health Department Needs Assessment. This assessment process took place from May 2004 through October 4, 2004 when the Board of Commissioners approved the agreement. The cost of the scope of work was approximately \$66,000.00. Prior to proceeding with the first phase of the master plan, the agreement was amended at a cost of \$57,500.00 for required additional architectural services to conduct detailed functional space programming and schematic planning, which resulted in a proposal for an addition of 9,000 square feet to the Public Health building. Amendment # 2 in the amount of \$480,500.00 was later approved by the Board of Commissioners for providing construction plans and specifications, as well as construction administration services. This work began in late September 2005, but was suspended in February, 2006 as consideration began to be given to constructing a new facility in lieu of renovating the existing building. The total fees paid to the architect to date amount to \$475,357.00. The Board of Commissioners endorsed the plan to construct a new Public Health building located on the Department of Social Services site on Ramsey Street at its January 2007 planning meeting. With an approval from management, staff requested an amended scope of services and fee schedule for the new facility from Calloway, Johnson, Moore & West (letter from the firm is in packet). The proposed schedule would have a start date of March 20, 2007 with an estimated completion of construction by July 31, 2009. Discussion ensued regarding the staff's reasoning to agree to another amendment instead of initiating a new professional services procurement process. County Attorney Barrett advised members that North Carolina law requires a

qualification process, not a bid process for design professionals. Members voiced concern raised from local vendors with regard to their non-involvement in this project. Mr. Stanger advised that only one local vendor had responded when the original process began in 2004 and explained that some local vendors have been included through Johnson Calloway (i.e., structural engineer). Commissioner Henley also voiced several concerns including his concern that no discussion had taken place at the Commissioner level when the scope of the project changed. He noted and Mr. Stanger agreed that the inflation rate for construction costs would likely be only about half of projection in the memorandum. Commissioner Wheatley questioned where the funds are coming from and felt that maybe a savings could be realized by re-bidding the project. Mr. Martin advised that funds would have to be borrowed and that the funding was laid out to the Board during the January planning session under the capital projects presentation. The Health Department has already budgeted some monies as well as the County for architectural services, and the LGC will not approve any debt until bids are in our hands.

MOTION: Commissioner Henley moved to approve the proposal presented provided that Johnson Calloway "puts a pencil" to its requested contract services amount and that the proposal be forwarded to the full Board for consideration.

Commissioner Henley advised that he wants to have the full figures regarding the fees provided to Mr. Martin this afternoon for architectural services which had been paid on the new DSS building so members can review them prior to the full Board meeting. County Attorney Barrett informed members that typically architectural firms "own" their work product and their work cannot be just turned over to a new firm, but he will have Mr. Stanger confirm whether that applies in this case.

 **AMENDED MOTION:** Commissioner Henley amended his motion to direct the staff to re-negotiate the proposal for architectural fees and to include this item on the March 19, 2007 Board of Commissioners' agenda.

SECOND: Commissioner Wheatley

VOTE: Commissioner Henley and Wheatley in favor. Commissioner King opposed.

Further discussion ensued and Mr. Raynor advised that he is not clear on the level of local resistance, and that delaying the project would cost taxpayers.

7. Annual update on Guaranteed Energy Savings Project

Mr. Stanger introduced David Hohns and Jake Regennas with Johnson Controls, an international firm with over 100,000 employees. Handouts were provided and Mr. Regennas referred members to the information. Mr. Hohns reminded members that this is a 12-year energy savings project and that this is the first year of the Performance Contracting Value Reports which provide insight into the dollar savings of \$665,494.00 as well as the energy usage savings. The dollar savings have been significantly above those projected. Mr. Regennas reviewed the information provided stressing that one community benefit is a reduction of 8,164 tons of CO2 which has not been introduced into the environment, making it cleaner, a more comfortable place to stay and work in, and that results in higher productivity and satisfaction. The calculation methods were reviewed as well as the different savings realized for various County facilities. Members agreed that no formal presentation was needed for the full Board. Mr. Hohns presented members with Johnson Controls' new 2007 calendar which features a picture of the historic courthouse for the month of March. In response to a question, he confirmed that they are supporting the North Carolina Association of County Commissioners' annual conference in August and will have a booth. Mr. Stanger advised that the Maintenance

Department received a proposal from JCI to integrate the energy management system of the Department of Social Services and the County Detention Center to the Facility Management System. The cost would be about \$90,000.00 and he would like to request it for this upcoming fiscal year and to apply that amount from the \$200,000.00 additional savings that were realized this year. This would allow them to remotely monitor those facilities in many cases and to make adjustments without sending personnel to the location. Mr. Martin stated that he would like to bring this back to this Committee to include this in the current year.

8. Other matters of concern – none stated

9. Closed Session – Attorney Client Matter NCGS 143-318.11 (a) (3)

MOTION: Commissioner King moved to go into Closed Session for the above noted item.

SECOND: Commissioner Wheatley

VOTE: Unanimous

MOTION: Commissioner Henley moved to go back into Open Session.

SECOND: Commissioner Wheatley

VOTE: Unanimous

MEETING ADJOURNED: 10:17 AM



ITEM NO. 1E

COUNTY of CUMBERLAND

James E. Martin
County Manager

Cliff Spiller
Assistant County Manager

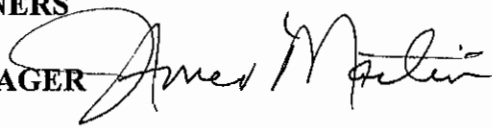
Juanita Pilgrim
Deputy County Manager

Office of the County Manager

Amy H. Cannon
Assistant County Manager

MEMORANDUM FOR BOARD OF COMMISSIONERS AGENDA OF MARCH 19, 2007

TO: BOARD OF COUNTY COMMISSIONERS

FROM: JAMES E. MARTIN, COUNTY MANAGER 

DATE: MARCH 14, 2007

**SUBJECT: APPROVAL OF CUMBERLAND COUNTY MENTAL HEALTH
LOCAL BUSINESS PLAN – 2007-2010**

BACKGROUND

The Cumberland County Local Management Entity (LME) developed a Local Business Plan – 2007-2010 for the Cumberland County Mental Health Center. The Executive Summary is attached and a full version of this document will be located in Marsha Fogle, Clerk to the Board's Office. In addition, a full version of this document can be viewed on the Mental Health's website which is www.ccmentalhealth.org.

RECOMMENDATION/PROPOSED ACTION

Accept and approve the Cumberland County Local Management Entity Local Business Plan 2007-2010 for the Cumberland County Mental Health Center.

/ct

CM031407-2



HANK DEBNAM, M.P.H.
AREA DIRECTOR

Telephone: (910) 323-0601
Fax: (910) 323-0096

COUNTY of CUMBERLAND

Mental Health Center

ACCREDITED



COUNCIL ON ACCREDITATION
OF SERVICES FOR FAMILIES
AND CHILDREN, INC.

MEMORANDUM

To: James Martin
County Manager

From: Hank Debnam
Area Director

A handwritten signature in black ink, appearing to read "Hank Debnam", is written over the printed name and title.

Date: March 12, 2007

Re: Cumberland County LME Local Business Plan

Attached please find the "Executive Summary" and the Local Business Plan developed for Cumberland County Local Management Entity (LME) for approval by the County Commissioners. The Plan was unanimously approved by our Area Board on March 7, 2007 and will serve as the "road map" for continuing mental health reform in Cumberland County for the next three years.

If there are any questions, please contact me at 222-6126.

Thank you for your assistance and consideration of this request.

Cc: Juanita Pilgrim
Deputy County Manager

Attachment: Executive Summary and
Local Business Plan (2007-2010)

Cumberland County Local Management Entity Local Business Plan 2007-2010

Executive Summary

Cumberland County Local Management Entity (LME) has approached mental health reform in a deliberate and thoughtful manner. Cumberland LME worked with the community to identify needs and gaps, strengths and weaknesses while continuing service delivery as divestiture was being implemented. In accordance with the mandates in legislation as well as Division guidance, no service was divested until there was a competent provider in place. After divestiture of two major programs later this fiscal year, the LME will be fully divested of all enhanced benefit services.

The LME understands and accepts the critical role of management of the public system of mental health, developmental disabilities and substance abuse services. It is noted that due to the high volume of out of county consumers being served in our area, the LME takes responsibility for ensuring that those consumers also receive services from qualified and culturally competent providers. When there are concerns, the LME collaborates with the home LME of the consumer as well as others.

Cumberland LME has experienced and capable staff in key management positions as well as a very involved area board and a committed Consumer Family Advisory Committee, all of whom approached the development of the 2007-2010 Local Business Plan as an opportunity to continue the high quality of services that were in place when the area program was the primary service provider (noting that the LME received national accreditation and re-accreditation for services through COA and will pursue accreditation as a management entity in the future). The LME is performing all functions outlined for an LME. The community has a large number of endorsed providers for enhanced benefit services and the LME is working to ensure we have the right number of providers at the right time for the consumers who need them. The LME will work with stakeholders to right-size the system to ensure that there are adequate competent providers to allow choice but also to evaluate the ability of providers to remain financially viable. There are strong collaborative relationships with County management, the legislative delegation, other community leaders and stakeholders to work with the LME in this process.

Cumberland LME is in compliance with the overall dollar amount of the cost model but is able to have more positions than identified due to salary, fringe benefits and operational costs being less than outlined in certain areas of the cost model. Total number of positions for the LME is projected to be 71 with the cost model reflecting 66.42 total positions. The LME has more staff in the Customer Services Department, where there are three full time staff dedicated to advocacy, which is above the number in the cost model. Again, the variance is within the 30% allowed.

Cumberland LME has worked diligently to obtain feedback from stakeholders in the development of this business plan. This document reflects the Local Business Plan that

has been adopted by the Area Board, County Management, Consumer Family Advisory Committee and others. Feedback was solicited via public forums, community meetings, provider trainings, surveys, one-on-one and small group meetings with consumers, family members and others as well as staff input and consultation with our legislative delegation. This plan will change as our community changes, and it is acknowledged that at this time, the impact from the Base Realignment and Closure (BRAC) remains to be seen. The LME Strategic Plan will address changes in services and funding needs based on BRAC with goals and objectives being modified accordingly.

The Plan includes major Strategic Objectives which include the following:

- Maintain fiscal stability for the LME
- Evaluate the crisis continuum of services and develop local and/or regional services
- Expand the school system initiative related to System of Care
- Analyze on an ongoing basis gaps and needs in the community continuum of care
- Develop formalized relationships with primary care physicians and others to expand access to psychiatric care for the community
- Analyze LME processes and modifying areas that will strengthen LME functions
- Enhance resources available to the provider community from the LME that will strengthen and right-size the provider community
- Expand opportunities for consumer and family involvement in all aspects of care
- Operationalize a management information system that will streamline LME functions
- Enhance housing, transportation and employment opportunities through strengthening existing community collaborations and identifying other partnerships
- Identify internal and external factors that will assist the LME in measuring the effectiveness of the public system of services in meeting consumer desired outcomes.



ITEM NO. 1F

COUNTY of CUMBERLAND

James E. Martin
County Manager

Juanita Pilgrim
Deputy County Manager


Office of the County Manager

Cliff Spiller
Assistant County Manager

Amy H. Cannon
Assistant County Manager

MEMORANDUM FOR BOARD OF COMMISSIONERS AGENDA OF MARCH 19, 2007

TO: BOARD OF COUNTY COMMISSIONERS

FROM: CLIFF SPILLER, ASSISTANT COUNTY MANAGER 

DATE: MARCH 9, 2007

SUBJECT: APPROVAL OF TRANSFER OF A VAN FROM CUMBERLAND COUNTY
COMMUNITY DEVELOPMENT TO THE SALVATION ARMY

BACKGROUND:

Cumberland County Community Development served as the grantee of The Care Center Domestic Violence Program which is funded through the U.S. Department of Housing and Urban Development's (HUD) Supportive Housing program(SHP). A van was purchased for transportation services for the clients.

Effective February 1, 2007 The Salvation Army became the grantee and will fully administer The Care Center Program.

Due to the change in grantee, the van (2000 Dodge Caravan VIN # 2B4GP44G3YR612510) must be transferred to The Salvation Army.

RECOMMENDATION/PROPOSED ACTION:

Staff and Management recommend that said vehicle be transferred to The Salvation Army for The Care Center Domestic Violence Program.

CS/cps

CS030907-1




COUNTY of CUMBERLAND

Community Development

MEMORANDUM

TO: Cliff Spiller, Assistant County Manager

FROM: Thanena Wilson, Community Development Director 

DATE: February 20, 2007

RE: Transfer of Vehicle to The Salvation Army

As part of The Care Center Domestic Violence Program which was funded through the U.S. Department of Housing and Urban Development's (HUD) Supportive Housing Program (SHP), a van was purchased for transportation services for the clients. Over the past few years, there have been changes in the program's service provider which ultimately led to the van being turned over to the County since we served as grantee for the program. However, The Salvation Army has taken on the role as grantee effective 2/1/2007 and will fully administer The Care Center Program.

With the change in grantee, the van must be transferred to The Salvation Army. The van is a green 2000 Dodge Caravan (VIN # 2B4GP44G3YR612510) registered in the name of Cumberland County. Staff has already taken the van to the maintenance facility for service and for the County decals to be removed.

This effort has been coordinated through Bobby Thomas (323-6145) on my staff and Manny Specht (485-8026) with The Salvation Army. You can contact me or either of the gentlemen listed if you need additional information. Thank you for your assistance as we make this transition.

cc: Juanita Pilgrim, Deputy County Manager




ITEM NO. 16

DEPARTMENT OF PUBLIC HEALTH
227 Fountainhead Lane • Fayetteville, North Carolina 28301
(910) 433-3600 • Fax: (910) 433-3659

MEMORANDUM

TO: Board of County Commissioners

THRU: Mrs. Juanita Pilgrim, Deputy County Manager

FROM: Mr. A. Wayne Raynor, Health Director 

DATE: March 5, 2007

RE: Approval of Delinquent Accounts To Be Turned Over to Collectors

BACKGROUND

At the Board of Health meeting on February 20, 2007, the Board approved writing off \$28,506.32 as bad debts and turning them over to the contracted collection agency – Professional Recovery Consultants, Inc. This write-off of bad debts is in compliance with the Board of Health's recommendation to write-off bad debts every quarter.

RECOMMENDATION/PROPOSED ACTION

Management requests to have this item placed on the next County Commissioners' meeting agenda for their approval to write off bad debts in the amount of \$28,506.32 and to turn them over to Professional Recovery Consultants, Inc. for collection.

/dwmc
:Attachment

Celebrating Our Past...Embracing Our Future

FALCON - FAYETTEVILLE - GODWIN - HOPE MILLS - LINDEN - SPRING LAKE - STEDMAN - WADE

**CUMBERLAND COUNTY DEPARTMENT
OF PUBLIC HEALTH
DELINQUENT ACCOUNTS TO BE TURNED OVER FOR COLLECTION
BAD DEBT WRITE-OFF # 16
February 20, 2007**

PROGRAM	AMOUNT
ADULT HEALTH	\$11,293.11
BCCCP	\$182.40
COMMUNICABLE DISEASE	\$20.00
CHILD HEALTH	\$4,578.92
DENTAL	\$407.80
FAMILY PLANNING	\$5,612.15
GYN/POSTPARTUM	\$1,078.55
IMMUNIZATIONS	\$889.00
MATERNITY	\$2,366.72
MEDICAL RECORDS	\$5.25
PAP	\$1,772.42
T.B.	\$300.00
TOTAL	\$28,506.32


*****The above accounts are 90 days old or older as of January 1, 2007.*****



ITEM NO. 14

DEPARTMENT OF PUBLIC HEALTH
227 Fountainhead Lane • Fayetteville, North Carolina 28301
(910) 433-3600 • Fax: (910) 433-3659

MEMORANDUM

TO: Board of County Commissioners
THRU: Mrs. Juanita Pilgrim, Deputy County Manager
FROM: Mr. A. Wayne Raynor, Health Director 
DATE: March 5, 2007
RE: Approval To Add New Vaccines to Fee Schedule

BACKGROUND

At the Board of Health meeting on February 20, 2007, the Board unanimously approved adding the HPV (Human Papillomavirus) Vaccine and the Zostavax (Shingles) Vaccine to our fee schedule so that we may begin offering these vaccines to the community. The State will provide these vaccines at no cost for a specific population only. Patients outside of the targeted population will be charged a flat fee based on our cost, inclusive of an administrative fee. The proposed fees are in line with the surrounding market. Medicaid is not currently covering either of these vaccines.

VACCINE	CCDPH COST	PROPOSED FEE
HPV	\$120.00	\$150.00
Zostavax	\$145.35	\$175.00

RECOMMENDATION/PROPOSED ACTION

Management requests to have this item placed on the next County Commissioners' meeting agenda for their approval to add the aforementioned Vaccines to our Fee Schedule at the proposed fee.

/dwmc

Celebrating Our Past...Embracing Our Future

ROBERT N. STANGER, P.E.
County Engineer



ITEM NO. 11
~~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

March 5, 2007

MEMORANDUM

TO: BOARD OF COUNTY COMMISSIONERS
FROM: ROBERT N. STANGER, COUNTY ENGINEER *Bob*
THROUGH: AMY H. CANNON, ASSISTANT COUNTY MANAGER
SUBJECT: CHANGE ORDER #1 (FINAL) - W.J. JACKSON CONSTRUCTION COMPANY
GILLESPIE STREET PARKING LOT IMPROVEMENTS

BACKGROUND

Attached is Change Order #1 (Final) for W.J. Jackson Construction Company in the amount of \$11,964.75 for additional work on the Gillespie Street Parking Lot Improvement 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 #1 adjusts the bid quantity of the following:

Item 9 - Aggregate Base Course. The bid quantity is 210 CY and the actual quantity installed is 244 CY due to revisions to the connecting drive between the existing and new parking lots. At the unit price of \$46.00 per CY, this results in an increase of \$1,564.00.

Item 10 - Asphalt Pavement. The bid quantity is 930 SY and the actual quantity installed is 1,081 SY due to revisions to the connecting drive between the existing and new parking lots. At the unit price of \$13.25 per SY, this results in an increase of \$2,000.75.

Item 19 - Sod in Lawn Areas. The bid quantity is 225 SY and the actual quantity installed is 525 SY due to additional areas needing sod. At the unit price of \$26.00 per SY, this results in an increase of \$7,800.00.

In addition, a concrete flume was constructed at the drive between the parking lots to facilitate proper drainage. This is an add of \$600.00.

The County Attorney's Office has reviewed the Change Order for legal sufficiency. The Board approved a project contingency in the amount of \$6,000 at the time of the contract award which will be applied

Celebrating Our Past...Embracing Our Future

towards the cost of this change order. The balance of \$5,964.75 will come from the General Fund Maintenance & Repair fund balance.

RECOMMENDATION/PROPOSED ACTION:

The recommendation of the County Engineer, McKim & Creed, and management is to:

1. Approve Change Order #1 for W.J. Jackson Construction Company in the amount of \$11,964.75 and increase the contract amount to \$131,837.75.
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
Gillespie Street Parking Lot Improvements
Fayetteville, North Carolina

CHANGE ORDER NUMBER: 1 (FINAL)

INITIATION DATE: February 26, 2007

TO: W.J. Jackson Construction Company
430 Pinehaven Drive
Fayetteville, NC 28306

ENGINEER'S PROJECT NO: 02799.0003

CONTRACT FOR: General Construction

CONTRACT DATE: August 10, 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 9 Aggregate Base Course - Increase from 210 CY to 244 CY	ADD:	\$ 1,564.00
Item 10 Asphalt Pavement - Increase from 930 SY to 1,081 SY	ADD:	\$ 2,000.75
Item 19 Sod in Lawn Areas - Increase from 225 SY to 525 SY	ADD:	\$ 7,800.00

Add the following item:

Concrete Flume - 20 LF @ \$30.00 per LF	ADD:	\$ 600.00
---	------	-----------

TOTAL ADD: \$ 11,964.75

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 Gillespie Street Parking Lot Improvements Project and includes any and all costs for delays, claims or demands against the Owner and McKim & Creed, PA. The Contractor by accepting the Change Order agrees to indemnify McKim & Creed, PA., 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 was.....	\$ 119,873.00
Net change by previously authorized Change Orders.....	\$ 0.00
The Contract Sum prior to this Change Order was.....	\$ 119,873.00
The Contract Sum will be increased by this Change Order.....	\$ 11,964.75
The new Contract Sum including this Change Order will be.....	\$ 131,837.75
The Contract Time will be (increased) (decreased) (unchanged) by	(--0--) Days
The Date of Substantial Completion as of the date of this Change Order therefore is unchanged.	

McKim & Creed, PA
ENGINEER

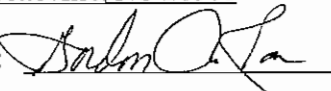
W.J. Jackson Construction
CONTRACTOR

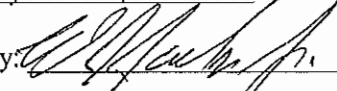
County of Cumberland
OWNER

104 Gillespie Street
Fayetteville, NC 28301

430 Pinehaven Drive
Fayetteville, NC 28306

P.O. Box 1829
Fayetteville, NC 28302

By: 

By: 

By: _____
Kenneth Edge, Chairman

Date: 2/28/07

Date: 2-28-07

Date: _____

**COUNTY OF CUMBERLAND
BUDGET REVISION REQUEST**

Budget Office Use	
Budget Revision No.	B07-274
Date Received	3/5/2007
Date Completed	

Fund No. 101 Agency No. 412 Organ. No. 4195
 Organization Name: General Government Other

REVENUE

Revenue Source Code	Description	Current Budget	Increase (Decrease)	Revised Budget
9905 (101-999-9999)	Fund Balance Appropriated - Repairs & Maint.		5,965	
Total			5,965	

EXPENDITURES

Object Code	Appr Unit	Description	Current Budget	Increase (Decrease)	Revised Budget
3650	090	Capital Outlay - Other Improvements	953,358	5,965	959,323
Total			953,358	5,965	959,323

Justification:

Revision in the amount of \$5,965 to appropriate repairs and maintenance fund balance to partially fund Change Order #1 (Final) in the amount of \$11,965 for the Gillespie Street Parking Lot Improvement Project. The balance required to fund this change order will come from the previously budgeted "in-project" contingency of \$6,000. The contract with W.J Jackson Construction Company will increase to \$131,837.75 as a result of this change order.

Funding Source: State: _____ Federal: _____ County: _____ New: _____ Other: _____
 Other: _____ Fees: _____ Prior Year: _____

Submitted By: _____ Date: _____
 Department Head
 Reviewed By: Bob Suchan Date: 3/5/07
 Budget Analyst
 Reviewed By: Amy H. Cannon Date: 3/14/07
 Assistant County Mgr
 Reviewed By: _____ Date: _____
 Information Services

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

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

5th Floor, New Courthouse • P.O. Box 1829 • Fayetteville, North Carolina 28302-1829
(910) 678-7771 • Fax: (910) 678-7770

March 7, 2007

TO: Board of Commissioners

FROM: Marsha Fogle, Clerk

RE: Correction of Minutes: November 6, 2006 Meeting

BACKGROUND: The County Finance Committee, at its meeting on March 1, 2007, corrected its Minutes of October 12, 2006. The item corrected dealt with a request from the Fire Chief's Association for the County to fund a match for a grant for radios. The Board of Commissioners took action on this item on November 6, 2006 based on the Finance Committee's recommendation. As a result of action taken by the Finance Committee to correct its Minutes of October 12, 2006, the Board of Commissioners should also take action to correct its Minutes of November 6, 2006.

Attached is a copy of the Minutes of the March 1, 2007 Finance Committee noting the correction of the wording.

ACTION: Correct the November 6, 2006 Board of Commissioners Meeting Minutes to correspond with the correction of the Finance Committee Meeting Minutes. (Item H – Approval of report and recommendations of the Cumberland County Finance Committee for the County to fund a 20% match for 800 MHz radios): **CORRECTED LANGUAGE:**

- The County will pay ½ of the match from its General Fund;
- The County will advance the remaining ½ from the General Fund, to be repaid from the 40% share that the fire Chief's Association receives from the Special Fire district Tax over a five-year period at no cost.

Attachment: Minutes: March 1, 2007 Finance Committee

Celebrating Our Past...Embracing Our Future

CUMBERLAND COUNTY FINANCE COMMITTEE
MARCH 1, 2007, 8:30AM

MEMBERS

PRESENT: Commissioner Jeannette Council, Chair
Commissioner John Henley

OTHERS: Commissioner Ed Melvin
Commissioner Diane Wheatley
James Martin, County Manager
Juanita Pilgrim, Deputy County Manager
Cliff Spiller, Asst. County Manager
Amy Cannon, Asst. County Manager
Carla Loney – Risk Management
Chico Silman – Risk Management
Grainger Barrett, County Attorney
CIGNA Representatives
NCACC Representatives
Marsha Fogle, Clerk

MEMBER

ABSENT: Commissioner Breeden Blackwell

1. Approval of Minutes; January 4, 2007

MOTION: Commissioner Henley moved to approve.

SECOND: Commissioner Council

VOTE: UNANIMOUS

2. Update County Health Insurance

NCACC and CIGNA staff reviewed the employee meetings that were held in the County in February, gave a network update and a financial report comparing projected claims with actual claims from 2004 to present. Cumberland County is currently running at 54% of the projected claims.

A listing of Physicians in the Cape Network was presented. Due to some concerns and issues regarding the effective date for these physicians in the network, the Finance Committee directed staff to meet with the Association and CIGNA to clarify some of the questions that employees may have regarding this network.

3. Other Matters

- a. Correction of Finance Committee meeting minutes: October 12, 2006, Item 2 – Consideration of a request from the Fire Chief's Association for the county to fund a match for a grant for radios.

The portion of the Minutes to be corrected follow "The County Manager recommends approval as follows":

CORRECTED LANGUAGE:

- the County will pay ½ of the match from its General Fund;
- the County will advance the remaining ½ from the General Fund, to be repaid from the 40% share that the Fire Chief's Association receives from the Special Fire District Tax over a five year period at no interest.

MOTION: Commissioner Henley moved to approved correction to Minutes as noted above.

SECOND: Commissioner Council

VOTE: UNANIMOUS

- (b) Consideration of allowing the Solid Waste Management Department Director the flexibility in selling mulch at the County Landfill

The County Manager reported that mulch is building up at the County Landfill. Reigelwood is no longer buying our mulch (at \$5.50/ton). The Solid Waste Director recommends that the Board allow him some flexibility in selling the mulch so that there is not an overabundance of it at the landfill.

MOTION: Commissioner Henley moved to recommend to the Board that the Solid Waste Director be allowed some flexibility in setting a price on selling the mulch.

SECOND: Commissioner Council

VOTE: UNANIMOUS

MEETING ADJOURNED: 9:30AM

Cumberland County Finance Committee
October 12, 2006, 8:30AM

Members

Present: Chairman Kenneth Edge
Commissioner John T. Henley, Jr.
Others: Commissioner Talmage S. Baggett, Jr.
Commissioner J. Breeden Blackwell
Commissioner Diane Wheatley
James Martin, County Manager
Amy Cannon, Asst. County Manager
Cliff Spiller, Asst. County Manager
Grainger Barrett, County Attorney
Marsha Fogle, Clerk
Sara VanderClute, PIO

Member

Absent: Commissioner Jeannette Council

1. Approval of Minutes: March 21, 2006

MOTION: Commissioner Henley moved to approve.

SECOND: Commissioner Edge

VOTE: UNANIMOUS

2. Consideration of a request from the Fire Chief's Association for the County to fund a match for a grant for radios (Freddy Johnson, Sr.)

BACKGROUND: Freddy L. Johnson, Sr. President, Fire Chief's Association, requested the Board of Commissioners provide matching funds for a \$1 million grant to equip all volunteer fire departments with 800MHz digital radios. If the grant is approved, the local match is 20% or \$240,878.

The County Manager recommends approval as follows:

½ of the match will come from the special fire district tax (the special fire district tax is distributed as follows – 60%, to fire departments and 40%, to the Fire Chief's Association); from the 40% that the Fire Chief's Association receives;

½ of the match will be funded by the County (the County will loan the Fire Chief's Association the money to complete the match requirement); the Association will repay the County over a five year period.

Mr. Johnson said no fire department would see a deduction in any special district tax funds it receives. Matching funds will come from the 40% money that goes to the Fire Chief's Association.

October 12, 2006
Finance Committee
Minutes Need to
be corrected per
Attachment

Commissioner Henley inquired if work on fire department contracts had been completed and specifically if there was a requirement in the contract that if a fire department is dissolved, such as because of annexation, reserves (funds) will return to the County. Mr. Johnson said work is being done on modifications to the contract. The County Attorney indicated there have been discussions and agreement reached on almost all issues, but no agreement and been reached on this specific issue. He said the attorney for the Fire Chief's Association had some concerns about agreeing that such funds should be returned to the County. He said he thought work on the contracts could be completed by early in the year to be effective the first of July (beginning of the new fiscal year). The commissioners present expressed a consensus that the fire department contracts include such a provision because these funds are the public's tax moneys.

The Committee asked staff to provide it with an audit of the funds that were disbursed when the City of Fayetteville annexed two volunteer fire departments.

James Martin, County Manager, noted the importance of the fire departments having the 800MHz capability.

As background information, the Manager noted that the State of North Carolina used Homeland Security funds to establish major tower structures for an 800MHz system, referred to as the VIPR system. The County would pursue using the VIPR system radios through the State system at no cost for hours used. In addition, the Manager noted that there may be some issues with the Sheriff's Office radio system coverage and "dead spots" that the cost to address those problems could be as much as \$8 -10 million.

Commissioner Blackwell said he had heard the VIPR system has experienced some coverage difficulties in some of the mountain counties. Mr. Doc Nunnery, Director, Emergency Management Department, noted some of those problems were encountered because there were not enough towers. The mountainous topography made it difficult to communicate without towers placed closer together. Mr. Nunnery said that would not be a problem here.

Commissioner Henley noted the importance of having a contract with the volunteer fire departments that set out a policy on how reserve money would be disbursed if that fire department were annexed into the City. Other commissioners present concurred.

MOTION: Commissioner Henley moved that the Finance Committee recommend to the Board of Commissioners approval of the 20% match as recommended by the Manager and outlined above.

SECOND: Commissioner Edge

VOTE: UNANIMOUS

3. Consideration of funding options for a new health department building, as requested by the Board of Health.

The County Manager noted the options for funding are as follows:



ITEM NO. 1K

COUNTY of CUMBERLAND

James E. Martin
County Manager

Juanita Pilgrim
Deputy County Manager

Office of the County Manager

Cliff Spiller
Assistant County Manager

Amy H. Cannon
Assistant County Manager

MEMORANDUM FOR BOARD OF COMMISSIONERS AGENDA OF MARCH 19, 2007

TO: BOARD OF COUNTY COMMISSIONERS

FROM: JUANITA PILGRIM, DEPUTY COUNTY MANAGER

DATE: MARCH 14, 2007

SUBJECT: APPROVAL OF FY 2008 APPLICATION FOR CONTINUATION OF IMPLEMENTATION FUNDING FOR THE DAY REPORTING CENTER OF THE CRIMINAL JUSTICE SYSTEM SUPPORT UNIT

BACKGROUND:

The Criminal Justice Partnership Program Advisory Board met on March 13, 2007 and approved the Application for Continuation of Implementation Funding for the Day Reporting Center in the amount of \$230,231.00 for FY 2008. The application must be approved by the Board of County Commissioners prior to being sent to the Criminal Justice Partnership Program for approval.

RECOMMENDATION/PROPOSED ACTION:

Consider approval of the attached application.

/cps

JP031407-1

Criminal Justice Partnership Program

Application for Continuation of Implementation Funding

FY 2008 - from July 1, 2007 to June 30, 2008

Due in the CJPP Coordinator's Office by March 31, 2007

County: **Cumberland**Grant Number: **26-0707-I-A**☒ County Operations
☐ Contractual ServiceContact Person: **Callie Gardner**Phone: **910-323-6128**Fax: **910-323-6133** Email: **cgardner@co.cumberland.nc.us****Note:**

This application is to be used for the continuation of implementation grant funding only.
New programs must complete a full application in accordance with Section IV.A of the CJPP Policies and Procedures.

1. County Manager/Authorizing OfficialName **James Martin**Title **County Manager**Address **117 Dick Street
Fayetteville, NC 28301**Phone **910-678-7723**Fax **910-678-7717**Email **jmartin@co.cumberland.nc.us**

Signature

2. Fiscal AgentName **Amy Cannon**Title **Finance Director**Address **117 Dick Street
Fayetteville, NC 28301**Phone **910-678-7740**Fax **910-323-6120**Email **acannon@co.cumberland.nc.us**

Signature

3. CJPP Local Advisory Board ChairName **A. Elizabeth Keever**Title **District Court Judge**Address **117 Dick Street
Fayetteville, NC 28301**Phone **910-678-2901**Fax **910-486-8555**Email **beth.keever@nccourts.org**

Signature

4. Total Grant Award Amount**230,231.00****5. Program Type**

Indicate the type(s) of CJP
program(s) operated.
(Check all
that apply)

- ☒ Day Reporting Center
☐ Sat. Substance Abuse
Treatment
☐ Resource Center

6. Date Approved

Approved By

CJPP Local Advisory Board
County Board of Commissioners

7. Sentenced Offender Program

A. Program Information

Provide Name, Address, and
Phone/Fax/Email of Program

Cumberland County Day Reporting Center
412 West Russell Street
Fayetteville, NC 28301
910-323-6126
910-323-6133
cgardner@co.cumberland.nc.us

B. Program Administration (for Contractual Programs only)

Provide Name, Title, Address, and Phone/Fax/Email of
Director, Administrator or Contact Person

Program Director Name Callie Gardner

8. Program Modifications

A. Check All Proposed Changes in the Following Program Components.

B. For Each Checked, Describe Current Program Component, followed by Proposed Program Component.

- ☐ Program Goals and Objectives
- ☐ Program Activities
- ☐ # of Offenders Served
- ☐ Offenders Targeted
- ☐ Program Administration
- ☐ Administrative Fees
- ☐ Program Staffing
- ☒ Contracts

The contract for Cognitive Behavioral Intervention with Charla Suggs for the day classes remains the same. We have implemented a night CBI program to include two classes during the fiscal year. The classes will meet one time weekly and will run for a 12 week interval.

- ☐ MOA's
- ☐ Job Descriptions for County Employees
- ☐ Other
- ☐ Other

9. Sentenced Offender Program Goals and Objectives Description

(Refer to CJPP Legislation as a guide to the definitions of Goals and Objectives)
State the GOALS of the program in terms of the long-term effect the program is designed to have, and a list of measurable OBJECTIVES to meet those goals.

Goals

Objectives to meet Goal

Maintain the number of offenders admitted in the fiscal year 2007-2008 to 120 offenders based on the capacity of two Probation Officers.

We will continue to advocate the program through communication with the Division of Community Corrections, Judges, District Attorneys, and Defense Attorneys.

Have 35% of the admitted offenders to successfully complete the program during the fiscal year 2007-2008.

Continue to work closely with offenders and Probation Officers and their specific case plans and needs and promote progress and success.

Refer all admitted offenders to TASC and have them successfully complete the program during fiscal year 2007-2008.

Ensure that all offenders are screened by TASC within two weeks of intake and a urinalysis is done weekly.

Save the County and State over one million dollars each in incarceration fees based on man days and cost per day for housing.

Continue to advocate for referrals and work towards successful completion of admitted offenders.

Utilize our available resources to enhance the rehabilitation of our offenders.

Continue to establish relationships with current and new resources that aid in offender rehabilitation and success.

10. Program Capacity Data

Sentenced Offender

Provide the following information regarding program services:

- | | |
|---|-----|
| [A] 1. What was the actual TOTAL number of people served during FY 2005 - 2006? | 152 |
| 2. What is the estimated TOTAL number of people to be served during FY 2006 - 2007? * | 167 |
| 3. What is the estimated TOTAL number of people to be served during FY 2007 - 2008? * | 183 |

* Consider treatment slots, length of time in treatment, and total budget when estimating total number of people served.

[B] Check all services that apply

On Site Off Site

[1] ☒ Substance Abuse Treatment

☒ Assessment

☒

☐

☒ ROPT

☒

☐

☒ IOPT

☒

☐

☒ Support Services

☒

☐

☒ After Care

☒

☐

☒ Drug Screens

☒

☐

☐ Other

☐

☐

[2] ☒ Educational Services

☒

☐

- | | | |
|---|-------------------------------------|--------------------------|
| [3] <input checked="" type="checkbox"/> Job Development Services | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| [4] <input checked="" type="checkbox"/> Cognitive Behavioral Intervention | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| [5] <input type="checkbox"/> Domestic Violence Services | <input type="checkbox"/> | <input type="checkbox"/> |
| [6] <input checked="" type="checkbox"/> Life Skills | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| [7] <input type="checkbox"/> Sex Offender | <input type="checkbox"/> | <input type="checkbox"/> |
| [8] <input checked="" type="checkbox"/> Others | <input checked="" type="checkbox"/> | <input type="checkbox"/> |

Webster University

11. Service Provider Information

[A] List the NON-CONTRACTED (i.e., services at NO COST to CJPP) Service Providers to the program. Attachment 2

Attach a Copy of Memorandums of Agreement (MOA's) in attachment section for FY 2007 - 2008. MOA's should be maintained in Program files on site.

NC Division of Vocational Rehabilitation Services NC Division of Community Corrections E. Newton Public Health Center Cumberland County Mental Health Center Fayetteville Technical Community College Fayetteville Area Sentencing Center Cumberland County Workforce Development Community Service Work Program

[B] List the CONTRACTED (i.e., services at COST to CJPP) Service Providers to the program. Attachment 3

Attach a Copy of Proposed or Signed Contracts in attachment section for FY 2007 - 2008. Contracts should be maintained in Program files on site.

Roger Redd - Physical Training and Employment Specialist Lynda Simmons - Art Therapy Charla Suggs - Cognitive Behavioral Intervention

Please Note: Attachments are required for contracts and MOA's for FY 2007 - 2008.

12. Project Income

Does the program anticipate receiving any Project Income?

☒ No

☐ Yes (Attach a completed "Project Income Report" form) Attachment 8

Submit one (1) Original and two (2) copies of Application and Attachments, including budgets.

Attachment Check List

Attach the following in this order:

Attachment**Attached? Reason, if Not Attached**

1. Job Descriptions for all modified CJP Program Positions	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	<div>N/A</div>
2. Copies of All MOA's for FY 2007 - 2008 for Service Providers	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<div>Waiting on MOA's</div>
3. Copies of All Proposed or Signed and Executed Contracts for FY 2007 - 2008 for Service Providers	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<div>Contracts are pending in Legal Dept.</div>
4. Copy of facility license and proof of appropriate certification or registration with certifying board.	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<div>N/A</div>
5. Monthly or Weekly Calendar detailing Services Provided	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	
6. Local CJPP Advisory Board Members and Terms	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	
7. Budget Line Item Justification Form	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	
8. Budget Summary Form	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	
9. Project Income Report (if applicable)	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<div>N/A</div>
10. Information regarding all funding sources beyond CJPP funds (Grants, County Funds, etc.)	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<div>N/A</div>

NOTE: Please number your attachments and submit in the order indicated above.
[Return to Form Selection Page](#)

Criminal Justice Partnership Program

FY 2008 - from July 1, 2007 to June 30, 2008

Budget Line Item Justifications

County: **Cumberland**Grant Number: **26-0707-I-A**
☒ County Operations
☐ Contractual Service
Contact Person: **Callie Gardner**Phone: **910-323-6128**Fax: **910-323-6133** Email: **cgardner@co.cumberland.nc.us**

FY Grant

Award Amount **230,231**

Personnel

	Line Items	Justifications	Totals
List each position separately.			
Salaries			
Position 1.	Program Coordinator	Hours/Year Salary	37,466
Position 2.	Assistant Program Coordinator	Hours/Year Salary	27,159
Position 3.	Office Support IV	Hours/Year Salary	25,151
Position 4.	Janitorial Crew Leader	Hours/Year Salary	19,704
Total Full Time Equivalences (FTE's)			
Indicate FICA amount.			
List other wage tax.			
Wage Taxes			
FICA	Social Security (6.2%) 7145 Medicare (1.45%) 1671		8,816
List separately.			
Include insurance, retirement, 401(k), workers' compensations, unemployment, etc.			
Fringe Benefits			
A.	Hospitalization (\$4925 per employee)		19,700
B.	Retirement (4.9%)		6,799
C.	Longevity (varies per employee)		1,389
D.	Worker's Compensation (varies per employee)		3,090
E.	COLA Increase (4%)		4,379
F.	Van Driver (county employee) to transport offenders to the DRC -12 hours/week@\$14.45 an hour.		9,017
Total Personnel			162,670

Travel

	Line Items	Justifications	Totals
List each travel or training event			
	Staff Position and Description of travel event		

and its estimated cost separately.

Staff mileage should be listed as well, indicated as 'Staff Mileage'.

NOTES:

- All out-of-state travel must be shown in detail and approved prior to reimbursement.
- Travel expenses submitted should not exceed County or State allowable amounts.
- State mileage rate is \$0.345 per mile

A.	NC Probation and Parole Conference (3 staff) \$1000 NCPA Workshop (2 staff) \$500	1,500
B.	NC Correctional Association Conference (2 staff)	700
C.	NC Gang Conference (1 staff) \$500 CJPP Training Institute (2 staff) \$700 Training and Workshops	2,339
D.	Continuing education training for offenders/GED testing fees	400
Total Travel		4,939

Contractual

List each contractor separately.

Line Items	Justifications	Totals
A.	Charla Suggs - CBI Facilitator One session/4 hours week @ 12 week intervals/ \$25.00/hr= \$100 each session/4 classes a year	4,800
B.	Charla Suggs - CBI Facilitator One session/4 hours week @ 12 week intervals/ \$25.00/hr= \$100 each session/2 classes a year	2,400
C.	Roger Redd - Physical Training One session a week @\$25.00 an hour	1,250
D.	Roger Redd - Employment Specialist 12 hours a week @12.00 an hour	7,488
E.	Art Therapy sessions Once monthly @30.00 each session	360
Total Contractual		16,298

Operating

Operating expenses include costs of running the program.

List each item separately and provide details for all operational items, including unit costs, where applicable.

DO NOT LIST EQUIPMENT.

Line Items	Justifications	Totals
Rent	None	0
Utilities	Electricity, water, sewer, and gas	28,607
Telephone	Arch paging and county phone	1,600
Postage	None	0
Office		

Supplies	Supply room items 1500 Misc furniture/equipment 350	1,850
Office Maintenance	Maintenance/repair equipment 1400	1,400
Office Repairs	None	0
Equipment Lease	None	0
Other	Copier 750 Printing 150 Special Offender Projects 300	1,200
Other	Educational Supplies 550 Departmental Supplies 1500 Computer Software/workshops 1000	3,050
Other	Books & Periodicals 200 Audio Visual 217 Memberships & Dues 300	717
Other	Insurance & Bonds 3000 Maintenance Repair Vehicle 400 Vehicle Fuel 2000	5,400
Other	Plaques & Awards 2000 Bus Tickets for Clients 500	2,500
Total Operating		46,324

Equipment

Line Items	Justifications	Totals
------------	----------------	--------

Equipment includes all items over \$500, used for operating the program.

List each item separately and provide details for all equipment, including number of each to be purchased.

Total Equipment	0
------------------------	----------

Construction

Line Items	Justifications	Totals
------------	----------------	--------

For facility construction or renovation.

Include paint, carpet, roofing, electrical, etc.

Total Construction	0
---------------------------	----------

Budget Line Item Total	230,231
-------------------------------	----------------

[Return to Form Selection Page](#)

Criminal Justice Partnership Program

FY 2008

Budget Summary

Due in the CJPP Office by March 31, 2008

County: **Cumberland** Grant Number: **26-0707-I-A**
☒ County Operations
☐ Contractual Service
Contact Person: **Callie Gardner**Phone: **910-323-6128**Fax: **910-323-6133** Email:**cgardner@co.cumberland.nc.us**FY 2006 - 2007 Grant Award **230,231.00**FY 2007 - 2008 Grant Award **230,231.00**

Budgeted Amounts (FY 2006 - 2007)			Expenditure Amounts (FY 2006 - 2007)		
Budget Category and Code	[A] Budgeted July 1, 2006 (From Column [A] from July Report)	[B] Budgeted Dec 31, 2006 (Column [A] from July Report + Column [H] from July through December reports)	[C] Actual Expenditures Through Dec 31, 2006	[D] Estimated Total Expenditures (July 1, 2006 Through June 30, 2007)	[E] Budgeted for FY 2007 - 2008
Personnel 536502__1	157,562.00	157,562.00	74,812.35	147,433.00	162,670.00
Travel 536502__2	3,200.00	3,200.00	2,895.05	3,200.00	4,939.00
Contractual 536502__3	15,998.00	15,998.00	6,435.00	15,998.00	16,298.00
Operating 536502__4	53,471.00	53,471.00	19,931.46	53,250.00	46,324.00
Equipment 536502__5	0.00	0.00	0.00	0.00	0.00
Construction 536502__6	0.00	0.00	0.00	0.00	0.00
Unallocated 536502__7	0.00	0.00	0.00	0.00	0.00
Totals	230,231.00 (To Match FY 2006 - 2007 Grant Award)	230,231.00 (To Match Column [A] Total)	104,073.00 (Should match [Q] from December Report)	219,881.00	230,231.00 (To Match FY 2007 - 2008 Grant Award)

I certify that this information is correct, based on the grantee county's accounting system and records, consistently applied and maintained. Expenditures shown have been made for the purpose of and in accordance with the approved budget and applicable grant conditions and requirements. Appropriate documentation to support all expenditures is available for inspection.

Signature of Program Director

Date

Signature of County Manager,
Official Designee, or Fiscal Officer

NOTE: Not needed if services are fully contracted with service provider.

Return to Form Selection Page



ITEM NO. 1 L (1) / (2)

COUNTY of CUMBERLAND

Office of the County Attorney

February 20, 2007

MEMORANDUM FOR BOARD OF COMMISSIONERS' MARCH 19, 2007 AGENDA:

TO: BOARD OF COMMISSIONERS

FROM: GRAINGER R. BARRETT, COUNTY ATTORNEY *GRB*

SUBJECT: APPROVAL OF SALE OF SURPLUS-COUNTY OWNED REAL
PROPERTY ACQUIRED BY TAX FORECLOSURE

.46 ACRE EMILY MCPHERSON LAND (LOCATED OFF CAMPGROUND
CHURCH ROAD OFF MORGANTON ROAD)
PIN 0408-70-0893; SEVENTY FIRST TOWNSHIP

LOT 6 MOSES EVANS ESTATE DIVISION (1.7 ACS) (LOCATED ON
RIVER ROAD OFF BEARD AND MIDDLE ROADS)
PIN 0449-78-7859; EASTOVER TOWNSHIP

BACKGROUND: On or about August 10, 2005, the County acquired by tax foreclosure the above property. The amount currently owed on the foreclosure judgment including interest and costs for both properties is \$4,918.75.

Mr. George Turner was the last and highest bidder offering to purchase the County's interest in the property for **\$21,961.50** and has deposited \$2,196.15 in the Finance Office.

PROPERTY DESCRIPTION: .46 Acre Emily McPherson Land
(Located off Campground Church Rd off Morganton Rd)
PIN 0408-70-0893; Seventy First Township

VALUE: \$10,625.00

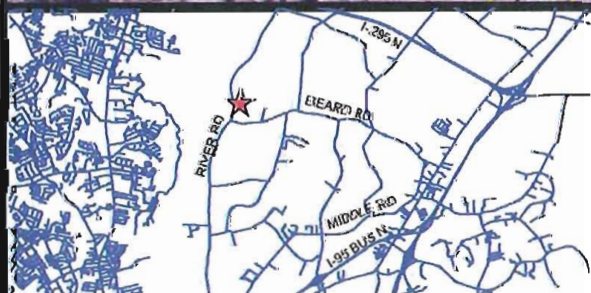
PROPERTY DESCRIPTION: Lot 6 Moses Evans Estate Division (1.7 ac)
(Located on River Road off Beard and Middle Roads)
PIN 0449-78-7859; Eastover Township

VALUE: \$12,568.00

This property is surplus to the needs of the County and, according to N.C.G.S. 153A-176 and N.C.G.S. 105-376, the County has the authority to sell such property. Management has reviewed this offer and it is now being submitted for the Board to consider whether or not to accept Mr. Turner's bid. The property has been advertised and this office has not received any upset bids. The bid period is now closed.

RECOMMENDATION AND PROPOSED ACTION: That the Board of Commissioners consider whether to accept the offer of George Turner to purchase the above property for the sum of **\$21,961.50**, plus costs, and authorize the Chairman to execute a deed upon receipt of the balance of the purchase price.

GRB/cht
Attachment



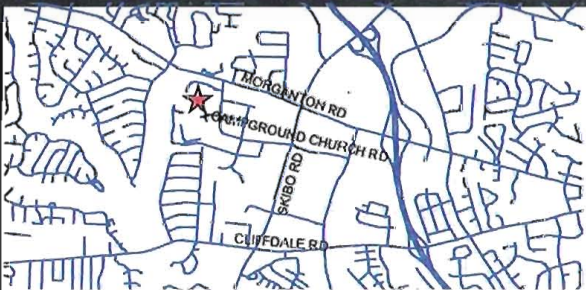
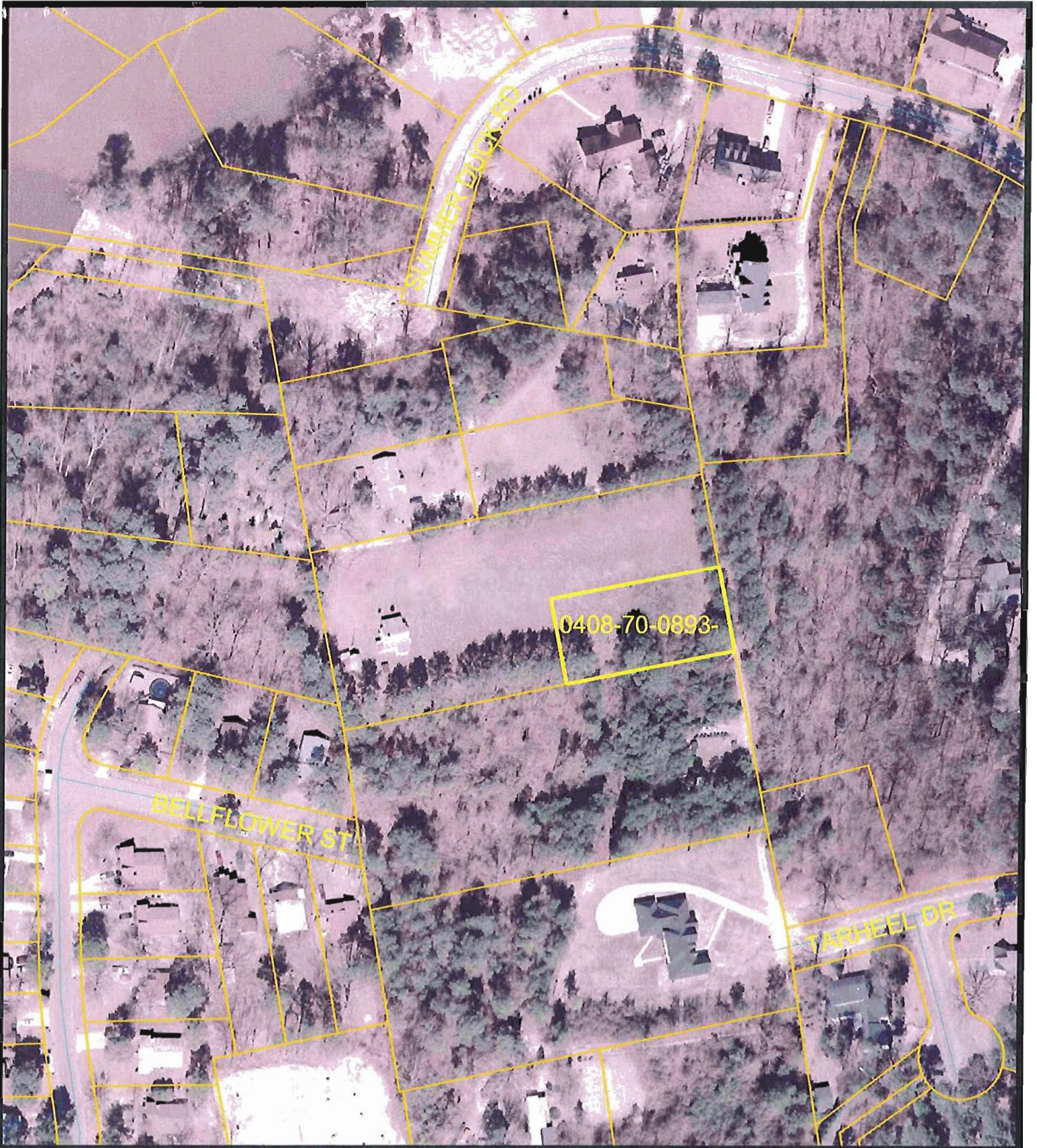
Site Map

EASTOVER TOWNSHIP

150 0 150 Feet



THE COUNTY OF CUMBERLAND AND ANY OTHERS
DEPARTMENT OF CUMBERLAND ACCOUNTABILITY
FOR THIS PRODUCT AND MAKES NO WARRANTY
EXPRESS OR IMPLIED CONCERNING THE
ACCURACY THEREOF. RESPONSIBILITY FOR
INTERPRETATION AND APPLICATION OF THIS
PRODUCT LIES WITH THE USER.



Site Map

SEVENTY FIRST TOWNSHIP

150 0 150 Feet



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ITEM NO. 1 L (3)

COUNTY of CUMBERLAND

Office of the County Attorney

March 6, 2007

MEMORANDUM FOR BOARD OF COMMISSIONERS' MARCH 19, 2007 AGENDA:

TO: BOARD OF COMMISSIONERS

FROM: GRAINGER R. BARRETT, COUNTY ATTORNEY *GRB*

SUBJECT: APPROVAL OF SALE OF SURPLUS-COUNTY OWNED REAL
PROPERTY ACQUIRED BY TAX FORECLOSURE

LOT 1 MANCHESTER PK SEC. 1 (LOCATED ON THE CORNERS OF E.
MANCHESTER ROAD AND BRINKLEY DRIVE)
PIN 0513-20-8357; MANCHESTER TOWNSHIP

BACKGROUND: On or about August 15, 2006, the County acquired by tax foreclosure the above property. The amount currently owed on the foreclosure judgment including interest and costs for the property is \$5,767.38.

Mr. Thomas Green Jr. and Brenda Green were the last and highest bidders offering to purchase the County's interest in the property for **\$5,767.38** and have deposited \$580.00 in the Finance Office. The tax value of the property is \$7,500.00.

This property is surplus to the needs of the County and, according to N.C.G.S. 153A-176 and N.C.G.S. 105-376, the County has the authority to sell such property. Management has reviewed this offer and it is now being submitted for the Board to consider whether or not to accept Mr. and Mrs. Green's bid. The property has been advertised and this office has not received any upset bids. The bid period is now closed.

RECOMMENDATION AND PROPOSED ACTION: That the Board of Commissioners consider whether to accept the offer of Thomas Green Jr. and Brenda Green to purchase the above property for the sum of **\$5,767.38**, plus costs, and authorize the Chairman to execute a deed upon receipt of the balance of the purchase price.

GRB/cht
Attachment

E MANCHESTER RD

BRINKLEY DR

0513-20-8357-



Site Map

MANCHESTER TOWNSHIP

50 0 50 Feet



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ITEM NO. 12(4)

COUNTY of CUMBERLAND

Office of the County Attorney

March 2, 2007

MEMORANDUM FOR BOARD OF COMMISSIONERS' MARCH 19, 2007 AGENDA:

TO: BOARD OF COMMISSIONERS

FROM: GRAINGER R. BARRETT, COUNTY ATTORNEY *GRB*

SUBJECT: APPROVAL OF SALE OF SURPLUS-COUNTY OWNED REAL
PROPERTY ACQUIRED BY TAX FORECLOSURE

0.51 AC MCGILL LD (LOCATED ON TINE RD OFF RAEFORD RD OFF RIM RD)
PIN 9487-41-9319; SEVENTY FIRST TOWNSHIP

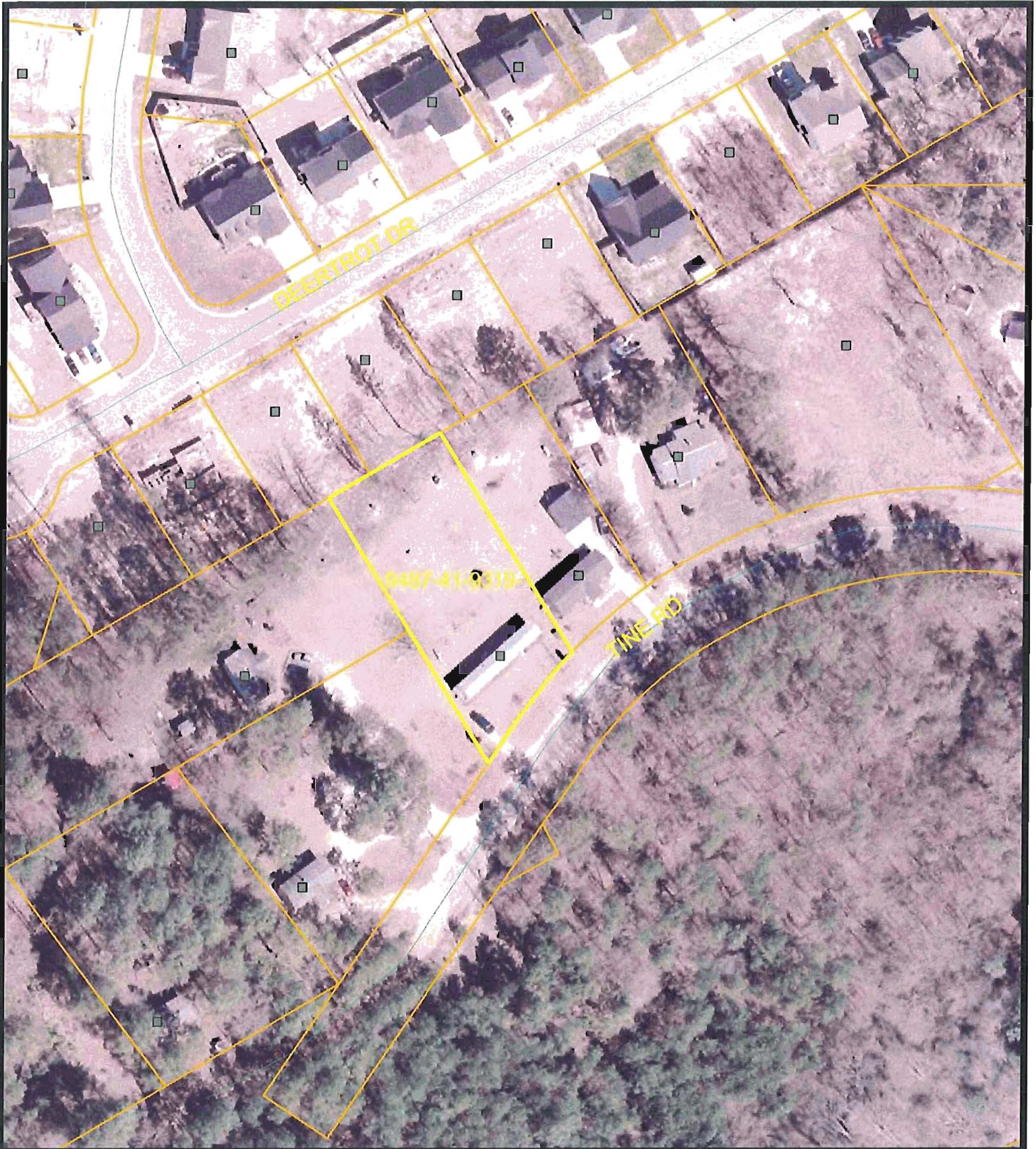
BACKGROUND: On or about December 7, 2006, the County acquired by tax foreclosure the above property. The amount currently owed on the foreclosure judgment including interest and cost for the property is \$3,246.49.

Mr. Darryl McRae was the last and highest bidder offering to purchase the County's interest in the property for **\$3,246.49** and has deposited \$324.65 in the Finance Office. The tax value of the property is \$17,956.00.

This property is surplus to the needs of the County and, according to N.C.G.S. 153A-176 and N.C.G.S. 105-376, the County has the authority to sell such property. Management has reviewed this offer and it is now being submitted for the Board to consider whether or not to accept Mr. McRae's bid. The property has been advertised and this office has not received any upset bids. The bid period is now closed.

RECOMMENDATION AND PROPOSED ACTION: That the Board of Commissioners consider whether to accept the offer of Darryl McRae to purchase the above property for the sum of **\$3,246.49**, plus costs, and authorize the Chairman to execute a deed upon receipt of the balance of the purchase price.

GRB/cht
Attachment



Site Map

SEVENTY FIRST TOWNSHIP
9410 TINE RD

100 0 100 Feet



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

Case No. MH 4474-2005

WHEREAS, the Board of County Commissioners of Cumberland County, North Carolina, on December 18, 2006, enacted an ordinance directing the demolition by the owner(s) of the structure(s), Luis Roberto Rivera located at 6519 Celestial Pine Drive, Hope Mills, NC (PIN:0432-41-8749), said ordinance being recorded at Book 7455, page 472, 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 \$1,800.00.
- (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 \$1,800.00, 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 December 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 Luis Roberto Rivera located at 6519 Celestial Pine Drive, Hope Mills, NC, as described in Deed Book 3919, page 72, of the Cumberland County Registry and identified in County tax records as PIN 0432-41-8749.

(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 19th day of March, 2007, at 6:45'clock P.M.

Cumberland County Clerk

ITEM NO. 1N

COUNTY of CUMBERLAND

James E. Martin
County Manager

Cliff Spiller
Assistant County Manager


Juanita Pilgrim
Deputy County Manager

Office of the County Manager

Amy H. Cannon
Assistant County Manager

MEMORANDUM FOR BOARD OF COMMISSIONERS AGENDA OF MARCH 19, 2007

TO: BOARD OF COUNTY COMMISSIONERS

FROM: JAMES E. MARTIN, COUNTY MANAGER 

DATE: MARCH 14, 2007

**SUBJECT: APPROVAL OF EASTOVER CENTRAL RECREATION CENTER –
ARCHITECTURAL REIMBURSEMENTS AND CHANGE ORDER #2**

BACKGROUND

The 13,000 sf Eastover Central Recreation Center is nearing completion. It is the last major component of Cumberland County's 1995 Parks & Recreation Master Plan. It is being constructed on Eastover Central School Campus, which is centrally located to the northeast region of the county. Of course, it will serve all of Cumberland County but is primarily intended for residents living in the unincorporated area of northeast Cumberland County; Eastover and South River communities; and the towns of Falcon, Godwin and Wade.

Tom Goetz Architect designed and is administering the Eastover Central Recreation Center project. His fee for performing the work was \$112,000; however, the fee did not include reimbursable expenses. The cost for a topographical study and printing bid/construction documents totals \$4,182.23. This request is to approve the additional architectural reimbursement expenses.

In addition, a change order is needed to cover additional costs that was necessary to complete the project, as outlined in the scope of work in the attached documents. The total cost for this change order is \$20,246.48.

RECOMMENDATION/PROPOSED ACTION

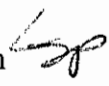
The Fayetteville-Cumberland Parks and Recreation Department's Planning and Development Manager recommends approval of the additional architect reimbursements in the amount of \$4,182.23 and also recommends approval of Change Order #2 in the amount of \$20,246.48. This will increase the contract amount from \$1,987,257.78 to \$2,007,504.26. Money is available in the project contingency to pay for both of these requests.

/ct
CM031407-3

Fayetteville Cumberland PARKS & RECREATION

March 9, 2007

To: James E. Martin, County Manager

From: Larry Philpott, Fayetteville-Cumberland Parks and Recreation 

Ref: Eastover-Central Recreation Center – Architect Reimbursements

Background: The 13,000 sf Eastover-Central Recreation Center is nearing completion. It is the last major component of Cumberland County's 1995 Parks and Recreation Master Plan. It is being constructed on the Eastover-Central School Campus, which is centrally located to the northeast region of the county. Of course it will serve all of Cumberland County but is primarily intended for residents living in the unincorporated area of northeast Cumberland County; Eastover and South River communities; and the towns of Falcon, Godwin, Wade.

Tom Goetz Architect designed and is administering the Eastover-Central Recreation Center project. His fee for performing the work was \$112,000.00. However, the fee did not include reimbursable expenses. The cost for a topographical study and printing bid/construction documents totals \$4,182.23.

Recommended Action: The Fayetteville-Cumberland Parks and Recreation Department's Planning and Development Manager recommends approval of the expenses. Money is available in the project contingency.

Cc: Robert Barefoot, Parks, Recreation and Maintenance Director

An Equal Opportunity Employer

121 LAMON STREET * FAYETTEVILLE, NC 28301-4953
910.433.1547 * FAX 910.433.1762
www.fcpr.us

Fayetteville Cumberland PARKS & RECREATION

March 9, 2007

To: James E. Martin, County Manager

From: Larry Philpott, Fayetteville-Cumberland Parks and Recreation

SP

Ref: Eastover-Central Recreation Center – Change Order # 2

Background: The 13,000 sf Eastover-Central Recreation Center is nearing completion. It is the last major component of Cumberland County's 1995 Parks and Recreation Master Plan. It is being constructed on the Eastover-Central School Campus, which is centrally located to the northeast region of the county. Of course it will serve all of Cumberland County but is primarily intended for residents living in the unincorporated area of northeast Cumberland County; Eastover and South River communities; and the towns of Falcon, Godwin, Wade.

The Eastover-Central Recreation Center is nearly complete, however, it has not been without necessary changes to the scope of the project. The attached documents outline the scope of work that was necessary to complete the project. The total cost for this change order is \$20,246.48.

Recommended Action: The Fayetteville-Cumberland Parks and Recreation Department's Planning and Development Manager recommends approval of change order #2. It will increase the contract from \$1,987,257.78 to \$2,007,504.26. Money to pay for this work is available in the project contingency.

Cc: Robert Barefoot, Director of Parks, Recreation and Maintenance

Attachments: Change Order # 2

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910.433.1547 • FAX 910.433.1762
www.fcpr.us

AIA DOCUMENT G701-2000

Change Order

(Instructions on reverse side)

PROJECT:

(Name and address)

Eastover Central Recreation
Center

Dunn Road

Eastover, N.C.

TO CONTRACTOR:

(Name and address)

M&E Contracting

P.O. Box 25100

Fayetteville, N.C. 28314

CHANGE ORDER NUMBER: C.O. 02**DATE:** 11-29-06**ARCHITECT'S PROJECT NUMBER:** 04NRRC**CONTRACT DATE:** 11-01-05**CONTRACT FOR:** Single PrimeOWNER ☐ARCHITECT ☐CONTRACTOR ☐FIELD ☐OTHER ☐**THE CONTRACT IS CHANGED AS FOLLOWS:**

(Include, where applicable, any undisputed amount attributable to previously executed Construction Change Directives.)

REFER TO ATTACHED SUMMARY SHEET FOR ADDS & DEDUCTS TO CONTRACTThe original (Contract Sum) (~~Guaranteed Maximum Price~~) was \$ 1,966,292.00The net change by previously authorized Change Orders \$ 20,965.78The (Contract Sum) (~~Guaranteed Maximum Price~~) prior to this Change Order was \$ 1,987,257.78The (Contract Sum) (~~Guaranteed Maximum Price~~) will be (increased) (~~decreased~~)(~~unchanged~~) by this Change Order in the amount of \$ 20,246.48The new (Contract Sum) (~~Guaranteed Maximum Price~~) including this Change Order will be \$ 2,007,504.26The Contract Time will be (~~increased~~) (~~decreased~~) (~~unchanged~~) by -0- () days.The date of Substantial Completion as of the date of this Change Order therefore is 09-25-06**NOTE:** This Change Order does not include changes in the Contract Sum, Contract Time or Guaranteed Maximum Price which have been authorized by Construction Change Directive for which the cost or time are in dispute as described in Subparagraph 7.3.8 of AIA Document A201.**Not valid until signed by the Architect, Contractor and Owner**Thomas Goetz
Architect, P.A.M&E Contracting
Inc.

Cumberland County

ARCHITECT (Typed name)**CONTRACTOR** (Typed name)**OWNER** (Typed name)

(Signature)

(Signature)

(Signature)

BY

BY

BY

DATE

DATE

DATE

01.23.07

1-23-07

© 2000 AIA®
AIA DOCUMENT G701-2000
CHANGE ORDER

Eastover Central Recreation Center
Change Order No. 02 Summary of ADDS

Summary Description of Change Order Proposals

• COP 16	\$542.55	Add HVAC in room 122
• COP 17	\$520.41	Add grilles in mechanical room
• COP 19	\$827.72	Change bar joist bracing due to HVAC conflict
• COP20	\$3,268.60	Change two backboards to glass
• COP 21	\$1,328.70	Change CMU to ACMU(paintable grade)
• COP 22	\$963.00	Move office trailer for utility access
• COP 23	\$6,983.43	Add switching controls for height adjuster on six backboards
• COP 24	\$553.72	Add slip fitter to flag pole for light fixture
• COP 25	\$4,291.70	Move two backboards
• COP --	<u>\$ 966.65</u>	Rewire four motors on relocated goal posts in gym
	\$20,246.48	



ITEM NO. 10

COUNTY of CUMBERLAND

James E. Martin
County Manager

Cliff Spiller
Assistant County Manager

Juanita Pilgrim
Deputy County Manager

Office of the County Manager

Amy H. Cannon
Assistant County Manager

MEMORANDUM FOR BOARD OF COMMISSIONERS AGENDA OF MARCH 19, 2007

TO: BOARD OF COUNTY COMMISSIONERS

FROM: JUANITA PILGRIM, DEPUTY COUNTY MANAGER

DATE: FEBRUARY 14, 2007

SUBJECT: APPROVAL OF A RESOLUTION ALLOWING RICHMOND COUNTY, NORTH CAROLINA TO JOIN THE SOUTHEASTERN ECONOMIC DEVELOPMENT COMMISSION

BACKGROUND

The Richmond County Board of Commissioners on February 5, 2007 officially adopted a Resolution to The Southeastern Economic Development Commission (SEDC) to rejoin the Commission. The Executive Committee has approved their joining, and the County Commissioners of each of our current eleven member counties must approve their membership before they can become a member.

Richmond County was not a member of an economic development district, such as SEDC, and was not eligible for grant funding from the Economic Development Administration (EDA). Their joining SEDC was encouraged by the Atlanta EDA office. The addition of Richmond County will also create a district that more closely aligns with the N.C. Southeast Partnership, which already included Richmond County. The annual dues from Richmond County to SEDC will be approximately \$5,600/year.

RECOMMENDATION/PROPOSED ACTION

Mr. Leon Martin, Executive Director of the Southeastern Economic Development Commission and the Executive Board recommend approval of a Resolution allowing Richmond County, North Carolina to join the Southeastern Economic Development Commission.

JP/cps
JP021407-1

**A RESOLUTION
ALLOWING RICHMOND COUNTY,
NORTH CAROLINA
TO JOIN THE SOUTHEASTERN ECONOMIC
DEVELOPMENT COMMISSION**

WHEREAS, the Counties of Bladen, Brunswick, Columbus, Cumberland, Harnett, Hoke, New Hanover, Pender, Robeson, Sampson, and Scotland joined together to mutually assist one another in the various endeavors of these Counties in their economic development, and

WHEREAS, the County of Richmond has officially submitted a resolution to join the Southeastern Economic Development Commission, with said resolution being adopted on February 5, 2007, and

WHEREAS, the Executive Director of the Southeastern Economic Development Commission has recommended the membership of Richmond County in the Commission as beneficial to the Commission and its existing membership, and

Whereas, it is necessary for the membership of the Commission to approve the membership of new members, and the Commissioners of Cumberland County accept and congratulate Richmond County on its request for membership,

BE IT THEREFORE RESOLVED, that the Commissioners of Cumberland County, sitting in the Regular Session of this date, do invite and hereby allow the membership of Richmond County into the Southeastern Economic Development Commission as a member County with all the rights and appurtenances thereof.

This the _____ day of _____, 2006.

Chair

County Commissioners

ATTEST:

Clerk to the Board

COUNTY OF CUMBERLAND

NORTH CAROLINA

PROCLAMATION

WHEREAS, THE COUNTY OF CUMBERLAND RECOGNIZES THE IMPORTANCE OF TREES TO THE ECONOMIC, AESTHETIC AND ECOLOGICAL WELL-BEING OF OUR COMMUNITY; AND

WHEREAS, IT IS RECOGNIZED THAT PLANTING AND MAINTAINING HEALTHY TREES IN OUR EVER-CHANGING SOCIETY ARE BOTH DESIRABLE AND NECESSARY; AND

WHEREAS, ARBOR DAY IS A LONG-STANDING AMERICAN TRADITION THAT REPRESENTS AN IMPORTANT ELEMENT OF OUR NATIONAL HERITAGE; AND

WHEREAS, THE CAPE FEAR BOTANICAL GARDEN IS A LEADER IN THE ENCOURAGEMENT OF ENVIRONMENTAL STEWARDSHIP AND IS ASSISTING WITH THE PLANTING OF TREES AT OUR SCHOOLS BY THE STUDENTS; AND

WHEREAS, CUMBERLAND COUNTY COOPERATIVE EXTENSION IS A COMMUNITY PARTNER WITH THE CAPE FEAR BOTANICAL GARDEN IN AN EFFORT TO RESTORE OUR TREES; AND

WHEREAS, INDIVIDUALS CAN ACT IN THIS COUNTY TO IMPROVE THE ENVIRONMENT BY PLANTING TREES AND ENSURING THAT THESE TREES ARE PROTECTED AND RECEIVE PROPERT MAINTENANCE IN THE YEARS AHEAD.

NOW, THEREFORE, THE BOARD OF COMMISSIONERS OF CUMBERLAND COUNTY PROCLAIMS THE WEEKS OF MARCH 12-23, 2007 "ARBOR WEEKS AND SATURDAY, MARCH 31, 2007 "ARBOR DAY IN CUMBERLAND COUNTY"; AND

BE IT FURTHER RESOLVED THAT THE BOARD URGES ALL CITIZENS TO TAKE AN ACTIVE PART TO ENSURE OUR COMMUNITY HAS A BETTER QUALITY OF LIFE BY PROVIDING A CLEAN ENVIRONMENT WITH MORE TREES.

ADOPTED THIS 19TH DAY OF MARCH, 2007.

KENNETH S. EDGE, CHAIRMAN



ITEM NO. 10

COUNTY of CUMBERLAND

Community Development

MEMORANDUM FOR BOARD OF COMMISSIONERS AGENDA **MARCH 19, 2007**

TO: BOARD OF COUNTY COMMISSIONERS

THRU: JUANITA PILGRIM, DEPUTY COUNTY MANAGER

FROM: THANENA S. WILSON, COMMUNITY DEVELOPMENT DIRECTOR

DATE: MARCH 6, 2007

SUBJECT: PROCLAMATION RECOGNIZING APRIL AS FAIR HOUSING MONTH

BACKGROUND

Enacted in 1968, the Fair Housing Act prohibits housing discrimination on the basis of race, color, religion and national origin. The Act was amended in 1974 to outlaw discrimination based on sex and in 1988 to bar discrimination against families with children and persons with disabilities.

April is National Fair Housing Month and the Cumberland County Community Development Department wants to make sure residents of Cumberland County are aware of and educated on the Fair Housing Law. Our goal is that all citizens will receive fair treatment when looking for a home and to make housing choice a reality through fair housing planning.

RECOMMENDATION AND PROPOSED ACTION

Community Development recommends that the Board of Commissioners recognize April as Fair Housing Month in Cumberland County.

Attachment - Proclamation

Fair Housing Month Proclamation

Whereas, April 2007 marks the 39th anniversary of the Federal Fair Housing Act of 1968 and the 24th anniversary of the State Fair Housing Act; and

Whereas, the State Fair Housing Act of 1983 and the Federal Fair Housing Act of 1968 prohibit discrimination in housing because of "race, color, religion sex, national origin, handicapping condition and familial status"; and

Whereas, an important concern for Cumberland County individuals and families is the availability of decent and affordable housing; and

Whereas, Cumberland County supports the efforts of local governments, fair housing organizations, concerned citizens, and the housing industry to strive toward promoting broader housing choice in Cumberland County and promoting understanding of the State Fair Housing Act and the Federal Fair Housing Act.

Now, Therefore We Proclaim That, Cumberland County will adhere to the fundamental right of all its citizens to have equal access to housing, which shall include all housing related transactions regardless of the protected status of the person or persons seeking housing and/or housing related transactions.

Now, Therefore I, Kenneth S. Edge, by virtue of the authority vested in me as Chairman of the Cumberland County Board of Commissioners, do hereby proclaim:

April, 2007 as

Fair Housing Month

In Witness Whereof, I have hereunto set my hand and caused the seal of Cumberland County, North Carolina to be affixed this _____ day of _____, 2007

Kenneth S. Edge, Chairman

**COUNTY OF CUMBERLAND
BUDGET REVISION REQUEST**

Budget Office Use	
Budget Revision No.	B07-266
Date Received	2/23/2007
Date Completed	

Fund No. 010 Agency No. 450 Organ. No. 450B

Organization Name: Kelly Hills Water & Sewer

ITEM NO. 1R(1)

REVENUE

Revenue Source Code	Description	Current Budget	Increase (Decrease)	Revised Budget
453E	NC Rural Center	2,823,400	(72,500)	2,750,900
4678	Facility Investment Fee	0	92,460	92,460
Total		2,823,400	19,960	2,843,360

EXPENDITURES

Object Code	Appr Unit	Description	Current Budget	Increase (Decrease)	Revised Budget
3757	NBD	Facility Investment Fee	72,500	19,960	92,460
Total			72,500	19,960	92,460

Justification:

Adjust budget to reflect the actual PWC Facility Investment Fees used on the Kelly Hills Water & Sewer Project.

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

Submitted By: _____ Date: _____
 Reviewed By: [Signature] Department Head Date: 2/23/07
 Reviewed By: [Signature] Budget Analyst Date: 3/14/07
 Reviewed By: [Signature] Deputy Assistant County Mgr
 Reviewed By: _____ Information Services Date: _____

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

**COUNTY OF CUMBERLAND
BUDGET REVISION REQUEST**

Budget Office Use	
Budget Revision No.	B07-267
Date Received	2/23/2007
Date Completed	

Fund No. 250 Agency No. 450 Organ. No. 4590
 Organization Name: Water-Sewer Department

ITEM NO. 1 R (2)

REVENUE

Revenue Source Code	Description	Current Budget	Increase (Decrease)	Revised Budget
4678	Facility Investment Fee	0	37,260	37,260
Total		0	37,260	37,260

EXPENDITURES

Object Code	Appr Unit	Description	Current Budget	Increase (Decrease)	Revised Budget
3757	754	Facility Investment Fee	0	37,260	37,260
Total			0	37,260	37,260

Justification:

Adjust the budget to reflect the actual PWC Facility Investment Fees used on the Windridge Water Line Extension Project.

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

Submitted By: _____ Date: _____
 Reviewed By: [Signature] Department Head Date: 2/23/07
 Reviewed By: [Signature] Budget Analyst Date: 3/14/07
 Reviewed By: [Signature] Deputy/Assistant County Mgr
 Reviewed By: _____ Information Services Date: _____

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

**COUNTY OF CUMBERLAND
BUDGET REVISION REQUEST**

Budget Office Use	
Budget Revision No.	<u>B07-269</u>
Date Received	<u>2-28-07</u>
Date Completed	

Fund No. 101 Agency No. 440 Organ. No. 4408
 Organization Name: LIBRARY - Grants

ITEM NO. 1 R(3)

REVENUE

Revenue Source Code	Description	Current Budget	Increase (Decrease)	Revised Budget
4666	LIBRARY GRANTS	64,019	24,480	88,499
Total		64,019	24,480	88,499

EXPENDITURES

Object Code	Appr Unit	Description	Current Budget	Increase (Decrease)	Revised Budget
349A		E-Rate Funds	64,622	18,980	83,602
360A		C/O E-Rate	13,782	5,500	19,282
Total			78,404	24,480	102,884

Justification:

The Library received the remainder of its E-Rate funds for FY 07 from PWC. The Library will use these funds to continue to upgrade computer capacity and extend the wireless network for public use. A portion of these funds will be used to purchase a Xeon Processor or Network Area Storage System to backup all of our current servers in case of a problem. In the past if there was a problem with one of our existing servers, the Library had to shut down the network and start from scratch. (see attached copy of check from PWC.)

Funding Source:

State: _____ Federal: _____ County: _____ New: _____ Other: _____
 Other: \$24,480.00 Fees: _____ Prior Year: _____

Fund Balance:

Submitted By: [Signature] Department Head
 Reviewed By: [Signature] Budget Analyst
 Reviewed By: [Signature] Deputy Assistant County Mgr
 Reviewed By: _____ Information Services

Date: 2-24-07
 Date: 2-28-07
 Date: 3/14/07
 Date: _____

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

Budget Office Use	
Budget Revision No.	B07-263
Date Received	2-16-07
Date Completed	

ITEM NO. 1R(4)a

Revenue Source Code	Description	Current Budget	Increase (Decrease)	Revised Budget
4627	SISTERS INFORMING SISTERS ON THE TRANSMISSION OF AIDS	0	7,200	7,200
	Total	0	7,200	7,200

Object Code	Appr Unit	Description	Current Budget	Increase (Decrease)	Revised Budget
4127	183	SISTERS INFORMING SISTERS ON THE TRANSMISSION OF AIDS	0	7,200	7,200
Total			0	7,200	7,200

THIS BUDGET REVISION REQUEST TO BUDGET FOR THE " SISTERS INFORMING SISTERS ON THE TRANSMISSION OF AIDS " (SISTA) GRANT

Submitted By: <u><i>AWayne Bayman</i></u>	<u>2/8/07</u>	Date: _____	Approved By: _____ _____ Date: _____ County Manager Board of County Commissioners Date: _____
Reviewed By: <u><i>HeA Kelly Autry</i></u>	<u>2.16.07</u>	Date: _____	
Reviewed By: <u><i>Amyn Cannon</i></u>	<u>3/14/07</u>	Date: _____	
Reviewed By: _____	_____	Date: _____	

Department Head
 Budget Analyst
 Deputy Assistant County Mgr
 Information Services

**COUNTY OF CUMBERLAND
BUDGET REVISION REQUEST**

Budget Office Use	
Budget Revision No.	<u>B07-264</u>
Date Received	<u>2-23-07</u>
Date Completed	

Fund No. 101 Agency No. 431 Organ. No. 4327
 Organization Name: CDC TUBERCULOSIS PROJECT

ITEM NO. 1 R (4) b

REVENUE

Revenue Source Code	Description	Current Budget	Increase (Decrease)	Revised Budget
4106	NORTH CAROLINA CDC TUBERCULOSIS PROJECT	41,876	(1,972)	39,904
Total		41,876	(1,972)	39,904

EXPENDITURES

Object Code	Appr Unit	Description	Current Budget	Increase (Decrease)	Revised Budget
1210	227	SALARIES - REGULAR	38,481	(1,972)	36,509
Total			38,481	-1,972	36,509

Justification:

THIS BUDGET REVISION REQUEST TO BUDGET FOR AN UNANTICIPATED REDUCTION IN STATE FUNDING. POSITION # PHD-1601 HAS BEEN VACANT SINCE THIS ENTIRE FISCAL YEAR TO DATE.

State: (1,972) Federal: _____ Fund Balance: _____ County: _____
 Other: _____ Fees: _____ Prior Year: _____ Other: _____

Submitted By: [Signature] 2/19/07 Date: _____
 Department Head
 Reviewed By: [Signature] 3-1-07 Date: _____
 Budget Analyst
 Reviewed By: [Signature] 3/14/07 Date: _____
 Deputy/Assistant County Mgr
 Reviewed By: _____ Date: _____
 Information Services

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

**COUNTY OF CUMBERLAND
BUDGET REVISION REQUEST**

Budget Office Use	
Budget Revision No.	<u>B07-272</u>
Date Received	<u>3-2-07</u>
Date Completed	

Fund No. 101 Agency No. 431 Organ. No. 4310

Organization Name: ENVIRONMENTAL HEALTH

ITEM NO. 1R(4)C

REVENUE

Revenue Source Code	Description	Current Budget	Increase (Decrease)	Revised Budget
4185	N.C. ENVIRONMENTAL HEALTH	11,352	35,709	47,061
Total		11,352	35,709	47,061

EXPENDITURES

Object Code	Appr Unit	Description	Current Budget	Increase (Decrease)	Revised Budget
299A	168	COMPUTER HARDWARE	0	6,597	6,597
2992	168	DEPARTMENT SUPPLIES	9,000	521	9,521
3470	168	TRAVEL	95,502	28,591	124,093
Total			104,502	35,709	140,211

Justification:

THIS BUDGET REVISION REQUESTS TO BUDGET FOR ADDITIONAL STATE FUNDING THAT THE HEALTH DEPARTMENT HAS BEEN NOTIFIED THAT IT CAN EXPECT TO RECEIVE.

State: 35,709 Federal: _____ Fund Balance: _____ County: _____
Other: _____ Fees: _____ Prior Year: _____ Other: _____

Submitted By: Swain Rayer Date: 3/2/07
 Department Head
 Reviewed By: Kelly Outtrip Date: 3-2-07
 Budget Analyst
 Reviewed By: Amelia Channon Date: 3/14/07
 Deputy Assistant County Mgr
 Reviewed By: _____ Date: _____
 Information Services

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

**COUNTY OF CUMBERLAND
BUDGET REVISION REQUEST**

Budget Office Use	
Budget Revision No.	<u>B07-281</u>
Date Received	<u>3-12-07</u>
Date Completed	

Fund No. 101 Agency No. 431 Organ. No. 432P
 Organization Name: MATERNAL CARE COORDINATION PROGRAM

ITEM NO. 1R(4)d

REVENUE

Revenue Source Code	Description	Current Budget	Increase (Decrease)	Revised Budget
9901	COUNTY FUND BALANCE APPROPRIATED	0	35,000	35,000
6045	ESCROW - MEDICAID TITLE 19 REVENUE	442,744	(35,000)	407,744

Total 0

EXPENDITURES

Object Code	Appr Unit	Description	Current Budget	Increase (Decrease)	Revised Budget
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Total 0 - 0

Justification:

THIS BUDGET REVISION REQUESTS TO TRANSFER COUNTY FUND BALANCE APPROPRIATED FROM ORG. # 4301 (ADMINISTRATION) INTO ORG. # 432P (MATERNAL CARE COORDINATION PROGRAM) IN ORDER TO FUND OPERATIONS FOR THE REMAINDER OF FISCAL YEAR 2007.

State: _____ Federal: _____ Fund Balance: _____
 Other: _____ Fees: _____ County: _____ Prior Year: 35,000 Other: _____

Submitted By: [Signature]

Department Head

Reviewed By: [Signature]

Budget Analyst

Reviewed By: [Signature]

Deputy/Assistant County Mgr

Reviewed By: _____

Information Services

2/22/07 Date:

3-12-07 Date:

3/14/07 Date:

_____ Date:

Approved By:

Date:

County Manager

Board of County Commissioners

Date:

**COUNTY OF CUMBERLAND
BUDGET REVISION REQUEST**

Budget Office Use	
Budget Revision No.	<u>B07-281A</u>
Date Received	<u>3-12-07</u>
Date Completed	

Fund No. 101 Agency No. 431 Organ. No. 4301

Organization Name: ADMINISTRATION

REVENUE

Revenue Source Code	Description	Current Budget	Increase (Decrease)	Revised Budget
9901	COUNTY FUND BALANCE APPROPRIATED		(35,000)	
Total		0	(35,000)	0

EXPENDITURES

Object Code	Appr Unit	Description	Current Budget	Increase (Decrease)	Revised Budget
1210	145	SALARIES - REGULAR	982,934	(35,000)	947,934
Total			982,934	(35,000)	947,934

Justification:

THIS BUDGET REVISION REQUESTS TO TRANSFER COUNTY FUND BALANCE APPROPRIATED FROM ORG. # 4301 (ADMINISTRATION) INTO ORG. # 432P (MATERNAL CARE COORDINATION PROGRAM) IN ORDER TO FUND OPERATIONS FOR THE REMAINDER OF FISCAL YEAR 2007. POSITION # PHD-0501 (NURSING DIRECTOR) HAS BEEN VACANT THIS ENTIRE FISCAL YEAR.

State: _____ Federal: _____ Fund Balance: _____
 Other: _____ Fees: _____ County: _____ Prior Year: (35,000) Other: _____

Submitted By: *Anthony Rayson* 2/22/07 Date: _____
 Department Head
 Reviewed By: *Kelly Custer* 3-12-07 Date: _____
 Budget Analyst
 Reviewed By: *Amy H. Cannon* 3/14/07 Date: _____
 Deputy Assistant County Mgr
 Reviewed By: _____ Date: _____
 Information Services

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

**COUNTY OF CUMBERLAND
BUDGET REVISION REQUEST**

Budget Office Use	
Budget Revision No.	B07-273
Date Received	3/5/2007
Date Completed	

Fund No. 452 Agency No. 450 Organ. No. 4571
 Organization Name: US DOT 104(f) Grant

ITEM NO. 1R(5)

REVENUE

Revenue Source Code	Description	Current Budget	Increase (Decrease)	Revised Budget
9901	Appropriated Fund Balance	0	56,315	56,315
Total		0	56,315	56,315

EXPENDITURES

Object Code	Appr Unit	Description	Current Budget	Increase (Decrease)	Revised Budget
349H	826	Prior Period Correction	0	56,315	56,315
Total			0	56,315	56,315

Justification:

Revision in the amount of \$56,315 to budget for the correction of a prior year error that occurred in processing a reimbursement payment from Transportation Fund 452 to the General Fund. (See attached PV0642589). This error caused an overstatement of cash and an understatement of expenditures in Fund 452 and an understatement of both cash and revenue in the General Fund.

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

Submitted By: _____ Date: _____
 Department Head
 Reviewed By: Bob Tucker Date: 3/5/07
 Budget Analyst
 Reviewed By: Amy Cannon Date: 3/14/07
 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. B07-273A

Date Received 3/5/2007

Date Completed _____

Fund No. 101 Agency No. 999 Organ. No. 9999

Organization Name: Unallocated Revenue

REVENUE

Revenue Source Code	Description	Current Budget	Increase (Decrease)	Revised Budget
7698	Prior Period Revenue		56,315	56,315
9901	Fund Balance Appropriated		(56,315)	

Total 0

EXPENDITURES

Object Code	Appr Unit	Description	Current Budget	Increase (Decrease)	Revised Budget

Total _____

Justification:

Revision in the amount of \$56,315 to budget for the correction of a prior year error that occurred in processing a reimbursement payment from Transportation Fund 452 to the General Fund. This error caused an overstatement of cash and an understatement of expenditures in Fund 452 and an understatement of both cash and revenue in the General Fund.

Funding Source:

State: _____ Federal: _____ County: _____ New: _____ Other: _____
Other: _____ Fees: _____ Prior Year: _____

Fund Balance:

Submitted By: _____ Date: _____

Department Head

Reviewed By: Bob Sucher Date: 3/5/07

Budget Analyst

Reviewed By: Amber Cannon Date: 3/14/07

Assistant County Mgr

Reviewed By: _____ Date: _____

Information Services

Approved By:

Date: _____

County Manager

Board of County Commissioners

Date: _____

**COUNTY OF CUMBERLAND
BUDGET REVISION REQUEST**

Budget Office Use	
Budget Revision No.	<u>307.215</u>
Date Received	<u>1-9-07</u>
Date Completed	

Fund No. 112 Agency No. 43A Organ. No. 434W
 Organization Name: MH Smart Start

ITEM NO. 1R(6)a

REVENUE

Revenue Source Code	Description	Current Budget	Increase (Decrease)	Revised Budget
4211	NC DHS SMART START	177,846	<u>19,609</u>	<u>197,455</u>
Total		177,846		

EXPENDITURES

Object Code	Appr Unit	Description	Current Budget	Increase (Decrease)	Revised Budget
1210	485	Salaries	149,129	12,607	161,736
1810	485	Fica Matching	11,538	965	12,503
1820	485	Retirement	7,392	618	8,010
1824	485	401K County	1,509	127	1,636
1860	485	Workers Comp	5,544	538	6,082
2992	486	Dept Supply	1,500	4,754	6,254
Total			176,612	19,609	196,221

Justification:

To reflect Smart Start allocation

Funding Source: State: 33,319 Federal: _____ Fund Balance: County: _____ New: _____ Other: _____
 Other: _____ Fees: _____ Prior Year: -6855

Submitted By: [Signature]

Department Head

Date: 1-3-07

Reviewed By: [Signature]

Budget Analyst

Date: 2-23-07

Reviewed By: [Signature]

Deputy Assistant County Mgr

Date: 3/14/07

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. B07.278
Date Received 3-12-07
Date Completed _____

Fund No. 112 Agency No. 43C Organ. No. 4343
Organization Name: MH - Devel. Disability Contracts

ITEM NO. 1R(6)6

REVENUE

Revenue Source Code	Description	Current Budget	Increase (Decrease)	Revised Budget
9901	Fund Balance Appropriated	370,175	(273,885)	96,290
4271	NC Child Devel. Disabilities State	302,748	325,103	627,851
4282	NC Adult Devel. Disabilities State	1,176,938	(51,218)	1,125,720
Total		1,849,861	0	1,849,861

EXPENDITURES

Object Code	Appr Unit	Description	Current Budget	Increase (Decrease)	Revised Budget
-------------	-----------	-------------	----------------	---------------------	----------------

Justification:

Budget additional state funds for Developmental Therapies.

Funding Source:

State: X
Other: _____

Federal: _____
Fees: _____

Fund Balance:

County: _____ New: _____
Prior Year: _____

Other: _____

Submitted By: Donald Hannon
Department Head

Date: 3-8-07

Reviewed By: Kelley Outry
Budget Analyst

Date: 3-12-07

Reviewed By: Amy Hannon
Deputy Assistant County Mgr

Date: 3/14/07

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>B07-279</u>
Date Received	<u>3-12-07</u>
Date Completed	

Fund No. 112 Agency No. 434 Organ. No. 4358

Organization Name: CTSP Case Management

ITEM NO. 1R(6)C

REVENUE

Revenue Source Code	Description	Current Budget	Increase (Decrease)	Revised Budget
6270	Willie M. Case Mgt. Fees	405,452	(66,667)	338,785
4221	Child Mental Health State	0	66,667	66,667
Total		405,452	0	405,452

EXPENDITURES

Object Code	Appr Unit	Description	Current Budget	Increase (Decrease)	Revised Budget
-------------	-----------	-------------	----------------	---------------------	----------------

Justification:

Budget additional state funds to support a position for system of care.

Funding Source:

County: _____ Federal: _____ State: X
Other: _____ Fees: _____

Submitted By: Donald McPherson

Department Head

Date: 3-8-07

Reviewed By: Kelly Outing

Budget Analyst

Date: 3-12-07

Reviewed By: Amy Cannon

Deputy Assistant County Mgr

Date: 3/14/07

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. B07-280
Date Received 3.12.07
Date Completed

Fund No. 112 Agency No. 434 Organ. No. 436M

Organization Name: Mental Health - CTSP-Alternative Family Living

ITEM NO. 1R(6)d

REVENUE

Revenue Source Code	Description	Current Budget	Increase (Decrease)	Revised Budget
6252	Child & Youth Fees	1,572,578	229,000	1,801,578
				-
				-
				-
				-
				-
	Total	1,572,578	229,000	1,801,578

EXPENDITURES

Object Code	Appr Unit	Description	Current Budget	Increase (Decrease)	Revised Budget
3360	634	Other Services	505,000	229,000	734,000
					-
					-
					-
					-
					-
					-
					-
		Total	505,000	229,000	734,000

Justification:

Increase medicaid budget due to larger than expected billing.

Funding Source:

State: _____
Other: _____

Federal: _____
Fees: X

Fund Balance:

County: _____ New: _____
Prior Year: _____

Other: _____

Submitted By: Donald H. Hume
Department Head

Date: 3-8-07

Reviewed By: Kelly Autry
Budget Analyst

Date: 3-12-07

Reviewed By: Amy Carson
Deputy Assistant County Mgr

Date: 3/14/07

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.	B07-268
Date Received	
Date Completed	

Fund No. 101 Agency No. 412 Organ. No. 4195

Organization Name: General Government Other

ITEM NO. 1R(7)

REVENUE

Revenue Source Code	Description	Current Budget	Increase (Decrease)	Revised Budget
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9901	Fund Balance Appropriated		240,000	
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Total 240,000

EXPENDITURES

Object Code	Appr Unit	Description	Current Budget	Increase (Decrease)	Revised Budget
-------------	-----------	-------------	----------------	---------------------	----------------

387K	091	Transfer to Fund 469	0	240,000	240,000
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Total 0 240,000 240,000

Justification:

Revision to transfer \$240,000 to the Special Fire District Fund as a match for a Federal grant to purchase 800 MHz equipment. One-half of the match (\$120,000) will be a direct grant to the the Special Fire District and the other one-half (\$120,000) will represent a loan to the Fire Chief's Association. The Association will repay the County over a five-year period beginning in FY2008.

Funding Source:

State: _____ Federal: _____ Fund Balance: _____ County: _____ New: _____ Other: _____
Other: _____ Fees: _____ Prior Year: _____

Submitted By: _____

Date: _____

Department Head

Reviewed By: Howard C. Brer

Date: 2/27/07

Budget Analyst

Reviewed By: Amy H. Cannon

Date: 3/14/07

Deputy Assistant County Mgr

Reviewed By: _____

Date: _____

Information Services

Approved By:

Date: _____

County Manager

Board of County
Commissioners

Date: _____

**COUNTY OF CUMBERLAND
BUDGET REVISION REQUEST**

Budget Office Use

Budget Revision No. B07-268A

Date Received _____

Date Completed _____

Fund No. 469 Agency No. 429 Organ. No. 4261

Organization Name: Special Fire District Tax

REVENUE

Revenue Source Code	Description	Current Budget	Increase (Decrease)	Revised Budget
9110	Transfer from General Fund	0	240,000	240,000

Total 0 240,000 120,000

EXPENDITURES

Object Code	Appr Unit	Description	Current Budget	Increase (Decrease)	Revised Budget
3421	836	Fire Chiefs Association	390,121	240,000	630,121

Total 390,121 240,000 630,121

Justification:

Revision to transfer \$240,000 to the Special Fire District Fund as a match for a Federal grant to purchase 800 MHz equipment. One-half of the match (\$120,000) will be a direct grant to the the Special Fire District and the other one-half (\$120,000) will represent a loan to the Fire Chief's Association. The Association will repay the County over a five-year period beginning in FY2008.

Funding Source:

State: _____
Other: _____

Federal: _____
Fees: _____

Fund Balance:

County: _____ New: _____
Prior Year: _____

Other: _____

Submitted By: _____

Date: _____

Reviewed By: Haward C. Brier

Date: 2/27/07

Reviewed By: Amy D. Cannon
Deputy Assistant County Mgr

Date: 3/14/07

Reviewed By: _____

Date: _____

Information Services

Approved By:

County Manager

Board of County
Commissioners

Date: _____

Date: _____

**COUNTY OF CUMBERLAND
BUDGET REVISION REQUEST**

Budget Office Use	
Budget Revision No.	<u>B07-282</u>
Date Received	<u>3/12/07</u>
Date Completed	

Fund No. 101 Agency No. 422 Organ. No. 4200
 Organization Name: Sheriff

ITEM NO. 1R(8)

REVENUE

Revenue Source Code	Description	Current Budget	Increase (Decrease)	Revised Budget
9000	Sale of Fixed Assets		15,608	
Total			15,608	

EXPENDITURES

Object Code	Appr Unit	Description	Current Budget	Increase (Decrease)	Revised Budget
3603	101	Cap Outlay--Vehicles	1,090,929	15,608	1,106,537
Total			1,090,929	15,608	1,106,537

Justification:

Recognize Revenue from insurance settlement. Place with remaining Capital Outlay--Vehicle funds and purchase 1 replacement vehicle.

Funding Source:

State: _____
 Other: 15,608

Fund Balance:

Federal: _____ County: _____ New: _____
 Fees: _____ Prior Year: _____

Other: _____

Submitted By:

Earl R. Butler
 Department Head

Date: _____

Reviewed By:

Howard C. Alba
 Budget Analyst

Date: 3/12/07

Reviewed By:

Amy N. Cannon
 Deputy Assistant County Mgr

Date: 3/14/07

Reviewed By:

Information Services

Date: _____

Approved By:

County Manager

Board of County Commissioners

Date: _____

Date: _____



ITEM NO. 2

COUNTY of CUMBERLAND

James E. Martin
County Manager

Cliff Spiller
Assistant County Manager

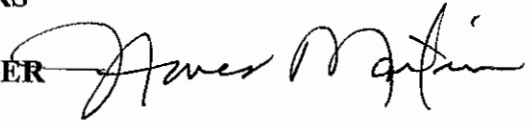
Juanita Pilgrim
Deputy County Manager

Office of the County Manager

Amy H. Cannon
Assistant County Manager

MEMORANDUM FOR BOARD OF COMMISSIONERS AGENDA OF MARCH 19, 2007

TO: BOARD OF COUNTY COMMISSIONERS

FROM: JAMES E. MARTIN, COUNTY MANAGER 

DATE: MARCH 14, 2007

SUBJECT: PRESENTATION ON THE PROPOSED E-85, INC. ETHANOL PROJECT

BACKGROUND

Bill Martin and representatives of E-85, Inc. will be present at the March 19, 2007 Board of Commissioners meeting to provide a brief overview of the origination of the project and PowerPoint presentation.

/ct
CM031407-4

James Martin

From: Bill Martin [bmartin@ccbusinesscouncil.org]
Sent: Tuesday, March 13, 2007 10:58 AM
To: James Martin
Cc: Phyllis Owens; Kristie Lozano
Subject: E85

Dear James,

Thank you for the opportunity to provide a briefing at the Board of County Commissioners meeting on March 19, prior to the public hearing on E85.

For purposes of the presentation, the following people will be available:

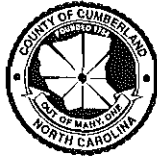
- Bill Martin, Cumberland County Business Council
- Mark Dassel, Senior Vice President & Director, E85, Inc.
- Dale Potz, Technology Manager, E85, Inc.
- Brian Derry, Air Permit Consultant, Ensafe

The company plans a 15 minute power point presentation and will be available to answer questions.

Please let me know if you need additional information.

Bill Martin

3/13/2007



ITEM NO. 3A

COUNTY of CUMBERLAND

Office of the County Attorney

March 12, 2007

MEMORANDUM FOR BOARD OF COMMISSIONERS' AGENDA OF MARCH 19, 2007

TO: BOARD OF COMMISSIONERS

FROM: GRAINGER R. BARRETT, COUNTY ATTORNEY

A handwritten signature in dark ink, appearing to be "GRB", is written over the name "GRAINGER R. BARRETT".

SUBJECT: PUBLIC HEARING ON PROPOSED INCENTIVE AGREEMENT WITH E85 INC.

BACKGROUND: This public hearing is to consider a proposed economic development incentive agreement between Cumberland County and E85, Inc. (the "Company"). The County proposes to enter into an economic development incentive agreement with the Company under which the Company [A] would make a capital investment of at least \$120 Million Dollars [the "Direct Investment"] to construct and equip an ethanol manufacturing plant, by December 31, 2009, and would expect to create 30 full-time jobs with an average annual salary of \$56,000.00 plus benefits, including medical/hospitalization and [B] the County would provide an incentive of \$875,000 towards acquisition of the site. The incentive payment would be contingent upon payment by the Company of applicable property taxes, and would be subject to pro rata repayment to the County if the Company fell short of its investment commitments within such period. The County's incentive would be secured by the Company posting letters of credit through the fifth tax year after the plant becomes operational, with the annual letters of credit reducing pro rata each year as the Company pays property taxes on its investment.

The proposed Incentive Agreement is available for review in the Office of the County Attorney.

RECOMMENDATION: Hold public hearing, determine if the proposed agreement is in the public interest and would promote the public health, safety and welfare, and consider whether to approve proposed Incentive Agreement with E85 Inc. If approved, approve (i) the incentive payment amounts above and (ii) the proposed Incentive Agreement with E85 Inc. with such revisions as may be acceptable to the County Manager and County Attorney, and authorize the Chairperson to sign on behalf of the County.

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

Garland C. Hostetter,
Town of Spring Lake
Harvey Cain, Jr.,
Town of Stedman
Patricia Hall,
Town of Hope Mills



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

MARCH 8, 2007

ITEM NO. 3B

MEMO TO: CUMBERLAND COUNTY BOARD OF COMMISSIONERS

FROM: CUMBERLAND COUNTY JOINT PLANNING BOARD

SUBJECT: **P07-11: REZONING OF 2.52 ACRES FROM A1 TO R40A OR TO A MORE RESTRICTIVE ZONING DISTRICT, AT 4942 TABOR CHURCH ROAD, OWNED BY JUAN A. AND ANGELA R. MARTINEZ.**

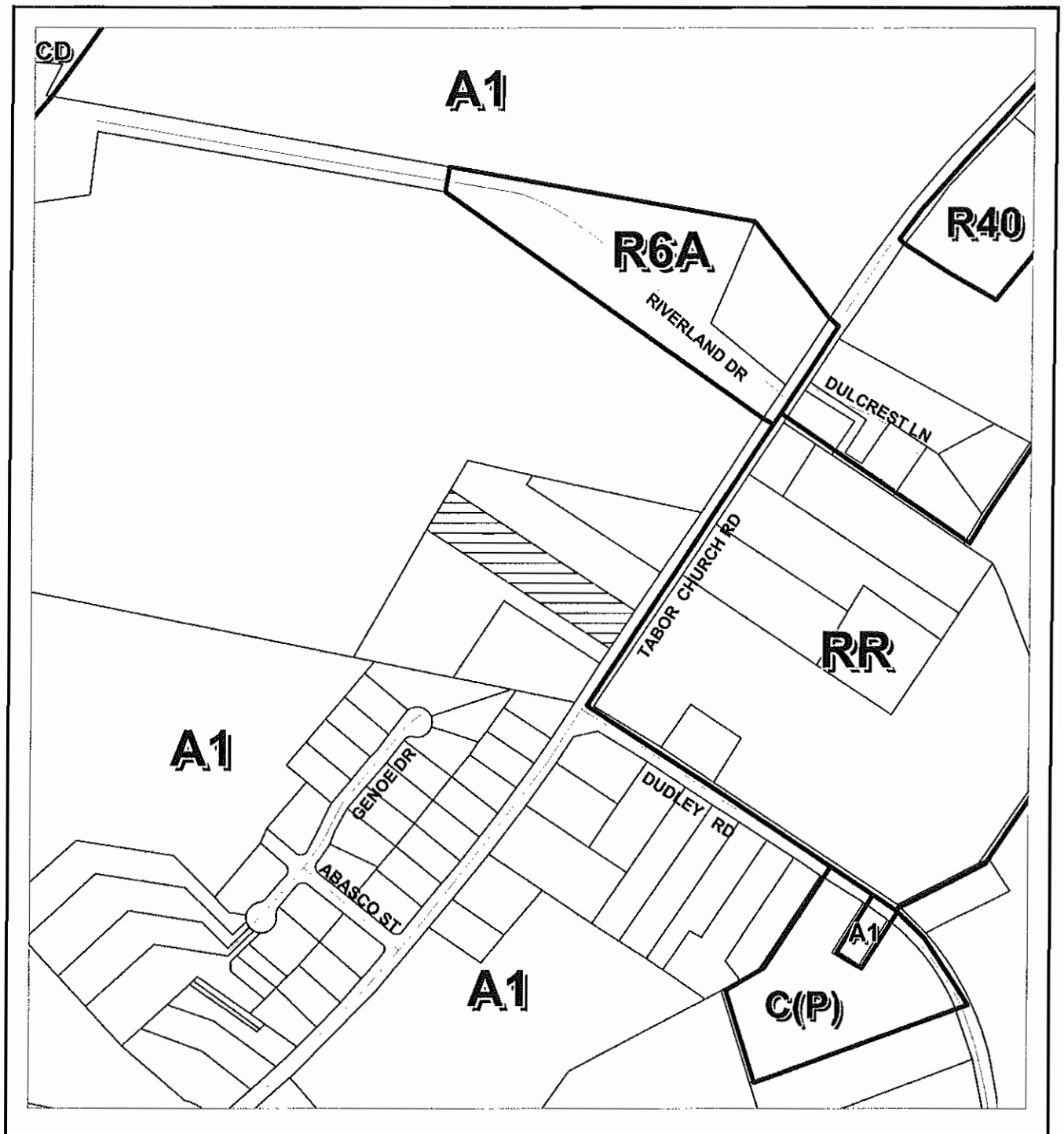
ACTION: THE MEMBERS PRESENT AT THE FEBRUARY 20, 2007 MEETING VOTED UNANIMOUSLY TO APPROVE THE R40A RESIDENTIAL DISTRICT

SITE INFORMATION: Area: 2.52 acres; **Frontage & Location:** 150 feet on Tabor Church Road; **Depth:** 737 feet; **Jurisdiction:** County; **Adjacent Property:** No; **Current Use:** Residential; **Initial Zoning:** September 2, 1996 (Area 17A) **Zoning Violation(s):** None; **Surrounding Zoning:** North-A1, R40, R6A, East-A1, R40, RR, C(P), South-A1, C(P), and West-CD, A1; **Surrounding Land Use:** Fire department, single family residential, farmland and vacant; **2010 Land Use Plan:** Farmland; **Urban Services Area:** No; **Water/Sewer Availability:** Well / Septic; **Soil Limitations:** None; **School Capacity/Enrolled:** Seabrook Elementary 340/358, Mac Williams Middle 1274/1162, Cape Fear High 1400/1489; **Subdivisions:** A group development review will be required prior to any other structure being placed on the property; **Military Impact Area:** No; **Highway Plan:** No road improvements or new construction are specified for this area; **Average Daily Traffic Count (2004):** 3,300 on Tabor Church Road; **Notes:** Density minus 20%: A1 - 1 unit; A1A - 3 units; R40A - 3 units.

MINUTES OF FEBRUARY 20, 2007:

Mr. Combs reviewed the site information and stated that staff recommends approval of the R40A district based on the findings that the request is consistent with the 2010 Land Use Plan, which calls for "Farmland" at this location; and the R40A district is consistent with the character of the general area. The A1A zoning district is the only other suitable district to be considered for this request.

A motion was made by Mrs. Piland and seconded by Mrs. Epler, to accept rezoning case P07-11 as submitted. Unanimous approval.



REQUESTED REZONING A1 TO R40A

ACREAGE: 2.52 AC.+/-

HEARING NO: P07-11

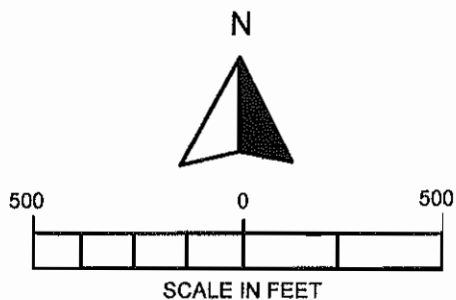
ORDINANCE: COUNTY

HEARING DATE

ACTION

PLANNING BOARD

GOVERNING BOARD



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

Garland C. Hostetter,
Town of Spring Lake
Harvey Cain, Jr.,
Town of Stedman
Patricia Hall,
Town of Hope Mills



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

MARCH 8, 2007

ITEM NO. 3C

MEMO TO: CUMBERLAND COUNTY BOARD OF COMMISSIONERS

FROM: CUMBERLAND COUNTY JOINT PLANNING BOARD

SUBJECT: **P07-13: REZONING OF THREE PARCELS TOTALING 79.88 ACRES FROM R10 TO MXD/ CUD AND PERMIT OR TO A MORE RESTRICTIVE ZONING DISTRICT, AT 5819, 5933, AND 6007 CAMDEN ROAD, SUBMITTED BY THOMAS L. BRADFORD, OWNED BY THOMAS L. BRADFORD, CLIFFORD C. AND SHARON H. MCCULLOUGH, JR, AND MARJORIE R. HANKS.**

ACTION: THE MEMBERS PRESENT AT THE FEBRUARY 20, 2007 MEETING VOTED UNANIMOUSLY TO APPROVE THE MXD/CUD MIXED USE/CONDITIONAL USE DISTRICT AND PERMIT WITH THE DELETION OF CONDITION #11

SITE INFORMATION: Area: 79.88 acres; **Frontage & Location:** 2,343 feet on Camden Road and 690 feet on Rockfish Road; **Depth:** 3,056 feet; **Jurisdiction:** County; **Adjacent Property:** No; **Current Use:** Undeveloped and residential; **Initial Zoning:** February 3, 1977 (Area 7); **Zoning Violation(s):** None; **Surrounding Zoning:** North-RR, R10, R6A, Hope Mills city limit-R6, East-R6A, South-RR, R10, R6A, city limit-R10, East-R10, city limit-R6; **Surrounding Land Use:** North-Duplex, apartments (2), churches (2), substation, manufactured home park, single family residential and vacant; **2010 Land Use Plan:** Low Density Residential; **Urban Services Area:** Yes; **Water/Sewer Availability:** PWC / PWC; **Soil Limitations:** Yes- Stallings loamy sand (St); **School Capacity/Enrolled:** Collier Elementary 599/588, Hope Mills Middle 686/761, South View High 1800/1866; **Military Impact Area:** No; **Highway Plan:** Camden Road is identified as a Major Thoroughfare. The proposal calls for a multi-lane facility with a 100 foot right-of-way. Road improvements are included in the 2007-2013 MTIP. Right-of-Way: unfunded, Construction: unfunded; **Average Daily Traffic Count (2004):** 15,000 on Camden Rd, 12,000 on Rockfish Rd; **Notes:** Density: Single-family residential – 29.89 acres, 123 lots / 10, 585 sq ft lots, average size (37% of the tract); Multi-family residential – 16.45 acres, 216 units (21% of the tract); Commercial – 21.53 acres (27% of the tract); Open Space – 11.98 acres (15% of the tract).

Ordinance Related Conditions of Approval -Permit-Related:

1. The owner/developer(s) of these lots must obtain detailed instructions on provisions of the County Zoning Ordinance and permits required to place any structure within this development from the County Code Enforcement Section, Room 101 in the Historic Courthouse at 130 Gillespie Street. For additional information, the developer should contact a Code Enforcement Officer.
2. Connection to public water and sewer is required, the Public Works Commission (PWC) must approve water and sewer plans prior to application for any permits. (Note: Town of Hope Mills' design standards, including fire hydrant location, must be adhered to.) (Also see Hope Mills Subdivision Ordinance, Section 86-128(a))
3. The developer must provide the Code Enforcement Section with an approved state sedimentation and erosion control plan (S&E) prior to any application for permits. If any retention/detention basins are required for state approval of this plan, then five copies of a revised plan showing the location of the basin(s) must be submitted and approved by Planning & Inspections prior to application for any permits.
4. The NC Department of Transportation (NCDOT) approve the proposed curb-cut(s) and proper permits must be obtained prior to zoning/building permit application.
5. The developer must provide a site-specific address and tax parcel number at the time of building/zoning permit application.
6. The Certificate of Occupancy permits will not be issued until a Code Enforcement Officer inspects the site and certifies that the site is developed in accordance with the approved plans.

Site-Related:

7. The developer is required to submit to Land Use Codes, three copies of the legal documents specifically designating responsibility for maintenance and upkeep of all common area, Class "A" private streets, open space, buffers and recreational facilities through

an owners' association for this development. **These documents must be approved by the County Attorney prior to any permit application and/or the sale of or submission for final plat approval of any lot or unit within this development.**

8. All setbacks along the periphery of this development shall meet the dimensional requirements of the adjacent zoning district.
 9. All "uses" within this development are restricted to those uses listed in Section 603, County Zoning Ordinance.
 10. The signage for this development shall be in accordance with the applicable sign regulations as set forth in Article XIII of the County Zoning Ordinance and that the proper permit(s) must be obtained prior to the installation of any permanent signs on the property. (Note: This conditional approval is not approval of the size, shape, or location of any signs. If any freestanding signs are desired, a plot plan indicating size, type and location of sign must be submitted to Land Use Codes prior to permit application.)
 11. **** Sidewalks are required on both sides of all streets within the development and along Rockfish and Camden roads, and must be constructed in accordance with Section 86-122(g), Hope Mills Subdivision Ordinance. ~~***CONDITION DELETED***~~**
 12. All utilities must be located underground – see Section 86-128(b), Hope Mills Subdivision Ordinance.
 13. Drainage systems must comply with Section 86-122(f), "Required Drainage", Hope Mills Subdivision Ordinance.
 14. The NC Department of Transportation (NCDOT) may require turn lanes to be installed along both Camden and Rockfish roads.
 15. Off-street parking shall be provided as noted on the site plan - meeting all applicable provisions of Section 1202, County Zoning Ordinance - and all parking spaces, measuring 9' x 20', shall be surfaced, with a permanent material such as asphalt or concrete, and striped prior to application for the *Certificate of Occupancy* for each individual structure and/or phase of the development.
 16. All lighting is required to be directed internally within this development and comply with the provisions of Section 1102 M, Outdoor Lighting, County Zoning Ordinance.
 17. In addition to the buffers shown on the site plan, a solid buffer must be provided and maintained in accordance with the provisions of Section 1102 G, County Zoning Ordinance along eastern boundary of the "townhome" portion of this development where this area is adjacent to the single-family lots. (Note: Upon future development of the "commercial" portions of this development, a solid buffer will also be required where the non-residential uses abut residential properties.) The developer is encouraged to consider providing a buffer along the boundary of this development where it abuts Rockfish Road.
 18. All dumpster, garbage, and utility areas shall be located on concrete pads and screened on a minimum of three sides.
 19. For the commercial areas of this development, five copies of the preliminary site plan must be submitted to Land Use Codes for review and approval by the Planning & Inspection staff prior to any permit application. In addition to what is required on a standard detailed site plan, the proposed landscaping for the commercial areas must be included on the plan. The landscaping requirements are as follows:
 - a. One large shade tree or two small ornamental trees per 50 linear feet of street frontage on a public street;
 - b. One ornamental tree for every 50 linear feet of building length and/or width and two shrubs for every 10 linear feet of building length and/or width visible from the public street; and
 - c. Each paved off-street parking area providing 20 or more parking spaces, one large shade tree or two ornamental shade trees is required for every 20 spaces.
 20. All notes and calculations as shown on the application and the site plan are to be considered as a part of this conditional approval.
- Plat-Related:**
21. A 10' x 70' sight distance easement shall be required for each street and/or drive where they intersect with SR 1003 (Camden Road) and SR1112 (Rockfish Road) and must be reflected on the final plat.
 22. The street name signs, in compliance with the County Street Sign Specifications, must be installed prior to final plat approval. The developer should contact E911 Street Naming/Signs for inquiries regarding the County's policy for street sign installation or, if the sign is commissioned from a private source, to schedule an inspection of the street sign(s). Land Use Codes must receive notice of agreement with the Street Naming & Addressing Section for sign installation or of satisfactory inspection prior to the approval of the final plat.
 23. The developer shall contact E911 Street Naming and Addressing regarding the process of acquiring "approved" street names and the approved street names must be reflected on the plat when submitted for final approval. (Note: Street name approval can take up to ten working days.)
 24. "Camden Road" also must be labeled as "SR 1003" on the final plat.
 25. "Rockfish Road" also must be labeled as "SR 1112" on the final plat.
 26. The private streets must be constructed to the NC Department of Transportation (NCDOT) standards and labeled as "Class A" private street on the final plat.
 27. The developer shall provide for an inspection of the private street(s) by a registered engineer or registered surveyor upon completion of construction of the private street(s) and related facilities, including drainage ways. A statement, affixed with the engineer/surveyor's seal, certifying that all private street(s) and related facilities are designed and constructed in accordance with the requirements of Section 4.2, County Subdivision Ordinance, and that all such facilities are adequate to serve the development, must be submitted to Land Use Codes prior to final plat approval or release of any construction guarantees as allowed under Section 2.6, County Subdivision Ordinance.
 28. Dedication of 10 feet of right-of-way and reservation of 10 feet of right-of way along SR 1003 (Camden Road) is required and the metes and bounds for both dedication and reservation must be shown on the final plat and/or reflected on any future site plans. The location of all improvements, required or otherwise, and all building setback lines are to be measured from the ultimate right-of-way line.
 29. The owner/developer shall secure and maintain any retention basin, keeping it clear of debris and taking measures for the prevention of insect and rodent infestation.

30. All lots must be individually identified, i.e., numbered, on the final plat.
31. The builder/developer shall provide the buildable envelopes on the final plat: providing a five-foot maintenance easement along each side of all common internal lines with all other applicable setbacks being provided for, or at the time of permit application, the individual plot plans for each individual residential lot must be approved by Land Use Codes prior to issuance of any permits.
32. Any/All easements shall be reflected on the final plat and labeled as to type of easement, reference number for document creating the easement, and the name of the agency, individual, etc. who holds the easement.
33. All lots within this development must be served by one of the three streets/drives shown on the site plan (if approved by NC Department of Transportation) or by the internal street system and the final plat must reflect a "no access" easement on the remaining subject property where it abuts SR 1003 (Camden Road) & SR 1112 (Rockfish Road).
34. Lateral access must be provided to the commercial areas along SR 1003 (Camden Road) and the final plat must reflect a "lateral access" easement serving these areas.
35. A 25' right-of-way radius is required at all intersections and must be reflected on the final plat.
36. The NC Department of Transportation (NCDOT) stamp must be affixed to the final plat prior to submission of any phase of this development for final plat approval by Land Use Codes.
37. The notarized signature(s) of all current tax record owner(s) and notary certifications appear on the final plat when submitted for final approval.
38. The developer is reminded that the improvements must be in place or that final plat approval will only be granted in accordance with Section 2.6 b, c, or d, County Subdivision Ordinance. (Note: Once the improvements are in place, the developer is responsible for contacting Peggy Jennings to schedule an inspection of the improvements.)
39. The final plat must be submitted to Land Use Codes for review and approval for recording with the County Register of Deeds, and the plat must be recorded prior to any permit application for any structure and/or prior to the sale of any lot or unit within this development.

Plat-Required Statement:

40. That all structures shall be shown on the final plat or the final plat shall reflect the following statement:
"Nonconforming structures have not been created by this subdivision."

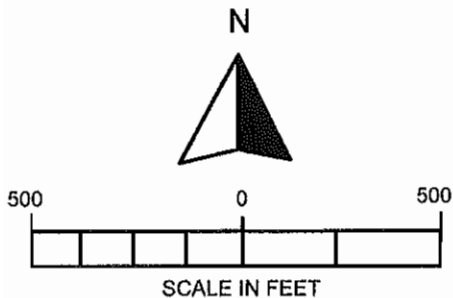
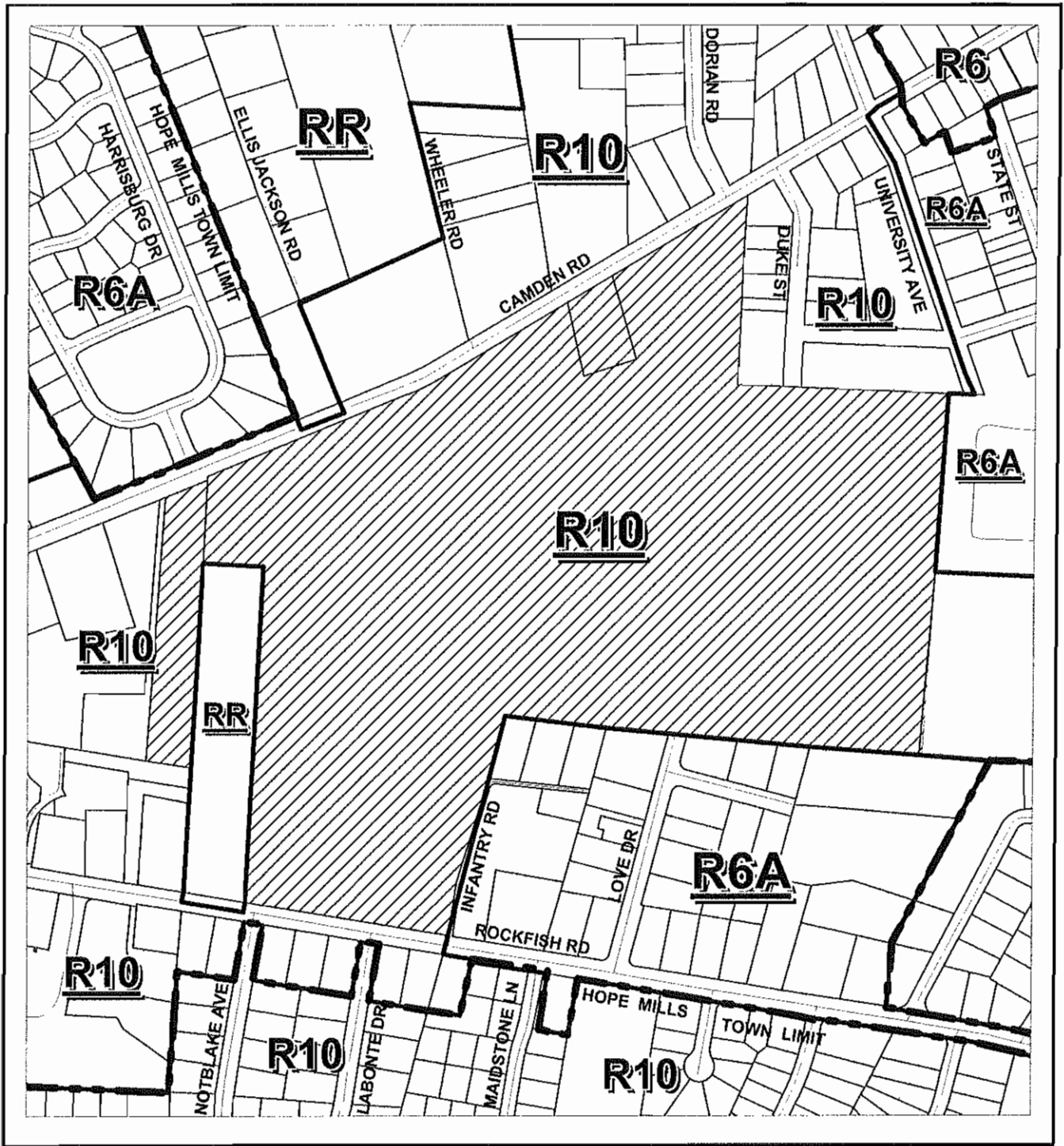
Other Relevant Conditions:

41. The developer shall be aware that any addition and/or revision to this plat may require an additional review and approval by the Planning & Inspections Staff and/or the County Board of Commissioners, depending on the extent of the revision, prior to submission for permits for any structure and/or final plat approval of any portion of this development.

MINUTES OF FEBRUARY 20, 2007:

Mr. Combs reviewed the site information and stated that staff recommends approval of the Mixed Use/ Conditional Use District and Permit even though the request is not entirely consistent with the 2010 Land Use Plan, based on the findings that the request meets the intent of the Mixed Use District, which was adopted with the intent of allowing for innovative development by providing use flexibility while maintaining quality design; the subject property has direct access to two major thoroughfares, Camden and Rockfish Roads; the request is reasonable and in the public interest because the development plan supports several initiatives and federal/state mandates such as: air quality, walkability, Clean Water Act, storm water management, etc.; and the subject property is located within the Town of Hope Mills Municipal Influence Area and the Town has no objection to the request. 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 accept rezoning case P07-13 as submitted, but with the deletion of condition #11. Unanimous approval.



REQUESTED REZONING R10 TO MXD/CUD

ACREAGE: 79.88 AC.+/-

HEARING NO: P07-13

ORDINANCE: COUNTY

HEARING DATE

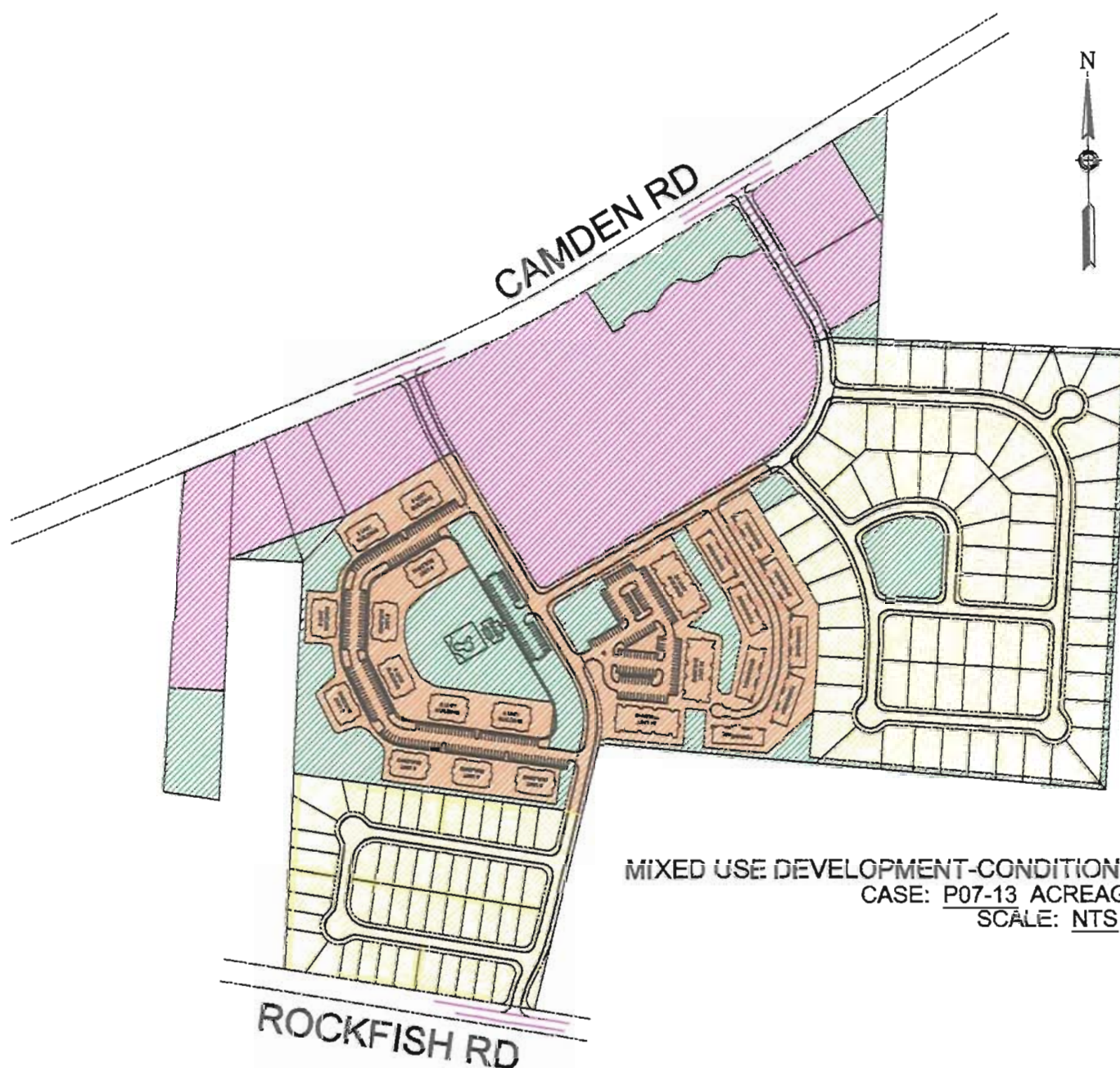
ACTION

PLANNING BOARD

GOVERNING BOARD

PIN: 0404-67-5186
PIN: 0404-77-8372
PIN: 0404-78-9175

AF
02/13/07



- 27% COMMERCIAL
21.53 ± ACRES
- 15% OPEN SPACE
11.98 ± ACRES
- 37% SINGLE FAMILY RESIDENTIAL
29.89 ± ACRES
- 21% MULTI FAMILY RESIDENTIAL
16.45 ± ACRES

MIXED USE DEVELOPMENT-CONDITIONAL USE DISTRICT & PERMIT
CASE: P07-13 ACREAGE: 79.88±
SCALE: NTS

MOTIONS ON CONDITIONAL USE OVERLAY DISTRICT REZONING
APPLICATION

If the motion is to approve:

I move that the Board of Commissioners finds that this conditional use district overlay application is reasonable, neither arbitrary nor unduly discriminatory, and in the public interest, and that it be approved.

If the motion is to deny:

I move that the Board of Commissioners fail to find that this conditional use district overlay application is reasonable, neither arbitrary nor unduly discriminatory, and in the public interest, and that it be denied.

See Zoning Ordinance Sec. 4.23.1(b).

MOTIONS ON CONDITIONAL USE OVERLAY PERMIT APPLICATION

If the motion is to approve:

I move that the Board of Commissioners finds that this conditional use district overlay permit application, if completed as proposed,

- (i) will not materially endanger the public health and safety, and
- (ii) will not substantially injure the value of adjoining or abutting property, and
- (iii) will be in harmony with the area in which it is to be located, and
- (iv) will be in conformity with the land use plan, thoroughfare plan or other plan officially adopted by the Board of Commissioners,

and that it be approved.

If the motion is to deny:

I move that the Board of Commissioners fails to find that this conditional use district overlay permit application, if completed as proposed,

[Specify one or more of (i) through (iv) above AND state a reason for the failure to make such finding(s) based on substantial, material and competent evidence in the record on the application before the Board]

and that it be denied.

See Zoning Ordinance Sec. 4.23.2(a).

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
Patricia Hall,
Town of Hope Mills



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

MARCH 8, 2007

ITEM NO. 3D

MEMO TO: CUMBERLAND COUNTY BOARD OF COMMISSIONERS
FROM: CUMBERLAND COUNTY JOINT PLANNING BOARD

SUBJECT: **P07-01: REZONING OF FOUR PARCELS TOTALING 8.47+/- ACRES FROM R40 TO R20 OR TO A MORE RESTRICTIVE ZONING DISTRICT, LOCATED ON THE NORTHWEST SIDE OF RAMSEY STREET, EAST OF W. REEVES BRIDGE ROAD, OWNED BY ARNELL BOBBITT.**

ACTION: THE MEMBERS PRESENT AT THE FEBRUARY 20, 2007 MEETING VOTED UNANIMOUSLY TO DENY THE R20 RESIDENTIAL DISTRICT

SITE INFORMATION: Area: 8.47 acres; **Frontage & Location:** 200 feet on Ramsey Street; **Depth:** 1,500 feet; **Jurisdiction:** County; **Adjacent Property:** No; **Current Use:** Residential and vacant; **Initial Zoning:** December 17, 2001 (Area 15) to A1; rezoned to R40 1/17/06; **Zoning Violation(s):** None; **Surrounding Zoning:** North A1, R20, East-A1, South-A1, and West-A1, R40, R40A, R20; **Surrounding Land Use:** Single family residential, farmland and woodland; **2010 Land Use Plan:** Farmland; **Urban Services Area:** No; **Water/Sewer Availability:** Linden Water / Septic Tank; **Soil Limitations:** None; **School Capacity/Enrolled:** Raleigh Road Elementary 258/238, Long Hill Elementary 452/517, Pine Forest Middle 700/761, Pine Forest High 1750/1659; **Subdivisions:** Any future development of these properties would require either a subdivision or group development review; **Military Impact Area:** No; **Highway Plan:** Ramsey Street is identified as a Major Thoroughfare. This is a multi-lane facility with a proposed 225-250 foot right-of-way. Road improvements are included in the 2007-2013 MTIP and the Mid-Carolina 2006-2012 TIP. ROW-Unfunded, Construction-Unfunded; **Average Daily Traffic Count (2004):** 8,400 on Ramsey Street; **Notes:** Density minus 20% for roads: R40 – 7 lots; R30 – 9 lots; R20 – 14 lots.

MINUTES OF FEBRUARY 20, 2007:

Mr. Combs reviewed the site information and stated that staff recommends approval of the R20 district based on the findings that although the R20 zoning district is not consistent with the 2010 Land Use Plan, it is consistent with the recent development and requests for approval within this area; and Linden water is available and, upon development, connection will be required. The R30 zoning district is the only other suitable zoning district to be considered for this request.

The Public Hearing opened.

Mr. Pete Cartelli addressed the Board in favor of the request. He stated that several buyers have expressed an interest in this property but that the demand is for smaller lots. He stated that staff has agreed with him that R20 is suitable for both the area and his need. He asked the Board to support the staff recommendation.

Ms. Arnell Bobbitt, owner, stated that her intended use for this property was as both a development for her own family and for personal investment. She stated that an adjacent developer is interested in purchasing acreage

from her which would allow her to fund her development plans. She stated that she is trying to work within the scope of the Board's requirements and that she has already invested considerable time and money making this property into a great area. She also feels that she should be allowed to make a profit on her own property. She further stated that the Ordinance and Board requirements are not a problem for her and that she realizes she has much opposition without understanding why. Her home and the proposed homes are very nice modular units. She stated she was being open about her plans and was not trying to hide anything. She distributed a site plan to the Board detailing her proposed plans for the property. She stated that her long range plans included the possibility of a day care. Mr. Lloyd advised her that a future day care request would have to be heard before the Board of Adjustment as a special use. Ms. Bobbitt stated she was aware of that.

Mr. Keith Collier addressed the Board in opposition. He lives across the street from the proposed site and stated that the type of home being constructed is not the issue. His concern is the proposed density. Linden is rural and the residents are there because of the rural nature. He stated that if the Board continued to allow high density development in this area that the entire community will be changed. He also expressed his concern regarding traffic hazards.

Mr. Sherrill Collier spoke in opposition. He is an adjacent neighbor who is concerned with the requested density. He asked the Board to keep the area zoned at R40.

Mr. J. Thomas Neville spoke in opposition. He stated that the rural area of Linden would change if this type of density were to be allowed. He noted that the request was not consistent with the 2010 Land Use Plan and that the change would cause other problems. He cited concerns with drainage, runoff, and traffic safety. He further stated that future development would change the area and that even though the tract currently has a home on it, no one lives there. The house has been standing vacant. He stated that he feels the applicant's true intent and interest is to develop this property for investment purposes. He asked the Board to preserve the character of the area by denying the rezoning request.

Mr. Al Wheatley, neighboring resident, spoke in opposition. He stated that he agreed with all previous concerns mentioned. He stated that he felt that planning staff was basing their consideration on soil types and lot sizes but not on community compatibility. Mr. Wheatley stated that he sees a clear desire by the owner to commercialize a part of this property and that if that were to happen and to go before the Board of Adjustment, the neighboring residents would then have no recourse. He stated that this is unfair to the community. Mr. Nick Angelone spoke in opposition, stating that his concern was with heavy runoff and septic problems. He urged the Board to deny this high density development request.

Mr. William Taylor spoke in opposition. He stated that he was the previous owner who had sold the property to Ms. Bobbitt and that he felt she was now stating a different plan for the property. He asked the Board to keep the community from changing by denying the request. He further stated that an approval of the request to R20 or R30 would decrease surrounding property values and increase sewer problems.

Ms. Ellen Farr spoke in opposition. She circulated photos of her newly built home to the Board and stated that she purchased 22 acres to secure the rural setting. She has no opposition to proposed homes but is strongly opposed to destroying the rural atmosphere of the area. She requests that only stick-built homes be allowed. Ms. Farr stated that she does not object to growth but to overgrowth.

Ms. Bobbitt spoke in rebuttal. She stated that the house is currently vacant because she is still waiting on the plumbing permit to be approved and because she has had a recent injury and is unable to physically move in. She stated that she was sympathetic to the neighbor's concerns. She does plan to pave the roads in her development. She stated that she plans to proceed in phases and to do that she must sell off some of her land to raise the money to finance her development. Ms. Bobbitt told the Board that she does not intend to commercialize the area but that the day care on her plan is simply part of her future "wish list". She wants the

flexibility to make the best use of her land while at the same time making a profit from it. She told the Board that she is not introducing anything to the neighborhood that is not already there.

Mr. McLaurin asked for clarification of the number of lots and homes. He verified with Ms. Bobbitt that she intended to have her home on the approximately 1.99 acre lot and two more homes on the approximately .99 acre lots as shown on her new unrecorded plat. The remainder of the approximate 11 homes would be on the approximate remaining 4.5 acres. Ms. Bobbitt also confirmed that until the development was completed she would make use of a Class B street because of financial reasons. She stated that she understood the questions that Mr. McLaurin asked and was fully intending to comply with what she had said.

Mrs. Epler asked how many lots could be served by a private street. Mr. Combs advised that 7 lots would be allowed. Ms. Epler advised Ms. Bobbitt that if R20 were to be approved she would have to upgrade the street at her own cost. Ms. Bobbitt stated that she was aware of that requirement and would meet it.

The Public Hearing closed. Mrs. Piland expressed her concern with the transitioning taking place in this area. She stated that R40 best fits the character of the community.

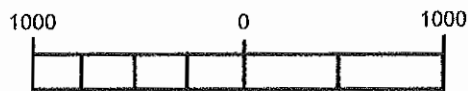
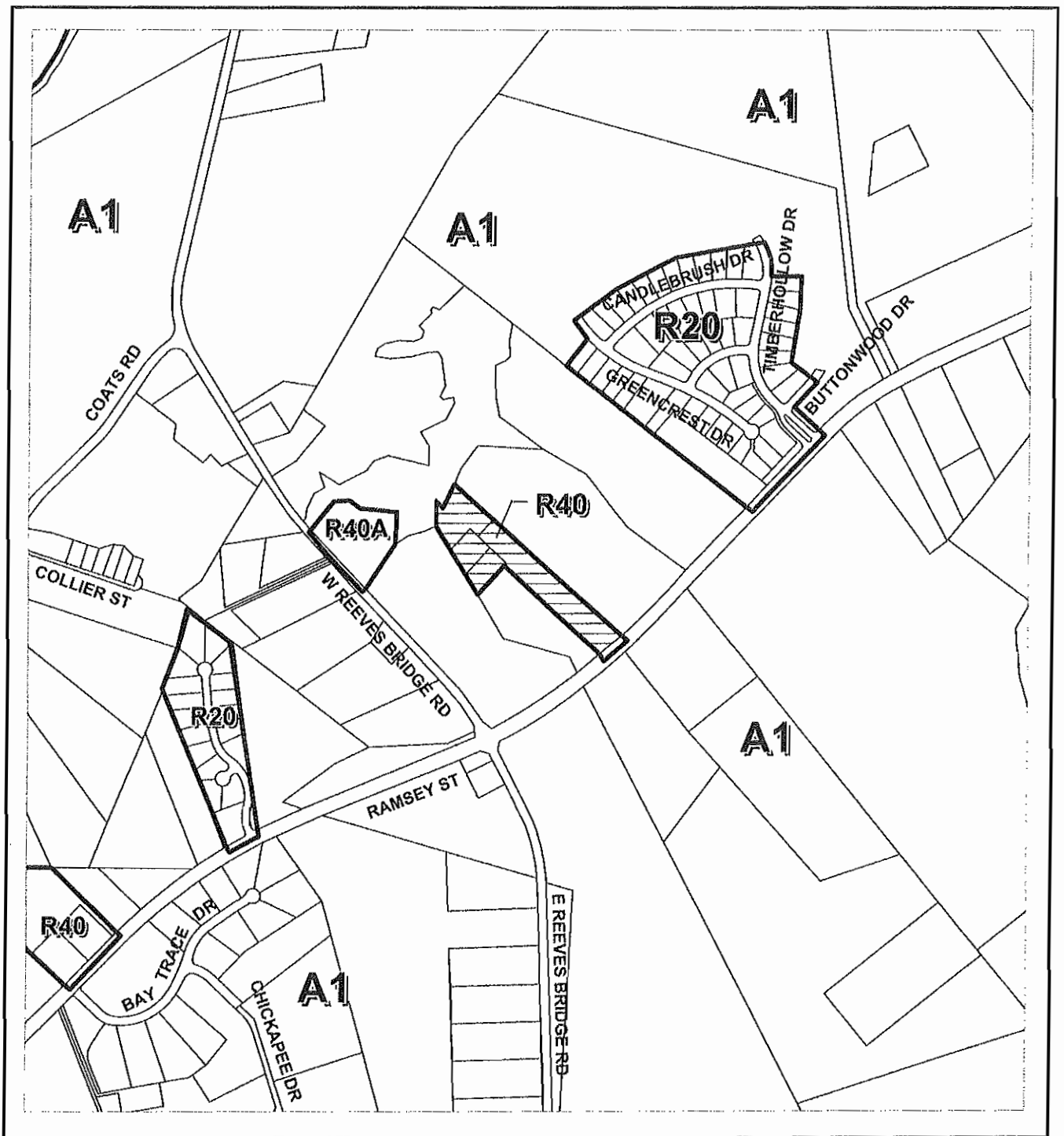
Mr. McLaurin noted that half of the property would be taken up by 3 dwellings and the balance of the acreage or approximately 4.5 acres would be used to try and accommodate 11 additional units with septic tanks. He expressed his concern with the high concentration of dwellings using septic tanks. He noted that the site picture of the back of Ms. Bobbitt's house showed dirt pushed up in piles close to the lake and no silt fence to prevent sediment from getting into the lake. He stated that the large volume of trucks that Ms. Bobbitt said would be on the Class B street during construction would add more sediment running toward the lake because of the sloping topography of the road to the lake. Mr. McLaurin stated that he had been in a meeting earlier in the day when a member of the city council voiced their concern of putting two or more septic systems per acre in the county when public water was available. The City of Fayetteville has had to "rescue" some subdivisions by extending sewer to developers that had done this and then run into trouble. He stated that the close proximity of septic systems combined with the heavy volume of construction traffic, creating possible flows of sediment into the lake, had the potential of creating an environmental catastrophe at this site.

Mr. McLaurin made a motion, seconded by Mrs. Piland, to deny the R20. Unanimous approval.

NOTE:

VIII. DISCUSSION / DIRECTOR'S UPDATE

Mr. Lloyd stated that resident concerns expressed during tonight's Public Hearing reinforced the fact that the 2030 Plan will not solve all problems concerning community character preservation. Mr. Lloyd further stated that the citizen comments underscored the need for community involvement in the 2030 Plan development and also for area studies to be done on the Linden and Grays Creek communities.



SCALE IN FEET

PIN: 0554-44-5617-
0554-44-3637-
0554-44-2820-
0554-45-1052-

REQUESTED REZONING: R40 TO R20

ACREAGE: 8.47 AC.+/-

HEARING NO: P07-01

ORDINANCE: COUNTY

HEARING DATE

ACTION

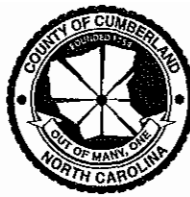
PLANNING BOARD

GOVERNING BOARD

MAS
1/18/07
2/02/07

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

Garland C. Hostetter,
Town of Spring Lake
Harvey Cain, Jr.,
Town of Stedman
Patricia Hall,
Town of Hope Mills



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

COUNTY of CUMBERLAND

Planning and Inspections Department

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

MARCH 8, 2007

ITEM NO. 3E

MEMO TO: CUMBERLAND COUNTY BOARD OF COMMISSIONERS

FROM: CUMBERLAND COUNTY JOINT PLANNING BOARD

SUBJECT: **P06-79: REZONING OF TWO PARCELS TOTALING 68.12 ACRES FROM A1 TO R20 OR TO A MORE RESTRICTIVE ZONING DISTRICT AT 2835 JOHN MCMILLAN ROAD, OWNED BY LAWRENCE C. AND PHILLIP C. SMITH.**

ACTION: THE MEMBERS PRESENT AT THE FEBRUARY 20, 2007 MEETING VOTED UNANIMOUSLY TO DENY THE R20 RESIDENTIAL DISTRICT AND APPROVE THE R40 RESIDENTIAL DISTRICT.

SITE INFORMATION: Area: 68.12 acres; **Frontage & Location:** 1,985 feet on John McMillan Road; **Depth:** 1,845 feet
Jurisdiction: County; **Adjacent Property:** No; **Current Use:** Farming and Residential; **Initial Zoning:** June 25, 1980 (Area 13); **Zoning Violation(s):** None; **Surrounding Zoning:** North-A1, A1/CU, East-A1, R40, R40A, South-A1, A1/CU, R40, and West-A1, R40; **Surrounding Land Use:** Cell tower, horse boarding, single family residential, vacant land and farmland; **2010 Land Use Plan:** Farmland; **Urban Services Area:** No; **Water/Sewer Availability:** Well / Septic Tank; **Soil Limitations:** Yes-Jt (Johnston loam) and Ra (Rains loamy sand); **School Capacity/Enrolled:** Gray's Creek Elementary 764/728, Gray's Creek Middle 495/614, Gray's Creek High 1270/1099; **Subdivisions:** A subdivision review will be required prior to development of these lots; **Military Impact Area:** No; **Highway Plan:** No road improvements or new construction are specified for this area; **NCDOT:** A driveway permit will be required, turn lanes may be required, and all lots will be required to be served internally; **Average Daily Traffic Count (2004):** 730 on John McMillan Road; **Notes:** Density minus 20% for roads: 42 Ac to R40: A1 – 16 lots; R40 – 36 lots; R30 – 48 lots; R20 – 73 lots; 26 Ac to R30: A1 – 10 lots; R40 – 22 lots; R30 – 30 lots; R20 – 45 lots; Total: A1 – 26 lots; R40 – 58 lots; R30 – 78 lots; R20 – 118 lots.

MINUTES OF NOVEMBER 21, 2006 MEETING:

Mr. Lloyd stated that the applicant had requested a deferral for P06-79 until December 19th.

MINUTES OF DECEMBER 19, 2006 MEETING:

Mr. Lloyd stated that the applicant had requested a deferral for P06-79 until February 20, 2007.

MINUTES OF FEBRUARY 20, 2007:

Mr. Combs reviewed the case information and stated that staff recommendation for the November 21, 2006 Planning Board meeting was for denial of the R20 district and approval of R40 district based on the findings that the R40 zoning district is consistent with the 2010 Land Use Plan which calls for "Farmland" at this location, R20 is not; the subject property is not served by public water or sewer; Hydric soils are present on the subject property; and the R40 zoning district is consistent with the current zoning, lot sizes and character

of the general area. Due to time constraints, he requested another deferral on December 19, 2006 to be heard on February 20, 2007. Subsequently, Mr. Smith has decided to request R30 on the rear 26+/- acres and R40 on the 42+/- acres.

The Public Hearing opened.

Mr. Phillip Smith spoke in favor of the request and displayed a contour map to the Board. He stated that effective drainage would not be a problem. He further stated that he was willing to consider R30 zoning on the back portion of the property.

Ms. Patty Nunnery spoke in opposition. She stated that she wanted to preserve the rural character of the area and that the existing road is overwhelmed. She further stated that schools are already overcrowded and that area homeowners have existing drainage and runoff problems. She advised the Board that 90 new homes have been built in the last 5 years within a ½ mile radius of her home. She quoted a Greensboro study done for the Fayetteville Homebuilders Association that reported a lack of area public services in keeping with the amount of recent development. She also referred to recent newspaper articles addressing the school situation and to a previous petition for a case heard before the Board earlier this year.

Ms. Wendy Boudreaux addressed the Board in opposition. She is opposed to further development and asked that A1 zoning be preserved in the area. She noted that there are numerous vacant new homes in the area and that more construction is not needed.

Mr. Smith spoke in rebuttal and pointed out that R20 is not inconsistent with the different zonings that have been approved in the area over the years. He stated that his interest was in preserving the community and that his plans for the property would enhance the area.

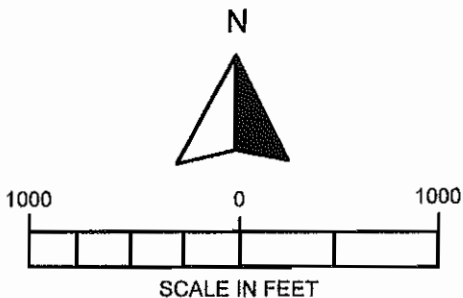
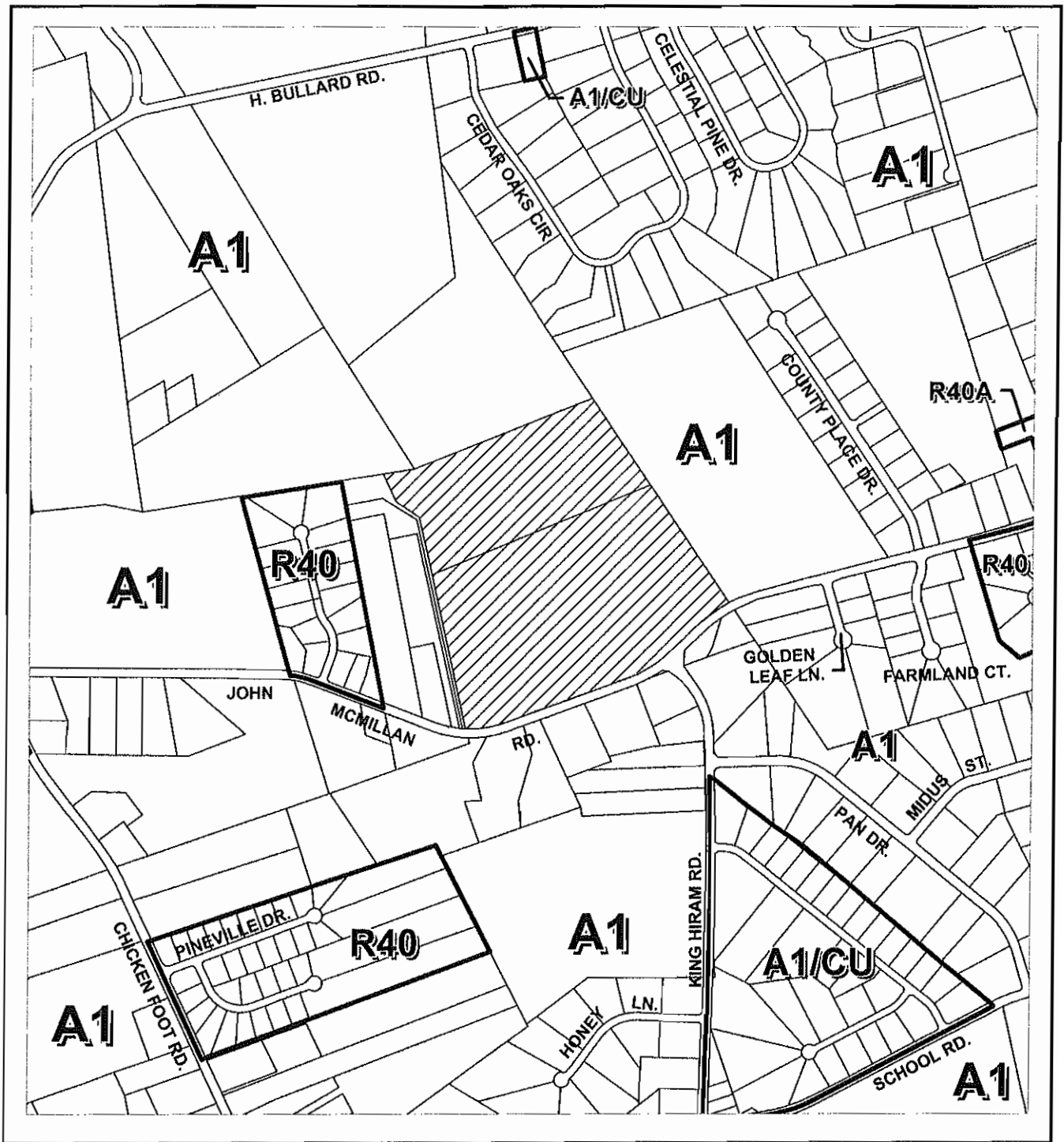
The Public Hearing closed.

Mr. McNeill stated that he lives in the area and is very familiar with the tract of land being considered. He shares the residents' concerns for the area but believes that Mr. Smith's development plans will actually help to improve the drainage problems in the area. He stated that he was concerned with R20 or R30 on the property and would be more willing to consider R40 for the entire tract.

Mr. McLaurin asked for the definition of hydric soil. Mr. Lloyd stated that hydric soil was considered to be soil that would not perk well during the wet season and was not suitable to supporting septic systems.

Mr. McLaurin stated that he would not be as concerned with this request if the area had public water, but that it does not. He further stated that the 68 acres has approximately 10 acres of hydric soils. This would leave only about 58 acres of possible suitable soils for septic systems. If you deduct 15% for roads this would leave approximately 49.5 acres for 58 homes, on lots averaging approximately 37,000 square feet in a zero lot line subdivision at a density of R40. Due to the lack of public water and the hydric soils he stated that 58 homes with wells and septic on 49.5 acres was probably all that should be allowed from an environmental standpoint.

Mr. McLaurin made a motion, seconded by Mrs. Piland, to deny R20 and approve R40 Residential for the entire tract. Unanimous approval.



REQUESTED REZONING A1 TO R20

ACREAGE: 68.12 AC.+/-

HEARING NO: P06-79

ORDINANCE: COUNTY

HEARING DATE

ACTION

PLANNING BOARD

GOVERNING BOARD

PIN: 0431-39-4250
PIN: 0431-38-8328

AF
1/30/2007



ITEM NO. 3F

COUNTY of CUMBERLAND

Office of the County Attorney

March 7, 2007

MEMORANDUM FOR COMMISSIONERS' AGENDA OF MARCH 19, 2007

TO: BOARD OF COMMISSIONERS

FROM: GRAINGER R. BARRETT, COUNTY ATTORNEY *GRB*

SUBJECT: PUBLIC HEARING ON REQUEST TO CLOSE A PORTION OF AN UN-NAMED STREET BETWEEN RACHEL ROAD AND TRACTOR ROAD.

BACKGROUND: The property owner adjacent to both sides of an un-named street between Rachel Road and Tractor Road located on the western margin of Ramsey Street in Carvers Creek Township has petitioned that the un-named street be closed.

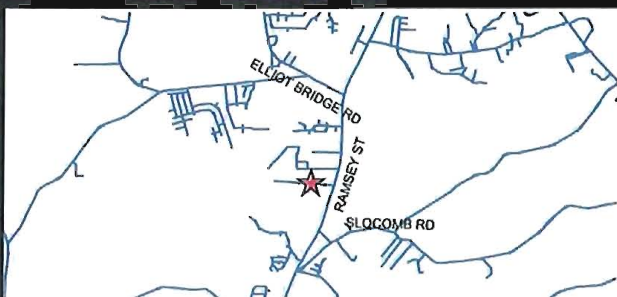
The Cumberland County Planning Department approves of the closing provided the following conditions are complied with:

1. The un-named street be properly ended with either a cul-de-sac or a T-type turn-around as required by the County Subdivision Ordinance;
2. The right-of-way for the turn-around must not encroach into the required yard setback area for all existing structures located on the abutting lots;
3. All lots along the portion of the proposed street closing be provided with a minimum of 20 feet of road frontage to the remaining un-named street; and
4. The properties along the portion of the un-named street proposed to be closed be recombined with the abandoned right-of-way area.

The Board has called a public hearing to consider its request. The Board may close the road if it finds that no person will be denied reasonable egress or ingress to his/her property.

RECOMMENDATION AND PROPOSED ACTION: If the Board of Commissioners makes the required statutory finding and decides to close this portion of the un-named street, that the Board adopt the attached resolution and direct the staff to record it in the Cumberland County Registry.

GB/lrc
Attachments



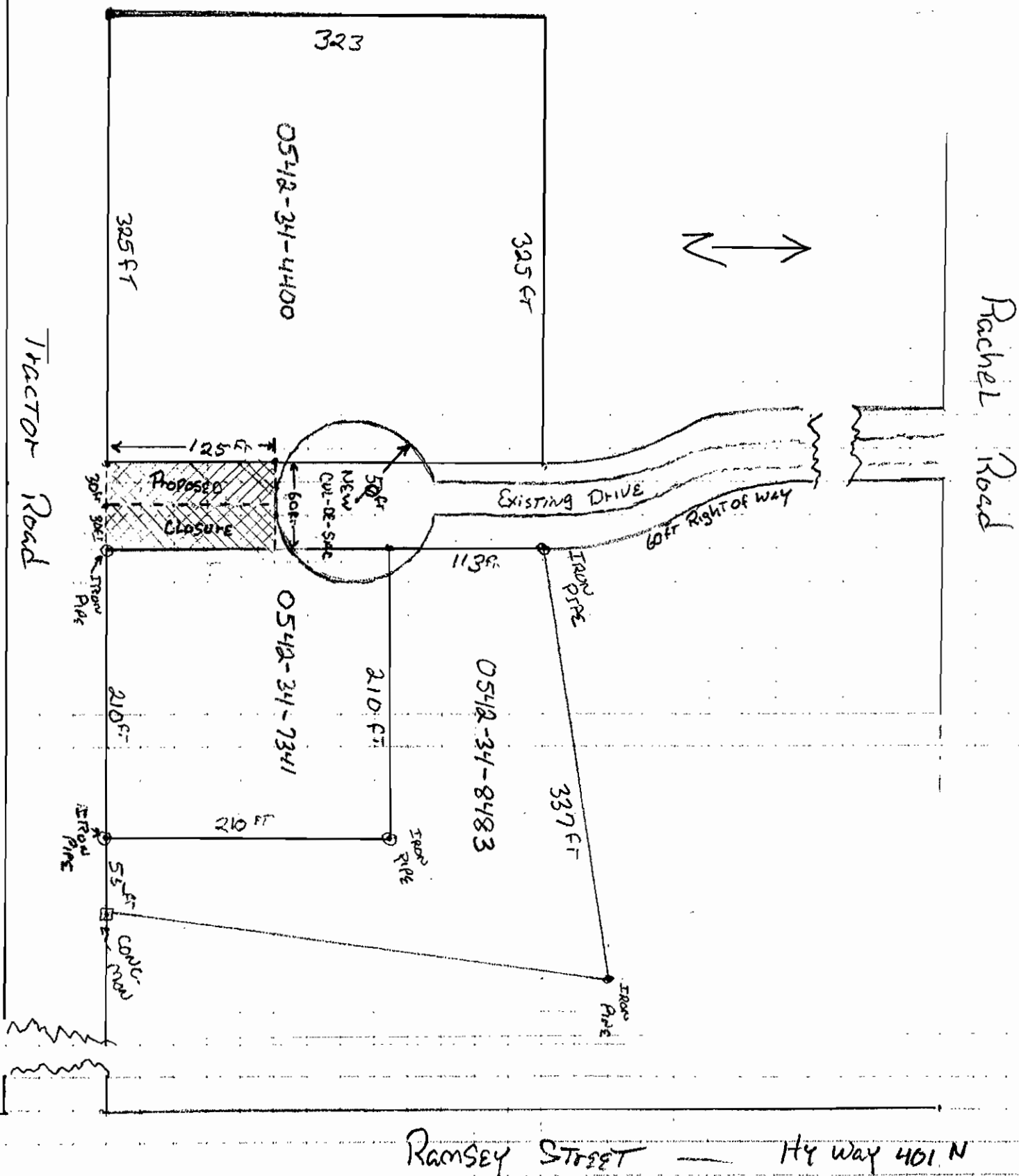
Site Map

CARVERS CREEK TOWNSHIP



200 0 200 Feet

THE COUNTY OF CUMBERLAND AND ITS GIS DEPARTMENT DISCLAIMS ACCOUNTABILITY FOR THIS PRODUCT AND MAKES NO WARRANTY EXPRESS OR IMPLIED CONCERNING THE ACCURACY THEREOF. RESPONSIBILITY FOR INTERPRETATION AND APPLICATION OF THIS PRODUCT LIES WITH THE USER.



**RESOLUTION CLOSING A PORTION OF AN UN-NAMED STREET
BETWEEN RACHEL ROAD AND TRACTOR ROAD**

WHEREAS, a petition has been submitted to the Cumberland County Board of Commissioners (the "Board") by an adjoining landowner to close a portion of an un-named street located between Rachel Road and Tractor Road, in Cumberland County;

WHEREAS, following proper notice, the Board held a public hearing on the question of the closing of such street on the 19th day of March, 2007, and heard all interested persons who appeared with respect to whether the closing would be detrimental to the public interest or to any individual's property rights; and

WHEREAS, following the public hearing the said Board found and determined that such public street is not under the control of the North Carolina Department of Transportation; that no person would be deprived of reasonable means of ingress and egress to his property by such closing, but that the reservation of certain easements would be appropriate and desirable; and that it is therefore not contrary to the public interest to close such street, subject to the reservation of the easements described below;

WHEREAS, the Cumberland County Planning Department approves of the closing provided the following conditions are complied with:

1. The un-named street be properly ended with either a cul-de-sac or a T-type turn-around as required by the County Subdivision Ordinance;
2. The right-of-way for the turn-around must not encroach into the required yard setback area for all existing structures located on the affected lots;
3. All lots along the portion of the proposed street closing be provided with a minimum of 20 feet of road frontage to the remaining un-named street; and
4. The properties along the portion of the un-named street proposed to be closed be recombined with the abandoned right-of-way area.

NOW THEREFORE, the Cumberland County Board of Commissioners hereby RESOLVES, pursuant to authority granted by G.S. 153A-241, that the public street more particularly described below be, and it is hereby, closed, subject, however to the continued dedication and preservation of an easement therein for existing and future utilities, and of an easement therein for public safety emergency vehicle access:

Beginning at a point located on the western margin of Ramsey Street where it intersect with Tractor Road; thence with the northern margin of Tractor road in a westerly

direction 835.34 feet to a point in the southwest corner of parcel 0542-34-7341. Said point being the southeast corner of an unnamed 60 foot right-of-way located between Tractor Road and Rachel Road. Thence with the eastern margin of said unnamed 60 foot right-of-way in a northerly direction 125 feet to a point. Thence from said point, in a westerly direction, 60 feet to a point located on the eastern margin of parcel 0542-34-4400 and the western margin of said unnamed 60 foot right-of-way. Thence with the unnamed 60 right-of way in a southerly direction from said point 125 feet to the southeast corner of parcel 0542-34-4400. Thence with the northern margin of Tractor Road in an easterly direction from said point 60 feet to the point and place of Beginning.

And the Board further RESOLVES, that a certified copy of this Resolution be recorded in the Cumberland County Registry.

Adopted this 19th day of March, 2007.

KENNETH S. EDGE, Chairman
Board of Commissioners

Marsha Fogle, Clerk to the Board of
Commissioners



ITEM NO. 3 G (1)

COUNTY of CUMBERLAND

James E. Martin
County Manager

Cliff Spiller
Assistant County Manager

Juanita Pilgrim
Deputy County Manager

Office of the County Manager

Amy H. Cannon
Assistant County Manager

MEMORANDUM FOR BOARD OF COMMISSIONERS AGENDA OF MARCH 19, 2007

TO: BOARD OF COUNTY COMMISSIONERS
FROM: JAMES E. MARTIN, COUNTY MANAGER
DATE: MARCH 14, 2007
SUBJECT: MINIMUM HOUSING CODE ENFORCEMENT

BACKGROUND

The following property owners and parties of interest were legally served with the Notice of Violations and were afforded a Hearing on September 13, 2006. The property owners filed an answer by telephone. 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 December 13, 2006. When a visit was made to the property on March 9, 2007, no corrective action had been made to the structures. The estimated cost to repair the frame structure to a minimum standard for human habitation is \$30,000, the estimated cost to repair the mobile home is \$15,000. The Assessor for Cumberland County has the frame structure presently valued at \$217.00 and the mobile home valued at \$500.00 for salvageable materials.

Case Number: MH-4959 and 4960-2006
Property Owners: Oscar Moses Warren and Oscar Lee Warren
Property Location: 5540 Leitha Lane, Godwin, NC
Parcel ID No. 1503-02-2761

RECOMMENDATION/PROPOSED ACTION

It is the recommendation of the Inspection Department that both of the structures be demolished, and the debris removed from the lot.

/ct
CM031407-1

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 **MH 4959 and 4960-2006**


Real Estate Property Owner: **Oscar Moses Warren;** Mobile Home Owner: **Oscar Lee Warren**

Property Address: **5540 Leitha Lane, Godwin, NC**

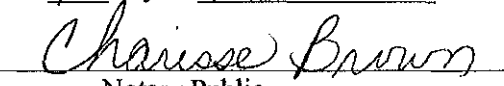
Tax Parcel Identification Number: **1503-02-2761**

SYNOPSIS: This property consists of a frame structure and a single wide mobile home being used for storage which is not an approved use, that were inspected on August 10, 2006. All property owners and parties of interest were legally served with the Notice of Violations and afforded a Hearing on September 13, 2006. The property owners filed an answer by telephone. 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 December 13, 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 March 9, 2007, no corrective action has been made to either of 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 frame structure to a minimum standard for human habitation is \$30,000.00; the estimated cost to repair the mobile home is \$15,000.00. The Assessor for Cumberland County has the frame structure presently valued at \$217.00 and the mobile home valued at \$500.00 for salvageable materials. Attached is a map depicting the location of the property. (See Exhibit B.)

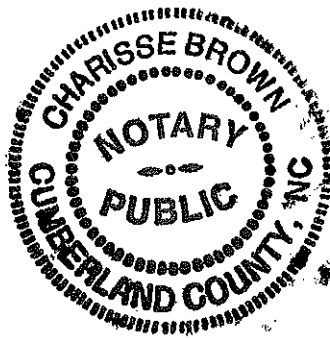
RECOMMENDATION: IT IS THE RECOMMENDATION OF THE PLANNING & INSPECTION DEPARTMENT THAT THESE STRUCTURES BE DEMOLISHED, AND THE DEBRIS REMOVED FROM THE LOT.


George Hatcher, Affiant
Code Enforcement Officer/County of Cumberland

Sworn to and Subscribed to by me this
the 9th day of MARCH 2007.


Notary Public

My Commission Expires: September 29, 2007.



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

September 14, 2006

CASE #: MH 4959-2006

TO: Oscar Moses Warren & Parties of Interest & Oscar Lee Warren & Parties of Interest
2280 Balance Farm Road P.O. Box 334
St Pauls, NC 28384 Godwin, NC 28344-0334

Property at: 5540 Leitha Lane (mobile home)

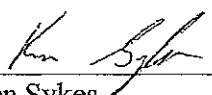
A Complaint, Notice of Hearing and Report of Inspection were legally served to the owner or owner's agent, and any party of interest. These documents were in fact received by the owner or owner's agent and party of interest on 8/17/2006.

Pursuant of law, a Hearing was conducted in Room 101, of the old courthouse at 130 Gillespie Street, Fayetteville, NC on 9/13/2006 at 9:15:00 AM. The items identified below took place at the Hearing:

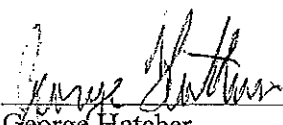
- ☐ 1. No owner or party of interest, or their agent, or representative appeared.
- ☒ 2. An answer was filed by owners and/or parties of interest. The answer was heard, read, and considered. Those present were: Oscar Lee Warren responded via telephone.
- ☒ 3. The undersigned inspector personally inspected the dwelling described in the Complaint and Notice of Hearing dated, 8/16/2006. 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 violative of the Cumberland County Housing Ordinance as per findings in the inspection report with an assigned case number of MH 4959-2006, dated 8/10/2006.
 - ☒ 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 12/13/2006. **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 12/13/2006. 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.



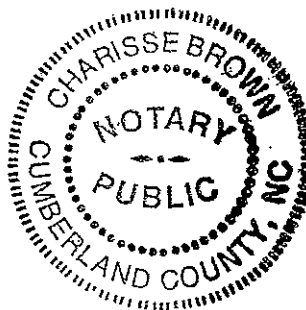
Ken Sykes
Hearing Officer

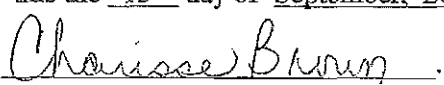


George Hatcher
Code Enforcement Officer

Enclosed: Appeals Procedures & Form

cc:



Sworn to and Subscribed to by me
this the 13th day of September, 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

September 14, 2006

CASE #: MH 4960-2006

TO: Oscar Moses Warren & Parties of Interest & Oscar Lee Warren & Parties of Interest
2280 Balance Farm Road P.O. Box 334
St Pauls, NC 28384 Godwin, NC 28344-0334

Property at: 5540 Leitha Lane (frame structure)

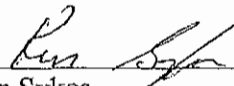
A Complaint, Notice of Hearing and Report of Inspection were legally served to the owner or owner's agent, and any party of interest. These documents were in fact received by the owner or owner's agent and party of interest on 8/17/2006.

Pursuant of law, a Hearing was conducted in Room 101, of the old courthouse at 130 Gillespie Street, Fayetteville, NC on 9/13/2006 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: Oscar Lee Warren responded via telephone.
- ☒ 3. The undersigned inspector personally inspected the dwelling described in the Complaint and Notice of Hearing dated, 8/16/2006. 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 violative of the Cumberland County Housing Ordinance as per findings in the inspection report with an assigned case number of MH 4960-2006, dated 8/10/2006.
 - ☒ 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 12/13/2006. **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 12/13/2006. The cost of said demolition will be assessed against the real property in the form of a lien.

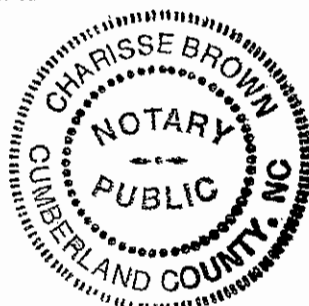
An appeal may be made to the Cumberland County Housing Board of Appeals. If an appeal is requested, it must be made in writing and within the time limits specified in the enclosed appeal procedures.

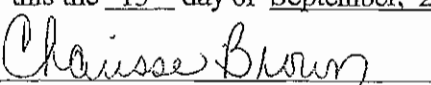

Ken Sykes
Hearing Officer


George Hatcher
Code Enforcement Officer

Enclosed: Appeals Procedures & Form

cc:



Sworn to and Subscribed to by me
this the 13th day of September, 2006

Notary Public
My Commission Expires: 9/29/07

PROOF OF SERVICE OF FINDINGS OF FACT AND ORDER
DATED 9/14/2006 CASE NUMBER MH 4959-4960-2006

SENDER: COMPLETE THIS SECTION	COMPLETE THIS SECTION ON DELIVERY
<p>■ Complete items 1, 2, and 3. Also complete Item 4 if Restricted Delivery is desired.</p> <p>■ Print your name and address on the reverse so that we can return the card to you.</p> <p>■ Attach this card to the back of the mailpiece, or on the front if space permits.</p> <p>1. Article Addressed to:</p> <p align="right">FOFO GH MH4959 4960</p> <p>OSCAR MOSES WARREN & PARTIES OF INTEREST 2280 BALANCE FARM ROAD ST PAULS NC 28384</p>	<p>A. Signature <input checked="" type="checkbox"/> Agent <input checked="" type="checkbox"/> Addressee <i>Oscar Warren</i></p> <p>B. Received by (Printed Name) <i>Oscar Warren</i></p> <p>C. Date of Delivery <i>9-15-06</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>2. Article Number (Trans) 7006 0810 0000 1729 1301</p>	
<p>PS Form 3811, February 2004 Domestic Return Receipt 102595-02-M-1540</p>	

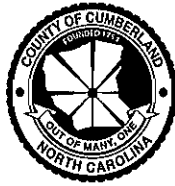
SENDER: COMPLETE THIS SECTION	COMPLETE THIS SECTION ON DELIVERY
<p>■ Complete Items 1, 2, and 3. Also complete Item 4 if Restricted Delivery is desired.</p> <p>■ Print your name and address on the reverse so that we can return the card to you.</p> <p>■ Attach this card to the back of the mailpiece, or on the front if space permits.</p> <p>1. Article Addressed to:</p> <p align="right">FOFO GH MH4959 4960</p> <p>OSCAR LEE WARREN & PARTIES OF INTEREST PO BOX 334 GODWIN NC 28344-0334</p>	<p>A. Signature <input type="checkbox"/> Agent <input checked="" type="checkbox"/> Addressee <i>Oscar Warren</i></p> <p>B. Received by (Printed Name) <i>Oscar Warren</i></p> <p>C. Date of Delivery <i>9-15-06</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>2. Article Number (Transfer from) 7006 0810 0000 1729 1196</p>	
<p>PS Form 3811, February 2004 Domestic Return Receipt 102595-02-M-1540</p>	

EXHIBIT A

MAP DEPLICITING LOCATION OF PROPERTY
5540 Leitha Lane
Godwin, NC



Exhibit B

ITEM NO. 4

COUNTY of CUMBERLAND

James E. Martin
County Manager

Cliff Spiller
Assistant County Manager

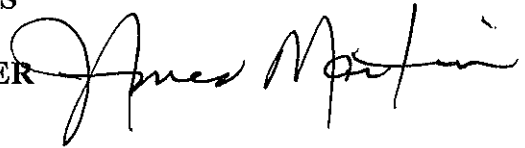
Juanita Pilgrim
Deputy County Manager

Amy H. Cannon
Assistant County Manager

Office of the County Manager

MEMORANDUM FOR BOARD OF COMMISSIONERS AGENDA OF MARCH 19, 2007

TO: BOARD OF COUNTY COMMISSIONERS

FROM: JAMES E. MARTIN, COUNTY MANAGER 

DATE: MARCH 13, 2007

**SUBJECT: CONSIDERATION OF PROPOSED SCHEDULE FOR FISCAL YEAR 2008
BUDGET WORK SESSIONS AND BUDGET PUBLIC HEARING**

BACKGROUND

Management anticipates submitting the FY08 Proposed Budget to the Commissioners on Monday, May 21, 2007. Several work sessions may be needed for your review. The Board may adopt the budget at any time on or after May 31, 2007 which is 10 days after the presentation of the budget to the Board of Commissioners (General Statute 159-13(a)).

RECOMMENDATION/PROPOSED ACTION

The following schedule is recommended for your consideration with all meetings to be held in the Cumberland County Courthouse, 117 Dick Street, Fayetteville, NC.

Monday, May 21, 2007	5:00 PM	Budget Presentation	Room 564
Tuesday, May 22, 2007	5:30 PM	Department Head Appeals	Room 564
Tuesday, May 29, 2007	7:00 PM	Budget Public Hearing	Room 118
Thursday, May 31, 2007	5:30 PM	Budget Work Session	Room 564
Monday, June 4, 2007	5:30 PM	Budget Work Session	Room 564
Tuesday, June 5, 2007	5:30 PM	Budget Work Session (If Needed)	Room 564

PROPOSED ACTION

Adopt a schedule for FY08 budget work sessions and public hearing as recommended or modified.

/ct
CM031307-1

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

5th Floor, New Courthouse • P.O. Box 1829 • Fayetteville, North Carolina 28302-1829
(910) 678-7771 • Fax: (910) 678-7770

March 7, 2007

March 19, 2007 Agenda Item

TO: Board of Commissioners
FROM: Marie Colgan, Deputy Clerk *me*
SUBJECT: Adult Care Home Community Advisory Committee Vacancies (1)

The Adult Care Home Community Advisory Committee has the following vacancy:

Patricia Paul –Completes first term on March 18, 2007. Due to attendance, the Adult Care Committee requests that she be replaced with **Kim Howard**. Fill the vacancy.

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

PROPOSED ACTION: Make nominations to fill the vacancy (1).

Attachments

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

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>
Ernestine Mack (/F) 6916 Kizer Drive Fayetteville, NC 28314 717-4229	2/07	Initial	Feb/08 2/28/08	Yes
Lonnie E. Johnson (B/M) 5206 Landmark Drive Fayetteville, NC 28311 488-8372/224-4841(C)	02/07	Initial	Feb/08 02/28/08	Yes
Mary Ann Brown-Jackson 1959B James Hamner Way Fayetteville, NC 28311 822-1311/483-3101	1/06	1 st	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 st	June/09 6/30/09	Yes
Mexie Fields (/F) 1815 Primrose Drive Fayetteville, NC 28301 488-8432	1/06	1 st	Jan/10 1/31/10	Yes
James Ingram (B/M) P.O. Box 87671 Fayetteville, NC 28304 257-1831/488-8415(W)	1/05	1 st	Jan/10 1/31/10	Yes
Julie Smith 3705 Tyson Circle Hope Mills, NC 28348 425-6215	9/05	1 st	Aug/08 8/31/08	Yes

Adult Care Home Community Advisory Committee, page 2

<u>Name/Address</u>	<u>Date Appointed</u>	<u>Term</u>	<u>Expires</u>	<u>Eligible For Reappointment</u>
Jacqueline S. Wolfe (W/F) 1812 Manchester Street Fayetteville, NC 28303 484-8588/484-5146 (W)	2/07	Initial	Feb/08 2/28/08	Yes
Stephanie Hodges (W/F) 3424 Harrisburg Road Fayetteville, NC 28306 429-9300/292-5651(Cell)	10/06	1 st	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	2 nd	April/09 4/30/09	No
John Poulos (W/M) 3025 Brechin Road Fayetteville, NC 28303 867-2622/424-4242(W)	6/06	2 nd	June/09 6/30/09	No
Teresa R. McNeill (B/F) 3518 Pickerel Street Fayetteville, NC 283068 480-0313/483-3648, Ext. 1109 (W)	2/07	Initial	Feb/08 2/28/08	Yes
Dr. Claudett Tompkins (B/F) 260 Old Farm Road Fayetteville, NC 28314 864-5336/424-4797(W)	9/06	2 nd	Aug/09 8/31/09	No
Patricia Paul (W/F) 805 Lakecrest Drive Fayetteville, NC 28301 488-5054	3/04	1 st	Mar/07 3/18/07	Yes

CONTACT: Andrea Wright-Valdez, Regional Ombudsman, Mid-Carolina Area Agency on Aging,
P. O. Box 1510, Fayetteville, NC 28302. Phone: 323-4191, x 25, fax # 323-9330
MEETINGS: Quarterly: March, June, September, December 1st Thursday of Particular Month,
10:00 AM, Blue Street Senior Center

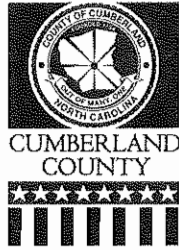
APPLICANTS FOR
ADULT CARE HOME COMMUNITY ADVISORY COMMITTEE

<u>NAME/ADDRESS/TELEPHONE</u>	<u>OCCUPATION</u>	<u>EDUCATIONAL BACKGROUND</u>
EDWARDS, MANDELLA (/F) 4151 VILLAGE DRIVE FAYETTEVILLE, NC 28304 429-0790	FULL TIME STUDENT	
**SERVES ON THE NURSING HOME ADVISORY BOARD		
LLOYD, TOM (W/M) 1306 BERKSHIRE RD FAYETTEVILLE, NC 28305 484-6762/678-7618(W)	PLANNING DIRECTOR	BA/MA – GEOGRAPHY/ PLANNING MINOR – PSYCHOLOGY & STATISTICS
THOMAS, NAVY (B/F) 7208 REEDYCREEK DRIVE FAYETTEVILLE, NC 28314 867-4531/483-2222(W)/224-1332(CELL)	MAINTENANCE TECH.	2 YR TECH. COLLEGE
**SERVES ON THE NURSING HOME ADVISORY BOARD		

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

5th Floor, New Courthouse • P.O. Box 1829 • Fayetteville, North Carolina 28302-1829
(910) 678-7771 • Fax: (910) 678-7770

March 13, 2007

March 19, 2007 Agenda Item

TO: Board of Commissioners

FROM: Marie Colgan, Deputy Clerk *mc*

SUBJECT: Community Child Protection Fatality Prevention Team Vacancies (2)

The Cumberland County Community Child Protection Fatality Prevention Team has the following vacancies:

Law Enforcement Officer Position – Sheriff's Office - Lynette Hodges' first term is due to expire on April 30, 2007, but due to her unavailability to continue to serve, Community Child has recommended that **Melody Farnham** fill her unexpired term.

Fayetteville City Police Department – Chris Davis' first term is due to expire on April 30, 2007, but due to his unavailability to continue to serve, Community Child has recommended that **Bill Mitrison** fill his unexpired term.

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

PROPOSED ACTION: Make nominations to fill the vacancies (2).

Attachments

cc: Gail Rios, Review Coordinator, CCPFPT

Celebrating Our Past...Embracing Our Future

CUMBERLAND COUNTY
COMMUNITY CHILD PROTECTION/FATALITY PREVENTION TEAM
(County Commissioner Appointees)
3 Year Terms

11/06

<u>Name/Address</u>	<u>Date Appointed</u>	<u>Term</u>	<u>Expires</u>	<u>Eligible For Reappointment</u>
<u>Law Enforcement Officer Position</u>				
<u>Sheriff's Office:</u>				
Lynette Hodges CC Sheriff's Office 131 Dick Street Fayetteville, NC 28301 Phone: 677-5593	6/06 (to fill unexp. term)	1st	Apr/07 4/30/07	Yes
<u>Fayetteville City Police Department:</u>				
Chris Davis Fayetteville Police Dept. 467 Hay Street Fayetteville, NC 28301 433-1855	6/06 (to fill unexp. term)	1st	Apr/07 4/30/07	Yes
<u>EMS Provider or Firefighter Position</u>				
Carl Strange 1557 Magnolia Church Road Stedman, NC 28391 584-8674/678-2076(Cell)	9/05 (to fill unexp. term)	1st	Sept/08 9/30/08	Yes
<u>Parent of a Child Who Died Before Reaching Their 18th Birthday Position</u>				
Vacant as of 11-30-06 (agency to provide name of replacement for Vivian Strickland when possible)				
<u>At-Large Positions</u>				
Allie D. Wiggins 5222 Brookfield Road Fayetteville, NC 28303 868-4219/988-4267(Cell)	11/06	1st full	Nov/09 11/30/09	Yes
Kalisha Abercrombie 3804 Casper Street Fayetteville, NC 28348 797-2537/864-7230(W)	11/06	1st	Nov/09 11/30/09	Yes
Dr. David Smith 210 West Summerchase Drive Fayetteville, NC 28311 822-1766/609-4341(W)	9/05	2nd	Sept/08 09/30/08	No

Contact: Gail Rios (DSS) – 677-2045 (Fax: 677-2091)

Meets the 3rd Thursday of each month at 3:15 pm – DSS, 4th Floor, Room 440

APPLICANTS FOR
CUMBERLAND COUNTY COMMUNITY CHILD PROTECTION/FATALITY PREVENTION TEAM

<u>NAME/ADDRESS/TELEPHONE</u>	<u>OCCUPATION</u>	<u>EDUCATIONAL BACKGROUND</u>
ANDREWS, MAXINE (W/F) 3209 ELMS THORPE DRIVE FAYETTEVILLE, NC 28312 433-2483	RETIRED SCHOOL SOCIAL WORKER	B.A.
GRIFFIN, TRACE S. (W/M) 2915 DARK BRANCH ROAD FAYETTEVILLE, NC 28304 484-1284/609-7169 (W)	ACCOUNTANT	BS – ACCOUNTING
HAIR, ANTHONY D. (B/M) 6344 MURPHY ROAD STEDMAN, NC 28391 323-9176/592-1575(W)	CONSUMER SOLUTIONS REPRESENTATIVE	BS EDUCATION
MACK, DAVID J. (B/M) 5479 LYNBROOK COURT FAYETTEVILLE, NC 28314 867-1214	RETIRED SCHOOL ADMINISTRATOR	MS – SCHOOL ADMIN.
SERVES ON THE EQUALIZATION & REVIEW BOARD		
MOORE, SYLVIA L. (B/F) 1115 LANDAU ROAD FAYETTEVILLE, NC 28311 822-4493/584-4553 (C)	RETIRED TEACHER	BS/MASTER – ELEMENTARY EDUCATION
SHARP, KRISTIN S. (B/F) 3434 LUBBOCK DRIVE HOPE MILLS, NC 28348 323-1046/678-8289 (W)	COUNSELOR	BS – PSYCHOLOGY MA – COUNSELING MA – HUMAN RESOURCE DEVELOPMENT
WEBB, BERNARD (/M) P.O. BOX 70398 FT. BRAGG, NC 28307 630-3282/(336)402-1197	CITY LETTER CARRIER	AA – GEN STUDIES BS – PSYCHOLOGY MA - HRD

KENNETH S. EDGE
Chairman

J. BREEDEN BLACKWELL
Vice Chairman

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



BOARD OF COMMISSIONERS

5th Floor, New Courthouse • P.O. Box 1829 • Fayetteville, North Carolina 28302-1829
(910) 678-7771 • Fax: (910) 678-7770

ITEM NO. 5C

MARSHA S. FOGLE
Clerk to the Board

MARIE COLGAN
Deputy Clerk

March 2, 2007

March 19, 2007 Agenda Item

TO: Board of Commissioners

FROM: Marie Colgan, Deputy Clerk *MC*

SUBJECT: Local Emergency Planning Committee Vacancies (5)

The Local Emergency Planning Committee has the following vacancies:

Transportation Representative

David Boyette has completed his first term and is eligible for re-appointment.

At-Large Representative

Ruth Rice has completed her first term and is eligible for re-appointment.

Operators of Facilities Representative

Scott Lester has completed his first term and is eligible for re-appointment.

Joel Blake has completed his first term and is eligible for re-appointment.

Univar, Inc. has closed down making Jay Jarvis ineligible to continue his term.

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

PROPOSED ACTION: Make nominations to fill the vacancies.

cc: Doc Nunnery, Emergency Services Director

Enclosures

Celebrating Our Past...Embracing Our Future

CUMBERLAND COUNTY
EMERGENCY PLANNING COMMITTEE
3 Year Term
(Staggered Terms Initially)

<u>Name/Address</u>	<u>Date Appointed</u>	<u>Term</u>	<u>Expires</u>	<u>Eligible For Reappointment</u>
<u>Print and Broadcast Media Representative</u>				
Jason Brady City of Fayetteville 433 Hay Street Fayetteville, NC 28301 Phone: 433-1998	8/04	1 st	Aug/07 8/31/07	Yes
Sarah VanderClute CC Public Information Officer P.O. Box 1829 Fayetteville, NC 28302 Phone: 437-1921	8/04	1 st	Aug/07 8/31/07	Yes
<u>Operators of Facilities Representative</u>				
Rayford Hunt, Jr. Safety Manager Borden Chemical, Inc. 1411 Industrial Drive Fayetteville, NC 28301 485-9270	10/05	2nd	Nov/08 11/30/08	No
Jay Jarvis Univar, Inc. 420 Worth Street Fayetteville, NC 28304 483-2107/988-2801	9/03	1st	Sept/06 9/30/06	Yes
Joel Blake Dupont 22828 NC Hwy 87W Fayetteville, NC 28306 424-4083/678-1285(W)	12/03	1st	Dec/06 12/31/06	Yes
Scott Lester Purolator Corp. 3200 Natal Road Fayetteville, NC 28306 423-5691/426-4283(W)	12/03	1st	Dec/06 12/31/06	Yes

<u>Name/Address</u>	<u>Date Appointed</u>	<u>Term</u>	<u>Expires</u>	<u>Eligible For Reappointment</u>
<u>Law Enforcement Representative</u>				
Sgt. Vincent Terry NC Highway Patrol 2435 Gillespie Street Fayetteville, NC 28306-3053 486-1334	9/06	1st	Sept/09 9/30/09	Yes
Capt. Larue Windham Cumberland Co. Sheriff's Office 131 Dick Street Fayetteville, NC 28301-5750 677-5412	8/04	1 st	Aug/07 8/31/07	Yes
Charles Hunter Fayetteville Police Department 467 Hay Street Fayetteville, NC 28301 433-1792	9/06	1st	Sept/09 9/30/09	Yes
<u>Emergency Management Representative</u>				
Michael Costa Cumberland County Emergency Services 131 Dick Street Fayetteville, NC 28301 321-6736	8/04	1st	Sept/07 9/30/07	Yes
<u>Community Group Representative</u>				
Jeffrey Womble Fayetteville State University Office of Public Relations 1200 Murchison Road Fayetteville, NC 28301 Phone:	8/04	1st	Aug/07 8/31/07	Yes
<u>Transportation Representative</u>				
David Boyette 466 Baywood Road Fayetteville, NC 28301 485-2439/433-4468(W)	12/03	1st	Dec/06 12/31/06	Yes
<u>Health Representative</u>				
Jane Stevens Cumberland County Health Dept. 227 Fountainhead Lane Fayetteville, NC 28301-5417 433-3673(W)/987-2892(Cell)	2/06	1st	Jan/09 1/31/09	Yes

<u>Name/Address</u>	<u>Date Appointed</u>	<u>Term</u>	<u>Expires</u>	<u>Eligible For Reappointment</u>
<u>Hospital Representative</u>				
Steve Schultz Cape Fear Valley Health System P.O. Box 2000 1638 Owen Drive Fayetteville, NC 28302-2000 Phone: 609-6170	9/06	2nd	Sept/09 9/30/09	No
<u>Fire Fighting Representative</u>				
Capt. Benjamin Major Fire/Emergency Management City of Fayetteville 433 Hay Street Fayetteville, NC 28301 433-1730	10/05	2nd	Nov/08 11/30/08	No
<u>First Aid Representative</u>				
Scott Blecke Cumberland County EMS 610 Gillespie Street Fayetteville, NC 28306-1544 485-4191	8/04	1st	Aug/07 8/31/07	Yes
<u>At-Large Representative</u>				
Ruth Rice 7535A Overbook Drive Fayetteville, NC 28303 826-9025	12/03	1st	Dec/06 12/31/06	Yes
Dawn O'Donnell 2072 Birchcreeft Drive Fayetteville, NC 28304 425-3619/864-2470(W)	8/04	1 st	Aug/07 8/31/07	Yes
<u>Local Environmental Representative</u>				
Hughie White NC Dept. of Environment, Health & Natural Resources 225 Green Street, Suite 714 Fayetteville, NC 28301-5043 486-1541	9/06	2nd	Sept/09 9/30/09	No

Cumberland County Emergency Planning Committee, page 4

Utilities Representative

John Ezzelle	9/06	1st	Sept/09 9/30/09	Yes
Public Works Commission 955 Old Wilmington Road Fayetteville, NC 28301 223-4116				

Danny F. Terry	8/04	1st	Aug/07 8/31/07	Yes
Public Works Business Center Department of the Army, Installation Management Agency HQ Ft Bragg Garrison Command (Airborne) Fort Bragg, NC 28310 396-7432/263-2955(Cell)				

Ex-Officio Members

Elected Official Representative

Ed Melvin, County Commissioner

Emergency Management

Doc Nunnery, Cumberland County Emergency Services

Fayetteville Fire/Emergency Management

Bennie Nichols, Interim Chief, Fayetteville Fire Department

Roger Stancil, City Manager

James Martin, County Manager

Meets quarterly, 4th Thursday in January, April, July & October at 10:00 am – PWC Bldg.

APPLICANTS FOR
EMERGENCY PLANNING COMMITTEE

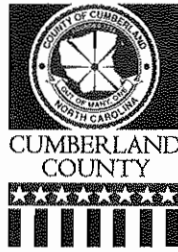
<u>NAME/ADDRESS/TELEPHONE</u>	<u>OCCUPATION</u>	<u>EDUCATIONAL BACKGROUND</u>
ANDERSON, LARRY D. (AA/M) 7669 WILKINS DRIVE FAYETTEVILLE, NC 28311 488-6099/396-8991 (W)	PASTOR & CHEMICAL BIOLOGICAL, NUCLEAR, & RADIOLOGICAL DEFENSE INSTRUCTOR	BS – PSYCHOLOGY MPA- ENVIRONMENTAL MANAGEMENT
FRANKLIN, BETTY (W/F) 6499 PERICAT DRIVE FAYETTEVILLE, NC 28306 425-0008/323-3418(W)	OFFICE ADMINISTRATOR	HS, SALES & NEGOTIATING COURSES
JOHNSON, JASON N. (B/M) 8436 UMSTEAD ROAD FAYETTEVILLE, NC 28304 864-3999	UNEMPLOYED	BA – POLITICAL SCIENCE (RECENT COLLEGE GRAD)
MCFADYEN, WILLIAM DAVID (W/M) 7122 HUNTERS POINT DRIVE FAYETTEVILLE, NC 28311 822-2362	RETIRED PART-TIME COURIER	ASSOCIATE DEGREE: BUSINESS ADMIN.

ITEM NO. 5D

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

5th Floor, New Courthouse • P.O. Box 1829 • Fayetteville, North Carolina 28302-1829
(910) 678-7771 • Fax: (910) 678-7770

March 6, 2007

March 19, 2007 Agenda Item

TO: Board of Commissioners
FROM: Marie Colgan, Deputy Clerk *MC*
SUBJECT: Mid-Carolina Aging Advisory Committee Vacancies (2)

Mid-Carolina requests that the following individuals be replaced as they are unable to continue to serve on this committee:

Timothy D. Copeland - Mid-Carolina requests appointment of **David V. McMillan** to fill the unexpired term.

Sarah Bracey - Mid Carolina requests appointment of **Daniel DeCriscio** to fill the unexpired term.

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

PROPOSED ACTION: Make nominations to fill the vacancies (2).

Pc: Carolyn Tracy, Aging Administrator
Mid-Carolina Area Agency on Aging

Celebrating Our Past... Embracing Our Future

FALCON - FAYETTEVILLE - GODWIN - HOPE MILLS - LINDEN - SPRING LAKE - STEDMAN - WADE

MID-CAROLINA AGING ADVISORY COMMITTEE
3 Year Term

12/05

<u>Name/Address</u>	<u>Date Appointed</u>	<u>Term</u>	<u>Expires</u>	<u>Eligible For Reappointment</u>
<u>Volunteers</u>				
Bonnie Ammons (W/F) 205 Bobbie Street Fayetteville, NC 28306 425-8657/483-8442(W)	9/04	2nd	Aug/07 8/31/07	No
Timothy D. Copeland 286 Saint Johns Wood Fayetteville, NC 28303 486-6360/818-6849(Cell)	9/04	1st	Aug/07 8/31/07	Yes
Patty McArdle (W/F) 820-12 Sage Creek Lane Fayetteville, NC 28305 483-2060/261-5744(Cell)	9/04	1st	Aug/07 8/31/07	Yes
<u>Consumers</u>				
Sarah Bracey 6300 Streeter Drive Hope Mills, NC 28348 425-3221	9/04	2nd	Aug/07 8/31/07	No
Eleanor Ayers (W/F) 6750 Clinton Road Stedman, NC 28391-8836 483-1875	9/04	1st	Aug/07 8/31/07	Yes
<u>Elected Official</u>				
Huell Aekins (B/M) Mayor, Town of Wade P. O. Box 232 Wade, NC 28395 485-3502	12/05	2nd	Dec/08 12/31/08	No
<u>Veterans Hospital Rep.</u>				
Nina Davis 316 H McKenzie Spring Lake, NC 28390 436-6889/488-2120, ext. 7074	9/03	1st	Aug/06 8/31/06	Yes

Contact: Mid-Carolina Council of Governments (Carolyn Tracy, 323-4191 x26) – F # 323-9330
Meetings: 1st Tuesday, 2:00 PM, Various Locations
Meetings are held the last month of each quarter.

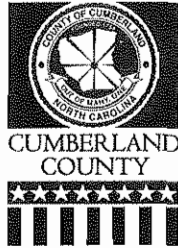
APPLICANTS FOR
MID-CAROLINA AGING ADVISORY COMMITTEE

<u>NAME/ADDRESS/TELEPHONE</u>	<u>OCCUPATION</u>	<u>EDUCATIONAL BACKGROUND</u>
COLLIER, GARY (W/M) 6335 HACKBERRY HOPE MILLS, NC 28348 423-4853/323-0910, EXT.7135(W)	HOME HEALTH SERVICES PROVIDER	BACHELOR OF RELIGIOUS EDUCATION
LANGLEY, MARGO (B/F) 974-3 STEWARTS CREEK DRIVE FAYETTEVILLE, NC 28314 864-1169/919-662-2800/919-856-5920(W)	DETENTION OFFICER	AA DEGREE + COURSES
OWENS, CAROLYN (W/F) 2508 COLGATE DRIVE FAYETTEVILLE, NC 28304 485-4902	RETIRED – CHILD NUTRITION SUPERVISOR	BS/MA – HOME ECONOMICS
WOLFE, JACQUELINE B. (W/F) MANCHESTER STREET FAYETTEVILLE, NC 28303 484-8588/484-5146 (W) **SERVES ON THE ADULT CARE HOME COMMUNITY ADV. BOARD**	MEMBER SERVICES REP	HS; SOME TECH 1812 1812 COURSES

KENNETH S. EDGE
Chairman

J. BREEDEN BLACKWELL
Vice Chairman

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



ITEM NO. SE

MARSHA S. FOGLE
Clerk to the Board

MARIE COLGAN
Deputy Clerk

BOARD OF COMMISSIONERS

5th Floor, New Courthouse • P.O. Box 1829 • Fayetteville, North Carolina 28302-1829
(910) 678-7771 • Fax: (910) 678-7770

March 7, 2007

March 19, 2007 Agenda Item

TO: Board of Commissioners
FROM: Marie Colgan, Deputy Clerk *mc*
SUBJECT: Nursing Home Advisory Board Vacancies (2)

The Nursing Home Advisory Board has the following vacancies:

Mandella Edwards - Completes her initial term on 4-30-07. She is eligible for reappointment.

Lora Watson - Completes her first term on 4-30-07. She is eligible for reappointment.

I have attached the current membership and applicant lists for this board.

PROPOSED ACTION: Make nomination to fill the vacancies (2).

Attachments

cc: Andrea Wright-Valdez, 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)	2/07	1 st	Feb/10 2/28/10	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/	4/04	1st	April/07 4/30/07	Yes

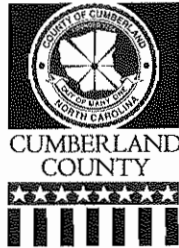
CONTACT: Andrea Wright-Valdez, Mid-Carolina Area Agency on Aging
P. O. Box 1510, Fayetteville, NC 28302, (Phone: 323-4191, ext. 25)

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

KENNETH S. EDGE
Chairman

J. BREEDEN BLACKWELL
Vice Chairman

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



BOARD OF COMMISSIONERS

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ITEM NO. SF

MARSHA S. FOGLE
Clerk to the Board

MARIE COLGAN
Deputy Clerk

March 2, 2007

March 19, 2007 Agenda Item

TO: Board of Commissioners
FROM: Marie Colgan, Deputy Clerk *me*
SUBJECT: Tourism Development Authority Vacancies (2)

The Tourism Development Authority will have the following vacancies as of March 31, 2007:

Hotel/Motels under 100 rooms Representative:

Katherine Keefe Jensen – Completing second term and is not eligible for reappointment.

Hotel/Motel over 100 rooms Representative:

Cameron W. Stout – Completing second term and is not eligible for reappointment. The TDA recommends that **Vivek Tandon** be moved from his slot (under 100 rooms Representative) to fill this position which will create two vacancies for the “under 100 rooms Representative”.

I have attached the membership list and applicant list for this board.

PROPOSED ACTION: Make nominations to fill the “under 100 rooms Representatives” vacancies (2) and move Vivek Tandon to the position of “over 100 rooms Representative”.

Enclosure

Celebrating Our Past...Embracing Our Future

TOURISM DEVELOPMENT AUTHORITY
3 Year Terms

<u>Name/Address</u>	<u>Date Appointed</u>	<u>Term</u>	<u>Expires</u>	<u>Eligible For Reappointment</u>
<u>Commissioner Appointees:</u>				
<u>Hotel/Motels under 100 rooms Representatives:</u>				
Vivek Tandon (A/M) 2857 Skye Drive Fayetteville, NC 28303 323-9070/436-1900(W)	6/06 (to fill unexp. term)	1st	March/08 3/31/08	Yes
Katherine Keefe Jensen (W/F) 4808 Ramsey Street - Ste. 109 Fayetteville, NC 28311 488-5323/822-5500(W)	4/04	2nd	March/07 3/31/07	No
<u>Hotel/Motel over 100 rooms Representatives:</u>				
Cameron W. Stout (W/M) 1131 Longleaf Drive Fayetteville, NC 28305 323-5515/484-2662(W)	4/04	2nd	March/07 3/31/07	No
William S. Wellons, Jr. (W/M) P.O. Box 766 Spring Lake, NC 28390 868-5425/436-3131(W)	3/05	2nd	March/08 3/31/08	No
<u>Member of the Public Not Affiliated with Travel/Tourism</u>				
Gwen Holloman (B/F) 721 Edgehill Road Fayetteville, NC 28314 868-1691/488-2120(W)	3/05	2nd	March/08 3/31/08	No

Others:

President of the Fayetteville Area Chamber of Commerce (ex officio)

Bill Martin
Cumberland County Business Council
P.O. Box 9
Fayetteville, NC 28302

Cumberland County Manager (ex officio)

James Martin
P.O. Box 1829
Fayetteville, NC 28302

Authority was created by the Board of Commissioners on January 28, 2002.

Board was appointed on March 11, 2002.

Meetings: Quarterly – 4th Wednesday – 8:00 AM – Room 564

APPLICANTS FOR
TOURISM DEVELOPMENT AUTHORITY

<u>NAME/ADDRESS/PHONE</u>	<u>OCCUPATION</u>	<u>EDUCATIONAL BACKGROUND</u>
NICHOLS, WILLIAM R. (W/M) 1240 MAGNOLIA CHURCH ROAD STEDMAN, NC 28391 483-3934/433-1924(W)	SURVEYOR (CITY) ORDAINED MINISTER	ASSOCIATE: MARKETING
SHELTON SR, MICHAEL TORAIN (/M) 3529 THAMESFORD ROAD FAYETTEVILLE, NC 28311 630-3830/482-4495 (W)	TRAVEL CONSULTANT	ACC (CLIA) CTA-TRAVEL INSTITUTE
SMITH, NANCY W. (W/F) 5731 CHRISTMASBERRY CT. FAYETTEVILLE, NC 28312 487-1578/850-9398 (W)	OWNER/PRESIDENT AGRI SUPPLY	NURSING DEGREE HORTICULTURE

**CUMBERLAND COUNTY
TOURISM DEVELOPMENT AUTHORITY**

PO Drawer 1829
Fayetteville, NC 28302-1829

William S. Wellons, Jr., Chairman
Gwen Holloman, Vice Chairman
Katherine K. Jensen
Bill Martin

James E. Martin
Cameron W. Stout
Vivek Tandon

March 2, 2007

TO: Board of Commissioners
FROM: Billy Wellons, Chairman, TDA
RE: TDA Nominations/Appointments

The TDA, at its meeting on January 31, 2007, discussed a vacancy that will be occurring on the TDA Board in March.

Cam Stout is scheduled to go off of the Board. He fills the slot of a hotel owner of 100 or more rooms.

Because of the difficulty in finding someone locally to fill that slot, the TDA recommends that Vivek Tandon, who is currently filling the slot of a hotel owner with less than 100 rooms, be moved into the Stout vacancy. Mr. Tandon is currently the owner of a motel with 100 or more rooms. At the time he was appointed he fit the other category.

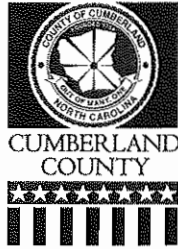
The Board would then need to make nominations for the 100 or less rooms hotel owner (Tandon's slot).

The TDA thanks you for your consideration of this request.

KENNETH S. EDGE
Chairman

J. BREEDEN BLACKWELL
Vice Chairman

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



BOARD OF COMMISSIONERS

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ITEM NO. 6A

MARSHA S. FOGLE
Clerk to the Board

MARIE COLGAN
Deputy Clerk

March 2, 2007

March 19, 2007 Agenda Item

TO: Board of Commissioners
FROM: Marie Colgan, Deputy Clerk *mc*
SUBJECT: Equalization and Review Board

BACKGROUND: The Board of Commissioners is responsible for appointment of the Chairman, First Vice Chairman and Second Vice Chairman for the Equalization and Review Board. Currently Curtis Alexander is the Chairman, George Turner is the First Vice Chairman and David Mack is the Second Vice Chairman. Recommendations have been made for the year as follows:

George Turner	Chairman
David Mack	First Vice Chairman
William "Bill" Holland	Second Vice Chairman

I have attached the current membership list for this Board.

PROPOSED ACTION: Appoint a Chairman, First Vice Chairman and Second Vice Chairman.

Attachments

cc: Aaron Donaldson, Tax Administrator

Celebrating Our Past... Embracing Our Future

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



ITEM NO. 6B

MARSHA S. FOGLE
Clerk to the Board

MARIE COLGAN
Deputy Clerk

BOARD OF COMMISSIONERS

5th Floor, New Courthouse • P.O. Box 1829 • Fayetteville, North Carolina 28302-1829
(910) 678-7771 • Fax: (910) 678-7770

February 21, 2007

March 19, 2007 Agenda Item

TO: Board of Commissioners
FROM: Marie Colgan, Deputy Clerk *mc*
SUBJECT: Equalization and Review Board

BACKGROUND: On February 20, 2007 the Board of Commissioners nominated the following to fill three (3) vacancies on the Equalization and Review Board:

Nominees:	<u>At Large position:</u>	Kathy Olsen (New appointment)
	<u>Appraiser position:</u>	Steven Parsons (New Appointment)
	<u>Industrialist position:</u>	William E. Holland (Reappointment) (moved from Appraiser to Industrialist position)

PROPOSED ACTION: Appoint the above vacant positions (3).

Attachments

cc: Aaron Donaldson, Tax Administrator

Celebrating Our Past... Embracing Our Future

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)

**KELLY HILLS/SLOCOMB ROAD WATER & SEWER DISTRICT
GOVERNING BOARD AGENDA
SPECIAL MEETING
CUMBERLAND COUNTY BOARD OF COMMISSIONERS
COURTHOUSE – ROOM 118
MARCH 19, 2007
6:45 PM**

INVOCATION

1. Items of Business
 - A. Approval of minutes for the September 6, 2005 special meeting.
 - B. Approval of Budget Revision B07-266 for PWC Investment Fees.

**ADJOURN THE MARCH 19, 2007 SPECIAL MEETING OF THE KELLY HILLS/
SLOCOMB ROAD WATER & SEWER DISTRICT GOVERNING BOARD.**

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

**COUNTY OF CUMBERLAND
BUDGET REVISION REQUEST**

Budget Office Use	
Budget Revision No.	B07-266
Date Received	2/23/2007
Date Completed	

Fund No. 010 Agency No. 450 Organ. No. 450B

Organization Name: Kelly Hills Water & Sewer

ITEM NO. 1B

REVENUE

Revenue Source Code	Description	Current Budget	Increase (Decrease)	Revised Budget
453E	NC Rural Center	2,823,400	(72,500)	2,750,900
4678	Facility Investment Fee	0	92,460	92,460
Total		2,823,400	19,960	2,843,360

EXPENDITURES

Object Code	Appr Unit	Description	Current Budget	Increase (Decrease)	Revised Budget
3757	NBD	Facility Investment Fee	72,500	19,960	92,460
Total			72,500	19,960	92,460

Justification:

Adjust budget to reflect the actual PWC Facility Investment Fees used on the Kelly Hills Water & Sewer Project.

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

Submitted By: _____ Date: _____
 Reviewed By: [Signature] Department Head Date: 2/23/07
 Reviewed By: [Signature] Budget Analyst Date: 3/14/07
 Reviewed By: [Signature] Deputy Assistant County Mgr
 Reviewed By: _____ Information Services Date: _____

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

ITEM NO. 7A

CLOSED SESSION

**Attorney-Client Matter Pursuant
to NCGS 143-318.11(a)(3)**

ITEM NO. 7B

CLOSED SESSION

**Real Property Matter Pursuant
to NCGS 143-318.11(a)(5)**

ITEM NO. 7C

CLOSED SESSION

**Economic Development Matter
Pursuant to NCGS 143-318.11(a)(4)**