
AGENDA
CUMBERLAND COUNTY BOARD OF COMMISSIONERS
COURTHOUSE – ROOM 118
APRIL 21, 2008
6:45 PM

INVOCATION - Commissioner Edward Melvin

PLEDGE OF ALLEGIANCE –

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

Recognition of Retired County Employees:

Anthony Pollock – Cumberland County Sheriff's Office

Recognition of Outgoing Board Members:

William S. Wellons, Jr. – Tourism Development Authority

Special Recognition:

Celebrate You Writing Contest Winners -
(Sponsored by the Fayetteville-Cumberland Human Relations Commission):

1st Place- Jacqueline Coleman, Douglas Byrd High School

2nd Place- Jasmine Coleman, Douglas Byrd High School

3rd Place- Mia Commedo, Douglas Byrd High School

Special Recognition:

Mr. John Katzer, Ms. Camila Daub and Steven Ferrell for their bravery during a robbery
at a Kangaroo Store in Hope Mills

1. Consent Agenda

- A. Approval of minutes for the April 7, 2008 regular meeting.
- B. Approval of Cumberland County Finance Committee Report and Recommendation to Renew Contract with Cherry Bekaert & Holland, CPA's.
- C. Approval of Sale of Surplus County-Owned Real Property Acquired by Tax Foreclosure – Lot 175 Twin Oaks Sec. Pt 4, PIN 0442-56-0570, Gray's Creek Township.
- D. Approval of Declaration of Foreclosed Real Property as Surplus.
- E. Approval of Modification No. 3 to the Workforce Investment Act Plan.
- F. Approval of a Proclamation Proclaiming April 27-May 3, 2008 as "National Volunteer Week" in Cumberland County.
- G. Approval of a Proclamation Proclaiming April 28-May 4, 2008 as "Air Quality Week" in Cumberland County.
- H. Approval of a Proclamation Proclaiming May 2008 as Existing Industry Appreciation Month.
- I. Budget Revisions:

(1) Mental Health

Revisions in the total amount of \$181,950 to appropriate fund balance to pave parking lots. (B08-284 and B08-285) **Funding Source – Mental Health Fund Balance**

(2) Juvenile Crime Prevention Program

Revision in the amount of \$25,829 to reallocate budgeted expenditures and revenues for additional grant funds received from the State. (B08-276) **Funding Source – State**

(3) Rural Operating Assistance Program/Social Services

Revisions in the amount of \$15,335 to move funds from Social Services (\$10,000) that will not spent by year end to the Rural Operating Assistance Program and reallocate expenditures (\$5,335). (B08-277 and B08-277A) **Funding Source – Reallocation of Expenditures and Revenues**

(4) Day Reporting

Revision in the amount of \$23,500 to budget reallocation funds received from the State. (B08-280) **Funding Source – State**

(5) Emergency Services

Revision in the amount of \$15,418 to budget new Emergency Management Supplemental funding from the State. (B08-286) **Funding Source - State**

(6) Health

- a. Women, Infants and Children - Revision in the amount of \$7,810 to budget for miscellaneous revenue earned. (B08-281) **Funding Source – Miscellaneous**
- b. NC Bioterrorism Pandemic Influenza – Revision in the amount of \$21,825 to budget additional revenue from the State. (B08-282) **Funding Source – State**
- c. Environmental Health – Revision in the amount of \$23,106 to budget additional revenue from the State. (B08-287) **Funding Source – State**
- d. Pharmacy – Revision in the amount of \$20,000 to budget additional fees expected to earn for remainder of fiscal year. (B08-289) **Funding Source – Fees**
- e. Immunization Clinic – Revision in the amount of \$20,000 to budget additional fees expected to earn for the remainder of fiscal year. (B08-290) **Funding Source - Fees**

(7) Solid Waste Management

Revision in the amount of \$100,000 to appropriate fund balance to rent equipment to move dirt for the construction of new gas lines. (B08-293)

Funding Source – Fund Balance Appropriated

(8) School Law Enforcement

Revision in the net amount of \$3,639 to recognize insurance settlement proceeds to acquire vehicles from the Cumberland County Schools. (B08-292) **Funding Source – Other**

(9) School Capital Outlay Lottery

Revision in the amount of \$65,677 to reduce lottery proceeds based on revised estimates. (B08-291) **Funding Source – Lottery Proceeds**

- J. Approval of a Proclamation Proclaiming May as Workforce Development Professionals Month.

2. Public Hearings

Uncontested Cases

- A. Case P08-10. The rezoning of 166 +/- acres from A1 Agricultural District to A1 Agricultural/CUD Conditional Use District, addition to an existing adjacent quarry, and the Permit, or to a more restrictive zoning district; located on the south side of River Road, northeast of Game Road; owned by Forks, L.L.C.
- B. Case P08-14. The rezoning of 10.57 +/- acres from R10 to R5A, or to a more restrictive zoning district, located on the west side of South Pine Tree Lane, south of Spring Avenue, owned by McCormick Farms Ltd. (Spring Lake and County.

Contested Cases

- C. ****Case P08-11 was deferred from March 17, 2008 Board of Commissioners Meeting**.** The rezoning of a 0.60 +/- acres from A1 Agricultural District to C(P)/CUD Conditional Use District and Permit for a crematory, or to a more restrictive zoning district, located at 6771 Sandy Creek Road, owned by David M. Campbell.

Other Public Hearing

- D. Public Hearing – 2008 Draft Annual Action Plan.

Items of Business

3. Nominations to Boards and Committees:
- A. Adult Care Home Community Advisory Committee (1 Vacancy)
 - B. Board of Adjustment (1 Vacancy)
4. Appointments to Boards and Committees
- A. Adult Care Home Community Advisory Committee (3 Vacancies)
 - Nominees: Dell Caramanno
Toney Edwards
Marian Hackett
 - B. Board of Health (1 Vacancy)
 - Nominee: Pharmacist: Tom Nicholson
 - C. Minimum Housing Appeals Board (1 Vacancy)
 - Nominee: Alternate Members: Geri Hasapis
5. Closed Session:
- A. Attorney-Client Matter(s)
Pursuant to NCGS 143-318.11(a)(3).

ADJOURN

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

**MEETINGS: May 5, 2008 (Monday) - 9:00 AM
May 19, 2008 (Monday) - 6:45 PM**

JAMES E. MARTIN
County Manager

JUANITA PILGRIM
Deputy County Manager



ITEM NO. 1B

CLIFF SPILLER
Assistant County Manager

AMY H. CANNON
Assistant County Manager

OFFICE OF THE COUNTY MANAGER

5th Floor, New Courthouse • PO Box 1829 • Suite 512, • Fayetteville, North Carolina 28302-1829
(910) 678-7723 / (910) 678-7726 • Fax (910) 678-7717

TO: BOARD OF COMMISSIONERS

FROM: AMY H. CANNON, ASSISTANT COUNTY MANAGER FOR FINANCE 

DATE: APRIL 16, 2008

**SUBJECT: APPROVAL OF THREE-YEAR AUDIT CONTRACT WITH
CHERRY BEKAERT & HOLLAND, CPA'S**

BACKGROUND

At your October 4, 2007 Finance Committee Meeting, Michelle Thompson, partner with Cherry, Bekaert & Holland (CB&H) made a presentation regarding the changes related to Statement on Auditing Standards (SAS112) effective this year. This standard implements significant changes in the audit process for the staff as well as the audit firm.

The County has had a long standing professional relationship with CB&H and has received excellent service in the past. They have extensive knowledge of the County, its systems, and programs. CB&H has considerable experience statewide in the GFOA Certificate of Achievement Program. Due to the sweeping changes of the new auditing standards, management believes that it would be prudent to continue our relationship with CB&H by executing a three-year contract. Implementation of the new standards by County staff will take a significant amount of time. This implementation can be more efficiently completed with an audit firm that has experience with the County and comprehensive knowledge of the new standards and the related procedures.

CB&H has agreed to provide FY2008 audit services for a total not to exceed \$115,000. This fee covers the audit work and preparation of the Comprehensive Annual Financial Report, and it represents a 10% increase over the prior year amount. We believe their fee is reasonable in comparison with the fees charged to similar local governments. The Local Government Commission has recently issued guidance that audit fees will be increasing due to the complexity and level of responsibility related to the new standards.

The Finance Committee unanimously approved the contract renewal with Cherry, Bekaert & Holland, CPA's.

RECOMMENDATION

Accept the Finance Committee recommendation and authorize the County Manager and the Assistant County Manager to execute a three-year contract with Cherry, Bekaert & Holland, CPA's.

AHC:cas

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CUMBERLAND COUNTY FINANCE COMMITTEE

April 3, 2008

PRESENT: Kenneth Edge, Chairman
Commissioner Jeannette Council
Commissioner John T. Henley, Jr.
James Martin, County Manager
Amy Cannon, Asst. County Manager
Cliff Spiller, Asst. County Manager
Grainger Barrett, County Attorney
Howard Abner, Finance
Sara VanderClute – PIO
Marsha Fogle, Clerk

Chairman Edge called the meeting to order.

1. Approval of Minutes: January 3, 2008

MOTION: Commissioner Council moved to approve.

SECOND: Commissioner Henley

VOTE: UNANIMOUS

2. Discussion/consideration of approval of a three-year audit contract with Cherry Bekaert & Holland, CPA's

Management recommends that the County approve a three-year audit contract with Cherry Bekaert & Holland, CPA's. Implementation of new accounting standards will take a significant amount of time, and management believes the implementation can be more efficiently completed with an audit firm that has experience with the County and comprehensive knowledge of the new standards and related procedures. CB&H will provide FY 08 audit services for a total not to exceed \$115,000, a 10% increase over the prior year amount.

MOTION: Commissioner Council moved to recommend to the Board that it approve the three-year audit contract with CB&H.

SECOND: Commissioner Henley

VOTE: UNANIMOUS

3. Revenue/expenditure report for the month ended February 2008

The Finance Department will begin giving this report to the Board monthly. The report is produced monthly and reflects monthly revenue/expenditure activities.

No action needed.

4. Other matters of concern

Management gave a brief report on the budget for FY09. It noted that sales tax revenues were down the last quarter but have rebounded in the last two months. Revenues are down in the Register of Deeds Office, Planning/Inspections, Federal prisoner housing fees, and real transfer taxes. In addition Social Services IV-E funding is projected to be \$453,397 less than estimated and Foster Care fees are also down. Ms. Cannon noted that department heads have done a good job in restraining their budget requests; however, the County will be facing a deficit of between \$6 million and \$8.9 million, depending on whether the sales tax passes in May. Management is still working to present a balanced budget to the Board of Commissioners.

The Committee discussed briefly the increase in gas prices and some ways in which the county may recoup cost for use of county vehicles to provide services to the public.

MEETING ADJOURNED



ITEM NO. 1C

OFFICE OF THE COUNTY ATTORNEY

Courthouse, 117 Dick Street – Suite 551 • P.O. Box 1829 • Fayetteville, North Carolina 28302-1829
(910) 678-7762 • Fax: (910) 678-7758

April 8, 2008

MEMORANDUM FOR BOARD OF COMMISSIONERS' APRIL 21, 2008 AGENDA:

TO: BOARD OF COMMISSIONERS

FROM: GRAINGER R. BARRETT, COUNTY ATTORNEY 

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

LOT 175 TWIN OAKS SEC. PT 4 (0.61)
(LOCATED ON BANKSTON CT. OFF CANADIAN AVE.)
PIN 0442-56-0570; GRAYS CREEK TOWNSHIP

BACKGROUND: On or about October 7, 2005, 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 \$4,746.97.

Upton Tyson was the last and highest bidder offering to purchase the County's interest in the property for **\$6,318.22** and has deposited \$631.82 in the Finance Office. The tax value of the property is \$13,796.00.

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. Tyson's bid. The property has been advertised and has received several bids; however, Upton Tyson was the final and highest bidder. The bid period is now closed.

RECOMMENDATION AND PROPOSED ACTION: That the Board of Commissioners consider whether to accept the offer of Upton Tyson to purchase the above property for the sum of **\$6,318.22**, plus costs, and authorize the Chairman to execute a deed upon receipt of the balance of the purchase price.

GRB/hnw
Attachment

Celebrating Our Past...Embracing Our Future

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



Site Map

1504 BANKSTON CT
GRAYS CREEK TOWNSHIP

100 0 100 Feet



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ITEM NO. 1D

OFFICE OF THE COUNTY ATTORNEY
Courthouse, 117 Dick Street – Suite 551 • P.O. Box 1829 • Fayetteville, North Carolina 28302-1829
(910) 678-7762 • Fax: (910) 678-7758

April 1, 2008

MEMORANDUM FOR BOARD OF COMMISSIONERS' APRIL 21, 2008 AGENDA

TO: BOARD OF COMMISSIONERS

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

SUBJECT: DECLARING FORECLOSED REAL PROPERTY SURPLUS

BACKGROUND: The County of Cumberland has recently acquired by tax foreclosure certain real property located in the County. Exhibit 1 is a list of that property which also shows their tax values. Exhibit 2 is a set of maps which show the PIN number, vicinity, and township for each parcel. The County contacted the Fayetteville Metropolitan Housing Authority (F.M.H.A.) regarding Items 5 (pin 0437-71-8127) and 6 (pin 0437-61-7027). The F.M.H.A. respectfully requests that Cumberland County allow the City of Fayetteville to acquire items 5 and 6 to be utilized in the Hope VI Revitalization Grant effort.

RECOMMENDATION AND PROPOSED ACTION: That the Board declare the foreclosed property as surplus to the needs of the County.

lrc

Attachments: Parcel and vicinity maps

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SURPLUS PROPERTIES TO BE ADDED TO APRIL 21, 2008 AGENDA

PROPERTIES OWNED BY COUNTY ONLY

ITEM	PIN	DESCRIPTION	ASSESSED VALUE \$	TAX LIEN \$	DATED RECORDED	DEED Book/Page
1.	0415-46-2059	Lot 195 Crystal Park Sub Sec. 1 Location: 2618 Flaming Drive	9,183.00	3,698.52	12/04/07	7760/853
2. A	0474-36-4155	Tract 2 Exhibit A Liza Hall Property (2.92 ac) Location: Landlocked	5,215.00	3,130.15	02/27/08	7819/562
2. B	0474-38-3924	Tract 2 Exhibit B Liza Hall Property (5.4 ac) Location: Landlocked	1,620.00		02/27/08	7819/562

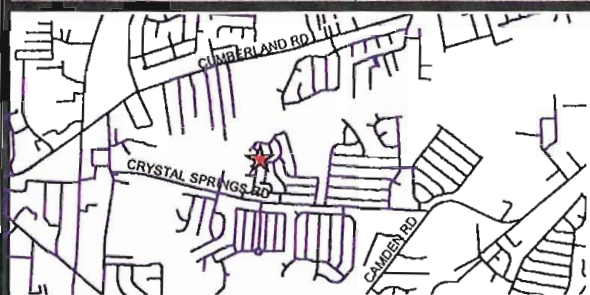
PROPERTIES OWNED BY COUNTY AND CITY

3.	0436-19-1555	Lots 158-159 Pleasant View Pt 3 Location: 939 Taft Street	5,000.00	4,003.31	02/27/08	7819/560
4.	0418-18-8316	1 ac Ray Land Location: 5005 Haddock Street	8,250.00	4,426.52	12/06/07	7762/706
5.	0437-71-8127	Lot 34 Cape Fear Dev Location: 332 Lincoln Dr	33,800.00	7,715.35	01/18/08	7790/485
6.	0437-61-7027	419 E/S Cool Spring St Location: 419 Cool Spring St	10,000.00	6,183.40	12/14/07	7767/621
7.	9496-31-8373	1 ac Dixon Land Location: Landlocked	6,250.00	2,731.22	12/04/07	7760/859
8.	0428-88-5674	Lot 9A Block E Eccles Park Rev Sec. 1 Location: Regan Ave	7,125.00	2,587.62	03/12/08	7832/156
9.	0419-30-8170	Bonnie Acres Lots 65-68 Location: 5117 Hodge Street	5,500.00	12,071.08	03/12/08	7832/153
10.	0437-39-0583	816 Cumberland Street Location: 816 Cumberland Street	4,950.00	2,271.82	03/12/08	7832/150

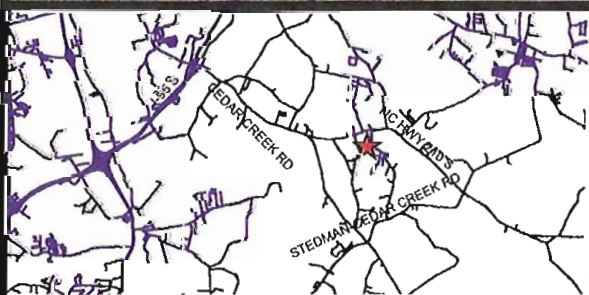
***Items 2A and 2B sold jointly

***Item numbers 3 to 10 are jointly owned with the City of Fayetteville

***Item 9 was a duplex it is now demolished



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2A Site Map
CEDAR CREEK TOWNSHIP

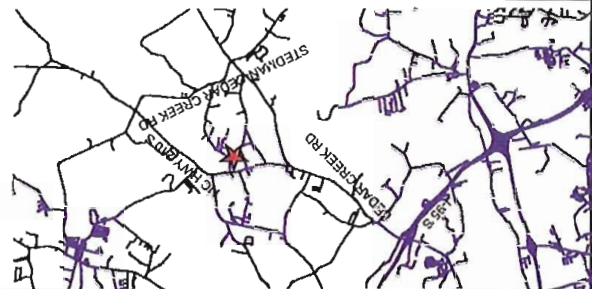
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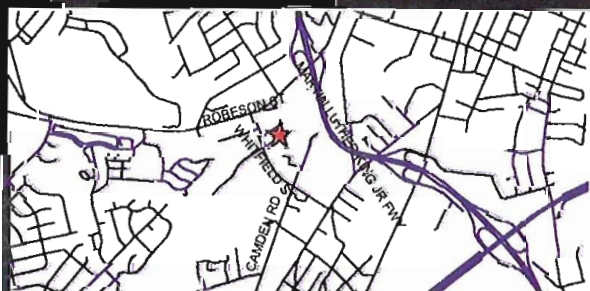


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23

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3



Site Map

939 TAFT ST

CROSS CREEK TOWNSHIP

50 0 50 Feet



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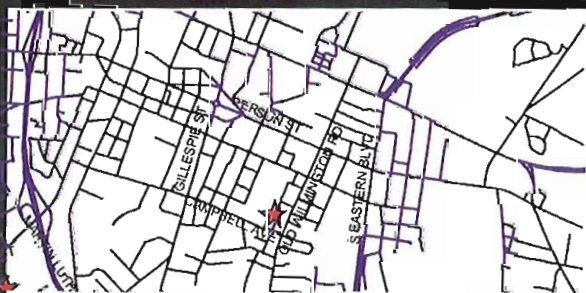
Site Map

5005 HADDOCK ST
CROSS CREEK TOWNSHIP

100 0 100 Feet



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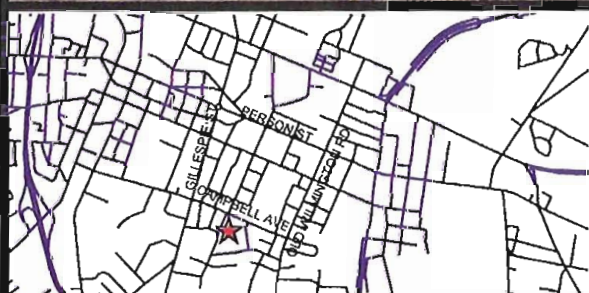


5  Site Map
332 LINCOLN DR
CROSS CREEK TOWNSHIP

50 0 50 Feet



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Site Map
419 COOL SPRING ST
CROSS CREEK TOWNSHIP

50 0 50 Feet



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7



Site Map



SEVENTY FIRST TOWNSHIP

100 0 100 Feet



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Site Map

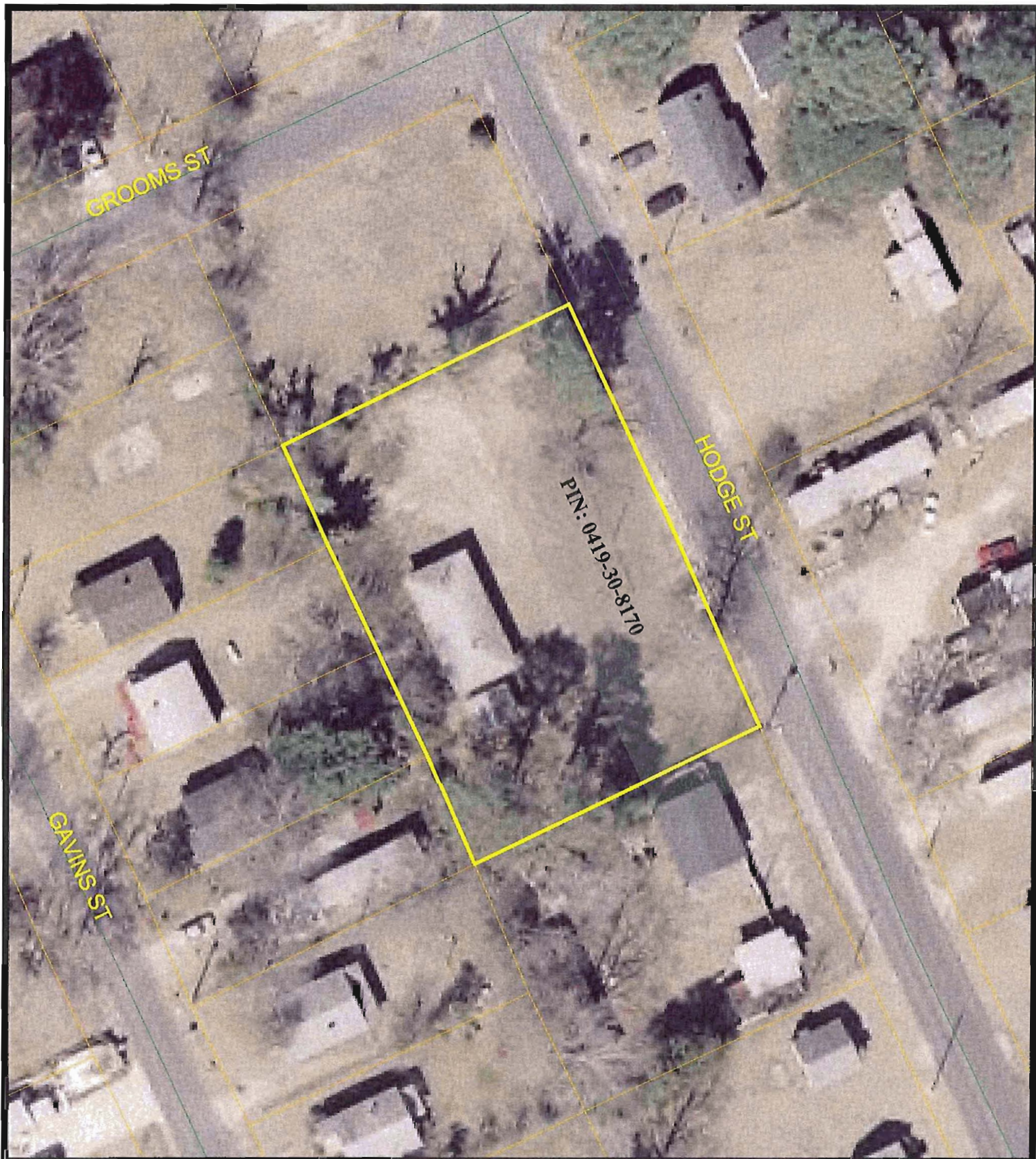
REGAN AVE

CROSS CREEK TOWNSHIP

50 0 50 Feet



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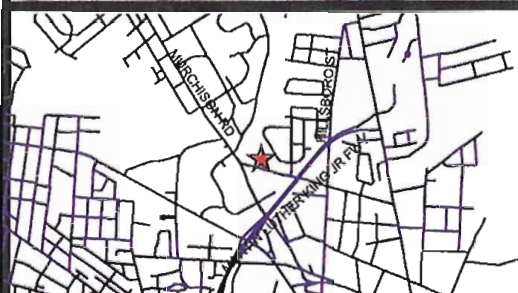
Site Map

5117 HODGE ST
CROSS CREEK TOWNSHIP

50 0 50 Feet



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10



Site Map

816 CUMBERLAND ST
CROSS CREEK TOWNSHIP

50 0 50 Feet



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ITEM NO. 1E

WORKFORCE DEVELOPMENT CENTER

410 Ray Avenue • P.O. Box 1829 • Fayetteville, North Carolina 28302-1829
(910) 323-3421 • Fax: (910) 323-5755

April 14, 2008

MEMORANDUM

TO: Board of County Commissioners

THRU: Juanita Pilgrim
Deputy County Manager *Juanita Pilgrim*

FROM: Geneva Mixon
Director *G. Mixon*

SUBJECT: Modification # 3 to the Workforce Investment Act Plan

The Cumberland County Workforce Development Center is required each year to prepare a modification to our WIA Transition Plan. Purpose for this modification is to incorporate Program Year 2008 (July 1, 2008 - June 30, 2009) WIA federal funding for the new program year. The plan modification is prepared in accordance with instructions from the North Carolina Division of Workforce Development.

Request approval of the Board of County Commissioners to incorporate the new program year funding. **Request the signature of J. Breeden Blackwell, Chairman of the Board of County Commissioner on both copies of the enclosed signatory page.** This is required to officially submit our local area plan modification to Raleigh. Enclosed for your information is a chart that compares the new year allocations to the current year funding and a brief executive summary of WIA services.



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Equal Opportunity Employer / Program

WORKFORCE INVESTMENT ACT OF 1998

LOCAL AREA TRANSITION PLAN MODIFICATION No. 3

FOR

Cumberland County Local Area

Local Area Name

We affirm that the Local Area Workforce Development Board (WDB) and the Chief Elected Official(s) of the Local Area, in partnership, have developed and now submit this comprehensive, strategic Local Area Plan Modification in compliance with the provisions of Workforce Investment Act of 1998 and instructions issued by the Governor under authority of the Act.

April 21, 2008

Submission Date

WORKFORCE DEVELOPMENT BOARD CHAIR

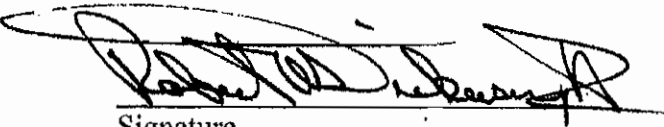
Robert W. Dickerson

Typed or Printed Name

Chairman

Workforce Development Board

Typed or Printed Title


Signature

04.11.2008

Date

CHIEF ELECTED OFFICIAL

J. Breeden Blackwell

Typed or Printed Name

Chairman

Board of County Commissioners

Typed or Printed Title

Signature

Date

WORKFORCE INVESTMENT ACT OF 1998

LOCAL AREA TRANSITION PLAN MODIFICATION No. 3

FOR

Cumberland County Local Area

Local Area Name

We affirm that the Local Area Workforce Development Board (WDB) and the Chief Elected Official(s) of the Local Area, in partnership, have developed and now submit this comprehensive, strategic Local Area Plan Modification in compliance with the provisions of Workforce Investment Act of 1998 and instructions issued by the Governor under authority of the Act.

April 21, 2008

Submission Date

WORKFORCE DEVELOPMENT BOARD CHAIR

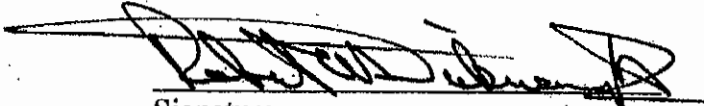
Robert W. Dickerson

Typed or Printed Name

Chairman

Workforce Development Board

Typed of Printed Title


Signature

04.11.2008
Date

CHIEF ELECTED OFFICIAL

J. Breeden Blackwell

Typed or Printed Name

Chairman

Board of County Commissioners

Typed of Printed Title

Signature

Date

Cumberland County Workforce Development Center

Comparison of WIA Funding Allocations

Adult Funding

PY 2007 - \$482,802

PY 2008 - \$482,082

Dislocated Worker Funding

PY 2007 - \$471,448

PY 2008 - \$430,934

Youth Funding

PY 2007 - \$534,719

PY 2008 - \$526,942

Note: PY 2008 - (July 1, 2008 - June 30, 2009)
PY 2007 - (July 1, 2007 -June 30, 2008)

**Cumberland County
Workforce Development Center
Summary of Workforce Investment Act Services**

Reauthorization of the Workforce Investment Act (WIA) of 1998 is pending in the United States Congress. The N.C. Division of Workforce Development is accommodating the upcoming year by issuing instructions as Modification No. 3 to the Program Year 2005 Transition Plan. Purpose is to reflect the U.S. Department of Labor's vision and to ensure continued effective, efficient use of resources in the July 1, 2008 - June 30, 2009 Program Year.

WIA is the nation's principal workforce development legislation, providing federal funds to states and local areas to address the employment and training needs of adults, dislocated workers and youth. The Act creates a comprehensive workforce investment system. In North Carolina this system is the JobLink Career Center system. It is intended to be customer-focused, to help individuals access the tools they need to manage their career through information and high quality services. The JobLink Career Center system also assists employers with their needs and helps find skilled workers to fill openings in business and industry.

Adult Services

Adult services includes a wide range of employment and training services from very basic job getting and job keeping skills, to help with improving basic education skills, to occupational skills training in high demand occupations. Job search and job placement assistance are also available to adults. Other services may include on-the-job training, skill upgrading, adult education and literacy activities.

Dislocated Worker Services

In instances of permanent plant closure or layoff, the JobLink Career Center will send a rapid response team to meet with the employees. Often dislocated workers are eligible for unemployment insurance while they receive WIA assistance. Services to dislocated workers includes all of the services mentioned above for adults.

Youth Services

WIA provides both educational achievement and employment services to youth ages 14-21. Often the youth face barriers to employment, i.e., basic skills deficient, school dropout, homeless, foster child or offender. Educational achievement services are tutoring, study skills training and instruction leading to secondary school completion, including dropout prevention strategies. Employment services include work experiences and summer employment opportunities. Additional support for youth participants may include mentoring, leadership development opportunities and supportive services.

COUNTY OF CUMBERLAND

NORTH CAROLINA

PROCLAMATION

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

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

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

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

NOW, THEREFORE, BE IT RESOLVED, that the Board of Commissioners of Cumberland County **proclaims** April 27 – May 3, 2008 "**VOLUNTEER WEEK**" in Cumberland County and calls upon all citizens to answer the call of service by volunteering to ensure a better quality of life for everyone.

Adopted April 21, 2008.

Breeden Blackwell, Chairman
Board of Commissioners

Proclamation
Air Quality Awareness Week
April 28 – May 4, 2008
Cumberland County, North Carolina

WHEREAS, clean air is essential to public health, the environment and the economy in Cumberland County; and

WHEREAS, we need clean air to protect and improve the quality of our forests, streams and lakes for public recreation and wildlife; and

WHEREAS, we need clean air to sustain tourism, agriculture and other aspects of the economy; and

WHEREAS, the U.S. Environmental Protection Agency (EPA) and the National Weather Service urge Americans to "Be Aware of Our Air" during Air Quality Awareness Week, April 28 through May 2, 2008; and

WHEREAS, following a requirement of the Clean Air Act, the EPA recently strengthened the national air quality standard for ozone from 0.08 to 0.075 parts per million for improved human health and safety; and

WHEREAS, taking immediate action to improve air quality is of major concern to the Cumberland County Board of Commissioners and all the Municipal Governments; and

WHEREAS, the citizens and businesses of Cumberland County are invited to participate in the countywide effort to lower emissions of ozone precursors; and

WHEREAS, daily air quality forecasting will be available from the Department of Environment and Natural Resources Division of Air Quality from April 30 through September 30, 2008.

NOW, THEREFORE, BE IT RESOLVED, that Cumberland County Board of Commissioners proclaim the week of April 28 through May 4, 2008, as "AIR QUALITY AWARENESS WEEK" and call upon citizens to observe the week with activities that promote clean air and take part in making our community a cleaner, healthier place to live, work, and play.

Adopted April 21, 2008.

Breedon Blackwell, Chairman

ATTEST: _____
Marsha Fogle, Clerk

COUNTY OF CUMBERLAND

NORTH CAROLINA

PROCLAMATION

WHEREAS, the existing industries of Fayetteville and Cumberland County are an essential segment of the area's economy, providing employment for local residents, contributing revenues and greatly enhancing the area's quality of life; and

WHEREAS, the various industries existing in Fayetteville and Cumberland County have an influence either directly or indirectly upon the lives of everyone of the county's citizens; and

WHEREAS, the potential for growth comes in part from within through the expansion of existing industries and the establishment of new, homegrown industries; and

WHEREAS, public awareness and understanding of the importance of industry to our local economy and quality of life are vital to the preservation of a favorable industrial climate; and

WHEREAS, a favorable industrial climate is a major factor in the decision made by officials of existing plants to expand their operations, and in our area's ability to attract new industry.

NOW, THEREFORE, BE IT RESOLVED that the Board of Commissioners of Cumberland County proclaims the month of May 2008 "INDUSTRY APPRECIATION MONTH" in Cumberland County and urges its citizens to salute the industries located in our area and the employees of those industries for their important role in the growth and prosperity of Cumberland County.

Adopted this _____ day of April, 2008.

**Breeden Blackwell
Chairman**

**COUNTY OF CUMBERLAND
BUDGET REVISION REQUEST**

Budget Office Use	
Budget Revision No.	<u>B08-284</u>
Date Received	<u>4.10.08</u>
Date Completed	

Fund No. 112 Agency No. 43E Organ. No. 4357

Organization Name: MH Adult Periodic

ITEM NO. 1 I (1)

REVENUE

Pg 1 of 2

Revenue Source Code	Description	Current Budget	Increase (Decrease)	Revised Budget
9901	Fund Balance Appropriation	215,805	66,000	281,805

Total 215,805 66,000 281,805

EXPENDITURES

Object Code	Appr Unit	Description	Current Budget	Increase (Decrease)	Revised Budget
3650	<u>495</u>	Other Improvements	0	66,000	66,000

Total 0 66,000 66,000

Justification:

To budget costs for paving parking lot at 109 Bradford Avenue.

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

Submitted By: [Signature]
Department Head

Date: 4/2/08

Reviewed By: [Signature]
Budget Analyst

Date: 4.10.08

Reviewed By: [Signature]
Deputy Assistant County Mgr

Date: 4/16/08

Reviewed By: _____
Information Services

Date: _____

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

**COUNTY OF CUMBERLAND
BUDGET REVISION REQUEST**

Budget Office Use	
Budget Revision No.	<u>B08-285</u>
Date Received	<u>4-10-08</u>
Date Completed	

Fund No. 112 Agency No. 43A Organ. No. 435M
 Organization Name: MH Winding Creek

pg 2 of 2

REVENUE

Revenue Source Code	Description	Current Budget	Increase (Decrease)	Revised Budget
9901	Fund Balance Appropriation	399,977	115,950	515,927
Total		399,977	115,950	515,927

EXPENDITURES

Object Code	Appr Unit	Description	Current Budget	Increase (Decrease)	Revised Budget
3650	438	Other Improvements	0	115,950	115,950
Total			0	115,950	115,950

Justification:

To budget costs for paving parking lot at 711 Executive Place.

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

Submitted By: [Signature] Department Head

Date: 4/2/08

Reviewed By: [Signature] Budget Analyst

Date: 4-10-08

Reviewed By: [Signature] Deputy Assistant County Mgr

Date: 4/16/08

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.	B08-276
Date Received	4/3/2008
Date Completed	

Fund No. 430 Agency No. 438 Organ. No. 4385

Organization Name: Juvenile Crime Prevention Program

ITEM NO. 1 I (2)

REVENUE

Revenue Source Code	Description	Current Budget	Increase (Decrease)	Revised Budget
4397	NC JCP Juvenile Court Outreach	156,730	(25,829)	130,901
438D	NC Juvenile Assessment Center	192,260	14,329	206,589
4386	NC Juvenile Restitution	84,251	11,500	95,751

Total 0 0 433,241

EXPENDITURES

Object Code	Appr Unit	Description	Current Budget	Increase (Decrease)	Revised Budget
438E	728	NC JCP Juvenile Court Outreach	182,144	(25,829)	156,315
345T	728	NC Juvenile Assessment Center	209,714	14,329	224,043
438B	728	NC Juvenile Restitution	96,403	11,500	107,903

488,261 - 488,261

Justification:

Revision to budget additional grant funds from the State.

Funding Source:

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

Submitted By: _____

Date: _____

Reviewed By: Howard C. Brax

Date: 4/14/08

Reviewed By: Amy D. Cannon

Date: 4/16/08

Deputy Assistant County Mgr

Approved By:

County Manager

Board of County Commissioners

Date: _____

Date: _____

**COUNTY OF CUMBERLAND
BUDGET REVISION REQUEST**

Budget Office Use	
Budget Revision No.	B08-277
Date Received	4/4/2008
Date Completed	

Fund No. 454 Agency No. 450 Organ. No. 457B

Organization Name: Rural Operating Assistance Program

ITEM NO. 1 I (3)

REVENUE

pg 1 of 2

Revenue Source Code	Description	Current Budget	Increase (Decrease)	Revised Budget
4361	Workfirst Transportation	50,435	10,000	60,435

Total	50,435	10,000	60,435
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EXPENDITURES

Object Code	Appr Unit	Description	Current Budget	Increase (Decrease)	Revised Budget
3367	799	Famiks (Taxi)	185,333	15,335	200,668
5053	799	NC Indian Housing	5,335	(5,335)	-

Total	190,668	10,000	200,668
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Justification:

Revision to increase the Workfirst transportation funds allocated to the Rural Operating Assistance Program (ROAP) by \$10,000 at the discretion of the County and to reallocate \$5,335 of the current ROAP budget. Originally, \$40,435 of Workfirst transportation funds were allocated to Social Services and \$50,435 was allocated to ROAP. Social Services has determined that it will not be able to expend its total current year allocation. Therefore the County, using its discretion, will reallocate \$10,000 to ROAP. (Funds unspent at year end must be returned to the State).

Funding Source:

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

Fund Balance:

Submitted By: *Thomas J. Hynd* Date: 4/7/08
Department Head

Reviewed By: *Bob Tucker* Date: 4/8/08
Finance Department

Reviewed By: *Amy Cannon* Date: 4/16/08
Assistant County Mgr

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

**COUNTY OF CUMBERLAND
BUDGET REVISION REQUEST**

Budget Office Use

Budget Revision No. B08-277A
Date Received 4/4/2008
Date Completed _____

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

Organization Name: Social Services Other

Pg. 2 of 2

REVENUE

Revenue Source Code	Description	Current Budget	Increase (Decrease)	Revised Budget
4361	Workfirst Transportation	40,435	(10,000)	30,435
Total		40,435	(10,000)	30,435

EXPENDITURES

Object Code	Appr Unit	Description	Current Budget	Increase (Decrease)	Revised Budget
4361	265	Workfirst Transportation	40,435	(10,000)	30,435
Total			40,435	(10,000)	30,435

Justification:

Revision in the amount of \$10,000 to reduce Workfirst transportation funds allocated to DSS at the discretion of the County. DSS has determined that it will not be able to spend this year's entire allocation, therefore the County, using its discretion, will reallocate \$10,000 to the Rural Operating Assistance Program for elderly and handicapped transportation. (Funds unspent at year end must be returned to the State).

Funding Source:

State: _____
Other: _____

Federal: _____
Fees: _____

Fund Balance:

County: _____ New: _____
Prior Year: _____

Other: _____

Submitted By: VBC

Reserving J. J. J. J.
Department Head

Date: 4-7-08

Reviewed By: WVT

Bob Tucker
Finance Department

Date: 4/8/08

Reviewed By: Amy N. Cannon

Amy N. Cannon
Assistant County Mgr

Date: 4/16/08

Approved By:

County Manager

Board of County Commissioners

Date: _____

Date: _____

**COUNTY OF CUMBERLAND
BUDGET REVISION REQUEST**

Budget Office Use	
Budget Revision No.	B08-280
Date Received	4/10/2008
Date Completed	

Fund No. 101 Agency No. 426 Organ. No. 4214
 Organization Name: Day Reporting

ITEM NO. 1 I (4)

REVENUE

Revenue Source Code	Description	Current Budget	Increase (Decrease)	Revised Budget
4514	NC Community Corrections	231,731	23,500	255,231
		231,731	23,500	255,231

EXPENDITURES

Object Code	Appr Unit	Description	Current Budget	Increase (Decrease)	Revised Budget
3470	136	Travel	3,839	1,000	4,839
2510	136	Fuel	3,000	1,500	4,500
349W	136	Special Offender Projects	300	1,000	1,300
3419	136	Miscellaneous	0	20,000	20,000
Total			7,139	23,500	30,639

Justification:

Revision in the amount of \$23,500 to budget reallocation funds received from the State. Funding includes \$20,000 for expenses associated with hosting CJPP Institute training.

Funding Source:

State: 23,500
 Other: _____

Federal: _____
 Fees: _____

Fund Balance:

County: _____ New: _____
 Prior Year: _____

Other: _____

Submitted By: _____

Date: _____

Approved By: _____

Reviewed By: Kelly Autry

Date: 4.10.08

Date: _____

Reviewed By: Amy N. Cannon

Date: 4/16/08

County Manager

Board of County Commissioners

Date: _____

COUNTY OF CUMBERLAND
BUDGET REVISION REQUEST

Budget Office Use	
Budget Revision No.	<u>308.286</u>
Date Received	<u>4.10.08</u>
Date Completed	

Fund No. 101 Agency No. 420 Organ. No. 4210
Organization Name: Emergency Services

ITEM NO. 1 I (5)

REVENUE

Revenue Source Code	Description	Current Budget	Increase (Decrease)	Revised Budget
4592	EMPG-Supplemental Grant	0	15,418	15,418
Total		0	15,418	15,418

EXPENDITURES

Object Code	Appr Unit	Description	Current Budget	Increase (Decrease)	Revised Budget
459W	097	EMPG-Supplemental Grant	0	15,418	15,418
Total			0	15,418	15,418

Justification:

Budget revision in the amount of \$15418, to recognize new Emergency Management Supplemental funding.

Funding Source: State: 15418 Federal: _____ Fund Balance: County: _____ New: _____ Other: _____
Other: _____ Fees: _____ Prior Year: _____

Submitted By: Kenneth C... Date: 4/3/08
Department Head
Reviewed By: Kelly Autry Date: 4.10.08
Budget Analyst
Reviewed By: Amy Cannon Date: 4/16/08
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.	B08-281
Date Received	4.10.08
Date Completed	

Fund No. 101 Agency No. 431 Organ. No. 4334

Organization Name: WOMEN'S, INFANTS & CHILDREN (W.I.C.)

ITEM NO. 1 I (6) a

REVENUE

Revenue Source Code	Description	Current Budget	Increase (Decrease)	Revised Budget
7670	MISCELLANEOUS INCOME	0	7,810	7,810
		-	7,810	7,810

EXPENDITURES

Object Code	Appr Unit	Description	Current Budget	Increase (Decrease)	Revised Budget
3470	244	TRAVEL	7,500	7,810	15,310

Total 7,500 7,810 15,310

Justification:

THIS BUDGET REVISION REQUESTS TO BUDGET FOR REVENUE ANTICIPATED TO BE EARNED.

State: _____ Federal: _____ Fund Balance: _____ County: _____ New: _____ Other: _____
Other: _____ Fees: 7,810 Prior Year: _____

Submitted By: [Signature]
Department Head
Reviewed By: [Signature]
Finance Department
Reviewed By: [Signature]
Deputy Assistant County Mgr

4/11/08
Date: _____
Date: 4.10.08
Date: 4/16/08

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

**COUNTY OF CUMBERLAND
BUDGET REVISION REQUEST**

Budget Office Use	
Budget Revision No.	<u>808-282</u>
Date Received	<u>4-10-08</u>
Date Completed	

Fund No. 101 Agency No. 431 Organ. No. 432X
 Organization Name: N.C. BIOTERRORISM PANDEMIC INFLUENZA

ITEM NO. 1 I (6) b

REVENUE

Revenue Source Code	Description	Current Budget	Increase (Decrease)	Revised Budget
4194	N.C. BIOTERRORISM PANDEMIC INFLUENZA	53,000	21,825	74,825
		53,000	21,825	74,825

EXPENDITURES

Object Code	Appr Unit	Description	Current Budget	Increase (Decrease)	Revised Budget
4195	217	PANDEMIC INFLUENZA - PHRST 3 TEAM	30,000	21,825	51,825
Total			30,000	21,825	51,825

Justification:

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

State: 21,825 Federal: _____ Fund Balance: _____
 Other: _____ Fees: _____ County: _____ New: _____ Other: _____
 Prior Year: _____

Submitted By: [Signature]
 Department Head
 Reviewed By: [Signature]
 Finance Department
 Reviewed By: [Signature]
 Deputy Assistant County Mgr

4-9-08
 Date: _____
4-10-08
 Date: _____
4-16-08
 Date: _____

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

**COUNTY OF CUMBERLAND
BUDGET REVISION REQUEST**

Budget Office Use	
Budget Revision No.	<u>808-287</u>
Date Received	<u>4.10.08</u>
Date Completed	

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

Organization Name: ENVIRONMENTAL HEALTH

ITEM NO. 1 I (6) c

REVENUE

Revenue Source Code	Description	Current Budget	Increase (Decrease)	Revised Budget
4185	N.C. ENVIRONMENTAL HEALTH	10,014	23,106	33,120
		10,014	23,106	33,120

EXPENDITURES

Object Code	Appr Unit	Description	Current Budget	Increase (Decrease)	Revised Budget
299A	171	COMPUTER HARDWARE	9,500	2,800	21,500
2995	171	COMPUTER SOFTWARE	12,000	9,000	107,264
3470	171	TRAVEL	95,264	9,806	99,264
3474	171	TRAINING	4,000	1,500	4,000
Total			120,764	23,106	143,870

Justification:

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

State: 23,106 Federal: _____ Fund Balance: _____ County: _____ New: _____ Other: _____
Other: _____ Fees: _____ Prior Year: _____

Submitted By: <u>[Signature]</u> Department Head	Date: <u>4/9/2008</u>	Approved By: _____ Date: _____ County Manager Board of County Commissioners Date: _____
Reviewed By: <u>[Signature]</u> Finance Department	Date: <u>4.10.08</u>	
Reviewed By: <u>[Signature]</u> Deputy Assistant County Mgr	Date: <u>4/16/08</u>	

**COUNTY OF CUMBERLAND
BUDGET REVISION REQUEST**

Budget Office Use	
Budget Revision No.	<u>BOS: 289</u>
Date Received	<u>4-11-08</u>
Date Completed	

Fund No. 101 Agency No. 431 Organ. No. 4304
 Organization Name: PHARMACY

ITEM NO. 1 I (6) d

REVENUE

Revenue Source Code	Description	Current Budget	Increase (Decrease)	Revised Budget
6047	PHARMACY FEES	278,200	20,000	298,200
		278,200	20,000	298,200

EXPENDITURES

Object Code	Appr Unit	Description	Current Budget	Increase (Decrease)	Revised Budget
2381	159	DRUGS	278,200	20,000	298,200

Total 278,200 20,000 298,200

Justification:

THIS BUDGET REVISION REQUESTS TO BUDGET FOR ADDITIONAL REVENUE THAT THE PHARMACY EXPECTS TO EARN DURING FISCAL YEAR 2008.

State: _____ Federal: _____ Fund Balance: _____
 Other: _____ Fees: 20,000 County: _____ New: _____ Other: _____
 Prior Year: _____

Submitted By: *Angela Rayson* *By Edmonte*
 Department Head

Date: 4/10/08

Reviewed By: *Kelly Cutrup*
 Finance Department

Date: 4/11/08

Reviewed By: *Angie Cannon*
 Deputy Assistant County Mgr

Date: 4/16/08

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

**COUNTY OF CUMBERLAND
BUDGET REVISION REQUEST**

Budget Office Use	
Budget Revision No.	<u>B08-290</u>
Date Received	<u>4.11.08</u>
Date Completed	

Fund No. 101 Agency No. 431 Organ. No. 4311

Organization Name: IMMUNIZATION CLINIC

ITEM NO. 1 I (6) e

REVENUE

Revenue Source Code	Description	Current Budget	Increase (Decrease)	Revised Budget
6017	IMMUNIZATION FEES	229,000	20,000	249,000

229,000 20,000 249,000

EXPENDITURES

Object Code	Appr Unit	Description	Current Budget	Increase (Decrease)	Revised Budget
2381	174	DRUGS	195,000	20,000	215,000

Total 195,000 20,000 215,000

Justification:

THIS BUDGET REVISION REQUESTS TO BUDGET FOR ADDITIONAL REVENUE THAT THE IMMUNIZATION CLINIC EXPECTS TO EARN DURING FISCAL YEAR 2008.

State: _____ Federal: _____ Fund Balance: _____
 Other: _____ Fees: 20,000 County: _____ New: _____ Other: _____
 Prior Year: _____

Submitted By: [Signature] *By Edward Beale* Date: 4/10/08
 Department Head
 Reviewed By: [Signature] Date: 4/11/08
 Finance Department
 Reviewed By: [Signature] Date: 4/16/08
 Deputy Assistant County Mgr

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

**COUNTY OF CUMBERLAND
BUDGET REVISION REQUEST**

Budget Office Use

Budget Revision No. 206-213
Date Received 4/14/08
Date Completed _____

Fund No. 625 Agency No. 460 Organ. No. 4606

Organization Name: Solid Waste Management - Ann St Landfill

ITEM NO. 11(7)

REVENUE

Revenue Source Code	Description	Current Budget	Increase (Decrease)	Revised Budget
9901	Fund Bal Appr	0	100,000	100,000
				-
				-
				-
				-
				-
Total		0	100,000	100,000

EXPENDITURES

Object Code	Appr Unit	Description	Current Budget	Increase (Decrease)	Revised Budget
3462	876	Rent Equip	209,416	100,000	309,416
					-
					-
					-
					-
					-
					-
Total			209,416	100,000	309,416

Justification:

Due to the construction of our new gas system, we have to move dirt quickly to different areas of the landfill for the installation of the new gas lines. In this process we have rented off road six-wheel dump trucks to move dirt and excavators and dozers to use in conjunction with our own equipment. All of this is a process that we have to do to stay in compliance with State mandated rules.

Funding Source:

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

Fund Balance:

Submitted By: [Signature]
Department Head

Date: 4-14-08

Approved By: _____

Reviewed By: [Signature]
Budget Analyst

Date: _____

Date: _____

Reviewed By: [Signature]
Deputy Assistant County Mgr

Date: 4/16/08

County Manager

Board of County Commissioners

Date: _____

Reviewed By: _____
Information Services

Date: _____

**COUNTY OF CUMBERLAND
BUDGET REVISION REQUEST**

Budget Office Use

Budget Revision No. 808-292

Date Received 4/11/08

Date Completed

Fund No. 101 Agency No. 422 Organ. No. 422F

Organization Name: School Law Enforcement

ITEM NO. 1 I(8)

REVENUE

Revenue Source Code	Description	Current Budget	Increase (Decrease)	Revised Budget
9000	Insurance Settlements		3,639	

Total

3,639

EXPENDITURES

Object Code	Appr Unit	Description	Current Budget	Increase (Decrease)	Revised Budget
2994	118	Misc Furn & Equip	40,000	(1,511)	38,489
3603	119	CO-Vehicles	0	5,150	5,150
					-
					-
					-
			40,000	3,639	43,639

Justification:

Recognize Revenue from Insurance Settlements for wrecked car. Add funds to complete purchase/transfer of vehicles from Cumberland County Schools.

Funding Source:

State:
Other: 3639

Federal:
Fees: _____

Fund Balance:

County: _____ New:
Prior Year: _____

Other: 70,000

Submitted By:

Earl R. Butler
Department Head

Date: 4-9-08

Reviewed By:

WPH

Budget Analyst

Date: _____

Reviewed By:

Amy H. Cannon
Deputy/Assistant County Mgr

Date: 4/16/08

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.	B08-291
Date Received	4/14/2008
Date Completed	

Fund No. 106 Agency No. 470 Organ. No. 4718
 Organization Name: School C.O. - Lottery

ITEM NO. 1 I (9)

REVENUE

Revenue Source Code	Description	Current Budget	Increase (Decrease)	Revised Budget
4578	Lottery Proceeds	3,995,160	(65,677)	3,929,483
Total		3,995,160	(65,677)	3,929,483

EXPENDITURES

Object Code	Appr Unit	Description	Current Budget	Increase (Decrease)	Revised Budget
3903	410	Contingency	65,677	(65,677)	-
Total			65,677	(65,677)	-

Justification:

Revision to adjust expected current year lottery proceeds.

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

Submitted By: _____ Date: _____
 Department Head
 Reviewed By: Bob Tucker Date: _____
 Finance Department
 Reviewed By: Amy Cannon Date: 4/16/08
 Deputy/Assistant County Mgr

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

WORKFORCE DEVELOPMENT PROFESSIONAL**PROCLAMATION**

WHEREAS, the economic development of every region in North Carolina and the ability of our businesses and industries to compete in the global economy is more than ever before dependent on the availability and quality of a skilled workforce; and

WHEREAS, the complexity and fast-paced change in our economy and labor markets puts new demands on individuals and employers at all level; and

WHEREAS, job seekers need the assistance of knowledgeable and dedicated professionals to facilitate the process by which our workforce identifies, prepares for, obtains and maintains employment and self-sufficiency; and

WHEREAS, employers depend on similar levels of professional services to help them recruit and retain a competitive workforce and to continually upgrade the skill sets of their incumbent employees;

NOW THEREFORE, BE IT RESOLVED, that the Board of Commissioners of Cumberland County joins with the State of North Carolina, the North Carolina Commission on Workforce Development, the North Carolina Employment and Training Association and the North Carolina Society for Human Resource Management in proclaiming the month of May as **“WORKFORCE DEVELOPMENT PROFESSIONALS MONTH”** to honor all those individuals in all the Workforce Development organizations and partnerships who play such a vital role in our economy.

J. Breeden Blackwell, Chairman
Cumberland County Board of Commissioners

Donovan McLaurin,
Chair
Wade, Falcon & Godwin

Lori Epler,
Vice-Chair
Cumberland County

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



COUNTY of CUMBERLAND

Planning and Inspections Department

Thomas J. Lloyd,
Director

Cecil P. Combs,
Deputy Director

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

Benny Pearce
Town of Eastover

APRIL 11, 2008

MEMO TO: CUMBERLAND COUNTY BOARD OF COMMISSIONERS ITEM NO. 2A

FROM: CUMBERLAND COUNTY JOINT PLANNING BOARD

SUBJECT: **P08-10: REZONING OF 166+/- ACRES FROM A1 AGRICULTURAL DISTRICT TO A1/CUD CONDITIONAL USE DISTRICT, ADDITION TO AN EXISTING ADJACENT QUARRY, AND THE PERMIT OR TO A MORE RESTRICTIVE ZONING DISTRICT; LOCATED ON THE SOUTH SIDE OF RIVER ROAD, NORTHEAST OF GAME ROAD; SUBMITTED BY GARY T. BIZZELL, PRESIDENT, AMERICAN MATERIALS COMPANY, L.L.C.; OWNED BY FORKS, L.L.C.**

ACTION: MEMBERS PRESENT AT THE MARCH 18, 2008 MEETING VOTED UNANIMOUSLY TO FOLLOW THE STAFF RECOMMENDATION AND APPROVE C(P)/PLANNED COMMERCIAL/CONDITIONAL USE DISTRICT FOR EXPANSION AND ADDITION TO EXISTING QUARRY AND OTHER PERMITTED USES AND APPROVAL OF THE CONDITIONAL USE PERMIT.

SITE INFORMATION: **Frontage & Location:** 1,200' +/- on south side SR 1714 (River Road); **Depth:** 4,300' +/-; **Adjacent Property:** No (not listed under same name); **Current Use:** Residential and woodlands; **Initial Zoning:** A1 – October 24, 1990 (Area 18); **Zoning Violation(s):** None; **Surrounding Zoning:** North: A1 & CD; East & West: A1 & A1; South: A1/CU (quarry); **Surrounding Land Use:** Residential (including manufactured homes), farmland, quarry and woodlands; **Wade Area Detailed Land Use Plan:** One acre residential lots; **Designated Special Flood Hazard Area or Floodway:** None; **Urban Services Area:** No; **Water/Sewer Availability:** Well/Septic; **Soil Limitations:** Yes, hydric and hydric inclusion: Ro Roanoke and Wahee loams (Roanoke part); **Subdivision/Site Plan:** See attached *Ordinance-Related Conditions*; **Average Daily Traffic County (2006):** 420 on SR 1714 (River Road); **Highway Plan:** River Road is identified in the Highway Plan as a Major Thoroughfare. This proposal calls for widening to a multi-lane facility (4 lane-divided). Road improvements are not included in the 2007-2013 MTIP. This is a Priority One Project under the LRTP; **Notes:** If approved, the *Ordinance-Related Conditions* are attached; particular attention should be paid to conditions 1 - 3, 11, and 17.

MINUTES OF MARCH 18, 2008

The Planning & Inspections Staff recommends approval of the requested rezoning to A1 Agricultural/ Conditional Use District (A1/CUD), with the applicant/property owner voluntarily restricting the allowable use of the subject property to an expansion and addition to an existing quarry and one existing residential dwelling unit; prohibiting all other uses allowed within the A1 Agricultural district, based on the following:

- Although the request is not consistent with the Wade Area Detailed Land Use Plan, which calls for one acre residential lots at this location, the request is consistent with the existing use of the adjacent properties and is reasonable with the use being setback from the public right-of-way and surrounding properties a sufficient width so that the adjacent and abutting properties should not be detrimentally affected.

The Planning & Inspections Staff also recommends approval of the Conditional Use Permit, based on the following:

1. The use will not materially endanger the public health or safety if located according to the plan submitted, though this type of operation is strictly monitored by the State and outside the scope of zoning, the applicant/property owner has agreed to all ordinance requirements;
2. The use will meet all required conditions and specifications if developed according to the site plan, application and conditions – a copy of the *Ordinance-Related Conditions* pertaining to this site is attached;
3. The use will maintain or enhance the value of adjoining or abutting properties in that the use is a continuation of the adjacent use and upon conclusion of the quarry operation, the developer/property owner is required by both local regulations and the State to reclaim the property restoring it to a suitable condition for use and the developer has agreed to construct or put in place all zoning measures intended to protect adjacent properties – see attached *Ordinance-Related Conditions*; and
4. The location and character of the use, if developed according to the plan as submitted and recommended, will be in harmony with the area in which it is to be located and in general will be in conformance with the development ordinances and adopted planning policies.

There are no other suitable zoning districts to be considered for this site.

The *Ordinance-Related Conditions* have been explained to the applicant and he has verbally agreed with them.

A motion was made by Mr. McNeill and seconded by Mrs. Piland to follow the staff recommendation and approve C(P)/Conditional Use District for expansion and addition to existing quarry because the application is reasonable, neither arbitrary nor unduly discriminatory and in the public interest. Unanimous approval.

A motion was made by Mr. McNeill and seconded by Mr. Hostetter to approve the Conditional Use Permit as recommended by the staff for expansion and addition to existing quarry after finding that when completed, the proposal: 1) will not materially endanger the public health and safety; 2) will not substantially injure the value of adjoining or abutting property; 3) will be in harmony with the area in which it is to be located; and 4) will be in conformity with the land use plan, thoroughfare plan or other plan officially adopted by the Board of Commissioners. Unanimous approval.

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P08-10
Conditional Use District & Permit
Ordinance-Related Conditions

Pre-Permit Related:

1. A sealed survey must be submitted to Land Use Codes prior to application for any permits and/or commencement of the quarry operations; this survey is required due to the questionable location of the Progress Energy power line easement. This survey must also show the location of all existing power poles located on this property. Upon locating the power easement, the site plan may have to be revised to reflect the proper location. If the surveyed easement is not in the same location as shown on the site plan, the applicant must submit a revised site plan and receive staff approval prior to application for any permits and/or commencement of the quarry operations.
2. A revised site plan must be submitted for staff review and approval showing the existing stream located on the subject property and that no excavation shall be made closer than 200 feet from the banks of the stream, except where by submission of documentation, verified by the County Engineer, that such excavation or quarrying shall not impair the lateral support needed for permanent stream levees. (This condition is to be deleted; not required per Bob Stanger, County Engineer)
3. Prior to application for local permits and/or prior to commencement of the quarry operations, the applicant must submit a notarized *Affidavit of Notification* and the *Notice* required by NC Department of Environment and Natural Resources, Land Quality Section to the attention of the County Manager, Mr. James Martin; also must provide a copy of said documents to the Land Use Codes staff.

Watershed-Related:

4. An application for a Watershed "No Approval Required" development must be submitted to the Watershed Review Officer (WRO) and plans must be approved by the WRO prior to final plat approval and/or prior to application for any building/zoning permits, site plan approval is required. A copy of the WRO's approval of this plat/plan must be submitted to Code Enforcement at the time of application for any permits.

Permit-Related:

5. 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.
6. If applicable, the County Health Department must approve water and sewer plans prior to application for any permits. Site and soil evaluations must be conducted on the property by the County Environmental Health Department prior to application for permits. A copy of the Health Department approval must be provided to Code Enforcement at the time of application for any building/zoning permits. (Note: All Health Department requirements must be met prior to issuance of final permits.)

Note: This development is located within the Eastover Sanitary District's (ESD) Phase Two area and public water/sewer should be available in 2008. Contact the ESD for more information regarding this condition.

7. New development that will disturb one acre or more of land or is part of a larger plan that will disturb at least an acre of land is subject to the post-construction Stormwater Management Permitting Program (Phase II Stormwater Management Requirements) administered by the Division of Water Quality, North Carolina Department of Environment and Natural Resources.
8. The developer must provide the Code Enforcement Section with an approved NC Department of Environment and Natural Resources (NCDENR) sedimentation and erosion control plan (S&E) prior to any application for permits. (Note: If any retention/detention basins are required for state approval of this plan, then three (3) copies of a revised plan must be submitted and approved by Planning & Inspections prior to application for any building/zoning permits.) A copy of the NCDENR approval must be provided to Code Enforcement at the time of application for any building/zoning permits.
9. The developer must provide a site-specific address and tax parcel number at the time of building/zoning permit application.

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10. Three (3) copies of a revised site plan must be submitted to Land Use Codes for review and approval depicting the minimum required landscaping. The minimum standards for landscaping this site are 24 large shade trees or 48 small ornamental trees planted within the front yard setback area along SR 1714 (River Rd). In addition,
 - a. All required plant materials shall be maintained by the property owners, including replacing dead or unhealthy trees and shrubs;
 - b. Existing healthy trees may be counted if shown on the site plan to satisfy this requirement; and
 - c. All planting areas shall be kept free of weeds and debris.

Wetland-Related:

11. The project may impact waters of the US and wetlands that are subject to jurisdiction under Section 404 of the Clean Water Act. If the project will involve a discharge of fill material into waters of the US or wetlands, a permit must be obtained to avoid a violation of Federal law. A wetland delineation will be required for any activity that will impact a water or wetland. The US Army Corps of Engineers recommend the applicant hire an environmental consultant to obtain a timely identification/delineation of the waters and wetlands that may be on the property.

Site-Related:

12. All uses, dimensions, setbacks and other related provisions of the County Subdivision and Zoning Ordinances for the A1/CUD in addition to the conditions of the Permit, this condition also specifically includes that all provisions of Section 919 of the County Zoning Ordinance be complied with a copy of which has been provided to the applicant.
13. This conditional approval is not approval of any freestanding signs. If a freestanding sign is desired, re-submittal of the site plan for staff review and approval is required prior to application for any freestanding sign permits. Attached signage for this development must 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.)
14. An adequate drainage system must be installed by the developer in accordance with the NC Department of Environment and Natural Resources' (NCDENR) *Manual on Best Management Practices* and all drainage ways must be kept clean and free of debris.
15. All utilities, except for 25kv or greater electrical lines, must be located underground.
16. The owner/developer shall secure and maintain the detention/retention basin, keeping it clear of debris and taking measures for the prevention of insect and rodent infestation.
17. The developer must obtain a driveway permit from the NC Department of Transportation (NCDOT). A copy of the approved driveway permit must be provided to Code Enforcement at the time of application for building/zoning permits. The NCDOT has stated that no additional access will be allowed and the entrance shown on the site plan CANNOT be used to access the 166+/- acre quarry – the access to the existing quarry must be used to gain entrance to this site.

Note: The NCDOT has stated that if the developers/owners are willing to participate in the upgrade of SR 1714 (River Road) then an additional access would be allowed. The reason is that the quarries have caused significant damage to SR 1714 (River Road) and the NCDOT has considerable increased costs to maintain and repair sections of SR 1714 (River Road).
18. 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.
19. The drives within the premises shall be maintained in a dust-free condition through surfacing or such other treatment as may be necessary.
20. A solid buffer must be provided and maintained along the entire perimeter of the development, except where this site is adjacent to the existing quarry, as reflected on the proposed site plan in accordance with the provisions of Section 1102 G, Buffer

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Requirements, County Zoning Ordinance. In addition, the area labeled as "Plant and Stock Pile Area" must be completely screened from view from SR 1714 (River Road).

21. Any dumpster, garbage, and utility areas shall be located on concrete pads and screened on a minimum of three sides.
22. All notes and calculations as shown on the site plan are to be considered as a part of this conditional approval.

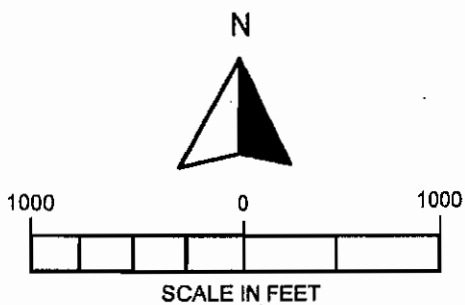
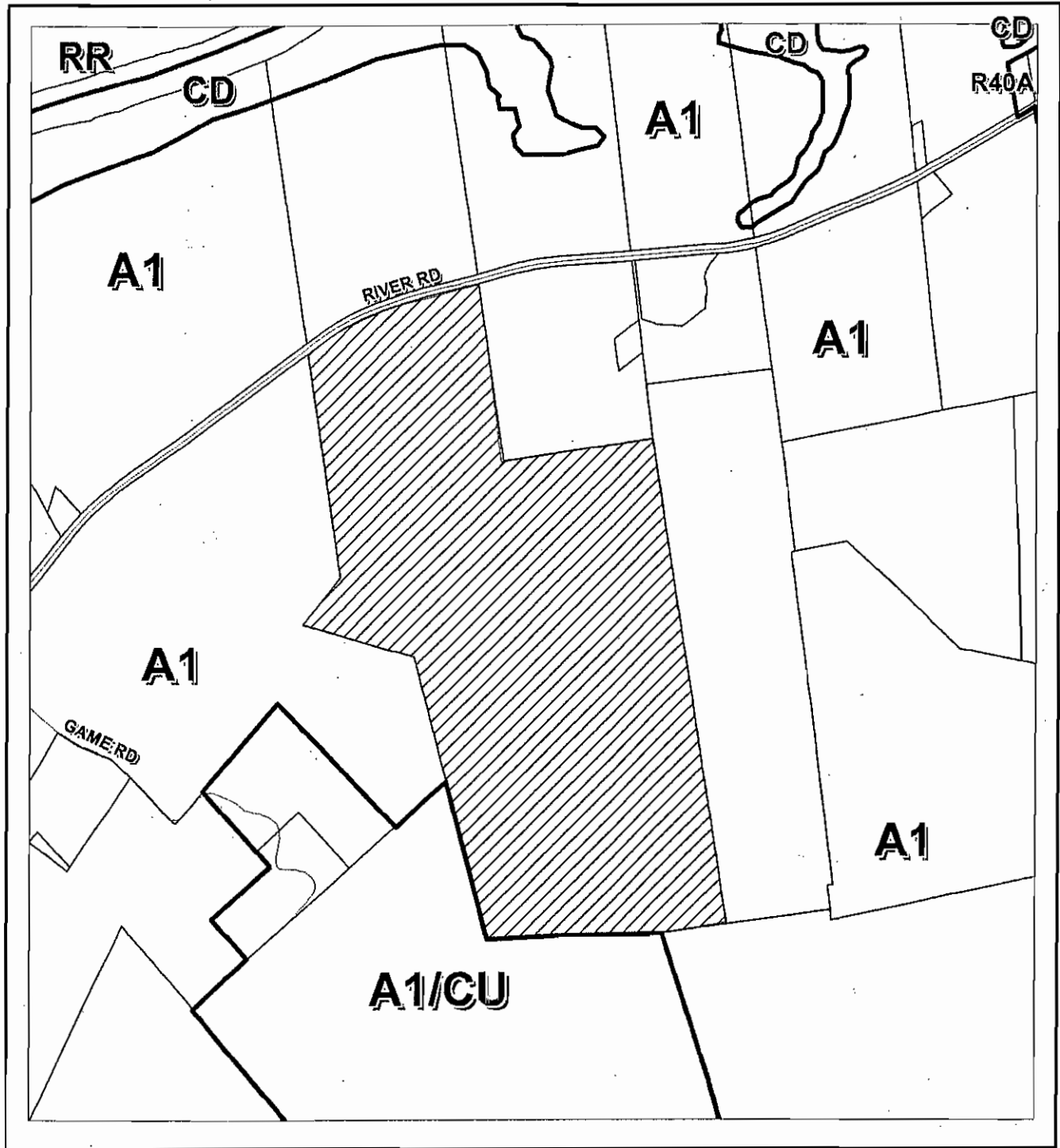
Other Relevant Conditions:

23. The applicant is advised to consult an expert on wetlands before proceeding with any development.
24. The applicant must comply with all provisions of the *Transmission Line Use Guidelines*, a copy of which has been provided to the applicant attached to a letter from Progress Energy, dated October 29, 2007, a copy of which is included in the case file and made a part of this record.
25. All equipment used for excavation, quarrying and permitted processing must be constructed, maintained and operated in such a manner as to eliminate, as far as practicable, noise, vibration, or dust which would injure or annoy persons living or working in the vicinity.
26. The owner/developer is responsible for ensuring easements which may exist on the subject property are accounted for, not encumbered and that no part of this development is violating the rights of the easement holder.

If you need clarification of any conditions, please contact Ed Byrne at 910-678-7609 or Patti Speicher at 910-678-7605; otherwise, contact the appropriate agency at the contact numbers below.

Contact Information (Area Code is 910 unless otherwise stated):

Watershed Review Officer:	Jeff Barnhill	678-7765
Subdivision/Site Plan/Plat	Ed Byrne	678-7609
Code Enforcement (Permits):	Ken Sykes	321-6654
County Health Department:	Danny Soles	433-3685
Eastover Sanitary District:	Morgan Johnson	323-3973
Town of Wade:	Cindy Burchett	485-3502
Corp of Engineers (wetlands):	Ronnie Smith	(910) 251-4829
NCDENR (E&S):	Jody Pace	433-3300
E911 Site-Specific Address:	Ron Gonzales	678-7616
Tax Parcel Numbers:		678-7549
NCDOT (driveways/curb-cuts):	Gary Burton	486-1496
NC Division of Water Quality	Mike Randall	(910) 733-5083 ext. 545

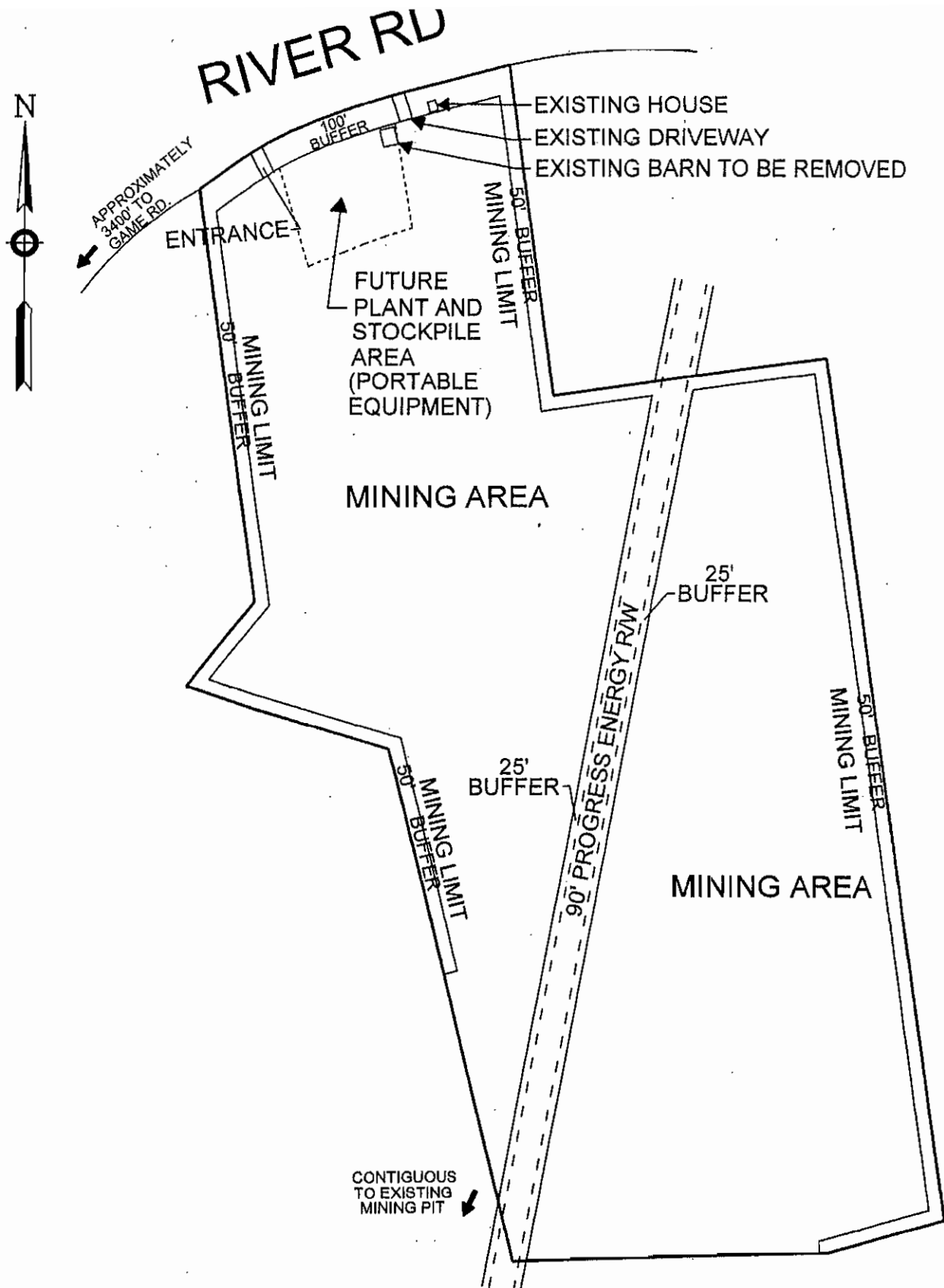


PIN: 0551-95-5580

REQUESTED REZONING A1 TO A1/CU

ACREAGE: 166 AC.+/-		HEARING NO: P08-10	
ORDINANCE: COUNTY		HEARING DATE	ACTION
STAFF RECOMMENDATION			
PLANNING BOARD			
GOVERNING BOARD			

AF
1/25/08



CONDITIONAL USE DISTRICT AND PERMIT
 REQUEST: FOR ADDITION TO AN EXISTING ADJACENT QUARRY, AND THE PERMIT OR TO A
MORE RESTRICTIVE ZONING DISTRICT

CASE: P08-10 ACREAGE: 166±

ZONED: A1 SCALE: NTS

2/19/08

TO THE CUMBERLAND COUNTY JOINT PLANNING BOARD AND THE BOARD OF COUNTY COMMISSIONERS OF CUMBERLAND COUNTY, NC:

I (We), the undersigned, hereby submit this application, and petition the County Commissioners to amend and to change the zoning map of the County of Cumberland as provided for under the provisions of the County Zoning Ordinance. In support of this petition, as hereinafter requested, the following facts are submitted:

1. APPLICANT/AGENT: FORKS, LLC
2. ADDRESS: PO Box 872, CLINTON NC ZIP CODE: 28329
3. TELEPHONE: (Home) _____ (Work) _____
4. Location of Property: ALONG RIVER Rd. (SR 1714)
APPROX. 3400' NORTHEAST OF INTERSECTION WITH GAME Rd.
5. Parcel Identification Number (PIN #) of subject property: 0551-88-5693
(also known as Tax ID Number or Property Tax ID) 0551-95-2034
0551-04-1970
6. Acreage: ~~165.43~~ 166 Frontage: 1219.51' Depth: 4376.63'
7. Water Provider: N/A
8. Septage Provider: N/A
9. Deed Book 7768, Page(s) 196, 199, Cumberland County Registry. (Attach copy of deed of subject property as it appears in Registry):
10. Existing use of property: AGRICULTURE
11. Proposed use(s) of the property: QUARRYING

EXPANSION OF EXISTING SAND MINE

NOTE: Be specific and list all intended uses.

12. It is requested that the foregoing property be rezoned FROM: A-1 *verified 1-22-08 pss*

TO: (select one)

- ☒ Conditional Use District, with an underlying zoning district of A-1
(Article V)
☐ Mixed Use/Conditional Use District (Article VI)
☐ Planned Neighborhood District/Conditional Use District (Article VII)
☐ Density Development/Conditional Use District, at the _____ Density
(Article VIII)

3 side SR 1714 (River Rd)
NE of Game Rd

APPLICATION FOR
CONDITIONAL USE DISTRICT AND PERMIT

1. PROPOSED USE(S):

- A. List the use(s) proposed for the Conditional Use District and Permit. (Use of the underlying district will be restricted only to the use(s) specified in this application.)

QUARRING

- EXPANSION OF EXISTING SAND PIT

- B. Density: List the amount of acreage that will be residential, commercial, and/or open space, and the number of lots and/or dwelling units proposed.

¹⁶⁶
- ~~165.93~~ ACRES TOTAL FOR MINING AND UNDISTURBED BUFFERS
- APPROXIMATELY 1/2 OF THIS AREA TO BE DISTURBED

2. DIMENSIONAL REQUIREMENTS:

- A. Reference either the dimensional requirements of the district, Sec. 1104 or list the proposed setbacks.

- 50 FT. SETBACKS FROM PROPERTY LINES
- 100 FT. SETBACK FROM RIVER ROAD R/W
- 25 FT. SETBACK FROM POWER LINE R/W

- B. Off-street parking and loading, Sec. 1202: List the number of spaces, type of surfacing material and any other pertinent information.

NO PARKING OR LOADING

3. SIGN REQUIREMENTS:

Reference the district sign regulations proposed from Sec. 1306.

NO SIGNS

4. LANDSCAPE AND BUFFER REQUIREMENTS:

- A. For all new non-residential and mixed use development abutting a public street, indicate the number of large or small ornamental trees used in the streetscape, yard space, and/or parking areas, plus the number of shrubs (Sec. 1102N).
NOTE: All required landscaping must be included on the site plan.

100' BUFFER ALONG RIVER ROAD - NATURAL VEGETATION

- B. Indicate the type of buffering and approximate location.

50' BUFFER - UNDISTURBED - PARALLEL TO PROPERTY LINE
100' BUFFER - UNDISTURBED - PARALLEL TO RIVER ROAD

5. MISCELLANEOUS:

List any information not set forth above, such as the days and hours of the operation, number of employees, exterior lighting, noise, odor and smoke, emission controls, etc.

AS PER REQUIREMENTS OF EXISTING CONDITIONAL USE
PERMIT ON ADJACENT PROPERTY

6. SITE PLAN REQUIREMENTS:

The application shall include a site plan drawn to the specifications of Sec. 1402. If the proposed uses involve development subject to the County Subdivision Ordinance, the site plan required may be general in nature, showing a generalized street pattern, if applicable, and the location of proposed uses. If the proposed uses include development not subject to the Subdivision Ordinance, the site plan shall be of sufficient detail to allow the Planning and Inspections Staff and the Planning Board to analyze the proposed uses and arrangement of uses on the site. It shall also include the footprints of all buildings (proposed and existing), the proposed number of stories, location and number of off-street parking and loading spaces, proposed points of access to existing streets and internal circulation patterns. In addition, the location of all proposed buffers and fences and landscaping shall be included on the site plan.

7. ACKNOWLEDGEMENT:

It is understood by the undersigned that the official zoning map, as originally adopted and subsequently amended, is presumed to be appropriate to the property involved and that the burden of proof for a zoning amendment (change) rests with the petitioner.

It is the responsibility of the petitioner (personally or by agent) to submit to the Planning and Inspections Department a valid request, not incompatible with existing neighborhood zoning patterns.

The undersigned hereby acknowledge the Planning and Inspections Staff has conferred with the petitioner or assigns, and the application as submitted is accurate and correct.

1 Forks, LLC
NAME OF OWNERS (PRINT OR TYPE)

PO Box 872, CLINTON NC 28329
ADDRESS OF OWNER(S)

HOME TELEPHONE # _____ WORK TELEPHONE # 910 592-1733

American Materials Company LLC
NAME OF AGENT, ATTORNEY, APPLICANT (by assign) (PRINT OR TYPE)

P.O. Box 88 Clinton NC 28329
ADDRESS OF AGENT, ATTORNEY, APPLICANT

HOME TELEPHONE # _____ WORK TELEPHONE # 910 592-2176

[Signature]
SIGNATURE OF OWNER(S)

[Signature]
SIGNATURE OF AGENT, ATTORNEY OR APPLICANT

SIGNATURE OF OWNER(S)

* ALL record property owners must sign this petition.

* The contents of this application, upon submission, becomes "public record."

Gary Bizeel

910-604-1441 - cell
592-2176 - office 5 of 6

MOTIONS ON CONDITIONAL USE DISTRICT REZONING APPLICATIONS

IF TO APPROVE CONDITIONAL USE DISTRICT:

I MOVE THAT THE BOARD OF COMMISSIONERS FINDS THAT THIS CONDITIONAL USE DISTRICT APPLICATION IS REASONABLE, NEITHER ARBITRARY NOR UNDULY DISCRIMINATORY, AND IN THE PUBLIC INTEREST, AND THAT THE CONDITIONAL USE(S) BE APPROVED OR DELETED AS DESCRIBED IN THE STAFF AGENDA MEMORANDUM:

IF TO DENY CONDITIONAL USE DISTRICT:

I MOVE THAT THE BOARD OF COMMISSIONERS FAILS TO FIND THAT THIS CONDITIONAL USE DISTRICT APPLICATION IS REASONABLE, NEITHER ARBITRARY NOR UNDULY DISCRIMINATORY, AND IN THE PUBLIC INTEREST, AND THAT IT THEREFORE BE DENIED.

[**IF CONDITIONAL USE DISTRICT IS DENIED, DO NOT MAKE ANY MOTION ON CONDITIONAL USE PERMIT].**

IF TO APPROVE CONDITIONAL USE PERMIT:

I MOVE THAT THE BOARD OF COMMISSIONERS FINDS THAT THIS CONDITIONAL USE PERMIT APPLICATION, IF COMPLETED AS PROPOSED AND SUBJECT TO THE CONDITIONS RECOMMENDED BY THE PLANNING BOARD:

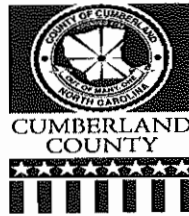
- (I) WILL NOT MATERIALLY ENDANGER THE PUBLIC HEALTH AND SAFETY, AND
- (II) WILL NOT SUBSTANTIALLY INJURE THE VALUE OF ADJOINING OR ABUTTING PROPERTY, AND
- (III) WILL BE IN HARMONY WITH THE AREA IN WHICH IT IS TO BE LOCATED, AND
- (IV) WILL BE IN CONFORMITY WITH THE LAND USE PLAN, THOROUGHFARE PLAN OR OTHER PLAN OFFICIALLY ADOPTED BY THE BOARD OF COMMISSIONERS.

October 22, 2007

Donovan McLaurin,
Chair
Wade, Falcon & Godwin

Lori Epler,
Vice-Chair
Cumberland County

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



COUNTY of CUMBERLAND

Planning and Inspections Department

Thomas J. Lloyd,
Director

Cecil P. Combs,
Deputy Director

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

Benny Pearce
Town of Eastover

APRIL 11, 2008

MEMO TO: CUMBERLAND COUNTY BOARD OF COMMISSIONERS ITEM NO. 2B

FROM: CUMBERLAND COUNTY JOINT PLANNING BOARD

SUBJECT: **P08-14: REZONING OF 10.57+/- ACRES FROM R10 TO R5A OR TO A MORE RESTRICTIVE ZONING DISTRICT, LOCATED ON THE WEST SIDE OF SOUTH PINE TREE LANE, SOUTH OF SPRING AVENUE, SUBMITTED BY DENVER LEE MCCULLOUGH FOR GEORGE YASMINE, OWNED BY MCCORMICK FARMS LTD.(COUNTY & SPRING LAKE)**

ACTION: MEMBERS PRESENT AT THE MARCH 18, 2008 MEETING VOTED UNANIMOUSLY TO FOLLOW THE STAFF RECOMMENDATION AND APPROVE R5A RESIDENTIAL DISTRICT

SITE INFORMATION: Total Tract Acreage: 73.95+/-; **Frontage & Location:** 576 +/- on South Pine Tree Lane; **Depth:** 663'+/-; **Jurisdiction:** Cumberland County & Spring Lake (Note: Annexation petition required for utility extension); **Adjacent Property:** Yes, adjacent property ownership to the north; **Current Use:** Vacant; **Initial Zoning:** R10 - January 7, 1977 (Area 11); **Zoning Violation(s):** None; **Surrounding Zoning:** North: R5A, R10 & R6A; East: R10, R10/CU (manufactured home) & R6A; South & West: R10; **Surrounding Land Use:** School, manufactured home parks (one abandoned park), duplexes, and open storage of junk; **Spring Lake Area Land Use Plan:** Low density residential; **Designated 100-Year Floodplain or Floodway:** No; **Urban Services Area:** Yes, County portion; **Water/Sewer Availability:** Both Spring Lake; connection required; **Soil Limitations:** None; **School Capacity/Enrolled:** Manchester Elementary: 349/369; Spring Lake Middle: 706/480; Pine Forest High: 1,750/1,637; **Subdivision/Site Plan:** Upon development, subdivision/group development review and approval required; **Average Daily Traffic Count (2006):** 2,900 on Spring Avenue, 1,300 on South Pine Tree Lane; **Accident Potential Zone (APZ):** The property is not located within an Accident Potential Zone (APZ) or critical noise area. For any structures, construction cranes or communications towers of significant height associated with this case, applicant is advised to file FAA Form 7460-1 with the Federal Aviation Administration to determine any potential impact to Pope AFB/Fort Bragg flying operations; **Notes:** (All density calculations are based on Spring Lake Zoning Code); **Density:** R10 - 61 lots/61 units, R6 - 91 lots/92 units, R5A - 129 lots/129 units; **Density** (minus 15% for r/w): R10 - 51 lots/52 units, R6 - 78 lots/78 units, R5A - 152 lots/152 units.

MINUTES OF MARCH 18, 2008

The Planning & Inspections Staff recommends approval of the R5A Residential district based on the following:

1. Even though the request is not consistent with the Spring Lake Land Use Plan, the request is consistent with the zoning and land uses in the general area; and

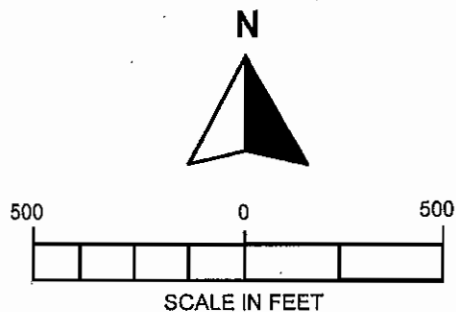
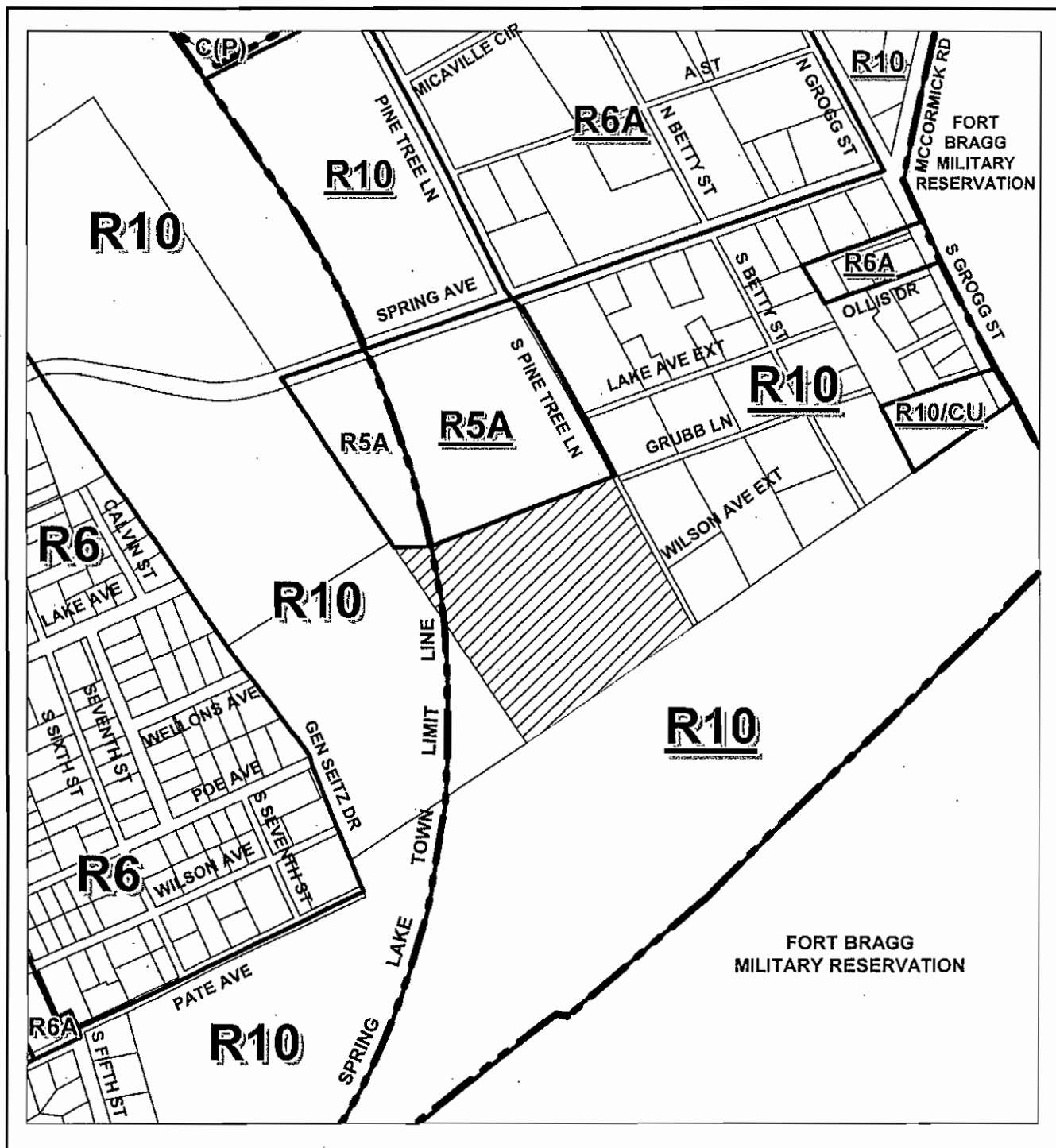
Case P08-14 Continued

2. Public utilities are available to the site.

The R6 Residential district could also be considered suitable for this location.

The Town of Spring Lake Staff also recommends approval of this request.

A motion was made by Mr. McNeill, seconded by Mr. Hostetter to follow the staff recommendation and approve case P08-14 as submitted. Unanimous approval.



REQUESTED REZONING: R10 TO R5A

ACREAGE: 10.57 AC. +/-		HEARING NO: P08-14	
ORDINANCE: COUNTY/SPRING LAKE	HEARING DATE	ACTION	
STAFF RECOMMENDATION			
PLANNING BOARD			
GOVERNING BOARD			

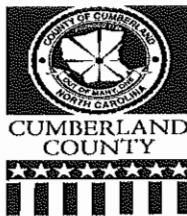
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0511-07-6534

JM
3/03/08

Donovan McLaurin,
Chair
Wade, Falcon & Godwin

Lori Epler,
Vice-Chair
Cumberland County

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

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Deputy Director

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

Benny Pearce
Town of Eastover

APRIL 11, 2008

Deferred From March 17, 2008
Board of Commissioners Meeting

ITEM NO.

2C

MEMO TO: CUMBERLAND COUNTY BOARD OF COMMISSIONERS

FROM: CUMBERLAND COUNTY JOINT PLANNING BOARD

SUBJECT: **P08-11: REZONING OF 0.60+/- ACRES FROM A1 AGRICULTURAL DISTRICT TO C(P)/CUD CONDITIONAL USE DISTRICT FOR A CREMATORY AND THE PERMIT OR TO A MORE RESTRICTIVE ZONING DISTRICT, LOCATED AT 6771 SANDY CREEK ROAD, SUBMITTED BY GARRIS N. YARBOROUGH, OWNED BY DAVID M. CAMPBELL.**

ACTION: MEMBERS PRESENT AT THE FEBRUARY 19, 2008 MEETING VOTED TO FOLLOW THE STAFF RECOMMENDATION AND APPROVE C(P)/PLANNED COMMERCIAL DISTRICT CONDITIONAL USE DISTRICT FOR A CREMATORY AND APPROVAL OF THE CONDITIONAL USE PERMIT.

SITE INFORMATION: Total Tract Acreage: 29.74+/-; Frontage & Location: No direct frontage for subject; however, tract has 506.43+/- on Sandy Creek Rd; **Depth:** 288'+/-; **Adjacent Property:** Yes, to the east and southeast; **Current Use:** Residential; **Initial Zoning:** A1-September 20, 1996 (Area 20); **Zoning Violation(s):** Yes, November 21, 2007 *Notice of Violation* issued for owner's expansion of an existing legal nonconforming use; **Surrounding Zoning:** North: A1; East: R40A, A1; South: A1, R40A & R6A; West: RR & A1; **Surrounding Land Use:** Single-family residential (including manufactured homes), farmland and woodlands; **2010 Land Use Plan:** Farmland; **Designated 100-Year Floodplain or Floodway:** No; **Water/Sewer Availability:** Well/Septic; **Soil Limitations:** Yes, hydric: Le Leon sand; **School Capacity/Enrolled:** Stedman Primary: 136/146; Stedman Elementary: 303/318; Mac Williams Middle: 1274/1162; Cape Fear High: 1400/1470; **Subdivisions:** See attached recommended *Ordinance-Related Conditions*; **Average Daily Traffic Count (2006):** 500 on Sandy Creek Road, 260 Page Road; **Highway Plan:** There are no road improvements/constructions specified for this area; **Notes:** 1. The applicant/owner is voluntarily requesting to restrict the subject portion of their property to be used as a crematorium. 2. If approved, the "Ordinance-Related Conditions" are attached. 3. Use as a crematorium pre-existed zoning in this area; after initial zoning applicant/owner expanded the structure in which this operation is taking place; the applicant/owner has elected to submit for rezoning to make the use conforming.

MINUTES OF FEBRUARY 19, 2008

Ms. Speicher reviewed the site information and stated the staff recommends approval of the requested rezoning to C(P) Planned Commercial/Conditional Use District [C(P)/CUD], with the applicant/property owner voluntarily restricting the allowable use of the subject property to a "crematorium" and eliminating all other uses normally allowed within the C(P) Planned Commercial district, based on the following:

Case P08-11 continued

- Although the request is not consistent with the 2010 Land Use Plan, which calls for farmland at this location, the request is consistent with the existing use of the subject property and is reasonable with the use being centered on a large tract and not in close proximity to adjacent or abutting properties.

The Planning & Inspections Staff also recommends approval of the Conditional Use Permit, based on the following:

1. The use will not materially endanger the public health or safety if located according to the plan submitted, though this type of operation is strictly monitored by the State and outside the scope of zoning, the applicant/property owner has agreed to all ordinance-related requirements;
2. The use will meet all required conditions and specifications if developed according to the site plan and application – a copy of the Ordinance-Related Conditions pertaining to this site is attached;
3. The use will maintain or enhance the value of adjoining or abutting properties in that the use is pre-existing to zoning of this area and the developer has agreed to construct or put in place all zoning measures intended to protect adjacent properties – see attached Ordinance-Related Conditions; and
4. The location and character of the use, if developed according to the plan as submitted and recommended, will be in harmony with the area in which it is to be located and in general will be brought into conformance with the development ordinances and adopted planning policies.

There are no other suitable zoning districts to be considered for this site.

Ms. Speicher asked that if the Board considers approving this application, to clarify for the record and for the applicant that condition number eleven under ordinance-related conditions calls for all utilities to be underground. We would like to make it clear that we are talking about any new utilities that are installed.

Public Hearing opened and Chair McLaurin swore in all speakers.

Neil Yarborough spoke in favor and represented the owner Mr. David Campbell. Mr. Yarborough stated that this matter resulted from the lack of Mr. Campbell's knowledge in zoning. Mr. Campbell was not aware of the fact that he needed to apply for rezoning. Another point I want to make is that what brought this to Mr. Campbell's attention is that he did an expansion about four years ago to the pre-existing use. When he did this, it was done to improve the working area, and to put in a new furnace. The new furnace had enhanced pollution control facilities; it was a newer and more environmentally friendly facility. Thinking that he had already been permitted, initially having a permit from the North Carolina Crematory Review Board, he moved forward and did not get a zoning permit. This facility that we are talking about has been in operation in its current state for three and a half years. It has been inspected by the North Carolina Crematory Authority, North Carolina Department of Environment and Natural Resources, Air Quality Division, OSHA, and found to be in compliance with all regulations, not in any kind of violation and does not pose an environmental impact. Additionally, it's been inspected by

Case P08-11 continued

the local Fire Marshall, there were several violations found by the Fire Marshall, he needed to refurbish his fire extinguisher and he needed an emergency exit sign, but there were no significant fire hazards. Mr. Campbell has owned this property since 1990, this facility has been in place and operating since 1992. At the time it was built this part of the County was not zoned. It's been in operation with no violations, other than the noted zoning violation. The site plan has been done in conformity with all of the ordinance requirements. It would be appropriate for you to pass this application and request, and we would ask you to do so.

Chair McLaurin asked Mr. Yarborough what the total years of operation were.

Mr. Yarborough stated that the crematorium had been in operation since 1992, with an older furnace system. A new more updated, environmentally friendly furnace was put in, and additional space was added to the facility. We do not anticipate any greater use and haven't experienced any greater use in the three and a half years since this facility has been in operation in its current state. We do not believe it would cause any greater imposition on the community than the existing use is. Please remember this, we're not asking, at this point in time, to add anything. Unfortunately, we are asking for approval for something that occurred from an oversight or lack of knowledge on Mr. Campbell's part.

Mr. Jim Wade Goodman spoke in opposition. Mr. Goodman represented the Dunn's who are adjacent property owners of the subject property. The reason we are here is because the use is nonconforming, and in fact was expanded and in violation of the code, and a notice of citation was issued. It would not be appropriate to grant the relief that is being sought. It is up to the petitioner to prove that the provisions of Section 504 of the County Ordinance are met. Those conditions have not been met and the applicant has not shown that those provisions have been met. This is an incinerator facility, a commercial and industrial use, which is in the middle of an agricultural and residential area. The use does materially endanger the public health or safety of the people in the surrounding area, particularly the folks in the residential area. Emissions from crematorium units, like this, can be very toxic. Dioxins are emitted, heavy metals, such as mercury are emitted, and hydrogen chloride from plastics from prosthetics may be emitted from these facilities, as well as nitrogen oxide and sulfur dioxides. This is not someone just burning wood in their fireplace. This is a very serious incineration operation, the use of which has in terms of the number of bodies burned, more than doubled since zoning was put into effect in this area in 1996. I would like to submit for evidence documents from the Board of Funeral Services of North Carolina and attached to those are the crematory license and renewal applications that show year by year the increase in the number of bodies burned and the emissions made from this facility over that period of time. We are looking at the possibility of another increase in the size of the facility and the level of emissions, again if this application is approved. Mr. Goodman presented a chart of the number of bodies burned each year. In 1996 there were approximately three hundred thirty-five bodies burned at this facility. In 2006 the last year that we have full numbers for, over seven hundred and fifty bodies were burned at this location. The applicant has not proven that the conditions in Section 504a have been met with respect to the permitted variance that is being sought (Staff note: Variance has not been requested by applicant). Allowing this facility of a commercial and industrial nature to continue to operate, and perhaps even expand in a predominately residential and agricultural area, will have a detrimental effect on the value of adjoining

Case P08-11 continued

and abutting property. Industrial incinerator activity such as this is not in harmony with the agricultural use in this area, and certainly not, with respect to the rather dense residential development that is in this area.

Vice-Chair Epler asked Mr. Goodman if it was a homeowner that lived adjacent to the subject property.

Mr. Goodman stated that he represented the Dunn's who own property that is adjoining the applicant's property. That is not their residence, but it is their property.

Mr. Turner asked if there were any statistics on people with adverse reactions health wise, because of this operation.

Mr. Goodman stated that he was not aware of any reported cases.

Mr. Morris asked where Mr. Goodman received his information in regards to the chemicals that were previously mentioned.

Mr. Goodman stated that the information came from a reported North Carolina case involving the City of Clinton where the respondent there had attempted to have property rezoned in an area to permit this particular use. The City Council denied that use, the petitioner appealed to the Superior Court, who upheld the City Council's decision. The factors they looked at in reaching the decision to not allow the permit are not dissimilar at all to the requirements of Section 504. In that case they talked about the emissions that are created by a crematory operation. The name of the case is Butler vs. City of Clinton, 2003 case from the Court of Appeals. I would be happy to provide a copy of the case.

Margarette Dunn spoke in opposition. My husband and I have owned this property that is beside, behind, and across from Cape Fear Crematorium. We've owned it since 1972. We bought it as investment property and potentially as a home. This is the first opportunity that we have had to object to this crematorium or accept it, because there was no zoning when it was built. It has escalated tremendously as you can see on this graph. Our land values have fallen; our potential for development is decreased, because of these potential emissions. The mercury is a serious issue with residential and children. There are some unmonitored things, you can not completely clean the air. It goes up and it comes down, crematoriums are the third highest emissions for dioxin, which is a toxin. This is substantiated in a report by a school in Florida in 2001 and again this was a major concern in the Clinton case that Mr. Goodman presented to you. You cannot ignore this; you cannot guarantee that there is not potential damage here to our property, the neighbors, and the young children in this area. For fifteen years we say he has been in existence, poorly monitored at times, the records clearly show. One oven was not equipped with monitoring devices according to the Funeral Board in Raleigh. We don't have data; I believe he will have to come under the Clean Air Act of North Carolina, because of his volume. I think that this should be in an industrial site, where it can be properly monitored.

Mr. Yarborough spoke in rebuttal. We are in compliance with the ordinance, we are eligible, and it would be appropriate to issue this permit. I think that what we are looking at is a trend. This is a universal trend in our nation, as the popularity of cremation comes

Case P08-11 continued

about. There really hasn't been much substantial growth since 2004 at this site. The other thing I want to point out by the opposition's affidavits are that Mr. Campbell has been in constant permit status since 1992, in this facility. The issue before you is not whether there is going to be a crematory there or not, it's whether this crematory is going to use 1992 technology or 2004 technology. When you have OSHA and the North Carolina Department of Air Quality inspecting your property, and the North Carolina Crematory Authority, who is charged with protecting the public health, they are constantly permitted and approved by them, that is actual, factual evidence. Mr. Campbell's facility does not pose a health risk to our community and the surrounding neighborhood. Anything that you have heard about other places or possibilities of this is purely anecdotal and has no relationship to this particular facility. Again, we maintain that it would be better for all to have a 2004 technology in place than a 1992 technology in place; we believe that had Mr. Campbell been more sophisticated in his knowledge of the zoning laws, this matter would have been resolved in 1994 or 1996 when the property was initially zoned. I would also like to say that there is no evidence that this facility has reduced property values.

Mr. McNeill asked Mr. Yarborough about the air monitoring that goes on at the crematorium.

Mr. Yarborough stated that this facility has been inspected on a regular basis by Air Quality.

Mr. McNeill asked how often they are inspected.

Mr. Yarborough stated that he believes the inspections are periodically, part of the annual certification program by the North Carolina Crematory Authority, who is charged with protecting the public health in this matter. The continued renewal is also compelling evidence. We would say that this is a safe and well run operation.

Mr. McNeill asked if that was an annual renewal.

Mr. Yarborough stated that yes, it was an annual renewal. If there were any problems they wouldn't be renewed.

Mr. Goodman stated that it has been his clients' experience that air monitoring in the area is sporadic and spotty at best. Are we going to allow a commercial/industrial use to continue and potentially expand in a residential and agricultural area? I think the answer to that question should be no, and I would respectfully request that you not favorably recommend this matter to the County Commissioners.

Mr. McNeill asked Mr. Goodman if he was implying that something was going on at the crematorium because of his references to commercial and industrial use.

Mr. Goodman stated that he didn't think anything other than what meets the eye, but they are burning human bodies and that is going to give emissions of the type that you would have in an industrial area.

Mr. McNeill asked Mrs. Dunn if there was any evidence that property values were going down.

Case P08-11 continued

Mrs. Dunn stated that yes, her property is used for dumping; I sit and see the heat emission coming from the stacks, there are unmarked vans coming and going, and it's unsightly. The crematorium shouldn't be in this community, it should be in an industrial area so proper monitoring can take place. The Funeral Board depends on the local inspections and zoning to keep them informed. He must be in compliance with them to pass in Raleigh. He has passed in Raleigh, but they were not aware that there were no permits when he had expanded. He has violated that part for several years.

Mr. Yarborough stated that this has passed. There are no building violations or anything like that outstanding other than having to clear up this particular zoning issue. This facility has been in place since 1992. In the exhibit that was passed out it was stated that in November 2003 the unit did not have pollution monitoring system, that is the impetus for putting in this system.

Mr. Morris asked if there was a building permit issued for the expansion.

Mr. Yarborough stated that initially there was a permit issued in 1992. But there was not a permit for the expansion.

Mrs. Hall asked if the original building permit was issued by the County.

Mr. Yarborough responded yes.

Ms. Speicher stated that Johnny Scott, our staff Code Enforcement, that cited the violation and has done research on this, said that permits were issued in the beginning when he originally started the business.

Public Hearing closed.

Vice-Chair Epler asked if this request is denied, is his only alternative, if he wants to keep running his business, to go back to the way the building was prior to the expansion, put the old furnace back in and continue his cremation business.

Ms. Speicher stated as far as zoning is concerned, yes.

Mr. Morris stated that we run into this all the time, there are existing businesses that have been there, but the zoning comes and goes, then something happens and these uses pop up. I don't think we've ever been in the situation where we have an existing business that was done during the non zoning period that we reversed what that use was. Although we may not like it, I think we should grant the request.

Chair McLaurin stated that he agrees with Mr. Morris.

Mr. McNeill stated that Mr. Yarborough is right. With this business being in place in 1992 and the zoning taking place in 1996, it is standard procedure in Cumberland County that if initial zoning takes place and there is a business or property that is of a different zoning need than what the initial zoning calls for, for a period of six months, it's an open door policy. If Mr. Campbell had requested changing to commercial zoning on this parcel at that time, it would have automatically been granted. That is standard procedure. I think Mrs. Epler made a good point, if it were for some reason denied he could go back

Case P08-11 continued

to doing what he was doing from 1992 to 2003 with the same equipment, and that probably isn't nearly as good equipment and monitoring as he's had since he put in the new furnace. I agree that we need to approve this request.

Vice-Chair Epler asked if he had come in when he did the expansion and applied for the permits that he needed, would he have had to meet some kind of criteria for zoning.

Ms. Speicher stated that he would have had to submit for rezoning.

A motion was made by Vice-Chair Epler and seconded by Mr. McNeill to follow the staff recommendations and approve C(P)/Conditional Use District because the application is reasonable, neither arbitrary nor unduly discriminatory and in the public interest. The motion passed with 7 in favor with Mr. Turner voting in opposition, Mr. Pearce did not vote.

A motion was made by Vice-Chair Epler and seconded by Mr. McNeill to approve the Conditional Use Permit as recommended by the staff with the addition to condition number eleven on the ordinance related condition sheet that all new utilities except for 25 kv or greater electrical lines must be underground after finding that when completed, the proposal: 1) will not materially endanger the public health and safety; 2) will not substantially injure the value of adjoining or abutting property; 3) will be in harmony with the area in which it is to be located; and 4) will be in conformity with the land use plan, thoroughfare plan or other plan officially adopted by the Board of Commissioners. The motion passed with 7 in favor with Mr. Turner and Mr. Pearce voting in opposition.

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P08-11

Conditional Use District & Permit

Ordinance-Related Conditions

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. The County Health Department must approve water and sewer plans prior to application for any permits. Site and soil evaluations must be conducted on the property by the County Environmental Health Department prior to application for permits. A copy of the Health Department approval must be provided to Code Enforcement at the time of application for any building/zoning permits. (Note: All Health Department requirements must be met prior to issuance of final permits.)
3. New development that will disturb one acre or more of land or is part of a larger plan that will disturb at least an acre of land is subject to the post-construction Stormwater Management Permitting Program (Phase II Stormwater Management Requirements) administered by the Division of Water Quality, North Carolina Department of Environment and Natural Resources. Prior to the issuance of any permits for this site, evidence must be provided to County Code Enforcement indicating that compliance with these regulations has been achieved.
4. The developer may have to provide the Code Enforcement Section with an approved NC Department of Environment and Natural Resources (NCDENR) sedimentation and erosion control plan (S&E) prior to any application for permits. (Note: If any retention/detention basins are required for state approval of this plan, then three (3) copies of a revised plan must be submitted and approved by Planning & Inspections prior to application for any building/zoning permits.) A copy of the NCDENR approval must be provided to Code Enforcement at the time of application for any building/zoning permits.
5. The developer must provide a site-specific address and tax parcel number at the time of building/zoning permit application.
6. The building final inspection cannot be accomplished until a Code Enforcement Officer inspects the site and certifies that the site is developed in accordance with the approved plans.

Site-Related:

7. All uses, dimensions, setbacks and other related provisions of the County Subdivision and Zoning Ordinances for the A1/CUD zoning district must be complied with, as applicable.
8. This conditional approval is not approval of any freestanding signs. All signage for this site must comply with the sign regulations for the C1(P) zoning district. If a freestanding sign is desired, re-submittal of the site plan to the Planning & Inspections Staff is required prior to application for any freestanding sign permits. Attached signage for this development must 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.)
9. All applicable provisions of Section 3.21, "Group Developments", County Subdivision Ordinance, must be complied with..
10. An adequate drainage system must be installed by the developer in accordance with the NC Department of Environment and Natural Resources' (NCDENR) *Manual on Best Management Practices* and all drainage ways must be kept clean and free of debris.
11. All utilities, except for 25kv or greater electrical lines, must be located underground.
12. 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.

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13. A solid buffer must be provided and maintained along the entire conditional use area with the exception of the drive location in accordance with the provisions of Section 1102 G, Buffer Requirements, County Zoning Ordinance.
14. All dumpster, garbage, and utility areas shall be located on concrete pads and screened on a minimum of three sides.
15. All required off-street parking spaces must be a minimum of 9' x 20' and a minimum of three off-street parking spaces are required for this development.
16. All notes and calculations as shown on the site plan and contained within the application are to be considered as a part of this conditional approval.
17. The applicant is advised to consult an expert on wetlands before proceeding with any development.
18. The owner/developer is responsible for ensuring easements which may exist on the subject property are accounted for, not encumbered and that no part of this development is violating the rights of the easement holder.

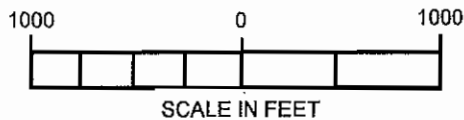
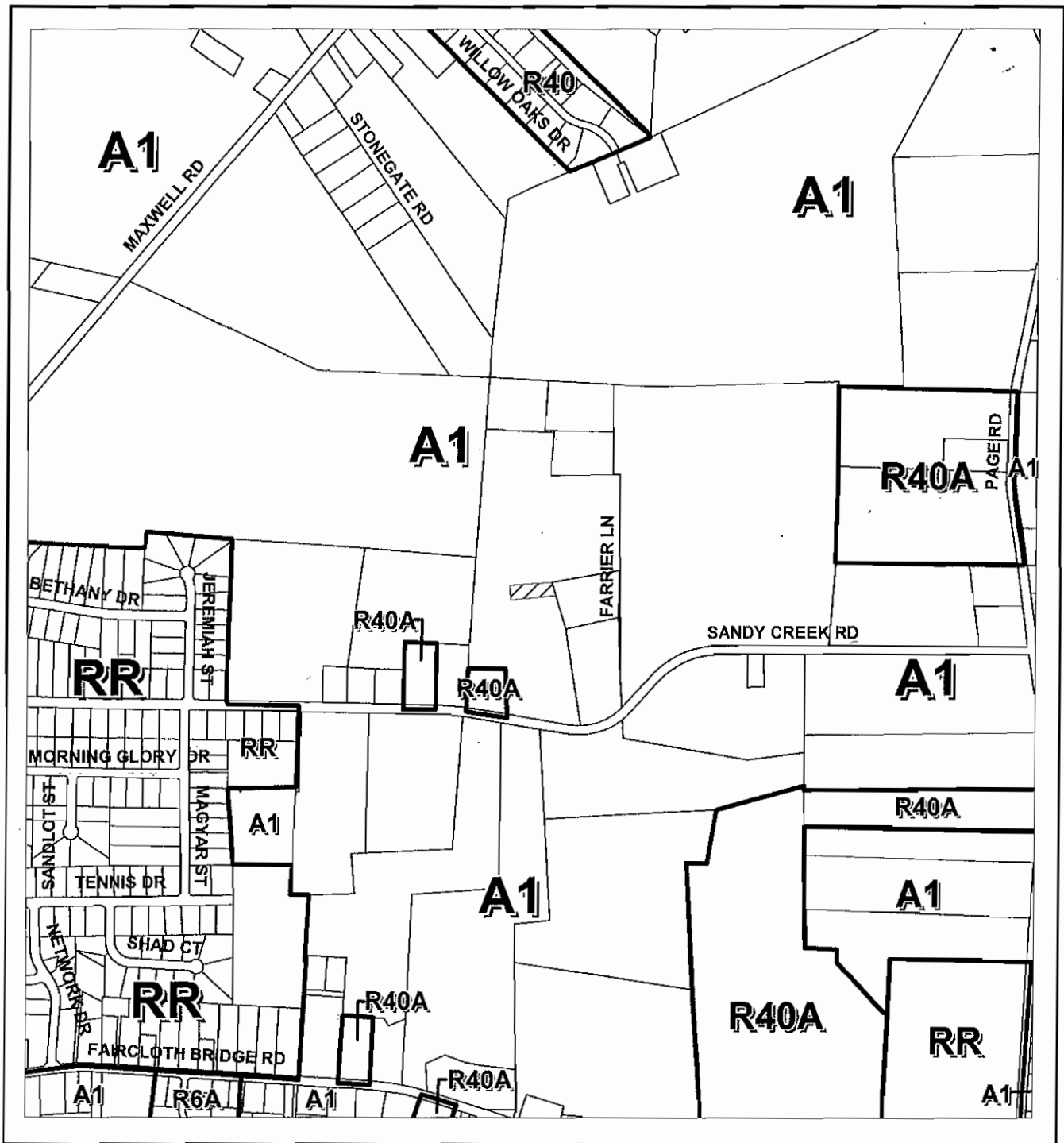
Other Relevant Conditions:

19. The developer must comply with all Federal, State and local regulations related to the proposed use.

If you need clarification of any conditions, please contact Ed Byrne at 910-678-7609 or Patti Speicher at 910-678-7605; otherwise, contact the appropriate agency at the contact numbers below.

Contact Information (Area Code is 910 unless otherwise stated):

Subdivision/Site Plan/Plat	Ed Byrne	678-7609
Code Enforcement (Permits):	Ken Sykes	321-6654
County Health Department:	Danny Soles	433-3685
Corp of Engineers (wetlands):	Ronnie Smith	(910) 251-4829
NC DENR (E&S):	Jodi Pace	433-3300
E911 Site-Specific Address:	Ron Gonzales	678-7616
Tax Parcel Numbers:		678-7549
NCDOT (driveways/curb-cuts):	Gary Burton	486-1496
NC Division of Water Quality	Mike Randall	(919) 733-5083 Ext. 545



REQUESTED REZONING: A1 TO C(P)/CUD

ACREAGE: 0.60 AC.+/-

HEARING NO: P08-11

ORDINANCE: COUNTY

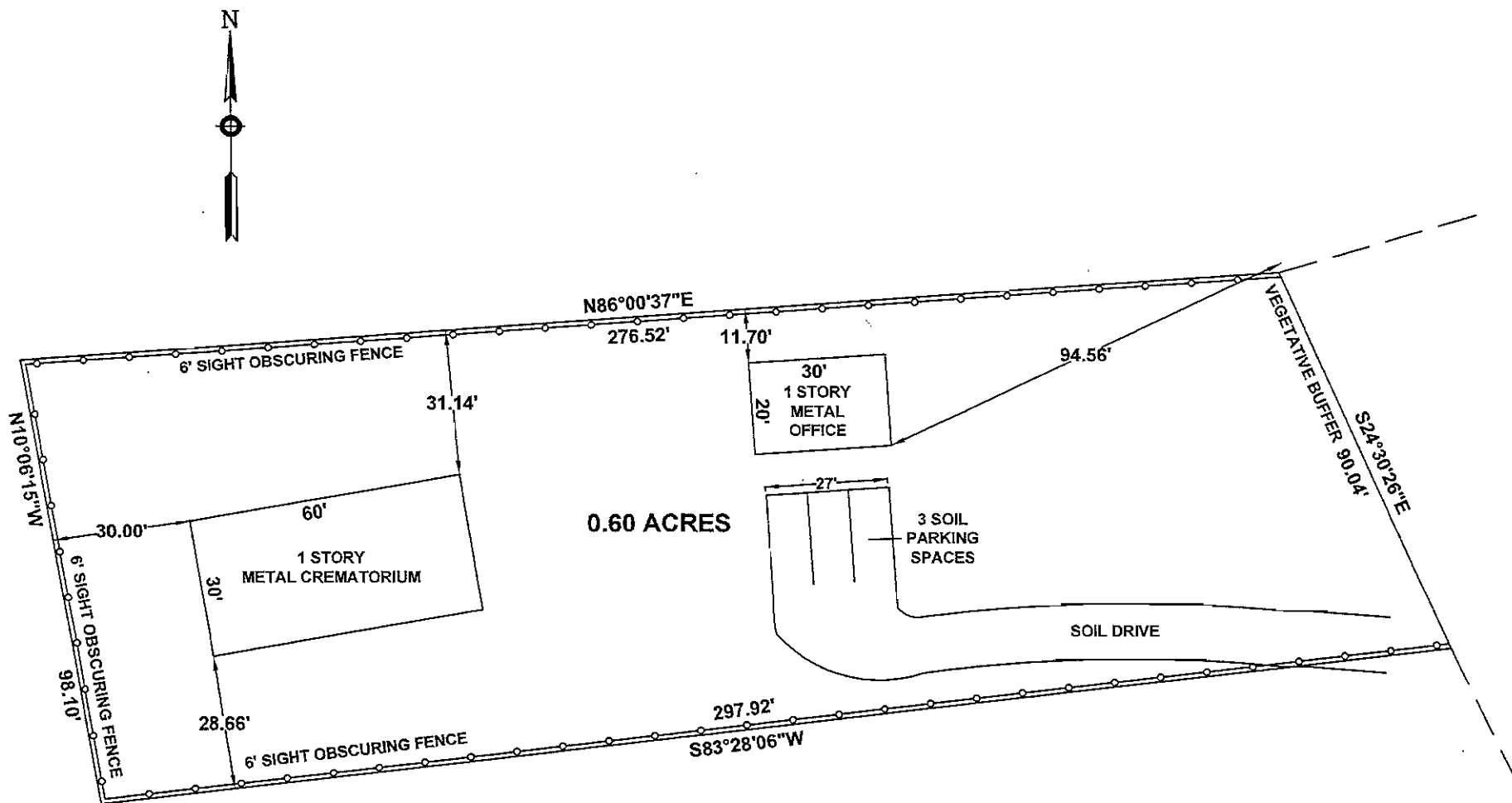
HEARING DATE

ACTION

STAFF RECOMMENDATION

PLANNING BOARD

GOVERNING BOARD



CONDITIONAL USE DISTRICT AND PERMIT
 REQUEST: FOR A CREMATORY AND THE PERMIT OR TO A MORE
 RESTRICTIVE ZONING DISTRICT
 CASE: P08-11 ACREAGE: 0.60±
 ZONING: A1 SCALE: NTS

APPLICATION FOR
CONDITIONAL USE PERMIT

1. PROPOSED USE(S):

- A. List the use(s) proposed for the Conditional Use Permit. (Use of the underlying district will be restricted only to the use(s) specified in this application.)

Crematorium

- B. Density: List the amount of acreage that will be residential, commercial, and/or open space, and the number of lots and/or dwelling units proposed, and the square footage of the non-residential units.

0.60 acres, commercial
~~29.14 acres, agriculture~~ VLB

2. DIMENSIONAL REQUIREMENTS:

- A. Reference either the dimensional requirements of the district, Sec. 1104 or list the proposed setbacks.

Front = 50' (Entire tract) VLB
Side = 30'
Rear = 30'

- B. Off-street parking and loading, Sec. 1202: List the number of spaces, type of surfacing material and any other pertinent information.

3 soil parking spaces as shown on site plan.

3. SIGN REQUIREMENTS:

Reference the district sign regulations proposed from Article XIII.

N/A

4. LANDSCAPE AND BUFFER REQUIREMENTS:

- A. For all new non-residential and mixed use development abutting a public street, indicate the number and type of large or small ornamental trees used in the streetscape, yard space, and/or parking areas, plus the number and type of shrubs (Sec. 1102N). **NOTE: All required landscaping must be included on the site plan.**

N/A (Pre-existing) VBB

- B. Indicate the type of buffering and approximate location, width and setback from the property lines.

6' Fence & vegetative buffer as shown on site plan

5. MISCELLANEOUS:

List any information not set forth above, such as the days and hours of the operation, number of employees, exterior lighting, noise, odor and smoke, emission controls, etc.

Hours of operation: Office 9-5 Weekdays; available 24/7

Cremations take place 9 am - 9 pm *Seven days*

One office employee and one crematory operator on premises

No odor, no visible emissions, no noise

Area light in front of office and crematory *directed inward*

6. SITE PLAN REQUIREMENTS:

The application shall include a site plan drawn to the specifications of Sec. 1402. If the proposed uses involve development subject to the County Subdivision Ordinance, the site plan required may be general in nature, showing a generalized street pattern, if applicable, and the location of proposed uses. If the proposed uses include development not subject to the Subdivision Ordinance, the site plan shall be of sufficient detail to allow the Planning and Inspections Staff and the Planning Board to analyze the proposed uses and arrangement of uses on the site. It shall also include the footprints of all buildings (proposed and existing), the proposed number of stories, location and number of off-street parking and loading spaces, proposed points of access to existing streets and internal circulation patterns. In addition, the location of all proposed buffers and fences and landscaping shall be included on the site plan.

7. ACKNOWLEDGEMENT:

It is understood by the undersigned that the official zoning map, as originally adopted and subsequently amended, is presumed to be appropriate to the property involved and that the burden of proof for a zoning amendment (change) rests with the petitioner.

It is the responsibility of the petitioner (personally or by agent) to submit to the Planning and Inspections Department a valid request, not incompatible with existing neighborhood zoning patterns.

In order for the Planning Board to offer a favorable recommendation, and for the Board of Commissioners to approve, any Conditional Use District and Permit they must find from the evidence presented at their respective public hearing that:

- A. The use will not materially endanger the public health or safety if located according to the plan submitted and recommended;
- B. The use meets all required conditions and specifications;
- C. The use will maintain or enhance the value of adjoining or abutting properties, or that the use is a public necessity; and
- D. The location and character of the use, if developed according to the plan as submitted and recommended, will be in harmony with the area in which it is to be located and in general conformity with Cumberland County's most recent Comprehensive Land Use Plan and adopted planning policies.

I further understand I must voluntarily agree to all conditions proposed for the Conditional Use Permit.

The undersigned hereby acknowledge that the Planning and Inspections Staff has conferred with the petitioner or assigns, and the application as submitted is accurate and correct.

David Morgan Campbell

NAME OF OWNERS (PRINT OR TYPE)

6771 Sandy Creek Road, Stedman, NC 28391

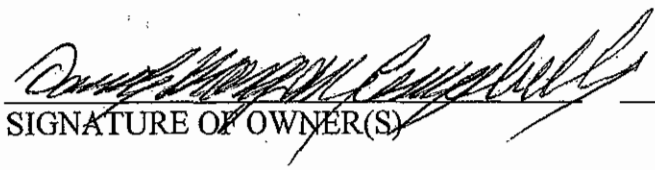
ADDRESS OF OWNER(S)

910-485-0846

HOME TELEPHONE #

910-323-8898

WORK TELEPHONE #


SIGNATURE OF OWNER(S)

SIGNATURE OF OWNER(S)

MOTIONS ON CONDITIONAL USE DISTRICT REZONING APPLICATIONS

IF TO APPROVE CONDITIONAL USE DISTRICT:

I MOVE THAT THE BOARD OF COMMISSIONERS FINDS THAT THIS CONDITIONAL USE DISTRICT APPLICATION IS REASONABLE, NEITHER ARBITRARY NOR UNDULY DISCRIMINATORY, AND IN THE PUBLIC INTEREST, AND THAT THE CONDITIONAL USE(S) BE APPROVED OR DELETED AS DESCRIBED IN THE STAFF AGENDA MEMORANDUM:

IF TO DENY CONDITIONAL USE DISTRICT:

I MOVE THAT THE BOARD OF COMMISSIONERS FAILS TO FIND THAT THIS CONDITIONAL USE DISTRICT APPLICATION IS REASONABLE, NEITHER ARBITRARY NOR UNDULY DISCRIMINATORY, AND IN THE PUBLIC INTEREST, AND THAT IT THEREFORE BE DENIED.

[**IF CONDITIONAL USE DISTRICT IS DENIED, DO NOT MAKE ANY MOTION ON CONDITIONAL USE PERMIT].**

IF TO APPROVE CONDITIONAL USE PERMIT:

I MOVE THAT THE BOARD OF COMMISSIONERS FINDS THAT THIS CONDITIONAL USE PERMIT APPLICATION, IF COMPLETED AS PROPOSED AND SUBJECT TO THE CONDITIONS RECOMMENDED BY THE PLANNING BOARD:

- (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.

October 22, 2007



ITEM NO. 2D

COMMUNITY DEVELOPMENT
245 Person Street, 2nd Floor - P.O. Box 1829 • Fayetteville, North Carolina 28302-1829
(910) 323-6112 • Fax: (910) 323-6114

MEMORANDUM FOR BOARD OF COMMISSIONERS AGENDA
APRIL 21, 2008

TO: BOARD OF COUNTY COMMISSIONERS

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

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

DATE: APRIL 7, 2008

SUBJECT: PUBLIC HEARING – 2008 DRAFT ANNUAL ACTION PLAN

BACKGROUND

The Community Development 2008 Annual Action Plan must be submitted to HUD by May 15, 2008. The draft 2008 Annual Action Plan has been available for a 30-day citizen's review and comment period throughout Cumberland County since April 7, 2008. All comments received regarding the plan will be addressed by the Community Development Director within 15 days of receipt and then forwarded to HUD with the Action Plan.

As part of the citizen participation process, a public hearing must be held during the comment period. The draft plan is also available for review in the office of the Clerk to the Board of Commissioners.

RECOMMENDATION AND PROPOSED ACTION

Community Development requests that the Board of County Commissioners hold a public hearing on the draft 2008 Annual Action Plan. No other action is necessary

Attachment: Draft 2008 Annual Action Plan

Celebrating Our Past...Embracing Our Future

DRAFT

CUMBERLAND COUNTY

2008 ANNUAL ACTION PLAN

Prepared by: Cumberland County Community Development

Public Review Period: April 7, 2008 – May 6, 2008

(Public Hearing 4/21/2008)

CUMBERLAND COUNTY
2008-2009 ACTION PLAN BUDGET
2008 PROGRAM YEAR (7/1/08 – 6/30/09)

<u>HOUSING ACTIVITIES</u>	<u>CDBG</u>	<u>HOME</u>
- Housing Rehabilitation - CHDO Set-Aside - Housing Project Delivery	\$ 130,000 \$228,149	\$549,260 \$ 82,852
<u>PUBLIC FACILITIES</u>		
Debt Service for the Spring Lake Family Resource Center	\$166,211	
<u>ECONOMIC DEVELOPMENT</u>		
- Economic Development Loans - Activity Delivery	\$ 290,000 \$ 9,791	
<u>PUBLIC SERVICES</u>		
Agencies:	\$ 103,300	
- Better Health - CC MAP - CC Older Adults - City Rescue Mission - Communicare - Lisa's House of Care - Salvation Army - Robin's Meadow - Activity Delivery	 \$ 7,000 \$ 30,044	
ADMINISTRATION/PLANNING	\$ 241,123	\$ 64,098
TOTAL	\$1,205,618	\$696,210
<u>REVENUE SOURCES</u>		
GRANT FUNDS	\$1,055,618	\$490,975
PROGRAM INCOME	\$ 150,000	\$150,000
COUNTY MATCH REQUIREMENT		\$ 55,235
TOTAL	\$1,205,618	\$ 696,210

COMPETITIVE GRANT FUNDS

PROJECT	TYPE FUNDS	GRANT TERM	GRANT AWARD Estimated Balance
Robin's Meadow Transitional Housing Program	SHP	1 YR 4/1/08-3/31/09	\$84,184
County Match			\$28,046

CUMBERLAND COUNTY COMMUNITY DEVELOPMENT 2008 ANNUAL ACTION PLAN

A. PURPOSE

Cumberland County Community Development's Annual Action Plan provides a narrative description of the projects and activities that are expected to be implemented and funded with entitlement funding that Cumberland County Community Development will receive from the United States Department of Housing and Urban Development for the 2008 Program Year. The projects described on the following pages will be provided by Community Development with Community Development Block Grant (CDBG), and Home Investment Partnership Act (HOME) entitlement funds.

The 2008 Annual Action Plan strives to reflect the County's continued efforts and commitment to address Affordable Housing issues, public facility and infrastructure improvements, and the provision of homeless services as a part of the Continuum of Care for the residents of Cumberland County. Additionally, Cumberland County will continue to undertake specific actions in order to address the National Objectives outlined by the U.S. Department of Housing and Urban Development by providing for increased activity involving resident initiatives, evaluation and reduction of lead-based paint hazards, increased employment opportunities, the further development of community based institutional facilities and the enhancement of coordination between public, private housing and human service agencies.

B. GEOGRAPHIC DISTRIBUTION

The towns of Falcon, Godwin, Hope Mills, Linden, Spring Lake, Stedman, and Wade have all elected to remain parties to Cumberland County's designation as an Urban County. In the upcoming program year, the recently incorporated municipality, Eastover, will also join the participating jurisdiction. All of the programs described on the following pages, with the exception of certain Public Service Program and Supportive Housing Program projects, will be accomplished in one of these municipal areas of the County or the unincorporated areas of the County.

C. SOURCES OF FUNDS

FEDERAL SOURCES: The following information describes the sources and amounts that will be made available to Cumberland County for the implementation of 2008-2009 program goals and objectives:

Entitlement Grants

Source: Community Development Block Grant (CDBG) - Amount \$1,055,618

Source: Home Investment Partnership Act (HOME) - Amount \$490,975

Local Sources

Matching Requirements - As a federal requirement, Cumberland County is to provide matching funds for the HOME entitlement program in the amount of \$55,235.

Program Income

Cumberland County Community Development projects that it will receive program income from repayment of loans for the housing rehabilitation, homebuyer assistance, and economic development programs:

- CDBG Entitlement Program: \$150,000
- HOME Entitlement Program: \$150,000

Community Development Block Grant, Home Investment Partnership Act [including American Dream Down payment Initiative (ADDI)] Funds, local sources match, and program income will be used to address priority needs identified in the Consolidated Plan by conducting the following eligible activities:

D. DESCRIPTION OF PROJECTS

1. HOUSING ACTIVITIES:

- a. **Housing Rehabilitation Program - Housing Goal 1, Housing Goal 4 - CDBG: \$130,000. National Objective: Low/Mod Housing. Eligibility Citation: 24 CFR Part 570.202; HOME: \$549,260. Eligibility Citation: 24 CFR Part 92.205(a)(1);**

1) Owner-Occupied Rehabilitation: This program will address housing repair needs of households whose annual income is at or below 80% of the median income for Cumberland County based on household size (\$49,300 for a family of four). Households in need of repairs to meet Minimum Housing Code Standards and general property improvements will receive a deferred payment loan, with household re-certification every five years. Housing rehabilitation repairs that do not exceed \$7,500 will be given in the form of a grant. Applications for this program are accepted on an on-going basis.

2) Rental Rehabilitation (Investor-Owner): Property owners with 10 or fewer units are able to access low-interest housing rehabilitation loans for rental property. The types of repairs to be addressed are those items that do not meet Minimum Housing Code Standards and general property improvements. Loan terms are as follows:

- 3% amortized loan for 15 years (standard rehabilitation, refinance/rehabilitation, or acquisition/rehabilitation)
- 5% amortized loan for 30 years (refinance/rehabilitation or acquisition/rehabilitation).

Property owners are required to lease to renters with incomes at or below 80% of the median income for Cumberland County. Applications for this program are accepted on an on-going basis.

3. Purchase/ Rehab / Resale: This program establishes a mechanism that may be used to *acquire properties for future development as affordable housing*. The objectives of the program are to remove blighting conditions in low and moderate income neighborhoods, increase the county's stock of standard affordable housing units, increase the county's tax base, and create homeownership opportunities for first-time homebuyers. Properties will be acquired through donation, deed and tax sales, the foreclosure of government liens, and through private purchases. Community Development will acquire substandard single-family units, rehabilitate the units to meet Community Development Rehabilitation Standards, and then sell the units to income eligible first-time homebuyers. Community Development may also acquire vacant lots or substandard units not suitable for rehabilitation for demolition. This will allow the Department to take advantage of infill housing opportunities to further stabilize and strengthen our low and moderate-income neighborhoods through homeownership.

- b. **Homeownership Assistance Program. Priority Need: Affordable Housing; Housing Goal 2, Housing Goal 4 – HOME/ADDI: Prior years funding. Eligibility Citation: 24 CFR Part 92.205(a) (1):**

1) Down Payment/Closing Costs Assistance (DAP). This program coordinates with local financial institutions in order to provide up to \$10,000 to first time homebuyers for down payment and/or closing costs. Applicants must meet income requirements (earning no more than 80% of the median income) as well as attend a class on homeownership. Applications for this program are accepted on an on-going basis.

2) Gap Financing (GAP). CCCD will continue to offer Gap financing assistance to very low and low-income residents seeking homeownership. The amount of assistance that can be provided will not exceed \$20,000 per applicant. Such assistance will be used as a subsidy to make up the difference between the market value of the property and the sales price that is

affordable to the purchaser. Applications for this program are accepted on an on-going basis.

For any of the subsidies provided, CCCD will secure a first or second mortgage on the property with an interest free 15-year (for DAP) or 30-year (for GAP) forgivable deferred loan, forgiving an equal amount of the deferred portion on the 6th anniversary of the loan and on each anniversary thereafter throughout the remainder of the loan term. The deferred payment loan is attractive because it does not add to the monthly carrying costs while permitting repayment at a future date. This approach offers the benefit of significant leverage of private lender money while providing program income for CCCD when the promissory note is triggered to be repaid. Events that would trigger early repayment of the loan would be if the borrower(s) died, ceased to occupy the property as his/her primary residence, or sold or transferred title of the property to someone else. While CCCD would partner with anyone offering an affordable mortgage product, our primary focus would be to work with those lenders whose products are most affordable.

GENERAL PROGRAM GUIDELINES

Principal Residence: The property must be occupied by the homebuyer and retained as the principal residence by the owners for the full period of affordability, which is contingent upon the amount of per unit subsidy received and may be 5, 10, or 15 years (20 if new construction). The property owner agrees to allow Cumberland County Community Development to verify principle residence status annually. Homeowner agrees to provide Community Development with a written certification of residence status to become a permanent part of the applicant file. Subletting or renting is not permitted.

Refinance: During the period of affordability, a homebuyer will not be permitted to refinance the property without the approval of Cumberland County Community Development, nor will the department agree to a subordination of its lien interest at any time.

Recapture Provision: All units receiving HOME Program subsidies are required to comply with a designated affordability period as described above. CCCD can ensure continued affordability through the recapture of its initial investment (plus interest, if debt is structured to be repaid with interest). The proceeds will be reprogrammed and used for other HOME eligible activities (i.e., assisting another eligible homebuyer in obtaining a home). Once the HOME funds are repaid, the property is no longer subject to the affordability requirements.

CCCD will make every effort to preserve affordability and avoid project default; however, in the event of a foreclosure, a transfer in lieu of foreclosure, or an assignment to HUD, the PJ must repay the HOME account. If the ownership of the housing is conveyed pursuant to a foreclosure sale, the amount of recapture due will be only the net proceeds from the sale. The recapture provisions and period of affordability on each HOME-assisted unit are enforced through the deed restrictions that are recorded as a part of each real estate closing.

Homeownership Counseling: As a requirement of the CCCD First-time Homebuyers Program, applicants are required to successfully complete a First-time Homebuyers Class prior to being awarded community development funding. CCCD contracts with a local agency qualified to provide homeownership education classes. The following services are included in the scope of services of the contract:

- Provide monthly homeownership education workshops
- Coordinate all preparation of the workshops, including advertising
- Conduct the workshop with certified housing counselors
- Provide evaluations of workshop effectiveness

Marketing: In keeping with special outreach activities outlined in CCCD's Affirmative Fair Housing Marketing Plan, certain marketing efforts (i.e. direct mailings, postings on community bulletins, PSA's, coordination with the Fayetteville Area Metropolitan Housing Authority and the Fayetteville Apartment Association, etc.) will be undertaken to ensure that residents and tenants of public and manufactured housing, and other families assisted by public housing agencies, are aware of the ADDI program.

c. Community Housing Development Organization (CHDO) Set-Aside. Priority Need: Affordable Housing; Housing Goal 2 - HOME: \$82,852. Eligibility Citation: 24 CFR Part 92.300

Federal regulations require that 15% of the HOME entitlement funds be set-aside for affordable housing development by CHDOs. In order to be designated a CHDO, a non-profit organization must meet the qualifying criteria as established by HUD. CCCD continues to meet and seek qualified organizations to identify possible CHDOs.

d. Housing Project Delivery Costs – CCCD staff and overhead costs directly related to carrying out housing projects, such as work specifications preparation, loan processing, inspections, and other services related to assisting potential owners, tenants, and homebuyers. Staff and overhead costs directly related to providing advisory and other relocation services to persons displaced by the project, including timely written notices to occupants, referrals to comparable and suitable replacement property, property inspections, counseling and other assistance necessary to minimize hardship.

HOUSING BENCHMARKS

Housing Rehabilitation	JUL 08	AUG 08	SEP 08	OCT 08	NOV 08	DEC 08	TOTAL
Projected Expenditures	\$56,604	\$56,604	\$56,604	\$56,604	\$56,604	\$71,604	\$354,624
Units completed	3	2	3	0	2	3	13
	JAN 09	FEB 09	MAR 09	APR 09	MAY 09	JUN 09	YEARLY TOTAL
Projected Expenditures	\$54,106	\$54,106	\$54,106	\$54,106	\$54,106	\$54,106	\$679,260
Units completed	1	0	2	2	2	2	22
Homeownership Assistance – *(no new funds committed)	JUL 08	AUG 08	SEP 08	OCT 08	NOV 08	DEC 08	TOTAL
Projected Expenditures	*	*	*	*	*	*	*
Units completed	0	1	1	0	0	0	2
	JAN 09	FEB 09	MAR 09	APR 09	MAY 09	JUN 09	YEARLY TOTAL
Projected Expenditures	*	*	*	*	*	*	*
Units completed	0	0	0	1	1	1	5

HOUSING BENCHMARKS (continued)

CHDO Set-aside	JUL 08	AUG 08	SEP 08	OCT 08	NOV 08	DEC 08	TOTAL
Projected Expenditures	TBD	TBD	TBD	TBD	TBD	TBD	TBD
Units completed	TBD	TBD	TBD	TBD	TBD	TBD	TBD
	JAN 09	FEB 09	MAR 09	APR 09	MAY 09	JUN 09	YEARLY TOTAL
Projected Expenditures	TBD	TBD	TBD	TBD	TBD	TBD	\$82,852
Units completed	TBD	TBD	TBD	TBD	TBD	TBD	TBD
Housing Project Delivery	JUL 08	AUG 08	SEP 08	OCT 08	NOV 08	DEC 08	TOTAL
Projected Expenditures	\$19,012	\$19,012	\$19,012	\$19,012	\$19,012	\$19,012	\$114,072
Full Time Equivalent Positions	4	4	4	4	4	4	4
	JAN 09	FEB 09	MAR 09	APR 09	MAY 09	JUN 09	YEARLY TOTAL
Projected Expenditures	\$19,012	\$19,012	\$19,012	\$19,012	\$19,012	\$19,017	\$228,149
Full Time Equivalent Positions	4	4	4	4	4	4	4

2. PUBLIC FACILITIES

Public Facilities Program: Community Development Goal 1; Community Development Goal 2 - CDBG: \$166,211. National Objective: Low/Mod Income Area Benefit; Eligibility Citation: 24 CFR Part 570.201(c).

The County will continue to meet its debt service on the Section 108 Guaranteed Loan for the Spring Lake Family Resource Center.

PUBLIC FACILITIES BENCHMARKS

Section 108 Debt Service	JUL 08	AUG 08	SEP 08	OCT 08	NOV 08	DEC 08	TOTALS
Projected Expenditures	\$0	\$83,105	\$0	\$0	\$0	\$0	\$83,106
Facilities Assisted	0	1	0	0	0	0	1
	JAN 09	FEB 09	MAR 09	APR 09	MAY 09	JUN 09	TOTALS
Projected Expenditures	\$83,105	\$0	\$0	\$0	\$0	\$0	\$166,211
Facilities Assisted	1	0	0	0	0	0	1

3. ECONOMIC DEVELOPMENT

Business Loan Program: Community Development Goal 3 - CDBG: \$299,791; National Objective: Low/Mod Jobs; Eligibility Citation: 24 CFR Part 570.201(o).

Low interest business loans are offered to for-profit business that will create viable/permanent job opportunities for low to moderate-income residents. Loans are available for property acquisition, site improvements, capital equipment, machinery, and/or inventory and working capital. Loan interest rates are at 5% for a maximum term of 15 years.

Economic Development Project Delivery Costs – CCCD staff costs directly related to carrying out economic development projects, such as application intake, eligibility review; loan processing, and other technical assistance necessary to ensure program compliance.

ECONOMIC DEVELOPMENT BENCHMARKS

Economic Development Loans	JUL 08	AUG 08	SEP 08	OCT 08	NOV 08	DEC 08	TOTALS
Projected Expenditures	\$0	\$0	\$0	\$0	\$0	\$0	\$0
Businesses Assisted	0	0	0	0	0	0	0
	JAN 09	FEB 09	MAR 09	APR 09	MAY 09	JUN 09	TOTALS
Projected Expenditures	\$0	\$0	\$0	\$0	\$0	\$0	\$290,000
Businesses Assisted	0	0	1	0	0	0	1
Project Delivery	JUL 08	AUG 08	SEP 08	OCT 08	NOV 08	DEC 08	TOTALS
Projected Expenditures	\$815	\$815	\$815	\$815	\$815	\$826	\$4,901
Full-Time Equivalent Positions	.15	.15	.15	.15	.15	.15	.15
	JAN 09	FEB 09	MAR 09	APR 09	MAY 09	JUN 09	TOTALS
Projected Expenditures	\$815	\$815	\$815	\$815	\$815	\$815	\$9,791
Full-Time Equivalent Positions	.15	.15	.15	.15	.15	.15	.15

4. PUBLIC SERVICES

Public Service Program: Community Development Goal 3; Special Populations Goal 1 - CDBG: \$103,000 National Objective: Low/Mod Limited Clientele; Eligibility Citation: 24 CFR Part 570.201(e).

All projects listed under this program were pre-selected based on identified needs in the community. Final determination of funding amounts will be based on receipt of final information from each agency on the projected need to be met. The following agencies were conditionally selected for funding:

Agency	Service Provided
• Better Health of Cumberland County	health care assistance
• City Rescue Mission	shelter for homeless individuals
• Coordinating Council on Older Adults	at home care for the elderly
• Cape Fear Valley Medical Assistance Program	prescription drug assistance
• Cumberland County Communicare	leadership development for youth in Spring Lake
• Lisa's House	housing & services for homeless women w/HIV/Aids
• The Salvation Army (shelter)	shelter for homeless individuals

Public Services Project Delivery Costs – CCCD staff costs directly related to carrying out public services projects, such as eligibility review and processing of pay requests, and other technical assistance necessary to ensure program compliance.

PUBLIC SERVICES BENCHMARKS

Better Health of Cumberland County	JUL 08	AUG 08	SEP 08	OCT 08	NOV 08	DEC 08	TOTALS
Projected Expenditures	\$1,500	\$1,500	\$1,500	\$1,500	\$1,500	\$1,500	\$9,000
Clients Assisted	35	35	35	35	35	35	210
	JAN 09	FEB 09	MAR 09	APR 09	MAY 09	JUN 09	TOTALS
Projected Expenditures	\$1,500	\$1,500	\$1,500	\$1,500	\$1,500	\$1,500	\$18,000
Clients Assisted	35	35	35	35	35	35	420
City Rescue Mission	JUL 08	AUG 08	SEP 08	OCT 08	NOV 08	DEC 08	TOTALS
Projected Expenditures	\$779	\$779	\$779	\$779	\$779	\$780	\$4,675
Clients Assisted	16	16	16	16	16	20	100
	JAN 09	FEB 09	MAR 09	APR 09	MAY 09	JUN 09	TOTALS
Projected Expenditures	\$779	\$779	\$779	\$779	\$779	\$780	\$9,350
Clients Assisted	16	16	16	16	16	20	200
Coordinating Council on Older Adults	JUL 08	AUG 08	SEP 08	OCT 08	NOV 08	DEC 08	TOTALS
Projected Expenditures	\$1,250	\$1,250	\$1,250	\$1,250	\$1,250	\$1,250	\$7,500
Clients Assisted	6	6	6	6	6	6	6
	JAN 09	FEB 09	MAR 09	APR 09	MAY 09	JUN 09	TOTALS
Projected Expenditures	\$1,250	\$1,250	\$1,250	\$1,250	\$1,250	\$1,250	\$15,000
Clients Assisted	6	6	6	6	6	6	6
Cape Fear Valley Medical Assistance Program (CCMAP)	JUL 08	AUG 08	SEP 08	OCT 08	NOV 08	DEC 08	TOTALS
Projected Expenditures	\$1,666	\$1,666	\$1,666	\$1,666	\$1,666	\$1,670	\$10,000
Clients Assisted	83	83	83	83	83	85	500
	JAN 09	FEB 09	MAR 09	APR 09	MAY 09	JUN 09	TOTALS
Projected Expenditures	\$1,666	\$1,666	\$1,666	\$1,666	\$1,666	\$1,670	\$20,000
Clients Assisted	83	83	83	83	83	85	1,000
Cumberland Co. Communicare	JUL 08	AUG 08	SEP 08	OCT 08	NOV 08	DEC 08	TOTALS
Projected Expenditures	\$625	\$625	\$625	\$625	\$625	\$625	\$3,750
Clients Assisted	0	0	3	4	4	4	15
	JAN 09	FEB 09	MAR 09	APR 09	MAY 09	JUN 09	TOTALS
Projected Expenditures	\$625	\$625	\$625	\$625	\$625	\$625	\$7,500
Clients Assisted	4	4	4	3	0	0	30

PUBLIC SERVICES BENCHMARKS (continued)

Lisa's House	JUL 08	AUG 08	SEP 08	OCT 08	NOV 08	DEC 08	TOTALS
Projected Expenditures	\$812	\$812	\$812	\$812	\$812	\$815	\$4,875
Clients Assisted	3	3	3	3	3	5	20
	JAN 09	FEB 09	MAR 09	APR 09	MAY 09	JUN 09	TOTALS
Projected Expenditures	\$812	\$812	\$812	\$812	\$812	\$815	\$9,750
Clients Assisted	3	3	3	3	3	5	40
The Salvation Army (shelter)	JUL 08	AUG 08	SEP 08	OCT 08	NOV 08	DEC 08	TOTALS
Projected Expenditures	\$1,975	\$1,975	\$1,975	\$1,975	\$1,975	\$1,975	\$11,850
Clients Assisted	2,333	2,333	2,333	2,333	2,333	2,335	14,000
	JAN 09	FEB 09	MAR 09	APR 09	MAY 09	JUN 09	TOTALS
Projected Expenditures	\$1,975	\$1,975	\$1,975	\$1,975	\$1,975	\$1,975	\$23,700
Clients Assisted	2,333	2,333	2,333	2,333	2,333	2,335	28,000
Project Delivery	JUL 08	AUG 08	SEP 08	OCT 08	NOV 08	DEC 08	TOTALS
Projected Expenditures	\$2,503	\$2,503	\$2,503	\$2,503	\$2,504	\$2,504	\$15,020
Full-Time Equivalent Positions	.50	.50	.50	.50	.50	.50	.50
	JAN 09	FEB 09	MAR 09	APR 09	MAY 09	JUN 09	TOTALS
Projected Expenditures	\$2,504	\$2,504	\$2,504	\$2,504	\$2,504	\$2,504	\$30,044
Full-Time Equivalent Positions	.50	.50	.50	.50	.50	.50	.50

5. **GENERAL ADMINISTRATION/PLANNING**

GENERAL ADMINISTRATION: CDBG: \$241,123, Eligibility Citation: 24 CFR Part 570.206;
HOME: \$64,098, Eligibility Citation: 24 CFR Part 92.207.

Funds have been allocated under this activity for costs related to the administration and execution of Community Development projects under each of the entitlement programs. Eligible administrative costs may include, but not be limited to:

- a. General management, oversight, and coordination;
- b. Salaries, wages, and related costs of the participating jurisdiction's staff;
- c. Fair Housing activities;
- d. 10 Year Plan to End Homelessness activities;
- e. Monitoring progress and compliance with program requirements;
- f. Preparing reports and other documents related to the program for submission to HUD;
- g. Evaluating program results against stated objectives;
- h. Travel costs incurred for official business in carrying out the program;
- i. Administrative services performed under third party contracts or agreements;
- j. Capacity building and training for staff and non-profits; and
- k. Activities to affirmatively further fair housing.

GENERAL ADMINISTRATION BENCHMARKS

CDBG	JUL 08	AUG 08	SEP 08	OCT 08	NOV 08	DEC 08	TOTALS
Projected Expenditures	\$20,093	\$20,093	\$20,093	\$20,093	\$20,093	\$20,100	\$120,565
Full Time Equivalent Positions	5.85	5.85	5.85	5.85	5.85	5.85	5.85
	JAN 09	FEB 09	MAR 09	APR 09	MAY 09	JUN 09	TOTALS
Projected Expenditures	\$20,093	\$20,093	\$20,093	\$20,093	\$20,093	\$20,093	\$241,123
Full Time Equivalent Positions	5.85	5.85	5.85	5.85	5.85	5.85	5.85
HOME	JUL 08	AUG 08	SEP 08	OCT 08	NOV 08	DEC 08	TOTALS
Projected Expenditures	\$5,341	\$5,341	\$5,341	\$5,341	\$5,341	\$5,347	\$32,052
Full Time Equivalent Positions	1	1	1	1	1	1	1
	JAN 09	FEB 09	MAR 09	APR 09	MAY 09	JUN 09	TOTALS
Projected Expenditures	\$5,341	\$5,341	\$5,341	\$5,341	\$5,341	\$5,341	\$64,098
Full Time Equivalent Positions	1	1	1	1	1	1	1

6. COMPETITIVE GRANTS

Source: Supportive Housing Program (SHP) Amount \$84,134

The Supportive Housing Program grant funds will be used specifically to continue the implementation of several projects as a part of the Continuum of Care process for Cumberland County. Those projects include the operation of the following projects:

Project	Project Sponsor	Activity
ROBIN'S MEADOW*	Cumberland County Community Development	12 unit transitional housing with supportive services for homeless families

AMOUNT AWARDED: **\$84,134**

*Grant Start-up: 1/99. Project renewed for additional 1 year period effective 4/1/08.

D. GEOGRAPHIC DISTRIBUTION

The towns of Falcon, Godwin, Hope Mills, Linden, Spring Lake, Stedman, and Wade have all elected to be party to Cumberland County's designation as an Urban County. As of this writing, the newly incorporated town of Eastover has passed a resolution electing to become a party to Cumberland County's Urban County designation. All of the programs described on the preceding pages, with the exception of certain Public Service Programs and Supportive Housing Program projects, will be accomplished in one of these municipal areas or the unincorporated areas of the County.

E. NEEDS OF PUBLIC HOUSING

Based on consultation with the Fayetteville Metropolitan Housing Authority (FMHA) during the consolidated planning process, all of the public housing developments are located outside of Cumberland County's geographic area. The only public housing properties located within our jurisdiction are scattered site single-family housing units used as a part of FMHA's Section 8 Program. The FMHA is not designated as "troubled." During the 2008 Program Year, CCCD plans to expand its marketing and outreach efforts to include coordination with the FMHA to make presentations to public housing/Section 8 program residents, specifically related to the Homebuyer Assistance Program.

F. ANTI-POVERTY STRATEGY

Throughout the development of the plan, the coordination of programs and services to assist the poorest members of our community was always a part of the development process. The long-term solution to poverty is a complex one and requires us to wrestle with social and economic issues that have persisted for decades. There is a need to alleviate the problem of excessive rent burdens for the poor by providing an increased number of available, decent, safe, and affordable housing units. Job training must be provided for skills improvement, social services with a caring heart, better education, and comprehensive health care for the indigent and more economic opportunities for people who live in Cumberland County. All of these must be components of comprehensive community planning and economic development.

The County's 2008-2009 Annual Action Plan addresses poverty issues throughout all sections of the plan. The Goals, Objectives, and Strategies in the plan were developed based on the results of citizen and agency surveys as well as consultations with local health, social service, and public housing agencies. Concerns of the poorest members of our community were considered throughout the development of the plan and are an integral part of the plan itself. Refer to Section B above for relevant goals, objectives, and strategies.

G. LEAD-BASED PAINT HAZARDS

Based on the 2000 Census, there are 118,425 housing units in Cumberland County. Approximately 55% of the County's housing stock was built prior to 1979. Lead paint is typically found in homes that were constructed prior to 1978. Lead-based paint is an environmental concern particularly in households with children seven years of age and younger. All Community Development housing rehabilitation staff has been trained in lead-based paint safe work practices and interim controls. Cumberland County Community Development will undertake the following strategies to educate and abate lead-based paint hazards:

- Develop and run periodic public service announcements to make households with children under seven aware that they may qualify for funding to assist with lead-based paint abatement;
- Ensure that all households applying for funds from CCCD's Housing Rehabilitation, Emergency Repair, or First-Time Home Buyer's Programs are given brochures on the hazards of lead-based paint; and
- Conduct workshops for new contractor so that they are trained to perform lead hazard control work as required by the Lead Safe Housing Rules.

H. OTHER ACTIONS

The following additional actions are projected to be undertaken by Cumberland County Community Development during the 2008-2009 Program year:

1. Development of Institutional Structure

- There is still an under supply of seasoned non-profit housing development organizations in Cumberland County that have hands-on experience in real estate development. A small number of private for profit developers are active in the local low-income housing tax credit market. In order, however, for Cumberland County to make advances in affordable housing, it must nurture the growth and development of non-profit developers that can access the full range of State, Federal and other subsidies needed to finance affordable housing. Non-profit organizations must develop the necessary background and experience in real estate development and affordable housing finance in order to serve the housing needs of Cumberland County over the long term.
- Cumberland County Community Development will continue to provide technical assistance

to non-profit agencies through staff and the use of technical assistance funding provided by HUD.

2. Foster and Maintain Affordable Housing

- Offer affordable mortgage products through the Down payment Assistance Program (DAP) and the Gap Assistance Program (GAP).
- Partner with local lenders and the U.S. Department of Agriculture Rural Development to maximize the use of HOME funds for the Homebuyer Assistance Program.
- Acquire and renovate substandard single family units that will ultimately be sold to low to moderate income homebuyers through the Department's Buy Rehab Resale Program.
- Acquire vacant lots or substandard units not suitable for rehabilitation for demolition in order to eliminate blighting conditions in neighborhoods as well as provide additional affordable housing through the construction of housing for low to moderate income homebuyers or renters.
- To preserve affordable rental housing, offer low interest loans for rehabilitation of rental property through the Rental Rehabilitation Program.
- Seek eligible organizations for designation as Community Housing Development Organizations (CHDOs) to increase the production and supply of affordable housing.
- Low interest loans for non-profit and for-profit developers to build affordable rental and homeownership units.

3. Remove Barriers to Affordable Housing

- Interagency partnership to provide homebuyer counseling will provide increased knowledge and resources for low to moderate-income citizens seeking to purchase a home.
- Continue participation in the 10 Year planning efforts to end homeless by serving as one of the lead agency's in the community-driven process.
- Unemployment in Cumberland County is on the rise and for those who are employed, many households in the community work for low wages, which limits their housing choices and their ability to maintain their housing. Community Development will provide economic development funds, specifically geared toward job creation, to help attract higher paying industry to Cumberland County. We will continue to work with local companies as well as County Management and the other area economic development agencies in developing incentive packages to attract business to the area.
- Lack of adequate infrastructure greatly impacts the type and location of development in Cumberland County. With the use of CDBG funds, Community Development will work with the County Public Utilities Department to identify low- and moderate-income areas that may be assisted with installation of water and sewer facilities.

I. MONITORING

Cumberland County will continue to improve its established monitoring system of CDBG, HOME, and SHP housing and community development activities to ensure both short-term and long-term contract and regulatory compliance. Monitoring is the responsibility of the Cumberland County Community Development Department.

1. Subrecipient Projects:

Monitoring of sub-recipient projects has five major components:

- a. Grant Applications: Requests for funding application is made on a standard form and is carefully reviewed and evaluated. Points are given for each of 19 criteria covering community need, program effectiveness, financial record, and capacity. Recommendations for funding are based on evaluation of the above criteria.
 - b. Contractual Agreements: Cumberland County Community Development enters into a two-part contractual grant agreement with each sub-recipient. Part I of the agreement describes the tasks to be performed with the grant funds, the results to be achieved, and other conditions specific to the project. Part II lists all Federal standards with which the agency must comply. Each funded activity is assigned to the Compliance Officer. The Compliance Officer conducts pre-monitoring, desk monitoring, and on-site monitoring visits at least once a year to review for contractual and regulatory compliance.
 - c. Monitoring Records: For each sub-recipient, the staff maintain monitoring records that include the following:
 - 1) Basic information.
 - 2) Monitoring Plan - A risk assessment is carried out to determine the appropriate frequency of on-site visits, and the areas to be reviewed, including some or all of: financial management, client eligibility, program effectiveness, property, procurement, program income, fair housing and equal opportunity.
 - 3) Sub-recipient training and technical assistance provided.
 - 4) Review of the agency's CPA audit (if required).
 - 5) Quarterly financial reports and monthly draw requests from the sub-recipient.
 - 6) Quarterly programmatic reports.
 - 7) On-site monitoring reports.
 - 8) Correspondence and notes of significant telephone conversations.
2. On-Site Visits: Staff performs on-site monitoring reviews at least annually, depending on the assessment of risks for non-compliance. Program operations are observed, sub-recipient staff interviewed, client eligibility confirmed, and financial and programmatic reports verified from original documentation.
3. Long-Term Compliance: Activities involving real property acquisition or improvement require long-term compliance with the original purpose of the federal assistance. Cumberland County Community Development maintains a CDBG Real Property Inventory that is updated annually, and confirms that such property is still being used for the intended purpose. Cumberland County Community Development also carries out an annual review of HOME-assisted rental units, to ensure compliance with Housing Quality Standards, tenant eligibility, and rent ceilings.

The CCCD staff has developed detailed written guidelines for monitoring sub-recipients to ensure more uniform and comprehensive reviews. CCCD monitors the federally funded projects that are implemented by the department through a simple project tracking and management reporting system. This process includes monthly management reports, frequent inter-departmental reports and meetings, and financial reports. Project expenditures are compared with budgets on a monthly basis.

CCCD relies heavily on standard operating procedures that have been designed to be in compliance with federal standards, for example, its purchasing policy. HUD monitoring and CCCD's Single Audit provide annual independent checks on compliance by both CCCD and sub-recipients.

SPECIAL MONITORING FOR PARTICULAR ACTIVITIES

Rehabilitation 24 CFR 570.202 (Eligible Activities)

Review of File Records and Progress

Regulatory Compliance

- Location (census tract, redevelopment area)
- Type of housing (SF/MF), commercial
- Number of units per structure
- Historic preservation
- Lead-based paint (inspection/remediation)
- Household income (L/M benefit)
- Procurement and Bonding
- Labor Standards Review
- Relocation and Real Property Acquisition
- Environmental Review (date/findings)
- Project in Special Flood Hazard Area
- Section 504/ADA compliance

Comparison of Performance Records with Agreement/Application

- Scope of Work (work write-up, plans and specs, and original cost estimate)
- Contract award date, date work began
- Date final inspection; completion notice
- Number of dwelling units completed, comparison with Application/Agreement
- Actual delivery schedule v. Application and Agreement

In-House Cost and Productivity Review

- Method used to assure reasonable costs
- Direct construction costs (per unit)
- Indirect/administrative costs; comparison with cost allocation plan; percent of total
- Costs within 10% of in-house estimate
- Cost per unit v/ Budget

Community Housing Development Organizations 24 CFR Part 92 Subpart G

- .300 Set-Aside for Community Housing Development Organizations
- .301 Project-Specific Assistance to Community Housing Development Organizations
- .302 Housing Education and Organizational Support
- .303 Tenant Participation Plan

Community Housing Development Organization (CHDO) Monitoring Activities

All CHDOs will be monitored annually for recertification purposes using the following criteria:

- **Non-profit Status** – The CHDO must maintain its status as a non-profit corporation with a 501(c)(3) or 501(c)(4) IRS tax-exempt ruling.
- **Affordable Housing Commitment** – The CHDO must have a stated commitment to the development or affordable housing in the community it serves. The commitment must continue to be in at least one of the following: a) articles of incorporation, b) by-laws of the organization, c) board resolution, or d) charter.

- **Not Controlled by Public or For-profit** – The CHDO must continue to be free of external controls, either from public or for-profit interests.
- **Capacity** – The CHDO must have its own staff and must be capable of engaging in the housing development activity it intends to pursue. The CHDO must currently have adequate capacity or must have demonstrated capacity building activities.
- **Board Composition** – The CHDO's board structure must continue to reflect the community that it intends to serve and otherwise meet the regulatory requirements of the HOME program.

ON-SITE REVIEWS

Staff will perform on-site monitoring reviews at least annually, depending on the risk assessment for non-compliance. Program operations are observed, CHDO staff interviewed, client eligibility confirmed, and financial and programmatic reports verified from original documentation.

MONITORING CHDO PROJECTS

Eligible CHDO activities include: acquisition and/or rehabilitation of rental housing; new construction of rental housing; acquisition and/or rehabilitation of homebuyer property; new construction of homebuyers property; provide direct homebuyers assistance.

Monitoring activities will be conducted in accordance with Special Monitoring for Particular Activities as outlined in Item G, Monitoring, of the Annual Action Plan. Monitoring activities specified for rehabilitation and rental housing projects will be followed. Staff will also ensure that the Uniform Relocation Act and 49 CFR Part 24 are adhered to for acquisition projects.

***Staff will use the handbook Monitoring HOME Program Performance (HUD-2030-CPD, October 2000) as its primary guide and resource in conducting monitoring for CHDOs and all HOME program projects.*

Rental Housing Monitoring Process

Project Eligibility Determination

HOME program staff should determine whether a project is eligible for HOME funding:

- | | |
|-----------------------------|---|
| - Property type eligibility | - Environmental review, and |
| - HOME subsidy limits, | - Site and Neighborhood standards (if applicable) |

Project Tracking

HOME program staff should track progress through all stages of a project's development. When a project is in the construction phase, monitoring staff should be reviewing all documents to check the following:

- | | |
|--|---|
| - Subcontractor management and review; and | - Compliance with contract deadlines; |
| - Labor standards, Davis-Bacon (if applicable) | - Comparison of payment requests with eligible costs |
| - Section 3 (if applicable) | - Completed items on work item lists or an addendum / change order. |

All work should be inspected before a payment is processed. If a project appears to be experiencing difficulties, monitoring staff should perform an on-site visit.

Project Completion Review

When a project is complete, monitoring staff should make an on-site visit to monitor compliance with the following requirements:

- Property standards,
- Only eligible costs have been reimbursed,
- Construction management records,
- Lien waivers from both general contractor and all subcontractors,
- Proper data is collected to prepare women business enterprise and minority business enterprise (WBE/MBE) reports, and
- If match is being provided, the monitor should check that all proper documents have been submitted for review and calculation.

Initial Rent and Occupancy Review

Before a project reaches stabilized occupancy (95 percent or more), monitoring staff must review the Project Compliance Report and conduct an on-site visit to confirm that rent and occupancy standards have been met.

Ongoing Monitoring

Monitoring staff must review annual Project Compliance Reports and perform regular on-site visits throughout the affordability period to ensure continued compliance with:

- Rent and occupancy requirements;
- Property standards;
- Other Federal requirements (fair housing, lead-based paint, affirmative marketing, etc.).

COMMUNITY DEVELOPMENT SUBGRANTEE MONITORING PLAN

Grantee: Cumberland County

Period: PY 2008

Subject: CDBG and HOME
Subrecipients

Contact: Sonya Green/Delores Taylor

MONITORING OBJECTIVES

Primary: To ensure that subrecipients are:

- 1) **complying with all applicable Federal requirements under the above named programs and local regulations, when applicable.**
- 2) complying with administrative and financial management standards.
- 3) performing and delivering services in a timely manner.

Secondary: To identify any potential areas of non-compliance and offer technical assistance to the subrecipient to ensure the continued success of both the subrecipient and Cumberland County.

PROCEDURES

Step #1 In-house reviews (desk audits) of subrecipient materials & regulations review

Step #2 Pre-monitoring visits with subrecipients

Step #3 Conduct visit as follows:

- a. Notify of date, scope, focus of review
- b. Hold entrance conference with chief official
- c. Document, gather & analyze
- d. Hold exit conference to report results, hear reaction & form conclusions

Step #4 Follow-up with letter that both praises & raises finding/concerns

RISK ASSESSMENT

- Factors:**
- a) New subrecipients and/or new programs
 - b) Subrecipients receiving multiple Federal funding and carrying out multiple activities
 - c) Subrecipients carrying out high risk activities (housing development, leasing, homeless activities, economic development)
 - d) Subrecipients with previous compliance or performance problems
 - e) Subrecipients that have experienced turnover in key personnel

Ranking: Ranking is applied based on the above criteria. A maximum of 5 points is given for each factor considered (5 being considered the lowest risk). Subrecipients may receive a maximum score of 25 (highest risk).

For the PY 2008, the risk assessment is as follows:

Agency	Score	Risk Level	Main Factors Considered
Liberty for All, Inc.	17	High	▪ New Subrecipient ▪ High Risk Activity ▪ Compliance Issues ▪ New Key Personnel
Terry Spell Realty ▪ Pine Ridge Manor Apts.	15	High	▪ New Subrecipient ▪ Multiple Funding/Multiple Activities ▪ High Risk Activity
United Management ▪ Blanton Green Apts. ▪ Crosswinds Green Apts. ▪ Golfview Apts. ▪ Haymount Manor Apts. ▪ Legion Crossings Apts. ▪ Legion Manor Apts. ▪ Southview Green Apts.	15	High	▪ New Program ▪ High Risk Activities ▪ New Key Personnel
Happy Hound	13	High	▪ New Subrecipient ▪ High Risk Activity ▪ New Key Personnel
Lisa's House of Care, Inc.	10	Moderate	▪ High Risk Activity ▪ Minor Compliance/Performance Issues
The Salvation Army Shelter	9	Moderate	▪ High Risk Activity ▪ New Key Personnel
City Rescue Mission	8	Moderate	▪ High Risk Activity ▪ New Key Personnel
The Women's Center of Fayetteville	8	Moderate	▪ High Risk Activity ▪ Multiple Activities
Kingdom Community Development Corp.	8	Moderate	▪ High Risk Activity
A Taste of Europe Restaurant & Bakery	6	Low	▪ High Risk Activity
CC Medication Access Program (CCMAP)	6	Low	▪ Multiple Funding/Multiple Activities
CC Coordinating Council on Older Adults	6	Low	▪ Multiple Funding/Multiple Activities
Blue Sky Grading Company	6	Low	▪ High Risk Activity
Better Health of Cumberland County	5	Low	▪ Multiple Funding/Multiple Activities
CC Communicare, Inc.	4	Low	▪ Minor Compliance/Performance Issues

SCHEDULE

Pre-monitoring: A pre-monitoring visit will be scheduled with each subrecipient receiving funds for PY2008. These visits will be conducted at the beginning of the program year.

Desk Monitoring: Desk monitoring will be conducted throughout the program year on all subrecipients.

Program/Financial Monitoring	Agency
July 2008 – September 2009	▪ Program/Financial Management (Desk) Reviews for All Subgrantees
October 2008 – December 2009	▪ Liberty for All, Inc. ▪ Terry Spell Realty ▪ United Management ▪ Happy Hound ▪ Lisa's House of Care, Inc. ▪ The Salvation Army Shelter
January 2009 – March 2008	▪ City Rescue Mission ▪ The Women's Center of Fayetteville ▪ Kingdom Community Development ▪ A Taste of Europe ▪ CC Medication Access Program ▪ CC Coordinating Council on Older Adults ▪ Blue Sky Grading
April 2009 – June 2008	▪ Better Health of Cumberland County ▪ CC Communicare, Inc.

Monitoring plan is subject to change if certain issues should arise during the program year.

For more information on the Annual Action Plan, contact:

Cumberland County Community Development
P.O. Drawer 1829, 245 Person Street
Fayetteville, NC 28302
Telephone: (910) 323-6112 Facsimile: (910) 323-6114
TDD: (910) 323-6109

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ITEM NO. 3A

April 10, 2008

April 21, 2008 Agenda Item

TO: Board of Commissioners
FROM: Marie Colgan, Deputy Clerk *MC*
SUBJECT: Adult Care Home Community Advisory Committee Vacancy

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

Benita Briggs has resigned due to health conditions.

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

PROPOSED ACTION: Make nomination to fill the vacancy.

Attachments

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

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

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 822-1311/893-8151 x330 (W)	1/06	1 st	Jan/09 1/31/09	Yes
Rev. Nanette Tomlinson-Knoell (W/F) 609 Tallstone Drive Fayetteville, NC 28311 339-2201/489-2198(W)	10/07	Initial	Feb/09 2/28/09	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
Benita Briggs 1116 Bingham Drive Fayetteville, NC 28304 822-1154/672-1294	5/07	1 st	May/08 5/30/08	Yes

<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 429-9300/584-0358 (C)	10/06	1 st	Nov/09 11/30/09	Yes
Wynella A. Myers (B/F) 706 Sarazan Drive Fayetteville, NC 28303 822-5526/273-8483 (C)	8/07	1 st	Aug/10 8/31/10	Yes
Janet Pelley 18 Adams Street Ft. Bragg, NC 28307 497-4947	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 28306 480-0313/483-3648, Ext. 1109 (W)	2/08	1 st	Feb/11 2/28/11	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
Kim Howard (F) 6018 Lakaway Drive Fayetteville, NC 28306 308-5974	4/07	Initial	Apr/08 4/30/08	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 3rd 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>
BOOTH, YVONNE (B/F) 4568 TURQUOISE RD FAYETTEVILLE, NC 28311 488-7260	STUDENT	MEDICAL/ EDUC CNA MED TECH, PHLEBOTOMY TECH
DOUGLAS, BRENDA (B/F) 6109 GARDEN COURT FAYETTEVILLE, NC 28311 717-0123/677-2965 (W)	SOCIAL WORKER III DEPT OF SOCIAL SERVICES	BA – PSYCHOLOGY

J. BREEDEN BLACKWELL
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April 15, 2008

ITEM NO. 3B

April 21, 2008 Agenda Item

TO: Board of Commissioners
FROM: Marie Colgan, Deputy Clerk *MC*
SUBJECT: Board of Adjustment Vacancy

The Board of Adjustment has the following vacancy:

Alternate Members

Steve Burnett has resigned. The Board of Adjustment will recommend a replacement during their April 17th meeting and that name will be supplied to you prior to the April 21st meeting.

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

PROPOSED ACTION: Make nominations to fill the vacancy.

Attachments

pc: Tom Lloyd, Planning/Inspections Director

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BOARD OF ADJUSTMENT
3 Year Term

<u>Name/Address</u>	<u>Date Appointed</u>	<u>Term</u>	<u>Expires</u>	<u>Eligible For Reappointment</u>
Joseph M. Dykes (B/M) 5764 Pepperbush Drive Fayetteville, NC 28304 423-5255/322-0602 (W)	1/08 (serving unexpired term)	1st	June/09 6/30/09	Yes
Oscar L. Davis, III (C/M) 3320 Rustburg Drive Fayetteville, NC 28303 867-2950/977-3101(W)	6/07	2 nd	June/10 6/30/10	No
Melree Hubbard Tart (W/F) 300 Andrews Road Fayetteville, NC 28311 488-1208/497-3712 (W)	6/07	1 st	Aug/10 8/31/10	Yes
Steve Parsons(W/M) 3701 Clearwater Drive Fayetteville, NC 28311 822-4155/822-2000(W)	9/06	2nd	Sept/09 9/30/09	No
George Quigley (W/M) 618 Blawell Circle Stedman, NC 28391 485-2980/321-6882	6/06	1st	June/09 6/30/09	Yes
<u>Alternate Members:</u> Steve Burnett (W/M) 438 Grape Arbor Drive Fayetteville, NC 28312-7205 486-9325/485-2100(W)	8/07	2 nd	Aug/10 8/31/10	No
Horace Humphrey (- /M) 1852 Cascade Street Fayetteville, NC 28301 488-5143	01/08 (serving unexpired term)	1st	Aug/10 8/31/10	Yes
James Ingram (B/M) PO Box 87671 Fayetteville, NC 28304 257-1831/488-8415 (W)	6/07	1 st	June/10 6/30/10	Yes

<u>Name/Address</u>	<u>Date Appointed</u>	<u>Term</u>	<u>Expires</u>	<u>Eligible For Reappointment</u>
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Alternate Members Continued:

John R. Swanson (W/M) 6416 Coachman's Way Fayetteville, NC 28303 987-1972/822-2000 (W)	6/07 (filling unexpired term)	1 st	Jan/10 1/31/10	Yes
Martin J. Locklear (I/M) 1611 Four Wood Drive Fayetteville, NC 28312 672-0323/893-7525(W)	8/06	1 st	Aug/09 8/31/09	Yes

Meets 3rd Thursday of each month at 7:00 PM – Historic Courthouse, Room 3

Contact: Tom Lloyd, Planning Department - 678-7618

APPLICANTS FOR
BOARD OF ADJUSTMENT

<u>NAME/ADDRESS/TELEPHONE</u>	<u>OCCUPATION</u>	<u>EDUCATIONAL BACKGROUND</u>
CHESTNUTT, A. JOHNSON (W/M) 578 MILDEN ROAD FAYETTEVILLE, NC 28314 484-6365/323-1040(W)	ACCOUNTANT FAIRCLOTH & CO.	BSBA
HALCOMB, MARC (W/M) 144 TREETOP DRIVE #P FAYETTEVILLE, NC 28311 213-5258/574-0598 (W)	SECURITY SUPERVISOR METHODIST UNIVERSITY	BS – POLITICAL SCIENCE
TYSON-AUTRY, CARRIE (??) 5951 NC HWY 87 SOUTH FAYETTEVILLE, NC 28306-7379 483-0087	RETIRED TEACHER	PhD, MA, BA & BS 1 YEAR LAW SCHOOL

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Chairman

JEANNETTE M. COUNCIL
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ITEM NO. 4A

April 10, 2008

April 21, 2008 Agenda Item

TO: Board of Commissioners
FROM: Marie Colgan, Deputy Clerk *MC*
SUBJECT: Adult Care Home Community Advisory Committee

BACKGROUND: On April 7, 2008, the Board of Commissioners nominated the following to fill three vacancies on the Adult Care Home Community Advisory Committee:

Dell Caramanno (new appointment)
Toney Edwards (new appointment)
Marian Hackett (new appointment)

I have attached the current membership list for this committee.

PROPOSED ACTION: Appoint the above three (3) vacancies.

Attachment

pc: Andrea Wright-Valdez, Mid-Carolina Area Agency on Aging

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

Name/Address	<u>Date Appointed</u>	Term	Expires	<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
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Adult Care Home Community Advisory Committee, page 2

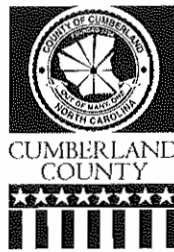
<u>Name/Address</u>	<u>Date Appointed</u>	<u>Term</u>	<u>Expires</u>	<u>Eligible For Reappointment</u>
Jacqueline S. Wolfe (W/F) 1812 Manchester Street Fayetteville, NC 28303 484-8588/484-5146 (W)	2/07	Initial	Feb/08 2/28/08	Yes
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CONTACT: Andrea Wright-Valdez, 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 3rd Thursday of Particular Month,
10:00 AM, Blue Street Senior Center

J. BREEDEN BLACKWELL
Chairman

JEANNETTE M. COUNCIL
Vice Chairman

KENNETH S. EDGE
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

April 10, 2008

ITEM NO. 4B

April 21, 2008 Agenda Item

TO: Board of Commissioners

FROM: Marie Colgan, Deputy Clerk *MC*

SUBJECT: Board of Health

BACKGROUND: On April 7, 2008, the Board of Commissioners nominated the following to fill one vacancy on the Board of Health:

Pharmacist: **Tom Nicholson** (new appointment)

I have attached the current membership list for this board.

PROPOSED ACTION: Appoint the above vacancy.

Attachment

pc: Wayne Raynor, Health Director

Celebrating Our Past...Embracing Our Future

BOARD OF HEALTH
3 Year Term

<u>Name/Address</u>	<u>Date Appointed</u>	<u>Term</u>	<u>Expires</u>	<u>Eligible For Reappointment</u>
<u>Veterinarian</u>				
Dr. Ennis V. Williams (B/M) 4617 Bent Grass Drive Fayetteville, NC 28312 867-2248/578-1877(W)	01/07	1 st	Dec/09 12/31/09	No
(already served a term as a General Public Rep)				
<u>Physician</u>				
Dr. Cynthia Norris (W/F) 6525 Windy Creek Way Fayetteville, NC 28306 429-3258/323-9111 (W)	06/07	1 st	Dec/08 12/31/08	Yes
(filling unexpired term)				
<u>Dentist</u>				
Dr. Walter S. Scott, III (B/M) 686 Stockbridge Court Fayetteville, NC 28311 811-3543/323-3133(W)	01/07	1 st	Dec/09 12/31/09	Yes
<u>Registered Nurse</u>				
Kim S. McDonald (W/F) VA Medical Center 2300 Ramsey Street Fayetteville, NC 28311 822-9703/482-5262(W)	01/07	1 st	Dec/09 12/31/09	Yes
<u>Optometrist</u>				
Barbara Ciampa (W/F) 3006 Metthame Drive Fayetteville, NC 28306 648-0680/484-7139(W)	12/07	1 st	Dec/10 12/31/10	Yes
<u>Pharmacist</u>				
Catherine S. Roach (W/F) 3890 Cedar Creek Road Fayetteville, NC 28312 437-5149/609-1172(W)	12/05	1 st	Dec/08 12/31/08	Yes
<u>Engineer</u>				
Jimmy Kizer (W/M) 214 Woodcrest Road Fayetteville, NC 28305 484-0508/484-5191(W)	12/07	1 st	Dec/10 12/31/10	Yes

<u>Name/Address</u>	<u>Date Appointed</u>	<u>Term</u>	<u>Expires</u>	<u>Eligible For Reappointment</u>
<u>General Public Reps.</u>				
Cureton L. Johnson (AA/M) 1909 Bellemeade Road Fayetteville, NC 28303 485-3025/483-6505(W)	12/05	1st	Dec/08 12/31/08	Yes
Barbara S. Marshall (B/F) 7640 Wilkins Drive Fayetteville, NC 28311 488-2615/977-2303 (W)	01/07	1 st	Dec/09 12/31/09	Yes
Carol E. Schaeffer (W/F) 1704 Cherokee Drive Fayetteville, NC 28303 223-3030/483-1437 (W)	01/07	1 st	Dec/09 12/31/09	Yes

COMMISSIONER LIAISON: John Henley

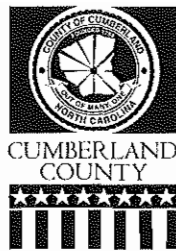
Contact: Wayne Raynor, Health Director
Tracy Gurganus, Secretary
Phone: 433-3721
Fax: 433-3659

Meetings: 3rd Tuesday of the month 6:00 PM, Board Room, Health Department (July and August meetings take place only if desired)

J. BREEDEN BLACKWELL
Chairman

JEANNETTE M. COUNCIL
Vice Chairman

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April 10, 2008

ITEM NO. 4C

April 21, 2008 Agenda Item

TO: Board of Commissioners
FROM: Marie Colgan, Deputy Clerk *MC*
SUBJECT: Minimum Housing Appeals Board

BACKGROUND: On April 7, 2008, the Board of Commissioners nominated the following individual to fill a vacancy on the Minimum Housing Appeals Board.

Alternate Members: **Geri Hasapis** (new appointment)

I have attached the current membership list for this Board.

PROPOSED ACTION: Appoint the above vacancy.

Attachment

pc: Carol Post, Planning/Inspections Department

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MINIMUM HOUSING APPEALS BOARD
3 Year Staggered Terms

<u>Name/Address</u>	<u>Date Appointed</u>	<u>Term</u>	<u>Expires</u>	<u>Eligible For Reappointment</u>
Charles Lewis (B/M) PO Box 58583 Fayetteville, NC 28305-8583 224-8005 (C)	10/07	1st	Oct/10 10/31/10	Yes
I. J. McNeil(B/M) 821 Oakcrest Drive Fayetteville, NC 28301 822-3152/489-1119 (C)	10/06	2 nd	Oct/09 10/31/09	No
Linda J. Miller 5815 Cherrystone Drive Fayetteville, NC 28311 480-0063/822-7923 (W)/987-0289 (C)	10/07	1st	Oct/10 10/31/10	Yes
Clyde V. Vaughan (W/M) 126 West Circle Court Fayetteville, NC 28301 822-4362	9/05	1 st	Oct/08 10/31/08	Yes
John Williams (B/M) 7712 Guinevere Court Fayetteville, NC 28314 864-9536/875-5081(W)/476-2388 (C)	11/05	1st	Nov/08 11/30/08	Yes
<u>(Alternate Members)</u>				
Clayton O. Burris, Jr. (W/M) 2026 Forest Hills Drive Fayetteville, NC 28303 822-2800	10/07	1 st	Oct/10 10/31/10	Yes
Deborah Ann Dantzler (B/F) 421 Old Farm Road Fayetteville, NC 28314 487-2548/488-2120, ext. 7494(W)/308-2159 (C)	12/07	2 nd	Dec/10 12/31/10	No
Leesa Jensen (W/F) 719 Ashfield Drive Fayetteville, NC 28311 630-0253/433-1695 (W)	10/07	1 st	Oct/10 10/31/10	Yes

Minimum Housing Appeals Board, Page 2

<u>Name/Address</u>	<u>Date Appointed</u>	<u>Term</u>	<u>Expires</u>	<u>Eligible For Reappointment</u>
Louis L. King (W/M) 1004 Greenhouse Drive Hope Mills, NC 28348 425-3732/797-0260 (C)	12/05	1 st	Dec/08 12/31/08	Yes
Anthony L. Maccy (W/M) 2026 Poplar Drive Fayetteville, NC 28304 425-4989	10/05	1 st	Oct/08 10/31/08	Yes

Meetings: Quarterly - Second Tuesday of the first month of each quarter per calendar year -
(January, April, July, October)
Old Courthouse, 130 Gillespie St., 6:30 PM

Contact: Carol M. Post, 321-6640, Planning and Inspections Department
Cell: 261-7745 (after 5 pm on the day of the meeting)