
AGENDA
CUMBERLAND COUNTY BOARD OF COMMISSIONERS
COURTHOUSE – ROOM 118
FEBRUARY 19, 2008 (TUESDAY)
6:45 PM

INVOCATION - Commissioner Breeden Blackwell, Chairman

PLEDGE OF ALLEGIANCE – Tanna Gillis, Armstrong Elementary School – 2nd Grade
Little Miss Autryville 2007

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

Recognition of Retired County Employees:

Larry Philpott – Fayetteville-Cumberland Parks & Recreation Department
Rick Collins – Cumberland County Sheriff's Office
Patrick S. Hurley – Cumberland County Workforce Development
Debby Rice – Cumberland County Mental Health Department

Recognition of Outgoing Board Members: Bruce Armstrong – Civic Center Commission

Recognition of Cumberland County Cares Award - Lynda Simmons and Doris O'Brien

Recognition of Billy Marsh, a United Parcel Service (UPS) employee who assisted in the house fire on Murphy Road on Monday, January 21, 2008.

Recognition of the Cumberland County Sheriff's Office for Reaccreditation by the Commission on Accreditation for Law Enforcement Agencies.

Recognition of the Newly Elected Officials for the Town of Eastover:

<u>Mayor:</u>	Charles McLaurin	
<u>Town Councilmembers:</u>	Lawrence Buffalo	Willie Geddie
	Cheryl C. Hudson	Benny Pearce
	Donald Hudson	Sara Piland

1. Presentation of "Be Aware of Our Air Book" by Mr. Steven Blanchard, Air Quality Stakeholders Vice Chairman and Ms. Emilie Helms, Fayetteville Area Metropolitan Planning Organization, Air Quality Coordinator.

2. Consent Agenda

- A. Approval of minutes for the February 4, 2008 regular meeting and February 7, 2008 Special Planning Session.
- B. Approval of a Conditional Letter of Commitment for the Spring Lake Green Project through the Cumberland County Community Development Department.
- C. Approval of the Proposed Federal Agenda for FY 2009.
- D. Approval of Sale of Surplus County-Owned Real Property Acquired by Tax Foreclosure.
- E. Approval of Request for Additional Event Manager Position for the Cumberland County Crown Coliseum.
- F. Approval of Adoption of a Resolution Celebrating 100 Years of County Unity in Recognition of the NCACC's Centennial.
- G. Budget Revisions:

(1) Tax Administration

Revision in the amount of \$30,516 to appropriate fund balance to pay Tax Management Associated for audits. (B08-222) **Funding Source – General Fund Fund Balance**

(2) Health - Administration

Revision in the amount of \$10,734 to recognize additional state funding. (B08-227) **Funding Source – State**

(3) Mental Health - Detoxification

Revision in the amount of \$250,000 to appropriate fund balance for roof replacement and other building maintenance at the Roxie Avenue facility. (B08-226) **Funding Source – Mental Health Fund Balance**

(4) Juvenile Crime Prevention Program/General Government Other

Revisions in the amount of \$11,204 to adjust the Juvenile Restitution program (\$9,967) and to reduce the County's match (\$1,234) to the revised State budget. (B08-228 and B08-228A) **Funding Source – State and General Fund Fund Balance**

(5) Bonnie Doone Fire District

Revision in the amount of \$900 to increase expenditure line to cover unanticipated refunds to taxpayers. (B08-220) **Funding Source – Bonnie Doone Fire District Tax**

(6) Lake Rim Fire District

Revision in the amount of \$100 to increase expenditure line to cover unanticipated refunds to taxpayers. (B08-221) **Funding Source – Lake Rim Fire District Tax**

(7) NORCRESS Capital Project

Revision in the net amount of \$67,889 to reallocate revenue and expenditures based on actual and to close the project. (B08-229) **Funding Source – Reallocation of Revenue and Expenditures**

- H. Approval of a Proclamation Proclaiming the Weeks of February 25 - March 7, 2008 as "Arbor Weeks" and March 2, 2008 as "Arbor Day" in Cumberland County.

3. Public Hearings

Uncontested Cases

Rezoning

- A. Case P07-94. The rezoning of 1.8 acres from A1 to R40A, or to a more restrictive zoning district, at 10484 NC Highway 210 South, owned by Joseph G. Melvin.

- B. Case P07-95. The rezoning of two parcels totaling 3.93 acres from R6 to C(P), or to a more restrictive zoning district, at 150 and 220 West Mountain Drive, owned by Charles E. Horne and Billy D. and Fay J. Horne.
- C. Case P07-96. The rezoning of .94 acres from R10 to R5A, or to a more restrictive zoning district, located on the northwest side of Camden Road, east of Victor Hall Lane, owned by Woodrow and Gladys M. Sweat.

Contested Cases

- D. Case P07-92. The rezoning of an 8.21 acre portion of a 34.99 acre tract from R10 to R6A, or to a more restrictive zoning district, located on the south side of Selma Drive, east of I-95 business south, owned by Wedtec Inc.
- E. Case P08-06. The rezoning of a 10.0 acre portion of a 176.92 acre tract from A1 to R40, located on the south side of County Line Road, east of Chicken Foot Road, owned by JFJ III Investments, LLC.

Cumberland County Zoning Ordinance Amendment

- F. Case P08-05. The revision and amendment of the June 20, 2005 Cumberland County Zoning Ordinance, 2007 Joint Planning Board's Annual Review.

Other Public Hearings

- G. Minimum Housing Code Enforcement
 - 1) Case Number: MH 5245-2007
Property Owner: Isaac & Emily Byrd
Property Location: 9403 Hillsboro Street, Linden, NC
Parcel Identification Number: 0574-65-8342
 - 2) Case Number: MH5283-2007
Property Owner: Lorenzo McLean Heirs, c/o Debra Corley
Property Location: 560 Pine Tree Lane, Spring Lake, NC
Parcel Identification Number: 0511-09-2624
 - 3) Case Number: MH5277-2007
Property Owner: Albert Hunter Smith, II
Property Location: 4016 & 4022 Riverland Drive, Fayetteville, NC
Parcel Identification Number: 0463-94-0223
 - 4) Case Number: MH5276-2007
Property Owner: Albert Hunter Smith, II
Property Location: 4091 Riverland Drive & 4740 Tabor Church Road, Fayetteville, NC
Parcel Identification Number: 0463-94-4078

Items of Business

4. Consideration of 2nd Reading of the Cumberland County Compensation/Overtime Policy and Adoption of Ordinance.
 - A. Follow-Up Information Regarding Compensatory Time for Exempt Employees.
5. Consideration of Cumberland County Policy Committee Report and Recommendations Regarding Changing the County Flag.
6. Consideration of Selection of Lead Investment Banking Firm for Proposed COPS Issue.
7. Nominations to Boards and Committees
 - A. Air Quality Stakeholders' Committee and Addition of Stakeholder Position (2 Vacancies)
 - B. Equalization and Review Board (3 Vacancies)
8. Appointments to Boards and Committees
 - A. Adult Care Home Community Advisory Committee (5 Vacancies)

Nominees: Lonnie Johnson (Reappointment)
Ernestine Mack (Reappointment)
Teresa McNeill (Reappointment)
Jacqueline Wolfe (Reappointment)
Rev. Nanette Tomlinson-Knoell

- B. Child Homicide Identification and Prevention (CHIP) Council (12 Vacancies)

Nominees:

<u>A Representative of the Military Community:</u>	Tom Hill
<u>A Representative of the General Public:</u>	Lois Kirby
<u>A Representative of Methodist University School of Social Work:</u>	Mary Deyampert-McCall
<u>A Representative of the Cumberland County Mental Health Center:</u>	Debbie Jenkins
<u>A Representative of Health Education:</u>	Wendy Breeden
<u>A Representative of Law Enforcement:</u>	Lynette Hodges
<u>A Representative of the Legal Community:</u>	Joanna Shober
<u>A Representative of the Cumberland County School System:</u>	Natasha Scott
<u>A Representative of the Cumberland Interfaith Hospitality Network:</u>	Denise Giles
<u>A Representative of Womack Army Medical Center:</u>	Gladys Cartwright
<u>A Representative of the Local Media:</u>	Charles Broadwell
<u>A Representative of Fayetteville State University School of Social Work:</u>	Densie Lucas

- C. Cumberland County Home and Community Care Block Grant Committee
(2 Vacancies)

Nominees: Older Consumer: Annie R. Hasan
Barbara Summey Marshall

- D. Cumberland County Juvenile Crime Prevention Council (1 Vacancy)

Nominee: At-Large Representative: Chris McLamb

- E. Nursing Home Advisory Board (1 Vacancy)

Nominee: Dr. John G. Briggs

- F. Wrecker Review Board (3 Vacancies)

Nominees: State Highway Patrol Appointee: Sgt. Tracy T. Coleman
Wrecker Licensee Appointees: Tracy Logan
Gary Holder

RECESS THE BOARD OF COMMISSIONERS' REGULAR MEETING.

**CONVENE THE NORCRESS WATER & SEWER DISTRICT GOVERNING BOARD
MEETING (SEE SEPARATE AGENDA) / ADJOURN**

RECONVENE THE REGULAR BOARD OF COMMISSIONERS' MEETING.

9. CLOSED SESSION:
- 1) Economic Development Matter(s)
Pursuant to NCGS 143-318.11(a)(4) – **If Needed.**
 - 2) Personnel Matter(s) Pursuant to
NCGS 143-318.11(a)(6) – **If Needed.**

ADJOURN

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

**MEETINGS: March 3, 2008 (Monday) - CANCELLED
March 17, 2008 (Monday) - 6:45 PM**



Originally published on Wednesday, January 23, 2008 in the Local & State category.

UPS driver helps fight house fire

By Nancy McCleary

Staff writer

Billy Marsh knew something was wrong when he spotted smoke billowing into the air along Murphy Road on Monday.

"I thought to myself, 'This doesn't look good,'" said Marsh, a United Parcel Service driver and former firefighter. "As I kept getting closer and closer, I got a sick feeling in my stomach."

The smoke was coming from the burning home of Charles Leo McLaurin of 6190 Murphy Road, according to Keith Jackson, a captain with the Bethany Volunteer Fire Department.

Marsh was still a quarter-mile from the house near Stedman when he called 911 at about 9:30 a.m. Monday.

Apparently, McLaurin's wife had called 911 earlier, but the call was dispatched as a medical emergency, Marsh said.

That meant the first responders weren't coming equipped to fight a fully involved fire.

So Marsh pulled his UPS truck off the road and ran to help a firefighter who had arrived with a small truck used to fight brush fires.

"There was one fireman on the truck and he started trying to grab the hose, so I grabbed it and helped him," Marsh said. "I told him 'I'm good, I've done this.'"

He stayed until reinforcements arrived.

The fire destroyed part of the house and the remainder had smoke and water damage, Jackson said.

The McLaurins, who didn't have insurance, weren't able to return to the home, he said. They were assisted by family members, Jackson said.

The fire started in the kitchen, Jackson said. The cause is not known but it was accidental, he said. Although there were reports that animals were in the burning house, Jackson said none were found.

Meanwhile, Marsh downplayed his involvement.

"The praise should go away from me toward the Fire Department," he said. "I did a good deed, but to be honest, I don't know any UPS man who wouldn't do that."

Marsh has worked for UPS for 23 years.

Jackson was thankful for the help. "It's a blessing when people in the community like Billy stop and help," he said.

Staff writer Nancy McCleary can be reached at mcclearyn@fayobserver.com or 486-3568.

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COMMISSION ON ACCREDITATION FOR LAW ENFORCEMENT AGENCIES
Incorporated



10302 Eaton Place, Suite 100 • Fairfax, Virginia 22030-2215 • Local (703) 352-4225 • (800) 368-3757 • FAX (703) 591-2206 • calea@calea.org

January 10, 2008

Mr. James E. Martin
Cumberland County Manager
117 Dick Street
Room 512
Fayetteville, NC 28301

Dear County Manager Martin:

We are happy to report that during the Colorado Springs Conference the Commission awarded **Accredited/Reaccredited** status to the following agencies in your state.

Conover Police Department
Cornelius Police Department
Cumberland County Sheriff's Office
Jacksonville Police Department
Raleigh-Wake 911 Center
Salisbury Police Department
Shelby Police Department

This action was taken in Colorado Springs, Colorado on November 17, 2007. These agencies belong to an elite group of public safety agencies in the United States, Canada, Mexico and Barbados that have received this prestigious, international award. Citizens in your state deserve to know that these agencies, like schools and hospitals, have taken extraordinary steps to demonstrate their professionalism and pride in delivering quality public safety service to their communities.

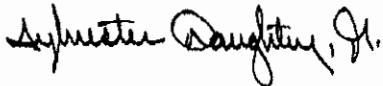
The Commission is an independent, nonprofit organization, founded by the four law enforcement membership associations: the International Association of Chiefs of Police, the National Organization of Black Law Enforcement Executives, the National Sheriffs' Association and the Police Executive Research Forum. The Commission is comprised of Chiefs, Sheriffs, elected officials and community leaders appointed by the four founding organizations. CALEA maintains a body of professional, public safety standards and administers a voluntary process for participation.

"ACCREDITATION RECOGNIZES PROFESSIONAL EXCELLENCE"

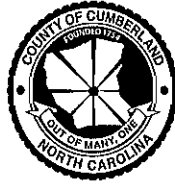
The agency must meet all applicable standards according to its size and function. The standards address all areas of administration, operation, and technical support activities. Following a thorough self-assessment, the agency receives a vigorous on-site assessment by a team of assessors, trained by CALEA. The assessors carefully review policies, observe procedures, interview personnel, and seek public input from the community. The team's final report forms the basis for a post-assessment hearing before the Commission. The three-year award requires an agency's commitment to maintain compliance with standards and offers an opportunity for reaccreditation of their compliance into the future.

You should be tremendously proud of the men and women in these agencies. Congratulations!

Respectfully yours,

A handwritten signature in cursive script, reading "Sylvester Daughtry, Jr.", written in dark ink.

Sylvester Daughtry, Jr.
Executive Director



ITEM NO. 1

COUNTY of CUMBERLAND

James E. Martin
County Manager

Cliff Spiller
Assistant County Manager

Juanita Pilgrim
Deputy County Manager

Office of the County Manager

Amy H. Cannon
Assistant County Manager

MEMORANDUM FOR BOARD OF COMMISSIONERS AGENDA OF FEBRUARY 19, 2008

TO: BOARD OF COUNTY COMMISSIONERS

FROM: JAMES E. MARTIN, COUNTY MANAGER

DATE: FEBRUARY 13, 2008

SUBJECT: PRESENTATION OF "BE AWARE OF OUR AIR BOOK"

BACKGROUND

A presentation of the "Be Aware of Our Air Book" will be made by Mr. Steven Blanchard, Air Quality Stakeholders Vice Chairman and Ms. Emilie Helms, Air Quality Coordinator of the Fayetteville Area Metropolitan Planning Organization.

/ct

CM021308-3



ITEM NO. 2B

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
FEBRUARY 19, 2008

TO: BOARD OF COUNTY COMMISSIONERS

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

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

DATE: FEBRUARY 8, 2008

SUBJECT: PROPOSAL TO CONDITIONALLY COMMIT FUNDING TO THE SPRING LAKE GREEN APARTMENTS PROJECT

BACKGROUND

Mr. Murray Duggins of United Developers has requested that the County participate in the construction of an affordable housing apartment complex called Spring Lake Green Apartments. The proposed project is for the construction of 48 2- and 3-bedroom units targeted to families whose income is at or below 60% of the median income for Cumberland County. Proposed rents for the units are between \$330 and \$475 per month. The project will be located off of Odell Road in Spring Lake. Supportive services will also be offered to residents of the apartment complex.

Mr. Duggins is requesting \$300,000 from Cumberland County Community Development entitlement funding at an interest rate of 2% for 20 years with immediate repayment of principal and interest. Other funding sources will include low-income housing tax credits administered through the North Carolina Housing Finance Agency.

This project is eligible under our Affordable Housing Program and is consistent with the housing goals identified in our Consolidated Plan. This conditional commitment is contingent upon the completion of a satisfactory environmental review as determined by the County. Upon the receipt of the conditional commitment, the developer may undertake non-physical project activities without restriction using their own funds. However, if the funds are used for an activity that has an adverse environmental impact

Celebrating Our Past...Embracing Our Future

or that limits the choice of alternatives prior to HUD's approval of the County's Request for Release of Funds, the County may be unable to fund the project.

RECOMMENDATION AND PROPOSED ACTION

Community Development recommends that the County conditionally commit \$300,000 to the Spring Lake Green Apartments project; and that the County Manager be authorized to sign a Letter of Conditional Commitment with Murray Duggins of United Developers.



ITEM NO. 2C

COUNTY of CUMBERLAND

James E. Martin
County Manager

Juanita Pilgrim
Deputy County Manager

Office of the County Manager

Cliff Spiller
Assistant County Manager

Amy H. Cannon
Assistant County Manager

MEMORANDUM FOR BOARD OF COMMISSIONERS AGENDA OF FEBRUARY 14, 2008

TO: BOARD OF COUNTY COMMISSIONERS

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

DATE: FEBRUARY 12, 2008

SUBJECT: APPROVAL OF THE PROPOSED FEDERAL AGENDA FOR FY2009

BACKGROUND

Representatives from the County, City and CCBC in coordination with The Ferguson Group developed the FY 2009 Federal Agenda to be presented to our Congressional representatives. (Attachment A).

The Ferguson Group has been successful in acquiring Federal Funds in the amount of \$20,329,500. (Attachment B).

RECOMMENDATION/PROPOSED ACTION

Approve the FY2009 Federal Agenda.

JP/cp
JP021208-1



Cumberland County
North Carolina



**City of Fayetteville / Cumberland County / Cumberland County Business Council, NC
2008 (FY 2009) FEDERAL AGENDA**

	PROJECT	DESCRIPTION OF REQUEST	FUNDING HISTORY
1	Digitizing Records	\$200,000 in Health and Human Services Appropriations, Health Resources and Services Administration, for the digitization and electronic storage of veterans claims.	First year request.
2	Partnership for Defense Innovation (PDI)	\$3 million in Defense Appropriations, Special Operations Forces Enhancements, for the PDI Wi-Fi Laboratory Testing and Assessment Center.	\$1.08 million in FY07 and \$2.7 million in FY08 Appropriations
3	Military Business Park (MBP)	\$1 million in Transportation Appropriations, Federal Highway Administration, for transportation improvements to the MBP to retain and attract defense industry.	\$600,000 included in FY06 and \$147,000 in FY08 Appropriations
4	Sewer System	\$2 million in Energy and Water Appropriations, Corps of Engineers, Sec. 219, for sanitary sewer system.	\$6 million authorized by WRDA 2007
5	Regional Public Safety Communications	\$1.5 million in Justice Appropriations, Community Oriented Policing Services (COPS) Technology, to provide regional communications equipment.	\$300,000 in FY06 and \$352,500 in FY08 Appropriations
6	Abandoned Manufactured Home Removal	\$1 million in Housing and Urban Development (HUD) Appropriations, Economic Development Initiatives, to acquire and remove abandoned and dilapidated homes.	Fourth year requested.
7	Multimodal Center	\$3 million in Transportation Appropriations, Bus and Bus Facilities, for the Multimodal Transportation Center.	Third year requested.
8	SAFETEA-LU Reauthorization	\$30 million in the Reauthorization of SAFETEA-LU, Federal-Aid Highways, High Priority Projects, for Rowan Street Bridge Replacement and Realignment.	
9	Airport	Raise awareness within Congress and the Federal Aviation Administration on the need to add direct flight from Fayetteville to Washington Reagan National Airport.	
10	Housing	Pursue the successful award of the City's HOPE VI application.	



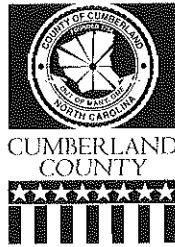
Cumberland County
North Carolina



FEDERAL SUCCESSES

PROJECT	AMOUNT	ACCOUNT	MATCH
Rail Relocation	\$8.8 million	SAFETEA-LU	80 / 20
Pembroke Rail Study	\$350,000	FY06 Transportation Appropriations, TCSP	80/20
Public Safety Communications	\$300,000 \$352,500	FY06 COPS Tech Appropriations FY08 COPS Tech Appropriations (<i>Omnibus pending</i>)	None
Military Business Park	\$600,000 \$147,000	FY06 HUD-EDI Appropriations FY08 HUD-EDI Appropriations (<i>Omnibus pending</i>)	None
Defense and Security Technology Accelerator	\$1.08 million \$2.7 million	FY07 Defense Appropriations FY08 Defense Appropriations	None
Water and Sewer Improvements	\$6 million authorization	Water Resources Development Act of 2007	

Total funding to date: \$20,329,500



ITEM NO. 2D

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

February 6, 2008

MEMORANDUM FOR BOARD OF COMMISSIONERS' FEBRUARY 19, 2008 AGENDA:

TO: BOARD OF COMMISSIONERS

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

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

0.25 ACRES
(LOCATED ON MAGGIE CIR OFF RIM RD)
PIN 9486-57-1440; SEVENTY FIRST TOWNSHIP

BACKGROUND: On or about December 8, 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 \$3,636.23.

Mary Branning has offered to purchase the County's interest in the property for **\$3,636.23** and has deposited \$363.63 in the Finance Office. The tax value of the property is \$28,800.00.

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 Ms. Branning's bid. The property has been advertised and this office has not received any upset bids. The bid period is now closed.

RECOMMENDATION AND PROPOSED ACTION: That the Board of Commissioners consider whether to accept the offer of Mary Branning to purchase the above property for the sum of **\$3,636.23**, 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

MAGGIE CIR

9486-57-1440-



Site Map

SEVENTY FIRST TOWNSHIP
7629 MAGGIE CIR

50 0 50 Feet

A horizontal scale bar with three segments. The first segment is labeled '50', the middle segment is labeled '0', and the last segment is labeled '50 Feet'.

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



ITEM NO. 2E

COUNTY of CUMBERLAND

James E. Martin
County Manager

Juanita Pilgrim
Deputy County Manager


Office of the County Manager

Cliff Spiller
Assistant County Manager

Amy H. Cannon
Assistant County Manager

MEMORANDUM FOR BOARD OF COMMISSIONERS AGENDA OF FEBRUARY 19, 2008

TO: BOARD OF COUNTY COMMISSIONERS

FROM: JAMES E. MARTIN, COUNTY MANAGER 

DATE: FEBRUARY 13, 2008

SUBJECT: APPROVAL OF REQUEST OF ADDITIONAL EVENT MANAGER
POSITION FOR THE CUMBERLAND COUNTY CROWN COLISEUM

BACKGROUND

Mr. Paul Beard, Interim CEO of the Cumberland County Crown Coliseum is requesting an additional Event Manager position to better control excessive overtime hours currently needed to meet work demands.

Funds are available in the department's budget for this request.

RECOMMENDATION / PROPOSED ACTION

Management recommends approval of the request for the Cumberland County Crown Coliseum.

/ct

CM021308-1

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

February 8, 2008

ITEM NO. 2F

Agenda Item for February 19, 2008

TO: Board of Commissioners

FROM: Marsha Fogle, Clerk

RE: Adoption of a Resolution celebrating 100 years of County Unity
in recognition of the NCACC's Centennial

BACKGROUND: The NC Association of County Commissioners has requested that each county adopt this Centennial Resolution, celebrating 100 years of county unity.

ACTION: Adopt

Resolution Attached

Celebrating Our Past...Embracing Our Future

**Joint Resolution Celebrating 100 Years of County Unity in
Recognition of Our Association's Centennial**

WHEREAS, the North Carolina Association of County Commissioners is an advocacy and service organization made up of all one-hundred (100) North Carolina counties; and

WHEREAS, the active participation and engagement of all 100 counties have directed, strengthened and enhanced our Association; and

WHEREAS, the dedication and talents of individual county commissioners and county staff have led our Association's success in advocacy, county-centered services and educational programs; and

WHEREAS, an informal agreement to form our Association was made by a handful of county commissioners who, at the behest of Craven County Commissioner C.E. Foy, met in New Bern in 1908, to discuss county issues of common interest; and

WHEREAS, the first session of our unofficial Association was held at the Atlantic Hotel in Morehead City on August 19, 1908, where C.E. Foy was elected as president; and

WHEREAS, the North Carolina General Assembly passed an act on March 8, 1909 establishing our Association on behalf of counties;

NOW, THEREFORE BE IT RESOLVED, that the North Carolina Association of County Commissioners and each Board of County Commissioners jointly recognize and celebrate "100 Years of County Unity" in tribute to our Association's Centennial.

FURTHER BE IT RESOLVED, that the Association communicate its copy of this joint resolution to each Board of County Commissioners.

FURTHER BE IT RESOLVED, that the Cumberland County Board of Commissioners communicate its copy of this joint resolution to the North Carolina Association of County Commissioners.

Adopted this 19th day of February, 2008.

J. Breeden Blackwell, Chairman

Budget Office Use	
Budget Revision No.	<u>208.223</u>
Date Received	<u>2.5.08</u>
Date Completed	

ITEM NO. 2G(1)

Revenue Source Code	Description	Current Budget	Increase (Decrease)	Revised Budget
9901	Fund Balance Appropriated		30,516	

Object Code	Appr Unit	Description	Current Budget	Increase (Decrease)	Revised Budget
3101	030	Audit	0	30,516.	30,516.

Funding Source: _____ Fund Balance: _____
 State: _____ Federal: _____ County: _____ New: \$ 30,516.00 Other: _____
 Other: _____ Fees: _____ Prior Year: _____

Reviewed By: _____ Date: _____
Information Services

**Board of County
Commissioners**

**COUNTY OF CUMBERLAND
BUDGET REVISION REQUEST**

Budget Office Use	
Budget Revision No.	<u>008-227</u>
Date Received	<u>8.8.08</u>
Date Completed	

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

Organization Name: ADMINISTRATION

ITEM NO. 26(2)

REVENUE

Revenue Source Code	Description	Current Budget	Increase (Decrease)	Revised Budget
4100	N.C. HEALTH SERVICES	170,180	10,734	180,914
		170,180	10,734	180,914

EXPENDITURES

Object Code	Appr Unit	Description	Current Budget	Increase (Decrease)	Revised Budget
2994	152	MISCELLANEOUS FURNITURE / EQUIPMENT	0	10,734	10,734

Total 0 10,734 10,734

Justification:

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

State: 10,734 Federal: _____ Fund Balance: _____
Other: _____ Fees: _____ County: _____ New: _____ Other: _____
Prior Year: _____

Submitted By: [Signature] Date: 2/6/08
Department Head
Reviewed By: [Signature] Date: 2/6/08
Finance Department
Reviewed By: [Signature] Date: 2/13/08
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.	<u>B08-226</u>
Date Received	<u>2/6/2008</u>
Date Completed	

Fund No. 112 Agency No. 43B Organ. No. 4351

Organization Name: Detoxification

ITEM NO. 26(3)

REVENUE

Revenue Source Code	Description	Current Budget	Increase (Decrease)	Revised Budget
9901	Fund Balance Appropriated		250,000	<u>250,000</u>

EXPENDITURES

Object Code	Appr Unit	Description	Current Budget	Increase (Decrease)	Revised Budget
3435	461	Maintenance and Repair - Other	1,800	25,000	26,800
3602	462	Capital Outlay - Building	0	225,000	225,000

Total 1,800 250,000 251,800

Justification:

Replace the roof at Roxie Avenue Building and other maintenance.

Funding Source:

State: _____ Federal: _____ Fund Balance: x County: _____ New: _____ Other: 250,000
Other: _____ Fees: _____ Prior Year: _____

Submitted By: Donald Hannon
Department Head

Date: 2-6-08

Reviewed By: Keely Quinlan
Finance Department

Date: 2-8-08

Reviewed By: Amber Cannon
Deputy Assistant County Mgr

Date: 2/13/08

Approved By:

Date: _____

County Manager

Board of County
Commissioners

Date: _____

**COUNTY OF CUMBERLAND
BUDGET REVISION REQUEST**

Budget Office Use	
Budget Revision No.	B08-228
Date Received	2/12/2008
Date Completed	

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

Organization Name: Juvenile Crime Prevention Program

ITEM NO. 26(4)

REVENUE

pg 1 of 2

Revenue Source Code	Description	Current Budget	Increase (Decrease)	Revised Budget
4386	NC JCP Juvenile Restitution	95,635	(11,384)	84,251
669C	NC JCP Juvenile Restitution In-kind	9,500	2,651	12,151
9110	Transfer from General Fund	128,052	(1,234)	126,818

Total 0 (9,967) 223,220

EXPENDITURES

Object Code	Appr Unit	Description	Current Budget	Increase (Decrease)	Revised Budget
438B	728	NC JCP Juvenile Restitution	109,021	(12,618)	96,403
348E	728	NC JCP Juvenile Restitution In-kind	9,500	2,651	12,151

118,521 (9,967) 108,554

Justification:

Revision to adjust the Juvenile Restitution program to the revised State budget.

Funding Source:

State: _____
Other: _____

Federal: _____
Fees: _____

Fund Balance:

County: _____ New: _____
Prior Year: _____

Other: _____

Submitted By: _____

Date: _____

Reviewed By: Howard C. Baker

Date: 2/12/08

Reviewed By: Amy D. Cannon

Date: 2/13/08

Deputy Assistant County Mgr

Approved By:

Date: _____

County Manager

Board of County
Commissioners

Date: _____

**COUNTY OF CUMBERLAND
BUDGET REVISION REQUEST**

Budget Office Use	
Budget Revision No.	B08-228A
Date Received	2/12/2008
Date Completed	

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

Organization Name: General Government Other

Pg 2 of 2

REVENUE

Revenue Source Code	Description	Current Budget	Increase (Decrease)	Revised Budget
9901	Fund Balance Appropriated		(1,234)	

Total (1,234)

EXPENDITURES

Object Code	Appr Unit	Description	Current Budget	Increase (Decrease)	Revised Budget
3874	091	Transfer to JCPC	211,684	(1,234)	210,450
			211,684	(1,234)	210,450

Justification:

Revision to adjust the transfer to the JCPC Fund based upon a revised State budget.

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

Submitted By: _____

Date: _____

Reviewed By: *Howard R. Roper*

Date: 2/12/08

Reviewed By: *Amy D. Cannon*

Date: 2/13/08

Deputy Assistant County Mgr

Approved By:

Date: _____

County Manager

Board of County
Commissioners

Date: _____

**COUNTY OF CUMBERLAND
BUDGET REVISION REQUEST**

Budget Office Use	
Budget Revision No.	B08-220
Date Received	2/5/2008
Date Completed	

Fund No. 473 Agency No. 429 Organ. No. 4264

Organization Name: Bonnie Doone Fire District

ITEM NO. 26(5)

REVENUE

Revenue Source Code	Description	Current Budget	Increase (Decrease)	Revised Budget
1000	Taxes Current Year	2,880	900	3,780
Total		2,880	900	3,780

EXPENDITURES

Object Code	Appr Unit	Description	Current Budget	Increase (Decrease)	Revised Budget
4027	839	Tax Refunds	100	900	1,000
Total			100	900	1,000

Justification:

Increase expenditure line to cover unanticipated refunds to taxpayers.

Funding Source:

State: _____
Other: 900

Federal: _____
Fees: _____

Fund Balance:

County: _____ New: _____
Prior Year: _____

Other: _____

Submitted By: _____

Date: _____

WFA
Reviewed By: *Geely Autry*
Finance Department

Date: 2.5.08

Reviewed By: *Amy N. Cannon*
Deputy Assistant County Mgr

Date: _____

Approved By:

County Manager

Board of County Commissioners

Date: _____

Date: _____

**COUNTY OF CUMBERLAND
BUDGET REVISION REQUEST**

Budget Office Use	
Budget Revision No.	B08-221
Date Received	2/5/2008
Date Completed	

Fund No. 486 Agency No. 429 Organ. No. 4278

Organization Name: Lake Rim Fire District

ITEM NO. 2G(6)

REVENUE

Revenue Source Code	Description	Current Budget	Increase (Decrease)	Revised Budget
1000	Taxes Current Year	4,198	100	4,298
Total		4,198	100	4,298

EXPENDITURES

Object Code	Appr Unit	Description	Current Budget	Increase (Decrease)	Revised Budget
4027	847	Tax Refunds	100	100	200
Total			100	100	200

Justification:

Increase expenditure line to cover unanticipated refunds to taxpayers.

Funding Source:

State: _____
Other: 100

Federal: _____
Fees: _____

Fund Balance:

County: _____ New: _____
Prior Year: _____

Other: _____

Submitted By: _____

Date: _____

Department Head

Reviewed By: Deeley Autry
Finance Department

Date: 2.5.08

Reviewed By: Amy Cannon
Deputy/Assistant County Mgr

Date: 2/13/08

Approved By:

Date: _____

County Manager

Board of County
Commissioners

Date: _____

**COUNTY OF CUMBERLAND
BUDGET REVISION REQUEST**

Budget Office Use	NORCRESS #22
Budget Revision No.	B08-229
Date Received	2/13/2008
Date Completed	

Fund No. 009 Agency No. 450 Organ. No. 450A

Organization Name: NORCRESS Project

ITEM NO. 26(7)

REVENUE

Revenue Source Code	Description	Current Budget	Increase (Decrease)	Revised Budget
4008	USDA Rural Development Grant	4,140,000	0	4,140,000
453E	NC Rural Center Grant	2,688,781	0	2,688,781
4677	Cumberland County Schools Co-Sponsor	325,000	0	325,000
4678	Facility Investment Fee	500,000	0	500,000
4679	Community Development Co-Sponsor	603,366	0	603,366
6681	Tap Fees	72,192	0	72,192
7002	Interest Income	0	608	608
7685	Contractor Sales Tax	0	130,548	130,548
9134	Transfer from Fund 250 (Co. Water & Sewer)	204,629	0	204,629
9296	Bond Anticipation Notes	1,250,000	0	1,250,000
9901	Fund Balance Appropriated	199,045	(199,045)	-
Total		9,983,013	(67,889)	9,915,124

EXPENDITURES

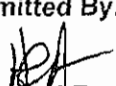
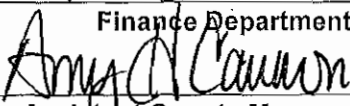
Object Code	Appr Unit	Description	Current Budget	Increase (Decrease)	Revised Budget
3110	NAA	Legal	30,000	(8,384)	21,616
3630	NAB	C.O. Land (easements, right of way)	47,125	(3,280)	43,845
3747	NAC	Engineering	794,936	(8,561)	786,375
3757	NAD	Facility Investment Fee	500,000	0	500,000
3758	NAE	Eastover Approach Main	576,969	(30,067)	546,902
379A	NAK	Construction - North Wade	2,026,614	(1)	2,026,613
379B	NAL	Construction - South Wade	1,682,594	0	1,682,594
379C	NAM	Construction - Falcon	1,509,489	0	1,509,489
379D	NAN	Construction - Godwin	1,609,140	(2,933)	1,606,207
379E	NAP	Construction - Pump Station	876,627	(421)	876,206
3809	NAG	Capitalized Interest	18,700	0	18,700
3419	NAQ	Miscellaneous	50,474	(14,242)	36,232
389T	NAR	Transfer to Fund 253	260,345	0	260,345
Total			9,983,013	(67,889)	9,915,124

Justification:

Revision to replace fund balance appropriated as a source of project funding.

Funding Source:

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

Submitted By: _____ Date: _____
 Department Head
 Reviewed By: _____ Date: 2/13/08
 Finance Department
 Reviewed By: _____ Date: 2/13/08
 Assistant County Mgr

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

Office of the Board of Commissioners

PROCLAMATION

WHEREAS, *the County of Cumberland recognizes the importance of trees to the economic, aesthetic, and ecological well-being of our community; AND*

WHEREAS, *it is recognized that planting and maintaining healthy trees in our ever-changing society are both desirable and necessary; AND*

WHEREAS, *Arbor Day is a long-standing American tradition that represents an important element of our national heritage; AND*

WHEREAS, *the Cape Fear Botanical Garden is a leader in the encouragement of environmental stewardship and is assisting with the planting of trees at our schools by the students; AND*

WHEREAS, *Cumberland County-Cooperative Extension is a community partner with the Cape Fear Botanical Garden in the effort to restore our trees; AND*

WHEREAS, *individuals can act in this county to improve the environment by planting trees and ensuring that these trees are protected and receive proper maintenance in the years ahead;*

NOW, THEREFORE, *I, J. Breeden Blackwell, Chairman of the Board of Commissioners, Cumberland County, North Carolina, do hereby proclaim the weeks of February 25-March 7, 2008 as Arbor Weeks and Saturday, March 2, 2008 to be*

Arbor Day in Cumberland County

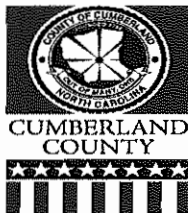
AND *urge our citizens to take an active part to ensure our community has a better quality of life by providing a clean environment with more trees.*

J. Breeden Blackwell, Chairman, 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

FEBRUARY 8, 2008

ITEM NO. 3A

MEMO TO: CUMBERLAND COUNTY BOARD OF COMMISSIONERS

FROM: CUMBERLAND COUNTY JOINT PLANNING BOARD

SUBJECT: **P07-94:** REZONING OF 1.8 ACRES FROM A1 TO R40A OR TO A MORE RESTRICTIVE ZONING DISTRICT, AT 10484 NC HIGHWAY 210 SOUTH, SUBMITTED BY STACEY M. MELVIN, OWNED BY JOSEPH G. MELVIN.

ACTION: MEMBERS PRESENT AT THE DECEMBER 18, 2007 MEETING VOTED UNANIMOUSLY TO FOLLOW THE STAFF RECOMMENDATION AND APPROVE R40A RESIDENTIAL DISTRICT.

SITE INFORMATION: **Area:** 1.8+/- acres; **Frontage & Location:** 300'+/- on NC HWY 210 S; **Depth:** 301.76+/- feet; **Jurisdiction:** County; **Adjacent Property:** No; **Current Use:** Residential; **Initial Zoning:** A1 - September 3, 1996 (Area 21); **Zoning Violation(s):** None; **Nonconformities:** Yes, legal nonconforming for lot size, created prior to zoning and existing home (built 1950) front yard setback; **Surrounding Zoning:** Primarily A1, small portion of R40A to the north; **Surrounding Land Use:** Single-family residential (including manufactured homes), woodland and farmland; **2010 Land Use Plan:** Farmland; **Designated 100-Year Floodplain or Floodway:** No; **Water/Sewer Availability:** Well / Septic; **Soil Limitations:** None; **School Capacity/Enrolled:** Beaver Dam Elementary: 116/118; Mac Williams Middle: 1274/1158; Cape Fear High: 1400/1475; **Subdivisions:** Group development approval required prior to permits; subdivision not allowed if approved; **Highway Plan:** No road improvements or new construction specified for this area; NC HWY 210 S is a major thoroughfare; **Average Daily Traffic County (2006):** 1,900 on NC HWY 210 S; **Notes:** Density: R40/R40A – 2 units

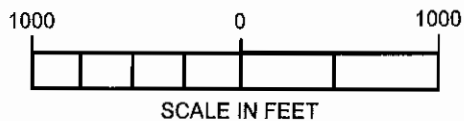
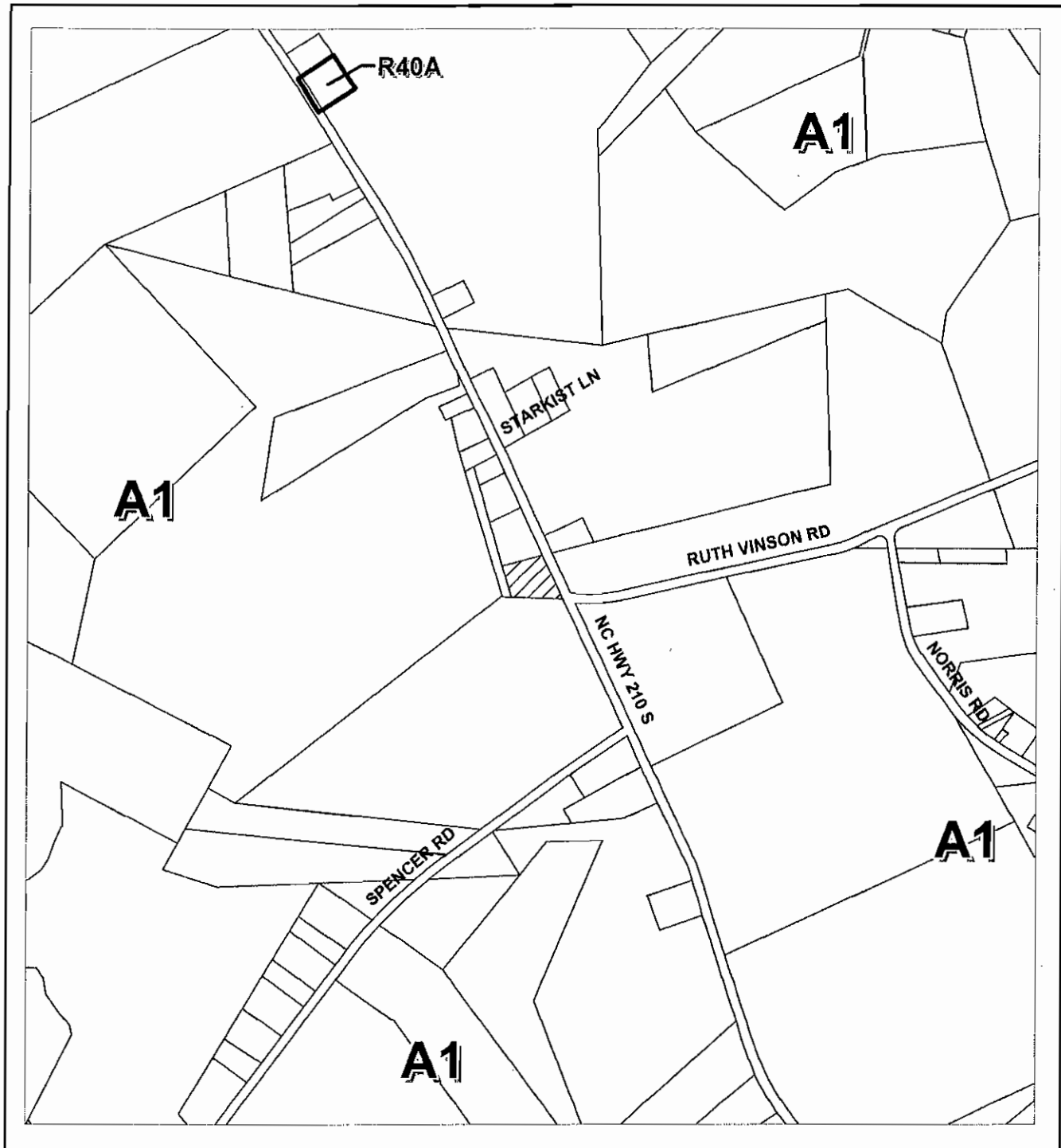
MINUTES OF DECEMBER 18, 2007

The Planning & Inspections Staff recommends approval of the R40A Residential District based on the following:

1. The request is consistent with the 2010 Land Use Plan, which calls for Farmland at this location – 2010 Land Use Plan specifies R40A as suitable in the designated farmland areas; and
2. The request is consistent with the uses and lot sizes of properties within the general area.

The R40 Residential District is also suitable for this area.

A motion was made by Vice-Chair Epler, seconded by Mr. Hostetter to follow the staff recommendation and approve case P07-94 as submitted. Unanimous approval.



REQUESTED REZONING: A1 TO R40A

ACREAGE: 1.80 AC.+/-

HEARING NO: P07-94

ORDINANCE: COUNTY

HEARING DATE

ACTION

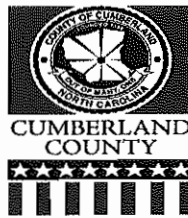
PLANNING BOARD

GOVERNING BOARD

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

FEBRUARY 8, 2008

ITEM NO. 3B

MEMO TO: CUMBERLAND COUNTY BOARD OF COMMISSIONERS

FROM: CUMBERLAND COUNTY JOINT PLANNING BOARD

SUBJECT: **P07-95:** REZONING OF TWO PARCELS TOTALLING 3.93 ACRES FROM R6 TO C(P) OR TO A MORE RESTRICTIVE ZONING DISTRICT, AT 150 AND 220 WEST MOUNTAIN DRIVE, SUBMITTED BY CHARLES E. HORNE, OWNED BY CHARLES E. HORNE AND BILLY D. AND FAY J. HORNE.

ACTION: MEMBERS PRESENT AT THE DECEMBER 18, 2007 MEETING VOTED UNANIMOUSLY TO FOLLOW THE STAFF RECOMMENDATION AND APPROVE C(P) PLANNED COMMERCIAL DISTRICT.

SITE INFORMATION: **Area:** 3.93+/- acres; **Frontage & Location:** 595.9+/- on W Mountain Drive; **Depth:** 350+/- feet; **Jurisdiction:** County; **Adjacent Property:** No; **Current Use:** Residential; **Initial Zoning:** R6 – November 17, 1975 (Area 4); **Zoning Violation(s):** None; **Nonconformities:** Yes, legal nonconforming: existing homes (built 1942/1946) front yard setback; will become more nonconforming if request approved; **Surrounding Zoning:** North: R6, R6A, C(P) & C3; East: C3 & HS(P); South: R10, C3, HS(P); West: C3, R10, & P1(City); **Surrounding Land Use:** Single-family residential (including some manufactured homes), Manufactured Home Sales, RV Sales, Trade Contractor, Motor Vehicle Sales, School Administrative Office, Hotel/Motels, Furniture Sales, Church, Adult Day Care, Janitorial Service, Moving & Storage and vacant land; **2010 Land Use Plan:** Medium Density Residential; **Designated 100-Year Floodplain or Floodway:** No; **Water/Sewer Availability:** PWC / PWC; both on W. Mountain Drive; **Soil Limitations:** None; **Subdivisions:** Site plan approval and possible recombination, if approved; **Highway Plan:** W. Mountain Dr is identified as a major thoroughfare; the plan calls for adding a center turning lane (Priority #3 in the highway portion of the LRTP); no road improvements included in the 2007-2013 MTIP; **Average Daily Traffic County (2006):** 6,100 on W. Mountain Dr; **Notes:** 1. The CUD option was discussed with applicant; he declined to submit a CUD application for this site. 2. Staff discussed with applicant the nonconforming status; requirement for Code upgrades if intending to use existing residential structures; site plan approval requirement; and setback issues, especially if intending to keep as two separate lots.

MINUTES OF DECEMBER 18, 2007

The Planning & Inspections Staff recommends approval of the C(P) Planned Commercial District based on the following:

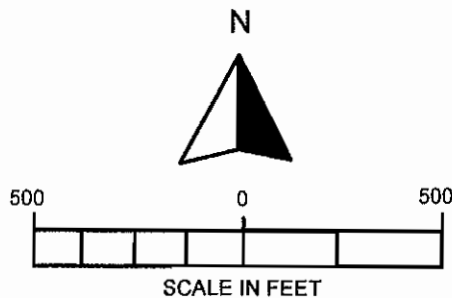
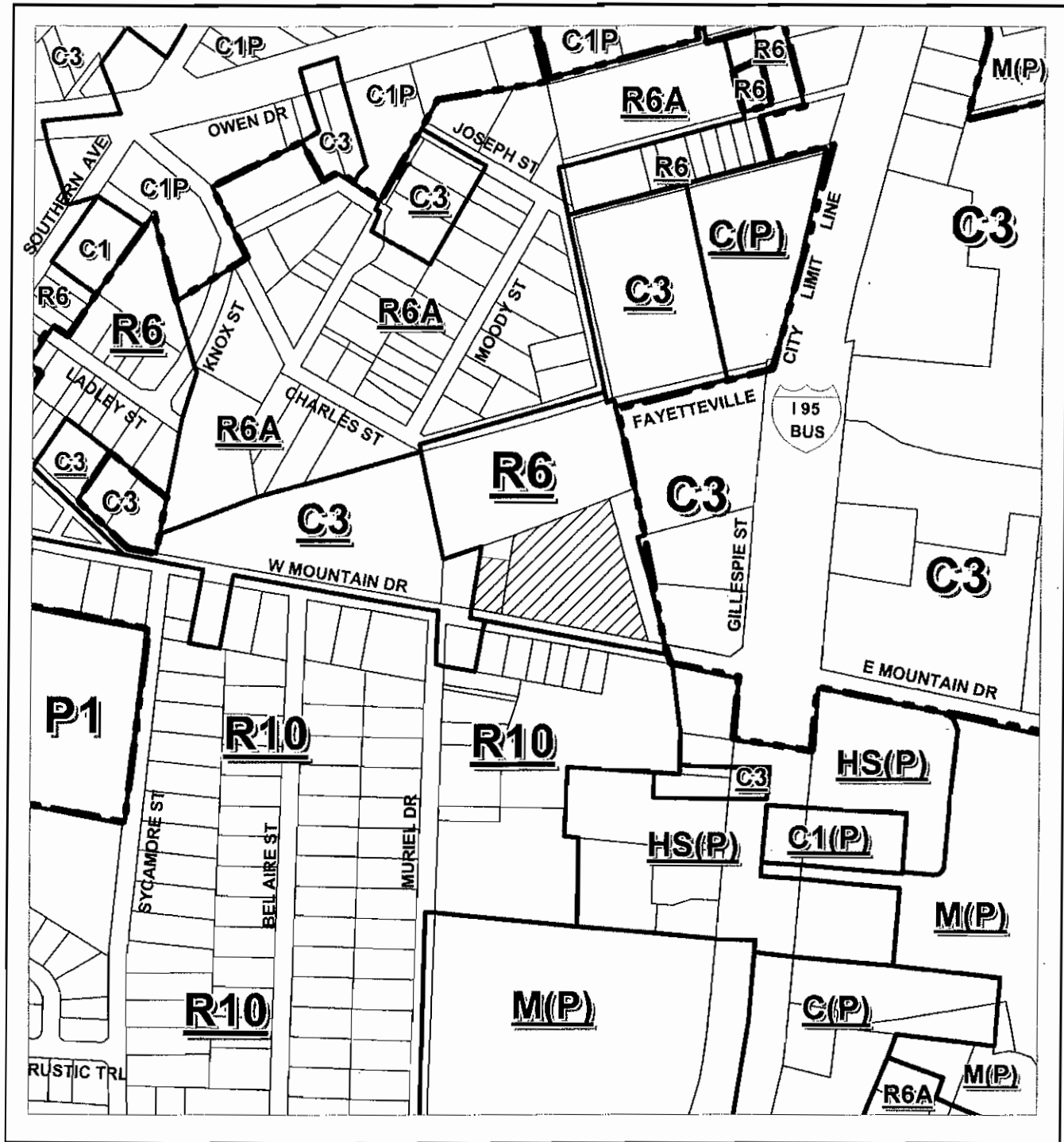
1. Even though the request is not consistent with the 2010 Land Use Plan, which calls for Medium Density Residential at this location, the area is transitioning to non-residential uses at this location;

P07-95 Continued

2. West Mountain Drive is identified as a major thoroughfare; and
3. Public utilities are available to the site.

The R5 and R5A Residential, O&I(P) Office and Institutional, and C1(P) Local Business districts could also be found suitable for this area.

A motion was made by Vice-Chair Epler, seconded by Mr. Hostetter to follow the staff recommendation and approve case P07-95 as submitted. Unanimous approval.



REQUESTED REZONING R6 TO C(P)

ACREAGE: 3.93 AC.+/-

HEARING NO: P07-95

ORDINANCE: COUNTY

HEARING DATE

ACTION

PLANNING BOARD

GOVERNING BOARD

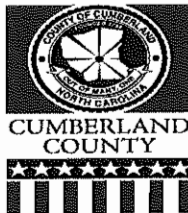
PORT OF PIN: 0426-90-8054
PIN: 0436-00-1024

AF

Donovan McLaurin,
Chair
Wadè, 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

FEBRUARY 8, 2008

ITEM NO. 3C

MEMO TO: CUMBERLAND COUNTY BOARD OF COMMISSIONERS

FROM: CUMBERLAND COUNTY JOINT PLANNING BOARD

SUBJECT: **P07-96:** REZONING OF .94 ACRES FROM R10 TO R6A OR TO A MORE RESTRICTIVE ZONING DISTRICT, LOCATED ON THE NORTHWEST SIDE OF CAMDEN ROAD, EAST OF VICTOR HALL LANE, OWNED BY WOODROW AND GLADYS M. SWEAT.

ACTION: MEMBERS PRESENT AT THE DECEMBER 18, 2007 MEETING VOTED UNANIMOUSLY TO FOLLOW THE STAFF RECOMMENDATION AND APPROVE R6A RESIDENTIAL DISTRICT.

SITE INFORMATION: **Area:** .94+/- acres; **Frontage & Location:** 275'+/- on Camden Rd; **Depth:** 274'+/- feet; **Jurisdiction:** County; **Adjacent Property:** No; **Current Use:** Residential and Vacant; **Initial Zoning:** R10 – November 17, 1975 (Area 4); **Zoning Violation(s):** None; **Nonconformities:** Yes, legal nonconforming: existing homes (built 1941/1958) yard setbacks – both homes scheduled for removal upon the widening of Camden Road; **Surrounding Zoning:** North: R10 & M(P); East: R10, R6A, C(P) & C1(P); South: R10 & C1(P); West: R10, R6A, M(P), & RR; **Surrounding Land Use:** Single-family residential (including manufactured homes), multi-family (duplexes) Manufacturing, Manufactured Home Park, Motor Vehicle Repair & Body Shops, Welding Shop, Food & Misc. Sales, Church, and vacant land; **2010 Land Use Plan:** Low Density Residential; **Designated 100-Year Floodplain or Floodway:** No; **Water/Sewer Availability:** PWC / PWC; both exist on Camden Rd, approximately 1,000' from subject property; mandatory connection dependant upon number of lots/units; **Soil Limitations:** None; **School Capacity/Enrolled:** Cashwell Elementary: 581/758; Ireland Drive Middle (6th grade): 343/348; D. Byrd Middle: 765/728; D. Byrd High: 1280/1237; **Subdivisions:** Subdivision and/or Site Plan approval and possible recombination, if desiring more than one unit on each lot or division of property; **Average Daily Traffic County (2006):** 17,000 on Camden Rd; **Highway Plan:** Camden Rd is identified as a major thoroughfare; the plan calls for a multi-land facility (U-2810) with a 100' right-of-way; road improvements are included in the 2007-2013 MTIP; **Planning/Design:** In progress; **Mitigation:** 2008; **Right-of-Way:** In progress; **Construction:** 2009 **Notes:** Density (minus .23 acres to be taken for r/w widening): R10: 4 lots/units, R6A: 6 lots/units; MHP not an allowed use since site is less than one acre.

MINUTES OF DECEMBER 18, 2007

The Planning & Inspections Staff recommends approval of the R6A Residential District based on the following:

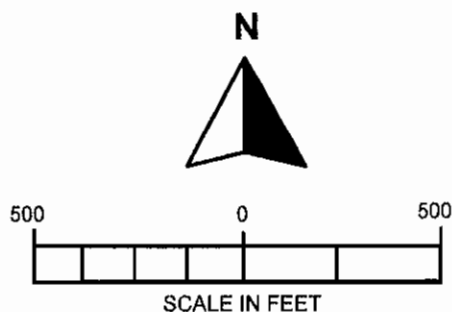
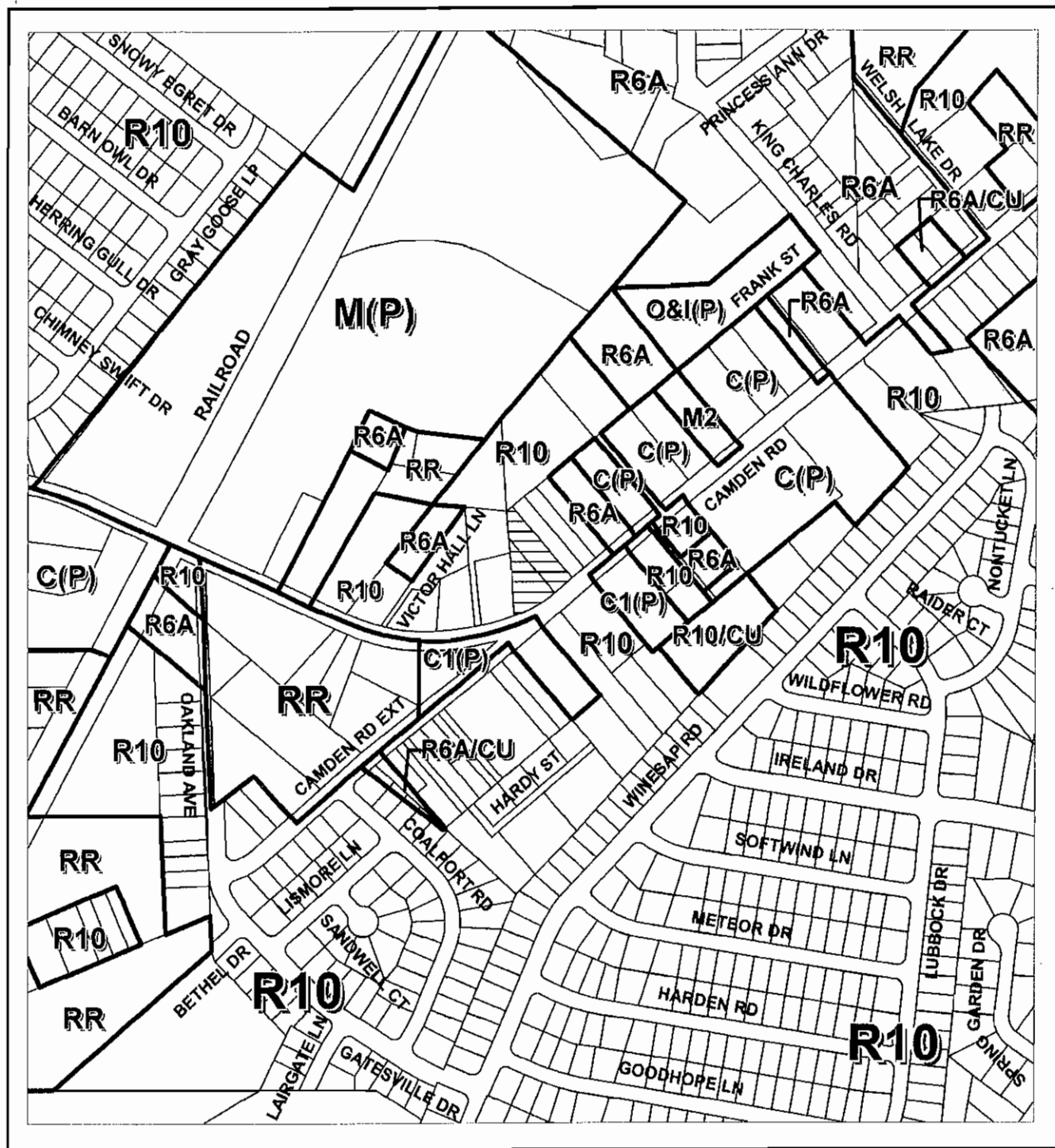
1. Even though the request is not consistent with the 2010 Land Use Plan, which calls for Low Density Residential at this location, the request is consistent with the zoning and land uses within the general area; and

P07-96 Continued

2. There are no hydric soils limiting the development of the subject property.

The R6 Residential District could also be found suitable for this site.

A motion was made by Vice-Chair Epler, seconded by Mr. Hostetter to follow the staff recommendation and approve case P07-96 as submitted. Unanimous approval.



REQUESTED REZONING: R10 TO R6A

ACREAGE: 0.94 AC.+/-

HEARING NO: P07-96

ORDINANCE: COUNTY

HEARING DATE

ACTION

PLANNING BOARD

GOVERNING BOARD

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

FEBRUARY 8, 2008

ITEM NO. 3D

MEMO TO: CUMBERLAND COUNTY BOARD OF COMMISSIONERS

FROM: CUMBERLAND COUNTY JOINT PLANNING BOARD

SUBJECT: **P07-92:** REZONING OF AN 8.21 ACRE PORTION OF A 34.99 ACRE TRACT FROM R10 TO R6A OR TO A MORE RESTRICTIVE ZONING DISTRICT, LOCATED ON THE SOUTH SIDE OF SELMA DRIVE, EAST OF I-95 BUSINESS SOUTH, OWNED BY WEDTEC INC.

ACTION: MEMBERS PRESENT AT THE DECEMBER 18, 2007 MEETING VOTED TO FOLLOW THE STAFF RECOMMENDATION AND DENY R6A RESIDENTIAL DISTRICT.

SITE INFORMATION: **Area:** 8.21 acres; **Frontage & Location:** 60'+/- ON SELMA DRIVE; **Depth:** 635'+/- feet; **Jurisdiction:** County; **Adjacent Property:** Yes (remainder of parent); **Current Use:** Vacant; **Initial Zoning:** R10 - March 15, 1979 (Area 6); **Zoning Violation(s):** None; **Nonconformities:** None; **Surrounding Zoning:** North: R6A; East: R6A & M(P); South: R10; West: R10 & C(P); **Surrounding Land Use:** Single-family residential (including manufactured homes), woodland and vacant land; **2010 Land Use Plan:** Low Density Residential and Open Space; **Airport Area Plan:** R/10/R15; not in the NAPZ; **Designated 100-Year Floodplain or Floodway:** No; **Watershed Area:** No; **Urban Services Area:** Yes; **Water/Sewer Availability:** PWC water @ Vassar Cir & Davidson Dr/ No sewer available; **Soil Limitations:** Yes, Johnston loam; **School Capacity/Enrolled:** Cashwell Elementary: 581/758; South View Middle: 822/954; South View High: 1800/1872; **Subdivisions:** Subdivision and/or site plan approval required upon development; **Military Impact Area:** No; **Highway Plan:** No road improvements or new construction specified for this area; **Average Daily Traffic County (2006):** 20,000 on US HWY 301 (Gillespie Street); **Notes:** Density (minus 15% for r/w): R7.5 - 40 lots / 41 units, R6A - 74 lots / 75 units; Density for MHP: 66 spaces

MINUTES OF DECEMBER 18, 2007

Mr. Lloyd reviewed the site information and stated the staff recommends denial of the R6A Residential District based on the following:

1. The request is not consistent with the 2010 Land Use Plan, which calls for Low Density Residential at this location; current zoning is consistent;
2. Public sewer is not available to serve the subject property upon development; and
3. Hydric soils are present on the southern portion of the subject property.

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

P07-92 Continued

Public Hearing opened.

Mr. Wilbur Dees spoke in favor. Mr. Dees stated that there are thirty four acres on this piece of property that is zoned R10, of the thirty-four acres, there are twenty acres of swampland, lowland and wetlands. There is about twelve acres that is very good land. Mr. Dees stated that under the R10 zoning the density would allow two hundred and two units. Mr. Dees is requesting R6A zoning, on eight acres of the tract, where you would be allowed eight units per acre, which would provide a density of 64 units. But I am only asking for a total of 19 units. If you should approve the zoning, I would agree to limit the number of units that could be based in there on that basis. Mr. Dees provided a layout showing how many units he is proposing.

Vice-Chair Epler asked Mr. Lloyd if the staff did any calculations as to density on R20A or RR.

Mr. Lloyd responded no, because we usually don't zone down the existing zoning. It should be more restrictive.

Vice-Chair Epler asked Mr. Dees if he was planning to put manufactured homes on this property.

Mr. Dees stated yes.

Vice-Chair Epler stated that she wasn't supposed to ask that, but if that is his plan maybe there is something that the Board can do for him.

Chuck Romans spoke in opposition. Mr. Romans read a statement written by his wife. The concerns are about how any construction will affect the wetlands behind his home. When Mr. Romans bought his home, he was told there would be no building behind him, because of the wetlands. Mr. Roman's is also concerned about the changes in the landscaping. He feels that the clearing of trees and building up on lots will affect drainage. Mr. Romans stated that he is all for progress, but not at the expense of the wetlands and his own personal property.

Mr. McNeill asked if Mr. Romans was on public sewer.

Mr. Romans responded that he was on septic.

Mr. McNeill asked if the drainfield was in his backyard, and if he'd had any problems with it.

Mr. Romans stated that the drainfield was in the backyard and he had not had any problems with it.

Charles Thaggard spoke in opposition. Mr. Haggard stated that the Lake Lynn subdivision has an active homeowners association to help protect the residents' property rights. Mr. Thaggard feels that this development will be an infringement on his property values and property rights.

Robert Howard spoke in opposition. Mr. Howard stated that he thinks the mobile homes would take away from the homes already in the area.

Roberto Barron spoke in opposition. Mr. Barron stated that the number of units Mr. Dees wants to add keeps fluctuating. He feels that once Mr. Dees gets approved for a certain amount of units, he will keep adding more and end up with around two hundred units.

Suzanne Barron spoke in opposition. Mrs. Barron stated that from her house you will be looking right into the trailer park. Mrs. Barron stated if that mobile home park is built her stick built home won't be worth anything.

P07-92 Continued

Walter Cline spoke in opposition. Mr. Cline stated that he owns a few lots on a three acre portion of land, where you will be able to see the mobile home park. Mr. Cline presented a picture of his home and stated that a mobile home park will cause a 25-30% devaluation of the value of his house.

John Griffith spoke in opposition. Mr. Griffith stated that the Lake Lynn subdivision will be affected by this mobile home park. Mr. Griffith stated that the area surrounding the subdivision is very swampy and doesn't feel that the land will perk for septic. Mr. Griffith feels that the development of this mobile home park will bring down the tax value of the surrounding properties.

Mr. Dees spoke in rebuttal. Mr. Dees stated that he is aware of all the rules regarding building and wetlands. Mr. Dees stated that all the land is usable land, whether it's used for manufactured homes or low rent housing. Mr. Dees restated that he would agree to a maximum of nineteen units.

Public Hearing closed.

Mr. Barrett reminded the Board that even though they were shown a site plan, the case before them is a general rezoning, and a decision cannot be based on the site plan.

Mr. McNeill asked if the R6A on Huntsville and Alabama roads was in place when the initial zoning was done.

Mr. Lloyd stated that he believes it was.

Mrs. Hall asked Mr. Lloyd if the R10 zoning is the current R7.5 zoning, and if the only difference that is being requested is that the R6A will allow manufactured homes.

Mr. Lloyd stated that that was correct and in addition would allow more units.

Mr. McNeill asked if the large tract of land zoned as R10 was initially zoned in 1979, and if Mr. Lloyd had any guesses as to why it was initially zoned R10.

Mr. Lloyd stated that he didn't know why it was initially zoned that way.

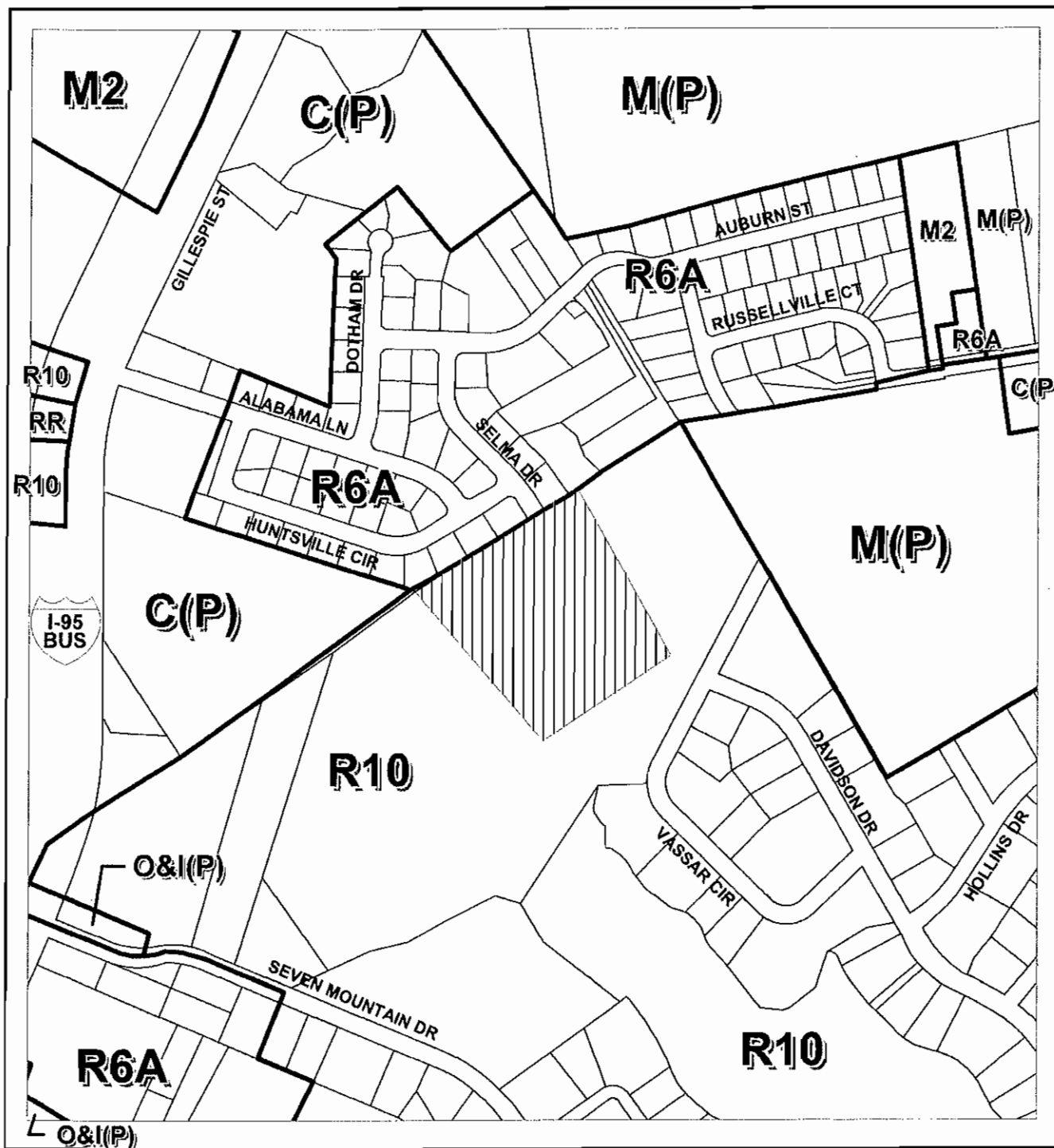
Vice-Chair Epler stated that if her calculations were correct, she believes the applicant can get fifteen units on that property at R20A. With that and the consideration of the hydric soils, given that neighborhood, I can understand their concerns. But the hydric soils, and what appear to be wetlands on the aerial photo will give them a little bit of relief there, as far as a buffer is concerned.

Mr. Lloyd stated for clarification that R20A will allow Class "A" only, doublewide.

Mr. Barron was allowed to speak again. Mr. Barron asked to see the hydric soils again.

Vice-Chair Epler explained that even though hydric soils are shown, there is no sewer available. So the applicant, wherever he decides to put a home it will have to have a septic tank and it will have to perk. If those are hydric soils than he most likely will not be able to build on it.

A motion was made by Chair McLaurin, seconded by Mrs. Piland to follow the staff recommendation and deny the request for rezoning to R6A for case P07-92. The motion passed with 8 voting in favor and 1 opposed.



REQUESTED REZONING R10 TO R6A

ACREAGE: 8.21 AC.+/-

HEARING NO: P07-92

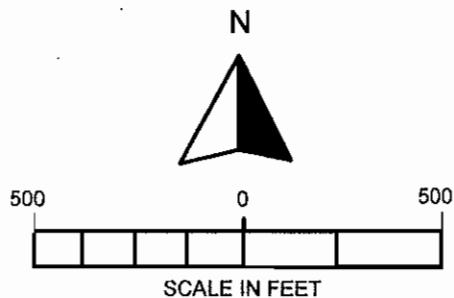
ORDINANCE: COUNTY

HEARING DATE

ACTION

PLANNING BOARD

GOVERNING BOARD



PORT. OF PIN: 0435-00-1681

AF

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

FEBRUARY 8, 2008

ITEM NO. 3E

MEMO TO: CUMBERLAND COUNTY BOARD OF COMMISSIONERS

FROM: CUMBERLAND COUNTY JOINT PLANNING BOARD

SUBJECT: **P08-06:** REZONING OF A 10.0 ACRE PORTION OF A 176.92 ACRE TRACT FROM A1 TO R40 OR MORE RESTRICTIVE ZONING DISTRICT, LOCATED ON THE SOUTH SIDE OF COUNTY LINE ROAD, EAST OF CHICKEN FOOT ROAD, SUBMITTED BY FRANKLIN JOHNSON, OWNED BY JFJ III INVESTMENTS LLC.

ACTION: MEMBERS PRESENT AT THE JANUARY 15, 2008 MEETING VOTED UNANIMOUSLY TO FOLLOW THE STAFF RECOMMENDATION AND APPROVE R40 RESIDENTIAL DISTRICT.

SITE INFORMATION: **Frontage & Location:** 750'+/- on County Line Road; **Depth:** 600'+/-; **Adjacent Property:** yes (remainder of parent tract and property to the south and east); **Current Use:** Woods and farmland; **Initial Zoning:** A1, June 25, 1980 (Area 13); **Zoning Violation(s):** None; **Surrounding Zoning:** North: A1 & R40; East: A1, A1/CU (Home-based Catering Business) & R40A; South: A1, R40A & CD; West: A1 & RR; **Surrounding Land Use:** Single-family residential (including manufactured homes), Beauty & Tanning Salon, woodlands and farmland; **2010 Land Use Plan:** Farmland; **Designated 100-Year Floodplain or Floodway:** No **Water/Sewer Availability:** Well / Septic; **Soil Limitations:** Yes, hydric inclusion, Ly Lynchburg sandy loam; **School Capacity/Enrolled:** Gray's Creek Elementary: 764/758; Gray's Creek Middle: 590/495; Gray's Creek High: 1133/1270; **Subdivisions:** Subdivision plans must be approved prior to application for any permits; **Average Daily Traffic County (2006):** 690 on County Line Rd, 550 on Rufus Johnson Rd; **Highway Plan:** There is no road improvements/new constructions specified for this area; **Notes:** The subject property is the same as that presented to the Planning Board at the December 18, 2007, Case No. P07-100; applicant withdrew the case at that hearing primarily due to opposition making detrimental statements concerning A1A, which allows for Class "A" manufactured homes; Density (minus 15% for r/w): A1 – 4 lots/units, A1A – 8 lots/9 units, R40 – 9 lots/units

MINUTES OF DECEMBER 18, 2008

Mr. Lloyd advised the Board that Case P07-100 was withdrawn. It will come before the Planning Board at the January 15, 2008 meeting, resubmitted as R40.

Mrs. Piland made a motion to accept the adjustments to the agenda, seconded by Mr. Hostetter. Unanimous approval.

MINUTES OF JANUARY 15, 2008

Ms. Speicher reviewed the site information and stated the staff recommends approval of the R40 Residential district based on the following:

1. The request is consistent with the 2010 Land Use Plan which calls for "farmland" at this location; and
2. The request is consistent with the zoning and land uses within the general area.

The A1A Agricultural district could also be considered suitable for this location.

Public Hearing opened.

Trey McLean (James A. McLean III) spoke in favor and represented the applicant Mr. Johnson. Mr. McLean stated that this land is basically used for timber. The applicant wants to rezone because he wants the density to increase a little. There are no particular plans right now for the types of residences; he does envision single family residences sometime in the future. We don't think this will be detrimental to the community. In the long run we believe this area will go more residential than agricultural. These kinds of open lots would be viewed more favorably by the public.

Debra Stewart spoke in opposition. Ms. Stewart stated that an irrigation pond exists on the proposed property for rezoning, and this pond connects to an elaborate system of drainage ditches, some of which cut through her property. During hurricane season and wet weather, the pond overflows and floods the surrounding land. For this reason alone Ms. Stewart doesn't think this site is suitable for family dwellings. Some of Ms. Stewart's other concerns are well water quality with increasing number of homes and septic tanks, especially on a tract of land known to flood, increasing number of wells being established in a drought stricken area, the overall environmental impact on humans and wildlife, rapid growth and development of subdivisions that strip the community of natural resources and beauty, the disappearance of farms and woodland that is replaced by a housing market where the supply far exceeds the demands. Ms. Stewart stated that she is against the rezoning because of its tendency to flood, the increased risk of well water contamination, the risk of diminishing well water availability, and the destruction of the natural habitat.

James Creager spoke in opposition. Mr. Creager stated that the landowner should keep the tracts of land as A1 zoning, single family dwellings not manufactured homes. Mr. Creager feels that the land owner and Mr. Johnson want to develop the land in order to profit as much as possible. Mr. Creager feels that this development will be a strain on the water table. Mr. Creager told the Board that Beverly's Tanning and Beauty Salon has had to close her business after remodeling it, it is located at County Line and Chicken Foot Roads, because of the water quality. Another concern of Mr. Creager's is that the United States Department of Agriculture has classified the soil type as Lynchburgh sandy loam, which they state this land is nearly unsuitable for development or somewhat poorly drained soil. This soil is poorly suited to most urban and recreational uses because of the wetness and this type of soil is unsuitable for building.

Case P08-06 Continued

Mr. McLean spoke in rebuttal. Mr. McLean stated that they were only trying to rezone ten acres which is a difference of three or four houses at most. There will not have a huge impact in that area. Density is just the beginning, there's a whole series of things that have to happen in terms of permitting wells, getting the land to perk, and getting a septic permit. All of those things will prevent development, if it's going to be a hazard to human life. This is about density, not so much a hazard to human life. Mr. Johnson, who inherited the land, is not attempting to degrade the community. If anything he is trying to deal with the necessity of life, which is there are more people who need a place to stay. He believes that you can develop in essentially one acre zoning in density, to a standard that is both rural and livable for both the surrounding community and the people who are coming in.

Mr. McNeill asked Mr. McLean if the pond that is there now, if it was dug and no real outlet.

Mr. McLean responded it is a dug out pond and there is no outlet.

Public Hearing closed.

Mr. McNeill asked the difference between hydric inclusion soil and hydric soil.

Ms. Speicher responded that hydric soils are poorly suitable for development. Hydric inclusion maybe poorly suited. The key word being "maybe".

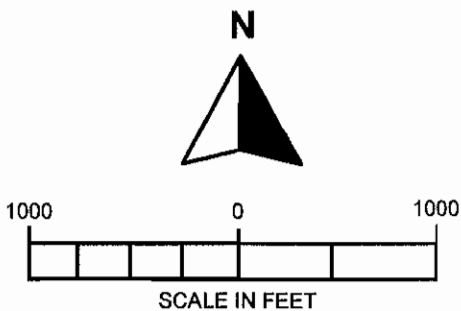
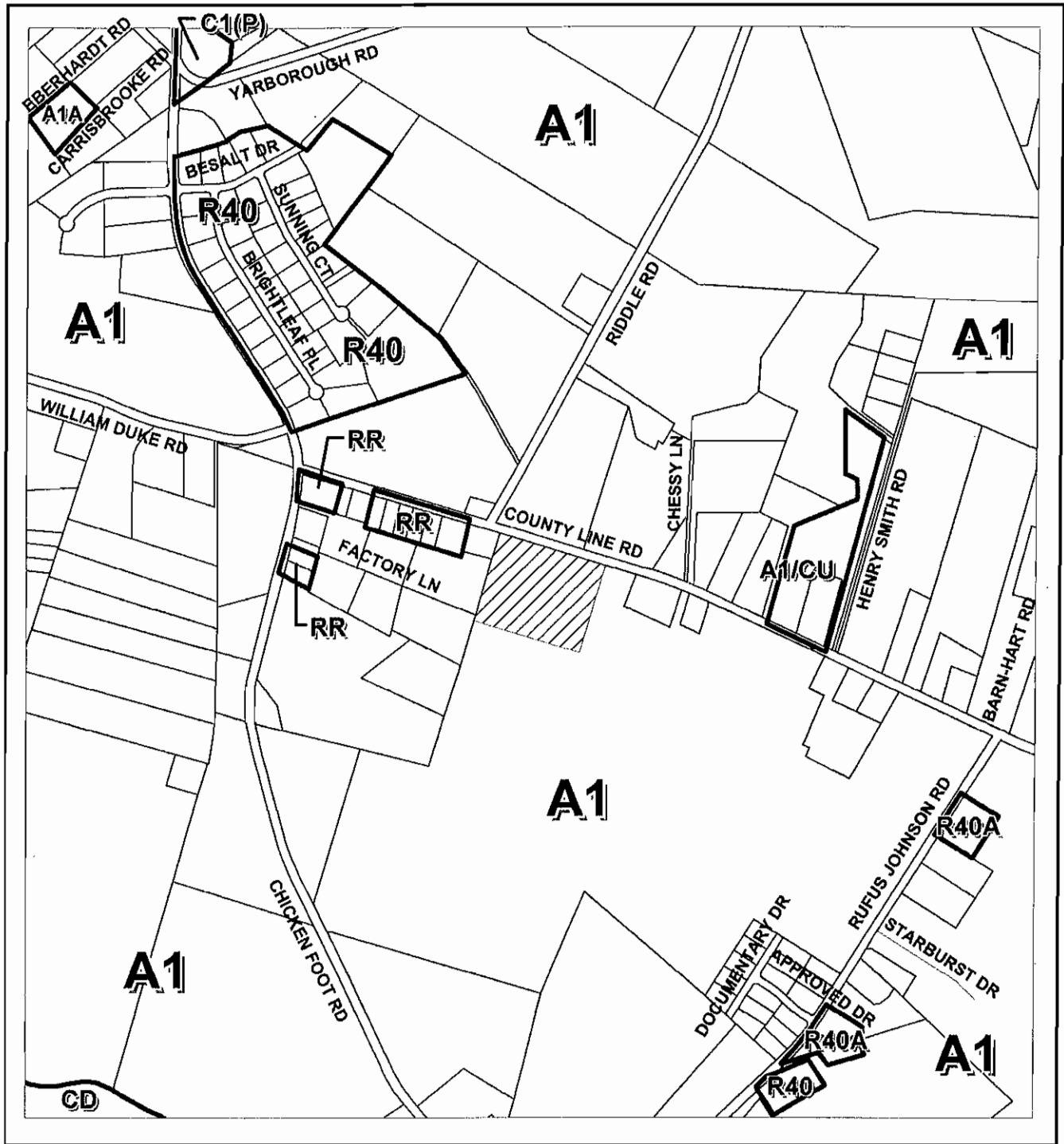
Mr. McNeill asked as far as buildable, it's more likely that you can build on hydric inclusion soils than hydric soils.

Ms. Speicher responded yes.

Mr. McNeill stated that Gray's Creek is one of two sections in the county that is the most desirable place to live. People are going to move out there. The applicant is smart enough to know that there is probably going to be development in the future. With that you get other things such as road improvements and utilities. At the previous hearing on this case, some of the people who live in the immediate area were concerned that A1A rezoning would allow manufactured housing, they felt that that wouldn't be good. They were not opposed to the rezoning and these were people who lived in very close proximity to this piece of land. So I think that Mr. Johnson has taken this into account and gone back and changed the rezoning to something that would guarantee that no manufactured homes can be placed on this tract. Really there is no place in the County, that an acre sized lot wouldn't accommodate a well and septic tank. The question of the hydric inclusion soils, there is some chance that this will not be the most desirable building location. But, that determination will have to be made by the Health Department, if at such time he does develop and request a septic tank permit. Mr. Johnson's track record, and the developments that I have seen of his are all upscale. I think that he has good intentions here. At least under R40 it would have to be stick built homes, I think that a good compromise has been reached, with his determination to submit this as R40 rather than the A1A.

Case P08-06 Continued

A motion was made by Mr. McNeill, seconded by Vice – Chair Epler to follow the staff recommendation and approve case P08-06 as submitted. Unanimous approval.



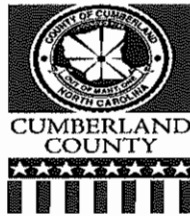
REQUESTED REZONING: A1 TO R40

ACREAGE: 10.00 AC.+/-		HEARING NO: P08-06	
ORDINANCE: COUNTY		HEARING DATE	ACTION
STAFF RECOMMENDATION			
PLANNING BOARD			
GOVERNING BOARD			

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

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Sara E. Piland,
Cumberland County

Benny Pearce
Town of Eastover

FEBRUARY 8, 2008

ITEM NO. 3F

MEMO TO: CUMBERLAND COUNTY BOARD OF COMMISSIONERS

FROM: CUMBERLAND COUNTY JOINT PLANNING BOARD

SUBJECT: **P08-05:** REVISION AND AMENDMENT TO THE JUNE 20, 2005 CUMBERLAND COUNTY ZONING ORDINANCE, 2007 JOINT PLANNING BOARD'S ANNUAL REVIEW.

ACTION: MEMBERS PRESENT AT THE JANUARY 15, 2008 MEETING VOTED UNANIMOUSLY TO FOLLOW THE LAND USE CODES COMMITTEE RECOMMENDATION AND APPROVE THE AMENDMENTS TO THE JUNE 20, 2005 COUNTY ZONING ORDINANCE.

MINUTES OF JANUARY 15, 2008

The Codes Committee presented the changes to the Cumberland County Zoning Ordinance, 2007 and noted that a complete copy of the changes can be viewed on the Planning & Inspections website.

A motion was made by Vice-Chair Epler, seconded by Mr. Hostetter to follow the staff recommendation and approve case P08-05 as submitted. Unanimous approval.

Joint Planning Board Codes Committee Recommendation
2007 County Zoning Ordinance Review

Major Changes

Article I Administrative Provisions

No major changes

Article II Interpretations, Calculations, and Definitions

- Section 202 A, Fractional Requirements – By deleting last sentence of this section, density calculations for zero lot line developments will allow for rounding. pp. 5-6

Article III Zoning Districts

- Created C2(P) Planned Service and Retail District – uses and dimensional requirements the same as for the C(P) Planned Commercial District except some uses typically contested at public hearing have been omitted. p. 29

Article IV Permitted, Conditional, and Special Uses, Section 403, Use Matrix

1. Allow “Bed and Breakfast” as a permitted use in the A1A district. p. 34
2. Allow “Equestrian Facilities” as a permitted use in the A1, A1A, and RR districts. p. 35
3. Change “Kennel Operations” from a permitted use to require approval of a Special Use Permit in the A1A district. p. 36
4. Prohibit “Livestock Sales and Auctioning” in the A1A district. p. 36
5. Prohibit “Milling or Grinding Grain and Seed into Food” in the A1A district. p. 36
6. Prohibit “Mini-Warehousing (Self-Storage Facility) (no commercial storage or storage of motor vehicles)” in the A1A district. p. 36
6. Allow “Mini-Warehousing (Self-Storage Facility) (including commercial storage and outside storage of motor vehicles)” in the A1 Agricultural District upon approval of a Special Use Permit. p. 36
7. Prohibit “Septage Disposal Site” in the A1A district. p. 38

Article V Companion Districts – Conditional Use Districts

No major changes

Article VI Mixed Use Development – Conditional Use Districts

No major changes

Article VII Planned Neighborhood Development – Conditional Use District

No major changes

Article VIII Density Development – Conditional Use District

1. Section 803, Development Standards, A. Development Area – Add new sentence at end of sub-section, to read: “Twenty percent of the land designated as open space must not include wetlands, water bodies, or be located within the floodway.” p. 57

2. Section 803, Development Standards, E. Perimeter Buffer – Created sub-section 6 to specify that the perimeter buffer must be in place prior to submission for final plat approval or allow bond, letter of credit, etc., in an amount equal to 125% of the tax assessed raw land value plus 100 percent of the amount of any improvements proposed to satisfy the buffer requirement, to be posted as a guarantee . p. 59

Article IX Individual Uses

- Section 927, Towers – Deleted provisions in conflict with the new state statute provisions. pp. 76-78

Article X Other Uses

- Section 1002, Incidental Uses – Created sub-section E and moved all provisions related to accessory structures to this location. Also establish provision that residential manufactured homes cannot be used for storage units. p. 82

Article XI Lot and Yard Regulations

No major changes

Article XII Off-Street Parking and Loading

- Section 1203, Off-Street Loading, sub-section A -- deleted requirement for all non-residential uses w/ gross floor area less than 20,000 square feet to provide loading space. p. 101

Article XIII Sign Regulations

No major changes; however, request the definition for “wall” sign be written to be consistent with the text of the sign regulations addressing “attached” signs.

Article XIV Planned Districts

1. Section 1403, Site Plan Review – Added provisions (tying in to Subdivision Ord.) specifying when extension/connection to public water and sewer is required. p. 114
2. Section 1404, Planning Board Consideration, sub-section A – Established that Planning Board has final approval authority concerning district dimensional requirements and certain other specific yard regulations. p. 115

Article XV Amendments

No major changes.

Article XVI Board of Adjustment

No major changes.

Article XVII Legal Provisions

No major changes.

ITEM NO. 36(1)

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

I, George Hatcher, Inspector for the County of Cumberland Inspection Department, acting in my official capacity, being duly sworn, depose and say:

BACKGROUND: That the following is a report on Minimum Housing case number MH 5245-2007.

Property Owner: Isaac & Emily Byrd

Property Address: 9403 Hillsboro Street, Linden, NC

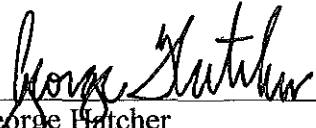
Tax Parcel Identification Number: 0574-65-8342

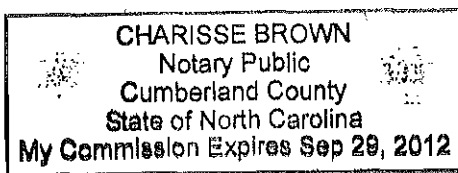
SYNOPSIS: This property was inspected on 6/13/2007. The property owners and parties of interest were legally served with Notice of Violations and was afforded a Hearing on 7/11/2007. Issac Byrd attended the Hearing. It was ordered that the structure be repaired to a minimum standard for human habitation, or be demolished and the debris removed from the premises by a date not later than 10/11/2007. The property owners and parties of interest were notified of the appeal procedures when they were served with the Findings of Fact and Order. (See Exhibit A for Findings of Fact and Order.) No appeal was filed. Upon my visit to the property on 2/8/2008 no corrective action had been made to the structure. The structure is presently vacant and reasonably secured. In its present state, the structure constitutes a fire, health, and safety hazard.

The estimated cost to repair the structure to a minimum standard for human habitation is \$10,000.00. The Assessor for Cumberland County has the structure presently valued at \$500.00.

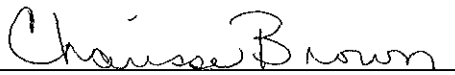
Attached is a map depicting the location of the property. (See Exhibit B.)

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


George Hatcher
Code Enforcement Officer
County of Cumberland



Sworn to and Subscribed to by me this
the 1st day of February 2008.


Notary Public
My Commission Expires: 9/29/12

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

Name(s) of Owner(s)

Appearances:

Inspection Dept. Case No.:

BOARD OF COUNTY COMMISSIONERS MOTION:

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

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

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

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

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

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

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

To order the property owner to rehabilitate the property within _____ days.

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

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

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

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

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

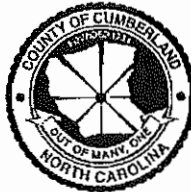
To delay a decision on the case until _____ (date) in order to give the owner
or party of interest time to: _____

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

EXHIBIT A

Charles C. Morris
Chair
Town of Linden

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



COUNTY of CUMBERLAND

Planning and Inspections Department

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Cecil P. Combs,
Deputy Director

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

FINDINGS OF FACT AND ORDER

July 12, 2007

CASE #: MH 5245-2007

TO: Isaac & Emily Byrd & Parties of Interest
PO Box 94
Linden, NC 28356-0094

Property at: 9403 Hillsboro Street

A Complaint, Notice of Hearing and Report of Inspection were legally served to the owner or owner's agent, and any party of interest. These documents were in fact received by the owner or owner's agent and party of interest on 6/21/2007.

Pursuant of law, a Hearing was conducted in Room 101, of the old courthouse at 130 Gillespie Street, Fayetteville, NC on 7/11/2007 at 10:30:00 AM. The items identified below took place at the Hearing:

- ☐ 1. No owner or party of interest, or their agent, or representative appeared.
- ☒ 2. An answer was filed by owners and/or parties of interest. The answer was heard, read, and considered. Those present were: Isaac Byrd.
- ☒ 3. The undersigned inspector personally inspected the dwelling described in the Complaint and Notice of Hearing dated, 6/15/2007. Upon the record and all of the evidence offered and contentions made, the undersigned Hearing Officer does thereby find the following fact:
 - ☒ a. The dwelling in question is violative of the Cumberland County Housing Ordinance as per findings in the inspection report with an assigned case number of MH 5245-2007, dated 6/13/2007.
 - ☒ b. Due to these findings, the dwelling is found to be in a substandard condition in accordance with the Cumberland County Ordinance.
 - ☒ c. The dwelling is unfit for human habitation.

EXHIBIT A

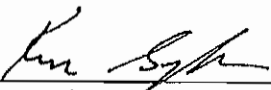
Findings and Facts of Order

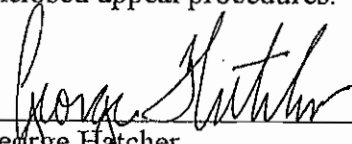
Case #: MH 5245-2007

Page 2

- ☒ 4. Due to facts presented above, the Hearing Officer orders as follows:
- ☒ a. The owners and/or parties of interest of the dwelling named above are required to bring such dwelling into compliance with the Cumberland County Housing Ordinance by either repairing, altering, and improving the dwelling up to a minimum standard or by demolishing the structure and then causing the debris to be removed from the premises by a date not later than 10/11/2007. All required permits must be obtained. A copy of this order must be presented when obtaining permits.
- ☒ b. The dwelling shall remain vacated until compliance with this order is completed and removed by the inspector, and the lot must be continuously maintained.
- ☒ c. The structure shall be/remain secured.
- ☐ d. By authority of North Carolina General Statutes 14-4, violation of the County code is punishable as a Class 3 Misdemeanor in criminal court and also subjects the violator to injunctive relief and/or a civil penalty of \$50.00 per day for each day's continuing violation after _____.
- ☒ e. The County Planning/Inspection Department may immediately begin procedures to seek a demolition ordinance from the Cumberland County Board of Commissioners for failure to bring the property into compliance by 10/11/2007. The cost of said demolition will be assessed against the real property in the form of a lien.

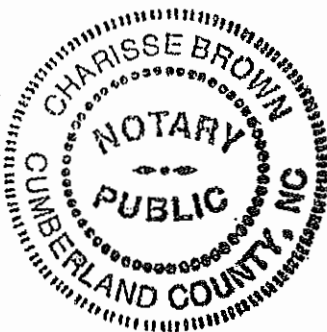
An appeal may be made to the Cumberland County Housing Board of Appeals. If an appeal is requested, it must be made in writing and within the time limits specified in the enclosed appeal procedures.


Ken Sykes
Hearing Officer

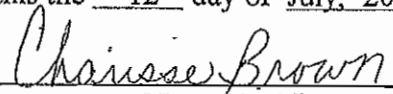

George Hatcher
Code Enforcement Officer

Enclosed: Appeals Procedures & Form

cc:



Sworn to and Subscribed to by me
this the 12th day of July, 2007


Notary Public

My Commission Expires: 9/29/07

PROOF OF SERVICE OF FINDINGS OF FACT AND ORDER
DATED 7/12/07 CASE NUMBER MH 5245-2007

SENDER: COMPLETE THIS SECTION

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

Article Addressed to:

FOFO
MH5245GH

ISAAC BYRD & PARTIES OF INTEREST
PO BOX 94
LINDEN NC 28356-0094

Article Number **7003 0500 0004 7402 9294**

Transfer from service label

Form 3811, February 2004

Domestic Return Receipt

102595-02-M-1540

COMPLETE THIS SECTION ON DELIVERY

A. Signature

Emily Byrd

☐ Agent

☐ Addressee

B. Received by (Printed Name)

C. Date of Delivery

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

3. Service Type

☐ Certified Mail

☐ Express Mail

☐ Registered

☐ Return Receipt for Merchandise

☐ Insured Mail

☐ C.O.D.

4. Restricted Delivery? (Extra Fee) ☐ Yes

**U.S. Postal Service™
CERTIFIED MAIL™ RECEIPT**

(Domestic Mail Only; No Insurance Coverage Provided)

For delivery information visit our website at www.usps.com

Cumberland Co. Inspection

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

Sent by **FOFO MH5245C**

ISAAC BYRD & PARTIES OF INTEREST
PO BOX 94
LINDEN NC 28356-0094

PS Form 3811, February 2004

SENDER: COMPLETE THIS SECTION

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

Article Addressed to:

FOFO
MH5245GH

EMILY BYRD & PARTIES OF INTEREST
PO BOX 94
LINDEN NC 28356-0094

Article Number **7003 0500 0004 7402 9010**

Form 3811, February 2004

Domestic Return Receipt

102595-02-M-1540

COMPLETE THIS SECTION ON DELIVERY

A. Signature

Emily Byrd

☐ Agent

☐ Addressee

B. Received by (Printed Name)

C. Date of Delivery

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

3. Service Type

☐ Certified Mail

☐ Express Mail

☐ Registered

☐ Return Receipt for Merchandise

☐ Insured Mail

☐ C.O.D.

4. Restricted Delivery? (Extra Fee) ☐ Yes

**U.S. Postal Service™
CERTIFIED MAIL™ RECEIPT**

(Domestic Mail Only; No Insurance Coverage Provided)

For delivery information visit our website at www.usps.com

Cumberland Co. Inspection

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

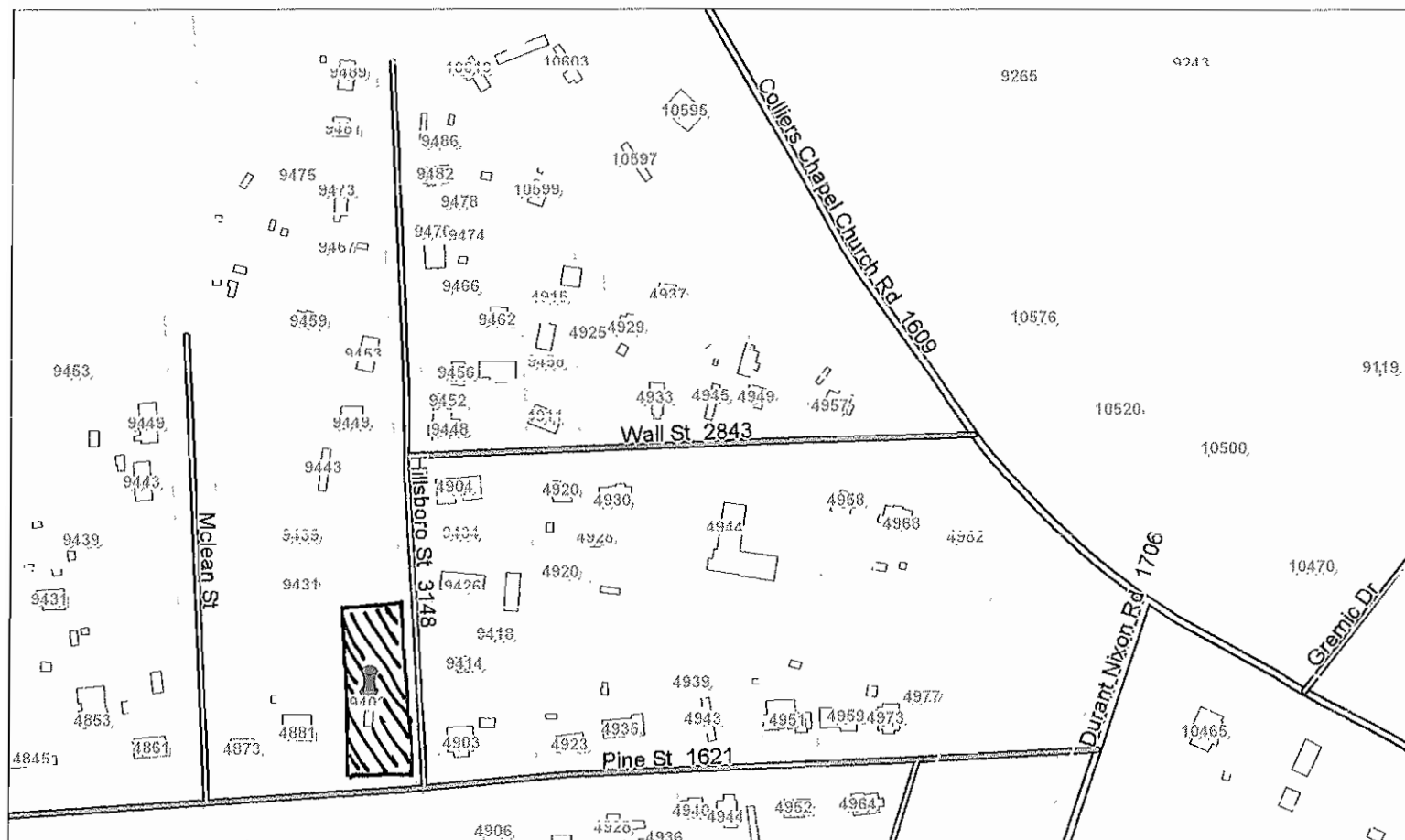
Sent by **FOFO MH5245C**

EMILY BYRD & PARTIES OF INTEREST
PO BOX 94
LINDEN NC 28356-0094

PS Form 3811, February 2004

EXHIBIT A

9403 HILLSBORO ST, LINDEN, NC
MINIMUM HOUSING CASE # MH 5245-2007
TAX PARCEL IDENTIFICATION NUMBER: 0574-65-8342

**EXHIBIT B**

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

I, George Hatcher, Inspector for the County of Cumberland Inspection Department, acting in my official capacity, being duly sworn, depose and say:

BACKGROUND: That the following is a report on Minimum Housing case number MH 5283-2007.

Property Owner: Lorenzo McLean Heirs C/O Debra Corley

Property Address: 560 Pine Tree Lane, Spring Lake, NC


Tax Parcel Identification Number: 0511-09-2624

SYNOPSIS: This property was inspected on 7/27/2007. The property owners and parties of interest were legally served with Notice of Violations and was afforded a Hearing on 8/29/2007. No one attended the Hearing. It was ordered that the structure be repaired to a minimum standard for human habitation, or be demolished and the debris removed from the premises by a date not later than 11/29/2007. The property owners and parties of interest were notified of the appeal procedures when they were served with the Findings of Fact and Order. (See Exhibit A for Findings of Fact and Order.) No appeal was filed. Upon my visit to the property on 2/8/2008 no corrective action had been made to the structure. The structure is presently vacant and reasonably secured. In its present state, the structure constitutes a fire, health, and safety hazard.

The estimated cost to repair the structure to a minimum standard for human habitation is \$10,000.00. The Assessor for Cumberland County has the structure presently valued at \$500.00.

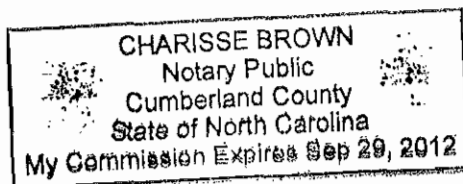
Attached is a map depicting the location of the property. (See Exhibit B.)

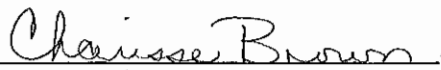
RECOMMENDATION: IT IS THE RECOMMENDATION OF THE PLANNING & INSPECTION DEPARTMENT THAT THE STRUCTURE BE DEMOLISHED, AND THE DEBRIS REMOVED FROM THE LOT.


George Hatcher
Code Enforcement Officer
County of Cumberland

Sworn to and Subscribed to by me this

the 11th day of February 2008.




Notary Public
My Commission Expires: 9/29/12

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

Name(s) of Owner(s)

Appearances:

Inspection Dept. Case No.:

BOARD OF COUNTY COMMISSIONERS MOTION:

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

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

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

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

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

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

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

To order the property owner to rehabilitate the property within _____ days.

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

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

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

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

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

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

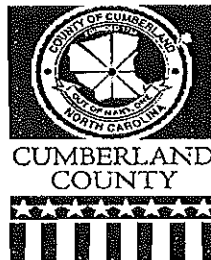
4. In addition there is imposed a civil penalty in the amount of \$_____ per day (up to
a maximum amount of \$3,000.00) for failure to comply with the terms of this Ordinance.

EXHIBIT A

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

FINDINGS OF FACT AND ORDER

August 31, 2007

CASE #: MH 5283-2007

TO: Lorenzo McLean Heirs
C/O Debra Corley & Parties of Interest
560 Pine Tree Lane
Spring Lake, NC 28390

Property at: 560 Pine Tree Lane

A Complaint, Notice of Hearing and Report of Inspection were legally served to the owner or owner's agent, and any party of interest. These documents were in fact received by the owner or owner's agent and party of interest on 8/1/2007.

Pursuant of law, a Hearing was conducted in Room 101, of the old courthouse at 130 Gillespie Street, Fayetteville, NC on 8/29/2007 at 9:45:00 AM. The items identified below took place at the Hearing:

- ☒ 1. No owner or party of interest, or their agent, or representative appeared.
- ☐ 2. An answer was filed by owners and/or parties of interest. The answer was heard, read, and considered. Those present were: _____.
- ☒ 3. The undersigned inspector personally inspected the dwelling described in the Complaint and Notice of Hearing dated, . Upon the record and all of the evidence offered and contentions made, the undersigned Hearing Officer does thereby find the following fact:
 - ☒ a. The dwelling in question is violative of the Cumberland County Housing Ordinance as per findings in the inspection report with an assigned case number of MH 5283-2007, dated 7/27/2007.
 - ☒ b. Due to these findings, the dwelling are found to be in a substandard condition in accordance with the Cumberland County Ordinance.
 - ☒ c. The dwelling is unfit for human habitation.

EXHIBIT A

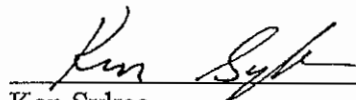
Findings and Facts of Order

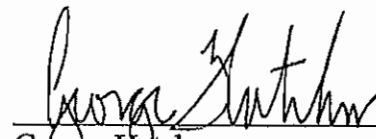
Case #: MH 5283-2007

Page 2

- ☒ 4. Due to facts presented above, the Hearing Officer orders as follows:
- ☒ a. The owners and/or parties of interest of the dwelling named above are required to bring such dwelling into compliance with the Cumberland County Housing Ordinance by either repairing, altering, and improving the dwelling up to a minimum standard or by demolishing the structure and then causing the debris to be removed from the premises by a date not later than **11/29/2007**. **All required permits must be obtained. A copy of this order must be presented when obtaining permits.**
 - ☒ b. The dwelling shall remain vacated until compliance with this order is completed and removed by the inspector, and the lot must be continuously maintained.
 - ☒ c. The structure shall be/remain secured.
 - ☐ d. By authority of North Carolina General Statutes 14-4, violation of the County code is punishable as a Class 3 Misdemeanor in criminal court and also subjects the violator to injunctive relief and/or a civil penalty of \$50.00 per day for each day's continuing violation after _____.
 - ☒ e. The County Planning/Inspection Department may immediately begin procedures to seek a demolition ordinance from the Cumberland County Board of Commissioners for failure to bring the property into compliance by **11/29/2007**. The cost of said demolition will be assessed against the real property in the form of a lien.

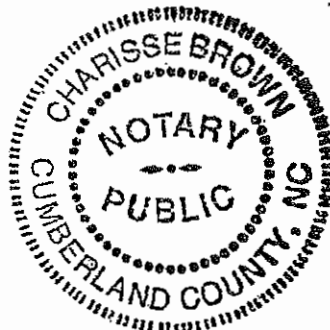
An appeal may be made to the Cumberland County Housing Board of Appeals. If an appeal is requested, it must be made in writing and within the time limits specified in the enclosed appeal procedures.

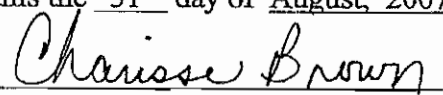

Ken Sykes
Hearing Officer


George Hatcher
Code Enforcement Officer

Enclosed: Appeals Procedures & Form

cc:



Sworn to and Subscribed to by me
this the 31th day of August, 2007

Notary Public
My Commission Expires: 9/29/07

**PROOF OF SERVICE OF FINDINGS OF FACT AND ORDER
DATED 8/31/07 CASE NUMBER MH 5283-2007**

RETURN TO:

NORTH CAROLINA
COUNTY OF CUMBERLAND

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

RE: LORENZO MCCLEAN
Name of Violator

Case Number: 2 MH 5283-07

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

I, GEORGE HATCHER a Code Enforcement Officer with the Cumberland County Planning & Inspection

Department, personally served LORENZO MCCLEAN
name of violator

a copy of FINDINGS OF FACT & ORDER & APPEALS PROCEDURES citing violations of

Article IV CHAP 4 of the Cumberland County Code. Said notice(s)

were in fact left with a person of suitable age and discretion,

namely DEBRA CORLEY by delivering said notice(s) to the violator at
(individual notice(s) left with)

the address shown below:

560 PINE TREE LN
street name

SPRING LAKE NC 28390
city, state, zip

I further certify that said service was completed on this the 4th day of SEPTEMBER, 2007.

George Hatcher
George Hatcher
Code Enforcement Officer

Sworn to and subscribed to before me

this the 4th day of Sept, 2007.

Charisse Brown
Notary Public

My Commission Expires: 9/29/07

CHARISSE BROWN
Notary Public
Cumberland County
State of North Carolina
My Commission Expires Sep 29, 2012

EXHIBIT A

MAP DEPLICITING LOCATION OF PROPERTY

560 PINE TREE LANE, SPRING LAKE, NC
MINIMUM HOUSING CASE # MH 5283-2007
TAX PARCEL INDENTIFICATION NUMBER: 0511-09-2624

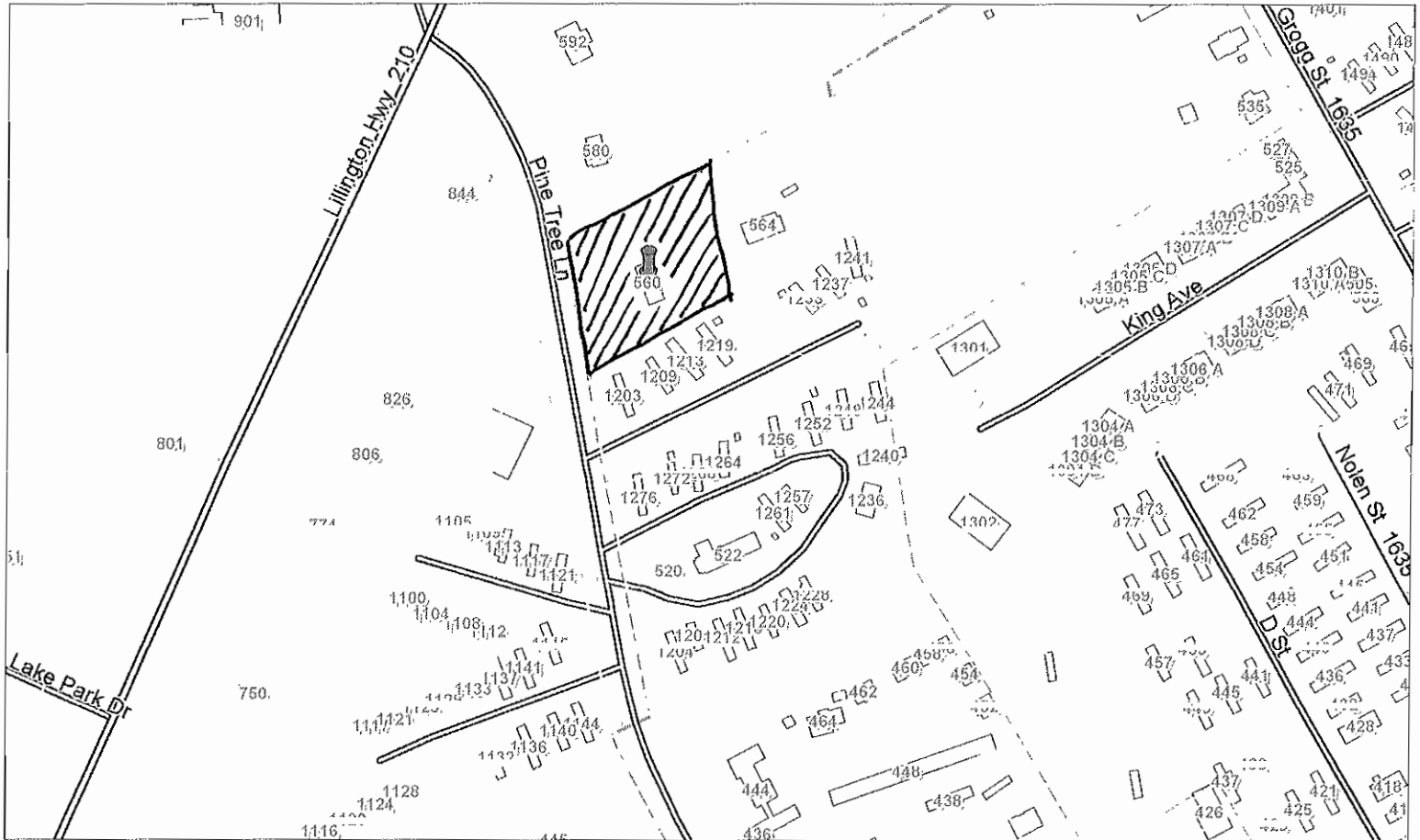


EXHIBIT B

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

I, George Hatcher, Inspector for the County of Cumberland Inspection Department, acting in my official capacity, being duly sworn, depose and say:

BACKGROUND: That the following is a report on Minimum Housing case number MH 5277-2007.

Property Owner: Albert Hunter Smith, II

Property Address: 4016 & 4022 Riverland Drive, , NC

Tax Parcel Identification Number: 0463-94-0223

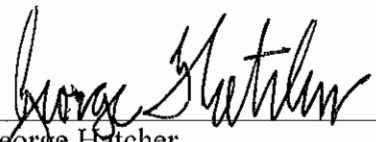
SYNOPSIS: This property was inspected on 7/19/2007. The property owners and parties of interest were legally served with Notice of Violations and was afforded a Hearing on 8/22/2007. Albert Smith II attended the Hearing via telephone. It was ordered that the structure be repaired to a minimum standard for human habitation, or be demolished and the debris removed from the premises by a date not later than 11/8/2007. The property owners and parties of interest were notified of the appeal procedures when they were served with the Findings of Fact and Order. (See Exhibit A for Findings of Fact and Order.) No appeal was filed. Upon my visit to the property on 02/08/08 no corrective action had been made to the structure. The structure is presently vacant and reasonably secured. In its present state, the structure constitutes a fire, health, and safety hazard.

The estimated cost to repair the structure to a minimum standard for human habitation is \$15,000.00 each.

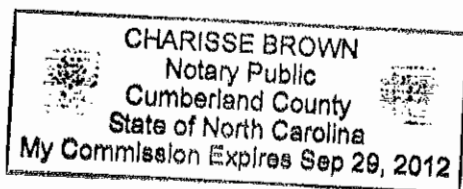
The Assessor for Cumberland County has the structure presently valued at \$1500.00 each.


Attached is a map depicting the location of the property. (See Exhibit B.)

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


George Hatcher
Code Enforcement Officer
County of Cumberland

Sworn to and Subscribed to by me this
the 11th day of February 2008.




Notary Public
My Commission Expires: 9/29/12

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

Name(s) of Owner(s)

Appearances:

Inspection Dept. Case No.:

BOARD OF COUNTY COMMISSIONERS MOTION:

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

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

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

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

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

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

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

To order the property owner to rehabilitate the property within _____ days.

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

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

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

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

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

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

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

EXHIBIT A

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

FINDINGS OF FACT AND ORDER

August 27, 2007

CASE #: MH 5277-2007

TO: Albert Hunter Smith, II & Parties of Interest
6964 Point East Drive
Fayetteville, NC 28306

Property at: 4016 & 4022 Riverland Drive

A Complaint, Notice of Hearing and Report of Inspection were legally served to the owner or owner's agent, and any party of interest. These documents were in fact received by the owner or owner's agent and party of interest on 7/27/2007.

Pursuant of law, a Hearing was conducted in Room 101, of the old courthouse at 130 Gillespie Street, Fayetteville, NC on 8/22/2007 at 9:45:00 AM. The items identified below took place at the Hearing:

- ☐ 1. No owner or party of interest, or their agent, or representative appeared.
- ☒ 2. An answer was filed by owners and/or parties of interest. The answer was heard, read, and considered. Those present were: Albert Hunter Smith answered via telephone.
- ☒ 3. The undersigned inspector personally inspected the dwelling described in the Complaint and Notice of Hearing dated, . Upon the record and all of the evidence offered and contentions made, the undersigned Hearing Officer does thereby find the following fact:
 - ☒ a. The dwelling in question is violative of the Cumberland County Housing Ordinance as per findings in the inspection report with an assigned case number of MH 5277-2007, dated 7/19/2007.
 - ☒ b. Due to these findings, the dwelling is found to be in a substandard condition in accordance with the Cumberland County Ordinance.
 - ☒ c. The dwelling is unfit for human habitation.

EXHIBIT A


Findings and Facts of Order

Case #: MH 5277-2007


Page 2

- ☒ 4. Due to facts presented above, the Hearing Officer orders as follows:
- ☒ a. The owners and/or parties of interest of the dwelling named above are required to bring such dwelling into compliance with the Cumberland County Housing Ordinance by either repairing, altering, and improving the dwelling up to a minimum standard or by demolishing the structure and then causing the debris to be removed from the premises by a date not later than 11/8/2007. **All required permits must be obtained. A copy of this order must be presented when obtaining permits.**
 - ☒ b. The dwelling shall remain vacated until compliance with this order is completed and removed by the inspector, and the lot must be continuously maintained.
 - ☒ c. The structure shall be/remain secured.
 - ☐ d. By authority of North Carolina General Statutes 14-4, violation of the County code is punishable as a Class 3 Misdemeanor in criminal court and also subjects the violator to injunctive relief and/or a civil penalty of \$50.00 per day for each day's continuing violation after ____.
 - ☒ e. The County Planning/Inspection Department may immediately begin procedures to seek a demolition ordinance from the Cumberland County Board of Commissioners for failure to bring the property into compliance by 11/8/2007. The cost of said demolition will be assessed against the real property in the form of a lien.

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



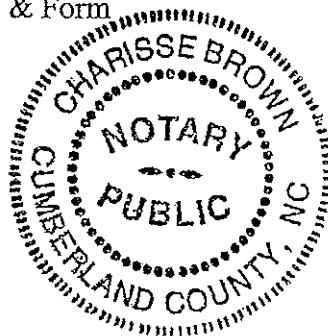
Ken Sykes
Hearing Officer



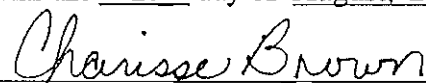
George Hatcher
Code Enforcement Officer

Enclosed: Appeals Procedures & Form

cc:



Sworn to and Subscribed to by me
this the 27th day of August, 2007



Notary Public
My Commission Expires: 9/29/07

**PROOF OF SERVICE OF FINDINGS OF FACT AND ORDER
DATED 8/27/07 CASE NUMBER MH 5276-2007 & MH5277-2007**

NORTH CAROLINA
COUNTY OF CUMBERLAND

RETURN TO:

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

RE: ALBERT HUNTER SMITH II
Name of Violator

Case Number : MH 5276 & MH 5277 - 07

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

I, GEORGE HATCHER a code enforcement officer with the Cumberland County Planning &
Inspection Department, personally served ALBERT HUNTER SMITH II
name of violator

a copy of the FINDINGS OF FACT & ORDER & APPEALS PROCEDURES
citing violations of Article IV CHAP 4 of the Cumberland County Code by
delivering said notice(s) to the violator at the address shown below:

1072 SOUTHERN AVE
street name
FAYETTEVILLE NC 28301
city, state, zip

I further certify that said service was completed on this the 29th day of AUGUST, 2007.

George Hatcher
George Hatcher
Code Enforcement Officer

Sworn to and subscribed to before me

this the 14th day of January, 2008.
Cherisse Brown
Notary Public

My Commission Expires: 9/29/07 12 CB

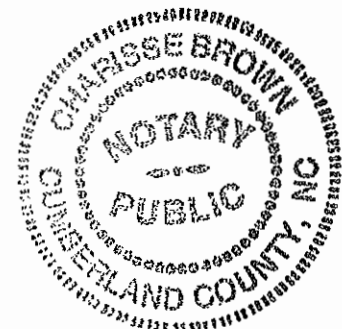
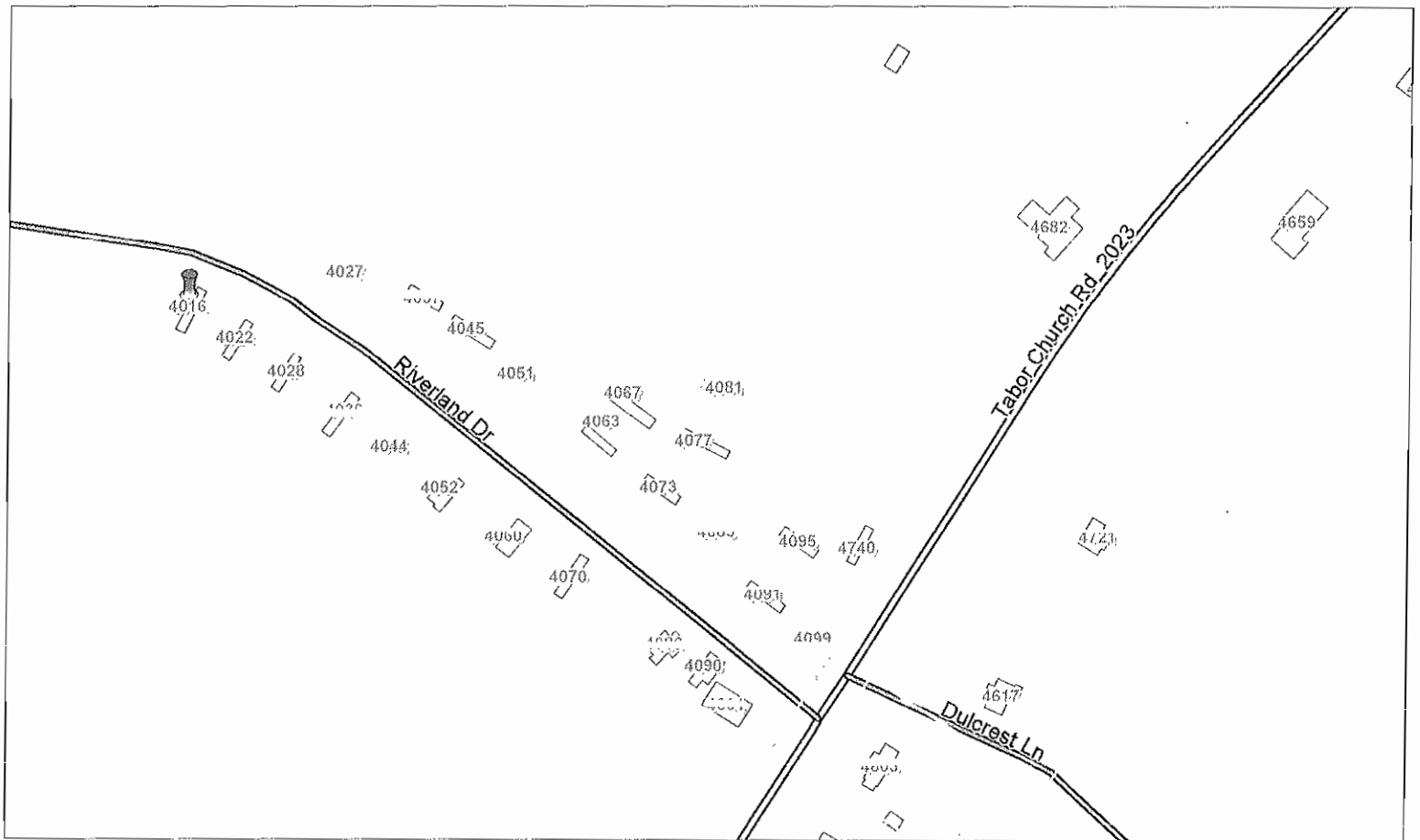


EXHIBIT A

MAP DEPICTING LOCATION OF PROPERTY

4016 RIVERLAND DR & 4022 RIVERLAND DR, FAYETTEVILLE, NC
MINIMUM HOUSING CASE # MH 5277-2007
TAX PARCEL IDENTIFICATION NUMBER: 0643-94-0223



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

I, George Hatcher, Inspector for the County of Cumberland Inspection Department, acting in my official capacity, being duly sworn, depose and say:

BACKGROUND: That the following is a report on Minimum Housing case number MH 5276-2007.

Property Owner: Albert Hunter Smith, II

Property Address: 4091 Riverland Dr. & 4740 Tabor Church Rd. (Riverland Drive), Fayetteville

Tax Parcel Identification Number: 0463-94-4078

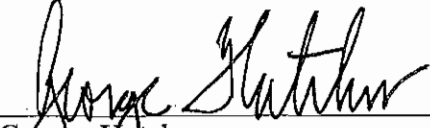
SYNOPSIS: This property was inspected on 7/19/2007. The property owners and parties of interest were legally served with Notice of Violations and was afforded a Hearing on 8/22/2007. Albert H. Smith II attended the Hearing via telephone. It was ordered that the structure be repaired to a minimum standard for human habitation, or be demolished and the debris removed from the premises by a date not later than 11/8/2007. The property owners and parties of interest were notified of the appeal procedures when they were served with the Findings of Fact and Order. (See Exhibit A for Findings of Fact and Order.) No appeal was filed. Upon my visit to the property on 2/8/2008 no corrective action had been made to the structure. The structure is presently vacant and unsecured. In its present state, the structure constitutes a fire, health, and safety hazard.

The estimated cost to repair the structure to a minimum standard for human habitation is \$15,000.00 each.

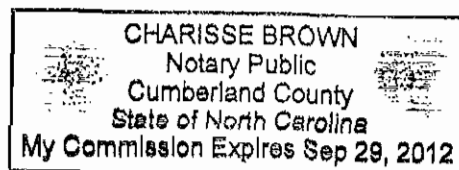
The Assessor for Cumberland County has the structure presently valued at \$1,500.00 4740 Tabor Church Rd, And \$500.00 for 4091 Riverland Drive.


Attached is a map depicting the location of the property. (See Exhibit B.)

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


George Hatcher
Code Enforcement Officer
County of Cumberland

Sworn to and Subscribed to by me this
the 11th day of February 2008.




Notary Public
My Commission Expires: 9/29/12

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

Name(s) of Owner(s)

Appearances:

Inspection Dept. Case No.:

BOARD OF COUNTY COMMISSIONERS MOTION:

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

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

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

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

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

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

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

To order the property owner to rehabilitate the property within _____ days.

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

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

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

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

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

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

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

EXHIBIT A

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



CUMBERLAND
COUNTY

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

FINDINGS OF FACT AND ORDER

August 27, 2007

CASE #: MH 5276-2007

TO: Albert Hunter Smith, II & Parties of Interest
6964 Point East Drive
Fayetteville, NC 28306

Property at: 4091 Riverland Drive & 4740 Tabor Church Road (Riverland Drive)

A Complaint, Notice of Hearing and Report of Inspection were legally served to the owner or owner's agent, and any party of interest. These documents were in fact received by the owner or owner's agent and party of interest on 7/27/2007.

Pursuant of law, a Hearing was conducted in Room 101, of the old courthouse at 130 Gillespie Street, Fayetteville, NC on 8/22/2007 at 9:45:00 AM. The items identified below took place at the Hearing:

- ☐ 1. No owner or party of interest, or their agent, or representative appeared.
- ☒ 2. An answer was filed by owners and/or parties of interest. The answer was heard, read, and considered. Those present were: Albert Hunter Smith answered via telephone.
- ☒ 3. The undersigned inspector personally inspected the dwelling described in the Complaint and Notice of Hearing dated, . Upon the record and all of the evidence offered and contentions made, the undersigned Hearing Officer does thereby find the following fact:
 - ☒ a. The dwelling in question is violative of the Cumberland County Housing Ordinance as per findings in the inspection report with an assigned case number of MH 5276-2007, dated 7/19/2007.
 - ☒ b. Due to these findings, the dwelling is found to be in a substandard condition in accordance with the Cumberland County Ordinance.
 - ☒ c. The dwelling is unfit for human habitation.


EXHIBIT A

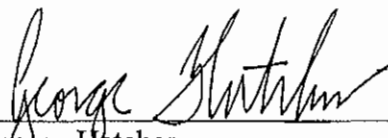
Findings and Facts of Order
Case #: MH 5276-2007
Page 2

☒ 4. Due to facts presented above, the Hearing Officer orders as follows:

- ☒ a. The owners and/or parties of interest of the dwelling named above are required to bring such dwelling into compliance with the Cumberland County Housing Ordinance by either repairing, altering, and improving the dwelling up to a minimum standard or by demolishing the structure and then causing the debris to be removed from the premises by a date not later than **11/8/2007**. **All required permits must be obtained. A copy of this order must be presented when obtaining permits.**
- ☒ b. The dwelling shall remain vacated until compliance with this order is completed and removed by the inspector, and the lot must be continuously maintained.
- ☒ c. The structure shall be/remain secured.
- ☐ d. By authority of North Carolina General Statutes 14-4, violation of the County code is punishable as a Class 3 Misdemeanor in criminal court and also subjects the violator to injunctive relief and/or a civil penalty of \$50.00 per day for each day's continuing violation after ____.
- ☒ e. The County Planning/Inspection Department may immediately begin procedures to seek a demolition ordinance from the Cumberland County Board of Commissioners for failure to bring the property into compliance by **11/8/2007**. The cost of said demolition will be assessed against the real property in the form of a lien.

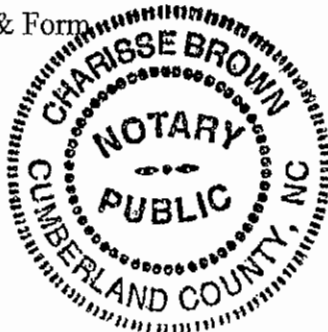
An appeal may be made to the Cumberland County Housing Board of Appeals. If an appeal is requested, it must be made in writing and within the time limits specified in the enclosed appeal procedures.


Ken Sykes
Hearing Officer

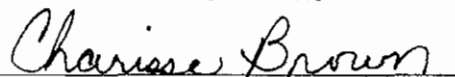

George Hatcher
Code Enforcement Officer

Enclosed: Appeals Procedures & Form

cc:



Sworn to and Subscribed to by me
this the 27th day of August, 2007


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

**PROOF OF SERVICE OF FINDINGS OF FACT AND ORDER
DATED 8/27/07 CASE NUMBER MH 5276-2007 & MH5277-2007**

NORTH CAROLINA
COUNTY OF CUMBERLAND

RETURN TO:

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

RE: ALBERT HUNTER SMITH II
Name of Violator

Case Number : MH 5276 & MH 5277 - 07

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

I, GEORGE HATCHER a code enforcement officer with the Cumberland County Planning &
Inspection Department, personally served ALBERT HUNTER SMITH II
name of violator

a copy of the FINDINGS OF FACT & ORDER & APPEALS PROCEDURES
citing violations of Article IV CHAP 4 of the Cumberland County Code by
delivering said notice(s) to the violator at the address shown below:

1072 SOUTHERN AVE
street name
FAYETTEVILLE NC 28301
city, state, zip

I further certify that said service was completed on this the 29th day of AUGUST, 2007.

George Hatcher
George Hatcher
Code Enforcement Officer

Sworn to and subscribed to before me

this the 14th day of January, 2008.
Charisse Brown
Notary Public

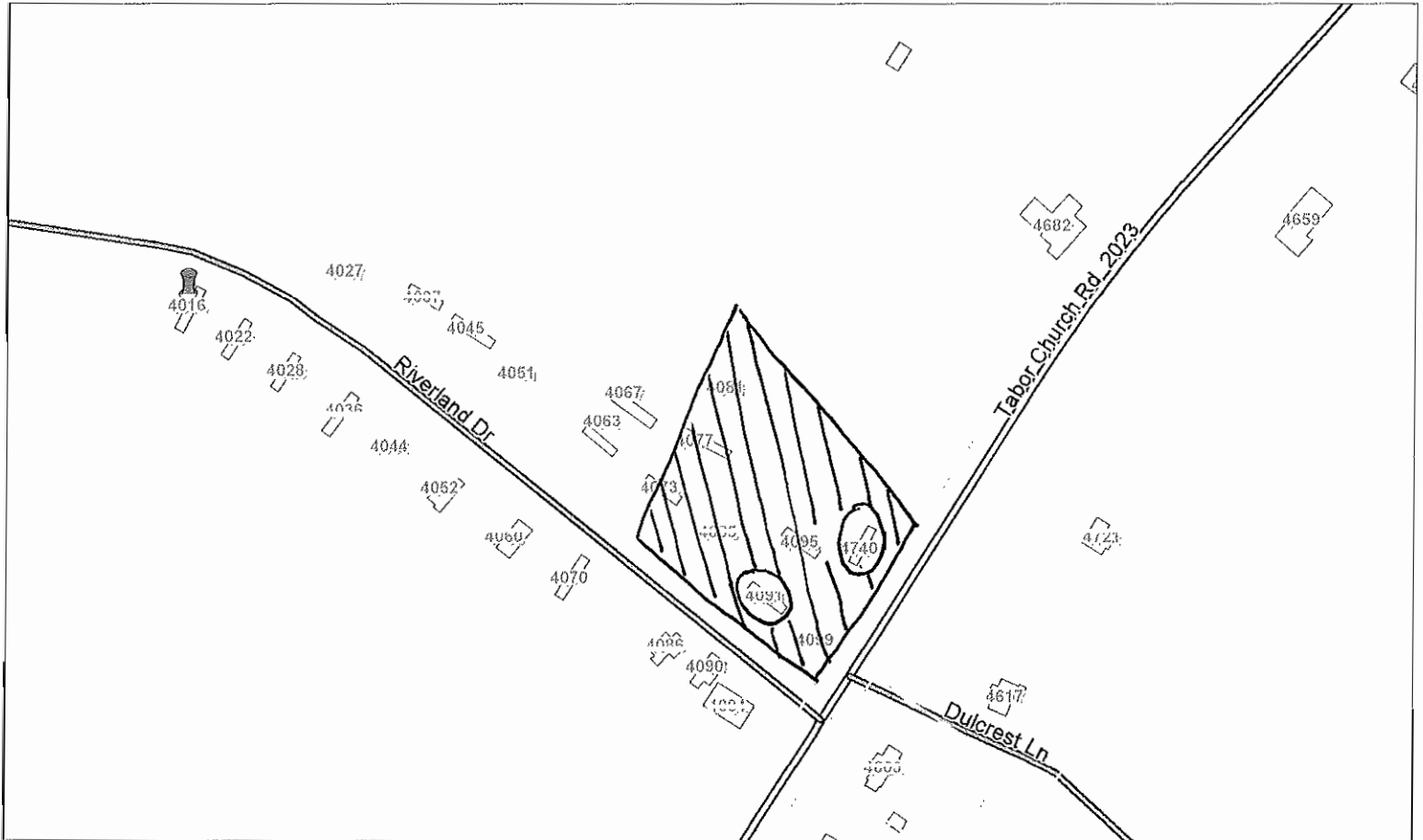
My Commission Expires: 9/29/07 ^{12 CB}



EXHIBIT A

MAP DEPICTING LOCATION OF PROPERTY

4091 RIVERLAND DR & 4740 TABOR CHURCH ROAD, FAYETTEVILLE, NC
MINIMUM HOUSING CASE # MH 5276-2007
TAX PARCEL IDENTIFICATION NUMBER: 0463-94-4078





ITEM NO. 4

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

February 11, 2008

MEMORANDUM FOR BOARD OF COMMISSIONERS' AGENDA OF FEBRUARY 19, 2008

TO: BOARD OF COMMISSIONERS

FROM: GRAINGER BARRETT, COUNTY ATTORNEY *GB*

SUBJECT: PROPOSED OVERTIME / COMPENSATORY TIME ORDINANCE—SECOND READING

BACKGROUND: The Board approved this proposed ordinance at its February 4, 2008 meeting by a 4-2 vote. Pursuant to G.S. 153A-45, it is before you at your next regular meeting for consideration on second reading.

RECOMMENDATION: Consider whether to adopt ordinance removing from Chapter 10 of the County Code the current provisions on overtime and compensatory time and replacing them with direction to the County Manager to adopt and maintain a policy on overtime, compensatory time, and "extra" time for County employees.

Encl.

Celebrating Our Past... Embracing Our Future

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

**AN ORDINANCE OF THE CUMBERLAND COUNTY BOARD OF
COMMISSIONERS AMENDING SECTION 10-105 OF THE CUMBERLAND
COUNTY CODE AND DIRECTING THAT THE COUNTY MANAGER
IMPLEMENT AND MAINTAIN A POLICY CONCERNING OVERTIME,
COMPENSATORY TIME AND EXEMPT TIME**

The Board of Commissioners of Cumberland County, North Carolina ordains:

Section 1. Section 10-105 of the Cumberland County Code of Ordinances is amended by deleting the current provisions in their entirety and inserting in lieu thereof the following:

“Sec. 10-105. Scheduling work; overtime; compensatory time; exempt time

The County Manager is authorized and directed to implement and maintain, and to amend from time to time as he deems necessary or desirable, a policy addressing scheduling of work by employees, overtime and compensatory time for non-exempt employees, and exempt time for exempt employees.”

Section 2. Exempt employees who have compensatory time in excess of 80 hours as of the effective date of this ordinance shall have those compensatory hours in excess of 80 hours converted on a one-to-one basis into sick leave, but in no event shall any such exempt employee be credited thereby with more than 2,080 hours of sick leave.

Section 3. This ordinance shall become effective as of July 1, 2008.

Adopted by the Cumberland County Board of Commissioners this 19th day of February, 2008.

J. BREEDEN BLACKWELL, Chairman
Board of Commissioners

ATTEST:

MARSHA FOGLE
Clerk to the Board



ITEM NO. 4
2-4-08

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

January 25, 2008

MEMORANDUM FOR BOARD OF COMMISSIONERS' AGENDA OF FEBRUARY 4, 2008

TO: BOARD OF COMMISSIONERS

FROM: GRAINGER BARRETT, COUNTY ATTORNEY *GB*

SUBJECT: PROPOSED OVERTIME / COMPENSATORY TIME POLICY

BACKGROUND: At its meeting of January 3, 2008, the Policy Committee recommended adoption of a proposal to remove from Chapter 10 of the County Code the current provisions on overtime and compensatory time and replace them with direction to the County Manager to adopt and maintain a policy on overtime, compensatory time, and "extra" time for County employees. Enclosed also is a proposed Manager Policy on Overtime/Compensatory/Extra Time which was presented to the Policy Committee.

This policy would establish procedures for addressing overtime issues in accordance with the Fair Labor Standards Act ("FLSA") and would establish rules for "executive time" accountability for employees exempt from the FLSA. In developing this policy draft, department heads were given an opportunity to submit recommendations, along with any questions or concerns they had on this subject. This policy would replace the current ordinance provision pertaining to overtime and compensatory.

The following summary highlights key points covered in the proposed policy:

1. The duty of department heads:
 - a. to manage the department's overtime use within the department's approved budget
 - b. to track the accumulation and use of compensatory time / overtime for non-exempt employees and exempt time for exempt employees.
2. Department heads will be evaluated in part on their management of overtime and compensatory time.
3. The discretion of department heads to compensate non-exempt employees either by receiving compensatory time off or overtime pay, as that department's budget or staffing circumstances may warrant. The department head also will have the right to direct the employee to take any accumulated compensatory time at specific times as work permits.
4. A requirement to use compensatory time in lieu of and prior to any use of sick or annual leave.
5. Creating a new terminology of "exempt time," for time off granted to exempt employees on an hour for hour basis for hours actually worked over 40 in the workweek, up to a maximum accumulation of 80 hours. Cumberland County has had a longstanding policy of affording this benefit to exempt employees to assist in recruiting and retaining exempt employees to somewhat offset pay scales that may often not be as attractive in the private market or in larger public jurisdictions. Exempt

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employees are still expected to work the number of hours necessary to accomplish their assigned duties, but not less than 40 hours a week, unless on authorized leave.

6. Exempt employees shall not receive pay for hours worked beyond the normal 40-hour work week and, specifically, will not be paid for unused exempt time balances upon separation.

RECOMMENDATION: Consider whether to adopt ordinance removing from Chapter 10 of the County Code the current provisions on overtime and compensatory time and replacing them with direction to the County Manager to adopt and maintain a policy on overtime, compensatory time, and "extra" time for County employees.

Encl.

**AN ORDINANCE OF THE CUMBERLAND COUNTY BOARD OF
COMMISSIONERS AMENDING SECTION 10-105 OF THE CUMBERLAND
COUNTY CODE AND DIRECTING THAT THE COUNTY MANAGER
IMPLEMENT AND MAINTAIN A POLICY CONCERNING OVERTIME,
COMPENSATORY TIME AND EXEMPT TIME**

The Board of Commissioners of Cumberland County, North Carolina ordains:

Section 1. Section 10-105 of the Cumberland County Code of Ordinances is amended by deleting the current provisions in their entirety and inserting in lieu thereof the following:

“Sec. 10-105. Scheduling work; overtime; compensatory time; exempt time

The County Manager is authorized and directed to implement and maintain, and to amend from time to time as he deems necessary or desirable, a policy addressing scheduling of work by employees, overtime and compensatory time for non-exempt employees, and exempt time for exempt employees. ”

Section 2. Exempt employees who have compensatory time in excess of 80 hours as of the effective date of this ordinance shall have those compensatory hours in excess of 80 hours converted on a one-to-one basis into sick leave, but in no event shall any such exempt employee be credited thereby with more than 2,080 hours of sick leave.

Section 3. This ordinance shall become effective as of July 1, 2008.

Adopted by the Cumberland County Board of Commissioners this 4th day of February, 2008.

J. BREEDEN BLACKWELL, Chairman
Board of Commissioners

ATTEST:

MARSHA FOGLE
Clerk to the Board

SCHEDULING WORK; OVERTIME; COMPENSATORY TIME; EXEMPT TIME POLICY

This policy establishes guidelines for the administration of overtime and compensatory time, as defined by the Fair Labor Standards Act ("FLSA"), and the authorization of exempt time by Cumberland County.

I. GENERAL PROVISIONS

A. Definitions:

1. Non-Exempt – the Fair Labor Standards Act ("FLSA") requires employees having a non-exempt designation to be compensated at a rate of not less than time and one-half for every hour physically (actually) worked over 40 in the work week.
2. Exempt – exempt employees are not subject to the Fair Labor Standards Act and are by law, exempt from the overtime compensation.
3. Overtime work is work physically (actually) performed by a non-exempt employee at the direction of a department head, manager, and supervisor or authorized representative which exceeds the normal 40-hour workweek or regular work period of the employee (for law enforcement officers, "LEOs" exceeding 171 hours worked during a 28-day work period).
4. Compensatory Time – time off for non-exempt employees in lieu of cash payment, up to 240 hours for regular employees and 480 hours for public safety employees. Compensatory time for non-exempt employees is credited at the rate of one and one-half times the number of hours worked in excess of 40 hours in a workweek. Non-exempt LEOs are due overtime for hours worked over 171 during a 28-day work period.
5. Exempt Time – time off granted by the County, to exempt employees on an hour-for-hour basis for hours physically (actually) worked over 40 in the work week up to a maximum of 80 hours.

- B. Department heads, managers, and supervisors shall arrange the work schedules of their employees, as much as practical, so as to accomplish the required work within the normal workweek.

- C. When evaluating the need for overtime, the following factors should be considered:

1. Are the employees to be designated to perform the overtime work identified by job description as qualified and capable of performing the work to be assigned?
2. What will be the result if the overtime work is not assigned? Will a deadline be missed, will other departments be effected, and will the public service commitment not be met?
3. What alternatives are available to overtime? Could temps be employed to perform the work? Can the work be scheduled during regular hours to the exclusion of other work assignments?
4. How much accumulated compensatory time will each employee assigned have at the end of the task? Can the accumulated overtime be managed without the need for additional manpower?
5. In considering whether to approve overtime work, the department head or authorized representative shall consider the operational needs of the department or work unit, budget availability, and alternative personnel resources.

DRAFT

- D. It is the duty of the department head to manage the department's overtime use within the department's approved budget. Department heads and supervisors are expected to manage and track the accumulation and use of compensatory time and overtime of their non-exempt employees and exempt time of exempt employees.
- E. Supervisors/managers and department heads shall be evaluated, in part, on his/her effective and lawful management of available resources, overtime, compensatory time and exempt time. A supervisor/manager who suffers or permits overtime without expressly directing it and therefore creates a liability will be evaluated, in part, based on that factor.
- F. The department head has the right to direct the employee to take any accumulated compensatory time at specific times as work permits. Employees may request and use compensatory time (non-exempt) or exempt time (exempt) in the same manner as other leave requests. However, compensatory / exempt time must be exhausted before using sick or annual leave. Employees shall be permitted to use such time off within a reasonable period after making the request, if doing so does not unduly disrupt the operations of the department. If an employee requests the use of compensatory time which the department cannot feasibly grant because of the potential for undue disruption to work and operations, the non-exempt employee shall be paid overtime pay.
- G. Time sheets for all employees shall accurately reflect the hours worked by the employee and shall be certified by the employee and his/her supervisor and/or department head prior to submission for payroll processing.
- H. Overtime hours worked by an employee without the department head's or authorized representative's direction or contrary to his instructions may be subject to disciplinary action.

II. NON-EXEMPT EMPLOYEES

- A. During the regular work week, if a non-exempt employee would be required to work beyond their normal 8-hour work day, the supervisor shall make reasonable effort to adjust the remainder of the work week so the employee does not accrue overtime.
- B. At the discretion of the department head, a non-exempt employee may be compensated for overtime work either by receiving compensatory time off or by receiving overtime pay.
- C. Non-exempt employees shall be allowed to accumulate no more than 240 hours of compensatory time. The non-exempt employee shall be paid for any accumulated compensatory time above 240 hours at the next pay date and for all accumulated compensatory time upon separation from employment, reclassification, or promotion to an exempt FLSA classification. (Note: Compensatory time is credited at time and one-half of the overtime hours worked. 160 overtime hours worked will reach the maximum accruable compensatory time of 240 hours – i.e. $160 \times 1.5 = 240$.)

DRAFT

- D. Non-exempt sworn LEOs shall be allowed to accumulate no more than 480 hours of compensatory time. Non-exempt LEOs shall be paid for any accumulated compensatory time above 480 hours at the next pay date and for all accumulated compensatory time up to 480 hours upon separation from employment, reclassification, or promotion to an exempt FLSA classification. (Note: Compensatory time is credited at time and one-half of the overtime hours worked. 320 overtime hours worked will reach the maximum accruable compensatory time of 480 hours – i.e. $320 \times 1.5 = 480$.)
- E. A non-exempt employee, who has accrued compensatory time at the time of termination of employment, shall be paid for all unused compensatory time at a rate of compensation equivalent to the average regular rate received by such employee during the last three (3) years of the employee's employment, or the final regular rate, whichever is higher.

III. EXEMPT EMPLOYEES

- A. Under the FLSA, employees in positions designated executive, administrative, and professional are not entitled to overtime pay or to compensatory time. The County will designate, upon the recommendation of the department head, and review by County Human Resources and the County Attorney, those employees exempt from the overtime pay provision of the Fair Labor Standards Act. The FLSA status of each position will be updated and maintained by the Human Resources Office.
- B. Exempt employees are expected to work the number of hours required to accomplish the assigned duties and responsibilities of their position, but not less than 40 hours per week.
- C. Exempt employees shall not receive pay for hours worked beyond the normal 40-hour work week.
- D. Exempt time is not an entitlement but serves as a method of accounting for that exempt employee's time. Exempt employees may accumulate exempt time at the rate of one hour for each hour worked beyond the 40-hour work week, consistent with the operational needs of the department. The maximum exempt time credit carried forward at the end of each pay period shall not exceed 80 hours.
- E. It is the responsibility of exempt employees to request to use any exempt time balance prior to their effective date of separation. Upon separation, exempt employees shall not receive payment for unused exempt time balances.

CUMBERLAND COUNTY POLICY COMMITTEE
January 3, 2008 – 9:30 AM
REGULAR MEETING

PRESENT: Commissioner Jeannette Council
Commissioner Kenneth Edge
Commissioner Ed Melvin
James Martin, County Manager
Juanita Pilgrim, Deputy County Manager
Cliff Spiller, Assistant County Manager
Amy Cannon, Assistant County Manager
Sara VanderClute, Public Information Officer
Grainger Barrett, County Attorney
Harvey Raynor, Assistant County Attorney
James Lawson, Human Resources Manager
Laura Blackley, Human Resources Analyst II
Margaret Weaver, Human Resources Analyst II
Angie Cunningham, Print Shop Supervisor
Marie Colgan, Deputy Clerk

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

1. Election of Chairman for 2008

MOTION: Commissioner Melvin moved to appoint Jeannette Council as Chairman of this Committee for 2008
SECOND: Commissioner Edge
VOTE: UNANIMOUS

2. Approval of Minutes: September 6, 2007

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

3. Consideration of Change in County Flag

Commissioner Edge explained that this item has been brought before the Committee as a parade of county flags will be displayed at the upcoming 2008 NCACC Conference and this would be the appropriate time to determine if a change is desired. Members viewed several proposed flags that were provided by Angie Cunningham.

MOTION: Commissioner Council moved to recommend to the full Board the flag shown as Attachment B.
SECOND: Commissioner Melvin
VOTE: UNANIMOUS

4. Consideration of Proposed Overtime Policy

County Attorney Barrett informed members that Management, Human Resources and the Legal Department have completed an extended review of the County's Overtime policy. The proposal provided as a handout would revise the current provisions by removing it from the Personnel

Ordinance and would place it in the County Manager's hands for implementing a comp time/overtime policy which would give greater flexibility for changes in the future. The proposal addresses both the non-exempt and exempt employees with most changes being made to the exempt employee sections. Problems with employees moving from non-exempt status to exempt status have been addressed in this proposed policy. The policy also places responsibility on the Department Heads to make decisions regarding whether to provide comp time or pay for any overtime earned by non-exempt employees. Regarding the exempt employee who has worked time over 40 hours in a regular workweek, the name would be changed from "comp time" to "exempt time" and the hours accruable would be capped at 80 hours. A transition provision for exempt employees who currently have over 80 hours would convert it to sick leave, but no more than 2,080 hours could be converted. The proposed policy emphasizes that the Department Heads would be held accountable for managing comp time, overtime and exempt time. Members of the Committee emphasized the importance of this provision placing accountability on department heads. The proposed policy also states that supervisors/managers and department heads will be evaluated, in part, on their effective management of overtime. The removal of completing timesheets for certain exempt employees; such as management personnel, was also discussed. However, after a lengthy discussion, it was agreed that timesheets will continue to be filled out by those employees. Members agreed with County Attorney Barrett that a review of this policy should be conducted after a year to see if any revisions might be needed.

MOTION: Commissioner Edge moved to recommend the approval of the
Proposed Overtime Policy to the full Board.
SECOND: Commissioner Melvin
VOTE: UNANIMOUS

5. Other Matters of Concern

No items discussed.

MEETING ADJOURNED: 10:25 AM




COUNTY of CUMBERLAND

—♦—
Human Resources Office

MEMORANDUM

TO: BOARD OF COMMISSIONERS

FROM: JAMES LAWSON, HUMAN RESOURCES MANAGER 

DATE: FEBRUARY 12, 2008

SUBJECT: FOLLOW-UP INFORMATION REGARDING COMPENSATORY TIME FOR EXEMPT EMPLOYEES

At the February 4, 2008 Board of Commissioners meeting, the Board approved the proposed Overtime/Compensatory Time Policy, effective July 1, 2008, with the direction that information come back to the Board regarding the financial impact of the policy to the County. Specifically, the Board requested that staff provide the total number of exempt positions, the total compensatory time balance for exempt employees, and a summary indicating whether other jurisdictions provide compensatory time for their exempt employees.

The following information responds to the requested items:

- Total number of exempt positions: 470 (391 exempt employees, 79 vacancies)
- Total compensatory time for all exempt employees: 22,178 hours
- Total number of exempt employees with over 80 hour balance: 38
- Total compensatory time above 80 hours for all exempt employees: 16,139.78
- Of the 38 exempt employees with 80+ hours of compensatory time:
 - 19 have more than 160 hours
 - Of those 19, 9 have more than 500 hours
 - Of those 9, 5 have more than 1,000 hours
 - Of those 5, 3 have more than 2,080 hours

** Please note that these figures change daily.*

Finally, you will find attached a report from the Institute of Government that provides a summary of the overtime compensation policy for other jurisdictions in North Carolina, including whether they compensate exempt employees for overtime.

cc: County Management Team
Grainger Barrett, County Attorney

TABLE XXXVI. WORKWEEK AND OVERTIME POLICIES

January 2007

County	Work-Week Hours	Exempt Employees			Nonexempt Employees	
		Compensated for Overtime	Time Off or Paid	Straight Time or Time and One-Half	Cash or Time and One-Half	Choice of Compensation Method by Employee
Alamance	40	no	n/a	n/a	time off	no
Alexander	40	yes	time off	straight time	both	no
Alleghany	40	no	n/a	n/a	both	no
Anson	37.5	no	n/a	n/a	both	no
Ashe	40	yes	time off	time and one half	time off	no
Avery	40	no	n/a	n/a	cash	no
Beaufort	40	no	n/a	n/a	cash	no
Bertie	37.5	no	n/a	n/a	time off	no
Bladen	37.5	no	n/a	n/a	both	no
Brunswick	40	no	n/a	n/a	both	no
Buncombe	37.5	no	n/a	n/a	both	yes
Burke	40	yes	time off	straight time	no data	no data
Cabarrus	40	yes	time off	straight time	time off	no
Caldwell	40	no	n/a	n/a	time off	yes
Camden	40	no data	n/a	n/a	time off	no
Carteret	40	no	n/a	n/a	time off	no
Caswell	40	yes	time off	straight time	both	no
Catawba	40	yes	time off	straight time	time off	no
Chatham	40	no	n/a	n/a	both	no
Cherokee	40	yes	Time Off	straight time	both	no
Chowan	40	yes	Time Off	straight time	both	no
Clay	40	no	n/a	n/a	both	no
Cleveland	40	no	n/a	n/a	time off	no
Columbus	37.5	no	n/a	n/a	both	yes
Craven	40	no	n/a	n/a	time off	no
Cumberland	40	yes	time off	straight time	both	yes
Currituck	40	no	n/a	n/a	time off	no
Dare	37.5	no	n/a	n/a	no data	no
Davidson	40	no	n/a	n/a	cash	no
Davie						
Duplin	no data	no data	no data	no data	no data	no data
Durham	37.5	no	n/a	n/a	cash	no
Edgecombe	40	yes	time off	straight time	both	no
Forsyth	40	no	n/a	n/a	cash	no
Franklin	40	no	n/a	n/a	both	no
Gaston						
Gates	37.5	no	n/a	n/a	time off	no
Graham	37.5	yes	time off	time and one-half	cash	no
Granville	37.5	yes	time off	straight time	time off	no
Greene	40	no	n/a	n/a	time off	no
Guilford	40	yes	time off	straight time	time off	no
Halifax	37.5	yes	Time Off	rate of 1.1 for 1.0 hours	time off	no
Harnett	40	yes	time off	straight time	time off	no
Haywood	40	yes	time off	straight time	time off	no
Henderson	37.5	no	n/a	n/a	cash	no
Hertford	37.5	yes	time off	straight time	time off	no
Hoke	40	yes	Time Off	straight time	time off	no
Hyde	40	no	n/a	n/a	cash	no
Iredell	40	no	n/a	n/a	both	no
Jackson	40	no data	n/a	n/a	time off	no
Johnston	40	no	n/a	n/a	both	yes
Jones	40	yes	time off	straight time	cash	no
Lee	40	no	n/a	n/a	both	no
Lenoir	37.5	yes	time off	straight time	time off	no
Lincoln	40	no	n/a	n/a	cash	no
McDowell	40	yes	time off	straight time	both	no
Macon	40	no	n/a	n/a	both	no
Madison						
Marlin	40	yes	time off	straight time	both	yes
Mecklenburg	40	no	n/a	n/a	both	yes
Mitchell	40	no	n/a	n/a	time off	no
Montgomery	40	no	n/a	n/a	time off	no
Moore	40	no	n/a	n/a	both	yes
Nash	40	no	n/a	n/a	both	no
New Hanover	40	no	n/a	n/a	no data	n/a
Northampton	37.5	no	n/a	n/a	both	no

County	Work-Week Hours	Exempt Employees			Nonexempt Employees	
		Compensated for Overtime	Time Off or Paid	Straight Time or Time and One-Half	Cash or Time and One-Half	Choice of Compensation Method by Employee
Onslow	40	no	n/a	n/a	cash	no
Orange	40	no	n/a	n/a	both	no
Pamlico						
Pasquotank	40	no	n/a	n/a	time off	no
Pender	40	yes	time off	straight time	both	yes
Perquimans	40	no	n/a	n/a	time off	no
Person	37.5	yes	time off	straight time	time off	no
Pitt	40	no	n/a	n/a	time off (cash for law enforcement)	no
Polk	37.5-40	yes	time off	straight time	time off	no
Randolph	40	no	n/a	n/a	both	no
Richmond	40	no	n/a	n/a	cash	no
Robeson	40	no	n/a	n/a	time off	no
Rockingham	40	no	n/a	n/a	time off	no
Rowan	40	yes	time off	straight time	both	no
Rutherford	37.5	no	n/a	n/a	both	no
Sampson	40	yes	time off	straight time	time off	no
Scotland	40	yes	time off	straight time	both	no
Stanly	37.5	no	n/a	n/a	time off	no
Stokes	37.5	yes	time off	straight time	time off	no
Surry	40	yes	time off	straight time	time off ²	yes
Swain	40	yes	time off	straight time	both	no
Transylvania	37.5	no	n/a	n/a	both	yes
Tyrrell	35-40	no	n/a	n/a	time off	no
Union	40	no	n/a	n/a	both	no
Vance	37.5	no	n/a	n/a	both	no
Wake	40	no	n/a	n/a	cash	no
Warren						
Washington	37.5	no	n/a	n/a	both	yes
Watauga	40	yes	time off	straight time	time off	no
Wayne						
Wilkes	37.5	no	n/a	n/a	time off	no
Wilson	40	yes	no data	no data	time off	no
Yadkin	40	no	n/a	n/a	time off	no
Yancey						

1. Only a few employees get cash

2. Normally time off

NOTE: The following information obtained by telephone on 2/12/08, contradicts the information provided on the spreadsheet. Iredell and Onslow counties implemented the exempt compensation subsequent to the publishing of the spreadsheet.

- **Iredell County** does compensate their exempt employees' hour for hour for hours worked in excess of 48 in a work-week up to a max of 80 hours. Employees are not paid out when they separate employment. Department heads and managers are not eligible.

- **Onslow County** does compensate their exempt employees' hour for hour for hours worked in excess of 40 in a work-week up to a max of 80 hours. The exempt balance is reduced to zero at the end of the year. Employees are not paid out when they separate employment.



ITEM NO. 5

COUNTY of CUMBERLAND

James E. Martin
County Manager

Cliff Spiller
Assistant County Manager


Juanita Pilgrim
Deputy County Manager

Amy H. Cannon
Assistant County Manager

Office of the County Manager

MEMORANDUM FOR BOARD OF COMMISSIONERS AGENDA OF FEBRUARY 19, 2008

TO: BOARD OF COUNTY COMMISSIONERS

FROM: JAMES E. MARTIN, COUNTY MANAGER 

DATE: FEBRUARY 12, 2008

**SUBJECT: CONSIDERATION OF CUMBERLAND COUNTY POLICY
COMMITTEE REPORT AND RECOMMENDATIONS – CHANGE IN
COUNTY FLAG FOR CUMBERLAND COUNTY**

BACKGROUND

The Policy Committee met on Thursday, January 3, 2008 to consider changing the County Flag. The backup for the material on the County Flag, in addition to the Policy Committee Meeting minutes are attached for your review.

A Parade of County Flags will be displayed at the upcoming 2008 NCACC Conference and this would be an appropriate time for consideration.

RECOMMENDATION/PROPOSED ACTION

Accept and approve the Policy Committee report and recommendations of changing the County Flag as depicted in Attachment B.

Attachment: Minutes

/ct

CM021208-1

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

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December 6, 2007

ITEM FOR THE JANUARY 3RD POLICY COMMITTEE MEETING

TO: Policy Committee
FROM: Commissioner Kenneth Edge
RE: County Flag

In November when I was Chair I wrote a memo regarding the county flag and if there was any interest in changing it since we now have a new county seal. Some of the commissioners responded, some did not. Some of the commissioners who responded indicated it might be a good idea to take a look to see if we want to make some changes.

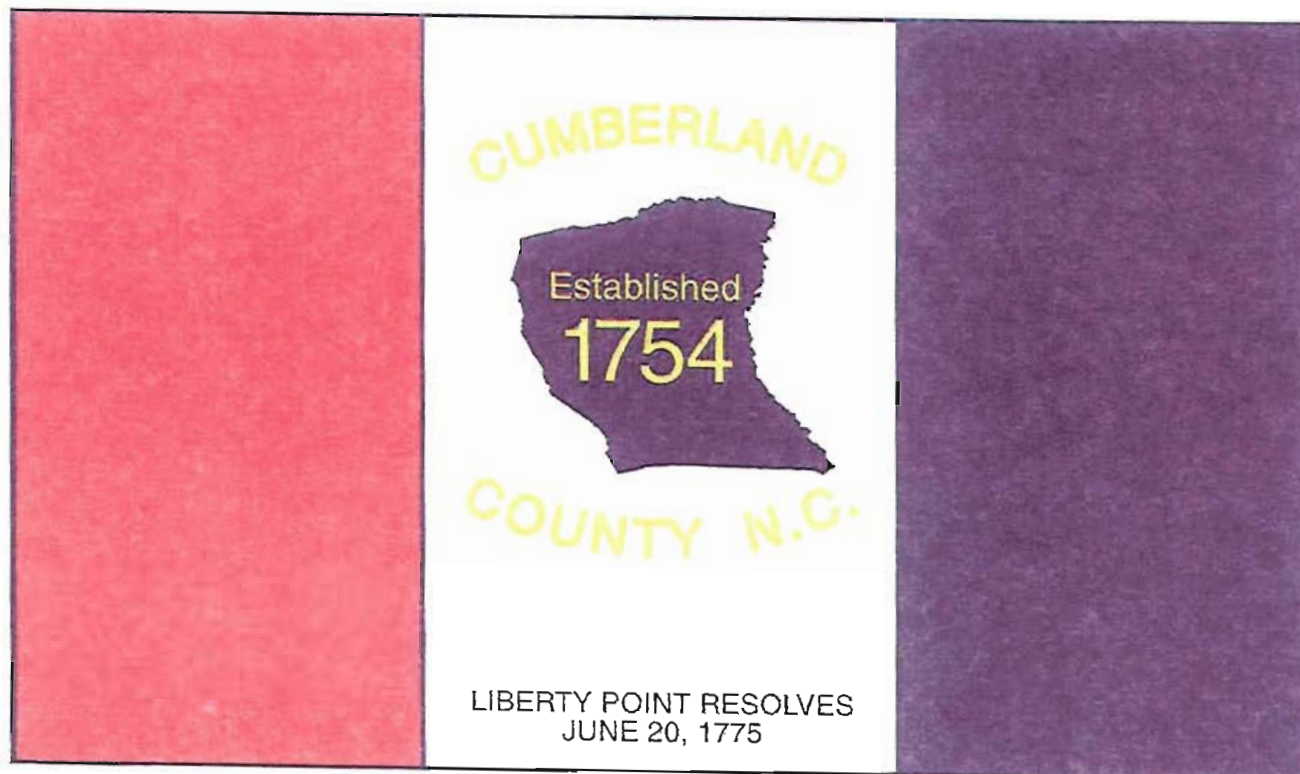
I would ask that the Policy Committee discuss this issue. Attached are some new ideas for your consideration.

We may or may not want to change it, but now seems like the appropriate time to discuss it. Craven County, host for the 2008 NCACC Conference, will have a parade of flags during the conference, and if we decide to change our flag we have plenty of time to make the change prior to the conference.

Attachments

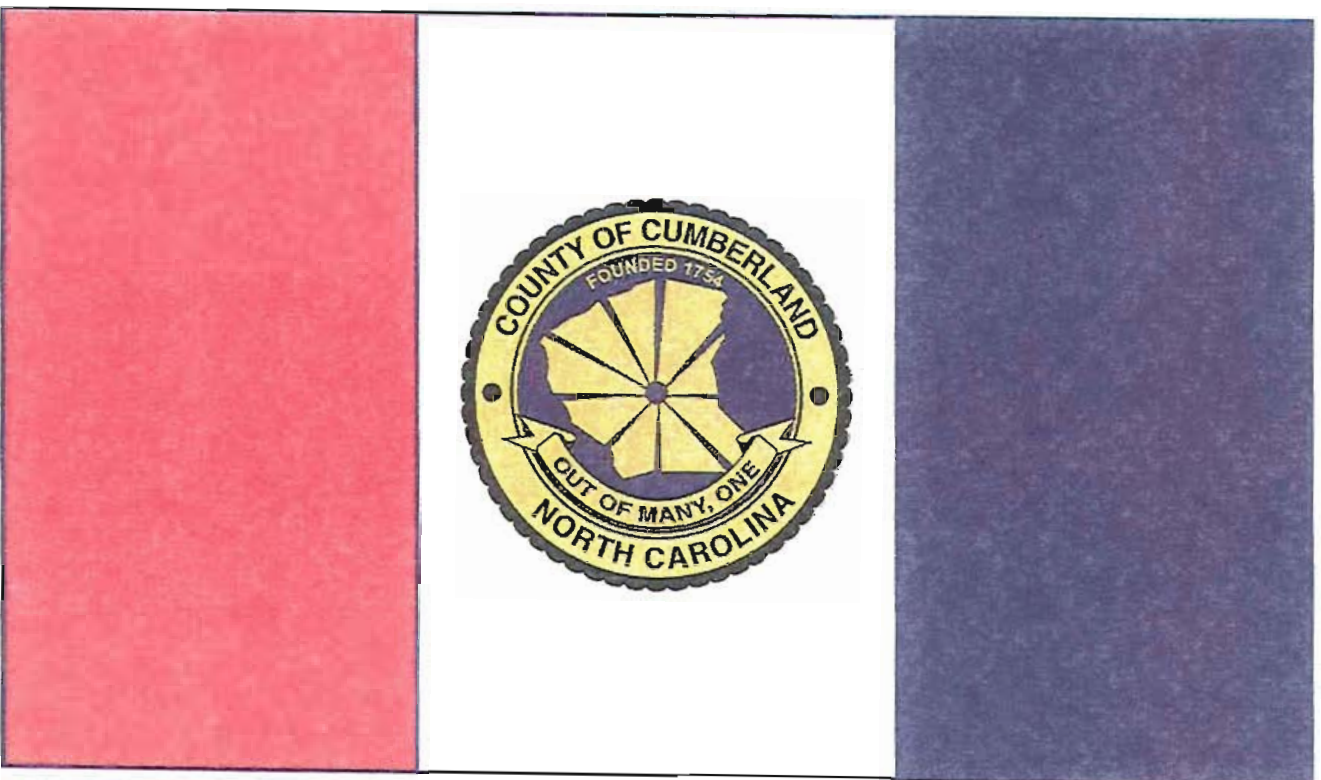
*Policy Comm
voted to
recommend
Flag "B"
to BOC.*

Celebrating Our Past... Embracing Our Future

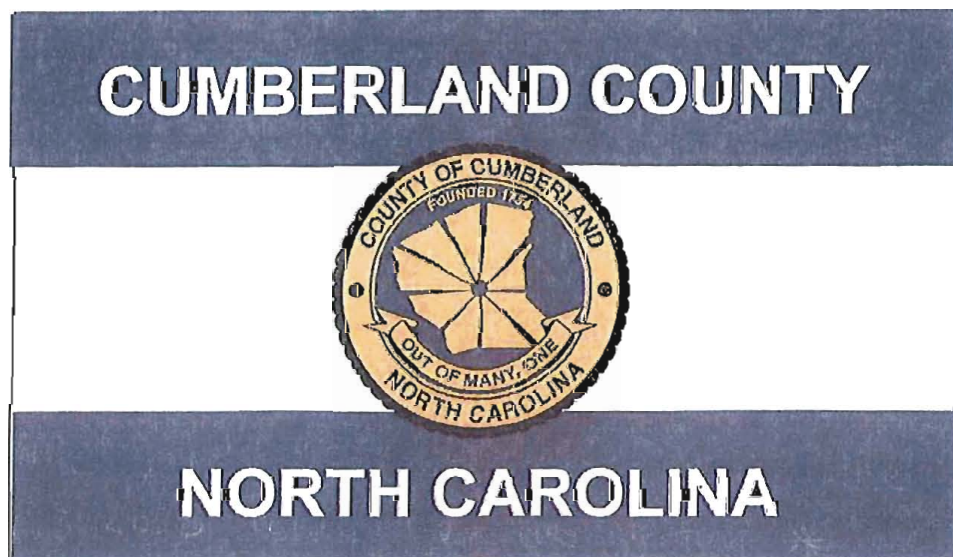
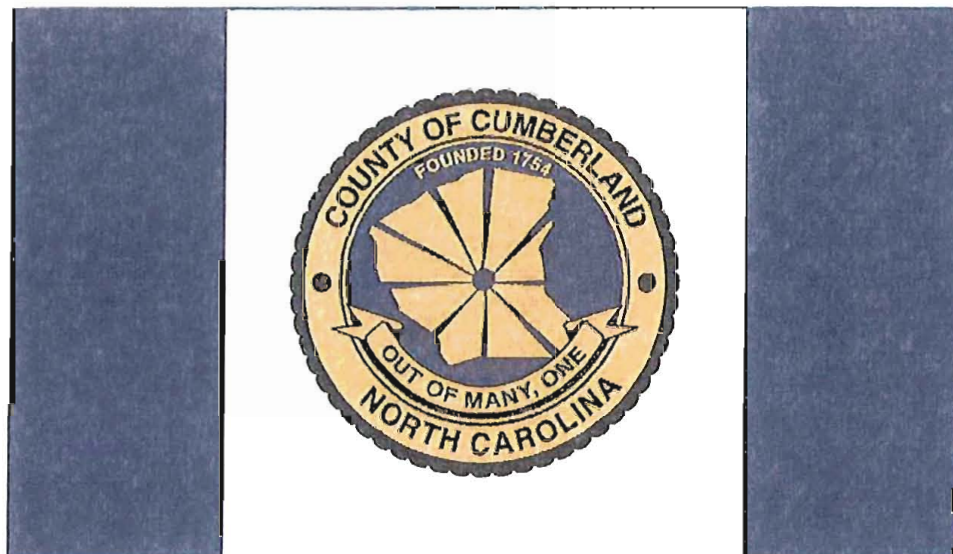
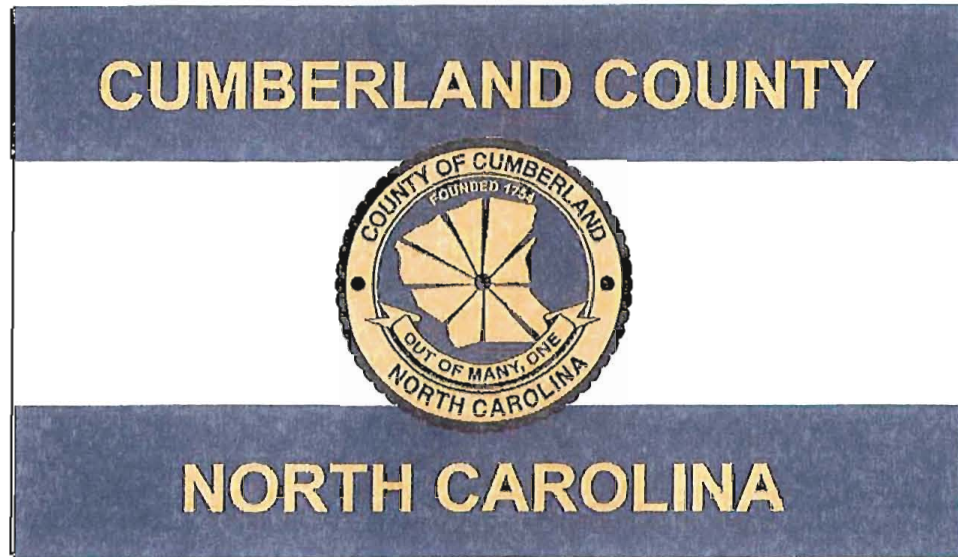


Attachment A

A Hochmet B



*This is the ^{flag} option that was approved at the
January 3, 2008 Policy Committee Meeting *



CUMBERLAND COUNTY POLICY COMMITTEE
January 3, 2008 – 9:30 AM
REGULAR MEETING

PRESENT: Commissioner Jeannette Council
Commissioner Kenneth Edge
Commissioner Ed Melvin
James Martin, County Manager
Juanita Pilgrim, Deputy County Manager
Cliff Spiller, Assistant County Manager
Amy Cannon, Assistant County Manager
Sara VanderClute, Public Information Officer
Grainger Barrett, County Attorney
Harvey Raynor, Assistant County Attorney
James Lawson, Human Resources Manager
Laura Blackley, Human Resources Analyst II
Margaret Weaver, Human Resources Analyst II
Angie Cunningham, Print Shop Supervisor
Marie Colgan, Deputy Clerk

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

1. Election of Chairman for 2008

MOTION: Commissioner Melvin moved to appoint Jeannette Council as Chairman of this Committee for 2008
SECOND: Commissioner Edge
VOTE: UNANIMOUS

2. Approval of Minutes: September 6, 2007

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

3. Consideration of Change in County Flag

Commissioner Edge explained that this item has been brought before the Committee as a parade of county flags will be displayed at the upcoming 2008 NCACC Conference and this would be the appropriate time to determine if a change is desired. Members viewed several proposed flags that were provided by Angie Cunningham.

MOTION: Commissioner Council moved to recommend to the full Board the flag shown as Attachment B.
SECOND: Commissioner Melvin
VOTE: UNANIMOUS

4. Consideration of Proposed Overtime Policy

County Attorney Barrett informed members that Management, Human Resources and the Legal Department have completed an extended review of the County's Overtime policy. The proposal provided as a handout would revise the current provisions by removing it from the Personnel

Ordinance and would place it in the County Manager's hands for implementing a comp time/overtime policy which would give greater flexibility for changes in the future. The proposal addresses both the non-exempt and exempt employees with most changes being made to the exempt employee sections. Problems with employees moving from non-exempt status to exempt status have been addressed in this proposed policy. The policy also places responsibility on the Department Heads to make decisions regarding whether to provide comp time or pay for any overtime earned by non-exempt employees. Regarding the exempt employee who has worked time over 40 hours in a regular workweek, the name would be changed from "comp time" to "exempt time" and the hours accruable would be capped at 80 hours. A transition provision for exempt employees who currently have over 80 hours would convert it to sick leave, but no more than 2,080 hours could be converted. The proposed policy emphasizes that the Department Heads would be held accountable for managing comp time, overtime and exempt time. Members of the Committee emphasized the importance of this provision placing accountability on department heads. The proposed policy also states that supervisors/managers and department heads will be evaluated, in part, on their effective management of overtime. The removal of completing timesheets for certain exempt employees; such as management personnel, was also discussed. However, after a lengthy discussion, it was agreed that timesheets will continue to be filled out by those employees. Members agreed with County Attorney Barrett that a review of this policy should be conducted after a year to see if any revisions might be needed.

MOTION: Commissioner Edge moved to recommend the approval of the
Proposed Overtime Policy to the full Board.
SECOND: Commissioner Melvin
VOTE: UNANIMOUS

5. Other Matters of Concern

No items discussed.

MEETING ADJOURNED: 10:25 AM



ITEM NO. 6

COUNTY of CUMBERLAND

James E. Martin
County Manager

Cliff Spiller
Assistant County Manager

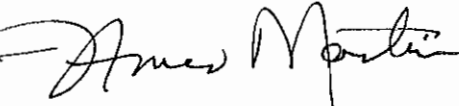
Juanita Pilgrim
Deputy County Manager

Office of the County Manager

Amy H. Cannon
Assistant County Manager

MEMORANDUM FOR BOARD OF COMMISSIONERS AGENDA OF FEB. 19, 2008

TO: BOARD OF COUNTY COMMISSIONERS

FROM: JAMES E MARTIN, COUNTY MANAGER 

DATE: FEBRUARY 13, 2008

SUBJECT: SELECTION OF LEAD INVESTMENT BANKING FIRM
FOR PROPOSED COPS ISSUE

BACKGROUND

On our behalf, our financial advisor, DEC Associates, Inc. sent out a Request for Qualifications (RFQ) to select a lead investment bank or firm to serve as the County's underwriter for our upcoming COPS issue this spring. Responses were received from four firms on February 8, 2008. All four firms will have an opportunity to give an oral presentation on Thursday, February 14, 2008, to discuss their firm's background and expertise in serving as the lead investment firm for this issue. Due to a compressed time schedule, a decision needs to be made quickly. At your retreat, we requested that this decision be presented to the full Board at your February 19th meeting, instead of first being reviewed by a committee.

Additional information about the recommendation will be forwarded to you after the presentations.

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

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February 11, 2008

ITEM NO. 7A

February 19, 2008 Agenda Item

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

The Air Quality Stakeholders' Committee has requested the following:

Commissioner Jerry Legge be replaced by **Commissioner Eddie Maynor** as the Town of Hope Mills Stakeholder (see attached request).

Add the Town of Eastover Stakeholder position and place **Steven Oakley** in the slot created by this addition (see attached request).

PROPOSED ACTION: Approve the addition of the Town of Eastover Stakeholder position and make nominations to fill the two (2) vacancies.

Attachment

pc: Rick Heickson, Planning & Inspections

Celebrating Our Past...Embracing Our Future

Marie Colgan

From: Emilie Helms
Sent: Monday, February 11, 2008 11:02 AM
To: Marie Colgan
Subject: RE: Eastover Resolution Air Quality Stakeholder

Marie,

I just received a letter from Hope Mills, they appointed Eddie Maynor to the Air Quality Stakeholders Committee.
(See attached.)

Commissioner Eddie Maynor
3718 Floyd Drive
Hope Mills, NC 28348
H: 910-484-4214
C: 910-286-3214

Thank you,

Emilie

Emilie E. Helms
Air Quality Coordinator
Fayetteville Area Metropolitan Planning Organization
Phone: (910) 678-7614

From: Marie Colgan
Sent: Monday, February 11, 2008 8:30 AM
To: Emilie Helms
Subject: RE: Eastover Resolution Air Quality Stakeholder

Okay, thanks. I will let you know when it is placed on the agenda.

Marie

Marie Colgan
Deputy Clerk
Cumberland County Board of Commissioners
(910) 678-7772
Fax (910) 678-7770

From: Emilie Helms
Sent: Friday, February 08, 2008 9:30 AM
To: Marie Colgan
Subject: Eastover Resolution Air Quality Stakeholder

Marie,

2/11/2008

Marie Colgan

From: Emilie Helms
Sent: Friday, February 08, 2008 9:30 AM
To: Marie Colgan
Subject: Eastover Resolution Air Quality Stakeholder
Attachments: image002.wmz; oledata.mso

Marie,

Steve Oakley stopped by my office yesterday as the newly nominated Eastover Air Quality Stakeholders representative.

Mr. Oakley's nomination by Mayor Charles McLaurin and membership need to be confirmed by the Cumberland County Commissioners.

Steve Oakley
H: 910-484-8048
C: 910-850-7656
spyderncsu@nc.rr.com
1107 Asbury Road
Fayetteville, NC 28312

Do you need any additional information to start the membership process?

Thank you,

Emilie

November 6, 2007

Dear Eastover Town Council:

Congratulations are due to the Town of Eastover on becoming the ninth municipality in Cumberland County.

All of the Cumberland County municipalities are working together through the Air Quality Stakeholders Committee to improve public awareness of our air. One of our committee major goals is to improve the health and quality of life of our citizens.

We would like to invite the Town of Eastover to designate an individual as a representative to the Cumberland County Air Quality Stakeholders Committee. The committee works to improve the quality of life through the continued implementation of the Early Action Compact. The individual you select will then be officially appointed to our committee by the Cumberland County Board of Commissioners.

Congratulations again and we wish you every success in the future. Should you require additional information or explanation, please feel free to call Emilie Helms at (910) 678-7614 or send an e-mail to ehelms@co.cumberland.nc.us.

2/11/2008

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

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February 6, 2008

ITEM NO. 7B

February 19, 2008 Agenda Item

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

The Equalization and Review Board has the following vacancies:

Real Estate Agent Position: Curt Alexander – completing second term. Not eligible for reappointment. The E&R Board has asked that **Kathy Olsen** (At Large member) be moved into this position.

At-large position: Kathy Olsen – Need replacement due to vacancy caused by above action. The E&R Board requests that **W. Carroll Beard, Jr.** be placed in this position to serve the unexpired term.

Jimmy Ragland – resigned. The E&R Board requests that **Sherrill Jernigan** be placed in this position to serve the unexpired term.

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

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

Attachments

pc: Aaron Donaldson, Tax Administrator

Celebrating Our Past...Embracing Our Future

EQUALIZATION AND REVIEW BOARD

3 Year Term

<u>Name/Address</u>	<u>Date Appointed</u>	<u>Term</u>	<u>Expires</u>	<u>Eligible For Reappointment</u>
<u>Appraiser</u>				
Steven A. Parsons (W/M) 3701 Clearwater Drive Fayetteville, NC 28311 822-4155/822-2000(W)	3/07	1 st	Mar/10 3/31/10	Yes
<u>At Large</u>				
David J. Mack (B/M) 5479 Lynbrook Court Fayetteville, NC 28314 867-1214	3/06	1st	Mar/09 3/31/09	Yes
Kathy Olsen (W/F) 854 S. Reilly Road Fayetteville, NC 28314-1820 867-4659/864-1459 (W)	3/07	1st	Mar/10 3/31/10	Yes
Jimmy Ragland (B/M) 906-C Greenleaf Drive Fayetteville, NC 28303 867-6972	3/06	2nd	Mar/09 3/31/09	No
<u>Businessman</u>				
George Turner 1012 Cain Road Fayetteville, NC 28303 977-3228 (M)/867-1100 or 867-2776 (W) **serves on Civic Center Commission**	3/06	2nd	Mar/09 3/31/09	No
<u>Farmer</u>				
David Miller Gillis (W/M) 2701 Gillis Hill Road Fayetteville, NC 28306 487-0684/867-2350(W)	3/06	1st	Mar/09 3/31/09	Yes
<u>Home Builder</u>				
Rodney W. Sherrill (W/M) P.O. Box 53329 Fayetteville, NC 28305 263-0922/829-1010 (W)	3/06	1st	Mar/09 3/31/09	Yes

Equalization and Review Board, Page 2

<u>Name/Address</u>	<u>Date Appointed</u>	<u>Term</u>	<u>Expires</u>	<u>Eligible For Reappointment</u>
<u>Industrialist</u>				
William E Holland (W/M) 1998 Dawnview Place Fayetteville, NC 28304 867-3284/678-1390 (W) (only eligible to serve one term as he served in the At-Large position)	3/07	1st	Mar/10 3/31/10	No
<u>Real Estate Agent</u>				
Curt Alexander (W/M) 1743 Daisy Lane Fayetteville, NC 28303 488-9537/867-2116(W)	2/05	2nd	Mar/08 3/31/08	No

Chairman: George Turner
1st Vice Chairman: David Mack
2nd Vice Chairman: William "Bill" Holland

Meetings: 2nd Wednesday of every month – 3:30 PM
Courthouse – Room 564
(No meetings in July)

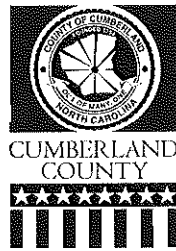
APPLICANTS FOR
EQUALIZATION AND REVIEW BOARD

<u>NAME/ADDRESS/TELEPHONE</u>	<u>OCCUPATION</u>	<u>EDUCATIONAL BACKGROUND</u>
ARNOLD, KEN (B/M) 1005 OUR STREET FAYETTEVILLE, NC 28314 867-3114/222-2800 (W)	REALTOR	WORKING ON AA DEGREE
BEARD, WILLIAM CARROLL (W/M) 2524 FORDHAM DRIVE FAYETTEVILLE, NC 28304 485-7050/818-9797	RETIRED ENGINEER	BSCE – NC STATE
COMPTON, BARBARA (_/F) 615 RAVENCROFT COURT FAYETTEVILLE, NC 28314 485-8248/391-6120	REALTOR	2 YR –ARCHITECTURAL & DRAFTING
ELLIS, MICHELE M. (W/F) 2508 WOLVEY ROAD FAYETTEVILLE, NC 28312 323-3980/868-3400 (W)	BRANCH MANAGER FINANCIAL INSTITUTION	LICENSED NC LOAN OFFICER
HARRIS, GLENDA PURDIE (B/F) 1874 GOLA DRIVE FAYETTEVILLE, NC 28301 488-2434/630-3041	COMPLIANCE OFFICER	MASTER OF SCIENCE IN ADMINISTRATION
HOOD, JOHN GREGORY (W/M) 417 DWIREWOOD DRIVE FAYETTEVILLE, NC 28303 867-3459/488-3101 (W)	CHIEF FINANCIAL OFFICER	4 ½ YEARS OF COLLEGE
HORAN JR., EARL C. () 6229 FALKLAND COURT FAYETTEVILLE, NC 28311 822-2681/867-2116 (W)	REALTOR	BS – ENGINEERING MA – EDUCATION
JERNIGAN, SHERRILL W. (W/M) 6717 SISK CULBRETH ROAD GODWIN, NC 283444 980-1698/237-5065	FARMER	HIGH SCHOOL
WHITTEMORE, APRIL (I/F) 4823 REDWOOD DRIVE FAYETTEVILLE, NC 28304 977-7796	HUMAN RESOURCES	DOUBLE MASTERS – COUNSELING/HR

J. BREEDEN BLACKWELL
Chairman

JEANNETTE M. COUNCIL
Vice Chairman

KENNETH S. EDGE
JOHN T. HENLEY, JR.
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ITEM NO. 81A

February 5, 2008

February 19, 2008 Agenda Item

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

BACKGROUND: On February 4, 2008, the Board of Commissioners nominated the following to fill five vacancies on the Adult Care Home Community Advisory Committee:

Lonnie Johnson (reappointment)
Ernestine Mack (reappointment)
Teresa McNeill (reappointment)
Jacqueline Wolfe (reappointment)
Rev. Nanette Tomlinson-Knoell (initial appointment)

I have attached the current membership list for this committee.

PROPOSED ACTION: Appoint the above five (5) vacancies.

Attachment

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

Celebrating Our Past...Embracing Our Future

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

<u>Name/Address</u>	<u>Date Appointed</u>	<u>Term</u>	<u>Expires</u>	<u>Eligible For Reappointment</u>
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
Edgar F. Merritt (B/M) 1506 Boros Drive Fayetteville, NC 28303 822-2976/286-2552(W)	10/07	1 st	Oct/10 10/31/10	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

Adult Care Home Community Advisory Committee, page 2

<u>Name/Address</u>	<u>Date Appointed</u>	<u>Term</u>	<u>Expires</u>	<u>Eligible For Reappointment</u>
Jacqueline S. Wolfe (W/F) 1812 Manchester Street Fayetteville, NC 28303 484-8588/484-5146 (W)	2/07	Initial	Feb/08 2/28/08	Yes
Stephanie Hodges (W/F) 3424 Harrisburg Road Fayetteville, NC 28306 **serves on the Nursing Home Advisory Board 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 6131 Lochview Drive Fayetteville, NC 28311 488-4947	4/06	2 nd	April/09 4/30/09	No
John Poulos (W/M) 3025 Brechin Road Fayetteville, NC 28303 867-2622/424-4242(W)	6/06	2 nd	June/09 6/30/09	No
Teresa R. McNeill (B/F) 3518 Pickerel Street Fayetteville, NC 283068 480-0313/483-3648, Ext. 1109 (W)/229-7981 (C)	2/07	Initial	Feb/08 2/28/08	Yes
Dr. Claudett Tompkins (B/F) 260 Old Farm Road Fayetteville, NC 28314 864-5336/424-4797(W)	9/06	2 nd	Aug/09 8/31/09	No
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

J. BREEDEN BLACKWELL
Chairman

JEANNETTE M. COUNCIL
Vice Chairman

KENNETH S. EDGE
JOHN T. HENLEY, JR.
BILLY R. KING
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DIANE WHEATLEY



MARSHA S. FOGLE
Clerk to the Board

MARIE COLGAN
Deputy Clerk

BOARD OF COMMISSIONERS

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February 5, 2008

ITEM NO. 8B

February 19, 2008 Agenda Item

TO: Board of Commissioners
FROM: Marie Colgan, Deputy Clerk *mc*
SUBJECT: Child Homicide Identification and Prevention (CHIP) Council

BACKGROUND: On February 4, 2008, the Board of Commissioners nominated the following to fill twelve vacancies on the CHIP Council:

All of the following are new appointments -

A Representative of the Military Community - Tom Hill
A Representative of the General Public - Lois Kirby
A Representative of Methodist University School of Social Work - Mary Deyampert-McCall
A Representative of the Cumberland County Mental Health Center - Debbie Jenkins
A Representative of Health Education - Wendy Breeden
A Representative of Law Enforcement - Lynette Hodges
A Representative of the Legal Community - Joanna Shober
A Representative of the Cumberland County School System - Natasha Scott
A Representative of the Cumberland Interfaith Hospitality Network - Denise Giles
A Representative of Womack Army Medical Center - Gladys Cartwright
A Representative of the Local Media - Charles Broadwell
A Representative of Fayetteville State University School of Social Work - Densie Lucas

I have attached the current membership list for this committee.

PROPOSED ACTION: Appoint the above twelve (12) vacancies.

Attachment

pc: Dr. Sharon Cooper

Celebrating Our Past... Embracing Our Future

CHILD HOMICIDE IDENTIFICATION AND PREVENTION (CHIP) COUNCIL

3 Year Term
(1, 2, 3 year initial terms)

<u>Name/Address</u>	<u>Date Appointed</u>	<u>Term</u>	<u>Expires</u>	<u>Eligible For Reappointment</u>
<u>A Representative of the Medical Community Whose Specialty is Children</u> Dr. Sharon Cooper PO Box 72929 Ft. Bragg, NC 28307-2929 488-9304	05/07			
<u>A Representative of the Business Council Board</u> Chairman (or designee) PO Box 9 Fayetteville, NC 28302 484-4242 x223	05/07			
<u>A Representative of the Military Community</u> LTG Lloyd Austin (or designee) CG, XVIII Airborne Corps 2175 Reilly Road, Stop A Ft. Bragg, NC 28310 396-3111	05/07			
<u>A Representative from District Court</u> Judge Beth Keever PO Box 363 Fayetteville, NC 28302 678-2901	05/07			
<u>A Representative of the Fayetteville Cumberland County Ministerial Association</u> Dr. Allen McLaughlin Cumberland County Ministerial Council 1430 Hoke Loop Road Fayetteville, NC 28314-6489 867-0443	05/07			

<u>Name/Address</u>	<u>Date Appointed</u>	<u>Term</u>	<u>Expires</u>	<u>Eligible For Reappointment</u>
<u>A Representative of Primary Care</u> Dr. Eugene Wright 101 Robeson Street, Suite 400 Fayetteville, NC 28301 829-1705	05/07			
<u>A Representative of Cumberland County Department of Social Services</u> Director (or designee) Cumberland County Department of Social Services PO Box 2429 Fayetteville, NC 28302 677-2035	05/07			
<u>A Representative of the General Public</u> Louis Hackett 4184 Ferncreek Drive Fayetteville, NC 28314 323-3060/322-5324 (c)	05/07			
<i>Additional slot added 2-4-08</i>				
<u>A Representative of Methodist University School of Social Work</u>				
<u>A Representative of the Cumberland County Mental Health Center</u>				
<u>A Representative of Health Education</u>				
<u>A Representative of Law Enforcement</u>				
<u>A Representative of the Legal Community</u>				
<u>A Representative of the Cumberland County School System</u>				

A Representative of the
Cumberland Interfaith Hospitality
Network

A Representative of Womack Army
Medical Center

A Representative of the Local
Media

A Representative of Fayetteville
State University School of
Social Work

A Representative of the 05/07
Cumberland County Board of
Commissioners
Commissioner Diane Wheatley
Board of Commissioners
PO Box 1829
Fayetteville, NC 28302
678-7772

Contact: Dr. Sharon Cooper – 488-9304
Meetings: 3rd Thursday of each month, 6 pm, Child Advocacy Center – 336 Ray Ave.

J. BREEDEN BLACKWELL
Chairman

JEANNETTE M. COUNCIL
Vice Chairman

KENNETH S. EDGE
JOHN T. HENLEY, JR.
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ITEM NO. 8C

February 5, 2008

February 19, 2008 Agenda Item

TO: Board of Commissioners

FROM: Marie Colgan, Deputy Clerk *MC*

SUBJECT: Cumberland County Home and Community Care Block Grant Committee

BACKGROUND: On February 4, 2008, the Board of Commissioners nominated the following to fill two vacancies on the Cumberland County Home and Community Care Block Grant Committee.

Older Consumer: **Annie R. Hasan** (new appointment)
Barbara Summey Marshall (new appointment)

I have attached the current membership list for this Committee.

PROPOSED ACTION: **Appoint the above two (2) vacancies.**

Attachment

pc: Carolyn Tracy, Mid-Carolina Area Agency on Aging

Celebrating Our Past...Embracing Our Future

CUMBERLAND COUNTY
HOME AND COMMUNITY CARE BLOCK GRANT COMMITTEE
(PLANNING COMMITTEE FOR AGING SERVICES)
4 Year Term

<u>Name/Address</u>	<u>Date Appointed</u>	<u>Term</u>	<u>Expires</u>	<u>Eligible For Reappointment</u>
<u>Older Consumer</u>				
Elma Jorgensen 2321 Colgate Drive Fayetteville, NC 28305	1/07	1st	Dec/10 12/31/10	Yes
Janice Lucas P.O. Box 61 Falcon, NC 28342 980-1296	1/07	2nd	Dec/10 12/31/10	No
Mary Mack 5471 Maplewood Fayetteville, NC 28314 (filling an unexpired term) 867-9533	4/07	1 st	April/08 4/30/08	Yes
Edwin Deaver P.O. Box 127 Hope Mills, NC 28348	5/06	1st	May/10 5/31/10	Yes
Edith B. Melvin (B/F) 3016 Piney Mountain Drive Hope Mills, NC 28348 481-9951	4/05	1st	April/09 4/30/09	Yes
Gretta Reese 1721 Bridger Street Fayetteville, NC 28301 488-5909	5/04	2nd	April/08 4/30/08	No
Ethel Hennessee 647 Edgehill Road Fayetteville, NC 28314 (serving first full term) 867-8910	12/07	1st	Dec/11 12/31/11	Yes
Virginia Kelly 615 Regina Avenue Spring Lake, NC 28390 497-0494	12/03	1st	Dec/07 12/31/07	Yes

Home and Community Care Block Grant Committee, page 2

<u>Name/Address</u>	<u>Date Appointed</u>	<u>Term</u>	<u>Expires</u>	<u>Eligible For Reappointment</u>
<u>Aging Service Provider</u>				
Karin Simkin Department of Social Services PO Box 2429 Fayetteville, NC 28302-2429	4/05	1st	April/09 4/30/09	Yes
Rosa Crowe PO Box 64526 Fayetteville, NC 28306 (filling an unexpired term) 424-2993	4/07	1 st	April/09 4/30/09	Yes
Sam Hutchison Senior Health Services 101 Robeson Street, Suite 202 Fayetteville, NC 28301	4/05	2nd	April/09 4/30/09	No
Toney McCray Bethel Adult Day Health Care 1065 Progress Street Fayetteville, NC 28306 484-8727	12/07	2 nd	Dec/11 12/31/11	No
Katherine VanSickle CCCCOA, INC. 339 Devers Street Fayetteville, NC 28303 484-0111	1/06	1st	Dec/09 12/31/09	Yes
Tina Dicke Legal Aid of NC PO Box 1268 (filling an unexpired term) Fayetteville, NC 28302	4/07	1st	April/09 4/30/09	Yes
Judy Dawkins RSVP 739 Blue Street Fayetteville, NC 28301 433-1136	1/07	2nd	Dec/10 12/31/10	No
Patricia Edwards Hope Mills Sunshine Center 3226 Davis Street Hope Mills, NC 28348	1/07	2nd	Dec/10 12/31/10	No

<u>Name/Address</u>	<u>Date Appointed</u>	<u>Term</u>	<u>Expires</u>	<u>Eligible For Reappointment</u>
<u>Aging Service Provider</u>				
Kristine Wagner (W/F) 130 Gillespie Street Fayetteville, NC 28301 436-0340/678-7624 (W)	1/07	1st	Dec/10 12/31/10	Yes
<u>Civic Representative</u>				
Crystal McNair United Way of Cumberland Co. PO Box 303 Fayetteville, NC 28302-0303	11/07	2 nd	Nov/11 11/30/11	No
<u>Elected Official</u>				
Richard Higgins Town of Spring Lake 1309 Mack Street Spring Lake, NC 28390 497-1027	2/07	1st	Dec/10 12/31/10	Yes
<u>County Representatives</u>				
Amy Cannon Assistant County Manager PO Box 1829 Fayetteville, NC 28302-1829				
Juanita Pilgrim Deputy County Manager PO Box 1829 Fayetteville, NC 28302-1829				

Meets the 3rd Thursday, 2nd month of quarter, at 2 pm at various service providers within county
Contact: Carolyn Tracy – 323-4191 x26; fax # 323-9330

J. BREEDEN BLACKWELL
Chairman

JEANNETTE M. COUNCIL
Vice Chairman

KENNETH S. EDGE
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February 5, 2008

ITEM NO. 8D

February 19, 2008 Agenda Item

TO: Board of Commissioners
FROM: Marie Colgan, Deputy Clerk *MC*
SUBJECT: Cumberland County Juvenile Crime Prevention Council

BACKGROUND: On February 4, 2008, the Board of Commissioners nominated the following to fill one vacancy on the Juvenile Crime Prevention Council:

At Large Representative: **Chris McLamb** (new appointment)

I have attached the current membership list for this council.

PROPOSED ACTION: Appoint the above vacancy.

Attachment

pc: Sarah Hemingway, CCJCPC Coordinator

Celebrating Our Past...Embracing Our Future

CUMBERLAND COUNTY
JUVENILE CRIME PREVENTION COUNCIL
(Two year terms)

<u>Name/Address</u>	<u>Date Appointed</u>	<u>Term</u>	<u>Expires</u>	<u>Eligible For Reappointment</u>
<u>Local School Superintendent or designee</u>				
Carol Hudson Cumberland County Schools P.O. Box 2357 Fayetteville, North Carolina 28302 Phone: 678-2495	1/99			
<u>Chief of Police or designee</u>				
Lt. Sherry Sparks Fayetteville Police Department 467 Hay Street Phone: 433-1910	11/05			
<u>Local Sheriff or designee</u>				
Lt. Lynette Hodges Cumberland County Sheriff's Office 131 Dick Street Fayetteville, North Carolina 28301 Phone: 677-5474	1/07			
<u>District Attorney or designee</u>				
Cheri Siler-Mack Assistant District Attorney District Attorney's Office 117 Dick Street, Suite 427 Fayetteville, North Carolina 28301 Phone: 678-2915	1/99			
<u>Chief Court Counselor or designee</u>				
Michael Strickland Department of Juvenile Justice P.O. Box 363 Fayetteville, North Carolina 28302 Phone: 678-2947	08/07			
<u>Director of Mental Health or designee</u>				
Debbie Jenkins Cumberland County Mental Health Center P.O. Box 3069 Fayetteville, North Carolina 28302 Phone: 323-0510	10/03			

Cumberland County Juvenile Crime Prevention Council Page 2

<u>Name/Address</u>	<u>Date Appointed</u>	<u>Term</u>	<u>Expires</u>	<u>Eligible For Reappointment</u>
<u>Director of Social Services or designee</u>				
Ms. Lee Roberts	1/99			
Child Protection and Placement Treatment Program Manager				
Cumberland County Department of Social Services				
P.O. Box 2429				
Fayetteville, North Carolina 28302-2429				
Phone: 677-2422				
<u>County Manager or designee</u>				
Juanita Pilgrim, Deputy Co. Mgr.	1/99			
Cumberland County Courthouse				
P.O. Box 1829				
Fayetteville, North Carolina 28302-1829				
Phone: 678-7726				
<u>Chief District Judge or designee</u>				
Judge Ed Pone	1/99			
P.O. Box 363				
Fayetteville, North Carolina 28302				
Phone: 678-2901				
<u>Health Director or designee</u>				
Archie Malloy	3/06			
Jail Health Administrator				
205 Gillespie Street				
Fayetteville, North Carolina 28301				
Phone: 672-5723				
<u>Parks and Recreation Representative</u>				
Melvin Lindsay	2/05			
City of Fayetteville				
Parks and Recreation Dept.				
433 Hay Street				
Fayetteville, North Carolina 28301				
Phone: 433-1547				
<u>County Commissioner</u>				
Billy R. King	1/99			
P.O. Box 1829				
Fayetteville, NC 28302-1829				
Phone: 678-7771				

<u>Name/Address</u>	<u>Date Appointed</u>	<u>Term</u>	<u>Expires</u>	<u>Eligible For Reappointment</u>
<u>Substance Abuse Professional</u>				
Gregory Pitts	8/07	1 st full	Aug/09	Yes
CC Mental Health - TASC			8/31/09	
PO Box 3069 (filling unexpired term – eligible for 2 full terms)				
Fayetteville, NC 28302				
323-6136(W)				
<u>Member of Faith Community</u>				
Rev. Brian Thompson	5/07	1st	Aug/09	No
3942 Gaithersburg Lane			8/31/09	
Hope Mills, NC 28348 (5/07 – term extended to 8/31/07 and renewed to 8/09)				
436-2462/867-2708(W)				
<u>Person Under Age 21</u>				
vacant (vacated by Shakeema Burns)				
<u>Juvenile Defense Attorney</u>				
Beth A. Hall	9/06	1st	Aug/08	Yes
4508 Weaverhall Drive		full	8/31/08	
Fayetteville, NC 28314				
257-0847(Cell)				
<u>Member of Business Community</u>				
Gene Hallock	8/07	2 nd	Aug/09	No
173 Aloha Drive			8/31/09	
Fayetteville, NC 28311				
822-5409				
<u>United Way or Non-Profit</u>				
Margarita Dostall	12/07	2nd	Aug/08	No
ESL Dept (Extended from 1-31-08 to 8-31-08 on 12-17-07)			8/31/08	
Ashley Elementary				
810 Trainer Drive				
Fayetteville, NC 28304				
484-1176				
<u>At Large Representatives</u>				
Henry Berry	8/07	1 st	Aug/09	Yes
1722 Eldridge Street			8/31/09	
Fayetteville, NC 28301				
396-5521 (W)				

Cumberland County Juvenile Crime Prevention Council, Page 4

<u>Name/Address</u>	<u>Date Appointed</u>	<u>Term</u>	<u>Expires</u>	<u>Eligible For Reappointment</u>
John Clark Juvenile Assessment Center 121 Lamon Street Fayetteville, North Carolina 28301 Phone: 323-5070/433-1116	9/06	1st full	Aug/08 8/31/08	Yes
Dr. Polly Davis FTCC P.O. Box 35236 Fayetteville, North Carolina 28303 Phone: 678-8322	8/07	1st	Aug/09 8/31/09	No
Bernard Condlin 309 Person Street Fayetteville, North Carolina 28304 Phone: 484-8195	8/07	1 st	Aug/09 8/31/09	Yes
Sue Thomas 3741 Harrisburg Drive Fayetteville, North Carolina 28306 Phone: 425-8868	8/07	1st	Aug/09 8/31/09	No
Geneva Mixon PO Box 1829 Fayetteville, North Carolina 28302 Phone: 323-3421(W)	8/07	1 st	Aug/09 8/31/09	Yes
Krista Hancock 4H Agent – Cooperative Extension 301 E. Mountain Drive Fayetteville, North Carolina 28306 Phone: 321-6867	4/06	2nd	Apr/08 4/30/08	No

Non-Voting Member

Cindy Holmes
DJJDP Regional Consultant
108 N. Orange Street
Dunn, North Carolina 28334
Phone: 919-733-3388(W)

Meetings: Second Wednesday of each month at 8:00 AM. CC CommuniCare Conference Room – 711B
Executive Place

Contact: Sarah Hemingway – Phone: 829-9017 - Fax: 485-4752

J. BRÉEDEN BLACKWELL
Chairman

JEANNETTE M. COUNCIL
Vice Chairman

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February 5, 2008

ITEM NO. 8E

February 19, 2008 Agenda Item

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

BACKGROUND: On February 4, 2008, the Board of Commissioners nominated the following to fill one vacancy on the Nursing Home Advisory Board:

Dr. John G. Briggs (new appointment)

I have attached the current membership list for this board.

PROPOSED ACTION: Appoint the above vacancy.

Attachment

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

Celebrating Our Past...Embracing Our Future

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

Name/Address	<u>Date</u> Appointed	Term	Expires	<u>Eligible For</u> Reappointment
Mandella Edwards (/F) 4151 Village Drive Fayetteville, NC 28304 429-0790(H)	4/07	1 st	April/10 4/30/10	Yes
Tom Lloyd (W/M) 1306 Berkshire Road Fayetteville, NC 28305 484-6762/678-7618(W)	9/07	Initial	Sept/08 9/30/08	Yes
Martha McKoy P.O. Box 42152 Fayetteville, NC 28309 423-0771	9/05	1st	Sept/08 9/30/08	Yes
Edgar F. Merritt (B/M) 1506 Boros Drive Fayetteville, NC 28303 822-2976/286-2552 (W)	12/06	Initial	Dec/07 12/31/07	Yes
William R. Nichols(W/M) 1240 Magnolia Church Road Stedman, NC 28391 483-3934/433-1924(W)	2/07	1 st	Feb/10 2/28/10	Yes
Hervenna Pannell (B/F) 1821 Eichelberger Drive Fayetteville, NC 28303 822-8516/907-9355(W)	2/06	1st	Feb/09 2/28/09	Yes
Clyde E. Hammond (W/M) 1802 Flintshire Road Fayetteville, NC 28304 425-2774	09/07	Initial	Sept/08 09/30/08	Yes
Teresa Rena McNeill (B/F) 3518 Pickerel Street Fayetteville, NC 28306 480-0313/483-3648 x1109 (W)	9/07	Initial	Sept/08 9/30/08	Yes
Toney Edwards (W/M) 3622 Clearwater Drive Fayetteville, NC 28311 822-4261/864-6262	1/08	Initial	Jan /09 1/31/09	Yes

<u>Name/Address</u>	<u>Date Appointed</u>	<u>Term</u>	<u>Expires</u>	<u>Eligible For Reappointment</u>
Stephanie Hodges (W/F) 3424 Harrisburg Road Fayetteville, NC 28306 429-9300/292-5651 (C)	6/07	Initial	June/08 6/30/08	Yes
Lora L. Watson 1516 Chedington Road Hope Mills, NC 28348 485-3558/824-0993	4/07	2 nd	April/10 4/30/10	No

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

Quarterly, (March, June, September & December) at 1:00 PM on the 3rd Thursday - at various nursing homes in the county.

J. BREEDEN BLACKWELL
Chairman

JEANNETTE M. COUNCIL
Vice Chairman

KENNETH S. EDGE
JOHN T. HENLEY, JR.
BILLY R. KING
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ITEM NO. 8F

February 5, 2008

February 19, 2008 Agenda Item

TO: Board of Commissioners
FROM: Marie Colgan, Deputy Clerk *MC*
SUBJECT: Wrecker Review Board

BACKGROUND: On February 4, 2008, the Board of Commissioners nominated the following to fill three vacancies on the Wrecker Review Board:

State Highway Patrol Appointee: **Sgt. Tracy T. Coleman** (new appointment)

Wrecker licensee Appointees: **Tracy Logan** (new appointment)
Gary Holder (new appointment)

I have attached the current membership list for this board.

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

Attachment

pc: Deputy Greg Gwarek, Sheriff's Office

Celebrating Our Past...Embracing Our Future

WRECKER REVIEW BOARD
2 Year Term

<u>Name/Address</u>	<u>Date Appointed</u>	<u>Term</u>	<u>Expires</u>	<u>Eligible For Reappointment</u>
<u>County Appointee</u>				
Chuck Epler Eagle Motor Company 4619 Bragg Blvd. Fayetteville, NC 28303 867-8585	04/06	2nd	Apr/08 04/30/08	No
<u>Sheriff's Appointees</u>				
Lt. John Legette Cumberland County Sheriff's Office 131 Dick Street Fayetteville, NC 28301	04/06 (to fill unexpired term)	2nd	Nov/08 11/30/08	No
<u>Wrecker Licensee Appointees</u>				
Philip McCorquodale Philip's Towing Service 327 Alexander Street Fayetteville, NC 28301 323-9600	02/06	1st	Feb/08 02/28/08	Yes
Larry Sessoms Larry's Towing Service P.O. Box 36166 Fayetteville, NC 28303 425-1050/237-0891(Cell)	02/06	2nd	Feb/08 02/28/08	No
<u>State Highway Patrol Appointee</u>				
Sgt. Scott Canady State Highway Patrol 2435 Gillespie Street Fayetteville, NC 28306 486-1334	02/06	1st	Feb/08 02/28/08	Yes

Contact: Deputy Greg Gwarek, Sheriff's Office
Phone: 321-6767
Fax # 321-6969

Meetings are on an as needed basis.

**NORCRESS WATER & SEWER DISTRICT GOVERNING BOARD AGENDA
SPECIAL MEETING
CUMBERLAND COUNTY BOARD OF COMMISSIONERS
COURTHOUSE – ROOM 118
FEBRUARY 19, 2008 (TUESDAY)
6:45 PM**

INVOCATION

1. Items of Business

- A. Approval of minutes for the February 4, 2008 regular meeting.
- B. Approval of a Budget Revision for the NORCRESS Project:

Revision in the net amount of \$67,889 to reallocate revenue and expenditures based on actual and to close the project. (B08-229) **Funding Source – Reallocation of Revenue and Expenditures**

ADJOURN THE FEBRUARY 19, 2008 SPECIAL MEETING OF THE NORCRESS WATER & SEWER DISTRICT GOVERNING BOARD.

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

**COUNTY OF CUMBERLAND
BUDGET REVISION REQUEST**

Budget Office Use	NORCRESS #22
Budget Revision No.	B08-229
Date Received	2/13/2008
Date Completed	

Fund No. 009 Agency No. 450 Organ. No. 450A
Organization Name: NORCRESS Project

NORCRESS AGENDA
ITEM NO. 1B

REVENUE

Revenue Source Code	Description	Current Budget	Increase (Decrease)	Revised Budget
4008	USDA Rural Development Grant	4,140,000	0	4,140,000
453E	NC Rural Center Grant	2,688,781	0	2,688,781
4677	Cumberland County Schools Co-Sponsor	325,000	0	325,000
4678	Facility Investment Fee	500,000	0	500,000
4679	Community Development Co-Sponsor	603,366	0	603,366
6681	Tap Fees	72,192	0	72,192
7002	Interest Income	0	608	608
7685	Contractor Sales Tax	0	130,548	130,548
9134	Transfer from Fund 250 (Co. Water & Sewer)	204,629	0	204,629
9296	Bond Anticipation Notes	1,250,000	0	1,250,000
9901	Fund Balance Appropriated	199,045	(199,045)	-
Total		9,983,013	(67,889)	9,915,124

EXPENDITURES

Object Code	Appr Unit	Description	Current Budget	Increase (Decrease)	Revised Budget
3110	NAA	Legal	30,000	(8,384)	21,616
3630	NAB	C.O. Land (easements, right of way)	47,125	(3,280)	43,845
3747	NAC	Engineering	794,936	(8,561)	786,375
3757	NAD	Facility Investment Fee	500,000	0	500,000
3758	NAE	Eastover Approach Main	576,969	(30,067)	546,902
379A	NAK	Construction - North Wade	2,026,614	(1)	2,026,613
379B	NAL	Construction - South Wade	1,682,594	0	1,682,594
379C	NAM	Construction - Falcon	1,509,489	0	1,509,489
379D	NAN	Construction - Godwin	1,609,140	(2,933)	1,606,207
379E	NAP	Construction - Pump Station	876,627	(421)	876,206
3809	NAG	Capitalized Interest	18,700	0	18,700
3419	NAQ	Miscellaneous	50,474	(14,242)	36,232
389T	NAR	Transfer to Fund 253	260,345	0	260,345
Total			9,983,013	(67,889)	9,915,124

Justification:

Revision to replace fund balance appropriated as a source of project funding.

Funding Source:

State: _____
Other: _____

Federal: _____
Fees: _____

Fund Balance:

County: _____ New: _____
Prior Year: _____

Other: _____

Submitted By: _____

Department Head

Date: _____

Reviewed By: _____

Bob Sucher
Finance Department

Date: 2/13/08

Reviewed By: _____

Anna Cannon
Assistant County Mgr

Date: 2/13/08

Approved By: _____

Date: _____

County Manager

Board of County
Commissioners

Date: _____