
AGENDA
CUMBERLAND COUNTY BOARD OF COMMISSIONERS
COURTHOUSE – ROOM 118
MARCH 17, 2008
6:45 PM

INVOCATION - Commissioner Kenneth Edge

PLEDGE OF ALLEGIANCE –

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

Presentation of Cumberland County Cares Award:

Ruby Flanary - Volunteer for Cumberland County Medication Access Program
and Highsmith-Rainey Specialty Hospital

Recognition of Cumberland County Emergency Communications Center for Re-Accreditation as an Emergency Medical Dispatch Center of Excellence by the International Academies of Emergency Dispatch

Recognition of Dr. William Harrison, Superintendent of the Cumberland County School System as the recipient of the 2008 Educational Excellence in Leadership Award

1. *Presentations*

- A. BRAC Project Committee Presentation – Jim Konneker, Chairman and Todd Smith.
- B. Presentation of Report from the Safe Water Task Force.

2. *Consent Agenda*

- A. Approval of minutes for the February 19, 2008 regular meeting, the February 7, 2008 special meeting/planning session, special meeting with the Town of Hope Mills on February 26, 2008 and special meeting with the Cumberland County Board of Education on March 10, 2008.

- B. Approval of Solid Waste Department Purchase of a Used CAT 2004 Model 938G Rubber Tire Loader.
- C. Approval of Cumberland County Policy Committee Report and Recommendation:
 - 1) County Flag
- D. Approval of Grant Award – Robins Meadow Transitional Housing Program.
- E. Approval of Declaration of Surplus County Property and Authorization to Accept Insurance Settlement.
- F. Approval of Revisions to a Memorandum of Understanding for Cooperative, Comprehensive and Continuing Transportation Planning and the Establishment of a Rural Transportation Planning Organization.
- G. Approval of Interlocal Agreement Between the County of Cumberland and the Town of Eastover Regarding the Cumberland County Community Development Block Grant Program and Home Investment Partnership Program.
- H. Approval of Community Development Department Revisions to the Homebuyers Assistance Program Policy.
- I. Approval of Offer to Purchase by Jonna D. Longnecker from Community Development Department of a House Located at 3234 Glenmore Drive, Hope Mills and to Publish Notice of Upset Bid.
- J. Approval of Redemption of Surplus County-Owned Real Property Acquired by Tax Foreclosure.
- K. Approval of Sale of Surplus County-Owned Real Properties Acquired by Tax Foreclosure:
 - 1) Lots 8-9 Lakeview Lots 113 Chase Street, (Located on Chase Street, off Gillespie Street, PIN 0437-51-3207; Cross Creek Township
 - 2) Lot 17 Emanuel Williams Estate, (Located on Mary Street, off Ramsey Street and North Street) PIN 0437-69-6923; Cross Creek Township
 - 3) 2 Vacant Lots 67 & 68, (Located on Maloney Avenue, off Grove Street) PIN 0437-96-9458; Cross Creek Township
 - 4) 0.75 Kenneth E. & Kathryn D. Fisher, (Located on Hidden Oaks Drive, off Butler Nursery Road) PIN 0452-46-2455; Grays Creek Township

- L. Approval of a Proclamation Proclaiming March 24-30, 2008 as “Community Development Week” in Cumberland County.
- M. Approval of a Proclamation Proclaiming April 6-12, 2008 as “National County Government Week” in Cumberland County.
- N. Budget Revisions:

(1) 1998 Local School Bond Fund

Revision in the amount of \$31,826 to recognize revenues not previously budgeted (\$69,044) and to reduce the budget for deferred maintenance (\$31,826) to actual expenditures in order to replace fund balance appropriated (\$100,870) as a source of funding. (B08-233) **Funding Source – Interest, Premium on Bonds, 1998 Local School Bonds Fund Balance**

(2) 2004 Local School Bond Projects

Revision in the amount of \$5,536 to recognize interest income (\$2,037) and to reduce the budget for school renovations (\$5,536) to actual expenditures in order to replace fund balance appropriated (\$7,573) as a source of funding. (B08-234) **Funding Source – Interest, 2004 Local School Bonds Fund Balance**

(3) Health

- a. Communicable Disease Clinic – Tuberculosis Project - Revision in the amount of \$1,773 to reduce budget for unanticipated reduction in revenues from the State. (B08-235) **Funding Source – State**
- b. Family Planning Clinic – Revision in the amount of \$60,000 to recognize additional funding from the State. (B08-258) **Funding Source - State**

(4) Library Grants

Revision in the amount of \$2,032 to re-budget grant funds received and not spent in FY2007 for the Big Read program. (B08-239) **Funding Source – Grant**

(5) Soil Conservation District

Revision in the amount of \$1,825 to recognize revenue earned from sale of trees (\$670) and rain barrels (\$1,155). (B08-240) **Funding Source – Fees**

(6) Planning and Inspections

- a. Revision in the amount of \$25,000 to appropriate fund balance for additional required demolition projects. (B08-238) **Funding Source – General Fund Fund Balance**
- b. Revision in the amount of \$7,448 to adjust Joint Planning revenue to include the Town of Eastover as a participating municipality as of October 1, 2007. (B08-241) **Funding Source - Other**

(7) Eastover Sanitary District Administration

Revision in the amount of \$45,819 to appropriate fund balance for unanticipated expenditures. (B08-242) **Funding Source – Eastover Sanitary District Fund Balance**

(8) Emergency 911

Revision in the amount of \$20,000 to appropriate fund balance for a radio antennae enhancer for 800 MHz and cellular phones to be located at the Animal Control Facility which is the proposed backup 911 center. (B08-245) **Funding Source – Emergency 911 Fund Balance**

(9) Mental Health

- a. Mental Health Adult Periodic - Revision in the amount of \$3,751 to recognize additional State revenue for the Crisis Intervention Program. (B08-248) **Funding Source – State**

- b. Children's Treatment System Program – Revision in the amount of \$1,700,000 to recognize additional Medicaid reimbursable fees anticipated to receive for services provided for the remainder of the fiscal year. (B08-249) **Funding Source – Medicaid Fees**
- c. Mental Health – Revision in the amount of \$30,600 to appropriate fund balance for additional expenses for the remainder of the fiscal year. (B08-250) **Funding Source – Mental Health Fund Balance**

(10) Sheriff

- a. Jail – Revision in the amount of \$47,560 to recognize anticipated grant funds. (B08-251) **Funding Source - Grant**
- b. Revisions in the amount of \$117,437 to recognize additional revenue anticipated to receive. (B08-252 thru B08-255) **Funding Source – State and Fees**
- c. Revision in the amount of \$28,750 to recognize Juvenile Crime Prevention Grant (\$23,000) and Gang Violence In kind (\$5,750). (B08-256) **Funding Source - Grant**

3. Public Hearings

Uncontested Cases

Rezoning

- A. Case P08-03. The rezoning of 0.23 +/- acres from R10 Residential to C(P) Planned Commercial, or to a more restrictive zoning district, located at 3080 Legion Road, owned by James E. and Peggy L. Emanuel.
- B. Case P08-07. The rezoning of 3.55 +/- acres from R15 Residential/CU Conditional Use, equestrian facilities and horse equipment sales, to R15 Residential, or to a more restrictive zoning district, located on the east side of Judson Church Road, south of Bullard Court, owned by Wayne T. Younts.
- C. Case P08-09. The rezoning of 86.87 +/- acres from M(P) Planned Industrial to RR Rural Residential, or to a more restrictive zoning district, located on the northwest side of Tracy Hall Road, east of NC Hwy 87 South and Wilmington Hwy, owned by G.T. Moore Investments, LLC.

Contested Cases

- D. ***Case P08-06. **DEFERRED FROM FEBRUARY 19, 2008 BOARD OF COMMISSONERS MEETING**** 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.

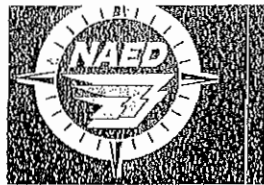
Conditional Use Permit Cases

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

Items of Business

4. Consideration of Proposed Schedule for Fiscal Year 2009 Budget Work Sessions and Budget Public Hearing.
5. Nominations to Boards and Committees
 - A. Adult Care Home Community Advisory Committee (4 Vacancies)
 - B. Cumberland County Home and Community Care Block Grant Committee (2 Vacancies)
 - C. Cumberland County Juvenile Crime Prevention Council (1 Vacancy)
 - D. Minimum Housing Appeals Board Vacancy (1 Vacancy)
 - E. Tourism Development Authority (2 Vacancies)
 - F. Workforce Development Board (1 Vacancy)
 - G. Wrecker Review Board (1 Vacancy)
6. Appointments to Boards and Committees
 - A. Appointment of Chairman for the Tourism Development Authority (TDA).

Nominee: Vivek Tandon, Chairman



EXECUTIVE BOARD

Keith Griffiths, Chair

President
Alec Gay

Vice President
Carl C. Van Cott

Executive Director
Colin Frailag

Accreditation Board Chair
John Dala

Alliance Board Chair
Stephen L'Houreaux

Certification Board Chair
All Clowson, MD

Curriculum Council Chairs
Richard A. Maguire, Council &

Medical/EMD Committee
John Marston, Fire/EPO Committee

and Young, Police/EPO Committee

Research Council Chair
Neil A. Patterson

Standards Council Chairs
Martin Lucare, Council &

Medical/EMD Committee
Gary Galasso, Fire/EPO Committee

and Lake, Police/EPO Committee

COLLEGE OF FELLOWS
Steven M. Carlo, Chair

Australia/South America
Mark Archer, MD (Australia)

Andrew K. Bacon, MD (Australia)

Richard Baskin, MD (Australia)

Don Locke (New Zealand)

John May, MD (Argentina)

Star Plett (Australia)

Canada
Dana B. Berman, MD (Canada)

Leslie Cline, MD (Canada)

Paula Dumas, MD (Canada)

John Frith, MD (Canada)

John Gay (Canada)

John Lucare, RN (Canada)

John Mark (Australia)

France
John B. Berman, MD (France)

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FOR IMMEDIATE RELEASE: February 22, 2008

See www.emergencydispatch.org for information about the International Academies, or call us at: 800-960-6236 or 801-359-6916.

CONTACT: Carlynn Page, Associate Director

Cumberland County Emergency Communications Awarded Re-Accreditation as an Emergency Medical Dispatch Center of Excellence

SALT LAKE CITY, UT – The International Academies of Emergency Dispatch (IAED) is pleased to formally award Re-Accreditation as an Emergency Medical Dispatch Center of Excellence to **Cumberland County Emergency Communications** – Cumberland County Emergency Communications was the 21st center in the world to be awarded this highest distinction for their comprehensive implementation and compliance with the Medical Priority Dispatch System (MPDS) and associated "20 Points of Excellence."

The MPDS is the world's most widely-used 911-type pre-arrival instruction and dispatch-life-support protocol system. With scripted telephone instructions for CPR, airway obstruction relief, hemorrhage control, and childbirth assistance, the MPDS has been credited with helping save thousands of lives. In addition to requiring proper system oversight, medical control and quality improvement programs, Re-Accreditation demands careful MPDS compliance and certification for all emergency call-takers and medical dispatchers.

Earning this Re-Accreditation award is voluntary and involves completing a detailed self-study and analysis. This accomplishment demonstrates to not only each individual within the communications center, but also to the administration, community, and the world, that Cumberland County Emergency Communications is compliant with all international practice standards for Emergency Medical Dispatch (EMD).

With headquarters based in Salt Lake City, Utah, the International Academies of Emergency Dispatch is a 501(c)(3) non-profit organization comprised of three allied Academies with related programs and standards for emergency Medical, Fire, and Police dispatching. The IAED regularly reviews and updates the Medical Priority Dispatch System (MPDS) protocols for EMD and also maintains protocols and certification standards for Fire and Police Dispatch based on the time-proven MPDS logic structure. The NAED is the public-safety dispatch industry's leading certifying and standard-setting body, with over 30,000 members in 20 countries.

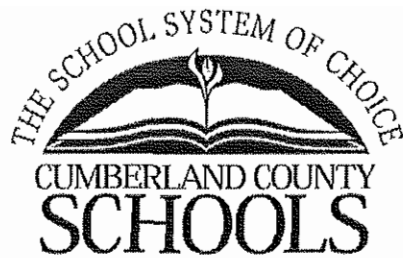
WORLD HEADQUARTERS:
39 East South Temple, Suite 200
Salt Lake City, Utah 84111 USA
SA toll-free (800) 960-6236
UT/Local: (801) 359-6916
TX: (801) 359-0996
www.emergencydispatch.org

International Office:
5 Waverley Road
Hazelton, Victoria 3148
Australia

UK/Europe Office:
54 Oxford Road
Wigan
L25 0QZ, United Kingdom



SETTING THE COURSE FOR EMERGENCY DISPATCH WORLDWIDE



NEWS RELEASE NEWS RELEASE

P.O. Box 2357

Fayetteville, NC 28302

Contact: Renarta Clanton Moyd, Communications Specialist 910.678.2307

E-mail: renartac@ccs.k12.nc.us

For Immediate Release:

February 21, 2008

Local Superintendent Receives Educational Leadership Award

Fayetteville – The Cumberland County Schools (CCS) is proud to announce that Bill Harrison, the superintendent of the CCS, was recently announced as the 2008 Educational Excellence In Leadership Award recipient. The announcement was made in Tampa, FL, during the winter conference of the Education Research & Development Institute (ERDI).

The award recognizes an outstanding superintendent who has demonstrated exceptional leadership skills that have helped shape a school system that touches the lives of children in classrooms each day.

Dr. Mike Kneale, the founder of ERDI, presented Harrison with an engraved crystal, accompanied by a \$5,000 check from The Great Books Foundation, who is this year's award sponsor. The \$5,000 gift is to be used in whatever way Harrison determines appropriate.

When Dr. Kneale created the award in 2001, he said that the recipient "must be focused upon the most positive outcomes for *all* children and must do everything within his/her power to ensure that all members of their educational community know that goal is the number one priority."

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ITEM NO. 1A

COUNTY of CUMBERLAND

James E. Martin
County Manager

Juanita Pilgrim
Deputy County Manager


Office of the County Manager

Cliff Spiller
Assistant County Manager

Amy H. Cannon
Assistant County Manager

MEMORANDUM FOR BOARD OF COMMISSIONERS AGENDA OF MARCH 17, 2008

TO: BOARD OF COUNTY COMMISSIONERS

FROM: JAMES E. MARTIN, COUNTY MANAGER 

DATE: MARCH 7, 2008

SUBJECT: LOCAL BRAC PROJECT COMMITTEE PRESENTATION BY
JIM KONNEKER, CHAIRMAN AND TODD SMITH

Mr. Jim Konneker, Chairman and Mr. Todd Smith will be making a presentation of the Local BRAC Project Committee to the Board of Commissioners on Monday, March 17, 2008.

/ct
CM030708-3



ITEM NO. 1B

COUNTY of CUMBERLAND

James E. Martin
County Manager

Cliff Spiller
Assistant County Manager

Juanita Pilgrim
Deputy County Manager

Office of the County Manager

Amy H. Cannon
Assistant County Manager

MEMORANDUM FOR BOARD OF COMMISSIONERS AGENDA OF MARCH 17, 2008

TO: BOARD OF COUNTY COMMISSIONERS

FROM: JAMES E. MARTIN, COUNTY MANAGER

DATE: MARCH 7, 2008

SUBJECT: PRESENTATION OF REPORT FROM THE SAFE WATER TASK FORCE

A presentation will be provided at the Board of Commissioners Meeting on March 17, 2008 from the Safe Water Task Force. Minutes of the two Safe Water Task Force meetings held on February 26 and March 10, 2008 will be disseminated as soon as they are finalized and approved.

/ct
CM031208-1



ITEM NO. 23

COUNTY of CUMBERLAND

James E. Martin
County Manager

Cliff Spiller
Assistant County Manager

Juanita Pilgrim
Deputy County Manager

Amy H. Cannon
Assistant County Manager

Office of the County Manager

MEMORANDUM FOR BOARD OF COMMISSIONERS AGENDA OF MARCH 17, 2008

TO: BOARD OF COUNTY COMMISSIONERS

FROM: JAMES E. MARTIN, COUNTY MANAGER

DATE: FEBRUARY 26, 2008

**SUBJECT: APPROVAL OF PURCHASE BY SOLID WASTE DEPARTMENT OF
USED CAT 2004 MODEL 938G RUBBER TIRE LOADER**

BACKGROUND

Robert Howard, Solid Waste Director has requested that the Board of Commissioners ratify approval of purchase for the Solid Waste Department of a used CAT 2004 Model 938G Rubber Tire Loader (Serial No. RTB00685) with approximately 1786 hours of service time. Gregory Poole offered to sell this used machine for \$130,000; the cost of a new machine is \$175,398. Our research indicates that other used Loaders with close to the same amount of service hours would sell for approximately \$170,000.

The machine offered by Gregory Poole has a cab/air enclosed, quick coupler – hydraulic 3.65 cyd bucket (quick coupler), 84" forks (quick coupler) and 24 month/3000 hr powertrain & hydraulics warranty with a \$200 deductible per claim (see attached quote).

Because time was of the essence in accepting Gregory Poole's offer to sell the above used CAT Loader, management authorized its purchase even though the purchase price was just in the range that requires Board of Commissioners' approval. Therefore, management is now requesting that the Board of Commissioners' ratify and approve purchase of the used CAT Loader from Gregory Poole.

The Solid Waste Department budgeted \$127,500 to purchase this equipment and would need additional funds re-allocated from within its current budget to purchase this Loader.

RECOMMENDATION/PROPOSED ACTION

Management recommends that the Board of Commissioners ratify approval of purchase by Solid Waste of the used CAT 2004 Model 938G Rubber Tire Loader from Gregory Poole and of re-allocation of funds from within its current budget.

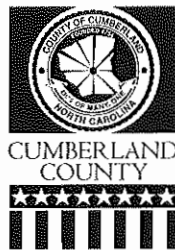
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CM030708-2

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

March 6, 2008

ITEM NO. 2C

March 17, 2008 Agenda Item

TO: Board of Commissioners

FROM: Marie Colgan, Deputy Clerk *MC*

SUBJECT: Consideration of Cumberland County Policy Committee Report and
Recommendations – Change in County Flag for Cumberland County

BACKGROUND

The Policy Committee met on Thursday, March 06, 2008 to re-consider their recommendation made at their January 3, 2008 meeting regarding the change in 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.

The Committee agreed to request the same recommendation as submitted at the February 19, 2008 Board of Commissioners meeting.

PROPOSED ACTION: Accept and approve the Policy Committee report and recommendation of changing the County Flag as depicted in Flag 1.

Attachment A: Minutes

Attachment B: Flag

Celebrating Our Past...Embracing Our Future

CUMBERLAND COUNTY POLICY COMMITTEE
March 6, 2008 – 9:30 AM
REGULAR MEETING

PRESENT: Commissioner Jeannette Council
Commissioner Kenneth Edge
Commissioner Ed Melvin
James Martin, County Manager
Sara VanderClute, Public Information Officer
Grainger Barrett, County Attorney
Angie Cunningham, Print Shop Supervisor
Marsha Fogle, Clerk
Marie Colgan, Deputy Clerk

Commissioner Council called the meeting to order at 9:30 AM

1. Approval of Minutes: January 3, 2008

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

2. Re-Consideration of Change in County Flag

Committee members revisited the different choices for the new County flag. The members agreed on flag #2 as presented in the packet.

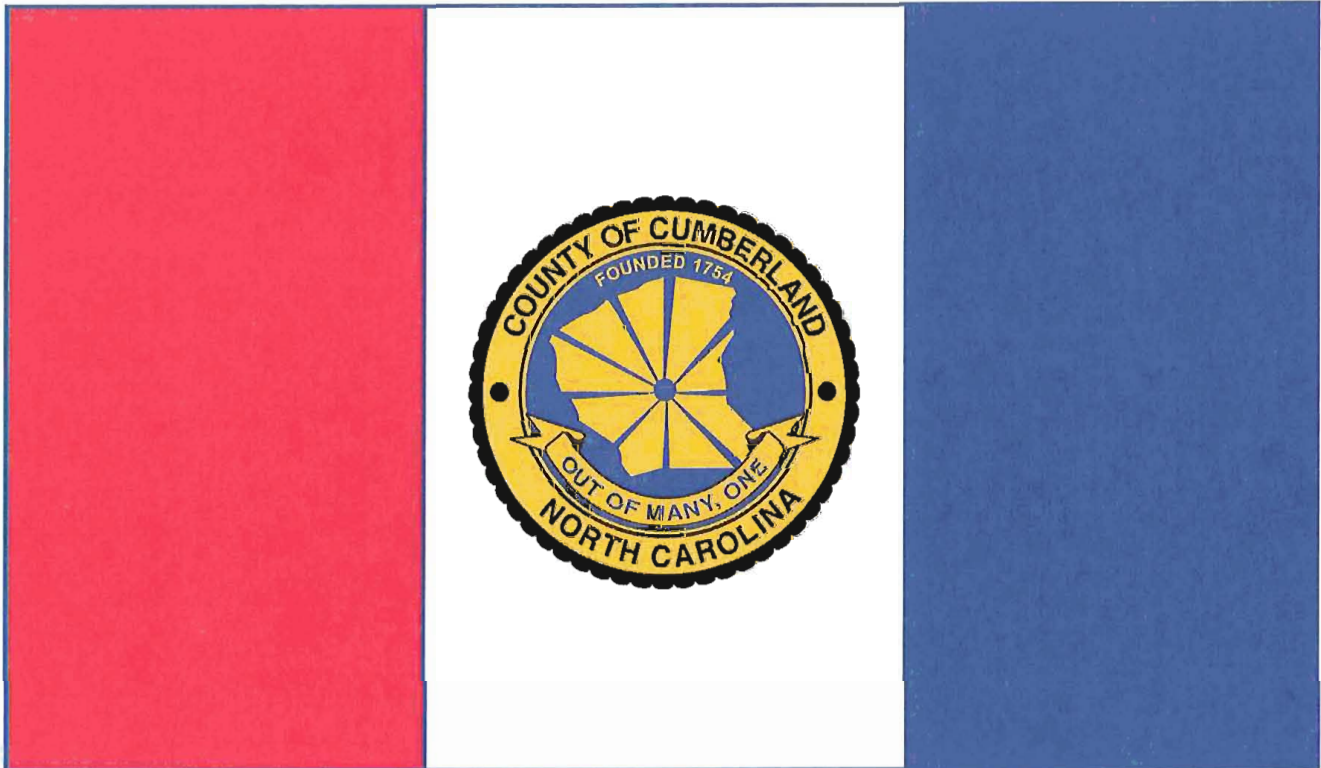
The consensus of the committee was to take this item back to the full Board with the same action as requested on the February 19, 2008 agenda.

3. Other Matters of Concern

Commissioner Edge brought up the matter of the County's meal reimbursement rates under the County's travel reimbursement policy. He noted that in larger urban areas and out-of-state the current rates may not be adequately up-to-date. County Manager Martin was requested to review the rates and make any recommended changes at the appropriate time. Mrs. VanderClute to research travel policies of other larger counties for Mr. Martin.

Commissioner Council questioned who held affiliate memberships within NACo and requested Mr. Martin look into its Prescription Drug Discount Card which was discussed at the recent NACo Conference. Commissioner Edge questioned whether grants might be available for indigent people with regards to the discount card.

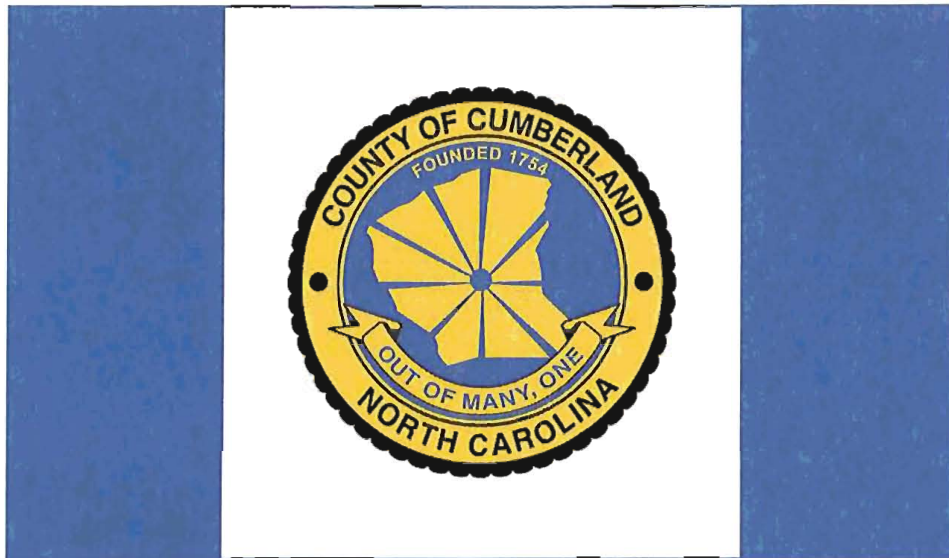
MEETING ADJOURNED



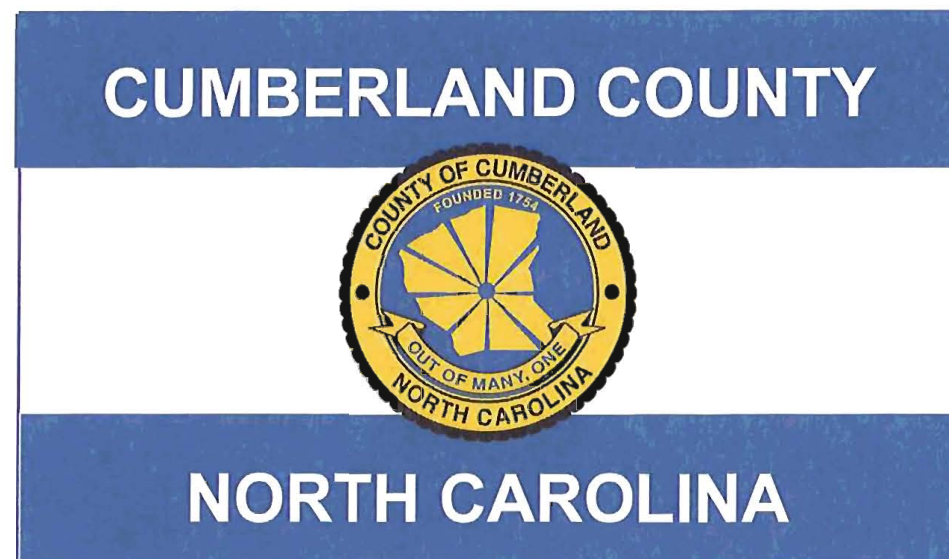
*This is the flag that is recommended
for BOC Approval *



FLAG 2



FLAG 3



FLAG 4



ITEM NO. 2D

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

MEMORANDUM FOR BOARD OF COMMISSIONERS AGENDA - MARCH 17, 2008

TO: BOARD OF COUNTY COMMISSIONERS

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

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

DATE: March 3, 2008

SUBJECT: GRANT AWARD – ROBINS MEADOW TRANSITIONAL HOUSING PROGRAM

Background

Cumberland County has been awarded an \$84,134 Supportive Housing Program (SHP) grant for Robins Meadow Transitional Housing Program. The Community Development Department will be responsible for the day-to-day operation of the program. This program will offer transitional housing and supportive services for homeless families.

In order to appropriately record the receipt of these grant funds, it is necessary for the Board of Commissioners to approve the acceptance of this new revenue source.

Recommendation and Proposed Action

That the Board of County Commissioners:

1. Approve acceptance of the \$84,134 Supportive Housing Program grant from the Department of Housing and Urban Development for the Robin's The Care Center Transitional Housing Program;
2. Authorize the County Manager to sign the Grant Agreement attached as Exhibit A; and
3. Approve the Budget Amendments attached at Exhibit B.

Cc: Sylvia McLean, CD Accountant I
Project File

Attachments

Budget Revision
Grant Agreement

Celebrating Our Past...Embracing Our Future

2007 SUPPORTIVE HOUSING PROGRAM RENEWAL GRANT AGREEMENT

This Grant Agreement is made by and between the U.S. Department of Housing and Urban Development (HUD) and **Cumberland County - P O Box 1829- Fayetteville, NC 28302**(the Recipient), whose tax identification number is **566000291** for project number **711003**/project identifier number **NC 42131** to be located at **Cumberland County, North Carolina**.

The assistance, which is the subject of this Grant Agreement, is authorized by McKinney-Vento Homeless Assistance Act 42 U.S.C. 11381 (hereafter "the Act"). The term "grant" or "grant funds" means the assistance provided under this Agreement. This Grant Agreement will be governed by the Act, the Supportive Housing Rule codified at 24 CFR 583, which is attached hereto and made a part hereof as Attachment A, and the Notice of Fund Availability (NOFA), published in two parts. The first part was the General Section of the NOFA, which was published on January 18, 2007, at 72 FR 2396. The second part was the Continuum of Care Homeless Assistance Programs NOFA Section of the NOFA, which was published March 13, 2007, at 72 FR 11742. The term "application" means the original and renewal application submissions on the basis of which a grant was approved by HUD, including the certifications and assurances, and any information or documentation required to meet any grant award conditions. The application is incorporated herein as part of this Agreement; however, in the event of a conflict between the provisions of those documents and any provision contained herein, this Renewal Grant Agreement shall control. The Secretary agrees, subject to the terms of the Grant Agreement, to provide the grant funds in the amount specified below for the approved project described in the application.

Although this Agreement will become effective only upon the execution hereof by both parties, upon execution, the term of this Agreement shall run from the end of the Recipient's final operating year under the original Grant Agreement, or if the original Grant Agreement was amended to extend its term, the term of this agreement shall run from the end of the extension of the original Grant Agreement term for a period of one year. Eligible costs, as defined by the Act and Attachment A, incurred between the end of Recipient's final operating year under the original Grant Agreement and the execution of this Renewal Grant Agreement may be paid with funds from the first operating year of this renewal grant.

HUD's total fund obligation for this project is **\$84,134**, allocated as follows:

Grant for operating.....	\$	47,384
Grant for supportive services		36,750
Grant for leasing.....		0
HMIS.....		0
Grant for administration.....		0

The Recipient must provide a 25% cash match for supportive services.

The Recipient agrees to comply with all requirements of this Grant Agreement and to accept responsibility for such compliance by any entities to which it makes grant funds available.

The Recipient agrees to participate in a local Homeless Management Information System (HMIS) when implemented.

The Recipient and project sponsor, if any, will not knowingly allow illegal activities in any unit assisted with grant funds.

HUD notifications to the Recipient shall be to the address of the Recipient as written above, unless HUD is otherwise advised in writing. Recipient notifications to HUD shall be to the HUD Field Office executing the Grant Agreement. No right, benefit or advantage of the Recipient hereunder be assigned without prior written approval of HUD.

For any project funded by this grant that is also financed through the use of the Low Income Housing Tax Credit, the following applies:

HUD recognizes that the Recipient or the project sponsor will or has financed this project through the use of Low Income Housing Tax Credit. The Recipient or project sponsor shall be the general partner of a limited partnership formed for that purpose. If grant funds were used for acquisition, rehabilitation or construction, then, throughout a period of 20 years from the date of initial occupancy or the initial service provision, the Recipient or project sponsor shall continue as general partner and shall ensure that the project is operated in accordance with the requirements of this Grant Agreement, the applicable regulations and statutes. Further, the said limited partnership shall own the project site throughout that 20-year period. If grant funds were not used for acquisition, rehabilitation or new construction, then the period shall not be 20 years but shall be for the term of the Grant Agreement and any renewal thereof. Failure to comply with the terms of this paragraph shall constitute a default under the Grant Agreement.

A default shall consist of any use of grant funds for a purpose other than as authorized by this Grant Agreement, failure in the Recipient's duty to provide the supportive housing for the minimum term in accordance with the requirements of Attachment A, noncompliance with the Act or Attachment A provisions, any other material breach of the Grant Agreement or misrepresentations in the application submissions which, if known by HUD, would have resulted in this grant not being provided. Upon due notice to the Recipient of the occurrence of any such default and the provision of a reasonable opportunity to respond, HUD may take one or more of the following actions:

- a) direct the Recipient to submit progress schedules for completing approved activities; or
- b) issue a letter of warning advising the Recipient of the default, establishing a date by which corrective actions must be completed and putting the Recipient on notice that more serious actions will be taken if the default is not corrected or is repeated; or
- c) direct the Recipient to establish and maintain a management plan that assigns responsibilities for carrying out remedial actions; or
- d) direct the Recipient to suspend, discontinue or not incur costs for the affected activity; or
- e) reduce or recapture the grant; or
- f) direct the Recipient to reimburse the program accounts for costs inappropriately charged to the program; or
- g) continue the grant with a substitute Recipient of HUD's choosing; or
- h) other appropriate action including, but not limited to, any remedial action legally available, such as affirmative litigation seeking declaratory judgment, specific performance, damages, temporary or permanent injunctions, and any other available remedies.

No delay or omission by HUD in exercising any right or remedy available to it under this Grant Agreement shall impair any such right or remedy or constitute a waiver or acquiescence in any Recipient default.

For each operating year in which funding is received, the Recipient shall file annual certifications with HUD that the supportive housing has been provided in accordance with the requirements of the Grant Agreement.

This Grant Agreement constitutes the entire agreement between the parties hereto, and may be amended only in writing executed by HUD and the Recipient. More specifically, the Recipient shall not change recipients, location, services or population to be served nor shift more than 10% of funds from one approved type of activity to another, or make any other significant change, without the prior written approval of HUD.

This Grant Agreement is hereby executed as follows:

UNITED STATES OF AMERICA

Secretary of Housing and Urban Development

BY: 

Signature

Gary A. Dimmick - Director
Office of Community Planning & Development

Name/Title

02/22/2008

Date

RECIPIENT

CUMBERLAND COUNTY, NC

Name of Organization

Authorized Signature

JAMES E. MARTIN, COUNTY MANAGER

Typed Name/Title of Signatory

Date

THANENA S. WILSON, CD DIRECTOR
(910) 323-6112 / (910) 323-6114

Official Contact/Telephone #/Fax

**COUNTY OF CUMBERLAND
BUDGET REVISION REQUEST**

Budget Office Use	
Budget Revision No.	<u>1308-244</u>
Date Received	<u>3/4/08</u>
Date Completed	

Fund No. 448 Agency No. 450 Organ. No. 4589
 Organization Name: Community Development - SHP Grant

REVENUE

Revenue Source Code	Description	Current Budget	Increase (Decrease)	Revised Budget
4535	Supportive Housing Grants	84,134	84,134	168,268
9110	Transfer from Fund 101	28,046	28,046	56,092
Total		112,180	112,180	224,360

EXPENDITURES

Object Code	Appr Unit	Description	Current Budget	Increase (Decrease)	Revised Budget
344 Y	781	Robins Meadow	82,616	112,180	194,796
Total			82,616	112,180	194,796

Justification:

To appropriate Supportive Housing Grant award for Robins Meadow Transitional Housing Program which offers transitional housing and supportive services for homeless families.

Funding Source:

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

Fund Balance:

Submitted By: Marlene S. Zelnick Date: 3/4/08
3/4/2008
 Reviewed By: [Signature] Date: 3/4/08
 Reviewed By: Amy J. Cannon Date: 3/11/08
 Deputy/Assistant County Mgr
 Reviewed By: _____ Date: _____
 Information Services

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

**COUNTY OF CUMBERLAND
BUDGET REVISION REQUEST**

Budget Office Use	
Budget Revision No.	B08-244A
Date Received	3/4/2008
Date Completed	

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

REVENUE

Revenue Source Code	Description	Current Budget	Increase (Decrease)	Revised Budget
9901	Fund Balance Appropriated		28,046	
Total			28,046	

EXPENDITURES

Object Code	Appr Unit	Description	Current Budget	Increase (Decrease)	Revised Budget
389K	091	Transfer to Fund 448	28,046	28,046	56,092
Total			28,046	28,046	56,092

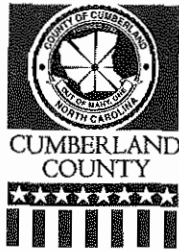
Justification:

Budget the required match for the Supportive Housing Grant award for the Robins Meadow Transitional Housing Program.

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

Submitted By: _____ Date: _____
 Reviewed By: [Signature] Department Head Date: 3/4/08
 Reviewed By: [Signature] Finance Date: 3/11/08
 Deputy/Assistant County Mgr

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



ITEM NO. 2E

OFFICE OF THE RISK MANAGER

P.O. Box 1829 • Fayetteville, North Carolina 28302-1829
(910) 223-3327 / (910) 323-6107 • Fax: (910) 323-6106

March 7, 2008

MEMORANDUM

TO: BOARD OF COUNTY COMMISSIONERS

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

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

BACKGROUND

DATE OF ACCIDENT	December 22, 2007
VEHICLE	2006 Ford Crown Victoria
VIN	2FAHP71WX6X143676
FLEET #	FL227
MILEAGE	57,578
DEPARTMENT	Sheriff's Office
SETTLEMENT OFFER	\$9,196.70
INSURANCE COMPANY	USAA

This is a total loss settlement offers.

RECOMMENDATION/PROPOSED ACTION

Management recommends that the Board of Commissioners:

1. declare the vehicle described above as surplus
2. authorize the Risk Manager to accept \$9,196.70 as settlement
3. allow USAA Insurance to take possession of the wrecked (surplus) vehicle.

Celebrating Our Past...Embracing Our Future



UNITED SERVICES AUTOMOBILE ASSOCIATION

131 DICK STREET
FAYETTEVILLE NC 28311

March 7, 2008

Policyholder: Dominica L. Rice
Reference Number: 4241075-7107-20-9003
Date Of Loss: December 21, 2007
Loss Location: Fayetteville, North Carolina
Vehicle: 06 FORD CWN VIC P/I

Dear Chico:

This letter is concerning damage to the above vehicle. Upon inspection, your vehicle was deemed a total loss. We have included a check and a breakdown of the settlement figures as agreed upon:

ACV	\$ 8,890.00
SALES TAX	266.70
SALES TAX RATE	3.0000 %
TITLE FEE	40.00
NET TOTAL	\$ 9,196.70

If you have any questions regarding this matter, please contact me.

Sincerely,

A handwritten signature in black ink that reads "Henry W. Salazar".

Henry W Salazar
Claims Representative
Claims-Total Loss/Salvage
USAA TOTAL LOSS
9800 FREDERICKSBURG RD
SAN ANTONIO TX 78288
Phone: 1-800-531-8222
Fax Phone: 800-531-8669



ITEM NO. 2F

COUNTY of CUMBERLAND

James E. Martin
County Manager

Cliff Spiller
Assistant County Manager

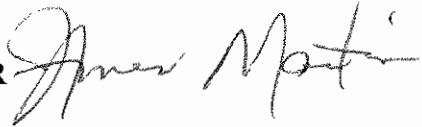
Juanita Pilgrim
Deputy County Manager

Office of the County Manager

Amy H. Cannon
Assistant County Manager

MEMORANDUM FOR BOARD OF COMMISSIONERS AGENDA OF MARCH 17, 2008

TO: BOARD OF COUNTY COMMISSIONERS

FROM: JAMES E. MARTIN, COUNTY MANAGER 

DATE: MARCH 11, 2008

SUBJECT: APPROVAL OF REVISIONS TO THE MEMORANDUM OF UNDERSTANDING FOR COOPERATIVE, COMPREHENSIVE AND CONTINUING TRANSPORTATION PLANNING AND THE ESTABLISHMENT OF A RURAL TRANSPORTATION PLANNING ORGANIZATION

BACKGROUND

Under the direction of the North Carolina Department of Transportation, the Mid-Carolina Rural Planning Organization has amended the existing Memorandum of Understanding established with each of the four counties involved. The new MOU has been amended to include a more definitive definition of a quorum, as well as new language regarding RTCC and RTAC meeting attendance. All of the changes included in the MOU are highlighted in the attached material. The RTCC and TRAC approved the changes at their January meetings.

RECOMMENDATION / PROPOSED ACTION

Management recommends approval of the revisions to the Memorandum of Understanding as requested.

/ct

CM031108-2

**AMENDED
MEMORANDUM OF UNDERSTANDING FOR
COOPERATIVE, COMPREHENSIVE AND CONTINUING
TRANSPORTATION PLANNING
AND THE ESTABLISHMENT OF
A RURAL TRANSPORTATION PLANNING ORGANIZATION
FOR**

The Counties of Bladen, Cumberland, Harnett, and Sampson, comprising the Region M Planning Area, and the Municipalities contained therein, excluding Fayetteville, Hope Mills and Spring Lake, and the North Carolina Department of Transportation.

WITNESSETH

Whereas, on April 17, 2002, the Parties entered into a Memorandum of Understanding which created the Mid-Carolina Rural Planning Organization, hereinafter 'RPO'; and

Whereas, the RPO provides rural areas the opportunity to work in partnership with NCDOT toward the development of sound, short and long-range transportation planning for the rural areas of our region; and

Whereas, the Parties have agreed to amend the original Memorandum of Understanding.

Now, Therefore, the following Amended Memorandum of Understanding is made on this the 22nd day of January, 2008.

Section 1. It is hereby agreed, that the Counties of Bladen, Cumberland, Harnett, and Sampson, and the municipalities within said counties, excluding the Fayetteville Area MPO, and the North Carolina Department of Transportation intend to establish and participate in a Rural Transportation Planning Organization created for the general purposes and responsibilities outlined in the following:

1. Develop long range local and regional multimodal transportation plans in cooperation with the North Carolina Department of Transportation.
2. Provide a forum for public participation in the transportation planning process.
3. Develop and prioritize suggestions for transportation projects the Rural Transportation Planning Organization believes should be included in the State's Transportation Improvement Program.
4. To conduct transportation-related studies and surveys and to provide transportation-related information to local governments and other interested organizations and persons.
5. Undertake mutually agreed upon transportation-related tasks to enhance transportation system development, coordination and efficiency.

Section 2. It is hereby further agreed that transportation plans and programs and land use policies and programs for the Rural Transportation Planning Organization will be coordinated by the Region M Council of Governments, an agency selected on behalf of participating local governments and the North Carolina Department of Transportation to be the administrative entity and serve as the lead planning agency for coordinating transportation planning in the four county Planning Area.

Section 3. Establishment of Rural Transportation Advisory Committee (RTAC). A Rural Transportation Advisory Committee (RTAC) is hereby established with the responsibility for serving as a forum for cooperative transportation planning decision making for the Rural Transportation Planning Organization (RPO). The Rural Transportation Advisory Committee (RTAC) shall have the responsibility for keeping the policy boards informed of the status and requirements of the transportation planning process; assist in the dissemination and clarification of the decisions, inclinations, and policies of the policy boards; and helping to ensure meaningful public participation in the transportation planning process.

1. The Rural Transportation Advisory Committee will be responsible for carrying out the following:

- A. Establishment of goals and objectives for the transportation planning process.
- B. Endorsement, review and approval of changes to adopted Transportation Plans for the Rural Transportation Planning Organization.
- C. Endorsement, review and approval of a Prospectus for Transportation Planning which defines work tasks and responsibilities for the various agencies participating in the Rural Transportation Planning Organization.
- D. Endorsement, review and approval of Transportation Improvement Projects which support and enhance rural transportation within the Rural Transportation Planning Organization.

2. The membership of the Rural Transportation Advisory Committee shall consist of the following:

- A. One County Commissioner representing each County. One municipal elected official representing the municipal interest in each County.
- B. One member of the Region M Council of Governments Executive Board.
- C. A member of the North Carolina Board of Transportation representing the Department of Transportation.

3. The County Commissioner representing each county shall be elected by the Board of County Commissioners of each county in regular session. The elected municipal representative shall be selected by balloting of municipal elected officials in each county (one vote for each town) every two years. A simple majority vote wins the seat. The term of office for all seats on the RTAC is two years. Re-appointment is possible.

4. The Rural Transportation Advisory Committee (RTAC) will meet as often as it is deemed appropriate and advisable. A quorum shall be required for the transaction of all business. A quorum shall consist of fifty-one percent (51%) of the active membership of the TAC. TAC members who fail to attend or send an alternate in their place for two (2) consecutive meeting of the TAC shall have their seat declared vacant, and their absence shall not count for quorum. Attendance at a future meeting shall automatically reinstate

the member's seat on the Committee. On the basis of majority vote of its membership, the Rural Transportation Advisory Committee shall appoint a member of the committee to act as chairperson with the responsibility for coordination of the committee's activities. A member of the staff of the Region M Council of Governments will serve as secretary to the committee.

Section 4. Establishment of Rural Transportation Coordinating Committee (RTCC). A Transportation Coordinating Committee shall be established with the responsibility of general review, guidance and coordination of the transportation planning process for the Rural Transportation Planning Organization (RPO) and the responsibility for making recommendations to the Rural Transportation Advisory Committee regarding any necessary actions relating to the continuing transportation planning process.

1. The RTCC shall be responsible for development, review and recommendation for approval of the Transportation Planning Prospectus for the RPO, the Transportation Improvement Plan, and revisions to the Transportation Plan for the RPO.
2. Membership of the Transportation Coordinating Committee shall include technical representatives from all local and state governmental agencies directly related to and concerned with the transportation planning process for the RPO Planning Area. Initially, the membership shall include, but may not be limited to, the following:
 - A. County Manager and County Planner (if designated) from each of the four counties of the RPO Planning Area.
 - B. The Chief Administrative Official or Planner (as designated) from each municipality of 1000 population or more in the RPO Planning Area.
 - C. Executive Director and Transportation Planner, Region M Council of Governments.
 - D. Division Engineer, 3rd Division of Highways, North Carolina Department of Transportation or designated representative.

- E. Division Engineer, 6th Division of Highways, North Carolina Department of Transportation or designated representative.
- F. Manager, Statewide Planning Branch, Planning and Environment, North Carolina Department of Transportation, or designated representative.
- G. Area Traffic Engineer, Division of Highways, Traffic Engineering Branch, North Carolina Department of Transportation.

3. The Transportation Coordinating Committee shall meet when it is deemed appropriate and advisable. A quorum shall be required for the transaction of all business. A quorum shall consist of fifty-one percent (51%) of the active membership of the TCC. TCC members who fail to attend or send an alternate in their place for two (2) consecutive meeting of the TCC shall have their seat declared vacant, and their absence shall not be counted for quorum. Attendance at a future meeting shall automatically reinstate the member's seat on the Committee. On the basis of majority vote of its membership, the Transportation Coordinating Committee shall appoint a member of the committee to act as Chairperson with the responsibility for coordinating the committee's activities. Membership of the Transportation Coordinating Committee may be revised upon the approval of the Rural Transportation Advisory Committee of the RPO.

Section 5. It is further agreed that the participating agencies will assist in the transportation planning process by providing planning assistance, data and inventories in accordance with the approved Prospectus of the RPO.

Section 6. Parties to this Memorandum of Understanding may terminate their participation in the continuing transportation planning process by giving 90 days written notice to the other parties prior to the date of termination.

Section 7. This amended Memorandum of Understanding supersedes and replaces any prior Memorandum of Understanding between the Parties regarding the RPO.

Section 8. Municipalities desiring to join the RPO following the signing of this Memorandum of Understanding must do so no later than 90 days after the date given below in Section 10 by submitting a fully executed Municipal Statement of Adoption. Any municipality desiring to join

the RPO after the initial 90-day period must notify the lead planning agency and the other members of the RPO in writing of its intent to join, and provide each with a copy of a fully-executed Municipal Statement of Adoption. New memberships will become effective July 1st of each year.

Section 9. In witness whereof, the parties of this Memorandum of Understanding have been authorized by appropriate and proper resolutions, and/or legislative authority to sign this Memorandum of Understanding, this the 22nd, day of January, 2008.

Clerk

Bladen County

By: _____
Chairman

Clerk

Cumberland County

By: _____
Chairman

Clerk

Harnett County

By: _____
Chairman

Clerk

Sampson County

By: _____
Chairman

Clerk

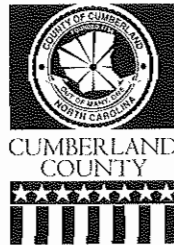
North Carolina Department of Transportation

By: _____
Secretary

Clerk

Region M Council of Governments

By: _____
Chairman



ITEM NO. 26

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

March 7, 2008

MEMORANDUM FOR BOARD OF COMMISSIONERS' MARCH 17, 2008 AGENDA

TO: BOARD OF COUNTY COMMISSIONERS

FROM: HARVEY W. RAYNOR III, DEPUTY COUNTY ATTORNEY *HWR III*

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

SUBJECT: APPROVAL OF INTERLOCAL AGREEMENT BETWEEN THE COUNTY OF CUMBERLAND AND THE TOWN OF EASTOVER RE: CUMBERLAND COUNTY COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM AND HOME INVESTMENT PARTNERSHIP PROGRAM

BACKGROUND:

Thanena Wilson, Director of Community Development has approached the Town of Eastover about participating in the County's Community Development programs the Town of Eastover has passed a resolution agreeing to do so and to enter into an interlocal agreement which Ms. Wilson has prepared for the Town and County's consideration. This agreement will assure the Town's exclusive participation in the County's community development programs and the county's administration of those programs.

This agreement has been reviewed by the County Attorney's office.

RECOMMENDATION / PROPOSED ACTION

Approve the attached interlocal agreement authorizing the Cumberland County Community Development Department to administer the CDBG and HOME INVESTMENT PARTNERSHIP programs within the Town of Eastover, and authorize the Chairman and Clerk to sign and execute the agreement on behalf of the County.

Celebrating Our Past... Embracing Our Future

**CUMBERLAND COUNTY COMMUNITY DEVELOPMENT BLOCK
GRANT PROGRAM
AND HOME INVESTMENT PARTNERSHIP PROGRAM
COOPERATION AGREEMENT**

STATE OF NORTH CAROLINA

COUNTY OF CUMBERLAND

This cooperation agreement made the 4th day of March, 2008, by the **COUNTY OF CUMBERLAND**, a body politic and corporate of the State of North Carolina (hereinafter referred to as the "County") and the **TOWN OF EASTOVER**, a municipal corporation of the State of North Carolina (hereinafter referred to as the "Town").

WHEREAS, the United States Department of Housing and Urban Development (hereinafter referred to as "HUD") has determined that the County is eligible, as an "Urban County," to receive Entitlement Community Development Block Grant (CDBG) funds under Title I of the Housing and Community Development Act of 1974, and HOME Investment Partnership Programs, which are to address certain needs of predominantly low and moderate income persons, with CDBG and HOME funds to be made available through Federal Fiscal Year 2008 appropriation and any program income derived from the expenditures of CDBG funds and HOME funds;

WHEREAS, these funds to be received by the County will be used to improve the quality of housing, public facilities, certain public service capital needs, and to create and/or retain jobs, predominantly for low and moderate income persons; and

WHEREAS, these funds will benefit low and moderate income residents of the County's incorporated municipalities that agree to be included in the Cumberland County CDBG and HOME Programs; and

WHEREAS, Cumberland County invites incorporated, non-entitlement municipalities located in Cumberland County to participate in the County Community Development Block Grant Program and HOME Program once said municipalities dedicate their population county in support of the County formula allocation of funds; and

WHEREAS, the County agrees to carry out the objectives of the Housing and Community Development Act of 1974, as amended, and HOME Investment Partnership Act, throughout the unincorporated areas of the County and within those incorporated municipalities to agree to become a party to this cooperation agreement; and

WHEREAS, the County agrees to submit to the Town for review and comment any plans, involving the use of CDBG and HOME funds for implementation, affecting the Town.

NOW, THEREFORE, THE PARTIES AGREE that the Town elects to participate in the County's Community Development Block Grant (CDBG) and HOME Investment Partnership (HOME) Programs. The Town acknowledges that its binding decision to do so means that, for the period [October 1, 2008 – September 30, 2009 (the one program years plus an additional year for implementation of projects begun during the one year period)], the Town will not be eligible to apply for Small Cities CDBG funds from the North Carolina Department of Economic and Community Development, Division of Community Assistance, nor shall it be eligible to participate in a HOME consortium except through the identified Urban County as referenced in CPD Notice 97-06 Sec V – D2. The Town pledges and commits its willingness to undertake or assist in the undertaking of eligible CDBG and HOME activities funded by the Cumberland County CDBG and HOME Programs. Pursuant to this cooperation agreement, the governing board of the Town hereby grants Cumberland County the authority to undertake and administer Housing and Community Development activities within its municipal limits.

THE PARTIES AGREE that this cooperation agreement will automatically renew the Town's participation in successive three-year qualification periods, unless the County or the Town provides 120 days prior written notice of its election not to participate in a new qualification period. By the date specified in HUD's urban county qualification notice for the next qualification period, the urban county will notify the participating unit of general local government in writing of its right not to participate. Each party shall adopt any amendment to this cooperation agreement necessary to incorporate changes to meet the requirements for cooperation agreements set forth in an Urban County Qualification Notice issued by HUD applicable for a subsequent three-year urban county qualification period, and such amendment will be submitted to HUD as provided in such Urban County Qualification Notice. Failure to comply with this requirement will void any renewal for such qualification period that would otherwise occur hereunder.

THE PARTIES AGREE that the County will administer the CDBG and HOME funds received from HUD. The County agrees to actively request the Town's involvement in the Community Development Block Grant and HOME Investment Partnership Programs and the County agrees to consider the Town's interest in undertaking eligible CDBG and HOME activities. The County shall be responsible for approving projects as eligible for funding, after consultation with the Town's Management. The County will also be responsible to file Consolidated Plan and Annual Action Plans and other reports to HUD. The Town will provide any documentation required by HUD to the County, for projects funded with CDBG and HOME funds in the Town.

THE PARTIES AGREE that the Town and County will cooperate to undertake, or assist in undertaking, community renewal and lower income housing assistance activities within the municipal limits of said Town in order effectively to accomplish the purpose of the Housing and Community Development Act of 1974 (P.L. 93-282), as amended and the HOME Investment Partnership Act of 1990 (P.L. 101-625).

THE PARTIES AGREE that pursuant to the requirements of 24 CFR the Town shall be subject to the same requirements applicable to subrecipients, including the requirement of a written agreement set forth in 24 CFR 570.503.

THE PARTIES AGREE that the Mayor of the Town is hereby authorized to execute any and all documents necessary as a condition for the Town's participation under the terms of the Housing and Community Development Act of 1974, as amended, and HOME Investment Partnership Act of 1990. The parties agree that neither party shall terminate this cooperation agreement during the initial three year qualification period.

THE PARTIES AGREE that the County will take all required actions to comply with the provisions of Section 104 (b) of Title I of the Housing and Community Development Act of 1974, as amended, including Title VI of the Civil Rights Act of 1964, the Fair Housing Act, Section 109 of Title I of the Housing and Community Development Act of 1974, as amended, and other applicable laws.

THE PARTIES AGREE that the County acknowledges that it is prohibited from funding activities in or in support of any cooperating Town that does not affirmatively further fair housing within its own jurisdiction or that impedes the County's actions to comply with its fair housing certification.

THE PARTIES AGREE that if any projects funded with the CDBG funds and HOME funds are undertaken in the Town, the Town will take all actions required to comply with the provisions of Section 104 (b) of Title I of the Housing and Community Development Act of 1974, as amended, including title VI of the Civil Rights Act of 1964, the Fair Housing Act, Section 109 of Title I of the Housing and Community Development Act of 1974, as amended, and other applicable laws.

THE PARTIES AGREE that the Town agrees to affirmatively further fair housing within its jurisdiction and to assist the County in the preparation and implementation of its HUD approved Consolidated Plan during the period covered by this cooperation agreement.

THE PARTIES AGREE that if any program income is generated as a result of expenditures of CDBG and HOME funds under the Cumberland County CDBG Program and HOME Program as defined under this agreement, the provisions of CFR 570-504 (c), as well as the following specific stipulation, shall apply:

- a) The County acknowledges that any such program income must be accounted for by the end of the month in which the program income is generated.
- b) The County acknowledges that it is responsible for monitoring and reporting to HUD the generation of any such program income;
- c) This provision only applies to program income generated under the Cumberland County CDBG and HOME programs during FY 2008.

THE PARTIES AGREE Cumberland County and the Town have adopted and are enforcing:

- a) a policy prohibiting the use of excessive force by law enforcement agencies within their respective jurisdiction against individuals engaged in non-violent civil rights demonstrations; and
- b) a policy of enforcing applicable State and local laws against physically barring entrance to or exit from a facility or location which is the subject of such non-violent civil rights demonstrations within their respective jurisdictions.

Adopted this _____ day of _____, 200_.

FOR THE TOWN OF EASTOVER, N.C.

BY: _____
Charles McLaurin, Mayor
Town of Eastover
Pursuant to a resolution
adopted by said Board on the
4th day of March, 2008.

ATTEST:

Town Clerk

FOR CUMBERLAND COUNTY, N.C.

BY: _____
J. Breeden Blackwell, Chairman
Cumberland County Board of
Commissioners pursuant to a resolution
adopted by said Board on the
4th day of August 1997.

ATTEST:

Clerk to the Board

I hereby certify that the terms and provisions of the agreement are fully authorized under State and local law and that the agreement provides full legal authority for the County to undertake or assist in undertaking essential community development and housing assistance activities, specifically urban renewal and publicly assisted housing.

Harvey W. Raynor III, Deputy
Cumberland County Attorney

3-7-08

Date

**RESOLUTION TO ADOPT A COOPERATION AGREEMENT
TO PARTICIPATE IN THE CUMBERLAND COUNTY
COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM**

WHEREAS, the U.S. Department of Housing and Urban Development has determined that Cumberland County is an eligible "urban county" under the Community Development Block Grant Program, and thereby eligible to receive an annual entitlement of Community Development Block Grant Funds, and HOME Investment Partnership Program Funds,

WHEREAS, Cumberland County extended an invitation to the *Town of Eastover* to join with the County in its Community Development Block Grant Program and HOME Investment Partnership Program for FY 2008; and

WHEREAS, the Board of Commissioners for the *Town of Eastover* elected to participate in the urban county designation on March 4, 2008 subsequently executing the Cooperation Agreement; and

WHEREAS, participation in the successive three-year qualification periods will automatically renew unless the County or the *Town of Eastover* provides written notice of its election not to participate in a new qualification period; and

WHEREAS, Cumberland County offers to extend the Community Development Block Grant Program and HOME Investment Partnership Program to cover the entirety of the *Town of Eastover* ; and

WHEREAS, it is anticipated that the benefits of the Cumberland County Community Development Block Grant Program and HOME Investment Partnership Program will be greater than those that may be derived from the *Town of Eastover* attempting to secure comparable funding independent of this program;

NOW, THEREFORE BE IT RESOLVED, that the *Town of Eastover* hereby elects to participate in the Cumberland County Community Development Block Grant Program and HOME Investment Partnership Program, and to become a party to and enter into a Cooperation Agreement with Cumberland County for October 1, 2008 – September 30, 2009 embodied in this Cooperation Agreement and for such successive qualification periods as may be applicable pursuant to the terms of said Cooperation Agreement.

BE IT FURTHER RESOLVED, that the *Town of Eastover* hereby authorizes the Mayor to execute said Cooperation Agreement with Cumberland County.

BE IT FURTHER RESOLVED that said Cooperation Agreement shall be appended to this resolution and made part of the official minutes of the Board for this date.

_____ made a motion that the above resolution be adopted.
_____ seconded the motion, and upon vote, the motion carries this 4th day of March, 2008.

Charles McLaurin, Mayor

ATTEST:

Town Clerk



ITEM NO. 2H

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
MARCH 17, 2008

TO: BOARD OF COUNTY COMMISSIONERS
THRU: JUANITA PILGRIM, DEPUTY COUNTY MANAGER *Juanita Pilgrim*
FROM: THANENA S. WILSON, COMMUNITY DEVELOPMENT DIRECTOR *AS Wilson*
DATE: MARCH 7, 2008
SUBJECT: REVISIONS TO THE HOMEBUYERS ASSISTANCE PROGRAM POLICY

BACKGROUND

Home ownership enhances personal wealth for low-income families through the appreciation of property value and the gradual accumulation of equity in the home. Our objective is to assist low- to moderate-income individuals and families in achieving this goal. Though the housing industry and economy as a whole has continued to spiral downward, it is still our desire to assist the targeted population we serve in obtaining homes and being in a better financial position to maintain those homes.

Therefore, we are proposing to provide even greater subsidy through our Downpayment Assistance and Gap Financing Programs (DAP & GAP). Qualified applicants would be able to receive up to \$10,000 in downpayment and closing costs assistance and/or up to \$20,000 in gap financing in the form of a deferred loan. Terms would be 0% interest over a 15-year term for DAP and a 30-year term for GAP. Beginning on the 6th anniversary of the loan (or 61st month), the loan would be prorated annually in an equal amount so that by the end of the term, the loan balance would be zero. However, in the event the promissory note is triggered for repayment, Community Development funds will be recaptured at that time. The end result is the creation of long-term affordability, a secure living situation, and financial stability through equity accumulation.

RECOMMENDATION AND PROPOSED ACTION

CCCD recommends approval of the proposed changes to the Homebuyers Assistance Program policy with an effective date of March 1, 2008.

Attachment – Homebuyers Assistance Program Policy (*proposed changes highlighted-page5*)

Celebrating Our Past... Embracing Our Future

CUMBERLAND COUNTY COMMUNITY DEVELOPMENT HOMEBUYERS ASSISTANCE PROGRAM

(03/01/2008)

BENEFITS TO FAMILIES

Affordable home ownership benefits low-income families as well as the community. Home ownership gives families a measure of security and control over their living situation that one doesn't have as a renter. Home ownership enhances personal wealth for low-income families through the appreciation of property value and the gradual accumulation of equity in the home. Also, mortgage interest can result in significant tax write offs, thereby increasing the percentage of income that can be retained by a low-income family.

Homeowners find comfort in the stability and predictability of home ownership. In many instances, benefits of long-term amortization for many homeowners can be less than comparable housing expenses in rental units.

COMMUNITY BENEFITS

Community development objectives may be greatly enhanced by high levels of owner occupancy. Neighborhoods containing high numbers of owner-occupied single-family dwellings are more economically stable and more physically attractive than comparable neighborhoods with a high percentage of investor-owner dwellings. Pride of ownership is very evident among owner-occupied neighborhoods and can increase property values and thereby increase the local property tax base.

BARRIERS TO HOME OWNERSHIP

Many times home ownership is unattainable for many households, especially households with low incomes. Property values are too high, incomes too low and personal savings too small to allow low-income families to become homeowners.

To design and implement a successful and effective Homebuyers Assistance Program, an assessment was conducted of the factors preventing low-income households from obtaining a home. The following barriers to home ownership are noted:

1. High Cost of Property: Property values have risen; however, real income has not kept pace with this increase. Because of the gap in affordability, many low-income households have not been able to purchase a home.
2. Insufficient Funds for Downpayment: Most private lenders require 10% to 20% of a home's value for down payment. Even when Private Mortgage Insurance (PMI) or Federal Housing Administration (FHA) Insurance is used, a 5% down payment of the home's value may still be too high in high priced markets. Also, rent burdened households who pay 40% to 50% of their income for housing, preclude them from accumulating funds for downpayment.
3. Insufficient Funds for Closing Costs: The typical fees for loan closing such as origination fee, title report, title insurance, appraisal and legal fees are often too high for low income households.
4. Long Term Affordability of a Home: Often the principal, interest, taxes and insurance payments required on a monthly basis are too high when compared with available income for a low-income household.

In the past, private lending institutions have not provided mortgage financing to home purchasers where the monthly housing costs (mortgage payments, taxes, and insurance) would equal more than 28% of total gross monthly income. These lenders also required

that housing and other long-term debt not exceed 36% of the gross monthly income.

In recent years the Federal National Mortgage Association (Fannie Mae) has liberalized these qualifying ratios. Ratios up to 33% for housing debt and 38% for long term debt are permitted. However, in areas where property value has out paced real income levels these low income households still cannot qualify because of long term affordability.

5. High Existing Debt of Prospective Purchasers: Typically, low income families have excessively high existing debt for items such as credit accounts, car payments and medical expenses that will preclude them from obtaining private lender financing.
6. Access to Mortgage Money: Because of a mind set of unworthiness, many low income households will not try to obtain mortgage financing because they already feel that mortgage lenders will be unwilling to help them. Whether this mind set is accurate or not, this type of self-prognosis exists. Many times these households have insufficient credit or blemished credit, which also hinders them from being able to work with private lenders.
7. Need for Property Repairs: Often times property that is affordable for low income households are in neighborhoods where the property has been poorly maintained and requires repairs. Also, many times affordable housing is in neighborhoods where money invested in property improvements does not mean an increase in the value of the property.
8. Lack of Credit: Private lenders are concerned with the credit record of the purchaser. Low-income households may not have a credit record because they pay cash for most of their expenses.
9. Poor Credit: A blemished credit record cannot be easily corrected. Unfavorable information is reported for seven (7) years and some bankruptcies for ten (10) years.

Prospective homebuyers will often experience multiple barriers to becoming homeowners. Cumberland County Community Development's (CCCD) first step in designing a Homebuyers Assistance Program was to identify the barriers in Cumberland County facing low-income households and establish procedures to overcome these barriers.

CCCD has determined that there are three (3) barriers most prevalent in Cumberland County and has designed a Homebuyers Assistance Program with **HOME** Funding (HOME), Community Development Block Grant Funding (**CDBG**), and American Dream Downpayment Initiative Funding (**ADDI**), to help overcome these barriers. The three (3) barriers are as follows:

1. Insufficient funds for downpayment and closing costs;
2. Long term affordability of a home; and
3. Credit Problems (lack of credit and poor credit).

PROGRAM DESIGN

In order to design a coherent and effective Homebuyers Assistance Program, CCCD analyzed the following areas for Cumberland County and have included this information in the Cumberland County Consolidated Plan:

1. Market conditions;
2. Neighborhood characteristics;
3. Types of single-family housing; and
4. Availability of such housing.

Also, CCCD must establish its priority for the Homebuyers Assistance Program. It has designed the following mission statement for the Program:

"First and foremost, the Homebuyers Assistance Program will provide a means of increasing the number of affordable housing units in Cumberland County for its low income citizens to improve their quality of life."

Our next issue to consider is whether or not the Homebuyers Assistance Program can provide enough flexibility and appropriate resources necessary to achieve the established goals. The goals for the Homebuyers Assistance Program are:

1. To significantly affect the level of homeownership among low income households within Cumberland County; and
2. Increase the supply of affordable housing which may be purchased.

The five (5) areas which need to be addressed in designing the Homebuyers Assistance Program are the location of the housing, eligible owners, eligible properties, forms of ownership and subsidy approaches and eligibility criteria.

1. Location: CCCD operates within the geographical boundaries of the participating jurisdiction. This includes the towns of Stedman, Spring Lake, Wade, Falcon, Hope Mills, Linden and Godwin. CCCD does not operate within the city limits of Fayetteville.
2. Eligible Owners: The Homebuyer was designed to increase the level of affordable homeownership for low-income households. The program is limited to homebuyers who will occupy the property as the principal residence, and are considered low-income households. For the sake of consistency, we have selected the HUD 24 CFR Part 5 definition of annual income as the method of determination of annual income and asset eligibility be used for all programs. This will be useful when estimating borrowers' future ability to pay and producing quality loans. The Part 5 definition of Annual Income includes consideration of prospective income (over the next 12 months) and the current annual value of assets. Under these definitions all assets have an imputed income that must be included for purposes of determining eligibility. The Part 5 rules are efficient and fair and should be used, although the Part 5 definition of assets vary from the traditional underwriter's definitions. This is also beneficial in that the part 5 definitions are simpler, less arbitrary, and include only those items that are relatively easy to value and could actually be converted into cash.

Asset Limits: Applicants with assets above the thresholds below must apply those assets above the threshold toward the purchase of the property. Applicants may choose to use assets that fall below the established limits toward the purchase of the property, even though they are not required to do so.

- ♣ Non-elderly applicants must use non-retirement assets in excess of \$7,500 toward the purchase of the property.
- ♣ Elderly applicants must use non-retirement assets in excess of \$10,000 toward the purchase of the property.
- ♣ All applicants must use retirement assets in excess of the applicable annual median income limit toward the purchase of the property.

In cases in which the family is experiencing un-reimbursed medical expenses in excess of 3 percent of annual income, the Loan Analyst may increase the applicable asset limit by the amount of the medical expenses in excess of 3 percent of annual income. The reasons for the waiver must be documented carefully.

Assets in excess of the above established limits must be used for down payment or other costs associated with the purchase of the property and may not be used to reduce the purchase price of a property below the HUD established 203(b) limit or pay prepaid taxes on the property.

The following are various qualifications of a homebuyer under the HOME definition in 24 CFR Part 92:

- a. A low income individual/family that has not owned a home within the past three (3) years;
 - b. Displaced homemaker;
 - c. Single parent;
 - d. Low income individuals/families living in manufactured homes or mobile homes not permanently affixed to a foundation; or
 - e. Owner occupants of homes not feasible for renovation.
3. Eligible Property: Cumberland County Community Development has broad discretion in the types of single-family dwellings (one to four units) properties that can be used. Property may be publicly or privately held prior to sale to the homebuyer. Any one to four unit property that serves as a principal residence of the purchaser qualifies in the Homebuyers Assistance Program. Properties may be new or existing units except for manufactured homes must new land home packages. This will include the following:
- a. Single family home (one unit);
 - b. A two to four unit property;
 - c. Condominium units (in single or multi family units);
 - d. New manufactured house (mobile home); or
 - e. Cooperative unit (in single or multi family housing).
4. Forms of Ownership: The Homebuyers Assistance Program permits a variety of ownership approaches. Cumberland County Community Development has chosen to use fee simple title form of ownership.
5. Subsidy Approaches and Eligibility Criteria: Cumberland County Community Development will determine on an annual basis, which subsidy approach or combination of approaches is most advantageous. HOME regulations also permit discretion regarding the initial and future affordability of the property for the first time homebuyer.

There are three (3) suggested subsidy approaches. The following is a brief description of each type:

1. Development Subsidy: Investment of HOME funds in the acquisition, construction and/or rehabilitation of the project prior to initial sale to homebuyers. This approach should be used to underwrite the costs of producing units when they exceed market value.
2. Prepaid Interest Subsidy: A grant of HOME funds to a private lender in order to buy down or write down the interest rate the lender would otherwise charge. This write down of interest rates creates a more affordable monthly mortgage cost to the borrower.
3. Homebuyer Subsidy: This subsidy may include all or a portion of the down payment, closing costs, or "gap" financing for the balance of the property purchase price and rehabilitation, making the long term affordability for the borrower attractive.

Cumberland County Community Development has elected to operate the Homebuyer Subsidy. It reserves the option to operate other subsidy programs as listed above in on-going years.

SUBSIDY APPROACH CHOSEN

CCCD will offer the Homebuyers Subsidy Approach by providing assistance with down payments and/or closing costs (DAP), and secondly, with "Gap" financing (GAP) to make up the difference between the market value of the property and a sales price that provides a more affordable monthly PITI (principal, interest, taxes, and insurance) payment for the purchaser.

RATES AND TERMS

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

DOWNPAYMENT ASSISTANCE PROGRAM (DAP)

DAP loans will be financed over a 15-year term at 0% interest with a maximum loan amount of \$10,000. A maximum of \$2,500.00 of DAP funds may be used toward closing costs. Payments will be deferred for the full term of the loan unless the promissory note is triggered as previously stated..

GAP FINANCING PROGRAM (GAP)

GAP loan will be financed over a 30-year term at 0% interest with a maximum loan amount of \$20,000. "Gap" financing reduces private lender dollar amounts below the market value, which improves the loan-to-value ratio. Principal reduction or "gap" financing is one of the most convenient forms of assistance available. CCCD will offer a maximum \$20,000 second mortgage (or in some cases such as Rural Development partnerships, a first mortgage) in the form of "GAP" financing. Payments will be deferred for the full term of the loan unless the promissory note is triggered as previously stated.

LOAN CLOSING

Loan closing will be accomplished in tandem with the participating lender's closing with the same attorney.

HOME FUNDED PROGRAM DIFFERENCES

Requirements that make the HOME funded programs unique include property value limitations, maintenance of homes as principal residences, use of properties with one or more rental units, and most notably, maintenance of homes as affordable housing.

1. **Property Value Limitations:** HOME requires all properties used in a homeownership program to have a value not exceeding 95% of the median value for the area. HUD regulations governing the HOME Program use FHA 203(b) mortgage limits as the 95% of the median value for four (4) types of single family housing –single family and condominiums, duplex, triplex, and quadruplex. The property value must be supported by an appraisal completed by a certified appraiser. For existing properties receiving improvements, the appraisal must reflect the after-rehabilitation value of the property. For properties not requiring rehabilitation, a current tax assessment reflecting 100% of the value may be used in place of a certified appraisal.
2. **Principal Residence:** Property must be retained as the principal residence by the owner for the period of affordability which is contingent upon the amount of per unit subsidy received and may be 5, 10, or 15 years (20 years if new construction). A Declaration of Deed Restriction Form outlining the term and period of affordability will be recorded at the Register of Deeds in conjunction with the Deed of Trust to ensure the property remains affordable for the required length of time. The property owner agrees to allow CCCD to verify principal residence status semi-annually and to provide CCCD with a written certification regarding same. Subletting or renting is not permitted without the consent of CCCD. CCCD must ensure that a deed restriction, covenant or comparable enforcement controls this occupancy requirement.
3. **Recapture Provision:** All units receiving HOME Program subsidies are required to comply with a designated **affordability period** as described above. CCCD can ensure continued affordability through the recapture of its initial investment (plus interest, if debt is structured to be repaid with interest). The proceeds will be recycled and used for another HOME eligible activity (i.e., assisting another eligible homebuyer in obtaining a home.) **Once the HOME funds are repaid, the property is no longer subject to the HOME restrictions.** Even though the first home may no longer be a part of the affordable housing stock, another home will take its place once the recycled funds are used to assist another homebuyer with his/her purchase.

POA Term. This Agreement shall remain in full force and effect until the expiration of the Period of Affordability or when the HOME investment is paid in full as specified in the promissory note, whichever comes first. In the event of foreclosure or transfer of title by deed in lieu of foreclosure, net proceeds from a foreclosure sale must be applied to the remaining balance on the loan and any repayment obligation under the recapture provision would be limited to said net proceeds. Also, in the case of foreclosure or transfer of title by deed in lieu of foreclosure, or similar event, such termination will cease to be in effect if, at any time during the remainder of the Period of Affordability, the OWNER of record immediately prior to the foreclosure or deed in lieu of foreclosure, or any newly formed entity that includes such former OWNER or those with whom the former OWNER has or had family or business ties, obtains an ownership interest in the Development or the Land.

REFINANCING CONSIDERATIONS

HOME funds may not be used to pay for the refinancing of existing mortgages (even if the sole purpose of the refinancing is to promote homeownership) or make the property rehabilitation feasible for an existing low-income homeowner; however, CDBG funds may be used to refinance in the event the property is in need of rehabilitation.

During the period of affordability, a homebuyer will not be permitted to refinance the property without the approval of the CCCD, nor will CCCD agree to a subordination of its lien interest unless it is deemed to be in the best interest of the borrower and only if the value of the collateral remains sufficient to secure the County's debt.

KEY PROGRAM DESIGN CONSIDERATIONS

Key # 1: Leverage Private-Lender Financing

Funds should be used to convert infeasible loan applications into sound underwriting risks for private lending institutions by reducing the loan amount or lessening monthly costs to the prospective borrower.

By leveraging instead of duplicating the role of private lending institutions, Funds will go further and more low-income families can be served. Funds to supplement private financing will also ensure that CCCD does not have to be concerned with exceeding the HOME maximum per unit subsidy limits.

Key # 2: Take Full Advantage of Other Resources

Several financing options are available in the public and private sector markets to low income families to create opportunities of purchasing a home with affordable terms and flexible underwriting. Some of the primary options are listed below:

- a. **Secondary Market Purchasers:** Most private lenders only originate loans which they can sell on the secondary market to purchasers such as Fannie Mae. Fannie Mae has greatly enhanced their opportunities for low-income families to qualify for a home. These guidelines include flexible underwriting ratios, acceptance of non-traditional methods of verifying credit worthiness (rent payments, utility bills, etc.), less cash at loan closing (waive 2 month cash reserve requirement) and acceptance of subsidized second mortgage for purchase assistance or rehabilitation costs.
- b. **Private Mortgage Insurance (PMI):** With private mortgage insurance, now the loan-to-value ratio is higher, 97% or 95% with only a 3% or 5% downpayment, respectively, instead of the normal 10% to 20%.
- c. **FHA, VA, RD:** Mortgages are guaranteed so downpayment requirements are reduced to 5% or less of the appraised value of the purchase price of the property.
- d. **USDA Rural Development:** RD's underwriting standards and procedures are similar in many respects to those used by private lenders. However, because the Agency's mission, in part, is to serve buyers who are unable to obtain private credit, their underwriting criteria is somewhat less stringent than those used by private lenders and Rural Development has the ability to offer subsidies that enhance the applicant's ability to repay.

Key # 3: Affordable Property:

Homeownership will be used to provide stability and security for the low income family. CCCD is responsible for assuring the housing debt-to-income ratio and overall debt to income ratios are reasonable, so we will not encourage the purchase of a home which we feel will over tax the family. Therefore, the prevailing debt income ratios established by the first mortgage lender will be maintained for the Homebuyers Assistance Program for all purchases financed by private lenders as long as they are deemed reasonable and in line with other affordable mortgage products. However, CCCD reserves the right to make the determination that the primary lender's product is indeed an affordable mortgage product.

Key # 4: Realistic Goals

Our program design and operation is as simple and straight forward as possible. We have analyzed our product against the private market to be sure all underwriting guidelines are acceptable.

Homebuyers transactions are tailored to the income and other needs of the family. The more structured the process is at loan origination and at resale, the less burden on CCCD and/or our subrecipients. This process will also help avoid any questions of fairness in determining subsidy approaches for individual homebuyers.

Key # 5: Preparing the Purchasers

Counseling prospective homebuyers before the purchase of a home and at the loan closing are responsibilities required by the HOME Regulations and it is extremely important to the success of the homeowner. CCCD partners with Consumer Credit Counseling Service of Fayetteville to provide education and explanation of how the program works; the first and second mortgage process, maintaining good credit, budget planning, qualifying for a mortgage, loan closing/loan documents, and post purchase counseling to include not going over maximum disposable income, home maintenance, and repairs. All of these issues must be discussed and understood by the purchasers. CCCD performs in house servicing of its loan portfolio and maintains a close working relationship with its borrowers to assure successful levels of homeownership.



ITEM NO. 21

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

March 6, 2008

MEMORANDUM FOR BOARD OF COMMISSIONERS' MARCH 17, 2008 AGENDA

TO: BOARD OF COUNTY COMMISSIONERS

FROM: HARVEY RAYNOR, DEPUTY COUNTY ATTORNEY *Harvey*

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

SUBJECT: APPROVAL OF OFFER TO PURCHASE BY JONNA D. LONGNECKER FROM COMMUNITY DEVELOPMENT DEPARTMENT OF A HOUSE LOCATED AT 3234 GLENMORE DRIVE, HOPE MILLS, AND TO PUBLISH NOTICE OF UPSET BID

BACKGROUND:

This matter was on the February 4, 2008 consent agenda but was pulled because Ms. Longnecker had not deposited her deposit with the County; that deposit is now in County Finance.

Thanena Wilson, Director of Community Development has negotiated an offer to purchase County-owned surplus property at 3234 Glenmore Drive, Hope Mills, from Jonna D. Longnecker.

This property is a house and lot acquired through the Community Development program and the buyer is a qualified buyer under the program's guidelines.

The offer is for \$86,000.00 with a down payment of 5% and with the balance of \$81,700.00 to be financed by the County through the Community Development loan program.

This offer, if approved, shall be subject to advertisement in the newspaper and a ten day upset period.

RECOMMENDATION/PROPOSED ACTION:

Approve the Offer to Purchase, subject to the statutory notice and upset provisions, authorize the Manager to sign the contract on behalf of the County and the Chairman to execute and deliver a deed to the appropriate party at the completion of the upset period and at the direction of legal.

Celebrating Our Past... Embracing Our Future

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

OFFER TO PURCHASE AND CONTRACT

JANNA D. LAMONEQUE, as Buyer,
herby offers to purchase and CUMBERLAND COUNTY COMMUNITY DEVELOPMENT, as Seller,
upon acceptance of said offer, agree to sell and convey, all of that plot, piece or parcel of land described below, together with all
improvements located thereon and such fixtures and personal property as are listed below (collectively referred to as the "Property"),
upon the following terms and conditions:

1. **REAL PROPERTY:** Located in the City of HOPE MILLS,
County of CUMBERLAND, State of North Carolina, being known as and more particularly described as:
Street Address: 3234 CLEMMONS DRIVE HOPE MILLS NC Zip 28348

Legal Description: LOT 37 RACELAND WOODS SEC 4
NOT: Prior to signing this Offer to Purchase and Contract, Buyer is advised to review Restrictive Covenants, if any, which may limit
the use of the Property, and to read the Declaration of Restrictive Covenants, By-Laws, Articles of Incorporation, Rules and
Regulations, and other governing documents of the owners' association and/or the subdivision, if applicable.

2. **FIXTURES:** The following items, if any, are included in the purchase price free of lien: any built-in appliances, light fixtures,
ceiling fan, attached floor coverings, blinds, shades, drapery rods and curtain rods, brackets and all related hardware, window and
door screens, storm windows, combination doors, awnings, gutters, satellite dishes and receivers, burglar/fire/smoke alarms, pool and
spa equipment, solar energy systems, attached fireplace screens, gas logs, fireplace inserts, electric garage door openers with controls,
outdoor plants and trees (other than in movable containers), basketball goals, storage sheds, mailboxes, well and/or door mixers, and
any other items attached or affixed to the Property, EXCEPT the following items:
N/A

3. **PERSONAL PROPERTY:** The following personal property is included in the purchase price: N/A

4. **PURCHASE PRICE:** The purchase price is \$ 4300.00 and shall be paid as follows:
\$ 4300.00 EARNEST MONEY DEPOSIT with due offer by ☐ cash ☐ personal check ☐ bank check
to be deposited and held in escrow by N/A Cumberland County ("Escrow Agent") until the sale is closed, at
which time it will be credited to Buyer, or until this contract is otherwise terminated. In the event (1) this offer is not accepted or
(2) any of the conditions hereon are not satisfied, then all earnest money shall be returned to Buyer. In the event of breach of this
contract by Seller, upon Buyer's request, all earnest money shall be returned to Buyer, but such return shall not affect any other
remedies available to Buyer for such breach. In the event this offer is accepted and Buyer breaches this contract, then all earnest
money shall be forfeited upon Seller's request, but receipt of such forfeited earnest money shall not affect any other remedies
available to Seller for such breach.

NOTE: In the event of a dispute between Seller and Buyer over the return or forfeiture of earnest money held in escrow by a
broker, the broker is required by state law to retain said earnest money in the broker's trust or escrow accounts until a written
release from the parties concerning its disposition has been obtained or until disbursement is ordered by a court of competent
jurisdiction.

(b) 3 ADDITIONAL EARNEST MONEY DEPOSIT to be paid to Escrow Agent no later than
TIME BEING OF THE ESSENCE WITH REGARD TO SAID DATE.

(c) 3 BY ASSUMPTION of the unpaid principal balance and all obligations of Seller on the existing loan(s)
secured by a deed of trust on the Property in accordance with the attached Loan Assumption Addendum.

(d) 31,000 BY SELLER FINANCING in accordance with the attached Seller Financing Addendum.

(e) 31,000 BALANCE of the purchase price in cash at Closing.

5. **CONDITIONS:** (State N/A in each blank that is not a condition to this contract.)

(a) Buyer must be able to obtain a ☐ FHA ☐ VA (attach FHA/VA Financing Addendum) ☒ Conventional
☐ Other: N/A loan at a ☒ Fixed Rate ☐ Adjustable Rate in the principal amount of
\$ 31,000 (plus any financed VA Funding Fee or FHA MIP) for a term of 30 year(s), at an
initial interest rate not to exceed 4.75 % per annum, with mortgage loan discount points not to exceed 2 % of the loan
amount. Buyer shall apply for said loan within N/A days of the Effective Date of this contract. Buyer shall use Buyer's best
efforts to secure the lender's customary loan commitment letter on or before N/A and to satisfy all terms
and conditions of the loan commitment letter by Closing. After the above letter date, Seller may request in writing from Buyer a
copy of the loan commitment letter. If Buyer fails to provide Seller a copy of the loan commitment letter or a written waiver of

Buyer Initials: JDL Seller Initials: SW

- this loan condition within five days of receipt of Seller's request, Seller may terminate this contract by written notice to Buyer at any time (hereinafter, provided Seller has not then received a copy of the letter or the waiver.
- (b) There must be no restriction, easement, zoning or other governmental regulation that would prevent the reasonable use of the Property for RESIDENTIAL purposes.
- (c) The Property must be in substantially the same or better condition at Closing as on the date of this offer, reasonable wear and tear excepted.
- (d) All deeds of trust, liens and other charges against the Property, not assumed by Buyer, must be paid and satisfied by Seller prior to or at Closing such that cancellation may be promptly obtained following Closing. Seller shall remain obligated to obtain any such cancellations following Closing.
- (e) Title must be delivered at Closing by GENERAL WARRANTY DEED unless otherwise stated herein, and must be fee simple marketable and insurable title, free of all encumbrances, except ad valorem taxes for the current year (prorated through the date of Closing); utility easements and unviolated restrictive covenants that do not materially affect the value of the Property; and such other encumbrances as may be assumed or specifically approved by Buyer. The Property must have legal access to a public right of way.
6. SPECIAL ASSESSMENTS: Seller warrants that there are no pending or confirmed governmental special assessments for sidewalk, paving, water, sewer, or other improvements on or adjoining the Property, and no pending or confirmed owners' association special assessments, except as follows: N/A

(Insert "None" or the identification of such assessments, if any.) Seller shall pay all owners' association assessments and all governmental assessments confirmed through the time of Closing, if any, and Buyer shall take title subject to all pending assessments, if any, unless otherwise agreed as follows: N/A

7. PRORATIONS AND ADJUSTMENTS: Unless otherwise provided, the following items shall be prorated and either adjusted between the parties or paid at Closing: (a) Ad valorem taxes on real property shall be prorated on a calendar year basis through the date of Closing; (b) Ad valorem taxes on personal property for the entire year shall be paid by the Seller unless the personal property is conveyed to the Buyer, in which case, the personal property taxes shall be prorated on a calendar year basis through the date of Closing; (c) All late (late penalties, if any, shall be paid by Seller; (d) Rent, if any, for the Property shall be prorated through the date of Closing; (e) Owners' association dues and other like charges shall be prorated through the date of Closing. Seller represents that the regular owners' association dues, if any, are \$ N/A per N/A month.

8. CLOSING EXPENSES: Buyer shall be responsible for all costs with respect to any loan obtained by Buyer. Buyer shall pay for recording the deed and for preparation and recording of all instruments required to secure the balance of the purchase price unpaid at Closing. Seller shall pay for preparation of a deed and all other documents necessary to perform Seller's obligations under this agreement and for excise tax (revenue stamps) required by law. If Seller is to pay any of Buyer's expenses associated with the purchase of the Property, the amount thereof shall be \$ NONE, including any FHA/VA lender and inspection costs that Buyer is not permitted to pay, but excluding any portion disapproved by Buyer's lender.

9. FUEL: Buyer agrees to purchase from Seller the fuel, if any, situated in any tank on the Property at the prevailing rate with the cost of measurement thereof, if any, being paid by Seller.

10. EVIDENCE OF TITLE: Seller agrees to use his best efforts to deliver to Buyer as soon as reasonably possible after the Effective Date of this contract, copies of all title information in possession of or available to Seller, including but not limited to: title insurance policies; attorney's opinions on title; surveys; covenants, deeds, notes and deeds of trust and encumbrances relating to the Property. Seller shall provide: (1) any attorney presently or previously representing Seller to release and disclose any title insurance policy in such attorney's file to Buyer and both Buyer's and Seller's agents and attorneys; and (2) the Property's title insurer or its agent to release and disclose all materials in the Property's title insurer's (or title insurer's agent's) file to Buyer and both Buyer's and Seller's agents and attorneys.

11. LABOR AND MATERIAL: Seller shall furnish at Closing an affidavit and indemnification agreement in form satisfactory to Buyer showing that all labor and materials, if any, furnished to the Property within 120 days prior to the date of Closing have been paid for and agreeing to indemnify Buyer against all loss from any cause or cause arising therefrom.

12. PROPERTY DISCLOSURE AND INSPECTIONS:

(a) Property Disclosure:

- ☒ Buyer has received a signed copy of the N.C. Residential Property Disclosure Statement prior to the signing of this Offer to Purchase and Contract.
- ☐ Buyer has NOT received a signed copy of the N.C. Residential Property Disclosure Statement prior to the signing of this Offer to Purchase and Contract and shall have the right to terminate or withdraw this contract without penalty prior to WHICHEVER OF THE FOLLOWING EVENTS OCCURS FIRST: (1) the end of the third calendar day following receipt of the Disclosure Statement; (2) the end of the third calendar day following the date the contract was made; or (3) Closing or occupancy by the Buyer in the case of a sale or exchange.

Buyer Initials: [Signature]

Seller Initials: [Signature]

Page 2 of 4

☐ Exempt from N.C. Residential Property Disclosure Statement language (SEE GUIDELINES)

of law ☒ The Property is residential and was built prior to 1978 (Attach Lead-Based Paint or Lead-Based Paint Hazards Disclosure Addendum.)

- (h) **Property Inspection:** Unless otherwise stated herein, Buyer shall have the option of inspecting, or obtaining at Buyer's expense inspections, to determine the condition of the Property. Unless otherwise stated herein, it is a condition of this contract that (i) the built-in appliances, electrical system, plumbing system, heating and cooling systems, roof coverings (including flashing and gutters), doors and windows, exterior surfaces, structural components (including foundations, columns, chimneys, floors, walls, ceilings and roofs), porches and decks, fireplaces and flues, crawl space and attic ventilation systems (if any), water and sewer systems (public and private), shall be performing the function for which intended and shall not be in need of immediate repair; (ii) there shall be no unusual drainage conditions or evidence of excessive moisture adversely affecting the structure(s); and (iii) there shall be no friable asbestos or existing environmental contamination. Any inspections shall be completed and written notice of necessary repairs shall be given to Seller on or before N/A Seller shall provide written notice to Buyer of Seller's response within N/A days of Buyer's notice. Buyer is advised to have any inspections made prior to inclosing expenses for Closing and in sufficient time to permit any required repairs to be completed by Closing.
- (i) **Wood-Destroying Insects:** Unless otherwise stated herein, Buyer shall have the option of obtaining, at Buyer's expense, a report from a licensed pest control operator on a standard form in accordance with the regulations of the North Carolina Structural Pest Control Committee, stating that as to all structures, except N/A there was no visible evidence of wood-destroying insects and containing no indication of visible damage therefrom. The report must be obtained in sufficient time as to permit treatment, if any, and repairs, if any, to be completed prior to Closing. All treatment required shall be paid for by Seller and completed prior to Closing, unless otherwise agreed upon in writing by the parties. The Buyer is advised that the inspection report described in this paragraph may not always reveal either structural damage or damage caused by nests or organisms other than wood-destroying insects. If new construction, Seller shall provide a standard warranty of termites soil treatment.
- (j) **Repairs:** Pursuant to any inspections in (h) and/or (i) above, if any repairs are necessary, Seller shall have the option of completing them or refusing to complete them. If Seller elects not to complete the repairs, then Buyer shall have the option of accepting the Property in its present condition or terminating this contract, in which case all earnest monies shall be refunded. Unless otherwise stated herein, any items not covered by (b) (i), b (ii), b (iii) and (c) above are excluded from repair negotiations under this contract.
- (k) **Acceptance:** CLOSING SHALL CONSTITUTE ACCEPTANCE OF EACH OF THE SYSTEMS, ITEMS AND CONDITIONS LISTED ABOVE IN ITS THEN EXISTING CONDITION UNLESS PROVISION IS OTHERWISE MADE IN WRITING.

13. **REASONABLE ACCESS:** Seller will provide reasonable access to the Property (including working, existing utilities) through the earlier of Closing or possession by Buyer, to Buyer or Buyer's representative for the purposes of appraisal, inspection, and/or evaluation. Buyer may conduct a walk-through inspection of the Property prior to Closing.

14. **CLOSING:** Closing shall be defined as the date and time of recording of the deed. All parties agree to execute any and all documents and papers necessary in connection with Closing and transfer of title on or before JANUARY 31, 2008 at a place designated by Buyer. The deed is to be made to JONNA D. LOMBNECKER.

15. **POSSESSION:** Unless otherwise provided herein, possession shall be delivered at Closing. In the event possession is NOT to be delivered at Closing, ☐ a Buyer Possession Before Closing Agreement is attached, OR, ☐ a Seller Possession After Closing Agreement is attached.

16. **OTHER PROVISIONS AND CONDITIONS:** (ITEMIZE ALL ADDENDA TO THIS CONTRACT AND ATTACH HERETO.) None

17. **RISK OF LOSS:** The risk of loss or damage by fire or other casualty prior to Closing shall be upon Seller. If the improvements on the Property are destroyed or materially damaged prior to Closing, Buyer may terminate this contract by written notice delivered to Seller or Seller's agent and all deposits shall be returned to Buyer. In the event Buyer does NOT elect to terminate this contract, Buyer shall be entitled to receive, in addition to the Property, any of the Seller's insurance proceeds payable on account of the damage or destruction applicable to the Property being purchased.

18. **ASSIGNMENTS:** This contract may not be assigned without the written consent of all parties, but if assigned by agreement, then this contract shall be binding on the assignee and his heirs and successors.

19. **PARTIES:** This contract shall be binding upon and shall inure to the benefit of the parties, i.e., Buyer and Seller and their heirs, successors and assigns. As used herein, words in the singular include the plural and the masculine include the feminine and neuter genders, as appropriate.

Buyer Initials JSSeller Initials JSW

Page 3 of 4

20. SURVIVAL: If any provision herein contained which by its nature and effect is required to be observed, kept or performed after the Closing, it shall survive the Closing and remain binding upon and for the benefit of the parties hereto until fully observed, kept or performed.

21. ENTIRE AGREEMENT: This contract contains the entire agreement of the parties and there are no representations, inducements or other provisions other than those expressed herein. All changes, additions or deletions hereto must be in writing and signed by all parties. Nothing contained herein shall alter any agreement between a REALTOR® or broker and Seller or Buyer as contained in any listing agreement, buyer agency agreement, or any other agency agreement between them.

22. NOTICE AND EXECUTION: Any notice or communication to be given to a party herein may be given to the party or to such party's agent. This offer shall become a binding contract (the "Effective Date") when signed by both Buyer and Seller and each signing is communicated to the offering party. This contract is executed under seal in signed multiple originals, all of which together constitute one and the same instrument, with a signed original being retained by each party and each REALTOR® or broker hereto, and the parties adopt the word "SEAL" beside their signatures below.

Buyer acknowledges having made an on-site personal examination of the Property prior to the making of this offer.

THE NORTH CAROLINA ASSOCIATION OF REALTORS®, INC. AND THE NORTH CAROLINA BAR ASSOCIATION MAKE NO REPRESENTATION AS TO THE LEGAL VALIDITY OR ADEQUACY OF ANY PROVISION OF THIS FORM IN ANY SPECIFIC TRANSACTION. IF YOU DO NOT UNDERSTAND THIS FORM OR FEEL THAT IT DOES NOT PROVIDE FOR YOUR LEGAL NEEDS, YOU SHOULD CONSULT A NORTH CAROLINA REAL ESTATE ATTORNEY BEFORE YOU SIGN IT.

Date: 1-3-08 Date: 1/7/08
Buyer: James R. Rouse (SEAL) Seller: Harold E. Rouse (SEAL)
Date: _____ Date: _____
Buyer: _____ (SEAL) Seller: _____ (SEAL)

Escrow Agent acknowledges receipt of the earnest money and agrees to hold and disburse the same in accordance with the terms hereof.

Date: _____ Firm: _____
By: _____
(Signature)

Selling Agent/Firm/Phone: _____
Acting as ☒ Buyer's Agent ☐ Seller's (sub) Agent ☐ Dual Agent

Listing Agent/Firm/Phone: _____
Acting as ☒ Seller's (sub) Agent ☐ Dual Agent

SELLER FINANCING ADDENDUM

Seller agrees to provide Buyer with purchase money financing on the following terms and conditions:

1. The loan shall be evidenced by a purchase money promissory note secured by a purchase money deed of trust on the Property.
2. The purchase money deed of trust shall be a 1st (first or second) lien on the Property.

3. The loan shall bear interest prior to default at the rate of 4 % per annum and shall be payable as follows: \$390.00 for 30 years Fixed rate at 4%

The loan shall bear interest after default at the rate of 4 % per annum.

4. Unless otherwise provided herein, the promissory note may be prepaid in whole or in part at any time without penalty. If there are any restrictions on this prepayment right, the restrictions are as follows: N/A

5. Unless otherwise provided herein, the loan may not be transferred or assumed without Lender's prior written consent.

6. Additional loan terms (if any): must occupy the property as primary residence

7. Unless otherwise provided herein, the promissory note and deed of trust shall be in form of and contain the provisions of the currently approved North Carolina Bar Association Forms 4 and 5, as modified by the terms provided above or contained in this contract.

Seller is advised that seller financing may limit Seller's ability to recover all funds in the event of a default by Buyer. The advice of an attorney is recommended prior to Seller agreeing to provide seller financing.

IN THE EVENT OF A CONFLICT BETWEEN THIS ADDENDUM AND THE OFFER TO PURCHASE AND CONTRACT OR THE VACANT LOT OFFER TO PURCHASE AND CONTRACT, THIS ADDENDUM SHALL CONTROL.

THE NORTH CAROLINA ASSOCIATION OF REALTORS®, INC. AND THE NORTH CAROLINA BAR ASSOCIATION MAKE NO REPRESENTATION AS TO THE LEGAL VALIDITY OR ADEQUACY OF ANY PROVISION OF THIS FORM IN ANY SPECIFIC TRANSACTION. IF YOU DO NOT UNDERSTAND THIS FORM OR FEEL THAT IT DOES NOT PROVIDE FOR YOUR LEGAL NEEDS, YOU SHOULD CONSULT A NORTH CAROLINA REAL ESTATE ATTORNEY BEFORE YOU SIGN IT.

X Buyer: James D. Lynneach (SEAL) Date 1-8-08
 Buyer: _____ (SEAL) Date _____
 Seller: Theresa S. Wilson (SEAL) Date 1/7/08
 Seller: _____ (SEAL) Date _____





ITEM NO. 2J

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 20, 2008

MEMORANDUM FOR BOARD OF COMMISSIONERS' MARCH 17, 2008 AGENDA:

TO: BOARD OF COMMISSIONERS

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

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

BACKGROUND: On or about April 23, 2007, the County acquired, by tax foreclosure sale, property previously owned by John Carter at 219 Deep Creek Road, located in Cross Creek Township. The amount owed on the foreclosure judgment plus interest and costs is \$8,489.42.

John Carter, who is living in the house and a former owner, has offered as the former owner to purchase the County's interest in such property and exercise his equity of redemption for \$8,489.42 and has deposited the \$8,489.42 with the Finance Office.

North Carolina General Statutes 105-376 and 160A-267 authorize the Board to resell property acquired by tax foreclosure to the former owner or any person having an interest in the property for an amount not less than the costs associated with the foreclosure and subsequent resale. This allows former owners or any person with an interest in the property to re-purchase their property, so long as the County is made whole, rather than putting the property on the open market.

PROPOSED RECOMMENDATION AND ACTION: That the Board of Commissioners consider whether to accept the offer of John Carter to exercise his equity of redemption to re-purchase the property described above for \$8,489.42.

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Site Map

219 DEEP CREEK RD
CROSS CREEK TOWNSHIP

50 0 50 Feet



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ITEM NO. 2K(1)

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

March 4, 2008

MEMORANDUM FOR BOARD OF COMMISSIONERS' MARCH 17, 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

LOTS 8-9 LAKEVIEW LOTS 113 CHASE ST.
(LOCATED ON CHASE ST. OFF GILLESPIE ST.)
PIN 0437-51-3207; CROSS CREEK 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 \$8,504.40.

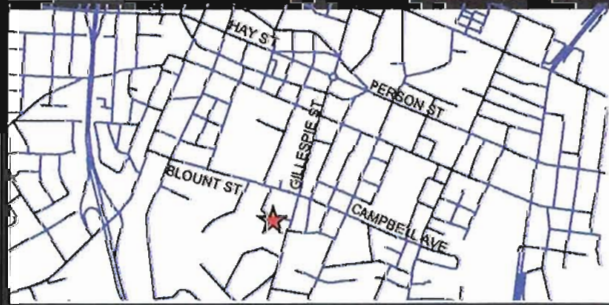
David Joe Gause has offered to purchase the County's interest in the property for **\$8,504.40** and has deposited \$850.44 in the Finance Office. The tax value of the property is \$28,750.00.

This property is surplus to the needs of the County and, according to N.C.G.S. 153A-176 and N.C.G.S. 105-376, the County has the authority to sell such property. Management has reviewed this offer and it is now being submitted for the Board to consider whether or not to accept Mr. Gause'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 David Joe Gause to purchase the above property for the sum of **\$8,504.40**, plus costs, and authorize the Chairman to execute a deed upon receipt of the balance of the purchase price.

GRB/hnw
Attachment

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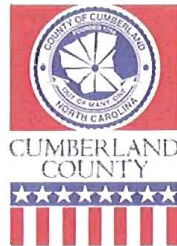
Site Map

113 CHASE ST
CROSS CREEK TOWNSHIP

100 0 100 Feet



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ITEM NO. 2 K(2)


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 25, 2008

MEMORANDUM FOR BOARD OF COMMISSIONERS' MARCH 17, 2008 AGENDA:

TO: BOARD OF COMMISSIONERS

FROM: GRAINGER R. BARRETT, COUNTY ATTORNEY 

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

LOT 17 EMANUEL WILLIAMS EST
(LOCATED ON MARY ST. OFF RAMSEY ST. AND NORTH ST.)
PIN 0437-69-6923; CROSS CREEK TOWNSHIP

BACKGROUND: On or about February 15, 2007, the County acquired by tax foreclosure the above property. The amount currently owed on the foreclosure judgment including interest and cost for the property is \$4,083.45.

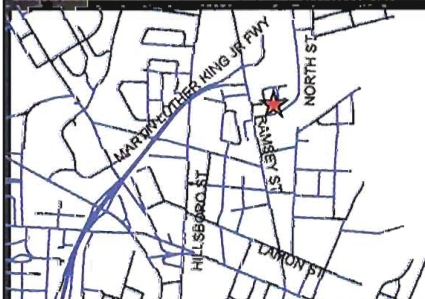
Elizabeth Freeman has offered to purchase the County's interest in the property for \$4,083.45 and has deposited \$408.34 in the Finance Office. The tax value of the property is \$18,900.00.

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. Freeman'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 Elizabeth Freeman to purchase the above property for the sum of \$4,083.45, 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



Site Map

112 MARY ST
CROSS CREEK TOWNSHIP

50 0 50 Feet



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ITEM NO. 2K(3)


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 25, 2008

MEMORANDUM FOR BOARD OF COMMISSIONERS' MARCH 17, 2008 AGENDA:

TO: BOARD OF COMMISSIONERS

FROM: GRAINGER R. BARRETT, COUNTY ATTORNEY 

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

2 VAC LOTS 67 & 68
(LOCATED ON MALONEY AVE OFF GROVE ST)
PIN 0437-96-9458; CROSS CREEK TOWNSHIP

BACKGROUND: On or about March 11, 2003, 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 \$1,409.67.

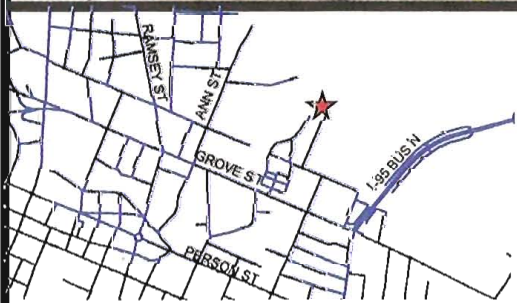
Norman Copeland Jr. was the last and highest bidder offering to purchase the County's interest in the property for **\$1,550.64** and has deposited \$156.00 in the Finance Office. The tax value of the property is \$3,750.00.

This property is surplus to the needs of the County and, according to N.C.G.S. 153A-176 and N.C.G.S. 105-376, the County has the authority to sell such property. Management has reviewed this offer and it is now being submitted for the Board to consider whether or not to accept Mr. Copeland's bid. The property has been advertised and has received several bids; however, Norman Copeland Jr. was the final and highest bidder. The bid period is now closed.

RECOMMENDATION AND PROPOSED ACTION: That the Board of Commissioners consider whether to accept the offer of Norman Copeland Jr. to purchase the above property for the sum of **\$1,500.64**, plus costs, and authorize the Chairman to execute a deed upon receipt of the balance of the purchase price.

GRB/hnw
Attachment

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Site Map

CROSS CREEK TOWNSHIP

50 0 50 Feet



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ITEM NO. 2 K(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 26, 2008

MEMORANDUM FOR BOARD OF COMMISSIONERS' MARCH 17, 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

0.75 KENNETH E. & KATHRYN D. FISHER
(LOCATED ON HIDDEN OAKS DR. OFF BUTLER NURSERY RD.)
PIN 0452-46-2455; GRAYS CREEK TOWNSHIP

BACKGROUND: On or about September 18, 2006, the County acquired by tax foreclosure the above property. The amount currently owed on the foreclosure judgment including interest and cost for the property is \$3,934.24.

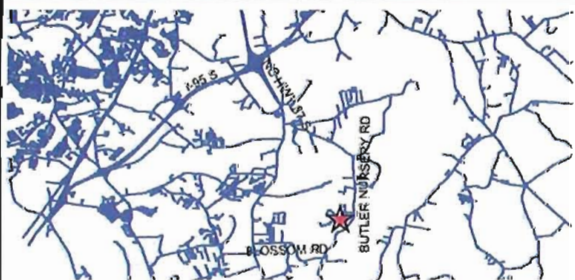
Connie Hall Williams has offered to purchase the County's interest in the property for **\$3,934.24** and has deposited \$393.42 in the Finance Office. The tax value of the property is \$9,775.00.

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. Williams' 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 Connie Hall Williams to purchase the above property for the sum of **\$3,934.24**, plus costs, and authorize the Chairman to execute a deed upon receipt of the balance of the purchase price.

GRB/hnw
Attachment

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Site Map

GRAYS CREEK TOWNSHIP



100 0 100 Feet



THE COUNTY OF CUMBERLAND ASSUMES NO
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PRODUCT RESTS WITH THE USER.



ITEM NO. 2 L

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
MARCH 17, 2008

TO: BOARD OF COUNTY COMMISSIONERS

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

FROM: THANENA S. WILSON, COMMUNITY DEVELOPMENT DIRECTOR *Stilwell*

DATE: MARCH 7, 2008

SUBJECT: COMMUNITY DEVELOPMENT WEEK PROCLAMATION

BACKGROUND

This year marks the 34th anniversary of the Community Development Block Grant (CDBG) Program which is celebrated nationally. In order to commemorate the anniversary and the impact that the CDBG Program has had on Cumberland County, we would like for the Board to proclaim March 24-30, 2008 as Community Development Week.

RECOMMENDATION AND PROPOSED ACTION

CCCD recommends that the Board of County Commissioners proclaim March 24-30, 2008 as Community Development Week in Cumberland County.

Attachment – Proclamation

Community Development Week Proclamation

Whereas, the Community Development Block Grant (CDBG) Program has operated since 1974 to provide local governments with the resources required to meet the needs of persons of low and moderate income; and

Whereas, the CDBG Program has had a significant impact on our local economy through job creation and retention, physical redevelopment and improved local tax bases; and

Whereas, CDBG funds are used by thousands of neighborhood-based, non-profit organizations throughout the nation to address pressing neighborhood and human service needs; and

Whereas, Cumberland County, North Carolina and other local governments have clearly demonstrated the capacity to administer and customize the CDBG Program to identify, prioritize and resolve local issues such as the provision of decent, affordable housing; neighborhood and human service needs; job creation and retention; and physical redevelopment.

Now, Therefore I, J. Breeden Blackwell, by virtue of the authority vested in me as Chairman of the Cumberland County Board of Commissioners, do hereby proclaim:

The week of March 24 – March 30, 2008 as

Community Development Week

in Cumberland County, and urge all citizens to join us in recognizing the Community Development Block Grant Program and the important role it plays in our community.

In Witness Whereof, I have hereunto set my hand and caused the seal of Cumberland County, North Carolina to be affixed this _____ day of _____ 2008.

J. Breeden Blackwell, Chairman

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

ITEM NO. 2M

March 5, 2008

March 17, 2008 Agenda Item

TO: Board of Commissioners

FROM: Marie Colgan, Deputy Clerk *me*

SUBJECT: Adoption of a Proclamation Proclaiming April 6-12, 2008 as
"National County Government Week"

BACKGROUND: County Government Week is April 6-12, 2008. The theme for this year's government week celebration is "Protecting our Children." As in the past, Cumberland County will celebrate this week with some special activities for our employees to include distribution of service pins.

ACTION: Adopt Proclamation proclaiming April 6-12, 2008 "NATIONAL COUNTY GOVERNMENT WEEK" in Cumberland County.

Attachment: Proclamation

Celebrating Our Past... Embracing Our Future

PROCLAMATION

WHEREAS, the nation's 3,066 counties provide a variety of essential public services to communities serving 300 million Americans; and

WHEREAS, counties take seriously their responsibility to protect and enhance the health, welfare and safety of its residents in sensible and cost-effective ways; and

WHEREAS, many county government services directly touch the lives of children and families; and

WHEREAS, in 13 states, all or some of the counties are responsible for child welfare and foster care systems; and

WHEREAS, more than 500,000 children are in foster care, removed from their families, as a result of suspected abuse or neglect; and

WHEREAS, one in five girls and one in 10 boys will be sexually victimized before adulthood; and

WHEREAS, the National Association of Counties is the only national organization that represents county governments in the United States; and

WHEREAS, the National Association of Counties first celebrated National County Government Week in 1991 to raise public awareness and understanding about the roles and responsibilities of the nation's counties to meet the needs of the community; and

WHEREAS, in recognition of the leadership, innovation and valuable service provided by the nation's counties, especially in the protection and welfare of children,

NOW, THEREFORE, BE IT RESOLVED that the Board of Commissioners of Cumberland County do hereby proclaim April 6-12, 2008 as National County Government Week in Cumberland County.

Adopted this 7th Day of April, 2008.

J. Breeden Blackwell, Chair
Board of County Commissioners

COUNTY OF CUMBERLAND
BUDGET REVISION REQUEST

Budget Office Use

Budget Revision No. B08-233

Date Received 2/19/2008

Date Completed

Fund No. 004 Agency No. 470 Organ. No. 4710

Organization Name: 1998 Local School Bond Funds

ITEM NO. 2N(1)

REVENUE

Revenue Source Code	Description	Current Budget	Increase (Decrease)	Revised Budget
7002	Interest Income	6,662,060	4,548	6,666,608
9291	Premium on Bonds	0	64,496	64,496
9901	Fund Balance Appropriated	100,870	(100,870)	-
Total		6,762,930	(31,826)	6,731,104

EXPENDITURES

Object Code	Appr Unit	Description	Current Budget	Increase (Decrease)	Revised Budget
385J	GAA	Deferred Maintenance	27,906,953	(31,826)	27,875,127
Total			27,906,953	(31,826)	27,875,127

Justification:

Revision to recognize revenues not previously budgeted and to reduce the budget for deferred maintenance to actual expenditures in order to replace fund balance appropriated as a source of funding.

Funding Source:

State: _____
Other: _____

Federal: _____
Fees: _____

Fund Balance:

County: _____ New: _____
Prior Year: _____

Other: _____

Submitted By: _____
Department Head

Date: _____

Reviewed By: Bob Tucker
Finance Department

Date: 2/19/08

Reviewed By: Amy Cannon
Assistant County Mgr

Date: 3/11/08

Approved By:

County Manager

Board of County Commissioners

Date: _____

Date: _____

**COUNTY OF CUMBERLAND
BUDGET REVISION REQUEST**

Budget Office Use	
Budget Revision No.	B08-234
Date Received	2/19/2008
Date Completed	

Fund No. 013 Agency No. 470 Organ. No. 4716
 Organization Name: 2004 Local School Bond Projects

ITEM NO. 2N(2)

REVENUE

Revenue Source Code	Description	Current Budget	Increase (Decrease)	Revised Budget
7002	Interest Income	222,826	2,037	224,863
9901	Fund Balance Appropriated	7,573	(7,573)	-
				-
Total		230,399	(5,536)	224,863

EXPENDITURES

Object Code	Appr Unit	Description	Current Budget	Increase (Decrease)	Revised Budget
385S	RAB	School Renovations / Repairs	580,000	(5,536)	574,464
Total			580,000	(5,536)	574,464

Justification:

Revision to recognize Interest Income not previously budgeted and to reduce the budget for School Renovations & Repairs to actual expenditures in order to replace fund balance appropriated as a source of funding.

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

Submitted By: _____ Date: _____
 Department Head

Reviewed By: Bob Tucker Date: 2/19/08
 Finance Department

Reviewed By: Amy Cannon Date: 3/11/08
 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>808.235</u>
Date Received	<u>2-20-08</u>
Date Completed	

Fund No. 101 Agency No. 431 Organ. No. 4327

Organization Name: CDC TUBERCULOSIS PROJECT

ITEM NO. 2N(3)a

REVENUE

Revenue Source Code	Description	Current Budget	Increase (Decrease)	Revised Budget
4106	N.C. CDC TUBERCULOSIS PROJECT	36,489	(1,773)	34,716
		36,489	(1,773)	34,716

EXPENDITURES

Object Code	Appr Unit	Description	Current Budget	Increase (Decrease)	Revised Budget
1210	231	SALARIES - REGULAR	57,668	(1,773)	55,895
Total			57,668	(1,773)	55,895

Justification:

THIS BUDGET REVISION REQUESTS TO BUDGET FOR AN UNANTICIPATED REDUCTION IN STATE FUNDING BY UTILIZING LAPSED SALARIES FROM VACANT POSITION # PHD-1601.

State: (1,773) Federal: _____ Fund Balance: _____
 Other: _____ Fees: _____ County: _____ New: _____ Other: _____
 Prior Year: _____

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

Date: 2/18/08
 Date: 2/20/08
 Date: 3/10/08

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

**COUNTY OF CUMBERLAND
BUDGET REVISION REQUEST**

Budget Office Use	
Budget Revision No.	<u>308-258</u>
Date Received	<u>3-10-08</u>
Date Completed	

Fund No. 101 Agency No. 431 Organ. No. 4323

Organization Name: FAMILY PLANNING CLINIC

ITEM NO. 2N(3)b

REVENUE

Revenue Source Code	Description	Current Budget	Increase (Decrease)	Revised Budget
4145	N.C. FAMILY PLANNING	469,523	60,000	529,523

469,523 60,000 529,523

EXPENDITURES

Object Code	Appr Unit	Description	Current Budget	Increase (Decrease)	Revised Budget
2379	225	INCENTIVES	3,000	5,000	8,000
299A	225	COMPUTER HARDWARE	3,800	5,000	8,800
2994	225	MISCELLANEOUS FURNITURE / EQUIPMENT	778	2,500	3,278
2995	225	COMPUTER SOFTWARE	1,100	700	1,800
3390	225	CONTRACTED SERVICES	25,554	42,000	67,554
3419	225	MISCELLANEOUS EXPENSES	0	4,800	4,800

Total 34,232 60,000 94,232

Justification:

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

State: 60,000 Federal: _____ Fund Balance: _____
 Other: _____ Fees: _____ County: _____ New: _____ Other: _____
 Prior Year: _____

Submitted By: *Maya Rayon*
 Department Head

Reviewed By: *Heather*
 Finance Department

Reviewed By: *Amy Cannon*
 Deputy Assistant County Mgr

3-5-08
 Date: _____

3-10-08
 Date: _____

3/11/08
 Date: _____

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

**COUNTY OF CUMBERLAND
BUDGET REVISION REQUEST**

Budget Office Use	
Budget Revision No.	<u>808-239</u>
Date Received	<u>2/21/2008</u>
Date Completed	

Fund No. 101 Agency No. 440 Organ. No. 4408

Organization Name: Library Grants

ITEM NO. 2N(4)

REVENUE

Revenue Source Code	Description	Current Budget	Increase (Decrease)	Revised Budget
9901	Fund Balance Appropriated		2,032	
		0	2,032	-

EXPENDITURES

Object Code	Appr Unit	Description	Current Budget	Increase (Decrease)	Revised Budget
4409	305	Big Read	0	2,032	2,032
Total			0	2,032	2,032

Justification:

Revision in the amount of \$2,032 to rebudget the grant funds received and not spent in FY2007 for the Big Read program.

Funding Source:

State: _____
Other: _____

Federal: _____
Fees: _____

Fund Balance:

County: _____ New: _____
Prior Year: 2,032

Other: _____

Submitted By: _____

Date: _____

Reviewed By: [Signature] Department Head

Date: 2-21-08

Reviewed By: [Signature] Finance

Date: 3/11/08

[Signature] Deputy Assistant County Mgr

Approved By:

County Manager

Board of County Commissioners

Date: _____

Date: _____

**COUNTY OF CUMBERLAND
BUDGET REVISION REQUEST**

Budget Office Use	
Budget Revision No.	B08-240
Date Received	2/27/2008
Date Completed	

Fund No. 101 Agency No. 450 Organ. No. 4509
 Organization Name: Soil Conservation District

ITEM NO. 2N(5)

REVENUE

Revenue Source Code	Description	Current Budget	Increase (Decrease)	Revised Budget
7757	Soil - Fundraisers	0	1,825	1,825
Total		0	1,825	1,825

EXPENDITURES

Object Code	Appr Unit	Description	Current Budget	Increase (Decrease)	Revised Budget
2757	366	Soil - Fundraisers	0	1,825	1,825
Total			0	1,825	1,825

Justification:

Revision to budget revenues raised from sale of trees (\$670) and rain barrels (\$1,155).

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

Submitted By: Kay B Bullard Date: 2/27/08
 Department Head

Reviewed By: HeA Bob Sucher Date: 2/27/08
 Finance Department

Reviewed By: Amey Cannon Date: 3/11/08
 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.	B08-238
Date Received	2/21/2008
Date Completed	

Fund No. 101 Agency No. 450 Organ. No. 4502

Organization Name: Planning & Inspections

ITEM NO. 2N(6)a

REVENUE

Revenue Source Code	Description	Current Budget	Increase (Decrease)	Revised Budget
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9901 (101-999-9999)	Fund Balance Appropriated		25,000	
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Total 25,000

EXPENDITURES

Object Code	Appr Unit	Description	Current Budget	Increase (Decrease)	Revised Budget
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3310	327	Demolition & Rehabilitation	18,200	25,000	43,200
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Total 18,200 25,000 43,200

Justification:

Revision in the amount of \$25,000 to appropriate fund balance to budget additional required demolition projects.

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

Submitted By: _____
Department Head

Date: _____

Reviewed By: Bob Tucker
Finance Department

Date: 2/21/08

Reviewed By: Amy Cannon
Assistant County Mgr

Date: 3/1/08

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

**COUNTY OF CUMBERLAND
BUDGET REVISION REQUEST**

Budget Office Use	
Budget Revision No.	B08-241
Date Received	2/29/2008
Date Completed	

Fund No. 101 Agency No. 450 Organ. No. 4502

Organization Name: Planning & Inspections

ITEM NO. 2N(6)b

REVENUE

Revenue Source Code	Description	Current Budget	Increase (Decrease)	Revised Budget
4640	Other Municipal Planning Revenue	74,264	7,448	81,712
9901	Fund Balance Appropriated		(7,448)	
(101-999-9999)				
Total			0	

EXPENDITURES

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

Justification:

Revision to adjust Joint Planning revenue to include the Town of Eastover as a participating municipality beginning October 1, 2007.

Funding Source:

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

Submitted By: _____ Date: _____
Department Head

Reviewed By: HEA Bob Tucker Date: 2/29/08
Finance Department

Reviewed By: Amber Cannon Date: 3/11/08
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>B08-242</u>
Date Received	<u>3/3/08</u>
Date Completed	

Fund No. 252 Agency No. 450 Organ. No. 4517
 Organization Name: Eastover Sanitary District Administration

ITEM NO. 2N(7)

REVENUE				
Revenue Source Code	Description	Current Budget	Increase (Decrease)	Revised Budget
9901	Fund Balance Appropriated	0	45,819	45,819
Total		0	45,819	45,819

EXPENDITURES					
Object Code	Appr Unit	Description	Current Budget	Increase (Decrease)	Revised Budget
3154	688	Consultant	4,320	38,710	43,030
3419	688	Miscellaneous	2,500	7,109	9,609
Total			6,820	45,819	52,639

Justification:

Revision in the amount of \$45,819 to appropriate fund balance to budget additional expenses anticipated during FY 2008.

Funding Source:

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

Submitted By: Morgan L Johnson ^{3/11/08}
 ESD Chairman Date: _____

Reviewed By: Bob Tucker Date: 3/3/08
 Finance Department

Reviewed By: Amy Cannon Date: 3/11/08
 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. B08-245
Date Received 3-6-08
Date Completed _____

Fund No. 107 Agency No. 450 Organ. No. 4575
Organization Name: Emergency 911

ITEM NO. 2N(8)

REVENUE

Revenue Source Code	Description	Current Budget	Increase (Decrease)	Revised Budget
9901	Fund Balance	1,522	20,000	21,522
Total		1,522	20,000	21,522

EXPENDITURES

Object Code	Appr Unit	Description	Current Budget	Increase (Decrease)	Revised Budget
3610	467	County Equipment	80,598	20,000	100,598
Total			80,598	20,000	100,598

Justification:

Revision necessary to fund a Radio antennae enhancer for 800mhz and cellular phones to be located at the animal control facility and for Sheriffs Dept. training. The animal control facility is proposed to be the backup 911 center.

Funding Source:

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

Fund Balance:

Submitted By: Kenneth Ann Date: 3/5/08
Department Head
Reviewed By: Kelly Cutler Date: 3-6-08
Budget Analyst
Reviewed By: Amy Cannon Date: 3/11/08
Assistant County Mgr
Reviewed By: _____ Date: _____
Information Services

Approved By:

County Manager

Board of County
Commissioners

**COUNTY OF CUMBERLAND
BUDGET REVISION REQUEST**

Budget Office Use	
Budget Revision No.	<u>B08-248</u>
Date Received	<u>3.7.08</u>
Date Completed	

Fund No. 112 Agency No. 43E Organ. No. 4357
 Organization Name: Mental Health Adult Periodic

ITEM NO. 2N(9)a

REVENUE

Revenue Source Code	Description	Current Budget	Increase (Decrease)	Revised Budget
4255	Mental Health Crisis	0	3,751	3,751
		0	3,751	3,751

EXPENDITURES

Object Code	Appr Unit	Description	Current Budget	Increase (Decrease)	Revised Budget
3474	494	Training	4,000	3,751	7,751
Total			4,000	3,751	7,751

Justification:

To budget new Crisis Intervention Program funds. Increases budgeted revenues and expenditures by \$3,751.00 !

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

Submitted By: [Signature]
 Department Head

Date: 3/5/08

Reviewed By: [Signature]
 Finance Department

Date: 3.7.08

Reviewed By: [Signature]
 Deputy Assistant County Mgr

Date: 3/11/08

Approved By:

Date: _____

County Manager

Board of County Commissioners

Date: _____

**COUNTY OF CUMBERLAND
BUDGET REVISION REQUEST**

Budget Office Use	
Budget Revision No.	<u>B08-249</u>
Date Received	<u>3.7.08</u>
Date Completed	

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

Organization Name: Childrens Treatment System Program

ITEM NO. 2N(9)b

REVENUE

Revenue Source Code	Description	Current Budget	Increase (Decrease)	Revised Budget
6252	Mental Health Children and Youth Fess	<u>1,985,876</u>	1,700,000	<u>3,685,876</u>

Total

EXPENDITURES

Object Code	Appr Unit	Description	Current Budget	Increase (Decrease)	Revised Budget
3360	509	Other Srevices	1,200,000	1,400,000	2,600,000
3390	509	Contracted Services	553,000	300,000	853,000

Total 1,753,000 1,700,000 3,453,000

Justification:

To budget for increased Residential Level I and Level II services. Increases budgeted revenues and expenditures by \$1,700,000.00. These services are reimbursed by Medicaid.

Funding Source:

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

Fund Balance:

Submitted By: [Signature]
Department Head

Date: 3/5/08

Reviewed By: [Signature]
Budget Analyst

Date: 3.7.08

Reviewed By: [Signature]
Deputy Assistant County Mgr

Date: 3/11/08

Reviewed By: _____
Information Services

Date: _____

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

**COUNTY OF CUMBERLAND
BUDGET REVISION REQUEST**

Budget Office Use	
Budget Revision No.	<u>B08-250</u>
Date Received	<u>3.7.08</u>
Date Completed	

Fund No. 112 Agency No. 435 Organ. No. 4335
 Organization Name: Mental Health Department

ITEM NO. 2N(9)c

REVENUE

Revenue Source Code	Description	Current Budget	Increase (Decrease)	Revised Budget
9901	Fund Balance	176,157	30,600	206,757

176,157 30,600 206,757

EXPENDITURES

Object Code	Appr Unit	Description	Current Budget	Increase (Decrease)	Revised Budget
3114	521	Legal	150,000	25,000	175,000
3401	521	Advertising	12,000	5,600	17,600

Total 162,000 30,600 192,600

Justification:

Contingency for additional legal cost related to provider endorsement. Produce videos for primary care physicians.

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

Submitted By: [Signature]
 Department Head

Date: 3/5/08

Reviewed By: [Signature]
 Finance Department

Date: 3.7.08

Reviewed By: [Signature]
 Deputy Assistant County Mgr

Date: 3/11/08

Approved By:

Date: _____

County Manager

Board of County Commissioners

Date: _____

**COUNTY OF CUMBERLAND
BUDGET REVISION REQUEST**

Budget Office Use	
Budget Revision No.	<u>808-251</u>
Date Received	<u>3/6/08</u>
Date Completed	

Fund No. 101 Agency No. 422 Organ. No. 4203
 Organization Name: Jail

ITEM NO. 2N(10)a

REVENUE

Revenue Source Code	Description	Current Budget	Increase (Decrease)	Revised Budget
4515	NC Grant Sheriff	0	47,560	47,560
Total		0	47,560	47,560

EXPENDITURES

Object Code	Appr Unit	Description	Current Budget	Increase (Decrease)	Revised Budget
3610	116	Capital Outlay--Equip	40,000	47,560	87,560
Total			40,000	47,560	87,560

Justification:

Receive NC SBI grant towards purchase of replacement Fingerprint-taking hardware and software. Combine with previously approved County funds to finalize purchase.

Funding Source: State: 47,560 Federal: _____ County: _____ New: _____ Other: _____
 Other: _____ Fees: _____ Prior Year: _____

Submitted By: <u>Earl R. Butler</u> Department Head	Date: <u>3-6-08</u>	Approved By: _____ _____ County Manager Board of County Commissioners Date: _____
Reviewed By: <u>Howard A. Brax</u> Budget Analyst	Date: <u>3/10/08</u>	
Reviewed By: <u>Amy Cannon</u> Deputy Assistant County Mgr	Date: <u>3/11/08</u>	
Reviewed By: _____ Information Services	Date: _____	

**COUNTY OF CUMBERLAND
BUDGET REVISION REQUEST**

Budget Office Use

Budget Revision No. B08-252
Date Received 3/6/08
Date Completed _____

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

ITEM NO. 2N(10)b

REVENUE

Revenue Source Code	Description	Current Budget	Increase (Decrease)	Revised Budget
3111	Return of Fugitives	200	1,957	2 157
Total		200	1,957	2,157

EXPENDITURES

Object Code	Appr Unit	Description	Current Budget	Increase (Decrease)	Revised Budget
4006	112	Return of Prisoners	100	1,957	2,057
Total			100	1,957	2,057

Justification:

Recognize Revenue from State-funded extradition of fugitives. Increase Expense Budget accordingly.

Funding Source:

State: 1,957
Other: _____

Fund Balance:

Federal: _____ County: _____ New: _____
Fees: _____ Prior Year: 2007

Other: _____

Submitted By: Earl R Butler
Department Head

Date: 3-6-08

Approved By: _____

Reviewed By: Howard Allen
Budget Analyst

Date: 3/10/08

Date: _____

Reviewed By: Amy Cannon
Deputy Assistant County Mgr

Date: 3/11/08

County Manager

Board of County Commissioners

Date: _____

Reviewed By: _____
Information Services

Date: _____

**COUNTY OF CUMBERLAND
BUDGET REVISION REQUEST**

Budget Office Use	
Budget Revision No.	<u>B08-253</u>
Date Received	<u>3/6/08</u>
Date Completed	

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

REVENUE				
Revenue Source Code	Description	Current Budget	Increase (Decrease)	Revised Budget
6427	CC Child Support Enforcement	195,735	19,480	215,215
Total		195,735	19,480	215,215

EXPENDITURES					
Object Code	Appr Unit	Description	Current Budget	Increase (Decrease)	Revised Budget
2510	112	Fuel	592,409	14,000	606,409
3438	112	Maint/Repair--Vehicles	450,000	5,480	455,480
Total			1,042,409	19,480	1,061,889

Justification:

Recognize Revenue from State Funding for Child Support Enforcement program. Increase Expense Budget accordingly.

Funding Source:

State: 19,480
 Other: _____

Fund Balance:

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

Other: _____

Submitted By: Earl R. Butler
 Department Head

Reviewed By: Howard H. Bror
 Budget Analyst

Reviewed By: Ameyd Cannon
 Deputy Assistant County Mgr

Reviewed By: _____
 Information Services

Date: 3-6-08

Date: 3/10/08

Date: 3/11/08

Date: _____

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

**COUNTY OF CUMBERLAND
BUDGET REVISION REQUEST**

Budget Office Use	
Budget Revision No.	<u>B08-253</u>
Date Received	<u>3/1/08</u>
Date Completed	

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

REVENUE

Revenue Source Code	Description	Current Budget	Increase (Decrease)	Revised Budget
6430	Restitution	8,000	8,000	16,000
Total		8,000	8,000	16,000

EXPENDITURES

Object Code	Appr Unit	Description	Current Budget	Increase (Decrease)	Revised Budget
2120	112	Uniforms	152,877	3,000	155,877
2992	112	Departmental supplies	179,830	3,000	182,830
3433	112	Maint/repair--equipment	209,065	2,000	211,065
Total			541,772	8,000	549,772

Justification:

Recognize Revenue from court-ordered restitution to Sheriff's Office. Increase Expense Budget accordingly.

Funding Source:

State: _____
 Other: 8,000

Fund Balance:

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

Other: _____

Submitted By: <u>Earl R. Butler</u> Department Head	Date: <u>3-6-08</u>	Approved By: _____ _____ County Manager Board of County Commissioners Date: _____
Reviewed By: <u>Howard C. Brown</u> Budget Analyst	Date: <u>3/1/08</u>	
Reviewed By: <u>Amy D. Cannon</u> Deputy Assistant County Mgr	Date: <u>3/11/08</u>	
Reviewed By: _____ Information Services	Date: _____	

**COUNTY OF CUMBERLAND
BUDGET REVISION REQUEST**

Budget Office Use

Budget Revision No. BOS-254
Date Received 3/4/08
Date Completed _____

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

REVENUE

Revenue Source Code	Description	Current Budget	Increase (Decrease)	Revised Budget
4684	Concealed Weapon Permit Fees	38,000	11,000	49,000
6411	ID Fees	128,000	11,000	139,000
Total		166,000	22,000	188,000

EXPENDITURES

Object Code	Appr Unit	Description	Current Budget	Increase (Decrease)	Revised Budget
2110	112	Janitorial supplies	26,057	9,000	35,057
2992	112	Departmental supplies	182,830	11,000	193,830
3433	112	Maint/repair--equipment	211,065	2,000	213,065
Total			419,952	22,000	441,952

Justification:

Recognize Revenue from fees collected for records check, fingerprint cards, and concealed carry permits. Increase related Expense Budget accordingly.

Funding Source:

State: _____
Other: _____

Federal: _____
Fees: 22,000

Fund Balance:

County: _____ New: _____
Prior Year: _____

Other: _____

Submitted By: Earl R. Butler
Department Head

Date: 3-6-08

Reviewed By: Howard R. Brea
Budget Analyst

Date: 3/10/08

Reviewed By: Amy C. Cannon
Deputy Assistant County Mgr

Date: 3/11/08

Reviewed By: _____
Information Services

Date: _____

Approved By:

Date: _____

County Manager

Board of County
Commissioners

Date: _____

**COUNTY OF CUMBERLAND
BUDGET REVISION REQUEST**

Budget Office Use	
Budget Revision No.	<u>B08-255</u>
Date Received	<u>3/6/08</u>
Date Completed	

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

REVENUE				
Revenue Source Code	Description	Current Budget	Increase (Decrease)	Revised Budget
6405	Process Fees	420,000	50,000	470,000
6440	Commission--Property Sales	15,000	16,000	31,000
Total		435,000	66,000	501,000

EXPENDITURES					
Object Code	Appr Unit	Description	Current Budget	Increase (Decrease)	Revised Budget
2992	112	Departmental supplies	193,830	30,000	223,830
299A	112	Computer Hardware	26,779	25,000	51,779
3419	112	Misc. Expenses	24,682	5,000	29,682
3445	112	Telephones	94,549	3,500	98,049
3450	112	Copiers	21,289	2,500	23,789
Total			361,129	66,000	427,129

Justification:

Recognize Revenue from fees collected for delivery of civil process court documents, and commissions on property sold at Sheriff's auctions. Increase Expense Budget accordingly.

Funding Source:

State: _____ Federal: _____ County: _____ New: _____ Other: _____
Other: _____ Fees: 66,000 Prior Year: _____

Fund Balance:

Submitted By: <u>Earl R Butler</u> Department Head	Date: <u>3-6-08</u>	<div>Approved By:</div> <div>Date: _____</div> <div>County Manager</div> <div>Date: _____</div> <div>Board of County Commissioners</div> <div>Date: _____</div>
Reviewed By: <u>Howard H. Brown</u> Budget Analyst	Date: <u>3/10/08</u>	
Reviewed By: <u>Amy Cannon</u> Deputy/Assistant County Mgr	Date: <u>3/11/08</u>	
Reviewed By: _____ Information Services	Date: _____	

**COUNTY OF CUMBERLAND
BUDGET REVISION REQUEST**

Budget Office Use	
Budget Revision No.	<u>BOS-256</u>
Date Received	<u>3/16/08</u>
Date Completed	

Fund No. 101 Agency No. 422 Organ. No. 4200

Organization Name: Sheriff

ITEM NO. 2N(10)c

REVENUE

Revenue Source Code	Description	Current Budget	Increase (Decrease)	Revised Budget
6460	Juvenile Crime Prevention Council	0	23,000	23,000
669E	Gang Violence In-Kind	0	5,750	5,750
Total		0	28,750	28,750

EXPENDITURES

Object Code	Appr Unit	Description	Current Budget	Increase (Decrease)	Revised Budget
2601	112	Office Supplies	80,452	750	81,202
299A	112	Computer Hardware	51,779	2,500	54,279
2992	112	Dept Supplies	223,830	7,250	231,080
2994	112	Misc Furn & Equip	3,000	3,100	6,100
3433	112	Maint/Repair--Equip	213,065	1,200	214,265
3455	112	Printing	6,090	1,400	7,490
3470	112	Travel	35,732	3,800	39,532
3474	112	Training	27,000	3,000	30,000
348B	112	Gang Violence In-Kind	0	5,750	5,750
Total			640,948	28,750	669,698

Justification:

Recognize pass-through grant funds (State of NC Dept of Juvenile Justice & Delinquency Prevention). Establish Expense budget

Funding Source:

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

Fund Balance:

Submitted By: Earl R. Butts
Department Head

Date: 3-6-08

Reviewed By: Howard H. Brown
Budget Analyst

Date: 3/10/08

Reviewed By: Amy D. Cannon
Deputy Assistant County Mgr

Date: 3/11/08

Reviewed By: _____
Information Services

Date: _____

Approved By:

County Manager

Board of County Commissioners

Date: _____

Date: _____

Douvan 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,
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Cecil P. Combs,
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Clifton McNeill, Jr.,
Roy Turner,
Sara E. Piland,
Cumberland County

Benny Pearce
Town of Eastover

MARCH 7, 2008

ITEM NO. 3A

MEMO TO: CUMBERLAND COUNTY BOARD OF COMMISSIONERS

FROM: CUMBERLAND COUNTY JOINT PLANNING BOARD

SUBJECT: **P08-03:** REZONING OF 0.23+/- ACRES FROM R10 RESIDENTIAL TO C(P) PLANNED COMMERCIAL OR TO A MORE RESTRICTIVE ZONING DISTRICT, LOCATED AT 3080 LEGION ROAD, SUBMITTED AND OWNED BY JAMES E. AND PEGGY L. EMANUEL.

ACTION: MEMBERS PRESENT AT THE FEBRUARY 19, 2008 MEETING VOTED UNANIMOUSLY TO FOLLOW THE STAFF RECOMMENDATION AND APPROVE C(P) PLANNED COMMERCIAL DISTRICT CONDITIONAL USE DISTRICT FOR AN ICE HOUSE AND OTHER PERMITTED USES AND APPROVAL OF THE CONDITIONAL USE PERMIT.

SITE INFORMATION: **Frontage & Location:** 72'+/- on Legion Road (50' front yard & 30' rear yard = 80' required yard setbacks); 143'+/- on Mid Pine Drive (50' front yard & 30' rear yard = 80' required yard setbacks); **Adjacent Property:** No; **Current Use:** Vacant tract; **Initial Zoning:** R10, November 17, 1975 (Area 4); **Zoning Violation(s):** None; **Nonconformities:** None existing; **Surrounding Zoning:** North: M(P) & R10; South: R10 & C(P); East: C(P); West: C(P) & M(P); **Surrounding Land Use:** Single-family residential (one with a home occupation – sewing/alterations) shopping center, recycling plant, plumbing business, pipe supply, retail (drug store and strip mall), restaurants, exterminating business, and health spa; **2010 Land Use Plan:** Low density residential; **Designated 100-Year Floodplain or Floodway:** No; **Urban Services Area:** Yes; **Water/Sewer Availability:** PWC/PWC; **Soil Limitations:** None
Subdivision/Site Plan: See attached "Ordinance-Related Conditions"; **Highway Plan:** Legion Road and Mid Pine Drive are both "major thoroughfares". The plan calls for Legion Road to be a multi-lane facility (U-2809) with a right-of-way 100 feet; road improvements are included in the 2007-2013 MTIP; Planning/Design: Prior years in progress; Mitigation: FY2010; Right-of-way: FY09; Construction: FY 2010; **Average Daily Traffic Count (2006):** 12,000 on Legion Road; 20,000 on Mid Pine Road; **Notes:** 1. Applicant/owner amended request to "Conditional Use District & Permit" at the January 15, 2008 Planning Board meeting. 2. The applicant/owner has voluntarily agreed to restrict the allowed uses to: Ice House, Public /Community Utility Station/Substation, and Special Information Signs (with Board of Adjustment approval); prohibiting all other uses normally allowed in the C(P) Planned Commercial zoning district. 3. If approved, the "Ordinance-Related Conditions" are attached; particular attention should be paid to conditions numbered 1, 7, 11 and 12.

MINUTES OF FEBRUARY 19, 2008

The Planning Board originally heard this case at their January 15, 2008 meeting and at that time, the Board encouraged the applicant/property owner to consider amending the application

amended application and is now requesting approval of a C(P) Planned Commercial/Conditional Use District [C(P)/CUD], with the initial use being an "ice house" and future allowable uses of "public/community utility station/substation and/or a "special information sign" (if the sign is approved by the County Board of Adjustment) and the Permit complying with the attached "Ordinance-Related Conditions" and the contents of the site plan and the application. The applicant/property owner also agrees to restrict this site to the requested uses only, eliminating all other uses normally allowed in the C(P) Planned Commercial district.

Based on the applicant's amended application, the Planning and Inspections Staff now recommends approval of the applicant's request for rezoning to a C(P)/CUD initially for an "ice house" and future allowable uses of "public/community utility station/substation and/or a "special information sign" (if the sign is approved by the County Board of Adjustment), eliminating all other uses normally allowed in the C(P) Planned Commercial district, based on the following:

1. Although the request is not consistent with the 2010 Land Use Plan, which calls for low density residential at this location, the request is reasonable and consistent with the uses in an area that is in transition due to the effect of right-of-way widening at this location.
2. The request, if approved will allow the property owner reasonable use of the property.

The Planning & Inspections Staff recommends approval of the Conditional Use Permit, a direct result of the applicant/property owner satisfying every point of contention originally raised by the staff. This recommendation is based on the following:

1. The use will not materially endanger the public health or safety if located according to the plan submitted, specifically the developer has agreed to the NC Department of Transportation (NCDOT) mandate that the access be a "right in" from Legion Road with a "right out" to Mid Pine Drive;
2. The use will meet all required conditions and specifications if developed according to the site plan and application – a copy of the ordinance provisions pertaining to this site are attached;
3. The use will maintain or enhance the value of adjoining or abutting properties in that the uses requested if developed in accordance with the site plan and ordinance-related conditions, both of which offer protective measures to adjacent properties, will at a minimum maintain the adjoining or abutting properties; and
4. The location and character of the use, if developed according to the plan as submitted and recommended, will be in harmony with the area in which it is to be located and in general conform with the development ordinances and adopted planning policies.

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

A motion was made by Mr. McNeill and seconded by Vice-Chair Epler to follow the staff recommendations and approve C(P)/Conditional Use District because the application is reasonable, neither arbitrary nor unduly discriminatory and in the public interest. The motion passed unanimously.

Case P08-03 continued

A motion was made by Mr. McNeill and seconded by Vice-Chair Epler to approve the Conditional Use Permit for an ice house, public/community utility station/substations and special information sign after finding that when completed, the proposal: 1) will not materially endanger the public health and safety; 2) will not substantially injure the value of adjoining or abutting property; 3) will be in harmony with the area in which it is to be located; and 4) will be in conformity with the land use plan, thoroughfare plan or other plan officially adopted by the Board of Commissioners. The motion passed unanimously.

Case No. P08-03
Conditional Use District & Permit

Ordinance-Related Conditions

1. A boundary plat must be submitted to Land Use Codes for review and approval for recording with the County Register of Deeds, and the plat must be recorded prior to any permit application for any structure and/or prior to the sale of any lot or unit within this development.

Permit-Related:

2. The owner/developer(s) of these lots must obtain detailed instructions on provisions of the County Zoning Ordinance and permits required to place any structure within this development from the County Code Enforcement Section, Room 101 in the Historic Courthouse at 130 Gillespie Street. For additional information, the developer should contact a Code Enforcement Officer.
3. If applicable, connection to public water and sewer is required, the Public Works Commission (PWC) must approve water and sewer plans prior to application for any permits. A copy of the PWC approval must be provided to Code Enforcement at the time of application for building/zoning permits.
4. The developer must provide a site-specific address and tax parcel number at the time of building/zoning permit application.
5. Landscaping must be provided as shown on the site plan. The following are the minimum standards for the required landscaping of this site:
 - a. Four large shade trees or eight small ornamental trees within the front yard setback area;
 - b. One ornamental tree and eight shrubs are required in the building yard area;

In addition:

- a. All required plant materials shall be maintained by the property owners, including replacing dead or unhealthy trees and shrubs;
 - b. Trees shall be maintained in a vertical position at all times;
 - b. All planting areas shall be kept free of weeds and debris.
6. The building final inspection cannot be accomplished until a Code Enforcement Officer inspects the site and certifies that the site is developed in accordance with the approved plans.

Site-Related:

7. The requested and approved uses of this property are "Ice House", "Public/Community Utility Station/Substation", and "Special Information Sign" (with Board of Adjustment approval of Special Use Permit); all other uses normally allowed in the C(P) Planned Commercial District are prohibited and all setback encroachments cannot exceed the setbacks approved by the Commissioners as shown on the approved site plan. Prior to any change in use to a use approved by the Commissioners and/or prior to application for any permits for a change in use, the site plan must be submitted for review and approval from the Planning & Inspections Staff and/or the County Board of Adjustment for the Special Information Sign.
8. This conditional approval is not approval of any freestanding signs. If a freestanding sign is desired, re-submittal of the site plan to the Land Use Codes Staff is required prior to application for any freestanding sign permits. Attached signage for this development must be in accordance with the applicable sign regulations as set forth in Article XIII of the County Zoning Ordinance and that the proper permit(s) must be obtained prior to the installation of any permanent signs on the property. (Note: This conditional approval is **not** approval of the size, shape, or location of any signs.)
9. An adequate drainage system must be installed by the developer in accordance with the NC Department of Environment and Natural Resources' (NCDENR) *Manual on Best Management Practices* and all drainage ways must be kept clean and free of debris.

10. All utilities, except for 25kv or greater electrical lines, must be located underground.
11. The developer must obtain a driveway permit from the NC Department of Transportation (NCDOT). A copy of the approved driveway permit must be provided to Code Enforcement at the time of application for building/zoning permits. Note: The NCDOT has specified that a full use driveway off of Mid Pine Road or Legion Road will not be allowed at this location because a driveway cannot be located far enough from the intersection to allow for a safe access; therefore, NCDOT will restrict this site to a "right in" on Legion Road with a "right out" on Mid Pine Road.
12. Turn lanes may be required by the NC Department of Transportation (NCDOT).
13. All lighting is required to be directed internally within this development and comply with the provisions of Section 1102 M, Outdoor Lighting, County Zoning Ordinance.
14. A solid buffer must be provided and maintained along the rear property line where this tract abuts a residentially-zoned property in accordance with the provisions of Section 1102 G, Buffer Requirements, County Zoning Ordinance.
15. All dumpster, garbage, and utility areas shall be located on concrete pads and screened on a minimum of three sides.
16. All required off-street parking spaces shall be a minimum of 9' x 20' and must be in place prior to application for the building final inspection. A minimum of three off-street parking spaces is required for this development.
17. All notes and calculations as shown on the site plan and contained within the application are to be considered as a part of this conditional approval.

Plat-Related:

18. The recordable plat must be submitted to the Planning & Inspections Department and subsequently recorded, showing the current boundary of the subject property accounting for the changes in the right-of-way.
19. Lateral access must be provided to the property on the northwest side of this tract allowing for future interconnectivity with said tract.
20. The boundary plat must have the streets labeled as SR 1344 (Mid Pine Road) and SR 1132 (Legion Road) as applicable.
21. Any/All easements must be reflected on the final plat and labeled as to type of easement, reference number for document creating the easement, and the name of the agency, individual, etc. who holds the easement.
22. The NC Department of Transportation (NCDOT) stamp must be affixed to the final plat prior to submission for final plat approval by Land Use Codes.
23. The notarized signature(s) of all current tax record owner(s) and notary certifications appear on the final plat when submitted for final approval.

Plat-Required Statements:

24. All structures shall be shown on the boundary plat or the final plat shall reflect the following statement:

"Nonconforming structures have not been created by this boundary survey."

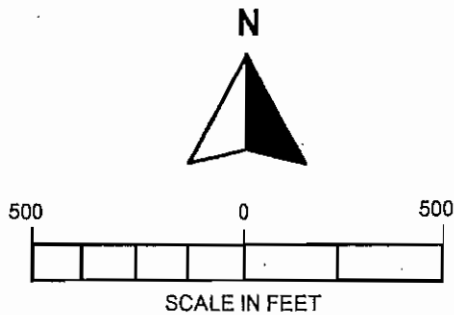
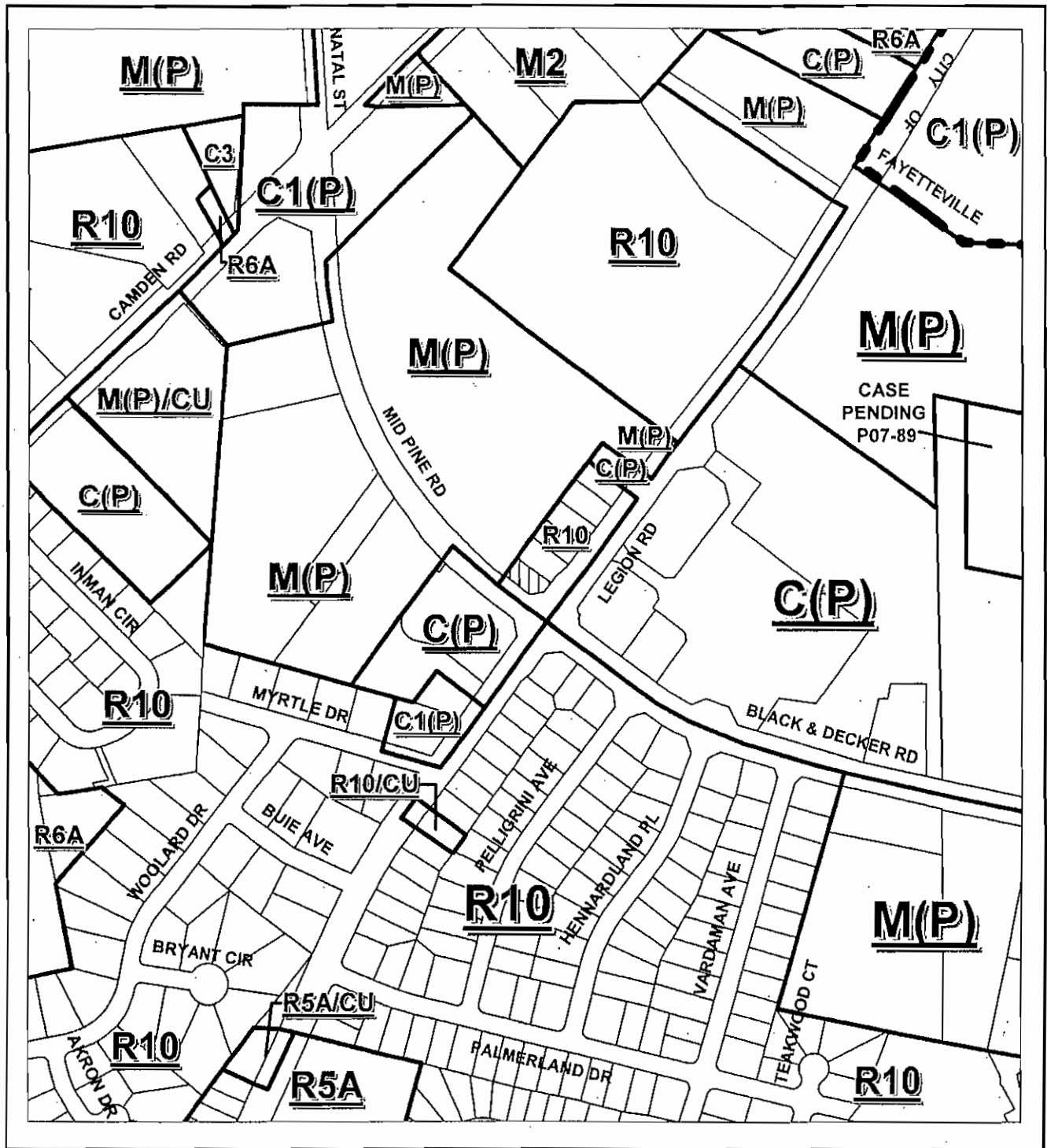
Other Relevant Conditions:

25. The applicant is advised to consult an expert on wetlands before proceeding with any development.
26. The owner/developer is responsible for ensuring easements which may exist on the subject property are accounted for, not encumbered and that no part of this development is violating the rights of the easement holder.

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

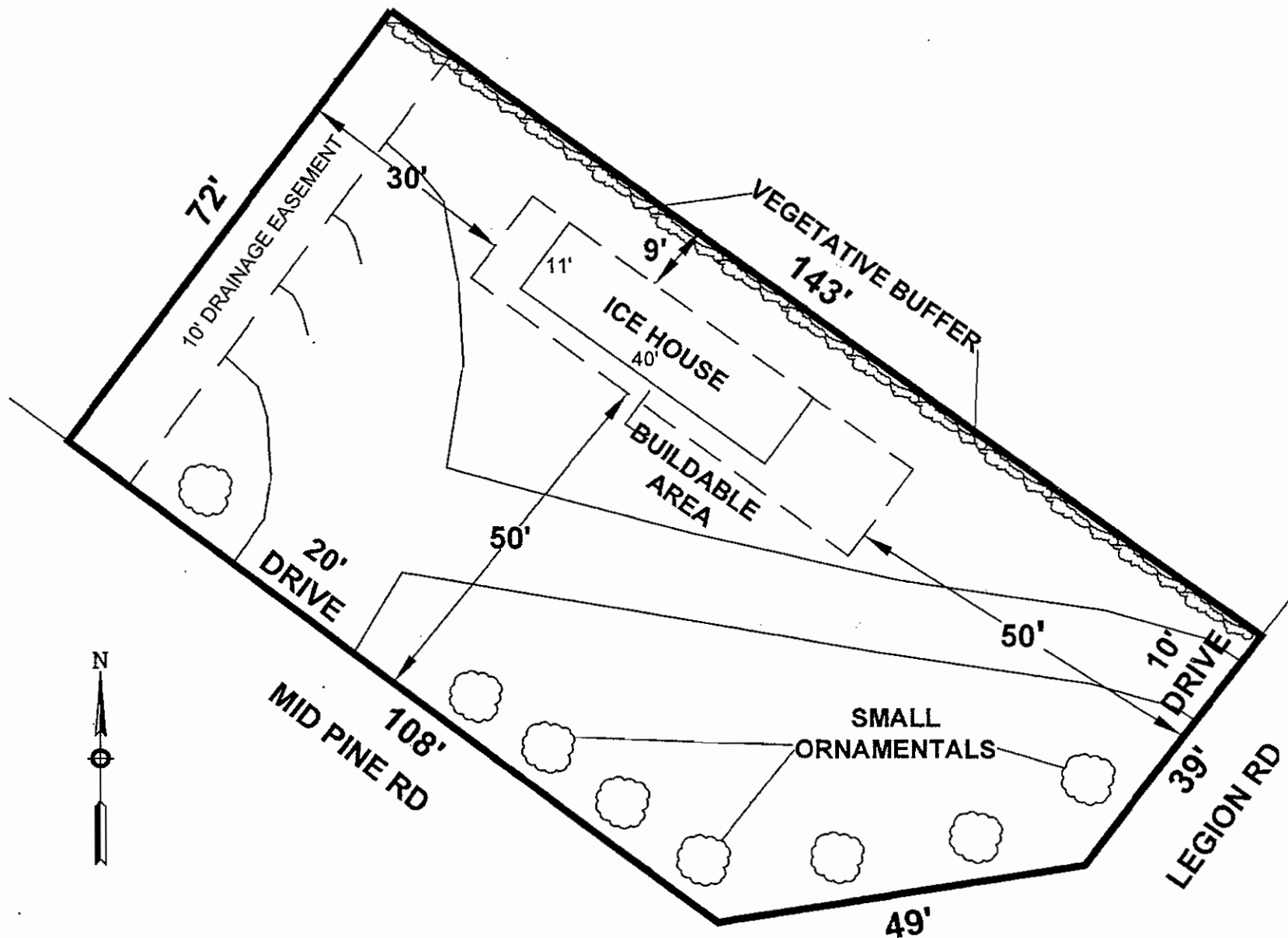
Contact Information (Area Code is 910 unless otherwise stated):

Subdivision/Site Plan/Plat	Ed Byrne	678-7609
Code Enforcement (Permits):	Ken Sykes	321-6654
PWC:	Heidi Maly	223-4774
Corp of Engineers (wetlands):	Ronnie Smith	(910) 251-4829
NCDENR (E&S):	Jody Pace	433-3300
E911 Site-Specific Address:	Ron Gonzales	678-7616
Tax Parcel Numbers:		678-7549
NCDOT (driveways/curb-cuts):	Gary Burton	486-1496



REQUESTED REZONING: R10 TO C(P)/CUD

ACREAGE: 0.23 AC.+/-		HEARING NO: P08-03	
ORDINANCE: COUNTY		HEARING DATE	ACTION
STAFF RECOMMENDATION			
PLANNING BOARD			
GOVERNING BOARD			



CONDITIONAL USE DISTRICT AND PERMIT
REQUEST: ICE HOUSE AND OTHER PERMITTED USES

CASE: P08-03 ACREAGE: 0.23 ±

ZONING: R10 SCALE: 1"=20'

PARKING: AS SHOWN

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

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

1. APPLICANT/AGENT: _____
2. ADDRESS: _____ ZIP CODE: _____
3. TELEPHONE: (Home) _____ (Work) _____
4. Location of Property: _____

5. Parcel Identification Number (PIN #) of subject property: _____
(also known as Tax ID Number or Property Tax ID)
6. Acreage: _____ Frontage: _____ Depth: _____
7. Water Provider: _____
8. Septage Provider: _____
9. Deed Book _____, Page(s) _____, Cumberland County
Registry. (Attach copy of deed of subject property as it appears in Registry).
10. Existing use of property: _____
11. Proposed use(s) of the property: _____

NOTE: Be specific and list all intended uses.

12. It is requested that the foregoing property be rezoned FROM: R10

TO: (select one)

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

APPLICATION FOR
CONDITIONAL USE PERMIT

1. PROPOSED USE(S):

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

See attachment
INITIALLY ICE HOUSE

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

NA

2. DIMENSIONAL REQUIREMENTS:

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

PER SIGHT PLANS

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

PER SIGHT PLAN

3. SIGN REQUIREMENTS:

Reference the district sign regulations proposed from Article XIII.

PER SIGHT PLAN & OR ZONING ORD

4. LANDSCAPE AND BUFFER REQUIREMENTS:

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

PER SIGHT PLAN

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

PER SIGHT PLAN

5. MISCELLANEOUS:

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

6. SITE PLAN REQUIREMENTS:

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

7. ACKNOWLEDGEMENT:

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

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

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

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

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

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

JAMES E EMANUEL
NAME OF OWNERS (PRINT OR TYPE)

~~28~~ 75-23 ABA TOR DR HOPE MILLS N.C. 28348
ADDRESS OF OWNER(S)

425-1335
HOME TELEPHONE #

WORK TELEPHONE #

James E Emanuel
SIGNATURE OF OWNER(S)

SIGNATURE OF OWNER(S)

MOTIONS ON CONDITIONAL USE DISTRICT REZONING APPLICATIONS

IF TO APPROVE CONDITIONAL USE DISTRICT:

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

IF TO DENY CONDITIONAL USE DISTRICT:

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

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

IF TO APPROVE CONDITIONAL USE PERMIT:

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

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

October 22, 2007

Dorovan 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

MARCH 7, 2008

ITEM NO. 3B

MEMO TO: CUMBERLAND COUNTY BOARD OF COMMISSIONERS

FROM: CUMBERLAND COUNTY JOINT PLANNING BOARD

SUBJECT: **P08-07:** REZONING OF 3.55+/- ACRES FROM R15 RESIDENTIAL/CU CONDITIONAL USE, EQUESTRIAN FACILITIES AND HORSE EQUIPMENT SALES, TO R15 RESIDENTIAL OR TO A MORE RESTRICTIVE ZONING DISTRICT, LOCATED ON THE EAST SIDE OF JUDSON CHURCH ROAD, SOUTH OF BULLARD COURT, SUBMITTED AND OWNED BY WAYNE T. YOUNTS.

ACTION: MEMBERS PRESENT AT THE FEBRUARY 19, 2008 MEETING VOTED UNANIMOUSLY TO FOLLOW THE STAFF RECOMMENDATION AND APPROVE R15 RESIDENTIAL DISTRICT.

SITE INFORMATION: **Frontage & Location:** 235'+/- on Judson Church Road; **Depth:** 551'+/-; **Adjacent Property:** No; **Current Use:** Equestrian, horse riding equipment, horse trailer sales; **Initial Zoning:** R15 September 14, 1979 (Area 9); **Zoning Violation(s):** None; **Nonconformities:** If the rezoning is approved, the equestrian approved uses of this property will be made nonconforming; **Surrounding Zoning:** North: R15, RR & R6A; East: R15; South: A1; West: R15 & A1; **Surrounding Land Use:** Single-family residential (including manufactured homes), religious worship facility, and woodlands; **2010 Land Use Plan:** Suburban density residential; **Designated Special Flood Hazard Area or Floodway:** None; **Water/Sewer Availability:** Well / Septic; **Soil Limitations:** No; **School Capacity/Enrolled:** Sunnyside Elementary 245/305, Mac Williams Middle 1274/1162, Cape Fear High 1400/1470; **Subdivisions:** Subdivision plans must be approved prior to application for any permits (will also involve two adjacent lots); **Average Daily Traffic Count (2006):** 1,800 on Judson Church Rd **NCDOT:** Driveway permit will be required; **Highway Plan:** There are no road improvements/constructions specified for this area. This case has no impact on the current Highway Plan or Transportation Improvement Program; **Notes:** Existing Conditional Use Overlay (P90-67) approved use of property on May 15, 1990 to allow the sales of equestrian riding and training equipment including the sales of horse trailers. The applicant/property owner has been made aware that this current request, if approved, will make the equestrian approved uses nonconforming; Density: 10 lots Density (minus 15% for r/w): 9 lots

MINUTES OF FEBRUARY 19, 2008

The Planning & Inspections Staff recommends approval of the request for the R15 Residential district based on the following:

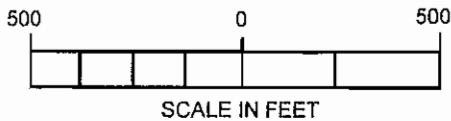
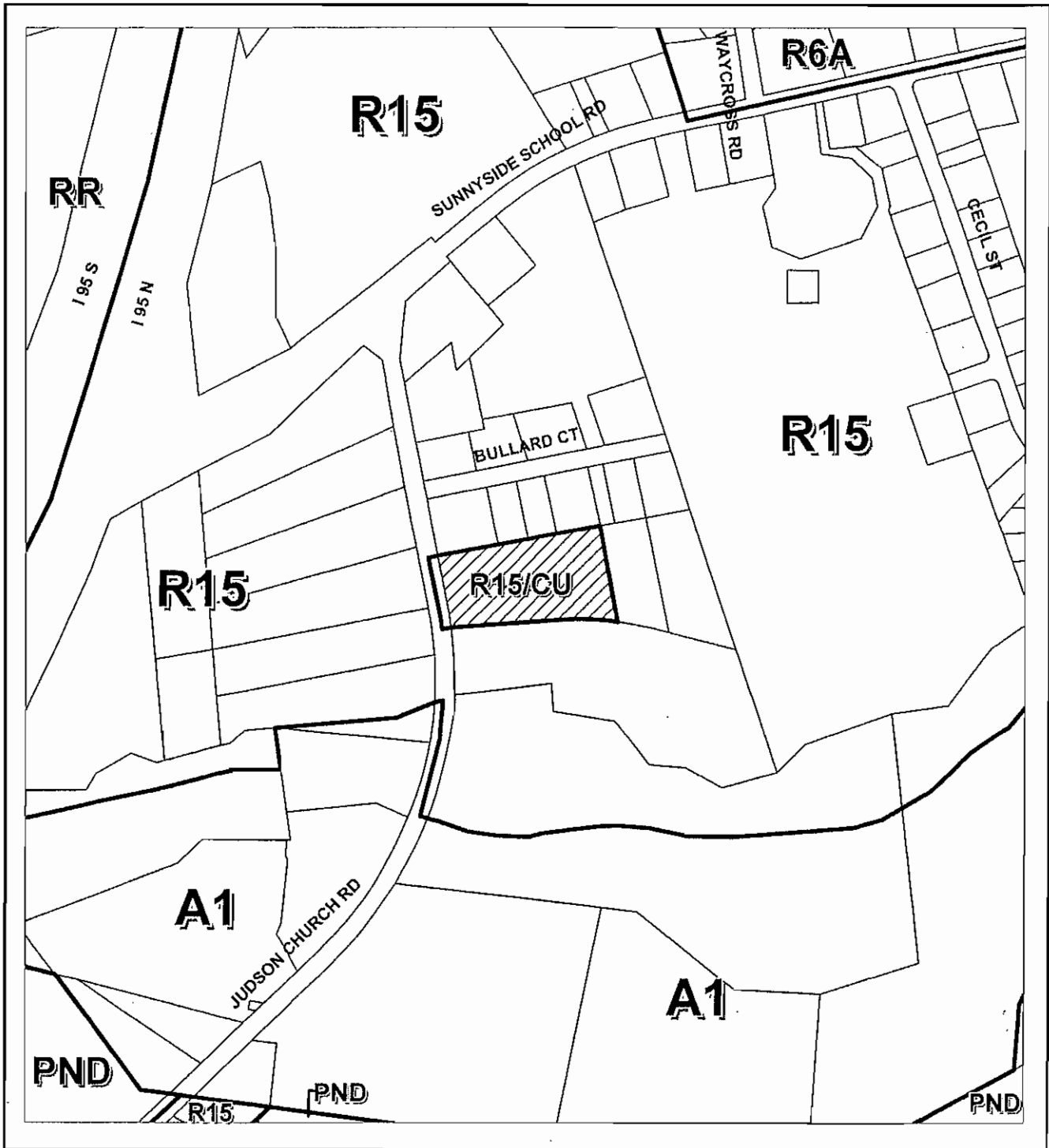
1. The request is consistent with the 2010 Land Use Plan; and
2. The request is consistent with the zoning and land uses within the surrounding area.

Case P08-07 continued

The applicant/property owner has been made aware that if the request is approved, the previously approved equestrian uses would no longer be an allowed use at this location.

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

A motion was made by Mr. McNeill, seconded by Vice-Chair Epler to follow the staff recommendation and approve case P08-07 as submitted. Unanimous approval.



REQUESTED REZONING: R15/CU TO R15

ACREAGE: 3.55 AC.+/-

HEARING NO: P08-07

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

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

MARCH 7, 2008

ITEM NO. 3C

MEMO TO: CUMBERLAND COUNTY BOARD OF COMMISSIONERS

FROM: CUMBERLAND COUNTY JOINT PLANNING BOARD

SUBJECT: **P08-09: REZONING OF 86.87+/- ACRES FROM M(P) PLANNED INDUSTRIAL TO RR RURAL RESIDENTIAL OR TO A MORE RESTRICTIVE ZONING DISTRICT, LOCATED ON THE NORTHWEST SIDE OF TRACY HALL ROAD, EAST OF NC HWY 87 SOUTH AND WILMINGTON HWY, SUBMITTED BY GRAHAM T. MOORE, OWNED BY G.T. MOORE INVESTMENTS LLC.**

ACTION: MEMBERS PRESENT AT THE FEBRUARY 19, 2008 MEETING VOTED UNANIMOUSLY TO FOLLOW THE STAFF RECOMMENDATION AND APPROVE A1 AGRICULTURAL DISTRICT.

SITE INFORMATION: Frontage & Location: 530'+/- on SR 2218 (Tracy Hall Road); **Depth:** 4,090'+/-; **Adjacent Property:** No; **Current Use:** Vacant non-residential structure and woodlands; **Initial Zoning:** M(P), March 15, 1979 (Area 6); **Zoning Violation(s):** None; **Surrounding Zoning:** North: CD & A1; East: M(P) & A1; South: M(P), C1(P) & RR; West: RR **Surrounding Land Use:** Single-family residential (including manufactured homes), nursery/landscaping company, daycare facility, public utility substation, cemetery, grease/oil disposal, reclamation plant & woodlands; **2010 Land Use Plan:** Heavy industrial & open space; **Designated Special Flood Hazard Area (SFHA) or Floodway:** Yes, two areas of SFHA and one small area along rear (river) is floodway; **Water/Sewer Availability:** PWC / Septic; **Soil Limitations:** Yes, hydric inclusion: WmB Wickham fine sandy & DgA Dogue fine sandy loam; **School Capacity/Enrolled:** Cashwell Elementary 773/761, Ireland Drive Middle 343/314, Douglas Byrd Middle 765/703, Douglas Byrd High 1280/1296; **Subdivisions:** Subdivision or site plan review may be required prior to any development of this site; **Average Daily Traffic Count (2006):** 15,000 on NC HWY 87 S, 1400 on Wilmington HWY; **Highway Plan:** There are no roads improvements/new constructions specified for this area. This case has no impact on the current Highway Plan or MTIP; **Notes:** Density (minus 15% for r/w): RR/R20/R20A – 161 lots/units, R30/R30A – 107 lots/units, R40/R40A – 80 lots/units, A1 – 37 lots/units; Zoning Districts and adoption dates: A1 Agricultural – 1977, A1A Agricultural – May 21, 2001, R30/R30A Residential – April 22, 1997, R40 Residential – September 27, 1988, R40A Residential – March 28, 1989

MINUTES OF FEBRUARY 19, 2008

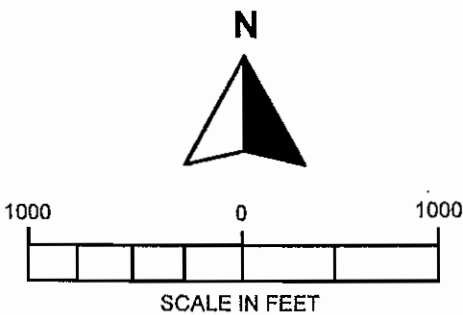
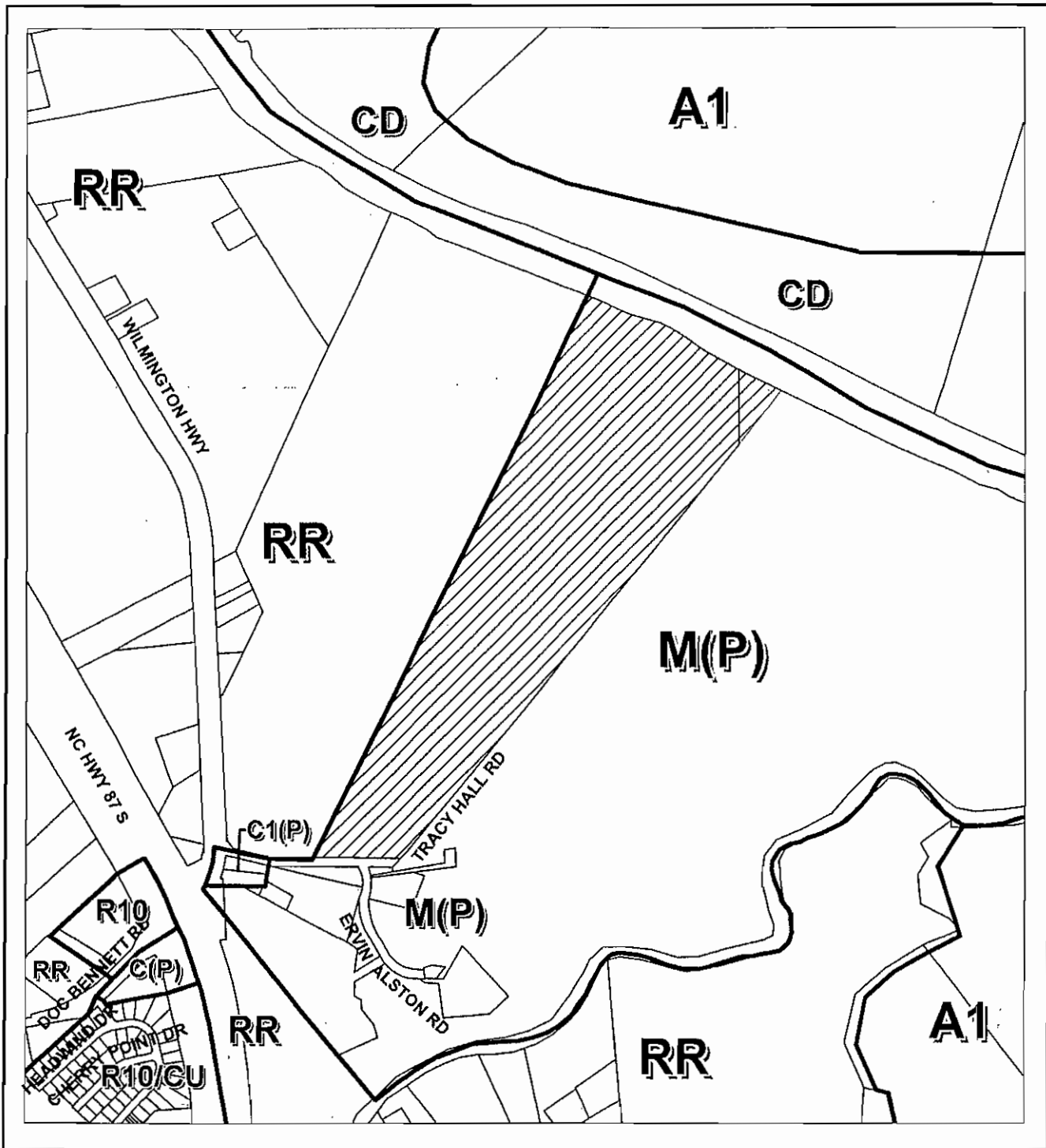
The Planning & Inspections Staff recommends denial of the RR Residential district but approval of the A1 Agricultural district for the subject property except where the *Special Flood Hazard Area* (SFHA) (previously known as: "100-year flood") and "floodway" is present; Staff recommends CD Conservancy district for that portion of the subject property - where SFHA and floodway is present, based on the following:

Case P08-09 continued

1. The request is not consistent with the 2010 Land Use Plan which calls for farmland at this location; the recommendation is consistent with the plan;
2. The soils of the subject property are not conducive to support the density of the requested district; the recommendation would allow for the reasonable use of the property accounting for the considerable amount of hydric and hydric inclusion soils being present;
3. Even though there is RR Rural Residential zoning on the adjacent properties, the A1 Agricultural and intervening large lot residential districts had not been adopted at the time of the initial zoning of this area; and
4. The recommendation for the CD Conservancy district for the portion of this tract located within the SFHA and floodway will allow for the preservation of open space without limiting the density for the overall tract and upon development could also be used to satisfy the parks, recreation and open space provisions.

The staff did not find any other suitable zoning districts that should be considered for this site. The applicant agreed with the staff recommendation.

A motion was made by Mr. McNeill, seconded by Vice-Chair Epler to follow the staff recommendation and approve case P08-09 as submitted. Unanimous approval.



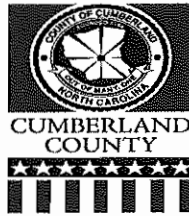
REQUESTED REZONING: M(P) TO RR

ACREAGE: 86.87 AC. +/-		HEARING NO: P08-09	
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

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

MARCH 10, 2008

ITEM NO. 3D

MEMORANDUM

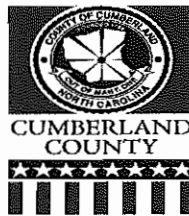
TO: Cumberland County Board of Commissioners
FROM: Tom Lloyd
SUBJECT: Case P08-06 March 17, 2008 Meeting

The Cumberland County Board of Commissioners deferred action on this case during their February 19, 2008 meeting. They instructed staff to report back on the effects a favorable rezoning would have concerning well contamination, on adjacent and surrounding properties, as well as development on future parcels.

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

MARCH 7, 2008

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".

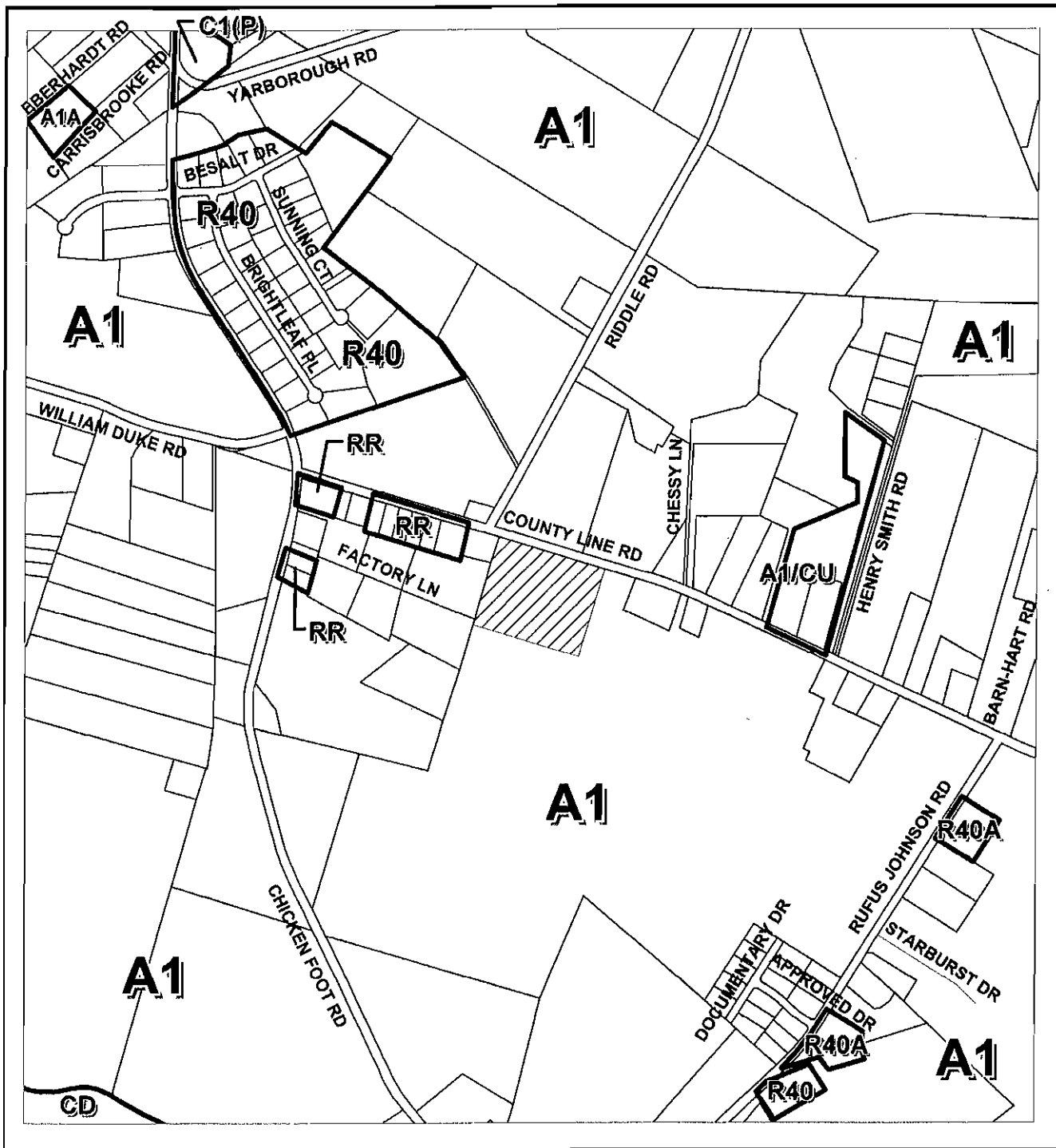
Mr. McNeill asked as far as buildable, it's more likely that you can build on hydric inclusion soils than hydric soils.

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



ITEM NO. 2 L

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
MARCH 17, 2008

TO: BOARD OF COUNTY COMMISSIONERS

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

FROM: THANENA S. WILSON, COMMUNITY DEVELOPMENT DIRECTOR *Stilwell*

DATE: MARCH 7, 2008

SUBJECT: COMMUNITY DEVELOPMENT WEEK PROCLAMATION

BACKGROUND

This year marks the 34th anniversary of the Community Development Block Grant (CDBG) Program which is celebrated nationally. In order to commemorate the anniversary and the impact that the CDBG Program has had on Cumberland County, we would like for the Board to proclaim March 24-30, 2008 as Community Development Week.

RECOMMENDATION AND PROPOSED ACTION

CCCD recommends that the Board of County Commissioners proclaim March 24-30, 2008 as Community Development Week in Cumberland County.

Attachment – Proclamation

Community Development Week Proclamation

Whereas, the Community Development Block Grant (CDBG) Program has operated since 1974 to provide local governments with the resources required to meet the needs of persons of low and moderate income; and

Whereas, the CDBG Program has had a significant impact on our local economy through job creation and retention, physical redevelopment and improved local tax bases; and

Whereas, CDBG funds are used by thousands of neighborhood-based, non-profit organizations throughout the nation to address pressing neighborhood and human service needs; and

Whereas, Cumberland County, North Carolina and other local governments have clearly demonstrated the capacity to administer and customize the CDBG Program to identify, prioritize and resolve local issues such as the provision of decent, affordable housing; neighborhood and human service needs; job creation and retention; and physical redevelopment.

Now, Therefore I, J. Breeden Blackwell, by virtue of the authority vested in me as Chairman of the Cumberland County Board of Commissioners, do hereby proclaim:

The week of March 24 – March 30, 2008 as

Community Development Week

in Cumberland County, and urge all citizens to join us in recognizing the Community Development Block Grant Program and the important role it plays in our community.

In Witness Whereof, I have hereunto set my hand and caused the seal of Cumberland County, North Carolina to be affixed this _____ day of _____ 2008.

J. Breeden Blackwell, Chairman

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

ITEM NO. 2M

March 5, 2008

March 17, 2008 Agenda Item

TO: Board of Commissioners

FROM: Marie Colgan, Deputy Clerk *me*

SUBJECT: Adoption of a Proclamation Proclaiming April 6-12, 2008 as
"National County Government Week"

BACKGROUND: County Government Week is April 6-12, 2008. The theme for this year's government week celebration is "Protecting our Children." As in the past, Cumberland County will celebrate this week with some special activities for our employees to include distribution of service pins.

ACTION: Adopt Proclamation proclaiming April 6-12, 2008 "NATIONAL COUNTY GOVERNMENT WEEK" in Cumberland County.

Attachment: Proclamation

Celebrating Our Past... Embracing Our Future

PROCLAMATION

WHEREAS, the nation's 3,066 counties provide a variety of essential public services to communities serving 300 million Americans; and

WHEREAS, counties take seriously their responsibility to protect and enhance the health, welfare and safety of its residents in sensible and cost-effective ways; and

WHEREAS, many county government services directly touch the lives of children and families; and

WHEREAS, in 13 states, all or some of the counties are responsible for child welfare and foster care systems; and

WHEREAS, more than 500,000 children are in foster care, removed from their families, as a result of suspected abuse or neglect; and

WHEREAS, one in five girls and one in 10 boys will be sexually victimized before adulthood; and

WHEREAS, the National Association of Counties is the only national organization that represents county governments in the United States; and

WHEREAS, the National Association of Counties first celebrated National County Government Week in 1991 to raise public awareness and understanding about the roles and responsibilities of the nation's counties to meet the needs of the community; and

WHEREAS, in recognition of the leadership, innovation and valuable service provided by the nation's counties, especially in the protection and welfare of children,

NOW, THEREFORE, BE IT RESOLVED that the Board of Commissioners of Cumberland County do hereby proclaim April 6-12, 2008 as National County Government Week in Cumberland County.

Adopted this 7th Day of April, 2008.

J. Breeden Blackwell, Chair
Board of County Commissioners

**COUNTY OF CUMBERLAND
BUDGET REVISION REQUEST**

Budget Office Use	
Budget Revision No.	B08-233
Date Received	2/19/2008
Date Completed	

Fund No. 004 Agency No. 470 Organ. No. 4710
 Organization Name: 1998 Local School Bond Funds

ITEM NO. 2N(1)

REVENUE

Revenue Source Code	Description	Current Budget	Increase (Decrease)	Revised Budget
7002	Interest Income	6,662,060	4,548	6,666,608
9291	Premium on Bonds	0	64,496	64,496
9901	Fund Balance Appropriated	100,870	(100,870)	-
Total		6,762,930	(31,826)	6,731,104

EXPENDITURES

Object Code	Appr Unit	Description	Current Budget	Increase (Decrease)	Revised Budget
385J	GAA	Deferred Maintenance	27,906,953	(31,826)	27,875,127
Total			27,906,953	(31,826)	27,875,127

Justification:

Revision to recognize revenues not previously budgeted and to reduce the budget for deferred maintenance to actual expenditures in order to replace fund balance appropriated as a source of funding.

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

Submitted By: _____ Date: _____
 Department Head

Reviewed By: Bob Tucker Date: 2/19/08
 Finance Department

Reviewed By: Amy Cannon Date: 3/11/08
 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.	B08-234
Date Received	2/19/2008
Date Completed	

Fund No. 013 Agency No. 470 Organ. No. 4716
 Organization Name: 2004 Local School Bond Projects

ITEM NO. 2N(2)

REVENUE

Revenue Source Code	Description	Current Budget	Increase (Decrease)	Revised Budget
7002	Interest Income	222,826	2,037	224,863
9901	Fund Balance Appropriated	7,573	(7,573)	-
				-
Total		230,399	(5,536)	224,863

EXPENDITURES

Object Code	Appr Unit	Description	Current Budget	Increase (Decrease)	Revised Budget
385S	RAB	School Renovations / Repairs	580,000	(5,536)	574,464
Total			580,000	(5,536)	574,464

Justification:

Revision to recognize Interest Income not previously budgeted and to reduce the budget for School Renovations & Repairs to actual expenditures in order to replace fund balance appropriated as a source of funding.

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

Submitted By: _____ Date: _____
 Department Head

Reviewed By: Bob Tucker Date: 2/19/08
 Finance Department

Reviewed By: Amy Cannon Date: 3/11/08
 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>808.235</u>
Date Received	<u>2-20-08</u>
Date Completed	

Fund No. 101 Agency No. 431 Organ. No. 4327

Organization Name: CDC TUBERCULOSIS PROJECT

ITEM NO. 2N(3)a

REVENUE

Revenue Source Code	Description	Current Budget	Increase (Decrease)	Revised Budget
4106	N.C. CDC TUBERCULOSIS PROJECT	36,489	(1,773)	34,716
		36,489	(1,773)	34,716

EXPENDITURES

Object Code	Appr Unit	Description	Current Budget	Increase (Decrease)	Revised Budget
1210	231	SALARIES - REGULAR	57,668	(1,773)	55,895
Total			57,668	(1,773)	55,895

Justification:

THIS BUDGET REVISION REQUESTS TO BUDGET FOR AN UNANTICIPATED REDUCTION IN STATE FUNDING BY UTILIZING LAPSED SALARIES FROM VACANT POSITION # PHD-1601.

State: (1,773) Federal: _____ Fund Balance: _____
 Other: _____ Fees: _____ County: _____ New: _____ Other: _____
 Prior Year: _____

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

Date: 2/18/08
 Date: 2/20/08
 Date: 3/10/08

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

**COUNTY OF CUMBERLAND
BUDGET REVISION REQUEST**

Budget Office Use	
Budget Revision No.	<u>308-258</u>
Date Received	<u>3-10-08</u>
Date Completed	

Fund No. 101 Agency No. 431 Organ. No. 4323

Organization Name: FAMILY PLANNING CLINIC

ITEM NO. 2N(3)b

REVENUE

Revenue Source Code	Description	Current Budget	Increase (Decrease)	Revised Budget
4145	N.C. FAMILY PLANNING	469,523	60,000	529,523

469,523 60,000 529,523

EXPENDITURES

Object Code	Appr Unit	Description	Current Budget	Increase (Decrease)	Revised Budget
2379	225	INCENTIVES	3,000	5,000	8,000
299A	225	COMPUTER HARDWARE	3,800	5,000	8,800
2994	225	MISCELLANEOUS FURNITURE / EQUIPMENT	778	2,500	3,278
2995	225	COMPUTER SOFTWARE	1,100	700	1,800
3390	225	CONTRACTED SERVICES	25,554	42,000	67,554
3419	225	MISCELLANEOUS EXPENSES	0	4,800	4,800

Total 34,232 60,000 94,232

Justification:

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

State: 60,000 Federal: _____ Fund Balance: _____
Other: _____ Fees: _____ County: _____ New: _____ Other: _____
Prior Year: _____

Submitted By: *Maya Rayon*
Department Head

Reviewed By: *Heather*
Finance Department

Reviewed By: *Amy Cannon*
Deputy Assistant County Mgr

3-5-08
Date:

3-10-08
Date:

3/11/08
Date:

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

**COUNTY OF CUMBERLAND
BUDGET REVISION REQUEST**

Budget Office Use	
Budget Revision No.	<u>808-239</u>
Date Received	<u>2/21/2008</u>
Date Completed	

Fund No. 101 Agency No. 440 Organ. No. 4408

Organization Name: Library Grants

ITEM NO. 2N(4)

REVENUE

Revenue Source Code	Description	Current Budget	Increase (Decrease)	Revised Budget
9901	Fund Balance Appropriated		2,032	
		0	2,032	-

EXPENDITURES

Object Code	Appr Unit	Description	Current Budget	Increase (Decrease)	Revised Budget
4409	305	Big Read	0	2,032	2,032
Total			0	2,032	2,032

Justification:

Revision in the amount of \$2,032 to rebudget the grant funds received and not spent in FY2007 for the Big Read program.

Funding Source:

State: _____
Other: _____

Federal: _____
Fees: _____

Fund Balance:

County: _____ New: _____
Prior Year: 2,032

Other: _____

Submitted By: _____

Date: _____

Reviewed By: [Signature] Department Head

Date: 2-21-08

Reviewed By: [Signature] Finance

Date: 3/11/08

[Signature] Deputy Assistant County Mgr

Approved By:

County Manager

Board of County Commissioners

Date: _____

Date: _____

**COUNTY OF CUMBERLAND
BUDGET REVISION REQUEST**

Budget Office Use	
Budget Revision No.	B08-240
Date Received	2/27/2008
Date Completed	

Fund No. 101 Agency No. 450 Organ. No. 4509
 Organization Name: Soil Conservation District

ITEM NO. 2N(5)

REVENUE

Revenue Source Code	Description	Current Budget	Increase (Decrease)	Revised Budget
7757	Soil - Fundraisers	0	1,825	1,825
Total		0	1,825	1,825

EXPENDITURES

Object Code	Appr Unit	Description	Current Budget	Increase (Decrease)	Revised Budget
2757	366	Soil - Fundraisers	0	1,825	1,825
Total			0	1,825	1,825

Justification:

Revision to budget revenues raised from sale of trees (\$670) and rain barrels (\$1,155).

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

Submitted By: Kay B Bullard Date: 2/27/08
 Department Head

Reviewed By: HeA Bob Sucher Date: 2/27/08
 Finance Department

Reviewed By: Amey Cannon Date: 3/11/08
 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.	B08-238
Date Received	2/21/2008
Date Completed	

Fund No. 101 Agency No. 450 Organ. No. 4502

Organization Name: Planning & Inspections

ITEM NO. 2N(6)a

REVENUE

Revenue Source Code	Description	Current Budget	Increase (Decrease)	Revised Budget
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9901 (101-999-9999)	Fund Balance Appropriated		25,000	
------------------------	---------------------------	--	--------	--

Total 25,000

EXPENDITURES

Object Code	Appr Unit	Description	Current Budget	Increase (Decrease)	Revised Budget
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3310	327	Demolition & Rehabilitation	18,200	25,000	43,200
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Total 18,200 25,000 43,200

Justification:

Revision in the amount of \$25,000 to appropriate fund balance to budget additional required demolition projects.

Funding Source:

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

Submitted By: _____
Department Head

Date: _____

Reviewed By: Bob Tucker
Finance Department

Date: 2/21/08

Reviewed By: Amy Cannon
Assistant County Mgr

Date: 3/1/08

Approved By:

County Manager

Board of County Commissioners

Date: _____

Date: _____

Budget Office Use	
Budget Revision No.	B08-241
Date Received	2/29/2008
Date Completed	

ITEM NO. 2N(6)b

**Board of County
Commissioners**

**COUNTY OF CUMBERLAND
BUDGET REVISION REQUEST**

Budget Office Use	
Budget Revision No.	<u>B08-242</u>
Date Received	<u>3/3/08</u>
Date Completed	

Fund No. 252 Agency No. 450 Organ. No. 4517
 Organization Name: Eastover Sanitary District Administration

ITEM NO. 2N(7)

REVENUE				
Revenue Source Code	Description	Current Budget	Increase (Decrease)	Revised Budget
9901	Fund Balance Appropriated	0	45,819	45,819
Total		0	45,819	45,819

EXPENDITURES					
Object Code	Appr Unit	Description	Current Budget	Increase (Decrease)	Revised Budget
3154	688	Consultant	4,320	38,710	43,030
3419	688	Miscellaneous	2,500	7,109	9,609
Total			6,820	45,819	52,639

Justification:

Revision in the amount of \$45,819 to appropriate fund balance to budget additional expenses anticipated during FY 2008.

Funding Source:

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

Submitted By: Morgan L Johnson ^{3/11/08}
 ESD Chairman Date: _____

Reviewed By: Bob Tucker Date: 3/3/08
 Finance Department

Reviewed By: Amy Cannon Date: 3/11/08
 Assistant County Mgr

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

**Board of County
Commissioners**

**COUNTY OF CUMBERLAND
BUDGET REVISION REQUEST**

Budget Office Use	
Budget Revision No.	<u>B08-248</u>
Date Received	<u>3.7.08</u>
Date Completed	

Fund No. 112 Agency No. 43E Organ. No. 4357
 Organization Name: Mental Health Adult Periodic

ITEM NO. 2N(9)a

REVENUE

Revenue Source Code	Description	Current Budget	Increase (Decrease)	Revised Budget
4255	Mental Health Crisis	0	3,751	3,751
		0	3,751	3,751

EXPENDITURES

Object Code	Appr Unit	Description	Current Budget	Increase (Decrease)	Revised Budget
3474	494	Training	4,000	3,751	7,751
Total			4,000	3,751	7,751

Justification:

To budget new Crisis Intervention Program funds. Increases budgeted revenues and expenditures by \$3,751.00 !

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

Submitted By: [Signature] Department Head

Date: 3/5/08

Reviewed By: [Signature] Finance Department

Date: 3.7.08

Reviewed By: [Signature] Deputy Assistant County Mgr

Date: 3/11/08

Approved By:

Date: _____

County Manager

Board of County Commissioners

Date: _____

**COUNTY OF CUMBERLAND
BUDGET REVISION REQUEST**

Budget Office Use	
Budget Revision No.	<u>B08-249</u>
Date Received	<u>3.7.08</u>
Date Completed	

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

Organization Name: Childrens Treatment System Program

ITEM NO. 2N(9)b

REVENUE

Revenue Source Code	Description	Current Budget	Increase (Decrease)	Revised Budget
6252	Mental Health Children and Youth Fess	<u>1,985,876</u>	1,700,000	<u>3,685,876</u>

Total

EXPENDITURES

Object Code	Appr Unit	Description	Current Budget	Increase (Decrease)	Revised Budget
3360	509	Other Srevices	1,200,000	1,400,000	2,600,000
3390	509	Contracted Services	553,000	300,000	853,000

Total 1,753,000 1,700,000 3,453,000

Justification:

To budget for increased Residential Level I and Level II services. Increases budgeted revenues and expenditures by \$1,700,000.00. These services are reimbursed by Medicaid.

Funding Source:

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

Fund Balance:

Submitted By: [Signature]
Department Head

Date: 3/5/08

Reviewed By: [Signature]
Budget Analyst

Date: 3.7.08

Reviewed By: [Signature]
Deputy Assistant County Mgr

Date: 3/11/08

Reviewed By: _____
Information Services

Date: _____

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

**COUNTY OF CUMBERLAND
BUDGET REVISION REQUEST**

Budget Office Use	
Budget Revision No.	<u>B08-250</u>
Date Received	<u>3.7.08</u>
Date Completed	

Fund No. 112 Agency No. 435 Organ. No. 4335
 Organization Name: Mental Health Department

ITEM NO. 2N(9)c

REVENUE

Revenue Source Code	Description	Current Budget	Increase (Decrease)	Revised Budget
9901	Fund Balance	176,157	30,600	206,757

176,157 30,600 206,757

EXPENDITURES

Object Code	Appr Unit	Description	Current Budget	Increase (Decrease)	Revised Budget
3114	521	Legal	150,000	25,000	175,000
3401	521	Advertising	12,000	5,600	17,600

Total 162,000 30,600 192,600

Justification:

Contingency for additional legal cost related to provider endorsement. Produce videos for primary care physicians.

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

Submitted By: [Signature]
 Department Head

Date: 3/5/08

Reviewed By: [Signature]
 Finance Department

Date: 3.7.08

Reviewed By: [Signature]
 Deputy Assistant County Mgr

Date: 3/11/08

Approved By:

Date: _____

County Manager

Board of County Commissioners

Date: _____

**COUNTY OF CUMBERLAND
BUDGET REVISION REQUEST**

Budget Office Use	
Budget Revision No.	<u>808-251</u>
Date Received	<u>3/6/08</u>
Date Completed	

Fund No. 101 Agency No. 422 Organ. No. 4203
 Organization Name: Jail

ITEM NO. 2N(10)a

REVENUE

Revenue Source Code	Description	Current Budget	Increase (Decrease)	Revised Budget
4515	NC Grant Sheriff	0	47,560	47,560
Total		0	47,560	47,560

EXPENDITURES

Object Code	Appr Unit	Description	Current Budget	Increase (Decrease)	Revised Budget
3610	116	Capital Outlay--Equip	40,000	47,560	87,560
Total			40,000	47,560	87,560

Justification:

Receive NC SBI grant towards purchase of replacement Fingerprint-taking hardware and software. Combine with previously approved County funds to finalize purchase.

Funding Source:

State: 47,560
 Other: _____

Federal: _____
 Fees: _____

Fund Balance:

County: _____ New: _____
 Prior Year: _____

Other: _____

Submitted By: <u>Earl R. Butler</u> Department Head	Date: <u>3-6-08</u>	Approved By: _____ Date: _____ County Manager Board of County Commissioners Date: _____
Reviewed By: <u>Howard A. Br...</u> Budget Analyst	Date: <u>3/10/08</u>	
Reviewed By: <u>Amy N. Cannon</u> Deputy Assistant County Mgr	Date: <u>3/11/08</u>	
Reviewed By: _____ Information Services	Date: _____	

**COUNTY OF CUMBERLAND
BUDGET REVISION REQUEST**

Budget Office Use

Budget Revision No. B08-252
Date Received 3/6/08
Date Completed _____

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

ITEM NO. 2N(10)b

REVENUE

Revenue Source Code	Description	Current Budget	Increase (Decrease)	Revised Budget
3111	Return of Fugitives	200	1,957	2 157
Total		200	1,957	2,157

EXPENDITURES

Object Code	Appr Unit	Description	Current Budget	Increase (Decrease)	Revised Budget
4006	112	Return of Prisoners	100	1,957	2,057
Total			100	1,957	2,057

Justification:

Recognize Revenue from State-funded extradition of fugitives. Increase Expense Budget accordingly.

Funding Source:

State: 1,957
Other: _____

Fund Balance:

Federal: _____ County: _____ New: _____
Fees: _____ Prior Year: 2007

Other: _____

Submitted By: Earl R Butler
Department Head

Date: 3-6-08

Approved By: _____

Reviewed By: Howard Allen
Budget Analyst

Date: 3/10/08

Date: _____

Reviewed By: Amy Cannon
Deputy Assistant County Mgr

Date: 3/11/08

County Manager

Board of County Commissioners

Date: _____

Reviewed By: _____
Information Services

Date: _____

**COUNTY OF CUMBERLAND
BUDGET REVISION REQUEST**

Budget Office Use	
Budget Revision No.	<u>B08-253</u>
Date Received	<u>3/6/08</u>
Date Completed	

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

REVENUE				
Revenue Source Code	Description	Current Budget	Increase (Decrease)	Revised Budget
6427	CC Child Support Enforcement	195,735	19,480	215,215
Total		195,735	19,480	215,215

EXPENDITURES					
Object Code	Appr Unit	Description	Current Budget	Increase (Decrease)	Revised Budget
2510	112	Fuel	592,409	14,000	606,409
3438	112	Maint/Repair--Vehicles	450,000	5,480	455,480
Total			1,042,409	19,480	1,061,889

Justification:

Recognize Revenue from State Funding for Child Support Enforcement program. Increase Expense Budget accordingly.

Funding Source:

State: 19,480
 Other: _____

Fund Balance:

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

Other: _____

Submitted By: Earl R. Butler
 Department Head

Reviewed By: Howard H. Bror
 Budget Analyst

Reviewed By: Ameyd Cannon
 Deputy Assistant County Mgr

Reviewed By: _____
 Information Services

Date: 3-6-08

Date: 3/10/08

Date: 3/11/08

Date: _____

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

**COUNTY OF CUMBERLAND
BUDGET REVISION REQUEST**

Budget Office Use	
Budget Revision No.	<u>B08-253</u>
Date Received	<u>3/1/08</u>
Date Completed	

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

REVENUE

Revenue Source Code	Description	Current Budget	Increase (Decrease)	Revised Budget
6430	Restitution	8,000	8,000	16,000
Total		8,000	8,000	16,000

EXPENDITURES

Object Code	Appr Unit	Description	Current Budget	Increase (Decrease)	Revised Budget
2120	112	Uniforms	152,877	3,000	155,877
2992	112	Departmental supplies	179,830	3,000	182,830
3433	112	Maint/repair--equipment	209,065	2,000	211,065
Total			541,772	8,000	549,772

Justification:

Recognize Revenue from court-ordered restitution to Sheriff's Office. Increase Expense Budget accordingly.

Funding Source:

State: _____
 Other: 8,000

Fund Balance:

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

Other: _____

Submitted By: <u>Earl R. Butler</u> Department Head	Date: <u>3-6-08</u>	Approved By: _____ _____ County Manager Board of County Commissioners Date: _____
Reviewed By: <u>Howard C. Brown</u> Budget Analyst	Date: <u>3/1/08</u>	
Reviewed By: <u>Amy D. Cannon</u> Deputy Assistant County Mgr	Date: <u>3/11/08</u>	
Reviewed By: _____ Information Services	Date: _____	

**COUNTY OF CUMBERLAND
BUDGET REVISION REQUEST**

Budget Office Use

Budget Revision No. BOS-254
Date Received 3/4/08
Date Completed _____

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

REVENUE

Revenue Source Code	Description	Current Budget	Increase (Decrease)	Revised Budget
4684	Concealed Weapon Permit Fees	38,000	11,000	49,000
6411	ID Fees	128,000	11,000	139,000
Total		166,000	22,000	188,000

EXPENDITURES

Object Code	Appr Unit	Description	Current Budget	Increase (Decrease)	Revised Budget
2110	112	Janitorial supplies	26,057	9,000	35,057
2992	112	Departmental supplies	182,830	11,000	193,830
3433	112	Maint/repair--equipment	211,065	2,000	213,065
Total			419,952	22,000	441,952

Justification:

Recognize Revenue from fees collected for records check, fingerprint cards, and concealed carry permits. Increase related Expense Budget accordingly.

Funding Source:

State: _____
Other: _____

Federal: _____
Fees: 22,000

Fund Balance:

County: _____ New: _____
Prior Year: _____

Other: _____

Submitted By: Earl R. Butler
Department Head

Date: 3-6-08

Reviewed By: Howard R. Brea
Budget Analyst

Date: 3/10/08

Reviewed By: Amy C. Cannon
Deputy Assistant County Mgr

Date: 3/11/08

Reviewed By: _____
Information Services

Date: _____

Approved By:

Date: _____

County Manager

Board of County
Commissioners

Date: _____

**COUNTY OF CUMBERLAND
BUDGET REVISION REQUEST**

Budget Office Use	
Budget Revision No.	<u>B08-255</u>
Date Received	<u>3/6/08</u>
Date Completed	

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

REVENUE				
Revenue Source Code	Description	Current Budget	Increase (Decrease)	Revised Budget
6405	Process Fees	420,000	50,000	470,000
6440	Commission--Property Sales	15,000	16,000	31,000
Total		435,000	66,000	501,000

EXPENDITURES					
Object Code	Appr Unit	Description	Current Budget	Increase (Decrease)	Revised Budget
2992	112	Departmental supplies	193,830	30,000	223,830
299A	112	Computer Hardware	26,779	25,000	51,779
3419	112	Misc. Expenses	24,682	5,000	29,682
3445	112	Telephones	94,549	3,500	98,049
3450	112	Copiers	21,289	2,500	23,789
Total			361,129	66,000	427,129

Justification:

Recognize Revenue from fees collected for delivery of civil process court documents, and commissions on property sold at Sheriff's auctions. Increase Expense Budget accordingly.

Funding Source:

State: _____ Federal: _____ County: _____ New: _____ Other: _____
Other: _____ Fees: 66,000 Prior Year: _____

Fund Balance:

Submitted By: <u>Earl R Butler</u> Department Head	Date: <u>3-6-08</u>	<div>Approved By:</div> <div>County Manager</div> <div>Board of County Commissioners</div>
Reviewed By: <u>Howard H. Brown</u> Budget Analyst	Date: <u>3/10/08</u>	
Reviewed By: <u>Amy Cannon</u> Deputy Assistant County Mgr	Date: <u>3/11/08</u>	
Reviewed By: _____ Information Services	Date: _____	

**COUNTY OF CUMBERLAND
BUDGET REVISION REQUEST**

Budget Office Use	
Budget Revision No.	<u>BOS-256</u>
Date Received	<u>3/16/08</u>
Date Completed	

Fund No. 101 Agency No. 422 Organ. No. 4200

Organization Name: Sheriff

ITEM NO. 2N(10)c

REVENUE

Revenue Source Code	Description	Current Budget	Increase (Decrease)	Revised Budget
6460	Juvenile Crime Prevention Council	0	23,000	23,000
669E	Gang Violence In-Kind	0	5,750	5,750
Total		0	28,750	28,750

EXPENDITURES

Object Code	Appr Unit	Description	Current Budget	Increase (Decrease)	Revised Budget
2601	112	Office Supplies	80,452	750	81,202
299A	112	Computer Hardware	51,779	2,500	54,279
2992	112	Dept Supplies	223,830	7,250	231,080
2994	112	Misc Furn & Equip	3,000	3,100	6,100
3433	112	Maint/Repair--Equip	213,065	1,200	214,265
3455	112	Printing	6,090	1,400	7,490
3470	112	Travel	35,732	3,800	39,532
3474	112	Training	27,000	3,000	30,000
348B	112	Gang Violence In-Kind	0	5,750	5,750
Total			640,948	28,750	669,698

Justification:

Recognize pass-through grant funds (State of NC Dept of Juvenile Justice & Delinquency Prevention). Establish Expense budget

Funding Source:

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

Fund Balance:

Submitted By: Earl R. Butler
Department Head

Date: 3-6-08

Reviewed By: Howard H. Brown
Budget Analyst

Date: 3/10/08

Reviewed By: Amy D. Cannon
Deputy Assistant County Mgr

Date: 3/11/08

Reviewed By: _____
Information Services

Date: _____

Approved By: _____

County Manager

Board of County Commissioners

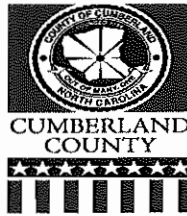
Date: _____

Date: _____

Douvan 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

MARCH 7, 2008

ITEM NO. 3A

MEMO TO: CUMBERLAND COUNTY BOARD OF COMMISSIONERS

FROM: CUMBERLAND COUNTY JOINT PLANNING BOARD

SUBJECT: **P08-03:** REZONING OF 0.23+/- ACRES FROM R10 RESIDENTIAL TO C(P) PLANNED COMMERCIAL OR TO A MORE RESTRICTIVE ZONING DISTRICT, LOCATED AT 3080 LEGION ROAD, SUBMITTED AND OWNED BY JAMES E. AND PEGGY L. EMANUEL.

ACTION: MEMBERS PRESENT AT THE FEBRUARY 19, 2008 MEETING VOTED UNANIMOUSLY TO FOLLOW THE STAFF RECOMMENDATION AND APPROVE C(P) PLANNED COMMERCIAL DISTRICT CONDITIONAL USE DISTRICT FOR AN ICE HOUSE AND OTHER PERMITTED USES AND APPROVAL OF THE CONDITIONAL USE PERMIT.

SITE INFORMATION: **Frontage & Location:** 72'+/- on Legion Road (50' front yard & 30' rear yard = 80' required yard setbacks); 143'+/- on Mid Pine Drive (50' front yard & 30' rear yard = 80' required yard setbacks); **Adjacent Property:** No; **Current Use:** Vacant tract; **Initial Zoning:** R10, November 17, 1975 (Area 4); **Zoning Violation(s):** None; **Nonconformities:** None existing; **Surrounding Zoning:** North: M(P) & R10; South: R10 & C(P); East: C(P); West: C(P) & M(P); **Surrounding Land Use:** Single-family residential (one with a home occupation – sewing/alterations) shopping center, recycling plant, plumbing business, pipe supply, retail (drug store and strip mall), restaurants, exterminating business, and health spa; **2010 Land Use Plan:** Low density residential; **Designated 100-Year Floodplain or Floodway:** No; **Urban Services Area:** Yes; **Water/Sewer Availability:** PWC/PWC; **Soil Limitations:** None
Subdivision/Site Plan: See attached "Ordinance-Related Conditions"; **Highway Plan:** Legion Road and Mid Pine Drive are both "major thoroughfares". The plan calls for Legion Road to be a multi-lane facility (U-2809) with a right-of-way 100 feet; road improvements are included in the 2007-2013 MTIP; Planning/Design: Prior years in progress; Mitigation: FY2010; Right-of-way: FY09; Construction: FY 2010; **Average Daily Traffic Count (2006):** 12,000 on Legion Road; 20,000 on Mid Pine Road; **Notes:** 1. Applicant/owner amended request to "Conditional Use District & Permit" at the January 15, 2008 Planning Board meeting. 2. The applicant/owner has voluntarily agreed to restrict the allowed uses to: Ice House, Public /Community Utility Station/Substation, and Special Information Signs (with Board of Adjustment approval); prohibiting all other uses normally allowed in the C(P) Planned Commercial zoning district. 3. If approved, the "Ordinance-Related Conditions" are attached; particular attention should be paid to conditions numbered 1, 7, 11 and 12.

MINUTES OF FEBRUARY 19, 2008

The Planning Board originally heard this case at their January 15, 2008 meeting and at that time, the Board encouraged the applicant/property owner to consider amending the application

amended application and is now requesting approval of a C(P) Planned Commercial/Conditional Use District [C(P)/CUD], with the initial use being an "ice house" and future allowable uses of "public/community utility station/substation and/or a "special information sign" (if the sign is approved by the County Board of Adjustment) and the Permit complying with the attached "Ordinance-Related Conditions" and the contents of the site plan and the application. The applicant/property owner also agrees to restrict this site to the requested uses only, eliminating all other uses normally allowed in the C(P) Planned Commercial district.

Based on the applicant's amended application, the Planning and Inspections Staff now recommends approval of the applicant's request for rezoning to a C(P)/CUD initially for an "ice house" and future allowable uses of "public/community utility station/substation and/or a "special information sign" (if the sign is approved by the County Board of Adjustment), eliminating all other uses normally allowed in the C(P) Planned Commercial district, based on the following:

1. Although the request is not consistent with the 2010 Land Use Plan, which calls for low density residential at this location, the request is reasonable and consistent with the uses in an area that is in transition due to the effect of right-of-way widening at this location.
2. The request, if approved will allow the property owner reasonable use of the property.

The Planning & Inspections Staff recommends approval of the Conditional Use Permit, a direct result of the applicant/property owner satisfying every point of contention originally raised by the staff. This recommendation is based on the following:

1. The use will not materially endanger the public health or safety if located according to the plan submitted, specifically the developer has agreed to the NC Department of Transportation (NCDOT) mandate that the access be a "right in" from Legion Road with a "right out" to Mid Pine Drive;
2. The use will meet all required conditions and specifications if developed according to the site plan and application – a copy of the ordinance provisions pertaining to this site are attached;
3. The use will maintain or enhance the value of adjoining or abutting properties in that the uses requested if developed in accordance with the site plan and ordinance-related conditions, both of which offer protective measures to adjacent properties, will at a minimum maintain the adjoining or abutting properties; and
4. The location and character of the use, if developed according to the plan as submitted and recommended, will be in harmony with the area in which it is to be located and in general conform with the development ordinances and adopted planning policies.

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

A motion was made by Mr. McNeill and seconded by Vice-Chair Epler to follow the staff recommendations and approve C(P)/Conditional Use District because the application is reasonable, neither arbitrary nor unduly discriminatory and in the public interest. The motion passed unanimously.

Case P08-03 continued

A motion was made by Mr. McNeill and seconded by Vice-Chair Epler to approve the Conditional Use Permit for an ice house, public/community utility station/substations and special information sign after finding that when completed, the proposal: 1) will not materially endanger the public health and safety; 2) will not substantially injure the value of adjoining or abutting property; 3) will be in harmony with the area in which it is to be located; and 4) will be in conformity with the land use plan, thoroughfare plan or other plan officially adopted by the Board of Commissioners. The motion passed unanimously.

Case No. P08-03
Conditional Use District & Permit

Ordinance-Related Conditions

1. A boundary plat must be submitted to Land Use Codes for review and approval for recording with the County Register of Deeds, and the plat must be recorded prior to any permit application for any structure and/or prior to the sale of any lot or unit within this development.

Permit-Related:

2. The owner/developer(s) of these lots must obtain detailed instructions on provisions of the County Zoning Ordinance and permits required to place any structure within this development from the County Code Enforcement Section, Room 101 in the Historic Courthouse at 130 Gillespie Street. For additional information, the developer should contact a Code Enforcement Officer.
3. If applicable, connection to public water and sewer is required, the Public Works Commission (PWC) must approve water and sewer plans prior to application for any permits. A copy of the PWC approval must be provided to Code Enforcement at the time of application for building/zoning permits.
4. The developer must provide a site-specific address and tax parcel number at the time of building/zoning permit application.
5. Landscaping must be provided as shown on the site plan. The following are the minimum standards for the required landscaping of this site:
 - a. Four large shade trees or eight small ornamental trees within the front yard setback area;
 - b. One ornamental tree and eight shrubs are required in the building yard area;

In addition:

- a. All required plant materials shall be maintained by the property owners, including replacing dead or unhealthy trees and shrubs;
 - b. Trees shall be maintained in a vertical position at all times;
 - b. All planting areas shall be kept free of weeds and debris.
6. The building final inspection cannot be accomplished until a Code Enforcement Officer inspects the site and certifies that the site is developed in accordance with the approved plans.

Site-Related:

7. The requested and approved uses of this property are "Ice House", "Public/Community Utility Station/Substation", and "Special Information Sign" (with Board of Adjustment approval of Special Use Permit); all other uses normally allowed in the C(P) Planned Commercial District are prohibited and all setback encroachments cannot exceed the setbacks approved by the Commissioners as shown on the approved site plan. Prior to any change in use to a use approved by the Commissioners and/or prior to application for any permits for a change in use, the site plan must be submitted for review and approval from the Planning & Inspections Staff and/or the County Board of Adjustment for the Special Information Sign.
8. This conditional approval is not approval of any freestanding signs. If a freestanding sign is desired, re-submittal of the site plan to the Land Use Codes Staff is required prior to application for any freestanding sign permits. Attached signage for this development must be in accordance with the applicable sign regulations as set forth in Article XIII of the County Zoning Ordinance and that the proper permit(s) must be obtained prior to the installation of any permanent signs on the property. (Note: This conditional approval is **not** approval of the size, shape, or location of any signs.)
9. An adequate drainage system must be installed by the developer in accordance with the NC Department of Environment and Natural Resources' (NCDENR) *Manual on Best Management Practices* and all drainage ways must be kept clean and free of debris.

10. All utilities, except for 25kv or greater electrical lines, must be located underground.
11. The developer must obtain a driveway permit from the NC Department of Transportation (NCDOT). A copy of the approved driveway permit must be provided to Code Enforcement at the time of application for building/zoning permits. Note: The NCDOT has specified that a full use driveway off of Mid Pine Road or Legion Road will not be allowed at this location because a driveway cannot be located far enough from the intersection to allow for a safe access; therefore, NCDOT will restrict this site to a "right in" on Legion Road with a "right out" on Mid Pine Road.
12. Turn lanes may be required by the NC Department of Transportation (NCDOT).
13. All lighting is required to be directed internally within this development and comply with the provisions of Section 1102 M, Outdoor Lighting, County Zoning Ordinance.
14. A solid buffer must be provided and maintained along the rear property line where this tract abuts a residentially-zoned property in accordance with the provisions of Section 1102 G, Buffer Requirements, County Zoning Ordinance.
15. All dumpster, garbage, and utility areas shall be located on concrete pads and screened on a minimum of three sides.
16. All required off-street parking spaces shall be a minimum of 9' x 20' and must be in place prior to application for the building final inspection. A minimum of three off-street parking spaces is required for this development.
17. All notes and calculations as shown on the site plan and contained within the application are to be considered as a part of this conditional approval.

Plat-Related:

18. The recordable plat must be submitted to the Planning & Inspections Department and subsequently recorded, showing the current boundary of the subject property accounting for the changes in the right-of-way.
19. Lateral access must be provided to the property on the northwest side of this tract allowing for future interconnectivity with said tract.
20. The boundary plat must have the streets labeled as SR 1344 (Mid Pine Road) and SR 1132 (Legion Road) as applicable.
21. Any/All easements must be reflected on the final plat and labeled as to type of easement, reference number for document creating the easement, and the name of the agency, individual, etc. who holds the easement.
22. The NC Department of Transportation (NCDOT) stamp must be affixed to the final plat prior to submission for final plat approval by Land Use Codes.
23. The notarized signature(s) of all current tax record owner(s) and notary certifications appear on the final plat when submitted for final approval.

Plat-Required Statements:

24. All structures shall be shown on the boundary plat or the final plat shall reflect the following statement:

"Nonconforming structures have not been created by this boundary survey."

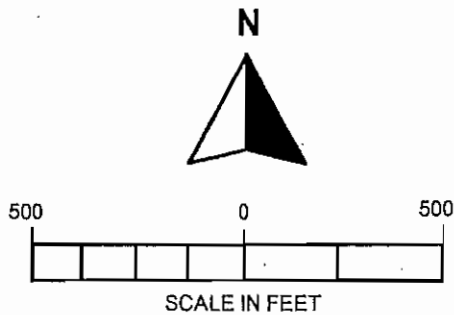
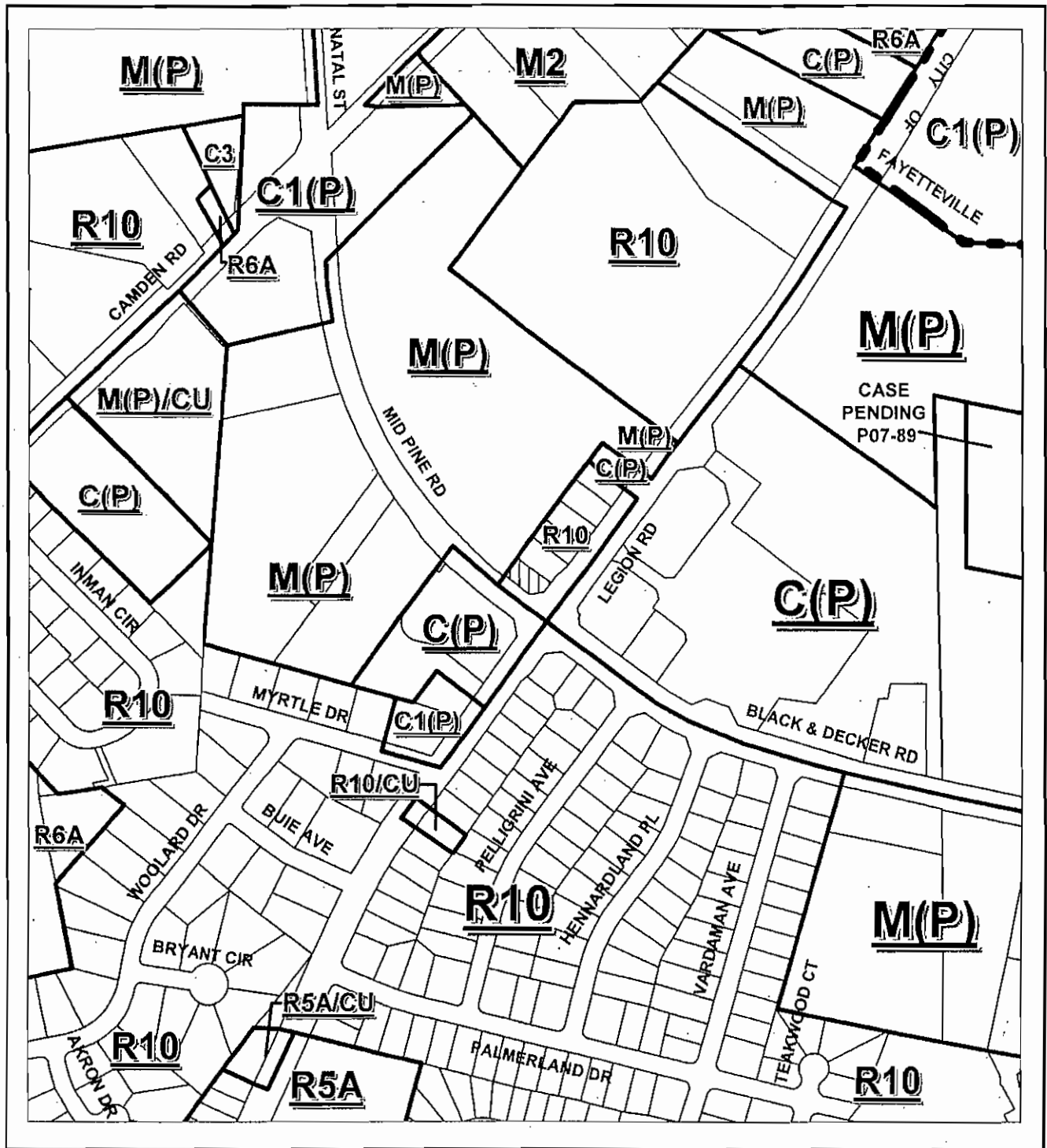
Other Relevant Conditions:

25. The applicant is advised to consult an expert on wetlands before proceeding with any development.
26. The owner/developer is responsible for ensuring easements which may exist on the subject property are accounted for, not encumbered and that no part of this development is violating the rights of the easement holder.

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

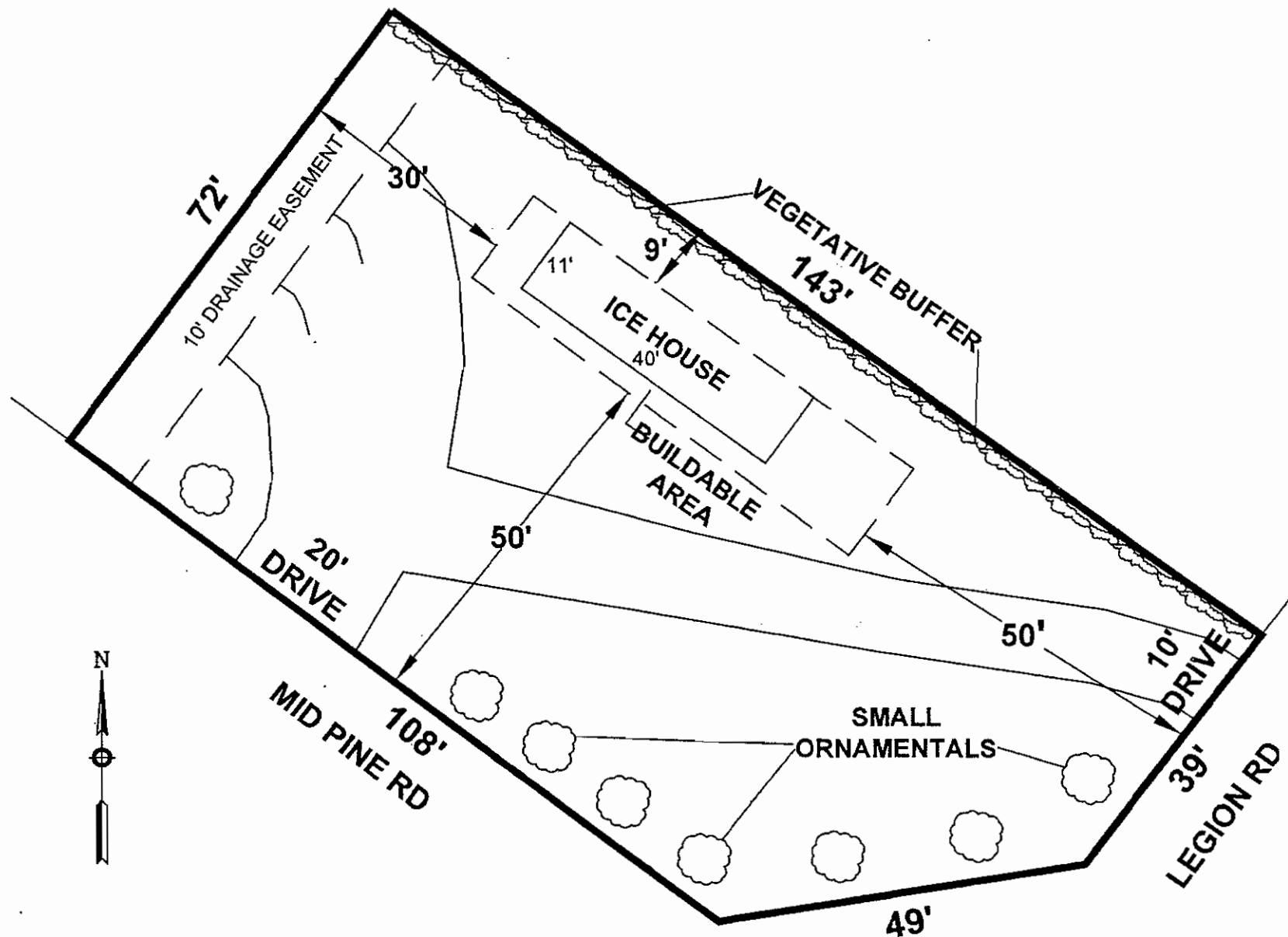
Contact Information (Area Code is 910 unless otherwise stated):

Subdivision/Site Plan/Plat	Ed Byrne	678-7609
Code Enforcement (Permits):	Ken Sykes	321-6654
PWC:	Heidi Maly	223-4774
Corp of Engineers (wetlands):	Ronnie Smith	(910) 251-4829
NCDENR (E&S):	Jody Pace	433-3300
E911 Site-Specific Address:	Ron Gonzales	678-7616
Tax Parcel Numbers:		678-7549
NCDOT (driveways/curb-cuts):	Gary Burton	486-1496



REQUESTED REZONING: R10 TO C(P)/CUD

ACREAGE: 0.23 AC.+/-		HEARING NO: P08-03	
ORDINANCE: COUNTY		HEARING DATE	ACTION
STAFF RECOMMENDATION			
PLANNING BOARD			
GOVERNING BOARD			



CONDITIONAL USE DISTRICT AND PERMIT
REQUEST: ICE HOUSE AND OTHER PERMITTED USES

CASE: P08-03 ACREAGE: 0.23 ±

ZONING: R10 SCALE: 1"=20'

PARKING: AS SHOWN

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

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

1. APPLICANT/AGENT: _____
2. ADDRESS: _____ ZIP CODE: _____
3. TELEPHONE: (Home) _____ (Work) _____
4. Location of Property: _____

5. Parcel Identification Number (PIN #) of subject property: _____
(also known as Tax ID Number or Property Tax ID)
6. Acreage: _____ Frontage: _____ Depth: _____
7. Water Provider: _____
8. Septage Provider: _____
9. Deed Book _____, Page(s) _____, Cumberland County
Registry. (Attach copy of deed of subject property as it appears in Registry).
10. Existing use of property: _____
11. Proposed use(s) of the property: _____

NOTE: Be specific and list all intended uses.

12. It is requested that the foregoing property be rezoned FROM: R10

TO: (select one)

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

APPLICATION FOR
CONDITIONAL USE PERMIT

1. PROPOSED USE(S):

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

See attachment
INITIALLY ICE HOUSE

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

NA

2. DIMENSIONAL REQUIREMENTS:

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

PER SIGHT PLAN

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

PER SIGHT PLAN

3. SIGN REQUIREMENTS:

Reference the district sign regulations proposed from Article XIII.

PER SIGHT PLAN & OR ZONING ORD

4. LANDSCAPE AND BUFFER REQUIREMENTS:

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

PER SIGHT PLAN

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

PER SIGHT PLAN

5. MISCELLANEOUS:

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

6. SITE PLAN REQUIREMENTS:

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

7. ACKNOWLEDGEMENT:

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

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

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

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

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

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

JAMES E EMANUEL
NAME OF OWNERS (PRINT OR TYPE)

7523 ABA TOR DR HOPE MILLS N.C. 28348
ADDRESS OF OWNER(S)

425 1335
HOME TELEPHONE #

WORK TELEPHONE #

James E Emanuel
SIGNATURE OF OWNER(S)

SIGNATURE OF OWNER(S)

MOTIONS ON CONDITIONAL USE DISTRICT REZONING APPLICATIONS

IF TO APPROVE CONDITIONAL USE DISTRICT:

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

IF TO DENY CONDITIONAL USE DISTRICT:

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

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

IF TO APPROVE CONDITIONAL USE PERMIT:

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

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

October 22, 2007

Dorovan 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

MARCH 7, 2008

ITEM NO. 3B

MEMO TO: CUMBERLAND COUNTY BOARD OF COMMISSIONERS

FROM: CUMBERLAND COUNTY JOINT PLANNING BOARD

SUBJECT: **P08-07:** REZONING OF 3.55+/- ACRES FROM R15 RESIDENTIAL/CU CONDITIONAL USE, EQUESTRIAN FACILITIES AND HORSE EQUIPMENT SALES, TO R15 RESIDENTIAL OR TO A MORE RESTRICTIVE ZONING DISTRICT, LOCATED ON THE EAST SIDE OF JUDSON CHURCH ROAD, SOUTH OF BULLARD COURT, SUBMITTED AND OWNED BY WAYNE T. YOUNTS.

ACTION: MEMBERS PRESENT AT THE FEBRUARY 19, 2008 MEETING VOTED UNANIMOUSLY TO FOLLOW THE STAFF RECOMMENDATION AND APPROVE R15 RESIDENTIAL DISTRICT.

SITE INFORMATION: **Frontage & Location:** 235'+/- on Judson Church Road; **Depth:** 551'+/-; **Adjacent Property:** No; **Current Use:** Equestrian, horse riding equipment, horse trailer sales; **Initial Zoning:** R15 September 14, 1979 (Area 9); **Zoning Violation(s):** None; **Nonconformities:** If the rezoning is approved, the equestrian approved uses of this property will be made nonconforming; **Surrounding Zoning:** North: R15, RR & R6A; East: R15; South: A1; West: R15 & A1; **Surrounding Land Use:** Single-family residential (including manufactured homes), religious worship facility, and woodlands; **2010 Land Use Plan:** Suburban density residential; **Designated Special Flood Hazard Area or Floodway:** None; **Water/Sewer Availability:** Well / Septic; **Soil Limitations:** No; **School Capacity/Enrolled:** Sunnyside Elementary 245/305, Mac Williams Middle 1274/1162, Cape Fear High 1400/1470; **Subdivisions:** Subdivision plans must be approved prior to application for any permits (will also involve two adjacent lots); **Average Daily Traffic Count (2006):** 1,800 on Judson Church Rd **NCDOT:** Driveway permit will be required; **Highway Plan:** There are no road improvements/constructions specified for this area. This case has no impact on the current Highway Plan or Transportation Improvement Program; **Notes:** Existing Conditional Use Overlay (P90-67) approved use of property on May 15, 1990 to allow the sales of equestrian riding and training equipment including the sales of horse trailers. The applicant/property owner has been made aware that this current request, if approved, will make the equestrian approved uses nonconforming; Density: 10 lots Density (minus 15% for r/w): 9 lots

MINUTES OF FEBRUARY 19, 2008

The Planning & Inspections Staff recommends approval of the request for the R15 Residential district based on the following:

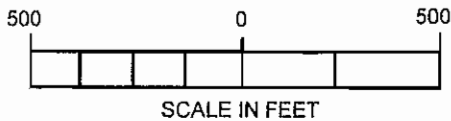
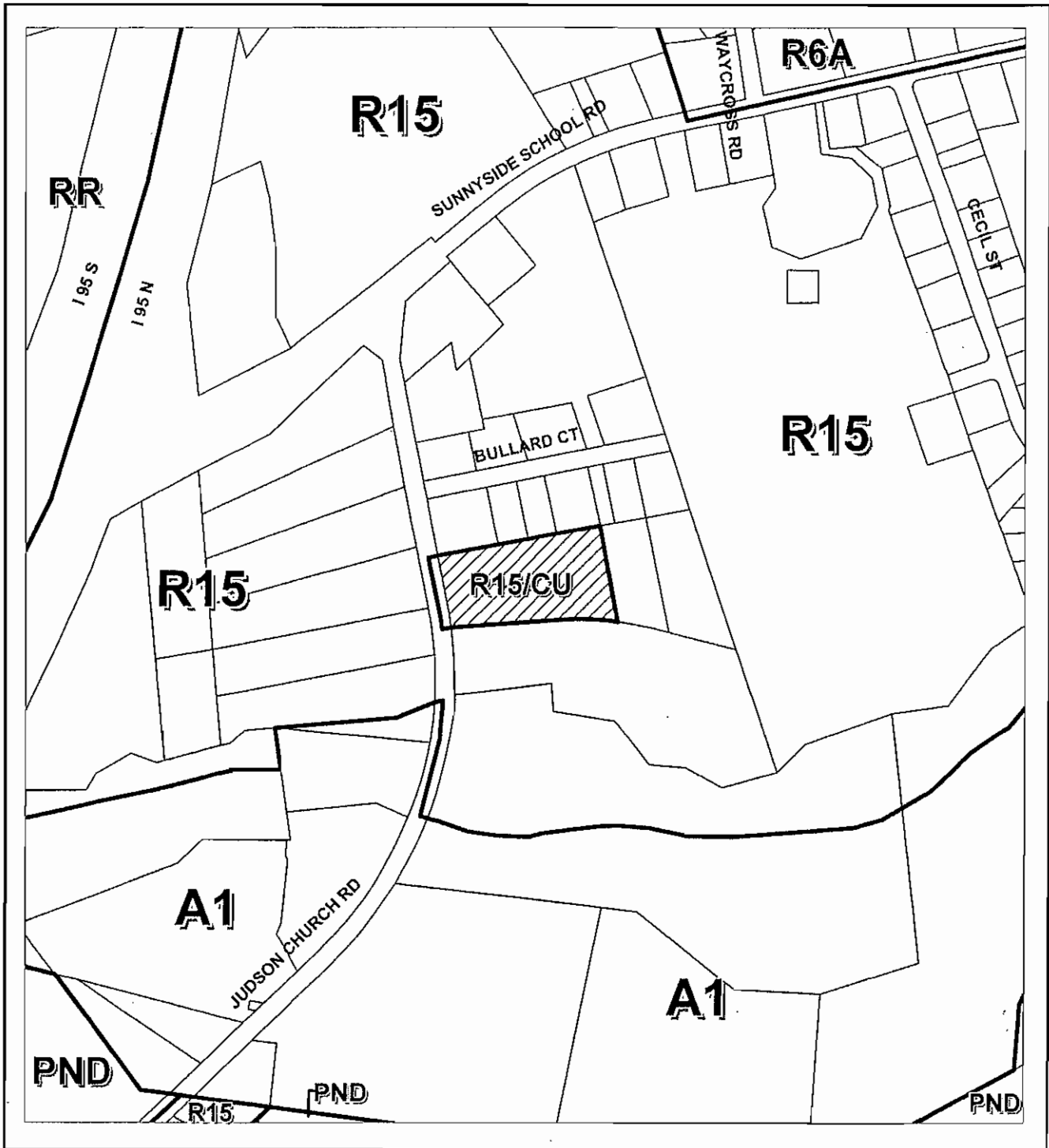
1. The request is consistent with the 2010 Land Use Plan; and
2. The request is consistent with the zoning and land uses within the surrounding area.

Case P08-07 continued

The applicant/property owner has been made aware that if the request is approved, the previously approved equestrian uses would no longer be an allowed use at this location.

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

A motion was made by Mr. McNeill, seconded by Vice-Chair Epler to follow the staff recommendation and approve case P08-07 as submitted. Unanimous approval.



PIN: 0456-83-6599

REQUESTED REZONING: R15/CU TO R15

ACREAGE: 3.55 AC.+/-

HEARING NO: P08-07

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

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

MARCH 7, 2008

ITEM NO. 3C

MEMO TO: CUMBERLAND COUNTY BOARD OF COMMISSIONERS

FROM: CUMBERLAND COUNTY JOINT PLANNING BOARD

SUBJECT: **P08-09: REZONING OF 86.87+/- ACRES FROM M(P) PLANNED INDUSTRIAL TO RR RURAL RESIDENTIAL OR TO A MORE RESTRICTIVE ZONING DISTRICT, LOCATED ON THE NORTHWEST SIDE OF TRACY HALL ROAD, EAST OF NC HWY 87 SOUTH AND WILMINGTON HWY, SUBMITTED BY GRAHAM T. MOORE, OWNED BY G.T. MOORE INVESTMENTS LLC.**

ACTION: MEMBERS PRESENT AT THE FEBRUARY 19, 2008 MEETING VOTED UNANIMOUSLY TO FOLLOW THE STAFF RECOMMENDATION AND APPROVE A1 AGRICULTURAL DISTRICT.

SITE INFORMATION: Frontage & Location: 530'+/- on SR 2218 (Tracy Hall Road); **Depth:** 4,090'+/-; **Adjacent Property:** No; **Current Use:** Vacant non-residential structure and woodlands; **Initial Zoning:** M(P), March 15, 1979 (Area 6); **Zoning Violation(s):** None; **Surrounding Zoning:** North: CD & A1; East: M(P) & A1; South: M(P), C1(P) & RR; West: RR **Surrounding Land Use:** Single-family residential (including manufactured homes), nursery/landscaping company, daycare facility, public utility substation, cemetery, grease/oil disposal, reclamation plant & woodlands; **2010 Land Use Plan:** Heavy industrial & open space; **Designated Special Flood Hazard Area (SFHA) or Floodway:** Yes, two areas of SFHA and one small area along rear (river) is floodway; **Water/Sewer Availability:** PWC / Septic; **Soil Limitations:** Yes, hydric inclusion: WmB Wickham fine sandy & DgA Dogue fine sandy loam; **School Capacity/Enrolled:** Cashwell Elementary 773/761, Ireland Drive Middle 343/314, Douglas Byrd Middle 765/703, Douglas Byrd High 1280/1296; **Subdivisions:** Subdivision or site plan review may be required prior to any development of this site; **Average Daily Traffic Count (2006):** 15,000 on NC HWY 87 S, 1400 on Wilmington HWY; **Highway Plan:** There are no roads improvements/new constructions specified for this area. This case has no impact on the current Highway Plan or MTIP; **Notes:** Density (minus 15% for r/w): RR/R20/R20A – 161 lots/units, R30/R30A – 107 lots/units, R40/R40A – 80 lots/units, A1 – 37 lots/units; Zoning Districts and adoption dates: A1 Agricultural – 1977, A1A Agricultural – May 21, 2001, R30/R30A Residential – April 22, 1997, R40 Residential – September 27, 1988, R40A Residential – March 28, 1989

MINUTES OF FEBRUARY 19, 2008

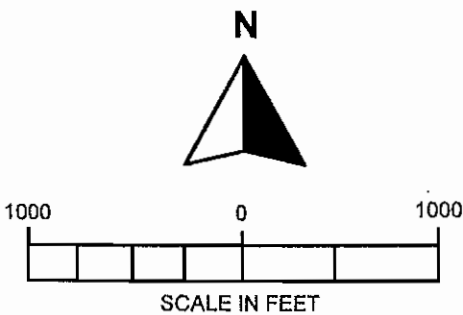
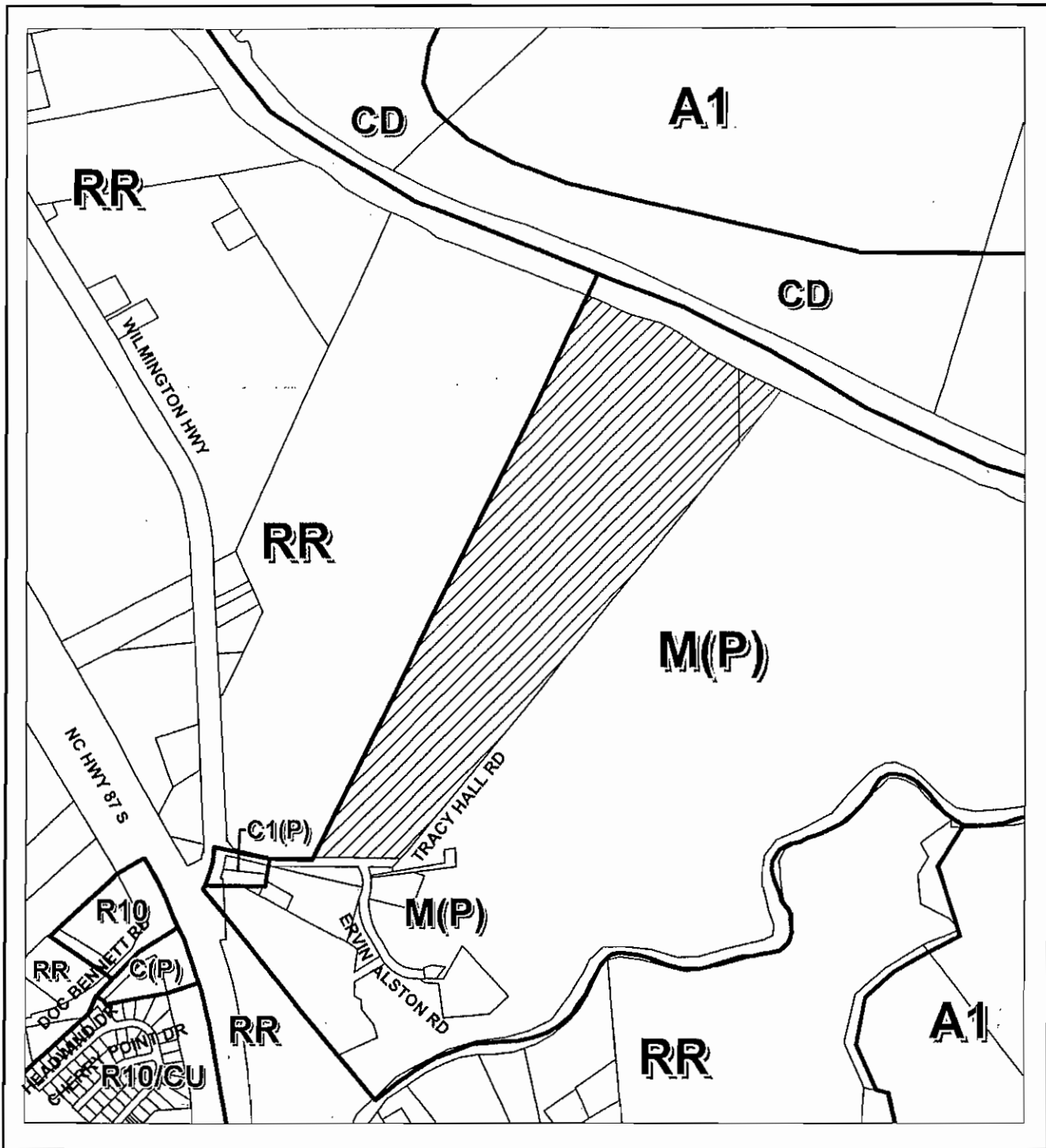
The Planning & Inspections Staff recommends denial of the RR Residential district but approval of the A1 Agricultural district for the subject property except where the *Special Flood Hazard Area* (SFHA) (previously known as: "100-year flood") and "floodway" is present; Staff recommends CD Conservancy district for that portion of the subject property - where SFHA and floodway is present, based on the following:

Case P08-09 continued

1. The request is not consistent with the 2010 Land Use Plan which calls for farmland at this location; the recommendation is consistent with the plan;
2. The soils of the subject property are not conducive to support the density of the requested district; the recommendation would allow for the reasonable use of the property accounting for the considerable amount of hydric and hydric inclusion soils being present;
3. Even though there is RR Rural Residential zoning on the adjacent properties, the A1 Agricultural and intervening large lot residential districts had not been adopted at the time of the initial zoning of this area; and
4. The recommendation for the CD Conservancy district for the portion of this tract located within the SFHA and floodway will allow for the preservation of open space without limiting the density for the overall tract and upon development could also be used to satisfy the parks, recreation and open space provisions.

The staff did not find any other suitable zoning districts that should be considered for this site. The applicant agreed with the staff recommendation.

A motion was made by Mr. McNeill, seconded by Vice-Chair Epler to follow the staff recommendation and approve case P08-09 as submitted. Unanimous approval.



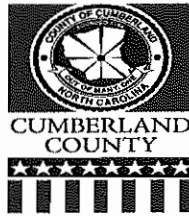
REQUESTED REZONING: M(P) TO RR

ACREAGE: 86.87 AC. +/-		HEARING NO: P08-09	
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

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

MARCH 10, 2008

ITEM NO. 3D

MEMORANDUM

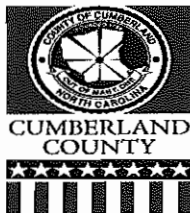
TO: Cumberland County Board of Commissioners
FROM: Tom Lloyd
SUBJECT: Case P08-06 March 17, 2008 Meeting

The Cumberland County Board of Commissioners deferred action on this case during their February 19, 2008 meeting. They instructed staff to report back on the effects a favorable rezoning would have concerning well contamination, on adjacent and surrounding properties, as well as development on future parcels.

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

MARCH 7, 2008

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".

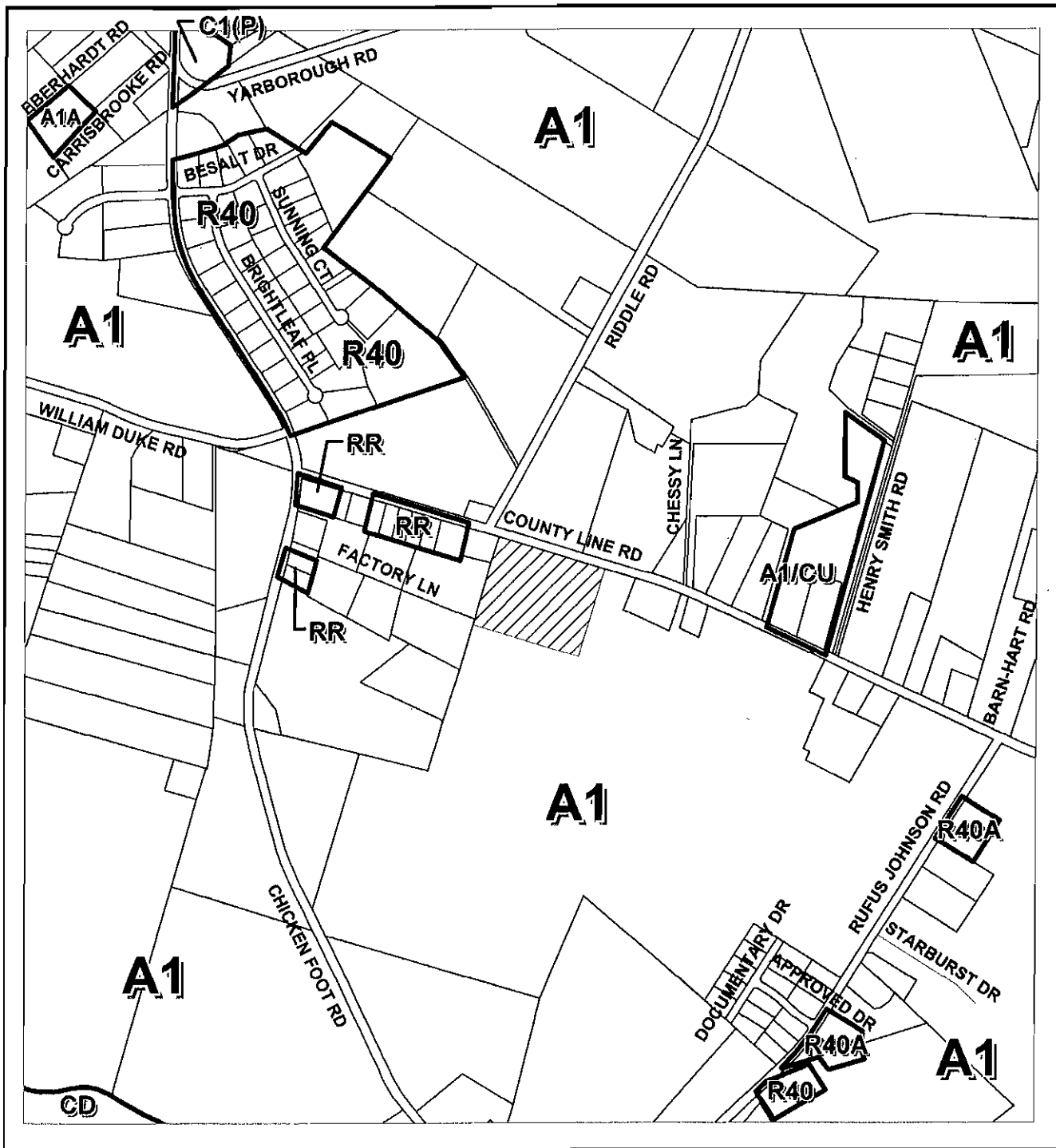
Mr. McNeill asked as far as buildable, it's more likely that you can build on hydric inclusion soils than hydric soils.

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

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

MARCH 7, 2008

ITEM NO. 3E

MEMO TO: CUMBERLAND COUNTY BOARD OF COMMISSIONERS

FROM: CUMBERLAND COUNTY JOINT PLANNING BOARD

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

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

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

MINUTES OF FEBRUARY 19, 2008

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

Case P08-11 continued

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

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

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

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

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

Public Hearing opened and Chair McLaurin swore in all speakers.

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

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

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

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

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

Case P08-11 continued

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

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

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

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

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

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

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

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

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

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

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

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

Mr. McNeill asked how often they are inspected.

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

Mr. McNeill asked if that was an annual renewal.

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

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

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

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

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

Case P08-11 continued

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

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

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

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

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

Mr. Yarborough responded yes.

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

Public Hearing closed.

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

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

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

Chair McLaurin stated that he agrees with Mr. Morris.

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

Case P08-11 continued

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

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

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

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

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

P08-11
Conditional Use District & Permit

Ordinance-Related Conditions

Permit-Related:

1. The owner/developer(s) of these lots must obtain detailed instructions on provisions of the County Zoning Ordinance and permits required to place any structure within this development from the County Code Enforcement Section, Room 101 in the Historic Courthouse at 130 Gillespie Street. For additional information, the developer should contact a Code Enforcement Officer.
2. The County Health Department must approve water and sewer plans prior to application for any permits. Site and soil evaluations must be conducted on the property by the County Environmental Health Department prior to application for permits. A copy of the Health Department approval must be provided to Code Enforcement at the time of application for any building/zoning permits. (Note: All Health Department requirements must be met prior to issuance of final permits.)
3. New development that will disturb one acre or more of land or is part of a larger plan that will disturb at least an acre of land is subject to the post-construction Stormwater Management Permitting Program (Phase II Stormwater Management Requirements) administered by the Division of Water Quality, North Carolina Department of Environment and Natural Resources. Prior to the issuance of any permits for this site, evidence must be provided to County Code Enforcement indicating that compliance with these regulations has been achieved.
4. The developer may have to provide the Code Enforcement Section with an approved NC Department of Environment and Natural Resources (NCDENR) sedimentation and erosion control plan (S&E) prior to any application for permits. (Note: If any retention/detention basins are required for state approval of this plan, then three (3) copies of a revised plan must be submitted and approved by Planning & Inspections prior to application for any building/zoning permits.) A copy of the NCDENR approval must be provided to Code Enforcement at the time of application for any building/zoning permits.
5. The developer must provide a site-specific address and tax parcel number at the time of building/zoning permit application.
6. The building final inspection cannot be accomplished until a Code Enforcement Officer inspects the site and certifies that the site is developed in accordance with the approved plans.

Site-Related:

7. All uses, dimensions, setbacks and other related provisions of the County Subdivision and Zoning Ordinances for the A1/CUD zoning district must be complied with, as applicable.
8. This conditional approval is not approval of any freestanding signs. All signage for this site must comply with the sign regulations for the C1(P) zoning district. If a freestanding sign is desired, re-submittal of the site plan to the Planning & Inspections Staff is required prior to application for any freestanding sign permits. Attached signage for this development must be in accordance with the applicable sign regulations as set forth in Article XIII of the County Zoning Ordinance and that the proper permit(s) must be obtained prior to the installation of any permanent signs on the property. (Note: This conditional approval is **not** approval of the size, shape, or location of any signs.)
9. All applicable provisions of Section 3.21, "Group Developments", County Subdivision Ordinance, must be complied with..
10. An adequate drainage system must be installed by the developer in accordance with the NC Department of Environment and Natural Resources' (NCDENR) *Manual on Best Management Practices* and all drainage ways must be kept clean and free of debris.
11. All utilities, except for 25kv or greater electrical lines, must be located underground.
12. All lighting is required to be directed internally within this development and comply with the provisions of Section 1102 M, Outdoor Lighting, County Zoning Ordinance.

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

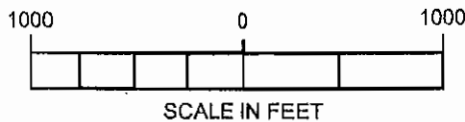
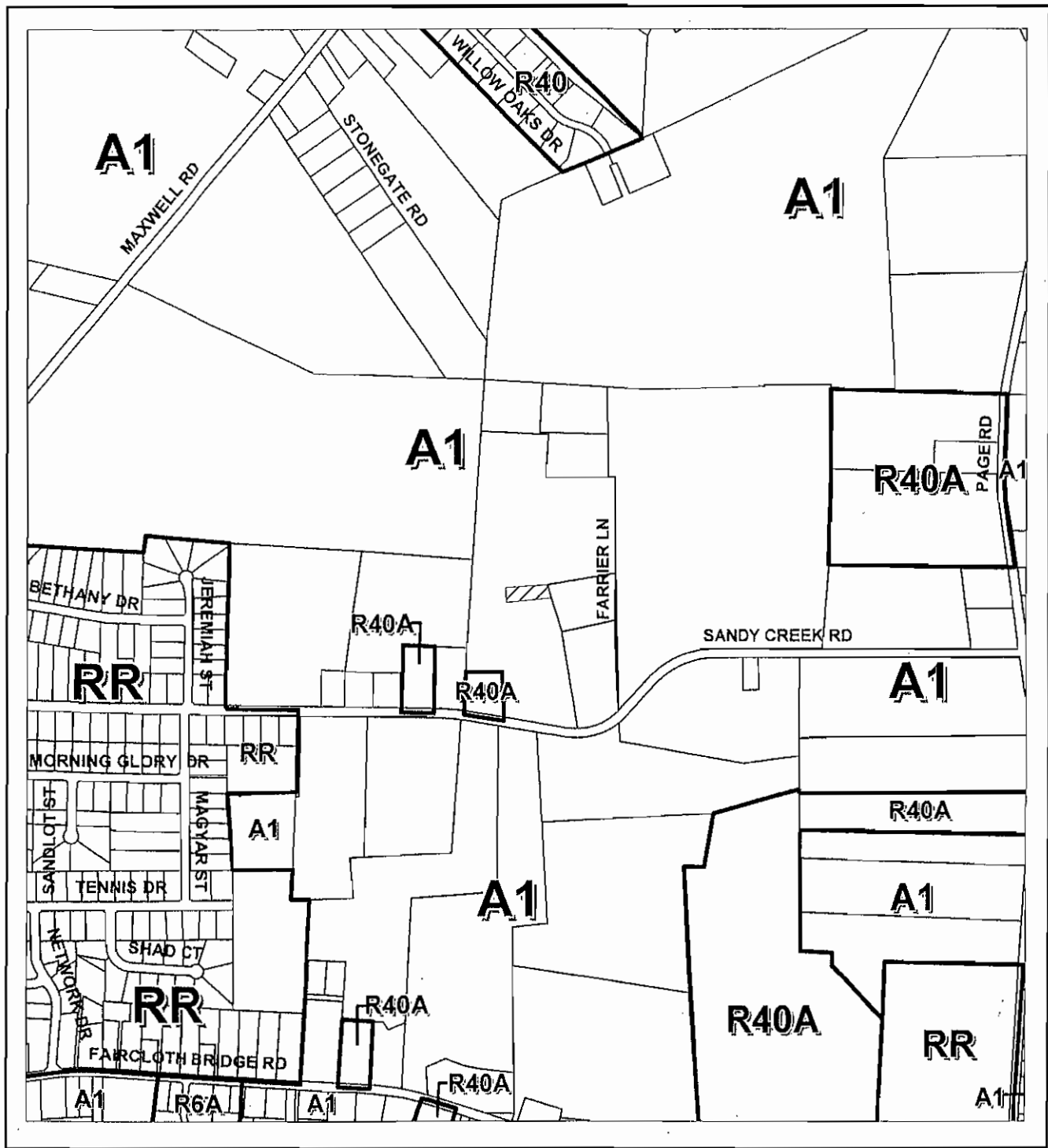
Other Relevant Conditions:

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

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

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

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



REQUESTED REZONING: A1 TO C(P)/CUD

ACREAGE: 0.60 AC.+/-

HEARING NO: P08-11

ORDINANCE: COUNTY

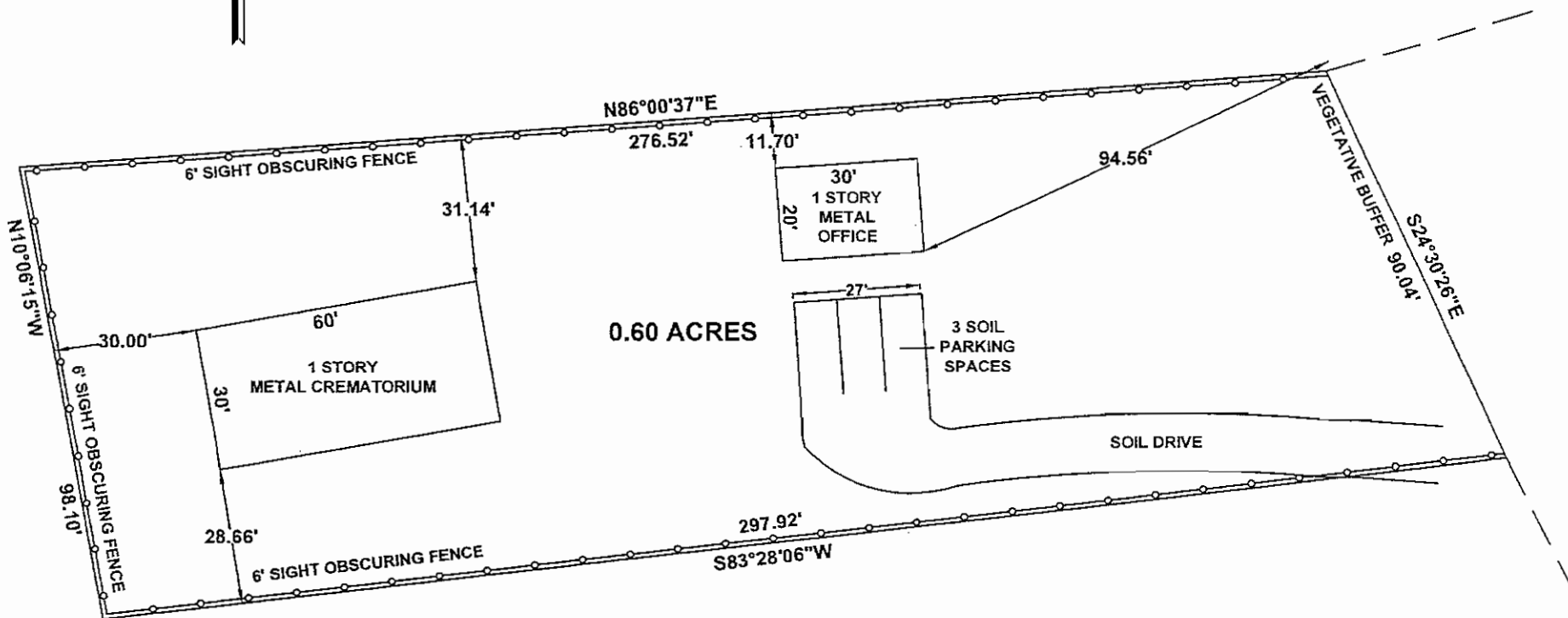
HEARING DATE

ACTION

STAFF RECOMMENDATION

PLANNING BOARD

GOVERNING BOARD



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

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

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

1. APPLICANT/AGENT: David Morgan Campbell
2. ADDRESS: 6771 Sandy Creek Rd, Stedman, NC ZIP CODE: 28391
3. TELEPHONE: (Home) 485-0846 (Work) 323-8898
4. Location of Property: 6765 Sandy Creek Rd. (Approx. .8 miles from the intersection of Maxwell Rd & Sandy Creek Rd)
5. Parcel Identification Number (PIN #) of subject property: 0497-69-2341
(also known as Tax ID Number or Property Tax ID)
6. Acreage: ~~29.74~~ 1.666 Frontage: ~~505~~ 95 Feet Depth: ~~1852~~ 288 Feet 166
7. Water Provider: Individual Well
8. Septage Provider: Individual Septic Tank
9. Deed Book 4663, Page(s) 663, Cumberland County Registry. (Attach copy of deed of subject property as it appears in Registry).
10. Existing use of property: Residential
11. Proposed use(s) of the property: Commercial (Crematory)

NOTE: Be specific and list all intended uses.

12. It is requested that the foregoing property be rezoned FROM: A1

TO: (select one)

- XX Conditional Use District, with an underlying zoning district of C(P)
(Article V)
 Mixed Use/Conditional Use District (Article VI)
 Planned Neighborhood District/Conditional Use District (Article VII)
 Density Development/Conditional Use District, at the Density
(Article VIII)

N. side Sandy Creek Rd - SR1847
W. of Farrier Ln

verified
1-22-08
PSS

APPLICATION FOR
CONDITIONAL USE PERMIT

1. PROPOSED USE(S):

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

Crematorium

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

0.60 acres, commercial
~~29.14 acres, agriculture~~ V&B

2. DIMENSIONAL REQUIREMENTS:

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

Front = 50' (Entire tract) V&B
Side = 30'
Rear = 30'

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

3 soil parking spaces as shown on site plan.

3. SIGN REQUIREMENTS:

Reference the district sign regulations proposed from Article XIII.

N/A

4. LANDSCAPE AND BUFFER REQUIREMENTS:

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

N/A (Pre-existing) KBB

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

6' Fence & vegetative buffer as shown on site plan

5. MISCELLANEOUS:

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

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

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

One office employee and one crematory operator on premises

No odor, no visible emissions, no noise

Area light in front of office and crematory directed inward

6. SITE PLAN REQUIREMENTS:

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

7.

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

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

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

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

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

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

David Morgan Campbell
NAME OF OWNERS (PRINT OR TYPE)

6771 Sandy Creek Road, Stedman, NC 28391
ADDRESS OF OWNER(S)

<u>910-485-0846</u>	<u>910-323-8898</u>
HOME TELEPHONE #	WORK TELEPHONE #

SIGNATURE OF OWNER(S) SIGNATURE OF OWNER(S)

MOTIONS ON CONDITIONAL USE DISTRICT REZONING APPLICATIONS

IF TO APPROVE CONDITIONAL USE DISTRICT:

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

IF TO DENY CONDITIONAL USE DISTRICT:

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

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

IF TO APPROVE CONDITIONAL USE PERMIT:


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

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

October 22, 2007

ITEM NO. 4**COUNTY of CUMBERLAND**James E. Martin
County ManagerCliff Spiller
Assistant County ManagerJuanita Pilgrim
Deputy County ManagerAmy H. Cannon
Assistant County Manager*Office of the County Manager***MEMORANDUM FOR BOARD OF COMMISSIONERS AGENDA OF MARCH 17, 2008**

TO: BOARD OF COUNTY COMMISSIONERS

FROM: JAMES E. MARTIN, COUNTY MANAGER 

DATE: MARCH 7, 2008

**SUBJECT: CONSIDERATION OF PROPOSED SCHEDULE FOR FISCAL YEAR 2009
BUDGET WORK SESSIONS AND BUDGET PUBLIC HEARING**

BACKGROUND

Management anticipates submitting the FY08 Proposed Budget to the Commissioners on Monday, May 19, 2008. Several work sessions may be needed for your review. The Board may adopt the budget at any time on or after May 29, 2008, which is 10 days after the presentation of the budget to the Board of Commissioners (General Statute 159-13(a)).

RECOMMENDATION/PROPOSED ACTION

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

Monday, May 19, 2008	5:00 PM	Budget Presentation	Room 564
Tuesday, May 20, 2008	5:30 PM	Department Head Appeals	Room 564
Tuesday, May 27, 2008	7:00 PM	Budget Public Hearing	Room 118
Thursday, May 29, 2008	5:30 PM	Budget Work Session	Room 564
Monday, June 2, 2008	5:30 PM	Budget Work Session	Room 564
Tuesday, June 3, 2008	5:30 PM	Budget Work Session (If Needed)	Room 564

PROPOSED ACTION

Adopt a schedule for FY09 budget work sessions and public hearing as recommended or modified.

/ct
CM030708-1

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

ITEM NO. 5A

March 5, 2008

March 17, 2008 Agenda Item

TO: Board of Commissioners
FROM: Marie Colgan, Deputy Clerk *MC*
SUBJECT: Adult Care Home Community Advisory Committee Vacancies (4)

The Adult Care Home Community Advisory Committee will have the following vacancy on April 30, 2008:

Kim Howard has completed her initial term and is eligible for her first three year appointment.

The Adult Care Home Community Advisory Committee is requesting that the following individuals be removed due to non-attendance:

Ernestine Mack, Lonnie Anderson and Jacqueline Wolfe

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

PROPOSED ACTION: Make nomination to fill the four (4) vacancies.

Attachments

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

<u>Name/Address</u>	<u>Date Appointed</u>	<u>Term</u>	<u>Expires</u>	<u>Eligible For Reappointment</u>
Jacqueline S. Wolfe (W/F) 1812 Manchester Street Fayetteville, NC 28303 484-8588/484-5146 (W)	2/07	Initial	Feb/08 2/28/08	Yes
Stephanie Hodges (W/F) 3424 Harrisburg Road Fayetteville, NC 28306 429-9300/584-0358 (C)	10/06	1 st	Nov/09 11/30/09	Yes
Wynella A. Myers (B/F) 706 Sarazan Drive Fayetteville, NC 28303 822-5526/273-8483 (C)	8/07	1 st	Aug/10 8/31/10	Yes
Janet Pelley 18 Adams Street Ft. Bragg, NC 28307 497-4947	4/06	2 nd	April/09 4/30/09	No
John Poulos (W/M) 3025 Brechin Road Fayetteville, NC 28303 867-2622/424-4242(W)	6/06	2 nd	June/09 6/30/09	No
Teresa R. McNeill (B/F) 3518 Pickerel Street Fayetteville, NC 28306 480-0313/483-3648, Ext. 1109 (W)/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

APPLICANTS FOR
ADULT CARE HOME COMMUNITY ADVISORY COMMITTEE

<u>NAME/ADDRESS/TELEPHONE</u>	<u>OCCUPATION</u>	<u>EDUCATIONAL BACKGROUND</u>
BOOTH, YVONNE (B/F) 4568 TURQUOISE RD FAYETTEVILLE, NC 28311 488-7260	STUDENT	MEDICAL/ EDUC CNA MED TECH, PHLEBOTOMY TECH
CARAMANNO, DELL (W/F) 5578 QUIETWOOD PLACE FAYETTEVILLE, NC 28304 423-2622	RETIRED	SOME COLLEGE
DOUGLAS, BRENDA (B/F) 6109 GARDEN COURT FAYETTEVILLE, NC 28311 717-0123/677-2965 (W)	SOCIAL WORKER III	BA – PSYCHOLOGY
EDWARDS, TONEY (B/M) 3622 CLEARWATER DRIVE FAYETTEVILLE, NC 28311 822-4261/864-6262	REAL ESTATE BROKER	PUBLIC ADMIN DEGREE MORTUARY SCIENCE DEGREE
HACKETT, MARIAN J. (B/F) 4184 FERNCREEK DRIVE FAYETTEVILLE, NC 28314 323-3060/672-2129	RN – LECTURER	MASTER – NURSING
TOMLINSON-KNOELL, REV. NANETTE 609 TALLSTONE DRIVE FAYETTEVILLE, NC 28311 339-2201/489-2198	PASTOR	BA – ELEMENTARY EDUC. MASTER OF DIVINITY

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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March 5, 2008

ITEM NO. 5B

March 17, 2008 Agenda Item

TO: Board of Commissioners

FROM: Marie Colgan, Deputy Clerk *MC*

SUBJECT: Cumberland County Home and Community Care Block Grant
Committee Vacancies (2)

The Cumberland County Home and Community Care Block Grant Committee will have the following vacancies:

Older Consumer:

Mary Mack – Completing her first unexpired term and is eligible for reappointment to a full first term.

Barbara Marshall – Completing her first unexpired term and is eligible for reappointment to a full first term.

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

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

Attachments

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	1 st	Dec/10 12/31/10	Yes
Janice Lucas P.O. Box 61 Falcon, NC 28342 980-1296	1/07	2 nd	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	1 st	May/10 5/31/10	Yes
Edith B. Melvin (B/F) 3016 Piney Mountain Drive Hope Mills, NC 28348 481-9951	4/05	1 st	April/09 4/30/09	Yes
Barbara Marshall (B/F) 7640 Wilkins Drive Fayetteville, NC 28311 (filling an unexpired term) 488-5909	2/08	1 st	Apr/08 4/30/08	Yes
Ethel Hennessee 647 Edgehill Road Fayetteville, NC 28314 (serving first full term) 867-8910	12/07	1 st	Dec/11 12/31/11	Yes
Annie R. Hasan 1340 McArthur Road Fayetteville, NC 28311 630-0688/482-3513 (W)	2/08	1 st	Feb/12 2/28/12	Yes

<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	1 st	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	2 nd	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	1 st	Dec/09 12/31/09	Yes
Tina Dicke Legal Aid of NC PO Box 1268 (filling an unexpired term) Fayetteville, NC 28302	4/07	1 st	April/09 4/30/09	Yes
Judy Dawkins RSVP 739 Blue Street Fayetteville, NC 28301 433-1136	1/07	2 nd	Dec/10 12/31/10	No
Patricia Edwards Hope Mills Sunshine Center 3226 Davis Street Hope Mills, NC 28348	1/07	2 nd	Dec/10 12/31/10	No

Home and Community Care Block Grant Committee, page 3

<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	1 st	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	1 st	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

APPLICANTS FOR
HOME AND COMMUNITY CARE BLOCK GRANT COMMITTEE

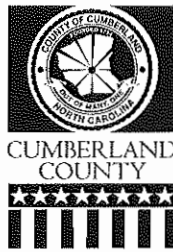
<u>NAME/ADDRESS/PHONE</u>	<u>OCCUPATION</u>	<u>EDUCATIONAL BACKGROUND</u>
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NO APPLICANTS

J. BREEDEN BLACKWELL
Chairman

JEANNETTE M. COUNCIL
Vice Chairman

KENNETH S. EDGE
JOHN T. HENLEY, JR.
BILLY R. KING
EDWARD G. MELVIN
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MARSHA S. FOGLE
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MARIE COLGAN
Deputy Clerk

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March 7, 2008

ITEM NO. 5C

March 17, 2008 Agenda Item

TO: Board of Commissioners
FROM: Marie Colgan, Deputy Clerk *mc*
SUBJECT: Cumberland Co. Juvenile Crime Prevention Council Vacancy (1)

The Cumberland County Juvenile Crime Prevention Council will have the following vacancy on 4-30-08:

At Large Representative

The Juvenile Crime Prevention Council is requesting that the term for **Krista Hancock** be extended to 8-31-08 in order to concur with other expirations on the Board.

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

PROPOSED ACTION: Make nomination to fill the vacancy.

Attachments

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
Chris McLamb 5005 South River School Road Wade, North Carolina 28395 Phone: 483-0973/716-3039 (w)	2/08	1 st serving an unexpired term	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

APPLICANTS FOR
JUVENILE CRIME PREVENTION COUNCIL

<u>NAME/ADDRESS/TELEPHONE</u>	<u>OCCUPATION</u>	<u>EDUCATIONAL BACKGROUND</u>
BRIGGS, BENITA Y. (B/F) 1116 BINGHAM DRIVE FAYETTEVILLE, NC 28304 822-1154/672-1294 (W) **SERVES ON THE ADULT CARE HOME ADVISORY BOARD**	OFFICE ASSISTANT IV	BA IN HISTORY; 08 GRAD – BA IN SOCIOLOGY
CARTER, JAMES M. (W/M) 1212 CASTLEROCK DRIVE FAYETTEVILLE, NC 28304 484-4550/678-9896 (W)	PART-TIME TEACHER MEDIA PRODUCTION	BS - COMMUNICATIONS MINOR IN ART CONTINUING EDUC.
DAVIS, CHRISTOPHER (W/M) 7441 WILKINS DRIVE FAYETTEVILLE, NC 28311 482-4106/433-1825	POLICE OFFICE	BS, CRIMINAL JUSTICE M.P.A. – PUBLIC ADMIN
DILLON, MARY E. (/F) 3209 MCCHOEN DRIVE FAYETTEVILLE, NC 28301 822-2045/678-8348(W)	BASIC SKILLS INSTRUCTOR	BS – ELEM. EDUCATION
FENNER, SHANESSA L. (B/F) 5710-08 IVANHOE COURT FAYETTEVILLE, NC 28314 487-9603/483-4037(W)	PRINCIPAL	BA – ELEM. EDUCATION MA – ELEM. EDUCATION MSA – SCHOOL ADMIN.
HAIR, ANTHONY D. (B/M) 6344 MURPHY ROAD STEDMAN, NC 28391 486-9794/592-1575 (W)	CUSTOMER SOLUTIONS REP	BS – EDUCATION
JACKSON, CRYSTAL EVE (B/F) 6422 KINCROSS AVENUE FAYETTEVILLE, NC 28304 426-3351	SITTER FOR THE ELDERLY	EXPECTED BA 12/07 IN CRIMINAL JUSTICE
MARSHALL, BARBARA SUMMEY (B/F) 7640 WILKINS DRIVE FAYETTEVILLE, NC 28311 488-2615/977-2303(W) **SERVES ON THE BOARD OF HEALTH**	NAVY RESERVE CHAPLAIN	BA – PSYCHOLOGY MA – RELIGIOUS ED. DR. OF MINISTRY
McALLISTER, MEREDITH (B/F) 553 HOLLYBERRY LANE FAYETTEVILLE, NC 28314 867-8564/222-8751 (W)	CERTIFIED PERSONAL FINANCE COUNSELOR	BUSINESS – UNC AT CHAPELL HILL
MITCHELL, SANDRA (B/F) 121 MULLINS AVENUE FAYETTEVILLE, NC 28301 483-2978/323-2732 (W)	BUSINESS OWNER	HS; VOCATIONAL TRNG

JUVENILE CRIME PREVENTION COUNCIL APPLICANTS, PAGE 2

EDUCATIONAL

<u>NAME/ADDRESS/TELEPHONE</u>	<u>OCCUPATION</u>	<u>BACKGROUND</u>
PAUL, ROBIN (B/F) 363 KIMBERWICKE DRIVE FAYETTEVILLE, NC 28311 424-2278/237-2829 (W)	SELF-EMPLOYED CARE FINDERS FIRST	MASTERS-TEACHING READING K-6
POPE, RITA J. (B/F) 679 BARTON'S LAND PL #4 FAYETTEVILLE, NC 28314 864-4993	RETIRED JAILER	SOME COLLEGE
SALLEY, LUKE (B/M) 104 UNIVERSITY AVENUE FAYETTEVILLE, NC 28301 364-8505/483-0121 (W)	RETIRED CORRECTIONAL CAPTAIN	BA – ECONOMICS & ACCOUNTING
SULLIVAN, JOSEPH (Joe) (W/M) 2906 HIGH PLAINS DRIVE HOPE MILLS, NC 28348 717-1619/723-9227 (C)	SUBSTITUTE – RETIRED TEACHER	2 YR MASTERS
VASILOPOULOS, NATALIE 1833 CAMELOT DRIVE FAYETTEVILLE, NC 28304 425-5116/(828) 467-9300 (C)	HOMEMAKER	BA – CRIMINAL JUSTICE
WIGGS, CECIL (W/M) 6213 STONEY POINT LOOP FAYETTEVILLE, NC 28306 425-8557	RETIRED SCHOOL TEACHER	MASTERS -EDUCATION

J. BREEDEN BLACKWELL
Chairman

JEANNETTE M. COUNCIL
Vice Chairman

KENNETH S. EDGE
JOHN T. HENLEY, JR.
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MARIE COLGAN
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February 22, 2008

ITEM NO. SD

March 17, 2008 Agenda Item

TO: Board of Commissioners
FROM: Marie Colgan, Deputy Clerk *MC*
SUBJECT: Minimum Housing Appeals Board Vacancy (1)

The Minimum Housing Appeals Board has the following vacancy:

Alternate Members

A replacement is needed for Anthony Maccy as he has resigned due to health reasons.

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

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

pc: Charisse Brown, Planning/Inspections Department

Attachments

Celebrating Our Past...Embracing Our Future

MINIMUM HOUSING APPEALS BOARD
3 Year Staggered Terms

<u>Name/Address</u>	<u>Date Appointed</u>	<u>Term</u>	<u>Expires</u>	<u>Eligible For Reappointment</u>
Charles Lewis (B/M) 3300 Morganton Road Fayetteville, NC 28303 224-8005	10/07	1st	Oct/10 10/31/10	Yes
I. J. McNeil(B/M) 821 Oakcrest Drive Fayetteville, NC 28301 822-3152	10/06	2 nd	Oct/09 10/31/09	No
Linda J. Miller 5815 Cherrystone Drive Fayetteville, NC 28311 480-0063/822-7923 (W)	10/07	1st	Oct/10 10/31/10	Yes
Clyde V. Vaughan (W/M) 126 West Circle Court Fayetteville, NC 28301 497-8237 or 8238	9/05	1 st	Oct/08 10/31/08	Yes
John Williams (B/M) 7712 Guinevere Court Fayetteville, NC 28314 864-9536/944-7612(W)	11/05	1st	Nov/08 11/30/08	Yes
<u>(Alternate Members)</u>				
Clayton O. Burris, Jr. (W/M) 2026 Forest Hills Drive Fayetteville, NC 28303 822-2800	10/07	1 st	Oct/10 10/31/10	Yes
Deborah Ann Dantzler (B/F) 421 Old Farm Road Fayetteville, NC 28314 487-2548/488-2120, ext. 7494(W)	12/07	2 nd	Dec/10 12/31/10	No
Leesa Jensen (W/F) 719 Ashfield Drive Fayetteville, NC 28311 630-0253/308-0778 (C)	10/07	1 st	Oct/10 10/31/10	Yes

Minimum Housing Appeals Board, Page 2

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

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

Contact: Charisse Brown, ext. 6643, Planning and Inspections Department

APPLICANTS FOR
MINIMUM HOUSING APPEALS 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
BOOTH, YVONNE (B/F) 4568 TURQUOISE RD FAYETTEVILLE, NC 28311 488-7260	STUDENT	MEDICAL/ EDUC CNA MED TECH, PHLEBOTOMY TECH
BRIGGS, BENITA Y. (B/F) 1116 BINGHAM DRIVE FAYETTEVILLE, NC 28304 822-1154/672-1294 (W) **SERVES ON THE ADULT CARE HOME ADVISORY BOARD**	OFFICE ASSISTANT IV	A IN HISTORY; 08 RAD – BA IN SOCIOLOGY
BRIGGS, DR. JOHN G. (W/M) 2910 HYBART STREET FAYETTEVILLE, NC 28303 867-1493	RETIRED PLASTIC SURGEON	DR OF MEDICINE BS – BIOLOGY
BURRISS, JR, CLAYTON OLIVER (C/M) 2026 FOREST HILLS DRIVE FAYETTEVILLE, NC 28303 822-2800	RETIRED DESIGN ENGR	DEGREE – BUSINESS ADMIN/MGMT MAJOR
COLEY, TIAWANNIA A. (B/F) 6115 LAKE TRAIL DRIVE FAYETTEVILLE, NC 28304 860-4872/321-6794 (W)	SUBSTANCE ABUSE COUNSELOR	BS – COMPUTER SCIENCE AA – MATHEMATICS WORKING ON MASTERS - MH COUNSELING
HAIR, ANTHONY D. (B/M) 6344 MURPHY ROAD STEDMAN, NC 28391 486-9794/592-1575 (W)	CUSTOMER SOLUTIONS REP	BS – EDUCATION
HASAPIS, GERI T. (_/F) 356 EDINBURG DRIVE FAYETTEVILLE, NC 28303 864-7433/497-8830	ENTREPRENEUR & HOMEMAKER	HIGH SCHOOL REAL ESTATE LICENSE
HOGAN, STEVE (W/M) 4585 CANASTA COURT HOPE MILLS, NC 28348 868-9807/797-1910	REAL ESTATE BROKER	BA – POLITICAL SCIENCE

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JEANNETTE M. COUNCIL
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ITEM NO. SE

March 5, 2008

March 17, 2008 Agenda Item

TO: Board of Commissioners
FROM: Marie Colgan, Deputy Clerk *mc*
SUBJECT: Tourism Development Authority Vacancies (2)

The Tourism Development Authority will have the following vacancies on March 31, 2008:

Hotel/Motels over 100 rooms Representative:

William S. Wellons, Jr. – Completing second term and is not eligible for reappointment.
Fill the vacancy.

Member of the Public Not Affiliated with Travel/Tourism

Gwen Holloman – Completing second term and is not eligible for reappointment. Fill the vacancy.

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

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

Attachments

Celebrating Our Past...Embracing Our Future

TOURISM DEVELOPMENT AUTHORITY
3 Year Terms

8/07

<u>Name/Address</u>	<u>Date Appointed</u>	<u>Term</u>	<u>Expires</u>	<u>Eligible For Reappointment</u>
<u>Commissioner Appointees:</u>				
<u>Hotel/Motels under 100 rooms Representatives:</u>				
Daniel E. Roberts 3555 Braddy Road Fayetteville, NC 28306 426-1416/826-9200 (W)	4/07	1 st	April/10 4/30/10	Yes
Jimmy Keefe 370 Echo Lane Fayetteville, NC 28303 860-7706/323-1791 x303 (W)	8-07	1 st	August/10 8/31/10	Yes
<u>Hotel/Motel over 100 rooms Representatives:</u>				
Vivek Tandon (A/M) 2857 Skye Drive Fayetteville, NC 28303 323-9070/436-1900(W)	4/07	1st	March/10 3/31/10	No
William S. Wellons, Jr. (W/M) P.O. B ox 766 Spring Lake, NC 28390 868-5425/436-3131(W)	3/05	2nd	March/08 3/31/08	No
<u>Member of the Public Not Affiliated with Travel/Tourism</u>				
Gwen Holloman (B/F) 721 Edgehill Road Fayetteville, NC 28314 868-1691/488-2120(W)	3/05	2nd	March/08 3/31/08	No

Others:

President of the Fayetteville Area Chamber of Commerce (ex officio)

Gary Cooper
Cumberland County Business Council
P.O. Box 9
Fayetteville, NC 28302

Cumberland County Manager (ex officio)

James Martin
P.O. Box 1829
Fayetteville, NC 28302

Authority was created by the Board of Commissioners on January 28, 2002.

Board was appointed on March 11, 2002.

Meetings: Quarterly – 4th Wednesday – 8:00 AM – Room 564

APPLICANTS FOR
TOURISM DEVELOPMENT AUTHORITY

<u>NAME/ADDRESS/PHONE</u>	<u>OCCUPATION</u>	<u>EDUCATIONAL BACKGROUND</u>
BURGESS, PAUL F. (??) 5620-C CHASON RIDGE DRIVE FAYETTEVILLE, NC 28314 864-2186	RETIRED MILITARY	AS – BUSINESS MGT AS – CRIMINAL JUSTICE
BUSH-McMANUS, PATRICIA (B/F) 3472 THORNDIKE DRIVE FAYETTEVILLE, NC 28311 488-1314/484-6839 (W)	SITE DIRECTOR – TROY UNIVERSITY/FAYETTEVILLE	DOCTORAL STUDENT
CEZAI, DR. JOAN (B/F) 737 MAXINE STREET FAYETTEVILLE, NC 28303 822-0759/672-1009 (W)	ASSISTANT PROFESSOR	BBA; MBA; DOCTORATE
MITCHELL, SANDRA (B/F) 121 MULLINS AVENUE FAYETTEVILLE, NC 28301 483-2978/323-2732 (W)	BUSINESS OWNER	HS; VOCATIONAL TRNG
OKHOMINA, DR. DON A. (B/M) 494 DUNLOE COURT FAYETTEVILLE, NC 28311 868-1618/672-2148 (W)	ASST PROFESSOR OF MANAGEMENT	BS – BUSINESS ADMIN MBA, PHD – MGT.
SMITH, NANCY W. (W/F) 5731 CHRISTMASBERRY CT. FAYETTEVILLE, NC 28312 487-1578/850-9398 (W) **SERVES ON STORM WATER ADVISORY BOARD & JOINT APPEARANCE COMM**	OWNER/PRESIDENT AGRI SUPPLY	NURSING DEGREE HORTICULTURE
THAKUR, SUBODH K. (A/M) 521 RAMSEY STREET FAYETTEVILLE, NC 28301 483-2621	SELF EMPLOYED GAS STATION/REAL ESTATE MOTEL – REGENCY INN 90 ROOMS	NOT LISTED
WHITEMORE, APRIL (I/F) 4823 REDWOOD DRIVE FAYETTEVILLE, NC 28304 977-7796	HUMAN RESOURCES	DOUBLE MASTERS – COUNSELING/HR

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JOHN T. HENLEY, JR.
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March 4, 2008

ITEM NO. SF

March 17, 2008 Agenda Item

TO: Board of Commissioners
FROM: Marie Colgan, Deputy Clerk *MC*
SUBJECT: Workforce Development Board Vacancy (1)

The Workforce Development Board has the following vacancy:

Private Sector

Tim Owen not eligible for reappointment and the Workforce Development Board has requested that **Dina Simcox** replace him.

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

PROPOSED ACTION: Make nomination to fill the vacancy.

Attachments

pc: Geneva Mixon, Interim Director

Celebrating Our Past...Embracing Our Future

CUMBERLAND COUNTY WORKFORCE DEVELOPMENT BOARD
(FORMERLY, PRIVATE INDUSTRY COUNCIL)

3 Year Terms

<u>Name/Address</u>	<u>Date Appointed</u>	<u>Term</u>	<u>Expires</u>	<u>Eligible For Reappointment</u>
<u>Private Sector:</u>				
Kathy Olsen (W/F) Olsen Realty 854 S. Reilly Road Fayetteville, NC 28314 964-1459	9/05	1 st	Sept/08 9/30/08	Yes
Bob Dickerson (W/M) Tire Battery Corporation 107 Tom Starling Road, Suite 101 Fayetteville, NC 28306	9/05	2 nd	Sept/08 09/30/08	No
Loleta L. Wilkerson (/F) Pentagon Federal Credit Union 1800 Skibo Road, Suite 320 Fayetteville, NC 28303 487-3404/868-5594(W)	10/05	1 st	Oct/08 10/31/08	Yes
Annie Hasan (B/F) Children's World Creative School 408 Spring Avenue Spring Lake, NC 28390 497-8770	9/05	2 nd	Sept/08 09/30/08	No
Michael E. Axelrod (W/M) 5144 Goshawk Drive Hope Mills, NC 28348	2/07	1 st	Feb/10 2/28/10	Yes
Michael Karaman (W/M) 4424 Bragg Blvd. # 101 Fayetteville, NC 28303 860-1000	2/07	1 st	Feb/10 2/28/10	Yes
JoLeita Evans (W/F) 2974 Evans Dairy Road Fayetteville, NC 28312 483-9065/484-5972(W)	11/05	1 st	Nov/08 11/30/08	Yes

Cumberland County Workforce Development Board, page 2

<u>Name/Address</u>	<u>Date Appointed</u>	<u>Term</u>	<u>Expires</u>	<u>Eligible For Reappointment</u>
Tim Owen (W/M) Owen Garden Center 5995 Clifdale Road Fayetteville, NC 28304 864-2905	8/04	2 nd	Aug/07 8/31/07	No
Wendall Troy (B/M) School Link, Inc. P.O. Drawer 36067 Fayetteville, NC 28303 223-2116, Ext. 101	2/06	2 nd	Feb/09 2/28/09	No
Charles A. Richter (/M) NCNG 235 N. McPherson Church Rd. – Ste. 203 Fayetteville, NC 28303 401-6063	10/05	1 st	Oct/08 10/31/08	Yes
Mike Baldwin (W/M) 1337 Sawyer Court Hope Mills, NC 28348 323-9493/426-5000(W)	6/06	1 st	June/09 6/30/09	Yes
Jean Harrison (/F) Cape Fear Valley Medical Center P.O. Box 2000 Fayetteville, NC 28302-2000	6/06	1 st	June/09 6/30/09	Yes
<u>Public Sector:</u>				
Social Services Representative: Vivian Tookes(B/F) Dept. of Social Services P. O. Box 2429 Fayetteville, NC 28302 323-1540	9/05	2 nd	Sept/08 9/30/08	No
<u>Rehabilitation:</u>				
Ellen Morales (/F) North Carolina Department of Human Resources Division of Vocational Rehabilitation Services 1200 Fairmont Court Fayetteville, NC 28304	11/06	(unlimited term - replaced by state agency)		

<u>Name/Address</u>	<u>Date Appointed</u>	<u>Term</u>	<u>Expires</u>	<u>Eligible For Reappointment</u>
<u>Community Based Organization:</u>				
Patricia Tyson(W/F) Consumer Credit Counseling Service 316 Green Street Fayetteville, NC 28301 323-3192	9/05	2 nd	Sept/08 9/30/08	No
Dr. Robin Jenkins (W/M) Communicare, Inc. P.O. Box 30 Fayetteville, NC 28302 433-1116	2/06	2 nd	Feb/09 2/28/09	No
Suzanne Peper (/F) Employment Source 600 Ames Street Fayetteville, NC 28301 485-4341	1/05	1 st	Jan/08 1/31/08	Yes
<u>Economic Development:</u>				
William A. Martin (W/M) Cumberland Co. Business Council P. O. Box 9 Fayetteville, NC 28302 484-4242, ext. 228	11/06	2 nd	Nov/09 11/30/09	No
<u>Employment Service:</u>				
Glenn McQueen (B/M) Employment Security Comm. 414 Ray Avenue Fayetteville, NC 28301 486-1010	8/02	(unlimited term - replaced by state agency)		
<u>Labor:</u>				
Damita Rucker-Ash(B/F) United Steelworkers of America 5839 Corner Oaks Drive Hope Mills, NC 28348 423-8479	9/05	2 nd	Sept/08 9/30/08	No

<u>Name/Address</u>	<u>Date Appointed</u>	<u>Term</u>	<u>Expires</u>	<u>Eligible For Reappointment</u>
<u>Education:</u>				
Dr. Joe Mullis, (/M) FTCC PO Box 35236 Fayetteville, NC 28303	8/07	1 st	Aug/10 8/31/10	Yes
Chancellor T. J. Bryan (B/F) Fayetteville State University 1200 Murchison Road Fayetteville, NC 28301 486-1141	1/05	1 st	Jan/08 1/31/08	Yes
<u>County Representative:</u>				
Juanita Pilgrim Asst. County Manager P. O. Box 1829 Fayetteville, NC 28302 678-7726	7/93	N/A	N/A	N/A

Contact: Geneva Mixon, Interim Director, CC Workforce Development Center (or Linda Morrison – 323-2498,
X2126 – fax # 323-5755)

Regular Meetings: 1st Tuesday, every other month, noon, Job Link Career Center
(Name Changed to Cumberland County Workforce Development Board, November, 1995)

APPLICANTS FOR
WORKFORCE DEVELOPMENT BOARD

<u>NAME/ADDRESS/PHONE</u>	<u>OCCUPATION</u>	<u>EDUCATIONAL BACKGROUND</u>
BRIGGS, BENITA Y. (B/F) 1116 BINGHAM DRIVE FAYETTEVILLE, NC 28304 822-1154/672-1294 (W)	OFFICE ASSISTANT IV	BA IN HISTORY; 08 GRAD – BA IN SOCIOLOGY
SERVES ON THE ADULT CARE HOME ADVISORY BOARD		
COLEY, TIAWANNIA A. (B/F) 6115 LAKE TRAIL DRIVE FAYETTEVILLE, NC 28304 860-4872/321-6794 (W)	SUBSTANCE ABUSE COUNSELOR	BS – COMPUTER SCIENCE AA – MATHEMATICS WORKING ON MASTERS -
DAVIDSON, JOHN (W/M) 674 GLENDA STREET FAYETTEVILLE, NC 28311 482-4338/308-3255	DIRECTOR, RESEARCH OPERATIONS	HIGH SCHOOL DIPLOMA
HICKS, SARA JEAN (W/F) 2303 MORGANTON RD #2 FAYETTEVILLE, NC 28305 417-9072/483-8309 (W)	ACCOUNTANT	BS/BA – ACCOUNTING MBA
MARSHALL, BARBARA SUMMEY (B/F) 7640 WILKINS DRIVE FAYETTEVILLE, NC 28311 488-2615/977-2303 (W)	VOLUNTEER/ADVOCATE RETIRED MILITARY	MASTERS - RELIGIOUS EDUCATION
SERVES ON BOARD OF HEALTH		
McALLISTER, MEREDITH (B/F) 553 HOLLYBERRY LANE FAYETTEVILLE, NC 28314 867-8564/222-8751 (W)	CERTIFIED PERSONAL FINANCE COUNSELOR	BUSINESS – UNC AT CHAPELL HILL
OKHOMINA, DR. DON A. (B/M) 494 DUNLOE COURT FAYETTEVILLE, NC 28311 868-1618/672-2148 (W)	ASST PROFESSOR OF MANAGEMENT	BS – BUSINESS ADMIN MBA, PHD – MGT.
SIMCOX, DINA (W/F) 3628 HEATHERBROOKE DRIVE FAYETTEVILLE, NC 28306 717-2448/868-7668 (W)	ASSISTANT GENERAL MANAGER	BA IN PUBLIC JUSTICE PSYCHOLOGY
WHITTEMORE, APRIL (I/F) 4823 REDWOOD DRIVE FAYETTEVILLE, NC 28304 977-7796	HUMAN RESOURCES	DOUBLE MASTERS – COUNSELING/HR

J. BREEDEN BLACKWELL
Chairman

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ITEM NO. 56

March 5, 2008

March 17, 2008 Agenda Item

TO: Board of Commissioners
FROM: Marie Colgan, Deputy Clerk *MC*
SUBJECT: Wrecker Review Board Vacancy (1)

The Wrecker Review Board will have the following vacancy as of April 30, 2008:

County Appointee

Chuck Epler – Completing second term and is not eligible for reappointment.
(Please see attached Wrecker Review Board requirements for this selection.)

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

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

Attachment

pc: Deputy Greg Gwarek, Sheriff's Office

Celebrating Our Past... Embracing Our Future

- (a) Every Operator shall secure in a safe manner any vehicle, or personal property contained in said vehicle, that comes into the Operator's custody pursuant to responding to the Rotation Lists. The area within which said vehicle and/or personal property shall be stored shall meet the minimum requirements of Section 9-58(d). If, at the time the vehicle was towed, the Operator's storage area was full, then the Operator shall secure the vehicle and/or personal property elsewhere as designated by the N.C. Highway Patrol or the Sheriff's Office. If a vehicle or personal property in the Operator's custody has been confiscated under any statutes or is evidence in a criminal investigation, and the Operator's storage area is full, then the Operator shall immediately contact the Wrecker Inspector or the Highway Patrol desk sergeant on duty and follow their written instruction to secure the vehicle and/or personal property in a safe manner. An Operator shall take reasonable precautions to secure and keep safe from damage vehicles and personal property stored by it. An Operator shall not be deemed in violation of this article if the Operator has taken such reasonable precautions and a vehicle is nevertheless damaged or property is stolen from the storage area.
- (b) Whenever a vehicle is impounded and held as evidence following a criminal arrest, the Sheriff's Office will be liable for reimbursing the vehicle's owner for any towing and storage fees incurred during the period of time that the car is held for evidentiary purposes only upon the following conditions:
- (1) If the owner was not arrested for any crime arising out of the alleged criminal activity resulting in the impoundment; or
 - (2) If the vehicle was returned pursuant to the provisions of N.C.G.S. 90-112.1, or.
 - (3) If the owner is arrested, if his charge is dismissed upon a judicial determination of no probable cause.

Section 9-62. WRECKER REVIEW BOARD

There is hereby established a Wrecker Review Board to hear appeals from any decision of the Wrecker Inspector pursuant to this article, advise the Wrecker Inspector as to the regulations needed to enforce this ordinance, and to recommend amendments to the fee schedule and the Regulations. The board shall be composed of a chairman, two (2) individuals selected by the a majority vote of all operators, one (1) individual appointed by the Sheriff holding the rank of Sergeant or higher, and one (1) individual appointed by the Commander, Troop B North Carolina Highway Patrol The chairman shall be selected by the County Board of Commissioners, and shall be a disinterested person who is not a Operator, wrecker owner or Operator, or a county employee. All members shall serve for a term of two years, and no member shall serve more than two (2) consecutive terms. The Wrecker Inspector shall serve as a nonvoting advisor and to bring complaints to the Wrecker Review Board.

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>				
Tracy Logan Logan's Body Shop 805 Cain Road Fayetteville, NC 28303 822-6255	02/08	1st	Feb/10 02/28/10	Yes
Gary Holder Holder's Recovery & Towing 805 Cain Road Fayetteville, NC 28303 488-6968	02/08	1 st	Feb/10 02/28/10	Yes
<u>State Highway Patrol Appointee</u>				
Sgt. Tracy T. Coleman State Highway Patrol 2435 Gillespie Street Fayetteville, NC 28306 486-1334	02/08	1st	Feb/10 02/28/10	Yes

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

Meetings are on an as needed basis.

APPLICANTS FOR
WRECKER REVIEW BOARD

<u>NAME/ADDRESS/TELEPHONE</u>	<u>OCCUPATION</u>	<u>EDUCATIONAL BACKGROUND</u>
GABRIEL, GRANT (W/M) 3690 RAEBURN COURT FAYETTEVILLE, NC 28314 678-8995/907-0203 (W)	EDUCATOR ADMINISTRATOR	BS, MS, M. ED, ED. D
HAMMOND, CLYDE E. (W/M) 1802 FLINTSHIRE ROAD FAYETTEVILLE, NC 28304 425-2774 **serves on the Nursing Home Advisory Board**	RETIRED – VOLUNTEER HOSPICE CHAPLAIN	BACHELORS DEGREE
JOHNSON, LENNIE R. (W/M) 6360 SMITHFIELD WADE, NC 28395 980-1401	RETIRED – LAW ENFORCEMENT	SOME COLLEGE L.E. ACADEMY
SANTIAGO, JOSEPH (B/M) 7935 LESTER DRIVE FAYETTEVILLE, NC 28311-7420 213-5345/670-4143 (W)	PAINT & BODY RESTORATION	NOT LISTED

**CUMBERLAND COUNTY
TOURISM DEVELOPMENT AUTHORITY**

PO Drawer 1829
Fayetteville, NC 28302-1829

William S. Wellons, Jr., Chairman
Gwen Holloman, Vice Chairman
Jimmy Keefe
Gary Cooper

James E. Martin
Daniel E. Roberts
Vivek Tandon

February 20, 2008

TO: Board of Commissioners
FROM: Tourism Development Authority
RE: Appointment of a Chairman for the TDA

BACKGROUND: The TDA met on February 20, 2008 and voted unanimously to recommend the appointment of Vivek Tandon as Chairman of the TDA.

The TDA appointed Jimmy Keefe, Vice Chair.

ACTION: Confirm the appointment of Vivek Tandon as Chairman of the TDA.

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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ITEM NO. 6B

February 20, 2008

March 17, 2008 Agenda Item

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

BACKGROUND: On February 19, 2008, the Board of Commissioners nominated the following to fill two vacancies on the Air Quality Stakeholders' Committee:

Town of Hope Mills Stakeholder: Eddie Maynor (new appointment)

Town of Eastover Stakeholder: Steven Oakley (new appointment)

I have attached the current membership list for this committee.

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

Attachment

pc: Rick Heickson, Planning & Inspections

Celebrating Our Past...Embracing Our Future

AIR QUALITY STAKEHOLDERS COMMITTEE

3-year terms

<u>NAME</u>	<u>STAKEHOLDER</u>	<u>DATE APPT'D</u>	<u>TERM</u>	<u>EXPIRES</u>	<u>ELIGIBLE FOR REAPPOINT.</u>
Commissioner Eleanor Ayers PO Box 220 Stedman, NC 28391 323-1892	Town of Stedman	4/06	2 nd	April/09 4/30/09	No
Councilman Keith Bates 5404 Chesapeake Road Fayetteville, NC 28311 488-6315/494-2256 (c) Kbates05@nc.rr.com	City of Fayetteville	1/07	1 st	Dec/09 12/31/09	Yes
Mayor Pro-Tem James O'Garra 614 Duncan Road Spring Lake, NC 28390 (filling unexpired term) 797-7145 oqarraone@aol.com	Town of Spring Lake	8/07	1 st	Feb/10 2/28/10	Yes
Commissioner Jerry Legge Town of Hope Mills PO Box 367 Hope Mills, NC 28348 424-8821/424-4555/527-7497 pcregister@town.hope-mills.nc.us	Town of Hope Mills	2/07	1 st	Feb/10 2/28/10	Yes
Colonel Gregory Bean Director of Public Works Bldg 3-1631, Butner Road Fort Bragg, NC 28310-5000 396-4009 Gregory.g.bean@us.army.mil	Fort Bragg	4/06	2 nd	April/09 4/30/09	No
Steven Blanchard, CEO Public Works Commission 8768 Coats Road Linden, NC 28356 223-4002 steve.blanchard@faypwc.com	PWC	4/06	2 nd	April/09 4/30/09	No
George Breece PO Box 2801 Fayetteville, NC 28302 484-5430(H); 484-5431(Fax) george@breece.com	Citizen	4/06	2 nd	April/09 4/30/09	No
Mayor Edwin S. Deaver 5770 Rockfish Road Hope Mills, NC 28348 424-2384(H) edwdeaver@aol.com	Citizen	4/06	2 nd	April/09 4/30/09	No

<u>DATE NAME</u>	<u>ELIGIBLE FOR STAKEHOLDER</u>	<u>APPT'D</u>	<u>TERM</u>	<u>EXPIRES</u>	<u>REAPPOINT.</u>
Scott Peters Goodyear Tire & Rubber Company 6655 Ramsey Street Fayetteville, NC 28311 630-5678 Scott_peters@goodyear.com	Major Industry	4/06	1 st	April/09 4/30/09	Yes
Joseph Follet, MD Lafayette Clinic 1756 Metromedical Drive Fayetteville, NC 28304 323-1322 spirodoc@earthlink.com	Medical Rep.	4/06	2 nd	April/09 4/30/09	No
Michael Green P.O. Drawer 510 Fayetteville, NC 28302 483-1371 mgreen6592@aol.com	Cohen & Green	4/06	2 nd	April/09 4/30/09	No
Henry Holt 1709 Clinton Road Fayetteville, NC 28301 483-5137 hholthsd@earthlink.net	Petroleum Distributor	4/06	2 nd	April/09 4/30/09	No
Karl Legatski 122 Magnolia Avenue Fayetteville, NC 28305 484-8684(H) 867-8675 karl@celtechinc.net	Citizen	4/06	2 nd	April/09 4/30/09	No
Gary Cooper Cumberland Co. Business Council P.O. Box 9 (filling unexpired term) Fayetteville, NC 28302 484-4242 gcooper@ccbussinescouncil.org	CCBC	9/07	1 st	April/09 4/30/09	Yes
Dr. Harold Maxwell 227 Fountainhead Lane Fayetteville, NC 28301 433-3600 hamaco@nc.rr.com	Board of Health	4/06	2 nd	April/09 4/30/09	No
Donovan McLaurin PO Box 97 Wade, NC 28395 484-0116; 428-6066(fax) mclaurin@outdrs.net	Homebuilders Association	4/06	2 nd	April/09 4/30/09	No

<u>DATE NAME</u>	<u>ELIGIBLE FOR STAKEHOLDER</u>	<u>APPT'D</u>	<u>TERM</u>	<u>EXPIRES</u>	<u>REAPPOINT.</u>
Joe Levister, Jr. FTCC PO Box 35236 Fayetteville, NC 28303 678-8321 levistej@faytechcc.edu	FTCC	4/06	1 st	April/09 4/30/09	Yes
Denise Sykes Planning/Inspections Department 130 Gillespie Street Fayetteville, NC 28301 678-7629 dsykes@co.cumberland.nc.us	Towns of Wade Falcon, Godwin	4/06	2 nd	April/09 4/30/09	No
Stephen C. Waters, Sr. 4377 Ferncreek Drive Fayetteville, NC 28314 485-2135 scwaters@barnhillcontracting.com	APAC aka Crowell Construction	4/06	2 nd	April/09 4/30/09	No
Scott Reynolds M.J. Soffe Company PO Box 2507 Fayetteville, NC 28302 483-2500 x6447 Scott.reynolds@mjsoffe.com	M.J. Soffe Co.	12/07	1 st	Dec/10 12/31/10	Yes
Jeannette Council Board of Commissioners PO Box 1829 Fayetteville, NC 28302 488-0691	County of Cumberland	12/06	2 nd	April/09 4/30/09	No

Original appointments made March 17, 2003.

Committee will be active for about 3 years.

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

Meetings: Quarterly (Jan, Apr, July, Oct) 2nd Thursday at 6 pm. (FTCC Advanced Tech Ctr)

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
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ITEM NO. 6C

February 20, 2008

March 17, 2008 Agenda Item

TO: Board of Commissioners
FROM: Marie Colgan, Deputy Clerk
SUBJECT: Equalization and Review Board

BACKGROUND: On February 19, 2008 the Board of Commissioners nominated the following to fill three vacancies on the Equalization and Review Board:

<u>Real Estate Agent Position:</u>	Kathy Olsen (New appointment)
<u>At-Large Position:</u>	W. Carroll Beard, Jr. (New Appointment)
	Sherrill Jernigan (New Appointment)

I have attached the current membership list for this board.

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

Attachment

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

<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)

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 22, 2008

ITEM NO. 6D

March 17, 2008 Agenda Item

TO: Board of Commissioners
FROM: Marie Colgan, Deputy Clerk *me*
SUBJECT: Equalization and Review Board

BACKGROUND: The Board of Commissioners is responsible for appointment of the Chairman, First Vice Chairman and Second Vice Chairman for the Equalization and Review Board. Currently George Turner is the Chairman, David Mack is the First Vice Chairman and William Holland is the Second Vice Chairman. Recommendations have been made for the year as follows:

David Mack	Chairman
William "Bill" Holland	First Vice Chairman
Carroll Beard, Jr.	Second Vice Chairman

I have attached the current membership list for this board.

PROPOSED ACTION: Appoint a Chairman, First Vice Chairman and Second Vice Chairman.

Attachment

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)	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)