
AGENDA
CUMBERLAND COUNTY BOARD OF COMMISSIONERS
COURTHOUSE – ROOM 118
JUNE 1, 2009
9:00 AM

INVOCATION Commissioner Kenneth Edge

Minister:

Pledge of Allegiance

Recognition of Outgoing Board Members:

Denise Sykes – Air Quality Stakeholders Committee

Presentation of FY 2010 Recommended Budget

1. Consent Agenda
 - A. Approval of minutes for the May 18, 2009 regular meeting.
 - B. Approval of Changes to the Memorandum of Understanding for the Mid-Carolina Rural Planning Organization (RPO).
 - C. Approval of the Cumberland County Juvenile Crime Prevention Council Contracts Representing Funding Allocations for July 1, 2009 through June 30, 2010.
 - D. Approval of a Resolution Creating the Overhills Park Water & Sewer District.
 - E. Approval of a Resolution Supporting an Alternate Method of Recognition for Veterans Status to Merchant Marine Seamen of WWII.

F. Budget Revisions:

(1) Mental Health – Smart Start

Revision in the amount of \$3,000 to budget a reduction in state funding and to reallocate budgeted expenditures. (B09-373)

Funding Source – State

(2) Recreation – Hope Mills

Revision in the amount of 16,000 to budget additional revenue anticipated for remainder of fiscal year. (B09-374) **Funding**

Source- Recreation Tax

(3) Library

a. Revision in the amount of \$19,892 to reduce the County budget due to a reduction in State allocations. (B09-372) **Funding Source- State**

b. Revision in the amount of \$27,300 to appropriate fund balance to replace a heat pump at the Bordeaux Branch Library and to install a refrigerant monitor at the Headquarters Library. (B09-384) **Funding Source- Fund Balance Appropriated**

c. Smart Start – Revision in the amount of \$3,891 to reduce the County budget due to a reduction in State allocations. (B09-375) **Funding Source – State**

d. Motherhead – Revision in the amount of \$2,226 to reduce the County budget due to a reduction in State allocations. (B09-376) **Funding Source – State**

e. Foreign Language – Revision in the amount of \$22,403 to reduce the County budget due to a reduction in State allocation (\$25,000) and to recognize additional subscriptions revenue (\$2,597). (B09-377) **Funding Source – State and Fees**

(4) School C.O. Category I- Buildings

Revision in the amount of \$150,000 to appropriate fund balance to purchase land for school projects as approved by the Cumberland County Board of Education. (B09-379) **Funding Source – Sales Tax Fund Balance**

(5) Cooperative Extension

Revision in the net amount of \$3,604 to recognize grant funds (\$14,229) and a reduction of fund balance appropriated (\$10,625). (B09-380) **Funding Source – Grant and General Fund Fund Balance**

(6) Soil and Water District

Revision in the amount of \$5,340 to recognize additional revenue received from fundraisers. (B09-381) **Funding Source – Miscellaneous**

(7) Public Buildings

Revision in the amount of \$68,875 to appropriate fund balance to fund repairs on a compressor at the Historic Courthouse and for additional utilities expenditures for the New Courthouse. (B09-383) **Funding Source – Fund Balance Appropriated**

(8) Detention Center

Revision in the amount of \$48,650 to appropriate fund balance to fund a system evaluation of the Detention Center security devices and to repair electronic touch pads at the POD officer's station. (B09-385) **Funding Source – Fund Balance Appropriated**

(9) General Fund Debt Service

Revision in the amount of \$57,067,559 to budget the proceeds and expenditures for the issuance of the COPS Refunding Series 2009B related specifically to the Series 1998 Public Buildings (DSS) debt and the series 2000 Jail refunding debt. (B09-382) **Funding Source – COPS Proceeds**

(10) Coliseum Debt Service

Revision in the amount of \$40,183,190 to budget the proceeds and expenditures for the issuance of the COPS Refunding Series 2009B related specifically to the Series 1998 Coliseum refunding debt. (B09-382A) **Funding Source – COPS Proceeds**

PUBLIC HEARINGS

2. A. Community Development - Public Hearing on Substantial Amendment to the 2008 Annual Action Plan.

- B. Public Hearing on Taxpayers Request for Refunds for Overpayment of Excise Tax Pursuant to NCGS 105-228.37.

ITEMS OF BUSINESS

- 3. Consideration of Interlocal Agreement with City of Fayetteville for Stormwater Billing and Collection.
- 4. Consideration of Approval of Bond Order to Refund up to \$37,500,000 General Obligation School Bonds, Series 1998, and General Obligation Refunding Bonds, Series 1998 and Ratifying Filing an Application with the Local Government Commission.

- 5. Consideration of Designation of Voting Delegate for NACo Conference.

- 6. Nominations to Boards and Committees

- A. Air Quality Stakeholders' Committee (3 Vacancies)
- B. Criminal Justice Partnership Advisory Board (3 Vacancies)

- 7. Appointments to Boards and Committees

- A. ABC Board (1 Vacancy)

Nominee: Edward Maynor (Reappointment)

- B. Adult Care Home Community Advisory Committee (2 Vacancies)

Nominees: Herma Jean Bradley (Reappointment)
Ralph T. Cascasan

- C. Animal Services Board (1 Vacancy)

Nominee:

City of Fayetteville Resident Position: Patricia Rigsby (Reappointment)

- D. Board of Adjustment (2 Vacancies)

Nominees: Joseph M. Dykes (Reappointment)
George Quigley (Reappointment)

JAMES E. MARTIN
County Manager

JUANITA PILGRIM
Deputy County Manager



ITEM NO. 18

AMY H. CANNON
Assistant County Manager

OFFICE OF THE COUNTY MANAGER

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

MEMORANDUM FOR BOARD OF COMMISSIONERS AGENDA OF JUNE 1, 2009

TO: BOARD OF COUNTY COMMISSIONERS

FROM: JAMES E. MARTIN, COUNTY MANAGER

DATE: MAY 27, 2009

**SUBJECT: APPROVAL OF AMENDMENT TO THE RURAL PLANNING
ORGANIZATION (RPO) MEMORANDUM OF UNDERSTANDING**

BACKGROUND

Mr. Joel Strickland, RPO Coordinator has submitted under the direction of the North Carolina Department of Transportation, amendments to the existing Memorandum of Understanding (MOU) established with each of the four counties. Mr. Strickland has provided a brief memo explaining the changes in the MOU and a copy of the amended documents with the changes incorporated is included as an attachment.

RECOMMENDATION/PROPOSED ACTION

Approve the amended Memorandum of Understanding as submitted by the Mid-Carolina Rural Planning Organization.

/ct

CM052709-3

Celebrating Our Past...Embracing Our Future

**MID-CAROLINA COUNCIL OF GOVERNMENTS
RURAL TRANSPORTATION PLANNING ORGANIZATION**

MEMORANDUM

To: Mr. James Martin, County Manager

From: Joel Strickland, RPO Coordinator 

Date: May 27, 2009

Re: Amendment to the RPO Memorandum of Understanding

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 still includes a more definitive definition of a quorum; however the clause that allowed members to be removed has been deleted as NCDOT found that to be counterproductive to the cause. That is the only major change to the document; the only other changes are very minor wording corrections that the NCDOT legal staff saw appropriate. All of the changes included in the MOU are highlighted in yellow. The RTCC and RTAC approved the changes at our April meetings. I ask that you please approve the document at your June 1 Commissioners meeting. If you have any questions or need any further details please do not hesitate to contact me at (910) 323-4191 ext. 34, or jstrickland@mccog.org.

"PROGRESS THROUGH INTERGOVERNMENTAL COOPERATION"

**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 and the Rural Transportation Coordinating Committee recommends approval to the Rural Transportation Advisory Committee whom concurs.

Now, therefore, the following Amended Memorandum of Understanding is made on this the 28th day of April, 2009.

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. 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 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. 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. 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 40 9 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 28th, day of April, 2009.

Clerk

Clerk

Kay S. Blanchard
Clerk

Clerk

Clerk

Vanita Wohlfahrt Smale
Clerk

Bladen County

By: _____
Chairman

Cumberland County

By: _____
Chairman

Harnett County

By: Timothy B. McDaniel
Chairman

Sampson County

By: _____
Chairman

North Carolina Department of Transportation

By: _____
Secretary

Region M Council of Governments

By: R. H. Ellington
Chairman

JAMES E. MARTIN
County Manager

JUANITA PILGRIM
Deputy County Manager



ITEM NO. 1C

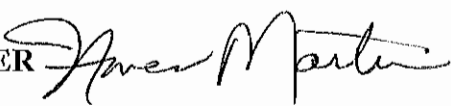
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Assistant County Manager

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MEMORANDUM FOR BOARD OF COMMISSIONERS AGENDA OF JUNE 1, 2009

TO: BOARD OF COUNTY COMMISSIONERS

FROM: JAMES E. MARTIN, COUNTY MANAGER 

DATE: MAY 27, 2009

SUBJECT: APPROVAL OF THE CUMBERLAND COUNTY JUVENILE CRIME PREVENTION COUNCIL CONTRACTS REPRESENTING FUNDING ALLOCATIONS FOR JULY 1, 2009 THROUGH JUNE 30, 2010

BACKGROUND

The Cumberland County Juvenile Crime Prevention Council annually submits the JCPC Program Contracts to the Board of Commissioners for approval prior to submitting to the State office. The contracts represent the funding allocations for FY2009-2010.

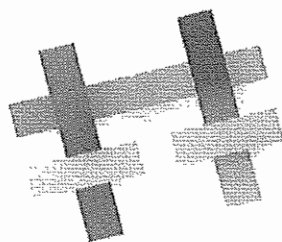
RECOMMENDATION/PROPOSED ACTION

The Juvenile Crime Prevention Council recommends approval of the FY2009-2010 DJJDP County Funding Plan. Information regarding the contracts is attached.

/ct

CM052709-2

Celebrating Our Past...Embracing Our Future



CUMBERLAND COUNTY
**Juvenile Crime
Prevention Council**
BRINGING RESOURCES TOGETHER FOR AT-RISK YOUTH

May 4, 2009

Melvin Lindsay,
Chairman
Lee Roberts, Vice Chair
Carol Hudson
Gene Hallock
Patrick Hurley
Debbie Jenkins
Henry Berry
Lt. Sherry Sparks
Geneva Mixon
Joan Blanchard
Douglas Parrish
Sue Thomas
Michael Strickland
Beth A. Hall
Billy R. King
Archie Malloy
Greg Pitts
Juanita Pilgrim
Honorable Edward A.
Pone
Cheri Siler-Mack
Lt. Lynette Hodges
Rev. Brian Thompson

Ronald Tillman, DJJDP
Area Consultant

Sarah Hemingway,
Deputy Director, CC
CommuniCare

To: Mr. James Martin, County Manager
Ms. Juanita Pilgrim, Deputy County Manager

Annually, the Department of Juvenile Justice & Delinquency Prevention provides funding to local county governments for the purpose of funding early intervention programs/services for youth that are involved in, or may become involved in, the juvenile court system.

After consideration of the 2009.2010 Department of Juvenile Justice & Delinquency Prevention's (DJJDP) projected allocations for local JCPC's, during our April meeting, held on Wednesday, April 8, 2009 regarding funding for the next fiscal year, the Juvenile Crime Prevention Council (JCPC) has completed their annual planning process. As part of that meeting, the JCPC voted unanimously to submit the council's funding recommendations and the 2009.2010 annual Comprehensive Planning document for Cumberland County and the DJJDP state program agreements for seven local programs.

Cumberland County is projected to receive \$899,170 in state dollars for fiscal year 2009.2010. Local matching funds are required in order to be eligible to receive these state funds. During the past, the County of Cumberland has generously contributed a portion of the required match. During the 2008.2009 fiscal year, the County of Cumberland provided the JCPC \$211,684 to support the programs funded by the JCPC. The local council gratefully acknowledges the ongoing support provided by the county.

This packet represents the funding recommendations the CCJCPC is making to the C.C. Board of Commissioners for their consideration. The projected 2009.2010 funding plan is attached for review. Please feel free to contact me should you have any questions or require further assistance.

Regards,

Melvin Lindsay Sr.
CCJCPC Chairman

JCPC DJJDP/County Funding Requests for FY 2009.2010 (final)

Program Name	Current DJJDP Funding	Current County Matching funds	FY 09.10 DJJDP funds requested	Option #1 (2% reduction)	Change in DJJDP request	County Cash requested for match FY 09.10	Local Program Cash as a portion of match	Program Inkind as a portion of match	Other Program Cash	Total Program Budget Per Request	FY 09.10 Recommendatio n to Commissioner s (DJJDP \$\$\$)	FY 09.10 Recommendatio n for County Cash match
JAC	215,243	17,454	189,260	3,786	(25,983)	17,454		26,082	164,434	397,230	185,474	17,454
Find A Friend	54,911	9,657	54,911	1,098	0	9,657	26,277	29,129		119,974	53,813	9,657
Juvenile Court Outreach	156,730	25,414	139,511	2,790	(17,219)	25,414	0	6,750		171,675	136,721	25,414
C.C. Group Care	309,782	83,632	299,855	6,000	(9,927)	83,632			268,188	651,675	293,855	83,632
Fay/CC Restitution	84,251	12,152	84,251	1,685	0	12,152	12,151	26,390		134,944	82,566	12,152
HOPE Program	73,984	0	73,984	1,480	0	0		19,539		93,523	72,504	0
Teen Court	56,449	14,641	56,449	1,130	0	14,641		17,136		88,226	55,319	14,641
Coordinator Budget		48,734			0	48,734				48,734		48,734
Administrative Budget	15,500		15,500		0					15,500	15,500	
JCPC Training/Other	0		0		0					0	3,418	
Totals	966,850	211,684	913,721	17,969	(53,129)	211,684	38,428	125,026	432,622	1,721,481	899,170	211,684

* County match for FY

08.09 \$211,684

FY 08.09 DJJDP

allocation: \$966,850 **Projected Allocation FY 09.10: 899,170 (7% reduction) (10% reduction) 870,165**

*Based upon the requests and anticipated allocation (7% reduction), the Council would need to reduce allocations by \$14,551/ 10% reduction would mean reducing the requested allocation amounts by \$18,730 in current budgets

** A 2% reduction (913,721-17,969=**895,752**) Which means if the allocation is 899,170-895,752= **3,418** in reserve

Option #1 calculation: Expected DJJDP Allocation-Requested funds=Deficit (899,170-913,721=14,551) The difference between the requested amount of DJJDP funds and the expected allocation is 2%. Each program reduces their request by 2% to adjust ot the new funding level. The additional \$3,418 will be held in reserve for Council use.

DJJDP funds Reallocation FY 08.09

JAC 25,983 Expansion funds transferred to support trainings, special projects, etc. as directed by the Council

JCPC DJJDP/County Funding Requests for FY 2009.2010 (final)

Program Name	Current DJJDP Funding	Current County Matching funds	FY 09.10 DJJDP funds requested	Option #1 (2% reduction)	Change in DJJDP request	County Cash requested for match FY 09.10	Local Program Cash as a portion of match	Program Inkind as a portion of match	Other Program Cash	Total Program Budget Per Request	FY 09.10 Recommendation to Commissioners (DJJDP \$\$\$)	FY 09.10 Recommendation for County Cash match
JAC	215,243	17,454	189,260	3,786	(25,983)	17,454		26,082	164,434	397,230	185,474	17,454
Find A Friend	54,911	9,657	54,911	1,098	0	9,657	26,277	29,129		119,974	53,813	9,657
Juvenile Court Outreach	156,730	25,414	139,511	2,790	(17,219)	25,414	0	6,750		171,675	136,721	25,414
C.C. Group Care	309,782	83,632	299,855	6,000	(9,927)	83,632			268,188	651,675	293,855	83,632
Fay/CC Restitution	84,251	12,152	84,251	1,685	0	12,152	12,151	26,390		134,944	82,566	12,152
HOPE Program	73,984	0	73,984	1,480	0	0		19,539		93,523	72,504	0
Teen Court	56,449	14,641	56,449	1,130	0	14,641		17,136		88,226	55,319	14,641
Coordinator Budget		48,734			0	48,734				48,734		48,734
Administrative Budget	15,500		15,500		0					15,500	15,500	
JCPC Training/Other	0		0		0					0	3,418	
Totals	966,850	211,684	913,721	17,969	(53,129)	211,684	38,428	125,026	432,622	1,721,481	899,170	211,684

* County match for FY

08.09 \$211,684

FY 08.09 DJJDP

allocation: \$966,850 **Projected Allocation FY 09.10:** 899,170 (7% reduction) (10% reduction) 870,165

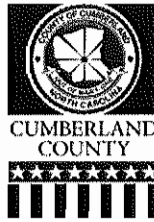
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Option #1 calculation: Expected DJJDP Allocation-Requested funds=Deficit (899,170-913,721=14,551) The difference between the requested amount of DJJDP funds and the expected allocation is 2%. Each program reduces their request by 2% to adjust to the new funding level. The additional \$3,418 will be held in reserve for Council use.

DJJDP funds Reallocation FY 08.09

JAC 25,983 Expansion funds transferred to support trainings, special projects, etc. as directed by the Council



ITEM NO. 115


PUBLIC UTILITIES DEPARTMENT

Historic Courthouse, 130 Gillespie Street • P.O. Box 1829 • Fayetteville, North Carolina 28302-1829
Telephone (910) 678-7682 • Fax (910) 678-7635

THOMAS B. COONEY III, P.E.
Public Utilities Director

MEMORANDUM

TO: BOARD OF COMMISSIONERS

FROM: TOM COONEY, PUBLIC UTILITIES DIRECTOR 

THROUGH: HARVEY W. RAYNOR, III, DEPUTY COUNTY ATTORNEY

THROUGH: JAMES E. MARTIN, COUNTY MANAGER

DATE: MAY 22, 2009

**SUBJECT: ADOPTION OF A RESOLUTION CREATING THE OVERHILLS
PARK WATER & SEWER DISTRICT**

BACKGROUND

The Public Utilities Director is requesting that the Board of Commissioners adopt the Resolution creating the Overhills Park Water & Sewer District for the purpose of obtaining grants and low interest loans from both State and Federal sources. The public hearing was held on May 18, 2009 as per North Carolina General Statute 162A-86, with no comments from the public.

The Overhills Park community has been experiencing septic tank failures that have resulted in property owners being required to vacate their property and in some cases have allowed the properties to go into foreclosure. This is a health issue for this community.

RECOMMENDATION

The Public Utilities Director, the County Attorney's Office and Management recommend adoption of the resolution.

Celebrating Our Past...Embracing Our Future

**RESOLUTION CREATING OVERHILLS PARK
WATER & SEWER DISTRICT**

WHEREAS, the Cumberland County Board of Commissioners (hereinafter "the Board") at its regular meeting on May 18, 2009, held a public hearing, pursuant to NCGS 162A-86 et.seq., to consider creation of the Overhills Park Water & Sewer District; and

WHEREAS, pursuant to NCGS 162A-86, prior to the May 18, 2009 public hearing a notice of public hearing was prepared stating the date, hour and place of the public hearing and its subject and setting forth a description of the territory to be included within the proposed Overhills Park Water & Sewer District; and

WHEREAS, pursuant to said NCGS 162A-86, the said notice of public hearing was published once a week for three weeks in a newspaper that circulated in the proposed district and was posted in at least three public places in the district. The notices of public hearing were posted and published the first time not less than twenty days before the hearing; and

WHEREAS, at the public hearing held at 6:45 p.m., May 18, 2009, in Room 118, Cumberland County Courthouse, 117 Dick Street, Fayetteville, North Carolina any taxpayer and all other interested persons were allowed to appear and be heard concerning the question of creating the Overhills Park Water & Sewer District; and

WHEREAS, no taxpayer or other interested person spoke at the public hearing

NOW, THEREFORE, the Board, following the public hearing, finds that:

1. There is a demonstrable need for providing in the district water & sewer services;
2. The residents of all the territory to be included in the district will benefit from the district's creation; and
3. It is economically feasible to provide the proposed service in the district without unreasonable or burdensome annual tax levies;

THEREFORE, the Board finds that the district shall be defined as set forth below;
and

THEREFORE, the Board now desires to create the Overhills Park Water & Sewer District.

NOW, THEREFORE, BE IT RESOLVED by the Cumberland County Board of Commissioners as follows:

The Overhills Park Water & Sewer District is created and the said District is hereby described as follows:

The area that is known as Overhills Park Subdivision located just north of the Town of Spring Lake near the intersection of East Manchester Road and Highway 210 The boundary of the proposed water and sewer district is more particularly described on a map available for inspection in the Office of the Public Utilities Department and titled Overhills Park Water & Sewer District

The Clerk to the Board is hereby authorized and directed to cause this Resolution to be published once in each of two successive weeks in the newspaper in which the notice of the public hearing was published, as well as the following statement, which shall be printed at the end of the Resolution: The foregoing resolution was adopted by the Cumberland County Board of Commissioners on June 1, 2009 and was first published on June ___, 2009.

Any action or proceeding questioning the validity of this resolution or the creation of the Overhills Park Water & Sewer District or the inclusion in the district of any of the territory described in the resolution must be commenced within 30 days after the first publication of the resolution.

Clerk, Cumberland County Board of Commissioners

This resolution shall be effective upon its adoption as by law provided.

Adopted this 1st day of June, 2009.

Jeannette M. Council
Chairman

Attest:

Marsha Fogle
Clerk

JEANNETTE M. COUNCIL
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BILLY R. KING
Vice Chairman

J. BREEDEN BLACKWELL
KENNETH S. EDGE
MARSHALL FAIRCLOTH
JIMMY KEEFE
EDWARD G. MELVIN



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

May 27, 2009

ITEM NO. 1E

AGENDA ITEM FOR JUNE 1, 2009 MEETING

TO: Board of Commissioners

FROM: Commissioner Breeden Blackwell

RE: Adoption of a resolution supporting an alternative method of recognition for veterans' status to Merchant Marine Seamen of WWII.

BACKGROUND: Attached is an email from Don Horton, Camden, NC, asking all counties to adopt this resolution.

ACTION: Adopt Resolution

Attachments

Celebrating Our Past...Embracing Our Future

COUNTY OF CUMBERLAND

NORTH CAROLINA

RESOLUTION OF THE CUMBERLAND COUNTY BOARD OF COMMISSIONERS
SUPPORTING AN ALTERNATIVE METHOD OF RECOGNITION
FOR VETERANS STATUS TO MERCHANT MARINE SEAMEN OF WWII

WHEREAS, Public laws 95-202 and 105-368 bestowed veteran status on US Merchant Marine Seamen of WWII; and

WHEREAS, two specific US government actions have caused some 10,000 merchant seamen to have been denied their due recognition:

- (1) The USCG relieved Masters of tugs, towboats and seagoing barges of the responsibility of submitting reports of seamen shipped and discharged;
- (2) The National Maritime Administration ordered ships' logbooks to be destroyed because they were too costly to maintain and had removed the two main criteria required by the government to issue official recognition to those seamen.

WHEREAS, the average age of the remaining seamen is above 86 and the population of the US veteran is shrinking at an average of 850 per year causing time to be of the essence; and

WHEREAS, no costs are associated with this proposal as funds are already included in above public laws; and

WHEREAS, the Cumberland County Board of Commissioners requests that immediate action be taken to correct this inconceivable action.

NOW, THEREFORE, the Cumberland County Board of Commissioners supports the attached proposal and so orders that this Resolution and proposal be sent to Senator Kay Hagan, Senator Richard Burr, Congressman Walter B. Jones and Congressman G.K. Butterfield and that this matter be placed into action to ensure expedient passage.

Adopted this 1st day of June, 2009.

Jeannette Council, Chairman

LESS WE FORGET

Requests for recognition as veterans of the US Merchant Marine during WW II have been repeatedly **denied** by the NMC because records are **not available** that show service during that timeframe. There were some 10,000 mariners serving on seagoing barges. Six members of my family were among them. These seamen have all been denied, forgotten, and left behind.

Two specific actions taken by the USCG and the Maritime Administration have resulted in the National Maritime Center (NMC) denying these seamen their well earned benefits as US Veterans.

(1) On 20 March, 1944, the Commandant, USCG issued orders to masters of tugs, towboats and seagoing barges **relieving them of the responsibility** of submitting shipping and discharge forms (**718A**) to seamen shipped,

(2) USCG **Reference Information Paper #77**, page 3 states, "After WWII the **deck and engine logbooks** of vessels operated by the WSA were turned over to that agency (Maritime Administration) by the ship owners and were **destroyed** during the 1970s" The NMC repeatedly **denies** applicants eligibility because records do not exist.

USCG Reference Information Paper #77 of April, 1992, Page 1 indicates acceptable forms of documentation are: (a) Certificate of discharge (**Form 718A**); (b) Continuous Discharge Books, (**Deck log books**) and (c) Company letters showing vessel names and dates. These old wooden hulled barges were obsolete when they were called back into services in WW II and have long since been replaced by larger and more modern self propelled vessels, placing both the companies and their records **lost** to history.

These **two actions** by government agencies **have compromised** the efforts of these 10,000 or so seamen from obtaining their proper recognition and benefits while serving on those seagoing barges. They have **removed** items (1) & (2) as acceptable forms of eligibility. The loss of the companies and their records removes the only other contention, making the effort for recognition almost useless. Alternate methods are required if we are to recognize these honorable seamen. This nation cannot stand by and allow this travesty to continue. WW II Veterans are dying at the rate of 850 per year and there is precious time left to assist those that remain. Action must be swift to assist those left to enjoy their recognition. We have recognized the Filipino veteran; surely we can do the same for our own. Costs have already been set aside under P.L. 95-202 & 105-368 making this **administrative** legislation only.

Efforts to gain assistance from the chartered VSOs brought forth very limited response; as if they have forgotten their purpose. These barge people served in harm's way on the Atlantic Coast making thousands of trips in waters continuously patrolled by the savage German wolf pack submarines that were making daily sinking's of our merchant ships. Their speed of 4 knots and without armed protection, made them sitting ducks just waiting to be the next victim. We owe them dearly. We have talked the talk. Now let's **walk the walk**. I have contacted the counties within your district and they are responding favorably to the proposal and are requesting immediate assistance for these veterans. I will soon be requesting an audience to present them to you. Please offer this to congress and square our debt to them. With the mortality rate as high as it is, we can hardly wait any longer. Please **notify** me of your actions.

Very Respectfully

J. D. Horton
104 Riverview Ave, Camden, NC 27921.

More info at: www.usmmv.blogspot.com
FAX TO: 1 202 225 5771

PROPOSAL

Committee: _____

Principal Author: _____

Bill No: _____

Delegation: _____

Title: Alternative Methods of Recognition for Veteran Status to Merchant Marine Seamen of WW II

Be It Enacted by the **one hundred & eleventh Congress of the United States**

1. **Preamble:** Be it enacted by the Senate and House of Representatives of the United States of
2. America in congress assembled; Public Law 95-202 & 105-368 provided veteran status for members
3. of the U.S Merchant Marine who served during WW II between 07 Dec, 1941 and 31 Dec, 1946 and
4. who were able to prove their service. Various actions by governmental personnel have destroyed or
5. caused these documents to be unavailable. These actions prohibit merchant marine veterans of
6. WW II from receiving the recognition and benefits of veteran's status provided by these laws.
7. Alternative methods to prove service are required, as just compensation, for records lost by
8. government actions.

9. **SECTION 1:** Records held by the Social Security Administration that denote dates, wages earned and
10. companies employed shall be utilized when USCG forms 718 (any date) or other official data such
11. as ship's logbook, etc, are not available.

12. **SECTION 2:** Validated testimony from the veteran or primary next of kin as to employment shall be
13. allowed to determine eligibility; and

14. **SECTION 3:** Other official documentation offered by the veteran, shall constitute replacement of
15. records that were destroyed or from other actions causing the required records to be unavailable
16. that were committed by those responsible for the control and maintenance of veteran records.

17. **SECTION 4:** For the timeframe between 07 December, 1941 and 31 December, 1946, masters of
18. seagoing vessels shall be recognized as agents of the United States authorized to document
19. crew members as it applies to the shipping and discharge of seaman for purposes of employment.

20. **SECTION 5:** These replacements records shall satisfy all requirements for eligibility of service during
21. the required timeframe 07 December, 1941 and 31 December, 1946.

22. **SECTION 6:** This bill will go into effect 91 days after passage.

Marsha Fogle

From: Breeden Blackwell
Sent: Wednesday, May 27, 2009 12:35 PM
To: Marsha Fogle
Subject: FW: Assistance for US Merchant Marine Seamen of WW II
Attachments: Lest We Forget ltr, McIntire of 17 May, 2009.pdf; USCG Reference Info Paper .pdf; 1-Open letter to County Commissioners.pdf; 2-A signed RESOLUTION OF THE PASQUOTANK COUNTY BOARD OF COMMISSIONERS.pdf; 3-Lest We Forget ltr, Etheridge of 17 May, 2009.docx; 4-1944 USCG Document.pdf

Marsha: Please print for me-THANKS!

From: Don Horton [mailto:jdonhorton@embarqmail.com]
Sent: Tuesday, May 26, 2009 7:42 PM
To: m.fogle@co.cumberland.nc.us; Breeden Blackwell
Subject: Fw: Assistance for US Merchant Marine Seamen of WW II

Ms. Fogle,
 I have just spoken with Mr. Blackwell on the phone and he asked that I send this to you for distribution. Please help. Thank you.

r/

Don Horton

----- Original Message -----

From: Don Horton

To: jccouncil@co.cumberland.nc.us ; bking@co.cumberland.nc.us ; bblackwell@co.cumberland.nc.us ; kedge@co.cumberland.nc.us ; wmfaircloth@co.cumberland.nc.us ; jkeefe@co.cumberland.nc.us ; emelvin@co.cumberland.nc.us

Sent: Monday, May 18, 2009 10:46 AM

Subject: Assistance for US Merchant Marine Seamen of WW II

Dear Mr. Chairman, Commissioners of Cumberland County and County Manager,

I need your help. I wish to gain full support from the Cumberland County Commissioners via a resolution to assist me in having some 10,000 merchant seamen who have been denied their recognition as veterans thus denying them their due VA benefits. As you know Public Laws 95-202 & 105-308 gave these merchant seamen veterans status. However, because of some shortsightedness from two government actions those seamen who worked coastwise vessels such as tugs, towboats and seagoing barges have been denied their rights. To date, the counties of Camden, Currituck and Pasquotank passed this resolution on 06 April without comment or change. On 20 April the Perquimans also passed this resolution. Wilson followed on 04 May. Craven, Dare, Jones, Nash, Chowan, Gates, Grandville, Hertford, Lenoir, Martin, Washington, Pitt, Duplin and Beaufort Counties have scheduled it for review on 18/20 May. Our veterans are leaving us a rate of 850 per year. Time is of the essence. I have previously asked some of the counties of North Carolina to assist us and now I am asking again that all counties come together and assist. We owe these veterans a chance to prove their eligibility. They stood up when it counted. We need to do the right thing and do the same. Anything less would be downright un-American. Previous discussions with respective commissioners have all been fully supportable and very enthusiastic. I am asking for your full support in this matter also. Attached is information that should clarify this matter and will include one of the resolutions approved by the above mentioned counties. We cannot afford to wait any longer, if we wish to help them at all. Please look over this package and give us the support needed to get this across to those in congress. Will you please respond with a **will do** message. If additional information is necessary please call me in order to keep this issue on track. Can you place this resolution on your agenda for the next board meeting? More info is located at www.usmmv.blogspot.com and a petition is at www.petitiononline.com/Brgelife/. Would you please confirm receipt of this message? Please note a change of the House of Representatives will be necessary to reflect the appropriate rep from you district. I shall need originals for each member (2) of the senate and one for each (1 or 2) representative, plus one for file. Thanking you in advance.

V/R

Don Horton

104 Riverview Ave
 Camden, NC 27921
 252 336 5553

5/27/2009

**COUNTY OF CUMBERLAND
BUDGET REVISION REQUEST**

Budget Office Use	
Budget Revision No.	<u>309-373</u>
Date Received	<u>5-19-09</u>
Date Completed	

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

ITEM NO. IF(1)

REVENUE

Revenue Source Code	Description	Current Budget	Increase (Decrease)	Revised Budget
4211	NC CHILD MH - STATE	263,723	(3,000)	260,723
				-
				-
				-
				-
Total		263,723	(3,000)	260,723

EXPENDITURES

Object Code	Appr Unit	Description	Current Budget	Increase (Decrease)	Revised Budget
1210	429	Salaries	203,786	(14,028)	189,758
1810	429	Fica Matching	15,763	(1,073)	14,690
1820	429	Retirement	10,097	(687)	9,410
1824	429	401K	2,061	(140)	1,921
1830	429	Medical Insurance	26,500	(1,072)	25,428
2393	430	Educational Supplies	4,000	5,000	9,000
2601	430	Office Supplies	1,500	2,000	3,500
2992	430	Dept Supplies	2,500	5,000	7,500
3419	430	Misc	0	300	300
3470	430	Travel	2,500	1,500	4,000
3474	430	Training	1,200	200	1,400
Total			269,907	(3,000)	266,907

Justification:

Reversion of \$3,000. Transfer of lapsed salaries/fringes (\$17,000, position M401302) to purchase operating supplies.

Funding Source: State: -3,000 Federal: _____ Fund Balance: County: _____ New: _____ Other: _____
 Other: _____ Fees: _____ Prior Year: _____

Submitted By: <u>Candi Carter</u> Department Head	Date: <u>5/18/09</u>	Approved By: _____ County Manager _____ Board of County Commissioners _____ Date: _____
Reviewed By: <u>Keely Autry</u> Budget Analyst	Date: <u>5-19-09</u>	
Reviewed By: <u>Amber Cannon</u> Deputy Assistant County Mgr	Date: <u>5/27/09</u>	
Reviewed By: _____ Information Services	Date: _____	

**COUNTY OF CUMBERLAND
BUDGET REVISION REQUEST**

Budget Office Use	
Budget Revision No.	B09-374
Date Received	5/20/2009
Date Completed	

Fund No. 420 Agency No. 442 Organ. No. 4438

Organization Name: Recreation - Hope Mills

ITEM NO. 1F(2)

REVENUE

Revenue Source Code	Description	Current Budget	Increase (Decrease)	Revised Budget
1000	Taxes Current Year	306,849	16,000	322,849

306,849 16,000 322,849

EXPENDITURES

Object Code	Appr Unit	Description	Current Budget	Increase (Decrease)	Revised Budget
3391	725	Contracted Services	347,484	16,000	363,484

Total 347,484 16,000 363,484

Justification:

Revision in the amount of \$16,000 to budget additional revenue anticipated for remainder of fiscal year.

Funding Source:

State: _____
Other: _____

Federal: _____
Fees: _____

Fund Balance:

County: _____ New: _____
Prior Year: _____

Other: 16,000

Submitted By: _____

Date: _____

Reviewed By: Kelly Autry Department Head
Reviewed By: Romy Cannon Finance Department
Reviewed By: Romy Cannon Deputy Assistant County Mgr

Date: 5.20.09

Date: 5/27/09

Approved By:

County Manager

Board of County Commissioners

Date: _____

Date: _____

**COUNTY OF CUMBERLAND
BUDGET REVISION REQUEST**

Budget Office Use	
Budget Revision No.	<u>B09-372</u>
Date Received	<u>5/13/2009</u>
Date Completed	

Fund No. 101 Agency No. 440 Organ. No. 4402

Organization Name: Library

ITEM NO. 1F(3)a

REVENUE

Revenue Source Code	Description	Current Budget	Increase (Decrease)	Revised Budget
4402	NC Lib Programs	377,980 0	(19,892)	358,088 -
		377,980	(19,892)	358,088

EXPENDITURES

Object Code	Appr Unit	Description	Current Budget	Increase (Decrease)	Revised Budget
2996	292	Books and Periodicals	728,029 0	(19,892)	708,137 - - -
Total			728,029	(19,892)	708,137

Justification:

Budget revision in the amount of \$19,892 to reduce the current state aid budget to reconcile with the State

Funding Source:

State: _____
Other: _____

Fund Balance:

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

Other: (19,892)

Submitted By: _____

John Rosacker
Department Head

Date: 5/13/09

Reviewed By: _____

Debra Outrey
Finance Department

Date: 5-15-09

Reviewed By: _____

Amy Cannon
Deputy Assistant County Mgr

Date: 5/27/09

Approved By: _____

County Manager

Board of County Commissioners

Date: _____

Date: _____

**COUNTY OF CUMBERLAND
BUDGET REVISION REQUEST**

Budget Office Use	
Budget Revision No.	B09-384
Date Received	5/26/2009
Date Completed	

Fund No. 101 Agency No. 440 Organ. No. 4402

Organization Name: Library

ITEM NO. 1E(3)b

REVENUE

Revenue Source Code	Description	Current Budget	Increase (Decrease)	Revised Budget
9901	Fund Balance Appropriated		27,300	27,300

Total 0 27,300 27,300

EXPENDITURES

Object Code	Appr Unit	Description	Current Budget	Increase (Decrease)	Revised Budget
3610	293	Capital Outlay	0	25,000	25,000
2994	292	Miscellaneous Equipment	0	2,300	2,300

0 27,300 27,300

Justification:

Revision to replace a heat pump at the Bordeaux Branch Library and to install a refrigerant monitor at the Headquarters Library.

Funding Source:

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

Fund Balance:

Submitted By: _____

Date: _____

Department Head

Reviewed By: Howard A. Brown

Date: 5/27/09

Finance Department

Reviewed By: Amy D. Cannon

Date: 5/27/09

Deputy Assistant County Mgr

Approved By:

Date: _____

County Manager

Board of County
Commissioners

Date: _____

**COUNTY OF CUMBERLAND
BUDGET REVISION REQUEST**

Budget Office Use	
Budget Revision No.	<u>309.375</u>
Date Received	<u>5/19/2009</u>
Date Completed	

Fund No. 101 Agency No. 440 Organ. No. 4411

Organization Name: Library- Smart Start

ITEM NO. 1F(3)c

REVENUE

Revenue Source Code	Description	Current Budget	Increase (Decrease)	Revised Budget
4411	NC Smart Start	250,641	(3,891)	246,750

250,641 (3,891) 246,750

EXPENDITURES

Object Code	Appr Unit	Description	Current Budget	Increase (Decrease)	Revised Budget
3420		Insurance & Bonds	1,000	(11)	989
3440		Postage	750	(600)	150
3450		Copier Charge	500	100	600
3462		Equipment Rental	300	(300)	-
3470		Employee Travel	9,815	(3,000)	6,815
3474		Employee Training	400	(80)	320

Total 12,765 (3,891) 8,874

Justification:

Budget revision to reconcile with Smart Start Budget. Library voluntarily reverted some Smart Start funds

Funding Source:

State: _____ Federal: _____ County: _____ New: _____ Other: _____ (3,891)
Other: _____ Fees: _____ Prior Year: _____

Fund Balance:

Submitted By: [Signature]

Department Head

Date: 5/19/09

Reviewed By: [Signature]

Finance Department

Date: 5.20.09

Reviewed By: [Signature]

Deputy Assistant County Mgr

Date: 5/27/09

Approved By:

Date: _____

County Manager

Board of County Commissioners

Date: _____

**COUNTY OF CUMBERLAND
BUDGET REVISION REQUEST**

Budget Office Use	
Budget Revision No.	<u>309.376</u>
Date Received	<u>5/19/2009</u>
Date Completed	

Fund No. 101 Agency No. 440 Organ. No. 4412
 Organization Name: Library- Motheread

ITEM NO. 1F(3)d

REVENUE

Revenue Source Code	Description	Current Budget	Increase (Decrease)	Revised Budget
4414	NC Motheread	72,111	(2,226)	69,885
		72,111	(2,226)	69,885

EXPENDITURES

Object Code	Appr Unit	Description	Current Budget	Increase (Decrease)	Revised Budget
3390		Contracted Services	15,326	(1,411)	13,915
3470		Travel	3,936	(700)	3,236
3474		Employee Training	950	(115)	835
					-
					-
					-
					-
Total			20,212	(2,226)	17,986

Justification:

Budget revision to reconcile with Motheread Budget. Library voluntarily reverted some Motheread funds

Funding Source:

State: _____
 Other: _____

Federal: _____
 Fees: _____

Fund Balance:

County: _____ New: _____
 Prior Year: _____

Other: (2,226)

Submitted By: Jody Rosoch Date: 5/19/09
 Department Head
 Reviewed By: Kelly Aubrey Date: 5.20.09
 Finance Department
 Reviewed By: Amy Cannon Date: 5/27/09
 Deputy Assistant County Mgr

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

**COUNTY OF CUMBERLAND
BUDGET REVISION REQUEST**

Budget Office Use	
Budget Revision No.	<u>309-377</u>
Date Received	<u>5/22/2009</u>
Date Completed	

Fund No. 101 Agency No. 440 Organ. No. 4418
 Organization Name: Library Foreign Language

ITEM NO. 1F(3)e

REVENUE

Revenue Source Code	Description	Current Budget	Increase (Decrease)	Revised Budget
4666	Library Grants	133,764	(400)	133,364
6129	Foreign Language Subscriptions	24,600	2,597	27,197
4402	NC Library Programs	45,000	(24,600)	20,400
		203,364	(22,403)	180,961

EXPENDITURES

Object Code	Appr Unit	Description	Current Budget	Increase (Decrease)	Revised Budget
2996	317	Books and Periodicals	163,824	(22,403)	141,421
Total			163,824	(22,403)	141,421

Justification:

Revision in the amount of \$22,403 to reconcile with the Foreign Language State budget (\$25,000) and recognize additional subscriptions revenue (\$2,597)

Funding Source:

State: _____
 Other: (22,403)

Federal: _____
 Fees: _____

Fund Balance:

County: _____ New: _____
 Prior Year: _____

Other: _____

Submitted By: [Signature]
 Department Head

Reviewed By: [Signature]
 Finance Department

Reviewed By: [Signature]
 Deputy Assistant County Mgr

Date: 5/21/09

Date: 5/22/09

Date: 5/27/09

Approved By:

Date: _____

County Manager

Board of County
Commissioners

Date: _____

**COUNTY OF CUMBERLAND
BUDGET REVISION REQUEST**

Budget Office Use	
Budget Revision No.	B09-379
Date Received	5/22/2009
Date Completed	

Fund No. 106 Agency No. 470 Organ. No. 4704
Organization Name: School C.O. Category I - Buildings

ITEM NO. 1F(4)

REVENUE

Revenue Source Code	Description	Current Budget	Increase (Decrease)	Revised Budget
9901	Fund Balance Appropriated	6,466,060	150,000	6,616,060
Total		6,466,060	150,000	6,616,060

EXPENDITURES

Object Code	Appr Unit	Description	Current Budget	Increase (Decrease)	Revised Budget
3836	406	School C.O. Category I	10,187,351	150,000	10,337,351
Total			10,187,351	150,000	10,337,351

Justification:

Revision to appropriate fund balance (sales tax) in the amount of \$150,000 to purchase land for school projects as approved by the Cumberland County Board of Education on May 12, 2009.

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

Submitted By: _____

Date: _____

WJA Department Head

Reviewed By: *Bob Tucker*

Date: *5/24/09*

Finance Department

Reviewed By: *Amy Cannon*

Date: *5/27/09*

Deputy Assistant County Mgr

Approved By:

County Manager

Board of County Commissioners

**COUNTY OF CUMBERLAND
BUDGET REVISION REQUEST**

Budget Office Use	
Budget Revision No.	B09-380
Date Received	5/22/2009
Date Completed	

Fund No. 101 Agency No. 450 Organ. No. 4506
 Organization Name: Cooperative Extension

ITEM NO. 1F(5)

REVENUE

Revenue Source Code	Description	Current Budget	Increase (Decrease)	Revised Budget
4018	4-H Military Grant	254	14,229	14,483
9901 (101-999-9999)	Fund Balance Appropriated		(10,625)	

Total 3,604

EXPENDITURES

Object Code	Appr Unit	Description	Current Budget	Increase (Decrease)	Revised Budget
460L	343	Military 4-H Grant	2,754	1,104	3,858
3481	340	Beaver Control	1,500	2,500	4,000

Total 4,254 3,604 7,858

Justification:

Revision to budget 4-H Military Grant in the amount of \$14,229 which was awarded on May 18, 2009 for the period October 1, 2008 to September 30, 2009. County fund balance appropriated is being reduced for reimburseable salary and benefit expenditures (\$10,625) already incurred in FY 2009 (from October 1, 2008 through June 30, 2009). In addition, \$2,500 of funds made available from the Cooperative Extension budget prior to the actual award of the grant are being returned. Note: Final FY09 4-H Military Grant budget includes \$254 of unused prior year grant funds rolled forward and expended (travel of \$117.29 and supplies \$135.90) prior to September 30, 2008 deadline).

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

Submitted By: [Signature]
 Department Head

Date: 5/26/09

Reviewed By: Bob Incher
 Finance Department

Date: 5/26/09

Reviewed By: Amy McCannon
 Assistant County Mgr

Date: 5/27/09

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

**COUNTY OF CUMBERLAND
BUDGET REVISION REQUEST**

Budget Office Use	
Budget Revision No.	B09-381
Date Received	5/26/2009
Date Completed	

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

ITEM NO. 1F(6)

REVENUE				
Revenue Source Code	Description	Current Budget	Increase (Decrease)	Revised Budget
7757	Fundraiser	2,616	5,340	7,956
Total		2,616	5,340	7,956

EXPENDITURES					
Object Code	Appr Unit	Description	Current Budget	Increase (Decrease)	Revised Budget
2757	366	Fundraiser	2,616	5,340	7,956
Total			2,616	5,340	7,956

Justification:

Revision in the amount of \$5,340 to budget the balance of total fundraiser monies (\$7,955.50) received to date in FY 2009.

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

Submitted By: <u>Kay B. Bullard</u> Department Head	Date: <u>5/26/09</u>	Approved By: _____ Date: _____
Reviewed By: <u>Bob Tucker</u> Finance Department	Date: <u>5/26/09</u>	County Manager _____ Date: _____
Reviewed By: <u>Amy D. Cannon</u> Assistant County Mgr	Date: <u>5/27/09</u>	Board of County Commissioners _____ Date: _____

**COUNTY OF CUMBERLAND
BUDGET REVISION REQUEST**

Budget Office Use	
Budget Revision No.	B09-383
Date Received	5/26/2009
Date Completed	

Fund No. 101 Agency No. 411 Organ. No. 4112

Organization Name: Public Buildings

ITEM NO. 1F(7)

REVENUE

Revenue Source Code	Description	Current Budget	Increase (Decrease)	Revised Budget
9901	Fund Balance Appropriated		68,875	68,875

Total 0 68,875 68,875

EXPENDITURES

Object Code	Appr Unit	Description	Current Budget	Increase (Decrease)	Revised Budget
3433	036	M&R Equipment	316,972	875	317,847
3480	036	Utilities	794,195	68,000	862,195

1,111,167 68,875 1,180,042

Justification:

Revision to fund repairs of a compressor at the Historic Courthouse and additional utilities for the new Courthouse.

Funding Source:

State: _____
Other: _____

Federal: _____
Fees: _____

Fund Balance:

County: _____ New: _____
Prior Year: _____

Other: _____

Submitted By: _____

Date: _____

Department Head

Reviewed By: Howard L. Riser

Date: 5/26/09

Finance Department

Reviewed By: Amy D. Cannon

Date: 5/27/09

Deputy/Assistant County Mgr

Approved By:

Date: _____

County Manager

Board of County
Commissioners

Date: _____

**COUNTY OF CUMBERLAND
BUDGET REVISION REQUEST**

Budget Office Use

Budget Revision No. B09-385

Date Received 5/26/2009

Date Completed _____

Fund No. 101 Agency No. 422 Organ. No. 4203

Organization Name: Detention Center

ITEM NO. 1E(8)

REVENUE

Revenue Source Code	Description	Current Budget	Increase (Decrease)	Revised Budget
9901	Fund Balance Appropriated		48,650	48,650

Total 0 48,650 48,650

EXPENDITURES

Object Code	Appr Unit	Description	Current Budget	Increase (Decrease)	Revised Budget
3390	151	Contracted Services	43,560	19,650	63,210
3433	151	M&R Equipment	5,000	29,000	34,000

48,560 48,650 97,210

Justification:

Revision to fund a system evaluation of the Detention Center security devices and repair of the electronic touch pads at the POD officer's station.

Funding Source:

State: _____
Other: _____

Federal: _____
Fees: _____

Fund Balance:

County: _____ New: _____
Prior Year: _____

Other: _____

Submitted By: _____

Date: _____

Department Head

Reviewed By: Howard E. Abre

Date: 5/27/09

Finance Department

Reviewed By: Amy D. Cannon

Date: 5/27/09

Deputy/Assistant County Mgr

Approved By:

Date: _____

County Manager

Board of County
Commissioners

Date: _____

**COUNTY OF CUMBERLAND
BUDGET REVISION REQUEST**

Budget Office Use	
Budget Revision No.	B09-382
Date Received	5/26/2009
Date Completed	

Fund No. 101 Agency No. 412 Organ. No. 4194

Organization Name: General Fund Debt Service

ITEM NO. 1 F(9)

REVENUE

Revenue Source Code	Description	Current Budget	Increase (Decrease)	Revised Budget
9215	COPS Proceeds	0	52,400,000	52,400,000
9292	Premium on COPS	0	3,331,682	3,331,682
9216	County Closing Contribution	0	1,335,877	1,335,877
Total		0	57,067,559	57,067,559

EXPENDITURES

Object Code	Appr Unit	Description	Current Budget	Increase (Decrease)	Revised Budget
3115	064	Escrow Agent	0	55,622,909	55,622,909
3108	064	Yield Reduction Payment	0	948,358	948,358
3118	064	Underwriter's Discount	0	329,262	329,262
3119	064	Issuance Cost	0	167,030	167,030
Total			0	57,067,559	57,067,559

Justification:

To record proceeds and expenditures for the issuance of the COPS Refunding Series 2009B related specifically to refunding the Series 1998 Public Buildings (DSS) debt and the Series 2000 Jail Refunding debt.

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: 5/27/09

Reviewed By: Amyl Connor
Assistant County Mgr

Date: 5/27/09

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

**COUNTY OF CUMBERLAND
BUDGET REVISION REQUEST**

Budget Office Use	
Budget Revision No.	B09-382A
Date Received	5/26/2009
Date Completed	

Fund No. 623 Agency No. 444 Organ. No. 4447
 Organization Name: Coliseum Debt Service

ITEM NO. 1F (10)

REVENUE

Revenue Source Code	Description	Current Budget	Increase (Decrease)	Revised Budget
9215	COPS Proceeds	0	37,090,000	37,090,000
9292	Premium on COPS	0	2,128,602	2,128,602
9216	County Closing Contribution	0	964,588	964,588
Total		0	40,183,190	40,183,190

EXPENDITURES

Object Code	Appr Unit	Description	Current Budget	Increase (Decrease)	Revised Budget
3115	866	Escrow Agent	0	39,864,229	39,864,229
3118	866	Underwriter's Discount	0	202,806	202,806
3119	866	Issuance Cost	0	116,155	116,155
Total			0	40,183,190	40,183,190

Justification:

To record proceeds and expenses for the issuance of the COPS Refunding Series 2009B related specifically to refunding the Series 1998 Coliseum Refunding debt.

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: 5/27/09

Reviewed By: Amy D. Cannon
 Assistant County Mgr

Date: 5/27/09

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



ITEM NO. 2A

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

JUNE 1, 2009

TO: BOARD OF COUNTY COMMISSIONERS

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

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

DATE: MAY 18, 2009

**SUBJECT: COMMUNITY DEVELOPMENT PUBLIC HEARING
SUBSTANTIAL AMENDMENT TO THE 2008 ANNUAL ACTION PLAN**

BACKGROUND

The American Recovery and Reinvestment Act of 2009 ("Recovery Act") was signed into law on February 17, 2009. Included in the Recovery Act is \$1 billion through the Community Development Block Grant Recovery program (CDBG-R) to be awarded to cities, counties, insular areas, and states. The CDBG-R funding is being administered by the U.S. Department of Housing and Urban Development (HUD). Cumberland County has received notification from HUD that we are eligible to receive \$286,690 in CDBG-R funding.

Funding available under the Recovery Act has clear purposes – to stimulate the economy through measures that modernize the nation's infrastructure, improve energy efficiency, and expand educational opportunities and access to health care. HUD strongly urges grantees to use CDBG-R funds for hard development costs associated with infrastructure activities that provide basic services to residents or activities that promote energy efficiency and conservation through rehabilitation or retrofitting of existing buildings; though the full range of activities under the CDBG program is eligible.

As part of the citizen participation process, a 7-day public review and comment period is required. The public review period begins May 26th and ends on June 1st. The proposed amendment is available for review at several public locations throughout the County and has been posted on the County's Community Development website.

RECOMMENDATION AND PROPOSED ACTION

Community Development requests that the Board of County Commissioners hold a public hearing on the Substantial Amendment to the 2008 Annual Action Plan; and approve submission of the application to HUD by June 5, 2009.

Attachment: Substantial Amendment to the 2008 Annual Action Plan

Celebrating Our Past...Embracing Our Future

THE CDBG-R SUBSTANTIAL AMENDMENT

Jurisdiction(s): Cumberland County, NC Jurisdiction Web Address: http://www.co.cumberland.nc.us/community_dev.aspx	CDBG-R Contact Person: Thanena S. Wilson Address: 245 Person Street, Fayetteville, NC 28301 Telephone: 910-323-6112 Fax: 910-323-6114 Email: tswilson@co.cumberland.nc.us
--	--

ENSURING RESPONSIBLE SPENDING OF RECOVERY ACT FUNDS

Funding available under the Recovery Act has clear purposes – to stimulate the economy through measures that modernize the Nation's infrastructure, improve energy efficiency, and expand educational opportunities and access to health care. HUD strongly urges grantees to use CDBG-R funds for hard development costs associated with infrastructure activities that provide basic services to residents or activities that promote energy efficiency and conservation through rehabilitation or retrofitting of existing buildings. While the full range of CDBG activities is available to grantees, the Department strongly suggests that grantees incorporate consideration of the public perception of the intent of the Recovery Act in identifying and selecting projects for CDBG-R funding.

A. SPREADSHEET FOR REPORTING PROPOSED CDBG-R ACTIVITIES

Grantees must provide information concerning CDBG-R assisted activities in an electronic spreadsheet provided by HUD. The information that must be reported in the spreadsheet includes activity name, activity description, CDBG-R dollar amount budgeted, eligibility category, national objective citation, additional Recovery Act funds for the activity received from other programs, and total activity budget. An electronic copy of the spreadsheet and the format is available on HUD's recovery website at <http://www.hud.gov/recovery>.

CDBG-R Activity Data Spreadsheet

Jurisdiction/Grantee Name: CUMBERLAND COUNTY, NC		CDBG-R Formula Grant Amount: \$286,690				Date: 6/2/2009	
Activity Name	Activity Description	Eligibility (Regulatory or HCDA Citation)	National Objective Citation	CDBG-R Project Budget (\$)	Additional Recovery Funds (\$)	Other Leveraged Funding (\$)	Total Activity Budget (\$)
Freedom Center Business Park	Acquisition of land for business park development	570.201(a)	Low/mod jobs 570.208(4)	\$286,690	\$0	\$35,101,979	\$35,360,000

B. CDBG-R INFORMATION BY ACTIVITY (COMPLETE FOR EACH ACTIVITY)

(1) Activity Name: (Grantees should follow the same order that activities are listed in the Spreadsheet for Reporting Proposed CDBG-R Activities – this will allow HUD to easily match activity narratives with the information provided in the spreadsheet.)

- *Phase 1 - Freedom Center Business Park*

(2) Activity Narrative:

In addition to the **Spreadsheet for Reporting Proposed CDBG-R Activities**, grantees must provide a narrative for each activity describing how the use of the grantee's CDBG-R funds will meet the requirements of Title XII of Division A and Section 1602 of ARRA. The grantee's narrative must also state how CDBG-R funds will be used in a manner that maximizes job creation and economic benefit in relation to the CDBG-R funds obligated, and will address the Recovery Act, by:

- Preserving and creating jobs and promoting economic recovery;
- Assisting those most impacted by the recession;
- Providing investment needed to increase economic efficiency;
- Investing in transportation, environmental protection, or other infrastructure that will provide long-term economic benefits;
- Minimizing or avoiding reductions in essential services; or
- Fostering energy independence.

Project Overview

Cumberland County intends to meet the objectives of the Recovery Act by preserving and creating jobs and promoting economic recovery through investment in Phase 1 of the Freedom Center Defense Contractor and Business Incubator Office Park (Freedom Center). Located in Spring Lake, the site was selected for its strategic location, approximately 2.3 miles to the rear access gate to Ft. Bragg. This location allows military vehicles and other equipment to be moved from civilian military sub-contract companies in Freedom Center for retrofitting, upgrading, and other technical modifications. Freedom Center's expected use will largely evolve around the business alliances necessary for the deployment of various specialized military equipment.

The total park is approximately 50 acres. One defense contractor owns 10 acres and is under development with a 28,000 square foot world headquarters building. The project developer has obtained site control for 38.4 acres. Of the developable land, the developer plans to design 50,000 square feet of flex-office space on one 5 acre parcel, 60,000 square feet of warehouse and secure storage space on another 5-acre parcel, leaving nearly 20 acres remaining for specialized large office development [approximately (9) nine 15,000 – 21,000 square foot buildings]. To ensure maximum optimization, the developers have strategically chosen to be nimble; hence, programmed flex space into our plan to accommodate other uses as they materialize. The developers are in the process of securing leases with triple A credit tenants. These tenants will be providing service for the intellectual property and decision making of

FORSCOM and USARC commands, which will be moved from the current locations of Ft. McPherson and Ft. Gilliam (Georgia) to Ft. Bragg by mid-year 2011. As a result of this move Ft. Bragg and Pope AFB will become the nation's largest-most active power projection platform for the United States military command.

Once completed, Freedom Center will be a mixed-use commercial park that houses highly specialized defense contractors as well as amenities that support their needs and clients including, storage, warehouse, a multipurpose training facility, incubator offices for their research and development (R&D) as well as dining and conference space. The developer will provide all property management support services hence creating a secure, turnkey, self-sufficient park. The total estimated jobs at full build-out of Freedom Center will be in excess of 400 jobs. The average pay grade across these 400 jobs is estimated to fall between \$55-60k per year, which is well above the mean-value pay grade of jobs in the area; further accelerating the area's recovery.

CDBG-R Assistance – Phase I of Freedom Center

The County plans to invest \$286,690 of its CDBG-R funds to assist with implementing the first phase of Freedom Center. This phase will involve construction activities as described above which will ultimately net 100 jobs.

- *Phase I (50,000 sq. ft.) – new construction concrete slabs, new roof framing, new deck framing, new stairs, masonry assembly, doors, roof & decking, canopies, glass doors, fire-rated doors & frames, gypsum partitions, painting, interior finish, HVAC, plumbing, electrical distribution, exterior grading and landscape, signage and lights (walks, ramps & connector). It is represented as Phase 2 on Spring Lake Master Plan at Attachment A.*

Proposed Time Schedule for the Project:

Time is of the essence. It is estimated the development of Freedom Center Phase I will require nine months to complete. The developer has committed to the timeline below, which is in line with the property acquisition, recovery guidelines, construction and project financing.

Project Timeline

June - 2009

*Close on Spring Lake Business Park
Submit Engineering Site Plan for the Park
Submit Engineering Site Plan for the first 5 AC parcel*

August

*Close on business loan
Finalize leases
Complete Architectural Plans for the building
Solicit Contractor bids and firm up budget
Begin soliciting business from existing defense contractors with specific needs
Close on CDBG-R loan*

September

Breaking Ground

February – 2010

Complete shell building and site development

March

Begin suite upgrades and tenant build out for occupancy

June

Move in first tenant(s)

(3) Jobs Created: [Report the number of full- and part-time jobs estimated to be created and retained by the activity (including permanent, construction, and temporary jobs)].

Company	Product and Service	Jobs Saved	New Jobs	JOB STATUS	Committed or Interest Only
Tenants	Defense contractor(s)	-	50	Permanent	Pending
Gentry Group	Property Management & Contracted Services	-	50	Permanent	Committed
Stafford Construction	GC	-	75	Construction	Committed
TOTAL PERMANENT JOBS		-	100		

- (4) **Additional Activity Information:** (A description of how the activity will promote energy conservation, smart growth, green building technologies, or reduced pollution emissions, if applicable.)

Not applicable.

- (5) **Responsible Organization:** (Contact information for the organization that will implement the CDBG-R activity, including its name, location, and administrator contact information).

Grantee Name	Cumberland County, NC
Name of Entity or Department Administering Funds	Community Development Department
CDBG-R Contact Person (person to answer questions about this amendment and CDBG-R)	Thanena S. Wilson
Title	Community Development Director
Address Line 1	245 Person Street
Address Line 2	2 nd Floor
City, State, Zip Code	Fayetteville NC 28301
Telephone	910-323-6112
Fax	910-323-6114
Email Address	tswilson@co.cumberland.nc.us
Authorized Official (if different from Contact Person)	James E. Martin
Title	County Manager
Address Line 1	117 Dick Street
Address Line 2	5 th Floor
City, State, Zip Code	Fayetteville NC 28301
Telephone	910-678-7723
Fax	910-678-7717
Email Address	jmartin@co.cumberland.nc.us
Web Address where this Form is Posted	http://www.co.cumberland.nc.us/community_dev.aspx





ITEM NO. 2B

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

May 26, 2009

MEMORANDUM FOR BOARD OF COMMISSIONERS' JUNE 1, 2009 AGENDA

TO: BOARD OF COUNTY COMMISSIONERS

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

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

SUBJECT: HEARING ON TAXPAYERS REQUEST FOR REFUNDS FOR
OVERPAYMENT OF EXCISE TAX PURSUANT TO NCGS 105-228.37

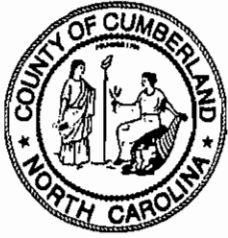
BACKGROUND:

Attorneys F. Stuart Clarke and Joel S. Jenkins, Jr. have filed written requests to be refunded the County's portion of excises taxes paid when deeds were inadvertently recorded in Cumberland County that should have only been recorded in Robeson and Hoke Counties, respectively. The excise tax paid was \$436.00 and the County's portion was \$218.00 in the Clarke matter, and \$170.00 excise tax and \$85.00 County portion in the Jenkins matter.

RECOMMENDATION / PROPOSED ACTION:

Hold the hearing required by the statute and then refund the County portion, \$218.00 to Mr. Clarke and \$85.00 to Mr. Jenkins. Deputy County Attorney, Harvey Raynor, will appear as the only witness.

Celebrating Our Past... Embracing Our Future



COUNTY of CUMBERLAND

Office of the Register of Deeds

J. Lee Warren, Jr.
Register of Deeds

Pamela H. Gore
Sr. Assistant Register of Deeds

Diana H. Fisher
Assistant Register of Deeds


Michelle W. Mackey
Assistant Register of Deeds

Lisa A. Scales
Assistant Register of Deeds

Jacqueline Thomas
Administrative Deputy

MEMORANDUM

TO: HARVEY RAYNOR
ASST. COUNTY ATTORNEY

FROM: PAM GORE 
SR. ASST. REGISTER OF DEEDS

REF: REIMBURSEMENT OF EXCISE TAX

DATE: APRIL 7, 2009

Attached please find two requests for reimbursement of Excise Tax in which case the deeds were erroneously recorded in Cumberland County.

The first request submitted by Joel S. Jenkins, Jr., Attorney with revenue paid in the amount of \$170.00 in Book 8014 Page 1 should have been recorded in Hoke County. The second request in Book 7589 Page 151 is in the amount of \$436.00 by F. Stuart Clarke, Attorney and should have been recorded in Robeson County.

Since one half of the amounts of these revenues has been sent to the state, we are requesting approval from the Board of Commissioners for each of the above in the amounts of \$85.00 and \$218.00, which reflect one half of the amount. A copy of each deed is also attached.

Upon approval, I will submit a request to accounts payable to have these checks issued.

Thanks for your assistance.

Thorp, Clarke, Neville & Kirby, P.A.

Attorneys at Law

Herbert H. Thorp (1932-1996)
F. Stuart Clarke
J. Thomas Neville
Jennifer L. Kirby

150 N. McPherson Church Rd., Ste. B • Fayetteville, NC 28303
Mailing Address: Post Office Box 670 • Fayetteville, NC 28302-0670
Phone (910) 323-4111 and Fax (910) 483-1247

Surf City Office:
13775 Ocean Hwy 50
Suite 107
Surf City, NC 28445
Phone: (910) 329-4400
Fax: (910) 329-1001

March 23, 2009

Honorable J. Lee Warren, Jr.
County of Cumberland
Office of the Register of Deeds

Hand Delivered

Re: Refund of revenue

Dear Mr. Warren:

It has recently come to my attention that my office inadvertently recorded a Hoke County property in the Cumberland County Register of Deeds office. Attached find a copy of said deed recorded on May 16, 2007 in Book 7589, Page 151 of the Cumberland County Registry. We have recently recorded the documents in Hoke County and request Cumberland County refund the \$436.00 revenue which has now been paid to the Hoke County office. If you have any questions, please feel free to contact me.

Very truly yours,

Thorp, Clarke, Neville & Kirby, PA



F. Stuart Clarke

FSC/vs
Enclosure

Other Fayetteville Offices:

5509 Yadkin Road, Fayetteville, NC, 28303, Phone (910) 826-7602, Fax (910) 826-7604
3620 Legion Road, Hope Mills, NC 28348, Phone (910) 429-2935, Fax (910) 429-2965

Law Office of
Joel S. Jenkins, Jr.
Attorney at Law, P.A.

2919 Breezewood Avenue, Third Floor
Fayetteville, NC 28303

Mailing Address:
P.O. Drawer 53515
Fayetteville, NC 28305

Telephone: (910) 222-4000
Facsimile: (910) 323-5505
E-mail: Lawjenkins@aol.com

March 18, 2009

**Cumberland County Register of Deeds
PO Box 2039
Fayetteville, NC 28302**

Re: Revenue Refund


Dear Ladies/Gentlemen:

Attached please find a NC General Warranty Deed which was recorded November 3, 2008 in Book 8014 page 1. This deed was recorded in Cumberland County in error; it should have been recorded in Robeson County. When we recorded this deed, \$170.00 revenue was charged on attached deed and we are asking that the revenue be refunded.

Please issue a check in the amount of \$170.00 payable to Single Source Real Estate Services, Inc. to the attention of Barbara Lotierzo.

Thank you for your immediate attention to this matter.

Sincerely,


Joel S. Jenkins, Jr.

Encls.



ITEM NO. 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

May 21, 2009

MEMORANDUM FOR BOARD OF COMMISSIONERS' AGENDA OF JUNE 1, 2009

TO: BOARD OF COMMISSIONERS

FROM: GRAINGER R. BARRETT, COUNTY ATTORNEY

SUBJECT: CONSIDERATION OF INTERLOCAL AGREEMENT WITH CITY OF FAYETTEVILLE FOR STORMWATER BILLING AND COLLECTION

BACKGROUND: The County is no longer subject to Phase I stormwater regulations and has come under the Phase II stormwater regulations administered by the State Department of Environment and Natural Resources. The County has participated since the mid-1990s in a Joint Stormwater Utility with the City, pursuant to several interlocal agreements, in order to comply with requirements of the City and County's joint NPDES Permit for Phase I.

Being under Phase II regulations now, the County no longer needs to participate in a stormwater utility and it would therefore be appropriate to give notice of termination of the interlocal agreements under which the County participated with the City in a joint stormwater utility. Those interlocal agreements were dated July 31, 1995, June __, 1997, November 22, 1999, June 18, 2001 and June 4, 2007.

In operating the joint stormwater utility on behalf of both the County and the City, the City has paid for a position in the Tax Administration Department to handle maintenance of its stormwater billing database, and a fee of 10 cents per stormwater fee sent out with the property tax bills. The City proposes to continue that arrangement and has forwarded a proposed interlocal agreement for that purpose.

With termination of the County's participation in the joint stormwater utility, a conforming revision needs to be made to the County Code by deleting Article I of Chapter 12, which establishes the stormwater utility and provides the mechanism for the stormwater fee charged to support the joint stormwater utility activities. This would keep in place Article II, which addresses illicit connection to and improper disposal in the stormwater system.

Celebrating Our Past... Embracing Our Future

RECOMMENDATION: Consider whether to approve termination of the interlocal agreements dated July 31, 1995, June __, 1997, November 22, 1999, June 18, 2001 and June 4, 2007 as of June 30, 2009, and direct staff to give City written notice of those terminations. Also, consider whether to approve proposed interlocal agreement providing for the City to pay for a position in the Tax Administration Department to handle maintenance of its stormwater billing database, and a fee of 10 cents per stormwater fee sent out with the property tax bills, in the form presented to this meeting with such minor revisions as may be acceptable to the County Manager and the County Attorney. Finally, adopt ordinance rescinding Article I of Chapter 12 of the Cumberland County Code (except for Section 12-2, Definitions).

STATE OF NORTH CAROLINA
COUNTY OF CUMBERLAND

AGREEMENT FOR
INTERLOCAL UNDERTAKING

THIS INTERLOCAL AGREEMENT made and entered into this ____ day of _____, 2009, by and between CUMBERLAND COUNTY, a body politic and corporate of the State of North Carolina, hereinafter referred to as the COUNTY, party of the first part, and the CITY OF FAYETTEVILLE, a municipality duly incorporated under the laws of North Carolina, hereinafter referred to as the CITY, party of the second part;

WITNESSETH:

WHEREAS, the COUNTY and the CITY entered into an INTERLOCAL AGREEMENT dated July 31, 1995 for the CITY to operate a joint storm water utility on behalf of both jurisdictions; and

WHEREAS, based on a November 25, 2008 letter from the North Carolina Division of Water Quality, the COUNTY is no longer considered a Phase I NPDES community and thus no longer needs to obtain and comply with an NPDES Stormwater Discharge Permit for the discharge of stormwater to waters of the state; and

WHEREAS, on March 16, 2009, the COUNTY Board of Commissioners voted to discontinue collection of the existing stormwater fee and transition out of the existing joint stormwater utility with the CITY; and

WHEREAS, the CITY is still considered a Phase I NPDES community and must continue to obtain and comply with an NPDES Stormwater Discharge Permit for the discharge of stormwater to waters of the state; and

WHEREAS, the CITY desires to create a stormwater utility to fund a comprehensive stormwater program including but not limited to those activities as required by its NPDES Stormwater Discharge Permit; and

WHEREAS, the CITY desires to use the COUNTY property tax billing system to bill for the new CITY stormwater fees associated with its new stormwater utility and to have the stormwater fee billing database maintained and updated by the COUNTY; and

WHEREAS, the governing bodies of the COUNTY and the CITY have by resolution duly recorded in their minutes ratified this INTERLOCAL AGREEMENT;

NOW, THEREFORE, for and in consideration of the mutual covenants herein contained and of the mutual benefits to result therefrom, the parties hereby agree as follows:

1. Purpose. The purpose of this INTERLOCAL AMENDMENT is to provide for the maintenance and upkeep of the CITY's stormwater fee billing database by the

COUNTY, and to provide for the billing and collection of the CITY's stormwater fee through the COUNTY's property tax billing system.

2. Duration. The term of this INTERLOCAL AGREEMENT shall be indefinite, unless sooner terminated as herein provided.
3. Personnel. In consideration for the maintenance of the CITY's stormwater fee billing database, the CITY shall fund the Stormwater Billing Coordinator position, to include salary and benefits, which is hired by the County Tax Administrator and is a COUNTY employee.
4. Expenses. In consideration for the billing and collection of the CITY's stormwater fee, the CITY shall pay the COUNTY ten cents per property tax bill containing a CITY stormwater fee.
5. Ownership of Property. This INTERLOCAL AGREEMENT does not require the purchase, acquisition, or disposition of real property by either party during the term of this agreement.
6. Amendment. This INTERLOCAL AGREEMENT may be amended anytime by mutual agreement between the parties in writing and duly ratified by the governing bodies of the COUNTY and CITY.
7. Termination. This INTERLOCAL AGREEMENT may be terminated by either party upon written notice duly authorized by its governing body of one party to the other party. The date of termination shall be the last day of the fiscal accounting year of either party following the delivery of the written notice from one party to the other party.

WHEREFORE, the parties hereunto, intending to be bound thereby, have executed this Agreement by and through their respective authorized officials, as of the date and year first above written.

CITY OF FAYETTEVILLE

[CITY SEAL]

BY:

ANTHONY G. CHAVONNE, Mayor
City of Fayetteville

ATTEST:

City Clerk

COUNTY OF CUMBERLAND

[COUNTY SEAL]

BY: _____
JEANNETTE M. COUNCIL, Chairman
Cumberland County Board of
Commissioners

ATTEST:

MARSHA FOGLE, Clerk to Board

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

APPROVED FOR LEGAL SUFFICIENCY:

BY: _____
City Finance Director

BY: _____
City Attorney's Office

BY: _____
County Finance Director

BY: _____
County Attorney's Office

**AN ORDINANCE OF THE CUMBERLAND COUNTY BOARD OF
COMMISSIONERS RESCINDING ARTICLE I OF CHAPTER 12 OF THE
CUMBERLAND COUNTY CODE, WITH THE EXCEPTION OF SECTION 12-2,
DEFINITIONS**

WHEREAS, Cumberland County is no longer subject to Phase I stormwater regulations, but rather comes under Phase II stormwater regulations administered by the State Department of Environment and Natural Resources, and therefore no longer needs to participate in stormwater utility,

NOW, THEREFORE, BE IT ORDAINED by the Cumberland County Board of Commissioners, that Article I of Chapter 12 of the Cumberland County Code is rescinded and shall be of no further force or effect, with the exception of Section 12-2, Definitions, which section shall remain in full force and effect

This ordinance is effective upon its final adoption as by law provided.

This, the 1st day of June, 2009.

JEANNETTE M. COUNCIL, Chairperson
Board of Commissioners

ATTEST:

MARSHA FOGLE
Clerk to the Board

ITEM NO. 4

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

May 20, 2009

MEMORANDUM FOR BOARD OF COMMISSIONERS' AGENDA OF JUNE 1, 2009

TO: BOARD OF COMMISSIONERS

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

SUBJECT: CONSIDERATION OF APPROVAL OF BOND ORDER TO REFUND UP TO \$37,500,000 GENERAL OBLIGATION SCHOOL BONDS, SERIES 1998, AND GENERAL OBLIGATION REFUNDING BONDS, SERIES 1998 AND RATIFYING FILING AN APPLICATION WITH THE LOCAL GOVERNMENT COMMISSION

BACKGROUND: The County's underwriter and financial advisor suggest that market conditions may be sufficiently favorable that it would be beneficial to the County to refund some or all of its General Obligation Bonds, Series 1998, and General Obligation Refunding Bonds, Series 1998.

If approved, the bond refunding would close in July. Based on current financial market conditions, which can change significantly even on a weekly basis, the County's underwriter estimates approximately \$470,000 in savings in years 2010-2013 and \$385,000 in savings in years 2014-2017, or aggregate net present value savings of over 8%. The LGC is scheduled to consider approval of the County's additional refunding on June 2, 2009.

RECOMMENDATION: Consider whether to approve bond order to refund all or a portion of the County's General Obligation Bonds, Series 1998, and General Obligation Refunding Bonds, Series 1998, up to a total amount of \$37,500,000, and ratifying management's filing of an application with the LGC for approval of the refunding, and all other actions and execution of all other documents necessary or appropriate to effect the issuance of refunding bonds as authorized herein.

Celebrating Our Past...Embracing Our Future

BOARD OF COMMISSIONERS
OF THE
COUNTY OF CUMBERLAND, NORTH CAROLINA

Excerpts of Meeting of
June 1, 2009

Present: Chairman _____ presiding, and

Commissioners _____

Absent: _____

* * * * *

Commissioner _____ introduced the following bond order:

BOND ORDER AUTHORIZING ISSUANCE OF GENERAL
OBLIGATION REFUNDING BONDS, SERIES 2009 OF
CUMBERLAND COUNTY IN A MAXIMUM AGGREGATE
PRINCIPAL AMOUNT NOT TO EXCEED \$37,500,000 FOR
THE PURPOSE OF REFUNDING ALL OR CERTAIN
MATURITIES OF THE COUNTY'S GENERAL OBLIGATION
SCHOOL BONDS, SERIES 1998 AND ITS GENERAL
OBLIGATION REFUNDING BONDS, SERIES 1998

WHEREAS, the Board of Commissioners (the "Board") of the County of Cumberland, North Carolina (the "County") has decided to pursue the issuance of general obligation refunding bonds in a maximum aggregate principal amount of not to exceed \$37,500,000 under the Local Government Bond Act (the "Act") to refund all or a portion of certain maturities of the County's General Obligation School Bonds, Series 1998 and all or certain maturities of the County's General Obligation Refunding Bonds, Series 1998; and

WHEREAS, the Board has filed an application with the Local Government Commission of North Carolina for approval of such bonds as required by the Act;

BE IT ORDERED BY THE BOARD OF COMMISSIONERS FOR THE COUNTY OF CUMBERLAND:

1. It is hereby determined necessary and expedient for Cumberland County to borrow money, and there are hereby authorized to be issued general obligation refunding bonds of Cumberland County for the purpose of providing money to refund all or a portion of certain maturities of the Cumberland County General Obligation School Bonds, Series 1998 and the Cumberland County General Obligation Refunding Bonds, Series 1998.

2. The Bonds shall be in an aggregate principal amount not to exceed \$37,500,000.

3. The Bonds shall be general obligations of Cumberland County for the payment of principal of the interest on which its full faith and credit shall be irrevocably pledged and taxes will be levied in an amount sufficient to pay the principal of and interest on the bonds.

4. A sworn statement of debt has been filed with the Clerk to the Board pursuant to G.S. § 159-55 and is open to public inspection.

5. This Bond Order will take effect upon its adoption.

Commissioner _____ moved the foregoing Bond Order be introduced, and
Commissioner _____ seconded the motion, and the action was passed by the
following vote:

Ayes: _____

Nays: _____

Not Voting: _____

* * * * *

Commissioner _____ moved the adoption of the Bond Order entitled:

BOND ORDER AUTHORIZING ISSUANCE OF GENERAL
OBLIGATION REFUNDING BONDS, SERIES 2009 OF
CUMBERLAND COUNTY IN A MAXIMUM AGGREGATE
PRINCIPAL AMOUNT NOT TO EXCEED \$37,500,000 FOR THE
PURPOSE OF REFUNDING ALL OR CERTAIN MATURITIES OF
THE COUNTY'S GENERAL OBLIGATION SCHOOL BONDS,
SERIES 1998 AND ITS GENERAL OBLIGATION REFUNDING
BONDS, SERIES 1998

in the same form previously introduced, with such Bond Order to take effect immediately, and
Commissioner _____ seconded the motion and the Bond Order was passed and
adopted by the following vote:

Ayes: _____

Nays: _____

Not Voting: _____

* * * * *

Commissioner _____ introduced a resolution, the title of which is as follows and was read:

RESOLUTION AUTHORIZING THE ISSUANCE AND SALE
OF GENERAL OBLIGATION REFUNDING BONDS, SERIES
2009 OF CUMBERLAND COUNTY, PURSUANT TO THE
BOND ORDER HERETOFORE APPROVED AND PROVIDING
FOR THE FORM, DETAILS AND PAYMENT THEREOF

WHEREAS, the Bond Order hereinafter described was introduced, authorized and adopted by the Board of Commissioners of the County of Cumberland (the "Board") on June 1, 2009; and

WHEREAS, the Board desires to provide for the issuance of its General Obligation Refunding Bonds, Series 2009 to refund all or a portion of certain maturities of the County's General Obligation School Bonds, Series 1998 and General Obligation Refunding Bonds, Series 1998; and

WHEREAS, the Board has agreed to sell the bonds through the North Carolina Local Government Commission by negotiated sale to Merrill Lynch, Pierce, Fenner & Smith Incorporated after circulation of an official statement with respect to such bonds which describes the terms thereof and the security therefor, including information concerning the County and its financial resources, and the Board has been provided a draft of such official statement;

NOW, THEREFORE, the Board of Commissioners of Cumberland County, meeting in regular session at Fayetteville, North Carolina, on June 1, 2009, does the following:

BE IT RESOLVED BY THE BOARD OF COMMISSIONERS FOR CUMBERLAND COUNTY:

1. The County shall issue its general obligation refunding bonds in an aggregate principal amount not to exceed \$37,500,000, pursuant to and in accordance with the Bond Order adopted June 1, 2009, entitled:

BOND ORDER AUTHORIZING ISSUANCE OF GENERAL
OBLIGATION REFUNDING BONDS, SERIES 2009 OF
CUMBERLAND COUNTY IN A MAXIMUM AGGREGATE
PRINCIPAL AMOUNT NOT TO EXCEED \$37,500,000 FOR
THE PURPOSE OF REFUNDING ALL OR CERTAIN
MATURITIES OF THE COUNTY'S GENERAL OBLIGATION
SCHOOL BONDS, SERIES 1998 AND ITS GENERAL
OBLIGATION REFUNDING BONDS, SERIES 1998

2. Such Bonds shall be referred to as the "Bonds" and shall be dated as of the date set forth in the Bonds.

3. The Bonds shall mature in annual installments on February 1 in the years and amounts as set forth on Exhibit A, subject to change as hereinafter described. Each Bond shall bear interest at such rate as shall be determined by the County Manager and the LGC, as hereafter defined, at the time of sale, provided no interest rate on any Bond shall exceed six percent (6%) per annum, payable on February 1, 2010, and semiannually thereafter on each February 1 and August 1.

Initially, one bond certificate for each maturity of the Bonds will be issued to The Depository Trust Company, New York, New York ("DTC"), and immobilized in its custody. So long as DTC is securities depository for the Bonds, a book-entry system will be employed, evidencing ownership of the Bonds in principal amounts of \$5,000 or multiples thereof, with transfers of ownership effected on the records of DTC and its participants pursuant to rules and procedures established by DTC and its participants. Interest on the Bonds will be payable to DTC or its nominee as registered owner of the Bonds. Transfer of principal and interest payments to participants of DTC will be the responsibility of DTC; transfer of principal and interest payments to beneficial owners by participants of DTC will be the responsibility of such participants and other nominees of beneficial owners. The County will not be responsible or liable for maintaining, supervising or reviewing the records maintained by DTC, its participants or persons acting through such participants.

In the event that (a) DTC determines not to continue to act as securities depository for the Bonds or (b) the County Manager determines that continuation of the book-entry system of evidence and transfer of ownership of the Bonds would adversely affect the interests of the beneficial owners of the Bonds, the County will discontinue the book-entry system with DTC. If the County fails to identify another qualified securities depository to replace DTC, the County will authenticate and deliver replacement Bonds in the form of fully registered certificates, and registration of transfer of the Bonds will be permitted as described in paragraph 7.

4. The Bonds shall be signed by the manual or facsimile signature of the Chairman of the Board of Commissioners of the County, shall be countersigned by the manual or facsimile signature of the Clerk to the Board and a manual or facsimile of the County's seal shall be printed or affixed thereon. No Bond shall be valid until it has been endorsed by the manual or facsimile signature of an authorized representative of the North Carolina Local Government Commission (the "LGC").

5. The Bonds shall be in substantially the form attached hereto as Exhibit B, the terms and requirements of which are incorporated herein by reference.

6. The full faith and credit and taxing power of the County are hereby irrevocably pledged for the payment of principal of and interest on the Bonds. Unless other funds are lawfully available and appropriated for timely payment of the Bonds, the Board shall levy and collect taxes and raise other revenues for payment of the principal of and interest on the Bonds, as the same become due and payable.

7. The County shall maintain registration books for the registration of Bonds. If no qualified securities depository is the registered owner of the Bonds, upon surrender of any Bonds at the office of the County, together with an assignment duly executed by the registered owner or

his duly authorized attorney or legal representative in such form as shall be satisfactory to the County, the County shall execute and shall authenticate and deliver in exchange, a new Bond or Bonds having an equal aggregate principal amount, in authorized denominations, of the same form and maturity, bearing interest at the same rate, and registered in names as requested by the then registered owner or his duly authorized attorney or legal representative. Any such exchange shall be at the expense of the County, except that the County may charge the person requesting such exchange the amount of any tax or other governmental charge required to be paid with respect thereto.

The County shall treat the registered owner as the person exclusively entitled to payment of principal and interest and the exercise of all other rights and powers of the owner, except that interest payments shall be made to the person shown as owner on the registration books on the fifteenth day of the month preceding each interest payment date.

8. Pursuant to G.S. § 159-123(b)(5), the County hereby requests the LGC to sell the General Obligation Refunding Bonds, Series 2009 by private sale to Merrill Lynch, Pierce, Fenner & Smith Incorporated (the "Underwriter") pursuant to a Bond Purchase Agreement between the Underwriter, the County and the LGC (the "Bond Purchase Agreement"), a form of which has been presented to the Board and is hereby approved by the Board.

9. There has been presented to the Board the form of a draft dated May __, 2009, of the Preliminary Official Statement relating to the Bonds, which contains certain information about the County and the plan of finance (the "Preliminary Official Statement") to be used to market and sell the Bonds, which is hereby approved by the Board.

10. The Board covenants on behalf of the County that so long as any of the installments of principal and interest on the Bonds are outstanding and unpaid, the County shall not take or omit to take any action the taking or omission of which will cause the Bonds to be "arbitrage bonds" within the meaning of Section 148 of the Internal Revenue Code of 1986, as amended (the "Code"), or otherwise cause interest on the Bonds to be includable in the gross income of the holders thereof.

11. The Board hereby covenants that it will not permit the gross proceeds of the Bonds to be used in any manner that would result in either (a) 5% or more of such proceeds being considered as having been used directly or indirectly in any trade or business carried on by any person other than a governmental unit as provided in Section 141(b) of the Code, (b) 5% of such proceeds being used with respect to any "output facility" (other than a facility for the furnishing of water), within the meaning of Section 141(b)(4) of the Code, or (c) 5% or more of such proceeds being considered as having been used directly or indirectly to make or finance loans to any person other than a governmental unit as provided in Section 141(c) of the Code; provided, however, that if the Board receives an opinion of bond counsel acceptable to the LGC that any such restriction is not required to prevent the interest on the Bonds from being includable in the gross income of the registered owners thereof under existing statutes, the Board need not comply with such restriction.

12. The County hereby undertakes, for the benefit of the beneficial owners of the Bonds, to provide:

(a) by not later than seven months from the end of each fiscal year of the County, beginning with the fiscal year ending June 30, 2009, to the Municipal Securities Rulemaking Board ("MSRB") in an electronic format as prescribed by the MSRB, the audited financial statements of the County for such fiscal year, if available, prepared in accordance with Section 159-34 of the General Statutes of North Carolina, as it may be amended from time to time, or any successor statute, or, if such audited financial statements of the County are not available by seven months from the end of such fiscal year, unaudited financial statements of the County for such fiscal year to be replaced subsequently by audited financial statements of the County to be delivered within 15 days after such audited financial statements become available for distribution;

(b) by not later than seven months from the end of each fiscal year of the County, to the MSRB, and to the SID, if any, (i) the financial and statistical data as of a date not earlier than the end of the preceding fiscal year for the type of information included under heading "THE COUNTY - Debt Information and - Tax Information" in the Official Statement relating to the Bonds (excluding any information on overlapping or underlying units) and (ii) the combined budget of the County for the current fiscal year, to the extent such items are not included in the audited financial statements referred to in (a) above;

(c) in a timely manner, to the MSRB, notice of any of the following events with respect to the Bonds, if material:

- (1) principal and interest payment delinquencies;
- (2) non-payment related defaults;
- (3) unscheduled draws on debt service reserves reflecting financial difficulties;
- (4) unscheduled draws on any credit enhancements reflecting financial difficulties;
- (5) substitution of any credit or liquidity providers, or their failure to perform;
- (6) adverse tax opinions or events affecting the tax-exempt status of the Bonds
- (7) modification to the rights of the beneficial owners of the Bonds;
- (8) call of any of the Bonds for redemption;
- (9) defeasance of any of the Bonds;
- (10) release, substitution or sale of any property securing repayment of the Bonds; or
- (11) rating changes.

(d) in a timely manner, to the MSRB, notice of a failure of the County to provide required annual financial information described in (a) or (b) above on or before the date specified.

If the County fails to comply with the undertaking described above, any beneficial owner of the Bonds may take action to protect and enforce the rights of all beneficial owners with respect to such undertaking, including an action for specific performance; provided, however, that failure to comply with such undertaking shall not be an event of default and shall not result

in any acceleration of payment of the Bonds. All actions shall be instituted, had and maintained in the manner provided in this paragraph for the benefit of all beneficial owners of the Bonds.

The County reserves the right to modify from time to time the information to be provided to the extent necessary or appropriate in the judgment of the County, provided that:

(a) any such modification may only be made in connection with a change in circumstances that arises from a change in legal requirements, change in law or change in the identity, nature or status of the County;

(b) the information to be provided, as modified, would have complied with the requirements of Rule 15c2-12 issued under the Securities Exchange Act of 1934 ("Rule 15c2-12") as of the date of the Official Statement relating to the Bonds, after taking into account any amendments or interpretations of Rule 15c2-12, as well as any changes in circumstances; and

(c) any such modification does not materially impair the interests of the beneficial owners, as determined either by parties unaffiliated with the County (such as bond counsel), or by the approving vote of the registered owners of a majority in principal amount of the Bonds pursuant to the terms of this resolution, as it may be amended from time to time, at the time of the amendment.

Any annual financial information containing modified operating data or financial information shall explain, in narrative form, the reasons for the modification and the impact of the change in the type of operating data or financial information being provided.

The provisions of this paragraph shall terminate upon payment, or provision having been made for payment in a manner consistent with Rule 15c2-12, in full of the principal of and interest on all of the Bonds.

13. The Chairman and the Clerk are hereby authorized and directed to take all proper steps to have the Bonds prepared and, when they shall have been duly sold by the LGC, to execute the Bonds and to deliver the Bonds to the State Treasurer of North Carolina for delivery to the purchasers thereof.

14. The Chairman and the Clerk, after consultation with the County Finance Officer and the LGC, are authorized (i) to adjust the optional redemption provisions in the Bonds, (ii) to change the dated date of the Bonds to a date later than the dated date herein authorized in order to facilitate the sale and delivery of the bonds, (iii) to change the principal and interest payment dates for the Bonds (so long as such interest payment dates are semiannual), (iv) to make changes in the principal amounts of each maturity provided the aggregate total of Bonds issued shall not exceed \$37,500,000, (v) to approve an Underwriter's spread under the Bond Purchase Agreement not in excess of 6%, and (vi) to make such other adjustments as they shall deem necessary to market the Bonds. In approving such changes and adjustments, the Chairman and the County Manager shall take into account that the intent of the Board is to achieve present value debt service savings of at least 3% of the principal amount of the refunded bonds.

15. The Chairman or Vice Chairman of the Board and the County Manager, or any of them, are hereby authorized and directed to execute and deliver the Bond Purchase Agreement, the Preliminary Official Statement and a form thereof updated with pricing information and other details of the Bonds (the "Final Official Statement" and, together with the Preliminary Official Statement, the "Official Statement"), which shall be in substantially the forms previously submitted, which are hereby approved, with such completions, omissions, insertions, and changes as may be approved by the Chairman, Vice Chairman or the County Manager, including such changes as may be required by the LGC, their execution to constitute conclusive evidence of their approval of any such completions, omissions, insertions and changes.

16. All other actions of officers of the County in conformity with the purposes and intent of this resolution and in furtherance of the issuance of the Bonds are hereby approved and confirmed.

17. Such officers of the County as may be requested are hereby authorized and directed to execute appropriate closing papers including a certificate setting forth the expected use and investment of the proceeds of the Bonds in order to show that such expected use and investment will not violate the provisions of Section 148 of the Code and regulations issued pursuant thereto, applicable to "arbitrage bonds." Such papers and certificates shall be in such form as may be requested by bond counsel for the County.

18. This resolution, in particular paragraphs 2, 3, 5 and 7 hereof, constitutes a system of registration for the Bonds pursuant to NCGS § 159E-4.

19. All resolutions or parts of resolutions in conflict herewith are hereby repealed.

20. This resolution shall take effect immediately.

Commissioner _____ moved the passage of such resolution and
Commissioner _____ seconded the motion, and the resolution was passed by
the following vote:

Ayes: Commissioners _____

Nays: _____

Not voting: _____

* * * * *

I, Marsha Fogle, Clerk to the Board of Commissioners for the County of Cumberland, North Carolina, DO HEREBY CERTIFY that the foregoing is a true and complete copy of so much of the proceedings of the Board of Commissioners for said County at a regular meeting duly called and held June 1, 2009, as it relates in any way to the resolution hereinabove referenced and that said proceedings are recorded in Minute Book _____ of the minutes of said County. Pursuant to G.S. § 143-318.12, a current copy of a schedule of regular meetings of the Board of Commissioners for said County is on file in my office.

WITNESS my hand and the common seal of said County, this ____ day of June, 2009.

Clerk to the Board of Commissioners
Cumberland County, North Carolina

(SEAL)

Exhibit A

County of Cumberland, North Carolina
General Obligation Refunding Bonds, Series 2009

Maturities

<u>Year</u>	<u>Amount</u>
2010	\$4,260,000
2011	4,165,000
2012	4,140,000
2013	3,040,000
2014	3,080,000
2015	4,685,000
2016	4,925,000
2017	4,735,000
TOTAL	\$33,030,000

Exhibit B

Unless this Bond is presented by an authorized representative of DTC for registration of transfer, exchange, or payment, with respect to any Bond issued that is registered in the name of CEDE & Co. or in such other name as is requested by an authorized representative of DTC (and any payment is made to CEDE & Co. or to such other entity as is requested by an authorized representative of DTC), any transfer, pledge, or other use hereof for value or otherwise by or to any person is wrongful inasmuch as the registered owner hereof, CEDE & Co., has an interest herein.

REGISTERED

REGISTERED

No. R-____

\$ _____

UNITED STATES OF AMERICA
STATE OF NORTH CAROLINA
CUMBERLAND COUNTY

General Obligation Refunding Bonds, Series 2009

<u>INTEREST RATE</u>	<u>MATURITY DATE</u>	<u>DATE OF ORIGINAL ISSUE</u>	<u>CUSIP NO.</u>
_____%	February 1, 20__	July __, 2009	_____

REGISTERED OWNER: CEDE & CO.

PRINCIPAL AMOUNT: DOLLARS (\$ _____)

The County of Cumberland, North Carolina (the "County"), for value received, hereby promises to pay, upon surrender hereof to the County, to the registered owner hereof, or registered assigns or legal representative, the principal sum stated above on the maturity date stated above and to pay interest hereon semiannually on each February 1 and August 1 at the annual rate stated above. Interest is payable from the date of original issue, beginning February 1, 2010. Interest is payable by check mailed to the person shown as owner hereof at his address as it appears on the registration books kept by the County on the fifteenth day of the month preceding each interest payment date. Principal and interest are payable in lawful money of the United States of America.

This Bond is one of an issue of \$ _____ Cumberland County General Obligation Refunding Bonds, Series 2009 of like date and tenor, except as to number, denomination, rate of interest and maturity, and is issued pursuant to the Constitution, the statutes of the State of North Carolina, including The Local Government Bond Act and regulations of the North Carolina Local Government Commission ("LGC"), resolutions of the Board of Commissioners of Cumberland County and the Bond Orders entitled:

BOND ORDER AUTHORIZING ISSUANCE OF GENERAL
OBLIGATION REFUNDING BONDS, SERIES 2009 OF
CUMBERLAND COUNTY IN A MAXIMUM AGGREGATE
PRINCIPAL AMOUNT NOT TO EXCEED \$37,500,000 FOR
THE PURPOSE OF REFUNDING ALL OR CERTAIN
MATURITIES OF THE COUNTY'S GENERAL OBLIGATION
SCHOOL BONDS, SERIES 1998 AND ITS GENERAL
OBLIGATION REFUNDING BONDS, SERIES 1998

which was authorized and adopted by the County on June 1, 2009; and

If no qualified securities depository is the registered owner of the Bonds, registration of transfer of the Bonds and exchange of certificates thereof may be effected at the office of the County.

The full faith and credit and taxing power of the County are hereby irrevocably pledged for the payment of principal of and interest on this Bond.

All acts, conditions and things required by the Constitution and statutes of the State of North Carolina to happen, exist or be performed precedent to and in the issuance of this Bond have happened, exist and have been performed, and the issue of Bonds of which this Bond is one, together with all other indebtedness of the County, is within every debt and other limit prescribed by the Constitution and statutes of the State of North Carolina. This Bond shall be governed by the laws of the State of North Carolina.

This Bond shall not be valid until the County shall have executed the Certificate of Authentication appearing hereon.

IN WITNESS WHEREOF, the County of Cumberland, North Carolina, has caused this Bond to be signed by the manual or facsimile signature of the Chairman of its Board to be countersigned by the manual or facsimile signature of the Clerk of the County of Cumberland, a manual or facsimile of its seal to be printed or affixed hereon, and this Bond to be dated _____, 20__.

COUNTY OF CUMBERLAND

Chairman, Board of Commissioners

(SEAL)

Clerk, Board of Commissioners

Date Authenticated:_____

CERTIFICATE OF AUTHENTICATION

This Bond is one of the Bonds described in the within-mentioned Bond Order.

COUNTY OF CUMBERLAND, NORTH
CAROLINA

By: _____
County Finance Officer

The issue hereof has been approved under the provisions of The Local Government Bond
Act of North Carolina.

By: _____
T. Vance Holloman, Secretary
Local Government Commission

ASSIGNMENT

FOR VALUE RECEIVED the undersigned hereby sell(s), assign(s) and transfer(s) unto

(Please print or type name and address, including postal zip code, of Transferee)

PLEASE INSERT SOCIAL SECURITY OR OTHER
IDENTIFYING NUMBER OF TRANSFEREE:

the within bond and all rights thereunder, hereby irrevocably constituting and appointing
_____, _____ Attorney, to transfer said bond on the books kept for the
registration thereof, with full power of substitution in the premises.

Dated: _____

Signature Guaranteed

NOTICE: Signature(s) must be guaranteed by
a member firm of the New York Stock
Exchange or a commercial bank or trust
company.

(Signature of Registered Owner)

NOTICE: The signature above must
correspond with the name of the registered
owner as it appears on the front of this bond in
every particular, without alteration or
enlargement or any change whatsoever.

JEANNETTE M. COUNCIL
Chairman

BILLY R. KING
Vice Chairman

J. BREEDEN BLACKWELL
KENNETH S. EDGE
MARSHALL FAIRCLOTH
JIMMY KEEFE
EDWARD G. MELVIN



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

May 26, 2009

ITEM NO. 5

AGENDA ITEM FOR JUNE 1, 2009

TO: Board of Commissioners
FROM: Marsha Fogle, Clerk
RE: Designation of Voting Delegate for NACo Conference

BACKGROUND: The Board must appoint a voting delegate to the NACo Conference. Commissioners Council, Blackwell, Edge, Faircloth, and King have registered for the conference.

ACTION: Appoint a voting delegate and a first alternate.

Celebrating Our Past...Embracing Our Future

JEANNETTE M. COUNCIL
Chairman

BILLY R. KING
Vice Chairman

J. BREEDEN BLACKWELL
KENNETH S. EDGE
MARSHALL FAIRCLOTH
JIMMY KEEFE
EDWARD G. MELVIN



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

May 22, 2009

ITEM NO. 6A

June 1, 2009 Agenda Item

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

The Air Quality Stakeholders' Committee has the following vacancies:

Town of Godwin Representative

The Godwin Town Board is recommending **Natalee Ezzell** as their representative (see attached). Fill the vacancy.

Town of Wade Representative

The Wade Town Board is recommending **Johnny Lanthorn** as their representative (see attached). Fill the vacancy.

(NOTE: Previously the Air Quality Stakeholders' Committee had only one representative for the towns of Wade, Falcon, Godwin and Linden. They have elected to select an individual for representation of each town.)

Industry Representative

Scott Peters is no longer with Goodyear and **Gene Smith** has been recommended to fill this position (see attached). Fill the vacancy.

I have attached the current membership. I have not attached the current applicant list for this board as there are not any applicants on file at this time.

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

Attachment

pc: Rick Heickson, Planning & Inspections

Celebrating Our Past...Embracing Our Future

Marie Colgan

From: Maurizia Chapman
Sent: Wednesday, May 20, 2009 8:58 AM
To: Marie Colgan
Subject: FW: Town of Godwin Air Quality Stakeholder Representative

From: Denise Sykes
Sent: Tuesday, May 19, 2009 10:02 AM
To: Maurizia Chapman
Subject: Town of Godwin Air Quality Stakeholder Representative

Maurizia,

At Godwin Town Board meeting last night the Town Board approved Natalee Ezzell as their representative. Below is her mailing information:

Natalee Ezzell
PO Box 11
Godwin, NC 28344
Email: njezzell0331@email.campbell.edu

I don't have a telephone number for her, but if you need it I will try to get one next month.

Denise

5/20/2009

Marie Colgan

From: Maurizia Chapman
Sent: Wednesday, May 13, 2009 11:12 AM
To: Marie Colgan
Subject: FW: Town of Wade Air Quality Stakeholders Representative

This is the first appointment for the small municipalities.

Each town will appoint its own representative. Jane Stevens will discuss the BOH rep at the next meeting and should get a volunteer for the AQ stakeholders soon. The next AQ Stakeholders meeting will take place on July 9, 2009 and I hope we'll have most of the vacancies filled.

Maurizia

Maurizia Chapman, AICP
Transportation Planner
Fayetteville Area Metropolitan Planning Organization
130 Gillespie Street
Fayetteville, North Carolina 28301
Telephone: (910) 678-7615
Fax: (910) 678-7638
e-mail: mchapman@co.cumberland.nc.us
Web Site: <http://www.fampo.org/>

From: Denise Sykes
Sent: Wednesday, May 13, 2009 9:35 AM
To: Maurizia Chapman
Subject: Town of Wade Air Quality Stakeholders Representative

Maurizia,

Below is the info on Town of Wade Air Quality Stakeholders Representative:

Johnny Lanthorn
6841 Main Street
Wade, NC 28395
(910) 484-7467
Email: johnny.lanthorn@faypwc.com

Denise

5/13/2009

Marie Colgan

From: Maurizia Chapman
Sent: Thursday, May 21, 2009 9:53 AM
To: Gene.Smith@goodyear.com
Cc: Marie Colgan
Subject: Application for AQ stakeholder
Attachments: Cumberland_County_Boards_Application[1].pdf

Good morning Mr. Smith and thank you for agreeing to represent Goodyear in the Air Quality Stakeholders group.

Per our conversation I am sending you the application you need to fax to Ms. Colgan, Clerk to the Board of Commissioners, to be appointed by the Commissioners as Mr. Peters' replacement.

Within the next few weeks I will send you additional information on Stakeholders' activities.

Please do not hesitate to contact me if you require additional information/clarifications.

Maurizia Chapman, AICP
Transportation Planner
Fayetteville Area Metropolitan Planning Organization
130 Gillespie Street
Fayetteville, North Carolina 28301
Telephone: (910) 678-7615
Fax: (910) 678-7638
e-mail: mchapman@co.cumberland.nc.us
Web Site: <http://www.fampo.org/>

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 Peggy Raymes PO Box 220 Stedman, NC 28391 323-1892	Town of Stedman	4/09	1 st	April/12 4/30/12	Yes
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 ogarraone@aol.com	Town of Spring Lake	8/07	1 st	Feb/10 2/28/10	Yes
Commissioner Eddie Maynor Town of Hope Mills PO Box 367 Hope Mills, NC 28348 (filling unexpired term) 424-4555/484-4214/286-3214 pcregister@town.hope-mills.nc.us	Town of Hope Mills	3/08	1 st	Feb/10 2/28/10	Yes
Denise Sykes Planning/Inspections Department 130 Gillespie Street Fayetteville, NC 28301 678-7629 dsykes@co.cumberland.nc.us	Towns of Wade Falcon, Godwin and Linden	4/06	2 nd	April/09 4/30/09	No
Steve Oakley Town of Eastover 1107 Asbury Road Fayetteville, NC 28312 484/8048/850-7656 spyderncsu@nc.rr.com	Town of Eastover	3/08	1 st	Feb/11 2/28/11	Yes
Michael Lynch Director of Plans, Training & Mobilization 2175 Reilly Road, Stop A Fort Bragg, NC 28310-5000 396-4523	Fort Bragg	4/09	1 st	April/12 4/30/12	Yes
Carolyn Hinson Public Works Commission 6253 Lakehaven Drive Fayetteville, NC 28304 423-5940 (H)/223-4015 (W)	PWC	4/09	1 st	April/12 4/30/12	Yes

<u>DATE NAME</u>	<u>ELIGIBLE FOR STAKEHOLDER</u>	<u>APPT'D</u>	<u>TERM</u>	<u>EXPIRES</u>	<u>REAPPOINT.</u>
Daniel Rodriguez 2634 Franciscan Drive Fayetteville, NC 28306 425-2746 (H)/432-9701 (W)	Citizen	4/09	1 st	April/12 4/30/12	Yes
Jamison Stewart 3533 Godwin Circle Fayetteville, NC 28312 874-5930(H) 678-9897 (W)	Citizen	4/09	1 st	April/12 4/30/12	Yes
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
Ana McDowell, MD Allergy Partners 1317 Medical Drive Fayetteville, NC 28304 487-9395 (H)/323-3890 (W)	Medical Rep.	4/09	1 st	April/12 4/30/12	Yes
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
Doug Peters Cumberland Co. Business Council P.O. Box 9 Fayetteville, NC 28302 484-4242 dpeters@ccbusinesscouncil.org	CCBC	4/09	1 st	April/12 4/30/12	Yes
Jon Parsons Sustainable Sandhills 7265 NC Highway 87 South Fayetteville, NC 28306 483-2669 (H)/484-9098 (W)	Environmental Rep	4/09	1 st	April/12 4/30/12	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

<u>DATE NAME</u>	<u>ELIGIBLE FOR STAKEHOLDER</u>	<u>APPT'D</u>	<u>TERM</u>	<u>EXPIRES</u>	<u>REAPPOINT.</u>
John Gillis 128 S Churchill Drive Fayetteville, NC 28303 484-9828 (H)/308-4255 (W)	Homebuilders Association	4/09	1 st	April/12 4/30/09	Yes
Joe Levister, Jr. FTCC PO Box 35236 Fayetteville, NC 28303 678-8321 levistej@faytechcc.edu	FTCC	4/09	2 nd	April/12 4/30/12	No
Gary Slater Valley Proteins/Carolina By-Products 1742 Martindale Drive Fayetteville, NC 28304 920-2441 (H)/483-1128 x237 (W) scwaters@barnhillcontracting.com	Industry	4/09	1 st	April/12 4/30/12	Yes
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
Kenneth Edge Board of Commissioners PO Box 1829 Fayetteville, NC 28302 425-0918	County of Cumberland (Elected Official)	4/09	1 st	April/12 4/30/12	Yes

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. (Hearing Rm 3, Historic Courthouse)

JEANNETTE M. COUNCIL
Chairman

BILLY R. KING
Vice Chairman

J. BREEDEN BLACKWELL
KENNETH S. EDGE
MARSHALL FAIRCLOTH
JIMMY KEEFE
EDWARD G. MELVIN



MARSHA S. FOGLE
Clerk to the Board

MARIE COLGAN
Deputy Clerk

BOARD OF COMMISSIONERS

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ITEM NO. 6B

May 20, 2009

June 1, 2009 Agenda Item

TO: Board of Commissioners
FROM: Marie Colgan, Deputy Clerk *MC*
SUBJECT: Criminal Justice Partnership Advisory Board

The Criminal Justice Partnership Advisory Board will have the following vacancies on June 30, 2009:

District Court Judge:

Beth Keever – completing 5th term. See attached letter requesting that she be reappointed.

At Large

Carrie Heffney – completing 4th term. See attached letter requesting that she be reappointed.

Kirk Nance – completing 2nd term. Not eligible for reappointment. Fill the vacancy.

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

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

Attachments

pc: Elizabeth Kever, Chief District Court Judge
Callie Gardner, Day Reporting Center Director

Celebrating Our Past...Embracing Our Future

May 13, 2009

To: Marie Colgan
Fr: Callie Gardner, Director
Re: Carrie Heffney and Elizabeth Keever

Marie:

This letter is to confirm that Carrie Heffney and Elizabeth Keever do wish to continue their terms on our CJPP Advisory Board. They have served with our board and do a great job. Their participation allows us to receive valuable resources from both the District Court Judge's Office as well as our partnership with FTCC.

I request that they continue to serve on our board. Each of their terms expire and are up for re-appointment June 30, 2009. If you have any questions, please do not hesitate to contact me at 323-6128 or 677-5532.

Thank you.

CRIMINAL JUSTICE PARTNERSHIP ADVISORY BOARD

5/09

3-year terms

<u>Name/Address</u>	<u>Date Appointed</u>	<u>Term</u>	<u>Expires</u>	<u>Eligible For Reappointment</u>
<u>Probation Officer/Assistant JDM</u>				
Jonette Quenum(/F) Div. of Community Corrections 412-A Russell Street Fayetteville, NC 28301 486-1890 (W)	6/08	2 nd	June/11 6/30/11	Yes
A. Wayne Marshburn, JDM Div. of Community Correction 412-A W. Russell Street Fayetteville, NC 28301 486-1161(W)	6/08	4 th	June/11 6/30/11	Yes
<u>Superior Court Judge</u>				
E. Lynn Johnson Cumberland County 117 Dick Street Fayetteville, NC 28301	6-07	1 st	June/10 6/30/10	Yes
<u>District Court Judge</u>				
Beth Keever (W/F) Cumberland County Courthouse 117 Dick Street Fay., NC 28301 678-2901(W)	6/06	5 th	June/09 6/30/09	Yes
<u>Police Chief or Designee</u>				
Captain Charles Kimble Fayetteville Police Department 467 Hay Street Fay., NC 28301 433-1861	5/09	1 st	Sept/10 9/30/10	Yes
	serving unexpired term			
<u>Sheriff or Designee</u>				
Major John McRainey Cumberland County Sheriff's Office Law Enforcement Center 131 Dick Street Fay., NC 28301 323-1500(W)	6/08	4 th	June/11 6/30/11	Yes

CRIMINAL JUSTICE PARTNERSHIP ADVISORY BOARD PG. 2

<u>Name/Address</u>	<u>Date Appointed</u>	<u>Term</u>	<u>Expires</u>	<u>Eligible For Reappointment</u>
<u>Community-Based Corrections Programs Representative</u>				
Sue Horne (/F) Fayetteville Area Sentencing 310 Green Street, Suite 110 Fay., NC 28301 323-5852	4/09	2 nd	April/12 4/30/12	No
<u>District Attorney</u>				
Ed Grannis (W/M) Cumberland County Courthouse 117 Dick Street Fay., NC 28301 678-2915(W)	6/07	5 th	June/10 6/30/10	Yes
<u>Victim Services Programs Representative</u>				
Sharon Wright Hucks (B/F) Cumberland County District Attorney's Office Cumberland County Courthouse Fay., NC 28301 678-2915(W)	6/08	4 th	June/11 6/30/11	Yes
<u>At-Large</u>				
Leesa Jensen (W/F) 719 Ashfield Drive Fay., NC 28311 630-0253/433-1695(W)	6/07	1 st	June/10 6/30/10	Yes
Frederick H. Frimet (C/M) 1163 Bluebird Lane Fay., NC 28311 488-7486(H)	6/07	2 nd	June/10 6/30/10	No
Richard A. Hayes 332 Summertime Road Fay., NC 28303 484-0137/733-4564(W)	6/07	4 th	June/10 6/30/10	No
Carrie M. Heffney (B/F) 7665 Wilkins Drive Fay., NC 28311 488-0707/678-8351(W)	6/06	4 th	June/09 6/30/09	Yes

CRIMINAL JUSTICE PARTNERSHIP ADVISORY BOARD PG. 3

<u>Name/Address</u>	<u>Date</u> <u>Appointed</u>	<u>Eligible For</u> <u>Term</u>	<u>Expires</u>	<u>Reappointment</u>
<u>At-Large</u>				
Kraig Brown (B/M) 2909 Wycliffe Court Fay., NC 28306 964-0503/424-7678 (W)	5/09	1 st	June/10 6/30/10	Yes
serving an unexpired term				
Kirk Nance 603 Pilot Avenue Fay., NC 28303 484-4140/323-3500(W)	6/06	2 nd	June/09 6/30/09	No
<u>Public Defender</u>				
Ron McSwain (W/M) Cumberland County Courthouse, Suite 307 117 Dick Street Fay., NC 28301 678-2918(W)	6/07	5 th	June/10 6/30/10	Yes
<u>County Commissioner</u>				
Marshall Faircloth (W/M) P.O. Box 1829 Fay., NC 28302 678-7771(W)	2/09	1 st	June/10 6/30/10	Yes
serving unexpired term				
<u>Substance Abuse Service Representative</u>				
James Miller (W/M) 6674 Sim Cannady Road Hope Mills, NC 28348 321-6793	6/08	5 th	June/11 6/30/11	Yes
<u>Criminal Defense Attorney</u>				
David Delaney 325 Green Street Fay., NC 28301 484-9696 (W)	6/07	1 st	June/10 6/30/10	Yes

CRIMINAL JUSTICE PARTNERSHIP ADVISORY BOARD PG. 4

<u>Name/Address</u>	<u>Date Appointed</u>	<u>Term</u>	<u>Expires</u>	<u>Eligible For Reappointment</u>
<u>County Manager or Designee</u>				
Juanita Pilgrim (B/F) P.O. Box 1829 Fay., NC 28302 678-7723(W)	6/00	N/A	N/A	Yes

Meetings: Second Tuesday (of the last month) of Each Quarter, 5:30 PM, Cumberland County Day Reporting Center, 412 W. Russell Street, Fayetteville, NC 28301-5548

Contact: Callie Gardner, Director of Day Reporting Center (or Lisa Greeno) 323-6126;
fax 323-6133

APPLICANTS FOR
CRIMINAL JUSTICE PARTNERSHIP ADVISORY BOARD

<u>NAME/ADDRESS/TELEPHONE</u>	<u>OCCUPATION</u>	<u>EDUCATIONAL BACKGROUND</u>
FLEMING JR., DR. REV. JOE (B/M) 7235 RYAN STREET FAYETTEVILLE, NC 28314 868-1428/257-7323	RETIRED	16 YEARS
JOHNSON, LENNIE E. (W/M) 6360 SMITHFIELD WADE, NC 28395 980-1401	RETIRED – LAW ENFORCEMENT	SOME COLLEGE L.E. ACADEMY
MARSHALL, BARBARA SUMMEY (B/F) 7640 WILKINS DRIVE FAYETTEVILLE, NC 28311 488-2615/977-2303(W) ** SERVES ON BOARD OF HEALTH	NAVY RESERVE CHAPLAIN	BA – PSYCHOLOGY MA – RELIGIOUS ED. DR. OF MINISTRY
McINNIS, NEILL M. (W/M) 3039 GILLIS HILL ROAD FAYETTEVILLE NC 28306 867-7687/624-9215 (C)	INSTRUCTOR – CRIMINAL JUSTICE NC DEPT OF CORRECTIONS	AS – CRIMINAL JUSTICE
McLAMB, CHRIS (W/M) 5005 SOUTH RIVER SCHOOL RD WADE, NC 28395 483-0973/(919)716-3039 (W) **SERVES ON THE JUVENILE CRIME PREVENTION COUNCIL**	PROGRAM DIRECTOR NC DEPT OF CORRECTIONS	BA – SOCIOLOGY
McMILLAN, ROSIE G. (B/F) 1972 CULPEPPER LANE FAYETTEVILLE, NC 28304 864-0158/672-1105 (W) **SERVES ON THE WORKFORCE DEVELOPMENT BOARD**	PROJECT COORDINATOR FSU	BS – CRIMINAL JUSTICE M.A. – SOCIOLOGY
MERRITT, EDGAR F. (B/M) 1506 BOROS DRIVE FAYETTEVILLE, NC 28303 822-2976 **SERVES ON THE ADULT CARE HOME COMM ADVISORY BOARD**	RETIRED POLICE OFFICER	UNIVERSITY 1960-63
OWENS JR., HUBERT (B/M) 4836 DURANGO COURT FAYETTEVILLE, NC 28304 339-9592/(719)433-9684 **SERVES ON THE WORKFORCE DEVELOPMENT BOARD**	DISTRIBUTION WALMART DISTRIBUTION	HS; COLLEGE GRADUATE IN MAY 09
RAY, KARSTEN J. (-/M) 5249 SUNDOWN DRIVE FAYETTEVILLE, NC 28303 487-6347/366-6935 (W)	GOV'T CONTRACTOR PROPERTY MGT	BS – CRIMINAL JUSTICE AA – PARALEGAL STUDIES

<u>NAME/ADDRESS/TELEPHONE</u>	<u>OCCUPATION</u>	<u>EDUCATIONAL BACKGROUND</u>
SALLEY, LUKE (B/M) 104 UNIVERSITY AVENUE FAYETTEVILLE, NC 28301 488-9365/364-8505 (C)	ASST TO ADMINISTRATOR 1 ST PRESBYTERIAN CHURCH	BA – ECONOMICS & ACCOUNTING
TURNER, CASSANDRA (B/F) 5383 CLIPPER DRIVE HOPE MILLS, NC 28348 977-3099/425-4181 (W)	MANUFACTURING PUROLATOR FILTERS	HS; SOME COLLEGE

JEANNETTE M. COUNCIL
Chairman

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Vice Chairman

J. BREEDEN BLACKWELL
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BOARD OF COMMISSIONERS

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May 19, 2009

ITEM NO. 7A

June 1, 2009 Agenda Item

TO: Board of Commissioners

FROM: Marie Colgan, Deputy Clerk *MC*

SUBJECT: ABC Board

BACKGROUND: On May 18, 2009, the Board of Commissioners nominated the following to fill one vacancy on the ABC Board:

Edward Maynor (reappointment)

I have attached the current membership list for this Board.

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

Attachment

pc: Gene Webb, ABC Board General Manager

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ABC BOARD

3 Year Term

Name/Address	<u>Date</u> Appointed	Term	Expires	<u>Eligible For</u> Reappointment
Stephen T. Horne, Jr. (W/M) 801 Fairfield Road Fayetteville, NC 28303 484-0487	6/08	2 nd	June/11 6/30/11	No
Edward Maynor (AI/M) 3718 Floyd Drive Hope Mills, NC 28348 424-4214/425-5668(W)	6/06	1st	June/09 6/30/09	Yes
Bobby L. Knight (W/M) PO Box 1842 Fayetteville, NC 28302 323-0023/624-5533	6/07	1 st	June/10 6/30/10	Yes
Glenn B. Adams 407 Hilliard Drive Fayetteville, NC 28311 822-4578/222-1400(W)	6/07	2 nd	June/10 6/30/10	No
Valerie Wynne-Hall (/F) 327 E. Lock Haven Drive Fayetteville, NC 28314 868-6755/424-7665(W)	6/08	2 nd	June/11 6/30/11	No

Commissioner Liaison: Commissioner Jeannette Council

Regular Meetings: 2nd Monday of the month at 6:00 PM in the Conference Room at the office on Owen Drive (1705 Owen Drive, Fayetteville, NC 28304).

Contact: ABC Board General Manager Gene Webb, 484-8167.

JEANNETTE M. COUNCIL
Chairman

BILLY R. KING
Vice Chairman

J. BREEDEN BLACKWELL
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MARIE COLGAN
Deputy Clerk

BOARD OF COMMISSIONERS

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ITEM NO. 7B

May 19, 2009

June 1, 2009 Agenda Item

TO: Board of Commissioners

FROM: Marie Colgan, Deputy Clerk *MC*

SUBJECT: Adult Care Home Community Advisory Committee

BACKGROUND: On May 18, 2009, the Board of Commissioners nominated the following to fill two vacancies on the Adult Care Home Community Advisory Committee:

Herman Jean Bradley (reappointment)
Ralph T. Cascasan (new appointment)

I have attached the current membership list for this committee.

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

Attachment

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

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

<u>Name/Address</u>	<u>Date Appointed</u>	<u>Term</u>	<u>Expires</u>	<u>Eligible For Reappointment</u>
Terri Thomas (B/F) 508 Spaulding Street Fayetteville, NC 28301 485-4764/988-7672 (C)	4/09	Initial	Apr/10 4/30/10	Yes
Toney Edwards (B/M) 3622 Clearwater Drive Fayetteville, NC 28311 822-4261/864-6262	04/09	1 st	Apr/12 4/30/12	Yes
Mary Ann Brown-Jackson 1959B James Hamner Way Fayetteville, NC 28311 822-1311/893-8151 x330 (W)	1/09	2 nd	Jan/12 1/31/12	No
Sandra Ebron (B/F) PO Box 65306 Fayetteville, NC 28306 424-3932/922-9446(C)	12/08	Initial	Dec/09 12/31/09	Yes
Herma Jean Bradley (/F) 714 Topeka Street Fayetteville, NC 28301 822-3689	6/06	1 st	June/09 6/30/09	Yes
Mexie Fields (/F) 1815 Primrose Drive Fayetteville, NC 28301 488-8432	1/06	1 st	Jan/10 1/31/10	Yes
Yvonne Booth (B/F) 4568 Turquoise Road Fayetteville, NC 28311 488-7260	8/08	Initial	Aug/09 8/31/09	Yes
Daniel Rodriguez (H/M) 2634 Franciscan Drive Fayetteville, NC 28306 425-2746/432-9701 (W)	5/09	Initial	May/10 5/31/10	Yes

Adult Care Home Community Advisory Committee, page 2

<u>Name/Address</u>	<u>Date Appointed</u>	<u>Term</u>	<u>Expires</u>	<u>Eligible For Reappointment</u>
Dell Caramanno (W/F) 5578 Quietwood Place Fayetteville, NC 28304 423-2622	4/00	1 st	Apr/12 4/30/12	Yes
Jacqueline Wolfe (W/F) 1812 Manchester Street Fayetteville, NC 28303 484-8588/818-2201 (C)	3/09	Initial	Mar/10 3/31/10	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
October Morales (W/F) 1917 Daphne Circle Fayetteville, NC 28304 (831)601-7217/689-0150 (W)	4/09	Initial	April/10 4/30/10	Yes
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
Sonya M. Edmonds (B/F) PO Box 58394 Fayetteville, NC 28305 485-1394/(919) 566-4676 (W)	2/09	Initial	Feb/10 2/28/10	Yes
Cassandra W. Haire (B/F) 515 Albany Street Fayetteville, NC 28301 728-0175	12/08	Initial	Dec/09 12/31/09	Yes
Kim Howard (_/F) 6018 Lakaway Drive Fayetteville, NC 28306 308-5974	4/08	1 st	Apr/11 4/30/11	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: 3rd Monday (starting March) 10 am - various adult care homes

JEANNETTE M. COUNCIL
Chairman

BILLY R. KING
Vice Chairman

J. BREEDEN BLACKWELL
KENNETH S. EDGE
MARSHALL FAIRCLOTH
JIMMY KEEFE
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MARIE COLGAN
Deputy Clerk

BOARD OF COMMISSIONERS

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May 19, 2009

ITEM NO. 7C

June 1, 2009 Agenda Item

TO: Board of Commissioners

FROM: Marie Colgan, Deputy Clerk *MC*

SUBJECT: Animal Services Board

BACKGROUND: On May 18, 2009, the Board of Commissioners nominated the following to fill a vacancy on the Animal Services Board:

City of Fayetteville Resident Position: **Patricia Rigsby** (reappointment)

I have attached the current membership list for this board.

PROPOSED ACTION: Appoint the above vacancy.

Attachment

pc: Scottie Harris, Animal Services Director

Celebrating Our Past...Embracing Our Future

ANIMAL SERVICES BOARD
3 Year Term
(Terms extended from 2 to 3 years on 8/5/02.)

Name/Address	Date Appointed	Term	Expires	Eligible For Reappointment
<u>Knowledge & Experience in Dog Behavior and/or Handling Position</u>				
Paula Thomason 1660 River Road Fayetteville, North Carolina 28312 483-9213	5/06	2nd	June/09 6/30/09	No
<u>Promoting Goals of the Animal Protection Society or the Humane Society or Another Such Broadly- Based and Representative Organization Interested in the Care and Protection of Animals Position</u>				
Tommy Griffin 530 Lennox Drive Fayetteville, North Carolina 28303 868-4242	5/06	2nd	June/09 6/30/09	No
<u>Ex-Officio, The Veterinarian on Contract to the Animal Control Department Position</u>				
Dr. John Lauby (W/M) East Fayetteville Veterinary Clinic 118 Cedar Creek Road Fayetteville, North Carolina 28312 323-5845	6/07	4 th	June/10 6/30/10	
<u>At-Large Positions</u>				
Dr. Kimberly Luddington (W/F) 5429 Kentucky Lane Hope Mills, NC 28348 425-0720	8/07	1 st	June/10 6/30/10	Yes
Wallace Owens 1888 Cascade Street Fayetteville, North Carolina 28301 488-9064	6/07	2 nd	June/10 6/30/10	No
<u>City of Fayetteville Resident Positions</u>				
Rose Marie Bonavia (_/F) 7338 Pebblebrook Drive Fayetteville, North Carolina 28314 487-4790	6/08	1 st	June/11 6/30/11	Yes
Patricia Rigsby 705 McPherson Avenue Fayetteville, North Carolina 28303 717-0921/308-8999 (W)	8/08	1st	June/09 6/30/09	Yes
serving unexpired term				

Board was Established by Ordinance adopted on January 4, 1999.

Meetings: Bi monthly – 1st Monday, 6:00PM -4704 Corporation Dr- Contact: Scottie Harris 321-6851

JEANNETTE M. COUNCIL
Chairman

BILLY R. KING
Vice Chairman

J. BREEDEN BLACKWELL
KENNETH S. EDGE
MARSHALL FAIRCLOTH
JIMMY KEEFE
EDWARD G. MELVIN



MARSHA S. FOGLE
Clerk to the Board

MARIE COLGAN
Deputy Clerk

BOARD OF COMMISSIONERS

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ITEM NO. 7D

May 19, 2009

June 1, 2009 Agenda Item

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

BACKGROUND: On May 18, 2009 the Board of Commissioners nominated the following to fill two vacancies on the Board of Adjustment:

Joseph M. Dykes (reappointment)
George Quigley (reappointment)

I have attached the current membership list for this Board.

PROPOSED ACTION: Appoint the above twp (2) vacancies.

Attachment

pc: Tom Lloyd, Director
Planning/Inspection Department

Celebrating Our Past...Embracing Our Future

BOARD OF ADJUSTMENT
3 Year Term

<u>Name/Address</u>	<u>Date Appointed</u>	<u>Term</u>	<u>Expires</u>	<u>Eligible For Reappointment</u>
Joseph M. Dykes (B/M) 5764 Pepperbush Drive Fayetteville, NC 28304 423-5255/322-0602 (W)	1/08 (serving unexpired term)	1st	June/09 6/30/09	Yes
Oscar L. Davis, III (C/M) 3320 Rustburg Drive Fayetteville, NC 28303 867-2950/977-3101(W)	6/07	2 nd	June/10 6/30/10	No
Melree Hubbard Tart (W/F) 300 Andrews Road Fayetteville, NC 28311 488-1208/497-3712 (W)	6/07	1 st	Aug/10 8/31/10	Yes
Steve Parsons(W/M) 3701 Clearwater Drive Fayetteville, NC 28311 822-4155/822-2000(W)	9/06	2nd	Sept/09 9/30/09	No
George Quigley (W/M) 618 Blawell Circle Stedman, NC 28391 485-2980/321-6882	6/06	1st	June/09 6/30/09	Yes
<u>Alternate Members:</u>				
Carrie Tyson-Autry (_/F) 5951 NC Hwy 87 South Fayetteville, NC 28306-379 483-0087	6/08	1 st	Aug/10 8/31/10	Yes
Horace Humphrey (- /M) 1852 Cascade Street Fayetteville, NC 28301 488-5143	01/08 (serving unexpired term)	1st	Aug/10 8/31/10	Yes
William Lockett Tally (W/M) 414 Vista Drive Fayetteville, NC 28305 489-3533/483-4175 (W)	11/08 (serving unexpired term)	1 st	June/10 6/30/10	Yes

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

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

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

Contact: Tom Lloyd, Planning Department - 678-7618

JEANNETTE M. COUNCIL
Chairman

BILLY R. KING
Vice Chairman

J. BREEDEN BLACKWELL
KENNETH S. EDGE
MARSHALL FAIRCLOTH
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MARSHA S. FOGLE
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BOARD OF COMMISSIONERS

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May 19, 2009

ITEM NO. 7E

June 1, 2009 Agenda Item

TO: Board of Commissioners

FROM: Marie Colgan, Deputy Clerk *MC*

SUBJECT: Cumberland County Juvenile Crime Prevention Council

BACKGROUND: On May 18, 2009, the Board of Commissioners nominated the following to fill one vacancy on the Juvenile Crime Prevention Council:

At Large Representative: **Kimberly Reeves** (new appointment)

I have attached the current membership list for this council.

PROPOSED ACTION: Appoint the above vacancy.

Attachment

pc: Sarah Hemingway, CCJCPC Coordinator

Celebrating Our Past...Embracing Our Future

CUMBERLAND COUNTY
JUVENILE CRIME PREVENTION COUNCIL
(Two year terms)

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

Cumberland County Juvenile Crime Prevention Council Page 2

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

<u>Name/Address</u>	<u>Date Appointed</u>	<u>Term</u>	<u>Expires</u>	<u>Eligible For Reappointment</u>
<u>Substance Abuse Professional</u>				
Gregory Pitts CC Mental Health - TASC PO Box 3069 (filling unexpired term – eligible for 2 full terms) Fayetteville, NC 28302 323-6136(W)	8/07	1 st full	Aug/09 8/31/09	Yes
<u>Member of Faith Community</u>				
Rev. Brian Thompson 3942 Gaithersburg Lane Hope Mills, NC 28348 (5/07 – term extended to 8/31/07 and renewed to 8/09) 436-2462/867-2708(W)	5/07	1st	Aug/09 8/31/09	No
<u>Person Under Age 21</u>				
Che'iera Lathan-Snow 806 English court, Apt 8 Fayetteville, NC 28314 704-512-9060	02/09	1 st	Feb/11 2/28/11	Yes
<u>Juvenile Defense Attorney</u>				
Beth A. Hall 4508 Weaverhall Drive Fayetteville, NC 28314 257-0847(Cell)	8/08	2 nd	Aug/10 8/31/10	No
<u>Member of Business Community</u>				
Gene Hallock 173 Aloha Drive Fayetteville, NC 28311 822-5409	8/07	2 nd	Aug/09 8/31/09	No
<u>United Way or Non-Profit</u>				
Patrick Hurley 2536 Vandemere Fayetteville, NC 28304 484-3044	8/08	1 st	Aug/10 8/31/10	Yes
<u>At Large Representatives</u>				
Henry Berry 1722 Eldridge Street Fayetteville, NC 28301 396-5521 (W)	8/07	1 st	Aug/09 8/31/09	Yes

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>
Resigned (Shanessa Fenner) 5710-08 Ivanhoe Court Fayetteville, North Carolina 28314 487-9603/483-4037 (W)	8/08	1 st	Aug/10 8/31/10	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
Douglas R. Parrish 5789 Cotton Valley Drive Fayetteville, NC 28314 484-8256/609-3770 (W)	2/09	1 st	Feb/11 2/28/11	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
Joan Blanchard 7230 Sandcastle Lane Linden, North Carolina 28356 Phone: 487-0510/322-9097 (C)	8/08	1 st	Aug/10 8/31/10	Yes

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

JEANNETTE M. COUNCIL
Chairman

BILLY R. KING
Vice Chairman

J. BREEDEN BLACKWELL
KENNETH S. EDGE
MARSHALL FAIRCLOTH
JIMMY KEEFE
EDWARD G. MELVIN



MARSHA S. FOGLE
Clerk to the Board

MARIE COLGAN
Deputy Clerk

BOARD OF COMMISSIONERS

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May 19, 2009

ITEM NO. 7F

June 1, 2009 Agenda Item

TO: Board of Commissioners
FROM: Marie Colgan, Deputy Clerk *me*
SUBJECT: Fayetteville Area Convention & Visitors Bureau

BACKGROUND: On May 18, 2009, the Board of Commissioners nominated the following to fill one vacancy on the Fayetteville Area Convention & Visitors Bureau:

At Large: **Gwen Holloman** (new appointment)

I have attached the current membership list for this Board.

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

Attachment

pc: John Meroski, FACVB

Celebrating Our Past...Embracing Our Future

FAYETTEVILLE AREA CONVENTION AND VISITORS BUREAU
BOARD OF DIRECTORS
3 Year Terms

<u>Name/Address</u>	<u>Date Appointed</u>	<u>Term</u>	<u>Expires</u>	<u>Eligible For Reappointment</u>
<u>Hotel/Motels under 100 rooms Representatives:</u>				
Dan Roberts (-/-) Wingate Inn 4182 Sycamore Dairy Road Fayetteville, NC 28303	12/08	1 st	Dec/11 12/31/11	Yes
John Keefe (W/M) 5833 Woodhaven Circle Fayetteville, NC 28311 488-4165/309-6542(W)	12/07	2 nd	Dec/10 12/31/10	No
<u>Hotel/Motel over 100 rooms Representatives:</u>				
Chintan Patel (I/M) Baymont Inn 2910 Sigman Street Fayetteville, NC 28303 485-0520(W)	12/08	2 nd	Dec/11 12/31/11	No
Charles R. Wellons, II (W/M) 174 Ellerslie Fayetteville, NC 28303 864-4893/436-3131(W)	12/07	2 nd	Dec/10 12/31/10	No
<u>At Large</u>				
John Mitchell (B/M) 5901 Panelway Place Fayetteville, NC 28304 424-8381/624-2591(cell)	8/06	2 nd	June/09 6/30/09	No
<u>Representative, Hotel/Motel with meeting space in excess of 6,000 square feet</u>				
<u>Board of Directors Appointee:</u>				
Vacant				

<u>Name/Address</u>	<u>Date Appointed</u>	<u>Term</u>	<u>Expires</u>	<u>Eligible For Reappointment</u>
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Hotel/Motel Representative

Board of Directors Appointee:

Subodh Thakur 7/97

Villager Lodge and Shangri La Motel

521 Ramsey Street

Fayetteville, NC 28301-4911

483-2621(W)

Chamber of Commerce Representative:

Henry Holt

Holt Oil

P. O. Box 53157

Fayetteville, NC 28303

Commissioner Liaison – Commissioner Jimmy Keefe

Ex-officio Members:

James Martin, County Manager

Rick Reno, CEO, Coliseum Complex Manager

Dale Iman, City Manager

Contact: John Meroski (or Tammy Johnson), Fayetteville Area Convention & Visitors' Bureau – 483-5311

Meetings: Second Thursday of every other month (starting in January) at 12:00 pm – Wellington's @ Holiday Inn - Bordeaux.

JEANNETTE M. COUNCIL
Chairman

BILLY R. KING
Vice Chairman

J. BREEDEN BLACKWELL
KENNETH S. EDGE
MARSHALL FAIRCLOTH
JIMMY KEEFE
EDWARD G. MELVIN



MARSHA S. FOGLE
Clerk to the Board

MARIE COLGAN
Deputy Clerk

BOARD OF COMMISSIONERS

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May 19, 2009

ITEM NO. 76

June 1, 2009 Agenda Item

TO: Board of Commissioners

FROM: Marie Colgan, Deputy Clerk *MC*

SUBJECT: Fayetteville Technical Community College Board of Trustees

BACKGROUND: On May 18, 2009, the Board of Commissioners nominated the following to fill one vacancy on the Fayetteville Technical Community College Board of Trustees.

Sheryl Lewis (reappointment)

I have attached the current membership list for this board.

PROPOSED ACTION: **Appoint the above vacancy**

Attachment

pc: Dr. J. Larry Keen

Celebrating Our Past...Embracing Our Future

FAYETTEVILLE TECHNICAL COMMUNITY COLLEGE
BOARD OF TRUSTEES
(County Appointees)
4 Year Terms

<u>Name/Address</u>	<u>Date Appointed</u>	<u>Term</u>	<u>Expires</u>	<u>Eligible For Reappointment</u>
Lula Crenshaw (B/F) 878 Sunbury Drive Fayetteville, NC 28311 488-5549	5/06	2 nd	June/10 6/30/10	No
William S. Wellons, Jr. (W/M) P.O. Box 766 Spring Lake, NC 28390 868-5435/436-3131(W)	6/07	2 nd	June/11 6/30/11	No
David McCune Sr. (W/M) 4801 Research Drive Fayetteville, NC 28306 476-2976/424-2978 (W)	6/08	1 st	June/12 6/30/12	Yes
Sheryl Lewis (W/F) 3011 Bankhead Drive Fayetteville, NC 28306 426-6999	8/07 filling unexpired term	1 st	June/09 6/30/09	Yes

Contact person: Dr. J. Larry Keen, President or Betty Shackelford 678-8222
PO Box 35236, Fay NC 28303
Fax # 678-8269
e-mail: shackelb@faytechcc.edu

Meetings: Board has been meeting the 3rd Monday of each month at 12:45 pm – Tony Rand Student Center, Board Room. No meetings in July or December. (Once each quarter required by bylaws)
-written notification sent for all regularly-called meetings.

* Terms extended by the General Assembly.

JEANNETTE M. COUNCIL
Chairman

BILLY R. KING
Vice Chairman

J. BREEDEN BLACKWELL
KENNETH S. EDGE
MARSHALL FAIRCLOTH
JIMMY KEEFE
EDWARD G. MELVIN



MARSHA S. FOGLE
Clerk to the Board

MARIE COLGAN
Deputy Clerk

BOARD OF COMMISSIONERS

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ITEM NO. 7H

May 19, 2009

June 1, 2009 Agenda Item

TO: Board of Commissioners
FROM: Marie Colgan, Deputy Clerk *MC*
SUBJECT: Human Relations Commission

BACKGROUND: On May 18, 2009, the Board of Commissioners nominated the following to fill two vacancies on the Human Relations Commission:

Dr. Rev. Joe Fleming, Jr. (new appointment)
Muhammad A. Lodhi (new appointment)

I have attached the current membership list for this commission.

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

Attachment

pc: Ron McElrath
City of Fayetteville – Human Relations Director

Celebrating Our Past...Embracing Our Future

HUMAN RELATIONS COMMISSION
 (County Commissioner Appointees)
 2Year Term

<u>Name/Address</u>	<u>Date Appointed</u>	<u>Term</u>	<u>Expires</u>	<u>Eligible for Reappointment</u>
Cornelius Williams (B/M) 1327 Four Wood Drive Fayetteville, NC 28312 484-5044	11/06	1 st	Nov/09 11/01/09	Yes
Elvin McNeill (B/M) 2280 Spindletree Drive Fayetteville, NC 28304 423-7027/677-2552	12/08	1 st	Dec/10 12/01/10	Yes
Lynette Hill Gardner (B/F) 1530 Rosebud Drive Fayetteville, NC 28311 488-6098/822-9963(W)	6/07	2 nd	July/09 07/01/09	No
Denise Giles(W/F) 1062 Center Street Fayetteville, NC 28306 485-8079/826-2454, ext.22(W)	6/07	2 nd	July/09 07/01/09	No

Contact: Ronald McElrath – 433-1605 – Fax # 433-1535
 Human Relations Director
 City of Fayetteville

Meetings: 2nd Thursday of every month – 5:30 pm
 City Hall – Lafayette Room

JEANNETTE M. COUNCIL
Chairman

BILLY R. KING
Vice Chairman

J. BREEDEN BLACKWELL
KENNETH S. EDGE
MARSHALL FAIRCLOTH
JIMMY KEEFE
EDWARD G. MELVIN



MARSHA S. FOGLE
Clerk to the Board

MARIE COLGAN
Deputy Clerk

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ITEM NO. 71

May 19, 2009

June 1, 2009 Agenda Item

TO: Board of Commissioners

FROM: Marie Colgan, Deputy Clerk *MC*

SUBJECT: Joint Planning Board

BACKGROUND: On May 18, 2009, the Board of Commissioners nominated the following to fill two (2) vacancies on the Planning Board:

Lori Epler (reappointment)
Sara Piland (reappointment)

I have attached the current membership list for this board.

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

Attachment

pc: Tom Lloyd, Planning/Inspections Director

Celebrating Our Past...Embracing Our Future

JOINT PLANNING BOARD
4 Year Term
(Representing the County)

<u>Name/Address</u>	<u>Date Appointed</u>	<u>Term</u>	<u>Expires</u>	<u>Eligible For Reappointment</u>
Lori Epler (W/F) 613 Eau Gallie Drive Fayetteville, NC 28311 488-6343/483-4300(W)	6/05	1 st	June/09 6/30/09	Yes
Sara E. Piland (W/F) 1770 Dobbin Holmes Road Fayetteville, NC 28312 483-6725(H)	9/05	1 st (To fill unexpired term)	June/09 6/30/09	Yes
Roy Turner (C/M) 9062 Galatia Church Road Fayetteville, NC 28304 868-4053/483-5065(W)	6/08	2 nd	June/12 6/30/12	No
Walter L. Clark (W/M) 1124 Pony Drive Hope Mills, NC 28348 485-2228	6/08	1 st	June/12 6/30/12	Yes

Commissioner Liaison – Commissioner Billy King

Meetings: 1st and 3rd Tuesday - 7:00 PM - Old Courthouse, Room 3

JEANNETTE M. COUNCIL
Chairman

BILLY R. KING
Vice Chairman

J. BREEDEN BLACKWELL
KENNETH S. EDGE
MARSHALL FAIRCLOTH
JIMMY KEEFE
EDWARD G. MELVIN



MARSHA S. FOGLE
Clerk to the Board

MARIE COLGAN
Deputy Clerk

BOARD OF COMMISSIONERS

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ITEM NO. 75

May 19, 2009

June 1, 2009 Agenda Item

TO: Board of Commissioners
FROM: Marie Colgan, Deputy Clerk *MC*
SUBJECT: Jury Commission

BACKGROUND: On May 18, 2009, the Board of Commissioners nominated the following to fill one vacancy on the Jury Commission:

Edgar F. Merritt (new appointment)

I have attached the current membership list for this commission.

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

Attachment

pc: Ellen B. Hancox, Trial Court Administrator

Celebrating Our Past...Embracing Our Future

JURY COMMISSION

2 Year Term

<u>Name/Address</u>	<u>Date Appointed</u>	<u>Term</u>	<u>Expires</u>	<u>Eligible For Reappointment</u>
Monika Simmons (/F) 1812 Charity Lane Fayetteville, NC 28304 273-4595 (cell)	6/07	2 nd	June/09 6/30/09	No

Perry Evans – Clerk of Court’s appointee
5512 Ramshorn Drive
Fayetteville, North Carolina 28303

Mabel Smith – Judge Johnson’s appointee
1606 Deep Creek Road
Fayetteville, North Carolina 28312

(The other two are appointed (1) by the Senior Resident Superior Court Judge and (1) by the Clerk of Superior Court.)

Contact: Ellen B. Hancox, Trial Court Administrator – 321-3841, fax # 678-2975

No regular meeting schedule.

JEANNETTE M. COUNCIL
Chairman

BILLY R. KING
Vice Chairman

J. BREEDEN BLACKWELL
KENNETH S. EDGE
MARSHALL FAIRCLOTH
JIMMY KEEFE
EDWARD G. MELVIN



MARSHA S. FOGLE
Clerk to the Board

MARIE COLGAN
Deputy Clerk

BOARD OF COMMISSIONERS

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ITEM NO. 7K

May 19, 2009

June 1, 2009 Agenda Item

TO: Board of Commissioners
FROM: Marie Colgan, Deputy Clerk *MC*
SUBJECT: Workforce Development Board

BACKGROUND: On May 18, 2009, the Board of Commissioners nominated the following to fill two vacancies on the Workforce Development Board:

Private Sector: **John Davidson** (reappointment)
 Hubert Owens (reappointment)

I have attached the current membership list for this board.

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

Attachment

pc: Geneva Mixon, 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>				
Alicia R. McLean (B/F) Fayetteville Kidney Center 5058 Summer Ridge Drive Fayetteville, NC 28303 487-0390/323-5288 (W)	9/08	1 st	Sept/11 9/30/11	Yes
Gwen Holloman (B/F) VA Hospital 721 Edgehill Road Fayetteville, NC 28314 868-1691/822-7968 (W)	9/08	1 st	Sept/11 09/30/11	Yes
Loleta L. Wilkerson (/F) Navy Federal Credit Union 2606 Bragg Blvd., Suite 320 Fayetteville, NC 28303-4144 481-7800 (W) / 481-1057 (C)	10/08	2 nd	Oct/11 10/31/11	No
Rosie G. McMillan (B/F) FSU 1972 Culpepper Lane Fayetteville, NC 28304 864-0158/671-1105 (W)	9/08	1 st	Sept/11 09/30/11	Yes
Brad Loase (W/M) 815 Stamper Road Fayetteville, NC 28303 583-3682/437-5959 (W)	6/08	1 st	Feb/10 2/28/10	Yes
serving unexpired term				
Michael Karaman (W/M) 4424 Bragg Blvd. # 101 Fayetteville, NC 28303 860-1000	2/07	1 st	Feb/10 2/28/10	Yes
Linda Hoppmann (W/F) 515 Person Street Fayetteville, NC 28301 (serving unexpired term) 826-4939/483-5016 (W)	4/09	1 st	Nov/11 11/30/11	Yes
Dina Simcox (W/F) 3628 Heatherbrooke Drive Fayetteville, NC 28306 717-2448/868-7668 (W)	4/08	1 st	Apr/11 4/30/11	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>
Sara Jean Hicks (W/F) Aberdeen & Rockfish Railroad 655 Winslow Street Fayetteville, NC 28306 417-9072/483-8309 (W)	2/09	1 st	Feb/12 2/28/12	Yes
Charles A. Richter (/M) Piedmont Natural Gas 1069 Wilkes Road Fayetteville, NC 28306 321-2982 (W) / 308-1168 (C)	10/08	2 nd	Oct/11 10/31/11	No
Hubert Owens (B/M) 4836 Durango Court Fayetteville, NC 28304 (serving unexpired term – eligible for 2 full terms) 339-9592/(719)433-9684/977-5270 (C)	4/09	1 st	June/09 6/30/09	Yes
John Davidson (W/M) Carco Group, Inc. 674 Glenda Street Fayetteville, NC 28311 482-4338/308-3255	8/08	1 st	June/09 6/30/09	Yes
<u>Public Sector:</u>				
Social Services Representative:				
Richrd Everett (W/M) Dept. of Social Services 408 Mirror Lake Drive Fayetteville, NC 28303 484-0432/677-2360 (W)	9/08	1 st	Sept/11 9/30/11	Yes
<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>Community Based Organization:</u>				
Esther Acker (W/F) 301 Coolee Circle Fayetteville, NC 28311 488-1402/323-3192 x32 (W)	9/08	1 st	Sept/11 9/30/11	Yes

<u>Name/Address</u>	<u>Date Appointed</u>	<u>Term</u>	<u>Expires</u>	<u>Eligible For Reappointment</u>
Sara Hemingway (W/F) Communicare, Inc. 711B Executive Place Fayetteville, NC 28305 829-9017	2/09	1 st	Feb/12 2/28/12	Yes
J. Carl Manning (B/M) Kingdom CDC PO Box 1402 Fayetteville, NC 28302 630-1000/484-2722	5/08	1 st	May/11 5/31/11	Yes
<u>Economic Development:</u> Catherine Johnson (W/F) FCCCC 524 Deerpath Drive Fayetteville, NC 28311 822-4809/484-4242 x247 (W)	8/08	1 st	Aug/11 8/31/11	Yes
<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> Joseph M. Smith (W/M) Goodyear 6005 Loudon Circle Hope Mills, NC 28348 424-6238/488-9295 x321 (W)/578-9933 (C)	9/08	1 st	Sept/11 9/30/11	Yes
<u>Education:</u> Dr. Joe Mullis, (/M) FTCC PO Box 35236 Fayetteville, NC 28303	8/07	1 st	Aug/10 8/31/10	Yes
Emily Dickens (-/F) Fayetteville State University 1200 Murchison Road Fayetteville, NC 28301 486-1141	11/08	1 st	Nov/11 11/30/11	Yes

<u>Name/Address</u>	<u>Date Appointed</u>	<u>Term</u>	<u>Expires</u>	<u>Eligible For Reappointment</u>
<u>County Representative:</u> Juanita Pilgrim Deputy County Manager P. O. Box 1829 Fayetteville, NC 28302 678-7726	7/93	N/A	N/A	N/A

Contact: Geneva Mixon, Director, CC Workforce Development Center (323-2498, X2121 or Lorria Troy fax # 323-5755)

Regular Meetings: 2nd Tuesday, every other month, 12:00 noon, Job Link Career Center, 413 Ray Ave.
(Name Changed to Cumberland County Workforce Development Board, November, 1995)