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**AGENDA**  
**CUMBERLAND COUNTY BOARD OF COMMISSIONERS**  
**COURTHOUSE – ROOM 118**  
**MARCH 16, 2009**  
**6:45 PM**

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INVOCATION - Commissioner Breeden Blackwell

PLEDGE OF ALLEGIANCE –

Langdon Boliek – 2<sup>nd</sup> Grade, Vanstory Hills Elementary School  
Carter Boliek – 4<sup>th</sup> Grade, Vanstory Hills Elementary School

Recognition of Outgoing Board Members: William E. Tew, Jr., Civic Center Commission

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

1. Consent Agenda
  - A. Approval of minutes for the March 2, 2009 regular meeting.
  - B. Proposed Additions to the State Secondary Road System:  
  
    Coralee Subdivision:           Cora Drive
  - C. Approval of Contract with the Engineering Firm of Marziano & McGougan for the Design of the Sanitary Sewer Collection System for the Overhills Subdivision.
  - D. Approval of Change Order #1 (Final) for Shaw Environmental Ann Street Subtitle D Landfill Gas Collection & Control System.
  - E. Approval of Change Order #2 – Rentenbach Constructors – New Public Health Center Project.
  - F. Approval of Sole Source to Priority Dispatch to Provide Services for Cumberland County 911 Dispatch Training.
  - G. Approval of Decision Regarding Transfer of Surplus Property in Whole to Former Owner or In Part to City of Fayetteville for HOPE VI Project.

- H. Approval of Sale of Surplus County-Owned Real Property Acquired by Tax Foreclosure – DUP 316-318 Rhew St., Lt 56 Annex 3 Bonnie Doone, PIN: 0418-87-7859, Seventy First Township.
- I. Approval of a Proclamation Proclaiming April 2009 as “Month of the Military Child” in Cumberland County.
- J. Approval of a Proclamation Proclaiming April 2009 as “Child Abuse Awareness and Prevention Month” in Cumberland County.
- K. Budget Revisions:
  - (1) Elections/General Government Other  
  
Revision in the amount of \$26,420 to reallocate budgeted expenditures to cover anticipated expenditures for the remainder of the fiscal year. (B09-295 and B09-295A) **Funding Source – Reallocation of Budgeted Expenditures**
  - (2) Mental Health – Substance Abuse Contracts  
  
Revision in the amount of \$25,000 to recognize additional state funding for the Reclaiming Futures Initiative. (B09-300) **Funding Source –State**
  - (3) Emergency 911  
  
Revision in the amount of \$6,500 to appropriate fund balance for consulting fees to evaluate upgrading E911 electrical and mechanical capabilities. (B09-299) **Funding Source – Emergency 911 Fund Balance**
  - (4) Eastover Sanitary District Sewer Project  
  
Revision in the amount of \$20,000 to reallocate budgeted expenditures to cover project change order. (B09-297) **Funding Source – Reallocation of Budgeted Expenditures**
  - (5) Health
    - a. Health Promotion - Revision in the amount of \$1,661 to recognize grant funds received for the SISTA project (B09-301) **Funding Source – Grant**
    - b. Family Planning Clinic – Revision in the amount of \$50,000 to budget anticipated additional state funding. (B09-293) **Funding Source – State**

(6) Sheriff's Office

Revision in the total amount of \$44,032 to budget a Bureau of Narcotics Automation Grant of \$33,024 and county matching funds of \$11,008.  
(B09-302) **Funding Source – State Grant and Fund Balance Appropriated**

2. Public Hearings

**Contested Cases**

**Rezoning**

- A. Case P08-63. Rezoning of 2.71+/- acres from R30 Residential to R30A Residential or to a more restrictive zoning district located at 1188 Cypress Lakes Road, submitted by J. Thomas Neville, Esquire, owned by John Lee McArthur, Jr.

**Uncontested Case**

**Amendments to the Cumberland County Zoning Ordinance**

- B. P09-05. Amendment to the County Zoning Ordinance, creating standards for County-operated convenience container and recycling facilities by amending Article II Interpretations, Calculations, and Definitions, Section 203 Definitions of Specific Terms and Words; Article IV Permitted, Conditional, and Special Uses, Section 403 Use Matrix; Article IX Individual Uses, creating Section 905.1, entitled: Convenience Container and Recycling Facility; and updating the Table of Contents as appropriate.

**Other Public Hearing**

- C. Public Hearing on Revised Special Assessment Resolution for Lake Upchurch Dam Restoration Project.

Items of Business

3. Presentations

- A. Presentation on Revaluation and Appeal Process by Aaron Donaldson, Tax Administrator.
- B. Presentation of "The Big Read: *The Maltese Falcon* – The Community Coming Together to Read and Discuss One Book by Jody Risacher, Director, Cumberland County Public Library & Information Center.

4. Consideration of Cumberland County Policy Committee Report and Recommendations:
  - A. Consideration of Participating in the Cost of Extending a Water Line East on Cedar Creek Road to Serve Residents Who Have Petitioned for a Special Assessment Project.
  - B. Status of the Stormwater Program.
5. Nominations to Boards and Committees
  - A. Adult Care Home Community Advisory Committee (4 Vacancies)
  - B. Air Quality Stakeholders' Committee (14 Vacancies)
  - C. Cumberland County Home and Community Care Block Grant Committee (4 Vacancies)
  - D. Criminal Justice Partnership Advisory Board (1 Vacancy)
  - E. Nursing Home Advisory Board (2 Vacancies)
  - F. Workforce Development Board (2 Vacancies)
6. Appointments to Boards and Committees
  - A. Joint Senior Citizens Advisory Commission (1 Vacancy)  
Nominee: Mary Rizor
  - B. Library Board of Trustees (1 Vacancy)  
Nominee: Mary E. Thomas
7. Closed Session:
  - A. Economic Development Matter(s)  
Pursuant to NCGS 143-318.11(a)(4).

## **ADJOURN**

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

**MEETINGS: April 6, 2009 (Monday) - 9:00 AM  
April 20, 2009 (Monday) - 6:45 PM**

JAMES E. MARTIN  
County Manager

JUANITA PILGRIM  
Deputy County Manager



AMY H. CANNON  
Assistant County Manager

OFFICE OF THE COUNTY MANAGER

5<sup>th</sup> 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 MARCH 16, 2009**

**TO: BOARD OF COUNTY COMMISSIONERS**

**FROM: JAMES E. MARTIN, COUNTY MANAGER**

**DATE: MARCH 9, 2009**

**SUBJECT: PROPOSED ADDITIONS TO THE STATE SECONDARY ROAD SYSTEM**

**BACKGROUND**

The North Carolina Department of Transportation has received petitions requesting the following streets be placed on the State Secondary Road System for maintenance (see attached):

<u>Coralee Subdivision:</u>	Cora Drive
<u>Woodbridge Subdivision:</u>	Countryside Drive (SR 2537 Ext.) Arundel Court

DOT has determined that the above streets are eligible for addition to the state system.

**RECOMMENDATION**

NCDOT recommends that the above named streets be added to the State Secondary Road System. County Management concurs.

**PROPOSED ACTION**

Approve the above listed streets for addition to the State Secondary Road System.

/ct  
Attachments

*Celebrating Our Past...Embracing Our Future*



STATE OF NORTH CAROLINA  
DEPARTMENT OF TRANSPORTATION

BEVERLY EAVES PERDUE  
GOVERNOR

EUGENE A. CONTI, JR.  
SECRETARY

February 24, 2009

Division Six - District Two  
Cumberland County

Mr. J. Breeden Blackwell, Chairman  
Cumberland County Board of Commissioners  
Post Office Box 1829  
Fayetteville, North Carolina 28302

Subject: Secondary Road Addition

Dear Mr. Blackwell,

This is reference to a petition submitted to this office requesting street(s) in Cumberland County be placed on the State's Secondary Road System. Please be advised that these street(s) have been investigated and our findings are that the below listed street(s) are eligible for addition to the State System.

**Coralee Subdivision**

- Cora Drive

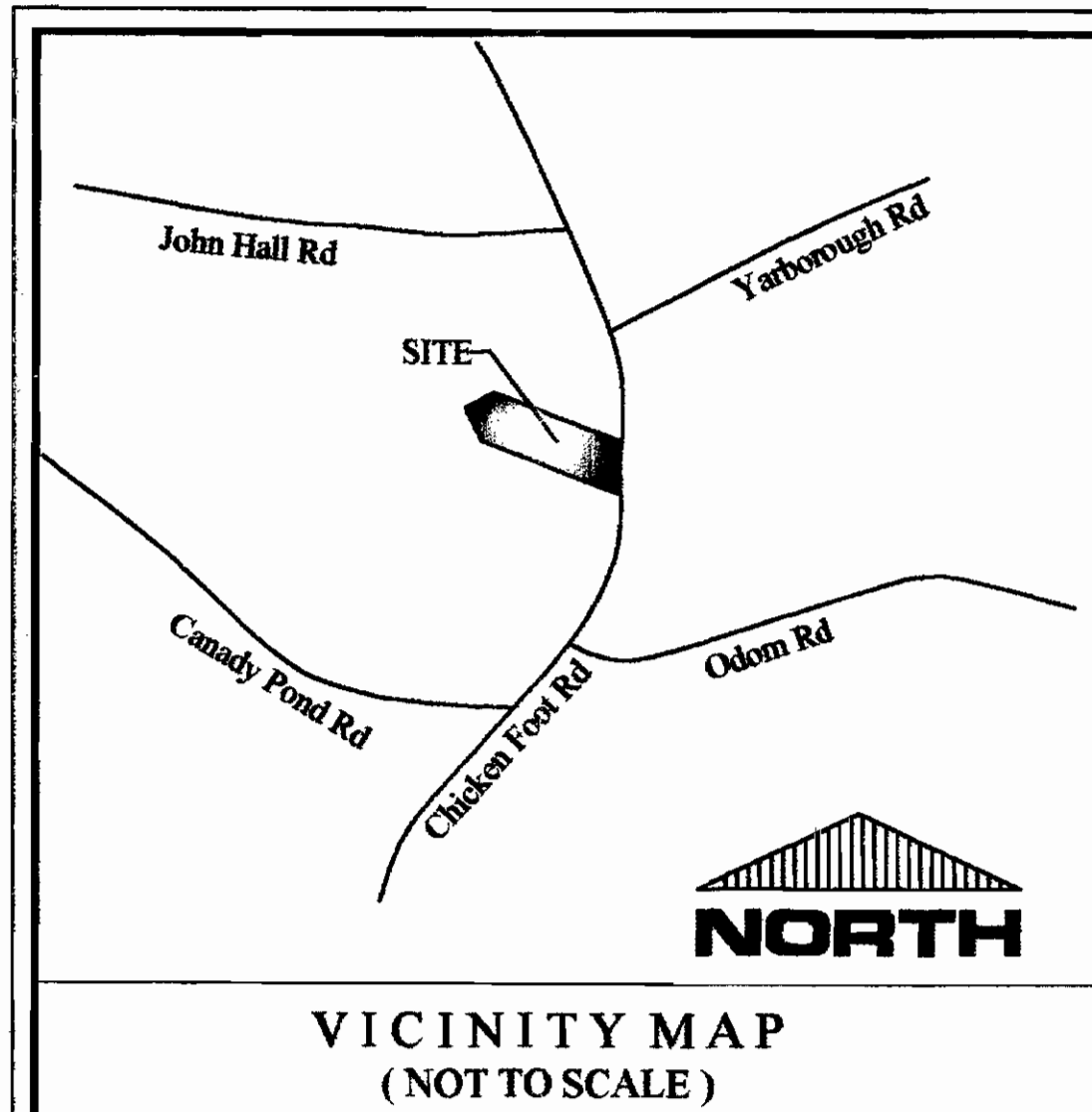
It is our recommendation that the above named street(s) be placed on the State's Secondary Road System. If you and your Board concur in our recommendation, please submit a resolution to this office.

Sincerely,

A handwritten signature in black ink, appearing to read "Chris W. McGee".

Christopher W. McGee, P.E.  
District Engineer

CWM:rdp





STATE OF NORTH CAROLINA  
DEPARTMENT OF TRANSPORTATION

BEVERLY EAVES PERDUE  
GOVERNOR

EUGENE A. CONTI, JR.  
SECRETARY

March 9, 2009

Division Six - District Two  
Cumberland County

Mr. J. Breeden Blackwell, Chairman  
Cumberland County Board of Commissioners  
Post Office Box 1829  
Fayetteville, North Carolina 28302

Subject: Secondary Road Addition

Dear Mr. Blackwell,

This is reference to a petition submitted to this office requesting street(s) in Cumberland County be placed on the State's Secondary Road System. Please be advised that these street(s) have been investigated and our findings are that the below listed street(s) are eligible for addition to the State System.

**Woodbridge Subdivision**

- Countryside Drive (SR 2537 Ext.)
- Arundel Court

It is our recommendation that the above named street(s) be placed on the State's Secondary Road System. If you and your Board concur in our recommendation, please submit a resolution to this office.

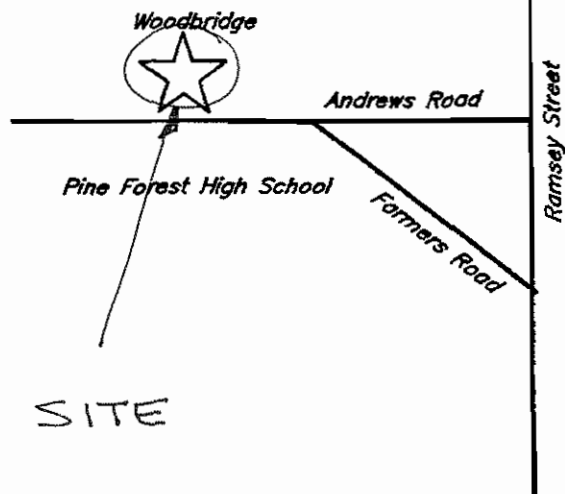
Sincerely,

A handwritten signature in black ink that reads "Christopher W. McGee".

Christopher W. McGee, P.E.  
District Engineer

CWM:rdp



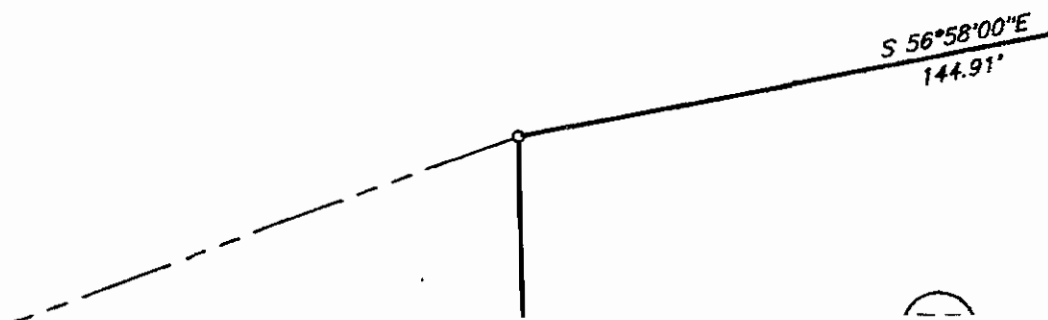


Vicinity Map

28

"The undersigned hereby acknowledges that the land shown on this plan is within the subdivision regulation jurisdiction of Cumberland County and that this plat and allotment is (my or a free act and deed, forever all areas shown or indicated on said

*Edward S. Cook, Jr.*  
 Owner(s) Signature(s)  
 Edward S. Cook, Jr.



**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

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

**MEMORANDUM**

**TO:** BOARD OF COMMISSIONERS

**FROM:** TOM COONEY, DIRECTOR *TC*

**THROUGH:** JAMES MARTIN, COUNTY MANAGER

**DATE:** MARCH 06, 2009

**SUBJECT:** APPROVAL OF CONTRACT WITH THE ENGINEERING FIRM OF MARZIANO & MCGOUGAN FOR THE DESIGN OF THE SANITARY SEWER COLLECTION SYSTEM FOR THE OVERHILLS SUBDIVISION.

**BACKGROUND**

The Overhills Subdivision just north of the Town of Spring Lake off of East Manchester Road near Highway 210 has experienced numerous septic tank failures in recent years. This has resulted in several homes having to be vacated and are now for the most part abandoned and in foreclosure. In an effort to obtain grant funding a Preliminary Engineering Report (PER) had been requested by Cumberland County. The Engineering firm of Marziano & McGougan was selected to perform this work.

The next step in this process is to find funding to allow for the construction of this collection system. With the stimulus monies becoming available it is prudent for us to have the design completed as quickly as possible to aid in having a shovel ready project as required by the stimulus programs. As with any grant program, it has always been the responsibility of the County to provide the funding for any and all engineering work related to the project. (Three years ago, \$3,000,000 was authorized for the County in a bill through Senator Dole's office; however, this funding has never been appropriated).

Attached are copies of the Contract to perform the design of the Overhills Sanitary Sewer Collection System.  
*Celebrating Our Past...Embracing Our Future*

The amount of this contract is not to exceed \$198,000.00. The Engineer has been proceeding with work (at risk) even though a contract is not in place in an effort to expedite the process.

**RECOMMENDATION:**

The County Public Utilities Director and Management recommend that the Board of Commissioners:

1. Approve a Contract in the amount not to exceed \$198,000.00 with the firm of Marziano & McGougan for the design of the Overhills Sanitary Sewer Collection System.
2. Approve the attached budget revision. Funds are available in the Water & Sewer Fund for this phase of the project.

**SHORT FORM OF AGREEMENT  
BETWEEN OWNER AND ENGINEER  
FOR  
PROFESSIONAL SERVICES**

THIS IS AN AGREEMENT effective as of \_\_\_\_\_ ("Effective Date") between

County of Cumberland \_\_\_\_\_ ("Owner")

and Marziano & McGougan, PA \_\_\_\_\_ ("Engineer")

Engineer agrees to provide the services described below to Owner for Overhills S/D Wastewater \_\_\_\_\_ ("Project").

Description of Engineer's Services: Provide design, permitting, bidding, construction management & observation  
services for a new central wastewater system to serve Overhills S/D in accordance with Alternate No. 3 - Connection  
to Spring Lake System as described in a Preliminary Engineering Report "Wastewater Collection/Treatment  
alternatives" for Overhills Subdivision dated July, 2008 by the Engineer.

Owner and Engineer further agree as follows:

**1.01 Basic Agreement**

A. Engineer shall provide, or cause to be provided, the services set forth in this Agreement, and Owner shall pay Engineer for such Services as set forth in Paragraph 9.01.

**2.01 Payment Procedures**

A. *Preparation of Invoices.* Engineer will prepare a monthly invoice in accordance with Engineer's standard invoicing practices and submit the invoice to Owner.

B. *Payment of Invoices.* Invoices are due and payable within 30 days of receipt. If Owner fails to make any payment due Engineer for services and expenses within 30 days after receipt of Engineer(s) invoice, the amounts due Engineer will be increased at the rate of 1.0% per month (or the maximum rate of

interest permitted by law, if less) from said thirtieth day. In addition, Engineer may, without liability, after giving seven days written notice to Owner, suspend services under this Agreement until Engineer has been paid in full all amounts due for services, expenses, and other related charges. Payments will be credited first to interest and then to principal.

**3.01 Additional Services**

A. If authorized by Owner, or if required because of changes in the Project, Engineer shall furnish services in addition to those set forth above.

B. Owner shall pay Engineer for such additional services as follows: For additional services of Engineer's employees engaged directly on the Project an amount equal to the cumulative hours charged to the Project by each class of Engineer's employees times standard hourly rates for each applicable billing class; plus

reimbursable expenses and Engineer's consultants' charges, if any.

#### **4.01 Termination**

A. The obligation to provide further services under this Agreement may be terminated:

1. For cause,

a. By either party upon 30 days written notice in the event of substantial failure by the other party to perform in accordance with the Agreement's terms through no fault of the terminating party.

b. By Engineer:

1) upon seven days written notice if Engineer believes that Engineer is being requested by Owner to furnish or perform services contrary to Engineer(s) responsibilities as a licensed professional; or

2) Upon seven days written notice if the Engineer(s) services for the Project are delayed or suspended for more than 90 days for reasons beyond Engineer(s) control.

3) Engineer shall have no liability to Owner on account of such termination.

c. Notwithstanding the foregoing, this Agreement will not terminate as a result of a substantial failure under paragraph 4.01.A.1.a if the party receiving such notice begins, within seven days of receipt of such notice, to correct its failure and proceeds diligently to cure such failure within no more than 30 days of receipt of notice; provided, however, that if and to the extent such substantial failure cannot be reasonably cured within such 30 day period, and if such party has diligently attempted to cure the same and thereafter continues diligently to cure the same, then the cure period provided for herein shall extend up to, but in no case more than, 60 days after the date of receipt of the notice.

2. For convenience, by Owner effective upon the receipt of notice by Engineer.

B. The terminating party under paragraphs 4.01.A.1 or 4.01.A.2 may set the effective date of termination at a time up to 30 days later than otherwise

provided to allow Engineer to demobilize personnel and equipment from the Project site, to complete tasks whose value would otherwise be lost, to prepare notes as to the status of completed and uncompleted tasks, and to assemble Project materials in orderly files.

#### **5.01 Controlling Law**

A. This Agreement is to be governed by the law of the state in which the Project is located.

#### **6.01 Successors, Assigns, and Beneficiaries**

A. Owner and Engineer each is hereby bound and the partners, successors, executors, administrators, and legal representatives of Owner and Engineer (and to the extent permitted by paragraph 6.01.B the assigns of Owner and Engineer) are hereby bound to the other party to this Agreement and to the partners, successors, executors, administrators, and legal representatives (and said assigns) of such other party, in respect of all covenants, agreements, and obligations of this Agreement.

B. Neither Owner nor Engineer may assign, sublet, or transfer any rights under or interest (including, but without limitation, moneys that are due or may become due) in this Agreement without the written consent of the other, except to the extent that any assignment, subletting, or transfer is mandated or restricted by law. Unless specifically stated to the contrary in any written consent to an assignment, no assignment will release or discharge the assignor from any duty or responsibility under this Agreement.

#### **7.01 General Considerations**

A. The standard of care for all professional engineering and related services performed or furnished by Engineer under this Agreement will be the care and skill ordinarily used by members of the subject profession practicing under similar circumstances at the same time and in the same locality. Engineer makes no warranties, express or implied, under this Agreement or otherwise, in connection with Engineer(s) services. Engineer and its consultants may use or rely upon the design services of others, including, but not limited to, contractors, manufacturers, and suppliers.

B. Engineer shall not at any time supervise, direct, or have control over any Contractor(s) work, nor shall Engineer have authority over or responsibility for the means, methods, techniques, sequences, or procedures of construction selected or used by any contractor, for safety precautions and programs incident to a Contractor(s) work progress, nor for any failure of any contractor to comply with laws and regulations applicable to Contractor(s) work.

C. Engineer neither guarantees the performance of any contractor nor assumes responsibility for any Contractor(s) failure to furnish and perform its work in accordance with the contract between Owner and such contractor.

D. Engineer shall not be responsible for the acts or omissions of any contractor, subcontractor, or supplier, or of any Contractor(s) agents or employees or any other persons (except Engineer(s) own employees) at the Project site or otherwise furnishing or performing any of construction work; or for any decision made on interpretations or clarifications of the construction contract given by Owner without consultation and advice of Engineer.

E. The general conditions for any construction contract documents prepared hereunder are to be the "Standard General Conditions of the Construction Contract@ as prepared by the Engineers Joint Contract Documents Committee (No. C-700, 2002 Edition).

F. All design documents prepared or furnished by Engineer are instruments of service, and Engineer retains an ownership and property interest (including the copyright and the right of reuse) in such documents, whether or not the Project is completed.

G. To the fullest extent permitted by law, Owner and Engineer (1) waive against each other, and the other's employees, officers, directors, agents, insurers, partners, and consultants, any and all claims for or entitlement to special, incidental, indirect, or consequential damages arising out of, resulting from, or in any way related to the Project, and (2) agree that Engineer's total liability to Owner under this Agreement shall be limited to \$50,000 or the total amount of compensation received by Engineer, whichever is greater.

H. The parties acknowledge that Engineer(s) scope of services does not include any services related to a Hazardous Environmental Condition (the presence of asbestos, PCBs, petroleum, hazardous substances or waste, and radioactive materials). If Engineer or any other party encounters a Hazardous Environmental Condition, Engineer may, at its option and without liability for consequential or any other damages, suspend performance of services on the portion of the Project affected thereby until Owner: (i) retains appropriate specialist consultants or contractors to identify and, as appropriate, abate, remediate, or remove the Hazardous Environmental Condition; and (ii) warrants that the Site is in full compliance with applicable Laws and Regulations.

## 8.01 Total Agreement

- A. This Agreement (consisting of pages 1 to 4 inclusive together with any expressly incorporated appendix), constitutes the entire agreement between Owner and Engineer and supersedes all prior written or oral understandings. This Agreement may only be amended, supplemented, modified, or canceled by a duly executed written instrument.

## Dispute Resolution

The parties must resolve any claim, dispute or other matter in contention arising out of, or relating to, this Contract which involves \$15,000 or more through the following procedure. The parties shall first negotiate in good faith to reach an equitable settlement to the dispute. If a negotiated settlement cannot be reached within 10 business days, the parties shall submit to mediation. The parties shall select a mediator, licensed by either the North Carolina or federal courts and mutually agreeable to all parties in the dispute to conduct the proceedings which shall be held at the Owner's place of business. If the parties cannot select a mediator within 10 business days, then the Owner shall select a mediator (or, if the Owner is a party to the dispute, the Cumberland County Trial Court Administrator). The mediator's cost shall be equally shared by all parties to the dispute. If a mediated settlement cannot be reached, the final recourse to the aggrieved party is legal action instituted and tried in the General Court of Justice of North Carolina under North Carolina Law with venue for trial being Cumberland County. No party shall have a right to resort to litigation until mediation shall first have occurred and not been successful.

In accordance with North Carolina General Statute 143-135.26(12) and as a condition to this Contract, the prime contractor shall incorporate this dispute resolution clause in any and all contracts with first-tier subcontractors who in turn shall incorporate this clause in any contracts with lower-tier subcontractors.

## 9.01 Payment

- A. Payment for Design, Permitting & Bidding services shall be Lump Sum Amount of: \$ 130,000.00.
- B. Payment for Easement/Property Surveys shall be Hourly and Not to Exceed Amount of: \$ 8,000.00.
- C. Payment for Construction Administration & Critical Point Inspection Services shall be Hourly and Not to Exceed the Amount of \$ 60,000.00.

Engineer's Standard Hourly Rates are attached as Appendix 1.

D. The Engineer's compensation is conditioned on the time to complete construction not exceeding 15 Months. Should the time to complete construction be extended beyond this period, total compensation to Engineer shall be appropriately adjusted.

IN WITNESS WHEREOF, the parties hereto have executed this Agreement, the Effective Date of which is indicated on page 1.

County of Cumberland  
OWNER:

Marziano & McGougan, PA  
ENGINEER:

By: \_\_\_\_\_

By: Huam J. Marziano

Title: \_\_\_\_\_

Title: President

Date Signed: \_\_\_\_\_

Date Signed: 11-10-2008

License or Certificate No. and State \_\_\_\_\_

Address for giving notices:

Address for giving notices:

130 Gillespie Street

P. O. Box 4428

Fayetteville, NC 28301

Asheboro, NC 27204

**COUNTY OF CUMBERLAND  
BUDGET REVISION REQUEST**

Budget Office Use	
Budget Revision No.	B09-298
Date Received	3/9/2009
Date Completed	

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

**REVENUE**

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

**EXPENDITURES**

Object Code	Appr Unit	Description	Current Budget	Increase (Decrease)	Revised Budget
342A	682	Overhills Sewer Project	0	198,000	198,000
3846	682	Water & Sewer Improvements	2,213,000	(198,000)	2,015,000

Total	2,213,000	-	2,213,000
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**Justification:**

Revision in the amount of \$198,000 to award contract to Marziano & McGougan for the design of the Overhill Sanitary Sewer Collection System.

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

Submitted By: \_\_\_\_\_ Date: \_\_\_\_\_  
 Department Head

Reviewed By: Bob Tucker Date: 3/9/09  
 Finance Department

Reviewed By: Amber Carson Date: 3/11/09  
 Assistant County Mgr

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



ROBERT N. STANGER, P.E.  
County Engineer



SAM LUCAS  
Engineering Technician II  
WAYNE DUDLEY, CFM  
Engineering Technician I

ENGINEERING DEPARTMENT

Historic Courthouse, 130 Gillespie Street • P.O. Box 1829 • Fayetteville, North Carolina 28302-1829  
Telephone (910) 678-7636 • Fax (910) 678-7635

March 10, 2009

MEMORANDUM

ITEM NO. 1D

TO: BOARD OF COUNTY COMMISSIONERS  
FROM: ROBERT N. STANGER, COUNTY ENGINEER *Bob*  
THROUGH: AMY H. CANNON, ASSISTANT COUNTY MANAGER  
SUBJECT: APPROVAL OF CHANGE ORDER #1 (FINAL) FOR SHAW ENVIRONMENTAL  
ANN STREET SUBTITLE D LANDFILL GAS COLLECTION & CONTROL SYSTEM

BACKGROUND

In October 2007, the Board of County Commissioners awarded a contract to Shaw Environmental & Infrastructure, Inc., in the amount of \$1,699,710 for installation of the Ann Street Subtitle D Landfill Gas Collection & Control System - Phase I. The work was completed in June 2008.

Attached is Change Order #1 (Final) for Shaw Environmental in the deductive amount of \$91,647. This change order reconciles the actual quantities of materials installed versus the bid quantities which resulted in a net decrease in the contract sum from \$1,699,710 to \$1,608,063.

The change order document has been reviewed by the County Attorney's Office for legal sufficiency.

RECOMMENDATION/PROPOSED ACTION

The recommendation of the County Engineer, Solid Waste Director, CDM, and management is to approve Change Order #1 (Final) for Shaw Environmental & Infrastructure, Inc., in the deductive amount of \$91,647 for the above referenced project and reduce the contract amount to \$1,608,063.

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

*Celebrating Our Past...Embracing Our Future*

# CHANGE ORDER

No. 1 (Final)

PROJECT Ann Street Subtitle D Landfill Phase I Gas Collection Control System Construction Project

Date of Issuance November 21, 2008 Effective Date \_\_\_\_\_

OWNER Cumberland County, North Carolina

OWNER's Contract No. \_\_\_\_\_

CONTRACTOR Shaw Environmental and Infrastructure, Inc.

ENGINEER Camp Dresser & McKee

You are directed to make the following changes in the Contract Documents.

Description: See Attachment A

Reason for Change Order: See Attachment A

Attachments: Attachments A; Attachment B (Supporting Documentation); Attachment C Overrun/ Underrun Summary

CHANGE IN CONTRACT PRICE:	CHANGE IN CONTRACT TIMES:
Original Contract Price \$ <u>1,699,710.00</u>	Original Contract Times Substantial Completion: <u>180 days, May 9, 2008</u> Ready for final payment: <u>210 days, June 8, 2008</u> days or dates
Net changes from previous Change Orders No. <u>-</u> to No. <u>-</u> \$ <u>0.00</u>	Net changes from previous Change Orders No. <u>-</u> to No. <u>-</u> <u>0 days</u> days or dates
Contract Price prior to this Change Order \$ <u>1,699,710.00</u>	Contract Times prior to this Change Order Substantial Completion: <u>180 days, May 9, 2008</u> Ready for final payment: <u>210 days, June 8, 2008</u> days or dates
Net Increase (decrease) of this Change Order \$ <u>91,647.00</u>	Net Increase (decrease) of this Change Order Substantial Completion: <u>0 days</u> Ready for final payment: <u>0 days</u> days or dates
Contract Price with all approved Change Orders \$ <u>1,608,063.00</u>	Contract Times with all approved Change Orders Substantial Completion: <u>180 days, May 9, 2008</u> Ready for final payment: <u>210 days, June 8, 2008</u> days or dates

RECOMMENDED:  
By: [Signature]  
Engineer (Authorized Signature)

APPROVED:  
By: \_\_\_\_\_  
Owner (Authorized Signature)

ACCEPTED:  
By: [Signature]  
Contractor (Authorized Signature)

Date: 3/9/2009

Date: \_\_\_\_\_

Date: 3/9/09

**ATTACHMENT "A"**

**CUMBERLAND COUNTY, NORTH CAROLINA  
ANN STREET SUBTITLE D LANDFILL  
PHASE 1 GAS COLLECTION CONTROL SYSTEM CONSTRUCTION PROJECT  
FINAL RECONCILIATION CHANGE ORDER**

<b>CHANGE ORDER</b>	<b>BID ITEM</b>			
<b>ITEM NO.</b>	<b>NO.</b>	<b>DESCRIPTION</b>		<b>COST</b>
1	1a	Furnish & Install Perforated 6" Collection (Horizontal-HC1) in 6' Trench Delete 317.00 LF @ \$46.00/LF Deduct the sum of \$14,582.00	Item No. 1 Total	(\$14,582.00)
2	1c	Furnish and Install Solid 6" Collection (Horizontal-Perforated Pipe to Wellhead) Add 113 LF @ \$18.00/CY Add the sum of \$2,034.00	Item No. 2 Total	\$2,034.00
3	1d	Furnish & Install Solid 6" Collection (Wellhead to Header) Add 249 CY @ \$21.00/LF Add the sum of \$5,229.00	Item No. 3 Total	\$5,229.00
4	1e	Furnish & Install Solid 4" Connection from Wellhead to Cleanouts Add 135 LF @ 17.00/LF Add the sum of \$2,295.00	Item No. 4 Total	\$2,295.00
5	1f	Furnish & Install Solid 8" Header Add 19 LF @ \$30.00/LF Add the sum of \$570.00	Item No. 5 Total	\$570.00
6	1g	Furnish & Install Solid 10" Header Add 208 LF @ \$35.00/LF Add the sum of \$7,280.00	Item No. 6 Total	\$7,280.00
7	2	Furnish & Install Vertical Well Delete 38 VF @ \$108.50/VF Deduct the sum of \$4,123.00	Item No. 7 Total	(\$4,123.00)
8	3	Furnish & Install Wellhead & Connection to Header Delete 1 EA @ \$650.00/EA Delete the sum of \$650.00	Item No. 8 Total	(\$650.00)
9	4a	Furnish & Install 1.5" Ball Valve Delete 1 EA @ \$40.00/EA Delete the sum of \$40.00	Item No. 9 Total	(\$40.00)
10	5a	Furnish & Uninstall Leachate Pipe Gas	Item No. 10 Total	\$3,000.00

**ATTACHMENT "A"**

**CUMBERLAND COUNTY, NORTH CAROLINA  
ANN STREET SUBTITLE D LANDFILL  
PHASE 1 GAS COLLECTION CONTROL SYSTEM CONSTRUCTION PROJECT  
FINAL RECONCILIATION CHANGE ORDER**

<b>CHANGE ORDER</b>	<b>BID ITEM</b>			
<b>ITEM NO.</b>	<b>NO.</b>	<b>DESCRIPTION</b>		<b>COST</b>
		Add 1 EA @ \$3,000.00/EA Add the sum of \$3,000.00		
11	13	Seeding & Mulching Deduct 78,000 SF @ \$0.11/SF Delete the sum of \$8,580.00	Item No. 11 Total	(\$8,580.00)
12	14	Furnish & Install Slit Fence Deduct = 2,200 LF @ \$3.00/LF Delete the sum of \$6,600.00	Item No. 12 Total	(\$6,600.00)
13	15	Borehole Abandonment for Vertical Wells Deduct 100 LF @ \$35.00/LF Delete the sum of \$3,500.00	Item No. 13 Total	(\$3,500.00)
14	17	5% Contingency Allowance Deduct 1 LS @ \$73,980.00/LS Delete the sum of \$73,980.00	Item No. 14 Total	(\$73,980.00)

**ATTACHMENT "A"**

**CUMBERLAND COUNTY, NORTH CAROLINA  
ANN STREET SUBTITLE D LANDFILL  
PHASE 1 GAS COLLECTION CONTROL SYSTEM CONSTRUCTION PROJECT**

**FINAL RECONCILIATION CHANGE ORDER**

**COST SUMMARY CHANGES  
FINAL CONTRACT COST AND QUANTITY RECONCILIATION**

Bid Item No. 1a	\$ 100.00	Bid Item No. 1b	\$ 919.60	Bid Item No. 2	\$ 5,697.00
Bid Item No. 3	\$ 211,279.20	Bid Item No. 4	\$ (14,000.00)	Bid Item No. 5	\$ (4,035.00)
Bid Item No. 6	\$ (26,595.40)	Bid Item No. 7	\$ (38,356.10)	Bid Item No. 8	\$ (32,602.50)
Bid Item No. 1a	\$ (14,582.00)	Bid Item No. 1c	\$ 2,034.00	Bid Item No. 1d	\$ 5,229.00
Bid Item No. 1e	\$ 2,295.00	Bid Item No. 1f	\$ 570.00	Bid Item No. 1g	\$ 7,280.00
Bid Item No. 2	\$ (4,123.00)	Bid Item No. 3	\$ (650.00)	Bid Item No. 4a	\$ (40.00)
Bid Item No. 5a	\$ 3,000.00	Bid Item No. 13	\$ (8,580.00)	Bid Item No. 14	\$ (6,600.00)
Bid Item No. 15	\$ (3,500.00)	Bid Item No. 17	\$ (73,980.00)		

**FINAL CONTRACT COST AND QUANTITY RECONCILIATION**

<b>CONTRACT BID PRICE</b>	<b>COST UNDERRUN</b>	<b>FINAL CONTRACT PRICE</b>
\$1,699,710.00	\$ (91,647.00)	\$1,608,063.00

**CONTRACT TIME**

The Substantial Completion Date:

is    not changed    extended   x   reduced by   9   calendar days.

Substantial Completion Date: *April 30, 2008*

Ready for Final Payment:

is   X   not changed    extended    reduced by    calendar days.

Ready for Final Payment Date: *May 30, 2008*

The adjustment in Contract Price and/or Contract Time stated in this Change Order shall comprise the total price and/or time adjustment due or owed the CONTRACTOR for the work of changes defined in this Change Order. By executing the Change Order, the CONTRACTOR acknowledges and agrees that the stipulated price and/or time adjustments include the costs and delays for all work contained in the Change Order, including costs and delays associated with the interruption of schedules, extended overheads, delay, and cumulative impacts or ripple effect on all other non-affected work under this Contract.

Signing of the Change Order constitutes full and mutual accord and satisfaction for the adjustment in Contract Price or Time as a result of increases or decreases in costs and time of performance caused directly and indirectly from the change, subject to the current scope of the entire work as set forth in the Contract Documents. Acceptance of the waiver constitutes an agreement between OWNER and CONTRACTOR that the Change Order represents an equitable adjustment to the Contract, and that CONTRACTOR will waive all rights to file a claim on the Change Order after it is properly executed.

**ATTACHMENT "B"**

**CUMBERLAND COUNTY, NORTH CAROLINA  
ANN STREET SUBTITLE D LANDFILL  
PHASE 1 GAS COLLECTION CONTROL SYSTEM CONSTRUCTION PROJECT  
FINAL RECONCILIATION CHANGE ORDER**

<b>CHANGE ORDER ITEM NO.</b>	<b><u>SUPPORTING DOCUMENTATION</u></b>	
	<b>DESCRIPTION</b>	
<b>-ALL-</b>	<b><i>Final Statement of Accounting with Surveyor's Certification</i></b>	
<b>14</b>	<b><i>Work Change Directive No. 3 issued on April 23, 2008</i></b>	
<b>Note:</b>	<b><i>Work Change Directives No. 1, 2 and 4 were not acted upon by Shaw Environmental and Infrastructure, Inc. as the Work Change Directive did not result in a cost change to the project.</i></b>	

CUMBERLAND COUNTY, NORTH CAROLINA  
ANN STREET SUBTITLE D LANDFILL  
PHASE 1 GAS COLLECTION CONTROL SYSTEM CONSTRUCTION PROJECT

ITEM NO.	DESCRIPTION	QTY	Sid Unit	SCHEDULED QTY	QTY IN PLACE	UNIT PRICE	OVERRUN/(UNDERRUN)	TOTAL OVERRUN/(UNDERRUN)
Phase I Gas Control System								
1a	Furnish & Install Perforated 6" Collection (Horizontal-HC1) in 6' Trench	4,600	LF	4,600	4283	\$ 46.00	-317	\$ (14,582.00)
1b	Furnish & Install Perforated 6" Collection (Horizontal-HC2) in 6' Trench	4,800	LF	4,800	4800	\$ 30.00	0	\$ -
1c	Furnish and Install Solid 6" Collection (Horizontals-Perforated Pipe to Wellhead)	3,000	LF	3,000	3113	\$ 18.00	113	\$ 2,034.00
1d	Furnish & Install Solid 6" Connection (Wellhead to Header)	2,400	LF	2,400	2649	\$ 21.00	249	\$ 5,229.00
1e	Furnish & Install Solid 4" Connection from Wellhead to Cleanouts	1,320	LF	1,320	1455	\$ 17.00	135	\$ 2,295.00
1f	Furnish & Install Solid 8" Header	3,530	LF	3,530	3549	\$ 30.00	19	\$ 570.00
1g	Furnish & Install Solid 10" Header	1,420	LF	1,420	1626	\$ 35.00	206	\$ 7,280.00
2	Furnish & Install Vertical Well	280	VF	280	242	\$ 108.50	-38	\$ (4,123.00)
3	Furnish & Install Wellhead & Connection to Header	51	EA	51	50	\$ 650.00	-1	\$ (650.00)
4a	Furnish & Install 1.5" Ball Valve	51	EA	51	50	\$ 40.00	-1	\$ (40.00)
4b	Furnish & Install 8" Butterfly & Access Riser	4	EA	4	4	\$ 3,500.00	0	\$ -
4c	Furnish & Install 10" Butterfly & Access Riser	1	EA	1	1	\$ 5,000.00	0	\$ -
4d	Furnish & Install Pressure Reducing Valves & Access Riser	1	EA	1	1	\$ 9,700.00	0	\$ -
5a	Furnish & Uninstall Leachate Pipe Gas Connection with Condensate Trap	5	EA	5	6	\$ 3,000.00	1	\$ 3,000.00
5b	Furnish & Install Leachate Pipe Gas Connector	11	EA	11	11	\$ 1,700.00	0	\$ -
6	Furnish & Install Horizontal Gas Collector Condensate Trap	46	EA	46	46	\$ 1,400.00	0	\$ -
7	Furnish & Install Blind Flanges	2	RA	2	2	\$ 800.00	0	\$ -
8a	Furnish & Install Single Anti-Seep Collars	6	EA	6	6	\$ 1,500.00	0	\$ -
8b	Furnish & Install Dual Anti-Seep Collars	12	EA	12	12	\$ 2,300.00	0	\$ -
9	Furnish & Install 30-mil Tarp & Protective Common Fill Layer	43,410	SY	43,410	43410	\$ 12.00	0	\$ -
10	Furnish & Install Access Road Crossing	4	EA	4	4	\$ 1,700.00	0	\$ -
11	Miscellaneous Work & Clean-up	1	LS	1	1	\$ 110,000.00	0	\$ -
12	Landfill Survey	1	LS	1	1	\$ 8,700.00	0	\$ -
13	Seeding & Mulching	78,000	SF	78,000	0	\$ 0.11	-78,000	\$ (8,580.00)
14	Furnish & Install Silt Fence	2,200	LF	2,200	0	\$ 3.00	-2,200	\$ (6,600.00)
15	Borehole Abandonment for Vertical Wells	100	LF	100	0	\$ 35.00	-100	\$ (3,500.00)
16	Bonds, Mobilization & Insurance	1	LS	1	1	\$ 85,000.00	0	\$ -
17	5% Contingency Allowance	1	LS	1	0.09	\$ 81,000.00	-1	\$ (73,980.00)
								\$ (91,647.00)

ROBERT N. STANGER, P.E.  
County Engineer



ITEM NO. 1E  
SAM LUCAS  
Engineering Technician II  
WAYNE DUDLEY, CFM  
Engineering Technician I

ENGINEERING DEPARTMENT

Historic Courthouse, 130 Gillespie Street • P.O. Box 1829 • Fayetteville, North Carolina 28302-1829  
Telephone (910) 678-7636 • Fax (910) 678-7635

March 4, 2009

MEMORANDUM

**TO: BOARD OF COUNTY COMMISSIONERS**  
**FROM: ROBERT N. STANGER, COUNTY ENGINEER** *Bob*  
**THROUGH: AMY H. CANNON, ASSISTANT COUNTY MANAGER**  
**SUBJECT: APPROVAL OF CHANGE ORDER #2 - RENTENBACH CONSTRUCTORS**  
**NEW PUBLIC HEALTH CENTER PROJECT**

BACKGROUND

In May, 2008, the Board entered into a contract with Rentenbach Constructors, Inc., in the amount of \$22,190,429 for construction of the New Public Health Center Project. The Board also approved the project budget which included an Owner Construction Contingency of \$537,435. Construction of the new facility is about 50% complete and to date Change Order #1, a credit of \$87,446 has been approved of which a copy is attached for reference.

Attached is Change Order #2 in the amount of \$122,479 for additional work on the New Public Health Center Project. A cost summary sheet is provided in the change order document and includes both additive and deductive work items. The changes can be summarized as follows:

- |   |                 |
|---|-----------------|
| • Replacement of unsuitable soils in various areas.               | ADD \$55,220    |
| • Water and Sewer utility revisions.                              | ADD \$37,211    |
| • Owner requested revisions to Dental Clinic area.                | ADD \$21,345    |
| • Code Compliance revisions.                                      | ADD \$10,413    |
| • Miscellaneous building revisions.                               | ADD \$13,740    |
| • Building and site revisions resulting in a credit to the Owner. | DEDUCT \$15,450 |

With approval of Change Order #2, the net increase in the contract price is \$35,033 which equates to 0.16% of the original contract amount. Sufficient monies are available in the project contingency to fund this change order. The change order document has been reviewed by the County Attorney's Office for legal sufficiency.

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## RECOMMENDATION/PROPOSED ACTION

The recommendation of the County Engineer, the project architect CJM&W, and management is to approve Change Order #2 for Rentenbach Constructors for additional work on the New Public Health Center Project in the amount of \$122,479 and increase the contract sum to \$22,225,462 and approve the attached budget revision.

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

**CHANGE  
ORDER**

AIA DOCUMENT G701-2000



OWNER  
ARCHITECT  
CONTRACTOR  
FIELD  
OTHER

X
X
X

PROJECT: **County of Cumberland Public Health Center** CHANGE ORDER NUMBER: **02**  
(name, address) **1225 Ramsey Street**  
**Fayetteville, NC 28301** DATE: **03/03/09**

ARCHITECT'S PROJECT NO.: **04-0570.5**

TO CONTRACTOR: **Rentenbach Constructors Inc.** CONTRACT DATE: **05/19/2008**  
(name, address) **1102 Grecale Street**  
**Greensboro, NC 27429** CONTRACT FOR: **Construction**

THE CONTRACT IS CHANGED AS FOLLOWS:

As described in Price Change Requests No. 7,9,12,13,18,20,21,22,27,28,29,30,31,32,34,36,37,38,39,41,43,44  
(documentation is attached).

**Not valid until signed by the Owner, Architect and Contractor.**

The original (~~Contract Sum~~) (Guaranteed Maximum Price) was..... \$22,190,429  
Net change by previously authorized Change Orders ..... -\$87,446  
The (~~Contract Sum~~) (Guaranteed Maximum Price) prior to this Change Order was ..... \$22,102,983  
The (~~Contract Sum~~) (Guaranteed Maximum Price) will be (increased) (decreased)  
(~~unchanged~~) by this Change Order in the amount of..... \$122,479  
The new (~~Contract Sum~~) (Guaranteed Maximum Price) including this Change Order will be..... \$22,225,462

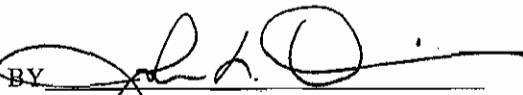

The Contract Time will be (increased) (decreased) (unchanged) by (0) days.  
The date of Substantial Completion as of the date of this Change Order therefore is **November 10, 2009**.

NOTE: This summary does not reflect changes in the Contract Sum, Contract Time or Guaranteed Maximum Price which have been  
authorized by Construction Change Directive.

ARCHITECT  
**Calloway Johnson Moore & West, P.A.**  
**119 Brookstown Ave., Suite 100**  
**Winston-Salem, NC 27101**

CONTRACTOR  
**Rentenbach Constructors Inc.**  
**1102 Grecale Street**  
**Greensboro, NC 27429**

OWNER  
**County of Cumberland**  
**130 Gillespie Street**  
**Fayetteville, NC 28302**

BY   
DATE 

BY \_\_\_\_\_  
DATE \_\_\_\_\_

BY \_\_\_\_\_  
DATE \_\_\_\_\_

**PUBLIC HEALTH CENTER - CHANGE ORDER #2 COST SUMMARY**

PC #	DESCRIPTION	Arch #	Date Initiated	Total
7	Credit Retaining Wall at Generator Area	PR#3	9/2/2008	\$ (2,374)
9	Overexcavation Due to Soil Conditions - Stone/Concrete	--	8/1/2008	\$ 11,708
12	Revision to Water Main Tap Size	--	8/27/2008	\$ 609
13	Mailbox Revisions	RFI #19	8/29/2008	\$ 804
18	Sanitary Sewer Tie-in at Existing Line Revisions	RFI #046	9/2/2008	\$ 26,482
20	Sanitary Sewer at Dumpster Area	RFI#42/CCD#3	8/21/2008	\$ 10,120
21	Revisions per CCD #001	CCD#01	7/18/2008	\$ 714
22	Revisions per CCD #02/#03 - Dental Revisions & Other	CCD#02/#03	8/15/2008	\$ 21,345
27	Add Shaftwall/Dampers @ Mechanical Chase	RFI#62/PR#10	11/20/2008	\$ 7,884
28	Revisions to Water Curtain at Atrium	RFI #054	10/23/2008	\$ 2,529
29	Revisions to Door Hardware Schedule per PR#005	PR#05	11/4/2008	\$ 3,591
30	Revisions to Pharmacy Ballistic Items per PR#006	PR#06	11/14/2008	\$ (8,355)
31	Revision to Mechanical Shaft at Elevators per PR#008	PR #08	12/2/2008	\$ (2,749)
32	Widened Soffit & Revised Shower Layouts	ASI #03	9/23/2008	\$ 1,287
34	Added Soffit at 2nd Floor Atrium Area	ASI #08	11/12/2008	\$ 1,622
36	Unsuitable Soil Replacement at Mechanical Yard	S&ME 12/22	12/22/2008	\$ 6,218
37	Unsuitable Soil Replacement at Loading Dock	S&ME 11/20	11/20/2008	\$ 1,390
38	Unsuitable Soil Replacement at Utility Trenches/P-Lot	S&ME 7/17	7/17/2008	\$ 28,296
39	Unsuitable Soil Replacement at Entrance Canopy	RCI Direction		\$ 7,608
41	Deletion of Light Bollards at Entrance	PR#9	12/4/2008	\$ (1,972)
43	Add to Use Insulation in Exterior HM Doors	ASI #18	1/12/2009	\$ 568
44	Door Hardware Revisions (not including Security)	ASI #18	1/12/2009	\$ 5,154
<b>TOTAL CHANGE ORDER #2</b>				<b>\$ 122,479</b>

**CHANGE  
ORDER**

AIA DOCUMENT G701-2000



OWNER  
ARCHITECT  
CONTRACTOR  
FIELD  
OTHER

X
X

PROJECT: **County of Cumberland Public Health Center** CHANGE ORDER NUMBER: **01**  
(name, address) **1225 Ramsey Street**  
**Fayetteville, NC 28301** DATE: **12/02/2008**

ARCHITECT'S PROJECT NO.: **04-0570.5**

TO CONTRACTOR: **Rentenbach Constructors Inc.** CONTRACT DATE: **05/19/2008**  
(name, address) **1102 Greccade Street**  
**Greensboro, NC 27429** CONTRACT FOR: **Construction**

**THE CONTRACT IS CHANGED AS FOLLOWS:**

As described in Price Change Requests No. 1, 2, 3, 4, 5, 6, 8, 10, 11, 14, 23, 24, 25 (documentation is attached).

**Not valid until signed by the Owner, Architect and Contractor.**

The original (~~Contract Sum~~) (Guaranteed Maximum Price) was..... \$22,190,429  
Net change by previously authorized Change Orders ..... \$0  
The (~~Contract Sum~~) (Guaranteed Maximum Price) prior to this Change Order was ..... \$22,190,429  
The (~~Contract Sum~~) (Guaranteed Maximum Price) will be (~~increased~~) (decreased)  
(~~unchanged~~) by this Change Order in the amount of..... \$87,446  
The new (~~Contract Sum~~) (Guaranteed Maximum Price) including this Change Order will be..... \$22,102,983

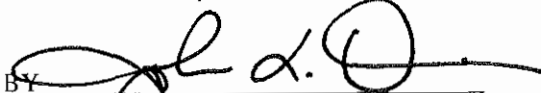
The Contract Time will be (~~increased~~) (~~decreased~~) (unchanged) by (0) days.  
The date of Substantial Completion as of the date of this Change Order therefore is **November 10, 2009**.


NOTE: This summary does not reflect changes in the Contract Sum, Contract Time or Guaranteed Maximum Price which have been authorized by Construction Change Directive.


ARCHITECT  
**Calloway Johnson Moore & West, P.A.**  
**119 Brookstown Ave., Suite 100**  
**Winston-Salem, NC 27101**

CONTRACTOR  
**Rentenbach Constructors Inc.**  
**1102 Greccade Street**  
**Greensboro, NC 27429**

OWNER  
**County of Cumberland**  
**130 Gillespie Street**  
**Fayetteville, NC 28302**

BY   
DATE **12/2/08**

BY   
**DONALD W. FREEMAN, PRESIDENT AND CEO**  
DATE **12/09/08**

BY   
DATE **12-15-08**

The Rentenbach Companies  
Public Health Project  
Cumberland County

Page 1

PC #	DESCRIPTION	Arch #	Date Initiated	Total	Status	CO #	Date Approved
1	Credit for VE to Controls System	--	6/9/2008	\$ (74,214)	Appv'd	1	6/9/2008
2	Credit for PVC UG for Plumbing	--	6/18/2009	\$ (26,133)	Appv'd	1	6/27/2008
3	Credit for Use of MC Cable in Walls & for Lighting Whips	--	9/2/2008	\$ (21,204)	Appv'd	1	9/2/2008
4	Delete 3 Light Poles	RFI #17,25	8/5/2008	\$ (5,092)	Appv'd	1	10/31/2008
5	Power to Pneumatic Tube System	ASI-001	8/12/2008	\$ 1,353	Appv'd	1	10/31/2008
6	Power to Roller Shades	RFI #18	8/1/2008	\$ 1,213	Appv'd	1	10/31/2008
8	Credit for Corrugated Panels Except at Clerestory	CPR#2	8/16/2008	\$ (16,048)	Appv'd	1	10/13/2008
10	Credit for Unsuitable Soil Removal not Required	--	8/16/2008	\$ (121,289)	Appv'd	1	12/1/2008
11	Spray Insulation for Slabs at Uninsulated Panel Areas	--	7/29/2008	\$ 7,145	Appv'd	1	10/13/2008
14	Added Millwork for Sinks at Various Rooms	RFI #35	8/12/2008	\$ 11,657	Appv'd	1	11/11/2008
23	Change Exterior Walls to Mold Tough Drywall	--	10/22/2008	\$ 5,908	Appv'd	1	10/28/2008
24	Light Fixture VE not accepted		11/7/2008	\$ 41,348	Appv'd	1	11/14/2008
25	Change Stained Concrete to Marmoleum	PR#4	10/23/2008	\$ 107,910	Appv'd	1	12/1/2008
	<b>TOTAL AMOUNT OF CHANGE ORDER #1</b>			<b>\$ (87,446)</b>			

**COUNTY OF CUMBERLAND  
BUDGET REVISION REQUEST**

Budget Office Use	
Budget Revision No.	B09-296
Date Received	3/5/2009
Date Completed	

Fund No. 015 Agency No. 431 Organ. No. 431A  
 Organization Name: Health Department Building

**REVENUE**

Revenue Source Code	Description	Current Budget	Increase (Decrease)	Revised Budget
9205	Installment Purchase Proceeds	25,500,000		25,500,000
9110	Transfer from General Fund	1,486,300		1,486,300
Total		26,986,300	0	26,986,300

**EXPENDITURES**

Object Code	Appr Unit	Description	Current Budget	Increase (Decrease)	Revised Budget
3747	HEA	Engineer	1,477,603		1,477,603
347B	HEA	Relocation Expense	170,515		170,515
3480	HEA	Utilities	150,000		150,000
3704	HEA	General Contract	22,190,429	35,033	22,225,462
3714	HEA	Geotechnical Services	140,000		140,000
3119	HEB	Debt Issuance Cost	368,621		368,621
3610	HEC	Capital Outlay - Equipment	1,285,000		1,285,000
383Z	HEC	Technology	1,673,300		1,673,300
3903	HED	Contingency	530,832	(35,033)	495,799
Total			27,986,300	0	27,986,300

**Justification:**

Revision in the amount of \$35,033 to adjust general construction contract for the net changes per Change Order #1 (decrease of \$87,446) and Change Order #2 (increase of \$122,479). This increase to the maximum guaranteed price is being funded from the Owner Construction Contingency.

**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: 3/5/09

Reviewed By: Ameyl Cannon  
 Assistant County Mgr

Date: 3/11/09

<b>Approved By:</b>	
_____	Date: _____
County Manager	
_____	Date: _____
Board of County Commissioners	
_____	Date: _____

JAMES E. MARTIN  
County Manager

JUANITA PILGRIM  
Deputy County Manager



ITEM NO. 1E

AMY H. CANNON  
Assistant County Manager

OFFICE OF THE COUNTY MANAGER

5<sup>th</sup> 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 MARCH 16, 2009**

**TO: BOARD OF COUNTY COMMISSIONERS**

**FROM: AMY H. CANNON, ASSISTANT COUNTY MANAGER**

**DATE: MARCH 9, 2009**

**SUBJECT: APPROVAL OF REQUEST FROM CUMBERLAND COUNTY  
EMERGENCY SERVICES FOR SOLE SOURCE REQUEST TO  
PROVIDE 911 DISPATCH TRAINING, SOFTWARE AND  
MAINTENANCE**

**BACKGROUND**

Cumberland County Emergency Services is seeking approval for Sole Source Exception to Priority Dispatch to provide 911 Dispatch Training services. This request is based on General Statute 143-129(e)(6) when standardization or compatibility is the overriding consideration.

**RECOMMENDATION/PROPOSED ACTION**

County Management and the County Purchasing Department recommend approval for Cumberland County Emergency Services to proceed with the sole source purchase from Priority Dispatch for standardization and compatibility.

/ct  
CM030909-1

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

THELMA S. MATTHEWS  
Purchasing Accounts Manager  
(910) 678-7743



DEBBIE H. MILLER  
Buyer  
(910) 678-7746

FINANCE DEPARTMENT  
PURCHASING DIVISION

4th Floor, Courthouse • P.O. Box 1829 • Fayetteville, North Carolina 28302-1829 • Fax (910) 323-6120

---

## MEMO

**TO:** James E. Martin, County Manager

**From:** Thelma S. Matthews, Purchasing/Accounts Manager *jm*

**Date:** March 3, 2009

**Re:** Sole Source

Attached you will find a request for a sole-source exception for Priority Dispatch from Kenneth Currie, director of Cumberland County Emergency Services. Priority Dispatch is a research and development company contracted to create products for the National Academies of Emergency Dispatch. Priority Dispatch sells software and provides training and certification for its users. This purchase is an update to Cumberland County Emergency Services current NAED program.

I request Priority Dispatch be on the next County Commissioners agenda for approval of sole source exception (GS 143-129(e)(6) when standardization or compatibility is the overriding consideration.

Thank you.

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





**COUNTY OF CUMBERLAND**  
**EMERGENCY SERVICES DEPARTMENT**  
P.O. DRAWER 1829 FAYETTEVILLE, NORTH CAROLINA  
Phone (910) 678-7688 Fax (910) 677-5552  
-----y-----

March 2, 2009

Memorandum

TO: James Martin, County Manager  
THRU:  Thelma Matthews, Purchasing  
FROM:  Kenneth Currie, Director Emergency Services  
SUBJECT: Sole Source

Pursuant to NC G.S. 143.129(e)(6), when standardization or compatibility is the overriding consideration, in regard to sole source, this letter is to request Priority Dispatch as our sole provider. Priority Dispatch is the service provider for Cumberland County 911 Dispatch training. It is the only Nationally and Internationally accepted protocol. We are in an Accredited Certification of Excellence Program thru the National Academy of Emergency Dispatch (NAED). This purchase is an update to our current NAED program.

The services will include training, related software and materials, and the cost for maintenance and repair of the equipment. This training, materials and equipment will be used to update current 911-dispatch personnel and personnel transferred from the Sheriff's office.

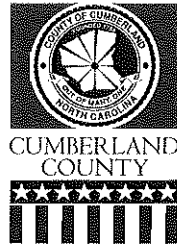
Budget revisions (#B09-242/ 275) in the amount of \$146,391 have been approved in the FY-2009 budget to cover the cost of services.

For further information about this purchase, contact Kenny Currie at 678-7688.

Attachment

/gs





ITEM NO. 16

**OFFICE OF THE COUNTY ATTORNEY**

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

March 10, 2009

**MEMORANDUM FOR BOARD OF COMMISSIONERS' MARCH 16 2009 AGENDA**

TO: BOARD OF COUNTY COMMISSIONERS

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

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

SUBJECT: DECISION REGARDING TRANSFER OF SURPLUS PROPERTY IN WHOLE TO FORMER OWNER OR IN PART TO CITY OF FAYETTEVILLE FOR HOPE VI PROJECT.

**BACKGROUND:**

The County owns, via tax foreclosure on October 30, 2008, five parcels of property formerly belonging to National Advancement Community Development Corporation., Tyrone A. Williams, President. Four of the properties are located within the Hope VI Project area on Carbonton Street and one is located off Ramsey Street on Wall Street.

On December 30, 2008 the County Legal Department, per the surplus land policy, sent to all County Departments and the City of Fayetteville an inquiry as to whether any of the Departments or the City had a use for the property. On January 6, 2009 the City of Fayetteville stated its interest in purchasing the four properties located on Carbonton Street for inclusion in its Hope VI project. On January 26, 2009 Legal received a call from Mr. Williams stating that he wanted to redeem all five properties but he did not have all the funds on hand and he requested and was given until February 3, 2009 to redeem the properties. On February 16<sup>th</sup> the City's real estate officer inquired as to whether the property had been redeemed and again expressed that the City was ready, willing and able to purchase the property for the \$14,280.76 at which the four properties the City desires had been bid by the County. On March 4, 2009, over a month after the deadline he requested, Mr. Williams arrived with the monies, \$17,808.47, needed to redeem all five properties.

The cost to redeem 504, 510, 512 & 514 Carbonton Street is \$14,280.76, 203 Wall Street is \$3,527.71 and all five parcels \$17,808.47.

*Celebrating Our Past... Embracing Our Future*

**RECOMMENDATION / PROPOSED ACTION:**

**There appear to be four possible actions the Board may wish to consider:**

1. Approve conveyance of parcels listed at 504, 510, 512, & 514 Carbonton Street to the City of Fayetteville for the Hope VI Project for the sum of \$14,280.76, allow Mr. Williams to redeem the remaining property at 203 Wall Street for the sum of \$3,527.71 and authorize the Chairman and Clerk to execute a deed conveying those properties
2. Approve conveyance of the five parcels to Tyrone A. Williams for the sum of \$17,808.47 and authorize the Chairman and Clerk to execute a deed conveying the properties.
3. Approve a conveyance to the City with a stipulation that the City purchase all five parcels for the sum of \$17,808.47 and if the City so agrees the Chairman and Clerk are authorized to execute a deed conveying the properties.
4. Approve a conveyance of the parcels listed at 504, 510, 512, & 514 Carbonton Street to the City of Fayetteville for the Hope VI Project for the sum of \$14,280.76 and retain the property at 203 Wall Street as County surplus property.



## Real Estate Division

### MEMORANDUM

**TO:** Harvey W. Raynor, III, Deputy County Attorney

**FROM:** Cindy Preas, Real Estate Manager

**CC:** Karen M. McDonald, City Attorney  
Victor Sharp, Director Community Development  
Dawn Driggers, Director Fayetteville Municipal Housing Authority

**SUBJECT:** Acquisition of surplus properties

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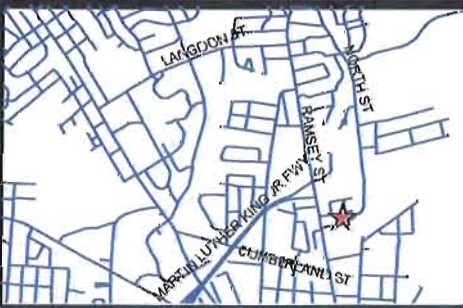
To confirm my telephone conversation and email of January 6, 2009, the City desires to purchase the following properties:

1. 0437-81-3044 504 Carbonton St
2. 0437-80-5929 512 Carbonton St.
3. 0437-80-4979 510 Carbonton St.
4. 0437-80-5998 514 Carbonton St.

Said properties more particularly identified as Items 1, B, C, D and E on Memorandum dated December 30, 2008 and attached. The City further agrees to purchase the properties for a price of \$14,330.76.

The above referenced properties are located within the Hope VI project area and are part of the redevelopment plans.





# Site Map

203 WALL ST  
CROSS CREEK TOWNSHIP

50 0 50 100 Feet



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





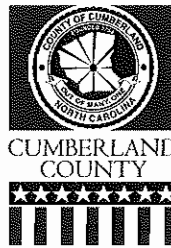
## Site Map

504, 510, 512 & 514 CARBONTON ST  
CROSS CREEK TOWNSHIP

75 0 75 Feet



THE COUNTY OF CUMBERLAND ASSUMES NO  
RESPONSIBILITY OR LIABILITY FOR THE  
ACCURACY OR INACCURACY OF THE  
INFORMATION OR APPLICATIONS OF THIS  
PRODUCT OR WITH THE USE.



ITEM NO. 1H

OFFICE OF THE COUNTY ATTORNEY

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

March 3, 2009

**MEMORANDUM FOR BOARD OF COMMISSIONERS' MARCH 16, 2009 AGENDA:**

TO: BOARD OF COMMISSIONERS  
FROM: GRAINGER R. BARRETT, COUNTY ATTORNEY *GRB*  
SUBJECT: APPROVAL OF SALE OF SURPLUS-COUNTY OWNED REAL  
PROPERTY ACQUIRED BY TAX FORECLOSURE

DUP 316-318 RHEW ST LT 56 ANNEX 3 BONNIE DOONE 2775-9  
(LOCATED ON RHEW ST OFF MIKE ST)  
PIN 0418-87-7859; SEVENTY-FIRST TOWNSHIP

**BACKGROUND:** On or about June 5, 2008 the County acquired by tax foreclosure the above property. The amount currently owed on the foreclosure judgment including interest and cost for the property is \$4,385.23.

Samuel R. Council was the last and highest bidder offering to purchase the County's interest in the property for **\$6,600.00** and has deposited \$660.00 in the Finance Office. The tax value of the property is \$21,011.00.

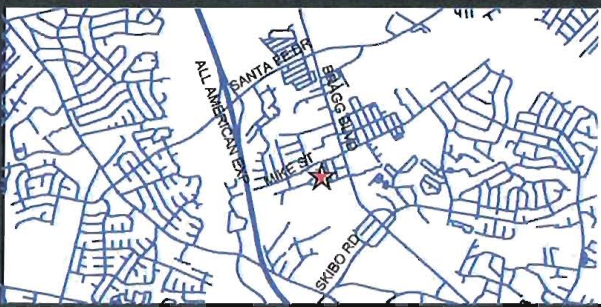
This property is surplus to the needs of the County and, according to N.C.G.S. 153A-176 and N.C.G.S. 105-376, the County has the authority to sell such property. Management has reviewed this offer and it is now being submitted for the Board to consider whether or not to accept Mr. Council's bid. The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

**RECOMMENDATION AND PROPOSED ACTION:** That the Board of Commissioners consider whether to accept the offer of Samuel R. Council to purchase the above property for the sum of **\$6,600.00**, plus costs, and authorize the Chairman to execute a deed upon receipt of the balance of the purchase price.

GRB/hnw  
Attachment

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Site Map



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



COUNTY OF CUMBERLAND

NORTH CAROLINA

**PROCLAMATION**

**WHEREAS**, thousands of brave Americans have demonstrated their courage and commitment to freedom by serving the armed forces of the United States of America in active duty posts in Afghanistan, Iraq and around the world; and,

**WHEREAS**, more than 40 percent of these military service members have left families with children behind; and,

**WHEREAS**, more than one million of America's children have at least one parent currently serving active military duty; and,

**WHEREAS**, these children are a source of pride and honor to us all, and it is our duty to take time to recognize their contributions, celebrate their spirit, and let our men and women in uniform know that while they're taking care of us, we're taking care of their children; and,

**WHEREAS**, the recognition of the "**Month of the Military Child**" will allow us to pay tribute to military children for their commitment, their struggles and their unconditional support of our troops, because when parents serve in the military, their Kids Serve Too; and,

**WHEREAS**, a month-long salute to military children will encourage support for "Kids Serve Too" and other organizations and campaigns established to provide direct support to military children and families; and

**NOW, THEREFORE, BE IT RESOLVED** that the Cumberland County Board of Commissioners hereby **PROCLAIMS** April 2009, as **The Month of the Military Child in Cumberland County** and encourages all citizens to observe the month with appropriate ceremonies and activities that honor, support and thank military children.

Adopted this 16<sup>th</sup> day of March, 2009.

---

Jeannette Council, Chairman  
Cumberland County Board of Commissioners

COUNTY OF CUMBERLAND

NORTH CAROLINA

## PROCLAMATION

WHEREAS, traditionally April is Child Abuse Awareness & Prevention Month and is recognized by the citizens of Cumberland County; and

WHEREAS, incidents of child abuse affect communities across this state and nation; and

WHEREAS, the Cumberland County Board of Commissioners recognizes that the abuse and neglect of our children have a lasting effect on the children and the families involved, as well as the community; and

WHEREAS, it is critical that government and its citizens do as much as possible to prevent child abuse and promote awareness within the community; and

NOW, THEREFORE the Board of Commissioners of Cumberland County PROCLAIMS the month of April, 2009 CHILD ABUSE AWARENESS & PREVENTION MONTH and urges all citizens to help "Break the Chain of Child Abuse" across this nation.

---

Jeannette M. Council, Chairman

**COUNTY OF CUMBERLAND  
BUDGET REVISION REQUEST**

Budget Office Use	
Budget Revision No.	B09-295/295A
Date Received	3/3/2009
Date Completed	

Fund No. 101 Agency No. 410 Organ. No. 4125

Organization Name: Elections/General Government Other

ITEM NO. 1K(1)

**REVENUE**

Revenue Source Code	Description	Current Budget	Increase (Decrease)	Revised Budget
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**EXPENDITURES**

Object Code	Appr Unit	Description	Current Budget	Increase (Decrease)	Revised Budget
2992	013	Miscellaneous Departmental Supplies	90,000	7,000	97,000
3390	013	Contracted Services	20,000	16,250	36,250
3420	013	Insurance and Bonds	0	570	570
3445	013	Telephone	1,500	500	2,000
3450	013	Copier Charges	1,500	600	2,100
3470	013	Travel	3,000	1,300	4,300
3474	013	Training	6,000	200	6,200
101-412-4195 General Government Other B09-295A					
3903	088	Contingency		(26,420)	
Total			122,000	-	122,000

**Justification:**

Revision in the amount of \$26,420 to reallocate budgeted expenditures to cover unanticipated expenditures for the Board of Elections.

**Funding Source:**

State: \_\_\_\_\_  
Other: \_\_\_\_\_

Federal: \_\_\_\_\_  
Fees: \_\_\_\_\_

**Fund Balance:**

County: \_\_\_\_\_ New: \_\_\_\_\_  
Prior Year: \_\_\_\_\_

Other: \_\_\_\_\_

Submitted By: \_\_\_\_\_

Date: \_\_\_\_\_

*Went* Department Head

Reviewed By: *Kelly Autry*

Date: *3/3/09*

*Amber Cannon* Finance

Reviewed By: *Amber Cannon*

Date: *3/11/09*

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>B09.300</u>
Date Received	<u>3-09-09</u>
Date Completed	

Fund No. 112 Agency No. 43B Organ. No. 4348  
 Organization Name: MH Substance Abuse Contracts

ITEM NO. 1K(2)

**REVENUE**

Revenue Source Code	Description	Current Budget	Increase (Decrease)	Revised Budget
4251	NC Child Substance Abuse	199,180	25,000	224,180
Total		199,180	25,000	224,180

**EXPENDITURES**

Object Code	Appr Unit	Description	Current Budget	Increase (Decrease)	Revised Budget
3360	458	Other Services	720,146	25,000	745,146
Total			720,146	25,000	745,146

**Justification:**

Received additional funds for the Reclaiming Futures Initiative.

**Funding Source:**

State: \_\_\_\_\_ Federal: \_\_\_\_\_ County: \_\_\_\_\_ New: \_\_\_\_\_ Other: \_\_\_\_\_  
 Other: \_\_\_\_\_ Fees: \_\_\_\_\_ Prior Year: \_\_\_\_\_

**Fund Balance:**

Submitted By: [Signature]  
 Department Head

Date: 3/4/09

Reviewed By: [Signature]  
 Budget Analyst

Date: 3-9-09

Reviewed By: [Signature]  
 Deputy Assistant County Mgr

Date: 3/11/09

Reviewed By: \_\_\_\_\_  
 Information Services

Date: \_\_\_\_\_

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

**COUNTY OF CUMBERLAND  
BUDGET REVISION REQUEST**

Budget Office Use	
Budget Revision No.	<u>809.299</u>
Date Received	<u>3-9-09</u>
Date Completed	

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

ITEM NO. 1K(3)

**REVENUE**

Revenue Source Code	Description	Current Budget	Increase (Decrease)	Revised	Budget
9901	Fund Balance Appropriated	373,950	6,500		380,450
Total		373,950	6,500		380,450

**EXPENDITURES**

Object Code	Appr Unit	Description	Current Budget	Increase (Decrease)	Revised	Budget
3154	<u>412</u>	Consultant	0	6,500		6,500
Total			0	6,500		6,500

**Justification:**

Engineering Consultant fees to evaluate the cost to upgrade 911 electrical and mechanical capabilities.

Funding Source: State: \_\_\_\_\_ Federal: \_\_\_\_\_ Fund Balance: County: \_\_\_\_\_ New: \_\_\_\_\_ Other: \_\_\_\_\_  
 Other: \_\_\_\_\_ Fees: \_\_\_\_\_ Prior Year: 6,500

Submitted By: [Signature] Date: 3/6/09  
 Department Head  
 Reviewed By: [Signature] Date: 3-9-09  
 Finance  
 Reviewed By: [Signature] Date: 3/11/09  
 Deputy/Assistant County Mgr

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

**COUNTY OF CUMBERLAND  
BUDGET REVISION REQUEST**

**Budget Office Use**

Budget Revision No. B09-297

Date Received 3/9/2009

Date Completed \_\_\_\_\_

Fund No. 012 Agency No. 450 Organ. No. 450C

Organization Name: Eastover Sanitary District Sewer Project

ITEM NO. 1 K(4)

**REVENUE**

Revenue Source Code	Description	Current Budget	Increase (Decrease)	Revised Budget
4513	NC Clean Water Mgmt Trust Fund Grant	1,442,869	0	1,442,869
453E	NC Rural Center Grant	2,525,286	0	2,525,286
4678	Facility Investment Fee	350,000	0	350,000
4679	Community Development Co-Sponsor	300,000	0	300,000
6681	Tap Fees	34,500	0	34,500
9134	Transfer (Loan) from County Water & Sewer	250,000	0	250,000
Total		4,902,655	0	4,902,655

**EXPENDITURES**

Object Code	Appr Unit	Description	Current Budget	Increase (Decrease)	Revised Budget
3110	MBA	Legal	3,865	0	3,865
3419	MBI	Miscellaneous	62,454	0	62,454
3630	MBB	Capital Outlay Land	4,500	0	4,500
3717	MBC	Capacity Fee	224,200	0	224,200
3747	MBD	Engineering	359,693	20,000	379,693
3757	MBE	Facility Investment Fee	350,000	0	350,000
3791	MBF	Construction	3,800,093	0	3,800,093
389F	MBJ	Transfer to Fund 252 (Reimburse EAM)	49,850	0	49,850
3903	MBG	Contingency	48,000	(20,000)	28,000
Total			4,902,655	-	4,902,655

**Justification:**

Revision to move \$20,000 of unused contingency to the Engineering expense line to fund Change Order #09-01.

**Funding Source:**

State: \_\_\_\_\_  
Other: \_\_\_\_\_

Federal: \_\_\_\_\_  
Fees: \_\_\_\_\_

**Fund Balance:**

County: \_\_\_\_\_ New: \_\_\_\_\_  
Prior Year: \_\_\_\_\_

Other: \_\_\_\_\_

Submitted By: \_\_\_\_\_

Department Head

Reviewed By: Bob Tucker

Finance Department

Reviewed By: Ameyn Cannon

Assistant County Mgr

Date: \_\_\_\_\_

Date: 3/9/09

Date: 3/11/09

Approved By: \_\_\_\_\_

Date: \_\_\_\_\_

County Manager

Board of County  
Commissioners

Date: \_\_\_\_\_

**COUNTY OF CUMBERLAND  
BUDGET REVISION REQUEST**

Budget Office Use	
Budget Revision No.	<u>809.301</u>
Date Received	<u>3-9-09</u>
Date Completed	

Fund No. 101 Agency No. 431 Organ. No. 4318

Organization Name: HEALTH PROMOTION

ITEM NO. 1K(5)a

**REVENUE**

Revenue Source Code	Description	Current Budget	Increase (Decrease)	Revised Budget
4627	SISTA GRANT	0	1,661	1,661
		-	1,661	1,661

**EXPENDITURES**

Object Code	Appr Unit	Description	Current Budget	Increase (Decrease)	Revised Budget
4127	188	SISTA GRANT	0	1,661	1,661
Total			-	1,661	1,661

**Justification:**

THIS BUDGET REVISION REQUESTS TO BUDGET FOR GRANT FUNDING THAT THE HEALTH DEPARTMENT HAS BEEN NOTIFIED THAT IT HAS BEEN AWARDED.

State: \_\_\_\_\_ Federal: \_\_\_\_\_ Fund Balance: \_\_\_\_\_ County: \_\_\_\_\_ New: \_\_\_\_\_ Other: 1,661  
Other: \_\_\_\_\_ Fees: \_\_\_\_\_ Prior Year: \_\_\_\_\_

Submitted By: Jane B. Stewers 3-4-09 Date: \_\_\_\_\_  
Department Head  
Reviewed By: Kelly Clutry 3.9.09 Date: \_\_\_\_\_  
Finance Department  
Reviewed By: Amy N. Cannon 3/11/09 Date: \_\_\_\_\_  
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>809.293</u>
Date Received	<u>2-26-09</u>
Date Completed	

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

Organization Name: FAMILY PLANNING CLINIC

ITEM NO. 1K(5)b

**REVENUE**

Revenue Source Code	Description	Current Budget	Increase (Decrease)	Revised Budget
4145	N.C. FAMILY PLANNING	445,059	50,000	495,059
		445,059	50,000	495,059

**EXPENDITURES**

Object Code	Appr Unit	Description	Current Budget	Increase (Decrease)	Revised Budget
2381	225	DRUGS	45,255	18,904	64,159
<del>2393</del>	225	EDUCATIONAL SUPPLIES	0	3,000	3,000
2379	225	INCENTIVES	0	5,000	5,000
2992	225	DEPARTMENT SUPPLIES	32,000	5,000	37,000
299A	225	COMPUTER HARDWARE	0	4,000	4,000
3390	225	CONTRACTED SERVICES	63,600	461	64,061
3401	225	ADVERTISING	0	7,000	7,000
3419	225	MISCELLANEOUS EXPENSES	0	6,135	6,135
3455	225	PRINTING	500	500	1,000
Total			141,355	50,000	191,355

**Justification:**

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

State: 50,000 Federal: \_\_\_\_\_ Fund Balance: \_\_\_\_\_ County: \_\_\_\_\_ New: \_\_\_\_\_ Other: \_\_\_\_\_  
Other: \_\_\_\_\_ Fees: \_\_\_\_\_ Prior Year: \_\_\_\_\_

Submitted By: Tara B. Stewers 2-24-09 Date: \_\_\_\_\_  
Department Head  
Reviewed By: Kelly Cutrup 2-26-09 Date: \_\_\_\_\_  
Finance Department  
Reviewed By: Amey Cannon 3/11/09 Date: \_\_\_\_\_  
Deputy Assistant County Mgr

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



Budget Office Use	
Budget Revision No.	B09-302
Date Received	
Date Completed	

ITEM NO. 1 K(6)

EXPENDITURES					
Object Code	Appr Unit	Description	Current Budget	Increase (Decrease)	Revised Budget
299A	126	Computer Hardware	40,559	10,462	51,021
2994	126	Misc Furn & Equip	350,738	15,000	365,738
2995	126	Software	26,800	15,130	41,930
3430	126	Maint/Repair Buildings	0	2,000	2,000
3445	126	Telephone	7,560	1,440	9,000
		Total	425,657	44,032	469,689

**Funding Source:** State: 33,024 Federal: \_\_\_\_\_ County: New: 11,008 Other: \_\_\_\_\_  
Other: \_\_\_\_\_ Fees: \_\_\_\_\_ Prior Year: \_\_\_\_\_

**Approved By:**

\_\_\_\_\_ **Date:** \_\_\_\_\_

**County Manager**

**Board of County**  
**Commissioners** **Date:** \_\_\_\_\_

Donovan McLaurin,  
Chair  
Wade, Falcon & Godwin

Lori Epler,  
Vice-Chair  
Cumberland County

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



## COUNTY of CUMBERLAND

### *Planning and Inspections Department*

Thomas J. Lloyd,  
Director

Cecil P. Combs,  
Deputy Director

Walter Clark,  
Roy Turner,  
Sara E. Piland,  
Cumberland County

Benny Pearce,  
Town of Eastover

MARCH 6, 2009

ITEM NO. 2A

MEMO TO: Cumberland County Board of Commissioners

FROM: Cumberland County Joint Planning Board

SUBJECT: **Case P08-63:** Rezoning of 2.71+/- acres from R30 Residential to R30A Residential or to a more restrictive zoning district located at 1188 Cypress Lakes Road, submitted by J. Thomas Neville, Esquire, owned by John Lee McArthur, Jr.

ACTION: Members present at the December 16, 2008 meeting voted unanimously to recommend denial of R30A Residential district.

BOC ACTION: Deferred from the February 17, 2009 BOC meeting.

**SITE INFORMATION:** **Frontage & Location:** 410.00'+/- on SR 2239 (Cypress Lakes Road); **Depth:** 435.00'+/-; **Jurisdiction:** Cumberland County; **Adjacent Property:** No; **Current Use:** Residential; **Initial Zoning:** A1 – June 25, 1980 (Area 13); rezoned to R30 on August 20, 2007; **Nonconformities:** Yes, existing manufactured home on subject property is nonconforming; **Zoning Violation(s):** None; **Surrounding Zoning:** North: A1, R40, RR & M(P); East: A1, R40 & R10; South: R10/CU (Cypress Lakes Mixed Use); West: A1 & R10; **Surrounding Land Use:** residential (including manufactured home); **2010 Land Use Plan:** Low density residential; **Special Flood Hazard Area (SFHA):** None; **Water/Sewer Availability:** PWC/PWC; sewer is located approximately 200 feet south of subject property, extension required; **Soil Limitations:** None; **School Capacity/Enrolled:** Gallberry Farm Elementary: 900/1096; Gray's Creek Middle: 495/622; Gray's Creek High: 1270/1159; **Subdivision/Site Plan:** A subdivision or a group development review will be required prior to any permits being issued; **Sewer Service Area:** Yes; **Average Daily Traffic Count (2006):** 1,700 on SR 2239 (Cypress Lakes Road); **Highway Plan:** There are no road improvements/constructions specified for this area. This case has no impact on the current Highway Plan or Transportation Improvement Program; **Density:** R30/R30A – 3 lots/4 units.

#### MINUTES OF DECEMBER 16, 2008

Mr. Lloyd reviewed the site information and stated the staff recommends approval of R30A Residential district based on the following:

1. The request is consistent with the 2010 Land Use Plan, which calls for low density residential at this location;
2. The request is consistent with the land uses currently allowed within the general area; and
3. Public utilities are available to the site.

There was one person to speak in favor and five people to speak in opposition.

Mr. Thomas Neville spoke in favor. Mr. Neville stated that he appreciated the opportunity to speak before the Board. Mr. Neville stated that prior to coming to the meeting he drove through the area and saw what was consistent with the different zoning areas, in that there are a variety of houses in the area. There are some houses whose values are in excess of three hundred thousand dollars; there are also a lot of smaller houses on this very road. As you pull onto Cypress Lakes Road, one of the first things you see on the left is what is commonly referred to as a Jim Walters home, if you look to the right pretty soon you will see what was originally a mobile home that was later bricked up on the sides, if you continue further down you will see my client's house which is a Class A manufactured home, if you go a little bit further you will see a true mobile home from some years ago still there, and intermingled within all of this you will see a number of very nice homes that appear to be well over a quarter million dollars. There's a little bit of everything out there, there are areas that were predominately agricultural. You take the good with the bad, of course the good and bad is not always defined by the same people and the definition is not always the same. What you do find is a consistent feeling or theory that one has a right to do with his property what he desires to do, as long as it is consistent with the area and it is not a detriment to his neighbors. What we propose to do is not a detriment to this area and it is consistent with the area and we believe it should be approved. Mr. Neville read the definition of a manufactured home to the Board. Mr. Neville stated that the reason he was reading this is because if you go through the area you see the smaller homes with small roof pitches and the Class A manufactured homes that are out there today, most couldn't tell the difference between these older homes, what was built in the forties, versus what you see in Class A manufactured homes today. Mr. Neville presented a use matrix which tells the permitted uses in a certain zoning classification. The only distinction Mr. Neville found between R30 and R30A is the Class A manufactured home. Mr. Neville stated that the essential issue before the Board is the Class A manufactured distinction. Mr. Neville stated that his client does not intend to just throw up two additional manufactured homes; he intends to do landscaping. Mr. Neville pointed out that the property is very well maintained and has nice landscaping and it is the intention to do the same with the additional homes he plans to add. Mr. Neville restated that the intended use is not a detriment to the neighborhood and it also serves a use that is needed, not everyone can afford to live in a home that is a quarter million dollars or more. There is a need for housing for everyone and that has been brought to light in the current economy.

Vice-Chair Epler asked Mr. Neville how long his client owned the property.

Mr. Neville stated that he would have to ask his client.

Vice-Chair Epler stated that the subject property was rezoned from A1 to R30 in August of 2007. Vice-Chair Epler asked if the owner requested that rezoning.

Mr. Neville stated that his client did request the rezoning.

Vice-Chair Epler asked if the manufactured home was on the property then and if it was conforming when the home was put there.

Mr. Lloyd stated that if the property is subdivided sewer will have to be extended.

Mr. Joseph Christopher spoke in opposition. Mr. Christopher stated that he was opposed to the rezoning to R30A because it is not consistent with the surrounding areas. Mr. McArthur had the property rezoned in August of last year, he agreed to R30 zoning and said he would place three stick built homes on this property. By allowing Mr. McArthur to rezone this property, the Board will allow him to place three manufactured homes there. In accordance with the zoning ordinance, page 18, a manufactured home park is defined as a multi-family development on any site or track of land with two spaces intended to be occupied by manufactured home regardless of whether a charge is made for such services, so we will in fact have a mobile home park there. The district that surrounds Mr. McArthur's property is R40 across the street, R10 to the rear, and A1 to the

left and right. There are no manufactured homes in the immediate area, except for Mr. McArthur's. The manufactured home that the attorney referred to is bricked in and is not classified as a manufactured home according to public records. The pitch of the roof is normal, the eaves are approximately twelve inches, and the electrical connection is consistent with a stick built home. The public record search showed that Mr. McArthur owns approximately four parcels of land and eleven manufactured homes, of which two are located in the Hellandale Mobile Home Park in Hope Mills. Mr. Christopher stated that if the rezoning is approved, Mr. McArthur will put trailers on the property.

Ms. Gizelle Rodriguez spoke in opposition. Ms. Rodriguez stated that she is opposed to the rezoning because she feels it will decrease the value of her property.

Mr. Brian T. Schneider spoke in opposition. Mr. Schneider stated that he is opposed to the rezoning because he feels Mr. McArthur will place manufactured homes on the subject property which will decrease his property values.

Ms. Kathleen Palmer spoke in opposition. Ms. Palmer stated that she and her husband will have owned their house for three years, and will probably have to move if a manufactured home park is behind their property and visible from the property. Ms. Palmer stated that she is certain that this will decrease her property values.

Mr. Harry Whisnant spoke in opposition. Mr. Whisnant stated he was in the area when there was nothing out there. It was a shock to see the mobile home across the street. Since it is already zoned R30, it should stay that way. If Mr. McArthur is going to sell the property, he should sell it as it is.

Mr. Neville spoke in rebuttal. Mr. Neville stated that under the guidelines the home his client is going to place on the property is a Class A manufactured home; it's not a mobile home or a trailer. There are specific guidelines and facts that distinguish the two. Class A manufactured does not fit under the parameters of a mobile home. There are mobile homes and Jim Walter homes on the same road that predate his client's house. The bottom line is when you move to a rural area in the country you have to accept what's there. Mr. Neville stated that his client has a right to improve his property, if his improvements are not consistent with the neighborhood that's one thing, but what he is proposing is consistent with the neighborhood. The issue isn't density, we're already at R30 the issue here is solely Class A manufactured homes.

Mr. Lloyd stated that a manufactured home park is not allowed in R30 or R30A and a manufactured home park would be three or more spaces on the same lot. The applicant did rezone one year ago and was asked if he knew what that meant and he stated yes and still agreed.

Vice-Chair Epler asked Mr. Neville if his client understood a year ago and agreed to R30, and if he has changed his mind.

Mr. Neville stated that his client agreed to R30 and a year later he is before you again saying this is what he would like to do with his property and asking that the Board rule on it again. What is important is that his Class A manufactured home was there in 1992; three trailers aren't being added, at the most two are being added and it is consistent with the area.

Mrs. Piland asked Mr. Neville what has changed now that would warrant rezoning to R30A in that area.

Mr. Neville stated that he wasn't here a year ago, so he isn't aware of what has changed.

Mr. Barrett rephrased the question for Mr. Neville "Are you aware of any change in circumstances in the area since the rezoning in 2007 that would require rezoning now?"

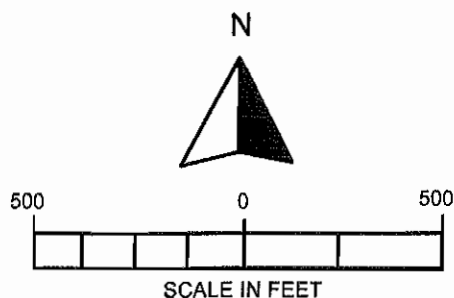
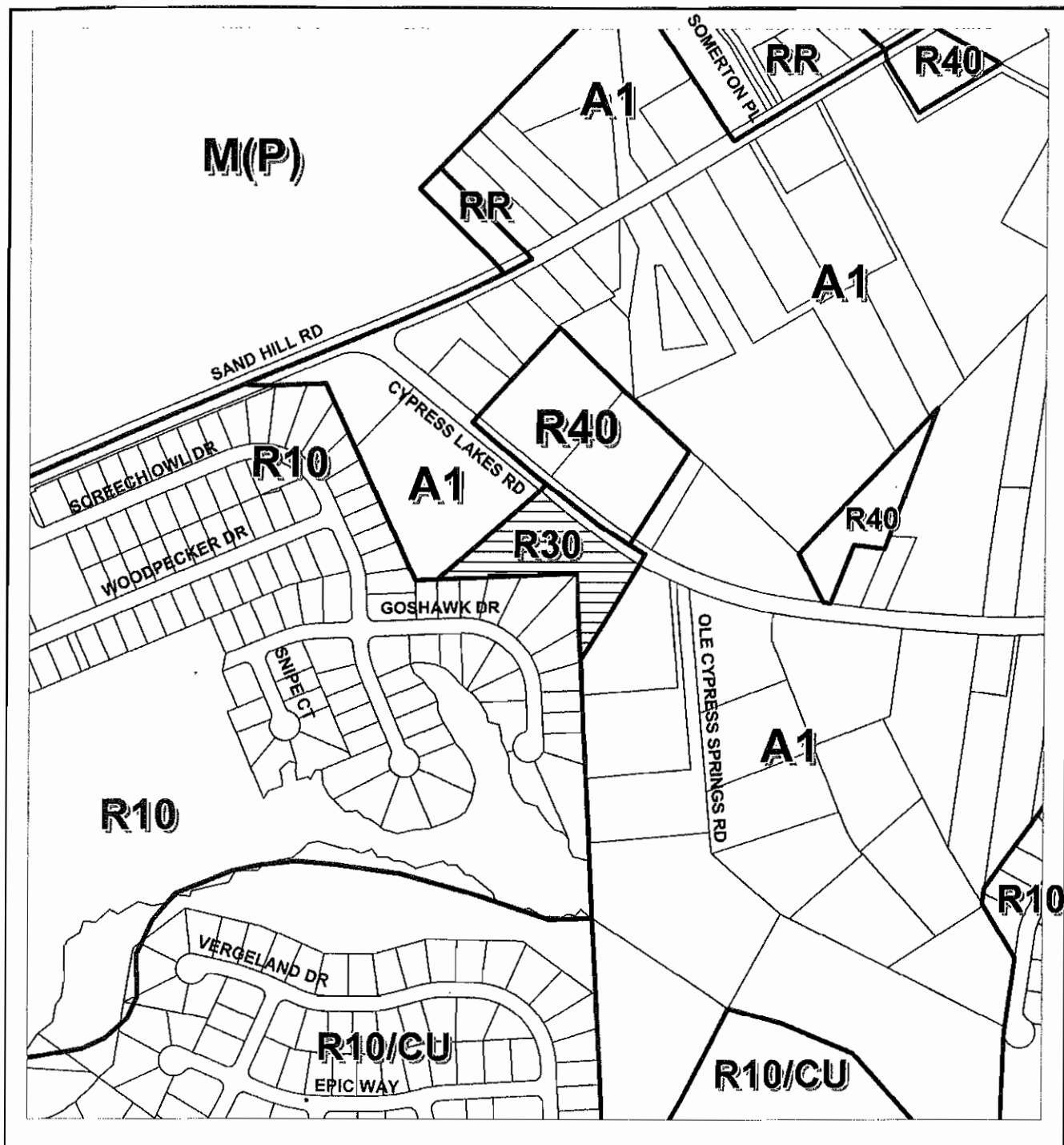
Mr. Neville stated that someone else could answer that better than he could. The only thing that appears is what he refers to as the Jim Walters home.

Public Hearing closed.

Vice-Chair Epler stated that she understands the feelings of the people in the area, they have stick built homes, they're in a neighborhood, and they don't want a trailer park behind their house. But this isn't a trailer park that we are talking about, these are Class A manufactured homes, there was a Class A manufactured home on the subject property when they purchased their property and adding two more. We can't make the determination that it will lower their property values, they are in a different neighborhood and there is a different entrance to their homes, but I understand where they are coming from. They have an investment there and they want to protect it. The one thing that bothers me is that the applicant knew a year ago that he would not be allowed to keep a Class A manufactured home on that property if he agreed to R30, he could keep it but he couldn't add any additional homes. If anything happened to that Class A manufactured home he could not replace it with another manufactured home. He would have been better off at that time if he wanted to have his house conforming, to have left it A1. I can't speak for him, but in our experience, the different stance of our economy today has maybe precipitated him coming back and asking for rezoning. I certainly have sympathy for that, we have all felt it, but he made this decision a year and a half ago and I can't support rezoning to R30A.

Chair McLaurin stated that there was no case of "trailer hate" going on. Chair McLaurin stated that he himself had lived in trailers before. Where a person lives or the type of dwelling a person lives in has very little to do with the caliber of the person, as far as his experience goes. We have zoning and at the front of the ordinance it states that the ordinance is to provide for the public health, safety, and general welfare. Part of general welfare is financial welfare. Many years ago Mr. Al Prewitt went and started developing the Cypress Lakes area and looking at the things the way he did, he didn't worry about zoning, he was trying to have a golf and horse community, he was an avid horseman. He wanted everyone to have nice lots and he had a place out there where they could have horses. There are mobile homes and double wide trailers there now. But the general trend and the trend of the zoning in that area are stick built type houses. When everybody in this subdivision bought, this neighborhood was zoned R10 which led them to believe they would have a certain amount of protection from the general public. They relied on that as far as the type of construction that would be around them when they made their financial investment for part of their general welfare. People have moved into that area and they have moved in behind Mr. McArthur and as they moved in behind him, many of them military families, who made their investments, they looked over and saw R30 and they depended on this general public that designated this R30 for their financial protection while they are protecting us. As far as the Jim Walter type home that has been referred to, if somebody is going to live in it or keep living in it they had better be ready to spend a lot of money, because it's looking very dated out there. The general trend of this area is towards R10 and stick built homes. That's what people are depending on when they move out there, that the trend is stick built homes, they are looking for their investments to be protected. We keep hearing on the news that the value of homes is going down, and I don't think that we need to do anything that will disturb the general financial welfare of the people as it is now.

**Mr. Clark made a motion, seconded by Vice-Chair Epler to deny the request for R30A rezoning. Unanimous approval**



PIN: 0432-19-5807

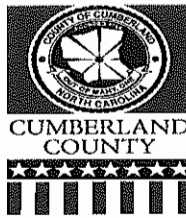
## REQUESTED REZONING R30 TO R30A

ACREAGE: 2.71 AC.+/-		HEARING NO: P08-63	
ORDINANCE: COUNTY		HEARING DATE	ACTION
STAFF RECOMMENDATION			
PLANNING BOARD			
GOVERNING BOARD			

Donovan McLaurin,  
Chair  
Wade, Falcon & Godwin

Lori Epler,  
Vice-Chair  
Cumberland County

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



**COUNTY of CUMBERLAND**  
*Planning and Inspections Department*

Thomas J. Lloyd,  
Director

Cecil P. Combs,  
Deputy Director

Walter Clark,  
Roy Turner,  
Sara E. Piland,  
Cumberland County

Benny Pearce,  
Town of Eastover

MARCH 6, 2009

ITEM NO. 2B

MEMO TO: Cumberland County Board of Commissioners

FROM: Cumberland County Joint Planning Board

SUBJECT: **P09-05:** Amendment to the County Zoning Ordinance, creating standards for County-operated convenience container and recycling facilities by amending Article II Interpretations, Calculations, and Definitions, Section 203 Definitions of Specific Terms and Words; Article IV Permitted, Conditional, and Special Uses, Section 403 Use Matrix; Article IX Individual Uses, creating Section 905.1, entitled: Convenience Container and Recycling Facility; and updating the Table of Contents as appropriate.

ACTION: Members present at the February 17, 2009 meeting voted unanimously to recommend approval of the amendment to the County Zoning Ordinance.

MINUTES OF FEBRUARY 17, 2009

**A motion was made by Vice-Chair Epler, seconded by Mr. Pearce, to recommend approval of the amendment to the Cumberland County Zoning Ordinance, in the current form and forward it to the Cumberland County Board of Commissioners. Unanimous approval**

# DRAFT

## P09-05 AMENDMENT

AMENDMENT TO THE COUNTY ZONING ORDINANCE, CREATING STANDARDS FOR COUNTY-OPERATED CONVENIENCE CONTAINER AND RECYCLING FACILITIES BY AMENDING ARTICLE II INTERPRETATIONS, CALCULATIONS, AND DEFINITIONS, SECTION 203 DEFINITIONS OF SPECIFIC TERMS AND WORDS; ARTICLE IV PERMITTED, CONDITIONAL, AND SPECIAL USES, SECTION 403 USE MATRIX; ARTICLE IX INDIVIDUAL USES, CREATING SECTION 905.1, ENTITLED: CONVENIENCE CONTAINER AND RECYCLING FACILITY; AND UPDATING THE TABLE OF CONTENTS AS APPROPRIATE.

**AMEND the County Zoning Ordinance, Article II Interpretations, Calculations, and Definitions, Section 203 Definitions of Specific Terms and Words by CREATING the following definition for "Convenience Container and Recycling Facility" and INSERTING the definition in alphabetical order:**

**Convenience Container and Recycling Facility:** A County-owned, -leased or -operated site, generally two acres or less in size, serving the surrounding community for the temporary collection, storage and transference of solid waste, yard waste and recyclables. (Section 905.1)

**AMEND the County Zoning Ordinance, Article II Interpretations, Calculations, and Definitions, Section 203 Definitions of Specific Terms and Words, specifically the definition for "Solid Waste Disposal Facility" as indicated:**

**Solid Waste Disposal Facility:** Any depository of solid waste, excluding earth for fill and septage. This definition includes, but is not limited to, sanitary landfills, sewage treatment facilities and waste incinerators. This definition does not include "Convenience Container and Recycling Facilities" as defined herein. (Section 925)

**AMEND the County Zoning Ordinance, Article IV Permitted, Conditional, and Special Uses, Section 403 Use Matrix by INSERTING a row under the Land Uses column entitled: Convenience Container and Recycling Facility (Sec. 905.1), in alphabetical order, with the Convenience Container and Recycling Facility being allowed in the individual zoning districts as indicated below:**



# DRAFT

Special Use Permit – “S” in the Zoning Classifications columns – (requiring Board of Adjustment approval) for the A1, A1A, R40, R40A, R30, R30A, RR, R20, R20A, R15, R7.5, R6, R6A, R5, R5A and O&I(P) zoning districts; and

Permitted Use – “P” in the Zoning classifications columns - (requiring staff site plan approval) for the C1(P), C2(P), C(P), M1(P) and M(P) zoning districts.

**AMEND the County Zoning Ordinance, Article IX, Individual Uses, by CREATING Section 905.1, entitled: Convenience Container and Recycling Facility, along with the following sub-sections:**

## **SECTION 905.1 CONVENIENCE CONTAINER AND RECYCLING FACILITY**

- A. Material shall not be stored outside of appropriate waste containers, and all such containers shall be located on a solid impervious surface such as concrete pads.
- B. All structures on the site shall comply with the dimensional requirements for the zoning district in which the facility is to be located.
- C. The site shall be maintained to prevent odors, rodents and any other nuisances.
- D. The site shall have direct access to a paved public street.
- E. Access roads leading to any part of the operation shall be constructed in such a manner as to not impede traffic on any public or private street and shall be paved or constructed with gravel or crushed stone surface and maintained in a dust-free manner.
- F. All environmental health rules and regulations, including Federal and State laws, shall be complied with.
- G. One identification sign, as defined in Section 1302, shall be permitted in accordance with Article XIII.
- H. Site obscuring buffers shall be provided in accordance with the provisions of Section 1102.G, and are not included in the exemptions under Section 1102.G.2

ROBERT N. STANGER, P.E.  
County Engineer



ITEM NO. 2C

SAM LUCAS  
Engineering Technician II

WAYNE DUDLEY, CFM  
Engineering Technician I

ENGINEERING DEPARTMENT

Historic Courthouse, 130 Gillespie Street • P.O. Box 1829 • Fayetteville, North Carolina 28302-1829  
Telephone (910) 678-7636 • Fax (910) 678-7635

March 9, 2009

**MEMORANDUM**

**TO: BOARD OF COUNTY COMMISSIONERS**

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

**THROUGH: AMY H. CANNON, ASSISTANT COUNTY MANAGER**

**SUBJECT: PUBLIC HEARING ON REVISED SPECIAL ASSESSMENT RESOLUTION  
FOR LAKE UPCHURCH DAM RESTORATION PROJECT**

BACKGROUND

The Board of County Commissioners, at its February 17, 2009 meeting, considered revising the Special Assessment Resolution for the Lake Upchurch Dam Restoration Project to reduce the interest rate from eight percent (8%) to seven percent (7%) and established the time and date for the required public hearing for 6:45 pm, March 16, 2009. Notice of the Public Hearing was duly published in the Fayetteville Observer and mailed first class to all property owners in the project area. A copy of the Revised Special Assessment Resolution for the Lake Upchurch Dam Restoration Project is attached for reference.

RECOMMENDATION/PROPOSED ACTION

At the conclusion of the Public Hearing, the Board may adopt the Revised Special Assessment Resolution for the Lake Upchurch Dam Restoration Project.

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STATE OF NORTH CAROLINA  
COUNTY OF CUMBERLAND

REVISED SPECIAL ASSESSMENT RESOLUTION  
LAKE UPCHURCH DAM RESTORATION PROJECT

**WHEREAS**, the emergency spillway of the Lake Upchurch Dam was breached by heavy rainfall during May, 2003, resulting in the loss of impounded water in the lake; and

**WHEREAS**, the permanent loss of Lake Upchurch will adversely affected property values along said lake resulting in a corresponding loss of property tax revenue for Cumberland County; and

**WHEREAS**, Lake Upchurch Power Company operates a hydroelectric generation facility on said lake that provides an environmentally clean source of electrical energy consistent with Cumberland County's goal to improve air quality in the County; and

**WHEREAS**, the Federal Energy Regulatory Commission (FERC) has jurisdiction over the operations of Lake Upchurch Power Company and all improvements to restore said dam must comply with FERC requirements; and

**WHEREAS**, Lake Upchurch Power Company has retained a qualified engineering firm to conduct a hydrological and hydraulic study to analyze Lake Upchurch Dam for the proper design storm in order to determine the improvements necessary to comply with FERC requirements; and

**WHEREAS**, a majority of the homeowners in the immediate vicinity of Lake Upchurch have petitioned the Cumberland County Board of Commissioners to undertake a special assessment project to make the necessary repairs to the dam in accordance with FERC requirements; and

**WHEREAS**, Lake Upchurch provides a public benefit through flood control, stormwater quality improvements; and recreation opportunities.

**WHEREAS**, the Cumberland County Board of Commissioners has determined that a public benefit exists in repairing Lake Upchurch Dam.

**NOW THEREFORE**, the Cumberland County Board of Commissioners, pursuant to Article 9 of Chapter 153A of North Carolina General Statutes, hereby adopts the following preliminary special assessment resolution:

I. Need for Project: The Board of Commissioners of Cumberland County hereby undertakes a project which will restore the dam and allow the safe impoundment of water in Lake Upchurch and provide flood control and stormwater quality benefits as well as restore the ability to generate an environmentally clean source of electrical energy.

II. General Description of the Project: This project will include improvements to the emergency spillway and primary spillway as required by FERC.

III. Ownership: The improvements will be owned by the property owners of record of the land upon which the improvements are made.

IV. Proposed Basis of Assessment: The proposed basis of assessment will be at an equal rate per One Hundred Dollars (\$100) of assessed valuation. The valuation of land benefitted by the project (being the project area as shown on the map attached as Exhibit "A") being the value of the land without improvements as shown on the tax records of the County.

V. Percentage of Cost to be Assessed: The total engineering, construction and administrative costs shall be assessed against the benefitted properties in this special assessment project.

VI. Abeysance: No assessment will be held in abeyance.

VII. Terms of Payment: The assessment will be payable in ten (10) annual installments and the first installment with interest will be due sixty (60) days after the date that the assessment roll is confirmed. One installment with interest is due on the anniversary date in each successive year until the assessment is paid in full. The interest rate shall be set at seven percent (7%) per annum. The assessment may be paid in full without interest anytime up to thirty (30) days after the confirmation of the assessment roll is published.

**IN WITNESS WHEREOF**, this resolution is adopted this the 16th day of March, 2009.

COUNTY OF CUMBERLAND

BY: \_\_\_\_\_  
JEANNETTE M. COUNCIL, Chairman  
Board of County Commissioners

ATTEST

BY: \_\_\_\_\_  
MARSHA FOGLE, Clerk to the Board

JAMES E. MARTIN  
County Manager

JUANITA PILGRIM  
Deputy County Manager



ITEM NO. 3A

AMY H. CANNON  
Assistant County Manager

OFFICE OF THE COUNTY MANAGER

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

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**MEMORANDUM FOR BOARD OF COMMISSIONERS AGENDA OF MARCH 16, 2009**

**TO: BOARD OF COUNTY COMMISSIONERS**

**FROM: JAMES E. MARTIN, COUNTY MANAGER**

**DATE: MARCH 11, 2009**

**SUBJECT: PRESENTATION ON THE REVALUATION AND APPEAL PROCESS**

Mr. Aaron Donaldson, Tax Administrator will be making a presentation on the Revaluation and Appeal Process at the March 16, 2009 Board of Commissioners meeting.

/ct  
CM031109-2

*Celebrating Our Past...Embracing Our Future*



ITEM NO. 3B

## COUNTY of CUMBERLAND

*Public Library & Information Center*

### MEMORANDUM

TO: CUMBERLAND COUNTY BOARD OF COMMISSIONERS

FROM: JODY RISACHER, LIBRARY DIRECTOR

DATE: MARCH 5, 2009

SUBJECT: REQUEST TO MAKE A SHORT PRESENTATION TO THE BOARD AT ITS MARCH 16 MEETING

TITLE: THE BIG READ: THE MALTESE FALCON  
THE COMMUNITY COMING TOGETHER TO READ AND DISCUSS ONE BOOK

Now through April 5, Cumberland County Public Library & Information Center and its many community partners are conducting The Big Read, a celebration of *The Maltese Falcon* by Dashiell Hammett.

Cumberland County is one of 208 communities nationwide participating in The Big Read, an initiative of the National Endowment for the Arts (NEA) designed to restore reading to the center of American culture. The NEA presents The Big Read in partnership with the Institute of Museum and Library Services and in cooperation with Arts Midwest.

The Big Read, which started February 19 and runs through April 5, features programming at various locations, including all public libraries, Fayetteville State University, Methodist University, Fort Bragg, Pope Air Force Base, and the Museum of the Cape Fear.

This is the third year in a row the NEA has awarded a grant to Cumberland County. In 2007 the community read *Their Eyes Were Watching God* by Zora Neale Hurston, followed by Ray Bradbury's *Fahrenheit 451* in 2008.

Please see the attached information sheet for more details on The Big Read.



### **The Book**

Dashiell Hammett's **The Maltese Falcon**, published in 1930, set the standard for all subsequent hardboiled detective stories. It follows private investigator Sam Spade, who is tough enough to bluff the toughest thugs and hold off the police. Spade's partner is murdered on a stakeout; the cops blame him for the killing; a beautiful redhead with a heartbreaking story appears and disappears; grotesque villains demand a payoff he can't provide; and everyone wants a fabulously valuable gold statuette of a falcon, created as a tribute for the Holy Roman Emperor Charles IV. Who has it? And what will it take to get it back? Spade's solution is as complicated as the motives of those seeking it.

### **Programming**

Book discussions and film screenings are scheduled throughout the project at various libraries. There are also programs for teens and children. The community is even helping write a mystery short story based here in Fayetteville. Each week a new chapter is published on the library's web site and in *The Fayetteville Observer* as part of the Collaborative Mystery Writing Project.

The Museum of the Cape Fear is hosting **The Maltese Falcon** exhibit through April 5. This exhibit showcases Hammett memorabilia and artifacts related to **The Maltese Falcon**. On display are issues of the *Black Mask*, the pulp fiction magazine which first published serially **The Maltese Falcon**; first edition copies of the book; movie cards from the 1931, 1936 and 1941 movie versions of the novel; and a replica of the falcon statue from the 1941 movie.

Guest speakers include **Amanda Lamb** on March 26 at North Regional Branch Library. Lamb, a WRAL-TV reporter, is the author of **Deadly Dose: The Untold Story of a Homicide Investigator's Crusade for Truth and Justice**. She will look at the inner workings of the murder investigation involving Ann Miller, a scientist who tortured her researcher husband with arsenic. The case spanned four years and gripped the Raleigh area.

**Margaret Maron**, bestselling mystery writer from North Carolina, speaks March 31 at North Regional Branch Library.

**Bruce Daws** looks at Crime in the Cape Fear on March 23 at Cliffdale Regional Branch Library and one of Fayetteville's own crime scene investigators Ken Winschel will tell us what kinds of forensic evidence would be collected if the crimes in **The Maltese Falcon** happened today. This program is March 19 at Cliffdale Regional Branch Library.

**Materials are available:**

Reader's guides and bookmarks are all available free of charge. Drop by any public library and The Big Read partner locations to pick up these materials.

Thanks to the grant funding, 1,500 books were purchased and given to area libraries, as well as Fayetteville State University, Methodist University, Fayetteville Technical Community College, Fort Bragg, Pope Air Force Base and seven high schools. Book club kits containing 10 books each are available for checkout from public libraries.

**Sponsors**

This project is supported by the Arts Council in part by contributions from businesses and individuals, and through grants from the City of Fayetteville, Cumberland County and the North Carolina Arts Council, an agency of the Department of Cultural Resources. The Big Read is also supported by the William C. Powell, M.D., Advised Fund of the Cumberland Community Foundation, the Fayetteville Observer and Up & Coming Weekly.

**Programming Partners**

Community partners include Fayetteville State University; Fayetteville Technical Community College; John L. Throckmorton Library at Fort Bragg; Methodist University; the Museum of the Cape Fear; and Pope AFB Library.

**Where can I find more information about The Big Read?**

For more information on The Big Read, visit the library's web site at [www.cumberland.lib.nc.us](http://www.cumberland.lib.nc.us) or call 483-7727 ext. 114.

Visit [www.neabigread.org](http://www.neabigread.org) for more information on the national Big Read program and information on all the Big Read novels, including author biographies, discussion questions and suggestions for further reading.

JAMES E. MARTIN  
County Manager

JUANITA PILGRIM  
Deputy County Manager



ITEM NO. 4

AMY H. CANNON  
Assistant County Manager

OFFICE OF THE COUNTY MANAGER

5<sup>th</sup> Floor, New Courthouse • PO Box 1829 • Suite 512, • Fayetteville, North Carolina 28302-1829  
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**MEMORANDUM FOR BOARD OF COMMISSIONERS AGENDA OF MARCH 16, 2009**

**TO: BOARD OF COUNTY COMMISSIONERS**

**FROM: JAMES E. MARTIN, COUNTY MANAGER**

**DATE: MARCH 11, 2009**

**SUBJECT: CONSIDERATION OF THE CUMBERLAND COUNTY POLICY  
COMMITTEE REPORT AND RECOMMENDATION**

**BACKGROUND**

The Policy Committee met on Thursday, March 5, 2009 to discuss the following:

- 1) Consideration of Participation for the Cedar Creek Road Project.
- 2) Status of the Stormwater Program

The minutes for the Policy Committee are attached with this letter. In addition to the items listed above the minutes also reflect updates on the Southpoint Project and the Fire Protection Services.

**RECOMMENDATION/PROPOSED ACTION**

Accept and approve the Policy Committee report and recommendations.

Attachments: Letters for Cedar Creek Road Project and Stormwater Program  
Policy Committee Minutes

/ct  
CM031109-1

*Celebrating Our Past...Embracing Our Future*



CUMBERLAND COUNTY POLICY COMMITTEE  
March 5, 2009 – 9:30 AM

PRESENT: Commissioner Billy King  
Commissioner Kenneth Edge  
Commissioner Marshall Faircloth  
James Martin, County Manager  
Juanita Pilgrim, Deputy County Manager  
Amy Cannon, Assistant County Manager  
Grainger Barrett, County Attorney  
Tom Cooney, Public Utilities Director  
Bob Stanger, County Engineer  
Tom Lloyd, Planning & Inspections Director  
Kennie Currie, Emergency Services Director  
Sara VanderClute, Public Information Officer  
Cecil Combs, Planning Department  
Greg Caison, City of Fayetteville – Stormwater Utility  
Director  
John Fersner, USI, Stormwater Utility Consultant  
Marie Colgan, Deputy Clerk

Commissioner King opened the meeting with a prayer.

1. Approval of Minutes: January 8, 2009

**MOTION:** Commissioner Faircloth moved to approve.  
**SECOND:** Commissioner Edge  
**VOTE:** UNANIMOUS

2. Update on the Southpoint Project:

Tom Cooney, Public Utilities Director, advised that Mr. Martin, County Manager, held a meeting with Robeson County Commissioners and several other individuals regarding extending a line from their water system to the Southpoint subdivision in Cumberland County. A lease agreement was discussed where Cumberland would install the lines and Robeson County would lease the assets, which would allow Cumberland to maintain ownership of the lines. Mr. Martin discussed the possibility of a short term lease, but Robeson wanted a renewable 20-year agreement and terms were not agreed upon during the meeting. After the meeting, the individuals attending from Robeson County further discussed the issue and a letter was sent to Mr. Martin advising that they were not interested in any type lease plan. No further discussions have been held with Robeson and dialogue was opened with Bladen County. Mr. Martin advised that the bottom line is that Robeson wants Cumberland to install the lines and they would operate them as Robeson County lines, but Mr. Martin does not feel that would be in Cumberland's long-term best interest. After making an initial contact with Bladen County, Mr. Martin feels that a meeting with Bladen is in order to discuss the possibility of extending lines from that county. Mr. Cooney asked Koontz Noble, Cumberland's engineering firm, to contact Hobbs Upchurch, the engineering firm for Bladen County's system, to make calculations about the availability of water from Bladen County and to report back to Cumberland. Water from Bladen County is not immediately practical at this time due to a high iron content, but is hoping to have availability by June.

Responding to a question from Commissioner Edge regarding the water supply for the Dupont Plant on Highway 87 and the proximity of PWC lines to the Southpoint subdivision, Mr. Cooney advised that he has been asked by PWC to look at providing water to the two schools in Grays Creek, which would create some participation that would bring the water lines close to Southpoint. However, the cost would be higher to go this route compared to bringing water from Bladen County. Mr. Cooney advised that he has applied for federal stimulus dollars, but it would be a couple of months before that may come available and he would like to have this project bid within the next two months.

3. Update and Consideration of participation for the Cedar Creek Road Project:

Mr. Cooney advised that citizens from the Cedar Creek Road area petitioned for a special assessment for a water line. Mr. Cooney referred members to the map included in their packet. Easements from a couple of the parcel owners were needed in order to save some expenses due to the railroad track location, but one owner refused to grant an easement. That has resulted in the need for a longer line down Cedar Creek Road and the necessity for an expensive bore under the railroad track. PWC was requested to participate in the project and it has agreed to match whatever the County contributes. Therefore, Mr. Cooney is asking that the County contribute between \$40,000 and \$50,000 as its share towards the project, which would reduce the citizens' share to around \$5,000 to \$6,000 per lot (27 lots in all). Commissioner Edge confirmed with Mr. Martin that funds for this project were available in the water fund.

**MOTION:** Commissioner Edge moved to recommend to the full Board the approval of the request to equally share the additional cost with PWC and to allow a special assessment be applied to the citizens' share.

**SECOND:** Commissioner Faircloth  
**VOTE:** UNANIMOUS

4. Discussion/Review of the Status of the Storm Water Program:

Mr. Stanger introduced Mr. Caison and Mr. Fersner and provided background information on the formation of the storm water utility. In the mid-1990s the City of Fayetteville and the County partnered to fund and administer the requirements of a NPDES permit under Phase I. Due to the lower population of Cumberland's urban population after the City's annexations, the County asked to the NC Department of Environment and Natural Resources to remove the County from the Phase I program. DENR has provided verbal approval, but written approval has not been received to date. Based on the verbal approval and the fact that the NPDES permit renewal process, which the City is now going through, does not include Cumberland County, it appears that the County has been removed from Phase I. Mr. Barrett added that the State's Phase II actions agree with the verbal approval of our removal from Phase I. The City of Fayetteville's NPDES permit has been renewed. It seeks guidance from the County as to our continued participation in the joint storm water utility. The County also needs to decide whether to continue collecting the storm water fee which has been collected under the Phase I program. Discussion ensued as to the potential issues and as to how the fee, which generate \$600,000 per year, could be used should the County continue to collect it. It was agreed that only limited storm water improvement projects could be afforded and if the fee is discontinued, educating the public as to why this was decided would be very important. The County Attorney noted his legal concern about the

difference between a tax and a fee, with a fee being imposed in return for providing a service. After consulting with other staff members present, Mr. Martin recommended removing the \$12.00 per year fee. Mr. Martin added that even if the full Board votes in favor of the fee's removal, this action could still be revisited before adoption of the budget ordinance for the upcoming year.

**MOTION:** Commissioner Faircloth moved to recommend to the full Board that the County no longer impose the \$1.00 per month residential unit storm water fee.

**SECOND:** Commissioner Edge

**VOTE:** Commissioner Faircloth and Edge voted for the motion.  
Commissioner King voted against the motion.

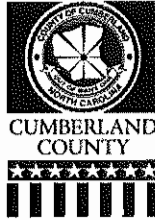
5. Update on Fire Protection Services:

County Attorney Barrett stated that since discussions with the Board about legal issues with regard to fire protection services that he and Mr. Currie have met twice with Freddie Johnson, Chief of the Fire Chief's Association, regarding issues with the standard fire protection services contract. It appears that an agreement can be reached on the vast majority of issues. Once the document is finalized, it will go to the Fire Chief's Association and fire department chiefs and officers for their review.

Other Matters of Concern – Discussion Regarding Enforcement of Minimum Housing Ordinance:

Mr. Lloyd introduced Mr. Combs stating that he will be providing information on a proposed procedural change which will save money for fuel, inspector's time and postage. Mr. Combs provided a handout stating that he is trying to find a better way for the staff in the code enforcement department to deal with issues related to the removal of trash and debris from properties. The proposed change in the current ordinance would be to eliminate costly certified mail and to use first class mail rates and posting of properties instead. The notification process would use the tax records last known address for the owner of the property and would include placing a notice on the property. The members agreed to bring the proposed ordinance directly to the full Board.

MEETING ADJOURNED



ITEM NO. 4A

**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

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

**MEMORANDUM**

**TO: BOARD OF COMMISSIONERS**

**FROM: TOM COONEY, PUBLIC UTILITIES DIRECTOR** *TTC*

**THROUGH: JAMES E. MARTIN, COUNTY MANAGER**

**DATE: MARCH 6, 2009**

**SUBJECT: CONSIDERATION OF PARTICIPATING IN THE COST OF EXTENDING A WATER LINE EAST ON CEDAR CREEK ROAD TO SERVE RESIDENTS WHO HAVE PETITIONED FOR A SPECIAL ASSESSMENT PROJECT.**

**BACKGROUND**

On September 15, 2008 the Board of Commissioners approved a special assessment project to extend public water to approximately 25 residents along Cedar Creek Road east of the former Monsanto facility. The estimates for this project were based on the County being able to obtain easements from two property owners adjacent to the railroad tracks along the route. This would negate the need to obtain an easement from the railroad as well as the cost of boring the line under the railroad. Unfortunately one of the property owners is unwilling to grant the easement under any circumstances. This requires relocating the route to continue east along Cedar Creek Road, under the railroad tracks. This is estimated to increase the cost of the project by as much as \$75,000 to \$90,000 depending on the cost of getting the easement.

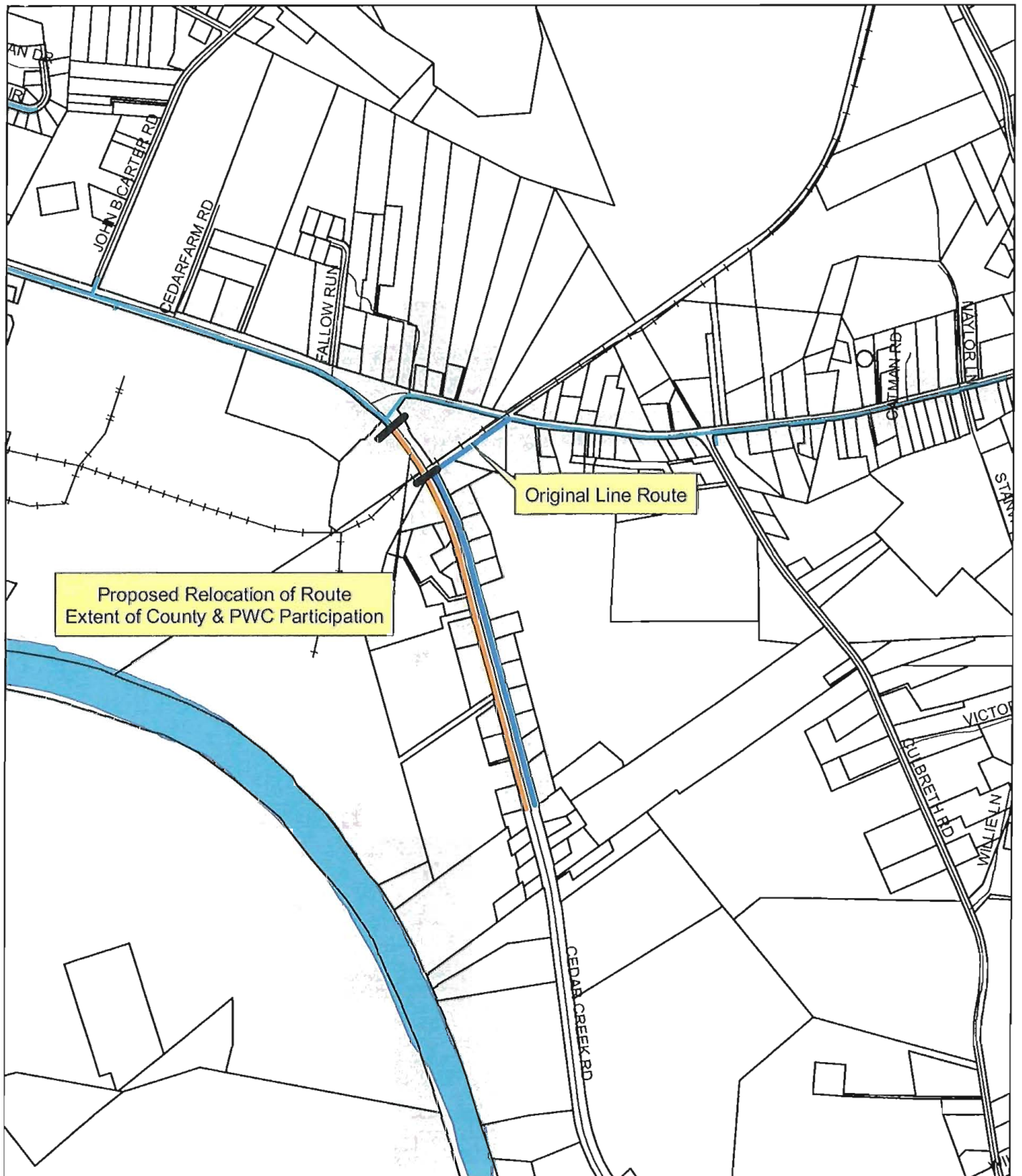
The residents requesting this service cannot bear the increase in the project costs and unless they receive some additional aid then the project will be abandoned. I am requesting that the Board of Commissioners through the Policy Committee consider recommending to the full Board that the County participate in the project to the extent that we in a partnership with the PWC extend the line across the tracks and the property owners pick up the costs from there. The Policy Committee met on March 5, 2009 to consider this request and unanimously approved recommending to the Board of Commissioners participation in this project.

The PWC staff has verbally agreed to participate in an amount equal to that which the County is willing to participate. This would also need the approval of the PWC Board as well. The cost is estimated to be less than \$50,000 to the County.

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## **RECOMMENDATION**

That the Board of Commissioners follow the recommendation of the Policy Committee and approve County participation in this project for an amount equal to that of the PWC to extend the water line from its present location at the intersection of Cedar Creek Rd and Hwy 210 to a point on Cedar Creek Road just clearing the railroad right of way. As shown on the attached map.



## CEDAR CREEK ROAD PROJECT PROPOSED RE-ALIGNMENT

*Prepared by  
Cumberland County Public Utilities Department*

ROBERT N. STANGER, P.E.  
County Engineer



ITEM NO. 4B

SAM LUCAS  
Engineering Technician II

WAYNE DUDLEY, CFM  
Engineering Technician I

ENGINEERING DEPARTMENT

1 Historic Courthouse, 130 Gillespie Street • P.O. Box 1829 • Fayetteville, North Carolina 28302-1829  
Telephone (910) 678-7636 • Fax (910) 678-7635

March 9, 2009

**MEMORANDUM**

**TO: BOARD OF COUNTY COMMISSIONERS**

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

**THROUGH: AMY H. CANNON, ASSISTANT COUNTY MANAGER**

**SUBJECT: CONSIDERATION OF POLICY COMMITTEE RECOMMENDATION  
TO DISCONTINUE THE STORMWATER FEE**

BACKGROUND

The County Policy Committee at its March 5, 2009 meeting discussed the County's continued involvement in the joint Stormwater Utility. Refer to the attached memorandum to the Policy Committee dated February 23, 2009. Discussions were prompted by the NC Department of Environment and Natural Resources (NCDENR) favourable response to the County's request to no longer be considered a Phase I NPDES community. Although the County has not received a written response to our request, the conduct and verbal approval by NCDENR and the fact that only the City of Fayetteville has been named as the applicant in the Phase I NPDES Permit renewal process is assurance that the County is no longer a Phase I community. In addition, NCDENR has accepted the County's Certification of Non-Ownership/Non-Operation of a Municipal Separate Stormwater System (MS4) with respect to the Phase II NPDES Permit requirements giving further evidence that the County is no longer a Phase I community.

Recognizing that the City of Fayetteville must take appropriate action for continued compliance with their Phase I NPDES Permit requirements, including budgetary considerations, the Stormwater Utility Director requested guidance from the County regarding any continued involvement in the Stormwater Utility. The County Engineer advised the Policy Committee that withdrawing completely from the joint Stormwater Utility might send a message that the County is no longer committed to storm water quality issues and that perhaps some limited involvement in the utility is warranted. Also the County may want to consider redirecting its emphasis on storm water quantity issues, i.e. flooding problems, and look to the Stormwater Utility as the vehicle to accomplish these efforts with some continued storm water fee to fund drainage improvements. The County Attorney cautioned the Policy Committee that the stormwater fee was enacted to fund Federally mandated storm water quality activities for a county-wide benefit and that there are legal implications of continuing to collect a fee to be used to make site specific drainage improvements.

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Chairman King asked the County Manager if there was a consensus among staff regarding a recommendation on this matter. After further discussion, the manager recommended that the County no longer collect the storm water fee. The Policy Committee concurred with the manager's recommendation.

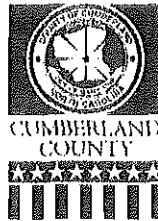
#### RECOMMENDATION/PROPOSED ACTION

The recommendation of the County Policy Committee and management is to discontinue collecting the storm water fee. County staff will work with the Stormwater Utility Director in transitioning out of the joint Stormwater Utility.

The proposed action by the Board is to consider approval of the Policy Committee recommendation.



ROBERT N. STANGER, P.E.  
County Engineer



SAM LUCAS  
Engineering Technician II  
WAYNE DUDLEY, CFM  
Engineering Technician I

ENGINEERING DEPARTMENT

Historic Courthouse, 130 Gillespie Street • P.O. Box 1829 • Fayetteville, North Carolina 28302-1829  
Telephone (910) 678-7636 • Fax (910) 678-7635

February 23, 2009

**MEMORANDUM**

**TO: COUNTY POLICY COMMITTEE**  
**FROM: ROBERT N. STANGER, COUNTY ENGINEER** *RS*  
**THROUGH: AMY H. CANNON, ASSISTANT COUNTY MANAGER**  
**SUBJECT: CONSIDERATION OF WITHDRAWING FROM JOINT STORMWATER UTILITY**

**BACKGROUND**

In June 1995, the Board of Commissioners adopted a Stormwater Management Ordinance which established the Stormwater Utility for the primary purpose of administering the stormwater quality management program (SWQMP) required by the Phase I NPDES Permit issued by NC Department of Environment and Natural Resources (NCDENR). Through interlocal agreement, the City Of Fayetteville partnered with the County to submit a joint Phase I NPDES Permit Application and implement a joint Stormwater Utility. The City is responsible for the day to day operation of the Stormwater Utility.

Within the past year, the County submitted a written request to NCDENR that it no longer be considered a Phase I NPDES community due to the annexation by the City of Fayetteville of the urbanized area in western Cumberland County. This annexation resulted in the urbanized population of the unincorporated area of Cumberland County now being less than 100,000 which is the threshold for a Phase I NPDES community. Verbal approval from NCDENR has been received, however, we have not yet received written confirmation that explicitly states the County is no longer required to comply with Phase I NPDES Permit requirements. Given the verbal approval by NCDENR and concurrence from EPA Region 4, I believe it is appropriate for the County to now consider the future direction of our Stormwater Management Program including what level of participation, if any, in the joint Stormwater Utility and collection of the stormwater fee that supports the utility.

The Stormwater Management Ordinance adopted by the Board was developed only to comply with Federally mandated stormwater quality program elements dictated in the Phase I NPDES Permit. If the County is no longer a Phase I community, then we are no longer required to implement the SWQMP, however, we may choose to do so voluntarily. Given the current emphasis on being "environmentally friendly", there is some justification for continued involvement in a stormwater quality program.

There are a number of alternatives to consider with respect to the County SWQMP of which the two extremes are:

- Rescind the Stormwater Management Ordinance. This action would abolish the joint Stormwater Utility and the County's portion of the fee necessary to operate the utility. The Interlocal Agreement with the City of Fayetteville to operate the joint storm water utility would need to be modified or terminated. The City would need to take any necessary action for continued compliance with their Phase I NPDES Permit requirements.

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- Continue to implement the SWQMP as is on a voluntary basis and continue to collect the storm water fee of \$12 per year per household plus non-residential fees. This action would demonstrate a continued commitment by the County to stormwater quality issues which are environmentally friendly. This would also keep intact a revenue stream to pay for small storm water system improvements (address storm water quantity needs) on a limited basis.

The County may consider some limited involvement in the Stormwater Utility recognizing that future changes in the NPDES regulations may again put the County in the stormwater quality business. Also, we may want to redirect the County emphasis on storm water issues from quality based to quantity based, i.e. address flooding concerns, and continue to look to the Stormwater Utility as the vehicle to accomplish these efforts. Obviously some level of storm water fee would be necessary to fund these activities.

This memorandum is intended to open a dialogue with the Policy Committee so that we may ultimately provide recommendations to the Board on the future of County participation in the joint Stormwater Utility. Mr. Greg Caison, Director of the Stormwater Utility, has requested guidance from County management concerning this matter. As the City plans for their stormwater program needs for the upcoming fiscal year, they need to know what the County's position will be regarding any continued involvement in the stormwater utility.

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BILLY R. KING  
Vice Chairman

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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. 5A

March 9, 2009

March 16, 2009 Agenda Item

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

The Adult Care Home Community Advisory Committee will have the following vacancies on April 30, 2009 :

**Dell Caramanno** – completing first term. Eligible for reappointment.

**Toney Edwards** – completing first term. Eligible for reappointment.

**Marian Hackett** – completing first term. Eligible for reappointment.

Janet Pelley – completing second term. Recommend **October Morales** fill the vacancy.

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

**PROPOSED ACTION: Make nominations to fill the four (4) vacancies.**

Attachments

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>
Marian J. Hackett (B /F) 4184 Ferncreek Drive Fayetteville, NC 28314 323-3060/672-2129	4/08	Initial	Apr/09 4/30/09	Yes
Toney Edwards (B/M) 3622 Clearwater Drive Fayetteville, NC 28311 822-4261/864-6262	04/08	Initial	Apr/09 4/30/09	Yes
Mary Ann Brown-Jackson 1959B James Hamner Way Fayetteville, NC 28311 822-1311/893-8151 x330 (W)	1/09	2 <sup>nd</sup>	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 <sup>st</sup>	June/09 6/30/09	Yes
Mexie Fields ( /F) 1815 Primrose Drive Fayetteville, NC 28301 488-8432	1/06	1 <sup>st</sup>	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
Brenda Douglas (B/F) 6109 Garden Court Fayetteville, NC 28311 717/0123/677-2965 (W)	5/08	Initial	May/09 5/31/09	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	4/08	Initial	Apr/09 4/30/09	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 <sup>st</sup>	Aug/10 8/31/10	Yes
Janet Pelley 18 Adams Street Ft. Bragg, NC 28307 497-4947	4/06	2 <sup>nd</sup>	April/09 4/30/09	No
John Poulos (W/M) 3025 Brechin Road Fayetteville, NC 28303 867-2622/424-4242(W)	6/06	2 <sup>nd</sup>	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 <sup>st</sup>	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: 3<sup>rd</sup> Monday (starting March) 10 am - various adult care homes

APPLICANTS FOR  
ADULT CARE HOME COMMUNITY ADVISORY COMMITTEE

NAME/ADDRESS/TELEPHONE	OCCUPATION	EDUCATIONAL BACKGROUND
BRUNSON, FRANCES (B/F) 1308 DEEP CREEK ROAD FAYETTEVILLE, NC 28312 578-3825/671-5147 (W)	CASE MANAGER SOUTHEASTERN REGIONAL	LTC ASSISTED LIVING ADMIN. LICENSE, EMT
CASCASAN, RALPH T. (A/M) 910 ALEXWOOD DRIVE HOPE MILLS, NC 28348-1695 425-9704/433-1036 (W)	CIVILIAN CRASH INVESTIGATOR FAYETTEVILLE POLICE DEPT.	HS; SOME COLLEGE
MORALES, OCTOBER R. (W/F) 1917 DAPHNE CIRCLE FAYETTEVILLE, NC 28304 (831) 601-7217/689-0150	ACTIVITIES DIRECTORS HAYMOUNT REHAB & NURSING CENTER <b>**SERVES ON THE NURSING HOME ADVISORY BOARD**</b>	BA – MIDDLE EASTERN STUDIES
RODRIQUEZ, DANIEL (H/M) 2634 FRANCISCAN DRIVE FAYETTEVILLE, NC 28306 425-2746/432-9701 (W)	OPERATIONS OFFICER US ARMY, FT BRAGG	BS – HEALTH SVS MS – HEALTH SVS ADMIN
TERRI THOMAS (B/F) 508 SPAULDING STREET FAYETTEVILLE, NC 28301 988-7672/485-4765	SELF EMPLOYED <b>**SERVES ON THE NURSING HOME ADVISORY BOARD**</b>	BA – BUSINESS/ECONOMICS PURSUING MASTERS IN ENVIRONMENTAL & LIFE SCI.

JEANNETTE M. COUNCIL  
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BILLY R. KING  
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March 11, 2009

March 16, 2009 Agenda Item

ITEM NO. 5B

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

The Air Quality Stakeholders' Committee will have the following vacancies on April 30, 2009:

CCBC Rep

**Doug Peters** – completing first term. Eligible for reappointment.

CC Elected Official Rep

**Commissioner Kenneth Edge** – completing first term. Eligible for reappointment.

FTCC Rep

**Joe Levister** – completing first term. Eligible for reappointment.

Major Industry Rep

**Scott Peters** – completing first term. Eligible for reappointment.

Town of Stedman Rep

Commissioner Eleanor Ayers – completing second term. **Peggy Raymes** recommendation to fill this slot.

Ft. Bragg Rep

Col. Gregory Bean – completing second term. **Michael Lynch** recommended to fill this slot.

PWC Rep

Steven Blanchard – completing second term. **Carolyn Hinson** recommended to fill this slot.

Citizen Rep

George Breece – completing second term. **Fill the vacancy.**

Mayor Edwin Deaver – completing second term. **Fill the vacancy.**

Karl Legatski – completing second term. **Fill the vacancy.**

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Industry Rep

Stephen Waters – completing second term. **Gary Slater** recommended to fill this slot.

Homebuilder Association Rep

Donovan McLaurin – completing second term. **John Gillis** recommended to fill this slot.

Medical Rep

Joseph Follett – completing second term. **Dr. Ana MacDowell** recommended to fill this slot.

The Air Quality Stakeholders Committee staff have recommended that the following slots be eliminated and that a new slot entitled “Environment Representative” be added in order to have a better balanced membership.

Eliminate the two Industry Slots held by outgoing members Michael Green and Henry Holt.

Environment Rep (new slot):

**Jon Parsons** recommended to fill this slot.

**PROPOSED ACTION:** Make nominations to fill the fourteen (14) vacancies and eliminate two Industry Representative slots and approve one Environment Representative slot.

Attachment

pc: Rick Heickson, Planning & Inspections



Donovan McLaurin,  
Chair  
Wade, Falcon & Godwin

Lori Epler,  
Vice-Chair  
Cumberland County

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

March 10, 2009



Thomas J. Lloyd,  
Director

Cecil P. Combs,  
Deputy Director

Walter Clark,  
Roy Turner,  
Sara E. Piland,  
Cumberland County

Benny Pearce,  
Town of Eastover

## COUNTY of CUMBERLAND

### *Planning & Inspections Department*

#### Memorandum

To: Marie Colgan, Deputy Clerk,  
Cumberland County Board of Commissioners

Through: Thomas J. Lloyd, Planning and Inspections Director  
Richard D. Heicksen, FAMPO Executive Director

From: Maurizia Chapman, AICP, Air Quality Principal Planner

Subject: Air Quality Stakeholders Committee

Enclosed is a table that describes current Air Quality Roster, eligibility and recommended future action.

NAME	STAKEHOLDER	DATE APPT'D	TERM	EXPIRES	Eligible for Reapp.	RECOMMENDED REPLACEMENT
George Breece	Citizen	Apr-06	2nd	Apr-09	No	Citizen Roster
Edwin S. Deaver	Citizen	Apr-06	2nd	Apr-09	No	Citizen Roster
Karl Legatski	Citizen	Apr-06	2nd	Apr-09	No	Citizen Roster
Colonel Gregory Bean	Fort Bragg	Apr-06	2nd	Apr-09	No	Michael Lynch
Donovan McLaurin	Homebuilders Association	Apr-06	2nd	Apr-09	No	John Gillis
Stephen C. Waters, Sr.	Industry	Apr-06	2nd	Apr-09	No	Gary Slater
Steven Blanchard, CEO	PWC	Apr-06	2nd	Apr-09	No	Carolyn Hinson
Joseph Follet, MD	Medical Rep.	Apr-06	2nd	Apr-09	No	Dr. A. MacDowell
Commissioner Eleanor Ayers	Town of Stedman	Apr-06	2nd	Apr-09	No	Commissioner Peggy Raymes
Doug Peters-unexpired term	Fay. Cumb. Co Chamber	Sep-08	1st	Apr-09	Yes	Doug Peters
Commissioner Kenneth Edge-unexpired term	County of Cumberland	Dec-08	1st	Apr-09	Yes	Kenneth Edge
Joe Levister, Jr.	FTCC	Apr-06	1st	Apr-09	Yes	Joe Levister, Jr.
Scott Peters	Industry	Apr-06	1st	Apr-09	Yes	Scott Peters
	Environment Rep.					Jon Parsons
Dr. Harold Maxwell	Board of Health	Apr-06	2nd	Apr-09	No	Contact Board of Health
Denise Sykes	Towns of Wade, Falcon, Godwin & Linden	Apr-06	2nd	Apr-09	No	Contact Municipalities
Michael Green	Industry	Apr-06	2nd	Apr-09	No	Eliminate slot
Henry Holt	Industry	Apr-06	2nd	Apr-09	No	Eliminate slot

The original Air Quality Stakeholders appointments took place in 2003. At the time staff contacted several environmental groups to solicit participation in the process (Sierra Club, American Lung Association, Sandhills Area Land Trust), but could not get a representative willing to serve. Sustainable Sandhills was formed after the selection of Stakeholders' membership, so the organization's Executive Director became a member of the Technical Committee.

Upon reviewing the current membership make-up, staff recommends that two vacant positions within the Industry Representatives be eliminated (Industries would still have three slots) and to finally open one for an Environment Representative and have the initial appointment of Mr. Jon Parsons, Executive Director for Sustainable Sandhills.

In the near future staff will review current Committee policies and explore the possibility of developing Bylaws that will more carefully address membership and term limits, as well as ex-officio possibilities.

Please contact me at 678-7615 or via e-mail at [mchapman@co.cumberland.nc.us](mailto:mchapman@co.cumberland.nc.us) if you require additional information.

AIR QUALITY STAKEHOLDERS COMMITTEE  
3-year terms

<u>NAME</u>	<u>STAKEHOLDER</u>	<u>DATE APPT'D</u>	<u>TERM</u>	<u>EXPIRES</u>	<u>ELIGIBLE FOR REAPPOINT.</u>
Commissioner Eleanor Ayers PO Box 220 Stedman, NC 28391 323-1892	Town of Stedman	4/06	2 <sup>nd</sup>	April/09 4/30/09	No
Councilman Keith Bates 5404 Chesapeake Road Fayetteville, NC 28311 488-6315/494-2256 (c) <a href="mailto:Kbates05@nc.rr.com">Kbates05@nc.rr.com</a>	City of Fayetteville	1/07	1 <sup>st</sup>	Dec/09 12/31/09	Yes
Mayor Pro-Tem James O'Garra 614 Duncan Road Spring Lake, NC 28390 (filling unexpired term) 797-7145 <a href="mailto:ogarraone@aol.com">ogarraone@aol.com</a>	Town of Spring Lake	8/07	1 <sup>st</sup>	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 <a href="mailto:pcregister@town.hope-mills.nc.us">pcregister@town.hope-mills.nc.us</a>	Town of Hope Mills	3/08	1 <sup>st</sup>	Feb/10 2/28/10	Yes
Denise Sykes Planning/Inspections Department 130 Gillespie Street Fayetteville, NC 28301 678-7629 <a href="mailto:dsykes@co.cumberland.nc.us">dsykes@co.cumberland.nc.us</a>	Towns of Wade Falcon, Godwin	4/06	2 <sup>nd</sup>	April/09 4/30/09	No
Steve Oakley Town of Eastover 1107 Asbury Road Fayetteville, NC 28312 484/8048/850-7656 <a href="mailto:spyderncsu@nc.rr.com">spyderncsu@nc.rr.com</a>	Town of Eastover	3/08	1 <sup>st</sup>	Feb/11 2/28/11	Yes
Colonel Gregory Bean Director of Public Works Bldg 3-1631, Butner Road Fort Bragg, NC 28310-5000 396-4009 <a href="mailto:Gregory.g.bean@us.army.mil">Gregory.g.bean@us.army.mil</a>	Fort Bragg	4/06	2 <sup>nd</sup>	April/09 4/30/09	No
Steven Blanchard, CEO Public Works Commission 8768 Coats Road Linden, NC 28356 223-4002 <a href="mailto:steve.blanchard@faypwc.com">steve.blanchard@faypwc.com</a>	PWC	4/06	2 <sup>nd</sup>	April/09 4/30/09	No

AIR QUALITY STAKEHOLDERS COMMITTEE – Page 2

<u>DATE NAME</u>	<u>ELIGIBLE FOR STAKEHOLDER</u>	<u>APPT'D</u>	<u>TERM</u>	<u>EXPIRES</u>	<u>REAPPOINT.</u>
George Breece PO Box 2801 Fayetteville, NC 28302 484-5430(H); 484-5431(Fax) <a href="mailto:george@breece.com">george@breece.com</a>	Citizen	4/06	2 <sup>nd</sup>	April/09 4/30/09	No
Mayor Edwin S. Deaver 5770 Rockfish Road Hope Mills, NC 28348 424-2384(H) <a href="mailto:edwdeaver@aol.com">edwdeaver@aol.com</a>	Citizen	4/06	2 <sup>nd</sup>	April/09 4/30/09	No
Scott Peters Goodyear Tire & Rubber Company 6655 Ramsey Street Fayetteville, NC 28311 630-5678 <a href="mailto:Scott_peters@goodyear.com">Scott_peters@goodyear.com</a>	Major Industry	4/06	1 <sup>st</sup>	April/09 4/30/09	Yes
Joseph Follet, MD Lafayette Clinic 1756 Metromedical Drive Fayetteville, NC 28304 323-1322 <a href="mailto:spirodoc@earthlink.com">spirodoc@earthlink.com</a>	Medical Rep.	4/06	2 <sup>nd</sup>	April/09 4/30/09	No
Michael Green P.O. Drawer 510 Fayetteville, NC 28302 483-1371 <a href="mailto:mgreen6592@aol.com">mgreen6592@aol.com</a>	Cohen & Green	4/06	2 <sup>nd</sup>	April/09 4/30/09	No
Henry Holt 1709 Clinton Road Fayetteville, NC 28301 483-5137 <a href="mailto:hholthsd@earthlink.net">hholthsd@earthlink.net</a>	Petroleum Distributor	4/06	2 <sup>nd</sup>	April/09 4/30/09	No
Karl Legatski 122 Magnolia Avenue Fayetteville, NC 28305 484-8684(H) 867-8675 <a href="mailto:karl@celtechinc.net">karl@celtechinc.net</a>	Citizen	4/06	2 <sup>nd</sup>	April/09 4/30/09	No
Doug Peters Cumberland Co. Business Council P.O. Box 9 (filling unexpired term) Fayetteville, NC 28302 484-4242 <a href="mailto:dpeters@ccbusinesscouncil.org">dpeters@ccbusinesscouncil.org</a>	CCBC	9/07	1 <sup>st</sup>	April/09 4/30/09	Yes

<u>DATE NAME</u>	<u>ELIGIBLE FOR STAKEHOLDER</u>	<u>APPT'D</u>	<u>TERM</u>	<u>EXPIRES</u>	<u>REAPPOINT.</u>
Dr. Harold Maxwell 227 Fountainhead Lane Fayetteville, NC 28301 433-3600 <a href="mailto:hamaco@nc.rr.com">hamaco@nc.rr.com</a>	Board of Health	4/06	2 <sup>nd</sup>	April/09 4/30/09	No
Donovan McLaurin PO Box 97 Wade, NC 28395 484-0116; 428-6066(fax) <a href="mailto:mclaurin@outdrs.net">mclaurin@outdrs.net</a>	Homebuilders Association	4/06	2 <sup>nd</sup>	April/09 4/30/09	No
Joe Levister, Jr. FTCC PO Box 35236 Fayetteville, NC 28303 678-8321 <a href="mailto:levistej@faytechcc.edu">levistej@faytechcc.edu</a>	FTCC	4/06	1 <sup>st</sup>	April/09 4/30/09	Yes
Stephen C. Waters, Sr. 4377 Ferncreek Drive Fayetteville, NC 28314 485-2135 <a href="mailto:scwaters@barnhillcontracting.com">scwaters@barnhillcontracting.com</a>	APAC aka Crowell Construction	4/06	2 <sup>nd</sup>	April/09 4/30/09	No
Scott Reynolds M.J. Soffe Company PO Box 2507 Fayetteville, NC 28302 483-2500 x6447 <a href="mailto:Scott.reynolds@mjsoffe.com">Scott.reynolds@mjsoffe.com</a>	M.J. Soffe Co.	12/07	1 <sup>st</sup>	Dec/10 12/31/10	Yes
Kenneth Edge Board of Commissioners PO Box 1829 Fayetteville, NC 28302 425-0918	County of Cumberland (Elected Official) serving unexpired term	2/09	1 <sup>st</sup>	April/09 4/30/09	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) 2<sup>nd</sup> Thursday at 6 pm. (Hearing Rm 3, Historic Courthouse)

APPLICANTS FOR  
AIR QUALITY STAKEHOLDERS

<u>NAME/ADDRESS/TELEPHONE</u>	<u>OCCUPATION</u>	<u>EDUCATIONAL BACKGROUND</u>
GILLIS, JOHN (W/M) 128 S. CHURCHILL DRIVE FAYETTEVILLE, NC 28303 484-9828/308-4255 (W)	BUILDER/DEVELOPER GILLIS GROUP	BS – ELECTRICAL ENG. MS – SYSTEM MGT.
HINSON, CAROLYN JUSTICE (W/F) 6253 LAKEHAVEN DRIVE FAYETTEVILLE, NC 28304 423-5940/223-4015 (W)	COMMUNITY RELATIONS MGT – PWC	BA – COMMUNICATIONS
MacDOWELL, ANA (W/F) 1317 MEDICAL DRIVE FAYETTEVILLE, NC 28304 487-9395/323-3890 (C)	MEDICAL DOCTOR ALLERGY PARTNERS	MD
PARSONS, JON (W/M) 7265 NC HIGHWAY 87 SOUTH FAYETTEVILLE, NC 28306 483-2669/484-9098 (W)	EXECUTIVE DIRECTOR SUSTAINABLE SANDHILLS	BS – MECHANICAL ENG.
RODRIQUEZ, DANIEL (H/M) 2634 FRANCISCAN DRIVE FAYETTEVILLE, NC 28306 425-2746/432-9701 (W)	OPERATIONS OFFICER US ARMY, FT BRAGG	BS – HEALTH SVS MS – HEALTH SVS ADMIN
SLATER, GARY (-/M) 1742 MARTINDALE DRIVE FAYETTEVILLE NC 28304 920-2441/987-0449 (C)/483-1128 X237	DIV. ENVIRONMENTAL MGR VALLEY PROTEINS/ CAROLINA BY-PRODUCTS	BS – ENVIRONMENTAL MGT
STEWART, JAMESON C. (W/M) 3533 GODWIN CIRCLE FAYETTEVILLE, NC 28312 874-5930/678-9897 (W)	SENIOR AUDIO VISUAL TECH – FTCC	AAA – ELECTRONICS ENG.

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MARSHALL FAIRCLOTH  
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EDWARD G. MELVIN



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Deputy Clerk

**BOARD OF COMMISSIONERS**

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March 9, 2009

ITEM NO. 5C

**March 16, 2009 Agenda Item**

TO: Board of Commissioners

FROM: Marie Colgan, Deputy Clerk *MC*

SUBJECT: Cumberland County Home and Community Care Block Grant  
Committee

The Cumberland County Home and Community Care Block Grant Committee will have the following vacancies on April 30, 2009:

Aging Service Provider:

**Rosa Crowe** – Completing first term. Eligible for reappointment.

**Tina Dicke** – Completing first term. Eligible for reappointment.

**Karin Simkin** – Completing first term. Eligible for reappointment.

Older Consumer:

**Edith Melvin** – Completing first term. Eligible for reappointment.

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

**PROPOSED ACTION:** Make nominations to fill the four (4) vacancies.

Attachments

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

*Celebrating Our Past...Embracing Our Future*

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

<u>Name/Address</u>	<u>Date Appointed</u>	<u>Term</u>	<u>Expires</u>	<u>Eligible For Reappointment</u>
<u>Older Consumer</u>				
Elma Jorgensen 2321 Colgate Drive Fayetteville, NC 28305	1/07	1 <sup>st</sup>	Dec/10 12/31/10	Yes
Janice Lucas P.O. Box 61 Falcon, NC 28342 980-1296	1/07	2 <sup>nd</sup>	Dec/10 12/31/10	No
Mary Mack 5471 Maplewood Fayetteville, NC 28314 867-9533	4/08	1 <sup>st</sup>	April/12 4/30/12	Yes
Edwin Deaver P.O. Box 127 Hope Mills, NC 28348	5/06	1 <sup>st</sup>	May/10 5/31/10	Yes
Edith B. Melvin (B/F) 3016 Piney Mountain Drive Hope Mills, NC 28348 481-9951	4/05	1 <sup>st</sup>	April/09 4/30/09	Yes
Barbara Marshall (B/F) 7640 Wilkins Drive Fayetteville, NC 28311 488-2615/977-2303 (C)	4/08	1 <sup>st</sup>	Apr/12 4/30/12	Yes
Ethel Hennessee 647 Edgehill Road Fayetteville, NC 28314 (serving first full term) 867-8910	12/07	1 <sup>st</sup>	Dec/11 12/31/11	Yes
Annie R. Hasan 1340 McArthur Road Fayetteville, NC 28311 630-0688/482-3513 (W)	2/08	1 <sup>st</sup>	Feb/12 2/28/12	Yes



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

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

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

APPLICANTS FOR  
HOME AND COMMUNITY CARE BLOCK GRANT COMMITTEE

<u>NAME/ADDRESS/PHONE</u>	<u>OCCUPATION</u>	<u>EDUCATIONAL BACKGROUND</u>
ADEYEMI, TOLUPE (-/M) 8118 FRENCH HORN LANE FAYETTEVILLE, NC 28314 583-9408/487-3959	US ARMY FT BRAGG	MASTERS – HEALTH ADMIN, PR, BS – ZOOLOGY, LIBERAL ARTS
ATKINSON, DEBORAH J. (B/F) 217 ANDOVER ROAD FAYETTEVILLE, NC 28311 822-5441/494-1288 (C)	RETIRED (STATE GOV'T)	BA – SOCIOLOGY MSW; MRC
BROWN, KRAIG (B/M) 2909 WYCLIFFE COURT FAYETTEVILLE, NC 28306 964-0503/424-7678 (W)	TEACHER CUMBERLAND CO. SCHOOLS	BS.MA – CRIMINAL JUSTICE MA – HUMAN RESOURCES
EDMONDS, SONYA M. (B/F) 709 COMMERCE STREET FAYETTEVILLE, NC 28305 485-1394/(919)566-4676	RESEARCH SCIENTIST WYETH VACCINES	BS – BIOLOGY MS – BIOTECHNOLOGY MGT.
<b>**SERVES ON THE ADULT CARE HOME ADVISORY BOARD**</b>		
HAIRE, CASSANDRA W. (B/F) 515 ALBANY STREET FAYETTEVILLE, NC 28301 728-0175	SELF EMPLOYED	PURSUING MBA
<b>**SERVES ON THE ADULT CARE HOME COMMUNITY ADVISORY COMMITTEE**</b>		
PILSON, RONNIE (W/M) 625 MONTCLAIRE ROAD FAYETTEVILLE, NC 28314 619-2606	SELF EMPLOYED PILSON PROPERTIES, INC.	HS

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Chairman

BILLY R. KING  
Vice Chairman

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



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Deputy Clerk

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ITEM NO. SD

March 9, 2009

**March 16, 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 vacancy on April 30, 2009:

Community Based Corrections Programs Representative:  
**Sue Horne** – completing first term. Eligible for reappointment.

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

**PROPOSED ACTION: Make nomination to fill the vacancy.**

Attachments

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

*Celebrating Our Past...Embracing Our Future*

## CRIMINAL JUSTICE PARTNERSHIP ADVISORY BOARD

2/09

3-year terms

Name/Address	Date Appointed	Term	Expires	Eligible For Reappointment
<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 <sup>nd</sup>	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 <sup>th</sup>	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 <sup>st</sup>	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 <sup>th</sup>	June/09 6/30/09	Yes
<u>Police Chief or Designee</u>				
Captain David Houp Fayetteville Police Department 467 Hay Street Fay., NC 28301 433-1861	9/07	1 <sup>st</sup>	Sept/10 9/30/10	Yes
<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 <sup>th</sup>	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	4/06	1 <sup>st</sup>	April/09 4/30/09	Yes
<u>District Attorney</u>				
Ed Grannis (W/M) Cumberland County Courthouse 117 Dick Street Fay., NC 28301 678-2915(W)	6/07	5 <sup>th</sup>	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 <sup>th</sup>	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 <sup>st</sup>	June/10 6/30/10	Yes
Frederick H. Frimet (C/M) 1163 Bluebird Lane Fay., NC 28311 488-7486(H)	6/07	2 <sup>nd</sup>	June/10 6/30/10	No
Richard A. Hayes 332 Summertime Road Fay., NC 28303 484-0137/733-4564(W)	6/07	4 <sup>th</sup>	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 <sup>th</sup>	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> William David McFadyen (W/M) 7122 Hunters Point Drive Fay., NC 28311 822-2362	6/07	1 <sup>st</sup>	June/10 6/30/10	Yes
Kirk Nance 603 Pilot Avenue Fay., NC 28303 484-4140/323-3500(W)	6/06	2 <sup>nd</sup>	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 <sup>th</sup>	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 serving unexpired term	1 <sup>st</sup>	June/10 6/30/10	Yes
<u>Substance Abuse Service Representative</u> James Miller (W/M) 6674 Sim Cannady Road Hope Mills, NC 28348 321-6793	6/08	5 <sup>th</sup>	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 <sup>st</sup>	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) x6126



APPLICANTS FOR  
CRIMINAL JUSTICE PARTNERSHIP ADVISORY BOARD

<u>NAME/ADDRESS/TELEPHONE</u>	<u>OCCUPATION</u>	<u>EDUCATIONAL BACKGROUND</u>
BROWN, KRAIG (B/M) 2909 WYCLIFFE COURT FAYETTEVILLE, NC 28306 964-0503/424-7678 (W)	TEACHER CC SCHOOLS	BS.MA – CRIMINAL JUSTICE MA – HUMAN RESOURCES
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) <b>** SERVES ON BOARD OF HEALTH</b>	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) <b>**SERVES ON THE JUVENILE CRIME PREVENTION COUNCIL**</b>	PROGRAM DIRECTOR NC DEPT OF CORRECTIONS	BA – SOCIOLOGY
McMILLAN, ROSIE G. (B/F) 1972 CULPEPPER LANE FAYETTEVILLE, NC 28304 864-0158/672-1105 (W) <b>**SERVES ON THE WORKFORCE DEVELOPMENT BOARD**</b>	PROJECT COORDINATOR FSU	BS – CRIMINAL JUSTICE M.A. – SOCIOLOGY
MERRITT, EDGAR F. (B/M) 1506 BOROS DRIVE FAYETTEVILLE, NC 28303 822-2976 <b>**SERVES ON THE ADULT CARE HOME COMM ADVISORY BOARD**</b>	RETIRED POLICE OFFICER	UNIVERSITY 1960-63
OWENS JR., HUBERT (B/M) 4836 DURANGO COURT FAYETTEVILLE, NC 28304 339-9592/(719)433-9684	DISTRIBUTION WALMART DISTRIBUTION	HS; COLLEGE GRADUATE IN MAY 09

Criminal Justice Partnership Advisory Board – page 2

<u>NAME/ADDRESS/TELEPHONE</u>	<u>OCCUPATION</u>	<u>EDUCATIONAL BACKGROUND</u>
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
SALLEY, LUKE (B/M) 104 UNIVERSITY AVENUE FAYETTEVILLE, NC 28301 488-9365/364-8505 (C)	ASST TO ADMINISTRATOR 1 <sup>ST</sup> 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

BILLY R. KING  
Vice Chairman

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



MARSHA S. FOGLE  
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MARIE COLGAN  
Deputy Clerk

**BOARD OF COMMISSIONERS**

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

ITEM NO. 5E

March 11, 2009

**March 16, 2009 Agenda Item**

TO: Board of Commissioners

FROM: Marie Colgan, Deputy Clerk *MC*

SUBJECT: Nursing Home Advisory Board

The Nursing Home Advisory Board has the following vacancies:

Elizabeth Deane and October Morales were unable to accept their recent appointments due to a conflict of interest. Fill the vacancies.

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

**PROPOSED ACTION: Make nomination to fill the two (2) vacancies.**

Attachments

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

*Celebrating Our Past...Embracing Our Future*

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

<u>Name/Address</u>	<u>Date Appointed</u>	<u>Term</u>	<u>Expires</u>	<u>Eligible For Reappointment</u>
Mandella Edwards ( /F) 7076 Candlewood Drive Fayetteville, NC 28314 429-0790(H)	4/07	1 <sup>st</sup>	April/10 4/30/10	Yes
Tom Lloyd (W/M) 1306 Berkshire Road Fayetteville, NC 28305 574-3177/678-7618(W)	8/08	1 <sup>st</sup>	Aug/11 8/31/11	Yes
Martha McKoy P.O. Box 42152 Fayetteville, NC 28309 423-0771	9/08	2 <sup>nd</sup>	Sept/11 9/30/11	No
Dr. John Briggs (W/M) 2910 Hybart Street Fayetteville, NC 28303 867-1493	2/08	Initial	Feb/09 2/28/09	Yes
Terri Thomas (B/F) 508 Spaulding Street Fayetteville, NC 28301 988-7672/485-4765(W)	1/09	Initial	Jan/10 1/31/10	Yes
Hervenna Pannell (B/F) 1821 Eichelberger Drive Fayetteville, NC 28303 822-8516/907-9355(W)	2/06	1 <sup>st</sup>	Feb/09 2/28/09	Yes
Clyde E. Hammond (W/M) 1802 Flintshire Road Fayetteville, NC 28304 425-2774	08/08	1 <sup>st</sup>	Aug/11 8/31/11	Yes
Elizabeth Deane (W/F) 727 Duck Court #43 Fayetteville, NC 28314 867-2873/689-0150 (W)	03/09	Initial	Mar/10 3/31/10	Yes
Toney Edwards (B/M) 3622 Clearwater Drive Fayetteville, NC 28311 822-4261/864-6262	1/09	1 <sup>st</sup>	Jan /12 1/31/12	Yes

<u>Name/Address</u>	<u>Date Appointed</u>	<u>Term</u>	<u>Expires</u>	<u>Eligible For Reappointment</u>
October Morales (W/F) 1917 Daphne Circle Fayetteville, NC 28304 (831)601-7217/689-0150 (W)	3/09	Initial	Mar/10 3/31/10	Yes
Marilynn H. Montenegro 701 Emeline Avenue Fayetteville, NC 28303 678-8020/609-0639 (W)	12/08	Initial	Dec/09 12/31/09	Yes

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

Quarterly, 3<sup>rd</sup> Monday (March, June, September & December) at 1:00 PM - at various nursing homes in the county.

APPLICANTS FOR  
NURSING HOME ADVISORY BOARD

<u>NAME/ADDRESS/TELEPHONE</u>	<u>OCCUPATION</u>	<u>EDUCATIONAL BACKGROUND</u>
ADEYEMI, TOLUPOE (-/M) 8118 FRENCH HORN LANE FAYETTEVILLE, NC 28314 583-9408/487-3959	US ARMY FT BRAGG	MASTERS – HEALTH ADMIN, PR, BS – ZOOLOGY, LIBERAL ARTS
BOOTH, YVONNE (B/F) 4568 TURQUOISE RD FAYETTEVILLE, NC 28311 488-7260	STUDENT	MEDICAL/ EDUC CNA MED TECH, PHLEBOTOMY TECH
<b>**SERVES ON THE ADULT CARE HOME ADVISORY BOARD**</b>		
EBRON, SANDRA (B/F) PO BOX 65306 FAYETTEVILLE, NC 28306 424-3932/(919) 922-9446 (C)	UTILIZATION MGT SPECIALIST MENTAL HEALTH – LUMBERTON	MASTERS – SOCIAL WORK
<b>**SERVES ON THE ADULT CARE HOME COMMUNITY ADVISORY COMMITTEE**</b>		
EDMONDS, SONYA M. (B/F) 709 COMMERCE STREET FAYETTEVILLE, NC 28305 485-1394/(919)566-4676	RESEARCH SCIENTIST WYETH VACCINES	BS – BIOLOGY MS – BIOTECHNOLOGY MGT.
<b>**SERVES ON THE ADULT CARE HOME ADVISORY BOARD**</b>		
HACKETT, MARIAN J. (B/F) 4184 FERNCREEK DRIVE FAYETTEVILLE, NC 28314 323-3060/672-2129	RN – LECTURER FSU	MASTER – NURSING
<b>**SERVES ON THE ADULT CARE HOME COMMUNITY ADVISORY COMMITTEE**</b>		
HAIRE, CASSANDRA W. (B/F) 515 ALBANY STREET FAYETTEVILLE, NC 28301 728-0175	SELF EMPLOYED	PURSUING MBA
<b>**SERVES ON THE ADULT CARE HOME COMMUNITY ADVISORY COMMITTEE**</b>		
McLAUGHLIN, CENITRA (B/F) 6220 BIRCHBROOK DRIVE HOPE MILLS, NC 28348 868-4966/229-6441	REAL ESTATE AGENT WEICHERT REALTORS	HS; SOME COLLEGE
PAUL, ROBIN (B/F) 363 KIMBERWICKE DRIVE FAYETTEVILLE, NC 28311 424-2278/237-2829 (W)	SELF-EMPLOYED CARE FINDERS FIRST	MASTERS-TEACHING READING K-6
RODRIQUEZ, DANIEL (H/M) 2634 FRANCISCAN DRIVE FAYETTEVILLE, NC 28306 425-2746/432-9701 (W)	OPERATIONS OFFICER US ARMY, FT BRAGG	BS – HEALTH SVS MS – HEALTH SVS ADMIN
TOMLINSON-KNOELL, REV. NANETTE 609 TALLSTONE DRIVE FAYETTEVILLE, NC 28311 339-2201/489-2198	PASTOR	BA – ELEMENTARY EDUC. MASTER OF DIVINITY
<b>**SERVES ON THE ADULT CARE HOME COMMUNITY ADVISORY COMMITTEE**</b>		

NURSING HOME ADVISORY BOARD, PAGE 2

<u>NAME/ADDRESS/TELEPHONE</u>	<u>OCCUPATION</u>	<u>EDUCATIONAL BACKGROUND</u>
WOLFE, JACQUELINE B. (W/F) 1812 MANCHESTER STREET FAYETTEVILLE, NC 28303 484-8588	RETIRED - FAYETTEVILLE POSTAL CU	HS; SOME TECH COURSES
<b>**SERVES ON THE ADULT CARE HOME COMMUNITY ADVISORY COMMITTEE**</b>		

APPLICANTS FOR  
PARKS & RECREATION ADVISORY BOARD

<u>NAME/ADDRESS/TELEPHONE</u>	<u>OCCUPATION</u>	<u>EDUCATIONAL BACKGROUND</u>
BUSH-McMANUS, PATRICIA (B/F)	SITE DIRECTOR – TROY	DOCTORAL STUDENT

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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March 11, 2009

ITEM NO. 5F

**March 16, 2009 Agenda Item**

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

The Workforce Development Board has the following vacancy:

**Private Sector**

April Whittemore – moved out of the county and no longer eligible to serve. **Linda Hoppmann** is recommended to fill this slot (see attached).

Mike Baldwin – resigned due to conflicts with his schedule. **Hubert Owens, Jr.**, is recommended to fill this slot.

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

**PROPOSED ACTION:** Make nomination to fill the two (2) vacancies.

Attachments

pc: Geneva Mixon, Director  
Workforce Development

*Celebrating Our Past...Embracing Our Future*



## Marie Colgan

**From:** Nancy A. Jackson  
**Sent:** Wednesday, March 11, 2009 9:24 AM  
**To:** Marie Colgan  
**Cc:** nancy.a.jackson@ncmail.net  
**Subject:** WDB Replacements

We would like to nominate Linda Hoppmann to replace Joleta Evans, and ~~Randall Newcomer to Replace Wendell Troy (If Sara Hicks is unresponsive)~~. We also need a replacement for Mike Baldwin, he has asked to be removed due to lack of time, wife illness etc. and we would like to nominate Hubert Owens Jr. to replace Mr. Baldwin.

Let me know if you have any questions.

*Nancy Jackson  
Administrative Assistant II  
Workforce Development Center  
410 Ray Ave, PO Box 1829  
Fayetteville, NC 28302-1829  
(910) 323-6421, ext 2126  
Fax: (910) 323-5755*

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 <sup>st</sup>	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 <sup>st</sup>	Sept/11 09/30/11	Yes
Loleta L. Wilkerson ( /F) Pentagon Federal Credit Union 1800 Skibo Road, Suite 320 Fayetteville, NC 28303 487-3404/868-5594(W)	10/08	2 <sup>nd</sup>	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 <sup>st</sup>	Sept/11 09/30/11	Yes
Brad Loase (W/M) 815 Stamper Road Fayetteville, NC 28303 583-3682/437-5959 (W)	6/08	1 <sup>st</sup>	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 <sup>st</sup>	Feb/10 2/28/10	Yes
JoLeita Evans (W/F) <b>resigned</b> 2974 Evans Dairy Road Fayetteville, NC 28312 483-9065/484-5972(W)	11/08	2 <sup>nd</sup>	Nov/11 11/30/11	No
Dina Simcox (W/F) 3628 Heatherbrooke Drive Fayetteville, NC 28306 717-2448/868-7668 (W)	4/08	1 <sup>st</sup>	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 <sup>st</sup>	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 <sup>nd</sup>	Oct/11 10/31/11	No
Mike Baldwin (W/M) 1337 Sawyer Court Hope Mills, NC 28348 323-9493/426-5000(W)	6/06	1 <sup>st</sup>	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 <sup>st</sup>	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 <sup>st</sup>	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 <sup>st</sup>	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 <sup>st</sup>	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 <sup>st</sup>	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 <sup>st</sup>	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 <sup>st</sup>	Sept/11 9/30/11	Yes
<u>Education:</u> Dr. Joe Mullis, ( /M) FTCC PO Box 35236 Fayetteville, NC 28303	8/07	1 <sup>st</sup>	Aug/10 8/31/10	Yes
Emily Dickens (-/F) Fayetteville State University 1200 Murchison Road Fayetteville, NC 28301 486-1141	11/08	1 <sup>st</sup>	Nov/11 11/30/11	Yes

Cumberland County Workforce Development Board, page 4

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

APPLICANTS FOR  
WORKFORCE DEVELOPMENT BOARD

<u>NAME/ADDRESS/PHONE</u>	<u>OCCUPATION</u>	<u>EDUCATIONAL BACKGROUND</u>
ADEYEMI, CHRISTIANA (-/F) 8118 FRENCH HORN LANE FAYETTEVILLE, NC 28314 583-9339/583-9408	COUNSELOR HEAD START/CCAP	MASTERS – INTER. LAW/ COUNSELING; BA – ENGLISH
BRIGGS, BENITA Y. (B/F) 1639 RUDOLPH STREET FAYETTEVILLE, NC 28301 822-1154/672-1294	OFFICE ASSISTANT IV FSU	BA – HISTORY/SOCIOLOGY
CAMPBELL, DR. REBECCA M. (-/F) 7027 DARNELL STREET FAYETTEVILLE, NC 28314 487-1555	RETIRED JFK SPECIAL WARFARE	DOCTORATE – TEACHING & SPECIAL EDUCATION
COLEY, TIAWANNIA A. (B/F) 6115 LAKE TRAIL DRIVE FAYETTEVILLE, NC 28304 860-4872/321-6794 (W)	SUBSTANCE ABUSE COUNSELOR- MENTAL HEALTH/TASC	BS – COMPUTER SCIENCE AA – MATHEMATICS WORKING ON MASTERS -
GAINEY, CHERYL (W/F) 4685 VIRSALLI LOOPE HOPE MILLS, NC 28348 486-4351/672-1062 (W)	ACCTS PAYABLE, SUPERVISOR – FSU	MASTER OF DIVINITY
HOPPMANN, LINDA (W/F) 515 PERSON STREET FAYETTEVILLE, NC 28301 826-4939/483-5016 (W)	PRESIDENT U-TECK	BBA
MARSHALL, BARBARA SUMMEY (B/F) 7640 WILKINS DRIVE FAYETTEVILLE, NC 28311 488-2615/977-2303 (W)	VOLUNTEER/ADVOCATE RETIRED MILITARY	MASTERS - RELIGIOUS EDUCATION
<b>**SERVES ON BOARD OF HEALTH**</b>		
McALLISTER, MEREDITH (B/F) 553 HOLLYBERRY LANE FAYETTEVILLE, NC 28314 867-8564/222-8751 (W)	CERTIFIED PERSONAL FINANCE COUNSELOR CONSUMER EDUCATION SERVICES, INC.	BUSINESS – UNC AT CHAPEL HILL
NEWCOMER, RANDALL (-/M) 109 CYPRESS LAKES CIRCLE HOPE MILLS, NC 28348 308-5432/424-1776 (W)	PROJECT MANAGER BROCK CABINETS	BA – BUSINESS
OKHOMINA, DR. DON A. (B/M) 494 DUNLOE COURT FAYETTEVILLE, NC 28311 868-1618/672-2148 (W)	ASST PROFESSOR OF MANAGEMENT FSU	BS – BUSINESS ADMIN MBA, PHD – MGT.

<u>NAME/ADDRESS/TELEPHONE</u>	<u>OCCUPATION</u>	<u>EDUCATIONAL BACKGROUND</u>
OWENS JR., HUBERT (B/M) 4836 DURANGO COURT FAYETTEVILLE, NC 28304 339-9592/(719)433-9684	DISTRIBUTION WALMART DISTRIBUTION	HS; COLLEGE GRADUATE IN MAY 09
PILSON, RONNIE (W/M) 625 MONTCLAIRE ROAD FAYETTEVILLE, NC 28314 619-2606	SELF EMPLOYED PILSON PROPERTIES, INC.	HS
TALLY, WILLIAM LOCKETT (W/M) 414 VISTA DRIVE FAYETTEVILLE, NC 28305 489-3533/483-4175	ATTORNEY TALLY & TALLY	BA-POLITICAL SCIENCE JD-SCHOOL OF LAW

**\*\*SERVES ON BOARD OF ADJUSTMENT\*\***

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. 6A

March 2, 2009

**March 16, 2009 Agenda Item**

TO: Board of Commissioners  
FROM: Marie Colgan, Deputy Clerk *MC*  
SUBJECT: Joint Senior Citizens Advisory Commission

**BACKGROUND:** On March 2, 2009, the Board of Commissioners nominated the following to fill one vacancy on the Joint Senior Citizens Advisory Commission.

**Mary Rizor** (new appointment)

I have attached the current membership list.

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

Attachment

pc: James McMillan, Special Projects Coordinator  
City of Fayetteville

*Celebrating Our Past...Embracing Our Future*



SENIOR CITIZENS ADVISORY COMMISSION  
(Joint Fayetteville/Cumberland County)  
2 Year Term  
(County Appointees)

<u>Name/Address</u>	<u>Date Appointed</u>	<u>Term</u>	<u>Expires</u>	<u>Eligible For Reappointment</u>
William J. Watson (B/M) 1881 Gola Drive Fayetteville, NC 28301 488-6600	2/09	1 <sup>st</sup>	Feb/11 2/28/11	Yes
Eleanor Ayers Hairr P.O. Box 220 Stedman, NC 28391 323-1892	11/08	2 <sup>nd</sup>	Nov/10 11/30/10	No
Rebecca Campbell (W/F) 7027 Darnell Street Fayetteville, NC 28314 487-1555/432-6393	10/08	1 <sup>st</sup>	Sept/10 9/30/10	Yes
Sara Jean Hicks(W/F) 2303 Morganton Rd. #2 Fayetteville, NC 28305 417-9072/483-8309 (W)	10/08	1st	Sept/10 9/30/10	Yes
George Hatcher, Sr.(C/M) 3534 A.B. Carter Road Fayetteville, NC 28312 483-5896/818-8263(Cell)	11/08	2 <sup>nd</sup>	Nov/10 11/30/10	No
E. C. (Chip) Modlin (W/M) 2811 Millbrook Road Fayetteville, NC 28303 485-5262(H)	9/07	2 <sup>nd</sup>	Sept/09 9/30/09	No
Dineen Morton 5835 Pettigrew Drive Fayetteville, NC 28314 635-9287(W)	9/07	2 <sup>nd</sup>	Sept/09 9/30/09	No
Annette Renteria (_/F) 7130 Ashwood Circle Fayetteville, NC 28303 964-5352 (C)/907-9705 (W)	9/08	1st	Sept/10 9/30/10	Yes

Senior Citizens Advisory Commission, page 2

<u>Name/Address</u>	<u>Date Appointed</u>	<u>Term</u>	<u>Expires</u>	<u>Eligible For Reappointment</u>
Carolyn Tracy (W/F) 718 Southview Circle Fayetteville, NC 28311 323-4191, x26 (W)	9/08	2 <sup>nd</sup>	Sept/10 9/30/10	No
Kristine Wagner (W/F) 130 Gillespie Street Fayetteville, NC 28301 436-0340/678-7624(W)	11/08	2 <sup>nd</sup>	Nov/10 11/30/10	No

Contact: James McMillan, Special Programs Supervisor, City of Fayetteville.  
Phone: 433-1560 - Fax: 433-1560 – Email: [jmcmillan@ci.fay.nc.us](mailto:jmcmillan@ci.fay.nc.us)  
Mary Brymer – Senior Citizens Center Director – Phone: 433-1574

Commissioner Liaison: Commissioner Marshall Faircloth

Regular Meetings: 2nd Tuesday of each month at 2:30 PM  
LaFayette Room – City Hall

\*NOTE: This Board was expanded in 2006. The City & County agreed to expand from 10 to 20 members. The BOC had responsibility to appoint 2 new members to a 1 yr. term & 3 new members to a 2 yr. term.

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

March 2, 2009

**March 16, 2009 Agenda Item**

TO: Board of Commissioners  
FROM: Marie Colgan, Deputy Clerk *mc*  
SUBJECT: Library Board of Trustees

BACKGROUND: On March 2, 2009, the Board of Commissioners nominated the following to fill one vacancy on the Library Board of Trustees:

**Mary E. Thomas** (new appointment)

I have attached a current membership list for this board.

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

Attachment

pc: Jody Risacher, Library Director

*Celebrating Our Past...Embracing Our Future*

## LIBRARY BOARD OF TRUSTEES

10/08

## 3 Year Term

<u>Name/Address</u>	<u>Date Appointed</u>	<u>Term</u>	<u>Expires</u>	<u>Eligible For Reappointment</u>
Dr. Polly Davis (W/F) 2542 South Edgewater Drive Fayetteville, NC 28303-5202 484-5887/678-8322 (W)	09/06	1 <sup>st</sup>	Dec/09 12/31/09	Yes
Nellie L. McCoy (B/F) P.O. Box 514 Spring Lake, NC 28390-0514 497-2890 (H)	11/06	1 <sup>st</sup> full	Dec/09 12/31/09	Yes
Ole M. Sorensen (W/M) 2817 Briarcreek Place Fayetteville, NC 28304-3879 867-9403/309-0000 (C)	10/08	1 <sup>st</sup>	Dec/11 12/31/11	Yes
Maxine McCoy (W/F) 112 Hillside Avenue Fayetteville, NC 28301-4828 485-1944 (H)	11/06	2 <sup>nd</sup>	Dec/09 12/31/09	No
Willie Wright (B/M) 196 Darrock Court Fayetteville, NC 28311-2914 822-6415/672-1499 (W)	10/07	1 <sup>st</sup>	Dec/10 12/31/10	Yes
Susan Walters (W/F) 4100 Yarborough Road Hope Mills, NC 28348-8924 483-1252 (H)	10/08	2 <sup>nd</sup>	Dec/11 12/31/11	No
Robbin MacGregor (W/F) 2309 Crosshill Drive Fayetteville, NC 28312-9313 339-7552/678-2402(W)	10/07	2 <sup>nd</sup>	Dec/10 12/31/10	No

(Dr. Davis was appointed 9/06; however, her first term will not begin until January 2007 after Richard Higgins' board appointment expires.)

Library Liaison: Commissioner J. Breeden Blackwell

Contact: Jody Risacher, Library Director (or Wendy Fraser – 483-1580 x102)

Meeting Date: 3rd Thursday of each month (with the exception of 2<sup>nd</sup> Thursday in December) at 9:05 AM  
- Different Libraries within the County