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

INVOCATION - Commissioner Breeden Blackwell

PLEDGE OF ALLEGIANCE – Nicholas Perry, Salem Pre-School

Special Recognition: Mrs. Ernestine Smith “Mama Tine” – Ms. Senior Cumberland County 2009

Special Recognition: Medallion Award – Great Oak Youth Development Center

Special Recognition: Cumberland County Cares – Great Oak Youth Development Center

Recognition of Outgoing Board Members: I. J. McNeill – Minimum Housing Appeals Board

Recognition of Retired County Employees: George Autry, North Carolina Cooperative Extension

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

1. Approval of Agenda

2. Consent Agenda

A. Approval of minutes for the November 2, 2009 regular meeting.

B. Approval of a Resolution to Support Cape Fear Valley Health System’s Petition to Amend the Draft 2010 State Medical Facilities Plan to Align Cumberland County and Hoke County as One Multi-County Service Area.

C. Budget Revisions:

(1) Health

- a. Pharmacy - Revision in the amount of \$68,064 to budget additional fees. (B10-160) **Funding Source – Fees**
- b. Women's, Infants and Children – Revision in the amount of \$195,690 to budget additional State funding to establish two new Processing Assistant positions and two Nutrition I positions. (B10-163) **Funding Source – State**

(2) Animal Services/Sheriff

Revisions in the amount of \$35,800 to budget for a new Deputy III in Sheriff's Office that will act as the Animal Cruelty Investigator for the Animal Services Department. (B10-168 and B10-168A) **Funding Source – Reallocation of Budgeted Expenditures**

(3) Library Grants

Revision in the amount of \$24,480 to budget additional E-rate funds received. (B10-172) **Funding Source – Grant**

(4) Jail

Revision in the amount of \$30,000 to appropriate fund balance for the purchase of replacement dishwasher. (B10-169) **Funding Source – General Fund Fund Balance**

(5) Sheriff

Revision in the amount of \$467,024 to accept Federal Grant to establish a Child Sexual Predator Program. (B10-171) **Fund Source – Federal Grant**

(6) Emergency Services

Revision in the amount of \$135,000 to create three Telecommunicator positions providing E911 dispatch services for the Town of Spring Lake. (B10-174) **Funding Source – Town of Spring Lake**

(7) Emergency Telephone System Fund

Revision in the amount of \$121,633 to appropriate fund balance to upgrade the 911 dispatch system. (B10-175) **Funding Source – Town of Spring Lake**

(8) School Capital Outlay Fund

Revision to approve the rebuild of the Douglas Byrd Middle School gymnasium/cafeteria using \$1,563,500 from insurance proceeds and to approve the use of sales taxes in the amount of \$1,370,000 to construct six additional classrooms. (B10-175) **Funding Source – School Sales Tax**

3. Public Hearings

Uncontested Cases

Rezoning

- A. Case P09-43. Rezoning of 3.53+/- acres from M1(P) Planned Light Industrial, RR Rural Residential and R10 Residential to R7.5 Residential and R10 Residential to M1(P) Planned Light Industrial, or to a more restrictive zoning district, located at 2085 and 2117 Crystal Springs Road; submitted and owned by Winston Hemley and Arnold and Virginia Page.
- B. Case P09-47. Rezoning of .49+/- acres from R10 Residential to C2(P) Planned Commercial, or to a more restrictive zoning district, located at 7010 Stoney Point Road; submitted by HCC Investments, LLC. and Jean Ockert (by POA), owned by Jean Ockert, Jean T. Ockert, Michael Ockert and Melanie Moog.

Other Public Hearings

- C. Public Hearing on Brooklyn Circle Preliminary Assessment Resolution.
- D. Public Hearing to Consider Installment Financing Contract for Issuance of \$15.9M of Qualified School Construction Bonds Under G.S. 160A-20 with Wachovia Corporation.

Minimum Housing Code Enforcement

- E. Case Number: MH 5988-2009
Property Owner: Donald Robert Rowe, Jr.
Mobile Home Owner: William Rowe
Property Location: 4044 Limestone Street, Eastover, NC
Parcel Identification Number: 0469-44-7901

- | | | |
|----|-------------------------------|---|
| F. | Case Number: | MH 5963-2009 |
| | Property Owner: | Tammy Mullen |
| | Property Location: | 1216 Lake Avenue Extension, Spring Lake, NC |
| | Parcel Identification Number: | 0511-16-6542 |
| | | |
| G. | Case Number: | MH 5930-2009 |
| | Property Owner: | Ella King McIver, c/o Sylvia King Diop |
| | Property Location: | 362 Williams Street, Spring Lake, NC |
| | Parcel Identification Number: | 0511-18-1417 |

Items of Business

4. Presentation by Ms. Jan Albert, Cumberland County Solid Waste on the Cumberland County Recycling Program.
5. Consideration of Adoption of 2010 Board of Commissioners Regular Meeting Dates.
6. Consideration of Cumberland County Financial Matters:
 - A) Consideration of Designating the County's 1.7M Allocation of Recovery Zone Facility Bonds.
 - B) Consideration of a Request to Seek a Further Reallocation of Recovery Zone Facility Bonds in the Amount of \$30M.
7. Consideration of Cumberland County Facilities Committee Report and Recommendations:
 - A) Update on Phase II Improvements at Crown Arena and Theater – Mechanical Electrical, Plumbing and Life Safety Upgrades and Consideration of Designating the County's \$1.1 Million Allocation of Recovery Zone Economic Development Bonds.
 - B) Consideration of Request of Twelfth Judicial District Bar Association to Place a Plaque in the Courthouse to Commemorate the Service of the Lawyers Who Have Served as President of the Twelfth Judicial District Bar.
8. Nominations to Boards and Committees
 - A. Adult Care Home Community Advisory Committee (2 Vacancies)
 - B. Air Quality Stakeholders' Committee (1 Vacancy)
 - C. Cumberland County Home and Community Care Block Grant Committee (1Vacancy)

- D. Cumberland County Local Emergency Planning Committee (1 Vacancy)
- E. Farm Advisory Board (9 Vacancies)
- F. Mental Health Board (9 Vacancies)
- 9. Appointments to Boards and Committees
 - A. Cape Fear River Assembly (1 Vacancy)
Nominee: Juanita Pilgrim
 - B. Cumberland County Public Library Board of Trustees (3 Vacancies)
Nominees: Dr. Polly Davis (Reappointment)
Mary E. Thomas (Reappointment)
Sara Vanderclute
 - C. Minimum Housing Appeals Board (1 Vacancy)
Nominee: Clayton O. Burris, Jr.
 - D. Nursing Home Advisory Board (1 Vacancy)
Nominee: Tolulope Adeyemi
 - E. Tourism Development Authority- Appointment of Chairman
Nominee: Vivek Tandon
- 10. Closed Session:
 - A. Economic Development Matter(s) Pursuant to NCGS 143.318.11(a)(4).
 - B. Attorney-Client Matter Pursuant to NCGS 143-318.11(a)(3).
 - C. Personnel Matter(s) Pursuant to NCGS 143-318.11(a)(6).

ADJOURN

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

**MEETINGS: December 7, 2009 (Monday) - 9:00 AM
December 21, 2009 (Monday) - 6:45 PM**

COUNTY OF CUMBERLAND

NORTH CAROLINA

**RESOLUTION TO SUPPORT CAPE FEAR VALLEY HEALTH SYSTEM'S
PETITION TO AMEND THE DRAFT 2010 STATE MEDICAL FACILITIES PLAN
TO ALIGN CUMBERLAND COUNTY AND HOKE COUNTY
AS ONE MULTI-COUNTY SERVICE AREA**

WHEREAS, Hoke County is currently part of a multi-county service area with Moore County for healthcare services since Hoke County does not have a hospital.

WHEREAS, since 2007 for Operating Rooms and 2008 for inpatient acute care beds, and continuing into 2009, the plurality of Hoke County residents seek their care in Cumberland County.

WHEREAS, the population growth rate in western Hoke County and those residents who seek their care in Moore County is significantly less than the population growth rate in eastern Hoke County and those residents who seek their care in Cumberland County.

WHEREAS, both Cumberland County and Hoke County experienced and continue to experience an increased population explosion along the Cumberland County-Hoke County border related to the impact of Base Relocation and Closure ("BRAC") on Fort Bragg.

WHEREAS, Cape Fear Valley Health System ("Cape Fear Valley") continues to petition the State to amend the draft 2010 State Medical Facilities Plan ("SMFP"), to follow the methodology contained in prior SMFP's, regarding multi-county service areas for Acute Care Beds, Operating Rooms, MRI, and Cardiac Catheterization, and to designate Cumberland County and Hoke County as one multi-county service area in the 2010 SMFP.

WHEREAS, the State Health Coordinating Council ("SHCC") has changed the methodology in the draft 2010 SMFP despite the recommendation of the State Medical Facilities Planning Section to follow the methodology and designate Cumberland County and Hoke County as one multi-county service area in the 2010 SMFP.

WHEREAS, the SHCC's proposed change in the multi-county service area methodology could have an enormous negative economic effect on Cumberland County and negatively affect the health care delivery system in the entire region.

NOW, THEREFORE, BE IT RESOLVED, the County Commissioners of Cumberland County, North Carolina unanimously vote to urge Governor Beverly Perdue to amend the draft 2010 SMFP in accordance with Cape Fear Valley Health System's Petition to amend the 2010 State Medical Facilities Plan, to follow the methodology in the SMFP, and to designate Cumberland County and Hoke County as one multi-county service area for Acute Care Beds, Operating Rooms, MRI, and Cardiac Catheterization.

Jeannette M. Council, Chairman

I, Marie Colgan, Clerk to the Board of Commissioners for the County of Cumberland, North Carolina, DO HEREBY CERTIFY that the foregoing is a true and complete copy of a resolution adopted by the Board of Commissioners of the County at a regular meeting duly called and held on November __, 2009, and that the proceedings of such meeting are recorded in the Minutes of said Board. Pursuant to G.S. § 143-318.12, a current copy of a schedule of regular meetings of the Board of Commissioners of the County is on file in my office.

WITNESS my hand and the official seal of the County this ____ day of November, 2009.

Clerk, Board of Commissioners
County of Cumberland, North Carolina

COUNTY OF CUMBERLAND
BUDGET REVISION REQUEST

Budget Office Use
Budget Revision No. B10-160
Date Received 10/29/09
Date Completed

Fund No. 101 Agency No. 431 Organ. No. 4304

Organization Name: PHARMACY

ITEM NO. 2C(1)a

REVENUE

Revenue Source Code	Description	Current Budget	Increase (Decrease)	Revised Budget
6047	PHARMACY FEES	251,936	68,064	320,000
		251,936	68,064	320,000

EXPENDITURES

Object Code	Appr Unit	Description	Current Budget	Increase (Decrease)	Revised Budget
2381	158	PRESCRIPTION DRUGS	251,936	68,064	320,000

Total 251,936 68,064 320,000

Justification:

THIS BUDGET REVISION REQUESTS TO BUDGET FOR ADDITIONAL REVENUE THAT THE HEALTH DEPARTMENT EXPECTS TO EARN IN ORDER TO PURCHASE ADDITIONAL PRESCRIPTION DRUGS,

State: _____ Federal: _____ Fund Balance: _____
Other: _____ Fees: 68,064 County: _____ New: _____ Other: _____
Prior Year: _____

Submitted By: BROOK Date: 10-29-09

Department Head

Reviewed By: Kelly A. Astry Date: 10-29-09
Finance Department

Reviewed By: _____ Date: _____
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>B10-163</u>
Date Received	<u>11-5-09</u>
Date Completed	

Fund No. 101 Agency No. 431 Organ. No. 4334
 Organization Name: WOMEN'S, INFANTS & CHILDREN (WIC)

ITEM NO. 2C(1)b

REVENUE

Revenue Source Code	Description	Current Budget	Increase (Decrease)	Revised Budget
4151	NC WIC NUTRITION EDUCATION	500,000	40,000	540,000
4152	NC WIC CLIENT SERVICES	1,503,085	148,690	1,651,775
4153	NC WIC BREASTFEEDING	150,000	7,000	157,000
Total		2,153,085	195,690	2,348,775

EXPENDITURES

Object Code	APRs	Unit	Description	Current Budget	Increase (Decrease)	Revised Budget
1210	247		SALARIES - REGULAR	1,508,352	54,248	1,562,600
1810	247		FICA MATCH	117,452	4,152	121,604
1820	247		RETIREMENT	75,230	2,660	77,890
1824	247		401K COUNTY	15,348	540	15,888
1830	247		MEDICAL INSURANCE	286,925	11,500	298,425
1860	247		WORKERS COMP	4,598	130	4,728
299A	248		COMPUTER HARDWARE	0	46,000	46,000
2995	248		COMPUTER SOFTWARE	2,750	14,000	16,750
3390	248		CONTRACTED SERVICES	1,200	40,000	41,200
3419	248		MISCELLANEOUS EXPENSES	108,106	22,460	130,566
Total				2,119,961	195,690	2,315,651

Justification:

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

State: 195,690 Federal: _____ Fund Balance: _____ County: _____
 Other: _____ Fees: _____ Prior Year: _____ Other: _____

Submitted By: [Signature] Date: 11-1-09
 Department Head
 Reviewed By: [Signature] Date: 11-5-09
 Budget Analyst
 Reviewed By: _____ Date: _____
 Deputy/Assistant County Mgr
 Reviewed By: _____ Date: _____
 Information Services

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

**COUNTY OF CUMBERLAND
BUDGET REVISION REQUEST**

Budget Office Use

Budget Revision No. B10-168

Date Received 11.9.09

Date Completed _____

Fund No. 101 Agency No. 424 Organ. No. 4250

Organization Name: ANIMAL SERVICES

ITEM NO. 2 C (2)

REVENUE

Pg 1 of 3

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

Total

EXPENDITURES

Object Code	Appr Unit	Description	Current Budget	Increase (Decrease)	Revised Budget
1210	131	SALARIES	830,810.	(29,070)	801,740
1810	131	FICA MATCH	68,850.	(1,783)	67,067.
1820	131	RETIREMENT	44,102.	(1,149)	42,953.
1830	131	MEDICAL INSURANCE	172,500.	(3,318)	169,182.
1860	131	WORKERS COMP	8,537.	(480)	8,057.
3390	132	CONTRACTED SERVICES	3,000.	35,800.)	38,800

Total 1,127,799.00 - 1,127,799.00

Justification:

Reallocate personnel expenditures to contracted services in order to enter an agreement with the Sheriff's Office to provide a sworn deputy to fulfill the Cruelty Investigator position that will enable Animal Services to have enhanced authority out in the field when investigating complaints. This position will be able to handle all law enforcement duties to include arresting authority while increasing inter-operatability with other governmental agencies.

Funding Source:

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

Fund Balance:

Submitted By: David Scott Harris Date: 11-6-09

Department Head

Reviewed By: Kelly Autrep Date: 11.9.09

Finance

Reviewed By: _____ Date: _____

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>B10-168A</u>
Date Received	_____
Date Completed	_____

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

REVENUE

pg 2 of 3

Revenue Source Code	Description	Current Budget	Increase (Decrease)	Revised Budget
6424	Animal Services Dept	0	35,800	35,800

Total

EXPENDITURES

Object Code	Appr Unit	Description	Current Budget	Increase (Decrease)	Revised Budget
1210	111	Salary Regular	12,888,791	22,905	12,911,696
1810	111	Social Security	1,005,683	1,783	1,007,466
1820	111	Retirement	630,692	1,149	631,841
1826	111	401k Law Enf Off	544,545	1,165	545,710
1830	111	Medical Insur	1,736,500	3,318	1,739,818
1860	111	Workers Comp	237,533	480	238,013
2120	112	Uniform	198,583	1,000	199,583
2510	112	Fuel	441,326	2,400	443,726
2992	112	Dept Supplies	184,444	600	185,044
3438	112	Maint/Repair Vehicles	430,000	1,000	431,000

Total 18,298,097 35,800 18,333,897

Justification:

Establish Sheriff's Deputy position to perform felony animal cruelty and similar investigations. Position in Sheriff's Office to be reimbursed by Animal Services Dept.

Funding Source:

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

Fund Balance:

Submitted By: Earl R. Butler Date: 11-6-09
 Department Head

Reviewed By: Howard R. Ror Date: 11/9/09
 Budget Analyst

Reviewed By: _____ Date: _____
 Deputy/Assistant County Mgr

Reviewed By: _____ Date: _____
 Information Services

Approved By:

County Manager

Board of County
Commissioners

Date: _____

Date: _____

pg 3 of 3

**COUNTY OF CUMBERLAND
REQUEST FOR NEW POSITIONS/
CHANGE IN POSITION**

Submitted By: Sheriff's Office

Date: 4-Nov-09

Organization: 101-422-4200 Sheriff's Office

Position Requested: Deputy III Grade 103 1 Position

	Current FY	Upcoming FY
Salary:	\$ 22,905	\$ 39,677
Fringe Benefits:		
FICA	\$ 1,783	\$ 3,066
Retirement	\$ 1,149	\$ 1,976
Medical Insurance	\$ 3,318	\$ 5,750
Workers' Comp	\$ 480	\$ 826
Other: Employer 401-K LEO	\$ 1,165	\$ 2,004
Employer 401-K	0	0
Total:	\$ 30,800	\$ 53,299

Other associated cost (list):

	<u>Object Code</u>	<u>Amount</u>	<u>Description</u>
1.	2120 Uniforms	1,000	
2.			
3.			
4.			
5.			
6.			
7.			
8.			
	Total Other	1,000	

Position's Funding Source:

	<u>Source Code</u>	<u>Amount</u>	<u>Description</u>
1.	101-422-	31,800	
2.			
3.			

Justification for Request:

Establish a Deputy III investigator to concentrate on felony animal cruelty cases and other Animal Service s department cases which require a sworn Law Enforcement Officer to work.

Position reimbursed by Animal Services Dept

**COUNTY OF CUMBERLAND
BUDGET REVISION REQUEST**

Budget Office Use	
Budget Revision No.	<u>B10-172</u>
Date Received	<u>11/4/2009</u>
Date Completed	

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

Organization Name: Library Grants- Erate

ITEM NO. 2C(3)

REVENUE

Revenue Source Code	Description	Current Budget	Increase (Decrease)	Revised Budget
4641	E-Rate Local	70,867	24,480	95,347
				-
		70,867	24,480	95,347

EXPENDITURES

Object Code	Appr Unit	Description	Current Budget	Increase (Decrease)	Revised Budget
349A	298	E-rate funds	114,795	24,480	139,275
			0		-
					-
Total			114,795	24,480	139,275

Justification:

Budget Revision of \$24,480.00 to recognize E-Rate Check received from PWC

Funding Source:

State: _____
Other: _____

Federal: _____
Fees: _____

Fund Balance:

County: _____ New: _____
Prior Year: _____

Other: 24,480

Submitted By: Jody Kracker
Department Head

Date: 11/4/09

Reviewed By: Kelly Autry
Finance Department

Date: 11-9-09

Reviewed By: _____
Deputy/Assistant County Mgr

Date: _____

Approved By:

County Manager

Board of County Commissioners

Date: _____

Date: _____

**COUNTY OF CUMBERLAND
BUDGET REVISION REQUEST**

Budget Office Use	
Budget Revision No.	<u>B10-169</u>
Date Received	_____
Date Completed	_____

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

ITEM NO. 2C(4)

REVENUE

Revenue Source Code	Description	Current Budget	Increase (Decrease)	Revised Budget
9901	Fund Balance Apropiated	0	30,000	30,000
Total		0	30,000	30,000

EXPENDITURES

Object Code	Appr Unit	Description	Current Budget	Increase (Decrease)	Revised Budget
3610	116	Cap Outlay--Equip	0	30,000	30,000
Total			0	30,000	30,000

Justification:

Purchase replacement Dishwasher for Jail Kitchen. Original equipment

Funding Source:

State: _____ Federal: _____ County: _____ New: 17,000 Other: _____
 Other: _____ Fees: _____ Prior Year: _____

Fund Balance:

Submitted By: Earl R. Butler Date: 11-6-09
 Department Head

Reviewed By: Howard B. Brea Date: 11/9/09
 Budget Analyst

Reviewed By: _____ Date: _____
Deputy/Assistant County Mgr

Reviewed By: _____ Date: _____
Information Services

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

**COUNTY OF CUMBERLAND
BUDGET REVISION REQUEST**

Budget Office Use	
Budget Revision No.	<u>B10-171</u>
Date Received	_____
Date Completed	_____

Fund No. 101 Agency No. 422 Organ. No. 4212
 Organization Name: Sheriff's Child Sex Predator Grant

ITEM NO. 2C(5)

REVENUE				
Revenue Source Code	Description	Current Budget	Increase (Decrease)	Revised Budget
4023	Child Sexual Predator Grant	0	467,024	467,024
Total		0	467,024	467,024

EXPENDITURES					
Object Code	Appr Unit	Description	Current Budget	Increase (Decrease)	Revised Budget
1210	128	Salary Regular	0	70,304	70,304
1810		Social Security	0	5,378	5,378
1820		Retirement	0	3,466	3,466
1826		401k Law Enf Off	0	3,515	3,515
1830		Medical Insur	0	11,500	11,500
1860		Workers Comp	0	1,448	1,448
1997		Personnel--Year Two	0	96,919	96,919
299A	129	Computer Hardware	0	104,394	104,394
2994		Misc Furn & Equipment	0	820	820
2995		Software	0	67,690	67,690
3390		Contracted Services	0	25,000	25,000
3455		Printing	0	600	600
3470		Travel	0	50,990	50,990
3474		Training	0	25,000	25,000
Total			0	467,024	467,024

Justification:

Accept US Dept of Justice Grant to establish Child Sexual Predator Program (Grant 2009-CS-WX-0014)

Funding Source:

State: _____ Federal: 467,024 County: _____ New: _____ Other: _____
 Other: _____ Fees: _____ Prior Year: _____

Fund Balance:

Submitted By: <u>Earl R. Butler</u> Department Head	Date: <u>11-5-09</u>	Approved By: _____ Date: _____ County Manager Board of County Commissioners Date: _____
Reviewed By: <u>Howard Bone</u> Budget Analyst	Date: <u>11/9/09</u>	
Reviewed By: _____ Deputy/Assistant County Mgr	Date: _____	
Reviewed By: _____ Information Services	Date: _____	

**COUNTY OF CUMBERLAND
REQUEST FOR NEW POSITIONS/
CHANGE IN POSITION**

Submitted By: Sheriff's Office Date: 4-Nov-09

Organization: 101-422- Grant Child Sexual Predator

Position Requested: Deputy I Grade 101 2 Positions

	Current FY	Upcoming FY
Salary:	\$ <u>70,304</u>	\$ <u>71,612</u>
Fringe Benefits:		
FICA	\$ <u>5,378</u>	\$ <u>5,378</u>
Retirement	\$ <u>3,466</u>	\$ <u>3,466</u>
Medical Insurance	\$ <u>11,500</u>	\$ <u>11,500</u>
Workers' Comp	\$ <u>1,448</u>	\$ <u>1,448</u>
Other: Employer 401-K LEO	\$ <u>3,515</u>	\$ <u>3,515</u>
Employer 401-K	<u>0</u>	<u>0</u>
Total:	\$ <u>95,611</u>	\$ <u>96,919</u>

Other associated cost (list):

	<u>Object Code</u>	<u>Amount</u>	<u>Description</u>
1.			
2.			
3.			
4.			
5.			
6.			
7.			
8.			
	Total Other	0	

Position's Funding Source:

	<u>Source Code</u>	<u>Amount</u>	<u>Description</u>
1.	101-422-	95,611	Grant US DOJ
2.			
3.			

Justification for Request:

Grant regulations allow backfill of persons assigned to higher-graded grant duties, but replacements are limited to newly-hired at entry level positions.



pg 3 of 5 B171

EARL R. BUTLER, SHERIFF
CUMBERLAND COUNTY SHERIFF'S OFFICE



An Internationally Accredited Law Enforcement Agency

MEMO FOR: Mr. James E. Martin, County Manager

FROM: Earl R. Butler, Sheriff *ERB*

DATE: November 4, 2009

SUBJECT: AGENDA CONSENT Acceptance of COPS
Child Sex Predator Grant 2009

The Sheriff's Office has been awarded a US Dept of Justice grant for \$467,024. No match is required. This is a two year grant.

The Sheriff's Office intends to use these funds to establish Digital Investigation & Criminal Enforcement Team, combining computer forensic investigations, undercover internet sexual predator stings, and improved sex offender registration and monitoring.

To accept this grant, please sign enclosed document and return for further processing.

Questions to 677-5551, Howard M. Lloyd, Sheriff's Office Accountant

Thank you.



U. S. Department of Justice
Community Oriented Policing Services
Grants Administration Division
Child Sexual Predator Program

Treasury Account Symbol (TAS) 15X0406

Grant #: 2009CSWX0014

ORI #: NC02600

Applicant Organization's Legal Name: Cumberland County Sheriff's Department

OJP Vendor #: 566000291

DUNS#: 615719825

Law Enforcement Executive: Sheriff Earl R. Butler

Address: 131 Dick Street

City, State, Zip Code: Fayetteville, NC 28301

Telephone: (910) 677-5410

Fax: (910) 677-5571

Government Executive: County Manager James E. Martin

Address: 117 Dick Street

City, State, Zip Code: Fayetteville, NC 28301

Telephone: (910) 679-7723

Fax: (910) 678-7717

Award Start Date: 9/1/2009

Award End Date: 8/31/2011

Award Amount: \$ 467,024.00

SEP 28 2009

David Buchanan

Date

Acting Director

By signing this award, the signatory officials are agreeing to abide by the Conditions of Grant Award found on the reverse side of this document:

Earl R. Butler

Earl R. Butler, Sheriff

Oct 23, 2009

Signature of Law Enforcement Official with the Authority to Accept this Grant Award

Typed Name and Title of Law Enforcement Official

Date

James E. Martin, County Manager

Signature of Government Official with the Authority to Accept this Grant Award

Typed Name and Title of Government Official

Date

False statements or claims made in connection with COPS grants may result in fines, imprisonment, debarment from participating in federal grants or contracts, and/or any remedy available by law to the Federal Government.

Award ID:
96174



U.S. Department of Justice

Office of Community Oriented Policing Services (COPS)

pg 5 of 5

Office of the Director
1100 Vermont Ave., NW
Washington, DC 20530

October 19, 2009

Sheriff Earl Butler
Cumberland County Sheriff's Department
131 Dick Street
Fayetteville, NC 28301

Re: Child Sexual Predator Program Grant #2009CSWX0014
ORI#: NC02600

Dear Sheriff Butler:

I would again like to congratulate you on receiving an award in the amount of \$467,024 under the COPS Child Sexual Predator Program (CSPP). Enclosed in this packet is your grant award. **The award document must be signed and returned to the COPS Office within 90 days from the date of this letter to officially accept your grant.** On the reverse side of the grant award is a list of conditions that apply to your grant. You should read and familiarize yourself with these conditions.

The official start date of your grant is September 1, 2009. Therefore, you can be reimbursed for approved expenditures made on or after this date. Please carefully review the Financial Clearance Memorandum included in your award package to determine your approved budget, as some of your requested items may not have been approved by the COPS Office during the budget review process, and grant funds may only be used for approved items. The Financial Clearance Memorandum will specify the final award amount, and will also identify any disallowed costs. Also, please be aware that any vendor or contractor who participated in drafting your grant application may not receive federal funding for any procurement under this award.

Within a few weeks, you will receive additional information from the COPS Office on how to access your CSPP Grant Owner's Manual on-line, along with other materials that will assist you with the implementation of your award. In addition, you will receive a financial documentation package from the Office of the Chief Financial Officer, Office of Justice Programs. This important package will contain the forms and instructions necessary to begin drawing down funds for your grant.

Once again, congratulations on your CSPP award. If you have any questions about your grant, please do not hesitate to call your Grant Program Specialist through the COPS Office Response Center at 1.800.421.6770.

Sincerely,

David M. Buchanan
Acting Director

**COUNTY OF CUMBERLAND
BUDGET REVISION REQUEST**

Budget Office Use	
Budget Revision No.	<u>B10-174</u>
Date Received	<u>11-9-09</u>
Date Completed	

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

ITEM NO. 2C(6)

REVENUE				
Revenue Source Code	Description	Current Budget	Increase (Decrease)	Revised Budget
3321	Town of Spring Lake	0	135,000	135,000
Total		0	135,000	135,000

EXPENDITURES					
Object Code	Appr Unit	Description	Current Budget	Increase (Decrease)	Revised Budget
1210		Salary Regular	1,405,962	92,415	1,498,377
1220		Overtime Pay	150,000	10,856	160,856
1270		Longevity	16,365	516	16,881
1810		Social Security/FICA match	108,816	7,900	116,716
1820		Retirement	69,689	5,086	74,775
1824		401K County 1%	14,226	770	14,996
1830		Medical Insurance	224,250	17,250	241,500
1860		Worker's Comp	7,467	207	7,674
Total			1,996,775	135,000	2,131,775

Justification:

Spring Lake Dispatch merger, approved by Board of Commissioners effective 11/1/09

Funding Source: State: _____ Federal: _____ Fund Balance: County: _____ New: _____ Other: \$135,000.00
 Other: _____ Fees: _____ Prior Year: _____

Submitted By: [Signature]
 Department Head

Date: 11/09/09

Reviewed By: [Signature]
 Finance

Date: 11-9-09

Reviewed By: _____
 Deputy/Assistant County Mgr

Date: _____

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

COUNTY OF CUMBERLAND
REQUEST FOR NEW POSITIONS/
CHANGE IN POSITION

pg 2 of 2

Submitted By: Kenneth Currie

Date: 11/9/2009

Organization: Emergency Services

Position Requested: 3 Telecommunicators @ \$30,805

	Current FY	Upcoming FY
Salary:	\$ <u>92,415</u>	\$ <u>92,415</u>
Fringe Benefits:		
FICA	\$ <u>7,900</u>	\$ <u>7,900</u>
Retirement	\$ <u>5,086</u>	\$ <u>5,086</u>
Medical Insurance	\$ <u>17,250</u>	\$ <u>17,250</u>
Workers' Comp	\$ <u>207</u>	\$ <u>207</u>
Longevity	\$ <u>516</u>	\$ <u>516</u>
Other: 1. Overtime	\$ <u>10,856</u>	\$ <u>10,856</u>
Other: 2. 401 K 1%	\$ <u>770</u>	\$ <u>770</u>
 Total:	 \$ <u>135,000</u>	 \$ <u>135,000</u>

Other associated cost (list):

	<u>Object Code</u>	<u>Amount</u>	<u>Description</u>
1.			
2.			
3.			
4.			
5.			
6.			
7.			
8.			

Position's Funding Source:

	<u>Source Code</u>	<u>Amount</u>	<u>Description</u>
1.	3321	135,000.00	Town of Spring Lake merger
2.			
3.			

Justification for Request:

Town of Spring Lake Dispatcher Merger - Board of Commissioners approval effective 11/1/09

**COUNTY OF CUMBERLAND
BUDGET REVISION REQUEST**

Budget Office Use	
Budget Revision No.	B10-175
Date Received	11/10/2009
Date Completed	

Fund No. 104 Agency No. 450 Organ. No. 4595
 Organization Name: Emergency Telephone System

ITEM NO. 2 C (7)

REVENUE				
Revenue Source Code	Description	Current Budget	Increase (Decrease)	Revised Budget
9901	Fund Balance Approp.	155,389	121,633	277,022
Total		155,389	121,633	277,022

EXPENDITURES					
Object Code	Appr Unit	Description	Current Budget	Increase (Decrease)	Revised Budget
3610		Capital Outlay Equipment	358,998	96,633	455,631
343R		M/R Technology	0	25,000	25,000
					-
					-
					-

Justification:

Revision to appropriate fund balance for the purchase of \$96,633 for APC/911 Equipment and \$25,000 for 911 CAD workstation cable connectivity

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

Submitted By: _____ Date: _____
 Department Head
 Reviewed By: [Signature] Date: 11/18/09
 Finance
 Reviewed By: _____ Date: _____
 Deputy/Assistant County Mgr

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

COUNTY OF CUMBERLAND
REQUEST FOR CAPITAL OUTLAY

DEPT: Emerg. Services ORGAN: Emerg. Telephone Sys FUND: 104 AGENCY: 450 ORGAN: 4595

ORGAN MGR: Kenneth Currie PRIORITY: High

DEPT HEAD SIGNATURE: _____

DESCRIPTION OF REQUEST:

1) 911 APC Data Equipment \$96,632.62

JUSTIFICATION:

911 Dispatch System upgrade equipment and CAD workstation connectivity

REVENUE			EXPENDITURE		
Code	Funding Source	Amount	Object Code	Object Name	Amount
9901	104	96633	3610	Capital Outlay	96633

Expected Results/Alternatives if NOT Approved:

Replacement Item: Property # Location Disposition of Equipment

**COUNTY OF CUMBERLAND
BUDGET REVISION REQUEST**

Budget Office Use	
Budget Revision No.	B10-176
Date Received	11/10/2009
Date Completed	

Fund No. 106 Agency No. 470 Organ. No. 4704

Organization Name: School C.O. Category I - Buildings

ITEM NO. 2C(8)

REVENUE

Revenue Source Code	Description	Current Budget	Increase (Decrease)	Revised Budget
9901	Fund Balance Appropriated	0	1,370,000	1,370,000
Total		0	1,370,000	1,370,000

EXPENDITURES

Object Code	Appr Unit	Description	Current Budget	Increase (Decrease)	Revised Budget
3836	406	School C.O. Category I	1,720,000	1,370,000	3,090,000
Total			1,720,000	1,370,000	3,090,000

Justification:

Revision to approve the rebuild of the Douglas Byrd Middle School gymnasium/cafeteria using \$1,563,500 from insurance proceeds and to approve the use of sales taxes in the amount of \$1,370,000 to construct six additional classrooms.

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

Submitted By: _____

Date: _____

Reviewed By: Howard Kue

Date: 11/10/09

Reviewed By: _____

Date: _____

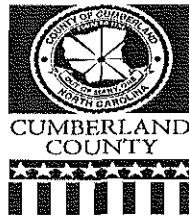
Deputy/Assistant County Mgr

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

Lori Epler,
Chair
Cumberland County

Roy Turner,
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,
Sara E. Piland,
Cumberland County

Benny Pearce,
Town of Eastover

Donovan McLaurin,
Wade, Falcon & Godwin

NOVEMBER 6, 2009

MEMO TO: Cumberland County Board of Commissioners

ITEM NO. 3A

FROM: Cumberland County Joint Planning Board

SUBJECT: **Case P09-43:** Rezoning of 3.53+/- acres from M1(P) Planned Light Industrial, RR Rural Residential and R10 Residential to R7.5 Residential and R10 Residential to M1(P) Planned Light Industrial or to a more restrictive zoning district, located at 2085 and 2117 Crystal Springs Road; submitted and owned by Winston Hemley and Arnold and Virginia Page.

ACTION: Members present at the October 20, 2009 meeting voted unanimously to recommended approval of R7.5 Residential district except where the Special Flood Hazard Area (SFHA) is present and CD Conservancy district for the portion of the subject property that is located within the SFHA and approval of M1(P) Planned Light Industrial district.

SITE INFORMATION: **Frontage & Location:** 377.31'+/- on Crystal Springs Road; **Depth:** 431.86'+/-; **Jurisdiction:** Cumberland County; **Adjacent Property:** Yes, east side of subject property; **Current Use:** Residential and vacant commercial; **Initial Zoning:** R10 – February 6, 1976 (Area 5); **Nonconformities:** Yes, existing non-residential structure in residential district (proposed M1(P) portion) and a residential structure in a non-residential district (proposed R7.5 portion); **Zoning Violation(s):** None; **Surrounding Zoning:** North: R10/CU (to allow manufactured dwelling), C(P), R10 & R6A; South: M2, R10 & R6A; East & West: R10 & R6A; **Surrounding Land Use:** Residential, vacant commercial & woodlands; **2030 Land Use Plan:** Urban and conservation area; **Special Flood Hazard Area (SFHA):** Yes, western tract: 131-132 msl (NAVD); **Water/Sewer Availability:** PWC/ PWC; **Soil Limitations:** Yes, hydric – JT Johnston loam; **School Capacity/Enrolled:** Cumberland Mills Elementary: 525/642; Ireland Drive Middle: 340/334; Douglas Byrd Middle: 600/688; Douglas Byrd High: 1,280/1,321; **Subdivision/Site Plan:** If approved, site plan review required for M1(P); **Municipal Influence Area:** Town of Hope Mills; **Average Daily Traffic Count (2006):** 4,400 on Crystal Springs Road (SR 1137); **Highway Plan:** Crystal Springs Road is identified in the Highway Plan as a major thoroughfare. The plan calls for widening to a multi-lane facility. No road improvements are included in the 2009-2015 MTIP. This is a Priority #3 in the Highway Portion of the LRTP (proposed to be removed from plan); **Note:** 1. M1(P) Minimum Yard Setback Regulations: Front yard: 50', Side yard: 30', Rear yard: 30'; 2. Case P76-53, approved June 1, 1976 – sketch map, minutes and overlay on current aerial attached.

MINUTES OF OCTOBER 20, 2009

The Planning & Inspections Staff recommends approval of the requested rezoning to R7.5 Residential district except where the Special Flood Hazard Area (SFHA) is present, CD for the portion of the subject property that is located within the SFHA, and approval of the M1(P) Planned Light Industrial district, based on the following:

1. The request for the R7.5 Residential district for the subject property is consistent with the recommended location criteria as listed in the Land Use Policies Plan of the 2030 Growth Vision Plan (hereinafter *Land Use Policies*) for low density residential and if approved, the zoning would be comparable to all other residentially-zoned properties within the immediate surrounding area;
2. The recommendation of CD Conservancy District for that portion of the subject property located within the SFHA is intended to preserve and protect the perennial stream running along the western portion of the subject property and would be consistent with the Land Use Policies location criteria for this area; and
3. Although the request for the M1(P) Planned Light Industrial district for a portion of the subject property is not entirely consistent with the location criteria for *light industrial* as listed in the Land Use Policies, the request is reasonable since it is intended to clarify the previously approved and intended zoning of this portion of the subject property – reference Case No. P76-53 approved by County Commissioners on June 1, 1976.

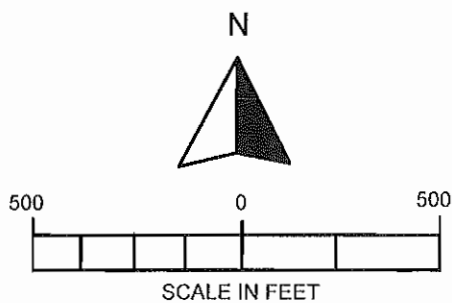
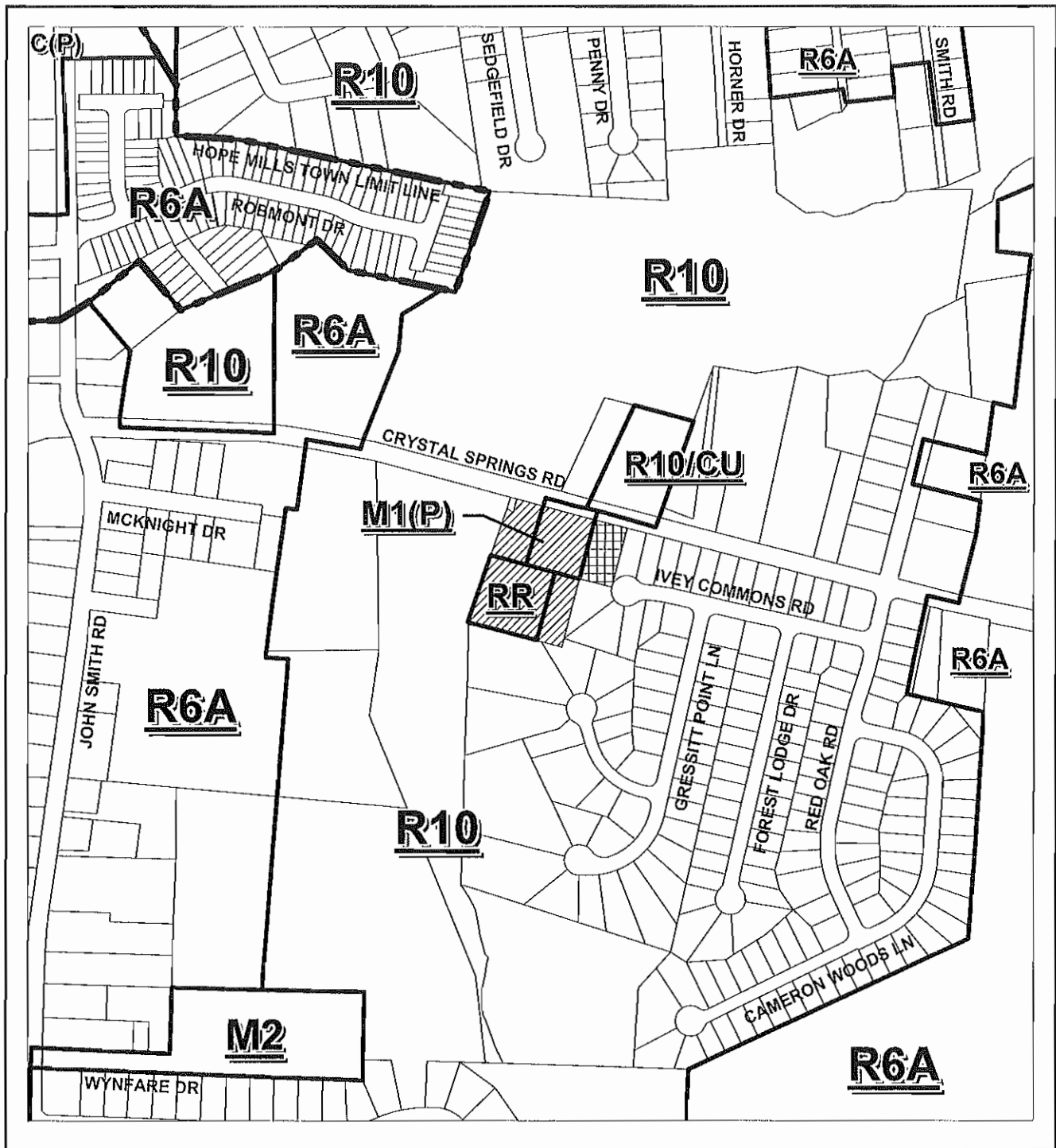
The R15 Residential could also be considered suitable for the requested R7.5 portion of the application and the C2(P) Planned Service and Retail or C(P) Planned Commercial districts could be suitable for the M1(P) portion of the request.

The affected property owner/applicant verbally agreed to this staff recommendation.

A motion was made by Vice-Chair Turner, seconded by Mr. Hostetter, to follow the staff recommendation and approve case P09-43. Unanimous approval.


First Class and Record Owners' Mailed Notice Certification


A certified copy of the tax record owner(s) of the subject and adjacent properties and their tax record mailing address is contained within the case file and is incorporated by reference as if delivered herewith. The record owners' certified receipt of notice is also included.



PIN: 0415-25-0289
PIN: 0415-24-3716

REQUESTED REZONING

 M1(P), RR & R10
TO R7.5
3.02 AC +/-

 R10 TO M1(P)
0.51 AC +/-

ACREAGE: 3.53 AC.+/-

HEARING NO: P09-43

ORDINANCE: COUNTY

HEARING DATE

ACTION

STAFF RECOMMENDATION

PLANNING BOARD

GOVERNING BOARD

Lori Epler,
Chair
Cumberland County

Roy Turner,
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,
Sara E. Piland,
Cumberland County

Benny Pearce,
Town of Eastover

Donovan McLaurin,
Wade, Falcon & Godwin

NOVEMBER 6, 2009

MEMO TO: Cumberland County Board of Commissioners ITEM NO. 3B

FROM: Cumberland County Joint Planning Board

SUBJECT: **Case P09-47:** Rezoning of .49+/- acres from R10 Residential to C2(P) Planned Commercial or to a more restrictive zoning district; located at 7010 Stoney Point Road; submitted by HCC Investments, LLC. and Jean Ockert (by POA), owned by Jean Ockert, Jean T. Ockert, Michael Ockert and Melanie Moog.

ACTION: Members present at the October 20, 2009 meeting voted unanimously to recommend approval of the C2(P) Planned Commercial district.

SITE INFORMATION: **Frontage & Location:** 180.00'+/- on Stoney Point Road; **Depth:** 220.00'+/-; **Jurisdiction:** Cumberland County; **Adjacent Property:** No (applicant/developer owns adjacent properties); **Current Use:** Residential; **Initial Zoning:** R10 – February 6, 1976 (Area 5); **Nonconformities:** If approved, existing residential structure will be made nonconforming (proposed to be removed); **Zoning Violation(s):** None; **Surrounding Zoning:** North: R10 (Fayetteville); South: RR & R10; East: MXD/CUD, RR & R10 (Fayetteville); West: C2(P), RR & R10; **Surrounding Land Use:** Residential (including manufactured dwellings), school (2), public recreation center, substation and woodlands; **2030 Land Use Plan:** Urban; **Special Flood Hazard Area (SFHA):** No; **Water/Sewer Availability:** PWC/ PWC; **Soil Limitations:** Yes, hydric – WO Woodington loamy sand; **School Capacity/Enrolled:** Stoney Point Elementary: 900/963; John Griffin Middle: 1340/1294; Jack Britt High: 1870/1861; **Subdivision/Site Plan:** If approved, site plan review required; setback limitations if not recombined with adjacent properties; **Municipal Influence Area:** Town of Hope Mills; **Average Daily Traffic Count (2006):** 9,300 on Stoney Point Road (SR 1112); **Highway Plan:** Stoney Point Road is identified in the Highway Plan as a major thoroughfare. This proposal calls for widening to a multi-lane facility (4 lane-divided). Road Improvements are not included in the 2009-2015 MTIP. This is a Priority Two Project under the LRTP; **Note:** C2(P) Minimum Yard Setback Regulations: Front yard: 50', Side yard: 30', Rear yard: 30'.

MINUTES OF OCTOBER 20, 2009

The Planning & Inspections Staff recommends approval of the request for C2(P) Planned Commercial district based on the following:

1. The request is consistent with the location criteria for planned commercial as listed in the Land Use Policies Plan of the 2030 Growth Vision Plan;
2. The request is reasonable due to the immediate area transitioning to primarily non-residential uses at this location; and

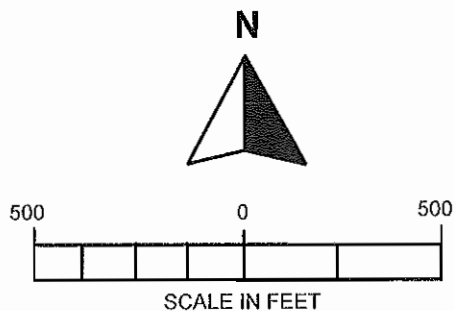
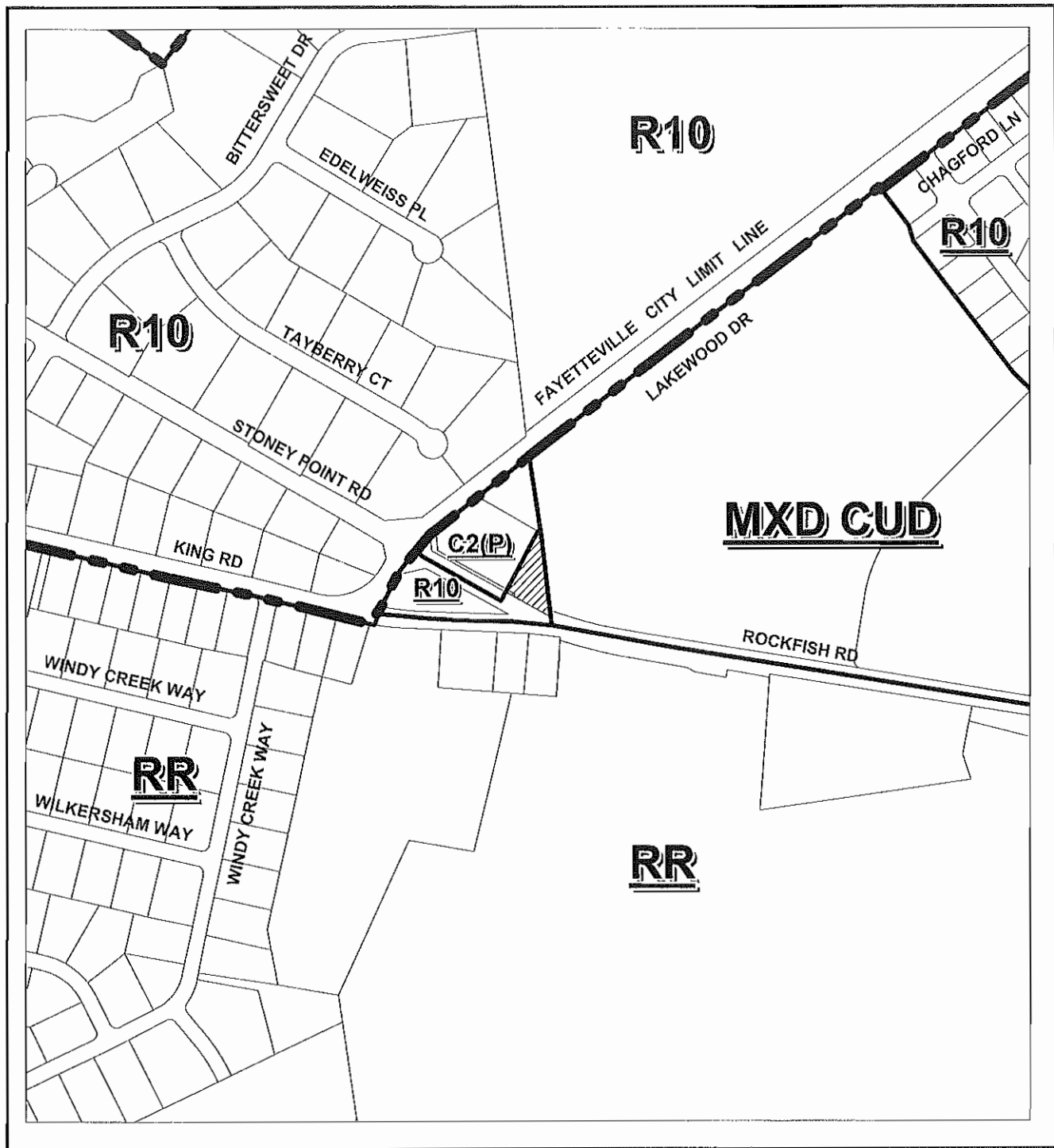
3. The subject property is located on a major thoroughfare.

There are no other districts to be considered suitable regarding this request.

A motion was made by Vice-Chair Turner, seconded by Mr. Cain, to follow the staff recommendation and approve case P09-47. Unanimous approval, with Chair Epler abstaining from the vote.

First Class and Record Owners' Mailed Notice Certification

A certified copy of the tax record owner(s) of the subject and adjacent properties and their tax record mailing address is contained within the case file and is incorporated by reference as if delivered herewith. The record owners' certified receipt of notice is also included.



REQUESTED REZONING: R10 TO C2(P)

ACREAGE: 0.49 AC.+/-

HEARING NO: P09-47

ORDINANCE: COUNTY

HEARING DATE

ACTION

STAFF RECOMMENDATION

PLANNING BOARD

GOVERNING BOARD



ITEM NO. 3C

PUBLIC UTILITIES DEPARTMENT

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

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

MEMORANDUM FOR BOARD OF COMMISSIONERS

TO: CUMBERLAND COUNTY BOARD OF COMMISSIONERS

FROM: TOM COONEY, PUBLIC UTILITIES DIRECTOR *TC*

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

DATE: NOVEMBER 9, 2009

SUBJECT: PUBLIC HEARING ON A PRELIMINARY ASSESSMENT RESOLUTION –
BROOKLYN CIRCLE WATER EXTENSION PROJECT.

BACKGROUND

The Board of Commissioners at their October 19, 2009 meeting adopted a Preliminary Assessment Resolution which is attached and authorized that staff move forward with an Assessment project to provide public water service to the Brooklyn Circle area, which is located in the 100 and 200 blocks of Brooklyn Circle off of Gillespie Street. At that time, a public hearing was scheduled for the November 16th meeting so that the Board can receive comments from the residents who will be affected by the assessment. Notice of the Public Hearing was published as required by law. A copy of the Affidavit of Publication is attached.

RECOMMENDATION

Following Public Comments, the Utilities Department and County Management recommend that the Board of Commissioners adopt a Final Assessment Resolution to provide public water service to the Brooklyn Circle community and to direct the staff to continue to move forward with the project.

Attachments:

Celebrating Our Past...Embracing Our Future

STATE OF NORTH CAROLINA
COUNTY OF CUMBERLAND

FINAL
SPECIAL ASSESSMENT RESOLUTION
BROOKLYN CIRCLE
WATER EXTENSION PROJECT

WHEREAS, the groundwater wells, which are used by the property owners in the 100 and 200 blocks of Brooklyn Circle from Gillespie Street to the intersection of Porter Road has been contaminated with constituents related to petroleum products, the source of which is unknown, and

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

- I. Need for Project: The Board of Commissioners of Cumberland County hereby undertakes a project to extend public water to the 100 and 200 blocks of Brooklyn Circle. This project is required to eliminate the use of individual groundwater wells for consumptive and hygienic purposes which are now contaminated or have the potential for contamination. The overall quality of the ground water in this area is contaminated, requiring property owners to use bottled water.
- II. General Description of the Project: This project is to bring potable, public water to the 100 and 200 blocks of Brooklyn Circle from the Fayetteville Public Works Commission (PWC) line located along Gillespie Street. This service lateral will have the capability to serve seventeen (17) structures along the 100 and 200 blocks of Brooklyn Circle.
- III. Ownership: The water line extensions will become the property of the Public Works Commission of the City of Fayetteville and will be operated and maintained by PWC as part of its comprehensive public water system throughout its service area.
- IV. Proposed Basis of Assessment: The proposed basis of assessment will be at an equal rate per lot in the project area along which public water is extended. The area to be served will include all lots and tracts along the 100 and 200 blocks of Brooklyn Circle.
- V. Percentage of Cost to be Assessed: Sixty-one percent (61%) of the total cost of the project, including but not limited to engineering, construction and administrative costs, shall be assessed against the benefited properties in this special assessment project and the County and PWC shall pay the remaining thirty-nine (39%) per an arrangement between to the two entities.
- VI. Abevance: No assessment will be held in abeyance.
- VII. Terms of Payment: The assessment will be payable in fifteen (15) 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 six percent (6%) per annum. The assessment may be paid in full without interest anytime up to sixty (60) days after the confirmation of the assessment roll is published.
- VIII. Public Hearing: A public hearing on all matters covered by this resolution was held at 6:45 pm on Monday, November 16, 2009 in Room 118 of the Cumberland County Courthouse at the regularly scheduled meeting of the Board of Commissioners

IN WITNESS WHEREOF, this resolution adopted this the 16th day of NOVEMBER, 2009.

COUNTY OF CUMBERLAND

BY: _____
Jeannette Council, Chairman
Board of County Commissioners

ATTEST

BY: _____
MARIE COLGAN, Clerk

STATE OF NORTH CAROLINA
COUNTY OF CUMBERLAND

PRELIMINARY
SPECIAL ASSESSMENT RESOLUTION
BROOKLYN CIRCLE
WATER EXTENSION PROJECT

WHEREAS, the groundwater wells, which are used by the property owners in the 100 and 200 blocks of Brooklyn Circle from Gillespie Street to the intersection of Porter Road has been contaminated with constituents related to petroleum products, the source of which is unknown, and

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

- I. Need for Project: The Board of Commissioners of Cumberland County hereby undertakes a project to extend public water to the 100 and 200 blocks of Brooklyn Circle. This project is required to eliminate the use of individual groundwater wells for consumptive and hygienic purposes which are now contaminated or have the potential for contamination. The overall quality of the ground water in this area is contaminated, requiring property owners to use bottled water.
- II. General Description of the Project: This project is to bring potable, public water to the 100 and 200 blocks of Brooklyn Circle from the Fayetteville Public Works Commission (PWC) line located along Gillespie Street. This service lateral will have the capability to serve seventeen (17) structures along the 100 and 200 blocks of Brooklyn Circle.
- III. Ownership: The water line extensions will become the property of the Public Works Commission of the City of Fayetteville and will be operated and maintained by PWC as part of its comprehensive public water system throughout its service area.
- IV. Proposed Basis of Assessment: The proposed basis of assessment will be at an equal rate per lot in the project area along which public water is extended. The area to be served will include all lots and tracts along the 100 and 200 blocks of Brooklyn Circle.
- V. Percentage of Cost to be Assessed: Sixty-one percent (61%) of the total engineering, construction and administrative costs shall be assessed against the benefited properties in this special assessment project and the County and PWC shall pay the remaining thirty-nine (39%) per an arrangement between the two entities.
- VI. Abeyance: No assessment will be held in abeyance.
- VII. Terms of Payment: The assessment will be payable in fifteen (15) 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 six percent (6%) per annum. The assessment may be paid in full without interest anytime up to sixty (60) days after the confirmation of the assessment roll is published.
- VIII. Order of Public Hearing: A public hearing on all matters covered by this resolution will be held at 6:45 pm on Monday, November 16, 2009 in Room 118 of the Cumberland County Courthouse at the regularly scheduled meeting of the Board of Commissioners

IN WITNESS WHEREOF, this resolution adopted this the 19th day of OCTOBER, 2009.

COUNTY OF CUMBERLAND

BY: Jeannette Council
Jeannette Council, Chairman
Board of County Commissioners

ATTEST

BY: Marie Colgan
MARIE COLGAN, Clerk

AFFIDAVIT OF PUBLICATION

NORTH CAROLINA
Cumberland County

NOTICE OF PUBLIC
HEARING
PRELIMINARY ASSES-
SMENT RESOLUTION
BROOKLYN CIRCLE WATER
EXTENSION PROJECT

The Cumberland County Board of Commissioners is considering a Preliminary Assessment Resolution for the Brooklyn Circle Special Assessment Project to provide public water to the Brooklyn Circle community.

The project will involve the installation of approximately 2,097 linear feet of water mains to serve 17 residential lots.

The proposed assessment will be approximately \$3,197 per lot. As a property owner you will have the option to pay the entire amount within 60 days of the publication of the final property owner roll and assessment once the project is complete. Or you may elect to participate by being assessed by the County at the rate of 0% per year. At the present time the Board of Commissioners has not established the final terms of the assessment. The annual assessment is estimated to be \$324.00 per year for a 15 year term.

A public hearing has been scheduled for 6:45 p.m., November 16, 2009, in the Commissioners Hearing Room, New Courthouse, 119 Dick Street, Fayetteville, NC, at which time the Board shall hear all interested parties with respect to the Preliminary Assessment Resolution. A copy of the resolution is available for public inspection in the office of the Deputy Clerk to the Board of Commissioners.

Questions can be directed to the Public Utilities Department at 678-7682.

Thomas B. Cooney, III, P.E.
Public Utilities Director
1802381

Before the undersigned, a Notary Public of said County and state, duly commissioned and authorized to administer oaths, affirmations, etc., personally appeared. CINDY L. OROZCO Who, being duly sworn or affirmed, according to law, doth depose and say that he/she is LEGAL SECRETARY of THE FAYETTEVILLE PUBLISHING COMPANY, a corporation organized and doing business under the Laws of the State of North Carolina, and publishing a newspaper known as the FAYETTEVILLE OBSERVER, in the City of Fayetteville, County and State aforesaid, and that as such he/she makes this affidavit; that he/she is familiar with the books, files and business of said Corporation and by reference to the files of said publication the attached advertisement of CL Legal Line NOTICE OF PUBLIC HEARING PRELIMINARY ASSESSMENT RESOLUTION BROOKLYN CIRCLE WATER EXTENSION PROJECT THE CUMBERLAND COUNTY BOARD OF COMMISSIONERS IS of CUMB CO ENGINEERING DEPT was inserted in the aforesaid newspaper in space, and on dates as follows:

11/2/2009

and at the time of such publication The Fayetteville Observer was a newspaper meeting all the requirements and qualifications prescribed by Sec. No. 1-597 G.S. of N.C.

The above is correctly copied from the books and files of the aforesaid corporation and publication.

Cindy L. Orozco

LEGAL SECRETARY

Title

Cumberland County, North Carolina

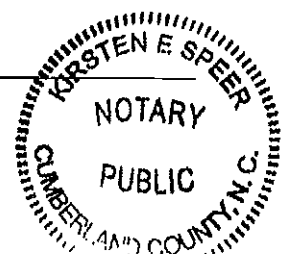
Sworn or affirmed to, and subscribed before me, this 5 day of November, A.D., 2009.

In Testimony Whereof, I have hereunto set my hand and affixed my official seal, the day and year aforesaid.

Kirsten E. Speer

Kirsten E. Speer, Notary Public

My commission expires 12th day of September, 2011.



MAIL TO: CUMB CO ENGINEERING DEPT
P O BOX 1829,
FAYETTEVILLE, NC 28302

0001802381

JAMES E. MARTIN
County Manager

AMY H. CANNON
Assistant County Manager

JUANITA PILGRIM
Deputy County Manager



OFFICE OF THE COUNTY MANAGER

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

November 12, 2009

ITEM NO. 3D

MEMORANDUM

TO: BOARD OF COMMISSIONERS

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

THRU: HARVEY RAYNOR, INTERIM COUNTY ATTORNEY *HR*

SUBJECT: PUBLIC HEARING TO CONSIDER INSTALLMENT FINANCING CONTRACT
FOR ISSUANCE OF \$15.9M OF QUALIFIED SCHOOL CONSTRUCTION BONDS
UNDER G.S. 160A-20 WITH WACHOVIA CORPORATION

BACKGROUND

The Board of Commissioners has called this public hearing to consider an installment financing contract under G.S. 160A-20 with Wachovia (a subsidiary of Wells Fargo & Company) to provide capital funding under the Qualified School Construction Bond Program (QSCB's). These funds will be used to finance classroom additions, cafeteria expansions, and other renovations to existing school facilities.

Our Financial Advisor and Bond Counsel have negotiated the terms of the financing with Wachovia. These instruments will be issued with a supplemental interest rate which is based upon the tax credit rate set by the Treasury. The initial supplemental rate quoted was 1.35%, but has dropped to 1.20% currently, coinciding with a decrease in the published Tax Credit Rate. We believe this supplemental rate is reasonable. A review of other transactions has revealed supplemental interest rates of 2.0% to 2.50%. The term of repayment is also set by the Treasury, and fluctuates. The current term is 17 years for repayment.

Under G.S. 160A-20, the financing will be secured by a lien on school property, but not by the full faith and credit of the County. G.S. 160A-20(g) requires this public hearing on a contract before entering into it and after notice that the public hearing has been published as required by law. As a part of the proposed transaction, the County would lease the property back to the Board of Education for use as a school during the term of the loan. The property would be conveyed back to the Board of Education at the end of the term of the loan. A copy of these and all financing documents are available for review in the County Manager's office.

RECOMMENDATION

Consider whether to adopt the resolution approving installment financing contract under G.S. 160A-20 with Wachovia for \$15.9M to provide capital funding for school renovation projects and associated documents including deed of trust to Wachovia and lease with Board of Education, and authorize the County Manager to sign on behalf of the County, with such changes or revisions consistent with the general tenor thereof as may be satisfactory to the County Manager and the Interim County Attorney.

AHC:cas

Celebrating Our Past...Embracing Our Future

**BOARD OF COMMISSIONERS
OF
COUNTY OF CUMBERLAND, NORTH CAROLINA**

Excerpt of Minutes
of Meeting of
November 16, 2009

Present: Chairman _____ presiding, and Commissioners _____

Absent: _____

* * * * *

The following resolution was introduced and its title was read:

RESOLUTION CONCERNING FINAL APPROVAL OF
INSTALLMENT FINANCING FOR CERTAIN SCHOOL
PROJECTS THROUGH THE ENTRY INTO AN
INSTALLMENT FINANCE AGREEMENT WITH THE
CUMBERLAND COUNTY FINANCE CORPORATION AND
ITS ISSUANCE OF CERTIFICATES OF PARTICIPATION AS
QUALIFIED SCHOOL CONSTRUCTION BONDS UNDER
THE INTERNAL REVENUE CODE AND AUTHORIZING
THE EXECUTION AND DELIVERY OF DOCUMENTS IN
CONNECTION THEREWITH

WHEREAS, the Board of Commissioners (the "Board") of the County of Cumberland, North Carolina (the "County") has resolved to undertake, through issuance by the Cumberland County Finance Corporation (the "Corporation") of its certificates of participation the financing of (a) renovations to thirteen schools in the County, including Byrd Middle School, Mary McArthur Elementary School, Elizabeth Cashwell Elementary School, Cumberland Road Elementary School, Cape Fear High School, Rockfish Elementary School, Wm. H. Owen Elementary School, Long Hill Elementary School, Cumberland Mills Elementary School, Westover Middle School, Manchester Elementary School, Terry Sanford High School, and E. E. Smith High School (each a "School" and collectively, the "Project") and (b) certain costs incurred in connection with the initial execution and delivery of the such certificates; and

WHEREAS, the County will enter into an Installment Financing Agreement dated as of December 1, 2009, (the "Agreement") for this purpose with the Agreement being an agreement authorized under Section 160A-20 and having payments thereon by the County subject to appropriation; and

WHEREAS, financings pursuant to Section 160A-20 must be approved by the North Carolina Local Government Commission (the "LGC"); and

WHEREAS, for such financing the Corporation has proposed to execute and deliver its \$15,900,000 Tax Credit Certificates of Participation (Cumberland County QSCB Projects), Series 2009 (the "Certificates") pursuant to an Indenture of Trust dated as of December 1, 2009 (the "Indenture"), between the Corporation and U.S. Bank National Association, as Trustee (the "Trustee"), such Certificates to be payable from Installment Payments made by the County under the Agreement and secured by the lien and security interest created by a Deed of Trust and Security Agreement dated as of December 1, 2009 (the "Deed of Trust"), from the County to a trustee named therein with respect to one or more Schools; and

WHEREAS, the same one of more Schools will be leased to and the Project managed by the Cumberland County Board of Education pursuant to a Lease Agreement dated as of December 1, 2009 (the "Lease"), and the County's interests in the Lease are to be assigned as security for the obligations of the County under the Agreement pursuant to the Deed of Trust; and

WHEREAS, the Certificates are expected to be sold to Wachovia Bank, National Association (the "Initial Purchaser") under the terms set forth in a term sheet to be executed by the County after approval of the transaction by the LGC (the "Term Sheet"); and

WHEREAS, there have been presented to the Board forms of the following documents which the Corporation, the Initial Purchaser and the County propose to use in connection with the Agreement, the Certificates and the financing of the Projects:

1. a draft dated November 12, 2009, of the form of the Agreement;
2. a draft dated November 12, 2009, of the form of the Deed of Trust;
3. a draft dated November 12, 2009, of the form of the Indenture;
4. a draft dated November 12, 2009, of the form of the Lease; and

WHEREAS, the Board desires to approve the Agreement, the Deed of Trust, the Indenture, the Lease and the sale of the Certificates and to authorize other actions in connection therewith; and

WHEREAS, the County at its meeting on November 2, 2009, made findings with respect to the Project and the financing thereof; and

WHEREAS, the County has held a public hearing regarding the financing of the Project through the Certificates and the Agreement; and

WHEREAS, the LGC will consider the County's application for approval of the Agreement;

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COMMISSIONERS OF THE COUNTY OF CUMBERLAND, NORTH CAROLINA:

1. The financing of the Project pursuant to the Agreement and in accordance with the terms and conditions of the Indenture is hereby approved, based, in part, on the findings made on November 2, 2009.

2. The Chairman or Vice Chairman of the Board and the County Manager, or any of them, are hereby authorized and directed to execute and deliver the Agreement, the Deed of Trust, the Lease and the Term Sheet (together, the "County Financing Documents"), which shall be in substantially the forms previously submitted, which are hereby approved, with such completions, omissions, insertions, and changes as may be approved by the Chairman, Vice Chairman or the County Manager, with the advice of the County Attorney and Special Counsel, including such changes as may be required by the LGC, their execution to constitute conclusive evidence of their approval of any such completions, omissions, insertions and changes. The Clerk of the Board shall attest and seal such documents as require the Clerk's attestation and the County seal.

3. The Board hereby approves the execution and delivery by the Corporation of the Agreement, the Indenture and the Certificates and any other documents or certificates that may be required in connection with the execution and delivery of the Certificates.

4. The Chairman, Vice Chairman, County Manager, County Finance Officer, County Attorney and Clerk of the Board are hereby authorized to take any and all such further action and to execute and deliver such other documents as may be necessary or advisable to carry out the intent of this resolution and to effect the installment financing pursuant to the Agreement. Without limiting the generality of the foregoing, the Chairman, Vice Chairman or County Manager are authorized to approve all details of the financing, including without limitation, the annual payments due under the Agreement, the interest rate on the Certificates (which shall be not exceed 3% per annum), the tax credit rate on the Certificates (which shall be a rate set by the Secretary of the Treasury) and the term of the Agreement (which shall be the maximum term permitted by the most recent announcement of the Secretary of the Treasury). Execution of the Agreement by the Chairman, Vice Chairman or County Manager, as the case may be, shall conclusively evidence approval of all such details of the financing.

5. To the extent permitted by law, the County Manager, or such other officer or employee of the County as may be responsible from time to time for the preparation of the County's annual budget, is hereby authorized and directed to carry out the obligations imposed by the Agreement on such officer or employee.

6. All other actions of the officers of the County which are in conformity with the purposes or intent of this resolution and in furtherance of the execution and delivery of the Agreement, including the execution of the County Financing Documents are hereby ratified, approved and confirmed. The representations of the County made in the Agreement are hereby confirmed.

7. The following financing team members shall serve for the issuance of the Certificates:

Co- Special Counsel: Hunton & Williams LLP and The Charleston Group

Trustee: U.S. Bank National Association

8. All resolutions or parts thereof in conflict herewith are hereby repealed.

9. This resolution shall take effect immediately.

* * * * *

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

Ayes: Commissioners _____

Nays: Commissioners _____

Not Voting: _____

* * * * *

I, _____, Clerk of the Board of Commissioners of Cumberland County, North Carolina, **DO HEREBY CERTIFY** that the foregoing is a true and complete copy of so much of the proceedings of the Board of Commissioners for the County at a regular meeting held on November 16, 2009, as it relates in any way to the resolution hereinabove referenced and set forth, respectively, and that the proceedings are recorded in Minute Book _____ of the minutes of the Board. Pursuant to G.S. § 143-318.12, a current copy of a schedule of regular meetings of the Board of Commissioners for the County is on file in my office.

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

(SEAL)

Clerk of the Board of Commissioners
of Cumberland County

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

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

BACKGROUND: That the following is a report on Minimum Housing case number MH 5988-2009.

Property Owner: Donald Robert Rowe, Jr.

Homeowner: William Rowe

Property Address: 4044 Limestone Street, Eastover, NC

Tax Parcel Identification Number: 0469-44-7901

SYNOPSIS: This property was inspected on 7/9/2009. The property owners and parties of interest were legally served with Notice of Violations and was afforded a Hearing on 8/6/2009. No one attended the Hearing. It was ordered that the structure be repaired to a minimum standard for human habitation, or be demolished and the debris removed from the premises by a date not later than 11/6/2009. The property owners and parties of interest were notified of the appeal procedures when they were served with the Findings of Fact and Order. (See Exhibit A for Findings of Fact and Order.) No appeal was filed. Upon my visit to the property on 11/10/2009 the required corrective action had not been made to the structure. The structure is presently vacant and reasonably secured. In its present state, the structure constitutes a fire, health, and safety hazard.

The estimated cost to repair the structure to a minimum standard for human habitation is \$5,000.00. The Assessor for Cumberland County has the structure presently valued at \$500.00.

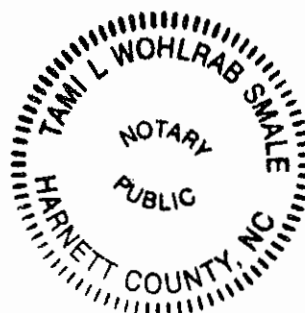
Attached is a map depicting the location of the property. (See Exhibit B.)

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

George Hatcher

Affiant
Code Enforcement Officer
County of Cumberland

Sworn to and Subscribed to by me this
the 10 day of November 2009.



Tami Wohlrab Smale
Notary Public
My Commission Expires: 10/11/11

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

Name(s) of Owner(s)

Appearances:

Inspection Dept. Case No.:

BOARD OF COUNTY COMMISSIONERS MOTION:

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

Thomas J. Lloyd,
Director

Cecil P. Combs,
Deputy Director

Ken Sykes,
Inspections Coordinator

Carol M. Post
Planning and Inspections
Office Support



Kim Reeves,
Inspector

Angela Perrier,
Inspector

George Hatcher,
Inspector

Joey Lewis,
Inspector

COUNTY of CUMBERLAND

Planning & Inspections Department

91 7108 2133 3936 1742 3953 Donald - cert / 1st

FINDINGS OF FACT AND ORDER

91 7108 2133 3936 1742 3946 William - cert / 1st
August 14, 2009

CASE #: MH 5988-2009

TO: Donald Robert Rowe, Jr. & Parties of Interest
4038 Limestone Street
Eastover, NC 28312

Property at: 4044 Limestone Street, Eastover, NC

A Complaint, Notice of Hearing and Report of Inspection were legally served to the owner or owner's agent, and any party of interest. These documents were in fact received by the owner or owner's agent and party of interest on 7/10/2009.

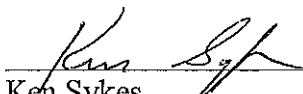
Pursuant of law, a Hearing was conducted in Room 101, of the old courthouse at 130 Gillespie Street, Fayetteville, NC on 8/6/2009 at 9:15:00 AM. The items identified below took place at the Hearing:

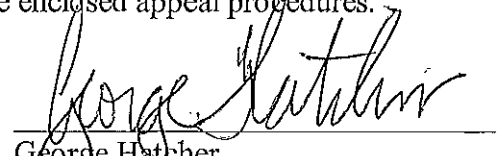
- ☒ 1. No owner or party of interest, or their agent, or representative appeared.
- ☐ 2. An answer was filed by owners and/or parties of interest. The answer was heard, read, and considered. Those present were: _____.
- ☒ 3. The undersigned inspector personally inspected the dwelling described in the Complaint and Notice of Hearing dated, . Upon the record and all of the evidence offered and contentions made, the undersigned Hearing Officer does thereby find the following fact:
 - ☒ a. The dwelling in question is violative of the Cumberland County Housing Ordinance as per findings in the inspection report with an assigned case number of MH 5988-2009, dated 7/9/2009.
 - ☒ b. Due to these findings, the dwelling are found to be in a substandard condition in accordance with the Cumberland County Ordinance.
 - ☒ c. The dwelling is unfit for human habitation.

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

- ☒ a. The owners and/or parties of interest of the dwelling named above are required to bring such dwelling into compliance with the Cumberland County Housing Ordinance by either repairing, altering, and improving the dwelling up to a minimum standard or by demolishing the structure and then causing the debris to be removed from the premises by a date not later than 11/6/2009. **All required permits must be obtained. A copy of this order must be presented when obtaining permits.**
- ☐ b. The dwelling shall remain vacated until compliance with this order is completed and removed by the inspector, and the lot must be continuously maintained.
- ☐ c. The structure shall be/remain secured.
- ☐ d. By authority of North Carolina General Statutes 14-4, violation of the County code is punishable as a Class 3 Misdemeanor in criminal court and also subjects the violator to injunctive relief and/or a civil penalty of \$50.00 per day for each day's continuing violation after ____.
- ☒ e. The County Planning/Inspection Department may immediately begin procedures to seek a demolition ordinance from the Cumberland County Board of Commissioners for failure to bring the property into compliance by 11/6/2009. The cost of said demolition will be assessed against the real property in the form of a lien.

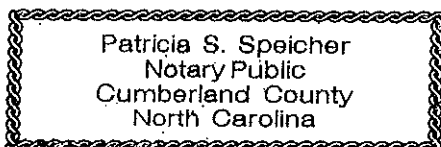
An appeal may be made to the Cumberland County Housing Board of Appeals. If an appeal is requested, it must be made in writing and within the time limits specified in the enclosed appeal procedures.

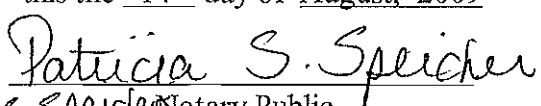

Ken Sykes
Hearing Officer


George Hatcher
Code Enforcement Officer

Enclosed: Appeals Procedures & Form

cc: William Rowe, 4044 Limestone Street, Eastover, NC 28312



State of North Carolina
County of Cumberland
Sworn to and Subscribed to by me
this the 14th day of August, 2009

Patricia S. Speicher, Notary Public
My Commission Expires: 9-26-11

NORTH CAROLINA
COUNTY OF CUMBERLAND

PLANNING/INSPECTIONS DEPARTMENT

RE: Donald Robert Rowe, Jr.
Name of Violator

MH 5988-2009
Case Number

AFFIDAVIT OF RETURN OF SERVICE
(Personal Service to Individual)

I, George Hatcher, Code Enforcement Officer, with the Cumberland County Inspections Department,
(name & title)

personally served Donald Robert Rowe, Jr. & William Rowe, a copy of the FINDINGS OF FACT AND ORDER AND,
(name of violator)

APPEALS PROCEDURES, citing violations of Article IV, CHAPTER 4 of the Cumberland County

Ordinance by mailing said notice(s) via 1st class mail and certified mail to the following addresses:

4038 Limestone Street, Eastover, NC 28312 & 4044 Limestone Street, Eastover, NC 28312,

and by posting at: 4044 Limestone Street, Eastover, NC 28312.

I further certify that said service was completed on this the 18th day of August, 2009.



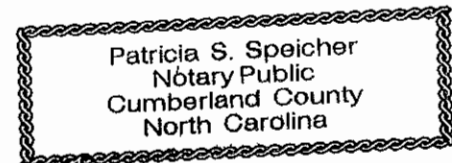
George Hatcher
Code Enforcement Officer

Sworn to and subscribed to before me

this the 18th day of August, 20 09.

Patricia S. Speicher
Notary Public Patricia S. Speicher

My Commission Expires: 9-26-11



PROOF OF SERVICE OF FINDINGS OF FACT AND ORDER
DATED AUGUST 14, 2009 CASE NUMBER MH 5988-2009

EXHIBIT A

MAP DEPICTING LOCATION OF PROPERTY

Property Owner: Donald R Rowe, Jr.

4044 Limestone St, Eastover , NC

MINIMUM HOUSING CASE # MH5988-2009

TAX PARCEL IDENTIFICATION NUMBER 0469-44-7901

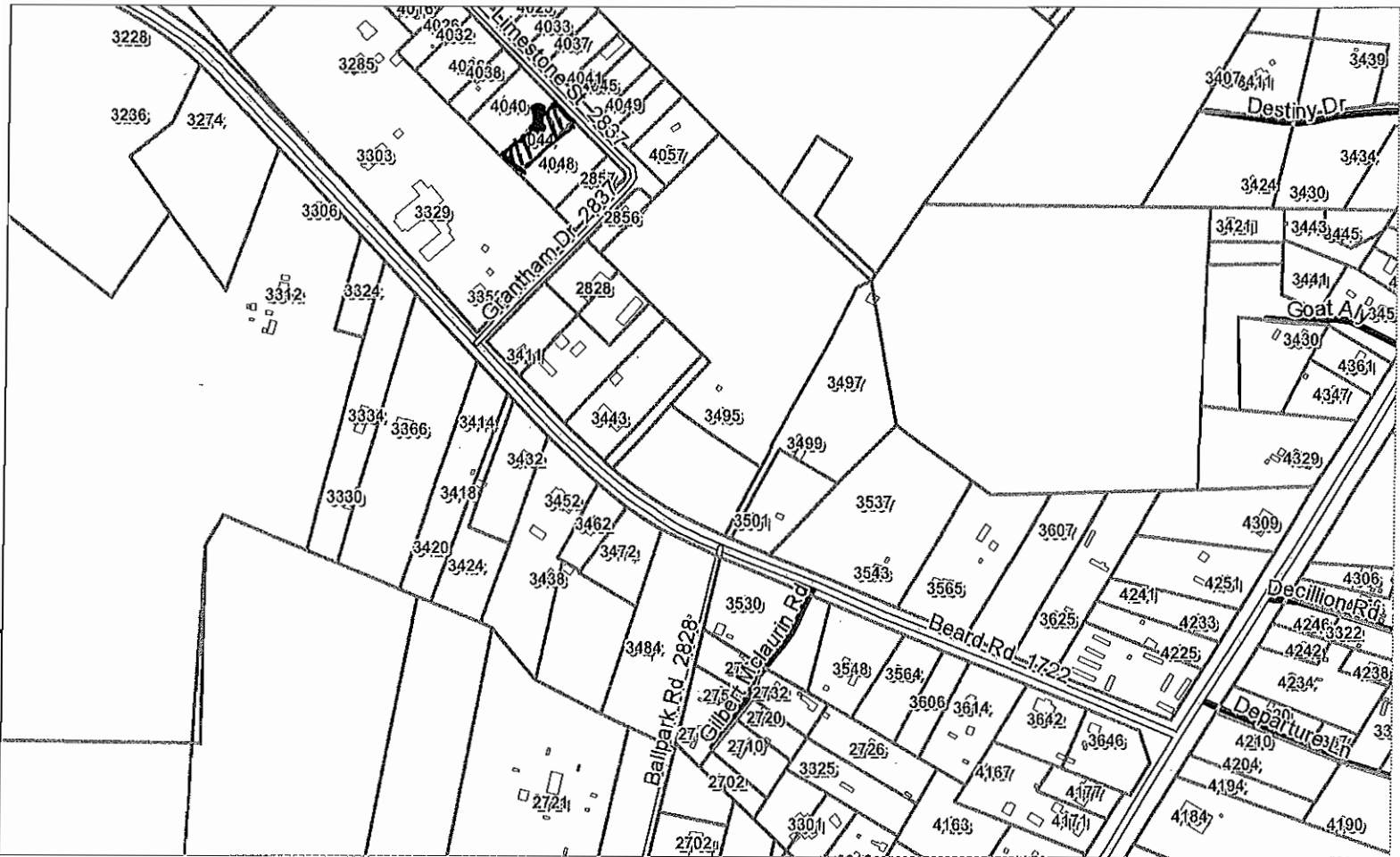


EXHIBIT B

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

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

BACKGROUND: That the following is a report on Minimum Housing case number MH 5963-2009.

Property Owner: Tammy Mallen

Property Address: 1216 Lake Avenue Extension, Spring Lake, NC


Tax Parcel Identification Number: 0511-16-6542

SYNOPSIS: This property was inspected on 5/22/2009. The property owners and parties of interest were legally served with Notice of Violations and was afforded a Hearing on 6/25/2009. Tammy Mallen attended the Hearing via telephone. It was ordered that the structure be repaired to a minimum standard for human habitation, or be demolished and the debris removed from the premises by a date not later than 9/25/2009. The property owners and parties of interest were notified of the appeal procedures when they were served with the Findings of Fact and Order. (See Exhibit A for Findings of Fact and Order.) No appeal was filed. Upon my visit to the property on 11/10/2009 no corrective action had been made to the structure. The structure is presently vacant and reasonably secured. In its present state, the structure constitutes a fire, health, and safety hazard.

The estimated cost to repair the structure to a minimum standard for human habitation is \$12,500.00. The Assessor for Cumberland County has the structure presently valued at \$717.00.

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

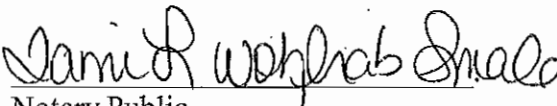
RECOMMENDATION: IT IS THE RECOMMENDATION OF THE PLANNING & INSPECTION DEPARTMENT THAT THE STRUCTURE BE DEMOLISHED, AND THE DEBRIS REMOVED FROM THE LOT.



Affiant
Code Enforcement Officer
County of Cumberland



Sworn to and Subscribed to by me this
the 10 day of November 2009.



Notary Public
My Commission Expires: 10/11/11

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

Name(s) of Owner(s)

Appearances:

Inspection Dept. Case No.:

BOARD OF COUNTY COMMISSIONERS MOTION:

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

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

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

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

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

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

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

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

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

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

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

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

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

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

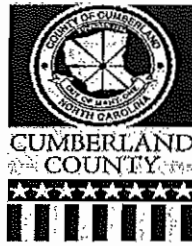
4. In addition there is imposed a civil penalty in the amount of \$ _____ per day (up to
a maximum amount of \$3,000.00) for failure to comply with the terms of this Ordinance.

Thomas J. Lloyd,
Director

Cecil P. Combs,
Deputy Director

Ken Sykes,
Inspections Coordinator

Carol M. Post
Planning and Inspections
Office Support



COUNTY of CUMBERLAND

Planning & Inspections Department

Kim Reeves,
Inspector
Angela Perrier,
Inspector
George Hatcher,
Inspector
Charisse Brown,
Inspector
Johnny H. Scott,
Inspector
Joey Lewis,
Inspector

91 7108 2133 3936 1726 5294

FINDINGS OF FACT AND ORDER

June 29, 2009

CASE #: MH 5963-2009

TO: Tammy Mallen & Parties of Interest
9940 County Road 151
Savannah, MO 64485

Property at: 1216 Lake Avenue Extension, Spring Lake, NC

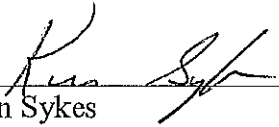
A Complaint, Notice of Hearing and Report of Inspection were legally served to the owner or owner's agent, and any party of interest. These documents were in fact received by the owner or owner's agent and party of interest on 6/4/2009.

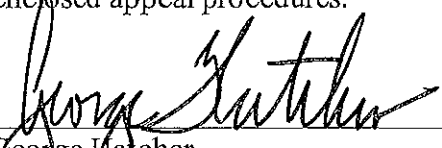
Pursuant of law, a Hearing was conducted in Room 101, of the old courthouse at 130 Gillespie Street, Fayetteville, NC on 6/25/2009 at 9:15:00 AM. The items identified below took place at the Hearing:

- ☐ 1. No owner or party of interest, or their agent, or representative appeared.
- ☒ 2. An answer was filed by owners and/or parties of interest. The answer was heard, read, and considered. Those present were: Tammy Mallen.
- ☒ 3. The undersigned inspector personally inspected the dwelling described in the Complaint and Notice of Hearing dated, 5/27/2009. Upon the record and all of the evidence offered and contentions made, the undersigned Hearing Officer does thereby find the following fact:
 - ☒ a. The dwelling in question is violative of the Cumberland County Housing Ordinance as per findings in the inspection report with an assigned case number of MH 5963-2009, dated 5/22/2009.
 - ☒ b. Due to these findings, the dwelling are found to be in a substandard condition in accordance with the Cumberland County Ordinance.
 - ☒ c. The dwelling is unfit for human habitation.

- ☒ 4. Due to facts presented above, the Hearing Officer orders as follows:
- ☒ a. The owners and/or parties of interest of the dwelling named above are required to bring such dwelling into compliance with the Cumberland County Housing Ordinance by either repairing, altering, and improving the dwelling up to a minimum standard or by demolishing the structure and then causing the debris to be removed from the premises by a date not later than 9/25/2009. **All required permits must be obtained. A copy of this order must be presented when obtaining permits.**
- ☐ b. The dwelling shall remain vacated until compliance with this order is completed and removed by the inspector, and the lot must be continuously maintained.
- ☐ c. The structure shall be/remain secured.
- ☐ d. By authority of North Carolina General Statutes 14-4, violation of the County code is punishable as a Class 3 Misdemeanor in criminal court and also subjects the violator to injunctive relief and/or a civil penalty of \$50.00 per day for each day's continuing violation after ____.
- ☒ e. The County Planning/Inspection Department may immediately begin procedures to seek a demolition ordinance from the Cumberland County Board of Commissioners for failure to bring the property into compliance by 9/25/2009. The cost of said demolition will be assessed against the real property in the form of a lien.

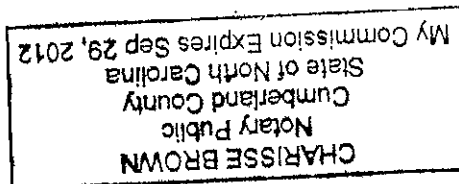
An appeal may be made to the Cumberland County Housing Board of Appeals. If an appeal is requested, it must be made in writing and within the time limits specified in the enclosed appeal procedures.


Ken Sykes
Hearing Officer

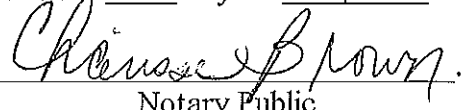

George Hatcher
Code Enforcement Officer

Enclosed: Appeals Procedures & Form

cc:



Sworn to and Subscribed to by me
this the 29th day of June, 2009


Notary Public

My Commission Expires: 9/29/2012

[Home](#) | [Help](#) | [Sign In](#)[Track & Confirm](#)[FAQs](#)

Track & Confirm

Search Results

Label/Receipt Number: 9171 0821 3339 3617 2652 94
Status: **Delivered**

Your item was delivered at 12:33 pm on July 03, 2009 in SAVANNAH, MO 64485. A proof of delivery record may be available through your local Post Office for a fee.

Additional information for this item is stored in files offline.

[Track & Confirm](#)[Go >](#)[Restore Offline Details >](#)[Return to USPS.com Home >](#)[Site Map](#)[Customer Service](#)[Forms](#)[Gov't Services](#)[Careers](#)[Privacy Policy](#)[Terms of Use](#)[Business Customer Gateway](#)

Copyright© 2009 USPS. All Rights Reserved.

No FEAR Act EEO Data

FOIA



2009 USPS
Annual Report



2009 USPS
Annual Report

**PROOF OF SERVICE OF FINDINGS OF FACT AND ORDER
DATE JUNE 29, 2009 CASE NUMBER MH 5963-2009**

EXHIBIT A

MAP DEPICTING LOCATION OF PROPERTY

Property Owner: Tammy Mallen

1216 Lake Ave Ext, Spring Lake , NC

MINIMUM HOUSING CASE # MH5963-2009

TAX PARCEL IDENTIFICATION NUMBER 0511-16-6542

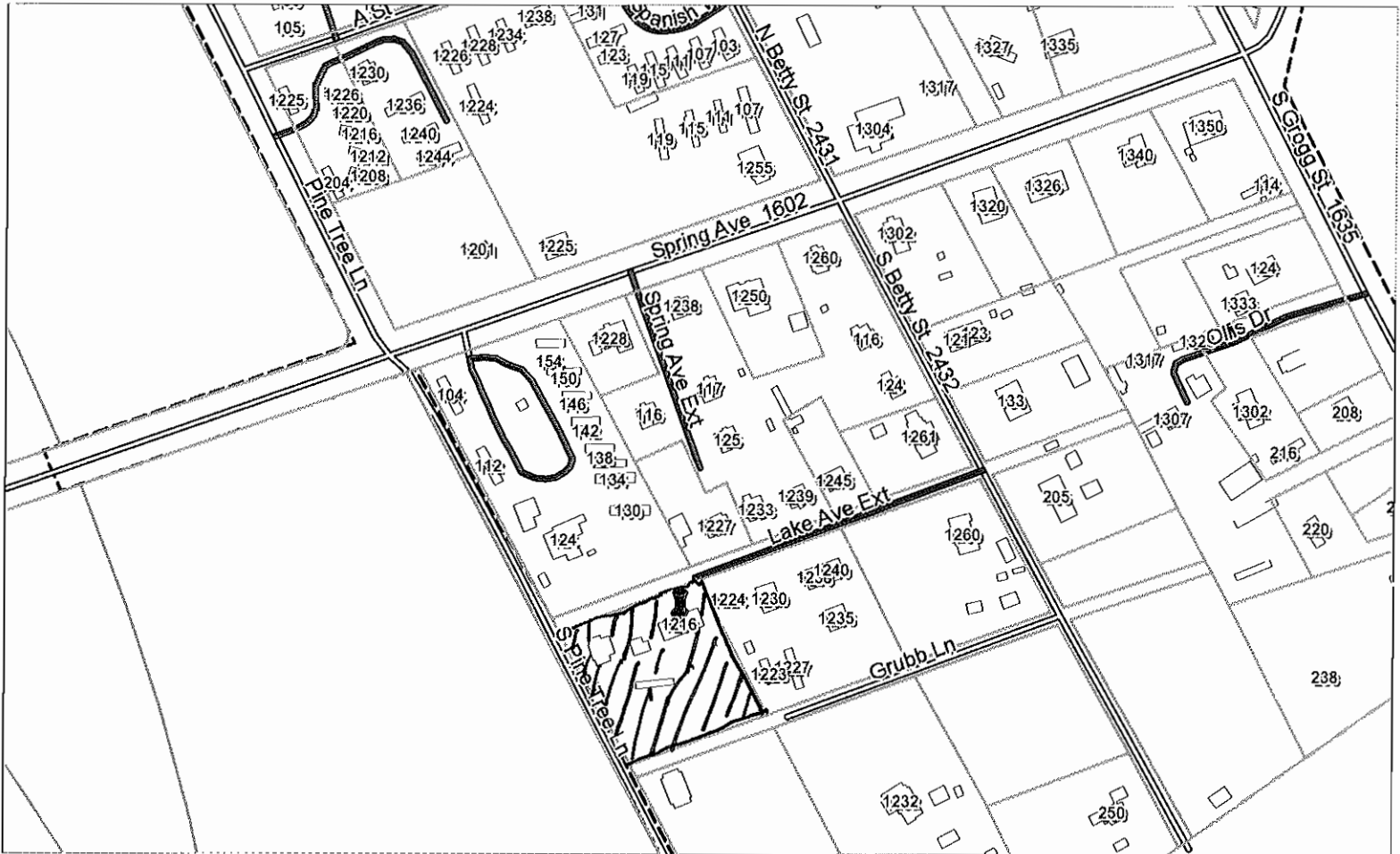


EXHIBIT B

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

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

BACKGROUND: That the following is a report on Minimum Housing case number MH 5930-2009.

Property Owner: Ella King McIver C/O Sylvia King Diop

Property Address: 362 Williams Street, Spring Lake, NC

Tax Parcel Identification Number: 0511-18-1417

SYNOPSIS: This property was inspected on 4/24/2009. The property owners and parties of interest were legally served with Notice of Violations and was afforded a Hearing on 6/18/2009. No one attended the Hearing. It was ordered that the structure be repaired to a minimum standard for human habitation, or be demolished and the debris removed from the premises by a date not later than 9/18/2009. The property owners and parties of interest were notified of the appeal procedures when they were served with the Findings of Fact and Order. (See Exhibit A for Findings of Fact and Order.) No appeal was filed. Upon my visit to the property on 11/10/2009 no corrective action had been made to the structure. The structure is presently vacant and reasonably secured. In its present state, the structure constitutes a fire, health, and safety hazard.

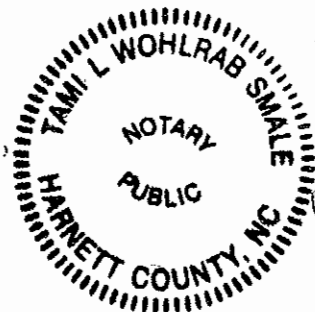
The estimated cost to repair the structure to a minimum standard for human habitation is \$8,500.00. The Assessor for Cumberland County has the structure presently valued at \$2,600.00.

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

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

George Hatcher
Affiant

Code Enforcement Officer
County of Cumberland



Sworn to and Subscribed to by me this
the 10 day of November 2009.

Tami L. Wohlrab-Smale

Notary Public
My Commission Expires: 10/11/11

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

Name(s) of Owner(s)

Appearances:

Inspection Dept. Case No.:

BOARD OF COUNTY COMMISSIONERS MOTION:

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

Thomas J. Lloyd,
Director

Cecil P. Combs,
Deputy Director

Ken Sykes,
Inspections Coordinator

Carol M. Post
Planning and Inspections
Office Support



COUNTY of CUMBERLAND

Planning & Inspections Department

Kim Reeves,
Inspector
Angela Perrier,
Inspector
George Hatcher,
Inspector
Charisse Brown,
Inspector
Johnny H. Scott,
Inspector
Joey Lewis,
Inspector

91 7108 2133 3936 1726 5010

FINDINGS OF FACT AND ORDER

June 19, 2009

91 7108 2133 3936 1742 3632 9 Ridgewood Terrace CASE #: MH 5930-2009
address

TO: Ella King McIver
C/O Sylvia King Diop & Parties of Interest
40 Richman Place
Bronx, NY 10453

Property at: 362 Williams Street, Spring Lake, NC

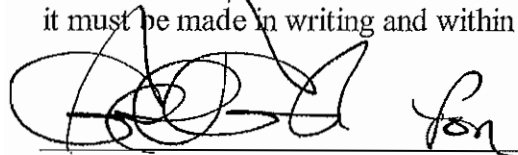
A Complaint, Notice of Hearing and Report of Inspection were legally served to the owner or owner's agent, and any party of interest. These documents were in fact received by the owner or owner's agent and party of interest on 5/19/2009.

Pursuant of law, a Hearing was conducted in Room 101, of the old courthouse at 130 Gillespie Street, Fayetteville, NC on 6/18/2009 at 9:15:00 AM. The items identified below took place at the Hearing:

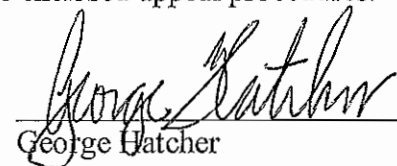
- ☒ 1. No owner or party of interest, or their agent, or representative appeared.
- ☐ 2. An answer was filed by owners and/or parties of interest. The answer was heard, read, and considered. Those present were:
- ☒ 3. The undersigned inspector personally inspected the dwelling described in the Complaint and Notice of Hearing dated, 5/14/2009. Upon the record and all of the evidence offered and contentions made, the undersigned Hearing Officer does thereby find the following fact:
 - ☒ a. The dwelling in question is violative of the Cumberland County Housing Ordinance as per findings in the inspection report with an assigned case number of MH 5930-2009, dated 4/24/2009.
 - ☒ b. Due to these findings, the dwelling are found to be in a substandard condition in accordance with the Cumberland County Ordinance.
 - ☒ c. The dwelling is unfit for human habitation.

- ☒ 4. Due to facts presented above, the Hearing Officer orders as follows:
- ☒ a. The owners and/or parties of interest of the dwelling named above are required to bring such dwelling into compliance with the Cumberland County Housing Ordinance by either repairing, altering, and improving the dwelling up to a minimum standard or by demolishing the structure and then causing the debris to be removed from the premises by a date not later than 9/18/2009. **All required permits must be obtained. A copy of this order must be presented when obtaining permits.**
- ☐ b. The dwelling shall remain vacated until compliance with this order is completed and removed by the inspector, and the lot must be continuously maintained.
- ☐ c. The structure shall be/remain secured.
- ☐ d. By authority of North Carolina General Statutes 14-4, violation of the County code is punishable as a Class 3 Misdemeanor in criminal court and also subjects the violator to injunctive relief and/or a civil penalty of \$50.00 per day for each day's continuing violation after _____.
- ☒ e. The County Planning/Inspection Department may immediately begin procedures to seek a demolition ordinance from the Cumberland County Board of Commissioners for failure to bring the property into compliance by 9/18/2009. The cost of said demolition will be assessed against the real property in the form of a lien.

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



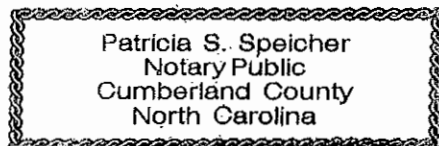
Ken Sykes
Hearing Officer



George Hatcher
Code Enforcement Officer

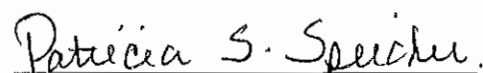
Enclosed: Appeals Procedures & Form

cc:



State of North Carolina
County of Cumberland

Sworn to and Subscribed to by me
this the 19th day of June, 2009



Notary Public

My Commission Expires: 9-26-11

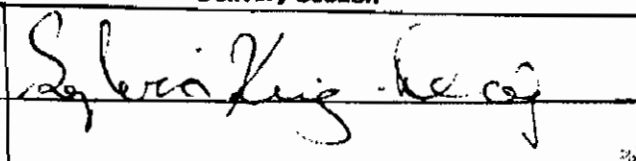


Date: 09/03/2009

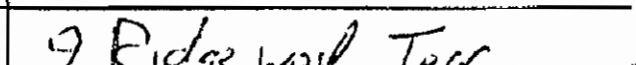
g h:

The following is in response to your 09/03/2009 request for delivery information on your Certified Mail(TM) item number 7108 2133 3936 1742 3632. The delivery record shows that this item was delivered on 07/25/2009 at 01:46 PM in POUGHKEEPSIE, NY 12603. The scanned image of the recipient information is provided below.

Signature of Recipient:

09/03/2009 01:46 PM
Delivery Section
A scanned image of a handwritten signature, "Sylvia King", written in black ink on a white background. The signature is written over a horizontal line.

Address of Recipient:

A scanned image of a handwritten address, "9 Ridge Road Terr.", written in black ink on a white background. The address is written over a horizontal line.

Thank you for selecting the Postal Service for your mailing needs. If you require additional assistance, please contact your local Post Office or postal representative.

Sincerely,

United States Postal Service

**PROOF OF SERVICE OF FINDINGS OF FACT AND ORDER
DATED JUNE 19, 2009 CASE NUMBER MH 5930-2009**

EXHIBIT A

MAP DEPICTING LOCATION OF PROPERTY
Property Owner: Ella King McIver c/o Sylvia King Diop
362 Williams St, Spring Lake , NC
MINIMUM HOUSING CASE # MH5930-2009
TAX PARCEL IDENTIFICATION NUMBER 0511-18-1417



EXHIBIT B

JAMES E. MARTIN
County Manager

JUANITA PILGRIM
Deputy County Manager



ITEM NO. 4

AMY H. CANNON
Assistant County Manager

OFFICE OF THE COUNTY MANAGER

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

MEMORANDUM FOR BOARD OF COMMISSIONERS AGENDA OF NOVEMBER 16, 2009

TO: BOARD OF COUNTY COMMISSIONERS

FROM: JAMES E. MARTIN, COUNTY MANAGER

DATE: NOVEMBER 12, 2009

**SUBJECT: PRESENTATION ON THE CUMBERLAND COUNTY
SOLID WASTE RECYCLING PROGRAM**

Ms. Jan Albert of the Cumberland County Solid Waste Department will make a presentation on the Cumberland County Solid Waste Recycling Program to the Board of Commissioners on November 16, 2009.

/ct

CM111209-1

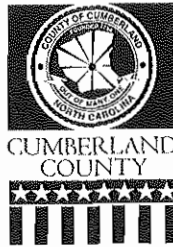
Celebrating Our Past...Embracing Our Future

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

JEANNETTE M. COUNCIL
Chairman

BILLY R. KING
Vice Chairman

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



MARIE COLGAN
Clerk to the Board

CANDICE WHITE
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. 5

BUSINESS ITEM FOR NOVEMBER 16, 2009 AGENDA

MEMO TO: Board of Commissioners

MEMO FROM: Marie Colgan, Clerk to the Board

DATE: November 16, 2009 *MC*

SUBJECT: Consideration of Adoption of 2010 Board of Commissioners
Regular Meeting Dates

BACKGROUND: Attached is a list of proposed meeting dates for 2010.
Traditionally, the second meeting in February has been moved to a Tuesday due to the schools being closed on President's Day. Also, the first meeting in April has been moved to Tuesday due to the schools being closed for Easter.

ACTION: Adopt meeting dates for 2010

Attachment

Celebrating Our Past...Embracing Our Future

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

PROPOSED COMMISSIONERS' MEETING DATES
2010

January 4, 2010, 9:00AM
January 19, 2010, 6:45PM (Tuesday)

February 1, 2010, 9:00AM
February 16, 2010, 6:45PM (Tuesday)

March 1, 2010, 9:00AM
March 15, 2010, 6:45PM

April 6, 2010, 9:00AM (Tuesday)
April 19, 2010, 6:45PM

May 3, 2010, 9:00AM
May 17, 2010, 6:45PM

June 7, 2010, 9:00AM
June 21, 2010, 6:45PM

July – NO MEETINGS

August 2, 2010, 9:00AM
August 16, 2010, 6:45PM

September 7, 2010, 9:00AM (Tuesday)
September 20, 2010, 6:45PM

October 4, 2010, 9:00AM
October 18, 2010, 6:45PM

November 1, 2010, 9:00AM
November 15, 2010, 6:45PM

December 6, 2010, 9:00AM
December 20, 2010, 6:45PM

Note: All meetings are on Monday except as noted above.

JAMES E. MARTIN
County Manager

JUANITA PILGRIM
Deputy County Manager



AMY H. CANNON
Assistant County Manager

ITEM NO. 6A

OFFICE OF THE COUNTY MANAGER

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

FINANCE COMMITTEE REPORT AND RECOMMENDATION

November 10, 2009

MEMORANDUM

TO: BOARD OF COMMISSIONERS

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

THROUGH: JAMES E. MARTIN, COUNTY MANAGER

**SUBJECT: CONSIDERATION OF DESIGNATING THE COUNTY'S \$1.7M
ALLOCATION OF RECOVERY ZONE FACILITY BONDS**

BACKGROUND

Cumberland County received an allocation of \$1.7M of Recovery Zone Facility Bonds (RZFB's). These instruments were authorized as part of the American Recovery Reinvestment Act (ARRA) of 2009. Below are some of the requirements and characteristics related to this particular ARRA bond:

- Allows private sector to borrow at tax exempt rate.
- Typical issuer is the Industrial Facilities and Pollution Control Financing Authority.
- Must be issued in a designated recovery zone.
- Shall be used in any trade or business (other than residential rental property), which may include shopping centers, manufacturing, distribution/warehouse facilities, hotels, and office buildings.

The North Carolina Department of Commerce has been given administrative authority in this process, and accordingly, the following procedures have been identified:

- Counties and municipalities must designate (by resolution) projects to be financed with recovery zone bonds by December 15, 2009.
- If this designation is **not** made, the allocation will be deemed waived for reallocation by the State.
- Local governments can waive their allocation and request the State to reallocate it to another project in another governmental unit.
- Counties and municipalities must request (by resolution) their interest in an "additional allocation", specifically by project, by December 15, 2009.

Celebrating Our Past...Embracing Our Future

At the October Finance Committee Meeting, the Gentry Group, LLC made a presentation requesting designation of a portion of these funds for development of the Freedom Business Center in Spring Lake. The Gentry Group has requested \$1M of our initial allocation and \$17M in reallocated funds.

Another shovel ready project has been identified in Spring Lake. Kingdom Realty Holdings, LLC made a presentation at the November Finance Committee Meeting regarding their partnership with a private developer to construct a hybrid Hotel/Restaurant Model. A request has been made for \$700,000 of our \$1.7M allocation.

Additionally, the County received a letter from the Lower Cape Fear Water and Sewer Authority requesting the County to waive our initial \$1.7M allocation. At this time, Management recommends utilizing our entire allocation for shovel ready economic development projects within Cumberland County.

The Finance Committee unanimously approved the recommendation to prepare an application to the N.C. Department of Commerce requesting a designation of our initial allocation to the Gentry Group, LLC in the amount of \$1M and the remaining \$700,000 to the Kingdom Realty Holdings, LLC. Additionally, the Committee agreed on submitting an application for an additional designation of RZFB's up to \$17M for further development of the Freedom Business Center by the Gentry Group, LLC. A draft copy of the minutes of the Finance Committee meeting is attached.

RECOMMENDATION

Management recommends the following:

1. Approval of the attached resolution which formally designates these project areas in Spring Lake as Recovery Zone Property and authorizes the County Manager to sign the necessary documents which will be submitted to the North Carolina Department of Commerce.
2. Approval designating an initial allocation of RZFB's to the Gentry Group, LLC in the amount of \$1M and the remaining \$700,000 to Kingdom Realty Holdings, LLC.
3. Approval to submit an application for an additional allocation up to \$17M for further development of Freedom Business Center, by the Gentry Group, LLC.

AHC:cas

Attachments

Celebrating Our Past...Embracing Our Future

DRAFT

CUMBERLAND COUNTY FINANCE COMMITTEE NOVEMBER 9, 2009, 8:30AM MINUTES

MEMBERS PRESENT: Commissioner Kenneth Edge
Commissioner Breeden Blackwell
Commissioner Jimmy Keefe

OTHERS: James Martin, County Manager
Juanita Pilgrim, Deputy County Manager
Amy Cannon, Asst. County Manager
Harvey Raynor, Interim County Attorney
Sally Shutt, Communications Manager
Thanena Wilson, Community Development Director
Howard Abner, Assistant Finance Director
Bob Tucker, Finance Department
Lou Huddleston, Gentry Group, Defense Industry Advisor
Bob Stafford, Gentry Group Manager
Rocky Keim, Gentry Group Manager
Bridgette Chisolm, Gentry Group- Financial Advisor
Brenda Compton, Gentry Group-Corporate Leasing Mgr.
Carl Manning, Kingdom Community Development Corp.
Fran Gilpin, Fayetteville Observer
Marie Colgan, Clerk

Commissioner Edge called the meeting to order and asked Commissioner Blackwell to open the meeting with a prayer.

Commissioner Edge stated that a Closed Session for Economic Development under NCGS 143-318.11 (a)(4) has been requested by the County Manager to be added to the agenda.

MOTION: Commissioner Blackwell moved to approve the addition to the agenda.
SECOND: Commissioner Keefe
VOTE: Unanimous

1. Approve Minutes: October 1, 2009

MOTION: Commissioner Blackwell moved to approve.
SECOND: Commissioner Edge
VOTE: Unanimous

2. Consideration of Designating the County's \$1.7M Allocation of Recovery Zone Facility Bonds

DRAFT

County Manager Martin reminded attendees that at the last meeting of the Finance Committee, the Gentry Group requested \$1.7M of the County's recovery zone facility bonds (RZFB) and Carl Manning with the Kingdom Community Development Corporation was also present at that meeting, but the request now is for dividing the allocation between the two groups - \$1M to the Gentry Group and \$700,000 to the Kingdom Realty Holdings, LLC. Mrs. Cannon explained that there is a requirement on the RZFB which requires that an application be submitted to the Department of Commerce by December 15, 2009 for each project for the initial allocation of \$1.7M, with an opportunity of a reallocation of additional funds which requires an application by December 15, 2009. Therefore, a request would need to go forward to the full Board on November 16 in order to meet this deadline. Mr. Martin added that the possibility of an additional allocation would be in the amount of \$17M and that a further request will be brought to the Board on November 16 in that amount for the Gentry Group with a caveat that it is contingent upon satisfactory completion of a due diligence process to include the determination of credit worthiness. Commissioner Edge questioned whether Mrs. Cannon had received the State guidelines regarding these bonds and she responded that she had and that the bonds must be issued by April 15, 2010. Commissioner Keefe questioned the County's exposure and whether the County would be liable in the event that these groups folded. Ms. Cannon explained that this is not a debt in the County's name as it would be a liability of the private corporations and that the County would not be held liable.

Mr. Manning gave a power point presentation on an Overview of Spring Lake Mixed-Use Retail Development Project. He provided information on their mission statement and organizational chart. The presentation also highlighted the impact on two projects with a combined yearly tax amount of \$29,500. The mixed-use retail development would include Candlewood Suites and IHOP Restaurant and information was provided on both businesses. A project overview was included showing a total project cost, including all predevelopment, would be \$9M on 2.2 acres of land. Funding in the amount of \$7,845,000 has been secured for the project. The total cost of the project is \$8,545,000 which leaves a gap in funding of \$700,000. Ms. Chisolm assured members that all funding sources have been secured except for the gap amount. Mr. Manning concluded the presentation with a project summary pointing out that this is a very strong project. Discussion ensued regarding the difference in this project from other projects that the Commissioners have approved for economic development.

Mr. Stafford gave an update on information that was provided at the last meeting stating that the request that is being made today is \$1M of the \$1.7M that exists and then an additional amount of future reallocations which Mr. Martin spoke of earlier. The Spring Lake Board of Alderman recently sanctioned an Economic Development Commission which he, Mr. Keim and Mr. Manning are serving on. A meeting will be held this afternoon to finalize funds for a master plan for the development and re-development of Spring Lake as a whole which has happened through efforts of the North Carolina Initiative, the BRAC Commission and Spring Lake. All tracts of land in the Business Center are under contract, with water, sewer, and roads all in place. The number one building in the park will be completed in early 2010 and will be occupied. There are

D R A F T

expectations for the park to be a defense contractor park in its entirety. Mr. Stafford explained the duties of other members of the group which were present in the meeting, concluding his presentation with his assurance that the land is secure and the team is in place to finish the project.

MOTION: Commissioner Blackwell moved to recommend designation of the County's initial \$1.7M allocation – as follows - \$1M to the Gentry Group and \$700,000 to Kingdom Realty Holdings, LLC and further requesting a reallocation of up to \$17M of reallocated funds contingent upon a satisfactory completion of a due diligence process, to include a determination of credit worthiness.

DISCUSSION: County Manager Martin informed members that designation of the actual footprint of the recovery zone will need to be included as part of the action when presented at the November 16th full board meeting. Commissioner Keefe asked for an explanation of the reallocation funds mentioned and County Manager Martin explained that it is made up of funds that are not used by other counties and cities. Discussion ensued regarding how the funds are allocated and how counties can issue a resolution to request that their funds, if not used, be reallocated to another county for a particular project.

SECOND: Commissioner Edge

VOTE: Unanimous

MOTION: Commissioner Blackwell moved to go into Closed Session.

SECOND: Commissioner Keefe

VOTE: Unanimous

3. Closed Session: Economic Development Matter pursuant to NCGS 143-318.11 (a)(4)

MOTION: Commissioner Blackwell moved to return to Open Session.

SECOND: Commissioner Edge

VOTE: Unanimous

4. Other Matters of Concern – no items discussed

MOTION: Commissioner Blackwell moved to adjourn.

SECOND: Commissioner Edge

VOTE: Unanimous

MEETING ADJOURNED

CUMBERLAND COUNTY, NC
Recovery Zone Designation
and
Authorization to Appropriate Bond Issuance

WHEREAS, on February 17, 2009, the President signed into law the American Recovery and Reinvestment Act of 2009, Pub. L. No. 111-5 Stat. 115 (2009 (“ARRA”)); and

WHEREAS, Section 1401 of Title I of Division B of ARRA authorizes state and local governments to issue Recovery Zone Economic Development Bonds and Recovery Zone Facility Bonds; and

WHEREAS, Recovery Zone Economic Development Bonds may be used to finance certain “qualified economic development purposes” and Recovery Zone Facility Bonds may be use to finance certain “recovery zone property,” as such terms are defined in ARRA; and

WHEREAS, the term “Recovery Zone” means: 1) any area designated by the issuer as having significant poverty, unemployment, a high rate of home foreclosures or general distress; 2) any area designated by the issuer as economically distressed by reason of the closure or realignment of a military installation pursuant to the Defense Base Closure and Realignment Act of 1990, and 3) any area for which a designation as an empowerment zone or renewal community is in effect as of the effective date of ARRA, which effective date is February 17, 2009; and

WHEREAS, Recovery Zone Economic Development Bonds are considered “qualified” bonds for purposes of Section 6431 of the Internal Revenue Code of 1986, as amended, and provide for a federal subsidy through a refundable tax credit paid to State or local governmental issuers in an amount equal to 45 percent of the total coupon interest payable to investors in these taxable bonds; and

WHEREAS, the interest on State or local Recovery Zone Facility Bonds is excludable from gross income for Federal income tax purposes; and

WHEREAS, Recovery Zone Economic Development Bonds and Recovery Zone Facility Bonds must be issued before January 1, 2011; and

WHEREAS, Cumberland County, NC has received the following volume caps of:

Recovery Zone Economic Development Bonds: \$1,138,000
Recovery Zone Facility Bonds: \$1,707,000

and may use such volume cap for eligible costs or may allocate such volume cap in any reasonable manner as the Cumberland County, NC governing body shall determine in good faith at their discretion for use for eligible costs for qualified economic development purposes or recovery zone property; and

WHEREAS the Cumberland County, NC governing body seeks to designate the following area as a Recovery Zone due to significant levels of increased unemployment, increased levels of home foreclosures, and the general increase of economic distress throughout the county: **CENSUS TRACT 36, BLOCK GROUPS 1 and 3**; (see Exhibit A for supporting documentation) and

WHEREAS, this matter was discussed at the November 9, 2009 meeting of the Cumberland County Finance Committee and recommended to the full governing body for approval;

NOW THEREFORE, BE IT RESOLVED that the Cumberland County, NC governing body designates the areas more fully described above/attached as Exhibit A as a Recovery Zone; and

BE IT FURTHER RESOLVED THAT, the governing board authorizes the County Manager to sign the necessary documents and hereby allocates its volume cap of \$1,707,000 of Recovery Zone Facility Bonds to the Gentry Group, LLC in the amount of \$1,000,000 for development of the Freedom Business Center (the "Project") in Spring Lake and \$700,000 to Kingdom Realty Holdings, LLC for development of a combined hotel/restaurant franchise (the "Project"); and further that the County Manager is authorized to sign the necessary documents to request a further reallocation of Recovery Zone Facility Bonds from the North Carolina Tax Reform Allocation Committee in an amount up to \$17,000,000 to the Gentry Group, LLC for further development of the Freedom Business Center.

Exhibit A

Background and Supporting Information for Recovery Zone Designations

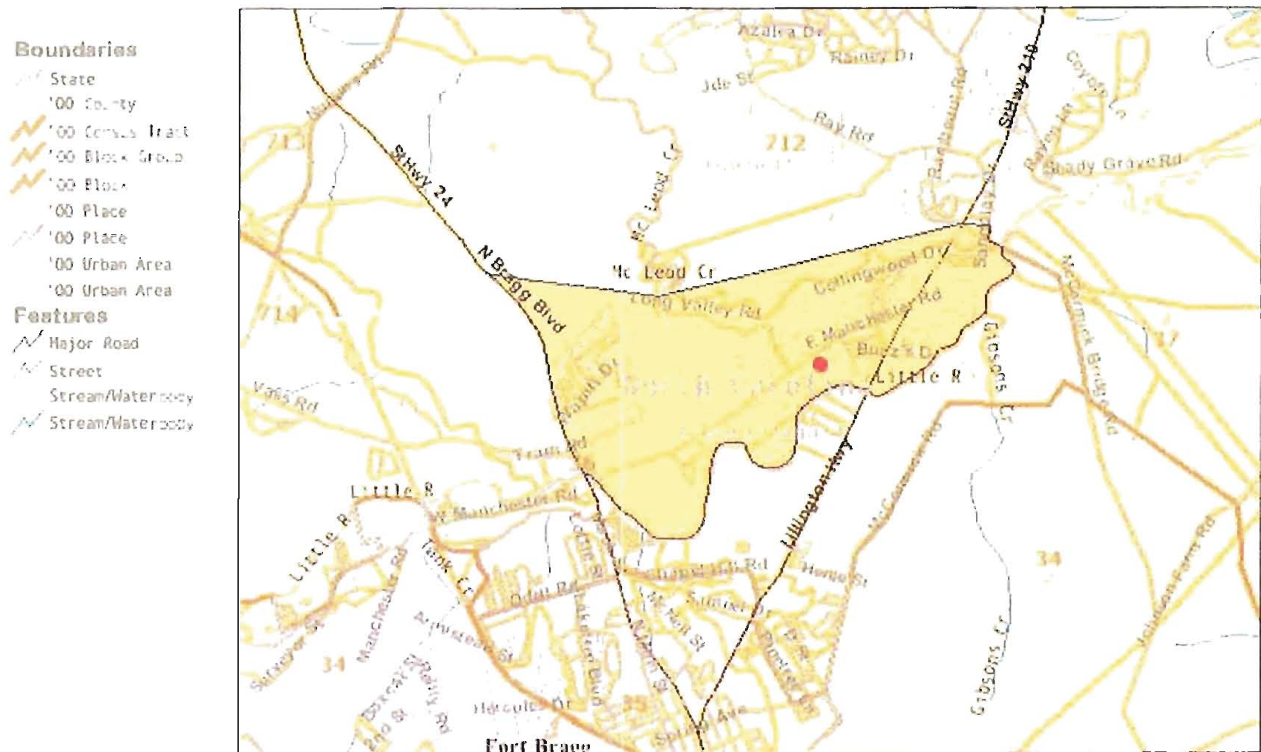
The U.S. Department of Treasury's Community Development Financial Institutions Fund (CDFI) established a program called the New Market Tax Credit (NMTC) Program, which is designed to generate private sector equity investments in low income communities by financing neighborhood retail centers, small businesses, charter schools, child care centers and other community facilities in distressed areas nationwide.

In an effort to direct money to the neediest areas of the country, the CDFI Fund focuses on hot zones for the programs established under their administration. Hot Zones are urban and rural geographic areas that have high unemployment and poverty rates and may have high housing costs burdens.

Within Cumberland County, Census Tract 36 is designated as a Hot Zone and a NMTC eligible area. Therefore, the Recovery Zone designations, specifically Census Tract 36, Block Groups 1 and 3, are based on the NMTC eligibility as defined above.

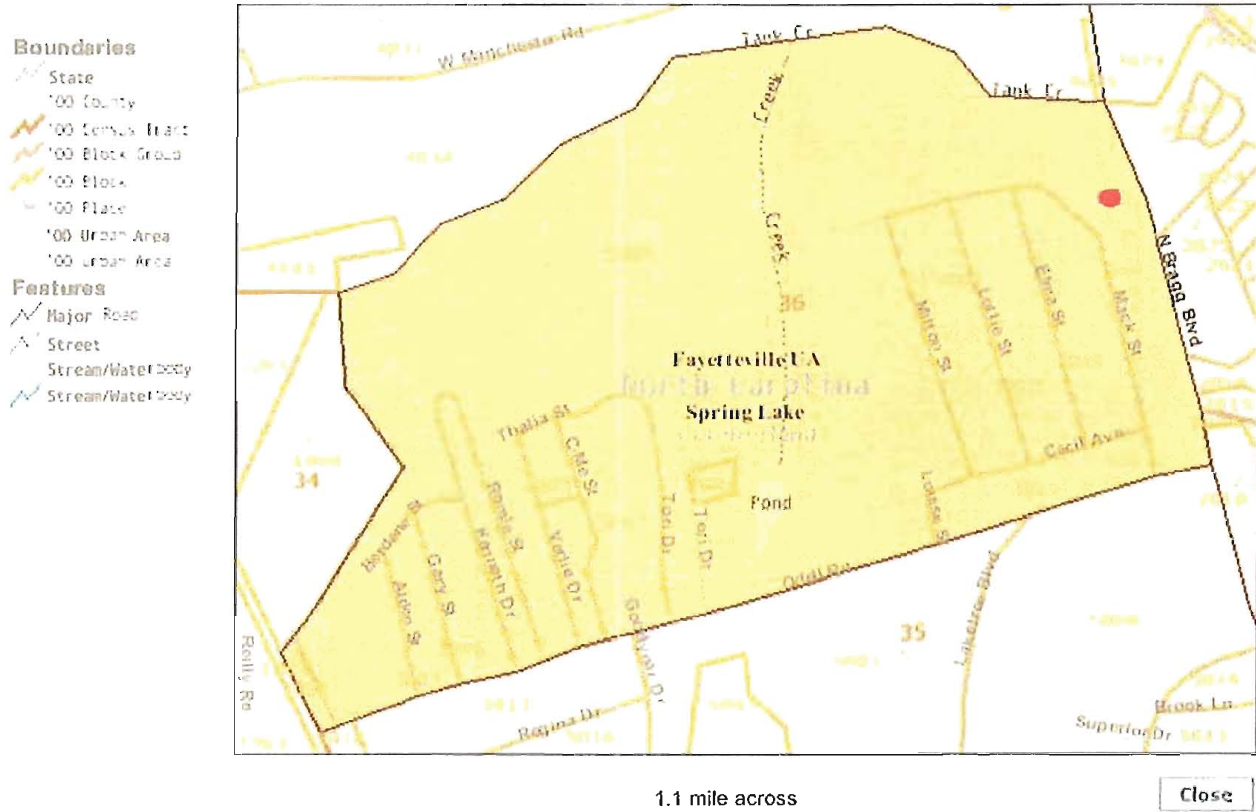
Gentry Group Freedom Business Center Site

Block Group 1, Census Tract 36, Cumberland County, North Carolina



Close

Kingdom Community Development Corporation Hotel/Restaurant Site
Block Group 3, Census Tract 36, Cumberland County, North Carolina



JAMES E. MARTIN
County Manager

JUANITA PILGRIM
Deputy County Manager



AMY H. CANNON
Assistant County Manager

OFFICE OF THE COUNTY MANAGER

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

November 12, 2009

ITEM NO. 6B

MEMORANDUM

TO: BOARD OF COMMISSIONERS

FROM: AMY H. CANNON, ASSISTANT COUNTY MANAGER 

THRU: JAMES E. MARTIN, COUNTY MANAGER

SUBJECT: CONSIDERATION OF REQUEST TO SEEK A FURTHER REALLOCATION OF RECOVERY ZONE FACILITY BONDS IN THE AMOUNT OF \$30M

BACKGROUND

The Chamber of Commerce has been approached by a private developer who is interested in the concept of a franchise four-star hotel and restaurant attached to the Crown Center. This firm has conducted a market analysis to determine the viability of a hotel/restaurant partnership with the Crown Coliseum.

The developer is asking the County for approximately 4.5 acres of land on the Crown complex through a long-term lease and participation in the cost of a bridge connection to the Crown Center. Additionally, the private developer is seeking issuance of non-liability bond debt. It has been determined that an avenue for meeting this need could be through the Recovery Zone Facility Bonds (RZFB's). We have already designated our initial allocation of \$1.7M, but we have the opportunity to seek a further reallocation. These bonds allow a private developer to issue low interest tax-exempt debt. This would not be an obligation of the County.

Up to this point, this has been considered only as a potential economic development project that the Chamber has discussed with Management. This project is dependent upon the issuance of some type of non-liability bonds. Management realizes there are many other issues to be considered, but we feel that exploring a reallocation of RZFB's is the first step.

RECOMMENDATION

The Chamber President and county management recommends the filing of an application to the NC Department of Commerce requesting a reallocation of RZFB's in the amount of \$30M for the proposed hotel/restaurant project at the Crown Coliseum. A resolution is attached which formally designates this project as being in a Recovery Zone and authorizes the County Manager to sign the necessary documents which request a further reallocation.

AHC:cas

Celebrating Our Past...Embracing Our Future

CUMBERLAND COUNTY, NC
Recovery Zone Designation
and
Authorization to Appropriate Bond Issuance

WHEREAS, on February 17, 2009, the President signed into law the American Recovery and Reinvestment Act of 2009, Pub. L. No. 111-5 Stat. 115 (2009 ("ARRA")); and

WHEREAS, Section 1401 of Title I of Division B of ARRA authorizes state and local governments to issue Recovery Zone Economic Development Bonds and Recovery Zone Facility Bonds; and

WHEREAS, Recovery Zone Economic Development Bonds may be used to finance certain "qualified economic development purposes" and Recovery Zone Facility Bonds may be use to finance certain "recovery zone property," as such terms are defined in ARRA; and

WHEREAS, the term "Recovery Zone" means: 1) any area designated by the issuer as having significant poverty, unemployment, a high rate of home foreclosures or general distress; 2) any area designated by the issuer as economically distressed by reason of the closure or realignment of a military installation pursuant to the Defense Base Closure and Realignment Act of 1990, and 3) any area for which a designation as an empowerment zone or renewal community is in effect as of the effective date of ARRA, which effective date is February 17, 2009; and

WHEREAS, Recovery Zone Economic Development Bonds are considered "qualified" bonds for purposes of Section 6431 of the Internal Revenue Code of 1986, as amended, and provide for a federal subsidy through a refundable tax credit paid to State or local governmental issuers in an amount equal to 45 percent of the total coupon interest payable to investors in these taxable bonds; and

WHEREAS, the interest on State or local Recovery Zone Facility Bonds is excludable from gross income for Federal income tax purposes; and

WHEREAS, Recovery Zone Economic Development Bonds and Recovery Zone Facility Bonds must be issued before January 1, 2011; and

WHEREAS, Cumberland County, NC has received the following volume caps of:

Recovery Zone Economic Development Bonds: \$1,138,000
Recovery Zone Facility Bonds: \$1,707,000

and may use such volume cap for eligible costs or may allocate such volume cap in any reasonable manner as the Cumberland County, NC governing body shall determine in good faith at their discretion for use for eligible costs for qualified economic development purposes or recovery zone property; and

WHEREAS the Cumberland County, NC governing body seeks to designate the following area as a Recovery Zone due to significant levels of increased unemployment, increased levels of home foreclosures, and the general increase of economic distress throughout the county: **CENSUS TRACT 15, BLOCK GROUP 1 (See Exhibit A for supporting documentation)**

NOW THEREFORE, BE IT RESOLVED that the Cumberland County, NC Governing Body designates the areas more fully described above/attached as Exhibit A as a Recovery Zone; and

BE IT FURTHER RESOLVED THAT, the governing body hereby requests the NC Tax Reform Allocation Committee to reallocate an additional \$30,000,000 and authorizes the County Manager to sign the necessary documents to request a further reallocation of \$30,000,000 in Recovery Zone Facility Bonds to Cumberland County for a hotel/restaurant project (the "project") which will include a bridge connection to the County's Crown Center.

EXHIBIT A

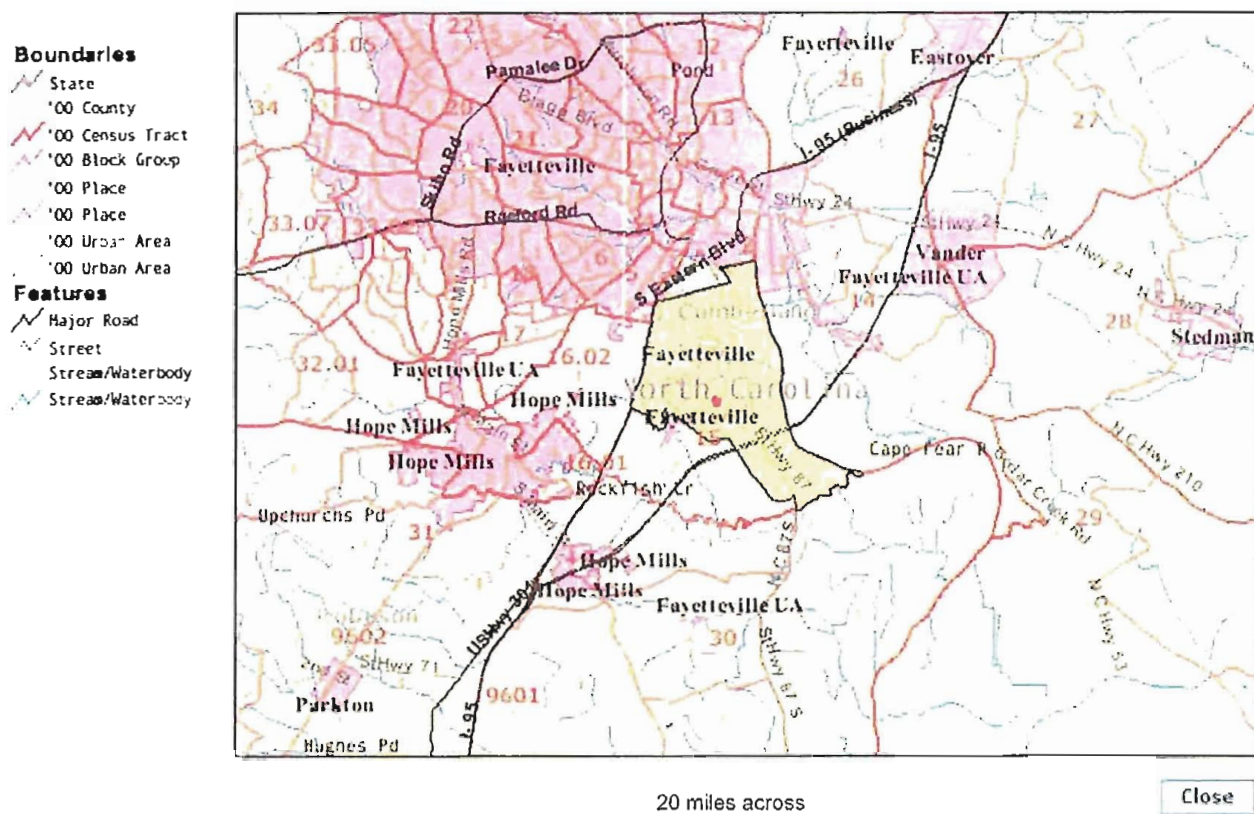
Background and Supporting Information for Recovery Zone Designations

The U.S. Department of Treasury's Community Development Financial Institutions Fund (CDFI) established a program called the New Market Tax Credit (NMTC) Program, which is designed to generate private sector equity investments in low income communities by financing neighborhood retail centers, small businesses, charter schools, child care centers and other community facilities in distressed areas nationwide.

Within Cumberland County, Census Tract 15 is in a NMTC eligible area. Therefore, the Recovery Zone designation, specifically Census Tract 15, Block Group 1 is based on the NMTC eligibility as defined above.

Crown Center Site

Block Group 1, Census Tract 15, Cumberland County, North Carolina



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

MEMORANDUM FOR BOARD OF COMMISSIONER'S AGENDA OF NOVEMBER 16, 2009

TO: BOARD OF COUNTY COMMISSIONERS

FROM: ROBERT N. STANGER, COUNTY ENGINEER *Bob*
AMY H. CANNON, ASSISTANT COUNTY MANAGER *AHC*

DATE: NOVEMBER 12, 2009

**SUBJECT: MECHANICAL, ELECTRICAL, PLUMBING AND LIFE SAFETY UPGRADES
FOR CROWN ARENA AND THEATER
CONSIDERATION OF DESIGNATING THE COUNTY'S \$1.1 MILLION
ALLOCATION OF RECOVERY ZONE ECONOMIC DEVELOPMENT BONDS**

BACKGROUND

In February 2005, staff presented to the County Facilities Committee a list of capital improvement projects for the Crown Arena and Theater. Refer to the attached memorandum. The list included short-term projects which were subsequently addressed in the Theater Lobby Renovation Project constructed in 2006 and long-term projects yet to be undertaken. Of the long-term projects, upgrading the mechanical, electrical, plumbing and life safety (fire alarm) systems is the top priority.

In May 2009, LSV Partnership was authorized to conduct an evaluation of the MEP systems in the Arena and Theater which are essentially the original building systems constructed in 1967. The mechanical system does not meet the indoor air quality standards in the current building code and is not energy efficient. The original cooling tower was replaced in 2001 with a used tower which is in a state of disrepair. The main electrical switchgear and panels were manufactured by Federal Pacific which is no longer in business and replacement parts are difficult to locate and expensive. Electrical distribution is a two-wire system with no ground and is no longer code compliant. The plumbing system contains galvanized steel water piping which needs to be replaced. About 80% of the plumbing fixtures need to be replaced. The life safety system (fire alarm) is virtually non-existent and the Inspections Department will not allow any additional renovations to the building without upgrading the life safety system.

Celebrating Our Past...Embracing Our Future

A presentation of the Crown Arena and Theater MEP Study was made to the Crown Center Civic Center Commission at its October 27, 2009 meeting and subsequently to the County Facilities Committee at its November 10, 2009 meeting. A copy of the power point presentation is attached. The conditions of the existing systems were reviewed and recommended upgrades discussed. The recommended mechanical system includes three (3) 200-ton air cooled screw chillers coupled with ice storage tanks to provide cooling. This is a very energy efficient system and the increased capital costs over a conventional chiller/cooling tower system will be recovered in reduced energy costs within two years based on assumed usage of the facility. New air handling units would be installed for air distribution. The mechanical system would be configured to isolate each venue so that the entire system would not need to operate if there is only an event in either the Arena or Theater. A new mechanical room located on the north side of the Theater is proposed to house the new pumps, chillers and controls. The ice storage tanks will be located outdoors adjacent to the new mechanical room and screened from view. The boiler that provides building heat was replaced in 2001 and is in good condition. New electrical switchgear, panels and circuits (3-wire) are proposed. A new fire alarm system will be installed as required by the building code officials. New water lines will be installed, plumbing fixtures replaced as needed, and one sewerage lift station replaced.

The preliminary project cost estimate including design fees and contingencies is \$3.85 Million. The proposed project schedule was also discussed. Assuming the project is approved, design will begin immediately with a tentative bid date of early Spring 2010. Construction would take place during the Summer 2010. The facility would be closed for about 3 months.

The Crown Center Civic Center Commission unanimously endorsed the project and recommended forwarding it to the County Facilities Committee for its consideration.

The County Facilities Committee, after discussion, unanimously endorsed the project and recommended forwarding it to the Board of Commissioners for its consideration. A copy of the Draft Facilities Committee Minutes are attached.

FUNDING CONSIDERATIONS

The County received an allocation of \$1,138,000 of Recovery Zone Economic Development Bonds (RZEDB's). These instruments were authorized as part of the American Recovery Reinvestment Act (ARRA). These are similar to the Recovery Zone Facility Bonds (RZFB's) except, they are limited to expenditures for public infrastructure and construction of public facilities. These instruments include a refundable credit of 45% of the amount of interest paid on each payment date.

County Management recommends the filing of an application to the North Carolina Department of Commerce requesting that our \$1.1M allocation of RZEDB's be designated for these upgrades at the Crown Arena and Theater. Following the same process as the RZFB's, a determination must be made that this project is within a recovery zone and an application must be filed with the Department of Commerce by December 15, 2009.

Food and Beverage Tax funds will be used to fund project costs that exceed the \$1.1M. Sufficient funds are available in the Food and Beverage Fund Balance.

RECOMMENDATION/PROPOSED ACTION

The recommendation of the County Facilities Committee, Crown Center Civic Center Commission, County Engineer and management is to approve the Crown Arena and Theater Mechanical, Electrical, Plumbing and Life Safety Improvement Project and instruct staff to proceed with the design work.

The recommendation of County Management is to approve the attached resolution which formally designates this project as being in a Recovery Zone and authorizes the County Manager to sign the necessary documents which designate our \$1.1M allocation of RZEDB's for the Crown Theater and Arena Upgrades.

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



MEMORANDUM

TO: Cumberland County Facilities Committee

FROM: Dr. Jack Freeman, Civic Center Commission Board Chairman

DATE: November 9, 2009

RE: PM&E Upgrade Proposal

On October 27, 2009, the Civic Center Commission Board unanimously endorsed a plumbing, mechanical, and electrical upgrade proposal for the Crown Center Theatre and Arena. The proposal was prepared and presented by the Cumberland County Engineering Department in conjunction with Mr. Walter Vick and Mr. Hank Hoomani.

The proposal and presentation is clear and informative. It specifically outlines the priority of needed repairs and provides an analysis of costs based on each system. The Civic Center Commission Board members were uniformly supportive of the request to proceed with the repairs and appreciative of the extensive background information and equipment specification details provided by the Engineering Department.

The proposal outlines the necessary upgrades to the existing 40-year old system currently in place at the Theatre and Arena. A previous comprehensive evaluation of needs was performed and verified that the existing systems are inadequate, costly to operate, and extremely deficient in compliance with current building and life safety codes. Parts of the system are in complete non-compliance and renovation permits cannot be obtained.

There is a definite urgency to proceed with the replacement and repairs to the current operating systems. Aside from the monetary savings that a newer, greener system would recognize, the loss of booking opportunities for these facilities also exists. Currently, events may or may not be contracted in these facilities based on weather conditions, occupant capacity of the adjoining facility, and the possibility of system failure. In an effort to minimize the loss of revenue that could ensue from a system failure during a contracted event, the Civic Center Commission Board feels that it is imperative that the upgrades are performed as soon as is possible.

A prior commitment has required my attendance at a meeting in Raleigh on November 10th. I sincerely regret that I was unable to attend the Committee meeting to personally support this proposal. Should there be any questions or concerns that you would like to address, please feel free to contact me.



COUNTY of CUMBERLAND

Engineering Department

ROBERT N. STANGER, P.E.
County Engineer

February 2, 2005

MEMORANDUM

TO: COUNTY FACILITIES COMMITTEE

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

THROUGH: AMY CANNON, ASSISTANT COUNTY MANAGER

SUBJECT: CROWN THEATER AND ARENA CAPITAL IMPROVEMENT PROJECTS

BACKGROUND

The Engineering Department has been working with Coliseum management and LSV Partnership to develop a master plan for capital improvements to the Crown Theater and Arena that address both short-term and long-term needs of the facilities.

A presentation was made to the Civic Center Board on January 25, 2005, at which time the projects recommended by staff, as shown on the attached list "Crown Theater and Arena Capital Improvement Projects", were discussed in detail for their consideration. The list is divided into short-term projects, for which funding in concept has been endorsed by County Management and the Board of County Commissioners, and long-term projects which are recommended for inclusion in the 5-Year CIP for the Coliseum Complex.

A brief description of each project is as follows:

SHORT-TERM PROJECTS

Renovations to Theater Lobby and Mezzanine Concessions:

This involves cosmetic renovations to this space such as new wall and floor coverings, re-finishing the terrazzo stairs and handrails, new signage/graphics, new lighting fixtures, painting, etc. to modernize the space. In addition, there is existing storage space on the mezzanine level that would be converted into concessions and minor renovations in the restrooms. Estimated Cost = \$135,000.

Theater Lobby Atrium:

This involves removing a portion of the low roof and building a glass enclosure to create a spacious area that is more inviting to the patrons of the Theater. Attached is a conceptual scheme of what this

area may look like. A portion of the existing exterior wall of the mezzanine lobby (balcony) would be removed to create a visual connection between the main lobby and balcony.

Estimated Cost = \$200,000.

ADA Toilets and Concessions at Main Floor:

This involves converting the existing office/staff restroom core space in the main lobby connecting the Theater and Arena into new concessions and restrooms to serve each venue independently. When only one event is taking place in the complex, then the entire space is available to support that venue.

Attached is a schematic plan showing the proposed renovations. Estimated Cost = \$330,000.

Arena Dressing Rooms and Lounge Renovations at Basement Level:

This involves converting existing storage/workroom space in the Arena Basement into new dressing rooms, both individual and choral, renovating an existing dressing room and lounge with new fixtures and finishes as shown on the attached schematic plan. In addition, a new exterior exit from the basement will be installed which has been requested by the County Fire Marshall's Office. The facility lacks adequate modern dressing rooms to support the events in the Arena and this renovation will address this need. Estimated Cost = \$330,000.

Structural Reinforcement of Arena Elevated Floor Slab:

This involves providing additional structural support for the elevated slab in the Arena. There are concerns regarding the structural integrity of the floor slab which will be addressed by this project.

The new masonry walls to be constructed as part of the work described above will also provide additional structural support for the elevated floor slab. Estimated Cost = \$150,000.

Theater Stage ADA Lift:

This involves the installation of a chair lift installed at the Theater stage to provide ADA access to the stage for physically impaired persons. Estimated Cost = \$15,000.

LONG-TERM PROJECTS

Plumbing, Mechanical and Electrical Systems Upgrade:

The facility is approaching 40 years old without any major overhaul of the P,M&E systems. These systems are reaching their useful life and if the County desires to continue operating the Theater and Arena, major upgrades will be required. New energy efficient mechanical and electrical systems are needed throughout the facility. Budget Cost = \$3,000,000.

Theater and Stage Renovations:

This involves complete renovation of the Theater seating area to include new ceiling, wall coverings, floor finishes, new lighting, repair or replacement of seats, audio system improvements, etc.

In addition there are improvements needed in the stage and "back of house" areas such as dressing rooms, restrooms, etc. Budget Cost = \$2,500,000.

Arena Renovations:

This involves complete renovation of the Arena to include repairs or replacement of the floor slab, locker room and concession upgrades, renovation of office and "green room", new wall finishes (painting), etc. Budget Cost = \$1,000,000.

New Pre-function Lobby and Elevator:

This involves construction of new space located on the parking lot side of the Theater/Arena that would serve as a new entrance into the facility. A conceptual plan and architectural rendering is

attached. The conceptual design mirrors the Crown Coliseum and architecturally ties the Crown Complex together. The space would provide additional concessions, restrooms and other support areas for the Theater and Arena including an elevator for ADA access to the mezzanine level. Budget Cost = \$2,500,000.

New Storage and Loading Dock Space (Theater):

This involves construction of new storage space and realigning the loading dock so that it is visually screened from the new entrance. Budget Cost = \$250,000.

Revisions/Screening at Arena Loading Dock:

This involves construction of new screen wall around the existing Arena loading dock.

Budget Cost = \$20,000.

Adding contingencies and design fees, the total budget cost for the long-term projects is \$10,370,000.

The Civic Center Board approved a recommendation to forward the short-term projects to the County Facilities Committee for their consideration and approval and referred the long-term project list back to the Coliseum Facilities Committee for further study.

RECOMMENDATION

The recommendation of the Civic Center Board is to approve the list of short-term capital improvement projects and proceed with design and construction.

CROWN THEATER AND ARENA CAPITAL IMPROVEMENT PROJECTS

SHORT-TERM PROJECTS

1.	Renovations to Theater Lobby and Mezzanine Concessions	135,000
2.	Theater Lobby Atrium	200,000
3.	ADA Toilets and Concessions at Main Floor	330,000
4.	Arena Dressing Room and Lounge Renovations at Basement Level	330,000
5.	Structural Reinforcement of Arena Elevated Floor Slab	150,000
6.	Theater Stage ADA Lift	15,000
Total		1,160,000

LONG-TERM PROJECTS

1.	Plumbing, Mechanical and Electrical Systems Upgrade	3,000,000
2.	Theater and Stage Renovations	2,500,000
3.	Arena Renovations	1,000,000
4.	New Pre-function Lobby and Elevator	2,250,000
5.	New Storage and Loading Dock Space (Theater)	250,000
6.	Revisions / Screening at Arena Service Entry	20,000
Sub-total		9,020,000
Contingencies and Fees		1,350,000
Total		10,370,000

FAYETTEVILLE CROWN ARENA AND THEATRE

Mechanical / Electrical / Plumbing
Systems Study

Existing Mechanical System

- Single water cooled centrifugal chiller
- Cooling tower
- Newer hot water boiler
- Arena: Four (4) Air Handling Units
(cooling capacity of 375 tons @ 900 gpm)
- Theatre: Seven (7) Air Handling Units
(cooling capacity of 260 tons @ 611 gpm)

Existing Mechanical System

- Total cooling capacity versus the installed chiller capacity is:

	Installed capacity	Installed gpm
Arena	375 tons	900
Theatre	260 tons	611
Total	635 tons	1522 gpm
Chiller	385 tons	924 gpm

- My calculated cooling load is:

	Daytime	Nighttime
Arena (assume full capacity)	525 tons	350 tons
Theatre (assume full capacity)	360 tons	250 tons
Total	885 tons	600 tons

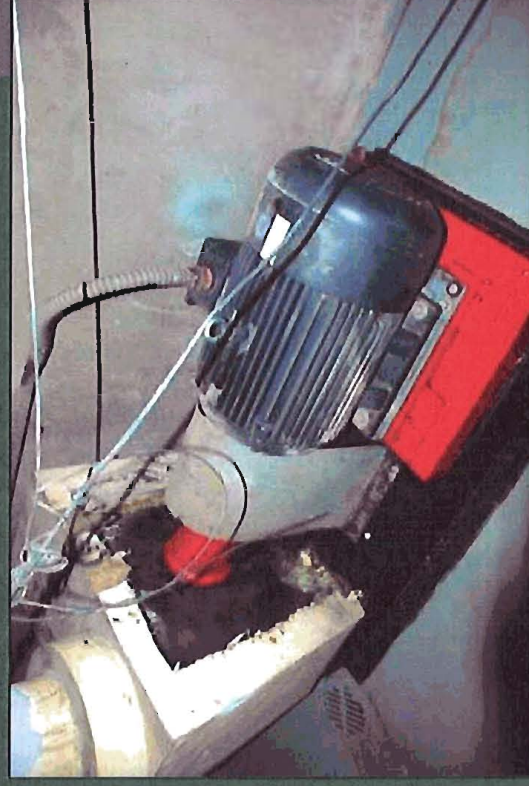
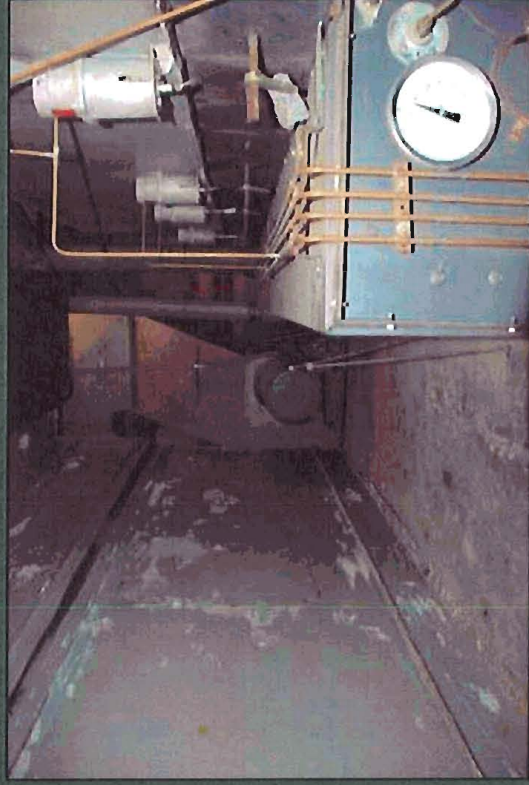
Existing Mechanical System



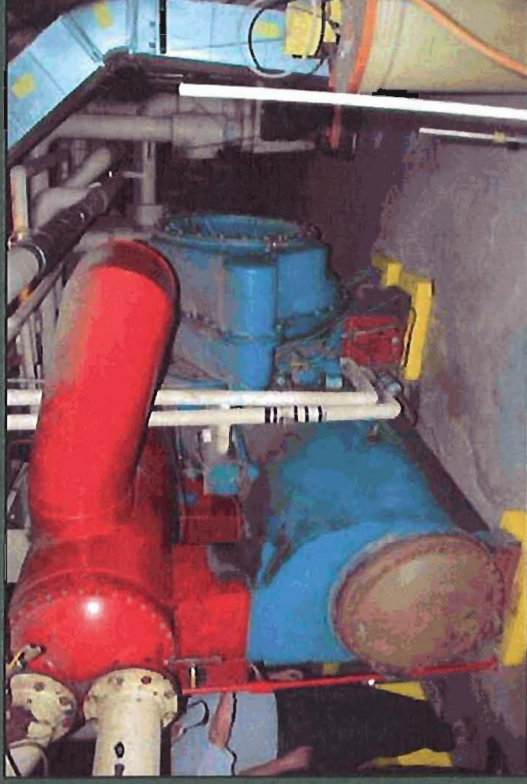
Existing Mechanical System



Existing Mechanical System



Existing Mechanical System



Mechanical System Recommendation

- Three (3) 200-ton air cooled screw chillers
 - Each with two compressors and two separate refrigeration systems.
 - Chillers to be connected to 24 ice tanks with holding capacity of up to 640 tons of cooling for a period of 6 hours
 - Chillers and ice tanks are designed for maximum load conditions. During normal operation – the 24 ice tanks will carry the cooling load of the two buildings with little to no help from the chillers.

Plumbing System

- About 80% of the existing plumbing fixtures need to be replaced.
- All galvanized steel domestic water piping needs to be replaced.
- All drain piping needs to be cleaned and damaged piping replaced.
- Existing water heater is in good shape, but storage tank needs to be replaced.
- Most of the cast iron sanitary sewer system and roof drain piping to remain as is.
- One of the two sewage lift station pumps needs to be replaced.

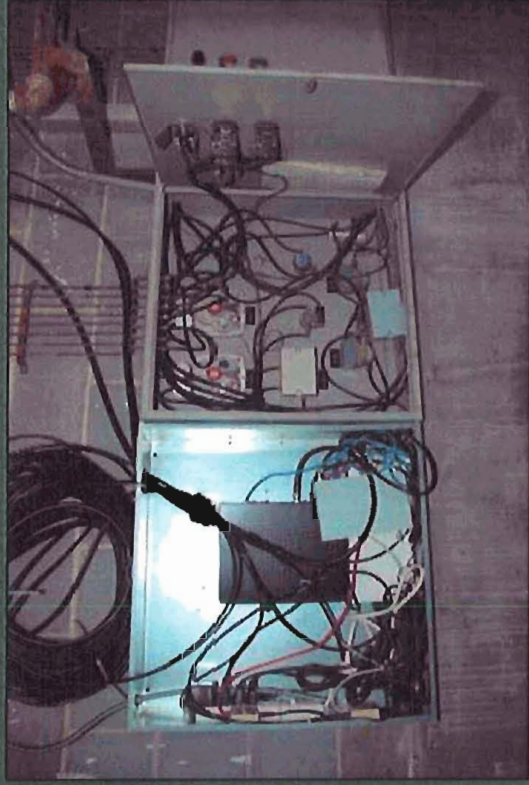
Electrical and Fire Alarm System

- Complete replacement of electrical distribution system is recommended, including all disconnects, starters and lights.
- Building life safety system is virtually non-existent and the building inspectors will not allow any renovation be done to the building without upgrading the life safety system.

Existing Electrical System



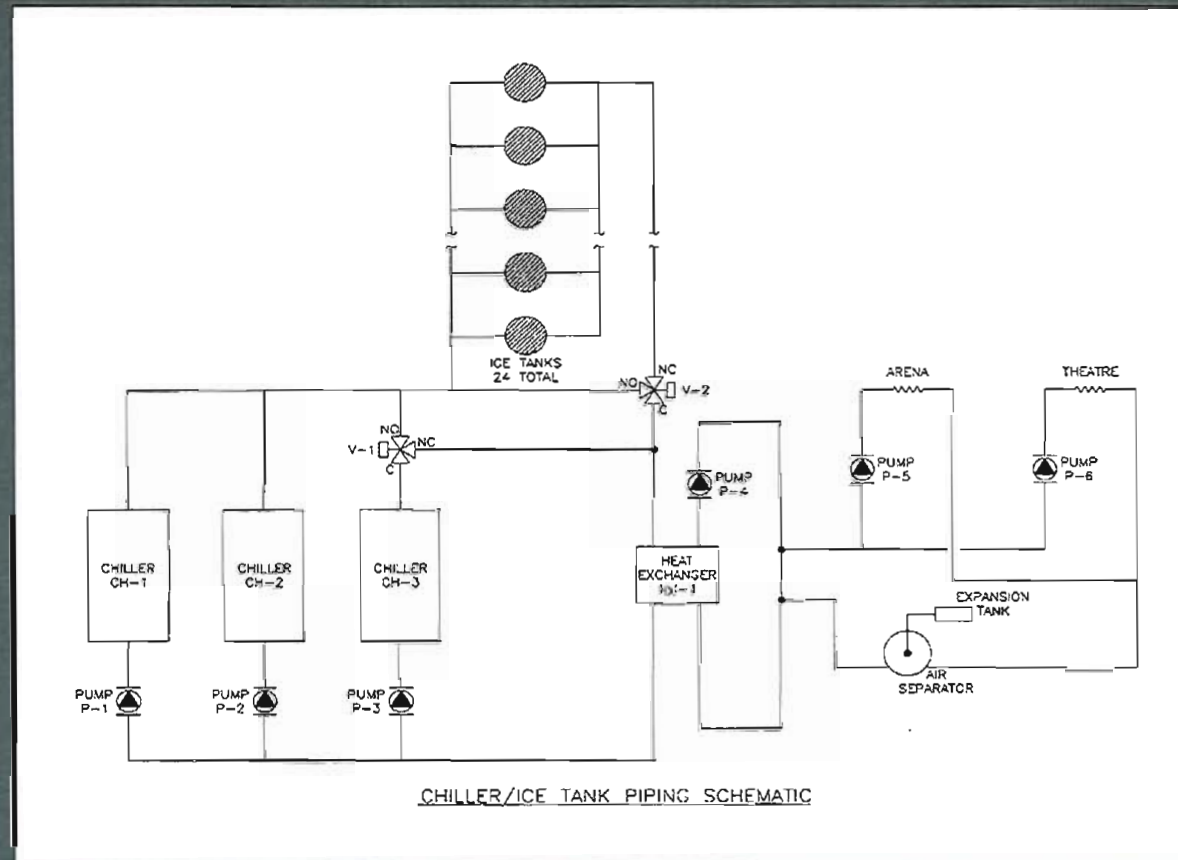
Existing Electrical System



Existing Electrical System



Chiller / Ice Tank Piping Schematic



Preliminary Cost Estimate: P/M/E Systems

1. Mechanical	\$ 1,600,000
2. Plumbing	\$ 400,000
3. Electrical and Fire Alarm	\$ 1,000,000

Total P/M/E systems: \$ 3,000,000

Preliminary Cost Estimate: Total Budget Cost

- P/M/E systems \$ 3,000,000
- Cost for general construction \$ 500,000

Total Budget Cost: \$ 3,500,000

Engineering Design Fee @ 10%

Added cost for ice storage system \$150,000

Operating Cost Analysis: Assumptions

System # 1: With NO ice storage (3-300 ton chillers)

System # 2: With ice storage (3-200 ton chillers)

Base assumptions for both systems:

- Assume \$ 0.07 / kw hour and \$12 / kw demand.
- With 750 kw contract demand
- 1800 hours of cooling per year

Operating Cost Analysis: Annual Costs

● System #1: Annual operating costs = \$163,927.80 3-300 ton chillers @ 339.7 kw input

- 3 chillers @ 339.7 kw/chiller x 1800 hrs/yr x 0.07/kwh = \$128,406.60
- 3 x 339.7 kw demand = 1019.1 total demand
1019.1 - 750 contract demand = 269.1 excess demand
269.1 x \$12/kwd x 11 month rate hit = \$ 35,521.20
- Therefore the total operating cost = \$163,927.80 / year

● System #2: Annual operating costs = \$ 84,823.20 3-200 ton chillers @ 224.4 kw input

- 3 chillers @ 224.4 kw/chiller x 1800 hrs/yr x 0.07/kwh = \$84,823.20
- 3 x 224.4 kw demand = 673.2 total demand
673.2 is less than the 750 contract demand, thus there will be no demand charges.
- Therefore the total operating cost = \$84,823.20 / year

Operating Cost Analysis: Conclusions

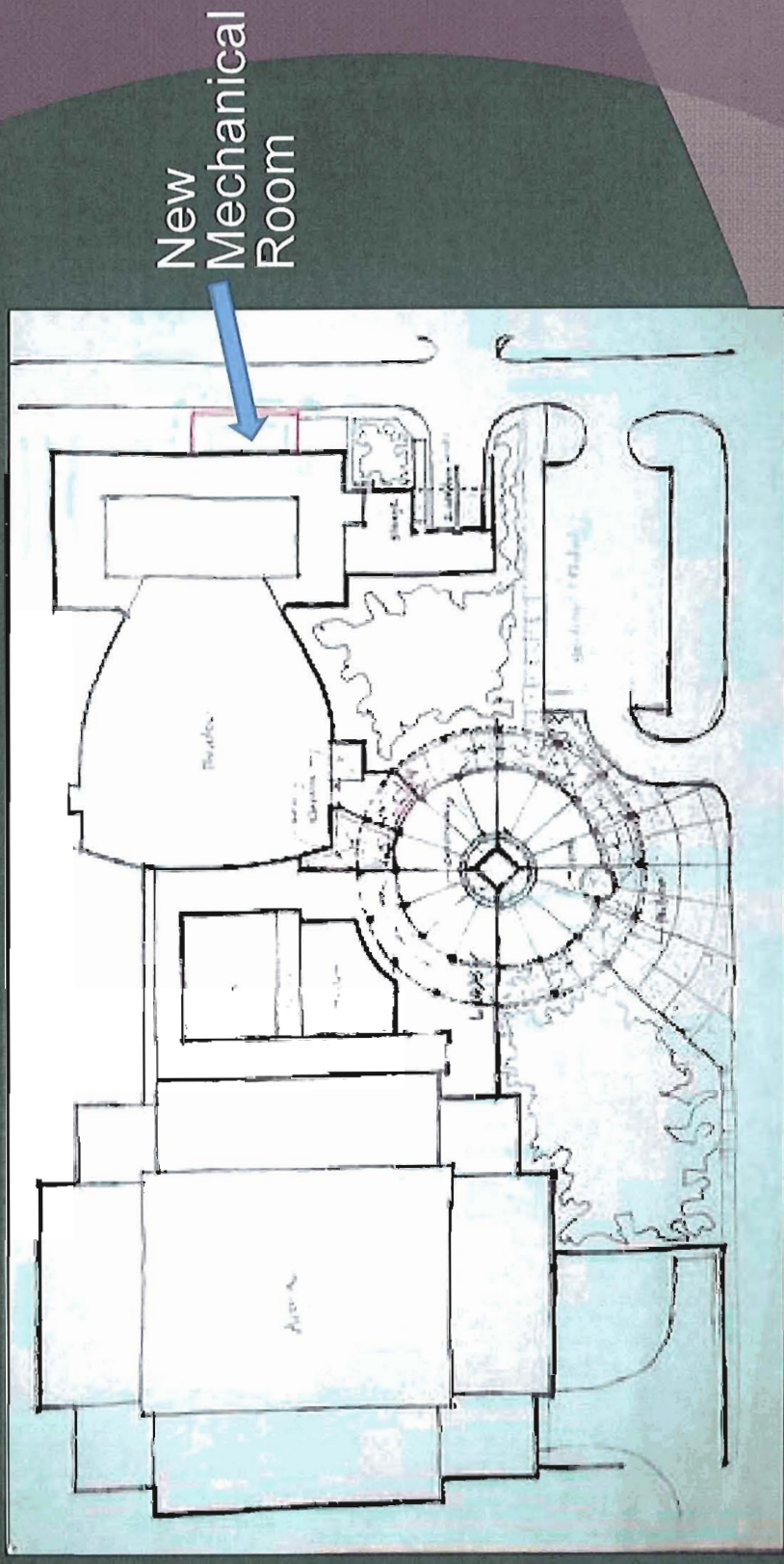
- **Total operating cost savings per year**
(System #2):

$$\text{\$163,927.80} - \text{\$84,823.20} = \text{\$79,104.60}$$

- **Payback with ice storage system**
(System #2):

$$\text{\$150,000} / \text{\$79,104.60} = \textbf{1.9 years}$$

New Mechanical Room Location



DRAFT

CUMBERLAND COUNTY FACILITIES COMMITTEE
NEW COURTHOUSE, 117 DICK STREET, 5TH FLOOR, ROOM 564
NOVEMBER 10, 2009 – 10:00 AM
MINUTES

MEMBERS PRESENT: Commissioner Jimmy Keefe, Chairman
Commissioner Billy R. King

OTHERS PRESENT: Commissioner Kenneth Edge
James Martin, County Manager
Juanita Pilgrim, Deputy County Manager
Amy Cannon, Assistant County Manager
Harvey Raynor, Interim County Attorney
Bob Stanger, County Engineer
Al Brunson, Electrical/Mechanical Supervisor
Sally Shutt, Communications Manager
Chris Ragland, Civic Center Assistant General Manager
Walter Vick, LSV Partnership Architects/Planners
Hank Hoomani, Progressive Design Collaborative, Ltd.
Civic Center Commission Members
J. Scott Flowers, Hutchens, Senter and Britton PA
Candice H. White, Deputy Clerk
Press

ABSENT: Commissioner Ed Melvin

Commissioner Keefe called the meeting to order.

1. Approval of Minutes: September 8, 2009 Meeting

MOTION: Commissioner King moved to approve.

SECOND: Commissioner Keefe

VOTE: UNANIMOUS

MOTION: Commissioner King moved to move Item 4 up to Item 2.

SECOND: Commissioner Keefe

VOTE: UNANIMOUS

2. Update on Phase II Improvements at Crown Arena and Theater – Mechanical, Electrical, Plumbing and Life Safety Upgrades

Commissioner Keefe called on James Martin, County Manager. Mr. Martin recognized the Civic Center Commission members in attendance and stated that the plumbing, mechanical and electrical upgrade proposal to be provided by Bob Stanger, County

DRAFT

Engineer, had received their support and recommendation for approval to the Facilities Committee.

Mr. Stanger referenced a memorandum dated February 2, 2005 as provided regarding the Crown Theater and Arena capital improvement short-term and long-term projects. Mr. Stanger advised the short-term projects were subsequently addressed in the Theater Lobby Renovation Project constructed in 2006 and the long-term projects identified as upgrading the mechanical, electrical, plumbing (MEP) and life safety systems have yet to be undertaken and are of top priority.

Mr. Stanger advised that in May 2009, LSV Partnership Architects/Planners was authorized to conduct an evaluation of the MEP systems, which were originally constructed in 1967. Mr. Stanger summarized MEP current conditions as follows:

- The mechanical system does not meet the indoor air quality standards in the current building code and is not energy efficient.
- The original cooling tower was replaced in 2001 with a used tower that is in a state of disrepair.
- The main electrical switchgear and panels were manufactured by a company that is no longer in business and replacement parts are difficult to locate and are expensive.
- The electrical distribution is a two-wire system with no ground and is no longer code compliant.
- The plumbing system contains galvanized steel water piping that needs to be replaced.
- Approximately 80% of the plumbing fixtures need to be replaced.
- The life safety system (fire alarm) is virtually non-existent and the Inspections Department will not allow any additional renovations to the building without upgrading the life safety system.

Mr. Stanger called on Walter Vick of LSV Partnership Architects/Planners and advised the same presentation being provided to the Facilities Committee had been provided to the Civic Center Commission in October 2009. Mr. Vick reported when the coliseum was completed, \$6 million was budgeted for upgrades to the facility but the funds were diverted to other coliseum projects with the exception of the replacement of rigging and lighting over the stage. Mr. Vick further reported there were three options following completion of the study: 1) shut the facility down, 2) continue to use the facility until it grinds to a halt due to multiple deficiencies, or 3) put the facility into a condition to be competitive in an entertaining environment so as to retain entertainment dollars for the county. Mr. Vick advised the third option was the direction elected.

Mr. Vick introduced Hank Hoomani of Progressive Design Collaborative, Ltd., who provided a summary report and presentation of the MEP Systems Study. Mr. Hoomani reported that the existing mechanical system is original to the facility and dates back to the late sixties or early seventies. Mr. Hoomani stated at the time of the design, the thought was that the arena and theater would not be operational at the same time; however, it has been difficult to maintain temperatures and humidity levels during the

DRAFT

past several years when they have operated simultaneously. Mr. Hoomani further stated due to certain refrigerates being outlawed by the federal government, costs to purchase refrigerates for the forty year old air chiller are approximately \$35,000. Mr. Hoomani stated the proposal is to replace the mechanical system using ice tanks to make ice at night and run water over the ice to chill it for use in cooling the building during the daytime. Mr. Hoomani explained the purpose of this type of system is to save energy through kilowatt hours as opposed to kilowatt demand.

Mr. Hoomani reported that 80% of the plumbing system needs to be replaced as it is forty years old and most of the piping is galvanized steel with reduced flow capacity. Mr. Hooman further reported that the existing water heater is in good shape but the storage tank needs to be replaced, most of the cast iron sanitary sewer system and roof drain are in good shape and can be used again; and one of the two sewage lift station pumps needs to be replaced.

Mr. Hoomani reported that complete replacement of the electrical distribution system is recommended because most of the equipment is outdated and the manufacturer has been out of business for a number of years, which makes it difficult and expensive to acquire breakers for the system.

Mr. Hoomani stated the preliminary cost estimates include: the MEP system - \$3 million; general construction costs - \$500,000; engineering design fee – 10%; and ice storage system additional cost - \$150,000. Mr. Hoomani further stated annual operating costs for a system without ice storage would be approximately \$164,000 and with ice storage as proposed would be approximately \$85,000, which includes assumptions for kilowatt hours and kilowatt demand charges. In conclusion, Mr. Hoomani stated total operating cost savings per year for a system with ice storage would be approximately \$79,000. Mr. Hoomani further stated the payback of the extra \$150,000 for ice storage tanks would be 1.9 years. Mr. Hoomani displayed a diagram of the new mechanical room location.

Mr. Stanger summarized as follows:

- A new fire alarm system will be installed as required by the building code officials.
- Assuming the project is approved, the design phase would begin immediately with a tentative bid date of early spring 2010; construction to take place during the summer of 2010; the facility would have to be closed for approximately three months, and although the total construction timeframe will take longer, exterior construction can continue after the facility is reopened.
- The Civic Center Commission unanimously endorsed the project and recommended forwarding to the Facilities Committee for further consideration.

Commissioner King inquired regarding what prompted the need for the MEP system upgrades. Mr. Stanger responded the condition of the infrastructure within the facility, which was forty years old, had met its service life. Mr. Stanger further responded that if the facility was going to continue to operate, the MEP system upgrades will have to be

DRAFT

done or the infrastructure will continue to deteriorate. Mr. Stanger provided additional details. Mr. Vick spoke to the need for a new fire alarm system.

Commissioner Keefe inquired regarding the funding source for the upgrades. Mr. Martin explained proposed funding is a combination of a \$1.1 million allocation from the federal stimulus funds of recovery zone economic bonds and if application is not made for the funds by December 15, 2009, they will revert back to the state and will be reallocated to another county or city. Mr. Martin further explained the county is also looking at additional energy grant funds. Mr. Martin stated the fallback will be food and beverage funds. Mr. Martin pointed out that in order for the county not to be put in a position to supplement federal funds or other types of fund, the intent is to first utilize the current allocation of \$1.1 million, seek additional energy grant funds or other federal funds that may be available to the county and then to supplement the balance.

In response to a question posed by Commissioner Keefe, Mr. Martin briefly spoke to facility bonds and economic development bonds. Amy Cannon, Assistant County Manager, explained the economic development bonds are restricted to public facilities and infrastructure.

Commissioner Keefe stated the arena is not running at full capacity and inquired whether the numbers as provided indicate any real savings. Commissioner Keefe further inquired regarding the number of times the arena was used during the past year. Chris Ragland, Civic Center Assistant General Manager, responded use for the arena and theater was between eighty and one hundred event days. Mr. Vick noted that capacity is reduced when the facility is not in use and with the ice storage system as proposed, capacity will be saved. Commissioner Keefe inquired about the number of times the arena and theater were used at the same time. Mr. Ragland stated the problem with the current system is that it is either all on or all off and there is always a risk that the system may fail either during or just prior to an event thereby creating a financial liability for the county. Mr. Ragland further stated he would gather figures on the number of multiple use days. Mr. Ragland noted another problem is that the current system can not be divided and the proposed system will allow for separation of the arena and theater, which will reduce operation costs.

Commissioner Keefe inquired regarding maintenance as budgeted and expressed concern that the funds might possibly be going towards an under-utilized system. Mr. Martin advised the proposal is to allow for the continued and expanded operation of the two facilities, otherwise the band-aided system could break down thereby placing the two facilities out of business for an unknown period of time. Mr. Martin stated although he understood and shared some of Commissioner Keefe's concern, the situation is somewhat different in that food and beverage funds can only be used for coliseum purposes. Mr. Martin further stated the county generally attempts to keep the financial operations of the crown coliseum entirely separate from the general fund since the coliseum operates under an enterprise fund. Mr. Martin further explained the budget for maintenance is under the general fund, which could only be used on an emergency basis with the Commissioner's authority.

DRAFT

Commissioner King asked Mr. Martin for his recommendation. Mr. Martin responded his recommendation was to recommend the project to the Commissioners with the funding sources as outlined: economic development recovery bonds; seeking of other energy grant funds; food and beverage funds as back up or the final source.

MOTION: Commissioner King moved for the Facilities Committee to approve the update for the Phase II improvements to the Crown Arena and Theater mechanical, electrical and plumbing and life safety upgrades.

SECOND: Commissioner Keefe

Commissioner Keefe requested hard numbers for use of the arena and theater. Commissioner King stated that his understanding was that the project had to move forward in order to continue to do business. Commissioner Keefe stated the question in this situation is whether the county wants to continue to invest when the venues are not out there and when the utilization is not out there. Commissioner King stated that if something is not done, nothing can be done in terms of offering prospects and opportunities.

Commissioner Edge stated a tremendous investment of approximately \$1.3 million has already been made in the facility by keeping it open and the current system is being band-aided, which has also incurred costs over the years.

Harvey Raynor, Interim County Attorney, spoke to liability associated with the fire alarm/ safety issue. Mr. Martin emphasized that during performance events, the county has staff and sheriff deputies serving as watchmen for fire/life safety purposes.

VOTE: UNANIMOUS

Commissioner Keefe inquired when the item would go before the full board. Mr. Martin responded on Monday, November 16, 2009.

3. Follow-Up to Policy Committee Discussion Regarding Consideration of Request of Twelfth Judicial District Bar Association to Place a Plaque in the Courthouse to Commemorate the Service of the Lawyers Who Have Served as President of the Twelfth Judicial District Bar

Mr. Raynor advised that H. Terry Hutchens, current president of the Twelfth Judicial District Bar Association, has requested on behalf of the Bar Association to be allowed to place plaques on the wall of the courthouse to recognize and commemorate past Bar presidents. Mr. Raynor further advised the Bar has requested that the plaques be located on the third floor behind the courtrooms and has offered to be responsible for the cost of purchase and installation. Mr. Raynor explained the Twelfth Judicial District Bar is made up of all lawyers who live in and/or practice in Cumberland County.

DRAFT

J. Scott Flowers, Hutchens, Senter and Britton PA, provided additional information and responded to questions regarding the Twelfth Judicial District Bar, the Cumberland County Bar Association and the North Carolina Bar Association.

In response to a question posed by Commissioner Keefe, Mr. Stanger stated the county would not incur any maintenance costs.

MOTION: Commissioner King moved to go forward and support the request to provide space for the Bar to place the names of the leadership of their organization.

SECOND: Commissioner Keefe

VOTE: UNANIMOUS

4. Status Report on New Public Health Center Construction

Mr. Stanger stated construction of the new Public Health Center began in June 2008 and the completion date in the original contract was November 10, 2009. Mr. Stanger further stated several change orders have been issued, which have extended the construction date to November 23, 2009; however, the contractor has been working diligently to meet the November 10, 2009 date. Mr. Stanger advised critical items to be completed are testing of the fire alarm system, elevator inspections, irrigation and landscaping, exterior railings, pouring a concrete pad at the dumpster location and minor interior finishes. Mr. Stanger noted owner provided furnishings and equipment are being purchased and workstations on the second and third floors are scheduled for delivery on November 9 and November 30, 2009. Mr. Stanger stated the county Information Services Department has begun installing the network equipment and the PWC has installed fiber optic cable in the building. Mr. Stanger further stated the Move Management Team met with the prospective movers to assist them with preparing their proposals for the move. Mr. Stanger stated expectations are for a Certificate of Occupancy (CO) to be issued early to mid December 2009.

Commissioner Keefe inquired when the public would have access to the facility. Mr. Martin responded in all likelihood in mid to late January 2010. Commissioner Keefe inquired regarding a public tour of the facility. Mr. Stanger stated that the Director of the Public Health Department mentioned a ribbon cutting or some type of ceremony for the opening of the facility.

Commissioner King inquired regarding parking for the facility. Mr. Raynor stated one of the properties has been obtained and there is no firm offer on the other property. Commissioner King asked how many additional parking spaces would be generated were the county to acquire all of the land up to Peace Street. Mr. Stander responded approximately one hundred to one hundred fifty additional spaces. Mr. Stanger stated should the county acquire the property and convert it for parking, there would not be a curb cut on Peace Street because a right turn lane on Ramsey Street would be required at a cost of approximately \$250,000. Mr. Stanger stated original plans were to have a driveway cut; however, without a curb cut on Peace Street for traffic to enter/exit the parking area, traffic will have to circle around the facility.

DRAFT

5. Other Matters of Concern

There were no other matters of concern.

MEETING ADJOURNED: 9:35 AM

CUMBERLAND COUNTY, NC
Recovery Zone Designation
and
Authorization to Appropriate Bond Issuance

WHEREAS, on February 17, 2009, the President signed into law the American Recovery and Reinvestment Act of 2009, Pub. L. No. 111-5 Stat. 115 (2009 ("ARRA")); and

WHEREAS, Section 1401 of Title I of Division B of ARRA authorizes state and local governments to issue Recovery Zone Economic Development Bonds and Recovery Zone Facility Bonds; and

WHEREAS, Recovery Zone Economic Development Bonds may be used to finance certain "qualified economic development purposes" and Recovery Zone Facility Bonds may be use to finance certain "recovery zone property," as such terms are defined in ARRA; and

WHEREAS, the term "Recovery Zone" means: 1) any area designated by the issuer as having significant poverty, unemployment, a high rate of home foreclosures or general distress; 2) any area designated by the issuer as economically distressed by reason of the closure or realignment of a military installation pursuant to the Defense Base Closure and Realignment Act of 1990, and 3) any area for which a designation as an empowerment zone or renewal community is in effect as of the effective date of ARRA, which effective date is February 17, 2009; and

WHEREAS, Recovery Zone Economic Development Bonds are considered "qualified" bonds for purposes of Section 6431 of the Internal Revenue Code of 1986, as amended, and provide for a federal subsidy through a refundable tax credit paid to State or local governmental issuers in an amount equal to 45 percent of the total coupon interest payable to investors in these taxable bonds; and

WHEREAS, the interest on State or local Recovery Zone Facility Bonds is excludable from gross income for Federal income tax purposes; and

WHEREAS, Recovery Zone Economic Development Bonds and Recovery Zone Facility Bonds must be issued before January 1, 2011; and

WHEREAS, Cumberland County, NC has received the following volume caps of:

Recovery Zone Economic Development Bonds: \$1,138,000
Recovery Zone Facility Bonds: \$1,707,000

and may use such volume cap for eligible costs or may allocate such volume cap in any reasonable manner as the Cumberland County, NC governing body shall determine in good faith at their discretion for use for eligible costs for qualified economic development purposes or recovery zone property; and

WHEREAS the Cumberland County, NC governing body seeks to designate the following area as a Recovery Zone due to significant levels of increased unemployment, increased levels of home foreclosures, and the general increase of economic distress throughout the county: **CENSUS TRACT 15, BLOCK GROUPS 1**; (see Exhibit A for supporting documentation) and

WHEREAS, this matter was discussed at the November 10, 2009 meeting of the Cumberland County Facilities Committee and recommended to the full governing body for approval;

NOW THEREFORE, BE IT RESOLVED that the Cumberland County, NC governing body designates the areas more fully described above/attached as Exhibit A as a Recovery Zone; and

BE IT FURTHER RESOLVED THAT, the governing body hereby allocates its \$1,138,000 in Recovery Zone Economic Development Bond allocation for its Crown Theater and Arena Upgrades (the "Project") and authorizes the County Manager to sign the necessary documents.

Exhibit A

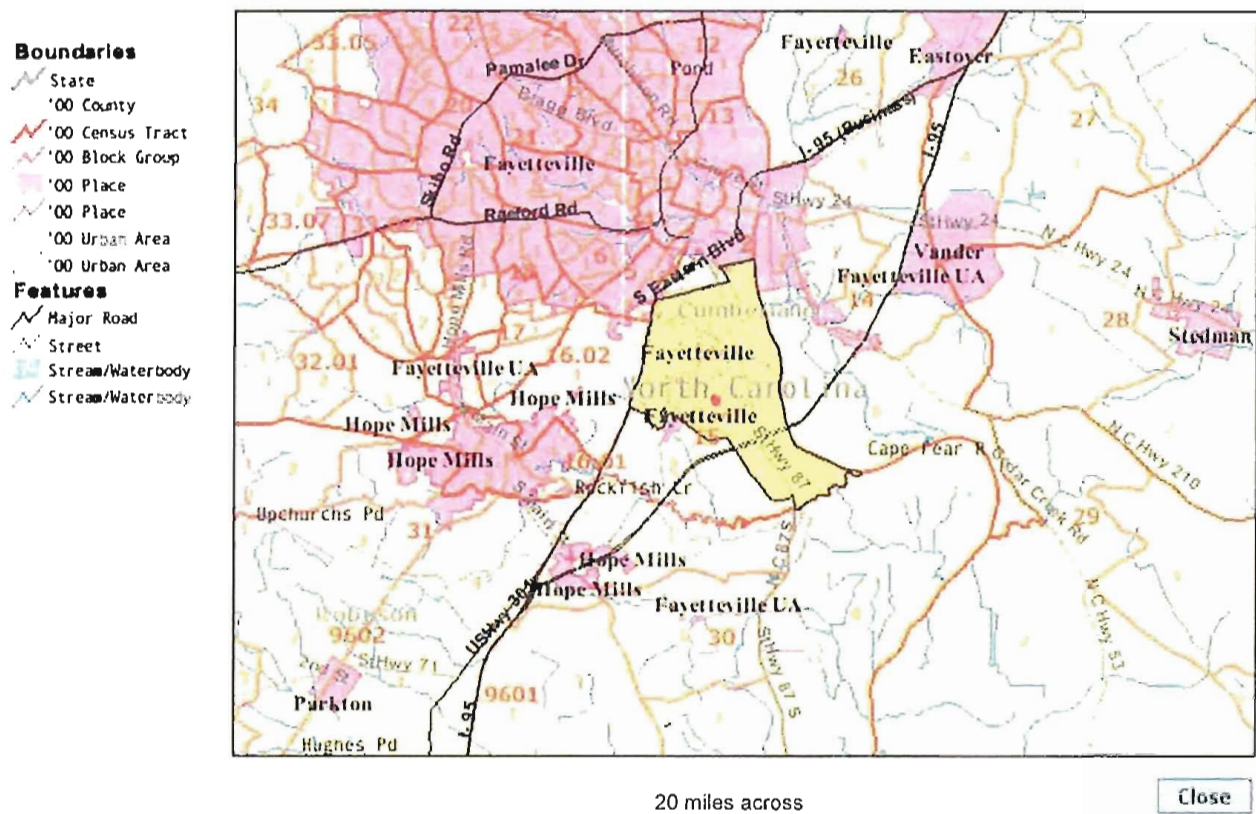
Background and Supporting Information for Recovery Zone Designations

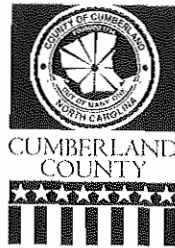
The U.S. Department of Treasury's Community Development Financial Institutions Fund (CDFI) established a program called the New Market Tax Credit (NMTC) Program, which is designed to generate private sector equity investments in low income communities by financing neighborhood retail centers, small businesses, charter schools, child care centers and other community facilities in distressed areas nationwide.

Within Cumberland County, Census Tract is in a NMTC eligible area. Therefore, the Recovery Zone designation, specifically Census Tract 15, Block Group 1 is based on the NMTC eligibility as defined above.

Crown Center Site

Block Group 1, Census Tract 15, Cumberland County, North Carolina





ITEM NO. 7B

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

November 10, 2009

MEMORANDUM FOR BOARD OF COMMISSIONERS NOVEMBER 16, 2009
AGENDA

TO: BOARD OF COUNTY COMMISSIONERS

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

SUBJECT: CONSIDERATION OF REQUEST OF TWELFTH JUDICIAL DISTRICT BAR ASSOCIATION TO PLACE A PLAQUE, AT THEIR OWN EXPENSE, IN THE COURTHOUSE TO COMMEMORATE THE SERVICE OF THE LAWYERS WHO HAVE SERVED AS PRESIDENT OF THE TWELFTH JUDICIAL DISTRICT BAR.

BACKGROUND:

H. Terry Hutchens, current President of the Twelfth Judicial District Bar Association, has requested that the Bar Association be allowed to place a plaque on the wall of the Courthouse which recognizes and commemorates the service of the past Bar Presidents. The Bar requests that the plaque be located on the third floor behind the courtrooms and offers to be responsible for the cost of purchase, installation and maintenance. The Twelfth Judicial District Bar is a mandatory bar made up of all lawyers who live in and/or practice in Cumberland County. This request came before the Facilities Committee on November 10, 2009 and the Committee voted to recommend granting the Bar's request to install the plaque to the Board of Commissioners.

RECOMMENDATION / PROPOSED ACTION:

Approve the 12th Judicial District Bar's request to install a commemorative plaque to past presidents of the Bar Association on the third floor of the Courthouse in the requested area.

Celebrating Our Past...Embracing Our Future

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

The Law Firm of
Hutchens, Senter & Britton, P.A.
Attorneys & Counselors

H. Terry Hutchens
William L. Senter
John H. Britton
Joseph J. Vonnegut **
Rebecca J. Britton
Lonnie M. Player, Jr.
J. Chris Huff †
Christopher T. Salyer
John A. Mandulak
Sarah D. Miranda ***

J. Scott Flowers
Philip A. Heller ****
Erik T. Bennington
David R. Ford
Susan R. Benoit
Hilton T. Hutchens, Jr.
Andrew Cogbill *
Meg A. Harris
Gwynne L. Booth
Maggie Senter Bennington

4317 Ramsey Street
Fayetteville, NC 28311

Mailing Address
P.O. Box 2505
Fayetteville, NC 28302

Telephone (910) 864-6888
Fax (910) 864-6848

OCT 13 2009

October 8, 2009

Rudolph G. Singleton, Jr.
Of Counsel

www.hutchensandsenter.com
Fayetteville • Wilmington • Charlotte

* Licensed in NC and SC
** Licensed in NC and GA
*** Licensed in NC and VA
**** Licensed in MA Only
† Board Certified Specialist in Residential Real
Property Law

Mr. James E. Martin
County Manager
P.O. Box 363
Fayetteville, NC 28302-0363

Re: Request for permission to locate a plaque commemorating the Presidents
of the Twelfth Judicial District at an appropriate place in the Cumberland
County Courthouse.


Dear Mr. Martin:

For some time the members of the Twelfth Judicial District Bar Association have had an interest in placing a plaque in the Cumberland County Courthouse commemorating the service of lawyers who have been elected President of the Twelfth Judicial District Bar Association. More recently, our Executive Committee has decided to pursue this request and asked that I write to you for your assistance and guidance. We believe that the plaque would ideally be located behind the Courts on the third floor but we are open to your suggestion.

The Bar Association would be solely responsible for the cost of purchasing and installing the plaque.

I will give you a call next week to talk further. Thank you for your assistance.

Very truly yours,


H. Terry Hutchens

Cc: Mr. Harvey Raynor, Judge E. Lynn Johnson, Judge A. Elizabeth Keever, J. Scott Flowers,
Ellen B. Hancox, Robert T. Thompson, Hugh Addison Winters, Anne M. Evans

Handwritten initials

DRAFT

CUMBERLAND COUNTY FACILITIES COMMITTEE
NEW COURTHOUSE, 117 DICK STREET, 5TH FLOOR, ROOM 564
NOVEMBER 10, 2009 – 10:00 AM
MINUTES

MEMBERS PRESENT: Commissioner Jimmy Keefe, Chairman
Commissioner Billy R. King

OTHERS PRESENT: Commissioner Kenneth Edge
James Martin, County Manager
Juanita Pilgrim, Deputy County Manager
Amy Cannon, Assistant County Manager
Harvey Raynor, Interim County Attorney
Bob Stanger, County Engineer
Al Brunson, Electrical/Mechanical Supervisor
Sally Shutt, Communications Manager
Chris Ragland, Civic Center Assistant General Manager
Walter Vick, LSV Partnership Architects/Planners
Hank Hoomani, Progressive Design Collaborative, Ltd.
Civic Center Commission Members
J. Scott Flowers, Hutchens, Senter and Britton PA
Candice H. White, Deputy Clerk
Press

ABSENT: Commissioner Ed Melvin

Commissioner Keefe called the meeting to order.

1. Approval of Minutes: September 8, 2009 Meeting

MOTION: Commissioner King moved to approve.

SECOND: Commissioner Keefe

VOTE: UNANIMOUS

MOTION: Commissioner King moved to move Item 4 up to Item 2.

SECOND: Commissioner Keefe

VOTE: UNANIMOUS

2. Update on Phase II Improvements at Crown Arena and Theater – Mechanical, Electrical, Plumbing and Life Safety Upgrades

Commissioner Keefe called on James Martin, County Manager. Mr. Martin recognized the Civic Center Commission members in attendance and stated that the plumbing, mechanical and electrical upgrade proposal to be provided by Bob Stanger, County

DRAFT

Engineer, had received their support and recommendation for approval to the Facilities Committee.

Mr. Stanger referenced a memorandum dated February 2, 2005 as provided regarding the Crown Theater and Arena capital improvement short-term and long-term projects. Mr. Stanger advised the short-term projects were subsequently addressed in the Theater Lobby Renovation Project constructed in 2006 and the long-term projects identified as upgrading the mechanical, electrical, plumbing (MEP) and life safety systems have yet to be undertaken and are of top priority.

Mr. Stanger advised that in May 2009, LSV Partnership Architects/Planners was authorized to conduct an evaluation of the MEP systems, which were originally constructed in 1967. Mr. Stanger summarized MEP current conditions as follows:

- The mechanical system does not meet the indoor air quality standards in the current building code and is not energy efficient.
- The original cooling tower was replaced in 2001 with a used tower that is in a state of disrepair.
- The main electrical switchgear and panels were manufactured by a company that is no longer in business and replacement parts are difficult to locate and are expensive.
- The electrical distribution is a two-wire system with no ground and is no longer code compliant.
- The plumbing system contains galvanized steel water piping that needs to be replaced.
- Approximately 80% of the plumbing fixtures need to be replaced.
- The life safety system (fire alarm) is virtually non-existent and the Inspections Department will not allow any additional renovations to the building without upgrading the life safety system.

Mr. Stanger called on Walter Vick of LSV Partnership Architects/Planners and advised the same presentation being provided to the Facilities Committee had been provided to the Civic Center Commission in October 2009. Mr. Vick reported when the coliseum was completed, \$6 million was budgeted for upgrades to the facility but the funds were diverted to other coliseum projects with the exception of the replacement of rigging and lighting over the stage. Mr. Vick further reported there were three options following completion of the study: 1) shut the facility down, 2) continue to use the facility until it grinds to a halt due to multiple deficiencies, or 3) put the facility into a condition to be competitive in an entertaining environment so as to retain entertainment dollars for the county. Mr. Vick advised the third option was the direction elected.

Mr. Vick introduced Hank Hoomani of Progressive Design Collaborative, Ltd., who provided a summary report and presentation of the MEP Systems Study. Mr. Hoomani reported that the existing mechanical system is original to the facility and dates back to the late sixties or early seventies. Mr. Hoomani stated at the time of the design, the thought was that the arena and theater would not be operational at the same time; however, it has been difficult to maintain temperatures and humidity levels during the

DRAFT

past several years when they have operated simultaneously. Mr. Hoomani further stated due to certain refrigerates being outlawed by the federal government, costs to purchase refrigerates for the forty year old air chiller are approximately \$35,000. Mr. Hoomani stated the proposal is to replace the mechanical system using ice tanks to make ice at night and run water over the ice to chill it for use in cooling the building during the daytime. Mr. Hoomani explained the purpose of this type of system is to save energy through kilowatt hours as opposed to kilowatt demand.

Mr. Hoomani reported that 80% of the plumbing system needs to be replaced as it is forty years old and most of the piping is galvanized steel with reduced flow capacity. Mr. Hooman further reported that the existing water heater is in good shape but the storage tank needs to be replaced, most of the cast iron sanitary sewer system and roof drain are in good shape and can be used again; and one of the two sewage lift station pumps needs to be replaced.

Mr. Hoomani reported that complete replacement of the electrical distribution system is recommended because most of the equipment is outdated and the manufacturer has been out of business for a number of years, which makes it difficult and expensive to acquire breakers for the system.

Mr. Hoomani stated the preliminary cost estimates include: the MEP system - \$3 million; general construction costs - \$500,000; engineering design fee – 10%; and ice storage system additional cost - \$150,000. Mr. Hoomani further stated annual operating costs for a system without ice storage would be approximately \$164,000 and with ice storage as proposed would be approximately \$85,000, which includes assumptions for kilowatt hours and kilowatt demand charges. In conclusion, Mr. Hoomani stated total operating cost savings per year for a system with ice storage would be approximately \$79,000. Mr. Hoomani further stated the payback of the extra \$150,000 for ice storage tanks would be 1.9 years. Mr. Hoomani displayed a diagram of the new mechanical room location.

Mr. Stanger summarized as follows:

- A new fire alarm system will be installed as required by the building code officials.
- Assuming the project is approved, the design phase would begin immediately with a tentative bid date of early spring 2010; construction to take place during the summer of 2010; the facility would have to be closed for approximately three months, and although the total construction timeframe will take longer, exterior construction can continue after the facility is reopened.
- The Civic Center Commission unanimously endorsed the project and recommended forwarding to the Facilities Committee for further consideration.

Commissioner King inquired regarding what prompted the need for the MEP system upgrades. Mr. Stanger responded the condition of the infrastructure within the facility, which was forty years old, had met its service life. Mr. Stanger further responded that if the facility was going to continue to operate, the MEP system upgrades will have to be

DRAFT

done or the infrastructure will continue to deteriorate. Mr. Stanger provided additional details. Mr. Vick spoke to the need for a new fire alarm system.

Commissioner Keefe inquired regarding the funding source for the upgrades. Mr. Martin explained proposed funding is a combination of a \$1.1 million allocation from the federal stimulus funds of recovery zone economic bonds and if application is not made for the funds by December 15, 2009, they will revert back to the state and will be reallocated to another county or city. Mr. Martin further explained the county is also looking at additional energy grant funds. Mr. Martin stated the fallback will be food and beverage funds. Mr. Martin pointed out that in order for the county not to be put in a position to supplement federal funds or other types of fund, the intent is to first utilize the current allocation of \$1.1 million, seek additional energy grant funds or other federal funds that may be available to the county and then to supplement the balance.

In response to a question posed by Commissioner Keefe, Mr. Martin briefly spoke to facility bonds and economic development bonds. Amy Cannon, Assistant County Manager, explained the economic development bonds are restricted to public facilities and infrastructure.

Commissioner Keefe stated the arena is not running at full capacity and inquired whether the numbers as provided indicate any real savings. Commissioner Keefe further inquired regarding the number of times the arena was used during the past year. Chris Ragland, Civic Center Assistant General Manager, responded use for the arena and theater was between eighty and one hundred event days. Mr. Vick noted that capacity is reduced when the facility is not in use and with the ice storage system as proposed, capacity will be saved. Commissioner Keefe inquired about the number of times the arena and theater were used at the same time. Mr. Ragland stated the problem with the current system is that it is either all on or all off and there is always a risk that the system may fail either during or just prior to an event thereby creating a financial liability for the county. Mr. Ragland further stated he would gather figures on the number of multiple use days. Mr. Ragland noted another problem is that the current system can not be divided and the proposed system will allow for separation of the arena and theater, which will reduce operation costs.

Commissioner Keefe inquired regarding maintenance as budgeted and expressed concern that the funds might possibly be going towards an under-utilized system. Mr. Martin advised the proposal is to allow for the continued and expanded operation of the two facilities, otherwise the band-aided system could break down thereby placing the two facilities out of business for an unknown period of time. Mr. Martin stated although he understood and shared some of Commissioner Keefe's concern, the situation is somewhat different in that food and beverage funds can only be used for coliseum purposes. Mr. Martin further stated the county generally attempts to keep the financial operations of the crown coliseum entirely separate from the general fund since the coliseum operates under an enterprise fund. Mr. Martin further explained the budget for maintenance is under the general fund, which could only be used on an emergency basis with the Commissioner's authority.

DRAFT

Commissioner King asked Mr. Martin for his recommendation. Mr. Martin responded his recommendation was to recommend the project to the Commissioners with the funding sources as outlined: economic development recovery bonds; seeking of other energy grant funds; food and beverage funds as back up or the final source.

MOTION: Commissioner King moved for the Facilities Committee to approve the update for the Phase II improvements to the Crown Arena and Theater mechanical, electrical and plumbing and life safety upgrades.

SECOND: Commissioner Keefe

Commissioner Keefe requested hard numbers for use of the arena and theater. Commissioner King stated that his understanding was that the project had to move forward in order to continue to do business. Commissioner Keefe stated the question in this situation is whether the county wants to continue to invest when the venues are not out there and when the utilization is not out there. Commissioner King stated that if something is not done, nothing can be done in terms of offering prospects and opportunities.

Commissioner Edge stated a tremendous investment of approximately \$1.3 million has already been made in the facility by keeping it open and the current system is being band-aided, which has also incurred costs over the years.

Harvey Raynor, Interim County Attorney, spoke to liability associated with the fire alarm/ safety issue. Mr. Martin emphasized that during performance events, the county has staff and sheriff deputies serving as watchmen for fire/life safety purposes.

VOTE: UNANIMOUS

Commissioner Keefe inquired when the item would go before the full board. Mr. Martin responded on Monday, November 16, 2009.

3. Follow-Up to Policy Committee Discussion Regarding Consideration of Request of Twelfth Judicial District Bar Association to Place a Plaque in the Courthouse to Commemorate the Service of the Lawyers Who Have Served as President of the Twelfth Judicial District Bar

Mr. Raynor advised that H. Terry Hutchens, current president of the Twelfth Judicial District Bar Association, has requested on behalf of the Bar Association to be allowed to place plaques on the wall of the courthouse to recognize and commemorate past Bar presidents. Mr. Raynor further advised the Bar has requested that the plaques be located on the third floor behind the courtrooms and has offered to be responsible for the cost of purchase and installation. Mr. Raynor explained the Twelfth Judicial District Bar is made up of all lawyers who live in and/or practice in Cumberland County.

DRAFT

J. Scott Flowers, Hutchens, Senter and Britton PA, provided additional information and responded to questions regarding the Twelfth Judicial District Bar, the Cumberland County Bar Association and the North Carolina Bar Association.

In response to a question posed by Commissioner Keefe, Mr. Stanger stated the county would not incur any maintenance costs.

MOTION: Commissioner King moved to go forward and support the request to provide space for the Bar to place the names of the leadership of their organization.

SECOND: Commissioner Keefe

VOTE: UNANIMOUS

4. Status Report on New Public Health Center Construction

Mr. Stanger stated construction of the new Public Health Center began in June 2008 and the completion date in the original contract was November 10, 2009. Mr. Stanger further stated several change orders have been issued, which have extended the construction date to November 23, 2009; however, the contractor has been working diligently to meet the November 10, 2009 date. Mr. Stanger advised critical items to be completed are testing of the fire alarm system, elevator inspections, irrigation and landscaping, exterior railings, pouring a concrete pad at the dumpster location and minor interior finishes. Mr. Stanger noted owner provided furnishings and equipment are being purchased and workstations on the second and third floors are scheduled for delivery on November 9 and November 30, 2009. Mr. Stanger stated the county Information Services Department has begun installing the network equipment and the PWC has installed fiber optic cable in the building. Mr. Stanger further stated the Move Management Team met with the prospective movers to assist them with preparing their proposals for the move. Mr. Stanger stated expectations are for a Certificate of Occupancy (CO) to be issued early to mid December 2009.

Commissioner Keefe inquired when the public would have access to the facility. Mr. Martin responded in all likelihood in mid to late January 2010. Commissioner Keefe inquired regarding a public tour of the facility. Mr. Stanger stated that the Director of the Public Health Department mentioned a ribbon cutting or some type of ceremony for the opening of the facility.

Commissioner King inquired regarding parking for the facility. Mr. Raynor stated one of the properties has been obtained and there is no firm offer on the other property. Commissioner King asked how many additional parking spaces would be generated were the county to acquire all of the land up to Peace Street. Mr. Stander responded approximately one hundred to one hundred fifty additional spaces. Mr. Stanger stated should the county acquire the property and convert it for parking, there would not be a curb cut on Peace Street because a right turn lane on Ramsey Street would be required at a cost of approximately \$250,000. Mr. Stanger stated original plans were to have a driveway cut; however, without a curb cut on Peace Street for traffic to enter/exit the parking area, traffic will have to circle around the facility.

DRAFT

5. Other Matters of Concern

There were no other matters of concern.

MEETING ADJOURNED: 9:35 AM

JEANNETTE M. COUNCIL
Chairman

BILLY R. KING
Vice Chairman

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



MARIE COLGAN
Clerk to the Board

CANDICE WHITE
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

November 6, 2009

November 16, 2009 Agenda Item ITEM NO. 8A

TO: Board of Commissioners
FROM: Candice H. White, Deputy Clerk *cu*
SUBJECT: Adult Care Home Community Advisory Committee

The Adult Care Home Community Advisory Committee will have the following two (2) vacancies on December 31, 2009:

Sandra Ebron – completing initial term. Eligible for reappointment.

Cassandra W. Haire – completing initial term. Eligible for reappointment.

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

PROPOSED ACTION: Nominate individuals to fill the two (2) vacancies above.

Attachments

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

Celebrating Our Past...Embracing Our Future

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

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

<u>Name/Address</u>	<u>Date Appointed</u>	<u>Term</u>	<u>Expires</u>	<u>Eligible For Reappointment</u>
Terri Thomas (B/F) 508 Spaulding Street Fayetteville, NC 28301 485-4764/988-7672 (C)	4/09	Initial	Apr/10 4/30/10	Yes
Toney Edwards (B/M) 3622 Clearwater Drive Fayetteville, NC 28311 822-4261/391-7910 (C)	04/09	1 st	Apr/12 4/30/12	Yes
Mary Ann Brown-Jackson 1959B James Hamner Way Fayetteville, NC 28311 822-1311/893-8151 x330 (W)	1/09	2 nd	Jan/12 1/31/12	No
Sandra Ebron (B/F) PO Box 65306 Fayetteville, NC 28306 424-3932/922-9446(C)	12/08	Initial	Dec/09 12/31/09	Yes
Herma Jean Bradley (/F) 714 Topeka Street Fayetteville, NC 28301 822-3689	5/09	2 nd	June/12 6/30/12	No
Mexie Fields (/F) 1815 Primrose Drive Fayetteville, NC 28301 488-8432	1/06	1 st	Jan/10 1/31/10	Yes
Yvonne Booth (B/F) 4568 Turquoise Road Fayetteville, NC 28311 488-7260	8/09	1st	Aug/12 8/31/12	Yes
Daniel Rodriguez (H/M) 2634 Franciscan Drive Fayetteville, NC 28306 425-2746/432-9701 (W)	5/09	Initial	May/10 5/31/10	Yes

<u>Name/Address</u>	<u>Date Appointed</u>	<u>Term</u>	<u>Expires</u>	<u>Eligible For Reappointment</u>
Dell Caramanno (W/F) 5578 Quietwood Place Fayetteville, NC 28304 423-2622	4/00	1 st	Apr/12 4/30/12	Yes
Jacqueline Wolfe (W/F) 1812 Manchester Street Fayetteville, NC 28303 484-8588/818-2201 (C)	3/09	Initial	Mar/10 3/31/10	Yes
Wynella A. Myers (B/F) 706 Sarazan Drive Fayetteville, NC 28303 822-5526/273-8483 (C)	8/07	1 st	Aug/10 8/31/10	Yes
October Morales (W/F) 1917 Daphne Circle Fayetteville, NC 28304 (831)601-7217/689-0150 (W)	4/09	Initial	April/10 4/30/10	Yes
Ralph T. Cascasan (A/M) 910 Alexwood Drive Hope Mills, NC 28348-1695 425-9704/433-1039 (W)	5/09	Initial	June/10 6/30/10	Yes
Alfonso Ferguson, Sr. 7796 Pintail Drive Fayetteville, NC 28311 401-2313/483-9916 ext. 5551235 (W) (serving unexpired term)	8/09	Initial	Feb/10 2/28/10	Yes
Cassandra W. Haire (B/F) 515 Albany Street Fayetteville, NC 28301 728-0175	12/08	Initial	Dec/09 12/31/09	Yes
Kim Howard (_/F) 6018 Lakaway Drive Fayetteville, NC 28306 308-5974	4/08	1 st	Apr/11 4/30/11	Yes

CONTACT: Andrea Wright-Valdez, Regional Ombudsman, Mid-Carolina Area Agency on Aging,
P. O. Box 1510, Fayetteville, NC 28302 - Phone: 323-4191, ext. 25 – Fax: 323-9330

MEETINGS: Quarterly: 3rd Thursday of the last month of each quarter - 10:00 am - various adult care homes in Cumberland County

APPLICANTS FOR
ADULT CARE HOME COMMUNITY ADVISORY COMMITTEE

<u>NAME/ADDRESS/TELEPHONE</u>	<u>OCCUPATION</u>	<u>EDUCATIONAL BACKGROUND</u>
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
DOUGLAS, BRENDA 6109 GARDEN COURT FAYETTEVILLE, NC 28311 488-1663/677-2078 (W)	SOCIAL WORKER III DSS	ASSOC & BACHERLORS DEGREE
MURCHISON, KARLENE 623 DEVOE AVENUE FAYETTEVILLE, NC 28314 868-2199 (H) / 920-5420 (W)	ACCOUNTING TECHNICIAN	HS, FSU
VINSON, LINDA 7494 ELKHORN DRIVE FAYETTEVILLE, NC 28314 309-7225/919-733-9733 EXT. 245	SOCIAL SVCS PROGRAM DIRECTOR	BS, MPA

JEANNETTE M. COUNCIL
Chairman

BILLY R. KING
Vice Chairman

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



MARIE COLGAN
Clerk to the Board

CANDICE WHITE
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

November 6, 2009

ITEM NO. 8B

November 16, 2009 Agenda Item

TO: Board of Commissioners
FROM: Candice H. White, Deputy Clerk *cu*
SUBJECT: Air Quality Stakeholders' Committee

The Air Quality Stakeholders' Committee will have the following one (1) vacancy on December 31, 2009:

City of Fayetteville Representative/Stakeholder

City Council Member **Keith A. Bates** – Completing first term. Eligible for reappointment.

I have attached the current membership. There are no applications on file at this time for the Air Quality Stakeholders' Committee.

PROPOSED ACTION: Nominate individual to fill the one (1) vacancy above.

Attachment

pc: Rick Heickson, Planning and Inspections

Celebrating Our Past... Embracing Our Future

AIR QUALITY STAKEHOLDERS COMMITTEE
3-year terms

<u>NAME</u>	<u>STAKEHOLDER</u>	<u>DATE APPT'D</u>	<u>TERM</u>	<u>EXPIRES</u>	<u>ELIGIBLE FOR REAPPOINT.</u>
Commissioner Peggy Raymes PO Box 220 Stedman, NC 28391 323-1892	Town of Stedman	4/09	1 st	April/12 4/30/12	Yes
Councilman Keith Bates 5404 Chesapeake Road Fayetteville, NC 28311 488-6315/494-2256 (c) Kbates05@nc.rr.com	City of Fayetteville	1/07	1 st	Dec/09 12/31/09	Yes
Mayor Pro-Tem James O'Garra 614 Duncan Road Spring Lake, NC 28390 (filling unexpired term) 797-7145 ogarraone@aol.com	Town of Spring Lake	8/07	1 st	Feb/10 2/28/10	Yes
Commissioner Eddie Maynor Town of Hope Mills PO Box 367 Hope Mills, NC 28348 (filling unexpired term) 424-4555/484-4214/286-3214 pcregister@town.hope-mills.nc.us	Town of Hope Mills	3/08	1 st	Feb/10 2/28/10	Yes
Elizabeth Small 4835 Main Street Linden, NC 28356-0228 980-0821	Town of Linden	8/09	1 st	Aug/12 8/31/12	Yes
Janice Lucas 7370 N. West Street Falcon, NC 28342 980-1296 Jhl0717@aol.com	Town of Falcon	9/09	1 st	Sept/12 9/30/12	Yes
Natalee Ezzell 7650 Sisk Culbreth Road Godwin, NC 28344 273-5457 (C) Njezzell0331@mail.campbell.edu	Town of Godwin	6/09	1 st	Jun/12 6/30/12	Yes
Commissioner Johnny Lanthorn 6841 Main Street Wade, NC 28395 484-7467 Johnny.lanthorn@faypwc.com	Town of Wade	6/09	1 st	Jun/12 6/30/12	Yes
Steve Oakley Town of Eastover 1107 Asbury Road Fayetteville, NC 28312 484/8048/850-7656 spyderncsu@nc.rr.com	Town of Eastover	3/08	1 st	Feb/11 2/28/11	Yes

AIR QUALITY STAKEHOLDERS COMMITTEE – Page 2

<u>NAME</u>	<u>STAKEHOLDER</u>	<u>DATE APPT'D</u>	<u>TERM</u>	<u>EXPIRES</u>	<u>ELIGIBLE FOR REAPPOINT.</u>
Michael Lynch Director of Plans, Training & Mobilization 2175 Reilly Road, Stop A Fort Bragg, NC 28310-5000 396-4523	Fort Bragg	4/09	1 st	April/12 4/30/12	Yes
Carolyn Hinson Public Works Commission 6253 Lakehaven Drive Fayetteville, NC 28304 423-5940 (H)/223-4015 (W)	PWC	4/09	1 st	April/12 4/30/12	Yes
Daniel Rodriguez 2634 Franciscan Drive Fayetteville, NC 28306 425-2746 (H)/432-9701 (W)	Citizen	4/09	1 st	April/12 4/30/12	Yes
Jamison Stewart 3533 Godwin Circle Fayetteville, NC 28312 874-5930(H) 678-9897 (W)	Citizen	4/09	1 st	April/12 4/30/12	Yes
Ana McDowell, MD Allergy Partners 1317 Medical Drive Fayetteville, NC 28304 487-9395 (H)/323-3890 (W)	Medical Rep.	4/09	1 st	April/12 4/30/12	Yes
Doug Peters Cumberland Co. Business Council P.O. Box 9 Fayetteville, NC 28302 484-4242 dpeters@ccbusinesscouncil.org	CCBC	4/09	1 st	April/12 4/30/12	Yes
Jon Parsons Sustainable Sandhills 7265 NC Highway 87 South Fayetteville, NC 28306 483-2669 (H)/484-9098 (W)	Environmental Rep	4/09	1 st	April/12 4/30/12	Yes
VACANT (vacated by Dr. Harold Maxwell) 227 Fountainhead Lane Fayetteville, NC 28301 433-3600	Board of Health	4/06	2 nd	April/09 4/30/09	No
John Gillis 128 S Churchill Drive Fayetteville, NC 28303 484-9828 (H)/308-4255 (W)	Homebuilders Association	4/09	1 st	April/12 4/30/09	Yes

<u>NAME</u>	<u>STAKEHOLDER</u>	<u>DATE APPT'D</u>	<u>TERM</u>	<u>EXPIRES</u>	<u>ELIGIBLE FOR REAPPOINT.</u>
John Gillis 128 S Churchill Drive Fayetteville, NC 28303 484-9828 (H)/308-4255 (W)	Homebuilders Association	4/09	1 st	April/12 4/30/09	Yes
Joe Levister, Jr. FTCC PO Box 35236 Fayetteville, NC 28303 678-8321 levistej@faytechcc.edu	FTCC	4/09	2 nd	April/12 4/30/12	No
Gary Slater Valley Proteins/Carolina By-Products 1742 Martindale Drive Fayetteville, NC 28304 920-2441 (H)/483-1128 x237 (W) scwaters@barnhillcontracting.com	Industry	4/09	1 st	April/12 4/30/12	Yes
Scott Reynolds M.J. Soffe Company PO Box 2507 Fayetteville, NC 28302 483-2500 x6447 Scott.reynolds@mjsoffe.com	M.J. Soffe Co.	12/07	1 st	Dec/10 12/31/10	Yes
Kenneth Edge Board of Commissioners PO Box 1829 Fayetteville, NC 28302 425-0918	County of Cumberland (Elected Official)	4/09	1 st	April/12 4/30/12	Yes

Original appointments made March 17, 2003. Committee will be active for about 3 years.

Major Industry position (Goodyear Tire and Rubber) and Citizen position removed August 31, 2009
per Maurizia Chapman

Contact/Staff: Rick Heicksen and Maurizia Chapman – Planning Department – x7615 (fax 678-7638)

Meetings: Quarterly (Jan, Apr, July, Oct) 2nd Thursday at 6 pm. (Hearing Rm 3, Historic Courthouse)

JEANNETTE M. COUNCIL
Chairman

BILLY R. KING
Vice Chairman

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



MARIE COLGAN
Clerk to the Board

CANDICE WHITE
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

November 6, 2009

ITEM NO. 8C

November 16, 2009 Agenda Item

TO: Board of Commissioners
FROM: Candice H. White, Deputy Clerk
SUBJECT: Cumberland County Home and Community Care Block Grant Committee

The Cumberland County Home and Community Care Block Grant Committee will have the following one (1) vacancy on December 31, 2009:

Aging Service Provider:

Catherine VanSickle – first term expired. Eligible for reappointment.

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

PROPOSED ACTION: Nominate individual to fill the one (1) vacancy above.

Attachments

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

Celebrating Our Past...Embracing Our Future

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

<u>Name/Address</u>	<u>Date Appointed</u>	<u>Term</u>	<u>Expires</u>	<u>Eligible For Reappointment</u>
<u>Older Consumer</u> Elma Jorgensen 2321 Colgate Drive Fayetteville, NC 28305	1/07	1 st	Dec/10 12/31/10	Yes
Janice Lucas P.O. Box 61 Falcon, NC 28342 980-1296	1/07	2 nd	Dec/10 12/31/10	No
Mary Mack 5471 Maplewood Fayetteville, NC 28314 867-9533	4/08	1 st	April/12 4/30/12	Yes
Edwin Deaver P.O. Box 127 Hope Mills, NC 28348	5/06	1 st	May/10 5/31/10	Yes
Deborah J. Atkinson (B/F) 217 Andover Road Fayetteville, NC 28311 822-5441/494-1288 (C)	5/09	1 st	May/13 5/31/13	Yes
Barbara Marshall (B/F) 7640 Wilkins Drive Fayetteville, NC 28311 488-2615/977-2303 (C)	4/08	1 st	Apr/12 4/30/12	Yes
Ethel Hennessee 647 Edgehill Road Fayetteville, NC 28314 867-8910	12/07	1 st	Dec/11 12/31/11	Yes
(serving first full term)				
Annie R. Hasan 1340 McArthur Road Fayetteville, NC 28311 630-0688/482-3513 (W)	2/08	1 st	Feb/12 2/28/12	Yes

<u>Name/Address</u>	<u>Date Appointed</u>	<u>Term</u>	<u>Expires</u>	<u>Eligible For Reappointment</u>
<u>Aging Service Provider</u>				
Karin Simkin Department of Social Services PO Box 2429 Fayetteville, NC 28302-2429	4/09	2 nd	April/13 4/30/13	No
Rosa Crowe PO Box 64526 Fayetteville, NC 28306 424-2993	4/09	2 nd	April/13 4/30/13	No
Mary Brymer Fayetteville-Cumberland Senior Center 739 Blue Street Fayetteville, NC 28301	4/09	1 st	April/13 4/30/13	Yes
Toney McCray Bethel Adult Day Health Care 1065 Progress Street Fayetteville, NC 28306 484-8727	12/07	2 nd	Dec/11 12/31/11	No
Catherine VanSickle CCCCOA, INC. 339 Devers Street Fayetteville, NC 28303 484-0111	1/06	1 st	Dec/09 12/31/09	Yes
Tina Dicke Legal Aid of NC PO Box 1268 Fayetteville, NC 28302	4/09	2 nd	April/13 4/30/13	No
Judy Dawkins RSVP 739 Blue Street Fayetteville, NC 28301 433-1136	1/07	2 nd	Dec/10 12/31/10	No
Patricia Edwards Hope Mills Sunshine Center 3226 Davis Street Hope Mills, NC 28348	1/07	2 nd	Dec/10 12/31/10	No

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

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

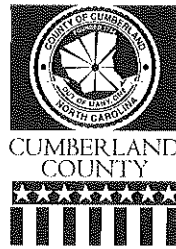
APPLICANTS FOR
HOME AND COMMUNITY CARE BLOCK GRANT COMMITTEE

NAME/ADDRESS/PHONE	OCCUPATION	EDUCATIONAL BACKGROUND
ADEYEMI, TOLUPE (-/M) 8118 FRENCH HORN LANE FAYETTEVILLE, NC 28314 583-9408/487-3959	US ARMY FT BRAGG **SERVES ON ANIMAL SERVICES BOARD/NOMINATED TO NURSING HOME ADVISORY BOARD**	MASTERS – HEALTH ADMIN, PR, BS – ZOOLOGY, LIBERAL ARTS
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
HAIRE, CASSANDRA W. (B/F) 515 ALBANY STREET FAYETTEVILLE, NC 28301 728-0175	SELF EMPLOYED **SERVES ON THE ADULT CARE HOME COMMUNITY ADVISORY COMMITTEE**	PURSUING MBA
PILSON, RONNIE (W/M) 625 MONTCLAIRE ROAD FAYETTEVILLE, NC 28314 619-2606	SELF EMPLOYED PILSON PROPERTIES, INC.	HS
ROGERS, TERRESA 313 HAMILTON STREET FAYETTEVILLE, NC 28301 822-4289 / 488-2120 ext. 7494 (W)	RN-VA MEDICAL CENTER **SERVES ON CRIMINAL JUSTICE PARTNERSHIP ADVISORY BOARD**	COLLEGE GRADUATE

JEANNETTE M. COUNCIL
Chairman

BILLY R. KING
Vice Chairman

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



MARIE COLGAN
Clerk to the Board

CANDICE WHITE
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

November 6, 2009

ITEM NO. 8D

November 16, 2009 Agenda Item

TO: Board of Commissioners

FROM: Candice H. White, Deputy Clerk

SUBJECT: Cumberland County Local Emergency Planning Committee

BACKGROUND: The Board of Commissioners at their September 8, 2009 meeting appointed Captain Charles F. Kimble to serve a first full term on the Cumberland County Local Emergency Planning Committee in the position of Law Enforcement Representative. Due to a recent promotion in the Fayetteville Police Department, Captain Kimble is unable to serve. Recommendation is for **Lieutenant Wade Owen** to serve in this position. (See attached.)

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

PROPOSED ACTION: Make nomination to fill the one (1) vacancy.

pc: Kenny Currie, Emergency Services Director

Attachments

Celebrating Our Past...Embracing Our Future

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



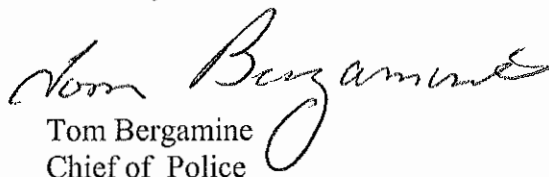
22 September 2009

Candice H. White, Deputy Clerk
Cumberland County Board of Commissioners
P.O. Box 1829
Fayetteville, NC 28302-1829

Dear Ms. White,

We are in receipt of your letter dated September 9, 2009 appointing Charles F. Kimble as the Law Enforcement Representative for the Cumberland County Emergency Planning Committee. Due to recent promotions at my department, Captain Kimble is no longer the commander for our Emergency Management operations. Lieutenant Wade Owen now serves in that capacity at our department and I would like to recommend him for this position. If you'd like to discuss this matter further, please feel free to contact me at (910)433-1819.

Sincerely,

A handwritten signature in cursive script, reading "Tom Bergamine".
Tom Bergamine
Chief of Police

/klg

cc: Captain Charles Kimble
Lieutenant Wade Owen

CUMBERLAND COUNTY
LOCAL EMERGENCY PLANNING COMMITTEE
3 Year Term
(Staggered Terms Initially)

<u>Name/Address</u>	<u>Date Appointed</u>	<u>Term</u>	<u>Expires</u>	<u>Eligible For Reappointment</u>
<u>Print and Broadcast Media Representative</u>				
Doug Hewett, Director	8/07	1 st full	Aug/10	Yes
City of Fayetteville Management Services			8/31/10	
433 Hay Street				
Fayetteville, NC 28301				
Phone: 433-1978				
Sally Shutt (W/F)	8/09	2 nd	Aug/10	Yes
CC Communications Manager			8/31/10	
P.O. Box 1829				
Fayetteville, NC 28302				
Phone: 437-1921	(serving unexpired term)			
<u>Operators of Facilities Representative</u>				
Catherine Grazioli	11/08	1 st	Nov/11	Yes
Safety Manager			11/30/11	
Hexion Specialty Chemicals				
1411 Industrial Drive				
Fayetteville, NC 28301				
485-9269				
Gene D. Smith (/M)	8/09	1 st	Aug/12	Yes
Goodyear Tire and Rubber			8/31/12	
6650 Ramsey Street				
Fayetteville, NC 28311				
893-8213/630-5678 (W)				
Joel Blake	4/07	2 nd	Dec/09	No
Dupont			12/31/09	
22828 NC Hwy 87W				
Fayetteville, NC 28306				
424-4083/678-1285(W)				
Antionette Barnes (/F)	8/09	2 nd	Dec/09	Yes
Purolator Filters			12/31/09	
3200 Natal Road				
Fayetteville, NC 28306				
426-4283 (W)	(serving unexpired term)			

<u>Name/Address</u>	<u>Date Appointed</u>	<u>Term</u>	<u>Expires</u>	<u>Eligible For Reappointment</u>
<u>Law Enforcement Representative</u>				
Sgt. Erwin Montgomery NC Highway Patrol 2435 Gillespie Street Fayetteville, NC 28306-3053 486-1334	9/09	1 st	Sept/12 9/30/12	Yes
Lt. Charles Parker Cumberland Co. Sheriff's Office 131 Dick Street Fayetteville, NC 28301-5750 (serving unexpired term) 677-5412	5/08	1 st	Aug/10 8/31/10	Yes
VACANT(vacated by Capt. Charles F. Kimble) 9/09		1 st	Sept/09 09/30/12	Yes
<u>Emergency Management Representative</u>				
Greg Phillips Cumberland County Emergency Services 131 Dick Street Fayetteville, NC 28301 (filling unexpired term) 321-6736	5 /08	1 st	Sept/10 9/30/10	Yes
<u>Community Group Representative</u>				
Jeffrey Womble Fayetteville State University Office of Public Relations 1200 Murchison Road Fayetteville, NC 28301 Phone:	8/07	2 nd	Aug/10 8/31/10	No
<u>Transportation Representative</u>				
David Boyette 466 Baywood Road Fayetteville, NC 28301 485-2439/433-4468(W)/670-0954 (C)	4/07	2 nd	Dec/09 12/31/09	No
<u>Health Representative</u>				
Jane Stevens Cumberland County Health Dept. 227 Fountainhead Lane Fayetteville, NC 28301-5417 433-3673(W)/987-2892(Cell)	1/09	2 nd	Jan/12 1/31/12	No

<u>Name/Address</u>	<u>Date Appointed</u>	<u>Term</u>	<u>Expires</u>	<u>Eligible For Reappointment</u>
<u>Hospital Representative</u>				
Scott Tanner Cape Fear Valley Health System 1638 Owen Drive Fayetteville, NC 28304 615-7914 (W) / 315-4672 (H)	9/09	1st	Sept/12 9/30/12	Yes
<u>Fire Fighting Representative</u>				
Assistant Chief Thomas M. Allen Fire/Emergency Management City of Fayetteville 433 Hay Street Fayetteville, NC 28301 433-1009	10/05	1 st	Dec/11 12/31/11	Yes
<u>First Aid Representative</u>				
VACANT (vacated by Wally Ainsworth)	11/07	1st	Nov/10 11/30/10	Yes
<u>At-Large Representative</u>				
Bill Cross 2086 Tailwinds Road Fayetteville, NC 28312 (filling unexpired term) 222/8893/429-4217	6/08	1 st	Dec/09 12/31/09	Yes
Dawn O'Donnell 2072 Birchcreeft Drive Fayetteville, NC 28304 425-3619/864-2470(W)	8/07	2 nd	Aug/10 8/31/10	No
<u>Local Environmental Representative</u>				
VACANT (vacated by Hughie White)	9/06	2 nd	Sept/09 9/30/09	No
<u>Utilities Representative</u>				
Ray Jackson (/M) Public Works Commission 955 Old Wilmington Road Fayetteville, NC 28301 223-4118	8/09	1 st	Aug/12 8/31/12	Yes

<u>Name/Address</u>	<u>Date Appointed</u>	<u>Term</u>	<u>Expires</u>	<u>Eligible For Reappointment</u>
Suzanne Rohrs Attn: Environmental Branch HQ XVIII Airborne Corps Public Works Business Center (filling unexpired term) Fort Bragg, NC 28307 396-7432	6/08	1 st	Aug/10 8/31/10	Yes

Ex-Officio Members

Elected Official Representative (Liaison)

Ed Melvin, County Commissioner

Emergency Management

Kenny Currie, Cumberland County Emergency Services

Fayetteville Fire/Emergency Management

Bennie Nichols, Chief, Fayetteville Fire Department

Dale Iman, City Manager

James Martin, County Manager

Contact: Kenny Currie, Director – Emergency Services – x7688 or Gloria Simms

Meets quarterly, 4th Thursday in January, April, July & October at 10:00 am – PWC Office

APPLICANTS FOR
CUMBERLAND COUNTY LOCAL EMERGENCY PLANNING COMMITTEE

<u>NAME/ADDRESS/TELEPHONE</u>	<u>OCCUPATION</u>	<u>EDUCATIONAL BACKGROUND</u>
BERRY-CABAN, CRISTOBAL S. (H/M) 412 CITY VIEW LANE FAYETTEVILLE, NC 28301 (813) 451-3004/907-8844 (W)	CHIEF -CLINICAL INVESTIG. WOMACK	PhD; MA **SERVES ON ANIMAL SERVICES BOARD**
BURGESS, PAUL F. 5620-C CHASON RIDGE DRIVE FAYETTEVILLE, NC 28314 864-2186	RETIRED MILITARY	AS – BUSINESS MGT AS – CRIMINAL JUSTICE
DAVIS, JOSEPH B. 721 CARNEGIE DRIVE FAYETTEVILLE, NC 28311 488-4629 (H) / 797-1809 (W)	CONTRACTOR	HS; 2 YRS COLLEGE
FOGLE, MARSHA (W/F) PO BOX 278 STEDMAN, NC 28391 483-9579 (H)	RETIRED COUNTY CLERK	NONE LISTED
GAINEY, CHERYL (W/F) 4685 VIRSALLI LOOPE HOPE MILLS, NC 28348 486-4351/672-1062 (W)	ACCTS PAYABLE, SUPERVISOR – FSU	MASTER OF DIVINITY
HERRINGDINE JR., LARRY (W/M) 3539 HARRISBURG DRIVE FAYETTEVILLE, NC 28306 425-1517/672-2066	OPS & LOGISTICS DIRECTOR FSU	BS – BUSINESS ADMIN WORKING ON MASTERS – PUBLIC ADMIN
HICKS, MARYBETH (W/F) 936 McKIMMON ROAD FAYETTEVILLE, NC 28303 229-3145/(614)595-3867 (C)	HOMEMAKER	SOME COLLEGE
KING, RICHARD A. (W/M) 658 GLENOLA STREET FAYETTEVILLE NC 28311 488-2492/977-3118 (W)	INSURANCE AGENT SELF EMPLOYED	AS – ENVIRONMENTAL SVS BS – MANAGEMENT
MITCHELL, CLIFFORD 641 JOHNSON STREET FAYETTEVILLE NC 28303-3618 920-3153	UNEMPLOYED	TECHNICAL-VARIED
NEWMAN, RONALD H. (W/M) 1544 ROSSMORE DRIVE FAYETTEVILLE, NC 28314 494-0201	COMPUTER SERVICE TECH SELF-EMPLOYED	BS – BUSINESS MGT. AS – DIGITAL ELECTRONICS

NAME/ADDRESS/TELEPHONE	OCCUPATION	EDUCATIONAL BACKGROUND
OATMAN, LEWIS SCOTT 5575 HALLWOOD DRIVE HOPE MILLS, NC 28348 425-8450/822-7119 (W)	HEALTH CARE ADMINISTRATOR	BS IN BUSINESS ADMIN MSA IN BUSINESS
ROGERS, TERRESA 313 HAMILTON STREET FAYETTEVILLE, NC 28301 822-4289 / 488-2120 ext. 7494 (W) **SERVES ON CRIMINAL JUSTICE PARTNERSHIP ADVISORY BOARD**	RN-VA MEDICAL CENTER	COLLEGE GRADUATE
SMITH, EDDIE 205 MCDUFFIE STREET FAYETTEVILLE, NC 28348 252-0079 (H) / 433-4468 (W)	TERMINAL MANAGER	2 YEARS COLLEGE
TANNER, SCOTT (W/M) 3001 MUIRFIELD AVENUE FAYETTEVILLE, NC 28306 315-4672 / 615-7914 (W)	MEDICAL CONTINGENCY PLANNER	BS, MA, MHA
TURNER, CASSANDRA (B/F) 5383 CLIPPER DRIVE HOPE MILLS, NC 28348 977-3099/425-4181 (W)	MANUFACTURING PUROLATOR FILTERS	HS; SOME COLLEGE
WILLIAMS, ARNOLD (W/M) 1610 HICKORY RIDGE COURT FAYETTEVILLE, NC 28304 864-5152	CONSULTANT RETIRED ARMY	AA – BUSINESS
WINFIELD, LEA 427 TRADEWINDS DRIVE FAYETTEVILLE, NC 28314 964-1640	MGT TRAINEE ENTERPRISE RENT A CAR	BS – PUBLIC RELATIONS WORKING ON MASTERS

JEANNETTE M. COUNCIL
Chairman

BILLY R. KING
Vice Chairman

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



MARIE COLGAN
Clerk to the Board

CANDICE WHITE
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

October 10, 2008

October 20, 2008 Agenda Item

ITEM NO. 8E

TO: Board of Commissioners
FROM: Candice H. White, Deputy Clerk *CW*
SUBJECT: Farm Advisory Board

The Farm Advisory Board will have the following nine (9) vacancies on December 31, 2009:

Farmers:

P. R. Barker – completing first term. Unavailable to serve an additional term. Recommendation is for appointment of **Clifton McNeill, Jr.** to serve a two-year term. (See attached.)

David Collier – completing unexpired term. Eligible for reappointment. Recommendation is for reappointment to a three-year term. (See attached.)

Sherrill Jernigan – completing first term. Eligible for reappointment. Recommendation is for reappointment to serve a one-year term. (See attached.)

Wayne Collier, Jr. – completing first term. Eligible for reappointment. Recommendation is for reappointment to a three-year term. (See attached.)

Craig Tyson – completing first term. Eligible for reappointment. Recommendation is for reappointment to a three-year term. (See attached.)

Natural Resource Conservation Service:

Charlie Guy – completing first term. Eligible for reappointment. Recommendation is for reappointment to a one-year term. (See attached.)

Farm Bureau Representative:

Joe Gillis – completing first term. Eligible for reappointment. Recommendation is for reappointment to a one-year term. (See attached.)

Planning Board Representative:

Clifton McNeill, Jr. – completing first term. Has been recommended to serve an additional term in the Farmer position. Recommendation is for appointment of **Roy Turner** to serve a two-year term in this position. (See attached.)

Celebrating Our Past...Embracing Our Future

Cooperative Extension Service Representative:

George Autry – retired. Recommendation is for **Colby Lambert** to serve a two-year term.
(See attached.)

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

PROPOSED ACTION: Nominate individuals to fill the nine (9) vacancies above.

Attachments

pc: Hope Barnhardt, Planner
Planning/Inspections Department

Lori Epler,
Chair
Cumberland County

Roy Turner,
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 & Inspections Department

Thomas J. Lloyd,
Director

Cecil P. Combs,
Deputy Director

Walter Clark,
Sara E. Piland,
Cumberland County

Benny Pearce,
Town of Eastover

Donovan McLaurin
Wade, Falcon, & Godwin

MEMORANDUM

TO: Candace White, Deputy Clerk

FROM: Hope Barnhart, AICP, Planner *Hype*

DATE: October 16, 2009

SUBJECT: Appointments/Reappointments to Farm Advisory Board

The Cumberland County Farm Advisory Board respectfully submits the following names for consideration by The Board of Commissioners for appointment/reappointment to serve on the Farm Advisory Board. Their current term will expire on December 31, 2009.

Name	Representing	Term Beginning	Term Ending
David Collier	Farmer	01/01/10	12/31/13 (3 years)
Wayne Collier, Jr.	Farmer	01/01/10	12/31/13 (3 years)
Joe Gillis	Farm Bureau	01/01/10	12/31/11 (1 year)
Charlie Guy	Soil & Water Conservation District	01/01/10	12/31/11 (1 year)
Sherrill Jernigan	Farmer	01/01/10	12/31/11 (1 year)
Colby Lambert	N.C. Cooperative Extension Interim Director	01/01/10	12/31/12 (2 years)
Clifton McNeill, Jr.*	Farmer	01/01/10	12/31/12 (2 years)
Roy Turner	Cumberland County Joint Planning Board	01/01/10	12/31/12 (2 years)
Craig Tyson	Farmer	01/01/10	12/31/13 (3 years)

*Clifton McNeill, Jr. will replace P.R. Barker

Cc: Tom Lloyd, Planning Director
Will Denning, Section Chief

FARM ADVISORY BOARD

The Farm Advisory Committee was created by Resolution approved by the Board of Commissioners on April 5, 2004. Committee members were appointed by the Commissioners on June 7, 2004. Bylaws were adopted by the Commissioners on November 30, 2006 and the Farm Advisory Committee became the Farm Advisory Board. **Initial terms for the Farm Advisory Board began on December 31, 2006.** The initial term was for 3 years with an expiration date of December 31, 2009. (All second terms shall be staggered as outlined in the bylaws with 1/3 of the members appointed for a 1-year term; 1/3 of the members appointed for a 2-year term; and 1/3 of the members appointed to a 3-year term. Determination shall be made at the membership meeting during the final quarter of the 3rd year by drawing lots.)

<u>Name/Address</u>	<u>Date Appointed</u>	<u>Term</u>	<u>Expires</u>	<u>Eligible for Reappointment</u>
<u>Farmers:</u>				
P.R. Barker(W/M) 5556 Braxton Road Hope Mills, NC 28348 424-5085(H)	6/7/04 Initial term began 12/31/06	1 st	Dec/09	Yes 12/31/09
David Collier 3785 South River School Road Wade, NC 28395 483-6806/818-5514 (C)	6/7/04 Initial term began 12/31/06	1 st	Dec/09	Yes 12/31/09
Sherrill Jernigan 6717 Sisk Culbreth Road Godwin, NC 28344 980-1698/337-5065 (C)	6/7/04 Initial term began 12/31/06	1 st	Dec/09 12/31/09	Yes
Wayne Collier, Jr. 5489 Indian Ridge Road Linden, NC 28356 980-0066/308-9197 (C)	11/3/08 serving an unexpired term for an initial term that began 12/31/06	1 st	Dec/09 12/31/09	Yes
Craig Tyson 5648 NC Highway 87 S Fayetteville, NC 28306 484-9866	6/7/04 Initial term began 12/31/06	1 st	Dec/09 12/31/09	Yes
<u>Natural Resource Conservation Service:</u>				
Charlie Guy, Chairman Soil & Water Conservation District 6341 Pawling Court Fayetteville, NC 28304 425-6277(H)/670-3058(cell)	6/7/04 Initial term began 12/31/06	1 st	Dec/09 12/31/09	Yes

Farm Advisory Board, Page 2

<u>Name/Address</u>	<u>Date Appointed</u>	<u>Term</u>	<u>Expires</u>	<u>Eligible for Reappointment</u>
---------------------	---------------------------	-------------	----------------	---------------------------------------

Farm Bureau Representative:

Joe Gillis	6/7/04	1 st	Dec/09	Yes
Gillis Development, Inc.	Initial term began 12/31/06		12/31/09	
8623 Galatia Church Road				
Fayetteville, NC 28304				
864-9611/309-2001(cell)				

Planning Board Representative:

Clifton McNeill, Jr.	6/7/04	1 st	Dec/09	Yes
1471 Clifton McNeill Road	Initial term began 12/31/06		12/31/09	
Hope Mills, NC 28348				
425-7354/309-4750 (C)				

Cooperative Extension Service Representative:

George Autry	6/7/04	1 st	Dec/09	Yes
NC Cooperative Extension Service	Initial term began 12/31/06		12/31/09	
301 East Mountain Drive				
Fayetteville, NC 28306				
321-6880(W)				

Meetings: Quarterly – Second Tuesday of the first month of each quarter (Jan, Apr, July, Oct) at 7:00 PM
Historic Cumberland County Courthouse, 130 Gillespie Street, Room 107C

Contact: Hope Barnhart – 678-7607 (Planning & Inspections)

APPLICANTS FOR
FARM ADVISORY COMMITTEE

<u>NAME/ADDRESS/PHONE</u>	<u>OCCUPATION</u>	<u>EDUCATIONAL BACKGROUND</u>
BOYLES, JOHNNY H. (W/M) 1941 CULPEPPER LANE FAYETTEVILLE, NC 28304 868-5294/843-5294 (W)	FARMING/REAL ESTATE DEVELOPMENT - HOKE ROBESON, CUMBERLAND	SOME COLLEGE
HAIR, ANTHONY D. (B/M) 6344 MURPHY ROAD STEDMAN, NC 28391 486-9794/592-1575 (W)	CUSTOMER SOLUTIONS REP EMBARQ	BS – EDUCATION
LANTHORN JR., JOHN W. (W/M) 6841 MAIN STREET WADE, NC 28395 484-7467/624-5391	POWER PLANT MAINTENANCE – PWC	HS GRAD; SOME TECH. COLLEGE
SERVES ON THE AIR QUALITY STAKEHOLDERS		
STEWART, JAMESON C. (W/M) 3533 GODWIN CIRCLE FAYETTEVILLE, NC 28312 874-5930/678-9897 (W)	SENIOR AUDIO VISUAL TECH – FTCC	AAA – ELECTRONICS ENG.

JEANNETTE M. COUNCIL
Chairman

BILLY R. KING
Vice Chairman

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



MARIE COLGAN
Clerk to the Board

CANDICE WHITE
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

November 6, 2009

November 16, 2009 Agenda Item

ITEM NO. 8F

TO: Board of Commissioners
FROM: Candice H. White, Deputy Clerk *CHW*
SUBJECT: Mental Health Board

The Mental Health Board will have the following nine (9) vacancies on December 31, 2009:

Licensed Physician:

Dr. Zane Walsh, Jr. – completing unexpired term. Eligible for reappointment. Recommendation is for reappointment to a first full term. (See attached.)

Individual with Financial Expertise:

Christopher Bostock – completing first term. Eligible for reappointment. Recommendation is for reappointment to a second term. (See attached.)

Individual with Financial Expertise:

Willie Cooper, Jr. – completing first term. Eligible for reappointment. Recommendation is for reappointment to a second term. (See attached.)

Representative with a Family Member or from a Citizen's Organization who Advocates for Persons with a Developmental Disability:

Anna F. Finch – completing second term. Not eligible for reappointment. Recommendation is for appointment of **Lodies Gloston** to fill this position. (See attached.)

Drug Abuse, Primary Consumer, Presently in Recovery:

Gladys Hunt – completing first full term. Eligible for reappointment. Recommendation is for reappointment to a second term. (See attached.)

Alcoholism (Family Consumer):

Jo Beth Cain – completing unexpired term. Eligible for reappointment. Recommendation is for reappointment to serve a first full term. (See attached.)

Individual with Management or Business Expertise:

Liliana C. Parker – completing unexpired term. Eligible for reappointment. Recommendation is for reappointment to serve a second term. (See attached.)

Celebrating Our Past...Embracing Our Future

At-Large Member:

Evelyn Shaw – completing second term. Not eligible for reappointment. Recommendation is for **Albert Bleakley** to fill this position. (See attached.)

Openly Declared Consumer with Mental Illness:

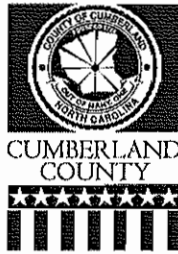
Nancy Capps – completing second term. Not eligible for reappointment. Recommendation is for **Alejandro Vasquez** to fill this position. (See attached.)

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

PROPOSED ACTION: Nominate individuals to fill the nine (9) vacancies above.

Attachments

pc: Hank Debnam, Mental Health Director



MENTAL HEALTH CENTER

P.O. Box 3069 • 711 Executive Place, Fayetteville, NC 28302-3069
(910)323-0601 • Fax: (910) 323-0096

Hank Debnam, M.P.H., Area Director

MEMORANDUM

TO: Candice White, Deputy Clerk
Board of Commissioners

FROM: Yvette Lofton, Clerk to the Area Board

DATE: November 5, 2009

RE: Cumberland County Mental Health, Developmental Disabilities and Substance Abuse Services Area Board Recommendations for Appointments and Reappointments

At its November 4, 2009 meeting, the Cumberland County Mental Health, Developmental Disabilities and Substance Abuse Services Area Board **unanimously** approved the following recommendations as new appointments to the Mental Health Board; Mr. Alejandro Vasquez for the upcoming vacant position of Openly Declared Consumer with Mental Illness, Mr. Albert Bleakley for the upcoming vacant position of At Large Member, and Mrs. Lodies Gloston for the upcoming vacant position of Representative with a Family Member or from a Citizen's Organization who Advocates for Persons with a Developmental Disability.

At the same meeting they also **unanimously** approved the following recommendations for reappointments to the Mental Health Board;

Mr. Christopher Bostock for the position of *Individual with Financial Expertise*
Mr. Willie Cooper, Jr. for the position of *Individual with Financial Expertise*
Dr. Jo Beth Cain for the position of *Alcoholism, Family Consumer*
Ms. Gladys Hunt for the position of *Drug Abuse, Primary Consumer, Presently in Recovery*
Mrs. Liliana Parker for the position of *Individual with Management or Business Expertise*
Dr. Zane Walsh, Jr. for the position of *Licensed Physician*

I would like to request that these recommendations be presented to the Commissioners for their consideration at the November 16, 2009 County Commissioners' meeting, if possible.

If you have any questions, please contact me at 222-6133. Thank you.

cc: Luis Collazo, Area Board Chair
Hank Debnam, Area Director

Celebrating Our Past...Embracing Our Future

MENTAL HEALTH BOARD 4/09
 (Cumberland County Area Mental Health, Developmental Disabilities and Substance Abuse Board)
 4 Year Term (for current members as of 6-06)
 3 Year Term (for members appointed after 6-06)

<u>Name/Address</u>	<u>Date Appointed</u>	<u>Term</u>	<u>Expires</u>	<u>Eligible For Reappointment</u>
<u>Licensed Physician</u>				
Dr. Zane Walsh, Jr. (-/M) 2810 Huntington Road Fayetteville, NC 28303 484-3436/323-9010 (W)	8/08	1 st	Dec/09 12/31/09	Yes
(serving unexpired term, eligible for 2 additional full terms)				
<u>Individual with Financial Expertise</u>				
Christopher Bostock (M) 424 Kingsford Road Fayetteville, NC 28314 864-6501/486-0415(W)	12/06	1 st	Dec/09 12/31/09	Yes
Willie Cooper, Jr. (B/M) 5599 Ashgrove Drive Fayetteville, NC 28311 488-4037/829-9873 (W)	12/06	1 st	Dec/09 12/31/09	Yes
<u>Professional Rep. (Psychology, Social Work, Nursing, Religion)</u>				
Rev. Floyd Johnson, Jr. (B/M) 716 Amber Drive Fayetteville, NC 28311 822-0457	12/08	2 nd	Dec/11 12/31/11	No
<u>Representative with a Family Member or from a Citizen's Organization who Advocates for Persons with a Developmental Disability</u>				
Anna F. Finch (W/F) 3 Skye Place Fayetteville, NC 28303 485-1179	12/06	2 nd	Dec/09 12/31/09	No
<u>Drug Abuse Rep. (Family Consumer)</u>				
William H. McDougal (B/M) 661 Country Club Road Fayetteville, NC 28301 488-7311	12/07	2 nd	Dec/10 12/31/10	No
<u>Developmental Disabilities (Family Consumer)</u>				
Annie A. Owens (B/F) 186 Wolfpoint Drive Fayetteville, NC 28311 488-2028/483-0153 (W)	08/08	1 st	June/10 6/30/10	Yes
(serving unexpired term)				
<u>Mental Health Board – page 2</u>				

Mental Health Board – page 2

<u>Name/Address</u>	<u>Date Appointed</u>	<u>Term</u>	<u>Expires</u>	<u>Eligible For Reappointment</u>
<u>Drug Abuse, Primary Consumer, Presently in Recovery</u>				
Gladys Hunt (I/F) 7158 Eagle Spring Drive Hope Mills, NC 28348 425-7409/483-8442(W) Mental Health Board, Page 2	1/06	1 st full	Dec/09 12/31/09	Yes
<u>Mental Health Rep. from a Citizens Organization or Primary Consumer</u>				
Luis M. Collazo (H/M) 2051 Merrimac Drive Fayetteville, NC 28314 864-1818/433-1697(W)	12/08	2 nd	Dec/11 12/31/11	No
<u>Mental Health Rep. (Family Consumer)</u>				
Dr. Mary A. Hales (B/F) 3490 Hastings Drive Fayetteville, NC 28311 482-3390/822-2570 (W)	1/09	1 st	Jan/12 1/31/12	Yes
<u>Alcoholism (Family Consumer)</u>				
Jo Beth Cain (W/F) 5814 Rainsford Drive Fayetteville, NC 28311 488-4841/850-7892 (W)	04/09 to fill unexp. term	1 st	Dec/09 12/31/09	Yes
<u>Alcoholism, Primary Consumer, Presently in Recovery</u>				
Ernest Gore (W/M) 2724 Bennington Road Fayetteville, NC 28303 822-5988/891-7062 (W)	1/09	1 st	Jan/12 1/31/12	Yes
<u>Individual with Management or Business Expertise</u>				
Liliana C. Parker (W//H/F) PO Box 58064 Fayetteville, NC 28305 433-0791/551-4611 (W)	11-07 filling unexpired term	1 st	Dec/09 12/31/09	Yes
<u>At Large Members</u>				
Evelyn O. Shaw (B/F) P.O. Box 1195 Fayetteville, NC 28302 488-3562/323-5303	12/06	2 nd	Dec/09 12/31/09	No

<u>Name/Address</u>	<u>Date Appointed</u>	<u>Term</u>	<u>Expires</u>	<u>Eligible For Reappointment</u>
<u>Individual Representing the Interest of Children</u>				
Pam McEvoy (W/F) PO Box 488 Fayetteville, NC 28302-0488 424-0117/486-9700(W)	12/06	1 st	Dec/09 12/31/09	Yes
<u>Openly Declared Consumer with Mental Illness</u>				
Nancy Capps (I/F) 1343 Devonshire Drive Fayetteville, NC 28304	12/06	2 nd	Dec/09 12/31/09	No

Chairman Appointed Voting Member (2) – Commissioners Billy R. King & Marshall Faircloth

Contact: Hank Debnam, Mental Health Director, Ph # 222-6126, Fax # 323-0096

Meetings: 1st Wednesday of the month at 5:15 PM, 711 Executive Place, Board Room 124.

- Board expanded to 18 members 11-06-02
- Board terms changed to 3 year terms as of 6-06

APPLICANTS FOR
MENTAL HEALTH BOARD

<u>NAME/ADDRESS/TELEPHONE</u>	<u>OCCUPATION</u>	<u>EDUCATIONAL BACKGROUND</u>
BLEAKLEY, ALBERT 3018 RAVENHILL DRIVE FAYETTEVILLE, NC 28303 484-9400	RETIRED	CHEMISTRY, BUSINESS MANAGEMENT
BREWER, PATRICIA (W/F) 909 CALAMINT LANE FAYETTEVILLE, NC 28305 484-1524/818-0908	PHYSICIAN ASSISTANT WOMACK	MASTERS – PHYSICIAN ASST DOCTORATE – VETERINARY MEDICINE
COCKMAN, MATTHEW J. (W/M) PO BOX 1901 FAYETTEVILLE, NC 28302-1901 483-8802/429-2900 (W)	ATTORNEY AT LAW	BBA – TRUST MGT. JD
DAURIA, DAVID (/M) 6437 PERICAT DRIVE FAYETTEVILLE, NC 28306 425-5771/797-9688 **SERVES ON THE EQUALIZATION AND REVIEW BOARD	INSTRUCTOR FTCC	ASSOCIATE OF SCIENCE HEATING & AIR
DIBB, JENNIFER (W/F) 6500 JACOBS CREEK CIRCLE FAYETTEVILLE, NC 28306 423-5622/797-1342 (W)	SPEECH PATHOLOGIST THERAPY PLAYGROUND, INC	MASTERS IN COMMUNICATION DISORD.
FLOM, DR. JONATHAN (-/-) 3425 MELROSE ROAD FAYETTEVILLE, NC 28304	PSYCHIATRIST BEHAVIORAL HEALTHCARE OF CAPE FEAR VALLEY	B.A. & M.D. – RESIDENCY IN PSYCHIATRY
GAINEY, CHERYL (W/F) 4685 VIRSALLI LOOPE HOPE MILLS, NC 28348 486-4351/672-1062 (W)	ACCTS PAYABLE, SUPERVISOR – FSU	MASTER OF DIVINITY
GARNER, AMY R. 4502 DAY COURT FAYETTEVILLE, NC 28314 583-6519 (H) / 864-8739 (W)	CAROLINA TREATMENT CTR PROGRAM DIRECTOR	SOME COLLEGE CSAC
GLOSTON, LODIS (B/F) 2000 GREENDALE DRIVE FAYETTEVILLE, NC 28304 867-5724 (H) / 624-9878 (W)	RETIRED PRINCIPAL PRES-UNITED ORDER OF TENTS	A.B. FSU DOCTORAL CANDIDATE
GRINDLE, SHEILA (W/F) 804 TULSA COURT FAYETTEVILLE, NC 28311 286-7991	CHILD ADVOCATE TRAINER FAMILY ADVOCACY PROGRAM	BSW (SOCIAL WORK)
HICKS, MARYBETH (W/F) 936 McKIMMON ROAD FAYETTEVILLE, NC 28303 229-3145/(614)595-3857 (C)	HOMEMAKER	SOME COLLEGE

<u>NAME/ADDRESS/TELEPHONE</u>	<u>OCCUPATION</u>	<u>EDUCATIONAL BACKGROUND</u>
KIZER, MARYMELDA HALL (W/F) 214 WOODCREST ROAD FAYETTEVILLE, NC 28305 484-0508/868-5131 (W)	LIBRARIAN	BA, MAT ENGLISH
MURCHISON, KARLENE 623 DEVOE AVENUE FAYETTEVILLE, NC 28314 868-2199 (H) / 920-5420 (W)	ACCOUNTING TECHNICIAN	HS, FSU
PICKETT-WADDELL, AUDREY (B/F) 1202-A SLEEPY HOLLOW DRIVE FAYETTEVILLE, NC 28311 224-8785/488-7461 (W)	DAY CARE LEAD TEACHER HOJACK CHILD DEV. CTR.	BA – SOCIOLOGY
RAMOS, ELIZABETH ANNE (W/F) 1810 BRYN MAWR DRIVE FAYETTEVILLE, NC 28304 486-8633/484-4061	CLINICAL ADDICTIONS SPECIALIST	BSW; MSW
SACCO-TALLY, CARRIE 414 VISTA DRIVE FAYETTEVILLE, NC 28305 580-5534 (H)	STUDENT	BA PSYCHOLOGY; MSW MAY 2010
SHORT, LYDIA FREWEN (W/F) 7529 AMBERLY WAY DRIVE FAYETTEVILLE, NC 28303 783-4006 (H)	SELF-EMPLOYED STRING INSTRUMENT REPAIR	BA – LIBERAL ARTS
TURNER, CASSANDRA (B/F) 5383 CLIPPER DRIVE HOPE MILLS, NC 28348 977-3099/425-4181 (W)	MANUFACTURING PUROLATOR FILTERS	HS; SOME COLLEGE
VASILOPOULOS, NATALIE 1833 CAMELOT DRIVE FAYETTEVILLE, NC 28304 425-5116/(828) 467-9300 (C)	HOMEMAKER	BA – CRIMINAL JUSTICE
VAZQUEZ, ALEJANDRO 1923 UNITED DRIVE APT. A FAYETTEVILLE, NC 28301 488-5616 (H)	NONE – DISABLED	BS – BUSINESS ADMINISTRATION
WIGGINS, ALLIE D. (B/F) 5222 BROOKFIELD ROAD FAYETTEVILLE, NC 28303 868-4219/988-4267 (C)	RETIRED CLINICAL SOCIAL WORKER	MASTERS – SOCIAL WORK BA – SOCIOLOGY
WILLIAMS, MICHAEL D. (W/M) 516 LEVENHALL DRIVE FAYETTEVILLE NC 28314 (919) 868-8443/987-1016 (C)	RETIRED INSURANCE AGENT	BS – BUSINESS ADMIN. ENROLLED FOR MBA- HEALTH CARE PROGRAM

JEANNETTE M. COUNCIL
Chairman

BILLY R. KING
Vice Chairman

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



MARIE COLGAN
Clerk to the Board

CANDICE WHITE
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

November 6, 2009

ITEM NO. 9A

November 16, 2009 Agenda Item

TO: Board of Commissioners
FROM: Candice H. White, Deputy Clerk *CW*
SUBJECT: Cape Fear River Assembly, Inc. (CFRA)

BACKGROUND: Following nomination by and at the written request of the CFRA Board of Directors, the Board of Commissioners at their November 2, 2009 meeting nominated **Juanita Pilgrim** to serve on the CFRA Board of Directors as a representative for Cumberland County. (See attached.)

PROPOSED ACTION: Make appointment to the Cape Fear River Assembly, Inc. Board of Directors.

Attachment

pc: James Martin, County Manager

Celebrating Our Past...Embracing Our Future

Cape Fear River Assembly, Inc.

P.O. Box 1089 • Fayetteville, NC 28302
Phone (910) 223-4601 • Fax (910) 486-9057
www.cfra-nc.org

October 15, 2009

Mr. James Martin
Cumberland County Manager
P.O. Box 1829
Fayetteville, NC 28302

Dear James:

Juanita Pilgrim was nominated by the Cape Fear River Assembly Board of Directors to represent Cumberland County on our Board. She and I have been friends for many, many years and were discussing this development recently. She expressed some concern about holding a "local elected official" seat on our Board and asked me to communicate with you about the issue.

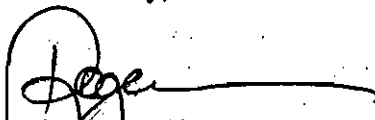
There are other local elected official seats on our Board that are held by representatives of single or groups of local governments. However, I appreciate Juanita's concern. After some thought, I offer the following for you to consider.

Would you approach your Board of Commissioners for an appointment to the CFRA Board of Directors? The term will run through the CFRA Annual Meeting in the Spring of 2012. The appointee may be one of your commissioners or an individual they select to represent them. The CFRA Board meets four times a year. Electronic meetings, phone call-ins, or proxies are options if travel hinders the presence of a quorum at one site.

If you so choose, I will attend the Commissioners' meeting for a brief overview of the CFRA prior to the appointment. As an alternative, our web site is www.cfra-nc.org, if you wish to visit it. I will accommodate your wishes.

Thank you for your consideration and time on this issue.

Sincerely,

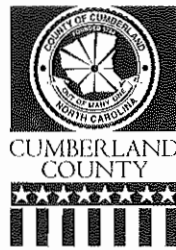


Roger E. Sheats, Jr.

JEANNETTE M. COUNCIL
Chairman

BILLY R. KING
Vice Chairman

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



MARIE COLGAN
Clerk to the Board

CANDICE WHITE
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

November 6, 2009

ITEM NO. 9B

November 16, 2009 Agenda Item

TO: Board of Commissioners
FROM: Candice H. White, Deputy Clerk *(initials)*
SUBJECT: Cumberland County Public Library Board of Trustees

BACKGROUND: On November 2, 2009, the Board of Commissioners nominated the following individuals to fill three (3) upcoming vacancies on the Cumberland County Public Library Board of Trustees:

Dr. Polly Davis (reappointment to serve second term)

Mary E. Thomas (reappointment to serve first full term)

Sara Vanderclute (new appointment)

I have attached a current membership list for this board.

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

Attachment

pc: Jody Risacher, Library Director

Celebrating Our Past... Embracing Our Future

LIBRARY BOARD OF TRUSTEES
3 Year Term

3/09

Name/Address	<u>Date</u> Appointed	Term	Expires	<u>Eligible For</u> Reappointment
Dr. Polly Davis (W/F) 2542 South Edgewater Drive Fayetteville, NC 28303-5202 484-5887/678-8322 (W)	09/06	1 st	Dec/09 12/31/09	Yes
Mary E. Thomas (B/F) 217 Cecil Avenue Spring Lake, NC 28390-2522 497-7574/436-0000 (W)	3/09 (serving an unexpired term)	1st	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 st	Dec/11 12/31/11	Yes
Maxine McCoy (W/F) 112 Hillside Avenue Fayetteville, NC 28301-4828 485-1944 (H)	11/06	2nd	Dec/09 12/31/09	No
Willie Wright (B/M) 196 Darrock Court Fayetteville, NC 28311-2914 822-6415/484-4156 (W)	10/07	1 st	Dec/10 12/31/10	Yes
Susan Walters (W/F) 4100 Yarborough Road Hope Mills, NC 28348-8924 483-1252 (H)	10/08	2 nd	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 nd	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

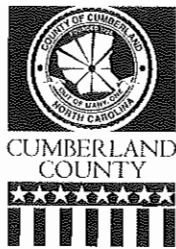
Contact: Jody Risacher, Library Director (or Wendy Fraser – 483-1580 x102)

Meeting Date: 3rd Thursday of each month at 9:05 AM; exception would be 2nd Thursday in December and no regularly scheduled meetings in July and August – Meeting locations are different libraries within the County

JEANNETTE M. COUNCIL
Chairman

BILLY R. KING
Vice Chairman

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



MARIE COLGAN
Clerk to the Board

CANDICE WHITE
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

November 6, 2009

ITEM NO. 9C

November 26, 2009 Agenda Item

TO: Board of Commissioners
FROM: Candice H. White, Deputy Clerk *cu*
SUBJECT: Minimum Housing Appeals Board

BACKGROUND: On November 2, 2009, the Board of Commissioners nominated the following individual to fill one (1) vacancy on the Minimum Housing Appeals Board.

Clayton O. Burris, Jr. (new appointment - currently serving as Alternate Member)

I have attached the current membership list for this Board.

PROPOSED ACTION: Appoint individual to fill the one (1) vacancy above.

Attachment

pc: Carol Post, Planning/Inspections Department

Celebrating Our Past...Embracing Our Future

MINIMUM HOUSING APPEALS BOARD
3 Year Staggered Terms

<u>Name/Address</u>	<u>Date Appointed</u>	<u>Term</u>	<u>Expires</u>	<u>Eligible For Reappointment</u>
Charles Lewis (B/M) 5104 Cannon Street, Apt C Fayetteville, NC 28303 238-2351/934-0050 (C)	10/07	1 st	Oct/10 10/31/10	Yes
I. J. McNeil(B/M) 821 Oakcrest Drive Fayetteville, NC 28301 822-3152/489-1119 (C)	10/06	2 nd	Oct/09 10/31/09	No
Linda J. Miller 5815 Cherrystone Drive Fayetteville, NC 28311 480-0063/822-7923 (W)/987-0289 (C)	10/07	1 st	Oct/10 10/31/10	Yes
Clyde V. Vaughan (W/M) 126 West Circle Court Fayetteville, NC 28301 822-4362	10/08	2 nd	Oct/11 10/31/11	No
John Williams (B/M) 7712 Guinevere Court Fayetteville, NC 28314 864-9536/875-5081(W)/476-2388 (C)	11/08	2 nd	Nov/11 11/30/11	No
<u>(Alternate Members)</u>				
Clayton O. Burris, Jr. (W/M) 2026 Forest Hills Drive Fayetteville, NC 28303 822-2800	10/07	1 st	Oct/10 10/31/10	Yes
Deborah Ann Dantzler (B/F) 421 Old Farm Road Fayetteville, NC 28314 487-2548/488-2120, ext. 7494(W)/308-2159 (C)	12/07	2 nd	Dec/10 12/31/10	No
Steve Hogan (W/M) 4585 Canasta Court Hope Mills, NC 28348 868-9807/797-1910 (W)	5/09 serving unexpired term	1 st	Oct/10 10/31/10	Yes

Minimum Housing Appeals Board, Page 2

<u>Name/Address</u>	<u>Date Appointed</u>	<u>Term</u>	<u>Expires</u>	<u>Eligible For Reappointment</u>
Louis L. King (W/M) 1004 Greenhouse Drive Hope Mills, NC 28348 425-3732/797-0260 (C)	12/08	2 nd	Dec/11 12/31/11	No
Geri T. Hasapis (-/F) 356 Edinburg Drive Fayetteville, NC 28303 864-7433/497-8830	10/08	1 st	Oct/11 10/31/11	Yes

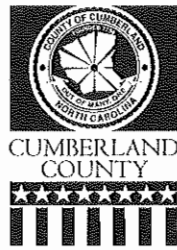
Meetings: Quarterly - Second Tuesday of the first month of each quarter per calendar year -
(January, April, July, October)
Historic Cumberland County Courthouse, 130 Gillespie St., Hearing Room 3, 6:30 PM

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

JEANNETTE M. COUNCIL
Chairman

BILLY R. KING
Vice Chairman

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



MARIE COLGAN
Clerk to the Board

CANDICE WHITE
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

November 6, 2009

ITEM NO. 90

November 26, 2009 Agenda Item

TO: Board of Commissioners
FROM: Candice H. White, Deputy Clerk *cu*
SUBJECT: Nursing Home Advisory Board

BACKGROUND: On November 2, 2009, the Board of Commissioners nominated the following individual to fill one (1) vacancy on the Nursing Home Advisory Board for an initial term:

Tolulope Adeyemi (new appointment)

I have attached the current membership list for this board.

PROPOSED ACTION: Appoint individual to fill the one (1) vacancy above.

Attachment

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 st	April/10 4/30/10	Yes
Tom Lloyd (W/M) 1306 Berkshire Road Fayetteville, NC 28305 574-3177/678-7618(W)	8/08	1 st	Aug/11 8/31/11	Yes
Martha McKoy P.O. Box 42152 Fayetteville, NC 28309 423-0771	9/08	2 nd	Sept/11 9/30/11	No
Dr. John Briggs (W/M) 2910 Hybart Street Fayetteville, NC 28303 867-1493	2/09	1 st	Feb/12 2/28/12	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)	2/09	2 nd	Feb/12 2/28/12	No
Clyde E. Hammond (W/M) 1802 Flintshire Road Fayetteville, NC 28304 425-2774	08/08	1 st	Aug/11 8/31/11	Yes
Cenitra McLaughlin (B/F) 6220 Birchbrook Drive Hope Mills, NC 28348 868-4966/229-6441	04/09	Initial	Apr/10 4/30/10	Yes
Toney Edwards (B/M) 3622 Clearwater Drive Fayetteville, NC 28311 822-4261/864-6262	1/09	1 st	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>
Robin Paul (B/F) - RESIGNED 363 Kimberwicke Drive Fayetteville, NC 28311 424-2278/237-2829	4/09	Initial	Apr/10 4/30/10	Yes
Cassandra White Haire (B/F) 515 Albany Street Fayetteville, NC 28301 728-0175 (C)	4/09	Initial	Apr/10 4/30/10	Yes

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

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

JEANNETTE M. COUNCIL
Chairman

BILLY R. KING
Vice Chairman

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



MARIE COLGAN
Clerk to the Board

CANDICE WHITE
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

November 6, 2009

ITEM NO. 9E

November 16, 2009 Agenda Item

TO: Board of Commissioners

FROM: Candice H. White, Deputy Clerk *cu*

SUBJECT: Tourism Development Authority – Appointment of Chairman

BACKGROUND: Pursuant to the resolution creating the Tourism Development Authority, the Board of Commissioners shall designate the chairperson of the authority. (The resolution does not limit the number of times the chairperson may serve as the presiding officer of the authority.)

The Tourism Development Authority at their October 28, 2009 meeting voted to recommend that **Vivek Tandon** continue as Chairperson for another year. Mr. Tandon's first term as a member of the authority will expire on March 31, 2010.

I have attached the current membership list for the authority

ACTION: Consider appointment of Vivek Tandon to serve as chairperson of the Tourism Development Authority.

Attachment

Celebrating Our Past... Embracing Our Future

TOURISM DEVELOPMENT AUTHORITY
3 Year Terms

4/09

<u>Name/Address</u>	<u>Date Appointed</u>	<u>Term</u>	<u>Expires</u>	<u>Eligible For Reappointment</u>
<u>Commissioner Appointees:</u>				
<u>Hotel/Motels under 100 rooms Representatives:</u>				
Daniel E. Roberts 4182 Sycamore Dairy Road Fayetteville, NC 28303 426-1416/826-9200 (W)	4/07	1 st	April/10 4/30/10	Yes
William S. Wellons, Jr. 406 Overton Place Fayetteville, NC 28303 868-5425/436-3131 (W)	4/09	1 st	August/10 8/31/10	Yes
<u>Hotel/Motel over 100 rooms Representatives:</u>				
Vivek Tandon (A/M) 2857 Skye Drive Fayetteville, NC 28303 323-9070/436-1900(W)	4/07	1 st	March/10 3/31/10	Yes
Sue Wooster (W/F) 2514 Pecan Drive Fayetteville, NC 28303 425-8942/323-0011 (W)	3/08	1 st	March/11 3/31/11	Yes
<u>Member of the Public Not Affiliated with Travel/Tourism</u>				
Patricia Bush-McManus (B/F) 3472 Thorndike Drive Fayetteville, NC 28311 488-1314/484-6839(W)	3/08	1 st	March/11 3/31/11	Yes

Others:

President of the Fayetteville-Cumberland County Chamber of Commerce (ex officio)

Doug Peters
Fayetteville-Cumberland County Chamber of Commerce
P.O. Box 9
Fayetteville, NC 28302

Cumberland County Manager (ex officio)

James Martin
P.O. Box 1829
Fayetteville, NC 28302

Authority was created by the Board of Commissioners on January 28, 2002.

Board was appointed on March 11, 2002.

Meetings: Quarterly – 4th Wednesday – 8:00 AM – Room 564