
AGENDA
CUMBERLAND COUNTY BOARD OF COMMISSIONERS
COURTHOUSE – ROOM 118
OCTOBER 19, 2009
6:45 PM

INVOCATION - Commissioner Billy King, Vice-Chairman

PLEDGE OF ALLEGIANCE – Keri Small, 4th Grade, Howard Hall Classical School

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

1. Approval of Agenda

2. Consent Agenda
 - A. Approval of minutes for the October 5, 2009 regular meeting and October 5, 2009 special meeting.
 - B. Approval of Proposed Additions to the State Secondary Road System:

Baywood South Subdivision: Bobby Jones Drive, Ping Court, Mid Iron Court
Divot Place, Titleist Drive
 - C. Approval of Sale of Surplus County-Owned Real Property Acquired by Tax Foreclosure – PIN 0447-61-7142.
 - D. Approval of Setting a Public Hearing for Brooklyn Circle Preliminary Assessment Resolution.
 - E. Approval of Ordinance Assessing Property for the Costs of Demolition of a structure Pursuant to the Minimum Housing Code of Cumberland County at 4008 Limestone Street, PIN 0469-45-2433.
 - F. Approval of Budget Revision for Energy Efficiency and Conservation Block Grant Program (EECBG).
 - G. Approval of a Proclamation Recognizing October 27, 2009 as “F.E.E.D. Fayetteville Day” in Cumberland County.

H. Budget Revisions:

(1) Health

- a. NC Bioterrorism Preparedness and Response - Revision in the amount of \$5,477 to budget local match as in-kind. (B10-095) **Funding Source –In-Kind**
- b. NC Bioterrorism Response Team – Revision in the amount of \$65,665 to reconcile the County Budget with the State budget. (B10-143) **Funding Source – State**
- c. Immunization Clinic – Revision in the amount of \$7,000 to budget additional State funding. (B10-142) **Funding Source - State**

(2) Workforce Development

- a. WIA 70% Youth - Revision in the amount of \$177,073 to budget carryover funds of \$138,209 from the prior year and to recognize \$55,656 of additional funds for the youth program. (B10-144) **Funding Source – Federal**
- b. WIA 70% Youth Stimulus – Revision in the amount of \$4,982 to budget carryover funds from the prior year. (B10-145) **Funding Source – Federal**
- c. WIA 30% Youth Stimulus – Revision in the amount of \$1,341 to budget a reduction in the carryover funds from the prior year. (B10-146) **Funding Source – Federal**
- d. WIA 30% Youth – Revision in the amount of \$20,723 to budget carryover funds of \$4,066 from the prior year and to recognize \$16,657 of additional funds for the youth program. (B10-147) **Funding Source – Federal**

(3) Sheriff's Training Facility/Federal Drug Forfeiture Fund

Revision to appropriate unexpended fund balance of \$270,000 from the Sheriff's Training Facility Capital Project budget and transfer the funds to the Sheriff's Federal Drug Forfeiture Fund. (B10-150 & B10-150A) **Funding Source – Federal Drug Forfeiture Funds**

3. Public Hearings

- A. Public Hearing on the Proposed Establishment of the Grays Creek Water & Sewer District and Adoption of a Resolution to Create the Said District.
- B. Public Hearing for Economic Development Incentives for the Bellagio Project by 4200 Investments, LLC.
- C. Public Hearing on Request to Close a Portion of Deaver Circle.
- D. Public Hearing on Request to Close a Portion of Spruce Street.

Uncontested Cases

Rezoning

- E. Case P09-39. Rezoning of .39+/- acres from C1(P) Planned Local Business to C(P) Planned Commercial or to a more restrictive zoning district; located on the west side of SR 1149 (Boone Trail), south of SR 1145 (Piedmont Avenue) submitted and owned by Gladys A. Blanton.
- F. Case P09-42. Rezoning of 13.53+/- acres from RR Rural Residential and CD Conservancy District to R7.5 Residential or to a more restrictive zoning district, located on the north side of SR1003 (Camden Road) and the east side of the Hoke County Line, submitted and owned by Johnny Beasley and Billy E. Dees.

Minimum Housing Code Enforcement

- G. Case Number: MH 5939-2009
Property Owner: Oscar M. Warren Life Estate
Property Location: 5550 Leitha Lane, Dunn, NC (Cumberland County)
Parcel Identification No: 1503-02-2235
- H. Case Number: MH 5934-2009
Property Owner: Oscar M. Warren Life Estate
Property Location: 5541 Leitha Lane, Dunn, NC (Cumberland County)
Parcel Identification No: 1503-02-2761
- I. Case Numbers: MH 5954, 5955 and 5956-2009
Property Owner: Annie Jane Eason
Property Location: 5555, 5559 and Lot between 5555 & 5559 Leitha Lane, Dunn, NC
Parcel Identification No: 1503-02-4628

- | | | |
|----|---------------------------|--|
| J. | Case Number: | MH5736-2008 |
| | Property Owner: | Lula Rozier |
| | Mobile Home Owner: | Jesse Modlin & Stephanie Swinton |
| | Property Location: | 375 Chapel Hill Road, Spring Lake, NC |
| | Parcel Identification No: | 0502-82-4186 |
| K. | Case Number: | MH 5737-2008 |
| | Property Owners: | Lula Rozier |
| | Property Location: | Unit 1 (lot to front & side of) 375 Chapel Hill Road,
Spring Lake, NC |
| | Parcel Identification No: | 0502-82-4186 |
| L. | Case Number: | MH 5742-2008 |
| | Property Owner: | Ralph & Mae Bell Bonner, c/o Ralph W. Bonner, Jr. |
| | Property Location: | 1207 Yancy Court, Spring Lake, NC |
| | Parcel Identification No: | 0502-81-6406 |
| M. | Case Number: | MH5743-2008 |
| | Property Owner: | Ralph & Mae Bell Bonner, c/o Ralph W. Bonner, Jr. |
| | Property Location: | 1201 Yancy Court, Spring Lake, NC |
| | Parcel Identification No: | 0502-81-6472 |
| N. | Case Number: | MH5725-2008 |
| | Property Owner: | Martha Freeman |
| | Property Location: | 1646 Shaw Road, Fayetteville, NC |
| | Parcel Identification No: | 0429-05-1771 |

Items of Business

4. Consideration of Interlocal Agreement with Town of Spring Lake for Dispatch Services.
5. Consideration of Bid Award for Water Line Extension on Cedar Creek Road.
6. Nominations to Boards and Committees
 - A. Community Child Protection Fatality Prevention Team (2 Vacancies)
 - B. Cumberland County Finance Corporation and Cumberland County Industrial Facilities and Pollution Control Financing Authority (1 Vacancy)
 - C. Cumberland County Local Emergency Planning Committee (1 Vacancy)
 - D. Nursing Home Advisory Board (1 Vacancy)
 - E. Transportation Advisory Board (6 Vacancies)

7. Appointments to Boards and Committees

A. Human Relations Commission (1 Vacancy

Nominee: Cornelius Williams (Reappointment)

8. Closed Session: A. Economic Development Matter(s)
Pursuant to NCGS 143-318.11(a)(4).

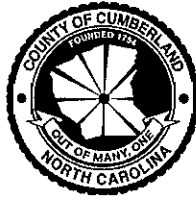
ADJOURN

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

**MEETINGS: November 2, 2009 (Monday) - 9:00 AM
November 16, 2009 (Monday) – 6:45 PM**

JAMES E. MARTIN
County Manager

JUANITA PILGRIM
Deputy County Manager



ITEM NO. 2B


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 OCTOBER 19, 2009

TO: BOARD OF COUNTY COMMISSIONERS

FROM: JAMES E. MARTIN, COUNTY MANAGER 

DATE: OCTOBER 8, 2009

SUBJECT: PROPOSED ADDITIONS TO THE STATE SECONDARY ROAD SYSTEM

BACKGROUND

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

Baywood South Subdivision: Bobby Jones Drive, Ping Court, Mid Iron Court
Divot Place, Titleist Drive

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

RECOMMENDATION

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

PROPOSED ACTION

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

/ct
Attachments

Celebrating Our Past...Embracing Our Future



STATE OF NORTH CAROLINA
DEPARTMENT OF TRANSPORTATION

BEVERLY EAVES PERDUE
GOVERNOR

EUGENE A. CONTI, JR.
SECRETARY

October 1, 2009

Division Six - District Two
Cumberland County

Dr. Jeannette Council, Chairman
Cumberland County Board of Commissioners
Post Office Box 1829
Fayetteville, North Carolina 28302

Subject: Secondary Road Addition

Dear Dr. Council,

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

Baywood South Subdivision

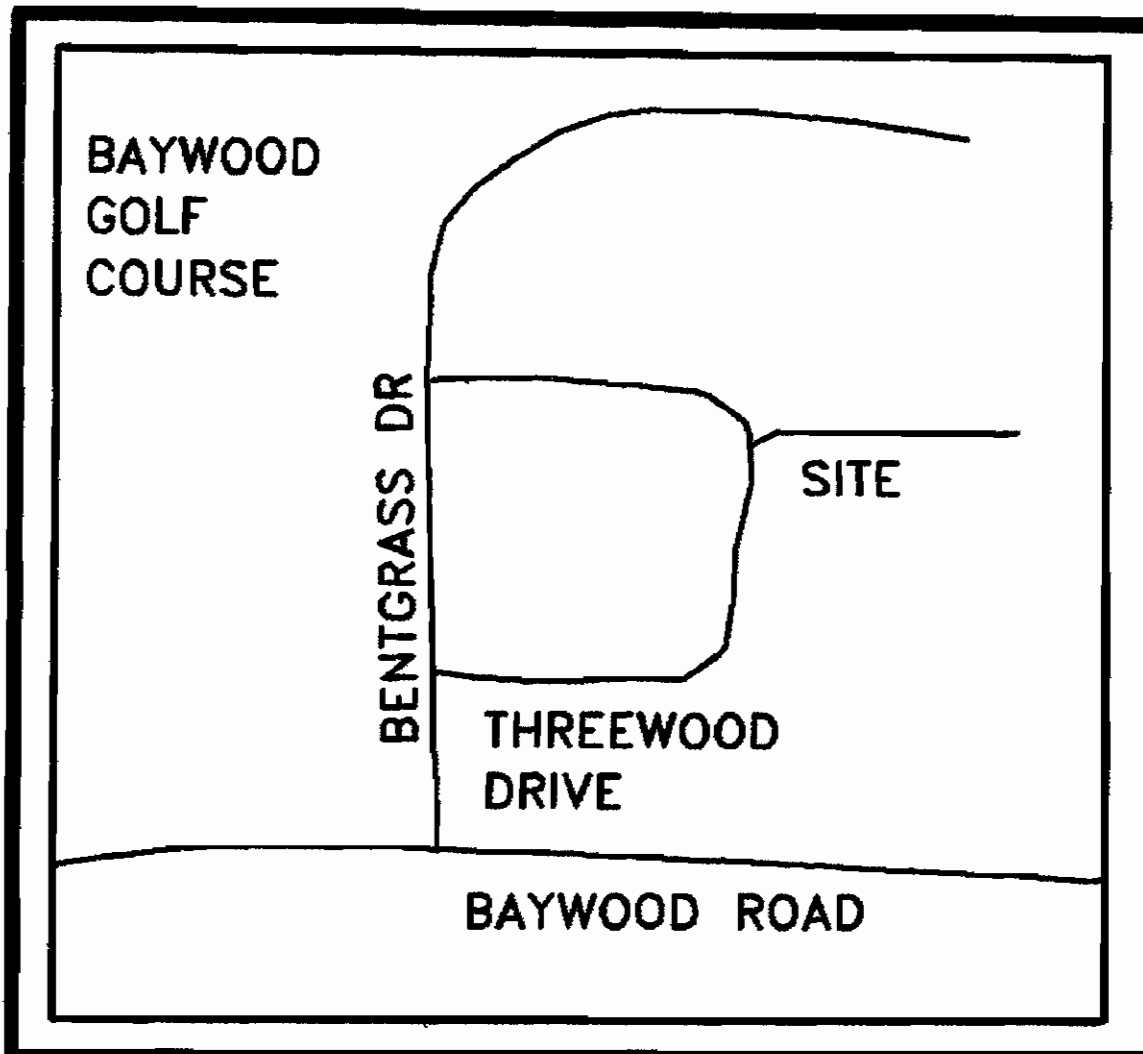
- Bobby Jones Drive
- Ping Court
- Mid Iron Court
- Divot Place
- Titleist Drive

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

Sincerely,

A handwritten signature in cursive script, reading "David Plummer".

David Plummer
Transportation Tech. IV



VICINITY MAP
(NOT TO SCALE)

CURVE
C-1
C-2
C-3
C-46
C-47
C-48
C-49
C-50
C-51
C-52
C-53
C-54
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C-60
C-61
C-62
C-63
C-64



ITEM NO. 2C

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

September 28, 2009

MEMORANDUM FOR BOARD OF COMMISSIONERS' OCTOBER 19, 2009 AGENDA:

TO: BOARD OF COMMISSIONERS

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

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

IMP S/50 FT LOT 15 BOWEN SUB; 117 N. PLYMOUTH STREET
(LOCATED ON N. PLYMOUTH ST. OFF CLINTON RD.)
PIN 0447-61-7142; EASTOVER TOWNSHIP

BACKGROUND: On or about September 29, 2008, the County acquired by tax foreclosure the above property. The amount currently owed on the foreclosure judgment including interest and cost for the property is \$3,045.10.

Bobby Brock was the last and highest bidder offering to purchase the County's interest in the property for **\$4,053.03** and has deposited \$405.30 in the Finance Office. The tax value of the property is \$9,097.00.

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

RECOMMENDATION AND PROPOSED ACTION: That the Board of Commissioners consider whether to accept the offer of Bobby Brock to purchase the above property for the sum of **\$4,053.03**, plus costs, and authorize the Chairman to execute a deed upon receipt of the balance of the purchase price.

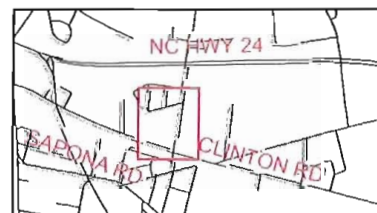
HWR/hnw
Attachment

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0447-61-7142

0 50 100 200 300 400
Feet





PUBLIC UTILITIES DEPARTMENT

Historic Courthouse, 130 Gillespie Street • P.O. Box 1829 • Fayetteville, North Carolina 28302-1829
Telephone (910) 678-7637 • Fax (910) 678-7635


THOMAS B. COONEY III, P.E.

Public Utilities Director

MEMORANDUM

TO: BOARD OF COMMISSIONERS

FROM: TOM COONEY, DIRECTOR

THROUGH: JAMES MARTIN, COUNTY MANAGER 

DATE: OCTOBER 9, 2009

SUBJECT: APPROVAL OF SETTING A PUBLIC HEARING FOR BROOKLYN CIRCLE PRELIMINARY ASSESSMENT RESOLUTION

BACKGROUND

Several properties on Brooklyn Circle have experienced contamination in their water supply that has resulted in the need for a potable water line extension to serve this street. North Carolina State Statutes require that a Public Hearing be held by the Board of Commissioners to receive comments for this project.

RECOMMENDATION

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

1. Adopt the Preliminary Special Assessment Resolution for Brooklyn Circle.
2. Set a Public Hearing for November 16, 2009 at 6:45 pm at the regularly scheduled meeting of the Board of Commissioners.

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 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. 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, Chairman
Board of County Commissioners

ATTEST

BY: _____
MARIE COLGAN, Clerk

JAMES E. MARTIN
County Manager

JUANITA PILGRIM
Deputy County Manager



ITEM NO. 2E

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 OCTOBER 19, 2009

TO: BOARD OF COUNTY COMMISSIONERS
FROM: JAMES E. MARTIN, COUNTY MANAGER
DATE: OCTOBER 9, 2009
**SUBJECT: APPROVAL OF ORDINANCE ASSESSING
PROPERTY FOR THE COST OF DEMOLITION**

BACKGROUND

On November 15, 2008, the Board of County Commissioners enacted an ordinance directing that the structure(s) located at 4008 Limestone Street, Eastover, NC (PIN: 0469-45-2433) be demolished by the owner(s), Joseph E. Hall and Patricia Hall. The owner(s) failed to comply with the demolition order within the specified time period and, accordingly, the Minimum Housing Inspector had the structure demolished as required by the ordinance at a cost of \$1,500.

In accordance with the requirements of the Demolition Ordinance and the authority granted by G.S. 160-A-443(6), the cost of the demolitions shall be assessed to the properties and shall constitute a lien against the properties upon which the costs were incurred.

RECOMMENDATION/PROPOSED ACTION

Adopt the attached ordinance assessing the abovementioned properties for the cost of demolition.

/ct

CM100909-2

Celebrating Our Past...Embracing Our Future

ORDINANCE ASSESSING PROPERTY FOR THE COSTS
OF DEMOLITION OF A STRUCTURE PURSUANT TO
THE MINIMUM HOUSING CODE OF CUMBERLAND COUNTY

WHEREAS, the Board of County Commissioners of Cumberland County, North Carolina, on December 15, 2008, enacted an ordinance directing the demolition by the owner(s) of the structure(s), Joseph E. Hall & Patricia Hall, located at 4008 Limestone Street, Eastover, NC, PIN: 0469-45-2433, said ordinance being recorded in Book 8046, page 292, of the Cumberland County Registry of Deeds;

WHEREAS, the time within which said demolition was to be performed has expired and the owner(s) failed to comply with the ordinance within such period; and

WHEREAS, the said ordinance further directed the Minimum Housing Inspector to effect the demolition of the structure(s) in the event the owner(s) failed to do so;

WHEREAS, the Minimum Housing Inspector has reported to this Board that:

- (1) Said work had been accomplished.
- (2) The cost of such work was \$1,500.00.
- (3) There were no salable materials resulting from said work.

NOW THEREFORE, the above report coming on to be considered and the Board of County Commissioners finding it to be a true and accurate accounting, the said Board hereby ORDAINS:

(1) That the real property on which the work was performed be, and it hereby is, assessed in the amount of \$1,500.00, said sum being the unpaid balance of the cost of the work set forth in the Inspector's Report;

(2) That as provided in the Ordinance of Cumberland County dated December 15, 2008, and in Section 160A-443(6) of the General Statutes of North Carolina, the amount of the foregoing assessment be, and hereby does constitute, a lien against the real property upon which such costs were incurred, such property being more particularly described as follows:

The structure and premises located at 4008 Limestone Street, Eastover, NC, as described in Deed Book 4781, page 457, of the Cumberland County Registry and identified in County tax records as PIN 0469-45-2433.

(3) That as further provided in Section 160A-443(6) of the General Statutes of North Carolina, such lien shall be filed, have the same priority, and be collected as the lien for special assessment provided in Article 10 of Chapter 160A of said General Statutes;

(4) That one copy of this resolution be filed in the minutes of this Board of County Commissioners and another copy certified and delivered by the Clerk as a charge to the Tax Collector, who shall thereupon enter the amount of the assessment set forth above upon the Tax Books of the County as a special assessment against the above described property.

* * * * *

I certify that the foregoing Ordinance was adopted and ordered by the Board of Commissioners of Cumberland County, North Carolina, this 21st day of September, 2009, at 6:45 p.m. o'clock.

Cumberland County Clerk

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

October 12, 2009

MEMORANDUM

TO: BOARD OF COUNTY COMMISSIONERS

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

THROUGH: AMY H. CANNON, ASSISTANT COUNTY MANAGER

SUBJECT: APPROVAL OF BUDGET REVISION FOR ENERGY EFFICIENCY AND CONSERVATION BLOCK GRANT PROGRAM (EECBG)

BACKGROUND

Cumberland County recently received approval of our EECBG application from The US Department of Energy. Attached is a copy of the Assistance Agreement. The amount of the grant award is \$590,700.00 of which the amount of funds obligated are \$50,000.00. The funds obligated are for the initial work activity of the project which is to conduct energy audits of select County facilities. Attached is the budget revision to authorize funding for the EECBG project.

RECOMMENDATION/PROPOSED ACTION

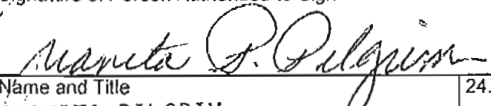
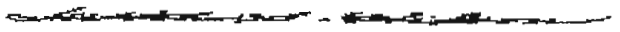
The recommendation of the County Engineer and management is to approve the attached budget revision that establishes the EECBG project budget.

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

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NOT SPECIFIED /OTHER

ASSISTANCE AGREEMENT

1. Award No. DE-SC0002691		2. Modification No.	3. Effective Date 09/28/2009	4. CFDA No. 81.128
5. Awarded To COUNTY OF CUMBERLAND Attn: JUANITA PILGRIM P O BOX 1829 FAYETTEVILLE NC 283021829		6. Sponsoring Office EERE (FORS) U.S. Department of Energy Office of Energy Efficiency & Renew Forrestal Building 1000 Independence Avenue, SW Washington DC 20585		7. Period of Performance 09/28/2009 through 09/27/2012
8. Type of Agreement <input checked="" type="checkbox"/> Grant <input type="checkbox"/> Cooperative Agreement <input type="checkbox"/> Other	9. Authority Energy Independence and Security Act (EISA) of 2007		10. Purchase Request or Funding Document No. 09SC005111	
11. Remittance Address COUNTY OF CUMBERLAND Attn: JUANITA PILGRIM P O BOX 1829 FAYETTEVILLE NC 283021829		12. Total Amount Govt. Share: \$590,700.00 Cost Share : \$0.00 Total : \$590,700.00		13. Funds Obligated This action: \$50,000.00 Total : \$50,000.00
14. Principal Investigator JUANITA PILGRIM, 910-678-7726		15. Program Manager Martha J. Kass Phone: 865-576-0717		16. Administrator Oak Ridge U.S. Department of Energy P.O. Box 2001 Oak Ridge TN 37831
17. Submit Payment Requests To OR for Oak Ridge/OSTI U.S. Department of Energy Oak Ridge Office Oak Ridge Financial Service Center P.O. Box 6017 Oak Ridge TN 37831		18. Paying Office		19. Submit Reports To See Reporting Requirements Checklist
20. Accounting and Appropriation Data Block Grants				
21. Research Title and/or Description of Project EECBG - COUNTY OF CUMBERLAND, NC				
For the Recipient		For the United States of America		
22. Signature of Person Authorized to Sign 		25. Signature of Grants/Agreements Officer 		
23. Name and Title JUANITA PILGRIM DEPUTY COUNTY MANAGER		24. Date Signed 9/23/09	26. Name of Officer JUDITH S. WILSON	27. Date Signed 09/22/2009

NOT SPECIFIED /OTHER

NOT SPECIFIED /OTHER

CONTINUATION SHEET

REFERENCE NO. OF DOCUMENT BEING CONTINUED
DE-SC0002691PAGE OF
2 2NAME OF OFFEROR OR CONTRACTOR
COUNTY OF CUMBERLAND

ITEM NO. (A)	SUPPLIES/SERVICES (B)	QUANTITY (C)	UNIT (D)	UNIT PRICE (E)	AMOUNT (F)
	<p>DUNS Number: 088571690</p> <p>TAS::89 0331::TAS Recovery Recovery Act Block Grant for ARRA Funding. New award for County of Cumberland, NC.</p> <p>ASAP: Yes Extent Competed: NOT AVAIL FOR COMP</p> <p>Delivery Location Code: 00522</p> <p>Oak Ridge Office</p> <p>U.S. Department of Energy</p> <p>Oak Ridge Office</p> <p>230 Warehouse Road</p> <p>Oak Ridge TN 37830</p> <p>Payment:</p> <p>OR for Oak Ridge/OSTI</p> <p>U.S. Department of Energy</p> <p>Oak Ridge Financial Service Center</p> <p>P.O. Box 6017</p> <p>Oak Ridge TN 37831</p> <p>Fund: 05796 Appr Year: 2009 Allottee: 30 Report</p> <p>Entity: 471999 Object Class: 41000 Program:</p> <p>1005115 Project: 2004350 WFO: 0000000 Local Use:</p> <p>0000000 TAS Agency: 89 TAS Account: 0331</p>				

NOT SPECIFIED /OTHER

July 2004

**COUNTY OF CUMBERLAND
BUDGET REVISION REQUEST**

Budget Office Use	
Budget Revision No.	B10-149
Date Received	10/13/2009
Date Completed	

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

Organization Name: General Government Other

REVENUE

Revenue Source Code	Description	Current Budget	Increase (Decrease)	Revised Budget
4032	ARRA Energy Efficiency & Conservation Grant	0	590,700	590,700
Total		0	590,700	590,700

EXPENDITURES

Object Code	Appr Unit	Description	Current Budget	Increase (Decrease)	Revised Budget
4532	092	ARRA Energy Efficiency & Conservation Grant	0	590,700	590,700
Total			0	590,700	590,700

Justification:

Revision to budget ARRA Energy Efficiency and Conservation Block Grant award in the amount of \$590,700 from the U.S. Department of Energy. The grant does not require a local match. The grant period is from September 28, 2009 to September 27, 2012 and funding will be made available in separate allocations totaling \$590,700. The initial allocation is \$50,000.

Funding Source:

State: _____
Other: _____

Federal: 590,700
Fees: _____

Fund Balance:

County: _____ New: _____
Prior Year: _____

Other: _____

Submitted By: _____
Department Head

Date: _____

Reviewed By: Bob Tucker
Finance Department

Date: 10/13/09

Reviewed By: Amy Cannon
Assistant County Mgr

Date: 10/14/09

Approved By:

County Manager

Board of County
Commissioners

Date: _____

Date: _____



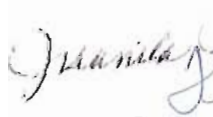
ITEM NO. 26

COMMUNITY DEVELOPMENT

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

MEMORANDUM FOR BOARD OF COMMISSIONERS AGENDA
OCTOBER 19, 2009

TO: BOARD OF COUNTY COMMISSIONERS

THRU: JUANITA PILGRIM, DEPUTY COUNTY MANAGER 

FROM: THANENA S. WILSON, COMMUNITY DEVELOPMENT DIRECTOR

DATE: OCTOBER 6, 2009

**SUBJECT: PROCLAMATION RECOGNIZING OCTOBER 27TH AS
F.E.E.D. FAYETTEVILLE DAY**

BACKGROUND

Tuesday, October 27th marks the 8th annual F.E.E.D. Fayetteville (Faith Community Enjoying Evolved Human Development) event. F.E.E.D. Fayetteville is a project under the auspices of the Fayetteville-Cumberland Human Relations Commission. The event is an initiative that was launched out of the Communities of Faith Dialogue meetings, which originated from the Commission's Study Circles Program.

F.E.E.D Fayetteville is an effort to bring people of the different faith communities face to face to work together helping those in need. For the event, a number of area churches, faith groups, and local health and human services providers will come together to provide food, clothing including outdoor winter wear, blankets and toiletry items, health screenings, as well as other needed information and services.

Through the experience of working with people from different religions, creeds, races, socio-economic backgrounds, national origins, ages, and those physically or mentally challenged, our hope is that individuals will overcome the many prejudices, biases and fears that permeate our society.

RECOMMENDATION AND PROPOSED ACTION

The Fayetteville-Cumberland Human Relations Department, through Cumberland County Community Development, recommends that the Board of Commissioners recognize **October 27, 2009 as F.E.E.D. Fayetteville Day.**

Attachment - Proclamation

Celebrating Our Past...Embracing Our Future

**F.E.E.D. FAYETTEVILLE DAY
PROCLAMATION**

Whereas, the mission of the Human Relations Commission is to facilitate and advocate programs, projects and actions to promote a better quality of life and ensure the civil and human rights of all citizens without regard to sex, religion, creed, national origin, age, familial status or handicap; AND

Whereas, the F.E.E.D. (Faith Communities Enjoying Evolved Human Development) Fayetteville Outreach Event (hereinafter "F.E.E.D. Fayetteville") was established in 2001 as an initiative of the Human Relations Commission's Faith Dialogue Committee; AND

Whereas, the purpose of F.E.E.D. Fayetteville is to provide a mass community service event whereby homeless and disadvantaged residents of the Fayetteville-Cumberland County community will receive food, clothing, and other information and services; AND

Whereas, the U.S. Department of Veteran Affairs, Veteran Administration Medical Center of Fayetteville, has partnered with the F.E.E.D. Fayetteville Committee by combining its Homeless Stand Down with F.E.E.D. Fayetteville to provide needed services for veterans; AND

Whereas, we join all citizens of Fayetteville and Cumberland County in recognizing the impact the Fayetteville-Cumberland Human Relations Commission's Faith Dialogue Committee, the F.E.E.D. Fayetteville Committee, and the Fayetteville Veterans Administration Medical Center have made in providing for citizens in need in our community.

Now, Therefore I, Dr. Jeannette M. Council, by virtue of the authority vested in me as Chairman of the Cumberland County Board of Commissioners, do hereby proclaim:

**October 27, 2009 as
F.E.E.D. Fayetteville Day**

In Witness Whereof, I have hereunto set my hand and caused the seal of Cumberland County, North Carolina to be affixed this 19th day of October, 2009.

Dr. Jeannette M. Council, Chairwoman

COUNTY OF CUMBERLAND
BUDGET REVISION REQUEST

Budget Office Use	
Budget Revision No.	<u>B10-095</u>
Date Received	<u>10-9-09</u>
Date Completed	

Fund No. 101 Agency No. 431 Organ. No. 432B
Organization Name: N.C. BIOTERRORISM PREPAREDNESS AND RESPONSE

ITEM NO. 24(1)a

REVENUE

Revenue Source Code	Description	Current Budget	Increase (Decrease)	Revised Budget
<u>604A</u>	BIOTERRORISM PREPAREDNESS IN - KIND	0	5,477	5,477
Total		0	5,477	5,477

EXPENDITURES

Object Code	APRs Unit	Description	Current Budget	Increase (Decrease)	Revised Budget
<u>350W</u>	199	BIOTERRORISM PREPAREDNESS IN - KIND	0	5,477	5,477
Total			0	5,477	5,477

Justification:

THIS BUDGET REVISION REQUESTS TO BUDGET FOR THE REQUIRED LOCAL MATCHING PORTION ASSOCIATED WITH THIS PROGRAM.

State: _____ Federal: _____ Fund Balance: _____
Other: 5,477 Fees: _____ County: _____ Prior Year: _____ Other: _____

Submitted By: [Signature] Date: 10-9-09
Reviewed By: [Signature] Date: 10-9-09
Reviewed By: [Signature] Date: 10/14/09
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.	<u>B10-143</u>
Date Received	<u>10-7-09</u>
Date Completed	

Fund No. 101 Agency No. 431 Organ. No. 4308
 Organization Name: N.C. BIOTERRORISM RESPONSE TEAM

ITEM NO. 24(1)b

REVENUE

Revenue Source Code	Description	Current Budget	Increase (Decrease)	Revised Budget
4187	NC BIOTERRORISM RESPONSE TEAM	80,000	82,001	162,001
4188	NC BIOTERRORISM RESPONSE TEAM	380,648	(16,336)	364,312
Total		460,648	65,665	526,313

EXPENDITURES

Object Code	APRs Unit	Description	Current Budget	Increase (Decrease)	Revised Budget
3419	166	MISCELLANEOUS EXPENSE	250	21,888	22,138
3470	166	TRAVEL	44,733	21,888	66,621
3474	166	TRAINING	10,000	21,889	31,889
Total			54,983	65,665	120,648

Justification:

THIS BUDGET REVISION REQUESTS TO RECONCILE THE STATE AND COUNTY BUDGETS.

Fund Balance: _____
 State: 65,665 Federal: _____ County: _____
 Other: _____ Fees: _____ Prior Year: _____ Other: _____

Submitted By: [Signature] Date: _____
 Department Head
 Reviewed By: [Signature] Date: 10-7-09
 Budget Analyst
 Reviewed By: [Signature] Date: 10/14/09
 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>810-142</u>
Date Received	<u>10-8-09</u>
Date Completed	

Fund No. 101 Agency No. 431 Organ. No. 4311
 Organization Name: IMMUNIZATION CLINIC

ITEM NO. 2 H(1)c

REVENUE

Revenue Source Code	Description	Current Budget	Increase (Decrease)	Revised Budget
4100	NC HEALTH SERVICES	0	7,000	7,000
Total		0	7,000	7,000

EXPENDITURES

Object Code	APRs Unit	Description	Current Budget	Increase (Decrease)	Revised Budget
3419	173	Miscellaneous	0	7,000	7,000
Total			0	7,000	7,000

Justification:

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

State: 7,000 Federal: _____ Fund Balance: _____ County: _____ Other: _____
 Other: _____ Fees: _____ Prior Year: _____

Submitted By: [Signature] Date: 10-6-09
 Department Head
 Reviewed By: [Signature] Date: 10-7-09
 Budget Analyst
 Reviewed By: [Signature] Date: 10/14/09
 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.	<u>B10-144</u>
Date Received	<u>10.13.09</u>
Date Completed	

Fund No. 133 Agency No. 450 Organ. No. 4539
 Organization Name: WIA Youth 70% In-School Youth Program

ITEM NO.	<u>2 H(2)a</u>
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PAGE 1 OF 1

REVENUE

Revenue Source Code	Description	Current Budget	Increase (Decrease)	Revised Budget
453B	WIA In-School Youth Program	331,976	177,073	509,049
Total		331,976	177,073	509,049

EXPENDITURES

Object Code	Appr Unit	Description	Current Budget	Increase (Decrease)	Revised Budget
1210	612	Salaries Regular	133,247	18,321	151,568
1220	612	Overtime Pay	-	3	3
1262	612	Salary Seasonal	67,312	43,963	111,275
1810	612	FICA	10,272	10,994	21,266
1830	612	Medical	21,330	(7,330)	14,000
3388	613	Staff Support	-	45,900	45,900
3420	613	Insurance and Bonds	2,000	15,159	17,159
3440	613	Postage	-	50	50
3460	613	Rent	8,615	(8,615)	-
3492	613	Operating	-	58,628	58,628
Total			242,776	177,073	419,849

Justification:

This budget revision allocates \$138,209 of FY2009 carry over funds and an additional \$55,656 in FY10 anticipated appropriation from the State of North Carolina. These funds will be utilize to serve additional youth through the year-around and the summer youth programs.

Funding Source:

State: 100%
 Other: _____

Fund Balance:

Federal: _____
 Fees: _____

County: _____

New: _____

Prior Year: _____

Other: _____

Submitted By: _____

Geneva Mixon, Director

Date: 10/12/09

Reviewed By: _____

Kelly Aubrey, Finance

Date: 10/13/09

Reviewed By: _____

Amber Cannon, Assistant County Mgr

Date: 10/14/09

Approved By: _____

Date: _____

County Manager

Board of County Commissioners

Date: _____

WFD Budget Revision No 10-18

**COUNTY OF CUMBERLAND
BUDGET REVISION REQUEST**

Budget Office Use	
Budget Revision No.	<u>B10-145</u>
Date Received	<u>10-13-09</u>
Date Completed	

Fund No. 133 Agency No. 450 Organ. No. 454C
 Organization Name: ARRA Youth 70% In-School Youth Program

ITEM NO. 24(2)6

PAGE 1 OF 1

REVENUE

Revenue Source Code	Description	Current Budget	Increase (Decrease)	Revised Budget
454C	Stimulus In-School Youth Program	373,360	4,982	378,342
Total		373,360	4,982	378,342

EXPENDITURES

Object Code	Appr Unit	Description	Current Budget	Increase (Decrease)	Revised Budget
1262	638	Salary Seasonal	296,655	15,080	311,735
1810	638	FICA	22,824	1,024	23,848
299A	639	Computer Hardware	-	479	479
2992	639	Department Supply	-	97	97
3388	639	Staff Support	11,698	(11,698)	-
Total			331,177	4,982	336,159

Justification:

This budget revision allocates \$4,982 of FY2009 carry over funds. These funds will be utilize to serve additional youth through the year-around and the summer youth programs.

Funding Source: State: 100% Federal: _____ County: _____ New: _____ Other: _____
 Other: _____ Fees: _____ Prior Year: _____

Submitted By: Geneva Mixon Date: 10/12/09
 Geneva Mixon, Director
 Reviewed By: Amel Cannon Date: 10/14/09
 Assistant County Mgr

10.13.09

Approved by:	
County Manager	Date
Board of Commissioners	Date

WFD Budget Revision No 10-19

**COUNTY OF CUMBERLAND
BUDGET REVISION REQUEST**

Budget Office Use	
Budget Revision No.	<u>B10-146</u>
Date Received	<u>10.13.09</u>
Date Completed	

Fund No. 133 Agency No. 450 Organ. No. 454B
 Organization Name: ARRA Youth 30% Out-of-School Youth Program

ITEM NO.	<u>24(2)c</u>
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PAGE 1 OF 1

REVENUE

Revenue Source Code	Description	Current Budget	Increase (Decrease)	Revised Budget
454B	Stimulus Out-of-School Youth Program	161,493	(1,341)	160,152
Total		161,493	(1,341)	160,152

EXPENDITURES

Object Code	Appr Unit	Description	Current Budget	Increase (Decrease)	Revised Budget
1220	636	Overtime	107	8	115
1262	636	Salary Seasonal	137,397	8,813	146,210
1810	636	FICA	10,539	646	11,185
299A	637	Computer Hardware	-	135	135
2992	637	Department Supply	-	183	183
3360	637	Other Services	368	8	376
3388	637	Staff Support	6,000	(6,000)	-
3390	637	Contracted Services	6,819	(5,469)	1,350
3470	637	Travel	-	335	335
Total			161,230	(1,341)	159,889

Justification:

This budget revision reduces the budget by \$1,341, adjusting it to the level of available funding carried over from the prior fiscal year.

Funding Source:

State: 100% Federal: _____ County: _____ New: _____ Other: _____
 Other: _____ Fees: _____ Prior Year: _____

Fund Balance:

Submitted By: Geneva Mixon Date: 10/12/09
 Geneva Mixon, Director
 Reviewed By: Kelly Outrey Date: 10.13.09
 Finance
 Reviewed By: Amy Cannon Date: 10/14/09
 Assistant County Mgr

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

WFD Budget Revision No 10-20

**COUNTY OF CUMBERLAND
BUDGET REVISION REQUEST**

Budget Office Use	
Budget Revision No.	<u>B10-147</u>
Date Received	<u>10-13-09</u>
Date Completed	

Fund No. 133 Agency No. 450 Organ. No. 4542
 Organization Name: Youth 30% Out-of-School Youth Program

ITEM NO.	<u>24(2)d</u>
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PAGE 1 OF 1

REVENUE

Revenue Source Code	Description	Current Budget	Increase (Decrease)	Revised Budget
453B	Out-of-School Youth Program	142,275	20,723	162,998
Total		142,275	20,723	162,998

EXPENDITURES

Object Code	Appr Unit	Description	Current Budget	Increase (Decrease)	Revised Budget
1262	618	Salary Seasonal	-	66,403	66,403
1810	618	FICA	1,756	3,324	5,080
1820	618	Retirement	1,126	1,174	2,300
1830	618	Medical Insurance	3,434	3,576	7,010
3204	619	Medical	-	100	100
3360	619	Other Services	25,303	(13,303)	12,000
3388	619	Staff Support	-	21,600	21,600
3390	619	Contracted Services	65,931	(55,931)	10,000
3420	619	Insurance and Bonds	3,500	(3,500)	-
3460	619	Rent	2,720	(2,720)	-
Total			103,770	20,723	124,493

Justification:

This budget revision allocates \$4,066 of FY2009 carry over funds and an additional \$16,657 in FY10 anticipated appropriation from the State of North Carolina. These funds will be utilize to serve additional youth through the year-around and the summer youth programs.

Funding Source:

State: 100%
 Other: _____

Federal: _____
 Fees: _____

Fund Balance:

County: _____
 New: _____
 Prior Year: _____

Other: _____

Submitted By: Geneva Mixon
 Geneva Mixon, Director

Date: 10/12/09

Reviewed By: Kelly Autry
 Finance

Date: 10.13.09

Reviewed By: Amey Cannon
 Assistant County Mgr

Date: 10/14/09

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

WFD Budget Revision No 10-21

Budget Office Use	
Budget Revision No.	B10-150
Date Received	
Date Completed	

Organization Name: Sheriff's Training Facility

ITEM NO. 24(3)

pg 1 of 2

Revenue Source Code	Description	Current Budget	Increase (Decrease)	Revised Budget
9901	Fund Balance Appropriated	0	270,000	- 270,000 -
	Total	0	270,000	- 270,000

EXPENDITURES

Object Code	Appr Unit	Description	Current Budget	Increase (Decrease)	Revised Budget
3877	ZAC	Transfer to Fund 230	0	270,000	270,000
					-
					-
					-
					-
					-
					-
					-
		Total	0	270,000	270,000

Justification:

Return unneeded funds to Fund 230, Federal Forfeiture Justice, based upon payment of all major expenses for Sheriff's Training Facility.

Funding Source: State: _____ Federal: _____ County: _____ New: _____ Other: 270,000
Other: _____ Fees: _____ Prior Year: _____

Submitted By: Earl R. Butler Date: 10-6-07
Department Head

Reviewed By: Harold Rhee Department Head Date: 1/12/09
1 Budget Analyst

Reviewed By: Amy Cannon Budget Analyst
Date: 10/14/04
Deputy/Assistant County Mgr

Reviewed By: _____ Date: _____
Information Services

Approved By:

Date:

County Manager

Board of County
Commissioners

Date:

**COUNTY OF CUMBERLAND
BUDGET REVISION REQUEST**

Budget Office Use	
Budget Revision No.	<u>B 10-150 A</u>
Date Received	_____
Date Completed	_____

Fund No. 230 Agency No. 422 Organ. No. 422P
 Organization Name: Federal Forfeiture Justice

REVENUE				
Revenue Source Code	Description	Current Budget	Increase (Decrease)	Revised Budget
9140	Transfer from Fund 011	0	270,000	270,000
				-
				-
Total		0	270,000	270,000

EXPENDITURES				
Object Code	Appr Unit	Description	Current Budget	Increase (Decrease)
299A	652	Computer Hardware	0	15,000
				15,000
2992	652	Departmental Supplies	0	15,000
				15,000
2994	652	Misc Furn & Equipment	0	160,000
				160,000
2995	652	Computer Software	0	10,000
				10,000
3445	652	Telephone Service	0	48,000
				48,000
3470	652	Travel	0	19,000
				19,000
3474	652	Traininig	0	3,000
				3,000
Total		0	270,000	270,000

Justification:

Receive unneeded funds based upon payment of all major expenses for Sheriff's Training Facility. Establish Expense Budget for Operating items.

Funding Source: State: _____ Federal: _____ County: _____ New: _____ Other: 270,000
 Other: _____ Fees: _____ Prior Year: _____

Submitted By: <u>Earl R Butler</u> Department Head	Date: <u>10-6-07</u>	Approved By: _____ _____ County Manager _____ Board of County Commissioners _____ Date: _____
Reviewed By: <u>Harold H. Brown</u> Budget Analyst	Date: <u>10/12/09</u>	
Reviewed By: <u>Amy A. Cannon</u> Deputy/Assistant County Mgr	Date: <u>10/14/09</u>	
Reviewed By: _____ Information Services	Date: _____	



ITEM NO. 3A


PUBLIC UTILITIES DEPARTMENT

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

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

MEMORANDUM

TO: BOARD OF COMMISSIONERS

FROM: TOM COONEY, DIRECTOR 

THROUGH: JAMES MARTIN, COUNTY MANAGER
HARVEY RAYNOR, INTERIM COUNTY ATTORNEY

DATE: OCTOBER 9, 2009

SUBJECT: HOLD A PUBLIC HEARING FOR THE PURPOSE OF RECEIVING
COMMENTS FROM THE PROPERTY OWNERS IN THE PROPOSED
GRAY'S CREEK WATER & SEWER DISTRICT. FOLLOWING THE
PUBLIC HEARING ADOPTION OF A RESOLUTION TO CREATE THE
GRAY'S CREEK WATER & SEWER DISTRICT.

BACKGROUND

The Gray's Creek Water & Sewer District, located in the southwest portion of Cumberland County has been identified as a feasible project in the recently completed *Cumberland County Rural Water Feasibility Study*.

The first step in this process is to hold a public hearing as required by North Carolina General Statute 162A-86 to receive comments pertaining to the creation of the Gray's Creek Water & Sewer District. The Board of Commissioners, at their last meeting on October 5, 2009 set a public hearing date for October 19, 2009 at their scheduled meeting. Following the public hearing the Board of Commissioners may take action to adopt a resolution to create the Gray's Creek Water & Sewer District.

RECOMMENDATION:

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

1. Adopt the resolution to create the Gray's Creek Water & Sewer District.

Attachments: Map of the District

Celebrating Our Past...Embracing Our Future

RESOLUTION CREATING GRAY'S CREEK WATER AND SEWER DISTRICT

WHEREAS, the Cumberland County Board of Commissioners (hereinafter "the Board") at its regular meeting on October 19, 2009, held a public hearing, pursuant to NCGS 162A-86 et.seq., to consider creation of the Gray's Creek Water and Sewer District; and

WHEREAS, pursuant to NCGS 162A-86, prior to the October 19, 2009 public hearing a notice of public hearing was prepared stating the date, hour and place of the public hearing and its subject and setting forth a description of the territory to be included within the proposed Gray's Creek Water and Sewer District; and

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

WHEREAS, a special called meeting of the Board of Commissioners was held at 7:00 pm on the 5th of October at the Gray's Creek Middle School for the purpose of hearing comments and answering questions by the citizens of the proposed district concerning the proposed district; and

WHEREAS, at the public hearing held at 6:45 p.m., October 19, 2009, in Room 118, Cumberland County Courthouse, 117 Dick Street, Fayetteville, North Carolina any taxpayer and all other interested persons were allowed to appear and be heard concerning the question of creating the Gray's Creek Water and Sewer District; and

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

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

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

THEREFORE, the Board now desires to create the Gray's Creek Water and Sewer District.

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

The Gray's Creek Water and Sewer District is created and the said District is hereby described as follows:

The area that is known as Gray's Creek located in the southwestern corner of Cumberland County Bounded by the Cape Fear River to the East, the Robeson County line to the West and Bladen County line to the South and the Fayetteville Public Works Commission sewer service area to the North.

The Clerk to the Board is hereby authorized and directed to cause this Resolution to be published once in each of two successive weeks in the newspaper in which the notice of the public hearing was published, as well as the following statement, which shall be printed at the end of the Resolution: The foregoing resolution was adopted by the Cumberland County Board of Commissioners on October 19, 2009 and was first published on October __, 2009.

Any action or proceeding questioning the validity of this resolution or the creation of the Gray's Creek Water and Sewer District or the inclusion in the district of any of the territory described in the resolution must be commenced within 30 days after the first publication of the resolution.

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

Adopted this 19th day of October, 2009.

Jeannette M. Council
Chairman

Attest:

Marie Colgan
Clerk to the Board



ITEM NO. 36

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

October 14, 2009

MEMORANDUM FOR BOARD OF COMMISSIONERS' OCTOBER 19, 2009 AGENDA

TO: BOARD OF COUNTY COMMISSIONERS

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

SUBJECT: HOLD A PUBLIC HEARING ON THE BELLAGIO PROJECT INCENTIVE AGREEMENT AND CONSIDER APPROVAL OF A PROPERTY TAX GRANTBACK AGREEMENT OF UP TO 50% OF THE ANNUAL AD VALOREM TAXES ACTUALLY PAID FOR 5 YEARS BUT NOT TO EXCEED THE AMOUNT GRANTED BACK BY THE CITY ANNUALLY DURING THE SAME PERIOD

BACKGROUND:

In April, 2009 Rajan Shamdasani, developer of the Bellagio project met with the Board made a presentation outlining his plans for developing a parcel of land along Bragg Boulevard for luxury apartments and asked the Board to consider an economic incentive package for the project which would be equal to any that the City granted. Following that presentation staff worked on an amendment to the County's economic incentive policy which was adopted by the Board May 18, 2009. The County's policy was amended to authorize and establish guidelines for incentives to "gateway" projects, contingent on municipal incentives of at least \$250,000.00 over time, no more than the municipality's incentive in any fiscal year and requiring that the Chamber had to review the project for economic feasibility, and for potential of economic development which over a ten year period would produce County tax revenues of at least 250% of the incentive given and finally, to recommend the project to the County. The City, on August 24, 2009, approved and executed a property tax grant back agreement for the Bellagio project which granted the developer a 50% grant back on the City's taxes (appx. \$45,600.00 per annum) for a five year period provided the developer met all the terms of the agreement. This is a public hearing to consider the County entering into a similar tax grantback agreement with the developer, 4200 Investments, LLC.

RECOMMENDATION / PROPOSED ACTION:

The Board hold the public hearing and if the Board is not persuaded otherwise by comments made at the hearing to approve the attached property tax grantback agreement and authorize the Chairman and Clerk to execute on behalf of the County.

Celebrating Our Past... Embracing Our Future

STATE OF NORTH CAROLINA
COUNTY OF CUMBERLAND

PROPERTY TAX GRANTBACK
FUNDING AGREEMENT

THIS AGREEMENT made and entered into this , _____ day of October _____ , 2009, by and between the County of Cumberland, a political subdivision of the State of North Carolina, (hereinafter the "COUNTY"), and 4200 Investments, L.L.C. a North Carolina corporation (hereinafter the "DEVELOPER").

WITNESSETH:

WHEREAS, on November 20, 2000 the COUNTY adopted the Economic Development Investment Policy (hereinafter "POLICY") to induce private investment thereby improving the economic health and diversity of the County's and increasing the County's property tax base; and

WHEREAS, on May 18, 2009 the COUNTY amended the Policy to include gateway projects such as the one proposed by 4200 Investments, L.L.C.

WHEREAS, the DEVELOPER intends to construct a new multi-family housing facility (hereinafter "PROJECT") which will be on Bragg Blvd., a Fayetteville and Cumberland County gateway; and

WHEREAS, the DEVELOPER desires to recover through economic incentives apportion of the cost associated with the dedication of public Right-of-Way and a portion of the road improvements on that public Right-of-Way required to access the PROJECT; and

WHEREAS, after proper notice The County held a public hearing on October 19, 2009 concerning the PROJECT and its application in the Program, and found that the Project will enhance and stimulate the economic development and revitalization of a County/City gateway; by increasing tax revenue and serving as an catalyst for further redevelopment in the vicinity; that the City of Fayetteville has committed to incentives at an acceptable level and that the project has reasonable potential to return the required property tax revenues over a ten (10) year period; and

WHEREAS, the COUNTY has determined the PROJECT is eligible for the Economic Incentives;

NOW, THEREFORE, in consideration of the mutual promises and covenants set forth herein, the COUNTY and DEVELOPER agree as follows:

ARTICLE 1 - PURPOSE - This agreement is being entered into pursuant to the County's Economic Development Investment Policy. The purpose of this Agreement is to define the relationship and the responsibilities of the CITY and DEVELOPER associated with the PROJECT and specifically for the dedication of public right-of-way, the construction of a portion of the road within the subject right-of-way, and to establish procedures required for receiving economic incentives.

- a) Reference - The text of the County of Cumberland Economic Investment Policy as amended is hereby adopted by reference (Attachment "E") and shall be the guiding language in the event this Funding Agreement is incomplete, unclear or inconsistent with the POLICY adopted by the Board of Commissioners as has been and as may be amended from time to time.

ARTICLE 2 - PROJECT and ATTACHMENTS-

- a) The PROJECT is anticipated to include approximately 239 multi-family dwelling units ranging from one to three bedroom units as well as a private club facility estimated to be approximately 5,250 square feet. Garages and storage for the residents will also be available on site.
- b) For the purposes of estimating POLICY benefits to the DEVELOPER it is estimated the cost of building construction for this PROJECT will be twenty million dollars (\$20,000,000) which will increase the taxable value for the non-land portion of the subject real property by an amount to be determined by the Cumberland County Tax Administrator.

- c) Attachment "A" provides a graphic depiction of the subject properties; 12.32 acres for the Bellagio development and 3.62 acres for the Blanton Road right-of-way.
- d) Attachment "B" provides the legal description for the R5/Commercial/Conditional Zoning portion of the property.
- e) Attachment "C" provides the legal description of the Right-of-Way portion of the property.
- f) Attachment "D" provides the legal description of the Bellagio development site.
- g) Attachment "E" is a copy of the gateway project incentive Guidelines.

ARTICLE 3 - DEVELOPER RESPONSIBILITIES –

- a) It is agreed by the parties that prior to receiving a Certificate of Occupancy for the PROJECT, the DEVELOPER will dedicate to the City of Fayetteville the entire right-of-way one hundred feet wide (100 feet) necessary to complete the Blanton Road connection from Bragg Boulevard (also known as North Carolina Highway 24) to Parmalee Drive as described in Attachment "C".
- b) Developer agrees that it will pay the taxes associated with this property in full when due and payable in order to receive an incentive. Developer agrees that failure to do so will result in immediate default and termination of this agreement.
- c) The DEVELOPER will cooperate with the CITY and Cumberland County officials to expeditiously determine the actual real property increase in value to enable the POLICY benefits to be realized by the DEVELOPER as noted in the POLICY language adopted by the Board of Commissioners.
- d) The DEVELOPER agrees to comply with applicable city, state and federal codes, regulations and requirements including but not limited to those associated with environmental, building, zoning, drainage and property maintenance.

- e) The DEVELOPER agrees to pay all engineering and construction costs associated with the construction of the subject Right-of-Way paving, drainage, and related infrastructure improvements associated with the portion of Blanton Road needed for reasonable access from Bragg Boulevard to the Bellagio Project. The specifications for the improvements to Blanton Road as well as necessary de-acceleration and acceleration lanes to accomplish right in /right out access from Bragg Boulevard are subject to the approval of the City of Fayetteville Department of Engineering & Infrastructure as well as the North Carolina Department of Transportation as appropriate.
- f) The DEVELOPER agrees to remove old paving, clean, landscape, and install sidewalks to City specifications and a submitted plan subject to approval by the City along approximately 1,100 feet of frontage property including parcel 0418-64-5959 on Bragg Boulevard prior to receiving a Certificate of Occupancy for the PROJECT.

ARTICLE 4 - COUNTY RESPONSIBILITIES –

a) The COUNTY agrees the PROJECT is eligible for incentives (see Attachment "E") and will return to the DEVELOPER up to 50% of the ad valorem taxes actually paid on the non-land increase in value of the property involved and described herein for five (5) years as provided by the guidelines of the Policy but not to exceed the actual amounts received from the City pursuant to their Property Tax Grantback agreement with the Developer.

b) The County agrees to review and respond with regard to submitted plans and specifications as required by law.

ARTICLE 5 -TERM OF AGREEMENT - This Agreement shall terminate upon the final Property Tax Grantback payment made by the County to the DEVELOPER unless the DEVELOPER fails to cure a substantial material default as noted above.

ARTICLE 6 - EVENT OF DEFAULT - In the event the DEVELOPER is determined to be in default by virtue of its failure to perform any of its responsibilities in this Funding Agreement, other than the payment of its property taxes, the County shall upon written notice to the DEVELOPER, allow a period of 30 days to cure any deficiency that does not pose an imminent threat to the health, safety and welfare of the public. If in the opinion of the County Manager the DEVELOPER has not cured said condition of default, then at the end of such 30 day cure period this Agreement shall automatically terminate. In such event, the DEVELOPER shall lose any and all economic incentive benefits under the POLICY provided for in this agreement. Nonetheless, in the event an unusual hardship arises causing a risk of default, the County may consider approval of a reasonable schedule for action to cure if proposed by the DEVELOPER within the 30 day period. Acceptance or denial of a schedule for action to cure that exceeds the 30 day period noted above shall be at the sole discretion of the County Manager.

ARTICLE 7 - GENERAL CONDITIONS -

a. Non Appropriation clause - Notwithstanding any other provisions of this Agreement, the parties agree that payments due hereunder from the COUNTY are from appropriations and monies from the Board of Commissioners and any other governmental entities. In the event sufficient appropriations or monies are not made available to the COUNTY to pay the terms of this agreement for any fiscal year, this Agreement shall terminate immediately without further obligation of the COUNTY.

b. The DEVELOPER shall comply with all relevant local, state and federal codes, and regulations that apply to the Project, Project Site, or the DEVELOPER.

c. Amendment - This Agreement may be amended only by the written consent of both parties,

d. Transfers or Assignments - DEVELOPER shall not transfer or assign its rights under this Agreement nor grant any interest, privilege, or license whatsoever in connection with this Agreement during the benefit period of the Grantback Agreement without notification in writing from the COUNTY.

e. Binding Effect and Complete Terms - The terms, covenants, conditions, and agreements herein contained shall be binding upon, and inure to the benefit of, and shall be enforceable by the parties hereto and their respective successors and assigns, if assigned with the written consent of both parties. This Agreement contains all negotiations and agreements of the COUNTY and DEVELOPER, which are merged herein. No modification hereof or other purported agreement of the parties shall be enforceable unless the same is in writing and signed by the parties hereto.

f. Independent Contractor- The DEVELOPER is an independent contractor. This agreement does not form a partnership, employment relationship, or agency between the Developer and the County.

g. Indemnification - DEVELOPER agrees to indemnify and hold harmless the COUNTY and its elected officials, employees, agents, successors, and assigns, from any and all liability and claims for any injury or damage caused by any act, omission or negligence of the DEVELOPER, its agents, servants, employers, contractors, licensees, or invitees.

h. Severability - The parties agree that if any provision of this Agreement shall be held invalid for any reason, the remaining provisions shall not be affected if they may continue to conform with the purposes of this Agreement and the requirements of applicable law.

i. Notices and Written Consents - All notices and written consents required under this Agreement shall be in writing and shall only be deemed properly served when hand delivered or posted by certified United States mail, postage prepaid, return receipt requested, addressed to the party to whom directed at the following address or at such address as may be from time to time designated in writing:

To County: Cumberland County Manager
PO Box 1829
117 Dick Street
Fayetteville, NC 28302

With a copy to: Cumberland County Attorney
PO Box 1829
117 Dick Street
Fayetteville, NC 28302

To DEVELOPER: 4200 Investments L.L.C.
321 East Russell Street
Fayetteville, NC 28301
Attn: Rajan Shamdasani

Notices shall be deemed served in accordance with Rule 4 of the North Carolina Rules of Civil Procedure.

ARTICLE 8 - APPROVALS - Where this Agreement requires the approval of either party, whether in writing or otherwise, and the Agreement does not specify the individual to make that approval, the same shall be approved by:

- (a) For COUNTY: County Manager or his/her designee; and
- (b) For DEVELOPER: Managing Member, or his/her designee of the

DEVELOPER.

ARTICLE 9 - SOVEREIGN LAW - This Agreement shall be governed by, construed, and enforced in accordance with the laws of the State of North Carolina.

ARTICLE 10 - NO WAIVER - The waiver by one party (the non-defaulting party) of any requirement of this Agreement to be performed by the other party (the defaulting party), shall not be deemed, construed, or interpreted to be a waiver by the non-defaulting party of any subsequent default by the then defaulting party.

ARTICLE 11 - NO PLEDGE OF TAXING POWER, FULL FAITH AND CREDIT - It

is expressly agreed and understood by the parties that neither the full faith and credit nor the taxing power of the County are pledged to secure, by either party hereto, (i) any obligation of this Agreement, or (ii) any payment of debt incurred or to be incurred herein.



ITEM NO. 30

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

September 30, 2009

MEMORANDUM FOR COMMISSIONERS' AGENDA OF OCTOBER 19, 2009

TO: BOARD OF COMMISSIONERS

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

SUBJECT: PUBLIC HEARING ON REQUEST TO CLOSE A PORTION OF
DEAVER CIRCLE

BACKGROUND: The property owner adjacent to Deaver Circle in Rockfish Township has petitioned that a portion of Deaver Circle be closed. His petition is attached as Exhibit A. A map of the area is attached as Exhibit B and C.

The Board has called a public hearing to consider its request. The Board may close the road if it finds that no person will be denied reasonable egress or ingress to his/her property.

RECOMMENDATION AND PROPOSED ACTION: If the Board of Commissioners makes the required statutory finding and decides to close this portion of the Deaver Circle, that the Board adopt the attached resolution and direct the staff to record it in the Cumberland County Registry.

HWR/lrc
Attachments

RESOLUTION CLOSING OF A PORTION OF DEAVER CIRCLE

WHEREAS, a petition has been submitted to the Cumberland County Board of Commissioners (the "Board") by an adjoining landowner to close a portion of Deaver Circle, in Cumberland County;

WHEREAS, following proper notice, the Board held a public hearing on the question of the closing of such street on the 19th day of October, 2009, and heard all interested persons who appeared with respect to whether the closing would be detrimental to the public interest or to any individual's property rights; and

WHEREAS, following the public hearing the said Board found and determined that such public street is not under the control of the North Carolina Department of Transportation; that no person would be deprived of reasonable means of ingress and egress to his property by such closing, but that the reservation of certain easements would be appropriate and desirable; and that it is therefore not contrary to the public interest to close such street, subject to the reservation of the easements described below;

NOW THEREFORE, the Cumberland County Board of Commissioners hereby RESOLVES, pursuant to authority granted by G.S. 153A-241, that the public street more particularly described below be, and it is hereby, closed, subject, however to the continued dedication and preservation of an easement therein for existing and future utilities, and of an easement therein for public safety emergency vehicle access:

Beginning at an iron stake in the eastern edge of the right-of-way of Deaver Circle and in the northern boundary line of Village Green Associates Phase II (2750/557) and being the Southwest corner of parcel 0404-45-6313; thence North 7 degrees 2 minutes 8 seconds East 169.12 feet to the iron stake being the Northwest corner of said parcel; thence North 78 degrees 22 minutes 18 seconds West 60.18 feet more or less across Deaver Circle to the of the Eastern boundary line of Parcel 0404-45-4420 owned by Charles Umstead (6648/839); thence with said boundary line South 7 degrees 2 minutes 8 seconds West 175.00 feet to a point in the northern boundary line of Village Green Associates Phase II (2750/557); thence with said northern boundary line South 83 degrees 58 minutes 39 seconds East 60 feet to the beginning.

And the Board further RESOLVES, that a certified copy of this Resolution be recorded in the Cumberland County Registry.

Adopted this 19th day of October, 2009.

MARIE COLGAN, Clerk to the Board
County Commissioners

NORTH CAROLINA

COUNTY OF CUMBERLAND

EXHIBIT

tabbies

A

PETITION REQUEST FOR CLOSING OF
DEAVER CIRCLE ROAD/STREET
HOPE MILLS, N.C.

We the undersigned, being property owners on DEAVER CIRCLE
Road/Street in Cumberland County, North Carolina do hereby request that the
Cumberland County Board of Commissioners close DEAVER CIRCLE
Road/Street.

Description of the closing REQUEST THAT ROAD BE CLOSED AT THE
CORNERS OF Lot's 11 AND 12, AND THE CORNERS OF
LOT 13 AND "Future Development" LOT.

Name of Owner(s) CHARLES I. AND NANCY L. UMSTEAD (Lot's 11, 12,
Robert Earl JENNIE S. BLEEKER (Lot 13) and
"Future
DEVEL.")

Address of Owner(s) UMSTEAD: 3258 DEAVER CIRCLE, HOPE MILLS, N.C. 28348
BLEEKER: 1219 LONGLEAF DR, FAYETTEVILLE, N.C.

Address of Property 3258 DEAVER CIRCLE
HOPE MILLS, N.C.

Contact Numbers UMSTEAD: [REDACTED] BLEEKER: [REDACTED]

PIN of Property BETWEEN: 0404-45-4420 AND 0404-45-6313

In witness whereof, Charles I. Umstead, has hereunto set his/her hand
seal. NANCY L. UMSTEAD

Charles I. Umstead (SEAL)

Nancy L. Umstead (SEAL)

North Carolina (STATE)
Cumberland COUNTY

I, Hazelle Garner, of this county do hereby certify that Charles Umstead,
Nancy Umstead, grantor, personally appeared before me this day and acknowledged the
foregoing petition.

Witness my hand and official seal this 7 day of April, 2009

[Signature]
Notary Public

MY COMMISSION EXPIRES

My Commission Expires JUNE 28, 2009



EXHIBIT

B

LOT 13

P.B. 22 PG. 71

DEED BK 809 PG 282

PIN # 0404(16)-45-6950

owned by

Robert F. / JENNIE S.

BLEEKER

"Future Development"

LOT

owned by

CHARLES / NANCY

UNSTEAD

PIN # 0404-45-6313

169.12'

DENVER CIRCLE

To
Rockfish

60'

175'

↑ DENVER CIRCLE
↑ ENDS

LOT 11

P.B. 22, PG. 71

owned by

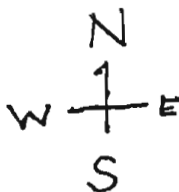
CHARLES / NANCY
UNSTEAD

LOT 12

P.B. 22, PG. 71

owned by

CHARLES / NANCY
UNSTEAD



VILLAGE GREEN APARTMENTS

PIN # 0404-45-4420

EXHIBIT
C
tabbles



Site Map ROCKFISH TOWNSHIP

100 0 100 Feet



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



ITEM NO. 3D

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

September 30, 2009

MEMORANDUM FOR COMMISSIONERS' AGENDA OF OCTOBER 19, 2009

TO: BOARD OF COMMISSIONERS

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

SUBJECT: PUBLIC HEARING ON REQUEST TO CLOSE A PORTION OF
SPRUCE STREET

BACKGROUND: The property owner adjacent to Spruce Street in Pearce's Mills Township has petitioned that a portion of Spruce Street be closed. His petition is attached as Exhibit A. A map of the area is attached as Exhibit B and C.

The Cumberland County Planning Department approves of the closing provided the following conditions are complied with:

1. The parcels identified by PIN: 0425-97-3198-; 0425-97-4158- & 0425-97-5137- are recombined together into one lot with a minimum of 20 feet of road frontage;
2. If only half of Spruce Street it to be combined with the three lots, then the remaining half of Spruce Street must be combined with the property to the east PIN: 0425-97-8056-;
3. The recombination plat must be submitted to the Planning & Inspections Department Meeting the platting requirements prior to being recorded at the Register of Deeds office.

The Board has called a public hearing to consider its request. The Board may close the road if it finds that no person will be denied reasonable egress or ingress to his/her property.

RECOMMENDATION AND PROPOSED ACTION: If the Board of Commissioners makes the required statutory finding and decides to close this portion of the Spruce Street, that the Board adopt the attached resolution and direct the staff to record it in the Cumberland County Registry.

HWR/lrc
Attachments

Celebrating Our Past... Embracing Our Future

RESOLUTION CLOSING OF A PORTION OF SPRUCE STREET

WHEREAS, a petition has been submitted to the Cumberland County Board of Commissioners (the "Board") by an adjoining landowner to close a portion of Spruce Street, in Cumberland County;

WHEREAS, following proper notice, the Board held a public hearing on the question of the closing of such street on the 19th day of October, 2009, and heard all interested persons who appeared with respect to whether the closing would be detrimental to the public interest or to any individual's property rights; and

WHEREAS, following the public hearing the said Board found and determined that such public street is not under the control of the North Carolina Department of Transportation; that no person would be deprived of reasonable means of ingress and egress to his property by such closing, but that the reservation of certain easements would be appropriate and desirable; and that it is therefore not contrary to the public interest to close such street, subject to the reservation of the easements described below;

NOW THEREFORE, the Cumberland County Board of Commissioners hereby RESOLVES, pursuant to authority granted by G.S. 153A-241, that the public street more particularly described below be, and it is hereby, closed, subject, however to the continued dedication and preservation of an easement therein for existing and future utilities, and of an easement therein for public safety emergency vehicle access:

Beginning at the northeast corner of lot 32 Block H as shown on a plat of Southlawn, recorded in Plat Book 10, page 1 Cumberland County Registry. Thence with the eastern line of said lot South 0 degrees 14 minutes East 185 feet to the Southeast corner of said lot. Thence crossing Spruce Street North 89 degrees 46 minutes East 40 feet the southwest corner of lot 15 block I of the aforementioned plat. Thence with the western line of lot 15; North 0 degrees 14 minutes West 185 feet to the Northwest corner of lot 15. Thence crossing Spruce Street, South 89 degrees 46 minutes West 40 feet to the point and place of beginning

And the Board further RESOLVES, that a certified copy of this Resolution be recorded in the Cumberland County Registry.

Adopted this 19th day of October, 2009.

MARIE COLGAN, Clerk to the Board
County Commissioners

EXHIBIT

tabbies

A

NORTH CAROLINA

COUNTY OF CUMBERLAND

PETITION REQUEST FOR CLOSING OF

WALNUT

ROAD/STREET

We the undersigned, being property owners on 203 STONECASTLE
Road/Street in Cumberland County, North Carolina do hereby request that the
Cumberland County Board of Commissioners close WALNUT
Road/Street.

Description of the closing FENCED OFF - DEAD END STREET
ON BOTH ENDS - NEVER BEEN USED AS PUBLIC SERVICE
APPROXIMATELY 200 FEET LONG - 40 FEET WIDE
THIS STREET HAS BEEN A SINGLE DIRT STREET SINCE I WAS A
CHILD - BACK IN THE EARLY 1940'S

Name of Owner(s) GEORGE JEFFERSON KELLY

Address of Owner(s) Physical - 203 STONECASTLE - FAYETTEVILLE NC 28306
MAILING - P.O. BOX 626 HAMLET NC 28345

Address of Property 203 STONECASTLE FAYETTEVILLE NC 28306

Contact Numbers

PIN of Property

PARCEL ID - 0425-97-3198

In witness whereof, George Jefferson Kelly has hereunto set his/her hand
seal.

George Jefferson Kelly (SEAL)

(SEAL)

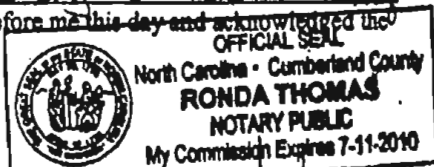
(SEAL)

North Carolina (STATE)
Cumberland COUNTY

I, Ronda Thomas, of this county do hereby certify that George Jefferson Kelly
grantor, personally appeared before me this day and acknowledged the
foregoing petition.

Witness my hand and official seal this 22nd day of December 2008

Notary Public

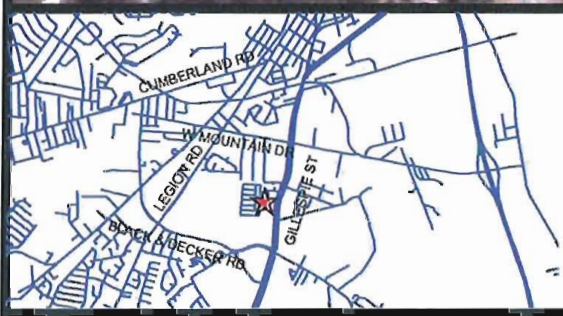
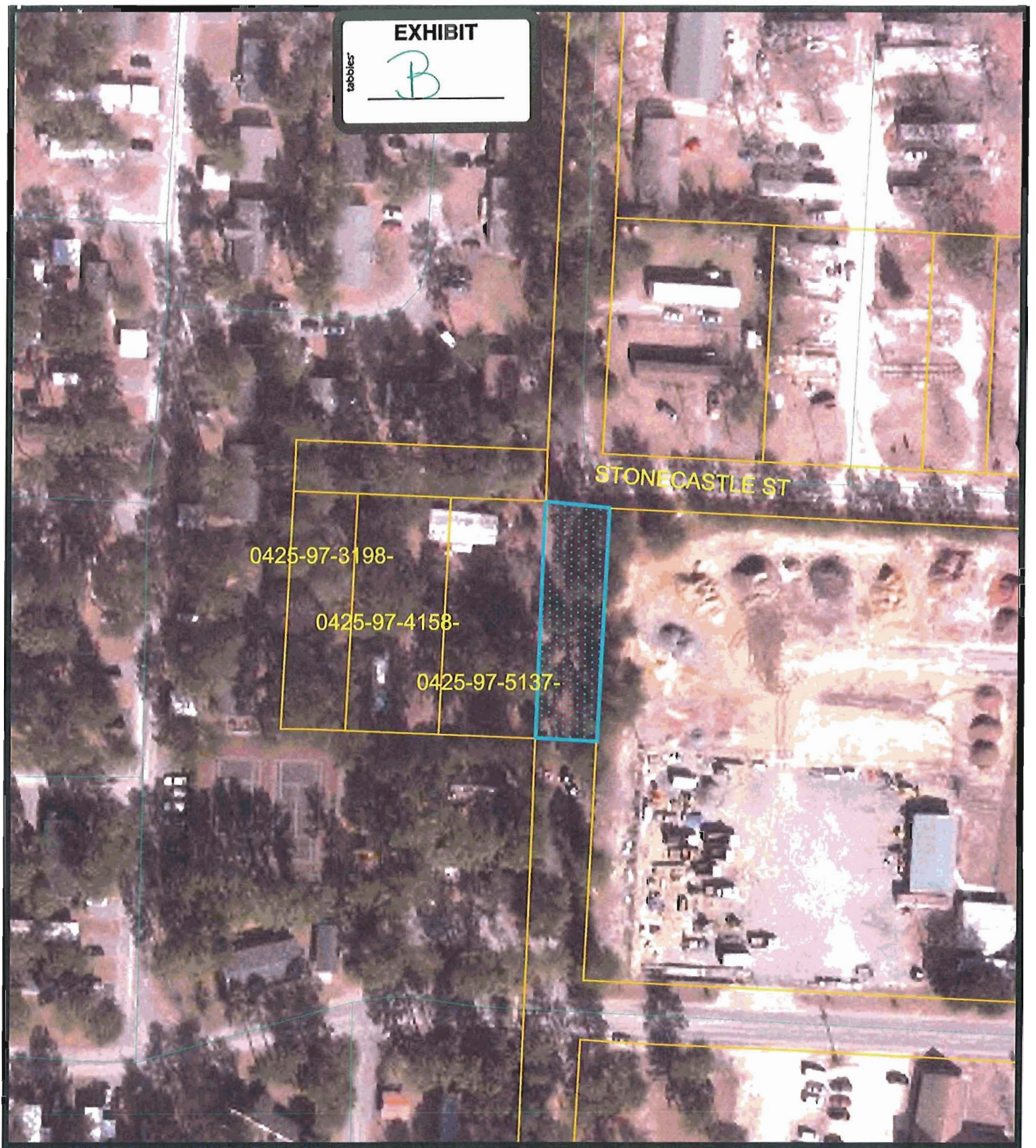


My Commission Expires

7/11/2010

EXHIBIT
B

tabbles



Site Map

PEARCES MILL TOWNSHIP

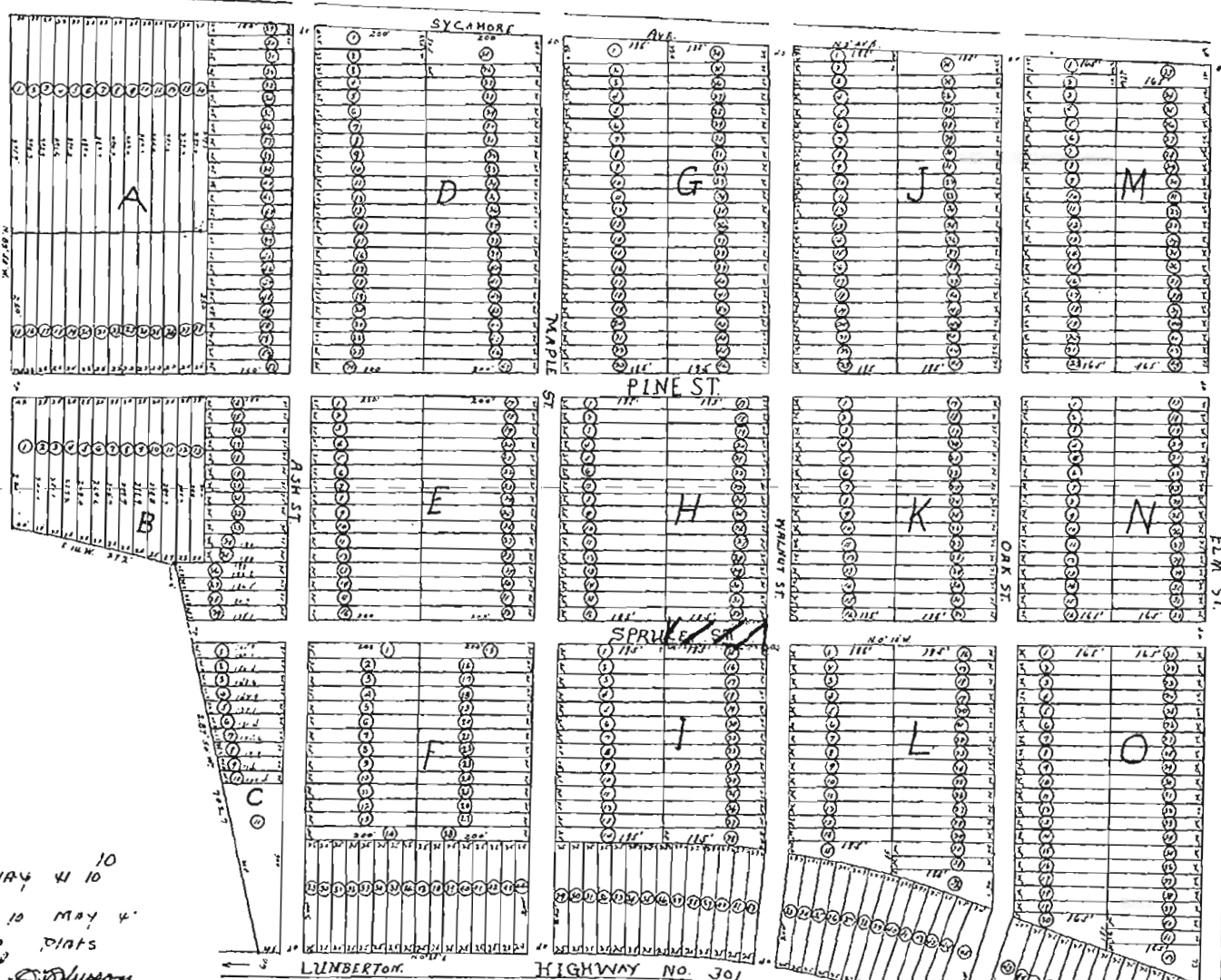
100 0 100 Feet



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



Scale: 1"=100'



MAY 4 10
10 MAY 4
10 PLOTS
S. Blusson

A SUBDIVISION OF
SOUTHLAWN
3 MILES FROM FAYETTEVILLE ON ROUTE N.C. 301
OWNED BY O.L. SHACKELFORD KINSTON, N.C.

BEING LOTS 43 TO 65, LOTS 133 TO 139, LOTS 22 TO 27 AND LOT 11 AND 12 OF A SURVEY BY W.H. BLANCHARD OCT. 1937 AND RECORDED IN PLAT BOOK 9 AT PAGE 23
DESIGNATED AS SECTION ONE OF SOUTHLAWN IN THE OFFICE OF THE REGISTER OF DEEDS OF CUMBERLAND COUNTY.

Surveyed and mapped Nov. —, 1940, by W.H. Blanchard, surveyor,
with all magnetic bearings stated in their proper relation to the true
meridian as indicated by monuments at State College, Raleigh, N.C.

Signed before me by W.H. Blanchard
surveyor, this 6th December, 1940

Sadie E. Mason
my commission expires Jan. 24, 1941

Signed before me by
W.H. Blanchard, surveyor
this 1st day of May, 1941
Edna S. Mason
my commission expires Jan. 24, 1941

W.H. Blanchard, surveyor.

I hereby certify that this is a true and exact copy of
a map prepared by W.H. Blanchard, surveyor, copied
by me this 10th day of May, 1941.

Edwin J. Chubb
Deputy
10 May 1941
S. Blusson, Deputy

Joseph B. Dudley
Deputy

10-1

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

OCTOBER 9, 2009

ITEM NO. 3E

MEMO TO: Cumberland County Board of Commissioners

FROM: Cumberland County Joint Planning Board

SUBJECT: **Case P09-39:** Rezoning of .39+/- acres from C1(P) Planned Local Business to C(P) Planned Commercial or to a more a restrictive zoning district; located on the west side of SR 1149 (Boone Trail), south of SR 1145 (Piedmont Avenue) submitted and owned by Gladys A. Blanton.

ACTION: Members present at the September 15, 2009 meeting voted unanimously to recommend approval of the C2(P) Planned Service and Retail district as recommended by staff and agreed to by the property owner.

SITE INFORMATION: **Frontage & Location:** 166.72'+/- on Boone Trail; **Depth:** 107.05'+/-; **Jurisdiction:** Cumberland County; **Adjacent Property:** Yes, south side of subject property; **Current Use:** Motor vehicle sales; **Initial Zoning:** C1 – August 1, 1975 (Area 3); **Nonconformities:** Yes, existing use and structure encroachment (application submitted as first step in resolving nonconforming use and structure); **Zoning Violation(s):** None; **Surrounding Zoning:** North: C1(P)/CU (motor vehicle washing), C1(P), R10, R6 & R6A; South: RR/CU (storage & office for roofing company), M2, C3, C1(P), RR, R10 & R6A; East: C(P)/CUD (motor vehicle repair), M2, C3, C1(P), R10 & R6A; West: C3, C1(P), R10 & R6A; **Surrounding Land Use:** Trade contractor (2), residential (including manufactured home park (2), & multi-family), variety sales, religious worship activity, motor vehicle repair, substation, retail & servicing, motor vehicle sales, barbering services & salons (2) and fire station; **2030 Land Use Plan:** Urban area; **Special Flood Hazard Area (SFHA):** None; **Water/Sewer Availability:** PWC/ PWC; **Soil Limitations:** None; **School Capacity/Enrolled:** McArthur Elementary 400/487, Ireland Drive Middle 340/335, Douglas Byrd Middle 600/677, Douglas Byrd High 1,280/1,262; **Subdivision/Site Plan:** If approved, site plan approval and recombination plat required; **Municipal Influence Area:** City of Fayetteville; **Average Daily Traffic Count (2006):** 14,000 on Boone Trail (SR 1149); **Highway Plan:** Boone Trail is identified in the Highway Plan as a major thoroughfare. This proposal calls for a multi-lane facility (U-4761) with a right-of-way of 110 feet. Road improvements are included in the 2009-2015 MTIP; **Notes:** Minimum Yard Setback Regulations: **C1(P)** Front yard: 45', Side yard: 15'; **C(P)** Front yard: 50', Side yard: 30'.

MINUTES OF SEPTEMBER 15, 2009

The Planning & Inspections Staff recommends denial of the C(P) Planned Commercial but approval of C2(P) Planned Service and Retail district for this request, based on the following:

1. The recommendation for C2(P) for the subject property is consistent with the location criteria for light commercial as listed in the Land Use Policies Plan of the 2030 Growth Vision Plan while the subject property does not meet the location criteria of the Policies Plan for the C(P) district (defined as heavy commercial);

2. Boone Trail is designated as a Limited Business Street, acknowledging that this segment of the street serves properties that are in transition from residential to non-residential uses thus C2(P) is appropriate; and
3. Public water and sewer is available to the subject property.

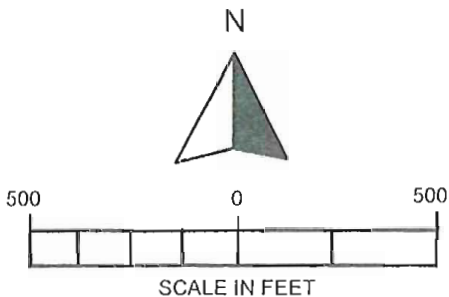
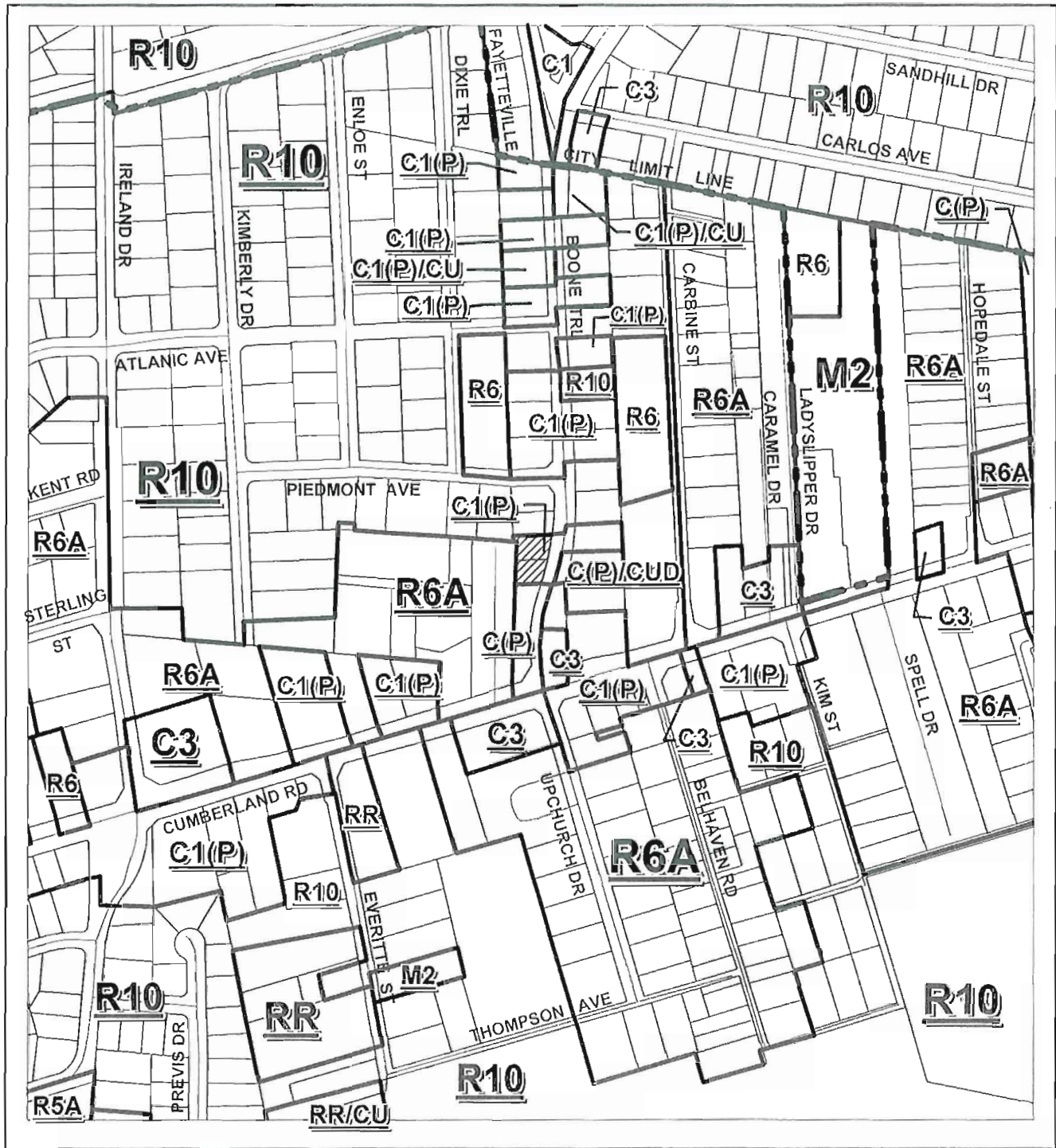
There are no other districts to be considered suitable regarding this request.

The property owner/applicant has verbally agreed with this staff recommendation.

A motion was made by Vice-Chair Turner, seconded by Mrs. Piland, to follow the staff recommendation and approve case P09-39. 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: 0416-90-3429
PIN: 0416-90-3538

REQUESTED REZONING C1(P) TO C(P)

ACREAGE: 0.39 AC.+/-

HEARING NO: P09-39

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,
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Deputy Director

Walter Clark,
Sara E. Piland,
Cumberland County

Benny Pearce,
Town of Eastover

Donovan McLaurin,
Wade, Falcon & Godwin

OCTOBER 9, 2009

ITEM NO. 3F

MEMO TO: Cumberland County Board of Commissioners

FROM: Cumberland County Joint Planning Board

SUBJECT: **Case P09-42:** Rezoning of 13.53+/- acres from RR Rural Residential and CD Conservancy District to R7.5 Residential or to a more restrictive zoning district, located on the north side of SR1003 (Camden Road) and the east side of the Hoke County Line, submitted and owned by Johnny Beasley and Billy E. Dees.

ACTION: Members present at the September 15, 2009 meeting voted unanimously to recommend approval of the R7.5 Residential district but only for that portion of the subject property located outside the Special Flood Hazard Area (SFHA), with the land area inside the SFHA being zoned CD Conservancy.

SITE INFORMATION: Frontage & Location: 500.00'+/- on Camden Road; Depth: 3,700.00'+/-; Jurisdiction: Cumberland County; Adjacent Property: Yes (Hoke County); Current Use: Woodlands; Initial Zoning: RR & CD – February 6, 1976 (Area 5); Nonconformities: None; Zoning Violation(s): None; Surrounding Zoning: North: CD & RR; South: CD, RR & R15; East: NB neighborhood business (Hoke), RA-20 (Hoke) & R15 (Hoke); West: CD, RR, R10 & R7.5; Surrounding Land Use: Residential (including manufactured dwellings) & woodlands; 2030 Land Use Plan: Urban and conservation area; Special Flood Hazard Area (SFHA): Yes, northern tract: 133-136 msl (NAVD) / southern tract: 130-133 msl (NAVD); Water/Sewer Availability: PWC/ PWC; Soil Limitations: Yes, hydric – (JT) Johnston loam; School Capacity/Enrolled: Stoney Point Elementary 900/957, John Griffin Middle 1340/1386, Jack Britt High 1870/1871; Subdivision/Site Plan: Preliminary subdivision approved 06/24/09 / 275 lots (Case No. 09-076) – combined with adjacent tract; Municipal Influence Area: Town of Hope Mills; Average Daily Traffic Count (2006): 4,600 on Camden Road; Recreation Area: Stoney Point Recreation Center located 1.72 miles away; Highway Plan: Camden Road is identified in the Highway Plan as a major thoroughfare, this proposal calls for a multi-lane facility (4 lane-divided), road improvements are not included in the MTIP, Priority 2 under LRTP. Fayetteville Outer Loop is identified in the Highway Plan as a major thoroughfare, this proposal calls for a multi-lane facility (U-2519) with a right-of-way of 250 feet, road improvements are included in the 2007-2013 MTIP, right-of-way: 250'; planning/design: in progress; mitigation: FFY07; ROW acquisition: FY 06, 07, post years; construction: 08, 12, post years; this property will be directly impacted by the Fayetteville Outer Loop (located outside of the 1000 ft. corridor); Note: Density: RR – 30 lots, R15 – 39 lots, R7.5 – 79 lots; Density (minus 15% for r/w): RR – 26 lots, R15 – 33 lots, R7.5 – 67 lots.

MINUTES OF SEPTEMBER 15, 2009

The Planning & Inspections Staff recommends approval of the R7.5 Residential district but only for that portion of the subject property located outside the *Special Flood Hazard Area* (SFHA), with the land area inside the SFHA being zoned CD Conservancy, based on the following:

1. The requested district for the subject property is consistent with the location criteria for low density residential as adopted in the Land Use Policies Plan of the 2030 Growth Vision Plan with the exception of the stated goal of the district not being located within the SFHA;
2. The 2030 Growth Strategy Map has designated the portion of the subject property within the SFHA as a conservation area; and
3. Public utilities are available to this site.

The R20 and R15 residential districts could also be found suitable for this site.

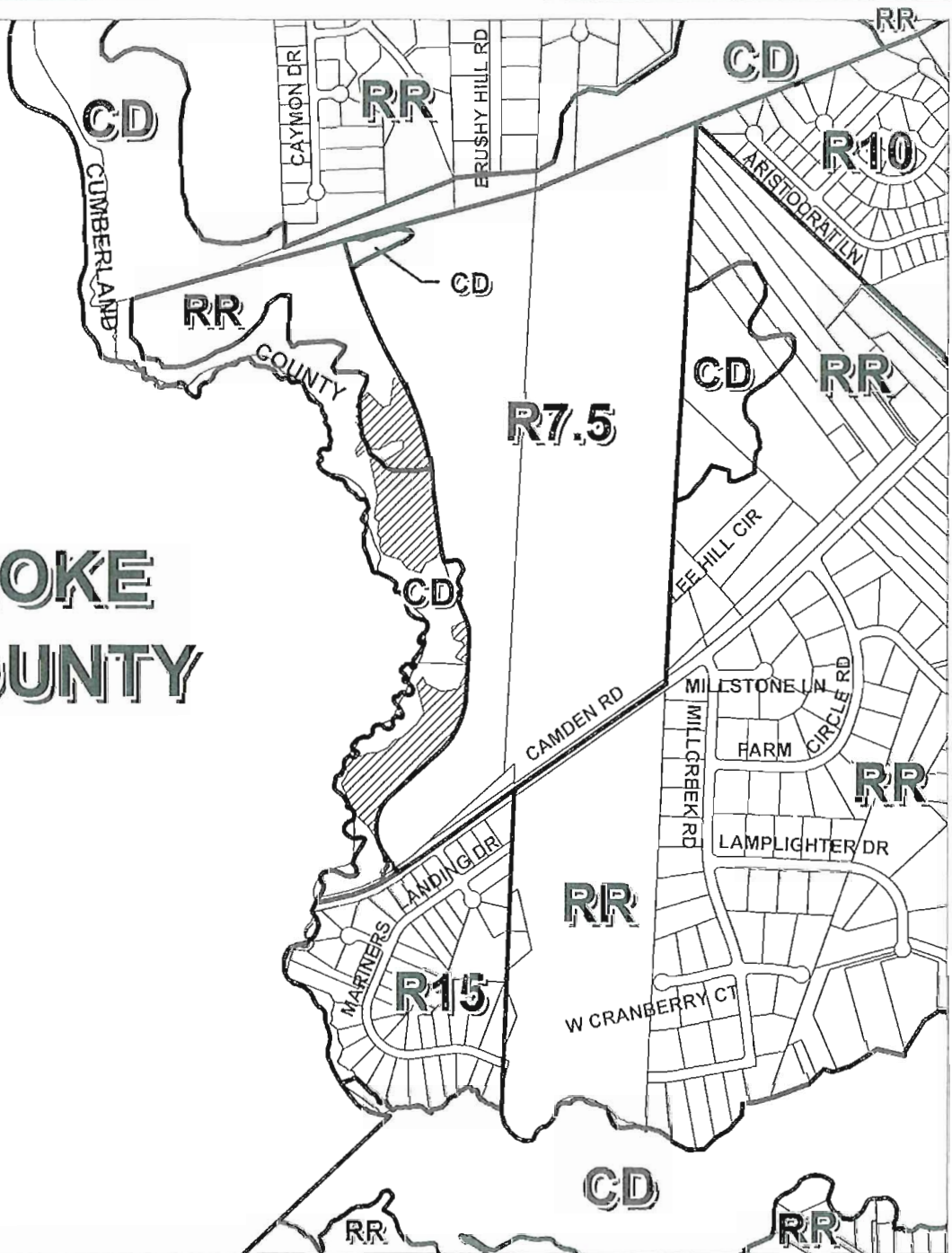
The property owners/applicants have verbally agreed with this staff recommendation.

A motion was made by Vice-Chair Turner, seconded by Mrs. Piland, to follow the staff recommendation and approve case P09-42. 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.

HOKE COUNTY



REQUESTED REZONING RR & CD TO R7.5

ACREAGE: 13.53 AC.+/-

HEARING NO: P09-42

ORDINANCE: COUNTY

HEARING DATE

ACTION

STAFF RECOMMENDATION

PLANNING BOARD

GOVERNING BOARD

PORT. OF PIN: 9484-90-3689
PORT. OF PIN: 9484-83-4294

AF

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 5939-2009.

Property Owner: Oscar M. Warren Life Estate

Property Address: 5550 Leitha Lane, Dunn, NC

Tax Parcel Identification Number: 1503-02-2235

SYNOPSIS: This property was inspected on 4/30/2009. The property owners and parties of interest were legally served with Notice of Violations and were afforded a Hearing on 5/28/2009. Oscar M. Warren, Bernard Warren, Felicia Brand, Shawn Shipman, and Lile Sumter 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 8/28/2009. 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 the Findings of Fact and Order.) No appeal was filed. Upon my visit to the property on 10/6/2009 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 \$30,000.00. The Assessor for Cumberland County has the structure presently valued at \$500.00.

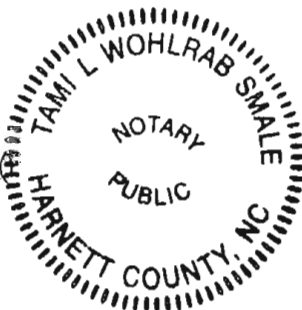
Attached is a map depicting the location of the property. (See Exhibit B.)

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 7 day of October 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

Kim Reeves,
Inspector

Angela Perrier,
Inspector

George Hatcher,
Inspector

Charisse Brown,
Inspector

Johnny H. Scott,
Inspector

Joey Lewis,
Inspector

Planning & Inspections Department

P/ 91 7108 2133 3936 0853 2411 *Shawn Shipman*
P/ 91 7108 2133 3936 0853 2404 *Lile Sumter*

FINDINGS OF FACT AND ORDER

P/ 91 7108 2133 3936 0853 2398 *Felicia Brand*
May 29, 2009

P/ 91 7108 2133 3936 0853 2381 *Bernard Warren*
P/ 91 7108 2133 3936 0853 2374 *Oscar M Warren & Est.*

CASE #: MH 5939-2009

TO: Oscar Moses Warren Life Estate & Parties of Interest
2280 Balance Farm Road
St. Pauls, NC 28384

Property at: 5550 Leitha Lane, Dunn, NC

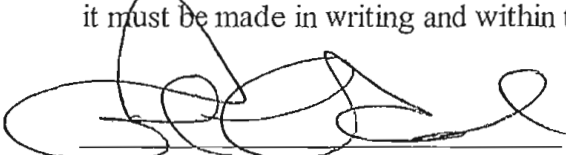
A Complaint, Notice of Hearing and Report of Inspection were legally served to the owner or owner's agent, and any party of interest. These documents were in fact received by the owner or owner's agent and party of interest on 5/7/2009.

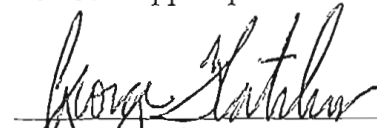
Pursuant of law, a Hearing was conducted in Room 101, of the old courthouse at 130 Gillespie Street, Fayetteville, NC on 5/28/2009 at 10:30:00 AM. The items identified below took place at the Hearing:

- ☐ 1. No owner or party of interest, or their agent, or representative appeared.
- ☒ 2. An answer was filed by owners and/or parties of interest. The answer was heard, read, and considered. Those present were: Oscar M. Warren, Bernard Warren, Felicia Brand, Shawn Shipman, and Lile Sumter.
- ☒ 3. The undersigned inspector personally inspected the dwelling described in the Complaint and Notice of Hearing dated, 4/30/2009. 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 5939-2009, dated 4/30/2009.
 - ☒ 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 8/28/2009. 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 8/28/2009. 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.

 for
Ken Sykes
Hearing Officer


George Hatcher
Code Enforcement Officer

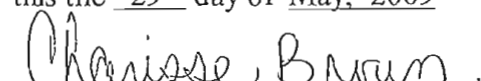
Enclosed: Appeals Procedures & Form

Cc: Bernard Warren Felicia Brand
2280 Balance Street 4586 Zinc Court
St. Pauls, NC 28384 Fayetteville, NC 28311

Lile Sumter & Shawn Shipman
5120 Barbaris Court
Hope Mills, NC 28348

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

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


Notary Public
My Commission Expires: 9/29/2012

Date: 07/21/2009

g h:

The following is in response to your 07/21/2009 request for delivery information on your Certified Mail(TM) item number 7108 2133 3936 0853 2404. The delivery record shows that this item was delivered on 06/04/2009 at 11:45 AM in HOPE MILLS, NC 28348. The scanned image of the recipient information is provided below.

Signature of Recipient:

Delivery Section	
Signature	<i>Lucie Linter</i>
Address	<i>Sumner</i>

Address of Recipient:

Address	<i>5120 BARBARISC</i>
---------	-----------------------

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 MAY 29, 2009 CASE NUMBER MH 5939-2009**

EXHIBIT A



**UNITED STATES
POSTAL SERVICE**

Date: 07/21/2009

g h:

The following is in response to your 07/21/2009 request for delivery information on your Certified Mail(TM) item number 7108 2133 3936 0853 2398. The delivery record shows that this item was delivered on 06/04/2009 at 02:57 PM in FAYETTEVILLE, NC 28311. The scanned image of the recipient information is provided below.

Signature of Recipient:

Delivery Section	
ire	<i>Felisha Brand</i>
d	<i>Felisha Brand</i>

Address of Recipient:

ry ss	<i>4586 Line</i>
----------	------------------

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 MAY 29, 2009 CASE NUMBER MH 5939-2009**

EXHIBIT A



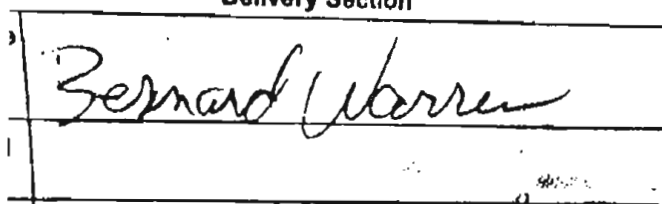
**UNITED STATES
POSTAL SERVICE**

Date: 07/21/2009

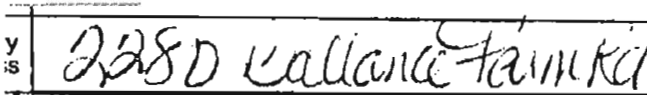
g h:

The following is in response to your 07/21/2009 request for delivery information on your Certified Mail(TM) item number 7108 2133 3936 0853 2374. The delivery record shows that this item was delivered on 06/04/2009 at 09:37 AM in SAINT PAULS, NC 28384. The scanned image of the recipient information is provided below.

Signature of Recipient:

Delivery Section


Address of Recipient:



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 MAY 29, 2009 CASE NUMBER MH 5939-2009**

EXHIBIT A

Date: 07/21/2009

g h:

The following is in response to your 07/21/2009 request for delivery information on your Certified Mail(TM) item number 7108 2133 3936 0853 2411. The delivery record shows that this item was delivered on 06/04/2009 at 11:45 AM in HOPE MILLS, NC 28348. The scanned image of the recipient information is provided below.

Signature of Recipient:

Delivery Section	
Signature	<i>Lucie Jinter</i>
Address	<i>Sumter</i>

Address of Recipient:

Address	<i>5120 BARBARUSC</i>
---------	-----------------------

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 MAY 29, 2009 CASE NUMBER MH 5939-2009**

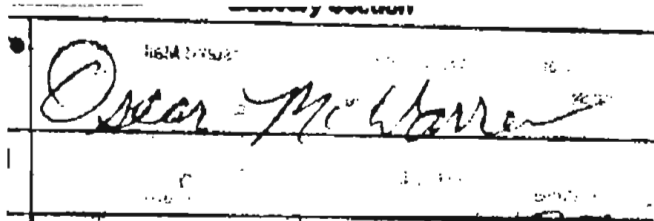
EXHIBIT A

Date: 07/21/2009

g h:

The following is in response to your 07/21/2009 request for delivery information on your Certified Mail(TM) item number 7108 2133 3936 0853 2381. The delivery record shows that this item was delivered on 06/04/2009 at 09:37 AM in SAINT PAULS, NC 28384. The scanned image of the recipient information is provided below.

Signature of Recipient:



Address of Recipient:



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 MAY 29, 2009 CASE NUMBER MH 5939-2009**

EXHIBIT A

MAP DEPICTING LOCATION OF PROPERTY
Property Owner: Oscar Moses Warren
5541 Leitha Lane, Dunn, NC (Godwin)
MINIMUM HOUSING CASE # MH5934-2009
TAX PARCEL IDENTIFICATION NUMBER 1503-02-2761

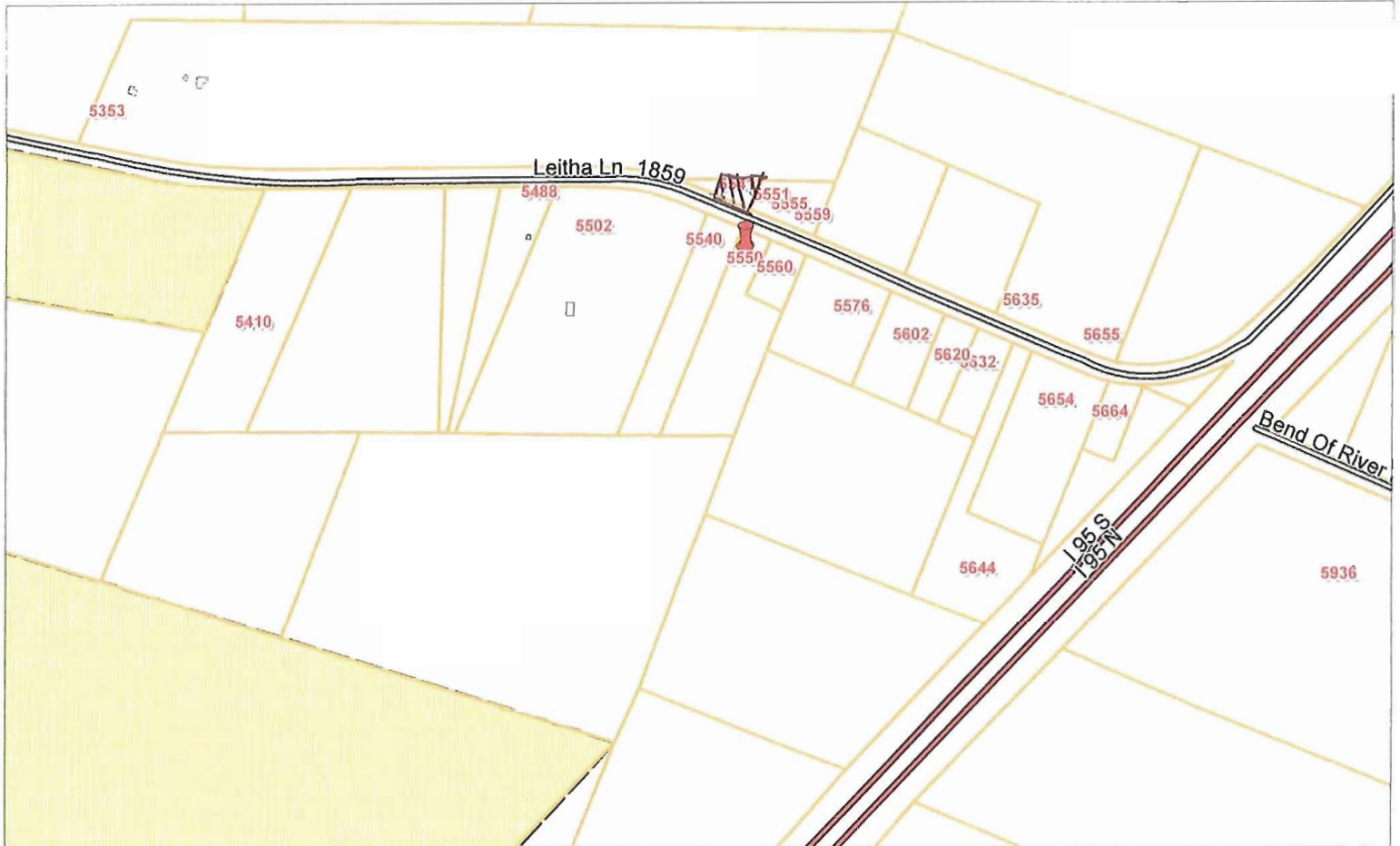


EXHIBIT B

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 5934-2009.

Property Owner: Oscar M. Warren Life Estate

Property Address: 5541 Leitha Lane, Dunn, NC

Tax Parcel Identification Number: 1503-02-2761

SYNOPSIS: This property was inspected on 4/30/2009. The property owners and parties of interest were legally served with Notice of Violations and were afforded a Hearing on 5/28/2009. Oscar M. Warren, Bernard Warren, Felicia Brand, Shawn Shipman, and Lile Sumter 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 8/28/2009. 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 the Findings of Fact and Order.) No appeal was filed. Upon my visit to the property on 10/6/2009 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 \$30,000.00. The Assessor for Cumberland County has the structure presently valued at \$287.00.

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

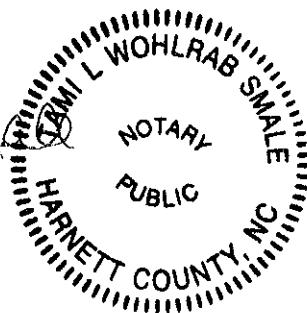
RECOMMENDATION: IT IS THE RECOMMENDATION OF THE PLANNING & INSPECTION DEPARTMENT THAT THE STRUCTURE BE DEMOLISHED, AND THE DEBRIS REMOVED FROM THE LOT.

George Hatcher
Affiant
Code Enforcement Officer
County of Cumberland

Sworn to and Subscribed to by me this
the 7 day of October 2009.

James L. Wohlrab, Jr.
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

Charisse Brown,
Inspector

Johanny H. Scott,
Inspector

Joey Lewis,
Inspector

COUNTY of CUMBERLAND

Planning & Inspections Department

91 7108 2133 3936 0853 2411 - Shawn Shuman

91 7108 2133 3936 0853 2404 - Lile Sumter

91 7108 2133 3936 0853 2398 - Felicia Brand

FINDINGS OF FACT AND ORDER

91 7108 2133 3936 0853 2381 - Bernard Warren

May 29, 2009

91 7108 2133 3936 0853 2374 - Oscar M. Warren & Est.

CASE #: MH 5934-2009

TO: Oscar Moses Warren Life Estate & Parties of Interest
2280 Balance Farm Road
St. Pauls, NC 28384

Property at: 5541 Leitha Lane, Dunn, 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 5/2/2009.

Pursuant of law, a Hearing was conducted in Room 101, of the old courthouse at 130 Gillespie Street, Fayetteville, NC on 5/28/2009 at 10:30:00 AM. The items identified below took place at the Hearing:

- ☐ 1. No owner or party of interest, or their agent, or representative appeared.
- ☒ 2. An answer was filed by owners and/or parties of interest. The answer was heard, read, and considered. Those present were: Oscar M. Warren, Bernard Warren, Felicia Brand, Shawn Shipman, and Lile Sumter.
- ☒ 3. The undersigned inspector personally inspected the dwelling described in the Complaint and Notice of Hearing dated, 4/30/2009. 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 5934-2009, dated 4/30/2009.
 - ☒ 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.

131 Gillespie Street, Old Courthouse, Room 101 - Fayetteville, North Carolina 28301 - Telephone (910) 321-6643 - Fax (910) 321-6637

EXHIBIT "A"

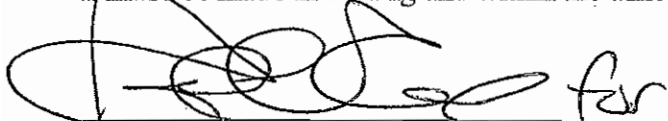
Findings and Facts of Order

Case #: MH 5934-2009

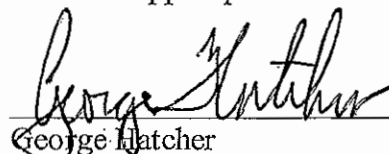
Page 2

- ☒ 4. Due to facts presented above, the Hearing Officer orders as follows:
- ☒ a. The owners and/or parties of interest of the dwelling named above are required to bring such dwelling into compliance with the Cumberland County Housing Ordinance by either repairing, altering, and improving the dwelling up to a minimum standard or by demolishing the structure and then causing the debris to be removed from the premises by a date not later than **8/28/2009**. **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 **8/28/2009**. 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

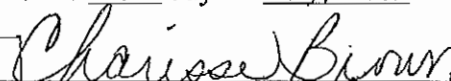
Cc: Bernard Warren
2280 Balance Street
St. Pauls, NC 28384

Felicia Brand
4586 Zinc Court
Fayetteville, NC 28311

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

Lile Sumter & Shawn Shipman
5120 Barbaris Court
Hope Mills, NC 28348

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

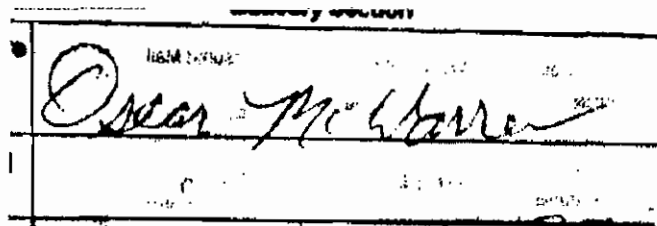

Notary Public
My Commission Expires: 9/29/2012

Date: 07/21/2009

g h:

The following is in response to your 07/21/2009 request for delivery information on your Certified Mail(TM) item number 7108 2133 3936 0853 2381. The delivery record shows that this item was delivered on 06/04/2009 at 09:37 AM in SAINT PAULS, NC 28384. The scanned image of the recipient information is provided below.

Signature of Recipient:

A scanned image of a signature, likely "Oscar McLean", written in cursive on a lined background.

Address of Recipient:

A scanned image of a handwritten address, "2980 Gallantaine Rd.", written in cursive on a lined background.

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 MAY 29, 2009 CASE NUMBER MH 5934-2009**

EXHIBIT A

Date: 07/21/2009

g h:

The following is in response to your 07/21/2009 request for delivery information on your Certified Mail(TM) item number 7108 2133 3936 0853 2411. The delivery record shows that this item was delivered on 06/04/2009 at 11:45 AM in HOPE MILLS, NC 28348. The scanned image of the recipient information is provided below.

Signature of Recipient:

Delivery Section	
Signature	<i>Lucie Linter</i>
Address	<i>Sumter</i>

Address of Recipient:

Address	<i>5120 BARBARISC</i>
---------	-----------------------

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 MAY 29, 2009 CASE NUMBER MH 5934-2009**

EXHIBIT A

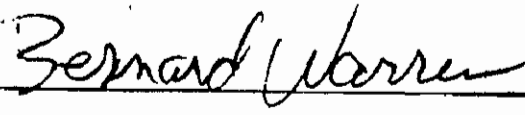
Date: 07/21/2009

g h:

The following is in response to your 07/21/2009 request for delivery information on your Certified Mail(TM) item number 7108 2133 3936 0853 2374. The delivery record shows that this item was delivered on 06/04/2009 at 09:37 AM in SAINT PAULS, NC 28384. The scanned image of the recipient information is provided below.

Signature of Recipient:

Delivery Section


--

Address of Recipient:


--

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 MAY 29, 2009 CASE NUMBER MH 5934-2009**

EXHIBIT A



**UNITED STATES
POSTAL SERVICE**

Date: 07/21/2009

g h:

The following is in response to your 07/21/2009 request for delivery information on your Certified Mail(TM) item number 7108 2133 3936 0853 2398. The delivery record shows that this item was delivered on 06/04/2009 at 02:57 PM in FAYETTEVILLE, NC 28311. The scanned image of the recipient information is provided below.

Signature of Recipient:

Delivery Section	
ire	<i>Felisha Brand</i>
d	<i>Felisha Brand</i>

Address of Recipient:

ry ss	<i>4586 Line Dr</i>
----------	---------------------

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 MAY 29, 2009 CASE NUMBER MH 5934-2009**

EXHIBIT A



**UNITED STATES
POSTAL SERVICE**

Date: 07/21/2009

g h:

The following is in response to your 07/21/2009 request for delivery information on your Certified Mail(TM) item number 7108 2133 3936 0853 2404. The delivery record shows that this item was delivered on 06/04/2009 at 11:45 AM in HOPE MILLS, NC 28348. The scanned image of the recipient information is provided below.

Signature of Recipient:

Delivery Section	
Signature	<i>Lucie Hunter</i>
Address	<i>Sumter</i>

Address of Recipient:

Address	<i>5120 BARBARUSC</i>
---------	-----------------------

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 MAY 29, 2009 CASE NUMBER MH 5934-2009**

EXHIBIT A

MAP DEPICTING LOCATION OF PROPERTY
Property Owner: Oscar Moses Warren
5550 Leitha Lane, Dunn, NC (Godwin)
MINIMUM HOUSING CASE # MH5939-2009
TAX PARCEL IDENTIFICATION NUMBER 1503-02-2235

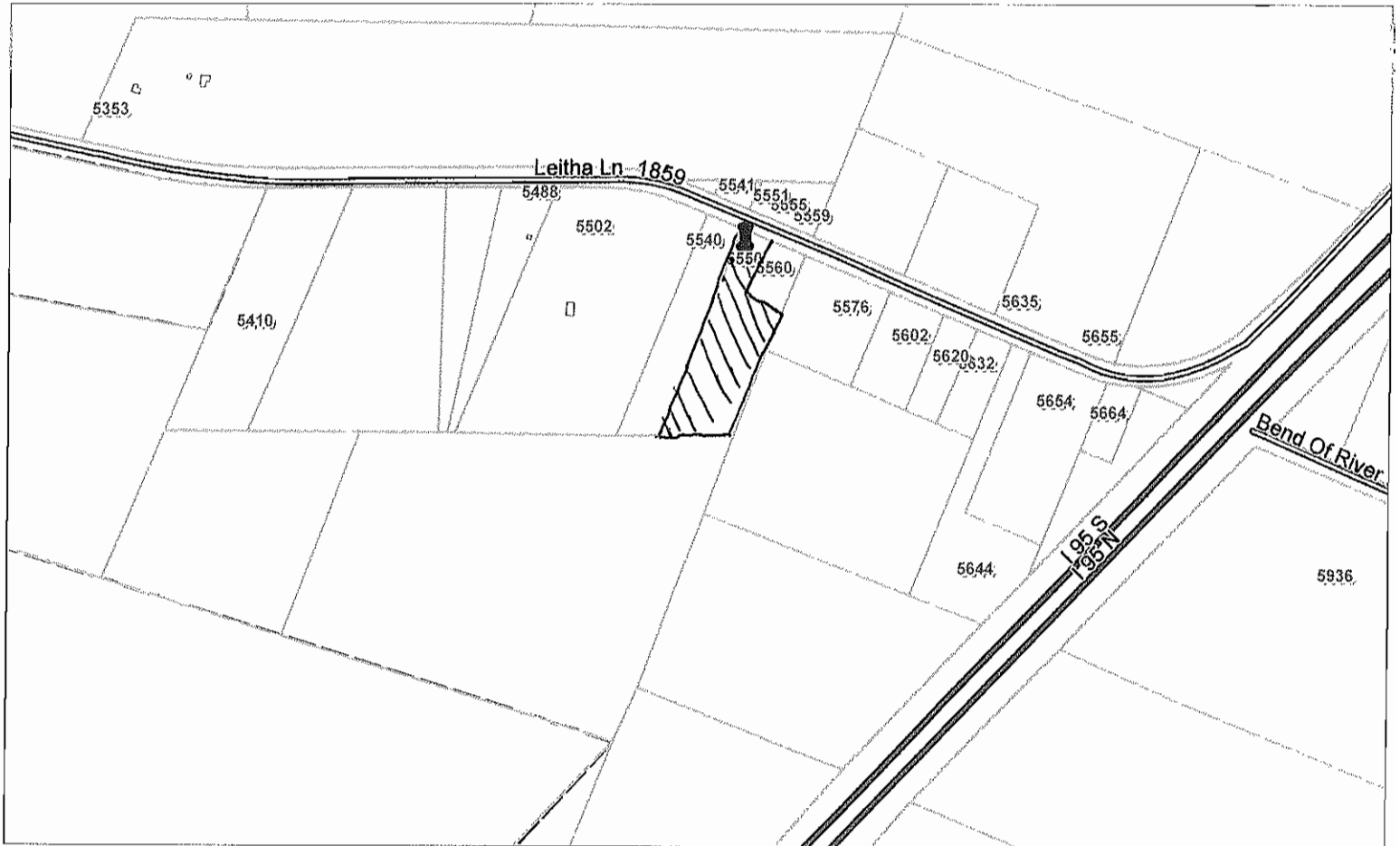


EXHIBIT B

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 numbers
MH 5954, 5955, 5956-2009.

Property Owner: Annie Jane Eason

Property Address: 5555, 5559, and between 5555 & 5559 Leitha Lane, Dunn, NC

Tax Parcel Identification Number: 1503-02-4628

SYNOPSIS: This property was inspected on 5/1/2009. The property owners and parties of interest were legally served with Notice of Violations and were afforded a Hearing on 5/28/2009. Annie J. Eason 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 8/28/2009. 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 the Findings of Fact and Order.) No appeal was filed. Upon my visit to the property on 10/6/2009 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:

5555 Leitha Lane: \$15,000.00, 5559 Leitha Lane: \$15,000.00, and between
5555 & 5559 Leitha Lane: \$30,000.00.

The Assessor for Cumberland County has the structure presently valued at: 5555 Leitha Lane: \$2,500.00,
5559 Leitha Lane: \$500.00, and between 5555 & 5559 Leitha Lane: \$500.00.

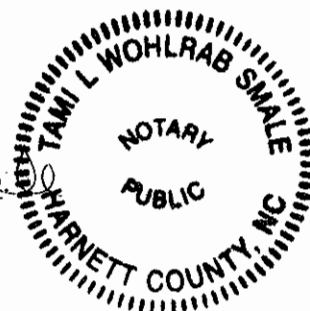
Attached is a map depicting the location of the property. (See Exhibit B.)

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 7 day of October 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 0853 2305
FINDINGS OF FACT AND ORDER

May 29, 2009

CASE #: MH 5954-2009

TO: Annie Jane Eason & Parties of Interest
5551 Leitha Lane
Dunn, NC 28334

Property at: 5559 Leitha Lane, Dunn, NC

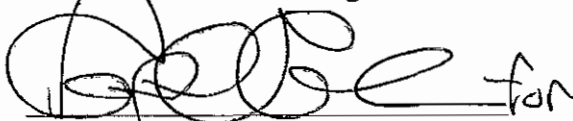
A Complaint, Notice of Hearing and Report of Inspection were legally served to the owner or owner's agent, and any party of interest. These documents were in fact received by the owner or owner's agent and party of interest on 5/8/2009.

Pursuant of law, a Hearing was conducted in Room 101, of the old courthouse at 130 Gillespie Street, Fayetteville, NC on 5/28/2009 at 10:45:00 AM. The items identified below took place at the Hearing:

- ☐ 1. No owner or party of interest, or their agent, or representative appeared.
- ☒ 2. An answer was filed by owners and/or parties of interest. The answer was heard, read, and considered. Those present were: Annie J. Eason.
- ☒ 3. The undersigned inspector personally inspected the dwelling described in the Complaint and Notice of Hearing dated, 5/5/2009. 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 5954-2009, dated 5/1/2009.
 - ☒ 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 **8/28/2009**. **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 **8/28/2009**. 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.

 for

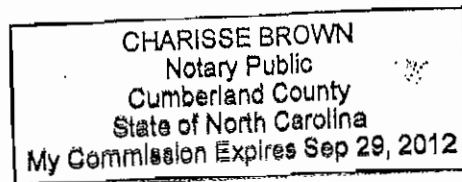
Ken Sykes
Hearing Officer



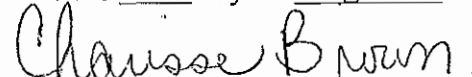
George Hatcher
Code Enforcement Officer

Enclosed: Appeals Procedures & Form

cc:



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



Notary Public
My Commission Expires: 9/29/2012

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**PROOF OF SERVICE OF FINDINGS OF FACT AND ORDER
DATED MAY 29, 2009 CASE NUMBER MH 5954-2009**

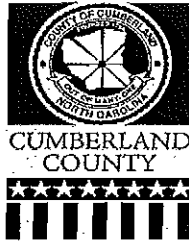
EXHIBIT A

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

91 7108 2133 3936 0853 2305

FINDINGS OF FACT AND ORDER

May 29, 2009

CASE #: MH 5955-2009

TO: Annie Jane Eason & Parties of Interest
5551 Leitha Lane
Dunn, NC 28334

Property at: Between 5555 & 5559 Leitha Lane, Dunn, NC

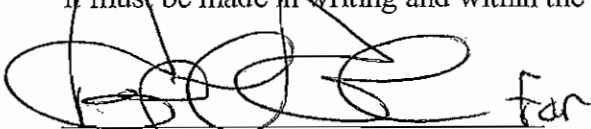
A Complaint, Notice of Hearing and Report of Inspection were legally served to the owner or owner's agent, and any party of interest. These documents were in fact received by the owner or owner's agent and party of interest on 5/8/2009.

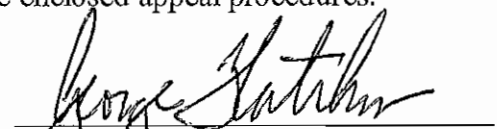
Pursuant of law, a Hearing was conducted in Room 101, of the old courthouse at 130 Gillespie Street, Fayetteville, NC on 5/28/2009 at 10:45:00 AM. The items identified below took place at the Hearing:

- ☐ 1. No owner or party of interest, or their agent, or representative appeared.
- ☒ 2. An answer was filed by owners and/or parties of interest. The answer was heard, read, and considered. Those present were: Annie J. Eason.
- ☒ 3. The undersigned inspector personally inspected the dwelling described in the Complaint and Notice of Hearing dated, 5/5/2009. 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 5955-2009, dated 5/1/2009.
 - ☒ 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 8/28/2009. **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 8/28/2009. The cost of said demolition will be assessed against the real property in the form of a lien.

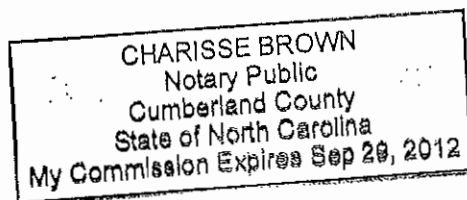
An appeal may be made to the Cumberland County Housing Board of Appeals. If an appeal is requested, it must be made in writing and within the time limits specified in the enclosed appeal procedures.


Ken Sykes
Hearing Officer

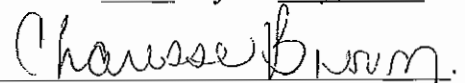

George Hatcher
Code Enforcement Officer

Enclosed: Appeals Procedures & Form

cc:



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


Notary Public
My Commission Expires: 9/29/2012

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Status: Delivered

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**PROOF OF SERVICE OF FINDINGS OF FACT AND ORDER
DATED MAY 29, 2009 CASE NUMBER MH 5955-2009**

EXHIBIT A

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

Charisse Brown,
Inspector

Johnny H. Scott,
Inspector

Joey Lewis,
Inspector

COUNTY of CUMBERLAND

Planning & Inspections Department

91 7108 2133 3936 0853 2305

FINDINGS OF FACT AND ORDER

May 29, 2009

CASE #: MH 5956-2009

TO: Annie Jane Eason & Parties of Interest
5551 Leitha Lane
Dunn, NC 28334

Property at: 5555 Leitha Lane, Dunn, NC

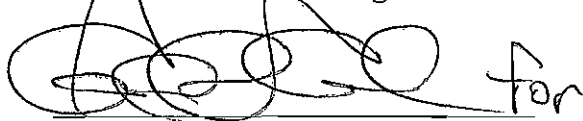
A Complaint, Notice of Hearing and Report of Inspection were legally served to the owner or owner's agent, and any party of interest. These documents were in fact received by the owner or owner's agent and party of interest on 5/8/2009.

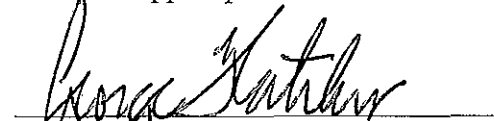
Pursuant of law, a Hearing was conducted in Room 101, of the old courthouse at 130 Gillespie Street, Fayetteville, NC on 5/28/2009 at 10:45:00 AM. The items identified below took place at the Hearing:

- ☐ 1. No owner or party of interest, or their agent, or representative appeared.
- ☒ 2. An answer was filed by owners and/or parties of interest. The answer was heard, read, and considered. Those present were: Annie J. Eason.
- ☒ 3. The undersigned inspector personally inspected the dwelling described in the Complaint and Notice of Hearing dated, 5/5/2009. 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 5956-2009, dated 5/1/2009.
 - ☒ 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 **8/28/2009**. **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 **8/28/2009**. 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.

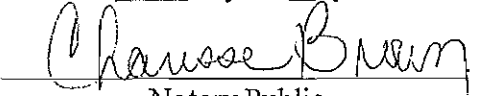

Ken Sykes
Hearing Officer


George Hatcher
Code Enforcement Officer

Enclosed: Appeals Procedures & Form

cc:

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

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

Notary Public
My Commission Expires: 9/29/2012

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**PROOF OF SERVICE OF FINDINGS OF FACT AND ORDER
DATED MAY 29, 2009 CASE NUMBER MH 5956-2009**

EXHIBIT A

MAP DEPICTING LOCATION OF PROPERTY
Property Owner: Annie Jane Eason
5555, 5559, & between 5555 & 5559 Leitha Lane, Dunn, NC (Godwin)
MINIMUM HOUSING CASE # MH5954, MH5955, MH5956-2009
TAX PARCEL IDENTIFICATION NUMBER 1503-02-4628

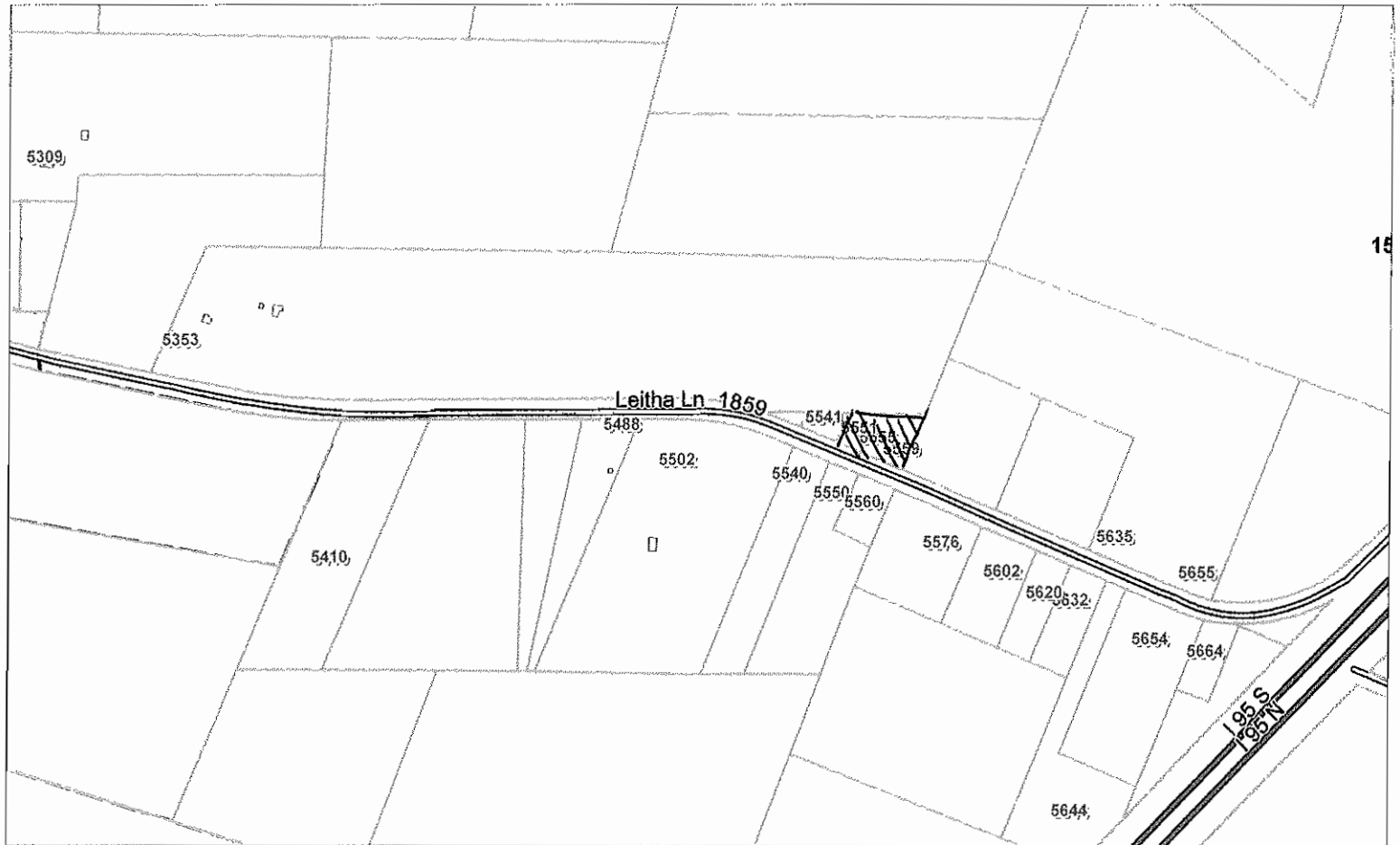


EXHIBIT B

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 5736-2008.

Property Owner: Lula Rozier

Home Owner: Jesse Modlin & Stephanie Swinton

Property Address: 375 Chapel Hill Road, Spring Lake, NC

Tax Parcel Identification Number: 0502-82-4186

SYNOPSIS: This property was inspected on 12/20/2008. The property owners and parties of interest were legally served with Notice of Violations and were afforded a Hearing on 1/29/2009. Lula Rozier 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 4/29/2009. 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 the Findings of Fact and Order.) No appeal was filed. Upon my visit to the property on 10/6/2009 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 \$15,000.00. 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.)

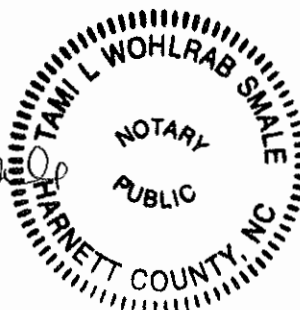
RECOMMENDATION: IT IS THE RECOMMENDATION OF THE PLANNING & INSPECTION DEPARTMENT THAT THE STRUCTURE BE DEMOLISHED, AND THE DEBRIS REMOVED FROM THE LOT.

George Hatcher
Affiant
Code Enforcement Officer
County of Cumberland

Sworn to and Subscribed to by me this
the 7 day of October 2009.

Tami L Wohlrab Smaile
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.

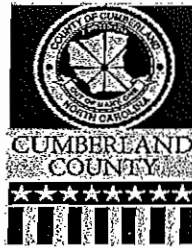
To delay a decision on the case until _____ (date) in order to give the owner
or party of interest time to: _____

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.

Donovan McLaurin,
Chair
Wade, Falcon & Godwin

Lori Epler,
Vice-Chair
Cumberland County

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



Thomas J. Lloyd,
Director

Cecil P. Combs,
Deputy Director

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

Benny Pearce,
Town of Eastover

COUNTY of CUMBERLAND

Planning & Inspections Department

91 7108 2133 3935 9471 1548 *Lula's* - Cert / 1st / post

91 7108 2133 3935 9471 1531 *Opessa's* - Cert / 1st / post

FINDINGS OF FACT AND ORDER

91 7108 2133 3935 9471 1524 *Stephanie's* / cert / 1st / post

January 29, 2009

CASE #: **MH 5736-2008**

TO: Lula Rozier & Parties of Interest
PO Box 844
Spring Lake, NC 27390-0844

&

Jesse Modlin & Stephanie Swinton
375 Chapel Hill Road
Spring Lake, NC 28390

Property at: 375 Chapel Hill Road, Spring Lake, NC

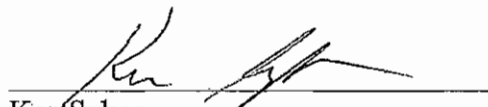
A Complaint, Notice of Hearing and Report of Inspection were legally served to the owner or owner's agent, and any party of interest. These documents were in fact received by the owner or owner's agent and party of interest on 12/31/2008.

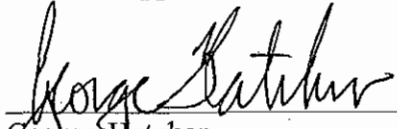
Pursuant of law, a Hearing was conducted in Room 101, of the old courthouse at 130 Gillespie Street, Fayetteville, NC on 1/29/2009 at 9:15:00 AM. The items identified below took place at the Hearing:

- ☐ 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: Lula Rozier.
- ☒ 3. The undersigned inspector personally inspected the dwelling described in the Complaint and Notice of Hearing dated, 12/30/2008. 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 5736-2008**, dated 12/30/2009.
 - ☒ 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 4/29/2009. **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 4/29/2009. The cost of said demolition will be assessed against the real property in the form of a lien.

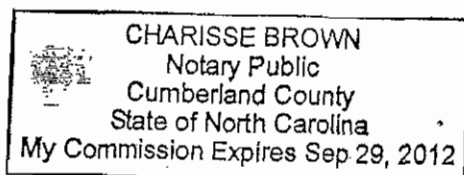
An appeal may be made to the Cumberland County Housing Board of Appeals. If an appeal is requested, it must be made in writing and within the time limits specified in the enclosed appeal procedures.


Ken Sykes
Hearing Officer

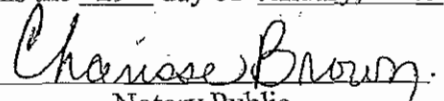

George Hatcher
Code Enforcement Officer

Enclosed: Appeals Procedures & Form

cc:



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


Charisse Brown
Notary Public
My Commission Expires: 9/29/2012

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Track & Confirm

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**PROOF OF SERVICE OF FINDINGS OF FACT AND ORDER
DATE JANUARY 29, 2009 CASE NUMBER MH 5736-2008**

EXHIBIT A

MAP DEPICTING LOCATION OF PROPERTY
Property Owner: Lula Rozier
375 Chapel Hill Road, Spring Lake, NC
MINIMUM HOUSING CASE # MH5736-2008
TAX PARCEL IDENTIFICATION NUMBER 0502-82-4186

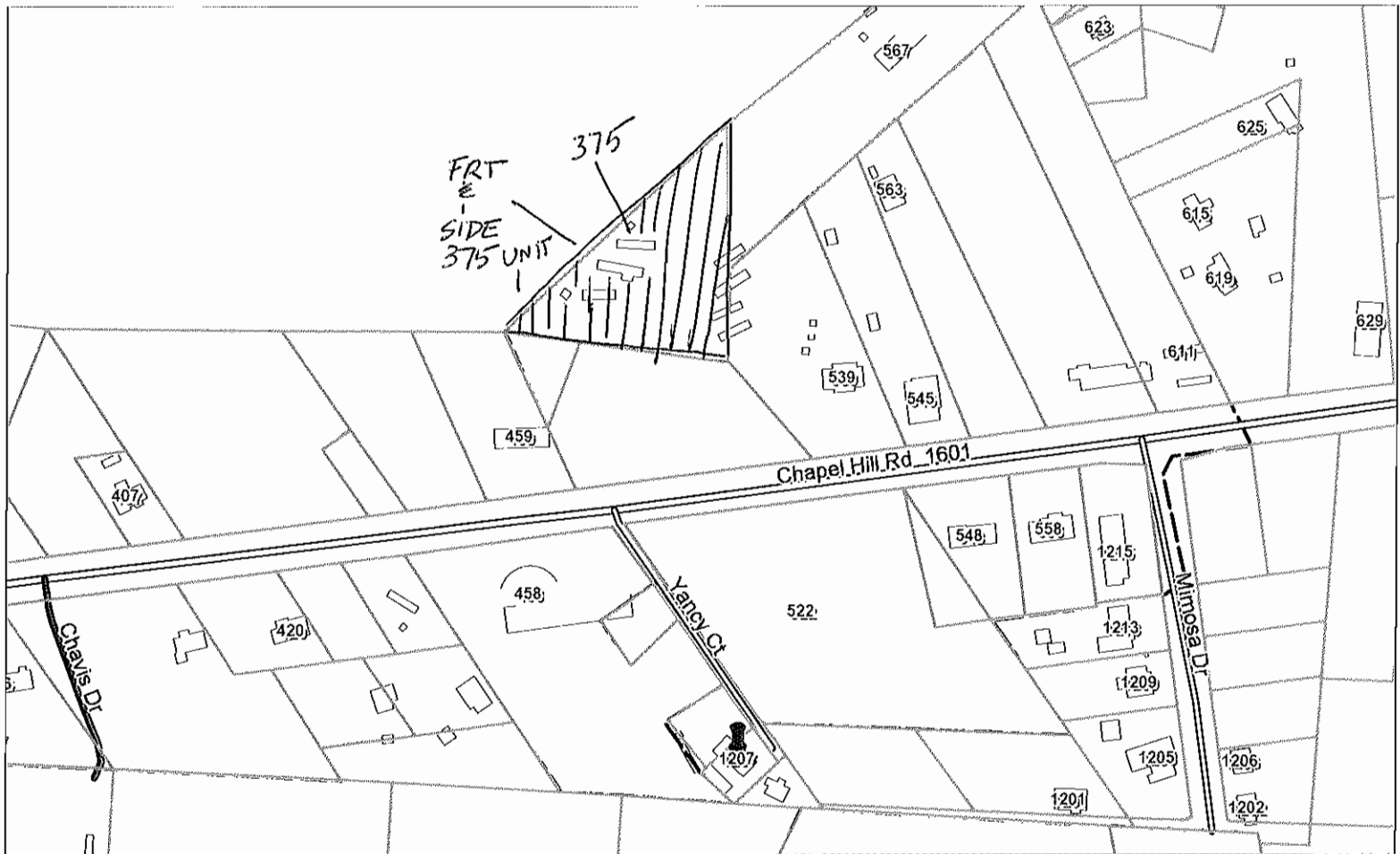


EXHIBIT B

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 5737-2008.

Property Owner: Lula Rozier

Property Address: Lot to front and side of 375 Chapel Hill Road (Unit 1), Spring Lake, NC

Tax Parcel Identification Number: 0502-82-4186

SYNOPSIS: This property was inspected on 12/20/2008. The property owners and parties of interest were legally served with Notice of Violations and were afforded a Hearing on 1/29/2009. Lula Rozier 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 4/29/2009. 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 the Findings of Fact and Order.) No appeal was filed. Upon my visit to the property on 10/6/2009 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 \$15,000.00. 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.)

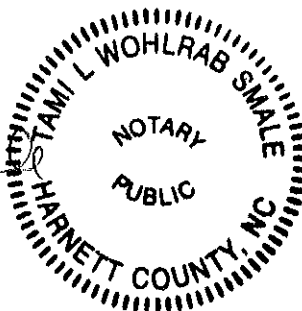
RECOMMENDATION: IT IS THE RECOMMENDATION OF THE PLANNING & INSPECTION DEPARTMENT THAT THE STRUCTURE BE DEMOLISHED, AND THE DEBRIS REMOVED FROM THE LOT.

George Hatcher
Affiant
Code Enforcement Officer
County of Cumberland

Sworn to and Subscribed to by me this
the 7 day of October 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.

Donovan McLaurin,
Chair
Wade, Falcon & Godwin

Lori Epler,
Vice-Chair
Cumberland County

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



Thomas J. Lloyd,
Director

Cecil P. Combs,
Deputy Director

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

Benny Pearce,
Town of Eastover

COUNTY of CUMBERLAND

Planning & Inspections Department

91 7108 2133 3935 9471 1517

FINDINGS OF FACT AND ORDER

January 29, 2009

CASE #: MH 5737-2008

TO: Lula Rozier & Parties of Interest
PO Box 844
Spring Lake, NC 28390-0844

Property at: Lot to front and side of 375 Chapel Hill Road (Unit 1), Spring Lake, NC

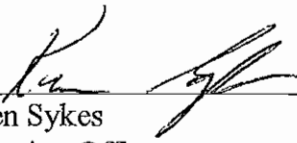
A Complaint, Notice of Hearing and Report of Inspection were legally served to the owner or owner's agent, and any party of interest. These documents were in fact received by the owner or owner's agent and party of interest on 1/13/2009.

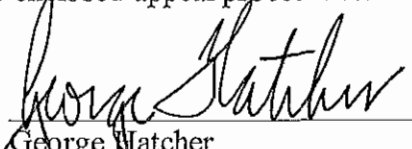
Pursuant of law, a Hearing was conducted in Room 101, of the old courthouse at 130 Gillespie Street, Fayetteville, NC on 1/29/2009 at 9:30:00 AM. The items identified below took place at the Hearing:

- ☐ 1. No owner or party of interest, or their agent, or representative appeared.
- ☒ 2. An answer was filed by owners and/or parties of interest. The answer was heard, read, and considered. Those present were: Lula Rozier.
- ☒ 3. The undersigned inspector personally inspected the dwelling described in the Complaint and Notice of Hearing dated, 12/31/2008. 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 5737-2008, dated 12/30/2008.
 - ☒ 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 4/29/2009. **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 4/29/2009. The cost of said demolition will be assessed against the real property in the form of a lien.

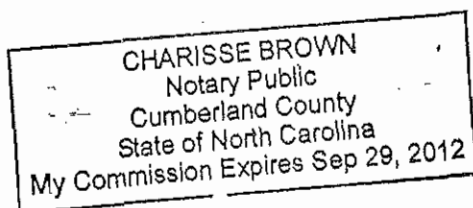
An appeal may be made to the Cumberland County Housing Board of Appeals. If an appeal is requested, it must be made in writing and within the time limits specified in the enclosed appeal procedures.

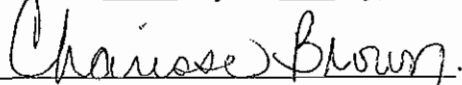

Ken Sykes
Hearing Officer


George Watcher
Code Enforcement Officer

Enclosed: Appeals Procedures & Form

cc:



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

Notary Public
My Commission Expires: 9/29/2012

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**PROOF OF SERVICE OF FINDINGS OF FACT AND ORDER
DATE JANUARY 29, 2009 CASE NUMBER MH 5737-2008**

EXHIBIT A

MAP DEPICTING LOCATION OF PROPERTY

Property Owner: Lula Rozier

Lot in front and side of 375 Chapel Hill Road, Spring Lake, NC

MINIMUM HOUSING CASE # MH5737-2008

TAX PARCEL IDENTIFICATION NUMBER 0502-82-4186

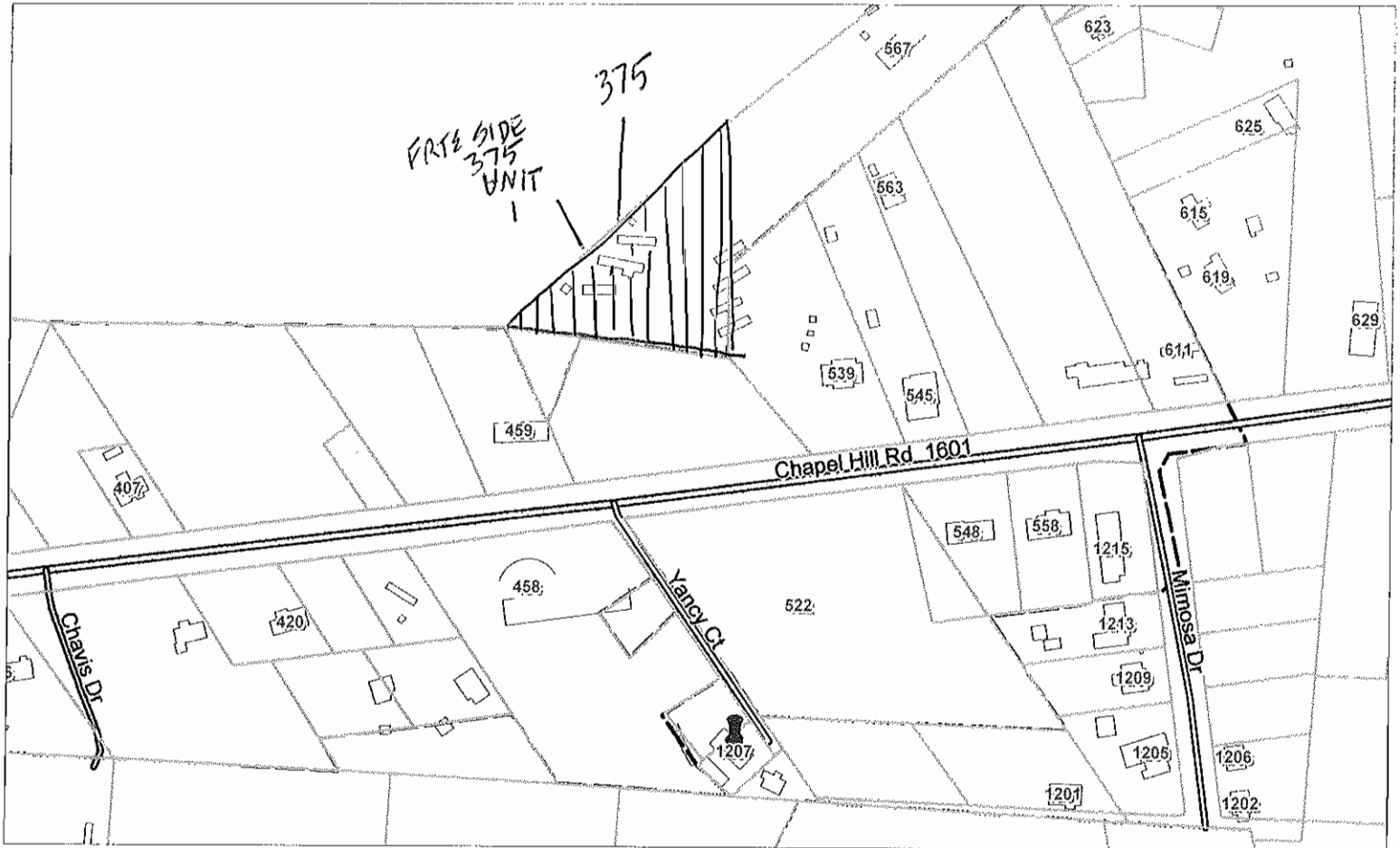


EXHIBIT B

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 5742-2008.

Property Owner: **Ralph & Mae Bell Bonner C/O Ralph W. Bonner, Jr.**

Property Address: **1207 Yancy Court, Spring Lake, NC**


Tax Parcel Identification Number: 0502-81-6406

SYNOPSIS: This property was inspected on **12/30/2008**. The property owners and parties of interest were legally served with Notice of Violations and were afforded a Hearing on **2/26/2009**. 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 **5/1/2009**. 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 the Findings of Fact and Order.) An appeal was filed with a new compliance date of **8/13/2009**. Upon my visit to the property on **10/6/2009** 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 **\$30,000.00**. The Assessor for Cumberland County has the structure presently valued at **\$0.00**.

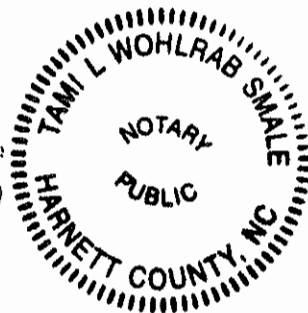
Attached is a map depicting the location of the property. (See Exhibit B.)

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 7 day of October 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.

Donovan McLaurin,
Chair
Wade, Falcon & Godwin

Lori Epler,
Vice-Chair
Cumberland County

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



Thomas J. Lloyd,
Director

Cecil P. Combs,
Deputy Director

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

Benny Pearce,
Town of Eastover

COUNTY of CUMBERLAND

Planning & Inspections Department

91 7108 2133 3935 9468 6679

FINDINGS OF FACT AND ORDER

March 26, 2009

CASE #: MH 5742-2008

TO: Mae Bell Bonner
C/O Ralph Bonner & Parties of Interest
5708 Bibar Road
Fayetteville, NC 28304-4807

Property at: 1207 Yancy Court, Spring Lake, NC

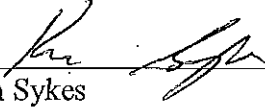
A Complaint, Notice of Hearing and Report of Inspection were legally served to the owner or owner's agent, and any party of interest. These documents were in fact received by the owner or owner's agent and party of interest on 2/13/2009.

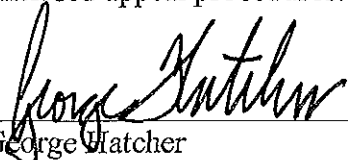
Pursuant of law, a Hearing was conducted in Room 101, of the old courthouse at 130 Gillespie Street, Fayetteville, NC on 2/26/2009 at 9:15:00 AM. The items identified below took place at the Hearing:

- ☒ 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, 2/4/2009. 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 5742-2008, dated 12/30/2008.
 - ☒ 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 5/1/2009. **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 secured to prevent entry by 4/7/2009, and shall 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 5/1/2009. The cost of said demolition will be assessed against the real property in the form of a lien.

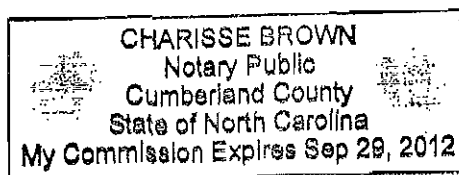
An appeal may be made to the Cumberland County Housing Board of Appeals. If an appeal is requested, it must be made in writing and within the time limits specified in the enclosed appeal procedures.

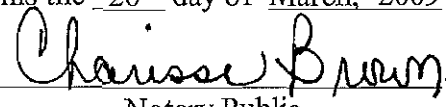

Ken Sykes
Hearing Officer


George Watcher
Code Enforcement Officer

Enclosed: Appeals Procedures & Form

cc:



Sworn to and Subscribed to by me
this the 26th day of March, 2009

Notary Public
My Commission Expires: 9/29/2012

NORTH CAROLINA
COUNTY OF CUMBERLAND

PLANNING/INSPECTIONS DEPARTMENT

RE: Ralph & Mae Bell Bonner C/O Ralph Waldo Bonner, Jr.
Name of Violator

MH 5742-2008
Case Number

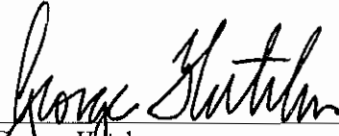
AFFIDAVIT OF RETURN OF SERVICE
(Personal Service to Individual)

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

personally served Ralph Waldo Bonner, Jr., 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 address:
5708 Bibar Road, Fayetteville, NC 28304-4807 and by posting at: 1207 Yancy Court, Spring Lake, NC.

I further certify that said service was completed on this the 30th day of MARCH,
20 09.


George Hatcher
Code Enforcement Officer

Sworn to and subscribed to before me

this the 30th day of march, 20 09.

Charisse Brown
Notary Public

My Commission Expires: 9-29-12

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

PROOF OF SERVICE OF FINDINGS OF FACT AND ORDER
DATED MARCH 26, 2009 CASE NUMBER MH 5742-2008

EXHIBIT A

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



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

COUNTY of CUMBERLAND

Planning & Inspections Department

91 7108 2133 3936 1776 6548

NOTIFICATION OF HOUSING APPEALS BOARD DECISION

July 16, 2009

FILE NO: MH 5742 & 5743-2008

BOARD OF APPEALS MEETING DATE:

PROPERTY OWNER: Ralph & Mae Bell Bonner C/O Ralph Bonner, Jr.

7/14/2009 6:30 P.M.

MAILING ADDRESS: 5708 Bibar Road

Fayetteville, NC 28304-4807

PROPERTY LOCATION: 1207 & 1201 Yancy Court, Spring Lake, NC

OWNER/AGENT/

OR REPRESENTATIVE(S) PRESENT: No One

DECISION RENDERED ON THE ABOVE CASE(S):

1. At the above referenced, the Board granted Ralph Bonner, Jr. a 30 day extension to complete the repairs to the structure located at 1207 & 1201 Yancy Court, Spring Lake, NC.
2. The new compliance date is 8/13/2009. The Inspector should be notified when the repairs are made and an inspection will be scheduled.
3. 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 failure to meet the new compliance date may result in the following action:
 - a. A \$50.00 per day civil penalty may be imposed for each day's continuing violation after the compliance date.
 - b. The County Planning & Inspections Department may immediately begin procedures to seek a demolition ordinance from the Cumberland County Board of Commissioners. The cost of said demolition will be assessed against the real property in the form of a lien.
 - c. The County Planning & Inspections Department may start criminal proceedings in Environmental Court.

Carol M. Post

Secretary
Housing Board of Appeals

GH/cmp

Cc:

EXHIBIT "C"

MAP DEPICTING LOCATION OF PROPERTY
Property Owner: Ralph & Mae Bell Bonner
c/o Ralph W Bonner, Jr.
1207 Yancy Ct, Spring Lake, NC
MINIMUM HOUSING CASE # MH5742-2008
TAX PARCEL IDENTIFICATION NUMBER 0502-81-6406

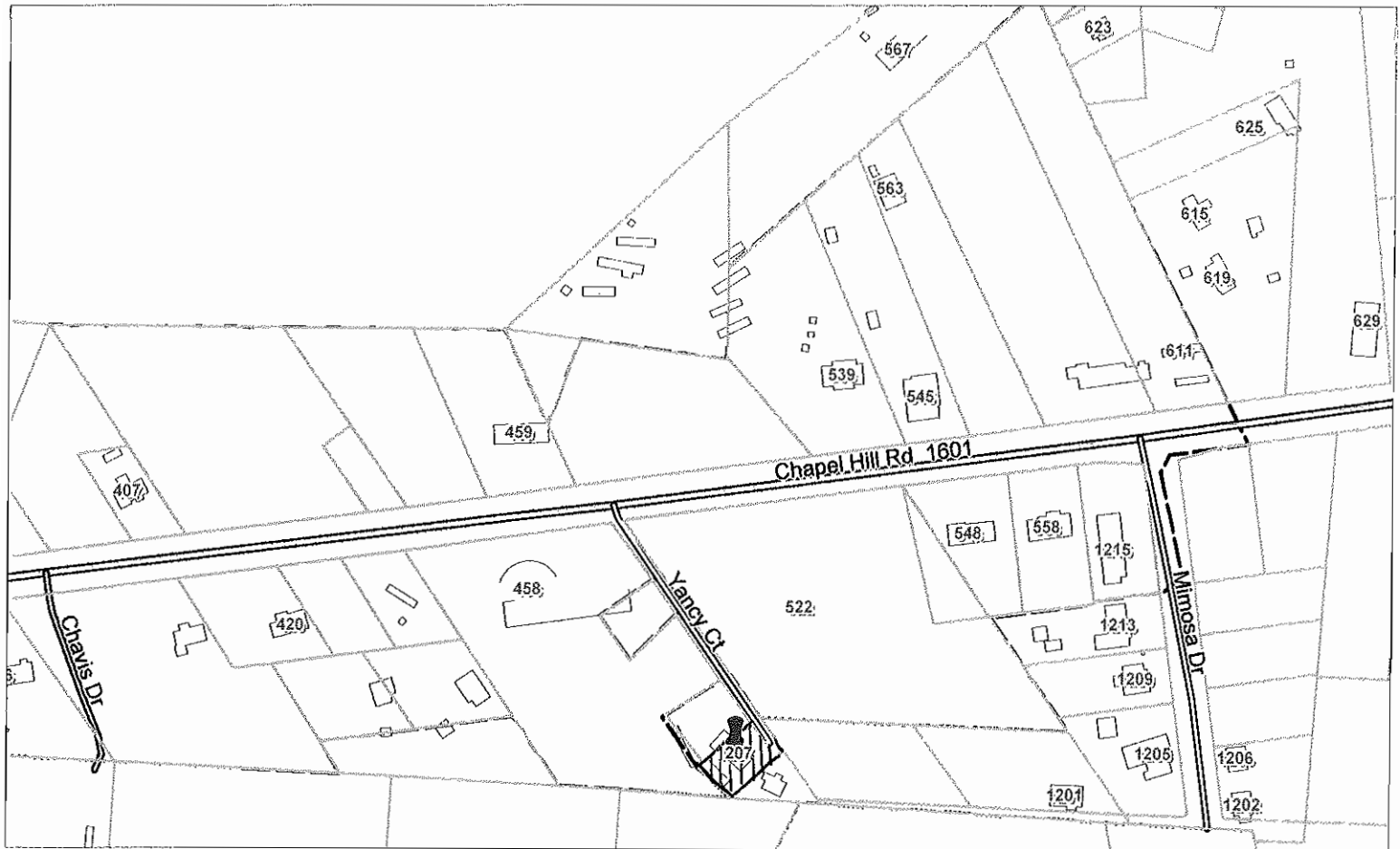


EXHIBIT B

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 5743-2008.

Property Owner: Ralph & Mac Bell Bonner C/O Ralph W. Bonner, Jr.

Property Address: 1201 Yancy Court, Spring Lake, NC

Tax Parcel Identification Number: 0502-81-6472

SYNOPSIS: This property was inspected on 12/30/2008. The property owners and parties of interest were legally served with Notice of Violations and were afforded a Hearing on 2/26/2009. 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 5/1/2009. 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 the Findings of Fact and Order.) An appeal was filed with a new compliance date of 8/13/2009. Upon my visit to the property on 10/6/2009 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 \$30,000.00. The Assessor for Cumberland County has the structure presently valued at \$0.00.

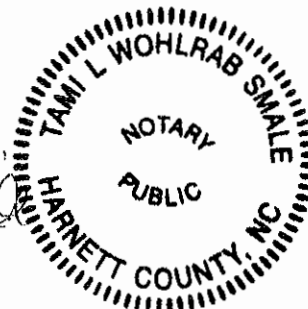
Attached is a map depicting the location of the property. (See Exhibit B.)

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 7 day of October 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.

Donovan McLaurin,
Chair
Wade, Falcon & Godwin

Lori Epler,
Vice-Chair
Cumberland County

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



Thomas J. Lloyd,
Director

Cecil P. Combs,
Deputy Director

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

Benny Pearce,
Town of Eastover

COUNTY of CUMBERLAND

Planning & Inspections Department

91 7108 2133 3935 9468 4679

FINDINGS OF FACT AND ORDER

March 26, 2009

CASE #: MH 5743-2008

TO: Ralph & Mae Bell Bonner
C/O Ralph Waldo Bonner, Jr. & Parties of Interest
5708 Bibar Road
Fayetteville, NC 28304-4807

Property at: 1201 Yancy Court, Spring Lake, NC

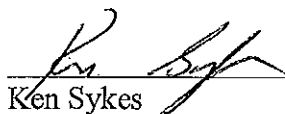
A Complaint, Notice of Hearing and Report of Inspection were legally served to the owner or owner's agent, and any party of interest. These documents were in fact received by the owner or owner's agent and party of interest on 2/13/2009.

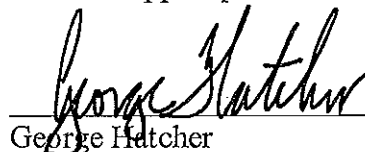
Pursuant of law, a Hearing was conducted in Room 101, of the old courthouse at 130 Gillespie Street, Fayetteville, NC on 2/26/2009 at 9:15:00 AM. The items identified below took place at the Hearing:

- ☒ 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, 2/4/2009. 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 5743-2008, dated 12/30/2008.
 - ☒ 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 5/1/2009. **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 secured to prevent entry by 4/7/2009, and shall 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 5/1/2009. The cost of said demolition will be assessed against the real property in the form of a lien.

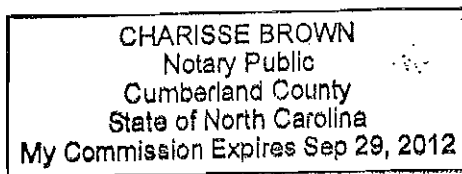
An appeal may be made to the Cumberland County Housing Board of Appeals. If an appeal is requested, it must be made in writing and within the time limits specified in the enclosed appeal procedures.


Ken Sykes
Hearing Officer

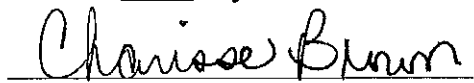

George Hatcher
Code Enforcement Officer

Enclosed: Appeals Procedures & Form

cc:



Sworn to and Subscribed to by me
this the 26th day of March, 2009


Charisse Brown
Notary Public
My Commission Expires: 9/29/2012

NORTH CAROLINA
COUNTY OF CUMBERLAND

PLANNING/INSPECTIONS DEPARTMENT

RE: Ralph & Mae Bell Bonner C/O Ralph Waldo Bonner, Jr.
Name of Violator

MH 5743-2008
Case Number

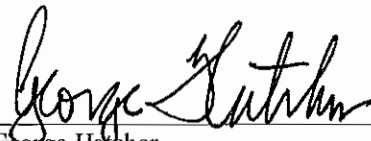
AFFIDAVIT OF RETURN OF SERVICE
(Personal Service to Individual)

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

personally served Ralph Waldo Bonner, Jr., 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 address:
5708 Bibar Road, Fayetteville, NC 28304-4807 and by posting at: 1201 Yancy Court, Spring Lake, NC.

I further certify that said service was completed on this the 30th day of MARCH,
2009.

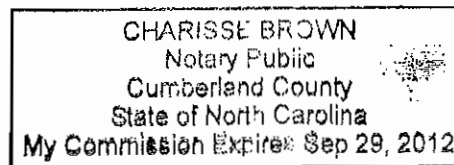

George Hatcher
Code Enforcement Officer

Sworn to and subscribed to before me

this the 30th day of march, 2009.

Charisse Brown
Notary Public

My Commission Expires: 9-29-12



PROOF OF SERVICE OF FINDINGS OF FACT AND ORDER
DATED MARCH 26, 2009 CASE NUMBER MH 5743-2008

EXHIBIT A

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



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

COUNTY of CUMBERLAND

Planning & Inspections Department

91 7108 2133 3936 1776 6548

NOTIFICATION OF HOUSING APPEALS BOARD DECISION

July 16, 2009

FILE NO: MH 5742 & 5743-2008

BOARD OF APPEALS MEETING DATE:

PROPERTY OWNER: Ralph & Mae Bell Bonner C/O Ralph Bonner, Jr.

7/14/2009 6:30 P.M.

MAILING ADDRESS: 5708 Bibar Road
Fayetteville, NC 28304-4807

PROPERTY LOCATION: 1207 & 1201 Yancy Court, Spring Lake, NC

OWNER/AGENT/
OR REPRESENTATIVE(S) PRESENT: No One

DECISION RENDERED ON THE ABOVE CASE(S):

1. At the above referenced, the Board granted Ralph Bonner, Jr. a 30 day extension to complete the repairs to the structure located at 1207 & 1201 Yancy Court, Spring Lake, NC.
2. The new compliance date is 8/13/2009. The Inspector should be notified when the repairs are made and an inspection will be scheduled.
3. 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 failure to meet the new compliance date may result in the following action:
 - a. A \$50.00 per day civil penalty may be imposed for each day's continuing violation after the compliance date.
 - b. The County Planning & Inspections Department may immediately begin procedures to seek a demolition ordinance from the Cumberland County Board of Commissioners. The cost of said demolition will be assessed against the real property in the form of a lien.
 - c. The County Planning & Inspections Department may start criminal proceedings in Environmental Court.

Carol M. Post
Secretary
Housing Board of Appeals

GH/cmp
Cc:

EXHIBIT "C"

MAP DEPICTING LOCATION OF PROPERTY
Property Owner: Ralph & Mae Bell Bonner
c/o Ralph W Bonner, Jr.
1201 Yancy Ct, Spring Lake, NC
MINIMUM HOUSING CASE # MH5743-2008
TAX PARCEL IDENTIFICATION NUMBER 0502-81-6472

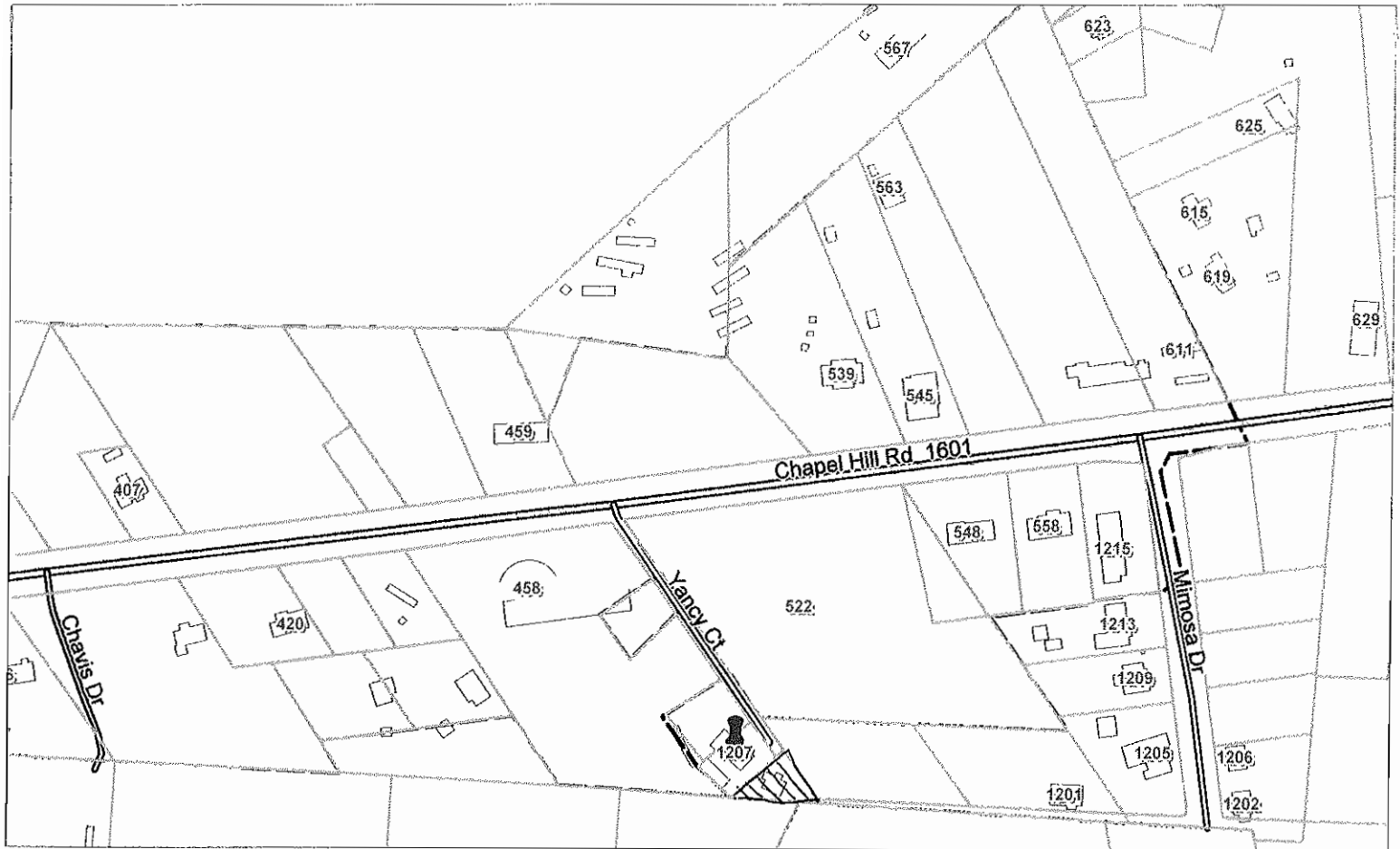


EXHIBIT B

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 5725-2008.

Property Owner: Martha Freeman

Property Address: 1646 Shaw Road, Fayetteville, NC


Tax Parcel Identification Number: 0429-05-1771

SYNOPSIS: This property was inspected on 12/12/2008. The property owners and parties of interest were legally served with Notice of Violations and were afforded a Hearing on 3/12/2009. 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 3/19/2009. 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 the Findings of Fact and Order.) No appeal was filed. Upon my visit to the property on 3/20/2009 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 \$950.00. The Assessor for Cumberland County has the structure presently valued at \$0.00.

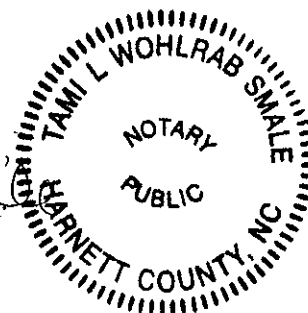
Attached is a map depicting the location of the property. (See Exhibit B.)

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 7 day of October 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.

Donovan McLaurin,
Chair
Wade, Falcon & Godwin

Lori Epler,
Vice-Chair
Cumberland County

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



COUNTY of CUMBERLAND

Planning & Inspections Department

Thomas J. Lloyd,
Director

Cecil P. Combs,
Deputy Director

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

Benny Pearce,
Town of Eastover

FINDINGS OF FACT AND ORDER

March 13, 2009

CASE #: MH 5725-2008

TO: William & Martha Freeman & Parties of Interest
2520 Foxgate Drive
Raleigh, NC 27610

Property at: 1646 Shaw Road, Fayetteville, NC

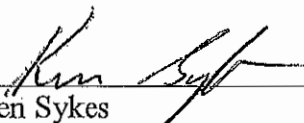
A Complaint, Notice of Hearing and Report of Inspection were legally served to the owner or owner's agent, and any party of interest. These documents were in fact received by the owner or owner's agent and party of interest on 2/27/2009.

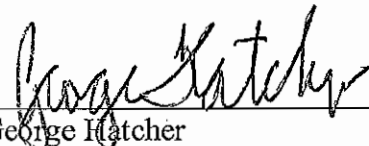
Pursuant of law, a Hearing was conducted in Room 101, of the old courthouse at 130 Gillespie Street, Fayetteville, NC on 3/12/2009 at 9:15:00 AM. The items identified below took place at the Hearing:

- ☒ 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, 2/24/2009. 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 5725-2008, dated 12/12/2008.
 - ☒ 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 3/19/2009. **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 secured by 3/19/2009 and shall 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 3/19/2009.
 - ☒ e. The County Planning/Inspection Department will immediately begin procedures to abate property of all imminent health and safety threats to adjacent properties for failure to bring the property into compliance by 3/19/2009. The cost of said abatement will be assessed against the real property in the form of a lien.

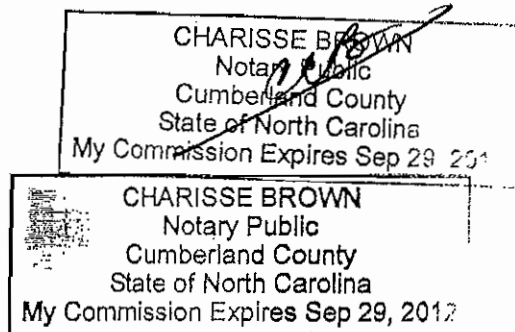
An appeal may be made to the Cumberland County Housing Board of Appeals. If an appeal is requested, it must be made in writing and within the time limits specified in the enclosed appeal procedures.


Ken Sykes
Hearing Officer

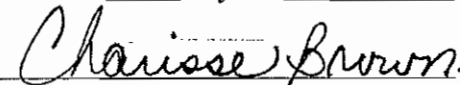

George Hatcher
Code Enforcement Officer

Enclosed: Appeals Procedures & Form

cc:



Sworn to and Subscribed to by me
this the 13th day of March, 2009


Charisse Brown
Notary Public
My Commission Expires: 9/29/2012

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

CONSENT TO ABATE PUBLIC NUISANCE

I, Martha Freeman, property owner of 1646 Shaw Road, Fayetteville, NC, identified by Tax Parcel Identification Number 0429-05-1771, and more particularly described as Lot 6, Julie Heights, Section 1, said property being in violation of Cumberland County Minimum Housing Code and further described as Minimum Housing Case Number MH 5725-2008, dated 3/23/2009, do hereby consent to the Cumberland County Planning and Inspection Department clearing all the household garbage, rubbish, debris and other refuse from the premises.

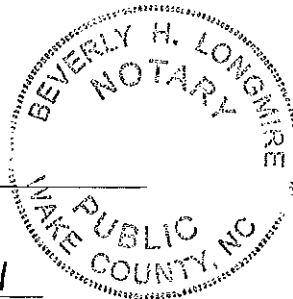
I further understand that the cost for said debris removal shall be a lien against the real property on which the cost was incurred. Such lien shall be filed, have the same priority, and be collected as the lien for special assessment as provided in North Carolina General Statutes, Chapter 160A, Article 10, Section 160A-433(6).

Martha P. Freeman
Property Owner Or Party of Interest

6/15/09
Date

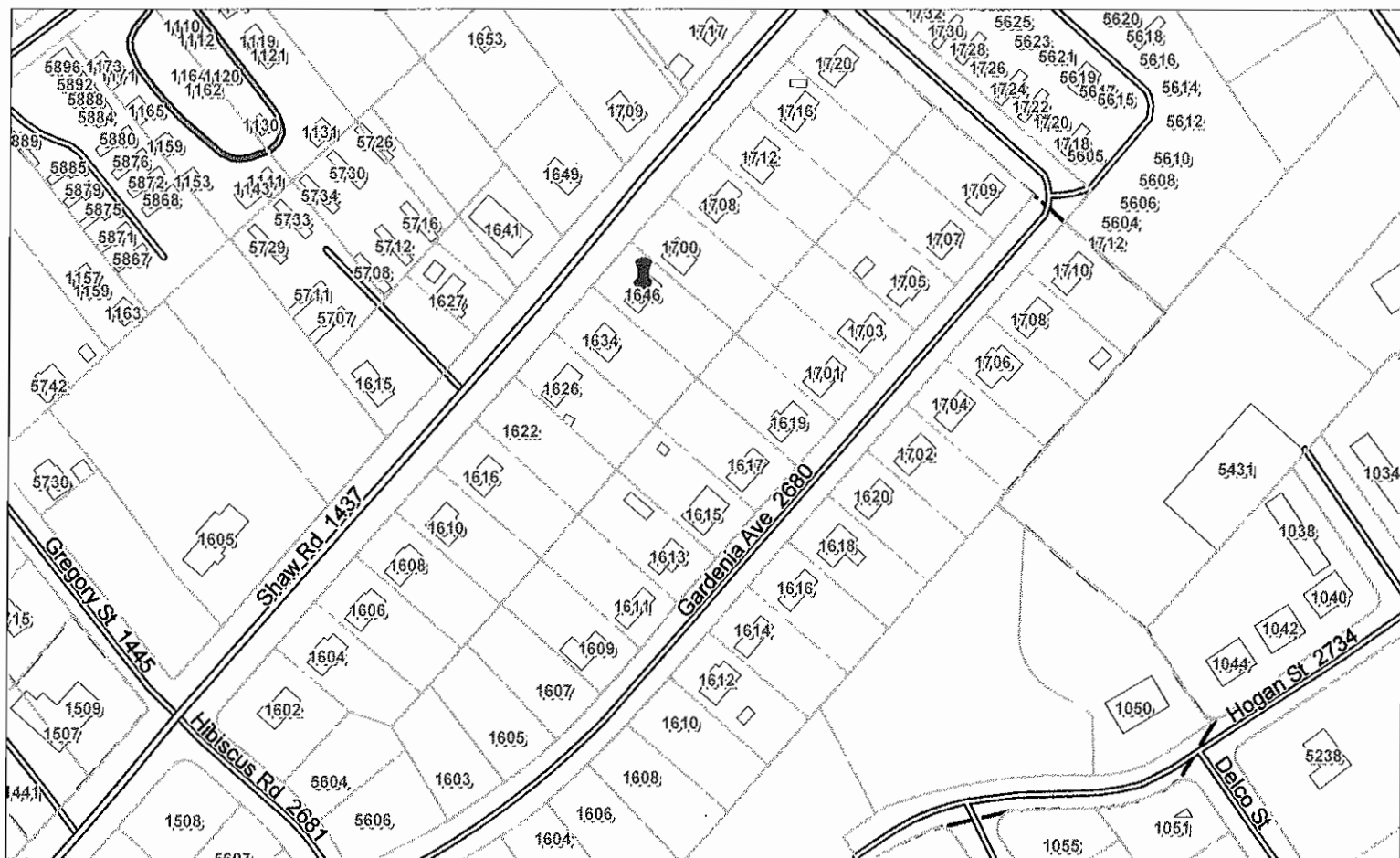
Sworn to and Subscribed to by me this
The 7th day of July, 2009

Beverly H. Longmire
Notary Public



My Commission Expires: Oct. 1, 2011

TAX PARCEL IDENTIFICATION NUMBER 0429-05-1771



64

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 OCTOBER 19, 2009

TO: BOARD OF COUNTY COMMISSIONERS

FROM: JAMES E. MARTIN, COUNTY MANAGER 

DATE: OCTOBER 14, 2009

**SUBJECT: CONSIDERATION OF INTERLOCAL AGREEMENT WITH
TOWN OF SPRING LAKE FOR 911 DISPATCH SERVICES**

BACKGROUND

The Town of Spring Lake met on October 12, 2009 and approved the decision to consolidate the Spring Lake Police Department Dispatch under the Cumberland County Emergency Services division. The attached Interlocal Agreement has been reviewed by our County Legal Department. The implementation of this consolidation is scheduled to take effect November 1, 2009.

RECOMMENDATION/PROPOSED ACTION

Management recommends approval of the Interlocal Agreement regarding the consolidation of Cumberland County and Spring Lake 911 Dispatch services.

/ct

CM101409-1

Celebrating Our Past...Embracing Our Future

Kenneth Currie
Director/Fire Marshal



James "Timmy" Mitchell
Deputy Director

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

October 13, 2009

Memorandum

To: James Martin, County Manager

From: Kenneth Currie, Director *KC*

Subject: Update-County Discussions with Spring Lake for Dispatch Services

On October 12, 2009, Spring Lake Town Board approved the decision to consolidate the Spring Lake PD Dispatch under the Cumberland County Emergency Services. The interlocal agreement has been reviewed by our Legal Department.

The implementation of this consolidation is scheduled to take effect November 1, 2009. I am requesting to have this information considered at the next Cumberland County Commissioners meeting, October 19, 2009.

Please contact me at 678-7688 if you have questions or concerns.

Attachments

- 1 - Prior consolidation memo 9/23/09
- 2 - Interlocal Agreement
- 3 - E-mail from Allen Coats

/gs



NORTH CAROLINA)
)
CUMBERLAND COUNTY)

INTERLOCAL AGREEMENT REGARDING CONSOLIDATION OF CUMBERLAND COUNTY AND
SPRING LAKE 911 DISPATCH

THIS AGREEMENT made and entered into as of November 1, 2009 by CUMBERLAND COUNTY ("COUNTY") and the TOWN OF SPRING LAKE ("TOWN") for the purpose of consolidating 911 dispatch services. The COUNTY Emergency Communications Center ("ECC") will provide a central location for citizens to make and receive calls for public safety needs; and

WHEREAS, this consolidation will promote the expeditious delivery of services to the residents and of the TOWN in order to further the public health, safety, and general welfare; and

WHEREAS, the ECC will provide the TOWN efficient and professional emergency public safety communications services, striving toward the end to ensure the preservation of human life, the protection of property; and

WHEREAS, the TOWN Board of Aldermen and the COUNTY Board of Commissioners authorized consolidation of their emergency dispatch centers into one operation managed by the COUNTY's ECC, and an agreement relating thereto,

W I T N E S S E T H:

NOW THEREFORE in consideration of promises mutually exchanged the parties agree as follows:

1. The TOWN and the COUNTY agree that Spring Lake's emergency communications services will be consolidated into and assumed by the ECC and in connection therewith three Spring Lake dispatchers will be transferred to and become COUNTY ECC employees, all as set forth herein.
2. The effective date of the consolidation shall be 12:01 a.m. on November 1, 2009.
3. The ECC shall assume and provide public safety and non-emergency dispatch services for the TOWN 24 hours a day 365 days a year. The ECC will operate as a single common recipient of notification of emergencies and calls for assistance, aid, and help from the general public, and as a dispatching center in response to such notifications. The ECC will provide the TOWN dispatch services with highly-trained, certified and/or credentialed 9-1-1 employees who strive to provide a quality, professional level of such services at all times. The day-to-day management and operation of the ECC shall continue to be under the supervision of, and conducted by, the COUNTY's Emergency Services Director who reports to the County Manager.
4. The TOWN shall pay the COUNTY, as compensation for the dispatch services to be provided hereunder, the amount of \$135,000.00 annually for the services described herein. Said

compensation amount shall be subject to increase for each subsequent year at the rate of the annual Consumer Price Index increase as published by the United States Department of Labor for South Urban (Series ID CUUR0300SA0) for the period ending December 31 preceding the renewal period. The County Manager shall notify the Town Manager prior to May 15 of each year this Agreement is in effect of the projected compensation cost associated with this Agreement. The TOWN shall include such amount in its annual budget for the fiscal year commencing on the next July 1. The COUNTY shall invoice the TOWN quarterly for the cost of such compensation on each September 30, December 31, March 31, and June 30, which this Agreement is in effect and the TOWN shall remit payment to the COUNTY within 30 days of receipt of invoice.

5. The term of this agreement shall be five (5) years, and shall expire unless otherwise renewed or extended at 11:59 p.m. on October 31, 2014.
6. The dispatchers becoming COUNTY employees hereunder will be subject to the provisions of the COUNTY Personnel Ordinance, and the COUNTY's administrative policies effective on the date of the transfer to the COUNTY, and to all future amendments thereto.

Fair Labor Standards Act (FLSA):

Non-Exempt (Hourly): By accepting employment with the COUNTY, the dispatchers agree to accept compensatory time in lieu of cash compensation for overtime. The COUNTY reserves the right, however, to pay time and a half cash overtime at its discretion. Any of the dispatchers that have accrued compensatory or overtime entitlement prior to the effective date hereof shall be paid out by the TOWN prior to transferring to the COUNTY.

Exempt: The FLSA status of the dispatchers transferring to the COUNTY will be determined based on the County's classification.

Date of Hire and Date in Class: Date of hire will be assigned based on original date hired as an employee of the TOWN. Date in class will be the effective date of promotion/placement to position held at time of transfer to the COUNTY.

Promotions: The COUNTY will determine promotional eligibility for individuals transferred to the COUNTY in accordance with its administrative policies in effect at the time the individual is eligible for promotion.

Longevity: Longevity for pay purposes will be calculated based upon combined length of service as an employee of the TOWN and of the COUNTY, based upon the COUNTY's longevity pay policy in effect at the time the individual is eligible for longevity pay.

Performance Evaluation: Supervisors shall evaluate employees under his/her immediate supervision.

Pay: The dispatchers of the TOWN who are transferred to the COUNTY shall be paid a salary equivalent to that paid the same position in the COUNTY's pay plan. Employees whose base salary is at or above the minimum of the COUNTY's pay range shall retain their base salary.

Employees whose salary is below the minimum of the COUNTY's pay range shall have their salaries increased to the new minimum.

Benefits: Upon the effective date of their transfer to the COUNTY, the dispatchers will be entitled to any and all benefits enjoyed by the COUNTY employees in accordance with existing eligibility requirements as follows:

Sick Leave: Sick leave accrued as of the effective date hereof shall be wholly transferable to the COUNTY.

Vacation Time: Annual leave accrued as of the effective date hereof shall be transferred in accordance with current COUNTY policies governing maximum vacation leave accumulation. All vacation time accrued in excess of maximum allowable accumulation will be converted and transferred into sick leave in accordance with existing COUNTY policy

Retirement System: All provisions for participation in the Local Governmental Employees' Retirement System will apply.

Flexible Spending Account: The dispatchers will be given the opportunity to elect to be enrolled in the COUNTY's Flexible Spending Account effective on their date of transfer to the COUNTY.

Health: Health insurance eligibility will be effective on the date of transfer to the COUNTY subject to the terms of coverage and the impact of pre-existing conditions in effect on that date.

7. Either party may withdraw from this agreement by giving a twelve (12) month's written notice of withdrawal by the party's Manager to be effective as of June 30th of any year.
8. This agreement is subject to and shall be construed in accordance with the laws of North Carolina, and has been duly approved by both the TOWN and COUNTY.
9. The ECC will provide primary call-screening and police dispatch services through existing law enforcement call intake protocols.
10. Spring Lake Police units will be dispatched on the existing Spring Lake Police Department radio talk group channels used for patrol dispatch.
11. Any notice to be given by either party to the other under this agreement shall be in writing and shall be deemed to have been sufficiently given if delivered by hand, with written acknowledgment of receipt, or mailed by certified mail return receipt requested to the other party at the following address or to such other address as either party from time to time designates in writing to the other party for the receipt of notice:

TOWN:
Town Manager
P.O. Box 617
Spring Lake, N.C. 28390

COUNTY:
County Manager
P.O. Box 1829
Fayetteville, N.C. 28302

12. The parties may only amend this agreement by a writing approved by both boards and signed by their respective duly authorized representatives.

WITNESS the following signatures and seals all pursuant to authority duly granted, this the _____ day of October, 2009.

TOWN OF SPRING LAKE

ATTEST:

Ethel Clark
Mayor

City Clerk

CUMBERLAND COUNTY

ATTEST:

Jeannette M. Council
Chairperson

Clerk to Board

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

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

County Finance Director

Town Finance Director

APPROVED AS TO LEGAL
SUFFICIENCY:

APPROVED AS TO LEGAL
SUFFICIENCY:

County Attorney

Town Attorney

Kenny Currie

From: Coats, Allen L. [acoats@spring-lake.org]
Sent: Tuesday, October 13, 2009 8:43 AM
To: Kenny Currie
Subject: Dispatch 911 Consolidation Contract

Kenny,

Spring Lake Board approved interlocal agreement last night for consolidated dispatch services.

Our Clerk will get the agreement executed and forward two copies to County Clerk for execution following the Commissioner's next meeting.

Additionally, they approved for the Town staff to move forward with acquiring the VIPER radios and OSSl software for our officers to use.

I know you and your staff have been working with Gregg and his staff to get us where we need to be in time to make this transition as smooth as possible.

Thanks, I appreciate your efforts.

Allen L. Coats, CLGFO
Interim Town Manager
acoats@spring-lake.org
ph: 910-436-0241
fax: 910-436-2667



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

TO: BOARD OF COMMISSIONERS
FROM: TOM COONEY, DIRECTOR
THROUGH: JAMES E. MARTIN, COUNTY MANAGER
DATE: OCTOBER 9, 2009
SUBJECT: ACCEPTANCE OF THE BIDS FOR THE CONSTRUCTION OF THE CEDAR CREEK ROAD WATER LINE EXTENSION

BACKGROUND

On Tuesday, September 29, 2009 bids were received and opened for the construction of the Cedar Creek Road Water Line Extension. Attached is a copy of the bid tabulation prepared by our project Engineers, Marziano & McGougan of Asheboro, North Carolina. The bid proposal includes all work for the construction of a potable water distribution system to residents along Cedar Creek Road east of the former Monsanto facility. The low responsive bid submitted was from **Utilities Plus, Inc.** of Linden, North Carolina in the amount of \$ 188,915.34.

At the present time the County will participate in this project to get the line across the railroad tracks, the remainder will be assessed to the property owners.

RECOMMENDATION

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

1. Accept the bids for the construction of the Cedar Creek Road Water Line Extension.
2. Award a contract to the lowest responsive bidder, **Utilities Plus, Inc.**, in the amount of \$ 188,915.34.
3. Authorize an Interlocal Agreement between the County and the PWC outlining the responsibilities of each party as well as the participation amounts.
4. Authorize the establishment of a project contingency line within the project budget, in the amount of \$10,000 (5%) as recommended by the Engineer, only to be disbursed with the approval of the County Manager.
5. Approve the attached budget revision to establish the items listed above.

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

Attachments:

\$256,605.60

CUMBERLAND COUNTY		CEDAR CREEK RD. WATER LINE		BID TABULATION		Est. Quan.	Unit	Utilities Plus, Inc.		Smithfield, NC		Temple Grading		Wm. J. Keller & Sons		
								Linden, NC		Smithfield, NC		Uillington, NC		Castleton, NY		
								Ext. Cost		Unit Price		Ext. Cost		Unit Price		Ext. Cost
1.	4" F.O. Conduit in 8" WL Trench	4.772	LF	\$3.04	\$14,506.88	\$3.00	\$14,316.00	\$1,000.00	\$1,000.00	\$250.00	\$2.00	\$9,544.00	\$690.00	\$2.10	\$10,021.20	-
2.	Connection to Existing 12" WL	1	EA.	\$491.48	\$491.48	\$1,000.00	\$1,000.00	\$250.00	\$250.00	\$250.00	\$2.00	\$9,544.00	\$690.00	\$21.85	\$103,066.45	\$1,353.75
3.	8" PVC Water Line	4,717	LF	\$12.44	\$58,679.48	\$13.00	\$61,321.00	\$17.00	\$80,189.00	\$17.00	\$1,710.00	\$21.85	\$103,066.45	\$1,353.75	\$1,041.65	\$8,333.20
5.	8" Gate Valve and Box	8	EA.	\$1,057.86	\$8,462.88	\$1,100.00	\$8,800.00	\$1,200.00	\$9,600.00	\$1,200.00	\$9,600.00	\$1,041.65	\$8,333.20	\$166.75	\$9,504.75	\$207.90
6.	16" St. Casting Bored & Jacked und RR	57	LF	\$235.43	\$13,419.51	\$162.00	\$9,234.00	\$140.00	\$7,980.00	\$140.00	\$7,980.00	\$166.75	\$9,504.75	\$14.85	\$207.90	\$16,125.00
8.	D1 Fittings	4,300	LBS.	\$0.50	\$2,150.00	\$4.00	\$17,200.00	\$5.00	\$21,500.00	\$5.00	\$21,500.00	\$3.75	\$16,125.00	\$22,066.50	\$5,133.00	\$17,274.90
9.	Fire Hydrant Assemblies	6	EA.	\$2,686.05	\$16,128.30	\$3,950.00	\$23,700.00	\$2,500.00	\$15,000.00	\$2,500.00	\$15,000.00	\$3,677.75	\$22,066.50	\$376.00	\$13,248.00	\$5,133.00
11.	6" Thick Conc. Drive Repair w/ Stone Base	186	LF	\$1.10	\$204.60	\$25.00	\$4,650.00	\$10.00	\$1,860.00	\$10.00	\$1,860.00	\$31.00	\$5,766.00	\$368.00	\$13,248.00	\$5,133.00
12.	Water Meter Assembly	36	EA.	\$452.66	\$16,295.76	\$320.00	\$11,520.00	\$425.00	\$15,300.00	\$425.00	\$15,300.00	\$368.00	\$13,248.00	\$14.50	\$5,133.00	\$17,274.90
13.	1" Type "K" Service Line in Trench	354	LF	\$4.16	\$1,472.64	\$11.00	\$3,894.00	\$10.00	\$3,540.00	\$10.00	\$3,540.00	\$14.50	\$5,133.00	\$8.90	\$2,706.00	\$2,650.00
14.	1" Type "K" Service Line Direct Bored	1,941	LF	\$14.38	\$27,911.58	\$16.50	\$32,026.50	\$25.00	\$48,525.00	\$25.00	\$48,525.00	\$8.90	\$2,706.00	\$24.60	\$2,706.00	\$7,950.00
15.	2" Type "K" Service Line in Trench	110	LF	\$12.32	\$1,355.20	\$23.00	\$2,530.00	\$20.00	\$2,200.00	\$20.00	\$2,200.00	\$24.60	\$2,706.00	\$2,650.00	\$1,255.00	\$1,892.00
16.	2" Meter w/Setter and Box	3	EA.	\$2,485.54	\$7,456.62	\$2,500.00	\$7,500.00	\$2,500.00	\$7,500.00	\$2,500.00	\$7,500.00	\$2,650.00	\$1,892.00	\$86.00	\$3,760.00	\$1,440.00
17.	2" Blow Off Assembly	1	EA.	\$794.26	\$794.26	\$975.00	\$975.00	\$800.00	\$800.00	\$800.00	\$800.00	\$1,255.00	\$1,892.00	\$37.60	\$3,760.00	\$1,440.00
18.	Gravel Donuts Inlet protection	22	EA.	\$100.00	\$2,200.00	\$175.00	\$3,850.00	\$150.00	\$3,300.00	\$150.00	\$3,300.00	\$86.00	\$1,892.00	\$240.00	\$720.00	\$720.00
19.	Stone for Trench Stabilization beyond Specs	100	TONS	\$2.00	\$200.00	\$32.00	\$3,200.00	\$25.00	\$2,500.00	\$25.00	\$2,500.00	\$37.60	\$3,760.00	\$240.00	\$720.00	\$720.00
20.	Concrete Blocking for Fittings	6	CY	\$133.00	\$798.00	\$225.00	\$1,350.00	\$125.00	\$750.00	\$125.00	\$750.00	\$240.00	\$1,440.00	\$41.85	\$7,533.00	\$9,085.00
21.	Misc. Concrete in Trench	3	CY	\$10.00	\$30.00	\$225.00	\$675.00	\$125.00	\$375.00	\$125.00	\$375.00	\$240.00	\$720.00	\$41.85	\$7,533.00	\$9,085.00
22.	Stone for Shoulder Stabilization & Drive Repair	180	Tons	\$30.00	\$5,400.00	\$24.50	\$4,410.00	\$20.00	\$3,600.00	\$20.00	\$3,600.00	\$41.85	\$7,533.00	\$2,700.00	\$3,717.00	\$7,473.95
23.	Grassing, Mulching & Erosion Control	Lump Sum			\$3,500.00		\$4,450.00		\$2,700.00		\$2,700.00		\$3,085.00		\$7,473.95	
24.	Mobilization, Bond & Insurance	Lump Sum			\$5,000.00		\$6,750.00		\$3,717.00		\$3,717.00		\$7,473.95		\$7,473.95	

**COUNTY OF CUMBERLAND
BUDGET REVISION REQUEST**

Budget Office Use	
Budget Revision No.	B10-148
Date Received	10/13/2009
Date Completed	

Fund No. 250 Agency No. 450 Organ. No. 4590

Organization Name: Water & Sewer Fund

REVENUE

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

EXPENDITURES

Object Code	Appr Unit	Description	Current Budget	Increase (Decrease)	Revised Budget
340Y	682	Cedar Creek Road Water Line Extension	0	198,916	198,916
3846	682	Water & Sewer Improvements	2,019,511	(198,916)	1,820,595

Total 2,019,511 - 2,019,511

Justification:

Revision to approve contract with Utilities Plus, Inc. in the amount of \$188,915.34 for the construction of the Cedar Creek Road Water Line Extension project. In addition, the Public Utilities Director is requesting contingency of \$10,000 which can only be expended with approval of the County Manager. It is anticipated that assessments will pay for the majority of this project, but are not being budgeted until finalized.

Funding Source:

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

Submitted By: _____
Department Head

Date: _____

Reviewed By: Bob Tucker
Finance Department

Date: 10/13/09

Reviewed By: Amber Cannon
Assistant County Mgr

Date: 10/14/09

Approved By: _____

County Manager

Board of County Commissioners

Date: _____

Date: _____

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 9, 2008

ITEM NO. 6A

October 19, 2009 Agenda Item

TO: Board of Commissioners
FROM: Candice H. White, Deputy Clerk *cu*
SUBJECT: Community Child Protection Fatality Prevention Team

The Cumberland County Community Child Protection Fatality Prevention Team will have the following two (2) vacancies on November 30, 2009:

At-Large Positions

Allie D. Wiggins – completing first full term. Eligible for reappointment.

Maxine Anders – completing first term. Eligible for reappointment.

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

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

Attachments

pc: Jean Harrington, Department of Social Services

Celebrating Our Past... Embracing Our Future

CUMBERLAND COUNTY
COMMUNITY CHILD PROTECTION/FATALITY PREVENTION TEAM
(County Commissioner Appointees)
3 Year Terms

11/08

<u>Name/Address</u>	<u>Date Appointed</u>	<u>Term</u>	<u>Expires</u>	<u>Eligible For Reappointment</u>
<u>Law Enforcement Officer Position</u>				
<u>Sheriff's Office:</u>				
Melody Farnham CC Sheriff's Office 131 Dick Street Fayetteville, NC 28301 677-5475	4/07	1st	Apr/10 4/30/10	Yes
<u>Fayetteville City Police Department:</u>				
Bill Mitrisin Fayetteville Police Dept. 467 Hay Street Fayetteville, NC 28301 433-1855	4/07	1st	Apr/10 4/30/10	Yes
<u>EMS Provider or Firefighter Position</u>				
Barry Childers 4823 Belford Road Fayetteville, NC 28314-0833 609-5600 x0	9/08	2 nd	Sept/11 9/30/11	No
<u>Parent of a Child Who Died Before Reaching Their 18th Birthday Position</u>				
Bobbie Bethea 4916 Short jesters Court Hope Mills, NC 28348 339-1234/677-2046 (W)	11/08	1 st	May/10 5/31/10	Yes
<u>At-Large Positions</u>				
Allie D. Wiggins 5222 Brookfield Road Fayetteville, NC 28303 868-4219/988-4267(Cell)	11/06	1 st full	Nov/09 11/30/09	Yes
Maxine Anders 3209 Elms Thorpe Drive Fayetteville, NC 28312 (filling unexpired term) 433-2483	5/07	1 st	Nov/09 11/30/09	Yes
Mr. Trace Griffin 2915 Dark Branch Road Fayetteville, NC 28304 484-1284/609-7169 (W)	9/08	1 st	Sept/11 09/30/11	Yes

Contact: Jean Harrington (DSS) – 677-2619 (Fax: 677-2091)
Meets the 3rd Thursday of each month at 3:15 pm – DSS, 4th Floor, Room 440

APPLICANTS FOR
CUMBERLAND COUNTY COMMUNITY CHILD PROTECTION/FATALITY PREVENTION TEAM

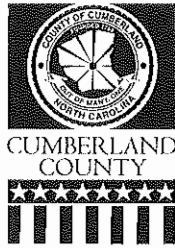
<u>NAME/ADDRESS/TELEPHONE</u>	<u>OCCUPATION</u>	<u>EDUCATIONAL BACKGROUND</u>
BERRY-CABAN, CRISTOBAL S. (H/M) 412 CITY VIEW LANE FAYETTEVILLE, NC 28301 (813) 451-3004/907-8844 (W) **SERVES ON ANIMAL SERVICES BOARD**	CHIEF-CLINICAL INVESTIG. WOMACK	PhD; MA
BROWN, KRAIG (B/M) 2909 WYCLIFFE COURT FAYETTEVILLE, NC 28306 964-0503/424-7678 (W) **SERVES ON THE CRIMINAL JUSTICE PARTNERSHIP ADVISORY BOARD**	TEACHER CUMBERLAND CO. SCHOOLS	BS.MA – CRIMINAL JUSTICE MA – HUMAN RESOURCES
CARAMANNO, DELL (W/F) 5578 QUIETWOOD PLACE FAYETTEVILLE, NC 28304 423-2622 **SERVES ON THE ADULT CARE HOME ADVISORY BOARD**	RETIRED	HS; SOME COLLEGE
FERGUSON SR., ALFONSO (B/M) 7796 PINTAIL DRIVE FAYETTEVILLE, NC 28311 401-2313/483-9916 X5551235 **SERVES ON ADULT CARE HOME COMMUNITY ADVISORY BOARD**	PROGRAM CONTROL ANALYST MANTECH INTERN'L, INC.	MASTERS – HEALTH CARE ADMIN
GRINDLE, SHEILA (W/F) 804 TULSA COURT FAYETTEVILLE, NC 28311 286-7991	CHILD ADVOCATE TRAINER FAMILY ADVOCACY PROGRAM	BSW (SOCIAL WORK)
JAMES, THEADY E. (/) 3523 WORLEY STREET FAYETTEVILLE, NC 28311 339-5312	RETIRED (UNKNOWN)	HS GRAD, 1 YR-FTCC
LESICA, CATHERINE (W/F) 2910 SWIFTCREEK DRIVE FAYETTEVILLE, NC 28303 867-7784/323-1425 (W)	ATTORNEY MCLEOD LAW FIRM	BS; JD
McLAUGHLIN, CENITRA (B/F) 6220 BIRCHBROOK DRIVE HOPE MILLS, NC 28348 868-4966/229-6441	REAL ESTATE AGENT WEICHERT REALTORS	HS; SOME COLLEGE
McLEAN, ALICIA RENEE (B/F) 5058 SUMMER RIDGE DRIVE FAYETTEVILLE, NC 28303 487-0390/323-5288 (W) **SERVES ON WORKFORCE DEVELOPMENT BOARD**	DIALYSIS TECHNICIAN FAY. KIDNEY CENTER	BS – PSYCHOLOGY
McMILLAN, ROSIE G. (B/F) 1972 CULPEPPER LANE FAYETTEVILLE, NC 28304 864-0158/672-1105 (W) **SERVES ON THE WORKFORCE DEVELOPMENT BOARD**	PROJECT COORDINATOR FSU	BS – CRIMINAL JUSTICE M.A. – SOCIOLOGY

<u>NAME/ADDRESS/TELEPHONE</u>	<u>OCCUPATION</u>	<u>EDUCATIONAL BACKGROUND</u>
MITCHELL, SANDRA 414 BARBOUR COURT PO BOX 9912 (MAILING) FAYETTEVILLE, NC 28301 257-5492 (H)	PASTOR, SMALL BUSINESS OWNER	SOME COLLEGE
NEWCOMER, RANDALL (-/M) 109 CYPRESS LAKES CIRCLE HOPE MILLS, NC 28348 308-5432/424-1776 (W)	PROJECT MANAGER BROCK CABINETS	BA – BUSINESS
RAY, KARSTEN J. (-/M) 5249 SUNDOWN DRIVE FAYETTEVILLE, NC 28303 487-6347/366-6935 (W)	GOV'T CONTRACTOR PROPERTY MGT	BS – CRIMINAL JUSTICE AA – PARALEGAL STUDIES
SKINNER-COLEMAN, ANNETTE (O/F) 916 BRAMBLEWOOD COURT FAYETTEVILLE, NC 28314 869-7949/907-0209 (W)	GUIDANCE COUNSELOR FT BRAGG SCHOOLS	MA – SPECIAL EDUC. BA – SOCIOLOGY
WARREN, JOHNETTA (B/F) 411 HALCYON CIRCLE FAYETTEVILLE, NC 28306 868-4002/261-3735 (C)	WORK FIRST PROGRAM	GED
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 9, 2009

ITEM NO. 6B

October 19, 2009 Agenda Item

TO: Board of Commissioners

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

SUBJECT: Cumberland County Finance Corporation and Cumberland County
Industrial Facilities and Pollution Control Financing Authority

BACKGROUND: On September 8, 2009, the Board of Commissioners appointed Mark W. McCallum to serve a first term on the Cumberland County Finance Corporation and Cumberland County Industrial Facilities and Pollution Control Financing Authority. Several attempts were made to contact Mr. McCallum to find out whether he would accept the appointment. Mr. McCallum never responded; therefore, the Cumberland County Finance Corporation and Cumberland County Industrial Facilities and Pollution Control Financing Authority have one (1) vacancy.

I have attached the current membership list and applicant list for these boards.

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

Attachments

pc: Christy Tyndall, County Attorney's office
Neil Yarborough

Celebrating Our Past...Embracing Our Future

CUMBERLAND COUNTY FINANCE CORPORATION
(ALSO THE CUMBERLAND COUNTY INDUSTRIAL FACILITIES
AND POLLUTION CONTROL FINANCING AUTHORITY)
(same members on both Boards)
6 Year Term

9/09

<u>Name/Address</u>	<u>Date Appointed</u>	<u>Term</u>	<u>Expires</u>	<u>Eligible For Reappointment</u>
Bobby Gleaton (W/M) P.O. Box 100 Hope Mills, NC 28348 425-5505	9/07	2 nd	Sept/13 9/30/13	No
Timothy S. Richardson (W/M) 125 Magnolia Avenue Fayetteville, NC 28305 484-8486/307-9110 (W)	9/09	1 st	Sept/15 9/30/15	Yes
Clifton McNeill, Sr. (W/M) 1404 Clifton McNeill Road Hope Mills, NC 28348 425-8671(H)	9/09	2nd	Sept/15 9/30/15	No
Annette C. Billie (B/F) 749 Edgehill Road Fayetteville, NC 28314	9/07	2 nd	Sept/13 9/30/13	No
Ronald C. Crosby, Jr. (B/M) 2829 Meadow Mont Lane Fayetteville, NC 28306 425-6512 (H) / 483-0458 (W) (Attorney)	9/09	1st	Sept/15 9/30/15	Yes
Robert L. White (B/M) P.O. Box 71523 Fort Bragg, NC 28307 423-8549/864-2236 (W) (Postal Employee)	8/03	2nd	Sept/09 9/30/09	No
Carol A. Downing (W/F) P.O. Box 11005 Fayetteville, NC 28303 867-8969/488-6010 (Secretary, Retired)	10/05	2nd	Sept/11 9/30/11	No

Contacts: Christy Tyndall – Co. Attorney’s Office &
Neil Yarborough, Yarborough Law Firm, 115 E. Russell St, Fayetteville, NC 28301

Meetings: On Call

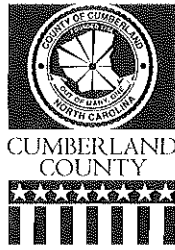
APPLICANTS FOR
CUMBERLAND COUNTY FINANCE CORPORATION & CUMBERLAND COUNTY INDUSTRIAL
FACILITIES & POLLUTION CONTROL FINANCING AUTHORITY

<u>NAME/ADDRESS/TELEPHONE</u>	<u>OCCUPATION</u>	<u>EDUCATIONAL BACKGROUND</u>
ADEYEMI, TOLULOPE (-/M) 8118 FRENCH HORN LANE FAYETTEVILLE, NC 28314 583-9408/487-3959 **SERVES ON THE ANIMAL SERVICES BOARD**	US ARMY FT BRAGG	MASTERS – HEALTH ADMIN, PR, BS – ZOOLOGY, LIBERAL ARTS
CEZAI, DR. JOAN (B/F) 737 MAXINE STREET FAYETTEVILLE, NC 28303 822-0759/672-1009 (W)	ASSISTANT PROFESSOR FSU	BBA; MBA; DOCTORATE
HICKS, SARA JEAN (W/F) 2303 MORGANTON RD #2 FAYETTEVILLE, NC 28305 417-9072/483-8309 (W) **SERVES ON THE SENIOR CITIZENS ADVISORY BOARD and the WORKFORCE DEVELOPMENT BOARD**	ACCOUNTANT ABERDEEN/ROCKFISH RAILROAD	BS/BA – ACCOUNTING MBA
MITCHELL, CLIFFORD 641 JOHNSON STREET FAYETTEVILLE NC 28303-3618 920-3153	UNEMPLOYED	TECHNICAL-VARIED
OKHOMINA, DR. DON A. (B/M) 494 DUNLOE COURT FAYETTEVILLE, NC 28311 868-1618/672-2148 (W)	ASST PROFESSOR OF MANAGEMENT FSU	BS – BUSINESS ADMIN MBA, PHD – MGT.

JEANNETTE M. COUNCIL
Chairman

BILLY R. KING
Vice Chairman

J. BREEDEN BLACKWELL
KENNETH S. EDGE
MARSHALL FAIRCLOTH
JIMMY KEEFE
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MARIE COLGAN
Clerk to the Board

CANDICE WHITE
Deputy Clerk

BOARD OF COMMISSIONERS

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October 9, 2009

October 19, 2009 Agenda Item

ITEM NO. 6C

TO: Board of Commissioners

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

SUBJECT: Cumberland County Local Emergency Planning Committee

BACKGROUND: The Cumberland County Local Emergency Planning Committee has one (1) vacancy for an unexpired term in the First Aid Representative position as a result of Walter "Wally" J. Ainsworth no longer being able to serve. Recommendation is for **Michael D. Roye**, Chief of Cape Fear Valley EMS, 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



October 6, 2009

To: Gloria Simms, Cumberland County Emergency Operations Center

From: Elsie T. Holden, EMS Support Manager

ETH

Re: Local Emergency Preparedness Committee

Effective immediately Michael D. Roye, Chief of Cape Fear Valley EMS, should be included as a member of the Local Emergency Preparedness Committee. Chief Roye will be replacing Walter J. Ainsworth.

Information for Chief Roye is as follows:

Michael D. Roye
Chief
Cape Fear Valley Emergency Medical Services
610 Gillespie St
Fayetteville NC 28306

Office: 910-615-5651
Mobile: 910-309-7228
Pager: 910-307-2127

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

<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 Lt. Charles F. Kimble) 6/08		1 st	Sept/09 09/30/09	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
EMERGENCY PLANNING COMMITTEE

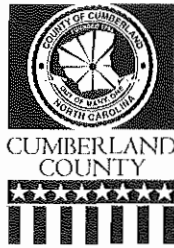
<u>NAME/ADDRESS/TELEPHONE</u>	<u>OCCUPATION</u>	<u>EDUCATIONAL BACKGROUND</u>
BERRY-CABAN, CRISTOBAL S. (H/M) 412 CITY VIEW LANE FAYETTEVILLE, NC 28301 (813) 451-3004/907-8844 (W)	CHIEF -CLINICAL INVESTIG. WOMACK	PhD; MA **SERVES ON ANIMAL SERVICES BOARD**
BURGESS, PAUL F. 5620-C CHASON RIDGE DRIVE FAYETTEVILLE, 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)595-3857 (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

<u>NAME/ADDRESS/TELEPHONE</u>	<u>OCCUPATION</u>	<u>EDUCATIONAL BACKGROUND</u>
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
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

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October 9, 2009

October 19, 2009 Agenda Item

TO: Board of Commissioners

ITEM NO. 6D

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

SUBJECT: Nursing Home Advisory Board

BACKGROUND: Robin Paul has resigned from her initial term on the Nursing Home Advisory Board because she has returned to teaching and is unable to continue to serve on the board. Therefore, the Nursing Home Advisory Board has one (1) vacancy for an initial term.

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

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

Attachments

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

Celebrating Our Past... Embracing Our Future

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

<u>Name/Address</u>	<u>Date Appointed</u>	<u>Term</u>	<u>Expires</u>	<u>Eligible For Reappointment</u>
Mandella Edwards (/F) 7076 Candlewood Drive Fayetteville, NC 28314 429-0790(H)	4/07	1 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.

APPLICANTS FOR
NURSING HOME ADVISORY BOARD

<u>NAME/ADDRESS/TELEPHONE</u>	<u>OCCUPATION</u>	<u>EDUCATIONAL BACKGROUND</u>
ADEYEMI, TOLUPE (-/M) 8118 FRENCH HORN LANE FAYETTEVILLE, NC 28314 583-9408/487-3959	US ARMY FT BRAGG **SERVES ON ANIMAL SERVICES BOARD**	MASTERS – HEALTH ADMIN, PR, BS – ZOOLOGY, LIBERAL ARTS
BOOTH, YVONNE (B/F) 4568 TURQUOISE RD FAYETTEVILLE, NC 28311 488-7260	STUDENT **SERVES ON THE ADULT CARE HOME ADVISORY BOARD**	MEDICAL/ EDUC CNA MED TECH, PHLEBOTOMY TECH
EBRON, SANDRA (B/F) PO BOX 65306 FAYETTEVILLE, NC 28306 424-3932/(919) 922-9446 (C)	UTILIZATION MGT SPECIALIST MENTAL HEALTH – LUMBERTON **SERVES ON THE ADULT CARE HOME COMMUNITY ADVISORY COMMITTEE**	MASTERS – SOCIAL WORK
FERGUSON SR., ALFONSO (B/M) 7796 PINTAIL DRIVE FAYETTEVILLE, NC 28311 401-2313/483-9916 X5551235	PROGRAM CONTROL ANALYST MANTECH INTERN'L, INC. **SERVES ON ADULT CARE HOME COMMUNITY ADVISORY BOARD**	MASTERS – HEALTH CARE ADMIN
HACKETT, MARIAN J. (B/F) 4184 FERNCREEK DRIVE FAYETTEVILLE, NC 28314 323-3060/672-2129	RN – LECTURER FSU **SERVES ON THE ADULT CARE HOME COMMUNITY ADVISORY COMMITTEE**	MASTER – NURSING
TOMLINSON-KNOELL, REV. NANETTE 609 TALLSTONE DRIVE FAYETTEVILLE, NC 28311 339-2201/489-2198	PASTOR **SERVES ON THE ADULT CARE HOME COMMUNITY ADVISORY COMMITTEE**	BA – ELEMENTARY EDUC. MASTER OF DIVINITY
WOLFE, JACQUELINE B. (W/F) 1812 MANCHESTER STREET FAYETTEVILLE, NC 28303 484-8588	RETIRED - FAYETTEVILLE POSTAL CU **SERVES ON THE ADUTL CARE HOME COMMUNITY ADVISORY COMMITTEE**	HS; SOME TECH COURSES

JEANNETTE M. COUNCIL
Chairman

BILLY R. KING
Vice Chairman

J. BREEDEN BLACKWELL
KENNETH S. EDGE
MARSHALL FAIRCLOTH
JIMMY KEEFE
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October 9, 2009

October 19, 2009 Agenda Item

ITEM NO. 6E

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

The Transportation Advisory Board will have the following six (6) vacancies on November 30, 2009:

Sheltered Workshop Director or Designee

Betsy Torsell – completing first term. Eligible for reappointment.

County Mental Health Director or Designee

William H. Robinson – completing first term. Eligible for reappointment.

Mid-Carolina Council of Governments Director or Designee

Carolyn Tracy – completing second term. Not eligible for reappointment. The Transportation Advisory Board recommends **Glenda Dye** to fill this position. (See attached.)

DSS Work First Representative

Ann Farrell – completing second term. Not eligible for reappointment. The Transportation Advisory Board recommends **Cheryl Campbell** to fill this position. (See attached.)

Workforce Development Center Director or Designee

Geneva Mixon - completing second term. Not eligible for reappointment. The Transportation Advisory Board recommends **Lorria Troy** to fill this position. (See attached.)

Aging Programs Representative

Catherine VanSickle - completing second term. Not eligible for reappointment. The Transportation Advisory Board recommends **Sybil Sloan** to fill this position. (See attached.)

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

PROPOSED ACTION: Make nominations to fill the six (6) vacancies.

pc: Kristine Wagner, Transportation Program Coordinator
Planning and Inspections Department

Celebrating Our Past...Embracing Our Future

Tom Lloyd
Chairman

Victor Sharpe, AICP
Vice Chairman



Kristine Wagner
Transportation Coordinator

130 Gillespie Street
Fayetteville, NC 28301
910-678-7624
kwagner@co.cumberland.nc.us

CUMBERLAND COUNTY
TRANSPORTATION ADVISORY BOARD

October 13, 2009

MEMORANDUM

TO: Candice White
FROM: Kristine Wagner, Transportation Program Coordinator
SUBJECT: TAB Member Terms

The Transportation Advisory Board voted unanimously at their October 13, 2009 meeting to nominate the following individuals for reappointment on the TAB to the Board of Commissioners:

Mr. William H. Robinson
Ms. Betsy Torsell

The Transportation Advisory Board also voted unanimously to nominate the following individuals:

Ms. Cheryl Campbell (to replace Ann Farrell)
Ms. Lorria Troy (to replace Geneva Mixon)
Ms. Glenda Dye (to replace Carolyn Tracy)
Ms. Sybil Sloan (to replace Catherine VanSickle)

The following board members are yet to be replaced. Their positions shall remain vacant until a replacement nominee is made:

Ms. Crystal Black

If you have any questions or need any additional information please contact me.

TRANSPORTATION ADVISORY BOARD
2 Year Term
(Staggered 2 & 3 Year Terms Initially)

<u>Name/Address</u>	<u>Date Appointed</u>	<u>Term</u>	<u>Expires</u>	<u>Eligible For Reappointment</u>
<u>City of Fayetteville Representative</u>				
Adolphus Thomas Community Relations Specialist City of Fayetteville 433 Hay Street Fayetteville, NC 28301 433-1935	12/08	1 st	Dec/10 12/31/10	Yes
<u>Urban Transit Provider Representative</u>				
Wendy Nunnery Fayetteville City Transit 2816 Bears Den Way Fayetteville, NC 28301 484-8612/433-1748 (W)	5/09	1 st	May/11 5/31/11	Yes
<u>Mid-Carolina Council of Governments Director or Designee</u>				
Carolyn Tracy Mid-Carolina Council of Governments P.O. Box 1510 Fayetteville, North Carolina 28302-1510	11/07	2 nd	Nov/09 11/30/09	No
<u>County DSS Director or Designee</u>				
Crystal Black Cumberland County DSS P.O. Box 2429 Fayetteville, North Carolina 28302-2429	11/07	2 nd	Nov/09 11/30/09	No
<u>DSS Work First Representative</u>				
Ann Farrell Cumberland County DSS P.O. Box 2429 Fayetteville, North Carolina 28302-2429	11/07	2 nd	Nov/09 11/30/09	No
<u>Workforce Development Center Director or Designee</u>				
Geneva Mixon Workforce Development Center 410 Ray Avenue Fayetteville, North Carolina 28301	11/07	2 nd	Nov/09 11/30/09	No

<u>Name/Address</u>	<u>Date Appointed</u>	<u>Term</u>	<u>Expires</u>	<u>Eligible For Reappointment</u>
<u>Vocational Rehab Representative</u>				
Tammy Jackson Vocational Rehab – Independent Living 1200 Fairmont Court Fayetteville, NC 28304 486-1717	11/08	2 nd	Nov/10 11/30/10	No
<u>Sheltered Workshop Director or Designee</u>				
Betsy Torsell Employment Source 600 Ames Street Fayetteville, NC 28301	11/07	1 st	Nov/09 11/30/09	Yes
<u>Aging Programs Representative</u>				
Catherine VanSickle Cumberland County Coordinating Council On Older Adults 339 Devers Street Fayetteville, North Carolina 28303	11/07	2 nd	Nov/09 11/30/09	No
<u>County Mental Health Director or Designee</u>				
William H. Robinson CC Area Mental Health Center 109 Bradford Avenue Fayetteville, North Carolina 28301-5496 323-0601(W)	11/07	1 st	Nov/09 11/30/09	Yes
<u>Emergency Medical Services Representative</u>				
Michael Roye Cape Fear Valley – EMC PO Box 2000 Fayetteville, NC 28302 615-5651	5/09	1 st	May /11 5/31/11	Yes
<u>County Representative</u>				
Vacant (not required)				
<u>County Planning Department Director or Designee</u>				
Cecil Combs Cumberland County Planning Department P.O. Box 1829 Fayetteville, North Carolina 28302-1829 678-7606 (W)	12/08	1 st	Dec/10 12/31/10	Yes

<u>Name/Address</u>	<u>Date Appointed</u>	<u>Term</u>	<u>Expires</u>	<u>Eligible For Reappointment</u>
<u>County Health Director or Designee</u>				
Terresio Pope Cumberland County Health Dept. 227 Fountainhead Lane Fayetteville, North Carolina 28301	12/08	1 st	Dec/10 12/31/10	Yes
<u>At-Large Representatives</u>				
Charles Luther, Jr. LaFayette Council of the Blind 1509 Cardiff Drive Fayetteville, NC 28304 867-5554	11/08	2 nd	Nov/10 11/30/10	No
Dianne Grumelot Cumberland County Schools 1014 Gillespie Street Fayetteville, North Carolina 28306 678-2586	11/08	2 nd	Nov/10 11/30/10	No
Timothy Joel Strickland Mid-Carolina COG P.O. Drawer 1510 Fayetteville, NC 28302 323-4191, ext. 34(W)	11/08	2 nd	Nov/10 11/30/10	No
Ifetayo Farrakhan Dept. of Social Services 1225 Ramsey Street Fayetteville, North Carolina 28301 677-2531	11/08	1 st	Nov/10 11/30/10	Yes

**Board was created by the Commissioners on 11/6/00.

Meetings: Second Tuesday in first month of Quarter at 10:00 AM.

Location: Historic Courthouse, Courtroom #3

Contact: Kristine Wagner (Planning & Inspections) x7624, fax # 678-7601

(Terms must expire in November according to Bylaws.)

APPLICANTS FOR
TRANSPORTATION ADVISORY BOARD

<u>NAME/ADDRESS/TELEPHONE</u>	<u>OCCUPATION</u>	<u>EDUCATIONAL BACKGROUND</u>
ATKINSON, DEBORAH J. (B/F) 217 ANDOVER ROAD FAYETTEVILLE, NC 28311 822-5441/494-1288 (C)	RETIRED (STATE GOV'T)	BA – SOCIOLOGY MSW; MRC
SERVES ON THE HOME AND COMMUNITY CARE BLOCK GRANT		
CAMPBELL, DR. REBECCA M. (-/F) 7027 DARNELL STREET FAYETTEVILLE, NC 28314 487-1555	RETIRED JFK SPECIAL WARFARE	DOCTORATE – TEACHING & SPECIAL EDUCATION
COLLINS, RICKEY (W/M) 4876 US HWY 3015 HOPE MILLS, NC 28348 425-9990	RETIRED ELECTRICIAN NC	SOME COLLEGE ELEC. LICENSE
COMBS, CECIL P. (-/M) 5501 BIRDIE COURT HOPE MILLS, NC 28348	DEPUTY DIRECTOR, CC PLANNING & INSPECTIONS	BA – HISTORY
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
MARSHALL, BARBARA SUMMEY (B/F) 7640 WILKINS DRIVE FAYETTEVILLE, NC 28311 488-2615/977-2303 (W)	VOLUNTEER/ADVOCATE RETIRED MILITARY	MASTERS - RELIGIOUS EDUCATION
SERVES ON BOARD OF HEALTH		
McALLISTER, MEREDITH (B/F) 553 HOLLYBERRY LANE FAYETTEVILLE, NC 28314 867-8564/222-8751 (W)	CERTIFIED PERSONAL FINANCE COUNSELOR - CONSUMER EDUCATION SERVICES	BUSINESS – UNC AT CHAPEL HILL
OKHOMINA, DR. DON A. (B/M) 494 DUNLOE COURT FAYETTEVILLE, NC 28311 868-1618/672-2148 (W)	ASST PROFESSOR OF MANAGEMENT - FSU	BS – BUSINESS ADMIN MBA, PHD – MGT.
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
THOMAS, ADOLPHUS (B/M) 9428 GOODEN DRIVE FAYETTEVILLE, NC 28314 867-0249/433-1935 (W)	COMMUNITY RELATIONS SPEC. CITY OF FAYETTEVILLE	BA – SOCIOLOGY

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 9, 2009

ITEM NO. 7A

October 19, 2009 Agenda Item

TO: Board of Commissioners

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

SUBJECT: Human Relations Commission

BACKGROUND: On October 5, 2009, the Board of Commissioners nominated the following individual to fill one (1) vacancy on the Human Relations Commission:

Cornelius Williams (reappointment)

I have attached the current membership list for this commission.

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

Attachment

pc: Ron McElrath
City of Fayetteville – Human Relations Director

Celebrating Our Past...Embracing Our Future

HUMAN RELATIONS COMMISSION
 (County Commissioner Appointees)
 2Year Term

<u>Name/Address</u>	<u>Date Appointed</u>	<u>Term</u>	<u>Expires</u>	<u>Eligible for Reappointment</u>
Cornelius Williams (B/M) 1327 Four Wood Drive Fayetteville, NC 28312 484-5044	11/06	1 st	Nov/09 11/01/09	Yes
Elvin McNeill (B/M) 2280 Spindletree Drive Fayetteville, NC 28304 423-7027/677-2552	12/08	1 st	Dec/10 12/01/10	Yes
Dr. Rev. Joe Fleming, Jr. (B/M) 7235 Ryan Street Fayetteville, NC 28304 339-5648	6/09	1st	July/11 07/01/11	Yes
Muhammad A. Lodhi (A/M) 2008 Ashridge Drive Fayetteville, NC 28304 401-2137/672-1658 (W)	6/09	1st	July/11 07/01/11	Yes

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

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