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**AGENDA**  
**CUMBERLAND COUNTY BOARD OF COMMISSIONERS**  
**COURTHOUSE – ROOM 118**  
**SEPTEMBER 21, 2009**  
**6:45 PM**

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INVOCATION - Commissioner Kenneth Edge

PLEDGE OF ALLEGIANCE

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

Introduction of New Cumberland County Department Heads:

Buck Wilson, Health Department Director  
Sharon Sanders, Interim Veteran's Service Manager

Special Recognition to Kenny Currie, Cumberland County Emergency Services Director for:

- Cumberland County Recognized by the NOAA National Weather Service as Storm Ready
- 2009 North Carolina Communications Manager of the Year by the Association of Public Safety Officers

1. Consent Agenda

- A. Approval of minutes of the September 8, 2009 regular meeting.
- B. Approval of Correction to Minutes.
- C. Approval of Cumberland County Policy Committee Report & Recommendation.
- D. Approval of Change Order #4 – Rentenbach Constructors on New Public Health Center.
- E. Approval of 2008 Consolidated Annual Performance and Evaluation Report (CAPER).
- F. Approval of Payment of Prior Year Invoices for Jail Health Safekeeping Expenses.
- G. Approval of Scheduling a Public Hearing Date on October 19, 2009 for the Purpose of Receiving Comments from the Property Owners in the Proposed Grays Creek Water & Sewer District.

H. Approval of Ordinance Assessing Property for the Cost of Demolition:

- 1) Case Number: MH 5531-2008  
Property Owners: Joseph E. Hall and Patricia Hall  
Property Location: 4008 Limestone Street, Eastover, NC  
Parcel Identification Number: 0469-45-2433
- 2) Case Number: MH 5703-2008  
Property Owners: Alberta C. Baker Heirs, c/o James Robert Baker  
Property Location: 1828 Smith Road, Fayetteville, NC  
Parcel Identification Number: 0433-91-2146
- 3) Case Number: MH 5530-2008  
Property Owner: Diane Crisp Godwin  
Property Location: 3943 Camden Road, Fayetteville, NC  
Parcel Identification Number: 0425-14-5774

I. Budget Revisions:

(1) Library Grants

Revision in the amount of \$41,376 to recognize E-Rate Grant funds. (B10-079) **Funding Source – Grant**

(2) Health

a. NC Bioterrorism Preparedness and Response - Revision in the amount of 100,000 to budget state funding for the H1N1 Planning (\$94,200) and H1N1 Enhanced Surveillance (\$5,800) Programs. (B10-072) **Funding Source – State**

b. NC Bioterrorism Response Team – Revision in the amount of \$10,000 to budget the H1N1 supplemental allocation from the state. (B10-072A) **Funding Source – State**

c. Childhood Poisoning Prevention – Revision in the amount of \$1,000 to eliminate budget due to reduction in state funding. (B10-081) **Funding Source - State**

(3) Planning Grants

a. Planning Grant 5303 - Revision in the amount of \$33,592 to recognize reduction in funding. (B10-073) **Funding Source – Grant**

b. US DOT 104(f) Grant – Revision in the amount of \$300,000 to recognize additional funding. (B10-074) **Funding Source – Grant**

(4) General Government Other

Revision in the net amount of \$371,000 to recognize current year fire insurance reimbursement of \$222,962; to appropriate fire fund balance of \$332,807 and to reimburse the General Fund's fund balance of \$184,769. (B10-064) **Funding Source – Fund Balance Appropriated and Insurance Proceeds**

(5) Soil & Water Conservation District

Revision in the amount of \$4,018 to appropriate fund balance to budget the FY2009 net profits from Soil & Water fundraising activities. (B10-086) **Funding Source – Fund Balance**

(6) Emergency Management/State and Federal Forfeiture

Revisions in the amount of \$3,408,406 to transfer funds from State Forfeiture Fund 232 (\$242,000) and Federal Forfeiture Fund 230 (\$258,000) and to appropriate communications fund balance (\$1,671,241) and maintenance and repair fund balance (\$1,237,165) for the purchase of digital radios and related equipment to upgrade the County's emergency dispatch system. (B10-088 thru B10-088B) **Funding Source – State and Federal Forfeiture, Fund Balance Appropriated Communications and Maintenance and Repair**

2. Public Hearings

**Uncontested Cases**

Rezoning

- A. Case P09-35. Rezoning of 2.11+/- acres from A1 Agricultural to R40A Residential, or to a more restrictive zoning district, located at 4250 Dudley Road, owned by Andrew E. and Michelle M. Weston.
- B. Case P09-37. Rezoning of .72+/- acres from R6A Residential to C(P) Planned Commercial, or to a more restrictive zoning district, located at 3708 Gillespie Street, owned by Billy G. and Kathy T. Manning.

**Conditional Use Permit Cases**

- C. Case P09-19. Rezoning of .57+/- acres from A1 Agricultural to M1(P)/CUD Planned Light Industrial/Conditional Use District (cabinet shop & motor vehicle repair and/or body work) and the Permit, or to a more restrictive zoning district, located at 11444 Dunn Road, owned by Black River Investments, Inc.
- D. Case P09-34. Rezoning of .89+/- acres from R10 Residential to RR/CUD Rural Residential/Conditional Use District (residential including single-family, multi-family & manufactured homes, nursery operations and office) and the Permit, or to a more restrictive zoning district, located at 6067 Camden Road, owned by Michael F. and Barbara J. Shoenberger.

**Other Public Hearings**

**E. MINIMUM HOUSING CODE ENFORCEMENT**

- 1) Case Number: MH 5786-2009  
Property Owner: Upton & Helen P. Tyson  
Mobile Home Owner: Pamela & Leroy Thomas  
Property Location: 3628 Belridge Drive, Fayetteville, NC  
Parcel Identification Number: 0440-65-8814
  
- 2) Case Number: MH 5890-2009  
Property Owner: Peggy Hair Bland  
Property Location: 4271 Dudley Road, Fayetteville, NC  
Parcel Identification Number: 0472-18-4098

Items of Business

3. Presentation on H1N1 (Swine) Flu Campaign by Buck Wilson, Health Director.
4. Presentation on Economic Development Accomplishments by Doug Peters, President of the Fayetteville-Cumberland County Chamber of Commerce.
5. Consideration of Cumberland County Facilities Committee Report and Recommendation Regarding Alternatives for Relocation of County Administrative Offices.
6. Nominations to Boards and Committees
  - A. Board of Adjustment (1 Vacancy)
7. Appointments to Boards and Committees
  - A. Air Quality Stakeholders' Committee (1 Vacancy)  
Nominee: Town of Falcon Representative: Janice Lucas
  - B. Cumberland County Juvenile Crime Prevention Council (2 Vacancies)  
Nominees: At-Large Representatives: Gudron Blackmon  
Member of Faith Community: Rev. Fred Hendley
8. Closed Session: IF NEEDED

**ADJOURN**

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

**MEETINGS:           October 5, 2009 (Monday) - 9:00 AM  
                          October 19, 2009 (Monday) - 6:45 PM**



# NOAA

NATIONAL OCEANIC AND  
ATMOSPHERIC ADMINISTRATION  
UNITED STATES DEPARTMENT OF COMMERCE



Contact: Marcie Katcher  
631-244-0149

**FOR IMMEDIATE RELEASE**  
September 15, 2009

## **NOAA National Weather Service Declares Cumberland County StormReady**

In the Sandhills of central North Carolina, Cumberland County faces all types of hazardous weather, from tornadoes and heavy rain to ice and snow. Cumberland County emergency managers have earned NOAA's National Weather Service StormReady® designation, making them better prepared for severe weather in any season.

Darin Figurskey, meteorologist-in-charge of the National Weather Service Office in Raleigh, will present a letter of recognition and StormReady signs to county officials during the Cumberland County Board of Commissioner's meeting on September 21, 2009, at 6:45 p.m. The meeting will take place at 117 Dick St., Room 118, Fayetteville, N.C.

"Violent tornadoes striking North Carolina have been most common across the southern and eastern Piedmont through the Sandhills, with the majority of deadly tornadoes occurring at night. These storms require quick decision-making to help save lives and property," Figurskey said. "Through diligence in carrying out the requirements to earn the StormReady designation, emergency service leadership in Cumberland County has enabled the area to react more quickly during severe weather."

"Becoming StormReady will help first responders and residents of Cumberland County be better prepared for the next weather disaster," said Tim Mitchell, interim deputy director of emergency services in Cumberland County.

To achieve this distinction Cumberland County met rigorous criteria, which include developing severe weather safety plans and communications infrastructure, actively promoting severe weather safety through public awareness activities and conducting safety training.

The StormReady preparedness program helps communities develop severe weather and flooding response plans with NOAA's National Weather Service and local emergency managers. Since the StormReady program began in 1999, more than 1,500 U.S. communities have become StormReady.

The StormReady program is part of NOAA National Weather Service's working partnership with the International Association of Emergency Managers and the National Emergency Management Association.

NOAA understands and predicts changes in the Earth's environment, from the depths of the ocean to the surface of the sun, and conserves and manages our coastal and marine resources. Visit <http://www.noaa.gov>.

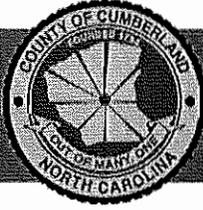
### On the Web:

NOAA's National Weather Service in Raleigh: [www.weather.gov/rah](http://www.weather.gov/rah)

NOAA Weather Radio All Hazards: <http://www.weather.gov/nwr>

NOAA's StormReady program: <http://www.stormready.noaa.gov>

StormReady® is a registered trademark used by NOAA's National Weather Service.



# News Release

FOR IMMEDIATE RELEASE –

September 16, 2009

Public Information Office

Contact: Sally Shutt, Communications Manager

Telephone: 910-437-1921

E-mail: [sshutt@co.cumberland.nc.us](mailto:sshutt@co.cumberland.nc.us)

## Emergency Services Director Earns State Award

FAYETTEVILLE, N.C. – Cumberland County Emergency Services Director Kenneth Currie has been named the Communications Center Director of the year by the North Carolina Chapter of the Association of Public Safety Communications Officials.

Currie, who started as a dispatcher and worked his way up the ranks, has more than 25 years experience serving Cumberland County. He was named the Emergency Services Director in March 2008 and is also the county's fire marshal.

During his time with the department, he has overseen many projects including the conversion to an enhanced 911 system and becoming the first county in North Carolina to have an accredited communications center of excellence. Currie was recognized for his efforts to combine the county's 911 call center, which had previously dispatched fire and EMS only, with the Sheriff's Office dispatch center, a move that has increased productivity.

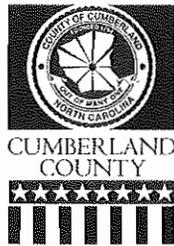
"All the credit goes to the staff," Currie said. "They make my life extremely easy. Our organization is built on a team concept, and I share this honor with them."

-end-

JEANNETTE M. COUNCIL  
Chairman

BILLY R. KING  
Vice Chairman

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



MARIE COLGAN  
Clerk to the Board

CANDICE WHITE  
Deputy Clerk

**BOARD OF COMMISSIONERS**

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

ITEM NO. 1B

AGENDA ITEM FOR SEPTEMBER 21, 2009 MEETING

MEMO TO: Board of Commissioners  
MEMO FROM: Marie Colgan, Clerk *mc*  
DATE: September 11, 2009  
RE: Approval of Correction to Minutes

**BACKGROUND:** On September 8, 2009, the Board approved the minutes from the August 17, 2009 Board of Commissioners' meeting. Under item 4J of those minutes, the affidavit (see attached) which was submitted for inclusion in the minutes contained some incorrect information. The affidavit (see attached) included in the agenda packet which was acted upon by the Board contained the correct information.

**ACTION:** Approve correction to information contained in the affidavit listed in the minutes under Item 4J of the August 17, 2009 minutes.

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(Submitted for minutes)

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 5685-2008.

Property Owner: **Maria Bell**

Home Owner: **Dennis R. Bell**

Property Address: **3709 Camden Road, Fayetteville, NC**

Tax Parcel Identification Number: 0458-62-2031

SYNOPSIS: This property was inspected on **10/30/2008**. The property owners and parties of interest were legally served with Notice of Violations and was afforded a Hearing on **11/20/2008**. **Dennis R. Bell & Ms. Martinez** 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 **2/20/2009**. The property owners and parties of interest were notified of the appeal procedures when they were served with the **Findings of Fact and Order**. (See Exhibit A for Findings of Fact and Order.) An appeal was filed. The Housing Board of Appeals granted a 30 day extension of time, with a final compliance date of **5/14/2009** (see Exhibit B). Upon my visit to the property on **8/7/2009** 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 **\$6,789.00**.

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

**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 \_\_\_\_ day of \_\_\_\_\_ 2009.

\_\_\_\_\_.

(Submitted for agenda packet)

ITEM NO. 4J

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 5692-2008.

Property Owner: Hattie W. Coptias C/O Julie Watson

Property Address: 3709 Camden Road, Fayetteville, NC

Tax Parcel Identification Number: 0425-26-9358

SYNOPSIS: This property was inspected on 10/14/2008. The property owners and parties of interest were legally served with Notice of Violations and were afforded a Hearing on 11/26/2008. Julie Watson attended the Hearing via telephone. It was ordered that the structure be repaired to a minimum standard for human habitation, or be demolished and the debris removed from the premises by a date not later than 5/15/2009. 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 8/7/2009 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 \$5,000.00.

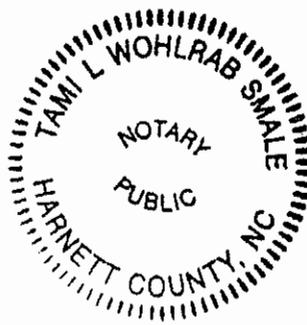
Attached is a map depicting the location of the property. (See Exhibit B.)

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

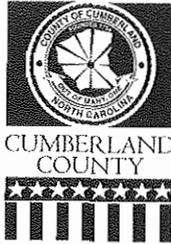
Sworn to and Subscribed to by me this  
the 7 day of August 2009.

Tami L. Wohlrab Smale  
Notary Public



My Commission Expires:

My Commission Expires October 11, 2011



ITEM NO. 10

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 16, 2009

**MEMORANDUM FOR BOARD OF COMMISSIONERS' SEPTEMBER 21, 2009**  
**AGENDA**

TO: BOARD OF COUNTY COMMISSIONERS

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

SUBJECT: POLICY COMMITTEE REPORT ON BOARD'S REQUEST FOR POLICY COMMITTEE TO CONSIDER THE REQUEST OF INVERNESS ON ANDREWS HOME OWNERS ASSOCIATION'S REQUEST FOR THE COUNTY TO LOAN THE HOA \$42,520.00 AND ASSESS EACH HOMEOWNER \$338.00 TO PAY FOR MAINTENANCE TO THE SUBDIVISION'S DETENTION PONDS WHICH ARE IN VIOLATION OF COUNTY PERMIT.

**BACKGROUND:**

This request was made at the August 17<sup>th</sup> Board of Commissioner's meeting by Mr. Terry Samperton, President of the Home Owners Association (HOA). The HOA was issued a citation by the County on March 17, 2009 for being in violation of County permit issued for the subdivision's detention ponds. The County's involvement had come due to a complaint by a citizen in an adjoining subdivision whose property was adjacent to one of the detention pond sites. (They had complained that the pond had overflowed during a storm and flooded their yard. It was later discovered that the pond had not overflowed nor been the source of their flooding. In fact, these ponds are not part of a storm water requirement but part of a system designed to protect water quality in the Fayetteville watershed.) The HOA has cooperated with the County regarding this matter and has made considerable efforts to come into compliance and currently has an extension from the County to bring the ponds into compliance by November 14, 2009. According to Mr. Samperton's memo the plan outlined by their engineer to bring the ponds into compliance will cost an additional \$42,520.00, hence the HOA's request. This matter was referred to the Policy Committee by the Board and staff was asked to bring additional information and a recommendation.

Staff has met on the issue, management and legal inspected the site and had further conversations with Mr. Samperton and legal has researched the legal issues which are such that the County can

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not grant the HOA's request because there is no statutory basis for this action and to do so without a statutory basis would amount to a private emolument which is prohibited under the NC Constitution.

The Policy Committee met on September 3, 2009 to consider the above referenced request. They considered testimony from staff and various land owners in the affected subdivision; but upon receiving the Interim County Attorney's opinion that there was no statutory authority to grant the HOA's request and to do so would be a violation of the NC Constitution, the committee members expressed their empathy for the situation, their appreciation to the HOA for its cooperative and curative efforts and asked the staff to assist the HOA as best they could as long as they continued to be cooperative and working toward compliance within a reasonable time-frame without infringing on others' rights or risking the safety of others or their property.

**RECOMMENDATION / PROPOSED ACTION:**

**Board of Commissioners take no action in this matter.**

# DRAFT

CUMBERLAND COUNTY POLICY COMMITTEE  
NEW COURTHOUSE, 117 DICK STREET, 5TH FLOOR, ROOM 564  
SEPTEMBER 3, 2009 – 9:30 AM  
MNUTES

MEMBERS PRESENT: Commissioner Marshall Faircloth  
Commissioner Kenneth Edge  
OTHERS PRESENT: James Martin, County Manager  
Amy Cannon, Assistant County Manager  
Harvey Raynor, Interim County Attorney  
Bob Stanger, County Engineer  
Tom Cooney, Public Utilities Director  
Tom Lloyd, Planning and Inspections Director  
Sally Shutt, Communications Manager  
Candice H. White, Deputy Clerk  
Members of Inverness Homeowners Association  
Press  
ABSENT: Commissioner Billy R. King, Chairman

Commissioner Faircloth, Acting Chairman, called the meeting to order.

1. Approval of Minutes: August 6, 2009 Meeting

MOTION: Commissioner Edge moved to approve.

SECOND: Commissioner Faircloth

VOTE: UNANIMOUS

2. Consider Request of the Inverness Homeowners Association for a Loan and Assessment of Homeowners for the Cost of Repairs to Retention Ponds

James Martin, County Manager, advised the Inverness Homeowners Association's (HOA) request was for a loan to cover the cost of repairs to three retention ponds within the subdivision and for the County to assess the property owners for the loan amount of approximately \$42,000. Mr. Martin stated he and Interim County Attorney Harvey Raynor visited the subdivision and spoke with the President of the Inverness HOA Terry Samperton regarding the retention ponds. Mr. Martin advised a subsequent meeting was held with county planning, engineering and utilities representatives.

Mr. Martin explained the subdivision's retention ponds were not designed for flood control but were designed to help protect water quality as part of a greater watershed for the City of Fayetteville. Bob Stanger, County Engineer, advised the Inverness subdivision contained what were technically referred to as wet detention basins.

# DRAFT

Commissioner Faircloth inquired regarding the differences between retention and detention ponds. Mr. Stanger stated detention basins do not have a permanent pool of water and are designed to catch water for release onto dry conditions when a storm event is over. Mr. Stanger explained retention basins are designed to have a permanent pool of water with a minimum of three feet of water for water quality purposes. Mr. Stanger stated the retention ponds provide a settlement basin that allows pollutants to be captured with runoff, settle in the pond and be trapped in the bottom sediment of the pond. Mr. Stanger stated the retention basins are also designed to provide storage for the first inch of runoff; however, the first inch of runoff has to be released from the pond within the first three to five days. Mr. Stanger explained the retention basins have a control structure that allows water to run out of them.

Commissioner Edge inquired whether the state or the county set the requirements for the ponds. Mr. Stanger stated the requirements were set by the state and were adopted by the county. Mr. Martin explained the County is charged with inspecting and maintaining the basins. Mr. Stanger advised the reason the basins were installed when the subdivision was developed was because the amount of impervious area exceeded 24% and under County ordinance, the developer had the option to develop for higher density and install the stormwater controls as required.

Tom Lloyd, Planning and Inspections Director, advised the Inverness subdivision had been granted an additional extension up to November 14, 2009 and the Inspections Department would continue to work with them as long as there were signs of improvement. Mr. Martin stated there was evidence that the HOA had put good work and money into bringing things back into full compliance, which served as an encouragement for the county to continue to work with the HOA. Mr. Martin explained the HOA's issue was it did not have funds available at the present time to complete the work. Mr. Martin further advised the HOA had issued an assessment to the property owners in the subdivision; however, the question before the HOA was how quickly the assessments would be collected and how quickly the additional money would be available for the work to be contracted and completed. Mr. Martin stated some of the work already completed by the HOA may be above the minimum requirements called for under the citation.

Commissioner Edge asked how the incompliance came about and what the minimum requirements were for the HOA to come back into compliance. Mr. Martin stated an adjacent property owner had complained about runoff and the Inspections Department investigated the complaint. Mr. Lloyd stated the inspection revealed that overgrowth within the ponds and other debris near the ponds needed to be cleared and that sediment in the bottom of the ponds needed to be cleaned-out.

Commissioner Edge recognized Terry Samperton, President of the Inverness HOA. Mr. Samperton stated the HOA had hired a certified engineer who provided a report on each of the ponds and a scope of work. Mr. Samperton further stated the HOA wanted to hire a company from Wilmington, NC reputed to be the best in the state to bring the ponds back into compliance, but lacked the money to do so.

# DRAFT

A brief discussion followed regarding the original design of the ponds and the HOA's contentions therein. Mr. Lloyd and Mr. Stanger provided information on requirements for retention ponds versus requirements for detention ponds. Mr. Stanger stated retention ponds have to receive periodic maintenance in order to clean them out, remove the sediment and restore the original invert to the bottom of the basins.

Commissioner Faircloth asked whether this issue paralleled past projects associated with dams. Harvey Raynor, Interim County Attorney, explained the past projects were authorized by statute and did not parallel the request by the HOA for a loan. Mr. Raynor advised local governments derive their powers from the legislature and without specific statutory authority can not take action. Here there is no statutory authority for local governments to loan money to HOAs.. Mr. Raynor advised for the county to loan money to one person/organization without loaning to all persons/organizations without a statutory basis would amount to a private emolument, which was prohibited under the NC Constitution. Mr. Raynor stated in his opinion, there was no legal basis for the County Commissioners to act on the request.

Commissioner Edge inquired whether the HOA had looked into securing a bank loan. Mrs. Samperton was recognized and stated the bottom line was that the HOA would not be able to collect the assessments even if the properties were used as security for a loan.. Mr. Samperton explained some of the property owners believed the assessment was created by the board and did not realize the validity or seriousness of the situation. Mr. Samperton opined a letter from the county would carry more weight than a letter from the HOA. Mr. Raynor advised that the county had sent a notice of violation stating the county could fine up to \$500 per day and stated he did not feel the County Attorney's office should send letters to the private property owners. Following a brief discussion, an alternative was for the County Attorney to send a letter to the HOA for their dissemination to the individual property owners.

Commissioner Faircloth stated because the Commissioners had no statutory authority to act on the request, he and Commissioner Edge would by consensus ask that staff make the commissioners aware of anything in the future that might be of assistance. Commissioner Edge expressed the Commissioners' empathy for the situation and his appreciation for the efforts of the HOA.

### 3. Other Matters of Concern

There were no other matters of business.

MEETING ADJOURNED: 10:15 AM.

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

September 14, 2009

ITEM NO. 1D

MEMORANDUM

**TO: BOARD OF COUNTY COMMISSIONERS**

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

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

**SUBJECT: APPROVAL OF CHANGE ORDER #4 – RENTENBACH CONSTRUCTORS  
NEW PUBLIC HEALTH CENTER PROJECT**

BACKGROUND

In May, 2008, the Board entered into a contract with Rentenbach Constructors, Inc., in the amount of \$22,190,429 for construction of the New Public Health Center Project. The Board also approved the project budget which included an Owner Construction Contingency of \$537,435. Construction of the new facility is about 90% complete and to date three change orders totaling \$138,079 have been approved.

Attached is Change Order #4 in the amount of \$97,460 for additional work on the New Public Health Center Project. The contract revisions are itemized in the change order document and include both additive and deductive work items. The changes can be summarized as follows:

- |  |                 |
|--|-----------------|
| • Owner requested revisions.                           | ADD \$75,240    |
| • Code Compliance revisions.                           | ADD \$ 7,563    |
| • Design revisions due to conflicts.                   | ADD \$18,272    |
| • Design revisions resulting in a credit to the Owner. | DEDUCT \$ 3,615 |

With approval of Change Order #4, the net increase in the contract price is \$235,539 which equates to 1.06% of the original contract amount. A five (5) day time extension is also requested. Sufficient monies are available in the project contingency to fund this change order. The change order document has been reviewed by the County Attorney's Office for legal sufficiency.

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## RECOMMENDATION/PROPOSED ACTION

The recommendation of the County Engineer, the project architect CJM&W, and management is to approve Change Order #4 for Rentenbach Constructors for additional work on the New Public Health Center Project in the amount of \$97,460 and increase the contract sum to \$22,425,968 and approve the attached budget revision.

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

**CHANGE  
ORDER**

AIA DOCUMENT G701-2000



OWNER	<input checked="" type="checkbox"/>
ARCHITECT	<input checked="" type="checkbox"/>
CONTRACTOR	<input checked="" type="checkbox"/>
FIELD	<input type="checkbox"/>
OTHER	<input type="checkbox"/>

PROJECT: **County of Cumberland Public Health Center** CHANGE ORDER NUMBER: **004**  
 (name, address) **1225 Ramsey Street**  
**Fayetteville, NC 28301**

DATE: **September 10, 2009**

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

TO CONTRACTOR: **Rentenbach Constructors Inc.**  
 (name, address) **1102 Grecale Street**  
**Greensboro, NC 27429**

CONTRACT DATE: **May 19, 2008**

CONTRACT FOR: **General Construction**

THE CONTRACT IS CHANGED AS FOLLOWS:

PC #46	CREDIT for toilet accessory revisions per RFP #013.....	(\$ 2,857.00)
PC #59Rev	Cost for tile revisions third floor per RFP #021 and RFP #024.....	\$ 1,901.00
PC #61	CREDIT for corner guard revisions at hard tile locations per RFP #027. (138 locations Included).....	(\$ 758.00)
PC #62	Cost for extending/capping drywall "shafts" per direction on RFI #082 .....	\$ 6,788.00
PC #63Rev	Cost to revise Atrium handrail to stainless steel per RFP #026.....	\$ 10,036.00
PC #64	Cost to raise main and branch lines due to increased ceiling height in Room #3301 Per RFI #077.....	\$ 2,346.00
PC #65	Cost to change provide and install a two inch (2") hub drain for the elevator cooling unit per RFI #086 .....	\$ 775.00
PC #66	Cost to provide and install flagpoles, building signs per RFP #028 .....	\$ 53,196.00
PC #67	Cost to revisions to Door opening 1514 to accommodate a card reader per RFP #027 ...	\$ 2,626.00
PC #68	Cost to provide and install water piping to Liebert units per RFP #030 .....	\$ 1,742.00
PC #69	Cost to revise power to air curtain per direction of RFI #087. Work already completed....	\$ 1,983.00
PC #71	Cost to insulate waster line piping under the Mechanical penthouse that is sweating due to cold condensate water from air handling units .....	\$ 1,488.00
PC #72	Cost to add and modify data outlets in Pharmacy Areas for three (3) CAT 5e connections at locations indicated by Owner .....	\$ 3,267.00
PC #74	Cost for revisions to framed mirrors per RFI #097 and RFP #032 .....	\$ 2,071.00
PC #75	Cost for relocating receptacles and data outlets per RFP #031 .....	\$ 655.00
PC #77	Cost for tie-in of downspouts to storm system per ASI #027.....	\$ 7,899.00
PC #78	Costs for added drop inlet and associated piping at East side of Main entrance canopy Per ASI #027 .....	\$ 2,745.00

Continued on Page #2

**CHANGE  
ORDER**

AIA DOCUMENT G701-2000



OWNER	<input checked="" type="checkbox"/>
ARCHITECT	<input checked="" type="checkbox"/>
CONTRACTOR	<input checked="" type="checkbox"/>
FIELD	<input type="checkbox"/>
OTHER	<input type="checkbox"/>

Page #2

PC #79 Cost for change in trench drain elevation per email direction June 30, 2009 ..... \$ 1,557.00

**TOTAL \$ 97,460.00**

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

The original (~~Contract Sum~~) (Guaranteed Maximum Price) was ..... **\$22,190,429**  
 Net change by previously authorized Change Orders ..... **138,079**  
 The (~~Contract Sum~~) (Guaranteed Maximum Price) prior to this Change Order was..... **\$22,328,508**  
 The (~~Contract Sum~~) (Guaranteed Maximum Price) will be (increased) (decreased)  
 (~~unchanged~~) by this Change Order in the amount of..... **\$97,460**  
 The new (~~Contract Sum~~) (Guaranteed Maximum Price) including this Change Order will be ..... **\$22,425,968**

The Contract Time will be (~~increased~~) (~~decreased~~) (unchanged) by <sup>5</sup>~~10~~ days.  
 The date of Substantial Completion as of the date of this Change Order therefore is **November 15, 2009**.

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

Continued on Page #2

Page #2

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

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

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

BY   
 DATE 9/16/09

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

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

**COUNTY OF CUMBERLAND  
BUDGET REVISION REQUEST**

Budget Office Use	
Budget Revision No.	B10-085
Date Received	9/15/2009
Date Completed	

Fund No. 015 Agency No. 431 Organ. No. 431A

Organization Name: Health Department Building

**REVENUE**

Revenue Source Code	Description	Current Budget	Increase (Decrease)	Revised Budget
9205	Installment Purchase Proceeds	26,500,000		26,500,000
9110	Transfer from General Fund	1,486,300		1,486,300
	Total	27,986,300	0	27,986,300

**EXPENDITURES**

Object Code	Appr Unit	Description	Current Budget	Increase (Decrease)	Revised Budget
3747	HEA	Engineer	1,477,603		1,477,603
347B	HEA	Relocation Expense	170,515		170,515
3480	HEA	Utilities	150,000		150,000
3704	HEA	General Contract	22,328,508	97,460	22,425,968
3714	HEA	Geotechnical Services	140,000		140,000
3119	HEB	Debt Issuance Cost	368,621		368,621
3610	HEC	Capital Outlay - Equipment	1,285,000		1,285,000
383Z	HEC	Technology	1,673,300		1,673,300
3903	HED	Contingency	392,753	(97,460)	295,293
		Total	27,986,300	0	27,986,300

**Justification:**

Revision in the amount of \$97,460 to adjust the general construction contract for Change Order #4. This increase to the maximum guaranteed price is being funded from the Owner's Construction Contingency.

**Funding Source:**

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

**Fund Balance:**

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

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

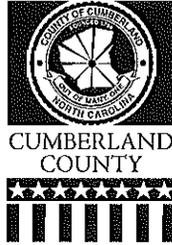
Reviewed By: HEA  
Bob Tucker  
Finance Department

Date: 9/15/09

Reviewed By: Amy N Cannon  
Assistant County Mgr

Date: 9/15/09

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



**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**  
**SEPTEMBER 21, 2009**

**TO: BOARD OF COUNTY COMMISSIONERS**

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

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

**DATE: SEPTEMBER 14, 2009**

**SUBJECT: 2008 CONSOLIDATED ANNUAL PERFORMANCE AND EVALUATION REPORT (CAPER)**

**BACKGROUND**

Community Development has prepared an abbreviated version of the draft CAPER for the 2008 Program Year (Exhibit 1). This document is available for public review and comment during the period September 8, 2009 through September 22, 2009. Copies of the draft CAPER in its entirety will be available for review in the County Commissioners office and at the Community Development office beginning September 25, 2009. Copies of the abbreviated version have been distributed to several locations throughout the County in compliance with our Citizen Participation Plan (see Exhibit 2-Public Notice). The final CAPER is due to HUD on September 28, 2009.

The 2008 CAPER details program accomplishments and assessments of our efforts in meeting the goals and objectives set forth in our Consolidated Plan and Annual Action Plan for the period July 1, 2008 through June 30, 2009. Performance reporting meets three basic purposes: 1) It provides HUD with necessary information for the Department to meet its statutory requirement to assess each grantee's ability to carry out relevant community development programs in compliance with all applicable rules and regulations; 2) It provides information necessary for HUD's Annual Report to Congress, also statutorily mandated; and 3) It provides grantees an opportunity to describe to citizens their successes in revitalizing deteriorated communities and meeting objectives outlined in their Consolidated Plan. This reporting tool assures that citizens, community groups, and other interested stakeholders in the community development process are accurately informed of the use of these federal funds (i.e. CDBG, HOME, etc.).

**RECOMMENDATION AND PROPOSED ACTION**

Community Development requests that the Board of Commissioners hold a public hearing on the 2008 CAPER. No other action is necessary.

Attachments: Exhibit 1 – 2008 Draft CAPER (abbreviated version)  
Exhibit 2 – Public Notice

*Celebrating Our Past... Embracing Our Future*

Exhibit 1

*Cumberland County Community Development  
Presents the*

**Consolidated Annual Performance  
&  
Evaluation Report  
(CAPER)  
PY2008**

**CAPER Public Review Period: September 8, 2009 thru September 22, 2009  
Public Hearing Before the Board of Commissioners: September 21, 2009 @ 6:45 p.m.**

**DRAFT**

# *Mission Statement*

The goal of Cumberland County Community Development is to provide programs that will address and improve the quality of life for our citizens through private, public and local government partnerships.

# *Executive Summary*

## **PROGRAM SUMMARY**

Cumberland County is pleased to present its Consolidated Annual Performance and Evaluation Report (CAPER) for the 2008 Program Year (PY). During the past year, Cumberland County Community Development (CCCD) has expended approximately \$2,548,222 assisting low and moderate income residents. As an Urban County Entitlement designated by the U.S. Department of Housing and Urban Development (HUD), Cumberland County receives annually Community Development Block Grant and HOME Investment Partnership Act funds. In addition to its entitlement funds, CCCD also received competitive grant funds awarded from HUD through the Supportive Housing Program. CCCD uses its entitlement funds to focus on affordable housing development, housing rehabilitation, support for human service programs, public facility/infrastructure programs, and economic development activities. The competitive grant funds were used to support one transitional housing program for homeless families.

## **COMMUNITY DEVELOPMENT BLOCK GRANT**

The Community Development Block Grant (CDBG) is used for projects that address housing, economic development, public services/facilities, and infrastructure (water/sewer) needs. Projects must also meet one of the following three National Objectives:

- Principally benefit low and moderate income persons;
- Aid in the elimination of slum and blight; or
- Meet community development needs having a particular urgency.

## **HOME INVESTMENT PARTNERSHIP ACT**

The Home Investment Partnership Act Program (HOME) is used to expand the supply, availability and affordability of decent, safe, and sanitary housing serving citizens who are 80% and below the area median income. The median income for a family of 4 in Cumberland County for PY 2008 was \$49,300.

## **SUPPORTIVE HOUSING PROGRAM**

Funds provided through the Supportive Housing Program (SHP) are awarded on a competitive basis for either a one, two, or three year grant term. The purpose of SHP funding is to assist homeless persons in the transition from homelessness to permanent housing and to enable them to live as independently as possible.

Projects funded under SHP must meet three goals:

- Assist program participants to obtain and remain in permanent housing;
- Assist program participants to increase skills and/or income; and
- Assist program participants to achieve greater self-determination.

# Executive Summary

## PRIORITY NEEDS IN CUMBERLAND COUNTY

Every five years, CCCD must prepare a Consolidated Plan to identify the priority needs in Cumberland County and develop strategies that will be implemented to address those needs. In order to identify the needs of the community, citizens were encouraged to participate by attending community meetings and completing surveys that were distributed throughout Cumberland County. CCCD also consulted with local officials and agencies to assess the needs of the community. Based on the data received from these sources, the following were identified as priority needs in Cumberland County (in no order of preference):

- Services for disabled persons;
- Services for the homeless;
- Street/sidewalk improvements;
- Water/sewer improvements;
- Parks/recreational facilities;
- Transportation services;
- Youth services;
- Senior services;
- Mental health services; and
- Health care services.

In addition, CCCD will continue to address affordable housing and economic development needs.

For PY 2008, CCCD received \$1,055,618 in CDBG funds, \$491,000 in HOME funds, and SHP funds in the amount of \$84,134. With the continued partnership of community groups, nonprofit agencies, and other units of local government, CCCD used these funds to continue to meet the needs of the community and improve the quality of life for the low and moderate income citizens of Cumberland County.

## SERVICE AREA

Funds were used in our designated area, which included the Towns of Eastover, Falcon, Godwin, Hope Mills, Linden, Spring Lake, Stedman, Wade, and the unincorporated areas of the County.



*Home repaired through the Housing Rehabilitation Program*



*Before*



*After*

# *Housing Programs*

## **HOUSING REHABILITATION**

### **Owner-Occupied**

The Homeowner Rehabilitation Program addresses homes that do not meet minimum housing code standards. Examples of the types of repairs that would qualify are plumbing, electrical, insulation, painting, and siding. Assistance is provided in the form of a deferred loan with repayment determined on the applicant's ability to meet additional financial obligations. Grants with no repayment up to \$7,500 per unit are available for housing repair projects that address households with immediate health or safety risks. Examples of the types of repairs that would qualify are faulty electrical systems that would lead to fire hazards, constructing a ramp that would make the home accessible for the disabled, and plumbing problems that could create an unsafe living environment for the occupants. A total of \$791,711 was expended for PY 2008 to assist 26 owner-occupied homeowners.

### **Investor-Owner**

The Rental Rehabilitation Program provides assistance to investors to acquire and repair units that will be leased to tenants earning 80% and below the area median income.

For the 2008 Program Year, \$193,686 was expended to assist 2 investors with the acquisition/rehabilitation of housing units to serve 8 low to moderate income tenants.

## **AFFORDABLE HOUSING PROGRAM**

During the 2008 Program Year, \$400,000 was expended to complete construction on Southview Villas, a 48-unit multifamily affordable housing apartment complex. The development is comprised of 2 and 3 bedroom units available to tenants earning between 40-60% of the median income.

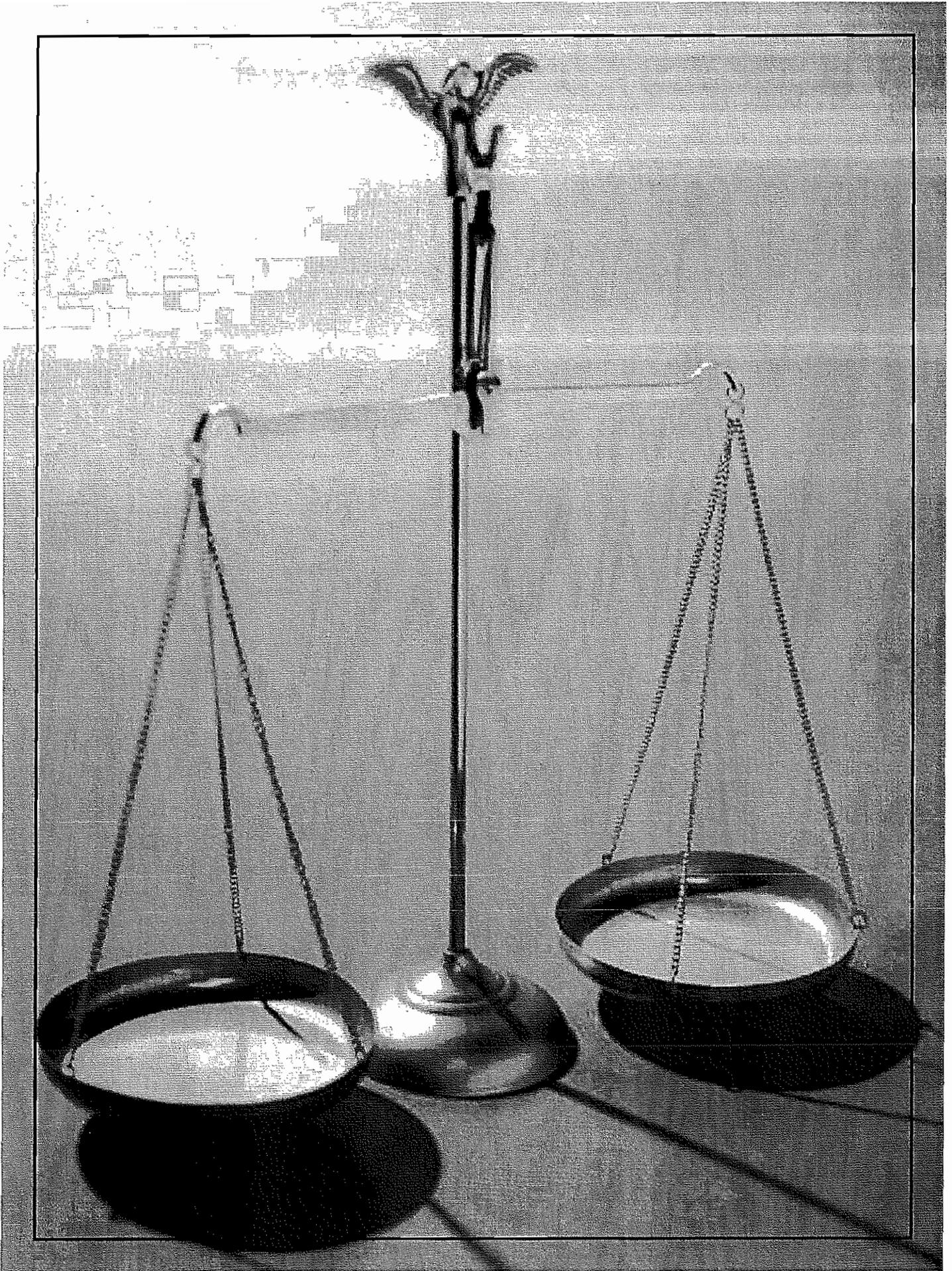
## **COMMUNITY HOUSING DEVELOPMENT ORGANIZATIONS**

Regulations require that 15% of the County's HOME Investment Partnership Act (HOME) funds be designated for use by nonprofit organizations in the development and promotion of affordable housing—rental and homeownership. Once certain guidelines are met, these organizations are designated as Community Housing Development Organizations or CHDOs.

Kingdom Community Development Corporation (KCDC), a qualified CHDO, expended \$114,397 to construct one single family home in the Holly Hills community of Spring Lake.

## **HOME BUYER PROGRAM**

The Homebuyer Assistance Program facilitates homeownership for low to moderate income households in Cumberland County. Loans up to \$5,000 are provided for down payment and/or closing cost assistance. Another form of loan, GAP financing, pays the difference between the purchase price of the home and what the lending institution approves for the applicant. The amount of assistance that can be provided is up to \$20,000—for a maximum of \$25,000 per applicant. Funding for these programs are provided through the use of Community Development Block Grant (CDBG), HOME Investment Partnership Act (HOME), and American Dream Down payment Initiative (ADDI) funds. This year, 203 potential homebuyers received training through the First Time Home Buyer's class as the first step towards preparing them for homeownership. Funding in the amount of \$92,000 was expended to assist 4 first-time homebuyers in purchasing a home.



# *Fair Housing*

## **FAIR HOUSING**

The goal of the Fair Housing Program is to promote, market, and encourage equal access to housing and housing related transactions regardless of race, color, national origin, religion, sex, familial status or handicap. Cumberland County has partnered with the City of Fayetteville to provide Fair Housing services County-wide through its Human Relations Department. During the 2008 Program Year, the following activities were undertaken:

### Outreach

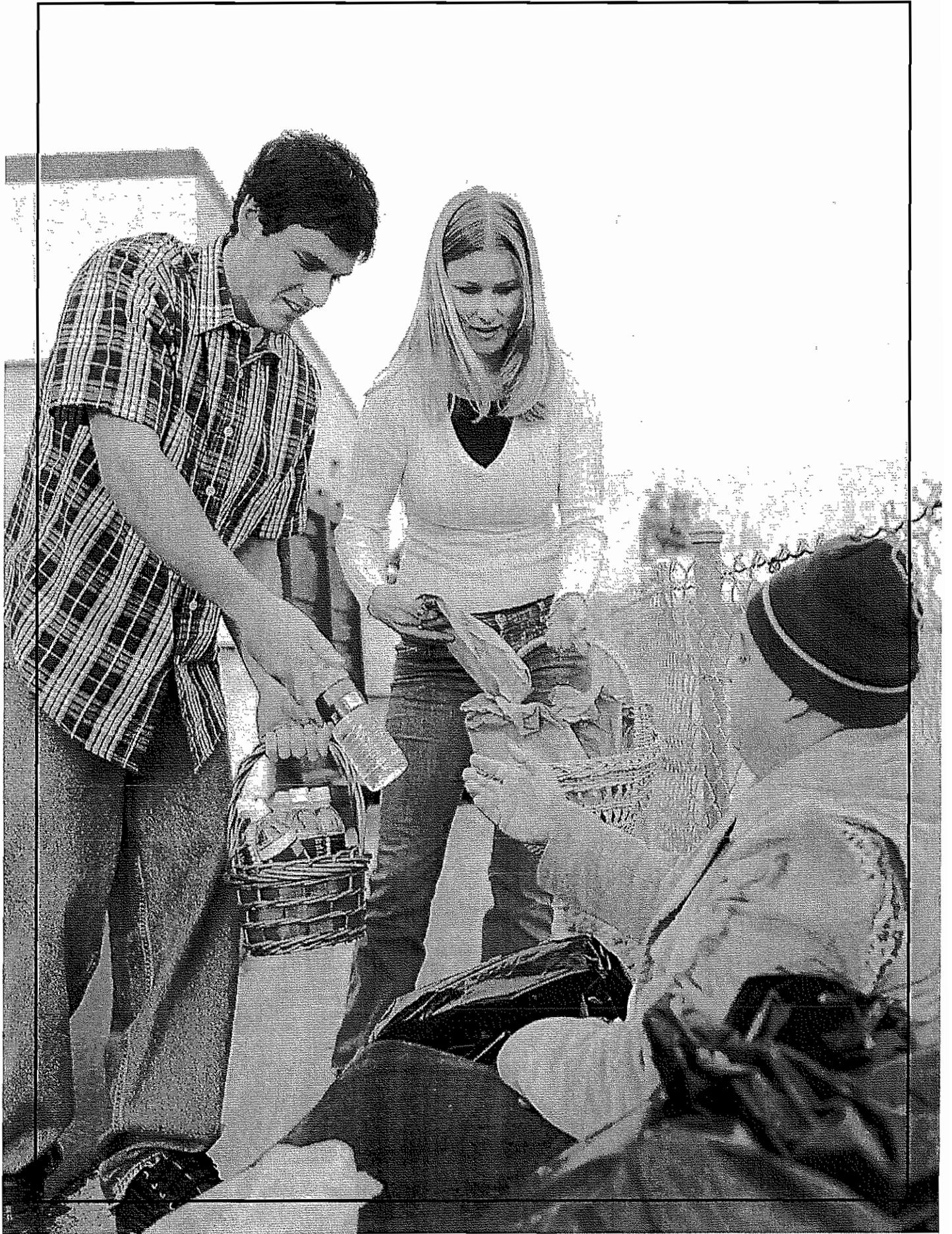
CCCD's Fair Housing Specialist conducted outreach activities throughout the local community by running public service announcements through local television stations and newsletters. Fair Housing Workshops were held at the following venues to provide information to buyers, sellers, renters, landlords, and other interested parties about fair housing and fair lending practices.

1. Fair Housing Month - There were a total of 40 attendees.
2. Cumberland County Apartment Association - There were a total of 54 attendees.

### Counseling

Counseling was also provided to persons inquiring about housing related matters. This past program year, the Fair Housing Specialist investigated 347 cases of alleged housing discrimination complaints. If you feel your rights have been violated or for more information regarding fair housing laws, contact the Fayetteville-Cumberland County Human Relations Department at (910) 433-1698.





# Supportive Housing/Homeless Activities

## SUPPORTIVE HOUSING PROGRAM

Since 1995, CCCD and other service agencies have worked collaboratively to create an array of housing options and services to support the homeless. The Continuum of Care Planning Council (COCP) is the leading entity in this movement. The ultimate goal is to have a seamless system that provides the services needed to move a person from homelessness into permanent housing.

During the 2008 Program Year, CCCD continued to administer the following Supportive Housing Program Grant:

Robin's Meadow  
 Location: 515/519 Candleberry Court, Fayetteville, NC  
 Census Tract: 1  
 Population Served: Homeless Families  
 # Families Assisted: 18 (comprised of 65 homeless individuals)  
 Funds Expended: \$106,380 (includes CDBG funds)

## 10 - YEAR PLAN TO END HOMELESSNESS

During the 2008 Program Year, CCCD continued its participation on the Fayetteville/Cumberland County 10 Year Plan to End Homelessness Steering Committee to complete a Plan to address the needs of the homeless in our community. Approved by the City and County elected officials in 2008, the plan will meet the following goals:

Fayetteville-Cumberland County 10 Year Plan to End Homelessness	
<p><b>Priority 1: Community Awareness and Education Campaign</b>  <b>Goal:</b> To change the face of homelessness in the community from that of the panhandler on the street to a more sympathetic icon that brings citizens into the support network</p>	<p>Objective 1: Dispel common myths and misperceptions of the homeless population (emphasis on families and children)                      Objective 2: Garner monetary support and an increased volunteer base to meet the increasing demand for homeless services</p>
<p><b>Priority 2: Lobby Congress for special appropriation to assist homeless veterans (and the homeless population in general)</b>  <b>Goal:</b> To have dedicated funding by Congress for homeless assistance to veterans (and other homeless populations) added to the City and County legislative agenda</p>	<p>Objective 1: Funding earmarks for the increasing number of homeless veterans in Cumberland County                      Objective 2: Funding earmarks for the overall homeless population in Cumberland County</p>
<p><b>Priority 3 - Identify additional funding sources for local programs</b>  <b>Goal:</b> Increase available funding for local homeless service / housing providers</p>	<p>Objective 1: Provide financial stability for local homeless initiatives in order to eliminate potential gaps in services</p>
<p><b>Priority 4 - Create a day resource center</b>  <b>Goal:</b> Provide opportunity for homeless to access needed services and avoid duplication of effort</p>	<p>Objective 1: To relieve the burden on homeless individuals from traveling around the city for services                      Objective 2: Improve collaboration among service providers and avoiding duplication of effort                      Objective 3: Increase usage of local Homeless Management Information System (HMIS)</p>

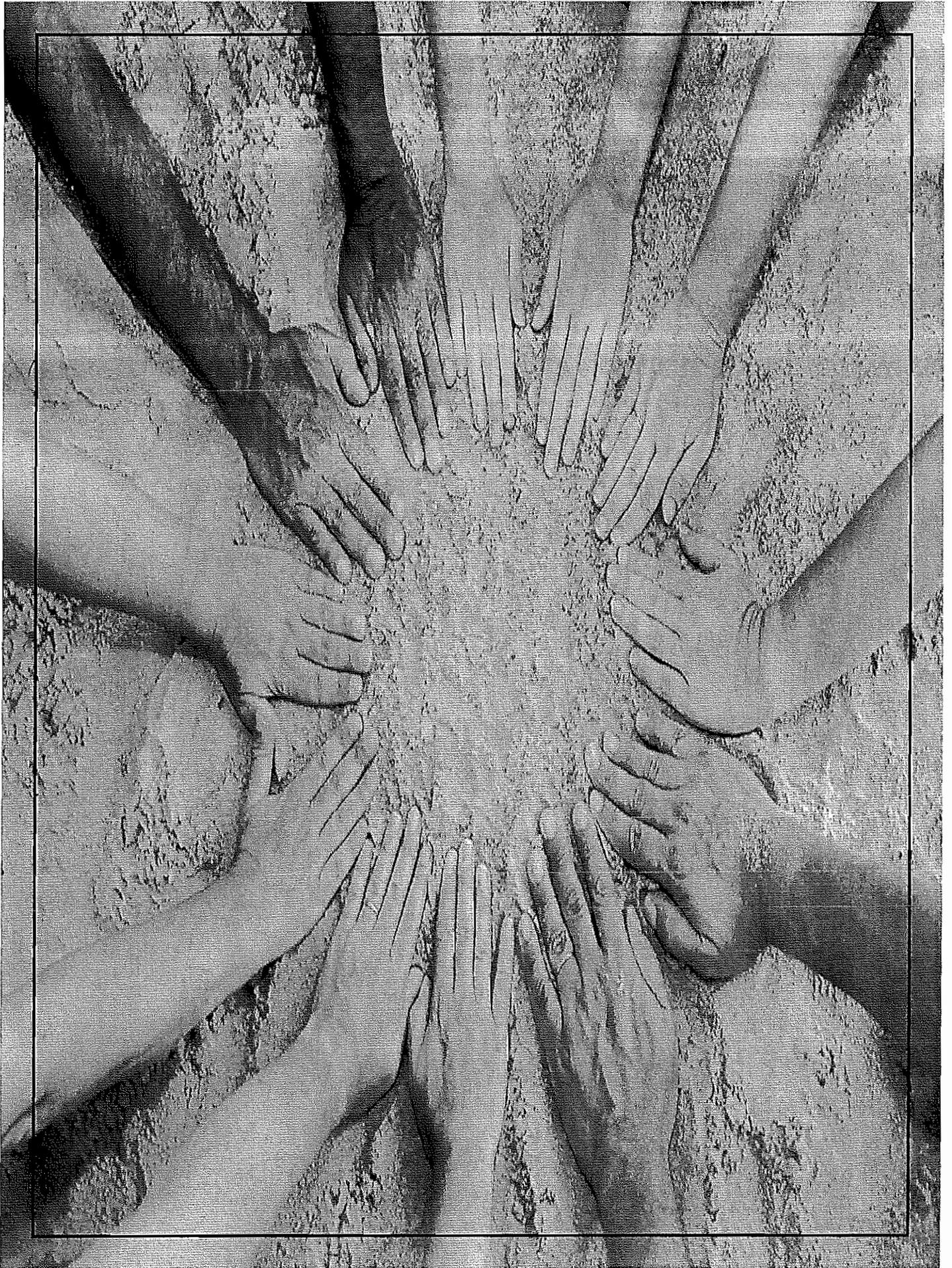


# *Supportive Housing/Homeless Activities*

## 10 - YEAR PLAN TO END HOMELESSNESS (continued)

<b>Fayetteville-Cumberland County 10 Year Plan to End Homelessness</b>	
<b>Priority5: Establish Childcare Subsidy for Homeless Families</b> <b>Goal:</b> Provide opportunity for homeless families to obtain employment	Objective 1: Provide financial assistance to homeless families to make safe childcare choices in order to seek employment
<b>Priority 6: Additional Shelter Space</b> <b>Goal:</b> Provide additional shelter to eliminate the number of homeless that spend nights on the street	Objective 1: Increase shelter beds & supportive services available for populations identified by the CoC
<b>Priority7: Transportation</b> <b>Goal:</b> Increase transportation options for the homeless	Objective 1: Provide transportation to enable the homeless to obtain employment, housing and other needed services
<b>Priority 8: Family Reunification Program</b> <b>Goal:</b> To reconnect homeless individuals with family support network	Objective 1: To reunite homeless individuals with family in a permanent housing situation
<b>Priority 9: Development of Additional Affordable Housing Options</b> <b>Goal 1:</b> Provide housing options by creating new permanent housing beds for the homeless (chronic and/or families) <b>Goal 2:</b> Increase the percentage of homeless persons remaining in permanent housing over 6 months <b>Goal 3:</b> Increase the percentage of homeless persons moving from transitional housing to permanent housing	Objective 1: To provide immediate housing for individuals and families to get them “off the street” Objective 2: Provide the homeless with needed supportive services to remain in permanent housing (such as obtaining employment, education, etc.)
<b>Priority10: Outreach Network</b> <b>Goal:</b> Expand outreach network to coordinate annual outreach efforts currently being undertaken	Objective 1: Bring the homeless into the social support system and work with them to address their needs and help them gain self-sufficiency Objective 2: Media and advertising for coordination of efforts

CCCD will continue to work thru the Steering Committee to facilitate implementation of the goals identified in the Plan. Those interested in assisting in these efforts should contact CCCD at (910) 323-6112.



# Public Services

Fifteen percent of CDBG funds can be designated to assist with the start-up or expansion of programs provided by nonprofit agencies (or units of local government under certain conditions) in the County. Eligible activities include the provision of job skills training, health services, mental health services, transportation, or other services identified in CCCD's Consolidated Plan. The activities funded must address at least one of the three CDBG national objectives.

The following agencies provided services to improve the quality of life for 5,816 County residents during the 2008 Program Year:

Better Health of Cumberland County/Emergency Prescriptions and Medical Assistance

Location: 1422 Bragg Blvd., Fayetteville, NC

Census Tract: 9

Population Served: Low/Moderate Persons

# Assisted: 228

Funds Expended: \$18,000

City Rescue Mission/Housing and Services for the Homeless

Location: 120 N. Cool Springs St., Fayetteville, NC

Census Tract: 1

Population Served: Homeless Men and Women

# Assisted: 46

Funds Expended: \$9,315

Coordinating Council on Older Adults/In-home Aides for the Elderly

Location: 339 Devers St., Fayetteville, NC

Census Tract: 21

Population Served: Elderly (62 yrs +)

# Assisted: 9

Funds Expended: \$7,316

Cumberland County Medication Access Program (CCMAP)/

Prescription Drugs

Location: 227 Fountainhead Ln., Fayetteville, NC

Census Tract: 18

Population Served: Low/Moderate Persons

# Assisted: 4,720

Funds Expended: \$19,728

The Salvation Army Shelter

Location: 245 Alexander St., Fayetteville, NC

Census Tract: 1

Population Served: Homeless Men, Women, and Children

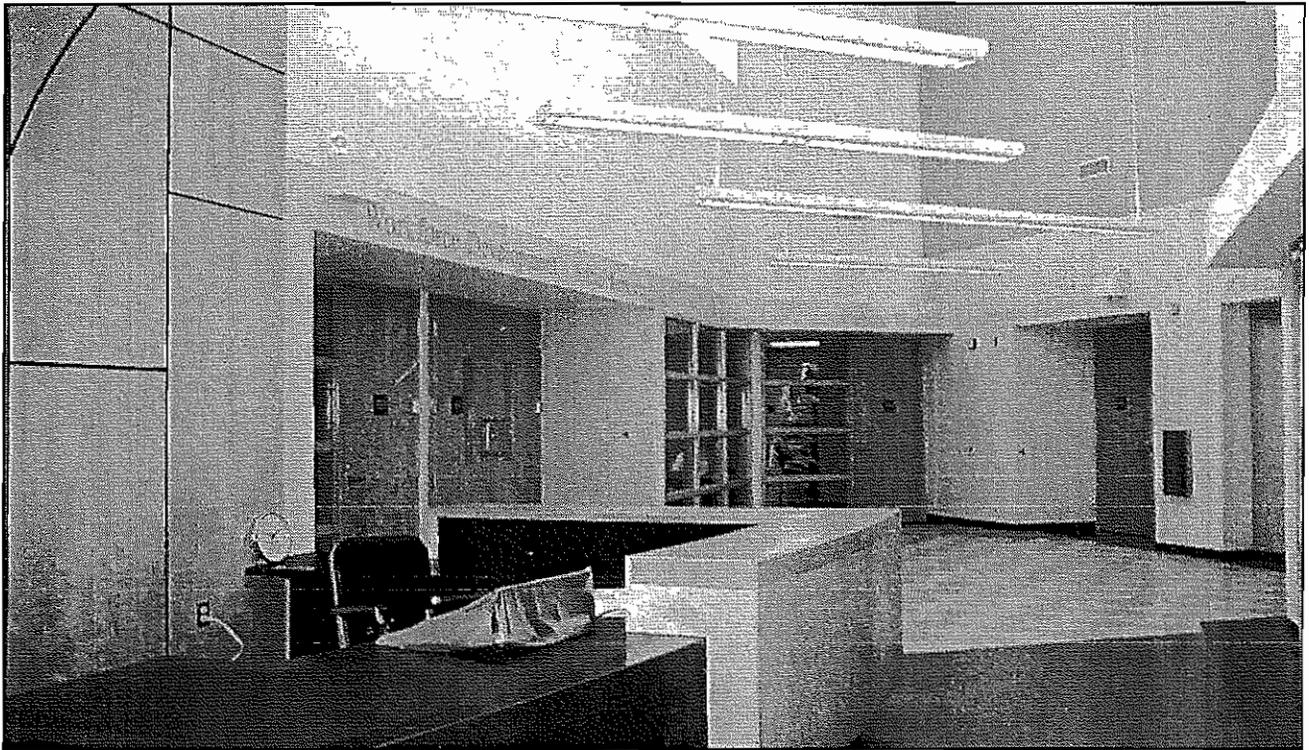
# Assisted: 813

Funds Expended: \$18,573

# *Public Facilities*

## **PUBLIC FACILITIES**

Funds in the amount of \$166,211 were expended for the debt service on the Spring Lake Family Resource Center Section 108 Loan.



Spring Lake Family Resource Center

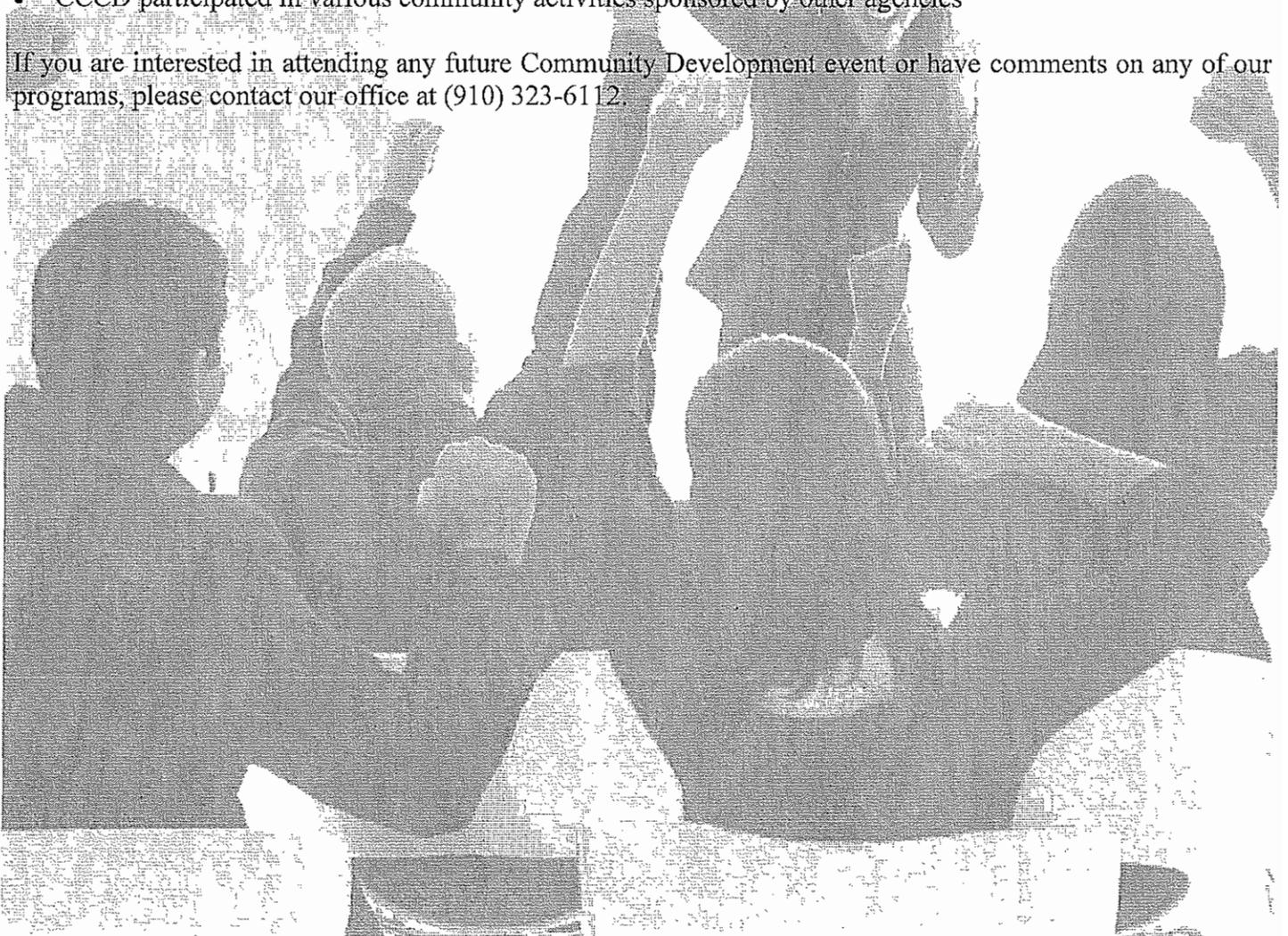
# *Citizen Participation*

CCCD alone cannot solve the issues that affect Cumberland County. It takes the partnership between government, community service agencies and citizens of Cumberland County to strengthen our community and create a positive change. Citizens of Cumberland County have several ways of participating in the activities that are conducted by CCCD. Citizens may attend public meetings/hearings, community fairs, or visit the CCCD office located at 245 Person Street, Fayetteville, North Carolina.

## **LIST OF COMMUNITY ACTIVITIES AND EVENTS**

- Citizen Participation Meeting held at the Hope Mills Branch Library - January 8, 2009
- Citizen Participation Meeting held at the Spring Lake Family Resource Center - January 13, 2009
- Neighborhood Stabilization Program Public Hearing - January 20, 2009
- Fair Housing Workshop - April 21, 2009
- Public Hearing for the approval of the Annual Action Plan - April 21, 2009
- Grand Opening for Southview Villas Apartments - June 15, 2009
- CCCD participated in various community activities sponsored by other agencies

If you are interested in attending any future Community Development event or have comments on any of our programs, please contact our office at (910) 323-6112.



# Financial Summary - CDBG

Housing	Allocations	Expenditures
Housing Rehabilitation	382,082	193,686
Project Delivery Costs	258,809	238,575
Homebuyers	10,000	2,000
<b>Total Housing Activities</b>	<b>650,891</b>	<b>434,261</b>

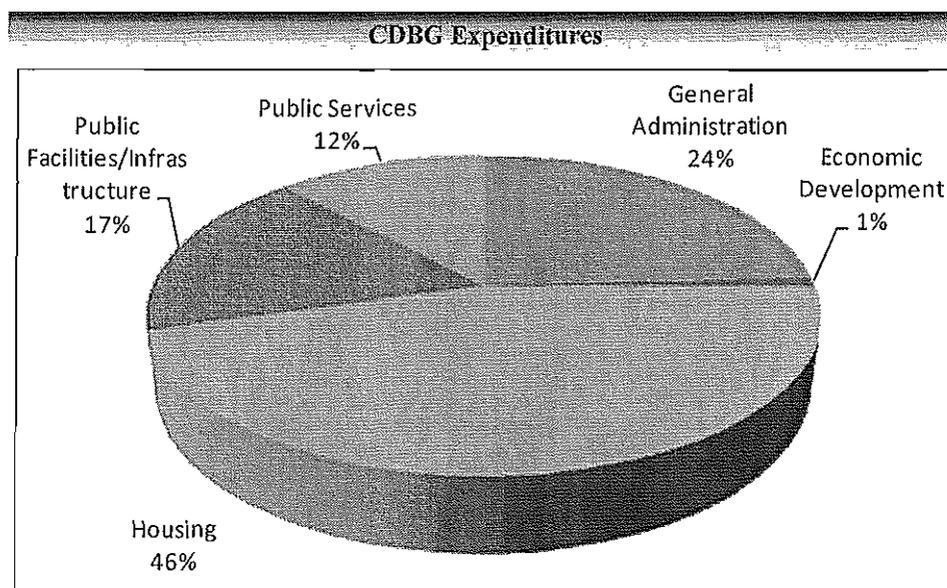
Public Facilities/ Infrastructure	Allocations	Expenditures
Pub Fac. - Manchester Rd SS	470,340	0
Section 108 Debt Service	166,211	166,211
Publ Fac. - Eastover SS	0	0
<b>Total Public Fac./Infra. Activities</b>	<b>636,551</b>	<b>166,211</b>

Economic Development	Allocations	Expenditures
Project Delivery Costs	9,791	9,740
Economic Development Loans	540,000	0
<b>Total Economic Develop. Activities</b>	<b>549,791</b>	<b>9,740</b>

Public Services	Allocations	Expenditures
Better Health of Cumberland Co.	18,000	18,000
City Rescue Mission	9,350	9,315
Coord. Council on Older Adults	15,000	7,316
Robins Meadow	7,000	4,133
Public Service - Misc.	17,250	0
Project Delivery Costs	30,044	37,942
CCMAP	20,000	19,728
Salvation Army	23,700	18,573
<b>Total Public Services Activities</b>	<b>140,344</b>	<b>115,007</b>

General Administration	Allocations	Expenditures
General Administration	241,123	229,670
<b>Total General Administration</b>	<b>241,123</b>	<b>229,670</b>

	Allocations	Expenditures
<b>Total CDBG Activities</b>	<b>2,218,700</b>	<b>954,888</b>



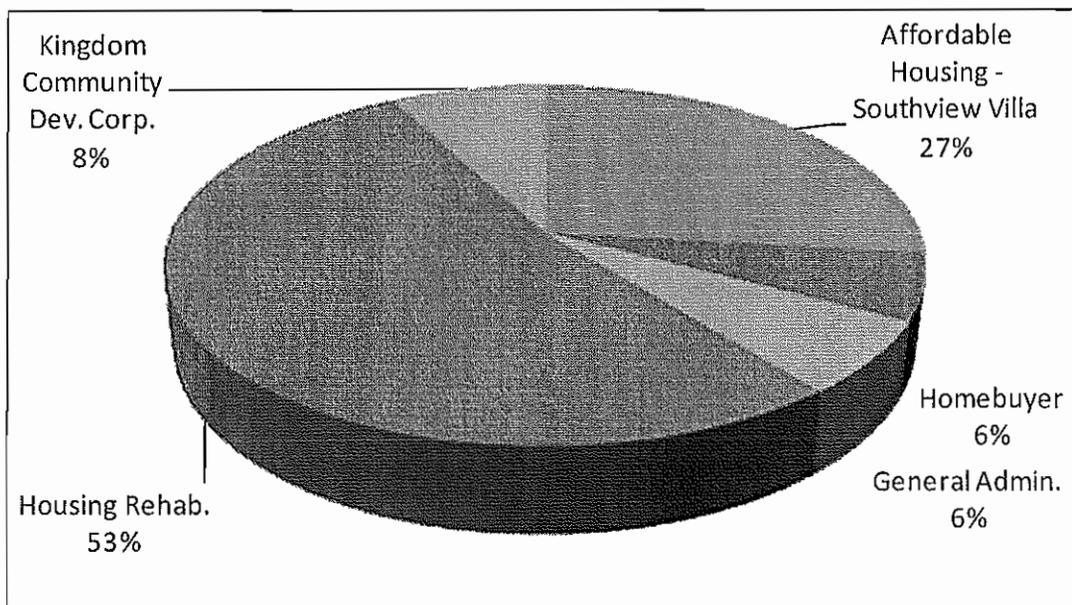
Note: The financial information has not been audited.

# Financial Summary - HOME & SHP

HOME	Allocations	Expenditures
Affordable Housing - Southview Villa	400,000	400,000
ADDI	74,123	0
Homebuyer	115,327	90,000
General Admin.	112,215	94,979
Tbra	25,000	0
Housing Rehab.	881,799	791,711
CHDO Set Aside - Balsawood	82,852	0
Kingdom Community Dev. Corp.	370,514	114,397
Affordable Housing - Spring Lake Green	300,000	0
Affordable Housing - HOPE VI	625,000	0
Affordable Housing - Balsawood	200,000	0
<b>Total HOME Activities</b>	<b>3,186,830</b>	<b>1,491,087</b>

SHP	Allocations	Expenditures
Robin's Meadow	175,155	102,247
<b>Total SHP Activities</b>	<b>175,155</b>	<b>102,247</b>

## HOME Expenditures



Note: The financial information has not been audited.

# County Government



## GOVERNING BODY

Jeannette M. Council, Chairman  
Billy R. King, Vice Chairman  
J. Breeden Blackwell  
Kenneth S. Edge  
Jimmy Keefe  
Edward Melvin  
Marshall Faircloth

## LOCAL GOVERNMENT PARTNERS

Town of Eastover	Town of Linden
Town of Falcon	Town of Spring Lake
Town of Godwin	Town of Stedman
Town of Hope Mills	Town of Wade

## COUNTY ADMINISTRATION

James Martin, County Manager  
Juanita Pilgrim, Deputy County Manager  
Amy Cannon, Assistant County Manager

## COUNTY OF CUMBERLAND COMMUNITY DEVELOPMENT

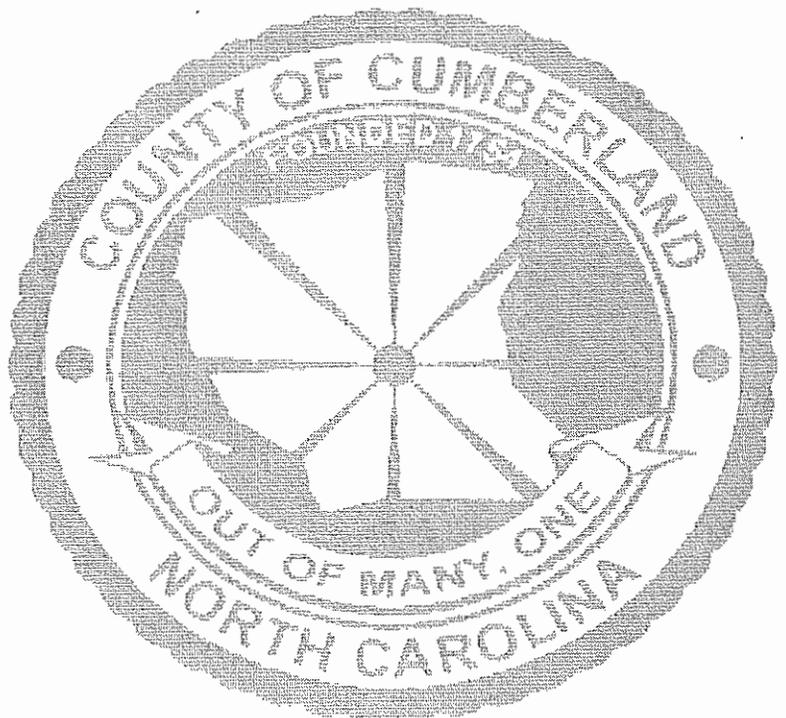
PO Box 1829  
245 Person Street, 2nd Floor  
Fayetteville, NC 28302-1829  
Phone: (910) 323-6112  
Fax: (910) 323-6114  
<http://www.co.cumberland.nc.us>

## CCCD STAFF

Thanena Wilson, Director  
Gary Belton, Fair Housing Specialist  
Sonya Green, Community Services Manager  
Phil Leffew, Housing Program Coordinator  
Sylvia McLean, Accountant  
Carlis Sweat, Housing Rehabilitation Specialist  
Delores Taylor, Compliance Officer  
William Taylor, Housing Rehabilitation Specialist  
Bobby Thomas, Housing Services Manager  
Mary Alice Underwood, Senior Loan Analyst

## FREQUENTLY CALLED NUMBERS

Emergency Calls .....	911
Board of Commissioners .....	678-7771
County Manager .....	678-7723
Cumberland County Dept. of Social Services .....	433-1540
Cumberland County Health Department .....	323-3600
Cumberland County Human Resources .....	678-7653
Cumberland County Mental Health .....	323-0601
Cumberland County Planning & Inspections .....	678-7610
Fayetteville-Cumberland Parks & Recreation .....	433-1547
Fayetteville Metropolitan Housing Authority .....	483-3648
USDA Rural Development .....	483-4405, ext. 4



# Exhibit 2

The Fayetteville Observer  
Publish Date: August 30, 2009

Topic: Public Notice  
Cumberland County Community Development – 2008 Consolidated Annual Performance & Evaluation Report

## Public Notice

### PUBLIC NOTICE

Cumberland County  
Community Development  
2008 Consolidated Annual  
Performance and  
Evaluation Report

A public hearing on the Cumberland County Community Development (CCCD) Consolidated Annual Performance and Evaluation Report (CAPER) will be held on September 21, 2009, 8:45 p.m., in the Commissioners' Room, at the New Courthouse, 117 Dick Street, Fayetteville, NC.

The CAPER provides information on Cumberland County's use of the Community Development Block Grant and Home Investment Partnership Act grant funds during the 2008 Program Year. This allows the County an opportunity to evaluate its overall progress in carrying out the priorities and specific objectives identified in its Consolidated Plan and 2008 Annual Action Plan. All citizens are encouraged to attend and offer comments.

Copies of the draft CAPER in a condensed form will be available for a public review and comment period from September 8, 2009 through September 22, 2009 at the following locations:

Beaver Dam  
Elementary School  
12056 Highway 210  
Roseboro, NC

Bordeaux Branch Library  
3711 Village Drive  
Fayetteville, NC

Cliffdale Branch Library  
6882 Cliffdale Road  
Fayetteville, NC

Cumberland County  
Community Development  
246 Person St. (2nd floor)  
Fayetteville, NC

Falcon Town Hall  
7156 West Street  
Falcon, NC

Headquarters Library  
300 Maiden Lane  
Fayetteville, NC

Hope Mills Branch Library  
3411 Godview Road  
Hope Mills, NC

Linden Town Hall  
9456 Academy St., Linden NC

North Regional Branch  
Library, 855 McArthur Road  
Fayetteville, NC

Spring Lake Branch Library  
101 Laketree Blvd.  
Spring Lake

Stedman Town Hall  
8110 Front St., Stedman

Wade Town Hall  
7128 Main Street  
Wade, NC

A complete version of the CAPER will be available for review at the County Commissioners and CCCD offices beginning September 23, 2009. For more information contact Cumberland County Community Development at (910) 323-8112 or visit the CCCD office at 246 Person Street, 2nd Floor, Fayetteville, NC 28301. Office hours are 8:00 a.m. to 5:00 p.m., Monday through Friday.



# COUNTY of CUMBERLAND



*Office of the County Manager*

James E. Martin  
County Manager

Cliff Spiller  
Assistant County Manager

Juanita Pilgrim  
Deputy County Manager

Amy H. Cannon  
Assistant County Manager

September 15, 2009

## MEMORANDUM

**TO: BOARD OF COUNTY COMMISSIONERS**

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

**SUBJECT: PAYMENT OF PRIOR YEAR INVOICES FOR JAIL HEALTH SAFEKEEPING EXPENSES**

### BACKGROUND

The Health Department has five prior year invoices totaling \$34,811.12 dated between 2006 and 2008 that have not been paid and the funds are not encumbered.. These invoices are for jail health safekeeping expenses for prisoners. These invoices have not been paid because there was uncertainty for some time as to whether these were, in fact, the responsibility of the County. Upon further research, it has been determined that Health Department is responsible for the payment of these prior year invoices.

### RECOMMENDATION

Request approval of payment of prior year invoices in the new fiscal year.



DEPARTMENT OF PUBLIC HEALTH  
227 Fountainhead Lane • Fayetteville, North Carolina 28301  
(910) 433-3600 • Fax: (910) 433-3659

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To: Amy Cannon, Assistant County Manager for Finance  
From: Buck Wilson, Public Health Director   
Date: September 2, 2009  
Subject: Safekeeping Prior Year Invoices

The purpose of this memo is to request approval to pay prior year invoices that have not been paid and are not encumbered. There was uncertainty for some time as to whether the Health Department or the Sheriff's Department was responsible for these invoices. We just received clarification that the Health Department is in fact responsible for the invoices.

*Celebrating Our Past... Embracing Our Future*

MASRI40 (40)

DEPARTMENT OF CORRECTION  
ATTN: ACCOUNTING  
2020 YONKERS ROAD  
4220 MAIL SERVICE CENTER  
RALEIGH NC, 27699-4220  
919-716-3300

06/01/09  
14:19:28  
PAGE: 1

SAFEKEEPER SALES INVOICE

P A S T D U E N O T I C E

BILL TO: ATTN: TRACY GURGANUS/TERRY CRAWFORD DATE  
CUMBERLAND COUNTY HEALTH DEPT. 06/01/2009  
227 FOUNTAINHEAD LANE  
FAYETTEVILLE NC 28301

OUTSTANDING INVOICES

NUMBER	DATE	INVOICE AMT	ADJUSTMENTS	PAYMENTS	BALANCE
26200601	02/23/2006	31,156.79	.00	30,668.29	H ① 488.50
26200612	01/17/2007	4,228.43	.00	1,701.93	J ② 2,526.50
26200701	02/19/2007	5,097.16	.00	3,328.00	H ③ 1,769.16
26200710	11/27/2007	35,433.77	.00	10,001.60	H ④ 25,432.17
26200711	01/08/2008	19,452.02	.00	14,857.23	H ⑤ 4,594.79

PAY THIS AMOUNT

34,811.12

\* PAYMENT DUE 30 DAYS FROM DATE OF INVOICE \* \* RETURN INVOICE WITH PAYMENT \*

\* QUESTIONS REGARDING INVOICES AND PAST DUE NOTICES SHOULD BE DIRECTED TO :  
\* MARIAN ROMERO AT 919-716-3398 OR FAYE OVERMAN AT 919-716-3300

NC 142716 old year

101-422-4203-3408 \$558.00  
101-422-4203-3207 \$1968.50 } 2526.50

Handwritten 7-29-09

**Cumberland County - Balances for Outstanding Safekeeper Invoices as of 06/01/09**

Invoice #	Invoice Date	Invoice Total	Payments Applied	Remaining Balance Due*	
26200601	2/23/2006	\$31,156.79	\$30,668.29 - total applied \$29,800.84 - check #507791 \$ 867.45 - check #509926	\$ 488.50 - for Patrick Peterson (balance of Internal charges dated 1/1/06 for \$1193.50)	① original code by T Crawford IS Health Dept
26200612	1/17/2007	\$4,228.43	\$ 1,701.93 - total applied \$ 1,085.25 - check #551629 \$ 616.68 - check #571000	\$ 2,526.50 - for Jamal Gurley ((\$558 Per Diem charges & \$1968.50 for Internal charges)	② code not readable
26200701	2/19/2007	\$5,097.16	\$ 3,328.00 - total applied \$ 3,328.00 - check #571000	\$ 1,769.16 - total for Gregory Allen & Tara Riggio \$ 1,211.16 - for Gregory Allen ((\$252 Per Diem charges, \$952.50 Internal charges & \$6.66 Pharmacy charges) \$ 558.00 - for Tara Riggio (for Per Diem charges)	③ Allen & Riggio both recoded as Health Dept
26200710	11/27/2007	\$35,433.77	\$10,001.60 - total applied \$ 4,031.39 - check #582637 \$ 5,970.21 - check #597263	\$25,432.17 - for Michael Lee (for External charges dated 8/29/07-8/30/07 at UNC Hospital)	④ Court order for med
26200711	1/8/2008	\$19,452.02	\$14,857.23 - total applied \$ 9,521.73 - check #587295 \$ 5,335.50 - check #608040	\$ 4,594.79 - for Michael Lee ((\$540.00 Per Diem charges, \$3,737.87 External charges & \$316.92 Pharmacy charges)	⑤ Court order for med
				<b>\$34,811.12 - Total Remaining Balance Due*</b>	

\*Per Marian Romero's telephone conversation with Archie Malloy on 03/31/09, all remaining balances are the responsibility of the CCSO/Jail. Safekeeper charges which were the responsibility of the CCHD/Jail have been paid.

Copy - Faye Overman, Supervisor Accounts Receivable

Prepared by M.Romero 04/01/09



**PUBLIC UTILITIES DEPARTMENT**

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

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

**MEMORANDUM**

**TO:** BOARD OF COMMISSIONERS  
**FROM:** TOM COONEY, DIRECTOR   
**THROUGH:** JAMES MARTIN, COUNTY MANAGER  
HARVEY RAYNOR, INTERIM COUNTY ATTORNEY  
**DATE:** SEPTEMBER 15, 2009  
**SUBJECT:** SET A PUBLIC HEARING DATE FOR THE PURPOSE OF RECEIVING  
COMMENTS FROM THE PROPERTY OWNERS IN THE PROPOSED  
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. There is a community meeting scheduled for October 5, 2009 at 7:00 pm at the Gray's Creek Middle School.

**RECOMMENDATION:**

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

1. Set a Public Hearing for October 19, 2009 at 6:45pm during the Commissioners scheduled meeting.

*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

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 April 20, 2009, enacted an ordinance directing the demolition by the owner(s) of the structure(s), Alberta C. Baker Heirs, c/o James Robert Baker, located at 1828 Smith Road, Fayetteville, NC, PIN: 0433-91-2146, said ordinance being recorded in Book 8136, page 231, 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 \$2,500.00.
- (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 \$2,500.00, 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 April 20, 2009, 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 1828 Smith Road, Fayetteville, NC, as described in Deed Book 769, page 562, of the Cumberland County Registry and identified in County tax records as PIN 0433-91-2246.

(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

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 April 20, 2009, enacted an ordinance directing the demolition by the owner(s) of the structure(s), Diane Crisp Godwin, located at 3943 Camden Road, Fayetteville, NC, PIN: 0425-14-5774, said ordinance being recorded in Book 8136, page 234, 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 \$1,400.00.
- (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 \$1,400.00, 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 April 20, 2009, 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 3943 Camden Road, Fayetteville, NC, as described in Deed Book 4943, page 62, of the Cumberland County Registry and identified in County tax records as PIN 0425-14-5774.

(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

**COUNTY OF CUMBERLAND  
BUDGET REVISION REQUEST**

Budget Office Use	
Budget Revision No.	<u>B10-079</u>
Date Received	<u>9/10/2009</u>
Date Completed	

Fund No. 101 Agency No. 440 Organ. No. 4408  
 Organization Name: Library Grants-

ITEM NO. 1 I (1)

**REVENUE**

Revenue Source Code	Description	Current Budget	Increase (Decrease)	Revised Budget
4641	E-Rate Local	0	41,376	41,376

41,376

**EXPENDITURES**

Object Code	Appr Unit	Description	Current Budget	Increase (Decrease)	Revised Budget
349A	298	E-rate funds	37,718	41,376	79,094

Total                      37,718                      41,376                      79,094

**Justification:**

Budget revision of \$41,376 to recognize E-Rate funds received.

**Funding Source:**

State: \_\_\_\_\_ Federal: \_\_\_\_\_ County: \_\_\_\_\_ New: \_\_\_\_\_ Other: \_\_\_\_\_  
 Other: 41,376 Fees: \_\_\_\_\_ Prior Year: \_\_\_\_\_

**Fund Balance:**

Submitted By: <u>Jody Roscher</u> Department Head	Date: <u>9/9/09</u>	Approved By:  _____ Date: _____ County Manager  Board of County Commissioners Date: _____
Reviewed By: <u>Kelly Curtis</u> Finance Department	Date: <u>9/10/09</u>	
Reviewed By: <u>Amy Cannon</u> Deputy Assistant County Mgr	Date: <u>9/19/09</u>	

**COUNTY OF CUMBERLAND  
BUDGET REVISION REQUEST**

Budget Office Use	
Budget Revision No.	<u>B10-072</u>
Date Received	<u>9.2.09</u>
Date Completed	

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

ITEM NO. 1 I(2) a

**REVENUE**

Revenue Source Code	Description	Current Budget	Increase (Decrease)	Revised Budget
NEW	N.C. H1N1 PLANNING	0	94,200	94,200
NEW	N.C. H1N1 ENHANCED SURVEILLANCE	0	5,800	5,800
Total		0	100,000	100,000

**EXPENDITURES**

Object Code	APRs Unit	Description	Current Budget	Increase (Decrease)	Revised Budget
NEW	199	N.C. H1N1 PLANNING	0	94,200	94,200
NEW	199	N.C. H1N1 ENHANCED SURVEILLANCE	0	5,800	5,800
Total			0	100,000	100,000

**Justification:**

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

State: 100,000 Federal: \_\_\_\_\_ Fund Balance: \_\_\_\_\_ County: \_\_\_\_\_ Other: \_\_\_\_\_  
 Other: \_\_\_\_\_ Fees: \_\_\_\_\_ Prior Year: \_\_\_\_\_

Submitted By: [Signature] Date: 9-2-09  
 Department Head  
 Reviewed By: [Signature] Date: 9-2-09  
 Budget Analyst  
 Reviewed By: [Signature] Date: 9/19/09  
 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>B10-0229</u>
Date Received	<u>9-2-09</u>
Date Completed	

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

ITEM NO. 1 I (2) 6.

REVENUE				
Revenue Source Code	Description	Current Budget	Increase (Decrease)	Revised Budget
NEW <u>4197</u>	N.C. H1N1 SUPPLEMENTAL ALLOCATION	0	10,000	10,000
Total		0	10,000	10,000

EXPENDITURES					
Object Code	APRs Unit	Description	Current Budget	Increase (Decrease)	Revised Budget
NEW	166	N.C. H1N1 SUPPLEMENTAL ALLOCATION	0	10,000	10,000
Total			0	10,000	10,000

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

State: 10,000 Federal: \_\_\_\_\_ Fund Balance: \_\_\_\_\_ County: \_\_\_\_\_ Other: \_\_\_\_\_  
 Other: \_\_\_\_\_ Fees: \_\_\_\_\_ Prior Year: \_\_\_\_\_

Submitted By: _____ <small>Department Head</small>	Date: <u>9-2-09</u>	Approved By: _____ Date: _____ County Manager Board of County Commissioners Date: _____
Reviewed By: <u>Kelly Clatsy</u> <small>Budget Analyst</small>	Date: <u>9-2-09</u>	
Reviewed By: <u>Amye Coulmon</u> <small>Deputy Assistant County Mgr</small>	Date: <u>9/15/09</u>	
Reviewed By: _____ <small>Information Services</small>	Date: _____	

**COUNTY OF CUMBERLAND  
BUDGET REVISION REQUEST**

Budget Office Use	
Budget Revision No.	310-081
Date Received	9-11-09
Date Completed	

Fund No. 101 Agency No. 431 Organ. No. 432F

Organization Name: CHILDHOOD LEAD POISONING PREVENTION

ITEM NO 1E(2)C

**REVENUE**

Revenue Source Code	Description	Current Budget	Increase (Decrease)	Revised Budget
4120	N.C. LEAD POISONING	1,000	(1,000)	0
Total		1,000	(1,000)	0

**EXPENDITURES**

Object Code	APRs	Unit	Description	Current Budget	Increase (Decrease)	Revised Budget
2393		206	EDUCATIONAL SUPPLIES	425	(425)	-
2601		206	OFFICE SUPPLIES	150	(150)	-
3440		206	POSTAGE	125	(125)	-
3470		206	TRAVEL	200	(200)	-
3474		206	TRAINING	100	(100)	-
Total				1,000	(1,000)	-

**Justification:**

THIS BUDGET REVISION REQUESTS TO BUDGET FOR AN UNANTICIPATED REDUCTION IN STATE FUNDING.

State: (1,000) Federal: \_\_\_\_\_ Fund Balance: \_\_\_\_\_ County: \_\_\_\_\_ Other: \_\_\_\_\_  
 Other: \_\_\_\_\_ Fees: \_\_\_\_\_ Prior Year: \_\_\_\_\_

Submitted By: _____ Department Head	Date: <u>9-11-09</u>	Approved By: _____ Date: _____ County Manager Board of County Commissioners Date: _____
Reviewed By: <u>Hea</u> Budget Analyst	Date: <u>9-11-09</u>	
Reviewed By: <u>Amyl</u> Deputy Assistant County Mgr	Date: <u>9/15/09</u>	
Reviewed By: _____ Information Services	Date: _____	

**COUNTY OF CUMBERLAND  
BUDGET REVISION REQUEST**

Budget Office Use	
Budget Revision No.	B10-073
Date Received	9/4/2009
Date Completed	

Fund No. 451 Agency No. 450 Organ. No. 4503  
 Organization Name: 5303 Planning Grant

ITEM NO. 1I(3)a

**REVENUE**

Revenue Source Code	Description	Current Budget	Increase (Decrease)	Revised Budget
4004	Federal Transit Planning	79,450	(26,874)	52,576
4540	Transit Planning	9,931	(3,359)	6,572
4632	Fayetteville Planning Department	5,859	(1,982)	3,877
4640	Other Municipalities Planning	695	(235)	460
6664	Inkind Planning Department	3,377	(1,142)	2,235
Total		99,312	(33,592)	65,720

**EXPENDITURES**

Object Code	Appr Unit	Description	Current Budget	Increase (Decrease)	Revised Budget
3364	786	Planning Department Services	95,935	(32,450)	63,485
3496	786	Inkind County Planning	3,377	(1,142)	2,235
Total			99,312	(33,592)	65,720

**Justification:**

Revision to adjust the adopted FY 2010 budget to the amount approved in the Unified Planning Work Program (UPWP) as amended by the Transportation Advisory Committee (TAC) on July 30, 2009.

**Funding Source:**

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

**Fund Balance:**

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

Reviewed By: Bob Sucher Date: 9/4/09  
 Finance Department

Reviewed By: Annun Cannon Date: 9/16/09  
 Assistant County Mgr

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

**COUNTY OF CUMBERLAND  
BUDGET REVISION REQUEST**

Budget Office Use	
Budget Revision No.	B10-074
Date Received	9/4/2009
Date Completed	

Fund No. 452 Agency No. 450 Organ. No. 4571  
 Organization Name: U.S. DOT 104(f) Grant

ITEM NO. 1 I (3) b

**REVENUE**

Revenue Source Code	Description	Current Budget	Increase (Decrease)	Revised Budget
4541	DOT PL112 Grant	491,400	240,000	731,400
4632	Fayetteville Planning Department	65,844	35,400	101,244
4634	Fayetteville Inkind	11,250	0	11,250
4640	Other Municipalities Planning	7,812	4,200	12,012
6664	Inkind Planning Department	37,944	20,400	58,344
Total		614,250	300,000	914,250

**EXPENDITURES**

Object Code	Appr Unit	Description	Current Budget	Increase (Decrease)	Revised Budget
299A	789	Computer Hardware	3,000	0	3,000
2992	789	Department Supplies	3,500	0	3,500
2994	789	Miscellaneous Furniture & Equipment	500	0	500
3362	789	Computer Software Contract	3,500	0	3,500
3401	789	Advertising	20,000	0	20,000
3406	789	Dues & Subscriptions	2,000	0	2,000
3440	789	Postage	2,000	0	2,000
3450	789	Photocopier Charges	2,000	0	2,000
3455	789	Printing	6,000	0	6,000
3470	789	Travel - Employees	4,000	0	4,000
3474	789	Training	4,000	0	4,000
3364	790	Planning Department Services	469,556	208,350	677,906
3495	790	Inkind Fayetteville Planning	11,250	0	11,250
3496	790	Inkind County Planning	37,944	20,400	58,344
5510	790	Fayetteville Planning Projects	45,000	0	45,000
5057	793	Special Transportation Studies (Spring Lake)	0	71,250	71,250
Total			614,250	300,000	914,250

**Justification:**

Revision to adjust FY 2010 budget to the amount approved in the Unified Planning Work Program (UPWP) as amended by the Transportation Advisory Committee (TAC) on July 30, 2009.

**Funding Source:**

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

**Fund Balance:**

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

Reviewed By: Bob Sucher Date: 9/4/09  
 Finance Department

Reviewed By: Arnold Cannon Date: 9/15/09  
 Assistant County Mgr

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

**COUNTY OF CUMBERLAND  
BUDGET REVISION REQUEST**

Budget Office Use	
Budget Revision No.	B10-064
Date Received	_____
Date Completed	_____

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

ITEM NO. 1 I (4)

**REVENUE**

Revenue Source Code	Description	Current Budget	Increase (Decrease)	Revised Budget
7688	Library Fire	0	222,962	222,962
9901	Fund Balance Appropriated- Fire		332,807	
9901	Fund Balance Appropriated		(184,769)	
Total		0	371,000	222,962

**EXPENDITURES**

Object Code	Appr Unit	Description	Current Budget	Increase (Decrease)	Revised Budget
346H	088	Library Fire	361,419	194,350	555,769
3904	088	Contingency Special	292,466	176,650	469,116
Total			653,885	371,000	1,024,885

**Justification:**

Revision to recognize insurance reimbursement of \$222,962 and to appropriate a net fund balance of \$148,038 (\$332,807-\$184,769) to fund additional expenditures for the Library fire and to reimburse the contingency fund for upfront expenditures. Note: In FY2009, the County received insurance reimbursements of \$3,677,038 and expended only \$3,344,231 which created a "fire" fund balance of \$332,807. This temporary fire fund balance was netted against an outstanding FY2009 encumbrance of \$184,769 equaling \$148,038. The \$148,038 net fund balance + \$222,962 current insurance proceeds - the \$176,650 reimbursement to contingency special = \$194,350.

**Funding Source:**

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

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

Reviewed By: Howard Abner Department Head Date: \_\_\_\_\_

Reviewed By: Amyr Cannon Finance Deputy Assistant County Mgr Date: 9/16/09

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

**COUNTY OF CUMBERLAND  
BUDGET REVISION REQUEST**

Budget Office Use	
Budget Revision No.	B10-086
Date Received	9/15/2009
Date Completed	

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

ITEM NO. 1 I (5)

**REVENUE**

Revenue Source Code	Description	Current Budget	Increase (Decrease)	Revised Budget
9901	Fund Balance Appropriated		4,018	
Total			4,018	

**EXPENDITURES**

Object Code	Appr Unit	Description	Current Budget	Increase (Decrease)	Revised Budget
2757	366	Fundraisers	0	4,018	4,018
Total			0	4,018	4,018

**Justification:**

Revision in the amount of \$4,018 to appropriate fund balance to roll forward the FY 2009 net profit from Soil & Water Conservation fundraiser activities.

**Funding Source:**

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

**Fund Balance:**

Submitted By: Kay B. Bullard Date: 9-15-09  
 Department Head

Reviewed By: Bob Sucher Date: 9/15/09  
 Finance Department

Reviewed By: Amber Cannon Date: 9/16/09  
 Assistant County Mgr

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

**COUNTY OF CUMBERLAND  
BUDGET REVISION REQUEST**

Budget Office Use	
Budget Revision No.	B10-088
Date Received	9/15/2009
Date Completed	

Fund No. 101 Agency No. 420 Organ. No. 4215  
 Organization Name: Emergency Management Services

ITEM NO. 1 I (6)

*Pg 1 of 3*

REVENUE				
Revenue Source Code	Description	Current Budget	Increase (Decrease)	Revised Budget
9133	Transfer from Drug Forfeiture Fund 230	0	258,000	258,000
9154	Transfer from Fund 232	0	242,000	242,000
9906	Fund Balance Appropriated - Communications	0	1,671,241	1,671,241
9905	Fund Balance Appropriated - M&R	0	1,237,165	1,237,165
Total		0	3,408,406	3,408,406

EXPENDITURES					
Object Code	Appr Unit	Description	Current Budget	Increase (Decrease)	Revised Budget
299E	095	EOC Communications Equipment - VIPER	0	3,408,406	3,408,406
Total			0	3,408,406	3,408,406

**Justification:**

Revision in the amount of \$3,408,406 to transfer funds from Fund 230 (\$258,000) and Fund 232 (\$242,000), to appropriate communications fund balance (\$1,671,241) and maintenance and repair fund balance (\$1,237,165) for the purchase of digital radios and related equipment to upgrade the County's emergency dispatch system.

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

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

Department Head

Reviewed By: Kelly Cutry Date: 9-15-09

Finance

Reviewed By: Amyl Cannon Date: 9/15/09

Deputy/Assistant County Mgr

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

**COUNTY OF CUMBERLAND  
BUDGET REVISION REQUEST**

<b>Budget Office Use</b>	
Budget Revision No.	B10-088A
Date Received	_____
Date Completed	_____

Fund No. 232 Agency No. 422 Organ. No. 4208  
 Organization Name: Sheriff- State Forfeiture

*pg. 2 of 3*

**REVENUE**

Revenue Source Code	Description	Current Budget	Increase (Decrease)	Revised Budget
9901	Fund Balance Appropriated	0	242,000	242,000
Total		0	242,000	242,000

**EXPENDITURES**

Object Code	Appr Unit	Description	Current Budget	Increase (Decrease)	Revised Budget
3880	655	Transfer to General Fund	0	242,000	242,000
Total			0	242,000	242,000

**Justification:**

Revision to transfer funds to the General Fund to fund the purchase of digital radios and related equipment.

**Funding Source:**

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

**Fund Balance:**

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

Department Head

Reviewed By: Howard Be Date: 9/15/09

Finance

Reviewed By: Amyl Cannon Date: 9/16/09

Deputy/Assistant County Mgr

**Approved By:**

County Manager

Board of County Commissioners

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

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

**COUNTY OF CUMBERLAND  
BUDGET REVISION REQUEST**

Budget Office Use	
Budget Revision No.	B10-088B
Date Received	_____
Date Completed	_____

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

**REVENUE**

*pg 3 of 3*

Revenue Source Code	Description	Current Budget	Increase (Decrease)	Revised Budget
9901	Fund Balance Appropriated	163,802	144,270	308,072
Total		163,802	144,270	308,072

**EXPENDITURES**

Object Code	Appr Unit	Description	Current Budget	Increase (Decrease)	Revised Budget
1210	651	Salaries	119,520	(83,664)	35,856
1810	651	FICA Match	9,149	(6,398)	2,751
1820	651	Retirement	5,816	(4,071)	1,745
1826	651	LEO	5,986	(4,190)	1,796
1830	651	Health	19,550	(13,685)	5,865
1860	651	Workers Comp	2,460	(1,722)	738
3880	652	Transfer to General Fund	0	258,000	258,000
Total			162,481	144,270	306,751

**Justification:**

Revision to unfund seven of ten "training" positions to transfer funds to the General Fund to fund the purchase of digital radios and related equipment.

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

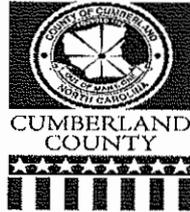
Submitted By: \_\_\_\_\_ Date: \_\_\_\_\_  
 Department Head  
 Reviewed By: Harold C. [Signature] Date: 9/15/09  
 Finance  
 Reviewed By: Amich Cannon Date: 9/15/09  
 Deputy/Assistant County Mgr

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

Lori Epler,  
Chair  
Cumberland County

Roy Turner,  
Vice-Chair  
Cumberland County

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



## COUNTY of CUMBERLAND

### Planning and Inspections Department

Thomas J. Lloyd,  
Director

Cecil P. Combs,  
Deputy Director

Walter Clark,  
Sara E. Piland,  
Cumberland County

Benny Pearce,  
Town of Eastover

Donovan McLaurin  
Wade, Falcon & Godwin

SEPTEMBER 11, 2009

ITEM NO. 2A

MEMO TO: Cumberland County Board of Commissioners

FROM: Cumberland County Joint Planning Board

SUBJECT: **Case P09-35:** Rezoning of 2.11+/- acres from A1 Agricultural to R40A Residential or to a more restrictive zoning district, located at 4250 Dudley Road, submitted and owned by Andrew E. and Michelle M. Weston.

ACTION: Members present at the August 18, 2009 meeting voted unanimously to recommend approval of the R40A Residential district.

**SITE INFORMATION:** **Frontage & Location:** 330'+/- on Dudley Road; **Depth:** 750'+/-; **Adjacent Property:** No; **Current Use:** Residential and public utility sub-station; **Initial Zoning:** A1 - September 3, 1996 (Area 22); **Nonconformities:** None; **Zoning Violation(s):** None; **Surrounding Zoning:** North: A1 & R40A; East & West: A1; South: A1 & R40; **Surrounding Land Use:** Residential (including manufactured dwellings and 3-abandoned dwellings), woodlands and farmland; **2030 Growth Vision Plan:** Rural area; **Special Flood Hazard Area (SFHA):** None; **Water/Sewer Availability:** Well/Septic; **Soil Limitations:** Yes, hydric soils: Le Leon Sand, TR Torhunta and Lynn Haven soils; **School Capacity/Enrolled:** Seabrook Elementary: 310/327; Mac Williams Middle: 1270/1199; Cape Fear High: 1425/1482; **Subdivision/Site Plan:** Review may be required prior to application for permits; **Sewer Service Area:** No; **Average Daily Traffic County (2006):** 1000 on Dudley Road (SR 2226); **Highway Plan:** There are no road improvements/constructions specified for this area. This case has no impact on the current Highway Plan; **Density:** A1 – 1 lot/unit, A1A – 2 lots/2 units, R40/R40A – 2 lots/3units.

#### MINUTES OF AUGUST 18, 2009

The Planning & Inspections Staff recommends approval of the R40A Residential district for this request based on the following:

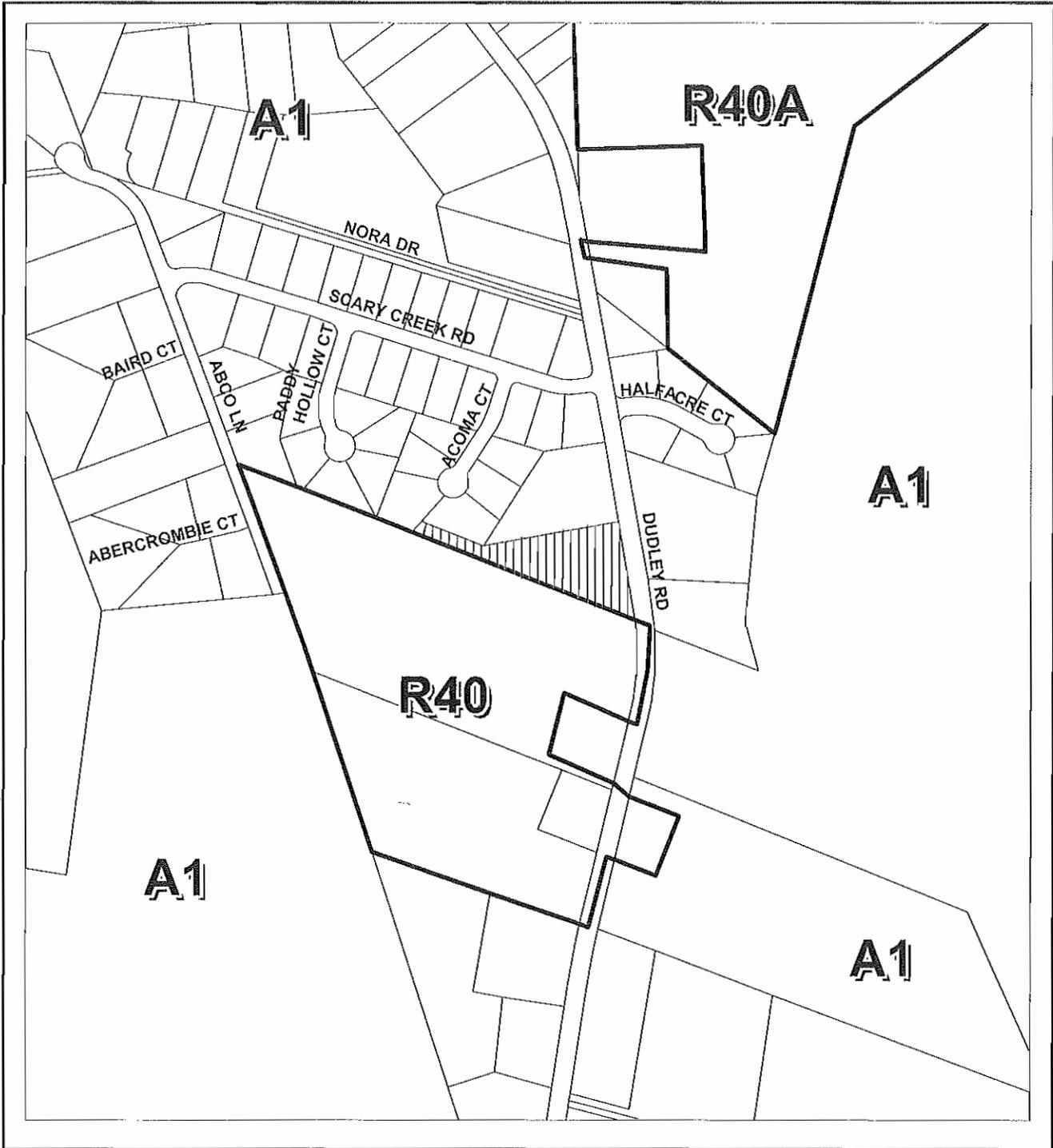
1. The district requested is consistent with the 2030 Comprehensive Plan, which calls for "rural area" at this location, as well as meeting the location criteria for rural density residential development as listed in the Land Use Policies Plan; and
2. The requested district will allow for development comparable to the existing lot sizes and land uses in the general area.

The A1A Agricultural and the R40 Residential districts could also be found suitable for this request.

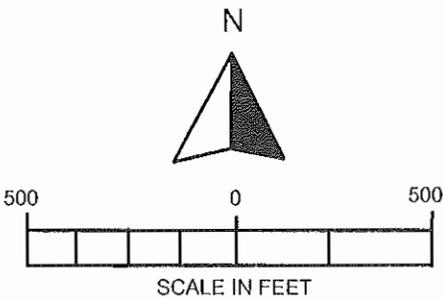
**A motion was made by Mr. McLaurin, seconded by Mr. Morris, to follow the staff recommendation and approve case P09-35. Unanimous approval.**

**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.*



## REQUESTED REZONING A1 TO R40A



<b>ACREAGE: 2.11 AC.+/-</b>		<b>HEARING NO: P09-35</b>	
ORDINANCE: COUNTY	HEARING DATE	ACTION	
STAFF RECOMMENDATION			
PLANNING BOARD			
GOVERNING BOARD			

PIN: 0472-18-0226

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

AUGUST 7, 2009

ITEM NO. 2B

MEMO TO: Cumberland County Board of Commissioners

FROM: Cumberland County Joint Planning Board

SUBJECT: **Case P09-37:** Rezoning of .72+/- acres from R6A Residential to C(P) Planned Commercial or to a more restrictive zoning district, located at 3708 Gillespie Street, submitted and owned by Billy G. and Kathy T. Manning.

ACTION: Members present at the August 18, 2009 meeting voted unanimously to recommend approval of the C(P) Planned Commercial district.

**SITE INFORMATION:** **Frontage & Location:** 51.9'+/- on Gillespie Street; **Depth:** 300.00'+/-; **Jurisdiction:** Cumberland County; **Adjacent Property:** Yes, northeast and southwest of subject property; **Current Use:** Vacant lot; **Initial Zoning:** R6A – November 17, 1975 (Area 4); **Nonconformities:** None; **Zoning Violation(s):** None; **Surrounding Zoning:** North: C(P), R10 & R6A; East: C(P), C(P)/CU (open storage) RR & R6A; South: C(P), C(P)/CU (manufactured home park), R10 & R6A; West: R10 & R6A; **Surrounding Land Use:** Motor vehicle sales with open storage, cemetery, public/community utility stations/substation, residential (including manufactured homes, multi-family and 1- abandoned home), farmland and woodlands; **2030 Growth Vision Plan:** Urban area; **Special Flood Hazard Area (SFHA):** None; **Water/Sewer Availability:** PWC/Septic (PWC sewer opposite side of Gillespie Street, not available); **Soil Limitations:** None; **School Capacity/Enrolled:** Baldwin Elementary: 790/707; South View Middle: 900/884; South View High: 1800/1853; **Subdivision/Site Plan:** If approved, site plan review will be required prior to application for permits; **Municipal Influence Area:** Town of Hope Mills; **Airport Overlay District:** No current impact; may be subject to height limitations; **Average Daily Traffic Count (2006):** 20,000 on (US HWY 301) Gillespie Street; **Highway Plan:** Gillespie Street (US HWY 301/I-95) is identified in the Highway Plan as a major thoroughfare. This proposal calls for a multi-lane facility (6-lane divided). Road improvements are not included in the 2009-2015 MTIP. This is a priority #2 in the Highway Portion of the LRTP.

#### MINUTES OF AUGUST 18, 2009

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

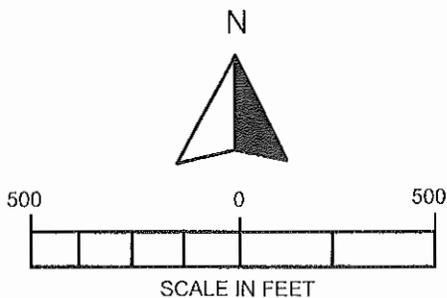
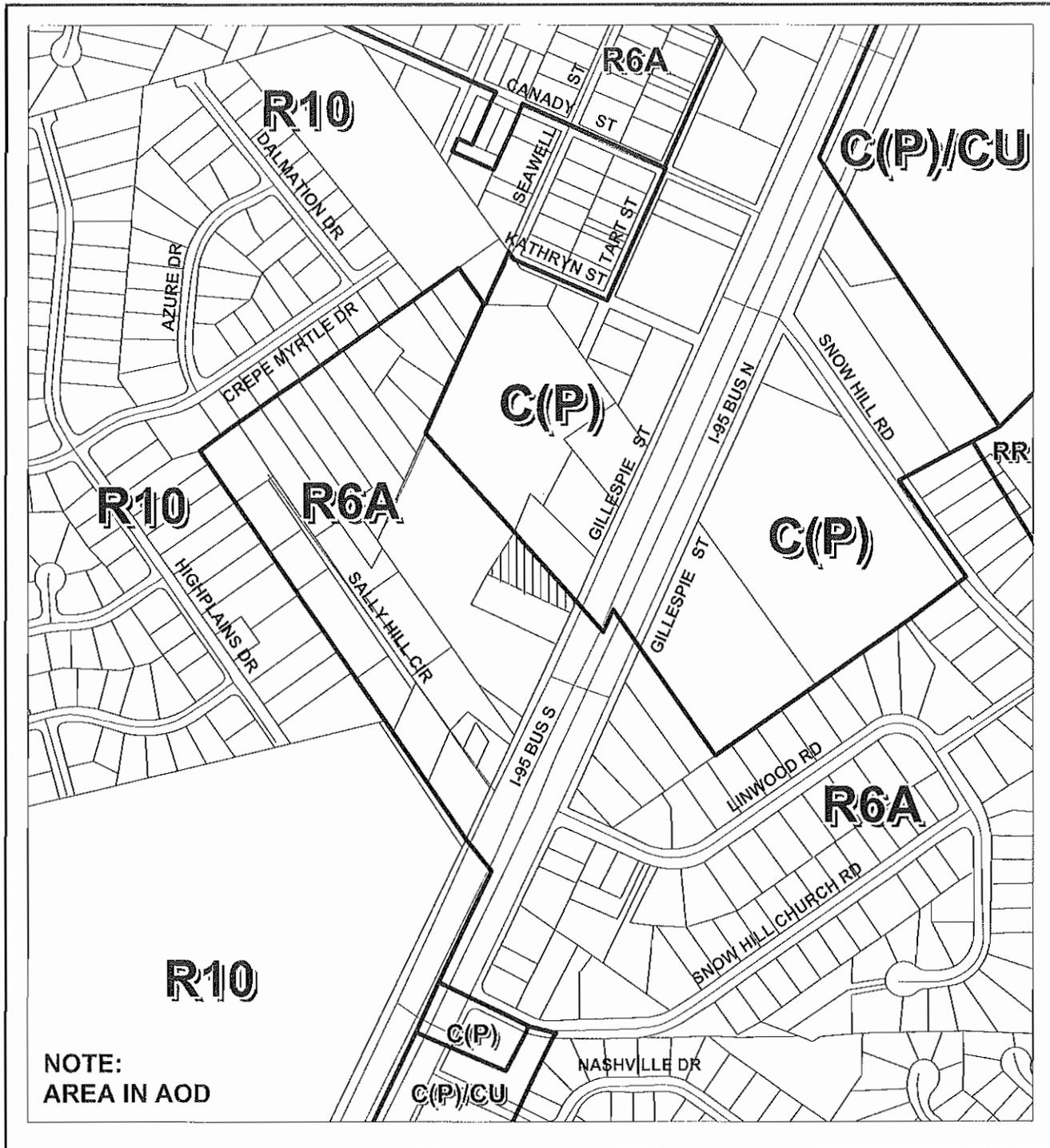
1. The district requested is consistent with the 2030 Comprehensive Plan, which calls for "urban area" at this location, as well as meeting all but one of the listed location criteria for heavy commercial as listed in the Land Use Policies Plan – no public sewer available; and
2. This segment of Gillespie Street (I-95 Business/US HWY 301) is designated as a Primary Business Street in the Land Use Policies Plan.

The C1(P) Planned Local Business district could also be found suitable at this location.

A motion was made by Mr. McLaurin, seconded by Mr. Morris, to follow the staff recommendation and approve case P09-37. 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.*



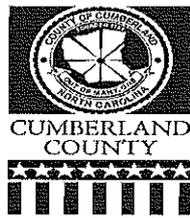
## REQUESTED REZONING R6A TO C(P)

<b>ACREAGE: 0.72 AC.+/-</b>		<b>HEARING NO: P09-37</b>	
ORDINANCE: COUNTY	HEARING DATE	ACTION	
STAFF RECOMMENDATION			
PLANNING BOARD			
GOVERNING BOARD			

Lori Epler,  
Chair  
Cumberland County

Roy Turner,  
Vice-Chair  
Cumberland County

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



## COUNTY of CUMBERLAND

### Planning and Inspections Department

Thomas J. Lloyd,  
Director

Cecil P. Combs,  
Deputy Director

Walter Clark,  
Sara E. Piland,  
Cumberland County

Benny Pearce,  
Town of Eastover

Donovan McLaurin,  
Wade, Falcon & Godwin

SEPTEMBER 11, 2009

MEMO TO: Cumberland County Board of Commissioners

ITEM NO. 2C

FROM: Cumberland County Joint Planning Board

SUBJECT: **Case P09-19:** Rezoning of .57+/- acres from A1 Agricultural to M1(P)/CUD Planned Light Industrial/Conditional Use District (cabinet shop & motor vehicle repair and/or body work) and the Permit or to a more restrictive zoning district, located at 11444 Dunn Road, submitted and owned by Black River Investments, Inc.

ACTION: Members present at the August 18, 2009 meeting voted unanimously to recommend approval of the M1(P)/CUD Planned Light Industrial/Conditional Use district as recommended by staff and agreed to by the property owner.

**SITE INFORMATION: Frontage & Location:** 30'+/- on Dunn Road (US HWY 301); **Depth:** 320.00'+/-; **Total Tract Size:** 2.0+/- acres; **Jurisdiction:** Cumberland County; **Adjacent Property:** Yes, north, south and east of subject property; **Current Use:** Cabinet shop; **Initial Zoning:** A1 – November 25, 1980 (Area 14); **Nonconformities:** Yes, cabinet shop not permitted in A1 district; **Zoning Violation(s):** Yes, Case No.: ZN 5802-2009 dated 03/04/09, operating a commercial business (cabinet shop) in A1 district; **Surrounding Zoning:** North: A1 & A1A; East & West: A1; South: A1 & C3; **Surrounding Land Use:** Residential (including manufactured homes and 1- abandoned manufactured home), farmland and woodland; **2030 Land Use Plan:** Rural area; **Special Flood Hazard Area (SFHA):** None; **Water/Sewer Availability:** Falcon/Septic (new septic permit required); **Soil Limitations:** None; **School Capacity/Enrolled:** District 7 Elementary: 300/260; Mac Williams Middle: 1270/1199; Cape Fear High: 1425/1482; **Subdivision/Site Plan:** See attached "Ordinance-Related Conditions" – particular attention to Condition No. 1, 2, 12 and 13; **Average Daily Traffic Count (2006):** 1,800 on Dunn Rd (US HWY 301); **Highway Plan:** Dunn Road is identified in the Highway Plan as a major thoroughfare. The plan calls for widening to a multi-lane facility. No road improvements are included in the 2009-2015 MTIP. This is a Priority #3 in the Highway Portion of the LRTP.

#### MINUTES OF AUGUST 18, 2009

The Planning & Inspections Staff recommends approval of the requested rezoning to M1(P) Planned Light Industrial/Conditional Use District [M1(P)/CUD], provided that the property owner agrees to restrict the use of the subject property to the cabinet shop; the staff recommends denial of the requested use of motor vehicle repair and/or body work at this location and eliminating all other uses typically allowed within the M1(P) Planned Commercial district, based on the following:

1. Although the district and use requested is not consistent with the 2030 Growth Strategy Map, which calls for "rural area" at this location, operation of a cabinet shop on the subject property is consistent with all but one of the listed location criteria in the Land Use Policies Plan portion of the Comprehensive Plan for Light Industrial/ Manufacturing – public sewer is not available;

2. The operation of motor vehicle repair and/or body work is not an appropriate use at this location specifically due to the tendency for this type of use having outside open storage and the subject property is located in a predominately agricultural area; and
3. The request for the M1(P) Light Industrial District to operate a cabinet shop is reasonable at this location considering it would allow for the viable use of an existing non-residential structure.

The property owner has verbally agreed to the staff recommendation and voluntarily agrees to restrict the use of the subject property to a cabinet shop operation, eliminating all other uses allowed in the M1(P) zoning district including the elimination of motor vehicle repair and/or body work.

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

1. The use will not materially endanger the public health or safety if located according to the plan submitted, the site is located in an area that is not congested with development;
2. The use will meet all required conditions and specifications if developed according to the site plan, application and the attached "Ordinance Related Conditions";
3. The use will maintain or enhance the value of adjoining or abutting properties in that the use and structure are existing and the developer has agreed to construct or put in place all zoning measures intended to protect adjacent properties; and
4. The location and character of the use, if developed according to the plan as submitted and recommended, will be in harmony with the area in which it is to be located and in general will be brought into conformance with the development ordinances and adopted planning policies.

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

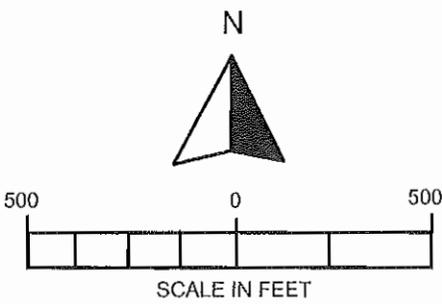
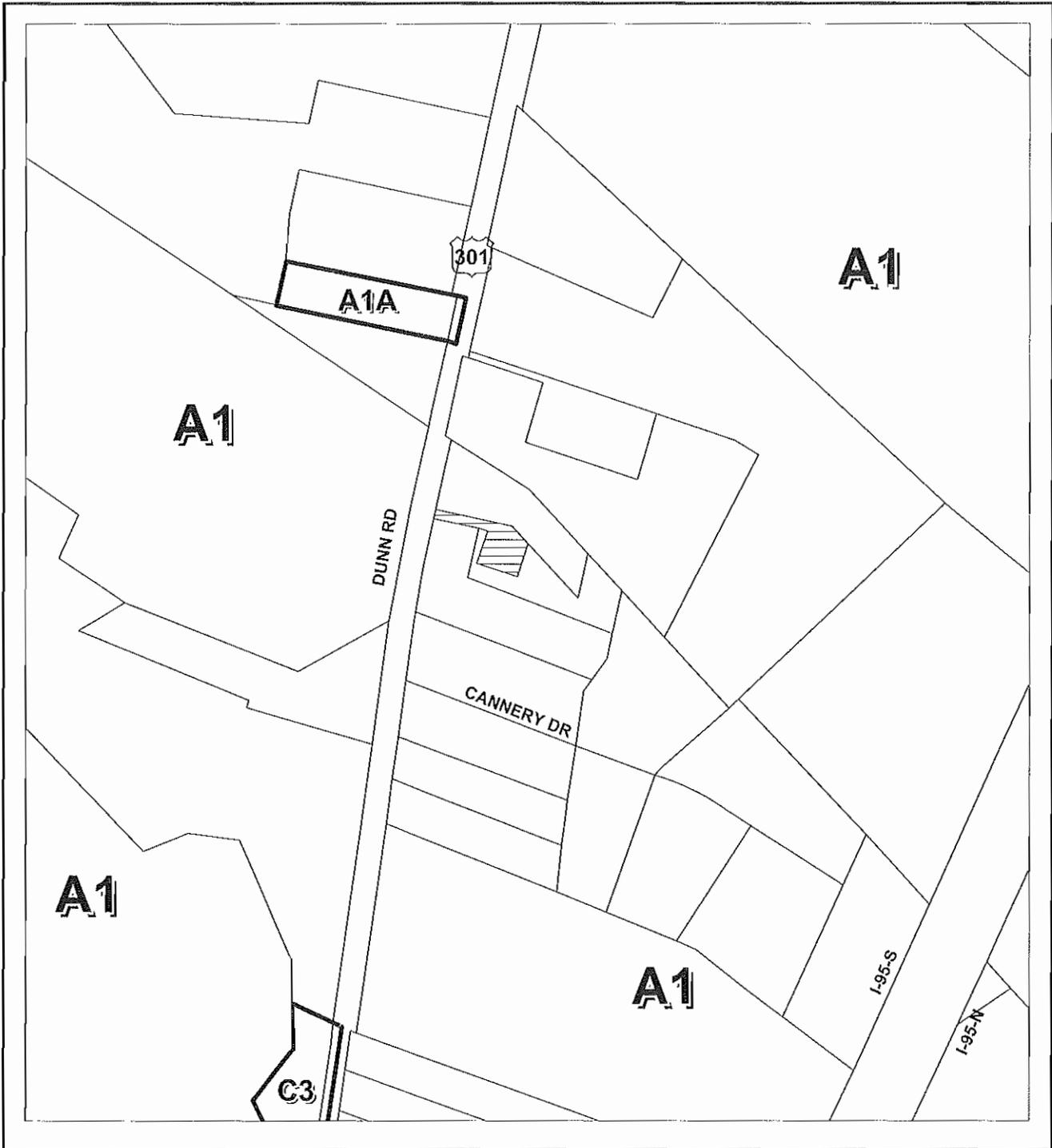
The property owner has voluntarily agreed to this staff recommendation and all attached Ordinance Related Conditions.

**Mr. McLaurin made a motion, seconded by Mr. Morris, that the Joint Planning Board finds that this Conditional Use District is reasonable, neither arbitrary nor unduly discriminatory, and in the public interest, and that the Conditional Use District with the use as recommended by the staff and agreed to by the property owner be approved. Unanimous approval.**

**A motion was made by Mr. McLaurin and seconded by Mr. Morris to approve the Conditional Use Permit as recommended by the staff after finding that when completed, the proposal: 1) will not materially endanger the public health and safety; 2) will not substantially injure the value of adjoining or abutting property; 3) will be in harmony with the area in which it is to be located; and 4) will be in conformity with the land use plan, thoroughfare plan or other plan officially adopted by the Board of Commissioners. 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.*

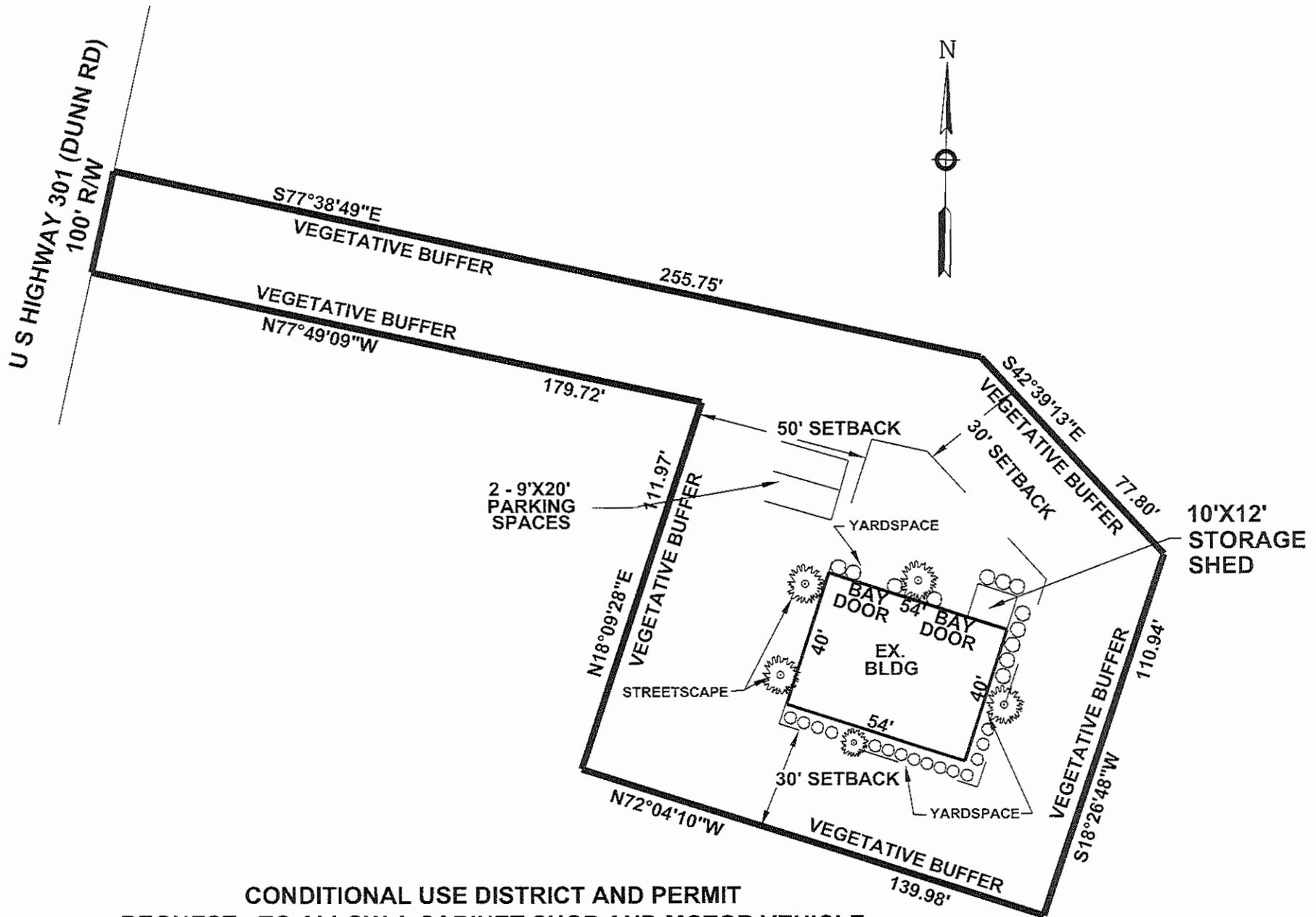


PORT. OF PIN: 1504-60-4826

## REQUESTED REZONING A1 TO M1(P)/CUD

<b>ACREAGE: 0.57 AC.+/-</b>	<b>HEARING NO: P09-19</b>	
ORDINANCE: COUNTY	HEARING DATE	ACTION
STAFF RECOMMENDATION		
PLANNING BOARD		
GOVERNING BOARD		

AF  
7/14/09  
7/28/09



**CONDITIONAL USE DISTRICT AND PERMIT  
 REQUEST: TO ALLOW A CABINET SHOP AND MOTOR VEHICLE  
 REPAIR AND/OR BODY WORK**

**CASE: P09-19 ACREAGE: 0.57 AC ±  
 PROPOSED ZONING: M1(P)/CUD SCALE: 1"=40'  
 PARKING: 2 SPACES**

\*SCALED DETAILED SITE PLAN IN FILE AVAILABLE FOR REVIEW UPON REQUEST

7/14/09  
 7/16/09  
 7/28/09  
 8/12/09

## **Conditional Use District & Permit**

### Ordinance Related Conditions

#### **Pre-Permit Related:**

1. The sign advertising the existing business on the subject property (cabinet shop) must be removed from the adjacent property or the owner must submit application(s) for and receive approval of a "billboard" – defined as an off-site advertising sign – which is not a permitted use in the A1 zoning district. (Note: Also see related Condition No. 13.)
2. The property owner/developer must contact a County Building Inspector regarding standards and specifications for the approval of building permits. (Note: This condition is necessary because there are no records of permits issued for the existing structure on the subject property.)

#### **Permit-Related:**

3. The owner/developer(s) of these lots must obtain detailed instructions on provisions of the County Zoning Ordinance and permits required to place any structure within this development from the County Code Enforcement Section, Room 101 in the Historic Courthouse at 130 Gillespie Street. For additional information, the developer should contact a Code Enforcement Officer.
4. The County Health Department must approve sewer plans prior to application for any permits. Site and soil evaluations must be conducted on the property by the County Environmental Health Department prior to application for permits. A copy of the Health Department approval must be provided to Code Enforcement at the time of application for any building/zoning permits. (Note: All Health Department requirements must be met prior to issuance of final permits.)
5. Connection to public water is required; the Town of Falcon must approve water plans prior to application for any permits. A copy of the Town's approval must be provided to Code Enforcement at the time of application for building/zoning permits.
6. New development where the developer will disturb or intends to disturb more than one acre of land is subject to the Post-Construction Stormwater Management Permitting Program (Phase II Stormwater Management Requirements) administered by the Division of Water Quality, North Carolina Department of Environment and Natural Resources. If one acre or more of land is to be disturbed, prior to the issuance of any building/zoning permits for this site, a copy of the State's *Post-Construction Permit* must be provided to County Code Enforcement.
7. For any new development where the developer disturbs or intends to disturb more than one acre of land, the developer must provide the Code Enforcement Section with an approved NC Department of Environment and Natural Resources (NCDENR) sedimentation and erosion control plan (S&E) prior to any application for permits. (Note: If any retention/detention basins are required for state approval of this plan, then three copies of a revised plan must be submitted and approved by Planning & Inspections prior to application for any building/zoning permits.) A copy of the NCDENR approval must be provided to Code Enforcement at the time of application for any building/zoning permits.
8. The developer must provide a site-specific address and tax parcel number at the time of building/zoning permit application.
9. Landscaping must be provided in accordance with Section 1102 N, Landscaping, County Zoning Ordinance and/as shown on the site plan. The following are the minimum standards for the required landscaping of this site:
  - One ornamental tree and eight shrubs are required in the building yard area.

In addition:

- a. Required plant materials shall be maintained by the property owner, including replacing dead or unhealthy trees and shrubs; and

## DRAFT

- b. All yard and planting areas shall be maintained in a neat, orderly, and presentable manner and kept free of weeds and debris.
10. The building final inspection cannot be accomplished until a Code Enforcement Officer inspects the site and certifies that the site is developed in accordance with the approved plans.

### Site-Related:

11. All uses, dimensions, setbacks and other related provisions of the County Subdivision and Zoning Ordinances for the M1(P)/CUD and the conditions of the Permit must be complied with, as applicable. (Note: Only the use(s) specifically approved by the County Board of Commissioners are allowed uses on this site.)
12. Due to minimum lot size requirements for the A1 zoning district, the remaining portion of this tract may only be used for non-residential uses that are allowed in the A1 zoning district – one acre required per non-residential use.
13. This conditional approval is not approval of any freestanding signs on the subject property. If a freestanding sign is desired, re-submittal of the site plan for staff approval is required prior to application for any freestanding sign permits. Attached signage for this development must be in accordance with the applicable sign regulations as set forth in Article XIII of the County Zoning Ordinance and that the proper permit(s) must be obtained prior to the installation of any permanent signs on the property. (Note: This conditional approval is **not** approval of the size, shape, or location of any signs.)
14. “US HWY 301” must be labeled as “US HWY 301 (Dunn Road) on all future plans.
15. For any new development, an adequate drainage system must be installed by the developer in accordance with the NC Department of Environment and Natural Resources’ (NCDENR) *Manual on Best Management Practices* and all drainage ways must be kept clean and free of debris.
16. For new development, all utilities, except for 25kv or greater electrical lines, must be located underground.
17. The developer must obtain a driveway permit from the NC Department of Transportation (NCDOT). A copy of the approved driveway permit must be provided to Code Enforcement at the time of application for building/zoning permits.
18. Turn lanes may be required by the NC Department of Transportation (NCDOT).
19. All lighting is required to be directed internally within this development and comply with the provisions of Section 1102 M, Outdoor Lighting, County Zoning Ordinance.
20. A solid buffer must be provided and maintained as shown on the site plan, except a buffer is not required along the property lines of the 30 “flag” strip, in accordance with the provisions of Section 1102 G, Buffer Requirements, County Zoning Ordinance. (Note: Chain link fencing cannot be used to satisfy the buffer requirement.)
21. All dumpster, garbage, and utility areas shall be located on concrete pads and screened on a minimum of three sides.
22. All required off-street parking spaces shall be a minimum of 9’ x 20’; a minimum of one space for vehicle used directly in the conduct of the use, plus two additional spaces for each three employees on the largest shift off-street parking spaces are required for this development.
23. The owner/developer is responsible and liable for maintenance and upkeep of this site, all structures, and appurtenances, to include ensuring that the site is kept free of litter and debris, all grass areas mowed, all buffers and shrubbery kept trim and maintained, so that the site remains in a constant state of being aesthetically and environmentally pleasing.
24. All notes and calculations as shown on the site plan are to be considered as a part of this conditional approval.
25. Noise levels shall not exceed 60 dB(A) between the hours of 10:00 pm and 7:00 am. In any event, the noise level, regardless of the time of day, shall not become a nuisance to neighboring properties and strict compliance with the County’s Noise Ordinance is required.

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## Other Relevant Conditions:

26. The applicant is advised to consult an expert on wetlands before proceeding with any development.
27. The owner/developer is responsible for ensuring easements which may exist on the subject property are accounted for, not encumbered and that no part of this development is violating the rights of the easement holder.
28. Under current standards, due to the limited road frontage of the subject property, this property cannot be further subdivided without submission for and receiving approval of a public or private street.
29. This conditional approval is not to be construed as all encompassing of the applicable rules, regulations, etc. which must be complied with for any development. Other regulations, such as building, environmental, health and so forth, may govern the specific development. The developer is the responsible party to ensure full compliance with all applicable Federal, State, and local regulations.
30. Generally if any changes to the site plan or application exceed 10% of that which was approved, a modification of the conditional use district and permit must be submitted for re-consideration by the appropriate board(s).

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

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

Subdivision/Site Plan/Plat	Ed Byrne	678-7609
Code Enforcement (Permits):	Ken Sykes	321-6654
County Health Department:	Daniel Ortiz	433-3680
Town of Falcon (water):	Belinda White (Town Clerk)	980-1355
Ground Water Issues:	Matt Rooney	678-7625
County Public Utilities/NORCRESS:	Tom Cooney	678-7682
Corp of Engineers (wetlands):	Ronnie Smith	(910) 251-4829
NC DENR (E&S):	Sally McKinney	433-3300
E911 Site-Specific Address:	Ron Gonzales	678-7616
Tax Parcel Numbers:		678-7549
NCDOT (driveways/curb-cuts):	Gary Burton	486-1496
N.C. Division of Water Quality:	Mike Randall	(919) 733-5083 ext. 545

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

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

1. APPLICANT/AGENT: BLACK RIVER INVESTMENTS INC.
2. ADDRESS: P.O. Box 41, DUNN NC ZIP CODE: 28335
3. TELEPHONE: (Home) 910-892-7042 (Work) 919-894-6367
4. Location of Property: 11444 DUNN ROAD, Fayetteville NC
5. Parcel Identification Number (PIN #) of subject property: 1504-60-4826  
(also known as Tax ID Number or Property Tax ID)
6. Acreage: 0.57 Frontage: 50 FT. Depth: 320 FT.
7. Water Provider: FALCON
8. Septage Provider: Private - Septic Tank REL
9. Deed Book 113, Page(s) 196, Cumberland County Registry. (Attach copy of deed of subject property as it appears in Registry).
10. Existing use of property: Cabinet shop
11. Proposed use(s) of the property: Cabinet shop, self storage, repair + service

**NOTE: Be specific and list all intended uses.**

12. It is requested that the foregoing property be rezoned FROM: A1

TO: (select one)

- M1(R) Conditional Use District, with an underlying zoning district of M1(D)  
(Article V)
- \_\_\_\_\_ Mixed Use/Conditional Use District (Article VI)
- \_\_\_\_\_ Planned Neighborhood District/Conditional Use District (Article VII)
- \_\_\_\_\_ Density Development/Conditional Use District, at the \_\_\_\_\_ Density  
(Article VIII)

5/10/09  
J.K. to  
change  
or Mr. Lee

APPLICATION FOR  
CONDITIONAL USE PERMIT

1. PROPOSED USE(S):

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

*Cabinet shop, self storage, repair + service Auto's*

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

*see attached site plan*

2. DIMENSIONAL REQUIREMENTS:

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

*see attached site plan*

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

*2 spaces*

3. SIGN REQUIREMENTS:

Reference the district sign regulations proposed from Article XIII.

*N/A*

4. LANDSCAPE AND BUFFER REQUIREMENTS:

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

*WAX Myrtle - 4 gal. containers @ 10ft. spacing*

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

*see attached site plan*

5. MISCELLANEOUS:

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

*- HRS. of operation*

*Mon. thru Fri. 8am to 5pm*

*- no exterior lighting*

6. SITE PLAN REQUIREMENTS:

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

W

7. ACKNOWLEDGEMENT:

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

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

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

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

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

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

Robert E. Lee / Harvey E. Strickland - Black River Investments  
NAME OF OWNERS (PRINT OR TYPE)

P.O. Box 41      DAWN      NC      28335  
ADDRESS OF OWNER(S)

910-892-7042  
HOME TELEPHONE #

910-892-8615  
WORK TELEPHONE #

Robert E. Lee  
SIGNATURE OF OWNER(S)

Harvey E. Strickland  
SIGNATURE OF OWNER(S)

910-891-2181

## MOTIONS ON CONDITIONAL USE DISTRICT REZONING APPLICATIONS

### IF TO APPROVE CONDITIONAL USE DISTRICT:

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

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### IF TO DENY CONDITIONAL USE DISTRICT:

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

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

### IF TO APPROVE CONDITIONAL USE PERMIT:

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

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

October 22, 2007

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

SEPTEMBER 11, 2009

ITEM NO. 20

MEMO TO: Cumberland County Board of Commissioners

FROM: Cumberland County Joint Planning Board

SUBJECT: **Case P09-34:** Rezoning of .89+/- acres from R10 Residential to RR/CUD Rural Residential/Conditional Use District (residential including single-family, multi-family & manufactured homes, nursery operations and office) and the Permit or to a more restrictive zoning district, located at 6067 Camden Road, submitted and owned by Michael F. and Barbara J. Shoenberger.

ACTION: Members present at the August 18, 2009 meeting voted unanimously to recommend approval of the RR/CUD Rural Residential/Conditional Use district and permit as recommended by the staff and agreed to by the property owner.

**SITE INFORMATION: Frontage & Location:** 120.00'+/- on Camden Road; **Depth:** 250.00'+/-; **Jurisdiction:** Cumberland County; **Adjacent Property:** No; **Current Use:** Residential; **Initial Zoning:** R10 – February 3, 1977 (Area 7); **Nonconformities:** None; **Zoning Violation(s):** None; **Surrounding Zoning:** North: R6A (Hope Mills) RR & R10; East: MXD/CUD, R7.5 & R6 (Hope Mills), C1(P), RR, R10 & R6A; South: R6 & R5A (Hope Mills), R10 (Hope Mills/County); West: C1(P) & R5A (Hope Mills), R10 (Hope Mills/County), C(P), C(P)/CUD (mini-warehousing, retail/office space second floor dwelling unit & car wash) & R6A; **Surrounding Land Use:** Barbering and hairdressing services/salons, residential (including manufactured homes, manufactured home park and multi-family), open storage and woodlands; **2030 Land Use Plan:** Urban area; **Special Flood Hazard Area (SFHA):** None; **Municipal Influence Area:** Town of Hope Mills; **Water/Sewer Availability:** PWC/PWC (public sewer approximately 250' northeast on Camden Road); **Soil Limitations:** None; **School Capacity/Enrolled:** C. Wayne Collier Elementary: 600/587; South View Middle: 900/884; South View High: 1800/1853; **Subdivision/Site Plan:** See attached "Ordinance-Related Conditions" – particular attention should be paid to Condition No. 1, 3, 11 and 12; **Average Daily Traffic Count (2006):** 16,000 on Camden Road (SR 1003); **Highway Plan:** Camden Road is identified in the Highway Plan as a major thoroughfare. This proposal calls for a multi-lane facility (U-3422) with a right-of-way of 110 feet. Road improvements are included in the 2009-2015 MTIP; **Notes:** 1. **Contents of the application:** Nursery will provide mulch, decorative rock, gravel, top soil, small plants & shrubs, and ornamental trees, Days of Operation: Monday thru Saturday (8:00 am to 6:00 pm), 2 employees; 2. **Other Requested Permitted Uses:** Office (for nursery), Single family, Multi-family, Manufactured Home Class A or B; 3. If nursery approved, only one dwelling unit permitted with rounding (.89 acres = 38,768.4 sq ft / 20,000 sq ft required per "unit" for RR zoning district).

#### MINUTES OF AUGUST 18, 2009

The Planning & Inspections Staff recommends approval of the requested rezoning to RR Rural Residential/Conditional Use District [RR/CUD], provided that the property owner agrees to restrict the use of the subject property to the existing residential dwelling and the plant nursery operation with an office; the staff recommends denial of the requested use of additional residential uses, including multi-family dwellings

and Class A and Class B manufactured homes at this location and eliminating all other uses typically allowed within the RR Rural Residential district, based on the following:

1. Although the district and use requested is not entirely consistent with the 2030 Comprehensive Plan, which calls for "urban" development at this location, the request is reasonable in that approval of the RR Rural Residential district will ensure the existing dwelling continues to be a conforming use while at the same time allowing the plant nursery operation in an area that is transitioning to non-residential development;
2. The request is consistent with the location criteria for Suburban Density Residential as listed in the Land Use Policies Plan;

The property owner has verbally agreed to the staff recommendation and voluntarily agrees to restrict the use of the subject property to the existing dwelling and the plant nursery operation with an on-site office for the nursery, eliminating all other uses allowed in the RR Rural Residential zoning district.

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

1. The use will not materially endanger the public health or safety if located according to the plan submitted, the site is located in such a manner that the minimum development standards of the ordinances are met or exceeded;
2. The use will meet all required conditions and specifications if developed according to the site plan, application and the attached "Ordinance Related Conditions";
3. The use will maintain or enhance the value of adjoining or abutting properties in that the dwelling unit is existing and the developer has agreed to extend public sewer to serve the office for the plant nursery operation; and
4. The location and character of the use, if developed according to the plan as submitted and recommended, will be in harmony with the area in which it is to be located and in general will be developed in conformance with the development ordinances and adopted planning policies.

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

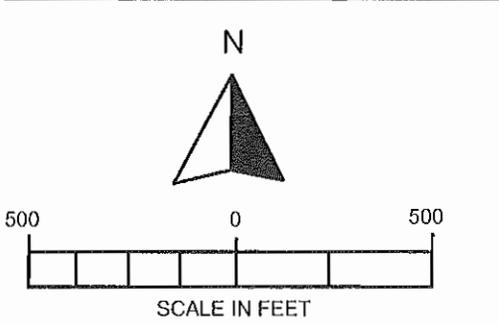
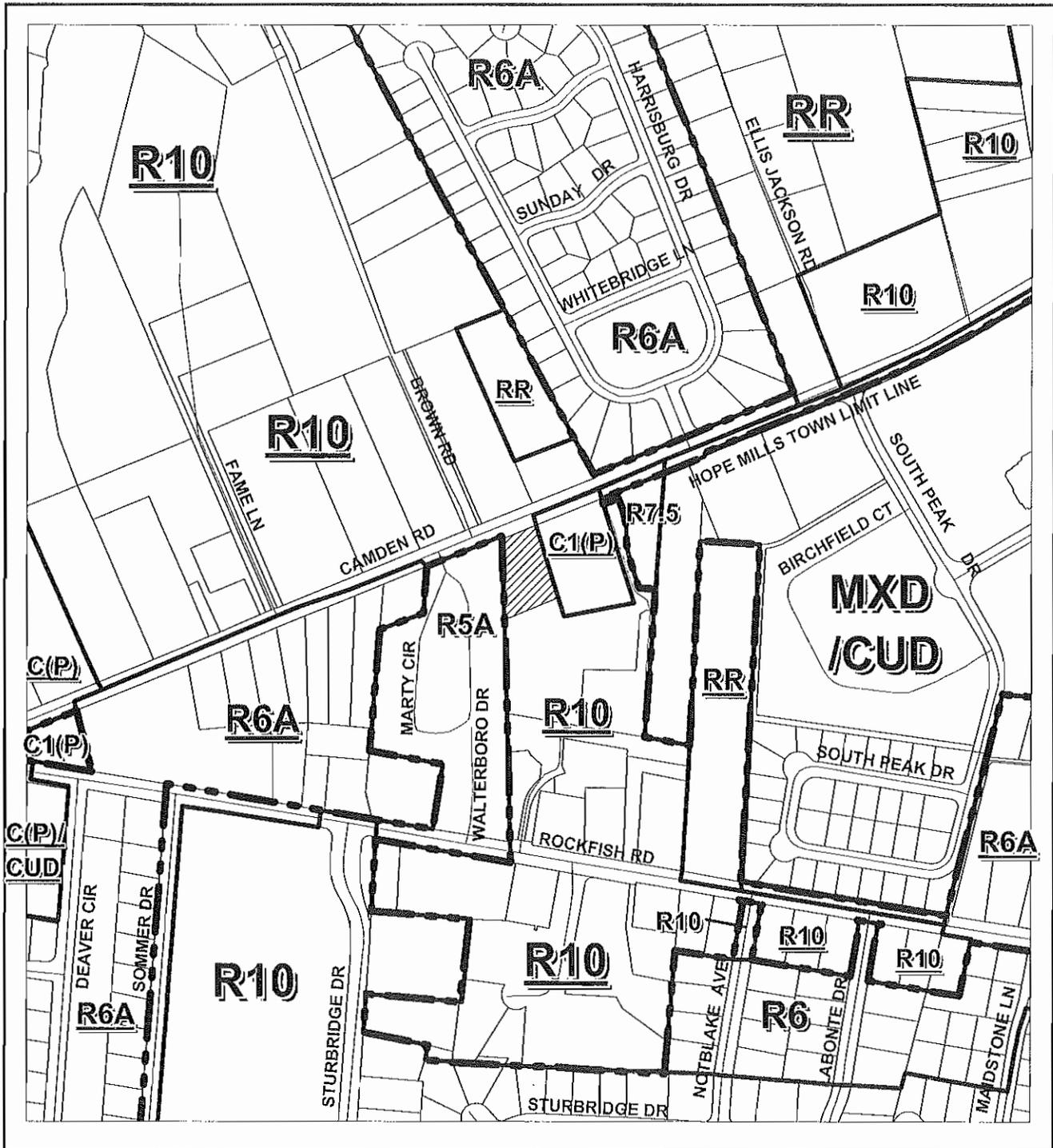
The property owner has voluntarily agreed to this staff recommendation and all attached Ordinance Related Conditions.

**Mr. McLaurin made a motion, seconded by Ms. Hall, that the Joint Planning Board finds that this Conditional Use District application is reasonable, neither arbitrary nor unduly discriminatory, and in the public interest, and that the Conditional Use District with the uses as recommended by the staff and agreed to by the property owner be approved. Unanimous approval**

**A motion was made by Mr. McLaurin and seconded by Ms. Hall to approve the Conditional Use Permit as recommended by the staff after finding that when completed as proposed and subject to the conditions recommended by the Planning & Inspections staff, and agreed to by the petitioner, the proposal: 1) will not materially endanger the public health and safety; 2) will not substantially injure the value of adjoining or abutting property; 3) will be in harmony with the area in which it is to be located; and 4) will be in conformity with the land use plan, thoroughfare plan or other plan officially adopted by the Board of Commissioners. Unanimous approval.**

**First Class and Record Owners' Mailed Notice Certification**

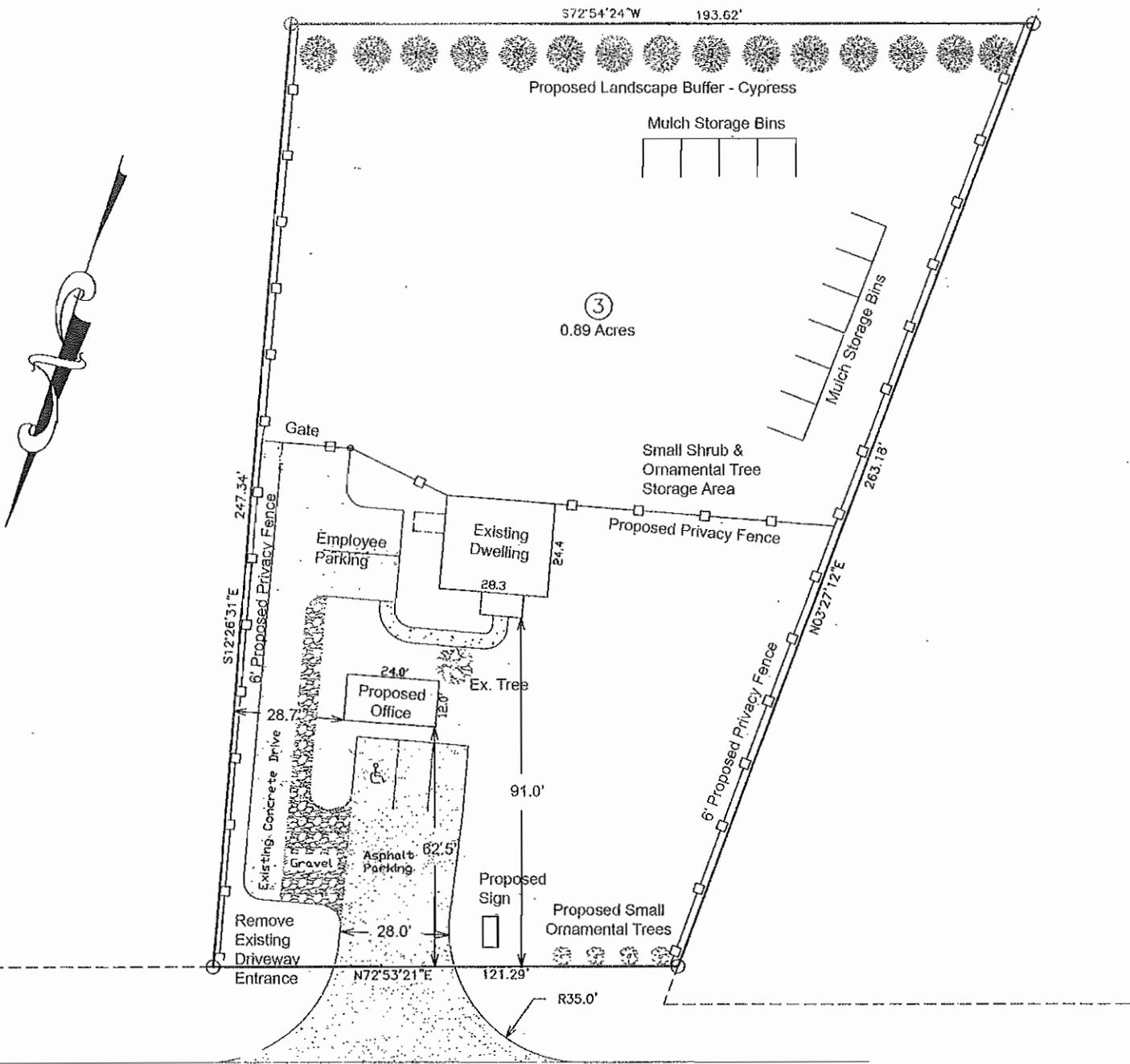
*A certified copy of the tax record owner(s) of the subject and adjacent properties and their tax record mailing address is contained within the case file and is incorporated by reference as if delivered herewith. The record owners' certified receipt of notice is also included.*



## REQUESTED REZONING R10 TO RR/CUD

<b>ACREAGE: 0.89 AC.+/-</b>		<b>HEARING NO: P09-34</b>	
ORDINANCE: COUNTY	HEARING DATE	ACTION	
STAFF RECOMMENDATION			
PLANNING BOARD			
GOVERNING BOARD			

PIN: 0404-67-0287



SR# 1003 CAMDEN ROAD R/W Varies

# CONDITIONAL USE DISTRICT & PERMIT

REQUEST: RESIDENTIAL, NURSERY OPERATIONS AND OFFICE  
 CASE NO.: P09-34 ACREAGE: 0.89 AC. +/- SCALE: NTS  
 PROPOSED ZONING: RR/CUD PARKING: AS SHOWN

\*SCALED DETAILED SITE PLAN IN FILE AVAILABLE FOR REVIEW UPON REQUEST

# DRAFT

Case: P09-34

August 11, 2009

## **Conditional Use District & Permit**

### Ordinance Related Conditions

#### **Pre-Permit Related:**

1. This conditional approval is not approval of the permit for the freestanding signs. The developer must submitted five copies of a revised site plan for staff approval indicating that the proposed sign complies with the required setback from the ultimate right-of-way (reservation) line prior to application for the freestanding sign permit – see Condition No. 12 below. Attached signage for this development must be in accordance with the applicable sign regulations as set forth in Article XIII of the County Zoning Ordinance and that the proper permit(s) must be obtained prior to the installation of any permanent signs on the property. (Note: This conditional approval is **not** approval of the size, shape, or location of any signs.)

#### **Permit-Related:**

2. The owner/developer(s) of these lots must obtain detailed instructions on provisions of the County Zoning Ordinance and permits required to place any structure within this development from the County Code Enforcement Section, Room 101 in the Historic Courthouse at 130 Gillespie Street. For additional information, the developer should contact a Code Enforcement Officer.
3. Extension and connection to public sewer is required, the Public Works Commission (PWC) must approve sewer plans prior to application for any permits. A copy of the PWC approval must be provided to Code Enforcement at the time of application for building/zoning permits.
4. Connection to public water is required, the Public Works Commission (PWC) must approve water plans prior to application for any permits. A copy of the PWC approval must be provided to Code Enforcement at the time of application for building/zoning permits.
5. New development where the developer will disturb or intends to disturb more than one acre of land is subject to the Post-Construction Stormwater Management Permitting Program (Phase II Stormwater Management Requirements) administered by the Division of Water Quality, North Carolina Department of Environment and Natural Resources. If one acre or more of land is to be disturbed, prior to the issuance of any building/zoning permits for this site, a copy of the State's *Post-Construction Permit* must be provided to County Code Enforcement.
6. For any new development where the developer disturbs or intends to disturb more than one acre of land, the developer must provide the Code Enforcement Section with an approved NC Department of Environment and Natural Resources (NCDENR) sedimentation and erosion control plan (S&E) prior to any application for permits. (Note: If any retention/detention basins are required for state approval of this plan, then three copies of a revised plan must be submitted and approved by Planning & Inspections prior to application for any building/zoning permits.) A copy of the NCDENR approval must be provided to Code Enforcement at the time of application for any building/zoning permits.
7. The developer must provide a site-specific address and tax parcel number at the time of building/zoning permit application.
8. Landscaping must be provided in accordance with Section 1102 N, Landscaping, County Zoning Ordinance and/as shown on the site plan. The following are the minimum standards for the required landscaping of this site:
  - Two large shade trees or four small ornamental trees within the front yard setback area;

In addition:

- a. Required plant materials shall be maintained by the property owner, including replacing dead or unhealthy trees and shrubs; and

## DRAFT

- b. All yard and planting areas shall be maintained in a neat, orderly, and presentable manner and kept free of weeds and debris.
9. The building final inspection cannot be accomplished until a Code Enforcement Officer inspects the site and certifies that the site is developed in accordance with the approved plans.

### **Site-Related:**

10. All uses, dimensions, setbacks and other related provisions of the County Subdivision and Zoning Ordinances for the RR/CUD and the conditions of the Permit must be complied with, as applicable. (Note: Only those uses specifically approved by the County Board of Commissioners are allowed uses on this site.)
11. The approval for office use as stated in the application is approval of an office for the plant nursery only.
12. Reservation of 15 feet of right-of way along SR 1003 (Camden Road) is required and the metes and bounds for the reservation must be reflected on any future site plans. The location of all improvements, required or otherwise, and all building setback lines are to be measured from the ultimate right-of-way line.
13. For any new development, an adequate drainage system must be installed by the developer in accordance with the NC Department of Environment and Natural Resources' (NCDENR) *Manual on Best Management Practices* and all drainage ways must be kept clean and free of debris. (Section 2306 D, County Subdivision Ordinance)
14. For new development, all utilities, except for 25kv or greater electrical lines, must be located underground. (Section 2306 C, County Subdivision Ordinance)
15. The developer must obtain a driveway permit from the NC Department of Transportation (NCDOT). A copy of the approved driveway permit must be provided to Code Enforcement at the time of application for building/zoning permits.
16. Turn lanes may be required by the NC Department of Transportation (NCDOT).
17. All lighting is required to be directed internally within this development and comply with the provisions of Section 1102 M, Outdoor Lighting, County Zoning Ordinance.
18. A solid buffer must be provided and maintained along the side and rear property lines where this tract/site abuts residentially zoned properties and completely shielding the open storage areas from view from the street right-of-way in accordance with the provisions of Section 1102 G, Buffer Requirements, County Zoning Ordinance. (Note: Chain link fencing cannot be used to satisfy the buffer requirement.)
19. All dumpster, garbage, and utility areas shall be located on concrete pads and screened on a minimum of three sides.
20. All required off-street parking spaces shall be a minimum of 9' x 20' and shall be surfaced, with a permanent material such as asphalt or concrete, and striped prior to application for the building final inspection. A minimum of five off-street parking spaces are required for this development.
21. All notes and calculations as shown on the site plan are to be considered as a part of this conditional approval.
22. Noise levels shall not exceed 60 dB(A) between the hours of 10:00 pm and 7:00 am. In any event, the noise level, regardless of the time of day, shall not become a nuisance to neighboring properties and strict compliance with the County's Noise Ordinance is required.

### **Other Relevant Conditions:**

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

# DRAFT

25. Generally if any changes to the site plan or application exceed 10% of that which was approved, a modification of the conditional use district and permit must be submitted for re-consideration by the appropriate board(s).

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

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

Subdivision/Site Plan/Plat	Ed Byrne	678-7609
Code Enforcement (Permits):	Ken Sykes	321-6654
PWC:	Heidi Maly	223-4773
Town of Hope Mills:		424-4555*
Corp of Engineers (wetlands):	Ronnie Smith	(910) 251-4829
NCDENR (E&S):	Sally McKinney	433-3300
E911 Site-Specific Address:	Ron Gonzales	678-7616
Tax Parcel Numbers:		678-7549
NCDOT (driveways/curb-cuts):	Gary Burton	486-1496
Transportation Planning:	Bobby McCormick	678 7632
N.C. Division of Water Quality:	Mike Randall	(919) 733-5083 ext. 545

\*This is the main telephone number for the Town of Hope Mills; once connected, the caller will be directed to the various departments.

cc: Mike Bailey, Town of Hope Mills

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

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

1. APPLICANT/AGENT: MIKE SHOENBERGER
2. ADDRESS: 6070 Camden Rd FAY NC ZIP CODE: 28306
3. TELEPHONE: (Home) 910-263-0529 (Work) 910-423-1000
4. Location of Property: 6067 CAMDEN ROAD
5. Parcel Identification Number (PIN #) of subject property: 0404-67-0287  
(also known as Tax ID Number or Property Tax ID)
6. Acreage: 0.89 Frontage: 121.29 Depth: 247.34
7. Water Provider: WELL
8. Septage Provider: SEPTIC
9. Deed Book 6764, Page(s) 502, Cumberland County Registry. (Attach copy of deed of subject property as it appears in Registry).
10. Existing use of property: RESIDENTIAL
11. Proposed use(s) of the property: RESIDENTIAL AND NURSERY -  
MULCH BUSINESS

**NOTE: Be specific and list all intended uses.**

12. It is requested that the foregoing property be rezoned FROM: R-10

TO: (select one)

- Conditional Use District, with an underlying zoning district of R-R  
(Article V)
- Mixed Use/Conditional Use District (Article VI)
- Planned Neighborhood District/Conditional Use District (Article VII)
- Density Development/Conditional Use District, at the \_\_\_\_\_ Density  
(Article VIII)

APPLICATION FOR  
CONDITIONAL USE DISTRICT AND PERMIT

1. PROPOSED USE(S):

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

SEE ATTACHED DESCRIPTION

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

0.89 ACRES

2. DIMENSIONAL REQUIREMENTS:

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

FRONT: 30'

SIDE - 15'

REAR - 35'

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

PROVIDED - 5 TOTAL , 1 HANDECAP

3. SIGN REQUIREMENTS:

Reference the district sign regulations proposed from Sec. 1306.

SEE SITE PLAN

1. Proposed Uses(s)

The proposed use will be a Nursery Business providing a variety of mulch, decorative rock, gravel, top soil, small plants and shrubs, and ornamental trees. These products will be stored on site, behind the existing dwelling and concealed within a 6' privacy fence. The business can deliver these products using a small dump truck, or products can be picked up on site, loaded with a bobcat loader. The equipment used for the business will also be stored inside the privacy fence.

Future uses may also include Office Space, Single or Multi-Family Dwelling, or the location of a Class A or Class B Manufactured Home.

4. LANDSCAPE AND BUFFER REQUIREMENTS:

- A. For all new non-residential and mixed use development abutting a public street, indicate the number of large or small ornamental trees used in the streetscape, yard space, and/or parking areas, plus the number of shrubs (Sec. 1102N).

**NOTE: All required landscaping must be included on the site plan.**

SEE SITE PLAN

- B. Indicate the type of buffering and approximate location.

LANDSCAPE BUFFER ALONG REAR PROPERTY LINE

PROPOSED PRIVACY FENCE ALONG WEST PROPERTY LINE

5. MISCELLANEOUS:

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

2 EMPLOYEES, 8AM-6PM MONDAY-SATURDAY

1 BOBCAT LOADER

6. SITE PLAN REQUIREMENTS:

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

7. ACKNOWLEDGEMENT:

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



**MOTIONS ON CONDITIONAL USE DISTRICT REZONING APPLICATIONS**

**IF TO APPROVE CONDITIONAL USE DISTRICT:**

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

---

**IF TO DENY CONDITIONAL USE DISTRICT:**

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

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

**IF TO APPROVE CONDITIONAL USE PERMIT:**

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

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

October 22, 2007

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 5786-2009.

Property Owner: Upton & Helen P. Tyson

Home Owner: Pamela & Leroy Thomas

Property Address: 3628 Belridge Drive, Fayetteville, NC

Tax Parcel Identification Number: 0440-65-8814

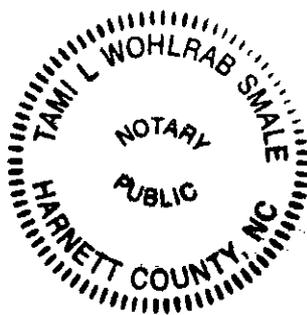
SYNOPSIS: This property was inspected on 2/20/2009. The property owners and parties of interest were legally served with Notice of Violations and was afforded a Hearing on 3/26/2009. Pamela Thomas attended the Hearing. It was ordered that the structure be repaired to a minimum standard for human habitation, or be demolished and the debris removed from the premises by a date not later than 6/25/2009. The property owners and parties of interest were notified of the appeal procedures when they were served with the Findings of Fact and Order. (See Exhibit A for Findings of Fact and Order.) No appeal was filed. Upon my visit to the property on 9/10/2009 the required corrective action had not been made to the structure. The structure is presently vacant and 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 \$2,500.00.

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

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

George Hatcher  
Affiant  
Code Enforcement Officer  
County of Cumberland



Sworn to and Subscribed to by me this  
the 10<sup>th</sup> day of September 2009.

Tami R. Wohlrab Smale  
Notary Public  
My Commission Expires:  
My Commission Expires **October 11, 2011**

**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 6846 Leroy - cert / 1st

### FINDINGS OF FACT AND ORDER

91 7108 2133 3935 9468 6839 Pamela cert / 1st

March 26, 2009

CASE #: MH 5786-2009

**TO:** Pamela & Leroy Thomas & Parties of Interest  
3628 Belridge Drive  
Fayetteville, NC 28306

**Property at:** 3628 Belridge Drive, 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 3/6/2009.

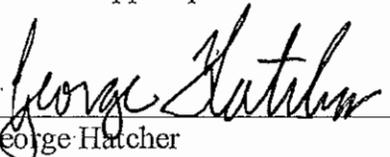
Pursuant of law, a Hearing was conducted in Room 101, of the old courthouse at 130 Gillespie Street, Fayetteville, NC on 3/26/2009 at 9:30:00 AM. The items identified below took place at the Hearing:

- 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: Pamela Thomas.
- 3. The undersigned inspector personally inspected the dwelling described in the Complaint and Notice of Hearing dated, 3/5/2009. 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 5786-2009, dated 2/20/2009.
  - 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 6/25/2009. **All required permits must be obtained. A copy of this order must be presented when obtaining permits.**
  - b. The dwelling shall remain vacated until compliance with this order is completed and removed by the inspector, and the lot must be continuously maintained.
  - c. The structure shall be/remain secured.
  - d. By authority of North Carolina General Statutes 14-4, violation of the County code is punishable as a Class 3 Misdemeanor in criminal court and also subjects the violator to injunctive relief and/or a civil penalty of \$50.00 per day for each day's continuing violation after \_\_\_\_\_.
  - e. The County Planning/Inspection Department may immediately begin procedures to seek a demolition ordinance from the Cumberland County Board of Commissioners for failure to bring the property into compliance by 6/25/2009. The cost of said demolition will be assessed against the real property in the form of a lien.

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

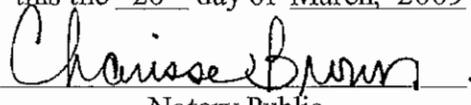
  
 \_\_\_\_\_  
 Ken Sykes  
 Hearing Officer

  
 \_\_\_\_\_  
 George Hatcher  
 Code Enforcement Officer

Enclosed: Appeals Procedures & Form

cc:

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 26<sup>th</sup> day of March, 2009  
  
 \_\_\_\_\_  
 Notary Public  
 My Commission Expires: 9/29/2012

RE: Pamela & Leroy Thomas  
Name of Violator

MH 5786-2009  
Case Number

**AFFIDAVIT OF RETURN OF SERVICE**  
(Personal Service to Individual)

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

personally served Pamela & Leroy Thomas, 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 1<sup>st</sup> class mail and certified mail to the following address

and by posting at: 3628 Belridge Drive, Fayetteville, NC 28306.

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

  
George Hatcher  
Code Enforcement Officer

Sworn to and subscribed to before me

this the 30 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 5786-2009**

**EXHIBIT A**

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 3936 1742 3656 *Hess - cert / 1st*

### FINDINGS OF FACT AND ORDER

91 7108 2133 3936 1742 3649 *Waton - cert / 1st*  
March 26, 2009

CASE #: MH 5786-2009

**TO:** Pamela & Leroy Thomas & Parties of Interest  
3628 Belridge Drive  
Fayetteville, NC 28306

**Property at:** 3628 Belridge Drive, Fayetteville, NC

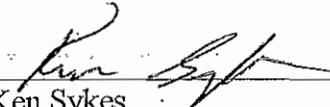
A Complaint, Notice of Hearing and Report of Inspection were legally served to the owner or owner's agent, and any party of interest. These documents were in fact received by the owner or owner's agent and party of interest on 3/6/2009.

Pursuant of law, a Hearing was conducted in Room 101, of the old courthouse at 130 Gillespie Street, Fayetteville, NC on 3/26/2009 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: Pamela Thomas.
- 3. The undersigned inspector personally inspected the dwelling described in the Complaint and Notice of Hearing dated, 3/5/2009. 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 5786-2009, dated 2/20/2009.
  - 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 6/25/2009. **All required permits must be obtained. A copy of this order must be presented when obtaining permits.**
  - b. The dwelling shall remain vacated until compliance with this order is completed and removed by the inspector, and the lot must be continuously maintained.
  - c. The structure shall be/remain secured.
  - d. By authority of North Carolina General Statutes 14-4, violation of the County code is punishable as a Class 3 Misdemeanor in criminal court and also subjects the violator to injunctive relief and/or a civil penalty of \$50.00 per day for each day's continuing violation after \_\_\_\_\_.
  - e. The County Planning/Inspection Department may immediately begin procedures to seek a demolition ordinance from the Cumberland County Board of Commissioners for failure to bring the property into compliance by 6/25/2009. The cost of said demolition will be assessed against the real property in the form of a lien.

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

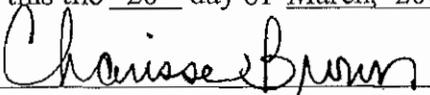
  
 Ken Sykes  
 Hearing Officer

  
 George Hatcher  
 Code Enforcement Officer

Enclosed: Appeals Procedures & Form

cc:

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 26<sup>th</sup> day of March, 2009  
  
 Notary Public  
 My Commission Expires: 9/29/2012

NORTH CAROLINA  
COUNTY OF CUMBERLAND

PLANNING/INSPECTIONS DEPARTMENT

RE: Pamela & Leroy Thomas  
Name of Violator

MH 5786-2009  
Case Number

**AFFIDAVIT OF RETURN OF SERVICE**  
(Personal Service to Individual)

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

personally served Upton & Helen Tyson, 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 1<sup>st</sup> class mail and certified mail to the following address:

5029 S. NC 87 Highway, Fayetteville, NC 28306

and by posting at: 3628 Belridge Drive, Fayetteville, NC.

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

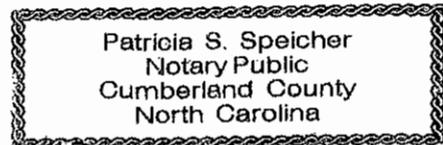
  
\_\_\_\_\_  
George Hatcher  
Code Enforcement Officer

Sworn to and subscribed to before me

this the 30th day of March, 20 09.

Patricia S. Speicher  
Notary Public Patricia S. Speicher

My Commission Expires: 9-26-11



**PROOF OF SERVICE OF FINDINGS OF FACT AND ORDER**  
**DATED MARCH 26, 2009 CASE NUMBER MH 5786-2009**

**EXHIBIT A**



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 5890-2009.

Property Owner: Peggy Hair Bland

Property Address: 4271 Dudley Road, Fayetteville, NC

Tax Parcel Identification Number: 0472-18-4098

SYNOPSIS: This property was inspected on 4/1/2009. The property owners and parties of interest were legally served with Notice of Violations and was afforded a Hearing on 5/28/2009. Peggy Bland attended the Hearing via telephone. It was ordered that the structure be repaired to a minimum standard for human habitation, or be demolished and the debris removed from the premises by a date not later than 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 Findings of Fact and Order.) No appeal was filed. Upon my visit to the property on 9/10/2009 no corrective action had been made to the structure. The structure is presently vacant and unsecured. In its present state, the structure constitutes a fire, health, and safety hazard.

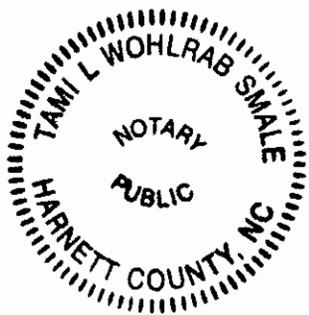
The estimated cost to repair the structure to a minimum standard for human habitation is \$15,000.00. The Assessor for Cumberland County has the structure presently valued at \$500.00 for salvage materials.

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

\*\*Note: The owner has signed a consent to abate form (See Exhibit C)

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

George Hatcher  
Affiant  
Code Enforcement Officer  
County of Cumberland



Sworn to and Subscribed to by me this  
the 10<sup>th</sup> day of September 2009.

Tami L. Wohlrab-Smale  
Notary Public  
My Commission Expires:  
**My Commission Expires October 11, 2011**

**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  
Johnny H. Scott,  
Inspector  
Joey Lewis,  
Inspector

## COUNTY of CUMBERLAND

*Planning & Inspections Department*

91 7108 2133 3936 0853 2367

### FINDINGS OF FACT AND ORDER

May 29, 2009

CASE #: MH 5890-2009

**TO:** Peggy Hair Bland & Parties of Interest  
3630 McKinnon Road  
Fayetteville, NC 28312

**Property at:** 4271 Dudley Road, Fayetteville, NC

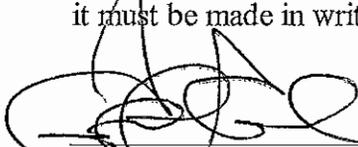
A Complaint, Notice of Hearing and Report of Inspection were legally served to the owner or owner's agent, and any party of interest. These documents were in fact received by the owner or owner's agent and party of interest on 5/8/2009.

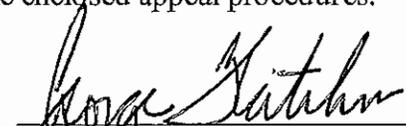
Pursuant of law, a Hearing was conducted in Room 101, of the old courthouse at 130 Gillespie Street, Fayetteville, NC on 5/28/2009 at 9:45:00 AM. The items identified below took place at the Hearing:

- 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 answering by phone were: Peggy H. Bland.
- 3. The undersigned inspector personally inspected the dwelling described in the Complaint and Notice of Hearing dated, 5/1/2009. 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 5890-2009, dated 4/1/2009.
  - 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.

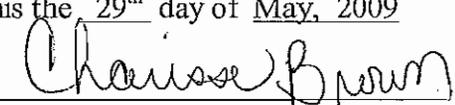
 for Ken Sykes  
 Ken Sykes  
 Hearing Officer

  
 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 29<sup>th</sup> day of May, 2009  
  
 Notary Public  
 My Commission Expires: 9/29/2012



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## Track & Confirm

### Search Results

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Status: **Delivered**

Your item was delivered at 9:39 am on June 10, 2009 in FAYETTEVILLE, NC 28312. A proof of delivery record may be available through your local Post Office for a fee.

Additional information for this item is stored in files offline.

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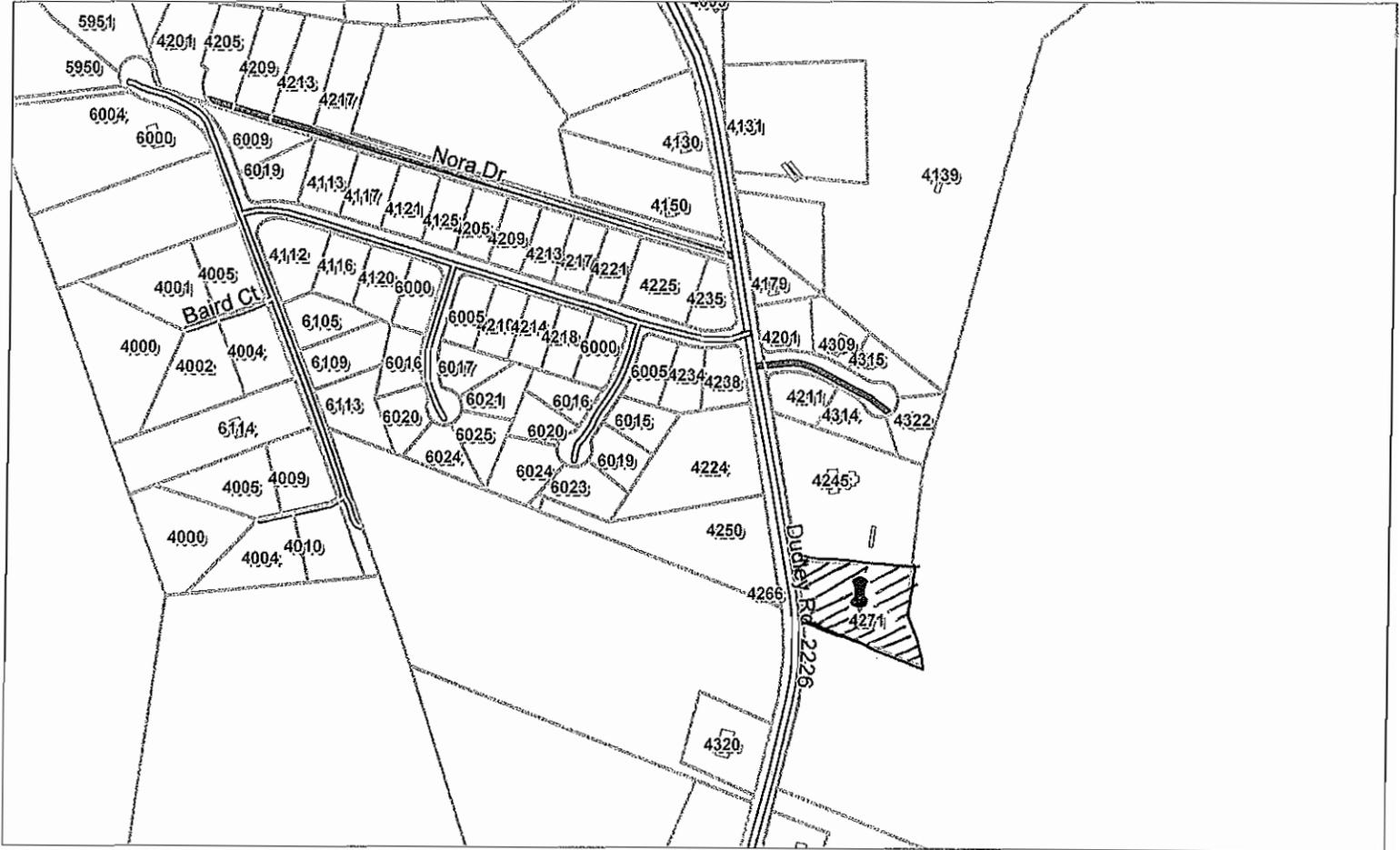


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## PROOF OF SERVICE OF FINDINGS OF FACT AND ORDER DATED MAY 29, 2009 CASE NUMBER MH 5890-2009

### EXHIBIT A

**MAP DEPICTING LOCATION OF PROPERTY**  
**Property Owner: Peggy Hair Bland**  
4271 Dudley Road, Fayetteville, NC  
MINIMUM HOUSING CASE # MH5890-2009  
TAX PARCEL IDENTIFICATION NUMBER 0472-18-4098



**EXHIBIT B**

CONSENT TO ABATE PUBLIC NUISANCE

I, Peggy Hair Bland, property owner of  
4271 Dudley Road, Fayetteville NC, identified by Tax Parcel Identification  
Number 0472-18-4098, and more particularly described  
one double wide Mobile home and accessory building

said property being in violation of Cumberland County Minimum Housing Code and  
further described as Minimum Housing Case Number 5890-2009, dated  
5/1/2009,

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).

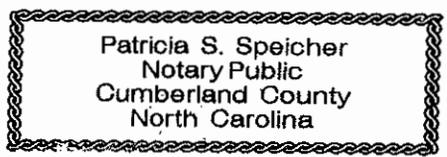
Peggy H. Bland  
Property Owner Or Party of Interest

8.14.09  
Date

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

Patricia S. Speicher  
Notary Public Patricia S. Speicher

My Commission Expires: 9-26-11



JAMES E. MARTIN  
County Manager

JUANITA PILGRIM  
Deputy County Manager



ITEM NO. 3

AMY H. CANNON  
Assistant County Manager

OFFICE OF THE COUNTY MANAGER

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

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**MEMORANDUM FOR BOARD OF COMMISSIONERS AGENDA OF SEPTEMBER 21, 2009**

**TO: BOARD OF COUNTY COMMISSIONERS**

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

**DATE: SEPTEMBER 15, 2009**

**SUBJECT: PRESENTATION BY MR. BUCK WILSON, HEALTH DIRECTOR ON H1N1 (SWINE) FLU CAMPAIGN**

Mr. Buck Wilson, Health Director, will be making a presentation on the H1N1 (Swine) Flu Campaign.

/ct

CM091509-2

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# News Release

FOR IMMEDIATE RELEASE –  
Cumberland County Public Health Department  
Contact: Buck Wilson, Director  
Telephone: 910-433-3707  
E-mail: [BWilson@co.cumberland.nc.us](mailto:BWilson@co.cumberland.nc.us)

Sept. 1, 2009

## **Health Department Seeks Community Assistance in Getting Message Out About H1N1**

FAYETTEVILLE, NC – Cumberland County Health Department officials met with community public information professionals this morning to discuss ways to reach all residents of Cumberland County regarding Novel H1N1 Flu (Swine Flu). The meeting was a follow-up to one held at the Health Department on Thursday, Aug. 27, with various community partners regarding preparedness for H1N1.

Immediate information campaigns will focus on preventing the spread of the flu through proper hand washing, covering your nose and mouth when you cough, and staying at home when sick rather than exposing others to the illness.

Once the vaccine is available, estimated to be about mid-October, the local public campaign will inform residents on where they can go to receive the immunization.

Public information representatives from local government, the public school system, higher education, business, military, law enforcement and medical agencies attended the briefing and shared ideas on how best to reach various populations.

“We are excited about this collaboration and working with the community in this effort to keep the public safe and informed about this important health issue,” said Health Department Director Buck Wilson.

Businesses, community groups, churches, non-profit and other organizations are encouraged to distribute information to their employees and members on H1N1 prevention. Signs, brochures and other educational literature can be downloaded from the Centers for Disease Control and Prevention at <http://www.cdc.gov/h1n1flu/>.

-more-

H1N1 symptoms include fever, cough, sore throat, body aches, headache, chills and fatigue. Some people have reported diarrhea or vomiting associated with this virus.

Like seasonal influenza, novel H1N1 influenza in humans can vary in severity from mild to severe. Certain groups might be more likely to develop a severe illness from novel H1N1 infection such as persons with diabetes, heart disease, asthma or emphysema.

Pregnant women are also at risk for complications from the virus.

Cape Fear Valley Health System offers a 24-hour Public Message Line at 910-615-4995. Individuals can call for information about symptoms and how to prevent the spread of flu.

The public should remember these tips:

- Wash your hands often. This will help protect you from germs.
- Cover your mouth and nose with a tissue when coughing or sneezing. It may prevent those around you from getting sick.
- Avoid touching your eyes, nose or mouth. Germs are often spread when a person touches something that is contaminated with germs and then touches his or her eyes, nose or mouth.
- Stay home when you are sick. If possible, stay away from work, school and public places when you are sick.
- Avoid close contact with people who are sick. If you are sick, keep your distance from others to protect them.

Later, Wilson and his staff hosted a second meeting with a group of community partners as they watched an H1N1 operational briefing from the State Emergency Response Team.

Agencies who attended the briefings included:

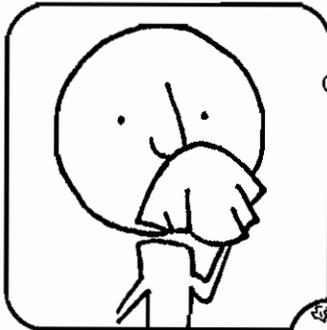
Cape Fear Valley Medical Center  
City of Fayetteville  
Cumberland County Emergency Services  
Cumberland County Fire Chiefs Association  
Cumberland County Government  
Cumberland County Mental Health Center  
Cumberland County Public Library & Information Center  
Cumberland County Schools  
Cumberland County Sheriff's Office  
Fayetteville City Fire Department and Emergency Management  
Fayetteville-Cumberland County Chamber of Commerce  
Fayetteville Police Department  
Fayetteville State University  
Fayetteville Technical Community College  
Methodist University  
NC Public Health Preparedness and Response Team 3  
Pope Air Force Base  
Public Works Commission  
Womack Army Medical Center

## Preventing the Spread of H1N1 Flu

To protect ourselves and others against the Seasonal and H1N1 Flu, the Cumberland County Health Department recommends to everyone: **“Cover your cough and clean your hands.”**

**Stop the spread of germs that make you and others sick!**

# Cover your Cough



Cover your mouth and nose with a tissue when you cough or sneeze

or

cough or sneeze into your upper sleeve, not your hands.

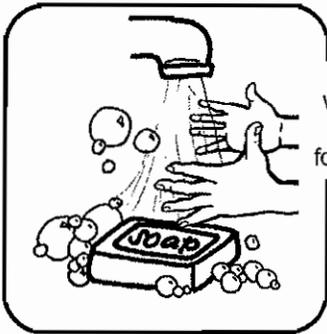


Put your used tissue in the waste basket.



# Clean your Hands

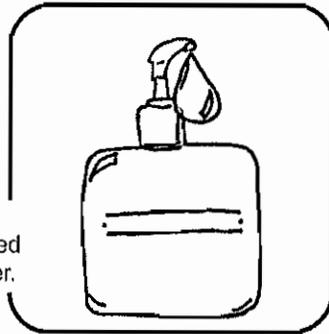
after coughing or sneezing.



Wash hands with soap and warm water for 20 seconds

or

clean with alcohol-based hand cleaner.



## Preventing the Spread of H1N1 Flu

The Cumberland County Health Department has been working very diligently along with our community partners to get the H1N1 Flu Prevention message out to the entire community. Our objective is to prepare ourselves and to plan ahead in order to better protect and better serve the public should the second wave of the Pandemic H1N1 Influenza return in the Fall.

The H1N1 Flu infection was first described in the USA in April 2009 and was declared a Pandemic Flu by the World Health Organization in June 2009. During the hot summer months, it continued to spread across the world, causing vulnerable high risk patients to be hospitalized (less than 9,000 cases) and more than 590 deaths worldwide. In North Carolina, there were 198 people who required hospitalizations and nine deaths. In Cumberland County, up to June 09, there were 24 confirmed cases, and no deaths. Unless people are hospitalized for severe symptoms of Influenza-like illnesses, the Centers for Disease Control and Prevention no longer recommend H1N1 viral testing and reporting.

Because the H1N1 virus has been the predominant cause of all flu-like illnesses during the last summer months, anyone who currently complains of flu-like symptoms is assumed to have contracted the H1N1 Flu.

The good news is that for the last six months, despite the rapid worldwide spread of this viral infection, the illness reveals itself to be mild, with the great majority of affected people recovering without long-term problems.

The symptoms of the H1N1 flu infection are similar to the symptoms of the regular seasonal flu infection and include fever (100 degrees or higher), chills, unusual fatigue, lack of appetite, coughing, sore throat, runny or stuffy nose, body aches, headaches, and sometimes diarrhea and vomiting.

### Know What to Do About the Flu



- **Cover your cough:** Cover your mouth and nose when coughing or sneezing. Avoid touching your eyes, nose and mouth.
- **Wash your hands** frequently with soap and water, especially after coughing and sneezing.
- If you have a **fever, stay home** for at least 24 hrs after that fever has ended. Avoid doing errands when you are sick, and don't send your children to childcare or school if they are sick
- Get the **vaccine** when it becomes available.
- Avoid close contact with people who are sick.
- Keep your distance from others if you are sick.
- Talk to your doctor when you feel too sick or the need to go to the ER.
- Please keep yourself well hydrated if you have fever.

## Preventing the Spread of H1N1 Flu

The CDC recommends that **people with influenza-like illness remain at home until at least 24 hours after they are free of fever (100° F [37.8°C]), or signs of a fever without the use of fever-reducing medications.**

Regarding the upcoming **H1N1 Flu vaccine**, the CDC's Advisory Committee on Immunization Practices (ACIP) has recommended that certain groups of the population receive the 2009 H1N1 vaccine when it first becomes available. These target groups include:

- **pregnant women,**
- **people who live with or care for children younger than 6 months of age,**
- **healthcare and emergency medical services personnel,**
- **persons between the ages of 6 months and 24 years old,**
- **and people ages of 25 through 64 years of age who are at higher risk for 2009 H1N1 because of chronic health disorders or compromised immune systems** (such as diabetes, cardiovascular diseases, asthma, cancer etc.). Please discuss with your physician to see whether you belong to this high risk group and whether your physician will provide the H1N1 vaccine to you.

Of note, people 65 years of age are NOT in the high risk groups for the H1N1 infection and they will not be required to receive the H1N1 vaccines immediately.

It is recommended that everyone, including children and people over 65 years and people with chronic illnesses, receive the **Seasonal Flu vaccine** early this season (beginning mid-September). The Seasonal Flu vaccine will not protect against the H1N1 Flu, but it will protect us against the “regular” Seasonal Flu.

It is also recommended that people over 65 years and people with chronic illnesses receive their “Pneumonia” vaccine (Pneumovax) if they did not already receive it.

Additional Resources on H1N1 –

Cover your cough information (CDC):

<http://www.cdc.gov/flu/protect/covercough.htm>

Three steps for the Flu (CDC):

<http://www.cdc.gov/flu/protect/preventing.htm>

Symptoms of the Flu (CDC):

<http://www.cdc.gov/flu/about/disease/symptoms.htm>

Cumberland County Web site:

[http://www.co.cumberland.nc.us/Public\\_Info/news\\_releases/2009/September/Getting\\_Message\\_Out\\_About\\_H1N1\\_08312009.pdf](http://www.co.cumberland.nc.us/Public_Info/news_releases/2009/September/Getting_Message_Out_About_H1N1_08312009.pdf)

## Preventing the Spread of H1N1 Flu

[http://www.co.cumberland.nc.us/Public\\_Info/news\\_releases/2009/September/Distribuir\\_e\\_l\\_Mensaje\\_Acerca\\_del\\_H1N1\\_08312009.pdf](http://www.co.cumberland.nc.us/Public_Info/news_releases/2009/September/Distribuir_e_l_Mensaje_Acerca_del_H1N1_08312009.pdf)

H1N1 CDC update:

<http://www.cdc.gov/h1n1flu/update.htm>

Questions and Answers to the CDC about the H1N1 Flu:

<http://www.cdc.gov/h1n1flu/qa.htm#a>

NCPH H1N1 website:

<http://www.epi.state.nc.us/epi/gcdc/flu.html>

CDC simplified website;

<http://www.flu.gov/general/index.html#prepare>

H1N1 article on Parade magazine:

<http://www.parade.com/health/2009/09/06-protect-against-swine-flu.html>

JAMES E. MARTIN  
County Manager

JUANITA PILGRIM  
Deputy County Manager



ITEM NO. \_\_\_\_\_

4

AMY H. CANNON  
Assistant County Manager

OFFICE OF THE COUNTY MANAGER

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

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**MEMORANDUM FOR BOARD OF COMMISSIONERS AGENDA OF SEPTEMBER 21, 2009**

**TO: BOARD OF COUNTY COMMISSIONERS**

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

**DATE: SEPTEMBER 15, 2009**

**SUBJECT: PRESENTATION BY MR. DOUG PETERS, PRESIDENT & CEO OF THE  
FAYETTEVILLE-CUMBERLAND COUNTY CHAMBER OF COMMERCE  
ON ECONOMIC DEVELOPMENT ACCOMPLISHMENTS**

Mr. Doug Peters will be making a presentation on Economic Development Accomplishments at the September 21, 2009 Board of Commissioners meeting.

/ct

CM091509-1

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ENGINEERING DEPARTMENT

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

MEMORANDUM

ITEM NO. 5

**TO: COUNTY FACILITIES COMMITTEE**

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

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

**DATE: SEPTEMBER 14, 2009**

**SUBJECT: CONSIDERATION OF FACILITIES COMMITTEE RECOMMENDATION  
REGARDING ALTERNATIVES FOR RELOCATION OF COUNTY  
ADMINISTRATIVE OFFICES**

BACKGROUND

The County Facilities Committee, at its September 8, 2009 meeting, discussed the alternatives for relocation of County Administrative offices. See the attached memorandum to Facilities Committee dated August 26, 2009. This discussion was prompted by the March 2007, directive from the Facilities Committee to management to begin exploring the facility needs of the County to include the disposition of the existing Public Health Center. Initial efforts focused on the alternatives to relocate County Administrative functions from the New Courthouse given the increased pressure from the Court System for additional space.

A Feasibility Study/Needs Assessment regarding "Consideration of the Relocation of County Administrative Functions from the Courthouse" was prepared by the Public Utilities and Engineering Departments of which a copy is attached. Of the alternatives evaluated, renovation of the existing Public Health Center, construction of a new County Administration Building or purchase of the Robert C. Williams Building were the most likely candidates for relocation of County Administrative functions. Each alternative was weighed against three major criteria; (1) location with respect to the central business district (CBD), (2) existing county facilities suitable for renovation, and (3) estimated project cost.

The alternative recommended by management is renovating the existing Public Health Center which appears to be the least cost option. Renovating the existing Public Health Center is estimated to cost between \$9 and \$10 Million and would likely take 14 to 16 months to complete. Construction of a new County Administration Building with a minimum 80,000 SF is estimated to cost between \$12.8 and \$16 Million with land acquisition and demolition costs estimated to be \$1.4 Million. A new facility would take 20 to 24 months to design and construct.

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Property acquisition and demolition of existing buildings could add 6 to 8 months on the project timeframe. Using the 2009 tax value as a basis, purchasing the Robert C. Williams Building would cost \$10.95 Million. In addition, interior renovations could add \$0.3 to \$0.5 Million to the cost of this alternative. Given the limited onsite parking, there may be additional costs to add parking most likely in the form of a parking structure. The County may also have costs to buy out the leases of non-PWC entities in the building.

After considerable discussion, the Facilities Committee concurred with management's recommendation which would be forwarded to the Board of Commissioners for their consideration.

### **RECOMMENDATION/PROPOSED ACTION**

The recommendation of management and staff with approval of the County Facilities Committee is to:

1. Renovate the existing Public Health Center as the preferred alternative for relocation of County Administrative functions.
2. Instruct staff to procure architectural services to develop a building program and prepare more detailed estimates of renovation costs. \$100,000 has been budgeted for this purpose.
3. Instruct staff to move forward with demolition of the Legal Aid Building and conversion of the property into paved parking.

**PS** - Following the Cumberland County Facilities Committee meeting on Tuesday, September 8, 2009, Management has become aware of additional properties which should be explored. Therefore, Management would further recommend that any decision regarding alternatives for relocation of County Administration Offices be delayed for 60 to 90 days to allow for further research.

The proposed action of the Board is to allow Management and staff to explore other alternatives.

ROBERT N. STANGER, P.E.  
County Engineer



SAM LUCAS  
Engineering Technician I I  
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

August 25, 2009

### MEMORANDUM

**TO: COUNTY FACILITIES COMMITTEE**

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

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

**SUBJECT: CONSIDERATION OF ALTERNATIVES FOR RELOCATION OF COUNTY ADMINISTRATIVE OFFICES**

### BACKGROUND

In March 2007, the County Facilities Committee instructed management to begin exploring the facility needs of the County to include the disposition of the existing Public Health Center. Initial efforts focused on the alternatives to relocate County Administrative functions from the New Courthouse given the increased pressure from the Court System for additional space. A Feasibility Study/Needs Assessment regarding "Consideration of the Relocation of County Administrative Functions from the Courthouse" was prepared by the Public Utilities and Engineering Departments of which a copy is attached as Exhibit A. The study addressed the current and future space needs of the following county departments and alternatives for relocation:

Board of County Commissioners  
Administration  
Finance  
Attorney's Office  
Information Services  
Tax Administration  
Human Resources  
Risk Management  
Community Development (from CVB Building)

These departments currently occupy 51,314 SF of floor space. The projected 5 to 7 year space requirement is estimated to be 70,200 SF. The only existing building in the County's inventory that could accommodate the needs of these departments is the current Public Health Center which has a gross square footage of 88,000. With the relocation of Public Health Services into a new facility in November/December 2009, the existing facility would become available for renovation.

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The alternatives evaluated to address the space needs of County Administrative functions included the following:

- **Renovate the former Legal Services of North Carolina Building on Gillespie Street purchased by the County in 2008.** This two-story building, constructed in 1949, contains 10,560 SF of floor space and would not meet the needs of all the county departments. It could serve as a short-term solution to some of the County's space needs provided renovations are made to address ADA compliance issues, interior wall and floor covering improvements, minor electrical and mechanical work, exterior wall and window repairs and installation of fiber optic cable and network servers to tie into the County IT. The estimated cost of renovations and improvements is \$300,000. The building is in close proximity to the Courthouse and has adequate parking adjacent to it, however, given its age, condition and limited floor space the property is more valuable to the County than the building itself. As such, the most practical dispensation of the building is demolition. The conclusion of management and staff is that this building is not a good candidate for renovation and re-use. (No discussion of this alternative appears in the Feasibility Study)
- **Expand the New Courthouse.** The Courthouse was designed structurally to be expanded vertically two additional floors. Due to major disruption of services, this alternative did not merit additional consideration.
- **Renovate Winding Creek Office Building.** With the major restructuring of the method in which Mental Health services are being provided in the County, the Winding Creek Office Building was considered as a potential site to relocate County Administrative functions. This would require Mental Health Administration to relocate to the Mental Health Center on Bradford Avenue. The building has 45,000 SF of floor space and does not meet the current space needs and would require some minor renovations to meet the needs of those departments chosen to be relocated in this facility. The location is not near the center of town where most governmental facilities are typically located. The conclusion of management and staff is that this alternative is not a good candidate for relocation of County Administrative functions.
- **Renovate Mental Health Center on Bradford Avenue.** This alternative requires Mental Health functions to relocate to Winding Creek Office Building. The Mental Health Center has 53,500 SF of floor space which meets to current needs for County Administrative functions but provides little to no capacity for expansion. In addition the parking is woefully inadequate and the potential to acquire additional property is very limited. The conclusion of management and staff is that this alternative is not a good candidate for relocation of County Administrative functions.
- **Renovate Public Health Center on Fountain Head Lane.** With the relocation of Public Health services to a new facility, the existing building becomes available for renovation and re-use by the County or it could be put on the market for sale. The building is a four-story structure containing 88,000 SF of floor space. This building meets both the current and future (5 to 7 years) needs of County Administrative functions. The facility would require extensive interior renovations and parking lot repairs estimated at \$9 to \$10 Million. However, the building is structurally sound and the main energy plant (boilers, chillers & cooling tower) were recently replaced. On-site parking is adequate, the site location is good and there is room to expand the facility if needed in the future. The conclusion of management and staff is that the existing Public Health Center offers the greatest potential for renovation and re-use as a new County Administration Center than any of the alternatives previously discussed.

- **New Construction.** Acquisition of land and construction of a new County Administration Building merits consideration. The major advantage of this alternative is that the facility will be designed to meet the functional needs of the end users rather than trying to fit the existing functional needs into a pre-defined space (i.e. existing building). The major disadvantage is cost. New construction is typically in the \$160 to \$200 per square foot for institutional facilities. Locating a suitable site in downtown would be difficult if the County had no existing property of adequate size. However, the property between the New Courthouse and Historic Courthouse is a good candidate for new construction. Acquisition of the properties in private ownership in the block bounded by Gillespie Street, Otis Jones Parkway, Dick Street and Russell Street would be required. This site is conveniently located to other governmental facilities and parking, if deemed inadequate, could be supplemented by a parking structure. Cost is a major concern but this alternative warrants further consideration.
- **Robert C. Williams Building.** Subsequent to completion of the Feasibility Study, the County became aware of the availability of the Robert C. Williams Building on Hay Street (PWC Customer Service Center). This four-story building contains 60,500 SF of floor space which meets the current needs of County Administrative functions and provides for limited future needs. The building was constructed in 2000 and is in very good condition. The 2009 tax value is \$10.95 Million. The major disadvantages of this site are (1) limited on-site parking; (2) difficult ingress and egress from Franklin Street; and (3) no expansion capability. Some minor interior renovations are likely to be required to fit the County's needs. The major advantage to purchasing this facility is the ability to move in quicker than any other alternative evaluated. This alternative is likely to be more expensive than renovating the existing Public Health Center which offers more floor space and parking. The conclusion of management and staff is that purchasing the Robert C. Williams Building may warrant additional consideration.

Of the alternatives outlined above, renovation of the existing Public Health Center, construction of a new County Administration Building or purchase of the Robert C. Williams Building were the most likely candidates for relocation of County Administrative functions. In order to develop the following staff recommendation, each alternative was weighed against three major criteria; (1) location with respect to the central business district (CBD), (2) existing county facilities suitable for renovation, and (3) estimated project cost.

Since county government administrative functions are typically located within the central business district of the county seat, the staff believed this to be an important consideration. Of the three candidates, the Robert C. Williams Building is located in the CBD, however, both the existing Public Health Center and the proposed location for a new Administration Building are in close proximity to the CBD and staff feels that none of the alternatives has an overwhelming advantage when measured against this criteria. Other considerations such as adequate parking, ease of ingress/egress and potential for future expansion become more important determining factors in ranking the alternatives.

The availability of an existing County facility suitable for renovation is an important consideration because this tends to be the least cost approach. The only facility that meets this condition is the existing Public Health Center which will be vacated once the Public Health Department moves into its new building. As previously stated, this facility is of sufficient size to accommodate the needs of County Administrative functions as well as allow for future growth. Staff recognizes that this building has a resale value should the County choose not to renovate and reuse, however, it is difficult to determine its marketability. The 2009 tax value of the building is \$10.8 Million.

Estimated project cost may well be the determining factor in deciding which alternative to pursue. Renovating the existing Public Health Center is estimated to cost between \$9 and \$10 Million and would likely take 14 to 16 months to complete. Construction of a new County Administration Building with a minimum 80,000 SF is estimated to cost between \$12.8 and \$16 Million with land acquisition and demolition costs estimated to be \$1.4 Million. A new facility would take 20 to 24 months to design and construct. Property acquisition and demolition of existing buildings could add 6 to 8 months on the project timeframe. Using the 2009 tax value as a basis, purchasing the Robert C. Williams Building would cost \$10.95 Million. In addition, interior renovations could add \$0.3 to \$0.5 Million to the cost of this alternative. Given the limited onsite parking, there may be additional costs to add parking most likely in the form of a parking structure. The County may also have costs to buy out the leases of non-PWC entities in the building. Based on this evaluation, the least cost option is renovating the existing Public Health Center without taking into account the resale value of the building.

#### RECOMMENDATION/PROPOSED ACTION

After careful consideration, the recommendation of management and staff is to:

1. Renovate the existing Public Health Center as the preferred alternative for relocation of County Administrative functions.
2. Instruct staff to procure architectural services to develop a building program and prepare more detailed estimates of renovation costs. \$100,000 has been budgeted for this purpose.
3. Instruct staff to move forward with demolition of the Legal Aid Building and conversion of the property into paved parking.

The proposed action of the County Facilities Committee is to approve the staff recommendation and forward it to the Board of Commissioners for their consideration.

February 1, 2008

# FEASIBILITY STUDY / NEEDS ASSESSMENT

## CONSIDERATION OF THE RELOCATION OF COUNTY ADMINISTRATIVE FUNCTIONS FROM THE COURTHOUSE

Prepared by the:

Cumberland County Public Utilities Department

In cooperation with the:

Cumberland County Engineering Department

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## INTRODUCTION

### Purpose of this Report:

During the past several years there has been increased pressure from the Court System for Cumberland County to provide additional floor space to meet the needs of the ever expanding Court System. As our population has increased so has the burden on the Courts. Appended are Memo's from both E. Lynn Johnson, Senior Resident Superior Court Judge and Beth Kever, Senior District Court Judge outlining some their immediate and future needs. At the present time the Board of Commissioners Hearing Room is being used as a makeshift courtroom to take pleas and set court dates for traffic related offenses.

Many of the County's Administrative Departments presently located in the Courthouse are out of room with nowhere to expand. There is also pressure to move the Community Development section out of its present location on Person Street to accommodate an expanding Greater Fayetteville Visitors Bureau.

With the recent decision to relocate the Health Department into a new facility, the Board of Commissioners has requested that management evaluate our space needs and determine if it is feasible to develop a plan to re-use / renovate the building or to recommend it be declared surplus and offer it for sale.

## EXECUTIVE SUMMARY

The Court System has run out of room and is requesting additional floor space to accommodate additional judges and staff. Many of the Departments that are presently located in the Courthouse have run out of room as well with nowhere to expand.

County Management, the County Engineer and the Public Utilities Director met on several occasions to discuss what would be the best use for the present Health Department Building once it is vacated by the Health Department. Bob Stanger the County Engineer had been tasked with determining the existing floor space being used by the departments housed in the Courthouse as well as determining the future floor space requirements. This was accomplished using the plans from the Courthouse. There was also a questionnaire sent to each department head to determine their future space requirements. The departments that are being considered for relocation are;

- Tax Administration
- County Commissioners
- County Administration
- County Finance
- Information Services / IT
- County Personnel
- County Attorney's Office
- Risk Management
- Community Development

These departments are utilizing roughly 51,314 square feet (SQFT) of floor space. Their future floor space requirement (next 5 to 7 years) is estimated to be 70,200 SQFT. The only existing building in the county's inventory is the present Health Department building

The present Health Department Building has approximately 88,000 SQFT and will easily accommodate the administrative needs for Cumberland County into the near term future. After evaluating the costs associated with the various options from renovation to new construction it was agreed that renovation of the Health Department building would be the most cost effective and least disruptive option for the County to pursue.

Therefore it is the staff recommendation to retain the existing building and begin the process of planning for the funding needed to renovate the building and relocate the County's Administrative functions to the former Health Department building.

## ANALYSIS

### Existing Space Utilization

The existing floor space being used by the county's various departments housed in the Courthouse was determined by looking at the floor plans of the space being occupied by the individual departments and measuring that floor space from the drawings. The following is a list of the departments and their respective floor space utilization:

Tax Administration	13,300
County Commissioners	5,480
County Administration	3,750
County Finance	3,690
Information Services / IT	3,430
County Personnel	3,000
County Attorney's Office	1,650
Risk Management	1,180
Community Development	<u>2,500</u>
Total occupied space	38,010
Multiplier for halls, baths & mechanical	<u>1.35</u>
<b>Total usage for planning purposes</b>	<b>51,314</b>

### Projected Space Needs

The County Engineer sent out a questionnaire to each department head to determine if the present space allocation was sufficient and whether the department had any projected staffing changes to determine the floor space requirement for the near future. Copies of the response are appended. The following is a summary of what we feel is a realistic space need for the near future ( 3 to 5 years ).

Tax Administration	17,500
County Commissioners	6,500
County Administration	6,500
County Finance	5,000
Information Services / IT	5,000
County Personnel	4,000
County Attorney's Office	2,500
Risk Management	1,500
Community Development	<u>3,000</u>
Total occupied space	52,000
Multiplier for halls, baths & mechanical	<u>1.35</u>
<b>Total usage for planning purposes</b>	<b>70,200</b>

There is clearly a need for the County to provide additional floor space for the Court System as well as for the Departments presently housed in the Courthouse. This does not represent a critical space shortage at this time but it will not be long (2 to 5 years) before it will become a critical needs issue.

## **EVALUATION**

Management and staff evaluated what was felt to be all of our available options. These discussions ranged from no action is required to constructing a new facility. The management and staff where very concerned about the impact not only to services of all of the agencies and departments affected but to the budget considerations as well for each option considered. The following is a list of the options considered and a summary of the discussions pertaining to each option.

### **No action at this time:**

There was a consensus among the group that this was not really an option for serious consideration. With both the Court System and the Administrative Departments needing additional floor space to meet the needs of providing their respective services at the present time, meant that this shortage of space will only make matters worse.

### **Renovation / Relocation to an existing facility:**

Several locations were given consideration for the possibility of relocation of the administrative departments including the expansion of the existing Courthouse, Mental Health's Winding Creek Facility, Mental Health's main Center on Bradford Avenue and the Health Department Facility on Fountain Head Lane. A Summary of our discussions follows:

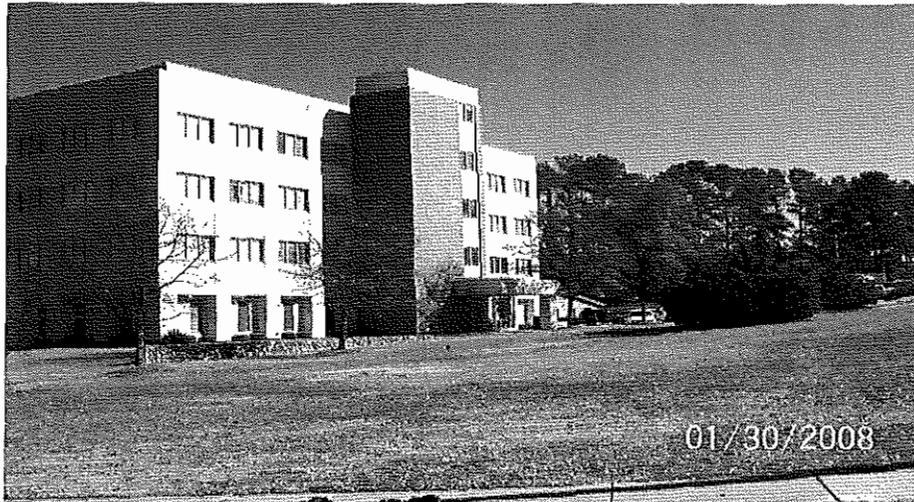
## **Courthouse**



The present Courthouse was designed to be expanded vertically two additional floors. It was felt by the group that cost of this expansion due to its complexities and the disruption to existing operations would be so significant that this option does not really merit any serious consideration. The court system has been so sensitive to any type of inconvenience during small projects that we have done so far that a major project would be unacceptable. There was no cost estimate developed for this option.

No further consideration of this option is recommended.

## **Winding Creek Office Building**



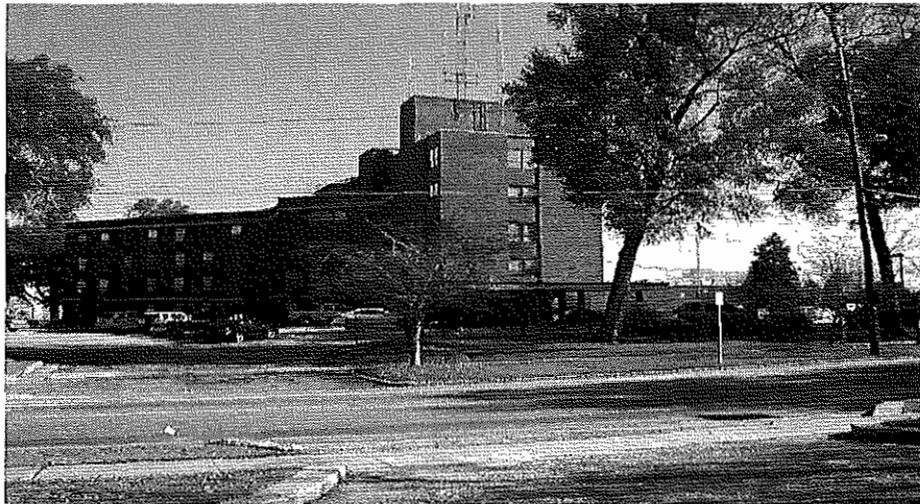
The Mental Health system has been undergoing some major restructuring in the way it provides services, which has resulted in a reduction in staff

and space needs. Mental Health has chosen to lease out space to some of the contract service providers. If the buildings met the requirements for our needs then Mental Health personnel could relocate to one facility and the contractors would be required to find outside housing for their respective programs.

This building has 45,000 SQFT of floor space and does not meet the present needs of the Administrative Departments. Another disadvantage is the location of the building which is not near the center of Town where most governmental facilities are typically located. Also, many of the clients that are served by Mental Health have become accustomed to the location of their treatment and disruption of the treatment by relocation could have some negative impacts on the individuals.

No further consideration of this site is recommended.

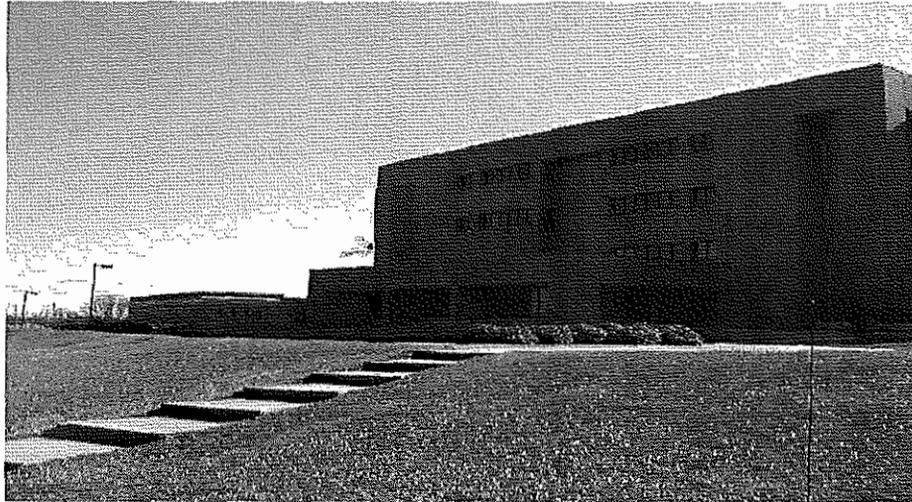
### **Main Mental Health Center on Bradford Avenue**



This is the former hospital building, presently being used by Mental Health to provide services to clients. This building has approximately 53,500 SQFT of floor space and does not meet the future needs of the Administration Departments. In addition there is insufficient parking with no prospect of acquiring land for additional parking.

No further consideration of the site is recommended.

## Health Department Building on Fountain Head Lane



There is approximately 88,000 SQFT of floor space in this building which adequately meets the needs of County Departments considered for relocation, it will require a complete interior renovation. There should be plenty of parking for staff and the citizens who need to visit for service.

The cost of renovation is much less than new construction, although we estimate this renovation project to be between nine (9) and ten (10) million dollars. This is based on an average cost of \$100 per square foot plus the cost to repair the parking lots. There is roughly 88,000 SQFT available in this building.

Disadvantages of this site:

- The facility does not lend itself to office use as currently configured;
- The plumbing, mechanical (HVAC) and electrical systems are thirty (30) years old with documented problems;

Advantages of this site include:

- This is a structurally sound building with a good exterior;
- The main energy plant (boilers, chiller & cooling tower) were recently replaced;
- This building is centrally located downtown;
- There is adequate parking available on-site, however, the parking lot does required extensive repair work.

## **New Construction**

Acquisition of land and construction of a new Administration Building was considered by the group. This becomes the only option other than to take no action when there is no existing county owned property or facility of adequate size that is in inventory and available for conversion. The average cost for new institutional construction is now running between \$160 and \$200 per square foot, therefore the cost of a new building would be between sixteen (16) and twenty (20) million dollars depending upon the final design. The following locations were considered:

### **Parking Lot between the two Courthouses**



The parking conditions downtown are already near a critical state. It was felt that to remove available parking would not be in the best interest of our community, especially those needing access to the Courthouse. Part of our discussion involved the possibility of a combined construction project that would include a parking deck/garage in conjunction with the Office building. Unfortunately the cost of parking structures and the poor soil conditions found downtown make this such a costly endeavor that we do not feel it is justified at this time.

## Industrial Park Sites



The County does own property located in our industrial parks. One of which is on Tom Starling Road south of the Airport the other is on Highway 53 (Cedar Creek road near the former Monsanto Plant). Neither location is centrally located nor convenient to the public. The primary purpose of these parks is to induce development to locate in Cumberland County. It is envisioned that the Cedar Creek Park would be appropriate for large office structures but due to its location we felt that this would not be in the best interest of the County with alternate options available to us.

### Acquisition of a Site Downtown

There was discussion of the possibility of selling the Health Department Building, using those revenues to offset the cost of a new building at a location downtown yet to be determined. The consensus was, that cost of real estate in the downtown area has escalated to such a degree that it is not feasible at this time to look further into this possibility. There are other factors that may require us to do so in the future such as the need to participate in downtown redevelopment to spur additional growth similar

to the Detention Center Project but at this time there are other more cost effective options available that deserve consideration.

## **CONCLUSIONS AND RECOMMENDATIONS**

The findings of the study group have concluded that the most cost effective and feasible solution to the space needs of the County Departments in the Courthouse as well as the Court system can be accomplished with the remodeling of the Health Department Building on Fountain Head Lane near the former Highsmith Hospital.

The cost of remodeling that building is half of the cost associated with new construction. When renovations are complete we have, essentially a new building with only an older exterior that is structurally sound.

The Courts, Clerk of Court, District Attorney's Office, Public Defenders Office and Register of Deeds Office are all in need of immediate expansion. The Tax Department, IT and Personnel Department are need of additional space as well.

The flow of citizen traffic to the Tax counters located on the 5<sup>th</sup> floor has put an additional burden on the public elevators. In a revamped building it is projected that these high traffic areas will be located on the ground floor for the convenience of the public.

In conclusion Management, the County Engineer and the Public Utilities Director all agree that the best and most feasible course of action is to convert the former Health Department Building into a County Administration Building once the construction and relocation of the Health Department is complete.

It is recommended that this issue be presented to the Board of Commissioners for planning purposes. We are still a couple of years away from completion of the new Health Department Building. If it is agreed that this is a direction we are to proceed in, then budgeting for the programming and design of the renovation work should be considered for FY 09 unless funding is available sooner, with funding for the construction phase of the project in FY 10.

# APPENDIX

# A



*State of North Carolina  
General Court of Justice  
Superior Court District 12*

E. LYNN JOHNSON  
SENIOR RESIDENT SUPERIOR COURT JUDGE

POST OFFICE BOX 363  
FAYETTEVILLE, N.C.  
28302  
TELEPHONE: (910) 678-2900

GREGORY A. WEEKS  
RESIDENT SUPERIOR COURT JUDGE

JACK A. THOMPSON  
RESIDENT SUPERIOR COURT JUDGE

JAMES FLOYD AMMONS, JR.  
RESIDENT SUPERIOR COURT JUDGE

April 11, 2006

**MEMORANDUM**

**TO:** Cliff Spiller  
Assistant County Manager  
County of Cumberland  
117 Dick Street  
Fayetteville, NC 28301

**FROM:** E. Lynn Johnson  
Senior Resident Superior Court Judge

**RE:** Court House Space and Management Issues

Thank you for the opportunity to participate in an assessment of the future space needs of our present Courthouse facility. Our present courthouse was a well-designed facility when we moved to this facility in 1978. Historically, we are the fourth largest Judicial District in the State in terms of our workload.

With the normal growth of our county and the additional impact of BRAC adding approximately 20,000 additional residents to our area, certainly all of the county resources will be impacted including your court system. I shall try to give you an overview of our forecasted needs from the Superior Court level.

**Courtrooms:**

We presently operate routinely three Superior Courts, two criminal and one civil. On a number of occasions we operate four Superior Courts when we have lengthy trials engaged in one courtroom such as State vs. Michelle Therer, the "Crips" gang trials, special occasion matters

such as State v. Anthony Allen, or long civil cases such as medical negligence cases. In coordination with the Administrative Office of the Courts, Ellen Hancox, Trial Court Administrator has made arrangements to add additional sessions of Superior Court beginning January 2007 so in effect we shall be adding a fourth Superior Court. It is difficult to assess, but depending upon the growth of our county and our court workload, it may be necessary to request the legislature to add another Superior Court Judge's position to the Twelfth Judicial District which may call for a fifth Superior Court Room.

#### Jury Assembly Room

The Jury Room needs to be upgraded. There is no need for additional room at this time because the current trend indicates fewer jury trials. (This is a state and national trend in part due to arbitration and/or mediation and in the criminal arena due to the case management system.) The upgrades include better seating. The current chairs are very old and uncomfortable. Many jurors have requested coffee, we hope the electrical system will support a coffee machine. The current jury system is one day/one trial so we are trying to bring less people in for jury service but on a daily basis. Parking for jurors and members of the public continues to be a challenge but we believe the new jury system has decreased some of the problem. During long trials, our judges reserve parking for jurors.

#### Jury Deliberation Rooms

Behind Courtrooms 3A, 3B, 3C need general maintenance. The rooms are very worn and in disrepair. The chairs need to be replaced and the blinds need to be replaced or cleaned and repaired.

#### Old Superior Court Judges Office

The old Superior Court Judges Office needs to be retrofitted. These offices desperately need new furniture. It may be helpful to look at partitioning parts of the office space to make the space available function better as a multi purpose Superior Court mediation/arbitration center for our mandatory ADR programs. These mandatory programs have been successful at resolving cases or we would have needed more courtrooms sooner.

#### Technology

We need electrical power at counsel tables in all courtrooms and the ability to add on other technology for courtrooms of the future document management systems. Currently, the North Carolina Business Court uses this technology for complex business cases and the increase in business cases, identity theft and "white collar crime" warrant this type of equipment.

The Child Advocacy Center with cooperation of the courts have requested a grant to fund a mobile video cart to be used in juvenile abuse and superior court felonies involving child abuse and sex offenses involving child victims. This technology would allow the defendant to testify via video so the minor child is not intimidated by the defendant in the open courtroom. Additionally, we would need a closet with a different lock to secure this expensive equipment. Unfortunately, the plasma monitor installed with the new video arraignment system in Courtroom 3C was stolen from the courtroom one weekend last year.

#### Miscellaneous Space Issues

- The offices located behind Courtroom 4A are now occupied by personnel who are supporting the needs of the District Attorneys Office. During most criminal trials there is a need to sequester witnesses waiting their turn to testify. On the third floor we have adequate space, but because of the expanded needs of the District Attorney's Office we only have one room for two courts on the fourth floor.
- Consideration should be given to seating in the public waiting area and seating for witnesses, particularly in the Superior Court, who have been ordered sequestered. Current Fire Code Occupancy Rates have highlighted the problem and having people standing in the hallways creates another problem.

#### Other Agency Issues

We need to look at other agencies housed in the courthouse who provide ancillary services to the courts including pre-trial services, probation, and space requirements for the taking of DNA samples. It seems that every year new legislation is enacted that requires additional space and/or staff to support new programs and additional court programs.

#### Present Superior Court Judges Office

We need the flexibility in terms of space, not immediately, but in the not too distant future to possibly add office space for an additional Superior Court Judge. If an additional Superior Court Judge is provided, there is a probability of additional support personnel of a Judicial Assistant and Court Reporter with the requisite offices.

Date: April 10, 2005  
To: Cliff Spiller  
From: Judge Beth Keever *BBK*  
Re: Space Needs

District Court

In the next 5 to 7 years, I would anticipate that we would be allocated 1 additional district court judge bringing our number of judges to 10 and that we would also receive additional support staff of 2 to 3 persons. Currently, we have no extra office space in either suite 211, the main judges' suite or in suite 240 where I have some program staff.

Currently there are 8 courtrooms primarily assigned to district court. I would anticipate use of the jail courtroom as a result of expanding the number of judges but we will eventually need at least one more courtroom in the main courthouse. Our areas of greatest need for courtroom space are juvenile, domestic violence, and domestic. Our need for courtroom space is reduced somewhat by our continuing development of alternative dispute resolution, but we are also in desperate need of conference and mediation rooms. Waiting space is also a problem.

The custody mediation suite and the guardian ad litem suite will likely be sufficient over that period of time. The Department of Juvenile Justice is currently evaluating the number of cases statewide that each court counselor should carry but the Court Counselors suite has a little space to grow (2 offices) and Joan Blanchard does not feel that they will outgrow their space in that time period.

It is very important that Room 119 remain available for use by all offices in the courthouse for larger meetings, seminars, and gatherings.

There is also a need for storage space for files and other materials.

# APPENDIX

# B

ROBERT N. STANGER, P.E.  
County Engineer



RAM LUCAS  
Engineering Technician

WAYNE DUBLEY, CEM  
Engineering Technician

ENGINEERING DEPARTMENT

Historic Courthouse, 130 Gillespie Street • P.O. Box 1828 • Fayetteville, North Carolina 28302-1828  
Telephone (910) 678-7636 • Fax (910) 678-7635

April 2, 2007

MEMORANDUM

**TO:** DEPARTMENT HEADS IN NEW COURTHOUSE

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

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

**SUBJECT:** SPACE UTILIZATION AND NEEDS ASSESSMENT OF COUNTY ORGANIZATIONS IN THE NEW COURTHOUSE

BACKGROUND

In January 2007, the Board of Commissioners approved the construction of a new Public Health Facility as their top priority for funding in FY2008 and the architectural design work has commenced for this project. The County Facilities Committee at its March 13, 2007, meeting instructed management to begin exploring the facility needs of the County including the disposition of the existing Public Health Center which may include renovation and re-use by other County departments or putting the building on the market for sale.

A meeting with management was held on March 26, 2007 to develop an action plan for addressing the issue of space needs for the County. Discussions focused on the New Courthouse and how the future needs of the judicial system would impact continued use of the facility by non-court related agencies. The Engineering Department with assistance from the Public Utilities Department has been tasked with conducting a space utilization and needs assessment of County departments located in the new Courthouse. This study will address current as well as future needs of those departments in the new Courthouse identified for possible relocation in the future.

A kick-off meeting has been scheduled for Tuesday, April 10, 2007, at 2:00PM in Room 564 for the Space Utilization and Needs Assessment Study. Attached are the floor plans of the new Courthouse indicating the current areas occupied by those departments included in the study. Please review this information and be prepared to discuss your current and future needs. Thank you in advance for your attendance.

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ROBERT N. STANGER, J.P.E.  
County Engineer



SAM LUCAS  
Engineering Technician  
WAYNE BAILEY, CPM  
Engineering Technician

ENGINEERING DEPARTMENT

Historic Courthouse, 130 Gillespie Street • P.O. Box 1329 • Fayetteville, North Carolina 28302-1829  
Telephone (910) 678-7636 • Fax (910) 678-7635

NEW COURTHOUSE COUNTY DEPARTMENTS - SPACE UTILIZATION SURVEY

DEPARTMENT: TAX ADMINISTRATION  
CURRENT SQUARE FOOTAGE: 13,330 SF

IS CURRENT SPACE ALLOCATED  
SUFFICIENT FOR YOUR PRESENT NEEDS? YES / NO

IF NOT EXPLAIN: No stock room/storage area, meeting or conference room. Not enough work area space, inadequate space for file and record cabinets. We are using office walkways for employee work areas. We are currently sharing storage and work area with County Administration. No office space for revaluation and taxpayers hearings. We have 85 people working in an area designed for about 60-65 work stations. Break room is not adequate for the number of people that currently use it.

DOES CURRENT ARRANGEMENT OF SPACE  
PROMOTE EFFICIENT OPERATION OF YOUR DEPARTMENT? YES / NO

IF NOT EXPLAIN: Collections area is too small, taxpayers are counseled in walkways (blocking back door exit) and same area where payments are made and where the safe is located. Appraisers are located in three different areas of the office to include the mapping area. We use Room 119 several times a month which is four floors below us. File cabinets are spread all across the office, not always convenient to the area that uses them.

DO YOU ANTICIPATE ANY SHORT-TERM (<5 years) AND/OR LONG-TERM (>5 years) GROWTH  
IN YOUR DEPARTMENT REQUIRING ADDITIONAL SPACE?

The number of accounts increase annually therefore, additional support, appraisers, collectors, customer service personnel have to increase. Just before and during a revaluation year the support, appraisers and customer service staff is increased. More fees are being billed and collected as municipalities provide additional taxpayer funded services and create new fees requiring more customer service and collection personnel.

DO YOU ANTICIPATE ANY REORGANIZATION OF YOUR DEPARTMENT THAT WILL AFFECT  
YOUR SPACE NEEDS?

Possible reorganization of all GIS (mapping related) users to one common location.

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ROBERT N. STANIER, P.E.  
County Engineer



SAH LUCAS  
Engineering Technician

WAYNE DUDLEY, CFM  
Engineering Technician

ENGINEERING DEPARTMENT

1 Historic Courthouse, 130 Gillespie Street • P.O. Box 1829 • Fayetteville, North Carolina 28302-1829  
Telephone (910) 878-7636 • Fax (910) 878-7635

NEW COURTHOUSE COUNTY DEPARTMENTS - SPACE UTILIZATION SURVEY

DEPARTMENT: COUNTY COMMISSIONERS

CURRENT SQUARE FOOTAGE: 5,480 SF

IS CURRENT SPACE ALLOCATED  
SUFFICIENT FOR YOUR PRESENT NEEDS? YES   NO

IF NOT EXPLAIN: More space is needed for files/mirrite books.

DOES CURRENT ARRANGEMENT OF SPACE  
PROMOTE EFFICIENT OPERATION OF YOUR DEPARTMENT? YES   NO

IF NOT EXPLAIN: Currently the two employees are at opposite ends of the hall.  
They need to work in closer proximity.

DO YOU ANTICIPATE ANY SHORT-TERM (<5 years) AND/OR LONG-TERM (>5 years)  
GROWTH IN YOUR DEPARTMENT REQUIRING ADDITIONAL SPACE?

No growth as far as the number of employees, but will need additional space  
for files, etc.

DO YOU ANTICIPATE ANY REORGANIZATION OF YOUR DEPARTMENT THAT WILL  
AFFECT YOUR SPACE NEEDS?

No

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ROBERT N. STANGER, P.E.  
County Engineer



ENGINEERING DEPT

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

*Quanita*  
*Ang*  
*Cliff*  
*4-10-07*  
*Please get our*  
*needs as you please*  
*transit that to me*  
*by Fri Apr 13, 2007*

**NEW COURTHOUSE COUNTY DEPARTMENTS - SPACE UTILIZATION SURVEY**

DEPARTMENT: COUNTY ADMINISTRATION

CURRENT SQUARE FOOTAGE: 3,750 SF

IS CURRENT SPACE ALLOCATED  
SUFFICIENT FOR YOUR PRESENT NEEDS? YES / NO

IF NOT EXPLAIN: \_\_\_\_\_

DOES CURRENT ARRANGEMENT OF SPACE  
PROMOTE EFFICIENT OPERATION OF YOUR DEPARTMENT? YES / NO

IF NOT EXPLAIN: \_\_\_\_\_

DO YOU ANTICIPATE ANY SHORT-TERM (<5 years) AND/OR LONG-TERM (>5 years)  
GROWTH IN YOUR DEPARTMENT REQUIRING ADDITIONAL SPACE?

- (1) Office for Asst PIO (12x15?)
- (2) Office for Asst Auditor (12x15?)
- (3) Records/File Room (16x20)?
- (4) Conference Room (16x20)?

DO YOU ANTICIPATE ANY REORGANIZATION OF YOUR DEPARTMENT THAT WILL  
AFFECT YOUR SPACE NEEDS?

\_\_\_\_\_

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FALCON FAYETTEVILLE - GROWING - HOPE MILLS LINDEN SPRING LAKE STEEMAN - WAKE

ROBERT N. STANCOB, P.E.  
County Engineer



ENGINEERING DEPARTMENT  
Historic Courthouse, 130 Gillespie Street • P.O. Box 1829  
Telephone: (910) 678-7636 • Fax

*Wanda*  
*Cliff*  
*4-14-07*  
*Please just one*  
*needs as you please*  
*then I return to me*  
*by Fri Apr 13 10:45*

NEW COURTHOUSE COUNTY DEPARTMENTS - SPACE UTILIZATION SURVEY

DEPARTMENT: COUNTY ADMINISTRATION

CURRENT SQUARE FOOTAGE: 3,750 SF

IS CURRENT SPACE ALLOCATED  
SUFFICIENT FOR YOUR PRESENT NEEDS? YES / NO

IF NOT EXPLAIN: \_\_\_\_\_

DOES CURRENT ARRANGEMENT OF SPACE  
PROMOTE EFFICIENT OPERATION OF YOUR DEPARTMENT? YES / NO

IF NOT EXPLAIN: \_\_\_\_\_

DO YOU ANTICIPATE ANY SHORT-TERM (<5 years) AND/OR LONG-TERM (>5 years)  
GROWTH IN YOUR DEPARTMENT REQUIRING ADDITIONAL SPACE?

- Space for Community Development.
- ① Hosts Writers
- ② larger conference room
- ③ larger file room/library

DO YOU ANTICIPATE ANY REORGANIZATION OF YOUR DEPARTMENT THAT WILL  
AFFECT YOUR SPACE NEEDS?

\_\_\_\_\_

*Wanda*

*Celebrating Our Past...Embracing Our Future*

FALCON • FAYETTEVILLE • GREENSBORO • HOPKINSVILLE • LENOIR • SPRINGDALE • STEPHENSON • WELLS

ROBERT N STANGER, P.E.  
County Engineer



ENGINEERING DEPARTMENT  
Historic Courthouse, 130 Gillespie Street • P.O. Box 1829  
Telephone: (910) 578-7636 • Fax

*Manita*  
*Ang*  
*W. Cliff*  
*4-11-07*  
*Please just one*  
*needs as you please*  
*than I return to me*  
*by Fri Apr 13, 2007*

**NEW COURTHOUSE COUNTY DEPARTMENTS - SPACE UTILIZATION SURVEY**

DEPARTMENT: COUNTY ADMINISTRATION

CURRENT SQUARE FOOTAGE: 3,750 SF

IS CURRENT SPACE ALLOCATED  
SUFFICIENT FOR YOUR PRESENT NEEDS?  YES / NO

IF NOT EXPLAIN: \_\_\_\_\_

DOES CURRENT ARRANGEMENT OF SPACE  
PROMOTE EFFICIENT OPERATION OF YOUR DEPARTMENT?  YES / NO

IF NOT EXPLAIN: \_\_\_\_\_

DO YOU ANTICIPATE ANY SHORT-TERM (<5 years) AND/OR LONG-TERM (>5 years)  
GROWTH IN YOUR DEPARTMENT REQUIRING ADDITIONAL SPACE?

No - None Anticipated.

DO YOU ANTICIPATE ANY REORGANIZATION OF YOUR DEPARTMENT THAT WILL  
AFFECT YOUR SPACE NEEDS?

No!

*Celebrating Our Past, Embracing Our Future*

FALCON • FAYETTEVILLE • GODWIN • HOOVERVILLE • LINCOLN • SPRINGCREEK • STEEDMAN • WADK

ROBERT N. STAVUER, P.E.  
County Engineer



SAM LEEAN  
Engineering Technician

WAYNE DUDLEY, CFM  
Engineering Technician

ENGINEERING DEPARTMENT  
Historic Courthouse, 130 Gillespie Street • P.O. Box 1829 • Fayetteville, North Carolina 28302-1829  
Telephone (910) 578-7636 • Fax (910) 578-7635

NEW COURTHOUSE COUNTY DEPARTMENTS - SPACE UTILIZATION SURVEY

DEPARTMENT: INFORMATION SERVICES

CURRENT SQUARE FOOTAGE: 3,430 SF

IS CURRENT SPACE ALLOCATED  
SUFFICIENT FOR YOUR PRESENT NEEDS? YES  NO

IF NOT EXPLAIN: Entire staff needs to be in secure  
area (exception of Admin person), small conf area to  
meet with users

DOES CURRENT ARRANGEMENT OF SPACE  
PROMOTE EFFICIENT OPERATION OF YOUR DEPARTMENT? YES  NO

IF NOT EXPLAIN: too many interruptions not enough  
work space, not in secure area for data  
and equipment, no meeting area

DO YOU ANTICIPATE ANY SHORT-TERM (<5 years) AND/OR LONG-TERM (>5 years)  
GROWTH IN YOUR DEPARTMENT REQUIRING ADDITIONAL SPACE?  
yes - more personnel may require more  
space

DO YOU ANTICIPATE ANY REORGANIZATION OF YOUR DEPARTMENT THAT WILL  
AFFECT YOUR SPACE NEEDS?  
No

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FALCON - FAYETTEVILLE - GODWIN - HOPEWELL - LINDEN - SHERILLARK - SHERMAN - WADK

ROBERT N. STANGER, P.E.  
County Engineer



GAM LUCAS  
Engineering Technician

WAYNE DUDLEY, CFM  
Engineering Technician

ENGINEERING DEPARTMENT

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

NEW COURTHOUSE COUNTY DEPARTMENTS - SPACE UTILIZATION SURVEY

DEPARTMENT: LEGAL SERVICES

CURRENT SQUARE FOOTAGE: 1,650 SF

IS CURRENT SPACE ALLOCATED  
SUFICIENT FOR YOUR PRESENT NEEDS? YES  NO

IF NOT EXPLAIN: We are already cramped, with personnel in open areas; we do not have sufficient records space; no expansion personnel space.

DOES CURRENT ARRANGEMENT OF SPACE  
PROMOTE EFFICIENT OPERATION OF YOUR DEPARTMENT? YES  NO

IF NOT EXPLAIN: Visitors can intrude on personnel; not enough privacy; personnel working in open. Too many distractions.

DO YOU ANTICIPATE ANY SHORT-TERM (<5 years) AND/OR LONG-TERM (>5 years)  
GROWTH IN YOUR DEPARTMENT REQUIRING ADDITIONAL SPACE?  
Yes. Long-term. Two offices. Larger conference room. Records storage.

In building, would want training area, as well as suitable location for depositions.

DO YOU ANTICIPATE ANY REORGANIZATION OF YOUR DEPARTMENT THAT WILL  
AFFECT YOUR SPACE NEEDS?  
No.

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ALCON - FAYETTEVILLE - GOOWIN - LEXINGTON - LINDEN - SPRING LAKE - STRASMAN - WAJE

ROBERT N. STANGEL, P.E.  
County Engineer



SAM LUCAS  
Engineering Technician

WAYNE DUDLEY, CEM  
Engineering Technician

ENGINEERING DEPARTMENT

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

NEW COURTHOUSE COUNTY DEPARTMENTS - SPACE UTILIZATION SURVEY

DEPARTMENT: RISK MANAGEMENT

CURRENT SQUARE FOOTAGE: 1,180 SF

IS CURRENT SPACE ALLOCATED  
SUFFICIENT FOR YOUR PRESENT NEEDS?  YES /  NO

IF NOT EXPLAIN: \_\_\_\_\_

DOES CURRENT ARRANGEMENT OF SPACE  
PROMOTE EFFICIENT OPERATION OF YOUR DEPARTMENT?  YES /  NO

IF NOT EXPLAIN: \_\_\_\_\_

DO YOU ANTICIPATE ANY SHORT-TERM (<5 years) AND/OR LONG-TERM (>5 years)  
GROWTH IN YOUR DEPARTMENT REQUIRING ADDITIONAL SPACE?

No

DO YOU ANTICIPATE ANY REORGANIZATION OF YOUR DEPARTMENT THAT WILL  
AFFECT YOUR SPACE NEEDS?

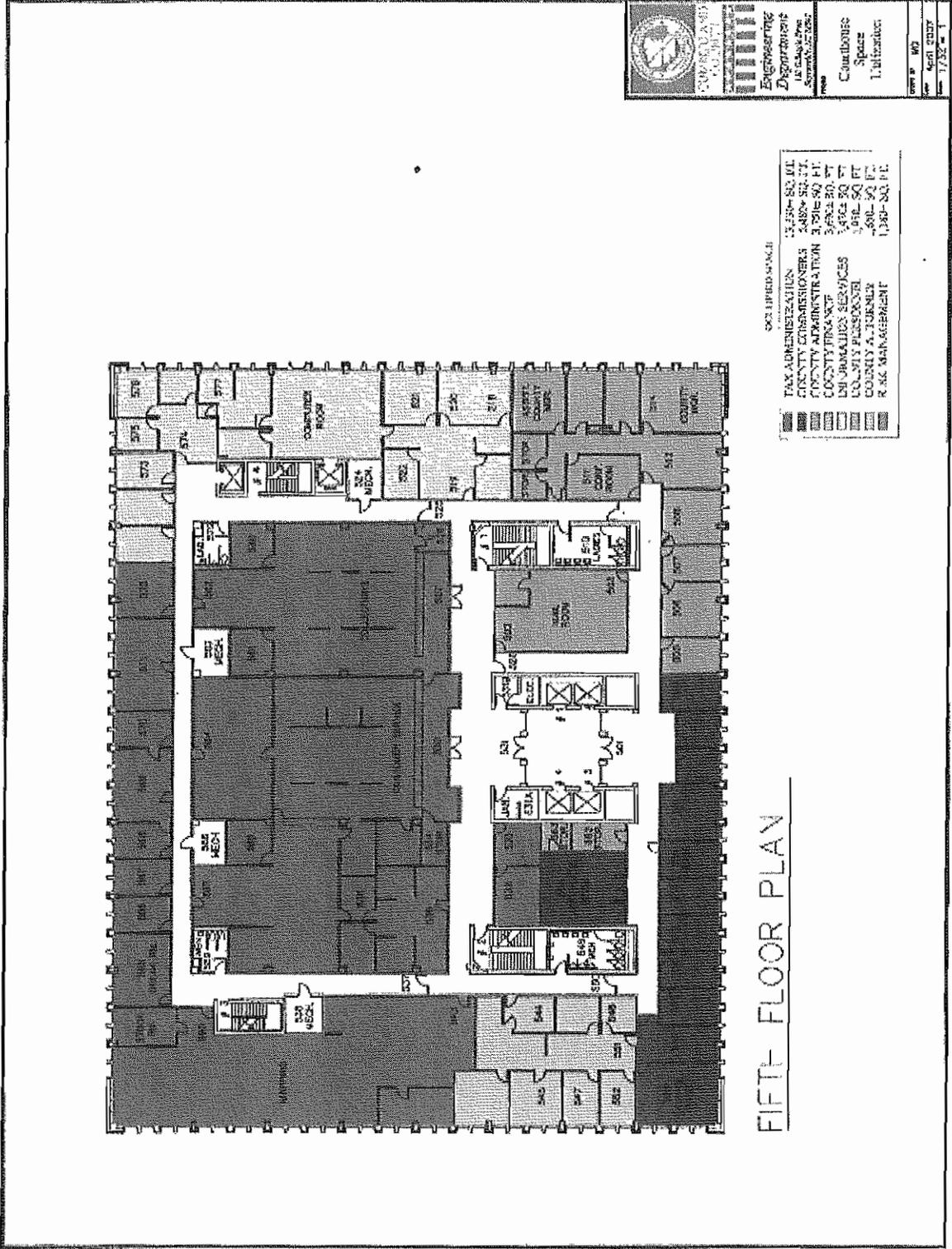
No

*Celebrating Our Past...Embracing Our Future*

MILTON FAYETTEVILLE CROWIN DOPE HILLS LINDEN SPANGLAX SHERMAN WADE

# APPENDIX

C



FIFTH FLOOR PLAN

002 LIFED SPACE

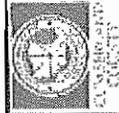
TAX ADMINISTRATION	15,450-80 FT.
COUNTY COMMISSIONERS	5,480-50 FT.
COUNTY ADMINISTRATOR	3,290-50 FT.
COUNTY TREASURY	3,470-50 FT.
INSURANCE SERVICES	1,910-50 FT.
COUNTY ASSESSOR	2,000-50 FT.
R.M. MANAGEMENT	1,360-50 FT.

UNIVERSITY OF NORTH CAROLINA AT CHARLOTTE

Engineering Department  
1400 University City Blvd.  
Charlotte, NC 28223

Countdown  
Space  
Utilization

Scale: 1/8" = 1'-0"

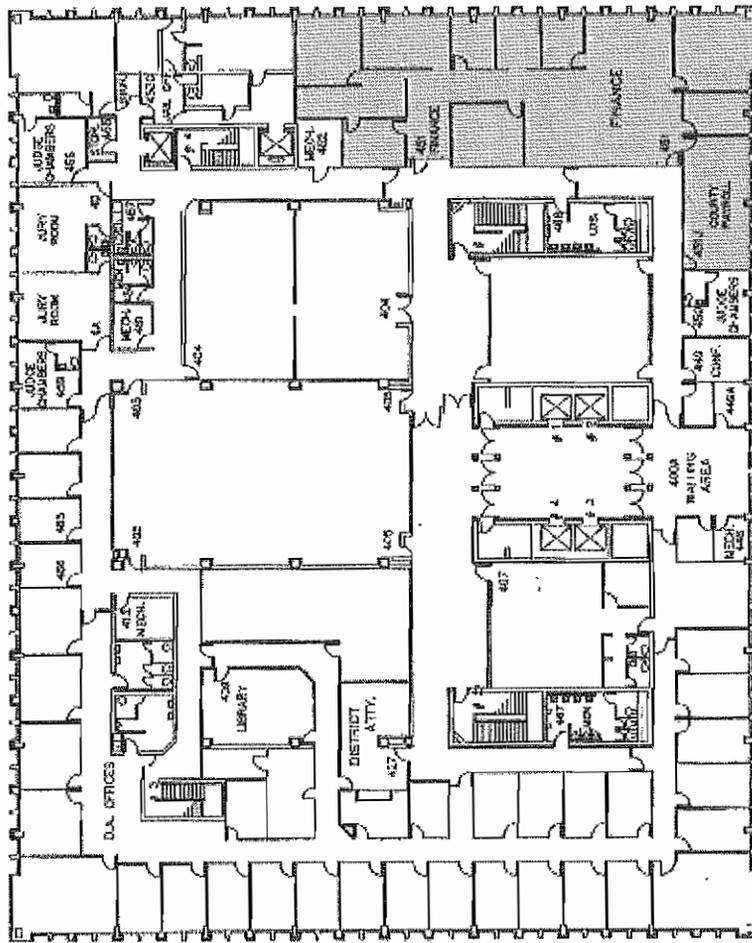


COUNTY OF SAN DIEGO  
COUNTY ADMINISTRATION

Engineering  
Department  
1200 La Jolla Village Drive  
San Diego, CA 92161

Count Lines  
Space  
Utilization

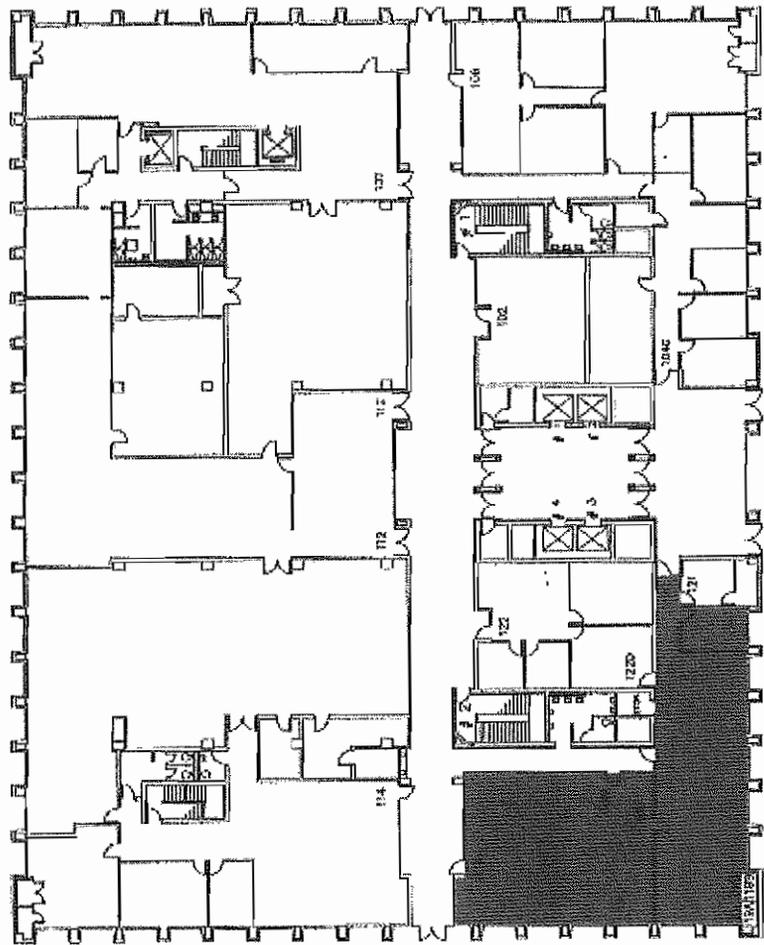
DATE: 11/11/03  
BY: [Signature]  
1/200



ACCURSED SPACE

TAX ADMINISTRATION	2,300-SQ FT.
COUNTY COMMISSIONERS	5,083-SQ FT.
COUNTY ADMINISTRATION	3,729-SQ FT.
COUNTY FINANCE	3,694-SQ FT.
INFORMATION SERVICES	3,428-SQ FT.
COUNTY PERSONNEL	1,622-SQ FT.
COUNTY ATTORNEY	850-SQ FT.
RISK MANAGEMENT	1,180-SQ FT.

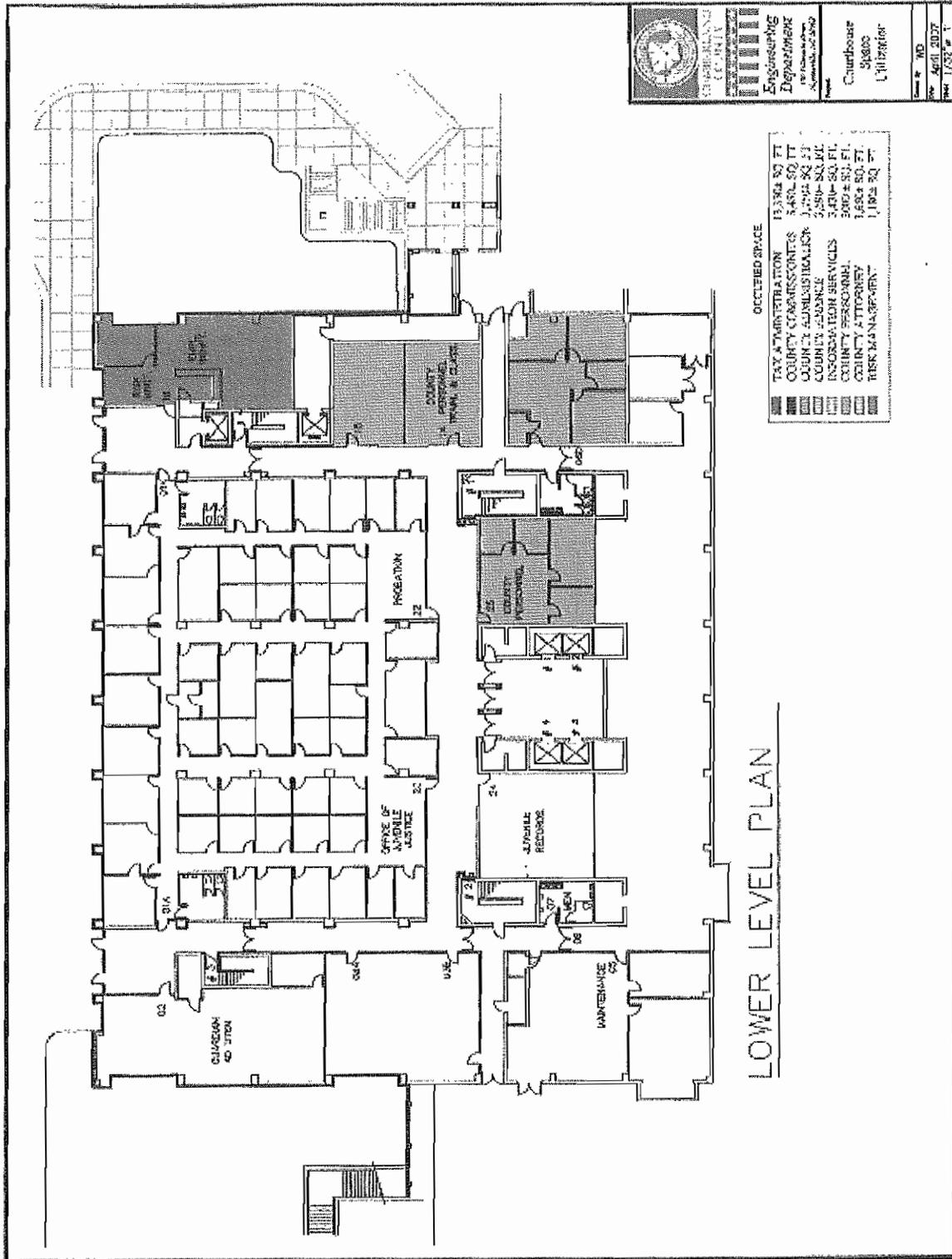
FOURTH FLOOR PLAN



OCCUPIED SPACES

101-102	103-104	105-106	107-108	109-110	111-112	113-114	115-116	117-118	119-120	121-122	123-124	125-126	127-128	129-130	131-132	133-134	135-136	137-138	139-140	141-142	143-144	145-146	147-148	149-150	151-152	153-154	155-156	157-158	159-160	161-162	163-164	165-166	167-168	169-170	171-172	173-174	175-176	177-178	179-180	181-182	183-184	185-186	187-188	189-190	191-192	193-194	195-196	197-198	199-200																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																											
15304-50 FT.	1488-80 FT.	1352-80 FT.	1216-80 FT.	1080-80 FT.	944-80 FT.	808-80 FT.	672-80 FT.	536-80 FT.	400-80 FT.	264-80 FT.	128-80 FT.	192-80 FT.	356-80 FT.	520-80 FT.	684-80 FT.	848-80 FT.	1012-80 FT.	1176-80 FT.	1340-80 FT.	1504-80 FT.	1668-80 FT.	1832-80 FT.	1996-80 FT.	2160-80 FT.	2324-80 FT.	2488-80 FT.	2652-80 FT.	2816-80 FT.	2980-80 FT.	3144-80 FT.	3308-80 FT.	3472-80 FT.	3636-80 FT.	3800-80 FT.	3964-80 FT.	4128-80 FT.	4292-80 FT.	4456-80 FT.	4620-80 FT.	4784-80 FT.	4948-80 FT.	5112-80 FT.	5276-80 FT.	5440-80 FT.	5604-80 FT.	5768-80 FT.	5932-80 FT.	6096-80 FT.	6260-80 FT.	6424-80 FT.	6588-80 FT.	6752-80 FT.	6916-80 FT.	7080-80 FT.	7244-80 FT.	7408-80 FT.	7572-80 FT.	7736-80 FT.	7900-80 FT.	8064-80 FT.	8228-80 FT.	8392-80 FT.	8556-80 FT.	8720-80 FT.	8884-80 FT.	9048-80 FT.	9212-80 FT.	9376-80 FT.	9540-80 FT.	9704-80 FT.	9868-80 FT.	10032-80 FT.	10196-80 FT.	10360-80 FT.	10524-80 FT.	10688-80 FT.	10852-80 FT.	11016-80 FT.	11180-80 FT.	11344-80 FT.	11508-80 FT.	11672-80 FT.	11836-80 FT.	12000-80 FT.	12164-80 FT.	12328-80 FT.	12492-80 FT.	12656-80 FT.	12820-80 FT.	12984-80 FT.	13148-80 FT.	13312-80 FT.	13476-80 FT.	13640-80 FT.	13804-80 FT.	13968-80 FT.	14132-80 FT.	14296-80 FT.	14460-80 FT.	14624-80 FT.	14788-80 FT.	14952-80 FT.	15116-80 FT.	15280-80 FT.	15444-80 FT.	15608-80 FT.	15772-80 FT.	15936-80 FT.	16100-80 FT.	16264-80 FT.	16428-80 FT.	16592-80 FT.	16756-80 FT.	16920-80 FT.	17084-80 FT.	17248-80 FT.	17412-80 FT.	17576-80 FT.	17740-80 FT.	17904-80 FT.	18068-80 FT.	18232-80 FT.	18396-80 FT.	18560-80 FT.	18724-80 FT.	18888-80 FT.	19052-80 FT.	19216-80 FT.	19380-80 FT.	19544-80 FT.	19708-80 FT.	19872-80 FT.	20036-80 FT.	20200-80 FT.	20364-80 FT.	20528-80 FT.	20692-80 FT.	20856-80 FT.	21020-80 FT.	21184-80 FT.	21348-80 FT.	21512-80 FT.	21676-80 FT.	21840-80 FT.	22004-80 FT.	22168-80 FT.	22332-80 FT.	22496-80 FT.	22660-80 FT.	22824-80 FT.	22988-80 FT.	23152-80 FT.	23316-80 FT.	23480-80 FT.	23644-80 FT.	23808-80 FT.	23972-80 FT.	24136-80 FT.	24300-80 FT.	24464-80 FT.	24628-80 FT.	24792-80 FT.	24956-80 FT.	25120-80 FT.	25284-80 FT.	25448-80 FT.	25612-80 FT.	25776-80 FT.	25940-80 FT.	26104-80 FT.	26268-80 FT.	26432-80 FT.	26596-80 FT.	26760-80 FT.	26924-80 FT.	27088-80 FT.	27252-80 FT.	27416-80 FT.	27580-80 FT.	27744-80 FT.	27908-80 FT.	28072-80 FT.	28236-80 FT.	28400-80 FT.	28564-80 FT.	28728-80 FT.	28892-80 FT.	29056-80 FT.	29220-80 FT.	29384-80 FT.	29548-80 FT.	29712-80 FT.	29876-80 FT.	30040-80 FT.	30204-80 FT.	30368-80 FT.	30532-80 FT.	30696-80 FT.	30860-80 FT.	31024-80 FT.	31188-80 FT.	31352-80 FT.	31516-80 FT.	31680-80 FT.	31844-80 FT.	32008-80 FT.	32172-80 FT.	32336-80 FT.	32500-80 FT.	32664-80 FT.	32828-80 FT.	32992-80 FT.	33156-80 FT.	33320-80 FT.	33484-80 FT.	33648-80 FT.	33812-80 FT.	33976-80 FT.	34140-80 FT.	34304-80 FT.	34468-80 FT.	34632-80 FT.	34796-80 FT.	34960-80 FT.	35124-80 FT.	35288-80 FT.	35452-80 FT.	35616-80 FT.	35780-80 FT.	35944-80 FT.	36108-80 FT.	36272-80 FT.	36436-80 FT.	36600-80 FT.	36764-80 FT.	36928-80 FT.	37092-80 FT.	37256-80 FT.	37420-80 FT.	37584-80 FT.	37748-80 FT.	37912-80 FT.	38076-80 FT.	38240-80 FT.	38404-80 FT.	38568-80 FT.	38732-80 FT.	38896-80 FT.	39060-80 FT.	39224-80 FT.	39388-80 FT.	39552-80 FT.	39716-80 FT.	39880-80 FT.	40044-80 FT.	40208-80 FT.	40372-80 FT.	40536-80 FT.	40700-80 FT.	40864-80 FT.	41028-80 FT.	41192-80 FT.	41356-80 FT.	41520-80 FT.	41684-80 FT.	41848-80 FT.	42012-80 FT.	42176-80 FT.	42340-80 FT.	42504-80 FT.	42668-80 FT.	42832-80 FT.	42996-80 FT.	43160-80 FT.	43324-80 FT.	43488-80 FT.	43652-80 FT.	43816-80 FT.	43980-80 FT.	44144-80 FT.	44308-80 FT.	44472-80 FT.	44636-80 FT.	44800-80 FT.	44964-80 FT.	45128-80 FT.	45292-80 FT.	45456-80 FT.	45620-80 FT.	45784-80 FT.	45948-80 FT.	46112-80 FT.	46276-80 FT.	46440-80 FT.	46604-80 FT.	46768-80 FT.	46932-80 FT.	47096-80 FT.	47260-80 FT.	47424-80 FT.	47588-80 FT.	47752-80 FT.	47916-80 FT.	48080-80 FT.	48244-80 FT.	48408-80 FT.	48572-80 FT.	48736-80 FT.	48900-80 FT.	49064-80 FT.	49228-80 FT.	49392-80 FT.	49556-80 FT.	49720-80 FT.	49884-80 FT.	50048-80 FT.	50212-80 FT.	50376-80 FT.	50540-80 FT.	50704-80 FT.	50868-80 FT.	51032-80 FT.	51196-80 FT.	51360-80 FT.	51524-80 FT.	51688-80 FT.	51852-80 FT.	52016-80 FT.	52180-80 FT.	52344-80 FT.	52508-80 FT.	52672-80 FT.	52836-80 FT.	53000-80 FT.	53164-80 FT.	53328-80 FT.	53492-80 FT.	53656-80 FT.	53820-80 FT.	53984-80 FT.	54148-80 FT.	54312-80 FT.	54476-80 FT.	54640-80 FT.	54804-80 FT.	54968-80 FT.	55132-80 FT.	55296-80 FT.	55460-80 FT.	55624-80 FT.	55788-80 FT.	55952-80 FT.	56116-80 FT.	56280-80 FT.	56444-80 FT.	56608-80 FT.	56772-80 FT.	56936-80 FT.	57100-80 FT.	57264-80 FT.	57428-80 FT.	57592-80 FT.	57756-80 FT.	57920-80 FT.	58084-80 FT.	58248-80 FT.	58412-80 FT.	58576-80 FT.	58740-80 FT.	58904-80 FT.	59068-80 FT.	59232-80 FT.	59396-80 FT.	59560-80 FT.	59724-80 FT.	59888-80 FT.	60052-80 FT.	60216-80 FT.	60380-80 FT.	60544-80 FT.	60708-80 FT.	60872-80 FT.	61036-80 FT.	61200-80 FT.	61364-80 FT.	61528-80 FT.	61692-80 FT.	61856-80 FT.	62020-80 FT.	62184-80 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FT.	87604-80 FT.	87768-80 FT.	87932-80 FT.	88096-80 FT.	88260-80 FT.	88424-80 FT.	88588-80 FT.	88752-80 FT.	88916-80 FT.	89080-80 FT.	89244-80 FT.	89408-80 FT.	89572-80 FT.	89736-80 FT.	89900-80 FT.	90064-80 FT.	90228-80 FT.	90392-80 FT.	90556-80 FT.	90720-80 FT.	90884-80 FT.	91048-80 FT.	91212-80 FT.	91376-80 FT.	91540-80 FT.	91704-80 FT.	91868-80 FT.	92032-80 FT.	92196-80 FT.	92360-80 FT.	92524-80 FT.	92688-80 FT.	92852-80 FT.	93016-80 FT.	93180-80 FT.	93344-80 FT.	93508-80 FT.	93672-80 FT.	93836-80 FT.	94000-80 FT.	94164-80 FT.	94328-80 FT.	94492-80 FT.	94656-80 FT.	94820-80 FT.	94984-80 FT.	95148-80 FT.	95312-80 FT.	95476-80 FT.	95640-80 FT.	95804-80 FT.	95968-80 FT.	96132-80 FT.	96296-80 FT.	96460-80 FT.	96624-80 FT.	96788-80 FT.	96952-80 FT.	97116-80 FT.	97280-80 FT.	97444-80 FT.	97608-80 FT.	97772-80 FT.	97936-80 FT.	98100-80 FT.	98264-80 FT.	98428-80 FT.	98592-80 FT.	98756-80 FT.	98920-80 FT.	99084-80 FT.	99248-80 FT.	99412-80 FT.	99576-80 FT.	99740-80 FT.	99904-80 FT.

FIRST FLOOR PLAN



LOWER LEVEL PLAN

OCCUPIED SPACE

TAX ADMINISTRATION	13,304 SQ. FT.
COUNTY COMMISSIONERS	5,450 SQ. FT.
COUNTY CLERK	1,700 SQ. FT.
COUNTY MANAGER	2,450 SQ. FT.
INFORMATION SERVICES	3,470 SQ. FT.
COUNTY ATTORNEY	2,062 SQ. FT.
TRUCK MANAGEMENT	1,192 SQ. FT.

Engineering Department  
 1000 Main Street  
 Asheville, NC 28802  
 Phone: 704.258.2800  
 Fax: 704.258.2801  
 Website: www.asheville.org

Chairboard  
 5/8/00  
 1/1/01

Page: 1/23 of 1

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

September 11, 2009

ITEM NO. 6A

**September 21, 2009 Agenda Item**

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

**BACKGROUND:** The Board of Commissioners at their September 8, 2009 meeting appointed John Swanson to fill a vacancy on the Board of Adjustment. Mr. Swanson had been serving as an alternate member so a nomination is needed to fill the alternate member vacancy.

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

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

Attachments

pc: Tom Lloyd, Planning and Inspections Director

*Celebrating Our Past... Embracing Our Future*

BOARD OF ADJUSTMENT  
3 Year Term

<u>Name/Address</u>	<u>Date Appointed</u>	<u>Term</u>	<u>Expires</u>	<u>Eligible For Reappointment</u>
Joseph M. Dykes (B/M) PO Box 41604 Fayetteville, NC 28309 339-3079/813-4193 (C)	6/09	1st	June/12 6/30/12	Yes
Oscar L. Davis, III (C/M) 3320 Rustburg Drive Fayetteville, NC 28303 867-2950/977-3101(W)	6/07	2 <sup>nd</sup>	June/10 6/30/10	No
Melree Hubbard Tart (W/F) 300 Andrews Road Fayetteville, NC 28311 488-1208/497-3712 (W)	6/07	1 <sup>st</sup>	Aug/10 8/31/10	Yes
John R. Swanson (W/M) 6416 Coachman's Way Fayetteville, NC 283103 987-1972/822-2000(W)	9/09	1st	Sept/12 9/30/12	Yes
George Quigley (W/M) 618 Blawell Circle Stedman, NC 28391 485-2980/321-6882	6/09	2nd	June/12 6/30/12	No
<u>Alternate Members:</u>				
Carrie Tyson-Autry ( /F) 5951 NC Hwy 87 South Fayetteville, NC 28306-379 483-0087	6/08	1 <sup>st</sup>	Aug/10 8/31/10	Yes
Horace Humphrey (- /M) 1852 Cascade Street Fayetteville, NC 28301 488-5143	01/08	1st	Aug/10 8/31/10	Yes
		(serving unexpired term)		
William Lockett Tally (W/M) 414 Vista Drive Fayetteville, NC 28305 489-3533/483-4175 (W)	1108	1 <sup>st</sup>	June/10 6/30/10	Yes
		(serving unexpired term)		

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

VACANT(vacated by J.R. Swanson)	6/07	1 <sup>st</sup>	Jan/10 1/31/10	Yes
Martin J. Locklear (I/M) 1611 Four Wood Drive Fayetteville, NC 28312 672-0323/893-7525(W)	8/09	2nd	Aug/12 8/31/12	No

Meets 3<sup>rd</sup> Thursday of each month at 7:00 PM – Historic Cumberland County Courthouse, 130 Gillespie Street, Room 3

Contact: Tom Lloyd, County Planning Department - 678-7627

APPLICANTS FOR  
BOARD OF ADJUSTMENT

<u>NAME/ADDRESS/TELEPHONE</u>	<u>OCCUPATION</u>	<u>EDUCATIONAL BACKGROUND</u>
CHESTNUTT, A. JOHNSON (W/M) 578 MILDEN ROAD FAYETTEVILLE, NC 28314 484-6365/323-1040(W)	ACCOUNTANT FAIRCLOTH & CO.	BSBA
DONALDSON, ED (W/M) 4606 HOE COURT FAYETTEVILLE, NC 28314 484-3640	RETIRED JUDGE	LAW DEGREE POLITICAL SCIENCE
GAMBILL, DONALD W. (-/M) 822 MUSKEGON DRIVE FAYETTEVILLE, NC 28311 480-2337/396-1750 (W)	SAFETY SPECIALIST/ HEALTH PHYS. WOMACK	BS – MATHEMATICS/EDUC MA – POLITICAL SCIENCE
McHENRY, WINTON G. (W/M) 3648 LAKESHORE DRIVE HOPE MILLS NC 28348 429-1101/308-3987 (C)	VP OPERATIONS MGT. ROLANDS DANCE STUDIO	BIBLE COLLEGE, AIR FORCE INSTITUTE OF TECHNOLOGY EMERGENCY RESPONSE MARKET DRIVEN MGT
NEWSOME, RANDY A. (W/M) 232 CROYDON AVENUE FAYETTEVILLE, NC 28311 717-5754/436-0414 (W)	GENERAL MANAGER BEACON AUTOMOTIVE	BBA

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  
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September 11, 2009

ITEM NO. 7A

**September 21, 2009 Agenda Item**

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

**BACKGROUND:** On September 8, 2009, the Board of Commissioners nominated the following individual to fill one (1) vacancy on the Air Quality Stakeholders' Committee:

Town of Falcon Representative: **Janice Lucas** (new appointment)

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

I have attached the current membership list for this committee.

**PROPOSED ACTION: Make appointment to fill the one (1) vacancy above.**

Attachment

pc: Rick Heickson, Planning and Inspections

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AIR QUALITY STAKEHOLDERS COMMITTEE  
3-year terms

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

AIR QUALITY STAKEHOLDERS COMMITTEE – Page 2

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

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

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

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

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

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

JEANNETTE M. COUNCIL  
Chairman

BILLY R. KING  
Vice Chairman

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**BOARD OF COMMISSIONERS**

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September 11, 2009

ITEM NO. 7B

**September 21, 2009 Agenda Item**

TO: Board of Commissioners  
FROM: Candice H. White, Deputy Clerk *cu*  
SUBJECT: Cumberland County Juvenile Crime Prevention Council

**BACKGROUND:** On September 8, 2009, the Board of Commissioners nominated the following individuals to fill two (2) vacancies on the Juvenile Crime Prevention Council:

At-Large Representatives: **Gudron Blackmon** (new appointment)

Member of Faith Community: **Rev. Fred Hendley** (new appointment)

I have attached the current membership list for this council.

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

Attachment

pc: Sarah Hemingway, CCJCPC Coordinator

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CUMBERLAND COUNTY  
JUVENILE CRIME PREVENTION COUNCIL  
(Two year terms)

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

Cumberland County Juvenile Crime Prevention Council Page 2

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

Cumberland County Juvenile Crime Prevention Council, Page 3

<u>Name/Address</u>	<u>Date Appointed</u>	<u>Term</u>	<u>Expires</u>	<u>Eligible For Reappointment</u>
<u>Substance Abuse Professional</u>				
VACANT (vacated by Gregory Pitts)				
<u>Member of Faith Community</u>				
Rev. Brian Thompson 3942 Gaithersburg Lane Hope Mills, NC 28348 436-2462/867-2708(W)	5/07	2nd	Aug/09 8/31/09	No
(5/07 – term extended to 8/31/07 and renewed to 8/09)				
<u>Person Under Age 21</u>				
Che'iera Lathan-Snow 806 English court, Apt 8 Fayetteville, NC 28314 704-512-9060	02/09	1 <sup>st</sup>	Feb/11 2/28/11	Yes
<u>Juvenile Defense Attorney</u>				
Beth A. Hall 4508 Weaverhall Drive Fayetteville, NC 28314 257-0847(Cell)	8/08	2 <sup>nd</sup>	Aug/10 8/31/10	No
<u>Member of Business Community</u>				
Gene Hallock 173 Aloha Drive Fayetteville, NC 28311 822-5409	8/07	2 <sup>nd</sup>	Aug/09 8/31/09	No
<u>United Way or Non-Profit</u>				
Patrick Hurley 2536 Vandemere Fayetteville, NC 28304 484-3044	8/08	1 <sup>st</sup>	Aug/10 8/31/10	Yes
<u>At Large Representatives</u>				
VACANT (vacated by Henry Berry)				
Kimberly Reeves 412 West Russell Street Fayetteville, North Carolina 28301 423-4824	6/09	1 <sup>st</sup>	Aug/10 8/31/10	Yes
(Serving unexpired term.)				

Cumberland County Juvenile Crime Prevention Council, Page 4

<u>Name/Address</u>	<u>Date Appointed</u>	<u>Term</u>	<u>Expires</u>	<u>Eligible For Reappointment</u>
Dr. Polly Davis FTCC P.O. Box 35236 Fayetteville, North Carolina 28303 Phone: 678-8322	8/07	2nd	Aug/09 8/31/09	No
Douglas R. Parrish 5789 Cotton Valley Drive Fayetteville, NC 28314 484-8256/609-3770 (W)	8/09	1 <sup>st</sup>	Aug/09 8/31/11	Yes
Sue Thomas 3741 Harrisburg Drive Fayetteville, North Carolina 28306 Phone: 425-8868	8/07	2nd	Aug/09 8/31/09	No
Geneva Mixon PO Box 1829 Fayetteville, North Carolina 28302 Phone: 323-3421(W)	8/09	2nd	Aug/11 8/31/11	No
Joan Blanchard 7230 Sandcastle Lane Linden, North Carolina 28356 Phone: 487-0510/322-9097 (C)	8/08	1 <sup>st</sup>	Aug/10 8/31/10	Yes

Non-Voting Member

Cindy Holmes  
DJJDP Regional Consultant  
108 N. Orange Street  
Dunn, North Carolina 28334  
Phone: 919-733-3388(W)

Meetings: Second Wednesday of each month at 8:00 AM. CC CommuniCare Conference Room – 711B Executive Place

Contact: Sarah Hemingway – Phone: 829-9017 - Fax: 485-4752