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**AGENDA**  
**CUMBERLAND COUNTY BOARD OF COMMISSIONERS**  
**COURTHOUSE – ROOM 118**  
**APRIL 19, 2010**  
**6:45 PM**

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INVOCATION - Commissioner Kenneth Edge, Vice Chairman

PLEDGE OF ALLEGIANCE – Noah Wendell Mack - Ashley Elementary School – 3<sup>rd</sup> Grade

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

1. Approval of Agenda
  
2. Consent Agenda
  - A. Approval of minutes for the April 6, 2010 regular meeting and minutes for the special Board meeting on March 25, 2010.
  - B. Approval of Sale to Cyril Escourse from Community Development Department of a House Located at 911 West Mountain Drive, Fayetteville, Said Sale Having Been Duly Advertised and the 10-Day Upset Period Having Passed.
  - C. Approval of Annual Modification to the Workforce Investment Act Plan.
  - D. Approval of a Resolution in Support of North Carolina’s Current Public Alcoholic Beverage Control System.
  - E. Approval of a Proclamation Proclaiming April as “National Child Abuse Prevention Month” and April 21, 2010 as “Purple Day” and “Care Enough to Walk Against Family Violence Day” in Cumberland County.
  - F. Approval of a Proclamation Proclaiming May 2010 as “Industry Appreciation Month” in Cumberland County.
  - G. Approval of a Proclamation Proclaiming May 2-May 8, 2010 as “Air Quality Week” in Cumberland County.

H. Budget Revisions:

(1) Mental Health

- a. Adult Periodic – Revision in the amount of \$50,000 to budget Homeless Grant received from the City of Fayetteville. (B10-324)

**Funding Source – Local**

- b. Child Outpatient / Adult Periodic – Revisions in the total amount of \$112,052 to abolish two positions due to the reduction in state and federal funding for the Deaf and Hard of Hearing program. (B10-325 and B10-325A) **Funding Source – Federal, State and Fund Balance**

(2) Library Grants

Revision in the amount of \$37,700 to budget funding received from Gates Grant to upgrade computers. (B10-319) **Funding Source - Grant**

(3) Child Support Enforcement

Revision in the amount of \$270,044 to establish the transition budget for the Child Support Enforcement Program. (B10-323) **Funding Source – Federal, General Fund Fund Balance**

(4) Juvenile Crime Prevention Program

Revision in the amount of \$11,200 to reduce the County budget to reconcile with state budget. (B10-322) **Funding Source - State**

(5) WIA Dislocated Worker

Revision in the amount of \$150,000 to recognize additional State funding for clients. (B10-327) **Funding Source - State**

3. Public Hearings

**Uncontested Cases**

- A. Case P10-10: Rezoning of 1.30+/- acres from C1(P) Planned Local Business to C2(P) Planned Service and Retail, or to a more restrictive zoning district, located at 149 West Manchester Road and west of North Bragg Boulevard (NC HWY 87), south of SR 1451 (West Manchester Road); submitted by Soon Ku and Young Hui Yun (owners) and Don Tyson.

- B. Case P10-11: Rezoning of 2.00+/- acres from C1(P) Planned Local Business and R6A Residential to C(P) Planned Commercial, or to a more restrictive zoning district, located at 3163 Camden Road; submitted by Gayle S. Lanier for Progress Energy Carolinas, Inc. (owner) and Alice S. Wann.

### **Contested Cases**

### **Conditional Use District & Permit Cases**

- C. **\*\*WITHDRAWN\*\*** – CASE P07-32: **Modification of the Permit for an approved MXD Mixed Use Development/CUD Conditional Use District, with the Permit allowing for interconnection with Thornsby Lane of the Traemoor Subdivision; consisting of 59.71 +/- acres; located on the north side of SR 1112 (Rockfish Road), east side of SR 1108 (Lakewood Drive); submitted by Jackie Hairr for HCC Investments, LLC (owner). \*\*WITHDRAWN\*\***
- D. Case P10-07: Rezoning of 2.93+/- acres from R6A Residential and R10 Residential to M1(P) Planned Light Industrial/CUD Conditional Use District for mini-warehousing and the Permit, or to a more restrictive zoning district, located between NC Hwy 210 (Lillington Hwy) and SR 1601 (Chapel Hill Road), north of Samuel Drive; submitted by Willie Smith, Rubin and Juliette McCoy and Parmount Investments, LLC (owners) and Timothy B. Evans. (County& Spring Lake)
- E. Case P10-09: Rezoning of 147.3+/- acres from A1 Agricultural and RR Rural Residential to R7.5 Residential, or to a more restrictive zoning district, located at 1915 and 1919 Tom Starling Road; submitted by Linda S. Johnson, Barbara Smith, Mae S. Parsons, Tommy Woodell and Pamela Domonski (owners) and John Koenig for KAS, LLC.

### **Other Public Hearings**

- F. Public Hearing – 2010 Community Development Consolidated Five Year Plan and 2010 Annual Action Plan.

### **Minimum Housing Code Enforcement**

- G. Case Number: MH 6072-2009  
Property Owner: Ernest H. and Evelyn L. Brewington  
Property Location: 304 Wilkes Road, Unit 1, Fayetteville, NC  
Parcel Identification No: 0436-32-0347

- |    |                           |  |
|----|---------------------------|--|
| H. | Case Number:              | MH 6073-2009   |
|    | Property Owner:           | Ernest H. and Evelyn L. Brewington                         |
|    | Property Location:        | Behind and to side of 290 Wilkes Road,<br>Fayetteville, NC |
|    | Parcel Identification No: | 0436-32-1394   |
| I. | Case Number:              | MH 6028-2009   |
|    | Property Owner:           | Jerry Johnson  |
|    | Property Location:        | 1611 McBryde Street, Linden, NC                            |
|    | Parcel Identification No: | 0542-82-9101   |
| J. | Case Number:              | MH 6038-2009   |
|    | Property Owner:           | Walter Hoover and Vastene C. Simmons                       |
|    | Property Location:        | 4228 NC Highway 210 South, Fayetteville, NC                |
|    | Parcel Identification No: | 0474-08-9882   |
| K. | Case Number:              | MH 6009-2009   |
|    | Property Owner:           | Leticia B. Gilmore   |
|    | Property Location:        | 4664 Gray's Creek Church Road, Hope Mills, NC              |
|    | Parcel Identification No: | 0442-62-8597   |
| L. | Case Number:              | MH 5607-2008   |
|    | Property Owner:           | Richard E. Rogers, Jr.                                     |
|    | Property Location:        | 224 Americus Drive, Fayetteville, NC                       |
|    | Parcel Identification No: | 0456-96-8161   |

**Items of Business**

4. Consideration of Cumberland County Finance Committee Recommendation of FY 2011 Employee Medical Plan Changes.
5. Presentation of the Fayetteville-Cumberland County Chamber of Commerce Report on Economic Development and Workforce Efforts, by Doug Peters, President.
6. Consideration of Cumberland County Facilities Committee Report and Recommendations:
  - A. Crown Arena & Theater Project
    1. Hold Public Hearing on the Proposed Installment Financing for the Arena and Theater Upgrades.
    2. Consider Recommendations from the Facilities Committee and County Engineer for Acceptance of Bids for the Crown Arena and Theater PME & Life Safety Improvements Project and Award a Contract to Rentenbach Constructors Inc.

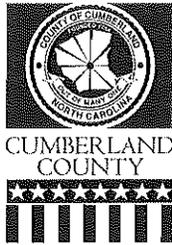
3. Adopt a Resolution Approving the Installment Financing Contract Under G.S. 160A-20 with RBC Bank for the Total Project Cost and Associated Documents.
  4. Approve Budget Revisions that will be Prepared to Reflect the Negotiated Contract Amount to Establish the Project Budget in the Civic Center Cost Center.
- B. Energy Efficiency & Conservation Block Grant Update
  - C. Law Enforcement Center Renovations on Second Floor for Crime Scene Investigation Section
  - D. Energy Measures for New Construction and Major Renovation of County Facilities.
7. Nominations to Boards and Committees:
    - A. Adult Care Home Community Advisory Committee (2 Vacancies)
    - B. Child Homicide Identification and Prevention (CHIP) Council (3 Vacancies)
    - C. Cumberland County Home and Community Care Block Grant (1 Vacancy)
  8. Appointments to Boards and Committees
    - A. Board of Health (1 Vacancy)
 

Nominee:     Veterinarian    Captain Ross Free
  9. Closed Session:
    - A. Economic Development Matter(s)  
Pursuant to NCGS 143-318.11(a)(4).

**ADJOURN**

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

**MEETINGS:            May 3, 2010 (Monday) - 9:00 AM**  
**May 17, 2010 (Monday) - 6:45 PM**



ITEM NO. 2B

**OFFICE OF THE COUNTY ATTORNEY**

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

April 15, 2010

**MEMORANDUM FOR BOARD OF COMMISSIONERS' APRIL 19, 2010 AGENDA**

TO: BOARD OF COUNTY COMMISSIONERS

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

THRU: RICK MOOREFIELD, COUNTY ATTORNEY

SUBJECT: APPROVAL OF SALE TO CYRIL ESCOURSE FROM COMMUNITY DEVELOPMENT DEPARTMENT OF A HOUSE LOCATED AT 911 WEST MOUNTAIN DRIVE, FAYETTEVILLE, SAID SALE HAVING BEEN PROPERLY ADVERTISED AND THE 10-DAY UPSET PERIOD HAVING PASSED

**BACKGROUND:**

This is surplus property acquired by the County through foreclosure by Community Development on a Community Development loan. Thanena Wilson, Director of Community Development negotiated an offer to purchase this County owned property with Cyril Escourse for \$10,500.00. The offer was approved by the Board March 1, 2010 subject to advertising and a 10-day upset period. Mr. Escourse made a \$525.00 deposit with his offer. The offer was advertised for the 10-day upset period; that period has ended without any new bids, and Mr. Escourse is the successful bidder.

**RECOMMENDATION / PROPOSED ACTION:**

Approve the Sale and authorize the Chairman, Clerk and Community Development staff to sign the necessary documents on behalf of the County at the direction of the Legal staff.

*Celebrating Our Past...Embracing Our Future*

**CUMBERLAND COUNTY BOARD OF COMMISSIONERS  
RESOLUTION OF ACCEPTANCE OF AN OFFER TO PURCHASE  
CERTAIN REAL PROPERTY PURSUANT TO N.C.G.S § 160A-269**

Whereas, at its regular meeting held March 1, 2010, the Board of Commissioners voted its intent to accept the negotiated offer of Cyril Escourse to purchase the real property located at 911 West Mountain Drive, Fayetteville, for a total price of \$10,500; and

Whereas, the Board of Commissioners is informed by the Clerk to the Board that, after due advertisement, no upset bids to purchase this property were received.

Be it therefore resolved that the Board of Commissioners accepts the offer of Cyril Escourse as described herein. County staff is further directed to complete this sales transaction upon such further terms and conditions as deemed appropriate.

Adopted this 19<sup>th</sup> day of April, 2010.

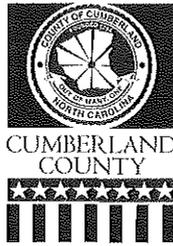
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Cumberland County Board of Commissioners  
Billy R, King, Chairman

ATTEST:

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Marie Colgan, Clerk to the Board



ITEM NO. 20

WORKFORCE DEVELOPMENT CENTER  
410 Ray Avenue • P.O. Box 1829 • Fayetteville, North Carolina 28302-1829  
(910) 323-3421 • Fax: (910) 323-5755

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March 30, 2010

**April 19, 2010 Agenda Item**

**MEMORANDUM**

**TO:** Board of County Commissioners

**THRU:** Juanita Pilgrim, Deputy County Manager *Juanita Pilgrim*

**FROM:** Geneva Mixon, Director *G. Mixon*

**SUBJECT:** Consent Item - Annual Modification to the Workforce Investment Act Plan for the April 19<sup>th</sup>, 2010 County Commissioners Meeting

The Cumberland County Workforce Development Center is required each year to prepare a modification to the Local Area Job Training Plan. Purpose for this modification is to incorporate Program Year 2010 (July 1, 2010 – June 30, 2011) Workforce Investment Act (WIA) funding allocations. It has been completed in compliance with the provisions of the Workforce Investment Act of 1998 and the instructions issued by the Governor under the Authority of the Act.

Request approval of the Board of County Commissioners to incorporate the new program year funding allocations. There are no other changes to policies or procedures. **Enclosed are two copies of the signatory sheet which requires the signature of Billy R. King Chairperson of the Board of County Commissioners**

Attachment



*Celebrating Our Past... Embracing Our Future*

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

Equal Opportunity Employer / Program

## WIA Funding Allocations

### Cumberland County Workforce Development Center

#### Adult Funding

PY 2009	\$449,898
PY 2010	Not yet released from DOL

#### Dislocated Worker Funding

PY 2009	\$359,897
PY 2010	Not yet released from DOL

#### Youth Funding

PY 2009	\$500,340
PY 2010	Not yet released from DOL

# PY 2010 Plan

## Cumberland County Workforce Development Center A Summary of Services

The Workforce Investment Act is the nation's principal workforce development legislation, providing federal funds to states and local areas to address the employment and training needs of adults, dislocated workers and youth. The Act creates a comprehensive workforce investment system. In North Carolina this system is the JobLink Career Center system. It is intended to be customer-focused, to help individuals access the tools they need to manage their career through information and high quality services. The JobLink Career Center system also helps businesses find skilled workers.

### Adult Services

Adult services includes a wide range of employment and training services from very basic job getting and job keeping skills, to help with improving basic education skills, to occupational skills training. Job search and job placement assistance services are also available to adults. Other services may include on-the-job training, skill upgrading, adult education and literacy activities, and work experience.

### Dislocated Worker Services

Dislocated workers are individuals who have been terminated or laid off, or have received notice of termination or layoff. In instances of permanent closure or layoff, the Workforce Development Center sends a rapid response team to meet with affected employees. Often dislocated workers are eligible for unemployment insurance while they receive assistance from the Workforce Investment Act. Dislocated services include all of the services mentioned above in adult services.

### Youth Services

The Workforce Investment Act provides services to eligible low-income youth ages 16-21. They must also meet one additional barrier to employment, i.e., basic skills deficient, school dropout, homeless, foster child, pregnant or offender. We prepare our young customers for postsecondary educational opportunities or employment. Services are designed to link academic and occupational learning. They may include the following:

- ◆ Tutoring
- ◆ Alternative secondary school services
- ◆ Summer employment opportunities
- ◆ Paid and unpaid work experience
- ◆ Occupational skills training
- ◆ Leadership development activities
- ◆ Adult mentoring and supportive services



**RESOLUTION IN SUPPORT OF NORTH CAROLINA'S CURRENT PUBLIC  
ALCOHOLIC BEVERAGE CONTROL SYSTEM**

WHEREAS, Chapter 18B of the North Carolina General Statutes addresses the regularization of alcoholic beverages in our state; and

WHEREAS, current North Carolina law establishes a uniform system of control over the sale, purchase, transportation, manufacture, consumption and possession of alcoholic beverages in North Carolina; and

WHEREAS, local government control is central to the current alcoholic beverage control system; it is a local decision to establish and operate ABC stores, and local government, acting through an appointed local ABC Board, balances the control, profits and availability of spirits in its jurisdiction; and

WHEREAS, when local voters approved liquor sales for off-premises consumption, the voters did not vote to allow liquor to be sold in private retail establishments, but only through publicly controlled local ABC stores; and

WHEREAS, current law provides that profits from ABC stores sales are returned to local government, and this revenue stream is a critical source of local government funding; and

WHEREAS, it is a priority to maintain current sources of revenue, especially in the current challenging economic times;

NOW THEREFORE, BE IT RESOLVED that the Cumberland County Board of Commissioners do hereby support the continuance of the Alcoholic Beverage Control System, and opposes any efforts to privatize the ABC system, diminish local control or to diminish the local government revenue stream afforded from local ABC store profits.

Adopted this 19<sup>th</sup> day of April, 2010.

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BILLY R. KING, Chairman  
Board of Commissioners

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MARIE COLGAN, Clerk to the Board  
County Commissioners

**COUNTY OF CUMBERLAND**

**NORTH CAROLINA**

**PROCLAMATION**

WHEREAS, Cumberland County Department of Social Services recognizes April as National Child Abuse Prevention Month; and

WHEREAS, domestic violence is particularly damaging to our most precious resource; our children, and has a major impact on child abuse in our community and the community's attention is properly focused on preventing abuse during the Month of April; and

WHEREAS, the Cumberland County Department of Social Services Care Center was developed under the leadership of Retired Cumberland County Department of Social Services Director E. C. Modlin and was the first domestic violence service center to service families at a Social Services in the State of North Carolina; and

WHEREAS, Retired Cumberland County Department of Social Services Director E. C. Modlin is the honorary guest for the Cumberland County Department of Social Services' Care Enough to Walk Against Family Violence; and

WHEREAS, E. C. Modlin, as honorary guest, will be the leader for the walk around the county complex; and

WHEREAS, purple is the color designated to call attention to domestic violence, the participants wear purple today to honor victims of domestic violence; and

WHEREAS, Cumberland County Public Health is now located in the county complex with Social Services, the Health Department's participation is appreciated; and

WHEREAS, Purple Day and Care Enough to Walk Against Family Violence is the public acknowledgment of the care and concern of the employees and other participants for the victims and children of family violence.

NOW, THEREFORE, Be It Resolved that the Board of Commissioners of Cumberland County hereby proclaims April 21, 2010, as PURPLE DAY & CARE ENOUGH TO WALK AGAINST FAMILY VIOLENCE DAY at Cumberland County Department of Social Services and encourages all citizens to help stop family violence.

Adopted this 19<sup>th</sup> day of April, 2010

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Billy R. King  
Chairman

COUNTY OF CUMBERLAND

NORTH CAROLINA

**PROCLAMATION**

**WHEREAS**, the existing industries of Fayetteville and Cumberland County are an essential segment of the area's economy, providing employment for local residents, contributing revenues and greatly enhancing the area's quality of life; and

**WHEREAS**, the various industries existing in Fayetteville and Cumberland County have an influence either directly or indirectly upon the lives of every one of the county's citizens; and

**WHEREAS**, the potential for growth comes in part from within through the expansion of existing industries and the establishment of new, homegrown industries; and

**WHEREAS**, public awareness and understanding of the importance of industry to our local economy and quality of life are vital to the preservation of a favorable industrial climate; and

**WHEREAS**, a favorable industrial climate is a major factor in the decision made by officials of existing plants to expand their operations and in our area's ability to attract new industry.

**NOW, THEREFORE, BE IT RESOLVED** that the Board of Commissioners of Cumberland County proclaims the month of **May 2010 "INDUSTRY APPRECIATION MONTH"** in Cumberland County and urges its citizens to salute the industries located in our area and the employees of those industries for their important role in the growth and prosperity of Cumberland County.

Adopted this 19<sup>th</sup> day of April, 2010

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Billy R. King  
Chairman

COUNTY OF CUMBERLAND

NORTH CAROLINA

PROCLAMATION

Air Quality Awareness Week

WHEREAS, clean air is essential to public health, the environment and the economy in Cumberland County; and

WHEREAS, we need clean air to protect and improve the quality of our forests, streams and lakes for public recreation and wildlife; and

WHEREAS, we need clean air to sustain tourism, agriculture and other aspects of the economy; and

WHEREAS, following a requirement of the Clean Air Act, the EPA is considering revising the national air quality standard for ozone from 0.075 to 0.060-0.070 parts per million for improved human health and safety; and

WHEREAS, continued action to improve air quality is of major concern to the Cumberland County Board of Commissioners and all the Municipal Governments; and

WHEREAS, the citizens and businesses of Cumberland County are invited to participate in the countywide effort to lower emissions of ozone precursors; and

WHEREAS, the ozone forecast season is from April 1 to October 31, but the first week of May has been historically designated as Air Quality Awareness Week; and

WHEREAS, daily air quality forecasting will be available from the Department of Environment and Natural Resources Division of Air Quality from April 1 through October 31, 2010;

NOW, THEREFORE, BE IT RESOLVED, that the Cumberland County Board of Commissioners proclaim the week of May 2 through May 8, 2010, as "AIR QUALITY AWARENESS WEEK" and encourage all government employees, citizens and businesses in Cumberland County to observe the week with activities that promote clean air, and take part in making our community a cleaner, healthier place to live, work, and play.

Adopted this 19<sup>th</sup> day of April, 2010.

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Billy R. King, Chairman

**COUNTY OF CUMBERLAND  
BUDGET REVISION REQUEST**

Budget Office Use	
Budget Revision No.	<u>B10-324</u>
Date Received	<u>4.12.10</u>
Date Completed	

Fund No. 112 Agency No. 43E Organ. No. 4357  
 Organization Name: MH- Adult Periodic

ITEM NO. 2H(1)a

**REVENUE**

Revenue Source Code	Description	Current Budget	Increase (Decrease)	Revised Budget
3316	City of Fayetteville	0	50,000	50,000
				-
				-
				-
	Total	0	50,000	50,000

**EXPENDITURES**

Object Code	Appr Unit	Description	Current Budget	Increase (Decrease)	Revised Budget
4386	494	General Assistance	24,000	50,000	74,000
					-
					-
					-
					-
					-
					-
		Total	24,000	50,000	74,000

**Justification:**

Received Homeless Grant from the City of Fayetteville to help support housing needs of consumers.

**Funding Source:**

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

**Fund Balance:**

Submitted By: *Calvin Carter*  
 Department Head  
 Reviewed By: *Kelly Centry*  
 Budget Analyst  
 Reviewed By: *Amya Cannon*  
 Deputy/Assistant County Mgr  
 Reviewed By: \_\_\_\_\_  
 Information Services

Date: 4/8/10  
 Date: 4.12.10  
 Date: 4/13/10  
 Date: \_\_\_\_\_

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

**COUNTY OF CUMBERLAND  
BUDGET REVISION REQUEST**

<b>Budget Office Use</b>	
Budget Revision No.	<u>B10-325</u>
Date Received	<u>4.12.10</u>
Date Completed	

Fund No. 112 Agency No. 43A Organ. No. 4349  
 Organization Name: MH- Child MH Outpatient

ITEM NO. 24(1)6

**REVENUE**

pg 1 of 2

Revenue Source Code	Description	Current Budget	Increase (Decrease)	Revised Budget
4221	NC Child MH State	305,008	(39,326)	265,682
4222	NC Child MH Fed	41,765	(20,700)	21,065
<b>Total</b>		<b>346,773</b>	<b>(60,026)</b>	<b>286,747</b>

**EXPENDITURES**

Object Code	Appr Unit	Description	Current Budget	Increase (Decrease)	Revised Budget
1210	434	Salaries	784,628	(46,394)	738,234
1810	434	Fica Match	60,626	(3,549)	57,077
1820	434	Retirement	38,834	(2,988)	35,846
1830	434	Medical Insurance	109,250	(5,750)	103,500
1860	434	Workers Comp	10,361	(1,345)	9,016
<b>Total</b>		<b>1,003,699</b>	<b>(60,026)</b>	<b>943,673</b>	

**Justification:**

Deallocation of Deaf and Hard of Hearing Funding, Letter 10-S39-CU-05. Abolish Position M401106 Clinical Social Worker.

**Funding Source:** State: -39,326 Federal: -20,700 Other: \_\_\_\_\_  
**Fund Balance:** County: \_\_\_\_\_ New: \_\_\_\_\_ Other: \_\_\_\_\_  
 Fees: \_\_\_\_\_ Prior Year: \_\_\_\_\_

Submitted By: *Paul Carter* Date: 4/8/10  
 Department Head  
 Reviewed By: *Kelly Autry* Date: 4.12.10  
 Budget Analyst  
 Reviewed By: *Amy Cannon* Date: 4/13/10  
 Deputy Assistant County Mgr  
 Reviewed By: \_\_\_\_\_ Date: \_\_\_\_\_  
 Information Services

<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.	<u>B10-325A</u>
Date Received	<u>4.12.10</u>
Date Completed	

Fund No. 112 Agency No. 43E Organ. No. 4357  
 Organization Name: MH- Adult Periodic

**REVENUE**

*pg 2 of 2*

Revenue Source Code	Description	Current Budget	Increase (Decrease)	Revised Budget
9901	Fund Balance Appropriated	161,842	(1,310)	160,532
4246	NC Adult MH State	432,572	(58,716)	373,856
Total		594,414	(60,026)	534,388

**EXPENDITURES**

Object Code	Appr Unit	Description	Current Budget	Increase (Decrease)	Revised Budget
1210	493	Salaries	874,940	(46,394)	828,546
1810	493	Fica Match	67,613	(3,549)	64,064
1820	493	Retirement	43,305	(2,988)	40,317
1830	493	Medical Insurance	138,000	(5,750)	132,250
1860	493	Workers Comp	12,378	(1,345)	11,033
Total			1,136,236	(60,026)	1,076,210

**Justification:**

Deallocation of Deaf and Hard of Hearing Funding, Letter 10-S39-CU-05. Abolish Position M401308 Clinical Social Worker.

Funding Source: State: -39,326 Federal: -20,700 Other: \_\_\_\_\_  
 Fund Balance: -1,310 County: \_\_\_\_\_ New: \_\_\_\_\_ Other: \_\_\_\_\_  
 Fees: \_\_\_\_\_ Prior Year: \_\_\_\_\_

Submitted By: Candi Carter Date: 4/8/10  
 Department Head  
 Reviewed By: Kelly Outrey Date: 4-12-10  
 Budget Analyst  
 Reviewed By: Amy Cannon Date: 4/13/10  
 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>B10.319</u>
Date Received	<u>4/5/2010</u>
Date Completed	

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

ITEM NO. 24(2)

**REVENUE**

Revenue Source Code	Description	Current Budget	Increase (Decrease)	Revised Budget
4666	Library Grants	6,225	37,700	43,925
		6,225	37,700	43,925

**EXPENDITURES**

Object Code	Appr Unit	Description	Current Budget	Increase (Decrease)	Revised Budget
4407	303	Gates Foundation Grant	10,918	37,700	48,618
		Total	10,918	37,700	48,618

**Justification:**

The Library has received funds from Bill and Melinda Gates to upgrade current computers.

**Funding Source:**

State: \_\_\_\_\_ Federal: \_\_\_\_\_ County: \_\_\_\_\_ New: \_\_\_\_\_ Other: \_\_\_\_\_  
 Other: 37,700 Fees: \_\_\_\_\_ Prior Year: \_\_\_\_\_

**Fund Balance:**

Submitted By: <u>Jody Kusech</u> Department Head	Date: <u>4/5/10</u>	Approved By:  County Manager  Board of County Commissioners
Reviewed By: <u>Billy Curtis</u> Finance Department	Date: <u>4-6-10</u>	
Reviewed By: <u>Amy Cannon</u> Deputy Assistant County Mgr	Date: <u>4/9/10</u>	

**COUNTY OF CUMBERLAND  
BUDGET REVISION REQUEST**

Budget Office Use	
Budget Revision No.	B10-323
Date Received	_____
Date Completed	_____

Fund No. 101 Agency No. 439 Organ. No. 4396  
 Organization Name: Child Support Enforcement

ITEM NO. 24(3)

**REVENUE**

Revenue Source Code	Description	Current Budget	Increase (Decrease)	Revised Budget
4034	CSE Federal Reimbursement	0	178,229	178,229
9901	Fund Balance Appropriated	0	91,815	91,815
Total		0	270,044	270,044

**EXPENDITURES**

Object Code	Appr Unit	Description	Current Budget	Increase (Decrease)	Revised Budget
2601		Office Supplies	0	4,000	4,000
299A		Computer Hardware	0	75,400	75,400
2994		Furniture & Equipment	0	7,038	7,038
2995		Computer Software	0	53,587	53,587
3430		M/R Buildings	0	200	200
3610		Capital Outlay (phone system)	0	129,819	129,819
Total			0	270,044	270,044

**Justification:**

Revision to establish the transition budget for CSE.

**Funding Source:**

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

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

Department Head

Reviewed By: Howard De Abona Date: 4/12/10

Finance

Reviewed By: Amyl Cannon Date: 4/13/10

Deputy Assistant County Mgr

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

**COUNTY OF CUMBERLAND  
BUDGET REVISION REQUEST**

Budget Office Use	
Budget Revision No.	B10-322
Date Received	_____
Date Completed	_____

Fund No. 430 Agency No. 438 Organ. No. 4385  
 Organization Name: JCPC Programs

ITEM NO. 2H(4)

**REVENUE**

Revenue Source Code	Description	Current Budget	Increase (Decrease)	Revised Budget
669P	Intensive Services In-Kind	4,400	(4,400)	-
438D	NC Juvenile Assessment Center	208,231	(6,800)	201,431
Total		212,631	(11,200)	201,431

**EXPENDITURES**

Object Code	Appr Unit	Description	Current Budget	Increase (Decrease)	Revised Budget
350P	728	Intensive Services In-Kind	4,400	(4,400)	-
345T	728	Juvenile Assessment Center	225,685	(6,800)	218,885
Total			230,085	(11,200)	218,885

**Justification:**

Revision to decrease the County JAC budget to align the County budget with the State.

**Funding Source:**

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

**Fund Balance:**

Submitted By: \_\_\_\_\_ Date: \_\_\_\_\_  
 Department Head  
 Reviewed By: Howard A. B... Date: 4/12/10  
 Finance  
 Reviewed By: Amy C. Cannon Date: 4/13/10  
 Deputy/Assistant County Mgr

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

**COUNTY OF CUMBERLAND  
BUDGET REVISION REQUEST**

<b>Budget Office Use</b>	
Budget Revision No.	<u>816-327</u>
Date Received	_____
Date Completed	_____

Fund No. 133 Agency No. 450 Organ. No. 4548  
 Organization Name: WIA Dislocated Worker Fund

ITEM NO. 24(5)

**REVENUE**

Revenue Source Code	Description	Current Budget	Increase (Decrease)	Revised Budget
4534	NC Dislocated	387,841	150,000	226,735
	Total	387,841	150,000	537,841

**EXPENDITURES**

Object Code	Appr Unit	Description	Current Budget	Increase (Decrease)	Revised Budget
3313	622	College Training	21,226	100,000	121,226
3315	622	Professional Training		50,000	50,000
		Total	21,226	150,000	171,226

**Justification:**

Dislocated Worker Contingency Funds in the amount of \$150,000.00 to use towards expenditures for the remaining 2010 Fiscal Year.

Funding Source: State: 0% Federal: \_\_\_\_\_ County: \_\_\_\_\_ New: \_\_\_\_\_ Other: \_\_\_\_\_  
 Other: \_\_\_\_\_ Fees: \_\_\_\_\_ Prior Year: \_\_\_\_\_

Submitted By: *Gregorio M. Ixoa* Date: 4/13/10  
 Department Head  
 Reviewed By: *Howard B. Br...* Date: \_\_\_\_\_  
 Budget Analyst  
 Reviewed By: *Amy N. Moulton* Date: 4/13/10  
 Deputy Assistant County Mgr  
 Reviewed By: \_\_\_\_\_ Date: \_\_\_\_\_  
 Information Services

<b>Approved By:</b>	
_____	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

APRIL 9, 2010

**MEMO TO:** Cumberland County Board of Commissioners

**FROM:** Cumberland County Joint Planning Board

**SUBJECT:** **Case P10-10:** Rezoning of 1.30+/- acres from C1(P) Planned Local Business to C2(P) Planned Service and Retail or to a more restrictive zoning district; located at 149 West Manchester Road and west of North Bragg Boulevard (NC HWY 87), south of SR 1451 (West Manchester Road); submitted by Soon Ku and Young Hui Yun (owners) and Don Tyson.

**ACTION:** Members present at the March 16, 2010 meeting voted unanimously to recommend approval of the C2(P) Planned Service and Retail District.

**SITE INFORMATION:** **Frontage:** 248.00'+/- on SR 1451 (West Manchester Road); **Depth:** 260.00'+/-; **Jurisdiction:** Cumberland County; **Adjacent Property:** No; **Current Use:** Vacant residential structure; **Initial Zoning:** R10 & M(P) – January 7, 1977 (Area 11); rezoned to C1(P) on September 21, 1998; **Nonconformities:** Yes, residential structure in commercial district; **Zoning Violation(s):** None; **Surrounding Zoning:** North: C(P) (Spring Lake), R15 (Spring Lake), R10 (Spring Lake), RR & CD; South: M(P) (Spring Lake), C3 (Spring Lake), C(P), R10, R6A (Spring Lake) & RR (Spring Lake); East: C3 (Spring Lake) & R10 (Spring Lake); West: M(P); **Surrounding Land Use:** Residential (including manufactured homes & multi-family), religious worship, mini-warehousing, day care, convenience retail w/ gasoline sales (2), hotel, retailing (2) & woodlands; **2030 Land Use Plan:** Planned Commercial; **Special Flood Hazard Area (SFHA):** Yes, base flood 152 MSL (NAVD); **Water/Sewer Availability:** Spring Lake/Spring Lake; **Soil Limitations:** None; **School Capacity/Enrolled:** Manchester Elementary: 340/325; Spring Lake Middle: 700/438; Pine Forest High: 1,750/1,494; **Subdivision/Site Plan:** If approved, recombination required; **Municipal Influence Area:** Town of Spring Lake; **Average Daily Traffic Count (2008):** 8,800 on SR 1451 (West Manchester Road); **POPE AFB:** Recommend disapproval of rezoning for any residential development including hotels and transient lodging. Subject property is within the Accident Potential Zone 1 (APZ 1); **US Fish & Wildlife:** No objection to rezoning; however, concerned about loss of trees for dispersal corridor for red-cockaded woodpeckers; **Highway Plan:** There are no road improvements/constructions specified for this area. This case has no impact on the current highway plan or Transportation Improvement Program; **Note:** Minimum Yard Setback Regulations: **C1(P):** Front yard: 45', Side yard: 15', Rear yard: 20'; **C2(P):** Front yard: 50', Side yard: 30', Rear yard: 30'.

### MINUTES OF MARCH 16, 2010

The Planning & Inspections Staff recommends approval of the request for C2(P) Planned Service and Retail District based on the following:

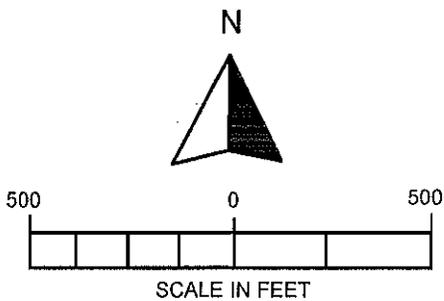
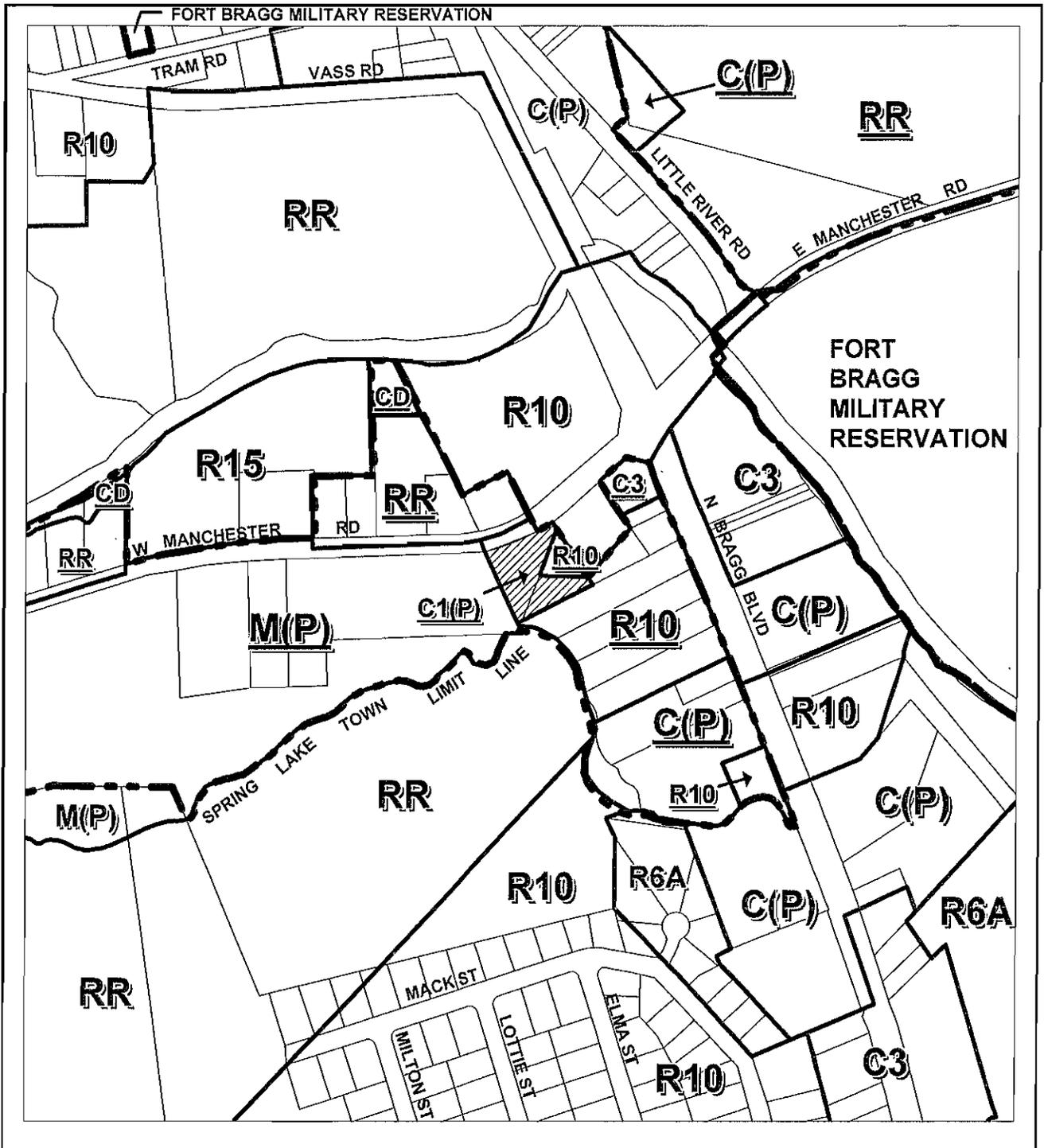
1. The request is both consistent with the location criteria for "urban area" as listed in the recently adopted Land Use Policies Plan as well as with the Spring Lake Area Detailed Use Plan which calls for "planned commercial";
2. Public utilities are available to the subject property; and
3. The Town of Spring Lake supports this request.

There are no other districts considered suitable for this request.

**A motion was made by Mr. McLaurin, seconded by Mr. Hostetter, to follow the staff recommendation and approve case P10-10 as submitted. 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 C1(P) TO C2(P)

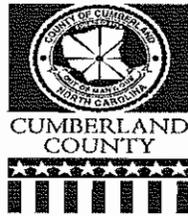
<b>ACREAGE: 1.30 AC.+/-</b>	<b>HEARING NO: P10-10</b>	
<b>ORDINANCE: COUNTY</b>	<b>HEARING DATE</b>	<b>ACTION</b>
<b>STAFF RECOMMENDATION</b>		
<b>PLANNING BOARD</b>		
<b>GOVERNING BOARD</b>		

PIN: 0502-34-6588  
 PIN: 0502-34-7489

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*

ITEM NO. 3B

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

APRIL 9, 2010

**MEMO TO:** Cumberland County Board of Commissioners

**FROM:** Cumberland County Joint Planning Board

**SUBJECT:** **Case P10-11:** Rezoning of 2.00+/- acres from C1(P) Planned Local Business and R6A Residential to C(P) Planned Commercial or to a more restrictive zoning district, located at 3163 Camden Road; submitted by Gayle S. Lanier for Progress Energy Carolinas, Inc. (owner) and Alice S. Wann.

**ACTION:** Members present at the March 16, 2010 meeting voted unanimously to recommend approval of the C(P) Planned Commercial District.

**SITE INFORMATION:** **Frontage & Location:** 235.00'+/- on SR 1003 (Camden Road); **Depth:** 403.00'+/-; **Jurisdiction:** Cumberland County; **Adjacent Property:** No; **Current Use:** Vacant commercial; **Initial Zoning:** R10 – November 17, 1975 (Area 4); rezoned to C1(P) on June 11, 1976; **Nonconformities:** Existing structure approximately 26.5' from proposed r/w; if approved, existing structure will not be able to meet side setbacks (approximately 16.1' from side property line); **Zoning Violation(s):** None; **Surrounding Zoning:** North: M2 (Fayetteville), M(P), C3 (Fayetteville), C1(P), R10, R6A & R6; South: M2, M(P), C3, C(P), C1(P), R6A & R10; East: M1 (Fayetteville), C3, R10 & R6A; West: M2 & M(P); **Surrounding Land Use:** Residential (including manufactured homes & multi-family), manufactured home park, religious worship, trade contractor, industrial operations not otherwise prohibited, truck terminal activities & school; **2030 Land Use Plan:** Urban area; **Special Flood Hazard Area (SFHA):** None; **Water/Sewer Availability:** Well/Septic; **Soil Limitations:** None; **School Capacity/Enrolled:** Cashwell Elementary: 675/769; South View Middle: 900/725; South View High: 1800/1838; **Subdivision/Site Plan:** Site plan required for any change-in-use or new construction; **Airport Overlay District:** No objection to request; **Municipal Influence Ares:** City of Fayetteville; **Average Daily Traffic Count (2008):** 8,800 on SR 1003 (Camden Road); **Highway Plan:** Camden Road is identified in the highway plan as a major thoroughfare. This proposal calls for a multi-lane facility (U-2810) with a right-of-way of 110 feet. Road improvements are included in the 2009-2015 MTIP; **Notes:** Minimum Yard Setback Regulations: **C1(P):** Front yard: 45', Side yard: 15', Rear yard: 20'; **C(P):** Front yard: 50', Side yard: 30', Rear yard: 30'.

#### MINUTES OF MARCH 16, 2010

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

1. Although the district requested is not entirely consistent with the location criteria for planned commercial as listed in the Land Use Policies Plan of the 2030 Growth Vision Plan because public sewer is required, but is not available and this area is predominantly surrounded by commercial and industrial;

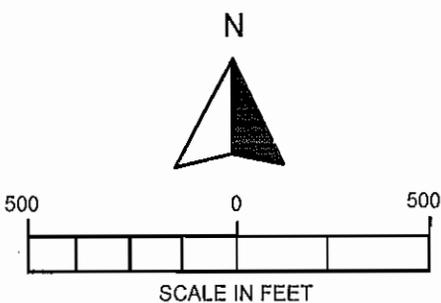
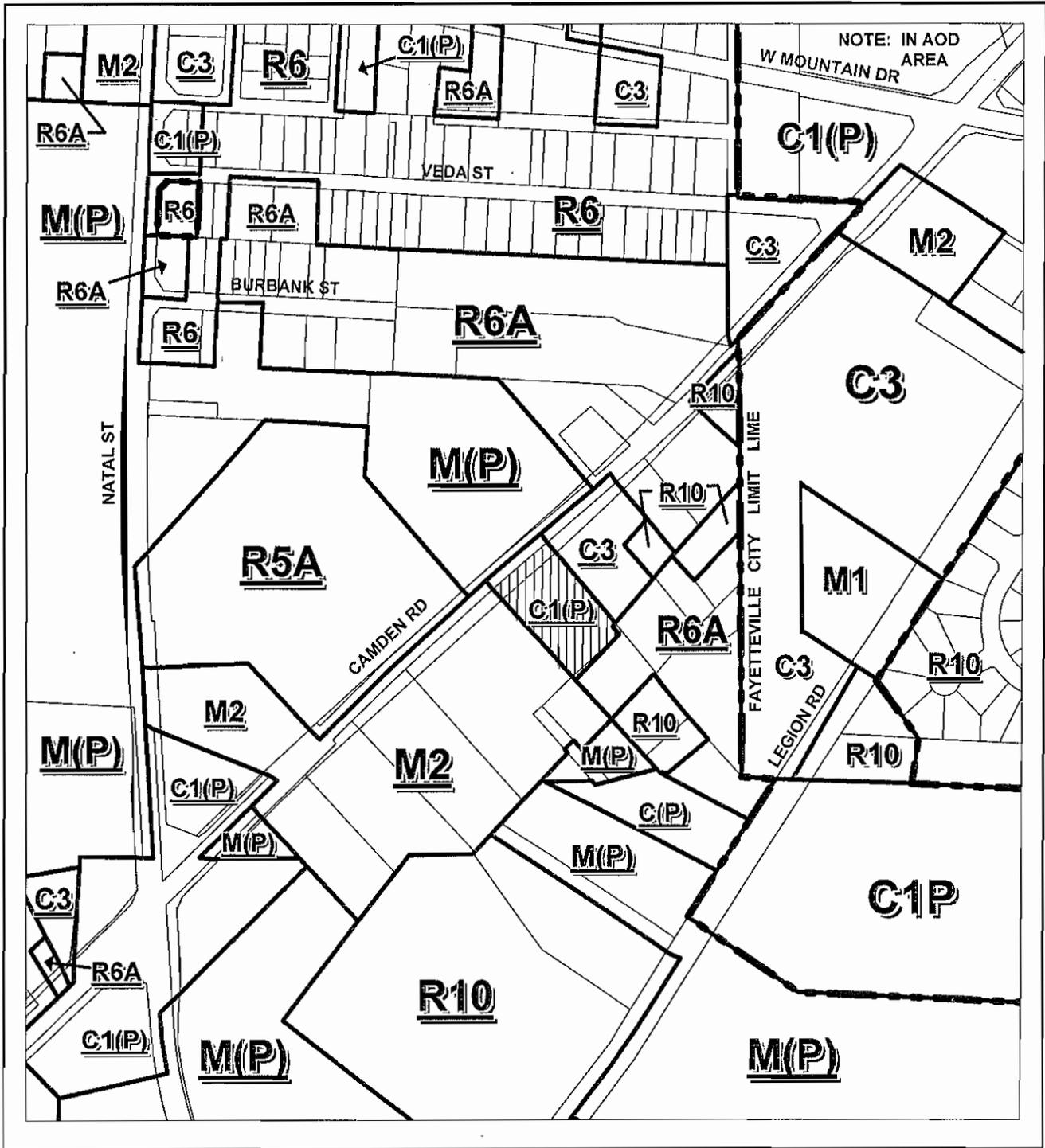
2. The request is reasonable due to the immediate area transitioning to primarily non-residential uses at this location; and
3. The subject property is located on a major thoroughfare.

There are no other districts considered suitable for this request.

**A motion was made by Mr. McLaurin, seconded by Mr. Hostetter, to follow the staff recommendation and approve case P10-11 as submitted. Unanimous approval.**

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

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



PIN: 0425-58-6789

## REQUESTED REZONING C1(P) & R6A TO C(P)

ACREAGE: 2.00 AC.+/-	HEARING NO: P10-11	
ORDINANCE: COUNTY	HEARING DATE	ACTION
STAFF RECOMMENDATION		
PLANNING BOARD		
GOVERNING BOARD		

ITEM 3C \*\*\* CASE P07-32 – WITHDRAWN \*\*\*

Conditional Use District & Permit Cases

**\*\*WITHDRAWN\*\*** – CASE P07-32: Modification of the Permit for an approved MXD Mixed Use Development/CUD Conditional Use District, with the Permit allowing for interconnection with Thornsby Lane of the Traemoor Subdivision; consisting of 59.71 +/- acres; located on the north side of SR 1112 (Rockfish Road), east side of SR 1108 (Lakewood Drive); submitted by Jackie Hairr for HCC Investments, LLC (owner).

**\*\*WITHDRAWN\*\***

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. Coombs,  
Deputy Director

Walter Clark,  
Sara E. Piland,  
Cumberland County

Benny Pearce,  
Town of Eastover

Donovan McLaurin,  
Wade, Falcon & Godwin

APRIL 9, 2010

MEMO TO: Cumberland County Board of Commissioners

FROM: Cumberland County Joint Planning Board

SUBJECT: **Case P10-07:** Rezoning of 2.93+/- acres from R6A Residential and R10 Residential to M1(P) Planned Light Industrial/CUD Conditional Use District for mini-warehousing and the Permit or to a more restrictive zoning district; located between NC Hwy 210 (Lillington Hwy) and SR 1601 (Chapel Hill Road), north of Samuel Drive; submitted by Willie Smith, Rubin and Juliette McCoy and Parmount Investments, LLC (owners) and Timothy B. Evans. (County & Spring Lake)

ACTION: Members present at the March 16, 2010 meeting voted unanimously to recommend approval of M1(P) Planned Light Industrial/CUD Conditional Use District for mini-warehousing and the Permit.

**SITE INFORMATION:** **Frontage:** 560.00'+/- on Lillington Hwy (NC HWY 210) and 40.00'+/- on SR 1601 (Chapel Hill Road); **Depth:** 410.00'+/-; **Jurisdiction:** Cumberland County & Town of Spring Lake; **Adjacent Property:** No; **Current Use:** Residential (including one DW & one SW mh) and vacant tracts; **Initial Zoning:** R10 – January 7, 1977 (Area 11); portion rezoned to R6A on March 26, 1996; **Nonconformities:** Existing nonconforming for setbacks and if approved, residential use will be nonconforming; **Zoning Violation(s):** None; **Surrounding Zoning:** North: R10/CU (to allow manufactured dwelling), M(P), C3, R10, R6A & RR; South: C(P), C3, R10, R6A & R5A (Spring Lake); East: C(P) (Spring Lake) & R5A (Spring Lake); West: C1(P) & R10; **Surrounding Land Use:** Residential (including manufactured dwellings and multi-family), motor vehicle repair (2), motor vehicle wrecking yard, religious worship (3), office, barbering, shopping center & woodlands; **Spring Lake Area Detailed Land Use Plan:** Low density residential; **Special Flood Hazard Area (SFHA):** None; **Water/Sewer Availability:** Spring Lake/Spring Lake; **Soil Limitations:** None; **School Capacity/Enrolled:** Manchester Elementary: 340/325; Spring Lake Middle: 700/438; Pine Forest High: 1,750/1,494; **Subdivision/Site Plan:** If approved, "Ordinance Related Conditions" apply; **Municipal Influence Area:** Town of Spring Lake (County Portion); **Average Daily Traffic Count (2008):** 19,000 on Lillington Hwy (NC HWY 210) & 2,900 on SR 1601 (Chapel Hill Road); **POPE AFB:** No objection, property not located within an Accident Potential Zone (APZ) or critical noise area; **US Fish & Wildlife:** No objection to rezoning; however, concerned about loss of trees for dispersal corridor for red-cockaded woodpeckers; **Highway Plan:** This portion of Bragg Blvd. is identified as an existing boulevard that needs improvements. It is part of the NC Strategic Highway Corridors Network. The corridor is not included in the Transportation Improvement Program. Also, it should be noted that this property may be impacted by the future realignment of Chapel Hill Road; **Notes:** 1. Minimum Yard Setback Regulations [M1(P) – Spring Lake]: Front yard: 50', Side yard: 30', Rear yard: 20', 2. Proposed main building is 3 stories, 3. The .08 +/- acres that make up the corner of Lillington Hwy 210 and SR 1601 are not a part of this request.

MINUTES OF MARCH 16, 2010

The Planning & Inspections Staff recommends approval of the requested rezoning to M1(P) Planned Light Industrial/Conditional Use District [M1(P)/CUD] for mini-warehousing based on the following:

1. The area in which the subject property is located is consistent with the location criteria as listed in the Land Use Policies Plan of the 2030 Growth Vision Plan;
2. NC HWY 210 (Lillington HWY) is a major thoroughfare; and
3. Spring Lake water and sewer is available to this site.

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 proposed site layout is designed in such a manner that at a minimum the development standards of the ordinances will be met or exceeded;
2. The use and the proposed development 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 if developed as proposed in that the developer and property owners are proposing a high quality development that is not typical of the standard metal building with roll up doors as normally seen used for mini-warehousing; 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.

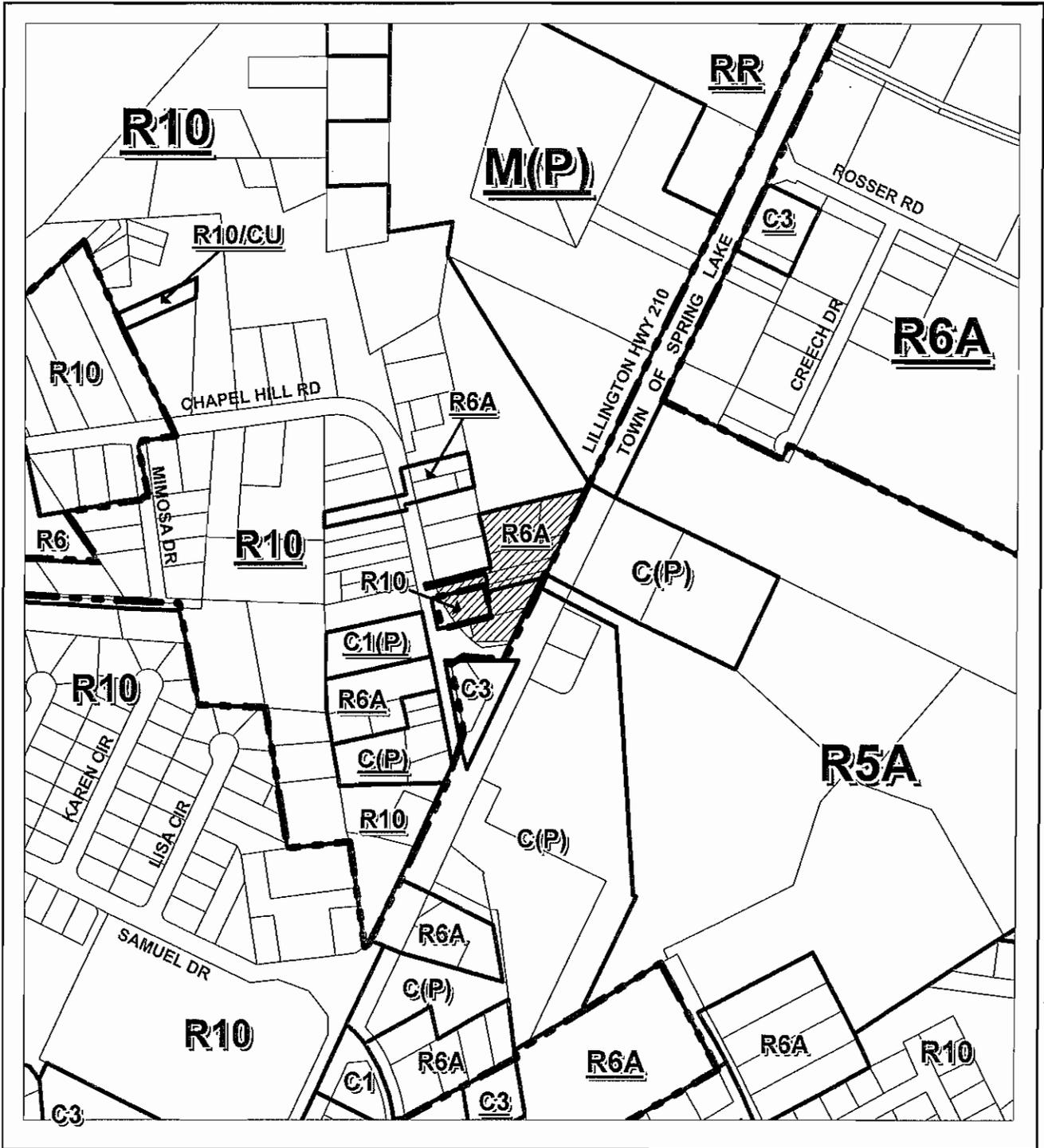
The property owner and developer has voluntarily agreed to this staff recommendation and all attached *Ordinance Related Conditions*.

**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.**

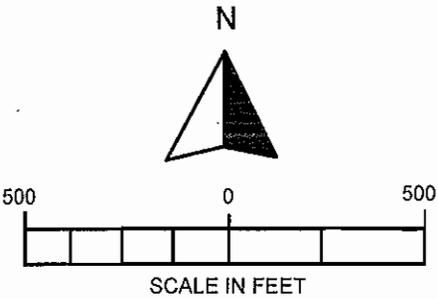
**A motion was made by Mr. McLaurin and seconded by Mr. Hostetter to approve the Conditional Use Permit as recommended by the staff after finding that when completed, the proposal: 1) will not materially endanger the public health and safety; 2) will not substantially injure the value of adjoining or 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 as 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.*

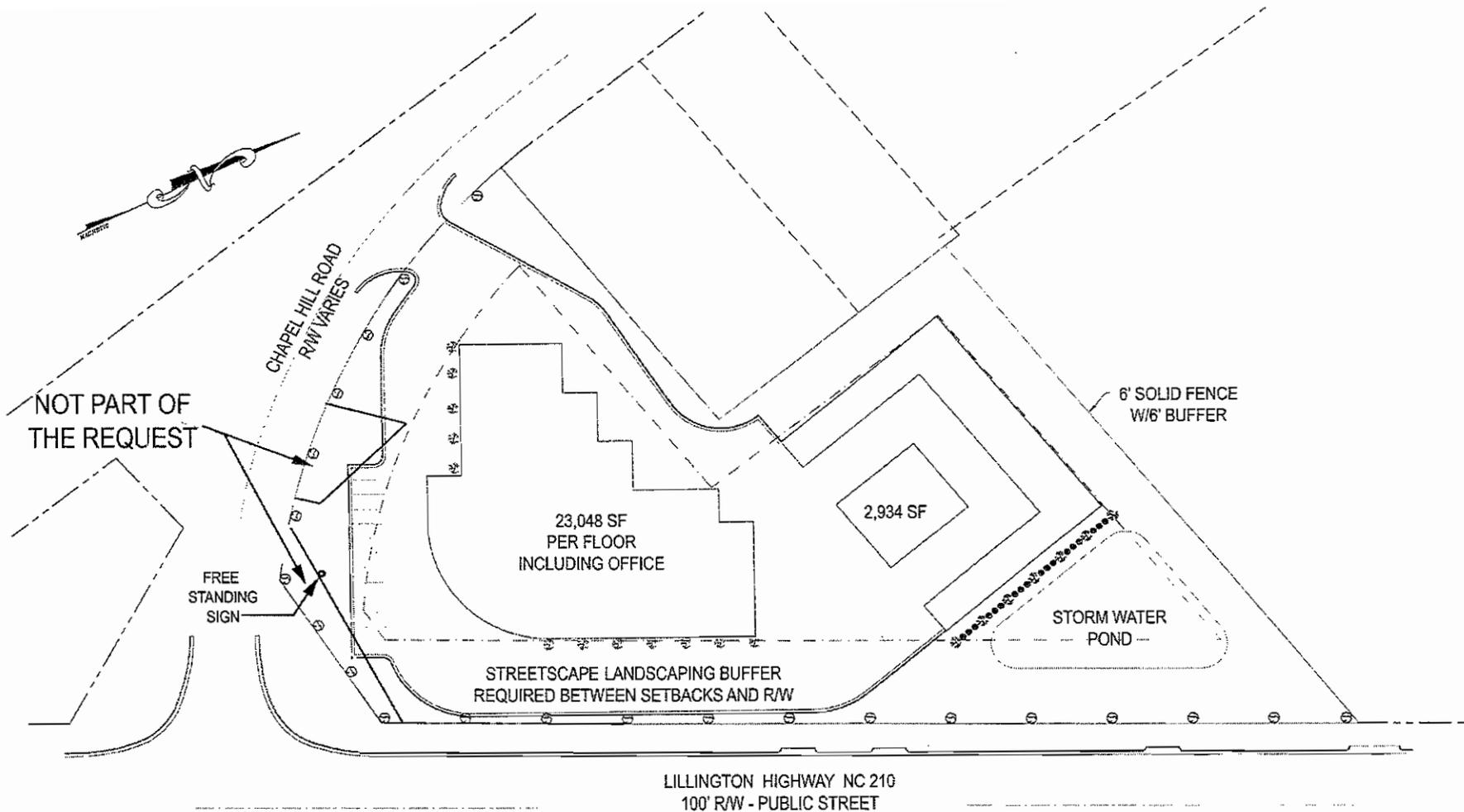


## REQUESTED REZONING R6A & R10 TO M1(P)/CUD



PIN: 0512-01-6616,5502,2495,4228  
4651,4487,3316,4420

<b>ACREAGE: 2.93 AC. +/-</b>	<b>HEARING NO: P10-07</b>	
<b>ORDINANCE: COUNTY/SPRING LAKE</b>	<b>HEARING DATE</b>	<b>ACTION</b>
<b>STAFF RECOMMENDATION</b>		
<b>PLANNING BOARD</b>		
<b>GOVERNING BOARD</b>		



**M1 (P)/CUD CONDITIONAL USE DISTRICT & PERMIT  
REQUEST: TO ALLOW A MINI-WAREHOUSING**

**CASE: P10-07      ACREAGE: 2.93 AC +/-**

**ZONED: R6A & R10      SCALE: NTS**

**PARKING: AS SHOWN**

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

**Conditional Use District & Permit**

Ordinance Related Conditions

**Pre-Permit Related:**

1. The developer must provide proof of ownership of the two properties identified by PIN: 0512-01-2287 and 0512-01-4228 (.08+/- acres excluded from the rezoning request) prior to any permits being issued for this site.

If the developer does not acquire the two properties identified above, currently owned by the NC Department of Transportation, five copies of a revised site plan redesigning and showing the required off-street parking and landscaping entirely on the subject property.

2. A recombination plat (also known as a "No Approval Required" or "NAR") must be submitted to the Town Clerk and County Planning Staff for review and approval for recording with the County Register of Deeds, and the plat must be recorded prior to any permit application for any structure and/or prior to the sale of any lot or unit within this development.
3. The developer submit five copies of a revised site plan to the County Planning Staff , for review by the Town and County staffs, including the following changes:
  - a. The location of any proposed garbage or dumpster locations with the dumpsters being buffered in accordance with Section 156.088.6 of the Spring Lake Zoning Chapter;
  - b. The location and type of required buffer along all side and rear property lines where this site abuts residentially zoned properties must be reflected. (Note: If the developer does not acquire the land which belongs to NCDOT the these lots will be considered as side property lines and will also be required to be buffered.);
  - c. The site plan must reflect the required sidewalk along NC Highway 210 (Lillington HWY);
  - d. A sidewalk must be reflected along SR 1601 (Chapel Hill Road);
  - e. "Chapel Hill Road" must be labeled as "SR 1601 (Chapel Hill Road)" on all future plans.
  - f. "Lillington Highway – NC 210" must be labeled as "NC HWY 210 (Lillington HWY)" on all future plans.
  - g. Landscaping must be provided in accordance with Section 156.088, Landscaping Requirements, Spring Lake Zoning Chapter and/as shown on the site plan. The following are the minimum landscaping standards for the Town of Spring:
    - (1) Nineteen large shade trees or 38 small ornamental trees within the six foot wide perimeter planting strip along SR 1601 (Chapel Hill Road) and NC HWY 210 (Lillington HWY);
    - (2) Six small ornamental trees and 34 shrubs are required in the building yard area;
    - (3) One large shade trees or two small ornamental trees are required within the parking area.

In addition:

- (1) Required plant materials shall be maintained by the property owner, including replacing dead or unhealthy trees and shrubs; and
- (2) All yard and planting areas shall be maintained in a neat, orderly, and presentable manner and kept free of weeds and debris.

**Permit-Related:**

4. The owner/developer(s) of these lots must obtain detailed instructions on provisions of the Spring Lake Zoning Code and permits required to place any structure within this development from the Spring Lake Inspections Department in Town Hall at 300 Ruth Street. For additional information, the developer should contact a Spring Lake Inspector.
5. Prior to application for any permits, all plans must be approved by the Town's Plan Review Committee. In the event the site plan changes as a result of the Town's Review Committee requirements, the developer must submit five copies of the revised site plan

## DRAFT

to the County Planning Staff and dependent upon the extent of the changes, may require re-review and approval by the Town Board of Aldermen.

6. Connection to public water and sewer is required, the Town of Spring Lake must approve water and sewer plans prior to application for any permits. A copy of the Town of Spring Lake's approval must be provided to Code Enforcement at the time of application for building/zoning permits. (Section 2306 A.1, Public Water and Sewer Systems County Subdivision Ordinance)

Note: Prior to review by the Town of Spring Lake of any utility plans, the developer will be required to petition for annexation the County portion of this site.

7. New development that will disturb one acre or more of land or is part of a larger plan that will disturb at least an acre of land is subject to the Post-Construction Stormwater Management Permitting Program (Phase II Stormwater Management Requirements) administered by the Spring Lake Stormwater Department. 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 Town's *Post-Construction Permit* must be provided to Town's Inspections Department.
8. The developer must provide the Spring Lake Inspections Department 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 County and Town Planning staffs prior to application for any building/zoning permits.) A copy of the NCDENR approval must be provided to the Building Inspector at the time of application for any building/zoning permits.
9. The developer must provide a site-specific address and tax parcel number at the time of building/zoning permit application.
10. The building final inspection cannot be accomplished until a Town Building Inspector 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 Spring Lake Subdivision and Zoning Chapters for the M1(P)/CUD zoning district and the terms of the approved Permit must be complied with, as applicable.
12. All corner lots and lots fronting more than one street must provide front yard setbacks from each street.
13. The developer is encouraged to refrain from clearing trees unnecessarily and where possible to keep and protect full grown trees.
14. The building façade must be constructed with brick or similar finishing material and no one story stand alone individual units with rollup sliding doors may face any public right-of-way.
15. This conditional approval is not approval of the permit for any freestanding signs. Attached signage for this development must be in accordance with the applicable sign regulations as set forth in Section 156.110 – 156.121 of the Spring Lake Zoning Chapter 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.)
16. A concrete, or other approved surface material, sidewalk is required to be constructed along one side of all streets, to include along NC HWY 210 (Lillington HWY) and SR 1601 (Chapel Hill Road); the sidewalk must be fully constructed prior to the building final inspection for this development. [Section 155.67(E), Sidewalks, Spring Lake Subdivision Chapter]
17. For any new development, an adequate drainage system must be installed by the developer in accordance with good engineering practices and all drainage ways must be kept clean and free of debris with the standards of the Town of Spring Lake, Section 155.66(G), Spring Lake Subdivision Chapter.
18. For new development, all utilities, except for 25kv or greater electrical lines, must be located underground.
19. If a stormwater pond is required, the owner/developer shall secure and maintain the detention/retention basin, keeping it clear of debris and taking measures for the prevention of insect and rodent infestation.

## DRAFT

20. 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.
21. Turn lanes may be required by the NC Department of Transportation (NCDOT).
22. All lighting is required to be directed internally within this development.
23. A solid buffer must be provided and maintained along the side and rear property lines where this tract/site abuts residentially zoned properties in accordance with the provisions of Section 156.088.6 of the Spring Lake Zoning Chapter.
24. All dumpster, garbage, and utility areas shall be located on concrete pads and screened on a minimum of three sides.
25. All required off-street parking spaces shall be a minimum of 8 1/2' x 20'. A minimum of one space for each 300 square feet of office of gross floor area of off-street parking spaces are required for this development. (Section 156.101, Off-street parking requirements, Spring Lake Chapter.)
26. 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.
27. All notes and calculations as shown on the site plan and contained within the application are to be considered as a part of this conditional approval.

### **Plat-Related:**

28. The recombination plat must be drawn with solid property lines with the bearing and distances, acreage and lot identifier.
29. A lateral access easement must reserved to the adjacent properties along SR 1601 (Chapel Hill Road) and NC HWY 210 (Lillington HWY) and the recombination plat must reflect the "lateral access" easements.
30. "Lillington Highway – NC 210" must be labeled as "NC HWY 210 (Lillington HWY)" on the recombination plat.
31. "Chapel Hill Road" must be labeled as "SR 1601 (Chapel Hill Road)" on the recombination plat.
32. Any/All easements must be reflected on the recombination plat and labeled as to type of easement, reference number for document creating the easement, and the name of the agency, individual, etc. who holds the easement.
33. The NC Department of Transportation (NCDOT) stamp must be affixed to the recombination plat prior to submission for approval for recording by the County Planning Staff.
34. The notarized signature(s) of all current tax record owner(s) and notary certifications appear on the recombination plat when submitted for final approval.

### **Plat-Required Statements:**

35. All structures shall be shown on the recombination plat or the plat must reflect the following statement:  
"Nonconforming structures have not been created by this recombination."

### **Advisories:**

36. The applicant is advised to consult an expert on wetlands before proceeding with any development.
37. 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.

**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.**

# DRAFT

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

Subdivision/Site Plan/Plat	Ed Byrne	678-7609
Code Enforcement (Permits):	Ken Sykes	321-6654
Town of Spring Lake:	Tom Spinks (Planning Director)	436-0241*
Tom Spinks, Planning Director		
Paul Hoover, Inspections/Building		
Byron Blumenfeld, Stormwater		
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
N.C. Division of Water Quality:	Mike Randall	(919) 733-5083 ext. 545

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

cc: Tom Spinks , Spring Lake Planning Director

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: \_\_\_\_\_
2. ADDRESS: \_\_\_\_\_ ZIP CODE: \_\_\_\_\_
3. TELEPHONE: (Home) \_\_\_\_\_ (Work) \_\_\_\_\_
4. Location of Property: \_\_\_\_\_  
\_\_\_\_\_
5. Parcel Identification Number (PIN #) of subject property: \_\_\_\_\_  
(also known as Tax ID Number or Property Tax ID)
6. Acreage: \_\_\_\_\_ Frontage: \_\_\_\_\_ Depth: \_\_\_\_\_
7. Water Provider: \_\_\_\_\_
8. Septage Provider: \_\_\_\_\_
9. Deed Book \_\_\_\_\_, Page(s) \_\_\_\_\_, Cumberland County Registry. (Attach copy of deed of subject property as it appears in Registry).
10. Existing use of property: \_\_\_\_\_
11. Proposed use(s) of the property: \_\_\_\_\_  
\_\_\_\_\_

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

12. It is requested that the foregoing property be rezoned FROM: R-6A & R-10  
CIP

TO: (select one)

- Conditional Use District, with an underlying zoning district of MIP  
(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 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.)

Mini Storage

- 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.

N/A

2. DIMENSIONAL REQUIREMENTS:

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

Rev Site Plan

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

Rev Site Plan

3. SIGN REQUIREMENTS:

Reference the district sign regulations proposed from Article XIII.

Rev Site Plan

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.**

Rev Site Plan

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

Rev 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.

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.

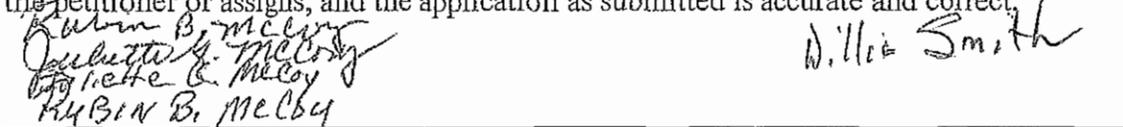
It is the responsibility of the petitioner (personally or by agent) to submit to the Planning and Inspections Department a valid request, not incompatible with existing neighborhood zoning patterns.

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.


  
 Ruben B. McCoy  
 Juliette H. McCoy  
 Willet Smith

NAME OF OWNERS (PRINT OR TYPE)

809 Chapel Hill Rd, Splice NC 28390                      1775 Swan St, Fay, NC 28303  
 ADDRESS OF OWNER(S)

910 447 7647    Home 910-822-0971  
 HOME TELEPHONE #    WORK TELEPHONE #

      
 SIGNATURE OF OWNER(S)    SIGNATURE OF OWNER(S)

ACKNOWLEDGEMENT:

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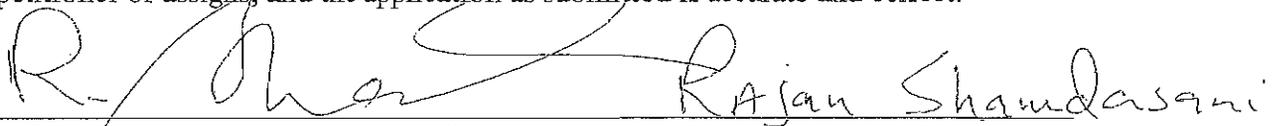
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I further understand I must voluntarily agree to all conditions proposed for the Conditional Use Permit.

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 Rajan Shandhasani

NAME OF OWNERS (PRINT OR TYPE)

ADDRESS OF OWNER(S)

HOME TELEPHONE #

WORK TELEPHONE #



SIGNATURE OF OWNER(S)

SIGNATURE OF OWNER(S)

***“BETCO made sure every issue was attended to from A to Z.”***



*“Having been in commercial and residential real estate development for several years, we decided about five years ago to research the self-storage industry as another investment opportunity. As we completed our due diligence, we realized self-storage was a good fit for us.*

*“We asked around, attended trade shows and heard nothing but good things about BETCO’s product and service.*

*“We opened our first facility in 2006, our second in 2007, expanded both in 2008, and as of August of this year we’ve*

*opened our third facility, a gorgeous 90,000 sq.ft. three-story building.*

*“Since we were new in the business back in 2005, BETCO’s sales rep was thoroughly involved and paid extra attention to us, with issues such as unit mix, site selection and layout. In fact, our sales rep and the company made sure every issue was attended to from A to Z.”*

*Shelley Bhatia  
Ultimate Storage Company  
Fayetteville, NC*



PO Box 1650 • Statesville, NC 28687 • Call 1-800-654-7813 or go to [www.betcoinc.com](http://www.betcoinc.com) and choose any or all 5 FREE Resources

## 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

APRIL 9, 2010

ITEM NO. 3E

MEMO TO: Cumberland County Board of Commissioners

FROM: Cumberland County Joint Planning Board

SUBJECT: **Case P10-09:** Rezoning of 147.3+/- acres from A1 Agricultural and RR Rural Residential to R7.5 Residential or to a more restrictive zoning district, located at 1915 and 1919 Tom Starling Road; submitted by Linda S. Johnson, Barbara Smith, Mae S. Parsons, Tommy Woodell and Pamela Domonski (owners) and John Koenig for KAS, LLC.

ACTION: Members present at the March 16, 2010 meeting voted unanimously to recommend approval of the R15 Residential/CUD Conditional Use District for 312 lots and the CD Conservancy/Conditional Use District following the Special Flood Hazard area and the Permit to include a no tree cutting restriction in the CD/CUD portion except for utilities.

**SITE INFORMATION:** **Frontage & Location:** 2,960.00'+/- on SR 2220 (Tom Starling Road); **Depth:** 1940.00'+/-; **Jurisdiction:** Cumberland County; **Adjacent Property:** Yes, surrounded by subject property; **Current Use:** Farmland; **Initial Zoning:** A1 – March 15, 1979 (Area 6); **Nonconformities:** None; **Zoning Violation(s):** None; **Surrounding Zoning:** North: R10/CU (to require water & sewer), M(P), C(P), C1(P), R10 & RR; South: A1/CU (motor vehicle washing), C(P), R6A, RR & A1; East: RR; West: A1; **Surrounding Land Use:** Residential (including manufactured homes), club, substation, farmland and woodlands; **2030 Land Use Plan:** Urban and Conservation; **Special Flood Hazard Area (SFHA):** Yes; base flood is 78 msl (NAVD). 80 MSL with two foot freeboard; **Army Corp:** Wetlands may be present and if so, Sec 404 permit required; **Water/Sewer Availability:** PWC/PWC; **Sewer Service Area:** Yes; **Soil Limitations:** Yes, hydric – RO Roanoke and Wahee loams and WmB Wickham fine sandy loam; **School Capacity/Enrolled:** Alderman Road Elementary: 750/698; Gray's Creek Middle 1,000/861; Gray's Creek High 1,270/1,219; **Subdivision/Site Plan:** If approved, "Ordinance Related Conditions" apply; **Airport Overlay District:** Not within runway approach, no objection to request; **Average Daily Traffic Count (2008):** 2,600 on SR 2220 (Tom Starling Road); **Recreation Area:** Arnette Park located 1.89+/- miles away and proposed Grays Creek Park will be approximately 2.77+/- miles away; **Highway Plan:** Tom Starling Road is identified in the Highway Plan as a Major Thoroughfare. This proposal calls for a multi-lane facility (4 Ln-divide). Road improvements are not included in the 2009-2015 MTIP. This a priority #1 in the Highway Portion of the LRTP; **Notes:** 1. Request voluntarily amended to: a. R15/CUD with the Permit restricting the site to 312 lots (2.1 units per acre); b. CD/CUD with the CD Conservancy district line following the Special Flood Hazard Area (100 year) extending to Rockfish Creek and the Permit restricting the CD area to "no tree cutting, except where necessary for utility installation"; and c. Total open space (common area): 45 +/- acres (approximately 30% of the 147+/- acre tract); 2. Density (minus 15% for r/w): A1 – 67 lots (revised 031710), R20 & RR – 273 lots, R40 – 136 lots, R15 – 364 lots, R30 – 182 lots, R7.5 – 727 lots.

MINUTES OF MARCH 16, 2010

Mr. Lloyd: Presented site information, surrounding zoning, land use and photos for the case. They are asking for 312 lots as shown on the detailed site plan, a CD conservancy district to run along Rockfish Creek and it follows the special flood hazard line, that is to service a minimum 50 ft. buffer and we will see another slide to see just how much buffer there is going to be when you count the CD conservancy rezoning with the planned open space. The total open space in this proposal is approximately 30 percent of the 147 acre tract. Currently the A1 allows single and double wide manufactured homes. The breakdown is in your site profile of how many you could get at straight R15 on this subject property. You could put 364 lots and this proposal is for 52 less at 312. Again, PWC water and sewer runs through the subject property. The proposed CD does follow the 100 year flood line and there is a total of 45+/- acres of open space. This slide shows the buffer along Rockfish Creek if you count not just the CD conservancy, but the proposed open space. It ranges from here at 830 feet, 370 feet, 80 feet, and 70 feet, but for the most part the buffer will be over 100 feet along most of this proposed development. As you may recall when this was brought to us a month ago, one of the key concerns the staff and the board is the buffer along Rockfish Creek. I also want to point out that there is a mistake in the packet under the other relevant conditions and there is a misstatement under condition #51 and it reads "A section 404 permit will be required if the applicant needs to fill wetlands for the construction of the convenience store and/or development of the remaining parcel." There is no convenience store, somehow that got in there, it should read "A Section 404 permit will be required if the applicant needs to fill wetlands for construction of the subdivision". So for the record, delete "of the convenience store and/or development of the remaining parent tract" and just put "subdivision". Just to refresh your memories a previous proposal on this tract did come before us in January 17, 2006, that proposal was initially for 542 lots and the developer at that time finally settled on 400 and again this is for 312 lots. The Planning Board at that time did approve the 400 proposal, but the commissioners turned that down.

The above referenced case was deferred from the board's February 16, 2010 meeting at the request of the property owners and developer allowing time to consider amending their request. The application has been amended and the request is now for a **R15 Residential/Conditional Use District and Permit (R15/CUD) and CD Conservancy District/Conditional Use District and Permit (CD/CUD)** for the subject property.

For that portion of the subject property requested to be rezoned to R15/CUD, the property owners and developer are requesting that the district be limited to residential lots with an average lot size of not less than 15,000 square feet. A copy of the proposed site plan submitted by the applicant for the Permit is attached to this memorandum; the site plan is restricting the development to 312 lots with open space (common area).

The portion of the subject property requested to be rezoned to CD/CUD is the land area within the Special Flood Hazard Area (SFHA). Included as a condition on the Permit, the developer and property owners have voluntarily agreed to a "no tree cutting" restriction with the exception of utility installation within the area proposed for CD/CUD zoning. The developer has also included in this application a request for a waiver from the requirement to construct a sidewalk on the subject property along NC HWY 87 South.

The Planning & Inspections Staff recommends approval of the requested rezoning to R15 Residential/ Conditional Use District (R15/CUD) and CD Conservancy/Conditional Use District (CD/CUD) based on the following:

1. The amended request is consistent with the 2030 Growth Vision Plan, which calls for "urban area" at this location and is reasonable because it accounts for protective and conservation

measures for the land area immediately adjacent to Rockfish Creek as included on the 2030 Growth Strategy Map;

2. The subject property meets or exceeds the location criteria for "low density residential" as listed in the Land Use Polices Plan of the 2030 Growth Vision Plan – the location criteria supports approval of up to 727 residential lots or units for this tract; and
3. The request for CD/CUD along Rockfish Creek is compatible with the provision of greenways along scenic waterways within the County – a stated goal of the Fayetteville-Cumberland Parks and Recreation Master Plan received by the Commissioners in April 2006, and in a consultant's report prepared by Environmental Defense (2003), urban buffers are recommended throughout the floodplain, while acknowledging this is not always feasible or equitable because of the balancing of private and public interests, it was found that modest buffers of 50 – 100 feet would be effective to sequester and treat most nonpoint contaminants.

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 proposed site layout is designed in such a manner that at a minimum the development standards of the ordinances are met or exceeded;
2. With the exception of the required sidewalk along NC HWY 87 South, the use and proposed development 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 if developed as proposed, this will be a high quality development that on land that is currently vacant; 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.

The staff further recommends approval of a waiver for the sidewalk required along NC HWY 87 South because of the topography of the subject property immediately adjacent to NC HWY 87 South, strict compliance with the provisions of the ordinance would cause a special hardship to the property owner and be inequitable; the public purposes of the ordinances will be served to an equal or greater degree with the sidewalk installation along Tom Starling Road; and the property owner will not be afforded a special privilege denied to others since approval of this waiver will enable the developer to further ensure that minimal disturbance of land will occur within the Special Flood Hazard Area (SFHA).

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

All attached *Ordinance Related Conditions* have been agreed to.

Chair Epler: Having gone through staff's presentation, this item is for a conditional use district and permit and the hearing on the conditional use district is legislative while the permit is judicial in nature and will be conducted in accordance with special due process safeguards. At this time I would like for all persons who have signed up as a proponent, in favor of this Conditional Use District and Permit, to come up to the podium and be sworn in, please.

(There were three people present to speak in favor.)

Chair Epler swore in: Boyd Parsons, John Koenig, Jim Kizer

Chair Epler: Are there any board members who need to reveal any possible conflict and the need to withdraw from these proceedings if necessary? Is there any person on the board who feels that they need to withdraw from these proceedings? Hearing none, staff has given their presentation. We will hear from the applicant and their witnesses at this time.

Mr. Boyd Parsons stated he was asked to speak in favor on behalf of the Smith Family land owners. I urge you to favorably consider this rezoning. The rezoning would be good for the county at a time of economic hardship. The planned use of this land has more of a protection buffer for the creek than any other previously approved development on the creek that we have seen. It is also time to convert this farmland to other uses. The rental income that we receive from farming has barely been sufficient to pay the county taxes. Recent tax increases made that impossible from here on. The family receives no income from the farm rental to live off of and frankly the land is the only 401K some of the family members have, so we ask you not to deny them the use of that, particularly in their senior years. The people who are here to speak out against this proposal will offer up several things for you to consider. Some here that I've seen don't even live in the area that I'm aware of, so I suggest you ask each one of them to point out where they live. I would also point out that none of the other folks in the area have been willing to buy the land themselves. Some also argue that building new houses on the land will spoil the neighborhood while continuing to favor what they call a rural environment, which really consist of dilapidated barns, sheds, trailers and other unused structures. Our own barn on this property is falling down and is unsafe for use so it is no longer used. The board really should understand there are only three farms left on Tom Starling Road so the remainder of the area is not used for agricultural area. Lastly, some will tell you the road is too congested, but I can personally attest, since most of the wrecks in that particular stretch of the road end up on my land, which is right at that bend in the curve. But, in every case to include a fatality that they may even mention or single car accidents that were not caused by any congestion on the road. In every accident it's been caused predominately by excessive speed on a country road or its' been alcohol related. I urge you to favorably consider the proposed rezoning so the family can get on with their lives and I point out that time is of the essence. Thank you very much.

Chair Epler: Thank you Mr. Parsons

Mr. John Koenig spoke in favor. I am requesting the zoning and conditional use as I wish to develop it and make a nice subdivision out of it like I have of many others in and around the county and other counties. I do not rape land, want to do what Ms. Speicher requested, not cut down any trees in the protected area, the conservation district, except for utilities. The sewer line is in the top right corner in the green area. You cannot go around trees with sewer lines. The sewer line has to go in a straight line and what isn't in that area is 20 feet wide; we have to remove the trees so PWC can service the line but that is all I will cut down. In fact, if you look at my other developments that I have done in and around the county, you will see that I do not rape the land. Any questions?

Chair Epler: Not at this time, thank you sir.

Mr. Jim Kizer spoke in favor. Mr. Kizer stated he is an Engineer and present on behalf of Mr. Koenig. I know in developing this plan and also with the planning staff's review, Mr. Koenig has accepted all 52 conditions that are on this condition sheet and we believe we have prepared a plan that makes us good stewards of the land itself. This is a plan that can be built with R15 zoning and it's certainly better than leaving it in such a manner that it could be developed with mobile homes and double wide trailers. We have as the staff have pointed out, provided adequate buffering along the creek with maintaining of the 100 year floodplain as a conservation area, but there's also another facet on this plan that is like the new kid on the block and that is the stormwater retention ponds that we are now required to do which will ensure there will not be

overland water discharged directly into the creek themselves, they must be treated within these stormwater ponds. That is shown on this plan up here. The green space is close to 30% when you count the conservation areas and other areas that we have that where homes are not to be build. I would encourage your review of the plan and your approval. I'd appreciate any questions you might have. Thank you.

Chair Epler: Does anyone have any questions for Mr. Kizer? No questions were asked. We will now hear from anyone that is here tonight in opposition of this case. Before we ask you to come up and take this oath, I just want to remind you that whatever evidence you give in this proceeding tonight has to be fact. If you are going to provide us with any maps, those have to be official documents and they have to go through Mr. Lloyd before we can as a board can even see them. We cannot listen to hearsay evidence, if you tell us that your property value is going to be lowered then you need to provide us an appraisal to prove that. here are a lot of people here tonight to speak on this case and another one. Keeping that in mind, I would also ask that if you are here to speak and you hear the person before you say something that you have planned to say, please do not repeat it. We're going to ask you if you have any new material to do so. If someone else stole all of your material, just let us know that and we will thank you for coming, but let's try and let this go as smoothly as possible. All of those here tonight to speak in opposition of this case, please come forward to take your oath and be sworn in.

There were seven people to speak in opposition.

Attorney Moorefield: Madam Epler, when you do the oaths for the proponents and just to maintain the integrity of the record, would you have each of the proponents, since their names are listed, acknowledge that they were duly sworn before today's testimony and ask that each witness do that for the record.

Chair Epler: Speakers were sworn in according to the guidance of Attorney Moorefield. The speakers were: Janet Carter, George Maughan, Rosie Bunnells, Mickey Jackson, Donald Schneiders, Ken Bowers

Janet Carter spoke in opposition. I first want to say that I am not opposed to people selling their land for profit. I know that is the kind of thing people want to do when they are acquiring wealth, so I am not opposed to that and I am speaking for myself and my husband, Max Carter, tonight. Two things, basically, I noticed that we do not have the boundary line dispute listed as the rezoning. So, that is still not resolved, so I think they are just chopping off a section that is not going to be part of the rezoning. Hopefully; I hope that will be resolved soon, we've been working on that for 3-4 years so let's hope that takes place. I also have some questions for the board. Less than 3-4 years ago when we were here, a different developer, but similar story, the County Commissioners actually turned down the zoning request that the board recommended and gave their reasoning for them. I just want to state those and maybe you can comment later when you have your discussion on how things have changed because the County Commissioners said that they felt there was a lack of infrastructure in the area to accommodate the 400+ homes that they were actually trying to build. They said the schools were already having huts, they were overcrowded and they also mentioned the 2010 *[sic, 2030]* Cumberland County Plan that was underway and not completed yet and they felt it would be irresponsible to rezone land when they were trying to come up with a growth plan for Cumberland County and that it was underway. I guess my question tonight to the board is has that 2010 *[sic, 2030]* Plan been completed, how does this property fit into that, what changes have been made in the infrastructure with the school systems? I know that one of the things that came up was the roads and the plans to widen it, I wondered if it was five years off or ten years off, that sort of thing. That's all I have to say.

Chair Epler: Ms. Carter just to answer one of your questions, I think the study you are talking about was the Land Use Study that was in progress at that time or it was the 2030 Growth Vision

Plan that was in process at that time. Both of those have come in completed and adopted by the County Commissioners and this project in its entirety complies with both of those studies.

Mr. Lloyd: I would like to add for the record, according to the commissioners' minutes from that meeting, there may have been comment, but after hearing speakers, the County Board of Commissioners with no discussion, voted unanimously to deny that, so they gave no reason, no discussion, they just voted to deny it.

Chair Epler: OK. Thank you for that clarification.

George P. Maughan: I live on Rockfish Creek. Basically, my wife and I have lived out there for 16 years now and we've seen a lot of growth as it's moved, and we've got a couple of housing developments that have gone up along Tom Starling Road but what we've also seen, I work at Ft. Bragg, I'm retired military, I just retired, so I've been out at Ft. Bragg and worked Civil Service out at Ft. Bragg and have seen a lot of traffic, truck traffic pick up along Tom Starling Road and I'm not sure what the daily usage is but when you figure in 340 homes, you figure two cars per household. Then if they have school children, then possible another car or household, so your adding about another 1000 cars on a two lane road where as they've said before there have been fatalities but with the wind and the sharp bends in the road and additional trucks because we get a lot of 18 wheelers because we've got the Wal-Mart Distribution Plant out there and the other plants out there, so the truck traffic is fairly high almost continuously all day long. So when you throw in additional cars, I think it's going to make that area unsafe and it's just, I wouldn't mind seeing larger lots, like one acre, I sit on two and a half acres. I don't mind them selling, but why not make houses one acres lots or two acre lots where it's a little bit less dense for everybody and the family that is selling gets their money and we don't have the density that we're going to be getting right now. That is all I've got, any questions.

Chair Epler: Any questions for Mr. Maughan? No sir, not this time, thank you.

Rosie Bunnells: We know this is farmland, but just because we don't live on Tom Starling Road, doesn't mean that we don't have land that we farm. There's other farmers besides Tom Starling Road, and I don't know about the Smith's, but I rent my land and I get enough money from rent to pay my taxes, obviously they rent to the wrong person.

Chair Epler: Ms. Bunnells, I need to caution you, anything that you say in this proceeding has to be fact. You have to know it to be fact, continue please.

Rosie Bunnells: Rockfish Creek has a rare plant and aquatic life. We feel it will be too much congestion, too many homes on too little land. In 2006, it was over 2500 cars a day and we know that's a lot more now, can you imagine all the problems that will be created with the size lots and number of homes the Smith family and Mr. Koenig are proposing? High density housing can and will overtax the local resources and will create a burden on everyone including the Sheriff's Dept., the Fire Dept. and the people that purchase the houses. The only ones benefitting here are the sellers and the developer. Tom Starling Road is identified in the Highway Plan as a major thoroughfare. The proposal calls for multi lane road improvements and they are not included in the 2009 – 2015 Metropolitan Transit Improvement Program. It's a Priority #1 to be enlarged in the long range transit local program, but the question is where is the money coming from? As you know the state of North Carolina is already in a lot of trouble as it is. If you are getting a tax refund and you don't have it in your hand or in the bank, you may not even get it this year so therefore, they don't have the money for the roads and we'd like to have quality over quantity. The school systems, they say it doesn't affect some of the people in here, it affects everyone, for the middle school, the elementary and high school, all of them have room for 52 students, the middle school has room for 39, the high school only has room for 51. That's 142 students, where

are these parents going to send their children to school when all of these houses are built? Where's the money coming from to build the schools for the teachers, the staff, the workers, the school bus drivers? You know it's going to raise the taxes with all of this. We want to know is he going to do the building or is he going to sell the lots off to someone else to do it? Madam Chairman, I request permissions for the individuals that are opposing to be able to stand.

Chair Epler: We can grant that.

Approximately 20 people stand up in the audience who oppose.

Rosie Bunnells: We all understand that Mr. Parsons is retired military, I don't think he farms, I think he's retired. So therefore, the traffic is not going to bother him, he can stay home during the peak times of the day.

Chair Epler: Is that all of your comments?

Ms. Bunnells: Yes.

Chair Epler: Does anyone on the Board have any questions for Ms. Bunnells?

Ms. Bunnells: I forgot, I do have one more, if you notice in the plan, he had some of the open land that was supposed to go along with the creek, if you notice on the map he dips into it where it says 370° [referring to a staff slide], he's dipped either into three or four lots and then over on the left I think in the 70 or 170, the lots go into what he was supposed to have reserved for the open space.

Chair Epler: Thank you.

Chair Epler swears in Mr. Jackson.

Mickey Jackson: I previously lived in the Gray's Creek area. I have property on Gainey Road, I lived there since 1970 up until four years ago and I moved to Rockfish, but my main concerns are basically what everyone else is speaking of, the high density of people and personnel. I don't have any facts, it is agriculture land and its high density which is not common in the area, most of the lots, land is being sold, the land that we developed, the land that I own or my parents owned was rezoned and changed from A1 into one acre lots and most of the subdivisions around the area are about the same in lot size which minimizes one house per one acre and that's worked out pretty good, it's not a high rate of people but my concern is the high density of people, personnel and traffic and basically all of what the other people have said. That's basically, all I have to say.

Chair Epler: Thank you, Mr. Jackson. Does anyone have any questions for Mr. Jackson?

NOTE: Fran Primeau was signed up to speak but was not present when called to the podium to speak.

Donald Schneiders: I'm here on behalf of the home owner, Mr. Dave Boling who cannot be with us being that he is overseas.

Chair Epler: Mr. Schneiders, I need to ask you, did Mr. Boling give you a notarized statement for what you are getting ready to say?

Mr. Schneiders: No, I just got an e-mail from him asking me to read this for him.

Chair Epler: I need to ask our County Attorney if we can hear that evidence?

Mr. Moorefield: Can you describe the relationship? Is he a tenant of Mr. Boling?

Mr. Schneiders: Yes, I am his roommate actually.

Mr. Moorefield: It would be alright for us to hear it depending on the fact that he told you what it is.

Mr. Schneiders continues reading the e-mailed letter he received from Mr. Dave Boling.

Esteemed members of this County Rezoning Board, my name is David Boling, I am the owner of 1993 Tom Starling Road. At present I am working as a private contractor in the kingdom of Kuwait providing the force protection classes to our military men and women as they deploy through here on their way into Iraq and Afghanistan. This person is reading my thoughts to you because I cannot be here to do so myself. Please understand that they are doing this for me at my request. I served my country for 23 plus years in the U.S. Army. After the time I decided I wanted to retire, so I chose Fayetteville, NC as my retirement place. In 2003 I moved here from Okinawa, Japan with the intention that I would buy a home in the country because I wanted to get away from the busy and noisy city living. I bought this house on 2.5 acres in August 2003 and so far have enjoyed my dreams of living in the country. A couple of years ago the owners of this land along with Clark Real Estate tried to do the exact same thing, except then they were asking for R10 and we were asking that they settle for R15 even when we really wanted R25. At this hearing in this same place, a bunch of us that would have been affected by this sale all came to protest what can only be described as a purely selfish and greedy move on the parts of the parties involved to put 850 houses on the property. The decision at this time to rezone was declined and I hope the decision this time remains the same. Think about it for a minute, what goes to a place five miles out of town and builds a neighborhood so packed together with residents all stacked up on top of each other and shoe horned in next to each other? This would be the only R7.5 neighborhood in the area. These kinds of neighborhoods are usually seen as inner-city neighborhoods and frequently associated with and referred to as slums. Now, I am all for people making money and getting what they want, but at what cost; the cost to me if this previous rezoning had happened is the same as this rezoning happens? I am probably affected by this move more than anyone else in Grays Greek. I would like to point out that I am potentially affected on all three sides by this rezoning decision. On the northerly side of my property, I have my neighbor, Rodney Ward, he is with the Hope Mills Fire Dept. and a respected member of this community, he is also probably in attendance at this meeting and I would like to say "hi" and send my regards. Behind my property to the west is the land in question as well as my section of the creek that runs through my property. What is to happen to it if they build a congested neighborhood there? Besides my property to the south is also the land in question so I'm affected on that side as well. In front of my property to the east is Tom Starling Road. This is already dangerous because the amount of traffic seen on any given day as many other residents on the road will attest, the traffic on Tom Starling Road is both heavy and as well as constantly in excess of the posted speed limit. As it stands, a lot of residents that live down Tom Starling Road tend to throw their trash out the window and onto my property as they drive by. I deal with that as a land owner and will because I have no choice over the control of the lack of consideration. As I understand it this housing unit will have to build their community entrance and exit on Tom Starling Road because the County/ State has repeatedly denied them permission to build the access roads to this land onto Hwy 87. If this happens, in addition to, the vehicles associated with the community will effectively increase the traffic on Tom Starling Road to ten times its present amount with only two lanes. I predict a massive increase in accidents on this already infamous road. There is also the effect that this community would have to the wetlands next to Rockfish Creek to be considered as well as the creek running through my property. I also have the well on my land that would also be adversely affected by this and I doubt that I am the only one that has a well. Now, everyone should have the right to sell their property and make a profit in doing so, with that in mind I would like to point out that to my knowledge, many people have

already offered to buy some of the land, not all of it in question, Mr. Ward and myself included. Before she passed away, I had personally asked the previous owner for the option to buy at least ten acres of land that surrounds my property for the purpose of farming. I actually wanted a lot more but don't know if I could afford it. Although the use and previous events would indicate that the present owners do want to sell this property for some reason none of us yet to be given the chance to accommodate them, and if all need to rise, please feel free to get in contact with me through the bearer of this letter myself. Sincerely, David Boling.

Mr. Schneiders: One thing I would like to put out. I'm always out there and I've seen ten deer out there on that property this year. If this were to go on, what's going to happen to that wildlife? I don't know, I love it out there, nice, quiet country land. It's where I want to be, it's where Mr. Boling wants to be so we just hope this does not go through. Thank you.

Chair Epler: Mr. Schneiders, I would like for you to do us a favor. As a Board, I would like for you to thank Mr. Boling for so eloquently making his thoughts known and please give him our regards and tell him to be safe.

Mr. Lloyd: If you could, would you point out where you live?

Mr. Schneiders pointed to the on screen map and identified where he lives and where Mr. Ward's property is located.

Mr. Lloyd: You stated the creek runs through your property?

Mr. Schneiders: Yes, there are actually two creeks, one that runs down between Mr. Wards and my property that kind of looks like a drainage ditch but it's running with at least one to two feet of water all the time and then there is also one that runs from the back corner of our property all the way through to that drive way that looks like a drainage ditch, but it always has a foot or two of water in it. It's one of the things he likes out there and does not want to get rid of. Mr. Boling was also talking about putting a pond out there.

Chair Epler: Does any of the Board members have any questions for Mr. Schneiders? Thank you.

Ken Bowers: I ask that you not approved this development as it's designed. The reason why I'm opposed to it is because I would like to preserve the way of life that I have built up at Tom Starling Road and that the other folks here that are opposed to it have developed on Tom Starling Road. I'm not opposed to the Smith family developing their land to sell, but at this price, they make money, Mr. Koenig makes a whole bunch more money and all of us that live there are left with increased traffic that cannot be sustained as it currently is and it won't be done for the next ten to fifteen years. You can look at Rockfish Road, Camden Road, those developments have gone up there for over twenty years and it's still two lanes. The congestion builds and the infrastructure lags decades behind from what it should be. This is essentially going to plunk down a small town in a rural setting. Even though its within those 52 points that the Zoning Dept. has directed him to meet, it doesn't mean we should do it that way. I would propose that you approve it at a much smaller density, say half of 312, so they can preserve the environment as it is, allow Mr. Koenig to develop it, and the Smith family to sell their property at a profit. I think that's reasonable because that's what we're all here about, what's reasonable. I don't believe that 312 houses or more than that is reasonable. I was opposed to Mr. Clark's development when he came in here in 2006 for the same reasons. Just because you can do it doesn't mean you should. That's all for my remarks.

Chair Epler: Does anyone have any questions for this witness? Thank you.

At this time, we will close the public hearing and ask for discussion from the Board.

Chair Epler: We've been through a lot on this piece of property since I've been on the Planning Board, for five years. The last time this piece of property came up before us we toiled, toiled and toiled, developer compromised, Board compromised, we thought we had reached an agreement, but the County Commissioners didn't see it the same way and that's their job, we respect them for that. This is a different kind of neighborhood, a different kind of use on this property and while I'm sure the people who live in this area, I can sympathize with how you feel, I grew up in Beaver Dam, out in the country and I know I would have had people who I grew up with who would have been upset if we had had 312 houses moving into our neighborhood, but I also know this is a different day and time from when we were growing up. These people own this property, they don't want to farm it, they want to sell it. Mr. Koenig wants to buy it and it is on Rockfish Creek which is a beautiful advantage for us in Cumberland County. They've gone to great lengths over and beyond what they needed to try and preserve that creek and we appreciate that. We know there are traffic problems on Tom Sterling Road, but at the same time this developer is going to have to adhere to whatever stipulations the DOT puts on him to handle the traffic going and coming from his subdivision. Whatever they deem necessary to make sure they get onto and off of Tom Sterling Road safely. We've got a lot of strict thorough stormwater regulations today than we had three years ago which is going to be tough for Mr. Koenig to adhere to, but it is a lot better for Rockfish Creek and a lot better for people who live in Grays Creek. While it is a county setting, there are people who want to live in the country and who want to share your neighborhood, they want to be your neighbors. Excellent school districts, things like that, when you work that hard to have that good of a school down there, people are going to come and flock to you. It can be a good thing. Staff has worked with Mr. Koenig, and when we see that if left alone, this property could have how many single wide mobile homes Mr. Lloyd?

Mr. Lloyd: Seventy-five.

Chair Epler: Seventy-five single wide mobile homes, double wide mobile homes, you could do a lot of things with this piece of property. Not that there is anything bad about single wide or double wide mobile homes, but when you put seventy-five of them in one place, that's a mobile home park and I don't think we want a mobile home park in Gray's Creek either. I'm sure of my fellow Board members will have things to say in the opposite direction, but I think with all we know about this piece of property it complies with the 2030 Land Use Plan, still low density in that area, I'm inclined to support it.

Mr. Morris: There's nine lots that are part of the conservation district in the course of the site plan, are all those lots conforming in buildable lots as they are proposed. This was the sketch. He is going to come through; he can address this and pull those lots.

Mr. Morris: Tonight we will approve the sight plan, will we not?

Mr. Lloyd: Yes.

Chair Epler: Mr. Morris, I need clarification, what area do we find nine lots? I'm looking at what's in my package and what's on the screen and I don't see an over-lappage.

Mr. Morris: On the cul-de-sac where the "830 feet" is, there's one, two, three, four, five.

Chair Epler: The back side of those lots is in the conservation district.

Mr. Morris: That is correct.

Chair Epler: The building pad would not be. I would assume that is the plan. Mr. Kizer might be able to answer that question for us.

Mr. Morris: Is this the final site plan?

Mr. Lloyd: It's the final site plan with the number of lots and how they will be laid out. Any change to those lots can be done administratively; it doesn't have to come back through you. If he's going to pull the street back and redraw those lots and not change the number of lots which he doesn't plan on doing, it can be done administratively. So with respect to the figures, if that's what you're questioning, then yes, he can do this. You're approving this, yes, but he can come through and if he can't build on the lot, he can come through and readjust that lot so that he can meet the setbacks.

Mr. Morris: So these lots are part of the final site plan. Mr. Kizer, if you want to step forward. I'm asking if the nine lots are platted within the conservation district?

Mr. Kizer: Portions of them are.

Mr. Morris: Are they still buildable?

Mr. Kizer: Yes. It's got a small area off the back, but as far as putting the building pad there, there is plenty of room there for the building pad

Mr. Morris: That was my question. Thank you, sir.

Mr. Lloyd: I would like to address one issue that has come up and that is schools and road improvements. If we went by the sheer numbers of the schools we wouldn't allow much more development at all in the county. With respect to school, the staff looks at it from the point that there is no more room essentially in these schools. You may have fifty in one school, and thirty in another be it middle school or high school.

Chair Epler: Most of the residential developments that we see come before us, there are no capacity in the schools, so the fact that there is sixty percent capacity to take care of this neighborhood now is better than we have in most cases, but like you said the Board of Education is not going to fund more schools until the people are there to fill them.

Mr. Lloyd: The County.

Mr. Turner: Mr. Koenig, if this development was to pass, how long would it take to fill that development up?

Mr. Koenig: I don't think I'm qualified to answer that accurately, but it would be a number of years, especially in today's housing market. You know what happened in banks and lending people money to buy houses. You have builders now that buy five lots and the banks loans them money to buy one house and after that sells, come back and borrow money for a second house.

Mr. Turner: The reason I ask that is because we don't have plans for any road construction over there until at least past 2015 and I was just curious as to how long it would take to accommodate all the traffic that we're hearing that might come over.

Mr. Koenig: It would be slow growing and take a number of years to do that. The phase calls for four phases of development, 37 acres at a time. It would take a while to do it. Especially to get it approved by the County.

Mr. Turner: I would like to make a comment, I don't know how many people ever go to the Western part of Cumberland County, out in the 71<sup>st</sup> area, I live out there and years ago, it's been nothing but a hodgepodge of development, a hit and miss proposition and since I've been on this board, I noticed there's more consistent planning and more work involved in what's going on than

what we've got out there. You talk about another city, go out past 71<sup>st</sup> High School and see what it looks like, it's an astronomical mess. Where we used to have farm land, it's all built up, but I think what you've got here is more of a planned development and frankly with the amount of people coming into this county, we're going to see development somewhere in this county. Whether it's your area, Hoke County, Robeson County, or wherever, but we may as well get used to the fact that it's going to come. I think right now, the way things look, I think this is a very concise development and I'm going to have to say that I support it. Thank you.

Mr. Morris: Mr. Lloyd, on the setbacks, the minimum setback that we've looking at utilizing the 100 year flood plan is basically 70 foot if minimum, the greatest being 830?

Mr. Lloyd: From the creek.

Mr. Morris: From the creek and we're utilizing the 100 year flood to delineate the conservation district, correct?

Mr. Lloyd: yes

Chair Epler: I think that conservation district extends beyond the 100 year flood in most of this drawing, am I correct?

Mr. Lloyd: Yes, but not in the one showing.

Mr. Morris: I know we don't have any county guidelines, but are there any adjacent county guidelines or state guidelines regarding setbacks from these major streams and rivers.

Mr. Lloyd: The most we could find is 50 feet. Harnett has self-imposed 500 feet. In the states statues, the most found is 50 feet. along the river. Harnett County has 500 feet setback from the Cape Fear River, but with respect to the statues and what's not local 50 ft. is the most we could find. There are self imposed grades in other counties, depending on where it's located.

Mr. Morris: Well, is our's self imposed on the 100 year flood?

Mr. Lloyd: On this particular case?

Mr. Morris: Generally.

Chair Epler: It's not written anywhere.

Mr. Lloyd: It's on a case by case basis.

Mr. McLaurin: You can build in the 100 year flood but you have to have the elevation of your dwelling at a certain height. If you go down the Cape Fear River there are relatively new cabins all along the river.

Mr. Lloyd: We try on the Planning side of it, that's enforced by the County Engineering Dept. and yes they can build 2 ft. above the 100 year flood, but we try in our plan development to get the CD line to follow the 100 year flood. Traditionally, we've tried to do that.

Mr. Hostetter: I just read in the paper last week where they are laying off 200 teachers and closing schools, the government doesn't have money to build schools and support the teachers. With all these people moving into the area up there and they don't have the schools; I'm so worried about where they are going to go to school at.

Mr. Lloyd: My answer to that is what comes first, the chicken or the egg? You can't build schools without the tax base. You can't have the tax base or the sales tax without the people. You can't have the ad valorem tax without the commercial. This would definitely dictate that more commercial come sooner or later. The only answer I have is you need the tax base for the county to find the money to fund the school system. From our standpoint we have to look at it, otherwise we would probably allow no more development in Cumberland County based on that.

Ms. Hall: One of the speakers referred to a small creek behind his property, I noticed these two creeks, will they remain undisturbed?

Mr. Kizer: Yes, they are protected.

M. McLaurin: We're dealing with a zoning case here tonight and the ordinance is set up to protect the public health, safety, general welfare; encourage orderly development and protect the quality of environment. Several of the people have eluded to these facts one at the time in what they've said on the board and this is certainly an orderly development; you know what's going to be there, your protecting the environment, with good setback along the creek, I've been down that creek in a canoe, I've seen dog pens, people with garages, probably changing their oil, everything else right up along the edge of the bank, following along the edge of the creek. I would say that some of these larger lots along the creek were probably put up there with no water; no sewer and they had to sit back a little way to accommodate all of that. I know on Gainey Road, the gentleman referred to that as one acre lots, that's a low area, water stands out there about 200 acres pretty close to Gainey Road. Without sewer and water you couldn't develop on a small tract out there, you have to have at least one acre. You've got farmland here, one gentleman tried to get it rezoned a while back, somebody said he wanted about 800 lots to start with, came down to 542, then 400. Now you have Mr. Koenig here at 312 which is less than what is in R15. One gentleman stated tonight that when he came up with the other firm, that R15 would have been acceptable, now we're here with R15 and we've actually got less houses that you could put on R15. If this land is just left out there, people have talked about things that could be out there, convenience stores, funeral homes, group homes, manufactured homes, garages, saw mills, I used to have two sawmills. I've got a friend that disposes of septic waste he could spread that out there. That surely would not be protecting the environment, spreading that out there. It just seems like there is no end to objections to what could go on there. We live in the U.S. of America, we've got property, property rights and to protect everybody's rights we have amendments, and to protect the neighbors we have zoning and this certainly protects the neighbors from some of these things I have talked about and the people who own this property certainly have the right to sell their property. If they make money that is their right, that is the way this country operates, a capitalistic society. You go to these countries that are not capitalistic and everybody lives in poverty. I'm all for capitalism and for saving land and saving the environment and one way is this new method the staff has devised in this county; a development just like this, you put more houses on a piece of land and that way instead of riding down the highway and seeing a house on every two or three or four acres, you should see open space. The fastest way to develop all the land in the county is put every house on two acres and you'll fill the county right up. This thing is properly buffered and I don't see how we could do it any better. As far as the traffic out there, Baywood Subdivision has about 600 houses on Baywood Rd, a two-lane Rd. It's a good stretch from Baywood to old 301 which is a two lane road or over to 24 which is a two lane road. The one good thing about this place is there is a two lane road, Tom Starling and right down the road is a nice wide four lane highway and I believe it's a traffic light there and with putting about 300 more houses there, Baywood would come out with their 600 houses at the traffic light. They survive out there in Eastover and I think this would be a good thing for Grays Creek. I would like to make that in the form of a motion.

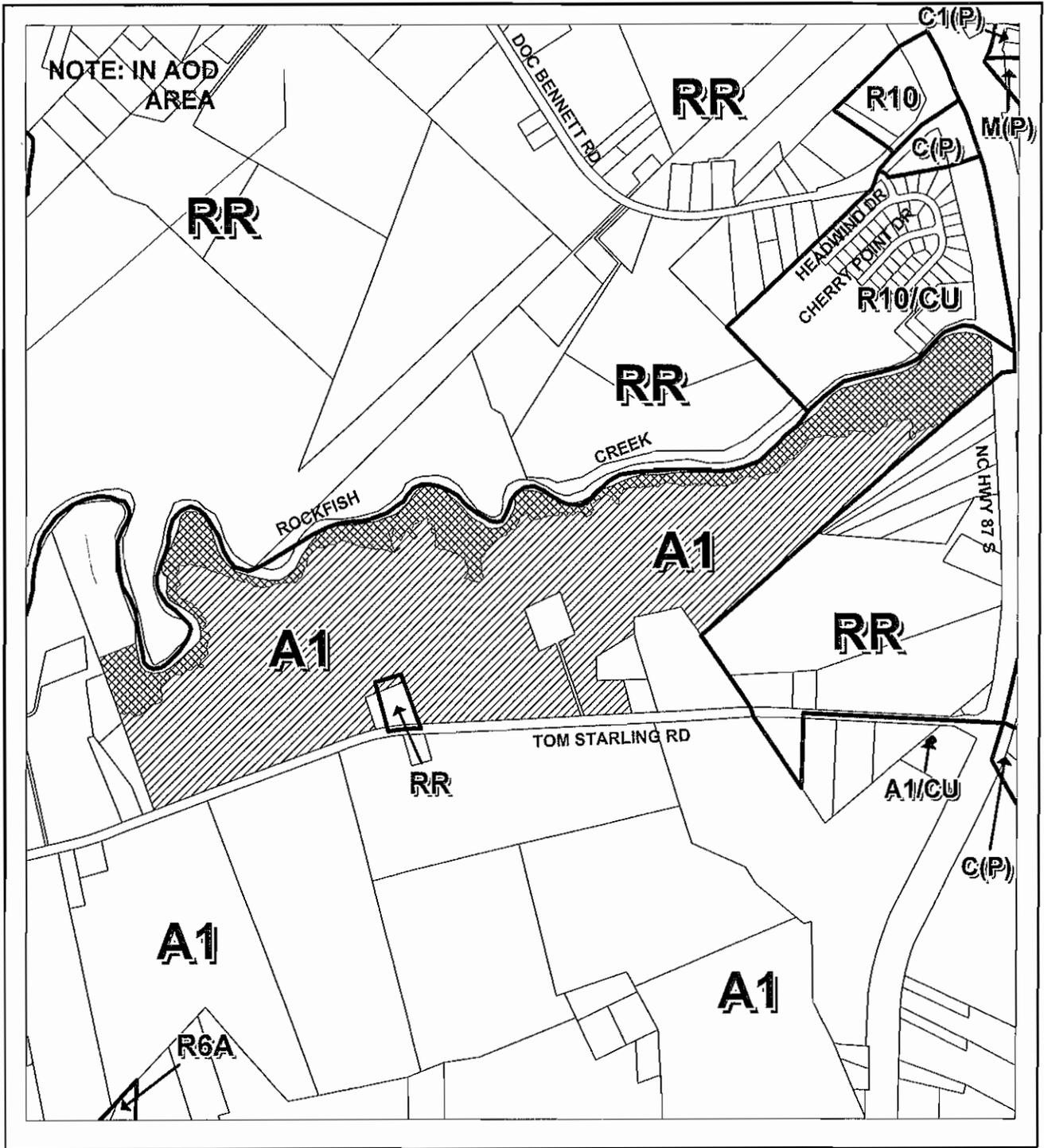
Chair Epler: Asked do we need to handle the sidewalk waiver as a separate issue? Is that in the staff's recommendation? If we say, per staff's recommendation, is that covered? OK, go ahead.

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. Unanimous approval.

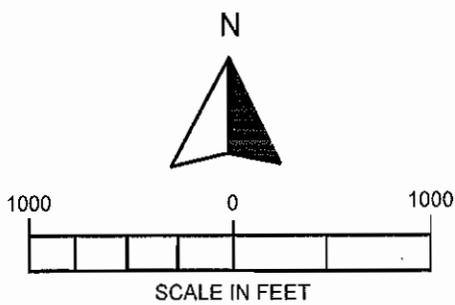
A motion was made by Mr. McLaurin and seconded by Mr. Morris to approve the Conditional Use Permit as recommended by the staff that after finding that when completed, the proposal: 1) will not materially endanger the public health and safety; 2) will not substantially injure the value of adjoining or 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 as officially adopted by the Joint Planning Board. 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.*

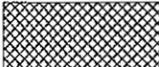


NOTE: IN AOD AREA



PORT OF PIN: 0443-37-0551

### REQUESTED REZONING

 A1 TO CD/CUD     
  RR & A1 TO R15/CUD

ACREAGE: 147.3 AC.+/-      HEARING NO: P10-09

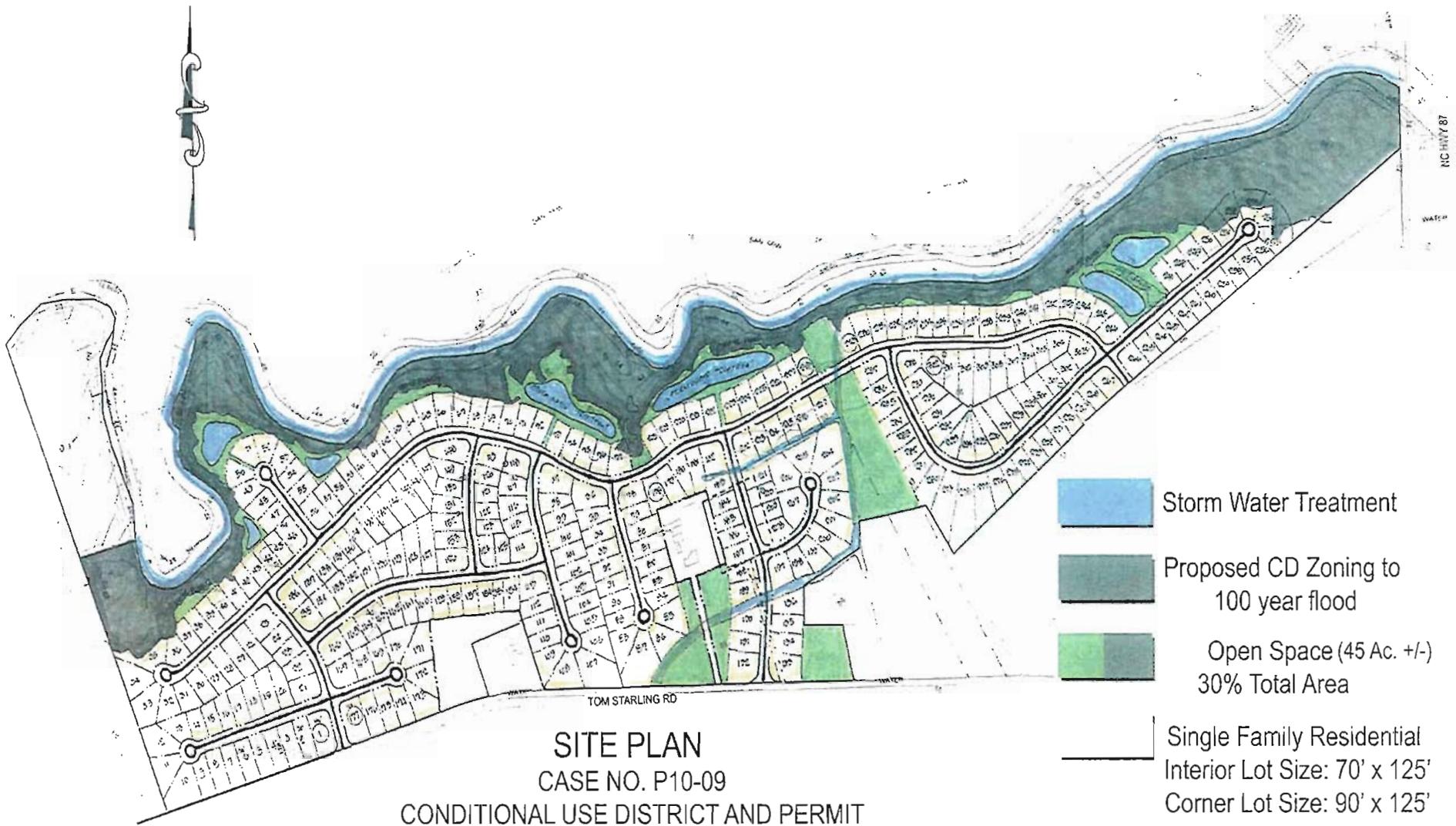
ORDINANCE: COUNTY      HEARING DATE      ACTION

STAFF RECOMMENDATION

PLANNING BOARD

GOVERNING BOARD

02/16/10  
02/18/10  
02/19/10  
AF



**SITE PLAN**  
 CASE NO. P10-09  
 CONDITIONAL USE DISTRICT AND PERMIT  
 NOT TO SCALE

- Storm Water Treatment
- Proposed CD Zoning to 100 year flood
- Open Space (45 Ac. +/-) 30% Total Area
- Single Family Residential  
Interior Lot Size: 70' x 125'  
Corner Lot Size: 90' x 125'  
Total Lots: 312

# DRAFT

Case: P10-09

March 9, 2010

## Conditional Use District & Permit

### Ordinance Related Conditions

#### Permit-Related:

1. 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.
2. Connection to public water and sewer is required, the Public Works Commission (PWC) must approve water and 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. (Section 2306 A.1, Public Water and Sewer Systems County Subdivision Ordinance)
3. 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.
4. 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.
5. The developer must provide a site-specific address and tax parcel number at the time of building/zoning permit application.
6. The *Special Flood Hazard Area* (SFHA) exists on this tract; any development within SFHA must have first flood elevations, including all mechanical and electrical equipment above base flood elevation (BFE) plus two feet of freeboard. Proper flood plain development permits are required, issued by the County Engineer, prior to any building/permit application. A copy of the approved flood plain permit must be provided to Code Enforcement at the time of building/zoning permit applications.
7. 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:

8. All uses, dimensions, setbacks and other related provisions of the County Subdivision and Zoning Ordinances for the CD/CUD & R15/CUD zoning districts and the Permit must be complied with, as applicable.
9. All corner lots and lots fronting more than one street must provide front yard setbacks from each street.
10. This conditional approval is not approval of any freestanding signs. If a freestanding sign is desired, re-submittal of the site plan for staff review and 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.)
11. All applicable provisions of Section 2401, "Group Developments", County Subdivision Ordinance, must be complied with.

# DRAFT

12. Curbs and gutters must meet the NC Department of Transportation's (NCDOT) standards and specifications or the City of Fayetteville street specifications, whichever standard is more stringent. Rolled concrete curb, if required, must not be less than 24 inches in width. (Section 2304 B.4, Curbs and Gutters, County Subdivision Ordinance)
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. Fire hydrants must be installed along all proposed streets and drives; hydrants must be located no further than 1,000 feet apart and at a maximum of 500 feet from any lot. (Section 2306 B, Fire hydrants, County Subdivision Ordinance)
15. For new development, all utilities, except for 25kv or greater electrical lines, must be located underground. (Section 2306 C, County Subdivision Ordinance)
16. The owner/developer shall secure and maintain the detention/retention basin, keeping it clear of debris and taking measures for the prevention of insect and rodent infestation. The basins must be secured with a four foot high fence with a lockable gate.
17. This review does not constitute a "subdivision" approval by NC Department of Transportation (NCDOT). A separate submittal to NCDOT will be required prior to consideration for addition to the system of any street within this development.
18. 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.
19. The NC Department of Transportation (NCDOT) must approve the street plans and the street(s) are required to be constructed to the NCDOT standards for secondary roads.
20. Turn lanes may be required by the NC Department of Transportation (NCDOT).
21. All lots within this development are required to be served by an internal street system.
22. The owner's association is responsible and liable for maintenance and upkeep of all structures, and appurtenances within the common areas, 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.
23. All notes and calculations as shown on the site plan and contained within the application are to be considered as a part of this conditional approval.

## Plat-Related:

24. The 5.72 acre tract (conflict area) which is not a part of this approval, must be given road frontage by either a 20 foot strip of land along an existing or proposed road, or by recombining this property with an adjacent property which has road frontage.
25. All phases of this development must be labeled as a "Zero Lot Line" development on each final plat.
26. All common areas for each phase must be clearly labeled as "common area" on the final plat.
27. The final plat must clearly reflect a "No Tree Cutting" easement for the land area within the Special Flood Hazard Area (SFHA) along the Rockfish Creek, with the exception of utility installation/easements crossing through the (SFHA) area. **(Note: The utility easements must be clearly reflected on the final plat.)**
28. The proposed development is located in a Special Flood Hazard Area (SFHA). The final plat must show the limits of the SFHA; information may be obtained from the County Engineer's office or the Federal Emergency Management Agency's (FEMA) website at [www.ncfloodmaps.com](http://www.ncfloodmaps.com). Any development within the SFHA is subject to the requirements of the County Flood Damage Prevention Ordinance administered by the County Engineering Department.
29. A concrete sidewalk must be constructed along SR 2220 (Tom Starling Road) (2 to 5 du/ac). (Section 2305, Sidewalks, County Subdivision Ordinance)

# DRAFT

30. A concrete sidewalk must be constructed along NC HWY 87 South and along SR 2220 (Tom Starling Road). (Sewer Service Area, City/County Interlocal Agreement, dated June 9, 2008)
31. The developer is required to submit to Land Use Codes:
  - a. Three copies of proposed covenants, by-laws and articles of incorporation for the proposed development designating responsibility for maintenance and upkeep of all common areas, stormwater basins and addressing the “no tree cutting” requirement within the Special Flood Hazard Area (SFHA) by the owners’ association for the development;
  - b. One copy of the deed(s) proposed for recordation conveying all common area to the proposed owners association;
  - c. One copy of any proposed supplemental covenants if the proposed development is to be submitted for final approval in phases; and
  - d. Two copies of each proposed final plat prior to the submission for final approval – can be a phase of the approved development or the complete development as approved.
32. The developer must record the deed conveying all common areas to the owners association at the same time that each final plat for each phase of this development is recorded.
33. Prior to final plat approval the developer must contact the Street Naming and Addressing Section of the Planning & Inspections Department for approval of the street names for the proposed streets within this development. The approved street names must be reflected on the final plat.
34. The street name signs, in compliance with the County Street Sign Specifications, must be installed prior to final plat approval. The developer should contact E911 Street Naming/Signs for inquiries regarding the County’s policy for street sign installation or, if the sign is commissioned from a private source, to schedule an inspection of the street sign(s). Land Use Codes must receive notice of agreement with the Street Naming & Addressing Section for sign installation or of satisfactory inspection prior to the approval of the final plat.
35. “Tom Starling Road” must be labeled as “SR 2220 (Tom Starling Road)” on the final plat.
36. “NC HWY 87” must be labeled as “NC HWY 87 S” on the final plat.
37. Dedication of 10 feet of right-of-way and reservation of 10 feet of right-of way along SR 2220 (Tom Starling Road) is required and the metes and bounds for both dedication and reservation is required to be shown on the final plat and/or 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. (Section 2302 F, Planned Public Right-of-Way, County Subdivision Ordinance)
38. The builder/developer must provide the buildable envelopes on the final plat: providing a five-foot maintenance easement along each side of all common internal lines with all other applicable setbacks being provided for; or at the time of permit application, the individual plot plans must be approved by Land Use Codes prior to issuance of any permits.
39. Any/All easements must be reflected on the final plat and labeled as to type of easement, reference number for document creating the easement, and the name of the agency, individual, etc. who holds the easement.
40. All lots within this development must be served by an internal street system and a “no access” easement must be reflected on the final plat along SR 2220 (Tom Starling Road) on Lots 1- 10, 87, 107, 108, 133, 173 – 177, 192 and the open space areas.
41. All lots within this development must be served by an internal street system and a “no access” easement must be reflected on the final plat along NC HWY 87 S on the open space area.
42. A 10’ x 70’ sight distance easements is required at the intersection of SR 2220 (Tom Starling Road) with the two proposed streets and must be reflected on the final plat.
43. A 25’ right-of-way radius is required at all intersections and must be reflected on the final plat. (Section 2304.10.c, Street Design, County Subdivision Ordinance)

# DRAFT

44. The NC Department of Transportation (NCDOT) stamp must be affixed to the final plat prior to submission for final plat approval by Land Use Codes.
45. The notarized signature(s) of all current tax record owner(s) and notary certifications appear on the final plat when submitted for final approval. (Section 2503 D, Certificate of Ownership and Dedication, County Subdivision Ordinance)
46. The developer is reminded that the improvements must be in place or that final plat approval will only be granted in accordance with Section 2502 B, C, or D, Final Plat – Guarantees of Improvements, Subdivision Ordinance. (Note: Once the improvements are in place, the developer is responsible for contacting Jeff Barnhill to schedule an inspection of the improvements.)
47. The final plat must be submitted to Land Use Codes for review and approval for recording with the County Register of Deeds, and the plat must be recorded prior to any permit application for any structure and/or prior to the sale of any lot or unit within this development.

## **Plat-Required Statements:**

48. Since this development is located within the *Airport Overlay District* as shown on the official zoning map, the following disclosure statement is required to be provided on the final plat (Section 8.101.E, Notice and Disclosure of Noise Impact Discloser, County Zoning Ordinance):

“Property shown on this plan/plat is within the Cumberland County Airport Overlay District and all or a portion of the property described hereon is within an area that is subject to an average noise level near to or exceeding 65 dnl.”

49. All structures shall be shown on the final plat or the final plat shall reflect the following statement (Section 2504 D, County Subdivision Ordinance):

“Nonconforming structures have not been created by this subdivision.”

## **Other Relevant Conditions:**

50. The applicant is advised to consult an expert on wetlands before proceeding with any development.
51. There may be wetlands located in the project area that are subject to the permit requirements of Section 404 of the Clean Water Act. To avoid a violation of federal and/or state law, it is recommended the developer contact the Office of the Army Corp of Engineers or hire an environmental consultant to identify and delineate any wetlands in the project area prior to construction. A Section 404 permit will be required if the applicant needs to fill wetlands for the construction of the subdivision convenience store and/or development of the remaining parent tract. (*corrected 03/17/10*)
52. 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.

**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):**

Improvements Inspections:	Jeff Barnhill	678-7765
Subdivision/Site Plan/Plat	Ed Byrne	678-7609
Code Enforcement (Permits):	Ken Sykes	321-6654
County Engineer’s Office:	Wayne Dudley	678-7636
PWC:	Heidi Maly	223-4773
City of Fayetteville, Planning:	Marsha Bryant	433-1416
Corp of Engineers (wetlands):	Crystal C. Amschler	251-4170
NCDENR (E&S):	Sally McKinney	433-3300
E911 Site-Specific Address:	Ron Gonzales	678-7616
E911 Street Naming/Signs:	Diane Shelton	678-7665

# DRAFT

Tax Parcel Numbers:		678-7549
NCDOT (driveways/curb-cuts):	Gary Burton	486-1496
NCDOT (subdivision roads):	David Plummer	486-1496
Transportation Planning:	Bobby McCormick	678 7632
N.C. Division of Water Quality:	Mike Randall	(919) 733-5083 ext. 545

cc: Marsha Bryant, City of Fayetteville

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, the following facts are submitted:

1. Requested Rezoning from A1+RR to R7.5
2. Address of Property to be Rezoned: 1925 TOM STARLING Rd.
3. Location of Property: TOM STARLING RD
4. Parcel Identification Number (PIN #) of subject property: ~~#0443-27-8399~~  
(also known as Tax ID Number or Property Tax ID) ~~#0443-37-4284~~  
#0443-37-0051
5. Acreage: 148.3 Frontage: 3100 Depth: 1200
6. Water Provider: Well \_\_\_\_\_ PWC  Other (name) \_\_\_\_\_
8. Septage Provider: Septic Tank \_\_\_\_\_ PWC
9. Deed Book 2028, Page(s) 537, Cumberland County Registry. (Attach copy of deed of subject property as it appears in Registry).
10. Existing use of property: WOODLAND
11. Proposed use(s) of the property: RESIDENTIAL SINGLE FAMILY
12. Do you own any property adjacent to or across the street from this property?  
Yes \_\_\_\_\_ No  If yes, where? \_\_\_\_\_
13. Has a violation been issued on this property? Yes \_\_\_\_\_ No

A copy of the recorded deed(s) and/or recorded plat map(s) must be provided. If the area is a portion of a parcel, a written legal description by metes and bounds, showing acreage must accompany the deed and/or plat. If more than one zoning classification is requested, a correct metes and bounds legal description, including acreage, for each bounded area must be submitted.

*The Planning and Inspections Staff is available for advice on completing this application; however, they are not available for completion of the application.*

RIS & CD as shown on  
site plan ~~SA~~

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.)

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.

312 lots max ~~SA~~

2. DIMENSIONAL REQUIREMENTS:

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

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

3. SIGN REQUIREMENTS:

Reference the district sign regulations proposed from Article XIII.

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

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.

no tree disturbance w/in CD except  
for utilities

Request not to ~~be approved~~ be required to  
construct sidewalk on NC Hwy 87 South

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.

The undersigned understands 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.

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.

✓ LINDA S. JOHNSON  
NAME OF OWNERS (PRINT OR TYPE)

125 TOM STARLING ROAD FAYETTEVILLE, N.C. 28306  
ADDRESS OF OWNER(S)

910-717-2935 HOME TELEPHONE #      910 717-2935 WORK TELEPHONE #

✓ KAS, LLC  
NAME OF AGENT, ATTORNEY, APPLICANT (PRINT OR TYPE)

1763 WILMINGTON HWY FAYETTEVILLE, N.C. 28306  
ADDRESS OF AGENT, ATTORNEY, APPLICANT

910-323-2506 HOME TELEPHONE #      910-391-2977 WORK TELEPHONE #

[Signature] SIGNATURE OF OWNER(S)      [Signature] SIGNATURE OF AGENT, ATTORNEY OR APPLICANT

\_\_\_\_\_  
SIGNATURE OF OWNER(S)

The contents of this application, upon submission, becomes "public record."

The undersigned understands 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.

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.

✓ ✓ MAE S. PARSONS  
NAME OF OWNERS (PRINT OR TYPE)  
✓ 1821 Tom STARLING Rd, Fayetteville, NC 28306  
ADDRESS OF OWNER(S)  
✓ 910-484-9280 ✓  
HOME TELEPHONE # WORK TELEPHONE #

✓ KAS, LLC  
NAME OF AGENT, ATTORNEY, APPLICANT (PRINT OR TYPE)  
1763 Wilmington Hwy Fayetteville NC 28306  
ADDRESS OF AGENT, ATTORNEY, APPLICANT  
910-323-2506 910-391-2977  
HOME TELEPHONE # WORK TELEPHONE #

✓ MAE S. PARSONS  
SIGNATURE OF OWNER(S)  
SIGNATURE OF AGENT, ATTORNEY OR APPLICANT

\_\_\_\_\_  
SIGNATURE OF OWNER(S)

The contents of this application, upon submission, becomes "public record."

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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.

✓ ✓ Barbara Smith  
NAME OF OWNERS (PRINT OR TYPE)

✓ 1919 Tom Starling Rd, Fayetteville NC 28306  
ADDRESS OF OWNER(S)

✓ 910 485 6692  
HOME TELEPHONE #

✓  
WORK TELEPHONE #

✓ KAS, LLC  
NAME OF AGENT, ATTORNEY, APPLICANT (PRINT OR TYPE)

1763 Wilmington Hwy Fayetteville NC 28306  
ADDRESS OF AGENT, ATTORNEY, APPLICANT

910-323-2506  
HOME TELEPHONE #

910-391-2977  
WORK TELEPHONE #

✓ Barbara Smith  
SIGNATURE OF OWNER(S)

[Signature]  
SIGNATURE OF AGENT, ATTORNEY OR APPLICANT

\_\_\_\_\_  
SIGNATURE OF OWNER(S)

The contents of this application, upon submission, becomes "public record."

The undersigned understands 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.

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.

✓

✓ Pamela Domanski  
NAME OF OWNERS (PRINT OR TYPE)

✓ 7206 Kingfisher Rd  
ADDRESS OF OWNER(S)

✓ 919 776 7238  
HOME TELEPHONE #

✓ 919 356 5813  
WORK TELEPHONE #

✓

KAS LLC  
NAME OF AGENT, ATTORNEY, APPLICANT (PRINT OR TYPE)

1763 Wilmington Highway, Fayetteville NC 28306  
ADDRESS OF AGENT, ATTORNEY, APPLICANT

910 323 2506  
HOME TELEPHONE #

910 391 2977  
WORK TELEPHONE #

✓ Pamela Domanski  
SIGNATURE OF OWNER(S)

[Signature]  
SIGNATURE OF AGENT, ATTORNEY OR APPLICANT

\_\_\_\_\_  
SIGNATURE OF OWNER(S)

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The undersigned understands 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.

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.

✓ Tommy Woodell  
NAME OF OWNERS (PRINT OR TYPE)

✓ 3942 W. Bent Grass Dr. Fayetteville NC 28312  
ADDRESS OF OWNER(S)

✓ 910 483 9277  
HOME TELEPHONE #

✓ 910 818 4017  
WORK TELEPHONE #

KAS, LLC  
NAME OF AGENT, ATTORNEY, APPLICANT (PRINT OR TYPE)

1763 Wilmington Hwy Fayetteville NC 28306  
ADDRESS OF AGENT, ATTORNEY, APPLICANT

910.323.2506  
HOME TELEPHONE #

910.391.2977  
WORK TELEPHONE #

✓ Tommy Woodell  
SIGNATURE OF OWNER(S)

[Signature]  
SIGNATURE OF AGENT, ATTORNEY OR APPLICANT

\_\_\_\_\_  
SIGNATURE OF OWNER(S)

The contents of this application, upon submission, becomes "public record."

Supplemental Information – 2006 Case on Subject Property (P06-04)

Jan. 17, 2006: Rezoning request, A1 Agricultural to R10 Residential, submitted on 159.8 acre parcel. If approved, would have been a maximum of 542 lots (20% discounted for right-of-way at that time – currently subtract 15% for right-of-way)

Staff recommended 250' riparian buffer for Rockfish Creek and requested a staff deferral for revised application - Planning Board deferred to February 21, 2006 meeting

Feb. 21, 2006: Staff recommended approval of R10 Residential with CD Conservancy 250' from bank of creek

Planning Board deferred the case for 60 days to give the applicant an opportunity to meet with the neighbors in the area, get documentation from surveyor of adjacent property on land area in ownership dispute and to consider submission of a CUD

Apr. 16, 2006: Staff presented a CUD and Permit to the Planning Board, recommending approval; the CUD application included:

- a. CD for area in the flood or 205' in width, whichever was greater (approximately 30% open space);
- b. Buffer along Tom Starling Road
- c. Agreed to research the possibility of a gated, secured community (community driven)
- d. Maximum of 542 lots/units (copy of the site plan submitted is on the back of this sheet)

Planning Board deferred case until the May 2, 2006 meeting due to discussion surrounding maximum number of lots/units; several board members gave the opinion that 400 lot/units would be more appropriate for this area

May 2, 2006: Staff presented amended request to the Planning Board with developer agreeing to a maximum of 400 lots/units and an increase in the width of the riparian buffer to follow the flood or 212' in width in areas where flood was minimal along creek.

Planning Board voted unanimously to recommend approval.

May 15, 2006 Developer requested deferral to the June 19, 2006 County Board of Commissioners meeting, Board of Commissioners voted 6 – 1 for no deferral

After hearing speakers, County Board of Commissioners with no discussion voted unanimously to deny the request



**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.

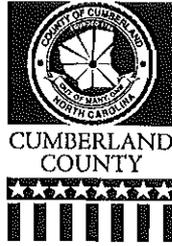
**[\*\*\*\*IF CONDITIONAL USE DISTRICT IS DENIED, DO NOT MAKE ANY MOTION ON CONDITIONAL USE PERMIT].**

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



ITEM NO. 3F

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**  
**APRIL 19, 2010**

**TO: BOARD OF COUNTY COMMISSIONERS**

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

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

**DATE: APRIL 9, 2010**

**SUBJECT: PUBLIC HEARING – 2010 CONSOLIDATED PLAN**

**BACKGROUND:**

Community Development is in the process of completing the planning process for the Consolidated Plan and Annual Action Plan. The Consolidated Plan will cover five (5) program years from July 1, 2010 through June 30, 2015. The Annual Action Plan will cover the period July 1, 2010 through June 30, 2011. Both of these documents must be submitted to the U.S. Department of Housing and Urban Development (HUD) by May 15, 2010 in order to receive our annual entitlement allocations for the Community Development Block Grant (CDBG) and Home Investment Partnership Act (HOME) programs. The purpose of this memorandum is to request a Public Hearing to provide an update on the consolidated planning process for these documents.

The Consolidated Plan is an assessment of the needs and resources of the community and establishes priorities and strategies for addressing those needs. Federal regulations require that the community assessment include a housing market analysis as well as a housing and homeless needs assessment. Community Development has secured the services of WFN, Inc. to assist in the preparation of these assessments. HUD also mandates that Community Development consult with local public health organizations/child welfare agencies, adjacent units of local government, and public housing authorities in order to assist in the assessment of the community's needs. WFN, Inc. and Community Development staff facilitated these consultations. A time line of the activities to be conducted as a part of the consolidated planning process is attached as Exhibit 1.

Prior to submission of the Consolidated Plan and Annual Action Plan, federal regulations require that we solicit input from the community at large. Community Development has conducted both citizen and agency surveys as an additional means of finding out the needs of the community. The results of those surveys are attached as Exhibit 2.

*Celebrating Our Past... Embracing Our Future*

**RECOMMENDATION AND PROPOSED ACTION:**

Community Development staff requests that the Board of County Commissioners hold a Public Hearing on the consolidated planning process and the Draft 2010 Consolidated Plan (Exhibit 3) to offer input and comments, as well as receive comments from the public.

**Attachments**

- As stated

**EXHIBIT 1**

**CONSOLIDATED PLAN  
TIMELINE  
(UPDATED 3/26/10)**

<b>ACTION</b>	<b>DATE DUE</b>
Public Meetings on Conplan Process <ul style="list-style-type: none"> <li>- Hope Mills Rec Ctr</li> <li>- Pine Forest Rec Ctr</li> <li>- Spring Lake Community Ctr</li> <li>- Eastover Rec Ctr</li> </ul>	January 19, 2010 – 6:00 pm January 21, 2010– 6:00 pm January 26, 2010– 6:00 pm January 28, 2010– 6:00 pm
MANDATORY CONSULTATIONS (DSS, Mental Health, Health Dept, Workforce Development, County Planning Dept, PHA, Eastover, Falcon, Godwin, Hope Mills, Linden, Spring Lake, Stedman, & Wade)	FEBRUARY 1, - MARCH 15, 2010* *Exact dates TBD
Agency and Citizen Needs Assessment Survey Distributed	JANUARY 1 – MARCH 15
Housing and Homeless Needs Assessment completed	MARCH 12, 2010
SEND PUBLIC NOTICE FOR PUBLIC REVIEW PERIOD & PUBLIC HEARING TO PAPER FOR PUBLICATION	MARCH 26, 2010
PUBLICATION DATE OF PUBLIC REVIEW PERIOD & PUBLIC HEARING NOTICE IN NEWSPAPER SEND PUBLIC NOTICE FOR PUBLIC REVIEW PERIOD & PUBLIC HEARING TO PAPER FOR PUBLICATION	APRIL 4, 2010
FINAL DRAFT READY & AGENDA PACKET READY FOR COMMISSIONERS' MTG	APRIL 9, 2010
PUBLIC REVIEW PERIOD	APRIL 9 – MAY 8, 2010
PUBLIC HEARING BEFORE COMMISSIONERS	APRIL 19, 2010
APROVAL OF CONPLAN/ACTION PLAN BY COMMISSIONERS	MAY 3, 2010
CONSOLIDATED PLAN/ACTION PLAN DUE @ HUD	MAY 14, 2010

**EXHIBIT 2**

**SURVEY RESULTS**

<p><b>Public/Private Agency Results</b> 23 responses (ranked in order of priority)</p>	<p><b>Citizen Results</b> 800 responses (ranked in order of priority)</p>
<ol style="list-style-type: none"> <li>1. Employment Services/Job Skills Training (11)<sup>1</sup></li> <li>2. Housing (7)</li> <li>3. Educational Services (literacy, secondary education) (5)</li> <li>4. Homeless Services (3)</li> <li>5. Health/Dental Services (3)</li> <li>6. Transportation (3)</li> <li>7. Rent/ Utility Assistance (2)</li> <li>8. Childcare assistance (2)</li> <li>9. Crime prevention (1)</li> <li>10. Substance Abuse (1)</li> </ol>	<ol style="list-style-type: none"> <li>1. Affordable Rental Housing</li> <li>2. Health Care Services</li> <li>3. Job Creation</li> <li>4. Services for the Disabled</li> <li>5. Job Training</li> <li>6. Services for the Homeless</li> <li>7. Mental Health Services</li> <li>8. Homeownership Assistance</li> <li>9. Transportation Assistance</li> <li>10. Street/Side Walk Improvements</li> </ol>

<p><b>Municipality Results</b> 8 municipalities responses<sup>1</sup></p>	<p><b>Mandatory Consultation Results</b> Agencies interviewed: DSS, MH, HD, PD, WFD, PHA<sup>2</sup></p>
<ol style="list-style-type: none"> <li>1. Water/sewer &amp; street improvements (4)</li> <li>2. Facade improvements for commercial buildings (2)</li> <li>3. Homeless Services (2)</li> <li>4. Transportation (2)</li> <li>5. Historic Preservation (2)</li> </ol>	<ol style="list-style-type: none"> <li>1. Affordable housing for the homeless, youth (aging out of foster care), and the disabled</li> <li>2. Services for youth aging out of foster care system (life skills, money management etc.)</li> <li>3. Services for disabled adults (mental and physical)</li> </ol>

<sup>1</sup>Municipalities: Eastover, Falcon, Godwin, Hope Mills, Linden, Spring Lake, Stedman, & Wade

<sup>2</sup>Agencies: Department of Social Services (DSS); Mental Health (MH); Health Department (HD); Planning Department (PD); Work Force Development Department (WFD); & Public Housing Authority (PHA)

<p align="center"><b>Priorities Identified - Housing &amp; Homeless Needs Assessment</b></p>	
<p><b>Housing Needs</b></p> <ul style="list-style-type: none"> <li>• <b>Expand Affordable Housing Choice:</b> <ul style="list-style-type: none"> <li>○ Options to assist in the area of affordable rental housing as more than 48% of residents are rent burdened (paying 30% or more of their income on rent alone)</li> <li>○ Options to assist with single family homeownership as much of the housing for sale, even at the lower end, is priced beyond the means of lower-income families with average cost of a new home at \$200,718.</li> </ul> </li> <li>• <b>Education on Affordable Mortgage Lending and Fair Housing Practices</b> <ul style="list-style-type: none"> <li>○ Need for distribution of educational materials on predatory lending to vulnerable groups, including minorities and seniors.</li> <li>○ Conduct an education and outreach campaign targeting housing providers and consumers using multiple media vehicles in English, Spanish, and other major languages common to Cumberland County and the City of Fayetteville residents.</li> </ul> </li> </ul>	<p><b>Homeless Needs</b></p> <p><b>Housing/Services</b></p> <p><b>Emergency Shelter<sup>1</sup></b> Households <i>without</i> children – 80 additional beds Households <i>with</i> children – 55 additional beds</p> <p><b>Transitional Housing<sup>1</sup></b> Households <i>with</i> children – 232 additional beds Households <i>without</i> children – 105 additional beds</p> <p><b>Permanent Supportive Housing<sup>1</sup></b> Households <i>without</i> children – 100 additional beds Households <i>with</i> children – 80 additional beds</p> <p><sup>1</sup>Based on 2009 HUD Gaps Analysis</p> <p><b>Implement 10 Year Plan to End Homelessness Priorities:</b></p> <ul style="list-style-type: none"> <li>• <b>Priority 1:</b> Community Awareness and Education Campaign</li> <li>• <b>Priority 2:</b> Lobby Congress for special appropriations to assist homeless veterans (and the homeless population in general)</li> <li>• <b>Priority 3:</b> Identify additional funding sources for local programs</li> <li>• <b>Priority 4:</b> Create a day resource center</li> <li>• <b>Priority 5:</b> Establish Childcare Subsidy for Homeless Families</li> </ul>

EXHIBIT 2

SURVEY RESULTS

<b>Priorities Identified - Housing &amp; Homeless Needs Assessment</b>	
<ul style="list-style-type: none"><li>• <b><u>Land Use and Zoning Revisions</u></b> - The County should consider adopting:<ul style="list-style-type: none"><li>○ Reasonable accommodation zoning ordinances for persons with disabilities, especially as it relates to housing.</li><li>○ Inclusionary zoning as a means of promoting fair housing choice by directly allocating a percentage of new housing to low and very low-income residents. Its effect is to distribute lower income residents throughout a city, increasing neighborhood diversity. Larger numbers of affordable units can be realized, funded in part by private investment.</li></ul></li><li>• <b><u>Expand Accessibility to Effective Public Transportation</u></b> to assist low to moderate income with access to employment opportunities, in particular for those working 2<sup>nd</sup>, 3<sup>rd</sup> shift or weekend hours.</li></ul>	<ul style="list-style-type: none"><li>• <b><u>Priority 6:</u></b> Additional Shelter Space</li><li>• <b><u>Priority 7:</u></b> Transportation</li><li>• <b><u>Priority 8:</u></b> Family Reunification Program</li><li>• <b><u>Priority 9:</u></b> Development of Additional Affordable Housing Options</li><li>• <b><u>Priority 10:</u></b> Outreach Network</li></ul>

As a result of information obtained from citizen and agency surveys, public meetings, and mandatory consultations with municipalities and community agencies, CCCD will address the following priority needs during the next five years.

<b>Cumberland County Community Development Priority Needs</b>
1. Affordable Housing
2. Employment Services/Job Training
3. Human Services (specifically health care and homeless services)
4. Services for the Disabled
5. Water & Sewer Improvements

# **DRAFT**

## **2010 CONSOLIDATED PLAN**

*Period Covered: July 1, 2010 thru June 30, 2015*

### **2010 Annual Action Plan**

*Period Covered: July 1, 2010 thru June 30, 2011*

## **CUMBERLAND COUNTY, NORTH CAROLINA**

### **CUMBERLAND COUNTY COMMISSIONERS**

Billy R. King, Chairman

Kenneth S. Edge, Vice Chairman

Dr. Jeannette M. Council

Marshall Faircloth

Phillip Gilfus

Jimmy Keefe

Edward Melvin

#### **County Manager**

James E. Martin

#### **Deputy County Manager**

Juanita Pilgrim

#### **Community Development Department**

Thanena S. Wilson, Director

**CUMBERLAND COUNTY  
COMMUNITY DEVELOPMENT  
CONSOLIDATED PLAN / ANNUAL ACTION PLAN**

**TABLE OF CONTENTS**

Executive Summary .....	3
<b>MANAGING THE PROCESS.....</b>	<b>5</b>
Lead Agency .....	5
Consultation/Coordination .....	5
Local Jurisdictions.....	5
Public Housing Authority.....	7
Department of Social Services.....	8
Health Department.....	8
Mental Health.....	9
Other Agencies, Groups and Organizations.....	11
Institutional structure.....	12
Citizen Participation .....	13
Public Meetings.....	13
Public Hearings.....	13
Citizen Surveys.....	14
Citizen Participation Plan .....	14
<b>STRATEGIC PLAN .....</b>	<b>14</b>
Time Period.....	14
Priority Needs Analysis and Strategies.....	14
Homeless Population.....	14
Special Populations .....	18
Housing.....	19
Community Development.....	25
<b>ACTION PLAN.....</b>	<b>27</b>
Purpose.....	29
Geographic Area.....	29
Sources of Funds.....	29
Description of Projects.....	30
Housing Activities.....	30
Economic Development.....	32
Public Services.....	32
General Administration.....	33
Competitive Grants.....	33

# CUMBERLAND COUNTY COMMUNITY DEVELOPMENT CONSOLIDATED PLAN

## EXECUTIVE SUMMARY

### **Background**

The Consolidated Plan is intended to assist Cumberland County in developing a collaborative process to establish a unified vision for community development actions. The Plan enables the County to view its HUD programs, not as isolated tools to solve narrow problems, but rather as an invitation to embrace a comprehensive vision of housing and community development. The Consolidated Plan serves four separate, but integrated, functions:

- A planning document for the County that is developed with participation from the community's local government municipalities, public and private agencies, as well as the general public;
- An application for federal funds under HUD's entitlement grant programs:
  - Community Development Block Grant (CDBG),
  - Home Investment Partnership Act (HOME),
  - Emergency Shelter Grant (ESG), and
  - Housing Opportunities for Persons with AIDS (HOPWA);
- A strategic plan to be followed in carrying out housing and community development programs; and
- An annual action plan that provides a basis for assessing the County's performance.

Cumberland County is the recipient of entitlement funds from the Community Development Block Grant (CDBG) and Home Investment Partnership Act (HOME) programs. The Cumberland County Community Development Department (CCCD) is the lead agency responsible for compiling and implementing the Consolidated Plan for Cumberland County.

### **Methodology**

The Consolidated Planning process began in the late fall of 2009 and ran through early spring 2010. During this process, a review was conducted of the community's housing market and services/facilities currently available. CCCD staff also sought input from both public and private agencies as well as the general public to assist in determining priority needs in the community. From these resources, CCCD staff established priority needs that will be addressed with the County's entitlement funds.

### **Priority Needs**

Based on agency surveys and interviews, citizen surveys and community meetings, the following responses were noted priority needs:

<b>Public / Private Agency Results</b> 23 responses (ranked in order of priority)	<b>Citizen Results</b> 800 responses (ranked in order of priority)
1. Employment Services / Job Skills Training (11) <sup>1</sup> 2. Housing (7) 3. Educational Services (literacy, secondary education) (5) 4. Homeless Services (3) 5. Health / Dental Services (3) 6. Transportation (3) 7. Rent/ Utility Assistance (2) 8. Childcare assistance (2) 9. Crime prevention (1) 10. Substance Abuse (1)	1. Affordable Rental Housing 2. Health Care Services 3. Job Creation 4. Services for the Disabled 5. Job Training 6. Services for the Homeless 7. Mental Health Services 8. Homeownership Assistance 9. Transportation Assistance 10. Street/Side Walk Improvements

<sup>1</sup>Denotes # of responses

<b>Municipality Results</b> 8 municipalities responses <sup>1</sup>	<b>Mandatory Consultation Results</b> Agencies interviewed: DSS, MH, HD, PD, WFD, PHA <sup>2</sup>
1. Water/sewer & street improvements (4) 2. Facade improvements for commercial buildings (2) 3. Homeless Services (2) 4. Transportation (2) 5. Historic Preservation (2)	1. Affordable housing for the homeless, youth (aging out of foster care), and the disabled 2. Services for youth aging out of foster care system (life skills, money management etc.) 3. Services for disabled adults (mental and physical)

<sup>1</sup>Municipalities: Eastover, Falcon, Godwin, Hope Mills, Linden, Spring Lake, Stedman, & Wade

<sup>2</sup>Agencies: Department of Social Services (DSS); Mental Health (MH); Health Department (HD); Planning Department (PD); Work Force Development Department (WFD); & Public Housing Authority (PHA)

<b>Priorities Identified - Housing &amp; Homeless Needs Assessment</b>	
<b>Housing Needs</b> <ul style="list-style-type: none"> <li>• <b><u>Expand Affordable Housing Choice</u></b> <ul style="list-style-type: none"> <li>○ Options to assist in the area of affordable rental housing as more than 48% of residents are rent burdened (paying 30% or more of their income on rent alone)</li> <li>○ Options to assist with single family homeownership as much of the housing for sale, even at the lower end, is priced beyond the means of lower-income families with average cost of a new home at \$200,718.</li> </ul> </li> <li>• <b><u>Education on Affordable Mortgage Lending and Fair Housing Practices</u></b> <ul style="list-style-type: none"> <li>○ Need for distribution of educational materials on predatory lending to vulnerable groups, including minorities and seniors.</li> <li>○ Conduct an education and outreach campaign targeting housing providers and consumers using multiple media vehicles in English, Spanish, and other major languages common to Cumberland County and the City of Fayetteville residents.</li> </ul> </li> <li>• <b><u>Land Use and Zoning Revisions</u></b> - The County should consider adopting: <ul style="list-style-type: none"> <li>○ Reasonable accommodation zoning ordinances for persons with disabilities, especially as it relates to housing.</li> </ul> </li> </ul>	<b>Homeless Needs</b> <b><u>Housing/Services</u></b> <b><u>Emergency Shelter</u></b> <sup>1</sup> Households <i>without</i> children – 80 additional beds Households <i>with</i> children – 55 additional beds  <b><u>Transitional Housing</u></b> <sup>1</sup> Households <i>with</i> children – 232 additional beds Households <i>without</i> children – 105 additional beds  <b><u>Permanent Supportive Housing</u></b> <sup>1</sup> Households <i>without</i> children – 100 additional beds Households <i>with</i> children – 80 additional beds <sup>1</sup> Based on 2009 HUD Gaps Analysis  <ul style="list-style-type: none"> <li>• <b><u>Implement 10 Year Plan to End Homelessness Priorities:</u></b></li> <li>• <b>Priority 1:</b> Community Awareness and Education Campaign</li> <li>• <b>Priority 2:</b> Lobby Congress for special appropriations to assist homeless veterans (and the homeless population in general)</li> <li>• <b>Priority 3:</b> Identify additional funding sources for local programs</li> <li>• <b>Priority 4:</b> Create a day resource center</li> <li>• <b>Priority 5:</b> Establish Childcare Subsidy for Homeless Families</li> <li>• <b>Priority 6:</b> Additional Shelter Space</li> <li>• <b>Priority 7:</b> Transportation</li> <li>• <b>Priority 8:</b> Family Reunification Program</li> </ul>

<ul style="list-style-type: none"> <li>○ Inclusionary zoning as a means of promoting fair housing choice by directly allocating a percentage of new housing to low and very low-income residents. Its effect is to distribute lower income residents throughout a city, increasing neighborhood diversity. Larger numbers of affordable units can be realized, funded in part by private investment.</li> <li>• <b><u>Expand Accessibility to Effective Public Transportation</u></b> to assist low to moderate income with access to employment opportunities, in particular for those working 2<sup>nd</sup>, 3<sup>rd</sup> shift or weekend hours.</li> </ul>	<ul style="list-style-type: none"> <li>• <b>Priority 9:</b> Development of Additional Affordable Housing Options</li> <li>• <b>Priority 10:</b> Outreach Network</li> </ul>
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As a result of information obtained from citizen and agency surveys, public meetings, and mandatory consultations with community agencies, CCCD will address the following priority needs during the next five years:

<b>Cumberland County Community Development Priority Needs</b>
1. Affordable Housing
2. Employment Services/Job Training
3. Human Services (specifically health care and homeless services)
4. Services for the Disabled
5. Water & Sewer Improvements

**THE FIVE YEAR CONSOLIDATED PLAN**

Cumberland County’s Consolidated Plan covers actions that will be taken to address priority needs in the community between July 1, 2010 and June 30, 2015. From identified priority needs, CCCD has developed specific goals and strategies that will be undertaken using the County’s CDBG and HOME entitlement funds. The goals/objectives identified will fall in the categories of housing, homelessness, and non-housing community development.

**I. MANAGING THE PROCESS**

A. **Lead Agency**

The Community Development Department serves as the lead agency responsible for preparation and submission of the Consolidated Plan and will administer all programs covered in the Consolidated Plan.

B. **Consultation/Coordination**

Cumberland County’s 2010 Consolidated Plan was prepared by the Community

Development Department through the solicitation and consultation with other agencies providing services in the community. To the extent possible, the following steps were taken to solicit input from local agencies.

1. Local Jurisdictions. To assess the impact of needs and activities to be addressed in the Consolidated Plan, the Community Development Department consulted with all municipalities within its geographic area. The geographic area is comprised of the Towns of Eastover, Falcon, Godwin, Hope Mills, Linden, Spring Lake, Stedman, Wade and the unincorporated areas of the County. Letters outlining the consolidated planning process and requesting meetings were sent to each locality. Meetings were held with the municipal leader (or his/her designee) for each town within the geographic area.

<b>Municipality</b>	<b>Consultation Meeting Date</b>	<b>Needs Discussed</b>
Town of Eastover		<ul style="list-style-type: none"> <li>▪ Town will serve as referral source for housing repair and homeownership assistance</li> <li>▪ Water &amp; Sewer</li> </ul>
Town of Falcon	March 3, 2010	<ul style="list-style-type: none"> <li>▪ Historic preservation</li> <li>▪ Water/Sewer line improvements (identified as critical need)</li> <li>▪ Streets and sidewalks improvements (identified as critical need)</li> <li>▪ Health care services (identified as critical need)</li> <li>▪ Crime prevention</li> </ul>
Town of Godwin	February 17, 2010	<ul style="list-style-type: none"> <li>▪ Segment of housing along Highway 82 without drinkable water</li> </ul>
Town of Hope Mills	February 9, 2010	<ul style="list-style-type: none"> <li>▪ Sewer installation for small "donut hole" areas without services</li> <li>▪ Refacing of building in former downtown area</li> <li>▪ Sidewalk and street improvements in certain blighted areas</li> <li>▪ Cotton community (off Cameron Road) could benefit from revitalization of homes, streets</li> <li>▪ Homeless services are handled thru local non-profit – Alms House</li> <li>▪ Alms House is seeking funding for new facility to expand its services</li> </ul>
Town of Linden	February 10, 2010	<ul style="list-style-type: none"> <li>▪ Transportation for elderly to attend dr's appointments</li> <li>▪ Water &amp; Sewer</li> <li>▪ Paving dirt roads to improve emergency vehicle access</li> </ul>
Town of Spring Lake	February 5, 2010	<ul style="list-style-type: none"> <li>▪ Reimplementation of satellite offices for Dept of Social Services</li> <li>▪ Funding for municipalities transit authority – estimated implementation 4/2010</li> <li>▪ Water/sewer extensions &amp; streets/side walks (identified as top priority)</li> <li>▪ Demolition and removal of blighted/condemned property (houses and mobile homes)</li> <li>▪ Façade program for commercial development downtown</li> <li>▪ Splash pad for children</li> <li>▪ Coordination of services for the homeless</li> <li>▪ Developing loan pool for downtown area to spur development and job creation</li> </ul>

Municipality	Consultation Meeting Date	Needs Discussed
Town of Stedman	March 17, 2010	<ul style="list-style-type: none"> <li>▪ Recycling program</li> <li>▪ Housing renovations for owner-occupied units or landlords</li> <li>▪ Homeownership assistance (down payment assistance interest subsidies) (identified as a critical need)</li> <li>▪ Historic Preservation</li> <li>▪ Water/sewer improvements (identified as a critical need)</li> <li>▪ Streets and sidewalks (identified as a critical need)</li> <li>▪ Neighborhood facilities for persons with special needs</li> </ul>
Town of Wade	February 8, 2010	<ul style="list-style-type: none"> <li>▪ Installation of community wells to add to current water system</li> <li>▪ Water/sewer lines on Snelling Street to tie into lines on Clara</li> <li>▪ Street paving in area that has illegal dumping</li> <li>▪ Have not had issue with homeless – however have noticed occasional person staying in community park</li> <li>▪ Sharing of community resources on serving homeless</li> </ul>

The City of Fayetteville is also an entitlement jurisdiction located within Cumberland County. As such, this agency is also required to conduct its own consolidated planning process regarding the needs within the city limits of Fayetteville.

2. Public Housing Authority. Community Development staff met with the Fayetteville Metropolitan Housing Authority (FMHA) on February 16, 2010. FMHA staff assisted in verifying and updating information regarding its current housing stock and Section 8 Program as well as future plans. FMHA conducts its own 5-year plan that addresses the needs of the public housing authority – in particular upgrades of current facilities. Future plans include:
  - Replacing the community center building in the Old Wilmington Road community that was demolished as a part of a HOPE VI revitalization project;
  - Revitalization of the Grove View community will be included in the next 5 year plan;
  - Pursuing tax credit funding for future mixed use units.

Additional issues discussed include:

- Section 8 Vouchers – Currently have approximately 1,600 vouchers, however will see reduction to approximately 1,500 due to funding reductions. There are currently 357 on waiting list – not accepting new applicants at this time. However, community will receive 20 additional Section 8 vouchers specifically for veterans.
- Public Housing Units – Currently have 1,045 units (24 units are completely Section 504 compliant). Number of public housing units will be reduced to 796 after HOPE VI revitalization. Waiting time for public housing units currently takes about 6-8 months.
- Scattered Site Housing – FMHA owns 124 scattered site housing units – these are not Section 8 voucher units. Must be current resident in good standing for a least 1 year before approved for scattered site housing. Rent is structured on a flat rate based on bedroom size. These residents are often good candidates for homeownership.
- Homeless – There is currently no emergency housing or a preference for the

homeless. Homeless individuals are worked into the system just as other citizens needing housing. Obstacles to assisting homeless individuals include:

- Failure to have proper identification documents and birth certificates in order to apply for housing;
- Criminal history such as felonies or current drug abuse prohibit their entry (per HUD mandates);
- Need for continued case management to help resolve issues that resulted in homelessness. Often those same issues lead to their eviction. All residents evicted are referred to Legal Aide for consultation.

**Identified Needs include:**

- Funding for security deposits and utilities to assist applicants;
- Additional affordable housing units;
- Funding for legal representation to assist persons with felonies obtain affordable housing;
- Funding for advocates to assist people with old criminal records move into affordable housing.

3. Department of Social Services. Community Development staff met with Cumberland County Department of Social Services (DSS) March 3, 2010. DSS staff expressed needs in the following areas:

**Identified Needs:**

- Adult Services
  - Gap in services for customers that do not fit adult care home facility (40 to 60 years old)
  - Guardian issues for people who are incompetent
- Children Services
  - Currently there are 30-100 children about to age out of foster care. Need housing and supportive services around money management
  - Job skills/readiness training to equip youth with ability to pay for housing
  - Lack of parenting skills and general life skills are needed as well as housing
  - Childcare assistance currently has waiting list of at least 2,000 children. No homeless preference - priorities slots are for Work First parents (those seeking employment or employed full-time and child protective services (CPS) cases.
- Faith Team
  - Seeking agencies to serve as mentors to families
  - Funding resources to assist faith based organization build homeless facilities
- General – Services for mentally disabled adults that are falling thru the cracks (i.e. do not qualify for Medicaid or medicare).

4. Health Department. Community Development staff met with Cumberland County Health Department February 4, 2010. DSS staff expressed needs in the following areas:

- Primary Care
  - New patients are not being accepted due to lack of funding
  - Services for clients with chronic conditions

Since many areas outside the city limits of Fayetteville are without public water and/or sewer systems, inquiry regarding the number of failures and contaminated wells netted the following results:

- Septic failures/repairs requires – 454 over the past 26 months
- Contaminated well/water systems –

Due to a high percentage of the County's housing stock based on age having the potential of lead-based paint hazards, staff also inquired about the number of lead poisoning cases in small children. Health Department staff estimate that the number of cases of children reported with elevated blood levels total less than five (5) each year.

5. Mental Health Department. Community Development staff met with Cumberland County Local Management Entity (Mental Health Department) February 2, 2010. Mental Health staff Consultants contracted by the City of Fayetteville and Cumberland County met with a representative from the Mental Health Department. The following needs were expressed needs in the following areas:

- Lack of services for children between the age of 16 and 21 who have aged out of the foster care system.
- There are problems helping children transition out of foster care. Plenty of assistance while the consumer is foster care age, but no assistance once they "age out". Those individuals are technical adults but still need guidance.
- Shelters that can house children with mental illness.
- Decent safe housing for those with disabilities (both mental and physical).
- Transportation to take adults from home to services (i.e. appointments for mental health, substance abuse treatment group meetings, and other treatment)
- Medical assistance – funds to pay for lab work to determine if mental health medication levels are within limits and ensure medication is working correctly.
- Childcare/summer camps need staff training so that autistic children can participate. Services are limited for children in this category due to their mental disability.
- Transitional housing for single women and women and children

- Agencies that provide inpatient substance abuse treatment as “no show” rate is often high; particularly for substance Abuse Intensive Outpatient Treatment.<sup>1</sup>

**Noted Gaps in Services from 2009 Needs Assessment:**

A Gaps and Needs Analysis was conducted in 2009 assessing mental health needs of the community – results are noted below:

<b>Cumberland Service Needs Identified in Surveys &amp; Forums<sup>1</sup></b>			
	<b>Providers</b>	<b>Community Stakeholders</b>	<b>Community Forums</b>
General Services Needed	<ul style="list-style-type: none"> <li>▪ Youth Services</li> <li>▪ Psychiatrists</li> <li>▪ Crisis services</li> <li>▪ Language services</li> </ul>	<ul style="list-style-type: none"> <li>▪ Substance abuse for youth</li> <li>▪ Co-occurring Services</li> <li>▪ Access to Interpreters for language barriers</li> <li>▪ Child Psychiatrist</li> <li>▪ Emergency services/ ER wait times too long</li> </ul>	<ul style="list-style-type: none"> <li>▪ Improve overall quality of provider services</li> <li>▪ Provider training/Customer service</li> <li>▪ Transportation</li> <li>▪ Reduce wait times for services</li> <li>▪ Consumer education</li> </ul>
Developmental Disabilities	<ul style="list-style-type: none"> <li>▪ Day Activities</li> <li>▪ Parental Training</li> <li>▪ Respite</li> <li>▪ CAP Services</li> </ul>	<ul style="list-style-type: none"> <li>▪ School-based Services</li> <li>▪ Transportation</li> </ul>	<ul style="list-style-type: none"> <li>▪ Quality day programs</li> <li>▪ Improve crisis services</li> <li>▪ Expand education on available services &amp; supports</li> <li>▪ More CAP services</li> <li>▪ Peer Support Services</li> <li>▪ Employment training</li> </ul>
Mental Health	<ul style="list-style-type: none"> <li>▪ Psychiatric/Medicatio</li> <li>▪ n</li> <li>▪ More Psychiatrists</li> <li>▪ Community-based Inpatient Psychiatric</li> <li>▪ Clubhouse/Drop-in Center</li> <li>▪ Licensed Therapists</li> <li>▪ Partial hospitalization</li> </ul>	<ul style="list-style-type: none"> <li>▪ Mobile Crisis</li> <li>▪ State funded</li> <li>▪ Substance Abuse services</li> <li>▪ Psychiatric Care</li> </ul>	<ul style="list-style-type: none"> <li>▪ Medication</li> <li>▪ Support to achieve Independence</li> <li>▪ Affordable housing</li> <li>▪ Employment opportunities</li> </ul>
Substance Abuse	<ul style="list-style-type: none"> <li>▪ Medically monitored Community Residential Treatment</li> <li>▪ More Detox/Inpatient Residential Treatment for women</li> <li>▪ Comprehensive SAIOP</li> </ul>	<ul style="list-style-type: none"> <li>▪ Detox</li> <li>▪ Residential Treatment</li> <li>▪ Day Treatment</li> </ul>	<ul style="list-style-type: none"> <li>▪ Limited services for very young children at risk of substance abuse</li> <li>▪ More qualified service providers</li> </ul>
Child &	<ul style="list-style-type: none"> <li>▪ Partial Hospitalization</li> </ul>	<ul style="list-style-type: none"> <li>▪ School-based</li> </ul>	<ul style="list-style-type: none"> <li>▪ Limited services for</li> </ul>

Cumberland Service Needs Identified in Surveys & Forums <sup>1</sup>			
	Providers	Community-Stakeholders	Community Forums
Adolescent	<ul style="list-style-type: none"> <li>▪ School-based services</li> <li>▪ Psychiatric/Medications</li> <li>▪ Substance Abuse</li> <li>▪ PRTF Residential</li> <li>▪ Sex-offender Treatment</li> <li>▪ MST</li> </ul>	<ul style="list-style-type: none"> <li>▪ services</li> <li>▪ Psychiatric Care</li> <li>▪ Inpatient services</li> </ul>	<ul style="list-style-type: none"> <li>▪ very young children</li> <li>▪ Improve communication between PRTF's and school system</li> <li>▪ Family involvement in treatment team meetings</li> </ul>

<sup>1</sup> Excerpt from Cumberland local Management Entity Community Assessment of Service Needs, Service Gaps and Provider Capacity – March 2009.)

6. Planning Department. Community Development staff met with the Cumberland County Planning Department February 12, 2010. Planning staff expressed needs in the following areas:
- Drainage issues in the area east of the Cape Fear River
  - The Town of Stedman's main canal is blocked

Planning Department currently administrators transportation program to assist rural elderly residents with transportation to medical appointments and shopping trips. CD and Planning staff will further discuss possibility of partnership to fund transportation needs for homeless, disabled, and elderly citizens.

7. Workforce Development. Community Development staff met with the Cumberland County Workforce Development Department March 5, 2010. Staff discussed the following:
- Workforce Development can provide the following for those in their program:
    - Employment training
    - Rent assistance
    - Transportation (travel reimbursement to attend training, etc.)
    - Funds for tuition, books, supplies, permits, licenses, or equipment necessary for training program.
  - Program length is based on each applicants needs (no maximum time limit)

Agency does not collect data on the number of homeless individuals that come through its program. However, would be willing to consider future ways that it could partner with CCCD to better serve the needs of Cumberland County residents.

8. Other Agencies, Groups, and Organizations. Community Development staff developed a survey to be distributed to local non-profit groups and agencies. The purpose of the survey was two-fold. It served as a means of identifying the services that are currently available in the community as well as the specific needs of the community. Letters outlining the consolidated planning

process as well as the survey were sent to the following agencies in the community:

<p><b>Special Population Groups</b></p> <ul style="list-style-type: none"> <li>· NAACP</li> <li>· Hispanic Latino Center</li> <li>· Fayetteville Cumberland County Advisory Council (for persons with disabilities)</li> <li>· The ARC of Cumberland County</li> <li>· Catholic Social Ministries</li> <li>· Consumer Credit Counseling</li> <li>· Cumberland County Association for Indian People</li> <li>· Cumberland County Coordinating Council on Older Adults</li> <li>· Cumberland County Veterans Services</li> <li>· NC Independent Living Services</li> <li>· NC Indian Housing Authority</li> <li>· Fayetteville/Cumberland County Continuum of Care Planning Council</li> </ul>	<p><b>Interagency Network of Cumberland County</b></p> <ul style="list-style-type: none"> <li>· Carolina Treatment Center</li> <li>· CC Communicate</li> <li>· Cape Fear Regional Bureau for Community Action</li> <li>· B.I.G. 8 Ministries</li> <li>· KISS 107.7</li> <li>· Bragg N' Barn</li> <li>· Continuous Flow Center</li> <li>· Department of Social Services</li> <li>· United Way</li> <li>· CC Care Center</li> <li>· Catholic Social Services</li> <li>· Boys and Girls Club</li> <li>· Cumberland County Community Action</li> <li>· CC Workforce Development</li> <li>· City Rescue Mission</li> <li>· Better health</li> <li>· Parks Chapel</li> <li>· Better Opportunity for Single Soldiers FTCC</li> <li>· The Salvation Army</li> <li>· Mt Olive Missionary Baptist Church</li> <li>· Mt. Sinai Baptist Church</li> <li>· Mt. Zion AME Church</li> <li>· Northwood Temple</li> <li>· Outreach Ministries New Beginnings</li> <li>· Cumberland County Schools</li> <li>· Prosperity Properties</li> <li>· NABVETS</li> <li>· Save the Babies House of Refuge</li> <li>· Fayetteville Urban Ministries</li> <li>· CC Sheriff's Office</li> <li>· Rape Crisis Center</li> <li>· Simon Temple AMZE</li> <li>· Operation In as Much</li> <li>· Legal Aid</li> <li>· Valor Explosion</li> <li>· Myrover Reese</li> </ul>																																		
<p><b>Cumberland County Departments</b></p> <table border="0"> <tr> <td>Animal Services</td> <td>Maintenance</td> </tr> <tr> <td>Board of Elections</td> <td>Mental Health</td> </tr> <tr> <td>Central Maintenance</td> <td>Parks &amp; Recreation</td> </tr> <tr> <td>Clerk of Court</td> <td>Planning &amp; Inspections</td> </tr> <tr> <td>Coliseum Complex</td> <td>Pre-trial Release</td> </tr> <tr> <td>Cooperative Extension</td> <td>Print Shop</td> </tr> <tr> <td>County Management</td> <td>Public Information</td> </tr> <tr> <td>Day Reporting Center</td> <td>Public Utility</td> </tr> <tr> <td>Emergency Services</td> <td>Register of Deeds</td> </tr> <tr> <td>Engineering</td> <td>Sheriff's Department</td> </tr> <tr> <td>Finance</td> <td>Social Services</td> </tr> <tr> <td>Health</td> <td>Soil &amp; Water Conserv.</td> </tr> <tr> <td>Human Resources</td> <td>Solid Waste Management</td> </tr> <tr> <td>IS Technology</td> <td>Tax Administration</td> </tr> <tr> <td>Legal</td> <td>Veterans Services</td> </tr> <tr> <td>Library System</td> <td>Workforce Development</td> </tr> <tr> <td>Mail Management</td> <td></td> </tr> </table>	Animal Services	Maintenance	Board of Elections	Mental Health	Central Maintenance	Parks & Recreation	Clerk of Court	Planning & Inspections	Coliseum Complex	Pre-trial Release	Cooperative Extension	Print Shop	County Management	Public Information	Day Reporting Center	Public Utility	Emergency Services	Register of Deeds	Engineering	Sheriff's Department	Finance	Social Services	Health	Soil & Water Conserv.	Human Resources	Solid Waste Management	IS Technology	Tax Administration	Legal	Veterans Services	Library System	Workforce Development	Mail Management		
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C. Institutional Structure

Cumberland County, through its Community Development Department, will monitor the use of entitlement grant program funding as provided by the U.S. Department of Housing and Urban Development for the purpose of implementing and assessing this five-year strategy and action plans. At the time of this submission, Cumberland County is unaware of any gaps in its institutional structure that would impair its ability to effectively carry out this plan and annual action plans.

Cumberland County, as specified in this plan, subcontracts with area non-profit organizations, serves as lead entity for certain Supportive Housing Programs, and is represented on various boards and committees that undertake some of the program aspects of this plan. As funds are limited and as program source guidelines dictate, networking by the County is vital to the depth and effectiveness of executing overall housing and community development strategies.

D. Citizen Participation

To ensure that all citizens are afforded the opportunity to participate in the process of planning the Consolidated Plan and Annual Action Plan, Community Development conducted several public meetings, public hearings, and distributed surveys throughout Cumberland County to solicit input from the citizens to find out the needs of the community.

1. Public Meetings. Community Development conducted six public meetings during the month of January (2010) to inform the citizens about the five-year Consolidated Plan and to solicit input from the citizens. In order to ensure that all areas of the County had an opportunity and access to attend the public meetings, locations were selected from various sections of the County. Public Meetings were held at the following locations:

Hope Mills Community Center	January 19, 2010
Pine Forest Recreation Center	January 21, 2010
Spring Lake Community Center	January 26, 2010
Eastover Recreation Center	January 28, 2010

2. Public Hearing.  
The a Public Hearing before the Board of County Commissioners will be held on April 19, 2010 in the Commissioners Meeting Room, at the County Courthouse, 117 Dick Street. The hearing will start at 6:45 p.m. The presentation will include any citizens' comments received regarding the 2010 consolidated planning process.

3. Citizen Surveys. As an additional means of obtaining citizen input into the planning process, Community Development staff developed a citizen survey that was distributed in the following manner:

Citizen Survey Distribution Methods

Elementary Schools

Survey Location	# of Surveys Distributed
Gray's Creek	100
Manchester	100
Rockfish	200
Stedman	100

Community Non-Profit /Service Agencies Clients

Survey Location	# of Surveys Distributed
Cumberland County Health Department clients	500
Department of Social Services	400
Fayetteville Metropolitan Housing Authority	640
Town of Spring Lake	100
Continuum of Care Planning Council	100

Public Meetings Participants

Survey Location	# of Surveys Distributed
Pine Forest Recreation Center	7
Eastover Community Center	6
Hope Mills Community Center	22
Spring Lake Community Center	17

4. Citizen Participation Plan. See attachment 2.

**II. STRATEGIC PLAN**

**A. Time Period**

Cumberland County's 5-Year Plan will cover the period July 1, 2010 through June 30, 2015 and the Annual Action Plan will cover the period July 1, 2010 through June 30, 2011.

**Priorities Needs Analysis and Strategies**

**1. Homeless Population**

Cumberland County addresses the needs of the homeless through a continuum of care system as prescribed by the Department of Housing and Urban Development (HUD). The Cumberland county Continuum of Care is an on-going process in which service providers in the community develop and plan strategies to address the various issues that affect the homeless population. The service area of the continuum includes the entire county, including the areas within the city limits of Fayetteville. The lead entity for the homeless continuum of care efforts in community is the Fayetteville – Cumberland County Continuum of Care Planning Council (COCCPC).

HUD mandates that each continuum of care conduct a point in time count of the homeless individuals in its community on an annual basis. Based on the 2010 Point in Time (PiT) Survey (conducted January 27, 2010), 1,033 homeless individuals were identified in the community. However, it should be noted that the Point in Time Survey is only a snapshot of homeless persons identified during a 24 hour period and the numbers identified are attributed to the extent of volunteers available to conduct the count. The results of 2010 PiT are shown on the following table.

2010 Point in Time Survey Results – Fayetteville/ Cumberland County CoC (HUD Table 2A)					
		Sheltered		Unsheltered	Total
		Emergency	Transitional		
Homeless Population	Homeless Individuals	72	6	460	538
	Homeless Families w/ Children	13	44	88	145
	Persons in Homeless Families w/Children	40	176	279	495
	<b>Total Homeless Persons</b>	<b>112</b>	<b>182</b>	<b>739</b>	<b>1033*</b>
Homeless Subpopulations	Chronically Homeless	4	2	28	32
	Severely Mentally Ill	1	5	12	18
	Chronic Substance Abuse	2	6	118	126
	Veterans	1	1	51	53
	Persons with HIV/AIDS	0	1	9	10
	Victims of Domestic Violence	11	13	27	51
	Youth (Under 18 years of age)	0	0	0	0

\* Sum of homeless individuals and persons in homeless families with children

The needs of the homeless can only be met by having viable agencies and citizen groups available to provide housing and services. The following charts from the 2009 HUD Housing Inventory Charts submitted to HUD on behalf of the COCPC provide an inventory of the current housing available within the continuum of care for the homeless.

**2009 HUD Housing Inventory Chart: Emergency Shelter**

Program Information			Target Population		HUD Funding Information	All Year-Round Beds/Units			
Organization Name	Program Name	Inventory type	A	B	Does this program receive HUD McKinney-Vento funding?	Beds for HH with Children	Units for HH with Children	Beds for HH w/o Children	Total Year-Round Beds
Care Family Violence Center	Care Center	C	SFHC	DV	Yes	9	3	5	14
City Rescue Mission	City Rescue Mission	N	SF		No	0	0	6	6
Cumberland IHN	CIHN Emergency Shelter	C	HC		Yes	14	4	0	14
Green's Shelter for Women	Green's Shelter for Women	C	SF		No	0	0	10	10
Salvation Army	Salvation Army Shelter	C	SMF+ HC		Yes	8	2	48	56
Gospel Services Benevolent Society	Hope Center	U	SM		No	0	0	21	21

### 2009 HUD Housing Inventory Chart: Transitional Housing

Organization Name	Program Name	Inventory type	A	B	Does this program receive HUD McKinney-Vento funding?	Beds for HH with Children	Units for HH with Children	Beds for HH w/o Children	Total Year-Round Beds
Cumberland County Community Development	Robins Meadow	C	HC		Yes	32	12	0	32
Cumberland IHN	Ashton Woods	C	HC		Yes	80	20	0	80
Lisa House of Care	Lisa House of Care	C	SMF	HIV	No	0	0	5	5
Salvation Army	Step Up Program	C	SM		Yes	0	0	6	6
Salvation Army	Care Transitional Housing	C	SMF+HC	DV	Yes	33	14	0	33
Save The Babies House of Refuge	Save The Babies House of Refuge	C	SF		No	0	0	10	10

### 2009 HUD Housing Inventory Chart: Permanent Supportive Housing

Organization Name	Program Name	Inventory type	A	B	Does this program receive HUD McKinney-Vento funding?	Beds for HH with Children	Units for HH with Children	Beds for HH w/o Children	CH Beds	Total Year-Round Beds
Cumberland IHN	Leath Commons	C	HC		Yes	15	5	0	0	15
Cumberland IHN	Genesis Cedric St	U	SMF+HC		No	0	0	0	0	0
Cumberland IHN	Genesis Kincaide 1	N	HC		No	8	2	0	0	8
Cumberland IHN	Genesis Kincaide 2	U	HC		No	0	0	0	0	0
Salvation Army	Bonanza	U	SMF+HC		Yes	0	0	0	0	0

Further analysis of the 2009 Gaps Analysis submitted to the Department of Housing and Urban Development by the Fayetteville / Cumberland County Continuum of Care Planning Council, highest needs are in the areas of:

- **Emergency Shelter**
  - Households *without* children – 80 additional beds
  - Households *with* children – 55 additional beds
- **Transitional Housing**
  - Households *with* children – 232 additional beds
  - Households *without* children – 105 additional beds
- **Permanent Supportive Housing**
  - Households *without* children – 100 additional beds
  - Households *with* children – 80 additional beds

**2009 HUD Housing Inventory Chart – Unmet Need**

<b>All Year-Round Beds/Units</b>			
Beds for Households with Children	Units for Households with Children	Beds for Households without Children	Total Year-Round Beds
<b>Emergency Shelter</b>			
55	15	80	135
<b>Transitional Housing</b>			
232	58	105	337
<b>Safe Haven</b>			
0	0	50	50
<b>Permanent Supportive Housing</b>			
80	20	100	180

The County will continue to partner with the COCPC, the City of Fayetteville and other community agencies to implement the community's 10 Year Plan to End Homelessness (The 10-Year Plan). The 10 Year Plan, adopted by the Board of County Commissioners October 20, 2008, addresses the following the 10 priority areas:

- **Priority 1: Community Awareness and Education Campaign**  
*Goal:* 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.
- **Priority 2: Lobby Congress for special appropriations to assist homeless veterans (and the homeless population in general)**  
*Goal:* To have dedicated funding by Congress for homeless assistance to veterans (and other homeless populations) added to the City and County legislative agenda.
- **Priority 3: Identify additional funding sources for local programs**  
*Goal:* Increase available funding for local homeless service/housing providers
- **Priority 4: Create a day resource center**  
*Goal:* Provide opportunity for homeless to access needed services and avoid duplication of effort.
- **Priority 5: Establish Childcare Subsidy for Homeless Families**  
*Goal:* Provide opportunity for homeless families to obtain employment.
- **Priority 6: Additional Shelter Space**  
*Goal:* Provide additional shelter to eliminate the number of homeless who spend nights on the street.
- **Priority 7: Transportation**  
*Goal:* Increase transportation options for the homeless.
- **Priority 8: Family Reunification Program**  
*Goal:* To reunite homeless individuals with family in a permanent housing situation.
- **Priority 9: Development of Additional Affordable Housing Options**  
*Goals:*
  - Provide housing options by creating new permanent housing beds for the homeless (chronic and/or families).

- Increase the percentage of homeless persons remaining in permanent housing over six months.
- Increase the percentage of homeless persons moving from transitional housing to permanent housing.
- Provide the homeless with needed supportive services to remain in permanent housing (such as obtaining employment, education, etc.).
- **Priority 10: Outreach Network**  
*Goal:* Expand outreach network to coordinate annual outreach efforts currently being undertaken.

**Priority Need to be Addressed: Homeless Services**

CCCD will undertake the following actions to address the homeless from 2010-2015:

**Priority 3: Identify additional funding sources for local programs**

**Goal:** Increase available funding for local homeless service/housing providers

**Objective:** Provide financial stability for local homeless initiatives in order to eliminate potential gaps in services by at least 25% of the Public Services annual allocation from 2010 – 2015.

**Strategy:** During the Request for Proposal period for the Public Service Program, have funding set-aside specifically to serve applications geared towards the homeless population.

**Priority 9: Development of Additional Affordable Housing Options**

**Goals:**

- 1) Provide housing options by creating new permanent housing beds for the homeless (chronic and/or families).
- 2) Increase the percentage of homeless persons remaining in permanent housing over six months.

**Objectives:**

- 1) Provide 24 additional permanent housing units for homeless veteran households from 2010 -2015 to get them "off the street."
- 2) Provide the 24 homeless veteran households with needed supportive services to remain in permanent housing (such as obtaining employment, education, etc.) from 2010-2015.

**Strategy 1:** During the Request for Proposal period for the Affordable Housing Program, seek viable housing developers to construct housing units for homeless veterans.

**2. Special Populations**

**Services for Disabled**

Based on citizen input and agency surveys some of the major concerns identified were housing and services for the disabled.

**Goal 1:** Increase supportive services and activities in Cumberland County for the disabled (mental and physical).

**Objective 1:** Provide funding to programs that will assist at a total of 100 disabled

persons between 2010 and 2015.

**Strategy 1:** During the Request for Proposal period for the Public Service Program, give priority to those applications that are geared towards the disabled population.

**Goal 2:** Increase affordable housings opportunities in Cumberland County for the disabled (mental and physical).

**Objective 1:** Provide funding for 24 additional affordable housing units for the disabled between 2010 and 2015.

**Strategy 1:** During the Request for Proposal period for the Affordable Housing Program, seek viable housing developers to construct housing units for the disabled population.

### 3. Housing

Based on citizen input, agency surveys and the housing needs assessment, the major need identified was affordable housing. Affordable housing encompasses provision of assistance for rental housing development and home ownership initiatives, as well as assistance to homeowners in maintaining housing affordability.

**Goal 1:** Increase the availability and accessibility of decent, safe, and affordable housing in Cumberland County.

**Objective1:** To rehabilitate 125 owner-occupied units and 20 rental units from 2010 to 2015.

**Strategy 1:** Provide low interest loans to leverage private investment in rental rehabilitation projects that create affordable housing units.

**Strategy 2:** Provide low interest rehabilitation loans to homeowners to perform minor to substantial rehabilitation on houses owned and occupied by low income persons.

**Strategy 3:** Provide grants to low income homeowners in need of emergency home repairs.

**Strategy 4:** Identify methods of making rehabilitation more affordable while still meeting minimum safety and quality standards.

**Goal 2:** Increase home ownership opportunities for residents of Cumberland County.

**Objective 1:** Provide assistance to 75 low/moderate income citizens to become first-time home buyers from 2010 to 2015.

**Strategy 1:** Acquire and rehabilitate substandard residential property for resale to first-time home buyers.

**Strategy 2:** Work with for-profit and non-profit developers and CDC's to build infill housing intended for first-time home buyers.

**Strategy 3:** Provide low-income first-time home buyers with down payment and closing cost assistance through deferred and forgivable loans and/or grants.

**Strategy 4:** Provide low-income first-time home buyers with GAP financing to make home loans more affordable.

**Strategy 5:** Support the creation of new nonprofit groups (particularly Community Housing Development Organizations) that facilitate the development of affordable housing.

**Strategy 6:** Refer prospective home buyers to financial assistance programs offered by the North Carolina Housing and Finance authority, Self-Help Credit Union, Fannie Mae, Freddie Mac, and private market lenders.

**Strategy 7:** Partner with nonprofit agencies to provide counseling to potential low and moderate income home buyers on credit repair, budgeting, and other financial issues.

**Strategy 8:** Utilize public information activities to promote affordable home ownership opportunities in the County.

**Goal 3:** A County in which all rental housing is affordable and in standard condition.

**Objective 1:** Provide 125 additional standard rental units that are affordable to very low-and-income residents from 2010-2015.

**Strategy 1:** Acquire dilapidated/abandoned housing units in low income neighborhoods to preserve them for future rehabilitation into standard, affordable rentals.

**Strategy 2:** Acquire vacant lots in low-income neighborhoods for future development of infill affordable housing.

**Strategy 3:** Provide support services, training, funding, and financial incentives to landlords to encourage rehabilitation and maintenance of rental units.

**Strategy 4:** Provide low-interest loans for affordable rental rehabilitation and new construction projects.

**Strategy 5:** Partner with locally-based nonprofit housing organizations (such as CDC's) to develop and manage standard affordable rental units with 3 or more bedrooms.

**Strategy 6:** Provide financial incentives and low-interest loans for developers to build and manage standard affordable rental units with 3 or more bedrooms.

## **Lead Based Paint Hazards**

Lead is classified as a toxic substance and is known to cause adverse health effects in humans and the environment. In 1978 lead-based paint for residential uses was banned by the Consumer Products Safety Commission. Although lead-based paint was banned, in a deteriorated form it presents a major public health challenge. Deteriorated lead-based paint can take many forms, including chipping, peeling, cracking, or chalking. In these forms lead-based paint may contaminate soil and housing dust which can be ingested by children. Among children, normal hand-to-mouth contact and other activities can result in lead poisoning. In fact today most lead poisoned children are poisoned by lead contaminated dust, generated by deteriorated lead-based paint.

Current statistics for evidence of lead-based paint in the Cumberland County housing stock and cases of lead poisoning are being gathered and will be available in the final plan.

HUD's final rule on lead-based paint, effective September 15, 2000, will have a substantial impact on the County's housing programs. There is the possibility of significantly more funds being required per unit for rehabilitation activities. The County will continue to comply with HUD regulations concerning lead-based paint testing, abatement, and education.

#### Age of Housing

Most of the occupied housing in Cumberland County (40.1%) was built between 1980 and 1999. Almost 11.5% of the occupied housing (13,285 units) was built since 2000. Only 12.5% of the housing stock is much older with 14,690 units built prior to 1960; with less than 25% of those built before 1940.

According to the data, rental housing is older than owner-occupied housing, with 14.4% of renter-occupied housing built before 1960 compared to 11.0% of owner-occupied housing. The median year that owner-occupied housing was built is 1971; the median year that rental housing was built is 1969.

Year Built	Owner-Occupied		Renter Occupied	
	Units	Percent	Units	Percent
2000 or Later	7,545	11.0%	5,740	11.7%
1980 to 1999	27,275	39.8%	19,850	40.6%
1960 to 1979	26,150	38.1%	16,265	33.2%
1940 to 1959	6,295	9.2%	5,245	10.7%
1939 to Earlier	1,330	1.9%	1,820	3.7%
Total	68,595	100.0%	48,920	100.0%

According to HUD, lead paint is typically found in homes that were constructed prior to 1978. Based on the table above 48.3% of Cumberland County's housing inventory, in the County outside of the City, was built prior to 1980. Therefore, the probability of finding lead paint in existing residential units is very high. Although, the number lead-based paint poisoning cases in small children reported to the Cumberland County Public

<sup>1</sup> U.S. Department of Commerce, Bureau of the Census (Census 2000 Summary File 3)

Health Department are on average fewer than five (5) cases per year, this may not be indicative of the actual number of units containing lead-based paint hazards.

In an effort to educate and make citizens aware of potential lead-based paint hazards, CCCD will address this issue through the following activities:

**Goal 1:** Alleviate lead-based paint hazards in Cumberland County's housing inventory.

**Objective 1:** Make available educational literature to at least 500 households that may be potentially affected by lead-based paint.

**Strategy 1:** Target neighborhoods in which housing was constructed pre-1978 by distributing door hangers and flyers.

**Strategy 2:** Publish public service announcements through available media outlets on a quarterly basis.

**Strategy 3:** Ensure that all households applying for funds from CCCD's Housing Rehabilitation, Emergency Repair, or First-Time Home Buyer's Programs are given brochures on the hazards of lead-based paint; and

**Strategy 4:** Conduct workshops for new contractor so that they are trained to perform lead hazard control work as required by the Lead Safe Housing Rules.

### **Affirmatively Furthering Fair Housing Choice**

The draft Analysis of Impediments (AI) study was completed in March of 2010 and is available for review in the Cumberland County Community Development Office. The study was a collaborative effort between Cumberland County and the City of Fayetteville Community Development Departments and assisted by a consulting firm, WFN, Inc. The following plan will outline efforts to Affirmatively Further Fair Housing countywide for program year 2010-2015.

### **Geographic Distribution**

The Fayetteville-Cumberland County Human Relations Department has made progress in the elimination of housing discrimination, primarily by the expansion of human relations services to extend to all of Cumberland County.

### **Citizen Participation**

In developing the Consolidated Plan, data was collected through citizen participation. This included: supportive housing providers, CHDO groups and the general public. Data collection also included a housing needs assessment and fair housing surveys. Citizens were asked to participate in several ways: by completing surveys via internet, completing surveys mailed directly to supportive housing groups and distributed among clientele. Citizens were also invited to community meetings. The aim was to determine what specific concerns they had on the subject of fair housing.

### **Adaptive partnerships**

The newest challenge in inter-agency cooperation is the lack of being able to adapt to the change in departmental structure or monetary resources of partnering agencies. In this era of economic uncertainties, it behooves us as an organization to facilitate the needs of partnering organizations as well as the needs of the greater community at large in order to maximize the potential to reach the people we serve. As we address impediments found in the AI, we will look to evolving our partnerships with grassroots organizations and community agencies. Likewise, the successful partnership between the City and County that resulted in a countywide human relations department should continue. The partnership is an example of City and County agencies working together to affirmatively further fair housing.

### **Summary of Findings and Fair Housing Action Plan**

The Analysis of Impediments study determined the following: “The most substantial impediments to Fair Housing Choice in Cumberland County and the City of Fayetteville result from a combination of both the private and public sector. Transportation issues, lack of affordable rental housing, and an overall lack of general education about citizens’ rights as it relates to Fair Housing Choice and its laws, are the overarching impediments.”

The inquiries from the citizen participation efforts resulted in the following:

- 1) “58% of all respondents said they were not familiar with the Fair Housing laws. When asked if they knew how to file a Fair Housing report in Cumberland County and the City of Fayetteville, 77% did not know how.”
- 2) “Out of a 108 total respondents, 40% said FAST (Fayetteville Area System of Transit) did not offer easy access to Cumberland County & Fayetteville Employers, while 42% said they did not know and 18% agreed that FAST did provide easy transportation access to Cumberland County.”
- 3) The AI study also reported that: “Although Cumberland County has relatively low-cost housing, not all groups benefit. Much of the housing for sale, even at the lower end, is priced beyond the means of lower-income families. While rental housing is less expensive, the majority of multi-family housing consists of smaller one- and two-bedroom units.”

In our commitment to affirmatively further fair housing, Cumberland County Community Development will implement the following actions to eliminate impediments to fair housing choice during the 2011 – 2015 program years.

#### **➤ *Issue 1: Continued Need for a Fair Housing Education Campaign County-wide***

#### **Actions:**

- Use popular media tools such as internet social networking sites to convey ideas and stimulate conversation and awareness as relates to local housing and lending practices
- The Fayetteville-Cumberland Human Relations Department act as Clearing-House to information regarding housing rights
- Develop a county-wide annual fair housing questionnaire to stay current on public attitudes and trends as relates to housing
- Continues distribution of booklets and literature on fair housing
- Continue annual workshops on housing awareness and increase equal housing training through agency partners
- Require all HOME funds recipients, particularly property managers and housing intake officers to received annual training in fair housing law

➤ ***Issue 2: Affordable Housing will continue to be one of the most important activities in support of expanding fair housing choice.***

**Actions:**

- Increase incentives for CHDO applicants to encourage new development of affordable housing
- Increase Homeowner Assisted units, Multi-Family and Rental Rehab units
- Continued marketing of CCCD's Rental Rehab Program to property owners of dilapidated rental housing
- Targeted marketing to minority populations of the availability of existing affordable housing units

***Issue 3: Increase Availability of Public Transportation as an option***

**Actions:**

- Explore options with county officials on ways to offer shuttles in rural services in rural regions to bus routes

**Fair Housing Administration**

In addition to the duties outlined in the above Fair Housing Action Plan, the Fair Housing Specialist serves as a liaison to the Fayetteville-Cumberland Human Relations Commission and the Fayetteville Fair Housing Board.

**Program Specific Requirements**

Cumberland County Community Development has an approved Affirmative Marketing Policy. To ensure ongoing programmatic compliance, policy updates were approved by the Board of County Commissioners April 20, 2009.

**Affirmatively Furthering Fair Housing Certification**

The jurisdiction will affirmatively further fair housing choice, which means it has conducted an analysis of impediments to fair housing choice within the jurisdiction, taken appropriate actions to overcome the effects of any impediments identified through that

analysis, and maintained records reflecting that analysis and actions in this regard.

### **Section 3 / MWBE Narrative**

Cumberland County, NC ensures that it follows the requirements for Section 3 and MWBE as outlined in its Affirmative Contracting / MWBE Policy. Please refer to Appendix G for a copy of the current Affirmative Contracting / MWBE Policy.

## **4. Community Development**

Based on citizen input, agency surveys, and the mandatory consultations, some of the major non-housing community development concerns identified were employment services/job training and water & sewer improvements.

### **Economic Development**

**Goal 1:** Improve self-sufficiency for Cumberland County residents by increasing the number of new private sector full time permanent jobs, available to, or taken by, low and moderate income persons.

**Objective 1:** Creation of 25 new full-time permanent jobs for low/moderate residents of Cumberland County from 2010-2015.

**Strategy 1:** Give priority to businesses that create jobs with wages that lift people out of poverty and create jobs at entry level wages which have a definite plan for employee advancement.

**Objective 2:** Assist 25 individuals with job training or enhanced job skills from 2010 - 2015.

**Strategy 1:** Partner with area colleges/universities, Workforce Development, and local non-profit organizations to provide job skills courses and other services needed to obtain employment.

### **Human Service Needs**

**Goal 1:** Maximize use, coordination, and delivery of human services.

**Objective 1:** Work with human services agencies to maximize use, coordination and delivery of human services for 5000 residents, with a priority given to agencies providing health care services and services to the homeless from 2010-2015.

**Strategy 1:** Give priority funding to agencies proposing projects that address health care needs and services to the homeless.

**Strategy 2:** Support projects which identify gaps in services or barriers to existing services and who convert these problems to positive solutions.

## **Public Improvements**

**Goal 1:** To make public water and sewer facilities available to low to moderate income neighborhoods located within our participating jurisdiction.

**Objective1:** Make public water/sewer available to 3 low to moderate income neighborhoods from 2010-2015.

**Strategy 1:** Coordinate with the Cumberland County Public Utilities Department to provide funding when feasible for water/sewer improvements.

## **B. Anti-Poverty Strategy**

In evaluating the priority needs established for this document, it is evident that our deficiencies in the areas of housing and services for low and moderate income persons contribute to the poverty and overall economic health of our community. While permanent solutions are long-range, we must continue ongoing coordinated efforts to reach the goal of an economically healthy and viable community.

Affordable rental and homeownership opportunities must be developed to alleviate rent burdens and promote affordable purchase options for the economically disadvantaged.

In the ever changing business arena, job training is a must for skills improvement for individuals, and to offer relocating companies a well-trained and knowledgeable workforce. Relevant social services, better education, and health care services for the indigent who live in Cumberland County are also issues that must be components of comprehensive community and economic development planning.

# **CUMBERLAND COUNTY**

## **2010 ANNUAL ACTION PLAN**

**Prepared by: Cumberland County Community Development  
(Public Hearing 4/19/2010)**

**CUMBERLAND COUNTY  
2010-2011 ACTION PLAN BUDGET  
2010 PROGRAM YEAR (7/1/10 – 6/30/11)**

<b><u>HOUSING ACTIVITIES</u></b>	<b><u>CDBG</u></b>	<b><u>HOME</u></b>
• Emergency Repair	\$50,000	
• Housing Rehabilitation	\$423,996	\$ 405,777
• New Construction		\$ 200,000
• Homeownership Assistance		\$ 35,000
• CHDO Set-Aside		\$ 101,155
• Housing Project Delivery	\$240,335	
<b><u>ECONOMIC DEVELOPMENT</u></b>		
• Economic Development Loans	\$150,000	
• Activity Delivery	\$ 13,332	
<b><u>PUBLIC SERVICES</u></b>		
• RFP	\$159,322	
• CC MAP		
• Robins Meadow		
• Better Health		
• Activity Delivery	\$14,886	
<b>ADMINISTRATION / PLANNING</b>	\$341,443	\$ 68,950
<b>TOTAL</b>	<b>\$1,393,314</b>	<b>\$810,882</b>
<b><u>REVENUE SOURCES</u></b>		
<b>GRANT FUNDS</b>	\$1,161,390	\$ 539,495
<b>PROGRAM INCOME</b>	\$ 150,000	\$ 150,000
<b>GENERAL FUNDS</b>	\$ 81,924	
<b>COUNTY MATCH REQUIREMENT</b>		\$ 121,387
<b>TOTAL</b>	<b>\$1,393,314</b>	<b>\$810,882</b>

**COMPETITIVE GRANT FUNDS**

<b>PROJECT</b>	<b>TYPE FUNDS</b>	<b>GRANT TERM EXTENSIONS</b>	<b>GRANT AWARD Estimated Balance</b>
Robin's Meadow Transitional Housing Program	SHP	1 YR 4/1/10-3/31/11	\$ 84,184

## **CUMBERLAND COUNTY COMMUNITY DEVELOPMENT 2010 ANNUAL ACTION PLAN**

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### **A. PURPOSE**

Cumberland County Community Development's Annual Action Plan provides a narrative description of the projects and activities that are expected to be implemented and funded with entitlement funding that *Cumberland County Community Development will receive from the United States Department of Housing and Urban Development for the 2010 Program Year*. The projects described on the following pages will be provided by Community Development with Community Development Block Grant (CDBG) and Home Investment Partnership Act (HOME) entitlement funds.

The 2010 Annual Action Plan strives to reflect the County's continued efforts and commitment to address Affordable Housing issues, public facility and infrastructure improvements, and the provision of homeless services as a part of the Continuum of Care for the residents of Cumberland County. Additionally, Cumberland County will continue to undertake specific actions in order to address the National Objectives outlined by the U.S. Department of Housing and Urban Development by providing for increased activity involving resident initiatives, evaluation and reduction of lead-based paint hazards, increased employment opportunities, the further development of community based institutional facilities and the enhancement of coordination between public and private housing and human service agencies.

### **B. GEOGRAPHIC DISTRIBUTION**

The Towns of Eastover, Falcon, Godwin, Hope Mills, Linden, Spring Lake, Stedman, and Wade have all elected to remain parties to Cumberland County's designation as an Urban County. All of the programs described on the following pages, with the exception of certain Public Service and Supportive Housing Program projects, will be accomplished in one of these municipal areas of the County.

### **C. SOURCES OF FUNDS**

**FEDERAL SOURCES:** The following information describes the sources and amounts which will be made available to Cumberland County for the implementation of 2010-2011 program goals and objectives:

#### **Entitlement Grants**

**Source: Community Development Block Grant (CDBG) - Amount \$1,161,390**

**Source: Home Investment Partnership Act (HOME) - Amount \$539,495**

#### **Local Sources**

Matching Requirements - As a federal requirement, Cumberland County is to provide matching funds for the HOME entitlement program in the amount of \$121,386.

#### **Program Income**

Cumberland County Community Development projects that it will receive program income from repayment of loans for the housing rehabilitation and first-time homebuyer programs, and economic development loans:

- CDBG Entitlement Program: \$150,000
- HOME Entitlement Program: \$150,000

Community Development Block Grant, Home Investment Partnership Act Funds, local sources match, and program income will be used to address priority needs identified in the Consolidated Plan by conducting the following eligible activities:

## D. DESCRIPTION OF PROJECTS

### 1. HOUSING ACTIVITIES:

- a. Housing Rehabilitation Program - Housing Goal 1, Housing Strategies 1.1, 1.2, and 1.4; Housing Goal 2, Housing Strategy 2.1; Housing Goal 3, Housing Strategy 3.1 - CDBG: \$617,664, National Objective: Low/Mod Housing, Eligibility Citation: 24 CFR Part 570.202; HOME: \$408,559. Eligibility Citation: 24 CFR Part 92.205(a)(1);

**1) Owner-Occupied Rehabilitation:** This program will address housing repair needs of households whose annual income is at or below 80% of the median income for Cumberland County based on household size (\$51,600 for a family of four). The types of repairs to be addressed are those items that do not meet Minimum Housing Code Standards, and general property improvements. All Housing Rehabilitation Program funds will be in the form of loans with repayment obligations determined by the applicant's ability to meet additional financial obligations. Applicants may qualify for a deferred, forgivable loan with a note rate of 3% for 15 years. Forgiveness begins on the 6<sup>th</sup> anniversary and each year thereafter over the 15-year term. Applications for this program are accepted on an on-going basis.

**2) Rental Rehabilitation (Investor-Owner):** Property owners with 10 or fewer units are able to access low-interest housing rehabilitation loans for rental property. The types of repairs to be addressed are those items that do not meet Minimum Housing Code Standards and general property improvements. All funds are in the form of a loan with terms of 3% amortized over 15 years or 5% amortized over 30 years. Property owners are required to lease to renters with incomes at or below 80% of the median income for Cumberland County for a minimum 3-year period.

**3. Purchase/ Rehab / Resale:** This program establishes a mechanism that may be used to acquire properties for future development as affordable housing. The objectives of the of the program are to remove blighting conditions in low and moderate income neighborhoods, increase the county's stock of standard affordable housing units, increase the county's tax base, and create homeownership opportunities for first-time homebuyers. Properties will be acquired through donation, deed and tax sales, the foreclosure of government liens, and through private purchases. Community Development will acquire substandard single-family units, rehabilitate the units to meet Community Development Rehabilitation Standards, and then sell the units to income eligible first-time homebuyers. Community Development may also acquire vacant lots or substandard units not suitable for rehabilitation for demolition. This will allow the Department to take advantage of infill housing opportunities to further stabilize and strengthen our low and moderate-income neighborhoods through homeownership

- b. Housing Rehabilitation Emergency Repair Program. Housing Goal 1, Housing Strategy 1.3 - CDBG: \$50,000, National Objective: Low/Mod Housing, Eligibility Citation: 24 CFR Part 570.202. This program will address immediate health and safety risks for residents with an annual household income that is at or below 80% of the median income for Cumberland County based on household size (\$51,600 for a family of four). Each project will have a maximum of \$7,500 per housing unit.

Applications for this program are accepted on an on-going basis.

- c. **New Construction (Affordable Housing Program) Priority Need: Affordable Housing, Housing Goal 3, Housing Strategies 3.2, 3.3, 3.4, 3.5 and 3.6 - HOME: \$200,000, Eligibility Citation: 24 CFR Part 92.205(a)(1).**

This program provides funds to local housing providers to assist with acquisition, rehabilitation and/or construction costs of an affordable housing development for low/moderate income residents.

Projects were solicited through an RFP in March 2010 and review and evaluation of projects are underway.

- d. **Homeownership Assistance (The First Time Home Buyer Program). Priority Need: Affordable Housing; Housing Goal 2, Housing Strategies 2.3, 2.4, 2.6, 2.7, and 2.8 - HOME: \$35,000. Eligibility Citation: 24 CFR Part 92.205(a)(1).**

**1) Down Payment/Closing Costs Assistance.** This program coordinates with local financial institutions in order to provide up to \$10,000 to first time home buyers for down payment and/or closing costs. Applicants must meet income requirements (earning no more than 80% of the median income) as well as attend a class on homeownership. All assistance is in the form of a deferred, forgivable loan with forgiveness beginning in the 61<sup>st</sup> month and on each anniversary thereafter over a 15-year term.

**2) Gap Financing.** CCCD will continue to offer Gap financing assistance to very low and low income residents seeking homeownership. The amount of assistance that can be provided will not exceed \$20,000 per applicant. Such assistance will be used as a subsidy to make up the difference between the market value of the property and the sales price that is affordable to the purchaser. Gap Financing Assistance shall be in the form of a first, second, or third mortgage (whichever is applicable) for a term of thirty (30) years. All assistance is in the form of a deferred, forgivable loan with forgiveness beginning in the 61<sup>st</sup> month and on each anniversary thereafter over a 30-year term

### **GENERAL PROGRAM GUIDELINES**

**Principal Residence:** The property must be occupied by the homebuyer and retained as the principal residence by the owners for the full period of affordability, which is contingent upon the amount of per unit subsidy received and may be 5, 10, or 15 years (20 if new construction). The property owner agrees to allow Cumberland County Community Development to verify principle residence status annually. Homeowner agrees to provide Community Development with a written certification of residence status to become a permanent part of the applicant file. Subletting or renting is not permitted.

**Refinance:** During the period of affordability, a homebuyer will not be permitted to refinance the property without the approval of Cumberland County Community Development, nor will the department agree to a subordination of its lien interest at any time.

**Recapture Provision:** All units receiving HOME Program subsidies are required to comply with a designated affordability period as described above. CCCD can ensure continued affordability through the recapture of its initial investment (plus interest, if debt is structured to be repaid with interest). The proceeds will be reprogrammed and used for other HOME eligible activities (i.e., assisting another eligible homebuyer in obtaining a home). Once the HOME funds are repaid, the property is no longer subject to the affordability requirements.

CCCD will make every effort to preserve affordability and avoid project default; however, in the event of a foreclosure, a transfer in lieu of foreclosure, or an assignment to HUD, the PJ must repay the HOME account. If the ownership of the housing is conveyed pursuant to a foreclosure sale, the amount of recapture due will be only the net proceeds from the sale. The recapture provisions and period of affordability on each HOME-assisted unit are enforced through the deed restrictions that are recorded as a part of each real estate closing.

**Homeownership Counseling:** As a requirement of the CCCD First-time Homebuyers Program, applicants are required to successfully complete a First-time Homebuyers Class prior to being awarded community development funding. CCCD contracts with a local agency qualified to provide homeownership education classes. The following services are included in the scope of services of the contract:

- Provide monthly homeownership education workshops
- Coordinate all preparation of the workshops, including advertising
- Conduct the workshop with certified housing counselors
- Provide evaluations of workshop effectiveness

**Marketing:** In keeping with special outreach activities outlined in CCCD's Affirmative Fair Housing Marketing Plan, certain marketing efforts (i.e. direct mailings, postings on community bulletins, PSA's, coordination with the Fayetteville Area Metropolitan Housing Authority and the Fayetteville Apartment Association, etc.) will be undertaken to ensure that residents and tenants of public and manufactured housing, and other families assisted by public housing agencies, are aware of the ADDI program.

- e. **Community Housing Development Organization (CHDO) Set-Aside. Priority Need: Affordable Housing; Housing Goal 2, Housing Strategy 2.1, 2.2, and 2.5; Housing Goal 3, Housing Strategy 3.1, 3.2, and 3.5 - HOME: \$101,711. Eligibility Citation: 24 CFR Part 92.300** Federal regulations require that 15% of the HOME entitlement funds be set-aside for affordable housing development by CHDOs. In order to be designated a CHDO, a non-profit organization must meet the qualifying criteria as established by HUD. CCCD continues to meet and seek qualified organizations to identify possible CHDOs.
- f. **Housing Project Delivery Costs** – CCCD staff and overhead costs directly related to carrying out housing projects, such as work specifications preparation, loan processing, inspections, and other services related to assisting potential owners, tenants, and homebuyers. Staff and overhead costs directly related to providing advisory and other relocation services to persons displaced by the project, including timely written notices to occupants, referrals to comparable and suitable replacement property, property inspections, counseling and other assistance necessary to minimize hardship.

## 2. ECONOMIC DEVELOPMENT

**Business Loan Program: CDBG: \$163,332; National Objective: Low/Mod Jobs; Eligibility Citation: 24 CFR Part 570.201(o).**

Low interest business loans are offered to for-profit business that will create viable/permanent job opportunities for low to moderate-income residents. Loans are available for property acquisition, site improvements, capital equipment, machinery, and/or inventory and working capital. Loan interest rates are at 5% for a maximum term of 15 years.

**Economic Development Project Delivery Costs** – CCCD staff costs directly related to carrying out economic development projects, such as application intake, eligibility review; loan processing, and other technical assistance necessary to ensure program compliance.

## 3. PUBLIC SERVICES

**Public Service Program: CDBG: \$143,078. National Objective: Low/Mod Limited Clientele; Eligibility Citation: 24 CFR Part 570.201(e).**

All projects listed under this program were selected based on identified needs in the community. The following agencies were conditionally selected for funding:

- | <u>Agency</u>                        | <u>Service Provided</u> |
|--------------------------------------|-------------------------|
| • Better Health of Cumberland County | health care assistance  |

- Cape Fear Valley Medical Assistance Program prescription drug assistance
- Fayetteville Metropolitan Housing Authority (Robin's Meadow) transitional housing & services for homeless families

Public Services Project Delivery Costs – CCD staff costs directly related to carrying out public services projects, such as eligibility review and processing of pay requests, and other technical assistance necessary to ensure program compliance.

**4. GENERAL ADMINISTRATION/PLANNING**

GENERAL ADMINISTRATION: CDBG: \$325,443, Eligibility Citation: 24 CFR Part 570.206; HOME: \$69,246, Eligibility Citation: 24 CFR Part 92.207.

Funds have been allocated under this activity for costs related to the administration and execution of Community Development projects under each of the entitlement programs. Eligible administrative costs may include, but not be limited to:

- General management, oversight, and coordination;
- Salaries, wages, and related costs of the participating jurisdiction's staff;
- Monitoring progress and compliance with program requirements;
- Preparing reports and other documents related to the program for submission to HUD;
- Evaluating program results against stated objectives;
- Travel costs incurred for official business in carrying out the program;
- Administrative services performed under third party contracts or agreements;
- Capacity building and training for staff and non-profits; and
- Activities to affirmatively further fair housing.

**5. COMPETITIVE GRANTS**

Source: Supportive Housing Program (SHP) Amount \$508,137

The Supportive Housing Program grant funds will be used specifically to continue the implementation of several projects as a part of the Continuum of Care process for Cumberland County. Those projects include the operation of the following projects:

<u>Project</u>	<u>Project Sponsor</u>	<u>Activity</u>
ROBIN'S MEADOW*	Fayetteville Metropolitan Housing Authority	12 unit transitional housing with supportive services for homeless families

AMOUNT AWARDED: \$84,134

**D. GEOGRAPHIC DISTRIBUTION**

The towns of Eastover, Falcon, Godwin, Hope Mills, Linden, Spring Lake, Stedman, and Wade have all elected to be party to Cumberland County's designation as an Urban County.

All of the programs described on the preceding pages, with the exception of certain Public Service Programs and Supportive Housing Program projects, will be accomplished in one of these municipal areas or the unincorporated areas of the County.

**E. NEEDS OF PUBLIC HOUSING**

Based on consultation with the Fayetteville Metropolitan Housing Authority (FMHA) during the consolidated planning process, the majority of public housing developments are located

outside of Cumberland County's geographic area. The only public housing properties located within our jurisdiction are scattered site single-family housing units used as a part of FMHA's Section 8 Program. The FMHA is not designated as "troubled." During the 2010 Program Year, CCCD plans to expand its marketing and outreach efforts to include coordination with the FMHA to make presentations to public housing/Section 8 program residents, specifically related to the First-time Homebuyers Program.

## **F. ANTI-POVERTY STRATEGY**

In evaluating the priority needs established for this document, it is evident that our deficiencies in the areas of housing and services for low and moderate income persons contribute to the poverty and overall economic health of our community. While permanent solutions are long-range, we must continue ongoing coordinated efforts to reach the goal of an economically healthy and viable community.

Affordable rental and homeownership opportunities must be developed to alleviate rent burdens and promote affordable purchase options for the economically disadvantaged. In the ever changing business arena, job training is a must for skills improvement for individuals, and to offer relocating companies a well-trained and knowledgeable workforce. Relevant social services, better education, and health care services for the indigent who live in Cumberland County are also issues that must be components of comprehensive community and economic development planning.

The County's 2010-2011 Annual Action Plan addresses poverty issues throughout all sections of the plan. The Goals, Objectives, and Strategies in the plan were developed based on the results of citizen and agency surveys as well as consultations with local health, social service, and public housing agencies. Concerns of the poorest members of our community were considered throughout the development of the plan and are an integral part of the plan itself. Refer to Section B above for relevant goals, objectives, and strategies.

## **G. LEAD-BASED PAINT HAZARDS**

In an effort to educate and make citizens aware of potential lead-based paint hazards, CCCD will address this issue through the following activities:

**Goal 1:** Alleviate lead-based paint hazards in Cumberland County's housing inventory.

**Objective 1:** Make available educational literature to at least 500 households that may be potentially affected by lead-based paint.

**Strategy 1:** Target neighborhoods in which housing was constructed pre-1978 by distributing door hangers and flyers.

**Strategy 2:** Publish public service announcements through available media outlets on a quarterly basis.

**Strategy 3:** Ensure that all households applying for funds from CCCD's Housing Rehabilitation, Emergency Repair, or First-Time Home Buyer's Programs are given brochures on the hazards of lead-based paint; and

**Strategy 4:** Conduct workshops for new contractor so that they are trained to perform lead hazard control work as required by the Lead Safe Housing Rules.

## H. OTHER ACTIONS

The following additional actions are projected to be undertaken by Cumberland County Community Development during the 2010-2011 Program year:

### 1. Development of Institutional Structure

- There is still an under supply of seasoned non-profit housing development organizations in Cumberland County that have hands-on experience in real estate development. A small number of private for profit developers are active in the local low -income housing tax credit market. In order, however, for Cumberland County to make advances in affordable housing, it must nurture the growth and development of non-profit developers that can access the full range of State, Federal and other subsidies needed to finance affordable housing. Non-profit organizations must develop the necessary background and experience in real estate development and affordable housing finance in order to serve the housing needs of Cumberland County over the long term.
- Cumberland County Community Development will continue to provide technical assistance to non-profit agencies through staff and the use of technical assistance funding provided by HUD.

### 2. Foster and Maintain Affordable Housing

- Offer affordable mortgage products through the Downpayment Assistance Program (DAP) and the Gap Assistance Program (GAP).
- Partner with local lenders and the U.S. Department of Agriculture Rural Development to maximize the use of HOME funds for the Homebuyers Program.
- To preserve affordable rental housing, offer low interest loans for rehabilitation of rental property through the Rental Rehabilitation Program.
- Seek eligible organizations for designation as Community Housing Development Organizations (CHDOs) to increase the production and supply of affordable housing.
- Low interest loans for non-profit and for-profit developers to build affordable rental

and homeownership units.

## 2. Remove Barriers to Affordable Housing

- Interagency partnership and coordination with Kingdom CDC and the NC Department of Labor through the Cumberland County Individual Development Account (CCIDA) Program will provide clientele with education and counseling services designed to remove barriers and make homeownership a reality for low-income families.
- Interagency partnership to provide homebuyer counseling will provide increased knowledge and resources for low to moderate-income citizens seeking to purchase a home.
- Unemployment in Cumberland County is on the rise and for those who are employed, many households in the community work for low wages, which limits their housing choices and their ability to maintain their housing. Community Development will provide economic development funds, specifically geared toward job creation, to help attract higher paying industry to Cumberland County. We will continue to work with local companies as well as County Management and the other area economic development agencies in developing incentive packages to attract business to the area.
- Lack of adequate infrastructure greatly impacts the type and location of development in Cumberland County. With the use of CDBG funds, Community Development will work with the County Public Utilities Department to identify low- and moderate- income areas that may be assisted with installation of water and sewer facilities.

## I. MONITORING

The County of Cumberland will continue to improve its established monitoring system of CDBG, HOME, and SHP housing and community development activities to ensure both short-term and long-term contract and regulatory compliance. Monitoring is the responsibility of the Cumberland County Community Development Department.

### 3. Subrecipient Projects:

Monitoring of sub-recipient projects has five major components:

- a. Grant Applications: Requests for funding application is made on a standard form and is carefully reviewed and evaluated. Points are given for each of 19 criteria covering community need, program effectiveness, financial record, and capacity. *Recommendations for funding are based on evaluation of the above criteria.*
- b. Contractual Agreements: Cumberland County Community Development enters into a two-part contractual grant agreement with each sub-recipient. Part I of the agreement describes the tasks to be performed with the grant funds, the results

to be achieved, and other conditions specific to the project. Part II lists all Federal standards with which the agency must comply. Each funded activity is assigned to the Compliance Officer. The Compliance Officer conducts pre-monitoring, desk monitoring, and on-site monitoring visits at least once a year to review for contractual and regulatory compliance.

- c. Monitoring Records: For each sub-recipient, the staff maintain monitoring records that include the following:
  - 1) Basic information.
  - 2) Monitoring Plan - A risk assessment is carried out to determine the appropriate frequency of on-site visits, and the areas to be reviewed, including some or all of: financial management, client eligibility, program effectiveness, property, procurement, program income, fair housing and equal opportunity.
  - 3) Sub-recipient training and technical assistance provided.
  - 4) Review of the agency's CPA audit (if required).
  - 5) Quarterly financial reports and monthly draw requests from the sub-recipient.
  - 6) Quarterly programmatic reports.
  - 7) On-site monitoring reports.
  - 8) Correspondence and notes of significant telephone conversations.
2. On-Site Visits: Staff performs on-site monitoring reviews at least annually, depending on the assessment of risks for non-compliance. Program operations are observed, sub-recipient staff interviewed, client eligibility confirmed, and financial and programmatic reports verified from original documentation.
3. Long-Term Compliance: Activities involving real property acquisition or improvement require long-term compliance with the original purpose of the federal assistance. Cumberland County Community Development maintains a CDBG Real Property Inventory that is updated annually, and confirms that such property is still being used for the intended purpose. Cumberland County Community Development also carries out an annual review of HOME-assisted rental units, to ensure compliance with Housing Quality Standards, tenant eligibility, and rent ceilings.

The CCCD staff has developed detailed written guidelines for monitoring sub-recipients to ensure more uniform and comprehensive reviews. CCCD monitors the federally funded projects that are implemented by the department through a simple project tracking and management reporting system. This process includes monthly management reports, frequent inter-departmental reports and meetings, and financial reports. Project expenditures are compared with budgets on a monthly basis.

CCCD relies heavily on standard operating procedures that have been designed to be in compliance with federal standards, for example, its purchasing policy. HUD monitoring and CCCD's Single Audit provide annual independent checks on compliance by both CCCD and sub-recipients.

## **SPECIAL MONITORING FOR PARTICULAR ACTIVITIES**

### **Rehabilitation 24 CFR 570.202 (Eligible Activities)**

#### **Review of File Records and Progress**

#### **Regulatory Compliance**

- Location (census tract, redevelopment area)
- Type of housing (SF/MF), commercial
- Number of units per structure
- Historic preservation
- Lead-based paint (inspection/remediation)
- Household income (L/M benefit)
- Procurement and Bonding
- Labor Standards Review
- Relocation and Real Property Acquisition
- Environmental Review (date/findings)
- Project in Special Flood Hazard Area?
- Section 504/ADA compliance?

#### **Comparison of Performance Records with Agreement/Application**

- Scope of Work (work write-up, plans and specs, and original cost estimate)
- Contract award date, date work began
- Date final inspection; completion notice
- Number of dwelling units completed, comparison with Application/Agreement
- Actual delivery schedule v. Application and Agreement

#### **In-House Cost and Productivity Review**

- Method used to assure reasonable costs
- Direct construction costs (per unit)
- Indirect/administrative costs; comparison with cost allocation plan; percent of total
- Costs within 10% of in-house estimate
- Cost per unit v/ Budget

### **Community Housing Development Organizations 24 CFR Part 92 Subpart G**

- .300 Set-Aside for Community Housing Development Organizations
- .301 Project-Specific Assistance to Community Housing Development Organizations
- .302 Housing Education and Organizational Support
- .303 Tenant Participation Plan

### **Community Housing Development Organization (CHDO) Monitoring Activities**

All CHDOs will be monitored annually for recertification purposes using the following criteria:

- **Non-profit Status** – The CHDO must maintain its status as a non-profit corporation with a 501(c)(3) or 501(c)(4) IRS tax-exempt ruling.
- **Affordable Housing Commitment** – The CHDO must have a stated commitment to the development or affordable housing in the community it serves. The commitment must continue to be in at least one of the following: a) articles of incorporation, b) by-laws of the organization, c) board resolution, or d) charter.
- **Not Controlled by Public or For-profit** – The CHDO must continue to be free of external controls, either from public or for-profit interests.
- **Capacity** – The CHDO must have its own staff and must be capable of engaging in the housing development activity it intends to pursue. The CHDO must currently have adequate capacity or must have demonstrated capacity building activities.
- **Board Composition** – The CHDO's board structure must continue to reflect the community that it intends to serve and otherwise meet the regulatory requirements of the HOME program.

### **ON-SITE REVIEWS**

Staff will perform on-site monitoring reviews at least annually, depending on the risk assessment for non-compliance. Program operations are observed, CHDO staff interviewed, client eligibility confirmed, and financial and programmatic reports verified from original documentation.

### **MONITORING CHDO PROJECTS**

Eligible CHDO activities include: acquisition and/or rehabilitation of rental housing; new construction of rental housing; acquisition and/or rehabilitation of homebuyer property; new construction of homebuyers property; provide direct homebuyers assistance.

Monitoring activities will be conducted in accordance with Special Monitoring for Particular Activities as outlined in Item G, *Monitoring*, of the Annual Action Plan. Monitoring activities specified for rehabilitation and rental housing projects will be followed. Staff will also ensure that the Uniform Relocation Act and 49 CFR Part 24 are adhered to for acquisition projects.

\*\*Staff will use the handbook Monitoring HOME Program Performance (HUD-2030-CPD, October 2000) as its primary guide and resource in conducting monitoring for CHDOs and all HOME program projects.

### **Rental Housing Monitoring Process**

#### **Project Eligibility Determination**

HOME program staff should determine whether a project is eligible for HOME funding:

- Property type eligibility
- Environmental review, and
- HOME subsidy limits,
- Site and Neighborhood standards (if applicable)

### **Project Tracking**

HOME program staff should track progress through all stages of a project's development. When a project is in the construction phase, monitoring staff should be reviewing all documents to check the following:

- Subcontractor management and review; and
- Labor standards, Davis-Bacon (if applicable)
- Section 3 (if applicable)
- Compliance with contract deadlines;
- Comparison of payment requests with eligible costs
- Completed items on work item lists or an addendum/change order.

All work should be inspected before a payment is processed. If a project appears to be experiencing difficulties, monitoring staff should perform an on-site visit.

### **Project Completion Review**

When a project is complete, monitoring staff should make an on-site visit to monitor compliance with the following requirements:

- Property standards,
- Only eligible costs have been reimbursed,
- Construction management records,
- Lien waivers from both general contractor and all subcontractors,
- Proper data is collected to prepare women business enterprise and minority business enterprise (WBE/MBE) reports, and
- If match is being provided, the monitor should check that all proper documents have been submitted for review and calculation.

### **Initial Rent and Occupancy Review**

Before a project reaches stabilized occupancy (95 percent or more), monitoring staff must review the Project Compliance Report and conduct an on-site visit to confirm that rent and occupancy standards have been met.

### **Ongoing Monitoring**

Monitoring staff must review annual Project Compliance Reports and perform regular on-site visits throughout the affordability period to ensure continued compliance with:

- Rent and occupancy requirements;
- Property standards;
- Other Federal requirements (fair housing, lead-based paint, affirmative marketing, etc.).

## **COMMUNITY DEVELOPMENT SUBGRANTEE MONITORING PLAN**

**Grantee:** Cumberland County

**Period:** PY 2010

**Subject:** CDBG, HOME & SHP  
Subrecipients

**Contact:** Sonya Green/Delores Taylor

## MONITORING OBJECTIVES

**Primary:** To ensure that subrecipients are:

- 1) complying with all applicable Federal requirements under the above named programs and local regulations, when applicable.
- 2) complying with administrative and financial management standards.
- 3) performing and delivering services in a timely manner.

**Secondary:** To identify any potential areas of non-compliance and offer technical assistance to the subrecipient to ensure the continued success of both the subrecipient and Cumberland County.

## PROCEDURES

**Step #1** In-house reviews (desk audits) of subrecipient materials & regulations review

**Step #2** Pre-monitoring visits with subrecipients

**Step #3** Conduct visit as follows:

- a. Notify of date, scope, focus of review
- b. Hold entrance conference with chief official
- c. Document, gather & analyze
- d. Hold exit conference to report results, hear reaction & form conclusions

**Step #4** Follow-up with letter that both praises & raises finding/concerns

## RISK ASSESSMENT

- Factors:**
- a) New subrecipients and/or new programs
  - b) Subrecipients receiving multiple Federal funding and carrying out multiple activities
  - c) Subrecipients carrying out high risk activities (housing development, leasing, homeless activities, economic development)
  - d) Subrecipients with previous compliance or performance problems
  - e) Subrecipients that have experienced turnover in key personnel

**Ranking:** Ranking is applied based on the above criteria. A maximum of 5 points is given for each factor considered (5 being considered the lowest risk). Subrecipients may receive a maximum score of 25 (highest risk).

For the PY 2010, the risk assessment is as follows:

Agency	Score	Risk Level	Main Factors Considered
Fayetteville Metropolitan Housing Authority	18	High	a, b, c
United Management (Blanton Green, Crosswinds Green, Golfview, Haymount Manor, Legion Crossings, Legion Manor, Southview Green, Southview Villas, and Spring Lake Green)	15	High	a, c
Kingdom Community Development Corp.	14	High	a, c
Bragg Hospitality, LLC (Candlewood Suites / IHOP)	13	High	a, c
Terry Spell Realty/Excel Property Management, Inc. (Pine Ridge Manor Apts)	11	Moderate	c
Happy Hound	9	Moderate	c
A Taste of Europe	8	Moderate	c
Blue Sky Grading	6	Low	c
Cape Fear Valley Medical Center/Cumberland County Medication Access Program	3	Low	b
Better Health of Cumberland County	3	Low	b

## SCHEDULE

**Pre-monitoring:** A pre-monitoring visit will be scheduled with each subrecipient receiving funds for PY2010. These visits will be conducted at the beginning of the program year.

**Desk Monitoring:** Desk monitoring will be conducted throughout the program year on all subrecipients.

Program/Financial Monitoring	Agency
July 2010 – September 2010	<ul style="list-style-type: none"> <li>▪ Program/Financial Management (Desk) Reviews for All Subgrantees</li> </ul>
October 2010 – December 2010	<ul style="list-style-type: none"> <li>▪ Fayetteville Metropolitan Housing Authority</li> <li>▪ United Management</li> <li>▪ Kingdom Community Development Corp.</li> </ul>
January 2011 – June 2011	<ul style="list-style-type: none"> <li>▪ Bragg Hospitality, LLC</li> <li>▪ Terry Spell Realty/Excel Property Management, Inc.</li> <li>▪ Happy Hound</li> <li>▪ A Taste of Europe</li> <li>▪ Blue Sky Grading</li> <li>▪ Cape Fear Valley Hospital / Cumb. Co. Medication Access Program</li> <li>▪ Better Health</li> </ul>

Monitoring plan is subject to change if certain issues should arise during the program year.

**For more information on the Consolidated Plan or the Annual Action Plan, contact:**

**Cumberland County Community Development  
P. O. Drawer 1829, 245 Person Street  
Fayetteville, NC 28302  
Telephone: (910) 323-6112 Facsimile: (910) 323-6114  
TDD: (910) 323-6109**

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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 6072-2009.

Property Owner: Ernest H. & Evelyn L. Brewington

Home Owner: Ernest H. & Evelyn L. Brewington

Property Address: 304 Wilkes Road, Unit 1, Fayetteville, NC

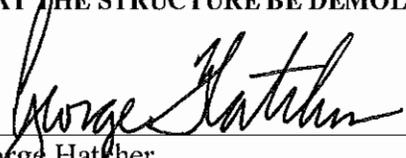
Tax Parcel Identification Number: 0436-32-0374

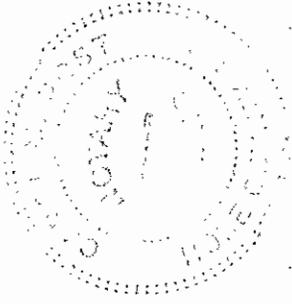
SYNOPSIS: This property was inspected on 10/20/2009. The property owners and parties of interest were legally served with Notice of Violations and was afforded a Hearing on 11/12/2009. Ernest Brewington attended the Hearing. It was ordered that the structure be repaired to a minimum standard for human habitation, or be demolished and the debris removed from the premises by a date not later than 2/12/2010. 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 4/9/2010, 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 \$30,000.00. The Assessor for Cumberland County has the structure presently valued at \$500.00.

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

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

  
George Hatcher  
Code Enforcement Officer  
County of Cumberland



Sworn to and Subscribed to by me this  
the 9th day of April 2010.

  
Notary Public  
My Commission Expires: 11-03-14

Thomas J. Lloyd,  
Director

Cecil P. Combs,  
Deputy Director

Ken Sykes,  
Inspections Coordinator

Carol M. Post  
Planning and Inspections  
Office Support



Kim Reeves,  
Inspector

Angela Perrier,  
Inspector

George Hatcher,  
Inspector

Joey Lewis,  
Inspector

## COUNTY of CUMBERLAND

*Planning & Inspections Department*

### FINDINGS OF FACT AND ORDER

February 24, 2010

CASE #: MH 6072-2009

**TO:** Ernest Harold & Evelyn Louise Brewington  
C/O Carpet One & Parties of Interest  
4101 Raeford Road  
Fayetteville, NC 28304

**Property at:** 304 Wilkes Road (Unit 1), Fayetteville, NC

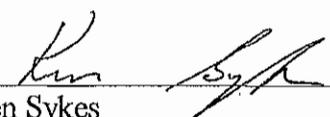
A Complaint, Notice of Hearing and Report of Inspection were legally served to the owner or owner's agent, and any party of interest. These documents were in fact received by the owner or owner's agent and party of interest on 10/29/2009.

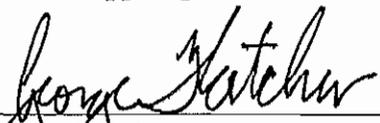
Pursuant of law, a Hearing was conducted in Room 101, of the old courthouse at 130 Gillespie Street, Fayetteville, NC on 11/12/2009 at 9:15:00 AM. The items identified below took place at the Hearing:

- 1. No owner or party of interest, or their agent, or representative appeared.
- 2. An answer was filed by owners and/or parties of interest. The answer was heard, read, and considered. Those present were: Ernest Brewington.
- 3. The undersigned inspector personally inspected the dwelling described in the Complaint and Notice of Hearing dated, 10/26/2009. 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 6072-2009, dated 10/20/2009.
  - 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 **2/12/2010**. **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 **2/12/2010**. The cost of said demolition will be assessed against the real property in the form of a lien.

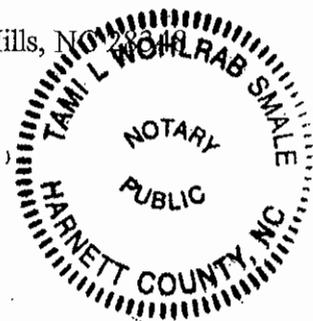
An appeal may be made to the Cumberland County Housing Board of Appeals. If an appeal is requested, it must be made in writing and within the time limits specified in the enclosed appeal procedures.

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

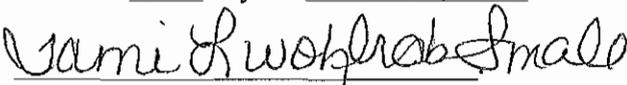
  
\_\_\_\_\_  
George Hatcher  
Code Enforcement Officer

Enclosed: Appeals Procedures & Form

cc: 851 LaQuinta Lane, Hope Mills, NC 28348



Sworn to and Subscribed to by me  
this the 18<sup>th</sup> day of November, 2009



Notary Public

My Commission Expires: 10/11/11



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Status: **Delivered**

Your item was delivered at 9:40 am on November 21, 2009 in FAYETTEVILLE, NC 28304. A proof of delivery record may be available through your local Post Office for a fee.

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**PROOF OF SERVICE OF FINDINGS OF FACT AND ORDER  
DATED NOVEMBER 18, 2009 CASE NUMBER MH 6072-2009**

**EXHIBIT A**



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## Track & Confirm

### Search Results

Label/Receipt Number: **9171 0821 3339 3711 8383 70**  
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Your item was delivered at 9:40 am on November 21, 2009 in FAYETTEVILLE, NC 28304. A proof of delivery record may be available through your local Post Office for a fee.

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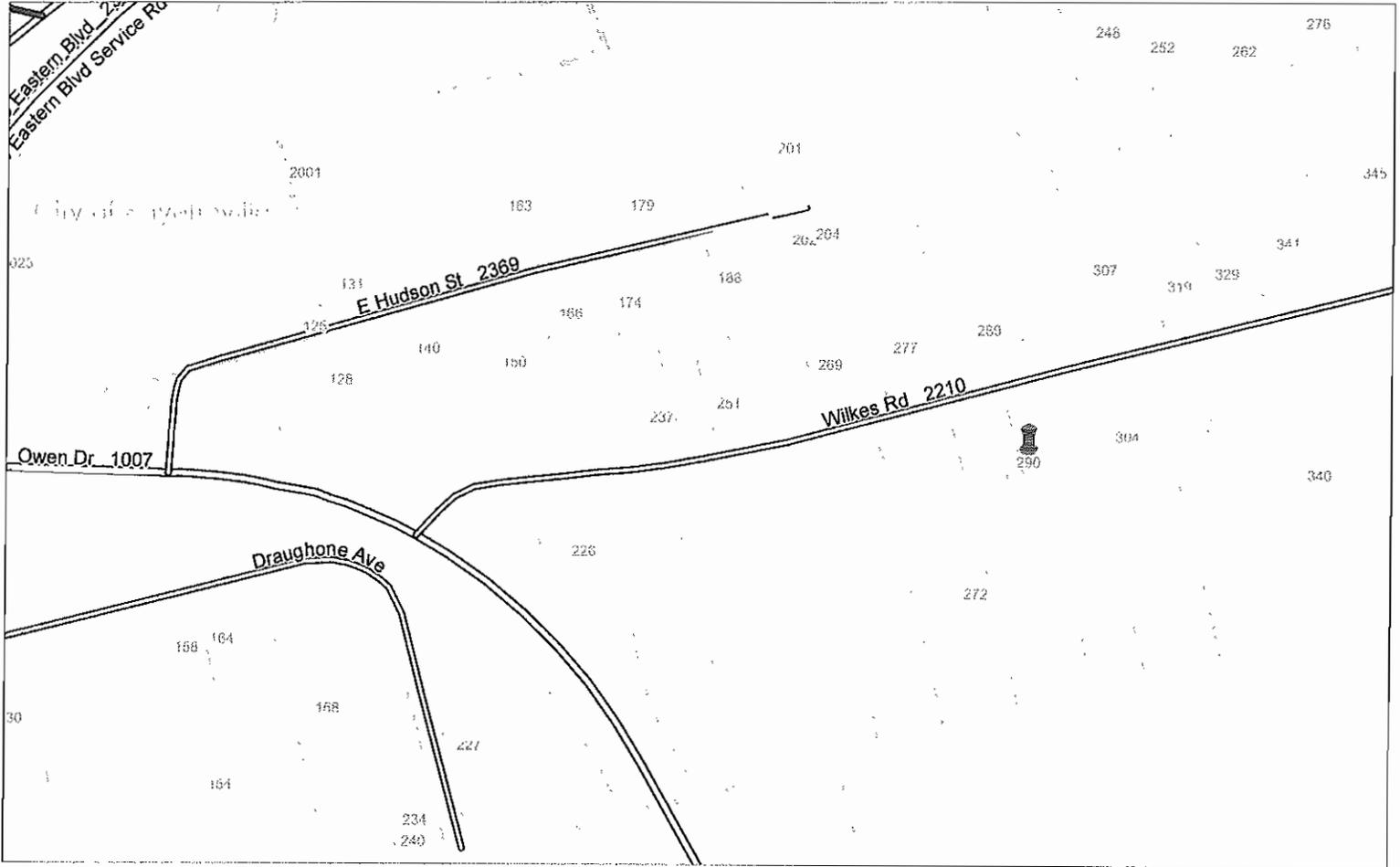
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**PROOF OF SERVICE OF FINDINGS OF FACT AND ORDER  
DATED NOVEMBER 18, 2009 CASE NUMBER MH 6072-2009**

### EXHIBIT A

**MAP DEPICTING LOCATION OF PROPERTY**  
**Property Owner: Ernest H. & Evelyn L. Brewington**  
304 Wilkes Rd., Fayetteville, NC  
**MINIMUM HOUSING CASE # MH6072-2009**  
**TAX PARCEL IDENTIFICATION NUMBER 0436-32-0374**



**EXHIBIT B**

**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.

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 6073-2009.

Property Owner: Ernest H. & Evelyn L. Brewington

Home Owner: Ernest H. & Evelyn L. Brewington

Property Address: Behind and to the side of 290 Wilkes Road, Unit 2, Fayetteville, NC

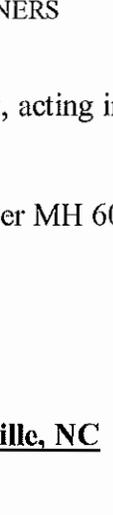
Tax Parcel Identification Number: 0436-32-1394

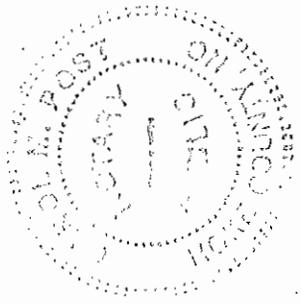
SYNOPSIS: This property was inspected on 10/20/2009. The property owners and parties of interest were legally served with Notice of Violations and was afforded a Hearing on 11/12/2009. Ernest Brewington attended the Hearing. It was ordered that the structure be repaired to a minimum standard for human habitation, or be demolished and the debris removed from the premises by a date not later than 2/12/2010. 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 4/9/2010, 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 \$30,000.00. The Assessor for Cumberland County has the structure presently valued at \$500.00.

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

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

  
George Hatcher  
Code Enforcement Officer  
County of Cumberland



Sworn to and Subscribed to by me this  
the 9<sup>th</sup> day of April 2010.

  
Notary Public  
My Commission Expires: 11-03-14

Thomas J. Lloyd,  
Director

Cecil P. Combs,  
Deputy Director

Ken Sykes,  
Inspections Coordinator

Carol M. Post  
Planning and Inspections  
Office Support



Kim Reeves,  
Inspector

Angela Perrier,  
Inspector

George Hatcher,  
Inspector

Joey Lewis,  
Inspector

## COUNTY of CUMBERLAND

*Planning & Inspections Department*

91 7108 2133 3937 1183 8387 - Ernest - Raeford Rd

FINDINGS OF FACT AND ORDER

91 7108 2133 3937 1183 8370 - Evelyn - Raeford Rd

November 18, 2009

91 7108 2133 3937 1183 8363 - Ernest - La Quinta Ln

91 7108 2133 3937 1183 8356 - Evelyn - La Quinta Ln

CASE #: MH 6073-2009

TO: Ernest Harold & Evelyn Louise Brewington  
C/O Carpet One & Parties of Interest  
4101 Raeford Road  
Fayetteville, NC 28304

**Property at:** Behind and to side of 290 Wilkes Road (Unit 2), 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 10/29/2009.

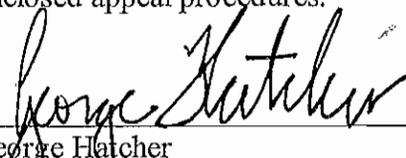
Pursuant of law, a Hearing was conducted in Room 101, of the old courthouse at 130 Gillespie Street, Fayetteville, NC on 11/12/2009 at 9:15:00 AM. The items identified below took place at the Hearing:

- 1. No owner or party of interest, or their agent, or representative appeared.
- 2. An answer was filed by owners and/or parties of interest. The answer was heard, read, and considered. Those present were: Ernest Brewington.
- 3. The undersigned inspector personally inspected the dwelling described in the Complaint and Notice of Hearing dated, 10/26/2009. 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 6073-2009, dated 10/20/2009.
  - 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 2/12/2010. **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 2/12/2010. The cost of said demolition will be assessed against the real property in the form of a lien.

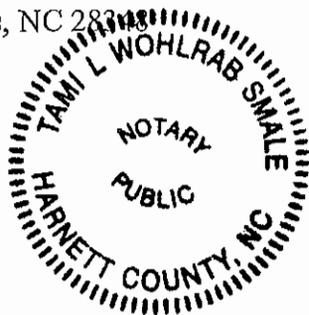
An appeal may be made to the Cumberland County Housing Board of Appeals. If an appeal is requested, it must be made in writing and within the time limits specified in the enclosed appeal procedures.

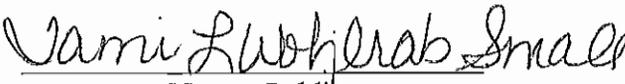
  
 \_\_\_\_\_  
 Ken Sykes  
 Hearing Officer

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

Enclosed: Appeals Procedures & Form

cc: 851 LaQuinta Lane, Hope Mills, NC 28373



Sworn to and Subscribed to by me  
 this the 18<sup>th</sup> day of November, 2009  
  
 \_\_\_\_\_  
 Notary Public  
 My Commission Expires: 10/11/11



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[FAQs](#)

## Track & Confirm

### Search Results

Label/Receipt Number: 9171 0821 3339 3711 8383 87  
Status: Delivered

Your item was delivered at 9:40 am on November 21, 2009 in FAYETTEVILLE, NC 28304. A proof of delivery record may be available through your local Post Office for a fee.

Additional information for this item is stored in files offline.

### Track & Confirm

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No FEAR Act EEO Data

FOIA



United States Postal Service



United States Postal Service

**PROOF OF SERVICE OF FINDINGS OF FACT AND ORDER  
DATED NOVEMBER 18, 2009 CASE NUMBER MH 6073-2009**

### EXHIBIT A



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## Track & Confirm

### Search Results

Label/Receipt Number: **9171 0821 3339 3711 8383 70**  
Status: **Delivered**

Your item was delivered at 9:40 am on November 21, 2009 in FAYETTEVILLE, NC 28304. A proof of delivery record may be available through your local Post Office for a fee.

Additional information for this item is stored in files offline.

### Track & Confirm

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No FEAR Act EEO Data

FOIA



2010-11-21 10:40:00 AM

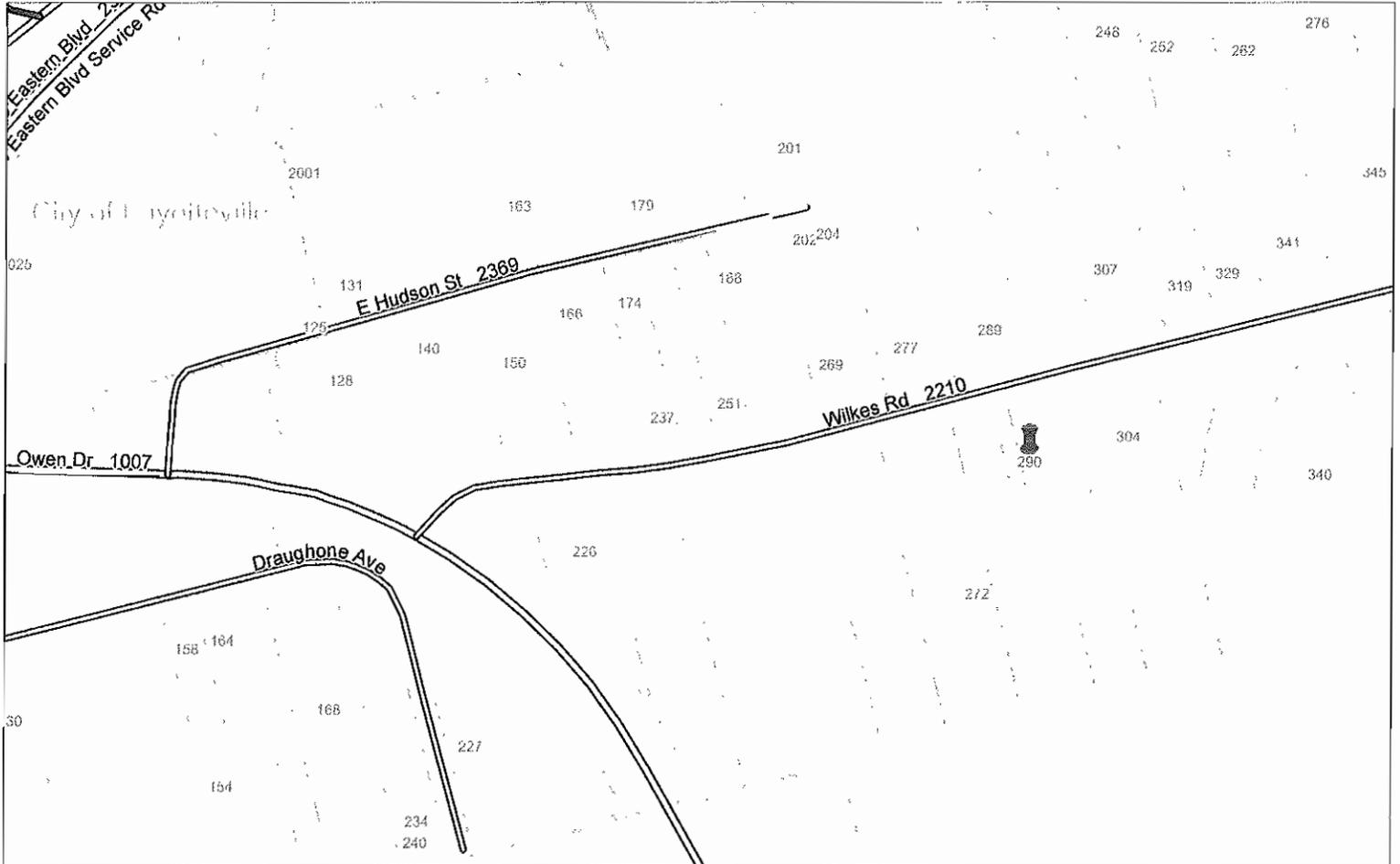


11/21/2009 10:40:00 AM

**PROOF OF SERVICE OF FINDINGS OF FACT AND ORDER  
DATED NOVEMBER 18, 2009 CASE NUMBER MH 6072-2009**

### EXHIBIT A

**MAP DEPICTING LOCATION OF PROPERTY**  
**Property Owner: Ernest H. & Evelyn L. Brewington**  
**Behind & to the side of 290 Wilkes Rd., Fayetteville, NC**  
**MINIMUM HOUSING CASE # MH6073-2009**  
**TAX PARCEL IDENTIFICATION NUMBER 0436-32-1394**



**EXHIBIT B**

**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.

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 6028-2009.

Property Owner: Jerry Johnson

Home Owner: Jerry Johnson

Property Address: 1611 McBryde Street, Fayetteville, NC

Tax Parcel Identification Number: 0542-82-9101

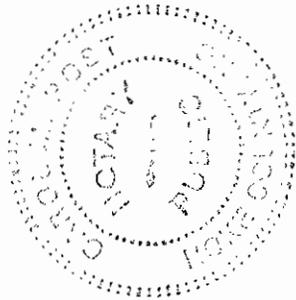
SYNOPSIS: This property was inspected on 7/16/2009. The property owners and parties of interest were legally served with Notice of Violations and was afforded a Hearing on 8/13/2009. No one attended the Hearing. It was ordered that the structure be repaired to a minimum standard for human habitation, or be demolished and the debris removed from the premises by a date not later than 11/13/2009. 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 4/9/2010, 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 \$30,000.00. The Assessor for Cumberland County has the structure presently valued at \$500.00.

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

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

George Hatcher  
George Hatcher  
Code Enforcement Officer  
County of Cumberland



Sworn to and Subscribed to by me this  
the 9th day of April 2010.

[Signature]  
Notary Public  
My Commission Expires: 11-03-14

Thomas J. Lloyd,  
Director

Cecil P. Combs,  
Deputy Director

Ken Sykes,  
Inspections Coordinator

Carol M. Post  
Planning and Inspections  
Office Support



Kim Reeves,  
Inspector

Angela Perrier,  
Inspector

George Hatcher,  
Inspector

Joey Lewis,  
Inspector

## COUNTY of CUMBERLAND

Planning & Inspections Department

91 7108 2133 3935 9801 4478

FINDINGS OF FACT AND ORDER

2nd time sent

- cut / 1st / post

August 14, 2009

CASE #: MH 6028-2009

TO: Jerry Johnson & Parties of Interest  
3513 McBryde Street  
Linden, NC 28356

Property at: 1611 McBryde Street, Linden, NC

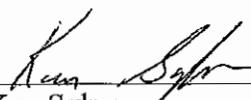
A Complaint, Notice of Hearing and Report of Inspection were legally served to the owner or owner's agent, and any party of interest. These documents were in fact received by the owner or owner's agent and party of interest on 7/22/2009.

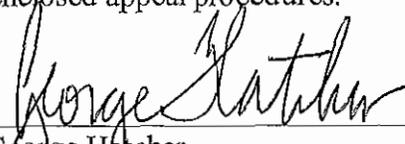
Pursuant to law, a Hearing was conducted in Room 101, of the old courthouse at 130 Gillespie Street, Fayetteville, NC on 8/13/2009 at 9:15:00 AM. The items identified below took place at the Hearing:

- 1. No owner or party of interest, or their agent, or representative appeared.
- 2. An answer was filed by owners and/or parties of interest. The answer was heard, read, and considered. Those present were: \_\_\_\_\_.
- 3. The undersigned inspector personally inspected the dwelling described in the Complaint and Notice of Hearing dated, 7/17/2009. 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 6028-2009, dated 7/16/2009.
  - b. Due to these findings, the dwelling are found to be in a substandard condition in accordance with the Cumberland County Ordinance.
  - c. The dwelling is unfit for human habitation.

4. Due to facts presented above, the Hearing Officer orders as follows:
- a. The owners and/or parties of interest of the dwelling named above are required to bring such dwelling into compliance with the Cumberland County Housing Ordinance by either repairing, altering, and improving the dwelling up to a minimum standard or by demolishing the structure and then causing the debris to be removed from the premises by a date not later than **11/13/2009**. **All required permits must be obtained. A copy of this order must be presented when obtaining permits.**
  - b. The dwelling shall remain vacated until compliance with this order is completed and removed by the inspector, and the lot must be continuously maintained.
  - c. The structure shall be/remain secured.
  - d. By authority of North Carolina General Statutes 14-4, violation of the County code is punishable as a Class 3 Misdemeanor in criminal court and also subjects the violator to injunctive relief and/or a civil penalty of \$50.00 per day for each day's continuing violation after \_\_\_\_.
  - e. The County Planning/Inspection Department may immediately begin procedures to seek a demolition ordinance from the Cumberland County Board of Commissioners for failure to bring the property into compliance by **11/13/2009**. The cost of said demolition will be assessed against the real property in the form of a lien.

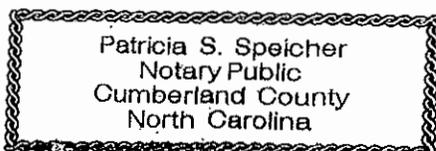
An appeal may be made to the Cumberland County Housing Board of Appeals. If an appeal is requested, it must be made in writing and within the time limits specified in the enclosed appeal procedures.

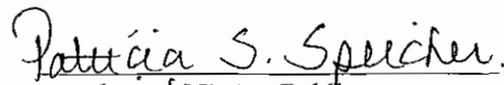
  
\_\_\_\_\_  
Ken Sykes  
Hearing Officer

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

Enclosed: Appeals Procedures & Form

cc:



State of North Carolina  
County of Cumberland  
Sworn to and Subscribed to by me  
this the 14<sup>th</sup> day of August, 2009  
  
\_\_\_\_\_  
Patricia S. Speicher, Notary Public  
My Commission Expires: 9-26-11

NORTH CAROLINA  
COUNTY OF CUMBERLAND

PLANNING/INSPECTIONS DEPARTMENT

RE: Jerry Johnson  
Name of Violator

MH 6028-2009  
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 Jerry Johnson, a copy of the FINDINGS OF FACT AND ORDER AND APPEALS  
(name of violator)

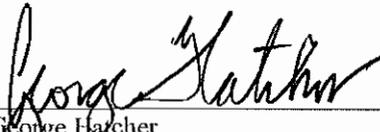
PROCEDURES, citing violations of Article IV, CHAPTER 4 of the Cumberland County

Ordinance by mailing said notice(s) via 1<sup>st</sup> class mail and certified mail to the following address:

3513 McBryde Street, Linden, NC 28356

and by posting at: 1611 McBryde Street, Linden, NC 28356.

I further certify that said service was completed on this the 21<sup>st</sup> day of August, 2009.

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

Sworn to and subscribed to before me

this the 8<sup>th</sup> day of April, 20 10.

C. Anderson  
\_\_\_\_\_  
Notary Public

My Commission Expires: 11-03-14



**PROOF OF SERVICE OF FINDINGS OF FACT AND ORDER  
DATED AUGUST 14, 2009 CASE NUMBER MH 6028-2009**

**EXHIBIT A**

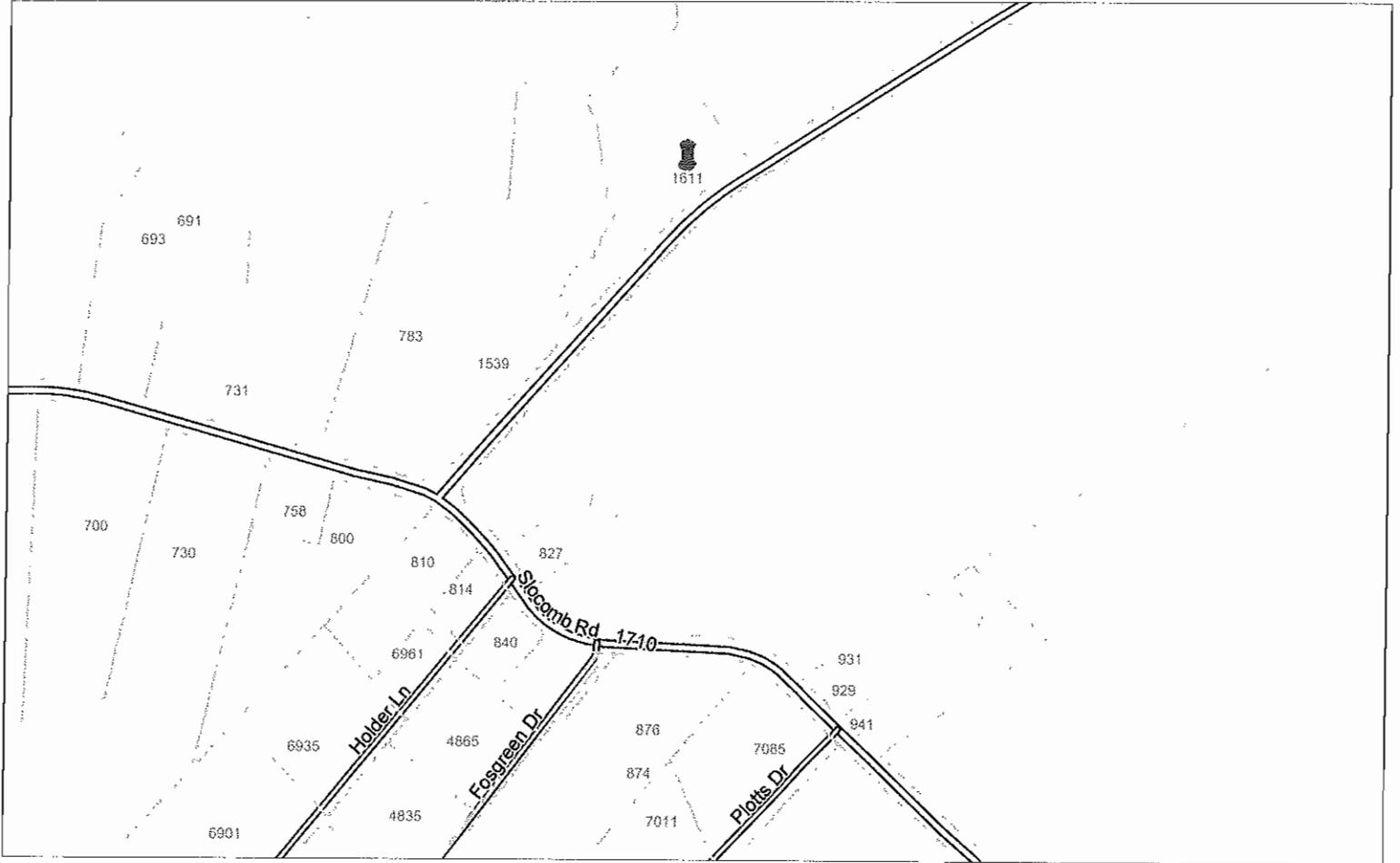
**MAP DEPICTING LOCATION OF PROPERTY**

**Property Owner: Jerry Johnson**

1611 McBryde, Linden, NC

MINIMUM HOUSING CASE # MH 6028-2009

TAX PARCEL IDENTIFICATION NUMBER 0542-82-9101



**EXHIBIT B**

**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.

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 6038-2009.

Property Owner: Walter Hoover & Vastene C. Simmons

Home Owner: Walter Hoover & Vastene C. Simmons

Property Address: 4228 NC Highway 210 S., Fayetteville, NC

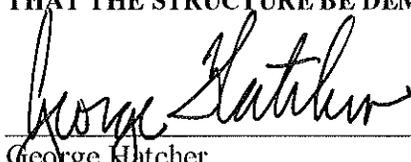
Tax Parcel Identification Number: 0474-08-9882

SYNOPSIS: This property was inspected on 9/1/2009. The property owners and parties of interest were legally served with Notice of Violations and was afforded a Hearing on 9/24/2009. No one attended the Hearing. It was ordered that the structure be repaired to a minimum standard for human habitation, or be demolished and the debris removed from the premises by a date not later than 12/24/2009. 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 4/9/2010, 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.

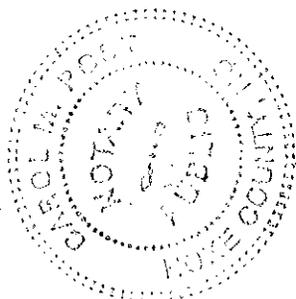
Attached is a map depicting the location of the property. (See Exhibit B.)

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

  
\_\_\_\_\_  
George Hatcher  
Code Enforcement Officer  
County of Cumberland

Sworn to and Subscribed to by me this  
the 9th day of April 2010.

  
\_\_\_\_\_  
Notary Public  
My Commission Expires: 11-03-14



Thomas J. Lloyd,  
Director

Cecil P. Combs,  
Deputy Director

Ken Sykes,  
Inspections Coordinator

Carol M. Post  
Planning and Inspections  
Office Support



Kim Reeves,  
Inspector  
Angela Perrier,  
Inspector  
George Hatcher,  
Inspector  
Joey Lewis,  
Inspector

## COUNTY of CUMBERLAND

*Planning & Inspections Department*

91 7108 2133 3937 1185 9375 *Card / 1st / post - Walter*

91 7108 2133 3937 1185 9368 *Card / 1st / post - Vastene*

### FINDINGS OF FACT AND ORDER

September 24, 2009

CASE #: MH 6038-2009

**TO:** Walter Hoover & Vastene C. Simmons & Parties of Interest  
4208 NC Highway 210 S.  
Fayetteville, NC 28312

**Property at:** 4228 NC Highway 210 S., Fayetteville, NC

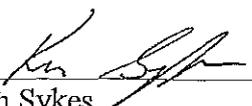
A Complaint, Notice of Hearing and Report of Inspection were legally served to the owner or owner's agent, and any party of interest. These documents were in fact received by the owner or owner's agent and party of interest on 9/15/2009.

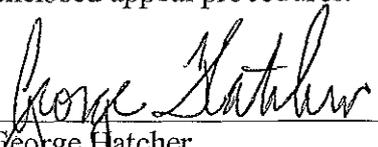
Pursuant of law, a Hearing was conducted in Room 101, of the old courthouse at 130 Gillespie Street, Fayetteville, NC on 9/24/2009 at 9:45:00 AM. The items identified below took place at the Hearing:

- 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 present were: \_\_\_\_\_.
- 3. The undersigned inspector personally inspected the dwelling described in the Complaint and Notice of Hearing dated, 9/9/2009. 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 6038-2009, dated 9/1/2009.
  - 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 12/24/2009. **All required permits must be obtained. A copy of this order must be presented when obtaining permits.**
  - b. The dwelling shall remain vacated until compliance with this order is completed and removed by the inspector, and the lot must be continuously maintained.
  - c. The structure shall be secured to prevent entry by 10/15/2009 and shall remain secured.
  - d. By authority of North Carolina General Statutes 14-4, violation of the County code is punishable as a Class 3 Misdemeanor in criminal court and also subjects the violator to injunctive relief and/or a civil penalty of \$50.00 per day for each day's continuing violation after \_\_\_\_\_.
  - e. The County Planning/Inspection Department may immediately begin procedures to seek a demolition ordinance from the Cumberland County Board of Commissioners for failure to bring the property into compliance by 12/24/2009. The cost of said demolition will be assessed against the real property in the form of a lien.

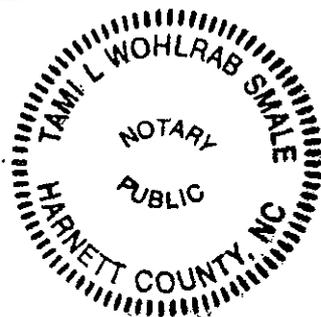
An appeal may be made to the Cumberland County Housing Board of Appeals. If an appeal is requested, it must be made in writing and within the time limits specified in the enclosed appeal procedures.

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

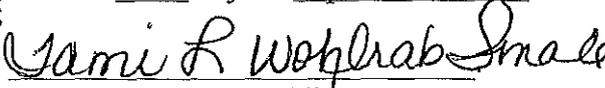
  
\_\_\_\_\_  
George Hatcher  
Code Enforcement Officer

Enclosed: Appeals Procedures & Form

cc:



Sworn to and Subscribed to by me  
this the 24<sup>th</sup> day of September, 2009

  
\_\_\_\_\_  
Notary Public

My Commission Expires:

My Commission Expires **October 11, 2011**

NORTH CAROLINA  
COUNTY OF CUMBERLAND

PLANNING/INSPECTIONS DEPARTMENT

RE: Walter Hoover & Vastene Simmons  
Name of Violator

MH 6038-2009  
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 Walter Hoover & Vastene Simmons 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:

4208 NC Highway 210 S., Fayetteville, NC 28312 and by posting at: 4228 NC Highway 210 S., Fayetteville, NC.

I further certify that said service was completed on this the 28th day of September, 2009.

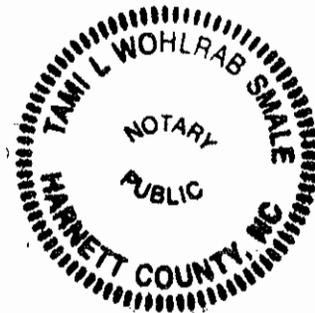
  
\_\_\_\_\_  
George Hatcher  
Code Enforcement Officer

Sworn to and subscribed to before me

this the 28<sup>th</sup> day of September, 20 09.

Tami L Wohlrab Smale  
\_\_\_\_\_  
Notary Public

My Commission Expires: 10/11/11



**PROOF OF SERVICE OF FINDINGS OF FACT AND ORDER  
DATED SEPTEMBER 24, 2009 CASE NUMBER MH 6038-2009**

**EXHIBIT A**



**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.

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 6009-2009.

Property Owner: Leticia B. Gilmore

Home Owner: Leticia B. Gilmore

Property Address: 4664 Grays Creek Church Road, Hope Mills, NC

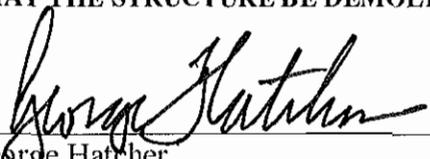
Tax Parcel Identification Number: 0442-62-8597

SYNOPSIS: This property was inspected on 6/29/2009. The property owners and parties of interest were legally served with Notice of Violations and was afforded a Hearing on 7/30/2009. No one attended the Hearing. It was ordered that the structure be repaired to a minimum standard for human habitation, or be demolished and the debris removed from the premises by a date not later than 10/05/2009. 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 4/9/2010, 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.

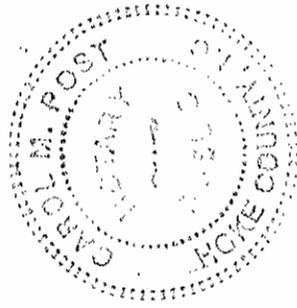
The estimated cost to repair the structure to a minimum standard for human habitation is \$30,000.00. The Assessor for Cumberland County has the structure presently valued at \$0.00.

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

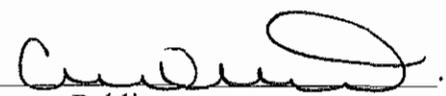
**RECOMMENDATION: IT IS THE RECOMMENDATION OF THE PLANNING & INSPECTION DEPARTMENT THAT THE STRUCTURE BE DEMOLISHED, AND THE DEBRIS REMOVED FROM THE LOT.**



George Hatcher  
Code Enforcement Officer  
County of Cumberland



Sworn to and Subscribed to by me this  
the 9th day of April 2010.

  
Notary Public  
My Commission Expires: 11-03-14

Thomas J. Lloyd,  
Director

Cecil P. Combs,  
Deputy Director

Ken Sykes,  
Inspections Coordinator

Carol M. Post  
Planning and Inspections  
Office Support



Kim Reeves,  
Inspector  
Angela Perrier,  
Inspector  
George Hatcher,  
Inspector  
Joey Lewis,  
Inspector

## COUNTY of CUMBERLAND

*Planning & Inspections Department*

### FINDINGS OF FACT AND ORDER

August 24, 2009

CASE #: MH 6009-2009

**TO:** Leticia B. Gilmore & Parties of Interest  
7016 Pope Cashwell Court  
Hope Mills, NC 28348-8046

**Property at:** 4664 Grays Creek Church Road, Hope Mills, NC

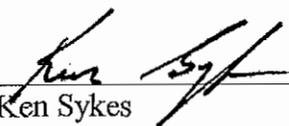
A Complaint, Notice of Hearing and Report of Inspection were legally served to the owner or owner's agent, and any party of interest. These documents were in fact received by the owner or owner's agent and party of interest on 8/3/2009.

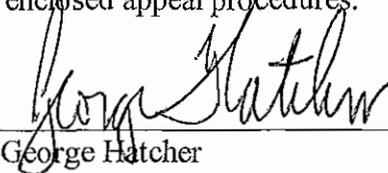
Pursuant of law, a Hearing was conducted in Room 101, of the old courthouse at 130 Gillespie Street, Fayetteville, NC on 8/20/2009 at 9:15:00 AM. The items identified below took place at the Hearing:

- 1. No owner or party of interest, or their agent, or representative appeared.
- 2. An answer was filed by owners and/or parties of interest. The answer was heard, read, and considered. Those present were: \_\_\_\_\_.
- 3. The undersigned inspector personally inspected the dwelling described in the Complaint and Notice of Hearing dated, 7/30/2009. Upon the record and all of the evidence offered and contentions made, the undersigned Hearing Officer does thereby find the following fact:
  - a. The dwelling in question is violative of the Cumberland County Housing Ordinance as per findings in the inspection report with an assigned case number of MH 6009-2009, dated 6/29/2009.
  - 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 10/5/2009. **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 10/5/2009. The cost of said demolition will be assessed against the real property in the form of a lien.

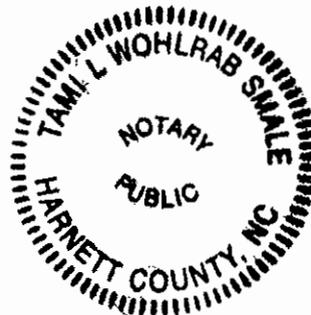
An appeal may be made to the Cumberland County Housing Board of Appeals. If an appeal is requested, it must be made in writing and within the time limits specified in the enclosed appeal procedures.

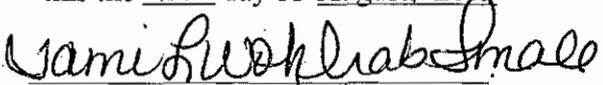
  
 \_\_\_\_\_  
 Ken Sykes  
 Hearing Officer

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

Enclosed: Appeals Procedures & Form

cc:



Sworn to and Subscribed to by me  
 this the 24<sup>th</sup> day of August, 2009  
  
 \_\_\_\_\_  
 Notary Public  
 My Commission Expires:  
 My Commission Expires October 11, 2011

RE: Leticia B. Gilmore  
Name of Violator

MH 6009-2009  
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 Leticia B. Gilmore, a copy of the FINDINGS OF FACT AND ORDER AND,  
(name of violator)

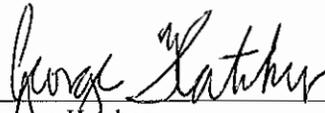
APPEALS PROCEDURES, citing violations of Article IV, CHAPTER 4 of the Cumberland County

Ordinance by mailing said notice(s) via 1<sup>st</sup> class mail and certified mail to the following address:

7016 Pope Cashwell Court, Hope Mills, NC 28348 and by posting at:

4664 Grays Creek Church Road, Hope Mills, NC 28348.

I further certify that said service was completed on this the 26th day of August, 2009.

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

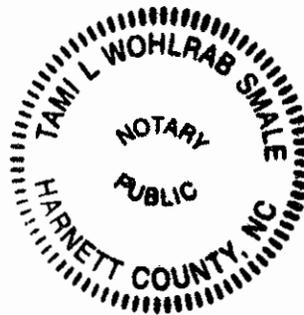
Sworn to and subscribed to before me

this the 26<sup>th</sup> day of August, 20 09.

Tami L Wohlrab Smale  
\_\_\_\_\_  
Notary Public

My Commission Expires:

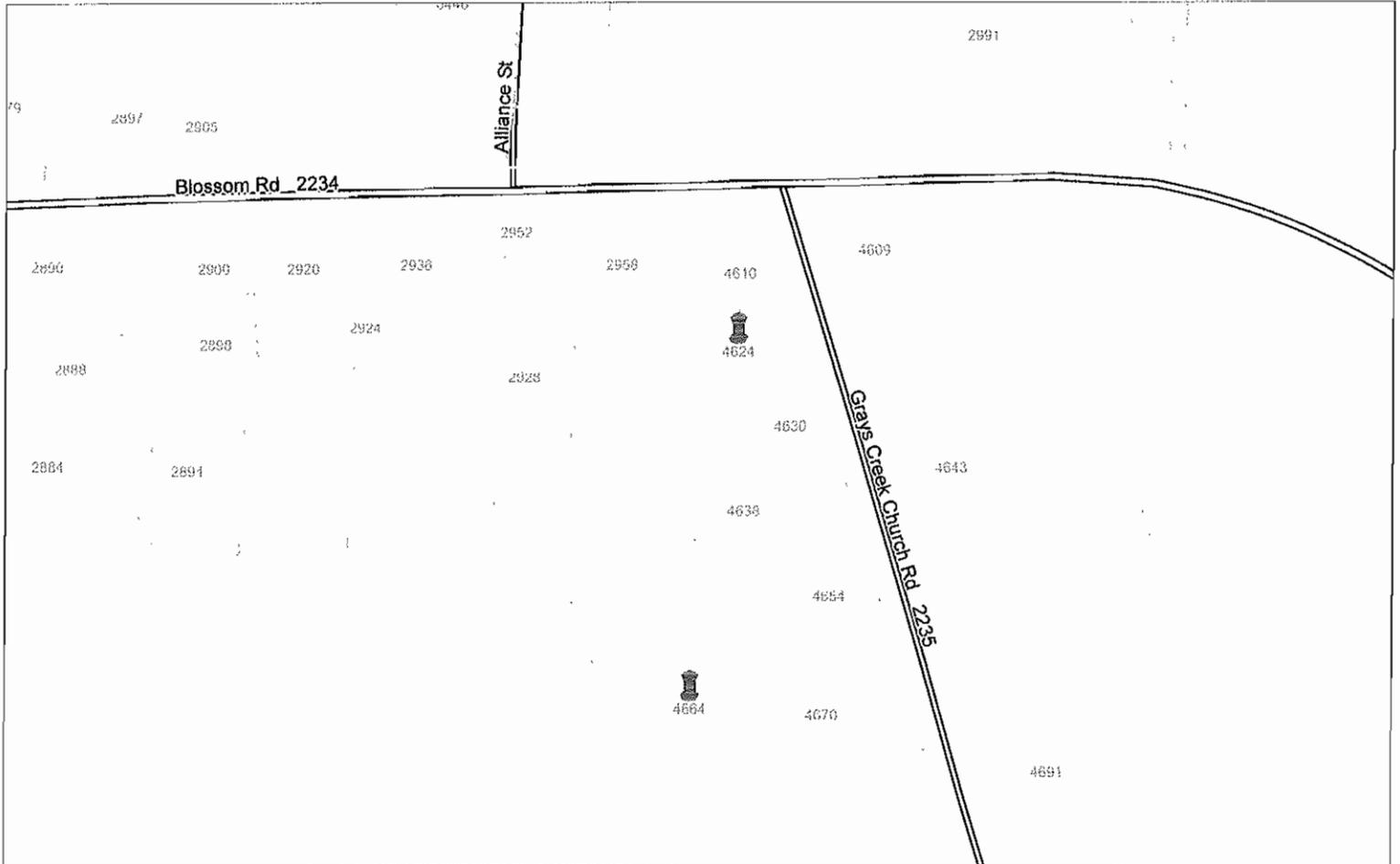
**My Commission Expires October 11, 2011**



**PROOF OF SERVICE OF FINDINGS OF FACT AND ORDER  
DATED AUGUST 24, 2009 CASE NUMBER MH 6009-2009**

**EXHIBIT A**

**MAP DEPICTING LOCATION OF PROPERTY**  
**Property Owner: Leticia B Gilmore**  
4664 Grays Creek Church Road, Fayetteville, NC (Grays Creek)  
MINIMUM HOUSING CASE # MH6009-2009  
TAX PARCEL IDENTIFICATION NUMBER 0442-62-8597



**EXHIBIT B**

**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.

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 5607-2008.

Property Owner: Richard E. Rogers, Jr.

Home Owner: Richard E. Rogers, Jr.

Property Address: 224 Americus Drive, Fayetteville, NC

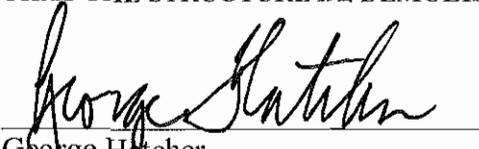
Tax Parcel Identification Number: 0456-96-8161

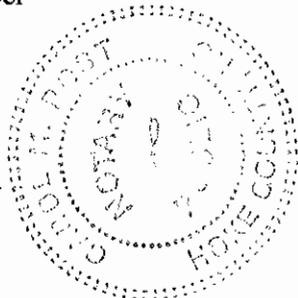
SYNOPSIS: This property was inspected on 8/6/2009. The property owners and parties of interest were legally served with Notice of Violations and was afforded a Hearing on 12/31/2009. No one attended the Hearing. It was ordered that the structure be repaired to a minimum standard for human habitation, or be demolished and the debris removed from the premises by a date not later than 3/4/2010. 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 4/9/2010, 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 \$1,500.00.

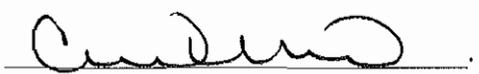
Attached is a map depicting the location of the property. (See Exhibit B.)

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

  
George Hatcher  
Code Enforcement Officer  
County of Cumberland



Sworn to and Subscribed to by me this  
the 9<sup>th</sup> day of April 2010.

  
Notary Public  
My Commission Expires: 11-03-14

Thomas J. Lloyd,  
Director

Cecil P. Combs,  
Deputy Director

Ken Sykes,  
Inspections Coordinator

Carol M. Post  
Planning and Inspections  
Office Support



Kim Reeves,  
Inspector  
Angela Perrier,  
Inspector  
George Hatcher,  
Inspector  
Joey Lewis,  
Inspector  
Joan Fenley,  
Inspector

## COUNTY of CUMBERLAND

*Planning & Inspections Department*

91 7108 2133 3936 1773 4981 Richard - cert / 1st / post  
91 7108 2133 3936 1773 4974 Midjinet - cert / 1st / post

### FINDINGS OF FACT AND ORDER

February 15, 2010

CASE #: MH 5607-2008

**TO:** Richard E. Rogers, Jr. & Parties of Interest  
5447 Reedy Branch Road  
Winterville, NC 28590-8760

**Property at:** 224 Americus 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 12/4/2009.

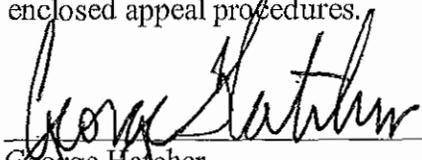
Pursuant of law, a Hearing was conducted in Room 101, of the old courthouse at 130 Gillespie Street, Fayetteville, NC on 12/31/2009 at 9:15:00 AM. The items identified below took place at the Hearing:

- 1. No owner or party of interest, or their agent, or representative appeared.
- 2. An answer was filed by owners and/or parties of interest. The answer was heard, read, and considered. Those present were: \_\_\_\_\_.
- 3. The undersigned inspector personally inspected the dwelling described in the Complaint and Notice of Hearing dated, 12/2/2009. 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 5607-2008, dated 8/6/2008.
  - b. Due to these findings, the dwelling are found to be in a substandard condition in accordance with the Cumberland County Ordinance.
  - c. The dwelling is unfit for human habitation.

4. Due to facts presented above, the Hearing Officer orders as follows:
- a. The owners and/or parties of interest of the dwelling named above are required to bring such dwelling into compliance with the Cumberland County Housing Ordinance by either repairing, altering, and improving the dwelling up to a minimum standard or by demolishing the structure and then causing the debris to be removed from the premises by a date not later than 3/4/2010. **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 3/4/2010. 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: Midfirst Bank  
999 N.W. Grand Blvd., Ste 100  
Oklahoma City, OK 73118

Sworn to and Subscribed to by me  
this the 15<sup>th</sup> day of February, 2010

  
\_\_\_\_\_  
Notary Public  
My Commission Expires: 11-03-14



Date: 03/08/2010

Carol Post:

The following is in response to your 03/08/2010 request for delivery information on your Certified Mail(TM) item number 7108 2133 3936 1773 4974. The delivery record shows that this item was delivered on 02/22/2010 at 10:04 AM in OKLAHOMA CITY, OK 73118 to G WEEST. The scanned image of the recipient information is provided below.

Signature of Recipient:

Delivery Section	
Signature	<i>Gil West</i>
Address	<i>G West</i>

Address of Recipient:

Address	<i>999 GRAND</i>
---------	------------------

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

Sincerely,

United States Postal Service

**PROOF OF SERVICE OF FINDINGS OF FACT AND ORDER  
DATED February 15, 2010 CASE NUMBER MH 5607-2008**

**EXHIBIT A**

NORTH CAROLINA  
COUNTY OF CUMBERLAND

PLANNING/INSPECTIONS DEPARTMENT

RE: Richard E. Rogers, Jr.  
Name of Violator

MH 5607-2008  
Case Number

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

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

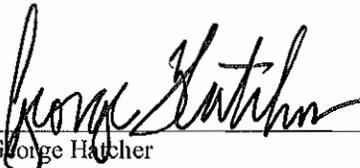
personally served Richard E. Rogers, Jr. & Midfirst Bank, a copy of the FINDINGS OF FACT AND ORDER AND,  
(name of violator)

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 addresses:

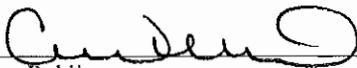
5447 Reedy Branch Road, Winterville, NC 28590-8760 & 999 N.W. Grand Blvd., Ste 100, Oklahoma City, OK, 73118

I further certify that said service was completed on this the 18th day of February, 2010.

  
George Hatcher  
Code Enforcement Officer

Sworn to and subscribed to before me

this the 18<sup>th</sup> day of February, 2010

  
Notary Public

My Commission Expires: 11-03-14



NORTH CAROLINA  
COUNTY OF CUMBERLAND

PLANNING/INSPECTIONS DEPARTMENT

RE: **RICHARD E. ROGERS, JR.**  
Name of Violator

**MH 5607-2008**  
Case Number

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

I, David Dowless, Deputy Sheriff's Officer, with the Cumberland County Sheriff's Department,  
(name & title)

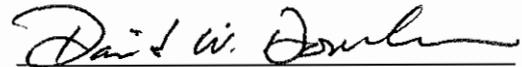
personally served Richard E. Rogers, Jr. a copy of the FINDINGS OF FACT AND ORDER AND  
(name of violator)

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

by posting at the following address:

224 Americus Drive, Fayetteville, NC.

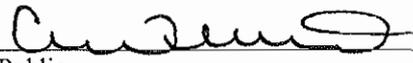
I further certify that said service was completed on this the 23rd day of February, 2010.



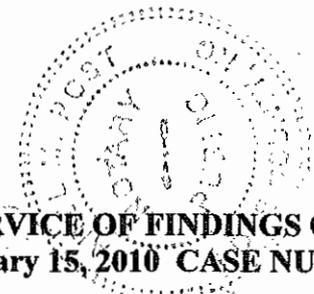
David Dowless  
Cumberland County Deputy Sheriff's Officer

Sworn to and subscribed to before me

this the 23rd day of February, 2010.

  
Notary Public

My Commission Expires: 11-03-14



**PROOF OF SERVICE OF FINDINGS OF FACT AND ORDER**  
**DATED February 15, 2010 CASE NUMBER MH 5607-2008**

**EXHIBIT A**



JAMES E. MARTIN  
County Manager

JUANITA PILGRIM  
Deputy County Manager



AMY H. CANNON  
Assistant County Manager

OFFICE OF THE COUNTY MANAGER

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

MEMORANDUM

ITEM NO. 4

**TO:** BOARD OF COMMISSIONERS

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

**DATE:** APRIL 12, 2010

**SUBJECT:** CONSIDERATION OF FINANCE COMMITTEE RECOMMENDATION OF  
FY2011 EMPLOYEE MEDICAL PLAN CHANGES

**BACKGROUND**

At your planning session on February 6, 2010, Management included medical insurance premiums as one of the potential increases for the FY2011 budget. The estimate at that time was approximately \$1.6M. At that meeting, staff reported that they would review all options regarding medical insurance increases including plan changes to mitigate the need for additional funds.

Since that time, our Risk Management Director, Chico Silman and I met with Mark Browder, of Mark III Brokerage, for his insight and experience in medical plan experience in other local governments, review of our claim history, and potential options to deal with the projected increase. At the April 1, 2010 Finance Committee Meeting, Mr. Browder presented the following information:

- The past year has been difficult for all health plans due to increases in the cost of services related to both delivery and utilization.
- For the past two plan years, the County costs have increased 4.9% for FY2008 and 8% for FY2009 compared to the market trends of 5% and 9.5% respectively.
- We are currently experiencing a 9.5% increase in this current year, with other plans trending at 13% to 14%.
- Cumberland County claims compared to those of nearby counties have been lower by as much as 20%.
- Our County health plan design has not been changed in five years; consequently, our benefits are more competitive than many other counties.
- To maintain the same plan design for the coming year, an 18% increase or \$2.1M would be required.

*Celebrating Our Past... Embracing Our Future*

Included with this memorandum is a spreadsheet showing the various renewal options for FY2011 compared with the current year plan options. These options range from the maximum increase in the employer premium of \$2.1M, an 18% increase, which is the current plan with no change, to Option 3 that eliminates premium increases by changes in plan design. Options 1 and 2 include a combination of plan changes and premium increases.

Mr. Browder recommended to the Finance Committee that Option 3, plan design changes with no increase in premiums be implemented. Mr. Browder feels that insurance plans will experience significant increases in the coming year, and if full plan design changes are not implemented this year, additional premium and plan design changes could be necessary in FY2012. He believes that these changes for FY2011 could assist in mitigating significant increases next year. Management concurred with this recommendation.

The Finance Committee voted unanimously to accept the recommendation of Option 3, plan design changes for the coming year. Mr. Browder will be present at your April 19<sup>th</sup> meeting to discuss these options and answer any questions you may have.

### **RECOMMENDATION**

Approve the Finance Committee recommendation to accept Option 3, Medical Plan design changes effective July 1, 2010.

AHC/cas

*Celebrating Our Past...Embracing Our Future*



# 2010 - 2011 Medical Plan Projections and Options



April 1, 2010

## 2007 – 2008 Plan Experience

Date	Subs	Medical	Pharmacy	Total Claims	Total Cost	Stop-loss Credits	Net Costs	Estimated BCBSNC Monthly Cost	Estimated County Monthly Cost
Runout				\$763,692.95	\$859,154.57		\$859,154.57		
				\$257,231.10	\$289,384.99		\$289,384.99		
July-07	2,268	\$210,822.72	\$70,187.99	\$281,010.71	\$384,458.38	\$0.00	\$384,458.38	\$1,112,703.48	\$1,173,349.80
August-07	2,275	\$643,100.66	\$255,356.02	\$898,456.68	\$1,004,577.00	\$0.00	\$1,004,577.00	\$1,116,137.75	\$1,176,971.25
September-07	2,275	\$554,012.54	\$189,276.62	\$743,289.16	\$847,681.71	\$0.00	\$847,681.71	\$1,116,137.75	\$1,176,971.25
October-07	2,273	\$816,049.29	\$212,182.63	\$1,028,231.92	\$1,132,684.28	\$0.00	\$1,132,684.28	\$1,115,156.53	\$1,175,936.55
November-07	2,253	\$719,266.86	\$199,531.05	\$918,797.91	\$1,029,128.43	\$0.00	\$1,029,128.43	\$1,105,344.33	\$1,165,589.55
December-07	2,242	\$771,922.02	\$201,128.55	\$973,050.57	\$1,075,360.75	\$0.00	\$1,075,360.75	\$1,099,947.62	\$1,159,898.70
January-08	2,242	\$675,750.06	\$190,515.20	\$866,265.26	\$972,744.71	\$5,855.06	\$966,889.65	\$1,099,947.62	\$1,159,898.70
February-08	2,253	\$1,091,077.36	\$337,292.48	\$1,428,369.84	\$1,531,619.53	\$30,624.67	\$1,500,994.86	\$1,105,344.33	\$1,165,589.55
March-08	2,264	\$756,332.46	\$229,985.42	\$986,317.88	\$1,098,569.61	\$21,620.20	\$1,076,949.41	\$1,110,741.04	\$1,171,280.40
April-08	2,264	\$920,955.08	\$214,148.86	\$1,135,103.94	\$1,239,257.13	\$84,565.07	\$1,154,692.06	\$1,110,741.04	\$1,171,280.40
May-08	2,270	\$861,566.47	\$251,551.89	\$1,113,118.36	\$1,216,986.81	\$42,514.16	\$1,174,472.65	\$1,113,684.70	\$1,174,384.50
June-08	2,280	\$737,704.25	\$228,275.06	\$965,979.31	\$1,070,529.17	\$31,783.84	\$1,038,745.33	\$1,118,590.80	\$1,179,558.00
<b>Total</b>	<b>27,159</b>	<b>\$8,758,559.77</b>	<b>\$2,579,431.77</b>	<b>\$12,358,915.59</b>	<b>\$13,752,137.07</b>	<b>\$216,963.00</b>	<b>\$13,535,174.07</b>	<b>\$13,324,476.99</b>	<b>\$14,050,708.65</b>
		Rx/Sub/Mth	\$94.98	\$455.06				-\$210,697.08	\$515,534.58
				104.90%					

## 2008 – 2009 Plan Experience

Date	Subs	Medical	Pharmacy	Total Claims	Total Cost	Stop-loss Credits	Net Costs	Estimated BCBSNC Monthly Cost	Estimated County Monthly Cost
July-08	2,301	\$906,130.32	\$239,490.09	\$1,145,620.41	\$1,262,484.64	\$0.00	\$1,262,484.64	\$1,200,431.70	\$1,184,255.67
August-08	2,324	\$790,303.24	\$374,640.18	\$1,164,943.42	\$1,283,472.51	\$78,615.02	\$1,204,857.49	\$1,212,430.80	\$1,196,093.08
September-08	2,322	\$761,180.96	\$254,225.95	\$1,015,406.91	\$1,133,863.74	\$0.00	\$1,133,863.74	\$1,211,387.40	\$1,195,063.74
October-08	2,341	\$977,980.24	\$243,542.86	\$1,221,523.10	\$1,341,384.10	\$99,655.61	\$1,241,728.49	\$1,221,299.70	\$1,204,842.47
November-08	2,335	\$842,120.81	\$233,679.72	\$1,075,800.53	\$1,194,805.81	\$37,098.54	\$1,157,707.27	\$1,218,169.50	\$1,201,754.45
December-08	2,338	\$883,009.37	\$242,507.02	\$1,125,516.39	\$1,268,037.71	\$37,098.54	\$1,230,939.17	\$1,219,734.60	\$1,203,298.46
January-09	2,346	\$819,232.31	\$349,638.83	\$1,168,871.14	\$1,311,431.39	\$13,963.25	\$1,297,468.14	\$1,223,908.20	\$1,207,415.82
February-09	2,352	\$813,617.34	\$268,519.41	\$1,082,136.75	\$1,228,730.92	\$69,773.16	\$1,158,957.76	\$1,227,038.40	\$1,210,503.84
March-09	2,347	\$845,042.66	\$253,477.22	\$1,098,519.88	\$1,241,421.93	\$21,139.89	\$1,220,282.04	\$1,224,429.90	\$1,207,930.49
April-09	2,346	\$855,597.78	\$262,209.37	\$1,117,807.15	\$1,261,108.62	\$72,843.19	\$1,188,265.43	\$1,223,908.20	\$1,207,415.82
May-09	2,347	\$1,010,310.26	\$254,009.94	\$1,264,320.20	\$1,406,297.80	\$33,133.89	\$1,373,163.91	\$1,224,429.90	\$1,207,930.49
June-09	2,344	\$914,322.73	\$400,243.20	\$1,314,565.93	\$1,456,627.52	\$120,058.22	\$1,336,569.30	\$1,222,864.80	\$1,206,386.48
<b>Total</b>	<b>28,043</b>	<b>\$10,418,848.02</b>	<b>\$3,376,183.79</b>	<b>\$13,795,031.81</b>	<b>\$15,389,666.69</b>	<b>\$583,379.31</b>	<b>\$14,806,287.38</b>	<b>\$14,630,033.10</b>	<b>\$14,432,890.81</b>
		Rx/Sub/Mth	\$120.39	<b>\$491.92</b>				-\$176,254.28	-\$373,396.57
				<b>108.10%</b>					

## 2009 – 2010 Plan Experience

Date	Subs	Medical	Pharmacy	Total Claims	Total Cost	Stop-loss Credits	Net Costs	Estimated BCBSNC Monthly Cost	Estimated County Monthly Cost
July-09	2,363	\$909,881.70	\$424,159.87	\$1,334,041.57	\$1,465,757.27	\$0.00	\$1,465,757.27	\$1,244,190.39	\$1,304,872.23
August-09	2,350	\$1,027,358.48	\$266,131.04	\$1,293,489.52	\$1,423,079.46	\$0.00	\$1,423,079.46	\$1,237,345.50	\$1,297,693.50
September-09	2,339	\$1,083,442.89	\$270,034.76	\$1,353,477.65	\$1,485,969.12	\$58,673.54	\$1,427,295.58	\$1,231,553.67	\$1,291,619.19
October-09	2,331	\$1,057,847.88	\$269,915.96	\$1,327,763.84	\$1,461,673.01	\$58,007.87	\$1,403,665.14	\$1,227,341.43	\$1,287,201.51
November-09	2,325	\$812,081.27	\$284,207.19	\$1,096,288.46	\$1,226,140.32	\$1,376.38	\$1,224,763.94	\$1,224,182.25	\$1,283,888.25
December-09	2,319	\$959,238.72	\$237,946.84	\$1,197,185.56	\$1,328,380.51	\$89,437.92	\$1,238,942.59	\$1,221,023.07	\$1,280,574.99
January-10	2,322	\$769,748.92	\$415,931.76	\$1,185,680.68	\$1,315,209.80	\$13,528.86	\$1,301,680.94	\$1,222,602.66	\$1,282,231.62
February-10	2,319	\$981,969.44	\$289,022.62	\$1,270,992.06	\$1,400,216.11	\$30,072.02	\$1,370,144.09	\$1,221,023.07	\$1,280,574.99
March-10									
April-10									
May-10									
June-10									
<b>Total</b>	<b>18,668</b>	<b>\$7,601,569.30</b>	<b>\$2,457,350.04</b>	<b>\$10,058,919.34</b>	<b>\$11,106,425.60</b>	<b>\$251,096.59</b>	<b>\$10,855,329.01</b>	<b>\$9,829,262.04</b>	<b>\$10,308,656.28</b>
		Rx/Sub/Mth	\$131.63	<b>\$538.83</b>				-\$1,026,066.97	-\$546,672.73
			109.34%	<b>109.54%</b>					

## High Cost Members

<b>Top 25 High Cost Claimants</b>				
Claims Paid from February 2009 through January 2010				
Encrypted Member ID	Leading Diagnosis MCC	Billed	Allowed	Paid
OHPN-AXOU-ZHZ	Hematology: benign conditions	\$865,332	\$357,097	\$354,447
ZLQF-AFOF-MHS	Hematology: benign conditions	\$265,739	\$234,044	\$227,380
ZXBD-SDQT-GHS	Neoplasms, malignant: breast (M or F) and GYN	\$504,507	\$228,750	\$224,065
ZLPT-OLAT-MHS	Endocrine: diabetes mellitus	\$489,320	\$211,177	\$207,162
ZLMX-GXPV-ZHO	Hematology: benign conditions	\$321,501	\$194,184	\$191,174
ZLMN-QWMU-QHS	Renal/urinary tract: kidney failure	\$378,999	\$192,849	\$189,684
ZLOX-BLYL-MHS	Respiratory: other	\$1,332,213	\$279,464	\$159,902
ZLOW-AXBT-MHS	Hematology: benign conditions	\$167,201	\$119,395	\$116,157
ZLMW-QFQH-BHS	Other health services: specific procedures and aftercare	\$208,892	\$108,740	\$102,085
ZLZF-MTAF-OHS	Endocrine (other), immune and metabolic (non sex gland)	\$264,090	\$98,831	\$95,865
ZVAD-PNYT-PHZ	Neoplasms, malignant: non-hematologic excluding breast and GYN	\$173,613	\$97,669	\$94,309
ZLOF-BFMN-PHS	Other	\$142,871	\$99,126	\$94,140
ZXGN-QTYT-PHS	Cardiovascular: peripheral vascular disease/ atherosclerotic or thrombotic	\$154,542	\$92,201	\$87,926
PFYU-ANOH-PHS	Infectious disease agents: excluding HIV and TB	\$129,178	\$85,995	\$84,944
MXZL-MWQX-SHS	Cardiovascular: coronary heart disease	\$128,131	\$74,740	\$73,097
ZTYF-BDSN-BHS	Other health services: specific procedures and aftercare	\$128,058	\$74,217	\$71,267
ZLMW-QNGU-BHS	Cardiovascular: coronary heart disease	\$140,840	\$73,531	\$68,837
ZXGV-MVGN-OHS	Behavioral: psychoses except depression and bipolar disorder	\$196,506	\$82,215	\$66,338
ZLZT-GLPT-AHS	Neoplasms, malignant: breast (M or F) and GYN	\$186,986	\$63,585	\$62,321
ZLPT-GHQX-SHZ	Musculoskeletal: spinal conditions (including nonbony neck and back)	\$145,131	\$63,869	\$59,155
OWSL-QXPW-PHS	Respiratory: other	\$1,467,529	\$1,473,754	\$56,715
ZXBW-QWMN-AHS	Cardiovascular: coronary heart disease	\$130,812	\$57,518	\$53,893
ZXGX-GHYN-YHA	Hematology: benign conditions	\$76,916	\$57,773	\$53,809
ZXBN-ZWBU-ZHS	Endocrine (other), immune and metabolic (non sex gland)	\$101,132	\$57,280	\$53,146
ZXYN-QWPF-MHS	Neoplasms, malignant: non-hematologic excluding breast and GYN	\$101,041	\$55,535	\$51,865
Summary		\$8,201,082	\$4,533,538	\$2,899,682

## 2010 – 2011 Renewal Estimate

Cumberland County	Total Number of Employees	Benefit Payments	Stop-Loss Credits	Net Claims	Net Claims Per Sub/Mth
March-09	2,347	\$1,098,519.88	\$21,139.89	\$1,077,379.99	\$459.05
April-09	2,346	\$1,117,807.15	\$72,843.19	\$1,044,963.96	\$445.42
May-09	2,347	\$1,264,320.20	\$33,133.89	\$1,231,186.31	\$524.58
June-09	2,344	\$1,314,565.93	\$120,058.22	\$1,194,507.71	\$509.60
July-09	2,363	\$1,334,041.57	\$0.00	\$1,334,041.57	\$564.55
August-09	2,350	\$1,293,489.52	\$0.00	\$1,293,489.52	\$550.42
September-09	2,339	\$1,353,477.65	\$58,673.54	\$1,294,804.11	\$553.57
October-09	2,331	\$1,327,763.84	\$58,007.87	\$1,269,755.97	\$544.73
November-09	2,325	\$1,096,288.46	\$1,376.38	\$1,094,912.08	\$470.93
December-09	2,319	\$1,197,185.56	\$89,437.92	\$1,107,747.64	\$477.68
January-10	2,322	\$1,185,680.68	\$13,528.86	\$1,172,151.82	\$504.80
February-10	2,319	\$1,270,992.06	\$30,072.02	\$1,240,920.04	\$535.11
<b>Total</b>	<b>28,052</b>	<b>\$14,854,132.50</b>	<b>\$498,271.78</b>	<b>\$14,355,860.72</b>	<b>\$511.76</b>

Standard Renewal Calculations 2010 - 2011		
Current Plan Designs	Annual	Monthly
Medical and Pharmacy Claims	\$14,355,860.72	\$511.76
<b>Standard Trend 12% 16 Months of trend</b>	<b>\$16,615,473.20</b>	<b>\$592.31</b>
Annual Employee Count	28,052	
Fixed Cost	\$1,683,120.00	\$60.00
Renewal Calculation	\$18,298,593.20	\$652.31
County 2010-2011	\$15,490,594.92	<b>\$552.21</b>
<b>2010 - 2011 Rate Action - Projection</b>	<b>118.13%</b>	<b>118.13%</b>

Reserve
\$5,000,000

## 2010 – 2011 Renewal Options

<b>Cumberland County Medical Plan</b>					
	BCBSNC 150k/120% 7/09 - 6/10	BCBSNC 150k/120% 7/10 - 6/11	BCBSNC 150k/120% 7/10 - 6/11	BCBSNC 150k/120% 7/10 - 6/11	BCBSNC 150k/120% 7/10 - 6/11
	Current Plan	Current Plan	Option 1	Option 2	Option 3
	In-Network	In-Network	In-Network	In-Network	In-Network
PCP/SCP Visits	\$20/\$40	\$20/\$40	\$25/\$50	\$25/\$50	\$30/\$60
Well Baby Care	100%	100%	100%	100%	100%
Immunizations/Injections	100%	100%	100%	100%	100%
Physical Exams	100%	100%	100%	100%	100%
Pap Smears/Mammograms	100%	100%	100%	100%	100%
Deductible	\$500	\$500	\$750	\$1,000	\$1,000
Deductible - Family Maximum	\$1,500	\$1,500	\$2,250	\$3,000	\$3,000
Out of Pocket Limit	\$2,000	\$2,000	\$2,000	\$2,000	\$2,000
Out of Pocket Limit - Family Max	\$6,000	\$6,000	\$6,000	\$6,000	\$6,000
Hospital Services	80%	80%	80%	80%	80%
Emergency Room	\$150 copay	\$150 copay	\$250 copay	\$250 copay	Ded/Coinsurance
Pharmacy	\$10/\$35/\$50	\$10/\$35/\$50	\$10/\$45/\$60/25%	\$10/\$45/\$60/25%	\$10/\$45/\$60/25%
Lifetime Maximum	Unlimited	\$5,000,000	\$5,000,000	\$5,000,000	\$5,000,000
Change	N/A	<b>18.13%</b>	<b>8%</b>	<b>4%</b>	<b>0%</b>
<b>Additional Cost Per Person - Annual</b>		<b>\$929</b>	<b>\$410</b>	<b>\$205</b>	<b>\$0</b>
<b>Additional Cost to the Budget - Annual</b>		<b>\$2,150,628</b>	<b>\$948,981</b>	<b>\$474,490</b>	<b>\$0</b>



ITEM NO. 5

## COUNTY of CUMBERLAND

James E. Martin  
County Manager

Cliff Spiller  
Assistant County Manager

Juanita Pilgrim  
Deputy County Manager

*Office of the County Manager*

Amy H. Cannon  
Assistant County Manager

### MEMORANDUM FOR BOARD OF COMMISSIONERS AGENDA OF APRIL 19, 2010

**TO: BOARD OF COUNTY COMMISSIONERS**

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

**DATE: APRIL 14, 2010**

**SUBJECT: PRESENTATION OF THE FAYETTEVILLE-CUMBERLAND COUNTY  
CHAMBER OF COMMERCE REPORT ON ECONOMIC DEVELOPMENT  
AND WORKFORCE EFFORTS BY DOUG PETERS, PRESIDENT**

Mr. Doug Peters will be making a presentation at the April 19, 2010 Board of Commissioners meeting on Economic Development and Workforce Efforts.

/ct

CM041410-1



ITEM NO. 60A

## COUNTY of CUMBERLAND

James E. Martin  
County Manager

Cliff Spiller  
Assistant County Manager

Juanita Pilgrim  
Deputy County Manager

*Office of the County Manager*

Amy H. Cannon  
Assistant County Manager

### MEMORANDUM FOR BOARD OF COMMISSIONERS AGENDA OF APRIL 19, 2010

**TO: BOARD OF COMMISSIONERS**

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

**DATE: APRIL 13, 2010**

**SUBJECT: PUBLIC HEARING TO CONSIDER A CONTRACT FOR ISSUANCE OF RECOVERY ZONE ECONOMIC DEVELOPMENT BONDS (\$1,138,000) AND AN INSTALLMENT FINANCING FOR THE BALANCE OF THE CROWN ARENA & THEATER PROJECT UNDER G.S. 160A-20 WITH RBC BANK**

#### BACKGROUND

At your November 16, 2009 meeting, County Management recommended utilizing our initial allocation of Recovery Zone Economic Development Bonds (RZEDB's) for the upgrades at the Crown Arena and Theatre. Our application for the \$1,138,000 was submitted and subsequently approved by the Department of Commerce.

These RZEDB's represent borrowing capacity created as part of the American Recovery and Investment Act. These instruments include a refundable credit of 45% of the amount of interest paid on each payment date. Additionally, we have the opportunity to borrow the remaining funds needed under the Build America Bonds which include a refundable credit of 35% of interest paid. A Request for Proposal (RFP) was prepared and sent to several financial institutions seeking proposals on an installment financing contract for the total project costs. We received three responses, with RBC Bank submitting the lowest interest cost. The interest rate quoted for the \$1.1M of recovery zone bonds is 2.7115% after the tax credit and a rate of 3.2045% after the 35% tax credit on the remaining amount of the project costs. The funds will be repaid over a 10 year period and will be paid from the Food and Beverage Tax Fund. Sufficient funds are available to service this debt over this period.

This financing must be presented to the Local Government Commission on May 6, 2010. This is the final meeting to take advantage of our RZEDB allocation. Several actions must be taken by the Board at your April 19, 2010 meeting.

## **RECOMMENDATION/PROPOSED ACTIONS**

1. Hold the public hearing on the proposed installment financing for the Arena and Theater upgrades.
2. Consider the attached memorandum from the Facilities Committee and the County Engineer which recommends acceptance of the bids for the Crown Arena & Theater PME & Life Safety Improvements Project, and pending successful negotiations, award a contract to Rentenbach Constructors, Inc., the low bidder, in an amount not to exceed \$3,500,000. The exact contract amount will be presented to the Board of Commissioners on April 19, 2010 with detailed scope reductions and associated cost savings.
3. Adopt the attached resolution approving the installment financing contract under G.S. 160A-20 with RBC Bank for the total project cost and associated documents and authorize the County Manager to sign on behalf of the County, with such changes or revisions consistent with the general tenor thereof as may be satisfactory to the County Manager and County Attorney.
4. Approve a budget revision that will be prepared to reflect the negotiated contract amount to establish the project budget in the Civic Center Cost Center.

CM041310-8



ENGINEERING DEPARTMENT

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

April 13, 2010

MEMORANDUM

**TO:** BOARD OF COUNTY COMMISSIONERS

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

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

**SUBJECT:** BIDS FOR CROWN ARENA & THEATER  
PME & LIFE SAFETY IMPROVEMENTS PROJECT

BACKGROUND

The Board of County Commissioners, at its November 16, 2009 meeting, approved the Crown Arena & Theater Plumbing, Mechanical, Electrical and Life Safety Improvements Project. The budget established for the project is \$3,850,000 which includes architectural/engineering services and construction. The LSV Partnership is providing A/E services in the amount of \$350,000 leaving \$3,500,000 available for construction.

The scope of the project let for bids includes:

**Mechanical System Improvements:** This involves demolition and removal of existing water cooled chiller, cooling tower, air handling units and associated chilled water piping and pumps. A new cooling system will be installed with air cooled chillers, ice storage tanks, pumps, chilled water piping, air handling units and associated controls.

**Mechanical Room:** A new mechanical room will be constructed adjacent to the Theater stage of sufficient size to accommodate the new mechanical equipment. All outdoor equipment will be secured and visually screened.

**Electrical:** This involves demolition and removal of existing Federal Pacific switchgear and panels. A new electrical distribution system shall be installed including switchgear, panels, disconnects and starters. A new emergency generator will be installed to provide back-up electrical power primarily to the Arena and emergency lighting throughout.

**Life Safety:** This involves installing a new addressable analog fire alarm system to monitor the Arena and Theater.

**Plumbing:** This involves demolition and replacement of the domestic hot water storage tank and one sanitary sewage pump.

**Lighting:** This involves demolition and replacement of the existing HID lighting system in the Arena with an energy efficient fluorescent lighting system.

*Celebrating Our Past...Embracing Our Future*

The original scope of the plumbing work included removal and replacement of all galvanized water service lines in the facilities, however, it was later discovered that these lines are copper and in good condition. As a result the lighting scope of work was added to the project.

Single-prime bids for the project were received on March 25, 2010 from pre-qualified general contractors with proven capabilities of managing complex projects with very short durations. Attachment #1 is a copy of the certified bid tabulation. The low base bid was submitted by Rentenbach Constructors, Inc., in the amount of \$4,352,000. A number of add alternates were also solicited which are not being considered due to budget constraints. The low base bid is significantly over budget (\$852,000) and the project team has been working diligently with Rentenbach to explore revisions to the scope of work to reduce costs. Rentenbach, in consultation with their prime subcontractors and the project team, prepared a list of items for consideration shown in Attachment #2. From this list, it appears that at a minimum the base bid can be reduced by \$557,000, however, there are additional cost savings being explored based on the extent of the mechanical system redesign. If the ice storage component of the new mechanical system is eliminated then the new chillers can be moved to a more central location which will reduce the amount of new chilled water piping required and eliminate the need for building a new mechanical room on the north side of the Theater resulting in additional cost reductions not included in Attachment #2. It should be noted that to maintain the current design capacity an increase in the size of the air-cooled chillers from 600 to 900 tons total capacity will be required to account for the loss of cooling capacity from the ice storage component, but these increased costs are significantly off-set by other cost reductions. To enhance the energy efficiency of the redesigned mechanical system, multi-stage chillers would be specified for the ability to modulate the units reducing peak demand and consumption when cooling loads are small.

The project team is optimistic that we can accomplish the project goals within the established construction budget of \$3,500,000 through the process outlined above.

This information was presented to the Civic Center Board on April 7, 2010 and the County Facilities Committee at its April 13, 2010 meeting for its consideration and endorsement of the process staff has initiated to bring the project back into budget. The Civic Center Board unanimously endorsed the project provided it can be accomplished within the current budget. The County Facilities Committee approved the staff recommendation as stated below.

#### RECOMMENDATION/PROPOSED ACTION

The recommendation of the Project Team which includes Coliseum staff, County Engineer, County Management and the project architect, is to:

1. Accept the bids for the Crown Arena & Theater PME & Life Safety Improvements Project.
2. Pending successful negotiations, award a contract to Rentenbach Constructors, Inc., the low bidder, in an amount not to exceed \$3,500,000. The exact contract amount will be presented to the Board of Commissioners with detailed scope reductions and associated cost savings.

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

The LSV Partnership  
 Architects/Planners, AIA  
 209 Fairway Drive  
 Fayetteville, NC 28305

## Single Prime Bid Tabulation

**CROWN THEATER & ARENA  
 PHASE 2 RENOVATIONS**  
 Cumberland County, NC  
 March 25, 2010

General Contractor	Bd	ADD	MBE	Base Bid \$	Alt G1	Alt G2	Alt M1	Alt E1
<b>John S. Clark Company, LLC</b> 1721 Allen's Lane, Suite 210 Wilmington, NC 28405 License # 30565	x	x	x	\$4,675,500	\$7,900	\$7,300	\$135,000	NoChange
<b>Rentenbach Constructors Incorporated</b> 1102 Greccade St. Greensboro, NC 27408 License # 5596	x	x	x	\$4,352,000	\$17,500	\$10,000	\$158,000	No Change
<b>R.N. Rouse &amp; Co., Inc.</b> 1101 Parkway Dr. Goldsboro, NC 27534 License # 732	x	x	x	\$4,759,000	\$8,500	\$4,900	\$169,000	No Change
<b>T.A. Loving Company</b> 400 Patetown Rd. Goldsboro, NC 27530 License # 325	x	x	x	\$4,584,000	\$20,700	\$3,000	\$159,000	No Change

ATTACHMENT # 1

Alternate G1 Ornamental Steel Fence & Gate  
 Alternate G2 Crown Signs  
 Alternate M1 Preferred HVAC Equipment & Controls  
 Alternate E1 Preferred Electrical Equipment

Addendum No. 1 March 19, 2010 (53 pages + 5 full-size drawings)  
 Addendum No. 2 March 22, 2010 (19 pages)  
 Addendum No. 3 March 23, 2010 (32 pages)

CERTIFIED:



\_\_\_\_\_  
 Walter Vick, AIA  
 The LSV Partnership  
 Architects/Planners AIA

ATTACHMENT # 2



Building with Integrity

Since 1946

Crown Theater and Arena

Cost And Scope Reduction Options

April 1, 2010

All pricing is pending final redesign.

1 Delete the brick wall	(\$43,000)	(\$30,700)
2 Gravel around <u>all</u> Mech Pads in lieu of concrete walks	(\$2,900)	(\$2,000)
3 Delete brick at Mech room addition and use direct applied Stucco to the CMU (also use core fill block insulation in lieu of spray on	(\$7,600)	NO
4 Delete all interior painting except for touch up.	(\$2,300)	NO
5 Delete Bond	(\$27,000)	NO
6 Delete LD's, Penalty and add two months to project duration	(\$20,000)	(\$20,000)*
7 Delete Landscape Plant Allowance	(\$7,500)	(\$7,500)
8 Delete Ice Storage HVAC system and use alternate system (increase the chiller capacity)	(\$325,000)	(\$300,000) <sup>□</sup>
9 Delete duct cleaning	(\$25,000)	(\$25,000)
10 Delete -To leave existing service, Bus Duct Feeder and reuse existing conduit and feeder cables through out building	(\$90,000)	(\$90,000)
11 Use EMT conduit in lieu of rigid	(\$9,000)	(\$9,000)
12 Reuse existing light Fixtures A, B and C	(\$40,000)	(\$40,000)
13 Delete 17 lighting contactors for lights in the Arena and delete panels WHE and CAHE, 1- 15 kva transformer and 1- 30- amp disconnect	(\$5,800)	(\$5,800)
14 Delete the 100 kw generator and annuclator panel	(\$31,000)	(\$31,000)
15 Use Cutler Hammer in lieu of GE	(\$16,000)	(\$16,000)
<del>16 The owner would not accept the alternate add. Alternate M-1 (not included in base bid)</del>	<del>(\$150,000)</del>	

Total

~~(\$810,100)~~

\$652,100

\$577,000

\* NOT REASONABLE TO TAKE BASED ON REVENUE LOST DURING SEPT/OCT ≈ \$150,000

(\$557,000)

□ NEED TO INCLUDE VFDs ON CHILLERS

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

Excerpt of Minutes  
of Meeting of  
April 19, 2010

Present: Chairman \_\_\_\_\_ presiding, and Commissioners \_\_\_\_\_

Absent: \_\_\_\_\_

\* \* \* \* \*

The following resolution was introduced and its title was read:

RESOLUTION CONCERNING FINAL APPROVAL OF  
INSTALLMENT FINANCING FOR CERTAIN EQUIPMENT  
THROUGH THE ENTRY INTO AN INSTALLMENT  
FINANCING CONTRACT WITH RBC BANK (USA)

**WHEREAS**, the Board of Commissioners (the "Board") of the County of Cumberland, North Carolina (the "County") has resolved to undertake the purchase and installation of certain equipment as upgrades to portions of the County's Crown Center Arena and Theatre (the "Project"); and

**WHEREAS**, pursuant to Section 160A-20, the County is authorized to finance the cost of the Project, by entering into an installment financing agreement that creates a security interest in some or all of the property financed to secure repayment of the financing;

**WHEREAS**, the County will enter into an Installment Financing Contract dated as of May 1, 2010 (the "Agreement") with RBC BANK (USA) ("RBC") for this purpose in two tranches aggregating up to the amount of \$4,438,000, with the Agreement being an agreement authorized under Section 160A-20 and having payments thereon by the County subject to appropriation; and

**WHEREAS**, the County intends to designate a portion (the "BABs Portion") of its obligations in the amount of not to exceed \$3,300,000 under the Agreement as constituting Build America Bonds which are "qualified bonds" under Section 54AA(g) of the Internal Revenue Code of 1986, as amended (the "Code") and another portion (the "RZEDB Portion") of its obligations in the amount of not to exceed \$1,138,000 under the Agreement as constituting recovery zone economic development bonds under Section 1400U-2 of the Code; and

**WHEREAS**, the County has been allocated up to \$1,138,000 in recovery zone economic development bond allocation; and

**WHEREAS**, there have been presented to the Board the form of the Agreement and the Escrow Deposit Agreement dated as of May 1, 2010, between the County, RBC and RBC acting as escrow agent (the "Deposit Agreement"); and

**WHEREAS**, the Board desires to approve the Agreement and the Deposit Agreement and to authorize other actions in connection therewith; and

**WHEREAS**, the County does not anticipate a future property tax increase to pay installment payments falling due under the Contract due to projected availability of other sources of funds, but if such sources of funds were not available and County revenue were otherwise insufficient to pay installment payments, the County would increase the property tax to a level sufficient to provide revenues to do so; and

**WHEREAS**, on November 16, 2009, the County declared the entire County a recovery zone pursuant to Section 1400U-1(b) of the Code; and

**WHEREAS**, the North Carolina Local Government Commission (the "LGC") will consider the County's application for approval of the Agreement on May 4, 2010;

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

1. The financing of the Project pursuant to the Agreement is hereby approved, based, in part, on the following findings:

(a) The proposed Agreement is necessary or expedient because there is a need to upgrade the particular equipment at the Crown Center Arena and Theatre.

(b) The Agreement is preferable to a bond issue for the same purpose because the possible availability of recovery zone bonds could provide for very low interest installment financing, which would be a significant cost savings to the County when compared to separate issued traditional bonds.

(c) The sums expected to fall due under the Agreement are adequate and not excessive for the proposed purpose.

(d) Facts supporting the conclusion that debt management policies have been carried out in compliance with the law and reasonable assurances that compliance with the law will henceforth be carried out are as follows:

(i) The Local Government Commission has taken no action against the County, nor found the County to have acted improperly in debt management.

(ii) The County has not defaulted on any debt obligation.

(iii) The County follows the debt management guidelines of the North Carolina Local Government Commission.

(e) There will be no increase in taxes necessary to meet the sums to fall due under the Agreement.

(f) The County is not in default in any of its debt service obligations.

(g) The attorney for the County will rendered an opinion that the proposed Project is authorized by law and is a purpose for which public funds may be expended pursuant to the Constitution and laws of North Carolina.

2. The County Manager and County Finance Officer are hereby authorized, directed and designated to file an application with the North Carolina Local Government Commission for its approval of the Agreement.

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

4. The Chairman, Vice Chairman, County Manager, County Finance Officer, County Attorney and Clerk of the Board are hereby authorized to take any and all such further action and to execute and deliver such other documents as may be necessary or advisable to carry out the intent of this resolution and to effect the installment financing pursuant to the Agreement. Without limiting the generality of the foregoing, the Chairman, Vice Chairman or County Manager are authorized to approve all details of the financing, including without limitation, the annual payments due under the Agreement, the interest rate to be paid under the Agreement and the term of the Agreement. Execution of the Agreement by the Chairman, Vice Chairman or County Manager, as the case may be, shall conclusively evidence approval of all such details of the financing.

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

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

7. The County hereby designates its obligations with respect to the BABs Portion as a "Build America Bond" and with respect to the RZEDB Portion as a "recovery zone economic development bond" for purposes of Sections 54AA and 1400U-2, respectively, of the Code, and

authorizes the proper officers of the County to take such steps and file such forms as may be required in order to receive such tax credits as it may be entitled to under the Code.

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

9. This resolution shall take effect immediately.

\* \* \* \* \*

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

Ayes: Commissioners \_\_\_\_\_

Nays: Commissioners \_\_\_\_\_

Not Voting: \_\_\_\_\_

\* \* \* \* \*

I, \_\_\_\_\_, Clerk of the Board of Commissioners of Cumberland County, North Carolina, **DO HEREBY CERTIFY** that the foregoing is a true and complete copy of so much of the proceedings of the Board of Commissioners for the County at a regular meeting held on April, 2010, as it relates in any way to the resolution hereinabove referenced and set forth, respectively. Pursuant to G.S. § 143-318.12, a current copy of a schedule of regular meetings of the Board of Commissioners for the County is on file in my office.

**WITNESS** my hand and the common seal of said County, this \_\_\_ day April, 2010.

(SEAL)

\_\_\_\_\_  
Clerk of the Board of Commissioners  
of Cumberland County

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Ad Type: OL Legal Line
Number of Lines: 36 cl
Run Schedule: 1 day(s) beginning on 4/9/10 in FO, 1 day(s) beginning on 4/9/10 in OL
Total Price: \$109.50

Order Status: Ad Preview

NOTICE OF PUBLIC HEARING
Take Notice that the Cumberland County Board of Commissioners will hold a public hearing at its regular meeting on April 19, 2010, at the Cumberland County Courthouse, Fayetteville, in Room 118 at 6:45 p.m. or as soon thereafter as the hearing can be held. All interested persons may express their views with regard to the county entering into a contract with a bank for installment financing in a total amount not to exceed \$4,325,000 pursuant to N.C.G.S. §§160A-20 to finance the cost of making substantial renovations to the Cumberland County Crown Arena and Theater including upgrades to the mechanical, plumbing, electrical and life safety systems. This financing will create a security interest in the real property being improved.
This 9th day of April, 2010.
Clerk to the Board

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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

April 13, 2010

ITEM NO. 6B

**MEMORANDUM**

**TO: BOARD OF COUNTY COMMISSIONERS**

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

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

**SUBJECT: ENERGY EFFICIENCY & CONSERVATION BLOCK GRANT UPDATE**

BACKGROUND

An update of the Energy Efficiency and Conservation Block Grant (EECBG) Program was provided to the County Facilities Committee at its March 16, 2010 and April 13, 2010 meetings at which time staff presented the list of energy conservation measures (ECMs) recommended for implementation with the balance of our grant funds. The ECMs were selected based on the results of the energy audit performed by Johnson Controls, Inc. (JCI) of County facilities that were not retrofitted as a part of the Guaranteed Energy Saving Performance Contract with JCI in 2006. Attachment #1 represents the "core project" that will be funded with the available grant monies (\$540,700) plus a small County contribution (\$13,492). Attachment #2 represents the "expanded project" that includes additional ECMs that could be implemented as part of a Performance Contract amendment by leveraging the EECBG funds with additional County funds.

The Facilities Committee requested staff negotiate with JCI for additional cost reductions. With respect to the core project, JCI has indicated that they have priced these ECMs as competitively as possible. With respect to the expanded project, JCI is willing to provide an additional discount of \$14,000 for a total discount of \$47,386. See Attachment #3. With respect to the measurement and verification (M&V) component of a Performance Contract, JCI has offered two options for the County's consideration:

Option #1 - JCI will provide full service M&V for years 1 and 2 at a cost of \$19,138 and reporting only for years 3 through 7 at a cost of \$1,000 per year as shown in Attachment #4.

Option #2 - JCI performs reporting only annually including one site visit at a cost of \$1,250 per year as shown in Attachment #5.

*Celebrating Our Past...Embracing Our Future*

A second revision to our grant application was submitted to DOE on March 18, 2010 that incorporated the list of ECMs in the core project (Attachment #1) as well as additional information requested by DOE. The County has received notification from DOE that our amended grant application has been approved. See Attachment #6. Staff plans to develop an amendment to our existing Performance Contract with JCI for implementation of the energy conservation measures for consideration by the Board of Commissioners.

The County Facilities Committee unanimously endorsed the staff recommendation as outlined below.

#### RECOMMENDATION/PROPOSED ACTION

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

1. Proceed with the core project as outlined in Attachment #1.
2. Approve and authorize the Chairman to execute an amendment to our existing Performance Contract with JCI to include the scope of work as shown in the core project and Measurement & Verification Services as stated in Item #3 subject to review and approval by the County Manager and the County Attorney for legal sufficiency.
3. With respect to Measurement and Verification Services, select Option #1 with a modification to have JCI provide full service M&V for Year #1 at a cost of \$9,415 and based on those results consider only reporting at an annual cost of \$1,000 for any subsequent year. The County always has the option of agreeing to the guaranteed savings at any time which would negate the need for any M&V service.

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

## Cumberland County Proposed CORE Project Phase II Performance Contract (3-31-2010)

Building	Facility Improvement Measures	Simple Payback	Selling Price (\$)	Ops Savings (\$)	Energy Savings (\$)	Total Annual Savings (\$)	Energy Savings (kWh)	Energy Savings (Therms)	Annual H2O Savings (Gallons)	Annual GHG Reduced (Tons CO2)
Animal Services Center	Lighting	7.82	\$ 35,839	\$ 453	\$ 4,132	\$ 4,585	47,557	-	-	24.3
Board of Elections Building	Lighting	5.36	\$ 9,765	\$ 175	\$ 1,648	\$ 1,823	19,346	-	-	9.9
Building Maintenance Facility	Lighting	8.68	\$ 15,464	\$ 127	\$ 1,655	\$ 1,782	15,338	-	-	7.8
Convention & Visitor's Bureau	Lighting	7.30	\$ 12,762	\$ 139	\$ 1,610	\$ 1,749	18,537	-	-	9.5
Crown Theater	Lighting	5.02	\$ 30,060	\$ 731	\$ 5,260	\$ 5,991	65,098	-	-	33.3
Mental Health Crisis Stabilization Center	Lighting	6.72	\$ 18,120	\$ 665	\$ 2,031	\$ 2,696	23,170	-	-	11.8
Sheriff Annex	Lighting	5.14	\$ 15,200	\$ 317	\$ 2,641	\$ 2,958	30,515	-	-	15.6
Family Resource Center	Lighting	10.76	\$ 37,519	\$ 210	\$ 3,277	\$ 3,487	30,424	-	-	15.5
Solid Waste Administration Building	Lighting	8.98	\$ 16,813	\$ 267	\$ 1,606	\$ 1,873	18,162	-	-	9.3
Building Maintenance	Water	5.57	\$ 4,271	\$ 55	\$ 712	\$ 767	242	-	98,938	0.1
Central Maintenance	Water	3.38	\$ 1,775	\$ 12	\$ 513	\$ 525	1,961	-	58,131	1.0
Convention and Visitors Center	Water	7.19	\$ 3,270	\$ 32	\$ 423	\$ 455	741	-	54,400	0.4
Board of Elections	Water	8.93	\$ 3,260	\$ 32	\$ 333	\$ 365	499	-	43,371	0.3
Solid Waste Administration Building	Water	4.28	\$ 1,595	\$ 20	\$ 353	\$ 373	536	-	45,930	0.3
Board of Elections	Controls	3.86	\$ 3,220	\$ -	\$ 834	\$ 834	16,024	-	-	8.2
Conventions and Visitors	Controls	3.07	\$ 3,559	\$ -	\$ 1,161	\$ 1,161	22,326	-	-	11.4
Building Maintenance	Controls	3.74	\$ 3,617	\$ -	\$ 966	\$ 966	18,586	-	-	9.5
Central Maintenance	Controls	4.47	\$ 3,440	\$ -	\$ 769	\$ 769	14,779	-	-	7.6
Sheriffs Annex	Controls	8.16	\$ 4,454	\$ -	\$ 546	\$ 546	10,494	-	-	5.4
Solid Waste	Controls	8.08	\$ 3,220	\$ -	\$ 399	\$ 399	7,662	-	-	3.9
Crown Chiller Plant Optimization	Controls	22.40	\$ 20,250	\$ -	\$ 904	\$ 904	21,027	-	-	10.7
Detention Center Cooling Tower Fan VSD	Mechanical	19.33	\$ 38,322	\$ -	\$ 1,982	\$ 1,982	44,820	-	-	22.9
Crown 225 Ton Chiller with VSD Chiller	Mechanical	19.13	\$ 241,828	\$ -	\$ 12,638	\$ 12,638	173,315	-	-	88.5
LEC AHU to VSD	Mechanical	3.52	\$ 26,569	\$ -	\$ 7,543	\$ 7,543	253,414	-	-	129.5
<b>TOTALS</b>		<b>9.69</b>	<b>\$ 554,192</b>	<b>\$ 3,235</b>	<b>\$ 53,934</b>	<b>\$ 57,169</b>	<b>854,573</b>	<b>-</b>	<b>300,770</b>	<b>436.7</b>

Funded with \$540,700 EECBG  
+ \$13,492 from Mental Health

**Cumberland County Expanded Project ECM List (3-15-10)**

Building	Facility Improvement Measures	Simple Payback	BUDGET Selling Price (\$)	Operational Savings (\$)	Energy Savings (\$)	Total Annual Savings (\$)	Energy Savings (kWh)	Energy Savings (Tons)	Annual H2O Savings (Gallons)	Annual GHG Reduced (Tons CO2)
Animal Services Center <sup>1</sup>	Lighting	8.87	\$ 40,653	\$ 453	\$ 4,132	\$ 4,585	47,557	-	-	24.3
Board of Elections Building	Lighting	5.36	\$ 9,765	\$ 175	\$ 1,648	\$ 1,823	19,346	-	-	9.9
Building Maintenance Facility	Lighting	8.68	\$ 15,464	\$ 127	\$ 1,655	\$ 1,782	15,338	-	-	7.8
Convention & Visitor's Bureau	Lighting	7.30	\$ 12,762	\$ 139	\$ 1,610	\$ 1,749	18,537	-	-	9.5
Crown Theater	Lighting	5.02	\$ 30,060	\$ 731	\$ 5,260	\$ 5,991	65,098	-	-	33.3
Mental Health Crisis Stabilization Center	Lighting	6.72	\$ 18,120	\$ 665	\$ 2,031	\$ 2,696	23,170	-	-	11.8
Sheriff Annex	Lighting	5.14	\$ 15,200	\$ 317	\$ 2,641	\$ 2,958	30,515	-	-	15.6
Family Resource Center	Lighting	10.76	\$ 37,519	\$ 210	\$ 3,277	\$ 3,487	30,424	-	-	15.5
Solid Waste Administration Building	Lighting	8.98	\$ 16,813	\$ 267	\$ 1,606	\$ 1,873	18,162	-	-	9.3
<b>Central Maintenance Facility</b>	<b>Lighting</b>	<b>16.77</b>	<b>\$ 13,684</b>	<b>\$ 152</b>	<b>\$ 664</b>	<b>\$ 816</b>	<b>6,537</b>			<b>3.3</b>
Building Maintenance	Water	5.57	\$ 4,271	\$ 55	\$ 712	\$ 767	242	-	98,938	0.1
Central Maintenance	Water	3.38	\$ 1,775	\$ 12	\$ 513	\$ 525	1,961	-	58,131	1.0
Convention and Visitors Center	Water	7.19	\$ 3,270	\$ 32	\$ 423	\$ 455	741	-	54,400	0.4
Board of Elections	Water	8.93	\$ 3,260	\$ 32	\$ 333	\$ 365	499	-	43,371	0.3
Solid Waste Admin	Water	4.28	\$ 1,595	\$ 20	\$ 353	\$ 373	536	-	45,930	0.3
<b>Mental Health Crisis Stabilization</b>	<b>Water</b>	<b>10.87</b>	<b>\$ 24,394</b>	<b>\$ 189</b>	<b>\$ 2,056</b>	<b>\$ 2,245</b>	<b>6,656</b>	-	<b>241,833</b>	<b>3.4</b>
Board of Elections	Controls	3.86	\$ 3,220	\$ -	\$ 834	\$ 834	16,024	-	-	8.2
Conventions and Visitors	Controls	3.07	\$ 3,559	\$ -	\$ 1,161	\$ 1,161	22,326	-	-	11.4
Building Maintenance	Controls	3.74	\$ 3,617	\$ -	\$ 966	\$ 966	18,586	-	-	9.5
Central Maintenance	Controls	4.47	\$ 3,440	\$ -	\$ 769	\$ 769	14,779	-	-	7.6
Sheriffs Annex	Controls	8.16	\$ 4,454	\$ -	\$ 546	\$ 546	10,494	-	-	5.4
Solid Waste	Controls	8.08	\$ 3,220	\$ -	\$ 399	\$ 399	7,662	-	-	3.9
Crown Chiller Plant Optimization <sup>2</sup>	Controls	22.40	\$ 20,250	\$ -	\$ 904	\$ 904	21,027	-	-	10.8
<b>Expo Center Boiler Burner Replacement</b>	<b>Mechanical</b>	<b>22.43</b>	<b>\$ 36,000</b>	<b>\$ -</b>	<b>\$ 1,605</b>	<b>\$ 1,605</b>		<b>1,623</b>		<b>8.6</b>
<b>Court House ByPass</b>	<b>Mechanical</b>	<b>86.59</b>	<b>\$ 13,075</b>	<b>\$ -</b>	<b>\$ 151</b>	<b>\$ 151</b>				
<b>Detention ByPass</b>	<b>Mechanical</b>	<b>4.89</b>	<b>\$ 24,440</b>	<b>\$ 5,000</b>	<b>\$ -</b>	<b>\$ 5,000</b>				
Detention Center Cooling Tower Fan VSD	Mechanical	19.33	\$ 38,322	\$ -	\$ 1,982	\$ 1,982	44,820	-	-	22.9
Replace Crown 225 Ton Chiller with VSD Chiller <sup>3</sup>	Mechanical	19.13	\$ 241,828	\$ -	\$ 12,638	\$ 12,638	173,315	-	-	88.5
LEC AHU to VSD	Mechanical	3.52	\$ 26,569	\$ -	\$ 7,543	\$ 7,543	253,414	-	-	129.5
<b>Court House Boiler</b>	<b>Mechanical</b>	<b>73.88</b>	<b>\$ 90,878</b>	<b>\$ -</b>	<b>\$ 1,230</b>	<b>\$ 1,230</b>	<b>35,168</b>			<b>18.0</b>
<b>Coliseum AHU Fan Motors replaced with VSD</b>	<b>Mechanical</b>	<b>15.35</b>	<b>\$ 132,527</b>	<b>\$ -</b>	<b>\$ 13,876</b>	<b>\$ 13,876</b>	<b>323,825</b>			<b>165.5</b>
<b>DSS Cooling Tower Fan VSD</b>	<b>Mechanical</b>	<b>11.89</b>	<b>\$ 47,151</b>	<b>\$ -</b>	<b>\$ 3,964</b>	<b>\$ 3,964</b>	<b>76,194</b>			<b>43.3</b>
<b>TOTALS</b>		<b>10.94</b>	<b>\$ 941,155</b>	<b>\$ 8,576</b>	<b>\$ 77,480</b>	<b>\$ 86,056</b>	<b>1,302,953</b>	<b>1,623</b>	<b>542,603</b>	<b>678.9</b>
<b>PRICE DISCOUNT</b>			<b>\$ 33,386</b>							
<b>REVISED TOTAL</b>		<b>10.55</b>	<b>\$ 907,769</b>							

Expanded ECMs are in bold.

Note: <sup>1</sup> JCI reduced Animal Services Center Lighting Cost from \$40,653 to \$35,839 in order to fit within the core project price of \$558,820

Note: <sup>2</sup> Crown Plant Chiller Optimization initial estimate of energy savings adjusted down from \$1,700 to \$904 of actual energy savings due to using actual electric rates

Note: <sup>3</sup> New Crown 225 Ton Chiller with VSD initial estimate of energy savings adjusted down from \$16,228 to \$12,638 due to using actual electric rates

**Funding Considerations for Expanded ECMs (\$907,769 - \$540,700 = \$367,069)**

Mental Health ECMs will be funded from Mental Health Fund = \$ 42,514  
 Coliseum ECMs will be funded from Food & Beverage Fund = \$154,532  
 All other ECMs will be funded from County Maintenance Fund = \$170,023

Attachment #3

Cumberland County Expanded Project ECM List (3-31-10)

Building	Facility Improvement Measures	Simple Payback	BUDGET Selling Price (\$)	Operational Savings (\$)	Energy Savings (\$)	Total Annual Savings (\$)	Energy Savings (kWh)	Energy Savings (Therms)	Annual H2O Savings (Gallons)	Annual GHG Reduced (Tons CO2)
Animal Services Center <sup>1</sup>	Lighting	8.87	\$ 40,653	\$ 453	\$ 4,132	\$ 4,585	47,557	-	-	24.3
Board of Elections Building	Lighting	5.36	\$ 9,765	\$ 175	\$ 1,648	\$ 1,823	19,346	-	-	9.9
Building Maintenance Facility	Lighting	8.68	\$ 15,464	\$ 127	\$ 1,655	\$ 1,782	15,398	-	-	7.8
Convention & Visitor's Bureau	Lighting	7.30	\$ 12,762	\$ 139	\$ 1,610	\$ 1,749	18,537	-	-	9.5
Crown Theater	Lighting	5.02	\$ 30,060	\$ 731	\$ 5,260	\$ 5,991	65,098	-	-	33.3
Mental Health Crisis Stabilization Center	Lighting	6.72	\$ 18,120	\$ 665	\$ 2,031	\$ 2,696	23,170	-	-	11.8
Sheriff Annex	Lighting	5.14	\$ 15,200	\$ 317	\$ 2,641	\$ 2,958	30,515	-	-	15.6
Family Resource Center	Lighting	10.76	\$ 37,519	\$ 210	\$ 3,277	\$ 3,487	30,424	-	-	15.5
Solid Waste Administration Building	Lighting	8.98	\$ 16,813	\$ 267	\$ 1,606	\$ 1,873	18,162	-	-	9.3
<b>Central Maintenance Facility</b>	<b>Lighting</b>	<b>16.77</b>	<b>\$ 13,684</b>	<b>\$ 152</b>	<b>\$ 664</b>	<b>\$ 816</b>	<b>6,537</b>			<b>3.3</b>
Building Maintenance	Water	5.57	\$ 4,271	\$ 55	\$ 712	\$ 767	242	-	98,938	0.1
Central Maintenance	Water	3.38	\$ 1,775	\$ 12	\$ 513	\$ 525	1,961	-	58,131	1.0
Convention and Visitors Center	Water	7.19	\$ 3,270	\$ 32	\$ 423	\$ 455	741	-	54,400	0.4
Board of Elections	Water	8.93	\$ 3,260	\$ 32	\$ 393	\$ 365	499	-	43,371	0.3
Solid Waste Admn	Water	4.28	\$ 1,595	\$ 20	\$ 353	\$ 373	536	-	45,930	0.3
<b>Mental Health Crisis Stabilization</b>	<b>Water</b>	<b>10.87</b>	<b>\$ 24,394</b>	<b>\$ 189</b>	<b>\$ 2,056</b>	<b>\$ 2,245</b>	<b>6,656</b>	-	<b>241,833</b>	<b>3.4</b>
Board of Elections	Controls	3.86	\$ 3,220	\$ -	\$ 834	\$ 834	16,024	-	-	8.2
Conventions and Visitors	Controls	3.07	\$ 3,559	\$ -	\$ 1,161	\$ 1,161	22,326	-	-	11.4
Building Maintenance	Controls	3.74	\$ 3,617	\$ -	\$ 966	\$ 966	18,586	-	-	9.5
Central Maintenance	Controls	4.47	\$ 3,440	\$ -	\$ 769	\$ 769	14,779	-	-	7.6
Sheriffs Annex	Controls	8.16	\$ 4,454	\$ -	\$ 546	\$ 546	10,494	-	-	5.4
Solid Waste	Controls	8.08	\$ 3,220	\$ -	\$ 399	\$ 399	7,662	-	-	3.9
Crown Chiller Plant Optimization <sup>2</sup>	Controls	22.40	\$ 20,250	\$ -	\$ 904	\$ 904	21,027	-	-	10.8
<b>Expo Center Boiler Burner Replacement</b>	<b>Mechanical</b>	<b>22.43</b>	<b>\$ 36,000</b>	<b>\$ -</b>	<b>\$ 1,605</b>	<b>\$ 1,605</b>		<b>1,623</b>		<b>8.6</b>
<b>Court House ByPass</b>	<b>Mechanical</b>	<b>86.59</b>	<b>\$ 13,075</b>	<b>\$ -</b>	<b>\$ 151</b>	<b>\$ 151</b>				
<b>Detention ByPass</b>	<b>Mechanical</b>	<b>4.89</b>	<b>\$ 24,440</b>	<b>\$ 5,000</b>	<b>\$ -</b>	<b>\$ 5,000</b>				
Detention Center Cooling Tower Fan VSD	Mechanical	19.33	\$ 38,322	\$ -	\$ 1,982	\$ 1,982	44,820	-	-	22.9
Replace Crown 225 Ton Chiller with VSD Chiller <sup>3</sup>	Mechanical	19.13	\$ 241,828	\$ -	\$ 12,638	\$ 12,638	173,315	-	-	88.5
LEC AHU to VSD	Mechanical	3.52	\$ 26,569	\$ -	\$ 7,543	\$ 7,543	253,414	-	-	129.5
Court House Boiler	Mechanical	73.88	\$ 90,878	\$ -	\$ 1,230	\$ 1,230	35,168	-	-	18.0
Coliseum AHU Fan Motors replaced with VSD	Mechanical	15.35	\$ 132,527	\$ -	\$ 13,876	\$ 13,876	323,825	-	-	165.5
DSS Cooling Tower Fan VSD	Mechanical	11.89	\$ 47,151	\$ -	\$ 3,964	\$ 3,964	76,194	-	-	43.3
<b>TOTALS</b>		<b>10.94</b>	<b>\$ 941,155</b>	<b>\$ 8,576</b>	<b>\$ 77,480</b>	<b>\$ 86,056</b>	<b>1,302,953</b>	<b>1,623</b>	<b>542,603</b>	<b>678.9</b>
<b>PRICE DISCOUNT</b>			<b>\$ 47,386</b>							
<b>REVISED TOTAL</b>		<b>10.39</b>	<b>\$ 893,769</b>							

Expanded ECMs are in bold.

Note: <sup>1</sup> JCI reduced Animal Services Center Lighting Cost from \$40,653 to \$35,839 in order to fit within the core project price of \$554,192

Note: <sup>2</sup> Crown Plant Chiller Optimization initial estimate of energy savings adjusted down from \$1,700 to \$904 of actual energy savings due to using actual electric rates

Note: <sup>3</sup> New Crown 225 Ton Chiller with VSD initial estimate of energy savings adjusted down from \$16,228 to \$12,638 due to using actual electric rates

Funding Considerations for Expanded ECMs (\$893,769 - \$540,700 = \$353,069)

Mental Health ECMs will be funded from Mental Health Fund = \$ 42,514

Coliseum ECMs will be funded from Food & Beverage Fund = \$148,417

All other ECMs will be funded from County Maintenance Fund = \$162,138

**Revised CORE PC Phase II Project Cash Flow 3-24-10****Measurement and Verification Option #1**

Year	Annual Guaranteed Energy Savings	Annual Operational Savings	Energy ARRA Grant and Tenant Cash	Total Annual Guaranteed Savings and ARRA Grant plus Cash	Annual Project Costs	Annual Measurement & Verification Service Costs*	Total Costs	Annual Cash Flow	Cumulative Cash Flow
Installation	\$ -	\$ -	\$ 554,192	\$ 554,192	\$ 554,192	\$ -	\$ 554,192	\$ -	\$ -
1	\$ 60,906	\$ 2,758	\$ -	\$ 63,664	\$ -	\$ 9,415	\$ 9,415	\$ 54,249	\$ 54,249
2	\$ 62,733	\$ 2,841	\$ -	\$ 65,574	\$ -	\$ 9,723	\$ 9,723	\$ 55,851	\$ 110,100
3	\$ 64,615	\$ 2,926	\$ -	\$ 67,541	\$ -	\$ 1,000	\$ 1,000	\$ 66,541	\$ 176,641
4	\$ 66,554	\$ 3,014	\$ -	\$ 69,567	\$ -	\$ 1,000	\$ 1,000	\$ 68,567	\$ 245,208
5	\$ 68,550	\$ 3,104	\$ -	\$ 71,654	\$ -	\$ 1,000	\$ 1,000	\$ 70,654	\$ 315,863
6	\$ 70,607	\$ 3,197	\$ -	\$ 73,804	\$ -	\$ 1,000	\$ 1,000	\$ 72,804	\$ 388,667
7	\$ 72,725	\$ 3,293	\$ -	\$ 76,018	\$ -	\$ 1,000	\$ 1,000	\$ 75,018	\$ 463,685
<b>Totals</b>	<b>\$ 466,690</b>	<b>\$ 21,133</b>	<b>\$ 554,192</b>	<b>\$ 1,042,015</b>	<b>\$ 554,192</b>	<b>\$ 24,138</b>	<b>\$ 578,330</b>	<b>\$ 463,685</b>	<b>\$ 463,685</b>

\*Measurement and Verification is full service for years 1-2 to ensure program is continually meeting savings guarantee and then just annual report years 3-7

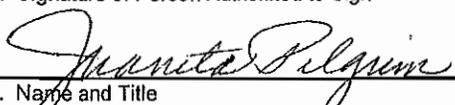
**Revised CORE PC Phase II Project Cash Flow 3-24-10****Measurement and Verification Option #2**

Year	Annual Guaranteed Energy Savings	Annual Operational Savings	Energy ARRA Grant and Tenant Cash	Total Annual Guaranteed Savings and ARRA Grant plus Cash	Annual Project Costs	Annual Measurement & Verification Service Costs*	Total Costs	Annual Cash Flow	Cumulative Cash Flow
Installation	\$ -	\$ -	\$ 554,192	\$ 554,192	\$ 554,192	\$ -	\$ 554,192	\$ -	\$ -
1	\$ 60,906	\$ 2,758	\$ -	\$ 63,664	\$ -	\$ 1,250	\$ 1,250	\$ 62,414	\$ 62,414
2	\$ 62,733	\$ 2,841	\$ -	\$ 65,574	\$ -	\$ 1,250	\$ 1,250	\$ 64,324	\$ 126,738
3	\$ 64,615	\$ 2,926	\$ -	\$ 67,541	\$ -	\$ 1,250	\$ 1,250	\$ 66,291	\$ 193,029
4	\$ 66,554	\$ 3,014	\$ -	\$ 69,567	\$ -	\$ 1,250	\$ 1,250	\$ 68,317	\$ 261,346
5	\$ 68,550	\$ 3,104	\$ -	\$ 71,654	\$ -	\$ 1,250	\$ 1,250	\$ 70,404	\$ 331,751
6	\$ 70,607	\$ 3,197	\$ -	\$ 73,804	\$ -	\$ 1,250	\$ 1,250	\$ 72,554	\$ 404,305
7	\$ 72,725	\$ 3,293	\$ -	\$ 76,018	\$ -	\$ 1,250	\$ 1,250	\$ 74,768	\$ 479,073
<b>Totals</b>	<b>\$ 466,690</b>	<b>\$ 21,133</b>	<b>\$ 554,192</b>	<b>\$ 1,042,015</b>	<b>\$ 554,192</b>	<b>\$ 8,750</b>	<b>\$ 562,942</b>	<b>\$ 479,073</b>	<b>\$ 479,073</b>

\* Measurement and verification includes one site visit annually and reporting but no measurement

**ATTACHMENT # 6**

NOT SPECIFIED /OTHER

ASSISTANCE AGREEMENT			
1. Award No. DE-SC0002691	2. Modification No. 001	3. Effective Date 03/22/2010	4. CFDA No. 81.128
5. Awarded To COUNTY OF CUMBERLAND Attn: JUANITA PILGRIM P O BOX 1829 FAYETTEVILLE NC 283021829		6. Sponsoring Office EERE (FORS) U.S. Department of Energy Office of Energy Efficiency & Renew Forrestal Building 1000 Independence Avenue, SW Washington DC 20585	
		7. Period of Performance 09/28/2009 through 09/27/2012	
8. Type of Agreement <input checked="" type="checkbox"/> Grant <input type="checkbox"/> Cooperative Agreement <input type="checkbox"/> Other	9. Authority Energy Independence and Security Act (EISA) of 2007		10. Purchase Request or Funding Document No. 10SC003870
11. Remittance Address COUNTY OF CUMBERLAND Attn: JUANITA PILGRIM P O BOX 1829 FAYETTEVILLE NC 283021829		12. Total Amount Govt. Share: \$590,700.00  Cost Share : \$13,492.00  Total : \$604,192.00	13. Funds Obligated This action: \$540,700.00  Total : \$590,700.00
14. Principal Investigator See Original Award Document	15. Program Manager Martha J. Kass Phone: 865-576-0717	16. Administrator Oak Ridge U.S. Department of Energy P.O. Box 2001 Oak Ridge TN 37831	
17. Submit Payment Requests To OR for Oak Ridge/OSTI U.S. Department of Energy Oak Ridge Office Oak Ridge Financial Service Center P.O. Box 6017 Oak Ridge TN 37831		18. Paying Office OR for Oak Ridge/OSTI U.S. Department of Energy Oak Ridge Financial Service Center P.O. Box 6017 Oak Ridge TN 37831	
19. Submit Reports To See updated Attachment 3 to this amendment for reporting requirements			
20. Accounting and Appropriation Data Block Grants			
21. Research Title and/or Description of Project ENERGY EFFICIENCY AND CONSERVATION BLOCK GRANT - COUNTY OF CUMBERLAND, NC			
For the Recipient		For the United States of America	
22. Signature of Person Authorized to Sign 		25. Signature of Grants/Agreements Officer Signature on File	
23. Name and Title Juanita Pilgrim Deputy County Manager		24. Date Signed 04/12/2010	26. Name of Officer BEVERLY HARNESS
		27. Date Signed 03/24/2010	

NOT SPECIFIED /OTHER

<b>CONTINUATION SHEET</b>	REFERENCE NO. OF DOCUMENT BEING CONTINUED	PAGE	OF
	DE-SC0002691/001	2	3

NAME OF OFFEROR OR CONTRACTOR  
 COUNTY OF CUMBERLAND

ITEM NO. (A)	SUPPLIES/SERVICES (B)	QUANTITY (C)	UNIT (D)	UNIT PRICE (E)	AMOUNT (F)
	<p>DUNS Number: 088571690                      TAS::89 0331::TAS Recovery Recovery Act Block Grant for ARRA Funding. Amendment for County of Cumberland, NC.</p> <p>Administrative Specialist: Kelly Opatz                      Tel: 865-576-4173                      Email: opatzkr@oro.doe.gov</p> <p>The administrative office (administrative contracting activity) for this award/modification/amendment is 00518.</p> <p>The administrative office (administrative contracting activity) code is needed by the contractor/recipient for reporting to FederalReporting.gov concerning awards made with funding from the American Recovery and Reinvestment Act of 2009 (ARRA or Recovery Act).                      ASAP: Yes Extent Competed: NOT AVAIL FOR COMP                      Davis-Bacon Act: YES</p> <p>The purpose of this amendment is to achieve the following:</p> <p>(1) Add two approved Activity Worksheets, SF-424A and supporting documents from EECS submission in order to</p> <p>(2) Fully obligate this award with additional funds in the amount of \$540,700 for a total obligation of \$590,700;</p> <p>(3) Add cost share in the amount of \$13,492</p> <p>(4) Update reporting requirements (see Attachment 3);</p> <p>(5) Add updated Special Terms and Conditions (see Attachment 1);</p> <p>(6) Add updated Davis Bacon Wage Determination (see Attachment 5);</p> <p>(7) Change grants specialist, administrative grants officer, and grant negotiator to Kelly Opatz, opatzkr@oro.doe.gov, (865)576-4173, due to long term grant assignments</p> <p>All other terms and conditions remain unchanged.                      Fund: 05796 Appr Year: 2009 Allottee: 30 Report Continued ...</p> <p>Entity: 471999 Object Class: 41000 Program:</p>				

**CONTINUATION SHEET**

REFERENCE NO. OF DOCUMENT BEING CONTINUED  
DE-SC0002691/001

PAGE OF  
3 | 3

NAME OF OFFEROR OR CONTRACTOR  
COUNTY OF CUMBERLAND

ITEM NO. (A)	SUPPLIES/SERVICES (B)	QUANTITY (C)	UNIT (D)	UNIT PRICE (E)	AMOUNT (F)
	1005115 Project: 2004350 WFO: 0000000 Local Use: 0000000 TAS Agency: 89 TAS Account: 0331				

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

April 13, 2010

ITEM NO. 60C

**MEMORANDUM**

**TO: BOARD OF COUNTY COMMISSIONERS**

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

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

**SUBJECT: LAW ENFORCEMENT CENTER RENOVATIONS ON  
SECOND FLOOR FOR CRIME SCENE INVESTIGATION SECTION**

BACKGROUND

Sheriff Butler and Chief Deputy Hinson made a presentation to the County Facilities Committee at its April 13, 2010 meeting requesting approval to renovate underutilized space on the 2<sup>nd</sup> floor of the LEC for the Crime Scene Investigation Section. Refer to the attached memorandum from Sheriff Butler. The Engineering Department, working with the Sheriff's Department, developed a scope of work and preliminary cost estimate of \$80,000. The Sheriff proposes to use Federal Forfeiture funds to pay for the renovations which will improve the efficiency and functionality of the CSI Section.

The County Facilities Committee unanimously endorsed the Sheriff's request.

RECOMMENDATION/PROPOSED ACTION

The recommendation of Sheriff Butler and management, with approval by the County Facilities Committee, is to approve the request to renovate approximately 1800 SF on the 2<sup>nd</sup> floor of the Law Enforcement Center for use by the Crime Scene Investigation Section and fund the project from Federal Forfeiture monies.

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

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



---

*An Internationally Accredited Law Enforcement Agency*

TO: Mr. James E. Martin, County Manager

FROM: Earl R. Butler, Sheriff 

DATE: December 8, 2009

SUBJECT: Renovation of Law Enforcement Center

The Crime Scene Identification Section is located in the center portion of the Second Floor of the Law Enforcement Center, in small cramped offices. Because of lack of space on the second floor, it also uses space in the basement. To improve efficiency and functionality, I desire to move that Section into underutilized space across the hallway from their present location: approximately 1,800 square feet.

This will require erecting non-load bearing walls, changing the ceiling and the air conditioning outlets, and lights. The work will be done in the area marked on the enclosed sketch. The second phase will begin once the evidence stored in that area from the Anthony Allen case is approved for destruction/relocation.

The County Engineer has estimated the work required to cost \$80,000, and I plan to use Federal Forfeiture funds to complete this work.

The Crime Scene Investigation Section is one of my most equipment-intensive sections, and it also uses floorspace in the basement to house some of that equipment, which requires employees to leave their main area to use that equipment. With the larger space, CSI staff will be able to relocate to offices of greater floorspace, consolidate equipment from the basement area, and also have access to natural light.

Thank you for your support.

Cc: Services Division

BILLY R. KING  
Chairman

KENNETH S. EDGE  
Vice Chairman

JEANNETTE M. COUNCIL  
MARSHALL FAIRCLOTH  
PHILLIP GILFUS  
JIMMY KEEFE  
EDWARD G. MELVIN



MARIE COLGAN  
Clerk to the Board

CANDICE WHITE  
Deputy Clerk

**BOARD OF COMMISSIONERS**

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ITEM NO. 6D

**MEMORANDUM FOR BOARD OF COMMISSIONERS AGENDA OF APRIL 19, 2010**

**TO: BOARD OF COUNTY COMMISSIONERS**

**FROM: CANDICE H. WHITE, DEPUTY CLERK TO THE BOARD** *cu*

**THROUGH: MARIE COLGAN, CLERK TO THE BOARD** *mc*

**DATE: APRIL 15, 2010**

**SUBJECT: ENERGY MEASURES FOR NEW CONSTRUCTION AND MAJOR RENOVATION OF COUNTY FACILITIES**

**BACKGROUND**

At the Tuesday, April 13, 2010, meeting of the Cumberland County Facilities Committee, County Engineer Robert N. Stanger reported all new construction and major renovations of county facilities at a minimum are designed to meet the NC Energy Code which is incorporated into the NC State Building Code. Mr. Stanger further reported in addition to meeting the NC Energy Code, the county also considers and where appropriate incorporates design elements found in the Leadership in Energy and Environment Design (LEED) manual for new construction and major renovations. Mr. Stanger explained with the exception of the West Branch Library, the county has not sought LEED certification for its new facilities due to the costs associated with the third-party certification process. Mr. Stanger further explained the county has taken an aggressive approach to energy conservation in county facilities through the use of performance contracting or guaranteed energy savings contracts in which energy conservation measures are implemented and the avoided energy costs are guaranteed to pay the cost of the capital improvements over a predetermined period of time.

Recommendation of the Facilities Committee was for new construction of county buildings to continue to achieve LEED equivalent standards and standards for conservation and construction and to forward to the full board for its consideration.

Draft minutes of the April 13, 2010 meeting will be disseminated to the Board of Commissioners following finalization.

**RECOMMENDED/PROPOSED ACTION**

Approve recommendation of the Facilities Committee for new construction of county buildings to continue to achieve LEED equivalent standards and standards for conservation and construction.

*Celebrating Our Past... Embracing Our Future*

BILLY R. KING  
Chairman

KENNETH S. EDGE  
Vice Chairman

JEANNETTE M. COUNCIL  
MARSHALL FAIRCLOTH  
PHILLIP GILFUS  
JIMMY KEEFE  
EDWARD G. MELVIN



MARIE COLGAN  
Clerk to the Board

CANDICE WHITE  
Deputy Clerk

**BOARD OF COMMISSIONERS**

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April 9, 2010

ITEM NO. 7A

**April 19, 2010 Agenda Item**

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

**BACKGROUND:** At their meeting on March 1, 2010, the Board of Commissioners reappointed Jacqueline Wolfe to serve a first full term on the Adult Care Home Community Advisory Committee. Several attempts were made to contact Ms. Wolfe to find out whether she would accept the reappointment. Ms. Wolfe never responded. Recommendation is for **George W. Mitchell** to serve an initial term. (See attached.)

The Adult Care Home Community Advisory Committee will also have the following one (1) vacancy on May 31, 2010:

**Daniel Rodriguez** – completing initial term. Eligible for reappointment.

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

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

Attachments

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

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**Candice White**

**Subject:** FW: APPLICANT LISTING

**From:** Andrea Valdez [mailto:andrea@mccog.org]  
**Sent:** Friday, March 26, 2010 11:19 AM  
**To:** Candice White  
**Subject:** Re: APPLICANT LISTING

Ok, George Mitchell is interested. I talked to him just to ensure his is still interested to please proceed with recommending him as a replacement for Ms. Wolfe.

MITCHELL, GEORGE W. (B/M)  
6607 ABBEY LANE  
FAYETTEVILLE, NC 28311  
261-6951 (W) - is his cell phone number

- ---- Original Message ----

**From:** Candice White  
**To:** Andrea Valdez  
**Sent:** Friday, March 26, 2010 9:58 AM  
**Subject:** APPLICANT LISTING

Andrea,

Attached is a list of applications I have for the Adult Care Home Community Advisory Committee. Please work towards coming up with a recommendation for replacement of Jacqueline Wolfe should she not respond regarding acceptance of her reappointment.

*Candice H. White, CMC*  
*Deputy Clerk to the Board*  
Cumberland County Board of Commissioners  
PO Box 1829  
Fayetteville, NC 28302-1829  
Phone: (910) 678-7772 / Fax: (910) 678-7770  
Email: [cwhite@co.cumberland.nc.us](mailto:cwhite@co.cumberland.nc.us)  
Website: <http://www.co.cumberland.nc.us/>

4/8/2010

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

<u>Name/Address</u>	<u>Date Appointed</u>	<u>Term</u>	<u>Expires</u>	<u>Eligible For Reappointment</u>
Terri Thomas (B/F) 508 Spaulding Street Fayetteville, NC 28301 485-4764/988-7672 (C)	4/09	Initial	Apr/10 4/30/10	Yes
Toney Edwards (B/M) 3622 Clearwater Drive Fayetteville, NC 28311 822-4261/391-7910 (C)	04/09	1 <sup>st</sup>	Apr/12 4/30/12	Yes
Mary Ann Brown-Jackson 1959B James Hamner Way Fayetteville, NC 28311 822-1311/893-8151 x330 (W)	1/09	2 <sup>nd</sup>	Jan/12 1/31/12	No
Sandra Ebron (B/F) PO Box 65306 Fayetteville, NC 28306 424-3932/922-9446(C)	12/09	1st	Dec/12 12/31/12	Yes
Herma Jean Bradley ( /F) 714 Topeka Street Fayetteville, NC 28301 822-3689	5/09	2 <sup>nd</sup>	June/12 6/30/12	No
Mexie Fields ( /F) 1815 Primrose Drive Fayetteville, NC 28301 488-8432	1/10	2nd	Jan/13 1/31/13	No
Yvonne Booth (B/F) 4568 Turquoise Road Fayetteville, NC 28311 488-7260	8/09	1st	Aug/12 8/31/12	Yes
Daniel Rodriguez (H/M) 2634 Franciscan Drive Fayetteville, NC 28306 425-2746/432-9701 (W)	5/09	Initial	May/10 5/31/10	Yes

Adult Care Home Community Advisory Committee, page 2

<u>Name/Address</u>	<u>Date Appointed</u>	<u>Term</u>	<u>Expires</u>	<u>Eligible For Reappointment</u>
Dell Caramanno (W/F) 5578 Quietwood Place Fayetteville, NC 28304 423-2622	4/00	1 <sup>st</sup>	Apr/12 4/30/12	Yes
VACANT (vacated by J. Wolfe)	3/09	Initial	Mar/10 3/31/10	Yes
Wynella A. Myers (B/F) 706 Sarazan Drive Fayetteville, NC 28303 822-5526/273-8483 (C)	8/07	1 <sup>st</sup>	Aug/10 8/31/10	Yes
October Morales (W/F) 1917 Daphne Circle Fayetteville, NC 28304 (831)601-7217/689-0150 (W)	4/09	Initial	April/10 4/30/10	Yes
Ralph T. Cascasan (A/M) 910 Alexwood Drive Hope Mills, NC 28348-1695 425-9704/433-1039 (W)	5/09	Initial	June/10 6/30/10	Yes
Alfonso Ferguson, Sr. 3329 Eastgate Street Eastover, NC 28312-9311 401-2313/483-9916 ext. 5551235 (W)	8/09	Initial	Aug/10 8/31/10	Yes
Cassandra W. Haire (B/F) 515 Albany Street Fayetteville, NC 28301 728-0175	12/09	1 <sup>st</sup>	Dec/12 12/31/12	Yes
Kim Howard ( /F) 6018 Lakaway Drive Fayetteville, NC 28306 308-5974	4/08	1 <sup>st</sup>	Apr/11 4/30/11	Yes

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

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

APPLICANTS FOR  
ADULT CARE HOME COMMUNITY ADVISORY COMMITTEE

<u>NAME/ADDRESS/TELEPHONE</u>	<u>OCCUPATION</u>	<u>EDUCATIONAL BACKGROUND</u>
BRUNSON, FRANCES (B/F) 1308 DEEP CREEK ROAD FAYETTEVILLE, NC 28312 578-3825/671-5147 (W)	CASE MANAGER SOUTHEASTERN REGIONAL	LTC ASSISTED LIVING ADMIN. LICENSE, EMT
COUNCIL, SONJA (-/F) 950 STEWARTS CREEK DR APT. 1 FAYETTEVILLE, NC 28314 864-1651 (H) / 609-6139 (W)	NURSE	FTCC-ATTENDING METHODIST UNIV
DOUGLAS, BRENDA 6109 GARDEN COURT FAYETTEVILLE, NC 28311 488-1663/677-2078 (W)	SOCIAL WORKER III DSS	ASSOC & BACHERLORS DEGREE
GARRISON, CYNTHIA 1887 SPIRALWOOD DRIVE FAYETTEVILLE, NC 28304 868-8981 (H)/321-0398 (W)/527-4673 (C)	CC SCHOOLS ASST PRINICIPAL	BA, MA
MITCHELL, GEORGE W. (B/M) 6607 ABBEY LANE FAYETTEVILLE, NC 28311 261-6951 (C)	SECURITY OFFICER FT. BRAGG	NONE LISTED
MURCHISON, KARLENE 623 DEVOE AVENUE FAYETTEVILLE, NC 28314 868-2199 (H) / 920-5420 (W)	ACCOUNTING TECHNICIAN	HS, FSU
VINSON, LINDA 7494 ELKHORN DRIVE FAYETTEVILLE, NC 28314 309-7225/919-733-9733 EXT. 245	SOCIAL SVCS PROGRAM DIRECTOR	BS, MPA

BILLY R. KING  
Chairman

KENNETH S. EDGE  
Vice Chairman

JEANNETTE M. COUNCIL  
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BOARD OF COMMISSIONERS

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April 9, 2010

ITEM NO. 7B

**April 19, 2010 Agenda Item**

TO: Board of Commissioners  
FROM: Candice H. White, Deputy Clerk to the Board  
SUBJECT: Child Homicide Identification and Prevention (CHIP) Council

The Child Homicide Identification and Prevention (CHIP) Council will have the following three (3) vacancies on May 31, 2010:

A Representative of the Medical Community Whose Specialty is Children  
**Dr. Sharon Cooper** – completing first term. Eligible for reappointment.

A Representative from District Court  
**Judge Beth Keever** – completing first term. Eligible for reappointment.

A Representative of Cumberland County Department of Social Services  
**Rosemary Zimmerman** – completing first term. Eligible for reappointment.

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

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

pc: Dr. Sharon Cooper

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CHILD HOMICIDE IDENTIFICATION AND PREVENTION (CHIP) COUNCIL  
3 Year Term

(1, 2, 3 year initial terms set. After initial terms are served, all terms are for 3 years)

<u>Name/Address</u>	<u>Date Appointed</u>	<u>Term</u>	<u>Expires</u>	<u>Eligible For Reappointment</u>
<u>A Representative of the Medical Community Whose Specialty is Children</u> Dr. Sharon Cooper PO Box 72929 Ft. Bragg, NC 28307-2929 488-9304	05/07  (3-year term initially)	1 <sup>st</sup>	May/10 05/31/10	Yes
<u>A Representative of the Business Council Board -Chairman (or designee)</u> VACANT (vacated by G. Cooper)	05/07  (2-year term initially)	1 <sup>st</sup>	May/09 05/31/09	Yes
<u>A Representative of the Military Community</u> Thomas M. Hill Family Advocacy Program Army Community Service ATTN: IMSE-BRG-MWA 2175 Reilly Road, Stop A Ft. Bragg, NC 28310-5000 907-3491/303/5306	02/10  (2-year term initially)	2 <sup>nd</sup>	Feb/13 02/28/13	No
<u>A Representative from District Court</u> Judge Beth Keever PO Box 363 Fayetteville, NC 28302 678-2901	05/07  (3-year term initially)	1 <sup>st</sup>	May/10 05/31/10	Yes
<u>A Representative of the Fayetteville Cumberland County Ministerial Association</u> Dr. Allen McLaughlin Cumberland County Ministerial Council 1430 Hoke Loop Road Fayetteville, NC 28314-6489 867-0443	05/09	2 <sup>nd</sup>	May/12 05/31/12	No

Child Homicide Identification and Prevention (CHIP) Council, page 2

<u>Name/Address</u>	<u>Date Appointed</u>	<u>Term</u>	<u>Expires</u>	<u>Eligible For Reappointment</u>
<u>A Representative of Primary Care</u> VACANT (vacated by Dr. E. Wright) (2-year term initially)	05/07	1 <sup>st</sup>	May/09 05/31/09	Yes
<u>A Representative of Cumberland County Department of Social Services</u> Rosemary Zimmerman (3-year term initially) Cumberland County Department of Social Services PO Box 2429 Fayetteville, NC 28302 677-2035	05/07	1 <sup>st</sup>	May/10 05/31/10	Yes
<u>A Representative of the General Public</u> Louis Hackett 4184 Ferncreek Drive Fayetteville, NC 28314 323-3060/322-5324 (c)	05/09	2 <sup>nd</sup>	May/12 05/31/12	No
Lois A. Kirby 112 N. Churchill Drive Fayetteville, NC 28303 484-6055	02/10	2 <sup>nd</sup>	Feb/13 02/28/13	No
<u>A Representative of Methodist University School of Social Work</u> Mary Deyampert-McCall (3-year term initially) 1220 Wild Pine Drive Fayetteville, NC 28312 630-7698	02/08	1 <sup>st</sup>	Feb/11 02/28/11	Yes
<u>A Representative of the Cumberland County Mental Health Center</u> Debbie Jenkins (3-year term initially) Cumberland County Mental Health Center PO Box 787 Fayetteville, NC 28302	02/08	1 <sup>st</sup>	Feb/11 02/28/11	Yes
<u>A Representative of Health Education</u> Wendy Breeden (2-year term initially) Training and Development Cape Fear Valley Medical Center PO Box 2000 Fayetteville, NC 28302 609-6060	02/10	2 <sup>nd</sup>	Feb/13 02/28/13	No

Child Homicide Identification and Prevention (CHIP) Council, page 3

<u>Name/Address</u>	<u>Date Appointed</u>	<u>Term</u>	<u>Expires</u>	<u>Eligible For Reappointment</u>
<u>A Representative of Law Enforcement</u> Detective Lynette Hodges Cumberland County Sheriff's Dept. 131 Dick Street Fayetteville, NC 28301 677-5433	02/10  (2-year term initially)	2nd	Feb/13 02/28/13	No
<u>A Representative of the Legal Community</u> <b>VACANT</b> (vacated by Joanna Shober) 2018 Ft. Bragg Road, Suite 116A Fayetteville, NC 28303 488-8600	02/08  (2-year term initially)	1 <sup>st</sup>	Feb/10 02/28/10	Yes
<u>A Representative of the Cumberland County School System</u> Natasha Scott, Social Work Dept. Cumberland County Schools PO Box 2357 Fayetteville, NC 28302 678-2419	02/10  (2-year term initially)	2nd	Feb/13 02/28/13	No
<u>A Representative of the Cumberland Interfaith Hospitality Network</u> <b>VACANT</b> (vacated by Denise Giles) (2-year term initially)	02/08	1 <sup>st</sup>	Feb/10 02/28/10	Yes
<u>A Representative of Womack Army Medical Center</u> Gladys Cartwright Department of Social Work Womack Army Medical Center WAMC Stop A 4-2817 Reilly Road, MCXC Ft. Bragg, NC 28310-7301 907-7869	02/10  (2-year term, initially)	2nd	Feb/13 02/28/13	No
<u>A Representative of the Local Media</u> <b>VACANT</b> (vacated by Charles Broadwell)	02/08  (2-year term, initially)	1 <sup>st</sup>	Feb/10 02/28/10	Yes

Child Homicide Identification and Prevention (CHIP) Council, page 4

<u>Name/Address</u>	<u>Date Appointed</u>	<u>Term</u>	<u>Expires</u>	<u>Eligible For Reappointment</u>
<u>A Representative of Fayetteville State University School of Social Work</u> Densie Lucas FSU, School of Social Work 1200 Murchison Road Fayetteville, NC 28301 672-2287	02/08	1 <sup>st</sup>	Feb/11 02/28/11	Yes
	(3-year term, initially)			
<u>A Representative of the Cumberland County Board of Commissioners</u> Phillip Gilfus Board of Commissioners PO Box 1829 Fayetteville, NC 28302 678-7772	04/10	1 <sup>st</sup>	Aug/11 08/31/11	Yes
	(serving unexpired term)			

Contact: Dr. Sharon Cooper (Blanche-OA) – 488-9304; Fax 488-8705  
 Meetings: Meets 3<sup>rd</sup> Thursday of every other month (beginning in February), 6 pm, Mental Health Center Board Room, 651 Executive Place

APPLICANTS FOR  
CHILD HOMICIDE IDENTIFICATION & PREVENTION COUNCIL

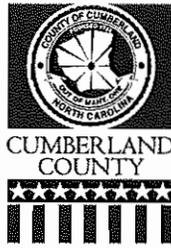
<u>NAME/ADDRESS/TELEPHONE</u>	<u>OCCUPATION</u>	<u>EDUCATIONAL BACKGROUND</u>
ADEYEMI, CHRISTIANA (-/F) 8118 FRENCH HORN LANE FAYETTEVILLE, NC 28314 583-9339/583-9408	COUNSELOR HEAD START/CCAP	MASTERS – INTER. LAW/ COUNSELING; BA – ENGLISH
BEST, KELI L. (B/F) 1920-F UNITED DRIVE FAYETTEVILLE, NC 28301 286-5115/672-1775 & 221-0493 (W)	PUBLIC SAFETY TELECOMMUNICATOR ASSOC PROF FSU	BS-CRIMINAL JUSTICE
BOOTH, YVONNE (B/F) 4568 TURQUOISE RD FAYETTEVILLE, NC 28311 488-7260 <b>**SERVES ON THE ADULT CARE HOME ADVISORY BOARD**</b>	STUDENT	MEDICAL/ EDUC CNA MED TECH, PHLEBOTOMY TECH
DOUGLAS, BRENDA (B/F) 6109 GARDEN COURT FAYETTEVILLE, NC 28311 717-0123/677-2965 (W) <b>**SERVES ON THE ADULT CARE HOME COMMUNITY ADVISORY COMMITTEE**</b>	SOCIAL WORKER III DEPT. OF SOCIAL SERVICES	BA – PSYCHOLOGY
GRINDLE, SHEILA (W/F) 804 TULSA COURT FAYETTEVILLE, NC 28311 286-7991	CHILD ADVOCATE TRAINER FAMILY ADVOCACY PROGRAM	BSW (SOCIAL WORK)
HILL, BEVERLY R. 1875 FRANKIE AVENUE FAYETTEVILLE, NC 28304 425-9472 (H) / 919-733-4340 (W)	CORRECTIONAL OFFICER	BA
JOHNSON, LENNIE R. (W/M) 6360 SMITHFIELD WADE, NC 28395 980-1401	RETIRED – LAW ENFORCEMENT	SOME COLLEGE L.E. ACADEMY
McCALLUM, DANNIE, JR. (_/M) PO BOX 267 GODWIN, NC 28344-0267 922-0922	Retired	HS
McCALLUM, MARK W. (_/M) 7653 MAGGIE CIRCLE FAYETTEVILLE, NC 28314 635-3064	Retired	Some College
MONTENEGRO, MARILYN H. ( /F) 701 EMELINE AVENUE FAYETTEVILLE, NC 28303 678-8020/609-0639 (W) <b>**SERVES ON THE NURSING HOME ADVISORY BOARD**</b>	ADVERTISING/MARKETING SERVICES MANAGER THE FAYETTEVILLE OBSERVER	BA/GENERAL STUDIES

NAME/ADDRESS/TELEPHONE	OCCUPATION	EDUCATIONAL BACKGROUND
OGLESBY, MICHAEL A. (B/M) 915 ROCHESTER DRIVE FAYETTEVILLE, NC 28305 476-8276 (H)	SECURITY	BS-CRIMINAL JUSTICE
PALMER, DWIGHT E., JR. (B/M) 1139 HELMSLEY DRIVE FAYETTEVILLE, NC 28314 867-8136/535-5325 (W)	GENERAL MANAGER CHEVROLET DEALERSHIP	BA, MBA
PICKETT-WADDELL, AUDREY (B/F) 1202-A SLEEPY HOLLOW DRIVE FAYETTEVILLE, NC 28311 224-8785/488-7461 (W)	DAY CARE LEAD TEACHER HOJACK CHILD DEV. CTR.	BA – SOCIOLOGY
VASILOPOULOS, NATALIE 1833 CAMELOT DRIVE FAYETTEVILLE, NC 28304 425-5116/(828) 467-9300 (C)	HOMEMAKER	BA – CRIMINAL JUSTICE
WHITTEMORE, APRIL (I/F) 4823 REDWOOD DRIVE FAYETTEVILLE, NC 28304 977-7796	HUMAN RESOURCES	DOUBLE MASTERS – COUNSELING/HR

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Chairman

KENNETH S. EDGE  
Vice Chairman

JEANNETTE M. COUNCIL  
MARSHALL FAIRCLOTH  
PHILLIP GILFUS  
JIMMY KEEFE  
EDWARD G. MELVIN



MARIE COLGAN  
Clerk to the Board

CANDICE WHITE  
Deputy Clerk

**BOARD OF COMMISSIONERS**

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April 9, 2010

ITEM NO. 7C

**April 19, 2010 Agenda Item**

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

The Cumberland County Home and Community Care Block Grant Committee will have the following one (1) vacancy on May 31, 2010:

Older Consumer

**Edwin Deaver** – first term expired. Eligible for reappointment.

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

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

Attachments

pc: Glenda Dye, Mid-Carolina Area Agency on Aging

*Celebrating Our Past... Embracing Our Future*

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

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

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

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

Meets the 3<sup>rd</sup> Thursday, 2<sup>nd</sup> month of quarter, at 2 pm at various service providers within county  
 Contact: Glenda Dye - 323-4191 x22 - Fax 323-9330 – gdye@mccog.org

APPLICANTS FOR  
HOME AND COMMUNITY CARE BLOCK GRANT COMMITTEE

<u>NAME/ADDRESS/PHONE</u>	<u>OCCUPATION</u>	<u>EDUCATIONAL BACKGROUND</u>
BROWN, KRAIG (B/M) 2909 WYCLIFFE COURT FAYETTEVILLE, NC 28306 964-0503/424-7678 (W)	TEACHER CUMBERLAND CO. SCHOOLS	BS.MA – CRIMINAL JUSTICE MA – HUMAN RESOURCES
FLEMING JR., DR REV JOE (B/M) 7235 RYAN STREET FAYETTEVILLE, NC 28304 339-5649	CHURCH PASTOR  <b>**SERVES ON THE HUMAN RELATIONS COMMISSION**</b>	SOME COLLEGE
HAIRE, CASSANDRA W. (B/F) 515 ALBANY STREET FAYETTEVILLE, NC 28301 728-0175	SELF EMPLOYED  <b>**SERVES ON THE ADULT CARE HOME COMMUNITY ADVISORY COMMITTEE**</b>	PURSUING MBA
PILSON, RONNIE (W/M) 625 MONTCLAIRE ROAD FAYETTEVILLE, NC 28314 619-2606	SELF EMPLOYED PILSON PROPERTIES, INC.	HS
ROGERS, TERRESA 313 HAMILTON STREET FAYETTEVILLE, NC 28301 822-4289 / 488-2120 ext. 7494 (W)	RN-VA MEDICAL CENTER  <b>**SERVES ON CRIMINAL JUSTICE PARTNERSHIP ADVISORY BOARD**</b>	COLLEGE GRADUATE

BILLY R. KING  
Chairman

KENNETH S. EDGE  
Vice Chairman

JEANNETTE M. COUNCIL  
MARSHALL FAIRCLOTH  
PHILLIP GILFUS  
JIMMY KEEFE  
EDWARD G. MELVIN



MARIE COLGAN  
Clerk to the Board

CANDICE WHITE  
Deputy Clerk

**BOARD OF COMMISSIONERS**

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April 9, 2010

ITEM NO. 8

**April 19, 2010 Agenda Item**

TO: Board of Commissioners  
FROM: Candice H. White, Deputy Clerk to the Board *CW*  
SUBJECT: Board of Health

BACKGROUND: On April 6, 2010 the Board of Commissioners nominated the following individual to fill one (1) vacancy on the Board of Health:

Veterinarian  
**Captain Ross Free** (new appointment)

I have attached the current membership list for this board.

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

Attachment

pc: Buck Wilson, Health Director

*Celebrating Our Past... Embracing Our Future*

BOARD OF HEALTH  
3 Year Term

<u>Name/Address</u>	<u>Date Appointed</u>	<u>Term</u>	<u>Expires</u>	<u>Eligible For Reappointment</u>
<u>Veterinarian</u>				
VACANT (vacated by EV Williams)	01/07	2nd	Dec/09 12/31/09	No
<u>Physician</u>				
Dr. Cynthia Norris (W/F) 6525 Windy Creek Way Fayetteville, NC 28306 429-3258/323-9111 (W)	12/08	2 <sup>nd</sup>	Dec/11 12/31/11	No
<u>Dentist</u>				
Dr. Walter S. Scott, III (B/M) 686 Stockbridge Court Fayetteville, NC 28311 811-3543/323-3133(W)	01/10	2nd	Dec/12 12/31/12	No
<u>Registered Nurse</u>				
Pamela Pollock 1321 General Lee Avenue Fayetteville, NC 28305 481-9968 / 488-2120 Ext. 5030	03/10	1 <sup>st</sup>	Mar/13 03/31/13	Yes
<u>Optometrist</u>				
Barbara Ciampa (W/F) 3006 Metthame Drive Fayetteville, NC 28306 648-0680/484-7139(W)	12/07	1 <sup>st</sup>	Dec/10 12/31/10	Yes
<u>Pharmacist</u>				
Tom Nicholson (W/M) 274 Saint Johns Wood Fayetteville, NC 28303 485-1059/609-6839	12/08	1 <sup>st</sup>	Dec/11 12/31/11	Yes
<u>Engineer</u>				
Jimmy Kizer (W/M) 214 Woodcrest Road Fayetteville, NC 28305 484-0508/484-5191(W)	12/07	1 <sup>st</sup>	Dec/10 12/31/10	Yes

<u>Name/Address</u>	<u>Date Appointed</u>	<u>Term</u>	<u>Expires</u>	<u>Eligible For Reappointment</u>
<u>General Public Reps.</u>				
Rev. Dr. Cureton L. Johnson (AA/M) 1909 Bellemeade Road Fayetteville, NC 28303 485-3025/483-6505(W)	12/08	2 <sup>nd</sup>	Dec/11 12/31/11	No
Barbara S. Marshall (B/F) 7640 Wilkins Drive Fayetteville, NC 28311 488-2615/977-2303 (W)	01/10	2 <sup>nd</sup>	Dec/12 12/31/12	No
Carol E. Schaeffer (W/F) 809 Camwheel Drive Hope Mills, NC 28348 223-3030/483-1437 (W)	01/10	2 <sup>nd</sup>	Dec/12 12/31/12	No

COMMISSIONER APPOINTED VOTING MEMBER: Commissioner Billy King

Contact: Buck Wilson, Health Director  
Tracy Gurganus, Secretary  
Phone: 433-3721  
Fax: 433-3659

Meetings: 3rd Tuesday of the month 6:00 PM, Board Room, Health Department (July and August meetings take place only if desired).

## Cindy Tucker

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**From:** Candice White  
**Sent:** Wednesday, April 14, 2010 3:08 PM  
**To:** Cindy Tucker  
**Subject:** Board of Health Veterinarian Position

Cindy,

Ross Free's application indicates he is a public health officer with PAFB and has a doctor of veterinary medicine. Should James feel additional verification is needed, I will need to contact Capt. Free and request it directly from him. He has the recommendation of the Board of Health, too, so they likely vetted him prior to forwarding their recommendation.

*Candice H. White, CMC*

*Deputy Clerk to the Board*

Cumberland County Board of Commissioners

PO Box 1829

Fayetteville, NC 28302-1829

Phone: (910) 678-7772 / Fax: (910) 678-7770

Email: [cwhite@co.cumberland.nc.us](mailto:cwhite@co.cumberland.nc.us)

Website: <http://www.co.cumberland.nc.us/>