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**AGENDA**  
**CUMBERLAND COUNTY BOARD OF COMMISSIONERS**  
**COURTHOUSE – ROOM 118**  
**JUNE 21, 2010**  
**6:45 PM**

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INVOCATION - Commissioner Phillip Gilfus

PLEDGE OF ALLEGIANCE – ReAnnen Jean Bartha, 8<sup>th</sup> Grade, Max Abbott Middle School

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

Comments by Dr. Frank Till, Superintendent, Cumberland County Board of Education

Comments by Ms. Debbie Turner, Program Director NACo Deferred Compensation Program

Special Recognition of Mr. James Flanders for Volunteer Service in Cumberland County

1. Approval of Agenda
2. Consent Agenda
  - A. Approval of minutes for the June 7, 2010 regular meeting and the June 7, 2010 Budget Work Session, June 8, 2010 Budget Public Hearing and June 10, 2010 Budget Work Session.
  - B. Approval of Reappointment of Tax Administrator.
  - C. Approval of Appointment of Deputy Finance Officer for the Cumberland County Mental Health Authority.
  - D. Approval of Receipt from North Carolina Department of Transportation of Notice of Certification of Removal of Graves from McLamb-Warren Cemetery Pursuant to NCGS 60-106(a)(I).

E. Approval of Payment of Past Years' Invoices for Services Rendered to the Cumberland County Mental Health Authority.

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

- (1) Case Numbers: MH 5731, 5732, 5733, and 5734-2008  
Property Owners: Malcolm Dale Earwood and Lilly Franklin Earwood  
Property Location: 3720 and 3724 Camden Road, Fayetteville, NC  
Parcel Identification Number: 0425-26-7511
- (2) Case Number: MH 5692-2008  
Property Owner: Hattie W. Coptsias, c/o Julie Watson  
Property Location: 3709 Camden Road, Fayetteville, NC  
Parcel Identification Number: 0425-26-9358
- (3) Case Number: MH 5777-2009  
Property Owner: Erical McArthur  
Property Location: 6015 Acoma Court, Fayetteville, NC  
Parcel Identification Number: 0472-08-8660
- (4) Case Number: MH 5890-2009  
Property Owner: Peggy Hair Bland  
Property Location: 4271 Dudley Road, Fayetteville, NC  
Parcel Identification Number: 0472-18-4098

G. Budget Revisions:

- (1) Eastover Sanitary District Water Project – Phase II  
  
Revision in the amount of \$100,000 to transfer funds from Eastover Sanitary District General Fund to the capital project. (B10-379 and B10-379A) **Funding Source – Tap Fees**
- (2) Crown Center  
  
Revision in the amount of \$50 to reduce the actual amount of Build America Bonds and the expenditures available for renovations to the theatre. (B10-377) **Funding Source – Recovery Zone Economic Development Bonds**
- (3) Sheriff Training Facility/Federal Forfeiture  
  
Revisions in the amount of \$14,327 to transfer remaining funds to the Sheriff's Federal Forfeiture Fund and close the capital project. (B10-381 and B10-381A) **Funding Source – Federal Forfeiture Funds**

(4) Animal Control Building/Animal Services

Revisions in the amount of \$446,800 to transfer remaining funds to Animal Services and close capital project. (B10-382 and B10-382A)

**Funding Source –**

(5) Cooperative Extension

Revision in the amount of \$3,604 to budget 4H Military Grant of \$14,229 and reduce fund balance appropriated for reimbursable expenditures.

(B10-383) **Funding Source – Grant**

(6) Education

Revision in the amount of \$4,715,109 to recognize 51.16% of additional ad valorem taxes collected to be allocated to the Board of Education.

(B10-386) **Funding Source – Ad Valorem Taxes**

(7) Mental Health Smart Start

Revision in the amount of \$12,185 to recognize additional funding from the state. (B10-387) **Funding Source – State**

(8) Social Services

Revision in the amount of \$189,265 to utilize Food and Nutrition Services funds to establish five positions for duration of one year. (B10-388)

**Funding Source – Federal**

(9) Soil and Water Conservation

Revision in the amount of \$4,983 to recognize monies from a fundraiser.

(B10-389) **Funding Source – Contributions**

(10) Recreation and Parks

Revision in amount \$120,000 to recognize additional revenue earned.

(B10-390) **Funding Source – Recreation Tax**

3. Public Hearings

**Uncontested Cases**

Rezoning

- A. Case P10-19: Rezoning of 2.74+/- acres from A1 Agricultural to R40A Residential, or to a more restrictive zoning district, located at 2158 Unicorn Drive, submitted by Richard V. and Linda C. Godwin (owners).

**Conditional Use District Cases**

- B. Case P91-118: Revocation of R6A Residential/CU Conditional Use Overlay for a junk yard on 2.08+/- acres reverting to the previous zoning classification of R6A Residential or to a more restrictive zoning district, located at 304 Wilkes Road, owned by Ernest H. and Evelyn Brewington.

**Other Public Hearings**

**Minimum Housing Code Enforcement**

- C. Case Number: MH 6093-2009  
Property Owner: Sangie Bass  
Property Location: 1078 Tower Drive, Hope Mills, NC  
Parcel Identification Number: 0432-89-4967
- D. Case Number: MH 6901-2009  
Property Owner: Hattie Malloy  
Property Location: 6483 Canadian Avenue, Hope Mills, NC  
Parcel Identification Number: 0442-53-1803

Items of Business

4. Report from County Engineer Regarding a Request from Point East Subdivision Property Owners for Assistance to Resolve a Dam Safety Issue.
5. Consideration of Cumberland County Policy Committee Report and Recommendation:
- A) Consideration of Request of R.E. Goodson Construction Co., Inc. to Connect to and Travel Over County Property from Company Property.
6. Consideration of Designation of Voting Delegate for NACo Conference.

7. Nominations to Boards and Committees

**There are no nominations for the June 21, 2010 Board of Commissioners Meeting**

8. Appointments to Boards and Committees

A) Adult Care Home Community Advisory Committee (2 Vacancies)

Nominees: Wynella A. Myers (Reappointment)  
Alfonso Ferguson, Sr. (Reappointment)

B) Board of Adjustment (2 Vacancies)

Nominees: Melree Hubbard Tart (Reappointment)  
Carrie Tyson-Autry (Reappointment)

C) Cumberland County Juvenile Crime Prevention Council (2 Vacancies)

Nominees: At-Large Representatives:  
  
Kimberley Reeves (Reappointment)  
Joan Blanchard (Reappointment)

D) Cumberland County Local Emergency Planning Committee (6 Vacancies)

Nominees:

First Aid Representative: Kevin Brunson

Print and Broadcast Media Representative: Doug Hewett (Reappointment)

Print and Broadcast Media Representative: Sally Shutt (Reappointment)

Law Enforcement Representative: Lt. Charles Parker (Reappointment)

Utilities Representative: Suzanne Rohrs (Reappointment)

At-Large Representative: Richard A. King

E) Cumberland County Workforce Development Board (1 Vacancy)

Nominee: Education: Dr. Joe Mullis (Reappointment)

F) Joint Appearance Commission (1 Vacancy)

Nominee: Ken Arnold (Reappointment)

G) Mental Health Board (1 Vacancy)

Nominees:

Individual Representing the Interests of Children:

Janice Smith

Clinical Professional from the Fields of Mental Health,  
Developmental Disabilities or Substance Abuse:

Allie Wiggins

H) Mid-Carolina Aging Advisory Committee (4 Vacancies)

Nominees:      Volunteers:      Carolyn Owens (Reappointment)  
David V. McMillan (Reappointment)  
Rebecca Campbell (Reappointment)

Consumers:      Daniel DeCriscio (Reappointment)

I) Tourism Development Authority (1 Vacancy)

Nominee:      Hotel/Motel Under 100 Rooms Representative:

William S. Wellons, Jr. (Reappointment)

9. Adoption of FY2011 Budget.

10. Closed Session:      A.      Personnel Matter Pursuant to  
NCGS 143-318.11(a)(6)

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

**\*\*\*NOTE:      THERE IS NO BOARD OF COMMISSIONERS MEETINGS  
SCHEDULED IN JULY\*\*\***

**MEETINGS:      August 2, 2010 - (Monday) – 9:00 AM  
August 16, 2010 - (Monday) - 6:45 PM  
September 7, 2010 – (Tuesday) – 9:00 AM  
September 20, 2010 – (Monday) – 6:45 PM**

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**

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

**MEMORANDUM FOR BOARD OF COMMISSIONERS' AGENDA OF JUNE 21, 2010**

**TO: BOARD OF COUNTY COMMISSIONERS**

**FROM: CANDICE H. WHITE, DEPUTY CLERK TO THE BOARD** *cd*

**THROUGH: MARIE COLGAN, CLERK TO THE BOARD** *mc*

**DATE: JUNE 4, 2010**

**SUBJECT: REQUEST RECEIVED FROM DR. FRANK TILL, SUPERINTENDENT OF CUMBERLAND COUNTY SCHOOLS**

**BACKGROUND**

Dr. Frank Till, Superintendent of Cumberland County Schools, requested an opportunity to appear before the Board of County Commissioners at their June 21, 2010 meeting to express his appreciation and to thank the Commissioners for their continued support.

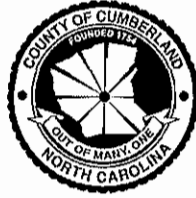
**RECOMMENDATION/PROPOSED ACTION**

Receive comments from Dr. Frank Till, Superintendent of Cumberland County Schools.

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JAMES E. MARTIN  
County Manager

JUANITA PILGRIM  
Deputy County Manager



ITEM NO. 2B

AMY H. CANNON  
Assistant County Manager


**OFFICE OF THE COUNTY MANAGER**

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

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**MEMORANDUM FOR BOARD OF COMMISSIONERS AGENDA OF JUNE 21, 2010**

**TO: BOARD OF COUNTY COMMISSIONERS**

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

**DATE: JUNE 10, 2010**

**SUBJECT: APPROVAL OF REAPPOINTMENT OF TAX ADMINISTRATOR**

**BACKGROUND**

On June 17, 2002, the Board of Commissioners appointed Aaron Donaldson as Tax Administrator for a four year term and reappointed him on June 19, 2006. The Tax Administrator serves as the Tax Assessor and Tax Collector. The length of the Tax Administrator's term may be either two or four years. Mr. Donaldson's term expires on June 30, 2010.

**RECOMMENDATION/PROPOSED ACTION**

Management recommends that Mr. Donaldson's term be extended another four years with a term date of July 1, 2010 to June 30, 2014.

/ct

CM061010-3

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JAMES E. MARTIN  
County Manager

JUANITA PILGRIM  
Deputy County Manager



ITEM NO. 2c  
AMY H. CANNON  
Assistant County Manager

OFFICE OF THE COUNTY MANAGER

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

**MEMORANDUM FOR BOARD OF COMMISSIONERS AGENDA OF JUNE 21, 2010**

TO: BOARD OF COUNTY COMMISSIONERS

FROM: AMY H. CANNON, ASSISTANT COUNTY MANAGER

DATE: JUNE 14, 2010

SUBJECT: APPOINTMENT OF DEPUTY FINANCE OFFICER FOR THE  
CUMBERLAND COUNTY MENTAL HEALTH AUTHORITY

**BACKGROUND:**

North Carolina General Statutes Chapter 159, Article 3, entitled "The Local Government Budget and Fiscal Control Act" requires all checks drawn on an official depository to be signed by the Finance Officer or a properly designated Deputy Finance Officer and countersigned by another official of the local government designated for this purpose by the Governing Board. The act also requires the Deputy Finance Officer to have a faithful performance bond in an amount not less than \$10,000 or more than \$250,000.

I recommend that M. Edward Norris, be appointed to sign checks and conduct financial transactions for the Cumberland County Mental Health Authority effective July 1, 2010.

**RECOMMENDATION AND PROPOSED ACTION:**

1. Approve the appointment of M. Edward Norris as Deputy Finance Officer;
2. Provide a faithful performance bond in the amount of \$20,000 for M. Edward Norris;
3. Approve the attached resolution implementing the above recommendations.

/Attachment (Resolution)

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**STATE OF NORTH CAROLINA**

**COUNTY OF CUMBERLAND**

**RESOLUTION**

WHEREAS, due to the operation requirements unique to the Cumberland County Mental Health Authority, and

WHEREAS, the timing, amounts, or payees of these checks cannot be anticipated and, in most cases, the checks must be issued immediately; and

WHEREAS, the timing of the checks requires the appointment of a Deputy Finance Officer and, in addition, more than one person must be authorized to countersign each check; and

WHEREAS, North Carolina General Statute Chapter 159, Article 3, entitled “The Local Government Budget and Fiscal Control Act”, authorizes the Governing Board to appoint Deputy Finance Officers to designate individual(s) to countersign the checks, and to fix the amount of the faithful performance bond to be provided by the appointee.

NOW THEREFORE, to facilitate the operational requirement of the Cumberland County Mental Health Authority, the Board of County Commissioners hereby RESOLVES that:

- M. Edward Norris is appointed a Deputy Finance Officer and is authorized to sign the checks/drafts issued on the checking and savings accounts maintained by the Cumberland County Mental Health Authority.
- The appointee will provide a faithful performance bond in the amount of \$20,000.00.

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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

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

ITEM NO. 2D

CONSENT AGENDA ITEM FOR JUNE 21, 2010 MEETING

MEMO TO: BOARD OF COMMISSIONERS

MEMO FROM: MARIE COLGAN, CLERK *MC*

DATE: JUNE 10, 2010

RE: ACKNOWLEDGEMENT OF RECEIPT FROM NCDOT OF  
NOTICE OF CERTIFICATION OF REMOVAL OF GRAVES  
FROM MCLAMB-WARREN CEMETERY PURSUANT TO  
NCGS 60-106 (a)(1)

BACKGROUND:

It has come to my attention that a letter was received from the NC Department of Transportation in June, 2008 notifying the Board that it was necessary to disinter twenty-eight (28) known graves from the McLamb-Warren Cemetery (see attached). According to the Legal Department, this certification notice should have been placed on a Board agenda in order for it to be a part of the official Board minutes.

PROPOSED ACTION:

Acknowledge receipt of certification from the NC Department of Transportation for the disinterment of twenty-eight (28) known graves from the McLamb-Warren Cemetery.

Attachment

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STATE OF NORTH CAROLINA  
DEPARTMENT OF TRANSPORTATION

MICHAEL F. BASLEY  
GOVERNOR

June 27, 2008

LYNDO TIPPETT  
SECRETARY

ID #: X-0002C  
WBS: 35196.2.4  
COUNTY: Cumberland  
DESCRIPTION: Fayetteville Outer Loop (McArthur Road)

PARCEL # 917

SUBJECT: Relocation of 28 graves from McLamb-Warren Cemetery

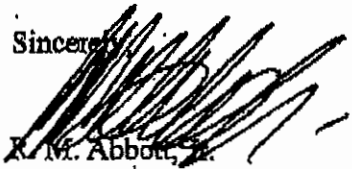
Cumberland County  
Board of Commissioners  
117 Dick Street  
Fayetteville, NC 28301

Members of the Board:

In accordance with NC General Statute 65-106(a)(1), I certify to the Cumberland County Board of Commissioners that it will be necessary to disinter twenty-eight (28) known graves from the above mentioned cemetery located in Cumberland County. These graves are located in the proposed right of way of the Fayetteville Outer Loop.

Should additional information be needed, please contact this office by calling John Moore or me at 910-486-1554.

Sincerely,

  
R. M. Abbott, Jr.  
Division Right of Way Agent

cc: Wayne Raynor, Cumberland County Health Director  
Denise Amato, Real Property Agent  
Terry Gibson, PE, Div 6, Div Engineer

MAILING ADDRESS:  
NC DEPARTMENT OF TRANSPORTATION  
DIVISION 6-RIGHT OF WAY OFFICE  
225 GREEN STREET, SUITE 603  
FAYETTEVILLE, NC 28301

TELEPHONE (910) 486-1554  
FAX (910) 486-1077

WEBSITE: [WWW.DOH.DOT.STATE.NC.US](http://WWW.DOH.DOT.STATE.NC.US)

LOCATION:  
SYSTEL BUILDING  
SUITE 603  
FAYETTEVILLE, NC

JAMES E. MARTIN  
County Manager

JUANITA PILGRIM  
Deputy County Manager



ITEM NO. 2E

AMY H. CANNON  
Assistant County Manager

OFFICE OF THE COUNTY MANAGER

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

**MEMORANDUM FOR BOARD OF COMMISSIONERS AGENDA OF JUNE 21, 2010**

TO: BOARD OF COUNTY COMMISSIONERS

FROM: AMY H. CANNON, ASSISTANT COUNTY MANAGER

DATE: JUNE 10, 2010

SUBJECT: APPROVAL OF PAYMENT OF PAST YEARS' INVOICES FOR SERVICES  
RENDERED TO THE CUMBERLAND COUNTY MENTAL HEALTH  
AUTHORITY

**BACKGROUND:**

The Cumberland County Mental Health Authority has requested payment of previous year invoices (FY2007-2008) for services rendered to clients by Carolina Choice. Payments were not made timely during the intended fiscal year because when the invoices were originally presented for payment they were denied due to missing clinical documentation. The Cumberland County Mental Health Authority did provide the missing clinical documentation and did verify that the services rendered were performed. The total amount to be paid for services from Carolina Choice is \$22,991.20. A system has been put in place to assure these circumstances do not reoccur.

Appropriate backup is attached.

**RECOMMENDATION/PROPOSED ACTION**

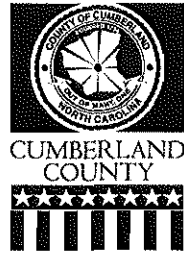
Management is requesting approval for payment of the above mentioned invoices to Carolina Choice in the amount of \$22,991.20, and approval of the attached budget revision.

/cas

Attachment

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Hank Debnam,  
M.P.H.  
Area Director  
Telephone:  
(910) 323-0601  
Fax: (910) 323-0096



**MENTAL HEALTH CENTER**

P.O. Box 3069 • 711 Executive Place, Fayetteville, NC 28302-3069

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TO: Amy Cannon, Asst. County Manager/Finance Director  
FROM: Ed Norris, Administrative Services Director/CFO  
RE: Budget Revision/Prior Year Payment  
DATE: May 27, 2010

Carolina Choice contracted with Mental Health to provide Residential Level II services to our consumers. During reconciliation of accounts it has been discovered that Mental Health received funds for consumers but payment was never made to the provider. These services were provided during Fiscal Year 2007 and 2008. When the invoices were originally presented for payment they were denied due to missing clinical documentation by our Utilization and Management Department. Upon re-submission the invoices were approved and services were keyed by the UM Department, however staff did not forward invoices to Contract Payables for payment.

Please see attached documentation that includes client information, dates of services and amount owed to the provider.

Please contact me at 222-6406 if you need additional information.

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**CAROLINA CHOICE FY 2007-2008 BILLING PAID BY THE STATE**

<u>CLIENT</u>	<u>DATES OF SERVICE</u>	<u>COST PER DAY</u>	<u>TOTAL OWED</u>
DINT - 68578	1/1/07-3/31/2007	\$95.40 X 90 DAYS	\$ 8,586.00
DUDT - 90258	2/16/2007-2/28/2007	\$95.40 X 13 DAYS	\$ 1,240.00
JOHT - 100697	9/8/07-9/14/2007	\$95.40 X 7 DAYS	\$ 667.80
MCCJ - 95469	1/1/2007-3/31/2007	\$95.40 X 90 DAYS	\$ 8,586.00
MCCJ - 95469	6/1/07-6/15/2007	\$95.40 X 15 DAYS	\$ 1,431.00
JOHT - 100697	5/2/08-5/4/2008	\$95.40 X 3 DAYS	\$ 286.20
JOHT - 100697	1/1/2008-1/15/2008	\$95.40 X 15 DAYS	\$ 1,431.00
HARJ - 85352	4/29/08-5/6/2008	\$95.40 X 8 DAYS	\$ 763.20
<b>TOTAL</b>			<b>\$ 22,991.20</b>

Budget Office Use	
Budget Revision No.	M10-367
Date Received	5.25.10
Date Completed	

REVENUE				
Revenue Source Code	Description	Current Budget	Increase (Decrease)	Revised Budget
				-
				-
				-
				-
				-
				-
				-
	Total	0	0	-

Object Code	Appr Unit	Description	Current Budget	Increase (Decrease)	Revised Budget
2798	486	Prior Period Adjustment	0	23,000	23,000
3360	486	Other Services	590,000	(23,000)	567,000
					-
					-
					-
					-
					-
					-
					-
		Total	590,000	-	590,000

**Fund Balance:**

**State:** \_\_\_\_\_ **Federal:** \_\_\_\_\_ **County:** \_\_\_\_\_ **New:** \_\_\_\_\_ **Other:** \_\_\_\_\_

**Other:** \_\_\_\_\_ **Fees:** \_\_\_\_\_ **Prior Year:** \_\_\_\_\_

Date:

**Board of County  
Commissioners**



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

WHEREAS, the Board of County Commissioners of Cumberland County, North Carolina, on August 17, 2009, enacted an ordinance directing the demolition by the owner(s) of the structure(s), Malcolm Dale Earwood and Lilly Franklin Earwood, located at 3720 and 3724 Camden Road, Fayetteville, NC, PIN: 0425-26-7511, said ordinance being recorded in Book 8329, page 195, of the Cumberland County Registry of Deeds;

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

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

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

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

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

(1) That the real property on which the work was performed be, and it hereby is, assessed in the amount of \$3,500.00, said sum being the unpaid balance of the cost of the work set forth in the Inspector's Report;

(2) That as provided in the Ordinance of Cumberland County dated August 17, 2009, and in Section 160A-443(6) of the General Statutes of North Carolina, the amount of the foregoing assessment be, and hereby does constitute, a lien against the real property upon which such costs were incurred, such property being more particularly described as follows:

The structure and premises located at 3720 and 3724 Camden Road, Fayetteville, NC, as described in Deed Book 2226, page 381, of the Cumberland County Registry and identified in County tax records as PIN 0425-26-7511.

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

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

\* \* \* \* \*

I certify that the foregoing Ordinance was adopted and ordered by the Board of Commissioners of Cumberland County, North Carolina, this 21st day of June, 2010, at 6:45 p.m. o'clock.

---

Cumberland County Clerk

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

WHEREAS, the Board of County Commissioners of Cumberland County, North Carolina, on August 17, 2009, enacted an ordinance directing the demolition by the owner(s) of the structure(s), Hattie W. Coptsiyas, c/o Julie Watson, located at 3709 Camden Road, Fayetteville, NC, PIN: 0425-26-9358, said ordinance being recorded in Book 8237, page 700, of the Cumberland County Registry of Deeds;

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

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

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

- (1) Said work had been accomplished.
- (2) The cost of such work was \$1,900.00.
- (3) There were no salable materials resulting from said work.

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

(1) That the real property on which the work was performed be, and it hereby is, assessed in the amount of \$1,900.00, said sum being the unpaid balance of the cost of the work set forth in the Inspector's Report;

(2) That as provided in the Ordinance of Cumberland County dated August 17, 2009, and in Section 160A-443(6) of the General Statutes of North Carolina, the amount of the foregoing assessment be, and hereby does constitute, a lien against the real property upon which such costs were incurred, such property being more particularly described as follows:

The structure and premises located at 3709 Camden Road, Fayetteville, NC, as described in Deed Book 1176, page 23, of the Cumberland County Registry and identified in County tax records as PIN 0425-26-9358.

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

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

\* \* \* \* \*

I certify that the foregoing Ordinance was adopted and ordered by the Board of Commissioners of Cumberland County, North Carolina, this 21st day of June, 2010, at 6:45 p.m. o'clock.

---

Cumberland County Clerk

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

WHEREAS, the Board of County Commissioners of Cumberland County, North Carolina, on August 17, 2009, enacted an ordinance directing the demolition by the owner(s) of the structure(s), Erica McArthur, located at 6015 Acoma Court, Fayetteville, NC, PIN: 0472-08-8660, said ordinance being recorded in Book 8237, page 697, of the Cumberland County Registry of Deeds;

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

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

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

- (1) Said work had been accomplished.
- (2) The cost of such work was \$2,000.00.
- (3) There were no salable materials resulting from said work.

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

(1) That the real property on which the work was performed be, and it hereby is, assessed in the amount of \$2,000.00, said sum being the unpaid balance of the cost of the work set forth in the Inspector's Report;

(2) That as provided in the Ordinance of Cumberland County dated August 17, 2009, and in Section 160A-443(6) of the General Statutes of North Carolina, the amount of the foregoing assessment be, and hereby does constitute, a lien against the real property upon which such costs were incurred, such property being more particularly described as follows:

The structure and premises located at 6015 Acoma Court, Fayetteville, NC, as described in Deed Book 5411, page 668, of the Cumberland County Registry and identified in County tax records as PIN 0472-08-8660.

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

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

\* \* \* \* \*

I certify that the foregoing Ordinance was adopted and ordered by the Board of Commissioners of Cumberland County, North Carolina, this 21st day of June, 2010, at 6:45 p.m. o'clock.

---

Cumberland County Clerk

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

WHEREAS, the Board of County Commissioners of Cumberland County, North Carolina, on September 21, 2009, enacted an ordinance directing the demolition by the owner(s) of the structure(s), Peggy Hair Bland, located at 4271 Dudley Road, Fayetteville, NC, PIN: 0472-18-4098, said ordinance being recorded in Book 8261, page 0074, of the Cumberland County Registry of Deeds;

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

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

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

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

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

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

(2) That as provided in the Ordinance of Cumberland County dated September 21, 2009, and in Section 160A-443(6) of the General Statutes of North Carolina, the amount of the foregoing assessment be, and hereby does constitute, a lien against the real property upon which such costs were incurred, such property being more particularly described as follows:

The structure and premises located at 4271 Dudley Road, Fayetteville, NC, as described in Deed Book 6964, page 404, of the Cumberland County Registry and identified in County tax records as PIN 0472-18-4098.

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

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

\* \* \* \* \*

I certify that the foregoing Ordinance was adopted and ordered by the Board of Commissioners of Cumberland County, North Carolina, this 21st day of June, 2010, at 6:45 p.m. o'clock.

\_\_\_\_\_  
Cumberland County Clerk



**COUNTY OF CUMBERLAND  
BUDGET REVISION REQUEST**

Budget Office Use	
Budget Revision No.	B10-379
Date Received	6/4/2010
Date Completed	

Fund No. 020 Agency No. 450 Organ. No. 450G

Organization Name: ESD Water Project - Phase II

ITEM NO. 26(1)

**REVENUE**

*pg 1 of 2*

Revenue Source Code	Description	Current Budget	Increase (Decrease)	Revised Budget
9296	Bond Anticipation Note Proceeds	6,177,000		6,177,000
4008	USDA Grant	1,797,700		1,797,700
6681	Tap Fees	177,800	(100,000)	77,800
9135	Transfer from ESD General Fund	0	100,000	100,000
Total		8,152,500	0	8,152,500

**EXPENDITURES**

Object Code	Appr Unit	Description	Current Budget	Increase (Decrease)	Revised Budget
3110	TBA	Legal	10,000	0	10,000
3113	TBA	Bond Counsel	25,000	0	25,000
3419	TBB	Miscellaneous (Engineer Reimbursables)	23,665	0	23,665
3488	TBB	Administrative	9,817	0	9,817
3630	TBB	Capital Outlay Land	7,500	0	7,500
3714	TBB	Geotechnical	27,950	0	27,950
3747	TBB	Engineering	659,844	0	659,844
379F	TBB	Construction - Contract 1	2,121,600	0	2,121,600
379G	TBB	Construction - Contract 2	2,018,791	0	2,018,791
379H	TBB	Construction - Contract 3	1,748,518	0	1,748,518
379J	TBB	Construction - Contract 4	719,400	0	719,400
3809	TBD	Capitalized Interest	450,000	0	450,000
3903	TBE	Contingency	330,415	0	330,415
Total			8,152,500	-	8,152,500

**Justification:**

To adjust the source of the \$177,800 initial project funding that must be provided by the Eastover Sanitary District. The District anticipates that most, if not all, of the District's required contribution will come from application and tap fees collected. Application fees collected through June 4, 2010 already exceed \$70,000 and are expected to increase quickly now that the project has begun. Funds transferred from the ESD General Fund not used to offset any tap fee deficit or applied directly to the project will be returned to the ESD General Fund.

**Funding Source:**

**Fund Balance:**

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

Submitted By: Morgan B. Johnson Date: 6/13/10  
Department Head

Reviewed By: Bob Tucker Date: 6/14/10  
Finance Department

Reviewed By: Amy Cannon Date: 6/16/10  
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.	B10-379A
Date Received	6/4/2010
Date Completed	

Fund No. 252 Agency No. 450 Organ. No. 4517

Organization Name: Eastover Sanitary District General Fund

*pg 2 of 2*

**REVENUE**

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

**EXPENDITURES**

Object Code	Appr Unit	Description	Current Budget	Increase (Decrease)	Revised Budget
3154	688	Consultant	252,154	(100,000)	152,154
387T	690	Transfer to Fund 020 (Water II Project)	0	100,000	100,000

Total	252,154	-	252,154
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**Justification:**

Revision to budget transfer to the ESD Water II Project Fund to provide part of the required \$177,800 ESD contribution to the project. The rest of the required contribution is coming from customer application and tap fees. Current collections are in excess of \$70,000 and are expected to accumulate quickly now that the project has begun. Any transfer from the ESD General Fund not needed to cover the gap between the total required contribution and actual customer fees collected will be returned to the ESD General Fund unless directly applied to the project by the ESD Board.

**Funding Source:**

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

Submitted By: Morgan L. Johnson  
Department Head

Date: 6/13/10

Reviewed By: Bob Tucker  
Finance Department

Date: 6/14/10

Reviewed By: Amy N. Cannon  
Assistant County Mgr

Date: 6/16/10

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

**COUNTY OF CUMBERLAND  
BUDGET REVISION REQUEST**

Budget Office Use	
Budget Revision No.	B10-377
Date Received	6/3/2010
Date Completed	

Fund No. 620 Agency No. 444 Organ. No. 4442  
 Organization Name: Crown Center

ITEM NO. 26(2)

**REVENUE**

Revenue Source Code	Description	Current Budget	Increase (Decrease)	Revised Budget
9202	Recovery Zone Economic Development Bonds	1,138,000	0	1,138,000
9203	Build America Bonds	1,980,050	(50)	1,980,000
Total		3,118,050	(50)	3,118,000

**EXPENDITURES**

Object Code	Appr Unit	Description	Current Budget	Increase (Decrease)	Revised Budget
3748	858	Arena/Theater Renovations	3,118,050	(50)	3,118,000
Total			3,118,050	(50)	3,118,000

**Justification:**

Revision in the amount of \$50 to reflect the final sizing of the Recovery Zone Economic Development Bonds (RZED) and Build America Bonds (BAB) actually issued and to reduce the expenditure budget for the Crown Arena and Theater renovations to the actual funds available.

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

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

Reviewed By: Bob Sucher Date: 6/3/10  
 Finance Department

Reviewed By: Amy Cannon Date: 6/16/10  
 Assistant County Mgr

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

COUNTY OF CUMBERLAND  
BUDGET REVISION REQUEST

Budget Office Use	
Budget Revision No.	B10-381
Date Received	
Date Completed	

Fund No. 11 Agency No. 422 Organ. No. 42BC  
Organization Name: Sheriff Training facility

ITEM NO. 26(3)

REVENUE

pg 1 of 2

Revenue Source Code	Description	Current Budget	Increase (Decrease)	Revised Budget
7002	Interest Income	238,995	4	238,999

Total 238,995 4 238,999

EXPENDITURES

Object Code	Appr Unit	Description	Current Budget	Increase (Decrease)	Revised Budget
3704	ZAC	General Contractor	4,235,354	(12,633)	4,222,721
3877	ZAC	Transfer to Fund 230	270,000	14,327	284,327
3903	ZAD	Contingency	1,690	(1,690)	-

Total 4,507,044 4 4,507,048

Justification:

Revision to transfer remaining funds of \$14,326.70 to the Sheriff's Federal Forfeiture Fund and close the capital project.

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

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

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

Reviewed By: Howard R. Ror Department Head

Date: 6/7/10

Reviewed By: Amy H. Cannon Finance

Date: 6/16/10

Reviewed By: \_\_\_\_\_ Deputy Assistant County Mgr

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

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

County Manager

Board of County Commissioners

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

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

Budget Office Use	
Budget Revision No.	B10-381A
Date Received	
Date Completed	

pg 2 of 2

Revenue Source Code	Description	Current Budget	Increase (Decrease)	Revised Budget
9140	Transfer from Fund 011	270,000	14,327	284,327
9901	Fund Balance Appropriated	311,822	(14,327)	297,495
	Total	581,822	0	581,822

Object Code	Appr Unit	Description	Current Budget	Increase (Decrease)	Revised Budget
Total			0	-	-

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

Date:

**COUNTY OF CUMBERLAND  
BUDGET REVISION REQUEST**

Budget Office Use	
Budget Revision No.	B10-382
Date Received	
Date Completed	

Fund No. 006 Agency No. 424 Organ. No. 4252

Organization Name: Animal Control Building

ITEM NO. 26(4)

REVENUE				
Revenue Source Code	Description	Current Budget	Increase (Decrease)	Revised Budget
6618	Shelter Reserves	0	57,262	57,262
7002	Interest Income	54,280	191,100	245,380
7685	Sales Tax Contractors	0	104,647	104,647
9110	Transfer from General Fund	826,045	0	826,045
9117	Transfer from Fund 003	3,604,208	0	3,604,208
9127	Transfer from Fund 013	255,589	0	255,589
9119	Transfer from Fund 002	339,911	0	339,911
9199	Transfer Prior Year General Fund	200,000	0	200,000
Total		5,280,033	353,009	5,633,042

EXPENDITURES					
Object Code	Appr Unit	Description	Current Budget	Increase (Decrease)	Revised Budget
3154	ZZF	Consultant	11,500	-	11,500
3700	ZZA	Architect	317,290	(18,459)	298,831
3714	ZZA	Geo Tech Services	9,500	(825)	8,675
299A	ZZB	Computer Hardware	48,580	(18,450)	30,130
2994	ZZB	Misc Furniture & Equipment	2,500	(2,500)	-
3334	ZZB	Microchips	3,200	(3,200)	-
3419	ZZB	Miscellaneous	15,000	(1,728)	13,272
3799	ZZG	Construction Other	4,672,253	(48,419)	4,623,834
3903	ZZG	Contingency	210	(210)	-
3880	ZZF	Transfer to General Fund	200,000	446,800	646,800
Total			5,280,033	353,009	5,633,042

**Justification:**

Revision to transfer unexpended funds of \$446,800 to the General Fund- Animal Services Department and to close the capital project.

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

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

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

Reviewed By: Howard R. Ben Department Head

Date: 6/7/10

Reviewed By: Amber Cannon Finance

Date: 6/16/10

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

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

Reviewed By: \_\_\_\_\_ Deputy/Assistant County Mgr

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

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

**COUNTY OF CUMBERLAND  
BUDGET REVISION REQUEST**

Budget Office Use	
Budget Revision No.	B10-382A
Date Received	
Date Completed	

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

Organization Name: Animal Services

*pg 2 of 2*

**REVENUE**

Revenue Source Code	Description	Current Budget	Increase (Decrease)	Revised Budget
9122	Transfer from Fund 006	0	446,800	446,800
Total		0	446,800	446,800

**EXPENDITURES**

Object Code	Appr Unit	Description	Current Budget	Increase (Decrease)	Revised Budget
3650	098	Capital Outlay Improvements	60,000	446,800	506,800
Total			60,000	446,800	506,800

**Justification:**

Revision to transfer unexpended funds from the Animal Control Capital Project to Animal Services and to close the capital project.

**Funding Source:**

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

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

**Fund Balance:**

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

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

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

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

Reviewed By: *Howard R. ...*  
Department Head

Date: 6/7/10

Reviewed By: *Amy Cannon*  
Finance  
Deputy Assistant County Mgr

Date: 6/16/10

**Approved By:**

County Manager

Board of County  
Commissioners

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

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

**COUNTY OF CUMBERLAND  
BUDGET REVISION REQUEST**

Budget Office Use	
Budget Revision No.	B10-383
Date Received	6/4/2010
Date Completed	

Fund No. 101 Agency No. 450 Organ. No. 4506

Organization Name: Cooperative Extension

ITEM NO. 26(5)

**REVENUE**

Revenue Source Code	Description	Current Budget	Increase (Decrease)	Revised Budget
4018	4-H Military Grant	1,136	14,229	15,365
9901	Fund Balance Appropriated		(10,625)	
(101-999-9999)				

Total 3,604

**EXPENDITURES**

Object Code	Appr Unit	Description	Current Budget	Increase (Decrease)	Revised Budget
460L	343	Military 4-H Grant	1,136	3,604	4,740

Total 1,136 3,604 4,740

**Justification:**

Revision to budget 4-H Military Grant in the amount of \$14,229 which was awarded on April 27, 2010 for the period October 1, 2009 to September 30, 2010. County fund balance appropriated is being reduced for reimburseable salary and benefit expenditures (\$10,625) already incurred in FY 2010 (from October 1, 2009 through June 30, 2010). The final FY10 4-H Military Grant budget includes \$1,136 of unused prior year grant funds rolled forward and expended prior to the September 30, 2009 prior year grant deadline.

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

Submitted By: Lisa B. Childers  
Department Head

Date: 6/10/10

Reviewed By: Bob Tucker  
Finance Department

Date: 6/11/10

Reviewed By: Amey Cannon  
Assistant County Mgr

Date: 6/16/10

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



COUNTY OF CUMBERLAND  
BUDGET REVISION REQUEST

Budget Office Use

Budget Revision No. B10-386  
Date Received 6/21/2010  
Date Completed

Fund No. 101 Agency No. 470 Organ. No. 4702  
Organization Name: Education

ITEM NO. 26(6)

REVENUE

Revenue Source Code	Description	Current Budget	Increase (Decrease)	Revised Budget
101-999-9999				
1000	Taxes Current	135,216,297	3,727,103	138,943,400
1010	Motor Vehicle Tax	9,967,826	988,006	10,955,832

Total 145,184,123 4,715,109 149,899,232

EXPENDITURES

Object Code	Appr Unit	Description	Current Budget	Increase (Decrease)	Revised Budget
3820	378	Schools Current Expense	74,280,249	4,715,109	78,995,358

74,280,249 4,715,109 78,995,358

Justification:

Per our BOE current expense funding agreement, revision to recognize 51.16% of additional ad valorem taxes collected.

Funding Source:

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

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

Fund Balance:

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

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

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

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

Reviewed By: Harold Bar

Date: 6/8/10

Reviewed By: Amy H. Cannon

Date: 6/16/10

Deputy Assistant County Mgr

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

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

County Manager

Board of County Commissioners

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

COUNTY OF CUMBERLAND  
BUDGET REVISION REQUEST

Budget Office Use

Budget Revision No. B10-387

Date Received 6.10.10

Date Completed

Fund No. 112 Agency No. 43A Organ. No. 434W

Organization Name: MH-SMART START

ITEM NO. 26(7)

REVENUE

Revenue Source Code	Description	Current Budget	Increase (Decrease)	Revised Budget
4211	NC DHS SMART	231,165	12,185	243,350
Total		231,165	12,185	243,350

EXPENDITURES

Object Code	Appr Unit	Description	Current Budget	Increase (Decrease)	Revised Budget
1210	429	Salaries	203,786	1,557	205,343
1810	429	FICA Match	15,789	120	15,909
1820	429	Retirement	10,113	77	10,190
3462	430	Rent Equipment	0	10,431	10,431
Total			229,688	12,185	241,873

Justification:

Reconcile to meet the amount allocated from the Partnership for Children's Services

Funding Source:

State: 12,185

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

Fund Balance:

County: \_\_\_\_\_

New: \_\_\_\_\_

Other: 12,185

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

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

Prior Year: \_\_\_\_\_

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

Department Head

Date: 6/3/2010

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

Budget Analyst

Date: 6.10.10

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

Deputy Assistant County Mgr

Date: 6/16/10

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

Information Services

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

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

County Manager

Board of County Commissioners

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

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

**COUNTY OF CUMBERLAND  
BUDGET REVISION REQUEST**

Budget Office Use	
Budget Revision No.	<u>810-388</u>
Date Received	<u>6/10/10</u>
Date Completed	

Fund No. 101 Agency No. 437 Organ. No. 4365

Organization Name: SOCIAL SERVICES

ITEM NO. 26(8)

**REVENUE**

Revenue Source Code	Description	Current Budget	Increase (Decrease)	Revised Budget
4304	NC FOOD STAMP ADMIN	2,785,093	189,265	2,974,358
Total		2,785,093	189,265	2,974,358

**EXPENDITURES**

Object Code	Appr Unit	Description	Current Budget	Increase (Decrease)	Revised Budget
1210	261	SALARIES - REGULAR	21,827,685	140,435	21,968,120
1810	261	FICA	1,690,181	10,740	1,700,921
1820	261	RETIREMENT	1,082,351	9,060	1,091,411
1830	261	MEDICAL INSURANCE	3,522,123	28,750	3,550,873
1860	261	WORKER'S COMP	349,602	280	349,882
Total			28,471,942	189,265	28,661,207

**Justification:**

To utilize FNS Contingency funds to establish five time limited positions. Funds can be utilized through FFY 10-11.

**Funding Source:**

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

Federal: 189,265  
Fees: \_\_\_\_\_

**Fund Balance:**

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

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

Submitted By: [Signature]  
Department Head

Date: 6/9/10

Reviewed By: [Signature]  
Budget Analyst

Date: 6/11/10

Reviewed By: [Signature]  
Deputy Assistant County Mgr

Date: 6/16/10

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

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

**Approved By:**

County Manager

Board of County Commissioners

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

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

**COUNTY OF CUMBERLAND  
BUDGET REVISION REQUEST**

Budget Office Use	
Budget Revision No.	B10-389
Date Received	6/14/2010
Date Completed	

Fund No. 101 Agency No. 450 Organ. No. 4509

Organization Name: Soil & Water Conservation District

ITEM NO. 26(9)

**REVENUE**

Revenue Source Code	Description	Current Budget	Increase (Decrease)	Revised Budget
7757	Fundraiser	0	4,983	4,983
Total		0	4,983	4,983

**EXPENDITURES**

Object Code	Appr Unit	Description	Current Budget	Increase (Decrease)	Revised Budget
2757	366	Fundraiser	4,018	4,983	9,001
Total			4,018	4,983	9,001

**Justification:**

Revision in the amount of \$4,983 to budget total fundraiser monies received to date in FY 2010, a portion of which will be used to pay a proportionate share of the cost of a new ice machine for the AgriExpo Center.

**Funding Source:**

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

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

**Fund Balance:**

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

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

Submitted By: Kay B Bullard  
Department Head

Date: 6-14-10

Reviewed By: Bob Tucker  
Finance Department

Date: 6/14/10

Reviewed By: Amyd Cannon  
Assistant County Mgr

Date: 6/16/10

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

**COUNTY OF CUMBERLAND  
BUDGET REVISION REQUEST**

Budget Office Use	
Budget Revision No.	B10-390
Date Received	6/14/2010
Date Completed	

Fund No. 420 Agency No. 442 Organ. No. 4441  
 Organization Name: Recreation and Parks

ITEM NO. 26(10)

**REVENUE**

Revenue Source Code	Description	Current Budget	Increase (Decrease)	Revised Budget
1000	Taxes Current Year	2,721,778	120,000	2,841,778

2,721,778      120,000      2,841,778

**EXPENDITURES**

Object Code	Appr Unit	Description	Current Budget	Increase (Decrease)	Revised Budget
3390	726	Contracted Services	2,480,000	118,000	2,598,000
4027	726	Tax Refunds	0	2,000	2,000

Total      2,480,000      120,000      2,600,000

**Justification:**

Revision in the amount of \$120,000 to recognize additional revenue earned to pay City of Fayetteville contract for services and tax refunds.

**Funding Source:**

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

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

**Fund Balance:**

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

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

Submitted By: \_\_\_\_\_ Date: \_\_\_\_\_  
 Reviewed By: Kelly Autry Department Head Date: 6/14/10  
 Reviewed By: Amogh Chaudhary Finance Date: 6/16/10  
 Deputy Assistant County Mgr

Approved By:	
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

JUNE 4, 2010

ITEM NO. 3A

MEMO TO: Cumberland County Board of Commissioners

FROM: Cumberland County Joint Planning Board

SUBJECT: **Case P10-19:** Rezoning of 2.74+/- acres from A1 Agricultural to R40A Residential or to a more restrictive zoning district, located at 2158 Unicorn Drive, submitted by Richard V. and Linda C. Godwin (owners).

ACTION: Members present at the May 18, 2010 meeting voted unanimously to recommend approval of the R40A Residential district.

**SITE INFORMATION:** **Frontage & Location:** 90.00'+/- on Unicorn Drive; **Depth:** 495.60'+/-; **Jurisdiction:** Cumberland County; **Adjacent Property:** No; **Current Use:** Residential (Class B double-wide manufactured home); **Initial Zoning:** A1 – June 25, 1980 (Area 13); **Nonconformities:** None; **Zoning Violation(s):** None; **Surrounding Zoning:** North: C1(P), RR & A1; South: C1(P), R40, A1A & A1; East and West: A1; **Surrounding Land Use:** Residential (including manufactured dwellings), religious worship, farmland & woodlands; **2030 Land Use Plan:** Rural; **Special Flood Hazard Area (SFHA):** None; **Army Corp:** Wetlands may be present and if so, Sec 404 permit required; **Watershed:** Subject property in WS-IV; "No Approval Required" if less than one acre disturbed; **Water/Sewer Availability:** Well/Septic; **Soil Limitations:** None; **School Capacity/Enrolled:** Gray's Creek Elementary: 495/377; Gray's Creek Middle: 1,000/861; Gray's Creek High: 1270/1219; **Subdivision/Site Plan:** If approved, any future development will require a review; **Average Daily Traffic Count (2008):** 3,100 on SR 2252 (Chicken Foot Road); **Highway Plan:** There are no road improvements/constructions specified for this area. This case has no impact on the current Highway Plan or Transportation Improvement Program; **Notes:** **Density:** A1 – 1 unit, A1A – 2 units, R40A – 3 units; **Minimum Yard Setback Regulations:** **A1 & A1A:** Front yard: 50', Side yard: 20', Rear yard: 50'; **R40A:** Front yard: 30', Side yard: 15', Rear yard: 35'; Unicorn Drive is an existing approved class "C" private street that currently serves seven lots (recorded February 1985); one lot has two units approved.

#### MINUTES OF MAY 18, 2010

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

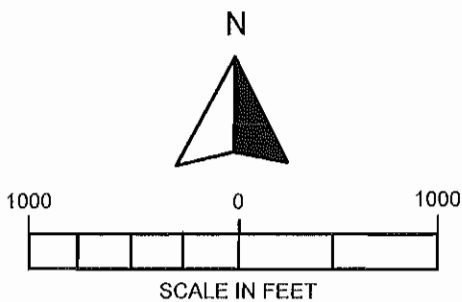
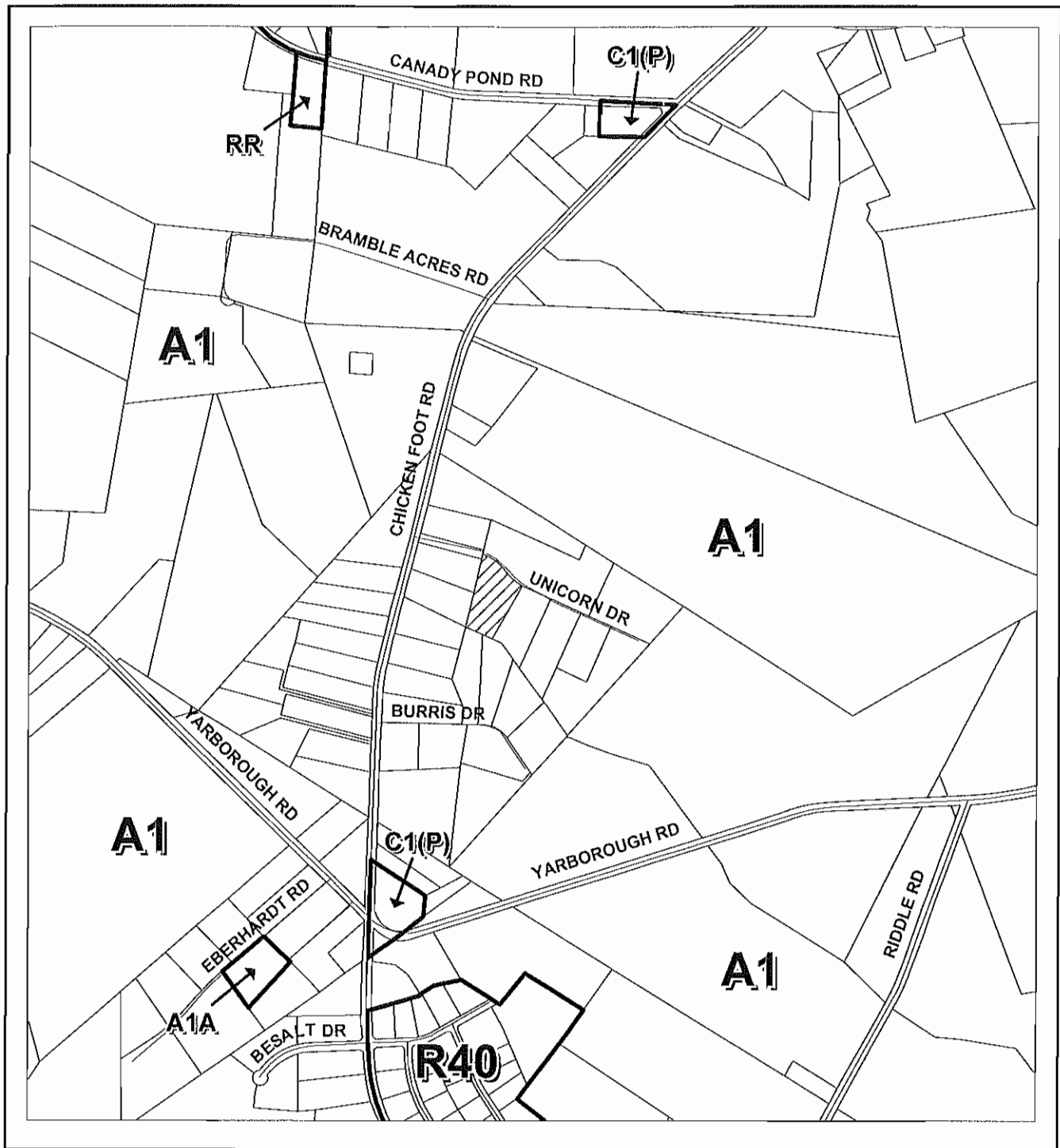
1. The district requested is consistent with the 2030 Comprehensive Plan, which calls for "rural area" at this location, as well as meeting the location criteria for rural density residential development as listed in the Land Use Policies Plan;
2. The request will ensure comparable lot sizes with the one acre lots currently recommended for this area; and
3. The request is consistent with the surrounding land use;

There are no other districts considered suitable for this request. (Note: A1A is not suitable because it would make the existing dwelling nonconforming and the applicant intends to setup an additional class "B" manufactured home.)

**A motion was made by Vice-Chair Turner, seconded by Mr. Hostetter, to follow the staff recommendation and approve case P10-19 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: 0420-95-8856

## REQUESTED REZONING A1 TO R40A

ACREAGE: 2.74 AC.+/-		HEARING NO: P10-19	
ORDINANCE: COUNTY		HEARING DATE	ACTION
STAFF RECOMMENDATION			
PLANNING BOARD			
GOVERNING BOARD			

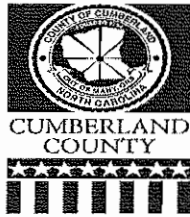
WL



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

JUNE 4, 2010

MEMO TO: Cumberland County Board of Commissioners

ITEM NO. 3B

FROM: Cumberland County Joint Planning Board

SUBJECT: **Case P91-118:** Revocation of R6A Residential/CU Conditional Use Overlay for a junk yard on 2.08+/- acres reverting to the previous zoning classification of R6A Residential or to a more restrictive zoning district, located at 304 Wilkes Road, owned by Ernest H. and Evelyn Brewington.

ACTION: Members present at the May 18, 2010 meeting voted unanimously to follow the staff recommendation for revocation of the Conditional Use Overlay based on the material presented and that the zoning revert to R6A Residential.

**SITE INFORMATION:** **Frontage & Location:** 140.00'+/- on SR 2210 (Wilkes Road); **Depth:** 460.00'+/-; **Jurisdiction:** Cumberland County; **Adjacent Property:** No; **Current Use:** Junk yard; **Initial Zoning:** R6A – March 15, 1979 (Area 6); rezoned to R6A/CU on December 16, 1991; **Nonconformities:** Not in compliance with conditions; **Zoning Violation(s):** Yes, Minimum Housing violations on the subject property – Board of Commissioners ordered clean up on April 19, 2010 (case numbers MH 6072-09 & MH 6073-09); **Surrounding Zoning:** North: C(P)/CU (2) (both for open storage), M(P), C3, HS(P), C(P), O&I(P), R6A & R6; South: M(P)/CU (to allow a meeting hall), M(P) & C(P); East: M(P), C(P) & R6A; West: M(P), C3, C(P) & R6A; **Surrounding Land Use:** Residential (including manufactured homes & multi-family) & trade contractor (3); **2030 Land Use Plan:** Urban; **Special Flood Hazard Area (SFHA):** No; **Water/Sewer Availability:** PWC/ SEPTIC; **Soil Limitations:** No; **School Capacity/Enrolled:** Cumberland Road Elementary: 355/421; Ireland Drive Middle (6): 340/332; Douglas Byrd Middle (7-8): 600/644; Douglas Byrd High: 1,280/1,311; **Subdivision/Site Plan:** N/A; **Municipal Influence Area:** City of Fayetteville; **Airport Overlay District:** No objection to revocation; **Average Daily Traffic Count (2008):** 19,000 on US HWY 301 (I-95 Bus/Gillespie Street); **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.

MINUTES OF MAY 18, 2010

Chair Epler swore in Mr. Lloyd.

There were no speakers present to speak in favor or in opposition.

The Planning and Inspections Staff has provided me with sufficient evidence that the property owners of the above referenced property have not ensured all approved conditions and requirements of the Conditional Use Permit have been complied with and therefore I am seeking revocation of the Permit and reversion of the zoning to R6A Residential for the subject property.

On December 16, 1991 the County Board of Commissioners approved a Conditional Use Overlay on the subject property with the approved uses being "automobile junk yard, towing, repair and sales service." At that time the property was zoned R6A Residential. In conjunction with the overlay, the Commissioners stipulated that the Permit be approved with the following conditions:

1. No more than 25 vehicles to be located on the site at any one time;
2. A fence and buffer be built around the entire site; and
3. The site was to be cleaned up within 120 days.

As of the date of this memorandum, the property is not in compliance with any of the terms and conditions of the Conditional Use Overlay and Permit. In addition, on April 19, 2010 the County Commissioners ordered the "property owners to remove or demolish the structure within 30 days; the Inspector to remove or demolish the dwelling, if the owner fails to do so and impose a lien on the property for the cost of such action." Since that date, the structure on the subject property has substantially burnt.

On April 22, 2010 I notified the property owners in writing of my intentions to submit for revocation of this Overlay and Permit and to request that the property revert to its previous zoning classification of R6A Residential. This letter was sent certified mail, return receipt with the receipt being signed for on April 24, 2010. The property owner was also mailed the standard hearing notice for your May 18, 2010 board meeting.

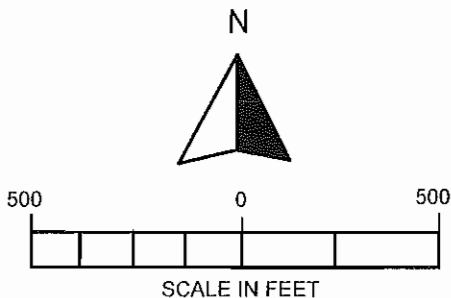
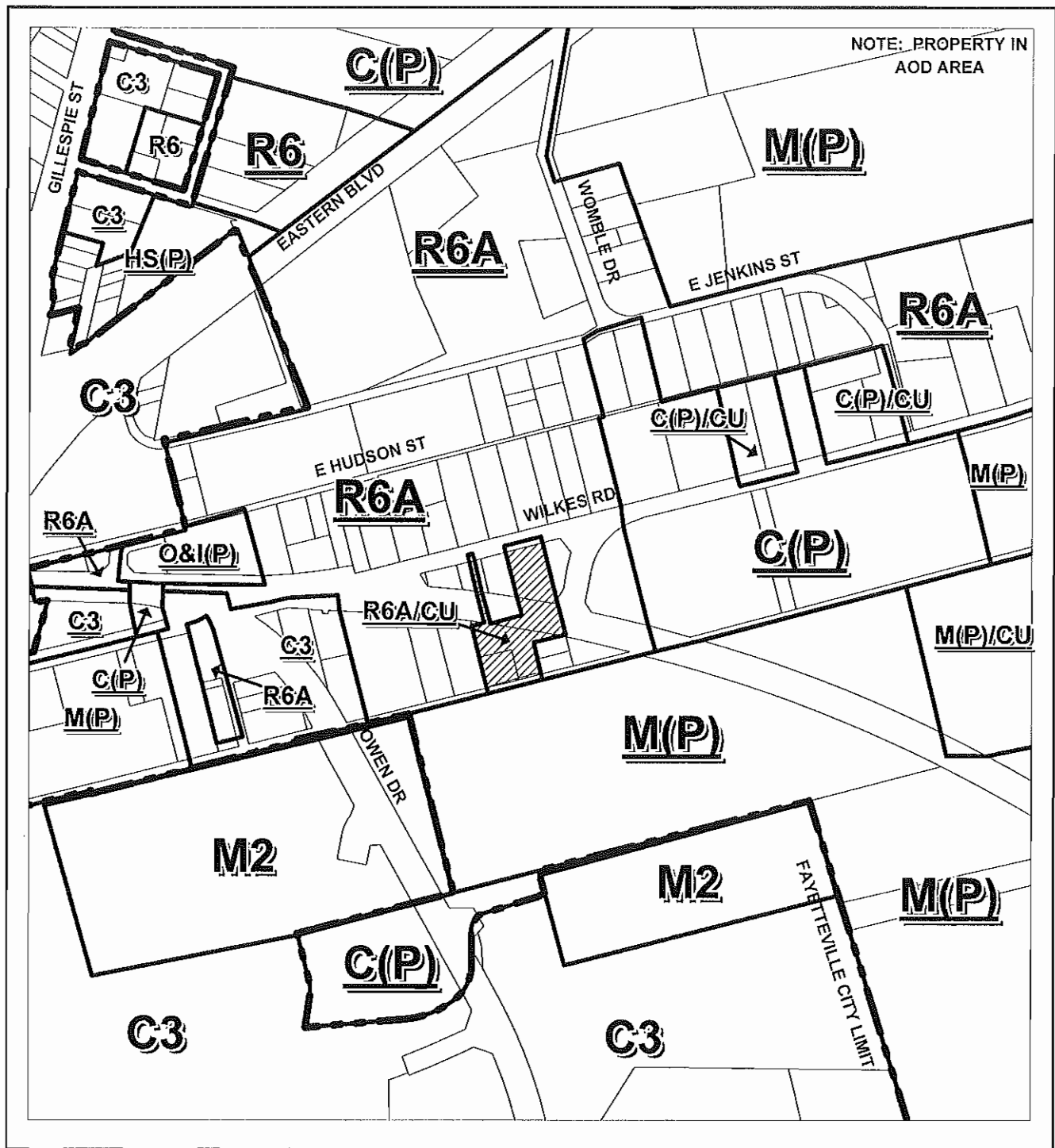
**County Zoning Ordinance reference:** Section 508, Failure to Comply and Section 509, Validation of Existing Conditional Use Overlays.

Mr. Lloyd stated that staff has spoken with the property owner and he has no objection to taking off the overlay.

**A motion was made by Vice-Chair Turner, seconded by Mr. Hostetter, to follow the staff recommendation for revocation of the Conditional Use Overlay, and that the zoning revert to R6A based on the material presented for case P91-118. 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.*

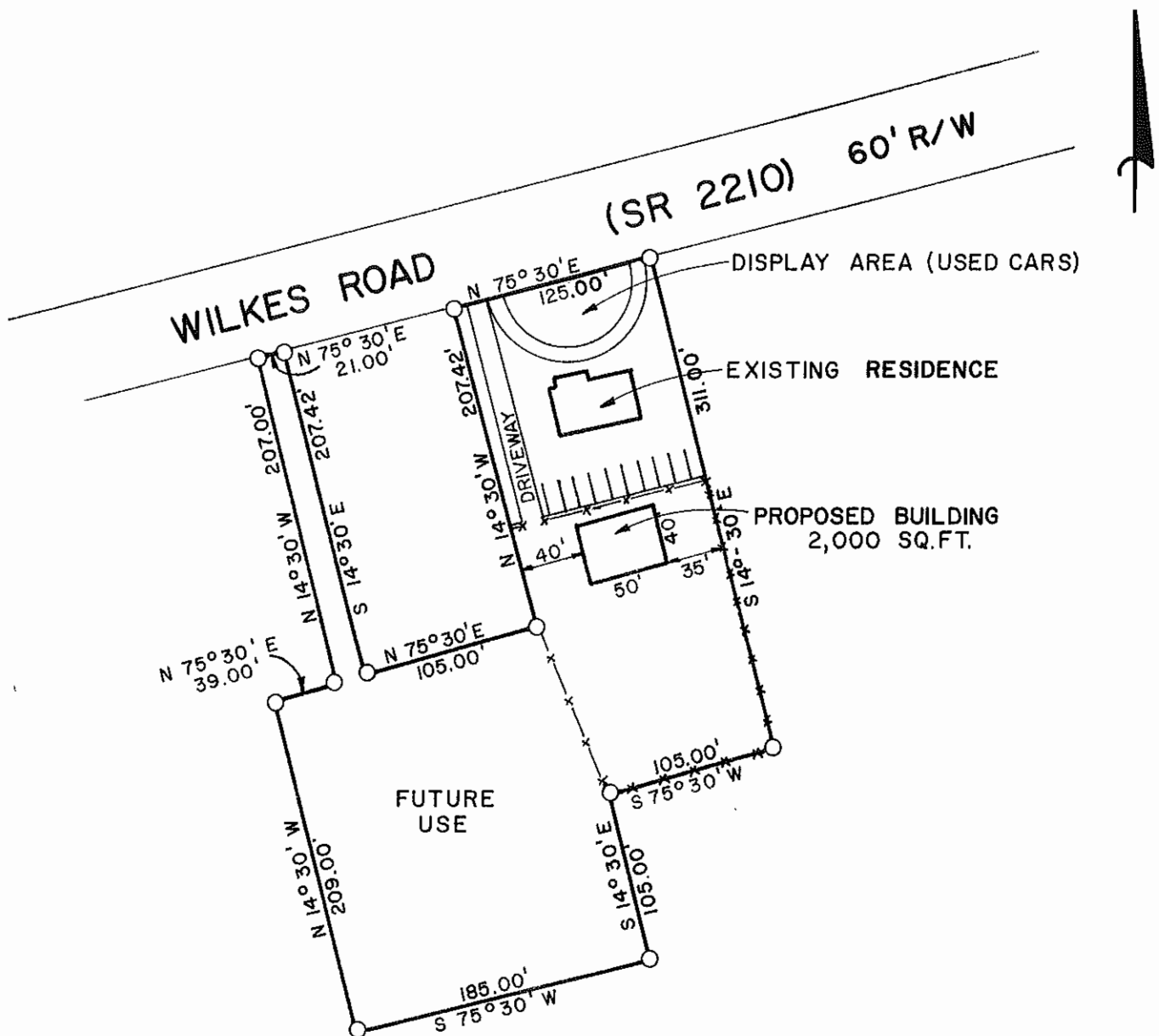


PIN: 0436-32-1394  
 PIN: 0436-32-0083  
 PORT. OF PIN: 0436-22-9373

## REVOCATION FROM R6A/CU TO R6A

ACREAGE: 2.08 AC.+/-	HEARING NO: P91-118	
ORDINANCE: COUNTY	HEARING DATE	ACTION
STAFF RECOMMENDATION		
PLANNING BOARD		
GOVERNING BOARD		

WL



**REQUEST :** CONDITIONAL USE OVERLAY  
TO OPERATE AN AUTOMOBILE  
SALVAGE YARD, TOWING, REPAIR  
AND SALE SERVICING CENTER

**ZONING :** R6A **ACREAGE :** 2.08± AC.

**PARKING :** 10 SPACES (9' x 20')

**CASE NO.** P91-118

**SCALE :** 1" = 100'

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 6093-2009.

Property Owner: Sangie Bass

Home Owner: Sangie Bass

Property Address: 1078 Tower Drive, Hope Mills, NC

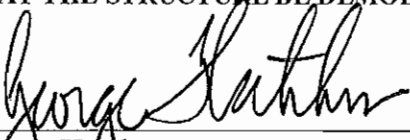
Tax Parcel Identification Number: 0432-89-4967

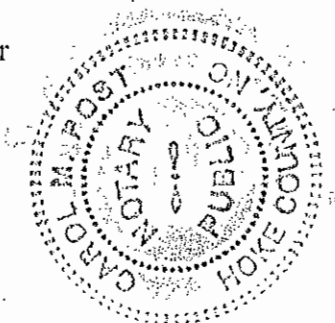
SYNOPSIS: This property was inspected on 12/21/2009. The property owners and parties of interest were legally served with Notice of Violations and was afforded a Hearing on 1/14/2010. Sangie Bass attended the Hearing. It was ordered that the structure be repaired to a minimum standard for human habitation, or be demolished and the debris removed from the premises by a date not later than 4/14/2010. 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 6/2/2010, no corrective action had been made to the structure. The structure is presently vacant and reasonably secured. In its present state, the structure constitutes a fire, health, and safety hazard.

The estimated cost to repair the structure to a minimum standard for human habitation is \$30,000.00. The Assessor for Cumberland County has the structure presently valued at \$5,000.00.


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

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

  
George Hatcher  
Code Enforcement Officer  
County of Cumberland



Sworn to and Subscribed to by me this  
the 3<sup>rd</sup> day of June 2010.

  
Notary Public  
My Commission Expires: 11-03-14

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

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 4714

### FINDINGS OF FACT AND ORDER

February 26, 2010

CASE #: MH 6093-2009

**TO:** Sangie Bass & Parties of Interest  
170 Wrightsboro Drive  
Fayetteville, NC 28304

**Property at:** 1078 Tower Drive, 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 12/29/2009.


Pursuant of law, a Hearing was conducted in Room 101, of the old courthouse at 130 Gillespie Street, Fayetteville, NC on 1/14/2010 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: Sangie Bass.
- ☒ 3. The undersigned inspector personally inspected the dwelling described in the Complaint and Notice of Hearing dated, 12/23/2009. 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 6093-2009, dated 12/21/2009.
  - ☒ b. Due to these findings, the dwelling are found to be in a substandard condition in accordance with the Cumberland County Ordinance.
  - ☒ c. The dwelling is unfit for human habitation.

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

- ☒ a. The owners and/or parties of interest of the dwelling named above are required to bring such dwelling into compliance with the Cumberland County Housing Ordinance by either repairing, altering, and improving the dwelling up to a minimum standard or by demolishing the structure and then causing the debris to be removed from the premises by a date not later than 4/14/2010. **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 to prevent entry by 3/1/2010 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 4/14/2010. The cost of said demolition will be assessed against the real property in the form of a lien.

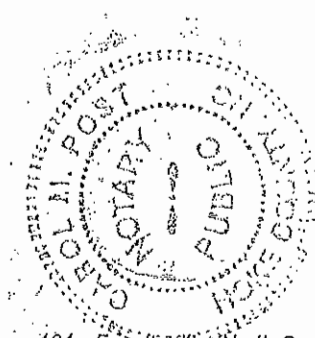
An appeal may be made to the Cumberland County Housing Board of Appeals. If an appeal is requested, it must be made in writing and within the time limits specified in the enclosed appeal procedures.

  
Ken Sykes  
Hearing Officer


  
George Hatcher  
Code Enforcement Officer

Enclosed: Appeals Procedures & Form

cc:



Sworn to and Subscribed to by me  
this the 26<sup>th</sup> day of February, 2010

  
Notary Public  
My Commission Expires: 11-03-14





Date: 04/29/2010

g h:

The following is in response to your 04/29/2010 request for delivery information on your Certified Mail(TM) item number 7108 2133 3936 1773 4714. The delivery record shows that this item was delivered on 03/02/2010 at 11:29 AM in FAYETTEVILLE, NC 28304. The scanned image of the recipient information is provided below.

Signature of Recipient:

Delivery Section  
[Handwritten signature]  
Sandra Bass

Address of Recipient:

170 Wrights Road.

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.

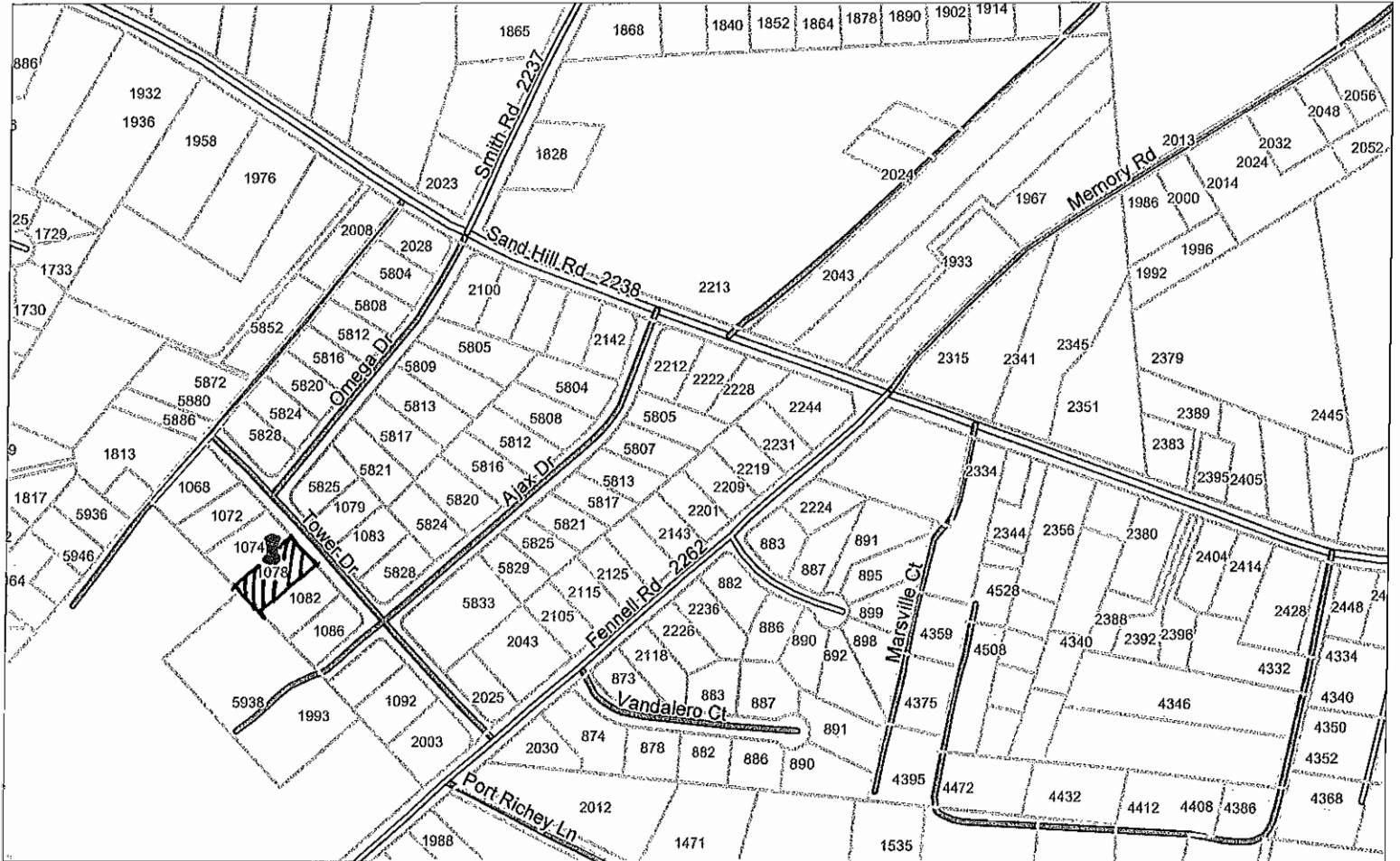
Sincerely,

United States Postal Service

**PROOF OF SERVICE OF FINDINGS OF FACT AND ORDER  
DATED FEBRUARY 26, 2010 CASE NUMBER MH 6093-2009**

**EXHIBIT A**

**MAP DEPICTING LOCATION OF PROPERTY**  
**Property Owner: Sangie Bass**  
1078 Tower Dr, Hope Mills NC  
MINIMUM HOUSING CASE # MH 6093-2009  
TAX PARCEL IDENTIFICATION NUMBER 0432-89-4967



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 6091-2009.

Property Owner: Hattie Malloy

Home Owner: Hattie Malloy

Property Address: 6483 Canadian Avenue, Hope Mills, NC


Tax Parcel Identification Number: 0442-53-1803

SYNOPSIS: This property was inspected on 10/29/2009. The property owners and parties of interest were legally served with Notice of Violations and was afforded a Hearing on 1/14/2010. 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 4/14/2010. 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 6/2/2010, no corrective action had been made to the structure. The structure is presently vacant and reasonably secured. In its present state, the structure constitutes a fire, health, and safety hazard.

The estimated cost to repair the structure to a minimum standard for human habitation is \$30,000.00. The Assessor for Cumberland County has the structure presently valued at \$ 500.00.

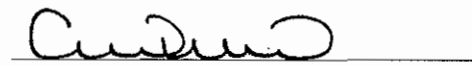
Attached is a map depicting the location of the property. (See Exhibit B.)

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

  
George Hatcher  
Code Enforcement Officer  
County of Cumberland



Sworn to and Subscribed to by me this  
the 3<sup>rd</sup> day of June 2010.

  
Notary Public  
My Commission Expires: 11-03-14

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

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 4745

### FINDINGS OF FACT AND ORDER

February 26, 2010

CASE #: MH 6091-2009

TO: Hattie Malloy & Parties of Interest  
6063 Heneritte Drive  
Fayetteville, NC 28306

Property at: 6483 Canadian Avenue, 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 12/29/2009.


Pursuant of law, a Hearing was conducted in Room 101, of the old courthouse at 130 Gillespie Street, Fayetteville, NC on 1/14/2010 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, 12/23/2009. 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 6091-2009, dated 10/29/2009.
  - ☒ 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 4/14/2010. 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 4/14/2010. The cost of said demolition will be assessed against the real property in the form of a lien.

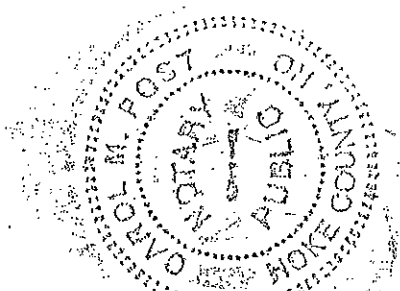
An appeal may be made to the Cumberland County Housing Board of Appeals. If an appeal is requested, it must be made in writing and within the time limits specified in the enclosed appeal procedures.

  
Ken Sykes  
Hearing Officer

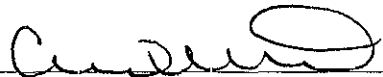
  
George Hatcher  
Code Enforcement Officer

Enclosed: Appeals Procedures & Form.

cc:



Sworn to and Subscribed to by me  
this the 26<sup>th</sup> day of February, 2010

  
Notary Public  
My Commission Expires: 11-03-14



Date: 05/06/2010

GEORGE h:

The following is in response to your 05/06/2010 request for delivery information on your Certified Mail(TM) item number 7108 2133 3936 1773 4745. The delivery record shows that this item was delivered on 03/02/2010 at 12:38 PM in FAYETTEVILLE, NC 28306. The scanned image of the recipient information is provided below.

Signature of Recipient:

Delivery Section	
Signature	Hattie M. Malloy
Name	Hattie Malloy

Address of Recipient:

Address	6063 Henricette
---------	-----------------

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 26, 2010 CASE NUMBER MH 6091-2009**

**EXHIBIT A**

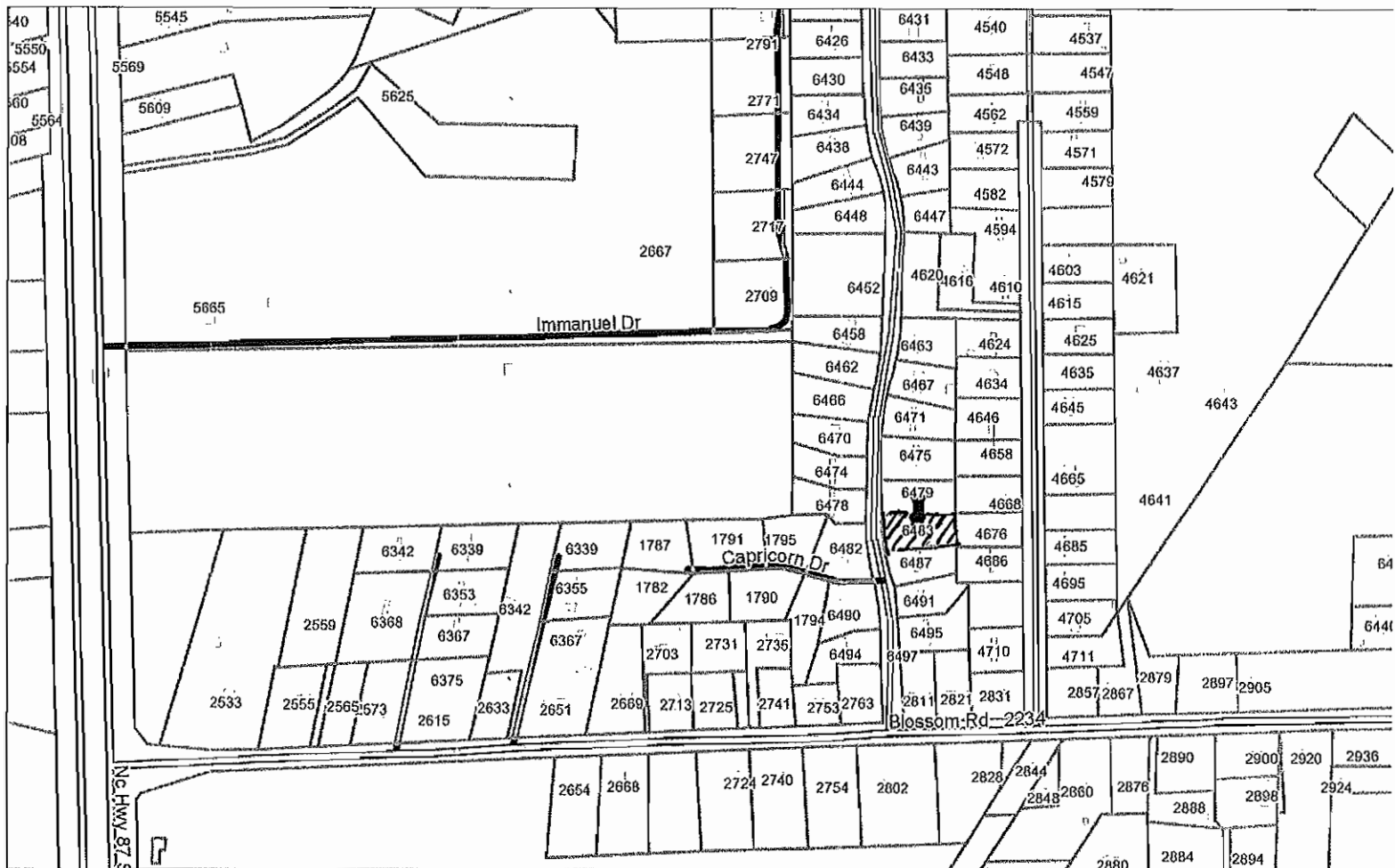
# MAP DEPICTING LOCATION OF PROPERTY

**Property Owner: Hattie Malloy**

6483 Canadian Dr , Hope Mills NC

MINIMUM HOUSING CASE # MH 6091-2009

TAX PARCEL IDENTIFICATION NUMBER 0442-53-1803



**EXHIBIT B**





ENGINEERING DEPARTMENT

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

June 15, 2010

ITEM NO. 4

MEMORANDUM

TO: BOARD OF COUNTY COMMISSIONERS

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

THROUGH: JAMES E. MARTIN, COUNTY MANAGER

SUBJECT: LAKE IN POINT EAST SUBDIVISION OFF NC HIGHWAY 87  
REQUEST FOR COUNTY ASSISTANCE TO BREACH THE DAM

BACKGROUND

The County Engineering Department has received a petition from the property owners in Point East Subdivision requesting the Board of Commissioners undertake a special assessment project to permanently breach the dam of the lake within this subdivision. Point East Subdivision contains 40 lots that are recorded on three plats, Section One - Plat Book 46, Page 37, Section Two - Plat Book 46, Page 38 and Section Three - Plat Book 52, Page 78. See attached map. There are 17 lakefront lots in the subdivision. There are 35 property owners in the subdivision. The petition was signed by 15 individuals of which 13 are confirmed as property owners based on the County tax records. The other 2 signatures may be spouses of property owners, however, they do not appear as owners on the tax records. The 13 property owners that signed the petition own 15 lots within the subdivision. This represents 37.1% of the property owners and 37.5% of the lots within the subdivision. Counting the other 2 signatures, this represents 42.8% of property owners and 47.5% of the lots. A copy of the petition is attached.

As previously reported to the County Manager in a memorandum dated May 3, 2010, copy attached, this request for assistance is the result of the Point East Homeowners Association, owner of the lake and dam, having been issued a Dam Safety Order from NCDENR to repair or permanently breach the dam due to the nature of the dam, small high hazard dam, a number of deficiencies with the dam and the association's inability to collect the necessary funds to undertake corrective actions.

The Engineering Department has been in contact with Jody Jernigan who made the initial request for assistance and Daryl Cobbranchi who is the president of the Point East Homeowners Association. Mr. Cobbranchi returned the signed petition and provided a copy of the minutes from

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the May 2, 2010 meeting of the Point East HOA in which the members present voted to request the Board of Commissioners assist the HOA with breaching the dam. At the association meeting, Dave Averette, P.E., presented his preliminary engineering report that indicated the cost to repair or breach the dam was roughly the same amount, \$101,000. A copy of the Point East HOA meeting minutes is attached.

There are a number of issues that must be resolved should the Board wish to move forward with this request for assistance from Point East HOA.

1. Does the County have authority to undertake a special assessment project to breach a dam under NCGS 153A-185? The previous projects we have done were to repair and restore lakes and our basis for doing so was flood control and preservation of property values. Obviously if the dam at Point East Subdivision is breached, then the properties surrounding the lake would no longer be classified as waterfront for tax purposes and there would be a loss of revenue to the County.
2. From the minutes of the HOA meeting, it is unclear what assistance property owners are asking of the Board. The meeting minutes indicate the HOA is requesting a loan to undertake the work to breach the dam, however, the petition is requesting the Board to undertake a special assessment project to breach the dam.
3. If a special assessment project can be undertaken, which properties within Point East Subdivision benefit from the project and would be assessed for the cost of the work? The minutes of the HOA refer to "A" and "B" owners. What is the distinction between "A" and "B" owners? Do all members of the HOA have access to the lake and responsibility for the maintenance of the dam?

Attached is a memorandum from the County Attorney that addresses the legal issues regarding the request from Point East HOA.



Point East Subdivision

PETITION REQUESTING SPECIAL ASSESSMENT  
TO REPAIR OR PERMANENTLY BREACH THE DAM AT POINT EAST SUBDIVISION

To The Cumberland County Board of Commissioners:

We, the undersigned property owners in Point East Subdivision off NC Highway 87, petition the Board of Commissioners to initiate a special assessment project to ~~make certain improvements and repairs to the dam or~~ permanently breach the dam in Point East Subdivision, pursuant to Article 9 of Chapter 153A of the North Carolina General Statutes. We understand that the total project cost will be assessed to the property owners of the land surrounding, abutting or near the lake in Point East Subdivision and that an equitable method of said assessments shall be determined by the Board of Commissioners consistent with the enabling legislation. We also understand that the total project cost shall include the cost of engineering studies, design, construction, financing, and other miscellaneous costs necessary for the completion of the project.

Printed Name

Mailing Address

Signature

3 lots Randa Dunn 904 Lisle Pt Dr Randa L Dunn

Gene Swinson 6767 Point East Dr Gene Swinson

~~Gene Inman 6795 Point East Dr Gene Inman~~

Kevin McPeake 995 Point Hill Dr Kevin McPeake

2 lots Bobby Joe Willey 1904 Nanticket Ct Bobby Joe Willey

William Dudley 1704 Nanticket Ct William Dudley

Leon Stacy Jernigan, Jr 6848 Point East Dr Leon S Jernigan

Derrick C Martin 6990 Point East Dr Derrick C Martin

PETITION REQUESTING SPECIAL ASSESSMENT  
TO REPAIR OR PERMANENTLY BREACH THE DAM AT POINT EAST SUBDIVISION

To The Cumberland County Board of Commissioners:

We, the undersigned property owners in Point East Subdivision off NC Highway 87, petition the Board of Commissioners to initiate a special assessment project to ~~make certain improvements and repairs to the dam or~~ permanently breach the dam in Point East Subdivision, pursuant to Article 9 of Chapter 153A of the North Carolina General Statutes. We understand that the total project cost will be assessed to the property owners of the land surrounding, abutting or near the lake in Point East Subdivision and that an equitable method of said assessments shall be determined by the Board of Commissioners consistent with the enabling legislation. We also understand that the total project cost shall include the cost of engineering studies, design, construction, financing, and other miscellaneous costs necessary for the completion of the project.

Printed Name

Mailing Address

Signature

~~Larry Fowler~~ 6944 Pt East Dr ~~Larry Fowler~~

WILLIAM WRIGHT 6926 POINT EAST DR. ~~William Wright~~

Bruce M. OBradovich 1905 Nantuckett Ct. ~~Bruce M. OBradovich~~

Brett Hardy 6983 Point East Dr. ~~Brett Hardy~~

Joselito Tan 1908 Nantuckett Ct. ~~Joselito Tan~~

Myma B Plasket 6971 Point East Dr. ~~Myma B Plasket~~

James Key 6979 Point East Dr. ~~James Key~~

2 lots Danyl Cobranchi 6975 Point East Dr. ~~Danyl Cobranchi~~

Sherri Garcia 905 Circle Point Ct. ~~Sherri Garcia~~



**ENGINEERING DEPARTMENT**

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

May 3, 2010

**MEMORANDUM**

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

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

**SUBJECT: LAKE IN POINT EAST SUBDIVISION OFF NC HIGHWAY 87  
REQUEST FOR COUNTY ASSISTANCE TO BREACH THE DAM**

**BACKGROUND**

Cumberland County has received a request from Jody Jernigan in Point East Subdivision for assistance from the County in resolving a dam safety issue with the lake in this subdivision. See attached map. There are 35 parcels in Point East Subdivision of which 17 are lakefront parcels.

According to Steve Cook, Fayetteville Regional Engineer with NCDENR, the dam is considered a small high hazard dam due to the potential loss of life and property to downstream properties in the event of failure. The Point East Homeowners Association has been issued a Dam Safety Order from NCDENR to repair or permanently breach the dam. Mr. Cook has advised me that at this time there is no intent to assess civil penalties against the association provided the association continues to keep the lake drained and make progress on resolving the issues. Mr. Cook indicated the deficiencies with the dam include:

- Tree growth on the dam causing stability problems
- Undermining of the principal spillway pipe
- Severe erosion of the emergency spillway
- Potentially inadequate spillway capacity

Ms. Jernigan advised me that the homeowners association had not been active and that a few property owners were trying to address the issues raised by NCDENR Dam Safety Section. She is requesting the County undertake a special assessment project to assist the homeowners association with resolving these issues due to the association's inability to collect the necessary funds to undertake the corrective actions. I explained to Ms. Jernigan the special assessment process and sent her a petition form that she could use to get signatures of the property owners. She stated that the association had hired Dave Averette, P.E., to conduct an assessment of the dam and develop cost estimates to repair or permanently breach the dam. I spoke with Mr. Averette and he

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indicated that the cost to repair the dam could range from \$75,000 to \$200,000 depending on the repair plan approved by NCDENR and the extent of the work the property owners would be willing to do themselves, such as removing and disposing of the trees on the dam. Mr. Averette told me that the cost to breach the dam would be about \$75,000.

I also spoke with Mr. Daryl Cobranchi who is the President of the homeowners association and explained the special assessment process. Mr. Cobranchi told me that the association met this past weekend with Mr. Averette to review the results of the engineering study and to solicit signatures on the petition form. I instructed Mr. Cobranchi to return the petition to me. He stated that the consensus of the property owners at the meeting was to breach the dam.

I have asked the County Attorney's Office to advise me if the County has the authority to undertake a special assessment project to breach a dam. The previous projects we have done were to repair and restore lakes and our basis for doing so was flood control and preservation of property values. Obviously if the dam at Point East Subdivision is breached, then the properties surrounding the lake would no longer be classified as waterfront for tax purposes and there would be a loss of revenue to the County.

### RECOMMENDATION

My recommendation at this time is to delay any consideration of Ms. Jernigan's request until

1. We receive and validate the petition form.
2. We receive input from the County Attorney's Office on the statutory authority to undertake a special assessment project to breach a dam.



## Point East HOA

### Minutes from the May 2, 2010 meeting

The meeting was called to order at 2:05 p.m.

Dave Averette, P.E. presented his report on the preliminary work on the dam. His opinion was that it might cost around \$101,000 to repair the dam (including engineering fees and repairs to driveways and the emergency spillway) and roughly the same amount to breach. There was a spirited Q&A after the presentation.

A quorum call was made of the owners who had paid their 2010 dues as of 5-2-2010. As of that date, 8 "A" owners had paid their 2010 dues and 16 "B" owners had paid their 2010 dues. 100% of the voting eligible "A" owners and 100% of the voting eligible "B" owners were present in person or by signed proxy. A legal quorum was declared.

After some discussion of the dam project, Mr. Jernigan made a motion for a special assessment to breach the dam and was seconded by Mr. Swilley. After further discussion, separate votes among the "A" owners and the "B" owners were called. The "A" owners voted in favor 6-2, exceeding the required 67% threshold. The "B" owners voted in favor 13-3, exceeding the required 67% threshold. As both "A" and "B" owners at an official meeting of the owners voted in excess of 67% for the special assessment required to breach the dam, the proposal is approved.

A discussion of how to fund the project followed. A motion was made to seek a loan from the Cumberland County Board of Commissioners. The motion carried. During the discussion it was noted that if the commissioners agreed to fund repairs but not breaching, we would schedule another meeting of the HOA to decide on a path forward.

A motion (later amended) was made to dissolve the HOA corporation. During discussion the motion was amended to form an *ad hoc* committee to propose revisions to the Declaration of Deeds and Covenants. The volunteer committee was asked to use the draft 2002 Declaration as a model. Mr. Swilley volunteered to lead the effort and began to recruit volunteers. A deadline of 60 days for presentation of a draft to the Board was included in the motion. The motion carried.

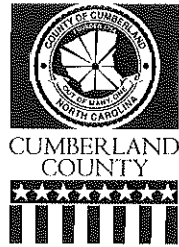
Under new business, we discussed dogs running loose through the neighborhood and cars exceeding the speed limit. No motions were made during these discussions.

The meeting was adjourned.

Respectfully submitted,

Daryl Cobranchi





**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

**MEMO FOR THE AGENDA  
JUNE 21, 2010, MEETING OF THE BOARD OF COMMISSIONERS**

**TO:** Board of Commissioners; Co. Manager; Co. Engineer  
**FROM:** Co. Atty. *RM*  
**DATE:** June 14, 2010  
**SUBJECT:** Pointe East Subdivision Dam Project

**BACKGROUND:**

The County Engineer has requested a legal opinion as to the county's authority to breach a dam through a special assessment against the property owners. The request came from some of the property owners in Pointe East Subdivision. There are 35 parcels in the subdivision of which 17 front on the lake. The dam is owned by the Pointe East Homeowners Association and the association does not have the funds to correct the deficiencies identified by DENR in a Dam Safety Order. DENR considers the dam to be a small, high-hazard dam due to the potential for loss of life and property damage in the event of its failure.

**DISCUSSION:**

The County's authority to make special assessments is statutory. Relevant portions of that statute are as follows:

**§ 153A-185. Authority to make special assessments.**

A county may make special assessments against benefited property within the county for all or part of the costs of:

- (3) Acquiring, constructing, reconstructing, extending, renovating, enlarging, maintaining, operating, or otherwise building or improving
  - b. Watershed improvement projects, drainage projects and water resources development projects (as those projects are defined in G.S. 153A-301).

The first question is whether any of the property in the subdivision is benefited. Special assessments proceed on the theory that when a local improvement enhances the value of neighboring property, it is reasonable for the legislature to provide that such property shall pay for the improvement. Southern Ry. v. City of Raleigh, 277 N.C. 709 (1971). Thus, the concept of benefited property means property which will be enhanced in value.

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It is unlikely that breaching the dam of a lake serving as the center-piece of a residential subdivision enhances the value of any of the properties in the subdivision. Indeed, such action more likely will diminish the value of the properties. Breaching the dam, standing alone, is not a project for which the county has authority to make special assessments.

If the homeowners association wishes to proceed with both breaching and restoring or simply repairing the dam, a different question is presented. The DENR order indicates that the lake is currently drained. Repairing the dam will make it usable and return the lake to the subdivision. This will likely create a sufficient benefit to at least the lake-front lots to meet the statutory requirement that the assessed property be benefited. The question then becomes whether this is a watershed improvement, drainage or water resource development project authorized by the statute.

Each of these is addressed as follows:

Watershed Improvement Project:

Defined by G.S. 139-3(17) as: A "watershed improvement project" means a project of watershed improvement (whether involving flood prevention, drainage improvement, water supply, soil and water conservation, recreation facilities, fish and wildlife habitat, or other related purposes, singly or in combination) which is undertaken:

- d. By a county that is carrying out a county watershed improvement program under the provisions of Article 3 of Chapter 139 of the General Statutes or any local act granting similar powers.

Although this is not the exclusive type of watershed improvement project contemplated by the assessment statute, it is instructive as to what is addressed. Clearly, this dam repair must be incident to some larger objective that is of benefit to the public or the properties downstream and in furtherance of at least one of the statutory purposes. The property owners' request at this time does not meet this requirement. This will necessarily require professional engineering or planning analysis.

Drainage Project:

The type of drainage project referenced in the statute relates to the drainage of any creek, swamp, or branch either upon the plea of health or to promote and advance agricultural interests. This is clearly not applicable here.

Water Resource Development Project:

These types of projects are generally river and harbor, flood control and other similar civil works projects as will accrue to the general or special benefit of any county or municipality of North Carolina or to any region of the State. For this to qualify as a water resource development project, there must be some identified public use for the dam

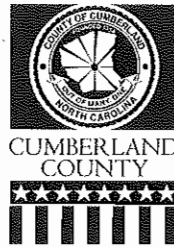
Memo for June 21, 2010, Agenda  
June 14, 2010  
Page Three

or lake. Flood control is a legitimate public benefit. Again, at this stage there has not been any engineering or planning analysis done to meet this statutory requirement.

**RECOMMENDATION:**

Advise the Pointe East Homeowners Association that in order to have a project that potentially qualifies for assessment:

- (1) The project must include the repair of the dam; and
- (2) The project must be designed by a professional engineer or planner to identify whether the project furthers flood prevention, improves drainage, improves the water supply, promotes soil and/or water conservation, enhances recreation, enhances fish and wildlife habitat, or promotes related purposes.



ITEM NO. 5A

**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

**MEMO FOR THE AGENDA  
JUNE 21, 2010, MEETING OF THE BOARD OF COMMISSIONERS**

**TO:** Board of Commissioners; Co. Manager; Dep. Co. Atty.  
**FROM:** Co. Atty. *LM*  
**DATE:** June 14, 2010  
**SUBJECT:** Goodson Co. Request for Access

**BACKGROUND:**

Mr. Raynor's memo presented to the Policy Committee on June 3, 2010, is attached.

**DISCUSSION:**

The Goodson Company has offered to either lease the county's 2.72 acre tract for \$1,500 per year for two years or purchase it for \$9,500 per acre. This is a total purchase price of \$25,840. This is the same price per acre that the Goodson Company reports it paid for the 97 acres on which the borrow pit will be located. The tax appraisal is \$30,017. The property was acquired with FEMA funds and contains a deed restriction which prohibits any development.

If leased for more than one year, must be by resolution adopted at a regular meeting after advertising upon ten days notice. G.S. 160A-272. Company wants the access as soon as possible, so there is not sufficient time to comply with the statutory requirement for a two-year lease to be approved at the August meeting. One-year lease can be authorized at this meeting.

If sold outright, under these circumstances best method would be by negotiated offer, advertisement and upset bid. G.S. 160A-269. This will require Company to make a deposit and the transaction will not be completed until upset bid period has lapsed.

**RECOMMENDATION:**

Either, adopt a resolution finding the property will not be needed by the county for the next year and authorizing it to be leased to the Goodson Company as access to its borrow pit for an annual rental of \$1,500; or

adopt the attached resolution authorizing sale of the property to the Goodson Company upon the terms and conditions set out in the resolution.

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

Whereas, the Board of Commissioners has determined to dispose of the real property described herein in accordance with the negotiated offer, advertisement and upset bid method of sale.

Be it hereby resolved that the Board of Commissioners proposes to accept the offer of R. E. Goodson Construction Co., Inc., to purchase that 2.72 acre tract of land described in the deed recorded in Book 5147 at page 234 and further identified as Parcel ID 0512-48-2469 for a purchase price of \$25,840. This conveyance shall be subject to the restriction that the land must be maintained as open space in perpetuity.

The Clerk is directed to receive the offeror's deposit and advertise the Board's proposal to accept this offer subject to the upset bid procedure of N.C.G.S. § 160A-269. This procedure shall be repeated until no further qualifying upset bids are received, at which time the highest offer is accepted and staff is directed to complete the sale to the highest bidder.

Adopted this 21st day of June, 2010.

Cumberland County Board of Commissioners  
by Mr. Billy King, its Chair

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

Take notice that the Board of Commissioners proposes to accept the offer of R. E. Goodson Construction Co., Inc., to purchase that 2.72 acre tract of land described in the deed recorded in Book 5147 at page 234 and further identified as Parcel ID 0512-48-2469 for a purchase price of \$25,840, subject to the restriction that the land must be maintained as open space in perpetuity. Within 10 days of this notice any person may raise the bid by not less than ten percent (10%) of the first one thousand dollars (\$1,000) and five percent (5%) of the remainder by making a five percent (5%) deposit of the bid with the Clerk. This procedure shall be repeated until no further qualifying upset bids are received. The Board of Commissioners may at any time reject any and all offers. Further details may be obtained from the Office of the County Attorney at the Courthouse in Fayetteville, NC 28302.

This \_\_\_\_\_ day of June, 2010.

*Marie Colgan, Clerk to the Board*



ITEM NO. 3

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

June 1, 2010

**MEMORANDUM FOR POLICY COMMITTEE'S JUNE 3, 2010 AGENDA**

TO: MEMBERS OF THE POLICY COMMITTEE

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

THRU: RICK MOOREFIELD, COUNTY ATTORNEY *RM*

SUBJECT: CONSIDERATION OF REQUEST OF R. E. GOODSON CONSTRUCTION CO., INC. TO CONNECT TO AND TRAVEL OVER COUNTY PROPERTY FROM COMPANY PROPERTY FOR THE PURPOSE OF DRIVING DUMP TRUCKS ACROSS THE COUNTY PROPERTY TO ACCESS NC HWY 210 TO FACILITATE THEIR CONTRACT WITH NCDOT TO PROVIDE FILL DIRT FOR THE 295 OUTERLOOP PROJECT AND TO AVOID ACCESSING NC HWY 210 BETWEEN RESIDENCES.

**BACKGROUND:**

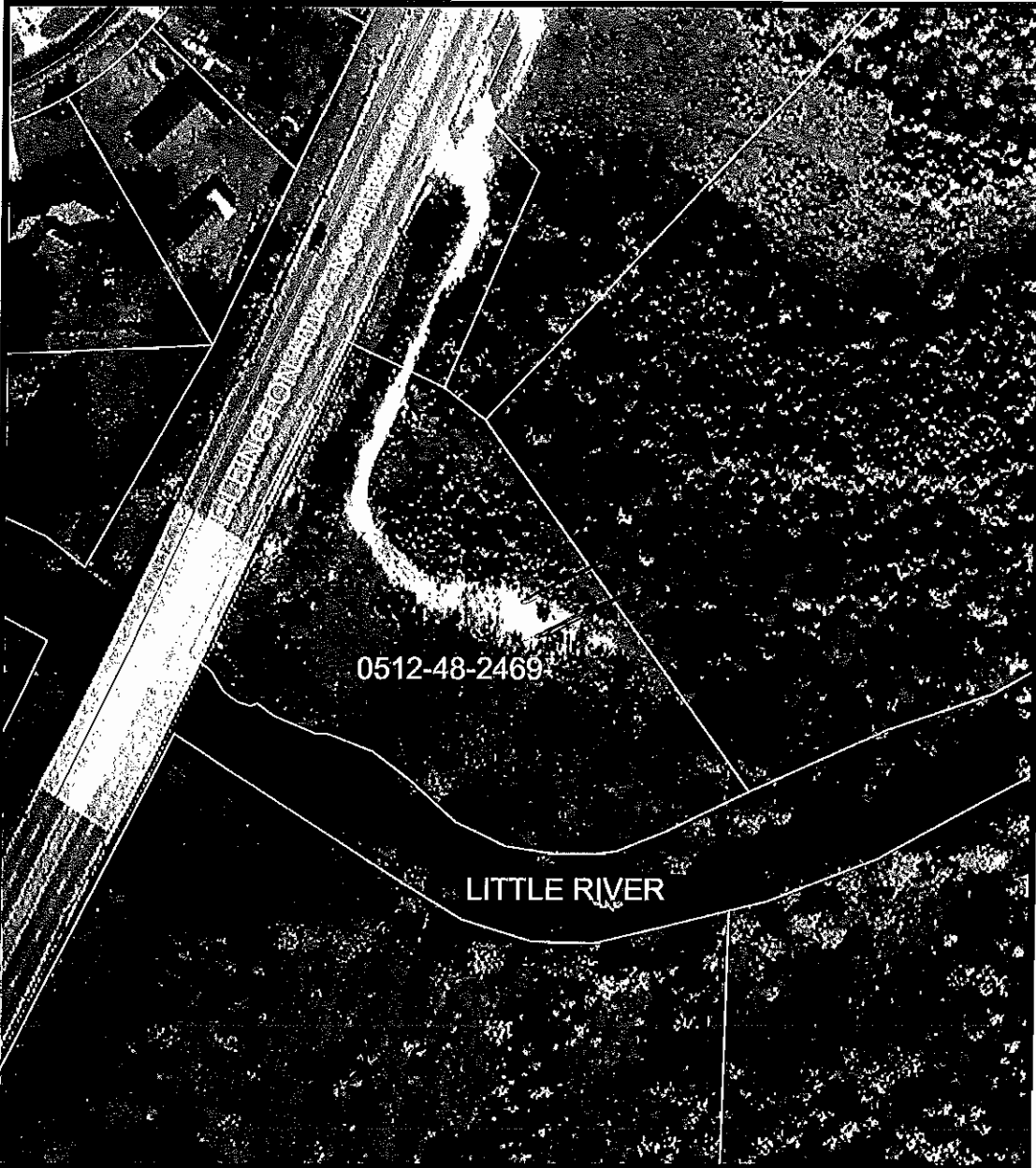
Attached you will find a email memo from Raymond Winegard with R. E. Goodson Construction Co., Inc., a NCDOT contractor on the 295 Outerloop Project which request that the Company obtain a two year license to cross County property: Parcel No. 0512-48-2469, recorded in Book 5147 at page 234 of the Cumberland County Registry, adjacent to the Little River and being 2.72 acres obtained from the Little River Baptist Church in 1999.

I have visited the site and talked on-site with Mr. Winegard and Mr. R. E. Goodson, III about the request. The property is as described in Mr. Winegard's memo and is currently being overgrown by scrub pines and brush. The Company has direct access to NC Hwy 210 across a 140 foot tract which separates the homes of the two sisters who sold the Company the property the Company is to use for its bar pit for the 295 Outerloop Project. The sisters requested they attempt to obtain access at a different location. The only private landowner with a viable alternative access point has declined to negotiate with the Company.

**RECOMMENDATION / PROPOSED ACTION:**

Consider recommending to the full Board that the license be granted under terms and conditions which are suitable to management and legal.

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0512-48-2469

LITTLE RIVER

2469 - County property  
 NCDOT owns portion of road which actually connects to 210  
 Goodson tract NE of Co. property

# Site Map



100 0 100 Feet



--- proposed connection



THE COUNTY OF CUMBERLAND AND ITS GOV-  
 ERNMENT DISCLAIMS ACCOUNTABILITY  
 FOR THIS PRODUCT AND MAKES NO WARRANTY  
 EXPRESS OR IMPLIED REGARDING THE  
 ACCURACY, END-USE, REPRODUCIBILITY OR  
 INTERPRETATION AND APPLICATION OF THE  
 PRODUCT BY THE USER

9544-Goodson property



2469- Co. property  
= connection point

### Site Map



500 0 500 Feet



THE COUNTY OF CUMBERLAND AND THE CITY OF BRISTOL, TENNESSEE, HEREBY WARRANTS THAT THE INFORMATION CONTAINED HEREIN IS TRUE AND CORRECT TO THE BEST OF OUR KNOWLEDGE AND BELIEF. THE COUNTY AND CITY MAKE NO WARRANTY, EXPRESS OR IMPLIED, FOR THE ACCURACY, COMPLETENESS, OR RELIABILITY OF THE INFORMATION AND APPLICATION OF THIS PRODUCT WITH THE USER.



5147  
0234

BK5147PG0234

Tax Lot No.: <sup>#290<sup>02</sup></sup> 41839 Parcel Ident. No.: 0512.01-48-1466  
Verified by: **41039** Date: 8/13/99

Mail after recording to: Grainger Barrett, P.O. Box 1829, Fayetteville, NC 28302  
This instrument prepared by: GRAINGER R. BARRETT, COUNTY ATTORNEY  
Brief description for the Index: 2.72 Acres Lower Little River Manchester Township

NORTH CAROLINA GENERAL WARRANTY DEED

THIS DEED, made this 12<sup>th</sup> day of August, 1999, by and between: 8-16-1999 PM 4:15

GRANTOR

Reverend Harvey Lee Cashwell,  
Michael Thornsley, Joyce Chastain  
David Daugherty and Gary Stinnett,  
Trustees of and for Little River Baptist  
Church, successor trustees to Michael  
Clark, Harvey Lee Cashwell and Don Cook  
Trustees for Little River Baptist Church

GRANTEE

COUNTY OF CUMBERLAND,  
a body politic and corporate of  
the State of North Carolina

RECEIVED  
GEORGE E. TATUM  
REGISTER OF DEEDS  
CUMBERLAND CO., N.C.

The designation Grantor and Grantee as used herein shall include said parties, their heirs, successors, and assigns, and shall include singular, plural, masculine, feminine or neuter as required by context.

WITNESSETH:

That said Grantor, for valuable consideration, paid by the Grantee, the receipt of which is hereby acknowledged, has and by these presents does grant, bargain, sell, and convey unto the Grantee in fee simple, all that certain lot or parcel of land situated in Manchester Township, Cumberland County, North Carolina, and more particularly described as follows:

SEE ATTACHED EXHIBIT "A" FOR LEGAL DESCRIPTION, WHICH IS INCORPORATED FULLY BY REFERENCE AS IF SET FORTH HEREIN. This conveyance is subject to the further declaration and restriction, which shall run with the property conveyed, that said property conveyed shall be maintained as open space in perpetuity and that no future federal disaster assistance shall be available for it.

TO HAVE AND TO HOLD, the aforesaid lot or parcel of land and all privileges and appurtenances thereto belonging to the Grantee in fee simple.

And the Grantor covenants with the Grantee that Grantor is seized of the premises in fee simple, has the right to convey the same in fee simple, that title is marketable and free and clear of all encumbrances, and that Grantor will warrant and defend the title against the lawful claims of all persons whomsoever, except for the exceptions hereinafter stated.

CUMBERLAND COUNTY NC 08/16/99

\$290.00

STATE OF NORTH CAROLINA  
Real Estate  
Excise Tax

WIC

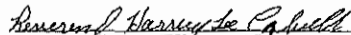
5147  
0235


BK 5147 PG 0235


Title to the property hereinabove described is subject to the following exceptions:

1. All easements, rights of way and liens of record.
2. Ad valorem property taxes for 1999.

IN WITNESS WHEREOF, the Grantors have signed this instrument and affixed their seal the day and year first above written.

 (SEAL)  
REVEREND HARVEY LEE CASHWELL, TRUSTEE  
FOR LITTLE RIVER BAPTIST CHURCH

 (SEAL)  
MICHAEL THORNSLEY, TRUSTEE FOR LITTLE  
RIVER BAPTIST CHURCH

 (SEAL)  
JOYCE CHASTAIN, TRUSTEE FOR LITTLE RIVER  
BAPTIST CHURCH

 (SEAL)  
DAVID DAUGHERTY, TRUSTEE FOR LITTLE  
RIVER BAPTIST CHURCH

 (SEAL)  
GARY STINNETT, TRUSTEE FOR LITTLE RIVER  
BAPTIST CHURCH

5147  
8236

BK5147PG0236

STATE OF NORTH CAROLINA  
COUNTY OF CUMBERLAND

Peggie C. Bawls Notary Public in and for the State of North Carolina, do hereby  
certify that Reverend Harvey Lee Cashwell, Michael Thornsley, Joyce Chastain, David  
Daugherty and Gary Stinnett, Trustees for Little River Baptist Church, personally appeared  
before me this day and acknowledged the due execution of the foregoing deed.

WITNESS my hand and seal this the 12 day of August 1999.

Peggie C. Bawls  
Notary Public

My commission expires:

May 18, 2000

STATE OF NORTH CAROLINA  
COUNTY OF CUMBERLAND

The foregoing certificate of Peggie C. Bawls, a Notary Public, is  
certified to be correct. This instrument was duly registered at the date and time and in the Book  
and Page shown on the first page hereof.

GEORGE B TATUM, Register of Deeds for Cumberland County,  
George B Tatum Deputy / Assistant-Register of Deeds



5147  
8237

BK5147P60237

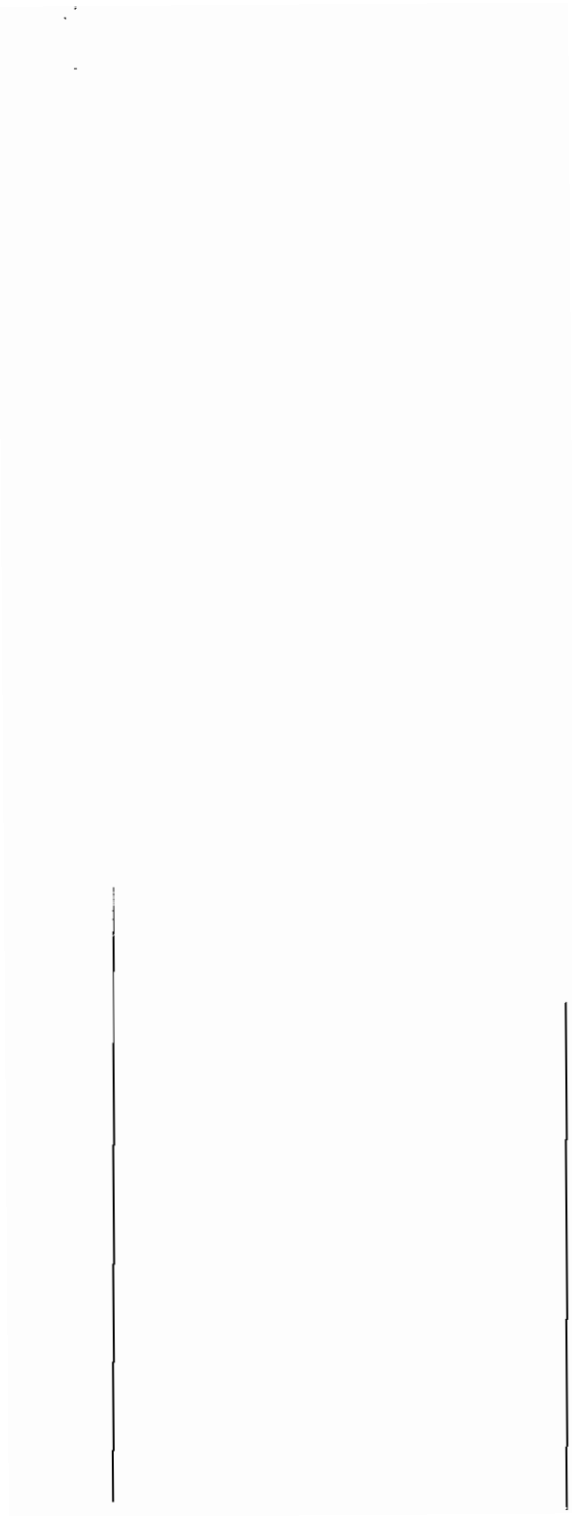
Exhibit "A"

TRACT 1:

BEGINNING at a point on the eastern right-of-way of North Carolina Highway No. 210, at the center of the lower Little River, thence approximately 300.00 feet North 28° 35' from the center of the lower Little River; thence South 61° 25' East for 126.79 feet to a point; thence South 33° 00' for approximately 396.00 feet to the center line of Lower Little River; thence along the center line of the lower Little River to the beginning. Being the same tract of land as described in Deed Book 3429 Page 374, in the Cumberland County Registry.

TRACT 2:

BEGINNING at an iron rebar, the second corner of a 72.70 acre tract conveyed from Savoy Realty Company to Albert Goins and wife and recorded in Deed Book 403, Page 186, Cumberland County Registry; and runs thence with the second line of said tract North 44 degrees 09 minutes East 56.25 feet to a point in the second line of a tract conveyed to Baptist Temple Church of Spring Lake recorded in Deed Book 2510, Page 467, Cumberland County Registry; thence with said line South 63 degrees 25 minutes East 7.35 feet to an existing 2" tall iron pipe, the third corner of said church property; thence with the eastern line of said property South 35 degrees 00 minutes East 355.00 feet to a point on the northern bank of lower Little River; thence with said rivers bank South 69 degrees 33 minutes West 76.55 feet to a point in the Western line of Albert Goins 72.70 acre tract; thence with said line North 32 degrees 21 minutes West 332.00 feet to the beginning. Containing 0.53 acres. Being the same tract of land as described in Deed Book 3580 Page 375, in the Cumberland County Registry.



# DRAFT

\* Item 3  
Next Page

CUMBERLAND COUNTY POLICY COMMITTEE  
NEW COURTHOUSE, 117 DICK STREET, 5TH FLOOR, ROOM 564  
JUNE 3, 2010 – 9:30 AM  
MNUTES

MEMBERS PRESENT: Commissioner Ed Melvin  
Commissioner Phillip Gilfus

MEMBER ABSENT: Commissioner Kenneth Edge

OTHERS PRESENT: Commissioner Marshall Faircloth  
James Martin, County Manager  
Amy Cannon, Assistant County Manager  
Rick Moorefield, County Attorney  
Harvey Raynor, Deputy County Attorney  
Sally Shutt, Communications Manager  
Howard Abner, Assistant Finance Director  
Kristoff Bauer, Assistant City Manager  
City of Fayetteville  
Doug Byrd, Chamber of Commerce  
Bo Gregory, Chamber of Commerce  
Marie Colgan, Clerk to the Board  
Press

In the absence of the former Chairman, Commissioner Phillip Gilfus called the meeting to order.

## 1. Election of Chairman

MOTION: Commissioner Melvin moved to elect Commissioner Gilfus as Chair.  
SECOND: Commissioner Gilfus  
VOTE: UNANIMOUS

## 2. Approval of Minutes: December 3, 2009 Meeting

MOTION: Commissioner Melvin moved to approve as presented.  
SECOND: Commissioner Gilfus  
VOTE: UNANIMOUS



## DRAFT

### 3. Consideration of Request of R. E. Goodson Construction Co., Inc. to Connect to and Travel Over County Property from Company Property

County Manager Martin advised that a request has been received from R.E. Goodson Construction Company to allow travel over county property and called on Butch Raynor, Deputy County Attorney, to provide information on the request. Mr. Raynor explained that R.E. Goodson is doing the field work for the I-295 project and referred members to the site maps. Mr. Raynor reported that R.E. Goodson had requested the county grant it a license to use a 2.5 acre parcel owned by the county to access NC Highway 210 from Goodson's property being used as a borrow pit for a two-year period. R.E. Goodson has direct access to NC Highway 210 across a 140 foot tract which separates the homes of the two sisters who sold the company the property, but the sisters requested that an attempt be made to obtain access at a different location other than their property where they live. After discussion, it was agreed that Mr. Raynor would ensure that the license would indemnify the county for any liability during its use and that he would seek compensation for its grant. Commissioner Melvin also wanted to ensure that the property will be left as it was at the end of the two-year license and Mr. Raynor assured him that it would be in better condition. Commissioner Faircloth requested that the tax valuation information be presented to the full board at the time it is brought to them.

MOTION: Commissioner Gilfus moved to allow Mr. Raynor to go forward on this project with the caveat that Mr. Raynor will seek appropriate compensation and will ensure that the license covers liability issues. A report will be presented at the June 21<sup>st</sup> Board meeting and approval will be requested at that time.

SECOND: Commissioner Melvin

VOTE: UNANIMOUS

### 4. Consideration of Joint Economic Development Policy

County Manager Martin stated there has been ongoing work on the policy being proposed since the Board's planning session in February. Mr. Martin informed members that Mr. Bauer from the City and Mr. Gregory and Mr. Byrd from the Chamber are in attendance to help answer questions the committee may pose. Mr. Martin advised some parts of the policy are particular to the city, some are particular to the county and some are particular to both. County Attorney Moorefield called members attention to the proposed policy in their packet stating it is the policy which has been adopted by the City Council. Mr. Moorefield stated the policy is not an aggressive policy, but more of a baseline approach. The following highlights were noted:

- The Chamber will continue to serve as the responsible agency for coordinating, developing and handling the economic development projects.
- All projects supported by economic development incentives must serve a public purpose.



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. 6

AGENDA ITEM FOR JUNE 21, 2010 MEETING

MEMO TO: Board of Commissioners

MEMO FROM: Marie Colgan, Clerk to the Board *MC*

DATE: June 7, 2010

RE: Appointment of a voting delegate and alternate for the  
NACo Conference in July

BACKGROUND: The NACo annual conference is being held July 16 – 20, 2010.

PROPOSED ACTION: Appoint a delegate and an alternate.

*Celebrating Our Past... Embracing Our Future*

**ITEM NO. 7 – NOMINATIONS TO BOARDS AND COMMITTEES**

**THERE ARE NO NOMINATIONS FOR THE JUNE 21, 2010  
BOARD OF COMMISSIONERS MEETING**

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

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June 11, 2010

ITEM NO. 81A

**June 21, 2010 Agenda Item**

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

BACKGROUND: On June 7, 2010, the Board of Commissioners nominated the following individuals to fill two (2) upcoming vacancies on the Adult Care Home Community Advisory Committee:

**Wynella A. Myers** (reappointment)

**Alfonso Ferguson, Sr.** (reappointment)

I have attached the current membership list for this committee.

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

Attachment

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

*Celebrating Our Past...Embracing Our Future*

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

<u>Name/Address</u>	<u>Date Appointed</u>	<u>Term</u>	<u>Expires</u>	<u>Eligible For Reappointment</u>
VACANT (vacated by Terri Thomas)	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)	5/10	1st	May/13 5/31/13	Yes
VACANT (vacated by Dell Caramanno)	4/00	1 <sup>st</sup>	Apr/12 4/30/12	Yes

<u>Name/Address</u>	<u>Date Appointed</u>	<u>Term</u>	<u>Expires</u>	<u>Eligible For Reappointment</u>
George W. Mitchell 6607 Abbey Lane Fayetteville, NC 28311 261-6951 (W)	5/10	Initial	May/11 5/31/11	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
VACANT (vacated by O.Morales)	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

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

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June 11, 2010

ITEM NO. 8B

**June 21, 2010 Agenda Item**

TO: Board of Commissioners  
FROM: Candice H. White, Deputy Clerk to the Board  
SUBJECT: Board of Adjustment

BACKGROUND: On June 7, 2010, the Board of Commissioners nominated the following individuals to fill two (2) upcoming vacancies on the Board of Adjustment:

**Melree Hubbard Tart** (reappointment)

**Carrie Tyson-Autry** (reappointment)

I have attached the current membership list for this Board.

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

Attachment

pc: Tom Lloyd, Director  
Planning and Inspections Department

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BOARD OF ADJUSTMENT  
3 Year Term

<u>Name/Address</u>	<u>Date Appointed</u>	<u>Term</u>	<u>Expires</u>	<u>Eligible For Reappointment</u>
Joseph M. Dykes (B/M) PO Box 41604 Fayetteville, NC 28309 813-4193 (C)	6/09	1 <sup>st</sup>	June/12 6/30/12	Yes
Oscar L. Davis, III (C/M) 3320 Rustburg Drive Fayetteville, NC 28303 867-2950/977-3101(W)	6/07	2 <sup>nd</sup>	June/10 6/30/10	No
Melree Hubbard Tart (W/F) 300 Andrews Road Fayetteville, NC 28311 488-1208/497-3712 (W)	6/07	1 <sup>st</sup>	Aug/10 8/31/10	Yes
John R. Swanson (W/M) 6416 Coachman's Way Fayetteville, NC 28303 987-1972/822-2000(W)	9/09	1 <sup>st</sup>	Sept/12 9/30/12	Yes
George Quigley (W/M) 616 Blawell Circle Stedman, NC 28391 485-2980	6/09	2 <sup>nd</sup>	June/12 6/30/12	No
<u>Alternate Members:</u>				
Carrie Tyson-Autry (C/F) 5951 NC Hwy 87 South Fayetteville, NC 28306-379 483-0087	6/08	1 <sup>st</sup>	Aug/10 8/31/10	Yes
Horace Humphrey (- /M) 1852 Cascade Street Fayetteville, NC 28301 488-5143	01/08	1 <sup>st</sup>	Aug/10 8/31/10	Yes
(serving unexpired term)				
William Lockett Tally (W/M) 414 Vista Drive Fayetteville, NC 28305 489-3533/483-4175 (W)	11/08	1 <sup>st</sup>	June/10 6/30/10	Yes
(serving unexpired term)				

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

Randy A. Newsome (W/M) 232 Croydon Avenue Fayetteville, NC 28311 717-5754 (H) / 436-0414 (W)	1/10  (first full term)	1 <sup>st</sup>	Jan/13 1/31/13	Yes
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Martin J. Locklear (I/M) 1611 Four Wood Drive Fayetteville, NC 28312 672-0323/893-7525(W)	8/09	2nd	Aug/12 8/31/12	No
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Meets 3<sup>rd</sup> Thursday of each month at 7:00 PM – Historic Cumberland County Courthouse, 130 Gillespie Street, Room 3

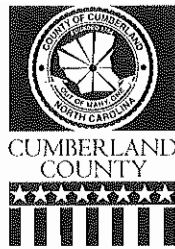
Contact: Tom Lloyd, County Planning Department - 678-7627  
Patti Speicher – 678-7605



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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June 11, 2010

ITEM NO. 8C

**June 21, 2010 Agenda Item**

TO: Board of Commissioners

FROM: Candice H. White, Deputy Clerk to the Board

SUBJECT: Cumberland County Juvenile Crime Prevention Council

BACKGROUND: On June 7, 2010, the Board of Commissioners nominated the following individuals to fill two (2) vacancies on the Juvenile Crime Prevention Council:

**At-Large Representatives**

**Kimberly Reeves** (reappointment)

**Joan Blanchard** (reappointment)

I have attached the current membership list for this council.

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

Attachment

pc: Margaret Dees, Cumberland County Communicare  
Sarah Hemingway, Cumberland County Communicare

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

CUMBERLAND COUNTY  
JUVENILE CRIME PREVENTION COUNCIL  
(Two year terms)

<u>Name/Address</u>	<u>Date Appointed</u>	<u>Term</u>	<u>Expires</u>	<u>Eligible For Reappointment</u>
<u>Local School Superintendent or designee</u>				
Carol Hudson Cumberland County Schools P.O. Box 2357 Fayetteville, North Carolina 28302 Phone: 678-2495	1/99			
<u>Chief of Police or designee</u>				
Lt. Darry Whitaker Fayetteville Police Department 467 Hay Street Phone: 433-1910	2/10			
<u>Local Sheriff or designee</u>				
Lt. Lynette Hodges Cumberland County Sheriff's Office 131 Dick Street Fayetteville, North Carolina 28301 Phone: 677-5474	1/07			
<u>District Attorney or designee</u>				
Cheri Siler-Mack Assistant District Attorney District Attorney's Office 117 Dick Street, Suite 427 Fayetteville, North Carolina 28301 Phone: 678-2915	1/99			
<u>Chief Court Counselor or designee</u>				
Michael Strickland Department of Juvenile Justice P.O. Box 363 Fayetteville, North Carolina 28302 Phone: 678-2947	08/07			
<u>Director of Mental Health or designee</u>				
Debbie Jenkins Cumberland County Mental Health Center P.O. Box 3069 Fayetteville, North Carolina 28302 Phone: 323-0510	10/03			

Cumberland County Juvenile Crime Prevention Council Page 2

<u>Name/Address</u>	<u>Date Appointed</u>	<u>Term</u>	<u>Expires</u>	<u>Eligible For Reappointment</u>
<u>Director of Social Services or designee</u>				
Claudia Phillips	2/10			
Children Services Special Teams Program Manager				
Cumberland County Department of Social Services				
P.O. Box 2429				
Fayetteville, North Carolina 28302-2429				
Phone: 677-2442				
<u>County Manager or designee</u>				
Juanita Pilgrim, Deputy Co. Mgr.	1/99			
Cumberland County Courthouse				
P.O. Box 1829				
Fayetteville, North Carolina 28302-1829				
Phone: 678-7726				
<u>Chief District Judge or designee</u>				
Judge Ed Pone	1/99			
P.O. Box 363				
Fayetteville, North Carolina 28302				
Phone: 678-2901				
<u>Health Director or designee</u>				
Archie Malloy	3/06			
Jail Health Administrator				
205 Gillespie Street				
Fayetteville, North Carolina 28301				
Phone: 672-5723				
<u>Parks and Recreation Representative</u>				
Melvin Lindsay	2/05			
City of Fayetteville				
Parks and Recreation Dept.				
433 Hay Street				
Fayetteville, North Carolina 28301				
Phone: 433-1547				
<u>County Commissioner</u>				
Billy R. King	1/99			
P.O. Box 1829				
Fayetteville, NC 28302-1829				
Phone: 678-7771				

Cumberland County Juvenile Crime Prevention Council, Page 3

<u>Name/Address</u>	<u>Date Appointed</u>	<u>Term</u>	<u>Expires</u>	<u>Eligible For Reappointment</u>
<u>Substance Abuse Professional</u>				
Robin Black TASC 412 West Russell Street Fayetteville, NC 28302-3069 321-6792	4/10	1 <sup>st</sup>	Apr/12 4/30/12	Yes
<u>Member of Faith Community</u>				
Rev. Fred Hendley 333 Westwater Way Fayetteville, NC 28301 822-1014(W)/977-9588(C)	9/09	1 <sup>st</sup>	Sept/11 9/30/11	Yes
<u>Person Under Age 21</u>				
Jamarrius Hassell 3510 Birchfield Ct., Apt. 202 Fayetteville, NC 28306 252-521-1421	4/10	1 <sup>st</sup>	Feb/11 2/28/11	Yes
(serving unexpired term-may be eligible to serve two additional terms)				
<u>Juvenile Defense Attorney</u>				
Beth A. Hall 4508 Weaverhall Drive Fayetteville, NC 28314 257-0847(Cell)	8/08	2 <sup>nd</sup>	Aug/10 8/31/10	No
<u>Member of Business Community</u>				
La-Lisa Hewett-Robinson S. Regional Area Health Education Ctr. 1601 Owen Drive Fayetteville, NC 28304 678-7293	4/10	1 <sup>st</sup>	Apr/12 4/30/12	Yes
<u>United Way or Non-Profit</u>				
VACANT (vacated by Patrick Hurley)	8/08	1 <sup>st</sup>	Aug/10 8/31/10	Yes
<u>At Large Representatives</u>				
Lee Roberts 3027 Stedman Cedar Creek Road Fayetteville, NC 28301	9/09	1 <sup>st</sup>	Sept/11 9/30/11	Yes
(serving unexpired term-eligible to serve one additional term)				
Kimberly Reeves 412 West Russell Street Fayetteville, North Carolina 28301 423-4824	6/09	1 <sup>st</sup>	Aug/10 8/31/10	Yes
(Serving unexpired term.)				

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

Non-Voting Member

Ronald Tillman  
DJJDP Regional Consultant  
100 Dillion Drive  
Butner, North Carolina 27509  
Phone: 919-575-3166 (W)

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

Contact: Margaret Dees, Cumberland County Communicare – Phone: 829-9017 Fax: 485-4752

BILLY R. KING  
Chairman

KENNETH S. EDGE  
Vice Chairman

JEANNETTE M. COUNCIL  
MARSHALL FAIRCLOTH  
PHILLIP GILFUS  
JIMMY KEEFE  
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**BOARD OF COMMISSIONERS**

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June 11, 2010

ITEM NO. 8D

**June 21, 2010 Agenda Item**

TO: Board of Commissioners

FROM: Candice H. White, Deputy Clerk to the Board

SUBJECT: Cumberland County Local Emergency Planning Committee

BACKGROUND: On June 7, 2010, the Board of Commissioners nominated the following individuals to fill six (6) vacancies on the Cumberland County Local Emergency Planning Committee:

First Aid Representative  
**Kevin Brunson** (new appointment)

Print and Broadcast Media Representative  
**Doug Hewett** (reappointment)

Print and Broadcast Media Representative  
**Sally Shutt** (reappointment)

Law Enforcement Representative  
**Lt. Charles Parker** (reappointment)

Utilities Representative  
**Suzanne Rohrs** (reappointment)

At-Large Representative  
**Richard A. King** (new appointment)

I have attached the current membership list for this committee.

**PROPOSED ACTION: Appoint individuals to fill the six (6) vacancies above.**

Attachment

pc: Kenny Currie, Emergency Services Director

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

<u>Name/Address</u>	<u>Date Appointed</u>	<u>Term</u>	<u>Expires</u>	<u>Eligible For Reappointment</u>
<u>Print and Broadcast Media Representative</u>				
Doug Hewett, Director City of Fayetteville Management Services 433 Hay Street Fayetteville, NC 28301 Phone: 433-1978	8/07	1 <sup>st</sup> full	Aug/10 8/31/10	Yes
Sally Shutt (W/F) CC Communications Manager P.O. Box 1829 Fayetteville, NC 28302 Phone: 437-1921	8/09	2 <sup>nd</sup>  (serving unexpired term)	Aug/10 8/31/10	Yes
<u>Operators of Facilities Representative</u>				
Rayford Hunt Hexion Specialty Chemicals 1411 Industrial Drive Fayetteville, NC 28301 485-9269	4/10	1 <sup>st</sup>  (serving unexpired term)	Nov/11 11/30/11	Yes
<b>VACANT</b> (vacated by Gene Smith) Goodyear Tire and Rubber 6650 Ramsey Street Fayetteville, NC 28311 893-8213/630-5678 (W)	8/09	1 <sup>st</sup>	Aug/12 8/31/12	Yes
<b>VACANT</b> (vacated by Joel Blake)	4/07	2 <sup>nd</sup>	Dec/09 12/31/09	No
Antionette Barnes ( /F) Purolator Filters 3200 Natal Road Fayetteville, NC 28306 426-4283 (W)	2/10	1 <sup>st</sup>  (serving 1 <sup>st</sup> full term-eligible for another 3-year term)	Dec/12 12/31/12	Yes

<u>Name/Address</u>	<u>Date Appointed</u>	<u>Term</u>	<u>Expires</u>	<u>Eligible For Reappointment</u>
<u>Law Enforcement Representative</u>				
Sgt. Erwin Montgomery NC Highway Patrol 2435 Gillespie Street Fayetteville, NC 28306-3053 486-1334	9/09	1st	Sept/12 9/30/12	Yes
Lt. Charles Parker Cumberland Co. Sheriff's Office 131 Dick Street Fayetteville, NC 28301-5750 677-5412	5/08  (serving unexpired term)	1 <sup>st</sup>	Aug/10 8/31/10	Yes
Lieutenant Wade Owen Fayetteville Police Department 467 Hay Street Fayetteville, NC 28301-5565 433-1819	12/09	1 <sup>st</sup>	Dec/12 12/31/12	Yes
<u>Emergency Management Representative</u>				
Greg Phillips Cumberland County Emergency Services 131 Dick Street Fayetteville, NC 28301 321-6736	5 /08  (serving unexpired term)	1 <sup>st</sup>	Sept/10 9/30/10	Yes
<u>Community Group Representative</u>				
Jeffrey Womble Fayetteville State University Office of Public Relations 1200 Murchison Road Fayetteville, NC 28301 Phone:	8/07	2 <sup>nd</sup>	Aug/10 8/31/10	No
<u>Transportation Representative</u>				
<b>VACANT</b> (vacated by Eddie Smith)	12/09	1st	Dec/12 12/31/12	Yes
<u>Health Representative</u>				
Jane Stevens Cumberland County Health Dept. 227 Fountainhead Lane Fayetteville, NC 28301-5417 433-3673(W)/987-2892(Cell)	1/09	2 <sup>nd</sup>	Jan/12 1/31/12	No



<u>Name/Address</u>	<u>Date Appointed</u>	<u>Term</u>	<u>Expires</u>	<u>Eligible For Reappointment</u>
<u>Hospital Representative</u>				
Scott Tanner Cape Fear Valley Health System 1638 Owen Drive Fayetteville, NC 28304 615-7914 (W) / 315-4672 (H)	9/09	1st	Sept/12 9/30/12	Yes
<u>Fire Fighting Representative</u>				
Assistant Chief Thomas M. Allen Fire/Emergency Management City of Fayetteville 433 Hay Street Fayetteville, NC 28301 433-1009	10/08	1 <sup>st</sup>	Dec/11 12/31/11	Yes
<u>First Aid Representative</u>				
VACANT (vacated by Michael Roye) Cape Fear Valley Emergency Medical Services 610 Gillespie Street Fayetteville, NC 28306 615-5651 (W) / 309-7228 (C)	11/09  (serving unexpired term)	1st	Nov/10 11/30/10	Yes
<u>At-Large Representative</u>				
Phillip McCorquodale 2413 Cleveland Avenue Fayetteville, NC 28312 323-4112/323-9600 (W)	4/10	1 <sup>st</sup>	April/13 04/30/13	Yes
Dawn O'Donnell 2072 Birchcreeft Drive Fayetteville, NC 28304 425-3619/864-2470 (w)	8/07	2 <sup>nd</sup>	Aug/10 08/31/10	No
<u>Local Environmental Representative</u>				
Paul Rawls 225 Green Street, Suite 714 Fayetteville, NC 28301 424-5556 (H) / 433-3324 (W)	2/10	1st	Feb/13 2/28/13	Yes
<u>Utilities Representative</u>				
Ray Jackson (/M) Public Works Commission 955 Old Wilmington Road Fayetteville, NC 28301 223-4118	8/09	1 <sup>st</sup>	Aug/12 8/31/12	Yes

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

Ex-Officio Members:

Elected Official Representative (Liaison)

Ed Melvin, County Commissioner

Emergency Management

Kenny Currie, Cumberland County Emergency Services

Fayetteville Fire/Emergency Management

Bennie Nichols, Chief, Fayetteville Fire Department

Dale Iman, City Manager

James Martin, County Manager

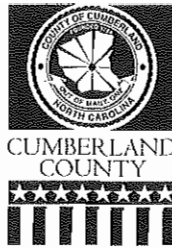
Contact: Kenny Currie, Director – Emergency Services – x7688 or Gloria Simms

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

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Chairman

KENNETH S. EDGE  
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JEANNETTE M. COUNCIL  
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PHILLIP GILFUS  
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MARIE COLGAN  
Clerk to the Board

CANDICE WHITE  
Deputy Clerk

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June 11, 2010

ITEM NO. 8E

**June 21, 2010 Agenda Item**

TO: Board of Commissioners  
FROM: Candice H. White, Deputy Clerk to the Board  
SUBJECT: Cumberland County Workforce Development Board

BACKGROUND: On June 7, 2010 the Board of Commissioners nominated the following individual to fill one (1) upcoming vacancy on the Cumberland County Workforce Development Board:

Education

**Dr. Joe Mullis** (reappointment)

I have attached the current membership list for this board.

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

Attachment

pc: Geneva Mixon, Director

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CUMBERLAND COUNTY WORKFORCE DEVELOPMENT BOARD  
(FORMERLY, PRIVATE INDUSTRY COUNCIL)  
3 Year Terms

<u>Name/Address</u>	<u>Date Appointed</u>	<u>Term</u>	<u>Expires</u>	<u>Eligible For Reappointment</u>
<u>Private Sector:</u>				
Alicia R. McLean (B/F) Fayetteville Kidney Center 5058 Summer Ridge Drive Fayetteville, NC 28303 487-0390/323-5288 (W)	9/08	1 <sup>st</sup>	Sept/11 9/30/11	Yes
Gwen Holloman (B/F) VA Hospital 721 Edgehill Road Fayetteville, NC 28314 868-1691/261-7813 (C)	9/08	1 <sup>st</sup>	Sept/11 09/30/11	Yes
Loleta L. Wilkerson ( /F) Navy Federal Credit Union 2606 Bragg Blvd., Suite 320 Fayetteville, NC 28303-4144 481-7800 (W) / 481-1057 (C)	10/08	2 <sup>nd</sup>	Oct/11 10/31/11	No
Rosie G. McMillan (B/F) FSU 1972 Culpepper Lane Fayetteville, NC 28304 864-0158/671-1105 (W)	9/08	1 <sup>st</sup>	Sept/11 09/30/11	Yes
Brad Loase (W/M) 815 Stamper Road Fayetteville, NC 28303 583-3682/437-5959 (W)	2/10	2 <sup>nd</sup>	Feb/13 2/28/13	No
Michael Karaman (W/M) 4424 Bragg Blvd. # 101 Fayetteville, NC 28303 860-1000	2/10	2 <sup>nd</sup>	Feb/13 2/28/13	No
Linda Hoppmann (W/F) 515 Person Street Fayetteville, NC 28301 (serving unexpired term) 826-4939/483-5016 (W)	4/09	1 <sup>st</sup>	Nov/11 11/30/11	Yes
Dina Simcox (W/F) 3628 Heatherbrooke Drive Fayetteville, NC 28306 717-2448/868-7668 (W)	4/08	1 <sup>st</sup>	Apr/11 4/30/11	Yes

Cumberland County Workforce Development Board, page 2

<u>Name/Address</u>	<u>Date Appointed</u>	<u>Term</u>	<u>Expires</u>	<u>Eligible For Reappointment</u>
Sara Jean Hicks (W/F) Aberdeen & Rockfish Railroad 655 Winslow Street Fayetteville, NC 28306 417-9072/483-8309 (W)	2/09	1 <sup>st</sup>	Feb/12 2/28/12	Yes
Charles A. Richter ( /M) Piedmont Natural Gas 1069 Wilkes Road Fayetteville, NC 28306 321-2982 (W) / 308-1168 (C)	10/08	2 <sup>nd</sup>	Oct/11 10/31/11	No
Hubert Owens (B/M) 4836 Durango Court Fayetteville, NC 28304 339-9592/(719)433-9684/977-5270 (C)	6/09	1 <sup>st</sup>	June/12 6/30/12	Yes
John Davidson (W/M) Carco Group, Inc. 674 Glenda Street Fayetteville, NC 28311 482-4338/308-3255	6/09	2nd	June/12 6/30/12	No
<u>Public Sector:</u>				
Social Services Representative:				
Richard Everett (W/M) Dept. of Social Services 408 Mirror Lake Drive Fayetteville, NC 28303 484-0432/677-2360 (W)	9/08	1 <sup>st</sup>	Sept/11 9/30/11	Yes
<u>Rehabilitation:</u>				
Ellen Morales ( /F) North Carolina Department of Human Resources Division of Vocational Rehabilitation Services 1200 Fairmont Court Fayetteville, NC 28304	11/06	(unlimited term - replaced by state agency)		
<u>Community Based Organization:</u>				
Esther Acker (W/F) 301 Coolee Circle Fayetteville, NC 28311 488-1402/323-3192 x32 (W)	9/08	1 <sup>st</sup>	Sept/11 9/30/11	Yes

<u>Name/Address</u>	<u>Date Appointed</u>	<u>Term</u>	<u>Expires</u>	<u>Eligible For Reappointment</u>
Sara Hemingway (W/F) Communicare, Inc. 711B Executive Place Fayetteville, NC 28305 829-9017	2/09	1 <sup>st</sup>	Feb/12 2/28/12	Yes
J. Carl Manning (B/M) Kingdom CDC PO Box 1402 Fayetteville, NC 28302 630-1000/484-2722	5/08	1 <sup>st</sup>	May/11 5/31/11	Yes
<u>Economic Development:</u> Catherine Johnson (W/F) FCCCC 524 Deerpath Drive Fayetteville, NC 28311 822-4809/484-4242 x247 (W)	8/08	1 <sup>st</sup>	Aug/11 8/31/11	Yes
<u>Employment Service:</u> Glenn McQueen (B/M) Employment Security Comm. 414 Ray Avenue Fayetteville, NC 28301 486-1010	8/02	(unlimited term - replaced by state agency)		
<u>Labor:</u> Joseph M. Smith (W/M) Goodyear 6005 Loudon Circle Hope Mills, NC 28348 424-6238/488-9295 x321 (W)/578-9933 (C)	9/08	1 <sup>st</sup>	Sept/11 9/30/11	Yes
<u>Education:</u> Dr. Joe Mullis, ( /M) FTCC PO Box 35236 Fayetteville, NC 28303	8/07	1 <sup>st</sup>	Aug/10 8/31/10	Yes
Emily Dickens (-/F) Fayetteville State University 1200 Murchison Road Fayetteville, NC 28301 486-1141	11/08	1 <sup>st</sup>	Nov/11 11/30/11	Yes

<u>Name/Address</u>	<u>Date Appointed</u>	<u>Term</u>	<u>Expires</u>	<u>Eligible For Reappointment</u>
<u>County Representative:</u> Juanita Pilgrim Deputy County Manager P. O. Box 1829 Fayetteville, NC 28302 678-7726	7/93	N/A	N/A	N/A

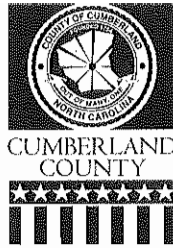
Contact: Geneva Mixon, Director, CC Workforce Development Center (321-6421 or Lorria Troy fax # 323-5755)

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

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Chairman

KENNETH S. EDGE  
Vice Chairman

JEANNETTE M. COUNCIL  
MARSHALL FAIRCLOTH  
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MARIE COLGAN  
Clerk to the Board

CANDICE WHITE  
Deputy Clerk

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June 11, 2010

ITEM NO. 8F

**June 21, 2010 Agenda Item**

TO: Board of Commissioners  
FROM: Candice H. White, Deputy Clerk to the Board  
SUBJECT: Joint Appearance Commission

BACKGROUND: On June 7, 2010, the Board of Commissioners nominated the following individual to fill one (1) upcoming vacancy on the Joint Appearance Commission.

**Ken Arnold (reappointment)**

I have attached the current membership list.

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

Attachment

pc: David Nash, Planner II  
City of Fayetteville

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JOINT APPEARANCE COMMISSION  
2-Year Terms

<u>Name/Address</u>	<u>Date Appointed</u>	<u>Term</u>	<u>Expires</u>	<u>Eligible for Reappointment</u>
Arnold, Ken (B/M) 1005 Our Street Fayetteville, NC 28314 867-3114/222-2800 (W)	8/09	1 <sup>st</sup>	Aug/10 8/31/10	Yes
	(serving unexpired term)			
Gloston, Louis (B/M) 2000 Greendale Drive Fayetteville, NC 28304 867-5724/484-7869(W)	8/08	2 <sup>nd</sup>	Aug/10 8/31/10	No
Smith, Nancy W. (W/F) 5731 Christmasberry Court Fayetteville, NC 28312 487-1578/850-9398 (W)	8/09	2 <sup>nd</sup>	Aug/11 8/31/11	No
<b>VACANT</b> (vacated by Steve Hogan)	8/09	1 <sup>st</sup>	Aug/11 8/31/11	Yes

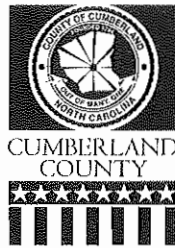
Meetings: First Monday of Month – 5:15 PM – City Hall, 1<sup>st</sup> Floor, Cape Fear Room

Contact: David Nash, Planner II – Phone: 433-1995 – Fax: 433-1776  
City of Fayetteville

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Chairman

KENNETH S. EDGE  
Vice Chairman

JEANNETTE M. COUNCIL  
MARSHALL FAIRCLOTH  
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MARIE COLGAN  
Clerk to the Board

CANDICE WHITE  
Deputy Clerk

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June 11, 2010

ITEM NO. 86

**June 21, 2010 Agenda Item**

TO: Board of Commissioners

FROM: Candice H. White, Deputy Clerk to the Board

SUBJECT: Mental Health Board

BACKGROUND: On June 7, 2010, the Board of Commissioners nominated the following individuals to fill two (2) vacancies on the Mental Health Board:

Individual Representing the Interests of Children

**Janice Smith** (new appointment)

Clinical Professional from the Fields of Mental Health,  
Developmental Disabilities or Substance Abuse

**Allie Wiggins** (new appointment)

I have attached a current membership list for this board.

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

Attachment

pc: Hank Debnam, Mental Health Department

*Celebrating Our Past...Embracing Our Future*

MENTAL HEALTH BOARD 2/10  
 (Cumberland County Area Mental Health, Developmental Disabilities and Substance Abuse Board)  
 4 Year Term (for current members as of 6-06)  
 3 Year Term (for members appointed after 6-06)

<u>Name/Address</u>	<u>Date Appointed</u>	<u>Term</u>	<u>Expires</u>	<u>Eligible For Reappointment</u>
<u>Licensed Physician</u>				
Dr. Zane Walsh, Jr. (-/M) 2810 Huntington Road Fayetteville, NC 28303 484-3436/323-9010 (W)	12/09	1st	Dec/12 12/31/12	Yes
(serving first full term; eligible for 1 additional term)				
<u>Individual with Financial Expertise</u>				
Christopher Bostock (M) 424 Kingsford Road Fayetteville, NC 28314 864-6501/486-0415(W)	12/09	2nd	Dec/12 12/31/12	No
Willie Cooper, Jr. (B/M) 5599 Ashgrove Drive Fayetteville, NC 28311 488-4037/829-9873 (W)	12/09	2nd	Dec/12 12/31/12	No
<u>At-Large Representative</u>				
Rev. Floyd Johnson, Jr. (B/M) 716 Amber Drive Fayetteville, NC 28311 822-0457	12/08	2 <sup>nd</sup>	Dec/11 12/31/11	No
<u>Family Member Representing the Interests of Individuals with Developmental Disabilities</u>				
Lodies Gloston (B/F) 2000 Greendale Drive Fayetteville, NC 28304 867-5724 (H) / 624-9878 (W)	12/09	1st	Dec/12 12/31/12	Yes
<u>At-Large Representative</u>				
William H. McDougal (B/M) 661 Country Club Road Fayetteville, NC 28301 488-7311	12/07	2 <sup>nd</sup>	Dec/10 12/31/10	No
<u>Family Member Representing the Interest of Individuals with Developmental Disabilities</u>				
Annie A. Owens (B/F) 186 Wolfpoint Drive Fayetteville, NC 28311 488-2028/483-0153 (W)	08/08	1 <sup>st</sup>	June/10 6/30/10	Yes
(serving unexpired term)				

<u>Name/Address</u>	<u>Date Appointed</u>	<u>Term</u>	<u>Expires</u>	<u>Eligible For Reappointment</u>
<u>Openly Declared Consumer in Recovery from Addiction</u>				
Gladys Hunt (I/F) 7158 Eagle Spring Drive Hope Mills, NC 28348 425-7409/483-8442(W)	12/09	2nd	Dec/12 12/31/12	No
<u>Individual from a Citizen's Group Representing the Interests of Consumers</u>				
Luis M. Collazo (H/M) 2051 Merrimac Drive Fayetteville, NC 28314 864-1818/433-1697(W)	12/08	2 <sup>nd</sup>	Dec/11 12/31/11	No
<u>Family Member Representing the Interests of Individuals with Mental Illness</u>				
Dr. Mary A. Hales (B/F) 3490 Hastings Drive Fayetteville, NC 28311 482-3390/822-2570 (W)	1/09	1 <sup>st</sup>	Jan/12 1/31/12	Yes
<u>Family Member Representing the Interests of Individuals in Recovery from Addiction</u>				
Jo Beth Cain (W/F) 5814 Rainsford Drive Fayetteville, NC 28311 488-4841/850-7892 (W)	12/09	1 <sup>st</sup>	Dec/12 12/31/12	Yes
(serving first full term; eligible for 1 additional term)				
<u>Openly Declared Consumer in Recovery from Addiction</u>				
Ernest Gore (W/M) 2724 Bennington Road Fayetteville, NC 28303 822-5988/891-7062 (W)	1/09	1 <sup>st</sup>	Jan/12 1/31/12	Yes
<u>Individual with Management or Business Expertise</u>				
Liliana C. Parker (H/F) PO Box 58064 Fayetteville, NC 28305 433-0791/551-4611 (W)	12/09	2nd	Dec/12 12/31/12	No
<u>Clinical Professional from Fields of Mental Health, Developmental Disabilities or Substance Abuse</u>				
VACANT (vacated by A. Bleakley)	12/09	1st	Dec/12 12/31/12	Yes

Mental Health Board, page 3

<u>Name/Address</u>	<u>Date Appointed</u>	<u>Term</u>	<u>Expires</u>	<u>Eligible For Reappointment</u>
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Individual Representing the Interests of Children

VACANT (vacated by P. McEvoy)

Dec/09  
12/31/09

Openly Declared Consumer with Mental Illness

Vazquez, Alejandro

12/09

1st

Dec/12  
12/31/12

Yes

1923 United Drive Apt. A

Fayetteville, NC 28301

488-5616 (H)

Chairman Appointed Voting Members (2) – Commissioners Billy R. King and Marshall Faircloth

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

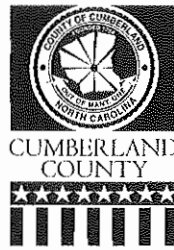
Meetings: 1<sup>st</sup> Wednesday of the month at 5:15 PM, 711 Executive Place, Board Room 124.

- Board expanded to 18 members 11-06-02
- Board terms changed to 3 year terms as of 6-06
- Positions aligned to bring the Board into compliance with GS 122C-118.1 in February 2010

BILLY R. KING  
Chairman

KENNETH S. EDGE  
Vice Chairman

JEANNETTE M. COUNCIL  
MARSHALL FAIRCLOTH  
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MARIE COLGAN  
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June 11, 2010

ITEM NO. 8H

**June 21, 2010 Agenda Item**

TO: Board of Commissioners  
FROM: Candice H. White, Deputy Clerk to the Board *CHW*  
SUBJECT: Mid-Carolina Aging Advisory Committee

BACKGROUND: On June 7, 2010, the Board of Commissioners nominated the following individuals to fill four (4) upcoming vacancies on the Mid-Carolina Aging Advisory Committee:

Volunteers

**Carolyn Owens** (reappointment)

**David V. McMillan** (reappointment)

**Rebecca Campbell** (reappointment)

Consumers

**Daniel DeCriscio** (reappointment)

I have attached the current membership list for this committee.

**PROPOSED ACTION: Appoint individuals to fill the four (4) vacancies above.**

Attachment

pc: Glenda Dye, Aging Administrator  
Mid-Carolina Area Agency on Aging

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MID-CAROLINA AGING ADVISORY COMMITTEE  
3 Year Term

<u>Name/Address</u>	<u>Date Appointed</u>	<u>Term</u>	<u>Expires</u>	<u>Eligible For Reappointment</u>
<u>Volunteers</u>				
Carolyn Owens (W/F) 2508 Colgate Drive Fayetteville, NC 28304-3709 485-4902/483-8442(W)	8/07	1 <sup>st</sup>	Aug/10 8/31/10	Yes
David V. McMillan (_/M) 632 Tokay Drive Fayetteville, NC 28301 488-7643	4/07	1 <sup>st</sup> full	Aug/10 8/31/10	Yes
Rebecca Campbell 7027 Darnell Street Fayetteville, NC 27314 487-1555 (H)	1/10	1 <sup>st</sup>	Aug/10 8/31/10	Yes
(serving unexpired term; eligible for 2 additional terms)				
<u>Consumers</u>				
Daniel DeCriscio (_/M) 3604 Crampton Road Hope Mills, NC 28348 425-6365	8/07	1 <sup>st</sup> full	Aug/10 8/31/10	Yes
Eleanor Ayers (W/F) 6750 Clinton Road Stedman, NC 28391-8836 483-1875	8/07	2 <sup>nd</sup>	Aug/10 8/31/10	No
<u>Elected Official</u>				
Frances Collier PO Box 47 Linden, NC 28356 980-0536 (H)	3/10	1 <sup>st</sup>	Mar/13 3/31/13	Yes

Veterans Hospital Rep.  
**VACANT** (vacated by Nina Davis)

Contact: Mid-Carolina Council of Governments (Contact: Glenda Dye; Phone 323-4191 ext. 22;  
gdye@mccog.org; Fax 323-9330)

Meetings: 1<sup>st</sup> Tuesday, 2:00 PM, Various Locations  
Meetings are held the last month of each quarter.

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

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June 11, 2010

ITEM NO. 81

**June 21, 2010 Agenda Item**

TO: Board of Commissioners  
FROM: Candice H. White, Deputy Clerk to the Board  
SUBJECT: Tourism Development Authority

BACKGROUND: On June 7, 2010 the Board of Commissioners nominated the following individual to fill one (1) upcoming vacancy on the Tourism Development Authority (TDA):

**Hotel/Motel Under 100 Rooms Representative**

**William S. Wellons, Jr. (reappointment)**

I have attached the current membership list for the TDA.

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

Attachment

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TOURISM DEVELOPMENT AUTHORITY  
3 Year Terms

4/10

<u>Name/Address</u>	<u>Date Appointed</u>	<u>Term</u>	<u>Expires</u>	<u>Eligible For Reappointment</u>
<u>Commissioner Appointees:</u>				
<u>Hotel/Motels under 100 rooms Representatives:</u>				
Daniel E. Roberts 4182 Sycamore Dairy Road Fayetteville, NC 28303 426-1416/826-9200 (W)	4/10	2nd	April/13 4/30/13	No
William S. Wellons, Jr. 406 Overton Place Fayetteville, NC 28303 868-5425/436-3131 (W)	4/09	1 <sup>st</sup>  serving unexpired term	August/10 8/31/10	Yes
<u>Hotel/Motel over 100 rooms Representatives:</u>				
Vivek Tandon (A/M) 2857 Skye Drive Fayetteville, NC 28303 323-9070/436-1900(W)	3/10	2nd	March/13 3/31/13	No
Sue Wooster (W/F) 2514 Pecan Drive Fayetteville, NC 28303 425-8942/323-0011 (W)	3/08	1 <sup>st</sup>	March/11 3/31/11	Yes
<u>Member of the Public Not Affiliated with Travel/Tourism</u>				
Patricia Bush-McManus (B/F) 3472 Thorndike Drive Fayetteville, NC 28311 488-1314/484-6839(W)	3/08	1 <sup>st</sup>	March/11 3/31/11	Yes

*Others:*

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

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

Cumberland County Manager (ex officio)

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

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

Board was appointed on March 11, 2002.

Meetings: Quarterly – 4<sup>th</sup> Wednesday – 8:00 AM – Room 564

BUDGET ORDINANCE ADOPTION ITEM NO. 9  
JUNE 21, 2010

**\*\*\* Attachment A will be provided on June 21, 2010 \*\*\***

The Board of County Commissioners hereby adopts and enacts the proposed 2010-2011 fiscal year budget as recommended by the County Manager with amendments incorporated herein as the County of Cumberland's budget for FY2010-2011 under the following terms and conditions:

1. The Budget Ordinance shall govern only total dollar departmental appropriations, including multiple organizations within a department, as shown subject to the resolution of September 7, 1982, after any additional personnel costs are factored into each department's appropriation.
2. The amendments to the County Manager's recommended budget as approved by the Board of Commissioners (see Attachment A). Attachment A includes all adjustments approved by the Board of Commissioners from May 25, 2010 through adoption of the budget on June 21, 2010 and any subsequent adjustments approved through June 30, 2010 by the Board.
3. The County-Wide Ad Valorem Tax Rate and levy of 74.0 cents per \$100 valuation is hereby adopted. The County has earmarked .6 cents of the County-Wide tax rate, \$1,217,794, for the jail expansion capital project.
4. The Special Recreation Tax Rate and levy of 5 cents per \$100 valuation is hereby adopted.
5. The Fire Tax District Rates as shown below are hereby adopted and taxes levied:

Approved Tax Rate  
Per \$100 Valuation

Beaver Dam Fire District	10 cents
Bethany Fire District	10 cents
Bonnie Doone Fire District	10 cents
Cotton Fire District	10 cents
Cumberland Road Fire District	10 cents
Eastover Fire District	10 cents
Godwin-Falcon Fire District	10 cents
Grays Creek Fire District	10 cents
Lafayette Village Fire District	10 cents
Lake Rim Fire District	10 cents
Manchester Fire District	10 cents
Pearces Mills Fire District	10 cents
Stedman Fire District	10 cents
Stoney Point Fire District	10 cents
Vander Fire District	10 cents
Wade Fire District	10 cents
Westarea Fire District	10 cents
Special Fire Service Fire District	1.25 cents

6. The Cumberland County Board of Education's current expense appropriation is hereby adopted at a tax rate of 37.55 cents of the total current year tax collections less any applicable amount due to other interlocal agreements.
7. The Fiscal Year 2011 Position Classification and Pay Plan is revised to reflect any additional or revised/deleted positions and/or classifications approved by this budget. The county manager shall be responsible for the administration and maintenance of the position classification plan and shall have authority to create new classifications and reallocate existing classifications within the salary plan for all existing county positions. Positions governed by state personnel are exempt from this policy. The Board of County Commissioners shall annually ratify the classification and salary plan.
8. The County Pay Plan for FY2010-2011 includes a 2.0 % cost of living increase for all permanent employees hired before June 20, 2010. The COLA is effective beginning with the first full pay period in July.
9. Encumbrances outstanding in the prior fiscal year will be included in the coming year FY2011 budget. Unexpended grants and other funds previously approved and budgeted by the Board in FY2010, may be re-budgeted or rolled over into the FY2011 budget by the Manager.
10. Board approved contingency funds may be reallocated within and between departments in the same fund by the Manager, subject to current established policies.
11. Any shortfalls or other adjustments in revenues or expenditures created by the above adopted budget shall be adjusted by a like amount appropriation from the fund balance of the County of Cumberland or an adjustment to contingency or other line item so that the 2010-2011 fiscal year budget of the County of Cumberland is balanced pursuant to Chapter 159 of the NC General Statutes.
12. Solid Waste Management fee is hereby adopted at \$48.00 per household.

This ordinance is adopted the 21<sup>st</sup> day of June 2010.

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Billy R. King, Chairman

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James E. Martin, County Manager