
AGENDA
CUMBERLAND COUNTY BOARD OF COMMISSIONERS
COURTHOUSE – ROOM 118
JUNE 17, 2013
6:45 PM

INVOCATION - Commissioner Kenneth Edge

PLEDGE OF ALLEGIANCE –

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

Recognition of Cumberland County Citizens' Academy Graduates: (See Attached List)

1. Approval of Agenda

2. Consent Agenda **(Pgs. 12-74)**

A. Approval of minutes for the June 3, 2013 regular meeting, June 4, 2013 Special Meetings for Department Head Appeals, June 6, 2013 Special Meeting for Budget Work Session.

B. Approval of Proposed Additions to the State Secondary Road System: **(Pg. 12)**

Crosswinds Subdivision: Crosswinds Drive (SR 3704 Ext.),
Gapway Court, Bellgrove Drive,
Hunting Bow Drive, Scipio Court, Scipio Lane,
Spinnaker Drive, Indian Wells Court

Hummingbird Place Subdivision: Sahara Place

Scotsdale at Eastover Subdivision: Satinwood Court

- C. Approval of Alcoholic Beverage Control (ABC) Board Travel Policy. **(Pg. 19)**
- D. Approval of Requests for Proclamations for Cumberland County Citizens Having Reached 100 Years of Age. **(Pg. 21)**
- E. Approval of Offer from Kingdom Community Development Corporation to Purchase Certain Real Property Subject to Upset Bid Process. **(Pg. 23)**
- F. Approval of the Cumberland County Juvenile Crime Prevention Council Contracts Representing Funding Allocations for July 1, 2013 through June 30, 2014. **(Pg. 29)**
- G. Approval of a Resolution of the Cumberland County Board of Commissioners to Repeal Chapter 7, Article I, Division 3, Schedule of License Taxes, Sections 7-54 through 7-85, Cumberland County Code” **(Pg. 32)**
- H. Approval of Interlocal Agreement and Resolution with the Town of Falcon Adopting the Cumberland County Animal Control Ordinance. **(Pg. 40)**
- I. Approval of Lease Agreement for Solid Waste Department with Jernigan Container Site. **(Pg. 44)**
- J. Approval of Sale of Surplus County-Owned Real Property Acquired by Tax Foreclosure: 0.50 Ac Hodge Land; 6189 S US 301 Hwy, PIN #: 0412-67-2832; Rockfish Township. **(Pg. 48)**
- K. Approval of Ordinance Assessing Property for the Cost of Demolition:
- 1) Case Number: MH 6806-2012 **(Pg. 50)**
Property Owner: John D. Williams
Property Location: 313 Charles Street, Fayetteville, NC
Parcel Identification Number: 0426-90-4406
- 2) Case Number: MH 6707-2012 **(Pg. 52)**
Property Owner: Bernetta M. Weeks
Property Location: 2330 Lake Upchurch Road, Parkton, NC
Parcel Identification Number: 9493-66-7917
- 3) Case Number: MH 6884-2012 **(Pg. 54)**
Property Owner: Virginia H. Bohrk
Property Location: 5009 New Moon Drive, Fayetteville, NC
Parcel Identification Number: 0415-55-3174

L. Budget Revisions: **(Pgs. 56-74)**

(1) Health **(Pg. 56)**

Revision in the amount of \$35,000 to appropriate Health Department fund balance for renovations to the Health Department Pharmacy. (B13-353) **Funding Source – Health Department Fund Balance**

(2) Mental Health Other **(Pg. 57)**

Revision in the amount of \$50,000 to appropriate Mental Health fund balance for legal services provided for the merger. (B13-357) **Funding Source – Mental Health Fund Balance**

(3) Cooperative Extension **(Pg. 58)**

Revision in the net amount of \$747 to recognize a Military 4-H Grant of \$13,227 and to reduce fund balance appropriated \$12,480. (B13-356) **Funding Source – Grant and Fund Balance Appropriated**

(4) Solid Waste **(Pg. 59)**

Revision in the amount of \$100,000 to appropriate fund balance to fund estimated Other Post-Employment Benefits (OPEB) audit entry for FY2013. (B13-358) **Funding Source – Solid Waste Fund Balance Appropriated**

(5) Cooperative Extension **(Pg. 60)**

Revision in the amount of \$2,000 to recognize a 4-H National Mentoring Program-Youth & Families with Promise grant that is designed to provide mentoring activities to help reduce juvenile delinquency and school failure in high-risk youth. (B13-361) **Funding Source – Grant**

(6) Health Department Capital Project Closeout **(Pgs. 61-68)**

- a. Health Department Capital Project Fund: Revision in the net amount of \$47,575 to make final adjustments to facilitate the closeout of the Health Department Capital Project and to transfer out the unspent cash balance to the Workers Compensation Fund (\$500,000), Health Department (\$120,000), Group Health Insurance (\$300,000), Employee Pharmacy (\$200,000) and the balance to the General Fund (\$102,921). (B13-354) **Funding Source – Other (Pg. 61)**

- b. Workers Compensation Fund: Revision to recognize a transfer of \$500,000 from the Health Department Capital Project Fund to fund year-end audit entry. (B13-354A) **Funding Source – Fund Balance Appropriated and Transfer from Health Department Capital Project Fund** (Pg. 62)
- c. Health Department Administration: Revision to recognize a transfer of \$34,515 from the Health Department Capital Project Fund to provide funding for additional access to the Electronic Medical Records archival system. (B13-354B) **Funding Source – Transfer from Health Department Capital Project Fund** (Pg. 63)
- d. Health Department Medical Records: Revision to recognize a transfer of \$35,485 from the Health Department Capital Project Fund to provide funding to hire two temporary employees for scanning medical records into the Electronic Medical Records archival system. (B13-354C) **Funding Source – Transfer from Health Department Capital Project Fund** (Pg. 64)
- e. Health Department Dental Clinic: Revision to recognize a transfer of \$50,000 from the Health Department Capital Project Fund to provide funding to acquire new dental software. (B13-354D) **Funding Source – Transfer from Health Department Capital Project Fund** (Pg. 65)
- f. General Government Other: Revision to recognize a transfer of \$102,921 from the Health Department Capital Project Fund to provide funding for various capital improvements. (B13-354E) **Funding Source – Transfer from Health Department Capital Project Fund** (Pg. 66)
- g. Group Health Insurance: Revision to recognize a transfer of \$300,000 from the Health Department Capital Project Fund to provide funding to replenish fund balance. (B13-354F) **Funding Source – Transfer from Health Department Capital Project Fund** (Pg. 67)
- h. Employee Pharmacy: Revision to recognize a transfer of \$200,000 from the Health Department Capital Project Fund to provide funding to replenish fund balance affected by startup costs. (B13-354G) **Funding Source – Transfer from Health Department Capital Project Fund** (Pg. 68)

- (7) County Water & Sewer Department/Overhills Sewer Project **(Pg. 69)**

Revision to appropriate County Water & Sewer fund balance to transfer \$84,500 to the Overhills Sewer Capital Project Fund for engineering and design services. (B13-363 and B13-363A) **Funding Source – Fund Balance Appropriated**

- (8) Animal Control **(Pg. 71)**

Revision to recognize additional revenue of \$3,675 from Pet Smart Charities to host an adoption clinic. (B13-364) **Funding Source – Other**

- (9) Soil & Water Conservation District **(Pg. 72)**

Revision in the amount of \$5,672 to appropriate fund balance to: pay accrued leave benefits to retiring director; to provide funding for incoming director; and to fund workers compensation expense. (B13-365) **Funding Source – General Fund Fund Balance Appropriated**

- (10) General Government Other/Community Development Fund **(Pg. 73)**

Revision in the amount of \$286,690 to appropriate fund balance to transfer funds to the Community Development Fund to refund American Recovery and Reinvestment Act (ARRA) funds for a project which did not meet a national objective as outlined in the HUD's Community Development Block Grant (CDBG) rules. (B13-366 and B13-366A) **Funding Source – General Fund Fund Balance Appropriated**

3. Public Hearings **(Pgs. 75-198)**

Uncontested Rezoning Case

- A. Case P13-13: Rezoning of 2.78+/- acres from M(P) Planned Industrial to A1 Agricultural or to a more restrictive zoning district; located at 2276 Clark West Road and on the southwest side of SR 2217 (Clark West Road), east of SR 2216 (Evans Dairy Road); submitted by Stephen M. & Elizabeth Crumpler Clark and Henry E. & Mildred M. Clark (owners).

Staff Recommendation: Approval

Planning Board Recommendation: Approve Staff Recommendation (Pg. 75)

Uncontested Conditional Zoning Case

- B. Case P13-05: Rezoning of 2.51+/- acres from A1 Agricultural to R40 Residential or to a more restrictive zoning district, located at 1348 Bainbridge Road, submitted by Walter Scott and Sylvia Deloris Manning (owners) and Robert M. Bennett.

Staff Recommendation: Approval of R40/CZ for two residential lots

Planning Board Recommendation: Approve Staff Recommendation (Pg. 78)

Contested Rezoning Cases

- C. Case P13-14: Rezoning of 23.78+/- acres from R40 Residential to R20 Residential or to a more restrictive zoning district; located on the northwest side of Ramsey Street, northeast W Reeves Bridge Road; submitted by W. Stan Taylor (Trustee) on behalf of KM Taylor Family Trust (owner).

Staff Recommendation: Approval

Planning Board Recommendation: Approve Staff Recommendation (Pg. 90)

- D. Case P13-18: Rezoning of 2.56+/- acres from A1 Agricultural to R40 or to a more restrictive zoning district, located on the north side of SR 2245 (Thrower Road) and on the east side of SR 2372 (North Fork Lane), submitted by Ella M. McNair (owner) and Timothy B. Evans.

Staff Recommendation: Approval

Planning Board Recommendation: Approve Staff Recommendation (Pg. 94)

Zoning Ordinance Text Amendment

- E. Case P11-20: Revision and amendment to the Cumberland County Zoning Ordinance, amending Article II Interpretations, Calculations, and Definitions, Section 203. Definitions of Specific Terms and Words by inserting in alphabetical order the term and definition for "Firing Range, Outdoor;" amending Article IV Permitted, Conditional, and Special Uses, Section 403. Use Matrix by inserting in alphabetical order a new row entitled "Firing Range, Outdoor (Sec. 907.1)" in the Land Use column and allowing this use as Conditional Zoning by inserting a "Z" in the CD, A1, A1A, O&I(P), C1(P), C2(P), C(P), M1(P) and M(P) zoning district columns on this same row; amending Article IX Individual Uses by creating and inserting in numerical order a new section entitled: Section 907.1 Firing Range, Outdoor, with sub-sections "A" through "J;" and updating the Table of Contents as appropriate. (Note: This is the original case heading which does not reflect the changes recommended by the Planning Board.)

Land Use Codes Committee Recommendation: Approval

Planning Board Recommendation: Approve Land Use Codes Committee

Recommendation with Modifications (Pg. 97)

Minimum Housing Code Enforcement

- F. Case Number: MH 6970-2012 **(Pg. 170)**
Property Owner: Clinton Graham
Property Location: 510 Pine Tree Lane, Spring Lake, NC
Parcel Identification Number: 0511-09-3540
- G. Case Number: MH 6971-2012 **(Pg. 176)**
Property Owner: Clinton Graham
Property Location: 520 Pine Tree Lane, Spring Lake, NC
Parcel Identification Number: 0511-09-3286
- H. Case Number: MH 7019-2013 **(Pg. 182)**
Property Owner: Secretary of Veteran Affairs
Property Location: 2701 Brinkley Drive, Spring Lake, NC
Parcel Identification Number: 0512-49- 3837
- I. Case Number: MH 6950-2012 **(Pg. 188)**
Property Owner: Hubert M. Garrett
Property Location: 3229 Periwinkle Drive, Fayetteville, NC
Parcel Identification Number: 0415-12-3561

Other Public Hearings

- J. Public Hearing on the Edward Byrne Memorial Justice Assistance
Grant (JAG). **(Pg. 194)**

ITEMS OF BUSINESS **(Pgs. 199-310)**

4. Consideration of Amendments to Animal Control Ordinance (2nd Reading). **(Pg. 199)**
5. Consideration of Mental Health Matters: **(Pgs. 210-237)**
- A) Merger Agreement with Alliance Behavioral Healthcare. **(Pg. 210)**
- B) Agreement to Transfer Mental Health Clinic to and Establish a Crisis Services
Center by Cape Fear Valley Health Systems, Inc. **(Pg. 236)**

6. Consideration of Approval of FY 2014 Cumberland County Budget Ordinance. **(Pg. 238)**
7. Nominations to Boards and Committees **(Pgs. 242-288)**
- A. Animal Control Board (1 Vacancy) **(Pg. 242)**
- Applicants that Graduated from County Citizens' Academy: None**
- B. Cumberland County Workforce Development Board (1 Vacancy) **(Pg. 248)**
- Applicants that Graduated from County Citizens' Academy: None**
- C. Joint Appearance Commission (2 Vacancies) **(Pg. 259)**
- Applicants that Graduated from County Citizens' Academy: None**
- D. Nursing Home Advisory Board (3 Vacancies) **(Pg. 265)**
- Applicants that Graduated from County Citizens' Academy: None**
- E. Parks & Recreation Advisory Commission (2 Vacancies) **(Pg. 271)**
- Applicants that Graduated from County Citizens' Academy: Ashley Hankins**
- F. Social Services Board (1 Vacancy) **(Pg. 278)**
- Applicants that Graduated from County Citizens' Academy: None**
8. Appointments to Boards and Committees **(Pgs. 289-310)**
- A) ABC Board (2 Vacancies) **(Pg. 289)**
- Nominees: Bob Lewis (Reappointment)
Alice Stephenson (Reappointment)
- B) Air Quality Stakeholders' Committee (1 Vacancy) **(Pg. 291)**
- Nominee:
- Town of Hope Mills Stakeholder: Pat Edwards (Reappointment)

- C) Fayetteville Technical Community College Board of Trustees (1 Vacancy) **(Pg. 295)**

Nominee: Sheryl Lewis (Reappointment)

- D) Human Relations Commission (2 Vacancies) **(Pg. 297)**

Nominees: Sandra Mitchell (Reappointment)
Mitchell Guy (Reappointment)

- E) Joint Senior Citizens Advisory Commission (3 Vacancies) **(Pg. 299)**

Nominees: Dwight Palmer, Jr. (Reappointment)
Daisy D. Maxwell (Reappointment)
Naomi Ruffin

- F) Jury Commission (1 Vacancy) **(Pg. 302)**

Nominee: Ashley Pastorius

- G) Mid-Carolina Aging Advisory Committee (1 Vacancy) **(Pg. 304)**

Nominee:

Elected Official: Frances Collier (Reappointment)

- H) Nursing Home Advisory Board (4 Vacancies) **(Pg. 306)**

Nominees: Barbara Spigner (Reappointment)
Mitchell Guy (Reappointment)
Dr. John Briggs (Reappointment)
Cassandra White Haire (Reappointment)

- I) Parks and Recreation Advisory Commission (3 Vacancies) **(Pg. 309)**

Nominees: Henry J. Bowden (Reappointment)
Elvin McNeill (Reappointment)
Marsha Fogle (Reappointment)

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

**** IMPORTANT: PLEASE NOTE - CHANGE IN BROADCAST CHANNEL ****

**THIS MEETING WILL BE BROADCAST LIVE ON TIME WARNER CABLE -
CHANNEL 5 (FAYETTEVILLE / CUMBERLAND EDUCATION TV).**

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

**MEETINGS: August 5, 2013 - (Monday) – 9:00 AM
August 19, 2013 - (Monday) - 6:45 PM
September 3, 2013 – (Tuesday) – 9:00 AM
September 16, 2013 – (Monday) – 6:45 PM**

Cumberland County Citizens' Academy

Cumberland County had conducted two sessions of its Citizens' Academy. The following individuals participated and graduated from the Fall 2012 and Spring 2013 sessions.

The next Citizens' Academy will run from September 17-October 29 on Tuesday nights from 6-9 p.m. Applications are available on the county's website, www.co.cumberland.nc.us. Look under the "Community" link.

Fall 2012 Graduates

Nelson Almodovar
Carey Berg
Bill Bowman
Vickie Farmer
Christopher Frank
Sharan Golston
Nay Headley
Melissa Hunter
Ida Johnson
Denise Jones
Sidney (Pat) King
Jeneeta Laureano
William McNeill
Anne Mitchell
Ralph Mitchell
Angela Ray
Daniel Seaman
Stephanie Simmons
Daniel Tomita
Donna Ward
Demetris West
Jo Ann Wheeler
Sharon White
Tara Whitfield
Willie Wright
Heejung Yun

Spring 2013 Graduates

Lillian Ayes
Kellie Beam
Frank Bowden
Dennis Mark Brown
Dorothea Brune
Jayla Calderon
Maricsa Diaz
Henry Eisenbarth
James Frederickson
Brian Gaskell
Ashley Hankins
Steven Harper
Kim Holmes
Elizabeth Huffman
Roger Ison
Brenda Luetgenau
Richard Luetgenau
Nancy Martin
Brittany McLaurin
Steven Miranda
Sharon O'Hara
Ashley Pastorius
Jonathan Pastorius
Georgeanna Pinckney
Harvey "Butch" Raynor
Michael Smith
Heather Sroka
C. Stewart Stafford
Pamela Story
Sandra Tillman
Elizabeth Varnedoe
Margie Whitehead

JAMES E. MARTIN
County Manager

AMY H. CANNON
Deputy County Manager



ITEM NO. 2B


JAMES E. LAWSON
Assistant County Manager

OFFICE OF THE COUNTY MANAGER

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

MEMORANDUM FOR BOARD OF COMMISSIONERS AGENDA OF JUNE 17, 2013

TO: BOARD OF COUNTY COMMISSIONERS

FROM: JAMES E. MARTIN, COUNTY MANAGER 

DATE: JUNE 7, 2013

**SUBJECT: APPROVAL OF PROPOSED ADDITIONS TO THE STATE
SECONDARY ROAD SYSTEM**

BACKGROUND

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

Crosswinds Subdivision: Crosswinds Drive (SR 3704 Ext.),
Gapway Court, Bellgrove Drive,
Hunting Bow Drive, Scipio Court, Scipio Lane,
Spinnaker Drive, Indian Wells Court

Hummingbird Place Subdivision: Sahara Place

Scotsdale at Eastover Subdivision: Satinwood Court

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

RECOMMENDATION / PROPOSED ACTION

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

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

/ct

Attachments

Celebrating Our Past...Embracing Our Future



STATE OF NORTH CAROLINA
DEPARTMENT OF TRANSPORTATION

PAT MCCRORY
GOVERNOR

ANTHONY J. TATA
SECRETARY

May 28, 2013

Division Six - District Two
Cumberland County

Mr. Jimmy Keefe, Chairman
Cumberland County Board of Commissioners
Post Office Box 1829
Fayetteville, North Carolina 28302

Subject: Secondary Road Addition

Dear Mr. Keefe,

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

Crosswinds Subdivision

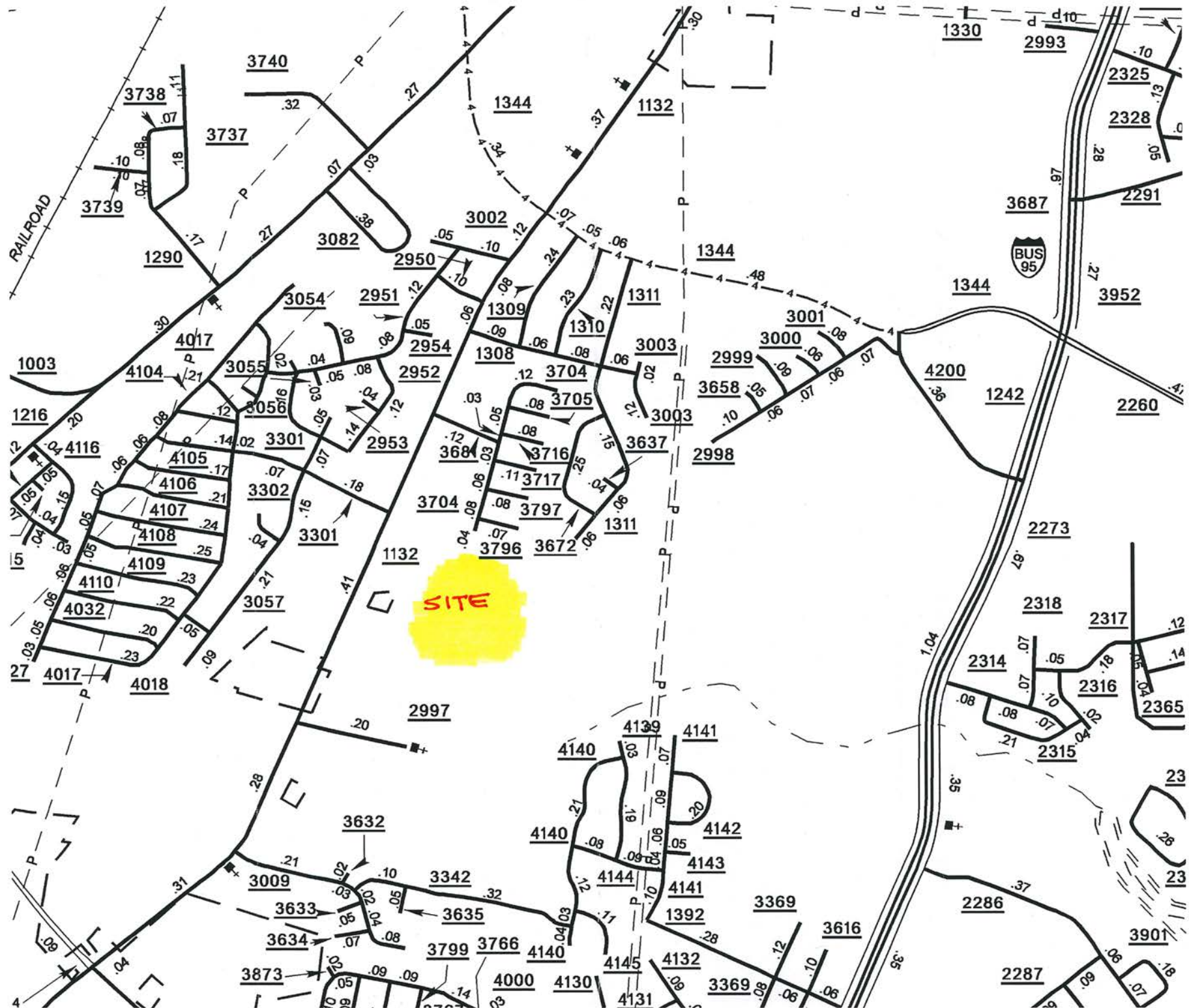
- Crosswinds Drive (SR 3704 Ext.)
- Gapway Court
- Bellgrove Drive
- Hunting Bow Drive
- Scipio Court
- Scipio Lane
- Spinnaker Drive
- Indian Wells Court

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

Sincerely,

A handwritten signature in blue ink, appearing to read "David Plummer".

David Plummer
Engineering Technician





STATE OF NORTH CAROLINA
DEPARTMENT OF TRANSPORTATION

PAT MCCRORY
GOVERNOR

ANTHONY J. TATA
SECRETARY

June 6, 2013

Division Six - District Two
Cumberland County

Mr. Jimmy Keefe, Chairman
Cumberland County Board of Commissioners
Post Office Box 1829
Fayetteville, North Carolina 28302

Subject: Secondary Road Addition

Dear Mr. Keefe,

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

Hummingbird Place Subdivision

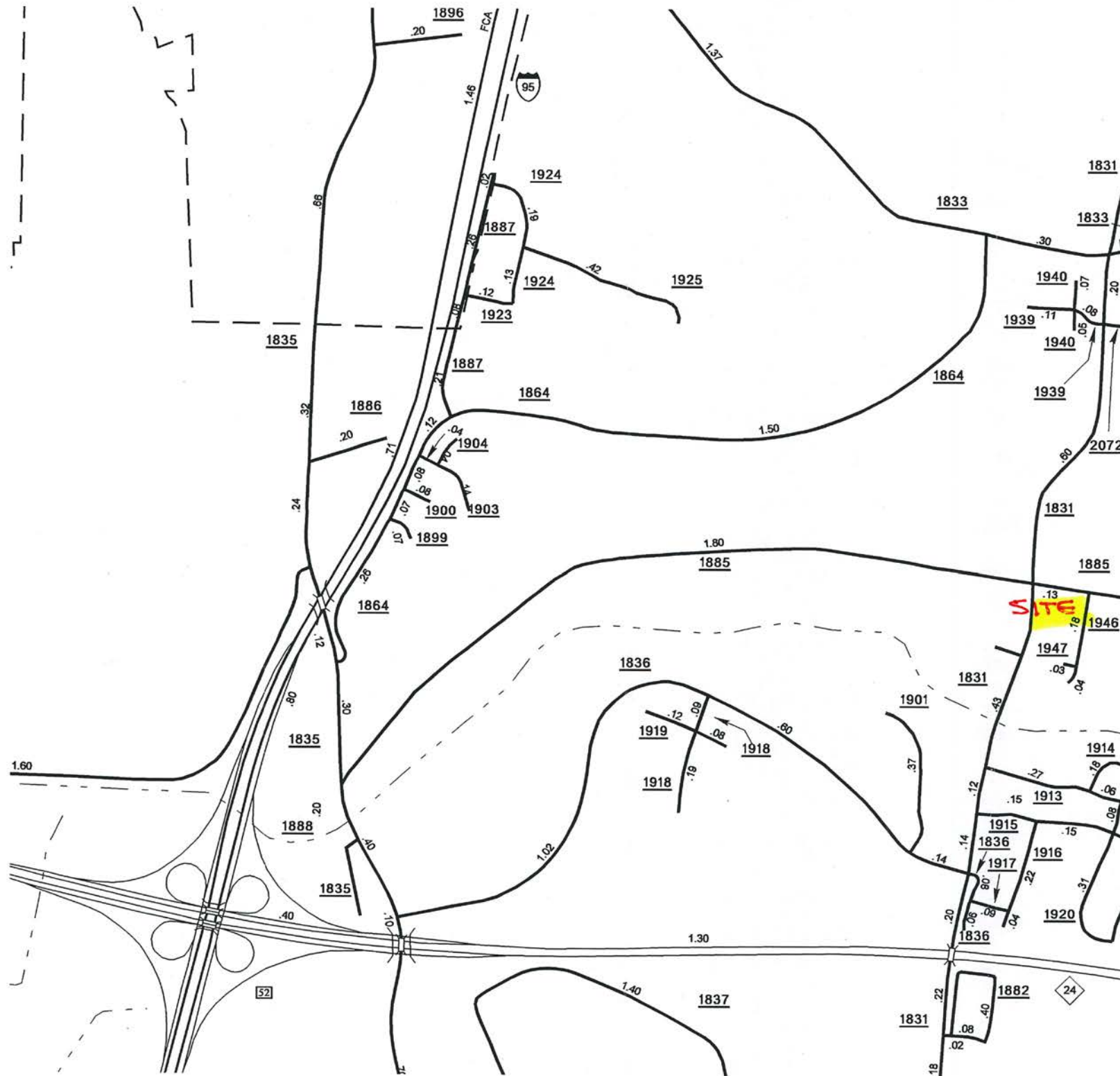
- Sahara Place

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

Sincerely,

A handwritten signature in dark ink, appearing to read "David Plummer".

David Plummer
Engineering Technician





STATE OF NORTH CAROLINA
DEPARTMENT OF TRANSPORTATION

PAT MCCRORY
GOVERNOR

ANTHONY J. TATA
SECRETARY

June 10, 2013

Division Six - District Two
Cumberland County

Mr. Jimmy Keefe, Chairman
Cumberland County Board of Commissioners
Post Office Box 1829
Fayetteville, North Carolina 28302

Subject: Secondary Road Addition

Dear Mr. Keefe,

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

Scotsdale at Eastover Subdivision

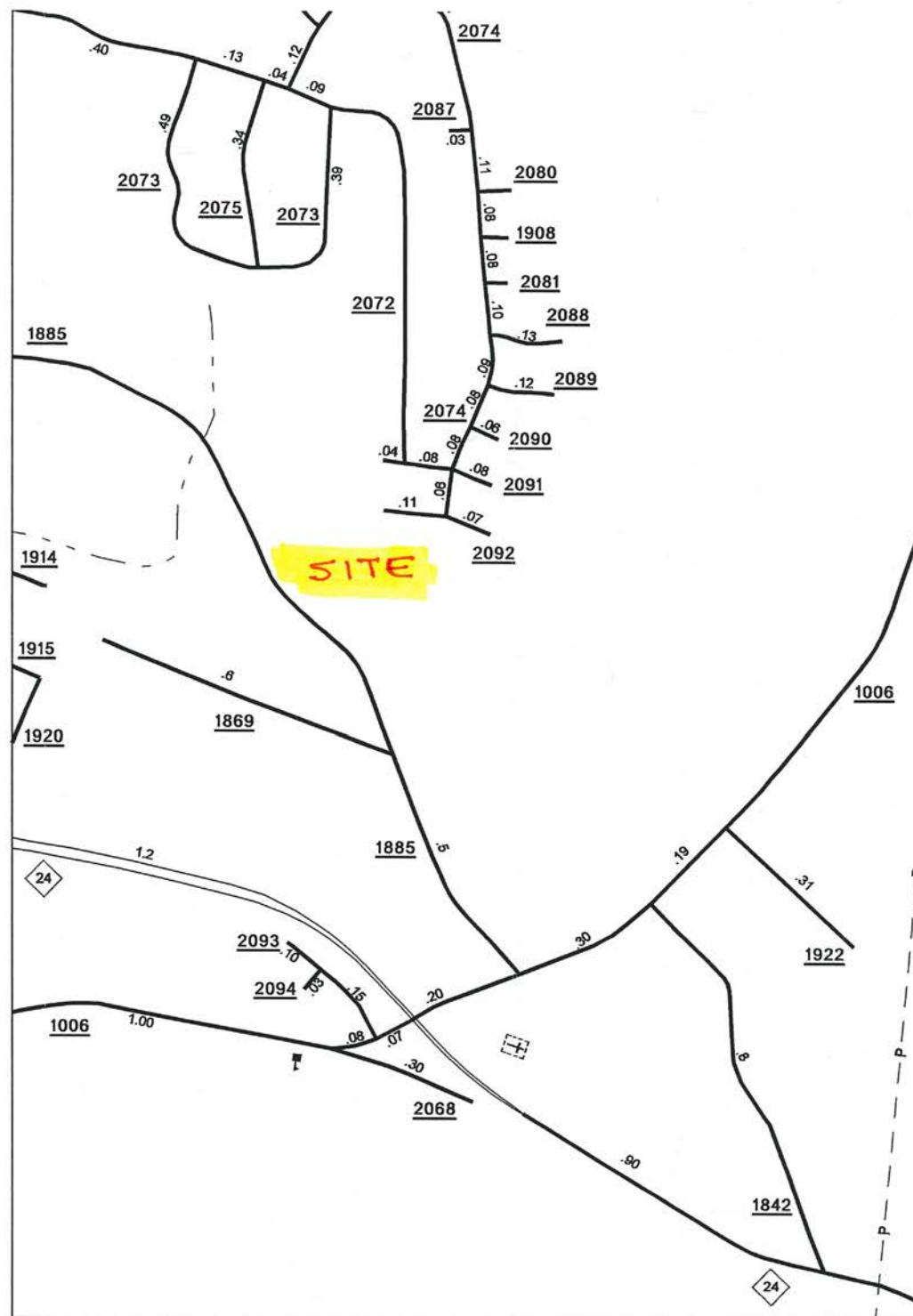
- Satinwood Court

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

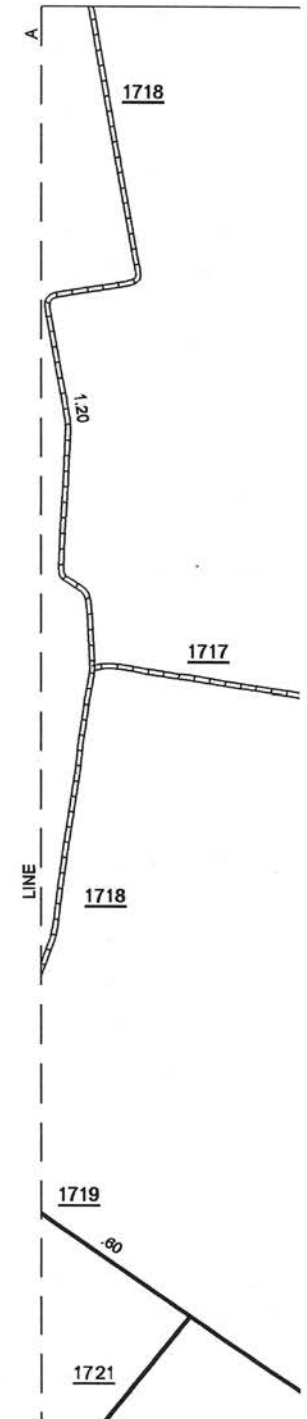
Sincerely,

A handwritten signature in blue ink, appearing to read "David Plummer".

David Plummer
Engineering Technician



Inset 3



JIMMY KEEFE
Chairman



CANDICE WHITE
Clerk to the Board

JEANNETTE M. COUNCIL
Vice Chairman

KELLIE BEAM
Deputy Clerk

KENNETH S. EDGE
CHARLES E. EVANS
MARSHALL FAIRCLOTH
BILLY R. KING
EDWARD G. MELVIN



ITEM NO. 2C

BOARD OF COMMISSIONERS

MEMORANDUM FOR BOARD OF COMMISSIONERS'
CONSENT AGENDA OF JUNE 17, 2013

TO: BOARD OF COUNTY COMMISSIONERS

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

DATE: JUNE 11, 2013

SUBJECT: ALCOHOLIC BEVERAGE CONTROL (ABC) BOARD TRAVEL POLICY

BACKGROUND:

According to the attached correspondence from A. Johnson Chestnutt, Chairman of the Cumberland County ABC Board, the ABC Board is requesting that the Cumberland County Board of Commissioners approve the ABC Board's adoption of Cumberland County's Travel Policy, CP-06, in accordance with House Bill 1717, Section 13.

RECOMMENDATION/PROPOSED ACTION:

Approve the ABC Board's request to adopt Cumberland County Travel Policy, CP-06, and direct the Clerk to the Board to send to the ABC Commission written confirmation of said action and a copy of Cumberland County's Travel Policy, CP-06.

Attachment

CUMBERLAND COUNTY
ALCOHOLIC BEVERAGE CONTROL BOARD

1705 OWEN DRIVE • P.O. BOX 64957

FAYETTEVILLE, N.C.
28306

June 11, 2013

Subject: Board Travel Policy

Chairman Jimmy Keefe:

The ABC Board voted at the June 10, 2013 meeting to request the permission and approval from the County Commissioners to adopt the County's Travel Policy according to House Bill 1717: Modernization of the State ABC System. The House Bill 1717 is a result of recommendations by a joint legislative study committee on Alcoholic Beverage Control issues. House Bill 1717, Section 13 (see below) requires that the local board annually submit a copy of the County's travel policy and the authorization to the ABC Board to be forwarded to the ABC Commission.

Section 13 of the bill provides for members and employees of local ABC boards to be reimbursed for travel on official business in accordance with the statutory travel allowances of State officers and employees. With approval of the appointing authority, a local board may adopt a travel policy that conforms to the travel policy of the appointing authority. The local board would be required to annually provide to the Commission a copy of its travel policy along with the appointing authority's written confirmation of its approval. Excess expenses not covered by the local board's travel policy would be paid only with written authorization of the appointing authority's finance officer, and the local board would be required to submit a copy of the authorization to the ABC Commission within 30 days of approval.

The Board would greatly appreciate the Commissioners support and appreciate in advance the approval of the bill. The Board is working hard to ensure that the ABC System is in high standards and is in compliance with the NC ABC Commission statutes.

Thank you,


A. Johnson Chestnutt
Chairman

JIMMY KEEFE
Chairman

JEANNETTE M. COUNCIL
Vice Chairman

KENNETH S. EDGE
CHARLES E. EVANS
MARSHALL FAIRCLOTH
BILLY R. KING
EDWARD G. MELVIN



CUMBERLAND
★ COUNTY ★
NORTH CAROLINA

CANDICE WHITE
Clerk to the Board

KELLIE BEAM
Deputy Clerk

ITEM NO. 2D

BOARD OF COMMISSIONERS

MEMORANDUM FOR BOARD OF COMMISSIONERS' AGENDA OF JUNE 17, 2013

TO: BOARD OF COUNTY COMMISSIONERS

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

DATE: JUNE 7, 2013

SUBJECT: APPROVAL OF REQUESTS FOR PROCLAMATIONS FOR CUMBERLAND
COUNTY CITIZENS HAVING REACHED 100 YEARS OF AGE

BACKGROUND:

Proclamations are ceremonial in nature and are provided by the Board of Commissioners as a service to citizens of Cumberland County with the goal of honoring and celebrating Cumberland County citizens. These public service documents are strictly honorary and are not legally binding. Issuance of a proclamation does not necessarily constitute an endorsement by Cumberland County government.

The Board of Commissioners' practice has been to place proclamations on the consent agenda and following approval, present to the Chairman for signature and placement of the gold county seal. Chairman Keefe is asking that proclamations for Cumberland County citizens having reached 100 years of age not fall under the practice of placing on the consent agenda but rather be considered as approved as requests are received. Chairman Keefe is also asking that requests for proclamations for Cumberland County citizens having reached 100 years of age be submitted in writing through the county's website.

The following guidelines will be posted on the website for consistency and to assist county staff in the preparation of the proclamation.

Requests for proclamations for Cumberland County citizens having reached 100 years of age must include the following information with the request:

- Request must be submitted at least ten (10) business days prior to the event; applications received after the deadline will be considered on a case-by-case basis and requestors will be advised if issuance cannot occur by the event date
- Requestors first and last name, address and telephone number
- First name and last name of person attaining 100 years of age
- Date of birth of person attaining 100 years of age to include month, day and year
- Proposed text for the proclamation including facts about the person attaining 100 years of age sufficient enough to make four (4) points
- Specific title of what is to be proclaimed will read: *"NOW, THEREFORE, BE IT PROCLAIMED, that We, the Cumberland County Board of Commissioners, do hereby extend*

to (name) sincere congratulations on (his/her) ONE HUNDREDTH birthday and best wishes for many more happy and productive years.

- Date proclamation is to be presented
- Date proclamation is needed
- An indication of whether the proclamation should be mailed to the requestor or the date and approximate time it will be picked up and by whom

RECOMMENDATION/PROPOSED ACTION:

Consider whether to approve the request as put forth by Chairman Keefe and whether the information as outlined above must be included with the request.



OFFICE OF THE COUNTY ATTORNEY

5th Floor, New Courthouse • P.O. Box 1829 • Suite 551 • 117 Dick Street, Fayetteville, North Carolina 28302-1829
(910) 678-7762

**MEMO FOR THE AGENDA OF THE JUNE 17, 2013
MEETING OF THE BOARD OF COMMISSIONERS**

TO: Board of Commissioners; Co. Manager; Amy Cannon; Thanena Wilson
FROM: Co. Atty. *R. Moorefield*
DATE: June 12, 2013
SUBJECT: Consideration of the Offer of Kingdom Community Development Corporation to Purchase Certain Real Property

Attachments: (1) Memo from Thanena Wilson
(2) Offer from Kingdom Community Development Corporation
(3) Property Information Sheet
(4) Email list of Pay-off Balances from Mary-Alice Underwood
(5) Resolution to Accept the Offer

BACKGROUND:

In 2010, the Board of Commissioners approved the County's acceptance of a deed in lieu of foreclosure from Daniel Kypena for several rental properties financed by Community Development for which he had defaulted on the loans. Community Development has maintained these properties as rentals. Kingdom Community Development Corporation has made an offer to purchase four of these properties for the amounts indicated in the materials included with this memo. A summary of the property and offer follows:

Property	Tax Value	Loan Balance	Purchase Offer
3322 Antler Drive	88,700	52,200.93	49,000
728 Carnegie Drive	92,900	53,974.32	35,000
4815 Boylan Drive	88,900	48,891.93	45,000
6405 Wendy Terrace	87,000	63,561.40	59,000

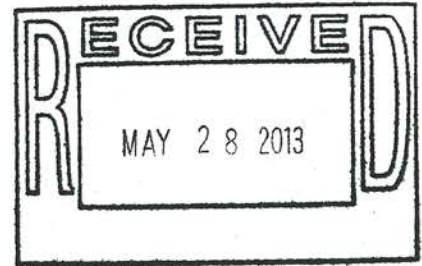
RECOMMENDATION/PROPOSED ACTION:

Thanena Wilson, Director of Community Development, recommends that this offer be accepted. If the Board determines to accept the offer, it must be advertised subject to upset bid. A draft resolution to accept the offer and commence the upset bid process is attached.




**CUMBERLAND
★ COUNTY ★
NORTH CAROLINA**

COMMUNITY DEVELOPMENT



MEMORANDUM

TO: Rick Moorefield, County Attorney

FROM: Thanena Wilson, Community Development Director 

DATE: May 24, 2013

RE: Offer to Purchase County Properties

Attached is an Offer to Purchase for 3322 Antler Drive, Spring Lake; 728 Carnegie Drive, Fayetteville; 6405 Wendy Terrace, Fayetteville; and 4815 Boylan Street, Fayetteville. The purchase price offered for all four properties is \$188,000 and the buyer will pay the required 5% deposit of \$9,400 by June 3rd. The remaining balance of the purchase price, which is \$178,600, will be paid upon closing the real estate transaction.

I am requesting that this offer be presented to the Board of Commissioners with a recommendation from Community Development to accept the offer. Note that the buyer has been made aware of the upset bid process.

Thank you for your assistance with this matter. Let me know if there are questions or if you need additional information.

Attachment – Offer to Purchase



Kingdom Community Development Corporation

Thanena S. Wilson
Community Development Director
Cumberland County Community Development
PO Box 1829
Fayetteville, NC 28301-1829

Dear Nena,

Please accept this letter as a formal request is for the purchase of the following homes.

- | | | |
|---|-------|----------|
| 1. 3322 Antler Dr.
Spring Lake, NC 28390 | Offer | \$49,000 |
| 2. 728 Carnegie Dr.
Fayetteville, NC 28311 | Offer | \$35,000 |
| 3. 6405 Wendy Terrace
Fayetteville, NC 28306 | Offer | \$59,000 |
| 4. 4815 Boylan Street
Fayetteville, NC 28306 | Offer | \$45,000 |

Total offer for all four houses: \$188,000

The Board and Staff of Kingdom CDC continue to enjoy the working relationship we have with your Department.

Sincerely,

Carl Manning



CUMBERLAND
★ **COUNTY** ★
NORTH CAROLINA

COMMUNITY DEVELOPMENT

County Properties for Sale
Property Information Sheet

3322 Antler Dr.

Spring Lake 28390
PIN #0502-39-9456
Tax Value: \$88,700
Offer: \$49,000

728 Carnegie Dr.

Fayetteville 28311
PIN #0521-82-6038
Tax Value: \$92,900
Offer: \$35,000

6405 Wendy Terrace

Fayetteville 28306
PIN #0404-18-7767
Tax Value: \$88,900
Offer: \$59,000

4815 Boylan St.

Fayetteville 28306
PIN #9494-33-4997
Tax Value: \$87,000
Offer: \$45,000

Rick Moorefield

From: Mary-Alice Underwood
Sent: Monday, June 10, 2013 10:42 AM
To: Rick Moorefield
Cc: Thanena Wilson; Bobby Thomas; Sylvia McLean
Subject: Payoff for Kypena Properties

Hi Rick,


The following is the payoff information requested for properties formerly owned by Daniel Kypena:

3322 Antler Dr.	\$52,200.93
728 Carnegie Dr.	\$ 53,974.32
4815 Boylan Dr.	\$ 48,891.93
6405 Wendy Terrace	\$ 63,561.40

If additional information is needed, please do not hesitate to let me know.

Thanks and have a great day!!

Mary Alice


Mary Alice Underwood
Administrative Coordinator II

Cumberland County Community Development
707 Executive Place
Fayetteville, NC 28305

Phone No: (910) 323-6113
Fax No: (910) 323-6114

Rejoice always, pray continually, give thanks in all circumstances

**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 Kingdom Community Development Corporation to purchase the following four properties for the purchase price indicated for each:

Dwelling located at 3322 Antler Drive, Spring Lake, NC 28309,
PIN 0502-39- 9456, for the offer of \$49,000

Dwelling located at 728 Carnegie Drive, Fayetteville, NC 28311,
PIN 052-82-6038, for the offer of \$35,000

Dwelling located at 6405 Wendy Terrace, Fayetteville, NC 28306,
PIN 0404-18-7767, for the offer of \$59,000

Dwelling located at 4815 Boylan Street, Fayetteville, NC 28306,
PIN 9494-33-4997, for the offer of \$45,000

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 17th day of June, 2013.

JAMES E. MARTIN
County Manager

AMY H. CANNON
Deputy County Manager



ITEM NO. 2F

JAMES E. LAWSON
Assistant County Manager

OFFICE OF THE COUNTY MANAGER

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

MEMORANDUM FOR BOARD OF COMMISSIONERS AGENDA OF JUNE 17, 2013

TO: BOARD OF COUNTY COMMISSIONERS

FROM: JAMES E. MARTIN, COUNTY MANAGER

DATE: JUNE 7, 2013

**SUBJECT: APPROVAL OF THE CUMBERLAND COUNTY JUVENILE CRIME
PREVENTION COUNCIL CONTRACTS REPRESENTING FUNDING
ALLOCATIONS FOR JULY 1, 2013 THROUGH JUNE 30, 2014**

BACKGROUND

The Cumberland County Juvenile Crime Prevention Council annually submits the JCPC Program Contracts to the Board of Commissioners for approval prior to submitting to the State office. The contracts represent the funding allocations for FY2013-2014.

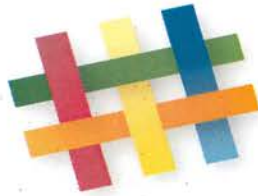
RECOMMENDATION/PROPOSED ACTION

The Juvenile Crime Prevention Council recommends approval of the JCPC DJJDP/County Funding requests for FY2013-2014. Information regarding the contracts is attached.

CM060713-1

Celebrating Our Past...Embracing Our Future

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



CUMBERLAND COUNTY

Juvenile Crime Prevention Council

BRINGING RESOURCES TOGETHER FOR AT-RISK YOUTH

June 6, 2013

La-Lisa Hewett-Robinson,
Chair

Melvin Lindsay Sr.,
Vice Chair

Lt. Mathew Hurley

Lt. Darry Whitaker

Sgt. George Hall

Cheri Siler-Mack

Miguel Pitts

Debbie Jenkins

Melakne Stimpson

Amy Cannon

Honorable Edward A. Pone

Archie Malloy

Robin Black

Honorable Billy R. King

Shawn Withy-Allen

Linda Blanton

Stephanie Glover

Doug Parish

Sarita Mallard

Margarita Dostall

Lee Roberts

Ronald Tillman,
DJJDP Area Consultant

Mark Stang,
JCPC Coordinator,
CC CommuniCare, Inc.

Sarah Hallock,
Executive Director,
CC CommuniCare Inc.

To: Mr. James Martin, County Manager
Ms. Amy Cannon, Deputy County Manager

Annually, the Department of Juvenile Justice & Delinquency Prevention provides funding to local county governments for the purpose of funding early intervention programs/services for youth that are involved in, or may become involved in, the juvenile court system.

After consideration of the 2013.2014 Department of Juvenile Justice & Delinquency Prevention's (DJJDP) projected allocations for local Juvenile Crime Prevention Council (JCPC), during our May meeting, held on Wednesday, May 15, 2013, regarding funding for the next fiscal year, the JCPC has completed their annual planning process. As part of that meeting, the JCPC voted unanimously to submit the council's funding recommendations and the 2013.2014 annual Comprehensive Planning document for Cumberland County and the DJJDP state program agreements for six local programs.

Cumberland County is projected to receive \$918,508 in state dollars for fiscal year 2013.2014. Local matching funds are required in order to be eligible to receive these state funds. During the past, the County of Cumberland has generously contributed a portion of the required match. During the 2012.2013 fiscal year, the County of Cumberland provided the JCPC \$370,304 to support the programs funded by the JCPC. The local council gratefully acknowledges the ongoing support provided by the county.

DJJDP has instituted an electronic signature process this year which should move the approval process in a fast and efficient manner. Once local county government accepts the JCPC recommendations, the department will authorize a JCPC approval date changing the Program Application to a Program Agreement. This action will initiate the electronic signature process.

This packet includes the funding recommendations the CCJCPC is presenting to the C.C. Board of Commissioners for their consideration. The projected 2013.2014 funding plan is attached for review with one program application/contract for each program. Please feel free to contact me should you have any questions or require further assistance.

Regards,

La-Lisa Hewett-Robinson
JCPC Chair
910-678-7293

JCPC DJJDP/County Funding Requests for FY 2013-2014

Program Name	Current DJJDP Funding	Current County Matching funds	FY 13.14 DJJDP funds requested	Change in DJJDP request	County Cash requested for match FY 12.13	Local Program Cash as a portion of match	Program Inkind as a portion of match	Other Program Cash	Total Program Budget Per Request	FY 13.14 Recommendation to Commissioners (DJJDP \$\$\$)	FY 13.14 Recommendation for County Cash match
JAC	251,750	87,232	251,750	0	32,232		29,790	35,068	348,840	251,750	32,232
Find A Friend	59,813	9,657	59,813	0	9,657	31,718		21,020	122,208	59,813	9,657
C.C. Group Care	293,855	158,620	293,855	0	168,359			240,089	702,303	293,855	168,359
Fay/CC Restitution	83,536	12,152	83,536	0	12,152	12,151	1,000		108,839	83,536	12,152
Teen Court	53,936	20,495	53,936	0	20,495	960	17,280		92,671	53,936	20,495
Families & Courts Together	139,921	25,414	139,921	0	80,414		9,724		230,059	139,921	80,414
Coordinator Budget		56,734		0	56,734				56,734		56,734
Administrative Budget	15,500		15,500	0					15,500	15,500	
Unallocated funds	20,197		20,197	0					20,197	20,197	
Totals	918,508	370,304	918,508	0	380,043	44,829	57,794	296,177	1,697,351	918,508	380,043

Projected County funds for
FY 13.14

\$380,043 (At the request of County finance, this includes the required county funding from "org 4366" to match foster care board funding.)

Projected 2013.14 DJJDP
allocation

\$918,508

RICKEY L. MOOREFIELD
County Attorney



ITEM NO. 26

PHYLLIS P. JONES
Assistant County Attorney

ROBERT A. HASTY, JR.
Assistant County Attorney

OFFICE OF THE COUNTY ATTORNEY

5th Floor, New Courthouse • P.O. Box 1829 • Suite 551 • Fayetteville, North Carolina 28302-1829
(910) 678-7762

**MEMO FOR THE AGENDA OF THE JUNE 17, 2013
MEETING OF THE BOARD OF COMMISSIONERS**

TO: Board of Commissioners; Co. Manager;
FROM: Asst. Co. Atty. Robert Hasty, Jr.; Co. Attorney *R. Moorefield*
DATE: June 17, 2013
SUBJECT: Resolution to abolish the business license taxes

Attachments:

Current ordinance sections 7-54 to 7-85.

Proposed Resolution to repeal Chapter 7, Article I, Division 3, Schedule of License
Taxes, Sections 7-54 through 7-85, Cumberland County Code

BACKGROUND:

County Code sections 7-51 through 7-85 provide a schedule of license taxes. Statutory authority for imposing many of the taxes has been repealed by the state legislature. In addition, none of the taxes have been collected by the Cumberland County tax office.

RECOMMENDATION/PROPOSED ACTION:

The county attorney recommends that the Board of Commissioners approve the Resolution to repeal the schedule of taxes because there is no authority to impose many of the taxes and they are not collected in any event.

**A RESOLUTION OF THE CUMBERLAND COUNTY BOARD OF COMMISSIONERS,
TO REPEAL CHAPTER 7, ARTICLE I, DIVISION 3, SCHEDULE OF LICENSE
TAXES, SECTIONS 7-54 THROUGH 7-85, CUMBERLAND COUNTY CODE**

WHEREAS, the authority of a County to levy privilege license taxes on the trades, occupations, professions, businesses, and franchises listed in Cumberland County Code sections 7-54 through 7-85 was largely repealed by the North Carolina State Legislature, N.C.G.S. section 105-33 et seq.; and

WHEREAS, the schedule of license taxes listed in Cumberland County Code sections 7-54 through 7-85 are not collected; and

WHEREAS, it is beneficial to the County of Cumberland and its citizens that these ordinances be repealed.

NOW, THEREFORE, BE IT RESOLVED by the Cumberland County Board of Commissioners that Chapter 7, Article I, Division 3, Schedule of License Taxes, sections 7-54 through 7-85, of the Cumberland County Code, are hereby repealed.

RESOLVED this the ____ day of _____, 2013, by the Cumberland County Board of Commissioners.

CUMBERLAND COUNTY

(SEAL)

ATTEST:

By: _____
Jimmy Keefe, Chairman

Candice White, Clerk

Cumberland County, North Carolina, Code of Ordinances >> - COUNTY CODE >> Chapter 7 -
LICENSES, TAXES AND BUSINESS REGULATIONS >> ARTICLE I. - IN GENERAL >> DIVISION 3. -
SCHEDULE OF LICENSE TAXES >>

DIVISION 3. - SCHEDULE OF LICENSE TAXES

Secs. 7-51—7-53. - Reserved.

Sec. 7-54. - Circuses, menageries, wild west, dog and/or pony shows, etc.

Sec. 7-55. - Reserved.

Sec. 7-56. - Automotive equipment and supply dealers at wholesale.

Sec. 7-57. - Automotive service stations.

Sec. 7-58. - Electronic video games.

Sec. 7-59. - Billiard and pool tables.

Sec. 7-60. - Bowling alleys.

Sec. 7-61. - Installers of elevators and automatic sprinkler systems.

Sec. 7-62. - Reserved.

Sec. 7-63. - Emigrant and employment agents—Generally.

Sec. 7-64. - Same—Hiring or soliciting labor for employment in state having similar law.

Sec. 7-65. - Gypsies and fortunetellers—Companies.

Sec. 7-66. - Same—Individuals.

Secs. 7-67, 7-68. - Reserved.

Sec. 7-69. - Laundries.

Sec. 7-70. - Reserved.

Sec. 7-71. - Loan agencies or brokers.

Sec. 7-72. - Reserved.

Sec. 7-73. - Motorcycle dealers.

Sec. 7-74. - Motor vehicle dealers.

Sec. 7-75. - Music machines.

Secs. 7-76, 7-77. - Reserved.

Sec. 7-78. - Pawnbrokers.

Sec. 7-79. - Peddlers, itinerant merchants and flea market operators.

Secs. 7-80, 7-81. - Reserved.

Sec. 7-82. - Dealers in pistols, etc.

Secs. 7-83, 7-84. - Reserved.

Sec. 7-85. - Beer and wine.

Secs. 7-86—7-100. - Reserved.

Secs. 7-51—7-53. - Reserved.

Editor's note— An ordinance adopted Aug. 2, 1993, repealed §§ 7-51—7-53, which pertained to taxes graduated with reference to population; certain exhibitions, performances and entertainments exempt from license tax and amusements—carnival companies, etc., and derived from Comp. Ords., §§ 19-4.11, 19-5.5 and 19-5.6.

Sec. 7-54. - Circuses, menageries, wild west, dog and/or pony shows, etc.

A person engaged in a business of the kind described in G.S. § 105-38, exhibiting performances, such as circuses, menageries, wild west shows, dog or pony shows, or any similar

show, exhibition or performance not taxed in other sections, shall pay a license tax for such activities of \$25.00 per day.

(Comp. Ords., § 19-5.4; Ord. of 8-2-93)

State law reference— Authority of counties to levy license tax not in excess of one-half of that levied by the state, G.S. § 105-38.

Sec. 7-55. - Reserved.

Editor's note— An ordinance adopted Aug. 2, 1993, repealed § 7-55, which pertained to traveling theatrical companies and derived from Comp. Ords., § 19-5.1.

Sec. 7-56. - Automotive equipment and supply dealers at wholesale.

A person engaged in a business of the kind described in G.S. § 105-89(b) shall pay a license tax of \$37.50 per year. No additional license tax may be levied under this subsection on any employee, agent or salesman whose employer or principle has paid the tax for each location.

(Comp. Ords., § 19-5.29; Ord. of 8-2-93)

State law reference— Authority of counties to levy license tax not in excess of one-half of that levied by the state, G.S. § 105-89(b).

Sec. 7-57. - Automotive service stations.

A person engaged in a business of the kind described in G.S. § 105-89(a) shall be taxed \$12.50 for each location.

(Comp. Ords., § 19-5.28; Ord. of 8-2-93)

State law reference— Authority of counties to levy license tax not in excess of one-fourth of that levied by the state, G.S. § 105-89(a).

Sec. 7-58. - Electronic video games.

A person engaged in a business of the kind described in G.S. § 105-66.1 shall pay a tax of \$5.00 per machine per year.

(Comp. Ords., § 19-5.22; Ord. of 8-2-93)

State law reference— Authority of counties to levy license tax not in excess of that levied by the state, G.S. § 105-66.1.

Sec. 7-59. - Billiard and pool tables.

A person engaged in a business of the kind described in G.S. § 105-102.5 located outside of the incorporated areas of this county shall be taxed in the amount of \$25.00 per location.

All nonprofit or charitable organizations are exempt.

(Comp. Ords., § 19-5.19; Ord. of 8-2-93)

State law reference— Authority of counties to levy license tax not in excess of that levied by the state, G.S. § 105-102.5.

Sec. 7-60. - Bowling alleys.

A person engaged in a business of the kind described in G.S. § 105-102.5 located outside of the incorporated areas of this county shall pay a tax of \$10.00 per alley kept or operated.

(Comp. Ords., § 19-5.20; Ord. of 8-2-93)

State law reference— Authority of counties to levy license tax not in excess of that levied by the state, G.S. § 105-102.5.

Sec. 7-61. - Installers of elevators and automatic sprinkler systems.

A person engaged in a business of the kind described in G.S. § 105-55 shall be taxed \$100.00, provided there is located in the county a principal office or a branch office of such business.

(Comp. Ords., § 19-5.14)

State law reference— Authority of counties to levy license tax not in excess of that levied by the state, G.S. § 105-55.

Sec. 7-62. - Reserved.

Editor's note— An ordinance adopted Aug. 2, 1993, repealed § 7-62, which pertained to repairers and services of elevators and automatic sprinkler systems and derived from Comp. Ords., § 19-5.15.

Sec. 7-63. - Emigrant and employment agents—Generally.

A person engaged in a business of the kind described in G.S. § 105-90 shall be taxed \$100.00.

(Comp. Ords., § 19-5.32)

State law reference— Authority of counties to levy license tax not in excess of \$100.00, G.S. § 105-90.

Sec. 7-64. - Same—Hiring or soliciting labor for employment in state having similar law.

A person engaged in a business of the kind described in G.S. § 105-90.1 shall be taxed \$100.00.

(Comp. Ords., § 19-5.33; Ord. of 8-2-93)

State law reference— Authority of counties to levy license tax not in excess of that levied by state, G.S. § 105-90.1.

Sec. 7-65. - Gypsies and fortunetellers—Companies.

Persons engaged in a business of the kind described in G.S. § 105-58(a) shall be taxed \$200.00.

(Comp. Ords., § 19-5.16; Ord. of 8-2-93)

State law reference— Authority of counties to levy any license tax, G.S. § 105-58.

Sec. 7-66. - Same—Individuals.

A person engaged in a business of the kind described in G.S. § 105-58(b) shall be taxed \$200.00.

(Comp. Ords., § 19-5.17)

State law reference— Authority of counties to levy any license tax, G.S. § 105-58.

Secs. 7-67, 7-68. - Reserved.

Editor's note— An ordinance adopted Aug. 2, 1993, repealed §§ 7-67 and 7-68, which pertained to dealers in horses and/or mules and junk dealers and derived from Comp. Ords., §§ 19-5.9 and 19-5.36.

Sec. 7-69. - Laundries.

A person engaged in a business of the kind described in G.S. § 105-85 shall pay a tax of \$12.50.

(Comp. Ords., § 19-5.25)

State law reference— Authority of counties to levy license tax not in excess of \$12.50, G.S. § 105-85.

Sec. 7-70. - Reserved.

Editor's note— An ordinance adopted Aug. 2, 1993, repealed § 7-70, which pertained to lightning rod agents and derived from Comp. Ords., § 19-5.18.

Sec. 7-71. - Loan agencies or brokers.

A person engaged in a business of the kind described in G.S. § 105-88 shall pay a tax of \$100.00.

(Comp. Ords., § 19-5.27)

State law reference— Authority of counties to levy license tax not in excess of \$100.00, G.S. § 105-88.

Sec. 7-72. - Reserved.

Editor's note— An ordinance adopted Aug. 2, 1993, repealed § 7-72, which pertained to motor advertisers and derived from Comp. Ords., § 19-5.26.

Sec. 7-73. - Motorcycle dealers.

A person engaged in a business of the kind described in G.S. § 105-89.1 shall be taxed \$12.50.

(Comp. Ords., § 19-5.31; Ord. of 8-2-93)

Cross reference— Motor vehicles and traffic, Ch. 9

State law reference— Authority of counties to levy license tax, G.S. § 105-89.1.

Sec. 7-74. - Motor vehicle dealers.

A person engaged in a business of the kind described in G.S. § 105-89(c) shall pay a tax of \$25.00.

(Comp. Ords., § 19-5.30; Ord. of 8-2-93)

Cross reference— Motor vehicles and traffic, Ch. 9

State law reference— Authority of counties to levy license tax, G.S. § 105-89.

Sec. 7-75. - Music machines.

A person engaged in a business of the kind described in G.S. § 105-65 shall pay a tax of \$5.00 per machine.

(Comp. Ords., § 19-5.21)

State law reference— Authority of counties to levy and collect license tax on music machines. G.S. § 105-65.

Secs. 7-76, 7-77. - Reserved.

Editor's note— An ordinance adopted Aug. 2, 1993, repealed §§ 7-76 and 7-77, which pertained to newspaper contests and patent rights and formulas and derived from Comp. Ords., §§ 19-5.23 and 19-5.35.

Sec. 7-78. - Pawnbrokers.

A person engaged in a business of the kind described in G.S. § 105-50 shall pay a tax of \$275.00.

(Comp. Ords., § 19-5.12; Ord. of 8-2-93)

State law reference— Authority of counties to levy license tax not in excess of that levied by the state, G.S. § 105-50.

Sec. 7-79. - Peddlers, itinerant merchants and flea market operators.

A person engaged in Cumberland County in businesses of the kind described in G.S. Section 105-53 shall be taxed as follows:

- (1) Itinerant merchants \$100.00
- (2) Flea market operators 200.00

(Comp. Ords., § 19-5.13; Ord. of 8-15-88, § 1; Ord. of 8-2-93)

State law reference— Authority of counties to levy license tax not in excess of that levied by the state, G.S. § 105-53.

Secs. 7-80, 7-81. - Reserved.

Editor's note— An ordinance adopted Aug. 2, 1993, repealed §§ 7-80 and 7-81, which pertained to itinerant photographers, their agents and employees and phrenologists and derived from Comp. Ords., §§ 19-5-10 and 19-5.11.

Sec. 7-82. - Dealers in pistols, etc.

A person engaged in a business of the kind described in G.S. § 105-80 shall pay the following tax:

For pistols \$ 50.00

For bowie knives, dirks, daggers, slingshots, leaded canes, iron or metallic knuckles, or articles of like kind 200.00

(Comp. Ords., § 19-5.24; Ord. of 8-2-93)

State law reference— Authority of counties to levy license tax not in excess of that levied by the state, G.S. § 105-80.

Secs. 7-83, 7-84. - Reserved.

Editor's note— An ordinance adopted Aug. 2, 1993, repealed §§ 7-83 and 7-84, which pertained to scrap processors and trading stamps and derived from Comp. Ords., §§ 19-5.34, 19-5.37 and an ordinance adopted May 1, 1978.

Sec. 7-85. - Beer and wine.

A person holding any of the following retail ABC permits from the state for establishments in the county shall pay an annual privilege license tax as licensed below:

On-premises malt beverage \$ 25.00

Off-premise malt beverage 5.00

On-premises unfortified wine, on-premises fortified wine, or both 25.00

Off-premises unfortified wine, off-premises fortified wine, or both 25.00

(Ord. of 8-2-93)

Secs. 7-86—7-100. - Reserved.

RICKEY L. MOOREFIELD
County Attorney



ITEM NO. 24

PHYLLIS P. JONES
Assistant County Attorney

ROBERT A. HASTY, JR.
Assistant County Attorney

OFFICE OF THE COUNTY ATTORNEY

5th Floor, New Courthouse • P.O. Box 1829 • Suite 551 • Fayetteville, North Carolina 28302-1829
(910) 678-7762

**MEMO FOR THE AGENDA OF THE JUNE 17, 2013
MEETING OF THE BOARD OF COMMISSIONERS**

TO: Board of Commissioners; ~~Co. Manager~~; Dr. Lauby
FROM: Asst. Co. Atty. Robert Hasty, Jr.; Co. Attorney *R. Moorefield*
DATE: June 17, 2013
SUBJECT: Interlocal Agreement to Provide Animal Control Services in the Town of Falcon

Attachments:

Resolution of the Town of Falcon adopting the Cumberland County Animal
Control Ordinance
Interlocal Agreement executed by the Town of Falcon

BACKGROUND:

The county's ordinances do not apply in the corporate limits of any incorporated municipality unless the municipal governing board consents. Once a county ordinance is applied within the corporate limits, the governing bodies of the county and the municipality must enter into an interlocal agreement in order for county personnel to enforce the ordinance within the municipality. The revised county animal control ordinance adopted in May, 2012, included provisions to accommodate the particular needs of those municipalities expressing an interest in applying the ordinance in their jurisdictions. The City of Fayetteville promptly acted to apply the ordinance within its corporate limits. The city and the county have had an interlocal agreement for the county to provide animal control services within the city for many years.

The County Attorney's office has recently drafted Resolutions and Interlocal Agreements for the other municipalities in Cumberland County to adopt the Cumberland County Animal Control Ordinance and authorize the county's Animal Control Department to provide animal control services in their jurisdictions. The Towns of Eastover, Linden, Spring Lake, Stedman, Wade, and Godwin recently entered into interlocal agreements with the county approved by the Board of Commissioners at its March 18, April 15, and May 3, 2013 meetings. The Town of Falcon has now also passed the Resolution and executed the interlocal agreement attached to this memo.

RECOMMENDATION/PROPOSED ACTION:

The county attorney recommends that the Board of Commissioners approve the interlocal agreement with the Town of Falcon to authorize the Cumberland County Animal Control Department to continue providing services in that jurisdiction.

**A RESOLUTION OF THE GOVERNING BOARD OF THE TOWN OF FALCON,
PURSUANT TO N.C.G.S. § 153A-122, MAKING THE ANIMAL CONTROL
ORDINANCE, CHAPTER 3, ANIMALS, OF THE *CUMBERLAND COUNTY CODE*,
APPLICABLE WITHIN THE TOWN OF FALCON**

WHEREAS, on May 21, 2012, the Cumberland County Board of Commissioners enacted repealed the County's former animal control ordinance and re-enacted Chapter 3, Animals, of the *Cumberland County Code*, an Animal Control Ordinance for Cumberland County; and

WHEREAS, said ordinance establishes a comprehensive program designed to address animal control services in Cumberland County and its municipalities; and

WHEREAS, it is beneficial to the Town of Falcon and its citizens to participate in this comprehensive plan for the provision of animal control services within its corporate limits.

NOW, THEREFORE, BE IT RESOLVED by the Governing Board of the Town of Falcon, North Carolina, that pursuant to N.C.G.S. § 153A-122, Chapter 3, Animals, of the *Cumberland County Code*, the Cumberland County Animal Control Ordinance, adopted May 21, 2012, by the Cumberland County Board of Commissioners, a copy of which is attached hereto, shall be applicable, have the same force and effect, and shall be enforced to the same extent, within the corporate limits of the Town of Falcon, as within Cumberland County, and shall be designated as Ordinance No. _____, of the Code of Ordinances of the Town of Falcon.

ADOPTED this the 13th day of May, 2013, by the Governing Board of the Town of Falcon.

(SEAL)

ATTEST:

Belinda D. White
Belinda White, Clerk

TOWN OF FALCON

By:

Clifton Turpin
Clifton Turpin, Mayor



NORTH CAROLINA

AGREEMENT FOR INTERLOCAL UNDERTAKING

CUMBERLAND COUNTY

THIS AGREEMENT, is made and entered into by and between the TOWN OF FALCON, a municipality duly incorporated under the laws of North Carolina (hereinafter referred to as TOWN), and CUMBERLAND COUNTY, a body politic and corporate of the State of North Carolina (hereinafter referred to as COUNTY);

WITNESSETH:

WHEREAS, COUNTY has established, staffed and funded a department for the provision of animal control services and an animal shelter; and

WHEREAS, the governing boards of TOWN and COUNTY have determined that animal control services can be most efficiently provided through a comprehensive program administered by one department within the municipal limits and adjoining suburban and rural areas; and

WHEREAS, the governing board of TOWN has adopted Chapter 3, Animals, of the *Cumberland County Code of Ordinances* as the animal control ordinance of the TOWN; and

WHEREAS, the governing boards of TOWN and COUNTY have by resolution ratified the provisions of this Agreement for Interlocal Undertaking pursuant to North Carolina General Statutes, Chapter 160A, Article 20, Part I, for the purpose of providing an interlocal undertaking to provide for the provision of animal control services.

NOW THEREFORE, for and in consideration of the mutual covenants herein contained and of the mutual benefits to result therefrom, the parties hereby agree as follow:

1. PURPOSE: The purpose of this Agreement is to establish an interlocal undertaking, as provided in N.C.G.S. 160A-460, *et seq.*, whereby the COUNTY shall serve as the animal control agency for both TOWN and the COUNTY and COUNTY shall enforce TOWN'S animal control ordinance in the incorporated areas of TOWN.
2. PERSONNEL: All personnel necessary to staff, implement, administer and provide the joint animal control services contemplated by this Agreement shall be employees of COUNTY, provided, however, that COUNTY shall not be obligated to provide or fund a higher level of animal control services within TOWN than it does in its own jurisdiction.
3. FINANCES: For the same level of professional animal control services provided in COUNTY'S jurisdiction, TOWN will not make any appropriation to COUNTY; but all licenses, fees, and penalties collected under Chapter 3, Animals, of the *Cumberland County Code*, being adopted by TOWN and enforced under this Agreement, shall be retained by COUNTY.

4. AMENDMENT: This Agreement may be amended at any time by mutual agreement between the parties in writing and duly ratified by their respective governing boards, with any such amendment being effective upon adoption.
5. DURATION: This Agreement shall commence on the date ratified by COUNTY'S governing board and shall endure so long as the parties hereto exist and have the power to make and maintain such an agreement, unless sooner terminated as hereinafter provided.
6. TERMINATION: This Agreement may be terminated by either party upon one hundred eighty (180) days prior written notice duly authorized by its governing board to the other party; provided that such termination shall only be effective at the end of a fiscal year.
7. PROPERTY: This Agreement does not require the purchase, acquisition, or disposition of real property by either party.

THEREFORE, the parties have set their hands and seals pursuant to action of their respective governing boards taken on the date indicated for each.

TOWN OF FALCON

By: 

Clifton Turpin, Mayor



ATTEST:



Belinda White, Town Clerk

Ratified by Town's Governing Board on May 13, 2013

CUMBERLAND COUNTY

By: _____

Jimmy Keefe, Chairman

ATTEST:

Candice White, Clerk to the Board

Ratified by the Cumberland County Board of Commissioners on _____

RICKEY L. MOOREFIELD
County Attorney



ITEM NO. 21

PHYLLIS P. JONES
Assistant County Attorney

ROBERT A. HASTY, JR.
Assistant County Attorney

OFFICE OF THE COUNTY ATTORNEY

5th Floor, New Courthouse • P.O. Box 1829 • Suite 551 • 117 Dick Street, Fayetteville, North Carolina 28302-1829
(910) 678-7762

**MEMORANDUM FOR THE AGENDA OF THE JUNE 17, 2013
MEETING OF THE BOARD OF COMMISSIONERS**

TO: Bd. of Commissioners; Co. Manager; Bobby Howard
FROM: Co. Atty. *R. Moorefield*
DATE: June 12, 2013
SUBJECT: Lease of Jernigan Container Site

Attachments: Lease Agreement

BACKGROUND:

Bobby Howard has requested to continue leasing the Jernigan Container Site for an additional five year term at a lump sum lease rate of \$4,000 with an option to renew for an additional five year term.

RECOMMENDATION/PROPOSED ACTION:

County attorney recommends approval of the lease.

Approved by the Board of Commissioners on June 17, 2013

THIS LEASE AGREEMENT, made and entered into _____, 2013, by and between CES, L.L.C., of Columbia, South Carolina, party of the first part, hereinafter called OWNER, and CUMBERLAND COUNTY, party of the second part, hereinafter called COUNTY.

W I T N E S S E T H:

Subject to the terms and conditions herein contained, OWNER does hereby lease and let unto COUNTY, and COUNTY accepts as LESSEE, that certain tract or parcel of land in Carvers Creek Township, Cumberland County, North Carolina, being described as follows:

Containing 0.53 acres, more or less.

BEGINNING at a point in the southern margin of SR 1702 (60' right-of-way), said point being South 87 degrees East 335.00 feet from the point of intersection of the southern margin of said SR No. 1702 and the western margin of Lucille Jernigan Property as recorded in Deed Book 471, page 161 Cumberland County Registry; and running thence with the southern margin of said SR No. 1702 South 87 degrees East 250.00 feet to an existing monument; thence South 22 degrees 48 minutes East 46.00 feet to an existing monument in the western margin of SR No. 1700 (60' right-of-way); thence with the western margin of said SR No. 1700 South 41 degrees 49 minutes West 70.00 feet to a point; thence North 84 degrees 14 minutes West 226.41 feet to a point; thence North 03 degrees East 85.00 feet to the point and place of BEGINNING.

To have and to hold said lands for the term and upon the conditions as follows:

I.

This lease term shall commence on August 12, 2013, and continue for a period of five (5) years, unless sooner terminated by agreement of the parties or unless at any time continued performance by either of the parties will result in a violation of any county, state or federal law. COUNTY is granted the option to renew this lease for an additional period of five (5) years upon the same terms and conditions with the exception that the rental fee shall be negotiable thirty (30) days prior to expiration of the original term.

II.

COUNTY has been using this site and will continue to use this site for the purpose of maintaining a solid waste container site with the necessary solid waste containers, ramps, pads, driveways, and fences for public use.

III.

The rental to be paid by COUNTY to OWNER for said property shall be EIGHT HUNDRED DOLLARS (\$800.00) per year for the five (5) year period payable in a lump sum of FOUR THOUSAND DOLLARS (\$4,000.00) promptly after the execution of this lease agreement.

IV.

COUNTY will maintain the property in an orderly manner at all times.

V.

COUNTY may continue to make other additions, improvements, and alterations, and erect additional structures or install signs, in or around the property. Such additions, improvements, and alterations, or erection of structures or signs so placed in or upon or attached to the property shall remain the property of COUNTY and shall be removed from the property prior to the termination of this lease or within a reasonable time thereafter. If removal causes damage or injury to the property, COUNTY shall repair such damage or injury

VI.

OWNER warrants and covenants that it is the owner of the above described property, and has the authority to enter into this Lease.

VII.

County shall indemnify and hold harmless OWNER from any claims for damages, either for personal injury or property damage, made by the employees, agents, contractors or invitees of County, or anyone using the facility and arising out of or in connection with County's operations in maintaining the Solid Waste Container Site on said property for the use of the public.

IN WITNESS WHEREOF, this instrument is duly executed the day and year first above written.

COUNTY OF CUMBERLAND

ATTEST

BY: _____
CANDICE WHITE, Clerk

BY: _____
JIMMY KEEFE, Chairman
Board of County Commissioners

CES, LLC
By:

Managing Member

THIS INSTRUMENT HAS BEEN PRE-AUDITED IN THE
MANNER REQUIRED BY THE LOCAL GOVERNMENT
BUDGET AND FISCAL CONTROL ACT.

AMY CANNON, County Finance Officer

ner Site Lease

APPROVED FOR LEAGAL SUFFICIENCY

BY: _____
County Attorney's Office

STATE OF NORTH CAROLINA
COUNTY OF CUMBERLAND

I, _____, a Notary Public in and for the State of North Carolina, certify that CANDICE WHITE personally appeared before me this day and acknowledged that she is the Clerk to the Board of County Commissioners; that JIMMY KEEFE is the Chairman of said Board; that the seal affixed to the foregoing Instrument is the Corporate Seal of said Board; that said Instrument was signed and sealed by said Chairman and attested by the said Board, all by its authority duly granted; and that said CANDICE WHITE acknowledged the said Instrument to be the act and deed of the said Board.

WITNESS my hand and seal this the ____ day of _____, 2013.

Notary Public

My Commission Expires: _____

STATE OF SOUTH CAROLINA
COUNTY OF _____

I, _____, a Notary Public in and for the State of South Carolina, certify that _____ personally appeared before me this day and acknowledged that he/she is the managing member of CES, LLC, and that he/she executed the foregoing Lease Agreement on behalf of CES, LLC, for the purpose therein expressed.

WITNESS my hand and notorial seal this the ____ day of _____, 2013.

Notary Public

My Commission Expires: _____



ITEM NO. 25

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 4, 2013

MEMORANDUM FOR BOARD OF COMMISSIONERS' JUNE 17, 2013 AGENDA:

TO: BOARD OF COMMISSIONERS

FROM: RICK L. MOOREFIELD, COUNTY ATTORNEY *RLM*

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

0.50 AC HODGE LD; 6189 S US 301 HWY
(Located between US 301 HWY & Mabry Rd)
PIN NO. 0412-67-2832; ROCKFISH TOWNSHIP

BACKGROUND: On or about May 19, 2011, the County acquired by tax foreclosure the above property. The amount currently owed on the foreclosure judgment including interest and costs for the property is \$7,143.96.

Ronnie Allen Davis has offered to purchase the County's interest in the property for **\$7,143.96** and has deposited \$714.00 in the Finance Office. The tax value of the property is \$21,068.00.

This property is surplus to the needs of the County and, according to N.C.G.S. §153A-176 and N.C.G.S. §105-376, the County has the authority to sell such property. Management has reviewed this offer and it is now being submitted for the Board to consider whether or not to accept Ronnie Allen Davis' bid. The property has been advertised and this office has not received any upset bids. The bid period is now closed.

RECOMMENDATION AND PROPOSED ACTION: That the Board of Commissioners consider whether to accept the offer of Ronnie Allen Davis to purchase the above property for the sum of **\$7,143.96**, plus advertising and recording costs, and authorize the Chairman to execute a deed upon receipt of the balance of the purchase price.

RLM/hnw

Celebrating Our Past... Embracing Our Future



Site Map

6189 US HWY 301 S
ROCKFISH TOWNSHIP

100 0 100 Feet



Rockfish Township
10000 Highway 301 S
Rockfish, NC 27866
Phone: (919) 486-1234
Fax: (919) 486-1235
www.rockfishtownship.org

ORDINANCE ASSESSING PROPERTY FOR THE COSTS
OF DEMOLITION OF A STRUCTURE PURSUANT TO
THE MINIMUM HOUSING CODE OF CUMBERLAND COUNTY
CASE NUMBER: MH6806-2012
PROPERTY OWNER: John D. Williams

WHEREAS, the Board of County Commissioners of Cumberland County, North Carolina, on November 19, 2012, enacted an ordinance directing the demolition by the owner(s) of the structure(s) John D. Williams, located at 313 Charles Street, Fayetteville, NC, PIN: 0426-90-4406, said ordinance being recorded in Book 9056, page 115, 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 \$2,900.00.
- (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 \$2,900.00, 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 19 November, 2012, 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 313 Charles Street, Fayetteville, NC, as described in Deed Book 8604, page 669, of the Cumberland County Registry and identified in County tax records as PIN 0426-90-4406.

(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 17th day of June, 2013, 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
CASE NUMBER: MH6707-2012
PROPERTY OWNER: Bernetta M. Weeks

WHEREAS, the Board of County Commissioners of Cumberland County, North Carolina, on January 22, 2013, enacted an ordinance directing the demolition by the owner(s) of the structure(s) Bernetta M. Weeks, located at 2330 Lake Upchurch Road, Parkton, NC, PIN: 9493-66-7917, said ordinance being recorded in Book 9104, page 610, 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 \$3,000.00.
- (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 \$3,000.00, 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 22 January, 2013, 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 2330 Lake Upchurch Road, Parkton, NC, as described in Deed Book 4203, page 272, of the Cumberland County Registry and identified in County tax records as PIN 9493-66-7917.

(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 17th day of June, 2013, 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
CASE NUMBER: MH6884-2012
PROPERTY OWNER: Virginia H. Bohrk

WHEREAS, the Board of County Commissioners of Cumberland County, North Carolina, on January 22, 2013, enacted an ordinance directing the demolition by the owner(s) of the structure(s) Virginia H. Bohrk, located at 5009 New Moon Drive, Fayetteville, NC, PIN: 0415-55-3174, said ordinance being recorded in Book 9104, page 622, 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 \$2,599.00.
- (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 \$2,599.00, 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 22 January, 2013, 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 5009 New Moon Drive, Fayetteville, NC, as described in Deed Book 4692, page 480, of the Cumberland County Registry and identified in County tax records as PIN 0415-55-3174.

(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 17th day of June, 2013, at 6:45 p.m. o'clock.

Cumberland County Clerk

**COUNTY OF CUMBERLAND
BUDGET REVISION REQUEST**

Budget Office Use	
Budget Revision No.	<u>B13-353</u>
Date Received	<u>6.7.13</u>
Date Completed	

Fund No. 101 Agency No. 431 Organ. No. 4304
 Organization Name: Health- Pharmacy

ITEM NO. 26(1)

REVENUE

Revenue Source Code	Description	Current Budget	Increase (Decrease)	Revised Budget
9903	Fund Balance -Health	0	35,000	35,000
Total		-	35,000	

EXPENDITURES

Object Code	APRs	Unit	Description	Current Budget	Increase (Decrease)	Revised Budget
3650	159		Capital- Other Improvements	-	35,000	35,000
Total				-	35,000	35,000

Justification:

Remodeling the Pharmacy by redesigning the existing counter, changing the orientation of the current shelving and adding an additional work counter to improve efficiency when filling prescriptions for the Health Department, Jail and CCMAP.

Funding Source: State: _____ Federal: _____ Fund Balance: County: _____ New: _____ Other: _____
 Other: _____ Fees: _____ Prior Year: 35,000

Submitted By: [Signature]
 Department Head
 Reviewed By: Kelly Autrey
 Finance
 Reviewed By: Amy H. Cannon
 Deputy Assistant County Mgr

Date: 6.5.13
 Date: 6.7.13
 Date: 6/12/13

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

Budget Office Use	
Budget Revision No.	B13-357
Date Received	6/11/2013
Date Completed	

ITEM NO. 22(2)

Revenue Source Code	Description	Current Budget	Increase (Decrease)	Revised Budget
9911	Fund Balance Appropriated-Mental Health	15,308	50,000	65,308
			50,000	65,308

Object Code	Appr Unit	Description	Current Budget	Increase (Decrease)	Revised Budget
3110		Legal	21,250	50,000	71,250
Total			21,250	50,000	71,250

Revision in the amount of \$50,000 to appropriate mental health fund balance for legal services provided for the merger.

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

Submitted By: _____ Date: _____
 Department Head
 Reviewed By: Kelly Centry Date: 6-11-13
 Finance Department
 Reviewed By: Ami Cannon Date: 6/12/13
 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.	B13-356
Date Received	6/10/2013
Date Completed	

Fund No. 101 Agency No. 450 Organ. No. 4506
 Organization Name: Cooperative Extension

ITEM NO. 2L(3)

REVENUE

Revenue Source Code	Description	Current Budget	Increase (Decrease)	Revised Budget
4018	Military 4-H Grant	165	13,227	13,392
9901 (101-999-9999)	Fund Balance Appropriated		(12,480)	
Total			747	

EXPENDITURES

Object Code	Appr Unit	Description	Current Budget	Increase (Decrease)	Revised Budget
460L	343	Military 4-H Grant	165	747	912
Total			165	747	912

Justification:

Revision to budget Military 4-H Grant in the amount of \$13,227 for the period October 1, 2012 to September 30, 2013. County fund balance appropriated is being reduced for reimburseable salary and benefits (\$12,480). In addition, expenditures for travel (\$500) and materials and supplies (\$247) are included in the grant.

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

Submitted By: Lisa B. Childers Date: 6/11/13
 Department Head

Reviewed By: Bob Tucker Date: 6/11/13
 Finance Department

Reviewed By: Amber Cannon Date: 6/12/13
 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. B13-358

Date Received _____

Date Completed _____

Fund No. 625 Agency No. 460 Organ. No. 4602

Organization Name: Solid Waste- Administration

ITEM NO. 2 L (4)

REVENUE

Revenue Source Code	Description	Current Budget	Increase (Decrease)	Revised Budget
9901	Fund balance	0	100,000	100,000
Total		0	100,000	100,000

EXPENDITURES

Object Code	Appr Unit	Description	Current Budget	Increase (Decrease)	Revised Budget
1890	871	OPEB	350,061	100,000	450,061
Total			350,061	100,000	450,061

Justification:

Revision to appropriate fund balance to fund estimated Other Post Employment Benefits (OPEB) audit entry for FY2013.

Funding Source:

State: _____
Other: _____

Federal: _____
Fees: _____

Fund Balance:

County: _____ New: _____
Prior Year: _____

Other: _____

Submitted By: _____

Date: _____

Department Head

Reviewed By: Howard L. Bar

Date: 6/11/13

Finance

Reviewed By: Amyl Cannon

Date: 6/12/13

Deputy/Assistant County Mgr

Approved By:

County Manager

Board of County
Commissioners

Date: _____

Date: _____

**COUNTY OF CUMBERLAND
BUDGET REVISION REQUEST**

Budget Office Use	
Budget Revision No.	B13-361
Date Received	6/11/2013
Date Completed	

Fund No. 101 Agency No. 450 Organ. No. 4506
 Organization Name: Cooperative Extension

ITEM NO. 2L(5)

REVENUE

Revenue Source Code	Description	Current Budget	Increase (Decrease)	Revised Budget
4530	Youth & Families With Promise Grant	4,630	2,000	6,630
Total		4,630	2,000	6,630

EXPENDITURES

Object Code	Appr Unit	Description	Current Budget	Increase (Decrease)	Revised Budget
460M	343	Youth & Families With Promise Grant	4,630	2,000	6,630
Total			4,630	2,000	6,630

Justification:

Revision to budget additional grant award of \$2,000 for the 4-H National Mentoring Program called "Youth & Families with Promise" received as a subaward through North Carolina State University. The grant period runs from February 1, 2013 through January 31, 2014 and is designed to provide mentoring activities to help reduce juvenile delinquency and school failure in high-risk youth. This grant does not require a local match.

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

Submitted By: Lisa B. Childers Date: 6/11/13
 Department Head
 Reviewed By: Bob Tucker Date: 6/11/13
 Finance Department
 Reviewed By: Amyl Cannon Date: 6/12/13
 Assistant County Mgr

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

**COUNTY OF CUMBERLAND
BUDGET REVISION REQUEST**

Budget Office Use	
Budget Revision No.	B13-354
Date Received	6/11/2013
Date Completed	

Fund No. 015 Agency No. 431 Organ. No. 431A
 Organization Name: Health Department Building

ITEM NO. 2 L (6) a

REVENUE

Revenue Source Code	Description	Current Budget	Increase (Decrease)	Revised Budget
7002	Interest Income	187,846	0	187,846
7685	Contractor Sales Tax	444,852	47,575	492,427
9110	Transfer from Fund 101	1,486,300	0	1,486,300
9205	Installment Financing Proceeds	26,500,000	0	26,500,000
Total		28,618,998	47,575	28,666,573

EXPENDITURES

Object Code	Appr Unit	Description	Current Budget	Increase (Decrease)	Revised Budget
299A	HEA	Computer Hardware	0	23,354	23,354
2995	HEA	Computer Software	0	18,281	18,281
3119	HEB	Debt Issue Costs	368,621	(328,285)	40,336
3419	HEA	Miscellaneous	501,301	(485,211)	16,090
347B	HEA	Relocation Expense	170,515	(118,894)	51,621
3480	HEA	Utilities	150,000	8,186	158,186
3610	HEC	Capital Outlay - Equipment	1,285,000	51,831	1,336,831
3650	HEC	Capital Outlay - Other Improvements	250,000	(120,395)	129,605
3704	HEA	General Contract	22,397,881	(33,053)	22,364,828
3714	HEA	Geotechnical Services	140,000	(42,065)	97,935
3747	HEA	Engineering	1,477,603	(17,128)	1,460,475
383Z	HEC	Technology	1,673,300	(58,587)	1,614,713
3885	HEA	Transfer to Fund 120	0	500,000	500,000
3880	HEA	Transfer to General Fund	131,397	222,921	354,318
3883	HEA	Transfer to Fund 115	0	500,000	500,000
3903	HED	Contingency	73,380	(73,380)	-
Total			28,618,998	47,575	28,666,573

Justification:

Revision to make final adjustments to the expenditure budget to facilitate closeout of the Health Department Building Project and to provide a mechanism to transfer out the unspent cash balance to the Workers Compensation Fund (\$500,000), Group Insurance Fund (\$500,000), Health Department (\$120,000), and the balance to the General Fund.

Funding Source:

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

Fund Balance:

Submitted By: _____
 Department Head

Date: _____

Reviewed By: Bob Tucker
 Finance Department

Date: 6/13/11

Reviewed By: Ann Cannon
 Assistant County Mgr

Date: 6/18/13

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

**COUNTY OF CUMBERLAND
BUDGET REVISION REQUEST**

Budget Office Use	
Budget Revision No.	B13-354A
Date Received	6/11/2013
Date Completed	

Fund No. 120 Agency No. 410 Organ. No. 4106
 Organization Name: Workers' Compensation

ITEM NO. 2 L(6) b

REVENUE

Revenue Source Code	Description	Current Budget	Increase (Decrease)	Revised Budget
9901	Fund Balance Appropriated	1,000,000	500,000	1,500,000
9113	Transfer from Fund 015	0	500,000	500,000
Total		1,000,000	1,000,000	2,000,000

EXPENDITURES

Object Code	Appr Unit	Description	Current Budget	Increase (Decrease)	Revised Budget
1860	600	Workers Comp	1,892,305	1,000,000	2,892,305
Total			1,892,305	1,000,000	2,892,305

Justification:

Increase Workers Compensation budget for the projected reserve accrual for the annual audit.

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

Submitted By: _____ Date: _____
 Reviewed By: [Signature] Department Head Date: 6/11/13
 Reviewed By: [Signature] Finance Date: 6/13/13
 Deputy/Assistant County Mgr

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

**COUNTY OF CUMBERLAND
BUDGET REVISION REQUEST**

Budget Office Use	
Budget Revision No.	B13-354B
Date Received	6/11/2013
Date Completed	

Fund No. 101 Agency No. 431 Organ. No. 4301
 Organization Name: Health Administration

ITEM NO. 2 L(6)C

REVENUE

Revenue Source Code	Description	Current Budget	Increase (Decrease)	Revised Budget
9113	Transfer from Fund 015 (Health Building)	0	34,515	34,515
Total		0	34,515	34,515

EXPENDITURES

Object Code	Appr Unit	Description	Current Budget	Increase (Decrease)	Revised Budget
2995	151	Computer Software	16,258	30,000	46,258
3390	151	Contracted Services	66,101	4,515	70,616
Total			82,359	34,515	116,874

Justification:

To budget transfer of a portion (\$34,515) of the unused funds from the completed Health Department Building Project to provide funding to connect approximately 25 additional seats in the clinical areas to Netsmart's Insight product allowing for better staff access to the Electronic Medical Records archival system.

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

Submitted By: _____
 Department Head

Date: _____

Reviewed By: Bob Tucker
 Finance Department

Date: 6/11/13

Reviewed By: Amy Cannon
 Deputy / Asst County Mgr

Date: 6/13/13

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

**COUNTY OF CUMBERLAND
BUDGET REVISION REQUEST**

Budget Office Use	
Budget Revision No.	B13-354C
Date Received	6/11/2013
Date Completed	

Fund No. 101 Agency No. 431 Organ. No. 432E
 Organization Name: Medical Records

ITEM NO. 2 L(6)d

REVENUE

Revenue Source Code	Description	Current Budget	Increase (Decrease)	Revised Budget
9113	Transfer from Fund 015 (Health Building)	0	35,485	35,485
Total		0	35,485	35,485

EXPENDITURES

Object Code	Appr Unit	Description	Current Budget	Increase (Decrease)	Revised Budget
3390	204	Contracted Services	39,300	35,485	74,785
Total			39,300	35,485	74,785

Justification:

To budget transfer of a portion (\$35,485) of the unused funds from the completed Health Department Building Project to provide funding to hire 2 temporary "employees" for the Medical Records Division specifically for scanning medical records into the Electronic Health Records system.

Funding Source:

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

Submitted By: _____
 Department Head

Date: _____

Reviewed By: Bob Tucker
 Finance Department

Date: 6/11/13

Reviewed By: Amber Cannon
 Deputy / Asst County Mgr

Date: 6/13/13

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

Budget Office Use	
Budget Revision No.	B13-354D
Date Received	6/11/2013
Date Completed	

ITEM NO. 2 L(6)e

Revenue Source Code	Description	Current Budget	Increase (Decrease)	Revised Budget
9113	Transfer from Fund 015 (Health Building)	0	50,000	50,000
	Total	0	50,000	50,000

Object Code	Appr Unit	Description	Current Budget	Increase (Decrease)	Revised Budget
2995	187	Computer Software	135	50,000	50,135
Total			135	50,000	50,135

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

Approved By:

_____ Date: _____

County Manager

Board of County
Commissioners Date: _____

Budget Office Use	
Budget Revision No.	B13-354E
Date Received	6/11/2013
Date Completed	

ITEM NO. 2L(6)f

Revenue Source Code	Description	Current Budget	Increase (Decrease)	Revised Budget
9113 (101-999-9999)	Transfer from Fund 015 (Health Building)	0	102,921	102,921
	Total	0	102,921	102,921

Object Code	Appr Unit	Description	Current Budget	Increase (Decrease)	Revised Budget
3650	090	Capital Outlay Other Improvements	8,579	102,921	111,500
Total			8,579	102,921	111,500

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

Date: 6/13/12

**Board of County
Commissioners**

**COUNTY OF CUMBERLAND
BUDGET REVISION REQUEST**

Budget Office Use	
Budget Revision No.	B13-354F
Date Received	6/12/2013
Date Completed	

Fund No. 115 Agency No. 412 Organ. No. 4191
 Organization Name: Group Health Insurance

ITEM NO. 2L(6)g

REVENUE

Revenue Source Code	Description	Current Budget	Increase (Decrease)	Revised Budget
9113	Transfer from Fund 015	0	300,000	300,000
Total		0	300,000	300,000

EXPENDITURES

Object Code	Appr Unit	Description	Current Budget	Increase (Decrease)	Revised Budget
1842	593	PPO Medical	11,887,928	300,000	12,187,928
Total			11,887,928	300,000	12,187,928

Justification:

Replenish the fund balance of the Group Health Insurance Fund for start up costs of the employee pharmacy, clinic and wellness program.

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

Submitted By: _____ Date: _____
 Reviewed By: [Signature] Department Head Date: 6/12/13
 Reviewed By: [Signature] Finance Date: 6/13/13
 Deputy/Assistant County Mgr

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

**COUNTY OF CUMBERLAND
BUDGET REVISION REQUEST**

Budget Office Use	
Budget Revision No.	B13-354G
Date Received	6/12/2013
Date Completed	

Fund No. 115 Agency No. 412 Organ. No. 4197
 Organization Name: Employee Pharmacy

ITEM NO. 2L(6)h

REVENUE

Revenue Source Code	Description	Current Budget	Increase (Decrease)	Revised Budget
9113	Transfer from Fund 015	0	200,000	200,000
Total		0	200,000	200,000

EXPENDITURES

Object Code	Appr Unit	Description	Current Budget	Increase (Decrease)	Revised Budget
2381	606	Prescription Drugs	745,900	200,000	945,900
Total			745,900	200,000	945,900

Justification:

Replenish the fund balance of the Group Health Insurance Fund for start up costs of the employee pharmacy, clinic and wellness program.

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

Submitted By: _____ Date: _____
 Reviewed By: [Signature] Department Head Date: 6/12/13
 Reviewed By: [Signature] Finance Date: 6/12/13
 Reviewed By: [Signature] Deputy/Assistant County Mgr

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

**COUNTY OF CUMBERLAND
BUDGET REVISION REQUEST**

Budget Office Use	
Budget Revision No.	B13-363
Date Received	6/11/2013
Date Completed	

Fund No. 101 Agency No. 450 Organ. No. 4590
 Organization Name: County Water and Sewer

ITEM NO. 22(7)

REVENUE				
Revenue Source Code	Description	Current Budget	Increase (Decrease)	Revised Budget
9909	Fund Balance Appropriated - Water & Sewer	931,352	84,500	1,015,852

Pg 1 of 2

Total		931,352	84,500	1,015,852
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EXPENDITURES					
Object Code	Appr Unit	Description	Current Budget	Increase (Decrease)	Revised Budget
387X	382	Transfer to Fund 023	15,000	84,500	99,500

Total		15,000	84,500	99,500
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Justification:

Revision to re-appropriate County Water & Sewer funds previously budgeted for engineering and design services for the Overhills Sewer Project, but not expended. These funds are being moved to the newly established Overhills Sewer Project Fund.

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

Submitted By: _____
 Department Head

Date: _____

Reviewed By: HeA
Bob Tucker
 Finance Department

Date: 6/11/13

Reviewed By: Amy N. Cannon
 Deputy / Asst County Mgr

Date: 6/13/13

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

**COUNTY OF CUMBERLAND
BUDGET REVISION REQUEST**

Budget Office Use	
Budget Revision No.	B13-363A
Date Received	6/11/2013
Date Completed	

Fund No. 023 Agency No. 450 Organ. No. 450N

Organization Name: Overhills Sewer Project

Pg. 2 of 2

REVENUE

Revenue Source Code	Description	Current Budget	Increase (Decrease)	Revised Budget
9110	Transfer from General Fund (Water & Sewer)	15,000	84,500	99,500

Total 15,000 84,500 99,500

EXPENDITURES

Object Code	Appr Unit	Description	Current Budget	Increase (Decrease)	Revised Budget
3747	TEA	Engineering	15,000	84,500	99,500

Total 15,000 84,500 99,500

Justification:

Revision to budget transfer from General Fund (County Water and Sewer) to Overhills Sewer Project Fund to provide funding for engineering and design services previously budgeted in the General Fund (County Water and Sewer), but not expended.

Funding Source:

State: _____
Other: _____

Federal: _____
Fees: _____

Fund Balance:

County: _____ New: _____
Prior Year: _____

Other: _____

Submitted By: _____
Department Head

Date: _____

Reviewed By: Bob Incher

Date: 6/11/13

Finance Department

Reviewed By: Amie Paunon

Date: 6/13/13

Deputy / Asst County Mgr

Approved By:

Date: _____

County Manager

Board of County Commissioners

Date: _____

**COUNTY OF CUMBERLAND
BUDGET REVISION REQUEST**

Budget Office Use	
Budget Revision No.	<u>B13-364</u>
Date Received	<u>6/12/13</u>
Date Completed	

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

Organization Name: ANIMAL CONTROL

ITEM NO. 2L(8)

REVENUE

Revenue Source Code	Description	Current Budget	Increase (Decrease)	Revised Budget
7631	Pet Smart Charities	17,525	3,675	21,200
Total		17,525	3,675	21,200

EXPENDITURES

Object Code	Appr Unit	Description	Current Budget	Increase (Decrease)	Revised Budget
2992	132	SUPPLIES	78,717	3,675	82,392
Total			78,717	3,675	82,392

Justification:

To appropriate revenue from Pet Smart Charities for hosting an adoption clinic on-site weekend event and to realign appropriate expenditure codes for expenses incurred while hosting the event.

Funding Source:

State: _____
Other: _____

Federal: _____
Fees: _____

Fund Balance:

County: _____ New: _____
Prior Year: _____

Other: _____

Submitted By: Rinda B. Monson Date: 6/11/13
 For: PA Department Head
 Reviewed By: Kelly Centry Date: 6-12-13
 Finance
 Reviewed By: Amie Cannon Date: 6/12/13
 Deputy/Assistant County Mgr

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

**COUNTY OF CUMBERLAND
BUDGET REVISION REQUEST**

Budget Office Use	
Budget Revision No.	B13-365
Date Received	6/12/2013
Date Completed	

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

Organization Name: Soil & Water Conservation District

ITEM NO. 2L(9)

REVENUE

Revenue Source Code	Description	Current Budget	Increase (Decrease)	Revised Budget
9901 (101-999-9999)	Fund Balance Appropriated		5,672	

Total 5,672

EXPENDITURES

Object Code	Appr Unit	Description	Current Budget	Increase (Decrease)	Revised Budget
1210	365	Salaries Regular	44,329	3,639	47,968
1810	365	FICA Match	3,442	279	3,721
1820	365	Retirement	3,136	247	3,383
1824	365	401k County	450	37	487
1830	365	Medical Insurance	6,376	160	6,536
1860	365	Workers Compensation	0	1,310	1,310

Total 57,733 5,672 63,405

Justification:

Revision to appropriate County fund balance for current fiscal year payout of accrued benefits (i.e., vacation) for the retiring Soil and Water Conservation Director (\$3,249) and to provide funding for 48 hours of current year training for the incoming new Director (\$1,223). Of the \$1,310 adjustment to the the Workers' Compensation budget, \$1,200 is being included to correct an inadvertent omission in the adopted budget.

Funding Source:

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

Submitted By: _____
Department Head

Date: _____

Reviewed By: Bob Tucker
Finance Department

Date: 6/11/13

Reviewed By: Ameyl Cannon
Assistant County Mgr

Date: 6/13/13

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

**COUNTY OF CUMBERLAND
BUDGET REVISION REQUEST**

Budget Office Use	
Budget Revision No.	B13-366
Date Received	6/13/2013
Date Completed	

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

ITEM NO. 2 L(10)

REVENUE				
Revenue Source Code	Description	Current Budget	Increase (Decrease)	Revised Budget
9901	Fund Balance Appropriated		286,690	
Total			286,690	

pg 1 of 2

EXPENDITURES					
Object Code	Appr Unit	Description	Current Budget	Increase (Decrease)	Revised Budget
3895	091	Transfer Fund 446	81,770	286,690	368,460
Total			81,770	286,690	368,460

Justification:

Increase transfer to Community Development to refund American Recovery and Reinvestment Act (ARRA) funds for a project which did not meet a national objective as outlined in the HUD's Community Development Block Grant (CDBG) rules.

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

Submitted By: _____ Date: _____
 Reviewed By: [Signature] Department Head Date: 6/13/13
 Reviewed By: [Signature] Finance Date: 6/13/13
 Deputy/Assistant County Mgr

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

**COUNTY OF CUMBERLAND
BUDGET REVISION REQUEST**

Budget Office Use	
Budget Revision No.	B13-366A
Date Received	6/13/2013
Date Completed	

Fund No. 446 Agency No. 450 Organ. No. 4576
 Organization Name: Community Dev. Block Grant Admin.

REVENUE

pg 2 of 2

Revenue Source Code	Description	Current Budget	Increase (Decrease)	Revised Budget
9110	Transfer from Fund 101	81,770	286,690	368,460
Total		81,770	286,690	368,460

EXPENDITURES

Object Code	Appr Unit	Description	Current Budget	Increase (Decrease)	Revised Budget
2620	741	Refunds	0	286,690	286,690
Total			0	286,690	286,690

Justification:

To refund American Recovery and Reinvestment Act (ARRA) funds for a project which did not meet a national objective as outlined in the HUD's Community Development Block Grant (CDBG) rules.

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

Submitted By: _____ Date: _____
 Reviewed By: *Todd Hall* Department Head Date: 6/13/13
 Reviewed By: *Amyl Cannon* Finance Date: 6/13/13
 Deputy/Assistant County Mgr

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

Walter Clark,
Chair
Cumberland County

Patricia Hall,
Vice-Chair
Town of Hope Mills

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



CUMBERLAND
★ COUNTY ★
NORTH CAROLINA

Planning & Inspections Department

Thomas J. Lloyd,
Director

Cecil P. Combs,
Deputy Director

Lori Epler,
Sara E. Piland,
Vikki Andrews,
Cumberland County

Benny Pearce,
Town of Eastover

Donovan McLaurin,
Wade, Falcon & Godwin

JUNE 7, 2013

ITEM NO. 3A

MEMO TO: Cumberland County Board of Commissioners

FROM: Cumberland County Joint Planning Board

SUBJECT: **Case P13-13:** Rezoning of 2.78+/- acres from M(P) Planned Industrial to A1 Agricultural or to a more restrictive zoning district; located at 2276 Clark West Road and on the southwest side of SR 2217 (Clark West Road), east of SR 2216 (Evans Dairy Road); submitted by Stephen M. & Elizabeth Crumpler Clark and Henry E. & Mildred M. Clark (owners).

ACTION: Members present at the May 21, 2013 meeting recommended adoption and approval of the consistency and reasonableness statements and to approve A1 Agricultural district.

SITE PROFILE: **Frontage & Location:** 294.19'+/- on SR 2217 (Clark West Road); **Depth:** 523.69'+/-; **Jurisdiction:** Cumberland County; **Adjacent Property:** Yes, northwest of subject property; **Current Use:** 1 residential structure & vacant woodlands; **Initial Zoning:** A1 – September 14, 1979 (Area 9); rezoned to M(P) on September 20, 1999; **Nonconformities:** Residential use not permitted in M(P) district; **Zoning Violation(s):** None; **Surrounding Zoning:** North: A1 & CD; South & West: M(P), A1 & CD; East: M(P) & A1; **Surrounding Land Use:** Residential (including manufactured dwellings), farmland & woodlands; **2030 Growth Strategy Map:** Urban; **Special Flood Hazard Area (SFHA):** None; **Water/Sewer Availability:** PWC/Septic; **Soil Limitations:** None; **School Capacity/Enrolled:** Seabrook Elementary: 310/272; Mac Williams Middle: 1,270/1,231; Cape Fear High: 1,425/1,589; **Subdivision/Site Plan:** If approved, any new development will require review and approval; **Average Daily Traffic Count (2010):** 220 on SR 2216 (Evans Dairy 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 lot/unit; Minimum Yard Setback Regulations: **M(P):** Front yard: 100', Side yard: 50', Rear yard: 50'; **A1:** Front yard: 50', Side yard: 20", Rear yard: 50'.

MINUTES OF MAY 21, 2013

The Planning and Inspections Staff recommends approval of the A1 Agricultural district for this request based on the following:

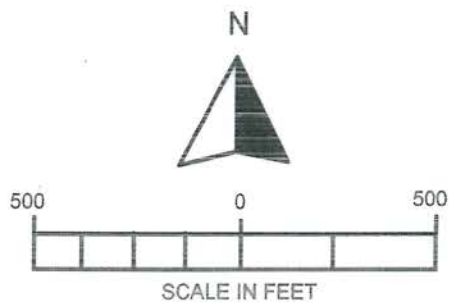
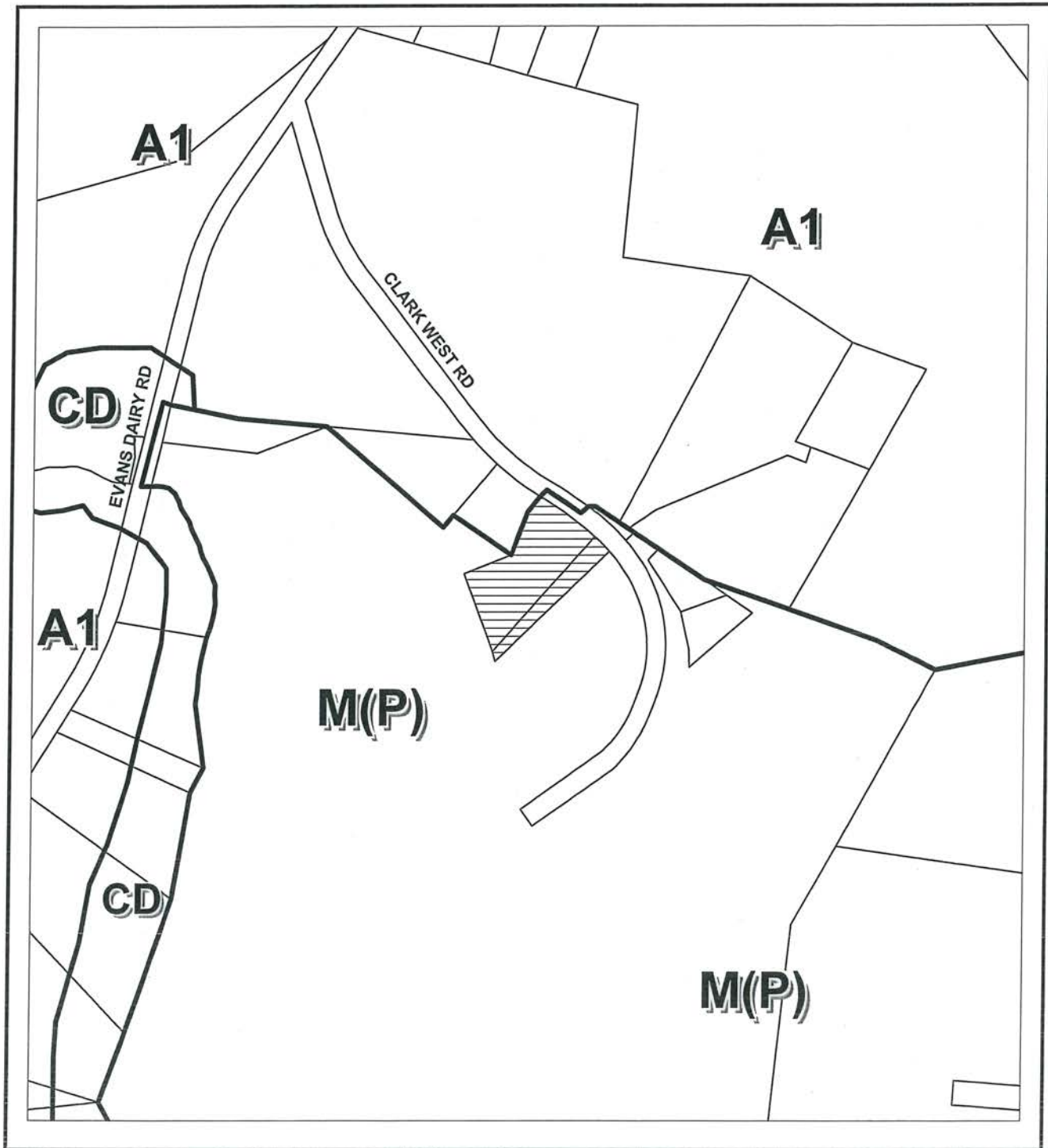
The subject properties' current zoning classification of M(P) Planned Industrial District is the result of a mapping error related to the approval and digitizing of case P99-63 [(A1 and CD to M(P) approved on 09/20/1999)]. This request is reasonable and consistent as it is simply a correction returning the subject properties to their original zoning classification of A1 Agricultural.

There are no other districts considered suitable for this request.

Mrs. Epler made a motion to recommend the adoption and approval of the consistency and reasonableness statements and to approve A1 Agricultural district, seconded by Mr. McLaurin. The motion passed with a unanimous vote.

First Class and Record Owners' Mailed Notice Certification

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



PIN: 0455-51-5464
PIN: 0455-51-5505

REQUESTED REZONING M(P) TO A1

ACREAGE: 2.78 AC.+/-		HEARING NO: P13-13	
ORDINANCE: COUNTY		HEARING DATE	ACTION
STAFF RECOMMENDATION			
PLANNING BOARD			
GOVERNING BOARD			

AM

Walter Clark,
Chair
Cumberland County

Patricia Hall,
Vice-Chair
Town of Hope Mills

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



CUMBERLAND
★ COUNTY ★
NORTH CAROLINA

Planning & Inspections Department

Thomas J. Lloyd,
Director

Cecil P. Combs,
Deputy Director

Lori Epler,
Sara E. Piland,
Vikki Andrews,
Cumberland County

Benny Pearce,
Town of Eastover

Donovan McLaurin,
Wade, Falcon & Godwin

JUNE 7, 2013

ITEM NO. 3B

MEMO TO: Cumberland County Board of Commissioners

FROM: Cumberland County Joint Planning Board

SUBJECT: **Case P13-05:** Rezoning of 2.51+/- acres from A1 Agricultural to R40 Residential or to a more restrictive zoning district, located at 1348 Bainbridge Road, submitted by Walter Scott and Sylvia Deloris Manning (owners) and Robert M. Bennett.

ACTION: Members present at the May 21, 2013 meeting recommended adoption and approval of the consistency and reasonableness statements and to approve R40 Residential / CZ Conditional Zoning district for two residential lots.

SITE PROFILE: **Frontage & Location:** 140.16'+/- on SR 1851 (Bainbridge Road) & 407.91'+/- on SR 1853 (John Nunnery Road); **Depth:** 316.74'+/-; **Jurisdiction:** Cumberland County; **Adjacent Property:** No; **Current Use:** 1 accessory structure; **Initial Zoning:** A1 – September 3, 1996 (Area 20); **Nonconformities:** Yes, subject property has an accessory structure with no principal use; **Zoning Violation(s):** None; **Surrounding Zoning:** North: RR & A1; South: R30 & A1; East: R40 & A1; West: A1; **Surrounding Land Use:** Residential (including manufactured dwellings), farmland & woodlands; **2030 Growth Strategy Map:** Rural; **Special Flood Hazard Area (SFHA):** None; **Water/Sewer Availability:** Well/Septic; **Soil Limitations:** Yes, hydric – TR Torhunta and Lynn Haven soils; **School Capacity/Enrolled:** Stedman Primary (K-1): 200/162; Stedman Elementary (2-5): 300/288; Mac Williams Middle: 1,270/1,231; Cape Fear High: 1,425/1,589; **Subdivision/Site Plan:** If approved, "Ordinance Related Conditions" will apply; **Average Daily Traffic Count (2010):** 980 on SR 1851 (Bainbridge Road) & 670 on SR 1853 (John Nunnery 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 lot/unit, A1A – 3 lots/units, R40 – 3 lots/units; **Minimum Yard Setback Regulations:** **A1& A1A:** Front yard: 50', Side yard: 20', Rear yard: 50'; **R40:** Front yard: 30', Side yard: 15', Rear yard: 35'.

MINUTES OF MAY 21, 2013

On April 17, 2013 the property owner/applicant amended the original application and is now requesting your consideration of a favorable recommendation for a R40 Residential/CZ Conditional Zoning district (R40/CZ) for two residential lots. The Planning & Inspections Staff recommends approval of the requested rezoning to R40 Residential/CZ Conditional Zoning district for two residential lots based on the following:

1. The district requested is consistent with the 2030 Growth Vision Plan, which calls for "rural" at this location, as well as meeting the location criteria for "rural density residential" development as listed in the Land Use Policies Plan;

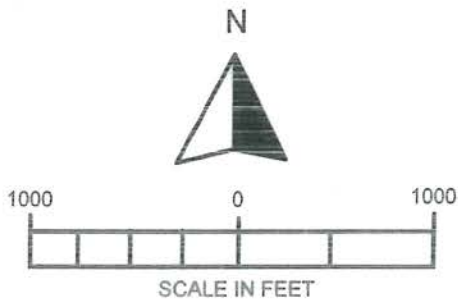
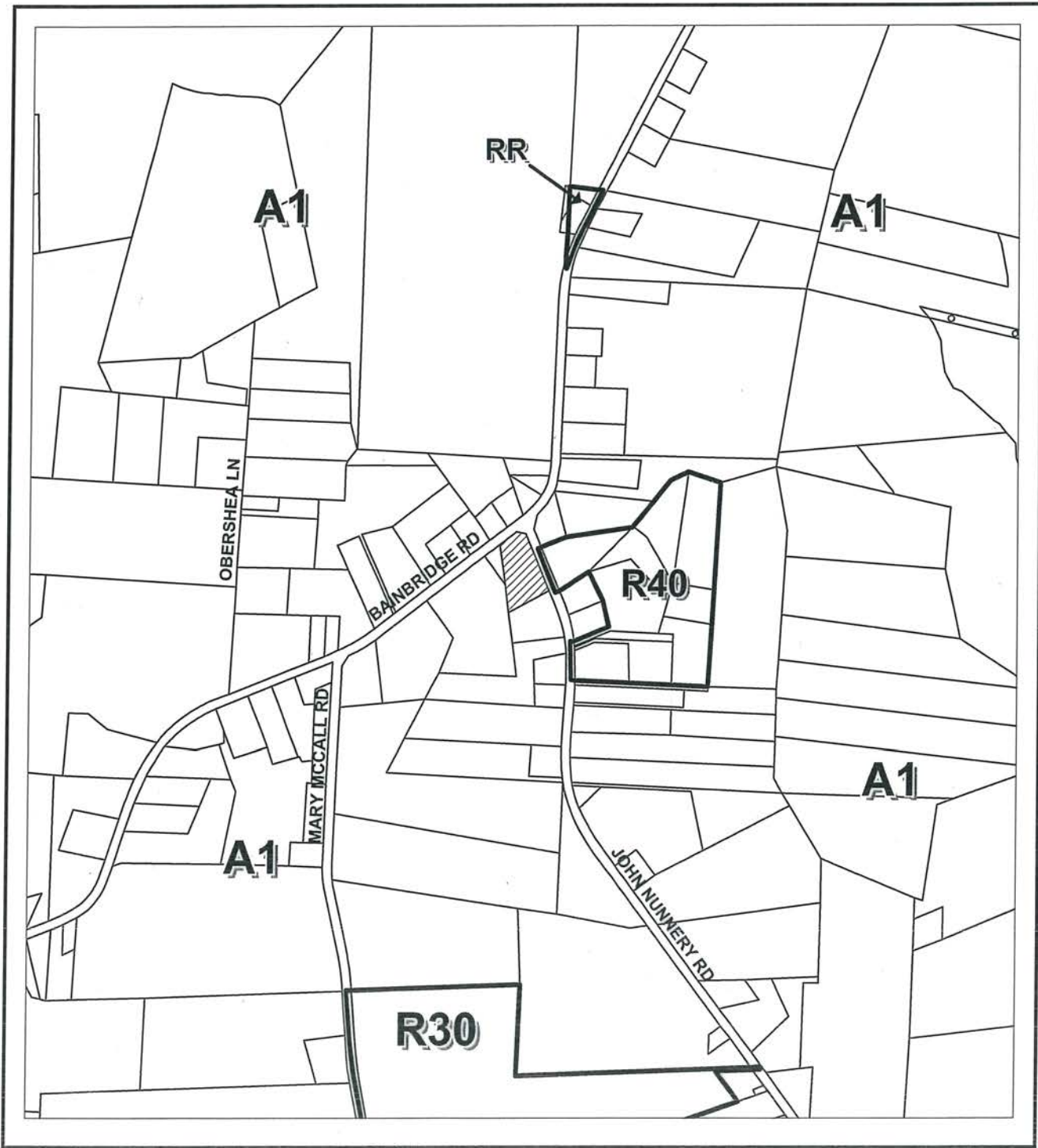
2. The request is reasonable as the subject property is entirely surrounded by A1 Agricultural and R40 Residential and approval of this request would allow for comparable lot sizes which would most likely enhance or maintain the value of adjoining residential properties; and
3. The location and character of the use, if developed according to the plan as submitted and the recommended Ordinance Related Conditions, are reasonable as they will be in harmony with the area in which they are to be located.

There are no other zoning districts suitable as related to this request. The applicant has verbally agreed to all Ordinance Related Conditions.

Mrs. Epler made a motion to recommend the adoption and approval of the consistency and reasonableness statements and to approve R40 Residential /CZ Conditional Zoning district for two residential lots, seconded by Mr. McLaurin. The motion passed with a unanimous vote.

First Class and Record Owners' Mailed Notice Certification

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

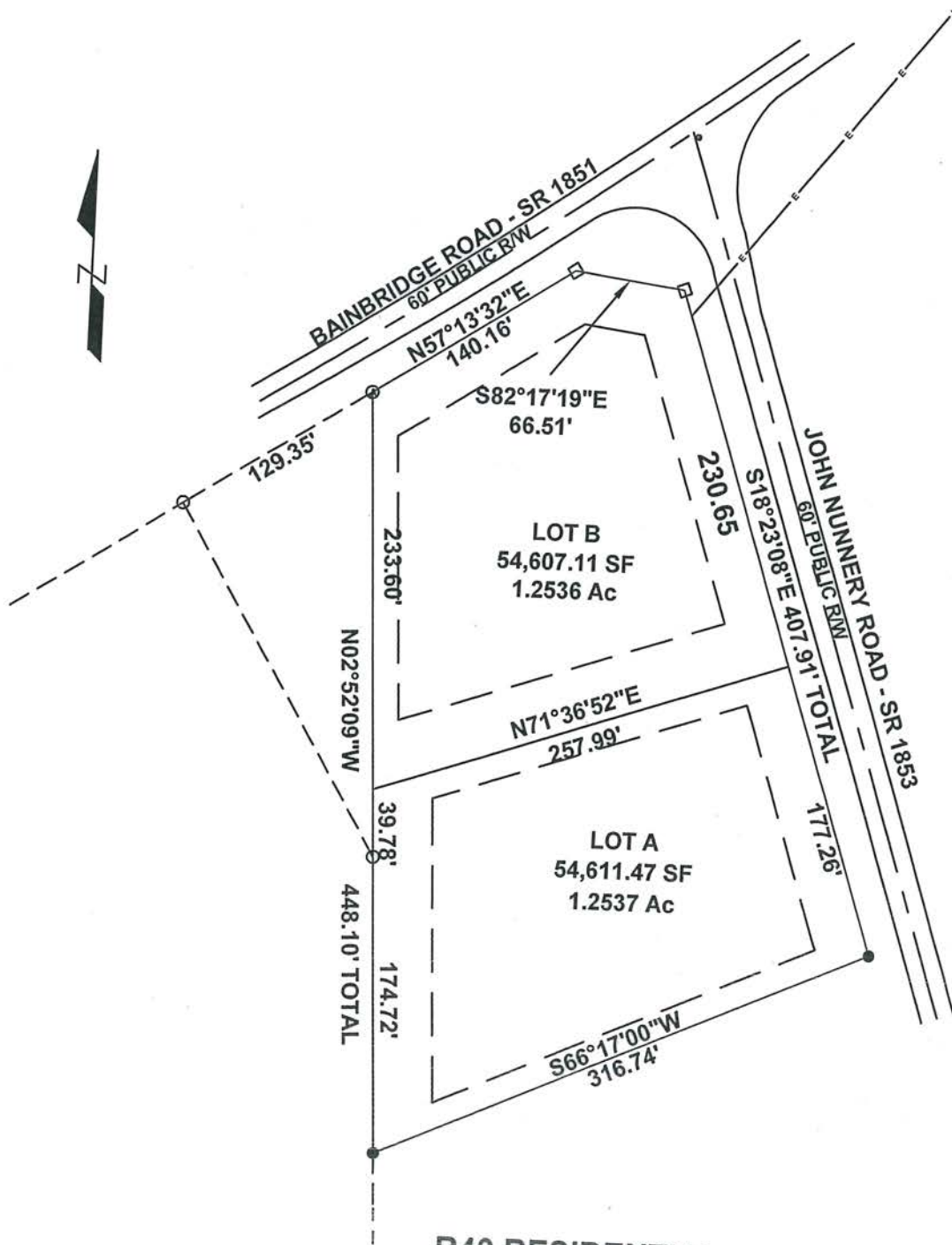


PIN: 0496-76-8743

REQUESTED REZONING A1 TO R40/CZ

ACREAGE: 2.51 AC.+/-		HEARING NO: P13-05	
ORDINANCE: COUNTY		HEARING DATE	ACTION
STAFF RECOMMENDATION			
PLANNING BOARD			
GOVERNING BOARD			

4/16/2013
AM



**R40 RESIDENTIAL
CONDITIONAL ZONING
REQUEST: ALLOW TWO LOTS
CASE: P13-05 ACREAGE: 2.51±
ZONED: A1 SCALE: 1"=100'**

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

Conditional Zoning District
DRAFT
Ordinance Related Conditions
(Two Lot - One Dwelling Per Lot – Subdivision)

Permit-Related:

1. The owner/developer(s) of these lots must obtain detailed instructions on provisions of the County Zoning Ordinance and permits required to place any structure within this development from the County Code Enforcement Section, Room 101 in the Historic Courthouse at 130 Gillespie Street. For additional information, the developer should contact a Code Enforcement Officer.
2. The County Health Department must approve water and sewer plans prior to application for any permits. Site and soil evaluations must be conducted on the property by the County Environmental Health Department prior to application for permits. A copy of the Health Department approval must be provided to Code Enforcement at the time of application for any building/zoning permits. (Note: All Health Department requirements must be met prior to issuance of final permits.) (Section 2306 A, Water and Sewer, County Subdivision Ordinance)
3. The developer must provide a site-specific address and tax parcel number at the time of building/zoning permit application.
4. New development where the developer will disturb or intends to disturb more than one acre of land is subject to the Post-Construction Stormwater Management Permitting Program (Phase II Stormwater Management Requirements) administered by the Division of Water Quality, North Carolina Department of Environment and Natural Resources. If one acre or more of land is to be disturbed, prior to the issuance of any building/zoning permits for this site, a copy of the State's *Post-Construction Permit* must be provided to County Code Enforcement.
5. For any new development where the developer disturbs or intends to disturb more than one acre of land, the developer must provide the Code Enforcement Section with an approved NC Department of Environment and Natural Resources (NCDENR) sedimentation and erosion control plan (S&E) prior to any application for permits. (Note: If any retention/detention basins are required for state approval of this plan, then three copies of a revised plan must be submitted and approved by Planning & Inspections prior to application for any building/zoning permits.) A copy of the NCDENR approval must be provided to Code Enforcement at the time of application for any building/zoning permits.

Site-Related:

6. All uses, dimensions, setbacks and other related provisions of the County Subdivision and Zoning Ordinances for the R40/CZ zoning district, to include the contents of the application and site plan, must be complied with, as applicable.
7. All corner lots and lots fronting more than one street must provide front yard setbacks from each street.
8. For any new development, an adequate drainage system must be installed by the developer in accordance with the NC Department of Environment and Natural Resources' (NCDENR) *Manual on Best Management Practices* and all drainage ways must be kept clean and free of debris. (Section 2306 D, County Subdivision Ordinance)
9. For new development, all utilities, except for 25kv or greater electrical lines, must be located underground. (Section 2306 C, County Subdivision Ordinance)
10. The developer must obtain a driveway permit from the NC Department of Transportation (NCDOT). A copy of the approved driveway permit must be provided to Code Enforcement at the time of application for building/zoning permits.

Plat-Related:

11. Prior to or at the time of submission for final plat approval, the developer must submit documentation from the NC Department of Transportation (NCDOT) indicating that the NCDOT is satisfied with the cleaning out and restoration of the drainage ditch.
12. Each lot must be drawn with solid property lines with the bearings and distances, acreage, and lot identifier reflected on the final plat.
13. A note must be added to the final plat stating that the two lots have a maximum density of one dwelling for each lot and that the lots cannot be further subdivided as mutually agreed by the property owner and the County Board of Commissioners.
14. Prior to final plat approval of any portion of this development, the developer is required to submit a check or cash in the amount of \$206.99 (one lot) payable to "Cumberland County". This condition is in accordance with Section 2308, Parks, Recreation and Open Space, County Subdivision Ordinance, which requires every residential dwelling unit to provide a portion of land, in certain instances, or pay a fee in lieu of dedication, for the purposes of providing park, recreation and open space areas. (Park District # 1)
15. Any/All easements must be reflected on the final plat and labeled as to type of easement, reference number for document creating the easement, and the name of the agency, individual, etc. who holds the easement.
16. The NC Department of Transportation (NCDOT) may not allow a driveway for each individual lot. If one joint driveway is required to serve both lots, the joint driveway must be reflected on the final plat.
17. A 10' x 70' sight distance easement is required at the intersection of SR 1853 (John Nunnery Road) with SR 1851 (Bainbridge Road) and must be reflected on the final plat.
18. The NC Department of Transportation (NCDOT) stamp must be affixed to the final plat prior to submission for final plat approval by Land Use Codes.
19. The notarized signature(s) of all current tax record owner(s) and notary certifications appear on the final plat when submitted for final approval. (Section 2503 D, Certificate of Ownership and Dedication, County Subdivision Ordinance)
20. The final plat must be submitted to Land Use Codes for review and approval for recording with the County Register of Deeds, and the plat must be recorded prior to any permit application for any structure and/or prior to the sale of any lot or unit within this development.

Other Relevant Conditions:

21. The applicant is advised to consult an expert on wetlands before proceeding with any development.
22. The owner/developer is responsible for ensuring easements which may exist on the subject property are accounted for, not encumbered and that no part of this development is violating the rights of the easement holder.
23. The owner/developer be aware that every deed created for a lot being served by an on-site water and/or sewer system must contain the following disclosure when filed with the County Register of Deeds:

"Public water and/or sewer services are not available as of the date of the recording of this deed. On-site sewer disposal systems must be approved by the County Health Department."

Thank you for developing in Cumberland County!

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

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

Subdivision/Site Plan/Plat	Ed Byrne	678-7609
Code Enforcement (Permits):	Ken Sykes	321-6654
County Engineer's Office:	Wayne Dudley	678-7636
County Health Department:	Daniel Ortiz	433-3680
Ground Water Issues:	Matt Rooney	678-7625
County Public Utilities:	Amy Hall	678-7637
Corp of Engineers (wetlands):	Crystal C. Amschler	(910) 251-4170
NCDENR (E&S):	Sally Castle	433-3300
Location Services:		
Site-Specific Address:	Ron Gonzales	678-7616
Tax Parcel Numbers:		678-7549
NCDOT (driveways/curb-cuts):	Gary Burton	486-1496
N.C. Division of Water Quality:	Mike Randall	(919) 733-5083 ext. 545

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

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

1. Requested Rezoning from A1 to R-40
2. Address of Property to be Rezoned: 1348 Bainbridge Rd/SR1851
3. Location of Property: SW Corner of Bainbridge Rd
& John Nunnery Rd/SR1853
4. Parcel Identification Number (PIN #) of subject property: 0496-76-8743
(also known as Tax ID Number or Property Tax ID)
5. Acreage: 2.5073 Frontage: 140.16' Depth: 407.91
6. Water Provider: Well: ☒ PWC: _____ Other (name): _____
7. Septage Provider: Septic Tank ☒ PWC _____
8. Deed Book 9056, Page(s) 84-86, Cumberland County Registry. (Attach copy of deed of subject property as it appears in Registry).
9. Existing use of property: Vacant
10. Proposed use(s) of the property: Residential - Single
Family
11. Do you own any property adjacent to or across the street from this property?
Yes _____ No ☒ If yes, where? _____
12. Has a violation been issued on this property? Yes _____ No ☒

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

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

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

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

1. Applicant/Agent _____
 2. Address: _____ Zip Code _____
 3. Telephone: (Home) _____ (Work) _____
 4. Location of Property: _____

 5. Parcel Identification Number (PIN #) of subject property: _____
(also known as Tax ID Number or Property Tax ID)
 6. Acreage: _____ Frontage: _____ Depth: _____
 7. Water Provider: _____
 8. Septage Provider: _____
 9. Deed Book _____, Page(s) _____, Cumberland County Registry. (Attach copy of deed of subject property as it appears in Registry).
 10. Existing use of property: Vacant Lot, 2.5073 Ac.
 11. Proposed use(s) of the property: Two single Family Homes,
One on each of 2 Lots
- NOTE: Be specific and list all intended uses.**

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

TO: (Select one)

- R-40 Conditional Zoning District, with an underlying zoning district of _____
(Article IV)
- _____ Mixed Use District/Conditional Zoning District (Article VI)
- _____ Planned Neighborhood District/Conditional Zoning District (Article VII)
- _____ Density Development/Conditional Zoning District, at the _____ Density
(Article VIII)

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

APPLICATION FOR
CONDITIONAL ZONING

1. PROPOSED USE(S):

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

TWO 1.25 AC. Lots with one single
Family Home on each lot

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

2.5073 Acres R-40 Conditional
Zoning

2. DIMENSIONAL REQUIREMENTS:

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

Building Setbacks:
Front - 30'
Side 15'
Rear 35'

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

N/A

3. SIGN REQUIREMENTS:

Reference the district sign regulations proposed from Article XIII.

N/A

4. LANDSCAPE AND BUFFER REQUIREMENTS:

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

N/A

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

N/A

5. MISCELLANEOUS:

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

N/A

6. SITE PLAN REQUIREMENTS:

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

Building Envelopes shown

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

Walter S. & Sylvia D. Manning
NAME OF OWNER(S) (PRINT OR TYPE)

6313 Faircloth Bridge Rd, Stedman, NC
ADDRESS OF OWNER(S) 28391

910-323-2740
HOME TELEPHONE #

WORK TELEPHONE #

Robert M Bennett
NAME OF AGENT, ATTORNEY, APPLICANT (PRINT OR TYPE)

120 Gillespie St 2nd Fl. Fayetteville, NC 28301-
ADDRESS OF AGENT, ATTORNEY, APPLICANT 5644


benengineering@comcast.net
E-MAIL

910 425-2689
HOME TELEPHONE #

910-484-5523
WORK TELEPHONE #


SIGNATURE OF OWNER(S)

Robert M Bennett
SIGNATURE OF AGENT, ATTORNEY OR
APPLICANT


SIGNATURE OF OWNER(S)
Sylvia D. Manning

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

Walter Clark,
Chair
Cumberland County

Patricia Hall,
Vice-Chair
Town of Hope Mills

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



CUMBERLAND
★ **COUNTY** ★
NORTH CAROLINA

Planning & Inspections Department

Thomas J. Lloyd,
Director

Cecil P. Combs,
Deputy Director

Lori Epler,
Sara E. Piland,
Vikki Andrews,
Cumberland County

Benny Pearce,
Town of Eastover

Donovan McLaurin,
Wade, Falcon & Godwin

JUNE 7, 2013

ITEM NO. 30

MEMO TO: Cumberland County Board of Commissioners

FROM: Cumberland County Joint Planning Board

SUBJECT: **Case P13-14:** Rezoning of 23.78+/- acres from R40 Residential to R20 Residential or to a more restrictive zoning district; located on the northwest side of Ramsey Street, northeast W Reeves Bridge Road; submitted by W. Stan Taylor (Trustee) on behalf of KM Taylor Family Trust (owner).

ACTION: Members present at the May 21, 2013 meeting recommended adoption and approval of the consistency and reasonableness statements and to approve R20 Residential district.

SITE PROFILE: **Frontage & Location:** 580.00'+/- on US 401 (Ramsey Street); **Depth:** 1980.00'+/-; **Jurisdiction:** Cumberland County; **Adjacent Property:** No; **Current Use:** Woodlands; **Initial Zoning:** A1 – December 17, 2001 (Area 16); rezoned to R40 on September 19, 2011; **Nonconformities:** None; **Zoning Violation(s):** None; **Surrounding Zoning:** North: R20 & A1; South: R40A, R40, R20 & A1; East & West: A1; **Surrounding Land Use:** Residential (including manufactured dwellings), farmland & woodlands; **2030 Growth Strategy Map:** Rural; **North Central Land Use Plan:** Suburban density residential; **Special Flood Hazard Area (SFHA):** None; **Water/Sewer Availability:** Linden/ Septic; **Soil Limitations:** None; **School Capacity/Enrolled:** Raleigh Road Elementary (K-1): 220/230; Long Hill Elementary (2-5): 460/475; Pine Forest Middle: 820/760; Pine Forest High: 1,750/1,620; **Subdivision/Site Plan:** If approved, any new development will require review and approval; **Average Daily Traffic Count (2010):** 6,300 on US 401 (Ramsey Street); **Highway Plan:** Ramsey Street is identified in the highway plan as a Major Thoroughfare. The current right-of-way is 100 feet and the proposal calls for a multi-lane facility (R-2609) with a ROW of 200 feet. Road improvements are past years and the project is unfunded. This proposal would require a 25 foot reservation for future acquisition by the NCDOT; **Notes:** Density minus 15% for R/W: A1 – 10 lots/units, R40 – 22 lots/units, R30 – 29 lots/units, R20 – 44 lots/units, R15 – 59 lots/units; Minimum Yard Setback Regulations: **A1:** Front yard: 50', Side yard: 20', Rear yard: 50'; **R40, R30 & R20:** Front yard: 30', Side yard: 15', Rear yard: 35'; **R15:** Front yard: 30', Side yard: 10', Rear yard: 35'.

MINUTES OF MAY 21, 2013

Mr. Lloyd presented the site information and stated the Planning and Inspections Staff recommends approval of the R20 Residential district based on the following:

1. The district requested is consistent with the 2030 Growth Vision Plan, which calls for "rural" at this location, as well as meeting the location criteria for "suburban density residential"

development as listed in the Land Use Policies Plan; the request is also consistent with the North Central Land Use Plan which calls for suburban density at this location;

2. Consideration of the R20 Residential district for the subject property is reasonable because the request is comparable to development and rezonings approved within the general area in the recent past; and
3. Public water is available to the subject property.

The R30 Residential district could also be considered suitable for this request.

There were people present to speak in favor and in opposition of the request.

Mr. William Stan Taylor spoke in favor. Mr. Taylor stated that he was present representing himself and his siblings and the family trust. Their plans are to develop the property and need a more dense zoning to make it feasible.

Mr. Nick Angelone spoke in opposition. Mr. Angelone stated that his concerns are with the density because the area is on septic tanks. Mr. Angelone is also concerned with the increase in traffic, overcrowded schools, and also concerned with more development that could come if this request is approved. Mr. Angelone would like to keep the area with two houses per acre. Mr. Angelone stated he wanted to see the plan followed and kept two units per acre.

Ms. Ellen Farr spoke in opposition. Ms. Farr stated that she had the same concerns as the previous speaker. Ms. Farr would like to keep the area rural and country and would like to see the zoning kept at R40.

Mr. Taylor spoke in rebuttal. Mr. Taylor stated that the family is looking at putting in a first class development and thinks this will bring people and jobs to the community.

Public hearing closed.

Mrs. Epler stated that this request is two units per acre and at two lots per acre this development could be forty six lots, its twenty three acres of property; at R20 they would only be allowed forty four lots. The Town of Linden has supplied water to this neighborhood, and they need some return on that infrastructure that they have put in and it's time for them to get that return back. The soils map show that this is a good area for septic tanks; it's a high area one of the few in that area. Obviously the health department is not going to let them put septic tanks in an area that is not suitable. Ramsey Street is going to be developed, whether we like it or not there is a demand for houses out there. Mrs. Epler stated that she supports the request for R20.

Mr. Morris stated that as the Linden representative he knows the area well. The Castlebrook development had the same issues and the soil is very similar to the subject property's soil, and that was rezoned to R15. Mr. Morris stated that this is not a good area to put a sewer line when there is good soil that will support a septic tank and repair area, and that this is the highest area around. Mr. Morris feels that the request for R20 is appropriate and supports the request for R20.

Ms. Hall asked if there were plans for sewer in the area.

Mr. Morris stated that there are other areas that need sewer where the septic tanks are failing. There is no need for sewer in this area.

Mrs. Epler said that this development is too far away from available sewer to have this development tie into.

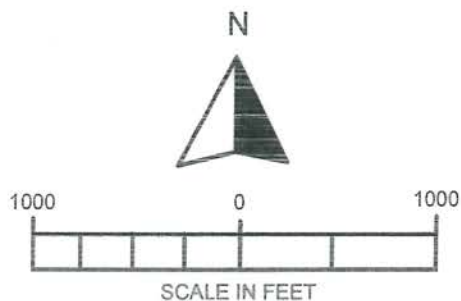
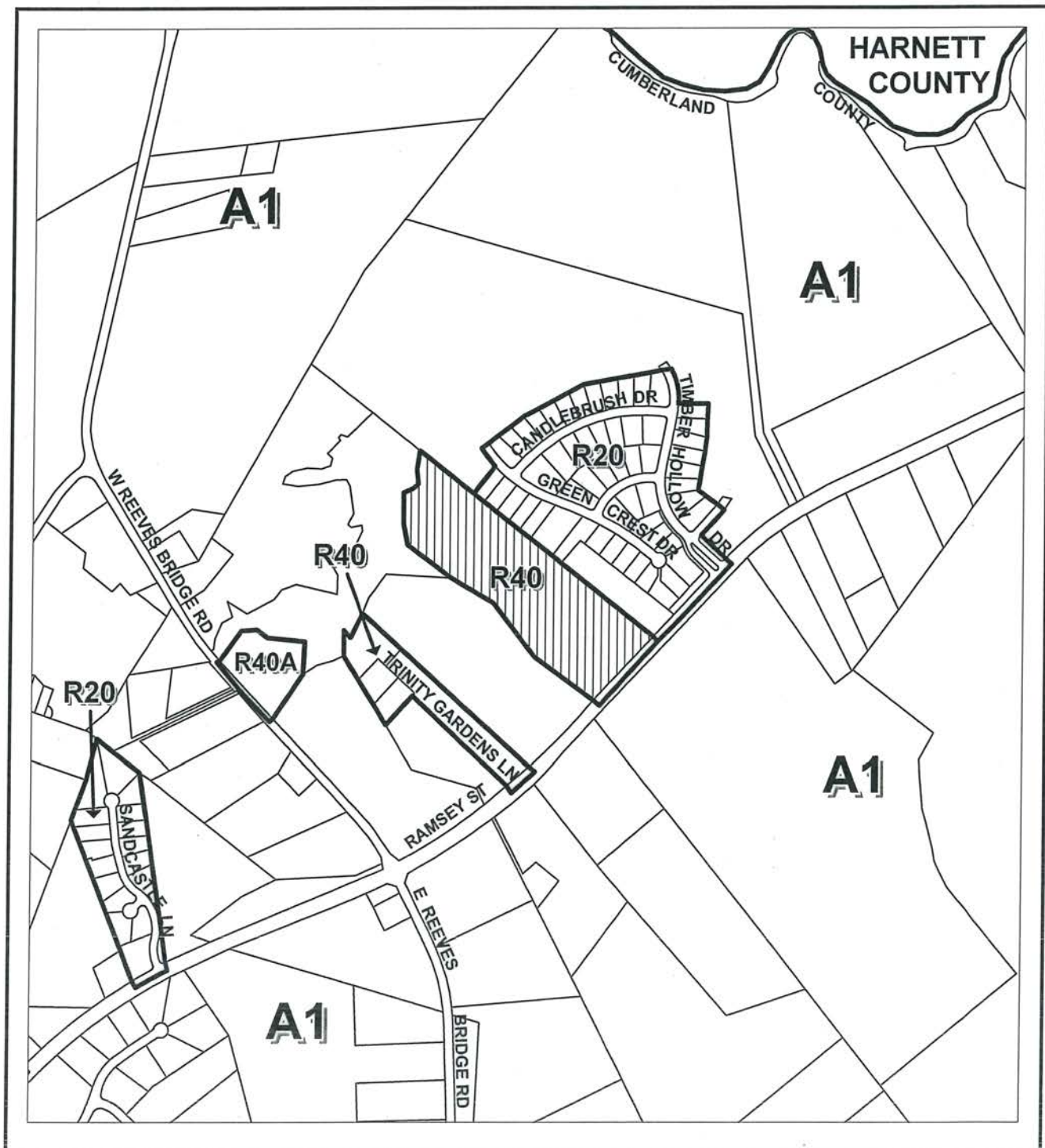
Ms. Hall stated that her concern was more septic tanks in another part of the County, because they have seen septic tanks fail that were there for years.

Mr. Morris stated there have been no plans for sewer right now to the area.

Mrs. Epler made a motion to recommend the adoption and approval of the consistency and reasonableness statements and to approve R20 Residential district, seconded by Mr. Morris. The motion passed with Mr. Pearce and Ms. Hall voting in opposition.

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.



PIN: 0554-55-1475

REQUESTED REZONING R40 TO R20

ACREAGE: 23.78 AC.+/-

HEARING NO: P13-14

ORDINANCE: COUNTY

HEARING DATE

ACTION

STAFF RECOMMENDATION

PLANNING BOARD

GOVERNING BOARD

AM

Walter Clark,
Chair
Cumberland County

Patricia Hall,
Vice-Chair
Town of Hope Mills

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



CUMBERLAND ★ COUNTY ★ NORTH CAROLINA

Planning & Inspections Department

Thomas J. Lloyd,
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Lori Epler,
Sara E. Piland,
Vikki Andrews,
Cumberland County

Benny Pearce,
Town of Eastover

Donovan McLaurin,
Wade, Falcon & Godwin

JUNE 7, 2013

ITEM NO. 3D

MEMO TO: Cumberland County Board of Commissioners

FROM: Cumberland County Joint Planning Board

SUBJECT: **Case P13-18:** Rezoning of 2.56+/- acres from A1 Agricultural to R40 or to a more restrictive zoning district, located on the north side of SR 2245 (Thrower Road) and on the east side of SR 2372 (North Fork Lane), submitted by Ella M. McNair (owner) and Timothy B. Evans.

ACTION: Members present at the May 21, 2013 meeting recommended adoption and approval of the consistency and reasonableness statements and to approve R40 Residential district.

SITE PROFILE: **Frontage & Location:** 262.53'+/- on SR 2245 (Thrower Road) & 112.93'+/- on SR 2372 (North Fork Lane); **Depth:** 431.78'+/-; **Jurisdiction:** Cumberland County; **Adjacent Property:** No; **Current Use:** Vacant land; **Initial Zoning:** A1 – June 25, 1980 (Area 13); **Nonconformities:** None; **Zoning Violation(s):** None; **Surrounding Zoning:** North: RR, A1A & A1; South & East: A1; West: R40 & A1; **Surrounding Land Use:** Residential (including manufactured dwellings), farmland & woodlands; **2030 Growth Strategy Map:** Rural; **Special Flood Hazard Area (SFHA):** None; **Water/Sewer Availability:** Well/Septic; **Soil Limitations:** None; **School Capacity/Enrolled:** Alderman Road Elementary: 750/646; Gray's Creek Middle: 1,000/1,001; Gray's Creek High: 1,270/1,234; **Subdivision/Site Plan:** If approved, new development may require review and approval; **Average Daily Traffic Count (2010):** 290 on SR 2245 (Thrower 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 lot/unit, R40 – 2 lots/units; **Minimum Yard Setback Regulations:** **A1:** Front yard: 50', Side yard: 20', Rear yard: 50'; **R40:** Front yard: 30', Side yard: 15', Rear yard: 35'.

MINUTES OF MAY 21, 2013

Mr. Lloyd presented the site information and stated the Planning and Inspections Staff recommends approval of the R40 Residential district based on the following:

1. The district requested is consistent with the 2030 Growth Vision Plan, which calls for "rural" at this location, as well as meeting the location criteria for "rural density residential" development as listed in the Land Use Policies Plan; and
2. The location and character of the district is reasonable and will be in harmony with the surrounding area.

There are no other districts considered suitable for this request.

There were people present to speak in favor and in opposition of the request.

Mr. Tim Evans spoke in favor. Mr. Evans stated that he was present representing the owner. Mr. Evans stated that a soil scientist has evaluated the subject property and said the property is suitable for a septic tank, and a well digger has said that there is good water in the area. The family has realized that it was in their best interest to cut this property into two tracts and sell it that way.

Mr. Ron Crosby spoke in opposition. Mr. Crosby stated that he grew up on Thrower Road and owns property in the area. Mr. Crosby said that he was not against development, but is against anything that changes the complexion of the neighborhood. Mr. Crosby said that he would like to see the property maintain its current zoning classification, because they don't want to see problems with water and sewer due to it being over developed.

Ms. Bertha Crosby spoke in opposition. Ms. Crosby stated that she would like the subject property maintain the same zoning.

Ms. Florence Malloy spoke in opposition. Ms. Malloy stated that she would like for the zoning to stay the same.

Mr. Edward Smith spoke in opposition. Mr. Smith stated that he would like for the zoning to stay the same because of the water and septic problems.

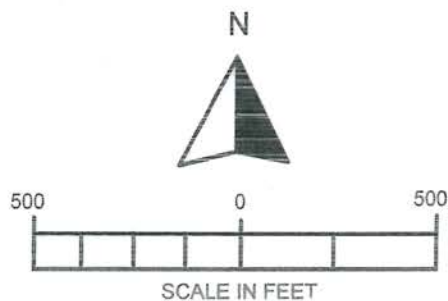
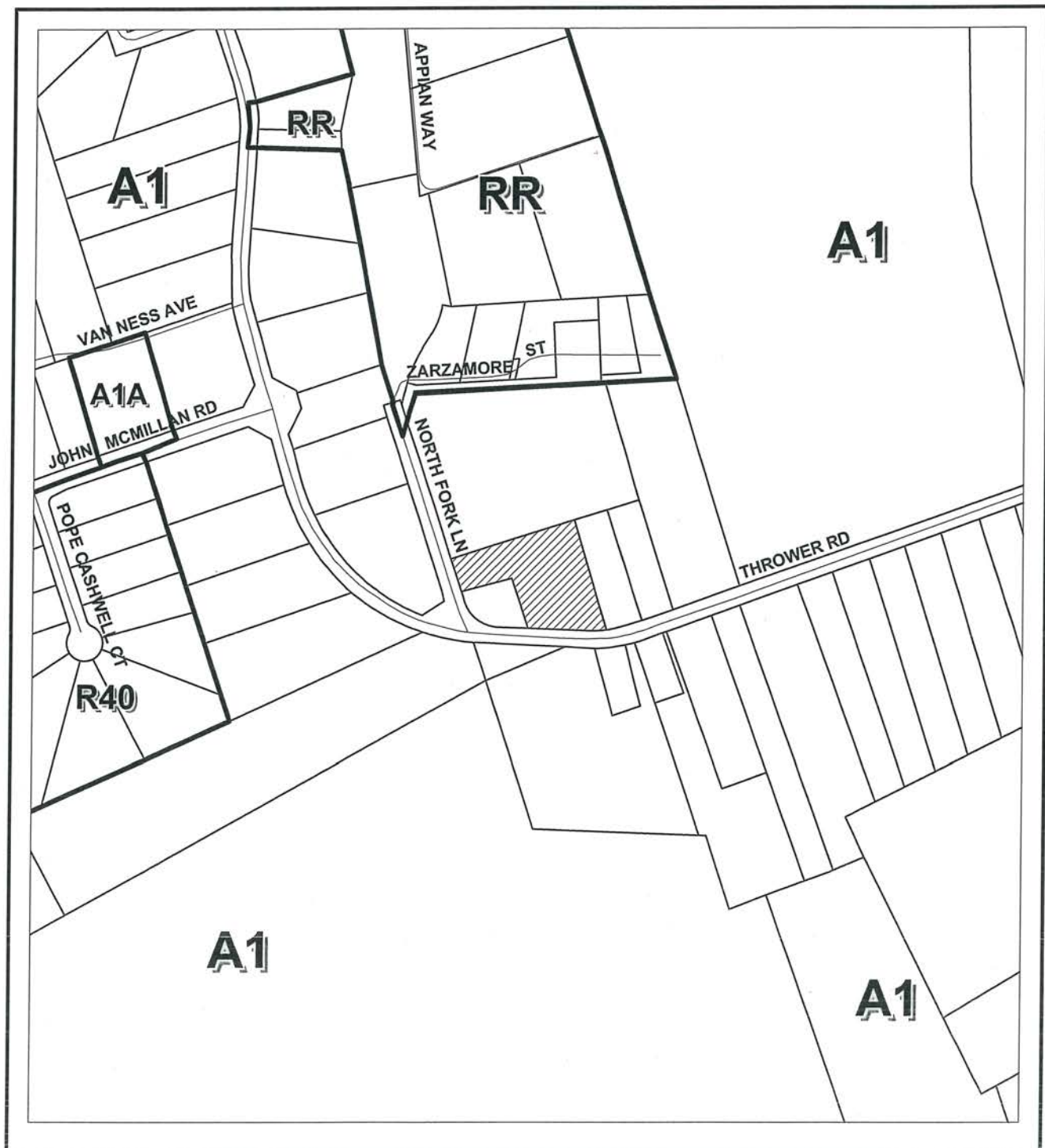
Mr. Evans spoke in rebuttal. Mr. Evans stated that he understands the speakers concerns, but Grays Creek is changing, if we look at how the lots are cut up, they can be built on now. Septic tanks have changed they work totally different now, than they did forty years ago. For the owner to want to split a 2.56 acre lot into two lots is not asking for that much. What's one more house? It's going to change, we can't stop it. It's the nature of the County and how it's growing. He also pointed out seven lots in the immediate area that were all one acre or less.

Mrs. Epler stated that there are seven tracts of land that are either adjacent to or directly across the street from this property, out of those seven tracts, four of them are smaller than the 1.2 acres that each of these two lots are going to average. Splitting this lot will not change the character of the neighborhood.

Mr. Morris made a motion to recommend the adoption and approval of the consistency and reasonableness statements and to approve R40 Residential district, seconded by Mrs. Epler. The motion passed with Ms. Andrews voting in opposition.

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.



PIN: 0431-99-3721

REQUESTED REZONING A1 TO R40

ACREAGE: 2.56 AC.+/-		HEARING NO: P13-18	
ORDINANCE: COUNTY		HEARING DATE	ACTION
STAFF RECOMMENDATION			
PLANNING BOARD			
GOVERNING BOARD			

AM



OFFICE OF THE COUNTY ATTORNEY

5th Floor, New Courthouse • P.O. Box 1829 • Suite 551 • 117 Dick Street, Fayetteville, North Carolina 28302-1829
(910) 678-7762

**MEMORANDUM FOR THE AGENDA OF THE JUNE 17, 2013
MEETING OF THE BOARD OF COMMISSIONERS**

TO: Bd. of Commissioners; Co. Manager; Tom Lloyd; Patti Speicher
FROM: Co. Atty. *R. Moorefield*
DATE: June 10, 2013
SUBJECT: Case P11-20: Zoning Ordinance Text Amendments to Regulate the Development of Outdoor Firing Ranges

Attachments: (1) Memo from Joint Planning Board
(2) P11-20 County Zoning Ordinance Text Amendment (Planning Board Recommendation May 21, 2013)
(3) Range Design Criteria – U. S. Dept. of Energy
(4) List of Known Existing Outdoor Firing Ranges as of May 2, 2013
(5) Existing M1(P) Zoning Parcel Information, County Jurisdiction
(6) Location Map of Existing M1(P) Zoning Parcels, County Jurisdiction
(7) Outdoor Firing Range Regulations, Comparison by County

BACKGROUND:

EXISTING RANGES:

There are no design criteria for outdoor firing ranges in the county's zoning ordinance; however, a zoning permit with site plan review is required for an outdoor shooting range because it is a non-residential use. Planning staff has identified 14 outdoor ranges that are currently in operation in the county's jurisdiction and one (Cainland Acres Property) that has been issued conditional approval for a permit. The known existing ranges are identified in the attachment to this memo. Note that the Sanders Range on Dobbin Holmes Road is in Eastover's jurisdiction.

Of the 14 operating ranges in the county's jurisdiction, four are located on sites containing less than 30 acres. The range that has been conditionally approved is also on less than 30 acres. Seven of the existing ranges are in A1 zoning districts. The conditionally approved range is also in an A1 district, although the site contains only 3.81 acres. Five are in RR zoning districts. There is one each in a R6 and commercial district.

NATURE OF COMPLAINTS:

Most of the complaints received about shooting ranges are for noise. There have also been complaints about safety concerns. The Cainland Acres Property range is a handgun range on 3.81 acres. This is the range that generated Ms. Davis' complaint to the commissioners.

STAFF RECOMMENDATION:

Planning staff and the county attorney recommend incorporating the comprehensive and stringent range design regulations used by the U. S. Department of Energy to regulate outdoor firing ranges as a permitted use in the A1 district. The reason staff recommends that outdoor firing ranges be a permitted use is that the proposed regulations require that a licensed engineer certify that the range complies with the design criteria. The reason staff recommends that these be permitted in the A1 district is because shooting ranges can best be accommodated on larger acreage tracts and half of the existing ranges are located in an A1 district.

PLANNING BOARD RECOMMENDATION:

The Codes Committee of the Planning Board considered the proposals at two meetings held in March and April. The Codes Committee's final recommendation to the Planning Board was to incorporate the DOE range design criteria, apply the conditional zoning process to outdoor firing ranges rather than classify as a permitted use, and exempt all ranges operated by non-profit entities. This would have resulted in very limited regulation.

On May 21, 2013, the Planning Board conducted a public hearing on the proposed text amendments. The Planning Board modified the Codes Committee's recommendation and applied the regulations to all outdoor firing ranges, required a minimum of 30 acres for a range site, and limited the conditional zoning to only the M1(P) district.

OTHER CONSIDERATIONS:

There is a state statute entitled, "The Sport Shooting Range Protection Act of 1997." This law exempts outdoor firing ranges which were in existence on September 1, 1994, from local regulation unless there has been a "substantial change in use" of the range. The county's zoning ordinance did not require that all non-residential uses be permitted until June 20, 2005. For these reasons, the proposed amendments "grandfather" all ranges that can be shown to have been in operation on June 20, 2005.

On May 6, 2013, the Board of Commissioners imposed a moratorium on permitting outdoor ranges. The moratorium terminates on July 5, 2013. In order to meet the advertising deadline for the public hearing required before adopting a text amendment, the county attorney placed the advertisements in order to conduct the public hearing at the June 17 meeting of the Board of Commissioners.

CONTRAST BETWEEN PLANNING BOARD AND STAFF RECOMMENDATIONS:

The differences in the recommendations of the Planning Board and the planning staff and county attorney are as follows:

Planning Board recommends conditional zoning only to be allowed in a M1(P) zoning district. Reasoning behind the Planning Board's recommendation for conditional zoning is that it will require a public hearing before the Planning Board and the Board of Commissioners for each permit which gives neighboring property owners an opportunity to voice their opposition. Reasoning behind the Planning Board's recommended limitation to M1(P) zoning district is that this is the only district that is intended to accommodate uses which are not compatible with residential or shopping center uses. It is noted that none of the nine existing tracts in an M1(P) zoning district contain the 30 acre minimum tract size recommended by the Planning Board, thus, any new outdoor shooting range or expansion of an existing range would require a re-zoning.

Planning staff and county attorney recommend permitted use in A1 district only. This will not provide a public hearing for adjoining property owners. Reasoning behind the staff recommendation that this be a permitted use is that it will be difficult to deny a permit for a site that has been certified by a professional engineer to comply with the design criteria. Reasoning behind the staff recommendation for the A1 district is that A1 districts generally contain larger tracts and larger tracts allow greater design flexibility to diminish the he impacts on adjoining properties. Also, one-half of the existing ranges are located in A1 districts.

RECOMMENDATION/PROPOSED ACTION:

Either the recommendation of the Planning Board or the staff recommendation will provide the stringent design criteria to address public safety concerns. The primary difference is that the Planning Board's recommendation will eliminate the further development of any new or existing range without a re-zoning. The staff recommendation will not provide for a public hearing and will not allow the board to impose additional conditions to the permit. Neither the Planning Board recommendation nor the staff recommendation really addresses noise, which historically has produced most of the complaints from neighbors.

Some of the commissioners have asked for additional recommendations to address the noise concerns. The county attorney advises that there is no simple solution to address the noise concerns and suggests that (1) requiring larger acreage tracts, (2) requiring set-backs from the shooting stations to all property lines and/or (3) requiring the installation of sound-absorbing walls or landscaping are about the only feasible methods to diminish the impact of the noise on adjoining properties.

A larger acreage tract does not necessarily result in greater distances from the shooting stations to the property lines. We have site plans for the three existing ranges which are permitted. The site plans for those three reflect:

TigerSwan, located on 997+ acres, has shooting stations 180' from a property line.
Stanley Range, located on 135+ acres, has shooting stations 485' from a property line.
Kirby Range, located on 34+ acres, has shooting stations 270' from a property line.

The conditionally approved Cainland Acres Range is proposed as a handgun range only located on 3.81 acres. Based on the county attorney's site visit, the shooting stations on this range are less than 50' from a property line.

The county attorney strongly recommends that the Board adopt a text amendment that incorporates the DOE design criteria before the moratorium expires on July 5. To address the concerns about noise, the county attorney recommends, at a minimum, the amendment include a minimum of two hundred acres for a range site. The Board may adopt the Planning Board recommendation as presented, the staff recommendation as presented, or either the Planning Board or staff recommendation with further modifications. Any amendment adopted at this time may be further evaluated during the next few months.

Walter Clark,
Chair
Cumberland County

Patricia Hall,
Vice-Chair
Town of Hope Mills

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



CUMBERLAND
★ COUNTY ★
NORTH CAROLINA

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Wade, Falcon & Godwin

JUNE 7, 2013

ITEM NO. 3E

MEMO TO: Cumberland County Board of Commissioners

FROM: Cumberland County Joint Planning Board

SUBJECT: **Case P11-20:** Revision and amendment to the Cumberland County Zoning Ordinance, amending Article II Interpretations, Calculations, and Definitions, Section 203. Definitions of Specific Terms and Words by inserting in alphabetical order the term and definition for "Firing Range, Outdoor;" amending Article IV Permitted, Conditional, and Special Uses, Section 403. Use Matrix by inserting in alphabetical order a new row entitled "Firing Range, Outdoor (Sec. 907.1)" in the Land Use column and allowing this use as Conditional Zoning by inserting a "Z" in the CD, A1, A1A, O&I(P), C1(P), C2(P), C(P), M1(P) and M(P) zoning district columns on this same row; amending Article IX Individual Uses by creating and inserting in numerical order a new section entitled: Section 907.1 Firing Range, Outdoor, with sub-sections "A" through "J;" and updating the Table of Contents as appropriate. (Note: Original heading has changed to reflect the current proposed amendment.)

ACTION: Members present at the May 21, 2013 meeting recommended the adoption and approval of the text amendment with changes. The motion passed with a unanimous vote.

MINUTES OF MAY 21, 2013

Mr. Morris, Chair of the Land Use Codes Committee explained the changes that were made to the amendment and how the committee addressed the changes that were made.

Mr. Lloyd stated that there was an important comment from a citizen referencing Sec. 907.1 addressing Firing Range, Outdoor: Section 4 (c) 7 referencing "or administrative controls", we don't really know what administrative controls are, we don't have a problem with "other engineering controls". We are just requesting that "or administrative" be removed so that if there's any deviation it still has to be approved by an engineer.

Mr. Lloyd stated that there were people present to speak in favor and in opposition.

Public hearing opened.

Mr. Rick Smith spoke in favor. Mr. Smith stated that he had concerns with the following issues that could affect future ranges and smaller ranges, \$3 million insurance requirement, where engineer would come from, grandfather clause, fencing, and EPA regulations on lead abatement. Mr. Smith asked that the board look into these things before making a decision.

Mrs. Epler asked Mr. Smith if paying for insurance based on membership was typical for liability insurance policies for shooting ranges.

Mr. Smith said if you go through the NRA insurance program. But Mr. Smith couldn't say how much his premium would go up if he had to raise his liability to \$3 million.

Mr. Jack Kelley spoke in favor. Mr. Kelley had concerns on safety; the proposed document doesn't address safe use. Mr. Kelley would like a simple understanding published.

Ernest J. Darden spoke in opposition. Mr. Darden was present representing the Cumberland County Wildlife Club and we do recognize that there will be a firing range ordinance enacted. Mr. Darden said that he had not seen a distinction between commercial ranges and private ranges. They will request an exemption from a future ordinance based on State Statute Chapter 14 Article 53c Sport Shooting Range Protection Act of 1997. Mr. Darden expressed concern with the insurance liability and feels that it is excessive and will be a burden on shooting clubs and feels that the fencing requirement will be a problem.

Mr. Ron Ross spoke in opposition. Mr. Ross stated that his concern is from the research that he has done on shooting ranges and the danger of ground contamination from the stray bullets.

Ms. Pat Davis spoke in opposition. Ms. Davis stated that her concerns are with small ranges popping up in neighborhoods, safety, noise level, health, environmental issues, and lead poisoning. Ms. Davis feels that the public nuisance of the shooting ranges will reduce property values and the quality of life will be reduced with shooting ranges in a community.

Mr. Phil Edge spoke in opposition. Mr. Edge stated that he agreed with the regulations but would like to see a five hundred acre minimum for shooting ranges.

Nancy Mellet spoke in opposition. Ms. Mellet stated that Ms. Davis said everything that she wanted to say, but someone needs to think about the children in the communities and their safety.

Public hearing closed.

Mr. McLaurin asked about the districts the firing ranges would be allowed in and asked about the process for conditional zoning to be issued.

Mr. Lloyd stated that staff would amend the ordinance and put language in for conditional zoning cases.

Mr. McLaurin stated that he feels the M1(P) district is the best suited district for an outdoor firing range.

Ms. Hall said that safety has always been an issue and it seems as though the standards have been lowered. Ms. Hall asked about the minimum acreage and the fact that there didn't seem to be anything in the amendment about the land area.

Mr. Lloyd said that there was minimum acreage in the original amendment and that was changed, but the Department of Energy standards don't put a minimum acreage. If you have the appropriate provisions in place there doesn't have to be a minimum size for safety standards, but for noise, than there would need to be a minimum size.

Ms. Hall stated that if the acreage is big enough the noise is not an issue because it's not as close.

Mr. Lloyd said that the size issue could be addressed in the motion. Anyone on the board could make any changes or additions that they feel appropriate.

After further discussion the board decided to vote on each of the changes they wanted to make separately.

Mr. McLaurin made a motion, seconded by Mr. Pearce to place a "z" in the M1(P), because M1(P) is the only zoning that does not include residential or commercial use and take the "s" off of columns. Restrict the use to M1(P) only. The motion passed with Mr. Morris voting in opposition.

Paragraph 1 –

Mr. McLaurin made a motion, seconded by Mr. Morris to remove the last sentence after the semicolon "or any activities conducted by a club or lodge as defined in this ordinance." The motion passed. Unanimous approval.

Mr. McLaurin made a motion, seconded by Ms. Hall to change "individual" to "individuals". The motion passed. Unanimous approval.

Paragraph 3 – Section 907.1

Mr. Morris made a motion, seconded by Mrs. Epler to remove "or administrative". The motion passed. Unanimous approval.

Ms. Hall made a motion, seconded by Mr. Morris to add back to the amendment a requirement of a minimum acreage of 30. The motion passed. Unanimous approval.

Mr. Moorefield recommended adopting a grandfather provision. The reason for this is having people establish a record that they were in existence prior to this amendment being adopted.

Mr. Morris made a motion, seconded by Mr. McLaurin to accept the reinsertion of paragraph "K" in its entirety to the amendment. The motion passed. Unanimous approval.

Mr. Morris made a motion, seconded by Mr. McLaurin a recommendation that the Board of Commissioners review the Noise Ordinance as it relates to the firing ranges. The motion passes. Unanimous approval.

Mr. Morris made a motion, seconded by Mrs. Epler, to recommend approval of P11-20 with changes and move forward to the Board of Commissioners for their vote. The motion passed. 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.

P11-20
COUNTY ZONING ORDINANCE TEXT AMENDMENT
(Outdoor Firing Ranges)

P11-20. REVISION AND AMENDMENT TO THE CUMBERLAND COUNTY ZONING ORDINANCE, AMENDING ARTICLE II INTERPRETATIONS, CALCULATIONS, AND DEFINITIONS, SECTION 203. DEFINITIONS OF SPECIFIC TERMS AND WORDS BY INSERTING IN ALPHABETICAL ORDER THE TERM AND DEFINITION FOR "FIRING RANGE, OUTDOOR;" AMENDING ARTICLE IV PERMITTED, CONDITIONAL, AND SPECIAL USES, SECTION 403. USE MATRIX BY INSERTING IN ALPHABETICAL ORDER A NEW ROW ENTITLED "FIRING RANGE, OUTDOOR (SEC. 907.1)" IN THE LAND USE COLUMN AND ALLOWING THIS USE AS CONDITIONAL ZONING BY INSERTING A "Z" IN THE M1(P) ZONING DISTRICT COLUMN ON THIS SAME ROW; AMENDING ARTICLE IX INDIVIDUAL USES BY CREATING AND INSERTING IN NUMERICAL ORDER A NEW SECTION ENTITLED: SECTION 907.1 FIRING RANGE, OUTDOOR, WITH SUB-SECTIONS "A" THROUGH "K ;" AND UPDATING THE TABLE OF CONTENTS AS APPROPRIATE. (NOTE: CASE HEADING HAS CHANGED TO REFLECT THE JOINT PLANNING BOARD RECOMMENDATION.)

1. **AMEND** Article II Interpretations, Calculations, and Definitions, Section 203. Definitions of Specific Terms and Words, by **INSERTING** in alphabetical order the following definition:

Firing Range, Outdoor: A facility, including its component shooting ranges, safety fans or shotfall zones, parking areas, all structures for classrooms, administrative offices, ammunition storage areas and other associated improvements, designed for the purpose of providing a place for the discharge of various types of firearms or the practice of archery. For purposes of this ordinance, outdoor firing ranges are a principal use of property and therefore, shall not be considered incidental or accessory. This ordinance is exclusive of occasional target practice by individuals on property owned or leased by the individuals, sighting of weapons for purposes of hunting, or temporary turkey shoots conducted on a property no more than 12 days in any calendar year. (Sec. 907.1)

2. **AMEND** Article IV Permitted, Conditional, and Special Uses, Section 403. Use Matrix, by **INSERTING** in alphabetical order in the *Land Uses* column the term **FIRING RANGE, OUTDOOR (Sec. 907.1)** with the new row reflecting that outdoor firing ranges are allowed with Conditional Zoning approval as indicated by **INSERTING** a "**Z**" in the **M1(P)** Planned Light Industrial zoning district column.
(Editor's note: See *Attachment 1* for matrix layout to be inserted into the existing Section 403.)

3. **AMEND** Article IX Individual Uses, by **INSERTING** in numerical order **SECTION 907.1. FIRING RANGE, OUTDOOR**, including sub-sections, as follows:

SECTION 907.1. FIRING RANGE, OUTDOOR.

A. A detailed site plan complying with the provisions of Article XIV shall be submitted for review and if approved, all applicable permits must be obtained prior to commencement of range activity. The detailed site plan shall be sealed by a North Carolina registered engineer attesting that the proposed plan incorporates the specific safety and design standards for outdoor firing range provisions and live fire shoot house provisions, if applicable, as set out in Section 4, Outdoor Range Design; Section 6, Live Fire Shoot House; and Attachments 1-2 through 1-20, of the *Range Design Criteria* (June 2012) as published by the US Department of Energy's Office of Health, Safety and Security for the type of range proposed; except that Section 4.b(10), the words "or administrative" in the first sentence of Section 4.c(7), the second sentence of Section 4.c(7) and Section 6.a(1) shall not be considered for the reason that these sections are specific to the needs of the DOE.

[Editor's note: If adopted, a link to the *Range Design Criteria* publication will be provided for this sub-section on the County's website. A hardcopy will be made available to the public in the office of the Land Use Codes section of the Planning & Inspections Department.]

B. The site on which the outdoor firing range is proposed shall contain a minimum of 30 acres within a tract or contiguous tracts owned or leased under a recorded lease to the owner/operator of the outdoor firing range. The detailed site plan shall show the boundary of the subject property in its entirety and shall further disclose all existing uses, if discernible, and structures within a distance of 300 feet from the boundary.

C. Surface danger zones shall be located entirely on the subject property and shall be designed to contain all projectiles and debris caused by the type of ammunition, targets and activities to be used or to occur on the property. The layout of the proposed range(s) with the accompanying safety fans shall be delineated on the required site plan for each/all range(s) to be constructed on the property.

D. A 60 foot wide buffer, undisturbed except for fence installation and vegetative planting, shall be provided around the entire perimeter of the subject property and shall also be delineated on the detailed site plan.

E. A firing range facility must have access to an approved private street or a public street.

F. Unauthorized access to the firing range facility shall be controlled while firearms are being discharged.

G. The developer/operator of the firing range facility shall provide to Code Enforcement at the time of application for the building final inspection, a certification prepared by a North Carolina registered engineer that the firing range facility has an environmental stewardship plan, which may include semi-annual soil and water sampling, regular liming of the soil to prevent lead migration, reclamation and recycling of the lead and is compliant with the Best Management Practices, specifically relating to lead management, as specified by the Environmental Protection Agency's (EPA's) most current edition of *Best Management Practices for Lead at Outdoor Shooting Ranges*.

H. If any firing range facility, or the use thereof, is intended to be expanded to include types of ranges, operations, munitions or activities not covered by the most current conditional approval or pre-existing status, re-submittal/submittal of the site plan for the entire firing range facility for review and approval of the change or expansion shall be required prior to commencement of the change or expansion. This provision applies regardless whether or not the firing range facility was in existence prior to the adoption of this section.

I. All outdoor firing range facilities shall maintain general liability insurance coverage in an amount of not less than Three Million Dollars through an insurance company licensed to do business in North Carolina. The policy shall not exclude coverage for property damage or personal injury caused by the discharge of firearms.

J. All other applicable Federal, State and local regulations, to include the County's Noise Ordinance, shall be strictly adhered to.

K. This sub-section K shall specifically apply to all non-permitted existing uses which are outdoor firing ranges within the definition of this ordinance, except those as may be permitted in accordance with this sub-section. A permit shall be issued for any non-permitted outdoor firing range in operation on June 20, 2005, upon the submission of an application that shall include:

1. The date upon which the applicant commenced outdoor firing range operations on the site;

2. An aerial map which shows the boundaries of the site and the improvements located thereon;

3. A statement of the hours of operation;

4. A statement of the largest caliber ammunition discharged on the site; and

5. A narrative description of the measures employed (a) to control unauthorized access to the facility when weapons are being discharged, (b) to prevent projectiles from leaving the site, (c) to mitigate noise and (d) to mitigate potential lead contamination of the groundwater.

The permit issued under this sub-section K shall establish the benchmark for the determination of an expansion under sub-section H. Any facility permitted under this sub-section K shall remain subject to all other applicable state laws and local ordinances.

Attachment 1
P11-20 Outdoor Firing Ranges

SECTION 403 USE MATRIX

CUMBERLAND COUNTY ZONING ORDINANCE
P = PERMITTED USE
S = SPECIAL USE (Sec. 1606 Board of Adjustment approval required)
Z = CONDITIONAL ZONING (Article V – County Commissioners approval required) (Amd. 04-11-18)

LAND USES	ZONING CLASSIFICATIONS																					
	CD	A1	A1A	R40	R40A	R30	R30A	RR	R20	R20A	R15	R7.5	R6	R6A	R5	R5A	O&I(P)	C1(P)	C2(P)	C(P)	M1(P)	M(P)
<u>FIRING RANGE, OUTDOOR (Sec. 907.1)</u>																					<u>Z</u>	

RANGE DESIGN CRITERIA



U.S. DEPARTMENT OF ENERGY
Office of Health, Safety and Security

AVAILABLE ONLINE AT:
<http://www.hss.energy.gov>

INITIATED BY:
Office of Health, Safety and Security

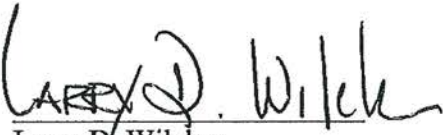
Notices

This document is intended for the exclusive use of elements of the Department of Energy (DOE), to include the National Nuclear Security Administration, their contractors, and other government agencies/individuals authorized to use DOE facilities. DOE disclaims any and all liability for personal injury or property damage due to use of this document in any context by any organization, group, or individual, other than during official government activities.

Local DOE management is responsible for the proper execution of firearms-related programs for DOE entities. Implementation of this document's provisions constitutes only one segment of a comprehensive firearms safety, training, and qualification program designed to ensure that armed DOE protective force personnel are able to discharge their duties safely, effectively, and professionally. Because firearms-related activities are inherently dangerous, proper use of any equipment, procedures, or techniques etc., identified herein can only reduce, not entirely eliminate, all risk. A complete safety analysis that accounts for all conditions associated with intended applications is required prior to the contents of this document being put into practice.

CERTIFICATION

This document contains the currently-approved firearms "Range Design Criteria" referred to in DOE O 473.3, *Protection Program Operations*.



Larry D. Wilcher

Director

Office of Security

Office of Health, Safety and Security


Date

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RANGE DESIGN CRITERIA

1. PURPOSE. This document contains design criteria for U.S. Department of Energy (DOE) live-fire ranges for use in planning new facilities and major rehabilitation of existing facilities. This document will be approved and maintained by the Office of Security, Office of Health, Safety and Security (HSS) as a stand-alone document on the HSS website: <http://www.hss.doe.gov/SecPolicy/pfs.html>.
2. PLANNING FACTORS. All applicable local, State, Federal, U.S. Environmental Protection Agency, Occupational Health and Safety Administration (OSHA), and National Environmental Policy Act requirements should be addressed and be reviewed annually (at least every 12 months) by the site to incorporate any requirements and/or changes that occur.
3. PLANNING OVERVIEW.
 - a. General Considerations.
 - (1) Live-fire range design should: (a) promote safe, efficient operation; (b) include provisions for ease of maintenance; and (c) be affordable to construct and maintain.
 - (2) Live-fire ranges should be designed to prevent injury to personnel and to prevent property damage outside the range from misdirected or accidental firing and ricochets. They should also be designed to direct ricochets away from the firing line inside the range.
 - (3) An open range may be established provided that enough distance and land area available to allow for surface danger zones (SDZs) appropriate for the weapons to be used. Lack of SDZs may require baffled ranges. Extreme weather conditions may necessitate indoor ranges.
 - b. Type of Range.
 - (1) Range requirements should be considered when determining the type and size of the range and the material to be used.
 - (2) The range should be suitable for training and qualifications for all courses of fire used on the site as set forth in the HSS-approved Firearms Qualification Courses.
 - (3) The range should be designed for shooting day and reduced-lighting DOE firearms courses, moving targets, multiple targets, and advanced shooting courses/activities (e.g., shooting at steel targets) that may be required by the site.

- (4) When determining whether the facility will be an indoor, open outdoor, partially baffled, or fully baffled range, the decision-making process should include site weather conditions, available land, available funding, and environmental, safety, and health considerations. The following additional factors should be considered.
- (a) How many shooters must be accommodated?
 - (b) Will emphasis be on training or competitive activities?
 - (c) What types of firearms and range of ammunition will be used? (See Table 1.)
 - (d) Will the facility be used exclusively by DOE or will it be open to other organizations?
 - (e) What special uses will be made of the facility; e.g., advanced training, special weapons, or explosives?
 - (f) What lighting will be required, and what lighting is desired?
 - (g) What administrative space will be needed?
 - (h) What types of target mechanisms will be used?
 - (i) Will spectator safety areas be needed?
 - (j) What types of acoustics will be needed?
 - (k) How will lead contamination be controlled?
 - (l) Where will bullet traps be needed?
 - (m) Where will firearms cleaning and maintenance be performed?

c. Site Selection Preparation. The site selected should accommodate the required facility. It should meet acceptable standards for safety and have sufficient space, access, and acceptable zoning and construction costs. Land acquisition costs, future land values, and possible restrictions should also be examined. To ensure the project is feasible the following data should be considered.

- (1) Documents. Copies of specific site, environmental, and construction criteria; applicable mandated regulations from Federal, State, county, and local authorities; copies of ordinances, zoning regulations, soil conservation standards, health department requirements, and any other regulations that may pertain to the project should be obtained.

- (2) Alternate Sites. Identify alternate sites, because one or more of the potential sites may be unsuitable or construction costs may be prohibitive.
 - (3) Technical Data. Gather technical data relevant to each site including zoning maps, aerial photographs, topographic maps, and onsite ground and aerial information.
- d. Considerations. The criteria to be considered in this process are:
- (1) environmental restrictions; e.g., Endangered Species Act, Wilderness Act, and air and water pollution criteria;
 - (2) access; e.g., is it adequate or should a roadway be constructed to the site;
 - (3) construction cost; e.g., berms, baffles, barriers, earth moving;
 - (4) other restrictive Federal or State statutes and local ordinances; and
 - (5) community growth, especially in areas where urban growth is rapid. Escalating property values may make it unwise to construct in a particular area.
- e. Preliminary Design Stage.
- (1) Prepare:
 - (a) a preliminary layout sketch of each site;
 - (b) a draft document, which should include specifications for applicable zoning, building codes, environmental, safety, and health considerations, and other pertinent restrictions;
 - (c) alternative preliminary site plans showing different range layouts;
 - (d) a planning cost estimate; and
 - (e) a risk analysis report.
 - (2) Submit all environmental, zoning and building permit applications for approval. Be prepared, via the draft document, to present and, if necessary, defend the proposal at public hearings before zoning boards, health officials, and other governmental bodies involved in issuing permits.
- f. Final Design Stage.
- (1) The preliminary site plans include a layout of the proposed range with its accompanying safety fan in a cross section and top view.

- (2) The range master/manager, training manager, safety manager, industrial hygienist, appropriate operating personnel and public works engineer should review and approve the design requirements during the planning phase, before the construction drawings are started, and during the construction phase.

4. OUTDOOR RANGE DESIGN.

a. Site Selection.

- (1) Outdoor range sites should be remote from other activities but accessible by road. SDZs should not extend across traveled roads, navigable waterways, railroads, or other areas.
- (2) To protect against unauthorized access, SDZs should be controlled while firearms are being discharged. To prevent future encroachment, SDZs should be recorded on site maps.
- (3) If other methods to control access to SDZs are not effective, then the zones should be fenced in. Natural barriers around the site; e.g., rivers, hills or a large drainage channel may be used to prevent encroachment and will ensure privacy. The best site is one with a natural backstop for projectiles to reduce the cost of constructing earth impact berms and to provide natural sound abatement.
- (4) Outdoor ranges should be oriented to eliminate firing into the sun. The range should be oriented to the north or slightly to the northeast. The ideal direction is between due north and 25° northeast.

b. Range Planning.

- (1) Firing into upward sloping land and land with natural backstops of hills or mountains is recommended.
- (2) Firing platforms, access roads, and targets should be elevated above the flood level.
- (3) The line of fire in rough terrain should be perpendicular to high ground. The line of fire on flat terrain should be free of knolls, ridges, and trees that reduce visibility.
- (4) Known distance ranges should be as flat or evenly graded as possible. If the grade between the firing points and target does not exceed 2 percent, then the firing points may be below the target.
- (5) Roads used for setting and servicing targets in impact areas and for maintenance of earth berm may be graded pathways. Roads in areas not subject to disturbance; e.g., vehicle parking areas, and roadways behind

firing lines or out of range of weapons, should be designed for anticipated vehicle weight and usage.

- (6) The ground between the targets and firing line should be free of any hardened surface (smooth-surfaced walkways excepted) such as rocks or other ricochet-producing material.
- (7) The surface may be sodded or planted with low-growing ground cover.
- (8) The surface should be smooth, firm, and graded to drain away from the targets. A slight side-to-side grade of 1 percent to 2 percent should be provided for storm water runoff. For baffled ranges, the lateral slope should not exceed 2 percent because of the geometry of the baffle system.
- (9) The overall size will be governed by the range distance and number of firing positions.
- (10) Range distances from the firing line to the target are determined by the approved DOE qualification courses of fire for all weapons available for use by Protective Force (PF) personnel and by site-specific training courses of fire. The distances from the firing line to the target should be accurate to ± 0.1 percent. It is important that any inaccuracy in the firing line-to-target distance is a greater, rather than lesser, distance (e.g., 101 yards for a 100-yard range instead of 99 yards).
- (11) Shooters should have secure footing.

c. Surface Danger Zones. SDZs should be established to contain all projectiles and debris caused by firing ammunition and explosives (see Table 1). SDZ dimensions are dictated by the types of ammunition, types of targets, and types of firing activities allowed on the range. A basic SDZ consists of three parts: impact area, ricochet area, and secondary danger area (Figure 1). Figures 2 through 6 illustrate the application of the basic parts in the design of SDZs for various kinds of range activities.

- (1) The primary danger area established for the impact of all rounds extends 5° to either side of the left and right limits of fire and downrange to the maximum range of any ammunition to be used on the range.
- (2) The ricochet area is 5° to either side of the impact area and extends downrange to the maximum range of any ammunition to be used on the range.
- (3) The secondary danger area is that area paralleling, and 100 yards outside of, the outermost limits of the ricochet area and extending downrange to the maximum range of any ammunition to be used on the range.

- (4) Boundaries of SDZs must be posted with permanent signs warning persons of the danger of the live-fire range and prohibiting trespassing. The signs must be posted in a way that will ensure a person cannot enter the SDZ without seeing at least one legible sign (i.e., usually 200 yards distant or less).
 - (5) Limit of fire markers, both external and internal, must be placed to denote right and left limits of fire. Where cross firing is to be conducted, internal limit markers must be emplaced to denote internal right or left limits of fire from specific firing positions.
 - (6) Ranges may be located parallel to one another if in compliance with Figure 19 for separation.
 - (7) When there is insufficient distance to lay out a new range with the required SDZ or utilize other ammunition with a maximum range that does not exceed the SDZ, engineered or administrative controls can be used to control firing on that range. Permission to deviate from established SDZ requirements must be granted by the DOE cognizant security authority and supported by a safety risk analysis.
 - (8) Administrative controls such as use of the low-ready position or engineered controls such as muzzle traverse/elevation limiters can be used to control the firearm. Natural terrain such as a mountain or a hill provides an excellent backstop for firing. The terrain should be high enough to capture rounds fired at up to a maximum 15° muzzle elevation.
 - (9) To change the size and shape of an SDZ, baffles may be installed. Partial and full baffle systems consist of the following components: overhead baffles, a canopy shield over firing points, bullet impact berm, and side berms, sidewalls, or side baffles. A fully baffled range must be constructed so all direct fire can be contained within the range (see Figures 7 and 8).
- d. Support Facilities. Range planners should consider the site-specific need for the following range support facilities.
- (1) Targets.
 - (2) Target storage.
 - (3) Bunkers, trenches, and protective barriers for personnel protection.
 - (4) Range control towers.
 - (5) Toilets.
 - (6) Range poles, banners, markers, and signs.

- (7) Communication systems.
- (8) Access and range roads.
- (9) Parking areas.
- (10) Potable water.
- (11) Target maintenance.
- (12) Ammunition storage.
- (13) Power.
- (14) Sewer.
- (15) All other necessary utilities.

Table 1. Maximum Range of Small Arms Ammunition

Maximum Range of Small Arms Ammunition	
Caliber	Maximum range of small arms ammunition (distance in meters/yards)
.22 long rifle	1400/1531
.38 revolver	
Ball, M41	1600/1749
Ball PGU-12/8	1900/2077
.40 pistol	
Ball	1783/1950
JHP	1908/2086
Frangible	1000/1093
.45 pistol	1500/1640
.45 submachine gun	1600/1749
.357 magnum	2160/2362
9mm pistol	1740/1902
9mm submachine gun	1920/2099
.44 magnum	2290/2504
.50 machine gun	
Ball, M33	6500/7108
AP, M26	6100/6671
12 gauge shotgun, riot 00 buckshot	600/656
.30 rifle and machine gun	
Ball, M23	3100/3390
AP, M2	4400/4811
.30 carbine	2300/2515
5.56mm rifle	
Ball, M193	3100/3390
7.62mm rifle and machine gun	
Ball, M80	4100/4483
Match, M118	4800/5249
40mm	
M79	400/437
Mk-19 40mm	2200/2406

e. Design Criteria.(1) Firing Line Items. Provide the following components:

- (a) Floor Surface. The surface should be smooth, firm, and graded to drain away from the targets. A slight side-to-side grade of 1 percent to 2 percent should be provided for storm water runoff. Transverse firing line grading should match target line transverse grading. The distance between the firing line(s) must be sufficient to support the type of training conducted. Firing lanes must be clearly marked on the surface to match the targets. Depending on the number of personnel to be supported and the funds available, the following surfaces should be considered:

- 1 ground firmly compacted with mown grass;
- 2 sand or fine gravel;
- 3 wood decking of sufficient thickness and support to prevent movement; and
- 4 concrete topped with appropriate cushioning material.

- (b) Overhead Containment. On partially and fully baffled ranges, a ballistic canopy (see Figure 9) should be provided over all locations where a weapon may be expected to be discharged (firing line, by definition). Figure 9 represents one construction approach, but the canopy must contain the direct fire effects of the most energetic round fired on the range. This canopy should begin at least 3 feet behind the firing line. General structural requirements may dictate more distance. The canopy should extend forward a minimum distance of 13 feet minimum, which will work geometrically with the first overhead baffle to prevent a weapon from firing directly out of the range (see Figures 16 and 17). The canopy should be constructed of ballistic material with sacrificial cladding as described below. Sound reduction ceiling waffles should be considered. Weather roofing is required above the ballistic material and it must slope sufficiently to drain.

(2) Firing Point. The depth of the firing point is determined by the shooting activity; e.g., rifle firing requires more depth than pistol firing.

- (a) The minimum depth of the firing point is the area required for the shooter, shooter's equipment, scorers, and range officers. For example, a pistol range might have a firing line approximately 6 to 10 feet deep, while a rifle range would have a firing line up to 20 feet deep. This variation is based on available space, type of

shooting, size of target frames and carriers, and the spacing of target frames or carriers.

- (b) For rifle ranges, each firing point should be 9 feet wide (see Figure 10). Firing lanes for pistols and shotguns should be 5 feet center to center (see Figure 11).
- (3) Ballistic Material. The purpose of this material is to absorb, deflect, or fragment projectiles. Material for baffles on partially and fully baffled ranges is shown in Figures 12 and 18. Wood that is used should be of middle grade exterior timber or plywood. Timber in contact with the ground must be pressure-treated for this purpose. Avoid exposed connectors if possible. Refer to Table 2, Thickness of Material for Positive Protection Against the Caliber of Ammunition Listed, for the thickness of various materials.
- (4) Sacrificial Cladding. Provide 3/4-inch thick plywood with a 3/4-inch air gap on any surfaces (baffles, wing walls, metal connectors, etc.) that are within 11 yards of the firing line to prevent back splatter.
- (5) Firing Line Cover Material. The firing line should be covered to protect the shooter and allow activities to be held regardless of the weather. On ranges with several firing lines, the cover is generally installed at the longest firing distance. The firing line covers described below are for shelter only and should not be confused with the ballistic firing line canopies required on baffled ranges. Material that can be used for firing line covers includes wood, concrete, steel, and plastic. Most covers are constructed from wood products and are a shed or gable roof design. In some cases, corrugated metal or fiberglass roofing material can actually increase sound levels at the firing line and in areas around the range. Therefore, to reduce noise, corrugated metal or fiberglass roofing material should not be used unless it is acoustically treated. The structure should be designed to include the following:
 - (a) The shed roof should have a 6-inch cavity filled with fiberglass insulation (or equivalent) and be enclosed on the bottom with 3/4-inch plywood or insulation board. Although this will not provide a completely effective sound barrier, sound waves will strike and penetrate the inside layer of plywood, and the sound will be reduced;
 - (b) A plywood shed roof should have a 6-inch hollow core enclosed with a small grid mesh screen and a six-mil polymer barrier to retain the insulation. The intervening space should be filled with blown-in insulation to trap sound waves and reduce the drum effect of an open roof; and

- (c) A gable roof has a large hollow area above the joists; however, additional sound damping materials should be installed to reduce the drum effect and the sound pressure level as they are reflected onto the firing line area. The underside of the roof surface will require a minimum of 4 inches of insulation to fill in between the rafters and a minimum of 3 inches of insulation above the ceiling and between the joists. This will reduce the drum effect caused when sound waves strike surface material (e.g., corrugated metal) and will absorb a portion of the reflected sound waves.
- (6) Surface Material. Positions should be hard-surfaced (e.g., concrete, gravel, wood, asphalt, or sod).
 - (a) For ranges where prone shooting is conducted, gravel or similar materials may cause difficulty for the shooter. When the surface material is concrete or asphalt, shooting mats or padding will be required when the kneeling or prone positions are used.
 - (b) For ranges with multiple firing lines, hard-surfaced firing lines located downrange of another firing line should be recessed or shielded from bullet impact to avoid ricochets off exposed edges.
- (7) Landscaping. The site should be landscaped to provide for erosion control, noise abatement, maintenance, appearance, fire protection, and safety.

NOTE: Any landscaping will complicate the removal of lead in the berms, especially on impact surfaces, and will create higher maintenance costs.

- (a) Berms should be planted with grass to prevent erosion. Ground cover is acceptable on existing berms that have been maintained and where erosion is not a problem.
- (b) When grass is selected as a ground cover, it should be appropriate for the geographic area and should readily grow and provide good coverage. The degree of shading caused by overhead baffles will determine the type of grass for the range floor. Use grasses and cover for earth berms that will not be accessed by moving equipment so that natural growth heights will be acceptable. In areas where the soil is poor or extremely sandy, plants such as Bermuda grass, ice plant, or vine root can be used to control soil erosion.
- (c) Heavy landscaping may be used to cut down on noise transmission. Plants and trees may be planted behind the firing position shelters to alleviate noise transmission problems.

Soundproofing the firing line structures should be considered in problem areas. Trees should be kept away from firing lines to allow range control officers to see all shooters.

- (d) For windbreaks, trees may be planted along the length of the range with partial side berms or wing walls where strong prevailing crosswinds are problems to shooting accuracy.
- (e) Densely planted rows of fast-growing, compact, and thorny shrubs may be planted below the trees at ranges with partial berms or wing walls to abate noise, prevent encroachment, and alleviate crosswind problems.

(8) Target Line and Mechanisms. Components must be as follows:

- (a) The target line should be a minimum of 30 feet from the toe of the impact berm. The distance between targets must be the same as the distance between firing positions.
- (b) Target line bases must match grading with the firing line. Mechanical target support bases must be protected from the direct line of fire. They may be buried flush with the ground or placed behind a protective wall. Note that a small raised earth berm at this location generates significant ricochet. The complexity of the mechanism will dictate the protection requirement. See Figure 13 for wall or trench protection of high cost target line mechanisms.
- (c) Target supports can be made of steel angles and channels, PVC pipe or wood. Do not use metal parts within 33 feet of the firing line where direct fire strikes are anticipated. Discharging weapons close to metal surfaces is extremely dangerous. Present the smallest surface area that is structurally sound to the line of fire to minimize ricochet. Design the target holders for easy and inexpensive replacement. Portable, self-supporting 2- by 4-inch wood frames or 2-inch by 2-inch wood plank placed into buried PVC pipe work well on simple ranges. The full face of the target must be visible to the shooter.
- (d) Turning targets and the display time are at the discretion of the user. Commercially available, electrically motorized target carrier and electronic scoring systems should be considered where economically feasible.
- (e) On open ranges, a single target line with multiple firing lines is preferred. On partially or fully baffled ranges, in most instances, a single firing line with multiple target lines will produce the most cost-effective range because of the firing line canopy. An

extremely advanced target mechanism may be significantly more expensive than multiple canopies.

- (9) Impact Structures. The structure varies depending on the type of range. Natural terrain such as a mountain, cliff, or steep hill may be incorporated into impact structures provided the completed structure complies with the minimum design requirements. Acceptable structures by range type are listed below.
- (a) For open ranges, the top elevation of the earth impact berm should be 26 feet above the range surface for ranges 100 yards long or longer and 16 feet above the range surface for ranges 50 yards long or less. The impact berm should extend 50 yards beyond where the target line ends for 100-yard-long ranges or until joining with the side containment, if provided for ranges 50 yards long or less.
 - (b) The suggested elevation may be met by designing a combination of earth berm and vertical baffle (see Figure 14). The earth berm portion should have a top elevation of 16 feet above the surface of the range. The vertical baffle should be constructed of ballistic material and designed to withstand local seismic and wind loads. This combination arrangement would reduce the footprint and the amount of material in the earth berm.
 - (c) The preferred slope of the impact berm face is 1 to 1 or steeper. The steeper the slope, the more likely the berm is to absorb projectiles. The top should be 10 feet wide. The impact slope should be constructed with a 3-foot layer of easily filtered soil (to reclaim the lead projectiles) free of boulders, trees, rocks, stones, or other material that will cause ricochet. The rear slope should be appropriate to the native soil and maintenance requirements.
 - (d) For partially and fully baffled ranges, the top elevation of the impact structure will vary depending on the overhead baffle and impact structure arrangement. The impact structure for a partially baffled range can be: standard impact berm, bullet trap, or hybrid. For fully baffled ranges, the impact structure must be a bullet trap. In all instances, the impact structure must connect to the side containment. The top of the berm should be at an elevation 5 feet above the point where the highest line of direct fire can strike the berm.
 - (e) Outdoor baffled bullet stops can be constructed by placing the last vertical overhead baffle over the last target line and placing a sloped baffle to connect from the top of the earth berm to the back of the last vertical baffle. The bottom of this lower-sloped overhead baffle should be 2 feet above the highest point on the

berm where direct fire might strike. See Figure 15 for material and construction details. Rainfall runoff from the sloped baffle onto the berm must be considered. (See "Use of Bullet Traps and Steel Targets" for Shoot House bullet trap information.)

- (10) Side Containment. For partially and fully baffled ranges (Figures 7 and 8), the top elevation of the side containment must geometrically mate with the overhead baffles to be high enough to prevent any direct fire from exiting the range. Full-side height containment should extend 3 feet to the rear of the firing line. Locate the side containment at least 10 feet outside of the centerline of the outermost firing lane. Construction may be in the following forms.
- (a) Earth Berm. Construct earth berms to an inside slope of 1 to 1.5. If native soil characteristics will not produce a stable slope at this angle, provide geotechnical fabric reinforcement in the fill. The top width of the berm should be at least 10 feet. No rocks are permitted in the top 3 feet of the inside surface. Generally, earth berms cannot be used on partially or fully baffled ranges; however, earth berms are permissible if the firing range is small and the overhead baffle and berm geometry intercept ricochets.
 - (b) Continuous Walls. Construct continuous walls of ballistic material to withstand local wind and seismic loads. Provide sacrificial cladding to 13 feet forward of the firing line and 3 feet behind the firing line. Continuous walls are preferred for fully baffled ranges.

**Table 2. Thickness of Material for Positive Protection
Against the Caliber of Ammunition Listed**

Cover material	Caliber and thickness required to stop penetration		
	5.56 mm	7.62 mm and Cal. 30	Cal. 50
Concrete (5,000 lbf/in ²)	5 inches	7 inches	12 inches
Gravel-filled concrete masonry units	8 inches	12 inches	24 inches
Broken stone	14 inches	20 inches	30 inches
Dry sand	16 inches	24 inches	32 inches
Wet sand	25 inches	36 inches	48 inches
Oak logs (wired)	28 inches	40 inches	56 inches
Earth			
Packed or tamped	32 inches	48 inches	60 inches
Undisturbed compact	35 inches	52 inches	66 inches
Freshly turned	38 inches	56 inches	72 inches
Plastic clay	44 inches	65 inches	100 inches

NOTE: Figures are based on new material. Degradation may occur over time.

- (c) Wing Walls. Wing walls (side baffles) are discontinuous side protection set at 45° to the line of fire. Locate the wing walls so that they are overlapped by 6 inches based on any line of fire that may strike them. Construct the wing walls of ballistic material to

withstand wind and seismic loads. Additionally, provide sacrificial cladding on wing walls closer than 30 feet to the firing line.

- (d) End Walls. End walls may be constructed at the firing lane edge on the firing line in lieu of extending side containment 3 feet behind the firing line. Walls should be long enough to close off any line of sight between the end of the side containment and the rear 3 feet mark. The end walls should be constructed of ballistic material with sacrificial cladding extending from the canopy to the firing line surface.
- (11) Overhead Baffles. Overhead baffles must be located so that no direct fire can exit the range from any firing position. The first overhead baffle must be geometrically coordinated with the firing line ballistic canopy (see Figure 9). The elevation of the top of each succeeding baffle should be 6 inches higher than a line of fire that just clears beneath each preceding baffle (see Figure 16). Overhead baffles should be the same height and spaced apart down range to achieve the required geometry (see Figure 17). The last baffle should be placed so the line of fire will strike the impact structure no higher than 5 feet below the top elevation of the structure. On a fully baffled range, the last overhead baffle must be over the last target line.
- (a) On partially baffled ranges, overhead baffles must extend laterally to within 1 foot of the side containment. On fully baffled ranges, the overhead baffle must tie into the side containment.
 - (b) The vertical dimension of an overhead baffle when it is vertical varies with the number and spacing of the baffles. Normally, the height is between 5 and 8 feet when considering structural support size and costs.
 - (c) The baffles must be constructed of ballistic material. Baffles within 11 yards of the firing line should be covered with sacrificial cladding. See Figures 12 and 18 for possible configurations.
 - (d) Space the structural columns as far apart laterally as possible to open firing lanes. If possible, do not construct columns within the range. Design columns or beams to withstand local wind and seismic loads, and provide protective steel plate on the faces of the columns exposed to the firing line in accordance with Figures 12 and 18. Provide sacrificial cladding if the column is within 10 yards of the firing line. Overhead baffles may be placed on a flatter slope and overlapped to function as firing line canopies if multiple firing lines are to be used (see Figure 17). This arrangement is cost-effective for baffled combat lanes.

5. INDOOR RANGE DESIGN.

a. Use of Indoor Ranges.

- (1) Indoor ranges must be designed so projectiles cannot penetrate the walls, floor or ceiling, and ricochets or back splatter cannot harm range users. Considerations should be made for cleaning of all surfaces and handling of hazardous wastes.
- (2) Lead exposure requirements must be reviewed for applicability.

b. Site Selection.

- (1) Walls and Partitions. Indoor ranges must incorporate walls and partitions capable of stopping all projectiles fired on the range by containing or redirecting bullets to the backstop.
- (2) Existing Buildings. If there are existing drawings of the facility, copies should be obtained from the original owner, architect, engineer, builder, or building permit. If original drawings of the building are not available, a sketch can be made of each floor of the building with a special emphasis on the load-bearing walls. The following considerations should be used when making the initial evaluation of an existing building.
 - (a) General Construction. Buildings constructed of wood products should be avoided. Modifications to reinforce the structure to support metal backstops or to reduce fire hazards may not be cost-effective.
 - (b) Exterior Walls. The type of exterior wall construction (e.g., masonry, wood, concrete, metal, combination, other) should be identified. Masonry buildings should be given primary consideration, especially those constructed on concrete slabs.
 - (c) Floors, Walls, and Ceilings. Floors, walls, and ceilings must be able to contain the sound in addition to the bullet fired.
 - 1 The ideal wall is made of poured concrete a minimum of 6 inches thick.
 - 2 To aid in range cleaning, concrete floors should be finished so they have a nonporous surface.
 - 3 Ceilings should be 8 feet high and enclosed to reduce air turbulence created by ventilation systems.
 - 4 Evaluate the structural support designs of older buildings for their ability to withstand new loading. Original design

considerations usually do not allow for installing heavy backstops and other range equipment.

- 5 To decide if modifications are necessary, slab buildings must be analyzed carefully to determine the capacity for floor loading. If there are no floor drains and it is economically feasible, modifications should also include adding one or more floor drains.
- 6 Ceiling joists may require strengthening to support baffles and shielding material.

- (d) Electrical. Electrical needs may require the installation of heavy-duty wiring both internally and externally to accommodate the added power needs of range ventilation, heating, lighting, and target-carrier mechanisms.
- (e) Plumbing. Plumbing does not usually require major modifications; however, heavy metals may be prohibited from area wastewater treatment collection systems. Therefore, an approved filtration system may be necessary for disposal of hazardous waste material; e.g., lead.

(3) Precast Buildings.

- (a) Precast concrete companies can provide complete precast buildings (job site-delivered) if engineering specifications for steel placement are provided on a set of plans (drawings) for the proposed building.
- (b) Precast assembly allows for installation of a roof design more suitable for an indoor range. Gabled or hip roof designs should not be used.
- (c) Hollow, precast concrete panels provide an option to bar joists, eliminating bullet ricochet or splatter. A flat bar joist design is the recommended alternative to hollow, precast concrete panels.
- (d) The flat roof design also provides support for heating, ventilating, and air conditioning (HVAC) equipment outside of the range, which saves space and reduces cost.

(4) New Construction. New indoor construction projects require the same guidelines as existing buildings; however, they offer the advantage of building a structure specifically for use as an indoor shooting range.

- c. Range Planning. Design work for ventilation, wall structures, floors, ceiling, acoustics, backstops, and lighting will depend on how the range will be used.
 - (1) A determination for the type of building required includes the following considerations.
 - (a) Can the range be built in an existing building or is a new one required?
 - (b) How large should it be?
 - (c) How many shooters will it be expected to serve?
 - (d) Will it be used for competition?
 - (e) Should space be allowed for classrooms?
 - (f) How much will the facility cost?
 - (2) The planning process should include:
 - (a) obtaining ordinances, zoning regulations, building codes, soil conservation regulations and other information pertaining to legal requirements;
 - (b) for evaluation, identifying a site for a new building or several existing buildings that may have the suitable design characteristics; and
 - (c) gathering other technical information relevant to the project. This information includes zoning requirements, onsite information, and range design criteria. Local zoning codes or health department regulations normally will provide answers or solutions on how the project is to be handled.
- d. Design Criteria. Based on the site selected, type of shooting, number of users, and site layout, the next step is to design the facility by preparing detailed drawings showing specifications and necessary dimensions. The four main considerations for indoor ranges are shooter needs, type of shooting activity, number of firing points, and number of users. Special consideration should be given to ventilation, lighting, safety baffles, and backstop design. The following standard and optional features for indoor ranges should be considered.
 - (1) Backstops and Outdoor Baffled Bullet Stops. See "Use of Bullet Traps and Steel Targets" for Shoot House bullet trap information.

- (a) The design of a backstop or baffled bullet stop is a contributing factor to the service life of the unit. Steel should be installed according to the type of ammunition to be used and to proven angle configurations.
- (b) The design criteria should be based on the planned use of the facility. Metal plates selected for use in a backstop or baffled bullet stops must resist repeated stress according to the degree of stress applied. Necessary characteristics are resistance to abrasion, resistance to penetration, surface hardness, thickness, and alloyed strength to resist metal fatigue.
- (c) The main backstop is generally a fabricated steel plate or series of plates used to stop bullets fired on a range. Backstop configurations and plate thickness will change according to type of shooting activity.
- (d) Steel backstops with sand or water pits are common; however, a few indoor ranges use earthen or sand backstops.

CAUTION: Earthen or sand-filled backstops are not recommended because they can create health hazards for maintenance workers from silica and lead dust. They also cause excessive wear on ventilation fans.

- (e) Backstops must extend from side to side and from ceiling to floor to protect the end of the range completely from penetration by direct bullet strike and prevent ricochets, back splatter, and splatter erosion of side walls.
- (f) Four basic backstop designs are used for indoor ranges: Venetian blind, escalator, Lead-a-lator[®], and the angled backstop (45°) back plate. Other backstop designs exist and should be researched for applicable use.

1 Venetian Blind Backstop. Requires less space, but without proper installation and regular maintenance it can cause back splatter problems from exposed edges of each main segment of the backstop. Keeping the exposed edges ground to original specifications is time-consuming, difficult, and requires skilled personnel.

- a To control back splatter, a curtain should be hung in front of the backstop. Tests have been conducted on materials including canvas, burlap, cardboard, insulation board, and synthetic rubber. Properly installed, these materials effectively stop back

splatter. Walls using insulation board or a synthetic rubber curtain are best.

- b The main advantage of the venetian blind backstop is minimal space requirements. While an angled plate or an escalator will use 14 feet of space, the venetian blind uses only 5 feet.

2 Escalator Backstop. Sets up with flat steel plates laid out on a framework sloping away from the shooter. Between each series of plates, an offset allows a bullet sliding down the facing surface to drop into a hidden tray for easy cleanup. At the top or back of the backstop, a swirl chamber is provided to trap the bullets or bullet fragments as they exit the backstop surface. Once the bullet's flight ends in a spin-out chamber, the bullet or pieces fall into a cleanup tray.

3 Lead-a-lator[®]. A variation of the escalator-type backstop that uses a curved instead of flat piece of steel. The surface is concave and operates so that a bullet will follow the contour of the surface into a dry lead spinout chamber where it is trapped.

4 Angled Backstop (or 45° Inclined Plates). Uses a sand or water trap and has been the traditional alternative for indoor ranges.

- a The angle of the plate should never exceed 45° from the ground. The 45° plate and pit backstop is relatively inexpensive, but there are several disadvantages. Sand traps require frequent cleaning to remove bullet fragments. Cleaning operations require workers to wear high-efficiency particulate air (HEPA) filter masks if material is removed dry. It is best to dampen the sand trap material before and during cleaning operations to eliminate dust. To maintain a healthier internal environment, frequent removal, disposal, and replacement of lead-laden sand is required. The surface should be continually raked to keep the sand level and to guard against splatter as lead buildup occurs.
 - b The cleaning operations are easier when a water trap is used. However, a water trap requires chlorine and other chemicals to retard algae growth and antifreeze in colder months to prevent freezing.

Installing a water pit requires a different approach to foundations and footings, especially in areas affected by earthquakes or freezing.

- (2) General Range Cleaning. Both dry and wet methods can be used to clean the range. The method selected depends on the frequency of use. The wet method is preferred when floor drains are available, and keeping materials wet during cleaning operations reduces or eliminates release of microscopic dust particles. When dry methods must be used, workers must use the appropriate personal protective equipment (PPE) that has been established by local industrial hygiene personnel. After cleaning operations are complete, workers must shower and have work clothing laundered.
- (3) Backstop Steel Plate Specifications.
 - (a) Steel plates supported by concrete or masonry should be anchored by expansion bolts or toggle bolts, as suitable for construction, with flush countersunk heads not more than 12 inches on center of all edges of each plate. Joints and edge lines should be backed with continuous $\frac{1}{2}$ -inch thick plate no less than 4 inches wide. Bolts should pierce both the facing and back plates. Expansion bolts should penetrate concrete not less than 2 inches. Steel plates must have milled edges at all joints.
 - (b) Joints must be butted flush and smooth. After the plates are erected, they must not have any buckles or waves. Exposed edges must be beveled at 42° to a fillet approximately $\frac{1}{2}$ -inch thick. There must be no horizontal joints in any steel plate work.
 - (c) Welding must meet the American Welding Society code for welding in building construction. Steel plates joined at, and supported on, structural steel supports must be spot-welded to steel supports not more than 6 inches on center.
- (4) Baffles, Deflectors, and Shields. Baffles on indoor ranges protect lighting fixtures, HVAC ducts, ceilings, and target carrier apparatus. Baffles are designed to protect against the occasional errant bullet but not for repeated bullet strikes.
 - (a) To cover or protect vulnerable ceiling areas or range fixtures, baffles must extend the entire width of the range and downward. Spacing of baffles on a 50 to 75 feet range depends on the ceiling design. Range distance (firing line to target line) and height are factors. Ceilings must be impenetrable.

- (b) Baffles or deflector plates must be used when modifying an existing building, especially in a building constructed of wood. This will prevent bullets from escaping or penetrating. Baffles should be a minimum of 10-gauge steel covered with a minimum of 1 inch of soft wood to prevent back splatter. The wood traps the projectile, whereas bare steel redirects it downward into the range area. A wood surface must be applied to overhead baffles, because ranges with untreated baffles usually show significant damage to concrete floors and often complete penetration through wood floors.
- (c) Baffles should be installed at a 25° angle as measured from the horizontal plane of the ceiling. The baffle size and placement depends on what surface areas require protection. For example, ceiling baffles are wider than side baffles.
- (d) Unlike baffles, deflectors are installed vertically and horizontally to redirect wide-angle shots into the backstop area. Deflector shields protect pilasters, leading edges of sand traps, bottom edges of backstops, doorways, windows, ventilation registers along the wall, etc. Deflectors are not covered with wood generally, but may be. These devices are also installed at a 25° angle either to the wall surface or floor.
- (e) To protect ceiling areas, special impenetrable shields are installed above the firing line, especially in wood frame buildings.
 - 1 Shields should extend the entire width of the range and 12 feet forward of the firing line. Floor shields may be required on wood floors.
 - 2 Shields must be constructed from metal sheets according to planned use. For example, 10-gauge steel covered with a minimum of 1 inch of soft wood is effective in stopping most pistol calibers.
- (5) Floors, Walls, and Ceilings. Indoor range facility floors, walls, and ceilings must be impenetrable; therefore, an existing building must have a structural analysis to determine loading factors that may exceed original design specifications. Wooden buildings may require modifications to support the increased weight. Specifications for new construction call for either poured-in-place concrete, pre-cast concrete, or dense masonry block. Solid cinder block should be used in place of hollow-core block. Specifications for modifying existing buildings call for adding additional materials to prevent bullet escape, which can be done with wood and steel laminated shields. Laminated shields can be constructed onsite by placing sheet-steel or steel plates between two sheets of ¾-inch plywood. While

this method is more expensive than the extended booth design, it allows for an open firing line and better visibility for the range officer. Walls should be treated beginning 3 feet to the rear of, and extending forward of, the firing line until all vulnerable surfaces are protected. Acoustical material should be applied to the surfaces to aid in sound control.

- (a) Floors. The range floor should be constructed by using a single pour and a fine, uniform-aggregate mix of concrete. Reinforcement should be No. 4 steel rods placed 12 inches on center along with 6- by 6-inch 8/8-gauge welded wire fabric. This may vary according to soil conditions. Very large floor areas may require two or more pours with expansion joints between each slab.
 - 1 The floor should be designed to slope down toward the target line, beginning at the firing line, 1/4-inch per foot.
 - 2 The floor should be no less than 4 inches thick.
 - 3 Floor size is governed by design. Larger size will result in higher costs for ventilation, lighting, heating, and overall building design. The decisions should be based on expected number of users versus overall cost.
- (b) Floor Guards. Floor guards are provided to protect leading edges or protrusions; e.g., drains, traps or other protrusions from the floor area. Floor guards are designed to redirect errant bullets into the backstop area, which minimizes range damage.
 - 1 Floor guards are constructed from 10-gauge steel and may be covered with wood.
 - 2 Floor guards are installed horizontally along the floor surface parallel to the firing line.
 - 3 Floor guards typically slope away from the firing line at a 25° angle to the horizontal.
 - 4 Floor guards should extend only as high as necessary to protect exposed surfaces.
- (c) Floor Drains. Floor drains should be constructed of cast iron soil pipe. The drain pipe should be attached to a lateral drain located 1 foot forward of the backstop floor guard. The drain pipe must lead to a filtration system approved by the cognizant environmental, safety, and health organization on the site.

- (d) Walls. Poured concrete or masonry is preferred for wall construction, but wood may be used. Wall thickness must conform to acceptable engineering standards and comply with Federal, State, county and local zoning codes. Usually, no less than 3-inch thick, reinforced walls should be constructed to prevent the exit of any projectiles.

NOTE: This specification usually requires the use of steel or similar material where wooden walls are used. The size depends on building design, geological conditions, and climate. Size includes the height, thickness, and length of the running wall.

- (e) Ceiling. Ceiling material should reduce sound, protect lighting devices, reflect light and be impenetrable. Typically, ceilings include 10-gauge steel baffles, 2- by 4-foot white acoustic panels, and clear-light panels.

- 1 The ceiling should be a minimum of 8 feet above the floor level and have an acoustically treated, smooth surface to allow for positive air movement downrange.
- 2 Baffles to protect adjoining areas should be above a false ceiling or designed into the roof/ceiling structure.

- (6) Shooting Booths. Commercial or locally built shooting booths may be desirable on pistol ranges; however, they are not recommended for rifle ranges. Shooting booth panels can provide an impenetrable barrier between shooters, reduce sound levels, restrict the travel of brass, and act as a spray shield when revolvers are used.

- (a) Shooting booths should be omitted for ranges that use only rifles.
- (b) A shooting booth should never extend more than 18 inches behind the firing line because greater extension may obstruct the range control officer's visibility.
- (c) Bullets fired from any firearm used on the range must not be able to penetrate booth panels. The booth panel must be able to withstand the impact of a bullet fired at any angle to the surface and at point-blank range.
- (d) Design criteria for the construction of booth panels are as follows:
 - 1 Cover the 10-gauge steel plate with a nominal 2 inches of soft wood. In a series of tests using 10-gauge steel plate, firing all lead bullets at right angles, the plate covered with a nominal 2 inches of soft wood withstood direct hits from

- all standard pistol calibers up to, and including, .44 caliber magnum;
- 2 Use special acoustical materials to ensure that panels reduce muzzle blast effects on all shooters and range personnel;
 - 3 Ensure that panels do not restrict airflow;
 - 4 Ensure that panels do not restrict the range officer's visibility of the firing line; and
 - 5 Construct panels so they extend from the floor to a minimum height of 6 feet. Panels should be ceiling height.
- (7) Target Carriers and Turning Mechanisms. An indoor range can be operated more efficiently and safely by installing a target transport system. This system may be a simple, hand-made device or a completely automatic, electrically powered system. Either one will enhance safety by eliminating the need to walk downrange to replace targets. Target carrier systems speed up range operations. A turning target mechanism is available that faces the target parallel to the line of sight and then turns the target 90° to the line of sight to begin the stated time period. The target carriers should position the targets in the approximate center of the backstop.
- (8) Control Booth. Range control booths must allow for maximum visibility and provide for easy access into and out of the range and ready area. The control booth should provide seclusion from and immediate access to the range environment. This design protects the range officer from frequent exposure to high sound levels and lead emissions.
- (9) Communications. A communications system capable of relaying range commands distinct and separate from the sounds generated by shooting activities is required. Communications systems must account for shooters who wear two pairs of hearing protectors and persons who have substantial hearing loss.
- (10) Ventilation and Filtering Systems. This section deals with the design or redesign of ventilation systems for indoor firing ranges. Administrative or engineering controls must be instituted to prevent shooters from being exposed to airborne lead levels exceeding acceptable limits. Administrative controls are used either when engineering controls fail to reduce exposure or when range use exceeds HVAC system specifications. Administrative controls are especially applicable to reducing risks on existing ranges.

- (a) Administrative controls used to reduce exposure levels on an indoor range must be rigidly followed and enforced, and compliance must be recorded in a log book for purposes of analysis and reference.
 - (b) The following administrative controls are provided and must be used where individuals are frequently exposed to airborne lead.
 - 1 Provide range maintenance personnel with appropriate PPE; e.g., safety glasses and respirators.
 - 2 Provide proper HEPA filter cleaning equipment. The equipment must be able to remove accumulated lead dust from floors, walls, and ledges and must include attachments capable of removing lead-laden sand from the backstop area.
 - (c) A ventilation system must be installed that will provide clean air in the user's breathing zone to reduce exposure to potentially dangerous materials to safe levels.
 - (d) Adopt administrative controls that monitor and control exposure time for a given user and/or assigned range personnel.
- (11) Lighting.
- (a) A visually safe facility should be free of excessive glare and major differences in light levels. Therefore, floors and ceilings should be designed to provide light reflection. In the event of a power outage, battery-powered emergency lighting must be provided for emergency exits.
 - (b) Rheostat-controlled lighting fixtures, which can reproduce near-daylight and low-light conditions, are best suited for indoor ranges. Range lighting involves three systems: general lighting, local lighting, and semi-direct lighting.
 - 1 General lighting provides uniform light levels over the entire range area and adjoining areas and is usually installed in a symmetrical arrangement to blend with the architecture.
 - 2 Local lighting supplements general lighting along the firing line to provide better visibility for those tasks associated with the loading and firing of firearms.
 - 3 Semi-direct lighting distribution directs 60 to 90 percent of the lighting on the target with a small upward component to

reflect from the ceiling and walls to soften shadows and generally improve range brightness. When ceilings are white, lighting fixtures mounted too close together create excessive glare.

- (c) Lamp specifications for general lighting must be adjustable to provide 0.2 to 50 foot-candles of luminance measured at a point 7 yards from the target line. Local lighting should produce 0.2 to 60 foot-candles of luminance on the firing line. Semi-direct lighting on the targets should achieve 0.2 to 100 foot-candles of luminance. Glare should be reduced or eliminated by incorporating pastel colors in the interior design.
 - (d) Lighting designs should also seek to balance the color of light emissions. For example, most fluorescent fixtures produce high levels of blue, which alone are not suitable for indoor ranges. If fluorescent fixtures are used, green tubes or other light sources should be installed to balance the colors.
- (12) Plumbing. Plumbing requirements specify that there must be a fresh water supply for personal hygiene and for range cleaning chores. There also must be a waste removal system for normal waste material and material removed from the range. An approved filtration system must be provided for range cleaning waste. Floor drains should be connected to this alternate waste system. Restrooms, showers, and sinks should be connected to a regular sewer system.
- (13) Sound Control. Sound control on indoor ranges includes two distinct components: airborne and structure-borne sound. For airborne sound, all leaks into outer areas should be sealed, which includes airtight insulation around doors, windows, HVAC ducts, walls, and ceilings. Structure-borne sound reduction is necessary to protect adjoining, occupied rooms. Acoustical material should be applied to walls, HVAC ducts, floor, and ceiling areas.
- (14) Range Control. Range control provides rules and supervision that encourage safe and proper use of a range. Safety devices control the physical use of an indoor range and may include warning lights, alarm bells, switch locations, etc. For example, an indoor range with a door in the downrange area should be equipped with an alarm. The door could also be secured by a mortise lock or barred from within but must remain a fire exit. Fire codes generally prohibit bars on doors that would delay escape from a building. Emergency personnel must be able to access the doors. Any door that can be accessed from the outside must be marked with warning devices to indicate when the range is in use. When installing doors on indoor ranges, refer to Life Safety Code National Fire Protection Association (NFPA) 101.

- (15) Target Carriers. Target carriers are used for the convenience of shooters to allow them to continue shooting without delay when target changes are necessary. For health considerations, target carriers keep shooters out of the high lead concentration areas and safely behind the firing line.
- (16) Heaters. Protected heating units should be installed behind and above the firing position to provide a comfort zone for shooters.
- (17) Gun Racks. Gun racks should be mounted behind the firing positions as an additional safety feature to reduce gun handling and to keep the range areas orderly. Appropriate material should be used to construct the gun racks, and the design must correspond to the weapons being used.

6. LIVE FIRE SHOOT HOUSE.

a. Introduction.

- (1) A live fire shoot house (LFSH) is intended for use in advanced tactical training for Security Police Officers. Use of this facility includes individual tactics or Special Response Team force option training. All LFSHs must have an elevated observation control platform (EOCP). The following sections illustrate recognized construction methods for LFSHs. However, they do not eliminate the requirement for sound professional engineering design and validation.
- (2) Administrative controls not directly related to design and construction must be in place during facility use. The administrative controls and engineering design allow for a reduction in physical barriers that prevent rounds from escaping the facility. Designed barriers must prevent a round fired with a vertical upward error of 15° from escaping the facility.

b. Site Selection.

- (1) Site selection for an LFSH is similar to that for any range facility. Terrain features, noise, and availability of utilities and access roads must be considered, as already discussed in previous sections for indoor and outdoor ranges. The LFSH should be placed adjacent to other range facilities whenever possible so that it may utilize the same support facilities, access roads, etc.
- (2) Facility design, target and shooter placement, and other administrative controls minimize the possibility of rounds being fired over the top of the walls and leaving the structure and mitigate the need for an SDZ outside the confines of the LFSH proper.

c. Design and Layout.

- (1) The interior layout of the facility is based on the mission and training requirements of the site. Facility design should incorporate a wide variety of room configurations. Some of the room configurations that should be considered are: multiple floors, an L-shaped room, stairwells, rooms within a room, hallways, and closets.
- (2) The floor plan design should accommodate the movement of target systems, bullet traps, and other equipment into and out of the LFSH.
- (3) Exposure to airborne contaminants for a fully enclosed LFSH must be controlled by adequate ventilation. The lighting requirements are similar to those for indoor ranges.

d. Wall Construction.

- (1) Wall Height. Exterior walls of the LFSH must be designed to absorb the most energetic projectile identified for use within the facility. Wall height must be a minimum of 8 feet. The wall height should allow a maximum error angle of 15° from horizontal standing shooting distance from the target and still enable a projectile to be contained by the wall, which can be described by the following equation: Wall Height is equal to the muzzle height plus 0.27 (tangent 15°) times the target distance. The following table assumes a muzzle height of 5 feet.

<u>Distance from Muzzle to Ballistic Wall (Feet)</u>	<u>Wall Height (Feet)</u>
11' 1"	8' 0"
13' 3"	8' 6"
14' 10"	9' 0"
17' 0"	9' 6"
18' 6"	10' 0"
20' 9"	10' 6"
22' 2"	11' 0"
24' 5"	11' 6"
25' 11"	12' 0"

If the distance from muzzle to ballistic wall exceeds the required wall height, other administrative, engineering or natural ballistic wall controls must be administered or considered such as shooter-to-instructor ratio, canopies, baffles, natural terrain, existing SDZ, standard operating procedures, and training.

- (2) Ballistic Walls. Ballistic interior walls are the preferred method of construction. Where non-ballistic interior walls are used, additional administrative controls must be applied to target placement and team

choreography. Ballistic walls are required in all cases where containment of the round and protection of personnel is paramount.

- (a) Footings. Footings must be designed using the engineering criteria that best ensures structural integrity and stability of wall construction.
- (b) Composite Walls.
 - 1 A combination of $\frac{3}{4}$ -inch exterior grade plywood and steel is effective. Minimum thickness will be $\frac{1}{4}$ -inch mild steel with an exterior-grade plywood separated by a minimum of $\frac{3}{4}$ inch with a maximum of $1\frac{1}{2}$ inches from the steel surface.
 - 2 Other combinations are possible. The main criterion is that the wall must stop any round fired and contain bullet fragments.
- (3) Non-Ballistic Walls. These walls are constructed of materials that offer no protection to personnel or equipment in adjoining rooms. Material used for these walls must not contribute to or enhance ricochet or splatter. Additional administrative controls must be applied such as target placement and team choreography.
- e. Doors. All doors must be constructed of wood with no glass. Additionally, at least a portion of the rooms must have working doors, some opening inward, some opening outward, and doors opening left and right.

NOTE: All devices in the LFSH, such as brackets and hangers, used to secure walls to floors or secure doors must be covered or protected to mitigate any tripping or ricochet hazards.
- f. Ceiling or Roofs. Ceilings or roofs can be of value when the shoot house is required for year-round use in areas with severe weather conditions. Exposure to airborne contaminants must be controlled by adequate ventilation. The lighting requirements for fully enclosed shoot houses are similar to those for indoor ranges. When training exercises require target placement above the wall design, the ceiling or roof must be protected unless firing into an approved SDZ.
- g. Floors.
 - (1) Floor construction must be selected for its ability to absorb direct fire, minimize ricochets, and provide a walking surface free of slipping/tripping hazards. Floors should provide the same ricochet protection as walls. Options include:

- (a) exterior-grade plywood floor constructed in accordance with American Plywood Association guidelines over smooth finished concrete;
 - (b) concrete with brushed surface that minimizes slip and tripping hazards;
 - (c) asphalt;
 - (d) exterior-grade plywood;
 - (e) shredded bias-ply tires; and
 - (f) earth, free of rocks and debris that could cause ricochet.
- (2) Construction joints between walls and floors must be designed to contain projectiles within the LFSH.

h. Bullet Traps.

(1) General Information.

- (a) Targets used in LFSHs must be placed so that fire is directed into a bullet trap designed to capture the rounds.
 - (b) Bullet traps must be constructed to contain the most energetic projectile to be fired into them without dimpling/pitting the steel and contain splatter and fragments in all directions. The size and shape of a bullet trap may be altered, but materials may not be substituted.
- (2) Specifications for construction. See "Use of Bullet Traps and Steel Targets" for Shoot House bullet trap information.

i. Elevated Observation Control Platform (EOCP).

- (1) EOCPs enhance the ability to observe and control LFSH operations. Administrative controls must be considered when constructing the EOCP. Platform construction and location is based on the training to be conducted. EOCPs must be constructed in accordance with all applicable regulations for elevated work platforms.
- (2) EOCPs must be constructed to:
 - (a) maximize instructors' observation and control of the entry team fire and movement;

- (b) facilitate communication between instructors on the EOCP and the floor;
- (c) position the lowest point of the horizontal walking surface higher than the 15° vertical error for any target engaged;
- (d) provide ready access;
- (e) integrate instructors' movement with team flow;
- (f) maximize instructors' ability to see shooters clearly at all times;
and
- (g) have supporting structures placed so that they pose no additional hazards such as tripping, ricochet, splatter, etc.

ATTACHMENT 1 -- RANGE DESIGN FIGURES

- Figure 1. Surface Danger Zone for Small Arms Firing at Fixed Ground Targets
- Figure 2. SDZ for Small Arms Weapons Firing at Moving Ground Targets
- Figure 3. SDZ for Small Arms Firing at Fixed Ground Targets with Rocky Soil or Targets Causing Ricochet
- Figure 4. SDZ for Firing M79, M203, and M19 40mm Grenade Launchers
- Figure 5. SDZ with Impact Berm for Small Arms Firing at Fixed Ground Targets
- Figure 6. Open Range with Impact Berm and Side Protection SDZ for Small Arms Firing at Fixed Ground Targets
- Figure 7. SDZ for Partially Baffled Range (Small Arms Firing at Fixed Ground Targets)
- Figure 8. SDZ for Fully Baffled Range (Small Arms Firing at Fixed Ground Targets)
- Figure 9. Ballistic Overhead Canopy
- Figure 10. Outdoor Rifle Range Layout
- Figure 11. Pistol Range Layout
- Figure 12. Ballistic Material
- Figure 13. Ballistic Protection of Target Mechanism
- Figure 14. Impact Berm for Open and Partially Baffled Ranges
- Figure 15. Outdoor Baffled Bullet Stop
- Figure 16. Baffled Range Profile
- Figure 17. Baffled System Geometry
- Figure 18. Overhead Baffle Ballistic Designs
- Figure 19. Parallel Ranges

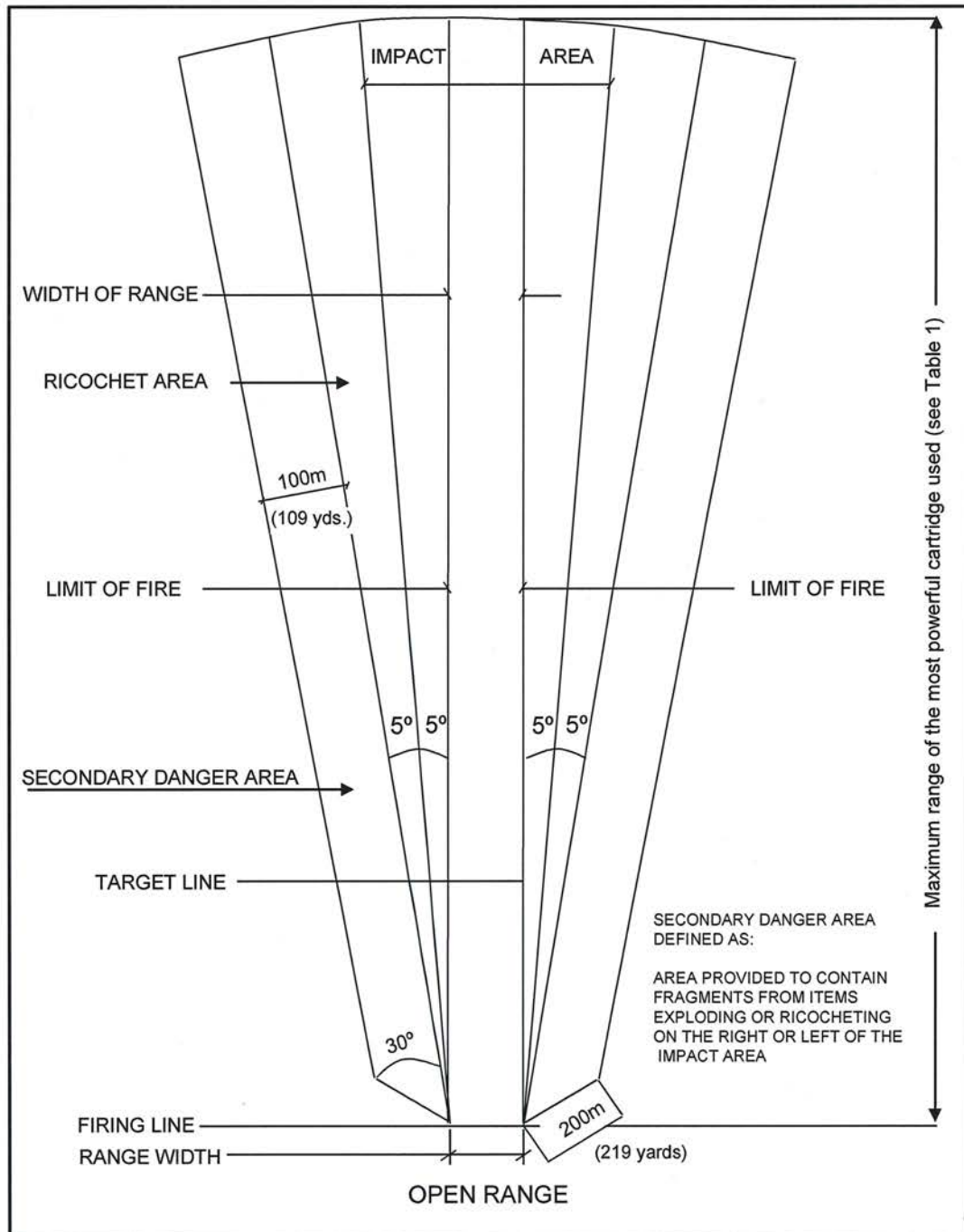


Figure 1
Surface Danger Zone for Small Arms
Firing at Fixed Ground Targets

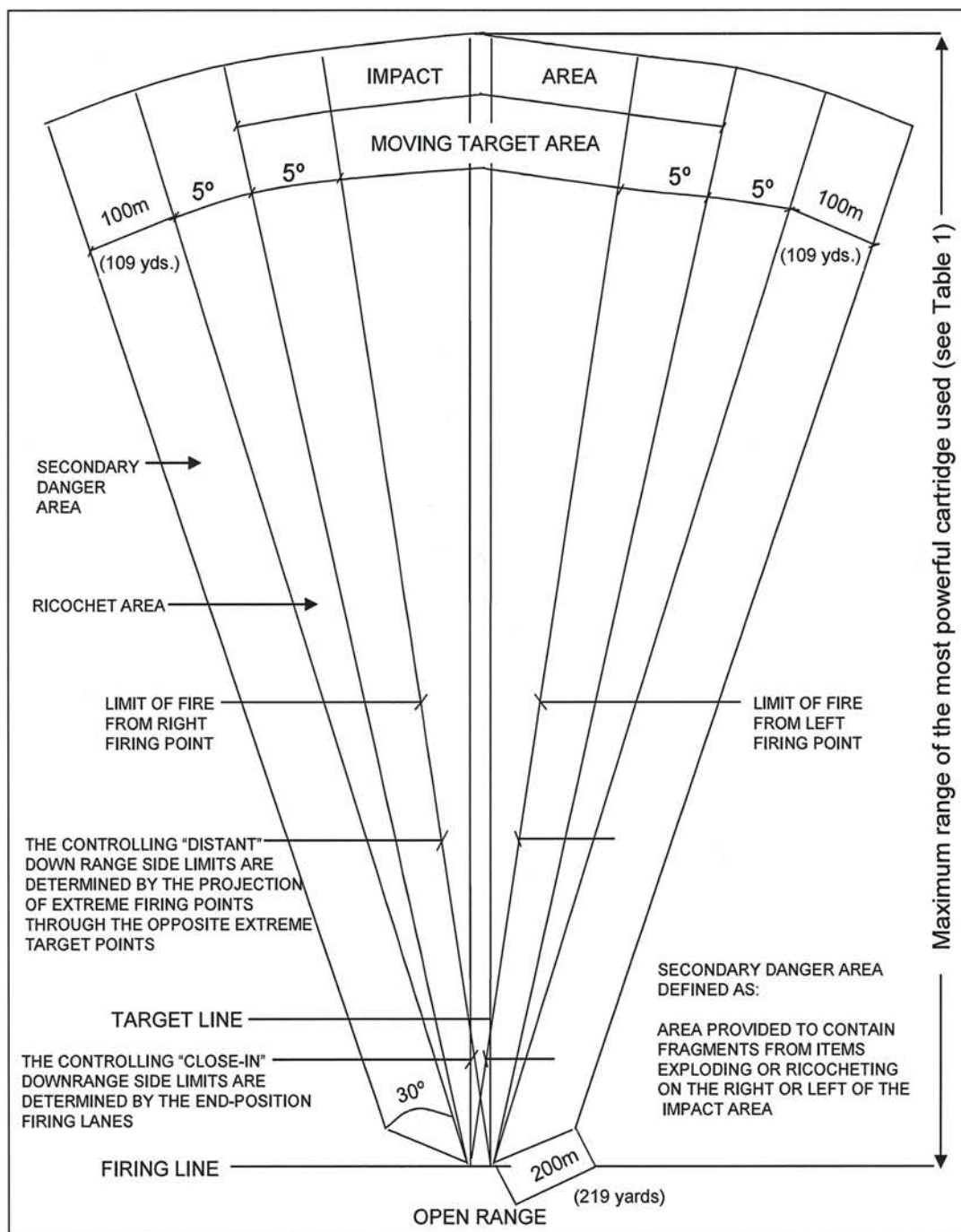


Figure 2
Surface Danger Zone for Small Arms Weapons
Firing at Moving Ground Targets

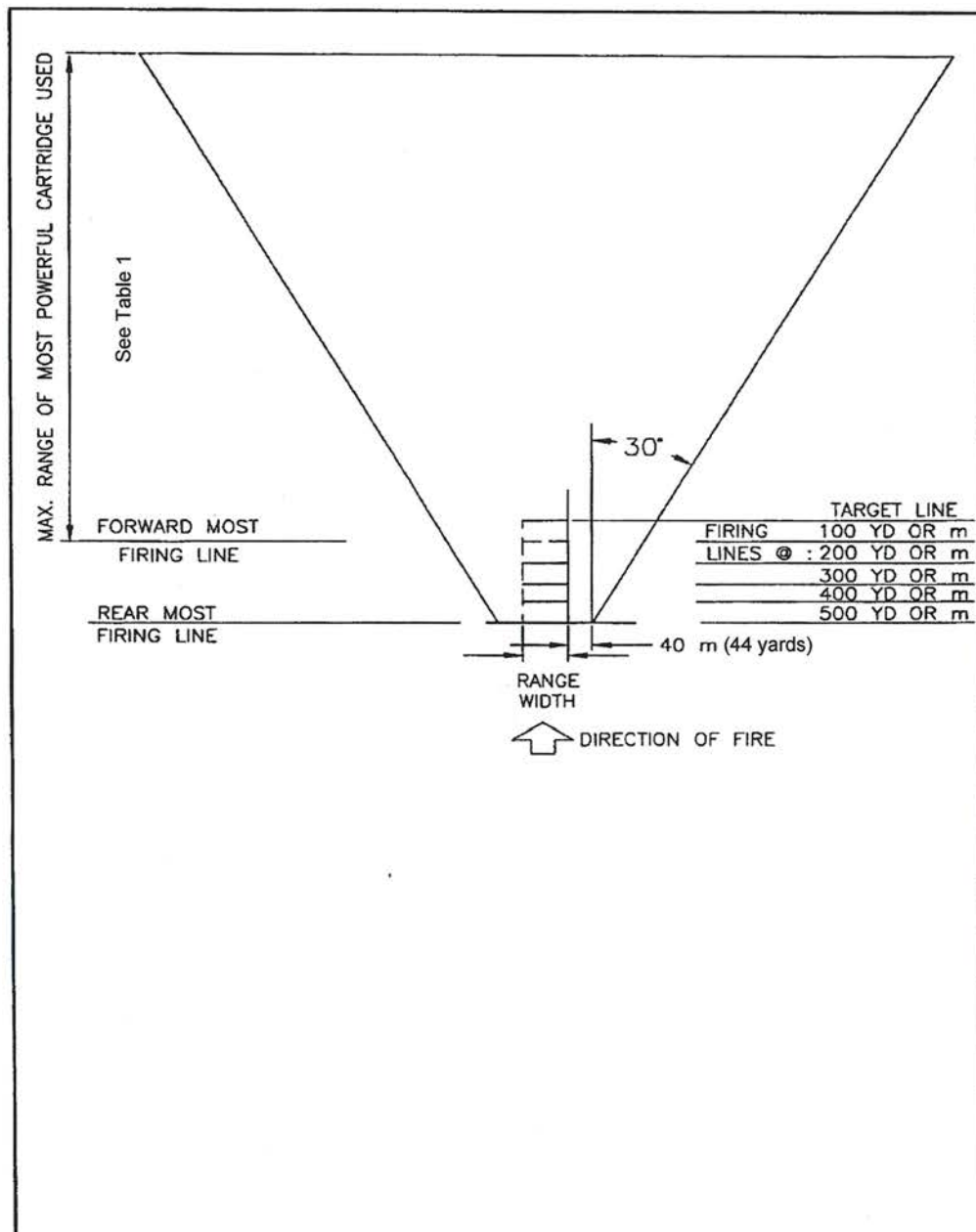


Figure 3
Surface Danger Zone for Small Arms Firing
At Fixed Ground Targets with Rocky Soil
Or Targets Causing Ricochet

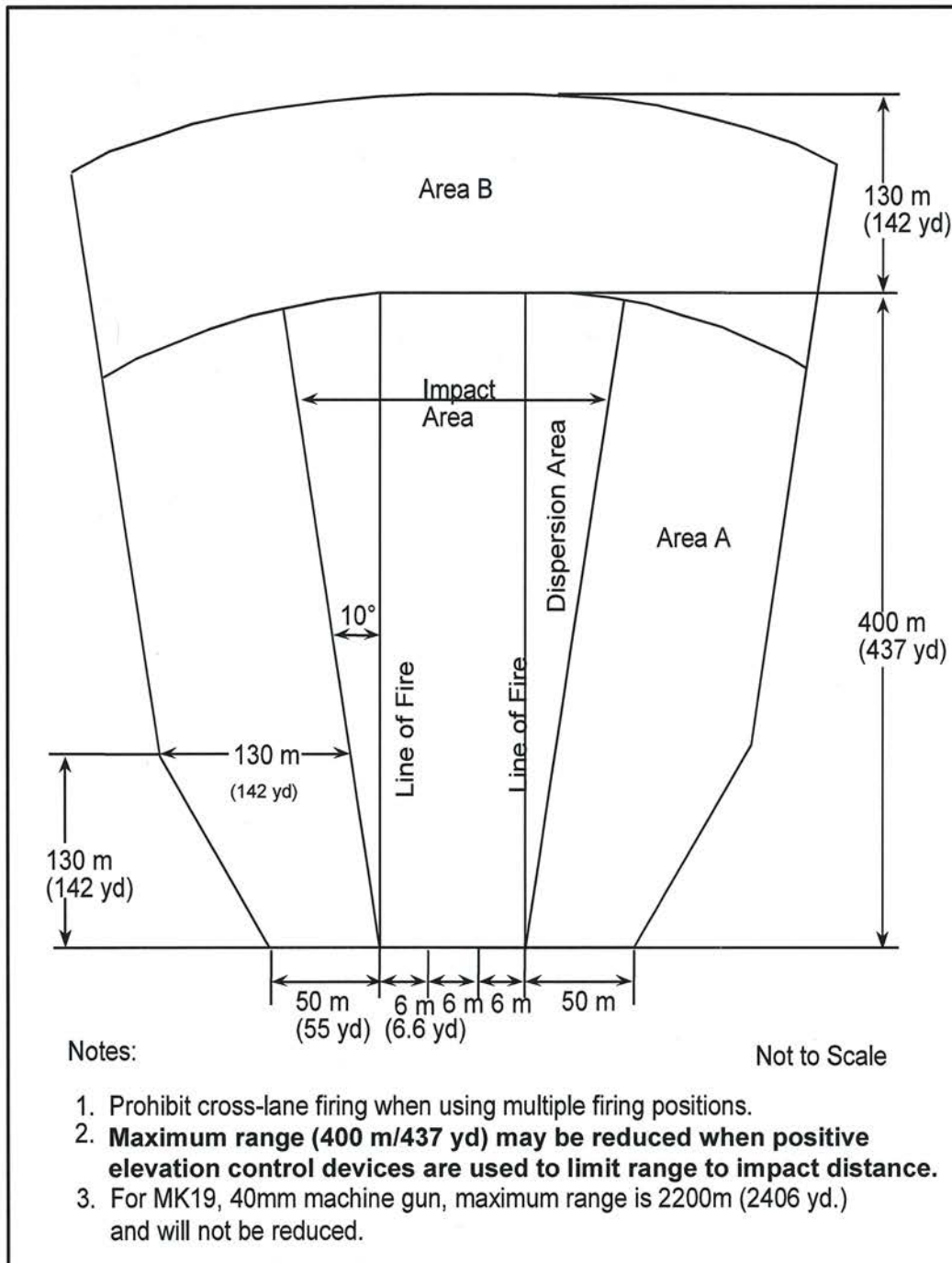


Figure 4
Surface Danger Zone for Firing
M79, M203, and M19 40mm Grenade Launchers

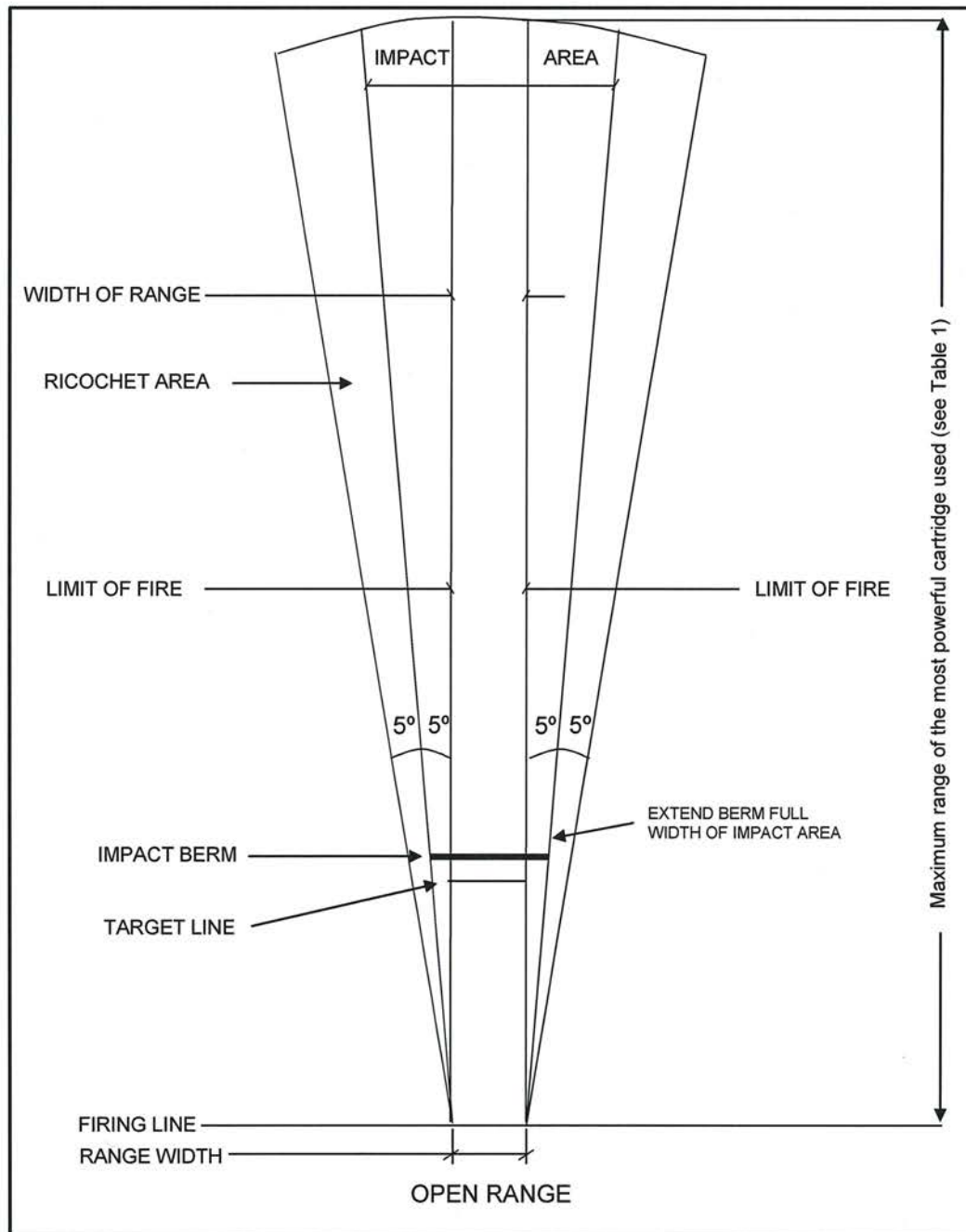


Figure 5
Surface Danger Zone with Impact Berm
for Small Arms Firing at Fixed Ground Targets

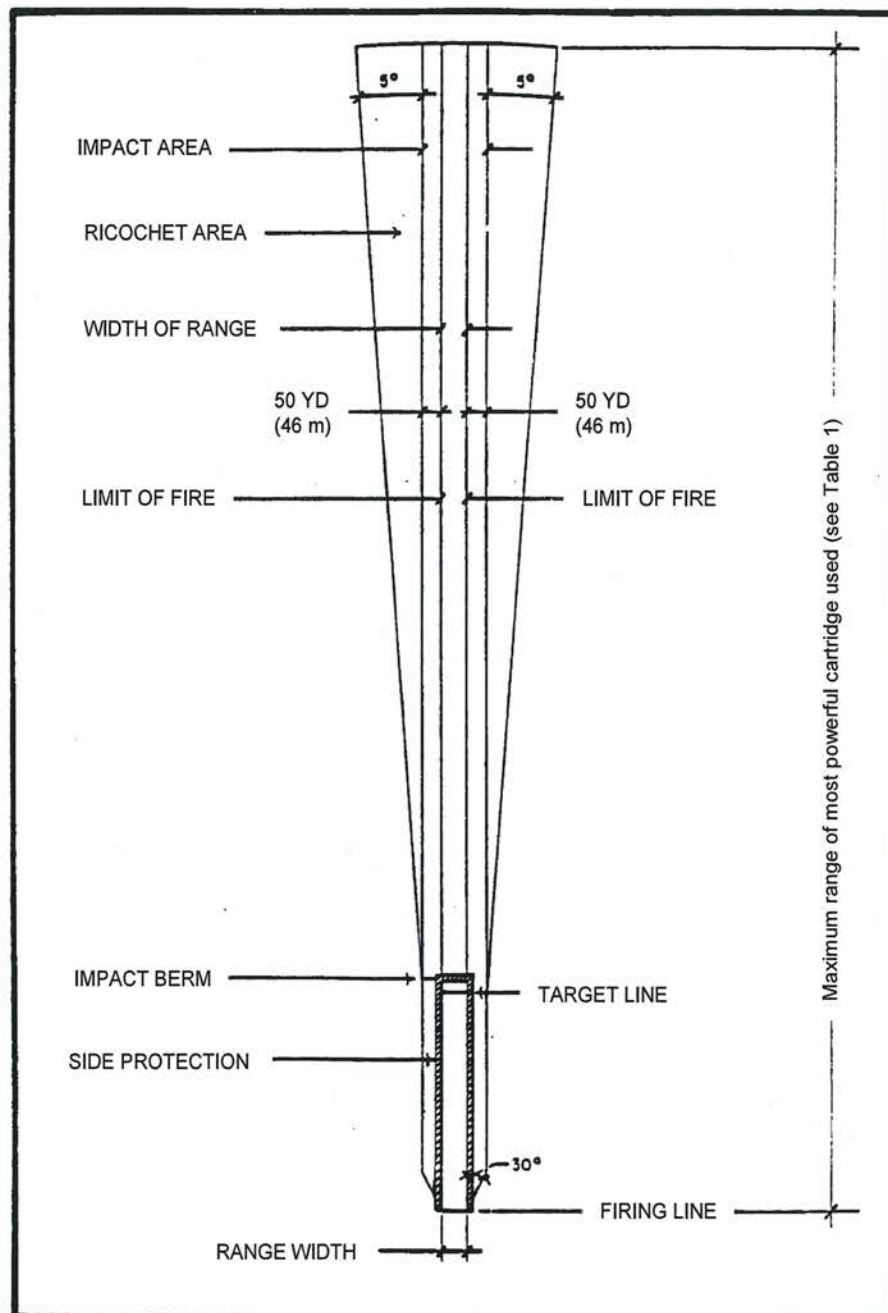


Figure 6

Open Range with Impact Berm and Side
Protection Surface Danger Zone for Small Arms
Firing at Fixed Ground Targets

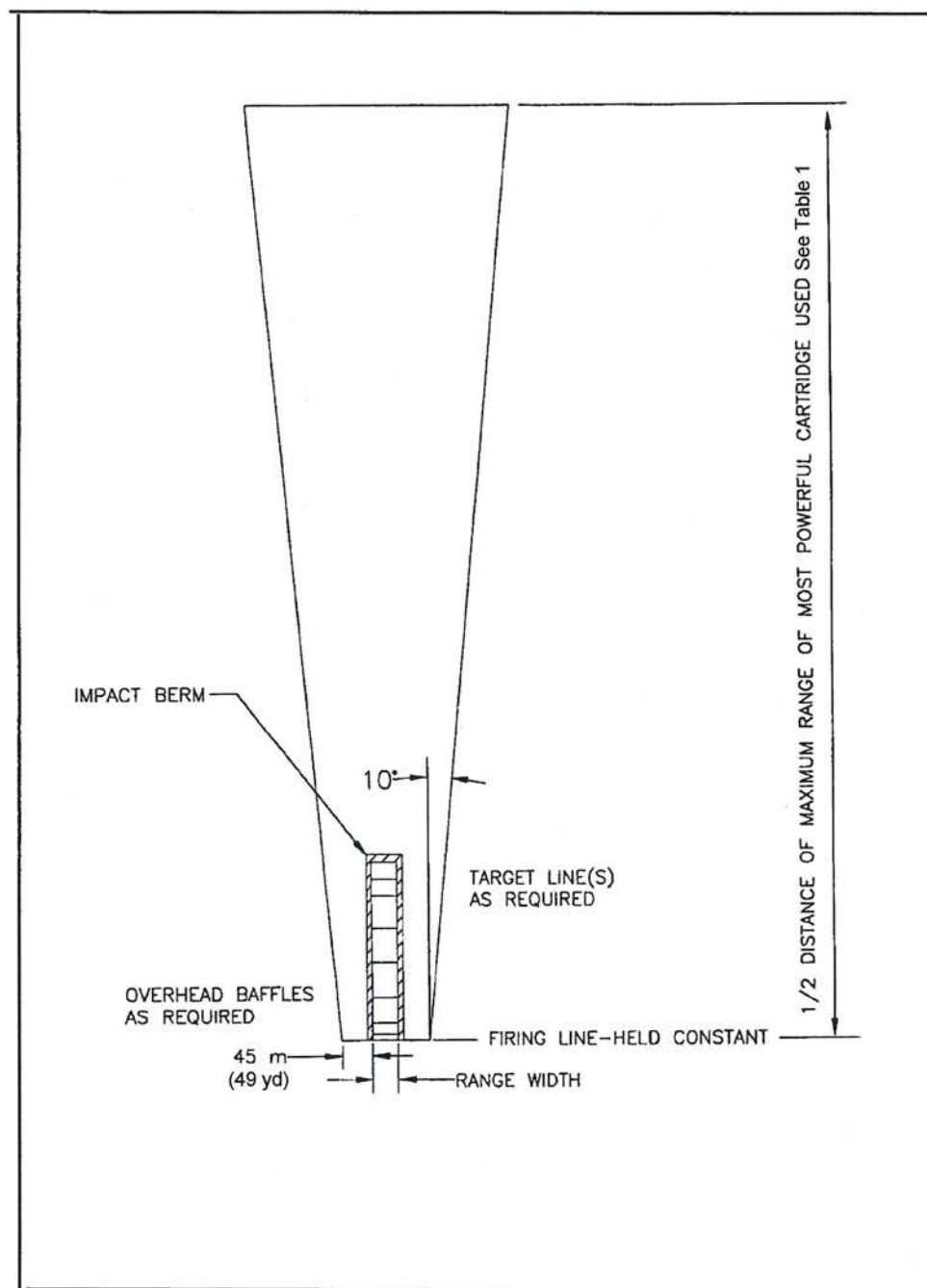


Figure 7
Surface Danger Zone for Partially Baffled Range
(Small Arms Firing at Fixed Ground Targets)

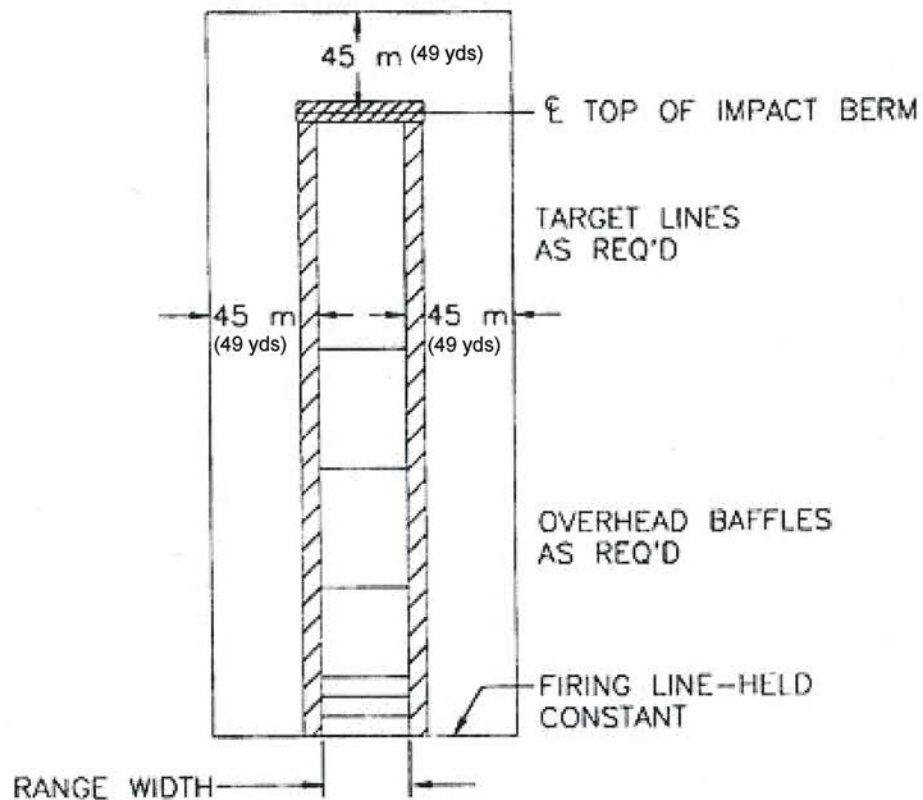


Figure 8
Surface Danger Zone for Fully Baffled Range
(Small Arms Firing at Fixed Ground Targets)

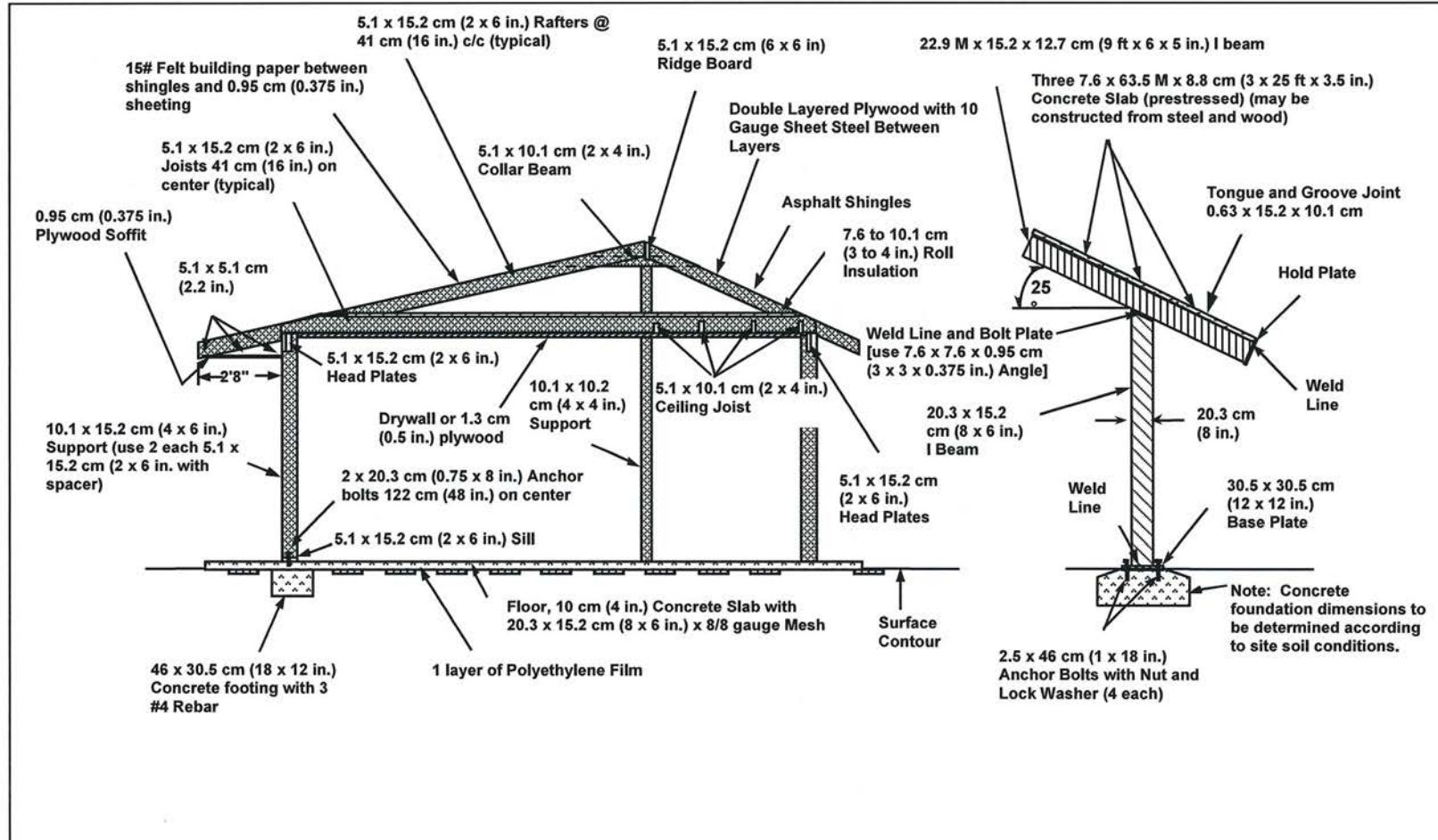


Figure 9
Ballistic Overhead Canopy

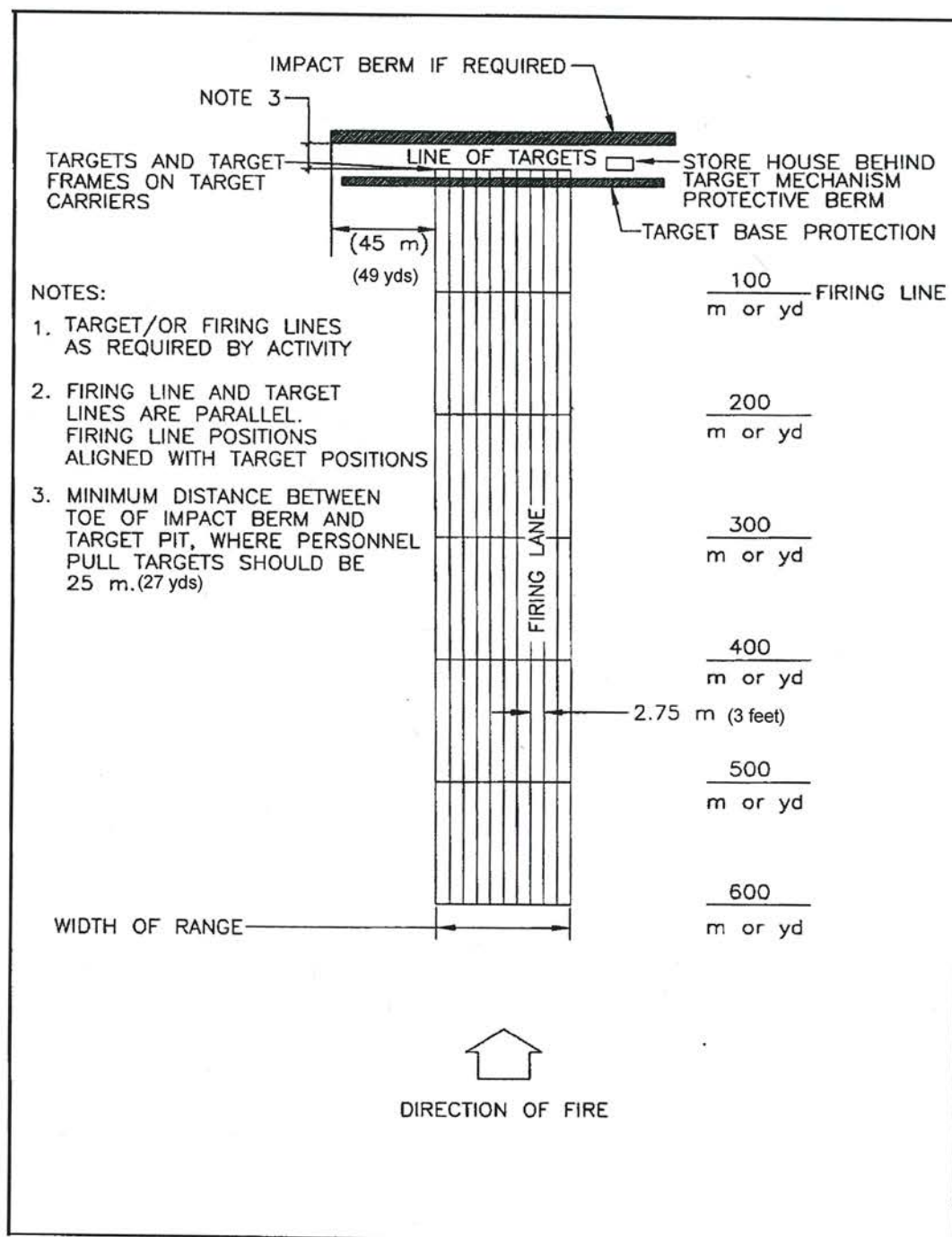


Figure 10
Outdoor Rifle Range Layout

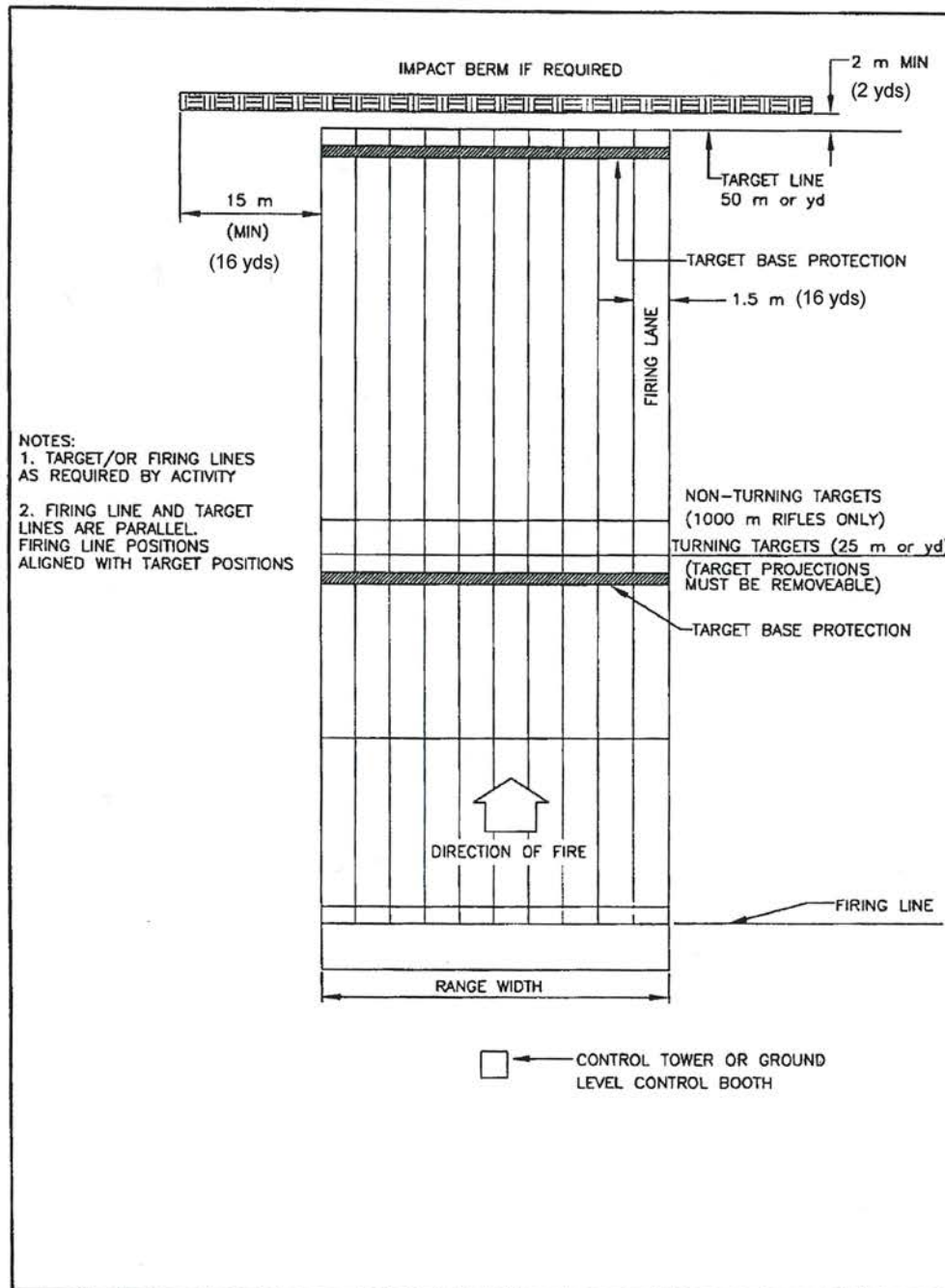


Figure 11
Pistol Range Layout

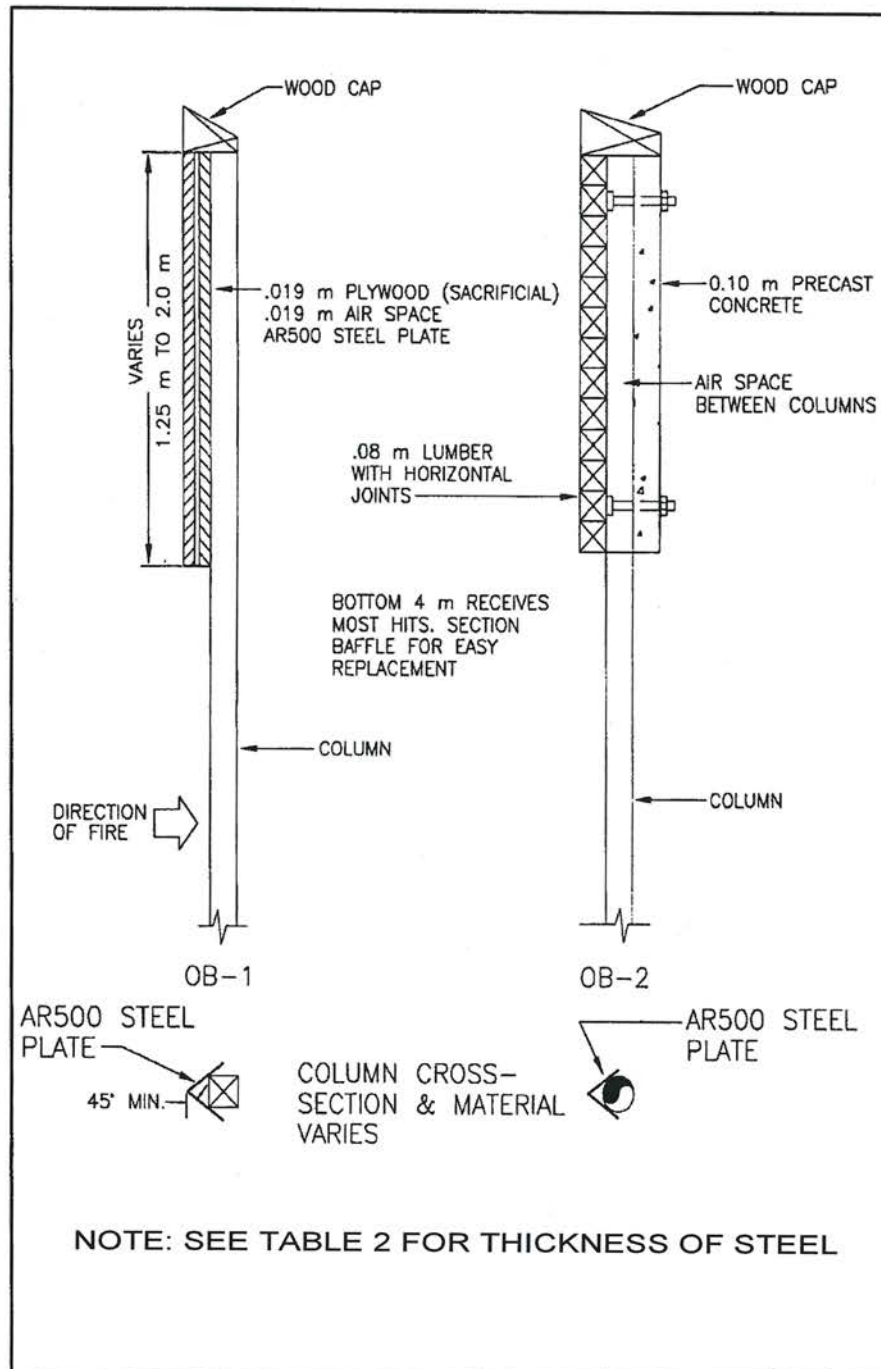


Figure 12
Ballistic Material

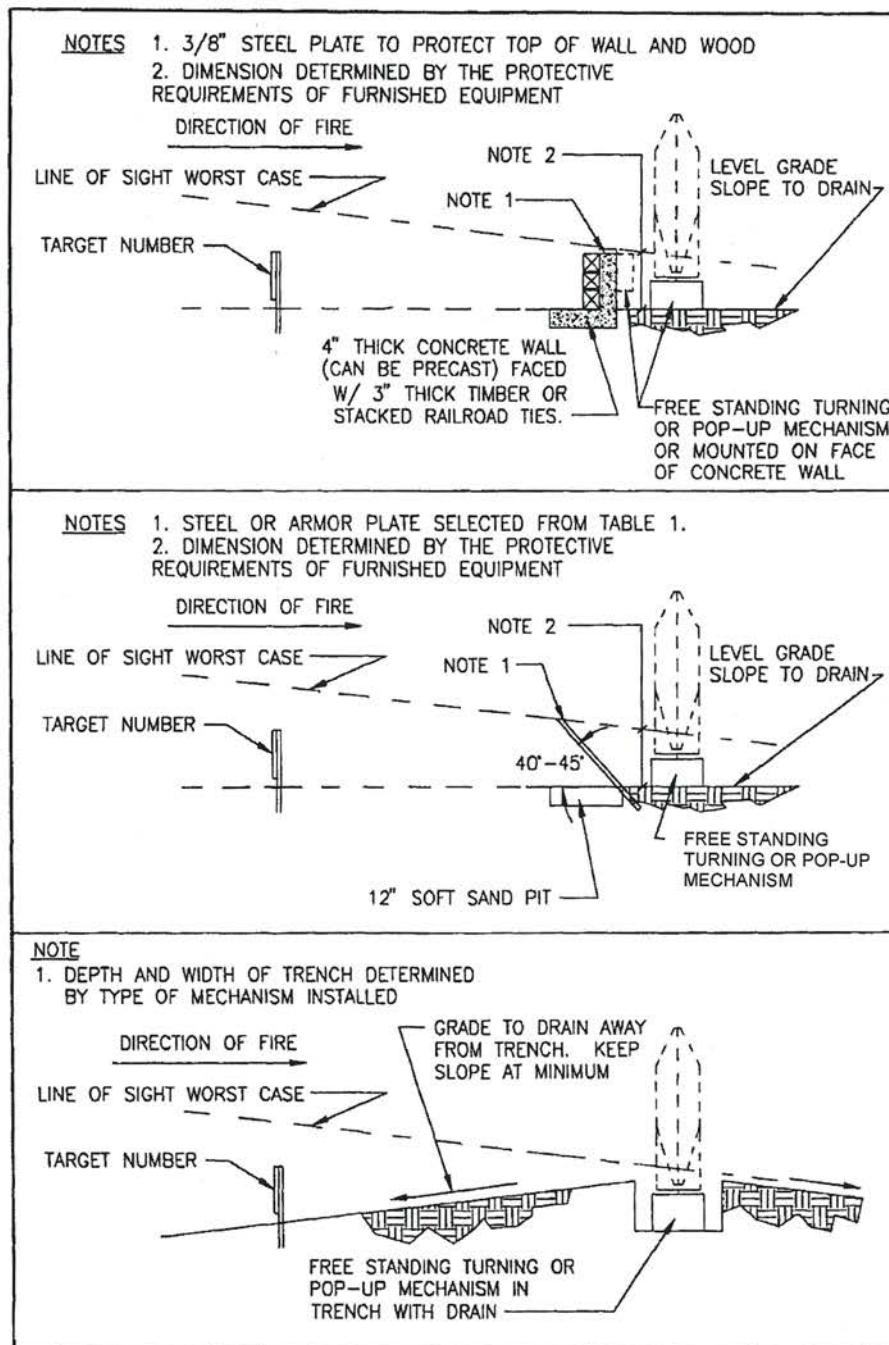


Figure 13
Ballistic Protection of Target Mechanism

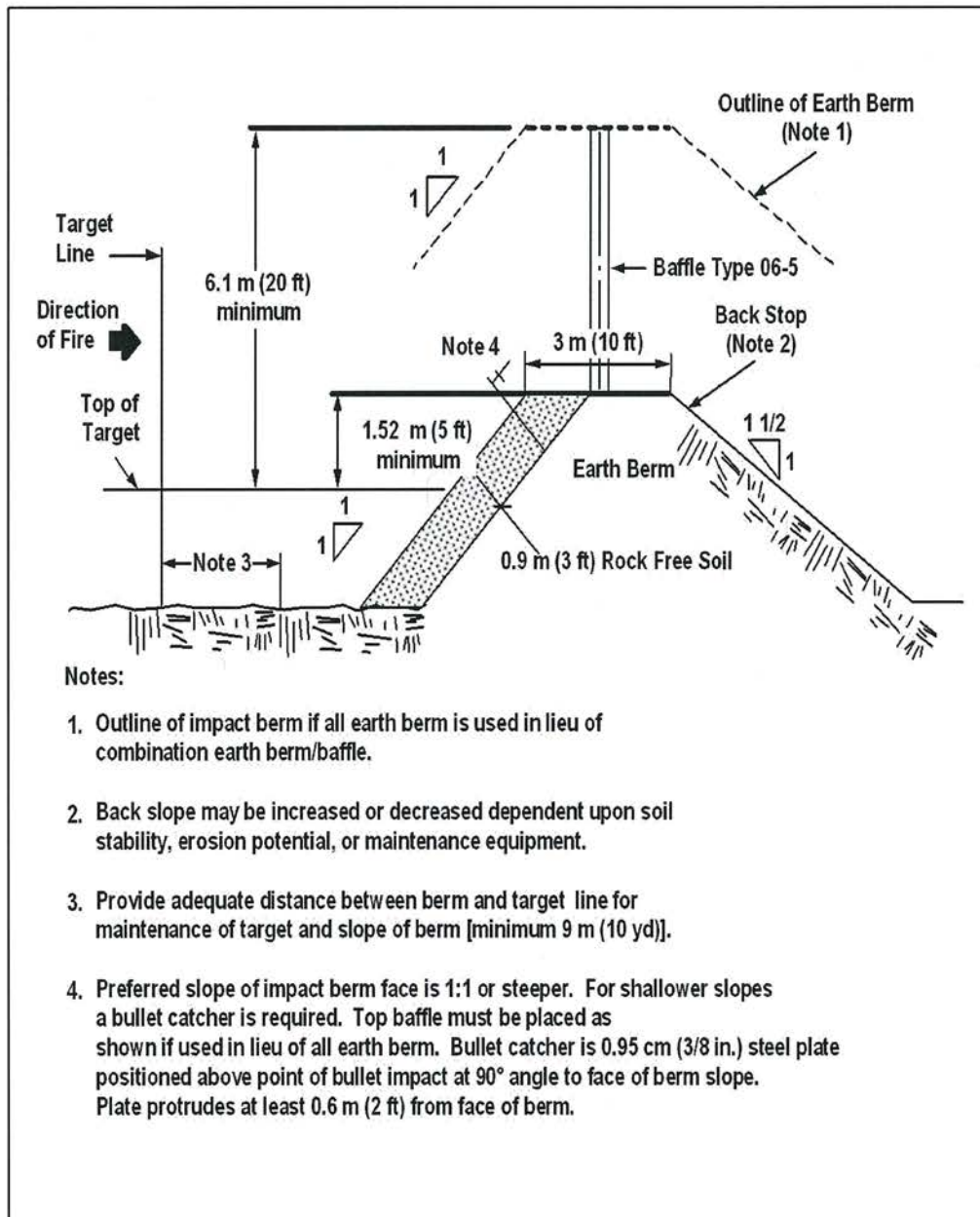


Figure 14
Impact Berm for Open and
Partially Baffled Ranges

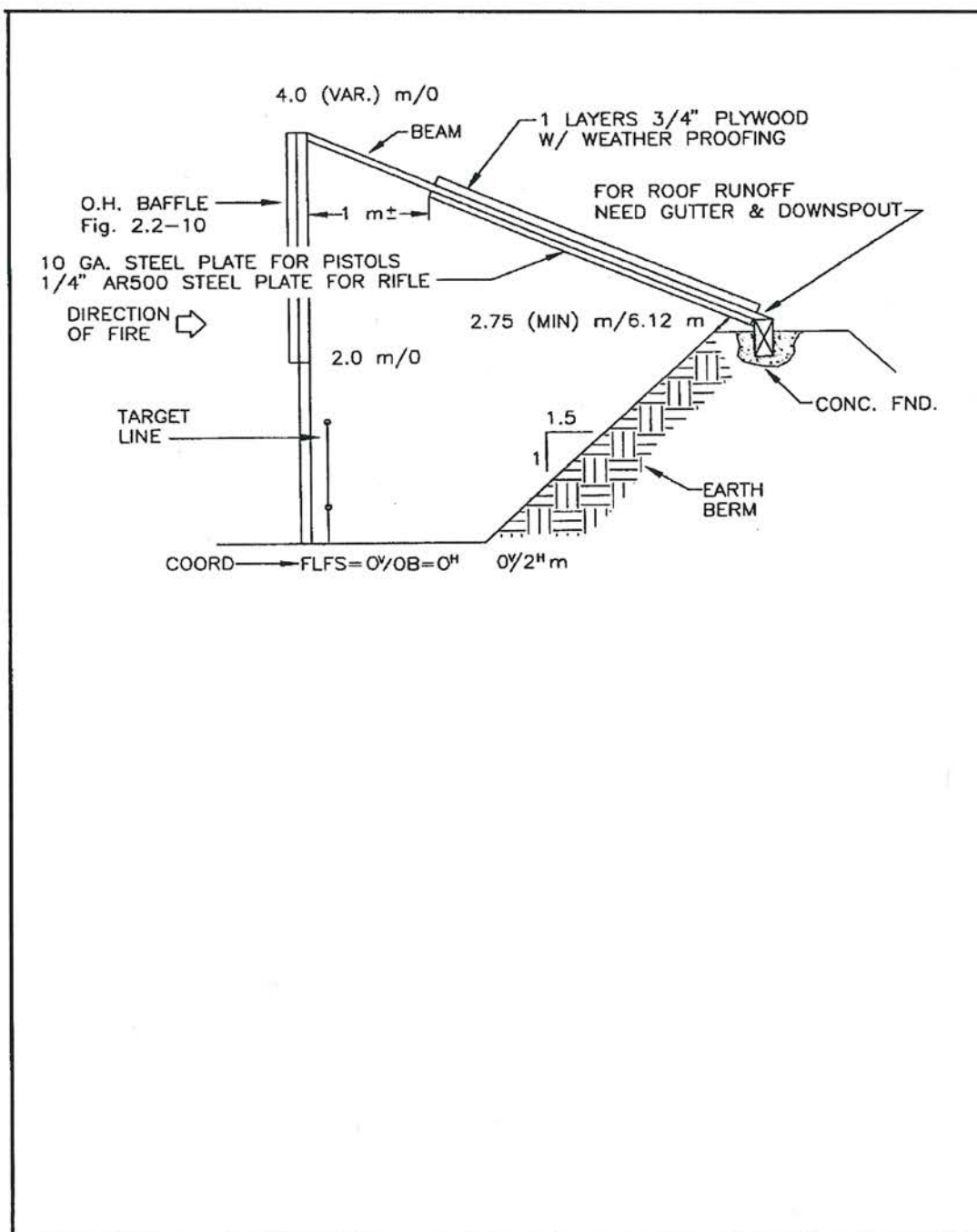
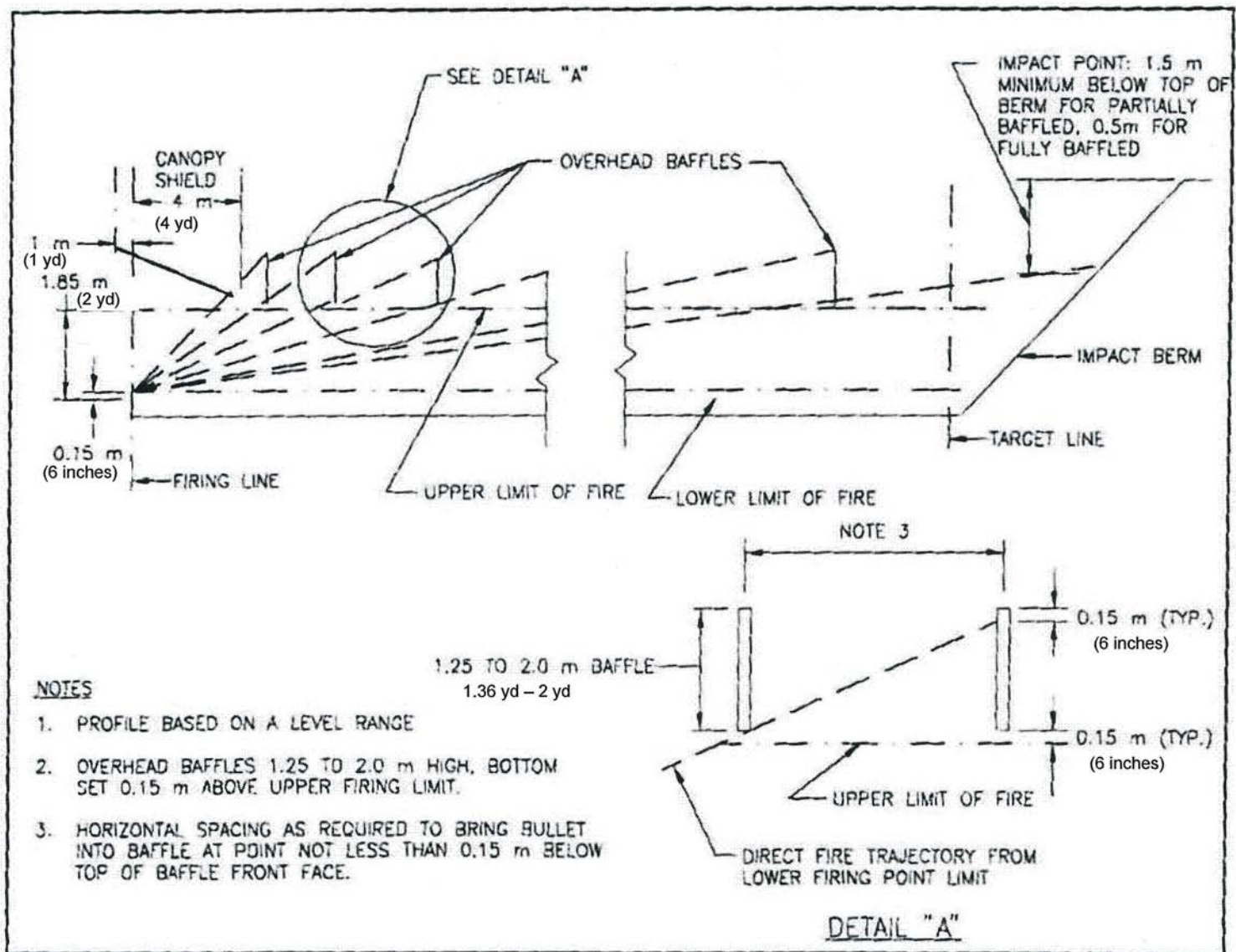


Figure 15
Outdoor Baffled Bullet Stop

Figure 16
Baffled Range Profile



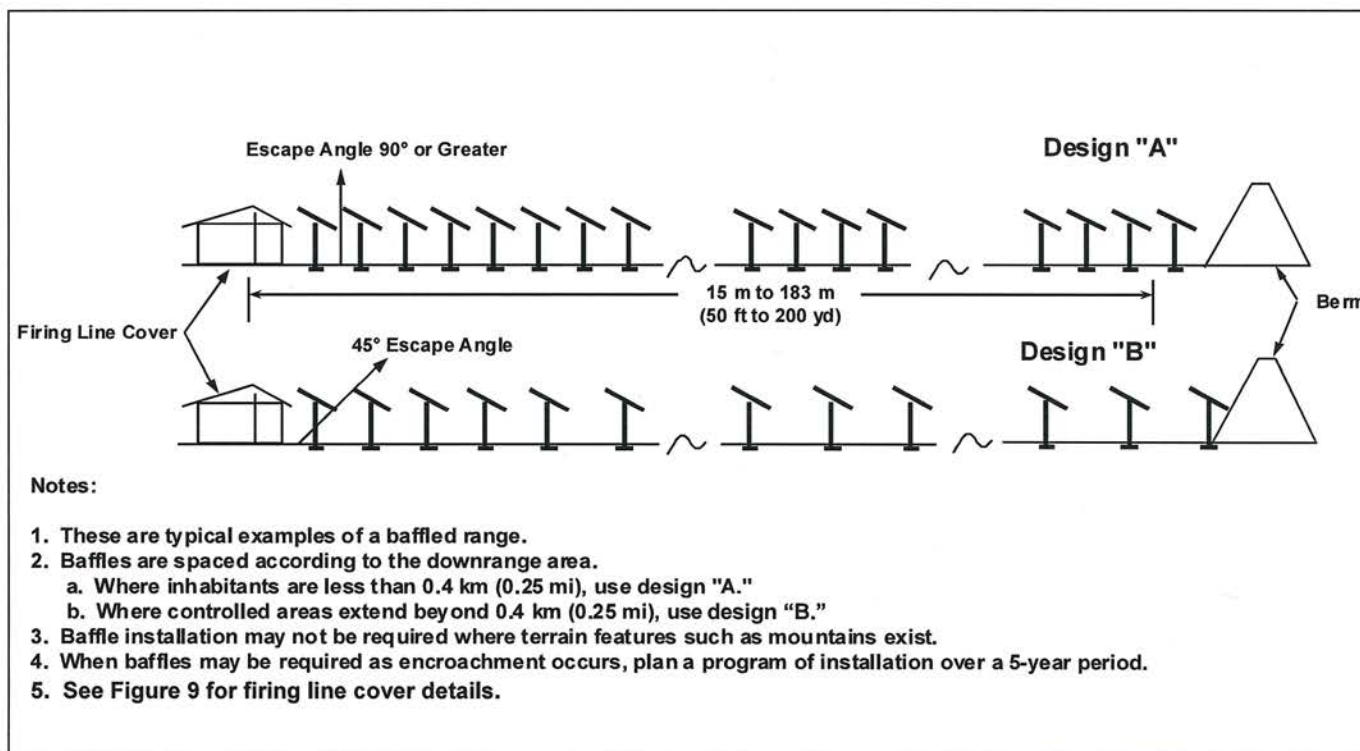


Figure 17
Baffle System Geometry

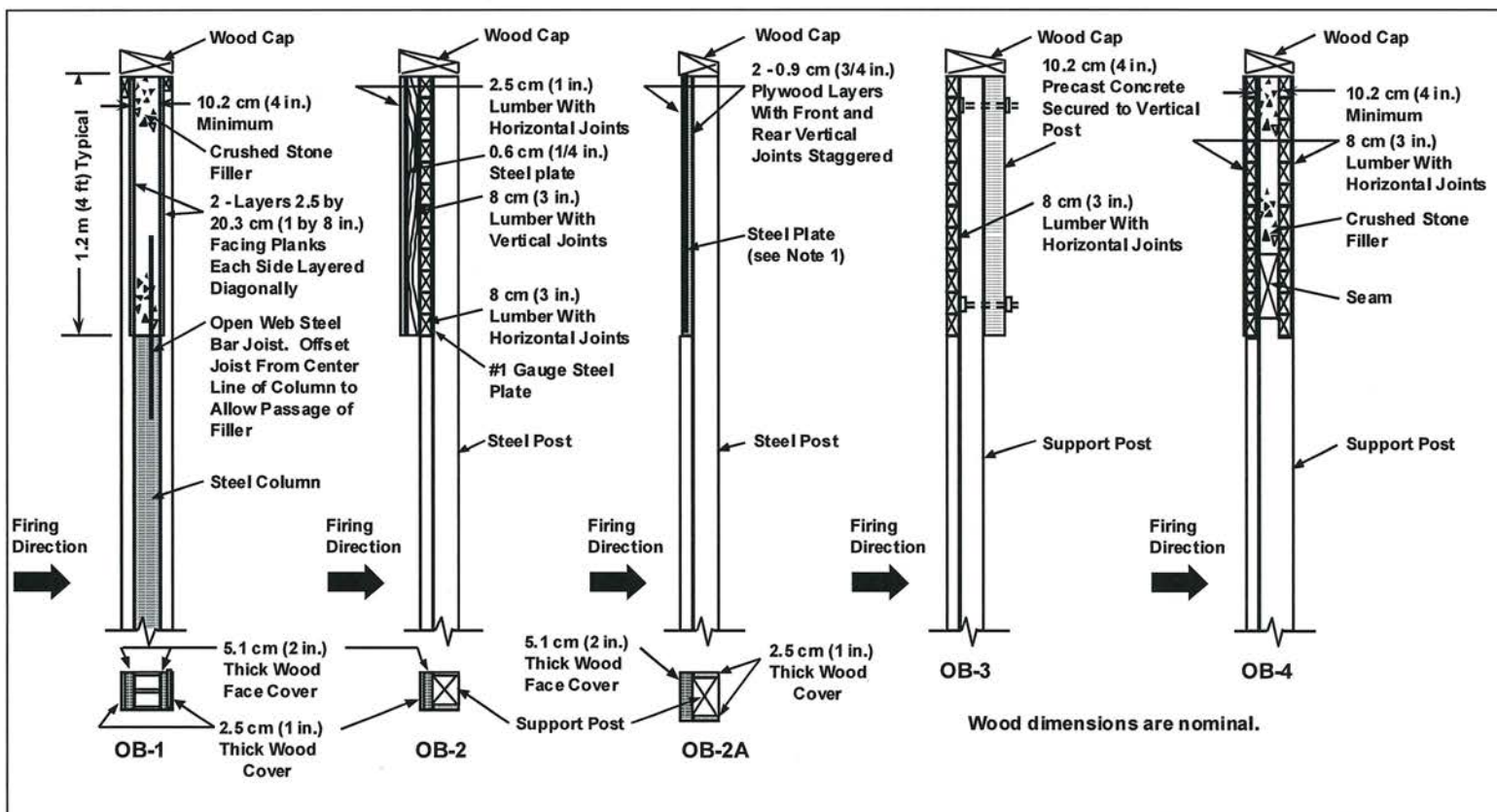


Figure 18
Overhead Baffle Ballistic Designs

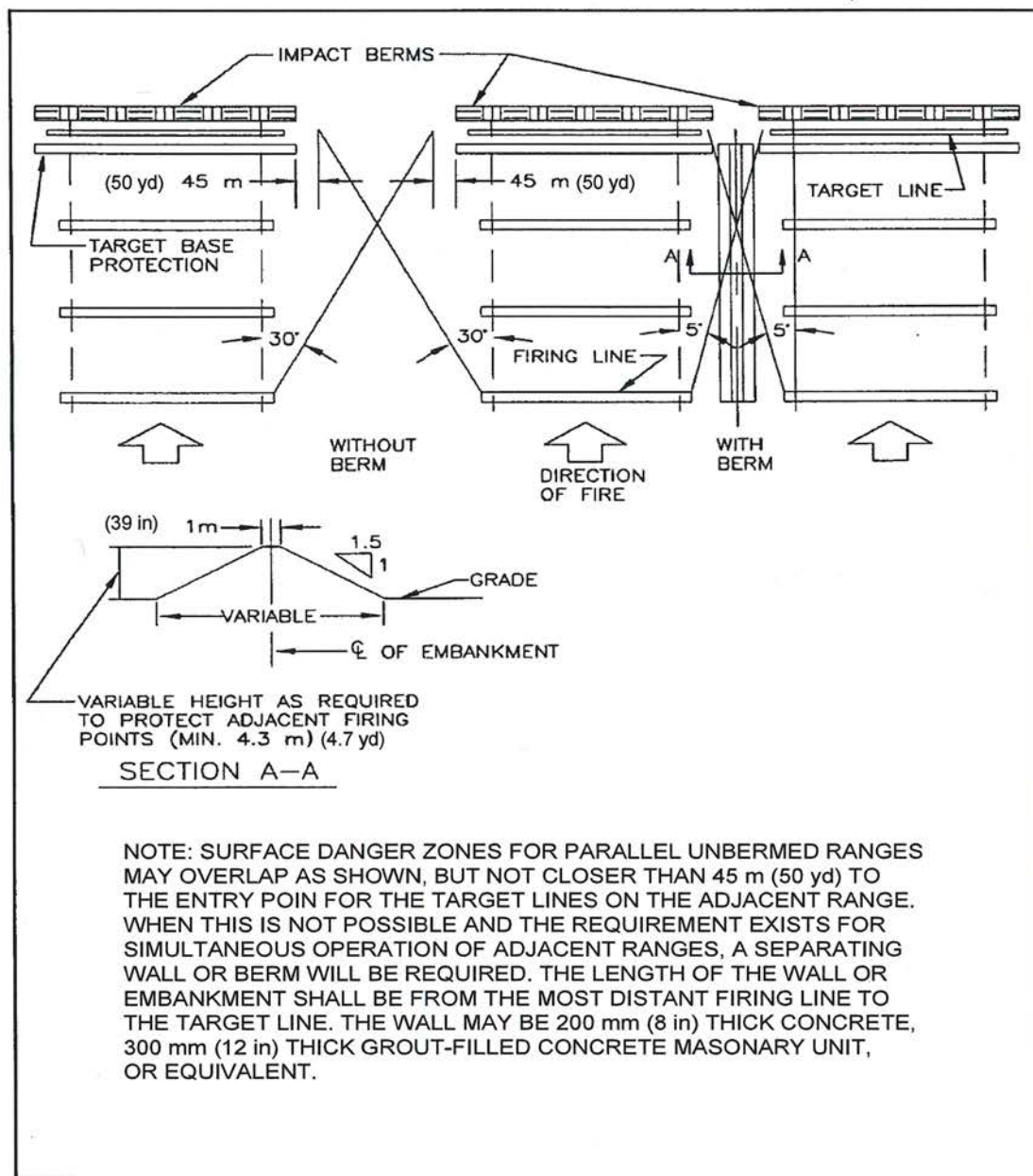


Figure 19
Parallel Ranges

Known Existing Outdoor Firing Ranges as of May 2, 2013

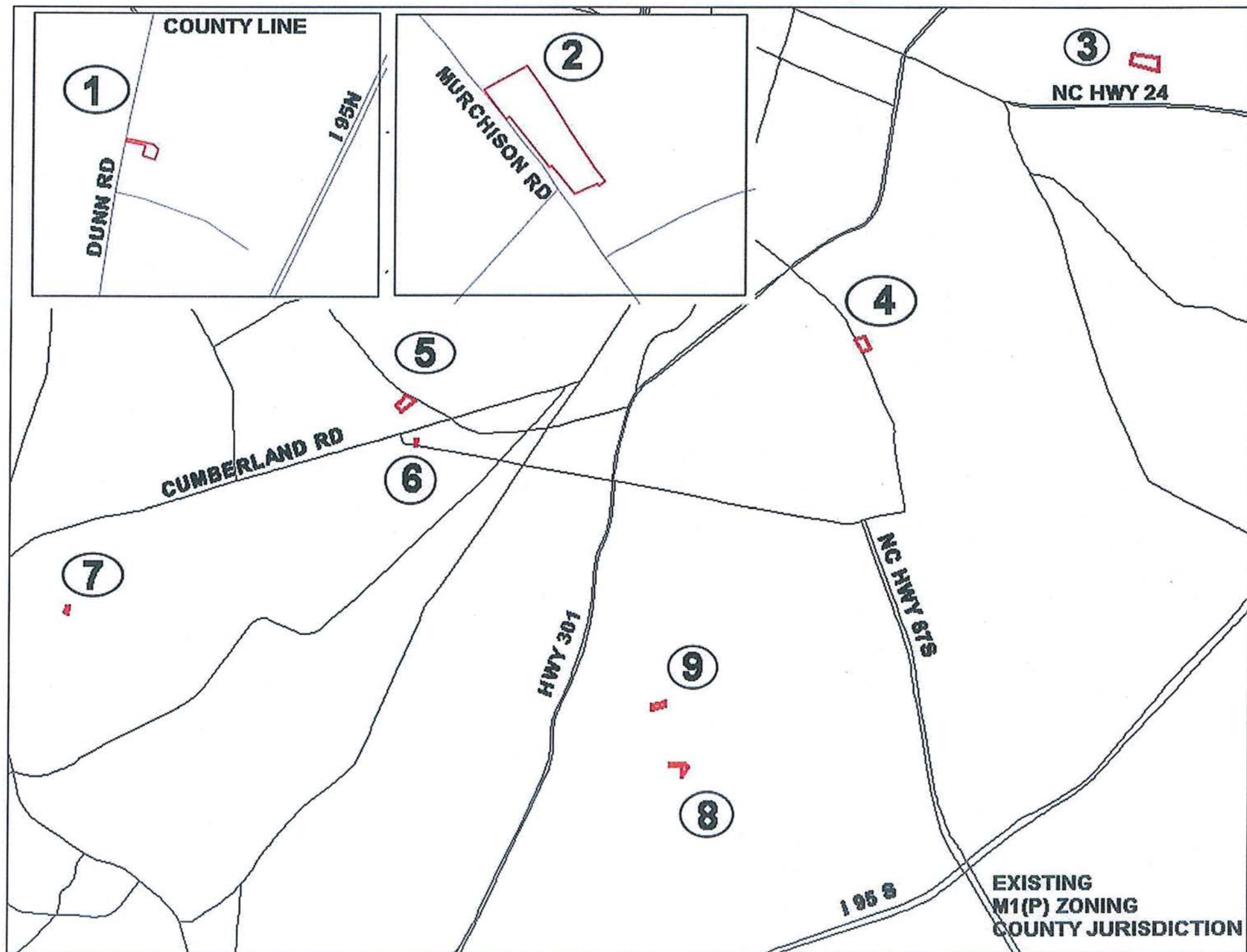
1. Cross Creek Rifle & Pistol Club, Inc. (Grays Creek)	3233 Blossom Rd	38.99 +/- acs	RR
2. Wagram Sportsmans' Association Inc	9540 Giles Rd	48 +/- acs	A1
3. TigerSwan	Tiger Swan Dr	997 +/- acs	A1
4. Godwin Range (Linden)	10594 Ramsey St	45.50 +/- acs	A1
5. Cumberland Co Wildlife Club	Mellwood Dr	7.23 +/- acs	R6A
6. Jimmy Pugh	off Turnbull Rd	(portion) 110 +/- acs	A1
7. Stanley Range	Johnson Rd	135.9 +/- acs	A1
8. Edward's Firearm Training	6678 Clinton Rd	10.57 +/- acs	C(P)
9. McCormick Farms (hunt club)	McCormick Bridge Rd	2,150 +/- acs	RR/CD
10. Sanders Range	1986 Dobbin Holmes Rd	17.91 +/- acs	A1
11. Jim's Outdoor Range	3549 Gabe Smith Rd	119.32 +/- acs	A1
12. Cainland Acres Property (pending approval)	8098 Saplin Dr	3.81 +/- acs	A1
13. Kirby Range	3802 Pleasant View Dr	34.68 +/- acs	RR
14. McCormick Farms	Slocomb Rd (near McBryde St)	1,775 +/- acs	RR (pt. A1, PND, CD)
15. Ricky Chavis	5525 & 5563 Matt Hair Rd	6.4 +/- acs	A1
16. Rockfish Bowhunters Archery Club	3001 George Owen Rd	(portion of) 25.82 +/- acs	RR

Existing M1(P) Zoning Parcel Information
County Jurisdiction
June 11, 2013

M1(P) Area Map No.	Acreage	Address or Location	Current Use	MIA	Owner*	PIN(S)
1	0.61+/-	11444 Dunn Rd	Motor Vehicle Repair	N/A	Black River Investments	1504-61-2046
2	33.91+/-	No address (east side Murchison Rd, across from Shaw Rd intersection) 6050 Murchison Rd	22.98+/- acs vacant land 10.93+/- acs off- street parking on borrow source site	FAY	REB Acquisitions	0429-07-8344 0429-19-9339 (portion of)
3	8.60+/-	667 Whitehead Rd	Vacant land w/ utility easement	FAY	Suntree Landscaping	0447-83-8976
4**	3.38+/-	Northeast quadrant of Wilmington Hwy and Wilkes Rd	Vacant land	FAY	NC Natural Gas Corporation	0436-94-6468 (portion of)
5	4.06+/-	South side of Owen Dr, east end of Seminole Dr	Vacant land	FAY	City of Fayetteville	0426-32-7471
6**	0.29+/-	1504 Everton St	Residential structure	FAY	Cynthia S. Cox	0426-41-1055
7	0.58+/-	2085 Crystal Springs Rd	Vacant commercial structure	HM	Arnold D. Page	0415-24-3716
8**	1.60+/-	3054 and 3062 Doc Bennett Rd	Residential structure & plumbing company	FAY	Courtney Baker Plumbing Inc	0435-22-3194
9**	2.08+/-	3279 Doc Bennett Rd 3297 Doc Bennett Rd	Air Cargo ABC Supply Co. (distribution)	FAY	Babson Enterprises Hendricks Commercial Property	0435-30-1130 (portion of) 0434-39-1803 (portion of)

* Based on 2013 County Tax Database

** Also located in Airport Overlay District (AOD)



Outdoor Firing Range Regulations – Comparison by County

COUNTY	ZONING DISTRICT	ZONING MIN LOT SIZE	TYPE OF APPROVAL REQUIRED
Bladen**	RA Residential Agricultural	10,000 sq ft w/ w&s 25,000 sq ft w/ w 30,000 sq ft no utilities	SUP by Planning Board w/ Ord Conditions
Harnett**	RA-20M & RA-20R Residential/Agricultural	20,000 sq ft	CU by BOA w/Ord Conditions
	RA-30 Residential Agricultural	30,000	CU by BOA w/Ord Conditions
	RA-40 Residential Agricultural	40,000	CU by BOA w/Ord Conditions
	O&I Office & Institutional	n/a	CU by BOA w/Ord Conditions
	COMM Commercial/Business	10 ac	CU by BOA w/Ord Conditions
	LI Light Industrial	10 ac	CU by BOA w/Ord Conditions
	IND Industrial	10 ac	CU by BOA w/Ord Conditions
Iredell UDO**	AC Agricultural Conservation	87,120 sq ft (2 acres)	SUP by BOA w/ Ord Conditions
	R-A Residential Agricultural	20,000 sq ft	SUP by BOA w/ Ord Conditions
	RUR Rural Residential	30,000 sq ft	SUP by BOA w/ Ord Conditions
	M-1 Light Manufacturing	n/a	Staff Review w/ Ord Conditions
New Hanover	I2 Industrial	n/a	SUP by BOC w/ PB rec – Ord conditions apply
	AI Airport Industrial	43560 sq ft	SUP by BOC w/ PB rec – Ord conditions apply
Onslow	RA Residential Agricultural*	20,000 sq ft	SUP by BOA w/ compliance of separate chapter in County Code
	HB Highway Business	n/a	Same as above
	Conservation	n/a	Same as above
Sampson	RA Residential Agricultural*	10,000 sq ft w/ w&s 25,000 sq ft w/ w 30,000 sq ft no utilities	SUP to Planning Board w/ Ord Conditions
	C Commercial	40,000 sq ft	SUP to Planning Board w/ Ord Conditions
Wake**	R-80W, R40W, & R80-R5	80,000 to 5,000 sq ft	SUP by BOA
	HD	n/a	SUP by BOA
	RHC - Activity Center	n/a	SUP by BOA
	RHC - Res Support Area	n/a	SUP by BOA
	RHC - Outside RSA	n/a	SUP by BOA
	GB	n/a	SUP by BOA
	HC	n/a	Permitted use
Yadkin**	RA, MI-1, MI-2	No minimum size; 3,000' separation for protected uses; up to 8' high buffer; 20' high backstop	CUP by BOA

*Only agricultural zoning district in jurisdiction

** No solely agricultural zoning district in jurisdiction

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

I, Joey Lewis, 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 6970-2012.

Property Owner: Clinton Graham

Home Owner: Clinton Graham

Property Address: 510 Pine Tree Lane, Spring Lake, NC

Tax Parcel Identification Number: 0511-09-3540

SYNOPSIS: This property was inspected on 12/14/2012. The property owners and parties of interest were legally served with Notice of Violations and was afforded a Hearing on 1/28/2013. Renee Graham 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 4/27/2013. 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 6/7/2013, 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 N/A. The Assessor for Cumberland County has the structure presently valued at N/A.

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.

Joey Lewis
Joey Lewis
Code Enforcement Official
County of Cumberland



Sworn to and Subscribed to by me this
the 17th day of June 2013.

Carol M. Post
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



Angela Perrier,
Inspector

George Hatcher,
Inspector

Joey Lewis,
Inspector

Joan Fenley,
Inspector

Debi Johnson,
Inspector

COUNTY of CUMBERLAND

Planning & Inspections Department

FINDINGS OF FACT AND ORDER

February 1, 2013

CASE #: MH 6970-2012

917199 9991 7031 5998 9676
TO: Clinton Graham & Parties of Interest
95-02 Sutphin Blvd.
Jamaica, NY 11435

Property at: 510 Pine Tree Lane, Spring Lake, NC

A Complaint, Notice of Hearing and Report of Inspection were legally served to the owner or owner's agent, and any party of interest. These documents were in fact received by the owner or owner's agent and party of interest on 12/24/2012.

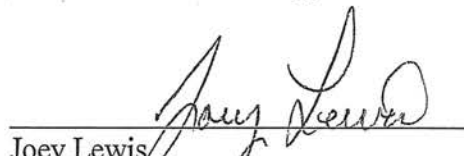
Pursuant of law, a Hearing was conducted in Room 101, of the old courthouse at 130 Gillespie Street, Fayetteville, NC on 1/28/2013 at 9:45:00 AM. The items identified below took place at the Hearing:

- ☐ 1. No owner or party of interest, or their agent, or representative appeared.
- ☒ 2. An answer was filed by owners and/or parties of interest. The answer was heard, read, and considered. Those answering by phone were: Renee Graham
- ☒ 3. The undersigned inspector personally inspected the dwelling described in the Complaint and Notice of Hearing dated, 12/18/2012. 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 6970-2012, dated 12/14/2012.
 - ☒ 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 4/27/2013. **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 _____ 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 4/27/2013.
 - ☒ 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 4/27/2013. 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

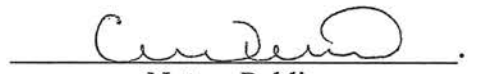

Joey Lewis
Code Enforcement Officer

Enclosed: Appeals Procedures & Form

cc:



Sworn to and Subscribed to by me
this the 1th day of February, 2013


Notary Public
My Commission Expires: 11-03-14

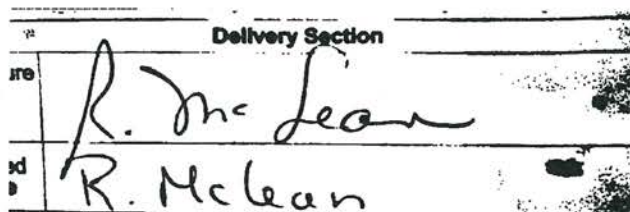


Date: 02/11/2013

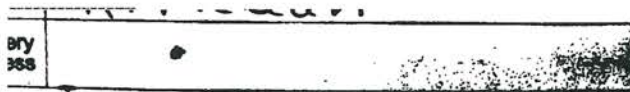
J LEWIS:

The following is in response to your 02/11/2013 request for delivery information on your Certified Mail(TM) item number 7199 9991 7031 5998 9676. The delivery record shows that this item was delivered on 02/08/2013 at 02:41 PM in JAMAICA, NY 11435. The scanned image of the recipient information is provided below.

Signature of Recipient:



Address of Recipient:



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

Sincerely,

United States Postal Service

PROOF OF SERVICE OF **FINDINGS OF FACT AND ORDER**
DATED February 1, 2013 CASE NUMBER **MH 6970-2012**

EXHIBIT A

Property Owner: Clinton Graham

Minimum Housing Case # MH 6970-2012

This is a detailed street map of Spring Lake, Michigan. The map shows a grid of residential streets with numerous lot numbers labeled in red. Key streets include Samuel Dr, Lillington Hwy, Pine Tree Ln, White Eagle Ln, Bliss Ave, Nolen St, N Gregg St, D St, and Lake Park Dr. A specific area is highlighted with a black hatched pattern and a dashed red line, indicating a property of interest. The map also shows various lot numbers and building footprints.

EXHIBIT B

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

I, Joey Lewis, 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 6971-2012.

Property Owner: Clinton Graham

Home Owner: Clinton Graham

Property Address: 520 Pine Tree Lane, Spring Lake, NC

Tax Parcel Identification Number: 0511-09-3286

SYNOPSIS: This property was inspected on 12/14/2012. The property owners and parties of interest were legally served with Notice of Violations and was afforded a Hearing on 1/28/2013. Renee Graham 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 4/27/2013. 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 6/7/2013, 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 N/A. The Assessor for Cumberland County has the structure presently valued at N/A.

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.

Joey Lewis
Joey Lewis
Code Enforcement Official
County of Cumberland



Sworn to and Subscribed to by me this
the 7th day of June 2013.

Carol M. Post
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



Angela Perrier,
Inspector

George Hatcher,
Inspector

Joey Lewis,
Inspector

Joan Fenley,
Inspector

Debi Johnson,
Inspector

COUNTY of CUMBERLAND

Planning & Inspections Department

FINDINGS OF FACT AND ORDER

February 1, 2013

91 7199 9991 7031 5998 9676

CASE #: MH 6971-2012

TO: Clinton Graham & Parties of Interest
95-02 Sutphin Blvd.
Jamaica, NY 11435

Property at: 520 Pine Tree Lane, Spring Lake, NC

A Complaint, Notice of Hearing and Report of Inspection were legally served to the owner or owner's agent, and any party of interest. These documents were in fact received by the owner or owner's agent and party of interest on 12/24/2012.

Pursuant of law, a Hearing was conducted in Room 101, of the old courthouse at 130 Gillespie Street, Fayetteville, NC on 1/28/2013 at 9:45:00 AM. The items identified below took place at the Hearing:

- ☐ 1. No owner or party of interest, or their agent, or representative appeared.
- ☒ 2. An answer was filed by owners and/or parties of interest. The answer was heard, read, and considered. Those answering by phone were: Renee Graham
- ☒ 3. The undersigned inspector personally inspected the dwelling described in the Complaint and Notice of Hearing dated, 12/18/2012. 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 6971-2012, dated 12/14/2012.
 - ☒ 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 4/27/2013. **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 _____ 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 4/27/2013.
 - ☒ 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 4/27/2013. 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

Joey Lewis
Code Enforcement Officer

Enclosed: Appeals Procedures & Form

cc:

Sworn to and Subscribed to by me
this the 1th day of February, 2013

Notary Public
My Commission Expires:

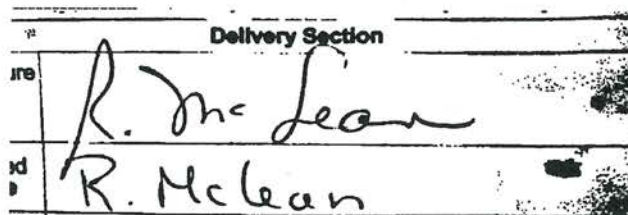


Date: 02/11/2013

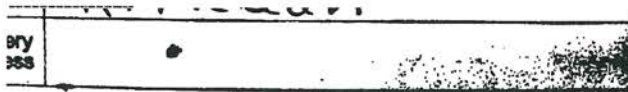
J LEWIS:

The following is in response to your 02/11/2013 request for delivery information on your Certified Mail(TM) item number 7199 9991 7031 5998 9676. The delivery record shows that this item was delivered on 02/08/2013 at 02:41 PM in JAMAICA, NY 11435. The scanned image of the recipient information is provided below.

Signature of Recipient:



Address of Recipient:



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

Sincerely,

United States Postal Service

PROOF OF SERVICE OF **FINDINGS OF FACT AND ORDER**
DATED February 1, 2013 CASE NUMBER **MH 6971-2012**

EXHIBIT A

Property Owner: Clinton Graham

Minimum Housing Case # MH 6971-2012

EXHIBIT B

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

I, Joey Lewis, 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 7019-2013.

Property Owner: Secretary of Veterans Affairs

Home Owner: Secretary of Veterans Affairs

Property Address: 2701 Brinkley Drive, Spring Lake, NC

Tax Parcel Identification Number: 0512-49-3837

SYNOPSIS: This property was inspected on 3/5/2013. The property owners and parties of interest were legally served with Notice of Violations and was afforded a Hearing on 4/1/2013. No one attended the Hearing. It was ordered that the structure be repaired to a minimum standard for human habitation, or be demolished and the debris removed from the premises by a date not later than 5/2/2013. 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 6/7/2013, no corrective action had been made to the structure. The structure is presently vacant and unsecured. In its present state, the structure constitutes a fire, health, and safety hazard.

The estimated cost to repair the structure to a minimum standard for human habitation is \$60,000.00. The Assessor for Cumberland County has the structure presently valued at \$27,698.00.

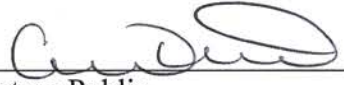
Attached is a map depicting the location of the property. (See Exhibit B.)

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



Joey Lewis
Code Enforcement Official
County of Cumberland

Sworn to and Subscribed to by me this
the 7th day of June 2013.



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,
Code Enforcement Manager

Carol M. Post
Office Processing Assistant



**CUMBERLAND
★ COUNTY ★
NORTH CAROLINA**

Planning & Inspections Department

George Hatcher,
Inspector

Joey Lewis,
Inspector

Joan Fenley,
Inspector

Debra Johnson,
Inspector

FINDINGS OF FACT AND ORDER

April 2, 2013

CASE #: MH 7019-2013

91 7199 9991 7031 6122 3652

TO: Secretary of Veterans Affairs & Parties of Interest
251 N. Main Street
Winston Salem, NC 27155

Property at: 2701 Brinkley Drive, Spring Lake, NC


A Complaint, Notice of Hearing and Report of Inspection were legally served to the owner or owner's agent, and any party of interest. These documents were in fact received by the owner or owner's agent and party of interest on 3/19/2013.

Pursuant of law, a Hearing was conducted in Room 101, of the old courthouse at 130 Gillespie Street, Fayetteville, NC on 4/1/2013 at 10:00:00 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, 3/11/2013. 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 7019-2013, dated 3/5/2013.
 - ☒ b. Due to these findings, the dwelling are found to be in a substandard condition in accordance with the Cumberland County Ordinance.
 - ☒ c. The dwelling is unfit for human habitation.

- ☒ 4. Due to facts presented above, the Hearing Officer orders as follows:
- ☒ a. The owners and/or parties of interest of the dwelling named above are required to bring such dwelling into compliance with the Cumberland County Housing Ordinance by either repairing, altering, and improving the dwelling up to a minimum standard or by demolishing the structure and then causing the debris to be removed from the premises by a date not later than 5/2/2013. **All required permits must be obtained. A copy of this order must be presented when obtaining permits.**
- ☐ b. The dwelling shall remain vacated until compliance with this order is completed and removed by the inspector, and the lot must be continuously maintained.
- ☒ c. The structure shall be secured to prevent entry 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 5/2/2013.
- ☒ e. The County Planning/Inspection Department may immediately begin procedures to seek a demolition ordinance from the Cumberland County Board of Commissioners for failure to bring the property into compliance by 5/2/2013. 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

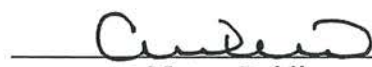

Joey Lewis
Code Enforcement Officer

Enclosed: Appeals Procedures & Form

cc:



Sworn to and Subscribed to by me
this the 2th day of April, 2013


Notary Public
My Commission Expires: 11-03-14



Date: 04/16/2013

J LEWIS:

The following is in response to your 04/16/2013 request for delivery information on your Certified Mail(TM) item number 7199 9991 7031 6122 3652. The delivery record shows that this item was delivered on 04/09/2013 at 11:08 AM in WINSTON SALEM, NC 27101 to L NICKERSON. The scanned image of the recipient information is provided below.

Signature of Recipient:

A scanned image of a signature, "L. Nickerson", written twice on a lined background. The signature is in cursive and appears to be "L. Nickerson".

Address of Recipient:

A scanned image of a handwritten address, "251 N. Main St.", on a lined background. The address is written in cursive and appears to be "251 N. Main St.".

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 April 2, 2013 CASE NUMBER **MH 7019-2013**

EXHIBIT A

TAX PARCEL IDENTIFICATION NUMBER: 0512-49-3817

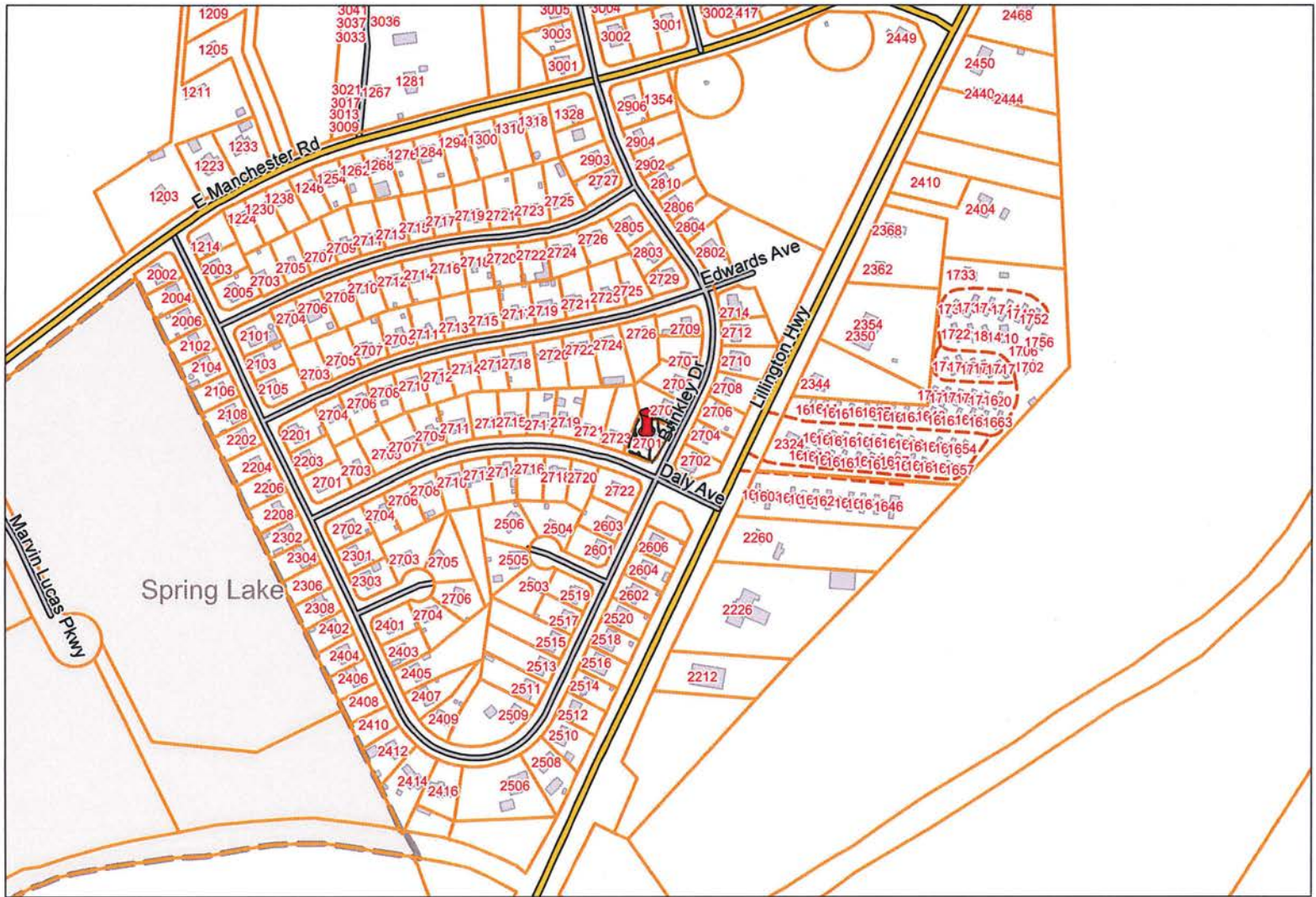


EXHIBIT B

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

I, Joey Lewis, 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 6950-2012.

Property Owner: Hubert M. Garrett

Home Owner: Hubert M. Garrett

Property Address: 3229 Periwinkle Drive, Fayetteville, NC

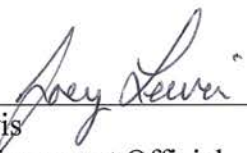
Tax Parcel Identification Number: 0415-12-3561

SYNOPSIS: This property was inspected on 10/23/2012. The property owners and parties of interest were legally served with Notice of Violations and was afforded a Hearing on 11/26/2012. No one attended the Hearing. It was ordered that the structure be repaired to a minimum standard for human habitation, or be demolished and the debris removed from the premises by a date not later than 12/31/2012. 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 6/7/2013, 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 \$56,000.00. The Assessor for Cumberland County has the structure presently valued at \$27,513.00.

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.


Joey Lewis
Code Enforcement Official
County of Cumberland



Sworn to and Subscribed to by me this
the 7th day of June 2013.


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



Angela Perrier,
Inspector

George Hatcher,
Inspector

Joey Lewis,
Inspector

Joan Fenley,
Inspector

COUNTY of CUMBERLAND

Planning & Inspections Department

FINDINGS OF FACT AND ORDER

November 30, 2012

CASE #: MH 6950-2012

91 7199 9991 7031 6121 1178

TO: Hubert M. Garrett & Parties of Interest
698 N Martintown Road
Edgefield, SC 29824

Property at: 3229 Periwinkle Drive, Fayetteville, NC

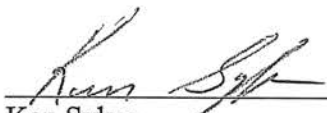
A Complaint, Notice of Hearing and Report of Inspection were legally served to the owner or owner's agent, and any party of interest. These documents were in fact received by the owner or owner's agent and party of interest on 11/9/2012.

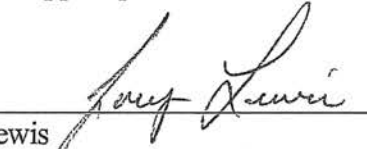
Pursuant of law, a Hearing was conducted in Room 101, of the old courthouse at 130 Gillespie Street, Fayetteville, NC on 11/26/2012 at 9:30:00 AM. The items identified below took place at the Hearing:

- ☒ 1. No owner or party of interest, or their agent, or representative appeared.
- ☐ 2. An answer was filed by owners and/or parties of interest. The answer was heard, read, and considered. Those answering by phone were: _____
- ☒ 3. The undersigned inspector personally inspected the dwelling described in the Complaint and Notice of Hearing dated, 11/5/2012. 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 6950-2012, dated 10/23/2012.
 - ☒ b. Due to these findings, the dwelling are found to be in a substandard condition in accordance with the Cumberland County Ordinance.
 - ☒ c. The dwelling is unfit for human habitation.

- ☒ 4. Due to facts presented above, the Hearing Officer orders as follows:
- ☒ a. The owners and/or parties of interest of the dwelling named above are required to bring such dwelling into compliance with the Cumberland County Housing Ordinance by either repairing, altering, and improving the dwelling up to a minimum standard or by demolishing the structure and then causing the debris to be removed from the premises by a date not later than **12/31/2012**. **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 _____ 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 **12/31/2012**.
 - ☒ e. The County Planning/Inspection Department may immediately begin procedures to seek a demolition ordinance from the Cumberland County Board of Commissioners for failure to bring the property into compliance by **12/31/2012**. 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.

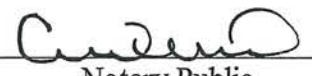

Ken Sykes
Hearing Officer


Joey Lewis
Code Enforcement Officer

Enclosed: Appeals Procedures & Form

cc:

Sworn to and Subscribed to by me
this the 30th day of November, 2012


Notary Public
My Commission Expires: 11-03-14





Date: 12/10/2012

J LEWIS:

The following is in response to your 12/10/2012 request for delivery information on your Certified Mail(TM) item number 7199 9991 7031 6121 1178. The delivery record shows that this item was delivered on 12/07/2012 at 01:38 PM in EDGEFIELD, SC 29824. The scanned image of the recipient information is provided below.

Signature of Recipient:

Delivery Section
re
d
Herbert GARRETT

Address of Recipient:

my
ss
6987 Mc Kintor RD

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

MAP DEPICTING LOCATION OF PROPERTY
Property Owner: Hubert M. Garrett
3229 Periwinkle Drive, Fayetteville, NC
Minimum Housing Case # MH 6950-2013
TAX PARCEL IDENTIFICATION NUMBER: 0415-12-3561

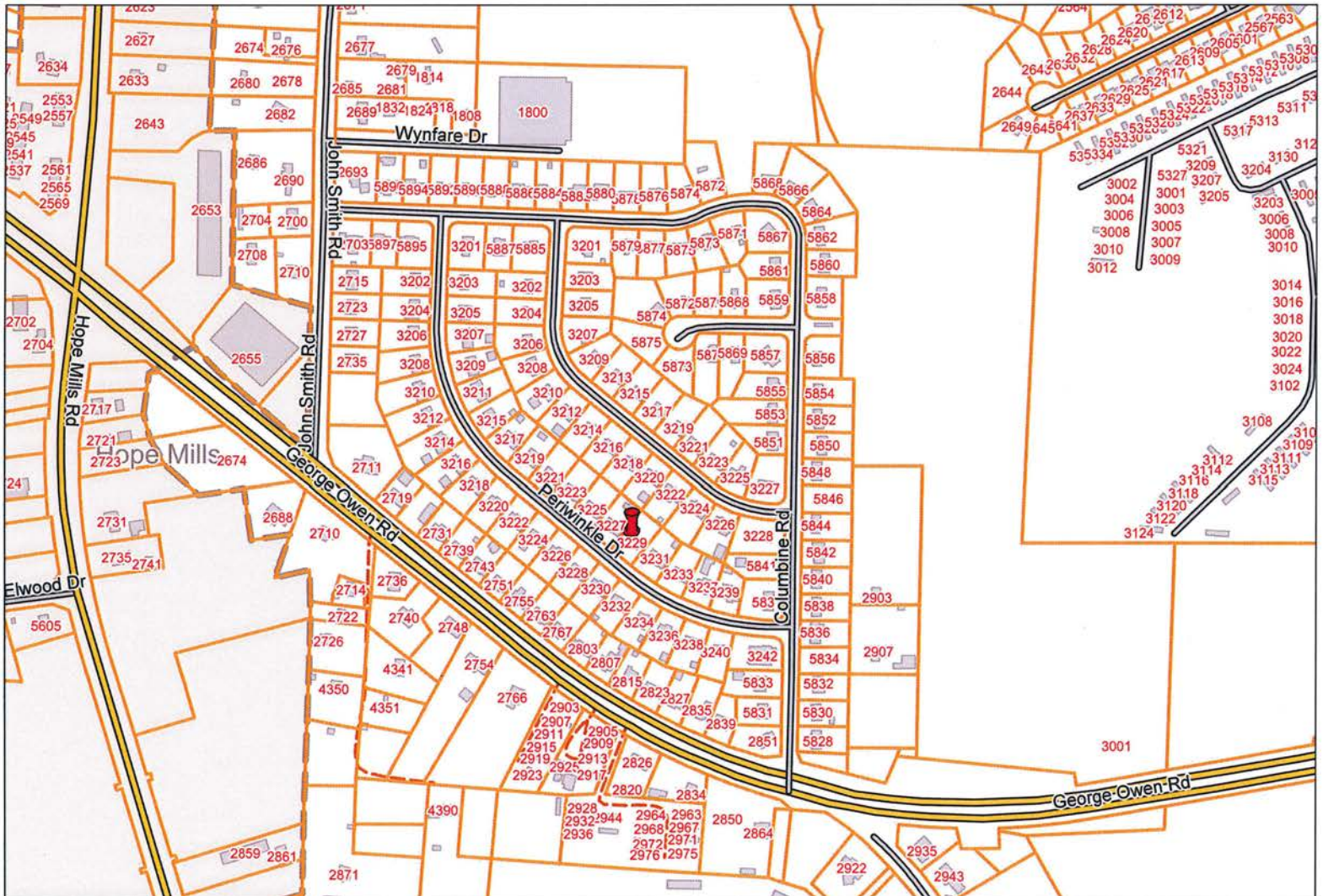


EXHIBIT B

JAMES E. MARTIN
County Manager

AMY H. CANNON
Deputy County Manager




ITEM NO. 35

JAMES E. LAWSON
Assistant County Manager

OFFICE OF THE COUNTY MANAGER

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

MEMORANDUM FOR BOARD OF COMMISSIONERS AGENDA OF JUNE 17, 2013

TO: BOARD OF COUNTY COMMISSIONERS
FROM: JAMES E. MARTIN, COUNTY MANAGER 
DATE: JUNE 7, 2013
SUBJECT: PUBLIC HEARING ON EDWARD BYRNE MEMORIAL JUSTICE ASSISTANCE GRANT

BACKGROUND

The Sheriff's Office is eligible to apply for funding through the Edward Byrne Memorial Assistance Grant through the United States Department of Justice. This grant continues the Department of Justice effort to support law enforcement at the local level.

This year the Sheriff's Office and the City of Fayetteville Police Department must submit a joint application. Even though this is a joint application, each agency will be able to use the funds for their own priorities. The Sheriff's Office will take the lead for this project. The Department of Justice uses crime statistics and population to compute the award. The Sheriff's Office share is \$48,503 and the City Police Department's share is \$102,873. Under the JAG Grant, there is no fund match.

As part of the USDOJ requirements, the public must be offered the opportunity to comment. The Sheriff's Office will publicly advertise the grant opportunity and will brief the Board of Commissioners.

The Public Hearing advertisement for this grant will be advertised in the Fayetteville Observer on Saturday, June 15, 2013. This Public Hearing will be on Monday, June 17, 2013, at the Cumberland County Board of Commissioners' Meeting.

RECOMMENDATION/PROPOSED ACTION

Conduct the Public Hearing and authorize the County Manager to sign the application submittal.

CM060713-2

Celebrating Our Past...Embracing Our Future



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



An Internationally Accredited Law Enforcement Agency

June 5, 2013

TO: Mr. James E. Martin
County Manager

FROM: Earl R. Butler, Sheriff *ERB*

Subject: Agenda Topic Public Hearing
Edward Byrne Memorial Justice Assistance Grant (JAG)

The Sheriff's Office is fortunate to be eligible to apply for United States Department of Justice funding through the Edward Byrne Memorial Assistance Grant. This grant continues the Department of Justice effort to support law enforcement at the local level.

This year, the Sheriff's Office and the City of Fayetteville Police Department must submit a joint application. Even though the application is joint, each agency may use the funds for their own priorities.

As part of the USDOJ requirements, the public must be offered an opportunity to comment. The Sheriff's Office will publicly advertise the grant opportunity and will brief the Board of Commissioners.

I request the required public hearing occur as part of the Monday, June 17, 2013 County Commissioners Meeting.



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



An Internationally Accredited Law Enforcement Agency



June 5, 2013

TO: Mr. James E. Martin
County Manager

FROM: Earl R. Butler
Sheriff

Subject: Edward Byrne Memorial Justice Assistance Grant (JAG)

The Sheriff's Office is fortunate to be eligible to apply for United States Department of Justice funding through the Edward Byrne Memorial Assistance Grant. This grant continues the Department of Justice effort to support law enforcement at the local level.

This year, the Sheriff's Office and the City of Fayetteville Police Department must submit a joint application. Even though the application is joint, each agency may use the funds for their own priorities.

The Sheriff's Office will take the lead for this project. A Memo of Understanding, required by the USDOJ, is being prepared. The County Finance Department is aware of this grant.

The Department of Justice uses crime statistics and population to compute the award. The Sheriff's Office share is \$48,503 and the City Police Department's share is \$102,873. Under the JAG Grant, there is no fund match.

The enclosed Application Narrative describes the intended purpose. Please forward this to the members of the Board of Commissioners not later than June 6, 2013 to satisfy the US Dept of Justice notification requirements.

ERB/hl

Program Narrative**Byrne Justice Assistance Grant 2013**

The Cumberland County Sheriff's Office and the City of Fayetteville Police Department are Certified Disparate Jurisdictions for this Grant. Fund allocation as computed by the US Department of Justice based on crime statistics and population:

A.	Cumberland County	\$ 48,503	
B.	City of Fayetteville	\$102,873	
	Total		\$151,376

The planned uses of the funds are consistent with the improvement and efficiency of law enforcement programs in Cumberland County.

The County Finance Office will separately track expenses and drawdown of funds as the program activities are carried out.

A. County of Cumberland Programs using Byrne Funds**Program Area 1**

During the 1994 Special Crime Session, the North Carolina General Assembly created the Criminal Justice Information Network (CJIN) Committee to accomplish specific objectives regarding a plan for a statewide criminal justice information network. The legislation was enacted based on recognition of the need to further coordination and cooperation between state and local agencies in establishing standards for sharing criminal justice information. In November 1994, the CJIN Committee selected Price Waterhouse to assist them in fulfilling their mandate. The study focused on developing recommendations to promote the sharing of criminal justice information in a final report delivered in April 1995.

A major recommendation of the final report is to "establish standards for, and implement a mobile voice and data communication network that allows state and local law enforcement and public safety agencies to communicate with each other, regardless of location in the state." (Price Waterhouse Final Report, page ES-6).

The Cumberland County Sheriff's Office has made great strides in acquiring technology to be an active participant in the CJIN project. In December 1997, the Sheriff's Office began leasing modems and laptop computers for Deputy's cars as Mobile Data Terminals (MDT) for data access and communications.

In summer 2009, the State of NC fielded the "NC-Aware" system which enables any officer in most of the State to access and print warrants for arrest on the spot. This enhanced capability is available through cellphone aircards in the Mobile Data Terminals.

With the rise in resources available on the internet and increasingly capable cell phone technology, the Sheriff's Office has issued cellphone aircards to connect the MDTs to the SBI and FBI databases, and make full use of the NC Aware System.

The Sheriff's Office intends to use its Byrne Grant Funds for subscription fees to connect to the SBI databases, for both in-office computer terminals and MDTs in Deputy's cars, communications software license maintenance, and to offset the cost of the aircard user charges.

B. City of Fayetteville Programs using Byrne Funds

Program Area 1

The Fayetteville Police Department will use these Byrne funds to purchase equipment. Funding the proposed program area will enhance operational capabilities resulting in overall effectiveness and efficiency department-wide.

Specific details to be briefed and approved by City Council.

RICKEY L. MOOREFIELD
County Attorney



ITEM NO. 4

PHYLLIS P. JONES
Assistant County Attorney

ROBERT A. HASTY, JR.
Assistant County Attorney

OFFICE OF THE COUNTY ATTORNEY

5th Floor, New Courthouse • P.O. Box 1829 • Suite 551 • Fayetteville, North Carolina 28302-1829
(910) 678-7762

**MEMO FOR THE AGENDA OF THE JUNE 17, 2013
MEETING OF THE BOARD OF COMMISSIONERS**

TO: Board of Commissioners; Co. Manager; Dr. Lauby
FROM: Asst. Co. Atty. Robert Hasty, Jr.; Co. Attorney *R. Moorefield*
DATE: June 17, 2013
SUBJECT: Revisions to the Cumberland County Animal Control Ordinance (2nd Reading)

Attachment:

Proposed Ordinance amending "Chapter 3, Animals" of the Cumberland County Code

BACKGROUND:

The Cumberland County Animal Control Director, Dr. John Lauby, has recommended changes to the Cumberland County Animal Control Ordinance to better serve the citizens of Cumberland County. He has provided revised or additional language in numerous sections of the ordinance. Each change is indicated by an underline or strike-through in the attached revised sections. The Board of Commissioners voted to approve these changes by a vote of 5 to 1 at its regular meeting on June 3, 2013. Because all the Commissioners did not approve the changes, N.C.G.S. 153A-45 requires that the matter be considered at the board's next regular meeting before it may be adopted.

RECOMMENDATION/PROPOSED ACTION:

The changes proposed to the ordinance have been reviewed by the county attorney and are deemed legally sufficient. The county attorney recommends that should the Board of Commissioners desire to make the changes in the ordinance, that the relevant sections be repealed and readopted with the revised language.

AN ORDINANCE OF THE CUMBERLAND COUNTY BOARD OF COMMISSIONERS AMENDING CHAPTER 3, ANIMALS, OF THE CUMBERLAND COUNTY CODE

WHEREAS, the Cumberland County Board of Commissioners adopted a revised County Animal Control Ordinance in May, 2012; and

WHEREAS, the Board of Commissioners wishes to make revisions to the Cumberland County Animal Control Ordinance by repealing and replacing certain sections and adopting additional new sections; and

WHEREAS, the Board of Commissioners finds the revisions of Chapter 3, Animals, of the Cumberland County Code, to be in the public interest and to promote public health, safety and welfare,

NOW THEREFORE, BE IT ORDAINED by the Cumberland County Board of Commissioners that:

Chapter 3, Animals, of the Cumberland County Code is hereby amended as follows:

Repeal "Section 3-10. Definitions" in its entirety

New Section 3-10 adopted as follows:

Sec. 3-10. Definitions

(a) As used in this ordinance, the following terms shall have the meanings respectively ascribed to them in this section:

"Abandon" means to cease providing for the care, control or maintenance of an animal without the transfer of ownership of such animal.

"Animal Shelter or Department's Shelter" means the premises operated by the Animal Control Department for the purposes of impounding, sheltering or caring for animals or any other premises operated by another entity with which the county contracts for such purposes.

"Animal Control Department" means the Cumberland County Animal Control Department.

"Animal Control Director" means the Director of the Animal Control Department, or his/her designee.

"Animal Control Officer" means a person employed by the Animal Control Department as its enforcement officer in the impoundment of animals, controlling of animals running at large, and as otherwise provided or required in this Chapter.

"At large" or "running at large" means any animal which is not confined on the property of its owner, the leased premises of the animal's owner, or under the actual physical control of a competent person, other than a licensed, currently privilege tax paid, hunting dog under supervision while engaged in a lawful actual or simulated hunt.

"Breeding, Show, or Hunting Dog" means any animal that was used in Breeding, Showing, or Hunting in the last year if over one (1) year old: or any animal younger than one (1) year that is eligible to breed, show or hunt in the coming year.

"Chapter" means the provisions of this Animal Control Ordinance as may be in effect in Cumberland County or any municipal jurisdiction located therein.

"Confinement" means to secure an animal in a locked house, run, enclosure or fenced yard within the boundaries of the owner's, leaseholder's, or keeper's property (i.e., house, fenced yard).

"County Manager" shall mean the duly appointed County Manager of the County or his/her designee.

"Cruelty" means to endanger by any act of omission or commission the life, health or safety of an animal.

"Director" means the Director of the Animal Control Department.

"Exposed to rabies" means any animal that has been bitten by or exposed in a manner proven to be able to transmit rabies, to any other animal known to have been infected with rabies or any other animal reasonably suspected of being infected with rabies that is not available for laboratory diagnosis.

"Fee Schedule" means any schedule of fees related to the administration of this ordinance, which may be adopted by the Board of Commissioners.

"Fowl" means chickens, guineas, geese, ducks, pigeons, and other avian animals.

"Harboring" means regularly feeding, sheltering or caring for an animal.

"Impoundment" means placing an animal in an animal control vehicle or unit, or holding an animal at the animal shelter, or holding an animal at any other location at the direction of the Director of Animal Control.

"Keeper" means any person, acting in the capacity of the owner, or at the owner's request, who is responsible for the care, welfare and maintenance of the animal.

"Livestock" includes, but is not limited to, equine animals, bovine animals, sheep, goats, llamas and swine.

"Neuter" means to render a male dog or cat unable to reproduce.

"Nuisance/Reckless" owner is an owner who has received a violation under Chapter 3 and has outstanding fees owed to Cumberland County Animal Control for previous violation(s) or who has not complied with the requirements for ownership of a dangerous or potentially dangerous dog.

"Owner" shall mean anyone taking care of or having custody of an animal, such as by providing food, water, shelter or medical care, but shall not include taking care or having custody of the animal for compensation.

"Permit" means a permit issued by the Animal Control Department or similar agency of any applicable governmental unit having jurisdiction.

"Potentially Dangerous Dog" and "Dangerous Dog" shall have the meanings set forth in Section 3-30 hereof.

"Restraint" means that an animal is actually physically controlled by leash or tether held by a competent person or within any vehicle, trailer or other conveyance being driven, pulled or parked on the street or confined within the property limits of its owner or keeper.

"Run" means an area used to confine a dog or dogs of a size that complies with any of the requirements of this Chapter.

"Sanitary" means a condition of good odor and cleanliness, which precludes the probability of disease transmission and insect breeding and which preserves the health of the public.

"Spay" means to remove the ovaries of a female dog or cat in order to render the animal unable to reproduce.

"State law" means the General Statutes of North Carolina.

"Stray" means any animal reasonably presumed not to have any owner, including but not limited to an animal running at large or not under restraint.

"Tethered" or "tethering" mean attaching an animal to a stationary object by means of a chain, cable, rope or similar device.

"Vaccination" means an injection of United States Department of Agriculture approved rabies vaccine administered by a licensed veterinarian or certified rabies vaccinator as defined in G.S. 130A-186.

"Transfer" means to convey or change ownership from one person to another with or without the exchange of money or other consideration.

(b) All other words or phrases used herein shall be defined and interpreted according to their common usage.

(Adopted June 17, 2013)

Repeal "Section 3-15. Nuisance animals; animals posing a threat to the public."

New Section 3-15 adopted as follows:

Sec. 3-15. Nuisance animals; animals posing a threat to the public.

(a) For the purposes of this section, "nuisance" means but is not limited to the conduct or behavior resulting from any act of omission or commission by the owner or keeper of any small or large animal, fowl, cat or dog which molests passersby or passing vehicles, damages private or public property; barks, whines, howls, crows or makes other noises in an habitual or continuous fashion which annoys the comfort, repose, health or safety of the people in the community; is unconfined in season; ~~habitually~~ defecates on the property of someone other than

the owner; or ~~habitually~~ eats or otherwise destroys the plants, shrubs or similar landscaping on the property of someone other than the owner.

(b) For the purposes of this section, "nuisance animal" means any animal that commits any of the acts, conduct or behaviors defined as constituting a nuisance in this section.

(c) No person shall keep any animal which is a nuisance animal or which causes a nuisance as defined in this section.

(d) Notice of violation. When an Animal Control Officer determines that a violation of this section has occurred, he may issue a written warning of violation and notice of public nuisance, which shall be served on the owner or keeper of the animal. The owner or keeper shall be responsible for abating the nuisance within ~~twenty-four (24) seventy-two (72)~~ hours by making sure his animal does not engage in any further act or acts which may constitute a nuisance under this section.

(e) Failure to abate the nuisance. If the Animal Control Officer determines that the animal has engaged in any further act(s) constituting a nuisance, or if the owner or keeper of the animal fails to abate the condition which constitutes the nuisance within ~~twenty-four (24) seventy-two (72)~~ hours after issuance of the written warning of violation, the Animal Control Officer may issue a notice of violation and civil penalty for the first offense and additional penalties for each subsequent offense. If the owner fails to abate the nuisance after the first ~~second~~ civil penalty, the Animal Control Officer may seize and impound the animal. If the animal is seized, the Animal Control Officer must post a notice of seizure and impoundment with the owner or keeper of the animal. The owner or keeper may reclaim the animal upon payment of any civil penalties and shelter fees or charges for the impoundment. If the animal is not reclaimed within five (5) days, it shall become the property of the Animal Control Department and shall be disposed of according to the Department's policies.

(f) Owner unknown. In situations where the owner of a nuisance animal is unknown, the Animal Control Officer shall impound the animal without posting notice of the impoundment. If the owner does not redeem the animal within five (5) days, the animal shall become the property of the Animal Control Department and shall be disposed of according the Department's policies.

(g) Animal housed or restrained less than fifteen (15) feet from public way. When an Animal Control Officer has determined that an animal is being housed or restrained within fifteen (15) feet of a public street, road or sidewalk, and the animal poses a threat to the public, but the animal is not in the street, road or on the sidewalk, the Animal Control Officer shall issue a warning to the owner or keeper of the animal directing that the animal be moved to a distance greater than fifteen (15) feet from the public street, road or sidewalk. If the owner or keeper refuses to move the animal, the Animal Control Officer shall issue a notice of violation and civil penalty for the first offense and additional penalties for each subsequent offense. After the first ~~civil penalty second offense~~ the animal control services officer may impound the animal. The Animal Control Officer must leave a notice of impoundment with the owner/ keeper or affix the notice to the premises from which the animal has been seized. The owner shall have five (5) days to redeem the animal. If the animal is redeemed, the owner must pay all civil penalties and shelter fees for the impoundment. If the owner fails to redeem the animal within five (5) days the animal shall become the property of the Animal Control Department and shall be disposed of according to the Department's policies.

(h) Animal found in the public way. If an animal is housed or restrained within fifteen (15) feet of a public street, road or sidewalk and the animal poses a threat to the public, and the Animal Control Officer finds it to be in the public street, road or on the sidewalk and the owner or keeper is not at home or refuses to remove the animal from the public street, road or sidewalk, the Animal Control Officer may impound the animal. The Animal Control Officer must leave a notice of impoundment with the owner or keeper or affix the notice to the premises from which the animal was housed or restrained. The animal services officer may issue a notice of violation and civil penalty for a first offense and additional penalties for each subsequent offense. The owner shall have five (5) days to redeem the animal. If the animal is redeemed the owner or keeper must pay all civil penalties and shelter fees for the impoundment. If the owner or keeper fails to redeem the animal within five (5) days the animal shall become the property of the Animal Control Department and shall be disposed of according to the Department's policies.

(i) Private remedies. This section shall not be construed to prevent a private citizen from pursuing a private cause of action for damages against the owner or keeper of any animal that has caused injury to said private citizen or his property for damages or any other loss resulting from an animal being a nuisance as defined by this section or otherwise.

(Adopted June 17, 2013)

Repeal "Section 3-22. Spaying or neutering as condition for adoption of dogs and cats; violations."

New Section 3-22 adopted as follows:

Sec. 3-22. Spaying or neutering as condition for adoption or reclaiming by owner of dogs and cats; violations.

(a) No dog or cat may be adopted from the animal shelter unless the animal has been surgically spayed or neutered, or the adopting owner agrees to do have the animal surgically spayed or neutered in accordance with any time limit imposed by the Animal Control Director.

(b) The Animal Control Director shall implement procedures to enforce this section.

(c) The failure of any person adopting an impounded animal to comply with this section shall constitute a violation of this section and shall constitute the forfeiture of the animal to the Animal Control Department.

(d) Any animal picked up by Animal Control for running at large: or designated Potentially Dangerous or Dangerous Dog shall be spayed or neutered prior to being returned to its owner.

(e) The Animal Control Director when dealing with dogs picked up for running at large may make a one-time exception for Breeding, Show, or Hunting Dogs.

(Adopted June 17, 2013)

Repeal "Section 3-23. Keeping of animals; mistreatment, abandonment prohibited; care; restraining of dogs; exercise area for dogs."

New Section 3-23 adopted as follows:

Sec. 3-23. Keeping of animals; mistreatment, abandonment prohibited; care; restraining of dogs; exercise area for dogs.

(a) All dogs, cats and other small animals kept as house pets shall be housed, fed and protected from the weather in such a manner as not to create a nuisance.

(b) No person shall willfully or negligently:

(1) Torture, cruelly beat, injure, maim, mutilate or without good cause destroy or kill any animal, whether wild or tame, belonging to himself or to another;

(2) Deprive any animal of food, drink or shelter; or

(3) Cause any other person to do any of the above acts.

(c) If an animal is found by any Animal Control Officer to be in one of the above described conditions in subsection 3-23(a) or (b), the officer shall take appropriate measures, including civil or criminal enforcement, to protect the welfare of the animal. If the Animal Control Officer determines that a confined animal's life is in immediate danger or the animal has been abandoned, the Animal Control Officer shall seize such animal if such seizure is not prohibited by applicable law and shall report the conditions to an appropriate law enforcement agency if seizure is not permitted. The Animal Control Officer shall leave a notice for the owner or keeper advising why the animal has been taken.

(d) No dog, cat or other small animal shall be confined within or on a motor vehicle under such conditions as may endanger the health or well-being of the animal, including, but not limited to, dangerous temperature or lack of adequate food or water.

(e) No person shall abandon or cause to be abandoned any dog, cat or any other type of animal.

(f) Owners and keepers of dogs, cats and other small animals shall provide food, shelter and medical attention to such animals, including but not limited to the following:

(1) Sufficient wholesome food that is nutritious for the species;

(2) Fresh, potable drinking water;

(3) Medical attention to relieve such animals from suffering;

(4) Shade from the sun; and

(5) Shelter to allow the animal to remain dry and protected from the elements. Such shelter shall be fully enclosed on three (3) sides, roofed and have

a solid floor. The entrance to the shelter shall be flexible to allow the animal's entry and exit, and sturdy enough to block entry of wind or rain. The shelter shall be small enough to retain the animal's body heat and large enough to allow the animal to stand and turn comfortably. The enclosure shall be structurally sound and in good repair.

(g) It shall be unlawful to tether a dog except in accordance with this subsection.

(1) No dog shall be tethered outdoors unless the keeper or owner of the dog is holding the tether.

(2) It shall be an affirmative defense to a violation of this subsection that the tethering is required to protect the safety or welfare of a person or the dog, provided that the keeper or owner of the dog acquires a permit from the Animal Control Director ~~for the temporary tethering of a dog while acquiring kennels or fencing.~~

(3) The provisions of this subsection (g) shall not apply to a temporary tether:

(a) During a lawful animal event, veterinary treatment, grooming, training, or law enforcement activity; or

(b) To a keeper or owner walking a dog with a hand-held leash, or during lawful hunting activities if reasonably necessary for the safety of the dog, or while a dog is actively engaged in shepherding or herding livestock; or

(c) When meeting the requirements of a camping or recreation facility; or

(d) When the animal's caretaker is outside and within eyesight of the animal;

or

(e) After taking possession of a dog that appears to be a stray dog and after having advised the Animal Control Department of the stray.

(4) The provisions of subsections (g)(2) and (3) above shall apply only if:

(a) The tether is not placed directly round the dog's neck and is attached to a properly fitting collar or harness of nylon or leather worn by the dog; and

(b) The weight of the tether does not exceed more than one-tenth of the dog's body weight; and

(c) The tether is unlikely to become tangled or twisted and is attached with a swivel that will prevent tangling or twisting.

(d) The tether is arranged to be free of any obstacles which may limit the movement of the dog length of the tether and the tether is at least twelve (12) feet long; and

(e) The dog is tethered in a manner that permits access to necessary shelter and water.

(5) Any dog that remains tethered in violation of this subsection for more than fourteen (14) days after the owner receives a notice of violation may be seized by an Animal Control Officer or law enforcement officer and impounded at the Department's shelter. If the dog's owner does not show that an adequate confinement enclosure complying with the requirements of this ordinance has been installed on the owner's property within 72 hours of the impoundment, exclusive of Sundays and county government holidays, the dog shall be deemed to have been forfeited to the county and shall be disposed of in accordance with the Department's policy.

(h) Any dog confined within a fenced yard or run must have an adequate space for exercise. Provided, however, that where dogs are kept or housed on property without a fenced yard and such dogs are kept in an enclosure or run, such enclosure or run shall provide adequate space for exercise. Such an enclosure or run shall be constructed of chain link or similar type of materials with all four sides enclosed. The enclosure shall be of sufficient height to prevent the dog from escaping from such enclosure. The top of such enclosure shall be sufficiently covered to provide the dog with adequate shade and protection from the elements.

(Adopted June 17, 2013)

Adopt New Section 3-27 as follows:

Sec.3-27. Sanitation.

No keeper of any animal shall cause or allow such animal to soil, defile or defecate on any public property or upon any street, sidewalk, public way, play area or common grounds owned jointly by the members of a homeowners or condominium association, or upon private property without permission of the occupant of said property, unless such keeper immediately removes and disposes of all feces deposited by such animal by the following methods:

(a) Collection of the feces by appropriate implement and placement in a paper or plastic bag or other appropriate container; and

(b) Removal of such bag or container and disposition thereafter in a manner as otherwise permitted by law.

(Adopted June 17, 2013)

Adopt New Section 3-28 as follows:

Sec. 3-28. Breeding/Advertising/Transfer[BAT] Permit.

Owners who wish to breed their dog or cat and meet the requirements of the breeding/advertising/transfer [BAT] permit as outlined in part B of this section, may apply for such permit through the Animal Control division. The holder of the [BAT] permit would be authorized to breed, sell, trade, advertise, receive for any compensation, give away or transfer ownership of no more than one litter per licensed animal, per household, per year.

(a) Under no circumstances shall a [BAT] permit be issued:

(1) For any dog or cat not currently licensed as required in Section 3-50 of this code unless such person lives outside the county limits.

(2) To any person who has ever been convicted by any court of a charge relating to animal cruelty or neglect or has such a charge[s] pending until outcome of charges has been determined.

(b) A [BAT] Permit must be obtained by, but not limited to:

(1) Any person wishing to breed their dog or cat;

(2) Each breeding pair, dog or cat, before breeding shall take place;

(3) Any person who intentionally or unintentionally causes or allows the breeding of dogs or cats.

(c) Any person convicted of violating the provisions of subsection (b) of this section shall be punished by a fine of not less than three hundred dollars (\$300) or by imprisonment in the county jail for not more than thirty (30) days.

(Adopted June 17, 2013)

Adopt New Section 3-29 as follows:

Sec. 3-29. Nuisance/Reckless owner.

A person cited as a Nuisance/Reckless owner shall be ordered to surrender all of his/her dogs/cats to Animal Control and shall refrain from owning, keeping or harboring those dogs/cats or any dogs/cats for a period of three (3) years.

(Adopted June 17, 2013)

Repeal "Section 3-74. Selling live animals in public rights of way and other public property prohibited."

New Section 3-74 as follows:

Sec. 3-74. Selling live animals in public rights of way and other public property prohibited.

It is unlawful to sell, auction, trade, barter, and display for commercial purposes or give away any live animal within the right of way of any public highway, commercial parking lot, garage sale, flea market, festival, park, community center, public vehicular area, public sidewalk, public property or street within Cumberland County. The Animal Control Department may immediately take custody of and impound any live animals found being sold in violation of this section. This section shall not apply to any animal welfare organization or humane society qualified under Section 501(c)(3) of the Internal Revenue Code acting pursuant to a permit issued by the Animal Control Director, which permit may be conditioned on reasonable conditions to assure the health, welfare and safety of the animals being sold, auctioned, traded, bartered, displayed or given away.

(Adopted June 17, 2013)

ORDAINED this the ____ day of June, 2013, by the Cumberland County Board of Commissioners.

Jimmy Keefe, Chairman

Cumberland County Board of Commissioners

ATTEST:

Candice H. White, Clerk to the Board



OFFICE OF THE COUNTY ATTORNEY

5th Floor, New Courthouse • P.O. Box 1829 • Suite 551 • 117 Dick Street, Fayetteville, North Carolina 28302-1829
(910) 678-7762

**MEMO FOR THE AGENDA OF THE JUNE 17, 2013
MEETING OF THE BOARD OF COMMISSIONERS**

TO: Board of Commissioners; Co. Manager; Hank Debnam; Attorney Jonathan Charleston; Attorney Tracy Hayes
FROM: Co. Atty. *R. Moorefield*
DATE: June 11, 2013
SUBJECT: Consideration of Approval of the Interlocal Agreement between Alliance Behavioral Healthcare, Cumberland Area Authority and Cumberland County to Consolidate Alliance and the Cumberland Area Authority

Attachments: (1) Merger Agreement
(2) Joint Resolution of Cumberland, Durham and Wake Counties
(3) Resolution Dissolving the Cumberland County Area Authority

BACKGROUND:

At the time this memo was prepared, the attorneys for Alliance, the Cumberland Area Authority, and the county attorney had negotiated a merger agreement containing provisions satisfactory to each of them. Based on the action taken by the Cumberland Area Authority at its meeting on June 5, 2013, the county attorney expected that the Chair and Director of the Area Authority would sign the agreement by 5:00 p.m. on June 13. It was the expectation of the county attorney and the attorney for Alliance that the agreement would be considered by Durham and Cumberland Counties on June 17 and by Wake County on July 1. Due to the timing of the approvals, the effective date of the agreement has been delayed to July 8, 2013. In addition, the agreement must be approved by the Secretary of DHHS to become effective.

The county attorney gratefully acknowledges the input and involvement of Jonathan Charleston, Attorney for the Cumberland Area Authority, in negotiating key provisions of the agreement.

THE ESSENTIAL TERMS OF THE AGREEMENT:

The essential terms of the agreement are as follows:

Office Location (Paragraph 4): Alliance will maintain an office for performing certain MCO functions in Cumberland County, subject to appropriate funding and any statutory or administrative changes or actions. The County will provide the office space currently occupied

by the Cumberland Authority at 711 Executive Place to the Alliance for this purpose rent-free for the first year and subject to a negotiated lease after the first year.

Governing Board Composition (Paragraph 7): The Durham and Wake County Boards of Commissioners will each appoint seven (7) members to the Alliance board, with the Cumberland County Board of Commissioners to appoint four (4). These eighteen Alliance board members will appoint an additional board member from Johnston County, which continues its interlocal contractual agreement with the Alliance. Certain existing Alliance board members, including the one representative for Cumberland County, will remain on the board through their current terms. Specified significant actions by the Alliance board will require a super-majority of fifteen (15) votes, or 75% in the event the number of board seats changes. NOTE: The combined seats of Wake, Durham and Johnston constitute the requisite fifteen (15) votes.

Transfer of Property and/or Assets (Paragraph 10): The property owned by the Cumberland Authority is to be identified on separate schedules and transferred to Alliance. The parties acknowledge that the Cumberland Area Authority does not own any real property. Although all personal property used by the Cumberland Area Authority has always been owned by and under the inventory control of the County, the County has identified all the office furniture, equipment and supplies located at Executive Place and will transfer those assets to Alliance. At the time this memo was prepared, a decision had not been made about any vehicles that are being used by the Cumberland Area Authority.

Employment of County Employees (Paragraph 13): All county employees currently employed in MCO positions who desire to continue their employment with Alliance will be hired by Alliance at their current classification and salary. Those county employees who are eligible for the county retiree health insurance benefit will be allowed to delay their employment with Alliance for the 30 day period necessary to qualify for retirement in the LGERS. Alliance will transfer all accrued sick leave and allow employees to transfer up to 80 hours of accrued vacation leave.

Funding Obligation (Paragraph 16): The County will pay the total sum of \$1,584,000 in two annual installments of one-half each year. This amount was determined as 22% of the Eight Million Dollars advanced to Alliance by Wake and Durham Counties for start-up costs and was pro-rated to account for the first year's operation through the interlocal agreement. The percentage is the same percentage as Cumberland's four board seats is to the eighteen seats appointed by all three counties. Although Alliance proposes to pay all these funds back to the three counties, the counties will ultimately be responsible for any default in these payments so there is no penalty provision in the agreement.

County Mental Health Services Funding (Paragraph 17): Additional county funding for local services shall be established through an annual funding agreement between the county and Alliance. This is the manner by which certain local services were funded during the current fiscal year. Alliance agrees to contract with Cape Fear for the provision of the crisis, detoxification and drop-off center in addition to the outpatient therapy services (mental health clinic) being transferred from the health department to the hospital.

Cumberland County Fund Balance (Paragraph 18): The parties acknowledge and agree that the portion of the Cumberland County fund balance assigned for mental health is and shall remain the fund balance of Cumberland County subject to its exclusive control.

RECOMMENDATION/PROPOSED ACTION:

If the Board of Commissioners determines the interests of Cumberland County's consumers of mental health services and the interests of the County are promoted by Cumberland County having a significant voice on the Alliance's governing board, then the county attorney recommends the board take the following actions to accomplish the consolidation of the Cumberland Area Authority with Alliance Behavioral Healthcare:

- (1) Approve the Interlocal Agreement between the Cumberland Area Authority, Alliance and Cumberland County as set out in the materials presented with the agenda;
- (2) Adopt the Joint Resolution Between Cumberland, Durham and Wake Counties Approving the Merger/ Consolidation of Cumberland Area Authority into the Alliance Multicounty Area Authority/ Local Management Entity ("LME") pursuant to N.C. Gen. Stat. § 122C-115.1 for the Provision of Mental Health, Intellectual/ Developmental Disabilities and Substance Abuse Services as set out in the materials presented with the agenda; and
- (3) Adopt the Resolution Dissolving the Cumberland County Area Mental Health, Developmental Disabilities and Substance Abuse Authority as set out in the materials presented with the agenda.

INTERLOCAL AGREEMENT BETWEEN ALLIANCE BEHAVIORAL HEALTHCARE,
CUMBERLAND COUNTY AREA AUTHORITY AND THE CUMBERLAND COUNTY BOARD OF
COUNTY COMMISSIONERS TO CONSOLIDATE ALLIANCE AND THE CUMBERLAND AREA
AUTHORITY INTO A MULTI-COUNTY AREA AUTHORITY FOR THE MANAGEMENT OF
MENTAL HEALTH, INTELLECTUAL/ DEVELOPMENTAL DISABILITY AND SUBSTANCE
ABUSE SERVICES IN CUMBERLAND, DURHAM AND WAKE COUNTIES

AGREEMENT

This INTERLOCAL MERGER/ CONSOLIDATION AGREEMENT ("Agreement") is made and entered into by and between Alliance Behavioral Healthcare, Cumberland County Area Authority for Mental Health, Developmental Disabilities and Substance Abuse Services ("Cumberland Area Authority") and Cumberland County ("Cumberland") (collectively, the "Parties").

WITNESSETH:

WHEREAS, Cumberland Area Authority is a single-county Area Authority/ Local Management Entity ("LME") organized and operating in accordance with N.C. Gen. Stat. §122C-115.1; and

WHEREAS, Cumberland County is one of the 100 North Carolina Counties as set forth in N.C. Gen. Stat. §153A-10, with all the rights and powers attendant thereto; and

WHEREAS, Alliance Behavioral Healthcare ("Alliance") is a multi-county Area Authority/ LME operated by a Board of Directors appointed by the Wake and Durham County Boards of County Commissioners in accordance with N.C. Gen. Stat. §122C-115.1; and

WHEREAS, Alliance was formed by the July 1, 2012 merger and consolidation of Wake County Area Authority for Mental Health, Developmental Disabilities and Substance Abuse Services ("Wake LME") and Durham County Area Authority for Mental Health, Developmental Disabilities and Substance Abuse Services ("The Durham Center") and is responsible for managing publicly-funded mental health, intellectual/ developmental disability and substance abuse ("MH/I-DD/SA") services in Durham and Wake Counties; and

WHEREAS, The Durham Center, Cumberland Area Authority and the Johnston County Area Authority for Mental Health, Developmental Disabilities and Substance Abuse Services entered into an Interlocal Agreement in September 2011 whereby The Durham Center was designated as the Lead LME for purposes of operating as a risk-based Medicaid Managed Care Organization ("MCO") and administering MH/I-DD/SA services in Cumberland, Durham and Johnston Counties; and

WHEREAS, Alliance is the successor in interest to The Durham Center, and entered into Contracts with the Division of Medical Assistance ("DMA") and the Division of MH/DD/SA of the North Carolina Department of Health and Human Services ("NCDHHS") to operate a Prepaid Inpatient Health Plan ("PIHP") in accordance with the 1915 b/c Medicaid Waiver and

42 CFR Part 438, and to manage and administer publicly-funded MH/I-DD/SA services in Cumberland, Durham, Johnston and Wake Counties; and

WHEREAS, Alliance and the Cumberland Area Authority entered into a Subcontract for Cumberland Area Authority to perform certain of the delegated functions of the 1915 b/c Medicaid Waiver Contract, including but not limited to local Care Coordination and Community Relations, and reimburses Cumberland Area Authority for certain staff costs associated with performance of those functions; and

WHEREAS, considering geographic proximity, similar urban composition and issues, working relationships, organizational values, advantages to providers and consumers, and cost efficiencies, the Alliance Board of Directors and the Cumberland County Board of County Commissioners believe that it is in the Parties' best interests to combine the Alliance and Cumberland catchment areas and consolidate Cumberland Area Authority into the Alliance multi-county Area Authority operating as a political subdivision of the State of North Carolina and organized under N.C. Gen. Stat. §122C-115.1, to manage publicly-funded MH/I-DD/SA services for Cumberland, Durham and Wake Counties; and

WHEREAS, the terms of this Agreement are intended to establish the process whereby the Parties will consolidate the single-county Cumberland Area Authority into the multi-county Alliance Area Authority; and

WHEREAS, the Boards of County Commissioners of Cumberland, Durham and Wake Counties intend to consolidate Cumberland Area Authority into the Alliance multi-county Area Authority consistent with the governance outlined in N.C. Gen. Stat. § 122C-115.1, contingent upon satisfaction of terms outlined in this Agreement and upon each county's respective execution of a resolution approving this Agreement; and

WHEREAS, the Parties have the authority to enter into this Agreement pursuant to N.C. Gen. Stat. §122C-115.1 and N.C. Gen. Stat. §160A-461.

NOW THEREFORE, in consideration of the mutual promises and considerations set forth herein, the Parties do covenant and agree as follows:

- 1. Purpose:** The parties enter into this Agreement for the purpose of consolidating the single-county Cumberland Area Authority into the multi-county Alliance Area Authority, which shall continue to manage the provision of high-quality, cost-effective MH/I-DD/SA services to individuals in the Cumberland, Durham and Wake County catchment areas and any other catchment areas provided for by agreement.
- 2. Adherence to Law and Contract:** Alliance shall adhere to the requirements of Chapter 122C of the North Carolina General Statutes, the 1915 b/c Medicaid Waiver, the NC State Plan for Medical Assistance, APSM 30-I, Division of Mental Health, Developmental Disabilities and Substance Abuse Services (DMH/DD/SA) State Plan as updated, Contracts with DMA and DMH/DD/SA, the terms and conditions of this Agreement, and applicable local, state or federal law, including but not limited to all federal and state confidentiality laws and regulations, i.e. the

Health Insurance Portability and Accountability Act of 1996 (HIPAA), the Standard for Privacy of Individually Identifiable Health Information and Health Insurance Reform: Security Standards, 45 CFR Part 164, alcohol and drug abuse patient records laws codified at 42 U.S.C. §290dd-2 and 42 CFR Part 2, the Health Information Technology for Economics and Clinical Health Act (HITECH Act) adopted as part of the American Recovery and Reinvestment Act of 2009 (Public Law 111-5). Alliance shall effect such by-laws, resolutions, policies and actions as are reasonably required to carry out the terms and conditions of this Agreement.

3. Name: The consolidated Multi-County Area Authority is a local political subdivision of the State of North Carolina in accordance with N.C. Gen. Stat. §122C-116 and will continue to be known as "Alliance Behavioral Healthcare."

4. Office Location: The corporate headquarters for the consolidated area authority shall be 4600 Emperor Boulevard, Suite 200, Durham, NC or as approved by the Alliance Board of Directors. Subject to reduction in funding appropriated to Alliance, statutory changes or administrative actions by the General Assembly, the Governor or the Secretary of NCDHHS, Alliance shall (1) maintain a local office in Cumberland County within close proximity to other human services agencies and (2) shall maintain the following MCO functions and related staff in Cumberland County: I/DD and MH/SA Care Coordination, Community Relations, and System of Care Coordination, provided however that no reduction in funding shall disproportionately affect Cumberland County. The local office for Cumberland County shall initially be located at 711 Executive Place Fayetteville, NC, which such property is owned by Cumberland County. The Parties acknowledge and agree that Alliance shall utilize this site location rent-free from July 1, 2013 through June 30, 2014, pursuant to the terms and conditions of a separate Lease Agreement between the Parties, which shall include the following provisions:

a. All utilities will continue to be paid by Cumberland County during the time frame listed above.

b. Alliance agrees to provide written notice at least 90 days prior to June 30, 2014 of intent to vacate or to commence paying rent at a rate to be negotiated by the parties, but not more than the rate of twelve (12) dollars per square foot. Only that portion of the building which is actually used by Alliance shall be leased. If the entire building is leased to Alliance, Alliance shall be solely responsible for the utilities. If a portion of the building is leased to Alliance, the utilities shall be prorated by the floor space leased.

5. Operational Date and Effective Date: The Operational Date of this Agreement shall be July 8, 2013, which is the date of the first Alliance pay period in July, unless otherwise agreed to in writing by the Parties. This Agreement shall be effective upon execution by all signatories ("Effective Date") and approval by the Secretary of DHHS and shall remain in effect until the Operational Date, provided that all representations, warranties and indemnifications made by any Party to this Agreement shall survive the establishment of the consolidated Area Authority, as more specifically set forth in Section 33 of this Agreement. As of the Effective Date or as soon thereafter as practicable, Cumberland Area Authority and/or Cumberland County shall no longer enter any new contracts or otherwise bind or obligate the Cumberland Area Authority.

6. Board of Directors: Alliance shall be governed by a Board of Directors comprised of

nineteen (19) members consistent with the provisions of N.C. Gen. Stat. §122C-118.1(a). The Board composition shall be in conformity with the formula set forth in paragraph 7, below. The counties shall begin the Board appointment process immediately upon the Effective Date and will use best efforts to have all Board members appointed and approved by September 1, 2013.

7. Board Composition: The consolidated Alliance Area Board will consist of nineteen (19) members. Seven (7) members shall be appointed by Durham County, seven (7) members shall be appointed by Wake County, four (4) members shall be appointed by Cumberland County, and one seat shall be at large. The process for appointment shall be according to the following general terms and conditions:

- a. Seven (7) Area Board members shall be appointed by the Durham County Board of Commissioners. All but one currently-seated members representing Durham County now serving on the Alliance Board of Directors shall remain on the Alliance Board of Directors through the expiration of their current terms. In order to reduce the Durham Board seats from eight (8) to seven (7), the Durham County Board of County Commissioners shall select a member whose appointment expires in March 2014 for early cancellation. Board representatives will include one (1) individual with business expertise, one (1) individual with financial expertise, one (1) individual with clinical expertise and one (1) individual who represents the interest of children. Additionally, two (2) individuals who are consumers/ family members of consumers/ advocates for consumers will be appointed. A Board member may concurrently represent two categories of membership.
- b. Seven (7) Area Board members shall be appointed by the Wake County Board of Commissioners. All currently-seated members representing Wake County now serving on the Alliance Board of Directors shall remain on the Alliance Board of Directors through the expiration of their current terms. Board representatives will include one (1) individual with business expertise, one (1) individual with financial expertise, one (1) individual with clinical expertise and one (1) individual who represents the interest of children. Additionally, two (2) individuals who are consumers/ family members of consumers/ advocates for consumers will be appointed. A Board member may concurrently represent two (2) categories of membership.
- c. Four (4) Area Board members shall be appointed by the Cumberland County Board of Commissioners. The currently-seated member representing Cumberland County now serving on the Alliance Board of Directors shall remain on the Alliance Board of Directors through the expiration of his current term. Board representatives will include one (1) individual with business or financial expertise, one (1) individual with clinical expertise or who represents the interest of children, and two (2) individuals who are consumers/ family members of consumers/ advocates for consumers. A Board member may concurrently represent two (2) categories of membership.
- d. The eighteen (18) Board members appointed by Cumberland, Durham and Wake

counties as set forth herein shall then establish the term of and appoint one (1) at-large seat. The at-large seat shall initially be filled by one (1) representative from Johnston County and shall continue to be occupied by a representative from Johnston County for so long as Johnston County is party to an Interlocal Agreement with Alliance. Upon termination of the Interlocal Agreement between Alliance and Johnston County, or the admission of additional counties by agreement to the consolidated Area Authority or any agreement by consent with any other county via Interlocal agreement, the at-large seats shall be filled in accordance with needs and wishes of the consolidated Area Authority.

- e. Other Area Board requirements will be jointly developed consistent with the requirements of N.C. Gen. Stat. §122C-118.1(a). Alliance will advertise, accept applications, interview and recommend appointments to the respective Boards of County Commissioners.
- f. Terms and term limits for the appointed board members shall be established consistent with the requirements set forth in N.C. Gen. Stat. §122C-118.1(d).
- g. Cumberland, Durham and Wake counties may have equal representation on the Alliance Area Board Finance Committee. The Finance Officer or designee of each participating county may serve as an *ex officio* non-voting member of the Finance Committee.
- h. Significant actions by the Alliance Area Board will require fifteen (15) votes, or a corresponding 75% majority in the event the number of Board members changes. Significant actions shall include: 1) Area Board policy decisions which affect consumer benefit plans or provider rates; 2) any action or decisions concerning the annual budget and amendments according to the Local Government Budget and Fiscal Control Act (N.C.G.S. Chapter 159); 3) personnel policies; 4) employee benefit plans; 5) the selection and dismissal of the Chief Executive Officer; 6) changes to the Area Board structure; 7) execution of contracts or leases for real or personal property including accepting any assignment thereof; 8) acceptance of grants; 9) settlement of liability claims against the new Area Authority or its officers or employees; 10) approval or amendment of Area Authority by-laws, and; 11) any other matter so designated by the new Area Authority Board.

8. Area Director/ Chief Executive Officer: The Area Director/ Chief Executive Officer ("Area Director/ CEO") of the consolidated Alliance Area Authority shall be Ellen S. Holliman. The Area Authority by-laws shall set forth the procedure for hiring any subsequent Area Director/ CEO consistent with the mandates set forth in N.C. Gen. Stat. §122C-121, and shall enter into an employment contract with any Area Director/CEO so hired specifying the terms of employment.

9. Consumer and Family Advisory Committee: Consistent with N.C. Gen. Stat. §122C-170 *et seq.*, Alliance shall establish a committee made up of consumers and family members to be known as the Consumer and Family Advisory Committee (CFAC) and which shall consist of

eight (8) members from each participating County for a total of no more than twenty-four (24) members. The CFAC shall be a self-governing and self-directed organization that advises the Area Authority on the planning and management of the local public MH/I-DD/SA service system. The CFAC and the Board of the consolidated Area Authority shall execute an agreement that identifies the roles and responsibilities of the CFAC. The consolidated Area Authority will provide financial, technical and administrative support to the Alliance CFAC and to the local Cumberland, Durham and Wake CFACs as needed.

10. Transfer of Property and/or Assets: A true and accurate list of property and/or assets owned by Cumberland Area Authority, other than inventory, any assets leased by Cumberland Area Authority, and any assets specifically excluded from this Agreement, is attached hereto as Schedule 1 and incorporated herein by reference. All property and/or assets currently owned by Cumberland Area Authority and set forth in Schedule 1, as well as all inventory currently owned by Cumberland Area Authority and described in Schedule 2, shall be transferred to Alliance on or before the Operational Date. Notwithstanding N.C. Gen. Stat. §122C-147(c), the Parties agree and acknowledge that Cumberland Area Authority does not own or hold title to any real property. If any of the property identified in Schedule 1 requires a title or other document establishing ownership, said title or other document shall be transferred to Alliance on or before the Operational Date, or as soon as reasonably practicable thereafter. The Parties understand and agree that if Alliance is dissolved or there are any statutory changes or administrative actions by the Governor or the Secretary of NCDHHS that limits or terminates the Alliance contract to operate the 1915 b/c Medicaid Managed Care Waiver, then in such case, title to any property transferred to Alliance shall revert to Cumberland County upon the demand of Cumberland County.

11. General Liability Insurance: Alliance shall procure and maintain appropriate insurance policies for general liability, professional liability, property damage and injury to individuals, automobile insurance, and Workers Compensation consistent with the requirements established by NCDHHS for operation as an LME-MCO, and shall provide the County Commissioners of all participating counties with evidence of insurance.

12. Directors' and Officers' Insurance: The Area Authority shall purchase an insurance policy for the purposes of protecting its Directors and Officers from liability in the performance of their official duties.

13. Employment of Cumberland County Employees: No later than June 15, 2013, Alliance will post for hiring on its website the positions listed in Schedule 5, attached hereto and incorporated herein. Positions will be filled by the determination of the CEO or her designee(s) following a cursory application and interview process. Preference will be given to Cumberland County employees currently filling the positions listed in Schedule 5. All current full-time employees (but not independent contractors) filling the positions listed in Schedule 5 will be hired into the same classification and position at their current FY13 salary unless they opt to retire from Cumberland County employment, choose not to apply with Alliance, are subject to any current or pending disciplinary action, or do not meet hiring criteria due to criminal history or failure to hold necessary licensure. All hires who wish to maintain continuity of service and leave accrual rates must begin employment with Alliance no later than the Effective Date or the

date of the first Alliance pay period beginning after the Effective Date, and will be subject to a probationary period in accordance with the State Personnel Act and Alliance Human Resources policies and procedures. Those employees who wish to retire from Cumberland County in order to maintain their county retiree health insurance benefit will be allowed to delay their employment with Alliance for the 30 day period necessary to qualify for retirement in the NC Local Government Employees' Retirement System (LGERS), contingent upon acceptance of a full time employment position as a new employee with Alliance and if allowed by LGERS. Alliance shall participate in the NC Local Government Employees' Retirement System. Alliance shall accept all accrued sick leave and up to 80 hours of accrued vacation leave for each employee hired, contingent upon reimbursement from the County for such vacation leave hours. Employee rights shall be subject to the State Personnel Act under the auspices of the State Personnel Commission. Alliance shall maintain Substantially Equivalent designation from the State Personnel Commission for the administration of its personnel system. Alliance will establish personnel policies and procedures in compliance with applicable local, state and federal laws and regulations. The Alliance Human Resources Director will be responsible for monitoring and recommending policy and procedure changes to the CEO as needed. Alliance agrees that it will comply with all applicable law before instituting any Reduction in Force for any of its employees.

14. Financial Disclosure: The Parties hereby covenant and agree that they will share with each other all requested financial information, and represent that such financial information is complete and accurate, does not contain any material misrepresentations, and does not omit any material information concerning each Party's financial status.

15. Funds Administration: The Area Authority shall directly receive all local, state and federal funds consistent with Chapter 122C of the North Carolina General Statutes and administer them to carry out the purpose of this Agreement.

16. Cumberland Funding Obligation: Funding obligations will be shared proportionally between Cumberland, Durham and Wake Counties not to exceed a total of Eight Million and No/100 Dollars (\$8,000,000.00), as set forth below:

- a. Both Durham and Wake Counties have each contributed Four Million and No/100 Dollars (\$4,000,000.00) to Alliance in the form of a loan. Cumberland agrees to remit a total of One Million, Five Hundred Eighty-Four Thousand and No/100 (\$1,584,000.00) to Alliance towards this obligation in two equal payments. The first payment shall be remitted on or before July 1, 2013 and the second payment shall be remitted on or before July 1, 2014 in accordance with the Payment Schedule attached hereto and incorporated herein as Schedule 4, and the further terms of this Agreement. Repayment of these funds shall be in accordance with the Payment Schedule attached hereto and incorporated herein as Schedule 4. Interest shall accrue on the amount transferred at an annual rate of 1% beginning July 1, 2013 until paid in full.
- b. The value of any previous contribution, assets, inventory or equipment conveyed or transferred from Cumberland to Alliance shall not be counted towards or

included as part of the funding obligation unless specifically agreed to by the Parties in writing.

- c. Alliance shall be responsible for obtaining an annual independent certified audit inclusive of the operations and shall provide copies of the annual audit to the Cumberland, Durham and Wake County Boards of County Commissioners.
- d. In the event that Cumberland takes any action pursuant to N.C. Gen. Stat. §122C-115.3, then and in that event, the county shall forfeit the repayment authorized by this Section if such repayment schedule continues over into a fiscal year in which the county is not participating in the Alliance Area Authority.
- e. In the event that Alliance is put on notice prior to July 1, 2014, by any statutory changes or administrative actions by the Governor or the Secretary of NCDHHS that Alliance's Contract with NCDHHS to operate the 1915 b/c Medicaid Managed Care Waiver will be terminated on or before July 1, 2015, or Alliance will be consolidated into another LME-MCO and will no longer be the lead LME-MCO for purposes of managed care operations on or before July 1, 2015, then and in that event, Cumberland shall be under no obligation to remit the second payment referenced in paragraph 16.b., above.
- f. In the event Alliance is dissolved for any reason, Cumberland County's liability for any liabilities of Alliance shall be established in accordance with N.C. Gen. Stat. Chapter 122C.

17. County MH/I-DD/SA Services Funding: In accordance with N.C. Gen. Stat. 122C-115(a), the Parties acknowledge and agree that county funding allocated for local services annually shall be conveyed through an annual funding agreement between each County and Alliance. The terms of the annual funding agreement will be mutually developed and in compliance with applicable county and state requirements. Alliance shall adhere to all requirements set forth in the Local Government Budget and Fiscal Control Act. The Parties acknowledge and agree that Alliance will enter into a Contract with Cape Fear Valley Health System (CFVHS) effective July 1, 2013 for the provision of a county-funded facility-based crisis, detoxification and drop-off center in addition to the outpatient therapy services previously provided by the Cumberland County Health Department, in accordance with the terms and conditions of the annual funding agreement. Alliance shall ensure that CFVHS does not receive preferential treatment, including, but not limited to referrals for services, favorable rates, and compliance or performance reviews, that could create actual or perceived conflicts of interest that would unfairly benefit CFVHS.

18. Cumberland County Fund Balance: Notwithstanding the requirements of N.C. Gen. Stat. §122C-116(a) and Senate Bill 208, the Parties acknowledge and agree that the Cumberland Area Authority was considered a department of Cumberland County government for purposes of Chapter 159 of the General Statutes prior to the amendment of N.C. Gen. Stat. §122C-116(a) on July 12, 2012; and that any portion of the fund balance of Cumberland County which has been assigned for mental health is and shall remain the fund balance of Cumberland County subject to

its exclusive control.

19. Leases and Other Liabilities Incurred in Ordinary Course of Business: Schedule 3 separately itemizes all Accounts Receivable, service contracts, office and equipment leases, and standard operating agreements to which Cumberland Area Authority is a party, and current payables and other liabilities of Cumberland Area Authority incurred in the ordinary course of business. The term "Accounts Receivable" shall refer to any outstanding and unpaid bills, invoices or claims owed to third party payers or other responsible parties for goods or services rendered prior to the Operational Date in the normal and ordinary course of Cumberland Area Authority business. Alliance shall, prior to the Operational Date, evaluate Schedule 4 obligations and assess its ability and desire to assume responsibility for such service contracts, office and equipment leases, and standard operating agreements and obtain all necessary consents to assignment. Cumberland Area Authority shall cooperate in a reasonable manner with Alliance to accomplish such assignments. It is expressly understood and agreed that, except for any obligations of Cumberland Area Authority listed in Schedule 4 which are assumed in writing by Alliance, that Alliance shall not be responsible for any liability or obligation of Cumberland Area Authority which is fixed or contingent, disclosed or undisclosed, as of the Operational Date or otherwise.

20. Inventory: Schedule 2 contains a complete and accurate summary of the inventory purchased with non-County funds and owned by Cumberland Area Authority as of the Operational Date.

21. Liabilities: The following provisions shall apply to the terms and conditions of this Agreement:

- a. Alliance Liabilities: Alliance shall be solely responsible for any acts or omissions after the Operational Date that are not covered by applicable insurance coverage.
- b. Liabilities: Any liabilities of Cumberland Area Authority arising prior to the Operational Date, existing at such time, or coming into existence after such date for acts or omissions of Cumberland Area Authority prior to the Operational Date that are not covered by applicable insurance coverage shall remain the sole responsibility of Cumberland County. These potential liabilities specifically include, but are not limited to, all claims, liabilities, damages or judgments imposed upon or incurred by Alliance, including reasonable attorneys' fees, that are primarily caused by (i) the acts or omission of Cumberland Area Authority or Cumberland County and/or Cumberland Area Authority directors, officers, employees or contractors, or (ii) any breach of Cumberland County's representations, warranties, covenants or obligations under this Agreement.

22. Pending Litigation and Claims: Cumberland affirms and warrants that there are no pending litigation matters or claims, or potential claims or suits against Cumberland Area Authority or its directors, officers, employees, agents or contractors, including but not limited to actual or alleged medical malpractice or professional negligence, with the exception of those expressly listed in Schedule 3 attached hereto and incorporated herein.

23. Conditions Precedent to Consummate Merger and Consolidation: The obligations of each Party to consummate the transaction described in this Agreement are subject to the following conditions precedent. Upon the non-performance or breach of said conditions, either Party may, at its option and in its sole discretion, cancel and nullify this Agreement prior to or as of the Operational Date.

- a. All necessary approvals have been obtained from the Alliance Board of Directors, the Boards of County Commissioners of the counties that will be members of the Area Authority and from the Secretary of the N.C. Department of Health and Human Services in accordance with state statutes and administrative rules relating to the consolidation of area authorities. This includes formal dissolution of Cumberland Area Authority's current responsibilities and activities by the Cumberland County Board of County Commissioners.
- b. The representations and warranties of Cumberland Area Authority contained in this Agreement shall be true, complete and correct in all material respects as of the Effective Date.
- c. Each of the covenants, agreements, conditions and obligations to be performed or complied with by each Party on or before the Operational Date pursuant to the terms hereof shall have been duly performed or complied with on or before such date, unless otherwise agreed to in writing by the Parties.
- d. Alliance shall consider, on a case by case basis, provider enrollment applications submitted within forty-five (45) days from the Effective Date by applicants interested in providing MH/I-DD/SA services in Cumberland County, and shall enroll applicants who meet Alliance credentialing, selection and retention criteria. The Parties agree and acknowledge that there is no right for any provider to participate in the Alliance closed provider network.

24. Conflict of Interest: Alliance will adhere to all provisions regarding conflicts of interest as set forth in state or federal law and Contracts with NCDHHS, including the prohibition on any County which appoints individuals to an Area Authority Board operating a 1915 b/c Medicaid Waiver from directly providing behavioral health services.

25. Waiver: The failure of a Party to insist upon strict adherence to any term of this Agreement on any occasion shall not be considered a future waiver of the term or deprive that Party of its right thereafter to insist upon strict adherence to that term or any other term of this Agreement. Any waiver must be in writing, and no waiver of any breach of any provision of this Agreement shall constitute a waiver of any other breach of such provision or of any other provision thereof.

26. Entire Agreement: This Agreement constitutes the entire agreement among the Parties as of the date hereof with respect to the subject matter hereof and cannot be amended or terminated orally. All prior agreements, understandings, representations and statements,

whether oral or written, are merged in to this Agreement. This Agreement specifically supersedes and replaces the previous Interlocal Agreement between The Durham Center and Cumberland Area Authority. All of the Schedules referred to in this Agreement and attached hereto shall be deemed and construed to be a part of this Agreement and shall be incorporated herein by reference.

27. No Third Party Beneficiaries: This Agreement is not intended for the benefit of any third party. The rights and obligations contained herein belong exclusively to the Parties hereto, and shall not confer any rights or remedies upon any person or entity other than the Parties hereto.

28. Severability: The Parties agree that if any provision of this Agreement, or portion thereof, is deemed invalid, unlawful or unenforceable for any reason by any court of competent jurisdiction, such determination shall be confined to the operation of the provision at issue and shall not affect or invalidate any other provision of this Agreement, and such court shall be empowered to substitute, to the extent enforceable, a provision similar thereto or other provisions so as to provide to the fullest extent permitted by applicable law the benefits intended by such provisions.

29. Paragraph Headings: Paragraph headings contained in this Agreement are included for convenience only and do not define, limit or describe the scope of intent of this Agreement or in any way affect this Agreement.

30. Choice of Law/ Forum: This Agreement shall be interpreted, construed, governed by and enforced in accordance with the laws of the State of North Carolina. The venue for all legal actions concerning this Agreement shall be in the State Courts of Cumberland, Durham, or Wake County.

31. Execution: The Parties agree to execute all documents, instruments or further assurances as may be necessary or required to effectuate and complete all transactions contemplated by this Agreement.

32. Multiple Originals: This Agreement may be executed simultaneously in two or more counterparts, each of which shall be deemed an original and it shall not be necessary to make any proof of this Agreement to produce or account for more than one such counterpart.

33. Survival: Survival of the representations, warranties and indemnifications made by any party to this Agreement shall survive the establishment of the consolidated Area Authority. The representations, warranties and indemnifications hereunder shall not be affected or diminished by any investigation at any time by or on behalf of the part for whose benefit the warranties and representations were made. For purposes of this paragraph, the Agreement shall be construed as a continuing contract so as to bind future boards to the extent permitted by law.

34. Assignment: This Agreement shall not be assigned, in whole or in part, without the prior written consent of the Parties.

35. Notification to NCDHHS Secretary: In accordance with N.C. Gen. Stat. §122C-115.1(a)(5), the Parties agree to provide written notification to the Secretary of the North Carolina Department of Health and Human Services prior to the withdrawal of any County from the Alliance multi-county Area Authority.

36. Notice: All notices, reports, records, or other communications which are required or permitted under the terms of this Agreement shall be sufficient in all respects if given in writing and delivered in person, by confirmed facsimile transmission, by overnight courier, or by registered or certified mail, postage prepaid, return receipt requested, to the receiving Party at the following address, unless any Party has notified the other of a different address by means of the notification formalities described in this paragraph, or has been dissolved upon this Agreement becoming effective.

If to Alliance:

Alliance Behavioral HealthCare
Attention: Ellen Holliman, Area Director/ CEO
4600 Emperor Boulevard
Durham, North Carolina 27703

With a copy to: Ms. Tracy Hayes, Alliance General Counsel, 4600
Emperor Boulevard, Durham, North Carolina 27703

If to Cumberland Area Authority:

Cumberland County Area Authority for Mental Health,
Developmental Disabilities and Substance Abuse Services
Attention: Hank Debnam, Area Director
711 Executive Place
Fayetteville, NC 28301

With a copy to: The Charleston Group, Post Office Box 1762,
Fayetteville, North Carolina 28302, Attn: R. Jonathan Charleston

If to Cumberland County:

Mr. James E. Martin, County Manager
Cumberland County Courthouse
117 Dick Street, Room 512
Fayetteville, NC 28301

With a copy to: Mr. Rick Moorefield, Cumberland County
Attorney, Cumberland County Courthouse, 117 Dick Street, Room
551, Fayetteville, NC 28301

If to Durham County:

Mr. Mike Ruffin, County Manager
200 East Main Street
2nd floor, Old Courthouse
Durham, N.C. 27701

With a copy to: Mr. Lowell Siler, Durham County Attorney, 200 E.
Main Street, Durham, N.C. 27701

If to Wake County:

Mr. David Cooke, County Manager
P.O. Box 550, Suite 1100
Raleigh, N.C. 27602

With a copy to: Mr. Scott W. Warren, Wake County Attorney, P.O.
Box 550, Raleigh, N.C. 27602

37. List of Attached Schedules:

- Schedule 1 – Cumberland Area Authority Assets**
- Schedule 2 – Cumberland Area Authority Inventory**
- Schedule 3 – Cumberland Area Authority Leases and other Liabilities**
- Schedule 4 – Loan Repayment Schedule**
- Schedule 5 – Employment Position Listing**

[THIS SPACE INTENTIONALLY LEFT BLANK]

AUTHORITY TO EXECUTE AGREEMENT

The undersigned parties represent and warrant that they have the authority to enter into this agreement on behalf of their principal and bind them according to its term.

SIGNATURES

For Alliance Behavioral Healthcare

Ellen S. Holliman
Area Director

Date

Lascel S. Webley, Jr.
Board Chair

Date

Pre-audit Statement:

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

Sara Pacholke
Director of Finance

Date

AUTHORITY TO EXECUTE AGREEMENT

The undersigned parties represent and warrant that they have the authority to enter into this agreement on behalf of their principal and bind them according to its term.

SIGNATURES

For Cumberland County Area Mental Health, Developmental Disabilities and Substance Abuse Authority



Hank Debnam, MPH
Area Director

Date

6/12/13



Lodies Gloston
Board Chair

Date

6/12/13

AUTHORITY TO EXECUTE AGREEMENT

The undersigned parties represent and warrant that they have the authority to enter into this agreement on behalf of their principal and bind them according to its term.

SIGNATURES

For Cumberland County

James E. Martin
County Manager

Date

Jimmy Keefe
Chairman, Board of County Commissioners

Date

Pre-audit Statement:

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

Amy Cannon
Deputy County Manager
Chief Finance Officer, Cumberland County

Date

Boards of County Commissioners of
Cumberland, Durham and Wake Counties

Joint Resolution Between Cumberland, Durham and Wake Counties
Approving the Merger/ Consolidation of Cumberland Area Authority
into the Alliance Multicounty Area Authority/ Local Management
Entity ("LME") pursuant to N.C. Gen. Stat. § 122C-115.1 for the
Provision of Mental Health, Intellectual/ Developmental
Disabilities and Substance Abuse Services

Effective July 8, 2013

WHEREAS, the State of North Carolina passed Session Law
2011-264 requiring statewide expansion of the 1915(b)/(c)
Medicaid Waiver to be managed by Area Authorities/ LMEs operating
as Managed Care Organizations ("MCO") to manage publicly-funded
mental health, intellectual/ developmental disability, and
substance abuse services ("MH/I-DD/SA") services; and

WHEREAS, Alliance Behavioral Healthcare ("Alliance") is a
Multicounty Area Authority/ LME formed by the April 22, 2012
Joint Resolution of the Durham and Wake County Boards of
Commissioners; and

WHEREAS, effective July 1, 2012, Alliance began operation as
a Multicounty Area Authority/ Local Management Entity for Wake
and Durham Counties pursuant to N.C. Gen. Stat. § 122C-115.1; and

WHEREAS, on February 1, 2013, Alliance began operating a
Prepaid Inpatient Health Plan ("PIHP") in accordance with 42 CFR
Part 438, the 1915(b)/(c) Medicaid Waiver, and Contracts with the
NC Department of Health and Human Services; and

WHEREAS, pursuant to the above and a September 2011
Interlocal Agreement with Cumberland and Johnston County Area
Authorities, Alliance is responsible for managing all publicly-
funded MH/I-DD/SA services in Cumberland, Durham, Johnston and
Wake Counties, with the exception of locally-funded services in
Johnston County; and

WHEREAS, effective July 1, 2013, Cumberland Area Authority
no longer meets the minimum population criteria to exist as an
independent Area Authority/ LME in accordance with N.C. Gen.
Stat. § 122C-115(a); and

WHEREAS, the Cumberland County Board of Commissioners voted
on May 20, 2013 to pursue a merger between Cumberland Area

Authority/ LME and Alliance; and

WHEREAS, the Boards of County Commissioners of Cumberland, Durham and Wake Counties believe that it is in their best interest to combine the Cumberland, Durham and Wake County catchment areas and merge Cumberland Area Authority/ LME into the Alliance multicounty area authority, operating as a political subdivision of the State of North Carolina and organized and existing pursuant to N.C. Gen. Stat. § 122C-115.1, to administer MH/I-DD/SA services for Cumberland, Durham and Wake Counties; and

WHEREAS, it shall further the interests of public health and welfare for the citizens of Cumberland, Durham and Wake Counties to merge Cumberland Area Authority/ LME into the Alliance multicounty area authority, consistent with the governance outlined in N.C. Gen. Stat. § 122C-115.1; and

WHEREAS, in accordance with the Interlocal Agreement and Alliance's Contracts with the NC Department of Health and Human Services, Alliance will continue managing MH/I-DD/SA services throughout the process of obtaining formal approval from the Cumberland, Durham and Wake County Boards of County Commissioners for merger between Cumberland and Alliance; and

WHEREAS, the Alliance Board and the Cumberland County Board of County Commissioners approved an Interlocal Merger/ Consolidation Agreement between Alliance and Cumberland at their respective June 6, 2013 and June 17, 2013 Board Meetings; and

NOW, THEREFORE, BE IT RESOLVED by the Cumberland, Durham and Wake County Boards of County Commissioners that:

1. The Cumberland County Board of County Commissioners, Durham County Board of County Commissioners and the Wake County Board of County Commissioners expressly authorize the merger of Cumberland Area Authority/ LME into the Alliance Multicounty Area Authority for the provision of MH/I-DD/SA services for the catchment areas covering their respective counties, in accordance with the terms and conditions of the Interlocal Merger/ Consolidation Agreement.
2. The name of the merged Multicounty Area Authority shall continue to be "Alliance Behavioral Healthcare."
3. Alliance shall perform all the functions required for Area Authorities/ LMEs by Chapter 122C of the North Carolina General Statutes as well as all of the functions required for operation as an MCO in accordance with N.C. Session Law 2011-264, including

but not limited to the following:

a. To establish accountability for the planning, development, and management of local systems that ensure access to care, quality of services, and the availability and delivery of necessary services for individuals in need of MH/I-DD/SA and related services; and

b. To operate a PIHP in accordance with the 1915 (b)/(c) waiver; and

c. To manage all publicly-funded MH/I-DD/SA services, including but not limited to state-funded services, county-funded services, and federal grant funded services; and

d. To manage all other resources that are or become available for MH/I-DD/SA services; and

e. To maintain a local presence in order to respond to the unique needs and priorities of local communities; and

f. To perform any other function of an Area Authority/ LME authorized by N.C. Gen. Stat. § 122C-115.4 et seq.

4. The Governance of Alliance shall be as set forth in the Interlocal Merger/ Consolidation Agreement attached to this Resolution and expressly incorporated herein by reference, and as specifically set forth below. The consolidated Alliance Area Board will consist of nineteen (19) members. Seven (7) members shall be appointed by Durham County, seven (7) members shall be appointed by Wake County, four (4) members shall be appointed by Cumberland County, and one seat shall be at large. The process for appointment shall be according to the following general terms and conditions:

a. Seven (7) Area Board members shall be appointed by the Durham County Board of Commissioners. All but one currently-seated members representing Durham County now serving on the Alliance Board of Directors shall remain on the Alliance Board of Directors through the expiration of their current terms. In order to reduce the Durham Board seats from eight (8) to seven (7), the Durham County Board of County Commissioners shall select a member whose appointment expires in March 2014 for early cancellation. Board representatives will include one (1) individual with business expertise, one (1) individual with financial expertise, one (1) individual with clinical expertise and one (1) individual who represents the interest of children.

Additionally, two (2) individuals who are consumers/ family members of consumers/ advocates for consumers will be appointed. A Board member may concurrently represent two categories of membership.

b. Seven (7) Area Board members shall be appointed by the Wake County Board of Commissioners. All currently-seated members representing Wake County now serving on the Alliance Board of Directors shall remain on the Alliance Board of Directors through the expiration of their current terms. Board representatives will include one (1) individual with business expertise, one (1) individual with financial expertise, one (1) individual with clinical expertise and one (1) individual who represents the interest of children. Additionally, two (2) individuals who are consumers/ family members of consumers/ advocates for consumers will be appointed. A Board member may concurrently represent two (2) categories of membership.

c. Four (4) Area Board members shall be appointed by the Cumberland County Board of Commissioners. The currently-seated member representing Cumberland County now serving on the Alliance Board of Directors shall remain on the Alliance Board of Directors through the expiration of his current term. Board representatives will include one (1) individual with business or financial expertise, one (1) individual with clinical expertise or who represents the interest of children, and two (2) individuals who are consumers/ family members of consumers/ advocates for consumers. A Board member may concurrently represent two (2) categories of membership.

d. The eighteen (18) Board members appointed by Cumberland, Durham and Wake counties as set forth herein shall then establish the term of and appoint one (1) at-large seat. The at-large seat shall initially be filled by one (1) representative from Johnston County and shall continue to be occupied by a representative from Johnston County for so long as Johnston County is party to an Interlocal Agreement with Alliance. Upon termination of the Interlocal Agreement between Alliance and Johnston County, or the admission of additional counties by agreement to the consolidated Area Authority or any agreement by consent with any other county via Interlocal agreement, the at-large seats shall be filled in accordance with needs and wishes of the consolidated Area Authority.

e. Other Area Board requirements will be jointly developed consistent with the requirements of N.C. Gen. Stat. §122C-118.1(a). Alliance will advertise, accept applications,

interview and recommend appointments to the respective Boards of Commissioners.

f. Terms and term limits for the appointed board members shall be established consistent with the requirements set forth in N.C. Gen. Stat. § 122C-118.1(d).

g. Cumberland, Durham and Wake counties will have proportional representation on the Alliance Area Board Finance Committee. The Finance Officer or designee of each participating county may serve as an ex officio non-voting member of the Finance Committee.

h. Significant actions by the Alliance Area Board will require fifteen (15) votes, or a corresponding 75% majority in the event the number of Board members changes. Significant actions shall include: 1) Area Board policy decisions which affect consumer benefit plans or provider rates; 2) any action or decisions concerning the annual budget and amendments according to the Local Government Budget and Fiscal Control Act (N.C.G.S. Chapter 159); 3) personnel policies; 4) employee benefit plans; 5) the selection and dismissal of the Chief Executive Officer; 6) changes to the Area Board structure; 7) execution of contracts or leases for real or personal property including accepting any assignment thereof; 8) acceptance of grants; 9) settlement of liability claims against the new Area Authority or its officers or employees; 10) approval or amendment of Area Authority by-laws, and; 11) any other matter so designated by the new Area Authority Board.

7. Funding obligations will be shared proportionally between Cumberland, Durham and Counties not to exceed a total of Eight Million and No/100 Dollars (\$8,000,000.00). Both Durham and Wake Counties have each contributed Four Million and No/100 Dollars (\$4,000,000.00) to Alliance in the form of a loan. Cumberland agrees to remit One Million, Five Hundred Eighty-Four Thousand and No/100 (\$1,584,000.00) to Alliance in two equal annual installments beginning July 1, 2013. Interest shall accrue on the amount transferred at an annual rate of 1% beginning July 1, 2013 until paid in full. Alliance shall reimburse Cumberland, Durham and Wake Counties in accordance with the revised repayment schedule set forth in Schedule 4 of the Interlocal Merger Agreement, attached hereto and incorporated as if fully set forth herein.

8. Upon the execution and signing of this resolution and approval from the Secretary of the North Carolina Department of

Health and Human Services consistent with the requirements of N.C. Gen. Stat. § 122C-115.1, Alliance shall have all rights, responsibilities and authority to operate as a Multicounty Area Authority for Cumberland, Durham and Wake Counties, as set forth in Chapter 122C of the North Carolina General Statutes, including, but not limited to the ability to sign and enter into contracts and other legally binding documents in furtherance of its stated goals, and consistent with the needs of the population encompassed within its catchment area subject only to the limitations of Chapter 159 of the North Carolina General Statutes.

9. Upon the execution and signing of this resolution and approval from the Secretary of the North Carolina Department of Health and Human Services consistent with the requirements of N.C. Gen. Stat. § 122C-115.1, the Board of County Commissioners for Cumberland, Durham and Wake Counties expressly authorize the Governing Board of Directors for Alliance to take any and all actions necessary to effectuate all matters consistent with this resolution.

10. Nothing in this resolution or the attached Interlocal Merger Agreement shall abridge or otherwise restrict the ability of Alliance to operate in its current form as a Multicounty Area Authority for Durham and Wake Counties as approved by the Secretary of the North Carolina Department of Health and Human Services and in accordance with N.C. Gen. Stat. § 122C-115.1.

11. In accordance with N.C. Gen. Stat. §122C-115.1(a)(5), the Boards of County Commissioners agree to provide written notification to the Secretary of the North Carolina Department of Health and Human Services prior to the withdrawal of any County from the Alliance multi-county Area Authority.

[THIS SPACE INTENTIONALLY LEFT BLANK]

The Boards of County Commissioners for Cumberland, Durham and Wake Counties approve the Interlocal Merger Agreement and declare this Resolution adopted as executed and agreed to below:

This the _____ day of June, 2013.

By: _____
Chair, Cumberland County Board of Commissioners

This the _____ day of June, 2013.

By: _____
Chair, Durham County Board of Commissioners

This the _____ day of June, 2013.

By: _____
Chair, Wake County Board of Commissioners

Cumberland County Board of Commissioners
Resolution Dissolving the Cumberland County Area Mental Health,
Developmental Disabilities and Substance Abuse Authority

Whereas, at its meeting held June 17, 2013, the Cumberland County Board of Commissioners approved an Interlocal Agreement between Alliance Behavioral Healthcare (Alliance), the Cumberland County Area Mental Health, Developmental Disabilities and Substance Abuse Authority (the Cumberland Area Authority) and Cumberland County to consolidate Alliance and the Cumberland Area Authority into a multi-county authority for the management of mental health, intellectual/developmental disability and substance abuse services in Cumberland, Wake and Durham Counties, which agreement is incorporated herein by reference; and

Whereas, at its meeting held June 17, 2013, the Cumberland County Board of Commissioners adopted a Joint Resolution between Cumberland, Durham and Wake Counties Approving the Merger/Consolidation of the Cumberland Area Authority into the Alliance Multicounty Area Authority/ Local Management Entity ("LME") pursuant to N.C. Gen. Stat. § 122C-115.1 for the Provision of Mental Health, Intellectual/ Developmental Disabilities and Substance Abuse Services, which resolution is incorporated herein by reference; and

Whereas, the interlocal agreement and the joint resolution contemplate that the consolidation shall be effective July 8, 2013, subject to the approval of the Secretary of the North Carolina Department of Health and Human Services; and

Whereas, the consolidation of the Cumberland Area Authority into Alliance requires the dissolution of the Cumberland Area Authority.

Now be it resolved, that the Cumberland County Board of Commissioners directs that the Cumberland Area Authority shall be dissolved upon the effective date of the consolidation of the Cumberland Area Authority with Alliance; and

Be it further resolved that the Cumberland County Board of Commissioners requests the Secretary of the North Carolina Department of Health and Human Services to approve the consolidation and dissolution of the Cumberland County Area Authority on such terms and conditions as are consistent with the terms and provisions contained in the Interlocal Agreement and Joint Resolution referenced herein.

Adopted this 17th day of June, 2013.

Cumberland County Board of Commissioners
By:

Jimmy Keefe, Chairman of the Board

Attest:

Candice White, Clerk to the Board



OFFICE OF THE COUNTY ATTORNEY

5th Floor, New Courthouse • P.O. Box 1829 • Suite 551 • 117 Dick Street, Fayetteville, North Carolina 28302-1829
(910) 678-7762

**MEMO FOR THE AGENDA OF THE JUNE 17, 2013
MEETING OF THE BOARD OF COMMISSIONERS**

TO: Board of Commissioners; Co. Manager
FROM: Co. Atty. *R. Moorefield*
DATE: June 13, 2013
SUBJECT: Consideration of Approval of the Funding Agreement between Alliance Behavioral Healthcare, Cape Fear Valley Health System and Cumberland County

BACKGROUND:

At the time this memo was prepared, the attorney for Cape Fear Valley Health System and the county attorney had agreed on the terms in the funding contract. This agreement was only sent to the attorney for Alliance on the morning of June 12 for the reason that an agreement on the issues raised by the attorney for the Mental Health Authority had only been resolved on the evening of June 11. The hospital and Alliance were still negotiating some issues in the funding contract, apparently arising out of the way the services contracts relate to the funding contract.

In order to get the agenda published, the county attorney prepared this memo without the contract being finalized. At this time, it appears that all parties agree on the following essential terms:

THE ESSENTIAL TERMS OF THE AGREEMENT:

Article I (Term): The agreement has a term of three years, commencing July 1, 2013.

Article II (Funding Conditions): The County's obligation to provide annual funding is conditioned upon Cape Fear Valley Health System (the hospital) and Alliance entering enter into a provider agreement each year.

Article III (Funding Amount): County shall directly pay an annual amount of \$2.4 million to reimburse the hospital up to 100% of its costs for providing the specified services for which it is not reimbursed by individuals, insurance, Medicaid or state funds for the services provided.

Article IV (Alliance's Responsibilities): County funds will be paid to Alliance and Alliance is responsible to make the quarterly payments to the hospital.

Article V (the hospital's responsibilities): The hospital shall provide the following services:

- (1) to continue the detoxification services at the Roxie Center;
- (2) to integrate the services currently provided by the Cumberland County Public Health Department at the Mental Health Center into a modern crisis intervention center within Cape Fear Valley's Behavioral Health Services division to provide services 7 days a week starting with 16 hours per day and ultimately expanding to 24 hours per day;
- (3) to introduce a new point of entry for crisis services to reduce the reliance of law enforcement and fire departments on the Emergency Department.

RECOMMENDATION/PROPOSED ACTION:

Consider whether to approve the agreement..

JAMES E. MARTIN
County Manager

AMY H. CANNON
Deputy County Manager




ITEM NO. 6

JAMES E. LAWSON
Assistant County Manager

OFFICE OF THE COUNTY MANAGER

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

MEMORANDUM FOR BOARD OF COMMISSIONERS AGENDA OF JUNE 17, 2013

TO: BOARD OF COUNTY COMMISSIONERS
FROM: JAMES E. MARTIN, COUNTY MANAGER 
DATE: JUNE 12, 2013
SUBJECT: CONSIDERATION OF APPROVAL OF THE FY2014 CUMBERLAND COUNTY BUDGET ORDINANCE

BACKGROUND

On June 10, 2013, the Board tentatively approved the FY2014 Cumberland County Budget.

RECOMMENDATION/PROPOSED ACTION

Consider approval of the attached FY2014 Cumberland County Budget Ordinance.

CM061213-1

Celebrating Our Past...Embracing Our Future

**COUNTY OF CUMBERLAND
FY2014 BUDGET ORDINANCE ADOPTION**

June 17, 2013

The Board of County Commissioners hereby adopts and enacts the proposed 2014 fiscal year budget as recommended by the County Manager with amendments incorporated herein as the County of Cumberland's budget for FY2014 under the following terms and conditions:

1. The Budget Ordinance shall govern total dollar departmental appropriations, including multiple organizations within a department, in accordance with the resolution of September 7, 1982.
2. The amendments to the County Manager's recommended budget as approved by the Board of Commissioners are listed on Attachment A and shall include subsequent adjustments approved through June 30 which are required to implement this budget.
3. Attachment B, Adopted Expenditures, sets forth appropriated amounts for each county department by fund. Attachment C, Adopted Revenue, sets forth revenue amounts by source for each fund.
4. The County-Wide Ad Valorem Tax Rate and levy of 74.0 cents per \$100 valuation is hereby adopted. The tax levy is based on a countywide valuation of \$22,869,372,514 with an overall collection rate of 96.64%.
5. The Special Recreation Tax Rate and levy of 5 cents per \$100 valuation is hereby adopted.
6. The Fire Tax District Rates as shown below are hereby adopted and taxes levied:

	Approved Tax Rate <u>Per \$100 Valuation</u>
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

7. Effective July 1, 2013, in-lieu of paying the standard \$37 per ton tipping fee, a flat fee of \$20.00 is imposed on all privately owned vehicles (cars, vans, SUV's and pickup trucks) entering the landfill. Any vehicle hauling tires, shingles, appliances or pulling a trailer must use the scales (either the front scales or the automated waste wizard scale) and pay the standard tipping fee.
8. The Cumberland County Board of Education's current expense appropriation is hereby adopted at \$76,220,676. Fayetteville Technical Community College's current expense appropriation is adopted at \$9,552,404.
9. The Fiscal Year 2014 Position Classification and Pay Plan is hereby approved. The county manager or designee 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 subject to the salary plan for classification purposes. The Board of County Commissioners shall annually approve the classification and salary plan.
10. The FY2014 budget includes a one-time stipend of \$700 for all permanent full-time and permanent part-time employees hired before July 1, 2013 and who are on the County's payroll for the pay period ending August 10, 2013. Permanent part-time employees receive a pro-rata share of the approved stipend. The FY2014 budget also funds the continuation of a 1% employer contribution to a 401K retirement plan for all employees eligible to participate in the Local Government Employees Retirement System.
11. Encumbrances outstanding in the current fiscal year will be included in the FY2014 budget. Unexpended grants and other funds previously approved and budgeted by the Board in FY2013, may be re-budgeted or rolled over into the FY2014 budget by the Manager.
12. Board approved contingency funds may be reallocated within and between departments in the same fund by the Manager, subject to current established policies.
13. 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 fiscal year 2014 budget of the County of Cumberland is balanced pursuant to Chapter 159 of the NC General Statutes.

14. Solid Waste Management fee is hereby adopted at \$48.00 per household.

This ordinance is adopted the 17th day of June 2013.

Jimmy Keefe, Chairman

James E. Martin, County Manager

JIMMY KEEFE
Chairman

JEANNETTE M. COUNCIL
Vice Chairman

KENNETH S. EDGE
CHARLES E. EVANS
W. MARSHALL FAIRCLOTH
BILLY R. KING
EDWARD G. MELVIN



CUMBERLAND
★ **COUNTY** ★
NORTH CAROLINA

BOARD OF COMMISSIONERS

CANDICE WHITE
Clerk to the Board

KELLIE BEAM
Deputy Clerk

ITEM NO. 7A

June 12, 2013

June 17, 2013 Agenda Item

TO: Board of Commissioners
FROM: Kellie Beam, Deputy Clerk to the Board *KB*
SUBJECT: Animal Control Board

The Animal Control Board has one (1) vacancy as follows:

At-Large Position:

Victor Hogan – completed first full term. Eligible for reappointment.

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

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

APPLICANT(S) GRADUATING FROM COUNTY CITIZENS' ACADEMY:
None

pc: Dr. John Lauby, Animal Control Director

ANIMAL CONTROL BOARD
3 Year Term
(Terms extended from 2 to 3 years on 8/5/02)

<u>Name/Address</u>	<u>Date Appointed</u>	<u>Term</u>	<u>Expires</u>	<u>Eligible For Reappointment</u>
<u>Knowledge & Experience in Dog Behavior and/or Handling Position</u>				
Tolulope Adeyemi 8118 French Horn Lane Fayetteville, North Carolina 28314 583-9408/487-3959	8/12	2nd	Aug/15 8/31/15	No
<u>Promoting Goals of the Animal Protection Society or the Humane Society or Another Such Broadly- Based and Representative Organization Interested in the Care and Protection of Animals Position</u>				
Cristobal S. Berry-Caban 412 City View Lane Fayetteville, North Carolina 28301 813-451-3004/907-8844 (W)	8/12	2nd	Aug/15 8/31/15	No
<u>Ex-Officio - The Veterinarian on Contract to the Animal Services Department Position</u>				
VACANT (Dr. J. Lauby resigned)	6/07	4 th	June/10 6/30/10	Yes
<u>At-Large Positions</u>				
Victor Hogan 4024 Windy Fields Drive Fayetteville, NC 28306 778-9433/305-726-3188	02/11	2nd	June/13 6/30/13	Yes
(serving unexpired term; eligible to serve 1 additional 3-year term)				
Burton Lawson 204 Rush Road Fayetteville, NC 28305 723-2142/433-2161	02/11	1st	Feb/14 02/28/14	Yes
<u>City of Fayetteville Resident Positions</u>				
Melissa Katzenberger 7709 Charring Cross Ln Fayetteville, NC 28314 709-0729/222-2800	5/13	1 st	Oct/14 10/31/14	Yes
(serving unexpired term; eligible for two additional terms)				
Daniel Montoya 3505 Cokefield Court Fayetteville, North Carolina 28306	9/12	1st	Sept/15 9/30/15	Yes

Board was established by ordinance adopted on January 4, 1999.

Meetings: Bi monthly (Feb./Apr./June/Aug./Oct./Dec.) – 1st Monday (*no meetings held on first or last day of any month*) - 6:00 PM - 4704 Corporation Dr. Contact: Linda Morrison/or Dr. John Lauby, Animal Services Director 321-6851

APPLICANTS FOR
ANIMAL CONTROL BOARD

<u>NAME/ADDRESS/TELEPHONE</u>	<u>OCCUPATION</u>	<u>EDUCATIONAL BACKGROUND</u>
BANQUISET, ANEL S. (H/M) 1407 STANSFIELD DRIVE FAYETTEVILLE, NC 28303 482-0443	NONE LISTED	HS; AS
BOYD, CAROL (W/F) 5510 TOURNAMENT LANE HOPE MILLS, NC 28348 910-723-5365 Graduate-County Citizens' Academy: No Graduate-Institute for Community Leadership: No Graduate-Leadership Fayetteville: No Graduate-United Way's Multi-Cultural Leadership Program: No Graduate-other leadership academy: Multi-Cultural Initiative in Marine Sciences Program	PETSMART OPERATIONS MANAGER	BACHELORS - BIOLOGY ZOOLOGY
BURKHARDT, HEATHER (W/F) 5226 LACROSS POINT PARKTON, NC 28371 910-489-2336 **SERVES ON THE BOARD OF HEALTH** Graduate-County Citizens' Academy: N/A Graduate-Institute for Community Leadership: No Graduate-Leadership Fayetteville: No Graduate-United Way's Multi-Cultural Leadership Program: No Graduate-other leadership academy: No	VETERINARIAN	BS D.V.M
BUTTERFLY, GEORGE 1623 GILLESPIE STREET FAYETTEVILLE NC 28306 323-8845/391-1945 (w)	SELF EMPLOYED BUTTERFLY EMT	DEGREE IN SOCIAL SERVICES
CARTER, JAMES DANA II 630 DEVOE AVENUE FAYETTEVILLE, NC 28314 237-8796/703-220-2799	LOGISTICS COORDINATOR	BA
DECOSTA, JOSEPH M (W/M) 7016 MARINERS LANDING DRIVE FAYETTEVILLE, NC 28306 486-9686/286-9686	US MILITARY AIRDROP SYSTEMS TECHNICIAN	MILITARY LEADERSHIP SCHOOLS
DODSON, CATHERINE (W/F) 2537 FORDHAM DR FAYETTEVILLE NC 28304 486-8143/309-4690 Graduate-County Citizens' Academy: N/A Graduate-Institute for Community Leadership: NO Graduate-Leadership Fayetteville: NO Graduate-United Way's Multi-Cultural Leadership Program: NO Graduate-other leadership academy: Fayetteville Citizens Academy	NURSE	COLUMBUS UNIVERSITY

APPLICANTS FOR
ANIMAL CONTROL BOARD Page 2

<u>NAME/ADDRESS/TELEPHONE</u>	<u>OCCUPATION</u>	<u>EDUCATIONAL BACKGROUND</u>
HALL, MARY (W/F) 703 GLENWOOD DRIVE FAYETTEVILLE, NC 28305 910-977-1188 Graduate-County Citizens' Academy: NO Graduate-Institute for Community Leadership: NO Graduate-Leadership Fayetteville: NO Graduate-United Way's Multi-Cultural Leadership Program: NO Graduate-other leadership academy: NO	COSMOTOLOGIST NABIS SALON	BA-RECREATIONAL THERAPY
HUTCHINS, RONNIE (B/M) 5690 MURPHY ROAD STEDMAN, NC 28391 922-8467/322-5346 Graduate-County Citizens' Academy: NO Graduate-Institute for Community Leadership: NO Graduate-Leadership Fayetteville: NO Graduate-United Way's Multi-Cultural Leadership Program: NO Graduate-other leadership academy: WARRANT OFFICER ADVANCE COURSE	HOMICIDE DETECTIVE FAYETTEVILLE POLICE	ASSOCIATE-AVIATION STUDIES LAW ENFORCEMENT TRAINING
JENNINGS, WILLIAM (BILL) (W/M) 705 BROUGHAM RD FAYETTEVILLE, NC 28311 910-964-8844 Graduate-County Citizens' Academy: NO Graduate-Institute for Community Leadership: YES Graduate-Leadership Fayetteville: NO Graduate-United Way's Multi-Cultural Leadership Program: NO Graduate-other leadership academy: Military Senior Non Commissioned Officers School (Air Force)	UNEMPLOYED	BS-PROFESSIONAL AERONAUTICS EMBRY RIDDLE AS-FLIGHT ENGINEERING
KATER, ROBERT (W/M) 714 BLAWELL STREET STEDMAN, NC 28391 910-484-3434 Graduate-County Citizens' Academy: NO Graduate-Institute for Community Leadership: NO Graduate-Leadership Fayetteville: NO Graduate-United Way's Multi-Cultural Leadership Program: NO Graduate-other leadership academy: NO	RETIRED	HIGH SCHOOL
LANE, PEGGY 2652 NOXON ST FAYETTEVILLE NC 28306 910-423-7127 Graduate-County Citizens' Academy: N/A Graduate-Institute for Community Leadership: NO Graduate-Leadership Fayetteville: NO Graduate-United Way's Multi-Cultural Leadership Program: NO Graduate-other leadership academy: NO	RETIRED	HIGH SCHOOL

APPLICANTS FOR
ANIMAL CONTROL BOARD Page 3

<u>NAME/ADDRESS/TELEPHONE</u>	<u>OCCUPATION</u>	<u>EDUCATIONAL BACKGROUND</u>
MCMILLAN, FRED C. (W/M) 4608 NIX ROAD FAYETTEVILLE, NC 28314 339-0076/261-0015 Graduate-County Citizens' Academy: NO Graduate-Institute for Community Leadership: NO Graduate-Leadership Fayetteville: NO Graduate-United Way's Multi-Cultural Leadership Program: NO Graduate-other leadership academy: CENTERS FOR CREATIVE LEADERSHIP	DIRECTOR OF ENGINEERING SOME COLLEGE GENERAL BUILDERS	
MYERS, SUSAN E. (W/F) 5135 FOXFIRE RD FAYETTEVILLE NC 28303 910-779-2932 Graduate-County Citizens' Academy: NO Graduate-Institute for Community Leadership: NO Graduate-Leadership Fayetteville: NO Graduate-United Way's Multi-Cultural Leadership Program: NO Graduate-other leadership academy: US ARMY	UNEMPLOYED	BUSINESS ADMIN.
PARKER, CLIFFORD A. (B/M) 1033 LAUREN MCNEILL LOOP APT. E FAYETTEVILLE, NC 28303 257-6439/677-2742	CALL CENTER AGENT OA III - DSS	JUNIOR AT FSU
POWELL, CHRISTINE E. 1532 DOVER COURT FAYETTEVILLE, NC 28304 286-6752/672-1994	ASST TO DEAN-FSU LECTURER	BS, MBA
RAY, HOSEA M (W/M) 703 KOOLER CIRCLE FAYETTEVILLE NC 28305 484-2251/494-2825 Graduate-County Citizens' Academy: N/A Graduate-Institute for Community Leadership: NO Graduate-Leadership Fayetteville: NO Graduate-United Way's Multi-Cultural Leadership Program: NO Graduate-other leadership academy: Military Academy	RETIRED MILITARY	GRADUATE DEGREE MA MANAGEMENT
SAULNIER, STEVEN (W/M) 117 GRANDE OAKS DRIVE FAYETTEVILLE, NC 28314 910-639-0602/907-1186 Graduate-County Citizens' Academy: NO Graduate-Institute for Community Leadership: NO Graduate-Leadership Fayetteville: NO Graduate-United Way's Multi-Cultural Leadership Program: NO Graduate-other leadership academy: NO	ASST PROJECT MANAGER CHIMES D.C.	BS-BUSINESS ADMIN.

APPLICANTS FOR
ANIMAL CONTROL BOARD Page 4

<u>NAME/ADDRESS/TELEPHONE</u>	<u>OCCUPATION</u>	<u>EDUCATIONAL BACKGROUND</u>
SHACKETT, PATRICIA LYNN (W/F) 5014 INVERNESS DR FAYETTEVILLE NC 28304 644-1596/354-6938 Graduate-County Citizens' Academy: N/A Graduate-Institute for Community Leadership: No Graduate-Leadership Fayetteville: No Graduate-United Way's Multi-Cultural Leadership Program: No Graduate-other leadership academy: No	HOME HEALTH AIDE	NONE LISTED
STEINMAN, CHARLES (W/M) 2836 BRENDA CIRCLE SPRING LAKE, NC 28390 910-694-6489 Graduate-County Citizens' Academy: N/A Graduate-Institute for Community Leadership: No Graduate-Leadership Fayetteville: No Graduate-United Way's Multi-Cultural Leadership Program: No Graduate-other leadership academy: No	DISABLED SERVED AS ANIMAL CONTROL SUPERVISOR	
SUBLETT, KIMBERLY 4517 HEADWIND DRIVE FAYETTEVILLE, NC 28306 424-9524/237-2390	CORPORATE SYSTEMS ANALYST-CFVHS	BS; MBA
TOLER, RAYMOND A. (-/M) 3501 CEDAR HILL DRIVE FAYETTEVILLE, NC 28312 527-0507 (H) / 484-7840 (W)	LOCKSMITH	COLLEGE
TOWNSEND, SHELBY T. (W/F) 7132 SIM CANADY HOPE MILLS, NC 28348 425-0967	RETIRED SELF EMPLOYED	HS; SOME COLLEGE
WILSON, DORIS 5518 ABERDEEN PLACE FAYETTEVILLE, NC 28303 487-3443	RETIRED	1 YEAR COLLEGE

JIMMY KEEFE
Chairman

JEANNETTE M. COUNCIL
Vice Chairman

KENNETH S. EDGE
CHARLES E. EVANS
W. MARSHALL FAIRCLOTH
BILLY R. KING
EDWARD G. MELVIN



CUMBERLAND
★ **COUNTY** ★
NORTH CAROLINA

BOARD OF COMMISSIONERS

CANDICE WHITE
Clerk to the Board

KELLIE BEAM
Deputy Clerk

ITEM NO. 7B

June 10, 2013

June 17, 2013 Agenda Item

TO: Board of Commissioners

FROM: Kellie Beam, Deputy Clerk to the Board KB

SUBJECT: Cumberland County Workforce Development Board

BACKGROUND: The Cumberland County Workforce Development Board has one (1) vacancy:

Private Sector Position:

William Frye— Resigned. Recommendation of the Dr. Larry Keen and David McCune is for **Jody Risacher**. (See attached.)

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

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

APPLICANT(S) GRADUATING FROM COUNTY CITIZENS' ACADEMY:
None

Attachments

pc: Jim Lott, Workforce Development Director
Carl Mitchell, FTCC VP for HR and Institutional Effectiveness/Assessment
Dr. J. Larry Keen, FTCC President



FAYETTEVILLE TECHNICAL COMMUNITY COLLEGE
P.O. BOX 35236 • FAYETTEVILLE, NORTH CAROLINA 28303-0236

Dr. J. Larry Keen, President

June 6, 2013

Cumberland County Board of Commissioners
ATTN: Clerk to the Board (Kelli Beam)
P.O. Box 1829
Fayetteville, North Carolina 28302

Dear Ms. Beam,

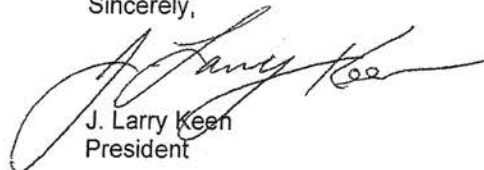
The Workforce Development Board (WFD) has one public sector vacancy and I would like to recommend Ms. Jody Risacher, Director of Cumberland County Public Library and Information Center. Ms. Risacher has already been working closely with the Workforce Development Center staff assisting with marketing Adult and Dislocated Worker services in remote regions of the County. Additionally, she has been attending the Workforce Development Board's meetings as a guest and is eager to join the Board and make additional contributions to local residents needing Workforce Investment Act services. The Workforce Development Board Chair, Mr. David McCune, is highly supportive of this appointment.

Request that you notify the Cumberland County Board of Commissioners of my endorsement of Ms. Risacher to fill the current public sector vacancy. With this appointment completed the Board will be at 100% of the required membership in both public and private sector areas. We do have a couple of current board members that will be rotating off the Board later this year.

Should you have any questions, please contact Mr. Carl Mitchell, FTCC Vice President for Human Resources and Institutional Effectiveness/Assessment by calling 910-678-8373 or sending an email to mitchelc@faytechcc.edu. Should Mr. Mitchell not be readily available, you may also contact Mr. Jim Lott at 919-450-6159 or email at lottj@faytechcc.edu.

Thank you for your assistance.

Sincerely,



J. Larry Keen
President

LK/cem

Cc: Ms. Candice White, Clerk to the Cumberland County Board of Commissioners
Mr. Jim Lott, Workforce Development Board Director
Mr. Carl Mitchell, VP for Human Resources and Institutional Effectiveness/Assessment, FTCC

BOARD OF TRUSTEES

Board Chair Mr. William S. Wellons, Jr. • **Vice-Chair** Dr. Dallas M. Freeman • **Secretary** Mrs. Sheryl J. Lewis
Members Dr. Breedlen Blackwell, Mr. Ronald C. Crosby, Jr., Mr. Charles J. Harrell, Dr. Marye J. Jeffries
Mr. Charles E. Koonce, Mr. John M. Lennon, Mr. David McCune, Mrs. Susie S. Pugh, Mrs. Esther R. Thompson

MAIN CAMPUS: PHONE (910) 678-8400 • FAX (910) 484-6600
SPRING LAKE CAMPUS: PHONE (910) 678-1000 • FAX (910) 436-5184
www.faytechcc.edu

An Equal Opportunity Institution

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>				
Barbara Spigner (B/F) 5701 Cloister Ct Fayetteville, NC 28314 864-1807	11/11	1 st	Nov/14 11/30/14	Yes
Gwen Holloman (B/F) VA Hospital 721 Edgehill Road Fayetteville, NC 28314 868-1691/261-7813 (C)	10/11	2nd	Oct/14 10/31/14	No
David McCune (W/M) 106 Penmark Pl Fayetteville, NC 28301 476-2976/424-2978 (W)	10/11	1st	Oct/14 10/31/14	Yes
Rosie G. McMillan (B/F) FSU 1972 Culpepper Lane Fayetteville, NC 28304 864-0158/671-1105 (W)	10/11	2nd	Oct/14 10/31/14	No
Richard Everett(W/M) 408 Mirror Lake Drive Fayetteville, NC 28303 484-0432/677-2360 (W)	10/11	2nd	Oct/14 10/31/14	No
John Jones (NA/M) 4104 Bonfield Road Fayetteville, NC 28312 303-0444/222-1506	3/13	1st	Mar/16 3/31/16	Yes
Linda Hoppmann (W/F) 5331 Rimrock Ct Fayetteville, NC 28303 826-4939/483-5016 (W)	11/11	2nd	Nov/14 11/30/14	No
Dina Simcox (W/F) 421 Foxwood Drive Hope Mills, NC 28348-9110 717-2448/868-7668 (W)	5/11	2nd	Apr/14 4/30/14	No

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)	2/12	2nd	Feb/15 2/28/15	No
Randall Newcomer (W/M) 109 Cypress Lakes Circle Hope Mills, NC 28348 308-5432/424-1776 (W)	10/11	1 st	Oct/14 10/31/14	Yes
VACANT (Vacated by W. Frye) (serving unexpired term; eligible for two additional terms)	2/11	1 st	June/12 6/30/12	Yes
Charlene Cross (B/F) 1949 Culpepper Lane Fayetteville, NC 28304 630-1450/308-9413	3/13	1st	Mar/16 3/31/16	Yes
<u>Public Sector:</u>				
Pamela Gibson (W/F) 7526 Hammersley Road Fayetteville, NC 28306 423-1830/678-2416	3/13	1st	Mar/16 3/31/16	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)	10/11	2nd	Oct/14 10/31/14	No

<u>Name/Address</u>	<u>Date Appointed</u>	<u>Term</u>	<u>Expires</u>	<u>Eligible For Reappointment</u>
Sara Hemingway Hallock (W/F) Communicare, Inc. 711B Executive Place Fayetteville, NC 28305 829-9017	2/12	2nd	Feb/15 2/28/15	No
J. Carl Manning (B/M) Kingdom CDC PO Box 1402 Fayetteville, NC 28302 630-1000/484-2722	5/11	2nd	May/14 5/31/14	No
<u>Economic Development:</u> Catherine Johnson (W/F) FCCCC 524 Deerpath Drive Fayetteville, NC 28311 822-4809/484-4242 x247 (W)	8/11	2nd	Aug/14 8/31/14	No
<u>Employment Service:</u> Edith Edmond Employment Security Comm. 414 Ray Avenue Fayetteville, NC 28301 486-1010	12/11	(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)	10/11	2nd	Oct/14 10/31/14	No
<u>Education:</u> Dr. Joe Mullis, (/M) FTCC PO Box 35236 Fayetteville, NC 28303	7/10	2nd	Aug/13 8/31/13	No
Esther Thompson (F) 511 Forest Lakes Rd Fayetteville, NC 28305 323-9687 (H) / 670-5515 (W)	11/11	1 st	Nov/14 11/30/14	Yes

<u>Name/Address</u>	<u>Date Appointed</u>	<u>Term</u>	<u>Expires</u>	<u>Eligible For Reappointment</u>
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County Representative:

Amy Cannon Deputy County Manager P. O. Box 1829 Fayetteville, NC 28302 678-7726	02/11	N/A	N/A	N/A
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Contact: Carl Mitchell – FTCC – 910-678-8373 – Email: mitchelc@faytechcc.edu
Jim Lott (interoffice mail) 323-3421, CC: Dr. Larry Keen-FTCC

Regular Meetings: 2nd Tuesday, every other month beginning in February, 11:00 AM, FTCC – Thomas McLean Administration Bld Room 170, 2001 Hull Road, Fayetteville, NC 28303

(Name Changed to Cumberland County Workforce Development Board, November, 1995)

*Recommendations for the WFD Board should come from FTCC.

**APPLICANTS FOR
WORKFORCE DEVELOPMENT BOARD**

<u>NAME/ADDRESS/PHONE</u>	<u>OCCUPATION</u>	<u>EDUCATIONAL BACKGROUND</u>
BANKS, TRAVOIS L (B/M) 727 DUCK CT APT 47 FAYETTEVILLE, NC 28314 252-219-9170 Graduate-County Citizens' Academy: N/A Graduate-Institute for Community Leadership: NO Graduate-Leadership Fayetteville: NO Graduate-United Way's Multi-Cultural Leadership Program: NO Graduate-other leadership academy: NO	COOK APPLEBEE'S	BS-CRIMINAL JUSTICE
BARNARD, JEAN (W/F) 211 AZALEA BLUFF DRIVE FAYETTEVILLE, NC 28301 263-8320 (H) / (443) 454-5177 (W)	BUSINESS CONSULTANT COLLEGE INSTRUCTOR	BS, M.HR. BUSINESS LEADERSHIP CERTIFICATE
BRIGGS, BENITA Y. (B/F) 1639 RUDOLPH STREET FAYETTEVILLE, NC 28301 822-1154/672-1294	OFFICE ASSISTANT IV FSU	BA – HISTORY/SOCIOLOGY
BROWN, JOSEPH C. SR (B/M) 150 RIDGEWAY DRIVE FAYETTEVILLE NC 28311 910-488-7254 Graduate-County Citizens' Academy: No Graduate-Institute for Community Leadership: No Graduate-Leadership Fayetteville: No Graduate-United Way's Multi-Cultural Leadership Program: No Graduate-other leadership academy: Church	MINISTER A.M.E. ZION CHURCH	GRADUATE OF SHAW UNIVERSITY
CALLAHAN, JOHN H (W/M) 6450 FAIRCLOTH BRIDGE RD STEDMAN NC 28391 483-6133 (H)/ 489-0810 (W) Graduate-County Citizens' Academy: N/A Graduate-Institute for Community Leadership: NO Graduate-Leadership Fayetteville: NO Graduate-United Way's Multi-Cultural Leadership Program: NO Graduate-other leadership academy: Several Military Leadership Academies	SELF EMPLOYED 4G COMMUNICATIONS	MA BS
CAMPBELL, DR. REBECCA M. (W/F) 7027 DARNELL STREET FAYETTEVILLE, NC 28314 487-1555 Graduate-County Citizens' Academy: N/A Graduate-Institute for Community Leadership: No Graduate-Leadership Fayetteville: No Graduate-United Way's Multi-Cultural Leadership Program: No Graduate-other leadership academy: Women's Executive Leadership Program, U.S. Army	RETIRED DIRECTOR DEPT OF EDUCATION FORT BRAGG	BS-SCIENCE/SPECIAL ED MASTERS-EDUCATION DOCTORATE-SPECIAL ED

**APPLICANTS FOR
WORKFORCE DEVELOPMENT BOARD Page 2**

NAME/ADDRESS/PHONE	OCCUPATION	EDUCATIONAL BACKGROUND
CHARLES, DR. CURTIS 4402 PING COURT FAYETTEVILLE, NC 28312 672-2247 Graduate-County Citizens' Academy: N/A Graduate-Institute for Community Leadership: No Graduate-Leadership Fayetteville: No Graduate-United Way's Multi-Cultural Leadership Program: No Graduate-other leadership academy: No	ASSOCIATE VICE CHANCELLOR FOR ACADEMIC AFFAIRS FSU	NONE LISTED
DAVIS, JOSEPH B. 721 CARNEGIE DRIVE FAYETTEVILLE, NC 28311 488-4629 (H) / 797-1809 (W)	CONTRACTOR	HS; 2 YRS COLLEGE
DEAN, BRITTANY MARIE (W/F) 633 MOSSWOOD LANE FAYETTEVILLE, NC 28311 334-379-0191 Graduate-County Citizens' Academy: N/A Graduate-Institute for Community Leadership: No Graduate-Leadership Fayetteville: No Graduate-United Way's Multi-Cultural Leadership Program: No Graduate-other leadership academy: No	HOMEMAKER	NONE LISTED
FORD, STANLEY (B/M) 4013 POLK DRIVE HOPE MILLS, NC 28348 910-425-5639 Graduate-County Citizens' Academy: N/A Graduate-Institute for Community Leadership: NO Graduate-Leadership Fayetteville: NO Graduate-United Way's Multi-Cultural Leadership Program: NO Graduate-other leadership academy: NO	BANKING/MORTGAGES NOT LISTED	BACHELORS
GAINEY, CHERYL (W/F) 4685 VIRSALLI LOOPE HOPE MILLS, NC 28348 486-4351/672-1062 (W)	ACCTS PAYABLE, SUPERVISOR – FSU	MASTER OF DIVINITY
HAIR, ANTHONY DEVON (B/M) 6344 MURPHY ROAD STEDMAN, NC 28391 273-9096 Graduate-County Citizens' Academy: N/A Graduate-Institute for Community Leadership: No Graduate-Leadership Fayetteville: No Graduate-United Way's Multi-Cultural Leadership Program: No Graduate-other leadership academy: No	NONE LISTED	BS-EDUCATION GENERAL STUDIES

**APPLICANTS FOR
WORKFORCE DEVELOPMENT BOARD Page 3**

<u>NAME/ADDRESS/PHONE</u>	<u>OCCUPATION</u>	<u>EDUCATIONAL BACKGROUND</u>
HEGAMIN, VICTORIA (B/F) 146 ALOHA DRIVE FAYETTEVILLE, NC 28311 813-0354 (H) / 829-9873 (W) Graduate-County Citizens' Academy: N/A Graduate-Institute for Community Leadership: No Graduate-Leadership Fayetteville: No Graduate-United Way's Multi-Cultural Leadership Program: No Graduate-other leadership academy: No	ADMIN. ASST. WILLIE COOPER JR, CPA	HS COMMUNITY COLLEGE
HERRING, TERRY (W/M) 212 FOUNTAINHEAD LANE #102 FAYETTEVILLE, NC 28301 717-1100/678-8358	FTCC-HEALTH DEPT CHAIRPERSON	BS; MA; MED
KELLY, IVA MARIE (B/F) 1844 GOLA DRIVE FAYETTEVILLE, NC 28301 910-488-5302 Graduate-County Citizens' Academy: N/A Graduate-Institute for Community Leadership: No Graduate-Leadership Fayetteville: No Graduate-United Way's Multi-Cultural Leadership Program: No Graduate-other leadership academy: No	RETIRED EDUCATOR	BS-EDUCATION MASTERS-EDUCATION MASTERS-LIBRARY SCIENCE
KOWAL, ANDREW (W/M) 3512 EDGESIDE COURT FAYETTEVILLE, NC 28303 487-7989 (H) / 867-8673 (W)	EMERGENCY MGMT DIRECTOR-RDR INC	BS-BIOLOGY MS-INTL RELATIONS
LAWSON, BURTON 118 JUDD STREET FAYETTEVILLE, NC 28305 723-2142/433-2161 (W)	CONSTRUCTION SUPERVISOR	HIGH SCHOOL
SERVES ON ANIMAL SERVICES BOARD		
McALLISTER, MEREDITH (B/F) 553 HOLLYBERRY LANE FAYETTEVILLE, NC 28314 867-8564/222-8751 (W)	CERTIFIED PERSONAL FINANCE COUNSELOR CONSUMER EDUCATION SERVICES, INC.	BUSINESS – UNC AT CHAPEL HILL
McCRAV, KENJUANA (B/F) 1625 CITATION COURT PARKTON, NC 28371 494-1352/678-9804	SOCIOLOGY INSTRUCTOR FTCC	AA, MS
McHENRY, WINTON G. (W/M) 3648 LAKESHORE DRIVE HOPE MILLS NC 28348 429-1101/308-3987 (C)	VP OPERATIONS MGT. ROLANDS DANCE STUDIO	BIBLE COLLEGE, AIR FORCE INSTITUTE OF TECHNOLOGY EMERGENCY RESPONSE

APPLICANTS FOR
WORKFORCE DEVELOPMENT BOARD Page 4

<u>NAME/ADDRESS/PHONE</u>	<u>OCCUPATION</u>	<u>EDUCATIONAL BACKGROUND</u>
MINER, JOHN (B/M) 6753 CANDLEWOOD DRIVE FAYETTEVILLE, NC 28314 224-0650(H)/483-6056 (W) Graduate-County Citizens' Academy: N/A Graduate-Institute for Community Leadership: No Graduate-Leadership Fayetteville: No Graduate-United Way's Multi-Cultural Leadership Program: No Graduate-other leadership academy: No	FOUNDER OF THE MINER FOUNDATION	NONE LISTED
MINOR, BISHOP JOHN 804 CEDAR CREEK ROAD FAYETTEVILLE, NC 28312 401-8550/438-0871 (W)	US ARMY RESERVE CHAPLAIN ASST/PASTOR	GED/MILITARY
MURRELL, CHARMAINE F (B/F) 313 BRYAN STREET FAYETTEVILLE, NC 28305 286-3533 (H) / 678-8363 (W) Graduate-County Citizens' Academy: N/A Graduate-Institute for Community Leadership: Yes Graduate-Leadership Fayetteville: No Graduate-United Way's Multi-Cultural Leadership Program: No Graduate-other leadership academy: No	ALUMNI RELATIONS & PROGRAM COORDINATOR FTCC	BA-COMMUNICATION MS-INTERNATIONAL RELATIONS
O'KELLEY, SHEILA 2325 GREYGOOSE LOOP FAYETTEVILLE, NC 28306 213-4161/364-5246	NONPROFIT DIRECTOR THE JEMS PROJECT INC	HS
OKHOMINA, DON DR. (B/M) 494 DUNLOE CT FAYETTEVILLE, NC 28311 868-1618/ 672-2148 (W) Graduate-County Citizens' Academy: N/A Graduate-Institute for Community Leadership: NO Graduate-Leadership Fayetteville: NO Graduate-United Way's Multi-Cultural Leadership Program: NO Graduate-other leadership academy: NO	PROFESSOR OF MANAGEMENT FSU	BS-BUSINESS ADMIN MBA & PHD - MANAGEMENT
PARKER, CLIFFORD A. (B/M) 1033 LAUREN MCNEILL LOOP APT. E FAYETTEVILLE, NC 28303 257-6439/677-2742	CALL CENTER AGENT OA III - DSS	JUNIOR AT FSU
RISACHER, JODY (W/F) 3533 SWEETBAY CIRCLE FAYETTEVILLE, NC 28311 630-5102/483-7727 Graduate-County Citizens' Academy: NO Graduate-Institute for Community Leadership: YES Graduate-Leadership Fayetteville: NO Graduate-United Way's Multi-Cultural Leadership Program: NO Graduate-other leadership academy: NO	LIBRARY DIRECTOR	MLS BA

**APPLICANTS FOR
WORKFORCE DEVELOPMENT BOARD Page 5**

NAME/ADDRESS/PHONE	OCCUPATION	EDUCATIONAL BACKGROUND
SESSOMS, JR, DAVID (W/M) 221 1/2 HAY STREET FAYETTEVILLE NC 28301 584-3884/354-1901 Graduate-County Citizens' Academy: N/A Graduate-Institute for Community Leadership: NO Graduate-Leadership Fayetteville: YES Graduate-United Way's Multi-Cultural Leadership Program: NO Graduate-other leadership academy: NO	COLLEGE PRESIDENT MILLER-MOTTE COLLEGE	NONE LISTED
SIMMONS, ANGELIQUE 6632 BROOKSTONE LN APT 302 FAYETTEVILLE, NC 28314 202-590-6273/485-2955 (W) Graduate-County Citizens' Academy: N/A Graduate-Institute for Community Leadership: No Graduate-Leadership Fayetteville: No Graduate-United Way's Multi-Cultural Leadership Program: No Graduate-other leadership academy: No	LIBRARIAN II CUMBERLAND CO LIBRARY	MASTERS-LIBRARY SCIENCE BS-CRIMINAL JUSTICE
TATE, JOHN (B/M) 308 TUSON DRIVE FAYETTEVILLE, NC 28303 229-6341 (W)	NCDOT ABERDEEN	MA
WHITE, ROBERT L. (AA/M) 1956 KENMORE DRIVE FAYETTEVILLE, NC 28304 476-1387 Graduate-County Citizens' Academy: NA Graduate-Institute for Community Leadership: No Graduate-Leadership Fayetteville: No Graduate-other leadership academy: Military Academy	RETIRED MILITARY	UNDERGRADUATE; MA
WIRE, DONALD DR (/M) 540 NOTTINGHAM DR FAYETTEVILLE, NC 28311 779-2312 **SERVES ON THE HOME & COMMUNITY CARE COMMITTEE** Graduate-County Citizens' Academy: N/A Graduate-Institute for Community Leadership: YES Graduate-Leadership Fayetteville: NO Graduate-United Way's Multi-Cultural Leadership Program: NO Graduate-other leadership academy: NO	RETIRED	BA – POLITICAL SCIENCE MA-POLITICAL SCIENCE PHD-EDUCATION

JIMMY KEEFE
Chairman

JEANNETTE M. COUNCIL
Vice Chairman

KENNETH S. EDGE
CHARLES E. EVANS
W. MARSHALL FAIRCLOTH
BILLY R. KING
EDWARD G. MELVIN



CUMBERLAND
★ **COUNTY** ★
NORTH CAROLINA

BOARD OF COMMISSIONERS

CANDICE WHITE
Clerk to the Board

KELLIE BEAM
Deputy Clerk

ITEM NO. 7c

June 10, 2013

June 17, 2013 Agenda Item

TO: Board of Commissioners
FROM: Kellie Beam, Deputy Clerk to the Board **KB**
SUBJECT: Joint Appearance Commission

BACKGROUND: The Joint Appearance Commission has two (2) vacancies:

Noelle Kendrick – Resigned. The Joint Appearance Commission recommends George Quigley, Latara Ray or Sheila Wilson. (See attached)

Victor Hogan – Resigned. The Joint Appearance Commission recommends George Quigley, Latara Ray or Sheila Wilson. (See attached)

I have attached the membership list and applicant list for this commission.

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

APPLICANT(S) GRADUATING FROM COUNTY CITIZENS' ACADEMY:
None

Attachments

pc: David Nash, Planner II
City of Fayetteville

Kellie Beam

From: David Nash [DNash@ci.fay.nc.us]
Sent: Thursday, June 06, 2013 4:58 PM
To: Kellie Beam
Cc: Johnny Lanthorn (johnnylanthorn@embarqmail.com); Johnny Lanthorn; Robert "Kevin" Hight (roberthight@ccs.k12.nc.us)
Subject: Joint Appearance Commission Has Recommended Three Individuals for Appointment to the JAC (From the 3-Page List You Provided)
Attachments: Joint Appearance Commission May 2013.pdf
Follow Up Flag: Follow up
Flag Status: Flagged

Kellie,

Thanks for sending me this information last Friday. I included the three-page list of people who are interested in being appointed to the JAC in the June 3 agenda packet. At their meeting on Monday, June 3, the Joint Appearance Commission members voted to recommend that the County fill the two vacant County seats from the following three people: George Quigley, Latara Ray, and Sheila Wilson. When the minutes are typed up, this action will be included in the minutes. I will forward the minutes to you when they are typed up. Meanwhile, is there anything else that you need regarding the recommendation of the JAC?

Thanks for your help.

David Nash
Staff Rep to the JAC
Development Services Department
City of Fayetteville
910-433-1995

PS-I am cc'ing Johnny Lanthorn, Chair of the JAC; and Kevin Hight, Vice-Chair

From: Kellie Beam [mailto:kbeam@co.cumberland.nc.us]
Sent: Friday, May 31, 2013 4:37 PM
To: David Nash
Subject: Joint Appearance Commission

Mr. Nash:

Attached you will find a total of four pages. The first page is the Joint Appearance Commission Membership Roster. Please let me know if you notice anything that needs to be changed. The next 3 pages are a list of applicants for the Joint Appearance Commission.

Let me know after your meeting on Monday if the Joint Appearance Commission will have recommendations for the two vacancies. If not, I can take them forward to the Board of Commissioners with the applicant list and let them pick.

Call me or email me if you ever have any questions or need additional information.

Thanks!

Kellie Beam

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>
VACANT (by N. Kendrick)	8/12	2nd	Aug/14 8/31/14	No
Mitchell, Christopher 7357 Beaver Run Drive Fayetteville, NC 28314 229-7871 (H)/860-3333(W)	8/12	2nd	Aug/14 8/31/14	No
VACANT (by V. Hogan)	6/11	1st	Aug/13 8/31/13	Yes
Matthew Auman McLean 2910 Hermitage Ave Fayetteville, NC 28304 729-8358/429-2800	3/13	1 st	Aug/13 8/31/13	Yes
(serving unexpired term; eligible for two additional terms)				

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

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

**APPLICANTS FOR
JOINT APPEARANCE COMMISSION**

<u>NAME/ADDRESS/TELEPHONE</u>	<u>OCCUPATION</u>	<u>BACKGROUND</u>	<u>EDUCATIONAL</u>
BALDWIN, ALICE (B/F) 3218 MASTERS DRIVE HOPE MILLS, NC 28348 910-423-7012/317-1216 Graduate-County Citizens' Academy: NO Graduate-Institute for Community Leadership: NO Graduate-Leadership Fayetteville: NO Graduate-United Way's Multi-Cultural Leadership Program: NO Graduate-other leadership academy: NO	RETIRED		HS AA BA-POLITICAL SCIENCE MASTERS-LIBRARY SCIENCE
BRISCOE, KEVIN (/M) 7312 SCENIC VIEW DRIVE FAYETTEVILLE NC 28306 286-0608 / 433-6769 Graduate-County Citizens' Academy: No Graduate-Institute for Community Leadership: No Graduate-Leadership Fayetteville: No Graduate-United Way's Multi-Cultural Leadership Program: No Graduate-other leadership academy: No	CHAMBER EMPLOYEE FAYETTEVILLE REGIONAL CHAMBER		HS SOME COLLEGE
BRYANT, STEPHEN (W/M) 539 NOTTINGHAM DR FAYETTEVILLE, NC 28311 757-515-8787 Graduate-County Citizens' Academy: No Graduate-Institute for Community Leadership: No Graduate-Leadership Fayetteville: No Graduate-United Way's Multi-Cultural Leadership Program: No Graduate-other leadership academy: No	US NAVY RESERVES		HS NAVAL SCHOOLS
DAVIDSON, SERENA (W/F) 1417 VALMEAD COURT FAYETTEVILLE, NC 28312 813-713-5313/910-570-9227 Graduate-County Citizens' Academy: No Graduate-Institute for Community Leadership: No Graduate-Leadership Fayetteville: No Graduate-United Way's Multi-Cultural Leadership Program: No Graduate-other leadership academy: No	MANAGEMENT ANALYST US ARMY RESERVE		BS-FINANCE MBA STUDENT
DREW, HARRY N. (B/M) 902 ARSENAL AVENUE FAYETTEVILLE, NC 28305 301-537-5118	RETIRED	2 YRS BUSINESS SCHOOL	
FLEMING, JOE, DR REV. (/M) 7235 RYAN ST FAYETTEVILLE, NC 28314 910-339-2608 Graduate-County Citizens' Academy: No Graduate-Institute for Community Leadership: NO Graduate-Leadership Fayetteville: NO Graduate-United Way's Multi-Cultural Leadership Program: NO Graduate-other leadership academy: NO	RETIRED SELF-EMPLOYED		SOME COLLEGE

**APPLICANTS FOR
JOINT APPEARANCE COMMISSION PAGE 2**

NAME/ADDRESS/TELEPHONE	OCCUPATION	BACKGROUND	EDUCATIONAL
GOODE, ANTHONY (B/M) 6477 PERICAT DR FAYETTEVILLE NC 238306 717-6005 (H) / 551-1370 (W) Graduate-County Citizens' Academy: N/A Graduate-Institute for Community Leadership: NO Graduate-Leadership Fayetteville: NO Graduate-United Way's Multi-Cultural Leadership Program: NO Graduate-other leadership academy: US ARMY ADVANCED NON COMMISSIONED OFFICER ACADEMY	AIRCRAFT MECHANIC UNEMPLOYED		NONE LISTED
QUIGLEY, GEORGE (W/M) 616 BLAWELL CIR STEDMAN, NC 28391 485-2980 / 286-5508 Graduate-County Citizens' Academy: No Graduate-Institute for Community Leadership: No Graduate-Leadership Fayetteville: No Graduate-United Way's Multi-Cultural Leadership Program: Facilitator Graduate-other leadership academy: No	RETIRED PART-TIME INSTRUCTOR FTCC		BS (BUSINESS ADMIN) MBA (FINANCE)
RAY, LATARA (B/F) 5823 NESSEE ST FAYETTEVILLE NC 28314 910-587-7795 Graduate-County Citizens' Academy: No Graduate-Institute for Community Leadership: Yes Graduate-Leadership Fayetteville: No Graduate-United Way's Multi-Cultural Leadership Program: No Graduate-other leadership academy: No	REGISTRAR'S OFFICE FSU		MA-BUSINESS BA-SOCIOLOGY
SAULNIER, STEVEN MICHAEL (W/M) 117 GRANDE OAKS DRIVE UNIT 6 FAYETTEVILLE NC 28314 910-639-0602 / 907-1186 Graduate-County Citizens' Academy: No Graduate-Institute for Community Leadership: No Graduate-Leadership Fayetteville: No Graduate-United Way's Multi-Cultural Leadership Program: No Graduate-other leadership academy: No	ASSISTANT PROJECT MANAGER CHIMES D.C.		BS – BUSINESS ADMIN
THOMPSON, JOHN (B/M) 8533 CLIFFDALE RD FAYETTEVILLE NC 28314 864-1043 Graduate-County Citizens' Academy: N/A Graduate-Institute for Community Leadership: NO Graduate-Leadership Fayetteville: NO Graduate-United Way's Multi-Cultural Leadership Program: NO Graduate-other leadership academy: NO	SELF EMPLOYED RETIRED MILITARY		BA-SOCIOLOGY

APPLICANTS FOR
JOINT APPEARANCE COMMISSION PAGE 3

<u>NAME/ADDRESS/TELEPHONE</u>	<u>OCCUPATION</u>	<u>EDUCATIONAL BACKGROUND</u>
WATTS, MELISSA (W/F) 3503 MANORBRIDGE COURT FAYETTEVILLE, NC 28306 520-678-7250 / 570-9133 Graduate-County Citizens' Academy: No Graduate-Institute for Community Leadership: No Graduate-Leadership Fayetteville: No Graduate-United Way's Multi-Cultural Leadership Program: No Graduate-other leadership academy: No	ANALYST US ARMY RESERVE	BS - OCCUPATIONAL EDUCATION MASTERS - PUBLIC ADMINISTRATION
WILSON, SHELIA (B/F) 1839 BRAWLEY AVENUE FAYETTEVILLE, NC 28314 764-0638/551-4708 (W) Graduate-County Citizens' Academy: N/A Graduate-Institute for Community Leadership: No Graduate-Leadership Fayetteville: No Graduate-other leadership academy: No	PRINCIPAL NEW LIFE CHRISTIAN ACADEMY	BA-PSYCHOLOGY MA-EDUCATIONAL LEADERSHIP
WOODALL, AL II (B/M) 732 GALLOWAY DRIVE FAYETTEVILLE NC 28303 910-864-4064 Graduate-County Citizens' Academy: No Graduate-Institute for Community Leadership: No Graduate-Leadership Fayetteville: No Graduate-United Way's Multi-Cultural Leadership Program: No Graduate-other leadership academy: No	RETIRED/US ARMY FAA FLIGHT INSTRUCTOR	DEGREE - AVIATION MANAGEMENT

JIMMY KEEFE
Chairman

JEANNETTE M. COUNCIL
Vice Chairman

KENNETH S. EDGE
CHARLES E. EVANS
W. MARSHALL FAIRCLOTH
BILLY R. KING
EDWARD G. MELVIN



**CUMBERLAND
★ COUNTY ★**
NORTH CAROLINA

BOARD OF COMMISSIONERS

CANDICE WHITE
Clerk to the Board

KELLIE BEAM
Deputy Clerk

ITEM NO. 7D

June 12, 2013

June 17, 2013 Agenda Item

TO: Board of Commissioners

FROM: Kellie Beam, Deputy Clerk to the Board **KB**

SUBJECT: Nursing Home Advisory Board

BACKGROUND: The Nursing Home Advisory Board has the following three (3) vacancies that were on the June 3, 2013 Board of Commissioners agenda but forwarded to the June 17, 2013 meeting:

Cenitra McLaughlin – Resigned. The Nursing Home Advisory Board does not have a recommendation at this time.

Norton Campbell – Resigned. The Nursing Home Advisory Board does not have a recommendation at this time.

Hervenna Pannell – completed second term. The Nursing Home Advisory Board does not have a recommendation at this time.

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

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

APPLICANT(S) GRADUATING FROM COUNTY CITIZENS' ACADEMY:
None

Attachments

pc: Kareem Strong, Mid-Carolina Area Agency on Aging

NURSING HOME ADVISORY BOARD

3 Year Term

(Initial Appointment One Year)

<u>Name/Address</u>	<u>Date Appointed</u>	<u>Term</u>	<u>Expires</u>	<u>Eligible For Reappointment</u>
Barbara Spigner 5701 Cloister Court Fayetteville, NC 28314 580-5534	02/11	Initial	Feb/12 02/28/12	Yes
Tom Lloyd (W/M) 1306 Berkshire Road Fayetteville, NC 28305 574-3177/678-7618(W)	6/11	2nd	Aug/14 8/31/14	No
Mitchell Guy (W/M) 2611 Benington Road Fayetteville, NC 28303 964-7390 (H/W)	9/11	Initial	Sept/12 9/30/12	Yes
Dr. John Briggs (W/M) 104 Stedman Street Fayetteville, NC 28305 867-1493	2/09	1 st	Feb/12 2/28/12	Yes
Sonja Council 950 Stewarts Creek Drive Apt. 1 Fayetteville, NC 28314 864-1651/609-6139 (W)	6/11	1st	Aug/14 8/31/14	Yes
Hervenna Pannell (B/F) 1821 Eichelberger Drive Fayetteville, NC 28303 822-8516/907-9355(W)	2/09	2 nd	Feb/12 2/28/12	No
Clyde E. Hammond (W/M) 1802 Flintshire Road Fayetteville, NC 28304 425-2774	6/11	2nd	Aug/14 8/31/14	No
VACANT (Vacated by C. McLaughlin)04/10		1st	Apr/13 4/30/13	Yes
Toney Edwards (B/M) 3622 Clearwater Drive Fayetteville, NC 28311 822-4261/864-6262	1/12	2nd	Jan /15 1/31/15	No

<u>Name/Address</u>	<u>Date Appointed</u>	<u>Term</u>	<u>Expires</u>	<u>Eligible For Reappointment</u>
VACANT (by N. Campbell)	10/10	Initial	Oct/11 10/31/11	Yes
Cassandra White Haire (B/F) 515 Albany Street Fayetteville, NC 28301 728-0175 (C)	4/10	1st	Apr/13 4/30/13	Yes

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

3rd Thursday of the last month of each quarter (March, June, September and December) at 1:00 PM - at various nursing homes in the county.

**APPLICANTS FOR
NURSING HOME ADVISORY BOARD**

<u>NAME/ADDRESS/TELEPHONE</u>	<u>OCCUPATION</u>	<u>EDUCATIONAL BACKGROUND</u>
BEAN, KENNETH JOSEPH (B/M) 6115 INDEPENDENTS PLACE DR #731 FAYETTEVILLE, NC 28303 347-290-2577 Graduate-County Citizens' Academy: No Graduate-Institute for Community Leadership: No Graduate-Leadership Fayetteville: No Graduate-United Way's Multi-Cultural Leadership Program: No Graduate-other leadership academy: No	RETIRED ARMY	NONE LISTED
BLAKE, MICHAEL (W/M) 4194 LONGVIEW AVE HOPE MILLS, NC 28348 910-425-5933 Graduate-County Citizens' Academy: No Graduate-Institute for Community Leadership: No Graduate-Leadership Fayetteville: No Graduate-United Way's Multi-Cultural Leadership Program: No Graduate-other leadership academy: No	BLAKE'S LAWNCARE SERVICE OWNER	HS/2 YRS COLLEGE
CAMPBELL, DR. REBECCA M. (W/F) 7027 DARNELL STREET FAYETTEVILLE, NC 28314 487-1555 Graduate-County Citizens' Academy: N/A Graduate-Institute for Community Leadership: No Graduate-Leadership Fayetteville: No Graduate-United Way's Multi-Cultural Leadership Program: No Graduate-other leadership academy: Women's Executive Leadership Program, U.S. Army	RETIRED DIRECTOR DEPT OF EDUCATION FORT BRAGG	BS-SCIENCE/SPECIAL ED MASTERS-EDUCATION DOCTORATE-SPECIAL ED
CHAVIS, KAREN R. 2122 CALISTA CIRCLE FAYETTEVILLE, NC 28304 423-6590	RETIRED RN CFVHS	ASN
DILLON, MARY (B/F) 3209 MCCHEON DRIVE FAYETTEVILLE, NC 28301 910-822-2045 Graduate-County Citizens' Academy: NO Graduate-Institute for Community Leadership: NO Graduate-Leadership Fayetteville: NO Graduate-United Way's Multi-Cultural Leadership Program: NO Graduate-other leadership academy: NO	RETIRED FTCC	BS-EDUCATION
DODSON, CATHERINE (W/F) 2537 FORDHAM DR FAYETTEVILLE NC 28304 486-8143/309-4690 Graduate-County Citizens' Academy: N/A Graduate-Institute for Community Leadership: NO Graduate-Leadership Fayetteville: NO Graduate-United Way's Multi-Cultural Leadership Program: NO Graduate-other leadership academy: Fayetteville Citizens Academy	NURSE	COLUMBUS UNIVERSITY

**APPLICANTS FOR
NURSING HOME ADVISORY BOARD Page 2**

NAME/ADDRESS/TELEPHONE	OCCUPATION	EDUCATIONAL BACKGROUND
FAGAN, CARLA (B/F) 6235 CARVER PINE LOOP APT 8107 FAYETTEVILLE NC 28311 920-3580/630-7699 Graduate-County Citizens' Academy: No Graduate-Institute for Community Leadership: No Graduate-Leadership Fayetteville: No Graduate-United Way's Multi-Cultural Leadership Program: No Graduate-other leadership academy: No	ASSISTANT PROFESSOR METHODIST UNIVERSITY	PHD-SOCIAL WELFARE MASTERS-SOCIAL WORK BS-PSYCHOLOGY
FERGUSON SR., ALFONSO (B/M) 7796 PINTAIL DRIVE FAYETTEVILLE, NC 28311 401-2313/483-9916 X5551235	PROGRAM CONTROL ANALYST-MANTECH INTERN'L, INC. **SERVES ON ADULT CARE HOME COMMUNITY ADVISORY BOARD**	MASTERS – HEALTH CARE ADMIN
GLADDEN, ELLEN (B/F) 3512 CLEARWATER FAYETTEVILLE, NC 28311 488-2659/483-4290	MANAGER PAYNE FUNERAL HOME	BA
HERRING, TERRY (W/M) 212 FOUNTAINHEAD LANE #102 FAYETTEVILLE, NC 28301 717-1100/678-8358 Graduate-County Citizens' Academy: No Graduate-Institute for Community Leadership: No Graduate-Leadership Fayetteville: No Graduate-United Way's Multi-Cultural Leadership Program: No Graduate-other leadership academy: Education Leadership Academy	FTCC-HEALTH DEPT CHAIRPERSON	BS; MA; MED
HOWARD, KEITH D (B/M) 7809 GALLANT RIDGE DR FAYETTEVILLE NC 28314 864-2144/494-3736(W) Graduate-County Citizens' Academy: N/A Graduate-Institute for Community Leadership: No Graduate-Leadership Fayetteville: Yes Graduate-United Way's Multi-Cultural Leadership Program: No Graduate-other leadership academy: No	BUSINESS OWNER	BS-COMPUTER SCIENCE CERTIFIED-MSCE CERTIFIED ARMY MASTER FITNESS TRAINER
JENKINS-MCNAIR, DAWN (B/F) 142 WESTWICK LANE APT 7 FAYETTEVILLE, NC 28314 728-7021/855-247-8474 Graduate-County Citizens' Academy: NO Graduate-Institute for Community Leadership: NO Graduate-Leadership Fayetteville: NO Graduate-United Way's Multi-Cultural Leadership Program: NO Graduate-other leadership academy: NO	FAMILY NURSE PRACTITIONER UNITED HEALTHCARE	BSN FAM.NURSE PRACTITIONER
LEE, ANGELA (B/F) 2065 CORINNA STREET FAYETTEVILLE, NC 28301 587-7794/488-8477	QUALIFIED PROFESSIONAL B PIERCE & ASSOC., INC.	BA, MS

**APPLICANTS FOR
NURSING HOME ADVISORY BOARD Page 3**

NAME/ADDRESS/TELEPHONE	OCCUPATION	EDUCATIONAL BACKGROUND
MITCHELL, RONNIE JR (B/M) 6430 MILFORD RD FAYETTEVILLE NC 28303 336-3037 (H) / 339-4959 (W) Graduate-County Citizens' Academy: N/A Graduate-Institute for Community Leadership: NO Graduate-Leadership Fayetteville: NO Graduate-United Way's Multi-Cultural Leadership Program: NO Graduate-other leadership academy: NO	RETIRED ARMY SELF EMPLOYED	BA HOTEL RESTAURANT MANAGEMENT
MORTON, DINEEN (B/F) 5835 PETTIGREW DR FAYETTEVILLE NC 28314 494-5761/521-0001 Graduate-County Citizens' Academy: N/A Graduate-Institute for Community Leadership: NO Graduate-Leadership Fayetteville: YES Graduate-United Way's Multi-Cultural Leadership Program: NO Graduate-other leadership academy: NO	VP OF BUSINESS DEVELOPMENT HEALTHKEEPERZ	NONE LISTED
SESSOMS, JR, DAVID (W/M) 221 1/2 HAY STREET FAYETTEVILLE NC 28301 584-3884/354-1901 Graduate-County Citizens' Academy: N/A Graduate-Institute for Community Leadership: NO Graduate-Leadership Fayetteville: YES Graduate-United Way's Multi-Cultural Leadership Program: NO Graduate-other leadership academy: NO	COLLEGE PRESIDENT MILLER-MOTTE COLLEGE	NONE LISTED
SIMPSON, PATRICIA G. (B/F) 3760 HUCKLEBERRY ROAD FAYETTEVILLE, NC 28312 323-4558	RETIRED	HS
SOUTHERLAND, HARRY (B/M) 3191 BRADDY ROAD FAYETTEVILLE, NC 28306 978-9118	BUSINESS OWNER	BA-BUSINESS MGMT; JD
SERVES ON THE ADULT CARE HOME COMMUNITY ADVISORY COMMITTEE		
WADE, PAMELA (W/F) 2728 HELAMAN CT #9 FAYETTEVILLE NC 28303 910-977-7504 Graduate-County Citizens' Academy: N/A Graduate-Institute for Community Leadership: No Graduate-Leadership Fayetteville: No Graduate-United Way's Multi-Cultural Leadership Program: No Graduate-other leadership academy: No	RETIRED	BACHELORS MASTERS

JIMMY KEEFE
Chairman

JEANNETTE M. COUNCIL
Vice Chairman

KENNETH S. EDGE
CHARLES E. EVANS
W. MARSHALL FAIRCLOTH
BILLY R. KING
EDWARD G. MELVIN



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

CANDICE WHITE
Clerk to the Board

KELLIE BEAM
Deputy Clerk

ITEM NO. 7E

June 12, 2013

June 17, 2013 Agenda Item

TO: Board of Commissioners
FROM: Kellie Beam, Deputy Clerk to the Board *KB*
SUBJECT: Parks and Recreation Advisory Commission

BACKGROUND: The Parks and Recreation Advisory Board have two (2) upcoming vacancies on June 30, 2013 as follows:

Tom Cain – completing second term. Not eligible for reappointment. The Parks and Recreation Advisory Commission did not submit a recommendation.

John Goetke – completing second term. Not eligible for reappointment. The Parks and Recreation Advisory Commission did not submit a recommendation.

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

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

APPLICANT(S) GRADUATING FROM COUNTY CITIZENS' ACADEMY:
Hankins, Ashley

Attachments

pc: Michael Gibson, Parks and Recreation Director
City of Fayetteville

PARKS AND RECREATION ADVISORY BOARD

3 Year Terms

(Terms were initially 2 and 3 years)

<u>Name/Address</u>	<u>Date Appointed</u>	<u>Term</u>	<u>Expires</u>	<u>Eligible For Reappointment</u>
Tom Cain (C/M) 2786 Baywood Road Fayetteville, NC 28312 630-3970	6/11	3rd	June/13 6/30/13	No
Henry J. Bowden (W/M) 1470 Dunn Road Fayetteville, NC 28312 433-5671/483-5117 (W)	6/10	1st	June/13 6/30/13	Yes •
Elvin McNeill (B/M) 3484 Thorndike Drive Fayetteville, NC 28304 423-7027	6/10	1st	June/13 6/30/13	Yes •
Marsha Fogle (W/F) PO Box 278 Stedman, NC 28391 483-9579	6/10	1st	June/13 6/30/13	Yes •
John Goetke (/M) 2120 Bainbridge Road Stedman, NC 28391 484-4074/891-2238(W)	6/11	3rd	June/13 6/30/13	No
John D. Pone, Sr. (B/M) 2802 Blossom Road Hope Mills, NC 28348 323-0007/483-4043 & 484-3717(W)	6/11	3rd	June/14 6/30/14	No
Dean H. Smelcer, Jr. (W/M) 3209 Boone Trail Fayetteville, NC 28306 424-3423/425-1769(W)	6/11	3rd	June/14 6/30/14	No

Commissioner Liaison: Commissioner Billy King

Meetings: 1st Tuesday of every month at 5:45 PM – Parks and Recreation Admin Bldg. 121 Lamon Street
 Contact: Michael Gibson/Adrianna Thomas, City of Fayetteville, Phone 433-1547, Fax 433-1762

***At their meeting on June 20, 2011 the BOC waived their policy and reappointed (Cain, Goetke, Pone and Smelcer) to additional 2 or 3 year terms.*

APPLICANTS FOR
PARKS AND RECREATION ADVISORY BOARD

<u>NAME/ADDRESS/TELEPHONE</u>	<u>OCCUPATION</u>	<u>EDUCATIONAL BACKGROUND</u>
ASHTON, LAWRENCE (W/M) 3420 MCCHOEN DR FAYETTEVILLE, NC 28311 910-488-4042 Graduate-County Citizens' Academy: N/A Graduate-Institute for Community Leadership: No Graduate-Leadership Fayetteville: No Graduate-United Way's Multi-Cultural Leadership Program: No Graduate-other leadership academy: No	RETIRED	SOME COLLEGE
BARNARD, STEVEN (W/M) 211 AZALEA BLUFF DRIVE FAYETTEVILLE, NC 28301 264-8320 (H) / 454-5177 (W)	MILITARY CIVIL AFFAIRS	BS, M.ED.
BUSH-McMANUS, PATRICIA (B/F) 3472 THORNDIKE DRIVE FAYETTEVILLE, NC 28311 488-1314/484-6839 (W)	SITE DIRECTOR – TROY UNIVERSITY/FAYETTEVILLE	DOCTORAL STUDENT
CANNON, DR WILLIAM E. (W/M) 1705 PUGH STREET FAYETTEVILLE, NC28305 483-4830	RETIRED CIVIL SERVICE	MASTERS, PHD BUSINESS LEADERSHIP SUPERVISION
DECOSTA, JOSEPH M (W/M) 7016 MARINERS LANDING DRIVE FAYETTEVILLE, NC 28306 486-9686/286-9686	US MILITARY AIRDROP SYSTEMS TECHNICIAN	MILITARY LEADERSHIP SCHOOLS
DEES, JULIE ANNETTE 5630 WALKING TRAIL WAY HOPE MILLS, NC 28348 476-9418/484-9031	ASST PRINCIPAL CUMBERLAND CO SCHOOLS	BS; MS; PHD
DONALDSON, ED (W/M) 4606 HOE COURT FAYETTEVILLE, NC 28314 484-3640	RETIRED JUDGE	LAW DEGREE POLITICAL SCIENCE
SERVES ON BOARD OF ADJUSTMENT		
DRAUGHON, GLENN 5521 WINNERS CIRCLE HOPE MILLS, NC 28348 424-5425	RETIRED TEACHER	MS PHYSICAL ED
SERVES ON HOME AND COMMUNITY CARE BLOCK GRANT COMMITTEE		
FAIRLEY, ROLAND A., SR (B/M) 219 MURRAY FORK DRIVE FAYETTEVILLE, NC 28314 764-1598/678-2016	ASSESSMENT CLERK	HS, SOME COLLEGE

NAME/ADDRESS/TELEPHONE	OCCUPATION	EDUCATIONAL BACKGROUND
FLEMING JR., DR REV JOE (B/M) 7235 RYAN STREET FAYETTEVILLE, NC 28304 339-5648	CHURCH PASTOR	SOME COLLEGE
FORD, STANLEY (B/M) 4013 POLK DRIVE HOPE MILLS, NC 28348 910-425-5639 Graduate-County Citizens' Academy: N/A Graduate-Institute for Community Leadership: NO Graduate-Leadership Fayetteville: NO Graduate-United Way's Multi-Cultural Leadership Program: NO Graduate-other leadership academy: NO	BANKING/MORTGAGES NOT LISTED	BACHELORS
FRAZEE, JASON (W/M) 512 STANDINGSTONE DRIVE FAYETTEVILLE, NC 28311 868-9191/423-2312 (W)	SOCIAL WORKER CUMBERLAND COUNTY SCHOOLS	UNC-P GRADUATE SOCIAL WORK
GIBBS, GERALD B. (W/M) 6078 LEXINGTON DRIVE HOPE MILLS, NC 28348 425-3915 (H)	MEDICALLY RETIRED NAVAL AIR TRAFFIC CONTROLLER LAW STUDENT	BSL JURISPRUDENCE
GOODHEART, PERRY (W/M) 6408 ALGERIAN DRIVE HOPE MILLS, NC 28348 424-9596/462-4331 Graduate-County Citizens' Academy: NO Graduate-Institute for Community Leadership: NO Graduate-Leadership Fayetteville: NO Graduate-United Way's Multi-Cultural Leadership Program: NO Graduate-other leadership academy: NO	NETWORK ADMINISTRATOR PUROLATOR	AS BSBE
HANKINS, ASHLEY (W/F) 3924 SUMMERFIELD LANE FAYETTEVILLE NC 28306 260-3917/433-3826 Graduate-County Citizens' Academy: YES Graduate-Institute for Community Leadership: NO Graduate-Leadership Fayetteville: NO Graduate-United Way's Multi-Cultural Leadership Program: NO Graduate-other leadership academy: NO	PROCESSING ASSISTANT CAPE FEAR STAFFING	SOME COLLEGE
HODGE, OLIVER DR. (B/M) 537 OLD FARM RD FAYETTEVILLE, NC 28314 487-0886/483-0409 Graduate-County Citizens' Academy: NO Graduate-Institute for Community Leadership: NO Graduate-Leadership Fayetteville: NO Graduate-United Way's Multi-Cultural Leadership Program: NO Graduate-other leadership academy: NO	DENTIST DR. OLIVER HODGE DENTISTRY	BS DDS

PARKS & RECREATION ADVISORY BOARD, PAGE 3

NAME/ADDRESS/TELEPHONE	OCCUPATION	EDUCATIONAL BACKGROUND
JADEN, LEILA (B/F) 5608 MIRANDA DRIVE HOPE MILLS, NC 28348 910-366-8859 Graduate-County Citizens' Academy: NO Graduate-Institute for Community Leadership: NO Graduate-Leadership Fayetteville: NO Graduate-United Way's Multi-Cultural Leadership Program: NO Graduate-other leadership academy: NO	RETIRED	SOME COLLEGE
JONES, MONICA (B/F) 4640 DUDLEY ROAD FAYETTEVILLE NC 28312 486-7933/571-306-5600 Graduate-County Citizens' Academy: N/A Graduate-Institute for Community Leadership: NO Graduate-Leadership Fayetteville: NO Graduate-United Way's Multi-Cultural Leadership Program: YES Graduate-other leadership academy: NO	RESEARCH ANALYST DELTEK, INC	NONE LISTED
KOWAL, ANDREW (W/M) 3512 EDGESIDE COURT FAYETTEVILLE, NC 28303 487-7989 (H) / 867-8673 (W)	EMERGENCY MGMT DIRECTOR - RDR INC	BS BIOLOGY MS INTL RELATIONS
LODHI, MUHAMMAD A. (A/M) 2008 ASHRIDGE DRIVE FAYETTEVILLE, NC 28304 401-2137/672-1658 (W) **SERVES ON HUMAN RELATIONS COMMISSION**	ASSOCIATES PROF. FSU	DOCTORATE - PLANT BREEDING & MOLECULAR GENETICS
LOWE, CLABON RODDELL (B/M) 512 KENTWELL COURT FAYETTEVILLE, NC 28303 864-7145/309-6857 **SERVES ON HUMAN RELATIONS COMMISSION**	US ARMY	AA
McCOLLUM, DEMETRIUS (-/M) 1222 NORTH STREET FAYETTEVILLE, NC 28301 568-3209/978-0237	DISABLED	HS; SOME COLLEGE
MILES, LINDA H (W/F) 5608 PAR COURT HOPE MILLS, NC 28348 910-426-1606/910-818-1172 Graduate-County Citizens' Academy: NO Graduate-Institute for Community Leadership: NO Graduate-Leadership Fayetteville: NO Graduate-United Way's Multi-Cultural Leadership Program: NO Graduate-other leadership academy: NO	FINANCIAL SECRETARY	SOME COLLEGE

NAME/ADDRESS/TELEPHONE	OCCUPATION	EDUCATIONAL BACKGROUND
MONTELEONE, ANTHONY (-/M) 1229 BOSTIAN DRIVE FAYETTEVILLE NC 28304 910-222-8787 / 602-621-1315 Graduate-County Citizens' Academy: NO Graduate-Institute for Community Leadership: NO Graduate-Leadership Fayetteville: NO Graduate-United Way's Multi-Cultural Leadership Program: NO Graduate-other leadership academy: NO	U.S. ARMY	HS COLLEGE STUDENT
MUNOZ, ALBERT R. (/M) 7208 MONTORO FAYETTEVILLE, NC 28314 714-398-1657	RETIRED MILITARY	BA
SERVES ON THE JOINT SENIOR CITIZENS ADVISORY COMMISSION		
MYRICK, GORDON (B/M) 7864 LOXLEY DRIVE FAYETTEVILLE, NC 28314 867-3532/643-8808	HOUSING INSPECTOR FT BRAGG DEPT OF PUBLIC WORKS	HS; COMMUNITY COLLEGE
PARKER, CLIFFORD A. (B/M) 1033 LAUREN MCNEILL LOOP APT. E FAYETTEVILLE, NC 28303 257-6439/677-2742	CALL CENTER AGENT OA III - DSS	JUNIOR AT FSU
POPE, SCOTT (W/M) 2922 WYCLIFFE COURT FAYETTEVILLE, NC 28306 910-426-0863 Graduate-County Citizens' Academy: NO Graduate-Institute for Community Leadership: NO Graduate-Leadership Fayetteville: NO Graduate-United Way's Multi-Cultural Leadership Program: NO Graduate-other leadership academy: NO	PRINCIPAL MAX ABBOTT	MS-SCHOOL ADMIN. BS-PHYSICAL ED.
QUIGLEY, GEORGE (W/M) 616 BLAWELL CIRCLE STEDMAN, NC 28391 910-485-2980 / 910-286-5508 Graduate-County Citizens' Academy: No Graduate-Institute for Community Leadership: No Graduate-Leadership Fayetteville: No Graduate-United Way's Multi-Cultural Leadership Program: Facilitator Graduate-other leadership academy: No	RETIRED PART TIME INSTRUCTOR FTCC	BS MBA-FINANCE
SMITH, JAMES ROBERT "BOB" 110 CALRENDON STREET #612 FAYETTEVILLE, NC 28305 423-6400 (W)	CONSULTANT-PREFERRED PERSONAL SPECIALIST	BS, MBA
SERVES ON THE CIVIC CENTER COMMISSION		
SORCE, JOSEPH F. (W/M) 3839 MARKSBURY DRIVE APT. 303 FAYETTEVILLE, NC 27314 495-5265/483-8288	TEACHER CUMBERLAND COUNTY SCHOOLS	BS; MS

NAME/ADDRESS/TELEPHONE	OCCUPATION	EDUCATIONAL BACKGROUND
STEWART, JAMESON C. (W/M) 3533 GODWIN CIRCLE FAYETTEVILLE, NC 28312 874-5930/678-9897 (W)	SENIOR AUDIO VISUAL TECH - FTCC	AAA - ELECTRONICS ENG.
TOLER, RAYMOND A. (-/M) 3501 CEDAR HILL DRIVE FAYETTEVILLE, NC 28312 527-0507 (H) / 484-7840 (W)	LOCKSMITH	COLLEGE
WEBB, BERNARD (/_/M) 2674 RIVERCLIFF ROAD FAYETTEVILLE, NC 28301 630-3282/336-500-1938 (C)	GSO LETTER CARRIER US POSTAL SERVICE	BS; MS
WHITE, LILLIE (B/F) 6496 TARRYTOWN DR FAYETTEVILLE NC 28314 910-867-3178 Graduate-County Citizens' Academy: NO Graduate-Institute for Community Leadership: NO Graduate-Leadership Fayetteville: NO Graduate-United Way's Multi-Cultural Leadership Program: NO Graduate-other leadership academy: NO	RETIRED	BS-BUSINESS ADMIN.
WILLIAMS, SANDRA G. (AA/F) 2775 BAYWOOD ROAD EASTOVER, NC 28312 433-2673/672-2042 (W)	DIR OF ACADEMIC BUDGETING - FSU	BA-BUSINESS ADMIN
WILLIAMS, TERRY (B/_) 674 BAYWOOD ROAD FAYETTEVILLE, NC 28312 435-0960	DISABLED VETERAN	BS
WRIGHT, ROGER "BRYAN" 2212 WESTHAVEN DRIVE FAYETTEVILLE, NC 28303 920-3354/339-2494 (W)	MORTGAGE LENDER	COLLEGE
SERVES ON HUMAN RELATIONS COMMISSION		
YEPEZ, JOSE (/M) 3900 FOSTER DRIVE FAYETTEVILLE, NC 28311 488-4423/728-8660	RETIRED	BS-BUSINESS AS-PUBLIC ADMIN

JIMMY KEEFE
Chairman

JEANNETTE M. COUNCIL
Vice Chairman

KENNETH S. EDGE
CHARLES E. EVANS
W. MARSHALL FAIRCLOTH
BILLY R. KING
EDWARD G. MELVIN



**CUMBERLAND
★ COUNTY ★**
NORTH CAROLINA

BOARD OF COMMISSIONERS

CANDICE WHITE
Clerk to the Board

KELLIE BEAM
Deputy Clerk

ITEM NO. 7F

June 12, 2013

June 17, 2013 Agenda Item

TO: Board of Commissioners
FROM: Kellie Beam, Deputy Clerk to the Board KB
SUBJECT: Social Services Board

The Social Services Board will have the following one (1) vacancy on June 30, 2013:

Marvin Rouse – completing second term. Not eligible for reappointment. The Social Services Board submitted a memorandum for **Susan Reeder**.

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

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

APPLICANT(S) GRADUATING FROM COUNTY CITIZENS' ACADEMY:
None

Attachments

pc: Brenda R. Jackson, Director
Department of Social Services

BRENDA REID JACKSON
Director

HEATHER SKEENS
Deputy Director




WILLIAM C. DUKE
Assistant Director

BOBBIE REDDING
Managing Attorney

**CUMBERLAND
COUNTY**
NORTH CAROLINA
DEPARTMENT OF SOCIAL SERVICES

MEMORANDUM

TO: Kellie Beam, Cumberland County Deputy Clerk to the Board of Commissioners
FROM: Angela Thomas, Administrative Assistant to the Director 
C/O: Cumberland County Board of Social Services
DATE: May 30, 2013
RE: Social Services Board Vacancy - Nominee Submission

Please find attached a letter and resume submitted to the Board of Social Services for Ms. Susan Reeder to be considered for the upcoming vacancy of the Board of Commissioners' appointed seat currently held by Marvin E. Rouse. Mr. Rouse's term expires June 30, 2013. Mr. Rouse has served two consecutive terms on the Social Services Board and is not eligible for reappointment.

If I can be of further assistance let me know.

Attachments

Cc: Board of Social Services
Brenda Reid Jackson, Director
File

We stand united to strengthen individuals and families and to protect children and vulnerable adults...

Robert Byrd II
1802 Bryn Mawr Drive
Fayetteville, NC 28304

February 25, 2013

Cumberland County Department of Social Services
Board of Directors
PO Box 2429
Fayetteville, NC 28302

Dear Board Members,

I would like to submit for consideration, Susie Reeder, a local minister to serve on your board. Rev. Reeder is the Minister of Missions and Education at Snyder Memorial Baptist Church, where she has served for the past 18 years. Susie was an integral part in bringing Operation Inasmuch to our city. She has worked to provide benevolence to the parishioners of Snyder and to local members of the community in need. Susie has worked with the homeless through the Interfaith Hospitality Network. She has worked to create a partnership between the church and Margaret Willis Elementary School to provide "Backpack Buddies" to the school children on an ongoing basis. Susie has also been a part in forming a partnership between the church and the Windsor Terrace community. Personally, Susie has adopted two children and is beginning new ministry endeavors to lend church support to families in the community who are interested in adoptions. She is also interested in growing ministries to assist foster care families and children who reside in foster care. Rev. Reeder is also an advocate for the victims of human trafficking.

I believe Rev. Reeder would be a great addition to the Board and would represent our community well, especially the faith community of Cumberland County.

Thank you for your consideration,



Robbie Byrd

Susan Carole Reeder (Susie)

811 Westmont Drive
Fayetteville, NC 28305
Home: (910) 484-0789
Office: (910) 484-3191
Cell: (910) 689-5411
Email: scrwildcat@aol.com

Personal

Born 11/30/62 , Henderson, Kentucky

Marital Status: Single

Hannah HaLe Reeder

Daughter adopted from Vinh Long, Vietnam

Born 6/7/01, adopted 7/3/02

Ella Phuong-Thao Reeder

Daughter adopted from Ninh Thuan, Vietnam

Born 12/23/04, adopted 9/7/06

Call to Ministry: *It was during my Junior year of college that I began to understand my call to ministry. I was actively involved in both the Baptist Student Union and a local church. It was both of these environments as well as the nurture and encouragement from my Christian parents and my home church, which aided me in hearing God's call. Through the many gifts that God has given me and through much communication with God, I decided to commit my life to full-time Christian ministry in November of 1982. Since that time, I continually work to redefine that call as God continues to lead me in His service.*

Education

Master of Divinity in Christian Education, May 1988.

Southern Baptist Theological Seminary, Louisville, Kentucky.

Bachelor of Arts, December 1984.

University of Kentucky, Lexington, Kentucky.

*Major: Art Education.

Graduated from Henderson County High School, Henderson, KY 1980.

Ordination

June 1997 at Snyder Memorial Baptist Church, Fayetteville, North Carolina

Ministerial Experience

Minister of Missions and Education, Snyder Memorial Baptist Church, Fayetteville, North Carolina, 2010-present

Minister of Missions and Senior Adults, Snyder Memorial Baptist Church, Fayetteville, North Carolina. October 2005-2010

Minister to Youth, Snyder Memorial Baptist Church, Fayetteville, North Carolina. August 1995-present.

Minister to Singles and Youth, First Baptist Church, Murfreesboro, Tennessee. 1990-1995.

Minister to Youth and Singles, Union Avenue Baptist Church, Memphis, Tennessee. 1988-1990.

Volunteer BSU Director at Rhodes College, Memphis, Tennessee. 1988-1990.

Minister to Youth, Mt. Zion Baptist Church, Elizabethtown, Kentucky. February 1986-May 1988.

Honors and Activities

Fayetteville Area Operation Inasmuch Board of Directors 2006-2012

North Carolina Youth Minister's Association (have served as various officers since 1999).

Steering Committee for Curtain Call, (North Carolina Creative Ministry Conference).

National Network of Youth Ministry 1994-present.

Baptist Women in Ministry.

Steering Committee for YouthLink 2000.

Tennessee Baptist Convention Historical Committee 1994.

Tennessee Baptist Youth Minister's fellowship, 1988-1995, Secretary/Treasurer 1992-1994.

Consultant for Student Ministry Department, Tennessee Baptist Convention 1989-1992.

Hobbies

Computer, photography, painting/drawing/crafts, reading, watching UK Basketball.

Other

Work with Benevolence Ministry here at Snyder Memorial Baptist Church. Have led mission trips to Kenya, South Africa, Indonesia, Moldova, and Myanmar. Recently began Orphan Ministry here at Snyder, working with international/domestic adoption, orphan care, Foster Care, and raising funds for adoption. Plan Operation Inasmuch Blitz Day.

SOCIAL SERVICES BOARD
3 Year Term

<u>Name/Address</u>	<u>Date Appointed</u>	<u>Term</u>	<u>Expires</u>	<u>Eligible For Reappointment</u>
Edward G. Melvin, (W/M) Cumberland County Commissioner 3017 Ravenhill Drive Fayetteville, NC 28303 433-2119(H)/391-4028 (C)	7/11	1st	June/14 6/30/14	Yes
Marvin Rouse (B/M) 609 Endsleigh Court Fayetteville, NC 28311 488-8245/689-3085 (C)	7/10	1 st	June/13 6/30/13	No
<u>Social Services Board Appointee</u>				
Betsy Monroe Bradshaw (W/F) 3339 Quarry Road Fayetteville, NC 28303 486-1605 x 225 / 824-1510	7/12	1st	June/15 6/30/15	Yes
<u>State Social Services Commission Appointee</u>				
Maria Velazquez-Constas (H/F) 215 Offing Court Fayetteville, NC 28314 484-0176 (W)/868-3895 (H)	7/11	1st	June/14 6/30/14	Yes
<u>State Social Services Commission Appointee</u>				
Dr. Sidney Brooks, Sr. (B/M) 401 Forest Lake Road Fayetteville, NC 28305 499-9950 (W) / 916-3449 ©	7/11	1 st	June/13 6/30/13	Yes
serving an unexpired term				

Contact: Brenda R. Jackson, Director
(Angela F. Thomas - Phone: 677-2035)

Meeting Date: Last Wednesday of each month at 1:00 PM, Board Room, DSS Building

**APPLICANTS FOR
SOCIAL SERVICES BOARD**

<u>NAME/ADDRESS/TELEPHONE</u>	<u>OCCUPATION</u>	<u>EDUCATIONAL BACKGROUND</u>
ANDREWS-MCCALL, MAXINE (B/F) 5637 MUM CREEK LANE FAYETTEVILLE, NC 28304 423-1727 Graduate-County Citizens' Academy: N/A Graduate-Institute for Community Leadership: NO Graduate-Leadership Fayetteville: NO Graduate-United Way's Multi-Cultural Leadership Program: NO Graduate-other leadership academy: Fayetteville State University Education Leadership	RETIRED EDUCATOR	BS; MEd; EdD
BLAKE, MICHAEL (W/M) 4194 LONGVIEW AVE HOPE MILLS, NC 28348 910-425-5933 Graduate-County Citizens' Academy: No Graduate-Institute for Community Leadership: No Graduate-Leadership Fayetteville: No Graduate-United Way's Multi-Cultural Leadership Program: No Graduate-other leadership academy: No	BLAKE'S LAWNCARE SERVICE OWNER	HS/2 YRS COLLEGE
BRIGGS, BENITA Y. (B/F) 1639 RUDOLPH STREET FAYETTEVILLE, NC 28301 822-1154/672-1294	OFFICE ASSISTANT IV FSU	BA – HISTORY/SOCIOLOGY
BROWN, JOSEPH C. SR (B/M) 150 RIDGEWAY DRIVE FAYETTEVILLE NC 28311 910-488-7254 Graduate-County Citizens' Academy: No Graduate-Institute for Community Leadership: No Graduate-Leadership Fayetteville: No Graduate-United Way's Multi-Cultural Leadership Program: No Graduate-other leadership academy: Church	MINISTER A.M.E. ZION CHURCH	GRADUATE OF SHAW UNIVERSITY
BRUNSON, FRANCES (B/F) 1308 DEEP CREEK ROAD FAYETTEVILLE, NC 28312 578-3825/671-5147 (W)	CASE MANAGER SE REGIONAL	LTC ASSISTED LIVING ADMIN. LICENSE, EMT
CAMPBELL, REBECCA (W/F) 7027 DARNELL STREET FAYETTEVILLE NC 28314 910-487-1555 Graduate-County Citizens' Academy: NO Graduate-Institute for Community Leadership: YES Graduate-Leadership Fayetteville: NO Graduate-United Way's Multi-Cultural Leadership Program: YES Graduate-other leadership academy: WOMENS LEADERSHIP PROGRAM – DEPT. OF DEFENSE	RETIRED FT. BRAGG	DOCTORATE - SPECIAL EDUCATION

SOCIAL SERVICES BOARD APPLICANTS – PAGE 2

NAME/ADDRESS/TELEPHONE	OCCUPATION	EDUCATIONAL BACKGROUND
CAPPELLA, DENISE O. (W/F) 4311 DRAUGHON ROAD EASTOVER, NC 28312-8488 485-8147	RETIRED	COLLEGE GRADUATE
CARAMANNO, DELL (W/F) 5578 QUIETWOOD PLACE FAYETTEVILLE, NC 28304 423-2622	RETIRED	SOME COLLEGE
SERVES ON ANIMAL SERVICES BOARD		
CARBAUGH, DONNA (W/F) 903 HEMLOCK DRIVE FAYETTEVILLE, NC 28304 339-6851	UNEMPLOYED SOCIAL WORK PSYCHOLOGIST	BS; MS; PhD
CARSON, YVETTE (B/F) 8712 TANGLETREE DRIVE LINDEN, NC 28356 339-9232 (H)	EDUCATOR HARNETT CTY SCHOOLS	BA
SERVES ON THE BOARD OF ADJUSTMENT		
CHESTNUTT, A. JOHNSON (W/M) 578 MILDEN ROAD FAYETTEVILLE, NC 28314 484-6365/323-1040(W)	ACCOUNTANT FAIRCLOTH & CO.	BS/BA
SERVES ON THE ABC BOARD		
CUSTER, SCOTT (W/M) 108 SHADOW OAK LANE FAYETTEVILLE, NC 28303 238-9897 (H) / 570-5119 (W) Graduate-County Citizens' Academy: N/A Graduate-Institute for Community Leadership: NO Graduate-Leadership Fayetteville: NO Graduate-United Way's Multi-Cultural Leadership Program: NO Graduate-other leadership academy: FORSCOM High Performance Leadership Course	IMCOM LNO FT BRAGG	BS-ENGINEERING MS-EDUCATION
DILLON, MARY E. (/F) 3209 MCCHOEN DRIVE FAYETTEVILLE, NC 28301 822-2045/678-8348(W)	BASIC SKILLS INSTRUCTOR	BS – ELEM. EDUCATION
FRANCIS, VINCENT S. (B/M) 341 ABBOTTWOOD DRIVE FAYETTEVILLE, NC 28301 488-2608/497-1175	SCHOOL COUNSELOR CUMBERLAND COUNTY SCHOOLS	BA; MS
SERVES ON HUMAN RELATIONS COMMISSION		
FRAZEE, JASON (W/M) 512 STANDINGSTONE DRIVE FAYETTEVILLE, NC 28311 868-9191/423-2312 (W)	SOCIAL WORKER CUMBERLAND COUNTY SCHOOLS	UNC-P GRADUATE SOCIAL WORK
GIBBS, HENRY JR. 7505 COLERIDGE DRIVE FAYETTEVILLE, NC 28304 867-7979/ 988-8602 (C)	RETIRED US ARMY	AA; 3RD YR BA
SERVES ON THE MINIMUM HOUSING APPEALS BOARD		

SOCIAL SERVICES BOARD APPLICANTS – PAGE 3

NAME/ADDRESS/TELEPHONE	OCCUPATION	EDUCATIONAL BACKGROUND
HENAGAN, ROXANN (/F) 1234 BOMBAY DRIVE EASTOVER, NC 28312 322-8363 (H) / 988-4823 (W) Graduate-County Citizens' Academy: N/A Graduate-Institute for Community Leadership: No Graduate-Leadership Fayetteville: No Graduate-United Way's Multi-Cultural Leadership Program: Yes Graduate-other leadership academy: Fayetteville Citizens Academy	LAND DEVELOPER	SCHOOL OF THEOLOGY CERTIFIED MEDICAL ASSISTANT
JONES, ERIC F. (B/M) 123 N. PLYMOUTH FAYETTEVILLE, NC 28312 263-3054/487-0204 (W) **SERVES ON MINIMUM HOUSING APPEALS BOARD**	BUSINESS OWNER FITZGERALDS CAR COMPANY	HS; SOME COLLEGE
KROCH, SAROUN (A/F) 6409 WINTER PARK DRIVE FAYETTEVILLE NC 28304 489-1695/391-6993 (W) Graduate-County Citizens' Academy: N/A Graduate-Institute for Community Leadership: No Graduate-Leadership Fayetteville: No Graduate-United Way's Multi-Cultural Leadership Program: No Graduate-other leadership academy: No	RECEPTIONIST HILTON GARDEN INN	CMA-SECRETARY PROGRAM ONQ-HILTON HOTELS SYSTEM
LANE, PEGGY (/F) 2652 NOXON ST FAYETTEVILLE NC 28306 910-423-7127 Graduate-County Citizens' Academy: N/A Graduate-Institute for Community Leadership: NO Graduate-Leadership Fayetteville: NO Graduate-United Way's Multi-Cultural Leadership Program: NO Graduate-other leadership academy: NO	RETIRED	HIGH SCHOOL
LOWE, CLABON RODDELL (B/M) 512 KENTWELL COURT FAYETTEVILLE, NC 28303 864-7145/309-6857 **SERVES ON HUMAN RELATIONS COMMISSION**	US ARMY	AA
MCNEIL, SHEBA (B/F) 162 TALLSTONE DRIVE FAYETTEVILLE, NC 28311 203-809-8185/977-4788 (W)	CHILD CARE WONDERLAND CHILD CARE	BA
MITCHELL, RONNIE JR (B/M) 6430 MILFORD RD FAYETTEVILLE NC 28303 336-3037 (H) / 339-4959 (W) Graduate-County Citizens' Academy: N/A Graduate-Institute for Community Leadership: NO Graduate-Leadership Fayetteville: NO Graduate-United Way's Multi-Cultural Leadership Program: NO Graduate-other leadership academy: NO	RETIRED ARMY SELF EMPLOYED	BA HOTEL RESTAURANT MANAGEMENT

SOCIAL SERVICES BOARD APPLICANTS – PAGE 4

NAME/ADDRESS/TELEPHONE	OCCUPATION	EDUCATIONAL BACKGROUND
<p>MORTON, DINEEN (B/F) 5835 PETTIGREW DRIVE FAYETTEVILLE, NC 28314 778-9107/258-1098 Graduate-County Citizens' Academy: NO Graduate-Institute for Community Leadership: NO Graduate-Leadership Fayetteville: YES Graduate-United Way's Multi-Cultural Leadership Program: NO Graduate-other leadership academy: NO</p>	<p>HEALTHCARE VP OF BUSINESS DEVELOPMENT</p>	<p>BS-SOCIOLOGY</p>
<p>MURCHISON, KARLENE 623 DEVOE AVENUE FAYETTEVILLE, NC 28314 868-2199 (H) / 920-5420 (W)</p>	<p>ACCOUNTING TECHNICIAN</p>	<p>HS, FSU</p>
<p>O'DONNELL, DAWN 2072 BIRCHCREFT DRIVE FAYETTEVILLE, NC 28304 425-3619/916-1207 (W)</p>	<p>RETIRED ARMY TAX PREPARER -H&R BLOCK</p>	<p>AA – ACCOUNTING</p>
<p>OKHOMINA, DON DR. (B/M) 494 DUNLOE CT FAYETTEVILLE, NC 28311 868-1618/ 672-2148 (W) Graduate-County Citizens' Academy: N/A Graduate-Institute for Community Leadership: NO Graduate-Leadership Fayetteville: NO Graduate-United Way's Multi-Cultural Leadership Program: NO Graduate-other leadership academy: NO</p>	<p>PROFESSOR OF MANAGEMENT FSU</p>	<p>BS-BUSINESS ADMIN MBA & PHD - MANAGEMENT</p>
<p>RUFFIN, NAOMI 2019 SPRUCE ST FAYETTEVILLE NC 28303 910-486-6442 Graduate-County Citizens' Academy: N/A Graduate-Institute for Community Leadership: NO Graduate-Leadership Fayetteville: NO Graduate-United Way's Multi-Cultural Leadership Program: NO Graduate-other leadership academy: NO</p>	<p>RETIRED</p>	<p>HIGH SCHOOL SOME COLLEGE</p>
<p>SIMPSON, PATRICIA G. (B/F) 3760 HUCKLEBERRY ROAD FAYETTEVILLE, NC 28312 323-4558</p>	<p>RETIRED</p>	<p>HS</p>
<p>SOBERS, TOMEZIA (B/F) 980 CREEK SIDE RUN FAYETTEVILLE NC 28303 494-6872 / 678-9805 Graduate-County Citizens' Academy: N/A Graduate-Institute for Community Leadership: YES Graduate-Leadership Fayetteville: NO Graduate-United Way's Multi-Cultural Leadership Program: NO Graduate-other leadership academy: NO</p>	<p>INSTRUCTOR FTCC</p>	<p>MA-SOCIOLOGY</p>

SOCIAL SERVICES BOARD APPLICANTS – PAGE 5

<u>NAME/ADDRESS/TELEPHONE</u>	<u>OCCUPATION</u>	<u>EDUCATIONAL BACKGROUND</u>
SOIGNOLI, TIFFANY (W/F) 310 RAY STREET FORT BRAGG, NC 28307 436-1978	N/A	GRADUATE STUDENT
STACKHOUSE, EUGENE (B/M) 652 SUGARIDGE LANE FAYETTEVILLE, NC 28311 822-4782 (H)	RETIRED PUBLIC EDUCATION	BS; MA; EdS
STUERTZ, KAY 112 DEVANE STREET FAYETTEVILLE, NC 28305 433-2877	FT. BRAGG SCHOOL PSYCHOLOGIST	MA – EDUCATION
WILLIAMS, SANDRA G. (AA/F) 2775 BAYWOOD ROAD EASTOVER, NC 28312 433-2673/672-2042 (W)	DIR OF ACADEMIC BUDGETING-FSU	BA-BUSINESS ADMIN
WILLIAMS, TERRY (B/_) 674 BAYWOOD ROAD FAYETTEVILLE, NC 28312 435-0960	DISABLED VETERAN	BS
WIRE, DONALD DR (W /M) 540 NOTTINGHAM DR FAYETTEVILLE, NC 28311 910-223-1205 **SERVES ON THE HOME & COMMUNITY CARE COMMITTEE** Graduate-County Citizens' Academy: No Graduate-Institute for Community Leadership: YES Graduate-Leadership Fayetteville: NO Graduate-United Way's Multi-Cultural Leadership Program: NO Graduate-other leadership academy: NO	RETIRED	BA – POLITICAL SCIENCE MA-POLITICAL SCIENCE PHD-EDUCATION
YEPEZ, JOSE (/M) 3900 FOSTER DRIVE FAYETTEVILLE, NC 28311 488-4423/728-8660	RETIRED	BS-BUSINESS AS-PUBLIC ADMIN

JIMMY KEEFE
Chairman

JEANNETTE M. COUNCIL
Vice Chairman

KENNETH S. EDGE
CHARLES E. EVANS
W. MARSHALL FAIRCLOTH
BILLY R. KING
EDWARD G. MELVIN



CUMBERLAND
★ **COUNTY** ★
NORTH CAROLINA

BOARD OF COMMISSIONERS

CANDICE WHITE
Clerk to the Board

KELLIE BEAM
Deputy Clerk

ITEM NO. 8A

June 12, 2013

June 17, 2013 Agenda Item

TO: Board of Commissioners
FROM: Kellie Beam, Deputy Clerk to the Board KB
SUBJECT: ABC Board Appointment

BACKGROUND: On June 3, 2013, the Board of Commissioners nominated the following individuals to fill two (2) vacancies on the ABC Board:

Bob Lewis (reappointment)

Alice Stephenson (reappointment)

I have attached the current membership list for this board.

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

Attachment

pc: Gene Webb, ABC Board General Manager

ABC BOARD

3 Year Term

Name/Address	<u>Date</u> Appointed	Term	Expires	<u>Eligible For</u> Reappointment
A. Johnson Chestnutt (W/M) 578 Milden Road Fayetteville, NC 28314 484-6365/323-1040 (W)	6/11	1st	June/14 6/30/14	Yes
Wade Hardin (I/M) 1701 Ft. Bragg Road Fayetteville, NC 28303 483-7129/486-0334	6/12	1st	June/15 6/30/15	Yes
Bob Lewis (W/M) 3011 Bankhead Drive Fayetteville, NC 28306 426-6999	6/12	1st	June/13 6/30/13 *serving unexpired term, eligible for two additional terms*	Yes
Alice Stephenson 464 Kingsford Road Fayetteville, NC 28314 864-2062/483-5009(W)	6/10	1st	June/13 6/30/13	Yes
Terri Thomas (B/F) 508 Spaulding Street Fayetteville, NC 28301 485-4765/483-2719 (W)	6/11	1st	June/14 6/30/14	Yes

Commissioner Liaison: Commissioner Kenneth Edge

Regular Meetings: 2nd Monday of the month at 6:00 PM in the conference room at the ABC office at 1705 Owen Drive, Fayetteville, NC 28304.

Contact: ABC Board Director Gene Webb
PO Box 64957
Fayetteville, NC 28306
484-8167
carolyn.parker@cumberlandabc.com

JIMMY KEEFE
Chairman

JEANNETTE M. COUNCIL
Vice Chairman

KENNETH S. EDGE
CHARLES E. EVANS
W. MARSHALL FAIRCLOTH
BILLY R. KING
EDWARD G. MELVIN



**CUMBERLAND
★ COUNTY ★**
NORTH CAROLINA

BOARD OF COMMISSIONERS

CANDICE WHITE
Clerk to the Board

KELLIE BEAM
Deputy Clerk

ITEM NO. 8B

June 12, 2013

June 17, 2013 Agenda Item

TO: Board of Commissioners
FROM: Kellie Beam, Deputy Clerk to the Board KB
SUBJECT: Air Quality Stakeholders' Committee

BACKGROUND: On June 3, 2013, the Board of Commissioners nominated the following individual to fill one (1) vacancy on the Air Quality Stakeholders' Committee:

Town of Hope Mills Stakeholder:
Pat Edwards (reappointment)

I have attached the current membership list for this committee.

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

Attachment

pc: Maurizia Chapman, FAMPO

AIR QUALITY STAKEHOLDERS COMMITTEE
3-year terms

<u>NAME</u>	<u>STAKEHOLDER</u>	<u>DATE APPT'D</u>	<u>TERM</u>	<u>EXPIRES</u>	<u>ELIGIBLE FOR REAPPOINT.</u>
Commissioner Peggy Raymes PO Box 220 Stedman, NC 28391 323-1892	Town of Stedman	4/12	2nd	April/15 4/30/15	No
Councilman Kady-Ann Davy PO Box 58561 Fayetteville, NC 28305 910-322-0780 kdavy@ci.fay.nc.us	City of Fayetteville	12/12	1st	Dec/15 12/31/15	Yes
Alderman Napoleon Hogans PO BOX 617 Spring Lake, NC 28390 436-0241 Town Hall	Town of Spring Lake	6/12	1 st	Mar/13 3/31/13	Yes
serving unexpired term; eligible for two additional terms					
Commissioner Pat Edwards Town of Hope Mills PO Box 367 Hope Mills, NC 28348 424-4555	Town of Hope Mills	6/12	1st	Feb/13 2/28/13	Yes
serving unexpired term; eligible for two additional terms					
Elizabeth Small 4835 Main Street Linden, NC 28356-0228 980-0821	Town of Linden	6/12	2nd	Aug/15 8/31/15	No
Janice Lucas 7370 N. West Street Falcon, NC 28342 980-1296 Jhl0717@aol.com	Town of Falcon	9/12	2nd	Sept/15 9/30/15	No
Natalee Ezzell 7650 Sisk Culbreth Road Godwin, NC 28344 273-5457 (C) Njezzell0331@mail.campbell.edu	Town of Godwin	6/12	2 nd	Jun/15 6/30/15	No
Commissioner Johnny Lanthorn 6841 Main Street Wade, NC 28395 484-7467 Johnny.lanthorn@faypwc.com	Town of Wade	6/12	2nd	Jun/15 6/30/15	No
Henry L. Tew 1013 Ashbury Road Eastover, NC 28312 483-5062/977-1288 (c) htew@nc.rr.com	Town of Eastover	2/11	1 st	Feb/14 2/28/14	Yes

<u>NAME</u>	<u>STAKEHOLDER</u>	<u>DATE APPT'D</u>	<u>TERM</u>	<u>EXPIRES</u>	<u>ELIGIBLE FOR REAPPOINT.</u>
Gregory Bean 2175 Reilly Road Stop A Fort Bragg, NC 28310-5000	Fort Bragg	4/12	1 st	April/15 4/30/15	Yes
Carolyn Hinson Public Works Commission 6253 Lakehaven Drive Fayetteville, NC 28304 423-5940 (H)/223-4015 (W)	PWC	4/12	2nd	April/15 4/30/15	No
Daniel Rodriguez 2634 Franciscan Drive Fayetteville, NC 28306 425-2746 (H)/432-9701 (W)	Citizen	4/12	2nd	April/15 4/30/15	No
Jamison Stewart 3533 Godwin Circle Fayetteville, NC 28312 874-5930(H) 678-9897 (W)	Citizen	4/12	2nd	April/15 4/30/15	No
Ana McDowell, MD Allergy Partners 1317 Medical Drive Fayetteville, NC 28304 487-9395 (H)/323-3890 (W)	Medical Rep.	4/12	2nd	April/15 4/30/15	No
Doug Peters Chamber of Commerce 1019 Hay Street Fayetteville, NC 28305 484-4242	Chamber of Commerce	4/12	2nd	April/15 4/30/15	No
Jon Parsons FSU Energy Manager 1200 Murchison Road Fayetteville, NC 28301 483-2669 (H)/672-1403 (W)	Environmental Rep	4/12	2nd	April/15 4/30/15	No
Christopher Frank Cumberland County Dept of Public Health 1235 Ramsey Street Fayetteville, NC 28301 433-3705	Board of Health	1/12	1st	April/13 4/30/13	Yes
John Gillis 128 S Churchill Drive Fayetteville, NC 28303 484-9828 (H)/308-4255 (W)	Homebuilders Association	4/12	2nd	April/15 4/30/15	No

<u>NAME</u>	<u>STAKEHOLDER</u>	<u>DATE APPT'D</u>	<u>TERM</u>	<u>EXPIRES</u>	<u>ELIGIBLE FOR REAPPOINT.</u>
Richard Rice FTCC PO Box 35236 Fayetteville, NC 28303 678-1055 ricer@faytechcc.edu	FTCC	10/12	1st	Oct/15 10/31/15	Yes
Gary Slater Clear Path Recycling, LLC 3500 Cedar Creek Road Fayetteville, NC 28312 920-2441 (H)/689-2118 (W) gary.slater@clearpathrecycling.com	Industry	4/12	2nd	April/15 4/30/15	No
Kenneth Edge Board of Commissioners PO Box 1829 Fayetteville, NC 28302 425-0918	County of Cumberland (Elected Official)	4/12	2nd	April/15 4/30/15	No

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

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

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

Meetings: 2nd Thursday, Quarterly (Jan, Apr, July, Oct) at 6:00 pm (Hearing Room 3, Historic Courthouse)

JIMMY KEEFE
Chairman

JEANNETTE M. COUNCIL
Vice Chairman

KENNETH S. EDGE
CHARLES E. EVANS
W. MARSHALL FAIRCLOTH
BILLY R. KING
EDWARD G. MELVIN



**CUMBERLAND
★ COUNTY ★**
NORTH CAROLINA

BOARD OF COMMISSIONERS

CANDICE WHITE
Clerk to the Board

KELLIE BEAM
Deputy Clerk

ITEM NO. 86

June 12, 2013

June 17, 2013 Agenda Item

TO: Board of Commissioners
FROM: Kellie Beam, Deputy Clerk to the Board *KB*
SUBJECT: Fayetteville Technical Community College Board of Trustees

BACKGROUND: At their meeting on June 3, 2013, the Board of Commissioners nominated the following individual to fill one (1) vacancy on the Fayetteville Technical Community College Board of Trustees.

Sheryl Lewis (reappointment)

I have attached the current membership list for this board.

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

Attachment

pc: Dr. J. Larry Keen, FTCC President

FAYETTEVILLE TECHNICAL COMMUNITY COLLEGE
BOARD OF TRUSTEES
(County Appointees)
4 Year Terms

<u>Name/Address</u>	<u>Date Appointed</u>	<u>Term</u>	<u>Expires</u>	<u>Eligible For Reappointment</u>
Dr. Marye Jeffries (B/F) 6895 Fox Run Road Linden, NC 28356 822-4042	6/10	1st	June/14 6/30/14	Yes
Breeden Blackwell (W/M) 1201 Haymount Court Fayetteville, NC 28305 483-4493/615-5130(W)	6/11	1st	June/15 6/30/15	Yes
David McCune Sr. (W/M) 4801 Research Drive Fayetteville, NC 28306 476-2976/424-2978 (W)	6/12	2nd	June/16 6/30/16	No
Sheryl Lewis (W/F) 3011 Bankhead Drive Fayetteville, NC 28306 426-6999	6/09	1 st	June/13 6/30/13	Yes

§ 155D-12(b1) – No person who has been employed full time by the community college within the prior five (5) years and no spouse or child of a person currently employed full time by the community college shall serve on the board of trustees of that college. (See file.)

Contact person: Dr. J. Larry Keen, President, or Betty Shackelford
PO Box 35236
Fayetteville, NC 28303
Phone: 678-8222
Fax: 678-8269
E-mail: shackelb@faytechcc.edu

Meetings: Board has been meeting the 3rd Monday of each month at 12:45 pm – Tony Rand Student Center Board Room. No meetings in July or December. (Bylaws require one meeting per month.)
Written notification is sent for all regularly-called meetings.

* Terms extended by the General Assembly.

JIMMY KEEFE
Chairman

JEANNETTE M. COUNCIL
Vice Chairman

KENNETH S. EDGE
CHARLES E. EVANS
W. MARSHALL FAIRCLOTH
BILLY R. KING
EDWARD G. MELVIN



**CUMBERLAND
★ COUNTY ★**
NORTH CAROLINA

BOARD OF COMMISSIONERS

CANDICE WHITE
Clerk to the Board

KELLIE BEAM
Deputy Clerk

ITEM NO. 8D

June 12, 2013

June 17, 2013 Agenda Item

TO: Board of Commissioners
FROM: Kellie Beam, Deputy Clerk to the Board *KB*
SUBJECT: Human Relations Commission

BACKGROUND: At their meeting on June 3, 2013, the Board of Commissioners nominated the following individuals to fill two (2) vacancies on the Human Relations Commission:

Sandra Mitchell (reappointment)

Mitchell Guy (reappointment)

I have attached the current membership list for this commission.

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

Attachment

pc: Ron McElrath, Human Relations Director (City of Fayetteville)

HUMAN RELATIONS COMMISSION
 (County Commissioner Appointees)
 2 Year Term

<u>Name/Address</u>	<u>Date Appointed</u>	<u>Term</u>	<u>Expires</u>	<u>Eligible for Reappointment</u>
Noelle Kendrick 3821 Barnsdale Drive Wade, NC 28395 689-7613 / 483-7459	1/13	1st	Jan/15 1/31/15	Yes
Mario Burnette 1207 Collen Drive Fayetteville, NC 28304 910-587-4951	1/13	1 st	Jan/15 1/31/15	Yes
Sandra Mitchell 414 Barbour Court Fayetteville, NC 28301 257-5492	6/11	1st	Jul/13 7/1/13	Yes
Mitchell Guy 6/11 2611 Benington Road Fayetteville, NC 28303 964-7390	11/11	1st	Jul/13 7/1/13	Yes

(serving unexpired term; eligible for an additional two-year term)

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

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

JIMMY KEEFE
Chairman

JEANNETTE M. COUNCIL
Vice Chairman

KENNETH S. EDGE
CHARLES E. EVANS
W. MARSHALL FAIRCLOTH
BILLY R. KING
EDWARD G. MELVIN



**CUMBERLAND
★ COUNTY ★**
NORTH CAROLINA

BOARD OF COMMISSIONERS

CANDICE WHITE
Clerk to the Board

KELLIE BEAM
Deputy Clerk

ITEM NO. 8E

June 12, 2013

November 5, 2012 Agenda Item

TO: Board of Commissioners
FROM: Kellie Beam, Deputy Clerk to the Board KB
SUBJECT: Joint Senior Citizens Advisory Commission

BACKGROUND: At their June 3, 2013 meeting, the Board of Commissioners nominated the following individuals to fill three (3) vacancies on the Joint Senior Citizens Advisory Commission.

Dwight Palmer Jr. (reappointment)

Daisy D. Maxwell (reappointment)

Naomi Ruffin (new appointment)

I have attached the current membership list for this commission.

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

Attachment

pc: Mary Brymer, Senior Programs Supervisor

SENIOR CITIZENS ADVISORY COMMISSION
(Joint Fayetteville/Cumberland County)
2 Year Term
(County Appointees)

<u>Name/Address</u>	<u>Date Appointed</u>	<u>Term</u>	<u>Expires</u>	<u>Eligible For Reappointment</u>
William J. Watson (B/M) 1881 Gola Drive Fayetteville, NC 28301 488-6600	01/11	2nd	Feb/13 2/28/13	No
Judy Dawkins 2004 Morganton Road Fayetteville, NC 28305 323-4974/433-1136(W)	12/10	1st	Dec/12 12/31/12	Yes
Dwight Palmer Jr. 1139 Helmsley Drive Fayetteville, NC 28314 867-8136/535-5325 (W) **serving an unexpired term**	9/11	1 st	Sept/12 9/30/12	Yes
Marlene Jacobs (W/F) 324 Glenburney Drive Fayetteville, NC 28303 484-5920	9/10	2nd	Sept/12 9/30/12	No
Carl E. Mitchell 2704 Compton Place Fayetteville, NC 28304 437-9909/678-8373(W)	12/10	1st	Dec/12 12/31/12	Yes
Tom Cain (/M) 2786 Baywood Road Fayetteville, NC 28312 630-3970 (H)	9/11	2nd	Sept/13 9/30/13	No
Brenda Brown (B/F) 1606 Dolphin Drive Spring Lake, NC 28390 497-9315 (H) / 866-6390 ext. 21953 (W) / 818-1604 (C)	9/11	2nd	Sept/13 9/30/13	No
Albert Munoz (/M) 7208 Montoro Court Fayetteville, NC 28314 714-398-1657 **serving an unexpired term, eligible to serve one additional two-yr term**	9/11	1st	Dec/12 12/31/12	Yes

Senior Citizens Advisory Commission, page 2

<u>Name/Address</u>	<u>Date Appointed</u>	<u>Term</u>	<u>Expires</u>	<u>Eligible For Reappointment</u>
Glenda Dye 1683 Hazel Hurst Drive Fayetteville, NC 28314 323-4191 Ext. 22 (W)	11/12	2nd	Nov/14 11/30/14	No
Daisy D. Maxwell 7113 Fillyaw Road Fayetteville, NC 28303 868-5611	12/10	1st	Dec/12 12/31/12	Yes

Contact: Mary Brymer – Senior Citizens Center Director – Phone: 433-1574
(Interoffice – Parks and Recreation)

Regular Meetings: 2nd Tuesday of each month at 2:30 PM
LaFayette Room – City Hall

*NOTE: This Board was expanded in 2006. The City and County agreed to expand from 10 to 20 members. The Board of County Commissioners had responsibility to appoint 2 new members to a 1 year term and 3 new members to a 2 year term.

JIMMY KEEFE
Chairman

JEANNETTE M. COUNCIL
Vice Chairman

KENNETH S. EDGE
CHARLES E. EVANS
W. MARSHALL FAIRCLOTH
BILLY R. KING
EDWARD G. MELVIN



**CUMBERLAND
★ COUNTY ★**
NORTH CAROLINA

BOARD OF COMMISSIONERS

CANDICE WHITE
Clerk to the Board

KELLIE BEAM
Deputy Clerk

ITEM NO. 8F

June 12, 2013

June 17, 2013 Agenda Item

TO: Board of Commissioners
FROM: Kellie Beam, Deputy Clerk to the Board **KB**
SUBJECT: Jury Commission

BACKGROUND: At their meeting on June 3, 2013, the Board of Commissioners nominated the following individual to fill one (1) June 30, 2013 vacancy on the Jury Commission:

Ashley Pastorius (new appointment)

I have attached the current membership list for this commission.

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

Attachment

pc: Ellen B. Hancox, Trial Court Administrator

JURY COMMISSION

2 Year Term

<u>Name/Address</u>	<u>Date Appointed</u>	<u>Term</u>	<u>Expires</u>	<u>Eligible For Reappointment</u>
Edgar F. Merritt (B/M) 1506 Boros Drive Fayetteville, NC 28303 822-2976/286-2552	6/11	2nd	June/13 6/30/13	No

Perry Evans – Clerk of Court's Appointee
 5512 Ramshorn Drive
 Fayetteville, North Carolina 28303

Mabel Smith – Judge Johnson's Appointee
 1606 Deep Creek Road
 Fayetteville, North Carolina 28312

(The other two are appointed (1) by the Senior Resident Superior Court Judge and (1) by the Clerk of Superior Court.)

Contact: Ellen B. Hancox, Trial Court Administrator – 321-3841, fax # 678-2975

No regular meeting schedule. (Usually meet in September and November.)

JIMMY KEEFE
Chairman

JEANNETTE M. COUNCIL
Vice Chairman

KENNETH S. EDGE
CHARLES E. EVANS
W. MARSHALL FAIRCLOTH
BILLY R. KING
EDWARD G. MELVIN



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

CANDICE WHITE
Clerk to the Board

KELLIE BEAM
Deputy Clerk

ITEM NO. 86

June 12, 2013

June 17, 2013 Agenda Item

TO: Board of Commissioners

FROM: Kellie Beam, Deputy Clerk to the Board *KB*

SUBJECT: Mid-Carolina Aging Advisory Committee

BACKGROUND: On June 3, 2013, the Board of Commissioners nominated the following individual to fill one (1) vacancy on the Mid-Carolina Aging Advisory Committee:

Elected Official:
Frances Collier (reappointment)

I have attached the current membership list for this committee.

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

Attachment

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

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>				
Edna A. Cogdell 734 Ashburton Drive Fayetteville, NC 28301 488-4582	8/10	1 st	Aug/13 8/31/13	Yes
MaryBeth Hicks 936 McKimmon Road Fayetteville, NC 28303 229-3145/615-595-3857 (C)	8/10	1 st	Aug/13 8/31/13	Yes
Rebecca Campbell 7027 Darnell Street Fayetteville, NC 27314 487-1555 (H)	7/10	1 st full	Aug/13 8/31/13	Yes
<u>Consumers</u>				
Beverly Davis Sanders 605 Levenhall Drive Fayetteville, NC 28314 868-9788	8/10	1 st	Aug/13 8/31/13	Yes
Lester Bussey 673 Stoneykirk Drive Fayetteville, NC 28314 868-9322	8/10	1 st	Aug/13 8/31/13	Yes
<u>Elected Official</u>				
Frances Collier PO Box 47 Linden, NC 28356 980-0536 (H)	3/10	1 st	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: 1st Tuesday, 2:00 PM, Various Locations
Meetings are held the last month of each quarter.

JIMMY KEEFE
Chairman

JEANNETTE M. COUNCIL
Vice Chairman

KENNETH S. EDGE
CHARLES E. EVANS
W. MARSHALL FAIRCLOTH
BILLY R. KING
EDWARD G. MELVIN



**CUMBERLAND
★ COUNTY ★
NORTH CAROLINA**

BOARD OF COMMISSIONERS

CANDICE WHITE
Clerk to the Board

KELLIE BEAM
Deputy Clerk

ITEM NO. 84

June 12, 2013

June 17, 2013 Agenda Item

TO: Board of Commissioners
FROM: Kellie Beam, Deputy Clerk to the Board *KB*
SUBJECT: Nursing Home Advisory Board

BACKGROUND: On June 3, 2013, the Board of Commissioners nominated the following individuals to fill four (4) vacancies on the Nursing Home Advisory Board:

Barbara Spigner (reappointment)

Mitchell Guy (reappointment)

Dr. John Briggs (reappointment)

Cassandra White Haire (reappointment)

I have attached the current membership list for this board.

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

Attachment

pc: Kareem Strong, Mid-Carolina Area Agency on Aging

NURSING HOME ADVISORY BOARD

3 Year Term

(Initial Appointment One Year)

<u>Name/Address</u>	<u>Date Appointed</u>	<u>Term</u>	<u>Expires</u>	<u>Eligible For Reappointment</u>
Barbara Spigner 5701 Cloister Court Fayetteville, NC 28314 580-5534	02/11	Initial	Feb/12 02/28/12	Yes
Tom Lloyd (W/M) 1306 Berkshire Road Fayetteville, NC 28305 574-3177/678-7618(W)	6/11	2nd	Aug/14 8/31/14	No
Mitchell Guy (W/M) 2611 Benington Road Fayetteville, NC 28303 964-7390 (H/W)	9/11	Initial	Sept/12 9/30/12	Yes
Dr. John Briggs (W/M) 104 Stedman Street Fayetteville, NC 28305 867-1493	2/09	1 st	Feb/12 2/28/12	Yes
Sonja Council 950 Stewarts Creek Drive Apt. 1 Fayetteville, NC 28314 864-1651/609-6139 (W)	6/11	1st	Aug/14 8/31/14	Yes
Hervenna Pannell (B/F) 1821 Eichelberger Drive Fayetteville, NC 28303 822-8516/907-9355(W)	2/09	2 nd	Feb/12 2/28/12	No
Clyde E. Hammond (W/M) 1802 Flintshire Road Fayetteville, NC 28304 425-2774	6/11	2nd	Aug/14 8/31/14	No
VACANT (Vacated by C. McLaughlin)	04/10	1st	Apr/13 4/30/13	Yes
Toney Edwards (B/M) 3622 Clearwater Drive Fayetteville, NC 28311 822-4261/864-6262	1/12	2nd	Jan /15 1/31/15	No

<u>Name/Address</u>	<u>Date Appointed</u>	<u>Term</u>	<u>Expires</u>	<u>Eligible For Reappointment</u>
VACANT (by N. Campbell)	10/10	Initial	Oct/11 10/31/11	Yes
Cassandra White Haire (B/F) 515 Albany Street Fayetteville, NC 28301 728-0175 (C)	4/10	1st	Apr/13 4/30/13	Yes

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

3rd Thursday of the last month of each quarter (March, June, September and December) at 1:00 PM - at various nursing homes in the county.

JIMMY KEEFE
Chairman

JEANNETTE M. COUNCIL
Vice Chairman

KENNETH S. EDGE
CHARLES E. EVANS
W. MARSHALL FAIRCLOTH
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**CUMBERLAND
★ COUNTY ★**
NORTH CAROLINA
BOARD OF COMMISSIONERS

CANDICE WHITE
Clerk to the Board

KELLIE BEAM
Deputy Clerk

ITEM NO. 81

June 12, 2013

June 17, 2013 Agenda Item

TO: Board of Commissioners
FROM: Kellie Beam, Deputy Clerk to the Board *KB*
SUBJECT: Parks and Recreation Advisory Board

BACKGROUND: On June 3, 2013, the Board of Commissioners nominated the following individuals to fill three (3) upcoming vacancies on the Parks and Recreation Advisory Board:

Henry J. Bowden (reappointment)

Elvin McNeill (reappointment)

Marsha Fogle (reappointment)

I have attached the current membership list for this board.

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

Attachment

pc: Michael Gibson
City of Fayetteville

PARKS AND RECREATION ADVISORY BOARD

3 Year Terms

(Terms were initially 2 and 3 years)

<u>Name/Address</u>	<u>Date Appointed</u>	<u>Term</u>	<u>Expires</u>	<u>Eligible For Reappointment</u>
Tom Cain (C/M) 2786 Baywood Road Fayetteville, NC 28312 630-3970	6/11	3rd	June/13 6/30/13	No
Henry J. Bowden (W/M) 1470 Dunn Road Fayetteville, NC 28312 433-5671/483-5117 (W)	6/10	1st	June/13 6/30/13	Yes
Elvin McNeill (B/M) 3484 Thorndike Drive Fayetteville, NC 28304 423-7027	6/10	1st	June/13 6/30/13	Yes
Marsha Fogle (W/F) PO Box 278 Stedman, NC 28391 483-9579	6/10	1st	June/13 6/30/13	Yes
John Goetke (/M) 2120 Bainbridge Road Stedman, NC 28391 484-4074/891-2238(W)	6/11	3rd	June/13 6/30/13	No
John D. Pone, Sr. (B/M) 2802 Blossom Road Hope Mills, NC 28348 323-0007/483-4043 & 484-3717(W)	6/11	3rd	June/14 6/30/14	No
Dean H. Smelcer, Jr. (W/M) 3209 Boone Trail Fayetteville, NC 28306 424-3423/425-1769(W)	6/11	3rd	June/14 6/30/14	No

Commissioner Liaison: Commissioner Billy King

Meetings: 1st Tuesday of every month at 5:45 PM – Parks and Recreation Admin Bldg. 121 Lamon Street
 Contact: Michael Gibson/Adrianna Thomas, City of Fayetteville, Phone 433-1547, Fax 433-1762

***At their meeting on June 20, 2011 the BOC waived their policy and reappointed (Cain, Goetke, Pone and Smelcer) to additional 2 or 3 year terms.*