
AGENDA
CUMBERLAND COUNTY BOARD OF COMMISSIONERS
COURTHOUSE – ROOM 118
OCTOBER 21, 2013
6:45 PM

INVOCATION - Commissioner Kenneth Edge

PLEDGE OF ALLEGIANCE –

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

Recognition of Cumberland County Retiree:

Zynovia Nash, Cumberland County Mental Health

Recognition of Outgoing Board Members:

Marvin Rouse, Department of Social Services Board

Amy Garner, Mental Health Center Area Board

Liliana Parker, Mental Health Center Area Board

Alejandro Vazquez, Mental Health Center Area Board

Allie Wiggins, Mental Health Center Area Board

Recognition of Ruthy Vorder Bruegge as Cumberland 4-H Youth Delegate at North Carolina Association of County Commissioners (NCACC) Youth Summit **(Pg. 7)**

1. Approval of Agenda
2. Consent Agenda

- A. Approval of minutes for the October 7, 2013 regular and special meetings of the Board of Commissioners.
- B. Approval of Cumberland County Finance Committee Report and Recommendation: **(Pg. 8-41)**
 - 1) Funding Request for State Veterans Cemetery Project. **(Pg. 17)**
 - 2) Extension of Current Sales Tax Distribution Interlocal Agreement as Requested by the Cumberland County Mayors' Coalition **(Pg. 18)**
 - 3) Policy for Engaging Outside Legal Counsel **(Pg. 25)**
- C. Approval of Grant of Easement to Allison Holdings, LLC at the Site of the Shell Building. **(Pg. 26)**
- D. Approval of Declaration of Surplus County-Owned Property and Authorization to Accept Insurance Settlement. **(Pg. 28)**
- E. Approval of Sale of Surplus County-Owned Real Property Acquired by Tax Foreclosure – PIN: 0437-83-9763; Cross Creek Township. **(Pg. 30)**
- F. Approval of a Resolution Approving the Release of Reversion Rights in Those Parcels Located at 3533 Furman Drive and 1617 Roxie Avenue and Occupied by Stanton Hospitality House. **(Pg. 32)**
- G. Budget Revisions: **(Pgs. 42-44)**
 - (1) Mental Health Other **(Pg. 42)**

Revision in the amount of \$250,000 to appropriate Mental Health fund balance to reimburse Cape Fear Valley Medical Center for operating losses in an amount not to exceed \$250,000 for the period of January thru June 2013. (B14-183) **Funding Source – Mental Health Fund Balance Appropriated**
 - (2) Crown Center/Food & Beverage Tax Fund **(Pg. 43)**

Revision in the amount of \$114,000 to budget a transfer from the Prepared Food and Beverage Tax Fund to fund transition costs of \$50,000 incurred by Global Spectrum and to budget the FY2014 Global Spectrum management fee of \$64,000. (B14-191 and B14-191A) **Funding Source – Prepared Food and Beverage Tax Fund Fund Balance Appropriated**

3. Public Hearings **(Pgs. 45-110)**

Uncontested Rezoning Case

- A. Case P13-38: Rezoning of 9.88+/- acres from A1 Agricultural to R40 Residential or to a more restrictive zoning district; located west of SR 1006 (Wade Stedman Road), northwest of SR 1006 (Maxwell Road); submitted by Ernest A. Jr. and Ruth Bunce (owners). **(Pg. 45)**

Staff Recommendation: Adopt and approve the reasonableness statement, find request consistent with LUP and approve R40

Planning Board Recommendation: Approve Staff Recommendation

- B. Case P13-39: Rezoning of 3.07+/- acres from R6A Residential to C2(P) Planned Service and Retail or to a more restrictive zoning district, located at 3857 Legion Road, submitted by Greg McLean on behalf of Trace Investments, LLC. (owner) and Michael J. Adams PLS. **(Pg. 48)**

Staff Recommendation: Adopt and approve the reasonableness statement, find request consistent with LUP and approve C2(P)

Planning Board Recommendation: Approve Staff Recommendation

- C. Case P13-42: Rezoning of 3.65+/- acres from R6A Residential to C(P) Planned Commercial or to a more restrictive zoning district; located on the southwest side of SR 1810 (Godwin Falcon Road), northwest of SR 1806 (Sherrill Baggett Road); submitted by Clifton L. Jr. and Josephine Turpin on behalf of Turpin Rentals LLC. (owner) and David R. Evans. **(Pg. 51)**

Staff Recommendation: Adopt and approve the reasonableness statement, find request consistent with LUP and approve C(P)

Planning Board Recommendation: Approve Staff Recommendation

Contested Conditional Zoning Case

- D. Case P13-45: Rezoning of 978.40+/- acres from A1 Agricultural to A1/CZ Agricultural/Conditional Zoning district for an outdoor firing range and agricultural uses or to a more restrictive zoning district, located at 2850 Tigerswan Drive, submitted by D. Stewart Precythe on behalf of Precythe Properties, LLC. (owner) and Steven M. Swierkowski on behalf of TigerSwan, Inc. **(Pg. 54)**

Staff Recommendation: Adopt and approve the reasonableness statement, find request consistent with LUP and approve A1/CZ for outdoor firing range and agricultural uses with conditions

Planning Board Recommendation: Approve Staff Recommendation with added condition concerning operating hours

Uncontested Conditional Zoning Case

- E. Case P13-35: ****This case was deferred at the September 16, 2013 Board of Commissioners Meeting at the applicant's request.**** Rezoning of 177.00+/- acres from A1 Agricultural and CD Conservancy to MXD/CZ Mixed Use Development/Conditional Zoning or to a more restrictive zoning district; located on the west side of SR 1714 (River Road), north of I-295; submitted by Ingeborg Vinent Heirs and River Bluff Farm C/O Eva Hansen (owners). **(Pg. 75)**

Staff Recommendation: Adopt and approve the reasonableness statement, find request consistent with LUP and approve MXD/CZ

Planning Board Recommendation: Approve Staff Recommendation

Minimum Housing Code Enforcement

- F. Case Number: MH233-2013 **(Pg. 92)**
Property Owner: Mychelle L. Stens
Property Location: 316 Rock Hill Road, Fayetteville, NC
Parcel Identification Number: 0466-18-7000

- G. Case Number: MH6786-2012 **(Pg. 98)**
Property Owner: Roberto Felix Robles
Property Location: 4838 Tippit Trail, Fayetteville, NC
Parcel Identification Number: 0433-76-3055

- H. Case Number: MH107-2013 **(Pg. 105)**
Property Owner: Alvester McNeil Heirs c/o Linda Adamson
Property Location: 5671 Cedar Creek Road, Fayetteville, NC
Parcel Identification Number: 0473-54-9900

ITEMS OF BUSINESS

4. Update on Status of Federal Budget. **(Pg. 111)**

5. Nominations to Boards and Committees **(Pgs. 112-159)**

- A. Cumberland County Finance Corporation and Cumberland County Industrial Facilities and Pollution Control Financing Authority (3 Vacancies) **(Pg. 112)**

Applicants that Graduated from County Citizens' Academy: None

- B. Cumberland County Home and Community Care Block Grant Committee (3 Vacancies) **(Pg. 116)**

Applicants that Graduated from County Citizens' Academy: None

- C. Cumberland County Local Emergency Planning Committee (1 Vacancy) **(Pg. 124)**

Applicants that Graduated from County Citizens' Academy:
Ashley Pastorius (Does Not Meet Specifications for this Committee)
Daniel Tomita (Does Not Meet Specifications for this Committee)

- D. Farm Advisory Board (3 Vacancies) **(Pg. 136)**

Applicants that Graduated from County Citizens' Academy: None

- E. Fayetteville Area Convention and Visitors Bureau (1 Vacancy) **(Pg. 142)**

Applicants that Graduated from County Citizens' Academy: None

- F. Joint Appearance Commission (1 Vacancy) **(Pg. 150)**

Applicants that Graduated from County Citizens' Academy: None

- G. Minimum Housing Appeals Board (1 Vacancy) **(Pg. 155)**

Applicants that Graduated from County Citizens' Academy: None

6. Appointments to Boards and Committees **(Pgs. 160-177)**

- A. Air Quality Stakeholders' Committee (1 Vacancy) **(Pg. 160)**

Nominee:

Town of Eastover Stakeholder: C. Kim Nazarchyk

- B. Board of Adjustment (2 Vacancies) **(Pg. 164)**

Nominees:

Alternate Members: Joseph Decosta
Alfonso Ferguson Sr.

- C. Cumberland County Library Board of Trustees (2 Vacancies) **(Pg. 167)**

Nominees: Susan Mills (Reappointment)
Dr. Daniel Montoya

D. Joint Senior Citizens Advisory Commission (3 Vacancies) **(Pg. 169)**

Nominees:

Roger Ison
Edna Cogdell
Elizabeth Deane

E. Minimum Housing Appeals Board (2 Vacancies) **(Pg. 171)**

Nominees:

Alternate Members:

Luther M. McManus
Steve Hogan (Reappointment)

F. Transportation Advisory Board (1 Vacancy) **(Pg. 174)**

Nominee:

County DSS Director or Designee: Lisa Chance

7. Closed Session: If Needed

ADJOURN

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

**THIS MEETING WILL BE BROADCAST LIVE ON TIME WARNER CABLE -
CHANNEL 5 (FAYETTEVILLE / CUMBERLAND EDUCATIONAL TV) AND
WILL BE REBROADCAST ON TUESDAY, OCTOBER 22, 2013 AT 7:30 PM.**

**MEETINGS: November 4, 2013 (Monday) - 9:00 AM
November 18, 2013 (Monday) – 6:45 PM
December 2, 2013 (Monday) – 9:00 AM
December 16, 2013 (Monday) – 6:45 PM**

Cindy Tucker

From: Sally Shutt
Sent: Wednesday, September 04, 2013 4:21 PM
To: Media Contacts
Cc: Mandy Harris; Amy Cannon; Candice White; Carolyn Price; Charles Evans; Cindy Tucker; Commissioners; edmelvin@nc.rr.com; James Lawson; James Martin; Jon Soles; Julean Self; Kellie Beam; Phyllis P. Jones; Rick Moorefield; Robert Hasty, Jr; Tammy Gillis
Subject: Cumberland 4-H Youth Delegate Attends NCACC Youth Summit
Attachments: Cumberland 4-H Youth Attends State Summit.pdf; Ruthy Vorder Bruegge.JPG

Please see attached release and photo.

Cumberland 4-H Youth Delegate Attends NCACC Youth Summit

FOR IMMEDIATE RELEASE **Sept. 4, 2013**

Media Contact: **Mandy Harris**
 Extension Agent
 910.321.6862 or mandy_harris@ncsu.edu

FAYETTEVILLE – Ruthy Vorder Bruegge, a 4-H'er from Cumberland County, attended the fourth annual North Carolina Association of County Commissioners (NCACC) Youth Summit held Aug. 23-24 in Greensboro.

North Carolina 4-H and the North Carolina Cooperative Extension Service partnered for the fourth year with the NCACC on a multi-year initiative to increase youth involvement in county government. This initiative aims to overcome the mindset that many youth are disengaged and lack trust in government.

Over 100 youth and adults from 74 counties in North Carolina attended the event, sponsored and supported by the North Carolina Association of County Commissioners.

Vorder Bruegge is the daughter of William Vorder Bruegge and Julia Little. She has been involved in 4-H for over eight years and attends Massey Hill Classical High School.

For more information on the 4-H program in Cumberland County, please contact Extension Agent Mandy Harris at 910-321-6862 or mandy_harris@ncsu.edu.

4-H is the youth education program of North Carolina Cooperative Extension, based at North Carolina State and North Carolina A&T State universities. More than 237,590 young people ages 5 through 18 participate in North Carolina 4-H activities each year with the help of 20,780 adult and youth volunteers.

Sally Shutt
Public Information Director
Cumberland County
P.O. Box 1829
Fayetteville, NC 28302
910-437-1921

JAMES E. MARTIN
County Manager

AMY H. CANNON
Deputy County Manager



CUMBERLAND
★ **COUNTY** ★
NORTH CAROLINA

JAMES E. LAWSON
Assistant County Manager

ITEM NO. 2B(1-3)

OFFICE OF THE COUNTY MANAGER

MEMORANDUM FOR BOARD OF COMMISSIONERS AGENDA OF OCTOBER 21, 2013

TO: BOARD OF COUNTY COMMISSIONERS
FROM: JAMES E. MARTIN, COUNTY MANAGER
DATE: OCTOBER 17, 2013
**SUBJECT: APPROVAL OF THE CUMBERLAND COUNTY FINANCE COMMITTEE
REPORT AND RECOMMENDATIONS**

BACKGROUND

The Cumberland County Finance Committee met on October 3, 2013 and discussed the following items that have been placed on the October 21, 2013 Board of Commissioners agenda:

- 1) Funding Request for State Veterans Cemetery Project.
- 2) Extension of Current Sales Tax Distribution Interlocal Agreement as Requested by the Cumberland County Mayors' Coalition.
- 3) Policy for Engaging Outside Legal Counsel.

Minutes of the October 3, 2013 Finance Committee meeting are included as an attachment.

RECOMMENDATION/PROPOSED ACTION

Accept the report and recommendations of the Cumberland County Finance Committee.

/ct

CM101713-2

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CUMBERLAND COUNTY FINANCE COMMITTEE
NEW COURTHOUSE, 117 DICK STREET, 5TH FLOOR, ROOM 564
OCTOBER 3, 2013 - 9:30AM
MINUTES

MEMBERS PRESENT: Commissioner Marshall Faircloth, Chairman
Commissioner Jeannette Council
Commissioner Kenneth Edge

OTHER COMMISSIONERS

PRESENT: Commissioner Ed Melvin
Commissioner Charles Evans
Commissioner Jimmy Keefe

OTHERS:

James Martin, County Manager
Amy Cannon, Deputy County Manager
James Lawson, Assistant County Manager
Rick Moorefield, County Attorney
Melissa Cardinali, Finance Director
Howard Abner, Assistant Finance Director
Sally Shutt, Chief Public Information Director
Candice White, Clerk to the Board
Press

Commissioner Faircloth called the meeting to order.

1. APPROVAL OF MINUTES – SEPTEMBER 5, 2013 REGULAR MEETING

MOTION: Commissioner Edge moved to approve the minutes.

SECOND: Commissioner Council

VOTE: UNANIMOUS (3-0)

2. CONSIDERATION OF FUNDING REQUEST FOR STATE VETERANS
CEMETERY PROJECT

BACKGROUND:

The Cumberland Community Foundation is seeking to make improvements at the Sandhills State Veterans Cemetery. The State has appropriated \$125,000 to the Division of Veterans Affairs to construct an enclosed committal structure at the cemetery; however, the total estimated cost of the project is \$300,000.

The Cumberland Community Foundation is requesting a \$10,000 contribution from Cumberland County to be used for the committal structure project. After reviewing the contribution request with the Legal Department, it was determined that a contribution by the

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County can be made upon approval of the Board of Commissioners since the County does have statutory authority to fund non-profits.

RECOMMENDATION/PROPOSED ACTION:

Staff recommends an appropriation to the Cumberland Community Foundation in the amount of \$10,000 be made from fund balance, if the Board of Commissioners desires to fund the request.

James Martin, County Manager, reviewed the background information as recorded above and stated at the board of commissioners Monday, September 16, 2013 meeting, Archie Barringer asked the county to contribute \$10,000, to be used along with the \$125,000 state Division of Veterans Affairs grant, to enclose a committal structure at the Sandhills State Veterans Cemetery.

Commissioner Edge asked if this would be a one-time contribution by the county. Mr. Barringer responded in the affirmative. Commissioner Edge suggested that Mr. Barringer make sure all municipalities are afforded an opportunity to make contributions. Commissioner Council suggested that the funding request could go before the Mayor's Coalition at their next meeting on Friday, November 1st because the project affects all of Cumberland County. Additional questions followed. Mr. Martin advised the Cumberland Community Foundation, an existing non-profit organization, would be the recipient of contributions.

MOTION: Commissioner Edge moved to recommend to the full board approval of \$10,000 to help support the project under the circumstances as outlined.
SECOND: Commissioner Council
VOTE: UNANIMOUS (3-0)

3. CONSIDERATION OF EXTENSION OF CURRENT SALES TAX DISTRIBUTION INTERLOCAL AGREEMENT AS REQUESTED BY THE CUMBERLAND COUNTY MAYORS' COALITION

BACKGROUND:

At its meeting on Friday, May 3, 2013, the Cumberland County Mayor's Coalition discussed sales tax distribution.

At its meeting on Friday, August 2, 2013, the Cumberland County Mayor's Coalition sent a written request to Chairman Keefe that the Cumberland County Board of Commissioners consider extending the current Sales Tax Distribution Interlocal Agreement for an additional seven years.

RECOMMENDATION/PROPOSED ACTION:

Consider request of the Cumberland County Mayors' Coalition regarding the sales tax distribution interlocal agreement.

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Mr. Martin stated the request to extend the current Sales Tax Distribution Interlocal Agreement was considered by the Finance Committee at its September 5th meeting and is being brought back to the committee for further discussion.

Commissioner Faircloth stated he favored an extension to April, 2018 because the board of commissioners would then have the revaluation information and know the tax rates for all of the municipalities as a result of the revaluations. Commissioner Faircloth also stated if the legislature were to take any action on sales tax distribution, it would likely do so within the next five years, and he felt in five years the board would have all of the information it needed to act.

Commissioner Edge asked whether a hold harmless clause could be included in the agreement. Rick Moorefield, County Attorney, stated as long as the board decides what the hold harmless provision should be and the parties could agree to it. Commissioner Edge stated the county has to help fund the school system and an array of social and human services regardless of whether cities grow in population through annexation.

Commissioner Keefe stated three of the nine mayors that agreed to the seven year extension would not be in office following the municipal elections and at that point, the process would have to start all over again. Commissioner Keefe asked Mr. Martin and Mr. Moorefield whether they agreed with ten years. Mr. Martin stated he would agree with extending another seven years. Mr. Moorefield stated he would agree as long as the agreement addressed any statutory changes in the distribution mechanism. Discussion followed.

At the request of Commissioner Evans, Mr. Moorefield explained the legislature could take action that would overrule any county contractual agreement. Mr. Moorefield stated under current legislation, it is up to boards of county commissioners to determine how sales tax distributions are made and cities are attempting to influence legislation that would take that authority away from boards of county commissioners. Mr. Moorefield also stated if there is any change in the distribution method, it will not favor counties because cities are seeking a point of sales distribution relative to their city limits. Mr. Moorefield further stated cities have overlooked the fact that the counties' funding obligation of health, education and welfare obligations of counties will not change and that sales tax revenues have been instrumental in funding these county functions.

Commissioner Edge stated he learned from the N. C. Association of County Commissioners that the N. C. League of Municipalities had two advocacy goals: 1) seek legislation to modernize the local tax system by giving municipalities the authority to levy a sales tax that would apply within their corporate limits and would be solely a municipal revenue; and 2) require a one-year delay in implementation when a county changes its method of distributing sales tax revenue. Commissioner Edge stated these two goals did not garner any sponsors and did not go anywhere, but they are eligible to be brought back in the short session.

Mr. Martin stated each municipal governing body will have to take separate action on any agreement and suggested that the agreement clearly state it is subject to agreement by every municipality.

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Mr. Moorefield clarified the agreement in past years was not a ten-year agreement but was a three-year agreement with successive three-year renewals unless there was objection to a renewal. Mr. Moorefield advised this could be another method moving forward and would carry the county past the next revaluation. Mr. Moorefield stated the current agreement is for three years with no renewal option.

MOTION: Commissioner Council moved to recommend to the full board at its October 21st meeting that the sales tax distribution interlocal agreement be extended an additional seven years with a provision that any statutory change would void the contract.

SECOND: Commissioner Edge

DISCUSSION: Mr. Moorefield advised if statutory changes are made and they do not limit the authority of county commissioners to determine how sales tax distributions are made, another agreement can be prepared.

VOTE: PASSED (2-1) (Commissioner Faircloth voted in opposition.)

4. CONSIDERATION OF POLICY FOR ENGAGING OUTSIDE COUNSEL

BACKGROUND:

At its August 19, 2013 meeting, the Board directed staff to prepare a policy to address the conditions under which outside counsel shall be engaged. Although the Board directed that this policy be sent to the Policy Committee, the county attorney advises that it is really a fiscal policy more appropriate for consideration by the Finance Committee.

The proposed policy follows:

1.0 PURPOSE

The purpose of this policy is to establish the conditions under which outside counsel may be engaged for the provision of legal services to the county. Outside counsel shall mean any attorney who is not an employee of the county.

2.0 SCOPE

This policy shall apply to the engagement of any lawyer or law firm to provide legal services for which county funds shall be used to pay for the services provided.

3.0 STATEMENT OF THE POLICY

No county funds shall be expended to pay for legal services provided by outside counsel unless the lawyer or law firm providing the services has been engaged to provide the services by a written agreement describing the services to be provided and the fee arrangement and which has been approved by the Board of Commissioners before the provision of services commences. When appropriate, Board approval may be obtained in closed session.

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4.0 IMPLEMENTATION

Implementation of this policy shall be the responsibility of the Finance Officer.

RECOMMENDATION/PROPOSED ACTION:

Consider whether to recommend the proposed policy to the Board of Commissioners.

Mr. Moorefield reviewed the background information and proposed policy as recorded above. In response to a question posed by Commissioner Keefe, Mr. Moorefield explained the board of commissioners could approve the name of the lawyer or law firm providing legal services by either approving or not approving the written agreement or contract.

MOTION: Commissioner Council moved to recommend the proposed policy to the full board.

SECOND: Commissioner Edge

VOTE: UNANIMOUS (3-0)

5. REVIEW OF MONTHLY FINANCIAL REPORT

BACKGROUND:

At your September 5, 2013 meeting, the Committee was briefed on the interim 13th period financial status of the General Fund and Crown Center. Since the results of operations for the first quarter of FY2014 will not be available till later this month, the attached three spreadsheets represent the final 13th period results of operations for the General Fund and Crown Center.

Expenditures and Obligations: Expenditures and obligations increased \$1,006,106 from last month due in part to a \$775,171 sales tax hold harmless payment to the Board of Education. Once a year, the BOE receives their share of the hold harmless reimbursement from the City of Fayetteville and municipalities based on the two half-cent taxes.

Revenue: Revenue for the General Fund increased \$5,893,049 over the earlier September report. The County received its final sales tax distribution of \$3,376,286. Total sales tax distributions for the year were a disappointing \$637,840 (1.73%) increase over FY2012. The County also received its 4th quarter sales tax hold harmless payments in the amount of \$1,599,009.

Crown Center: Operating revenue increased \$75,449 from the September report while operating expenses were just \$1,482 more. Overall, the net operating loss for the year was \$2,975,951 compared to \$3,036,582 for FY2012; a \$60,631 difference.

RECOMMENDATION/PROPOSED ACTION:

For information only, no action required.

There were no questions or discussion regarding the monthly financial report.

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6. OTHER MATTERS OF BUSINESS

A. UPDATE ON COOPERATIVE PURCHASING

Melissa Cardinali, Finance Director, stated meetings were organized with representatives of the Cumberland County School System, City of Fayetteville and the PWC about cooperative purchasing aimed at bringing local governments and local businesses together. Ms. Cardinali stated a business fair is going to be put together that will provide an exchange of information, increase the awareness of governmental staff, and educate and help businesses understand what is required to have a purchasing relationship with local government. Ms. Cardinali stated the business fair will be held at least once a year in order to assess and address local business needs. Ms. Cardinali stated the project is just getting off the ground and the committee will meet again in November. Ms. Cardinali credited Thelma Matthews, Purchasing Manager, with the cooperative purchasing idea.

Commissioner Keefe asked whether the focus for goods and services was going to be \$30,000 or below. Ms. Cardinali stated the cooperative purchasing relationships will likely focus on smaller dollars. Commissioner Keefe stated there may need to be a philosophical change in how the county requests quotes for goods and services in order to help local businesses stay within the focus amount. Commissioner Keefe asked that local business be targeted as much as possible, even if it means this type of philosophical change. Ms. Cardinali stated she would take this to the committee meeting in November as an item for discussion. Commissioner Edge noted circumstances may arise that would prohibit a local vendor from being first on the list and asked that thought also be given to exceptions that could occur in the community.

B. CLOSED SESSION FOR ATTORNEY/CLIENT MATTERS PURSUANT TO NCGS 143-318.11(a)(3)

Mr. Martin asked the Finance Committee whether it would consider a contractual matter involving the county, Alliance Behavioral Healthcare and Alliance Behavioral Healthcare at Cape Fear Valley Hospital as it relates to the current contractual arrangement for security at the Roxie Avenue facility. Mr. Moorefield advised the matter should be discussed in a closed session.

MOTION: Commissioner Council moved to go into closed session for attorney/client matter(s) pursuant to NCGS 143-318.11(a)(3).

SECOND: Commissioner Edge

VOTE: UNANIMOUS (3-0)

MOTION: Commissioner Edge moved to go into open session.

SECOND: Commissioner Council

VOTE: UNANIMOUS (3-0)

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C. FEDERAL BUDGET IMPACT

Mr. Martin stated county management has been in conversation with Rebecca Troutman, NCACC Intergovernmental Relations Director, regarding information the NCACC may have received about the impact of the federal shutdown on counties. Mr. Martin also stated the Department of Social Services (DSS) participated in a fiscal conference call this morning and an email had just been received from Social Services Director Brenda Jackson.

Amy Cannon, Deputy County Manager, stated Ms. Jackson's email outlined the impact of the federal shut down as follows:

- County reimbursement for federal block grants funds are primarily affected by the shut down (the state allocates federal block grant funds to counties)
- State will be temporarily suspending reimbursement for the following programs: TANF (Work 1st), Social Services Block Grant (funds a portion of 75% to 80% of all positions at DSS), Child Care, Energy Assistance, WIC, Energy Assistance, Social Services Block Grant, Home & Community Block Grant
- Programs not impacted – Medicaid, SNAP (food stamps), IV-E Adoption and Foster Care, Child Support, NC FAST, Affordable Care Act
- State recommends local counties look at the following as strategies to address these suspended reimbursements – review of availability of funds through county fund balance, freeze hiring and vacant positions, reducing operating expenditures such as travel, freeze purchasing and furloughing staff
- Moving forward the state is concerned about the following:
 - Feds inability to approve a budget or continuing resolution quickly
 - Sequestration as it went into affect Oct 1st which includes a 7.2% statewide cut to Social Services Block Grant
 - Looming federal debt ceiling issue on October 17th
 - Lack of federal staff due to furloughs to provide information to state on several fiscal issues
- State believes shut down will last at least through the debt ceiling deadline on October 17th

Ms. Cannon stated it appears counties may be at risk from now until October 17th which will involve a significant amount of money. Ms. Cannon also stated Ms. Jackson will meet with her budget and finance staff immediately to come up with some strategies to present to county management. Ms. Cannon stated there are significant issues that will need to be addressed and she wanted to be sure the committee was made aware.

Commissioner Council inquired regarding the impact to the Public Health Department. Ms. Cannon stated Health Department Director Buck Wilson was still awaiting information from the state as they continued their contact with federal agencies. Discussion followed.

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Commissioner Faircloth asked whether the county would be reimbursed after the fact. Ms. Cannon stated Ms. Troutman spoke with DHHS Deputy Secretary for Human Services Sherry Bradsher who was not optimistic based on her contacts at the federal level that they would be in a position to provide reimbursements. Commissioner Faircloth inquired regarding options available to the county. Ms. Cannon stated one strategy would be to look at expenditures from the county's operating budget and the fund balance.

Discussion followed about whether Social Service employees should be put on notice. Commissioner Faircloth asked that the full board receive recommendations from staff at its Monday, October 7, 2013 meeting. Commissioner Faircloth stated he was not excited about the county picking up federal funding since there is a chance the county may not be reimbursed.

There being no further business, the meeting adjourned at 11:15 a.m.

MELISSA C. CARDINALI
Finance Director



HOWARD C. ABNER
Deputy Finance Director

FINANCE DEPARTMENT

4th Floor, New Courthouse • PO Box 1829 • Suite 452, • Fayetteville, North Carolina 28302-1829
(910) 678-7753 / (910) 678-7749 • Fax (910) 323-6120

**MEMORANDUM FOR THE AGENDA OF THE
OCTOBER 21, 2013 MEETING OF THE BOARD OF COMMISSIONERS**

TO: BOARD OF COMMISSIONERS
FROM: MELISSA C. CARDINALI, FINANCE DIRECTOR
DATE: OCTOBER 15, 2013 *me*
SUBJECT: CONTRIBUTION TO CUMBERLAND COMMUNITY FOUNDATION

BACKGROUND:

The Cumberland Community Foundation is seeking to make improvements at the Sandhills State Veterans Cemetery. The State has appropriated \$125,000 to the Division of Veterans Affairs to construct an enclosed committal structure at the cemetery; however, the total estimated cost of the project is \$300,000.

The Cumberland Community Foundation is requesting a \$10,000 contribution from Cumberland County to be used for the committal structure project. After reviewing the contribution request with the Legal Department, it was determined that a contribution by the County can be made upon approval of the Board of Commissioners since the County does have statutory authority to fund non-profits.

RECOMMENDATION/PROPOSED ACTION:

Consider the recommendation of the Finance Committee to appropriate fund balance in the amount of \$10,000 to the Cumberland Community Foundation to be used towards the committal structure at the Sandhills State Veterans Cemetery.

MCC:cas

RICKEY L. MOOREFIELD
County Attorney



ITEM NO. 213(2)

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 OCTOBER 21, 2013
MEETING OF THE BOARD OF COMMISSIONERS**

TO: Board of Commissioners; Co. Manager
FROM: Co. Atty. *R. Moorefield*
DATE: October 15, 2013
SUBJECT: Second Extension to Interlocal Agreement for Sales Tax Distribution

ATTACHMENTS: Draft Agreement

BACKGROUND:

At its October 3, 2013 meeting, the Finance Committee voted to recommend that the full board approve the request of the Mayors' Coalition to extend the interlocal agreement for the sales tax distribution for seven years in addition to the current extension of three years. This will extend the term of the agreement from June 30, 2016 to June 30, 2023. The Finance Committee also directed that a provision be added to the agreement that would allow any of the parties to terminate the agreement if the General Assembly changes the current distribution statute. That change has been made to the proposed agreement.

RECOMMENDATION/PROPOSED ACTION:

Consider the Finance Committee's recommendation to extend the sales tax distribution agreement for an additional seven years.

STATE OF NORTH CAROLINA
COUNTY OF CUMBERLAND

INTERLOCAL AGREEMENT

THIS INTERLOCAL AGREEMENT is entered into in the year 2013 as indicated by the date executed by each party, by and among the City of Fayetteville (hereinafter "Fayetteville"), the Town of Hope Mills (hereinafter "Hope Mills"), the Town of Spring Lake (hereinafter "Spring Lake"), the Town of Stedman (hereinafter "Stedman"), the Town of Wade (hereinafter "Wade"), the Town of Falcon (hereinafter "Falcon"), the Town of Godwin (hereinafter "Godwin"), the Town of Linden (hereinafter "Linden"), the Town of Eastover (hereinafter "Eastover"), and the County of Cumberland (hereinafter "County").

RECITALS:

WHEREAS, sales tax revenues have been distributed among the parties to this agreement pursuant to an interlocal agreement dated October 31, 2003, effective for the fiscal year which commenced on July 1, 2004, and as amended and supplemented from time to time (hereinafter "the Sales Tax Distribution Interlocal Agreement"); and

WHEREAS, the most recent amendment to the Sales Tax Distribution Interlocal Agreement was adopted during the month of April, 2013, to extend the agreement through the fiscal year ending June 30, 2016; and

WHEREAS, the parties deem it in the best interests of their citizens to extend the agreement further pursuant to the additional terms contained herein.

NOW, THEREFORE, the parties agree that the existing Sales Tax Distribution Interlocal Agreement shall be extended and remain in effect for a period of ten (10) additional fiscal years beyond the expiration of the original agreement until June 30, 2023 in accordance with all the terms

and provisions contained therein, except that the initially incorporated area of the Town of Eastover shall no longer be treated as an annexation to the end that only those annexations by the Town of Eastover since its incorporation shall be subject to this agreement.

The parties further agree that if the General Assembly makes any change to North Carolina General Statute § 105-472, or enacts any other law or private act which has the effect of modifying the distribution method prescribed by North Carolina General Statute § 105-472, then any of the parties may terminate this agreement by delivering notice to the Clerk for every other party; provided that such termination shall only be effective for the first fiscal year for which notice was given by January 1 in the preceding fiscal year. The parties agree that this termination provision is intended to provide the County Board of Commissioners sufficient time to choose the distribution method as presently set out in the statute.

This extension of the Sales Tax Distribution Interlocal Agreement shall be a continuing interlocal agreement which shall be approved by the governing body of each party and entered the minutes of the meeting at which it is approved.

IN WITNESS WHEREOF the parties, intending to be bound and by authority duly given, have caused this Agreement to be signed by their appropriate officials, the day and year designated by each.

ATTEST:

COUNTY OF CUMBERLAND

Candice White, Clerk to the Board

BY: _____
Chairman, Board of Commissioners

Date Signed: _____

ATTEST:

CITY OF FAYETTEVILLE

City Clerk

BY: _____
Mayor

Date Signed: _____

ATTEST:

TOWN OF HOPE MILLS

Town Clerk

BY: _____
Mayor

Date Signed: _____

ATTEST:

TOWN OF SPRING LAKE

Town Clerk

BY: _____
Mayor

Date Signed: _____

ATTEST:

TOWN OF WADE

Town Clerk

BY: _____
Mayor

Date Signed: _____

ATTEST:

TOWN OF FALCON

Town Clerk

BY: _____
Mayor r

Date Signed: _____

ATTEST:

TOWN OF GODWIN

Town Clerk

BY: _____
Mayor

Date Signed: _____

ATTEST:

TOWN OF LINDEN

Town Clerk

BY: _____
Mayor

Date Signed: _____

ATTEST:

TOWN OF STEDMAN

Town Clerk

BY: _____
Mayor

Date Signed: _____

ATTEST:

TOWN OF EASTOVER

Town Clerk

BY: _____
Mayor

Date Signed: _____

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

Approved for Legal Sufficiency

County Finance Director

County Attorney

Fayetteville Finance Director

City Attorney

Hope Mills Finance Director

Town Attorney

Spring Lake Finance Director

Town Attorney

Stedman Finance Director

Town Attorney

Wade Finance Director

Town Attorney

Falcon Finance Director

Town Attorney

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

Approved for Legal Sufficiency

Godwin Finance Director

Town Attorney

Linden Finance Director

Town Attorney

Eastover Finance Director

Town Attorney

RICKEY L. MOOREFIELD
County Attorney



ITEM NO. 213(3)

PHYLLIS P. JONES
Assistant County Attorney

OFFICE OF THE COUNTY ATTORNEY

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

**MEMO FOR THE AGENDA OF THE OCTOBER 21, 2013
MEETING OF THE BOARD OF COMMISSIONERS**

TO: Bd. of Commissioners; Co. Manager
FROM: Co. Atty. *R. Moorefield*
DATE: October 15, 2013
SUBJECT: Policy for Engaging Outside Counsel

BACKGROUND:

At its August 19, 2013 meeting, the Board directed staff to prepare a policy to address the conditions under which outside counsel shall be engaged. Because this is really a fiscal policy, it was sent to the Finance Committee. At its October 3, 2013 meeting, the Policy Committee voted to recommend the following policy to the full Board of Commissioners:

1.0 PURPOSE

The purpose of this policy is to establish the conditions under which outside counsel may be engaged for the provision of legal services to the county. Outside counsel shall mean any attorney who is not an employee of the county.

2.0 SCOPE

This policy shall apply to the engagement of any lawyer or law firm to provide legal services for which county funds shall be used to pay for the services provided.

3.0 STATEMENT OF THE POLICY

No county funds shall be expended to pay for legal services provided by outside counsel unless the lawyer or law firm providing the services has been engaged to provide the services by a written agreement describing the services to be provided and the fee arrangement and which has been approved by the Board of Commissioners before the provision of services commences. When appropriate, Board approval may be obtained in closed session.

4.0 IMPLEMENTATION

Implementation of this policy shall be the responsibility of the Finance Officer.

RECOMMENDATION/PROPOSED ACTION:

Consider the recommendation of the Finance Committee to adopt the policy.



OFFICE OF THE COUNTY ATTORNEY

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

**MEMO FOR THE AGENDA OF THE OCTOBER 21, 2013
MEETING OF THE BOARD OF COMMISSIONERS**

TO: Bd. of Commissioners; Co. Manager; Ryan Aul
FROM: Co. Atty. *R. Moorefield*
DATE: October 15, 2013
SUBJECT: Request for Sewer Easement to Serve Property of Allison Holdings LLC

ATTACHMENTS: Proposed Easement Document

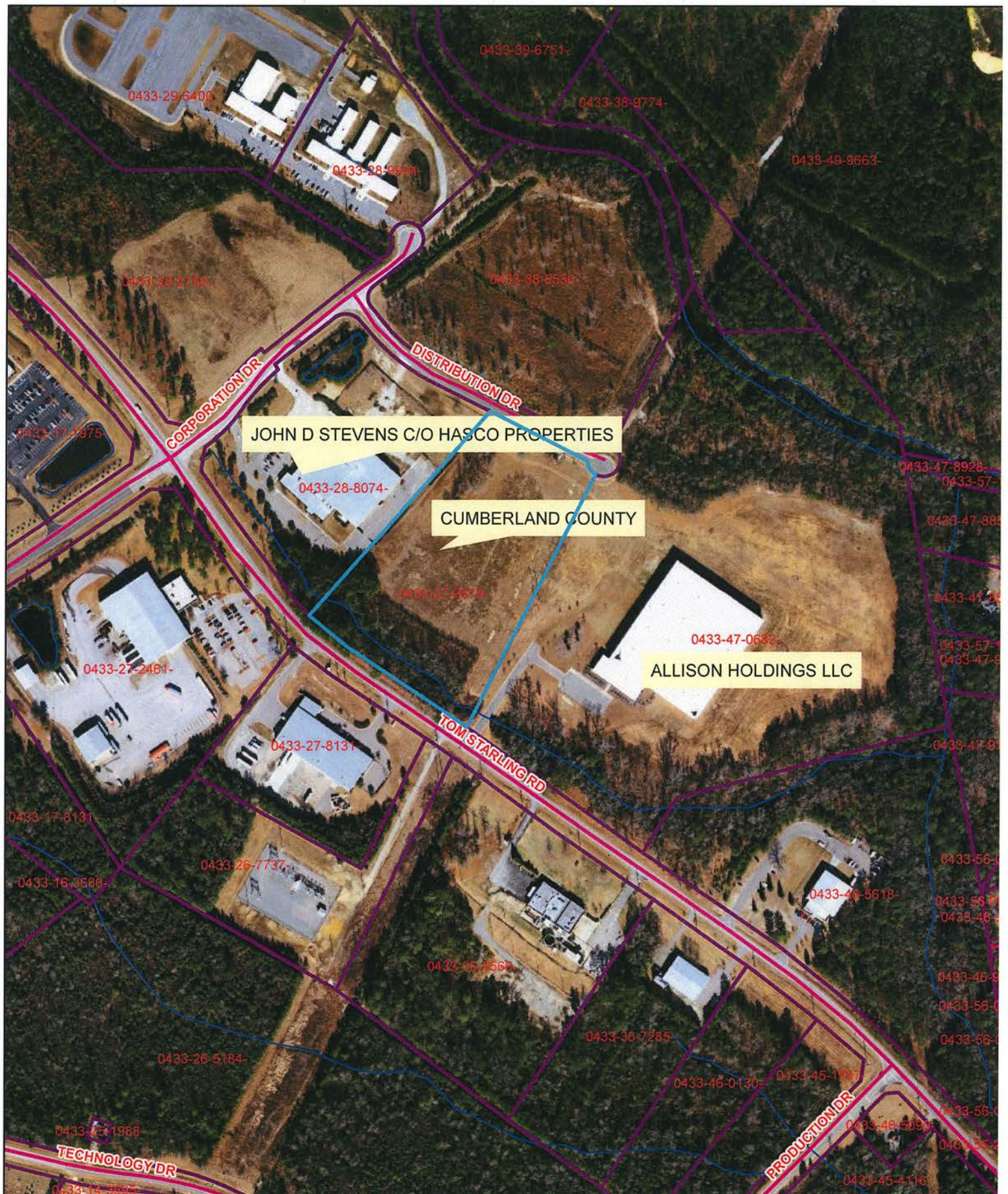
BACKGROUND:

Allison Holdings LLC purchased the shell building site. It has requested an easement on adjoining county-owned property to install a sewer lateral from an existing sewer line located upon the county's property to the common boundary line of the two properties. The dimensions of the easement area are 10' by 50'. It is to be located upon the county's parcel approximately 470' from the right-of-way of Tom Starling Road. N.C.G.S. § 160A-273 permits counties to grant easements without receiving consideration.

The easement is on a vacant parcel fronting on Tom Starling Road which is available as an industrial site. An aerial photo of the lot is attached. The county attorney notes that the easement agreement prohibits any fencing across the easement except with a gate. There is no requirement that the gate remain unlocked. This fencing prohibition may be an issue if the site is ever sold to an industry which wishes to fence its boundary. There are no other conditions in the easement that are unduly burdensome.

RECOMMENDATION/PROPOSED ACTION:

Consider whether to grant the easement with or without the fencing prohibition.



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






ITEM NO. 20

CUMBERLAND
★ **COUNTY** ★
NORTH CAROLINA

OFFICE OF THE RISK MANAGER

MEMORANDUM

TO: BOARD OF COUNTY COMMISSIONERS

FROM: JAMES B. SILMAN, RISK MANAGEMENT DIRECTOR 

DATE: October 11, 2013

SUBJECT: CONSENT ITEM - CONSIDERATION OF DECLARATION OF
SURPLUS COUNTY PROPERTY AND AUTHORIZATION TO
ACCEPT INSURANCE SETTLEMENT

BACKGROUND

DATE OF ACCIDENT	October 2, 2013
VEHICLE	2008 Ford Expedition
VIN	1FMFU15568LA60542
FLEET #	FL348
DEPARTMENT	Sheriff's Office
SETTLEMENT OFFER	\$12,540.79
INSURANCE COMPANY	Travelers

This is a total loss settlement offer.

RECOMMENDATION/PROPOSED ACTION

Management recommends that the Board of Commissioners:

1. declare the vehicle described above as surplus
2. authorize the Risk Manager to accept \$12,540.79 as settlement
3. allow Travelers Insurance to take possession of the wrecked (surplus) vehicle.



Dan Vogley
215 Shuman Blvd
Naperville, IL 60563
(800) 842-6172 X7416
(877) 229-6174 (fax)

October 11, 2013

Cumberland County
C/O Chico Silman
P.O. Box 1829
Fayetteville, NC 28302

RE: Our Claim No.: EUW6447-001
Date of Loss: 10/2/2013
Vehicle: 2008 Ford Expedition
VIN #: 1FMFU15568LA60542

Dear Mr. Silman:

As a result of the accident on the above stated date, THE TRAVELERS INDEMNITY COMPANY (Travelers) deemed your car to be total loss. We have determined the actual cash value of the total loss vehicle from CCC, a computerized valuation service, using current market data. The actual cash value of your vehicle, including options, has been determined to be: \$13,093.00

Actual Cash Value:	\$ 13,093.00
Additional allowance for use tax:	\$ 392.79
Additional allowance for fees:	\$ 55.00
Deductible:	\$ 1,000.00
=====	
Total Settlement:	\$ 12,540.79

In order for Travelers to comply with the salvage title law, this offer of settlement is contingent upon our receipt of the properly endorsed lien free title to the vehicle that we spoke about. Such title must presently be issued in the name (s) of the person (s) to whom we are obligated to make payment. Our settlement check cannot be issued until we receive the correctly executed title from you or your lien holder(s).

Sincerely,

Daniel J. Vogley
Travelers – Total Loss Department



ITEM NO. 2E

OFFICE OF THE COUNTY ATTORNEY

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

October 4, 2013

MEMORANDUM FOR BOARD OF COMMISSIONERS' OCTOBER 21, 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

RES 428 SCHOOL ST PRT LOTS 17 AND 18; 428 SCHOOL ST
(LOCATED ON SCHOOL ST OFF B ST)
PIN 0437-83-9763; CROSS CREEK TOWNSHIP

BACKGROUND: On or about May 19, 2008, 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 \$5,588.87.

Annette Thomas has offered to purchase the County's interest in the property for **\$5,588.87** and has deposited \$588.89 in the Finance Office. The tax value of the property is \$5,000.00.

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 Annette Thomas' 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 Annette Thomas to purchase the above property for the sum of **\$5,588.87**, 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

428 SCHOOL ST
CROSS CREEK TOWNSHIP

50 0 50 Feet



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

RICKEY L. MOOREFIELD
County Attorney



ITEM NO. 2F

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 OCTOBER 21, 2013
MEETING OF THE BOARD OF COMMISSIONERS**

TO: Board of Commissioners; Co. Manager; Lou Patalano
FROM: Co. Atty. R. Moorefield
DATE: October 15, 2013
SUBJECT: Release of Reversion Rights in Those Parcels Located at 3533 Furman Drive
and 1617 Roxie Avenue and Occupied by Stanton Hospitality House

ATTACHMENTS: (1) Resolution
(2) Deed
(3) Aerial Photo of the Properties
(4) Street Level Photograph of 3533 Furman Drive
(5) Street Level Photograph of 1617 Roxie Avenue

BACKGROUND:

Cape Fear Valley Health System, Inc., (the "Hospital") has requested that the County release its reversionary interest in the two parcels located 3533 Furman Drive and 1617 Roxie Avenue. These were two of the seventy-plus parcels that were deeded to the Hospital through the Transfer Agreement in 2006. The County retained a reversionary interest in all those parcels.

Although these parcels have addresses on different streets, they actually adjoin each other in the intersection of Roxie and Furman. They have been used by the Hospital as lodging for family members of patients. The Hospital wishes to deed these parcels to a non-profit corporation which has been set up for the same purpose. The Hospital requests that the County release its reversionary interest so the non-profit will own the properties outright and have the full right to mortgage or sell these properties as it deems fit in order to promote its charitable purpose.

RECOMMENDATION/PROPOSED ACTION:

County attorney recommends that the Board adopt the attached resolution to approve this transaction.

BOARD OF COMMISSIONERS OF CUMBERLAND COUNTY

**RESOLUTION APPROVING THE PARTIAL RELEASE OF CERTAIN
REVERSIONARY INTERESTS IN THE REAL PROPERTY USED BY THE
STANTON HOSPITALITY HOUSE**

WHEREAS, the County has previously conveyed to Cumberland County Hospital System, Inc., d/b/a Cape Fear Valley Health System ("CFVHS"), certain real property associated with the operations of the health care system formerly operated by the County, pursuant to that certain North Carolina Bill of Conveyance and General Warranty Deed dated May 2, 2006 and recorded at Book 7225, page 436 in the Cumberland County Registry (the "Conveyance Deed"); and

WHEREAS, among the parcels conveyed pursuant to the Conveyance Deed were 3353 Furman Drive and 1617 Roxie Avenue (collectively, the "Property"), from where CFVHS has operated the Stanton Hospitality House as a department of the health care system for the purpose of providing free or low cost temporary residential accommodations to families of inpatients of CFVHS and other local area hospitals; and

WHEREAS, the Conveyance Deed contains certain reversionary interests in favor of the County and encumbering the Property, which would be triggered in the event that CFVHS fails to meet certain obligations related to the operations of the health care system, as more fully set forth in the related Transfer Agreement dated May 4, 2006 (the "Transfer Agreement") which Transfer Agreement is attached to the Conveyance Deed; and

WHEREAS, CFVHS has elected to transfer ownership and operations of the Stanton Hospitality House to a third party known as Stanton Hospitality House, Inc., a North Carolina non profit corporation ("SHH"); and

WHEREAS, in furtherance thereof, CFVHS and the Cape Fear Valley Medical Foundation, Inc. have made certain support commitments to SHH and CFVHS has agreed to contribute and convey the Property to SHH; and

WHEREAS, the reversionary interests in favor of the County with respect to the Property will materially hinder SHH's ability to finance or sell any portion of the Property in the future to support the operations of Stanton Hospitality House; and

WHEREAS, neither the Property nor the operations of Stanton Hospitality House are material to the operations of the health care system by CFVHS; and

WHEREAS, the Board of Commissioners does find that it is in the best interest of the community and the future operations of the Stanton Hospitality House for SHH to own the Property free and clear of any revisionary interests set forth in the Conveyance Deed; and

WHEREAS, Cumberland County now wishes to memorialize its consent to the release of the Property from the reversionary interests set forth in the Conveyance Deed.

NOW THEREFORE BE IT RESOLVED BY THE BOARD OF COMMISSIONERS OF CUMBERLAND COUNTY, NORTH CAROLINA, AS FOLLOWS:

Section 1. Cumberland County hereby consents to the release of the Property from the reversionary interests set forth in the Conveyance Deed.

Section 2. The Chairman and the Clerk be, and they hereby are, authorized to execute a Partial Release in the form attached hereto and authorize same to be recorded in the Cumberland County Registry, and to do and perform all acts and to execute and deliver for and on behalf of Cumberland County any and all additional instruments, documents, opinions, certificates, certifications, agreements, assignments or other papers and do and perform all other acts, as may be required by the documents or as they may deem necessary or appropriate in order to implement and carry out the intent and purposes of this resolution.

Section 3. That this resolution shall become effective on the date of its adoption.

ADOPTED this the 21st day of October, 2013.

Cumberland County Board of Commissioners
By:

Jimmy Keefe, Chairman

ATTEST:

Candice White, Clerk to the Board

Prepared by and return to:
Michael J. Ovsievsky
K&L Gates LLP
430 Davis Drive – Suite 400
Morrisville, NC 27519

STATE OF NORTH CAROLINA

PARTIAL RELEASE

COUNTY OF CUMBERLAND

Brief Description for Index: Lots 36 and 37, Welmar Heights III

THIS PARTIAL RELEASE is made effective this _____ day of _____, 2013, by the COUNTY OF CUMBERLAND, NORTH CAROLINA, a political subdivision of the State of North Carolina, acting by and through its Board of Commissioners, and having an address of 117 Dick Street, Fayetteville, NC 28301, Attn: County Manager (the “County”).

WHEREAS, pursuant to that certain North Carolina Bill of Conveyance and General Warranty Deed dated May 2, 2006 and recorded in the Cumberland County Registry at Book 7225, Page 436 (the “Vesting Deed”), the County did convey to Cumberland County Hospital System, Inc., d/b/a Cape Fear Valley Health System, a North Carolina non profit corporation (the “Health System”) certain parcels of real property including, without limitation, the two parcels more fully described on **Exhibit A** attached hereto and incorporated herein by reference (collectively, the “Released Property”); and

WHEREAS, the Released Property was conveyed to the Health System subject to (i) an express reversionary interest in favor of the County, and (ii) an express right of re-entry in favor of the County, each as more fully set forth in the Vesting Deed; and

WHEREAS, the County does now wish to expressly terminate and release the Released Property from each of (i) the express reversionary interest in favor of the County, and (ii) the express right of re-entry in favor of the County, solely to the extent that same apply to the Released Property, such that the Health System shall hold title to the Released Property in fee simply absolute.

NOW, THEREFORE, for and in consideration of the sum of Ten and 00/100 Dollars (\$10.00) and other good and valuable consideration, the receipt of which is hereby acknowledged, the County does hereby remise and release and by this instrument does remise, release, and forever quitclaim unto the Health System, its successors and assigns, all of the County's rights, title and interest (including all reversionary interests) in and to the Released Property. This Partial Release does not release any of the other property described in the Vesting Deed from any of the reversionary interests in favor of the set forth therein.

TO HAVE AND TO HOLD the Released Property unto the Health System, its successors and assigns, free and discharged from the reversionary interests and right of entry set forth in the Vesting Deed and from the claims of any and all persons thereunder.

[SIGNATURE PAGES TO FOLLOW]

IN WITNESS WHEREOF, the County has executed this Partial Release this _____ day
of _____, 2013.

COUNTY:

COUNTY OF CUMBERLAND, NORTH
CAROLINA

By: _____
Jimmy Keefe, Chairman,
Board of Commissioners

Attest:

Name: _____
Candice White, Clerk to the Board of Commissioners

Cumberland County, North Carolina

I certify that the following person personally appeared before me this day acknowledging to me
that he or she signed the foregoing document: Jimmy Keefe.

Date: _____, 2013

(Official Seal)

Print Name: _____
Notary Public

My commission expires: _____

EXHIBIT A
Property - Legal Description

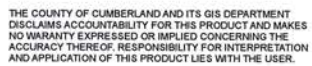
All references to recording information shall refer to documents that were recorded in the Register of Deeds for Cumberland County, North Carolina.

Parcel 1:

State of North Carolina, County of Cumberland, City of Fayetteville, BEING 0.37 acres, more or less, and being all of Lot 37 in Welmar Heights, Section III, as per plat of same recorded in Book of Plats 22, Page 37 of the Cumberland County Public Registry, to which reference is hereby made for a more particular description of same.

Parcel 2:

State of North Carolina, County of Cumberland, City of Fayetteville, BEING all of Lot 36 in Welmar Heights, Section III, as per plat of same recorded in Book of Plats 23, Page 58 of the Cumberland County Public Registry, to which reference is hereby made for a more particular description of same.





3533 FURMAN DR
0416-86-3364- 1263 *A

Property Type: E

Date Acquired: 02/22/2001

Land Use Code: R101

Maintenance Code: N



1617 ROXIE AVE
0416-86-2381- 1263 *A

Property Type: E

Date Acquired: 02/22/2001

Land Use Code: E112

Maintenance Code: N

**COUNTY OF CUMBERLAND
BUDGET REVISION REQUEST**

Budget Office Use	
Budget Revision No.	B14-183
Date Received	
Date Completed	

Fund No. 101 Agency No. 43M Organ. No. 436Z
 Organization Name: MH Other

ITEM NO. 26(1)

REVENUE

Revenue Source Code	Description	Current Budget	Increase (Decrease)	Revised Budget
9911	Mental Health Fund Balance	2,857,246	250,000	3,107,246
Total		2,857,246	250,000	3,107,246

EXPENDITURES

Object Code	Appr Unit	Description	Current Budget	Increase (Decrease)	Revised Budget
315U	138	Roxie Center	0	250,000	250,000
Total			0	250,000	250,000

Justification:

Revision to appropriate Mental Health fund balance to reimburse CFVMC for operating losses in an amount not to exceed \$250,000 for the period January-June 3013.

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

Submitted By: _____ Date: _____
 Department Head
 Reviewed By: [Signature] Date: 10/17/13
 Finance
 Reviewed By: [Signature] Date: 10/17/13
 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.	B14-191
Date Received	10/16/2013
Date Completed	

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

ITEM NO. 26(2)

REVENUE

pg 1 of 2

Revenue Source Code	Description	Current Budget	Increase (Decrease)	Revised Budget
9124	Transfer from Prepared Food & Beverage Tax	3,389,854	114,000	3,503,854

Total 3,389,854 114,000 3,503,854

EXPENDITURES

Object Code	Appr Unit	Description	Current Budget	Increase (Decrease)	Revised Budget
342E	866	Global Spectrum Management Fee (\$8,000/month)	0	50,000	50,000
342F	866	Global Spectrum Transition Cost (max of \$50,000)	0	64,000	64,000

Total 0 114,000 114,000

Justification:

Revision to budget a transfer from the Prepared Food & Beverage Tax Fund to fund transition costs incurred by Global Spectrum (up to \$50,000) and to budget the FY 2014 Global Spectrum management fee (\$64,000) due in 8 monthly payments of \$8,000 beginning November 2013.

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

Submitted By: _____
 Department Head

Date: _____

Reviewed By: *HA* Bob Sucher
 Finance Department

Date: 10/16/13

Reviewed By: *he* Amy H. Councilor
 Deputy / Asst County Mgr

Date: 10/17/13

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

**COUNTY OF CUMBERLAND
BUDGET REVISION REQUEST**

Budget Office Use	
Budget Revision No.	B14-191A
Date Received	10/16/2013
Date Completed	

Fund No. 114 Agency No. 410 Organ. No. 4109

Organization Name: Prepared Food & Beverage Tax Fund

pg 2 of 2

REVENUE

Revenue Source Code	Description	Current Budget	Increase (Decrease)	Revised Budget
9901	Fund Balance Appropriated	413,210	114,000	527,210

Total 413,210 114,000 527,210

EXPENDITURES

Object Code	Appr Unit	Description	Current Budget	Increase (Decrease)	Revised Budget
3870	591	Transfer to Crown Center (Fund 620)	3,389,854	114,000	3,503,854

Total 3,389,854 114,000 3,503,854

Justification:

Revision to budget a transfer to the Crown Center (Fund 620) to fund transition costs incurred by Global Spectrum (up to \$50,000) and to fund the FY 2013 Global Spectrum management fee of \$64,000 (\$8,000 per month beginning November 2013).

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

Submitted By: _____
 Department Head

Reviewed By: *HA* Bob Tucker
 Finance Department

Reviewed By: *me* Angie Cannon
 Deputy / Asst County Mgr

Date: _____

Date: 10/16/13

Date: 10/17/13

Approved By:

County Manager

Board of County Commissioners

Date: _____

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

Vikki Andrews,
Diane Wheatley,
Carl Manning,
Cumberland County

Benny Pearce,
Town of Eastover

Donovan McLaurin,
Wade, Falcon & Godwin

OCTOBER 11, 2013

ITEM NO. 3A

MEMO TO: Cumberland County Board of Commissioners

FROM: Cumberland County Joint Planning Board

SUBJECT: **Case P13-38:** Rezoning of 9.88+/- acres from A1 Agricultural to R40 Residential or to a more restrictive zoning district; located west of SR 1006 (Wade Stedman Road), northwest of SR 1006 (Maxwell Road); submitted by Ernest A. Jr. and Ruth Bunce (owners).

ACTION: Members present at the September 17, 2013 meeting recommended following the staff recommendation and to adopt and approve the reasonableness statement, find request consistent with LUP and approve R40

SITE PROFILE: **Frontage & Location:** 50.00'+/- on Ruth Bunce Lane; **Depth:** 850.00'+/-; **Jurisdiction:** Cumberland County; **Adjacent Property:** Yes, southwest of subject property; **Current Use:** Farmland; **Initial Zoning:** A1 – August 23, 1994 (Area 19); **Nonconformities:** None; **Zoning Violation(s):** None; **Surrounding Zoning:** North: A1; South: R40, R40A & A1; East & 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:** ESD/Septic; **Soil Limitations:** Yes, hydric – TR Torhunta & Lynn Haven soils; **School Capacity/Enrolled:** Eastover-Central Elementary: 540/470; Mac Williams Middle: 1,270/1,229; Cape Fear High: 1,425/1,575; **Subdivision/Site Plan:** If approved, new development may require review and approval; **Municipal Influence Area:** Town of Eastover; **Average Daily Traffic Count (2010):** 1,600 on SR 1826 (Wade Stedman 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 (minus 15% for ROW): A1 – 5 lots/units (4 lots/units), A1A – 10 lots/units (8 lots/units), R40 – 11 lots/units (9 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 SEPTEMBER 17, 2013

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

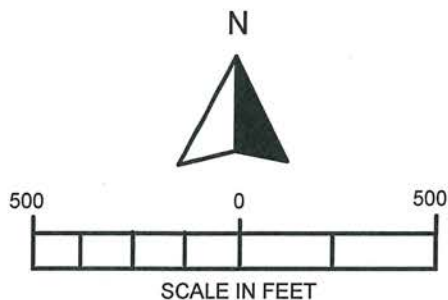
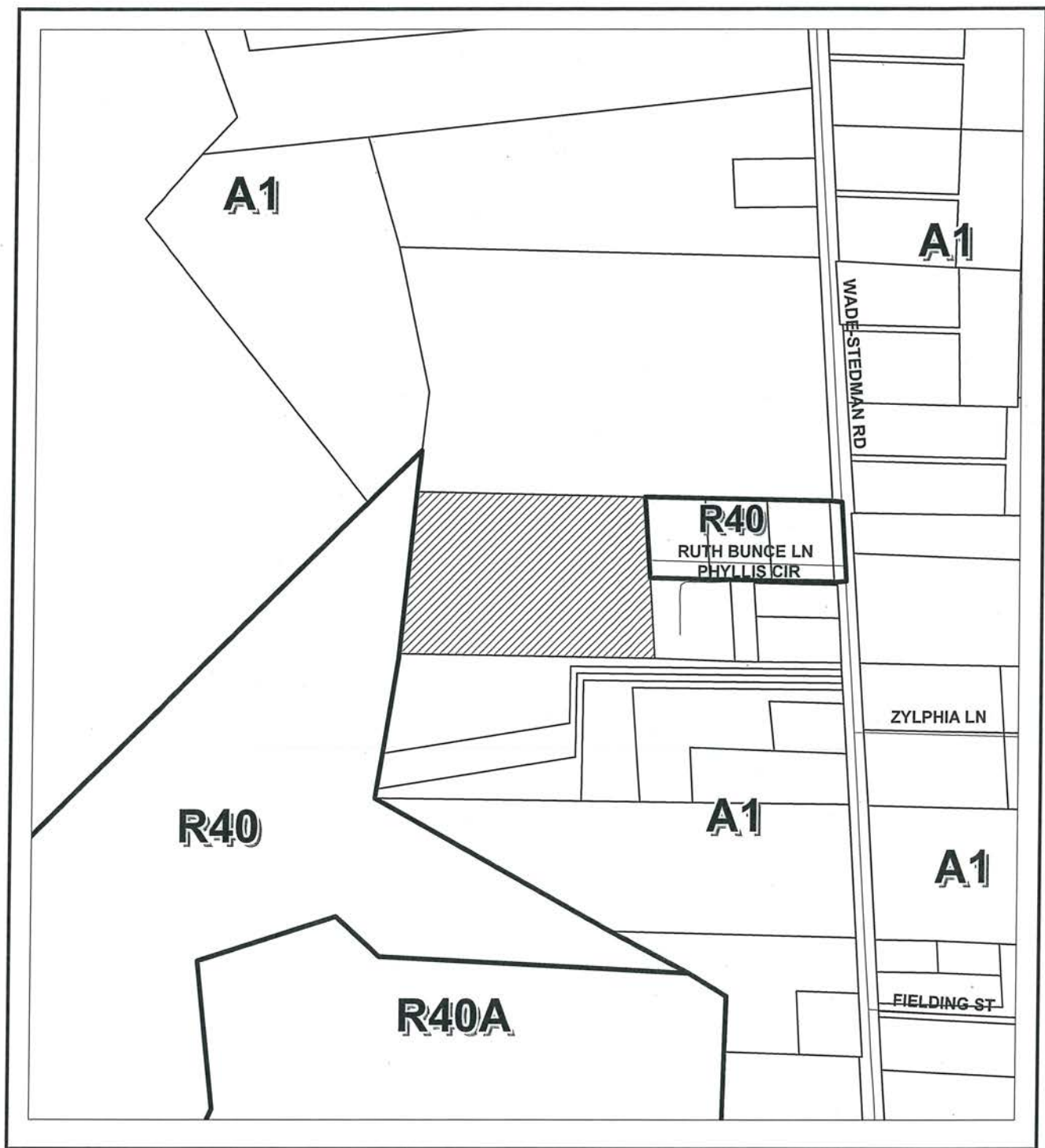
2. The location and character of the district is reasonable and will be in harmony with the surrounding area.

There are no other districts considered suitable for this request.

Mr. McLaurin made a motion to recommend the adoption and approval of the consistency and reasonableness statements and to approve R40 Residential district, seconded by Mrs. Wheatley. 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: 0488-83-3297

REQUESTED REZONING A1 TO R40

ACREAGE: 9.88 AC.+/-		HEARING NO: P13-38	
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
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NORTH CAROLINA

Planning & Inspections Department

Thomas J. Lloyd,
Director

Cecil P. Combs,
Deputy Director

Vikki Andrews,
Diane Wheatley,
Carl Manning,
Cumberland County

Benny Pearce,
Town of Eastover

Donovan McLaurin,
Wade, Falcon & Godwin

OCTOBER 11, 2013

ITEM NO. 3B

MEMO TO: Cumberland County Board of Commissioners

FROM: Cumberland County Joint Planning Board

SUBJECT: **Case P13-39:** Rezoning of 3.07+/- acres from R6A Residential to C2(P) Planned Service and Retail or to a more restrictive zoning district, located at 3857 Legion Road, submitted by Greg McLean on behalf of Trace Investments, LLC. (owner) and Michael J. Adams PLS.

ACTION: Members present at the September 17, 2013 meeting recommended following the staff recommendation to adopt and approve the reasonableness statement, find request consistent with LUP and approve C2(P)

SITE PROFILE: **Frontage & Location:** 200.00'+/- on SR 1132 (Legion Road); **Depth:** 711.00'+/-; **Jurisdiction:** Cumberland County; **Adjacent Property:** No; **Current Use:** Trade Contractor's office; **Initial Zoning:** R6A – November 17, 1975 (Area 4); **Nonconformities:** Yes, trade contractor activities not permitted in the R6A district, and if approved, residential structure will become non-conforming; **Zoning Violation(s):** Yes, Notice of Violation issued (ZN-225-2013); **Surrounding Zoning:** North: C(P), O&I(P), R10 & R6A; South: C3/CU (outside storage of plumbing supplies), C(P)/CU (motor vehicle repair & towing), M(P) (Hope Mills), C3, C1(P), R10, PND & R6A; East: R10; West: R6A/CU (allow recreational vehicle in manufactured home park), R10 & R6A; **Surrounding Land Use:** Residential (including manufactured dwellings & multi-family), lodge, religious worship, manufactured home parks (2), farm machinery sales, bar, motor vehicle repair, retailing & woodlands; **2030 Land Use Plan:** Urban; **Proposed Southwest Cumberland Land Use Plan:** Mixed use development; **Special Flood Hazard Area (SFHA):** None; **Water/Sewer Availability:** PWC/PWC; **Soil Limitations:** None; **School Capacity/Enrolled:** Baldwin Elementary: 790/745; South View Middle: 900/783; South View High: 1,800/1,791; **Subdivision/Site Plan:** If approved, new development will require review and approval; **Municipal Influence Area:** Town of Hope Mills; **Average Daily Traffic Count (2010):** 12,000 on SR 1132 (Legion Road); **Highway Plan:** Legion Road is identified in the Highway Plan as a Major Thoroughfare. This proposal calls for a multi-lane facility (U-2809) with a right-of-way of 100 feet. Road improvements have are included in the 2012-2018 MTIP; **Notes:** **Density (minus 15% for ROW):** R6A – 32 lots/units (27 lots/units) & 26 manufactured home spaces if a MHP; **Minimum Yard Setback Regulations:** **R6A:** Front yard: 25', Side yard: 10', Rear yard: 15'; **C2(P):** Front yard: 35', Side yard: 15', Rear yard: 20'.

MINUTES OF SEPTEMBER 17, 2013

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

1. The district requested is consistent with the 2030 Growth Vision Plan, which calls for "urban" at this location, as well as meeting the location criteria for "light commercial" development as listed in the Land Use Policies Plan; the request is also consistent with the proposed Southwest Cumberland Land Use Plan which calls for "mixed use" at this location;
2. The request is reasonable because SR 1132 (Legion Road) is a major thoroughfare that is planned as a multi-lane facility with a right-of-way of 100 feet and public utilities are available to this site; and
3. Consideration of the C2(P) Planned Service and Retail district for the subject property is reasonable because the request is comparable to development and rezonings within the general area.

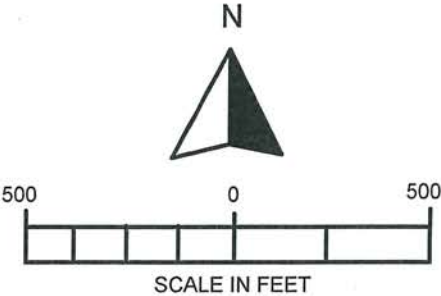
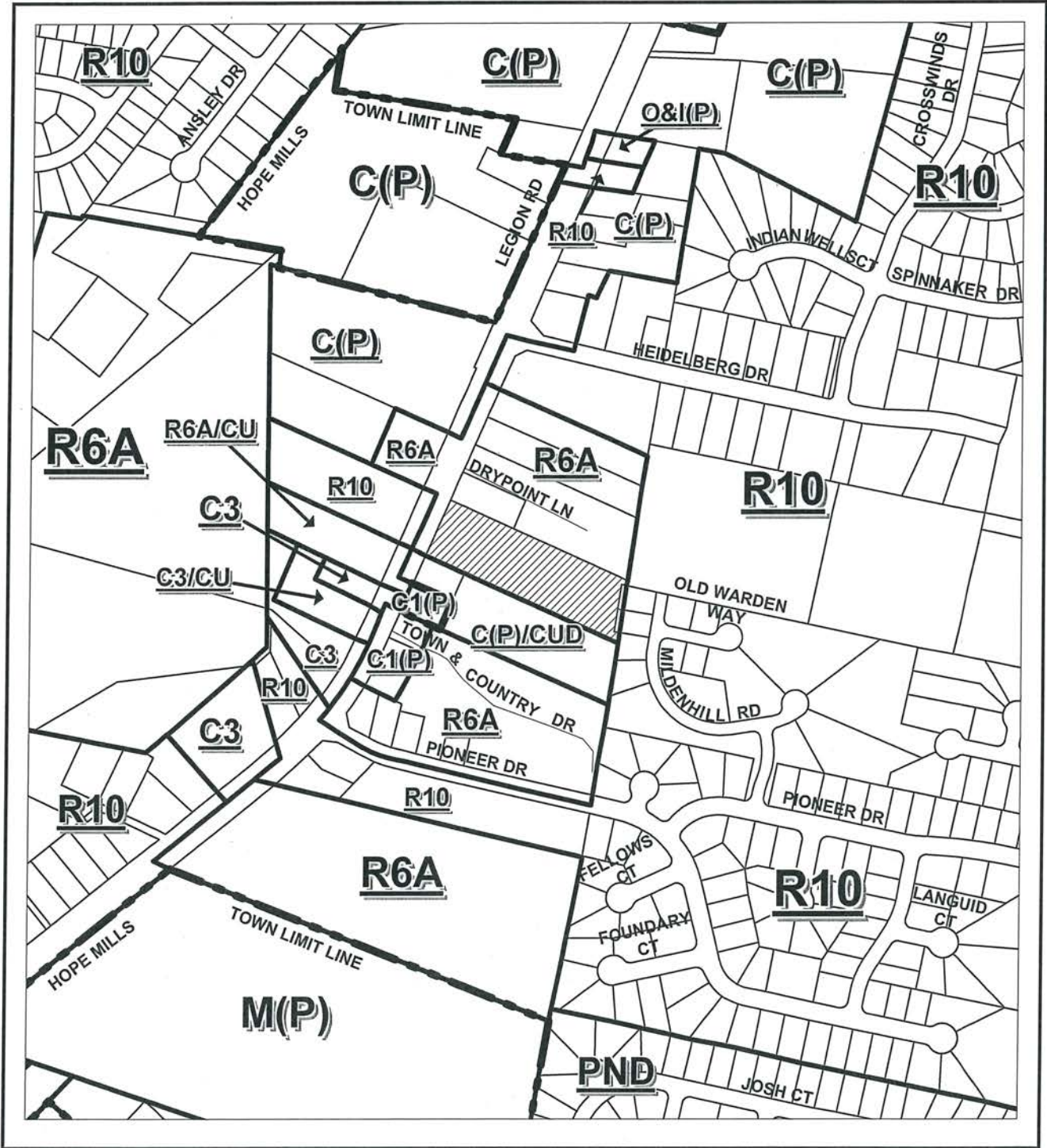
The C1(P) Planned Local Business district could also be considered suitable for this request.

Mr. McLaurin made a motion to recommend the adoption and approval of the consistency and reasonableness statements and to approve C2(P) Planned Service and Retail district, seconded by Mrs. Wheatley. 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.

NOTE: PARCEL IN AOD AREA



PIN: 0425-20-7546

REQUESTED REZONING R6A TO C2(P)

ACREAGE: 3.07 AC.+/-		HEARING NO: P13-39	
ORDINANCE: COUNTY		HEARING DATE	ACTION
STAFF RECOMMENDATION			
PLANNING BOARD			
GOVERNING BOARD			

8/28/2013
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



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Planning & Inspections Department

Thomas J. Lloyd,
Director

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Diane Wheatley,
Carl Manning,
Cumberland County

Benny Pearce,
Town of Eastover

Donovan McLaurin,
Wade, Falcon & Godwin

OCTOBER 11, 2013

ITEM NO. 3C

MEMO TO: Cumberland County Board of Commissioners

FROM: Cumberland County Joint Planning Board

SUBJECT: **Case P13-42:** Rezoning of 3.65+/- acres from R6A Residential to C(P) Planned Commercial or to a more restrictive zoning district; located on the southwest side of SR 1810 (Godwin Falcon Road), northwest of SR 1806 (Sherrill Baggett Road); submitted by Clifton L. Jr. and Josephine Turpin on behalf of Turpin Rentals LLC. (owner) and David R. Evans.

ACTION: Members present at the September 17, 2013 meeting recommended following the staff recommendation to adopt and approve the reasonableness statement, find request consistent with LUP and approve C(P)

SITE PROFILE: **Frontage & Location:** 321.88'+/- on SR 1810 Godwin Falcon Road; **Depth:** 422.60'+/-; **Jurisdiction:** Cumberland County; **Adjacent Property:** Yes, north of subject property; **Current Use:** Vacant woodlands; **Initial Zoning:** R6A – November 25, 1980 (Area 14); **Nonconformities:** None; **Zoning Violation(s):** None; **Surrounding Zoning:** North: C(P)/CZ (motor vehicle repair), C(P), R40, RR & A1; South & West: C(P) & A1; East: A1; **Surrounding Land Use:** Residential (including manufactured dwellings), farmland & woodlands; **2030 Growth Vision Plan:** Community Growth Area; **Vision Northeast Cumberland Plan:** Commercial; **Special Flood Hazard Area (SFHA):** None; **Water/Sewer Availability:** Falcon/Norcross; **Soil Limitations:** Yes, hydric – WO Woodington loamy sand; **School Capacity/Enrolled:** District 7 Elementary: 300/278; Mac Williams Middle: 1,270/1,229; Cape Fear High: 1,425/1,575; **Subdivision/Site Plan:** If approved, any new development will require review and approval; **Municipal Influence Area:** Town of Falcon; **Average Daily Traffic Count (2010):** 1,500 on SR 1810 (Godwin Falcon 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 (minus 15% for ROW): R6A – 39 lots/units (33 lots/units) & 29 manufactured home spaces if a MHP; Minimum Yard Setback Regulations: **R6A:** Front yard: 25', Side yard: 10', Rear yard: 15'; **C(P):** Front yard: 50', Side yard: 30', Rear yard: 30'.

MINUTES OF SEPTEMBER 17, 2013

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

1. The district requested is consistent with the 2030 Growth Vision Plan, which calls for "community growth area" at this location, as well as meeting the location criteria for "heavy commercial" development as listed in the Land Use Policies Plan; the request is also

consistent with the Vision Northeast Land Use Plan which calls for "commercial" at this location;

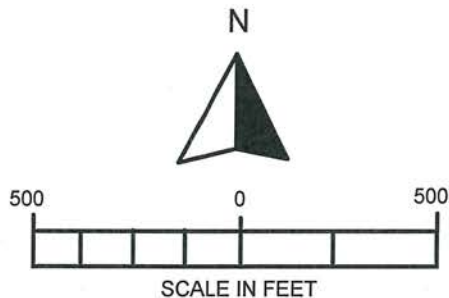
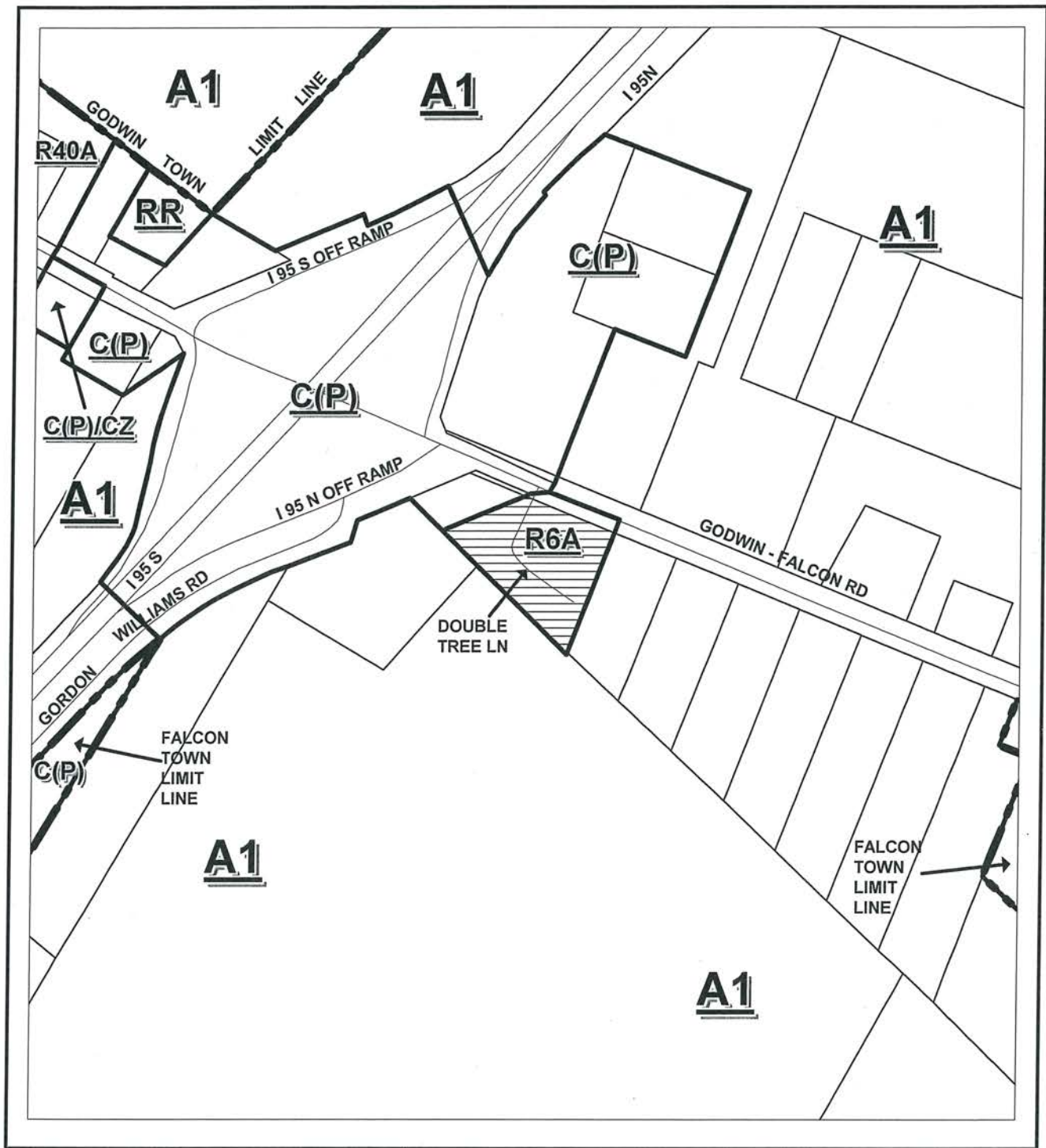
2. The location and character of the district will be in harmony with the surrounding area and is comparable with recent rezonings in the general area; and
3. The request is reasonable as public utilities are available to the subject property.

The C1(P) and C2(P) districts could also be considered suitable for this request.

Mr. McLaurin made a motion to recommend the adoption and approval of the consistency and reasonableness statements and to approve C(P) Planned Commercial district, seconded by Mrs. Wheatley. The motion passed with a unanimous vote with Mr. Morris abstaining from the 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: 0592-98-6596

REQUESTED REZONING R6A TO C(P)

ACREAGE: 3.65 AC.+/-

HEARING NO: P13-42

ORDINANCE: COUNTY

HEARING DATE

ACTION

STAFF RECOMMENDATION

PLANNING BOARD

GOVERNING BOARD

AM



ITEM NO. _____

3D

OFFICE OF THE COUNTY ATTORNEY

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

**MEMO FOR THE AGENDA OF THE OCTOBER 21, 2013
MEETING OF THE BOARD OF COMMISSIONERS**

TO: Bd. of Commissioners; Co. Manager; Tom Lloyd
FROM: Co. Atty. *R. Moorefield*
DATE: October 15, 2013
SUBJECT: Background Information for Case P13-45: Rezoning of 978.40+/- for the TigerSwan Firing Range

BACKGROUND:

The county attorney is providing this memo as background information with the hope that it will help the commissioners to understand why the rezoning is being requested. Case P13-45 is a rezoning application that is being considered by the Board of Commissioners for the first time. It is the first application for a rezoning for a firing range use under the amendment to regulate firing ranges that was adopted by the Board in June of this year. The history of the TigerSwan zoning permits follows:

THE FIRST PERMIT:

TigerSwan was issued the first permit for its shooting range on June 11, 2010. That permit was issued pursuant to the ordinance that was in effect at that time. Under that ordinance, if a use of land was not classified, it was prohibited. There was no classification for firing ranges in the ordinance. Under that ordinance, planning staff had consistently attempted to find a classification for every lawful use. That first permit was issued by staff by an interpretation of the ordinance language that the TigerSwan facility was a private school. That interpretation was supported by the former county attorney in 2009 when the application was received.

A group of county property owners challenged the issuance of the permit on the basis that TigerSwan was not a private school. The Superior Court ruled in favor of TigerSwan in that case. The Court of Appeals overturned the Superior Court and ruled that the TigerSwan facility was not a private school because the language in the county ordinance could only be interpreted as meaning that a private school must be an elementary or secondary school, which TigerSwan was not. The Court of Appeals did not address the issue of what TigerSwan was; however, the result was that TigerSwan's permit was not valid.

THE SECOND PERMIT:

In April, 2011, the Board of Commissioners adopted the Planning Board's recommendation to amend the zoning ordinance to make every use of land allowed as a use by right unless the use was specifically prohibited. This amendment was adopted in response to a zoning decision by the Court of Appeals that was totally unrelated to the TigerSwan case. The ordinance

amendment further required the Planning Director to apply the same standards to an unclassified use as were applied to the classified use which produced the most similar impacts to adjoining properties. This is the ordinance under which TigerSwan applied for its second zoning permit.

The Planning Director determined that the use most similar to TigerSwan's use was that of outdoor recreation for profit with mechanized vehicles. The Planning Director based his decision on his perception that the primary nature of the complaints in the first lawsuit was about noise generated by the firing range. The current county attorney supported, and still supports, the Planning Director's decision in issuing the second permit on this basis. The second permit was issued May 3, 2012.

The group of property owners appealed the Planning Director's decision to the Board of Adjustment. The Board of Adjustment upheld the Planning Director's decision. The group of property owners appealed the decision of the Board of Adjustment to the Superior Court. The Superior Court overruled the Board of Adjustment and ruled that the TigerSwan facility is a vocational school which is not permitted under the ordinance in an A1 zoning district. The Superior Court ordered the Board of Adjustment to revoke TigerSwan's permit. It is important to note that the Superior Court decided this second case under the ordinance that was in effect at the time the second permit was issued. The time for appealing this Superior Court decision to the Court of Appeals has not run. There are still two motions pending in this case that were heard October 10.

CASE P13-45:

The Board of Commissioners amended the ordinance in June to establish regulations for outdoor firing ranges. TigerSwan has applied for a third permit and the new regulations apply to that permit. The new ordinance applies conditional zoning to an outdoor firing range. This requires both the Planning Board and the Board of Commissioners to make a legislative rezoning decision which requires a public hearing. The Planning Board heard this case on October 1 and found that TigerSwan had provided a licensed engineer's certification that its facility fully complies with the regulations contained in the county ordinance. The Planning Board, with the consent of TigerSwan, imposed a condition controlling the hours of operation. The Planning Board voted to recommend approval of the permit with the condition controlling the hours of operation. That is now what is before the Board of Commissioners

RECOMMENDATION/PROPOSED ACTION:

The county attorney advises that the TigerSwan facility is an outdoor firing range within the definition contained in the current ordinance. The ordinance requires the engineer's certification because the county does not have staff resources to make that determination. The engineer's certification has been provided. TigerSwan consented to the additional condition requested by the Planning Board. The county attorney advises that under these circumstances, TigerSwan has complied with the county Zoning Ordinance and must be permitted.

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



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Cumberland County

Benny Pearce,
Town of Eastover

Donovan McLaurin,
Wade, Falcon & Godwin

OCTOBER 11, 2013

MEMO TO: Cumberland County Board of Commissioners

ITEM NO. 3D

FROM: Cumberland County Joint Planning Board

SUBJECT: **Case P13-45:** Rezoning of 978.40+/- acres from A1 Agricultural to A1/CZ Agricultural/Conditional Zoning district for an outdoor firing range and agricultural uses or to a more restrictive zoning district, located at 2850 Tigerswan Drive, submitted by D. Stewart Precythe on behalf of Precythe Properties, LLC. (owner) and Steven M. Swierkowski on behalf of TigerSwan, Inc.

ACTION: Members present at the October 1, 2013 meeting recommended following the staff recommendation to adopt and approve the reasonableness statement, find request consistent with LUP and approve A1/CZ for outdoor firing range and agricultural uses with conditions with added condition concerning operating hours

SITE PROFILE: **Frontage & Location:** 20.00'+/- on SR 2053 (Doe Hill Road); **Depth:** 13,100.00'+/-; **Jurisdiction:** Cumberland County; **Adjacent Property:** Yes, northeast of subject property; **Current Use:** Range complex, woodlands, and farmlands; **Initial Zoning:** A1 – September 3, 1996 (Area 21); **Nonconformities:** None; **Zoning Violation(s):** None; **Surrounding Zoning:** North: R40A, RR & A1; South: A1; East: C3 & A1; West: A1/CU (to allow a professional office) & A1; **Surrounding Land Use:** Residential (including manufactured dwellings), hog farm, agricultural uses, farmland & woodland; **2030 Land Use Plan:** Rural; **Special Flood Hazard Area (SFHA):** None; **Wetlands:** Yes; **Water/Sewer Availability:** Well/Septic; **Soil Limitations:** Yes, hydric – CT Croatan muck, LE Leon sand, PA Pactolus loamy sandy, RA Rains sandy loam & TR Torhunta and Lynn Haven soils; **School Capacity/Enrolled:** Stedman Primary: 200/163; Stedman Elementary: 300/298; Mac Williams Middle: 1,270/1,163; Cape Fear High: 1,425/1,570; **Subdivision/Site Plan:** If approved, "Ordinance Related Conditions" apply; **Average Daily Traffic Count (2010):** 1,600 on NC HWY 210 S; **Highway Plan:** There are no road improvements/constructions specified for this area. This case has no impact on the current Highway Plan or Transportation Improvement Program; **Note:** Minimum Yard Setback Regulations: **A1:** Front yard: 50', Side yard: 20', Rear yard: 50', 180' setback from all shooting stations pursuant to Section 907.1.C.

MINUTES OF OCTOBER 1, 2013

Vice-Chair Hall opened the public hearing.

Mr. Lloyd stated that the Planning & Inspections Staff recommends approval of the requested rezoning to A1Agricultural/CZ Conditional Zoning district for an outdoor firing range and agricultural uses based on the following:

1. The request for A1 Agricultural and the use as an outdoor firing range coupled with the continued farming of the subject property is consistent with the 2030 Growth Vision Plan and Growth Strategy Map, which designates the area where the subject property is located as "rural" with a stated policy of *"Premature conversion of rural areas to urban level development and the resulting loss of valuable farmland and open space is to be discouraged"* - also an often stated desire of property owners in the rural areas of the County- the outdoor firing range will aid in ensuring this goal is accomplished. Note: Bona fide farms are not subject to zoning provisions; however, *agricultural* use is listed only because it is the predominate use of the subject property.
2. The request is also consistent with the mandated location criteria for "agricultural" as listed in the Land Use Policies Plan of the 2030 Growth Vision Plan, which requires the subject property to be located outside the Sewer Service Area and be an existing farm or agricultural operation;
3. The specific requested use of an outdoor firing range, evidenced by the application, site plan and supplemental documents, along with the attached Ordinance Related Conditions is reasonable as all of the provisions listed in the text amendment approved by the County Commissioners on June 17, 2013, including all other zoning ordinance standards, for outdoor firing ranges is met or exceeded;
4. If developed according to the recommended plan, the use will not materially endanger the public health or safety if located according to the plan submitted and recommended as it is designed and constructed to be consistent with the safety guidelines of the US Department of Energy's *Range Design Criteria* as documented by a licensed professional engineer and included with the application;
5. The range complex will not materially endanger the public health, safety or welfare if operated and located according to the plan submitted, subject to the ordinance related conditions, and is in harmony with the area in which it is to be located.

There are no other zoning districts suitable related to this request. The property owner and applicant have verbally agreed to the Ordinance Related Conditions.

Mr. Lloyd reminded the Board that they have always gone along with what the particular municipalities have wanted in various cases, and have always upheld the wishes of the Town. The ordinance amendment went to the Board of Commissioners' and they said what conditions they wanted met and the areas they wanted this use located in light of that, the Board should respect the wishes of the County.

Charles Meeker spoke on behalf of TigerSwan Inc., 150 Fayetteville St., Raleigh, NC. Mr. Meeker stated that the application presented by TigerSwan complies in all respects with the text amendment passed by the County Commissioners' last June. This site is 978 acres, almost five times the size the amendment requires. The location is very remote and away from everything. It is the perfect location for this kind of use in the County. Noise is not a problem, shooting is inside the fifteen foot berms and when you are up to a mile away the noise is not a problem. There have been no noise violations against TigerSwan. Helicopters are not permitted by this conditional use zoning, they are not out there now nor are there any plans to have them out there in the future. The rumors about helicopters are not true. Firing ranges are needed by law enforcement, military and recreational shooters as a place to fire their guns. It's a place where you can improve your skill. This kind of use is a legitimate use in Cumberland County.

Gordon Rose of 7933 McArthur Ct., Linden NC, spoke in favor. Mr. Rose stated that he was responsible in assisting TigerSwan with the layout of the firing ranges that are depicted on the plan. Mr. Rose stated that the plan meets the criteria in the County's ordinance, specifically;

Section 907.1 Firing Ranges Outdoor Part A, it does comply with the range design criteria from the US Department of Energy, and they comply with all of the requirements of the EPA manual.

Mr. McLaurin asked Mr. Rose about the drop zone that was depicted on the site plan.

Mr. Rose said that was in the initial site plan that was done some time ago, where someone could parachute into there.

Mr. McLaurin said so they wouldn't be rappelling in from a helicopter? But there might be people parachuting in from airplanes?

Mr. Rose said that was his understanding.

Steven Swierkowski of 6812 Munsford Dr. Fayetteville, NC, spoke in favor. Mr. Swierkowski answered Mr. McLaurin's questions about the drop zone, he said that the drop zones are there in the event there is a jump which would not involve a helicopter landing or a plane landing on the range. We know that we would have to come back before the board if we wanted to do that. Mr. Swierkowski went on to give some background information on himself, and stated that he had a large role in the design and building of ranges at Egland Air Force Base, he also oversaw firing ranges on eleven different army installations before his retirement from the military. Mr. Swierkowski went on to say that TigerSwan complies with all of the safety standards that were used in the military which are more stringent than the Department of Energy.

Scott Manning of 6313 Faircloth Bridge Rd., Stedman, NC, spoke in favor. Mr. Manning stated that he was the president of Stedman Gun Club. Mr. Manning asked the board to approve the request for rezoning. Mr. Manning's club uses the ranges at TigerSwan for recreational shooting. TigerSwan offered their facility to the Stedman Gun Club which gave them a solution to what was denied them when they applied for rezoning to set up a range of one hundred and thirty acres. Mr. Manning stated that the TigerSwan facilities exceed the ordinance requirements in safety and reduced noise complaints because they are located two miles off the road, encompassing almost one thousand acres. It is not in someone's back yard or in a residential community. TigerSwan is a facility that trains our military and law enforcement officers who have pledged to protect and serve this County, State, and Nation.

Bishop Patricia Simmons of 705 Doe Hill Rd., Fayetteville, NC, spoke in favor. Bishop Simmons stated that her church is a neighbor to the TigerSwan facility and has not had a problem with noise. Her church holds several services during the week and the noise is not a problem. TigerSwan is very supportive of the church, they help to feed two hundred and fifty families a month, they support the community center and thanks to TigerSwan they now have a children's playground. Bishop Simmons stated that the church is right next to the TigerSwan facility, closer than any family in the community, and they can barely hear the shooting. The church is thankful to TigerSwan for their support.

Mr. James Reese, 2847 Tiger Swan Rd., Autryville, NC, spoke in favor. Mr. Reese is the CEO and owner of TigerSwan. Mr. Reese gave a little background on how TigerSwan came to be and how they wanted to give back to the community with what they learned during their time in the military. They wanted to provide the County with a premier firing range on the east coast and the County asked them to stay in the County and they have followed every requirement that was put before them and did everything that was asked of them. Mr. Reese stated that this range is for the County, they allow law enforcement to come out and shoot for free, to be good stewards and neighbors. Mr. Reese stated that they are not a school, they are a firing range and they are proud of that. They have invested two million dollars so far, and have another twelve million to invest, thirty more jobs, but won't do it because they don't want to sit in court while trying to do this.

Mr. McLaurin asked Mr. Reese if they have more money to spend if the activity would increase.

Mr. Reese said not necessarily right now, because we are at a loss right now.

Ms. Robin Currin spoke in opposition. Ms. Currin said she represents a group of neighbors who have opposed this facility for three years. Ms. Currin stated that they have been to court twice, the County decision was this was a permitted use, TigerSwan said this was a permitted use and it went to the Supreme Court and the decision was reversed. Then the ordinance was changed and they were given a permit to operate and they went to court again and won. They have been an illegal use. The court has said they are a vocational school, not a firing range. Ms. Currin asked why they don't wait until there is a final decision from the court. It is the opposition's belief that they are operating illegally. Ms. Currin provided the Board with a packet of statements and affidavits about the noise and dangers from people who live in the area.

Mr. Lloyd said that the court case is based on a Board of Adjustment case that did not consider the definition of firing range so the issue in the court case wasn't whether this was a firing range or not, but it was a challenge to the Board of Adjustment case, they didn't consider this ordinance amendment. This amendment was adopted after the Board of Adjustment meeting, seeing we needed to define firing range, and TigerSwan falls within the definition that was adopted by the Commissioners'.

Ms. Currin stated that they disagree that TigerSwan falls under that definition.

Mr. Moorefield stated for clarification that the ordinance amendment just went into effect in June of this year. The case Ms. Currin was referring to was based on an interpretation of the ordinance as it existed in 2011. The way the ordinance now reads is that if firing range is in the use that would be the principal use.

Mr. Franz Lohr of 5005 White Pond Dr., Stedman, NC, spoke in opposition. Mr. Lohr stated that he has lived in the County for fifty-one years, and was present to support his friends and neighbors. Mr. Lohr said that the noise from TigerSwan is unbelievable and should be an indoor facility.

Mr. Walter Morman Jr. of 4902 Cedar Creek Rd., spoke in opposition. Mr. Morman stated that he supported the idea of the county providing for outdoor recreation, specifically for range facilities. The use of the facility is what's in question, there's no doubt that there is a firing range, but what else is there is what we have a question about. They are conducting military training, what they have done was move Ft. Bragg from west Cumberland County to east Cumberland County. Mr. Morman stated that he felt that this was the wrong activity for those who live in the area. Mr. Morman said that the hours of operation, level of intensity, and air traffic are not addressed in the application, and Mr. Morman stated that he's got C130's flying over his house. Mr. Morman asked the board to seriously consider some of the conditions.

Mr. Walter Morman of 209 Ellington St., Fayetteville, NC, but owns property on Cedar Creek and stays out there frequently, spoke in opposition. Mr. Morman stated that he can hear the activity at TigerSwan, his property is about four to five miles away. Mr. Morman asked the board to make this as restrictive as possible.

Mr. Kevin West of 4656 Cedar Creek Rd., spoke in opposition. Mr. West stated that he owned a large parcel of land next to TigerSwan, he asked all of the people in the audience that he was there representing to stand. Mr. West stated that their concerns were safety, surface danger zone, noise concerns, regulatory enforcement, and the effects of this on their ever day lives and quality of life. Mr. West feels that the elected officials should look out for the residents of the county.

Mr. Charles Meeker spoke in rebuttal. Mr. Meeker stated that permits were issued to TigerSwan under the ordinances prior to the June text amendment. The court cases do not deal with the most recent amendment. In terms of the noise, you can barely hear any sounds from the street;

the C-130's in the area have nothing to do with TigerSwan. A small piece of the property is actually being used for shooting. Mr. Meeker said that this conditional zoning request meets the requirements of the text amendment approved in June 2013.

Ms. Currin spoke in rebuttal. Ms. Currin stated that this case falls under the interpretation that was before the court whether this falls under the definition of a vocational school that has not changed. With respect to noise the people present hear the noise every single day. This is one range that is operating right now and they want to increase it to seven, there's no telling what the noise will be like then. The use is not in harmony with the current zoning, agricultural district is intended for agricultural uses.

Public hearing closed.

Mr. McLaurin asked Mr. Meeker about an article in the Fayetteville Observer where Mr. Reese was quoted as saying he would increase spending at TigerSwan and increase volume and also said that there was going to be a mock village. What is the mock village for?

Mr. Meeker said that would be something Mr. Reese would need to address.

Mr. Reese stated that the mock village is already there and has been for three years. It's a range that law enforcement uses to train for situations with active shooters.

Mr. Morris asked Mr. Rose if fifty caliber projectiles were being expended.

Mr. Rose stated that his understanding is no, the largest bullet that they have used on the range is the 556 M190, that is what the surface danger zones are based on.

Mr. McLaurin asked Mr. Rose if he did the work on the Hope Mills Dam.

Mr. Rose stated that he was a part of the firm that worked on the dam.

Mr. Morris asked Mr. Lloyd if there was any reason why the hours of operation had not been addressed on the application.

Mr. Lloyd stated that they didn't have to be addressed.

Mr. Morris asked Mr. Meeker if he could address the hours of operation.

Mr. Meeker stated that they operated during daylight hours, occasionally there is night shooting but it stops by 10 pm., and the night shooting is only a few times a month.

Mr. Swierkowski stated that the hours of operation are from 8 am to 10 pm. Monday through Thursday, and the community is notified when we will be doing night shooting.

Mr. McLaurin stated that A1 is for agricultural uses and this seems to be more than a shooting range. Mr. McLaurin made a motion to deny the request. The motion failed due to the lack of a second.

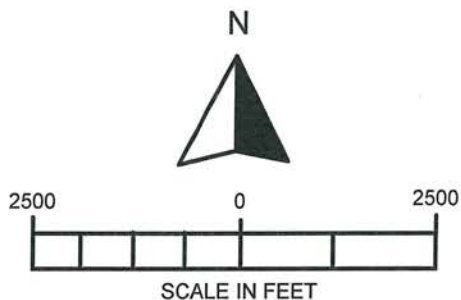
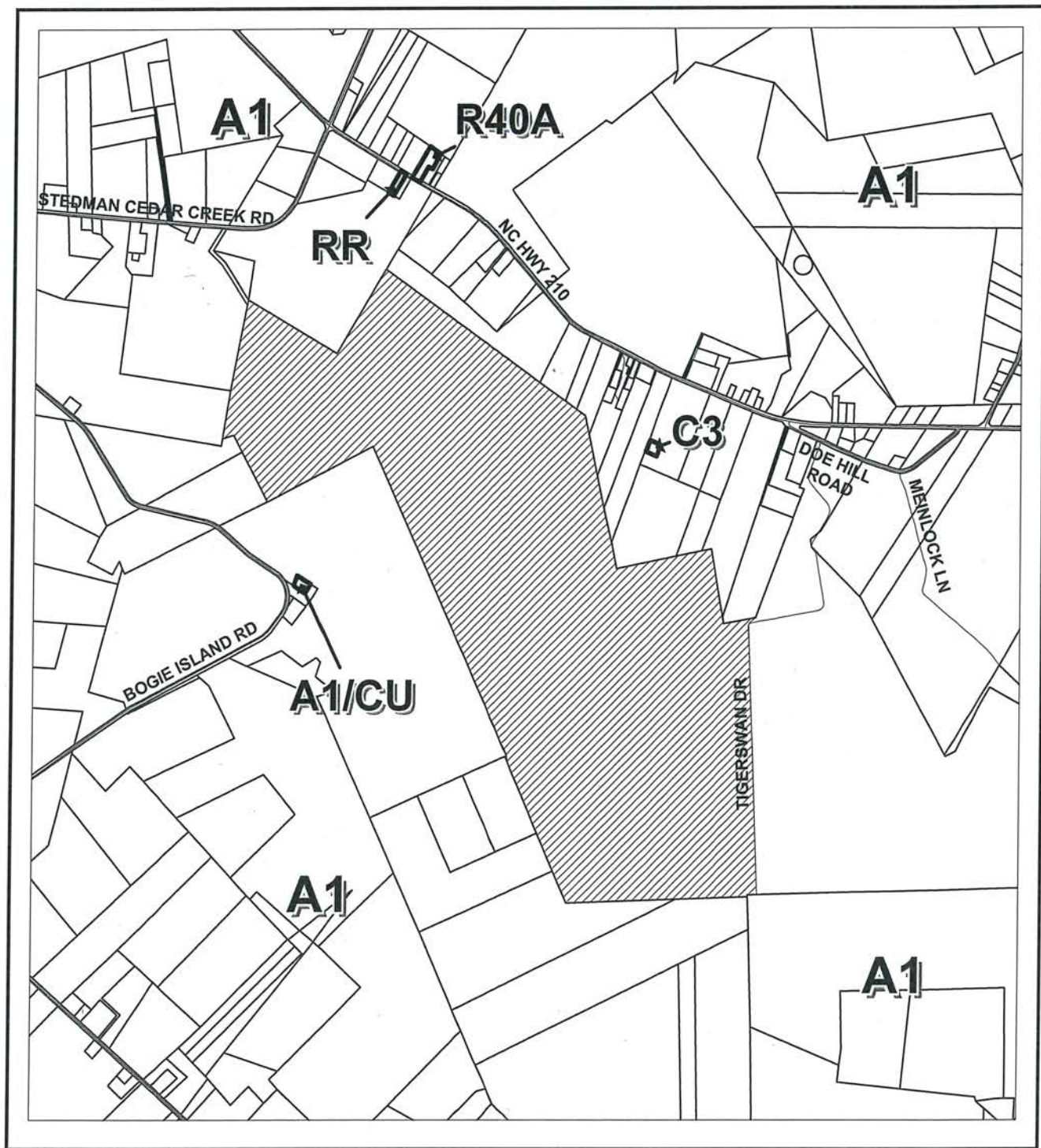
Mr. Morris asked if the applicants would consider reasonable hours of operation.

Mr. Meeker said that the current hours they request, the night shooting can be after dark up to 10 pm. Mr. Meeker said they could agree to hours from 8 am to 10 pm with no more than five shoots after dark per month.

Mr. Morris made a motion to adopt and approve the reasonableness statement, finds the request consistent with LUP and approves A1/CZ for outdoor firing range and agricultural uses with conditions and to approve with the condition of Normal (daylight) range operations shall only be conducted between the hours of 8:00 am to 5:00 pm. In addition, on no more than five days each calendar month, the hours will extend to 10:00 pm for conducting night fire operations, provided that public notice is given of the extended hours at least 12 hours in advance. The form by which public notice is provided shall be approved by the Planning Director. Under no circumstances, shall range operations be conducted after 10:00 pm., the motion was seconded by Mr. Manning. The motion passed with Mr. McLaurin 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.



PORT. OF PIN: 0493-04-5262

REQUESTED REZONING A1 TO A1/CZ

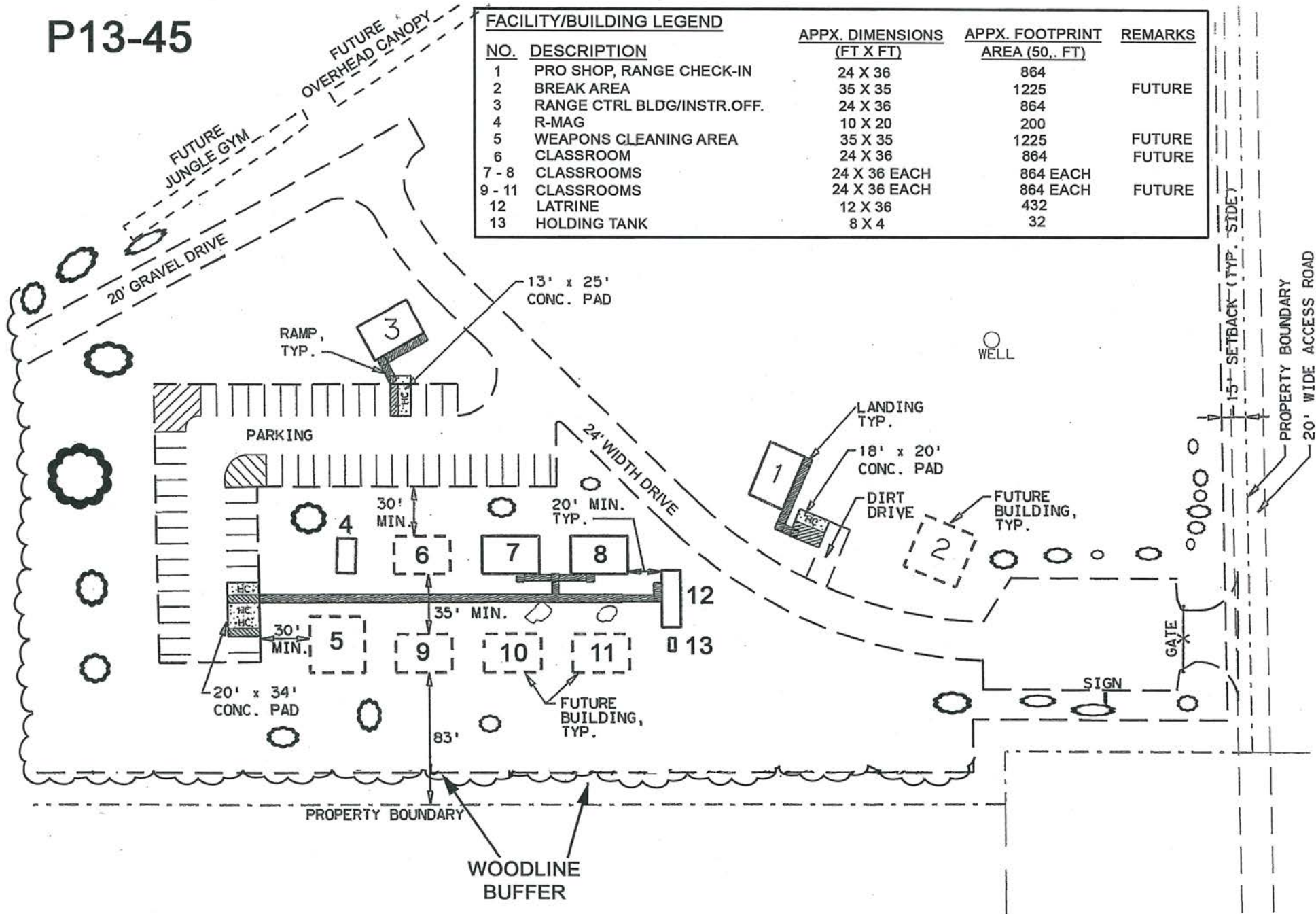
ACREAGE: 978.40 AC.+/-		HEARING NO: P13-45	
ORDINANCE: COUNTY		HEARING DATE	ACTION
STAFF RECOMMENDATION			
PLANNING BOARD			
GOVERNING BOARD			

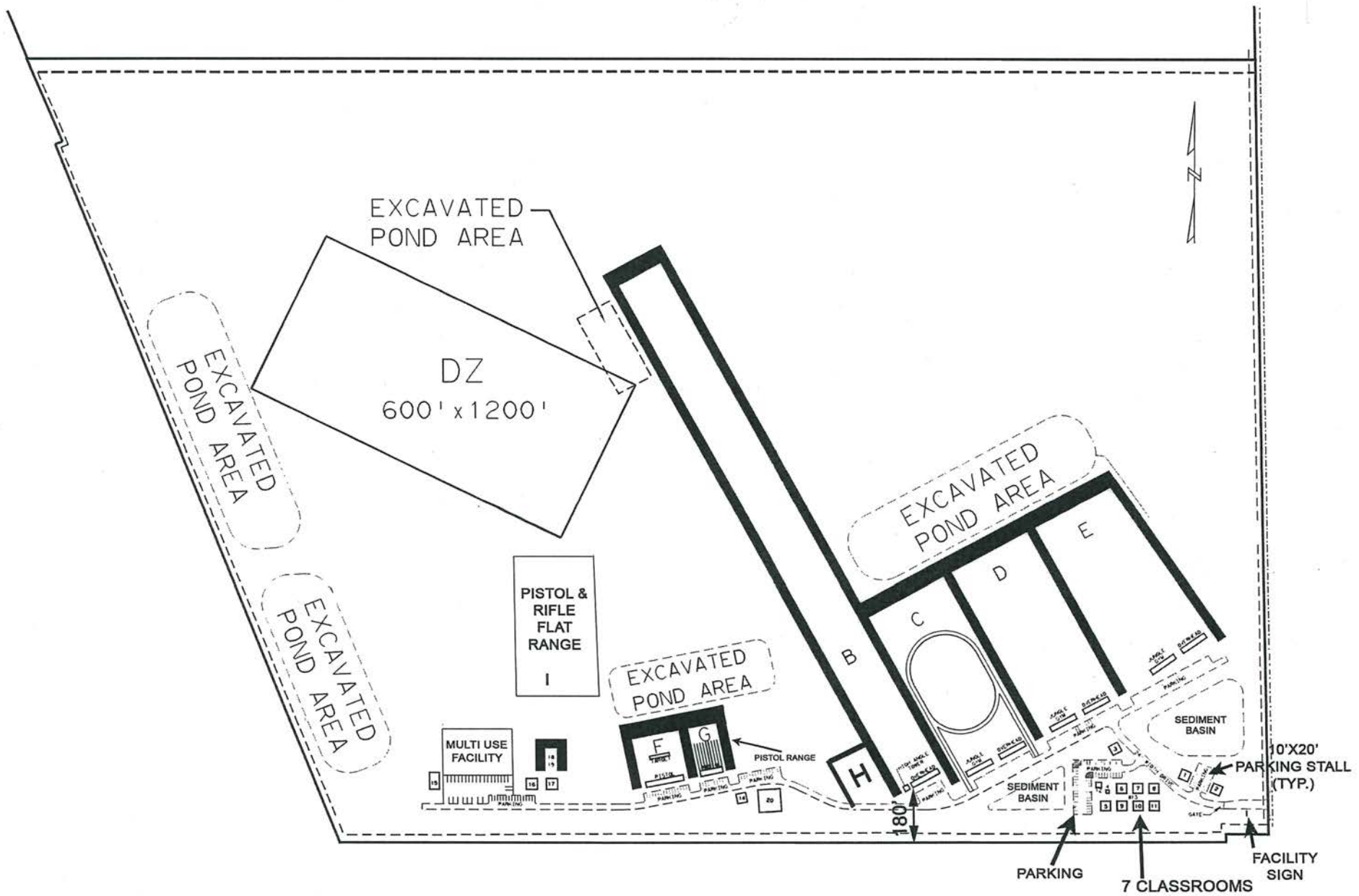
9/26/2013
AM

P13-45

FACILITY/BUILDING LEGEND

NO.	DESCRIPTION	APPX. DIMENSIONS (FT X FT)	APPX. FOOTPRINT AREA (50. FT)	REMARKS
1	PRO SHOP, RANGE CHECK-IN	24 X 36	864	
2	BREAK AREA	35 X 35	1225	FUTURE
3	RANGE CTRL BLDG/INSTR.OFF.	24 X 36	864	
4	R-MAG	10 X 20	200	
5	WEAPONS CLEANING AREA	35 X 35	1225	FUTURE
6	CLASSROOM	24 X 36	864	FUTURE
7-8	CLASSROOMS	24 X 36 EACH	864 EACH	
9-11	CLASSROOMS	24 X 36 EACH	864 EACH	FUTURE
12	LATRINE	12 X 36	432	
13	HOLDING TANK	8 X 4	32	



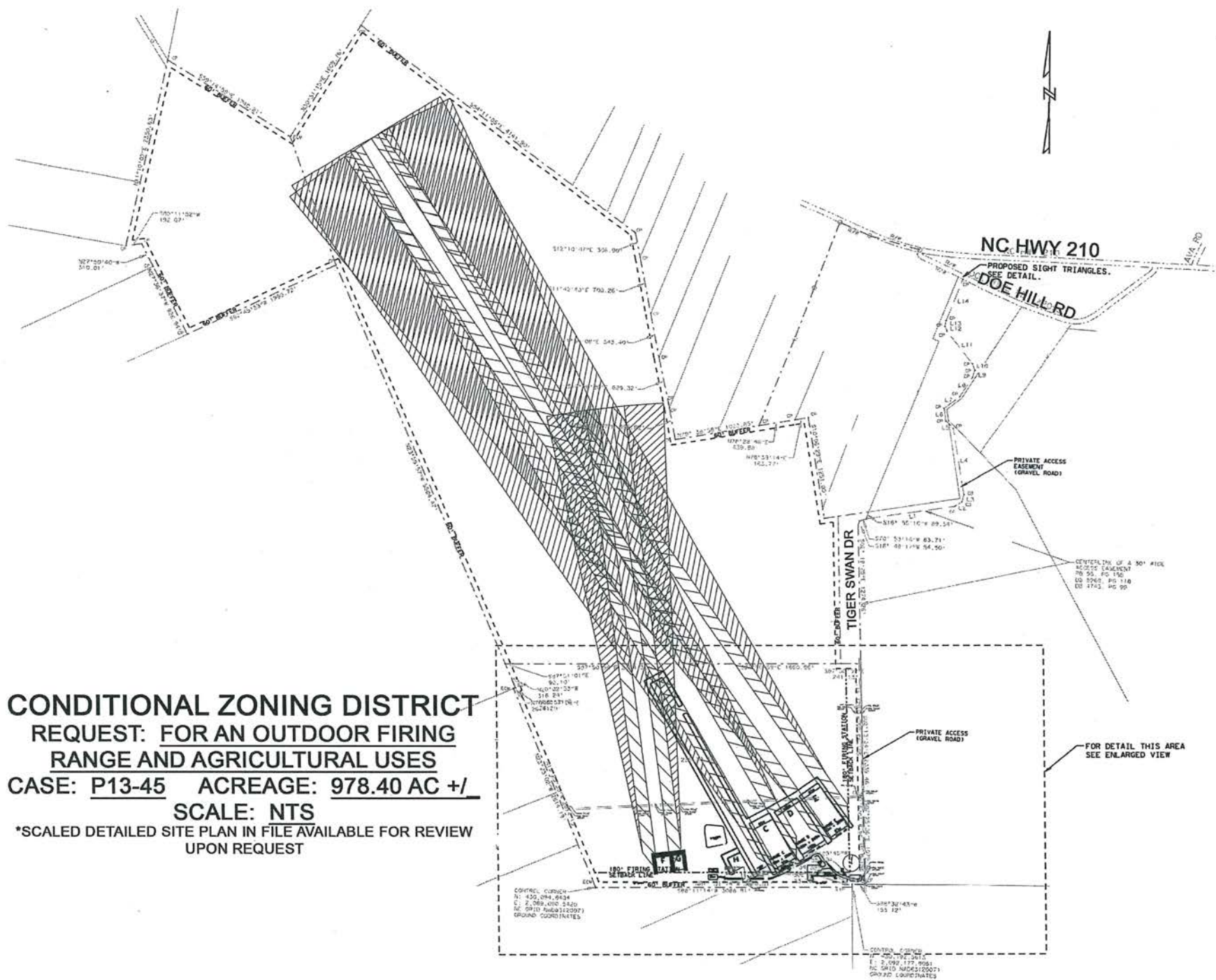


CASE NO: P13-45

SCALE: NTS

**CONDITIONAL ZONING DISTRICT
REQUEST: FOR AN OUTDOOR FIRING
RANGE AND AGRICULTURAL USES
CASE: P13-45 ACREAGE: 978.40 AC +/-
SCALE: NTS**

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



A1 AGRICULTURAL/CZ CONDITIONAL ZONING DISTRICT
(Outdoor Firing Range and Agricultural Uses)

DRAFT

Ordinance Related Conditions for Outdoor Firing Range

Pre- Permit Related:

1. Prior to any permits being issued, the developer/operator of the firing range shall provide to Code Enforcement documentation of a recorded deed or lease of the subject property in accordance with Section 907.1.B, Firing Ranges, Outdoor, County Zoning Ordinance.

Permit-Related:

2. The owner/developer(s) of these lots must obtain detailed instructions on provisions of the County Zoning Ordinance and permits required to place any structure within this development from the County Code Enforcement Section, Room 101 in the Historic Courthouse at 130 Gillespie Street. For additional information, the developer should contact a Code Enforcement Officer.
3. 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 and Development Ordinance)
4. The developer must provide a site-specific address and tax parcel number at the time of building/zoning permit application.
5. New development where the developer will disturb or intends to disturb more than one acre of land is subject to the Post-Construction Stormwater Management Permitting Program (Phase II Stormwater Management Requirements) administered by the Division of Water Quality, North Carolina Department of Environment and Natural Resources. If one acre or more of land is to be disturbed, prior to the issuance of any building/zoning permits for this site, a copy of the State's *Post-Construction Permit* must be provided to County Code Enforcement.
6. For any new development where the developer disturbs or intends to disturb more than one acre of land, the developer must provide the Code Enforcement Section with an approved NC Department of Environment and Natural Resources (NCDENR) sedimentation and erosion control plan (S&E) prior to any application for permits. (Note: If any retention/detention basins are required for state approval of this plan, then three copies of a revised plan must be submitted and approved by Planning & Inspections prior to application for any building/zoning permits.) A copy of the NCDENR approval must be provided to Code Enforcement at the time of application for any building/zoning permits.
7. Landscaping must be provided in accordance with Section 1102 N, Landscaping, County Zoning Ordinance. The following are the minimum standards for the required landscaping of this site:
 - Twelve large shade trees or 24 small ornamental trees are required within the parking area.

In addition:

- a. Required plant materials shall be maintained by the property owner, including replacing dead or unhealthy trees and shrubs;
- b. All yard and planting areas shall be maintained in a neat, orderly, and presentable manner and kept free of weeds and debris; and
- c. The required plantings may be phased in as the off-street parking areas are provided.

8. Prior to application for final inspection, the developer/operator of the firing range facility is required to 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 in accordance with Section 907.1.G, Firing Ranges, Outdoor, County Zoning Ordinance and is in compliance with the Best Management Practices, specifically relating to lead management, as specified by the EPA's most current edition of *Best Management Practices for Lead at Outdoor Shooting Ranges*.
9. Prior to final inspection, the developer/firing range operator must provide to Code Enforcement proof of general liability insurance coverage in an amount not less than \$3,000,000.00 and this policy is required to be maintained throughout the continued operation of the facility. This policy cannot exclude coverage for property damage or personal injury caused by the discharge of firearms.
10. A review of the data available to the Army Corp of Engineers indicates that jurisdictional waters are likely to be present on this property and therefore are likely to be impacted by the proposed project. However, without an official Jurisdictional Determination at the property, these findings cannot be confirmed.

A permit will be required for this project if construction will involve the temporary and/or permanent placement of fill in waters of the United States including wetlands. If a permit is required, the applicant will be required to avoid and minimize impacts to wetland/waters of the United States and may need to provide compensatory mitigation for unavoidable impacts.

11. The final inspection cannot be accomplished until a Code Enforcement Officer inspects the site and certifies that the site is developed in accordance with the approved plans.

Site-Related:

12. All uses, dimensions, setbacks and other related provisions of the County Subdivision and Development Ordinance and Zoning Ordinances for the A1/CZ zoning district must be complied with, as applicable.
13. This conditional approval is not approval of the permit for any freestanding signs. Attached signage for this development must be in accordance with the applicable sign regulations as set forth in Article XIII of the County Zoning Ordinance and that the proper permit(s) must be obtained prior to the installation of any permanent signs on the property. (Note: This conditional approval is **not** approval of the size, shape, or location of any signs.)
14. For new development, all utilities, except for 25kv or greater electrical lines, must be located underground. (Section 2306 C, County Subdivision and Development Ordinance)
15. All lighting is required to be directed internally within this development and comply with the provisions of Section 1102 M, Outdoor Lighting, County Zoning Ordinance.
16. A 60 foot wide buffer area, undisturbed except for desired fence installation and vegetative plantings, shall be provided around the entire perimeter of the subject property (Section 907.1.D, Firing Range, Outdoor, County Zoning Ordinance).
17. All dumpster, garbage, and utility areas shall be located on concrete pads and screened on a minimum of three sides.
18. All required off-street parking spaces shall be a minimum of 9' x 20'; a minimum of one off-street parking space for each four persons in design capacity for the firing range is required for this development

(Note: Under the current site plan showing 244 off-street parking spaces this will allow for a capacity of 976 persons for zoning purposes. The owner/developer should contact the County Fire Marshal to determine maximum capacity of this development).
19. Compliance with all other applicable Federal, State and local regulations, to include the County's Noise regulations (Chapter 9.5, Article II, Cumberland County Code of Ordinances) is required.
20. This conditional approval is not approval of the use of helicopters or other aircraft at this facility. "Minor airport operations" would require re-submittal of the Conditional Zoning application petitioning the County Commissioners to amend the current approval prior to commencement of any air traffic activity.

21. Control measures are required to be provided on the site to ensure that the potential for rounds/munitions leaving the site are negated.
22. Full compliance with the Firearms Regulations (Chapter 9.5, Article IX, Cumberland County Code of Ordinances) is required as applicable.
23. The developer/operator of the firing range shall not allow unauthorized personnel access to the to the range while firearms are being discharged in accordance with Section 907.1.F, Firing Ranges, Outdoor, County Zoning Ordinance.
24. The developer is encouraged to post warning signs approximately every 100 feet around the perimeter of the site to put potential unintended trespassers on notice of the ranges.
25. 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.
26. At the October 1, 2013 Planning Board meeting, the applicants agreed that normal (daylight) range operations shall only be conducted between the hours of 8:00 am to 5:00 pm. In addition, on no more than five days each calendar month, the hours will extend to 10:00 pm for conducting night fire operations, provided that public notice is given of the extended hours at least 12 hours in advance. The form by which public notice is provided shall be approved by the Planning Director. Under no circumstances, shall range operations be conducted after 10:00 pm.

Thank you for choosing 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
Fire Marshal – Emergency Services	Rodney Ward	321-6625
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

cc: Gordon Rose, CallSign Engineers

**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 TigerSwan, Inc.
 2. Address: 3452 Apex Parkway Zip Code 27502
 3. Telephone: (Home) (910) 208-4117 (Work) (919) 397-2525
 4. Location of Property: 2850 TigerSwan Drive
Antyville, NC 28318
 5. Parcel Identification Number (PIN #) of subject property: 0493-04-5262
(also known as Tax ID Number or Property Tax ID)
 6. Acreage: 978.4 +/- Frontage: Varied Depth: 2 miles (approx)
 7. Water Provider: Well water
 8. Septage Provider: Private septic
 9. Deed Book 8983, Page(s) 374, Cumberland County Registry. (Attach copy of deed of subject property as it appears in Registry).
 10. Existing use of property: Firing Range and Agricultural
 11. Proposed use(s) of the property: Firing range with instruction,
incidental buildings and agriculture.
- NOTE: Be specific and list all intended uses.**

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

TO: (Select one)

- ☒ Conditional Zoning District, with an underlying zoning district of A1C2
(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.)

*Outdoor firing range with instruction, incidental buildings
and agriculture.*

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

N/A

2. DIMENSIONAL REQUIREMENTS:

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

See site plan.

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

See site plan.

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.**

see site plan.

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

see site plan

5. MISCELLANEOUS:

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

6. SITE PLAN REQUIREMENTS:

The application 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.

7. STATEMENT OF ACKNOWLEDGMENT:

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

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

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

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

I further understand I must voluntarily agree to all ordinance related prior to the first hearing on the case. The undersigned hereby acknowledge that the Planning and Inspections Staff has conferred with the petitioner or assigns, and the application as submitted is accurate and correct.

David Stewart Precythe
NAME OF OWNER(S) (PRINT OR TYPE)

PO Box 130, Faison, NC 28341
ADDRESS OF OWNER(S)

Sterling@Southern-Produce.com
E-MAIL

910.590.9500 910.267.0011
HOME TELEPHONE WORK TELEPHONE

[Signature] [Signature]
SIGNATURE OF OWNER(S) SIGNATURE OF OWNER(S)

✓ Steven M. Swierkowski
 NAME OF AGENT, ATTORNEY, APPLICANT (by assign) (PRINT OR TYPE)
2850 Tigersum Drive, Antyville, NC 28318
 ADDRESS OF AGENT, ATTORNEY, APPLICANT
(910) 208-4117 (919) 397-2525
 HOME TELEPHONE WORK TELEPHONE
S. Swierkowski@TigerSum.com (919) 303-0331
 E-MAIL ADDRESS FAX NUMBER
 ✓ 
 SIGNATURE OF AGENT, ATTORNEY,
 OR APPLICANT

- * **ALL record property owners must sign this petition.**
- * **The contents of this application, upon submission, becomes "public record."**

**CUMBERLAND COUNTY ZONING ORDINANCE
 FEE SCHEDULE**

REQUESTED ZONING DISTRICTS ¹	LESS THAN 5 ACRES	5 TO 50 ACRES	50 TO 100 ACRES	100+ ACRES
CONDITIONAL ZONING <u>DISTRICTS²</u> RESIDENTIAL DD/CZ	\$500	\$500	\$500	\$500
CONDITIONAL ZONING <u>DISTRICTS²</u> NONRESIDENTIAL PND/CZ MXD/CZ	\$700	\$800	\$800	\$800

- 1 If more than one zoning district is requested in the same application, the highest fee for the district requested will apply.
- 2 If a general rezoning is requested and based on recommendations of the Planning Board or County Commissioners, the applicant desires to submit a Conditional Zoning District application; the original application fee will be credited towards the Conditional Zoning application fee.

September 11, 2013

Patti Speicher
Cumberland County Planning & Inspections
130 Gillespie Street
Fayetteville, NC 20301

Re: TigerSwan

Dear Patti:

We were involved in the original layout of the firing ranges for TigerSwan located in southern Cumberland County. In preparing the layout of those ranges, we utilized the design criteria provided by the Department of the Army in Pamphlet 385-63: Range Safety. The requirements in this document are consistent with, and in some instances greater than, those requirements found in the Range Design Criteria (June 2012) as published by the US Department of Energy's Office of Health, Safety and Security which is utilized by Cumberland County.

The Surface Danger Zones (SDZs) for the range that was constructed (Range C) were prepared using an anticipated weapon of a 5.56 mm, M193 Ball. Those SDZs are contained within property controlled by TigerSwan and did not impact adjoining properties. In addition, the development of the ranges included earthen berms, up to 15-feet in height, on both sides of the range and in the rear to further limit the possibility of projectiles leaving the site.

Should you have any questions or require additional information, please do not hesitate to contact me.

Sincerely,
CALL SIGN ENGINEERS, PA



Gordon A. Rose, PE, LEED AP



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

Vikki Andres,
Diane Wheatley,
Carl Manning,
Cumberland County

Benny Pearce,
Town of Eastover

Donovan McLaurin,
Wade, Falcon & Godwin

OCTOBER 11, 2013

ITEM NO. 3E

MEMO TO: Cumberland County Board of Commissioners

FROM: Cumberland County Joint Planning Board

SUBJECT: **Case P13-35:** Rezoning of 177.00+/- acres from A1 Agricultural and CD Conservancy to MXD/CZ Mixed Use Development/Conditional Zoning or to a more restrictive zoning district; located on the west side of SR 1714 (River Road), north of I-295; submitted by Ingeborg Vinent Heirs and River Bluff Farm C/O Eva Hansen (owners).

ACTION: Members present at the August 20, 2013 meeting recommended following the staff recommendation to adopt and approve the reasonableness statement, find request consistent with LUP and approve MXD/CZ

SITE PROFILE: Frontage & Location: 740.00' +/- on SR 1714 (River Road); **Depth:** 5,000.00' +/-; **Jurisdiction:** Cumberland County; **Adjacent Property:** No; **Current Use:** Vacant woodlands & barn; **Initial Zoning:** A1 – October 24, 1994 (Area 18); **Nonconformities:** None; **Zoning Violation(s):** None; **Surrounding Zoning:** North: M2, R40A, R15, A1 & CD; South: PND, A1 & CD; East: A1; West: R15; **Surrounding Land Use:** Residential (including manufactured dwellings), substation, farmland & woodlands; **2030 Land Use Plan:** Rural & conservation area; **Wade Detailed Land Use Plan:** Open Space (SFHA), one acre residential lots & activity node; **Special Flood Hazard Area (SFHA):** Yes; base flood is 91 msl (NAVD). 93 MSL with two foot freeboard; **Sewer Service Area (SSA):** Applicant requests expansion of SSA to include subject property; **Water/Sewer Availability:** ESD/ESD; **Soil Limitations:** Yes, hydric – RO Roanoke and Wahee loams & WmB Wickham fine sandy; **School Capacity/Enrolled:** Eastover Central Elementary: 540/470; Mac Williams Middle: 1,270/1,223; Cape Fear High: 1,425/1,595; **Subdivision/Site Plan:** If approved, "Ordinance Related Conditions" apply; **RLUAC:** Does not object to the request but advises that the property has high noise levels (65dB) due to military aircraft over flights; **Average Daily Traffic Count (2010):** 2,400 on SR 1714 (River Road); **Highway Plan:** River Road is identified in the Highway Plan as a Major Thoroughfare. The plan calls for a multi-lane facility with a right-of-way of 100 feet. No road improvements are included in the 2012-2018 MTIP; **Notes:** Calculation of Area (Total Acreage: 177.00 +/- acs), Open Space: Required: 15% (177 acs x 15% = 26.55 acs), Resultant Acreage: 75.225 acs = maximum non-residential acreage allowed (177 acs – 26.55 acs = 150.45 acs / 2 = 75.225 acs), Proposed Residential Acreage: 91.54 +/- acs = 60%, Proposed Commercial Acreage: 22.80 +/- acs = 14%, Proposed Open Space: 49.10 +/- acs = 26%; Average Lot Size: 15,760 square feet or .36 +/- acs; Building Lot Closest Point to Cape Fear River: 1,504 linear feet.

MINUTES OF AUGUST 20, 2013

The Planning & Inspections Staff recommends approval of the requested rezoning to MXD Mixed Use Development /CZ Conditional Zoning district based on the following:

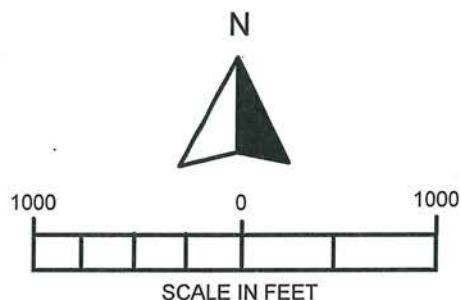
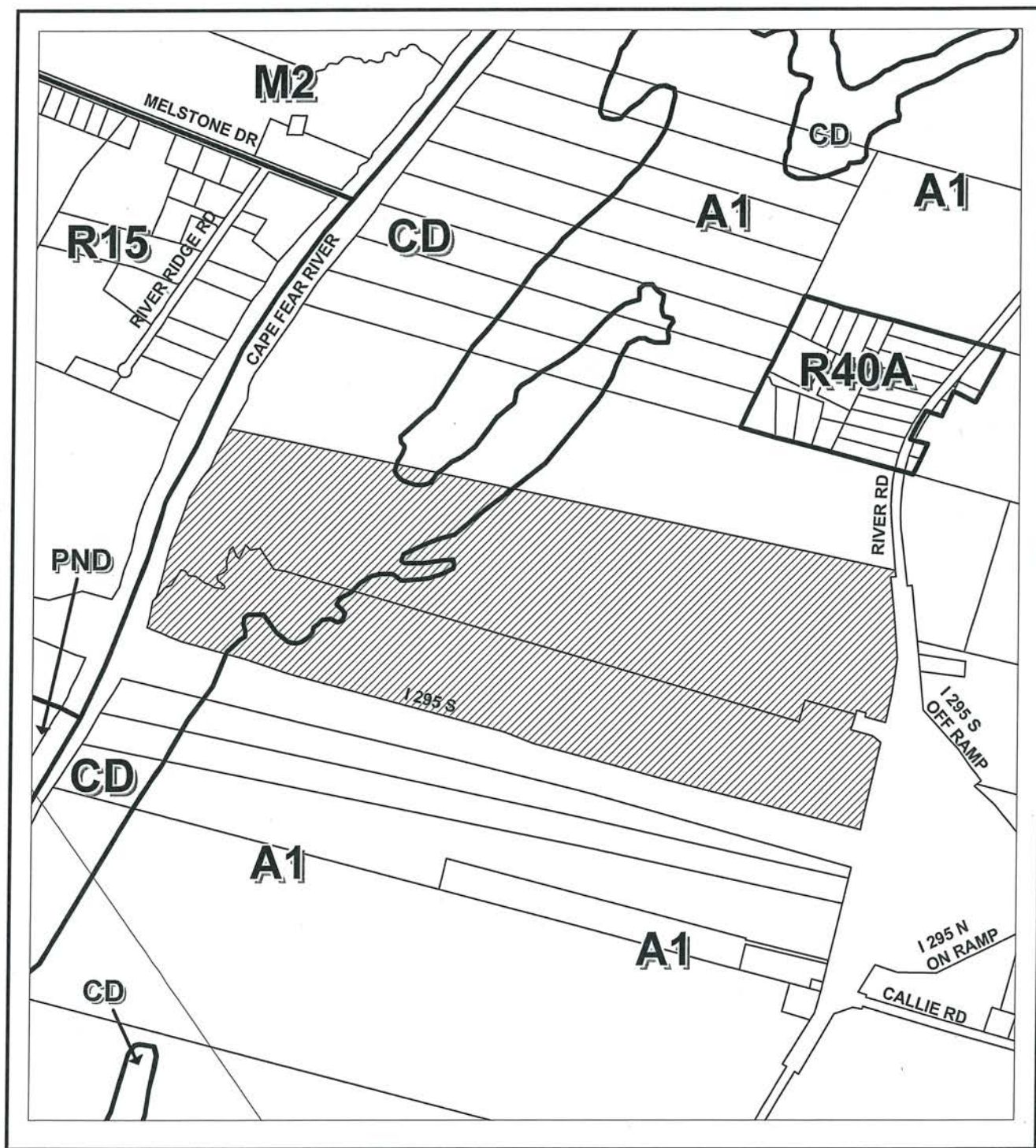
1. The district requested is consistent with the 2030 Growth Vision Plan, which calls for "rural" and "conservation" at this location, as well as meeting the location criteria for "rural density" development as listed in the Land Use Policies Plan; although the request is not entirely consistent with the Wade Detailed Land Use Plan, which calls for "activity node", "one acre residential lots" and "open space" at this location, the Plan was adopted prior to the construction and opening of I-295;
2. The request is reasonable as it meets all of the location criteria and intent of the Mixed Use District and allows for innovative development by providing flexibility while maintaining a quality design;
3. The subject properties have direct access a major thoroughfare (River Road), and the developer is offering street stubs to the adjacent property for future connectivity;
4. Eastover Sanitary District utilities are available to the subject properties; and
5. The location and character of the use, if developed according to the plan as submitted and the recommended Ordinance Related Conditions, is reasonable as they will be in harmony with the area in which they are to be located.

Staff further recommends approval of the expansion of the Sewer Service Area to include the subject properties. There are no other zoning districts suitable related to this request. The applicant has verbally agreed to all Ordinance Related Conditions.

Mr. McLaurin made a motion to recommend the adoption and approval of the consistency and reasonableness statements and to approve MXD Mixed Use Development /CZ Conditional Zoning district and the extension of the Sewer Service Area to include the subject property, seconded by Mrs. Wheatley. The motion passed with a unanimous vote, with Mr. Morris abstaining from voting.

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: 0541-90-7514
PIN: 0540-99-6735

REQUESTED REZONING A1 & CD TO MXD/CZ

ACREAGE: 177 AC.+/-

HEARING NO: P13-35

ORDINANCE: COUNTY
STAFF RECOMMENDATION
PLANNING BOARD
GOVERNING BOARD

HEARING DATE

ACTION

AM

SITE NOTES

1. MAXIMUM NUMBER OF LOTS = 253
2. ALL STREETS SHALL BE PUBLIC



26% OPEN SPACES
49.10 AC +/-



PROTECTED
DITCHES AND STREAM



60% RESIDENTIAL
91.54 AC +/-



14% COMMERCIAL
22.8 AC +/-



INTERSTATE 295

MIXED USE DEVELOPMENT/CONDITIONAL ZONING

CASE: P13-35 ACREAGE: 177 AC +/-

SCALE: NTS

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

8/13/13

MXD MIXED USE DEVELOPMENT/CZ CONDITIONAL ZONING DISTRICT

DRAFT

Ordinance Related Conditions

Pre- Permit Related:

1. Prior to any development on the commercial portions of this Mixed Use Development, the developer must submit five copies of a site plan for staff review and approval; the revised plans must include the following:
 - a) Landscaping provided in accordance with the provisions in Section 1102.N, Landscaping, County Zoning Ordinance;
 - b) Location of all freestanding signs reflected on the site plan in accordance with the provisions in Article XIII, Sign Regulations, County Zoning Ordinance;
 - c) Off-street parking in accordance with the provisions in Section 1202, Off-Street Parking, County Zoning Ordinance; and
 - d) Loading space(s) in accordance with provision in Section 1203, Off-Street Parking, County Zoning Ordinance.

Watershed-Related:

2. An application for watershed approval must be submitted to the Watershed Review Officer (WRO) and plans must be approved either by the WRO or the County Board of Adjustment prior to final plat approval of any portion of this development and/or prior to application for any building/zoning permits. (Note: This approval may require additional conditions restricting the development of this property.) A copy of the WRO's approval of this plat/plan must be submitted to Code Enforcement at the time of application for any permits.
3. Prior to application for the building final inspection, a Watershed Occupancy Permit must be issued for each lot/tract within this development.

Permit-Related:

4. 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.
5. Connection to public water and sewer is required, the Eastover Sanitary District (ESD) must approve water and sewer plans prior to application for any permits. A copy of the Eastover Sanitary District's approval must be provided to Code Enforcement at the time of application for building/zoning permits. (Section 2306 A.1, Public Water and Sewer Systems, County Subdivision and Development Ordinance)
6. The developer must provide a site-specific address and tax parcel number at the time of building/zoning permit application.
7. 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.
8. 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.
9. The *Special Flood Hazard Area* (SFHA) exists on this tract; any development within SFHA must have first flood elevations, including all mechanical and electrical equipment above base flood elevation (BFE) plus two feet of freeboard. Proper flood

plain development permits are required, issued by the County Engineer, prior to any building/permit application. A copy of the approved flood plain permit must be provided to Code Enforcement at the time of building/zoning permit applications.

10. The building final inspection cannot be accomplished until a Code Enforcement Officer inspects the site and certifies that the site is developed in accordance with the approved plans.
11. A review of the data available to the Army Corp of Engineers indicates that jurisdictional waters are likely to be present on this property and therefore are likely to be impacted by the proposed project. However, without an official Jurisdictional Determination at the property, these findings cannot be confirmed.

A permit will be required for this project if construction will involve the temporary and/or permanent placement of fill in waters of the United States including wetlands. If a permit is required, the applicant will be required to avoid and minimize impacts to wetland/waters of the United States and may need to provide compensatory mitigation for unavoidable impacts.

12. The developer must formally notify the NC Department of Transportation once construction of the public streets is complete and initiate the process of transferring the responsibility of road maintenance to the NCDOT. If application to the NCDOT District Engineer has not been formally submitted by the time building permits have been issued for 80% of the lots shown on the preliminary plan, no additional building permits can be issued until the NCDOT District Engineer notifies this department of the receipt of the application.

Site-Related:

13. All uses, dimensions, setbacks and other related provisions of the County Subdivision and Development Ordinance and Zoning Ordinances for the MXD/CZ zoning district must be complied with, as applicable.

Note: A very limited type of retail and other uses are allowed in the MXD/CZ zoning district specifically all the uses permitted in the O&I(P) and C1(P) districts and the listed uses in Section 603.C, Uses Allowed, County Zoning Ordinance for the C2(P) and C(P) zoning districts. The developer/property owner is encouraged to contact Code Enforcement or Land Use Codes prior to entering into a contract/lease with any tenant to verify the permissibility of the intended use.

14. All corner lots and lots fronting more than one street must provide front yard setbacks from each street.
15. This conditional approval is not approval of any freestanding signs. If a freestanding sign is desired, re-submittal of the site plan is required prior to application for any freestanding sign permits. Attached signage for this development must be in accordance with the applicable sign regulations as set forth in Article XIII of the County Zoning Ordinance and that the proper permit(s) must be obtained prior to the installation of any permanent signs on the property. (Note: This conditional approval is **not** approval of the size, shape, or location of any signs.) (Note: Prior to any future entrance signs for this development, the developer will need to submit a revised site plan showing the location of the sign)
16. All applicable provisions of Section 2401, "Group Developments", County Subdivision and Development Ordinance, must be complied with.
17. The small stream standards set forth in Section 6.5-44, County Flood Damage Prevention Ordinance, shall be complied with during construction and upon completion of development within this subdivision as enforced by the County Engineer's Office.
18. 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 and Development Ordinance)
19. Fire hydrants must be installed along all proposed streets and drives; hydrants must be located no further than 1,000 feet apart and at a maximum of 500 feet from any lot. (Section 2306 B, Fire hydrants, County Subdivision and Development Ordinance)
20. For new development, all utilities, except for 25kv or greater electrical lines, must be located underground. (Section 2306 C, County Subdivision and Development Ordinance)
21. The owner/developer must secure the stormwater utility structure with a four foot high fence with a lockable gate, and is required to maintain the detention/retention basin, keeping it clear of debris and taking measures for the prevention of insect and rodent infestation.

22. This review does not constitute a "subdivision" approval by NC Department of Transportation (NCDOT). A separate submittal to NCDOT will be required prior to consideration for addition to the system of any street within this development.
23. 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.
24. The NC Department of Transportation (NCDOT) must approve the street plans and the street(s) are required to be constructed to the NCDOT standards for secondary roads.
25. Turn lanes may be required by the NC Department of Transportation (NCDOT).
26. All lighting is required to be directed internally within this development and comply with the provisions of Section 1102 M, Outdoor Lighting, County Zoning Ordinance.
27. All dumpster, garbage, and utility areas shall be located on concrete pads and screened on a minimum of three sides.
28. For purposes of protecting the aquatic and wildlife habitat and to ensure bank stabilization for this area of the Cape Fear River, a riparian buffer must be provided along the western boundary of this development. The first 30 feet from the western property line must remain undisturbed while an additional 20 feet may be cleared so long as no structures are constructed in that portion. Note: This ordinance provision does allow for clearing of a minimal access to the river.

Plat-Related:

29. The final plat must be labeled as a "Zero Lot Line" development and all open space/riparian buffer area/common areas be labeled as "common area."
30. The proposed development is located in a Special Flood Hazard Area (SFHA). The final plat must show the limits of the SFHA; information may be obtained from the County Engineer's office or the Federal Emergency Management Agency's (FEMA) website at www.ncfloodmaps.com. Any development within the SFHA is subject to the requirements of the County Flood Damage Prevention Ordinance administered by the County Engineering Department.
31. The developer is required to submit to Land Use Codes:
 - a. Three copies of proposed covenants, by-laws and articles of incorporation for the proposed development designating responsibility for the maintenance and upkeep of the common areas by the owners' association for the development;
 - b. One copy of the deeds proposed for recordation conveying all common area to the proposed owners association;
 - c. One copy of any proposed supplemental covenants if the proposed development is to be submitted for final approval in phases; and
 - d. Two copies of each proposed final plat prior to the submission for final approval – can be a phase of the approved development or the complete development as approved.

These documents must be approved by the County Attorney prior to the sale of or submission for final plat approval of any lot or unit within this development.

32. The developer must contact the Location Services Section of the Planning and Inspections Department for approval of street names within this development. The approved street names must be reflected on the final plat.
33. The street name signs, in compliance with the County Street Sign Specifications, must be installed prior to final plat approval. The developer should contact Location Services for inquiries regarding the County's policy for street sign installation or, if the sign is commissioned from a private source, to schedule an inspection of the street sign(s). Land Use Codes must receive notice of agreement with the Location Services Section for sign installation or of satisfactory inspection prior to the approval of the final plat.
34. "Interstate 295" must be labeled as "I-295 S" on the final plat.

35. Dedication of 15 feet of right-of-way and reservation of 10 feet of right-of-way for the notch at the northeastern most property corner at SR 1714 (River Road) is required. The metes and bounds for both dedication and reservation is required to be shown on the final plat and/or reflected on any future site plans. The location of all improvements, required or otherwise, and all building setback lines are to be measured from the ultimate right-of-way line. (Section 2302 F, Planned Public Right-of-Way, County Subdivision and Development Ordinance)
36. The developer is opting to provide park, recreation or open space area (common area) on-site; therefore, when phasing a development all common area must be recorded prior to the recording of the first phase or section of the development or the common area must be recorded incrementally, ensuring that a minimum of 800 square feet of land area is recorded as common area for each lot included, on the final plat.
37. The builder/developer must provide the buildable envelopes on the final plat: providing a five-foot maintenance easement along each side of all common internal lines with all other applicable setbacks being provided for; or at the time of permit application, the individual plot plans must be approved by Land Use Codes prior to issuance of any permits.
38. 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.
39. A 10' x 70' sight distance easement is required at the intersection of SR 1714 (River Road) with the proposed street "A" and must be reflected on the final plat.
40. A 25' right-of-way radius is required at all intersections and must be reflected on the final plat. (Section 2304.10.c, Street Design, County Subdivision and Development Ordinance)
41. 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.
42. 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 and Development Ordinance)
43. The developer is reminded that the improvements must be in place or that final plat approval will only be granted in accordance with Section 2502 B, C, or D, Final Plat – Guarantees of Improvements, County Subdivision and Development Ordinance. (Note: Once the improvements are in place, the developer is responsible for contacting Jeff Barnhill to schedule an inspection of the improvements.)
44. 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.
45. The developer should be aware that any addition and/or revision to this plat may require an additional review and approval by the Planning & Inspections Department prior to submission for final plat approval of any portion of this development.

Plat-Required Statements:

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

“Nonconforming structures have not been created by this subdivision plat.”
47. Because the streets in this development have been approved as “public” streets and the streets do not yet qualify for acceptance by the NC Department of Transportation to the State system for maintenance purposes, the following statement is required to be included on the final plat (Section 2504 E, County Subdivision and Development Ordinance):

“The streets shown on this plat though labeled as “public” – unless otherwise noted – have not been accepted by the NC Department of Transportation as of the date of this recording. Until such time that the streets are accepted and formally added to the State system, maintenance and liability of the streets are the responsibility of the developer and any future lot owner(s).”

Other Relevant Conditions:

48. The applicant is advised to consult an expert on wetlands before proceeding with any development. There may be wetlands located in the project area that are subject to the permit requirements of Section 404 of the Clean Water Act. To avoid a violation of federal and/or state law, it is recommended the developer contact the Office of the Army Corp of Engineers or hire an environmental consultant to identify and delineate any wetlands in the project area prior to construction. A Section 404 permit will be required if the applicant needs to fill wetlands and the permit must be obtained prior to any construction on this site.
49. 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.
50. The developer(s) and any future lot owners are responsible for the maintenance and upkeep of the streets until such time the streets are added to the State system by the NC Department of Transportation (NCDOT) for maintenance purposes. The developer is advised to give notice of the street status to any future lot owners in the event the lots are conveyed prior to the NCDOT's acceptance.
51. All notes and calculations as shown on the site plan and contained within the application are considered to be a part of this conditional approval.

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):

Watershed Officer/Improvements:	Jeff Barnhill	678-7765
Subdivision/Site Plan/Plat	Ed Byrne	678-7609
Code Enforcement (Permits):	Ken Sykes	321-6654
County Engineer's Office:	Wayne Dudley	678-7636
Eastover Sanitary District:	Connie Spell	229-3716
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
Street Naming/Signs:	Diane Shelton	678-7665
Tax Parcel Numbers:		678-7549
NCDOT (driveways/curb-cuts):	Gary Burton	486-1496
NCDOT (subdivision roads):	David Plummer	486-1496
Transportation Planning:	Bobby McCormick	678 7632
N.C. Division of Water Quality:	Mike Randall	(919) 733-5083 ext. 545

cc: Connie Spell, Eastover Sanitary District

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 (A) Ingeborg Vincent Heirs
(B) River Bluff Farm, LLC
2. Address: (A) 3107 Marita Dr. Fayetteville, N 28301
(B) 7469 Minnie Hall Rd. Roseboro NC Zip Code 28382
3. Telephone: (Home) _____ (Work) _____
4. Location of Property: NW Quadrant of River Road and I-295
5. Parcel Identification Number (PIN #) of subject property: 0540-99-6735 (A)
(also known as Tax ID Number or Property Tax ID) 0541-90-7514 (B)
6. Acreage: 177± Frontage: 1731± Depth: 5010±
7. Water Provider: ESD
8. Septage Provider: ESD
9. Deed Book (A) 1159, Page(s) 0057, Cumberland County Registry. (Attach copy of deed of subject property as it appears in Registry).
(B) 4629, Page(s) 0423
10. Existing use of property: Vacant
11. Proposed use(s) of the property: Mixed Use; Commercial, Residential
and Conservation District (Possible Professional)
12. It is requested that the foregoing property be rezoned FROM: A1
- TO: (Select one)

- _____ 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.)

Commercial, Professional, Residential and Conservation

- 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.

Residential 233 units
Commercial and/or Professional 22.8 acres
Conservation and Open Space 45.1 acres

2. DIMENSIONAL REQUIREMENTS:

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

As required by the ordinance.

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

As required by the ordinance.

3. SIGN REQUIREMENTS:

Reference the district sign regulations proposed from Article XIII.

As required by the ordinance.

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.**

Landscaping will be provided in accordance with the requirements as set forth in the Ordinance.

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

Buffers will be provided as shown on the site plan attached.

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.

The owners request that the Sanitary Sewer Service Area be expanded to include these properties per this application.

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.

7. STATEMENT OF ACKNOWLEDGMENT:

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

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

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

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

I further understand I must voluntarily agree to all ordinance related prior to the first hearing on the case. The undersigned hereby acknowledge that the Planning and Inspections Staff has conferred with the petitioner or assigns, and the application as submitted is accurate and correct.

① Andres Avelino Vincent
NAME OF OWNER(S) (PRINT OR TYPE)
3821 Clearwater Dr Fayetteville, NC 28311
ADDRESS OF OWNER(S)
Sludgehammer nc @ yahoo.com
E-MAIL

HOME TELEPHONE

WORK TELEPHONE

Andres A. Vincent
SIGNATURE OF OWNER(S)

SIGNATURE OF OWNER(S)

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① Manuel Adam Vinent
NAME OF OWNER(S) (PRINT OR TYPE)

3107 Marita Dr. Fayetteville NC 28301
ADDRESS OF OWNER(S)

mvinent@aol.com
E-MAIL

910-489-5613
HOME TELEPHONE

Manuel Vinent
SIGNATURE OF OWNER(S)

WORK TELEPHONE

SIGNATURE OF OWNER(S)

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① Aida Vinent Johnston

NAME OF OWNER(S) (PRINT OR TYPE)

3107 Marita Dr. Fayetteville, NC 28301

ADDRESS OF OWNER(S)

aida.johnston1@gmail.com

E-MAIL

919-605-5801

HOME TELEPHONE

WORK TELEPHONE

Aida Vinent Johnston

SIGNATURE OF OWNER(S)

SIGNATURE OF OWNER(S)

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① Chaus Haus VINENT
NAME OF OWNER(S) (PRINT OR TYPE)
831 A PHILEMA Rd S. Leesburg GA
ADDRESS OF OWNER(S) 31763
Floormex @ msn. com
E-MAIL
229-886-5656 229-8831071
HOME TELEPHONE WORK TELEPHONE
[Signature] [Signature]
SIGNATURE OF OWNER(S) SIGNATURE OF OWNER(S)

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②

River Bluff Farm, LLC by Eva Hansen
NAME OF OWNER(S) (PRINT OR TYPE)

7469 Minnie Hall Rd Roseboro, NC 28382
ADDRESS OF OWNER(S)

Meadowrun Farmajintrstar.net
E-MAIL

910-567-4333
HOME TELEPHONE

910-624-2840
~~WORK~~ TELEPHONE
Cell

Eva Hansen Manager
SIGNATURE OF OWNER(S)

SIGNATURE OF OWNER(S)

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

I, George Hatcher, Inspector for the County of Cumberland Inspection Department, acting in my official capacity, being duly sworn, depose and say:

BACKGROUND: That the following is a report on Minimum Housing case number MH 233-2013.

Property Owner: Mychelle L. Stens

Home Owner: Mychelle L. Stens

Property Address: 316 Rock Hill Road, Fayetteville, NC


Tax Parcel Identification Number: 0466-18-7000

SYNOPSIS: This property was inspected on 7/19/2013. The property owners and parties of interest were legally served with Notice of Violations and was afforded a Hearing on 8/29/2013. Mychelle L. Stens 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 9/29/2013. 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 10/10/2013, the required corrective action had not 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.

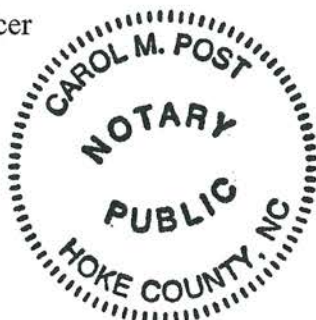
The estimated cost to repair the structure to a minimum standard for human habitation is \$52,000.00. The Assessor for Cumberland County has the structure presently valued at \$3,607.00. (Structure in utility condition)

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

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



George Hatcher

Code Enforcement Officer
County of Cumberland



Sworn to and Subscribed to by me this

the 10th day of October 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

FINDINGS OF FACT AND ORDER

9/12/2013

Mychelle L Stens & Parties of Interest
939 Four Wood Dr
Fayetteville NC, 28312

91 7108 2133 3938 2059 5379 CIP

CASE # MH-233-2013

PROPERTY AT: 316 Rock Hill Road, Fayetteville, NC

A Complaint, Notice of Hearing and Report of Inspection were legally served to the owner or owner's agent, and any party of interest. These documents were in fact received by the owner or owner's agent and party of interest on 8/6/2013.

Pursuant of law, a Hearing was conducted in Room 101, of the old courthouse at 130 Gillespie Street, Fayetteville, NC on 8/29/2013 at 9:15 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: Mychelle L. Stens
- ☒ 3. The undersigned inspector personally inspected the dwelling described in the Complaint and Notice of Hearing dated 8/1/2013. 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-233-2013, dated 7/19/2013.
 - ☒ b. Due to these findings, the dwellings are found to be in a substandard condition in accordance with the Cumberland County Ordinance.
 - ☒ c. The dwelling is unfit for human habitation.

EXHIBIT "A"

☒ 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 9/29/2013. **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 _____.
- ☒ 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 9/29/2013. 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


George Hatcher
Code Enforcement Officer

Enclosed: Appeals Procedure Form

Cc:



Sworn to and Subscribed to by me
this the 12th day of September, 2013



Notary Public
My Commission Expires: 11-03-14

EXHIBIT "A"

NORTH CAROLINA
COUNTY OF CUMBERLAND

PLANNING/INSPECTIONS DEPARTMENT

RE: Mychelle L. Stens & Parties of Interest
Name of Violator

MH 233-2013
Case Number

AFFIDAVIT OF RETURN OF SERVICE
(Personal Service to Individual)

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

personally served Mychelle L. Stens, a copy of the FINDINGS OF FACT AND ORDER AND
(name of violator)

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

Ordinance by mailing said notice(s) via 1st class mail and certified mail to the following address

939 Four Wood Drive, Fayetteville, NC 28312

and by posting at: 316 Rock Hill Road, Fayetteville, NC.

I further certify that said service was completed on this the 18th day of September, 2013.

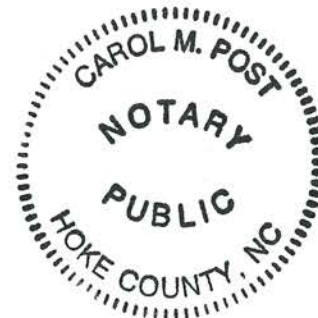

George Hatcher
Code Enforcement Officer

Sworn to and subscribed to before me

this the 18th day of September, 20 13.


Notary Public

My Commission Expires: 11-03-14



PROOF OF SERVICE OF **FINDINGS OF FACT AND ORDER**
DATED September 12, 2013 CASE NUMBER **MH 233-2013**

EXHIBIT A

MAP DEPICTING LOCATION OF PROPERTY
Property Owner: Mychelle L. Stens
316 Rock Hill Road, Fayetteville, NC
Minimum Housing Case # MH233-2013
TAX PARCEL IDENTIFICATION NUMBER: 0466-18-7000



EXHIBIT B

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

I, George Hatcher, Inspector for the County of Cumberland Inspection Department, acting in my official capacity, being duly sworn, depose and say:

BACKGROUND: That the following is a report on Minimum Housing case number MH 6786-2012.

Property Owner: Roberto Felix Robles

Home Owner: Roberto Felix Robles

Property Address: 4838 Tippit Trail, Fayetteville, NC


Tax Parcel Identification Number: 0433-76-3055

SYNOPSIS: This property was inspected on 5/23/2012. The property owners and parties of interest were legally served with Notice of Violations and was afforded a Hearing on 9/20/2012. 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 10/20/2012. 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 10/10/2013, the required corrective action had not 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 \$47,000.00. The Assessor for Cumberland County has the structure presently valued at \$2,972.00. (Structure in utility condition)

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


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


George Hatcher
Code Enforcement Officer
County of Cumberland



Sworn to and Subscribed to by me this

the 10th day of October 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

September 24, 2012

91 7199 9991 7031 6124 0772 *Cert / 1st / Pool*

CASE #: MH 6786-2012

91 7199 9991 7031 6124 0765 *Cert / 1st / Pool*

TO: Roberto Felix & Rafaela M. Robles & Parties of Interest
7900 Viscount Blvd., Apt 452
El Paso, TX 79925-5705

Property at: 4838 Tippit Trail, 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 8/22/2012.


Pursuant of law, a Hearing was conducted in Room 101, of the old courthouse at 130 Gillespie Street, Fayetteville, NC on 9/20/2012 at 9:30:00 AM. The items identified below took place at the Hearing:

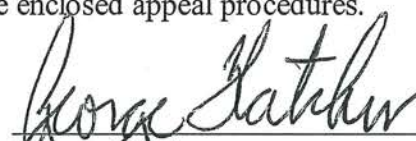
- ☒ 1. No owner or party of interest, or their agent, or representative appeared.
- ☐ 2. An answer was filed by owners and/or parties of interest. The answer was heard, read, and considered. Those answering by phone were: _
- ☒ 3. The undersigned inspector personally inspected the dwelling described in the Complaint and Notice of Hearing dated, 8/17/2012. 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 6786-2012, dated 5/23/2012.
 - ☒ 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.

EXHIBIT "A"

- ☒ 4. Due to facts presented above, the Hearing Officer orders as follows:
- ☒ a. The owners and/or parties of interest of the dwelling named above are required to bring such dwelling into compliance with the Cumberland County Housing Ordinance by either repairing, altering, and improving the dwelling up to a minimum standard or by demolishing the structure and then causing the debris to be removed from the premises by a date not later than **10/20/2012**. **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 _____.
 - ☒ e. The County Planning/Inspection Department may immediately begin procedures to seek a demolition ordinance from the Cumberland County Board of Commissioners for failure to bring the property into compliance by **10/20/2012**. 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


George Hatcher
Code Enforcement Officer

Enclosed: Appeals Procedures & Form

cc: Barclays American Mortgage Corp., 5032 Parkway Plaza Blvd., Charlotte, NC 28217-1962
Wells Fargo, 2115 Rexford Road # 315, Charlotte, NC 28211-3458

Sworn to and Subscribed to by me
this the 24th day of September, 2012


Notary Public
My Commission Expires: 11-02-14



131 Gillespie Street, Old Courthouse, Room 101 - Fayetteville, North Carolina 28301 - Telephone (910) 321-6640 - Fax (910) 321-6637

91 7199 9991 7031 6124 0758 *Wells*

91 7199 9991 7031 6124 0741 *Barclays*

NORTH CAROLINA
COUNTY OF CUMBERLAND

PLANNING/INSPECTIONS DEPARTMENT

RE: Roberto & Rafaela Robles
Name of Violator

MH 6876-2012
Case Number

AFFIDAVIT OF RETURN OF SERVICE
(Personal Service to Individual)

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

personally served Roberto & Rafaela Robles a copy of the FINDINGS OF FACT AND ORDER
(name of violator)

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

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

7900 Viscount Blvd., Apt 452, El Paso, TX 79925-5705

and by posting at: 4838 Tippit Trail, Fayetteville, NC.

I further certify that said service was completed on this the 26th day of September, 2012.



George Hatcher
Code Enforcement Officer

Sworn to and subscribed to before me

this the 26th day of September, 20 12.



Notary Public

My Commission Expires: 11-03-14



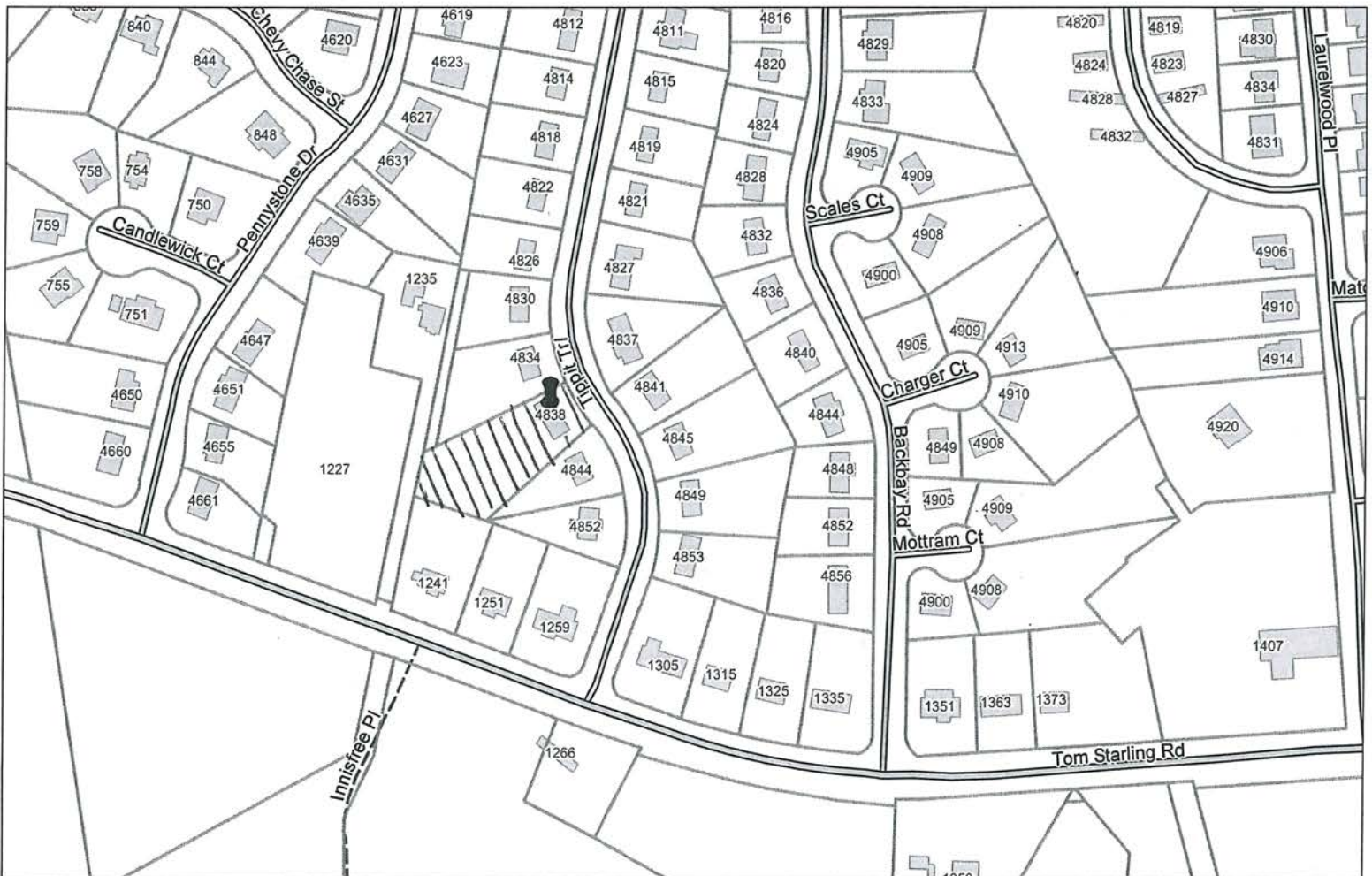
PROOF OF SERVICE OF ***FINDINGS OF FACT AND ORDER***
DATED September 24, 2013 CASE NUMBER ***MH 6786-2012***

EXHIBIT A

Property Owner: Roberto Felix Robles
4838 Tippit Trail, Fayetteville, NC
Minimum Housing Case # MH6786-2012
TAX PARCEL IDENTIFICATION NUMBER: 0433-76-3055

Minimum Housing Case # MH6786-2012

TAX PARCEL IDENTIFICATION NUMBER: 0433-76-3055



Thomas J. Lloyd,
Director

Cecil P. Combs,
Deputy Director

Ken Sykes,
Inspections Coordinator

Carol M. Post
Planning and Inspections
Office Support



George Hatcher,
Inspector

Joey Lewis,
Inspector

Joan Fenley,
Inspector

Debra Johnson
Inspector

COUNTY of CUMBERLAND

Planning & Inspections Department

CONSENT TO DEMOLISH

I, Roberto F. Robles, property owner of
4838 Tippet Trail, identified by Tax Parcel Identification
Number 0433-76-3055, and more particularly described as
Manufactured Home (Personal Property)

do hereby consent to the Cumberland County Planning and Inspection Department
demolishing the structure(s) as described above and thereafter clearing all the debris from
the premises, leaving the lot free and clear of any rubbish and debris or pockets or holes
that will collect water.

I further understand that the cost for said demolition and debris removal will be placed in
the form of a lien against the real property identified by Tax Parcel Identification Number
0433-76-3055, and will be collected by the Cumberland County
Tax Collector. Failure to pay the tax lien or assessment can result in the Tax
Administrator's Office taking action to cause a mortgage style foreclosure of the
property, to garnish my wages or to levy on my bank account.

Roberto F. Robles
Property Owner

25 Sep 2013
Date

Sworn to and Subscribed to by me this
The 25 day of September

Gregory S. Bushy
Notary Public

SSG, USA
Military Notary
INDEF - 10 USC 1044a

My Commission Expires: Indef. 10 U.S.C. 1044a

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

I, George Hatcher, Inspector for the County of Cumberland Inspection Department, acting in my official capacity, being duly sworn, depose and say:

BACKGROUND: That the following is a report on Minimum Housing case number MH 107-2013.

Property Owner: Alvester McNeill Heirs, C/O Linda Adamson

Home Owner: Alvester McNeill Heirs, C/O Linda Adamson

Property Address: 5671 Cedar Creek Road, Fayetteville, NC


Tax Parcel Identification Number: 0473-54-9900

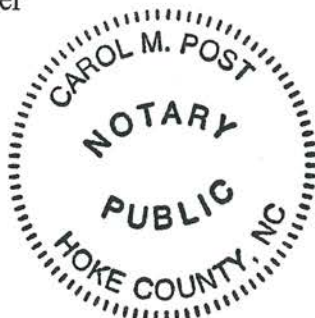
SYNOPSIS: This property was inspected on 5/21/2013. The property owners and parties of interest were legally served with Notice of Violations and was afforded a Hearing on 6/20/2013. Linda Adamson attended the Hearing. It was ordered that the structure be repaired to a minimum standard for human habitation, or be demolished and the debris removed from the premises by a date not later than 9/20/2013. 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 10/10/2013, the required corrective action had not 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 \$59,000.00. The Assessor for Cumberland County has the structure presently valued at \$2,703.00. (Structure in utility condition)

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


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


George Hatcher
Code Enforcement Officer
County of Cumberland



Sworn to and Subscribed to by me this

the 10th day of October 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

Chris Fulton,
Inspector

FINDINGS OF FACT AND ORDER

91 7199 9991 7032 9830 4835

7/8/2013

Alvester McNeill Heirs
C/O Linda Adamson & Parties of Interest
5671 Cedar Creek Rd
Fayetteville NC, 28312

CASE # MH-107-2013

PROPERTY AT: 5671 Cedar Creek Road, Fayetteville, NC

A Complaint, Notice of Hearing and Report of Inspection were legally served to the owner or owner's agent, and any party of interest. These documents were in fact received by the owner or owner's agent and party of interest on 6/6/2013.

Pursuant of law, a Hearing was conducted in Room 101, of the old courthouse at 130 Gillespie Street, Fayetteville, NC on 6/20/2013 at 10:45 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: Linda Adamson
- ☒ 3. The undersigned inspector personally inspected the dwelling described in the Complaint and Notice of Hearing dated 5/24/2013. 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-107-2013, dated 5/21/2013.
 - ☒ b. Due to these findings, the dwellings are found to be in a substandard condition in accordance with the Cumberland County Ordinance.
 - ☒ c. The dwelling is unfit for human habitation.

EXHIBIT "A"

☒ 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 9/20/2013. **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 ____.
- ☒ 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 9/20/2013. 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




George Hatcher
Code Enforcement Officer

Enclosed: Appeals Procedure Form

Cc:



Sworn to and Subscribed to by me
this the 8th day of July 2013




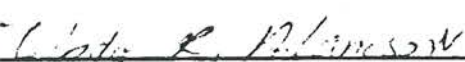
Notary Public
My Commission Expires: 11-03-14

Date: July 12, 2013


George Hatcher:

The following is in response to your July 12, 2013 request for delivery information on your Certified Mail™ item number 9171999991703298304835. The delivery record shows that this item was delivered on July 11, 2013 at 12:50 pm in FAYETTEVILLE, NC 28312. The scanned image of the recipient information is provided below.

Signature of Recipient :

Delivery Record	
Signature	
Printed Name	

Address of Recipient :

Delivery Address	
Delivery Address	

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 July 8, 2013 CASE NUMBER **MH 107-2013**

EXHIBIT A

MAP DEPICTING LOCATION OF PROPERTY
Property Owner: Alvester McNeill Heirs c/o Linda Adamson
5671 Cedar Creek Road, Fayetteville, NC
Minimum Housing Case # MH107-2013
TAX PARCEL IDENTIFICATION NUMBER: 0473-54-9900

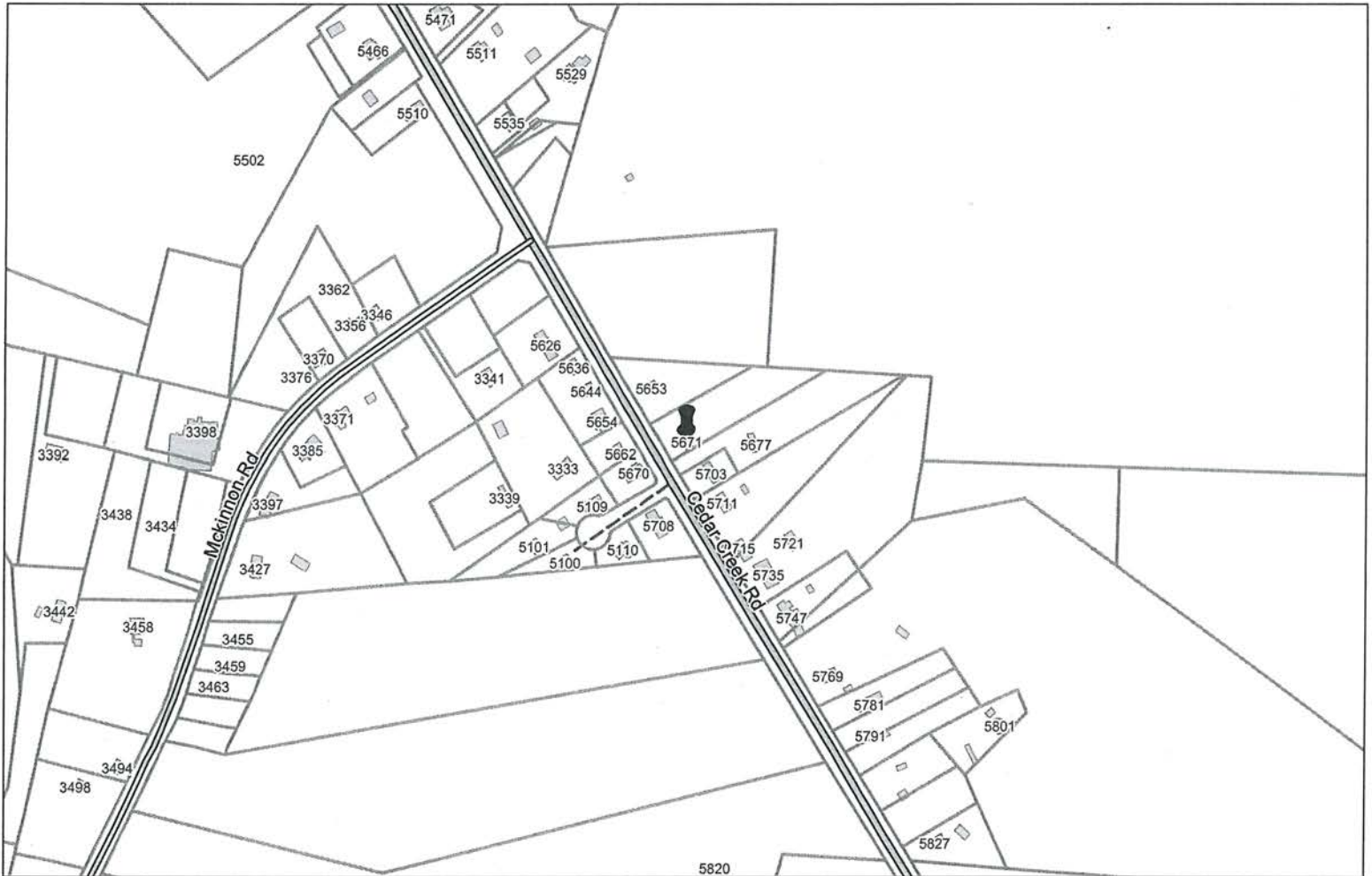


EXHIBIT B

JAMES E. MARTIN
County Manager

AMY H. CANNON
Deputy County Manager



CUMBERLAND
★ **COUNTY** ★
NORTH CAROLINA

ITEM NO. _____

4

OFFICE OF THE COUNTY MANAGER

MEMORANDUM FOR BOARD OF COMMISSIONERS AGENDA OF OCTOBER 21, 2013

TO: BOARD OF COUNTY COMMISSIONERS
FROM: JAMES E. MARTIN, COUNTY MANAGER
DATE: OCTOBER 17, 2013
SUBJECT: UPDATE ON STATUS OF FEDERAL BUDGET

BACKGROUND

Staff will provide an update on the status of the Federal Budget as we understand it as of October 21, 2013.

/ct

CM101713-1

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. 5A

October 17, 2013

October 21, 2013 Agenda Item

TO: Board of Commissioners

FROM: Kellie Beam, Deputy Clerk to the Board *KB*

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

BACKGROUND: The Cumberland County Finance Corporation/Industrial
Facilities and Pollution Control Financing Authority has the following three (3)
vacancies:

Bobby Gleaton – Deceased. The Cumberland County Finance
Corporation/Industrial Facilities and Pollution Control Financing Authority does not
have a recommendation at this time.

Clifton McNeill – Resigned. The Cumberland County Finance
Corporation/Industrial Facilities and Pollution Control Financing Authority does not
have a recommendation at this time.

Annette C. Billie – completed second term. Not eligible for reappointment. The
Cumberland County Finance Corporation/Industrial Facilities and Pollution Control
Financing Authority does not have a recommendation at this time.

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

**PROPOSED ACTION: Nominate individuals to fill the three (3) vacancies
above.**

APPLICANT(S) GRADUATING FROM COUNTY CITIZENS' ACADEMY:
None

Attachments

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

**Cumberland County Finance Corporation and Industrial Facility and Pollution Control
Financing Authority**

The Cumberland County Finance Corporation and Industrial Facility and Pollution Control Financing Authority provides assistance, when deemed appropriate, for the issuance of revenue bonds for the purpose of paying all or any part of the cost of industrial or pollution control projects.

Web Page Links, Downloads, and Resources:

Statutory Authorization: NCGS 159C

Member Specifications:

7 Members

Term: 6 Years

Compensation: None

Duties:

The purpose of the Cumberland County Finance Corporation is to issue tax exempt securities for public purposes that directly benefit county government in Cumberland County, such as the Coliseum, the Social Services building, the Community Correction Center, etc. It differs from the Cumberland County Industrial Facilities and Pollution Control Financing Authority in that the Authority issues tax exempt financings for economic development purposes that benefit not only the community at large as a whole, but also the private industries utilizing them.

Meetings: Meetings are held on an as needed basis usually at 12:00 PM. The length of the meetings varies.

Meeting Location: Cumberland County Courthouse, Room 564 117 Dick Street Fayetteville, NC

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

11/09

6 Year Term

<u>Name/Address</u>	<u>Date Appointed</u>	<u>Term</u>	<u>Expires</u>	<u>Eligible For Reappointment</u>
VACANT (Vacated by B. Gleaton)	9/07	2 nd	Sept/13 9/30/13	No
Timothy S. Richardson (W/M) 125 Magnolia Avenue Fayetteville, NC 28305 484-8486/307-9110 (W)	9/09	1 st	Sept/15 9/30/15	Yes
VACANT (Vacated by C. McNeill)	9/09	2 nd	Sept/15 9/30/15	No
Annette C. Billie (B/F) 749 Edgehill Road Fayetteville, NC 28314	9/07	2 nd	Sept/13 9/30/13	No
Ronald C. Crosby, Jr. (B/M) 2829 Meadow Mont Lane Fayetteville, NC 28306 425-6512 (H) / 483-0458 (W) (Attorney)	9/09	1 st	Sept/15 9/30/15	Yes
Dr. Don A. Okhomina (B/M) 494 Dunloe Court Fayetteville, NC 28311 868-1618/672-2148 (W) (Asst. Professor of Management-FSU)	11/09	1 st	Sept/15 9/30/15	Yes
Dr. Joan Ceziar (B/F) 737 Maxine Street Fayetteville, NC 28303 822-0759/672-1009	9/11	1 st	Sept/17 9/30/17	Yes

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

Meetings: On Call

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

<u>NAME/ADDRESS/TELEPHONE</u>	<u>OCCUPATION</u>	<u>EDUCATIONAL BACKGROUND</u>
AMOS, LINDA 917 BASHLOT PLACE FAYETTEVILLE NC 28303 860-4280 / 486-1010 X 2201 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 LEADERSHIP TRAINING	TAX AUDITOR DEPT OF COMMERCE RETIRED - ARMY	NONE LISTED
ELAY, ZACCHEAUS (B/M) 800 TAMARACK DR APT 8116 FAYETTEVILLE, NC 28311 237-5456/323-0813 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	TAX ACCOUNTING ZACK TAX & ACCOUNTING SERVICE	BS-ACCOUNTING
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
MORRISON, SHERRYCE (B/F) 504 ANONA DRIVE FAYETTEVILLE, NC 28314 764-0200/224-1803 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	N/A	HS SOME 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. 5B

October 15, 2013

October 21, 2013 Agenda Item

TO: Board of Commissioners

FROM: Kellie Beam, Deputy Clerk to the Board KB

SUBJECT: Cumberland County Home and Community Care Block Grant Committee

The Cumberland County Home and Community Care Block Grant Committee has the following (3) vacancies.

Older Consumer:

Deborah J. Atkinson – completed first term. Eligible for reappointment.

Annie R. Hasan – completed first term. Eligible for reappointment.

Aging Service Provider:

Mary Brymer – completed first term. Eligible for reappointment.

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

PROPOSED ACTION: Nominate individuals to fill the (3) vacancies above.

APPLICANT(S) GRADUATING FROM COUNTY CITIZENS' ACADEMY:
None

Attachments

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

Cumberland County Home and Community Care Block Grant Committee

The Cumberland County Home and Community Care Block Grant Committee works with the County on matters related to service priorities and planning for older adults.

Statutory Authorization: NCGS 143B

Member Specifications:

21 Members with Specific Categories:

- Older consumers (8)
- Aging Service Providers (9)
- Civic Representative (1)
- Elected Official (1)
- County Representative (2)

Term: 4 Years

Compensation: None

Duties:

- Functions as a resource to the Mid-Carolina Area Agency on Aging by obtaining input from service providers, older consumers and their families in the development of an annual Aging Funding Plan;
- Serves in an advisory capacity for the Care Management service provided by Mid-Carolina Area Agency on Aging.

Meetings: 3rd Thursday January, April, August and November at 2:00 PM. Length of the meetings varies.

Meeting Location: Various service provider locations within Cumberland County

CUMBERLAND COUNTY
HOME AND COMMUNITY CARE BLOCK GRANT COMMITTEE
(PLANNING COMMITTEE FOR AGING SERVICES)
4 Year Term

<u>Name/Address</u>	<u>Date Appointed</u>	<u>Term</u>	<u>Expires</u>	<u>Eligible For Reappointment</u>
<u>Older Consumer</u>				
Elma Jorgensen 2321 Colgate Drive Fayetteville, NC 28305	12/10	2nd	Dec/14 12/31/14	No
VACANT (vacated by G. Draughon)	12/10	1st	Dec/14 12/31/14	Yes
VACANT (vacated by M. Mack)	4/08	1 st	April/12 4/30/12	Yes
Edwin Deaver P.O. Box 127 Hope Mills, NC 28348	5/10	2nd	May/14 5/31/14	No
Deborah J. Atkinson (B/F) 217 Andover Road Fayetteville, NC 28311 822-5441/494-1288 (C)	5/09	1 st	May/13 5/31/13	Yes
Barbara Marshall (B/F) 7640 Wilkins Drive Fayetteville, NC 28311 488-2615/977-2303 (C)	4/12	2nd	Apr/16 4/30/16	No
Cassandra McMillion 1905 Eichelberger Drive Fayetteville, NC 28303 488-8336 / 391-1508	11/12	1 st	Nov/16 11/30/16	Yes
Annie R. Hasan 1340 McArthur Road Fayetteville, NC 28311 630-0688/482-3513 (W)	2/08	1 st	Feb/12 2/28/12	Yes

<u>Name/Address</u>	<u>Date Appointed</u>	<u>Term</u>	<u>Expires</u>	<u>Eligible For Reappointment</u>
<u>Aging Service Provider</u>				
Karin Simkin Department of Social Services PO Box 2429 Fayetteville, NC 28302-2429	4/09	2 nd	April/13 4/30/13	No
Rosa Crowe PO Box 64526 Fayetteville, NC 28306 424-2993	4/09	2 nd	April/13 4/30/13	No
Mary Brymer Fayetteville-Cumberland Senior Center 739 Blue Street Fayetteville, NC 28301	4/09	1 st	April/13 4/30/13	Yes
Antoinette Hernandez 7661 Beverly Drive Fayetteville, NC 28314 263-1833	11/12	1st	Nov/16 11/30/16	Yes
Catherine VanSickle CCCCOA, INC. 339 Devers Street Fayetteville, NC 28303 484-0111	12/09	1 st	Dec/13 12/31/13	No
Tina Dicke Legal Aid of NC PO Box 1268 Fayetteville, NC 28302	4/09	2 nd	April/13 4/30/13	No
Donald Wire 540 Nottingham Dr Fayetteville, NC 28311 717-0769 (H)	8/11	1st	Aug/15 8/31/15	Yes
Doris Snider Spring Lake Senior Enrichment Center 301 Ruth Street Spring Lake, NC 28390	12/10	1st	Dec/14 12/31/14	Yes

<u>Name/Address</u>	<u>Date Appointed</u>	<u>Term</u>	<u>Expires</u>	<u>Eligible For Reappointment</u>
<u>Aging Service Provider</u>				
Kristine Wagner (W/F) 130 Gillespie Street Fayetteville, NC 28301 436-0340/678-7624 (W)	12/10	2nd	Dec/14 12/31/14	No
<u>Civic Representative</u>				
Robin Kivett Cape Fear Valley 4042 Pleasant View Drive Fayetteville, NC 28312 483-6964/615-5649	11/12	1st	Nov/16 11/30/16	Yes
<u>Elected Official</u>				
Richard Higgins Town of Spring Lake 1309 Mack Street Spring Lake, NC 28390 497-1027	12/10	2nd	Dec/14 12/31/14	No
<u>County Representative</u>				
Amy Cannon Deputy County Manager PO Box 1829 Fayetteville, NC 28302-1829	02/11	NA	NA	NA

Meets the 3rd Thursday of January, April, August and November at 2:00 PM at various service providers within Cumberland County

Contact: Glenda Dye - 323-4191 x22 - Fax 323-9330 – gdye@mccog.org

APPLICANTS FOR
HOME AND COMMUNITY CARE BLOCK GRANT COMMITTEE

<u>NAME/ADDRESS/PHONE</u>	<u>OCCUPATION</u>	<u>EDUCATIONAL BACKGROUND</u>
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
COGDELL, EDNA (B/F) 734 ASHBURTON DRIVE FAYETTEVILLE, NC 28301 488-4582/624-4558 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	EDUCATOR NC CENTRAL UNIVERSITY	MS-EDUCATION MLS-LIBRARY SCIENCE
COUNCIL, SONJA (-/F) 950 STEWARTS CREEK DR FAYETTEVILLE NC 28314 864-1651 (H) / 615-6139 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	NURSE CAPE FEAR VALLEY	FTCC FSU
HAYWOOD, KENDRA (B/F) 603 SUGARIDGE LANE FAYETTEVILLE, NC 28311 354-6743 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	INSTRUCTOR FTCC	PHD-IN PROGRESS MA-POLITICAL SCIENCE BA-POLITICAL SCIENCE
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

APPLICANTS FOR
HOME AND COMMUNITY CARE BLOCK GRANT COMMITTEE – Page 2

<u>NAME/ADDRESS/PHONE</u>	<u>OCCUPATION</u>	<u>EDUCATIONAL BACKGROUND</u>
LOWE, CHERYL (W/F) 6554 ALAMANCE ROAD HOPE MILLS, NC 28348 366-7506/630-7267 (W) Graduate-County Citizens' Academy: N/A Graduate-Institute for Community Leadership: No Graduate-Leadership Fayetteville: No Graduate-other leadership academy: No	DISPATCHER METHODIST UNIVERSITY	NONE LISTED
MCKOY, WILLIE JR (B/M) 1632 GREENOCK AVE FAYETTEVILLE, NC 28304 273-2976/432-5571 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	CIVIL SERVICE FT. BRAGG	MA-HUMAN RESOURCES MANAGEMENT BS-EDUCATION
MCNEILL, TERESA RENA (B/F) 3918 METEOR DRIVE HOPE MILLS, NC 28348 480-0090/483-3648 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	COMPUTER SYSTEMS ANALYST FAY METROPOLITAN HOUSING	BA-PUBLIC ADMIN. MA STUDENT
MEADOWS, GERALDINE (B/F) 235 ROSEMARY STREET FAYETTEVILLE, NC 28301 578-7273/919-718-4650 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	WORKFORCE DEVELOP. SPECIALIST	BA-SOCIOLOGY MASTERS STUDENT
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.

APPLICANTS FOR
HOME AND COMMUNITY CARE BLOCK GRANT COMMITTEE – Page 3

<u>NAME/ADDRESS/PHONE</u>	<u>OCCUPATION</u>	<u>EDUCATIONAL BACKGROUND</u>
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.
ZOLMAN, ZACHARY SCOTT (-/M) 718 SARAZEN DRIVE FAYETTEVILLE, NC 28303 419-566-7167 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	STUDENT/COMPUTER LAB COORDINATOR FT. BRAGG	CURRENT STUDENT

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. 5C

October 14, 2013

October 21, 2013 Agenda Item

TO: Board of Commissioners

FROM: Kellie Beam, Deputy Clerk to the Board *KB*

SUBJECT: Cumberland County Local Emergency Planning Committee

BACKGROUND: The Cumberland County Local Emergency Planning Committee (LEPC) has the following one (1) vacancy:

Health Representative:

Buck Wilson – Resigned. The Cumberland County Local Emergency Planning Committee recommends **Greg Phillips**. (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:

Pastorius, Ashley (not qualified for this position)

Tomita, Daniel (not qualified for this position)

pc: Gene Booth, Emergency Services

Attachments

Cumberland County Emergency Planning Committee

The Cumberland County Emergency Planning Committee's primary task is to serve as a liaison between industry and the community by working with facilities to develop their facility emergency response plans.

Statutory Authorization: Emergency Planning and Community Right to Know Act of 1986 (301C)

Member Specifications:

13 Members (Minimum) with Specific Categories:

- Print and Broadcast Media
- Operators of Facilities
- Law Enforcement
- Emergency Management
- Community Group
- Transportation
- Health
- Hospital
- Fire Fighter
- First Aid
- At-large
- Local Environmental Representative
- Utilities

Term: 3 Years

Compensation: None

Duties:

- Provide a basis for the community to develop and tailor a chemical emergency planning and response program to suit its needs;
- Provide the public with identity, quantity, location, and properties of hazardous substances in the community;
- Review the county and facility plans annually and conduct emergency drills to test the plan. The annual review of the plan should include a hazards analysis and an evaluation of available resources that could be used during a response for a chemical incident.

Meetings: On the last Thursday of the first month of each quarter at 10:00 AM. Members are also required to attend and work with the subcommittee they are assigned to. The meetings generally last approximately one hour. The time required for the subcommittee would vary depending on the nature of the subcommittee (i.e., Membership, Resources, Exercise, Planning, etc.)

Meeting Location: Public Works Commission 955 Old Wilmington Road Fayetteville, NC

Kellie Beam

From: Gene Booth
Sent: Friday, October 11, 2013 3:43 PM
To: Kellie Beam
Subject: LEPC Public Health Rep.

Kellie,

On behalf of the LEPC I would like to recommend Greg Phillips as the Public Health representative. This is to fill a vacant position. Mr. Phillips has served on the LEPC in the past and has been attending for Cumberland County Public Health. Thank you very much for your assistance.

Gene Booth
Emergency Management Program Coordinator
Cumberland County Emergency Services
131 Dick St Rm. 114
Fayetteville, NC 28301
Office (910)678-7641
Cell (910)850-8166
www.co.cumberland.nc.us

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

<u>Name/Address</u>	<u>Date Appointed</u>	<u>Term</u>	<u>Expires</u>	<u>Eligible For Reappointment</u>
<u>Print and Broadcast Media Representative</u>				
Tracie Davis City of Fayetteville 2415 Silverbells Loop Fayetteville, NC 28304 Phone: 391-2476 (C) 568-5880 (H)	8/13	1st	Aug/16 8/31/16	Yes
Sally Shutt CC Communications Manager P.O. Box 1829 Fayetteville, NC 28302 Phone: 437-1921	8/13	2nd	Aug/16 8/31/16	No
<u>Operators of Facilities Representative</u>				
Rayford Hunt Hexion Specialty Chemicals 1411 Industrial Drive Fayetteville, NC 28301 485-9269	12/11	2nd	Dec/14 12/31/14	No
VACANT (vacated by Gene Smith) Goodyear Tire and Rubber 6650 Ramsey Street Fayetteville, NC 28311 893-8213/630-5678 (W)	8/09	1 st	Aug/12 8/31/12	Yes
Mark Faircloth (Eaton Corporation) 338 Hilliard Drive Fayetteville, NC 28311 482-4266/677-5219	10/13	2nd	Oct/16 10/31/16	No
Antionette Barnes (/F) Purolator Filters 3200 Natal Road Fayetteville, NC 28306 426-4283 (W)	2/13	2nd	Feb/16 2/28/16	No

<u>Name/Address</u>	<u>Date Appointed</u>	<u>Term</u>	<u>Expires</u>	<u>Eligible For Reappointment</u>
<u>Law Enforcement Representative</u>				
Lt. Freddie Johnson Jr. NC Highway Patrol 5455 Grimes Road Fayetteville, NC 28306 423-6881/486-1058	4/13	1st	Apr/16 4/30/16	Yes
Lt. Charles Parker Cumberland Co. Sheriff's Office 131 Dick Street Fayetteville, NC 28301-5750 677-5412	6/10	1 st full	Aug/13 8/31/13	No
Capt. Kenneth Eaker Fayetteville Police Department 467 Hay Street Fayetteville, NC 28301-5565 433-1819	2/13	2nd	Feb/16 2/28/16	No
<u>Emergency Management Representative</u>				
Gene Booth Cumberland County Emergency Services 131 Dick Street Fayetteville, NC 28301 678-7641	8/13	2nd	Sept/16 9/30/16	No
<u>Community Group Representative</u>				
VACANT (vacated by J. Womble)	8/07	2 nd	Aug/10 8/31/10	No
<u>Transportation Representative</u>				
VACANT (vacated by Eddie Smith)	12/09	1st	Dec/12 12/31/12	Yes
<u>Health Representative</u>				
VACANT (vacated by B. Wilson)	01/11	1st	Jan/12 1/31/12	Yes

(serving unexpired term; eligible to serve two additional three-year terms)

<u>Name/Address</u>	<u>Date Appointed</u>	<u>Term</u>	<u>Expires</u>	<u>Eligible For Reappointment</u>
<u>Hospital Representative</u>				
Marsha Lunt 227 Summertime Road Fayetteville, NC 28303 868-1207/907-6688	9/13	1st	Feb/16 2/28/16	Yes
(serving unexpired term; eligible for one additional term)				
<u>Fire Fighting Representative</u>				
VACANT (Vacated by T. Allen) Fire/Emergency Management City of Fayetteville	12/11	2nd	Dec/14 12/31/14	No
<u>First Aid Representative</u>				
James Bullard Jr. Cumberland Co. EMS/Emergency Management Cape Fear Valley Health System 610 Gillespie St Fayetteville, NC 28306 615-5696/988-8871	4/13	1 st	Nov/13 11/30/13	Yes
(serving unexpired term; eligible for two additional terms)				
<u>At-Large Representative</u>				
Phillip McCorquodale 3814 Corapeake Drive Fayetteville, NC 28312 323-4112/323-9600 (W)	4/13	2nd	April/16 04/30/16	No
Marsha Fogle PO Box 278 Stedman, NC 28391 483-9579	8/13	2nd	Aug/16 08/31/16	No
<u>Local Environmental Representative</u>				
Paul Rawls 225 Green Street, Suite 714 Fayetteville, NC 28301 424-5556 (H) / 433-3303 (W)	2/10	1st	Feb/13 2/28/13	Yes
<u>Utilities Representative</u>				
Ray Jackson (/M) Public Works Commission 955 Old Wilmington Road Fayetteville, NC 28301 223-4118	2/13	2nd	Feb/16 2/28/16	No

<u>Name/Address</u>	<u>Date Appointed</u>	<u>Term</u>	<u>Expires</u>	<u>Eligible For Reappointment</u>
Andrew Moore Directorate of Public Works Environmental Compliance Branch 2175 Reilly Road, Stop A Fort Bragg, NC 28310 813-8506	8/13	2nd	Aug/16 8/31/16	No

Ex-Officio Members:

Emergency Management

Randy Beeman, Cumberland County Emergency Services

Fayetteville Fire/Emergency Management

Ben Major, Chief, Fayetteville Fire Department

James Martin, County Manager

Contact: Randy Beeman, Director – Emergency Services – x7688 or Gloria Simms
and Gene Booth – Emergency Management Officer, Emergency Services

Meets quarterly on the last Thursday of the month in January, April, July & October at 10:00 am – PWC
Office, 955 Old Wilmington Road

**APPLICANTS FOR
CUMBERLAND COUNTY LOCAL EMERGENCY PLANNING COMMITTEE**

NAME/ADDRESS/TELEPHONE	OCCUPATION	EDUCATIONAL BACKGROUND
ALEXANDER, MARK (W/M) 7716 DUNDENNON DRIVE FAYETTEVILLE NC 28306 423-0059 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	RETIRED MILITARY	BS-AERODYNAMICS MA-FOREIGN POLICY
BULLARD, SCOTT (W/M) 433 HAY STREET FAYETTEVILLE, NC 28301 551-4208/433-1789 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	EMERGENCY MANAGEMENT CITY OF FAYETTEVILLE FIRE/EMERGENCY	BACHELORS- BIOLOGY & GEOGRAPHY MASTERS-BUSINESS ADMIN.
CASHION, STEVEN P. (W/M) 6390 ABBOTTS PARK DR FAYETTEVILLE NC 28311 779-5358 (H) / 485-6843 (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	PEER SUPPORT SPECIALIST & FIREMAN EVERGREEN BEHAVIORAL MANAGEMENT	HS
DAUNTAIN, TIMOTHY (B/M) 5780 FRANKLIN ST HOPE MILLS NC 28348 527-6479/630-7000 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: LEADERSHIP DEVELOPMENT COURSE & POLICE ACADEMY	CUSTODIAN SUPERVISOR METHODIST UNIVERSITY	HS SOME COLLEGE
FERGUSON, ALFONSO SR (B/M) 3329 EASTGATE ST EASTOVER NC 28312 401-2313/483-1888 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	FACILITY MANAGER SALIENT FEDERAL SOLUTIONS	MASTERS-OPERATIONAL LEADERSHIP BACHELOR-HEALTH SERVICE ADMIN. AS-ACCOUNTING

Emergency Planning Committee, Page 2

NAME/ADDRESS/TELEPHONE	OCCUPATION	EDUCATIONAL BACKGROUND
GALBREATH, NATHAN (W/M) 230 NANDINA COURT FAYETTEVILLE, NC 28311 815-990-8393/570-9250 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: Moore County Leadership Institute	DA CIVILIAN US ARMY	BS-FINANCE BS-HUMAN RESOURCES
GILFUS, PHILLIP (W/M) 2602 COLGATE DRIVE FAYETTEVILLE, NC 28304 910-916-2448 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	ATTORNEY	BA-COMMUNICATIONS J.D. MPA
JAMES, QUINSENTINA (-/F) 2441 CANFORD LANE FAYETTEVILLE, NC 28304 910-323-3421 EXT 2141 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	EMPLOYMENT & TRAINING CASE MANAGER FTCC – WORKFORCE DEVELOPMENT	MSM –MGMT/ HR & HEALTHCARE
JOHNSON, TOMMY (W/M) 515 ADAM ST APT D FAYETTEVILLE NC 28301 252-268-6332/252-268-1511 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	DOCTORATE- THEOLOGY
LANTHORN, JOHNNY (W/M) 6841 MAIN ST WADE NC 28395 484-7467/850-8453 **SERVES ON THE AIR QUALITY STAKEHOLDERS COMMITTEE** 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	POWER PLANT MAINTENANCE PWC	HIGH SCHOOL

Emergency Planning Committee, Page 3

NAME/ADDRESS/TELEPHONE	OCCUPATION	EDUCATIONAL BACKGROUND
<p>LOWE, CHERYL (W/F) 6554 ALAMANCE ROAD HOPE MILLS, NC 28348 366-7506/630-7267 (W) Graduate-County Citizens' Academy: N/A Graduate-Institute for Community Leadership: No Graduate-Leadership Fayetteville: No Graduate-other leadership academy: No</p>	<p>DISPATCHER METHODIST UNIVERSITY</p>	<p>NONE LISTED</p>
<p>MARTIN, RICHARD L (W/M) 911 TOBERMORY RD FAYETTEVILLE NC 28306 309-8164/ 678-1174 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</p>	<p>FIRE MARSHALL DUPONT</p>	<p>SOME COLLEGE</p>
<p>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</p>	<p>FOUNDER OF THE MINER FOUNDATION</p>	<p>NONE LISTED</p>
<p>MONTELEONE, ANTHONY (-/M) 1229 BOSTIAN DR FAYETTEVILLE, NC 28304 222-8787 (H) / 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</p>	<p>US ARMY</p>	<p>IN COLLEGE</p>
<p>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</p>	<p>UNEMPLOYED</p>	<p>BUSINESS ADMIN.</p>

NAME/ADDRESS/TELEPHONE	OCCUPATION	EDUCATIONAL BACKGROUND
NKUSI, ERIC S. (B/M) 244 WICKFORD CT #4 FAYETTEVILLE, NC 28314 910-779-5611 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: ARMY ADVANCED LEADERSHIP COURSE	MILITARY	
PASTORIUS, ASHLEY (W/F) 2005 ROCK AVE FAYETTEVILLE, NC 28303 954-854-1591 Graduate-County Citizens' Academy: YES Graduate-Institute for Community Leadership: NO Graduate-Leadership Fayetteville: NO Graduate-United Way's Multi-Cultural Leadership Program: YES Graduate-other leadership academy: NO	STUDENT, SERVER SUBSTITUTE TEACHER	AA-LIBERAL ARTS BA-POLITICAL SCIENCE MA- CURRENT STUDENT
RAY, LATARA (B/F) 5823 NESSEE ST FAYETTEVILLE, NC 28314 860-3443/587-7795 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	GRADUATION COORDINATOR FSU	MA-BUSINESS BA-SOCIOLOGY AS-BUSINESS ADMIN.
SHECKELS, JAMES A. (W/M) 6916 GLYNN MILL FARM DRIVE FAYETTEVILLE, NC 28306-9516 322-7683 (H) / 243-1950 (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: Army Civilian Education System Intermediate/Advanced DL	CIVIL SERVICE JSOC US ARMY RETIRED	BA – BUSINESS MGT MA – SECURITY MGT
STUCKEY, DEBORAH (B/F) 5578 ARAPAHOE COURT FAYETTEVILLE, NC 28304 826-6747 (H) / 224-6786 (W) 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	LAB INSTRUCTOR FTCC	BACHELORS

<u>NAME/ADDRESS/TELEPHONE</u>	<u>OCCUPATION</u>	<u>EDUCATIONAL BACKGROUND</u>
TOMITA, DANIEL (ASIAN/M) 3501 GABLES DRIVE FAYETTEVILLE NC 28311 364-4102/570-9154 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: Various Military Leadership Trainings	US ARMY OFFICER	MA, BS, BA
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
WILLET, RONNIE (W/M) 8927 MAIN ST GODWIN, NC 28344 391-8093/433-1413 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	FIRE CAPTAIN CITY OF FAYETTEVILLE	MASTERS-PUBLIC ADMIN. BS-FIRE SCIENCE MGMT
ZIMMERMAN, JEFFREY (W/M) 5730 MCDOUGAL DR FAYETTEVILLE NC 28304 252-876-5380 (H) / 409-5870 (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: PRIMARY LEADERSHIP DEVELOPMENT COURSE, U.S. ARMY	LAW ENFORCEMENT AGENT NC LICENSE & THEFT BUREAU	BA-POLITICAL SCIENCE PURSUING MA-PUBLIC ADMINISTRATION
ZOLMAN, ZACHARY SCOTT (-/M) 718 SARAZEN DRIVE FAYETTEVILLE, NC 28303 419-566-7167 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	STUDENT/COMPUTER LAB COORDINATOR FT. BRAGG	CURRENT STUDENT

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. 5D

October 15, 2013

October 21, 2013 Agenda Item

TO: Board of Commissioners

FROM: Kellie Beam, Deputy Clerk to the Board KB

SUBJECT: Farm Advisory Board

The Farm Advisory Board has the following three (3) upcoming vacancies on December 31, 2013:

Farmer Position:

Collins Bullard – Completing first term. Not interested in serving a second term.
Recommendation of the Farm Advisory Board is for **Kevin West** to fill the position. (See attached.)

Natural Resource Conversation Service:

Clifton McNeill, Jr. – completing first term. Eligible for reappointment.
Recommendation of the Farm Advisory Board is for the reappointment of **Clifton McNeill, Jr.** (See attached.)

Farm Bureau Representative:

David Gillis – completing first term. Eligible for reappointment.
Recommendation of the Farm Advisory Board is for the reappointment of **Davis Gillis.** (See attached.)

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

Farm Advisory Committee

The Farmland Advisory Committee serves as a watchdog for development in farm and rural areas, protect agricultural land, preserve the farming industry and protect the character of the rural areas in the county.

Member Specifications:

9 Members

Term: 3 Years

Compensation: None

Duties:

1. Promote the health, safety, rural agricultural values, and general welfare of the County;
2. Increase identity and pride in the agricultural community and its way of life;
3. Encourage the economic and financial health of agriculture;
4. Make recommendations to the Cumberland County Joint Planning Board and Board of Commissioners regarding issues involving farmland in Cumberland County.

Meetings: Quarterly - second Tuesday of the first month at 7:00 PM

Meeting Location: Historic Cumberland County Courthouse, Room 107C 130 Gillespie Street Fayetteville, NC

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

Vikki Andrews,
Diane Wheatley,
Carl Manning,
Cumberland County

Benny Pearce,
Town of Eastover

Donovan McLaurin,
Wade, Falcon & Godwin

MEMORANDUM

TO: Kellie Beam, Deputy Clerk

FROM: Will Linville, Planner *WJ*

DATE: October 14, 2013

SUBJECT: Appointments/Reappointments to Farm Advisory Board

The Cumberland County Farm Advisory Board respectfully submits the following names for consideration by The Board of Commissioners for appointment/reappointment to serve on the Farm Advisory Board. Their current term will expire on December 31, 2013.

Name	Representing	Term Beginning	Term Ending
Wayne Beard	Farmer	12/31/12	12/31/15 (3 years)
Wayne Collier, Jr.	Farmer	12/31/12	12/31/15 (3 years)
David Gillis*	Farm Bureau	12/31/13	12/31/16 (1 year)
Clifton McNeill, Jr.*	Soil & Water Conservation District	12/31/13	12/31/16 (1 year)
Kevin West**	Farmer	12/31/13	12/31/16 (1 year)
Colby Lambert	NC Cooperative Extension Representative	12/31/11	12/31/14 (2 years)
Britt Riddle	Farmer	12/31/11	12/31/14 (2 years)
Walter Clark	Cumberland County Joint Planning Board	12/31/11	12/31/14 (2 years)
Vance Tyson	Farmer	12/31/12	12/31/15 (3 years)

*David Gillis and Clifton McNeill, Jr. are eligible for reappointment and are willing to serve another 3-year term.

**Kevin West will replace Collins Bullard, who was eligible for reappointment, but elected to resign.

Cc: Tom Lloyd, Planning Director
Will Denning, Section Chief

FARM ADVISORY BOARD

The Farm Advisory Committee was created by Resolution approved by the Board of Commissioners on April 5, 2004. Committee members were appointed by the Commissioners on June 7, 2004. Bylaws were adopted by the Commissioners on November 30, 2006 and the Farm Advisory Committee became the Farm Advisory Board. **Initial terms for the Farm Advisory Board began on December 31, 2006.** The initial term was for 3 years with an expiration date of December 31, 2009. (All second terms were staggered as outlined in the bylaws with 1/3 of the members appointed for a 1-year term; 1/3 of the members appointed for a 2-year term; and 1/3 of the members appointed to a 3-year term.) Determination was made at the membership meeting during the final quarter of the 3rd year by drawing lots. **(Bylaws specify that terms begin January 1st and expire December 31st; members may serve an unexpired term and 2 additional terms.)**

<u>Name/Address</u>	<u>Date Appointed</u>	<u>Term</u>	<u>Expires</u>	<u>Eligible for Reappointment</u>
<u>Farmers:</u>				
Britt Riddle 7397 Riddle Road St. Pauls, NC 28384 425-8532/ 818-1049	12/11	1st	Dec/14 12/31/14	Yes
Wayne Beard 1514 Middle Road Fayetteville, NC 28312 483-9165/818-9992 (C)	12/12	1st	Dec/15 12/31/15	Yes
Collins Bullard 2280 Stedman-Cedar Creek Road Stedman, NC 28391 303-3795	01/03/11	1st	Dec/13 12/31/13	Yes
Wayne Collier, Jr. 5489 Indian Ridge Road Linden, NC 28356 980-0066/308-9197 (C)	12/12	2nd	Dec/15 12/31/15	No
appointed to an unexpired term 11/3/08 for an initial term that began in 12/31/06 Collier reappointed to a 3-year term in 2009; eligible for an additional 3-year term				
Vance Tyson 4925 NC Hwy 87 S Fayetteville, NC 28306 910-308-4057	12/12	1st	Dec/15 12/31/15	Yes
<u>Natural Resource Conservation Service:</u>				
Clifton McNeill, Jr. 1471 Clifton McNeill Road Hope Mills, NC 28348 425-7354/309-4750	5/31/12	1st	Dec/13 12/31/13	Yes
serving unexpired term, eligible for two additional terms				

(Bylaws specify that terms begin January 1st and expire December 31st; members may serve an unexpired term and 2 additional terms.)

<u>Name/Address</u>	<u>Date Appointed</u>	<u>Term</u>	<u>Expires</u>	<u>Eligible for Reappointment</u>
<u>Farm Bureau Representative:</u>				
David Gillis 7775 Climbing Tree Lane Fayetteville, NC 28306 487-0684	01/03/11	1st	Dec/13 12/31/13	Yes
<u>Planning Board Representative:</u>				
Walter Clark 1124 Pony Drive Hope Mills, NC 28348 485-2228 / 818-4968	1/12	1st (eligible for an additional three-year term)	Dec/14 12/31/14	Yes
<u>Cooperative Extension Service Representative:</u>				
Colby Lambert NC Cooperative Extension Service 301 East Mountain Drive Fayetteville, NC 28306 321-6875(W)	12/11	2nd Initial term for position began 12/31/06	Dec/14 12/31/14	No

Meetings: Quarterly – Second Tuesday of the first month of each quarter (Jan, Apr, July, Oct) at 7:00 PM
Historic Cumberland County Courthouse, 130 Gillespie Street, Room 107C

Contact: Will Linville – 678-7607 (Planning and Inspections)

**APPLICANTS FOR
FARM ADVISORY BOARD**

<u>NAME/ADDRESS/PHONE</u>	<u>OCCUPATION</u>	<u>EDUCATIONAL BACKGROUND</u>
HALL, J. F. (W/M) 6772 FAIRCLOTH BRIDGE ROAD STEDMAN, NC 28391 483-6239/850-0946(C) 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-DUPONT FARMER/LAWN CARE 46 YRS COUNTY FIRE SERVICE	HIGH SCHOOL
KATER, ROBERT (W/M) 714 BLAWELL STREET STEDMAN, NC 28391 484-3434 (H) 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
SERVES ON THE MINIMUM HOUSING APPEALS BOARD		
STEWART, JAMESON C. (W/M) 3533 GODWIN CIRCLE FAYETTEVILLE, NC 28312 874-5930/678-9897 (W) 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	SENIOR AUDIO VISUAL TECH – FTCC	AAA – ELECTRONICS ENG.
WEST, KEVIN (W/M) 4656 CEDAR CREEK ROAD FAYETTEVILLE NC 28301 910-850-2476 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	FARMER	NONE LISTED
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

JIMMY KEEFE
Chairman

JEANNETTE M. COUNCIL
Vice Chairman

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



CUMBERLAND
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BOARD OF COMMISSIONERS

CANDICE WHITE
Clerk to the Board

KELLIE BEAM
Deputy Clerk

ITEM NO. 5E

October 11, 2013

October 21, 2013 Agenda Item

TO: Board of Commissioners
FROM: Kellie Beam, Deputy Clerk to the Board *KB*
SUBJECT: Fayetteville Area Convention and Visitors Bureau

BACKGROUND: The Fayetteville Area Convention and Visitors Bureau will have the following one (1) vacancy on December 31, 2013:

Hotel/Motels under 100 Rooms Representative:

Manish Mehta – completing first term. Eligible for reappointment. Manish Mehta indicated he is willing to serve another term. (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

pc: John Meroski, FACVB

Fayetteville Area Convention and Visitors Bureau Board of Directors

The purpose of the Fayetteville Area Convention and Visitors Bureau Board of Directors is to encourage travel and tourism in Cumberland County and to engage in any lawful act or activity for which non-profit corporations may be organized under Chapter 55A of the North Carolina General Statutes.

Statutory Authorization: Chapter 983, House Bill 1590

Member Specifications:

11 Members with Specific Categories:

- Cumberland County Manager or his designee (1)
- Manager of the City of Fayetteville or his designee (1)
- Director of the Cumberland County Civic Center or his designee
- Representatives nominated by hotels and motels within the county which have in excess of 100 rooms and appointed by the County Commissioners. (2)
- Representatives nominated by hotels and motels within the county which have less than 100 rooms and appointed by the County Commissioners. (2)
- Chairman of the Travel and tourism Committee of the Fayetteville Area Chamber of Commerce (1)
- Representative of a hotel or motel within Cumberland county which has rooms subject to the Occupancy Tax and meeting space in excess of 6,000 square feet which shall be elected by the Board of Directors upon recommendation of a Nominating Committee appointed by the Chairman (1)
- Representative of a hotel or motel within Cumberland county which has rooms subject to the Occupancy Tax and shall be elected by the board of Directors upon recommendation of a Nominating Committee appointed by the chairman (1)
- At-large member, appointed by the Board of County Commissioners which is representative of one or more of the following groups: 1) arts/cultural community; 2) business community; 3) military; and has a demonstrated interest in travel and tourism in the County (1)

Term: 3 Years

Compensation: None

Duties:

- Responsible for reviewing, approving and monitoring the financial integrity of the Fayetteville Area Convention and Visitors Bureau;
- Helps establish and monitor the implementation and administration of policies and programs;
- Approves and supports the Fayetteville Area Convention and Visitors Bureau's programs within the community;

- Hire, support and evaluate the performance of the President and CEO of the Fayetteville Area Convention and Visitors Bureau.

Meetings: Second Thursday of every other month at 12:00 PM

Meeting Location: Fayetteville Area Convention and Visitors Bureau Board Room 245 Person Street Fayetteville, NC

Kellie Beam

From: Kelly Brill [KBrill@visitfayettevillenc.com]
Sent: Thursday, October 10, 2013 11:39 AM
To: Kellie Beam
Subject: RE: FACVB Board of Directors

Yes, i confirmed it with Mr. Meroski. He is eligible to run and is willing to serve another term. The FACVB recommends this.

Thanks,

Kelly Brill
Office Manager

Fayetteville Area Convention & Visitors Bureau
245 Person Street, Fayetteville, NC 28301
P: (910) 483-5311 F: (910) 484-6632

www.VisitFayettevilleNC.com



From: Kellie Beam [mailto:kbeam@co.cumberland.nc.us]
Sent: Thursday, October 10, 2013 10:51 AM
To: Kelly Brill
Subject: RE: FACVB Board of Directors

Hey Kelly!

I am doing great and I hope you are, as well.

Yes, Mr. Mehta is eligible to be reappointed. All I will need is for you to verify that Mr. Mehta is willing to serve another term. Then you can just send me an email telling me that he is willing to serve another term and the FACVB recommends that.

I hope that made sense. Let me know if you have any questions or need anything else.

Thanks!

Kellie Beam
Deputy Clerk to the Board
Cumberland County Board of Commissioners
PO Box 1829
Fayetteville, NC 28302-1829
Phone: (910) 678-7772 / Fax: (910) 678-7770
Website: <http://www.co.cumberland.nc.us/>

From: Kelly Brill [mailto:KBrill@visitfayettevillenc.com]
Sent: Thursday, October 10, 2013 9:33 AM
To: Kellie Beam
Subject: FACVB Board of Directors

FAYETTEVILLE AREA CONVENTION AND VISITORS BUREAU
BOARD OF DIRECTORS
3 Year Terms

<u>Name/Address</u>	<u>Date Appointed</u>	<u>Term</u>	<u>Expires</u>	<u>Eligible For Reappointment</u>
<u>Hotel/Motels under 100 rooms Representatives:</u>				
Dan Roberts (-/-) Wingate Inn 4182 Sycamore Dairy Road Fayetteville, NC 28303	12/11	2nd	Dec/14 12/31/14	No
Manish Mehta 229 Forest Creek Drive Fayetteville, NC 28303 494-1918	01/11	1st	Dec/13 12/31/13	Yes
<u>Hotel/Motel over 100 rooms Representatives:</u>				
Annette Cogburn Holiday Inn 4583 Cripple Creek Drive Fayetteville, NC 28306	12/11	1st	Dec/14 12/31/14	Yes
William S. Wellons, Jr. 406 Overton Place Fayetteville, NC 28303 868-5425/436-3131 (W)	2/11	1 st	Feb/14 02/28/14	Yes
<u>At Large</u>				
Gwen Holloman (B/F) 721 Edgehill Road Fayetteville, NC 28314 868-1691/261-7813 (C)	6/12	2nd	June/15 6/30/15	No
<u>Representative, Hotel/Motel with meeting space in excess of 6,000 square feet</u>				
<u>Board of Directors Appointee:</u>				
Balbir S. (Bill) Brar, Owner Fayetteville Doubletree Hotel 1965 Cedar Creek Road Fayetteville, NC 28312 323-8282	12/09			

<u>Name/Address</u>	<u>Date Appointed</u>	<u>Term</u>	<u>Expires</u>	<u>Eligible For Reappointment</u>
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Hotel/Motel Representative

Board of Directors Appointee:

Subodh Thakur 7/97

Villager Lodge and Shangri La Motel

521 Ramsey Street

Fayetteville, NC 28301-4911

483-2621(W)

Chamber of Commerce Representative:

Henry Holt

Holt Oil

P. O. Box 53157

Fayetteville, NC 28303

Ex-officio Members:

James Martin, County Manager

Karen Long, CEO/Coliseum Complex Manager

Dale Iman, City Manager

Contact: John Meroski (or Tammy Johnson), Fayetteville Area Convention & Visitors' Bureau – 483-5311

Meetings: Second Thursday of every other month (starting in January) at 12:00 pm – Fayetteville Area Convention and Visitors Bureau, Board Room, 245 Person Street

APPLICANTS FOR
FAYETTEVILLE AREA CONVENTION AND VISITORS BUREAU
BOARD OF TRUSTEES

<u>NAME/ADDRESS/TELEPHONE</u>	<u>OCCUPATION</u>	<u>EDUCATIONAL BACKGROUND</u>
BECK, REBECCA E. (I/F) 3605 PERSIMMON RD HOPE MILLS, NC 28348 286-0759 (H) / 867-9700 X 2579 (W) 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	INFORMATION SYSTEMS MANAGER PARTNERSHIP FOR CHILDREN	AAS-PUBLIC ADMIN.
DECOSTA, JOSEPH (W/M) 7016 MARINERS LANDING DR FAYETTEVILLE NC 28306 286-9686/396-5724 Graduate-County Citizens' Academy: Starts September 2013 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 WARRANT OFFICER US ARMY	CURRENT STUDENT
ELAY, ZACCHEAUS (B/M) 800 TAMARACK DR APT 8116 FAYETTEVILLE, NC 28311 237-5456/323-0813 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	TAX ACCOUNTING ZACK TAX & ACCOUNTING SERVICE	BS-ACCOUNTING
FORD, STANLEY (B/M) 4013 POLK DRIVE HOPE MILLS, NC 28348 910-425-5639 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: ARMY LEADERSHIP COURSE	BANKING/MORTGAGES NOT LISTED	BACHELORS
HERNANDEZ, ANTOINETTE (B/F) 7661 BEVERLY DRIVE FAYETTEVILLE, NC 28314 263-1833 (H) / 323-4424, 864-8085 (W) 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	ADMIN. ASST & GENERAL MANAGER – CAPE FEAR ADULT DHCC, SYLVESTER LOVING, LLC.	HS FTCC-ACCOUNTING

APPLICANTS FOR
FAYETTEVILLE AREA CONVENTION AND VISITORS BUREAU
BOARD OF TRUSTEES Page 2

<u>NAME/ADDRESS/TELEPHONE</u>	<u>OCCUPATION</u>	<u>EDUCATIONAL BACKGROUND</u>
MCMILLIAN, STEVE (B/M) 6521 CISSNA DRIVE FAYETTEVILLE, NC 28303 910-273-7933 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: MILITARY ACADEMY	RETIRED MILITARY	BS
SESSOMS, JR, DAVID (W/M) 221 ½ 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
WILLIAMS, ROBERT C. (B/M) 2713 ROSEHILL RD FAYETTEVILLE NC 28301 910-488-7587 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	RETIRED SELF-EMPLOYED	BS MS
WILLIAMS, TERRY (B/M) 674 BAYWOOD ROAD FAYETTEVILLE, NC 28312 435-0960/658-7586 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	DISABLED VETERAN	MASTERS-COMPUTER SCIENCE BS-COMPUTER SCIENCE AS-COMPUTER STUDIES

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. SF

October 16, 2013

October 21, 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 one (1) vacancy:

Matthew Auman McLean – completed first term. Eligible for reappointment.

I have attached the membership list and applicant list for this commission.

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

APPLICANT(S) GRADUATING FROM COUNTY CITIZENS' ACADEMY:
None

Attachments

pc: David Nash, Planner II
City of Fayetteville

Joint Appearance Commission

The Joint Appearance Commission makes recommendations to governing bodies on appearance issues and promotes the enhancement of the appearance of the community.

Statutory Authorization: NCGS 160A-451

Member Specifications:

15 Members

- Appointed by the Board of Commissioners (4)
- Appointed by the Fayetteville City Council (4)
- And one each from the remaining municipalities in Cumberland County

Term: 2 Years

Compensation: None

Duties:

Meetings: First Monday of the month at 5:15 PM

Meeting Location: City Hall 1st Floor, Cape Fear Room 433 Hay Street Fayetteville, NC

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>
Sheila Wilson 1839 Brawley Avenue Fayetteville, NC 28314 764-0638/551-4708	8/12	1st	Aug/14 8/31/14	Yes
(serving unexpired term; eligible for one additional term)				
Mitchell, Christopher 7357 Beaver Run Drive Fayetteville, NC 28314 229-7871 (H)/860-3333(W)	8/12	2nd	Aug/14 8/31/14	No
George Quigley 616 Blawell Circle Stedman, NC 28391 485-2980/286-5508	8/13	1st	Aug/15 8/31/15	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
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

<u>NAME/ADDRESS/TELEPHONE</u>	<u>OCCUPATION</u>	<u>EDUCATIONAL BACKGROUND</u>
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
SERVES ON THE ADULT CARE HOME COMMUNITY COMMITTEE		
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
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	BS-OCCUPATIONAL EDUC MASTERS-PUBLIC ADMIN.
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	AVIATION MANAGEMENT DEGREE

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. 56

October 16, 2013

October 21, 2013 Agenda Item

TO: Board of Commissioners
FROM: Kellie Beam, Deputy Clerk to the Board *KB*
SUBJECT: Minimum Housing Appeals Board

BACKGROUND: The Minimum Housing Appeals Board will have the following one (1) vacancy on October 31, 2013:

Linda J. Miller – completing second term. Not eligible for reappointment. The Minimum Housing Appeals Board does not have a recommendation at this time.

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

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

APPLICANT(S) GRADUATING FROM COUNTY CITIZENS' ACADEMY:
None

pc: Carol Post, Planning and Inspections Department

Attachments

Cumberland County Minimum Housing Appeals Board

The Cumberland County Minimum Housing Appeals Board is a quasi-judicial board created to hear appeals from decisions of the Minimum Housing Inspector.

Statutory Authorization: NCGS 160A-441 et. seq.

Member Specifications:

10 Members

- 5 Regular Members
- 5 Alternate Members

Term: 3 Years

Compensation: None

Duties: The Board may reverse or affirm, wholly or partly, or may modify the decision or order being appealed and may make any decision and order that it deems appropriate in the matter. To that end, it has all the powers of the Inspector.

Meetings: The second Tuesday of the first month of each quarter at 6:30 PM. Special meetings are held on an as needed basis. The total number of annual meetings usually will not exceed twelve. Meetings normally last one to three hours.

Meeting Location: Historic Cumberland County Courthouse, Room 3 130 Gillespie Street Fayetteville, NC

MINIMUM HOUSING APPEALS BOARD
3 Year Staggered Terms

<u>Name/Address</u>	<u>Date Appointed</u>	<u>Term</u>	<u>Expires</u>	<u>Eligible For Reappointment</u>
Eric F. Jones 123 N. Plymouth Fayetteville, NC 28312 263-3054/487-0204 (W)	02/11	1st	Feb/14 02/28/14	Yes
Clayton O. Burris, Jr. (W/M) 2026 Forest Hills Drive Fayetteville, NC 28303 822-2800	11/12	2nd	Nov/15 11/30/15	No
Linda J. Miller 5815 Cherrystone Drive Fayetteville, NC 28311 480-0063/822-7923 (W)/987-0289 (C)	10/10	2nd	Oct/13 10/31/13	No
Geri Hasapis (-/F) 356 Edinburg Drive Fayetteville, NC 28303 864-7433 / 497-8830	11/11	1st	Nov/14 11/30/14	Yes
Louis L. King (W/M) 1004 Greenhouse Drive Hope Mills, NC 28348 425-3732/797-0260 C	11/11	1st	Nov/14 11/30/14	Yes
<u>(Alternate Members)</u>				
Luther M. McManus 3472 Thorndike Drive Fayetteville, NC 28311 488-1314 (H)	10/10	1st full term	Oct/13 10/31/13	Yes
Veronica Langston 223 Murray Ford Drive Fayetteville, NC 28314 867-7098/483-4037 (W)	01/11	1st	Jan/14 01/31/14	Yes
Steve Hogan (W/M) 4585 Canasta Court Hope Mills, NC 28348 868-9807/797-1910 (W)	10/10	1st full term	Oct/13 10/31/13	Yes

Minimum Housing Appeals Board, Page 2

<u>Name/Address</u>	<u>Date Appointed</u>	<u>Term</u>	<u>Expires</u>	<u>Eligible For Reappointment</u>
Robert Kater (W/M) 714 Blawell Street Stedman, NC 28391 484-3434 (H)	11/11	1st	Nov 14 11/30/14	Yes
Henry Gibbs Jr 7505 Coleridge Drive Fayetteville, NC 28304 867-7979 / 988-8602 C	11/11	1 st	Nov 14 11/30/14	Yes

Meetings: Quarterly - Second Tuesday of the first month of each quarter per calendar year -
 (January, April, July, October)
 Historic Cumberland County Courthouse, 130 Gillespie St., Hearing Room 3, 6:30 PM

Contact: Carol M. Post, 321-6640, Planning and Inspections Department
 Cell: 261-7745 (after 5 pm on the day of the meeting)

APPLICANTS FOR
MINIMUM HOUSING APPEALS BOARD

<u>NAME/ADDRESS/TELEPHONE</u>	<u>OCCUPATION</u>	<u>EDUCATIONAL BACKGROUND</u>
AMOS, LINDA 917 BASHLOT PLACE FAYETTEVILLE NC 28303 860-4280 / 486-1010 X 2201 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 LEADERSHIP TRAINING	TAX AUDITOR DEPT OF COMMERCE RETIRED - ARMY	NONE LISTED
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.

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. 6A

October 8, 2013

October 21, 2013 Agenda Item

TO: Board of Commissioners
FROM: Kellie Beam, Deputy Clerk to the Board *KB*
SUBJECT: Air Quality Stakeholders' Committee

BACKGROUND: On October 7, 2013, the Board of Commissioners nominated the following individual to fill one (1) vacancy on the Air Quality Stakeholders' Committee:

Town of Eastover Stakeholder:
C. Kim Nazarchyk (new appointment)

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	3/13	2nd	Mar/16 3/31/16	Yes
Commissioner Pat Edwards Town of Hope Mills PO Box 367 Hope Mills, NC 28348 424-4555	Town of Hope Mills	6/13	2nd	June/16 6/30/16	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	2nd	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	4/13	2nd	April/16 4/30/16	No
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
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NORTH CAROLINA

BOARD OF COMMISSIONERS

CANDICE WHITE
Clerk to the Board

KELLIE BEAM
Deputy Clerk

ITEM NO. 6B

October 8, 2013

October 21, 2013 Agenda Item

TO: Board of Commissioners
FROM: Kellie Beam, Deputy Clerk to the Board KB
SUBJECT: Board of Adjustment

BACKGROUND: At their October 7, 2013 meeting, the Board of Commissioners nominated the following individuals to fill two (2) vacancies on the Board of Adjustment:

Alternate Members:
Joseph Decosta (new appointment)
Alfonso Ferguson Sr. (new appointment)

I have attached the current membership list for this Board.

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

Attachment

pc: Pier Varner, Planning & Inspections Department

BOARD OF ADJUSTMENT
3 Year Term

<u>Name/Address</u>	<u>Date Appointed</u>	<u>Term</u>	<u>Expires</u>	<u>Eligible For Reappointment</u>
Joseph M. Dykes (B/M) 5764 Pepperbush Drive Fayetteville, NC 28304 568-5891 (C)	8/12	2nd	Aug/15 8/31/15	No
Horace Humphrey (- /M) 1852 Cascade Street Fayetteville, NC 28301 488-5143	06/13	2nd	June/16 6/30/16	No
George Lott (W/M) 126 Rowland Circle Fayetteville, NC 28301 494-2178/488-8659	8/13	1st	Aug/16 8/31/16	Yes
Ed Donaldson 4606 Hoe Court Fayetteville, NC 28314 484-3640	9/12	2nd	Sept/15 9/30/15	No
Vickie Mullins (-/F) 5905 Turnbull Road Fayetteville, NC 28312 910-484-8967	8/13	1st	Aug/15 8/31/15	Yes
serving unexpired term; eligible to for one additional term				
<u>Alternate Members:</u>				
Nathan Feinberg (W/M) 7090 Ramsey Street Fayetteville, NC 28311 910-527-1723	8/13	1st	Aug/16 8/31/16	Yes
Yvette Carson (B/F) 8712 Tangletree Drive Linden, NC 28356 339-9232 (H)	8/13	2nd	Aug/16 8/31/16	No
VACANT (Vacated by G. Lott)	6/13	1 st	June/16 6/30/16	Yes

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

VACANT (Vacated by V. Mullins)	8/12	1 st	Aug/15 8/31/15	Yes
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Winton McHenry (W/M) 3648 Lakeshore Drive Hope Mills, NC 28348 429-1101/308-3987	5/13	1st	May/16 5/31/16	Yes
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Meets 3rd Thursday of each month at 7:00 PM – Historic Cumberland County Courthouse, 130 Gillespie Street, Second Floor Hearing Room

Contact: Pier Varner, Planning & Inspections Department, 678-7602

JIMMY KEEFE
Chairman

JEANNETTE M. COUNCIL
Vice Chairman

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



**CUMBERLAND
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NORTH CAROLINA**
BOARD OF COMMISSIONERS

CANDICE WHITE
Clerk to the Board

KELLIE BEAM
Deputy Clerk

ITEM NO. 6C

October 8, 2013

October 21, 2013 Agenda Item

TO: Board of Commissioners
FROM: Kellie Beam, Deputy Clerk to the Board *KB*
SUBJECT: Cumberland County Library Board of Trustees

BACKGROUND: At their meeting on October 8, 2013, the Board of Commissioners nominated the following individuals to fill two (2) upcoming vacancies on the Cumberland County Library Board of Trustees:

Susan Mills (reappointment)

Dr. Daniel Montoya (new appointment)

I have attached a current membership list for this board.

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

Attachment

pc: Jody Risacher, Library Director

LIBRARY BOARD OF TRUSTEES

3 Year Term

All terms expire in December and begin in January. Recommendations for nominations placed on first meeting in October agenda and appointments placed on second meeting in October agenda. Although terms will not begin until the following January, the Library takes their new appointees through an orientation process in December before they begin serving in January.

<u>Name/Address</u>	<u>Date Appointed</u>	<u>Term</u>	<u>Expires</u>	<u>Eligible For Reappointment</u>
Daisy D. Maxwell 7113 Fillyaw Road Fayetteville, NC 28303 868-5611	10/12	2nd	Dec/15 12/31/15	No
Mary E. Thomas 217 Cecil Avenue Spring Lake, NC 28390-2522 497-7574/436-0000 (W)	10/12	2nd	Dec/15 12/31/15	No
Ole Sorensen 2817 Briarcreek Place Fayetteville, NC 28304-3879 867-9403/309-0000 (C)	11/11	2nd	Dec/14 12/31/14	No
Sara VanderClute 7669 Heriot Drive Fayetteville, NC 28311-9409 488-9202 (H) / 494-1405 (C)	10/12	2nd	Dec/15 12/31/15	No
Willie Wright 196 Darrock Court Fayetteville, NC 28311-2914 822-6415/424-8589 x 232 (W)	10/10	2nd	Dec/13 12/31/13	No
Gail A. Riddle 3175 Odom Road Hope Mills, NC 28348 322-1935 (C) / 425-8181 ext. 355	11/11	2nd	Dec/14 12/31/14	No
Susan Mills 4158 Bent Grass Drive Fayetteville, NC 28312 485-1385/308-2409 (W)	10/10	1st	Dec/13 12/31/13	Yes

Contact: Jody Risacher, Library Director (or Marili Melchionne – 483-7727 x1304)

Meeting Date: 3rd Thursday of each month at 9:05 AM; (exception would be 2nd Thursday in December and no regularly scheduled meetings in July and August) – Meeting locations are different libraries within the County.

JIMMY KEEFE
Chairman

JEANNETTE M. COUNCIL
Vice Chairman

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



**CUMBERLAND
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NORTH CAROLINA

BOARD OF COMMISSIONERS

CANDICE WHITE
Clerk to the Board

KELLIE BEAM
Deputy Clerk

ITEM NO. 6D

October 8, 2013

October 21, 2013 Agenda Item

TO: Board of Commissioners
FROM: Kellie Beam, Deputy Clerk to the Board *KB*
SUBJECT: Joint Senior Citizens Advisory Commission

BACKGROUND: At their October 7, 2013 meeting, the Board of Commissioners nominated the following individuals to fill three (3) vacancies on the Joint Senior Citizens Advisory Commission.

Roger Ison (new appointment)

Edna Cogdell (new appointment)

Elizabeth Deane (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
Dwight Palmer Jr. 1139 Helmsley Drive Fayetteville, NC 28314 867-8136/535-5325 (W)	6/13	2nd	June/15 6/30/15	No
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
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	12/12	2nd	Dec/14 12/31/14	No

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

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. 6E

October 8, 2013

October 21, 2013 Agenda Item

TO: Board of Commissioners
FROM: Kellie Beam, Deputy Clerk to the Board *KB*
SUBJECT: Minimum Housing Appeals Board

BACKGROUND: On October 7, 2013, the Board of Commissioners nominated the following individuals to fill two (2) vacancies on the Minimum Housing Appeals Board:

Alternate Members:
Luther M. McManus (reappointment)

Steven Hogan (reappointment)

I have attached the current membership list for this Board.

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

Attachment

pc: Carol Post, Planning/Inspections Department

MINIMUM HOUSING APPEALS BOARD
3 Year Staggered Terms

<u>Name/Address</u>	<u>Date Appointed</u>	<u>Term</u>	<u>Expires</u>	<u>Eligible For Reappointment</u>
Eric F. Jones 123 N. Plymouth Fayetteville, NC 28312 263-3054/487-0204 (W)	02/11	1st	Feb/14 02/28/14	Yes
Clayton O. Burris, Jr. (W/M) 2026 Forest Hills Drive Fayetteville, NC 28303 822-2800	11/12	2nd	Nov/15 11/30/15	No
Linda J. Miller 5815 Cherrystone Drive Fayetteville, NC 28311 480-0063/822-7923 (W)/987-0289 (C)	10/10	2nd	Oct/13 10/31/13	No
Geri Hasapis (-/F) 356 Edinburg Drive Fayetteville, NC 28303 864-7433 / 497-8830	11/11	1st	Nov/14 11/30/14	Yes
Louis L. King (W/M) 1004 Greenhouse Drive Hope Mills, NC 28348 425-3732/797-0260 C	11/11	1st	Nov/14 11/30/14	Yes
<u>(Alternate Members)</u>				
Luther M. McManus 3472 Thorndike Drive Fayetteville, NC 28311 488-1314 (H)	10/10	1st full term	Oct/13 10/31/13	Yes
Veronica Langston 223 Murray Ford Drive Fayetteville, NC 28314 867-7098/483-4037 (W)	01/11	1st	Jan/14 01/31/14	Yes
Steve Hogan (W/M) 4585 Canasta Court Hope Mills, NC 28348 868-9807/797-1910 (W)	10/10	1st full term	Oct/13 10/31/13	Yes

Minimum Housing Appeals Board, Page 2

<u>Name/Address</u>	<u>Date Appointed</u>	<u>Term</u>	<u>Expires</u>	<u>Eligible For Reappointment</u>
Robert Kater (W/M) 714 Blawell Street Stedman, NC 28391 484-3434 (H)	11/11	1st	Nov 14 11/30/14	Yes
Henry Gibbs Jr 7505 Coleridge Drive Fayetteville, NC 28304 867-7979 / 988-8602 C	11/11	1 st	Nov 14 11/30/14	Yes

Meetings: Quarterly - Second Tuesday of the first month of each quarter per calendar year -
(January, April, July, October)
Historic Cumberland County Courthouse, 130 Gillespie St., Hearing Room 3, 6:30 PM

Contact: Carol M. Post, 321-6640, Planning and Inspections Department
Cell: 261-7745 (after 5 pm on the day of the meeting)

JIMMY KEEFE
Chairman

JEANNETTE M. COUNCIL
Vice Chairman

KENNETH S. EDGE
CHARLES E. EVANS
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**CUMBERLAND
★ COUNTY ★**
NORTH CAROLINA

BOARD OF COMMISSIONERS

CANDICE WHITE
Clerk to the Board

KELLIE BEAM
Deputy Clerk

ITEM NO. 6F

October 8, 2013

October 21, 2013 Agenda Item

TO: Board of Commissioners

FROM: Kellie Beam, Deputy Clerk to the Board KB

SUBJECT: Transportation Advisory Board

BACKGROUND: On October 7, 2013, the Board of Commissioners nominated the following individual to fill one (1) vacancy on the Transportation Advisory Board:

County DSS Director or Designee:
Lisa Chance (new appointment)

I have attached a current membership list for this board.

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

Attachment

pc: Kristine Wagner, Transportation Program Coordinator

TRANSPORTATION ADVISORY BOARD

2 Year Term

(All terms expire November 30th and begin December 1st according to the TAB bylaws.)

<u>Name/Address</u>	<u>Date Appointed</u>	<u>Term</u>	<u>Expires</u>	<u>Eligible For Reappointment</u>
<u>City of Fayetteville Representative</u>				
VACANT (Vacated by A. Thomas)	11/10	2nd	Nov/12 11/30/12	No
<u>Urban Transit Provider Representative</u>				
Wendy Nunnery Fayetteville City Transit 2816 Bears Den Way Fayetteville, NC 28301 484-8612/433-1748 (W)	11/11	2nd	Nov/13 11/30/13	No
<u>Mid-Carolina Council of Governments Director or Designee</u>				
Glenda Dye Mid-Carolina Council of Governments P.O. Box 1510 Fayetteville, North Carolina 28302-1510 323-4191 ext. 22 (W)	11/11	2nd	Nov/13 11/30/13	No
<u>County DSS Director or Designee</u>				
VACANT (by S. Stevenson)	11/11	2nd	Nov/13 11/30/13	No
<u>DSS Work First Representative</u>				
Cheryl Campbell Cumberland County DSS P.O. Box 2429 Fayetteville, North Carolina 28302-2429	11/11	2nd	Nov/13 11/30/13	No
<u>Workforce Development Center Director or Designee</u>				
Lorria Troy Workforce Development Center 410 Ray Avenue Fayetteville, North Carolina 28301	11/11	2nd	Nov/13 11/30/13	No

(All terms expire November 30th and begin December 1st according to the TAB bylaws.)

<u>Name/Address</u>	<u>Date Appointed</u>	<u>Term</u>	<u>Expires</u>	<u>Eligible For Reappointment</u>
<u>Vocational Rehab Representative</u>				
Shelton L. Clark 1407 Murchison Road Fayetteville, NC 28301 964-3332/486-1717	11/12	2nd	Nov/14 11/30/14	No
<u>Sheltered Workshop Director or Designee</u>				
Kena Farrington 2123 Quailridge Drive Fayetteville, NC 28304 910-826-4699	10/12	1st	Nov/13 11/30/13	Yes
(serving unexpired term; eligible to serve an additional term)				
<u>Aging Programs Representative</u>				
Elouise Garvin 4017 Bankside Drive Fayetteville, North Carolina 28311	11/11	1st	Nov/13 11/30/13	Yes
<u>County Mental Health Director or Designee</u>				
Vince Wagner CC Area Mental Health Center 109 Bradford Avenue Fayetteville, North Carolina 28301-5496 323-0601(W)	11/11	1st	Nov/13 11/30/13	Yes
<u>Emergency Medical Services Representative</u>				
VACANT (vacated by Michael Roye)5/09 Cape Fear Valley – EMC PO Box 2000 Fayetteville, NC 28302 615-5651		1 st	Nov/10 11/30/10	Yes
<u>County Planning Department Director or Designee</u>				
Tom Lloyd Cumberland County Planning Department P.O. Box 1829 Fayetteville, North Carolina 28302-1829 678-7606 (W)	11/12	1st	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>
<u>County Health Director or Designee</u>				
Ockidde Harris 200 Curry Ford Drive Fayetteville, NC 28314 867-0590/433-3852	11/12	1st	Nov/14 11/30/14	Yes
<u>At-Large Representatives</u>				
Dorothy A. Harris 270 Lick Creek Drive Linden, NC 28356 897-5265	11/12	2nd	Nov/14 11/30/14	No
Pamela S. Story 631 West Cochran Avenue Fayetteville, NC 28301 339-8350/678-2621	11/12	2nd	Nov/14 11/30/14	No
Faye Lewis 415 Shamos Court Fayetteville, NC 28311 568-6884/323-4191 (ext. 31)	11/12	2nd	Nov/14 11/30/14	No
Alfred Foote 5476 Raeford Rd Fayetteville, NC 28305 910-578-5687	11/12	1st	Nov/14 11/30/14	Yes
<u>MPO Representative</u>				
Michael Rutan Cumberland County Planning Department PO Box 1829 Fayetteville, NC 28302	11/12	1 st	Nov/14 11/30/14	Yes
<u>Dialysis Center Representative</u>				
Eboni Green 3826 Glencorra Drive Fayetteville, NC 28314 919-889-3996/910-323-5288	11/12	1 st	Nov/14 11/30/14	Yes

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

Meetings: Third Tuesday in first month of each quarter (Jan., Apr., July, Oct.) at 10:00 AM – Special meeting held in June.

Location: Historic Courthouse, Courtroom 3B

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