
AGENDA
CUMBERLAND COUNTY BOARD OF COMMISSIONERS
COURTHOUSE – ROOM 118
JANUARY 21, 2014 (TUESDAY)
6:45 PM

INVOCATION - Commissioner Marshall Faircloth

PLEDGE OF ALLEGIANCE –

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

1. Approval of Agenda
2. Consent Agenda
 - A. Approval of minutes for the January 6, 2014 regular meeting.
 - B. Approval of HOME Program Homebuyer Assistance Policy Revision. **(Pg. 6)**
 - C. Approval of Resolution Authorizing the Issuance and Sale of General Obligation Refunding Bonds, Series 2014 of the County of Cumberland, North Carolina, Pursuant to the Bond Order Heretofore Approved and Providing for the Form, Details and Payment Thereof. **(Pg. 10)**
 - D. Approval of Sale of Surplus County-Owned Real Property Acquired by Tax Foreclosure: **(Pgs. 21-24)**
 - 1) 802 N/Barnes St (PIN: 0437-30-4031); Cross Creek Township **(Pg. 21)**

Lot 30x120.5x20x130; Tolar Street (PIN: 0437-30-4063);
Cross Creek Township
 - 2) Lot 2 Fennell Ld Tyson Sub Prop (0.78 AC) Located on Smith Road **(Pg. 23)**
PIN: 0443-02-2470; Grays Creek Township
 - E. Approval of Declaration of Foreclosed Real Properties as Surplus. **(Pg. 25)**

F. Approval of Cumberland County Finance Committee Report and Recommendation(s): **(Pg. 39-57)**

- 1) Grant Application for a Veterans' Treatment Court **(Pg. 50)**
- 2) Request for Nine Additional School Resource Officers **(Pg. 51)**
- 3) Audit Contract for FY 2014 through 2016 **(Pg. 54)**
- 4) Office Supply Contract **(Pg. 56)**

G. Budget Revisions: **(Pgs. 58-63)**

- (1) Health **(Pg. 58)**

NC AIDS - Revision in the amount of \$20,833 to recognize Care and Prevention in the US (CAPUS) funding, establish a local site with the statewide Safe Spaces Network and hire a part-time facilitator to coordinate the Safe Space Intervention program. (B14-241) **Funding Source – State**

- (2) Community Development **(Pg. 59)**

Support Housing Program Grants - Revision in the amount of \$9,942 to recognize Continuum of Care Program Grant providing planning cost for a community-wide assessment system. (B14-243) **Funding Source – Federal Grant**

- (3) Social Services **(Pg. 60)**

Revision in the amount of \$15,000 to recognize funds from the Annie E. Casey Foundation for a Child Welfare Initiative Agreement. (B14-239) **Funding Source – Grant**

- (4) Sheriff **(Pg. 61-63)**

- a. Revision in the amount of \$32,805 to recognize insurance proceeds received for three vehicles to purchase one replacement vehicle. (B14-245) **Funding Source – Insurance Proceeds (Pg. 61)**
- b. Revision in the amount of \$40,000 to recognize NC Department of Public Safety grant to purchase bomb team equipment. (B14-244) **Funding Source - State Grant (Pg. 63)**

3. Public Hearings **(Pgs. 64-94)**

Uncontested Rezoning Cases

- A. Case P99-09: Revocation of a CU/Conditional Use Overlay to allow open storage and repair of dump trucks reverting to the previous zoning classification of A1 Agricultural, or to a more restrictive zoning district, located at 4515 and 4531 Huckleberry Road, owned by Steve and Pondanesa Carter. **(Pg. 64)**

Staff Recommendation: Approval to revoke CU and rezone to A1
Planning Board Recommendation: Approve Staff Recommendation

- B. Case P13-48: Rezoning of 73.21+/- acres from R20 Residential/DD Density Development/CUD Conditional Use District for a 125 lot residential subdivision and the Permit to R40 Residential, or to a more restrictive zoning district; located at 2961 and 2983 Cedar Creek Road and on the northeast side of NC Hwy 53 (Cedar Creek Road), southwest side of SR 2011 (A B Carter Road); submitted by J. O. Carter, Jr. et al (owners) and Daniel H. Devane. **(Pg. 66)**

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

- C. Case P13-49: Rezoning of 1.25+/- acres from A1 Agricultural to C(P) Planned Commercial, or to a more restrictive zoning district, located at 8569 Clinton Road, submitted by Billy D. and Fay J. Horne (owners). **(Pg. 69)**

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

Contested Rezoning Cases

- D. Case P13-51: Rezoning of 81.30+/- acres from A1 Agricultural to R7.5 Residential, or to a more restrictive zoning district; located on the south side of SR 2242 (Braxton Road), northwest of SR 2252 (Chicken Foot Road); submitted by Prentice R. Barker on behalf of Barker Gallberry Farms, LLC. (owner) and 4D Site Solutions, Inc. **(Pg. 72)**

Staff Recommendation: Adopt and approve the reasonableness statement, find request consistent with LUP and approve R7.5
Planning Board Recommendation: Approve Staff Recommendation

Other Public Hearings

Minimum Housing Code Enforcement

- E. Case Number: MH 344-2013 **(Pg. 75)**
Property Owner: Annie L. Canady Life Estate
Property Location: 3376 King Charles Road, Fayetteville, NC
Parcel Identification Number: 0425-15-7656
- F. Case Number: MH 379-2013 **(Pg. 82)**
Property Owner: Rick Garcia
Property Location: 4909 Panda Street, Hope Mills, NC
Parcel Identification Number: 0413-45-4527
- G. Case Number: MH 97-2013 **(Pg. 88)**
Property Owner: Earl Simon & Marie Annette Jones, Sr.
Property Location: 312 Bladen Circle, Fayetteville, NC
Parcel Identification Number: 0466-28-4933

Items of Business **(Pgs. 95-109)**

4. Consideration of Request from the Mayor of Spring Lake for a Joint Meeting with the Cumberland County Board of Commissioners. **(Pg. 95)**
5. Consideration of Request from the Mayor of Linden for a Joint Meeting with the Cumberland County Board of Commissioners. **(Pg. 96)**
6. Nominations to Boards and Committees **(Pgs. 97-100)**
- A. Minimum Housing Appeals Board (3 Vacancies) **(Pg. 97)**
7. Appointments to Boards and Committees **(Pgs. 101-109)**
- A. Air Quality Stakeholders' Committee (1 Vacancy) **(Pg. 101)**
- Nominees:
- Town of Eastover Stakeholder: C. Kim Nazarchyk (Reappointment)
- B. Fayetteville Area Convention & Visitors Bureau (1 Vacancy) **(Pg. 105)**
- Nominees:
- Hotel/Motels Over 100
Rooms Representative: William S. Wellons, Jr (Reappointment)

C. Wrecker Review Board (1 Vacancy)

(Pg. 108)

Nominee:

County Appointee – Chairman: Jay Barr (Reappointment)

8. Closed Session: If Needed

ADJOURN

**THIS MEETING WILL BE BROADCAST LIVE ON TIME WARNER CABLE -
CHANNEL 5 (FAYETTEVILLE / CUMBERLAND EDUCATIONAL TV) AND WILL
BE REBROADCAST ON WEDNESDAY, JANUARY 22, 2014 AT 8:30 PM.**

REGULAR BOARD MEETINGS:

**February 3, 2014 - (Monday) – 9:00 AM
February 17, 2014 - (Monday) – 6:45 PM**



ITEM NO. 2B

**CUMBERLAND
★ COUNTY ★
NORTH CAROLINA**

COMMUNITY DEVELOPMENT

**MEMO FOR THE AGENDA OF JANUARY 21, 2014
MEETING OF THE BOARD OF COMMISSIONERS**

TO: Board of County Commissioners

FROM: Sylvia H.-McLean, Business Manager *sum*
Delores Taylor, Community Services Manager

THRU: Amy H. Cannon, Deputy County Manager *AHC*

DATE: January 10, 2014

SUBJ: **HOME PROGRAM – HOMEBUYER ASSISTANCE PROGRAM POLICY
ADDENDUM**

BACKGROUND:

HUD published the amended HOME Final Rule on July 24, 2013 which amends the HOME regulations to address many of the operational challenges facing grantees related to recent housing market conditions and the alignment of federal housing programs. This Final Rule clarifies certain existing regulatory requirements and establishes new requirements designed to enhance accountability in the use of HOME funds, strengthen performance standards, require more timely housing production and update property standards applicable to housing assisted by HOME funds.

The 2013 HOME Final Rule provisions are applicable to projects for which HOME funds are committed on or after August 23, 2013, except for the specified requirements with a delayed implementation effective dates:

- 92.254(f) – Adopt Homebuyer Program Policies – January 24, 2014
- 92.504(a) – Develop Policies/Implement Risk-Based Monitoring Systems – July 24, 2014
- 92.504(d)(2) – Financial Oversight of HOME-assisted Rental Properties – July 24, 2014
- 92.2 and 92.500(d)(1)(C)) – Commitment Definition & CHDO Expenditure – January 1, 2015
- 92.251 Property Standards – January 24, 2015

In accordance with the 2013 Final Rule, HUD added a new paragraph 92.254(f) that requires the participating jurisdiction to have a written Homebuyer Program Policies effective January 24, 2014. This entailed Community Development reviewing our current policy (7/1/2010) and adding this new paragraph language to ensure it addressed underwriting standards for homebuyers, protection for buyers against predatory lending, and refinancing policies in accordance with 92.254(f).

Attached is the proposed HOME Homebuyer Assistance Program Policy Addendum to be implemented through Community Development for compliance with the 2013 HOME Final Rule.

RECOMMENDATION AND PROPOSED ACTION:

Community Development recommends approval of the HOME Homebuyer Assistance Program Policy Addendum as presented for compliance with 2013 HOME Final Rule Program requirements.

HOMEBUYER ASSISTANCE PROGRAM POLICY – ADDENDUM [92.254(f)]

PURPOSE

This policy is established for Cumberland County Community Development (CCCD) to use as a general principle for coordinating the various activities of the Homebuyer Program. Funding for the Homebuyer Program is being provided by the U.S. Department of Housing and Urban Development (HUD) through the HOME Investment Partnerships (HOME) Program. The Homebuyer Program shall be administered in compliance with HOME Regulations 24 CFR Part 92 (as amended) and the County's approved Consolidated Plan. As a requirement of the HOME program, the County will use funding from other sources as a match and for additional funding beyond what is provided by the HOME Program.

The Homebuyer Program enables qualified applicants to achieve homeownership status by providing financial assistance in various forms. The Homebuyers Program is to provide affordable homeownership benefits to low-income families as well as the community.

SUSTAINABLE HOMEOWNERSHIP DESIGN PROGRAM

Cumberland County Community Development Department (CCCD) is responsible for implementing the HOME Programs in accordance with the Federal Regulations governing the HOME Investment Partnership Program. In addition, the department will partner with any other appropriate County department, external agencies, banks, realtors and non-profit organizations in implementing the program. The Homebuyer Program is a part of the homeownership program design that provides policies to strength program design and administration that addresses underwriting standards, responsible lending and re-subordinating HOME debt in the event of refinancing of private debt.

Underwriting

Through the Homebuyer Program, HOME funds will be used by CCCD to provide incentives to support homeownership through acquisition or a combination of acquisition and rehabilitation of non-luxury housing with suitable amenities. The specific eligible costs for these activities are set forth in §92.206 through §92.209. However, in the Homebuyer Assistance Program, the funds will be used primarily as gap financing and down payment/closing costs assistance to eligible homebuyers residing in Cumberland County. The HOME Program permits a variety of ownership approaches. CCCD will use fee simple title as its form of ownership.

CCCD has written underwriting guidelines for homeownership assistance that evaluate housing debt and overall debt of the family, the appropriateness of the amount of assistance, monthly expenses of the family, assets available to acquire the housing, and financial resources to sustain homeownership. However, the underwriting guidelines are offered as a general guidance for CCCD to make a decision on the approval of an applicant's request for mortgage subsidy. The participating lenders will underwrite the first mortgages and CCCD will review and accept them prior to issuing its own commitment letter to the buyer.

Homeownership will be used to provide stability and security for the low income family. The housing unit must be acquired by a homebuyer whose family qualifies as a low income family; and the housing unit must be the principal residence of the family throughout the affordability period. In determining the definition of income to include and exclude, CCCD will use the income definition described at 24 CFR Part 5.609. CCCD is responsible for assuring the housing debt-to-income ratio and overall debt-to-income ratios are reasonable. Therefore, the prevailing debt-to-income ratios established by the first mortgage lender will be maintained for the Homebuyer Program for all purchases financed by private lenders as long as they are deemed reasonable and in line with other affordable mortgage products at or around 30% PITI (principal + interest + taxes + insurance) and 43% total debt. However, CCCD reserves the right to make the determination that the primary lender's product is indeed an affordable mortgage product. Each homebuyer must receive housing counseling before receiving HOME assistance or purchasing a HOME-assisted unit. Therefore, each applicant must have completed an approved housing counseling class and provide certification of same with the application for funding.

CCCD will review the following areas to evaluate the housing and overall household debt to determine resources available to sustain homeownership: 1) borrower income; 2) housing debt to income ratio; 3) total debt to income; 4) capacity; 5) capital; 6) credit history; and 7) combined loan to value ratio (CLTV ratio may not exceed 100% of the value of the property).

CCCD established standards to ensure existing housing that is acquired for homeownership is decent, safe and sanitary and in good repair; and meets all applicable State and local housing quality standards and code requirements. Properties for the Homebuyer Program can be privately or publicly held prior to sale to the homebuyer and can include any single family dwelling that serve as principal residence of the purchaser. Property value must be established by an appraisal prepared by a qualified appraiser. Properties may not be sold at a sales price above the appraised value.

Responsible Lending

The Homebuyer Program works best in a partnership and each party has a distinct role and the assignment of roles facilitate the smooth administration of the process. CCCD may elect to work with selected lenders and only partner with lenders who adhere to N.C.G.S. 24-1.1 the NC Anti-Predatory Lending Law. CCCD may provide homeownership assistance through for-profit or nonprofit lending institutions that provide the first mortgage loan to a low-income family. Participating lenders and non-profit organizations will submit their guidelines and CCCD will review the financial product and determine if they are good instruments that will advance the provision and delivery of affordable housing units to low income homebuyers. To ensure objectivity in assessing the qualification of the buyer and the eligibility of the property, several safe guards are included in this provision.

1. The homeownership assistance may be provided only as specified in a written agreement between CCCD and the lender. The written agreement must specify the forms and amounts of homeownership assistance that CCCD authorizes the lender to provide to families and any conditions that apply to the provision of such homeownership assistance.
2. Before the lender provides any homeownership assistance to a family, CCCD must verify that the family is eligible for HOME assistance (low-income) and must inspect the housing for compliance with the property standards in §92.251.
3. No fees (e.g., origination fees or points) may be charged to a family for the HOME homeownership assistance and CCCD must determine that the fees and other amounts charged to the family by the lender for the first mortgage financing are reasonable. Reasonable administrative costs may be charged to the HOME program as a project cost. If CCCD requires lenders to pay a fee to participate in the HOME program, the fee is program income to the HOME program.
4. If the non-profit lender is a sub recipient or contractor that is receiving HOME assistance to determine that the family is eligible for homeownership assistance, but CCCD or another entity is making the assistance to the homebuyer (e.g., signing the documents for the loan or the grant), the requirements of paragraph 2 and 3 of this section are applicable.

Subordination/Refinancing

Homebuyer Assistance Program Standard Operating Procedure guidelines specifies the criteria that outlines the process for refinancing loans to which HOME loans are subordinated to ensure that the terms of the new loan are reasonable as indicated in the procedural guidelines. During the period of affordability, a homebuyer will not be permitted to refinance the property without the approval of the CCCD, nor will CCCD agree to a subordination of its lien interest unless it is deemed to be in the best interest of the borrower and only if the value of the collateral remains sufficient to secure the County's debt as well as ensure the new loan is determined to be reasonable per guidelines at 92.254(f).

BOARD OF COMMISSIONERS
OF THE COUNTY OF CUMBERLAND, NORTH CAROLINA

Excerpt of Minutes
of Meeting of
January 21, 2014

Present: Chairman _____ presiding, and Commissioners _____

Absent: _____

* * * * *

The following resolution was introduced and its title was read:

RESOLUTION AUTHORIZING THE ISSUANCE AND SALE OF GENERAL OBLIGATION REFUNDING BONDS, SERIES 2014 OF THE COUNTY OF CUMBERLAND, NORTH CAROLINA, PURSUANT TO THE BOND ORDER HERETOFORE APPROVED AND PROVIDING FOR THE FORM, DETAILS AND PAYMENT THEREOF

WHEREAS, the Board of Commissioners (the "Board") of the County of Cumberland, North Carolina (the "County") desires to provide for the issuance of its General Obligation Refunding Bonds, Series 2014 to refund all or a portion of the County's General Obligation Refunding Bonds, Series 2004 (the "Refunded Bonds"); and

WHEREAS, on January 6, 2014, the Board adopted a Bond Order (the "Bond Order") entitled:

"BOND ORDER AUTHORIZING THE ISSUANCE OF THE GENERAL OBLIGATION REFUNDING BONDS, SERIES 2014 OF THE COUNTY OF CUMBERLAND, NORTH CAROLINA IN A MAXIMUM AGGREGATE PRINCIPAL AMOUNT NOT TO EXCEED \$16,000,000 FOR THE PURPOSE OF REFUNDING ALL OR CERTAIN MATURITIES OF THE COUNTY'S GENERAL OBLIGATION REFUNDING BONDS, SERIES 2004"; and

WHEREAS, the County desires to issue its General Obligation Refunding Bonds, Series 2014 (the "Bond") pursuant to the Bond Order to refund the Refunded Bonds, and to request that the North Carolina Local Government Commission (the "LGC") sell the Bonds in the form of a single bond through a negotiated sale to Wells Fargo Municipal Capital Strategies, LLC (the "Purchaser"), a wholly owned subsidiary of Wells Fargo Bank, N.A. (the "Bank") in accordance with the terms and conditions set forth in the term sheet dated December 9, 2013, provided by the Bank to the County;

NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners for the County of Cumberland, North Carolina as follows:

1. The County shall issue the Bonds in an aggregate principal amount not to exceed \$16,000,000 pursuant to and in accordance with the Bond Order.

2. The Bonds shall be issued in the form of a single bond designated "General Obligation Refunding Bond, Series 2014" and shall be dated on or about February 20, 2014. The Bonds shall mature in annual installments on May 1 in the years and amounts as set forth in a certificate of the County's Finance Officer delivered in connection with the issuance of the Bonds (the "Pricing Certificate"), and shall bear interest on the unpaid portion of such principal at a rate not to exceed 3.25% per annum (calculated on the basis of a 360-day year of twelve 30-day months), payable semi-annually on each May 1 and November 1, commencing May 1, 2014.

3. The Bonds will be issued as fully registered bonds in the principal amount of \$250,000 or any denomination in excess thereof ("Authorized Denominations").

4. The Bonds will not be subject to redemption prior to maturity.

5. The Bonds shall be signed by the manual or facsimile signature of the Chairman of the Board, shall be countersigned by the manual or facsimile signature of the Clerk to the Board and a manual or facsimile of the County's seal shall be printed or affixed thereon. No Bond shall be valid until it has been endorsed by the manual or facsimile signature of an authorized representative of the LGC.

6. The Bonds shall be in substantially the form attached hereto as Exhibit A, the terms and requirements of which are incorporated herein by reference.

7. The full faith and credit and taxing power of the County are hereby irrevocably pledged for the payment of principal of and interest on the Bonds. Unless other funds are lawfully available and appropriated for timely payment of the Bonds, the Board shall levy and collect taxes and raise other revenues for payment of the principal of and interest on the Bonds, as the same become due and payable.

8. The County shall maintain registration books for the registration of the Bonds. Upon surrender of a Bond at the office of the County, together with an assignment duly executed by the registered owner or its duly authorized attorney or legal representative in such form as shall be satisfactory to the County, the County shall execute and shall authenticate and deliver in exchange, a new bond or bonds having an equal aggregate principal amount, in authorized denominations, of the same form and maturity, bearing interest at the same rate, and registered in names as requested by the then registered owner or its duly authorized attorney or legal representative. Any such exchange shall be at the expense of the County, except that the County may charge the person requesting such exchange the amount of any tax or other governmental charge required to be paid with respect thereto. The Bonds may only be transferred in Authorized Denominations to (a) an affiliate of the Bond owner, (b) a trust or custodial arrangement established by the Bond owner or one of its affiliates, the owners of the beneficial interests in which are limited to qualified institutional buyers, as defined in Rule 144A promulgated under the Securities Act of 1933, as amended (the "1933 Act"), or (c) to a Person

that is a qualified institutional buyer that is a commercial bank having a combined capital and surplus, determined as of the date of any transfer pursuant to this Section, of \$5,000,000,000 or more that has executed and delivered to the County an Investor Letter in the form of Exhibit D to the Bond Purchase Agreement.

The County shall treat the registered owner as the person exclusively entitled to payment of principal and interest and the exercise of all other rights and powers of the owner, except that interest payments shall be made to the person shown as owner on the registration books on the fifteenth day of the month preceding each interest payment date.

9. The County hereby requests the LGC to sell the General Obligation Refunding Bond, Series 2014 by private sale pursuant to Section 159-123 of the North Carolina General Statutes, subject to the approval of the Chairman of the Board.

10. The Board covenants on behalf of the County that so long as any of the installments of principal and interest on the Bonds are outstanding and unpaid, the County shall not take or omit to take any action the taking or omission of which will cause the Bonds to be "arbitrage bonds" within the meaning of Section 148 of the Internal Revenue Code of 1986, as amended (the "Code"), or otherwise cause interest on the Bonds to be includable in the gross income of the holders thereof.

11. The Board hereby covenants that it will not permit the gross proceeds of the Bonds or the Refunded Bonds to be used in any manner that would result in either (a) 5% or more of such proceeds being considered as having been used directly or indirectly in any trade or business carried on by any person other than a governmental unit as provided in Section 141(b) of the Code, (b) 5% of such proceeds being used with respect to any "output facility" (other than a facility for the furnishing of water), within the meaning of Section 141(b)(4) of the Code, or (c) 5% or more of such proceeds being considered as having been used directly or indirectly to make or finance loans to any person other than a governmental unit as provided in Section 141(c) of the Code; provided, however, that if the Board receives an opinion of bond counsel acceptable to the LGC that any such restriction is not required to prevent the interest on the Bonds from being includable in the gross income of the registered owners thereof under existing statutes, the Board need not comply with such restriction.

12. The Chairman, the County Manager and the Clerk are hereby authorized and directed to take all proper steps to have the Bonds prepared and, when the Bonds shall have been duly sold by the LGC, to execute the Bonds and to deliver the Bonds to the State Treasurer of North Carolina for delivery to the Purchaser.

13. The Chairman and the County Manager, or either of them, after consultation with the County Finance Director and the LGC, are authorized (i) to add optional redemption provisions in the Bonds, (ii) to change the dated date of the Bonds to a date earlier or later than the dated date herein authorized in order to facilitate the sale and delivery of the Bonds, (iii) to change the principal and interest payment dates for the Bonds (so long as such interest payment dates are semiannual), (iv) to establish and make changes in the principal amount of each maturity provided the aggregate principal amount of the Bonds shall not exceed \$16,000,000 and (v) to make such other adjustments as they shall deem necessary to sell the Bonds to the

Purchaser. The Chairman and the County Manager, or either of them, after consultation with the County Finance Director, may choose from within the Refunded Bonds certain maturities to include or exclude from the refunding. The identity of the Refunded Bonds, the interest rate, redemption provisions, dated date, principal and interest payment dates, principal to be paid at each maturity and final principal amount of the Bonds following the sale thereof shall be reflected in the Pricing Certificate. In approving such changes and adjustments, the Chairman and the County Manager shall take into account that the intent of the Board is to achieve present value debt service savings of at least 3.0% of the principal amount of the Refunded Bonds.

14. The Chairman or Vice Chairman of the Board and the County Manager, or any of them, are hereby authorized and directed to execute and deliver the Bond Purchase Agreement between the County and the Purchaser, which shall be in substantially the form previously submitted, which is hereby approved, with such completions, omissions, insertions, and changes as may be approved by the Chairman, Vice Chairman or the County Manager, including such changes as may be required by the LGC, their execution to constitute conclusive evidence of their approval of any such completions, omissions, insertions and changes.

15. All other actions of officers of the County in conformity with the purposes and intent of this resolution and in furtherance of the issuance of the Bonds are hereby approved and confirmed.

16. Such officers of the County as may be requested are hereby authorized and directed to execute appropriate closing papers including a certificate setting forth the expected use and investment of the proceeds of the Bonds in order to show that such expected use and investment will not violate the provisions of Section 148 of the Code and regulations issued pursuant thereto, applicable to "arbitrage bonds." Such papers and certificates shall be in such form as may be requested by bond counsel for the County.

17. This resolution, in particular paragraphs 2, 3, 5 and 7 hereof, constitutes a system of registration for the Bonds pursuant to N.C.G.S. § 159E-4.

18. All resolutions or parts of resolutions in conflict herewith are hereby repealed.

19. This resolution shall take effect immediately.

* * * * *

Commissioner _____ moved the passage of the foregoing resolution and
Commissioner _____ seconded the motion and the resolution was passed by the following
vote:

Ayes: _____

Nays: _____

Not voting: _____

I, Candice White, Clerk to the Board of Commissioners of Cumberland County, North Carolina, DO HEREBY CERTIFY that the foregoing is a true and complete copy of so much of the proceedings of the Board of Commissioners of Cumberland County at a regular meeting duly called and held January 21, 2014, as it relates in any way to the resolution hereinabove set forth, and that such proceedings are recorded in Minute Book ____ of the minutes of the Board. Pursuant to N.C.G.S. § 143-318.12, a current copy of a schedule of regular meetings of the Board of Commissioners of Cumberland County is on file in my office.

I DO HEREBY FURTHER CERTIFY that due notice of such meeting, stating its time and place and the subjects to be considered was posted, mailed or delivered as required by G. S. § 143-318.12(b)(2).

WITNESS my hand and the official seal of the County, this ____ day of January, 2014.

(SEAL)

Clerk to the Board of Commissioners

FORM OF BOND

THIS BOND MAY BE TRANSFERRED ONLY TO AN AFFILIATE OF THE OWNER, A TRUST OR OTHER CUSTODIAL ARRANGEMENT ESTABLISHED BY THE OWNER OR ONE OF ITS AFFILIATES, THE OWNERS OF THE BENEFICIAL INTEREST IN WHICH ARE LIMITED TO "QUALIFIED INSTITUTIONAL BUYERS", AS DEFINED IN RULE 144A PROMULGATED UNDER THE SECURITIES ACT OF 1933, AS AMENDED, OR A QUALIFIED INSTITUTIONAL BUYER THAT IS A COMMERCIAL BANK WITH CAPITAL AND SURPLUS OF \$5,000,000,000 OR MORE AND WHICH SIGNS AN INVESTOR LETTER IN THE FORM REQUIRED BY THE RESOLUTION REFERENCED BELOW.

REGISTERED

REGISTERED

No. R-1

\$ _____

UNITED STATES OF AMERICA
STATE OF NORTH CAROLINA
COUNTY OF CUMBERLAND, NORTH CAROLINA

GENERAL OBLIGATION REFUNDING BOND, SERIES 2014

<u>INTEREST RATE</u>	<u>MATURITY DATE</u>	<u>DATE OF ORIGINAL ISSUE</u>	<u>CUSIP</u>
_____%	May 1, 2019	February __, 2014	

REGISTERED OWNER: WELLS FARGO MUNICIPAL CAPITAL STRATEGIES, LLC, a wholly owned subsidiary of Wells Fargo Bank, N.A.

PRINCIPAL AMOUNT: DOLLARS (\$ _____)

The County of Cumberland, North Carolina (the "County"), for value received, hereby promises to pay, upon surrender hereof to the County, to the registered owner hereof, or registered assigns or legal representative, the principal sum stated above in annual installments due on May 1 in each year as set forth below, and to pay to the registered owner hereof interest on such annual installments from the date of this Bond until payment thereof at the interest rate per annum stated above (computed on the basis of a 360-day year of twelve 30-day months), payable on May 1, 2014, and semiannually thereafter on May 1 and November 1 of each year. Principal of and interest on this bond are payable by check mailed to the person shown as owner hereof at his address as it appears on the registration books kept by the County on the fifteenth day of the month preceding each interest payment date. Principal and interest are payable in lawful money of the United States of America.

Principal installments are due annually on May 1 of the years and in the amounts set forth below as follows:

<u>Year</u>	<u>Amount</u>
2015	\$
2016	
2017	
2018	
2019	

This Bond is issued pursuant to the Constitution and statutes of the State of North Carolina, including The Local Government Bond Act and regulations of the North Carolina Local Government Commission ("LGC"), and resolutions of the Board of Commissioners of the County and the Bond Order entitled:

BOND ORDER AUTHORIZING THE ISSUANCE OF THE GENERAL OBLIGATION REFUNDING BONDS, SERIES 2014 OF THE COUNTY OF CUMBERLAND, NORTH CAROLINA IN A MAXIMUM AGGREGATE PRINCIPAL AMOUNT NOT TO EXCEED \$16,000,000 FOR THE PURPOSE OF REFUNDING ALL OR CERTAIN MATURITIES OF THE COUNTY'S GENERAL OBLIGATION REFUNDING BONDS, SERIES 2004

which was authorized and adopted by the County on January 6, 2014.

This Bond is not subject to redemption prior to maturity.

Registration of transfer of the Bond and exchange of certificates thereof may be effected at the office of the County in minimum denominations of \$250,000 ("Authorized Denominations"). This Bond may only be transferred in Authorized Denominations to (a) an affiliate of the Bond owner, (b) a trust or custodial arrangement established by the Bond owner or one of its affiliates, the owners of the beneficial interest in which are limited to qualified institutional buyers, as defined in Rule 144A promulgated under the Securities Act of 1933, as amended (the "1993 Act"), or (c) to a Person that is a qualified institutional buyer that is a commercial bank having a combined capital and surplus, determined as of the date of any transfer pursuant to this Section, of \$5,000,000,000 or more that has executed and delivered to the County an Investor Letter in the form of Exhibit D to the Bond Purchase Agreement referenced in the Resolution.

The full faith and credit and taxing power of the County are hereby irrevocably pledged for the payment of principal of and interest on this Bond.

All acts, conditions and things required by the Constitution and statutes of the State of North Carolina to happen, exist or be performed precedent to and in the issuance of this Bond have happened, exist and have been performed, and the issue of bonds of which this Bond is one, together with all other indebtedness of the County, is within every debt and other limit prescribed by the Constitution and statutes of the State of North Carolina. This Bond shall be governed by the laws of the State of North Carolina.

This Bond shall not be valid until the County shall have executed the Certificate of Authentication appearing hereon.

IN WITNESS WHEREOF, the County of Cumberland, North Carolina, has caused this Bond to be signed by the manual or facsimile signature of the Chairman of its Board of Commissioners, to be countersigned by the manual or facsimile signature of the Clerk to the Board of Commissioners of the County, a manual or facsimile of its seal to be printed or affixed hereon, and this Bond to be dated February __, 2014.

COUNTY OF CUMBERLAND,
NORTH CAROLINA

Chairman, Board of Commissioners

(SEAL)

Clerk, Board of Commissioners

CERTIFICATE OF AUTHENTICATION

This Bond is one of the Bonds described in the within-mentioned Bond Order.

COUNTY OF CUMBERLAND,
NORTH CAROLINA

Date Authenticated: _____ By: _____
Finance Director

The issue hereof has been approved under the provisions of The Local Government Bond Act of North Carolina.

By: _____
T. Vance Holloman, Secretary
Local Government Commission

ASSIGNMENT

FOR VALUE RECEIVED the undersigned hereby sell(s), assign(s) and transfer(s) unto

(Please print or type name and address, including postal zip code, of Transferee)

PLEASE INSERT SOCIAL SECURITY OR OTHER
IDENTIFYING NUMBER OF TRANSFeree:

the within bond and all rights thereunder, hereby irrevocably constituting and appointing _____,
_____, _____ Attorney, to transfer said bond on the books kept for the
registration thereof, with full power of substitution in the premises.

Dated: _____

Signature Guaranteed

NOTICE: Signature(s) must be guaranteed by
a member firm of the New York Stock
Exchange or a commercial bank or trust
company.

(Signature of Registered Owner)

NOTICE: The signature above must
correspond with the name of the registered
owner as it appears on the front of this bond in
every particular, without alteration or
enlargement or any change whatsoever.



ITEM NO. 20 (1)

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

January 8, 2014

MEMORANDUM FOR BOARD OF COMMISSIONERS' JANUARY 21, 2014 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

802 N/BARNES ST; 802 BARNES ST
(LOCATED ON BARNES ST)
PIN 0437-30-4031; CROSS CREEK TOWNSHIP

LOT 30X120.5X20X130; TOLAR ST
(LOCATED ON TOLAR ST OFF BARNES ST)
PIN 0437-30-4063; CROSS CREEK TOWNSHIP

BACKGROUND: On or about July 30, 2009, the County acquired by tax foreclosure the above property. The amount currently owed on the foreclosure judgment including interest and cost for the property is \$5,061.62.

Stacey Swaby was the last and highest bidder offering to purchase the County's interest in the property for **\$5,061.62** and has deposited \$506.16 in the Finance Office.

The tax values of the properties are as follows:

PIN 0437-30-4031; 802 N/Barnes St; 802 Barnes St; **Value: \$25,439.00**
PIN 0437-30-4063; Lot 30x120.5x20x130; Tolar St; **Value: \$ 2,538.00**

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 Ms. Swaby's 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 Stacey Swaby to purchase the above property for the sum of **\$5,061.62**, plus advertising and recording costs, and authorize the Chairman to execute a deed upon receipt of the balance of the purchase price.

RLM/hnw
Attachment

Celebrating Our Past... Embracing Our Future



Site Map

802 BARNES ST

CROSS CREEK TOWNSHIP

50

0

50 Feet



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ITEM NO. 2D(2)

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

January 8, 2014

MEMORANDUM FOR BOARD OF COMMISSIONERS' JANUARY 21, 2014 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

LOT 2 FENNEL LD TYSON SUB PROP (0.78AC)
(LOCATED ON SMITH RD)
PIN 0443-02-2470; GRAYS CREEK TOWNSHIP

BACKGROUND: On or about March 30, 2010, the County acquired by tax foreclosure the above property. The amount currently owed on the foreclosure judgment including interest and cost for the property is \$3,314.26.

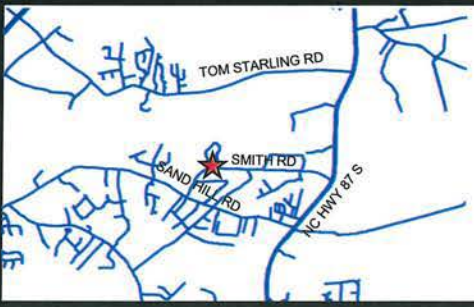
Holy House of God in Christ, Inc. was the last and highest bidder offering to purchase the County's interest in the property for **\$4,852.42** and has deposited \$485.24 in the Finance Office. The tax value of the property is \$12,000.00.

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 Holy House of God in Christ, Inc. bid. The property has been advertised and has received several bids; however, Holy House of God in Christ, Inc. was the final and highest bidder. The bid period is now closed.

RECOMMENDATION AND PROPOSED ACTION: That the Board of Commissioners consider whether to accept the offer of Holy House of God in Christ, Inc. to purchase the above property for the sum of **\$4,852.42**, plus advertising and recording costs, and authorize the Chairman to execute a deed upon receipt of the balance of the purchase price.

RLM/hnw
Attachment

Celebrating Our Past...Embracing Our Future



Site Map

SMITH RD
GRAYS CREEK TOWNSHIP



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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

December 13, 2013

MEMORANDUM FOR BOARD OF COMMISSIONERS' JANUARY 21, 2014 AGENDA

TO: BOARD OF COMMISSIONERS

FROM: RICK MOOREFIELD, COUNTY ATTORNEY *RM*

SUBJECT: DECLARING FORECLOSED REAL PROPERTY SURPLUS

BACKGROUND: The County when it is the successful bidder on tax foreclosed property first offers that property to the various County Departments & Agencies and to the City. If none of these entities has a need for the property then the Commissioners are asked to declare the property surplus, and it is placed on the County's Surplus Property list for sale to the public.

The County of Cumberland has recently acquired by tax foreclosure certain real property located in the County. Exhibit 1 is a list of properties which also shows their tax values. Exhibit 2 is a set of maps which shows the PIN number and vicinity for each parcel.

RECOMMENDATION AND PROPOSED ACTION: That the Board declare the foreclosed property as surplus to the needs of the County.

Celebrating Our Past...Embracing Our Future

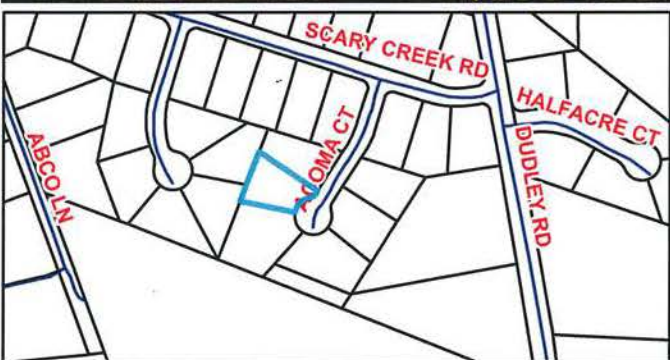
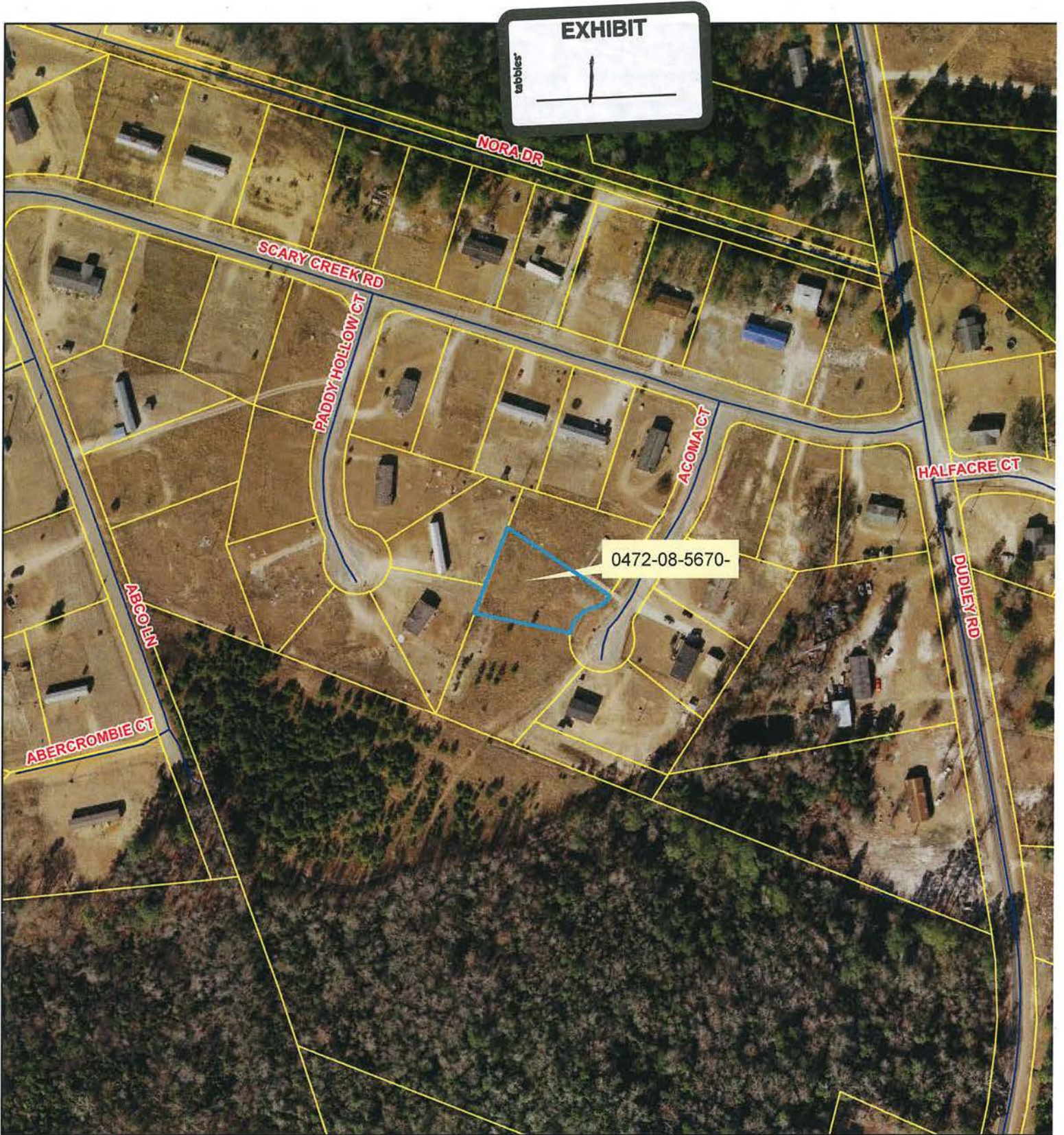
EXHIBIT 1

COUNTY OWNED PROPERTY

ITEM	PIN	ADDRESS	DESCRIPTION	ASSESSED VALUE \$	TAX LIEN \$	DATED RECO RDED	DEED Book / Page
1.	0472-08-5670	6020 Acoma Ct	Lot 8 McNeill Sands Sec 2	7,500.00	3,223.15	06/06/13	9209/477
2.	0428-92-8401	Church St	Lot 43 Lakeland	5,000.00	6,245.23	07/19/13	9248/729
3.	0501-76-3388	122 N First St	Spring Lake Annex 1 3 & 4 Block D	56,551.00	10,615.02	06/19/12	8926/884
	0501-76-4236	118 N First St	Spring Lake Annex 1 Lt 6 Block D	25,239.00			
	0501-76-4252	105 N First St	Lot 7 Block D Spring Lake Annex 1	24,421.00			
	0501-76-5466	N Second St	Spring Lake Annex 1 11 & 12 Block D	47,482.00			
4.	0437-78-2317	724 North St	Res 724 North St	39,500.00	11,259.62	09/27/13	9301/326

COUNTY AND CITY OWNED PROPERTY

ITEM	PIN	ADDRESS	DESCRIPTION	ASSESSED VALUE \$	TAX LIEN \$	DATED RECO RDED	DEED Book / Page
5.	0437-03-3553	420 Bryan St	420 Bryan St	29,000.00	6,616.23	05/23/13	9197/488
6.	0437-78-0035	703 North St	703 North St	19,800.00	10,747.87	06/23/09	8183/169
7.	0446-38-5536	616 Deep Creek Rd	1 RES Lot 6 Cade Ave	43,200.00	6,172.08	06/21/11	8666/024
8.	0436-78-6341	809 Montgomery St	Lots 24-27 Raines Property	52,600.00	15,499.25	02/15/12	8832/377
9.	0428-92-9173	1419 Church St	Lot 33 Lakeland	16,945.00	7,868.96	11/01/12	9033/196
10.	0520-94-5534	504 Carteret Pl	Lot 350 Sec 10 College Lakes Pt A	18,000.00	9,226.29	10/02/12	9009/427
11.	0446-37-7380	837 Deep Creek Rd	Lot 18 Sunny Acres	32,900.00	5,867.11	10/18/11	8744/225
12.	0436-39-7334	217 Hedgepeth St	1 Imp 217 Hedgepeth st 1, Lots 21 & 22	10,500.00	11,123.37	10/29/13	9320/228

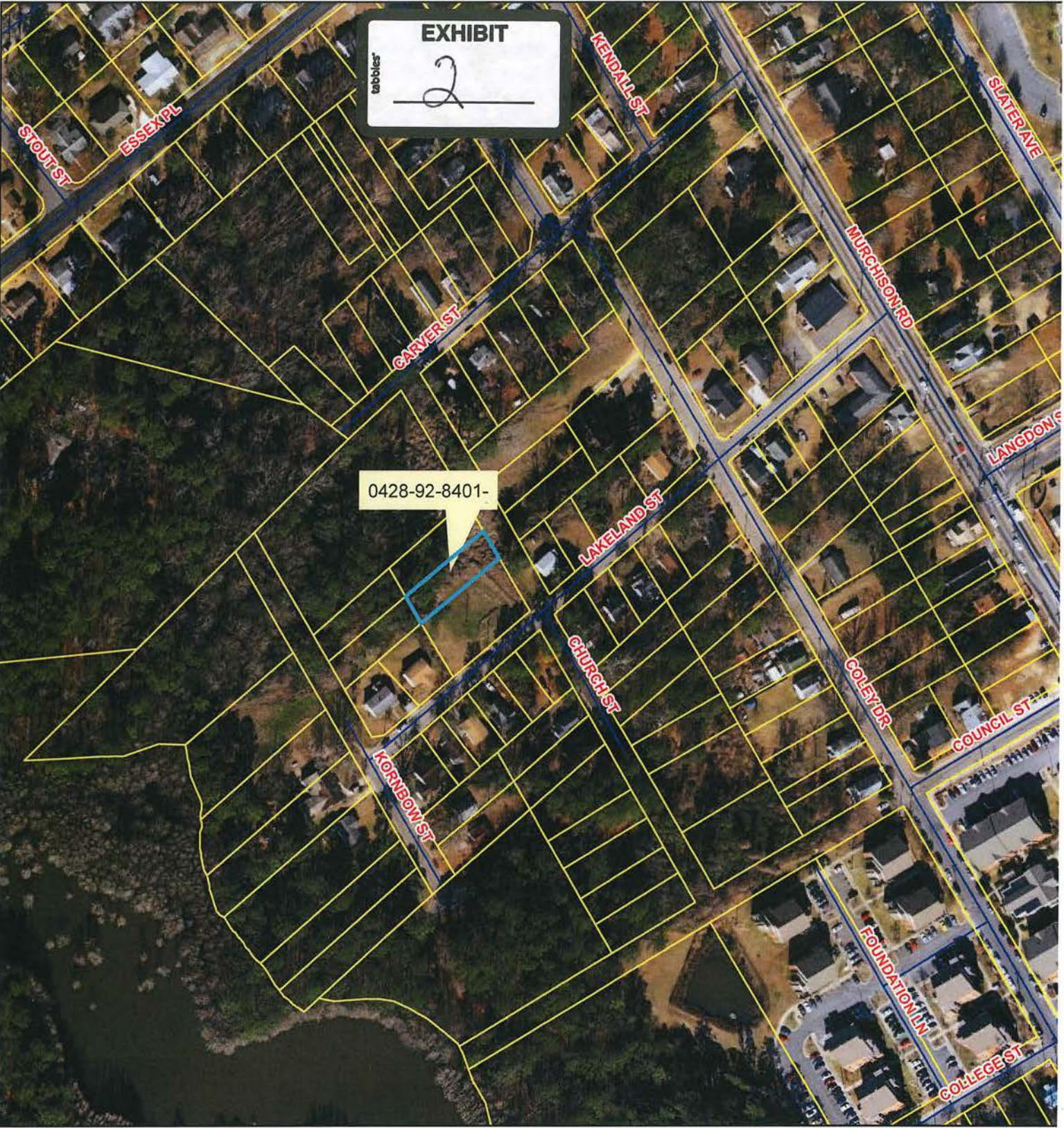


SITE MAP
6020 ACOMA CT
CEDAR CREEK TOWNSHIP

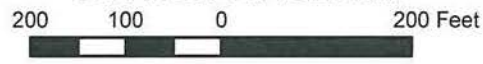


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NORTH CAROLINA

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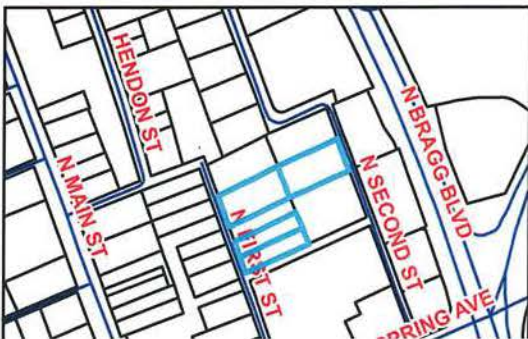


SITE MAP
CHURCH ST
CEDAR CREEK TOWNSHIP



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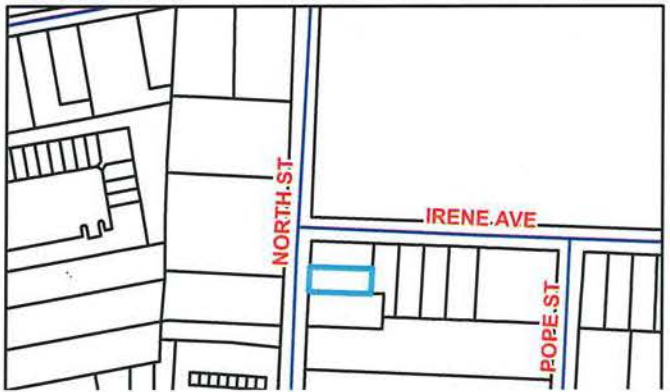


SITE MAP
N FIRST ST SPRING LAKE
MANCHESTER TOWNSHIP

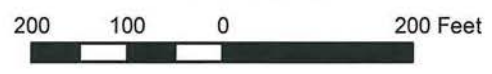


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NORTH CAROLINA

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SITE MAP
724 NORTH STREET



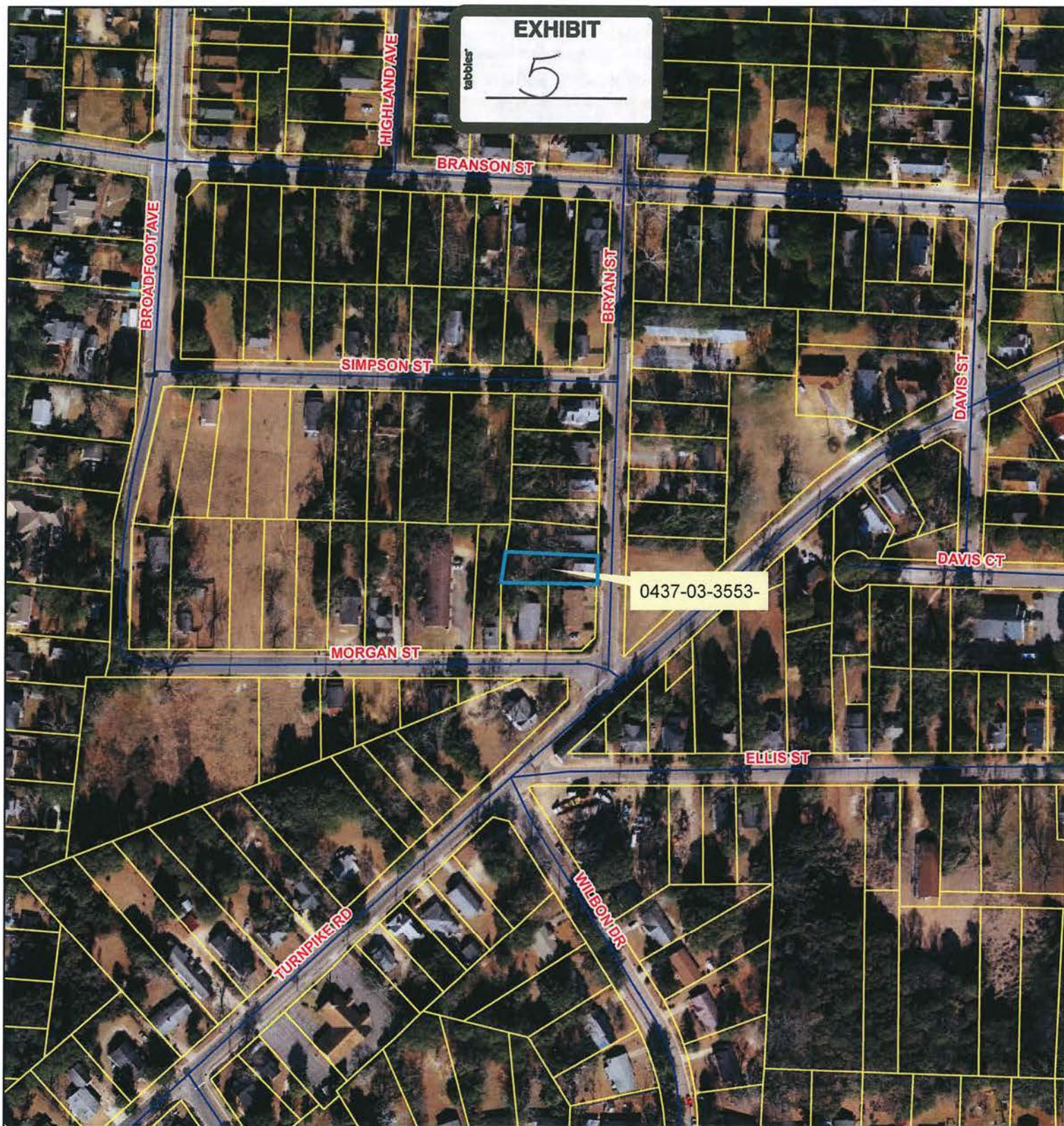
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EXHIBIT

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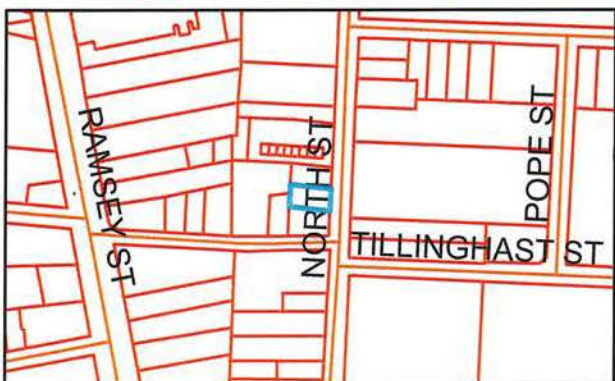
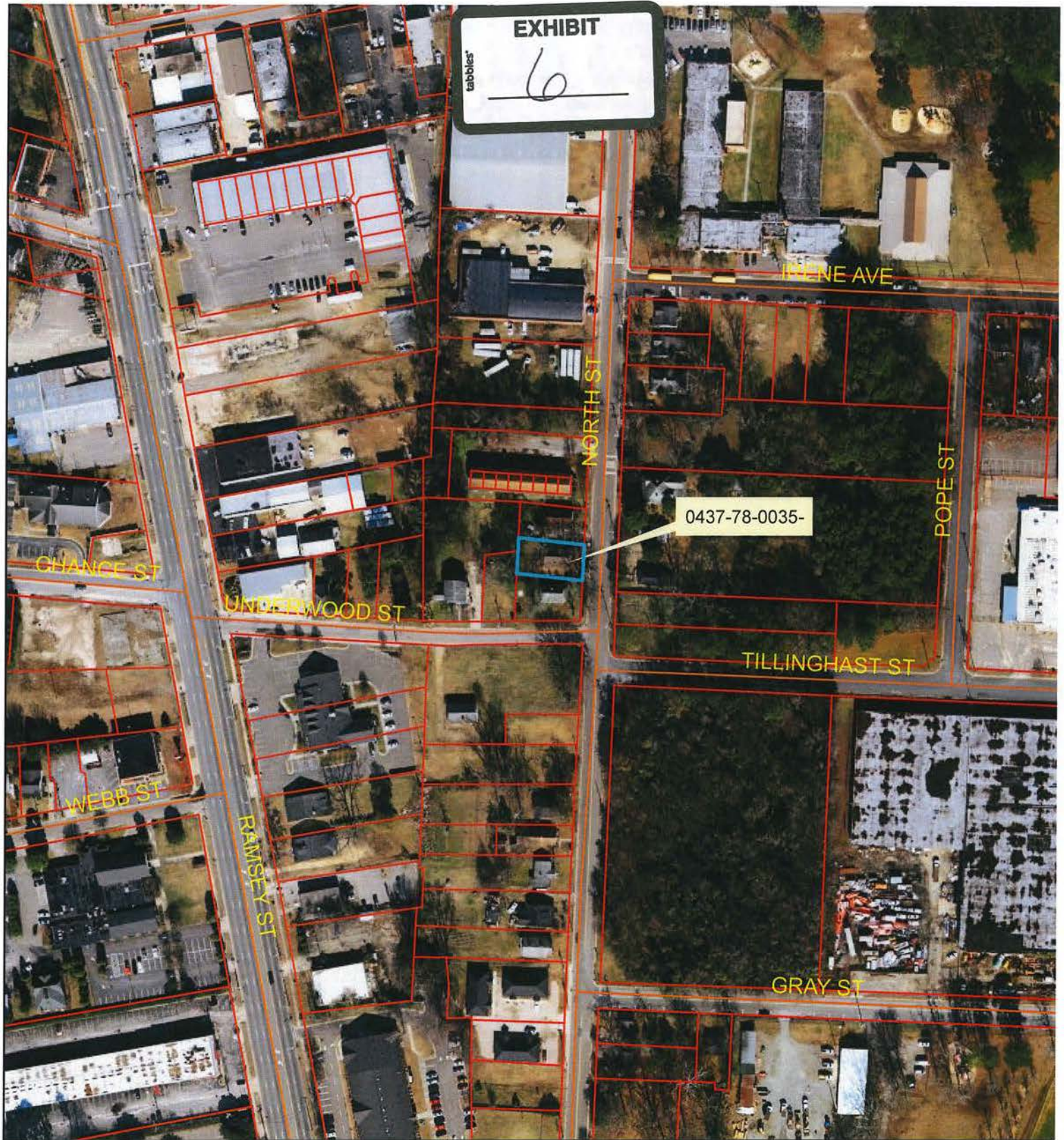
SITE MAP
420 BRYAN STREET

200 100 0 200 Feet



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SITE MAP
703 NORTH STREET
CROSS CREEK TOWNSHIP
FAYETTEVILLE NC

200 100 0 200 Feet



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7

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0446-38-5536-

DEEP CREEK RD

MCDONALD ST

CHRISTIAN ST

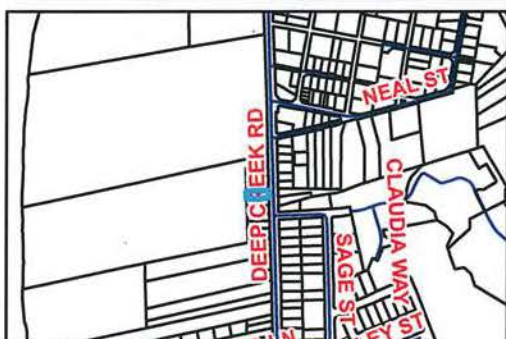
MARTIN RD

NEAL ST

ARDMORE DR

DUGGINS WA

SAGE ST



SITE MAP
616 DEEP CREEK RD
CEDAR CREEK TOWNSHIP

200 100 0 200 Feet

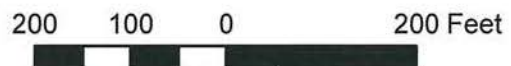
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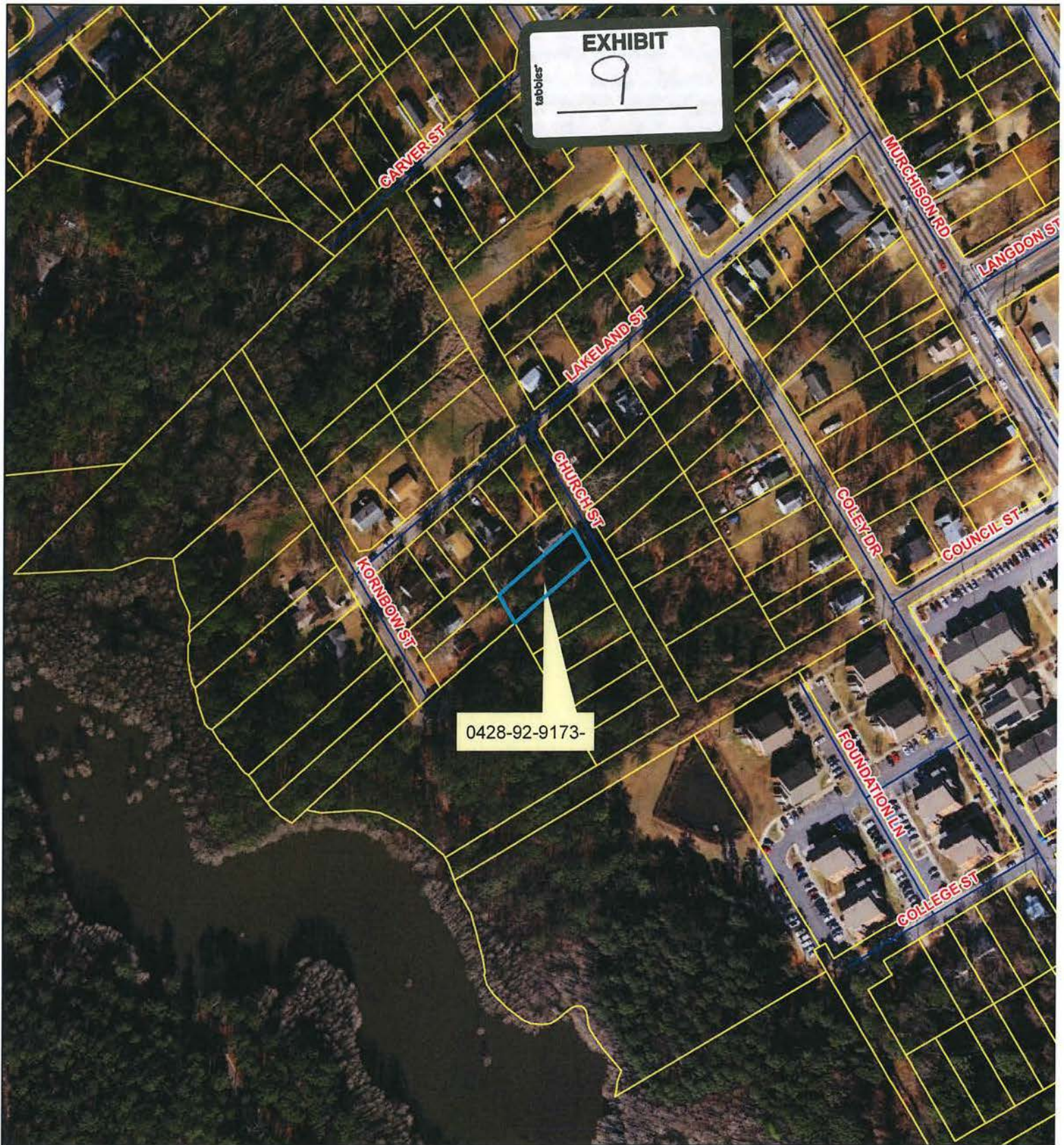


SITE MAP
809 MONTGOMERY ST
CROSS CREEK TOWNSHIP



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SITE MAP
1419 CHURCH ST
CROSS CREEK TOWNSHIP



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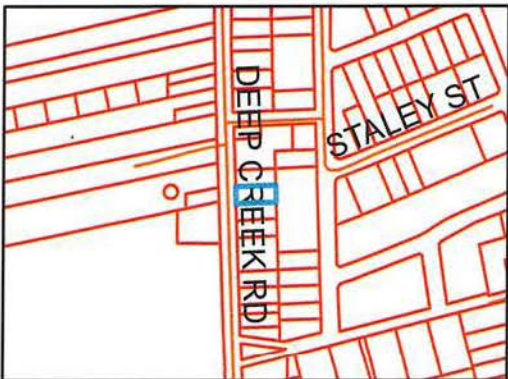


SITE MAP
504 CARTERET PLACE
CARVERS CREEK TOWNSHIP

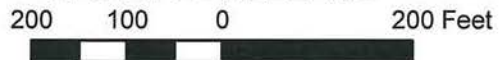


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SITE MAP
837 DEEP CREEK RD
CEDAR CREEK TOWNSHIP
FAYETTEVILLE NC

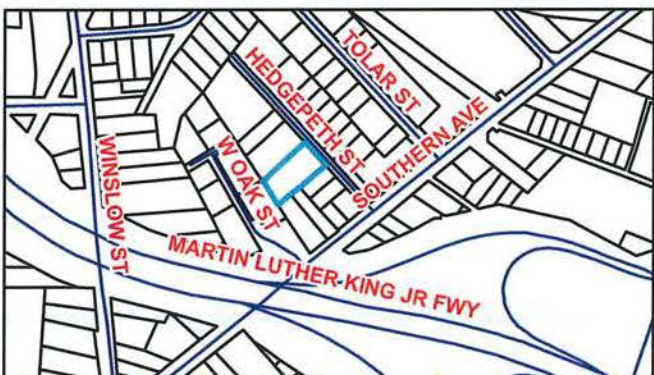


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tabbles

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SITE MAP
217 HEDGEPEETH STREET

200 100 0 200 Feet



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JAMES E. MARTIN
County Manager

AMY H. CANNON
Deputy County Manager



CUMBERLAND
★ **COUNTY** ★
NORTH CAROLINA

JAMES E. LAWSON
Assistant County Manager

QUENTIN T. McPHATTER
Assistant County Manager

ITEM NO. 2F(1-4)

OFFICE OF THE COUNTY MANAGER

MEMORANDUM FOR BOARD OF COMMISSIONERS AGENDA OF JANUARY 21, 2014

TO: BOARD OF COUNTY COMMISSIONERS
FROM: JAMES E. MARTIN, COUNTY MANAGER
DATE: JANUARY 15, 2014
SUBJECT: APPROVAL OF THE CUMBERLAND COUNTY FINANCE COMMITTEE REPORT AND RECOMMENDATION(S)

BACKGROUND

The Cumberland County Finance Committee met on Tuesday, January 7, 2014 and discussed the following agenda:

- 1) Grant Application for a Veterans' Treatment Court
- 2) Request for Nine Additional School Resource Officers
- 3) Audit Contract for FY 2014 through 2016
- 4) Office Supply Contract

"DRAFT" minutes for the Cumberland County Finance Committee are attached.

RECOMMENDATION/PROPOSED ACTION

Accept the Cumberland County Finance Committee report and recommendation(s).

/ct

Attachment

CM011514-2

DRAFT

CUMBERLAND COUNTY FINANCE COMMITTEE
NEW COURTHOUSE, 117 DICK STREET, 5TH FLOOR, ROOM 564
JANUARY 7, 2014 - 8:30AM
SPECIAL MEETING MINUTES

MEMBERS PRESENT: Commissioner Marshall Faircloth, Chairman (arrived 8:40 a.m.)
Commissioner Kenneth Edge
Commissioner Billy King

OTHER COMMISSIONERS
PRESENT: Chairman Jeannette Council
Commissioner Jimmy Keefe (departed 9:00 a.m.)
Commissioner Ed Melvin

OTHERS: James Martin, County Manager
Amy Cannon, Deputy County Manager
James Lawson, Assistant County Manager
Rob Hasty, Assistant County Attorney
Melissa Cardinali, Finance Director
Sally Shutt, Chief Public Information Director
Elizabeth Keever, Chief District Court Judge
Howard Lloyd, Sheriff Office's Finance Department
Thelma Matthews, County Purchasing
Tim Kinlaw, Cumberland County Schools Associate Superintendent
of Auxiliary Services
Candice White, Clerk to the Board
Press

Commissioner Edge called the meeting to order and stated the election of the Chairman for the Finance Committee would be deferred until Commissioner Faircloth arrived.

1. APPROVAL OF MINUTES – NOVEMBER 7, 2013 MEETING

MOTION: Commissioner Edge moved to approve the minutes.
SECOND: Commissioner King
VOTE: UNANIMOUS (2-0)

2. CONSIDERATION OF A COUNTY GRANT APPLICATION FOR A VETERANS' TREATMENT COURT

BACKGROUND:

As you may recall, the Board of Commissioners gave approval, last January, for the county to be the applicant for Veterans' Treatment Court grant funding through the Bureau of Justice. The county's application was not selected for funding at that time.

DRAFT

The court system remains committed to establishing this treatment court and has identified another grant opportunity through the Governor's Crime Commission (GCC). A request has been made for the county to be the applicant again in this grant request. The GCC requires a 25% cash match for their grant funds.

Previously our Mental Health Department allocated funding to the court system to operate Sobriety Court, and this funding was again included in our FY2014 budget. In September, the county was notified that our Sobriety Court was awarded grant funds from the Governor's Highway Safety Program. In the event the county is successful in securing a GCC grant, the 25% cash match could be met through the available county funding appropriated for Sobriety Court.

RECOMMENDATION:

Approval for the county to be the grant applicant for the Governor's Crime Commission grant for a Veterans' Treatment Court and commit available county funding appropriated for Sobriety Court, to meet the required 25% cash match.

Amy Cannon, Deputy County Manager, clarified the funds allocated by the Mental Health Department were for the total amount needed to operate the Sobriety Court. Ms. Cannon stated the allocation was included in the county's FY2014 budget and is available to be used as the match to the grant for a Veterans' Treatment Court.

Elizabeth Kever, Chief District Court Judge, stated this is a three-year grant that is renewable each year and the match increases each year. Judge Kever stated this year's match will be 50%. Judge Kever also stated the county will be expected to pick up the full amount in the fourth year. Ms. Cannon stated the total cost may be between \$60,000 to \$70,000 with anticipated grant funds in the amount of \$45,000 and a match in the amount of \$17,000.

Questions followed. Ms. Cannon explained a budget revision to allocate funds for Veteran's Treatment Court will follow if the grant is awarded and if the grant is not awarded, the funds will stay in the General Fund.

At the request of Commissioner Edge, Judge Kever provided an overview of the staffing and operation of a Veterans' Treatment Court and stated this money is to pay a coordinator to coordinate volunteers, random drug testing and court sessions. Judge Kever stated there is close involvement with the Veterans Administration Hospital and arrangements have been made with the Family Life Center to provide mental health treatment for veterans who do not have VA benefits available. Judge Kever stated this is a fully rounded program to get veterans back on track and stop the pattern of criminal behavior that keeps them in the jail.

MOTION: Commissioner King moved to approve the county to be the grant applicant for the Governor's Crime Commission grant for a Veterans' Treatment Court.
SECOND: Commissioner Edge

DRAFT

VOTE: UNANIMOUS (3-0)

Commissioner Edge asked Judge Keever to provide an update periodically once the Veterans' Treatment Court gets established.

3. ELECTION OF FINANCE COMMITTEE CHAIRMAN

MOTION: Commissioner King moved to appoint Commissioner Faircloth as Chairman of the Finance Committee.

SECOND: Commissioner Edge

VOTE: UNANIMOUS (3-0)

4. CONSIDERATION OF REQUEST FOR SIX ADDITIONAL SCHOOL RESOURCE OFFICERS

BACKGROUND:

The General Assembly has allocated funds to pay for the salaries of additional school resource officers on a recurring basis, to be distributed by the Department of Public Instruction (DPI). The Board of Education (BOE) has been awarded \$168,000 for the salary expenses of six new officers for a two-year period. These additional positions will provide security for elementary schools, by adding one officer to each of the high school districts or attendance areas. Each officer will cover five elementary schools.

This grant of \$168,000 will fund 50% of the recurring salary costs for these positions. For the first year, the remaining amount will be funded 75% from the BOE and 25% from the Sheriff's NC Controlled Substance Tax funds. In addition, funds in the amount of \$228,000 are required to provide the equipment and vehicles for these positions. This one-time expenditure is funded 50% from the BOE and 50% from the Sheriff's NC Controlled Substance Tax funds.

In summary, the first year 50% match requirement is being provided by the BOE and the Sheriff. For year two and future years, management intends on including the match or any costs not covered by a grant, as a cost that is covered (like other local expenses) by a school funding agreement.

RECOMMENDATION:

Approve the associated budget revision and request to increase the security for elementary schools provided by the school resource officers, through the grant funding provided by General Assembly.

James Martin, County Manager, stated since the agenda was published, it has been learned that the State has agreed to award the salary expenses for an additional three new officers. Mr. Martin stated local dollars will be the same for nine officers as it had been for six. Amy Cannon, Deputy County Manager, reviewed the background information and recommendation as recorded above. Ms. Cannon stated at this point,

DRAFT

the county will not take any funds out of its General Fund because the Sheriff's Office and the BOE will provide the entire grant match. Ms. Cannon explained for year two and future years, it is management's intent to include the local expense in the funding formula with no additional amount required from the county. Questions followed.

Ms. Cannon stated the DPI added to grant allowing for the BOE to hire nine officers for the elementary schools and will fund two-thirds of the recurring salary costs. Tim Kinlaw, Cumberland County Schools Associate Superintendent of Auxiliary Services, stated the three additional positions will come with additional outlay needs such as vehicles and uniforms, and the BOE has committed to funding 100% of those capital costs.

- MOTION: Commissioner Edge moved to approve the associated budget revision and request to increase the security for elementary schools provided by the school resource officers through the grant funding provided by General Assembly as amended.
- SECOND: Commissioner King
- VOTE: UNANIMOUS (3-0)

5. CONSIDERATION OF THE ANNUAL AUDIT CONTRACT

BACKGROUND:

Cherry Bekaert (CBH) has submitted their engagement letter for the upcoming audits for fiscal years ended June 30, 2014, 2015 and 2016. The firm has offered the County the ability to minimize costs and take advantage of the updated County staffing structure.

Previously the Deputy County Manager also served as Finance Director in addition to having supervisory responsibility for the internal audit function. Since the duties of Finance Director are now separate from the Deputy County Manager, the County has the opportunity to utilize the Internal Auditor and reduce external audit costs. The proposal by CBH takes advantage of this organizational structure.

The primary expense for the annual audit is a result of the single audit component – the required audit of federal and state funding. Due to the nature of County departments such as DSS, counties typically have a much higher level of single audit requirements than other governmental units. By shifting a portion of the single audit to the Internal Auditor, under the direction of CBH, a cost savings of \$20,000 can be obtained in year one.

	Option 1	Option 2
June 30, 2014	\$115,000	\$ 95,000
June 30, 2015	\$118,800	\$ 98,300
June 30, 2016	\$122,500	\$101,500

The proposal also adjusts the single audit portion depending on the number of programs. The base number of programs in the proposal is 12. For each program under

DRAFT

12, the audit cost will be reduced by \$2,500. Conversely, for each program over 12, the audit cost will increase by \$2,500. It should be noted that CBH performs the annual audit for the six largest counties in North Carolina. Upon review of these counties, proposed pricing by CBH is extremely comparable.

An additional component of the proposal is the inclusion of a local minority firm, Willie Cooper, Jr., CPA. This relationship has worked well in the past for both CBH and the County. Finally, CBH will be submitting an engagement letter to Global Spectrum for the annual audit at the Crown. CBH is familiar with arrangements such as the one between Global Spectrum and the Crown Coliseum since they already audit the Global Spectrum contract in Durham, N.C., Richmond, and Roanoke, VA.

RECOMMENDATION:

Approve engaging Cherry Bekaert to perform the annual audit for Cumberland County for fiscal years ended June 30, 2014, 2015 and 2016 under the option utilizing the County's Internal Auditor (Option 2).

Melissa Cardinali, Finance Director, reviewed the background information and recommendation as recorded above and responded to questions. Ms. Cardinali explained there is no cost increase under Option 1 and there will be a cost savings of \$20,000 in year one under Option 2.

MOTION: Commissioner King moved to approve engaging Cherry Bekaert to perform the annual audit for Cumberland County for fiscal years ended June 30, 2014, 2015 and 2016 under Option 2 utilizing the County's Internal Auditor.

SECOND: Commissioner Edge

VOTE: UNANIMOUS (3-0)

6. CONSIDERATION OF OFFICE SUPPLY CONTRACT

BACKGROUND:

Cumberland County Purchasing solicited bids for office supplies earlier in the year. At the time the bids were sent out Mental Health and the Crown Center office supply quantities were included on the bid sheet. Since vendors look at the estimated quantities along with other factors to determine their bid, this overstatement of quantities would be a disadvantage to vendors when compiling their proposal.

A request was made to the Board of Commissioners to reject the bids received and send them back out with corrected quantities. This action was approved at the November 18, 2013 Board of Commissioners meeting. Bids were received December 4, 2013. In this request for proposals, vendors were asked for their best pricing as well as service level.

The results are as follows:

DRAFT

Vendor	Proposed Price (Avg. Based on History)	Delivery Service	Comments
Forms and Supply	\$70,109.57	Next day delivery	Consultation available by appointment.
Office Max	\$75,194.98	Next day delivery	Reserves the right to not sell at stated discount if they don't make 10%. Consultation service not presented.
Williams Office Environments	\$78,712.99	Will make 2 deliveries per day. Same day on in stock items ordered in the morning	On site consultation with departments. Assembles all items free of charge.

An extremely important consideration in determining the most responsive and responsible bidder is service. Although pricing is estimated to be slightly higher with Williams Office Environments, the service component surpasses all other bidders. In maintaining daily operations, this service level can be critical to County departments.

RECOMMENDATION:

Approve Williams Office Environments as the County's office supply vendor based on higher service level provided.

Melissa Cardinali, Finance Director, reviewed the background information, results of the requests for proposals and recommendation as recorded above.

MOTION: Commissioner Edge moved to approve Williams Office Environments as the County's office supply vendor based on higher service level provided.

SECOND: Commissioner King

VOTE: UNANIMOUS (3-0)

7. CONSIDERATION OF ACCOUNTS PAYABLE SOLUTIONS – ELECTRONIC PAYMENTS

BACKGROUND:

The Finance Department has been researching options to decrease costs in its vendor payment process and has been approached by two banks (Commerce Bank and PNC Bank) who offer options in this area. After extensive interviews with both banks, it was determined PNC offers a more comprehensive package for the County.

DRAFT

PNC's Active Pay program basically replaces check payments to vendors with an electronic payment through the Visa Network. When a vendor chooses to receive their payment from the County through this network, the County becomes eligible for an annual rebate. According to the analysis by PNC, after full implementation, the County should see a rebate of \$130,000 - \$140,000 annually.

There are several advantages to working with PNC on this project. Advantages include the coordination of the plan to enroll vendors in a manner that prevents 'badgering', weekly reporting, waiving fees for implementation; and 'gently pushing' vendors toward electronic funds transfer (EFT) who reject the Visa Network option. While the EFT option does not contribute to an annual rebate for the County, any movement to electronic payment reduces expenses for the County, so a benefit is derived. Also, the script used for approaching vendors is flexible and will be approved by County Finance prior to implementation.

It should be noted that Commerce Bank provided what they term a rebate 'guesstimate' of about \$170,000 annually. However, Commerce does not coordinate vendor contact. This means that for every client Commerce has, they will call each vendor. Therefore, a vendor could be approached multiple times which could likely result in a negative response from vendors. Additionally, Commerce will not 'gently push' vendors toward EFT payments since there is no direct benefit for the bank in this case.

RECOMMENDATION:

Consensus for the Finance Director to work with PNC Bank to implement the Active Pay program and participate in any annual rebate earned.

Melissa Cardinali, Finance Director, reviewed the background information and recommendation as recorded above. Questions followed. Ms. Cardinali explained implementing the Active Pay program will not change the county's internal processing but because vendors will receive payment through the VISA network, the county gets to participate in the fee which makes payments less expensive for the county and less expensive for the bank. Ms. Cardinali further explained the advantage to vendors is that they receive their money quicker because this is a faster way to move money. Commissioner Faircloth noted that PNC provides the lockbox or bill payment processing for county taxes so the county already has a relationship with PNC. Ms. Cannon stated electronic payments mean the county has to issue fewer checks.

Consensus of the Finance Committee was for the Finance Director to work with PNC Bank to implement the Active Pay program and participate in any annual rebate earned.

8. UPDATE ON CURRENT REFUNDING OF GENERAL OBLIGATION BONDS

BACKGROUND:

DRAFT

The proposal to refund the remaining 2004 GO bonds was distributed to the Board of Commissioners on November 27, 2013 in lieu of the December 5, 2013 Finance Committee meeting. As stated at that time, these remaining bonds are callable beginning February 1, 2014. By taking advantage of the call dates and current interest rates, the County is projected to achieve a savings of 9.9% or approximately \$1,400,000 over the next five years.

The County can refund these bonds through the public bond market or through a direct placement. In December, the thought was to do the refunding through the public bond market because this usually yields higher savings. However, in the current interest rate environment there is no advantage to a public sale. The same savings can be achieved with less cost via a direct placement of the bonds.

Therefore, all upcoming actions are geared toward the direct placement method of refunding the debt.

RECOMMENDATION:

This item is provided as updated information for the Committee.

DATE	ACTIVITY	PARTICIPANTS
December 5	Finance Committee Meeting	County
December 11	Distribute 1st Draft of Bond Order and Refunding Resolution	BC
By December 20	Distribute 1st Draft of BPA	PC
By January 3	Comments Due on All Documents	All
January 6	BOC Meeting – Introduce Refunding Bond Order Submit LGC Application and Sworn Statement of Debt	County, BC
January 7	Finance Committee Meeting	County, BC
By January 8	Distribute Revised Draft of Refunding Resolution and BPA	BC, PC
By January 10	Publish Refunding Bond Order	County, BC
By January 13	Finalize Refunding Resolution and Provide to County Distribute Revised Draft of BPA	BC PC
January 21	BOC Meeting – Adopt Refunding Resolution	County, BC
February 4	Receive LGC Approval	LGC
February [5]	Lock in Rate Execute BPA	County, FA, P
March [4]	Closing	All Parties

Key	Working Group Participants
County	Cumberland County, NC
FA	Financial Advisor – DEC Associates
BC	Bond Counsel – Hunton & Williams
LGC	North Carolina Local Government Commission
P	Bank/Purchaser – Wells Fargo Bank, N.A.
PC	Co-Bank Counsel – Kutak Rock; Parker Poe

DRAFT

Melissa Cardinali, Finance Director, reviewed the background information and stated this is an informational item pursuant to the board of commissioners' January 6, 2014 meeting during which the bond order was introduced and adopted. Ms. Cardinali stated no further action is necessary, the steps remain the same and action on January 21st will still be needed.

9. REVIEW OF MONTHLY FINANCIAL REPORT

Cumberland County Financial Highlights as of November 2013

Revenue

- Ad valorem taxes
 - With January 6 due date approaching, still early to have full picture of taxes
 - Historically majority of payments are made in December and early January
- Sales taxes
 - Received only 3 months to date
 - At this time sales tax is on target with budget

Expenditures

Through 5 months expenditures are trending as expected. Highlights of variances include the following:

General Government Other:

- Emergency Repair to the chiller at the Headquarter Library \$86,811;
- HVAC upgrades to the LEC - \$286,963
- Transfer to the Workers Comp \$500,000

Sheriff's Department:

- Bi-annual purchase of vehicles this year for \$1,200,000

Library:

- More grants received this fiscal year compared to last fiscal year
 - Grant of \$62,459 for technology materials for special needs children
 - Grant of \$96,700 for new system related to book check-out

Melissa Cardinali, Finance Director, provided a brief overview of the monthly financial report as recorded above.

10. OTHER MATTERS OF BUSINESS

Commissioner Faircloth asked whether a new Sheriff elected in 2014 will come into office at the same salary as the existing Sheriff. Mr. Martin stated he believed that to be the case. Commissioner Faircloth also asked if someone else is appointed as Sheriff, would they start at the base of the scale unless they happen to have experience with the county for which longevity might kick in. Mr. Martin stated in the absence of any other action the board may take with regards to the salary, that would be correct. Mr. Martin stated once the board of commissioners appoints a Sheriff, it can set the salary as long as the minimum is per the grade.

DRAFT

Mr. Martin further stated he is unsure as to whether there would be any legal debate about a new Sheriff coming in at the same grade. Commissioner Melvin requested a legal opinion to make sure the board knows the facts and suggested that the county attorney also consult with the School of Government. Commissioner Faircloth asked to have the information provided in time for the matter to be reconsidered by the board should there be a request to do so. Discussion followed.

There being no further business, the meeting adjourned at 9:25 a.m.

JAMES E. MARTIN
County Manager

AMY H. CANNON
Deputy County Manager



JAMES E. LAWSON
Assistant County Manager

QUENTIN T. McPHATTER
Assistant County Manager




OFFICE OF THE COUNTY MANAGER

ITEM NO. 2F(1)

**MEMORANDUM FOR THE AGENDA OF THE
JANUARY 21, 2014 BOARD OF COMMISSIONERS MEETING**

TO: BOARD OF COMMISSIONERS

FROM: AMY H. CANNON, DEPUTY COUNTY MANAGER 

DATE: JANUARY 15, 2014

SUBJECT: VETERANS' TREATMENT COURT GRANT APPLICATION

BACKGROUND

As you may recall, the Board of Commissioners gave approval last January for the County to be the applicant for Veterans' Treatment Court grant funding through the Bureau of Justice. The County's application was not selected for funding at that time. The court system remains committed to establishing this treatment court and has identified another grant opportunity through the Governor's Crime Commission (GCC). A request has been made for the County to be the applicant again in this grant request. The GCC requires a 25% cash match for their grant funds.

Previously our Mental Health Department allocated funding to the court system to operate Sobriety Court, and this funding was again included in our FY2014 budget. In September, the County was notified that our Sobriety Court was awarded grant funds from the Governor's Highway Safety Program. In the event the County is successful in securing a GCC grant, the 25% cash match could be met through the available county funding appropriated for Sobriety Court.

This item was presented to the Finance Committee on January 7, 2014. The Committee unanimously approved the recommendation for staff to move forward with a grant application and to commit available County Sobriety Court funds for the match.

RECOMMENDATION/PROPOSED ACTION

Approval for the County to be the grant applicant for the Governor's Crime Commission grant for a Veterans' Treatment Court and commit available county funding appropriated for Sobriety Court to meet the required 25% cash match.

CM011514-1

JAMES E. MARTIN
County Manager

AMY H. CANNON
Deputy County Manager



JAMES E. LAWSON
Assistant County Manager

QUENTIN T. McPHATTER
Assistant County Manager

CUMBERLAND
COUNTY

NORTH CAROLINA

OFFICE OF THE COUNTY MANAGER

ITEM NO. 2 F(2)

MEMORANDUM FOR THE AGENDA OF THE
JANUARY 21, 2014 BOARD OF COMMISSIONERS MEETING

TO: BOARD OF COMMISSIONERS

FROM: AMY H. CANNON, DEPUTY COUNTY MANAGER *AKC*

DATE: JANUARY 16, 2014

SUBJECT: REQUEST FOR ADDITIONAL SCHOOL RESOURCE OFFICERS

BACKGROUND

The General Assembly has allocated funds to pay for the salaries of additional School Resource Officers on a recurring basis, to be distributed by the Department of Public Instruction. The Board of Education (BOE) was initially awarded \$168,000 for the salary expenses of six new officers to provide security in the elementary schools. However, the BOE was later notified that they would receive funding for nine officers.

The grant will fund 66% of the salary and fringe benefit costs for the nine officers. The remaining expense will be funded equally from the BOE and the Sheriff's NC Controlled Substance Tax. In addition, funds in the amount of \$308,646 are required to provide the equipment and vehicles for these positions. These one-time expenditures are funded as follows:

Equipment/Vehicles for 6 Officers:	50% BOE and 50% Sheriff's NC Controlled Substance Tax
Equipment/Vehicles for 3 Officers:	100% BOE

For year two and future years, Management intends on including the match or any costs not covered by a grant, as a cost that is covered (like other local expenses) by a school funding agreement.

This item was presented to the Finance Committee on January 7, 2014 and the recommendation of staff was unanimously approved.

RECOMMENDATION/PROPOSED ACTION

Approve the associated budget revision and request to increase the security for elementary schools provided by the School Resource Officers through the grant funding provided by the General Assembly.

CM011614-1

Budget Office Use	
Budget Revision No.	1314-230
Date Received	1-13-14
Date Completed	

REVENUE				
Revenue Source Code	Description	Current Budget	Increase (Decrease)	Revised Budget
6423	Security Board of Education	1,552,945	438,000	1,990,945
9110	Transfer In from Fund 232	0	156,000	156,000
	Total	1,552,945	594,000	2,146,945

Object Code	Appr Unit	Description	Current Budget	Increase (Decrease)	Revised Budget
1210	117	Salaries Regular	1,815,381	178,200	1,993,581
1810	117	Social Security Employer	194,571	13,632	208,203
1820	117	Retirement	135,707	12,973	148,680
1824	117	401-k County	18,667	1,782	20,449
1826	117	401-k Law Enf	88,469	8,910	97,379
1830	117	Medical Insur	297,444	31,869	329,313
1850	117	Unemployment	15,740	963	16,703
1860	117	Worker's Comp	50,071	3,671	53,742
2120	118	Uniforms	29,623	9,354	38,977
2992	118	Dept Supplies	38,249	4,000	42,249
2994	118	Misc Furn & Equip	4,500	20,000	24,500
					-
3603	119	Cap Outlay Vehic	0	297,000	297,000
3610	119	Cap Outlay Equipment	0	11,646	11,646
					-
		Total	2,688,422	594,000	3,282,422

Funding Source: State: _____ Federal: _____ County: _____ New: _____ Other: 156,000
Other: 438,000 Fees: _____ Prior Year: _____

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

**COUNTY OF CUMBERLAND
BUDGET REVISION REQUEST**

Budget Office Use
Budget Revision No. B14-230A
Date Received 1-13-14
Date Completed _____

Fund No. 232 Agency No. 422 Organ. No. 4208
Organization Name: NC Controlled Substance Tax

REVENUE

Revenue Source Code	Description	Current Budget	Increase (Decrease)	Revised Budget
9901	Fund Balance Appropriated	60,000	156,000	216,000
Total		60,000	156,000	216,000

EXPENDITURES

Object Code	Appr Unit	Description	Current Budget	Increase (Decrease)	Revised Budget
3880	665	Transfer to General Fund 101	0	156,000	156,000
			0	156,000	156,000

Justification:

Appropriate fund balance. Transfer to School Law Enforcement (Budget 422F) for matching of personnel expenses (\$42,000) and equipment purchase (\$114,000).

Fund Balance:

State: _____ Federal: _____ County: _____ New: _____ Other: 156,000
Other: _____ Fees: _____ Prior Year: _____

Submitted By: Earl R Butler 1-9-14
Sheriff Date

Reviewed By: Deborah W. Shaw 1-13-14
Budget Analyst Date

Reviewed By: Angie Cannon 1/16/14
Deputy/Assistant County Mgr Date

Reviewed By: _____
Information Services Date

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

MELISSA C. CARDINALI
Finance Director



HOWARD C. ABNER
Deputy Finance Director

ITEM NO. 2 F(3)

FINANCE OFFICE

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

MEMORANDUM FOR BOARD OF COMMISSIONER'S AGENDA OF JANUARY 21, 2014

TO: BOARD OF COUNTY COMMISSIONERS

FROM: MELISSA C. CARDINALI, FINANCE DIRECTOR
mc

DATE: JANUARY 13, 2014

SUBJECT: **CONSENT AGENDA - ANNUAL AUDIT CONTRACT FOR FISCAL YEARS 2014 THROUGH 2016**

BACKGROUND

Cherry Bekaert (CBH) has submitted their engagement letter for the upcoming audits for fiscal years ended June 30, 2014, 2015 and 2016. The firm has offered the County the ability to minimize costs and take advantage of the updated County staffing structure.

Previously the Deputy County Manager also served as Finance Director in addition to having supervisory responsibility for the internal audit function. Since the duties of Finance Director are now separate from the Deputy County Manager, the County has the opportunity to utilize the Internal Auditor and reduce external audit costs. The proposal by CBH takes advantage of this organizational structure.

The primary expense for the annual audit is a result of the single audit component – the required audit of federal and state funding. Due to the nature of County departments such as DSS, counties typically have a much higher level of single audit requirements than other governmental units. By shifting a portion of the single audit to the Internal Auditor, under the direction of CBH, a cost savings of \$20,000 can be obtained in year one.

	Option 1	Option 2
June 30, 2014	\$115,000	\$ 95,000
June 30, 2015	\$118,800	\$ 98,300
June 30, 2016	\$122,500	\$101,500

Celebrating Our Past...Embracing Our Future

The proposal also adjusts the single audit portion depending on the number of programs. The base number of programs in the proposal is 12. For each program under 12, the audit cost will be reduced by \$2,500. Conversely, for each program over 12, the audit cost will increase by \$2,500. It should be noted that CBH performs the annual audit for the six largest counties in North Carolina. Upon review of these counties, proposed pricing by CBH is extremely comparable.

An additional component of the proposal is the inclusion of a local minority firm, Willie Cooper, Jr., CPA. This relationship has worked well in the past for both CBH and the County. Finally, CBH will be submitting an engagement letter to Global Spectrum for the annual audit at the Crown. CBH is familiar with arrangements such as the one between Global Spectrum and the Crown Coliseum since they already audit the Global Spectrum contract in Durham, N.C., Richmond, and Roanoke, VA.

RECOMMENDATION

Accept the Finance Committee approval on January 7, 2014 engaging Cherry Bekaert to perform the annual audit for Cumberland County for fiscal years ended June 30, 2014, 2015 and 2016 under the option utilizing the County's Internal Auditor (Option 2).



ITEM NO. 2F(4)

COUNTY of CUMBERLAND

Thelma S. Matthews
Purchasing Manager
(910) 678-7743

Debbie H. Miller
Buyer
(910) 678-7746

*Finance Department
Purchasing Division*

MEMO

TO: Board of Commissioners
From: Thelma S. Matthews, Purchasing Manager *jm*
Through: Melissa Cardinali, Finance Director *mc*
Date: January 8, 2014
Subject: Office Supply Contract

BACKGROUND:

Cumberland County Purchasing solicited bids for office supplies earlier in the year. At the time the bids were sent out Mental Health and the Crown Center office supply quantities were included on the bid sheet. Since vendors look at the estimated quantities along with other factors to determine their bid, this overstatement of quantities would be a disadvantage to vendors when compiling their proposal.

A request was made to the Board of Commissioners to reject the bids received and send them back out with corrected quantities. This action was approved at the November 18, 2013 Board of Commissioners meeting. Bids were received December 4, 2013. In this request for proposals, vendors were asked for their best pricing as well as service level. The results are as follows:

Vendor	Proposed Price (Avg. Based on History)	Delivery Service	Comments
Forms & Supply	\$70,109.57	Next day delivery	Consultation available by appointment
Office Max	\$75,194.98	Next day delivery	Reserves the right to not sell at stated discount if they don't make 10%. Consultation service not presented.
Williams Office Environments	\$78,712.99	Will make two deliveries per day. Same day in stock items ordered in the morning.	On site consultation with departments. Assembles all items free of charge.

An extremely important consideration in determining the most responsive and responsible bidder is service. Although pricing is estimated to be slightly higher with Williams Office Environments, the service component surpasses all other bidders. In maintaining daily operations, this service level can be critical to County Departments.

RECOMMENDATION: Approval of Williams Office Environments as the County's office supply vendor per Finance Committee approval on January 7, 2014.

**COUNTY OF CUMBERLAND
BUDGET REVISION REQUEST**

Budget Office Use	
Budget Revision No.	<u>314-241</u>
Date Received	<u>1-8-14</u>
Date Completed	

Fund No. 101 Agency No. 431 Organ. No. 4328
 Organization Name: Health- NC AIDS

ITEM NO. 26(1)

REVENUE

Revenue Source Code	Description	Current Budget	Increase (Decrease)	Revised Budget
4122	CAPUS- Care and Prevention	-	20,833	

Total - 20,833

EXPENDITURES

Object Code	APRs	Unit	Description	Current Budget	Increase (Decrease)	Revised Budget
3390	239		Contracted Services	-	20,833	20,833

Total - 20,833 20,833

Justification:

The Health Department has received Care and Prevention in the US (CAPUS) funding to establish a local site within the statewide safe spaces network to carry out the programmatic, logistical and administrative functions of the Safe Space Intervention. A part-time facilitator will be hired to coordinate the activities related to identifying HIV positive minorities to assist these patients in reducing their viral load and CD4 blood count.

Funding Source:

State: 20,833 Federal: _____ Fund Balance: _____
 Other: _____ Fees: _____ County: _____ New: _____ Other: _____
 Prior Year: _____

Submitted By: [Signature]
 Department Head

Date: 1-7-14

Reviewed By: [Signature]
 Finance

Date: 1-8-14

Reviewed By: [Signature]
 Deputy/Assistant County Mgr

Date: 1/16/14

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

**COUNTY OF CUMBERLAND
BUDGET REVISION REQUEST**

Budget Office Use	
Budget Revision No.	<u>314-243</u>
Date Received	<u>1/9/14</u>
Date Completed	

Fund No. 448 Agency No. 450 Organ. No. 4589

Organization Name: Community Development - SHP

ITEM NO. 2G(2)

REVENUE

Revenue Source Code	Description	Current Budget	Increase (Decrease)	Revised Budget
4535	HUD Continuum of Care Grant (CoC)	253,844	9,942	263,786
Total		253,844	9,942	263,786

EXPENDITURES

Object Code	Appr Unit	Description	Current Budget	Increase (Decrease)	Revised Budget
348U	781	CoC Planning	0	9,942	9,942
Total			0	9,942	9,942

Justification:

To allocate grant funds for CoC planning cost for a community-wide assessment system.

Funding Source:

State: _____
Other: _____

Federal: ☒ _____
Fees: _____

Fund Balance:

County: _____ New: _____
Prior Year: _____

Other: _____

Submitted By: Sylvia H. McBean Date: 1/9/14
12/17/2013 Department Head

Reviewed By: [Signature] Date: 1/9/14
Finance

Reviewed By: Amber Cannon Date: 1/16/14
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.	B14-239
Date Received	12/20/13
Date Completed	

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

Organization Name: Social Services

ITEM NO. 2G(3)

REVENUE

Revenue Source Code	Description	Current Budget	Increase (Decrease)	Revised Budget
432E	FAMILIES TO FAMILIES	0	15,000	15,000

Total 15,000

EXPENDITURES

Object Code	Appr Unit	Description	Current Budget	Increase (Decrease)	Revised Budget
432E	262	FAMILIES TO FAMILIES	0	15,000	15,000

Total 0 15,000 15,000

Justification:

To recognize funds from the Annie E. Casey Foundation for a Child Welfare Initiative Agreement.

Funding Source: State: _____ Fund Balance: County: _____ New: _____ Other: _____
Other: \$ 15,000 Fees: _____ Prior Year: _____

Submitted By: Brady Jan
Department Head

Date: 12/20/13

Reviewed By: Bob Incher
Budget Analyst

Date: 12/20/13

Reviewed By: Amy Cannon
Deputy Assistant County Mgr

Date: 1/16/14

Reviewed By: _____
Information Services

Date: _____

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

**COUNTY OF CUMBERLAND
BUDGET REVISION REQUEST**

Budget Office Use	
Budget Revision No.	<u>B14-245</u>
Date Received	<u>1-13-14</u>
Date Completed	

Fund No. 101 Agency No. 422 Organ. No. 4200
 Organization Name: Sheriff's Office

ITEM NO. 2G(4)a
pg 1 of 2

REVENUE				
Revenue Source Code	Description	Current Budget	Increase (Decrease)	Revised Budget
9000	SALE OF FIXED ASSETS	0	32,805	32,805
(101-999-9999)				

Total 0 32,805 32,805

EXPENDITURES					
Object Code	Appr Unit	Description	Current Budget	Increase (Decrease)	Revised Budget
3603	113	Cap Outlay-Vehicles	1,200,000	32,805	1,232,805

1,200,000 32,805 1,232,805

Justification:

Recognize Revenue from Insurance Settlements. Increase Expense Budget for purchase of patrol vehicle for Sheriff's Office.

Funding Source: State: _____ Federal: _____ Fund Balance: County: _____ New: _____ Other: _____
 Other: 32,805 Fees: _____ Prior Year: _____

Submitted By: Earl R. Butler 1-9-14
 Sheriff Date
 Reviewed By: Deborah W. Shaw 1-13-14
 Budget Analyst Date
 Reviewed By: Amy C. Cannon 1/16/14
 Deputy/Assistant County Mgr Date
 Reviewed By: _____
 Information Services Date

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

B14-245
Pg 2 of 2

**COUNTY OF CUMBERLAND
REQUEST FOR CAPITAL OUTLAY**

DEPT: Sheriff ORGAN: Sheriff FUND: 101 AGENCY: 422 Org: 4200

ORGAN MGR: Earl R. Butler PRIORITY: _____

SIGNATURE: _____

Earl R. Butler 1-9-14
DATE

DESCRIPTION OF REQUEST:

Patrol Vehicle--SUV
base cost plus
installed law enforcement accessory equipment, NC Vehicle Tax & tags

32,805

JUSTIFICATION:

With three vehicles being declared total losses and not available for the Sheriff's Deputies to use, patrolling and providing law enforcement services to the county citizens have been adversely impacted.

REVENUE			EXPENDITURE	
Code	Funding Source	Amount	Object Code	Object Name
101-999-9999-9000	Insurance Settlement	32,805	101-422-4200-3603	Cap Outlay Veh

Expected Results/Alternatives if **NOT** Approved:

Insufficient vehicles to properly answer calls from citizens requesting assistance.

<u>Replacement Item:</u>	<u>Property #</u>	<u>Location</u>	<u>Disposition of Equipment</u>
Fleet 25			total loss--insurance settlement received
Fleet 348			total loss--insurance settlement received
Fleet 471			total loss--insurance settlement received

Budget Office Use	
Budget Revision No.	B14-244
Date Received	1-13-14
Date Completed	

ITEM NO. 2G(4)b

ITEM NO. 2G(4)b

EXPENDITURES

Total	0	40,000	40,000
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Funding Source: State: 40,000 Federal: _____ County: _____ New: _____ Other: _____
Other: _____ Fees: _____ Prior Year: _____

Reviewed By: _____
Information Services Date _____

Edition of Dec 2003

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

JANUARY 10, 2014

ITEM NO. 3A

MEMO TO: Cumberland County Board of Commissioners

FROM: Cumberland County Joint Planning Board

SUBJECT: **Case P99-09:** Revocation of a CU/Conditional Use Overlay to allow open storage and repair of dump trucks reverting to the previous zoning classification of A1 Agricultural or to a more restrictive zoning district, located at 4515 and 4531 Huckleberry Road, owned by Steve and Pondanesa Carter.

ACTION: Revocation of the Conditional Use Overlay and reversion of the zoning to A1 Agricultural district.

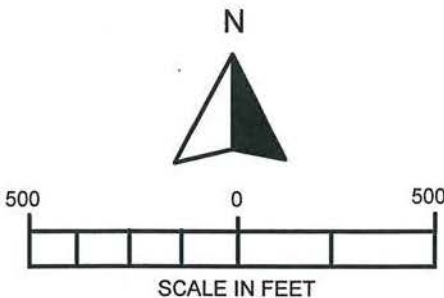
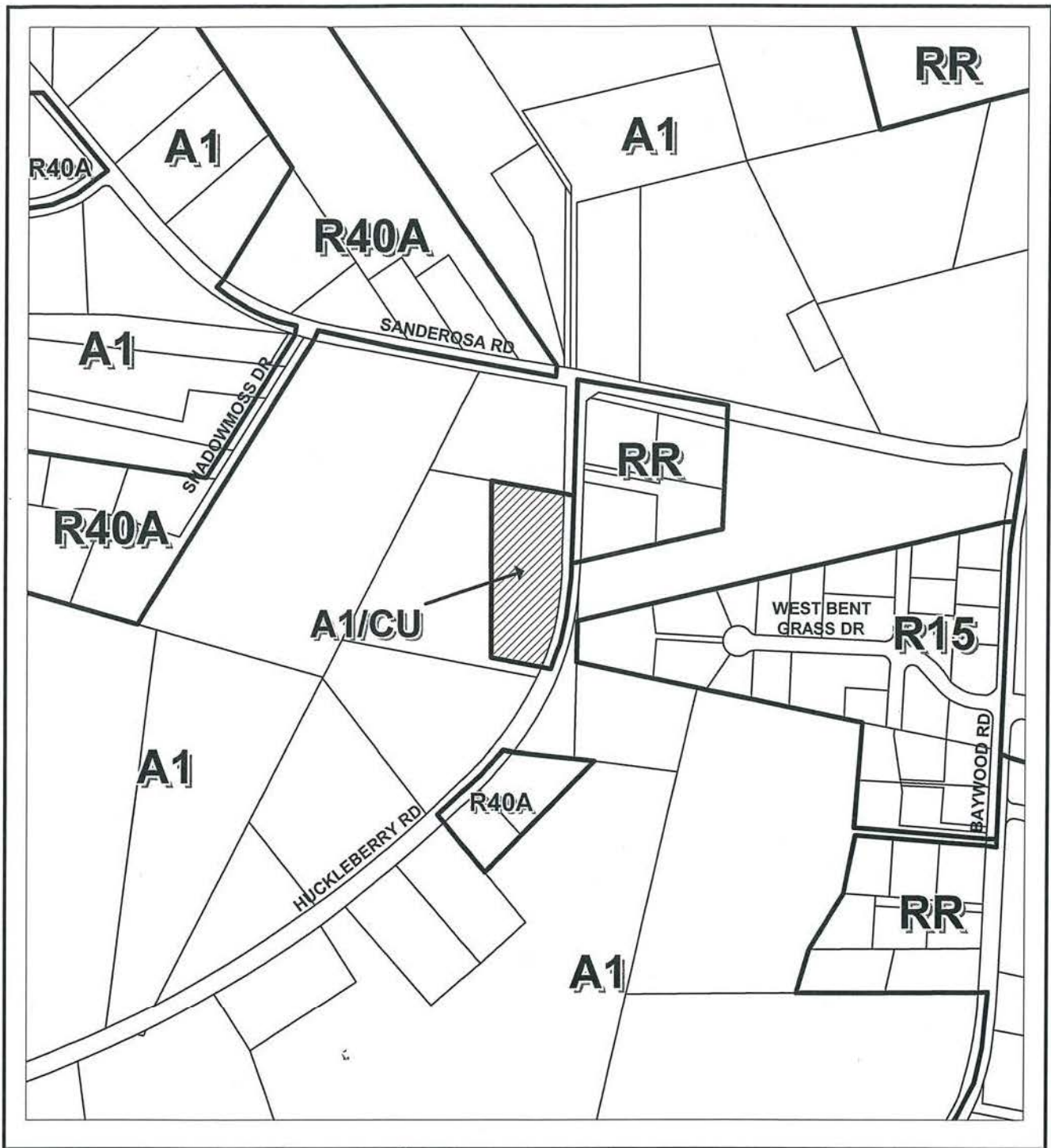
MINUTES OF DECEMBER 17, 2013

On October 21, 2013 the Planning and Inspections Staff provided me with sufficient evidence indicating that the above referenced property is not in compliance with the conditions as approved for Case No. P99-09— the property owner erected the proposed structure without permits and not in accordance with the conditionally approved site plan as well as allowing uses not specifically approved. Pursuant to Section 508 of the Cumberland County Zoning Ordinance, I am seeking revocation of the Conditional Use Overlay and reversion of the zoning to the A1 Agricultural district for the subject property. On October 28, 2013 the property owner was notified in writing of this revocation. The property owner was also mailed the standard hearing notice for your December 17, 2013 Board Meeting. **County Zoning Ordinance reference:** Section 508, Failure to Comply and Section 509, Validation of Existing Conditional Use Overlays

Ms. Hall made a motion to recommend the revocation of the Conditional Use Overlay and reversion of the zoning to A1 Agricultural district., seconded by Mr. Pearce. The motion passed unanimously.

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: 0467-88-0266

REVOCATION CONDITIONAL USE OVERLAY

ACREAGE: 3.00 AC.+/-

HEARING NO: P99-09

ORDINANCE: COUNTY

HEARING DATE

ACTION

STAFF RECOMMENDATION

PLANNING BOARD

GOVERNING BOARD

AM

Walter Clark,
Chair
Cumberland County

Patricia Hall,
Vice-Chair
Town of Hope Mills

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



CUMBERLAND
★ COUNTY ★
NORTH CAROLINA

Planning & Inspections Department

Thomas J. Lloyd,
Director

Cecil P. Combs,
Deputy Director

Vikki Andrews,
Diane Wheatley,
Carl Manning,
Cumberland County

Benny Pearce,
Town of Eastover

Donovan McLaurin,
Wade, Falcon & Godwin

JANUARY 10, 2014

ITEM NO. 3B

MEMO TO: Cumberland County Board of Commissioners

FROM: Cumberland County Joint Planning Board

SUBJECT: **Case P13-48:** Rezoning of 73.21+/- acres from R20 Residential/DD Density Development/CUD Conditional Use District for a 125 lot residential subdivision and the Permit to R40 Residential or to a more restrictive zoning district; located at 2961 and 2983 Cedar Creek Road and on the northeast side of NC Hwy 53 (Cedar Creek Road), southwest side of SR 2011 (A B Carter Road); submitted by J. O. Carter, Jr. et al (owners) and Daniel H. Devane.

ACTION: Adoption and approval of the consistency and reasonableness statements and approval of R40 Residential district.

SITE PROFILE: Frontage & Location: 1,074.00'+/- on NC HWY 53 (Cedar Creek Road) & 1,100.00'+/- on SR 2011 (A B Carter Road); **Depth:** 2,940.00'+/-; **Jurisdiction:** Cumberland County; **Adjacent Property:** No; **Current Use:** 2 residential structures; **Initial Zoning:** A1 – September 14, 1979 (Area 9); rezoned to R20/DD/CUD on November 20, 2006; **Nonconformities:** None; **Zoning Violation(s):** None; **Surrounding Zoning:** North: RR, PND & A1; South: R10/CU (to allow manufactured home), HI (Fay), M(P), C3, C(P), RR, R10 & A1; East: RR, R10 & A1; West: A1/CU (to allow motor vehicle sales), M(P), O&I(P), R40, RR, R15 & A1; **Surrounding Land Use:** Residential (including manufactured dwellings & multi-family), farmland & woodlands; **2030 Growth Strategy Map:** Urban & Urban Fringe; **Special Flood Hazard Area (SFHA):** None; **Sewer Service Area:** Yes; **Water/Sewer Availability:** Well/Septic; **Soil Limitations:** Yes, hydric – LE Leon sand, ST Stallings loamy sand & TR Torhunta and Lynn Haven soils; **School Capacity/Enrolled:** J. W. Seabrook Elementary (part): 310/281; Sunnyside Elementary (part): 300/381; Mac Williams Middle: 1,270/1,163; Cape Fear High: 1,425/1,570; **Subdivision/Site Plan:** If approved, new development may require review and approval; **Average Daily Traffic Count (2010):** 9,500 on NC HWY 53 (Cedar Creek Road) & 1,500 on SR 2011 (A B Carter Road); **Highway Plan:** Cedar Creek Road is identified in the Highway Plan as a Major Thoroughfare. The plan calls for widening to a multi-lane facility with a proposed right-of-way of 110 feet. Road improvements are not included in the 2012-2018 MTIP. Note: The request will have no impact on A B Carter Road; **Notes:** Density (minus 15% for ROW): R40 – 79 lots/units (67 lots/units); Minimum Yard Setback Regulations: **R20 & R40:** Front yard: 30', Side yard: 15', Rear yard: 35'.

MINUTES OF DECEMBER 17, 2013

The Planning and Inspections Staff recommends approval of the R40 Residential district based on the following:

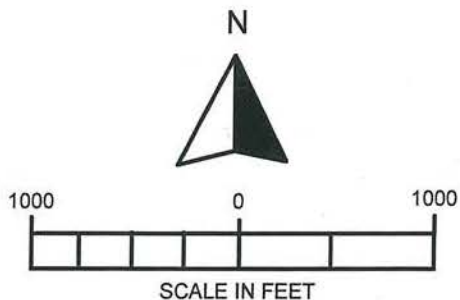
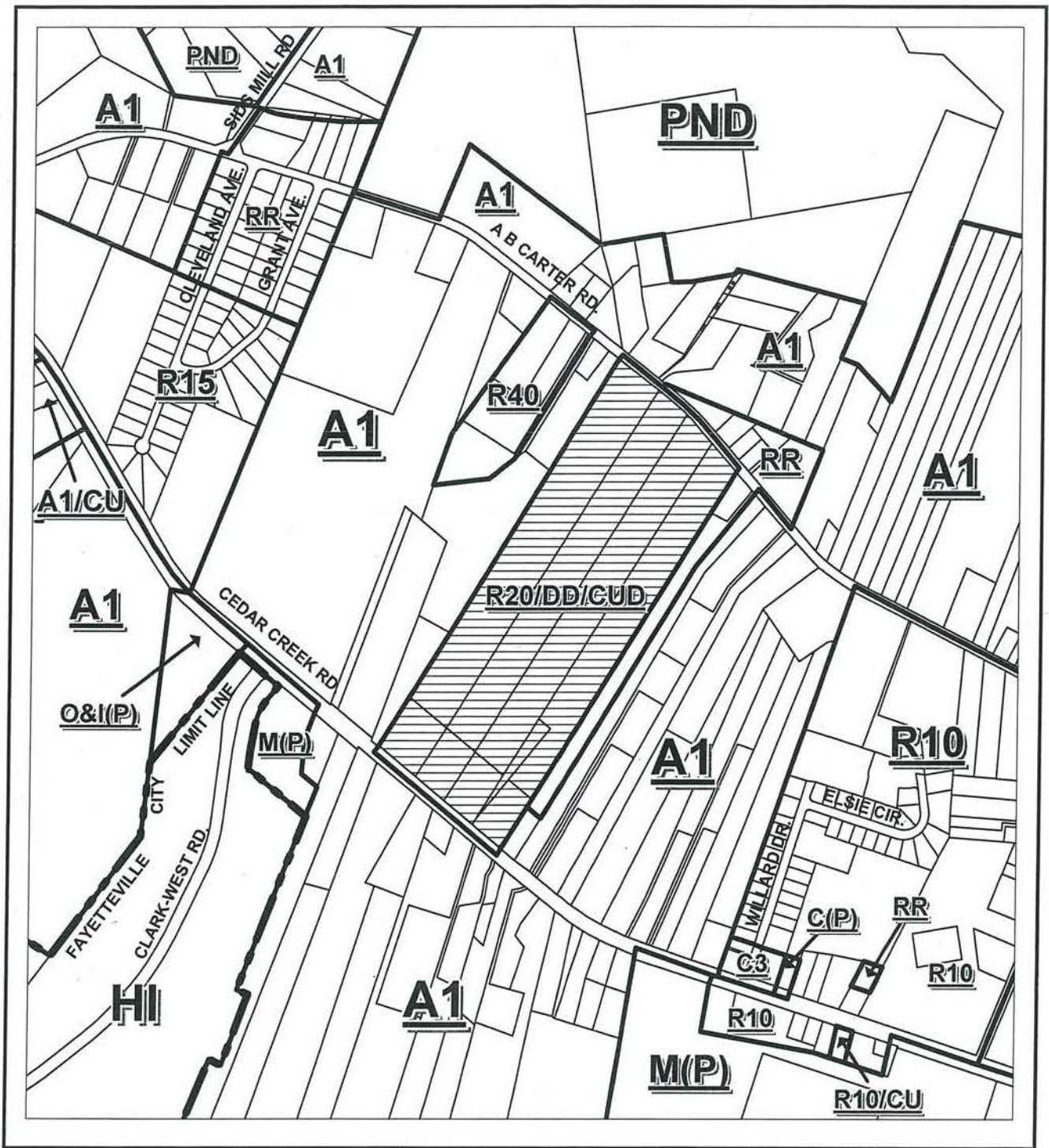
1. Although the district requested is not consistent with the 2030 Growth Vision Plan, which calls for "urban" at this location, the request meets the location criteria for "rural density residential" development as listed in the Land Use Policies Plan; and
2. The location and character of the district is reasonable and will be in harmony with the surrounding area.

There are no other districts considered suitable for this request.

Ms. Hall made a motion to recommend the adoption and approval of the consistency and reasonableness statements and to approve R40 Residential district, seconded by Mr. Pearce. 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.



REQUESTED REZONING R20/DD/CUD TO R40

ACREAGE: 73.21 AC.+/-

HEARING NO: P13-48

ORDINANCE: COUNTY

HEARING DATE

ACTION

PLANNING BOARD

GOVERNING BOARD

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

JANUARY 10, 2014

ITEM NO. 3C

MEMO TO: Cumberland County Board of Commissioners

FROM: Cumberland County Joint Planning Board

SUBJECT: **Case P13-49:** Rezoning of 1.25+/- acres from A1 Agricultural to C(P) Planned Commercial or to a more restrictive zoning district, located at 8569 Clinton Road, submitted by Billy D. and Fay J. Horne (owners).

ACTION: Adoption and approval of the consistency and reasonableness statements and approval of C(P) Planned Commercial district.

SITE PROFILE: **Frontage & Location:** 155.83+/- on NC Hwy 24 (Clinton Road); **Depth:** 320.00'+/-; **Jurisdiction:** Cumberland County; **Adjacent Property:** No; **Current Use:** Vacant non-residential structure (previous use religious worship then sign company); **Initial Zoning:** A1 – September 3, 1996 (Area 20); **Nonconformities:** Yes, existing non-residential structure does not meet front setbacks and will be made more nonconforming if approved; **Zoning Violation(s):** None; **Surrounding Zoning:** North: R6A & A1; South, East & West: A1; **Surrounding Land Use:** Residential (including manufactured dwellings & multi-family), religious worship, vacant industrial structure, substation, cemetery, farmland & woodlands; **2030 Land Use Plan:** Rural; **Special Flood Hazard Area (SFHA):** None; **Water/Sewer Availability:** Stedman/Septic; **Soil Limitations:** None; **School Capacity/Enrolled:** Stedman Primary (K-1): 200/163; Stedman Elementary (2-5): 300/298; Mac Williams Middle: 1,270/1,163; Cape Fear High: 1,425/1,570; **Subdivision/Site Plan:** If approved, new development will require a review and approval; **Average Daily Traffic Count (2010):** 9,300 on NC Hwy 24 (Clinton Road); **Highway Plan:** This portion of NC Hwy 24 is identified in the Highway Plan as a Major Thoroughfare with adequate right-of-way. The NC Hwy 24 Bypass Project (R-2303) is currently under construction; **Notes:** **Density:** A1 – 1 lots/unit (non-residential); **Minimum Yard Setback Regulations:** **A1:** Front yard: 50', Side yard: 20', Rear yard: 50'; **C1(P):** Front yard: 45', Side yard: 15', Rear yard: 20'; **C2(P) & C(P):** Front yard: 50', Side yard: 30', Rear yard: 30'.

MINUTES OF DECEMBER 17, 2013

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

1. Although the request is not entirely consistent with the 2030 Growth Vision Plan, which calls for "rural" at this location, as public water and sewer are required and sewer is not available, approval of the request would be consistent with the plan by promoting the re-development of a commercial area as the subject property contains a commercial structure previously used for religious worship and a sign company;

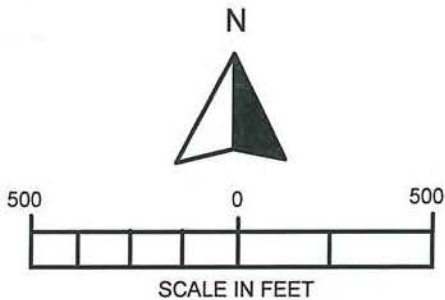
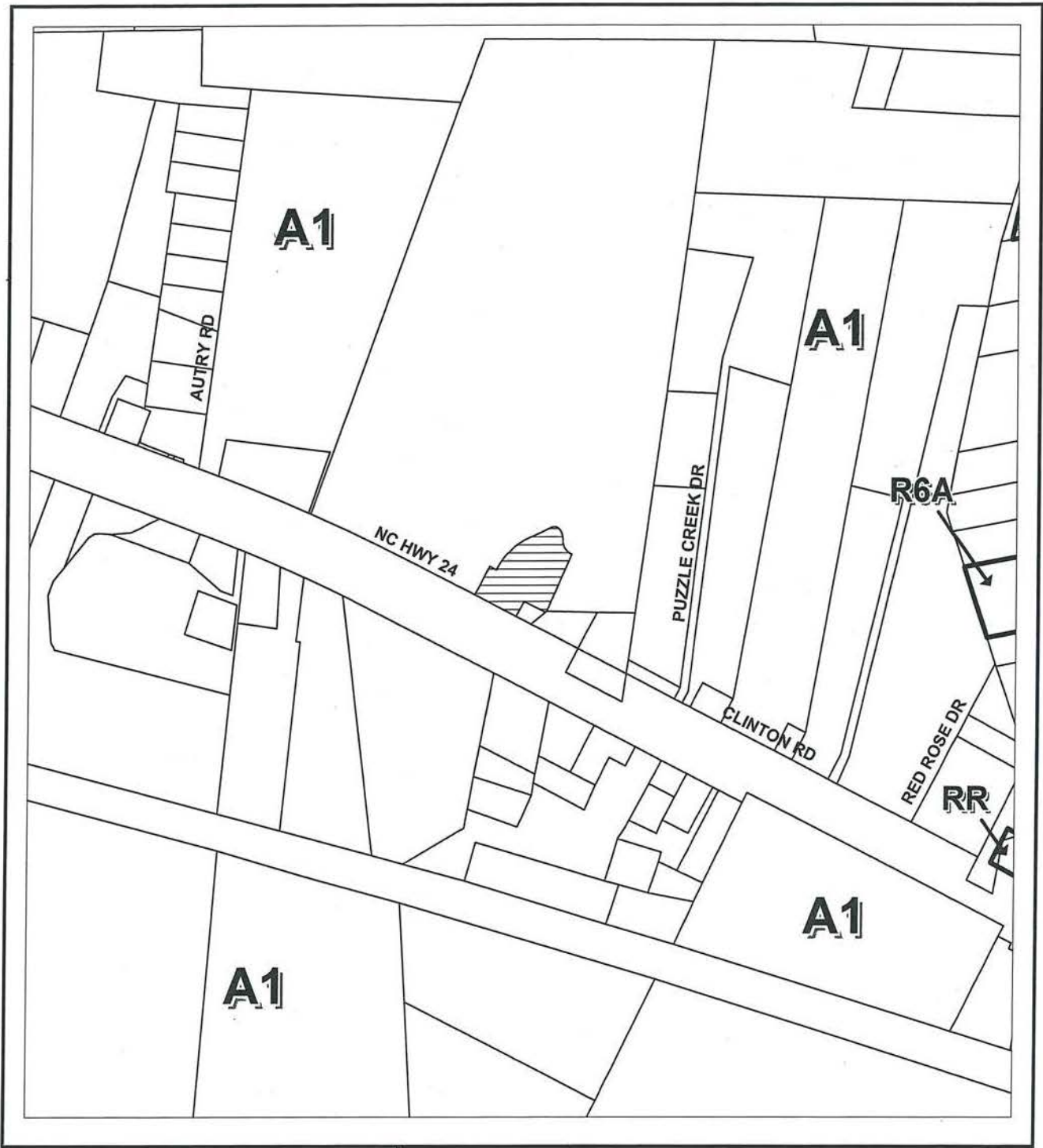
2. The request is consistent with the objectives for commercial development listed in the Land Use Policies Plan, specifically by promoting sufficiently zoned commercial areas to accommodate the needs of County residents and locating commercial development with the least impact on residential and other non-compatible uses; and
3. The district requested is reasonable as this area will likely transition to more non-residential uses with the imminent improvements of NC Hwy 24.

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

Ms. Hall 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 Mr. Pearce. 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: 1405-07-8276

REQUESTED REZONING A1 TO C(P)

ACREAGE: 1.25 AC.+/-		HEARING NO: P13-49	
ORDINANCE: COUNTY		HEARING DATE	ACTION
STAFF RECOMMENDATION			
PLANNING BOARD			
GOVERNING BOARD			

AM

Walter Clark,
Chair
Cumberland County

Patricia Hall,
Vice-Chair
Town of Hope Mills

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



CUMBERLAND
★ COUNTY ★
NORTH CAROLINA

Planning & Inspections Department

Thomas J. Lloyd,
Director

Cecil P. Combs,
Deputy Director

Vikki Andrews,
Diane Wheatley,
Carl Manning,
Cumberland County

Benny Pearce,
Town of Eastover

Donovan McLaurin,
Wade, Falcon & Godwin

JANUARY 10, 2014

ITEM NO. 3D

MEMO TO: Cumberland County Board of Commissioners

FROM: Cumberland County Joint Planning Board

SUBJECT: **Case P13-51:** Rezoning of 81.30+/- acres from A1 Agricultural to R7.5 Residential or to a more restrictive zoning district; located on the south side of SR 2242 (Braxton Road), northwest of SR 2252 (Chicken Foot Road); submitted by Prentice R. Barker on behalf of Barker Gallberry Farms, LLC. (owner) and 4D Site Solutions, Inc.

ACTION: Adoption and approval of the consistency and reasonableness statements and approval of R7.5 Residential district.

SITE PROFILE: **Frontage & Location:** 300.00'+/- on SR 2242 (Braxton Road); **Depth:** 3,800.00'+/-; **Jurisdiction:** Cumberland County; **Adjacent Property:** No; **Current Use:** Farmland; **Initial Zoning:** A1 – June 25, 1980 (Area 13); **Nonconformities:** None; **Zoning Violation(s):** None; **Surrounding Zoning:** North: C(P)/CU & O&I(P)/CU (all uses/Cypress Lakes), C(P), R30, RR, R10 & A1; South & West: A1; East: R10 & A1; **Surrounding Land Use:** Residential, farmland & woodlands; **2030 Land Use Plan:** Urban and Urban Fringe; **Special Flood Hazard Area (SFHA):** None; **Water/Sewer Availability:** PWC/PWC; **Soil Limitations:** Yes, hydric – TR Tohunta and Lynn Haven soils, WO Woodington loamy sand & PA Pactolus loamy sand; **School Capacity/Enrolled:** Gallberry Farms Elementary: 900/886; Gray's Creek Middle: 1,100/1,067; Gray's Creek High: 1,270/1,271; **Subdivision/Site Plan:** If approved, any new development may require review and approval; **Sewer Service Area:** Yes (portion); **Average Daily Traffic Count (2010):** 2,100 on SR 2242 (Braxton 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. The Sandhill Road and Braxton Road realignment project (W-5206U) is scheduled as follows: right-of-way March of 2014 and construction March of 2015; **Notes:** Density (minus 15% for R/W): A1 – 40 lots/units (35 lots/units), R40 – 89 lots/units (75 lots/units), R30 – 118 lots/units (100 lots/units), R20 – 177 lots/units (151 lots/units), R15 – 236 lots/units (201 lots/units), R7.5 – 472 lots/units (401 lots/units); Minimum Yard Setback Regulations: **A1:** Front yard: 50', Side yard: 20', Rear yard: 50'; **R40, R30 & R20:** Front yard: 30', Side yard: 15', Rear yard: 35'; **R15 & R7.5:** Front yard: 30', Side yard: 10', Rear yard: 35'.

MINUTES OF DECEMBER 17, 2013

Mr. Lloyd presented the case information and stated that the Planning & Inspections Staff recommends approval of the R7.5 Residential district based on the following:

1. The district requested is consistent with the 2030 Growth Vision Plan, which calls for "urban" and "urban fringe" at this location, as well as meeting the location criteria for "low density residential" development as listed in the Land Use Policies Plan;
2. The location and character of the district is reasonable and will be in harmony with the surrounding area and is a logical extension of the adjacent residentially zoned subdivisions; and
3. Public utilities (voluntary extension) are available to the subject property.

The R15 district could also be considered suitable for this request.

There were people signed up to speak in favor and in opposition.

Crawford Mackethan spoke in favor. Mr. Mackethan stated that he represented the buyers in this case. If approved this would be an extension of Braxton Village. Lot sizes will not be smaller than 10,000 square feet.

Greg McLean spoke in favor. Mr. McLean stated that he had some questions about the increase in traffic, how many access points there would be into the subdivision, and if there was any consideration about schools. Mr. McLean stated that it didn't seem like those issues hadn't been addressed.

Kathy Barker spoke in favor. Mrs. Barker stated that Department of Transportation has promised a new road design which will help the traffic issues. Mrs. Barker advised the Board that Mr. Barker donated the land that the school is located on.

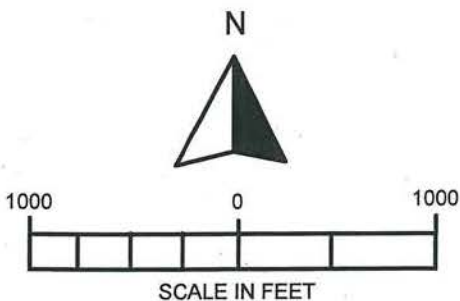
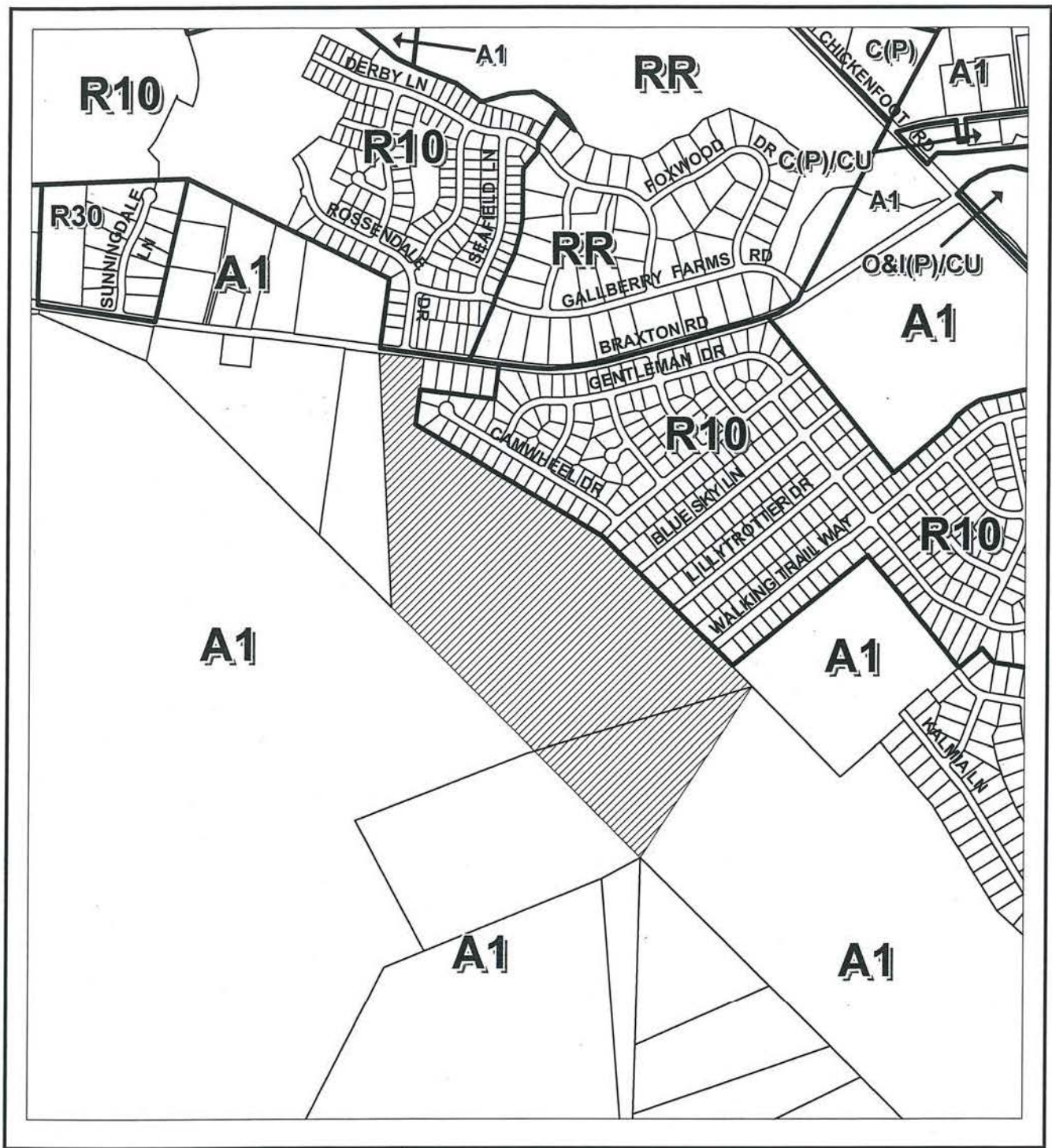
Scott Brown spoke in favor. Mr. Brown stated that he represented the buyer as the Civil Engineer for the site. The site will have PWC water and sewer; there will be no additional access points at this time along Braxton Road, all of the access will be through the existing subdivisions on the road.

Billie Jo Atkins spoke in opposition. Ms. Atkins stated that she moved to a rural area that is changing and no longer staying rural. The people in Grays Creek want it to stay rural. Ms. Atkins asked the board to consider schools, can they support additional students.

Mr. Cain made a motion to recommend the adoption and approval of the consistency and reasonableness statements and to approve R7.5 Residential district, seconded by Mr. Manning. 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.



PORT OF PIN: 0422-05-3149
PORT OF PIN: 0422-54-1009

REQUESTED REZONING A1 TO R7.5

ACREAGE: 81.3 AC.+/-		HEARING NO: P13-51	
ORDINANCE: COUNTY		HEARING DATE	ACTION
STAFF RECOMMENDATION			
PLANNING BOARD			
GOVERNING BOARD			

AM

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

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

BACKGROUND: That the following is a report on Minimum Housing case number MH 344-2013.

Property Owner: Annie L Canady Life Estate

Home Owner: Linda Canady

Property Address: 3376 King Charles Road, Fayetteville, NC

Tax Parcel Identification Number: 0425-15-7656

SYNOPSIS: This property was inspected on 9/30/2013. The property owners and parties of interest were legally served with Notice of Violations and was afforded a Hearing on 10/29/2013. Patsy Davis & Joseph Canady attended the Hearing. It was ordered that the structure be repaired to a minimum standard for human habitation, or be demolished and the debris removed from the premises by a date not later than 11/29/2013. 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 1/9/2014, no corrective action had been made to the structure. The structure is presently vacant and reasonably secured. In its present state, the structure constitutes a fire, health, and safety hazard.

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

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


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

Joey Lewis
Joey Lewis
Code Enforcement Officer
County of Cumberland



Sworn to and Subscribed to by me this

the 9th day of January 2014. 


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

11/4/2013

Annie L. Canady Life Estate & Parties of Interest
3376 King Charles Road
Fayetteville, NC 28306

91 7199 9991 7032 9829 4853

CASE # MH-344-2013

91 7199 9991 7032 9829 4846 Patsy Davis

PROPERTY AT: 3376 King Charles 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 10/2/2013.

Pursuant of law, a Hearing was conducted in Room 101, of the old courthouse at 130 Gillespie Street, Fayetteville, NC on 10/29/2013 at 9:30 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: Patsy Davis & Joseph Lee Canady
- ☒ 3. The undersigned inspector personally inspected the dwelling described in the Complaint and Notice of Hearing dated 10/1/2013. 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-344-2013, dated 9/30/2013.
 - ☒ 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.

- ☒ 4. Due to facts presented above, the Hearing Officer orders as follows:
- ☒ a. The owners and/or parties of interest of the dwelling named above are required to bring such dwelling into compliance with the Cumberland County Housing Ordinance by either repairing, altering, and improving the dwelling up to a minimum standard or by demolishing the structure and then causing the debris to be removed from the premises by a date not later than 11/29/2013. **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 11/29/2013 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 11/29/2013.
 - ☒ e. The County Planning/Inspection Department may immediately begin procedures to seek a demolition ordinance from the Cumberland County Board of Commissioners for failure to bring the property into compliance by 11/29/2013. The cost of said demolition will be assessed against the real property in the form of a lien.

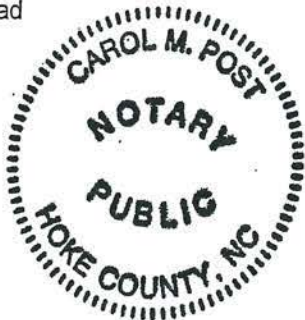
An appeal may be made to the Cumberland County Housing Board of Appeals. If an appeal is requested, it must be made in writing and within the time limits specified in the enclosed appeal procedures.


Ken Sykes
Hearing Officer



Joey Lewis
Code Enforcement Officer

Enclosed: Appeals Procedure Form

Cc: Patsy Davis
7242 Fire Department Road
Hope Mills, NC 28348



Sworn to and Subscribed to by me
this the 4th day of November, 2013


Notary Public
My Commission Expires: 11-03-14



Date: November 13, 2013

j lewis:

The following is in response to your November 13, 2013 request for delivery information on your Certified Mail™ item number 9171999991703298294846. The delivery record shows that this item was delivered on November 9, 2013 at 9:17 am in HOPE MILLS, NC 28348. The scanned image of the recipient information is provided below.

Signature of Recipient :

Delivery Section
ure
Patsy Davis
PATSY DAVIS

Address of Recipient :

7742 Fire Department

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 November 4, 2013 CASE NUMBER *MH 344-2013*

EXHIBIT A



Date: November 15, 2013

j lewis:

The following is in response to your November 15, 2013 request for delivery information on your Certified Mail™ item number 9171999991703298294853. The delivery record shows that this item was delivered on November 13, 2013 at 11:10 am in FAYETTEVILLE, NC 28306. The scanned image of the recipient information is provided below.

Signature of Recipient :

Linda Camady

Address of Recipient :

3376 King Charles Rd
Fay. NC 28306

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 November 4, 2013 CASE NUMBER **MH 344-2013**

EXHIBIT A

MAP DEPICTING LOCATION OF PROPERTY
Property Owner: Annie L. Canady Life Estate
3376 King Charles Road, Fayetteville, NC
Minimum Housing Case # MH 344-2013
TAX PARCEL IDENTIFICATION NUMBER: 0425-15-7656



EXHIBIT B

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

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

BACKGROUND: That the following is a report on Minimum Housing case number MH 379-2013.

Property Owner: **Rick Garcia**

Home Owner: **Rick Garcia**

Property Address: **4909 Panda Street, Hope Mills, NC**

Tax Parcel Identification Number: 0413-45-4527

SYNOPSIS: This property was inspected on **10/16/2013**. The property owners and parties of interest were legally served with Notice of Violations and was afforded a Hearing on **11/19/2013**. No one attended the Hearing. It was ordered that the structure be repaired to a minimum standard for human habitation, or be demolished and the debris removed from the premises by a date not later than **12/18/2013**. 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 **1/9/2014**, no corrective action had been made to the structure. The structure is presently vacant and reasonably secured. In its present state, the structure constitutes a fire, health, and safety hazard.

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

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

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

Joey Lewis
Joey Lewis
Code Enforcement Officer
County of Cumberland



Sworn to and Subscribed to by me this
the 9th day of January 2014.

[Signature]
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

11/21/2013

Rick Garcia & Parties of Interest
Inmate # 0140782
PO Box 278
Swanquarter, NC 27885-0278

91 7199 9991 7033 0131 5308

CASE # MH-379-2013

PROPERTY AT: 4909 Panda Street, Hope Mills, NC

A Complaint, Notice of Hearing and Report of Inspection were legally served to the owner or owner's agent, and any party of interest. These documents were in fact received by the owner or owner's agent and party of interest on 10/28/2013.

Pursuant of law, a Hearing was conducted in Room 101, of the old courthouse at 130 Gillespie Street, Fayetteville, NC on 11/19/2013 at 9:00 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 10/21/2013. 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-379-2013, dated 10/16/2013.
 - ☒ 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.

- ☒ 4. Due to facts presented above, the Hearing Officer orders as follows:
- ☒ a. The owners and/or parties of interest of the dwelling named above are required to bring such dwelling into compliance with the Cumberland County Housing Ordinance by either repairing, altering, and improving the dwelling up to a minimum standard or by demolishing the structure and then causing the debris to be removed from the premises by a date not later than 12/18/2013. **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 12/18/2013 and shall remain secured.
 - ☒ d. By authority of North Carolina General Statutes 14-4, violation of the County code is punishable as a Class 3 Misdemeanor in criminal court and also subjects the violator to injunctive relief and/or a civil penalty of \$50.00 per day for each day's continuing violation after 12/18/2013.
 - ☒ e. The County Planning/Inspection Department may immediately begin procedures to seek a demolition ordinance from the Cumberland County Board of Commissioners for failure to bring the property into compliance by 12/18/2013. The cost of said demolition will be assessed against the real property in the form of a lien.

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


Ken Sykes
Hearing Officer



Joey Lewis
Code Enforcement Officer

Enclosed: Appeals Procedure Form

Cc:

Sworn to and Subscribed to by me
this the 21st day of December, 2013




Notary Public
My Commission Expires: 11-03-14



Date: December 10, 2013

j lewis:

The following is in response to your December 10, 2013 request for delivery information on your Certified Mail™ item number 9171999991703301315308. The delivery record shows that this item was delivered on December 2, 2013 at 9:03 am in SWANQUARTER, NC 27885. The scanned image of the recipient information is provided below.

Signature of Recipient :

A scanned image of a handwritten signature, which appears to be "Ray Basnight", written over a horizontal line.

Address of Recipient :

A scanned image of a handwritten address, which appears to be "P.O. Box 276", written over a horizontal line.

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 November 21, 2013 CASE NUMBER *MH 379-2013*

EXHIBIT A

MAP DEPICTING LOCATION OF PROPERTY

Property Owner: Rick Garcia

4909 Panda Street, Hope Mills, NC

Minimum Housing Case # MH 379-2013

TAX PARCEL IDENTIFICATION NUMBER: 0413-45-4527



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 97-2013.

Property Owner: Earl Simon & Marie Annette Jones, Sr.

Home Owner: Earl Simon & Marie Annette Jones, Sr.


Property Address: 312 Bladen Circle, Fayetteville, NC

Tax Parcel Identification Number: 0466-28-4933

SYNOPSIS: This property was inspected on 5/15/2013. The property owners and parties of interest were legally served with Notice of Violations and was afforded a Hearing on 6/13/2013. Earl Jones, Sr. 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 8/15/2013. 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 1/9/2014, the required corrective action had not been made to the structure. The structure is presently vacant and unsecured. In its present state, the structure constitutes a fire, health, and safety hazard.

The estimated cost to repair the structure to a minimum standard for human habitation is \$25,000.00. The Assessor for Cumberland County has the structure presently valued at \$0.00. Attached is a map depicting the location of the property. (See Exhibit B.)


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


George Hatcher
Code Enforcement Officer
County of Cumberland



Sworn to and Subscribed to by me this

the 9th day of January 2018.


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

Christopher Fulton,
Inspector

FINDINGS OF FACT AND ORDER

6/18/2013

Earl Simon & Marie Annette Jones, Sr. & Parties of Interest

1927 Gatewood Dr

Fayetteville NC, 28304

91 7199 9991 7031 6128 7005

91 7199 9991 7031 6128 6992

CASE # MH-97-2013

PROPERTY AT: 312 Bladen Circle, Fayetteville, NC

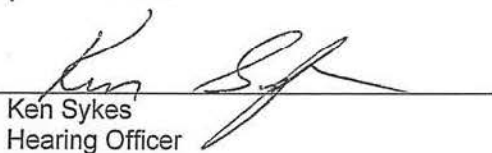
A Complaint, Notice of Hearing and Report of Inspection were legally served to the owner or owner's agent, and any party of interest. These documents were in fact received by the owner or owner's agent and party of interest on 5/29/2013.

Pursuant of law, a Hearing was conducted in Room 101, of the old courthouse at 130 Gillespie Street, Fayetteville, NC on 6/13/2013 at 9:30 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: Earl Jones
- ☒ 3. The undersigned inspector personally inspected the dwelling described in the Complaint and Notice of Hearing dated 5/20/2013. 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-97-2013, dated 6/13/2013.
 - ☒ 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.

- ☒ 4. Due to facts presented above, the Hearing Officer orders as follows:
- ☒ a. The owners and/or parties of interest of the dwelling named above are required to bring such dwelling into compliance with the Cumberland County Housing Ordinance by either repairing, altering, and improving the dwelling up to a minimum standard or by demolishing the structure and then causing the debris to be removed from the premises by a date not later than 8/15/2013. **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 8/15/2013. 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.

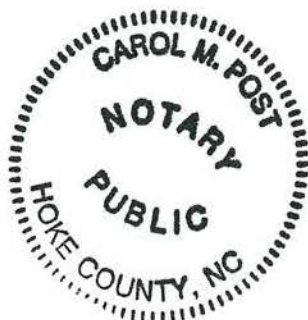

Ken Sykes
Hearing Officer

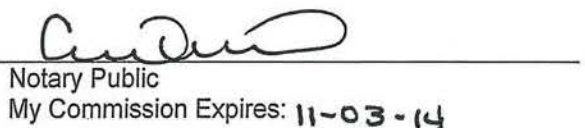

George Hatcher
Code Enforcement Officer

Enclosed: Appeals Procedure Form

Cc:

Sworn to and Subscribed to by me
this the 18th day of June, 2013




Notary Public
My Commission Expires: 11-03-14



Date: July 11, 2013

George Hatcher:

The following is in response to your July 11, 2013 request for delivery information on your Certified Mail™ item number 9171999991703161286992. The delivery record shows that this item was delivered on June 24, 2013 at 9:41 am in FAYETTEVILLE, NC 28314. The scanned image of the recipient information is provided below.

Signature of Recipient :

A handwritten signature in cursive script, appearing to read "Ed Jones".

Address of Recipient :

1927 Bateman Dr.
Fayetteville, N.C.
28304

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 June 18, 2013 CASE NUMBER **MH 97-2013**

EXHIBIT A

Date: July 11, 2013

George Hatcher:

The following is in response to your July 11, 2013 request for delivery information on your Certified Mail™ item number 9171999991703161287005. The delivery record shows that this item was delivered on June 24, 2013 at 9:41 am in FAYETTEVILLE, NC 28314. The scanned image of the recipient information is provided below.

Signature of Recipient :



Address of Recipient :

1927 Gatowood Dr.
Fayetteville, N.C.
28304

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 June 18, 2013 CASE NUMBER **MH 97-2013**

EXHIBIT A

Property Owner: Earl Simon & Marie Annette Jones, Jr.

Minimum Housing Case # MH 97-2013

EXHIBIT B

JEANNETTE M. COUNCIL
Chairman

KENNETH S. EDGE
Vice Chairman

CHARLES E. EVANS
W. MARSHALL FAIRCLOTH
JIMMY KEEFE
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. 4

MEMORANDUM FOR BOARD OF COMMISSIONERS'
AGENDA OF TUESDAY, JANUARY 21, 2014

TO: BOARD OF COUNTY COMMISSIONERS

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

DATE: JANUARY 14, 2014

SUBJECT: REQUEST FOR JOINT MEETING – SPRING LAKE BOARD OF ALDERMAN

BACKGROUND:

The Spring Lake Board of Alderman asked to schedule a joint meeting with the Board of County Commissioners. The request is to hold the meeting prior to County Manager James Martin's retirement. According to Town of Spring Lake Clerk Rhonda Webb, the Board of Alderman wants to meet regarding the following:

1. Manchester Fire Tax District
2. 911 Contract Fee for Services Provided by Cumberland County Communications Center
3. Routing of 911 Calls from Spring Lake
4. Possible Mental Health Satellite Location in Spring Lake for Substance Abuse Services
5. Clean Up of County Property Adjacent to Spring Lake Property
6. General Topics of Mutual Concern

RECOMMENDATION/PROPOSED ACTION:

Consider Spring Lake Board of Alderman's request for a joint meeting and whether to set a date/time/location for said meeting.

JEANNETTE M. COUNCIL
Chairman

KENNETH S. EDGE
Vice Chairman

CHARLES E. EVANS
W. MARSHALL FAIRCLOTH
JIMMY KEEFE
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. 5

MEMORANDUM FOR BOARD OF COMMISSIONERS'
AGENDA OF TUESDAY, JANUARY 21, 2014

TO: BOARD OF COUNTY COMMISSIONERS

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

DATE: JANUARY 14, 2014

SUBJECT: REQUEST FOR JOINT MEETING – TOWN OF LINDEN COMMISSIONERS

BACKGROUND:

On behalf of the Town of Linden Commissioners, Mayor Marie Butler asked to schedule a joint meeting with the Board of County Commissioners. The request is to hold an evening meeting as soon as possible. According to Mayor Butler, the Town of Linden Commissioners want to meet regarding a park site in Linden.

RECOMMENDATION/PROPOSED ACTION:

Consider the Town of Linden Commissioners' request for a joint meeting and whether to set a date/time/location for said meeting.

JEANNETTE M. COUNCIL
Chairman

KENNETH S. EDGE
Vice Chairman

CHARLES E. EVANS
MARSHALL FAIRCLOTH
JIMMY KEEFE
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

January 15, 2014

January 21, 2014 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 has the following three (3) vacancies:

Regular Member:

Eric F. Jones – completing first term. Eligible for reappointment.

Alternate Member:

Veronica Langston – completing first term. Eligible for reappointment.

Luther McManus – completed first term but not interested in serving a second term. 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 individuals to fill the three (3) vacancies.

pc: Carol Post, Planning and Inspections Department

Attachments

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 Amos 917 Bashlot Place Fayetteville, NC 28303 860-4280/486-1010 x 2201	10/13	1st	Oct/16 10/31/16	Yes
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>				
VACANT (Vacated by L. McManus)	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)	10/13	2 nd	Oct/16 10/31/16	No

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>
FERGUSON, ALFONSO SR. (B/M) 3329 EASTGATE STREET 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	MS-ORGANIZATIONAL LEADERSHIP BS-HEALTH SERVICE MGMT AS-ACCOUNTING/FINANCE *SERVES ON THE ADULT CARE ADVISORY COMMITTEE*
HAES, TYSHANNA (B/F) 1812 ARMSTRONG ST FAYETTEVILLE NC 28301 318-542-8805 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	NONE LISTED	COLLEGE STUDENT
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.

JEANNETTE M. COUNCIL
Chairman



CANDICE WHITE
Clerk to the Board

KENNETH S. EDGE
Vice Chairman

KELLIE BEAM
Deputy Clerk

CHARLES E. EVANS
MARSHALL FAIRCLOTH
JIMMY KEEFE
BILLY R. KING
EDWARD G. MELVIN

**CUMBERLAND
★ COUNTY ★
NORTH CAROLINA**

ITEM NO. 7A

BOARD OF COMMISSIONERS

January 8, 2014

January 21, 2014 Agenda Item

TO: Board of Commissioners

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

SUBJECT: Air Quality Stakeholders' Committee

BACKGROUND: On January 6, 2014, 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 (reappointment)

I have attached the current membership list for this committee.

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

Attachment

pc: Maurizia Chapman, FAMPO

AIR QUALITY STAKEHOLDERS COMMITTEE
3-year terms

<u>NAME</u>	<u>STAKEHOLDER</u>	<u>DATE APPT'D</u>	<u>TERM</u>	<u>EXPIRES</u>	<u>ELIGIBLE FOR REAPPOINT.</u>
Commissioner Peggy Raymes PO Box 220 Stedman, NC 28391 323-1892	Town of Stedman	4/12	2nd	April/15 4/30/15	No
Councilman Kady-Ann Davy PO Box 58561 Fayetteville, NC 28305 910-322-0780 kdavy@ci.fay.nc.us	City of Fayetteville	12/12	1st	Dec/15 12/31/15	Yes
Alderman Napoleon Hogans PO BOX 617 Spring Lake, NC 28390 436-0241 Town Hall	Town of Spring Lake	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
C. Kim Nazarchyk 2108 Rock Hill Rd Eastover, NC 28312 486-5252/322-6142 townmanager@eastovernc.com	Town of Eastover	10/13	1 st	Feb/14 2/28/14	Yes
(serving unexpired term; eligible for two additional terms)					

<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)

JEANNETTE M. COUNCIL
Chairman

KENNETH S. EDGE
Vice Chairman

CHARLES E. EVANS
MARSHALL FAIRCLOTH
JIMMY KEEFE
BILLY R. KING
EDWARD G. MELVIN



**CUMBERLAND
★ COUNTY ★**
NORTH CAROLINA

BOARD OF COMMISSIONERS

CANDICE WHITE
Clerk to the Board

KELLIE BEAM
Deputy Clerk

ITEM NO. 7B

January 8, 2014

January 21, 2014 Agenda Item

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

BACKGROUND: On January 6, 2014, the Board of Commissioners nominated the following individual to fill one (1) vacancy on the Fayetteville Area Convention and Visitors Bureau:

Hotel/Motels over 100 Rooms Representative:
William S. Wellons, Jr. (reappointment)

I have attached the current membership list for this Board.

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

Attachment

pc: John Meroski, FACVB

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	11/13	2nd	Dec/16 12/31/16	No
<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

Representative, Hotel/Motel with meeting space in excess of 6,000 square feet

Board of Directors Appointee:

Balbir S. (Bill) Brar, Owner
Fayetteville Doubletree Hotel
1965 Cedar Creek Road
Fayetteville, NC 28312
323-8282

<u>Name/Address</u>	<u>Date</u> <u>Appointed</u>	<u>Term</u>	<u>Expires</u>	<u>Eligible For</u> <u>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

James Grafstrom, CEO/Coliseum Complex Manager

Ted Voorhees, 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

JEANNETTE M. COUNCIL
Chairman

KENNETH S. EDGE
Vice Chairman

CHARLES E. EVANS
MARSHALL FAIRCLOTH
JIMMY KEEFE
BILLY R. KING
EDWARD G. MELVIN



**CUMBERLAND
★ COUNTY ★**
NORTH CAROLINA

BOARD OF COMMISSIONERS

CANDICE WHITE
Clerk to the Board

KELLIE BEAM
Deputy Clerk

ITEM NO. 7C

January 8, 2014

January 21, 2014 Agenda Item

TO: Board of Commissioners
FROM: Kellie Beam, Deputy Clerk to the Board *YCB*
SUBJECT: Wrecker Review Board

BACKGROUND: On January 6, 2014, the Board of Commissioners nominated the following individual to fill one (1) vacancy on the Wrecker Review Board:

County Appointee-Chairman: **Jay Barr** (reappointment)

I have attached the current membership list for this board.

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

Attachment

pc: Deputy Greg Gwarek, Sheriff's Office

WRECKER REVIEW BOARD
2 Year Term

<u>Name/Address</u>	<u>Date Appointed</u>	<u>Term</u>	<u>Expires</u>	<u>Eligible For Reappointment</u>
<u>County Appointee-Chairman</u>				
Jay Barr 432 Karen Street Fayetteville, NC 28312 678-8686/818-2184 (W)	4/12	1 st full term	Apr/14 04/30/14	Yes
(serving unexpired term – eligible for two two-year terms)				
<u>Sheriff's Appointees</u>				
James McVickers Cumberland County Sheriff's Office 131 Dick Street Fayetteville, NC 28301	11/12	1st	Nov/14 11/30/14	Yes
<u>Wrecker Licensee Appointees</u>				
Mark Norton Norton's Wrecker Service 412 West Mountain Drive Fayetteville, NC 28306 484-0000	11/12	1st	Nov/14 11/30/14	Yes
Janine Seals Carolina Wrecker Service 1615 Gillespie Street Fayetteville, NC 28306 485-3955	3/12	2nd	Mar/14 03/31/14	No
<u>State Highway Patrol Appointee</u>				
Trooper J.D. Brewington State Highway Patrol 2435 Gillespie Street Fayetteville, NC 28306 486-1334	04/12	1st	Apr/14 04/30/14	Yes

Contact: Deputy Greg Gwarek, Sheriff's Office
Phone: 321-6767
Fax: 321-6969
ggwarek@ccsonc.org

Meetings: Quarterly on the first Thursday – 6:00 PM – New Courthouse Room 112