
AGENDA
CUMBERLAND COUNTY BOARD OF COMMISSIONERS
COURTHOUSE – ROOM 118
NOVEMBER 17, 2014
6:45 PM

INVOCATION - Commissioner Ed Melvin

Minister:

Pledge of Allegiance –

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

Recognition of Cumberland County Citizens' Academy Graduates (*denotes county employee)

Joann Beam	Vicky Leary	Edward Perry
Michael Burns	Leslie Lowder*	Tawanda Robinson
Brenda Cameron	Bianco Marsh	Stephen Rogers
Shantal Covington	Bonita McNeil	Kim Sanders*
Jintana Cutno	Ruby Melvin	Michael Tallant
Dorothy Hinrichs	Mary Morehouse	Linda Thomas
Kenneth Johnson	Abraham Myles	Marvin Thomas*
Willie Johnson*	Augusta Newman	Cynthia West
Alexis Kondratyk	Dawn O'Donnell	Theresa Williams*
Philip Leary	Phillip Perrier*	Jennie Worrells*

1. Approval of Agenda

2. Consent Agenda
 - A. Approval of minutes for the November 3, 2014 regular meeting.
 - B. Approval of Proposed Additions to the State Secondary Road System: **(Pg. 9)**
Eastover Township: Chipper Street

- C. Approval of a Resolution of Board of Commissioners of Cumberland County, North Carolina, Regarding Continued Participation in County Health Insurance Plan by Retirees. **(Pg. 12)**
- D. Approval of Cumberland County Facilities Committee Report and Recommendations: **(Pgs. 15-41)**
- 1) Grant of Franchise Agreement for Operation of Courthouse and DSS Snack Bars (1st Reading). **(Pg. 28)**
 - 2) Funding of Forensic Lab Services. **(Pg. 35)**
 - 3) Relocation of Employee Clinic/Risk Management **(Pg. 39)**
- E. Approval of Cumberland County Policy Committee Report and Recommendations: **(Pgs. 42-78)**
- 1) Request to Modify the Civic Center Commission Membership **(Pg. 54)**
 - 2) Reconsideration of Economic Development Incentives Agreement for MBM Hospitality, LLC. **(Pg. 65)**
 - 3) Engage K& L Gates to Negotiate with BCBS for the Acceptance of Third Party Premium Payments **(Pg. 79)**
- F. Approval of Ordinance Assessing Property for the Cost of Demolition: **(Pg. 80-91)**
- 1) Case Number: MH 6971-2012 **(Pg. 80)**
Property Owner: Clinton Graham
Property Location: 520 Pine Tree Lane, Spring Lake, NC
Parcel Identification Number: 0511-09-3286
 - 2) Case Number: MH 435-2013 **(Pg. 82)**
Property Owner: Deborah Saurez c/o Aaron Saurez
Property Location: 1704 Chaffin Circle, Fayetteville, NC
Parcel Identification Number: 0442-65-7782
 - 3) Case Number: MH 487-2013 **(Pg. 84)**
Property Owner: Latisha McCrimon
Property Location: 5560 Leitha Lane, Godwin, NC
Parcel Identification Number: 1503-02-3486

- 4) Case Number: MH 313-2013 (Pg. 86)
 Property Owner: Wilson Williams, Jr.
 Property Location: 4612 Hankins Street, Hope Mills, NC
 Parcel Identification Number: 0423-58-8333

- 5) Case Number: MH 280-2013 (Pg. 88)
 Property Owner: Eunice Stephens
 Property Location: 5007 Carolina Wren, Fayetteville, NC
 Parcel Identification Number: 0471-47-6771

- 6) Case Number: MH 249-2013 (Pg. 90)
 Property Owner: Rodney E. & Jennifer C. Price & Robert William Price
 Property Location: 1618 Cumberland Drive, Fayetteville, NC
 Parcel Identification Number: 0520-59-6496

G. Approval of Proclamation Acknowledging the Fayetteville Press Newspaper on its 25th Anniversary. (Pg. 92)

H. Budget Revisions: (Pgs. 93-109)

- (1) Emergency Services Grants (Pg. 93)

Revision in the amount of \$13,500 to recognize a new Hurricane Exercise Grant. (B15-141) **Funding Source – State**

- (2) Library Grants (Pg. 94)

Revision in the amount of \$102,307 to recognize E-Rate funds received from Century Link, Public Works Commission and Microelectronics Center of North Carolina to assist in providing affordable access to telecommunication services. (B15-142) **Funding Source – Other**

- (3) Health

- a. Health Promotion - Revision in the amount of \$13,757 to recognize additional state funds for Health Promotion Incentives. (B15-148) **Funding Source – State** (Pg. 95)

- b. Sexually Transmitted Disease Clinic – Revision in the amount of \$1,050 to recognize additional state funds. (B15-150) **Funding Source – State** (Pg. 96)

- (4) Grant Family Violence Care Center **(Pg. 97)**

Revision in the amount of \$20,000 to recognize anticipated funds to be received from the state for domestic violence program. (B15-140)

Funding Source – State

- (5) Fire Districts **(Pg. 98-109)**

a. Bethany Fire District - Revision in the amount of \$350 to cover unanticipated refunds to taxpayers in the amount of \$50 and to increase motor vehicle tax collection fee in the amount of \$300. (B15-146) **Funding Source – Bethany Fire District Tax (Pg. 98)**

b. Cotton Fire District - Revision in the amount of \$850 to cover unanticipated refunds to taxpayers in the amount of \$50 and to increase motor vehicle tax collection fee in the amount of \$800. (B15-146A) **Funding Source – Cotton Fire District Tax (Pg. 99)**

c. Cumberland Road Fire District - Revision in the amount of \$400 to cover unanticipated refunds to taxpayers in the amount of \$100 and to increase motor vehicle tax collection fee in the amount of \$300. (B15-146B) **Funding Source – Cumberland Road Fire District Tax (Pg. 100)**

d. Grays Creek Fire District #18- Revision in the amount of \$450 to cover unanticipated refunds to taxpayers in the amount of \$50 and to increase motor vehicle tax collection fee in the amount of \$400. (B15-146C) **Funding Source – Grays Creek Fire District #18 Tax (Pg. 101)**

e. Grays Creek Fire District #24- Revision in the amount of \$450 to cover unanticipated refunds to taxpayers in the amount of \$50 and to increase motor vehicle tax collection fee in the amount of \$400. (B15-146D) **Funding Source – Grays Creek Fire District #24 Tax (Pg. 102)**

f. Manchester Fire District - Revision in the amount of \$250 to cover unanticipated refunds to taxpayers in the amount of \$50 and to increase motor vehicle tax collection fee in the amount of \$200. (B15-146E) **Funding Source – Manchester Fire District Tax (Pg. 103)**

g. Pearces Mill Fire District - Revision in the amount of \$650 to cover unanticipated refunds to taxpayers in the amount of \$50 and to increase motor vehicle tax collection fee in the amount of \$600. (B15-146F) **Funding Source – Pearces Mill Fire District Tax (Pg. 104)**

- h. Stedman Fire District - Revision in the amount of \$250 to cover unanticipated refunds to taxpayers in the amount of \$50 and to increase motor vehicle tax collection fee in the amount of \$200. (B15-146G) **Funding Source – Stedman Fire District Tax (Pg. 105)**
- i. Stoney Point Fire District - Revision in the amount of \$650 to cover unanticipated refunds to taxpayers in the amount of \$50 and to increase motor vehicle tax collection fee in the amount of \$600. (B15-146H) **Funding Source – Stoney Point Fire District Tax (Pg. 106)**
- j. Vander Fire District - Revision in the amount of \$600 to cover unanticipated refunds to taxpayers in the amount of \$100 and to increase motor vehicle tax collection fee in the amount of \$500. (B15-146I) **Funding Source – Vander Fire District Tax (Pg. 107)**
- k. Westarea Fire District - Revision in the amount of \$450 to cover unanticipated refunds to taxpayers in the amount of \$150 and to increase motor vehicle tax collection fee in the amount of \$300. (B15-146J) **Funding Source – Westarea Fire District Tax (Pg. 108)**
- l. Westarea Fire District #10 - Revision in the amount of \$400 to cover unanticipated refunds to taxpayers in the amount of \$200 and to increase motor vehicle tax collection fee in the amount of \$200. (B15-146K) **Funding Source – Westarea Fire District #10 Tax (Pg. 109)**

3. Public Hearings **(Pgs. 110-143)**

Uncontested Rezoning Cases

- A. Case P14-51: Rezoning of 10.36+/- acres from A1 Agricultural to R7.5 Residential or to a more restrictive zoning district, located at 780 and 800 Sand Hill Road; submitted by Michael P. Williams on behalf of Castle Hayne Homes, LLC. (owner). **(Pg. 110)**

Staff Recommendation:

1st motion for Case P14-51: Move to find the request for rezoning consistent with the 2030 Growth Vision Plan, and any other applicable land use plan, reasonable and in the public interest for the reasons stated in the recommendations of the Planning Board included in the agenda package and as reflected in the minutes of the Planning Board’s consideration of this case, which minutes are to be fully incorporated herein by reference.

2nd motion for Case P14-51: Move to approve the rezoning from A1 Agricultural to R7.5 Residential as recommended by the Planning Staff and as reflected in the minutes of the Planning Board's consideration of this case, which minutes are to be fully incorporated herein by reference.

Planning Board Recommendation: Approve Staff Recommendation.

- B. Case P14-53: Rezoning of 19.77+/- acres from RR Rural Residential to R15 Residential or to a more restrictive zoning district; located on the northeast side of SR 2013 (Old Vander Road), south of Blakefield Drive; submitted by Damien Bukowi on behalf of Federal Paper Board Company, Inc. (acquired by International Paper Company in 1996) and Broadwell Brothers, LLC. **(Pg. 113)**

Staff Recommendation:

1st motion for Case P14-53: Move to find the request for rezoning consistent with the 2030 Growth Vision Plan, and any other applicable land use plan, reasonable and in the public interest for the reasons stated in the recommendations of the Planning Board included in the agenda package and as reflected in the minutes of the Planning Board's consideration of this case, which minutes are to be fully incorporated herein by reference.

2nd motion for Case P14-53: Move to approve the rezoning from RR Rural Residential to R15 Residential as recommended by the Planning Staff and as reflected in the minutes of the Planning Board's consideration of this case, which minutes are to be fully incorporated herein by reference.

Planning Board Recommendation: Approve Staff Recommendation.

Other Public Hearings - Minimum Housing Code Enforcement

- C. Case Number: MH 832-2014 **(Pg. 116)**
Property Owner: Evelyn C. Smith
Property Location: 3117 Cope Street, Fayetteville, NC
Parcel Identification Number: 0426-50-7984
- D. Case Number: MH 651-2014 **(Pg. 123)**
Property Owner: Donald & Delores McKoy
Property Location: 115 Linwood Road, Fayetteville, NC
Parcel Identification Number: 0424-76-5545
- E. Case Number: MH 776-2014 **(Pg. 131)**
Property Owner: Connie G. Groves
Property Location: 3214 Princess Ann Drive, Fayetteville, NC
Parcel Identification Number: 0425-17-4090

- F. Case Number: MH 457-2014 **(Pg. 138)**
Property Owner: Betty Morneault
Property Location: 6526 Alamance Road, Hope Mills, NC
Parcel Identification Number: 0412-54-7360

Items of Business

4. Update of the 2014 Strategic Plan Report by Sally Shutt, Governmental Affairs Officer. **(Pg. 144)**
5. Nominations to Boards and Committees **(Pg. 166-171)**
- A. Farm Advisory Board (2 Vacancies) **(Pg. 166)**
6. Appointment of Tourism Development Authority Chairperson. **(Pg. 172)**
7. Appointments to Boards and Committees **(Pg. 175-196)**
- A. Adult Care Home Community Advisory Committee (3 Vacancies) **(Pg. 175)**
- Nominee(s): Clarence Everett
Adam Long
John Thompson
- B. Board of Health (2 Vacancies) **(Pg. 178)**
- Nominee(s):
- Physician: Dr. Sanjay Shah (Reappointment)
- General Public Representative: Barbara Stelly (Reappointment)
- C. Cumberland County Juvenile Crime Prevention Council (2 Vacancies) **(Pg. 181)**
- Nominee(s):
- Member of Faith Community: Shawn Withy-Allen (Reappointment)
- At-Large Representative: Latoya Gordon (Reappointment)

D. Nursing Home Advisory Board (2 Vacancies) **(Pg. 186)**

Nominee(s): Clarence Everett
Latara Ray

E. Tourism Development Authority (1 Vacancy) **(Pg. 189)**

Nominee:

Hotel/Motel Under 100 Rooms Representative: Daniel E. Roberts (Reappointment)

F. Cumberland County Workforce Development Board (1 Vacancy) **(Pg. 192)**

Nominee:

Community Based Organization: Cynthia Wilson

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

ADJOURN

WATCH THE MEETING LIVE

THIS MEETING WILL BE STREAMED LIVE THROUGH THE COUNTY'S WEBSITE, CO.CUMBERLAND.NC.US. LOOK FOR THE LINK AT THE TOP OF THE HOMEPAGE.

THE MEETING WILL ALSO BE BROADCAST LIVE ON FAYETTEVILLE/CUMBERLAND EDUCATIONAL TV (FCETV), TIME WARNER CHANNEL 5 AND 97-3 ON THE DIGITAL TIER.

THE MEETING VIDEO WILL BE AVAILABLE AT YOUTUBE.COM/CUMBERLANDCOUNTYNC ON TUESDAY, NOVEMBER 18.

IT WILL BE REBROADCAST ON WEDNESDAY, NOVEMBER 19, AT 7 P.M. AND FRIDAY, NOVEMBER 21, AT 10:30 A.M.

REGULAR BOARD MEETINGS:

**December 1, 2014 – (Monday) – 9:00 AM
December 15, 2014 – (Monday) – 6:45 PM**

AMY H. CANNON
County Manager

JAMES E. LAWSON
Deputy County Manager



MELISSA C. CARDINALI
Assistant County Manager



ITEM NO. 213

OFFICE OF THE COUNTY MANAGER

MEMORANDUM FOR BOARD OF COMMISSIONERS AGENDA OF NOVEMBER 17, 2014

TO: BOARD OF COUNTY COMMISSIONERS

FROM: AMY H. CANNON, COUNTY MANAGER

DATE: NOVEMBER 12, 2014

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

BACKGROUND

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

Eastover Township: Chipper Street

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

RECOMMENDATION / PROPOSED ACTION

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

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

/ct

Attachments



STATE OF NORTH CAROLINA
DEPARTMENT OF TRANSPORTATION

PAT MCCRORY
GOVERNOR

ANTHONY J. TATA
SECRETARY

November 5, 2014

Division Six - District Two
Cumberland County

Dr. Jeannette M. Council, Chair
Cumberland County Board of Commissioners
Post Office Box 1829
Fayetteville, North Carolina 28302

Subject: Secondary Road Addition

To Whom It May Concern:

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

Eastover Township

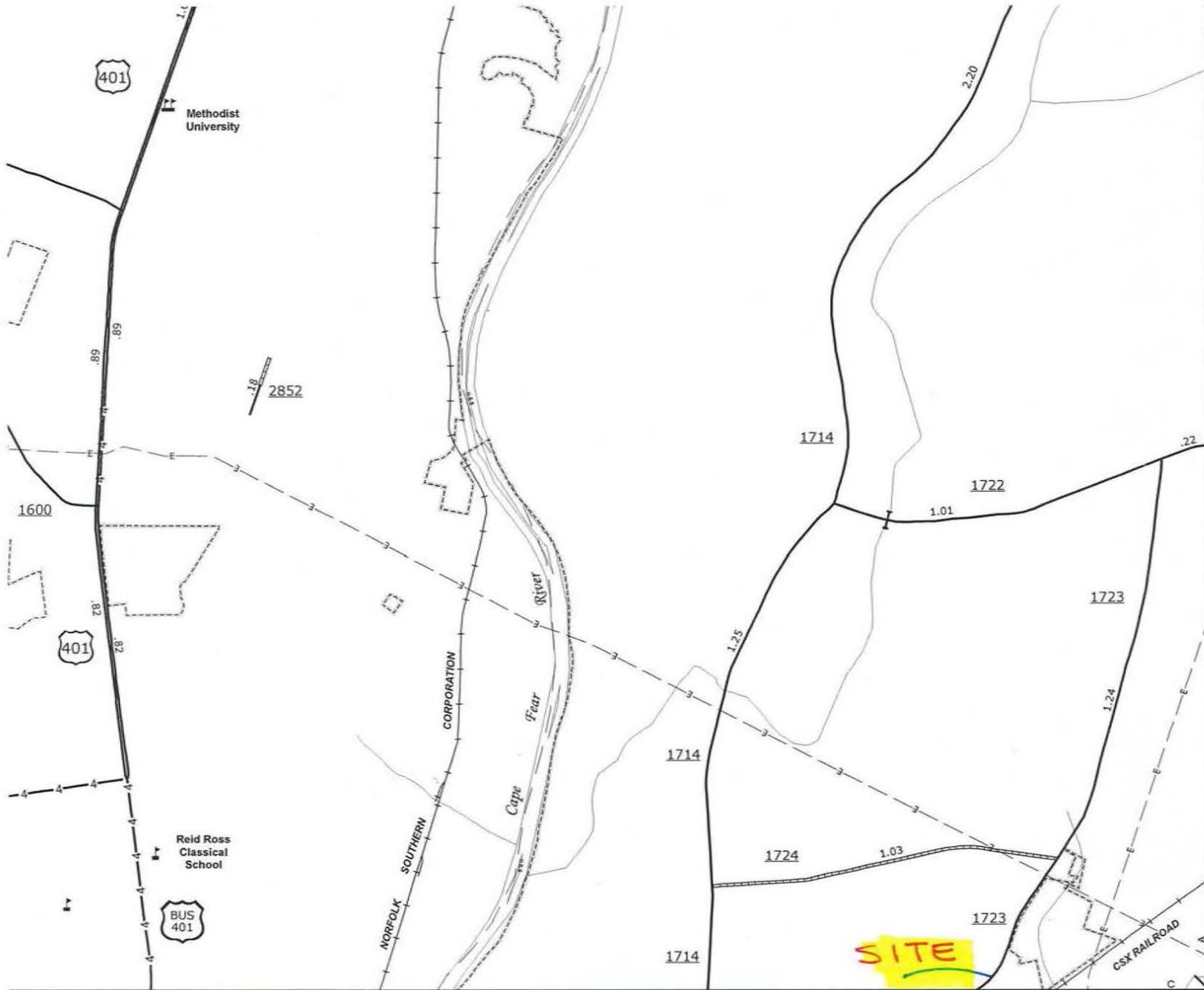
- Chipper Street

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

Sincerely,

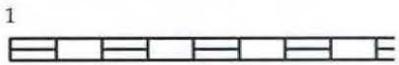
A handwritten signature in blue ink that reads "David Plummer".

David Plummer
Engineering Technician



ENLARGED MUNICIPALITY
CUMBERLY
 NORTH

NORTH CAROLINA DEPARTMENT OF
 MANAGEMENT SYSTEMS AND SERVICES
 IN COOPERATION WITH
 U.S. DEPARTMENT OF THE INTERIOR
 FEDERAL HIGHWAY ADMINISTRATION



10,000 FOOT GRID BASED ON 1983
 LAMBERT CONIC PROJECTION

RICKEY L. MOOREFIELD
County Attorney



PHYLLIS P. JONES
Assistant County Attorney

ROBERT A. HASTY, JR.
Assistant County Attorney

OFFICE OF THE COUNTY ATTORNEY

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

**MEMO FOR THE AGENDA OF THE NOVEMBER 17, 2014,
MEETING OF THE BOARD OF COMMISSIONERS**

TO: Board of Commissioners; Co. Manager
FROM: Co. Atty. *R. Moorefield*
DATE: November 12, 2014
SUBJECT: Approval of Amendment to Resolution Regarding Continued Participation in County Health Insurance Plan by Retirees

Attachment: Amendment to Resolution

BACKGROUND:

By resolution adopted August 20, 2001, the Board of Commissioners amended the plan for the participation of former commissioners in the County's group health insurance program. The statute governing retirement insurance benefits was amended, effective August 28, 2009, and October 1, 2009, to require that commissioners must have ten years of county service in order to participate in a retirement insurance program.

In 2012, the Board further adopted a Wellness Center Plan to establish a medical clinic and pharmacy for the use of employees and retirees. Although the Board's goal in adopting the Wellness Center Plan was to control the costs of the group health insurance program, this intent was not stated in the motion by which the Board established the Wellness Center Plan.

The county attorney advises that the retirement insurance plan should be amended to incorporate the statutory changes and the Board's intent in adopting the Wellness Center Plan. The attached resolution addresses those changes. This language should also be included in the next adopted budget.

RECOMMENDATION/PROPOSED ACTION:

County attorney recommends approval of the attached resolution.

AMENDMENT TO THE RESOLUTION OF THE BOARD OF COMMISSIONERS
OF CUMBERLAND COUNTY, NORTH CAROLINA, REGARDING CONTINUED
PARTICIPATION IN COUNTY HEALTH INSURANCE PLAN BY RETIREES

Whereas, on August 20, 2001, the Board of Commissioners amended the plan for the participation of former commissioners in the County's group health insurance program; and

Whereas, on June 16, 2008, the Board amended the plan with respect to retired employees; and

Whereas, on August 28, 2009, and October 1, 2009, certain amendments to G.S. § 153A-93, the statute governing the provision of retirement benefits, became effective; and

Whereas, on January 3, 2012, the Board of Commissioners adopted a Wellness Center Plan to establish a medical clinic and pharmacy for the use of employees and retirees; and

Whereas, the Wellness Center Plan was implemented as a means to control the cost of the County's group health insurance program; and

Whereas, the Board of Commissioners has determined that the Wellness Center Plan was not described with sufficient detail to address the Board's intent that all participants in the County's group health insurance program should be eligible and encouraged to participate in the clinic and pharmacy services implemented by the Wellness Center Plan to maximize the cost savings to the County's group health insurance program; and

Whereas, the Board of Commissioners has further determined that the County's plan for the participation of former commissioners in the County's group health insurance program does not comply with all the requirements of the amended statute.

Now therefore, be it resolved, that Section 7 of the Resolution Regarding Continued Participation in County Health Insurance Plan by Retirees adopted by this Board on August 20, 2001, is hereby rescinded and a new Section 7 is substituted instead as follows:

7. Any former commissioner who left office before October 1, 2009, and was participating in the County's group health insurance plan on August 28, 2009, may continue enrollment in the County's health insurance plan, provided such former commissioner pays the entire monthly premium (i.e. total of employee portion plus county match) for such coverage. Once such former commissioner ceases participation, he or she will not be eligible for future participation. Any former commissioner enrolled in the County's group health insurance program under this Section 7 shall not be eligible to utilize the services provided by the County's Wellness Center Plan and shall not be eligible to convert the retirement health insurance coverage to Medicare supplemental coverage.

Be it further resolved that a new Section 8 shall be added to the Resolution Regarding Continued Participation in County Health Insurance Plan by Retirees adopted by this Board on August 20, 2001, as follows:

8. (a) During his or her term of office, a county commissioner may elect to enroll in the County's group health insurance program and utilize the services provided by the Wellness Center Plan on the same terms as any regular full-time County employee. Commissioners who elect to participate

in the County's group health insurance plan are encouraged to fully utilize the services provided by the Wellness Center Plan.

- (b) Commissioners who (1) leave office after November 17, 2014, (2) are not eligible for the Local Government Employees Retirement System or the N.C. Law Enforcement Officers Benefit and Retirement Fund, (3) have been enrolled in the County's group health insurance program for at least thirty-six consecutive months at the time of leaving office, (4) are utilizing or intend to utilize the services provided by the County's Wellness Center Plan at the time of leaving office, and (5) have at least ten years of service as a Cumberland County Commissioner, may elect to continue enrollment in the County's group health insurance program and to utilize the services offered by the Wellness Center Plan by giving written notice of the election to the County before leaving office.
- (c) A commissioner who elects to enroll in the County's group health insurance program and to utilize services provided by the Wellness Center Plan under this Section 8 during his or her term of office or as a retirement benefit, must convert the group health insurance coverage to Medicare supplemental insurance upon reaching the age of 65 or becoming enrolled in the Medicare program, whichever should first occur.
- (d) Any eligible commissioner electing to participate in the County's group health insurance program and Wellness Center Plan under this Section 8 after leaving office, must pay the entire monthly premium for such insurance coverage to include the total of the employee portion and the county portion and must pay any co-pays established to utilize the services provided by the Wellness Center Plan.
- (e) In order to maintain eligibility for enrollment in the County's group health insurance program and to utilize the services provided by the County's Wellness Center Plan, after enrolling in the group health insurance program a commissioner must remain enrolled in the group health insurance plan continuously and use the services provided by the County's Wellness Center Plan as needed. If any break in coverage under the group health insurance program occurs, a commissioner will not be eligible for further participation in the group health insurance program or the Wellness Center Plan.

Be it further resolved, that except as specifically amended herein, the Resolution adopted August 20, 2001, as amended June 16, 2008, shall continue in full force and effect.

Adopted November 17, 2014.

AMY H. CANNON
County Manager

JAMES E. LAWSON
Deputy County Manager



MELISSA C. CARDINALI
Assistant County Manager



ITEM NO. 20(1-3)

OFFICE OF THE COUNTY MANAGER

MEMORANDUM FOR BOARD OF COMMISSIONERS AGENDA OF NOVEMBER 17, 2014

TO: BOARD OF COUNTY COMMISSIONERS
FROM: AMY H. CANNON, COUNTY MANAGER *Amy H Cannon*
DATE: NOVEMBER 15, 2014
SUBJECT: APPROVAL OF THE CUMBERLAND COUNTY FACILITIES COMMITTEE REPORT AND RECOMMENDATION(S)

BACKGROUND

The Cumberland County Facilities Committee met on Thursday, November 6, 2014 and discussed the following agenda:

- 1) Grant of Franchise Agreement for Operation of Courthouse and DSS Snack Bars.
- 2) Funding of Forensic Lab Services.
- 3) Relocation of Employee Clinic/Risk Management

Separate memos for each item are attached and the draft minutes of the Cumberland County Facilities Committee are attached for your convenience.

RECOMMENDATION/PROPOSED ACTION

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

/ct

Attachments

CM111214-1

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CUMBERLAND COUNTY FACILITIES COMMITTEE
COURTHOUSE, 117 DICK STREET, 5TH FLOOR, ROOM 564
NOVEMBER 6, 2014 - 8:30 A.M.
MINUTES

MEMBERS PRESENT: Commissioner Billy King, Chairman (arrived at 8:35 a.m.)
Commissioner Charles Evans
Commissioner Kenneth Edge

OTHER COMMISSIONERS
PRESENT:

Commissioner Jimmy Keefe

OTHERS PRESENT:

Amy Cannon, County Manager
James Lawson, Deputy County Manager
Melissa Cardinali, Assistant County Manager for Finance /
Administrative Services
Sally Shutt, Governmental Affairs Officer
Rick Moorefield, County Attorney
Jeffery Brown, Engineering and Infrastructure Director
Vicki Evans, Finance Accounting Manager
Sheriff Earl Butler, Sheriff's Office
Ronnie Mitchell, Sheriff's Office
Jim Lyde, Forestry Service
Candice White, Clerk to the Board
Kellie Beam, Deputy Clerk to the Board
Press

Commissioner Kenneth Edge called the meeting to order.

1. APPROVAL OF MINUTES – OCTOBER 2, 2014 REGULAR MEETING

MOTION: Commissioner Evans moved to approve the minutes.

SECOND: Commissioner Edge

VOTE: UNANIMOUS (2-0)

2. CONSIDERATION OF APPROVAL OF GRANT OF FRANCHISE FOR OPERATION OF COURTHOUSE AND DSS SNACK BARS

BACKGROUND:

Shana B. Yi Lee and Jae Yong Yi Lee have been operating the snack bar in the Courthouse since 2003 and at DSS since 2008 under a franchise granted by the Board of Commissioners. The franchise expired September 30, 2014, but has a continuation provision subject to the approval of the Board of Commissioners. Finance Office reports that the franchisee is current on all financial obligations under the franchise and the

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franchise fees received by the County for the combined Courthouse and DSS snack bars for the past two fiscal years and the first two months of the current fiscal year have exceeded the minimum required payments by an average of \$50.37 per month.

Grant of the continuing franchise will require two readings.

RECOMMENDATION/PROPOSED ACTION:

Consider whether to extend the franchise agreement on the same term; to extend the franchise agreement with modified terms; or to discontinue the franchise agreement and solicit proposals from additional vendors.

Rick Moorefield, County Attorney, reviewed the background information and recommendation recorded above and responded to questions. Mr. Moorefield stated the franchise fee that has been paid has consistently been about \$50.00 more than the minimum franchise fee which is about 10% higher. Mr. Moorefield stated the DSS Snack Bar does not do quite as well as the Courthouse Snack Bar. Mr. Moorefield stated Mr. Lee has had a franchise agreement with DSS since 2006 and the Courthouse franchise since 2002.

James Lawson, Deputy County Manager, stated there were some questions about customer convenience and the availability of a machine to process debit/credit card transactions. Mr. Lawson stated Mr. Lee indicated he had not had any complaints or requests or demands for a debit/credit card machine. Mr. Lawson stated once he told Mr. Lee there was some talk about not having a debit/credit card machine he turned right around and coordinated with his bank to have the debit/credit card machine installed at DSS. Mr. Lawson stated Mr. Lee is waiting for a line to be installed downstairs of the Courthouse and the debit/credit card machine should be in place within the next couple of weeks.

Commissioner Edge asked if the \$50 extra that is paid each month is based on revenue. Mr. Moorefield replied in the affirmative and stated the payment is based on gross revenue. Mr. Moorefield indicated the minimum franchise fee is \$500 per month at each location.

Commissioner Keefe stated he feels customers utilize debit/credit cards more often than not and he feels the snack bars should be taking debit/credit cards. Commissioner Keefe further stated working on a cash basis makes it harder to track receipts and if debit/credit cards were taken it would be easier to track sales. Commissioner Keefe stated \$500 a month seems like a very inexpensive rent/commission for a 1,000 square foot space in this area. Commissioner Keefe stated he just wants to make sure this is the best use of that space in the courthouse.

Mr. Lawson stated since he has been here in the mid 1990's he has seen Mr. Lee make some significant changes as far as the products available to the public. Amy Cannon,

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County Manager, stated she agrees the rent is low but the hours of operation are limited to Monday through Friday from 7:30 a.m. to 3:00 p.m. because after the lunch time rush there is not much traffic through that area.

Commissioner Edge asked if audited statements are required. Mr. Moorefield stated the County does have the means to require Mr. Lee to provide financial records since this is a franchise agreement not a lease. Ms. Cannon stated Mr. Lee does bring cash register tapes to document his sales but there has not been any follow up or review.

Mr. Moorefield stated according to his knowledge, this space has not been advertised or bid out in the Courthouse since 2002 and further stated there have not been any issues of deficiencies with performance.

Commissioner Evans stated he feels it is only fair to businesses and the people that are served that we make sure we are getting the best out of the space. Commissioner Evans further stated he feels before the County commits to another franchise agreement that we look into possibly considering bidding it out and looking at other options if anyone else is interested in the space.

Commissioner Edge stated he would like to suggest rather than a three-year agreement that the County consider a one year agreement giving Mr. Lee the opportunity to use debit/credit cards and at the end of the one year we bid the space out for anyone else that may be interested. Commissioner Edge further stated if Mr. Lee wanted to be a part of the bidding process that would be fine but it would also give others the opportunity if interested.

Ms. Cannon stated there was a vendor before Mr. Lee, the Dogwood Deli, but due to low sales volume the Dogwood Deli ended the agreement. Ms. Cannon stated Mr. Lee was the only one that submitted a proposal to operate the deli. Ms. Cannon further stated during this time period she has only been approached by one other vendor about the space and stated this vendor sells prepackaged sandwiches in a refrigerator. Ms. Cannon stated Mr. Lee has done a good job in providing nutritional alternatives and healthy options other than sandwiches such as salads and fruits.

Commissioner Evans stated he is not saying the service being provided at this point is not good service but he feels sometimes competition is a good thing and even though we feel Mr. Lee is doing a good service for us it could possibly be better. Ms. Cannon stated if the committee gives Mr. Lee a one year extension the Finance Department could work with Mr. Lee about the documentation of his sales.

MOTION: Commissioner Edge moved to recommend to the full board consideration of approval to extend the franchise agreement for operation of the Courthouse and DSS snack bars until September 30, 2015 and then look into bidding it out.

SECOND: Commissioner Evans

VOTE: UNANIMOUS (3-0)

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3. CONSIDERATION OF FUNDING IN THE AMOUNT OF \$75,500 FOR FORENSIC LAB SERVICES

BACKGROUND:

This request addresses a critical need for the safety of the citizens of Cumberland County and the efficiency of the administration of justice here. A careful and detailed study of the factors affecting the administration of justice in Cumberland County which Sheriff Butler directed, commencing nearly two (2) years ago, ultimately involving the Office of the District Attorney, the City of Fayetteville (particularly including the Fayetteville Police Department) and others led to the inexorable conclusion that a primary obstacle to the efficient administration of justice in Cumberland County is the unavailability of forensic laboratory services, particularly those devoted to drug identification and the quantitative and qualitative analysis of narcotics and other drugs and the inability to analyze impairing substances contained in the blood of suspects, including drugs and blood alcohol content from samples drawn from suspects.

Often, cases are dismissed, lost or substantially delayed because of the inability of the District Attorney's Office to receive admissible reports of such analysis. Such results and such circumstances have become particularly burdensome and virtually intolerable.

The State Crime Laboratory has been brought into question with respect to its competence and reliability, but more often, the sheer volume of cases submitted to the laboratory causes delays of many months and often years in order to receive the reports and to obtain a witness to testify as to those findings. As a result of the circumstances, District Attorney Billy West and his assistants, G. Robert Hicks, and B. Worth Paschal have worked closely with the Sheriff's Office and the Police Department in analyzing the problems and potential remedies. We have explored the possibility of opening a local laboratory funded solely by the political units or subdivisions, and maintaining the staff and equipment for such a forensics laboratory. That exploration led ineluctably to the conclusion that while desirable, equipping, staffing and maintaining the equipment and staff for such a venture was cost prohibitive, requiring the investment of millions of dollars and a substantial delay in obtaining the necessary staff, equipment, qualifications, accreditation and credentialing.

Of course, the Cumberland County Sheriff's Office provides and maintains laboratory and identification facilities, providing the services not only for the Cumberland County Sheriff's Office but for local municipalities including the towns of Hope Mills, Spring Lake, Eastover, Stedman, Godwin and Falcon. In addition, the personnel of the identification and crime scene investigation unit provide laboratory services and testimony to and for various counties and prosecutorial units throughout the state.

Currently, among other things, the unit has the ability to examine and identify fingerprints through Automated Fingerprint Identification System (A.F.I.S.) as well as the ability to examine and identify ballistics of firearm evidence through the Integrated

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Ballistics Identification System (I.B.I.S.). Several members of the Cumberland County Sheriff's Office have been recognized for their expertise, especially one of our forensic fingerprint examiners, who has had a scholarly article selected for publication this year, and one of the firearms (ballistics expert) examiners, who has been called upon to provide training for others as well as examinations and testimony all across the state.

The Cumberland County Sheriff's Office also maintains a computer forensics laboratory for the purpose of forensic examination of computers, peripherals, and computer operated hardware, firmware, as well as software. The analysis generated from the services has proved to be reliable and beneficial in a number of investigations, including drug activities, gambling, child pornography, molestation, sexual assault, as well as white-collar crime cases.

In addition, the Sheriff's Office maintains an exemplary photographic evidence laboratory with a full time photo lab technician. The services provided to the investigators and prosecutors within the opposite prosecutorial district as well as to other agencies across the State and particularly the municipalities in Cumberland County, include the examination and maintenance of photographic evidence, including still photographs and video graphic evidence.

Recently, N.C. Gen. Statute 8-58.20, governing the admissibility of forensic evidence, has been amended to provide that:

Forensic analysis, to be admissible under this section, shall be performed by a laboratory that is accredited by an accrediting body that requires conformance to forensic specific requirements and which is a signatory to the International Laboratory Accreditation Cooperation (ILAC) Mutual Recognition Arrangement for Testing for the submission, identification, analysis, and storage of forensic analyses. The analyses of DNA samples and typing results of DNA samples shall be performed specific requirements and which is a signatory to the ILAC Mutual Recognition Arrangement for Testing. N.C. Gen. Stat. 8-58.20(b) (emphasis added).

As a result of the requirements under North Carolina evidentiary law as well as constitutional due process concerns, the Cumberland County Sheriff's Office is seeking accreditation for its latent fingerprint analysis and firearms examination laboratories.

More importantly, however, as indicated above, the Prosecutorial District (and the Sheriff's Office) has great need of the capacity to be able to perform testing of forensic drug chemistry, blood alcohol analysis, and blood drug analysis. A profound need for the services exists and demands immediate action in order to facilitate the interest of justice.

Additionally, in light of the significant backlog in the State Crime Laboratory and the difficulty in obtaining chemical analysis of drugs and other controlled substance evidence as well as analysis of controlled substances in blood specimens (including blood alcohol), the Office of the District Attorney has sought and is seeking the assistance of the Cumberland County Sheriff's Office in establishing and maintaining a forensic laboratory for the analysis of controlled substances (identified as a forensic drug laboratory) as well

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as a laboratory for the analysis of blood for suspected alcohol intoxication of accused persons as well as the analysis of blood for those persons suspected of being impaired by controlled substances. Cases have been dismissed for the denial of the defendant's speedy trial rights, and a number of cases have been lost because of the inability to provide the requisite forensic analysis. Remedial action must be taken.

Given the circumstances, we have thoroughly investigated other means of acquiring the forensic services. As a result of this investigatory study, Sheriff Butler, Chief Deputy Wright, District Attorney West and his senior assistants, Chief of Police Medlock, and Ronnie Mitchell have concluded that a public-private contractual relationship would achieve the result sought with regard to the establishment of a laboratory at a fraction of the costs associated with establishing our own laboratory.

As a part of that investigation, we have interviewed other officials and other individuals who have been involved in and experienced similar circumstances. In addition, we have investigated the reliability of various companies and their ability to provide the services so greatly needed. We have visited laboratory facilities, both those maintained by law enforcement agencies and those operated under a contractual relationship.

Premised on this and other investigatory and research methodology, we have concluded and strongly recommend the entry of a contractual relationship with Integrated Forensic Laboratories LLC (IFL), a division of NMS Labs. IFL operates labs which are both freestanding and those which are located in law enforcement facilities, particularly in the State of Texas, although NMS Labs operates national laboratory and testing facilities headquarter in Pennsylvania. For more than 40 years these laboratories have been committed to and have provided professional, state-of-the-art laboratory diagnostic services to and have served the criminal and civil justice system. The company has an excellent reputation and an established record of integrity, accuracy, and economy while maintaining the requisite accreditations and credentialing and providing the services needed to meet or exceed the evolving legal and scientific standards.

Essentially, the model which would provide the type of services needed in Cumberland County would need the entry of a contractual relationship with the company under the terms of which the City of Fayetteville and the County of Cumberland together would pay one half of the calculated operating costs which is the sum of \$25,000 per month or \$12,500 per month each except that the County's monthly obligation would be reduced by \$1,750.00 per month, making the County's expenditure \$10,750.00 per month, in light and in consideration of the County agreeing to allow the company to use the existing laboratory space in the former Day Reporting Center located on Russell Street. (The Fayetteville Police Department has explicitly stated that the City will be ready to proceed no later than January with its financial support for the laboratory.)

For this fiscal year, the lab would require an expenditure of \$75,500.00. The Sheriff's Office has applied and is continuing to apply for funding grants through the Governor's Crime Commission. The Commission has expressed initial and tentative approval of the

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grant, but we do not have any confirmation, accordingly without grant approval we are requesting county funds in the amount of \$75,500.00.

The addition of this laboratory to the services which are already established would enable the County to provide far better forensic services than those which are currently available and would likely assist in the reduction of the court backlogs and even, potentially, in a reduction of the jail population, reducing the effective costs of operations and of establishing the laboratory. Most importantly, this contractual relationship would provide another much-needed and even essential tool to combat crime.

Ms. Cannon stated at the recent Crime Summit there was discussion about creating a lab here in Cumberland County as opposed to using the State Lab to speed up the process with cases that involve forensic lab services. Ms. Cannon stated there has been a group from the District Attorney's office, Sheriff's Office and the City of Fayetteville's Police Department working on an arrangement.

Ms. Cannon recognized Ronnie Mitchell, Sheriff's Office, to present this item. Mr. Mitchell stated the idea of the forensic lab started about three years ago. Mr. Mitchell stated one of the first things Sheriff Butler asked him to do was to look into various means of getting evidence quicker and more efficiently. Mr. Mitchell stated the primary obstacle was that Cumberland County did not have access to forensic services other than the State Lab. Mr. Mitchell stated the forensic services desperately needed in Cumberland County include: drug identification, blood alcohol analysis and blood drug analysis. Mr. Mitchell stated currently there are many cases that are substantially backlogged. Mr. Mitchell stated there are a number of cases either lost or dismissed by the prosecution because of the inability to have the forensic analysis.

Mr. Mitchell stated he initially started looking into the Sheriff's Office operating its own lab in which the County would staff and provide equipment. Mr. Mitchell stated after visiting many other labs he determined this would be very expensive to establish and maintain. Mr. Mitchell stated he learned of NMS Labs, a company that is willing to begin servicing Cumberland County as a private-public partnership in which the City of Fayetteville and Cumberland County would share the cost of running the lab. Mr. Mitchell stated he is currently requesting to initially establish a six month period with NMS Labs. Mr. Mitchell stated his hope would be to commence in December. Mr. Mitchell stated DA Billy West believes this to be absolutely essential to the quality of justice in Cumberland County. Mr. Mitchell stated there have been cases where the quantity of the sample has been maintained in the lab for up to three years. Mr. Mitchell stated they often hear from citizens that justice has been denied because of the inability to get that analysis.

Mr. Mitchell stated the proposal is to place the lab in the former Day Reporting Laboratory which is about 845 square feet, exactly the amount of space NMS Labs needs in order to perform the work. Mr. Mitchell stated the Sheriff and the Chief of Police have

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consulted together on this to provide security to make it an effective and efficient program. Mr. Mitchell stated the private sector would provide the chemical analysts and the equipment which costs about \$500,000 initially. Mr. Mitchell stated NMS Labs is certified and have a similar type contract about to start next month in Forsyth County, North Carolina.

Mr. Mitchell explained the cost for the six-month period would be \$75,500 initially and thereafter it would be about \$12,000 a month minus \$1,750 a month for the use of the lab facility. Mr. Mitchell further stated the \$75,500 would cover services through July and then the cost would be calculated to determine what funding would be needed for the next fiscal year. Mr. Mitchell stated they have applied for some grant funding but have not received the final decision yet.

Mr. Mitchell stated we would still use the State lab for certain things but he feels we can alleviate the problem at the State Lab and give justice back to the citizens of Cumberland County. Commissioner King asked Mr. Mitchell if they looked hard in the Sheriff's Office budget for the \$75,500. Mr. Mitchell stated the Sheriff's Office budget does not have the funds.

Commissioner Edge stated he feels there is no doubt that we need this crime lab. Commissioner Edge stated he hopes that somewhere along the way that we can receive data or statistics to show whether the lab services are really moving court cases along and getting people out of our jail. Commissioner Edge stated he is in favor of moving forward with this item. Mr. Mitchell stated they have specific cases targeted to see if those cases get moved and he will include in the lease if not satisfactory they can terminate the contract within thirty days notice. Mr. Mitchell stated if they can move some cases they could possibly save as much as 30-40% of the cost incurred to not house those detainees.

Commissioner Evans asked what the cost is for the State Lab's service. Mr. Mitchell stated there is no cost to use the State Lab but they are so backlogged that at times it takes over two (2) years to get results back from the State. Mr. Mitchell stated this could also ensure accuracy because NMS Labs has a great track record for being accurate.

Commissioner King stated he feels this is the State's responsibility but understands there is a crisis at the State level if it is taking 2-3 years before a trial can be decided. Commissioner Evans stated anytime you can shorten a stay at the Detention Center you can save money. Commissioner Keefe stated he feels it is completely unacceptable for the State results to take 2-3 years to receive.

Commissioner Keefe stated he feels there should be a cap on what the County is required to spend on the lab services. Mr. Mitchell stated he is going to recommend that the County have a cap on spending. Commissioner Keefe stated if it takes the State lab two years to complete the service how long would it take NMS Labs. Mr. Mitchell stated NMS Labs was able to clear twenty-eight (28) months of cases in sixty-eight (68) days in another state.

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Commissioner King asked if Mr. Mitchell had talked to any other companies besides NMS Labs. Mr. Mitchell stated there are not many companies in the United States that provide this type service but they have researched other companies. Commissioner Edge stated we can have all the labs in the world but if we do not get the cooperation from the District Attorney's office, the judges, and the attorneys representing these people we are not going to move things along. Commissioner Edge further stated he feels it is important that they know we want to move these cases along and it is going to take cooperation from everyone involved.

MOTION: Commissioner Edge moved to recommend to the full board consideration of approval of the Sheriff's Office request for \$75,500 in funding secondary to the possibility of grant funding for a seven (7) month period for a forensic lab services contract with NMS Labs.

SECOND: Commissioner King

DISCUSSION:

Commissioner Evans stated he feels this is the first time this topic has been brought to the board. Ms. Cannon stated she has been working with Mr. Mitchell for several months but was hesitant to bring this forward because of the request for additional funding. Ms. Cannon further stated the grant application is currently pending and she believes this will be approved but in the event it is not approved the only way to move forward is for the use of county funding. Mr. Moorefield stated there will be a written contract in place that will detail the costs and expectations. Commissioner King stated he does not want to be the one that held this service up knowing we could have been a month further along.

VOTE: PASSED (2-1) (Commissioner King and Edge voted in favor; Commissioner Evans voted in opposition)

4. CONSIDERATION OF APPROVAL OF RELOCATION OF EMPLOYEE CLINIC/RISK MANAGEMENT

BACKGROUND:

At the Facilities Committee meeting on October 2, 2014, County staff presented the Facilities Committee with a plan to relocate the Employee Clinic from the E. Newton Smith Center as well as Risk Management from the Courthouse into the former CommuniCare Building located at 226 Bradford Avenue. Following the presentation, there was some discussion as to whether it would be more beneficial to relocate the Employee Pharmacy with the Employee Clinic instead of Risk Management. County staff was directed to determine the cost of relocating the Employee Pharmacy and to present this information at the November Facilities Committee meeting.

On the surface, it appears that this conceptual idea has a lot of merit, however due to the costs to renovate this space for an Employee Pharmacy, it becomes less attractive. First and foremost, the facility is not equipped with emergency power and a generator would

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have to be installed at the facility. The interior walls within the area that the Pharmacy would be located would have to be removed and several of these have been determined to be load bearing walls. In order to accomplish this, a structural engineer will have to be hired to design structural supports for the roof. This facility is currently not equipped with video surveillance equipment and this would definitely need to be installed. While this building is a brick building, it has wood exterior directly above and below each window. Due to this, the interior area around each window would have to be secured with steel bars from the floor to the ceiling.

Listed below is the projected estimated upfront cost it would take to relocate the Employee Pharmacy to 226 Bradford Avenue.

<u>Item</u>	<u>Projected Cost</u>
Back-up Generator	\$50,000
Engineering Services	\$20,000
Security	\$70,000
Fire Panel Upgrade	\$8,000
Construction – HVAC, Walls, Ceilings	\$100,000
IS Needs	\$4,000
Move	<u>\$6,500</u>
	Sub-Total \$258,500
	10% Contingency \$25,850
	Total \$284,350

Please keep in mind that this does not include the reoccurring operating costs for the security that will be installed. It is also important to note that this cost is solely for the Employee Pharmacy relocation and that the cost of renovating the Employee Clinic space is not included and still projected to be around \$25,000.

Due to the significant cost of relocating the Employee Pharmacy, the initial plan presented to relocate Risk Management in conjunction with the Employee Clinic seems to be the most cost effective move at the present time. Not to mention, this move would allow the overcrowded Information Services (IS) Department to expand into the space vacated by Risk Management.

RECOMMENDATION/PROPOSED ACTION:

The Engineering and Infrastructure Director along with County Management recommend that the Facilities Committee approve the following recommendations and forward to the Board of Commissioners at their November 17, 2014 meeting.

1. Approve the move of the Employee Clinic along with Risk Management to 226 Bradford Ave.
2. Establish a renovation budget of \$25,000.
3. Allow the IS Department to utilize the space that is being vacated by the relocation of Risk Management.

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Jeffery Brown, Engineering and Infrastructure Director, reviewed the background information and recommendation as recorded above.

MOTION: Commissioner Evans moved to recommend to the full board consideration of approval to move the Employee Clinic along with Risk Management to 226 Bradford Ave and establish a renovation budget of \$25,000 and allow the IS Department to utilize the space that is being vacated by the relocation of Risk Management.

SECOND: Commissioner Edge

VOTE: UNANIMOUS (3-0)

5. CONSIDERATION OF APPROVAL OF RADIO TOWER AGREEMENT WITH NC DIVISION OF FOREST RESOURCES

BACKGROUND:

The Emergency Management Department was contacted by the NC Division of Forest Resources to see if Cumberland County had available radio tower space for installation of an antenna. Their existing agreement for the tower on Palestine Road has expired and their goal is to find a more centrally located site within Cumberland County to provide better radio communication coverage. The Emergency Management Department then contacted the Engineering & Infrastructure Department to discuss the possibility of the Forestry Service using available space on the tower located atop of the County facility located at 109 Bradford Avenue, the former Mental Health Building.

There is available space on one of the existing towers located at the facility and there is actually an existing UHF antenna that is currently not in service that the Forestry Division utilized to test the communication coverage. It was determined from the test that this location did indeed meet their needs and it was also determined that their antenna would not have a negative impact on the existing communication antennas as their antenna will be on a different frequency from the existing antennas. The use of the available space on the tower will provide more effective and efficient services to the citizens of Cumberland County without any negative impact to existing operations.

RECOMMENDATION/PROPOSED ACTION:

The Engineering and Infrastructure Director along with County Management recommend that the Facilities Committee approve the use of available space on the radio tower located atop of 109 Bradford Avenue for the purposes of NC Division of Forest Resources to operate a radio antenna and forward it to the Board of Commissioners for its consideration at their November 17, 2014 meeting.

Mr. Brown reviewed the background information and recommendation as recorded above and responded to questions.

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Mr. Brown stated he asked the Forestry Service to send him a draft agreement used for another location. Mr. Moorefield read over the draft agreement and suggested changing some identification language. Mr. Brown stated the identification language has been changed and sent back to the Forestry Service for their review. Mr. Brown stated the recommendation is for the Facilities Committee to recommend approval of this space for the Forestry Service with the condition that the language that was provided by the county attorney is approved by the Forestry Service.

MOTION: Commissioner Evans moved to recommend to the full board consideration of approval of the use of available space on the radio tower located atop of 109 Bradford Avenue for the purposes of NC Division of Forest Resources operating a radio antenna with the condition that the language that was provided by the county attorney is approved by the Forestry Service.

SECOND: Commissioner Edge

VOTE: UNANIMOUS (3-0)

6. OTHER ITEMS OF BUSINESS

There were no other items of business.

MEETING ADJOURNED AT 9:40 AM.

RICKEY L. MOOREFIELD
County Attorney



PHYLLIS P. JONES
Assistant County Attorney

ROBERT A. HASTY, JR.
Assistant County Attorney

OFFICE OF THE COUNTY ATTORNEY

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

**MEMO FOR THE AGENDA OF THE NOVEMBER 17, 2014,
MEETING OF THE BOARD OF COMMISSIONERS**

TO: Board of Commissioners; Co. Manager
FROM: Co. Atty. *R. Moorefield*
DATE: November 12, 2014
SUBJECT: Approval of Grant of Franchise for Operation of Courthouse and DSS
Snack Bars

Attachment: Franchise Agreement

BACKGROUND:

Shana B. Yi and Jae Yong Yi (Lee) have been operating the snack bar in the Courthouse since 2003 and at DSS since 2008 under a franchise granted by the Board of Commissioners. The franchise expired September 30, 2014, but has a continuation provision subject to the approval of the Board. Finance Office reports that the franchisee is current on all financial obligations under the franchise and the franchise fees received by the county for the combined Courthouse and DSS snack bars for the past two fiscal years and the first two months of the current fiscal year have exceeded the minimum required payments by an average of \$50.37 per month.

Grant of the continuing franchise will require two readings.

RECOMMENDATION/PROPOSED ACTION:

At its meeting held November 6, 2014, the Facilities Committee recommended approval of this franchise agreement on the same terms for an additional term of one year, to expire September 30, 2015. The Facilities Committee directed staff to pursue competitive bids for the service before the end of the extended term.

NORTH CAROLINA

COUNTY OF CUMBERLAND

SNACK BAR FRANCHISE AGREEMENT

First Reading October 6, 2014

Second Reading October 20, 2014

THIS AGREEMENT, made and entered into October _____, 2014, by and between SHANA B. YI and JAE YONG YI (LEE), d/b/a Go 'N Joy Restaurant, located at 412½-A North Bragg Boulevard, Spring Lake, North Carolina 28390, hereinafter referred to as "FRANCHISEE", and the COUNTY OF CUMBERLAND, a body politic and corporate of North Carolina, hereinafter referred to as "COUNTY".

W I T N E S S E T H:

WHEREAS, the COUNTY is desirous of continuing the grant of a franchise to a food services vendor for the purpose of operating a Snack Bar to provide food services to the visitors and staff of the Cumberland County Courthouse located at 117 Dick Street, Fayetteville, North Carolina 28301 (Courthouse Snack Bar) and the Cumberland County Department of Social Services (DSS) located at 1225 Ramsey Street, Fayetteville, North Carolina 28301(DSS Snack Bar); and

WHEREAS, the COUNTY, through its Board of Commissioners, approved the grant of a franchise for the operation of these two snack bars to the FRANCHISEE upon a second reading at the regular meeting of the Board of Commissioners held November 7, 2011; and

WHEREAS, FRANCHISEE is a food services vendor and has operated the DSS Snack Bar as a franchisee of the County under a franchise agreement dated September 23, 2008, and the Courthouse Snack Bar as a franchisee of the County under a franchise agreement dated September 29, 2003 ; and

WHEREAS, FRANCHISEE desires to renew the franchises on the same terms in order to continue to provide the food services at the DSS Snack Bar and the Courthouse Snack Bar; and

WHEREAS, the Board of Commissioners of Cumberland County, North Carolina, finds that FRANCHISEE has fully performed all its obligations under the franchise agreements and each renewal thereof: and

WHEREAS, the Board of Commissioners desires to renew the described franchises on the same terms and to fully re-state those terms in this franchise agreement.

NOW, THEREFORE, for and in consideration of the promises and agreements hereafter set forth and the mutual benefits to be derived by the parties, the FRANCHISEE and the COUNTY promise and agree as follows:

1. **TERM:** The FRANCHISEE shall utilize the spaces occupied by the Courthouse Snack Bar and the DSS Snack Bar for the continued operation of those Snack Bars from October 1, 2014 through September 30, 2015. ,

2. **AGENCY AND AUTHORITY:** The COUNTY hereby designates Deputy County Manager James Lawson as its agent with respect to this Agreement. The Deputy County Manager is authorized, on behalf of the COUNTY, to negotiate directly with the FRANCHISEE on all matters pertaining to this Agreement. The FRANCHISEE agrees that all of its dealings with the COUNTY in respect to the terms and conditions of this Agreement shall be with the Deputy County Manager. Further, the FRANCHISEE specifically agrees that it shall not implement any requested modifications in the specifications of any of the services subject to this Agreement except in the manner described in the paragraph entitled MODIFICATION.

3. **SERVICES:**
 - a. During the term of this Agreement, COUNTY agrees that the FRANCHISEE shall be authorized to operate a Snack Bar for the purpose of providing food services at the Cumberland County Courthouse, 117 Dick Street, Fayetteville, North Carolina 28301 and at the DSS Building, 1225 Ramsey Street, Fayetteville, North Carolina 28301 (the Snack Bars). The FRANCHISEE has provided, at FRANCHISEE'S own expense, all the construction and equipment necessary to operate these snack bars and FRANCHISEE'S construction and equipment have been approved by the COUNTY. No external signage shall be allowed.

 - b. Food and drink items which are sold at the Snack Bars shall be palatable and of high quality. Prices charged for food and drink shall be no higher than that charged for similar merchandise in other similarly situated local places of business. Said prices are subject to reasonable, periodic adjustments by the FRANCHISEE in order to maintain reasonable profit margins in the operation of the Snack Bars.

 - c. The hours of operation for the FRANCHISEE to provide food services at the Snack Bars shall be weekdays from 7:30 a.m. until 3:00 p.m., closed Saturdays and Sundays, and COUNTY recognized holidays.

 - d. The FRANCHISEE shall employ adequate personnel to provide the needed food services and render prompt, courteous service. The FRANCHISEE will keep the kitchen facilities and equipment clean and orderly.

 - e. Trash disposal services, convenient to the Snack Bars, shall be provided by the COUNTY.

 - f. The FRANCHISEE shall operate the Snack Bars as an independent business enterprise, and shall hire and pay the wages and compensation of all its employees and agents. The FRANCHISEE shall be responsible for the conduct of its employees and agents.

- g. The FRANCHISEE shall not use or occupy, nor permit the Snack Bars or any part thereof, to be used or occupied for any unlawful business use or purpose deemed disreputable or extra hazardous or which will constitute a public or private nuisance or which is in any way detrimental, harmful, or prejudicial to the COUNTY, or is in violation of any laws, regulations, ordinances or codes, present or future.
 - h. If the COUNTY deems the performance of the FRANCHISEE and the operation of the Snack Bars as unsatisfactory for any reason, COUNTY will notify the FRANCHISEE in writing, providing details of said unsatisfactory performance. FRANCHISEE shall have thirty (30) days to eliminate any deficiencies. Failure to eliminate the deficiencies shall result in termination pursuant to paragraph 12.
 - i. In its operation of the Snack Bars, FRANCHISEE shall maintain a Grade "A" Health Inspection Rating issued by the North Carolina Department of Health and Human Resources, Division of Environmental Health Services. Failure to do so shall result in the immediate termination of the agreement.
 - j. Only those foods that have been properly inspected by U.S. Government agencies, and maintained according to Cumberland County Health Department standards may be utilized by the Snack Bar.
4. **RECORD KEEPING:** The FRANCHISEE agrees to keep its books, documents, and records relating to the provision of food services under this Agreement for a minimum of one year after the expiration of this franchise.
5. **FEES:** During the term of this Agreement, FRANCHISEE shall pay to the COUNTY Six Percent (6%) of the net sales generated by each of the Snack Bars ("the Commission") with a minimum Commission of \$500.00 per month for each of the Snack Bars. The term "net sales" shall mean the gross receipts of the Snack Bars less sales tax and discounts. The Commission shall be paid monthly, by the 15th day of the following month (i.e.: the Commission payable for the month of December shall be paid by January 15th). FRANCHISEE shall provide proof of sales to Cumberland County in the form of a copy of its "Monthly Business Report", along with a copy of cash register tapes, invoices, or other documentation as required by the County. Payments shall be made by check payable to "Cumberland County". Monthly checks and reporting information shall be mailed to: Cumberland County; Attention James Lawson; P. O. Box 1829; Fayetteville, NC 28302-1829.
6. **UTILITIES:** The COUNTY shall provide, at its own expense, to the FRANCHISEE power and water utilities necessitated by the operation of the Snack Bars to include the provision of potable water, all lighting, heating, and cooling requirements for the operation of each of the Snack Bars. The COUNTY shall provide electrical service for all equipment and outlets at the Snack Bars. Any natural gas service shall be provided by FRANCHISEE.

For FRANCHISEE:

Shana B. Yi
304 Wagoner Drive
Fayetteville, NC 28303
(910) 487-6919

FOR COUNTY:

James Lawson
Deputy County Manager
PO Box 1829
Fayetteville, NC 28302-1829
(910) 678-7726

11. **ASSIGNMENT:** The FRANCHISEE shall not assign its contract rights under this Agreement or any part thereof, nor delegate any performance hereunder, nor subcontract without first obtaining the COUNTY'S written approval.
12. **TERMINATION:** This Agreement may be terminated immediately by the COUNTY or the COUNTY may pursue any other remedy recognized in law or equity upon the violation of any of the terms of the contract. Either party may terminate the contract upon thirty (30) days' notice in writing to the other party. Upon the entering of a judgment of bankruptcy or insolvency by or against the FRANCHISEE, the COUNTY may immediately terminate this Agreement for cause. Upon termination or expiration of this Agreement, FRANCHISEE will immediately remove all equipment, food products, etc., owned by FRANCHISEE from the Snack Bars or any other areas at either Courthouse or the DSS facility controlled by FRANCHISEE.
13. **MISCELLANEOUS:**
 - a. The parties hereto, for themselves, their agents, officials, employees, and servants agree not to discriminate in any manner on the basis of race, color, creed, handicap, or national origin in the course of fulfilling any obligation, duty, or service that arises as a result of this Agreement. More specifically, FRANCHISEE shall comply with Title VI and VII of the Civil Rights Act of 1964, Section 504 of the Rehabilitation Act of 1973, and the Americans with Disabilities Act of 1990 (ADA), and all requirements imposed by Federal regulations, rules, and guidelines issues pursuant to these Titles for both personnel employed and customers served.
 - b. The FRANCHISEE will make no alterations or changes in the present facilities without prior approval of the COUNTY.
14. **MODIFICATIONS:** This Franchise Agreement may be modified only by an instrument duly executed by the parties or their respective successors.

IN WITNESS WHEREOF, the FRANCHISEE and the COUNTY have caused their duly authorized officers to execute this instrument the day and year first above written, in triplicate originals, with one being retained by the FRANCHISEE, and two by the COUNTY.

[Signature Page Follows]

COUNTY OF CUMBERLAND

ATTEST:

BY: _____
Jeanette Council, Chair

BY: _____
Candice White, Clerk

[COUNTY SEAL]

FRANCHISEE:

Shana B. Yi

Jae Yong Yi (Lee)

ATTEST:

BY: _____
Witness

Drafted by R. Moorefield November 12, 2014

Approved for Legal Sufficiency

County Attorney
Expiration Date: Sept. 30, 2015

memorandum

To: Amy H. Cannon, County Manager, Cumberland County

From: Ronnie M. Mitchell, Legal Counsel, Office of the Sheriff

Ref: Proposed Contract for Forensic Services

Date: November 3, 2014

This memorandum addresses a critical need for the safety of the citizens of Cumberland County and the efficiency of the administration of justice here. A careful and detailed study of the factors affecting the administration of justice in Cumberland County which Sheriff Butler directed, commencing nearly two years ago, ultimately involving the Office of the District Attorney, the City of Fayetteville (particularly including the Fayetteville Police Department) and others led to the inexorable conclusion that a primary obstacle to the efficient administration of justice in Cumberland County is the unavailability of forensic laboratory services, particularly those devoted to drug identification and the quantitative and qualitative analysis of narcotics and other drugs and the inability to analyze impairing substances contained in the blood of suspects, including drugs and blood alcohol content from samples drawn from suspects.

Often, cases are dismissed, lost or substantially delayed because of the inability of the District Attorney's Office to receive admissible reports of such analysis. Such results and such circumstances have become particularly burdensome and virtually intolerable.

The State Crime Laboratory has been brought into question with respect to its competence and reliability, but more often, the sheer volume of cases submitted to the laboratory causes delays of many months and often years in order to receive the reports and to obtain a witness to testify as to those findings. As a result of the circumstances, District Attorney West and his assistants, G. Robert Hicks, and B. Worth Paschal have worked closely with the Sheriff's Office and the Police Department in analyzing the problems and potential remedies. We have explored the possibility of opening a local laboratory funded solely by the political units or subdivisions, and maintaining the staff and equipment for such a forensics laboratory. That exploration led ineluctably to the conclusion that while desirable, equipping, staffing and maintaining the equipment and staff for such a venture was cost prohibitive, requiring the investment of millions of dollars and substantial delay in obtaining the necessary staff, equipment, qualifications, accreditation and credentialing.

Of course, the Cumberland County Sheriff's Office provides and maintains laboratory and identification facilities, providing the services not only for the Cumberland County Sheriff's Office but for local municipalities including the towns of Hope Mills, Spring Lake, Eastover, Stedman, Godwin, and Falcon. In addition, the personnel of the identification and crime scene investigation unit provide laboratory services and testimony to and for various counties and prosecutorial units throughout the state.

Currently, among other things, the unit has the ability to examine and identify fingerprints through A.F.I.S. (Automated Fingerprint Identification System) as well as the ability to examine and identify ballistic or firearms evidence through I.B.I.S. (Integrated Ballistics Identification System). Several members of the Cumberland County Sheriff's Office have been recognized for their expertise, especially one of our forensic fingerprint examiners, who has had a scholarly article selected for publication this year, and one of the

firearms (ballistics expert) examiners, who has been called upon to provide training for others as well as examinations and testimony all across the state.

The Cumberland County Sheriff's Office also maintains a computer forensics laboratory for the purpose of forensic examination of computers, peripherals, and computer operated hardware, firmware, as well as software. The analysis generated from the services has proved to be reliable and beneficial in a number of investigations, including drug activities, gambling, child pornography, molestation, sexual assault, as well as white-collar crime cases.

In addition, the Office maintains an exemplary photographic evidence laboratory with a full time photo lab technician. The services provided to the investigators and prosecutors within the apposite prosecutorial district as well as to other agencies across the State and, particularly, the municipalities in Cumberland County, include the examination and maintenance of photographic evidence, including still photographs and videographic evidence.

Recently, N.C. Gen. Stat. § 8-58.20, governing the admissibility of forensic evidence, has been amended to provide that:

forensic analysis, to be admissible under this section, **shall be performed by a laboratory that is accredited by an accrediting body** that requires conformance to forensic specific requirements and which is a signatory to the International Laboratory Accreditation Cooperation (ILAC) Mutual Recognition Arrangement For Testing for the submission, identification, analysis, and storage of forensic analyses. The analyses of DNA samples and typing results of DNA samples shall be performed by a laboratory that is accredited by an accrediting body that requires conformance to forensic specific requirements and which is a signatory to the ILAC Mutual Recognition Arrangement For Testing.

N.C. Gen. Stat. § 8-58.20(b)(emphasis added).

As a result of the requirements under North Carolina evidentiary law as well as constitutional due process concerns, the Cumberland County Sheriff's Office is seeking accreditation for its latent fingerprint analysis and firearms examination laboratories.

More importantly, however, as indicated above, the Prosecutorial District (and the Sheriff's Office) has great need of the capacity to be able to perform testing of forensic drug chemistry, blood alcohol analysis, and blood drug analysis. A profound need for the services exists and demands immediate action in order to facilitate the interests of justice.

Additionally, in light of the significant backlog in the State Crime Laboratory and the difficulty in obtaining chemical analysis of drugs and other controlled substance evidence as well as analysis of controlled substances in blood specimens (including blood alcohol), the Office of the District Attorney has sought and is seeking the assistance of the Cumberland County Sheriff's Office in establishing and maintaining a forensic laboratory for the analysis of controlled substances (identified as a forensic drug laboratory) as well as a laboratory for the analysis of blood for suspected alcohol intoxication of accused persons as well as the analysis of blood for those persons suspected of being impaired by controlled substances. Cases have been dismissed for the denial of the defendant's speedy trial rights, and a number of cases have been lost because of the inability to provide the requisite forensic analysis. Remedial action must be taken.

Given the circumstances, we have thoroughly investigated other means of acquiring the forensic services. As a result of this investigatory study, Sheriff Butler, Chief Deputy Wright, District Attorney West and his senior assistants, Chief of Police Medlock, and I have concluded that a public-private contractual

relationship would achieve the result sought with regard to the establishment of a laboratory at a fraction of the costs associated with establishing our own laboratory.

As a part of that investigation, we have interviewed other officials and other individuals who have been involved in and experienced similar circumstances. In addition, we have investigated the reliability of various companies and their ability to provide the services so greatly needed. We have visited laboratory facilities, both those maintained by law enforcement agencies and those operated under a contractual relationship.

Premised on this and other investigatory and research methodology, we have concluded and strongly recommend the entry of a contractual relationship with Integrated Forensic Laboratories LLC, a division of NMS Labs. IFL operates labs which are both freestanding and those which are located in law enforcement facilities, particularly in the State of Texas, although NMS operates national laboratory and testing facilities headquartered in Pennsylvania. For more than 40 years these laboratories have been committed to and have provided professional, state-of-the-art laboratory diagnostic services to and have served the criminal and civil justice system. The company has an excellent reputation and an established record of integrity, accuracy, and economy while maintaining the requisite accreditations and credentialing and providing the services needed to meet or exceed the evolving legal and scientific standards.

Essentially, the model which would provide the type of services needed in Cumberland County would be the entry of a contractual relationship with the company under the terms of which the City of Fayetteville and the County of Cumberland together would pay one half of the calculated operating costs which is the sum of Twenty Five Thousand Dollars per month or Twelve Thousand Five Hundred dollars (\$12,500.00), per month, each, except that the County's monthly obligation would be reduced by One Thousand Seven Hundred Fifty Dollars (\$1,750.00) per month, making the County's expenditure Ten Thousand Seven Hundred Fifty Dollars (\$10,750.00), per month, in light and in consideration of the County agreeing to allow the company to use the existing laboratory space in the former Day Reporting Center located on Russell Street. (The Fayetteville Police Department has explicitly stated that the City will be ready to proceed no later than January with its financial support for the laboratory.)

For this fiscal year, the lab would require an expenditure of Seventy Five Thousand Five Hundred Dollars (\$75,500.00). The Sheriff's Office has applied and is continuing to apply for funding grants through the Governor's Crime Commission. The Commission has expressed initial and tentative approval of the grant, but we do not have any confirmation, accordingly without grant approval we are requesting county funds in the amount of Seventy Five Thousand Five Hundred Dollars (\$75,500.00).

The addition of this laboratory to the services which are already established would enable the County to provide far better forensic services than those which are currently available and would likely assist in the reduction of the court backlogs and even, potentially, in a reduction of the jail population, reducing the effective costs of operations and of establishing the laboratory. Most importantly, this contractual relationship would provide another much-needed and even essential tool to combat crime.



ITEM NO. 20(3)

CUMBERLAND
★ **COUNTY** ★
NORTH CAROLINA

ENGINEERING & INFRASTRUCTURE DEPARTMENT

JEFFERY P. BROWN, PE
Engineering & Infrastructure Director

MEMORANDUM FOR BOARD OF COMMISSIONERS AGENDA OF NOVEMBER 17, 2014

TO: BOARD OF COUNTY COMMISSIONERS

FROM: JEFFERY P. BROWN, PE, E & I DIRECTOR

THROUGH: AMY H. CANNON, COUNTY MANAGER *AKC*

DATE: NOVEMBER 12, 2014

SUBJECT: CONSIDERATION OF APPROVAL OF RELOCATION OF EMPLOYEE CLINIC/RISK MANAGEMENT

BACKGROUND:

At the Facilities Committee on October 2nd, County staff presented the Committee with a plan to relocate the employee clinic from the E. Newton Smith Building as well as Risk Management from the Courthouse into the former CommuniCare Building located at 226 Bradford Avenue. Following the presentation, there was some discussion as to whether it would be more beneficial to relocate the employee pharmacy with the employee clinic instead of Risk Management. County staff was directed to determine the cost of relocating the employee pharmacy and to present this information at the November meeting.

On the surface, it appears that this conceptual idea has a lot of merit, however due to the costs to renovate this space for an employee pharmacy, it becomes less attractive. First and foremost, the facility is not equipped with emergency power and a generator would have to be installed at the facility. The interior walls within the area that the pharmacy would be located would have to be removed and several of these have been determined to be load bearing walls. In order to accomplish this, a structural engineer will have to be hired to design structural supports for the roof. This facility is currently not equipped with video surveillance equipment and this would definitely need to be installed. While this building is a brick building, it has wood exterior directly above and below each window. Due to this, the interior area around each window would have to be secured with steel bars from the floor to the ceiling.

Listed below is the projected estimated upfront cost it would take to relocate the employee pharmacy to 226 Bradford Avenue.

<u>Item</u>	<u>Projected Cost</u>
Back-up Generator	\$50,000
Engineering Services	\$20,000
Security	\$70,000
Fire Panel Upgrade	\$8,000
Construction - HVAC, Walls, Ceilings	\$100,000
IS Needs	\$4,000
Move	<u>\$6,500</u>
Sub-Total	\$258,500
10 % Contingency	\$25,850
Total	\$284,350

Please keep in mind that this does not include the reoccurring operating cost for the security that will be installed. It is also important to note that this cost is solely for the employee pharmacy relocation and that the cost of renovating the employee clinic space is not included and still projected to be around \$25,000.

Due to the significant cost of relocating the employee pharmacy, the initial plan presented to relocate Risk Management in conjunction with the employee clinic seems to be the most cost effective move at the present time. Not to mention, this move would allow the overcrowded Information Systems (IS) Department to expand into the space vacated by Risk Management.

This was presented and approved by the Facilities Committee on November 6th.

RECOMMENDATION/PROPOSED ACTION:

The Engineering and Infrastructure Director, County Management, and the Facilities Committee recommend that the Board of Commissioners approve the following recommendations;

1. Approve the move of the employee clinic along with Risk Management to 226 Bradford Avenue.
2. Establish a renovation budget of \$25,000.
3. Allow the IS Department to utilize the space that is being vacated by the relocation of Risk Management.

**COUNTY OF CUMBERLAND
BUDGET REVISION REQUEST**

Budget Office Use	
Budget Revision No.	B15-147
Date Received	11/6/2014
Date Completed	

Fund No. 101 Agency No. 411 Organ. No. 4112
 Organization Name: Facilities Maintenance

REVENUE

Revenue Source Code	Description	Current Budget	Increase (Decrease)	Revised Budget
9901	Fund Balance Appropriated	0	25,000	
			25,000	-

EXPENDITURES

Object Code	Appr Unit	Description	Current Budget	Increase (Decrease)	Revised Budget
351H	037	Employee Clinic/Risk Management	0	25,000	25,000
Total			0	25,000	25,000

Justification:

Revision in the amount of \$25,000 to appropriate fund balance for the renovations at 226 Bradford Ave; for the relocation of the Employee Clinic and Risk Management.

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

Submitted By: _____ Department Head	Date: _____	Approved By: _____ Date: _____ County Manager Board of County Commissioners Date: _____
Reviewed By: <u>Kelly A. [Signature]</u> Finance	Date: <u>11-6-14</u>	
Reviewed By: _____ Finance Director	Date: _____	
Reviewed By: <u>Meissa [Signature]</u> Assistant County Manager	Date: <u>11-12-14</u>	

AMY H. CANNON
County Manager

MELISSA C. CARDINALI
Assistant County Manager

JAMES E. LAWSON
Deputy County Manager



CUMBERLAND
★ **COUNTY** ★
NORTH CAROLINA

ITEM NO. 2E(1-3)

OFFICE OF THE COUNTY MANAGER

MEMORANDUM FOR BOARD OF COMMISSIONERS AGENDA OF NOVEMBER 17, 2014

TO: BOARD OF COUNTY COMMISSIONERS
FROM: AMY H. CANNON, COUNTY MANAGER *Amy H Cannon*
DATE: NOVEMBER 12, 2014
SUBJECT: APPROVAL OF CUMBERLAND COUNTY POLICY COMMITTEE
REPORT AND RECOMMENDATION(S)

BACKGROUND

The Cumberland County Policy Committee met on Thursday, November 6, 2014 and discussed the following:

- 1) Request to Modify the Civic Center Commission Membership
- 2) Reconsideration of Economic Development Incentives Agreement for MBM Hospitality, LLC.
- 3) Engage K& L Gates to Negotiate with BCBS for the Acceptance of Third Party Premium Payments

Separate memos for each item are attached and the draft minutes of the Policy Committee are also attached for your convenience.

RECOMMENDATION/PROPOSED ACTION

Approve the recommendations of the Cumberland County Policy Committee.

/ct

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CUMBERLAND COUNTY POLICY COMMITTEE
COURTHOUSE, 117 DICK STREET, 5TH FLOOR, ROOM 564
NOVEMBER 6, 2014 – 10:00 A.M.
MINUTES

MEMBERS PRESENT: Commissioner Jimmy Keefe, Chairman
Commissioner Charles Evans
Commissioner Ed Melvin

OTHER COMMISSIONERS
PRESENT:

Chairman Jeannette Council
Commissioner Marshall Faircloth
Commissioner Kenneth Edge
Commissioner Billy King

OTHERS PRESENT:

Amy Cannon, County Manager
James Lawson, Deputy County Manager
Rick Moorefield, County Attorney
Sally Shutt, Governmental Affairs Officer
Melissa Cardinali, Assistant County Manager for Finance/
Administrative Services
Buck Wilson, Public Health Director
Russ Rogerson, Fayetteville Regional Chamber
George Turner, Civic Center Commission
Rochelle Small-Toney, City of Fayetteville
Naynesh Mehta, MBM Hospitality
Manish Mehta, MBM Hospitality
Richard Wiggins, Attorney for MBM Hospitality
Candice White, Clerk to the Board
Kellie Beam, Deputy Clerk to the Board
Press

Commissioner Keefe called the meeting to order.

1. APPROVAL OF MINUTES – SEPTEMBER 4, 2014 REGULAR MEETING

MOTION: Commissioner Melvin moved to approve the minutes.
SECOND: Commissioner Evans
VOTE: UNANIMOUS (3-0)

2. CONSIDERATION OF APPROVAL OF A REQUEST TO MODIFY THE CIVIC CENTER COMMISSION MEMBERSHIP

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BACKGROUND:

In 1991, the North Carolina General Assembly enacted a law creating the Cumberland County Civic Center Commission. The legislation provided for a sixteen (16) member board: the County Manager serving in an ex-officio and nonvoting capacity and fifteen (15) citizens appointed by the Board of Commissioners. The Civic Center Commission has requested the Board of Commissioners not fill the six (6) seats on the Commission that are due to expire on January 1, 2015. The Civic Center Commission also requests that the Board of Commissioners requests the local delegation to the General Assembly submit a bill to reduce the number of citizens on the Civic Center Commission from fifteen (15) members to nine (9) members.

RECOMMENDATION:

The Policy Committee recommends the Board of Commissioners honor the request of the Civic Center Commission recorded above.

George Turner, Civic Center Commission Chairman, stated the request made by the Civic Center Commission follows the recommendation of the benchmark study provided by Johnson Consulting in the spring of 2013. Mr. Turner stated the Civic Center Commission's request is to reduce the membership which is currently 15 (15) members to nine (9) members. Mr. Turner stated six (6) seats on the Civic Center Commission are due to expire on January 1, 2015 and are not eligible for reappointment. Mr. Turner further stated if those six (6) seats are not filled it would leave nine (9) members on the Civic Center Commission.

Mr. Turner stated the Civic Center Commission would also like to see more representation on the Civic Center Commission from the outlying municipalities such as Godwin, Falcon and Stedman.

MOTION: Commissioner Melvin moved to recommend to the full board to approve the request of the Civic Center Commission to request a local act to reduce the size of the Civic Center Commission to nine members and not fill the six (6) upcoming vacancies which expire on January 1, 2015.

SECOND: Commissioner Evans

DISCUSSION:

Commissioner Evans stated he would like see a way for the Civic Center Commission to become more inclusive of members of neighboring municipalities and possibly have specific categories for individuals residing in Godwin, Falcon and Stedman. Mr. Moorefield stated the Board of Commissioners has the authority to appoint all nine (9) members to the Civic Center Commission. Commissioner Keefe stated his commitment to Commissioner Evans is to look at addresses when

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appointments come up to get a more geographical representation on the Civic Center Commission.

VOTE: UNANIMOUS (3-0)

3. RECONSIDERATION OF ECONOMIC DEVELOPMENT INCENTIVES AGREEMENT FOR MBM HOSPITALITY, LLC.

BACKGROUND:

After conducting a duly advertised public hearing, the Board of Commissioners approved an economic development incentive agreement for MBM Hospitality, LLC, on September 20, 2010. The project was the Embassy Suites Hotel constructed at 4760 Lake Valley Drive, Fayetteville, North Carolina. The agreement was drafted by the county attorney, signed by then Chairman Kenneth Edge and delivered to Bo Gregory at the Chamber of Commerce in March, 2011.

Naynesh Mehta, the managing member of MBM Hospitality, LLC, asked the county attorney in the summer of 2014 how MBM Hospitality, LLC, would receive the incentive payment for 2013, its first full year of operations. The county attorney explained that the agreement had never been returned so there was no basis for the county to pay the incentives. Mr. Mehta stated that he believed the agreement he signed with the City of Fayetteville covered both the city and county incentives.

The county attorney had further discussions with Richard Wiggins, the attorney for MBM Hospitality.

It is important to note that the proposed County Agreement also incorporates a provision that proportionally reduces the amount of the incentives paid for any year that the taxable value is reduced by the County Board of Equalization and Review, the State Property Tax Commission, or by the general county revaluation of all real property. The County's valuation of the hotel has been appealed to the State Property Tax Commission.

The Board of Commissioners approved the incentives as Level 2 under the joint incentives policy based on the information that was presented at that time. At Level 2, the incentives payments commence at a 60% grant-back of the property taxes actually paid. The company is still requesting the same level of incentives even though it does not qualify for incentives under the joint policy because it is not rated with at least fifty (50) points. The county attorney points out that even under the original levels of investment and jobs, the project only qualified for a Level I incentive under the policy.

MBM Hospitality did enter into an agreement with the City of Fayetteville that was based on the project creating seventy-six (76) full and part-time jobs that paid more than the county median, one hundred and one (101) full and part-time jobs for residents, and an increase in taxable investment of \$25 million. The City of Fayetteville Agreement was amended in July 2014, to reduce the taxable investment to \$22 million. The City of Fayetteville's incentive payments commenced at a 70% grant-back of taxes paid.

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It is apparent that different information about the project was submitted to the City and County. The county attorney cannot determine how the City Agreement came in at a Level 3 for incentives or even how the agreement approved by the county came in at a Level 2 for incentives.

The county attorney has calculated the points attributable to the project by the joint policy using both the part-time and full-time jobs; assuming the jobs have health insurance, retirement benefits, profit sharing and paid vacation; and at least five (5) jobs were created for persons living within two (2) miles of the site. This calculation is shown below:

		Orig. Points	Actual Points
Number of New Jobs Above the Median Wage	Points		
1-9	1		
10-20	2		2
21-50	5		
51-75	7		
76-100	9	9	
101-150	12		
150-200	15		
200+	20		
Total Possible Points	20		
Quality of New Jobs	Points		
Partial Employer Paid Health Insurance	1	1	1
Entire Employer Paid Health Insurance	3		
Retirement Benefits	2	2	2
Profit Sharing	2	2	2
Employer Paid Vacation	2	2	2
Employee-Owned Company	3		
Total Possible Points	10		
Number of Existing County Residents Hired	Points		
1-9	1		
10-20	2		
21-50	3		
51-75	5		
76-100	7		7
101-200	9	9	
200+	10		
Total Possible Points	10		
Project Location	Points		
Adopted Revitalization Zone	25		
City or County Business/Industrial Park	10		

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Military Business Activity Zone	10		
Total Possible Points	25		
Level of Capital Investment			
	Points		
Under \$500,000	1		
\$500,000-\$4,999,999	5		
\$5,000,000-\$14,999,999	10		
\$15,000,000-\$24,999,999	15		15
\$25,000,000 and Above	20	20	
Total Possible Points	20		
Environmental Impact			
	Points		
Reuse of Existing Building	4		
Location in LEED Certified Building	4		
Other sustainable features (recycling, water reuse, etc.)	2		
Total Possible Points	10		
Industry Cluster/Business Type			
	Points		
Defense Industry Cluster	6		
Company Headquarters	6		
Verified Supply-Chain/Sourcing Relationship with Cumberland County	4		
Total Possible Points	10		
Public Benefit			
Dedication in excess of statutory requirements	5		
Public infrastructure in excess of statutory requirements	5		
Creation of 5 or more jobs for residents within 2 miles	10	10	10
Total Possible Points	10		
Total Points Earned		55	41

Based on the county attorney's calculation and using the part-time jobs, the project was originally proposed earned fifty-five (55) points and as actually completed, it earns forty-one (41) points.

RECOMMENDATION/ACTION REQUESTED:

Consider whether to approve the new proposed agreement based on the project as completed with the provision to reduce the incentives proportionally with any further reduction in the taxable value.

Rick Moorefield, County Attorney, reviewed the background information and recommendation as recorded above and responded to questions.

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Mr. Moorefield stated his recommendation is to grant MBM Hospitality, LLC, incentives at a Level 1 under the policy because a commitment had been made to offer incentives and the details of the project had simply not been represented accurately to the Board of Commissioners, as demonstrated by the differences between the City's agreement and the County's original proposal.

Richard Wiggins, MBM Hospitality Attorney, stated they are certainly willing to accept the recommendation of the county attorney at this time and think that is a fair and equitable way to resolve this issue.

MOTION: Commissioner Evans moved to recommend to the full board consideration of approval to follow the county attorney's recommendation to award MBM Hospitality, LLC, Level 1 incentives.
SECOND: Commissioner Melvin
VOTE: UNANIMOUS (3-0)

4. RECONSIDERATION OF ECONOMIC DEVELOPMENT INCENTIVES POLICY

BACKGROUND:

The Board of Commissioners and the Fayetteville City Council adopted a Joint Economic Development Program in June 2010. The Chamber of Commerce requested the joint program to support its economic development activities. The Chamber of Commerce's economic developers believed it would enhance their efforts by having uniform program guidelines for discussions of incentives with prospective projects. The economic developers also sought the program as a means for the governing boards to consistently evaluate proposed projects.

Five (5) economic development incentive agreements have been approved by the Board of Commissioners since the program was adopted. Thus far, none of those agreements have been finalized. The first two (2) projects for which agreements were approved under the joint program would have been eligible for the first annual incentive payment this year. The first approved agreement was for MBM Hospitality. The Agreement was never signed by MBM Hospitality and MBM Hospitality is currently requesting a new agreement based on fewer jobs and less investment. The second agreement was with SSU. SSU never signed the original agreement and requested a different agreement based on fewer jobs and less investment a year after the initial approval. SSU did sign the second Agreement but did not make a request for its first annual incentive payment this year.

The points system for the percentage amount of the tax grant-back is just one component of the policy. The policy also requires that the project must serve a public purpose and must demonstrate that without the incentives, the project could not be developed sufficiently to accomplish the public purpose. The public purpose and economic

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justification considerations are required by State law and the joint policy is written consistently with that State law.

It is the opinion of the county attorney that the joint program with the City of Fayetteville is a good approach and should be maintained; however, it is also the county attorney's opinion that the program has been so loosely applied to specific projects that the benefits the economic developers hoped to gain have simply been lost. This is for two reasons. First, the public purpose and economic justification components of the policy have been ignored. This is important because projects should not even be evaluated under the points-system if either the public purpose or the economic justification requirements are not met. Second, the criteria-based points system has been manipulated to generate the greatest amount of incentives instead of being used to consistently evaluate projects to generate the amount of incentives that is justified by the program. That is why the first two (2) projects were unable to comply with their respective approved agreements.

The public purpose and economic justification component cannot be ignored because these are legal requirements under State law. The points-system should not be manipulated because the projects must demonstrate they have met the obligations agreed upon in exchange for the incentives. When the project cannot demonstrate fulfillment of its obligations, State law prohibits the award of the incentive, or when the incentive payment has already been made, requires that it be recovered by the county.

The county attorney believes the joint program can be implemented in such a way that it will produce the benefits the Chamber identified when it requested the City and County to adopt it in 2010. The process by which projects are evaluated must begin with the public purpose and economic justification analyses. Only those projects which qualify under the public purpose and economic justification components should be rated by the eligibility criteria. The eligibility criteria need to be rewritten to better address the type and scope of the project that we are seeing. Some of the criteria should be restated to simply minimize the degree to which the language is subject to interpretation.

The county attorney has discussed these issues with Russ Rogerson, Chamber of Commerce, and believes that Mr. Rogerson agrees that the program can be strengthened with minor changes to the process and language.

RECOMMENDATION/PROPOSED ACTION:

The county attorney recommends that the Policy Committee direct county staff work with appropriate city staff and Russ Rogerson to rewrite the program language to address the issues discussed above for further consideration by the Policy Committee at its January 2015 meeting. The county attorney anticipates that the City will also support these changes.

Mr. Moorefield reviewed the background information and recommendation/proposed action as recorded above and responded to questions.

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Mr. Moorefield stated he believes there is strong merit to having a joint policy between the City of Fayetteville and the County. Mr. Moorefield stated the current concept is good but the application of the concept and the language currently in place needs to be cleaned up. Mr. Moorefield stated his suggestion is to direct staff to work together with City staff and Chamber staff and come back with tweaks and changes in the language that everyone believes will be more useful for this purpose.

Commissioner Edge stated he feels there is a lack of communication and until the communication issue is cleaned up the policy revision will not fix anything.

Commissioner Faircloth stated he does not have a problem with the policy as written but he supports the policy being tweaked if it needs to be tweaked. Commissioner Faircloth stated all he wants is for the policy to follow State law and wants the Board of Commissioners to follow the policy. Commissioner Faircloth further stated the board has the authority to circumvent our own policy but does not have the authority to circumvent State law.

Commissioner Evans stated he feels the majority of the policy is good as written and he hopes that once it leaves the Board of Commissioners that it is presented in a manner that is reflective of what the board wanted.

Chairman Council stated she wants the City of Fayetteville and Cumberland County to be in agreement and work very closely together on this issue and feels there needs to be negotiating room in the policy. Commissioner Keefe stated he agrees with Chairman Council that it is imperative that the City and County agree on this policy.

Rochelle Small-Toney, City of Fayetteville, stated the City is more than willing to participate with the County on incentive programs. Ms. Small-Toney further stated she feels the points-system provides a certain amount of protection and she strongly recommends the points-system stay in the policy. Ms. Small-Toney stated she feels the governing bodies need to be flexible because some things may happen that prevent companies from meeting certain goals. Ms. Small-Toney stated she feels there should be a great deal of conversation with City and County staff before it reaches the governing boards and the incentives packages need to be thoroughly reviewed and not done in isolation of each other.

Mr. Rogerson stated communities have to have an incentives policy and it is very important for the City and County to communicate expectations clearly. Mr. Rogerson further stated when expectations are clearly made he is able to truly and accurately reflect the wishes of the City and County. Mr. Rogerson stated he agrees the policy needs to be tweaked because deals coming back in for reconsideration are not good for anyone. Mr. Rogerson stated he will work closely with County and City staff to bring back recommendations that meet everyone's expectations.

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Amy Cannon, County Manager, stated she agrees with everything that has been discussed and she has worked closely with the county attorney and the Chamber and will continue working closely with them to strengthen the current policy.

The consensus of the Policy Committee was to direct staff to work together with the City and Chamber and bring back recommendations to improve the current economic development policy.

5. DISCUSSION OF INFORMATION RELATED TO THE AFFORDABLE CARE ACT (ACA) IN THE DETENTION CENTER

BACKGROUND:

The intent is to share information related to the Affordable Care Act in the Detention Center, as it relates to a holistic approach to improve the Detention Center.

RECOMMENDATION/PROPOSED ACTION:

Consider areas to improve the Detention Center.

Commissioner Keefe stated he began having preliminary discussions about eighteen (18) months ago regarding the increasing number of detainees at the Detention Center and the potential high costs that goes with the care of each detainee and how the County could possibly save money. Commissioner Keefe further stated as he dug deep and realized the savings were only a small part of the overall picture of Jail Health and the ongoing issues with detainees.

Commissioner Keefe stated over 50% of detainees in the jail right now are clinically diagnosed mental health patients and there is an 89% recidivism rate which basically means nine (9) out of ten (10) detainees have been there before. Commissioner Keefe stated he would like to look at prevention rather than detention and would like a program that would allow the detainees to still get the medical services they receive after they leave the detention center. Commissioner Keefe further stated detainees that leave the jail no longer have access to counseling and/or medication and would fairly quickly end up back at the Detention Center.

Commissioner Keefe stated the idea came up to look into possibly enrolling the detainees into the Affordable Care Act (ACA). Commissioner Keefe stated the County is responsible for the medical care of the detainees and the only relief given is the state legislation that gives the County a 30% discount from the hospital for services the hospital provides to detainees. Commissioner Keefe stated if the County is able to get detainees on the ACA the County would save money and more importantly could reduce recidivism by having the detainees work with a case manager upon release.

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Commissioner Keefe stated there were a lot of agencies involved and introduced Buck Wilson, Public Health Director. Mr. Wilson stated he has been working with different agencies to see about getting the detainees on an insurance plan so they will have an insurance card inside of the jail and also when they get out of jail.

Commissioner Keefe stated if detainees were to get out of jail with an insurance card they would be able to continue receiving medication and healthcare. Commissioner Keefe stated the Mental Health Alliance has taken a holistic approach to mental health. James Lawson, Deputy County Manager, stated the Alliance has been looking at issues affecting communities in Cumberland County and the challenges in jail health is one of the many areas they are looking into. Mr. Lawson further stated access to care is very important but there are a number of other issues affecting detainees and case management is a piece they are looking at right now such as helping people get providers once they get out of jail and staying connected.

Commissioner Evans stated he feels there are other issues such as employment and housing that would help prevent recidivism. Mr. Wilson stated this is a very comprehensive plan and healthcare for detainees is a very small piece of a large puzzle. Commissioner Evans stated it is one piece of the puzzle that needs to be addressed but thinks it is premature to address the health insurance piece when he thinks the housing and employment piece should come first. Commissioner Evans further stated some medications are extremely expensive and he does not see how detainees will be able to keep up the insurance if they do not have a job or housing. Mr. Wilson stated this idea is from a public health standpoint and there are insurance plans that do not cost anything and agencies such as CC MAP that will help with medication assistance.

Commissioner Faircloth stated he feels this is a terrific idea and would like to see this take place as soon as possible. Chairman Council asked how much this would cost the County. Commissioner Keefe stated so far the case managers and everything discussed are within the current budget.

Commissioner Keefe stated in talking with the jailer, public health and the attorney there are a lot of merits in the idea but there is one road block which is that Blue Cross Blue Shield (BCBS) will not accept third party payers for health insurance. Commissioner Keefe further explained that state and federal agencies can do third party payments but local governments cannot. Commissioner Keefe stated some entities have challenged this and have received positive outcomes. Commissioner Keefe stated he would like to authorize K&L Gates, the law firm that represents the hospital and has expertise in these issues, send a letter to BCBS to determine if we can negotiate this issue with BCBS. Mr. Moorefield stated this should not be a very expensive matter for this firm to do and there were sufficient funds in the general litigation fund to pay for this.

Commissioner Keefe stated if the negotiation is successful it would help the county with some cost savings, help the county with detention center capacity and help jail recidivism while also helping providers that give out their services at 30% less and most importantly, helps the clients get back on their feet. Commissioner Keefe stated taking a

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proactive approach on mental health issues and even some physical health issues in our community could put detainees back into society instead of back in the jail.

Commissioner Faircloth stated he does not want to get too far down the road with any kind of commitments from the County other than this first step. Commissioner Faircloth further stated he feels this is a great first step that can lead to better things but he is not willing to commit beyond the first step until we know what is involved.

MOTION: Commissioner Melvin moved to recommend to the full board consideration of approval to authorize the county attorney to engage in outside legal counsel from the general litigation fund as long as it is within budget to ask Blue Cross Blue Shield to accept third party payments for this program.

SECOND: Commissioner Evans

VOTE: UNANIMOUS (3-0)

6. OTHER ITEMS OF BUSINESS

Commissioner Keefe thanked Commissioner Melvin for being a great committee member and commissioner. Commissioner Melvin thanked everyone on the committee and board and stated he will miss everyone and knows the County is moving in the right direction.

There were no other items of business.

MEETING ADJOURNED AT 11:37 AM

RICKEY L. MOOREFIELD
County Attorney



PHYLLIS P. JONES
Assistant County Attorney

ROBERT A. HASTY, JR.
Assistant County Attorney

OFFICE OF THE COUNTY ATTORNEY

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

**MEMO FOR THE AGENDA OF THE NOVEMBER 17, 2014
MEETING OF THE BOC**

TO: Board of Commissioners; Co. Manager
FROM: Asst. Co. Atty., *Phyllis Jones*
DATE: November 12, 2014
SUBJECT: Modification of the Number of Citizens on the Civic Center Commission

Background

In 1991, the North Carolina General Assembly enacted a law creating the Cumberland County Civic Center Commission. The legislation provided for a 16-member board: the County Manager serving in an ex officio and nonvoting capacity and 15 citizens appointed by the BOC. The Civic Center Commission has requested the BOC not fill the six seats on the Commission that are due to expire on January 1, 2015. The Commission also requests that the BOC requests the local delegation to the General Assembly submit a bill to reduce the number of citizens on the Commission from fifteen to nine. See the attached minutes of the September 2014 meeting of the Commission and the letter from George Turner, Chair of the Commission.

On November 6, 2014, the Policy Committee voted to recommend the BOC honor the request of the Civic Center Commission.

RECOMMENDATION

The BOC honors the request of the Civic Center Commission by not filling the six seats on the Commission due to expire on January 1, 2015 and requesting the local delegation to the General Assembly submit a bill to reduce the number of citizens on the Commission from fifteen to nine.



MEMORANDUM FOR THE BOARD OF COMMISSIONERS AGENDA OCTOBER 20, 2014

TO: BOARD OF COUNTY COMMISSIONERS

**FROM: GEORGE TURNER, CHAIRMAN
CUMBERLAND COUNTY CIVIC CENTER COMMISSION**

DATE: OCTOBER 4, 2014

**SUBJECT: REQUEST TO MODIFY THE CIVIC CENTER COMMISSION
MEMBERSHIP**

.....

BACKGROUND:

At the Tuesday, September 30, 2014 meeting, the Cumberland County Civic Center Commission took action approving a motion to present a request to the Board of County Commissioners to not fill the six (6) upcoming vacancies on the Civic Center Commission, due to expire on January 1, 2015, and to have a charter revision submitted to the General Assembly modifying the commission's membership to consist of nine (9) members; thereby, proportionately aligning the Commission with the recommendation provided in the June 2013 Johnson Consulting, Inc. Performance Audit.

RECOMMENDATION/PROPOSED ACTION:

1. Approve the request to not fill the six (6) upcoming vacancies which expire on January 1, 2015.
2. Submit a charter revision to the General Assembly modifying the commission's membership to nine (9) members

cc: County Attorney's Office

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CUMBERLAND COUNTY CIVIC CENTER COMMISSION
SPECIAL MEETING MINUTES
CROWN BOARDROOM
TUESDAY, SEPTEMBER 30, 2014
5:30 PM

Members in Attendance

George Turner, Chairman
Ryan Aul
Edith Bigler
Judy Dawkins
McBryde Grannis
Mark Lynch
Ramona Moore
Nat Robertson
Robert C. Williams
Pat Williford
Elizabeth Varnedoe
William "Bill" Tew

Liaisons in Attendance

Commissioner Jimmy Keefe, County Board of Commissioners

County Staff in Attendance

Phyllis Jones, Assistant County Attorney

Global Spectrum Staff in Attendance

Douglas Higgons, Regional Vice-President
James Grafstrom, General Manager
Krista Barnhill, Director of Finance
Rita Perry, Human Resources/ Office Manager (Acting Clerk)

Centerplate Staff in Attendance

William Tracy, Regional Vice-President
Brian Gaskill, General Manager

Members Absent

Olivia Chavis
Wayne Beard, Sr., Vice-Chairman
Thaddeus Jenkins, Secretary

.....
ITEM 1: CALL TO ORDER

Chairman Turner called the meeting to order at 5:38 PM.

ITEM 2: INVOCATION AND PLEDGE OF ALLEGIANCE

The invocation was offered by Mrs. Dawkins; thereafter, Mrs. Dawkins led the Pledge of Allegiance to the American Flag.

ITEM 3: CITIZEN CONCERNS – Chairman Turner / Mr. Grafstrom

There were no citizen concerns.

ITEM 4: APPROVAL OF AUGUST 26, 2014 MEETING MINUTES

MOTION: Mrs. Varnedoe moved to approve the minutes as presented.
SECOND: Mr. Lynch
VOTE: UNANIMOUS (12-0)

ITEM 5: CATERING & CONCESSION REPORT - Brian Gaskill, General Manager

Mr. Gaskill provided a catering and concession update as follows:

- Main concourse bar – named "Backstage Bar"
 - Photos of past events would be displayed and changed in accordance with type of show
- Theatre and arena concession updates were being researched
- Upcoming products

Chairman Turner questioned whether Cinnabons were a permanent menu item. Mr. Gaskill responded in the affirmative.

Mr. Lynch made an inquiry regarding the planned concessions for the Community Concert series. Mr. Gaskill stated wraps, fruit trays and possibly an upstairs bar.

Mr. Robertson questioned whether all the bars would have all products available and credit card readers. Mr. Gaskill answered in the affirmative.

Chairman Turner presented a plaque on behalf of the commission and requested it be bestowed upon Jihad "Jimmy" Musa in recognition and appreciation for his service at the Crown Complex.

ITEM 6: FINANCE & GENERAL MANAGER'S REPORTS –Mr. Grafstrom

Finance - Mr. Grafstrom presented the August 2014 Finance Reports by summarizing the consolidated income statements. Mr. Grafstrom reviewed the rolling forecast and aspects that could influence the results. Mr. Grafstrom stated that suites and signage revenue would increase throughout the year.

Mr. Grafstrom concluded with an overview of summer events that customarily had not occurred in the past.

MOTION: Mr. Robertson moved to accept the August 2014 Financial Report.
SECOND: Mr. Williams
VOTE: UNANIMOUS (12-0)

(August 2014 Financial Report is hereby incorporated by reference and made a part of these minutes)

General Manager - Mr. Grafstrom provided the General Manager's Report as follows:

- Reviewed the results of the audit report
 - Internal controls were solid
 - No deficiencies detected
 - Passed with flying colors
- Incentive fee approved and distributed
- Venues Today, a national publication, ranked the Crown Complex the 4th top stop for entertainment in the Carolinas for 2014. 11th was the Crown Complex's highest ranking in the past.

Commission Keefe questioned how many venues. Mr. Grafstrom stated 12-20.

- Reviewed Crown theatre renovation needs:
 - Logistical Issues
 - Performance Stage Quality
 - Production Challenges and Deficiencies
 - Lackluster Patron Experience

A discussion ensued regarding the various inadequacies and the need to procure an architect, the estimated cost and timeframe during which the theatre would be inoperable.

Mr. Lynch requested local architect firms be given the opportunity to submit proposals during the RFP process.

MOTION: Mr. Lynch moved to develop a proposal to request architectural service to procure cost of the theatre renovations.
SECOND: Mr. Robertson
VOTE: UNANIMOUS (12-0)

- Crown Pub Update

ITEM 7: OLD BUSINESS

- **Small Claims Settlement Request** -Ms. Jones summarized the judgment as follows:
Cumberland County Civic Center Commission was awarded a small claims judgment against Vehicle Processing Center of Fayetteville in the amount of \$5,150 (\$5,000 principal amount + \$150 interest). To date the total amount due to date was \$5,902.85 (\$5,000 original amount + \$126.00 court cost + \$776.85 interest which accrues daily in the amount of \$1.10) and that the Clerk of Courts Office only processed payments in full.

Vehicle Processing Center of Fayetteville has requested that the Commission accept \$5,150 as payment in full thereby waiving the interest and court costs.

Ms. Jones stated that the County Attorney's Office has no recommendation.

MOTION: Mr. Lynch moved to accept the original judgment amount thereby waiving the additional interest and court cost.
SECOND: Mrs. Moore
VOTE: UNANIMOUS (12-0)

Mr. Grannis questioned whether the Crown would rent VPC another suite. Mr. Grafstrom confirmed there was interest and stated appropriate payment methods would be required.

- **NCDOT Meeting Overview** - Mr. Robertson provided an overview of the meeting he attended regarding proposed improvement on Hwy 301 and stated he requested DOT to assist with the traffic related to the Crown Complex. Mr. Robertson conveyed that plans were being negotiated.

ITEM 8: NEW BUSINESS

- **Civic Center Commission Membership Modification Proposal** – Mr. Robertson suggested that the Cumberland County Civic Center Commission present a request to the Board of County Commissioners to not fill the six (6) upcoming vacancies on the Civic Center Commission, due to expire on January 1, 2015, and to have a charter revision submitted to the General Assembly modifying the commission's membership to consist of nine (9) members; thereby, making the Commission proportionate with the recommendation provided in the June 2013 Johnson Consulting, Inc. Performance Audit.

Mr. Tew stated he could see reducing the size of the commission and a smaller number of members may not allow for representation of the County.

Mr. Aul stated he was in favor of the reduction, conveyed the challenge of writing by-laws for a 15-member board and stated nine members would be large enough.

Mr. Lynch stated that the consultants affirmed that the size of the commission was too large and recommended a reduction.

Chairman Turner asked Mr. Higgons whether Global Spectrum encountered other boards that were this large. Mr. Higgons responded in the negative.

MOTION: Mr. Aul moved to submit a request to the Board of County Commissioners to not fill the six (6) upcoming vacancies on the Civic Center Commission, due to expire on January 1, 2015, and to have a charter revision submitted to the General Assembly modifying the commission's membership to consist of nine (9) members.

SECOND: Mrs. Moore

VOTE: 11-1 (Mr. Tew in opposition)

ITEM 9: COMMENTS - County Management/City of Fayetteville/Board Members/Fort Bragg/Staff

- A briefing discussion ensued regarding a previously discussed proposed land acquisition.

ITEM 10: CLOSED SESSION
There was no closed session.

ITEM 11: ADJOURNMENT
The meeting was adjourned at 6:29 PM.

George Turner, Chairman

Thaddeus Jenkins, Secretary

GENERAL ASSEMBLY OF NORTH CAROLINA
1991 SESSION

CHAPTER 27
HOUSE BILL 215

AN ACT TO MODIFY THE STATUTES GOVERNING THE CUMBERLAND
MEMORIAL AUDITORIUM COMMISSION.

Whereas, the General Assembly, on April 28, 1965, created the Cumberland Memorial Auditorium Commission to provide the most efficient management and beneficial use and enjoyment of the Cumberland County Auditorium and its facilities; and

Whereas, there is a need to change the name, organization, and functions of the Cumberland Memorial Auditorium Commission; Now, therefore,

The General Assembly of North Carolina enacts:

Section 1. Section 1 of Chapter 360 of the 1965 Session Laws, as amended by Section 6 of Chapter 983 of the 1984 Session Laws, reads as rewritten:

"(a) ~~Cumberland Auditorium-County Civic Center~~ Commission. There is hereby created in Cumberland County a commission to be known as the Cumberland Memorial Auditorium-County Civic Center Commission which shall have the powers and duties hereinafter set forth.

(b) Membership; Terms of Office. ~~The Commission shall consist of fifteen (15) members who shall be residents of Cumberland County appointed by the Board of County Commissioners of Cumberland County immediately after the date when this Act becomes effective.~~ The Commission shall consist of 16 members. Fifteen members shall be residents of Cumberland County and shall be appointed by the Board of County Commissioners. The sixteenth member shall be the County Manager of Cumberland County who shall serve in an ex officio and nonvoting capacity and without limit as to term.

- (1) Five ~~(5)~~ of the first members of the Commission shall be appointed for a term of one ~~(1)~~ year, five ~~(5)~~ for a term of two ~~(2)~~ years, and five ~~(5)~~ for a term of three ~~(3)~~ years. Upon the expiration of each of the terms, the Board of County Commissioners shall appoint successor members of the Commission who shall each serve for terms of three ~~(3)~~ years and until their successors are appointed for like terms. Any member of the Commission may be reappointed for successive terms.
- (2) Vacancies occurring on the Commission otherwise than by expiration of a term shall be filled by appointment for the unexpired term of the vacant office.

- (3) From its membership the Commission shall at its first meeting, and annually thereafter, elect a ~~chairman, vice chairman, and secretary.~~ Chairman, Vice-Chairman, and Secretary. These officers shall hold office for one year or until their successors are duly elected. ~~The County Manager of Cumberland County shall by virtue of his office also be the treasurer of the Commission. All funds received or handled by the Commission shall be subject to the control of the treasurer who shall prescribe the way and manner all such funds shall be collected, held, disbursed and accounted for. A yearly budget shall be prepared and submitted to the County Board of Commissioners for approval along with any request for an operation attached levy or any request for public funds to be used in the operation of the auditorium facilities. The Board of County Commissioners shall select the auditor of the Commission's accounts.~~
- (4) The officers elected together with ~~one other member~~ two other members of the Commission, who will also be elected at the first meeting of the Commission and annually thereafter, shall constitute the Executive Committee of the Commission. ~~In order to provide for the most efficient operation of the business of the Commission, the Executive Committee shall have sole power and authority over the management and operation of the facilities and to conduct the Commission's business within the policies as are from time to time adopted by the Commission, and all powers and authority not specifically reserved for action of the full Commission under its bylaws shall be vested in the Executive Committee. The Executive Committee shall perform those duties and functions specified in the bylaws of the Commission.~~
- (5) Regular meetings of the Commission shall be held ~~quarterly and special monthly.~~ Special meetings may be called by the ~~chairman or any two (2) members of the Executive Committee upon twenty four 24 hours' written notice to the members stating the purpose of the meeting.~~ Chairman or a majority of the voting members of the Commission. Attendance of ~~not less than eight (8) members~~ shall constitute a quorum for the purpose of transaction of business at any regular or special meeting.
- (6) The Commission may adopt, and from time to time amend, bylaws to implement its organization and provide for the orderly conduct of its affairs.
- (7) All funds received or handled by the Commission shall be subject to the control of the Finance Officer of Cumberland County who shall prescribe the way and manner these funds shall be collected, held, disbursed and accounted for. The Board of County Commissioners shall select the Auditor of the Commission's accounts.

- (8) The Commission shall prepare an annual budget and submit it to the Board of County Commissioners for approval, in a format prescribed by the County Manager, along with any requests for capital improvements or any requests for public funds to be used in the construction or operation of the Civic Center facilities.

(c) Powers, Purpose and Duties of Commission. The powers, purpose and duties of the Cumberland Memorial Auditorium County Civic Center Commission shall include:

- (1) The establishment and management of a memorial fund as a means by which donations may be solicited, received and used in the construction, equipment, decoration, maintenance or operation of the ~~auditorium,~~ Civic Center, its allied facilities and grounds and appropriate recognition made to the memory of persons to be memorialized.
- (2) To assist, in advisory capacity, the Board of County Commissioners in planning for and construction of the facility, and carry out any duty or assignment expressly delegated to it by resolution of the Board of County Commissioners.
- (3) To operate the ~~public auditorium~~ Civic Center facility under the terms and conditions prescribed by the Board of County Commissioners.
- (4) To study, plan, and program for the highest and best use of the facilities committed to it for public use, edification and enjoyment.
- (5) The power to make such reasonable rules and regulations for its own proper organization and procedure and the management, use, control, improvement, equipment, upkeep, and safekeeping of the facilities, properties, and funds committed to its charge, including the receipts and expenditures of such funds committed to its charge, including the receipts and expenditures of such funds as may be or become available for the improvement or management thereof and the use of such facilities as well as spectators' or participants' entrance fees and provided such rules and regulations do not conflict with and are not inconsistent with the laws of the State of North Carolina or ordinances of Cumberland County.
- (6) The employment of a manager and ~~such~~ other employees as may be necessary for the proper implementation of the purposes and duties of the Commission.
- (7) The power to contract and be contracted with, to rent, acquire, hold, exchange, transfer and convey property of any kind, to sue and be sued in its own name or the Cumberland Memorial Auditorium County Civic Center Commission as a corporate body by its officers in the same manner, as a business corporation subject to the limitations herein contained.

(d) Limitation on Powers. The Commission shall not have the power to perform the following:

- (1) Mortgage or encumber property owned by it or under its control or supervision otherwise than as herein provided.
- (2) Borrow money from any source whatsoever, but the Cumberland County Board of Commissioners may in its discretion advance and lend to the Commission in anticipation of uncollected taxes such sums, not exceeding in the aggregate at any time the total amount of taxes theretofore levied for the purposes of the Commission and the remaining uncollected, and shall reimburse itself for such amounts out of such taxes as and when collected. Provided also these limitations shall not be construed to prohibit purchases by the Commission on a time or deferred payment plan or purchase contract.
- (3) Use any property or funds belonging to the Commission or under its control for any pecuniary gain whatsoever of any member of the Commission, nor shall the Commission purchase from, contract with, nor grant license or concession to any person, firm or corporation in which any member of the Commission has a monetary interest directly or indirectly.
- (4) Collect, receive, deposit, disburse, or otherwise handle, and account for all funds only in such manner as is prescribed by the ~~Treasurer~~ Finance Officer of Cumberland County.
- (5) No member of the Commission shall receive or accept any fee, gratuity or thing of value in payment for any act to be done or not to be done by the Commission save and except such salary as may be prescribed by the Board of County Commissioners.
- (6) Upon dissolution of the Commission or upon termination of its connection with the operation of the facilities by resolution of the Board of County Commissioners, all funds and property acquired, held or accumulated by the Commission shall become the funds and property of Cumberland County."

Sec. 2. Section 3 of Chapter 360 of the 1965 Session Laws, as amended by Section 6 of Chapter 983 of the 1984 Session Laws, reads as rewritten:

"Sec. 3. Special auditorium tax funds, if authorized and levied, and nontax revenues may, in the discretion of the Board of County Commissioners, be turned over to the Commission to be used in operating, equipping, improving and maintaining. Occupancy tax revenues as authorized in AN ACT TO AUTHORIZE AND IMPLEMENT AN OCCUPANCY TAX IN CUMBERLAND COUNTY may be utilized by the ~~Auditorium-County Civic Center~~ Commission, as approved by the ~~board of county commissioners, Board of County Commissioners,~~ in aiding and encouraging convention and visitor promotion in Cumberland County."

Sec. 3. This act is effective upon ratification.

In the General Assembly read three times and ratified this the 1st day of April, 1991.

James C. Gardner
President of the Senate

Daniel Blue, Jr.
Speaker of the House of Representatives

RICKEY L. MOOREFIELD
County Attorney



ITEM NO. 2 E (2)

PHYLLIS P. JONES
Assistant County Attorney

ROBERT A. HASTY, JR.
Assistant County Attorney

OFFICE OF THE COUNTY ATTORNEY

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

**MEMO FOR THE AGENDA OF THE NOVEMBER 17, 2014,
MEETING OF BOARD OF COMMISSIONERS**

TO: Board of Commissioners; Co. Manager; Richard Wiggins, Attorney for
MBM Hospitality; Russ Rogerson
FROM: Co. Atty. *R. Moorefield*
DATE: November 12, 2014
SUBJECT: Approval of Economic Development Incentives Agreement for MBM
Hospitality, LLC

Attachment: Economic Development Incentives Agreement for MBM Hospitality, LLC

BACKGROUND:

After conducting a duly advertised public hearing, the Board of Commissioners approved an economic development incentive agreement for MBM Hospitality, LLC, on September 20, 2010. The project was the Embassy Suites Hotel constructed at 4760 Lake Valley Drive, Fayetteville. The agreement was drafted by the county attorney, signed by then-Chairman Kenneth Edge and delivered to Bo Gregory at the Chamber of Commerce in March, 2011.

Naynesh Mehta, the managing member of MBM Hospitality, LLC, asked the county attorney in the summer of 2014 how MBM would receive the incentive payment for 2013, its first full year of operations. The county attorney explained that the agreement had never been returned so there was no basis for the county to pay the incentives. Mr. Mehta stated that he had believed the agreement he signed with the City of Fayetteville covered both the city and county incentives. The county attorney had further discussions with Richard Wiggins, the attorney for MBM Hospitality, and drafted a proposed new agreement based on that discussion.

The City of Fayetteville also approved an incentives agreement for this project. The City's agreement was signed by the parties in March, 2011. The City's agreement was amended in July, 2014. A summary of the key provisions in the Original City Agreement, the Amended City Agreement, the Approved County Agreement, and the Proposed County Agreement is provided in the following table:

	City Agreement	City Amendment (7-31-2014)	County Approved Agreement	Proposed Agreement
Company	MBM Hospitality, LLC	MBM Hospitality, LLC	MBM Hospitality, LLC	MBM Hospitality, LLC, and an affiliated corporation
Project	165 rooms; 18,000 sq. ft. conference center	165 rooms; 18,000 sq. ft. conference center	160 rooms; 18,000 sq. ft. conference center	165 rooms; 12,000 sq. ft. conference center
No. of Jobs > County Median	76 full and part-time	76 full and part-time	76 full-time	18 full-time
No. of Total Jobs for County Residents	101 full and part-time	101 full and part-time	101 full-time	78 full and part-time
Investment/Increase in Taxable Value	\$25 million	\$22 million	\$25 million	\$15 million +
Incentives Level	Level 3	Level 3	Level 2	Level 2

It is important to note that the proposed new agreement also incorporates a provision that proportionally reduces the amount of the incentive paid for any year that the taxable value is reduced by the County Board of E&R, the State Property Tax Commission, or by the general county revaluation of all real property. The county's valuation of the hotel has been appealed to the State Property Tax Commission.

The Board approved the incentives as Level 2 under the joint incentives policy based on the information that was presented at that time. At Level 2, the incentives payments commence at a 60% grant-back of the property taxes actually paid. The company is still requesting the same level of incentives even though it does not qualify for incentives under the joint policy because it is not rated with at least 50 points. The county attorney points out that even under the original levels of investment and jobs, the project only qualified for a Level 1 incentive under the policy.

The company did enter into an agreement with the City of Fayetteville that was based on the project creating 76 full and part-time jobs that paid more than the county median, 101 full and part-time jobs for residents, and an increase in taxable investment of \$25 million. The City Agreement was amended in July, 2014, to reduce the taxable investment to \$22 million. The City's incentives payments commenced at a 70% grant-back of taxes paid.

It is apparent that different information about the project was submitted to the City and County. The county attorney cannot determine how the City Agreement came in at a Level 3 for incentives or even how the agreement approved by the county came in at a Level 2 for incentives.

The county attorney has calculated the points attributable to the project by the joint policy using (1) both the part-time and full-time jobs; (2) assuming the jobs have health insurance, retirement benefits, profit sharing and paid vacation; and (3) at least 5 jobs were created for persons living within 2 miles of the site. This calculation is shown below:

		Orig. Points	Actual Points
Number of New Jobs Above the Median Wage	Points		
1-9	1		
10-20	2		2
21-50	5		
51-75	7		
76-100	9	9	
101-150	12		
150-200	15		
200+	20		
Total Possible Points	20		
Quality of New Jobs	Points		
Partial Employer Paid Health Insurance	1	1	1
Entire Employer Paid Health Insurance	3		
Retirement Benefits	2	2	2
Profit Sharing	2	2	2
Employer Paid Vacation	2	2	2
Employee-Owned Company	3		
Total Possible Points	10		
Number of Existing County Residents Hired	Points		
1-9	1		
10-20	2		
21-50	3		
51-75	5		
76-100	7		7
101-200	9	9	
200+	10		
Total Possible Points	10		
Project Location	Points		
Adopted Revitalization Zone	25		
City or County Business/Industrial Park	10		
Military Business Activity Zone	10		
Total Possible Points	25		
Level of Capital Investment	Points		
Under \$500,000	1		
\$500,000-\$4,999,999	5		
\$5,000,000-\$14,999,999	10		
\$15,000,000-\$24,999,999	15		15
\$25,000,000 and Above	20	20	
Total Possible Points	20		
Environmental Impact	Points		

Reuse of Existing Building	4		
Location in LEED Certified Building	4		
Other sustainable features (recycling, water reuse, etc.)	2		
Total Possible Points	10		
Industry Cluster/Business Type	Points		
Defense Industry Cluster	6		
Company Headquarters	6		
Verified Supply-Chain/Sourcing Relationship with Cumberland County	4		
Total Possible Points	10		
Public Benefit			
Dedication in excess of statutory requirements	5		
Public infrastructure in excess of statutory requirements	5		
Creation of 5 or more jobs for residents within 2 miles	10	10	10
Total Possible Points	10		
Total Points Earned		55	41

Based on the county attorney's calculation and using the part-time jobs, the project as originally proposed earned 55 points and as actually completed, it earns 41 points.

RECOMMENDATION/PROPOSED ACTION:

At its meeting held November 6, 2014, the Policy Committee approved the county attorney's recommendation to grant Level 1 economic development incentives to this company of 50% for five years. The company owners indicated they would accept this offer of incentives.

ECONOMIC DEVELOPMENT INCENTIVE AGREEMENT

between

MBM HOSPITALITY, LLC, a North Carolina Limited Liability Company

and

CUMBERLAND COUNTY, NORTH CAROLINA

Approved by the Board of Commissioners September 20, 2010

Reconsidered by the Board of Commissioners November 17, 2014

THIS ECONOMIC DEVELOPMENT INCENTIVE AGREEMENT is dated the last date executed by either party to be effective according to the terms set forth herein (as supplemented or amended, this "Agreement"), and is between **MBM HOSPITALITY, LLC**, a North Carolina limited liability company, its affiliate **MBM LEGACY, INC.**, a North Carolina corporation, (collectively the "Company"); and **CUMBERLAND COUNTY, NORTH CAROLINA**, a body politic and corporate and a political subdivision of the State of North Carolina (the "County"). The Company and the County may from time to time hereinafter be referred to individually as a "Party" or collectively as the "Parties."

RECITALS:

WHEREAS, the Local Development Act of 1925, as amended (Article 1 of Chapter 158 of the North Carolina General Statutes) grants counties the authority to make appropriations for the purposes of aiding and encouraging the location or expansion of certain business enterprises in the county or for other purposes, which the county's governing body finds in its discretion will increase the population, taxable property base and business prospects of the county; and

WHEREAS, the purpose of this Agreement is to describe certain incentives to be provided by the County to the Company in connection with the Company's development of a project consisting of the construction and operation of a hotel containing at least 160 rooms with a 12,000 sq. ft. conference facility located on the parcel with PIN # 0418-04-4058 in the City of Fayetteville, NC (the "Project"); and

WHEREAS, in connection with that purpose and in accordance with North Carolina General Statutes § 158-7.1, the Cumberland County Board of Commissioners (the "Board of Commissioners") held a public hearing on September 20, 2010, regarding the proposed incentives to be provided by the County to the Company, which incentives are set forth in this Agreement, and the Board of Commissioners found such incentives and this Agreement to be in the public interest and to further the public health, safety and welfare; and

WHEREAS, the Company acknowledges that such incentives are an inducement for the Company to construct and operate the Project in the County and these incentives are necessary for financing the Project.

NOW, THEREFORE, for and in consideration of the mutual promises and covenants contained in this Agreement, and for other good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, the Parties hereby agree as follows:

ARTICLE I: DEFINITIONS; RULES OF CONSTRUCTION

1.0. Definitions. In addition to terms defined elsewhere within this Agreement, for all purposes of this Agreement the following defined terms shall have the following meanings:

“Annual Incentive Payments” means the five (5) annual payments to be made by the County to the Company by March 1st of each year beginning in year 2014 through 2018. Such payments are calculated pursuant to Article IV below.

“Company” means MBM Hospitality, LLC, and any parent, subsidiary or affiliate entity or any successor entity resulting from its merger with any other entity and having an ownership interest in the Project or any component of the Project. “Company” shall specifically include MBM Legacy, Inc., an affiliate entity which owns the business personal property located on the premises.

"Direct Investment" means the cumulative total as of January 1, 2013 of the increase in taxable ad valorem value of all land, buildings, real property improvements, furniture, fixtures and equipment purchased, constructed, and/or installed by the Company or on its behalf as part of the Project, regardless of the funding source for any such items, over the ad valorem taxable value of such property as listed effective January 1, 2010.

“Property Taxes” means the county-wide ad valorem property tax levied by the County, but not any fire tax district taxes, fire service district taxes, and recreation service district taxes.

"State" means the State of North Carolina.

1.1. Rules of Construction. Unless the context otherwise indicate:

(a) words implying the singular shall include the plural and vice versa, and words implying the masculine gender shall include the feminine and neuter genders as well;

(b) any references to Articles, Sections or Exhibits are references to Articles, Sections and Exhibits of this Agreement;

(c) all references to officers are references to County officers; and

(d) the headings herein are solely for convenience of reference and shall not constitute a part of this Agreement nor shall they affect its meanings, construction or effect.

ARTICLE II: FACILITY AND SITE CONSTRUCTION AND RENOVATIONS

- 2.0. The Company agrees that it completed the Project in order to enhance the local market availability of conference facilities and made the Direct Investment and created the numbers of jobs as provided in Article III.
- 2.1. The Company agrees that construction of the Project was carried out in material compliance with all applicable State and local laws and regulations and that the provision of water service, waste water services, roads, electric service, and any other utilities service to the boundaries of the Project Site are not the responsibility of the County.

ARTICLE III: OBLIGATIONS OF THE COMPANY TO DEVELOP AND OPERATE THE PROJECT

- 3.0. As consideration for receiving the Annual Incentive Payments described in this agreement, the Company agrees that it has developed and will continue to operate the Project in accordance with the following conditions:
 - 3.1. The Developer/Owner of the Project is MBM Hospitality LLC, a North Carolina limited liability company managed by Naynesh Mehta, and its affiliate, MBM Legacy, Inc., a North Carolina corporation for which Naynesh Mehta is a principal officer and director.
 - 3.2. The Project consists of a hotel containing at 165 rooms with a 12,000 sq. ft. conference facility located on the parcel with PIN # 0418-04-4058 in the City of Fayetteville, NC.
 - 3.3. Construction of the Project commenced on October 25, 2010 and was completed about April 24, 2012.
 - 3.4. The Project now provides at least 18 new, full-time jobs in Cumberland County at an average wage that is above the median wage for Cumberland County as reported by the North Carolina Department of Commerce through its employment data for Cumberland County for the most recent year available. The most recent reported median income for Cumberland County is \$15.11 per hour.
 - 3.5. The jobs created by the Project shall provide partial employer-paid health insurance benefits, retirement benefits, profit sharing benefits, and employer-paid vacation benefits.
 - 3.6. The Project shall provide new, full-time or part-time jobs for at least 78 existing Cumberland County residents.
 - 3.7. The Company agrees that upon completion and during its first full year of operations, the Project consisted of a Direct Investment in an amount of at least Fifteen Million Dollars (\$15,000,000). The Project shall maintain this level of Direct Investment for the first five full years of operation, subject to reasonable and customary reductions for

depreciation or depletion as provided in the depreciation schedules as directed or recommended from time to time by the Property Tax Division of the North Carolina Department of Revenue or to any reduction as a result of County's usual revaluation cycle.

ARTICLE IV: OBLIGATIONS OF THE COUNTY TO MAKE INCENTIVE PAYMENTS

- 4.0. As consideration for the Company developing and operating the Project in accordance with the conditions stated above, including the conditions that the Company maintains the jobs stated above; maintains the Direct Investment stated above; and timely pays all its assessed Property Taxes, occupancy taxes, and sales taxes, the County shall make Annual Incentive Payments to the Company for five (5) years, on or before March 1 of each year commencing in the year following the first full year the Project has been open for business as follows:
 - 4.1. First payment shall be 50% of the amount of Property Taxes actually paid by the Project for its first full year of operations
 - 4.2. Second payment shall be 50% of the amount of Property Taxes actually paid by the Project for its second full year of operations
 - 4.3. Third payment shall be 50% of the amount of Property Taxes actually paid by the Project for its third full year of operations.
 - 4.4. Fourth payment shall be 50% of the amount of Property Taxes actually paid by the Project for its fourth full year of operations
 - 4.5. Fifth payment shall be 50% of the amount of Property Taxes actually paid by the Project for its fifth full year of operations
 - 4.6. The first full year the Project was open for business was be the calendar year 2013. The first Annual Incentive Payment shall be due on or before March 1, 2014 and it shall be based on the Property Taxes actually paid for 2013. Because the Company did not execute the incentives agreement offered by the County in 2010, the first Annual Incentive has not been paid. Upon approval of this Agreement by the Board of Commissioners and execution by the Parties, payment of the first Annual Incentive Payment shall be made within thirty (30) days of the Tax Administrator's and Internal Auditor's verifying that the Company has complied with its obligations under this Agreement.
 - 4.7. Upon any reduction in the taxable value of the Project as a result or as a result of the County's usual revaluation of real property, the Annual Incentive Payment for any years affected by such reduction in value shall be reduced proportionally to the reduction in taxable value.

ARTICLE V: OBLIGATIONS TO CEASE UPON OCCURRENCE OF ANY INCIDENT OF DEFAULT

- 5.0. If at any time the Project should fail to meet any of the obligations stated in Article III with respect to job creation or Direct Investment, or should the Project or the Company declare bankruptcy, be adjudicated bankrupt, or be determined to be insolvent in any judicial proceeding or by any judicial process, then the Company shall be deemed to be in default of its obligations under this agreement and the obligation of County to make the Annual Incentive Payments shall terminate and County shall have no further obligation to the Project or to the Company. Any Annual Incentive Payments made by the County to the Company prior to the occurrence of any incident of default shall be deemed to have been made in consideration of the Company's having performed its obligations for the year for which such Annual Incentive Payment was made. Company shall not be obligated to return any Annual Incentive Payment it actually received under the terms of this Agreement.

ARTICLE VI: DETERMINATION OF AMOUNT OF DIRECT INVESTMENT

- 6.0. The Company shall certify to the County Tax Administrator the Direct Investment as of January of each calendar year of this Agreement, beginning with January of calendar year 2011. Commencing with the certification made during January of calendar year 2013, the County shall make an Annual Incentive Payment, if due to the Company hereunder, by issuance and delivery of its check (or other payment mechanism as agreed by the Parties) to the Company by March 1st of the next calendar year. Each Annual Incentive Payment shall be subject to and contingent upon the Company having paid all Property Taxes applicable to all its taxable property
- 6.1. The Company shall certify its Direct Investment as required above by providing accurate documentation as a supplement to its annual tax listing forms submitted to the Cumberland County Tax Administrator, which supplemental information shall be reasonably satisfactory to the Tax Administrator, showing the initial ad valorem taxable value of the Direct Investment (including operating leases even if listed in the name of a party other than Company) as of the tax listing date applicable to such property. With respect to the Direct Investment, the County will use the depreciation schedules as directed or recommended from time to time by the Property Tax Division of the North Carolina Department of Revenue.

ARTICLE VII: DETERMINATION OF JOBS CREATED, WAGES AND BENEFITS

- 7.0. The Company shall certify the number of jobs created, the wages paid, and the benefits offered to employees to the County's Internal Auditor each year at the same time as the certification of Direct Investment is made to the County Tax Administrator. The Company shall supplement this certification with documentation in the form of reports

required to be filed for state or federal labor, employment, income tax purposes or with any other documentation satisfactory to the County's Internal Auditor.

ARTICLE VIII: DISCLAIMER OF WARRANTIES

8.0. The Company acknowledges that the County has not designed the Project, or supplied any plans or specifications with respect thereto and that the County:

(a) is not a manufacturer of, nor dealer in, any of the component parts of the Project,

(b) has not made any recommendation, given any advice nor taken any other action with respect to the choice of any supplier, vendor or designer of, or any other contractor with respect to, the Project or any component part thereof or any property or rights relating thereto, or to any action taken or to be taken with respect to the Project or any component part thereof or any property or rights relating thereto at any stage of the construction thereof,

(c) has not at any time had physical possession of the Project or any component part thereof or made any inspection thereof (other than in its normal course of inspections, if any, as such relate to construction of any facility in the County) or any property or rights relating thereto, and

(d) has not made any warranty or other representation, express or implied, that the Project or any component part thereof or any property or rights relating thereto (i) will not result in or cause injury or damage to persons or property, (ii) has been or will be properly designed, or will accomplish the results which the Company intends therefore, or (iii) is safe in any manner or respect.

8.1. The County makes no express or implied warranty or representation of any kind whatsoever with respect to the Project or any component part thereof, including but not limited to any warranty or representation with respect to the merchantability or the fitness or suitability thereof for any purpose, and further including the design or condition thereof; the safety, workmanship, quality or capacity thereof; compliance thereof with the requirements of any law, rule, specification or contract pertaining thereto; any latent defect; the Project's ability to perform any function; or any other characteristic of the Project; it being agreed that the Company is to bear all risks relating to the Project, the completion thereof or the transactions contemplated hereby and the Company hereby waives the benefits of any and all implied warranties and representations of the County.

8.2. The provisions of this Article shall survive this Agreement's expiration.

ARTICLE IX: EXPIRATION OF AGREEMENT

9.0. This Agreement shall expire, without further action on the part of either the Company or

the County, upon payment in full of any amounts due from the County to the Company pursuant to, and in accordance with, the terms hereof.

ARTICLE X: TEMPORARY DELAY IN DIRECT INVESTMENT

10.0. Notwithstanding anything herein to the contrary, if the Company shall be prevented or delayed from making the Direct Investment, by reason of a:

- (a) Government moratorium;
- (b) Delay in obtaining any governmental or quasi-governmental approvals, permits or certificates, despite reasonable efforts by the Company to obtain same;
- (c) Act of God, including but not limited to hurricane, tornado, snowstorm, windstorm, earthquake or flood, fire or other extreme weather conditions or other casualty;
- (d) Strike, lockout or a labor dispute involving entities other than the Company which causes the Company an inability to obtain labor or materials;
- (e) Delay in funding any incentive to or for the benefit of the Company, other than the Annual Incentive Payments; or
- (f) Any other event, other than normal business exigencies, which is beyond the reasonable control of the Company;

then the time within which the Company shall be required hereunder to make the Direct Investment hereunder shall be equitably adjusted to reflect the effect of such event. The Parties shall negotiate in good faith to make an equitable adjustment in such period, however, if the Parties cannot in good faith reach an agreement as to such adjustment and at the option of either party, the Parties agree to submit this issue to binding arbitration on an expedited basis.

ARTICLE XI: JOBS & INVESTMENT TAX CREDITS

11.0. The Parties acknowledge that under current North Carolina law the Company or the Project may be eligible for credits for creating jobs and credits for investing in business property in North Carolina against its North Carolina corporate income tax or franchise tax pursuant to North Carolina General Statutes Section 105-129.80, *et seq.*, provided that the Company meets the requirements of the statutes. The Company understands that the County is not responsible for providing these credits.

ARTICLE XII: ASSIGNMENT

12.0. Neither party shall transfer or assign any interest in or obligation under this Agreement

without the prior express written consent of the other; provided, this Agreement may be assigned by the Company to any parent, subsidiary or affiliate of the Company, or to any person or entity to which the operations of the Project are transferred so long as such operations are continued substantially as contemplated herein for the term hereof, without the County's consent.

ARTICLE XIII: STATUTORY AUTHORITY; OBLIGATION OF COUNTY

- 13.0.** Both the Company and the County acknowledge and agree that any and all monies appropriated and expended by the County for local economic development incentives, as provided in this Agreement, are for a bona fide public purpose and are expended in good faith reliance on North Carolina General Statutes § 158-7.1. Both Parties further acknowledge and agree that this Agreement, to the extent allowed by law, shall be considered a continuing contract and shall be subject to, and controlled by, the provisions of North Carolina General Statutes §153A-13. If for any reason it is found by a court of competent jurisdiction by final judgment that North Carolina General Statutes § 153A-13 does not legally apply to this Agreement, then in such event there shall be no liability on behalf of the County for the failure of this contract to be continuing in nature.

ARTICLE XIV: MISCELLANEOUS

- 14.0.** Governing Law; Venue. The Parties intend that this Agreement shall be governed by the law of the State of North Carolina without regard to the conflict of law provisions thereof and that exclusive venue as to any dispute arising hereunder shall be in the State of North Carolina.

- 14.1.** Notices.

(a) Any communication required or permitted by this Agreement must be in writing except as expressly provided otherwise in this Agreement; and

(b) All communications required or permitted hereunder may be delivered personally, or sent by certified mail, return receipt requested, or by a nationally recognized overnight courier to the following addresses, unless the parties are subsequently notified of any change of address:

If to the Company, to: Naynesh S. Mehta
 1706 Skibo Rd.
 Fayetteville, NC 28303
 nsmeha@5pointsnc.com

If to the County, to: County Manager
 P.O. Box 1829
 Fayetteville, N.C. 28302-1829

- 14.2. Severability. If any provision of this Agreement shall be determined to be unenforceable, that shall not affect any other provision of this Agreement.
- 14.3. Entire Agreement; Amendments. This Agreement, including any exhibits which may be attached, which are incorporated herein and made a part hereof, constitutes the entire contract between the Parties. This Agreement shall not be changed except in writing signed by both Parties.
- 14.4. Binding Effect. Subject to the specific provisions of this Agreement, this Agreement shall be binding upon and inure to the benefit of and be enforceable by the Parties and their respective successors and assigns.
- 14.5. Liability of Officers and Agents. No officer, agent or employee of the County or the Company shall be subject to any personal liability or accountability by reason of the execution of this Agreement or any other documents related to the transactions contemplated hereby. Such officers, agents, or employees shall be deemed to execute such documents in their official capacities only, and not in their individual capacities. This Section shall not relieve any such officer, agent or employee from the performance of any official duty provided by law.
- 14.6. Counterparts. This Agreement shall be executed in duplicate counterparts. Each shall be an original, but all of them together constitute the same instrument.

IN WITNESS WHEREOF, the Parties have caused this Agreement to be executed in their corporate and governmental names, respectively by their duly authorized officers, all as of the dates indicated with the signature for each.

[Signature Pages Follow]

MBM HOSPITALITY, LLC
by:

Its Managing Member
Date Signed: _____

MBM LEGACY, INC.
By:

(Vice) President

Attest:

Corporate Secretary

CUMBERLAND COUNTY, NORTH CAROLINA
by:

Amy Cannon, County Manager
Date Signed: _____

Attest:

Candice White, Clerk to the Board

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

Finance Officer for Cumberland County

Approved for legal sufficiency.

Rickey L. Moorefield, County Attorney

Prepared by R. Moorefield, Co. Attorney, November 12, 2014.

RICKEY L. MOOREFIELD
County Attorney



ITEM NO. 2 E(3)

PHYLLIS P. JONES
Assistant County Attorney

ROBERT A. HASTY, JR.
Assistant County Attorney

OFFICE OF THE COUNTY ATTORNEY

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

**MEMO FOR THE AGENDA OF THE NOVEMBER 17, 2014,
MEETING OF THE BOARD OF COMMISSIONERS**

TO: Board of Commissioners; Co. Manager
FROM: Co. Atty. *R. Moorefield*
DATE: November 13, 2014
SUBJECT: Approval of Policy Committee Recommendation to Engage K & L Gates to Negotiate with BCBS for the Acceptance of Third Party Premium Payments

BACKGROUND:

On November 6, 2014, the Policy Committee discussed a proposal by Commissioner Keefe for the county to implement a program to enroll certain jail detainees in health insurance under the Affordable Care Act (the "ACA"). The discussion is reflected in the minutes of the Policy Committee meeting included with the agenda materials. Commissioner Keefe reported to the committee that one of the main hurdles to establish this program of insurance coverage is to get BCBS to accept premium payments from the county on behalf of these detainees while they are custody. The county attorney reported that this was a difficult issue because of the federal regulations governing payments of insurance premiums by third parties under the ACA. The county attorney further advised that K & L Gates represented Cape Fear Valley Hospital and had a national reputation for expertise in health care legal issues. Both the county attorney and Health Director Buck Wilson advised that the resolution of this issue was crucial to the implementation of this program.

The Policy Committee voted to recommend authorizing the county attorney to engage K & L Gates to negotiate this issue with BCBS for a reasonable amount to be paid out of the General Litigation Fund. The Policy Committee regarded this as only a first-step to determine how the proposed program could be established and with the expectation that further details of the program would be brought forward based on the resolution of this issue.

RECOMMENDATION/PROPOSED ACTION:

Approve the recommendation of the Policy Committee to authorize the county attorney to engage the firm of K & L Gates for the purpose and within the budget constraints as stated.

ORDINANCE ASSESSING PROPERTY FOR THE COSTS
OF DEMOLITION OF A STRUCTURE PURSUANT TO
THE MINIMUM HOUSING CODE OF CUMBERLAND COUNTY
CASE NUMBER: MH 6971-2012
PROPERTY OWNER: Clinton Graham

WHEREAS, the Board of County Commissioners of Cumberland County, North Carolina, on September 16, 2013, enacted an ordinance directing the demolition by the owner(s) of the structure(s) Clinton Graham, located at 520 Pine Tree Lane, Spring Lake, NC, PIN: 0511-09-3286, said ordinance being recorded in Book 9297, page 0740, of the Cumberland County Registry of Deeds;

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

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

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

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

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

- (1) That the real property on which the work was performed be, and it hereby is, assessed in the amount of \$2,500.00, said sum being the unpaid balance of the cost of the work set forth in the Inspector's Report;

(2) That as provided in the Ordinance of Cumberland County dated September 16, 2013, and in Section 160A-443(6) of the General Statutes of North Carolina, the amount of the foregoing assessment be, and hereby does constitute, a lien against the real property upon which such costs were incurred, such property being more particularly described as follows:

The structure and premises located at 520 Pine Tree Lane, Spring Lake, NC, as described in Deed Book 6386, page 0589, of the Cumberland County Registry and identified in County tax records as PIN 0511-09-3286.

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

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

* * * * *

I certify that the foregoing Ordinance was adopted and ordered by the Board of Commissioners of Cumberland County, North Carolina, this 17th day of November 2014, at 6:45 p.m. o'clock.

Cumberland County Clerk

ORDINANCE ASSESSING PROPERTY FOR THE COSTS
OF DEMOLITION OF A STRUCTURE PURSUANT TO
THE MINIMUM HOUSING CODE OF CUMBERLAND COUNTY
CASE NUMBER: MH 435-2013
PROPERTY OWNER: Deborah Saurez c/o Aaron Saurez

WHEREAS, the Board of County Commissioners of Cumberland County, North Carolina, on March 17, 2014, enacted an ordinance directing the demolition by the owner of the structure Deborah Saurez c/o Aaron Saurez, located at 1704 Chaffin Circle, Fayetteville, NC, PIN: 0442-65-7782, said ordinance being recorded in Book 9399, page 0888, of the Cumberland County Registry of Deeds;

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

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

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

- (1) Said work had been accomplished.
- (2) The cost of such work was \$1,800.00.
- (3) There were no salable materials resulting from said work.

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

- (1) That the real property on which the work was performed

be, and it hereby is, assessed in the amount of \$1,800.00, said sum being the unpaid balance of the cost of the work set forth in the Inspector's Report;

(2) That as provided in the Ordinance of Cumberland County dated March 17, 2014, and in Section 153A-372 of the General Statutes of North Carolina, the amount of the foregoing assessment be, and hereby does constitute, a lien against the real property upon which such costs were incurred, such property being more particularly described as follows:

The structure and premises located at 1704 Chaffin Circle, Fayetteville, NC, as described in Deed Book 3912, page 045, of the Cumberland County Registry and identified in County tax records as PIN 0442-65-7782.

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

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

* * * * *

I certify that the foregoing Ordinance was adopted and ordered by the Board of Commissioners of Cumberland County, North Carolina, this 17th day of November, 2014, at 6:45 p.m. o'clock.

Cumberland County Clerk

ORDINANCE ASSESSING PROPERTY FOR THE COSTS
OF DEMOLITION OF A STRUCTURE PURSUANT TO
THE MINIMUM HOUSING CODE OF CUMBERLAND COUNTY
CASE NUMBER: MH 487-2013
PROPERTY OWNER: Latisha McCrimon

WHEREAS, the Board of County Commissioners of Cumberland County, North Carolina, on April 22 2014, enacted an ordinance directing the demolition by the owner(s) of the structure(s) Latisha McCrimon, located at 5560 Leitha Lane, Godwin NC, PIN: 1503-02-3486, said ordinance being recorded in Book 9425, page 413, of the Cumberland County Registry of Deeds;

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

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

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

- (1) Said work had been accomplished.
- (2) The cost of such work was \$ 3,945.00 .
- (3) There were no salable materials resulting from said work.

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

- (1) That the real property on which the work was performed be, and it hereby is, assessed in the amount of \$3,945.00, said sum being the unpaid balance of the cost of the work set forth in the Inspector's Report;

- (2) That as provided in the Ordinance of Cumberland County dated April 22 2014, and in Section 153A-372 of the General Statutes of North Carolina, the amount of the foregoing assessment be, and hereby does constitute, a lien against the real property upon which such costs were incurred, such property being more particularly described as follows:

The structure and premises located at 5560 Leitha Lane, Godwin NC, as described in Deed Book 8373, page 340, of the Cumberland County Registry and identified in County tax records as PIN 1503-02-3486.

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

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

* * * * *

I certify that the foregoing Ordinance was adopted and ordered by the Board of Commissioners of Cumberland County, North Carolina, this 17th day of November, 2014, at 6:45 p.m. o'clock.

Cumberland County Clerk

ORDINANCE ASSESSING PROPERTY FOR THE COSTS
OF DEMOLITION OF A STRUCTURE PURSUANT TO
THE MINIMUM HOUSING CODE OF CUMBERLAND COUNTY
CASE NUMBER: MH 313-2013
PROPERTY OWNER: Wilson Williams, Jr.

WHEREAS, the Board of County Commissioners of Cumberland County, North Carolina, on May 19, 2014, enacted an ordinance directing the demolition by the owner of the structure Wilson Williams, Jr., located at 4612 Hankins St; Hope Mills, NC, PIN: 0423-58-8333, said ordinance being recorded in Book 9439, page 784, of the Cumberland County Registry of Deeds;

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

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

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

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

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

- (1) That the real property on which the work was performed be, and it hereby is, assessed in the amount of \$3,900.00, said

sum being the unpaid balance of the cost of the work set forth in the Inspector's Report;

(2) That as provided in the Ordinance of Cumberland County dated May 19, 2014, and in Section 153A-372 of the General Statutes of North Carolina, the amount of the foregoing assessment be, and hereby does constitute, a lien against the real property upon which such costs were incurred, such property being more particularly described as follows:

The structure and premises located at 4612 Hankins, Hope Mills, NC, as described in Deed Book 7809, page 0569, of the Cumberland County Registry and identified in County tax records as PIN 0423-58-8333.

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

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

* * * * *

I certify that the foregoing Ordinance was adopted and ordered by the Board of Commissioners of Cumberland County, North Carolina, this 17th day of November, 2014, at 6:45 p.m. o'clock.

Cumberland County Clerk

ORDINANCE ASSESSING PROPERTY FOR THE COSTS
OF DEMOLITION OF A STRUCTURE PURSUANT TO
THE MINIMUM HOUSING CODE OF CUMBERLAND COUNTY
CASE NUMBER: MH 280-2013
PROPERTY OWNER: Eunice Stephens

WHEREAS, the Board of County Commissioners of Cumberland County, North Carolina, on June 16, 2014, enacted an ordinance directing the demolition by the owner(s) of the structure(s) Eunice Stephens, located at 5007 Carolina Wren, Fayetteville NC, PIN: 0471-47-6771, said ordinance being recorded in Book 9464, page 339, of the Cumberland County Registry of Deeds;

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

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

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

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

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

- (1) That the real property on which the work was performed be, and it hereby is, assessed in the amount of \$3,900.00, said sum being the unpaid balance of the cost of the work set forth in the Inspector's Report;

- (2) That as provided in the Ordinance of Cumberland County dated June 16, 2014, and in Section 153A-372 of the General Statutes of North Carolina, the amount of the foregoing assessment be, and hereby does constitute, a lien against the real property upon which such costs were incurred, such property being more particularly described as follows:

The structure and premises located at 5007 Carolina Wren Fayetteville, NC as described in Deed Book 7568, page 217, of the Cumberland County Registry and identified in County tax records as PIN 0417-47-6771.

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

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

* * * * *

I certify that the foregoing Ordinance was adopted and ordered by the Board of Commissioners of Cumberland County, North Carolina, this 17th day of November, 2014, at 6:45 p.m. o'clock.

Cumberland County Clerk

ORDINANCE ASSESSING PROPERTY FOR THE COSTS
OF DEMOLITION OF A STRUCTURE PURSUANT TO
THE MINIMUM HOUSING CODE OF CUMBERLAND COUNTY
CASE NUMBER: MH 249-2013
PROPERTY OWNER: Rodney E. & Jennifer C. Price &
Robert William Price

WHEREAS, the Board of County Commissioners of Cumberland County, North Carolina, on May 19, 2014, enacted an ordinance directing the demolition by the owner(s) of the structure(s) Rodney E. & Jennifer C. Price & Robert William Price, located at 1618 Cumberland Dr, Fayetteville, NC, PIN: 0520-59-6496, said ordinance being recorded in Book 9439, page 0781, of the Cumberland County Registry of Deeds;

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

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

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

- (1) Said work had been accomplished.
- (2) The cost of such work was \$2,645.00.
- (3) There were no salable materials resulting from said work.

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

(1) That the real property on which the work was performed be, and it hereby is, assessed in the amount of \$2,645.00, said sum being the unpaid balance of the cost of the work set forth in the Inspector's Report;

(2) That as provided in the Ordinance of Cumberland County dated May 19, 2014, and in Section 160A-443(6) of the General Statutes of North Carolina, the amount of the foregoing assessment be, and hereby does constitute, a lien against the real property upon which such costs were incurred, such property being more particularly described as follows:

The structure and premises located at 1618 Cumberland Dr, Fayetteville, NC, as described in Deed Book 5262, page 0800, of the Cumberland County Registry and identified in County tax records as PIN 0520-59-6496.

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

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

* * * * *

I certify that the foregoing Ordinance was adopted and ordered by the Board of Commissioners of Cumberland County, North Carolina, this 17th day of November 2014, at 6:45 p.m. o'clock.

Cumberland County Clerk

COUNTY OF CUMBERLAND

NORTH CAROLINA

Proclamation

WHEREAS, the first edition of The Fayetteville Press Newspaper was printed in 1989; and

WHEREAS, The Fayetteville Press Newspaper has a statewide circulation market and its local circulation market includes Fayetteville, Spring Lake, Hope Mills, Dunn and Raeford; and

WHEREAS, The Fayetteville Press Newspaper is well known as a strong advertising sales medium and each publication contains timely issues, features, facts, articles and advice; and

WHEREAS, the business advice section of The Fayetteville Press Newspaper is written by local minority professionals from diverse markets and business industries; and

WHEREAS, The Fayetteville Press Newspaper has printed 7,000 copies per month since 1989 and is the longest existing African American newspaper in Cumberland County; and

WHEREAS, The Fayetteville Press Newspaper received the Cumberland Regional Improvement Corporation Media of the Year award in 1999 and the Cape Fear Regional Bureau for Community Action, Inc. Community Service Award in 2000; and

WHEREAS, The Fayetteville Press Newspaper celebrated its 25th year of circulation in October, 2014.

NOW THEREFORE, BE IT PROCLAIMED that We, the Cumberland County Board of Commissioners, do hereby extend congratulations to The Fayetteville Press Newspaper on its 25th Anniversary and extend greetings to all who attend the December 20, 2014 banquet.

Adopted this 17th day of November, 2014.

JEANNETTE M. COUNCIL, *Chairman*
Cumberland County Board of Commissioners

**COUNTY OF CUMBERLAND
BUDGET REVISION REQUEST**

Budget Office Use	
Budget Revision No.	<u>B15-141</u>
Date Received	<u>10-30-15</u>
Date Completed	

Fund No. 101 Agency No. 420 Organ. No. 4215

Organization Name: Emergency Services Grants

ITEM NO. 2H(1)

REVENUE

Revenue Source Code	Description	Current Budget	Increase (Decrease)	Revised Budget
4582	Hurricane Exercise Grant	0	13,500	13,500
Total		0	13,500	13,500

EXPENDITURES

Object Code	Appr Unit	Description	Current Budget	Increase (Decrease)	Revised Budget
4582		Hurricane Exercise Grant MOA #1487	0	13,500	13,500
Total			0	13,500	13,500

Justification:

Budget revision to incorporate new Hurricane Grant Funds

Funding Source:

State: 13,500
Other: _____

Federal: _____
Fees: _____

Fund Balance:

County: _____ New: _____
Prior Year: _____

Other: _____

Submitted By: [Signature] Date: 10-30-2014
Department Head

Reviewed By: [Signature] Date: 10-30-14
Finance

Reviewed By: _____ Date: _____
Finance Director

Reviewed By: [Signature] Date: 11-12-14
Assistant County Manager

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

**COUNTY OF CUMBERLAND
BUDGET REVISION REQUEST**

Budget Office Use	
Budget Revision No.	<u>BIS-142</u>
Date Received	<u>10-30-14</u>
Date Completed	

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

ITEM NO. 24(2)

REVENUE

Revenue Source Code	Description	Current Budget	Increase (Decrease)	Revised Budget
4641	E-Rate Local		102,307	102,307
Total		0	102,307	102,307

EXPENDITURES

Object Code	Appr Unit	Description	Current Budget	Increase (Decrease)	Revised Budget
349A	271	E-Rate Funds	114,768	102,307	217,075
Total			114,768	102,307	217,075

Justification:

Budget revision in the amount of \$102,307.00 to recognize E-rate checks received from MCNC (Microelectronics Center of North Carolina) (\$9,600.00), Century Link (\$60,067.20), and PWC (Public Works Commission) (\$32,640.00).

Funding Source:

State: _____ Federal: _____ County: _____ New: _____ Other: _____
 Other: 102,307 Fees: _____ Prior Year: _____

Fund Balance:

Submitted By: John Proches Date: 10/28/14
 Department Head
 Reviewed By: Kelly Outrey Date: 10-30-14
 Finance
 Reviewed By: _____ Date: _____
 Finance Director
 Reviewed By: Melissa Cardinali Date: 11-12-14
 Assistant County Manager

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

**COUNTY OF CUMBERLAND
BUDGET REVISION REQUEST**

Budget Office Use	
Budget Revision No.	<u>B15-148</u>
Date Received	<u>11-6-14</u>
Date Completed	

Fund No. 101 Agency No. 431 Organ. No. 4318
 Organization Name: Health- Health Promotion

ITEM NO. 24(3)a

REVENUE

Revenue Source Code	Description	Current Budget	Increase (Decrease)	Revised Budget
4104	NC Health Promotion	13,074	13,757	26,831
Total		13,074	13,757	

EXPENDITURES

Object Code	Appr Unit	Description	Current Budget	Increase (Decrease)	Revised Budget
4109	168	HPPI (Health Promotion Initiatives)	0	13,757	13,757
Total			0	13,757	13,757

Justification:

Budgeting additional State Funds received to support Health Promotion Initiatives

Funding Source: State: 13,757 Federal: _____ County: _____ New: _____ Other: _____
 Other: _____ Fees: _____ Prior Year: _____

Submitted By: [Signature] Date: 11.2.14
 Department Head

Reviewed By: [Signature] Date: 11.6.14
 Finance

Reviewed By: _____ Date: _____
 Finance Director

Reviewed By: [Signature] Date: 11.12.14
 Assistant County Manager

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

**COUNTY OF CUMBERLAND
BUDGET REVISION REQUEST**

Budget Office Use	
Budget Revision No.	<u>B15-140</u>
Date Received	<u>10/29/14</u>
Date Completed	

Fund No. 101 Agency No. 437 Organ. No. 4367
 Organization Name: Grant Family Violence Care Center

ITEM NO. 2H(4)

REVENUE

Revenue Source Code	Description	Current Budget	Increase (Decrease)	Revised Budget
432L	DIVORCE FILING FEES		20,000	20,000
Total		0	20,000	20,000

EXPENDITURES

Object Code	Appr Unit	Description	Current Budget	Increase (Decrease)	Revised Budget
347H	246	CLIENT EXPENSES		20,000	20,000
Total			0	20,000	20,000

Justification:

To recognize receipt of a new grant. The grant will be used for job counseling/training/placement, financial services, health education and educational services for victims of domestic violence.

Funding Source: State: 20,000 Federal: _____ County: _____ New: _____ Other: _____
 Other: _____ Fees: _____ Prior Year: _____

Submitted By: [Signature] Date: 10/27/14
 Department Head

Reviewed By: [Signature] Date: 10/29/14
 Finance

Reviewed By: _____ Date: _____
 Finance Director

Reviewed By: [Signature] Date: 11-12-14
 Assistant County Manager

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

[Signature]

**COUNTY OF CUMBERLAND
BUDGET REVISION REQUEST**

Budget Office Use	
Budget Revision No.	B15-146
Date Received	11/3/2014
Date Completed	

Fund No. 472 Agency No. 429 Organ. No. 4262

Organization Name: Bethany Fire District

ITEM NO. 24(5)a

REVENUE

Revenue Source Code	Description	Current Budget	Increase (Decrease)	Revised Budget
1000	Taxes Current Year	181,230	350	181,580
Total		181,230	350	181,580

EXPENDITURES

Object Code	Appr Unit	Description	Current Budget	Increase (Decrease)	Revised Budget
4022	469	Motor Vehicle Tax Collection Fee	100	300	400
4027	469	Tax Refunds	0	50	50
Total			100	350	450

Justification:

Increase expenditure line to cover unanticipated refunds to taxpayers in the amount of \$50 and increase MV Tax Collection Fee \$300.

Funding Source:

State: _____
Other: _____

Fund Balance:

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

Other: _____

Submitted By: _____

Department Head

Date: _____

Reviewed By: Kelly Curtis

Finance

Date: 11.3.14

Reviewed By: _____

Finance Director

Date: _____

Reviewed By: Rebecca Cardinali

Assistant County Manager

Date: 11.12.14

Approved By:

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

**COUNTY OF CUMBERLAND
BUDGET REVISION REQUEST**

Budget Office Use	
Budget Revision No.	B15-146A
Date Received	11/3/2014
Date Completed	

Fund No. 474 Agency No. 429 Organ. No. 4266

Organization Name: Cotton Fire District

ITEM NO. 24(5)6

REVENUE

Revenue Source Code	Description	Current Budget	Increase (Decrease)	Revised Budget
1000	Taxes Current Year	756,784	850	757,634
Total		756,784	850	757,634

EXPENDITURES

Object Code	Appr Unit	Description	Current Budget	Increase (Decrease)	Revised Budget
4022	471	Motor Vehicle Tax Collection Fee	100	800	900
4027	471	Tax Refunds	0	50	50
Total			100	850	950

Justification:

Increase expenditure line to cover unanticipated refunds to taxpayers in the amount of \$50 and increase MV Tax Collection Fee \$800.

Funding Source:

State: _____
Other: _____

Federal: _____
Fees: _____

Fund Balance:

County: _____ New: _____
Prior Year: _____

Other: _____

Submitted By: _____

Department Head

Date: _____

Reviewed By: Kelly Aitry

Finance

Date: 11.3.14

Reviewed By: _____

Finance Director

Date: _____

Reviewed By: Neissa Cardinalis

Assistant County Manager

Date: 11.12.14

Approved By:

County Manager

Board of County
Commissioners

Date: _____

Date: _____

**COUNTY OF CUMBERLAND
BUDGET REVISION REQUEST**

Budget Office Use	
Budget Revision No.	B15-146B
Date Received	11/3/2014
Date Completed	

Fund No. 476 Agency No. 429 Organ. No. 4268

Organization Name: Cumberland Road Fire District

ITEM NO. 2H(5)c

REVENUE

Revenue Source Code	Description	Current Budget	Increase (Decrease)	Revised Budget
1000	Taxes Current Year	450,230	400	450,630
Total		450,230	400	450,630

EXPENDITURES

Object Code	Appr Unit	Description	Current Budget	Increase (Decrease)	Revised Budget
4022	472	Motor Vehicle Tax Collection Fee	200	300	500
4027	472	Tax Refunds	0	100	100
Total			200	400	600

Justification:

Increase expenditure line to cover unanticipated refunds to taxpayers in the amount of \$100 and increase MV Tax Collection Fee \$300.

Funding Source:

State: _____
Other: _____

Fund Balance:

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

Other: _____

Submitted By: _____

Department Head

Date: _____

Reviewed By: Kelly A. [Signature]

Finance

Date: 11.3.14

Reviewed By: _____

Finance Director

Date: _____

Reviewed By: Maissa [Signature]

Assistant County Manager

Date: 11.12.14

Approved By:

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

**COUNTY OF CUMBERLAND
BUDGET REVISION REQUEST**

Budget Office Use	
Budget Revision No.	B15-146C
Date Received	11/3/2014
Date Completed	

Fund No. 482 Agency No. 429 Organ. No. 4274

Organization Name: Grays Creek Fire District #18

ITEM NO. 24(5)d

REVENUE

Revenue Source Code	Description	Current Budget	Increase (Decrease)	Revised Budget
1000	Taxes Current Year	310,538	450	310,988
Total		310,538	450	310,988

EXPENDITURES

Object Code	Appr Unit	Description	Current Budget	Increase (Decrease)	Revised Budget
4022	475	Motor Vehicle Tax Collection Fee	100	400	500
4027	475	Tax Refunds	0	50	50
Total			100	450	550

Justification:

Increase expenditure line to cover unanticipated refunds to taxpayers in the amount of \$50 and increase MV Tax Collection Fee \$400.

Funding Source:

State: _____
Other: _____

Federal: _____
Fees: _____

Fund Balance:

County: _____ New: _____
Prior Year: _____

Other: _____

Submitted By: _____

Department Head

Date: _____

Reviewed By: Kelly Austry

Finance

Date: 11.3.14

Reviewed By: _____

Finance Director

Date: _____

Reviewed By: Yvonne Cardinali

Assistant County Manager

Date: 11.12.14

Approved By:

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

**COUNTY OF CUMBERLAND
BUDGET REVISION REQUEST**

Budget Office Use	
Budget Revision No.	B15-146D
Date Received	11/3/2014
Date Completed	

Fund No. 482 Agency No. 429 Organ. No. 4275

Organization Name: Grays Creek Fire District #24

ITEM NO. 24(5)e

REVENUE

Revenue Source Code	Description	Current Budget	Increase (Decrease)	Revised Budget
1000	Taxes Current Year	310,538	450	310,988
Total		310,538	450	310,988

EXPENDITURES

Object Code	Appr Unit	Description	Current Budget	Increase (Decrease)	Revised Budget
4022	476	Motor Vehicle Tax Collection Fee	100	400	500
4027	476	Tax Refunds	0	50	50
Total			100	450	550

Justification:

Increase expenditure line to cover unanticipated refunds to taxpayers in the amount of \$50 and increase MV Tax Collection Fee \$400.

Funding Source:

State: _____
Other: _____

Fund Balance:

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

Other: _____

Submitted By: _____

Department Head

Date: _____

Reviewed By: Kelly Austry

Finance

Date: 11.3.14

Reviewed By: _____

Finance Director

Date: _____

Reviewed By: Melissa Cardinali

Assistant County Manager

Date: 11.12.14

Approved By:

County Manager

Board of County
Commissioners

Date: _____

Date: _____

**COUNTY OF CUMBERLAND
BUDGET REVISION REQUEST**

Budget Office Use	
Budget Revision No.	B15-146E
Date Received	11/3/2014
Date Completed	

Fund No. 490 Agency No. 429 Organ. No. 4282

Organization Name: Manchester Fire District

ITEM NO. 2H(5)f

REVENUE

Revenue Source Code	Description	Current Budget	Increase (Decrease)	Revised Budget
1000	Taxes Current Year	74,450	250	74,700
Total		74,450	250	74,700

EXPENDITURES

Object Code	Appr Unit	Description	Current Budget	Increase (Decrease)	Revised Budget
4022	479	Motor Vehicle Tax Collection Fee	100	200	300
4027	479	Tax Refunds	0	50	50
Total			100	250	350

Justification:

Increase expenditure line to cover unanticipated refunds to taxpayers in the amount of \$50 and increase MV Tax Collection Fee \$200.

Funding Source:

State: _____
Other: _____

Fund Balance:

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

Other: _____

Submitted By: _____

Department Head

Date: _____

Reviewed By: Kelley Outrey

Finance

Date: 11.3.14

Reviewed By: _____

Finance Director

Date: _____

Reviewed By: Missy Dardain

Assistant County Manager

Date: 11.12.14

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

**COUNTY OF CUMBERLAND
BUDGET REVISION REQUEST**

Budget Office Use	
Budget Revision No.	B15-146F
Date Received	11/3/2014
Date Completed	

Fund No. 492 Agency No. 429 Organ. No. 4284

Organization Name: Pearces Mill Fire District

ITEM NO. 24(5)g

REVENUE

Revenue Source Code	Description	Current Budget	Increase (Decrease)	Revised Budget
1000	Taxes Current Year	698,347	650	698,997
Total		698,347	650	698,997

EXPENDITURES

Object Code	Appr Unit	Description	Current Budget	Increase (Decrease)	Revised Budget
4022	480	Motor Vehicle Tax Collection Fee	250	600	850
4027	480	Tax Refunds	0	50	50
Total			250	650	900

Justification:

Increase expenditure line to cover unanticipated refunds to taxpayers in the amount of \$50 and increase MV Tax Collection Fee \$600.

Funding Source:

State: _____
Other: _____

Fund Balance:

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

Other: _____

Submitted By: _____

Department Head

Date: _____

Reviewed By: Kelley Outry

Finance

Date: 11.3.14

Reviewed By: _____

Finance Director

Date: _____

Reviewed By: Melissa Olandin

Assistant County Manager

Date: 11.12.14

Approved By:

County Manager

Board of County
Commissioners

Date: _____

Date: _____

**COUNTY OF CUMBERLAND
BUDGET REVISION REQUEST**

Budget Office Use	
Budget Revision No.	B15-146G
Date Received	11/3/2014
Date Completed	

Fund No. 494 Agency No. 429 Organ. No. 4288

Organization Name: Stedman Fire District

ITEM NO. 24(5)h

REVENUE

Revenue Source Code	Description	Current Budget	Increase (Decrease)	Revised Budget
1000	Taxes Current Year	121,955	250	122,205
Total		121,955	250	122,205

EXPENDITURES

Object Code	Appr Unit	Description	Current Budget	Increase (Decrease)	Revised Budget
4022	481	Motor Vehicle Tax Collection Fee	100	200	300
4027	481	Tax Refunds	0	50	50
Total			100	250	350

Justification:

Increase expenditure line to cover unanticipated refunds to taxpayers in the amount of \$50 and increase MV Tax Collection Fee \$200.

Funding Source:

State: _____
Other: _____

Federal: _____
Fees: _____

Fund Balance:

County: _____ New: _____
Prior Year: _____

Other: _____

Submitted By: _____
Department Head

Date: _____

Reviewed By: Kelley Outrey
Finance

Date: 11.3.14

Reviewed By: _____
Finance Director

Date: _____

Reviewed By: Keisha Cardinale
Assistant County Manager

Date: 11.12.14

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

**COUNTY OF CUMBERLAND
BUDGET REVISION REQUEST**

Budget Office Use	
Budget Revision No.	B15-146H
Date Received	11/3/2014
Date Completed	

Fund No. 495 Agency No. 429 Organ. No. 4290

Organization Name: Stoney Point Fire District

ITEM NO. 24(5)i

REVENUE

Revenue Source Code	Description	Current Budget	Increase (Decrease)	Revised Budget
1000	Taxes Current Year	826,407	650	827,057
Total		826,407	650	827,057

EXPENDITURES

Object Code	Appr Unit	Description	Current Budget	Increase (Decrease)	Revised Budget
4022	482	Motor Vehicle Tax Collection Fee	200	600	800
4027	482	Tax Refunds	0	50	50
Total			200	650	850

Justification:

Increase expenditure line to cover unanticipated refunds to taxpayers in the amount of \$50 and increase MV Tax Collection Fee \$600.

Funding Source:

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

Fund Balance:

Submitted By: _____ Date: _____
Department Head

Reviewed By: Kelly Outrey Date: 11.3.14
Finance

Reviewed By: _____ Date: _____
Finance Director

Reviewed By: Melissa Cardinale Date: 11.12.14
Assistant County Manager

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

**COUNTY OF CUMBERLAND
BUDGET REVISION REQUEST**

Budget Office Use	
Budget Revision No.	B15-146I
Date Received	11/3/2014
Date Completed	

Fund No. 496 Agency No. 429 Organ. No. 4292

Organization Name: Vander Fire District

ITEM NO. 24(5)j

REVENUE

Revenue Source Code	Description	Current Budget	Increase (Decrease)	Revised Budget
1000	Taxes Current Year	798,119	600	798,719
Total		798,119	600	798,719

EXPENDITURES

Object Code	Appr Unit	Description	Current Budget	Increase (Decrease)	Revised Budget
4022	483	Motor Vehicle Tax Collection Fee	250	500	750
4027	483	Tax Refunds	0	100	100
Total			250	600	850

Justification:

Increase expenditure line to cover unanticipated refunds to taxpayers in the amount of \$100 and increase MV Tax Collection Fee \$500.

Funding Source:

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

Fund Balance:

Submitted By: _____ Date: _____

Department Head

Reviewed By: Kelley Outrey Date: 11-3-14

Finance

Reviewed By: _____ Date: _____

Finance Director

Reviewed By: Neissa Landinatti Date: 11-12-14

Assistant County Manager

Approved By:

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

**COUNTY OF CUMBERLAND
BUDGET REVISION REQUEST**

Budget Office Use	
Budget Revision No.	B15-146J
Date Received	11/3/2014
Date Completed	

Fund No. 499 Agency No. 429 Organ. No. 4296

Organization Name: Westarea Fire District

ITEM NO. 24(5)K

REVENUE

Revenue Source Code	Description	Current Budget	Increase (Decrease)	Revised Budget
1000	Taxes Current Year	887,887	450	888,337
Total		887,887	450	888,337

EXPENDITURES

Object Code	Appr Unit	Description	Current Budget	Increase (Decrease)	Revised Budget
4022	485	Motor Vehicle Tax Collection Fee	400	300	700
4027	485	Tax Refunds	0	150	150
Total			400	450	850

Justification:

Increase expenditure line to cover unanticipated refunds to taxpayers in the amount of \$150 and increase MV Tax Collection Fee \$300.

Funding Source:

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

Fund Balance:

Submitted By: _____ Date: _____

Department Head

Reviewed By: Kelly Outry Date: 11.3.14

Finance

Reviewed By: _____ Date: _____

Finance Director

Reviewed By: Melissa Cardinali Date: 11.12.14

Assistant County Manager

Approved By:

Date: _____

County Manager

Board of County Commissioners

Date: _____

**COUNTY OF CUMBERLAND
BUDGET REVISION REQUEST**

Budget Office Use	
Budget Revision No.	B15-146K
Date Received	11/3/2014
Date Completed	

Fund No. 499 Agency No. 429 Organ. No. 4297

Organization Name: Westarea Fire District #10

ITEM NO. 24(5)l

REVENUE

Revenue Source Code	Description	Current Budget	Increase (Decrease)	Revised Budget
1000	Taxes Current Year	193,406	400	193,806
Total		193,406	400	193,806

EXPENDITURES

Object Code	Appr Unit	Description	Current Budget	Increase (Decrease)	Revised Budget
4022	486	Motor Vehicle Tax Collection Fee	100	200	300
4027	486	Tax Refunds	0	200	200
Total			100	400	500

Justification:

Increase expenditure line to cover unanticipated refunds to taxpayers in the amount of \$200 and increase MV Tax Collection Fee \$200.

Funding Source:

State: _____
Other: _____

Federal: _____
Fees: _____

Fund Balance:

County: _____ New: _____
Prior Year: _____

Other: _____

Submitted By: _____

Department Head

Reviewed By: Kelly Autry

Finance

Reviewed By: _____

Finance Director

Reviewed By: Nikissa Ordinalis

Assistant County Manager

Date: _____

Date: 11-3-14

Date: _____

Date: 11-12-14

Approved By:

County Manager

Board of County
Commissioners

Date: _____

Date: _____

Patricia Hall,
Chair
Town of Hope Mills

Charles Morris,
Vice-Chair
Town of Linden

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

Donovan McLaurin,
Wade, Falcon & Godwin



CUMBERLAND
★ **COUNTY** ★
NORTH CAROLINA

◆
Planning & Inspections Department

Thomas J. Lloyd,
Director

Cecil P. Combs,
Deputy Director

Vikki Andrews,
Diane Wheatley,
Carl Manning,
Walter Clark,
Cumberland County

Benny Pearce,
Town of Eastover

ITEM NO. _____

3A

NOVEMBER 7, 2014

MEMO TO: Cumberland County Board of Commissioners

FROM: Cumberland County Joint Planning Board

SUBJECT: **Case P14-51:** Rezoning of 10.36+/- acres from A1 Agricultural to R7.5 Residential or to a more restrictive zoning district, located at 780 and 800 Sand Hill Road; submitted by Michael P. Williams on behalf of Castle Hayne Homes, LLC. (owner).

ACTION: 1st Motion for Case P14-51: The Planning and Inspections Staff recommends the board find that approval of the request for rezoning in Case No. P14-51 is consistent with the adopted comprehensive plan designated as the *2030 Growth Vision Plan*, which calls for "urban" at this location because the request proposes development at four or more units per acre.

2nd Motion for Case P14-51: In addition to the above information, the Planning and Inspections Staff also recommends the board approve Case No. P14-51 for R7.5 Residential district.

SITE PROFILE: Frontage & Location: 383.53'+/- on SR 2238 (Sand Hill Road); **Depth:** 1,403.69'+/-; **Jurisdiction:** Cumberland County; **Adjacent Property:** Yes, east of subject properties; **Current Use:** Vacant woodlands; **Initial Zoning:** A1 – June 25, 1980 (Area 13); **Nonconformities:** None; **Zoning Violation(s):** None; **Surrounding Zoning:** North: M(P) & A1; South: C(P)/CU (all uses), O&I(P)/CU (all uses), R10/CU (all uses), R6/CU (all uses), R10 & A1; East: R10 & R7.5; West: C(P)/CU (all uses), O&I(P)/CU (all uses) & A1; **Surrounding Land Use:** Residential, distribution center, farmland & woodlands; **2030 Land Use Plan:** Urban; **Special Flood Hazard Area (SFHA):** None; **Water/Sewer Availability:** PWC/PWC; **Soil Limitations:** Yes, hydric – JT Johnston loam; **School Capacity/Enrolled:** Gallberry Farms Elementary: 900/899; Gray's Creek Middle: 1,100/1,047; Gray's Creek High: 1,270/1,317; **Recreational Facilities:** Recreational facilities are within 1 mile at the Gray's Creek schools; **Subdivision/Site Plan:** If approved, any new development may require review and approval; **Sewer Service Area:** Yes; **Average Daily Traffic Count (2010):** 6,800 on SR 2238 (Sand Hill Road); **Highway Plan:** There are no road improvements/constructions specified for this area. This case has no impact on the current Highway Plan or Transportation Improvement Program; **Notes:** Density minus (15% for R/W): A1 – 5 lots/units (4 lots/units), R40 – 11 lots/units (10 lots/units), R30 – 15 lots/units (13 lots/units), R20 – 23 lots/units (19 lots/units), R15 – 30 lots/units (26 lots/units), R7.5 – 60 lots/units (51 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 OCTOBER 21, 2014

1st MOTION

The Planning and Inspections Staff recommends the board find that approval of the request for rezoning in Case No. P14-51 is consistent with the adopted comprehensive plan designated as the *2030 Growth Vision Plan*, which calls for "urban" at this location because the request proposes development at four or more units per acre.

The staff also recommends the board further find that approval of this rezoning is reasonable and in the public interest because the district requested for the subject property meets or exceeds the location criteria of the adopted Land Use Policies Plan, in that: public water and sewer are available, there is direct access to a local road (Sand Hill Road), the subject property is not located in any defined critical area as defined by the Fort Bragg Small Study Area, and the subject property is located within 1 mile of a recreational area.

2nd MOTION

In addition to the above information, the Planning and Inspections Staff also recommends the board approve Case No. P14-51 for R7.5 Residential district based on the following:

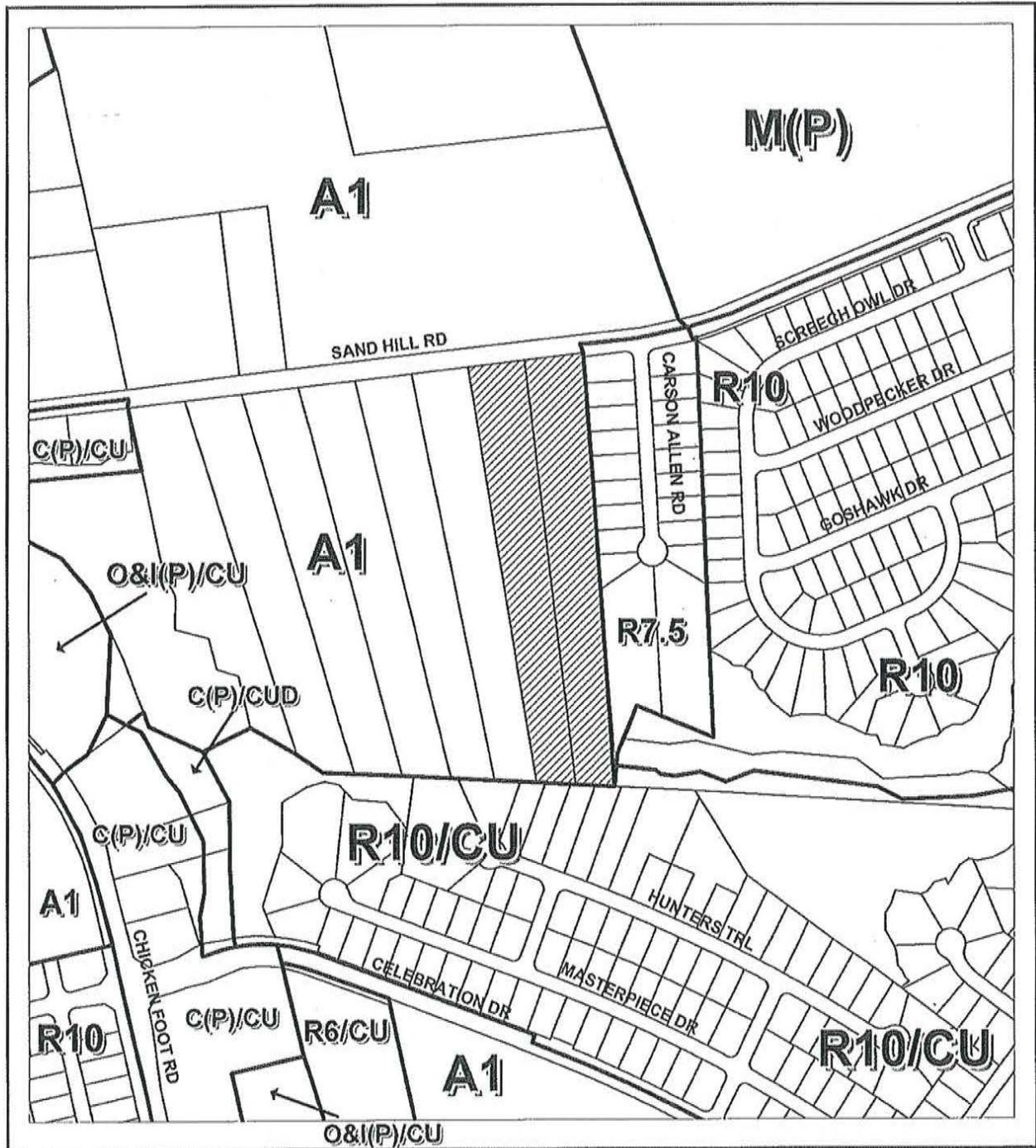
1. The imminent realignment of Sand Hill Road and Braxton Road (a NC DOT safety project) and installation of a traffic signal will relieve congestion and access making the proposed district viable; and
2. The R7.5 Residential district will allow for land uses and lot sizes that exist in the general area.

The R15 and R20 Residential districts could also be considered suitable for this request.

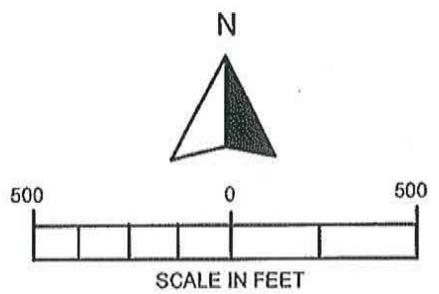
Mr. Pearce made both of the motions referenced above, seconded by Mrs. Wheatley, to follow the staff recommendations and approve the rezoning request. The motions passed unanimously.

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.



REQUESTED REZONING A1 TO R7.5



ACREAGE: 10.36 AC.+/-		HEARING NO: P14-51	
ORDINANCE: COUNTY	HEARING DATE	ACTION	
STAFF RECOMMENDATION			
PLANNING BOARD			
GOVERNING BOARD			

PIN: 0422-88-4968
 PIN: 0422-88-3904

10-15-14
 AM

Patricia Hall,
Chair
Town of Hope Mills

Charles Morris,
Vice-Chair
Town of Linden

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

Donovan McLaurin,
Wade, Falcon & Godwin



CUMBERLAND
★ **COUNTY** ★
NORTH CAROLINA

—◆—
Planning & Inspections Department

Thomas J. Lloyd,
Director

Cecil P. Combs,
Deputy Director

Vikki Andrews,
Diane Wheatley,
Carl Manning,
Walter Clark,
Cumberland County

Benny Pearce,
Town of Eastover

NOVEMBER 7, 2014

ITEM NO. 3B

MEMO TO: Cumberland County Board of Commissioners

FROM: Cumberland County Joint Planning Board

SUBJECT: **Case P14-53:** Rezoning of 19.77+/- acres from RR Rural Residential to R15 Residential or to a more restrictive zoning district; located on the northeast side of SR 2013 (Old Vander Road), south of Blakefield Drive; submitted by Damien Bukowi on behalf of Federal Paper Board Company, Inc. (acquired by International Paper Company in 1996) and Broadwell Brothers, LLC.

ACTION: 1st motion for Case P14-53: Move to find the request for rezoning consistent with the 2030 Growth Vision Plan, and any other applicable land use plan, reasonable and in the public interest for the reasons stated in the recommendations of the Planning Staff.

2nd motion for Case P14-53: Move to approve the rezoning from RR Rural Residential to R15 Residential as recommended by the Planning Staff.

SITE PROFILE: **Frontage & Location:** 360.09'+/- on SR 2013 (Old Vander Road); **Depth:** 2045.92'+/-; **Jurisdiction:** Cumberland County; **Adjacent Property:** No; **Current Use:** Vacant woodlands; **Initial Zoning:** RR – September 3, 1996 (Area 20); **Nonconformities:** None; **Zoning Violation(s):** None; **Surrounding Zoning:** North: RR/CU (to allow billboard), C(P), C2(P), RR, R20 & A1; South: RR & A1; East: A1; West: RR; **Surrounding Land Use:** Residential (including manufactured homes), farmland & woodlands; **2030 Land Use Plan:** Community Growth Area; **Special Flood Hazard Area (SFHA):** None; **Water/Sewer Availability:** PWC/PWC; **Soil Limitations:** Yes, hydric – BY Byars loam, ST Stallings loamy sand & TR Torhunta and Lynn Haven soils; **School Capacity/Enrolled:** Sunnyside Elementary: 300/364; Mac Williams Middle: 1,270/1,169; Cape Fear High: 1,425/1/541; **Subdivision/Site Plan:** If approved, any new development may require a review and approval; **Recreational Facilities:** Recreational facilities are within 1/2 mile at Cape Fear High School; **Municipal Influence Area:** Town of Stedman; **Average Daily Traffic Count (2012):** 940 on SR 2013 (Old Vander Road); **Highway Plan:** There are no road improvements/constructions specified for this area. This case has no impact on the current Highway Plan or Transportation Improvement Program; **Notes:** Density (minus 15% for R/W): RR – 43 lots/units (37 lots/units), R15 – 57 lots/units (49 lots/units), Minimum Yard Setback Regulations: **RR & R15:** Front yard: 30', Side yard: 15', Rear yard: 35'.

MINUTES OF OCTOBER 21, 2014

1st MOTION

The Planning and Inspections Staff recommends the board find that approval of the request for rezoning in Case No. P14-53 is consistent with the adopted comprehensive plan designated as the *2030 Growth Vision Plan*, which calls for "community growth area" at this location as the proposed district would allow development at 2.9 units per acre.

The staff also recommends the board further find that approval of this rezoning is reasonable and in the public interest because the district requested for the subject property meets or exceeds the location criteria of the adopted Land Use Policies Plan, in that: public water and sewer are available, there is direct access to a local road (Old Vander Road), and the subject property is not located in any defined critical area as defined by the Fort Bragg Small Study Area, and recreational facilities are less than half a mile away.

2nd MOTION

In addition to the above information, the Planning and Inspections Staff also recommends the board approve Case No. P14-53 for R15 Residential district based on the following:

- The R15 Residential district will allow for land uses and lot sizes that exist in the general area.

There are no other districts considered suitable for this request.

Mr. Pearce made both of the motions referenced above, seconded by Mrs. Wheatley, to follow the staff recommendations and approve the rezoning request. The motions 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.

ITEM NO. 30

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 832-2014.

Property Owner: Evelyn C Smith

Home Owner: Evelyn C Smith

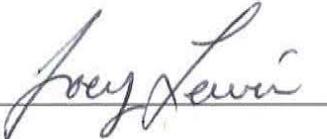
Property Address: 3117 Cope Street, Fayetteville, NC

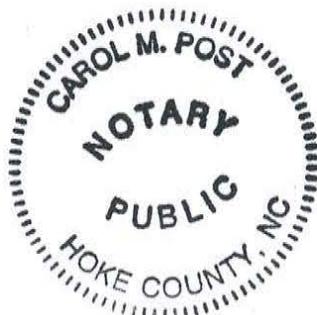
Tax Parcel Identification Number: 0426-50-7984

SYNOPSIS: This property was inspected on 9/11/2014. The property owners and parties of interest were legally served with Notice of Violations and was afforded a Hearing on 10/21/2014. Evelyn C Smith & Lauralisa Dickie 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 11/16/2014. 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 11/3/2014, the required corrective action has not been made to the structure. The structure is presently vacant and unsecured. In its present state, this structure constitutes a fire, health, and safety hazard.

The estimated cost to repair the structure to a minimum standard for human habitation is \$31,752.00. The Assessor for Cumberland County has the structure presently valued at \$25,950.00. Attached is a map depicting the location of the property. (See Exhibit B.)

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


Joey Lewis
Code Enforcement Officer
County of Cumberland



Sworn to and Subscribed to by me this
the 3rd day of November 2014.


Notary Public
My Commission Expires: 11-23-14

**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

10/21/2014

91 7199 9991 7034 1788 4101

Evelyn C Smith & Parties of Interest
4117 Macedonia Church Road
Fayetteville NC, 28312

CASE # MH-832-2014

PROPERTY AT: 3117 Cope Street, Fayetteville, NC

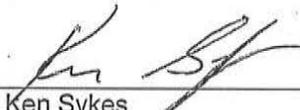
A Complaint, Notice of Hearing and Report of Inspection were legally served to the owner or owner's agent, and any party of interest. These documents were in fact received by the owner or owner's agent and party of interest on 9/26/2014.

Pursuant of law, a Hearing was conducted in Room 101, of the old courthouse at 130 Gillespie Street, Fayetteville, NC on 10/21/2014 at 10:0 AM. The items identified below took place at the Hearing:

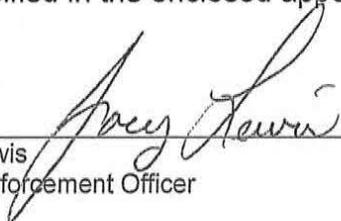
- 1. No owner or party of interest, or their agent, or representative appeared.
- 2. An answer was filed by owners and/or parties of interest. The answer was heard, read, and considered. Those present were: Evelyn C Smith & Lauralisa Dickie
- 3. The undersigned inspector personally inspected the dwelling described in the Complaint and Notice of Hearing dated 9/18/2014. 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-832-2014, dated 9/11/2014.
 - 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 11/16/2014. **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 11/16/2014 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 11/16/2014.
 - 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 11/16/2014. 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

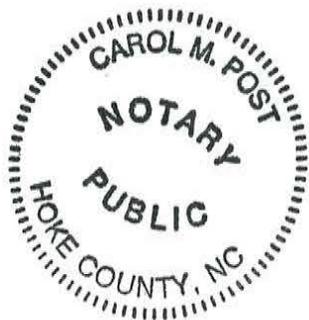


Joey Lewis
Code Enforcement Officer

Enclosed: Appeals Procedure Form

Cc:

Sworn to and Subscribed to by me
this the 21st day of October, 2014





Notary Public
My Commission Expires: 11-03-14

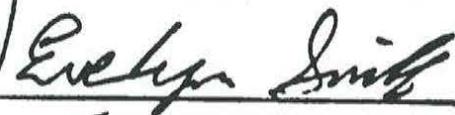
EXHIBIT "A"

Date: November 3, 2014

j lewis:

The following is in response to your November 3, 2014 request for delivery information on your Certified Mail™ item number 9171999991703417884101. The delivery record shows that this item was delivered on October 28, 2014 at 3:52 pm in FAYETTEVILLE, NC 28312. The scanned image of the recipient information is provided below.

Signature of Recipient :

Signature	
Printed Name	E. Smith

Address of Recipient :

Address	4117 Macedonia ch Rd
---------	----------------------

Thank you for selecting the Postal Service for your mailing needs.

If you require additional assistance, please contact your local Post Office or postal representative.

Sincerely,
United States Postal Service

PROOF OF SERVICE OF *FINDINGS OF FACT AND ORDER*
DATED October 21, 2014 CASE NUMBER *MH 832-2014*

EXHIBIT A

Thomas J. Lloyd,
Director

Cecil P. Combs,
Deputy Director

Ken Sykes,
Code Enforcement Manager

Carol M. Post
Office Processing Assistant



CUMBERLAND ★ COUNTY ★ NORTH CAROLINA

George Hatcher,
Inspector

Joey Lewis,
Inspector

Joan Fenley,
Inspector

Debra Johnson,
Inspector

Planning & Inspections Department

CONSENT TO DEMOLISH

I, Evelyn C. Smith, property owner of
3117 Cope St, identified by Tax Parcel Identification
Number 0426-50-7984, and more particularly described as
3117 Cope St, Fayetteville, NC

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

I further understand that the cost for said demolition and debris removal will be placed in
the form of a lien against the real property identified by Tax Parcel Identification Number
0426-50-7984, and will be collected by the Cumberland County
Tax Collector. Failure to pay the tax lien or assessment can result in the Tax
Administrator's Office taking action to cause a mortgage style foreclosure of the
property, to garnish my wages or to levy on my bank account.

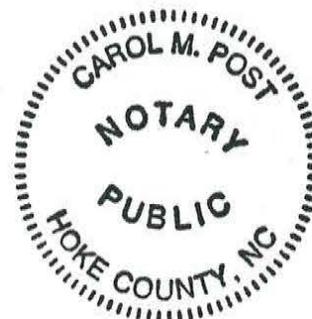
Evelyn Smith
Property Owner

10-21-14
Date

Sworn to and Subscribed to by me this
The 21st day of October, 2014

Carol M. Post
Notary Public

My Commission Expires: 11-03-14



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

I, Debra Johnson, 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 651-2014

Property Owner: Donald & Delores McKoy

Home Owner: Donald & Delores McKoy

Property Address: 115 Linwood Rd, Fayetteville NC

Tax Parcel Identification Number: 0424-76-5545

SYNOPSIS: This property was inspected on 6/24/2014. The property owners and parties of interest were legally served with Notice of Violations and was afforded a Hearing on 7/30/2014. Donald & Delores McKoy attended the Hearing. It was ordered that the structure be repaired to a minimum standard for human habitation, or be demolished and the debris removed from the premises by a date not later than 10/31/2014. 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 11/3/2014, no corrective action had been made to the structure. The structure is presently vacant and reasonably secured. In its present state, this structure constitutes a fire, health, and safety hazard.

The estimated cost to repair the structure to a minimum standard for human habitation is \$70,560.00. The Assessor for Cumberland County has the structure presently valued at \$2,500.00 (for 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.

Debra Johnson
Debra Johnson
Code Enforcement Officer
County of Cumberland



Sworn to and Subscribed to by me this
the 3rd day of November 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

7/30/2014

George Hatcher,
Inspector

Joey Lewis,
Inspector

Joan Fenley,
Inspector

Debra Johnson,
Inspector

Christopher Fulton,
Inspector

Donald & Delores Mckoy & Parties of Interest
124 Linwood Road
Fayetteville Nc, 28306

91 7199 9991 7034 5067 7395 } C-1-P
91 7199 9991 7034 5067 7388 }

CASE # MH-651-2014

PROPERTY AT: 115 Linwood Road, Fayetteville, NC

A Complaint, Notice of Hearing and Report of Inspection were legally served to the owner or owner's agent, and any party of interest. These documents were in fact received by the owner or owner's agent and party of interest on 6/28/2014.

Pursuant of law, a Hearing was conducted in Room 101, of the old courthouse at 130 Gillespie Street, Fayetteville, NC on 7/30/2014 at 10:00 AM. The items identified below took place at the Hearing:

- 1. No owner or party of interest, or their agent, or representative appeared.
- 2. An answer was filed by owners and/or parties of interest. The answer was heard, read, and considered. Those present were: Donald and Delores McKoy
- 3. The undersigned inspector personally inspected the dwelling described in the Complaint and Notice of Hearing dated 6/25/2014. 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-651-2014, dated 6/24/2014.
 - b. Due to these findings, the dwellings are found to be in a substandard condition in accordance with the Cumberland County Ordinance.
 - c. The dwelling is unfit for human habitation.

EXHIBIT "A"

4. Due to facts presented above, the Hearing Officer orders as follows:
- a. The owners and/or parties of interest of the dwelling named above are required to bring such dwelling into compliance with the Cumberland County Housing Ordinance by either repairing, altering, and improving the dwelling up to a minimum standard or by demolishing the structure and then causing the debris to be removed from the premises by a date not later than 10/31/2014. **All required permits must be obtained. A copy of this order must be presented when obtaining permits.**
 - b. The dwelling shall remain vacated until compliance with this order is completed and removed by the inspector, and the lot must be continuously maintained.
 - c. The structure shall be/remain secured to prevent entry by _____ and shall remain secured.
 - d. By authority of North Carolina General Statutes 14-4, violation of the County code is punishable as a Class 3 Misdemeanor in criminal court and also subjects the violator to injunctive relief and/or a civil penalty of \$50.00 per day for each day's continuing violation after _____.
 - e. The County Planning/Inspection Department may immediately begin procedures to seek a demolition ordinance from the Cumberland County Board of Commissioners for failure to bring the property into compliance by 10/31/2014. 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



Debra Johnson
Code Enforcement Officer

Enclosed: Appeals Procedure Form

Cc:

Sworn to and Subscribed to by me
this the 30th day of July, 2014





Notary Public
My Commission Expires: 11-03-14

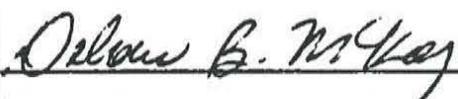
EXHIBIT "A"

Date: November 3, 2014

d johnson:

The following is in response to your November 3, 2014 request for delivery information on your Certified Mail™ item number 9171999991703450677395. The delivery record shows that this item was delivered on August 6, 2014 at 11:35 am in FAYETTEVILLE, NC 28306. The scanned image of the recipient information is provided below.

Signature of Recipient :

JFB	
id	

Address of Recipient :

ry ISS	
-----------	--

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

Date: September 3, 2014

dj:

The following is in response to your September 3, 2014 request for delivery information on your Certified Mail™ item number 9171999991703450677388. The delivery record shows that this item was delivered on August 11, 2014 at 1:18 pm in FAYETTEVILLE, NC 28306. The scanned image of the recipient information is provided below.

Signature of Recipient : *Delores B. McKay*

Delores B. McKay

Address of Recipient : *124 Linwood Rd
Fay NC 28306*

Thank you for selecting the Postal Service for your mailing needs.

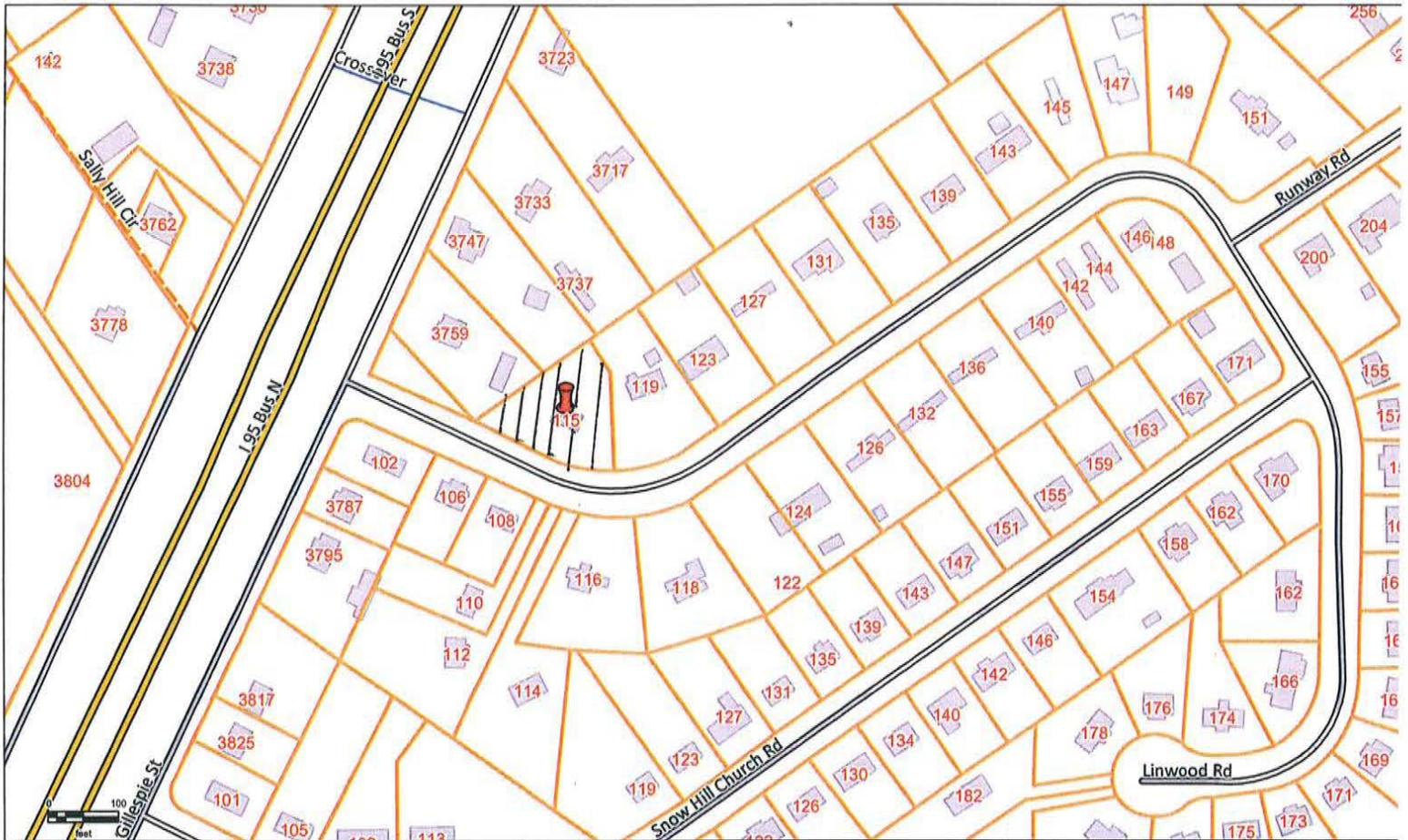
If you require additional assistance, please contact your local Post Office or postal representative.

Sincerely,
United States Postal Service

PROOF OF SERVICE OF **FINDINGS OF FACT AND ORDER**
DATED July 30, 2014 CASE NUMBER **MH 651-2014**

EXHIBIT A

MAP DEPICTING LOCATION OF PROPERTY
Property Owner: Donald & Delores McKoy
115 Linwood Rd, Fayetteville, NC
Minimum Housing Case # MH 651-2014
TAX PARCEL IDENTIFICATION NUMBER 0424-76-5545



Thomas J. Lloyd,
Director

Cecil P. Combs,
Deputy Director

Ken Sykes,
Inspections Coordinator

Carol M. Post
Planning and Inspections
Office Support



Angela Perrier,
Inspector

George Hatcher,
Inspector

Joey Lewis,
Inspector

Joan Fenley,
Inspector

COUNTY of CUMBERLAND

Planning & Inspections Department

CONSENT TO DEMOLISH

Donald D McRoy, property owner of
115 Linwood Rd FAY NC, identified by Tax Parcel Identification
Number 0424-76-5545, and more particularly described as
Lot 1 Pine meadows Linwood Rd

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

I further understand that the cost for said demolition and debris removal will be placed in
the form of a lien against the real property identified by Tax Parcel Identification Number
0424-76-5545, and will be collected by the Cumberland County
Tax Collector. Failure to pay the tax lien or assessment can result in the Tax
Administrator's Office taking action to cause a mortgage style foreclosure of the
property, to garnish my wages or to levy on my bank account.

Donald D. McRoy
Property Owner

10-21-14
Date

Sworn to and Subscribed to by me this
The 21st day of October, 2014

Carol M. Post
Notary Public

My Commission Expires: 11-03-14



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

I, Joan Fenley, 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 776-2014.

Property Owner: Connie G Groves

Home Owner: Connie G Groves

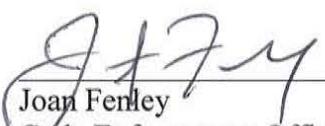
Property Address: 3214 Princess Ann Drive, Fayetteville, NC

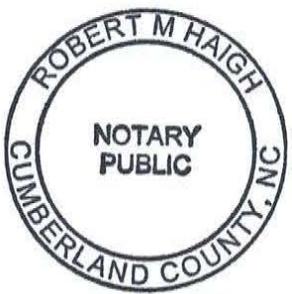
Tax Parcel Identification Number: 0425-17-4090

SYNOPSIS: This property was inspected on 8/21/2014. The property owners and parties of interest were legally served with Notice of Violations and was afforded a Hearing on 9/22/2014. Connie G Groves attended the Hearing. It was ordered that the structure be repaired to a minimum standard for human habitation, or be demolished and the debris removed from the premises by a date not later than 10/17/2014. 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 11/6/14, no corrective action had been made to the structure. The structure is presently vacant and unsecured. In its present state, this structure constitutes a fire, health, and safety hazard.

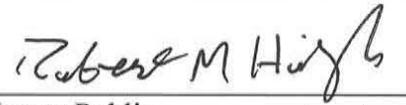
The estimated cost to repair the structure to a minimum standard for human habitation is \$65,818.00. The Assessor for Cumberland County has the structure presently valued at \$17,214.00. Attached is a map depicting the location of the property. (See Exhibit B.)

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


Joan Fenley
Code Enforcement Officer
County of Cumberland



Sworn to and Subscribed to by me this
the 6th day of November 2014.


Notary Public
My Commission Expires: 5/4/2019

**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

10/9/2014

George Hatcher,
Inspector

Joey Lewis,
Inspector

Joan Fenley,
Inspector

Debra Johnson,
Inspector

Christopher Fulton,
Inspector

Connie G Groves & Parties of Interest
2029 Davis Bridge Road
Parkton NC, 28371

CASE # MH-776-2014

PROPERTY AT: 3214 Princess Ann Drive, Fayetteville, NC

A Complaint, Notice of Hearing and Report of Inspection were legally served to the owner or owner's agent, and any party of interest. These documents were in fact received by the owner or owner's agent and party of interest on 9/10/2014.

Pursuant of law, a Hearing was conducted in Room 101, of the old courthouse at 130 Gillespie Street, Fayetteville, NC on 9/22/2014 at 1:30 PM. 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: Connie G Groves & Joan Fenley
- 3. The undersigned inspector personally inspected the dwelling described in the Complaint and Notice of Hearing dated 9/5/2014. 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-776-2014, dated 8/22/2014.
 - b. Due to these findings, the dwellings are found to be in a substandard condition in accordance with the Cumberland County Ordinance.
 - c. The dwelling is unfit for human habitation.

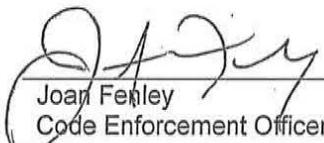
EXHIBIT "A"

4. . Due to facts presented above, the Hearing Officer orders as follows:
- a. The owners and/or parties of interest of the dwelling named above are required to bring such dwelling into compliance with the Cumberland County Housing Ordinance by either repairing, altering, and improving the dwelling up to a minimum standard or by demolishing the structure and then causing the debris to be removed from the premises by a date not later than 10/17/2014. **All required permits must be obtained. A copy of this order must be presented when obtaining permits.**
 - b. The dwelling shall remain vacated until compliance with this order is completed and removed by the inspector, and the lot must be continuously maintained.
 - c. The structure shall be/remain secured to prevent entry by _____ and shall remain secured.
 - d. By authority of North Carolina General Statutes 14-4, violation of the County code is punishable as a Class 3 Misdemeanor in criminal court and also subjects the violator to injunctive relief and/or a civil penalty of \$50.00 per day for each day's continuing violation after_____.
 - e. The County Planning/Inspection Department may immediately begin procedures to seek a demolition ordinance from the Cumberland County Board of Commissioners for failure to bring the property into compliance by 10/17/2014. 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

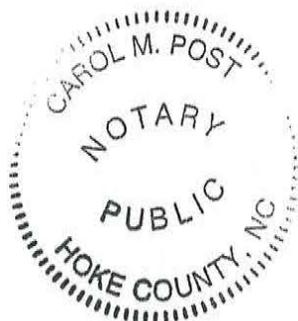


Joan Fenley
Code Enforcement Officer

Enclosed: Appeals Procedure Form

Cc:

Sworn to and Subscribed to by me
this the 9th day of October, 2014





Notary Public
My Commission Expires: 11-03-14

EXHIBIT "A"

NORTH CAROLINA
COUNTY OF CUMBERLAND

PLANNING/INSPECTIONS DEPARTMENT

RE: Connie G Groves & Parties of Interest
Name of Violator

MH 776-2014
Case Number

AFFIDAVIT OF RETURN OF SERVICE
(Personal Service to Individual)

I, Carol M Post, Code Enforcement Admin., with the Cumberland County Inspections Department, personally
(name & title)

served Connie G Groves, a copy of the Findings of Fact and Order and Appeals Procedures Form citing
(name of violator)

violations of Article IV, Chapter 4 of the Cumberland County Minimum Housing Ordinance by hand delivering
said notice(s) to a person of suitable age and discretion, namely: Connie G. Groves at the following address:

130 Gillespie Street, Fayetteville, NC 28302

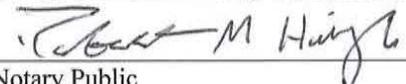
I further certify that said service was completed on this the 1st day of October, 2014.



Carol M. Post
Code Enforcement Admin.

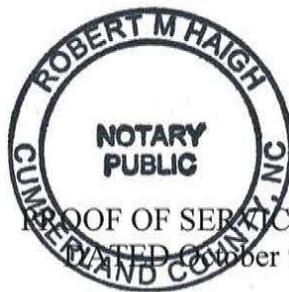
Sworn to and subscribed to before me

this the 4th day of October, 20 14.



Notary Public

My Commission Expires: May 4th, 2019



PROOF OF SERVICE OF **FINDINGS OF FACT AND ORDER**
DATED October 9, 2014 CASE NUMBER **MH 776-2014**

EXHIBIT A

Thomas J. Lloyd,
Director

Cecil P. Combs,
Deputy Director

Ken Sykes,
Code Enforcement Manager

Carol M. Post
Office Processing Assistant



CUMBERLAND COUNTY NORTH CAROLINA

George Hatcher,
Inspector

Joey Lewis,
Inspector

Joan Fenley,
Inspector

Debra Johnson,
Inspector

Christopher Fulton,
Inspector

Planning & Inspections Department

CONSENT TO DEMOLISH

I, Connie G. Groves, property owner of

3214 Princess Ann Drive, identified by Tax Parcel Identification
Fayetteville NC 28306

Number 0425-17-4090, and more particularly described as

3214 Princess Ann Drive, Fayetteville, NC 28306

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

I further understand that the cost for said demolition and debris removal will be placed in the form of a lien against the real property identified by Tax Parcel Identification Number

0425-17-4090, and will be collected by the Cumberland County

Tax Collector. Failure to pay the tax lien or assessment can result in the Tax Administrator's Office taking action to cause a mortgage style foreclosure of the property, to garnish my wages or to levy on my bank account.

Connie G. Groves
Property Owner

9-18-14
Date

Sworn to and Subscribed to by me this

The 18th day of September, 2014

[Signature]
Notary Public

My Commission Expires: 11-03-14



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 457-2014.

Property Owner: Betty Morneault

Home Owner: Betty Morneault

Property Address: 6526 Alamance Road, Hope Mills, NC

Tax Parcel Identification Number: 0412-54-7360

SYNOPSIS: This property was inspected on 10/28/2013. The property owners and parties of interest were legally served with Notice of Violations and was afforded a Hearing on 2/6/2014. David Pait attended the Hearing. It was ordered that the structure be repaired to a minimum standard for human habitation, or be demolished and the debris removed from the premises by a date not later than 4/6/2014. 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 11/3/2014, the required corrective action has not been made to the structure. The structure is presently vacant and unsecured. In its present state, this structure constitutes a fire, health, and safety hazard.

The estimated cost to repair the structure to a minimum standard for human habitation is \$91,091.00. The Assessor for Cumberland County has the structure presently valued at \$5,625.00 (utility condition). Attached is a map depicting the location of the property. (See Exhibit B.)

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


George Hatcher
Code Enforcement Officer
County of Cumberland



Sworn to and Subscribed to by me this
the 3rd day of November 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

2/7/2014

George Hatcher,
Inspector

Joey Lewis,
Inspector

Joan Fenley,
Inspector

Debra Johnson,
Inspector

Chris Fulton,
Inspector

91 7199 9991 7033 4000 3754

Betty Morneault & Parties of Interest
6526 Alamance Road
Hope Mills NC, 28348

CASE # MH-457-2014

PROPERTY AT: 6526 Alamance Road, Hope Mills, NC

A Complaint, Notice of Hearing and Report of Inspection were legally served to the owner or owner's agent, and any party of interest. These documents were in fact received by the owner or owner's agent and party of interest on 1/18/2014.

Pursuant of law, a Hearing was conducted in Room 101, of the old courthouse at 130 Gillespie Street, Fayetteville, NC on 2/6/2014 at 9:15 AM. The items identified below took place at the Hearing:

- 1. No owner or party of interest, or their agent, or representative appeared.
- 2. An answer was filed by owners and/or parties of interest. The answer was heard, read, and considered. Those answering by phone were: David Pate
- 3. The undersigned inspector personally inspected the dwelling described in the Complaint and Notice of Hearing dated 1/13/2014. 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-457-2014, dated 10/28/2013.
 - b. Due to these findings, the dwellings are found to be in a substandard condition in accordance with the Cumberland County Ordinance.
 - c. The dwelling is unfit for human habitation.

EXHIBIT "A"

4. Due to facts presented above, the Hearing Officer orders as follows:
- a. The owners and/or parties of interest of the dwelling named above are required to bring such dwelling into compliance with the Cumberland County Housing Ordinance by either repairing, altering, and improving the dwelling up to a minimum standard or by demolishing the structure and then causing the debris to be removed from the premises by a date not later than 4/6/2014. **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 4/6/2014. 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 7th day of January, 2014



Notary Public
My Commission Expires: 11-03-14

EXHIBIT "A"

NORTH CAROLINA
COUNTY OF CUMBERLAND

PLANNING/INSPECTIONS DEPARTMENT

RE: Betty Morneault, C/O David Pait & Parties of Interest
Name of Violator

MH 457-2014
Case Number

AFFIDAVIT OF RETURN OF SERVICE
(Personal Service to Individual)

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

served Betty Morneault, C/O David Pait a copy of the Findings of Fact and Order and Appeals Procedures Form
(name of violator)

citing violations of Article IV, Chapter 4 of the Cumberland County Minimum Housing Ordinance by mailing said
notice(s) via certified mail and first class mail to the following address:

3670 Heartpine Drive, Fayetteville, NC 28306

and by posting said notice(s) at the following address:

6526 Alamance Road, Hope Mills, NC 28348

I further certify that said service was completed on this the 10th day of February, 2014.



George Hatcher
Code Enforcement Officer

Sworn to and subscribed to before me

this the 10th day of February, 2014.



Notary Public

My Commission Expires: 11-03-14



PROOF OF SERVICE OF *FINDINGS OF FACT AND ORDER*
DATED February 7, 2014 CASE NUMBER *MH 457-2014*

EXHIBIT A

MAP DEPICTING LOCATION OF PROPERTY
Property Owner: Betty Morneault
6526 Alamance Road, Hope Mills, NC
Minimum Housing Case # MH 457-2014
TAX PARCEL IDENTIFICATION NUMBER: 0412-54-7360

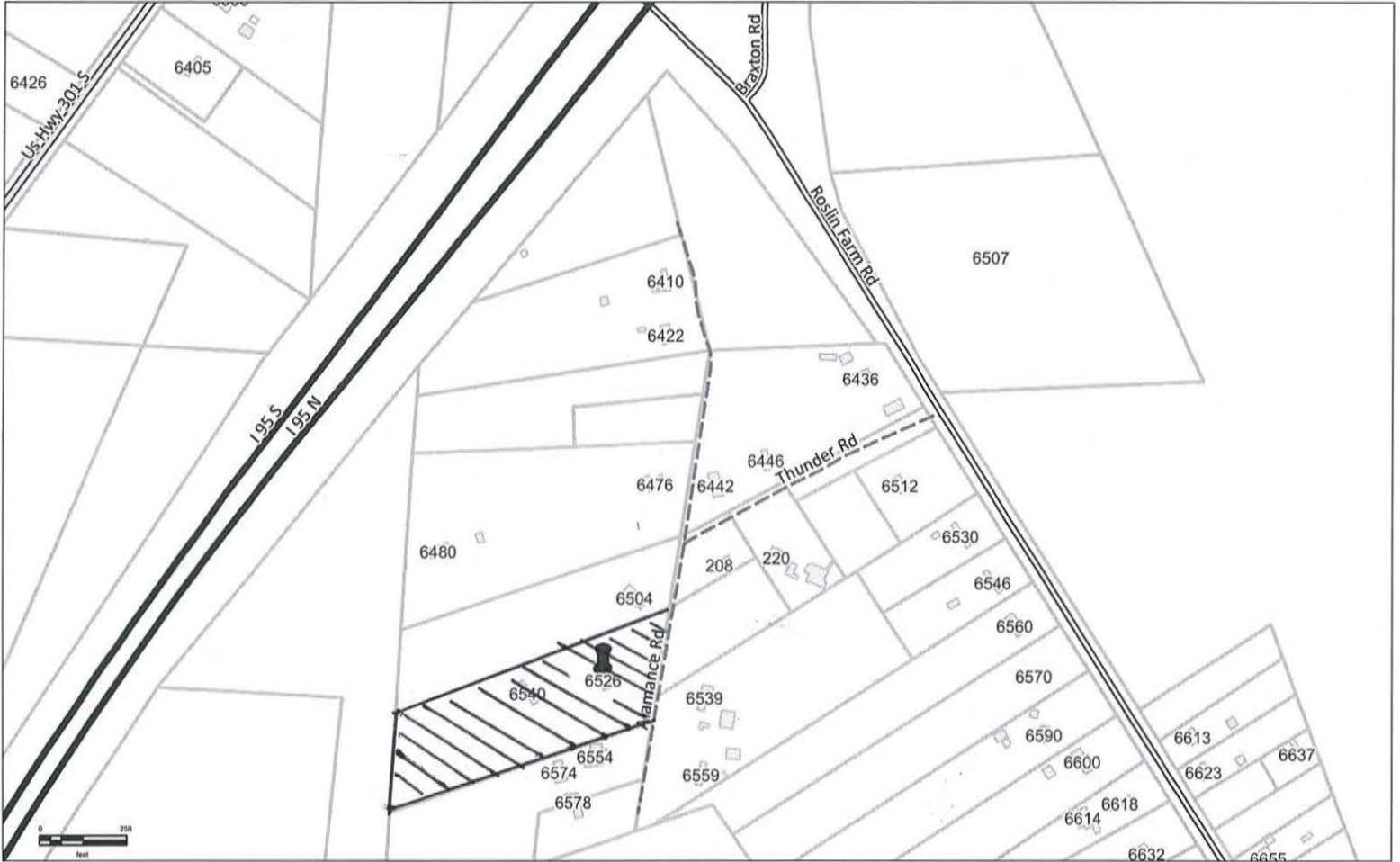


EXHIBIT B



ITEM NO. _____

4

CUMBERLAND
★ **COUNTY** ★
NORTH CAROLINA

PUBLIC INFORMATION OFFICE

MEMO FOR BOARD OF COMMISSIONERS NOVEMBER 17, 2014 AGENDA

TO: BOARD OF COMMISSIONERS

FROM: SALLY SHUTT, GOVERNMENTAL AFFAIRS OFFICER *Sally Shutt*

THRU: AMY H. CANNON, COUNTY MANAGER *AHC*

DATE: NOVEMBER 12, 2014

SUBJECT: 2014 STRATEGIC PLAN UPDATE

BACKGROUND

The attached report is an update on the progress made in 2014 in meeting the five goals outlined in the County's Strategic Plan. The last Strategic Plan report was presented on February 4, 2014.

RECOMMENDATION/PROPOSED ACTION

The report is presented for information purposes only.

Cumberland County 2014 Strategic Plan UPDATE

GOAL 1: Ensure a safe and healthy community by providing needed services to our citizens in a timely manner.

- **Objective 1:** *Provide youth development program opportunities that promote good citizenship.*
 - Library presented 46 youth programs that drew a total attendance of 2,030.
 - Cooperative Extension completed a successful Youth Government Tour where youth learned about county services by visiting county departments and participating in hands-on activities. The tour is the youth component of the Citizens' Academy.
 - Following a recommendation of the Fayetteville Cumberland Liaison Committee, the Fayetteville-Cumberland Youth Council has been revived.
 - Cooperative Extension's 4-H Youth Development program had 260 Youth 4-H participants. Youth worked on community services projects ranging from gleaning 650 pounds of sweet potatoes to collecting food and supplies for animal rescues.

- **Objective 2:** *Assist with efforts to reduce crime by repeat offenders.*
 - Detention Center Expansion completed and building dedicated on Feb. 3, 2014. The expansion addressed overcrowding concerns and capacity increased from 568 to 884.
 - Veterans Court held grand opening Nov. 13, 2014. The Finance Department assisted in the successful Governor's Crime Commission grant process. Veterans Services is participating in the Veterans Treatment Court.
 - County Manager's Office, Sheriff's Office and Public Health Department are participating in Collective Impact meetings with other community leaders to address youth issues, crime prevention, and job readiness.

- **Objective 3:** *Improve emergency response services to citizens.*
 - All the County fire departments have been consolidated under one Firehouse server managed by county Information Services.
 - The 911 Communications Center completed its P25 console upgrade and went live on June 23, just in time for the state's conversion to P25.
 - Ebola Planning and Response: Cumberland County Department of Public Health (CCDPH) hosts weekly Ebola conference calls from N. C. Department of Health and Human Services and invites various community partners. CCDPH, Emergency Services, Womack and Cape Fear Valley Hospital are meeting bi-weekly to strengthen community response and preparedness efforts in the event of an Ebola case.

- **Objective 4:** *Promote a healthy community by providing educational, health and human services programs and resources to citizens.*
 - All County properties became smoke-free on Sept. 1, 2014.
 - The Board of Commissioners adopted the final assessment resolution to provide water to the Bullard Circle project.
 - Engineering & Infrastructure secured USDA Funding in April 2014 in the amount of \$3,372,700 for the Overhills Sewer Project.
 - Sheriff's Office opened the Fuller School Resource and Community Policing Center

- Through a partnership with Cumberland County Schools, Sheriff's Office added eight School Resource Officers and one detective position dedicated to investigating school related incidents.
- DSS successfully implemented NC FAST and Affordable Care Act technology, service provision and policy requirements for the Food and Nutrition (food stamps) program and Medicaid applications. This involved coordination, communication and engagement with Social Services Board, County Commissioners, County Management, State DHHS, and community partners.
- DSS received grants from Casey Family Foundation, Federal Administration for Children Services, Cumberland Community Foundation and partnered with UNC Chapel Hill to improve permanency outcomes for children, focus on human trafficking and combat domestic violence
- Child Support met four out of five incentive goals for Fiscal Year 2014.
- Library presented 47 programs on health topics with a total attendance of 1,599.
- Community Development continued to promote and improve the safety and livability of communities and address human services needs through housing and human services programs.
- CCDPH:
 - o Partnered with Cumberland County Schools and Cape Fear Valley Hospital to facilitate and host "Real Talk" event at Pine Forest High School to increase community awareness regarding teenage pregnancy prevention. The successful event featured more than 40 vendors as part of a health fair and approximately 360 teens and adults attended.
 - o Conducted 19 rabies clinics during April 2014, resulting in the vaccination of over 1,800 animals (dogs/cats).
 - o Provided vector control opportunities through the distribution of mosquito dunks to the public at no charge.
- CCDPH's Women, Infants, and Children (WIC) Nutrition program participated in several outreach events including:
 - o the Cumberland County Fair offering a Rock-N-Rest area for pregnant moms and breastfeeding moms
 - o Latino Outreach Day to introduce the Latino population to available resources
- CCDPH Health Education Division provided health education and information in four program areas (health promotion, communicable disease prevention, maternal/child health, and family planning). Some of their activities in this past year included:
 - o developing and implementing community based initiative to reduce risk factors linked to chronic diseases;
 - o implementing evidence-based sexually transmitted and HIV/AIDS prevention education
 - o promoting healthy lifestyles for positive pregnancy outcomes
 - o offering health and safety education to prevent accidents and unintended injuries
 - o providing clinic and community based contraceptive education classes
 - o engaging with SafeKids of Cumberland County to reduce incidents of accidental or unintentional injury to children.

- Soil and Water Conservation provided information and training in Soil and Water Conservation to children and adults in schools from pre-k to university level, libraries, parks and recreation centers, career days, county fair, state fair and citizens' academy.
- Animal Control reported an 18 percent decrease in euthanasia. The department also participated in national "Just One Day" no-kill event on June 11, 2014.
- Pet licensing compliance for cats grew from .09 percent to 5.8 percent and from 3.8 percent to 21.4 percent for dogs
- Cooperative Extension received a grant to renovate the Agriculture Center kitchen, which will now enable them to offer classes to youth and adults on nutrition, cooking and culinary arts.
- More than 370 youth and adults participated in Cooperative Extension nutrition programs such as:
 - o Steps to Health, a supplemental nutrition assistance program for youth;
 - o County Employee Healthy Cooking classes, cooking classes to provide County employees with healthy cooking information;
 - o Read Me a Story, a food and nutrition program for children, which uses storybooks to share nutrition information;
 - o Farm to Kitchen Camp, which educates youth on where food comes from

GOAL 2: Provide adequate infrastructure consistent with orderly growth of a dynamic county.

- Engineering and Infrastructure Department:
 - o Secured USDA Funding in April 2014 in the amount of \$3,372,700 for the Overhills Sewer Project.
 - o Successfully maintained Community Rating System (CRS) rating of an eight when the National Flood Insurance Program (NFIP) audit was conducted
 - o Completed Vander Sewer Project

• **Objective 1:** *Explore strategies to address the County's need for more office space, and ensure facilities are well-maintained.*

- Detention Center Expansion completed and building dedicated in February 2014. The expansion addressed overcrowding concerns and capacity increased from 568 to 884.
- Renovations to the 109 Bradford Avenue facility (former Mental Health building) completed. Space for Child Support expanded and Communicare relocated to the facility.
- Completed the Crown Coliseum steel compression ring recoating project.
- Issued RFQs and selected engineering firms to complete assessments on all County roofs and building envelopes as well as all paved parking lots as part of the CIP development process.
- Automated and replaced the emergency chiller at the LEC to ensure that 911 Center as well as server rooms for 911 and Sheriff's Office, stay operational during power outages.
- Demolished the old Legal Aid Building and in the process of bidding a project to expand the Gillespie Street parking lot for the Courthouse in this space.

• **Objective 2:** *Strengthen the County's green and energy-efficiency initiatives.*

- Solid Waste provides recycling at all county office buildings.
- Budget included purchase of four hybrid vehicles.

- **Objective 3:** *Advance the County's automation and technology capabilities.*
 - Digitization of DSS and Child Support Enforcement is currently at the procurement phase with implementation to follow.
 - Child Support participated with IS and DSS in developing/preparing for Digital Records System to include a department wide purge project of all physical files in preparation of the System.
 - Information Services has completed Phase 1 and Phase 2 of the Telecommunications plan. Phase 3 is underway with DSS scheduled to be completed by June 30, 2015.

- **Objective 4:** *Increase gateway and other beautification efforts to create a more aesthetically appealing community.*
 - Crown Overlay District approved.

GOAL 3: Promote economic development by creating and retaining jobs, and providing career opportunities, quality education, cultural and recreational services.

- **Objective 1:** *Ensure effective economic development incentives and practices are in place to attract and retain business and industry.*
 - The current Joint Economic Development Incentive Program is being reviewed by the City and County.
 - County approved borrowing funding to finance Fayetteville Technical Community College building to house the I-CAR collision repair program.
 - Library held 23 small business programs and reached 285 potential entrepreneurs and 99 people received individual instruction to help improve employability skills.
 - The library's jobs and career programs and services reached 4,316. Vendors at the library's job fairs increased from 30 to 40 and they reported that 56 people were hired.
 - Library customers visited the Job and Career web pages 13,620 times and 50,872 customers accessed job and career databases.
 - DSS received a best practice award for the Internet Job Café held during the March to Work Job Fair in partnership with the library.

- **Objective 2:** *Promote economic development through the preservation of natural resources, farmland and the county's agricultural industry.*
 - Cooperative Extension completed the farmers market feasibility study and as a result farmers are now selling produce at three pop-up market locations and they hope to expand to additional locations in the next growing season.
 - Soil and Water Conservation assisted landowners with NC Agricultural Cost Share Programs with allocations over \$25,000 and generated over \$12,000 in revenue for the county through Grain Drill Rental to landowners.
 - Soil and Water Conservation provided information and training to children and adults in schools from pre-k to university level; libraries, parks and recreation centers, and at career days, the county and state fairs and citizens' academy.

- **Objective 3:** *Provide quality cultural and recreational services.*
 - Library provided 3,209 programs, reaching 87,043 participants.

- Grants from the Arts Council and State Library help fund the annual Storytelling Festival, the Writers' Workshop and provided interactive smart boards to enhance story times for children with special needs.

GOAL 4: Educate, inform and engage employees, citizens, elected and appointed officials through effective and efficient communications.

• **Objective 1:** *Increase citizen engagement as evidenced by increased applications for County boards and committees and attendance at public forums and meetings.*

- Citizens' Academy held twice a year. To date, 140 citizens have participated since September 2012 when program started.
- Library held public forums on the Affordable Care Act, The Impact of Fracking in North Carolina, and local elections with a total attendance of 115.

• **Objective 2:** *Enhance communications systems and transparency so citizens can readily access information.*

- Live web streaming of meetings started Feb. 3, 2014.
- Public Information Office added Graphic Design Information Specialist II position and developed Branding and Graphic Design Style Guide.
- Online web pet licensing has increased by 38 percent.
- Information Services enhanced GIS data viewer. Implemented new GIS maps and applications to include Surplus Property Viewer, My Government Services, Container Sites/Recycling Centers, and Development Review Finder
- Library created 11 online community resource guides on topics such as the 2014 Election, Homeschooling, information targeted to new residents about public services and activities in Cumberland County.
- Library added Common Access Card (CAC) Readers at all locations for soldiers to access military records, pay information and other online data.
- Library participated in 137 community outreach events and reached 19,064 people, who received information on library and county services.
- Library posted county press releases of public interest on community bulletin boards at all eight locations.
- Tax Administration:
 - o Updated information on web page; used citizen feedback to improve clarity of information.
 - o Provided ability to make online payments 24 hours 7 days a week
 - o Designed an online form for citizens to make payment arrangements for tax bills
 - o Designed new brochures for citizens with information for "Tag & Tax" motor vehicle billing and the Present-Use Valuation Program

• **Objective 3:** *Improve internal communications.*

- Information Services is continuing to enhance Voice Over Internet Protocol (VoIP) as a part of the Telecommunications Plan to include video capability.
- In partnership with Information Systems, HR has successfully transformed the Performance Development and Management System from a labor intensive, pen and paper system to a simple, paperless web-based system. HR trained departments in the use of the new PM web-based system.

- HR provided county policy directives for new hires online during the onboarding process. This enables easy access for all employees county-wide to stay abreast of new and/or revised county policies.
- IS created an automated Print Shop Request System.
- Tax Administration experienced a smooth transition to the new State mandated DMV “Tag and Tax together” billing system
- CCDPH shares its internal newsletter with the County Leadership Team and Board of County Commissioners, Board of Health and agency staff.

• **Objective 4:** *Enhance collaboration between county government and other boards, committees and commissions.*

- School Funding Agreement was approved by Board of Commissioners and Board of Education.
- County continued Federal Legislative Program partnership with City of Fayetteville and Chamber of Commerce. Partnership hired FeagreBD as federal consultant and adopted Federal Legislative Agenda.
- The library conducted two public awareness campaigns in collaboration with the Department of Animal Control to increase awareness of Animal Control services, pet adoption, and to collect supplies for animals housed at the county shelter. The April collection provided hundreds of pounds of pet food, treats and grooming supplies. The October campaign ended on Oct. 31. The library presented adult and youth programs on animal care, pet therapy, and conducted pet adoption events.
- Library provided Information Services staff, computers and instruction for the public to complete online job applications and resumes at the DSS job fair.

GOAL 5: Employ motivated, professional and well-trained personnel who offer excellent customer service with PRIDE – Professionalism, Respect, Integrity with accountability, Diversity and Excellent Customer Service.

- After a national search, the Board of Commissioners hired Amy Cannon as new County Manager in June.

• **Objective 1:** *Optimize service delivery through innovation, automation and technology to enhance current services and create new service opportunities.*

- Finance and IS worked together to select a Finance / HR / Benefits software package.
- Sheriff’s Office implemented an online Gun Permit Application system and transitioned from paper to online system in May 2014. Allows for online application and payment 24 hours a day, 7 days a week.
 - o Two computer kiosks were installed outside Gun Permits Office in the Law Enforcement Center to enable citizens without internet access to apply.
 - o Office can now notify applicants of permit status via email, text message or phone.
 - o Allows CCSO employees more time to review and process applications, improving processing time and error rates.
- CCDPH optimized service delivery through implementation of:
 - o Electronic Health Records (EHR) for various medical clinics within the agency

- Crossroads, a new electronic database system, for Women, Infants, and Children (WIC) Nutrition program
- Centralized Registration, which facilitates the initial registration process for patients, and Centralized Registration Triage, which assists walk-in patients with service provision based on their needs including patient appointments, information and education, and resource referral.
- DSS implemented innovative service delivery for social work services and public job fair:
 - MS Window tablets for social workers, which allows full access and navigation remotely from office desk top to work in the community and homes of citizens
 - Collaborated with the public library to add a remote computer lab to the public job fair that allowed citizens to apply for jobs both in person with employers and online. Agency won a best practice award for the job fair in October 2014
- Veterans Services gained access to the Department of Veterans Affairs Personal Identity Verification System.

• **Objective 2:** *Encourage citizen engagement and provide feedback opportunities through various outlets as it relates to service delivery.*

- Annually, the library conducts a customer satisfaction survey based on its current long-range plan. In October 2014, the library completed a survey of more than 1,200 customers to gather their feedback on library services as part of developing its next long-range plan for 2015-2020.

• **Objective 3:** *Implement staff development and training programs.*

- Expanded IT Awareness and Basic Functions Training to all employees.
- Beginning in July 2014, accountant staff began the education and testing process to achieve Certified Local Government Finance Officer status.
- HR introduced the Leadership Development Certification Program to enhance our Staff Development and Training Program. This allows supervisors and managers to enroll in courses that prepare them to excel in top leadership positions. Tax Administration has been proactive in requiring employees attend.
- The library has a system of internal staff training and provides external staff training to other county employees and departments.
- CCDPH implemented training programs for interns of various disciplines including nursing, social work, management, administration, dentistry, public health, interpreting, etc. In the past year, we provided internship or training/volunteer opportunities to approximately 157 individuals.
- CCDPH continued to engage new employees through an internal new employee orientation. In the past year, we provided orientation to approximately 30 individuals.

• **Objective 4:** *Recognize employees for their achievements.*

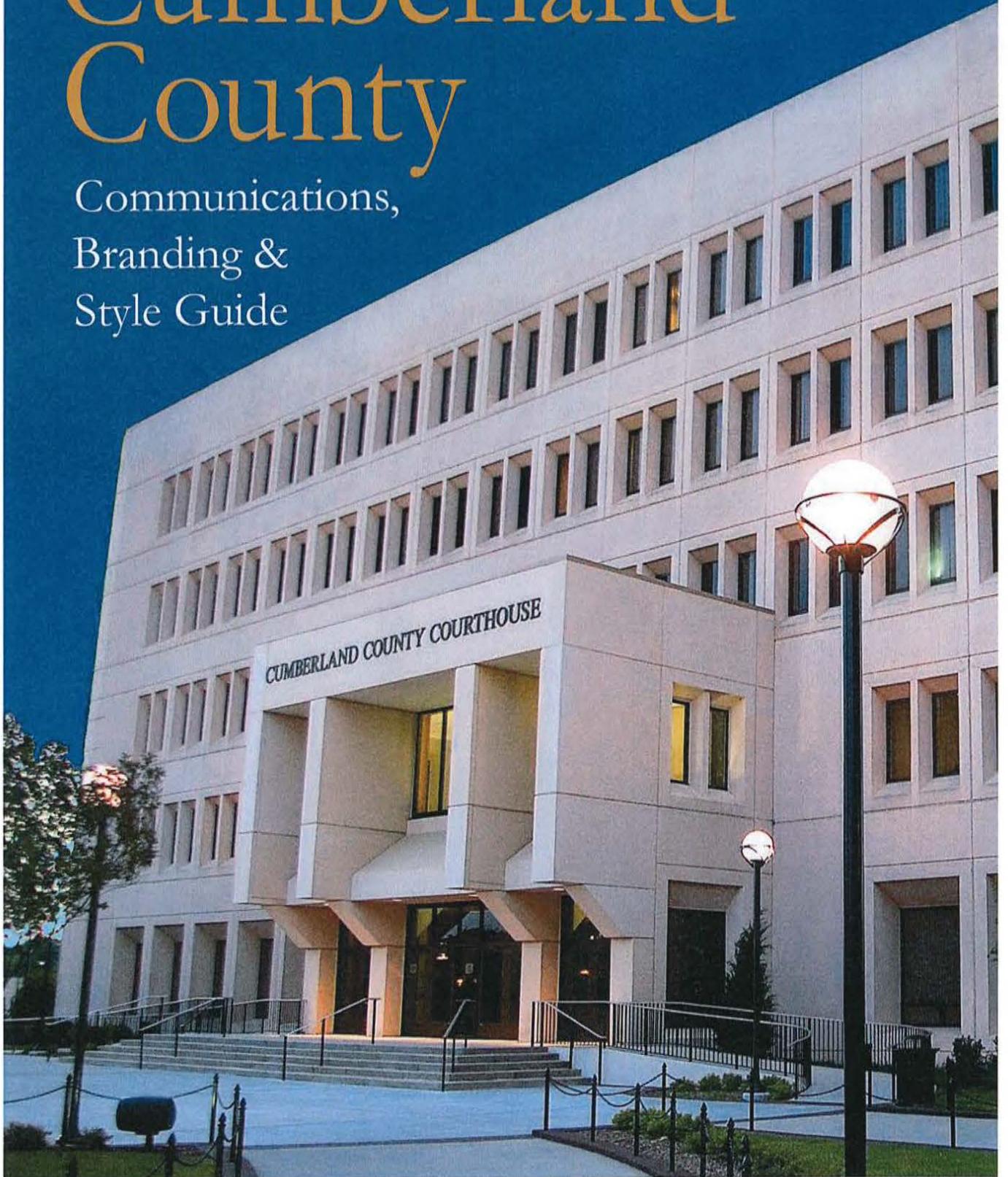
- The library has annual exceptional employee awards as well as other informal ways of acknowledging employee achievements. The Marketing Department began a monthly staff e-newsletter that includes employee recognition.
- CCDPH utilizes an internal newsletter as a forum for staff to recognize one another for their achievements.

• **Objective 5:** *Explore competitive pay based on labor market analysis and update classification system.*

- Child Support experienced retention success with only one position having to be filled due to a vacancy
- CCDPH began discussions with Human Resources about exploring a competitive pay plan for mid-level healthcare providers.

Cumberland County

Communications,
Branding &
Style Guide





Cumberland County

County Communications

The Cumberland County Public Information Office is responsible for coordinating external and internal communication. The office falls under the County Manager and assists county departments with their communication needs in order to inform the public, media and employees in a timely and accurate manner.

In addition to handling media inquiries and public records requests, the Public Information Office produces media releases, photography, a bi-monthly employee newsletter, a weekly newspaper column in the Fayetteville Observer, a bi-weekly newspaper section in Up & Coming Weekly, monthly TV programs that air on Fayetteville-Cumberland Educational TV Time Warner Channel 5, brochures, fliers, website and social media content and other outreach materials. The department also manages the live broadcast and streaming of the Board of Commissioners' meetings and coordinates the Citizens' Academy program.

Once items have been designed by the Graphic Design Information Specialist II or Printing and Graphics Services, and final approval given by the department point-of-contact, departments then should submit a separate Print Shop Work Order for the reproduction of any fliers, brochures or other items.

Helpdesk Work Orders

Departments may submit a PIO Helpdesk Work Order, available on the Intra/Extranet by clicking on the Public Information Office link under "Departments" - <http://intranet/PublicInfo/default.aspx> or <http://extranet/PublicInfo/default.aspx>.

Media Relations

The Cumberland County Public Library & Information Center and Sheriff's Office have their own public information and communications staff and handle their own media relations.

All other departments coordinate media relations through the Public Information Office.

Media releases are sent from the Public Information Office; and in most cases, departments designate a subject-matter expert as the point of contact, usually the department head.

Departments should keep the PIO informed on their dealings with the media (interviews given, information requested, etc.) so County Senior Leadership Team and commissioners can be given a heads up on potential media coverage.

The PIO work order is for routine public information services, not urgent news releases or alerts. If departments are dealing with urgent information, they should contact the PIO directly by email or phone.

Public Records Requests

All media requests for public records are to be directed to the Governmental Affairs Officer. Departments do not need to contact PIO for routine public records requests from citizens if the department is the custodian of the requested information.

Website Updates

Departments are to designate a contact person to forward website updates through the PIO work order and to regularly check that links on the department's pages are working.

Public Information Office

Sally Shutt Director/Governmental Affairs Officer
910-437-1921

Jon Soles Public Information Specialist
910-321-6579

Claudia Sievers Graphic Design Information Specialist II
910-321-7199

Communications, Branding & Style Guide

The following information is meant to guide County staff in the use of the Cumberland County logo and promote a uniform portrayal of Cumberland County Government. Consistent use of the County logo will convey a sense of continuity to the public as a family of departments and agencies working together toward the County's mission: "To provide quality services to our citizens while being fiscally responsible."

In practical terms, standardization of logo and materials will optimize efficiency in the production and use of signage and other materials across all levels of County government.

The following pages present guidelines and specifications defining the logo – its elements, arrangements, font and color. Any customization must be approved by Printing and Graphics Supervisor (Angie Cunningham) or the PIO's Graphic Design Information Specialist II (Claudia Sievers) prior to production.

Printing & Graphics Services

Angie Cunningham Printing and Graphics Supervisor
910-678-7593

County logo, logotype and seal

How the logo is used and presented is central to Cumberland County's brand. The official logo will be displayed on all county information and promotional material, printed and electronic, as well as facility signage*, vehicles, etc. Disciplined use of the logo ensures accurate and consistent messaging.

The logo is comprised of the County seal and logotype, and should be the first choice when representing Cumberland County.

In situations where the logo is not appropriate, such as space restrictions, the logotype may be substituted.

The seal can be used by itself only in select and approved applications.

* Facility signage should be reviewed by the Printing and Graphics Supervisor or the Graphic Design Information Specialist II.

Departmental Logos

Several departments have separate logos and will continue to use them while also incorporating the County's logo or logotype on their products. Examples include DSS, Register of Deeds and Public Health.

Departments may develop additional branding guidance specific to their department regarding items such as accreditation logos and should share that guidance with PIO and Printing & Graphic Services.

Special Designs for Promotional and Marketing Items

Departments often order special promotional or marketing items with their department name incorporated into the design. All art work should follow the style guide and be reviewed by the Printing & Graphics Supervisor or the Graphic Design Information Specialist, both of whom are available to create the design.

Vehicle Decals

With the exception of public safety vehicles (Sheriff's Office, Animal Control and Emergency Services), the Central Maintenance Facility is responsible for installing County seal decals to county vehicles and replacing decals that are badly worn or faded. The library's Mobile Outreach van is exempt from having a seal since it has a special marketing wrap.

The County's website address is being applied to the rear bumpers of vehicles, with the exception of Sheriff's office vehicles, as they rotate through the CMF.



Logo



Logotype



Seal

Graphic Files

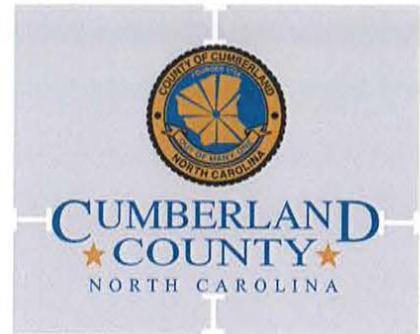
Color and B/W files of the County logo, logotype and various departmental logos are posted on the Public Information page of the Intra/Extranet.

Quality Control

To create a strong, unified Cumberland County image, it is imperative to avoid improper use of the logo. The color palette and the designated “clear space,” are key elements integral to the logo. To ensure high-quality reproduction, the logo should always be reproduced from the approved digital artwork available on the Public Information page of the Intra/Extranet.

When using the logo, logotype and seal, please **DO NOT:**

- Alter in any way - stretch, compress, skew, tilt, etc.
- Change the height to width proportions
- Change the letter spacing in the word “Cumberland County” or “North Carolina”
- Use in unapproved colors
- Use on a low-contrast or busy background
- Outline or place “in a box”
- Use special photo effects such as drop shadows



Clear space

Maintain visual clear space around the County logo, seal and logotype.

Color standards

To ensure consistency, the primary colors for Cumberland County are Reflex Blue and Pantone 124.



Acceptable color combinations



100% Black Ink



100% Reflex Blue Ink



With enough contrast, it is acceptable to print logo one solid color to match publication.



3-color Black, Reflex Blue and Pantone 124



2-color Reflex Blue and Pantone 124



With enough contrast, it is acceptable to reverse logotype from ink color.



2-color Black with stars in Pantone 124



2-color Reflex Blue with stars in Pantone 124



Never reverse seal.

Fonts

Standardized use of typography helps create a professional image. Preferred fonts have been selected for availability, readability and ease of use.

Arial and Times New Roman are the primary brand typefaces and must be used whenever possible. For flexibility, a secondary typeface selection includes the sans serif font Myriad, and the serif fonts Minion and Palatino.

Use the sans serif fonts (Arial /Myriad Pro) for titles/headlines, and the serif fonts (Times New Roman /Minion/Palatino) for body copy.

Other fonts may be used sparingly for display copy.

Any version (bold, regular, italics, condensed, narrow) is allowed for use.

Body Copy - Serif

Times New Roman
ABCDEFGHIJKLMNOPQRSTUVWXYZ
abcdefghijklmnopqrstuvwxyz
0123456789

Minion
ABCDEFGHIJKLMNOPQRSTUVWXYZ
abcdefghijklmnopqrstuvwxyz
0123456789

Palatino
ABCDEFGHIJKLMNOPQRSTUVWXYZ
abcdefghijklmnopqrstuvwxyz
0123456789

Headlines - Sans Serif

Arial
ABCDEFGHIJKLMNOPQRSTUVWXYZ
abcdefghijklmnopqrstuvwxyz
0123456789

Myriad
ABCDEFGHIJKLMNOPQRSTUVWXYZ
abcdefghijklmnopqrstuvwxyz
0123456789

Photographs

Shoot at the highest resolution possible with your camera. All photographs for use in County printed materials must be at least 300 dpi at the size they will be printed to ensure print quality. Images used online at 72 dpi will not reproduce clearly in print.

Place a PIO work order if you would like to schedule a photographer to take photos.

The Public Information Office is building a catalog of County photographs and has access to high-quality stock photography and illustration.

Email Signatures

Uniform County email signatures promote brand consistency electronically across departments and offices. Just as our business collateral - letterhead, envelopes and business cards - upholds an identity standard for print communications, electronic correspondence should follow similar conventions and style.

Backgrounds and pictures are not appropriate for County email templates and signature blocks.

County employee signature blocks should include the following identifying information:

Employee's name

Title

Cumberland County Department (section if needed)

Mailing address (optional)

Phone number

Email address

Other information pertinent to the department such as website address or accreditation designation. This would include a tagline directly related to the department's business purpose. For example, Human Resources uses "Employees are our business." DSS may use "Families Helping Families."

Samples

Claudia E. Sievers

Graphic Design Information Specialist II
Cumberland County Public Information Office
910.321.7199
csievers@co.cumberland.nc.us

Stay Informed co.cumberland.nc.us; facebook.com/CumberlandNC;
twitter.com/CumberlandNC

Claudia E. Sievers

Graphic Design Information Specialist II
Cumberland County Public Information Office
Courthouse, 117 Dick Street, Suite 532
Fayetteville, NC 28302-1829
910-321-7199
csievers@co.cumberland.nc.us

Your professional County email signature should not include quotations or other philosophical statements. Save those for personal email accounts.

Signatures should be consistent with the County's viewpoint and not include personal messages reflected in quotations.

Letterhead
8.5 x 11

Address at bottom

AMY H. GANNON
County Manager

JAMES E. LAWSON
Deputy County Manager



MELISSA C. CARDINALI
Assistant County Manager

5th Floor - Suite 512 • P.O. Box 1829 • Fayetteville, North Carolina 28302-1829
(910) 678-7723 / (910) 678-7726 • Fax: (910) 678-7717

RICKEY L. MOOREFIELD
County Attorney



PHYLLIS F. JONES
Assistant County Attorney

ROBERT A. HASTY, JR.
Assistant County Attorney

OFFICE OF THE COUNTY ATTORNEY

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

Letterhead
8.5 x 11

Address at top

Business Card
3.5 x 2



**CUMBERLAND
★ COUNTY ★**
NORTH CAROLINA

OFFICE OF THE COUNTY MANAGER
Melissa Cardinali
Assistant County Manager

117 Dick Street, Suite 508 Phone: (910) 678-7745
PO Box 1829 Fax: (910) 678-7717
Fayetteville, NC 28302-1829 mcardinali@co.cumberland.nc.us

Envelope
9 x 4.125



**CUMBERLAND
★ COUNTY ★**
NORTH CAROLINA

BOARD OF COMMISSIONERS
P.O. Box 1829
Fayetteville, NC 28302 – 1829

RETURN SERVICE REQUESTED

Public Communications Editorial Style Guide

Text in Cumberland County press releases and on the website should follow the grammar, punctuation and spelling rules outlined in the Associated Press Stylebook.

Quick Reference

Academic Degrees

Use an apostrophe in bachelor's degree, master's degree, etc. There is no apostrophe in Bachelor of Arts or Master of Science.

Acronyms

Do not put an acronym in parentheses after the full name of an organization. For example: North Carolina Association of County Commissioners. You can use the acronym in subsequent references, but only if readers can easily recognize what it means. You can use some well-known acronyms, such as FBI, CIA and YMCA, in all references.

Addresses

Use the abbreviations Ave., Blvd. and St. only with numbered addresses: 1400 Massachusetts Ave., but Massachusetts Avenue. Spell out alley, circle, drive, road, terrace and court in all address forms. Spell out and capitalize First through Ninth when used as street names. Use figures and suitable endings for 10th and above.

Capitalization

Capitalize County when referring specifically to Cumberland County Government: *The County offices will close on Friday.*

Courthouse/Historic Courthouse

The Courthouse at 117 Dick Street is not referred to as the New Courthouse. It is the Cumberland County Courthouse. Refer to the building at 130 Gillespie Street as the Historic Courthouse.

Dates and days

Do not use st, nd, rd or th with dates. Use figures alone. Do not use *on* before dates. It's an excess word. The committee will meet May 8, not on May 8.

Do not abbreviate days of the week except in tabular material. Don't use *on* with days.

When a month is used with a specific date, abbreviate only Jan., Feb., Aug., Sept., Oct., Nov. and Dec.: *The book sale will be held Oct. 8.*

When a phrase lists only a month and year, do not separate the month and the year with commas: *The new website will launch in December 2012.*

When a phrase refers to a month, day and year, set off the year with commas: *Jan. 15, 2014, was the first day of the semester.*

Numbers

Spell out the numbers one through nine. Use Arabic numerals for 10 and up.

Always use Arabic numerals for ages and percentages, even for numbers less than 10.

Spell out numbers that start a sentence. If the result is awkward, re-work the sentence: *Seventy-five students attended the symposium yesterday. Yesterday, 100 citizens attended the public hearing.* The exception to this rule is a sentence that begins with a calendar year: *2007 was a record-breaking year for fundraising.*

Percentages

Percentages are always expressed as numerals, followed by the word “percent.” 10 percent; 1/4-percent increase.

States

Spell out the names of the states when they appear alone: *The governor of North Carolina attended the conference.*

Abbreviate the names of states when they appear with the name of a city, town, village or military base: *Fayetteville, N.C., Fort Bragg, N.C.*

Do not abbreviate Alaska, Hawaii, Idaho, Iowa, Maine, Ohio, Texas or Utah

Titles

Job titles are generally capitalized when they appear before a person’s name, but lowercase after the name. County Manager Amy Cannon; Amy Cannon is the county manager.

Time

Use figures except for noon and midnight. Use a colon to separate hours from minutes: 3:30 *p.m.* Do not use a colon and two zeroes. For example: 2 a.m., not 2:00 a.m.; 9 p.m., not 9:00 p.m.

4 o’clock is acceptable, but time listings with a.m. or p.m. (with periods) are preferred.

Punctuation

Colon

Capitalize the first word after a colon only if it is a proper noun or the start of a complete sentence: *She promised this: The department will open tomorrow.* But: *There were three issues with the project: expense, time and feasibility.*

Colons go outside quotation marks unless they are part of the quoted material.

Comma

Do not put a comma before the conjunction in a simple series:
Fayetteville, Stedman, Wade and Godwin. They picked Joan, Jill and Jane.

Use a comma to set off a person's hometown and age: *John Smith, Fayetteville, was accepted to the School of Government program. Jane Smith, 22, graduated yesterday.*

Hyphen

Use a hyphen for compound adjectives before the noun: *well-known student, full-time job, 20-year sentence*

Do not use a hyphen when the compound modifier occurs after the verb: *The student was well known. Her job became full time. He was sentenced to 20 years.*

Parentheses

The temptation to use parentheses is a clue that a sentence is becoming contorted. Try to rewrite the sentence, putting the incidental information between commas or dashes, or in a separate sentence. If you must use parentheses, follow these punctuation guidelines: Place a period outside a closing parenthesis if the material inside is not a sentence (*such as this fragment*). If the material is an independent complete sentence, place the period inside the parentheses.

Quotation marks

The period and the comma always go inside the quotation marks. The rule holds for full quotes, partial quotes and even for quotes used for emphasis. "No one can break this rule and expect to pass the course," the professor said.

The question mark and the exclamation point go inside when they apply to the quoted matter only and outside when they apply to the whole sentence.

Some examples: Who wrote "Gone With the Wind"?
He asked, "How long will it take?"

Seasons

Lowercase spring, summer, fall and winter and all derivations, such as springtime. Capitalize only when part of a formal name, as in Winter Olympics.

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. 5A

November 13, 2014

November 17, 2014 Agenda Item

TO: Board of Commissioners
FROM: Kellie Beam, Deputy Clerk to the Board *KB*
SUBJECT: Farm Advisory Board

The Farm Advisory Board has the following two (2) vacancies:

Farmer Position:

Britt Riddle – Completing first term. Eligible for reappointment.
Recommendation of the Farm Advisory Board is for the reappointment of Britt Riddle for a second term. (See attached.)

Planning Board Representative:

Walter Clark – Resigned. Recommendation of the Farm Advisory Board is for the appointment of **Patricia Hall**. (See attached.)

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

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

Attachments

pc: Will Linville, Planning Department

Farm Advisory Board

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

Member Specifications:

9 Members

Term: 3 Years

Compensation: None

Duties:

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

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

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

Kellie Beam

From: William Linville
Sent: Thursday, November 13, 2014 8:40 AM
To: Kellie Beam
Subject: Farm Advisory Board Recommendations

Kellie,

The Cumberland County Farm Advisory Board recommends that Mr. Britt Riddle be reappointed for a second term in the Farmer Position. This term expires on December 31, 2014 and is eligible for reappointment. Mr. Riddle has indicated he is willing to serve an additional two-year term.

Additionally, the Farm Advisory Board recommends Ms. Patricia Hall to take the place of the Planning Board Representative's position vacated by Mr. Walter Clark.

Regards,

Will Linville, Comprehensive Planner
Cumberland County Planning & Inspections Department
130 Gillespie Street
Fayetteville, NC 28303
910-678-7607

FARM ADVISORY BOARD

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

Name/Address	Date Appointed	Term	Expires	Eligible for Reappointment
Farmers:				
Britt Riddle 7397 Riddle Road St. Pauls, NC 28384 425-8532/ 818-1049	12/11	1st	Dec/14 12/31/14	Yes
Wayne Beard 1514 Middle Road Fayetteville, NC 28312 483-9165/818-9992 (C)	12/12	1st	Dec/15 12/31/15	Yes
Kevin West 4656 Cedar Creek Road Fayetteville, NC 28301 910-850-2476	12/13	1st	Dec/16 12/31/16	Yes
Wayne Collier, Jr. 5489 Indian Ridge Road Linden, NC 28356 980-0066/308-9197 (C)	12/12	2nd	Dec/15 12/31/15	No
appointed to an unexpired term 11/3/08 for an initial term that began in 12/31/06 Collier reappointed to a 3-year term in 2009; eligible for an additional 3-year term				
Vance Tyson 4925 NC Hwy 87 S Fayetteville, NC 28306 910-308-4057	12/12	1st	Dec/15 12/31/15	Yes
<u>Natural Resource Conservation Service:</u>				
Clifton McNeill, Jr. 1471 Clifton McNeill Road Hope Mills, NC 28348 425-7354/309-4750	12/13	1 st full	Dec/16 12/31/16	Yes

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

<u>Name/Address</u>	<u>Date Appointed</u>	<u>Term</u>	<u>Expires</u>	<u>Eligible for Reappointment</u>
<u>Farm Bureau Representative:</u>				
David Gillis 7775 Climbing Tree Lane Fayetteville, NC 28306 487-0684	12/13	2nd	Dec/16 12/31/16	No

<u>Planning Board Representative:</u>				
VACANT (Vacated by W. Clark)	1/12	1st	Dec/14 12/31/14	Yes
(eligible for an additional three-year term)				

<u>Cooperative Extension Service Representative:</u>				
Colby Lambert NC Cooperative Extension Service 301 East Mountain Drive Fayetteville, NC 28306 321-6875(W)	12/11	2nd	Dec/14 12/31/14	No

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

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

**APPLICANTS FOR
FARM ADVISORY BOARD**

<u>NAME/ADDRESS/PHONE</u>	<u>OCCUPATION</u>	<u>EDUCATIONAL BACKGROUND</u>
HALL, J. F. (W/M) 6772 FAIRCLOTH BRIDGE ROAD STEDMAN, NC 28391 483-6239/850-0946(C) Graduate-County Citizens' Academy: NO Graduate-Institute for Community Leadership: NO Graduate-Leadership Fayetteville: NO Graduate-United Way's Multi-Cultural Leadership Program: NO Graduate-other leadership academy: NO	RETIRED-DUPONT FARMER/LAWN CARE 46 YRS COUNTY FIRE SERVICE	HIGH SCHOOL
KATER, ROBERT (W/M) 714 BLAWELL STREET STEDMAN, NC 28391 484-3434 (H) **SERVES ON THE MINIMUM HOUSING APPEALS BOARD** Graduate-County Citizens' Academy: NO Graduate-Institute for Community Leadership: NO Graduate-Leadership Fayetteville: NO Graduate-United Way's Multi-Cultural Leadership Program: NO Graduate-other leadership academy: NO	RETIRED	HIGH SCHOOL
STEWART, JAMESON C. (W/M) 3533 GODWIN CIRCLE FAYETTEVILLE, NC 28312 874-5930/678-9897 (W) Graduate-County Citizens' Academy: NO Graduate-Institute for Community Leadership: NO Graduate-Leadership Fayetteville: NO Graduate-United Way's Multi-Cultural Leadership Program: NO Graduate-other leadership academy: NO	SENIOR AUDIO VISUAL TECH – FTCC	AAA – ELECTRONICS ENG.
WHITE, ROBERT L. (AA/M) 1956 KENMORE DRIVE FAYETTEVILLE, NC 28304 476-1387 Graduate-County Citizens' Academy: NA Graduate-Institute for Community Leadership: No Graduate-Leadership Fayetteville: No Graduate-other leadership academy: Military Academy	RETIRED MILITARY	UNDERGRADUATE; MA

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

CANDICE WHITE
Clerk to the Board

KELLIE BEAM
Deputy Clerk

ITEM NO. 6

BOARD OF COMMISSIONERS

MEMORANDUM FOR BOARD OF COMMISSIONERS' AGENDA
NOVEMBER 3, 2014

TO: Board of Commissioners

FROM: Candice H. White, Clerk to the Board/Tourism Development Authority *cw*

DATE: October 29, 2014

SUBJECT: Tourism Development Authority – Appointment of Chairperson

BACKGROUND:

Pursuant to the January 28, 2002 resolution creating the Tourism Development Authority, the Board of Commissioners shall from time to time designate the chairperson of the Authority who shall be the presiding officer of the Authority. The resolution does not limit the number of times the chairperson may serve as the presiding officer.

The Tourism Development Authority at their October 29, 2014 meeting unanimously voted to recommend that William S. Wellons, Jr. preside as the chairperson for the 2015 calendar year. Mr. Wellons' second term expires August 31, 2016.

The current membership roster for the Authority is attached.

RECOMMENDATION/PROPOSED ACTION:

Consider whether to follow the recommendation of the Tourism Development Authority and appoint William S. Wellons, Jr. as chairperson for the 2015 calendar year.

Attachment

TOURISM DEVELOPMENT AUTHORITY
3 Year Terms

10/14

<u>Name/Address</u>	<u>Date Appointed</u>	<u>Term</u>	<u>Expires</u>	<u>Eligible For Reappointment</u>
<u>Commissioner Appointees:</u>				
<u>Hotel/Motels under 100 rooms Representatives:</u>				
Daniel E. Roberts 4182 Sycamore Dairy Road Fayetteville, NC 28303 426-1416/826-9200 (W) dan@shaminhotels.com	11/13	3 rd *	Oct/14 10/22/14	No
<i>*One additional year; October 23, 2013 – October 22, 2014*</i>				
William S. Wellons, Jr. 406 Overton Place Fayetteville, NC 28303 868-5425/436-3131 (W) billy@wellonsrealty.com	11/13	2 nd	Aug/16 8/31/16	No
<u>Hotel/Motel over 100 rooms Representatives:</u>				
Anup Contractor (A/M) 217 Kirkwood Drive Fayetteville, NC 28303 433-2657 (H) /433-2100 (W) / 286-9373 (C) anup.econolodge@gmail.com	10/14	1 st	Oct/17 10/31/17	Yes
Manish Mehta 229 Forest Creek Drive Fayetteville, NC 28303 494-1918 /689-0800 (C) msmehta@5points.nc.com	4/14	1 st full term	Mar/17 3/31/17	Yes
<i>*serving unexpired term; eligible to serve one additional term*</i>				
<u>Member of the Public Not Affiliated with Travel/Tourism</u>				
Dallas Mack Freeman 961 Kaywood Drive Fayetteville, NC 28311 488-9478/391-4177 (cell) dmackfreeman@gmail.com	6/14	2 nd	June/17 6/30/17	No
<u>Others:</u>				
<u>President of the Fayetteville-Cumberland County Chamber of Commerce (ex officio)</u>				
Doug Peters Fayetteville-Cumberland County Chamber of Commerce P.O. Box 9 Fayetteville, NC 28302 484-4242 / 973-4729 (cell) dpeter@fayettevillencchamber.org				

Cumberland County Manager (ex officio)

Amy Cannon

P.O. Box 1829

Fayetteville, NC 28302

678-7740

acannon@co.cumberland.nc.us

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

Board was appointed on March 11, 2002.

Meetings: Quarterly (January/April/July/October) - 4th Wednesday – 8:00 AM – Room 564

Contact: Candice White – 678-7771

JEANNETTE M. COUNCIL
Chairman

KENNETH S. EDGE
Vice Chairman

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



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NORTH CAROLINA

BOARD OF COMMISSIONERS

CANDICE WHITE
Clerk to the Board

KELLIE BEAM
Deputy Clerk

ITEM NO. 74

November 4, 2014

November 17, 2014 Agenda Item

TO: Board of Commissioners
FROM: Kellie Beam, Deputy Clerk to the Board **KB**
SUBJECT: Adult Care Home Community Advisory Committee

BACKGROUND: On November 3, 2014, the Board of Commissioners nominated the following individuals to fill three (3) vacancies on the Adult Care Home Community Advisory Committee:

Clarence Everett (new appointment)
Adam Long (new appointment)
John Thompson (new appointment)

I have attached the current membership list for this committee.

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

Attachment

pc: Kareem Strong, Mid-Carolina Area Agency on Aging

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

<u>Name/Address</u>	<u>Date Appointed</u>	<u>Term</u>	<u>Expires</u>	<u>Eligible For Reappointment</u>
Mary Ann Ayars 804 Juniper Drive Fayetteville, NC 28304 426-9258/483-0191 #338	8/14	2nd	Aug/17 8/31/17	No
VACANT (Vacated by T. Edwards)	04/12	2nd	Apr/15 4/30/15	No
Rebecca Campbell 7027 Darnell Street Fayetteville, NC 28314 487-1555	5/13	2nd	May/16 5/31/16	No
Carla Fagan 824 Sage Creek Ln #8 Fayetteville, NC 28305 920-3580/630-7699	8/14	Initial	Aug/15 8/31/15	Yes
Donna Atkins 6480 Faircloth Bridge Rd Stedman, NC 28391 910-818-3977	4/14	1st	May/17 5/31/17	Yes
Yvonne Booth (B/F) 4568 Turquoise Road Fayetteville, NC 28311 488-7620	7/12	2nd	Aug/15 8/31/15	No
Daniel Rodriguez (H/M) 2634 Franciscan Drive Fayetteville, NC 28306 425-2746/432-9701 (W)	5/13	2nd	May/16 5/31/16	No
Harry Southerland (B/M) 3191 Braddy Road Fayetteville, NC 28306 978-9118	7/12	1st	Aug/15 8/31/15	Yes

<u>Name/Address</u>	<u>Date Appointed</u>	<u>Term</u>	<u>Expires</u>	<u>Eligible For Reappointment</u>
VACANT (Vacated by G. Mitchell)	8/11	1st	Aug/14 8/31/14	Yes
Lalara Ray 5823 Nesses Street Fayetteville, NC 28314 910-587-7795	8/14	1st	Aug/17 8/31/17	Yes
VACANT (Vacated by R. Reid)	8/11	1st	Aug/14 8/31/14	Yes
Ralph T. Cascasan (A/M) 910 Alexwood Drive Hope Mills, NC 28348 425-9704/433-1039	5/13	2nd	May/16 5/31/16	No
Alfonso Ferguson Sr. 3329 Eastgate Street Eastover, NC 28312 401-2313/483-9916	8/13	2nd	Aug/16 8/31/16	No
Cassandra W. Haire (B/F) 515 Albany Street Fayetteville, NC 28301 728-0175	5/13	2nd	May/16 5/31/16	No
Herman Dudley 613 York Road Fayetteville, NC 28303 864-3817(H)/286-6597(W)	4/12	1 st	Apr/15 4/30/15	Yes

CONTACT: Kareem Strong, Mid-Carolina Area Agency on Aging,
P. O. Box 1510, Fayetteville, NC 28302 - Phone: 323-4191, ext. 25 – Fax: 323-9330

MEETINGS: Quarterly: 3rd Thursday of the last month of each quarter (March, June, September, December) - 10:00 am - various adult care homes in Cumberland County



JEANNETTE M. COUNCIL
Chairman

KENNETH S. EDGE
Vice Chairman

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

CANDICE WHITE
Clerk to the Board

KELLIE BEAM
Deputy Clerk

CUMBERLAND
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NORTH CAROLINA
BOARD OF COMMISSIONERS

ITEM NO. 7B

November 4, 2014

November 17, 2014 Agenda Item

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

BACKGROUND: On November 3, 2014, the Board of Commissioners nominated the following individuals to fill two (2) upcoming vacancies on the Board of Health:

Physician:
Dr. Sanjay Shah (reappointment)

General Public Representative:
Barbara Stelly (reappointment)

I have attached the current membership list for this board.

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

Attachment

pc: Buck Wilson, Health Director

BOARD OF HEALTH

3 Year Term

(All terms expire on December 31st per NCGS § 130A-35)

<u>Name/Address</u>	<u>Date Appointed</u>	<u>Term</u>	<u>Expires</u>	<u>Eligible For Reappointment</u>
<u>Veterinarian</u>				
Dr. Heather Burkhardt (W/F) 5226 Lacross Point Parkton, NC 28371 910-489-2336	12/12	1 st full term	Dec/15 12/31/15	Yes
(served an unexpired term; eligible for one additional three-year term)				
<u>Physician</u>				
Dr. Sanjay Shah 308 Forest Creek Drive Fayetteville, NC 28303 864-4080 / 987-2571	12/11	1 st	Dec/14 12/31/14	Yes
<u>Dentist</u>				
Dr. Oliver L. Hodge Jr. (B/M) 537 Old Farm Rd Fayetteville, NC 28314 487-0886/483-0409	12/12	1 st	Dec/15 12/31/15	Yes
<u>Registered Nurse</u>				
Pamela Pollock, RN 1321 General Lee Avenue Fayetteville, NC 28305 481-9968 / 907-9091	12/12	2nd	Dec/15 12/31/15	No
<u>Optometrist</u>				
Dr. William Philbrick (W/M) 321 Springbrook Place Fayetteville, NC 28305 485-4580/484-6178	12/13	1 st	Dec/16 12/31/16	Yes
<u>Pharmacist</u>				
Tom Nicholson (W/M) 274 Saint Johns Wood Fayetteville, NC 28303 485-1059/609-6839	12/11	2nd	Dec/14 12/31/14	No
<u>Engineer</u>				
David Greyshock (-/M) 3191 Braddy Road Fayetteville, NC 28306 717-215-6304	8/14	1 st	Dec/16 12/31/16	Yes
(serving unexpired term; eligible for one additional three-year term)				

(All terms expire on December 31st per NCGS § 130A-35)

<u>Name/Address</u>	<u>Date Appointed</u>	<u>Term</u>	<u>Expires</u>	<u>Eligible For Reappointment</u>
<u>Cumberland County Commissioner</u>				
Billy R. King PO Box 1829 Fayetteville, NC 28302 822-6676 (W)/ 822-0892 (H)	1/12	1 st	Dec/14 12/31/14	Yes
<u>General Public Reps.</u>				
Barbara Stelly (B/F) 3219 Broadview Drive Fayetteville, NC 28301 488-9590 (H) / 488-3098 (W)	12/11	1 st	Dec/14 12/31/14	Yes
Christopher Frank (W/M) 2506 Torcross Drive Fayetteville, NC 28304 339-4851/485-4108 (W)	12/12	2nd	Dec/15 12/31/15	No
Dr. Vikki Andrews (B/F) 2913 Beringer Drive Fayetteville, NC 28306 910-964-5828	11/12	1st	Dec/15 12/31/15	Yes

Contact: Buck Wilson, Health Director
 Trisha Barfield, Administrative Assistant
 Phone: 433-3705
 Fax: 433-3659

Meetings: 3rd Tuesday of the month - 6:00 PM - Board Room, Health Department, 1235 Ramsey Street
 (July and September meetings take place only if desired).

JEANNETTE M. COUNCIL
Chairman

KENNETH S. EDGE
Vice Chairman

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



CUMBERLAND
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NORTH CAROLINA

BOARD OF COMMISSIONERS

CANDICE WHITE
Clerk to the Board

KELLIE BEAM
Deputy Clerk

ITEM NO. _____

7C

November 4, 2014

November 17, 2014 Agenda Item

TO: Board of Commissioners
FROM: Kellie Beam, Deputy Clerk to the Board *KB*
SUBJECT: Cumberland County Juvenile Crime Prevention Council (JCPC)

BACKGROUND: On November 3, 2014, the Board of Commissioners nominated the following individuals to fill two (2) vacancies on the Juvenile Crime Prevention Council:

Member of Faith Community:
Shawn Withy-Allen (reappointment)

At-Large Representatives:
Latoya Gordon (reappointment)

I have attached the current membership list for this council.

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

Attachment

pc: Mark Stang, Cumberland County Communicare

CUMBERLAND COUNTY
 JUVENILE CRIME PREVENTION COUNCIL
 (Two year terms)

<u>Name/Address</u>	<u>Date Appointed</u>	<u>Term</u>	<u>Expires</u>	<u>Eligible For Reappointment</u>
<u>Local School Superintendent or designee</u>				
Bruce Morrison Cumberland County Schools P.O. Box 2357 Fayetteville, North Carolina 28302 Phone: 678-2495	1/12			
<u>Chief of Police or designee</u>				
Lt. Timothy Tew Fayetteville Police Department 467 Hay Street Phone: 433-1910	7/13			
<u>Local Sheriff or designee</u>				
Lt. Bobby Jeffers Cumberland County Sheriff's Office 131 Dick Street Fayetteville, North Carolina 28301 Phone: 677-5474	2/14			
<u>District Attorney or designee</u>				
Cheri Siler-Mack Assistant District Attorney District Attorney's Office 117 Dick Street, Suite 427 Fayetteville, North Carolina 28301 Phone: 678-2915	1/99			
<u>Chief Court Counselor or designee</u>				
Michael Strickland Department of Juvenile Justice P.O. Box 363 Fayetteville, North Carolina 28302 Phone: 678-2947	08/07			
<u>Mental Health Representative or designee</u>				
Tina Higgs Alliance Behavioral Healthcare – Community Relations, Court Liaison 711 Executive Place Fayetteville, North Carolina 28305 910-491-4794	04/14			

Cumberland County Juvenile Crime Prevention Council Page 2

<u>Name/Address</u>	<u>Date Appointed</u>	<u>Term</u>	<u>Expires</u>	<u>Eligible For Reappointment</u>
<u>Director of Social Services or designee</u> Melakne Simpson Cumberland County Department of Social Services P.O. Box 2429 Fayetteville, North Carolina 28302-2429 Phone: 677-2061	10/13			
<u>County Manager or designee</u> Melissa Cardinali Assistant County Manager Cumberland County Courthouse P.O. Box 1829 Fayetteville, North Carolina 28302-1829 Phone: 678-7745	7/14			
<u>Chief District Judge or designee</u> Judge Ed Pone P.O. Box 363 Fayetteville, North Carolina 28302 Phone: 678-2901	1/99			
<u>Health Director or designee</u> Archie Malloy Jail Health Administrator 205 Gillespie Street Fayetteville, North Carolina 28301 Phone: 672-5723	3/06			
<u>Parks and Recreation Representative</u> Melvin Lindsay City of Fayetteville Parks and Recreation Dept. 433 Hay Street Fayetteville, North Carolina 28301 Phone: 433-1547	2/05			
<u>County Commissioner</u> Billy R. King P.O. Box 1829 Fayetteville, NC 28302-1829 Phone: 678-7771	1/99			

<u>Name/Address</u>	<u>Date Appointed</u>	<u>Term</u>	<u>Expires</u>	<u>Eligible For Reappointment</u>
<u>Substance Abuse Professional</u>				
Louis Leake Carolina Treatment Center 7669 Beverly Drive Fayetteville, NC 28314 910-960-7599	10/14	1st	Oct/16 10/31/16	Yes
<u>Member of Faith Community</u>				
Shawn Withy-Allen Manna Church 5117 Cliffdale Road Fayetteville, NC 28314 910-867-9151	10/12	1st	Oct/14 10/31/14	Yes
<u>Person Under Age 21</u>				
VACANT (vacated by J. Hassell)	01/11	1 st full term	Feb/13 2/28/13	Yes
<u>Juvenile Defense Attorney</u>				
Juanita Bailer 2223 Pridgeonfarm Road Fayetteville, NC 28306 910-321-6046	10/14	1st	Oct/16 10/31/16	Yes
<u>Member of Business Community</u>				
Kristine Thomas Methodist University 204 Sutton Street Fayetteville, NC 28305 910-630-7268	10/14	1st	Oct/16 10/31/16	Yes
<u>United Way or Non-Profit</u>				
Linda Blanton 5753 Bear Creek Cir Fayetteville, NC 28304 574-6522/826-3109	6/14	2nd	Aug/16 8/31/16	No
<u>At Large Representatives</u>				
Detective Melton Brown 300 Ruth Street Spring Lake, NC 28390 436-7167	8/13	1st	Aug/15 8/31/15	Yes

Cumberland County Juvenile Crime Prevention Council, Page 4

<u>Name/Address</u>	<u>Date Appointed</u>	<u>Term</u>	<u>Expires</u>	<u>Eligible For Reappointment</u>
Tyra Cohen 6509 Brookstone Lane Fayetteville, NC 28314 257-9979	8/13	1st	Oct/14 10/31/14	Yes
	(serving unexpired term; eligible for one additional term)			
Kay Stuertz 112 Devane Street Fayetteville, NC 28305 433-2877	8/13	1st	Aug/15 8/31/15	Yes
Sonya Thompson 410 Ray Street Fayetteville, NC 28301 323-3421 x 2123	8/13	1st	Aug/15 8/31/15	Yes
Margarita Dostall Cumberland County Board of Education 2465 Gillespie Street Fayetteville, NC 28306 484-1176	8/12	2nd	Aug/14 8/31/14	No
Stephanie Glover 3801 Chadbourne Drive Fayetteville, NC 28312 263-0494/907-5755	10/13	2nd	Oct/15 10/31/15	No
Latoya Gordon Fayetteville Police Department 467 Hay Street Fayetteville, NC 28301 910-433-1033	10/12	1st	Oct/14 10/31/14	Yes

Non-Voting Member

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

Meetings: Second Wednesday of each month at 8:00 AM. CC CommuniCare Conference Room – 226 Bradford Ave, Fayetteville NC 28301

Contact: Cumberland County Communicare, Mark Stang – Phone: 222-6172 Fax: 485-4752



JEANNETTE M. COUNCIL
Chairman

KENNETH S. EDGE
Vice Chairman

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

CANDICE WHITE
Clerk to the Board

KELLIE BEAM
Deputy Clerk

CUMBERLAND
★ **COUNTY** ★
NORTH CAROLINA

BOARD OF COMMISSIONERS

ITEM NO. _____

70

November 4, 2014

November 17, 2014 Agenda Item

TO: Board of Commissioners
FROM: Kellie Beam, Deputy Clerk to the Board *KB*
SUBJECT: Nursing Home Advisory Board

BACKGROUND: On November 3, 2014, the Board of Commissioners nominated the following individuals to fill two (2) vacancies on the Nursing Home Advisory Board:

Clarence Everett (new appointment)

Latara Ray (new appointment)

I have attached the current membership list for this board.

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

Attachment

pc: Kareem Strong, Mid-Carolina Area Agency on Aging

NURSING HOME ADVISORY BOARD

3 Year Term

(Initial Appointment One Year)

<u>Name/Address</u>	<u>Date Appointed</u>	<u>Term</u>	<u>Expires</u>	<u>Eligible For Reappointment</u>
Barbara Spigner 5701 Cloister Court Fayetteville, NC 28314 864-1807/286-0245	02/13	1st	Feb/16 02/28/16	Yes
Tom Lloyd (W/M) 1306 Berkshire Road Fayetteville, NC 28305 574-3177/678-7618(W)	8/14	3rd	Aug/17 8/31/17	No
Mitchell Guy (W/M) 205 Bethune St Fayetteville, NC 28305 964-7390 (H/W)	9/12	1 st	Sept/15 9/30/15	Yes
Dr. John Briggs (W/M) 104 Stedman Street Fayetteville, NC 28305 867-1493	2/12	2nd	Feb/15 2/28/15	No
Sonja Council 950 Stewarts Creek Drive Apt. 1 Fayetteville, NC 28314 864-1651/609-6139 (W)	8/14	2nd	Aug/17 8/31/17	No
Michael Blake 4194 Longview Ave Hope Mills, NC 28348 425-5933/797-9291	8/14	1st	Aug/17 8/31/17	Yes
Clyde E. Hammond (W/M) 1802 Flintshire Road Fayetteville, NC 28304 425-2774	8/14	3rd	Aug/17 8/31/17	No
Ron Rooks (B/M) 1571 Rossmore Dr Fayetteville, NC 28314 423-314-6067	8/14	1st	Oct/15 10/31/15	Yes

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

<u>Name/Address</u>	<u>Date Appointed</u>	<u>Term</u>	<u>Expires</u>	<u>Eligible For Reappointment</u>
VACANT (Vacated by T. Edwards)	1/12	2nd	Jan /15 1/31/15	No
VACANT (by N. Campbell)	10/12	1st	Oct/15 10/31/15	Yes
Cassandra White Haire (B/F) 515 Albany Street Fayetteville, NC 28301 728-0175 (C)	4/13	2nd	Apr/16 4/30/16	No

CONTACT: Kareem Strong, Mid-Carolina Area Agency on Aging
P. O. Box 1510, Fayetteville, NC 28302, (Phone: 323-4191, ext. 25)

3rd Thursday of the last month of each quarter (March, June, September and December) at 1:00 PM - at various nursing homes in the county.

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

CANDICE WHITE
Clerk to the Board

KELLIE BEAM
Deputy Clerk

BOARD OF COMMISSIONERS

ITEM NO. _____

7E

November 4, 2014

November 17, 2014 Agenda Item

TO: Board of Commissioners
FROM: Kellie Beam, Deputy Clerk to the Board *KB*
SUBJECT: Tourism Development Authority

BACKGROUND: At their November 3, 2014 meeting, the Board of Commissioners nominated the following individual to fill one (1) vacancy on the Tourism Development Authority:

Hotel/Motel Under 100 Rooms Representative:

Daniel E. Roberts (reappointment for an additional one-year term to expire on October 31, 2015.)

I have attached the current membership list for the Tourism Development Authority.

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

Attachment

pc: Candice White, Clerk to the Board

TOURISM DEVELOPMENT AUTHORITY
3 Year Terms

10/14

Name/Address	<u>Date</u> Appointed	Term	Expires	<u>Eligible For</u> Reappointment
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Commissioner Appointees:

Hotel/Motels under 100 rooms Representatives:

Daniel E. Roberts 4182 Sycamore Dairy Road Fayetteville, NC 28303 426-1416/826-9200 (W) dan@shaminhotels.com	11/13	3 rd *	Oct/14 10/22/14	No
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One additional year; October 23, 2013 – October 22, 2014

William S. Wellons, Jr. 406 Overton Place Fayetteville, NC 28303 868-5425/436-3131 (W) billy@wellonsrealty.com	11/13	2 nd	Aug/16 8/31/16	No
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Hotel/Motel over 100 rooms Representatives:

Anup Contractor (A/M) 217 Kirkwood Drive Fayetteville, NC 28303 433-2657 (H) /433-2100 (W) / 286-9373 (C) anup.econolodge@gmail.com	10/14	1st	Oct/17 10/31/17	Yes
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Manish Mehta 229 Forest Creek Drive Fayetteville, NC 28303 494-1918 /689-0800 (C) msmehta@5points.nc.com	4/14	1 st full term	Mar/17 3/31/17	Yes
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serving unexpired term; eligible to serve one additional term

Member of the Public Not Affiliated with Travel/Tourism

Dallas Mack Freeman 961 Kaywood Drive Fayetteville, NC 28311 488-9478/391-4177 (cell) dmackfreeman@gmail.com	6/14	2nd	June/17 6/30/17	No
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Others:

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

Doug Peters
Fayetteville-Cumberland County Chamber of Commerce
P.O. Box 9
Fayetteville, NC 28302
484-4242 / 973-4729 (cell)
dpeter@fayettevillencchamber.org

Cumberland County Manager (ex officio)

Amy Cannon

P.O. Box 1829

Fayetteville, NC 28302

678-7740

acannon@co.cumberland.nc.us

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

Board was appointed on March 11, 2002.

Meetings: Quarterly (January/April/July/October) - 4th Wednesday – 8:00 AM – Room 564

Contact: Candice White – 678-7771

JEANNETTE M. COUNCIL
Chairman

KENNETH S. EDGE
Vice Chairman

CHARLES E. EVANS
MARSHALL FAIRCLOTH
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BILLY R. KING
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CUMBERLAND
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NORTH CAROLINA

BOARD OF COMMISSIONERS

CANDICE WHITE
Clerk to the Board

KELLIE BEAM
Deputy Clerk

ITEM NO. _____

7F

November 4, 2014

November 17, 2014 Agenda Item

TO: Board of Commissioners

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

SUBJECT: Cumberland County Workforce Development Board

BACKGROUND: On November 3, 2014, the Board of Commissioners nominated the following individual to fill one (1) vacancy on the Cumberland County Workforce Development Board:

Community Based Organization:
Cynthia Wilson (new appointment)

I have attached the current membership list for this board.

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

Attachment

pc: Jim Lott, Workforce Development
Dr. Larry Keen, FTCC President
Carl Mitchell, FTCC VP for HR and Institutional Effectiveness/Assessment

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

<u>Name/Address</u>	<u>Date Appointed</u>	<u>Term</u>	<u>Expires</u>	<u>Eligible For Reappointment</u>
<u>Private Sector:</u>				
Barbara Spigner (B/F) 5701 Cloister Ct Fayetteville, NC 28314 864-1807	11/11	1 st	Nov/14 11/30/14	Yes
Dr. Curtis Charles (B/M) 4402 Ping Court Fayetteville, NC 28312 263-7308/672-2954	8/14	1 st	Oct/17 10/31/17	Yes
David McCune (W/M) 106 Penmark Pl Fayetteville, NC 28301 476-2976/424-2978 (W)	10/14	2 nd	Oct/17 10/31/17	No
Rosie G. McMillan (B/F) FSU 1972 Culpepper Lane Fayetteville, NC 28304 864-0158/671-1105 (W)	10/11	2 nd	Oct/14 10/31/14	No
Richard Everett (W/M) 408 Mirror Lake Drive Fayetteville, NC 28303 484-0432/677-2360 (W)	6/14	3 rd	Oct/17 10/31/17	No
John Jones (NA/M) 4104 Bonfield Road Fayetteville, NC 28312 303-0444/222-1506	3/13	1 st	Mar/16 3/31/16	Yes
Linda Hoppmann (W/F) 5331 Rimrock Ct Fayetteville, NC 28303 826-4939/483-5016 (W)	11/14	3 rd	Nov/17 11/30/17	No
Rodney Anderson (B/M) 4321 Huntsfield Rd Fayetteville, NC 28314 826-0366/922-1214	4/14	1 st	Apr/17 4/30/17	Yes

Cumberland County Workforce Development Board, page 2

<u>Name/Address</u>	<u>Date Appointed</u>	<u>Term</u>	<u>Expires</u>	<u>Eligible For Reappointment</u>
Sara Jean Hicks (W/F) Aberdeen & Rockfish Railroad 655 Winslow Street Fayetteville, NC 28306 417-9072/483-8309 (W)	2/12	2nd	Feb/15 2/28/15	No
Randall Newcomer (W/M) 109 Cypress Lakes Circle Hope Mills, NC 28348 308-5432/424-1776 (W)	10/14	2nd	Oct/17 10/31/17	No
Jody Risacher (W/F) 3533 Sweetbay Circle Fayetteville, NC 28311 630-5102/483-7727	8/13	1 st	Aug/16 8/31/16	Yes
Charlene Cross (B/F) 1949 Culpepper Lane Fayetteville, NC 28304 630-1450/308-9413	3/13	1st	Mar/16 3/31/16	Yes
<u>Public Sector:</u>				
Pamela Gibson (W/F) 7526 Hammersley Road Fayetteville, NC 28306 423-1830/678-2416	3/13	1st	Mar/16 3/31/16	Yes
<u>Rehabilitation:</u>				
Ellen Morales (/F) North Carolina Department of Human Resources Division of Vocational Rehabilitation Services 1200 Fairmont Court Fayetteville, NC 28304	11/06	(unlimited term - replaced by state agency)		
<u>Community Based Organization:</u>				
Esther Acker (W/F) 301 Coolee Circle Fayetteville, NC 28311 488-1402/323-3192 x32 (W)	10/14	3 rd	Oct/17 10/31/17	No

<u>Name/Address</u>	<u>Date Appointed</u>	<u>Term</u>	<u>Expires</u>	<u>Eligible For Reappointment</u>
Sara Hemingway Hallock (W/F) Communicare, Inc. 711B Executive Place Fayetteville, NC 28305 829-9017	2/12	2nd	Feb/15 2/28/15	No
VACANT (Vacated by J. Carl Manning)	5/11	2nd	May/14 5/31/14	No
<u>Economic Development:</u>				
Catherine Johnson (W/F) FCCCC 524 Deerpath Drive Fayetteville, NC 28311 822-4809/484-4242 x247 (W)	1/14	3 rd	Aug/17 8/31/17	No
<u>Employment Service:</u>				
Edith Edmond Employment Security Comm. 414 Ray Avenue Fayetteville, NC 28301 486-1010	12/11	(unlimited term - replaced by state agency)		
<u>Labor:</u>				
Joseph M. Smith (W/M) Goodyear 6005 Louden Circle Hope Mills, NC 28348 424-6238/488-9295 x321 (W)/578-9933 (C)	10/11	2nd	Oct/14 10/31/14	No
<u>Education:</u>				
Brian (T.J.) Haney (W/M) FTCC 1660 Rock Creek Lane Fayetteville, NC 28301 488-4664/678-1068	8/13	1st	Aug/16 8/31/16	Yes
Esther Thompson (F) 511 Forest Lakes Rd Fayetteville, NC 28305 323-9687 (H) / 670-5515 (W)	11/14	2nd	Nov/17 11/30/17	No

<u>Name/Address</u>	<u>Date Appointed</u>	<u>Term</u>	<u>Expires</u>	<u>Eligible For Reappointment</u>
<u>County Representative:</u> Amy Cannon County Manager P. O. Box 1829 Fayetteville, NC 28302 678-7726	02/11	N/A	N/A	N/A

Contact: Carl Mitchell – FTCC – 910-678-8373 – Email: mitchelc@faytechcc.edu
Jim Lott (interoffice mail) 323-3421, CC: Dr. Larry Keen-FTCC

Regular Meetings: 2nd Tuesday, every other month beginning in February, 11:00 AM, FTCC – Thomas McLean Administration Bld Room 170, 2001 Hull Road, Fayetteville, NC 28303

(Name Changed to Cumberland County Workforce Development Board, November, 1995)

*Recommendations for the WFD Board should come from FTCC.