

**CUMBERLAND COUNTY BOARD OF COMMISSIONERS**  
**June 4, 2001, 9:00 AM**  
**REGULAR MEETING**  
**CUMBERLAND COUNTY COURTHOUSE**  
**FAYETTEVILLE, NC**

**PRESENT:** Chairman, J. Lee Warren, Jr.  
Vice Chairman, J. Breeden Blackwell  
Commissioner Talmage Baggett  
Commissioner Jeannette Council  
Commissioner Kenneth S. Edge  
Commissioner John Henley  
Commissioner Billy R. King  
James Martin, County Manager  
Juanita Pilgrim, Deputy County Manager  
Amy H. Cannon, Assistant County Manager  
Cliff Spiller, Assistant County Manager  
Grainger Barrett, County Attorney  
Marsha Fogle, Clerk to the Board

**INVOCATION:** Commissioner John Henley,  
Dr. Brian Gentle, Haymount United Methodist Church

**PLEDGE OF ALLEGIANCE:**

**1. Consent Agenda**

**MOTION:** Commissioner Blackwell moved to follow staff recommendations on the items on the Consent Agenda.

**SECOND:** Commissioner Edge

**VOTE:** UNANIMOUS

- A. Approval of minutes for the May 21, 2001 regular meeting and May 23, 2001 Special Budget Session.**
- B. Approval of Health Department Dental Clinic Fees.**

**BACKGROUND:** At the Board of Health meeting on May 15, 2001, the Board approved charges for Dental Clinic Fees. As per N.C. General Statute, the Board of County Commissioners must approve these changes also prior to the Health Department implementing them.

**ACTION:** Approve the Health Department for the Dental Clinic Fees.

- C. Approval of Revision of Community Development Housing Program.**

**BACKGROUND:** In an effort to better utilize block grant funds that are awarded to Cumberland County, Community development staff has reviewed current Housing Program policies and proposed changes. The major change to the policy is that only elderly applicants (62 years and older) will be eligible for deferred loans; however, the deferred loans will no longer be forgiven. At the time that ownership of the property is transferred, the owner dies, or the owner no longer occupies the unit as their primary residence, the deferred loan must be repaid. All other applicants who are 80% or below the median income, must qualify for an amortized loan with an interest rate up to 5%.

Due to decreases in block grant funding, it is necessary to implement programs that will produce more program income to sustain community development activities and maintain a certain level of service to Cumberland County citizens. Loan servicing and collections policies will be established to more effectively enforce terms of repayment.

**ACTION:** Approve the proposed changes to the Homebuyer, Housing Rehabilitation and Emergency Repair Programs as well as the Loan Servicing and Collections policies as recommended.

**D. Approval of Second Reading of Lease Agreement and Franchise Ordinance for Concessionaire Services.**

**BACKGROUND:** At the May 21, 2001 meeting, the Board considered the proposed Lease Agreement and Franchise Ordinance to allow Hope Mills Youth Association, Southwest Athletic Association and Cliffdale Area Sports Association to provide concessionaire services to the general public visiting the Baldwin Elementary School Park located on Legion Road, E. Melvin Honeycutt Elementary School Park located at 2271 Lakewood Drive, and E.E. Miller School Park located on Rim Road, respectively. These services will be limited to prepackaged food, Coca-Cola beverage products and souvenirs only.

The Lease Agreement and Franchise Ordinance were passed at the first reading and must be approved at a second reading.

**ACTION:** Approve the Lease Agreement and Franchise Ordinance.

**E. Approval of Declaration of Foreclosed Real Property as Surplus and Authorizing Sale by Negotiated Offer, Advertisement and Upset Bid.**

**BACKGROUND:** The County of Cumberland has acquired by tax foreclosure certain real property located in the County. The property is listed below:

<u>Description</u>	<u>Date Acquired</u>	<u>Value</u>	<u>Deed</u>	<u>PIN No.</u>
3.00 acs Matthews Land	5/26/01	\$15,000.00 (No Buildings)	5445/561	0438.05-09-9611
1 ac H J Pate Land	5/26/01	\$6,000.00 (No Buildings)	5445/565	0424.04-74-9453
0.13 adj. Lt 13 Hermitage Pl	5/26/01	\$4,500.00	5445/568	0407.07-69-2256
0.05 ac Lt 42 X 50	5/26/01	\$724.00 (No Access)	5445/572	0437.19-52-4122
0.21 acs Melvin Land	5/26/01	\$3,000.00 (No Access)	5445/576	0433.03-21-7846
1009 W/S North Street	5/26/01	\$5,000.00 (No Buildings)	5445/579	0438.19-70-0243
Lt 117 Winningham Heights	5/26/01	\$4,500.00	5445/582	0429.17-12-8397
1 acre Land	5/26/01	\$42,843.00 (House, No Access)	5445/484	0461.03-34-9539
Vac Pt Lt 12 Blk B Stubbs Acres	5/26/01	\$2,375.00	5445/589	0439.18-41-3155

**F. Approval of Sale of Surplus County-Owned Real Property Acquired by Tax Foreclosure – 3.82 Acre Tolar Land.**

**BACKGROUND:** In 1999, the County acquired by tax foreclosure real property described as 3.82 acres, Tolar Land located in the Rockfish Township. The amount owed on the foreclosure judgment plus interest and costs was \$1,287.71.

Mr. Jerome Smith has offered to purchase the County's interest in such property for \$1,558.13 and has deposited \$155.81 in the finance Office. The value of the property is \$21,277.00.

This property is surplus to the needs of the County and according to N.C.G.S. 153A-176, the County has the authority to sell such property. The property has been advertised and this office has not received any upset bids on Mr. Smith's last bid. The bid period is now closed.

**ACTION:** Accept the offer of Mr. Jerome Smith to purchase the aforementioned property for the sum of \$1,558.13 and authorize the Chairman to execute a deed upon receipt of the balance of the purchase price to Mr. Smith.

**G. Approval of Sale of Surplus County-Owned Real Property Acquired by Tax Foreclosure – Lot W/S Highway 301, 5999 Maybank Drive.**

**BACKGROUND:** In 1999 the County acquired by tax foreclosure real property described as Lot W/S Highway 301, 5999 Maybank Drive and located in Rockfish Township. The amount owed on the foreclosure judgment plus interest and costs was \$2,577.26.

Ms. Dorothy Jeffries has offered to purchase the County's interest in such property for \$3,432.15 and has deposited \$345.00 in the Finance Office. The value of the property is \$6,000.00.

This property is surplus to the needs of the County, and according to N.C.G.S. 153A-176, the County has the authority to sell such property. The property has been advertised and this office has not received any upset bids on Ms. Jeffries' last bid. The bid period is now closed.

**ACTION:** Accept the offer of Ms. Dorothy Jeffries to purchase the aforementioned property for the sum of \$3,432.15 and authorize the Chairman to execute a deed upon receipt of the balance of the purchase price to Ms. Jeffries.

**H. Approval of Contract Modification for High School Sports Light Project – Change Order No. 1.**

**BACKGROUND:** On February 19, 2001 the Board of Commissioners approved a contract with Skan Electric Co. to install sports lights on baseball and softball fields at Jack Britt, Cape Fear and Pine Forest High Schools. The contract price was \$335,705.00. As a result of a change in the CP&L electrical service, the contractor was able to save \$12,325.00 in installation costs. The change permitted the contractor to use smaller, less expensive wire for Jack Britt High School. Skan Electric offered to pass these savings on to the County.

**ACTION:** Approve the contract modification for the High School Sports Lighting Project.

**I. Approval of Purchase of New Hardware and Software Required for Integration of Current Computer System in Register of Deeds Office.**

**BACKGROUND:** On May 7, 2001 the Board of Commissioners approved a Budget Revision to appropriate fund balance to renovate and purchase work stations for the Register of Deeds 1<sup>st</sup> floor area so that Vital Statistics could move from the lower level to the newly renovated area.

County Government Services has created, installed, monitored and updated the Register of Deeds computer system for the past twelve years. The new hardware and software will require integration with the current computer system, therefore necessitating a sole source purchase from County Government Services. The changes to the Local Government Purchasing Laws enacted by the General Assembly in 1997 permit sole source procurements when there are overriding issues of standardization and compatibility.

**ACTION:** Exempt the renovation project of the Register of Deeds office from formal bid due to the overriding issues of standardization and compatibility and sole source the project to County Government Services.

**J. Approval of Assignment of Windows of Opportunity Lease.**

**BACKGROUND:** Windows of Opportunity has requested that the Board of Commissioners approve assignment of its lease to Employment Source, Inc., as part of Windows of Opportunity's re-structuring and transfer of its role to the new entity. Employment Source, Inc. is a newly incorporated not-for-profit subsidiary of ServiceSource, Inc., and established Virginia-based company providing employment opportunities for disadvantaged workers.

The Board of Directors of Windows of Opportunity believes that the new organizational structure will provide a more stable environment for providing employment opportunities to the disadvantaged clients that Windows of Opportunity serves. An advisory board consisting of the continuing Windows of Opportunity Board is expected to be appointed that would include representatives of County government, Mental Health, people with disabilities and/or family members, and local business and professional interests. All clients and employees (except for four duplicative positions) will be transferred to Employment Source as of July 1, 2001.

**ACTION:** Approve assignment of the Windows of Opportunity lease to employment Source, Inc. as of July 1, 2001.

**K. Budget Revisions**

**(1) Eastover Water Systems Project/Eastover Water Authority**

Revision in the amount of \$213,295 to remove budget for transfer from Fund 252 to Fund 008. (B01-583 and B01-583A) **Funding Source – Other.**

**(2) Community Development – Public Services**

Revision in the amount of \$103,070 to transfer funds from other Community Development projects to fund the Cumberland County Association for Indian People Child Care Facility. (B01-588) **Funding Source – Federal.**

**(3) School C.O. Category II**

Revision in the amount of \$24,500 to move funds from School C.O. Category III as approved by the Cumberland County Board of Education on May 8, 2001. (B01-585) **Funding Source – Other.**

**(4) Library**

Increase in revenues and expenditures in the amount of \$9,044 to budget EZ-LSTA Grant. (B01-589 and B01-590) **Funding Source – State.**

**(5) General Government Other**

Revision in the amount of \$150,000 to reduce state revenue and expenditures for the Juvenile Assessment Center. (B01-591) **Funding Source – State.**

**ITEMS OF BUSINESS**

**2. Nominations to Boards and Committees**

**A. Equalization and Review Board (1 Vacancy)**

No nominations made. The Home Builders Association will make a recommendation.

**B. Joint Storm Water Advisory Board (2 Vacancies)**

Nominees: Billy Maxwell (reappointment)  
Don Jessup

**C. Jury Commission (1 Vacancy)**

Nominee: Mae Harris

**D. Minimum Housing Appeals Board (1 Vacancy)**

Nominees: Willie McCoy (regular member)  
Sara Bracey (alternate member)

**E. Social Services Board (1 Vacancy)**

Nominee: Luther Packer

**F. Workforce Development Board (2 Vacancies)**

Nominees: Private Sector: Tim Owen  
Sylvia Caldwell

One more nominee needed.

3.     **Appointments to Boards and Committees**

**A.     ABC Board (2 Vacancies)**

Nominees:     A. Johnson Chestnutt (Reappointment)  
                  Stanley Johnson  
                  Wilson A. Lacey (Reappointment)

VOTING:     Johnson Chestnutt     - Commissioner Henley  
              Stanley Johnson     - Commissioners Edge, Blackwell, Baggett, Warren,  
  Council & King  
              Wilson Lacy -         Unanimous

**B.     Animal Control Board (3 Vacancies)**

**MOTION:     Commissioner Blackwell moved to appoint the nominees in 3B, 3C, 3D,  
              3E, & 3G, to the respective Boards.**  
**SECOND:     Commissioner King**  
**VOTE:        UNANIMOUS**

Nominees:     Ex-Officio, Veterinarian: Dr. John A. Lauby, (Reappointment)  
                  At-Large Positions: Donna Broadhurst (Reappointment)  
  Donald Joseph Byrd (Reappointment)

**C.     Board of Adjustment (5 Vacancies)**

Nominees:  
              Regular Member Positions: Earl E. Bunce (Reappointment)  
  Doug Stephens (Reappointment)  
  
              Alternate Member Positions: Matt Blashfield  
  Steve Burnett (Reappointment)  
  Ernest P. Carroll (Reappointment)

**D.     Civic Center Commission (1 Vacancy)**

Nominee:     Ed G. Melvin

**E.     FTCC Board of Trustees (1 Vacancy)**

Nominee:     Wilson F. Yarborough, Jr. (Reappointment)

**F.     Joint Planning Board (2 Vacancies)**

Nominees:     David Averette  
                  Marion Gillis-Olion  
                  Charles C. Morris  
                  Neil E. Smith

Commissioner Henley withdrew the name of Neil E. Smith

VOTING:     David Averette: Commissioners Edge, Blackwell, Baggett & King  
                  Marion Gillis Olion – Commissioners Henley, Warren, Council, Baggett  
  & King  
                  Charles C. Morris – Commissioners Henley, Blackwell, Warren,  
  Council  
  
SECOND ROUND: David Averette:         Commissioners Edge, Blackwell, Baggett, King  
                  Charles C. Morris:       Commissioners Henley, Warren, Council  
  
Appointed:     David Averette and Marion Gillis Olion

**MOTION:     Commissioner Henley moved that Marion Gillis Olion fill the slot vacated  
              by John Tyson and David Averette will fill the Jeff Reitzel position.**  
**SECOND:     Commissioner Baggett**  
**VOTE:        UNANIMOUS**

**G. Nursing Home Advisory Board (2 Vacancies)**

Nominees: Eleanor Hall Ayers (Reappointment)  
Frances Brunson (Reappointment)

**4. Consideration of Request to Address the Board Regarding Concerns of the Home Builders Association – Appearing: Jim Smith.**

Mr. Jim Smith, President Home Builders Association, told the Board of some concerns he has with the County Inspections Department.

He said the Inspection Department is not keeping up with demands. It takes from 2-5 days to have an inspection done. Mechanical inspections take longer. He noted that in 1993-94 there were 26 employees in the Inspection Department. There are 22 positions in that department today. One thousand six hundred seventeen new homes were built in 1993-94. Five hundred plus homes are under construction today. There are less homes being built, it takes longer to get them inspected. Mr. Smith said cutting back resources in the County Inspection Department will not be in the best interest of anyone.

Chairman Warren said the Board will take these concerns under consideration. Commissioner Baggett noted that in some counties the Planning and Inspection Departments have been merged. He said he hopes Cumberland County will take a look at such a merger.

**Meeting adjourned at 9:20AM.**

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Clerk to the Board