

CUMBERLAND COUNTY BOARD OF COMMISSIONERS
DECEMBER 15, 2002, 7:00PM
REGULAR/REZONING MEETING

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

INVOCATION: Commissioner John T. Henley, Jr.
PLEDGE: Evan Payne - Gallberry Farm Elementary School

Additions to Agenda:

MOTION: Commissioner Blackwell moved to add a Closed Session to the Agenda to discuss an economic development matter and Attorney-Client matter (Weslowski vs. Soles & Swann)
SECOND: Commissioner Council
VOTE: UNANIMOUS

1. PUBLIC HEARINGS

Uncontested Rezoning Cases:

Commissioner King pulled Item F for separate action.

Upon finding the rezoning in the uncontested cases, except Item F, to be reasonable, neither arbitrary or unduly discriminatory, and in the public interest and that the property within such proposed district is suitable for all uses permitted by the new classification, the following motion was offered:

MOTION: Commissioner Warren moved to follow the Planning Board recommendation in Cases A,B,C,D,E, & G.
SECOND: Commissioner Blackwell
VOTE: UNANIMOUS

- A. Case P02-87. The rezoning of 4.5 acres from A1 to R40A, or a more restrictive zoning district at 2200 Dunn Road, owned by Mary C. Culbreth, Edward C. Council and Ma De La Luz Bell

The Planning Board recommends approval of R40A.

- B. Case P02-90. The rezoning of 2.61 acres from A1 to R40A, or a more restrictive zoning district, located at 2020 Chicken Foot Road, owned by Geraldine Bryant

The Planning Board recommends approval of R40A.

- C. Case P02-91. The rezoning of a 1.16 acre portion of a 33.89 acre tract from A1 to C(P), or a more restrictive zoning district, at 2394 Cedar Creek Road, owned by William G. Alphin & J.A. Alphin, Jr.

The Planning Board recommends approval of C(P).

- D. Case P02-92. The rezoning of 1.87 acres from R10 and C(P) to C3, or a more restrictive zoning district, on the southwest quadrant of Cliffdale and South Reilly Roads, owned by Elwood S. Cain, Sr.

The Planning Board recommends approval of C3.

- E. Case P02-93. The rezoning of a 5.38 acre portion of a 14.1 acre tract from CD to RR, or a more restrictive zoning district, at 8024 Ray Road owned by Lebron E. Lee

The Planning Board recommends approval of RR.

- F. Case P02-96. The rezoning of 78.5 acres from A1 to R10, or a more restrictive zoning district, on the south side of Braxton Road, west of Chicken Foot Road, owned by P.R. Barker

The Planning Board recommends approval of R10.

Commissioner King noted this is a rather large tract of land and he questioned whether or not 274 houses in this area may be too many. Tom Lloyd, Interim Planning Director, noted that utilities are available and that is why the Planning Board recommends approval.

Upon finding the rezoning to be reasonable, neither arbitrary or unduly discriminatory, and in the public interest and that the property within such proposed district is suitable for all uses permitted by the new classification, the following motion was offered:

MOTION: Commissioner King moved to follow the recommendation of the Planning Board and approve R10.
SECOND: Commissioner Blackwell
VOTE: UNANIMOUS

- G. Case P02-98. The rezoning of 2.06 acres from C1 to RR, or a more restrictive zoning district, on Waldos Beach Road, across from Lakeview Drive, owned by Ellis & Deborah Bryant

The Planning Board recommends approval of RR.

Contested Rezoning Cases:

- H. Case P02-88. The rezoning of 3.44 acres from R10 to C(P), or a more restrictive zoning district, on the corner of Ramsey Street & Bullard Circle, north of McCloskey Drive, owned by Luella N. Glendening

The Planning Board recommends denial of the rezoning request.

Speaker: Dale Glendening - speaking for his mother, Luella Glendening. Mr. Glendening noted that there are three reasons to approve the rezoning: (1) the property is undeveloped; (2) property approximately 1000 yards from his mother's property was recently rezoned for South River Co-Op; and (3) the most compelling reason, the property can't be used for residential. Mr. Glendening noted there are only 2 residential units that actually front Ramsey Street at this location.

Commissioner King said he could not see anyone building a home on the property. He inquired if a site plan would be necessary if the Board approved C(P). Mr. Lloyd indicated it would.

Upon finding the rezoning to be reasonable, neither arbitrary or unduly discriminatory, and in the public interest, and that the property within such proposed district is suitable for all uses permitted by the new classification, the following motion was offered:

MOTION: Commissioner King moved to approve C(P).

SECOND: Commissioner Blackwell

DISCUSSION: Commissioner Blackwell noted that had this property been large enough for the South River Coop project, he felt sure the Board of Commissioners would have approved C(P) at this location.

VOTE: FAVOR: Commissioners King, Blackwell, Warren, Baggett, Edge, Henley
OPPOSED: Commissioner Council

Other Public Hearings:

I. Consideration of forming proposed Linden Water & Sewer District

Speakers: None

The Board may establish a district by resolution, if it chooses, after a public hearing has been held. The Board must find that (1) there is a demonstrable need for providing in the district water services, sewer services or both; (2) residents of all the territory to be included will benefit from the district's creation; and (3) it is economically feasible to provide the proposed service or services within the district without unreasonable or burdensome annual tax levies. In addition, if the Board chooses to establish the district, it should direct that a resolution establishing the district be run in each of two successive weeks in the local paper and that a statement also be published that any proceeding to challenge the validity of the resolution or the establishment of the district must be brought within 30 days of first publication of the resolution. A municipality may request to be included in the district, and the Town of Linden has requested it be included. The Board of Commissioners will serve as the governing board of the district. The Chairman, Vice Chairman, Clerk to the Board of Commissioners and County Finance Officer, from time to time, may be designated as the Chairman, Vice Chairman, Clerk and Finance Officer of the district, respectively, of the Linden Water and Sewer District.

ACTION: Adopt Resolution creating the District.

MOTION: Commissioner Blackwell moved to adopt the Resolution creating the District.

SECOND: Commissioner Edge

VOTE: UNANIMOUS

Resolution Creating Linden Water and Sewer District

WHEREAS, the Cumberland County Board of Commissioners (hereinafter "the Board") at its regular meeting on November 4, 2002, resolved that a public hearing be held, pursuant to NCGS 162A-86 et.seq., to consider creation of the Linden Water and Sewer District; and

WHEREAS, the Town of Linden Board of Commissioners at its special meeting on October 29, 2002, adopted a resolution requesting that the incorporated area of the Town of Linden be included in the proposed Linden Water and Sewer District; and

WHEREAS, the Board further resolved that the said public hearing should be held on December 16, 2002, and directed the appropriate representatives of the County to take the necessary actions to hold the public hearing; and

WHEREAS, pursuant to NCGS 162A-86, a notice of public hearing was prepared stating the date, hour and place of the hearing and its subject and setting forth a description of the territory to be included within the proposed Linden Water and Sewer District; and

WHEREAS, pursuant to NCGS 162A-86, the notice of public hearing was published once a week for three weeks in a newspaper that circulated in the proposed district and was posted in at least three public places in the district. The notice of public hearing were posted and published the first time not less than twenty days before the hearing; and

WHEREAS, a public hearing was held at 7:00PM, December 16, 2002, in room 118, Cumberland County Courthouse, 117 Dick Street, Fayetteville, NC, at which time all interested persons who appeared and requested to be heard were heard concerning the question of creating the Linden Water and Sewer District; and

WHEREAS, the Board, following the public hearing, finds that:

1. There is a demonstrable need for providing in the district water services, sewer services, or both; and
2. The residents of all the territory to be included in the district will benefit from the district's creation; and
3. It is economically feasible to provide the proposed service or services in the district without unreasonable or burdensome annual tax levies; and

WHEREAS, the Board finds that the district shall be defined as set forth in Attachment A to these minutes; and

WHEREAS, the Board now desires to create the Linden Water and Sewer District.

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

1. It is hereby found that:
 - A. There is a demonstrable need for providing in the district water services, sewer services, or both; and
 - B. The residents of all the territory to be included in the district will benefit from the district's creation; and
 - C. It is economically feasible to provide the proposed service or services in the district without unreasonable or burdensome annual tax levies; and
2. The Linden Water and Sewer District is hereby created as provided above and is hereby described in Attachment A to these minutes.
3. The Clerk to the Board is hereby authorized and directed to cause this Resolution to be published once in each of two successive weeks in the newspaper in which the notices of public hearing was published, together with a statement that any proceeding to challenge the validity of the resolution or the establishment of the district must be brought within 30 days of first publication of the resolution.
4. This resolution shall be effective upon its adoption as by law provided.

J. Consideration of forming proposed Vander Water and Sewer District

Speakers: None

The Board may establish a district by resolution, if it chooses, after a public hearing has been held. The Board must find that (1) there is a demonstrable need for providing in the district water services, sewer services or both; (2) residents of all the territory to be included will benefit from the district's creation; and (3) it is economically feasible to provide the proposed service or services within the district without unreasonable or burdensome annual tax levies. In addition, if the Board chooses to establish the district, it should direct that a resolution establishing the district be run in each of two successive weeks in the local paper and that a statement also be published that any proceeding to challenge the validity of the resolution or the establishment of the district must be brought within 30 days of first publication of the resolution. The Board of Commissioners will serve as the governing board of the district. The Chairman, Vice Chairman, Clerk to the Board of Commissioners and County Finance Officer, from time

to time, may be designated as the Chairman, Vice Chairman, Clerk and Finance Officer of the district, respectively, of the Vander Water and Sewer District.

ACTION: Adopt Resolution creating the District.

MOTION: Commissioner Warren moved to adopt the Resolution creating the Vander Water & Sewer District.

SECOND: Commissioner Henley

VOTE: UNANIMOUS

Resolution Creating Vander Water and Sewer District

WHEREAS, the Cumberland County Board of Commissioners (hereinafter "the Board") at its regular meeting on November 4, 2002, resolved that a public hearing be held, pursuant to NCGS 162A-86 et.seq., to consider creation of the Vander Water and Sewer District; and

WHEREAS, the Board further resolved that the said public hearing should be held on December 16, 2002, and directed the appropriate representatives of the County to take the necessary actions to hold the public hearing; and

WHEREAS, pursuant to NCGS 162A-86, a notice of public hearing was prepared stating the date, hour and place of the hearing and its subject and setting forth a description of the territory to be included within the proposed Vander Water and Sewer District; and

WHEREAS, pursuant to NCGS 162A-86, the notice of public hearing was published once a week for three weeks in a newspaper that circulated in the proposed district and was posted in at least three public places in the district. The notice of public hearing were posted and published the first time not less than twenty days before the hearing; and

WHEREAS, a public hearing was held at 7:00PM, December 16, 2002, in room 118, Cumberland County Courthouse, 117 Dick Street, Fayetteville, NC, at which time all interested persons who appeared and requested to be heard and were heard concerning the question of creating the Vander Water and Sewer District; and

WHEREAS, the Board, following the public hearing, finds that:

1. There is a demonstrable need for providing in the district water services, sewer services, or both; and
2. The residents of all the territory to be included in the district will benefit from the district's creation; and
3. It is economically feasible to provide the proposed service or services in the district without unreasonable or burdensome annual tax levies; and

WHEREAS, the Board finds that the district shall be defined as set forth in Attachment A to these minutes; and

WHEREAS, the Board now desires to create the Vander Water and Sewer District.

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

1. It is hereby found that:
 - A. There is a demonstrable need for providing in the district water services, sewer services, or both; and
 - B. The residents of all the territory to be included in the district will benefit from the district's creation; and

C. It is economically feasible to provide the proposed service or services in the district without unreasonable or burdensome annual tax levies; and

2. The Vander Water and Sewer District is hereby created as provided above and is hereby described in Attachment B to these minutes.
3. The Clerk to the Board is hereby authorized and directed to cause this Resolution to be published once in each of two successive weeks in the newspaper in which the notices of public hearing was published, together with a statement that any proceeding to challenge the validity of the resolution or the establishment of the district must be brought within 30 days of first publication of the resolution.
4. This resolution shall be effective upon its adoption as by law provided.

2. Consent Agenda

Item D was pulled from the consent agenda for separate action.

MOTION: Commissioner Blackwell moved follow staff recommendations on the items on the Consent Agenda, excepting Item D.

SECOND: Commissioner King

VOTE: UNANIMOUS

- A. Approval of Minutes: December 2, 2002

ACTION: Approve

- B. Approval of sale of surplus county-owned real property acquired by tax foreclosure - Lot 6, Live Oak, Section 1 (.42 Acre) PIN: 0471-48-6456

BACKGROUND: The County foreclosed on the property in 2002. The amount owed including interest and costs is \$2,935.10. Robert Goodrich and Billy Cain, jointly, have offered to purchase the County's interest in the property for \$3,000 and have deposited \$300 in the Finance Office. The tax value of the property is \$13,000. The property is surplus to the County's needs, and no upset bid has been received.

ACTION: Accept the offer and authorize the Chairman to execute a deed upon receipt of the balance of the purchase price.

- C. Approval of sale of surplus county-owned real property acquired by tax foreclosure - One Acre H.J. Pate Lane - PIN: 0424-74-9453

BACKGROUND: The County foreclosed on the property in May, 2001. The amount owed including interest and costs is \$919.81. New Calvary Missionary Baptist Church has offered to purchase the County's interest in the property for \$2,000 and has deposited \$600 in the Finance Office. The tax value of the property is \$6,000. The property is surplus to the County's needs, and no upset bid has been received.

ACTION: Accept the offer and authorize the Chairman to execute a deed upon receipt of the balance of the purchase price.

- D. Approval of a voting delegate for the NCACC Legislative Goals Conference - Raleigh, NC, January 16-16, 2003

ACTION: Appoint a voting delegate.

MOTION: Commissioner Blackwell moved to appoint Commissioner King.

SECOND: Commissioner Henley

VOTE: UNANIMOUS

- E. Approval of declaration of surplus county property and authorization to accept insurance settlement

BACKGROUND:

Date of Accident:	November 20, 2002
Vehicle:	1995 Ford F-150 Truck
VIN:	1FTEF15N8SNA69569
Fleet #:	AC7
Mileage:	157,000
Dept.:	Animal Control
Settlement Offer:	\$5,440
Insurance Co.:	St. Paul

ACTION: Declare vehicle surplus, authorize Risk Management to accept the \$5440 settlement and allow St. Paul Insurance to take possession of the vehicle.

- F. Approval of Cape Fear Valley Health System lease agreements for Southeastern Radiation Therapy, Carolina Cancer Management, Fayetteville Nephrology Associates and Sandhills Nephrology and Internal Medicine

BACKGROUND. Richard Parks, CEO, Cape Fear Valley Health System, has approved the following lease agreements:

Southeastern Radiation Therapy, 1638 Owen Drive, Fayetteville, NC
Rent: \$5,523.40

Carolina Cancer Management, 1638 Owen Drive, Fayetteville, NC
Rent: \$3,910.20

Fayetteville Nephrology Associates & Sandhills Nephrology, 405 South Main Street, Raeford-Hoke Medical Center
Based on fee of \$50 for each four hour block of time

ACTION: Approve

- G. Approval of Change Order #3 Revised (3R) for Lee F. Cowper, Inc. for the Cumberland County Detention Center Project

BACKGROUND: Amount of Change Order: \$155,011. This represents various changes in the scope of work identified during construction.

ACTION: Approve Change Order #3 Revised, increasing the County's obligation for payment by \$155,011 which revises the total contract amount to \$2,725,473.94, and approve associated budget revision, B03-223.

- H. Approval of lease to FAEDC for the Alphin residence to be used for economic development purposes

BACKGROUND: FAEDC would like to lease the property on a one year lease to be used in conjunction with its efforts to market, develop and promote the new Cedar Creek Business Center or other industrial sites along Cedar Creek Road. In lieu of rent, the consideration would be the public purpose and benefit from such marketing, development and promotion. At the end of a year, the lease will be reviewed to see if it needs to be renewed. The Tenant will pay for utilities and minor upkeep. The County will pay for repairs. The Tenant will also maintain insurance on personal property, and the County will maintain hazard insurance on the realty.

ACTION: Approve lease

- I. Approval of County Policy Committee report/recommendation regarding Community Development Affordable Housing grants for the Pineridge Manor Apartment project

BACKGROUND: The Policy Committee reviewed the project which was recommended for approval by the Community Development Department for HOME funding.

The Policy Committee recommends approval of the Pineridge Manor Apartment project and directs that all future projects be subject to a competitive bid process. Criteria will be adopted by which applications are judged. Staff will draw up the bid process and criteria for review by the Policy Committee.

ACTION: Approve the Pineridge Manor Apartment project. Adopt a policy that all future HOME funding projects be subject to a competitive bid process. Staff will draw up the bid process and criteria by which applications are judged for review by the Policy Committee.

- J. Budget Revisions
 - (1) Emergency Services: Amount: \$1,220 to recognize a NC Emergency Management EOC Grant (B03-212) Funding Source - State
 - (2) Westarea Fire District: Amount: \$250 to increase revenue/expenditures to cover unanticipated refunds to taxpayers (B03-308) Funding Source - Taxes Current Year
 - (3) Sheriff
 - a. School Law Enforcement: Amount: \$100,000 to recognize revenue from Board of Education to replace four law enforcement vehicles in the SRO Program (B03-209) Funding Source - Board of Education
 - b. Federal Forfeiture Justice: Amount: \$486,000 to appropriate fund balance & to purchase mobile data computers & related equipment for law enforcement vehicles (B03-210) Funding Source - Appropriated Fund Balance
 - c. Jail: Amount: \$117,491 to reallocate budgeted expenditures in order to fully open the new jail in mid-Spring instead of July 1, 2003 (B03-211) Funding Source - Reallocation of budgeted expenditures
 - (4) Health
 - a. Family Planning & Child Service Coordination: Amount: \$30,539 to reduce revenue & expenditures in order to reflect the unanticipated reduction in state funding for the "Teens Aspiring for New Futures Outreach Program" and to transfer the Social Worker II position from Family Planning to Child Service Coordination (B03-213-213A) Funding Source - State
 - b. Family Planning: Amount: \$3,399 to reduce state revenue due to unanticipated reduction in state funding and to increase fee income (B03-214) Funding Source - State & Fees
 - c. Maternal Health: Amount: \$4,160 to reduce state revenues and budgeted expenditures due to an unanticipated reduction in state funding (B03-215) Funding Source - State
 - d. Child Health: Amount: \$7,860 to reduce state revenue and budgeted expenditures due to an unanticipated reduction in state funding (B03-216) Funding Source - State

- e. Child Fatality: Amount: \$340 to reduce state revenue and budgeted expenditures due to an unanticipated reduction in state funding (B03-217) Funding Source - State
 - f. Communicable Disease/Sexually Transmitted Disease Clinic: Amount: \$269,283 to transfer funding and budgeted expenditures from this program in order to comply with state reporting requirements (B03-219-219A) Funding Source - Reallocation of Budgeted Revenues and Expenditures
 - g. Administration/Immunization/TB Chest Disease/AIDS/Adult Health: Amount: \$6,900 to transfer County Fund Balance from several Health Department organizations into Administration and to utilize funds from salary adjustment and employee stipend in order to fund the salary increase for the position of Personnel Officer I (B03-218) Funding Source - Reallocation of Budgeted Revenues & Expenditures
- (5) Animal Control/Tax Administration: Amount: \$22,265 to transfer Office Support II position from Animal Control to Tax Administration to assist in the joint efforts between these departments in the pet listing/licensing program (B03-220-220A) Funding Source - Reallocation of Budgeted Expenditures
 - (6) General Government Other: Amount: \$520,000 to appropriate funds for a property tax refund due to Black and Decker for tax years 1997-2001, based upon an audit from Tax Management Associates (B03-224) Funding Source - Appropriated Fund Balance
 - (7) General Government Other: Amount: \$123,501 to fund unemployment insurance benefits to individuals affected by FY2002 reduction in force (B03-225) Funding Source - County Fund Balance

REGULAR AGENDA

- 3. Presentation by Bill Monroe from the Urban Design Assistance Team (UDAT) on the Fayetteville Renaissance Plan

Mr. Bill Monroe reviewed the Fayetteville Renaissance Plan. He noted that the Plan was developed after extensive meetings with the citizens of Fayetteville. He said that Fayetteville is the most diverse town he has ever been to. He noted at this point the town is growing in one direction, but that in the future it will begin to grow north, south and east of the river. He said in listening to the citizens they want a downtown with housing, parks, an art complex, and a school. Development should be in stages phased to demand and financing.

No action needed by the Board.

- 4. Presentation by Maurizia Chapman on Cumberland County's air quality status and consideration of participation in an early action compact to address air quality compliance

BACKGROUND: The Early Action Compact (EAC) is intended to address the new 8-hour o-zone standard (average 8-hour concentration is set at .08ppm) and how the Fayetteville Metropolitan Statistical Area will attain this new standard. There are currently two monitoring stations, one in the Town of Wade, beside I-95 and one in the Town of Hope Mills. Both currently barely violate the 8 hour ozone standard. Participating in the early action compact process would allow that the EPA will defer non-attainment designation to April 2008, unless specific EAC milestones are not met. The EAC agreement must be signed by all parties by December 31, 2002. The Planning Department will serve as the lead agency for the County. In order to meet the milestones an additional Planning Assistant (salary - \$25,939) will be needed by the

Transportation section of the Department. The position will be funded 80% (\$20,751.20) by Federal Highway Administration and state funds, and \$5,187.50 local match.

ACTION: Approve the submission of the application for the Early Action Compact for 8-hour State Implementation Plan to DENR and EPA and approve the Planning Assistant position to be funded as noted above.

Chairman Baggett noted concern about the placement of the monitoring stations. Ms. Chapman noted that EPA places the monitoring stations. He inquired if we could move the monitors and who selected the sites for the monitors. While it may be possible to move them, the findings are based on the information already collected from 2000 to 2003.

MOTION: Commissioner Edge moved to approve submission of the application and approve the Planning Assistant position to be funded as noted above.

SECOND: Commissioner King

VOTE: UNANIMOUS

5. Consideration of amendment of 1998 COPS Issue to add an animal control facility as an authorized project

BACKGROUND: In 1998 COPS issue proceeds were used to construct a new DSS Building and the Community Corrections Center. Approximately \$6 million of the proceeds remain, which originally had been intended to pay construction period interest on the projects. Being wary of construction cost overruns, management at the time took a very conservative approach and made interest payments from the General Fund. Bond counsel has advised that the money could be used for an animal control facility, by amending the description of authorized projects. A benefit of authorizing the additional project would be to allow the County under applicable IRS regulations to reimburse to the General Fund \$3,056,462 of construction period interest on the original projects. Any proceeds remaining beyond these would be used to purchase 1998 COPS bond in the open market to reduce the cost of future scheduled principal and interest payments.

ACTION: Consider whether to approve amendment of the 1998 COPS installment financing agreement to add an animal control facility as an approved project and if approved authorize the County Manager and the Assistant County Manager for Finance to take necessary steps to obtain approval from the Local Government Commission.

MOTION: Commissioner Blackwell moved to approve the amendment and authorize the County Manager and Assistant County Manager for Finance to take the necessary steps to obtain approval from the Local Government Commission.

SECOND: Commissioner King

VOTE: UNANIMOUS

6. Consideration of County Finance Committee report and recommendation approving the interlocal agreement for school funding formula

BACKGROUND: The County Finance Committee and the Board of Education Finance Committee met and recommended approval of an agreement governing funding of the Board of Commissioners' appropriation to the school current expense fund through fiscal year ending June 30, 2007. The agreement provides for an increase of 2% for next year, a revaluation year, plus \$482,000 to cover the operating costs of opening the new Gray's Creek High School. Thereafter, each fiscal year's appropriation would be increased from the prior year by the projected percentage increase in the appraised value of the County's tax base. The projected increase in appraised value shall be deemed to be the increase estimated for the purposes of the Board of Commissioners' adopted budget. The parties will also agree to forego statutory or judicial processes to appeal, mediate, arbitrate or otherwise contest the amount of the school current expense fund appropriation. This agreement may be renewed if the parties so desire. The two boards would take official action by December 31, 2006 to renew, or not to renew the agreement.

MOTION: Commissioner Blackwell moved to approve.
SECOND: Commissioner Warren
DISCUSSION: Commissioner Henley noted this agreement will provide a stable funding formula that is tied to the growth of the tax base. Commissioner Edge thanked his Finance Committee and county staff for their work on this matter.
VOTE: UNANIMOUS

7. Nominations to Boards/Committees:

A. Emergency Planning Committee (2 vacancies)

BACKGROUND: The following positions are vacant:

Health Representative: Recommended replacement: Eugene Hines
At-large Representative: Herman Crawford resigned. Danny Terry is recommended to fill the vacancy.

Nominees: Eugene Hines – Health Representative
Danny Terry – At-large Representative

B. Minimum Housing Appeals Board Alternate Member (1 vacancy)

BACKGROUND: Mr. J. Carl Manning has resigned as he is no longer a resident of Cumberland County.

ACTION: Nominate to fill Mr. Manning's position.

Nominee: I.J. McNeill

MEETING RECESSED

MEETING RECONVENED

8. Closed Session: Economic Development
Attorney Client – Weslowski vs. Soles & Swann

MOTION: Commissioner Blackwell moved to go into Closed Session to discuss the above matters.

SECOND: Commissioner Council

VOTE: UNANIMOUS

MOTION: Commissioner Blackwell moved to go back into Regular Session.

SECOND: Commissioner King

VOTE: UNANIMOUS

MOTION: Commissioner King moved to adjourn.

SECOND: Commissioner Warren.

VOTE: UNANIMOUS

Meeting Adjourned: 9:15PM

Clerk to the Board