

**CUMBERLAND COUNTY BOARD OF COMMISSIONERS  
JANUARY 28, 2002, 7:00PM  
SPECIAL/REZONING MEETING**

PRESENT: Chairman J. Breeden Blackwell  
Vice Chairman Talmage S. Baggett  
Commissioner Jeannette Council  
Commissioner Kenneth S. Edge  
Commissioner John 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/Finance Director  
Grainger Barrett, County Attorney  
Tom Lloyd, Planning  
Marsha Fogle, Clerk to the Board

INVOCATION: Commissioner Talmage Baggett

PLEDGE: Trey Riddle, Fayetteville Academy

Introduction of Ex-Officio High School Student Participant – Nicholas Minter, Student Body President, Massey Hill Classical High School

Recognition: County Retiree: Diane Tolar – Mental Health Department

Additions to the Agenda: Closed Session for Attorney Client Matter to include  
A law suit filed against the county by the Cumberland  
County Alliance for the Mentally Ill.

**MOTION: Commissioner Baggett moved to add the Closed Session to the agenda.**

**SECOND: Commissioner Edge**

**VOTE: UNANIMOUS**

**1. PUBLIC HEARINGS**

Conditional Use Overlay Cases

- A. Case P01-97: A Conditional Use Overlay District and Permit to allow an automatic car wash on a portion of 85.66 acres in an A1 District at the southwest corner of Tom Starling Road and Highway 87 South, owned by Mr. and Mrs. John R. Nunalee**

The Planning Board approved the Overlay and the Permit with added conditions:

- A solid buffer of fence & vegetation will be placed along the northwestern property line.
- All lighting is to be directed inward away from residential properties.
- Traffic for the car wash is to exit towards Tom Starling Road.

Mr. Lloyd asked that the packet material be made a part of the record.

Mr. Tom Lloyd, Planning Department, noted that the only issue that the Board is considering is whether or not to allow the car wash at the convenience store. He noted the convenience store is already a permitted use.

Speakers:

1. John Lennon – Mr. Lennon said the car wash is a self contained unit and is tied to the gas pump. He said it is unique in that it is a total reclamation system, discharging nothing into the sewer system. He noted he will be putting in a turning lane; he also said he thought there would be stoplight going in at the intersection at some time. He asked the Board to approve the rezoning.

2. Ray Bean – owner/operator of the convenience store. Mr. Bean noted he runs the Fuel Zone at the intersection of Maxwell Road and Highway 24. Mr. Bean said the car wash will run when the convenience store is open.
3. Willford Saunders – Mr. Saunders noted concerns about the devaluation of his property, which is next to the property line near where the car wash is proposed. He expects increased noise, invasion of privacy, etc. if the convenience store and car wash are allowed. He also expressed concern that the drainage from the car wash will run on his property. He asked the Board to deny the car wash, and Quick Stop and change the ordinance so a public hearing is required if commercial business comes within 500 feet of residential property.
4. Fran Primeaux – Resident of Tom Starling Road. Wants to keep the neighborhood quiet. Concerned about increased traffic. She asked the Board to table this matter in order to give the residents an opportunity to become informed about this rezoning request.
5. Verdery Pate – owns property across the road from the property in question. Concerned that this would set a precedent. Also does not like the fact that the zoning can be changed because people who see the A1 expect it to remain as such and stay more rural.

Commissioner Henley inquired if the property owned by Mr. Pate was zoned commercial. Mr. Pate indicated it was. Commissioner Henley noted Mr. Pate could do more with his commercially zoned property than the petitioner is asking for on his property.

6. Bill Brown – If this case is approved, it will cause traffic to increase and he is concerned about accidents that could happen as people enter and leave the convenience store. He said there are other places in the area that may be more suitable for a business like this.

The Public Hearing was closed.

Commissioner Baggett noted that even though the area is somewhat rural it is reasonable to expect some development since HWY 87 will be four lanes.

**MOTION: Commissioner Baggett moved that this conditional use district overlay application is reasonable, neither arbitrary nor unduly discriminatory, and in the public interest, and that it be approved.**

**SECOND: Commissioner Edge**

**DISCUSSION:** It was noted that the A1 designation already allows a convenience store as a permitted use. In response to a question concerning the hours of operation of the car wash, it was noted that it would operate according to what is on the application, which is 16 hours per day. Mr. Lennon noted that because of some concerns about the noise from the car wash, he would be willing to move it to the northeast property line in the area where the vacuuming machine is shown on the site plan, which is substantially farther away from the back property line. However, there is some question about the setback and Mr. Lennon said he was not sure it would be possible to move it as he had stated. Commissioner Council suggested that the Board send this case back to the Planning Department so all of the details can be worked out and put in writing, if there is going to be a change as to where the car wash will go on the property.

**SUBSTITUTE**

**MOTION: Commissioner Council moved to send this case back to the Planning Department in order to clarify and set out in writing exactly what has been agreed to.**

**SECOND: Commissioner King**

Commissioner Baggett withdrew his motion.

**VOTE ON THE**

**SUBSTITUTE**

**MOTION: UNANIMOUS**

**B. Case P01-98: A Conditional Use Overlay District and Permit to allow**

**outside storage of plumbing supplies and equipment on 1.0 acre in  
a C3 District at 3934 Legion Road, owned by Earlise Jones**

The Planning Board approved the Overlay District and Permit with added conditions:

- A solid buffer fence & vegetation is to be placed around the entire storage area.
- All lighting is to be directed inward away from residential properties.

Speakers: None

**MOTION:** Commissioner King moved that the conditional use district overlay request is reasonable, not arbitrary or unduly discriminatory and in the public interest and is approved.

**SECOND:** Commissioner Baggett  
**VOTE:** UNANIMOUS

**MOTION:** Commissioner King moved that the Board finds that this conditional use district overlay permit application, if completed as proposed and subject to the conditions recommended by the Planning Board, will not materially endanger the public health and safety, will not substantially injure the value of adjoining or abutting property, will be in harmony with the area in which it is to be located and will be in conformity with the land use plan, thoroughfare plan or other plan officially adopted by the Board of Commissioners.

**SECOND:** Commissioner Baggett  
**VOTE:** UNANIMOUS

Uncontested Rezoning Cases:

- C. P01-95: The rezoning of 1.5 acres from A1 to RR or to a more restrictive zoning district at 6357 Braxton Road, owned by Albert Kelly**

The Planning Board recommends approval of RR.

Upon finding the rezoning request 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 made:

**MOTION:** Commissioner Edge moved to approve RR.

**SECOND:** Commissioner King  
**VOTE:** UNANIMOUS

Contested Rezoning Cases:

- D. P01-94: The rezoning of 13.48 acres from A1 and R40 to R40A or a more restrictive zoning district on Wade-Stedman Road, north of Maxwell Road, owned by Joyce and Otis A. Thames and Ann C. and Charles H. Autry**

The Planning Board recommends denial of the rezoning.

Speakers:

1. Otis Thames (petitioner) – Mr. Thames wants to put mobile homes on the site.
2. Joyce Thames – Plan to landscape and fix up the property. Will not put anything on the property that would harm anyone.
3. Wayne Tew – Opposed to rezoning. Does not want a trailer park in the area. Concerned about increased traffic, crime, etc.
4. Thomas Roth – Totally against the rezoning.
5. Sharon Collier – Opposed to rezoning

**MOTION:** Commissioner Warren moved to deny the rezoning.

**SECOND:** Commissioner Baggett  
**VOTE:** UNANIMOUS

## Minimum Housing Hearing

### **E. Minimum Housing Hearing for property owned by Albert H. & Vivian W. Smith, MH1537-2001, 5115 Donabell Drive, PIN: 0415-46-8430**

#### Affidavit of Housing Inspector

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

#### BACKGROUND:

Property Owner: Albert H. & Vivian W. Smith  
Property Address: 5115 Donabell Drive  
Tax PIN: 0415-46-8430

SYNOPSIS: This property was inspected on 7/31/01. The property owners and parties of interest were legally served with Notice of Violations and were afforded a Hearing on 8/21/01. The property owners did not attend 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 10/21/01. The property owners and parties of interest were notified of the appeal procedures when they were served with the Findings of Fact and Order. No appeal was filed. Upon my visit to the property on 10/25/01, 1/8/02 and today's date 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 this structure to a minimum standard for human habitation is \$7,000. The Assessor for Cumberland County has this structure presently valued at \$1,828.00.

RECOMMENDATION: It is the recommendation of the Inspection Department that the structure be demolished and the debris removed from the lot.

Speakers: None

**MOTION: Commissioner Council moved :**

**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 60 days; and**

**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; and**

**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.**

**SECOND: Commissioner King**

**VOTE: UNANIMOUS**

Commissioner Edge asked that we look into having the County handle the demolition of these properties as opposed to hiring someone to tear down the structures. He said we may be able to save some money. He asked that Staff bring back some information to the Board regarding this matter.

Other Public Hearings:

### **F. Consideration of renaming Anthrax Street to Allegiance Avenue within the Vander Fire District**

BACKGROUND: The Planning Department has received a petition to consider renaming Anthrax Street to Allegiance Avenue. Nine property owners were provided the opportunity to vote on this issue; four voted for the name change, two against, one letter was returned by the post office and two people did not respond.

Speakers:

1. Karen Williams – Supports the name change.

**MOTION: Commissioner Warren moved to approve the name change from Anthrax Street to Allegiance Avenue.**

**SECOND: Commissioner Henley**

**VOTE: UNANIMOUS**

**G. Consider authorizing an increase in the Cumberland County Occupancy Tax and the creation of a Tourism Development Authority**

**BACKGROUND:** At its December 17, 2001 meeting the Board called a public hearing for this meeting on whether to authorize an additional occupancy tax levy in Cumberland County. Chapter 484 of the NC 2001 Session Laws authorizes the Board to increase the levy to 4% after January 1, 2002, to 5% on or after January 1, 2004, and to 6% on or after January 1, 2005. The earliest any additional levy could be effective is March 1, 2002. If the Board decides to levy the additional occupancy tax it must first create a tourism development authority.

**ACTION:** Hold public hearing and consider adoption of the additional occupancy tax levy. Note: If the Board decides to increase the levy, it must first adopt a resolution establishing the Cumberland County Tourism Development Authority. Then, it must adopt an ordinance revising the amount of the levy.

**SPEAKERS:**

1. Rick Glazier – supports the occupancy tax levy.
2. Tom Grubb – supports the occupancy tax levy.
3. Janet Lampkins – supports the occupancy tax levy.
4. Dr. Franklin Clark – supports the occupancy tax levy.
5. Deborah Mintz – supports the occupancy tax levy.
6. Vivek Tandon – If occupancy tax levy is approved, would like the Board to consider the nominations submitted by the Hotel/Motel Association for people to serve on the Tourism Development Authority.

Commissioner Council inquired about the procedure for appointing people to the Tourism Development Authority. The Association hotel/motel may nominate people and individual hotels/motels may also submit applications to be considered for appointment.

**MOTION:** Commissioner Edge moved to adopt the Resolution establishing the Cumberland County Tourism Development Authority.

**SECOND:** Commissioner Henley

**DISCUSSION:** Commissioner King said he was a little surprised there was no mention or concern about a tax increase. Commissioner Henley said the new tax would only amount to about \$1.50 per night added on to the cost of the room. Commissioner Henley said it will be very important that we look at how these funds are to be spent. He said the Tourism Authority needs to use a broad approach in spending the money to promote tourism in Cumberland County. Commissioner Baggett noted he was pleased that Commissioner King is concerned about the tax increase.

**VOTE: UNANIMOUS**

**A RESOLUTION OF THE CUMBERLAND COUNTY BOARD OF COMMISSIONERS  
CREATING A TOURISM DEVELOPMENT AUTHORITY**

**BE IT RESOLVED** by the Cumberland County Board of Commissioners:

1. There is hereby created and established a Cumberland County Tourism Development Authority.
2. The Authority shall be a public authority under NCGS Chapter 159, the Local Government Budget and Fiscal Control Act.
3. The duties and powers of the Authority shall be to expend the net proceeds of the occupancy tax authorized by and levied under Session Laws 2001 Chapter 484, as amended from time to time, for the purposes provided in that act. The Authority shall promote travel, tourism and conventions in the county, sponsor tourist-related events and activities in the county, and finance tourist-related capital projects in the county, and in connection therewith, the Authority shall have those powers and authority reasonably necessary or desirable to carry out and to perform the foregoing duties and powers, including the power to contract and be contracted with, the power to

apply for and accept grants and gifts, all for the accomplishment of the foregoing purposes.

4. The Authority shall be governed by a Board of Directors composed of the following members:
  - (1) Two representatives nominated by hotels and motels within the county which have in excess of 100 rooms subject to this occupancy tax and appointed by the board of commissioners.
  - (2) Two representatives nominated by hotels and motels within the county which have fewer than 100 rooms subject to this occupancy tax and appointed by the board of commissioners.
  - (3) The President of the Fayetteville Area Chamber of Commerce, in an ex officio capacity.
  - (4) The County Manager of Cumberland County, in an ex officio capacity.
  - (5) One member of the public who is not affiliated with travel and tourism and who reflects the cultural diversity of the county.
5. Members of the authority shall serve three year terms, with one member appointed under Section 4 (1) above, one member appointed under Section 4 (2) above, and the member appointed under (5) above serving initial three-year terms, and with one member appointed under Section 4 (1) above and one member appointed under Section 4(2) above serving initial two-year terms.
6. The board of commissioners shall fill vacancies in those appointments made by the board of commissioners.
7. The board of commissioners shall from time to time designate the chairperson of the Authority, who shall be the presiding officer of the Authority. Unless excused by rule of the authority, the chairperson shall have the duty to vote on any question before the board, but shall have no right to break a tie vote in which he or she participated. The Authority may choose from amongst its membership a person to act as Vice-Chairperson to act in the absence or disability of the Chairman. If both are absent from a meeting, the members present may selected a temporary chairperson.
8. The chairperson of the board or a majority of its members may at any time call a special meeting of the board by signing a written notice stating the time and place of the meeting and the subjects to be considered. The person or persons calling the meeting shall cause the notice to be delivered to every member of the board or left at the usual dwelling place of each member at least 48 hours before the meeting and shall cause a copy of the notice to be posted on the courthouse bulletin board at least 48 hours before the meeting. Only those items of business specified in the notice may be transacted at a special meeting. If a meeting is called to deal with an emergency, the person or persons calling such meeting shall take reasonable steps to inform the other members and the public of the meeting. Only business connected with the emergency may be discussed at an emergency meeting. In addition to the procedures set forth herein, any person or persons calling a special or emergency meeting shall comply with the notice requirements of the Open Meetings Law.
9. The Authority shall conduct its meetings in accordance with generally accepted principles of parliamentary procedure in compliance with the Open Meetings Law. The Authority shall keep complete and accurate minutes or general accounts of its meetings as required by law, which shall be available for public inspection as provided by the Open Meetings Law.
10. A majority of the total authorized membership of the board shall constitute a quorum for the transaction of business. A quorum once established shall not be broken by the withdrawal of a member.
11. The members of the Board of Directors shall serve without compensation for their services, but shall be reimbursed for their reasonable expenses while conducting the business of the Authority.

12. All members to the Authority, whether in an appointed or ex officio capacity, shall have equal rights and privileges.
13. The Authority shall report quarterly and at the close of the fiscal year to the board of commissioners on its receipts and expenditures for the preceding quarter and for the year in such detail as the Assistant County Manager for Finance may require.
14. This resolution is effective immediately.

**MOTION: Commissioner Edge moved to approve the Ordinance revising the Occupancy Tax Levy in Cumberland County.**  
**SECOND: Commissioner Council**  
**VOTE: UNANIMOUS**

AN ORDINANCE OF THE CUMBERLAND COUNTY BOARD OF COMMISSIONERS  
AMENDING ARTICLE IX OF CHAPTER 7 OF THE CUMBERLAND COUNTY CODE TO  
REVISE THE OCCUPANCY TAX LEVY IN CUMBERLAND COUNTY

BE IT ORDAINED by the Cumberland County Board of Commissioners, that Article IX of Chapter 7 of the Cumberland County Code is amended as follows:

1. Section 7-321(b) of the Cumberland County Code is amended by inserting immediately after the word "Laws" the following phrase: "and Chapter 484 of the 2001 Session Laws".
2. Section 7-321(c) of the Cumberland County Code is amended as of March 1, 2002, by deleting "three (3)" immediately prior to the words "per cent" and inserting in lieu thereof "four (4)".
3. Section 7-321(c) of the Cumberland County Code is amended as of January 1, 2004, by deleting "three (3)" immediately prior to the words "per cent" and inserting in lieu thereof "five (5)".
4. Section 7-321(c) of the Cumberland County Code is amended as of January 1, 2005 by deleting "three (3)" immediately prior to the words "per cent" and inserting in lieu thereof "six (6)".
5. Section 7-322(c)(3) of the Cumberland County Code is amended by deleting the reference to the "Fayetteville Area Convention and Visitors Bureau" and inserting in lieu thereof "Cumberland County Tourism Development Authority".
6. Section 7-323 of the Cumberland Code is amended by inserting after the phrase "October 1, 1984," the phrase "except as specifically amended by the Board of Commissioners' ordinance of January 28<sup>th</sup>, 2002",
7. All other ordinances or portions thereof in conflict with this ordinance are repealed.
8. Sections 1, 5 & 6 of this ordinance shall be effective immediately upon its adoption as by law provided; Section 2 of this ordinance is effective at 12:01 a.m. on March 1, 2002; Section 3 of this ordinance is effective at 12:01 a.m. on January 1, 2004, Section 4 of this ordinance is effective at 12:01 a.m. on January 1, 2005.

**2. CONSENT AGENDA**

**MOTION: Commissioner Henley moved to follow staff recommendations on the items on the Consent Agenda.**  
**SECOND: Commissioner Council**  
**VOTE: UNANIMOUS**

**A. Approval of Minutes: December 17, 2001**

**ACTION: Approve**

**B. Approval of Ordinance assessing property for the cost of demolition:**

**MH701-1999, Ronnie L. & Sherri L. McGahee, 4740 Old Spears Road, PIN: 0415-18-6868.**

**BACKGROUND:** On March 19, 2001, the Board of Commissioners enacted an ordinance directing that the structure located at 4740 Old Spears Road, Fayetteville, NC, be demolished by the owner. The owner failed to comply with the demolition order within the specified time period and, accordingly, the Minimum Housing Inspector had the structure demolished as required by the ordinance at a cost of \$1,700.00. In accordance with the requirements of the Demolition Ordinance and the authority granted by G.S. 160A-443(6), the cost shall be assessed to the property and shall constitute a lien against the property upon which the costs were incurred.

**ACTION:** Adopt Ordinance assessing Ronnie L & Sherri L. McGahee, for the property located at 4740 Old Spears Road, Fayetteville, NC, for the cost of demolition. (Ordinance may be found in the Minimum Housing Ordinance Book).

**C. Approval of disposal of surplus property report – July 1, 2001 through December 31, 2001, pursuant to NCGS 160A-266 (c)**

**BACKGROUND:** On June 15, 1998, the Board adopted a resolution allowing the Assistant Manager to dispose of certain “personal property” worth less than \$5000 per item or group of similar items, which are obsolete, unusable, economically unrepairable, unrepairable or otherwise surplus to the needs of the county. Semi-annual reports shall be rendered to the Board, summarizing disposals and recorded in the minutes.

**ACTION:** Approve the report and record in the minutes. (Attachment A to these minutes)

**D. Budget Revisions**

- (1) Tax Administration – Revision in the amount of \$68,300 to appropriate fund balance to fund Tax Management Associates (TMA) audits (B02-271) Funding Source – County Fund Balance**
- (2) Community Development – Supportive Housing: Increase in revenue/expenditures in the amount of \$5,000 to budget a new sub-recipient to provide transitional housing to women and children who are victims of domestic violence (B02-277) Funding Source – Federal**
- (3) Mental Health**
  - a. Managed Care – Revision in the amount of \$12,000 to appropriate fund balance to fund a public relations and marketing program (B02-265) Funding Source – Mental Health Fund Balance**
  - b. Smart Start Daycare – Revision in the net amount of \$44,460 to budget a reduction in state funding of \$69,342; an increase in fees of \$19,359; and an appropriation of fund balance of \$5,523 (B02-267) Funding Source – State, Fees and Mental Health Fund Balance**
  - c. Smart Start – Revision in the net amount of \$20,194 to budget a reduction in state funding of \$29,032; an increase of fees of \$10,765; and an appropriation of fund balance of \$38,461 (B02-268) Funding Source – State, Fees and Mental Health Fund Balance**
  - d. Periodic Outpatient Services – Revision to reconcile the county budget with the state budget (B02-269) Funding Source – Reallocation of State Revenue**



- e. **ABLE – Revision to reconcile the county budget with the state budget (B02-270) Funding Source – Reallocation of State Revenue**
- 4. **Eastover Water System Project – Revision in the amount of \$64,752 to increase the contract with State Utility Contractors by \$13,500; to recognize sales tax refunds of \$17,865; interest earned of \$45,527; and premium on bond sale of \$1,360 (B02-263) Funding Source – Other**
- 5. **Fire Districts**
  - a. **Pearces Mill Fire District – Increase in revenue and expenditures in the amount of \$100 to cover unanticipated refunds to tax payers (B02-272) funding Source – Fire District Tax**
  - b. **Stedman Fire District – Increase in revenue and expenditures in the amount of \$100 to cover unanticipated refunds to tax payers (B02-273) Funding Source – Fire District**
  - c. **Vander Fire District – Increase in revenue and expenditures in the amount of \$300 to cover unanticipated refunds to tax payers (B02-274) Funding Source – Fire District Tax**
- 6. **Health Department – Revision in the amount of \$5880 to use Health Department escrowed earnings to fund balance of equipment purchase previously approved by the Board on December 17, 2001 (B02-275) Funding Source – Health Department Escrowed Earnings**

## **REGULAR AGENDA**

### **3. Consideration of the offer of Board of Education Surplus Property**

**BACKGROUND:** The Board of Education notified the County Manager that it has declared surplus 12.9 acres in Gray's Creek on Alderman Road next to the existing Gray's Creek Elementary School. By statute, GS 115C-518(a), the Board of Education must provide the Board of Commissioners "the first opportunity to obtain the property...at a fair market price or at a price negotiated between the two boards." The County Manager has determined that neither the Parks and Recreation nor Solid Waste Departments have a use for the property.

**ACTION:** Consider whether to accept or reject the offer from the Board of Education.

**MOTION:** Commissioner Henley moved to reject the offer from the Board of Education.

**SECOND:** Commissioner Warren

**DISCUSSION:** Commissioner Baggett inquired as to what the Board of Education is asking for the property. Staff said they thought about \$55,000. Commissioner Baggett said he was concerned we were rejecting the offer without really knowing anything about the property. He noted we have an option on some land for our Parks and Recreation Department that will cost us far more than the \$55,000. He said he would just like to know something about the land that is being offered before rejecting it.

**Commissioner Henley withdrew his motion.**

The consensus of the Board was that staff bring back information about the property to the Board at the next meeting and perhaps invite Tim Kinlaw from the school system to attend.

### **4. Consideration of rescheduling the February 18, 2002 Board of Commissioners meeting to February 19, 2002.**

BACKGROUND: The Board of Commissioners' meeting on Monday, February 18, 2002, falls on President's Day, which is a national holiday.

ACTION: Consider rescheduling the February 18, 2002 meeting to Tuesday, February 19, 2002.

**MOTION: Commissioner King moved to reschedule the February 18 meeting to February 25, 2002, 7:00PM.**

**SECOND: Commissioner Henley**

**VOTE: UNANIMOUS**

The Board also discussed changing the March 4 meeting because some of our Board members will be going to the Legislative Conference in Washington, DC.

The County Attorney reported that previously scheduled joint meeting with the Hospital Board of Trustees regarding sublease of Highsmith Rainey Hospital for a long-term acute care hospital will need to be adjusted to conform to this new schedule.

**MOTION: Commissioner Henley moved to reschedule the March 4 meeting to March 11, 2002, 9:00AM.**

**SECOND: Commissioner Council**

**VOTE: UNANIMOUS**

5. **CLOSED SESSION: Attorney Client Matters (to include discussion of a law suit filed against the County by the Cumberland County Alliance for the Mentally Ill.**

**MOTION: Commissioner King moved to go into Closed Session for the items listed above.**

**SECOND: Commissioner Baggett**

**VOTE: UNANIMOUS**

**MOTION: Commissioner King moved to go back into Open Session.**

**SECOND: Commissioner Edge**

**VOTE: UNANIMOUS**

**MOTION: Commissioner Baggett moved to adjourn.**

**SECOND: Commissioner King**

**VOTE: UNANIMOUS**

**MEETING ADJOURNED: 9:55AM**