

CUMBERLAND COUNTY BOARD OF COMMISSIONERS  
JUNE 28, 2004, 9:00AM  
SPECIAL MEETING

PRESENT: Jeannette M. Council, Chair  
John T. Henley, Jr., V. Chair (via telephone)  
Commissioner Talmage S. Baggett, Jr.  
Commissioner J. Breeden Blackwell  
Commissioner Kenneth S. Edge  
Commissioner Billy R. King  
Commissioner Edward G. Melvin, Jr.  
James Martin, County Manager  
Juanita Pilgrim, Deputy County Manager  
Amy Cannon, Asst. County Manager  
Sara VanderClute, Public Information Officer  
Grainger Barrett, County Attorney  
Marsha Fogle, Clerk to the Board

INVOCATION: Chairman Jeannette Council  
PLEDGE OF ALLEGIANCE

The meeting was called to order. The purpose of this special meeting is to amend the budget ordinance to include the fire district tax levy for Lake Rim, Lafayette Village and Bonnie Doone Fire Districts (portions not subject to City services, including fire protection services as a result of properties taxed at use value not being annexed for purposes of receiving city services) and other related matters and for a Closed Session for attorney client privilege pursuant to NCGS 143-318.11(a)(3).

The Manager said he would like to add another item to the Closed Session, i.e., Economic Development pursuant to NCGS 143-318.11(a)(4).

The County Manager noted there are farm lands in the annexation plan by the City of Fayetteville valued as use value. These areas are not subject to property tax or city services, except they are subject to the City's zoning, subdivision ordinance, etc. The County will continue to be responsible for these properties for the purpose of providing public safety services and sheriff's department protection.

In order for the county to be in a position to continue those services if necessary, the Manager requested the budget ordinance adopted on June 14, 2004 be amended as follows:

The Board of Commissioners hereby amends the County of Cumberland's budget for FY2004-05, adopted June 14, 2004:

1. Section 2 is amended to include Attachment B, Adjustments to Adopted budget (June 14, 2004).
2. The ten Sheriff Deputy positions added per Attachment B are authorized only during the period that the City of Fayetteville's Phase 5 annexation is delayed.
3. Section 5 is amended to include the addition of three Fire Tax District Rates as shown below and only as to any unincorporated areas of such districts:

	<u>Approved Tax Rate Per \$100 Valuation</u>
Bonnie Doone Fire District	10 cents
Lafayette Village Fire District	10 cents
Lake Rim Fire District	10 cents

The above fire departments are ready and able to provide the protection for as long as is needed.

In response to a question, the County Attorney noted that the farm land which is valued at use value is deemed to be in the city limits only for two purposes, i.e., boundaries and land use powers (zoning, building & inspections). Otherwise the County is still responsible for providing public safety services.

**MOTION: Commissioner King moved to adopt number 3 as shown above.**  
**SECOND: Commissioner Blackwell**

**DISCUSSION:** It was noted that to adopt #3, one would also have to adopt #1.

**SUBSTITUTE**

**MOTION:** Commissioner Melvin moved to include the adoption of #2 in the motion.

Mr. Melvin withdrew his substitute motion.

**AMENDED**

**MOTION:** Commissioner King moved to adopt numbers 1 & 3.

**SECOND:** Commissioner Blackwell

**VOTE:** UNANIMOUS

**MOTION:** Commissioner Baggett moved to adopt #2.

**SECOND:** Commissioner Melvin

**VOTE:** UNANIMOUS

**MOTION:** Commissioner Blackwell moved to go into Closed Session for the following matters:

Attorney Client – pursuant to NCGS 143-318.11(a)(3)

Economic Development – pursuant to NCGS 143-318.11(a)(4)

**SECOND:** Commissioner Melvin

**VOTE:** UNANIMOUS

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

**SECOND:** Commissioner Edge

**VOTE:** UNANIMOUS

**MOTION:** Commissioner Baggett moved to authorize management and staff of Cumberland County to take whatever action they deem necessary to continue essential services for the area to be annexed to include fire and Sheriff protection and any other service the county currently provides so that the citizens will have a seamless transition until annexation matters are finalized.

**SECOND:** Commissioner King

**DISCUSSION:** Commissioner Baggett said that the Board appreciates all of the hard work management and staff has performed during this annexation matter.

**VOTE:** UNANIMOUS

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

**SECOND:** Commissioner King

**VOTE:** UNANIMOUS