

CUMBERLAND COUNTY BOARD OF COMMISSIONERS
APRIL 18, 2005, 7:00PM
REGULAR/REZONING MEETING

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

INVOCATION - Commissioner Jeannette Council

PLEDGE OF ALLEGIANCE – Christopher Ross, 2nd Grade, Westarea Elementary

Recognition of Retired County Employees: Charles Cummings – Sheriff's Office

Special Recognition: Presentation of Certificate and Special Recognition by Robert Hester, NCACC, of a 2004 Outstanding County Program Award – Medication Access Program-Catherine Roach, Director

Special Recognition: Professor Mary Deyampert introduced two of her classes from Methodist College – Social Welfare & Policy Class and Diversity Class.

1. Consent Agenda

Item 1E will be voted on separately.

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

SECOND: Commissioner King

VOTE: UNANIMOUS

A. Approval of minutes for the April 4, 2005 regular meeting.

ACTION: Approve

B. Approval of Proposed Additions to the State Secondary Road System:

<u>Deer Ridge Subdivision:</u>	Mobius Road, Conrad Court
<u>Rayconda Plaza:</u>	Festival Drive, Nexus Court

ACTION: Approve

C. Approval of a Proclamation Proclaiming May as "Older Americans' Month" in Cumberland County.

ACTION: Approve

PROCLAMATION

WHEREAS, individuals 55 and older comprise a growing proportion of Cumberland County's workforce; and

WHEREAS, the experience, skills and abilities of older workers are strongly needed for Cumberland County to compete in the global economy; and

WHEREAS, mature workers are entitled to equal employment opportunities; and

WHEREAS, to fill the jobs of the 21st century, we must utilize the creative potential and productive capacity of this growing segment of Cumberland County's population; and

WHEREAS, Older Americans help others to understand the past, and they teach timeless lessons of courage, endurance and love. Through their legacy of patriotism, service and responsibility, America's seniors also unite families and communities and serve as role models for younger generations.

NOW, THEREFORE, the Board of Commissioners of Cumberland County hereby proclaims the month of May "OLDER AMERICANS' MONTH" in Cumberland County and urges employers throughout the County to fairly consider the abilities, skills, and experience of mature workers when seeking training or promoting qualified individuals.

- D. Approval of Proclamation Recognizing April as "Fair Housing Month" in Cumberland County.

ACTION: Approve

PROCLAMATION

WHEREAS, April 11, 2005 marks the 37th anniversary of the passage of the U.S. Fair Housing Law, Title VIII of the Civil Rights Act of 1968, as amended, which enunciated a national policy of Fair Housing without regard to race, color, creed, national origin, sex, familial status, and handicap, and encourages fair housing opportunities for all citizens; and

WHEREAS, the State of North Carolina is substantially equivalent to the Federal Fair Housing Law and has enforcement powers to prosecute violators of said Law; and

WHEREAS, several local governments within the State of North Carolina are substantially equivalent to the State Fair Housing Law and share the same enforcement properties as the State and are duly bound to lend its support for those local governments that are not substantially equivalent to the State Fair Housing Law; and

WHEREAS, Cumberland County, albeit not a substantially equivalent jurisdiction, supports the State Fair Housing Law.

NOW, THEREFORE, the Board of Commissioners of Cumberland County proclaims that it will adhere to the fundamental right of all citizens to have equal access to housing, which shall include all housing related transactions regardless of the protected status of the person or persons seeking housing and/or housing related transactions and

FURTHER, the Board proclaims the 18th day of April, 2005 " Fair Housing Day"

- E. Approval of Proclamation Recognizing April as "Dixie Youth Baseball Month" in Cumberland County.

Floyd Johnson of the Fayetteville-Cumberland County Parks and Recreation Advisory Board read the Proclamation.

ACTION: Approve

PROCLAMATION

WHEREAS, Dixie Youth Baseball is a program for children twelve years of age and younger with the primary purpose of providing a recreational outlet for as many of our youth as possible; and

WHEREAS, it is the policy of Dixie Youth Baseball to promote the development of strong character, positive attitude, responsibility, and good citizenship in all participating young people, using the game of baseball as its vehicle; and

WHEREAS, Dixie Youth Baseball achieves this goal through fair play, good sportsmanship and congenial fellowship along with responsible adult leaders providing appropriate examples and encouraging the youth to learn and grow into God fearing, patriotic leaders.

NOW, THEREFORE, the Board of Commissioners of Cumberland County proclaims April, 2005 "DIXIE YOUTH BASEBALL" month in special recognition of the 50th anniversary of Dixie Youth Baseball and commends our young people and adults who support this special program.

MOTION: Commissioner King moved to approve.

SECOND: **Commissioner Edge**
VOTE: **UNANIMOUS**

F. Budget Revisions:

ACTION: Approve

(1) Health

- a. Mosquito Control/School Health/Environmental Health - Revisions in the amount of \$14,500 to reallocate budgeted expenditures for departmental supplies for remainder of fiscal year. (B05-339 thru B05-339B) **Funding Source – Reallocation of Budgeted Expenditures**
- b. Breast And Cervical Cancer Control Program - Revision in the amount of \$15,000 to budget for an increase in state funding. (B05-341) **Funding Source – State**
- c. Health Promotion – Revision in the amount of \$9,338 to budget for a reduction in state funding. (B05-342) **Funding Source – State**
- d. Environmental Health – Revision in the amount of \$31,511 to budget for an increase in state funding. (B05-343) **Funding Source - State**

(2) Planning/Inspections

Revision in the amount of \$11,820 to increase General Contractor Permits Fees by \$8,500 and to appropriate fund balance of \$3,320 to fund required payments to the NC Homeowner Recovery Fund. (B05-357) **Funding Source – Fees and Fund Balance Appropriated**

(3) School C.O. Category I

Revision in the amount of \$117,500 to appropriate fund balance for the purchase of land beside Alma Eason Elementary School as approved by the Cumberland County Board of Education. (B05-351) **Funding Source – School C.O. Fund Balance**

(4) Mental Health

- a. Homeless Child - Revision in the amount of \$2,764 to recognize additional state funding. (B05-345) **Funding Source – State**
- b. Detoxification – Revision in the amount of \$10,000 to appropriate fund balance to purchase medical supplies. (B05-346) **Funding Source – Mental Health Fund Balance**
- c. Crisis Stabilization - Revision in the amount of \$10,000 to appropriate fund balance to purchase medical supplies. (B05-347) **Funding Source – Mental Health Fund Balance**
- d. Adult Homeless – Revision in the amount of \$32,681 to recognize additional state funding for an additional Peer Outreach Worker position. (B05-348) **Funding Source - State**

- e. Medical Services – Revision in the amount of \$60,000 to appropriate fund balance for contracted services due to vacancies. (B05-349) **Funding Source – Mental Health Fund Balance**

(5) Sheriff

- a. Jail – Revision in the amount of \$12,415 to recognize insurance settlement and to reallocate budgeted expenditures for the purchase of replacement vehicles. (B05-352) **Funding Source – Insurance Settlement and Reallocation of Budgeted Expenditures**
- b. Revision in the amount of \$5,500 to recognize actual revenue received/projected for remainder of fiscal year for prisoner extraditions. (B05-353) **Funding Source – State**
- c. Revision in the amount of \$8,300 to recognize actual revenue received/projected for remainder of fiscal year for concealed weapon permits. (B05-354) **Funding Source - Fees**
- d. Revision in the amount of \$15,400 to recognize actual revenue received/projected for remainder of fiscal year for identification fees. (B05-355) **Funding Source – Fees**

2. Public Hearings

Uncontested Cases

Rezoning

Upon finding the requests to be reasonable, neither arbitrary nor unduly discriminatory and in the public interest, the following motion was made:

MOTION: Commissioner King moved to follow the Planning Board recommendation on the Uncontested Cases A-C.
SECOND: Commissioner Wheatley
VOTE: UNANIMOUS

- A. Case P05-11. The rezoning of a 4.94-acre portion of an 18.87-acre tract from R6/CU to C(P), or a more restrictive zoning district, on the south side of South Raeford, west of Gillis Hill Road, owned by Joseph H. Gillis.

The Planning Board recommends approval of C(P).

- B. Case P05-12. The rezoning of two parcels totaling 9.13 acres from HS(P) and RR to C(P), or a more restrictive zoning district, on the west side of Dunn Road, north of I-95 Business, owned by Riddle Commercial Properties, Inc., and Joseph P. Riddle, III.

The Planning Board recommends approval of C(P).

- C. Case P05-17. The rezoning of five parcels totaling 37.99 acres from A1 to R40 on the north side of County Line Road, east of Fire Department Road, owned by Glyn Kirk Lewis, et. al.

The Planning Board recommends approval of R40.

Other Public Hearings

- D. 2005-2009 Community Development Consolidated Plan and Annual Action Plan.

BACKGROUND: Thanena Wilson, Community Development Director, reviewed the 2005-2009 Consolidated Plan and Annual Action Plan. She noted that Plan must be submitted to

the US Department of Housing and Urban Development by May 15, 2005. The purpose of this public hearing is to provide an opportunity for the public to comment on the Plan. No action is needed at this meeting.

Speakers: None

Items of Business

3. Presentation by Mike Osbourn on MAP Info GIS Tools.

BACKGROUND: Mike Osbourn reported that Cumberland County was selected to receive one of two MapInfo Exponar Public Sector Grants in July, 2004, and began hosting the first public sector Exponare PUBLIC web site in the world in October, 2004.

Some of the current applications include: User may view a parcel by address, parcel number and see any proposed transportation projects that are within 1000 feet and/or ½ mile of the subject property; real estate community and the general public may view proposed and in-progress highway improvements in relation to the parcel in question; user may view Tax Information, Register of Deeds plat and deed images, flood zones, watersheds, etc. Some future applications include: Rezoning cases, subdivision reviews and code violations.

The Planning Department has also been working on specific applications to assist Emergency Services.

This program makes it easy for the public and staff to access information as noted above.

4. Consideration of Increasing Cumberland County's Participation in the Fayetteville Public Works Commission Project to Extend Water and Sewer Service to the Intersection of Highway 87 and Sandhills Road.

BACKGROUND: The Board of Commissioners, at its meeting on August 16, 2004, approved participation with PWC and private developers to extend water and sewer to the intersection of Highway 87 and Sandhills Road in support of commercial development occurring in the area. At that time the project cost was estimated to be \$1,370,000. Since then the estimated project cost has been revised to \$1,700,000, not including engineering and construction management fees. The revised participation would require the County and PWC to each contribute a maximum of \$650,000 with \$600,000 for construction and \$50,000 for contingency. The remainder of the costs associated with the engineering and construction management will be shared by private developers. This amount is typically between 8 and 10% of the estimated project cost – which will be funded entirely by Riddle Development. County Public Utilities Director indicated to the Board that a further revision would raise each party's maximum participation to \$705,000.

ACTION: Approve the County's participation in the project up to \$705,000.

MOTION: Commissioner King moved that the County participate in the project in an amount not to exceed \$705,000.
SECOND: Commissioner Blackwell
VOTE: UNANIMOUS

5. Consideration of Proposed Schedule for Fiscal Year 2006 Budget Work Sessions and Budget Public Hearing.

BACKGROUND: The County Managers offers the following suggested dates for budget work sessions and the budget public hearing:

Monday May 23, 2005, 5:30PM – Budget Presentation
Tuesday, May 24, 2005, 5:30PM – Department Head Appeals
Monday June 6, 2005, 5:30PM – Budget Public Hearing
Tuesday, June 7, 2005, 5:30PM – Budget Work Session
Thursday, June 9, 2005, 5:30PM – Budget Work Session

The Board approved the following dates:

May 24, 2005, 5:30PM – Budget Presentation
May 26, 2005, 5:30PM – Budget Session – Department head appeals
June 2, 2005, 7:00PM – Public Hearing
June 6, 2005, 8:00AM – Budget Session (could adopt the budget)
June 9, 2005, 5:30PM – Budget Session, if needed (could adopt the budget)

June 13, 2005, 5:30PM – Budget Session, if needed (could adopt the budget)

6. Nominations to Boards and Committees

A. Adult Care Home Community Advisory Committee (1 Vacancy)

BACKGROUND: Ada Harris has completed her first term on this Committee and is eligible for reappointment.

ACTION: Nominate Ms. Harris for reappointment.

Nominee: Ada Harris

B. Board of Health (1 Vacancy)

BACKGROUND: William G. Mayfield, General Public Representative, has submitted his resignation. His term would have expired January, 1, 2007.

ACTION: Nominate to fill the vacancy.

Nominees: Ennis B. Williams

7. Appointments to Boards and Committees

ACTION: Appoint the nominees

MOTION: Commissioner Blackwell moved to appoint the nominees in 7A-7B.

SECOND: Commissioner King

VOTE: UNANIMOUS

A. Cumberland County Finance Corporation and the Cumberland County Industrial Facilities and Pollution Control Financing Authority (1 Vacancy)

Nominee: Bobby Gleaton

B. Cumberland County Home and Community Care Block Grant (1 Vacancy)

Nominees:

Aging Service Provider Representative: Karin Simkin

Chairman Henley recessed the Board of Commissioners' meeting so the Board could convene as the Kelly Hills/Slocomb Road Water and Sewer District Board. (Minutes of that meeting may be found in the Water and Sewer District Minute Book).

Chairman Henley reconvened the meeting of the Board of Commissioners.

8. Closed Session:
- A. Economic Development Matters
Pursuant to NCGS 143-318.11(a)(4).
 - B. Attorney-Client Privilege
Pursuant to NCGS 143-318.11(a)(3).
 - C. Confidential Information
Pursuant to NCGS 143-318.11(a)(1)
GS 131E-97.3(c)

MOTION: Commissioner Kenneth moved to go into closed session for the above noted matters.

SECOND: Commissioner King

VOTE: UNANIMOUS

MOTION: Commissioner Council moved to go back into Open Session.

SECOND: Commissioner Wheatley

VOTE: UNANIMOUS

MOTION: Commissioner Edge moved to adjourn (9:30PM).

SECOND: Commissioner King

VOTE: UNANIMOUS

