

CUMBERLAND COUNTY BOARD OF COMMISSIONERS  
MARCH 16, 2009, 6:45PM  
REGULAR/REZONING MEETING

PRESENT: Chairman Jeannette Council  
Commissioner Breeden Blackwell  
Commissioner Marshall Faircloth  
Commissioner Jimmy Keefe  
Commissioner Ed Melvin  
James Martin, County Manager  
Juanita Pilgrim, Deputy County Manager  
Amy Cannon, Asst. County Manager  
Grainger Barrett, County Attorney  
Harvey Raynor, Deputy County Attorney  
Marie Colgan, Deputy County Attorney  
Marsha Fogle, Clerk

INVOCATION - Commissioner Breeden Blackwell

PLEDGE OF ALLEGIANCE –

Langdon Boliek – 2<sup>nd</sup> Grade, Vanstory Hills Elementary School  
Carter Boliek – 4<sup>th</sup> Grade, Vanstory Hills Elementary School

Recognition of Outgoing Board Members: William E. Tew, Jr., Civic Center Commission

**AMENDMENTS TO THE AGENDA:**

Item 1G: Will be voted on separately.

Make revisions as follows:

1B: Add Woodbridge Subdivision: Countryside Drive, Arundel Court

1F: Add the words Software and Maintenance after the word Training

Add to Item 4 – C – Financial Information Report

Item 5D – Shows two vacancies; change to one

Item 7 – Add: Property Matters and Attorney Client

MOTION: Commissioner Blackwell moved to approve the above amendments to the agenda.

SECOND: Commissioner Faircloth

VOTE: UNANIMOUS

**PUBLIC COMMENT PERIOD (6:45 PM – 7:00 PM)**

Speakers:

*Valarie Haynes* – Spoke regarding Child Abuse Awareness & Prevention Month

*Demetrius McCollum* – 1222 North Street, Fayetteville, NC – spoke regarding public access for sex offenders. Concerned about not being able to access the Library and Parks and Recreation areas. Referred to a new law prohibiting sex offenders from areas where minors gather. He said he believed the law to be in violation of equal access. Wants to be able to access all public services.

*Wayne Bullock* – 5227 Maxwell Road – concerned about the revaluation. Has rental properties – renters may not be able to afford his properties if taxes go up – he will have to pass on increases to his renters. Asked the Board to put off the revaluation for another year.

*Rod Ricks* - concerned about people who live on fixed incomes and how the revaluation will affect them.

*Richard Barnhill* – 3915 Pleasantview Drive – Concerned about revaluation and the methodology used in determining the values. His value went up 59%. He will appeal and provide an appraisal to the Tax Office.

*James Creager* – 3185 County Line Road – Opposed to the revaluation. Does not like that taxpayers have to justify their values. Concerned about people holding underwater mortgages. Higher taxes will hurt BRAC.

1. Consent Agenda

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

SECOND: Commissioner Faircloth

VOTE: UNANIMOUS

- A. Approval of minutes for the March 2, 2009 regular meeting.

ACTION: Approve

- B. Proposed Additions to the State Secondary Road System:

Coralee Subdivision: Cora Drive

Woodbridge Subdivision: Countryside Drive, Arundel Court

ACTION: Approve

- C. Approval of Contract with the Engineering Firm of Marziano & McGougan for the Design of the Sanitary Sewer Collection System for the Overhills Subdivision.

BACKGROUND: The Overhills Subdivision just north of the Town of Spring Lake off of East Manchester Road near Highway 210 has experienced numerous septic tank failures in recent years. This has resulted in several homes having to be vacated and are now for the most part abandoned and in foreclosure. In an effort to obtain grant funding for this project, a Preliminary Engineering Report will have to be accomplished. The engineering firm of Marziano & McGougan has been selected to perform the work. The next step in the process is to secure funding to allow for the construction of the collection system. With stimulus money becoming available it is prudent for the County to have the design completed as quickly as possible to aid in having a “shovel ready” project as required by the stimulus program. As with any grant program, the County will have to provide funding for any and all engineering work related to the project.

ACTION: Approve in contract in an amount not to exceed \$198,000.00 with the firm of Marziano & McGougan for the design of the Overhills Sanitary Sewer Collection System and approved associated budget revision (B09-298). Note: Money is available in the Water & Sewer Improvement Fund for the engineering cost.

- D. Approval of Change Order #1 (Final) for Shaw Environmental Ann Street Subtitle D Landfill Gas Collection & Control System.

BACKGROUND: In October 2007 the Board awarded a contract to Shaw Environmental & Infrastructure, Inc., in the amount of \$1,699,710 for installation of the Ann Street Subtitle D Landfill Gas Collection & Control System – Phase 1. The work was completed in June 2008. Change Order #1 in the deduct amount of \$91,647 reconciles the actual quantities of materials installed versus the bid quantities, resulting in a net decrease in the contract sum from \$1,699,710 to \$1,608,063.

ACTION: Approve Change Order #1 (Final) in the deductive amount of \$91,647 and reduce the contract amount to \$1,608,063.

E. Approval of Change Order #2 – Rentenbach Constructors – New Public Health Center Project.

BACKGROUND: In May, 2008, the Board entered into a contract with Rentenbach Constructors, Inc., in the amount of \$22,190,429 for construction of the new Public Health Center, which included an owner construction contingency of \$537,435. Construction on the new facility is about 50% complete and to date Change Order #1 of \$87,446, a credit, has been approved. Change Order #2 in the amount of \$122,479 for additional work includes:

- replacement of unsuitable soils in various areas: Add: \$55,220
- water/sewer utility revisions: Add: \$37,211
- owner requested revisions to dental clinic area: Add: \$21,345
- code compliance revisions: Add: \$10,413
- miscellaneous building revisions: Add: \$13,740
- building/site revisions resulting in a credit to the owner: Deduct : \$15,450

Approval of Change Order #2 will result in a net increase in the contract price of \$35,033 equating to 0.16% of the original contract amount. Sufficient monies are available in the project contingency to fund this change order.

ACTION: Approve the Change Order in the amount of \$122,479, increase the contract sum to \$22,225,462 and approve associated budget revision (B09-296).

F. Approval of Sole Source to Priority Dispatch to Provide Services for Cumberland County 911 Dispatch Training Software and Maintenance.

BACKGROUND: The Emergency Services Department is seeking approval for Sole Source Exception to Priority Dispatch to provide 911 Dispatch Training services. The request is based on GS 143-129(e)(6) when standardization or compatibility is the overriding consideration.

ACTION: Approve the Sole Source Purchase as noted above.

G. Approval of Decision Regarding Transfer of Surplus Property in Whole to Former Owner or In Part to City of Fayetteville for HOPE VI Project.

BACKGROUND: The County owns, via tax foreclosure on 10/30/08, five parcels of property formerly belonging to National Advancement Community Development Corporation, Tyrone A. Williams, president. Four of the properties are located within the Hope VI project area on Carbonton Street and one is located on Wall Street, off Ramsey Street. On December 30, 2008, the County Legal Department, per the surplus land policy, sent to all county departments and the City of Fayetteville an inquiry as to whether any of the departments or the City of Fayetteville had a use for the property. On January 6, 2009, the City of Fayetteville indicated its interested in purchasing the four properties on Carbonton Street for inclusion in its Hope VI project. On January 26, 2009, Mr. Williams called and stated he wanted to redeem all five properties but did not have all the funds on hand and requested and was given until February 3, 2009 to redeem the properties. On February 16, the City's real estate officer inquired as to whether the property had been redeemed and again expressed its interest in the property. On March 4, 2009, over a month after the deadline Mr. Williams arrived with the monies, \$17,808.47 needed to redeem all five properties (\$14,280.76 for 504, 510, 512 & 514 Carbonton Street and \$3,527.71 for 203 Wall Street). Harvey Raynor, Deputy County Attorney, told the Board that Mr. Williams contacted his office today and said he did not want to redeem 504, 510, 512 and 514 Carbonton Street properties, but did want to pay the taxes on the 203 Wall Street Property.

ACTION: Approve conveyance of parcels listed at 504, 510, 512 & 514 Carbondon Street to the city of Fayetteville for the Hope VI project for the sum of \$14,280.76, allow Mr. Williams to redeem the remaining property at 203 Wall Street for the sum of \$3,527.71 and authorize the Chairman and Clerk to the Board to execute a deed conveying those properties.

MOTION: Commissioner Faircloth moved to follow the recommended action noted above.

SECOND: Commissioner Melvin

VOTE: UNANIMOUS

- H. Approval of Sale of Surplus County-Owned Real Property Acquired by Tax Foreclosure – DUP 316-318 Rhew St., Lt 56 Annex 3 Bonnie Doone, PIN: 0418-87-7859, Seventy First Township.

BACKGROUND: On or about 6/5/08, the County acquired by tax foreclosure the above noted property. The amount currently owed on the judgment including interest and cost for the property is \$4,385.23. Sam Council bid \$6,600 for the property and deposited \$660 in the Finance office. The tax value of the property is \$21,011. The property is surplus to the needs of the County.

ACTION: Accept the offer as noted above plus costs and authorize the Chairman to execute a deed upon receipt of the balance of the purchase price.

- I. Approval of a Proclamation Proclaiming April 2009 as “Month of the Military Child” in Cumberland County.

ACTION: Adopt Proclamation

#### PROCLAMATION

**WHEREAS**, thousands of brave Americans have demonstrated their courage and commitment to freedom by serving the armed forces of the United States of America in active duty posts in Afghanistan, Iraq and around the world; and,

**WHEREAS**, more than 40 percent of these military service members have left families with children behind; and,

**WHEREAS**, more than one million of America’s children have at least one parent currently serving active military duty; and,

**WHEREAS**, these children are a source of pride and honor to us all, and it is our duty to take time to recognize their contributions, celebrate their spirit, and let our men and women in uniform know that while they’re taking care of us, we’re taking care of their children; and,

**WHEREAS**, the recognition of the “**Month of the Military Child**” will allow us to pay tribute to military children for their commitment, their struggles and their unconditional support of our troops, because when parents serve in the military, their Kids Serve Too; and,

**WHEREAS**, a month-long salute to military children will encourage support for “Kids Serve Too” and other organizations and campaigns established to provide direct support to military children and families; and

**NOW, THEREFORE, BE IT RESOLVED** that the Cumberland County Board of Commissioners hereby **PROCLAIMS** April 2009, as **The Month of the Military Child in Cumberland County** and encourages all citizens to observe the month with appropriate ceremonies and activities that honor, support and thank military children.

- J. Approval of a Proclamation Proclaiming April 2009 as “Child Abuse Awareness and Prevention Month” in Cumberland County.

ACTION: Adopt the Proclamation

PROCLAMATION

WHEREAS, traditionally April is Child Abuse Awareness & Prevention Month and is recognized by the citizens of Cumberland County; and

WHEREAS, incidents of child abuse affect communities across this state and nation; and

WHEREAS, the Cumberland County Board of Commissioners recognizes that the abuse and neglect of our children have a lasting effect on the children and the families involved, as well as the community; and

WHEREAS, it is critical that government and its citizens do as much as possible to prevent child abuse and promote awareness within the community; and

NOW, THEREFORE the Board of Commissioners of Cumberland County PROCLAIMS the month of April, 2009 **CHILD ABUSE AWARENESS & PREVENTION MONTH** and urges all citizens to help “Break the Chain of Child Abuse” across this nation.

K. Budget Revisions:

ACTION: Approve

(1) Elections/General Government Other

Revision in the amount of \$26,420 to reallocate budgeted expenditures to cover anticipated expenditures for the remainder of the fiscal year. (B09-295 and B09-295A) **Funding Source – Reallocation of Budgeted Expenditures**

(2) Mental Health – Substance Abuse Contracts

Revision in the amount of \$25,000 to recognize additional state funding for the Reclaiming Futures Initiative. (B09-300) **Funding Source –State**

(3) Emergency 911

Revision in the amount of \$6,500 to appropriate fund balance for consulting fees to evaluate upgrading E911 electrical and mechanical capabilities. (B09-299) **Funding Source – Emergency 911 Fund Balance**

(4) Eastover Sanitary District Sewer Project

Revision in the amount of \$20,000 to reallocate budgeted expenditures to cover project change order. (B09-297) **Funding Source – Reallocation of Budgeted Expenditures**

(5) Health

a. Health Promotion - Revision in the amount of \$1,661 to recognize grant funds received for the SISTA project (B09-301) **Funding Source – Grant**

b. Family Planning Clinic – Revision in the amount of \$50,000 to budget anticipated additional state funding. (B09-293) **Funding Source – State**

(6) Sheriff’s Office

Revision in the total amount of \$44,032 to budget a Bureau of Narcotics Automation Grant of \$33,024 and county matching funds of \$11,008. (B09-302) **Funding Source – State Grant and Fund Balance Appropriated**

2. Public Hearings

**Contested Cases**

**Rezoning**

- A. Case P08-63. Rezoning of 2.71+/- acres from R30 Residential to R30A Residential or to a more restrictive zoning district located at 1188 Cypress Lakes Road, submitted by J. Thomas Neville, Esquire, owned by John Lee McArthur, Jr.

The Planning Board recommends denial of the R30A rezoning request.

The Chairman opened the public hearing.

Speakers:

*John Lee McArthur, Jr.* – 1188 Cypress Lakes Road. Owns property. Supports R30A. Bought the property in 1992. There was a hodgepodge of property in the area at that time. Has paid for 3 city water taps. Wants to put 2 more manufactured homes on property. He said you can't physically see the difference from the outside between a modular and manufactured home.

*Barbara Curry* – Said Mr. McArthur keeps his properties well maintained. Supports his efforts in the R30A rezoning request. She does not live in the area.

*Charles Pletcher* – Lives at 7701 Dome Road (about three miles from subject property). Supports the R30A request. No reason to deny.

*Tony Hodges* – 130 Windwood Drive. Supports the R30A request. Manufactured home will look like a normal house.

*Bernard Vann* – 3718 Owen Drive. Does work for Mr. McArthur. Always goes the extra mile, supports the R30A request.

*Harry Whisnant* – 1223 Cypress Lakes Road (across the street from subject property). Opposed to the rezoning.

*Joe Christopher* – 1191 Cypress Lakes Road (adjacent to subject property). Opposed to rezoning. Subject property was rezoned R30 in 2007. Can currently put stick-built homes on it. Also upset about revaluation.

The Chairman closed the Public Hearing.

Commissioner Faircloth inquired if this property is currently a non-conforming use. The Planning Director indicated it was.

MOTION: Commissioner Faircloth moved to follow the recommendation of the Planning Board and deny the request.

SECOND: Commissioner Council

VOTE: UNANIMOUS

**Uncontested Case**

**Amendments to the Cumberland County Zoning Ordinance**

- B. P09-05. Amendment to the County Zoning Ordinance, creating standards for County-operated convenience container and recycling facilities by amending Article II Interpretations, Calculations, and Definitions, Section 203 Definitions of Specific Terms and Words; Article IV Permitted, Conditional, and Special Uses, Section 403 Use Matrix; Article IX Individual Uses, creating Section 905.1, entitled: Convenience Container and Recycling Facility; and updating the Table of Contents as appropriate.

The Planning Board recommends approval of the above amendment.

The Chairman opened the Public Hearing.

Speakers: None

The Chairman closed the Public Hearing.

MOTION: Commissioner Blackwell moved to approve.

SECOND: Commissioner Keefe

VOTE: UNANIMOUS

### **Other Public Hearing**

- C. Public Hearing on Revised Special Assessment Resolution for Lake Upchurch Dam Restoration Project.

BACKGROUND: At the February 17, 2009 meeting the Board considered revising the Special Assessment Resolution for the Lake Upchurch Project to reduce the interest rate from 8% to 7% and established the time and date for the required public hearing for 6:45PM, March 16, 2009. Notice of the hearing was duly published in the Fayetteville Observer and mailed first class to all property owners in the project area.

The Chairman opened the public hearing.

Speakers:

*Heather Bowden* – Ms. Bowden asked the Board to reduce the interest rate to 5% and increase the number of years for payback from 10 to 15. She said there are a lot of people struggling to make ends meet at this time. She said that 8% and 7% was a good interest rate six years ago; but now, interest rates are much lower. She noted the County would be making about \$4,500 from her property alone at 7% for 10 years.

The Chairman closed the public hearing.

Commissioner Keefe said he did not believe the County was in the business to make a profit.

MOTION: Commissioner Keefe moved set the interest rate at 6% for ten years and adopt Revised Special Assessment Resolution.

SECOND: Commissioner Melvin

VOTE: FAVOR: Commissioners Keefe, Melvin, Faircloth  
OPPOSED: Commissioners Council and Blackwell

Commissioner Blackwell noted that he was disappointed that this action was taken without prior notice when two commissioners were not present. He said he wished all of the commissioners had been aware beforehand of the intention to move to reduce the rate to 6%. He said he does not believe anything like this has happened before.

### REVISED SPECIAL ASSESSMENT RESOLUTION LAKE UPCHURCH DAM RESTORATION PROJECT

WHEREAS, the emergency spillway of the lake Upchurch Dam was breached by heavy rainfall during may 2003 resulting in the loss of impounded water in the lake; and

WHEREAS, the permanent loss of Lake Upchurch will adversely affect property values along said lake resulting in a corresponding loss of property tax revenue for Cumberland County; and

WHEREAS, Lake Upchurch Power Company operates a hydroelectric generation facility on said lake that provides an environmentally clean source of electrical energy consistent with Cumberland County's goal to improve air quality in the County; and

WHEREAS, the Federal Energy Regulatory Commission (FERC) has jurisdiction over the operations of Lake Upchurch Power Company and all improvements to restore said Dam must comply with FERC requirements; and

WHEREAS, Lake Upchurch Power Company has retained a qualified engineering firm to conduct a hydrological and hydraulic study to analyze Lake Upchurch Dam for the proper design storm in order to determine the improvements necessary to comply with FERC requirements; and

WHEREAS, a majority of the homeowners in the immediate vicinity of Lake Upchurch have petitioned the Cumberland County Board of Commissioners to undertake a special assessment project to make the necessary repairs to the dam in accordance with FERC requirements; and

WHEREAS, Lake Upchurch provides a public benefit through flood control, stormwater quality improvements and recreation opportunities; and

WHEREAS, the Cumberland County Board of Commissioners has determined that a public benefit exists in repairing Lake Upchurch Dam;

NOW, THEREFORE, the Cumberland County Board of Commissioners, pursuant to Article 9 of Chapter 153A of the NC General Statutes, hereby adopts the following revised special assessment resolution:

I. Need for the Project: The Board of Commissioners of Cumberland County hereby undertakes a project which will restore the dam and allow the safe impoundment of water in lake Upchurch and provide flood control and stormwater quality benefits as well as restore the ability to generate an environmentally clean source of electrical energy;

II. General Description of the Project: This project will include improvements to the emergency spillway and primary spillway as required by FERC.

III. Ownership: The improvements will be owned by the property owners of record of the land upon which the improvements are made.

IV. Proposed Basis of Assessment: The proposed basis of assessment will be at an equal rate per One Hundred Dollars (\$100) of assessed valuation. The valuation of land benefitted by the Project being the value of the land without improvements as shown on the tax records of the County;

V. Percentage of Cost to be Assessed: The total engineering, construction and administrative costs shall be assessed against the benefitted properties in this special assessment project.

VI. Abeyance: No assessment will be held in abeyance.

VII. Terms of Payment: The assessment will be payable in ten (10) annual installments and the first installment with interest will be due sixty (60) days after the date that the assessment roll is confirmed. One installment with interest is due on the anniversary date in each successive year until the assessment is paid in full. The interest rate shall be set at six percent (6%) per annum. The assessment may be paid in full without interest anytime up to thirty (30) days after the confirmation of the assessment roll is published.

## REGULAR AGENDA

### 3. Presentations

- A. Presentation on Revaluation and Appeal Process by Aaron Donaldson, Tax Administrator.

Aaron Donaldson, Tax Administrator, reviewed the 2009 revaluation and appeal process. He invited anyone with any concerns/questions regarding their revaluation to please call his office. He noted, excluding growth, the percent increase in the taxable real property tax base due to revaluation was 28.21%, before exemptions, exclusions, deferrals, appeals or other tax relief deductions. He said that buyers and sellers determine what property is worth. Appraisers analyze the actions of the buyers and sellers in the market and use that information to estimate what a property would most likely sell for. He said that the vast majority of improved residential properties were appraised using the sales comparison (market) approach. He reviewed the methods of appeals, the time frame in which appeals must be made and again urged the public to contact his office if there were concerns. In response to a question, he noted that in looking at the sales ratio his office included all sales in October, November and December of 2008. He also noted that if the revaluation had been done in 2006, values would have been higher. Commissioner Faircloth said he would like to see some examples of how values were determined in neighborhoods when there were few sales to compare. Apartments were valued using the income method.

No action needed.

- B. Presentation of "The Big Read: *The Maltese Falcon* – The Community Coming Together to Read and Discuss One Book by Jody Risacher, Director, Cumberland County Public Library & Information Center.

Jody Risacher, Library Director, noted Cumberland County is one of 208 communities nationwide participating in the Big Read. The Big Read runs from February 19 through April 5. This is the third year the National Endowment for the Arts has awarded a grant to Cumberland County for The Big Read.

### 4. Consideration of Cumberland County Policy Committee Report and Recommendations:

- A. Consideration of Participating in the Cost of Extending a Water Line East on Cedar Creek Road to Serve Residents Who Have Petitioned for a Special Assessment Project.

**BACKGROUND:** On September 15, 2008, the Board approved a special assessment project to extend public water to approximately 25 residents along Cedar Creek Road east of the former Monsanto facility. The estimates for the project were based on the County being able to obtain easements from two property owners adjacent to the railroad tracks along the route. Unfortunately one of the property owners is unwilling to grant the easement under any circumstances. This requires relocating the route to continue east along Cedar Creek Road, under the railroad tracks. This is estimated to increase the cost of the project by as much as \$75,000 to \$90,000, depending on the cost of boring under the railroad tracks. The residents requesting this service cannot bear the increase in the project costs and unless they receive some additional aid the project will be abandoned. The Policy Committee at its meeting on March 5, 2009 approved recommending that the County participate in this project in partnership with PWC to extend the line across the tracks with the property owners picking up the costs from there. It is estimated that the cost to the County would be less than \$50,000. PWC staff has verbally agreed to participate in an amount equal to that which the County is willing to participate. The PWC Board will have to approve.

**ACTION:** Approve participation in this project in an amount equal to that of the Public Works Commission to extend the water line from its present location at the intersection of

Cedar Creek Road and Highway 210 to a point on Cedar Creek Road just clearing the railroad right of way.

MOTION: Commissioner Faircloth moved to approve participation in this project as noted in the ACTION above.  
SECOND: Commissioner Melvin  
VOTE: UNANIMOUS

B. Status of the Stormwater Program.

BACKGROUND: The Policy Committee at its March 5, 2009 meeting discussed the County's continued involvement in the Joint Stormwater Utility. Discussions were prompted by the NC Department of Environment & Natural Resources favorable response to the County's request to no longer be considered a Phase I NPDES community. While written approval has not been received from NCDENR, the conduct and verbal approval by NCDENR and the fact that only the City of Fayetteville has been named as the applicant in the Phase I NPDES Permit renewal process is assurance the County is no longer a Phase I community. In addition, DENR has accepted the County's Certification of Non-ownership/Non-operation of a Municipal Separate Stormwater System (MS4) with respect to the Phase II NPDES Permit requirements giving further evidence that the County is no longer a Phase I community. Recognizing that the City of Fayetteville must take appropriate action for continued compliance with its Phase I NPDES Permit requirements, including budgetary planning and development, the Stormwater Utility Director requested guidance from the County regarding any continued involvement in the Utility. The County Engineer advised the Policy Committee that withdrawing completely from the Joint Stormwater Utility might send a message that the County is no longer committed to stormwater quality issues and that perhaps some limited involvement in the utility is warranted. The County may also want to consider redirecting its emphasis on stormwater quantity issues, i.e., flooding problems, and look to the Stormwater Utility as the vehicle to accomplish these efforts with some continued stormwater fee to fund drainage improvements. The County Attorney cautioned the Policy Committee that the stormwater fee was enacted to fund federally mandated stormwater quality activities and there could be legal implications of continuing to collect a fee if a countywide benefit was not provided. Following discussion at the Policy Committee meeting, the County Manager recommended that the County no longer collect the stormwater fee. The Policy Committee concurred with that recommendation.

ACTION: Discontinue collecting the stormwater fee.

MOTION: Commissioner Faircloth moved to follow the recommendation of the Policy Committee and discontinue collecting the stormwater fee, effective July 1, 2009.  
SECOND: Commissioner Blackwell  
VOTE: UNANIMOUS

C. Financial Information Report – Amy Cannon, Asst. County Manager for Finance

Amy Cannon, Assistant County Manager, reviewed some current financial information with the Board. She noted that in comparing expenditures last year at this time with expenditures this year, there are no significant changes, 61.88% this year vs. 64.44% last year. Revenues are at 73.74% as compared to last year at this time – 76.38%. She noted the difficulty in predicting sales tax revenue. She noted that the local point of origin sales tax revenue is above the state wide sales tax revenue distributed on the basis of population. Ms. Cannon also noted the County's sales tax revenue picture is not as bright as we once thought because of a computer glitch in the State's system. The County will have to pay back around \$600,000 over an eight month period because of the State's mistake. However, the County's local option sales tax is still 0.79% higher than last year at this time. Ms. Cannon stated county departments have been directed to reduce operating costs in the FY 2010 budget by an average of 6.34%. By cutting operating costs, no new positions and no COLA's, management hopes the county will be able to preserve employees' current salaries. Ms. Cannon stated we are proceeding with extreme

caution. She noted that the County expects an operating loss of around \$900,000, but thinks that can be made up in other areas. She did note that anticipated deep cuts in the State budget may affect the County's financial picture.

Ms. Cannon noted that the County sold \$22 million in bonds for the new school and library at an interest rate of 4.538%. She reviewed the history of the project noting it was bid three times. However, the county ended up saving about \$3.5 million because of the rebidding.

She said the refunding of some of bonds did not achieve the savings expected, so the County did not go to market for the refundings.

She said that because of the Moody's upgrade, the County will save approximately \$60,000 a year over the next 20 years in interest cost.

No action needed.

## 5. Nominations to Boards and Committees

### A. Adult Care Home Community Advisory Committee (4 Vacancies)

Vacancies: Dell Caramanno – completing 1<sup>st</sup> term – eligible for reappointment  
Toney Edwards – completing 1<sup>st</sup> term – eligible for reappointment  
Marian Hackett – completing 1<sup>st</sup> term – eligible for reappointment  
Janet Pelley – completing 2<sup>nd</sup> term – October Morales recommended

Nominations: Dell Caramanno  
Toney Edwards  
Marian Hackett  
October Morales

### B. Air Quality Stakeholders' Committee (14 Vacancies)

Vacancies: *Chamber rep:* Doug Peters—completing 1<sup>st</sup> term – eligible for reappointment  
*Elected off:* Commissioner Kenneth Edge – completing 1<sup>st</sup> term – eligible for reappointment;  
*FTCC rep:* Joe Levister – completing 1<sup>st</sup> term – eligible for reappointment  
*Major Industry Rep:* Scott Peters – completing first term – eligible for reappointment;  
*Town of Stedman Rep:* Commissioner Eleanor Ayers completing second term – Peggy Raymes recommended to fill the vacancy;  
*Ft. Bragg Rep:* Col. Gregory Bean – completing 2<sup>nd</sup> term – Michael Lynch recommended to fill the vacancy;  
*PWC Rep:* Steve Blanchard – completing 2<sup>nd</sup> term – Carolyn Hinson recommended to fill vacancy;  
*Citizen Reps:* George Breece – completing 2<sup>nd</sup> term – fill the vacancy;  
Edwin Deaver – completing 2<sup>nd</sup> term – fill the vacancy;  
Karl Legatski – completing 2<sup>nd</sup> term – fill the vacancy.  
*Industry Rep:* Gary Slater recommended to fill the vacancy;  
*Homebuilder Association Rep:* John Gillis recommended;  
*Medical Representative:* Dr. Ana MacDowell recommended;  
*Environmental Representative (new slot):* Jon Parsons recommended

*NOTE: Two industry slots held by Michael Green and Henry Holt to be eliminated.*

## NOMINATIONS:

Doug Peters – Chamber representative  
Kenneth Edge – Elected Official  
Joe Levister – FTCC representative  
Peggy Raymes – Town of Stedman representative

Michael Lynch – Ft. Bragg representative  
Carolyn Hinson – PWC representative  
Scott Peters – Major industry representative  
Gary Slater – Industry representative  
John Gillis – Homebuilder Association representative  
Dr. Ana MacDowell – Medical representative  
Jon Parsons – Environmental representative  
Stewart Jameson – Citizen representative  
Daniel Rodriquez – Citizen representative  
Kraig Brown – Citizen representative

C. Cumberland County Home and Community Care Block Grant Committee  
(4 Vacancies)

Vacancies: Aging Service Providers:  
*Rosa Crowe* – completing 1<sup>st</sup> term – eligible for reappointment  
*Tina Dicke* – completing 1<sup>st</sup> term – eligible for reappointment  
*Karin Simkin* – completing 1<sup>st</sup> term – eligible for reappointment  
  
Older Consumer:  
*Edith Melvin* – completing 1<sup>st</sup> term – eligible for reappointment

Nominees: Rosa Crowe – Aging service provider  
Tina Dicke – Aging service provider  
Karin Simkin – Aging service provider  
Edith Melvin – Older Consumer

D. Criminal Justice Partnership Advisory Board (1 Vacancy)

Vacancies: Community Based Corrections Programs Rep: Sue Horne – eligible for reappointment

Nominee: Sue Horne

E. Nursing Home Advisory Board (2 Vacancies)

Vacancies: Elizabeth Deane and October Morales were unable to serve on this Board, because of conflict of interest, determined by Andrea Wright-Valdez. Make nominations to fill the two vacancies.

Nominees: Robin Paul  
Cenitra McLaughlin

F. Workforce Development Board (2 Vacancies)

Vacancies: Private Sector  
April Whittemore – moved out of County – replacement needed – Linda Hoppmann has been recommended to fill the slot;  
Mike Baldwin – resigned – conflicts with meetings – Hubert Owens, Jr. has been recommended to fill this slot.

Nominees: Linda Hoppmann  
Hubert Owens, Jr.

6. Appointments to Boards and Committees

MOTION: Commissioner Blackwell moved to appoint the nominees in 6A-6B.

SECOND: Commissioner Faircloth  
VOTE: UNANIMOUS

A. Joint Senior Citizens Advisory Commission (1 Vacancy)

Nominee: Mary Rizor

B. Library Board of Trustees (1 Vacancy)

Nominee: Mary E. Thomas

7. Closed Session:
- A. Economic Development Matter(s)  
Pursuant to NCGS 143-318.11(a)(4).
  - B. Attorney Client – Pursuant to NCGS 143-318.11(a)(3)
  - C. Real Property Acquisition – NCGS 143-318.11(a)(5)  
Dorothy C. Williams – 3962 Hummingbird Lane

MOTION: Commissioner Faircloth moved to go into Closed Session for the above noted matters.

SECOND: Commissioner Blackwell  
VOTE: UNANIMOUS

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

SECOND: Commissioner Blackwell  
VOTE: UNANIMOUS

MOTION: Commissioner Faircloth moved to purchase the property at 3962 Hummingbird Place from Dorothy Williams for \$30,000, less a \$4,500 lease payment for an actual purchase price of \$25,500.

SECOND: Commissioner Melvin  
VOTE: UNANIMOUS

Note: This property will be used as a Solid Waste Convenience Center.

MOTION: Commissioner Blackwell moved to adjourn.

SECOND: Commissioner Faircloth  
VOTE: UNANIMOUS

MEETING ADJOURNED AT 10:10PM.

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Marsha Fogle, Clerk to the Board