

CUMBERLAND COUNTY BOARD OF COMMISSIONERS  
JANUARY 18, 2011 – 6:45 PM  
117 DICK STREET, 1<sup>ST</sup> FLOOR, ROOM 118  
REGULAR/REZONING MEETING

PRESENT: Chairman Kenneth Edge  
Commissioner Jeannette Council  
Commissioner Charles Evans  
Commissioner Marshall Faircloth  
Commissioner Jimmy Keefe  
Commissioner Billy King  
Commissioner Ed Melvin  
James Martin, County Manager  
Juanita Pilgrim, Deputy County Manager  
Amy Cannon, Assistant County Manager  
James Lawson, Assistant County Manager  
Rick Moorefield, County Attorney  
Sally Shutt, Communication & Strategic Initiatives Manager  
Tom Lloyd, Planning & Inspections Director  
Candice White, Deputy Clerk to the Board  
Marie Colgan, Clerk to the Board

INVOCATION - Commissioner Marshall Faircloth

PLEDGE OF ALLEGIANCE –

PUBLIC COMMENT PERIOD (6:45 PM – 7:00 PM) – No Speakers

Recognition of Retired County Employees:

Wanda “Susie” Gore – Emergency Services Department – Commissioner Melvin presented Ms. Gore with a plaque and thanked her for 30 years of service to the County.

Dr. Rita Gunter – Health Department - Commissioner King presented Dr. Gunter with a plaque and thanked her for over 30 years of wonderful service to the community. Dr. Gunter thanked the Board stating it has been a pleasure to serve the children and families of Cumberland County and she looks forward to continuing to be an asset to the county.

County Manager Martin requested the following corrections to the agenda:

Correction of date of agenda to read January 18, 2011  
Removal of the Special Recognition item  
Removal of Consent Item 2.H.2

County Attorney Moorefield clarified there are two Closed Session Personnel Matters.

1. Approval of Agenda

MOTION: Commissioner Melvin moved to approve the agenda as presented with the requested changes.

SECOND: Commissioner Council

VOTE: UNANIMOUS

2. Consent Agenda

A. Approval of minutes for the January 3, 2011 regular meeting.

B. Approval of Disposition of Records for the following Departments:

(1) Board of Commissioners

BACKGROUND: Pursuant to a Resolution adopted by the Board of Commissioners at its June 19, 2006 meeting, authorization is requested to destroy Governing Body records as noted below:

The destruction of these records is in accordance with the Records Retention Schedule issued by NC Division of Archives & History and adopted by the Board of Commissioners.

COMMISSIONER PACKETS	2006
CORRESPONDENCE FILES	2006

ACTION: Approve destruction as noted above

(2) Planning & Inspection Department

BACKGROUND: In accordance with the Records Retention and Disposition Schedule dated April 1, 2006, I request permission to destroy records dated prior to January 1, 2005, on or before March 31, 2011. The maximum time period we are required to maintain records is six years. This request will allow records to be destroyed that are no longer useful. Records to be destroyed are as follows:

1. Permit Files: Included are Applications for Building, Electrical, Plumbing, Mechanical, Insulation, Demolition, Relocation, and Zoning Permits, Permits Issued, Work Tickets, Certificates of Occupancy, Blueprints and Specifications and related correspondence.
2. Minimum Housing, Junk Vehicle and Zoning Code Enforcement Files.
3. Activity Reports: This file consists of information compiled for the U.S. Bureau of the Census, reports of money collected for permit fees, inspections performed, and permits issued.
4. Correspondence/Memorandums.

Exceptions:

- A. Any record required to be retained permanently or for the life of the structure.
- B. Records, if any, related to any ongoing litigation.

RECOMMENDATION/PROPOSED ACTION: Approve destruction of records as requested.

- C. Approval of Cumberland County Finance Committee Report (for Information Purposes Only).

BACKGROUND: The Cumberland County Finance Committee met on Thursday, January 6, 2011. "DRAFT" minutes for the Cumberland County Finance Committee minutes were provided to the Board.

RECOMMENDATION/PROPOSED ACTION: Accept the Cumberland County Finance Committee report for information purposes only.

- D. Approval of Cumberland County Facilities Committee Report (for Information Purposes Only).

BACKGROUND: The Cumberland County Facilities Committee met on Thursday, January 6, 2011. "DRAFT" minutes for the Cumberland County Facilities Committee minutes were provided to the Board.

RECOMMENDATION/PROPOSED ACTION: Accept the Cumberland County Facilities Committee report for information purposes only.

- E. Approval of Community Development Department Housing Rehabilitation Subordination Agreement.

BACKGROUND: BB&T is requesting that Cumberland County subordinate a housing rehabilitation loan to refinance the mortgage for Tony and Myra Baker. The rehabilitation work on the property located at 7637 Rhodes Pond Road, Dunn, NC was completed in August 2007. Refinancing would reduce the Bakers' interest rate from 7% to 4.740%, which is a 2.26% drop. The funds that will be cashed out are to pay off a BB&T credit card used for purchases to repair their bathroom, and the remainder is to be used for additional improvements to the home per the homeowners. The county's current loan balance is \$48,181, which is a deferred loan. Including the new loan at BB&T of \$75,220.23, the combined loan to value will still be less than 100% at 93%. The home appraised at \$133,000 in 2007 while the current tax value is \$133,256.

The Community Development staff believes that subordinating the county's mortgage would be in the best interest of the homeowners and that the county's lien position is not compromised. It is the Community Development's staff's opinion that the homeowners are taking measures to further protect the county's investment in this property. Cumberland County is currently in 2<sup>nd</sup> lien position and would remain in

2<sup>nd</sup> position with the subordination agreement. However, the agreement is necessary to allow BB&T to maintain their 1<sup>st</sup> lien position.

In addition a new Substitution of Trustee must be recorded naming the current County Attorney, Rick Moorefield, as Substitute Trustee.

RECOMMENDATION/PROPOSED ACTION: CCCD recommends approval of the subordination agreement for Tony and Myra Baker and that all related documents be executed and recorded as necessary.

NORTH CAROLINA

CUMBERLAND COUNTY

SUBORDINATION AGREEMENT

THIS DEED OF SUBORDINATION, made and entered into this \_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_ by and between Rick Moorefield, Substitute Trustee, as hereinafter stated, and County of Cumberland, parties of the first part; and Tony M. Baker and wife, Myra H. Baker of Cumberland County, parties of the second part;

WITNESSETH:

WHEREAS, parties of the second part heretofore executed and delivered to Grainger R. Barrett, Trustee for County of Cumberland as Beneficiary, a Deed of Trust dated January 24, 2007, and recorded in Book 7520, Page 164, Cumberland County Registry in the original amount of \$48,459.00, which secured certain real property and residence located in Cumberland County, NC which is hereinafter more particularly described, and;

WHEREAS, Rick Moorefield has been substituted as Trustee by document recorded in Book \_\_\_\_\_, Page \_\_\_\_\_, Cumberland County Registry; and

WHEREAS, the parties of the second part now desire to borrow from Branch Banking & Trust Company the sum of \$75,220.23 to secure the same by execution of a deed of trust upon the land described in the deed of trust, set out above to County of Cumberland and;

WHEREAS, the parties of the second part can get said loan only upon the condition that said existing deed of trust be subordinated to the lien of said proposed deed of trust, and;

WHEREAS, County of Cumberland has agreed to such subordination and has requested the said Substitute Trustee to join with them in the execution thereof;

NOW, THEREFORE, the parties of the first part, in consideration of the sum of Ten Dollars to them in hand paid, do hereby contract and agree with the parties of the second part that the parties of the second part may execute to BB&T Collateral Service Corporation, Trustee, a deed of trust upon the lands hereinafter described to secure a note given by the parties of the second part to Branch Banking & Trust Company in the sum of \$75,220.23 and that said deed of trust shall be a lien upon said land superior to the deed of trust now held by the parties of the first part; and to carry out said purpose said parties of the first part do hereby release, remise, and forever quitclaim unto the parties of the second part their title

to and lien upon said land to the extent but only to the extent that the deed of trust now held by them shall be subordinate to a deed of trust to BB&T Collateral Service Corporation Trustee for Branch Banking & Trust Company in the sum of \$75,220.23 and recorded in Book \_\_\_\_\_, Page \_\_\_\_\_, Cumberland County Registry.

It is expressly understood and agreed that except for such subordination the deed of trust now held by the parties of the first part and all and singular and terms and conditions thereof shall be and remain in full force and effect.

The said land above referred to lying and being in Black River Township, Cumberland County, North Carolina, and more particularly described as follows:

BEING all of parcel 1, containing 2.00 acres, as shown on map entitled, "Property of Myra Honeycutt Baker and husband, Tony M. Baker," prepared by Joyner Piedmont Surveying, dated March 27, 2001, and recorded in Map Book 104, Page 91, Cumberland County Registry, reference being made to said map for greater certainty of description.

IN WITNESS WHEREOF, County of Cumberland has caused this instrument to be signed.

NORTH CAROLINA

CUMBERLAND COUNTY

SUBSTITUTION OF TRUSTEE

THIS SUBSTITUTION OF TRUSTEE made this \_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_, by County of Cumberland;

WITNESSETH:

THAT WHEREAS, Tony M. Baker and wife Myra H. Baker on or about January 24, 2007, executed and delivered a Deed of Trust to Grainger R. Barrett, Trustee, which Deed of Trust is recorded in Book 7520, Page 164, Cumberland County Registry, and,

WHEREAS, said Deed of Trust recorded as aforesaid provided Note holders may appoint in writing a Substitute Trustee to take the place of the Trustee named in said Deed of Trust and that upon the probate and registration of the same, the Substitute Trustee thus appointed shall succeed to all the rights, powers, and duties of the former Trustee;

NOW, THEREFORE, the said Note holder, by virtue of the power granted in said Deed of Trust, does hereby remove said Grainger R. Barrett, as Trustee under said Deed of Trust and does appoint in his place and stead as Trustee in and under said Deed of Trust,

Rick Moorefield, who is hereby vested a Substitute Trustee with all the interest, title, rights, duties, powers, and obligations conferred on the Trustee by the terms of the said Deed of Trust.

IN WITNESS WHEREOF, County of Cumberland has caused this instrument to be signed.

F. Approval of Contract Change Order for Cedar Creek and Approve the Second Preliminary Assessment Resolution.

**BACKGROUND:** This Project is for extension of water lines to 18 households, a church and a concrete business within the 3000 and 4000 blocks of Cedar Creek Road. The Project is complete and the total cost of the project is \$159,097.97, of which the Board has decided the County will pay \$75,000. This was an increase of the amount which the County originally proposed to pay on this project. This change necessitated that the preliminary assessment resolution be re-adopted. The dates of the Board's prior actions are stated in the resolution.

There is an outstanding change order which reduces the total construction contract amount by \$52,500.82 to \$136,414.52. This change order also requires a budget revision. Because the project is completed, the preliminary assessment resolution also provides for the preliminary assessment roll to be established and the property owners to be notified. By doing so, the public hearings on the assessment resolution and the preliminary assessment roll may both be conducted at the same board meeting.

STATE OF NORTH CAROLINA  
COUNTY OF CUMBERLAND

SECOND PRELIMINARY SPECIAL  
ASSESSMENT RESOLUTION FOR  
CEDAR CREEK ROAD  
WATER EXTENSION PROJECT

WHEREAS, the property owners within the 3000 and 4000 blocks of Cedar Creek Road have petitioned the Cumberland County Board of Commissioners to extend public water within their community; and

WHEREAS, the Board of Commissioners adopted a preliminary assessment resolution for this project at its meeting held October 20, 2008; and

WHEREAS, the project has now been completed; and

WHEREAS, the Board of Commissioners determined at its meeting held August 17, 2009 to increase the percentage of the cost of the project to be paid by the County and to decrease the percentage of the cost of the project to be paid by the property owners; and

WHEREAS, N.C.G.S. 153A-192 requires the Board to adopt and advertise a new preliminary assessment resolution if it decides that a different percentage of the cost should be assessed than that proposed in the original preliminary assessment resolution.

NOW THEREFORE, the Board of Commissioners, pursuant to Article 9 of Chapter 153A of North Carolina General Statutes, hereby adopts the following special assessment resolution:

I. Need for Project: The Board of Commissioners of Cumberland County has undertaken a project to extend public water to the Cedar Creek Road Community. This project was needed to eliminate the use of individual groundwater wells for

consumptive and hygienic purposes The overall quality of the ground water in this area is poor, requiring property owners to use expensive water treatment systems.

II. General Description of the Project: This project included installation of approximately 3,500 total linear feet of water main extending from an existing 8 inch water main along Highway 210 near the intersection with Cedar Creek Road, including all appurtenances, to serve eighteen (18) residences, one (1) church and one (1) concrete products plant within this community.

III. Ownership: The water line extensions will become the property of the Public Works Commission of the City of Fayetteville and will be operated and maintained by PWC as part of its comprehensive public water system throughout its service area.

IV. Proposed Basis of Assessment: The proposed basis of assessment will be at an equal rate per lot in the project area along which public water is extended.

V. Percentage of Cost to be Assessed: Fifty-two and 859/1000 percent (52.859%) of the total cost of the project, including but not limited to engineering, construction and administrative costs, shall be assessed against the benefited properties in this special assessment project and the County shall pay the remaining forty-seven and 141/1000 percent (47.141%).

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

VII. Terms of Payment: The assessment will be payable in fifteen (15) 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 sixty (60) days after the confirmation of the assessment roll is published.

VIII. Order of Public Hearing: A public hearing on all matters covered by this resolution will be held at 6:45 pm on Tuesday, February 22, 2011 in Room 118 of the Cumberland County Courthouse at the regularly scheduled meeting of the Board of Commissioners.

IX. This project having been completed and the cost now being known, the County Manager is directed to designate a person to cause the preliminary assessment roll to be completed and filed in the office of the clerk to the Board, and to further notice each owner of property listed on the roll of a public hearing to be held at the 6:45 pm on Tuesday, February 22, 2011 in Room 118 of the Cumberland County Courthouse at the regularly scheduled meeting of the Board of Commissioners at the conclusion of the public hearing on the second preliminary assessment resolution described above.

This resolution is adopted at the regular meeting of the Board of Commissioners held January 18, 2011.

**BUDGET REVISION:** County Water & Sewer Fund: Revision to implement Change Order #1 to reduce the Cedar Creek contract by \$52,500.82 to a total revised amount of \$136,414.52. In addition, engineering cost of \$19,255 and easement acquisition costs of \$3,428.45 have been incurred bringing the total project cost to

\$159,097.97. The County has previously paid the full cost and will assess the property owners for the cost of the project less a County contribution of \$75,000. The total assessment to the property owners will be \$84,097.97 (B11-254) Funding Source – Reallocation of Budgeted Expenditures and Assessments

RECOMMENDATION/PROPOSED ACTION:

1. Approve the change order reducing the construction contract amount by \$52,500.82 to \$136,414.52.
  2. Approve Budget Revision for the above change order.
  3. Adopt the second preliminary assessment resolution.
- G. Approval of a Proclamation Proclaiming February 4, 2011 as “Juanita Pilgrim Day” in Cumberland County.

PROCLAMATION

WHEREAS, Juanita Pilgrim began working for Cumberland County on November 30, 1987; and

WHEREAS, Juanita Pilgrim was appointed to the position of Deputy County Manager October, 2000; and

WHEREAS, Juanita Pilgrim has tirelessly served the citizens and the Cumberland County Board of Commissioners in a most caring and commendable way; and

WHEREAS, Juanita Pilgrim is known throughout Cumberland County as a true and faithful public servant and has deep and abiding love of Cumberland County and its people; and

WHEREAS, Juanita Pilgrim has served as an admirable role model throughout her professional career; and

WHEREAS, Juanita Pilgrim has demonstrated a positive image to the citizens of Cumberland County; and

WHEREAS, Juanita Pilgrim has exhibited admirable skills and competence in serving as a public servant to many Boards and Committees for the best interest of the public; and

WHEREAS, Juanita Pilgrim has earned the respect and admiration of the Cumberland County Board of Commissioners, County Management, her peers, colleagues and coworkers as well as the citizens of Cumberland County; and

WHEREAS, Juanita Pilgrim will retire on January 31, 2011;

NOW, THEREFORE, BE IT RESOLVED that the Cumberland County Board of Commissioners proclaims February 4, 2011 as “Juanita Pilgrim Day” in Cumberland

County and calls upon the citizens of Cumberland County to join us in observing this day in honor of Juanita Pilgrim who has played such a vital role to the citizens of Cumberland County. Our heartfelt best wishes are extended to her and her family.

Adopted this 18th day of January, 2011.

H. Budget Revisions:

(1) Health

- a. Child Health Clinic - Revision in the amount of \$2,000 to appropriate Health fund balance for contracted services. (B11-238) Funding Source – Health Fund Balance
- b. Bioterrorism Preparedness and Response – Revision in the amount of \$16,000 to recognize state funding for H1N1 planning. (B11-244) Funding Source - State

(2) ITEM PULLED FROM THE AGENDA

(3) Juvenile Crime Prevention Program

Revision in the amount of \$16,396 to adjust the County budget to revised State allocations. (B11-242) Funding Source – State

(4) Eastover Sanitary District Water Project Phase II

Revision in the amount of \$84,631 to reallocate budgeted expenditures for project change orders (B11-241). Funding Source – Reallocation of Budgeted Expenditures

(5) Cooperative Extension Programs

Revision in the amount of \$3,000 to budget for a new beekeepers program (B11-240). Funding Source – Fees

(6) School Capital Outlay Category I- Buildings

Revision in the amount of \$638,006 appropriate fund balance to budget Capital Outlay as approved by the Cumberland County Board of Education. (B11-248) Funding Source – Sales Tax

(7) Federal Forfeiture - Justice

Revision in the amount of \$305,000 to appropriate fund balance to purchase bomb team equipment and vehicles for the Sheriff's Office (B11-249). Funding Source – Fund Balance Appropriated

(8) Industrial Development Fund

Revision in the amount of \$250,243 to appropriate fund balance to grant back to the City of Fayetteville, per inter-local agreement, property taxes paid on the Texfi property which was purchased by the City. (B11-253). Funding Source – Fund Balance Appropriated

MOTION: Commissioner King moved to approve all consent agenda items 2.A. through 2.H.8, with the exception of item 2.H.2 which has been pulled.

SECOND: Commissioner Evans

VOTE: UNANIMOUS

3. Public Hearings

These are the advertised public hearings set for this date and time.

Uncontested Cases

A. Case P10-44: Rezoning of .20+/- acres from R6A Residential to C2(P) Planned Service and Retail, or to a more restrictive zoning district, located at 4918 Cumberland Road, submitted by Roscoe L. and Dell J. Strickland (owners).

The Planning Board recommends approval of the C2(P) Planned Service and Retail district.

B. Case P10-48: Rezoning of .72+/- acres from R10 Residential to C2(P) Planned Service and Retail, or to a more restrictive zoning district; located at 3959 Cumberland Road and south side of SR 1141 (Cumberland Road), north of SR 1364 (Dominion Road); submitted by Donna Paulette Peterson (owner).

The Planning Board recommends approval of the C2(P) Planned Service and Retail district.

C. Case P10-51: Rezoning of 5.27+/- acres from PND Planned Neighborhood District to R5A Residential, or to a more restrictive zoning district; located at the eastern end of Afton Avenue, southwest of SR 1363 (Elk Road); submitted by William H. Owen for Duggins Smith, LLC (owner).

The Planning Board recommends approval of the R5A Residential district.

The Chairman opened the Public Hearings.

Speakers: The Clerk verified that no speakers opposing items 3A-3C had signed up to speak.

The Chairman closed the Public Hearings.

MOTION: Commissioner King moved to approve items 3A-3C as recommended by the Planning Board for case #P10-44, P10-48 and P10-51.  
SECOND: Commissioner Council  
VOTE: UNANIMOUS

#### Conditional Use District & Permit Case

D. Case P10-50: Rezoning of 2.97+/- acres from C1(P) Planned Local Business and R6A Residential to C(P) Planned Commercial/CUD Conditional Use District for Motor Vehicle Repair and other permitted uses, and the Permit or to a more restrictive zoning district; located at 3911 Legion Road and southeast of SR 1132 (Legion Road), north of SR 3009 (Pioneer Drive); submitted by Theodore P. and Treasia L. Melvin (owners).

The Planning Board recommends approval of the C(P) Planned Commercial/CUD Conditional Use District for a motor vehicle repair and towing business only, denial of the other requested uses; and approval of the Permit.

The clerk administered the oath to all speakers.

Mr. Lloyd, Planning & Inspections Director, provided a power point presentation on the site showing its current zoning and stated the business being discussed will be moved further back from Legion Road and expanded. A new motor vehicle repair shop will be built and up to 50 vehicles will be allowed to be stored on the property, but no junk vehicles. A fence will buffer the business from the surrounding areas.

Commissioner Keefe expressed his concern about the possibility of non-conformance and the surrounding residential area. Commissioner Evans requested further clarification on the proposed changes to the site and affects to the neighborhood.

The Chairman opened the Public Hearing.

#### **Speakers:**

Ted Melvin, 3911 Legion Road, Hope Mills, NC spoke in favor of the request stating he owns the business being discussed. Mr. Melvin advised the facility has been in place since the 1960s, his uncle owned the business for 10 years prior to him and he has been in business for the last 10 years. His desire is to get the site zoned correctly and to move further back from the road because he is too close to the road and the state may decide to take more of an easement. Further questions were posed by Commissioners regarding what adjoins his property and the use of his property.

H.L. Clodfelter, 502 Possum Trot Lane, Hope Mills, NC spoke in opposition to the request stating he has owned the property for 30 years next to the site in question. He voiced concerned that a junky motor vehicle repair shop is located next door to his trailer park that houses nine couples with 11 children, there are other residential homes in the area and that moving it back further off the road puts them closer to the trailer park. He does not feel that a six foot fence is adequate, but believes an 8 foot fence might be more appropriate if the request is approved. Mr. Clodfelter answered questions from the Board stating he believes that Mr. Melvin can continue to successfully operate his business with the building in its current place. He also stated the individuals who reside there have not signed any type of opposition to the request but is sure he could get them to sign a petition against it. Commissioner Council verified with Mr. Lloyd that the business has existed longer than the mobile home park.

Tuan Lu, 3921 Legion Road, Hope Mills, NC spoke in opposition to the request stating his father has owned a business next door for about 17 years and voiced a complaint regarding Mr. Melvin's customers parking on his father's property. Chairman Edge suggested Mr. Lu speak with Mr. Lloyd after this meeting to see what can be done to address his complaint.

There being no further speakers, the Chairman closed the Public Hearing.

**MOTION:** Commissioner Council moved that the Board of Commissioners finds that the application for a Conditional Use District designated as case number P10-50 is reasonable, neither arbitrary nor unduly discriminatory, in the public interest, consistent with the current land use plan adopted by this Board of Commissioners and that the conditional use(s) be approved as recommended by the Joint Planning Board.

**SECOND:** Commissioner King

**DISCUSSION:** Commissioner Keefe asked that Commissioner Council consider amending the motion to include placing an 8 foot fence on the property in lieu of a 6 foot fence as designated on the site plan. Commissioner Council stated she wished to keep the motion as originally stated.

**VOTE:** Voting in favor of the motion - Commissioners King, Evans, Faircloth, Edge, Council and Melvin. Voting in opposition - Commissioner Keefe.

**MOTION:** Commissioner Council moved that the Board of Commissioners finds that this application for a Conditional Use Permit designated as case number P10-50, if completed as proposed and subject to the conditions recommended by the Joint Planning Board and approved by this Board of Commissioners will not materially endanger the public health or safety, and will meet all required conditions and specifications; and will maintain or enhance the value of adjoining or abutting properties, and will be in harmony with the area in which it is to be located and will be in general conformity with the county's most recent land use plan, and other planning policies adopted by the Board of Commissioners.

**SECOND:** Commissioner Faircloth

VOTE: UNANIMOUS

Items of Business

4. Report on Qualified School Construction Bond Sale on January 12, 2011.

Amy Cannon, Assistant County Manager, reported on a very successful Qualified School Construction Bond sale stating the bonds were sold on January 12<sup>th</sup> with a net interest cost to the Board of Education of around 1%. Mrs. Cannon reminded the Board the Qualified School Construction Bonds qualified under the American Recovery & Reinvestment Act as a limited opportunity for borrowing capacity for school systems for school construction. These bonds were scheduled for sale on December 15<sup>th</sup>, but management became concerned the taxable market would be flooded with this type paper which would inflate the interest cost due to the expiration of these type bonds on December 31<sup>st</sup>. Due to special legislation, the County was able to move the sale date into January which turned out to be a good decision based on a comparison to the sales which took place on December 15<sup>th</sup>. As stated, after the federal rebate, the net cost is approximately 1%, but the principal amount will be set aside on the sinking fund that will have the opportunity to earn interest which should allow a further reduction to the 1% amount. Mrs. Cannon stated she was pleased to report this successful sale to the Board and will continue to monitor the municipal market for the refunding transaction which is still pending.

5. Nominations to Boards and Committees

A. Minimum Housing Appeals Board (1 Vacancy)

BACKGROUND: At their meeting on October 4, 2010, the Board of Commissioners reappointed Charles Lewis to serve a second term on the Minimum Housing Appeals Board. Multiple attempts to contact Mr. Lewis have failed. Therefore, the Minimum Housing Appeals Board currently has one (1) vacancy for a regular member.

Commissioner Evans nominated Eric F. Jones to fill the position.

6. Appointments to Boards and Committees

A. Child Homicide Identification and Prevention (CHIP) Council (3 Vacancies)

Nominees:

A Representative of Methodist University School of Social Work Position:

Mary Deyampert-McCall (Reappointment)

A Representative of the Cumberland County Mental Health Center Position:

Debbie Jenkins (Reappointment)

A Representative of Fayetteville State University School of Social Work Position:

Densie Lucas (Reappointment)

B. Civic Center Commission (5 Vacancies)

Nominees: Ryan C. Aul (Reappointment)  
George Turner (Reappointment)  
Bill Tew  
Nat Robertson  
McBryde Grannis

C. Cumberland County Juvenile Crime Prevention Council (1 Vacancy)

Nominee:

Person Under Age 21: Jamarius Hassell (Reappointment)

D. Cumberland County Local Emergency Planning Committee (1 Vacancy)

Nominee:

First Aid Representative: Buck Wilson

E. Senior Citizens Advisory Commission (1 Vacancy)

Nominee: William J. Watson (Reappointment)

MOTION: Commissioner Faircloth moved to appoint all nominees under 6A-6E.  
SECOND: Commissioner Council  
VOTE: UNANIMOUS

7. Closed Session: A. Personnel Matter(s) Pursuant to  
NCGS 143-318.11(a)(6)

MOTION: Commissioner Evans moved to go into Closed Session.  
SECOND: Commissioner Council  
VOTE: UNANIMOUS

MOTION: Commissioner King moved to go into Open Session.  
SECOND: Commissioner Faircloth  
VOTE: UNANIMOUS

Chairman Edge advised the Board deliberated on an appeal by Tom Cooney regarding his dismissal by the County Manager and the Board has upheld the County Manager Martin's decision.

MOTION: Commissioner Faircloth moved to adjourn.  
SECOND: Commissioner Council  
VOTE: UNANIMOUS

There being no further business, the meeting adjourned at 8:16 p.m.

Approved with/without revision:

Respectfully submitted,

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Marie Colgan  
Clerk to the Board