

CUMBERLAND COUNTY BOARD OF COMMISSIONERS
NOVEMBER 21, 2011 – 6:45 PM
117 DICK STREET, 1ST FLOOR, ROOM 118
REGULAR/REZONING MEETING
MINUTES

PRESENT: Commissioner Kenneth Edge, Chairman
Commissioner Marshall Faircloth, Vice Chairman
Commissioner Jeannette Council
Commissioner Charles Evans
Commissioner Jimmy Keefe
Commissioner Billy King
Commissioner Ed Melvin
James Martin, County Manager
Amy Cannon, Deputy County Manager/Finance Officer
James Lawson, Assistant County Manager
Rick Moorefield, County Attorney
Sally Shutt, Communication and Strategic Initiatives Manager
Jody Risacher, Library Director
Brenda Reid-Jackson, Department of Social Services Director
Marvin Rouse, Social Services Board Chair
Shirley Harris, Department of Social Services Assistant Director of
Business Operations
Richard Everette, Department of Social Services Assistant Director for
Economic Independence
Sarah Guill, President of the Cumberland County Chapter of the Social
Services Association
Tom Lloyd, Planning and Inspections Director
George Hatcher, Planning and Inspections Code Enforcement Officer
Doug Byrd, Fayetteville/Cumberland County Chamber of Commerce
Government Liaison
Candice White, Clerk to the Board
Kellie Beam, Deputy Clerk to the Board

Chairman Kenneth Edge called the meeting to order and asked that all veterans and active military personnel stand and be recognized for their service to the country. Chairman Edge also extended his appreciation to the municipalities that held Veterans Day celebrations.

INVOCATION

Commissioner Ed Melvin introduced Pastor Roy Arrington of the Family Community Baptist Church who provided the invocation followed by the Pledge of Allegiance to the American flag led by Courtney Arnold, a fourth grader at Ashley Elementary School.

Chairman Edge extended a welcome to Judy Shock, an advanced placement government student at Terry Sanford High School, and her mother who accompanied her to the meeting.

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

James Martin, County Manager, read the public comment period policy. Chairman Edge opened the public comment period and the Clerk to the Board called the following speaker:

Matthew Driggers – Mr. Driggers did not appear when called.

Presentation of Awards to Brenda Reid-Jackson, Department of Social Services Director, for Best Practice Award from the North Carolina Association of County Directors of Social Services (NCACDSS), and the Department's Local Chapter of the North Carolina Social Services Association Recognized as the State's Chapter of the Year

Chairman Edge call on Commissioner Melvin who stated as a member of the Social Services Board, he was pleased to recognize Brenda Jackson, Department of Social Services Director; Marvin Rouse, Social Services Board Chair; Shirley Harris, Department of Social Services Assistant Director of Business Operations; and Richard Everette, Department of Social Services Assistant Director for Economic Independence, for receiving the 2011 Best Practice Award for Cost Savings Measures and Improved Efficiency from the North Carolina Association of County Directors of Social Services. Commissioner Melvin further stated this award was presented to the Department of Social Services at the statewide Social Services Institute in Hickory, North Carolina, in October.

Commissioner Melvin briefly described the centralized call center that was implemented to enhance the Department of Social Services' telephone switchboard system and stated the department has proven that a centralized call center achieves both the county and department's strategic goals for customer service and effective and efficient service delivery. Ms. Jackson provided comments regarding the team effort that brought this vision to fruition.

Commissioner Melvin also recognized Sarah Guill, President of the Cumberland County Chapter of the Social Services Association, and stated the Department of Social Services also received an award from the local chapter of the North Carolina Social Services Association for being recognized as the state's Chapter of the Year. Commissioner Melvin also stated the North Carolina Social Services Association promotes a positive image of social services and works to enhance public esteem for individuals employed by departments of social services.

1. Approval of Agenda

MOTION: Commissioner Faircloth moved to approve the agenda.

SECOND: Commissioner Council

VOTE: UNANIMOUS (7-0)

Commissioner Evans requested the removal of Item 2.G.(2) from the consent agenda for separate discussion and action.

2. Consent Agenda

A. Approval of minutes for the November 7, 2011 regular meeting and the October 31, 2011 Special Meeting with Fayetteville Observer Editorial Staff.

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

Lexington Subdivision: Willowbrae Drive, Heatherly Court

BACKGROUND:

The North Carolina Department of Transportation has received petitions requesting the following streets be placed on the State Secondary Road System for maintenance:

Lexington Subdivision: Willowbrae Drive, Heatherly Court

DOT has determined that the above streets are eligible for addition to the state system.

RECOMMENDATION/PROPOSED ACTION:

NCDOT recommends that the above named streets be added to the State Secondary Road System. County Management concurs. Approve the aforementioned streets for addition to the State Secondary Road System.

C. Approval of Report and Recommendation of the Cumberland County Facilities Committee:

1) Communicare, Inc. Lease

Summary of Terms of Lease with Communicare

Premises: 226 Bradford Avenue, Fayetteville

Lessee: Cumberland County Communicare, Inc., a non-profit corporation

Notice of Intent: required and advertised on November 11, 2011

Use: office space for social services/juvenile crime prevention type programs

Term: 4 years commencing November 1, 2011

Rent: \$41,308 annually; \$8.32 per s.f.

Utilities: at Lessee's expense

Janitorial: at Lessee's expense

Early Termination Provision: none

Renewal Terms: none

Terms Recommended by Facilities Committee: Yes, at November 3, 2011 meeting.

2) Renewal of Lease with North Carolina Department of Agriculture and Consumer Services for Office Space at the Ag-Expo Center for the Department's Witchweed Program

Summary of Terms of Lease for Witchweed Program

Premises: 368 s.f. office space in Ag-expo Center
Lessee: N. C. Dept. of Agriculture and Consumer Services
Notice of Intent: not required
Use: office space for State witchweed eradication program
Term: 3 years commencing January 1, 2012
Rent: \$4,4160 annually; \$128.00 per s.f.
Utilities: provided by County
Janitorial: provided by County
Early Termination Provision: none
Renewal Terms: none
Terms Recommended by Facilities Committee: Yes, at November 3, 2011 meeting

- D. Approval of Report and Recommendation of the Cumberland County Finance Committee:
- 1) Utilize Emergency Services Fund Balance

BACKGROUND:

The General Assembly ratified House Bill 1691 (HB1691) in July 2010, which amended the statutes governing emergency telephone service resulting in several important legislative changes. The most significant change from this amendment required the 911 Board to determine a new funding model for distributing 911 funds to local governments and included expanding the allowable use of the funds. Additionally, the bill allowed for one-time use of 50% of the emergency telephone system fund balance as of June 30, 2009, for public safety purposes. Most local governments had accumulated significant reserves since the allowable use of these funds were previously narrowly defined. The new funding model and the expansion of the allowable use of this revenue should prevent the accumulation of significant reserves going forward.

As of June 30, 2009, our emergency telephone system fund balance was \$3,161,766, which means that HB1691 released \$1,580,883 for one-time public safety expenses. Attached you will find a spreadsheet of current obligations and proposed expenditures. Currently, we have obligated or spent \$268,657 on vehicles, software, computer server, and an emergency notification system for the Emergency Services Department.

A proposed spending plan for the remaining \$1.3 Million has been developed by Kennie Currie. This plan includes a proposal to purchase equipment and software for the benefit of several public safety functions throughout the county. Mr. Currie sought a listing from other public safety agencies of unfunded emergency communication equipment in their jurisdictions. The goal in seeking input from these agencies was to utilize these available funds to enhance public safety communication throughout the county in law enforcement, fire protection, and emergency services.

This item was presented to the Finance Committee on November 3, 2011. The Committee unanimously approved the spending plan as follows:

Emergency Telephone 50/50 Expenditures

amount to be spent by end of FY12 \$1,580,883

Obligated/Expended			-
Agency	Product Description	Amount	Account Balance
Emergency Services	CritiCall Software	5,515	
	346 Device Licenses	5,517	
	4- Vehicles	98,356	
	BDA- Bi-Directional Antenna System	26,780	
	Code Red - Emergency Notification System	49,875	
	Dark Fiber -(linking City and County EMS systems)	22,999	
Information Services	GIS server upgrades and software	50,752	
	Total obligated/expended		\$259,794
Proposed Expenditures		Balance	\$1,321,089
(in priority order)			
Emergency Services	15-Laptops for damage assessment	\$45,000	
	Paging for Fire Depts (hardware & software)	261,318	
	Antenna & software (mobile repeaters)	82,940	
	Misc equipment: lids and slide out trays for trucks	95,956	
	light bars, and other emergency equipment		
	Ham radios base station at Methodist College	15,000	
Cumberland County Sheriff	AVL for 115 vehicles	128,695	
	LEC & Annex building camera security upgrade	72,448	
EMS - Ambulance	46- Antenna plus combos(cell/pcs/wifi/gps) and	79,421	
	7-Airlink gps bundles		
Fire Association	CAD system in fire trucks (equip & software)	173,209	
	Firehouse Web Upgrade	175,000	
Spring Lake Police Department	Police equipment (radios/computers/mobile data trans)	25,527	
Hope Mills Police Department	Police equipment (Radios/communications)	97,704	
County Buildings	BDA- Bi-Directional Antenna System	68,872	
	Total proposed expenditures		\$1,321,089

RECOMMENDATION/PROPOSED ACTION:

Management recommends approval of utilizing the remaining emergency services fund balance to purchase public safety equipment as listed above and budget revision number B12-174.

- E. Declaration of Surplus County Property and Authorization to Accept Insurance Settlement

BACKGROUND:

DATE OF ACCIDENT	October 26, 2011
VEHICLE	2008 Ford Crown Victoria
VIN	2FAHP71V98X145039
FLEET #	FL232
DEPARTMENT	Sheriff Office
SETTLEMENT OFFER	\$8,836.91
INSURANCE COMPANY	Travelers

This is a total loss settlement offer.

RECOMMENDATION/PROPOSED ACTION:

Management recommends that the Board of Commissioners:

1. declares the vehicle described above as surplus,
2. authorizes the Risk Manager to accept \$8,836.91 as settlement, and
3. allows Travelers Insurance to take possession of the wrecked (surplus) vehicle.

- F. Approval of Ordinance Assessing Property for the Cost of Demolition:

- 1) Case Number: MH 6240-2010
Property Owners: Marriane McLean
Property Location: 4608 McNeill Road, Fayetteville, NC
Parcel Identification Number: 0477-20-9617

**ORDINANCE ASSESSING PROPERTY FOR THE COSTS
OF DEMOLITION OF A STRUCTURE PURSUANT TO
THE MINIMUM HOUSING CODE OF CUMBERLAND COUNTY
CASE NUMBER: MH6240-2010
PROPERTY OWNER: MARRIANE McLEAN**

WHEREAS, the Board of County Commissioners of Cumberland County, North Carolina, on February 22, 2011, enacted an ordinance directing the demolition by the owner(s) of the structure(s), Marriane McLean, located at 4608 McNeill Road, Fayetteville, NC, PIN: 0477-20-9617, said ordinance being recorded in Book 8595, page 803, of the Cumberland County Registry of Deeds;

WHEREAS, the time within which said demolition was to be performed has expired and the owner(s) failed to comply with the ordinance within such period; and

WHEREAS, the said ordinance further directed the Minimum Housing Inspector to effect the demolition of the structure(s) in the event the owner(s) failed to do so;

WHEREAS, the Minimum Housing Inspector has reported to this Board that:

- (1) Said work had been accomplished.
- (2) The cost of such work was \$1,900.00.
- (3) There were no salable materials resulting from said work.

NOW THEREFORE, the above report coming on to be considered and the Board of County Commissioners finding it to be a true and accurate accounting, the said Board hereby ORDAINS:

(1) That the real property on which the work was performed be, and it hereby is, assessed in the amount of \$1,900.00, said sum being the unpaid balance of the cost of the work set forth in the Inspector's Report;

(2) That as provided in the Ordinance of Cumberland County dated February 22, 2011, and in Section 160A-443(6) of the General Statutes of North Carolina, the amount of the foregoing assessment be, and hereby does constitute, a lien against the real property upon which such costs were incurred, such property being more particularly described as follows:

The structure and premises located at 4608 McNeill Road, Fayetteville, NC, as described in Deed Book 4473, page 587, of the Cumberland County Registry and identified in County tax records as PIN 0477-20-9617.

(3) That as further provided in Section 160A-443(6) of the General Statutes of North Carolina, such lien shall be filed, have the same priority, and be collected as the lien for special assessment provided in Article 10 of Chapter 160A of said General Statutes;

(4) That one copy of this resolution be filed in the minutes of this Board of County Commissioners and another copy certified and delivered by the Clerk as a charge to the Tax Collector, who shall thereupon enter the amount of the assessment set forth above upon the Tax Books of the County as a special assessment against the above described property.

- 2) Case Number: MH6279-2010
Property Owners: Everett L. Gates, Jr. and June I. Gates
Property Location: 2707 Canton Street, Fayetteville, NC
Parcel Identification Number: 0456-86-9603

ORDINANCE ASSESSING PROPERTY FOR THE COSTS
OF DEMOLITION OF A STRUCTURE PURSUANT TO
THE MINIMUM HOUSING CODE OF CUMBERLAND COUNTY
CASE NUMBER: MH6279-2010
PROPERTY OWNER: EVERETT L. GATES, JR. & JUNE I. GATES

WHEREAS, the Board of County Commissioners of Cumberland County, North Carolina, on February 22, 2011, enacted an ordinance directing the demolition by the owner(s) of the structure(s), Everett L. Gates, Jr. and June I. Gates, located at 2707 Canton Street, Fayetteville, NC, PIN: 0456-86-9603, said ordinance being recorded in Book 8595, page 806, of the Cumberland County Registry of Deeds;

WHEREAS, the time within which said demolition was to be performed has expired and the owner(s) failed to comply with the ordinance within such period; and

WHEREAS, the said ordinance further directed the Minimum Housing Inspector to effect the demolition of the structure(s) in the event the owner(s) failed to do so;

WHEREAS, the Minimum Housing Inspector has reported to this Board that:

- (1) Said work had been accomplished.
- (2) The cost of such work was \$2,900.00.
- (3) There were no salable materials resulting from said work.

NOW THEREFORE, the above report coming on to be considered and the Board of County Commissioners finding it to be a true and accurate accounting, the said Board hereby ORDAINS:

(1) That the real property on which the work was performed be, and it hereby is, assessed in the amount of \$2,900.00, said sum being the unpaid balance of the cost of the work set forth in the Inspector's Report;

(2) That as provided in the Ordinance of Cumberland County dated February 22, 2011, and in Section 160A-443(6) of the General Statutes of North Carolina, the amount of the foregoing assessment be, and hereby does constitute, a lien against the real property upon which such costs were incurred, such property being more particularly described as follows:

The structure and premises located at 2707 Canton Street, Fayetteville, NC, as described in Deed Book 2878, page 342, of the Cumberland County Registry and identified in County tax records as PIN 0456-86-9603.

(3) That as further provided in Section 160A-443(6) of the General Statutes of North Carolina, such lien shall be filed, have the same priority, and be collected as the lien for special assessment provided in Article 10 of Chapter 160A of said General Statutes;

(4) That one copy of this resolution be filed in the minutes of this Board of County Commissioners and another copy certified and delivered by the Clerk as a charge to the Tax Collector, who shall thereupon enter the amount of the assessment set forth above upon the Tax Books of the County as a special assessment against the above described property.

- 3) Case Number: MH5930-2009
Property Owners: Ella King McIver, c/o Sylvia King Diop
Property Location: 6362 Williams Street, Spring Lake, NC
Parcel Identification Number: 0511-18-1417

ORDINANCE ASSESSING PROPERTY FOR THE COSTS
OF DEMOLITION OF A STRUCTURE PURSUANT TO
THE MINIMUM HOUSING CODE OF CUMBERLAND COUNTY
CASE NUMBER: MH5930-2009
PROPERTY OWNER: ELLA KING MCIVER C/O SYLVIA KING DIOP

WHEREAS, the Board of County Commissioners of Cumberland County, North Carolina, on November 16, 2009, enacted an ordinance directing the demolition by the owner(s) of the structure(s), Ella King McIver, c/o Sylvia King Diop, located at 362 Williams Street, Spring Lake, NC, PIN: 0511-18-1417, said ordinance being recorded in Book 8290, page 365, of the Cumberland County Registry of Deeds;

WHEREAS, the time within which said demolition was to be performed has expired and the owner(s) failed to comply with the ordinance within such period; and

WHEREAS, the said ordinance further directed the Minimum Housing Inspector to effect the demolition of the structure(s) in the event the owner(s) failed to do so;

WHEREAS, the Minimum Housing Inspector has reported to this Board that:

- (1) Said work had been accomplished.
- (2) The cost of such work was \$2,550.00.
- (3) There were no salable materials resulting from said work.

NOW THEREFORE, the above report coming on to be considered and the Board of County Commissioners finding it to be a true and accurate accounting, the said Board hereby ORDAINS:

(1) That the real property on which the work was performed be, and it hereby is, assessed in the amount of \$2,550.00, said sum being the unpaid balance of the cost of the work set forth in the Inspector's Report;

(2) That as provided in the Ordinance of Cumberland County dated November 16, 2009, and in Section 160A-443(6) of the General Statutes of North Carolina, the amount of the

foregoing assessment be, and hereby does constitute, a lien against the real property upon which such costs were incurred, such property being more particularly described as follows:

The structure and premises located at 362 Williams Street, Spring Lake, NC, as described in Deed Book 4677, page 182, of the Cumberland County Registry and identified in County tax records as PIN 0511-18-1417.

(3) That as further provided in Section 160A-443(6) of the General Statutes of North Carolina, such lien shall be filed, have the same priority, and be collected as the lien for special assessment provided in Article 10 of Chapter 160A of said General Statutes;

(4) That one copy of this resolution be filed in the minutes of this Board of County Commissioners and another copy certified and delivered by the Clerk as a charge to the Tax Collector, who shall thereupon enter the amount of the assessment set forth above upon the Tax Books of the County as a special assessment against the above described property.

G. Budget Revisions:

(1) Library Grants

Revision in the amount of \$891 to recognize a reduction in state funding for the NC Library Programs Grant. (B12-166) Funding Source – State

(2) THIS ITEM WAS PULLED FOR SEPARATE DISCUSSION AND ACTION AS RECORDED BELOW.

(3) Social Services

a. Revision in the amount of \$13,286 to appropriate fund balance to roll forward Casey funds from prior years. (B12-168) Funding Source – Fund Balance Appropriated

b. Revision in the amount of \$1,780,656 to recognize additional state funding for Energy Program (\$4,564) and Crisis Intervention (\$1,776,092). (B12-169) Funding Source – Federal

c. Revision in the amount of \$4,472 to appropriate fund balance to roll forward Duke Neighbor (\$3,906) and Adoption Incentive (\$566) funds from prior years. (B12-170) Funding Source – Fund Balance Appropriated

(4) Health

a. Express Care – Revision in the amount of \$10,800 to budget additional revenue that Express Care expects to earn. (B12-171) Funding Source – Fees

- b. Family Planning – Revision in the amount of \$47,708 to recognize additional state revenue for T.A.N.F. (B12-172) Funding Source – State

MOTION: Commissioner King moved to approve all consent agenda items 2.A. through 2.G.(4)b. with the exception of Item 2.G.(2) that was pulled for separate discussion and action as recorded below.

SECOND: Commissioner Council

VOTE: UNANIMOUS (7-0)

ITEM 2.G.(2) Sheriff

Revision in the amount of \$30,614 to appropriate fund balance from insurance settlements from the prior year to purchase a replacement vehicle and related equipment. (B12-175) Funding Source – Fund Balance Appropriated from Insurance Settlements

Commissioner Evans requested an explanation of this item. Amy Cannon, Deputy County Manager, explained \$30,614 was the amount of the insurance proceeds received last year when a patrol car was involved in an accident and totaled. Ms. Cannon further explained the actual amount being budgeted for capital outlay was \$26,000, which was for replacement of the vehicle. Commissioner Evans asked if the \$26,000 was in the approved budget. Ms. Cannon stated the \$26,000 was not included in the approved budget although some vehicles in the amount of \$383,790 were approved as part of the budget. Ms. Cannon responded to additional questions posed by Commissioner Evans and stated she would find out the date of the vehicle accident and the date of the insurance reimbursement.

MOTION: Commissioner Evans moved to table Item 2.G.(2) pending further clarification.

SECOND: Commissioner Faircloth

DISCUSSION: Mr. Martin stated this is likely a timing issue and when management appropriated funds for the budget, they had no idea a vehicle would be totaled and insurance funds would be received and recorded as revenue prior to June 30th. Commissioner Keefe stated timing is irrelevant because a vehicle that is totaled has to be replaced. Commissioner Faircloth stated he seconded the motion because he supported the request for additional information. Commissioner King stated the budget revision is a settlement to replace a vehicle that was damaged and it does not matter when it occurred. Commissioner Council explained the capital outlay for replacement of the vehicle was not allocated in the budget.

VOTE: PASSED (4-3) (Voting in favor were Commissioners King, Evans, Faircloth, and Council; voting in opposition were Commissioners Edge, Melvin and Keefe.)

3. Public Hearings

Mr. Martin explained the Board of Commissioners' procedures for public hearings.

Uncontested Rezoning Cases

- A. Case P11-46: Rezoning of 6.36+/- acres from M(P) Planned Industrial and RR Rural Residential to RR Rural Residential, or to a more restrictive zoning district; located south of SR 1007 (Owen Drive), west of SR 2283 (Watson Lake Road); submitted by Bobby L. and Than T. Rogers (owners).

RECOMMENDATION/PROPOSED ACTION:

Members of the Joint Planning Board who were present at their October 8, 2011 meeting voted to recommend approval of R40 Residential district.

This is the duly advertised public hearing set for this date and time. Chairman Edge opened the public hearing.

The Clerk to the Board advised there were no speakers.

Chairman Edge closed the public hearing.

- B. Case P11-50: Rezoning of .55+/- acres from R6 Residential/CU Conditional Use Overlay for Bingo and Industrial Operation (sewing) to C(P) Planned Commercial or to a more restrictive zoning district, located at 806 Katie Street, submitted by Edmon E. and Kathryn S. Monsour (owners).

RECOMMENDATION/PROPOSED ACTION:

Members of the Joint Planning Board who were present at their October 8, 2011 meeting voted to recommend approval of C(P) Planned Commercial district.

This is the duly advertised public hearing set for this date and time. Chairman Edge opened the public hearing.

The Clerk to the Board advised there were no speakers.

Chairman Edge closed the public hearing.

MOTION: Commissioner King moved to follow the recommendation of the Joint Planning Board and approve uncontested Cases P11-46 and P11-50.

SECOND: Commissioner Council

VOTE: UNANIMOUS (7-0)

Other Public Hearings – Minimum Housing Code Enforcement

The Clerk to the Board administered an oath to George Hatcher, Code Enforcement Officer for the County of Cumberland Inspection Department, who provided information to the Board of Commissioners regarding the following cases:

- C. Case Number: MH 6398-2011
Property Owner: Mary E. Morris Heirs, c/o Douglas C. Morris
Property Location: 1103 Riverside Circle, Spring Lake, NC
Parcel Identification Number: 9592-66-5280

**AFFIDAVIT OF THE HOUSING INSPECTOR’S REPORT
BEFORE THE BOARD OF CUMBERLAND COUNTY COMMISSIONERS**

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

BACKGROUND: That the following is a report on Minimum Housing case number MH 6398-2011:

Property Owner: Mary E. Morris Heirs, C/O Douglas C. Morris
Home Owner: Mary E. Morris Heirs, C/O Douglas C. Morris
Property Address: 1103 Riverside Circle, Spring Lake, NC
Tax Parcel Identification Number: 9592-66-5280

SYNOPSIS: This property was inspected on 1/26/2011. The property owners and parties of interest were legally served with Notice of Violations and were afforded a Hearing on 9/21/2011. Douglas C. Morris attended 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 11/4/2011. The property owners and parties of interest were notified of the appeal procedures when they were served with the Findings of Fact and Order. A “Consent to Demolish” was submitted by owner. Upon my visit to the property on 11/7/2011 no corrective action had been made to the structure. The structure is presently vacant and unsecured. In its present state, the structure constitutes a fire, health, and safety hazard.

The estimated cost to repair the structure to a minimum standard for human habitation is \$50,000.00. The Assessor for Cumberland County has the structure presently valued at \$881.00.

RECOMMENDATION: IT IS THE RECOMMENDATION OF THE PLANNING & INSPECTION DEPARTMENT THAT THE STRUCTURE BE DEMOLISHED, AND THE DEBRIS REMOVED FROM THE LOT.

This is the duly advertised public hearing set for this date and time. Chairman Edge opened the public hearing.

The Clerk to the Board advised there were no speakers.

Chairman Edge closed the public hearing.

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 30 days; 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 Melvin

VOTE: UNANIMOUS (7-0)

D. Case Number: MH 6490-2011
Property Owner: Elbert Scott Bullard
Property Location: 4625 Butler Nursery Road, Fayetteville, NC
Parcel Identification Number: 0453-62-0085

AFFIDAVIT OF THE HOUSING INSPECTOR'S REPORT
BEFORE THE BOARD OF CUMBERLAND COUNTY COMMISSIONERS

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

BACKGROUND: That the following is a report on Minimum Housing case number MH 6490-2011:

Property Owner: Elbert Scott Bullard
Home Owner: Elbert Scott Bullard
Property Address: 4625 Butler Nursery Road, Fayetteville, NC
Tax Parcel Identification Number: 0453-62-0085

SYNOPSIS: This property was inspected on 4/25/2011. The property owners and parties of interest were legally served with Notice of Violations and were afforded a Hearing on 6/2/2011. Elbert Scott Bullard attended 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 9/2/2011. 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 11/7/2011 no corrective action had been made to the structure. The structure is presently vacant and unsecured. In its present state, the structure constitutes a fire, health, and safety hazard.

The estimated cost to repair the structure to a minimum standard for human habitation is \$57,200.00. The Assessor for Cumberland County has the structure presently valued at \$789.00.

RECOMMENDATION: IT IS THE RECOMMENDATION OF THE PLANNING & INSPECTION DEPARTMENT THAT THE STRUCTURE BE DEMOLISHED, AND THE DEBRIS REMOVED FROM THE LOT.

This is the duly advertised public hearing set for this date and time. Chairman Edge opened the public hearing.

The Clerk to the Board advised there were no speakers.

Chairman Edge closed the public hearing.

MOTION: Commissioner Keefe 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 30 days; 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 Melvin

VOTE: UNANIMOUS (7-0)

- E. Case Number: MH6528-2011
Property Owner: Isia Johnson, Willie D. Crumpler and Gina Hogan
Property Location: 8226 NC Highway 210 South, Autryville, NC
Parcel Identification Number: 1403-29-7383

AFFIDAVIT OF THE HOUSING INSPECTOR'S REPORT
BEFORE THE BOARD OF CUMBERLAND COUNTY COMMISSIONERS

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

BACKGROUND: That the following is a report on Minimum Housing case number MH 6529-2011:

Property Owner: Isia Johnson, Willie D. Crumpler, & Gina Hogan
Home Owner: Isia Johnson, Willie D. Crumpler, & Gina Hogan
Property Address: 8238 NC Highway 210 S., Autryville, NC
Tax Parcel Identification Number: 1403-29-7383

SYNOPSIS: This property was inspected on 6/8/2011. The property owners and parties of interest were legally served with Notice of Violations and were afforded a Hearing on

7/28/2011. Isia Johnson attended 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 10/28/2011. 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 11/7/2011 no corrective action had been made to the structure. The structure is presently vacant and unsecured. In its present state, the structure constitutes a fire, health, and safety hazard.

The estimated cost to repair the structure to a minimum standard for human habitation is \$40,514.00. The Assessor for Cumberland County has the structure presently valued at \$2,762.00.

RECOMMENDATION: IT IS THE RECOMMENDATION OF THE PLANNING & INSPECTION DEPARTMENT THAT THE STRUCTURE BE DEMOLISHED, AND THE DEBRIS REMOVED FROM THE LOT.

This is the duly advertised public hearing set for this date and time. Chairman Edge opened the public hearing.

The Clerk to the Board advised there were no speakers.

Chairman Edge closed the public hearing.

MOTION: Commissioner Faircloth 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 30 days; 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 Council

VOTE: UNANIMOUS (7-0)

- F. Case Number: MH6529-2011
Property Owner: Isia Johnson, Willie D. Crumpler and Gina Hogan
Property Location: 8238 NC Highway 210 South, Autryville, NC
Parcel Identification Number: 1403-29-7383

AFFIDAVIT OF THE HOUSING INSPECTOR'S REPORT
BEFORE THE BOARD OF CUMBERLAND COUNTY COMMISSIONERS

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

BACKGROUND: That the following is a report on Minimum Housing case number MH 6529-2011:

Property Owner: Isia Johnson, Willie D. Crumpler, & Gina Hogan
Home Owner: Isia Johnson, Willie D. Crumpler, & Gina Hogan
Property Address: 8283 NC Highway 210 S., Autryville, NC
Tax Parcel Identification Number: 1403-29-7383

SYNOPSIS: This property was inspected on 6/8/2011. The property owners and parties of interest were legally served with Notice of Violations and were afforded a Hearing on 7/28/2011. Isia Johnson attended 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 10/28/2011. 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 11/7/2011 no corrective action had been made to the structure. The structure is presently vacant and unsecured. In its present state, the structure constitutes a fire, health, and safety hazard.

The estimated cost to repair the structure to a minimum standard for human habitation is \$40,514.00. The Assessor for Cumberland County has the structure presently valued at \$2,762.00.

RECOMMENDATION: IT IS THE RECOMMENDATION OF THE PLANNING & INSPECTION DEPARTMENT THAT THE STRUCTURE BE DEMOLISHED, AND THE DEBRIS REMOVED FROM THE LOT.

This is the duly advertised public hearing set for this date and time. Chairman Edge opened the public hearing and the Clerk to the Board called the following speaker:

Issie Carter – Ms. Carter stated her mother lived in the home until about a year ago when she became ill, and after she left the home it was ramshackled by intruders. Ms. Carter stated since she met with Mr. Hatcher three months ago, the trash had been removed from the exterior of the home and the grass had been cut. Ms. Carter stated the home was at one time the Lonely Hill Colored School and she would like to have an opportunity to secure loans to renovate it because her sister would like to live in it and her mother hopes to be able to return to it someday.

Chairman Edge closed the public hearing.

Ms. Carter responded to questions and discussion followed regarding the historical value of the home, renovation estimates, possible resources for funding, and the amount of time Ms. Carter felt would be needed to secure the loan and complete the repairs. Ms. Carter stated she would like to have an opportunity to repair the home and would agree to its

demolition if it could not be repaired. Rick Moorefield, County Attorney, recommended tabling further consideration of the case for ninety days and asking Ms. Carter to return with a report to the Board.

MOTION: Commissioner Keefe moved to table MH 6529-2011 for ninety days.
SECOND: Commissioner Council
VOTE: UNANIMOUS (7-0)

Items of Business

4. Presentation by Jody Risacher, Library Director, on the Cumberland County Public Library's 2011 Annual Report

Chairman Edge called on Jody Risacher, Library Director, who recognized the Chair of the Library Board of Trustees Ole Sorenson. Ms. Risacher delivered the Strong Library – Strong Community report for fiscal year 2010-2011 and also recent updates for the library.

- Helping Community Back to Work – This has proven to be one of the library's most important roles. The volume of people using the library's computer and other resources for filling out job applications, filing for unemployment benefits, writing resumes, and taking college courses has increased dramatically. In the past year, additional print and electronic resources have been added for jobs and careers, and a job and career center has been added to one of the library's locations. Job fairs held during the past two years have logged about 1,000 participants. The Book a Librarian Program has been popular and is a program that enables individuals to book a library professional for forty-five minutes for any instruction they require; about 300 individuals utilized this program last year. Approximately sixty programs related to jobs and careers were offered last year and about 500 individuals participated in these programs. The library received about \$62,000 from Golden Leaf Foundation funds to purchase mobile computer labs for each of its locations and Golden Leaf Foundation staff were complimentary of the library's job and career efforts.
- Building Community West Regional and Bordeaux Branches – Using a combination of grant and county funds, the number of public computers was tripled. Functional and comfortable furniture was also purchased for children and laptop users. A quiet room was also reclaimed. The West Regional branch was opened about one year ago and it continues to grow in use; the door count last month was about 45,000. The Cliffdale and Hope Mills branches continue to funnel computer users to the West Regional branch. The library maintains a partnership with the Cumberland County Schools and their New Century media branch.
- Increasing Community Resources - \$123,370 were applied for and received during the last fiscal year with the largest grants being federal funds through the state library; local funds were also received from the Arts Council and other agencies.

- Enriching the Community through Friends of the Library – Friends of the Library is an all volunteer 501(C)3 organization and funds they raised established an ongoing program at the Cliffdale branch called Teen Time.
- Providing Community Programs – When compared nationally, the library’s programs extend into the upper percentiles; the library observes trends, community interests, and even experiments with some programs. Almost a 100,000 individuals attend the library’s programs last year.
- Community Recognition – The North Carolina Public Library Director’s Award has once again recognized the Cumberland County library and a total of three awards will be received this year for the West Regional branch, a staff development program titled “WOW”, and a teen program discussion series.
- Lending Community Support – Sixty boxes of discarded children’s books were given to Ben Martin School following tornado damage to the school.
- Serving Community in Linden - An outreach program known as the Linden Preschool Story Time has been started in the Linden community and although attendance has varied, the program will be continued into the new year and will continue to be monitored.
- Partnering Community Lifetime Learning – The library has a memorandum of agreement with Fayetteville Technical Community College (FTCC), and the Spring Lake branch not only functions as a public library, but also as the college library for the local campus. In return, FTCC pays the salary of one professional librarian and provides for materials of interest to students.
- Preserving Community Heritage – The digitization of historic records is a growing trend that allows online access to our heritage. The North Carolina Digitization Center at the University of North Carolina is grant funded and will take items and digitize them; the center digitized the 1920 tax listing for Cumberland County that will soon be available online. This service is provided at no cost and will be a big boon to researchers and historians. The library plans to provide additional items for digitization.
- Transitioning Community Resources – The library has had a foreign language subscription service for several years that was grant and subscriber supported, but the number of subscribing libraries tapered off due to the economy; Cumberland County discontinued the service as of June 30, 2011 and a book sale was held as a result. The MotherRead/FatherRead program was also discontinued due to their funding cuts. The library is running the Raise-A-Reader literacy program through a partnership and has received full funding for the program.
- Offering Community New Services – The library is running a new free Skype program that allows for visual contact. Skype is intended for use by the hearing impaired and military families have used the program as well. The free Library Elf software program

is receiving a lot of use as is the Text-A-Librarian program. These programs will be evaluated throughout the year to ensure they meet the needs of the library's customers.

- Celebrating Community Anniversaries – The headquarters' library celebrated its twenty-fifth year of service and the Cliffdale branch celebrated its twentieth year of service. A small celebration will be held in 2012 for the Hope Mills branch.
- Advocating Community for Everyone – A campaign was conducted last year in order to provide input to state legislators on how citizens value and use the library. Hundreds of responses were received and were very specific as to how the library impacts peoples' lives.
- Adding Community Social Capital – The library is proud to be a department of county government, and provides positive attention and wealth for the county.
- Vision Statement – Your library opens windows to the world.

Ms. Risacher concluded her report and stated the report was widely disseminated and paid for through the use of private funds. Ms. Risacher responded to questions and spoke to the challenges associated with keeping up with technological advances.

5. Presentation by Debbie Turner, Nationwide Program Director, on Retirement Plans

Debbie Turner, Nationwide Program Director, stated she was present to provide information on a 401(a) or defined contribution plan that will provide the Board with a supplemental retirement program for savings for retirement. Ms. Turner further stated the plan is based on employer contributions and there is a maximum that can be saved and diverted to the plan each year. Ms. Turner explained the 457 plan the Board currently has and compared it to the 401A plan being presented.

Commissioner Evans suggested that Board members meet with Ms. Turner on an individual basis. Commissioner Faircloth asked Ms. Turner to leave literature regarding the 401(a) plan and suggested that Board members contact Ms. Turner if they have questions.

6. Consideration of Adoption of 2012 Board of Commissioners Regular Meeting Dates

BACKGROUND:

Each year the Board of Commissioners considers adoption of its regular meeting dates for the upcoming year, and each year there are exceptions to those regular meeting dates that should be considered. These exceptions include the following:

The first and second meetings in January and the first meeting in September have been moved to a Tuesday because the first and/or third Mondays in these months are observed as holidays.

Additionally, the second meeting in February is traditionally moved to a Tuesday because the Cumberland County Schools are closed for President's Day.

Lastly, the first meeting in March has been cancelled because the NACo Legislative Conference will be held March 3–7, 2012 in Washington, DC.

RECOMMENDATION/PROPOSED ACTION:

Adopt the 2012 Board of Commissioners regular meeting dates as proposed.

MOTION: Commissioner Keefe moved to adopt the 2012 Board of Commissioners regular meeting dates.

SECOND: Commissioner Council

VOTE: UNANIMOUS (7-0)

7. Nominations to Boards and Committees

A. Board of Health (1 Vacancy)

BACKGROUND: According to NCGS 130A-35, a county board of health shall be composed of eleven members and shall include one county commissioner. Members of a county board of health shall serve three-year terms. The county commissioner shall serve only as long as the member is a county commissioner. The Cumberland County Board of Health currently has one (1) vacancy for a county commissioner to begin a three-year term effective January 2012.

Commissioner Keefe nominated Commissioner Billy King.

B. Farm Advisory Board (3 Vacancies)

BACKGROUND: The Farm Advisory Board will have three (3) vacancies on December 31, 2011: (1) for the Farmer Position, Clifton McNeill is completing a second term and is not eligible for reappointment. Recommendation of the Farm Advisory Board is for Britt Riddle. (2) for the Planning Board Representative position, Roy Turner is completing a first term and is eligible for reappointment. Recommendation of the Farm Advisory Board is for Roy Turner. (3) for the Cooperative Extension Service Representative position, Colby Lambert is completing a first term and is eligible for reappointment. Recommendation of the Farm Advisory Board is for Colby Lambert.

Commissioner Melvin nominated Britt Riddle, Roy Turner and Colby Lambert for their respective positions.

8. Appointments to Boards and Committees

A. Board of Health (1 Vacancy)

Nominee for Veterinarian position: Heather Burkhardt (new appointment)

MOTION: Commissioner Edge moved to appoint Heather Burkhardt.
SECOND: Commissioner Council
VOTE: UNANIMOUS (7-0)

B. Area Mental Health Board (2 Vacancies)

Nominee(s) for At-Large position: Barbara Spigner (new appointment), Floyd Johnson (reappointment)

Nominee for Individual from a Citizen's Group Representing the Interests of Consumers position: Luis Collazo (reappointment)

Commissioner Evans withdrew Barbara Spigner as a nominee for the At-Large position.

Commissioner Faircloth withdrew Floyd Johnson as a nominee for the At-Large position and Luis Collazo as a nominee for the Individual from a Citizen's Group Representing the Interest of Consumers position because they had just served two consecutive terms.

Commissioner Melvin nominated Sanjay B. Shah for the At-Large position.

Commissioner Evans nominated Amy Gardner for the Individual from a Citizen's Group Representing the Interests of Consumers position.

MOTION: Commissioner Evans moved to close nominations and proceed with appointments to the Area Mental Health Board.
SECOND: Commissioner Faircloth
VOTE: UNANIMOUS (7-0)

MOTION: Commissioner Council moved to appoint Sanjay B. Shah to the At-Large position and Amy Gardner to the Individual from a Citizen's Group Representing the Interests of Consumers position.
SECOND: Commissioner Evans
VOTE: UNANIMOUS (7-0)

C. Transportation Advisory Board (5 Vacancies)

Nominee for DSS Work First Representative position: Cheryl Campbell (reappointment)

Nominee for Mid-Carolina Council of Governments Director or Designee position: Glenda Dye (reappointment)

Nominee for Urban Transit Provider Representative position: Wendy Nunnery (reappointment)

Nominee for County DSS Director or Designee position: Sheila Stevenson (reappointment)

Nominee for Workforce Development Center Director or Designee position: Lorria Troy (reappointment)

MOTION: Commissioner Edge moved to appoint Cheryl Campbell, Glenda Dye, Wendy Nunnery, Sheila Stevenson, and Lorria Troy to their respective positions.
SECOND: Commissioner Council
VOTE: UNANIMOUS (7-0)

D. Cumberland County Workforce Development Board (2 Vacancies)

Nominee for Private Sector position: Barbara Spigner (new appointment)

Nominees for Education position: Esther Thompson (new appointment), Curtis Charles (new appointment), Iva Kelley (new appointment)

Commissioner Evans pulled Iva Kelley as a nominee for the Education position.

MOTION: Commissioner Edge moved to appoint Barbara Spigner to the Private Sector position.
SECOND: Commissioner Evans
VOTE: UNANIMOUS (7-0)

MOTION: Commissioner Edge moved to appoint Esther Thompson to the Education position.
SECOND: Commissioner Evans
VOTE: PASSED (5-2) (Voting in favor were Commissioners King, Evans, Edge, Council, and Melvin; voting in opposition were Commissioners Faircloth and Keefe.)

9. Closed Session: Economic Development Matter
Pursuant to NCGS 143-318.11(a)(4)

MOTION: Commissioner Evans moved to go into closed session for an economic development matter pursuant to NCGS 143-318.11(a)(4).
SECOND: Commissioner Council
VOTE: UNANIMOUS (7-0)

November 21, 2011 BOC Regular Meeting

MOTION: Commissioner King moved to reconvene in open session.
SECOND: Commissioner Melvin
VOTE: UNANIMOUS (7-0)

MOTION: Commissioner Evans moved to adjourn.
SECOND: Commissioner Council
VOTE: UNANIMOUS (7-0)

There being no further business, the meeting adjourned at 9:25 p.m.

Approved with/without revision:

Respectfully submitted,

Candice H. White
Clerk to the Board