

CUMBERLAND COUNTY BOARD OF COMMISSIONERS  
AUGUST 19, 2013 – 6:45 PM  
117 DICK STREET, 1<sup>ST</sup> FLOOR, ROOM 118  
REGULAR/REZONING MEETING  
MINUTES

PRESENT: Commissioner Jimmy Keefe, Chairman  
Commissioner Jeannette Council, Vice Chair  
Commissioner Kenneth Edge  
Commissioner Charles Evans  
Commissioner Marshall Faircloth  
Commissioner Billy King  
Commissioner Ed Melvin  
James Martin, County Manager  
Amy Cannon, Deputy County Manager  
James Lawson, Assistant County Manager  
Rick Moorefield, County Attorney  
Sally Shutt, Public Information Director  
Jon Soles, Public Information Specialist  
George Hatcher, Code Enforcement Officer  
Joey Lewis, Code Enforcement Officer  
Tom Lloyd, Planning and Inspections Director  
Jeffrey Brown, Engineering and Infrastructure Director  
Lisa Childers, Cumberland County Extension Director  
Earl “Moose” Butler, Cumberland County Sheriff  
Paul Hinson, Chief Deputy  
Judge Beth Keever, District Court Judge  
Lee Warren, Register of Deeds  
Candice White, Clerk to the Board  
Kellie Beam, Deputy Clerk to the Board  
Press

Chairman Keefe called the meeting to order.

INVOCATION / PLEDGE OF ALLEGIANCE

Commissioner Melvin recognized Wes Cookman of WIDU Radio who provided the invocation followed by the Pledge of Allegiance to the American flag.

Cumberland County Cares Recognition Award - Don Soucy

Commissioner Edge recognized Don Soucy and presented him with the Cumberland County Cares Recognition Award. Commission Edge described the events and services that qualified Mr. Soucy for this award: “For the past two years, Mr. Soucy has willingly taken on the herculean responsibility for all the community volunteers who signed up to help the N. C. Missions of Mercy (MOM) two-day free Adult Dental Clinic held at the Crown Agri-Expo Center. Last year the event was held in June and this year it was held in July. Each year

over 400 community volunteers (non-dental professionals) signed up to help. Each one had to be confirmed for attendance, informed about details such as where to park and what to wear and oriented to their position. These included such roles as patient registration, medical triage, dental triage scribe, translators, runners and data entry clerks. Mr. Soucy is extremely well organized and accomplished in his duties by identifying team captains who were responsible for a specific job position, day and shift. He held orientation for his captains to cover everything they needed to know. Each captain was then responsible for contacting every volunteer who was assigned to them. Because of such careful pre-planning, the clinics run so smoothly the N. C. Missions of Mercy brings in other site hosts to learn how he plans his operations. Volunteers who have gone to many other MOM clinics comment on how the Fayetteville clinic is the best organized and runs so smoothly. Because the community volunteers know what they need to do before they even show up, patient processing is facilitated.”

Mr. Soucy expressed his appreciation upon receipt of the award and provided brief comments.

Recognition of Cumberland County Youth Academy Graduates:

Kezien Hall	Zander Kreiling	Mordecia Murray
David Abdo	William Kreiling	Jonathan Murray
Alizdair Ray	Breanna Mack	Quentin Fulks
Missy Townsend	Janessa Fairson	AJ McCain
Jakayla Townsend	Isaiah Newell	

Chairman Keefe, Lisa Childers, Cumberland County Extension Director, and Sally Shutt, Public Information Director, recognized the Cumberland County Youth Academy graduates as recorded above and presented each of them with a certificate to celebrate their completion of the program.

Recognition of Cumberland County 4-H'ers Receiving Top Honors at the State 4-H Congress:

Mary Vorder Bruegge  
Jonathan Murray  
Noah Murray

Mandy Harris, Interim 4-H Agent, stated the 4-H'ers received gold medals in contests designed to test 4-H knowledge of a variety of subjects and they won in the 11 to 13 year old age division of their contests. Ms. Harris recognized Mary Vorder Bruegge who won in the livestock and dairy production category; Jonathan Murray who won the wheels and engines contest with his presentation on bicycle safety; and Noah Murray who won the fruit and vegetable category with a presentation on sweet potatoes.

Recognition of Cumberland County Retirees:

Daryll Morin - Cumberland County Detention Center  
Angela Perrier - Cumberland County Planning & Inspections

On behalf of the Board of Commissioners, Commissioner Melvin recognized Daryll Morin and presented him a plaque honoring his years of service to the county. Angela Perrier, Cumberland County Planning & Inspections, was unable to be present to receive her plaque.

Recognition of Outgoing Board Member: Lori Epler – Joint Planning Board

On behalf of the Board of Commissioners, Commissioner Melvin recognized Lori Epler for having served on the county-appointed Joint Planning Board.

Introduction of New County Department Head: Melissa Cardinali, Finance Director

James Martin, County Manager, introduced Melissa Cardinali as the county's new Finance Director and provided highlights her past experience.

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

Mr. Martin read the public comment period policy. Chairman Keefe recognized the clerk to the board who called the following speakers:

Bill Frye – Mr. Frye referenced Myrover-Reese Fellowship Home's recent coverage in the press and its beginnings as a home for alcoholics and drug addicts. Mr. Frye stated a nickel tax per bottle of alcohol was enacted to be used for rehabilitation and not burden taxpayers, but over time the nickel per bottle disappeared and no one seems to know why. Mr. Frye asked the board of commissioners to find out what happened to it and restore it as a funding source for the home where it originated and belongs.

Angela Koskosky – Ms. Koskosky explained her work as the clinical coordinator for the Myrover-Reese Fellowship Home and the services provided by the home.

Chris Godwin – Mr. Godwin shared his experience with addiction and urged the board of commissioners to do the right thing and give money to the Myrover-Reese Fellowship Home to save money and save lives.

Elizabeth Ramos – Ms. Ramos explained her background in substance abuse programs and counseling and her association with Myrover-Reese Fellowship Home during that time. Ms. Ramos thanked the Fayetteville Observer for bringing awareness to the problem.

1. Approval of Agenda

MOTION: Commissioner King moved to approve the agenda.  
SECOND: Commissioner Council  
VOTE: UNANIMOUS (7-0)

Commissioner Edge asked to pull Item 2.K. from the consent agenda. Chairman Keefe asked to pull Item 2.E. from the consent agenda.

2. Consent Agenda

- A. Approval of minutes for the August 5, 2013 regular meeting.
- B. Approval of Induction of 2013 Agriculture Hall of Fame Nominees

**BACKGROUND:** The Cumberland County Agriculture Hall of Fame Committee met on Tuesday, July 30, 2013 and selected George R. Autry and Julian H. McIntyre as the Agriculture Hall of Fame inductees for 2013.

**RECOMMENDATION/PROPOSED ACTION:** Approve induction of George R. Autry and Julian H. McIntyre into the Agriculture Hall of Fame for 2013.

**GEORGE R. AUTRY:**

Achievements in his/her field:

After graduating from NC State University, George Autry began his career with NC Cooperative Extension in 1976 as an Agricultural Extension Agent In Halifax County. In 1978 he transferred to Cumberland County as the Agriculture Agent and later was hired as the County Extension Director (1985 until 2009). George Autry would become one of our state's most notable figures in agriculture. George did not just work for Cooperative Extension, he worked for the farmers in the county and always had their best interest in mind. George can be credited for establishing the following:

- The establishment of the Charlie Rose Agri-Expo Center and Agriculture Office building.
- The establishment of the Cumberland County Voluntary Agricultural District Program.
- The establishment of the North Carolina 4-H Museum.
- The establishment of the Cumberland County 4-H Endowment and Enhancement Funds.
- The establishment of the Cumberland County Fair Youth Livestock Show program.
- The establishment of the Sandhills 4-H Livestock Show Circuit.
- The establishment of the Cumberland County Agricultural Hall of Fame recognition program.
- Worked with recycling programs including newspaper recycling for livestock bedding and Christmas tree recycling for sand dune restoration on the coast.
- The establishment of storm water best management practices demonstrations including the Spring Lake Family Resource Center artificial wetland/rain garden demonstration and the Fayetteville Technical Community College Horticulture Building water harvesting project.

- Worked with Fayetteville Area Visitors Bureau in the establishment of the cultural trails program and promotion of agri-tourism.

Community Service and Achievements: George is dedicated in giving back to his community. He can often be found at “Operation Inasmuch” serving a hot meal to homeless families.

Membership in Professional and Civic Organizations: In 2009 George was appointed with Field Faculty Emeritus status from NC State University. In addition he is a member of the Exchange Club of Fayetteville. However during his tenure with Cooperative Extension he served on numerous boards and committees to include the following:

- North Carolina Association of County Agricultural Agents
- Cumberland County Farm Advisory Board
- Fayetteville Technical Community College Bio Technology Advisory Committee
- North Carolina 4-H Livestock Endowment Advisory Board
- Fayetteville Jaycees
- Fayetteville Jaycees Board of Directors
- Cumberland County Partnership for Children Board of Directors
- Fayetteville Area Chamber of Commerce
- NC State University Student Aid Association (Wolfpack Club) district representative
- Cumberland County Wolfpack Club
- Cumberland County Livestock Association
- Cumberland County Farm Bureau
- Cape Fear High School Agricultural Sciences Academy Advisory Committee
- Cumberland County Schools Vocational and Technical Education Advisory Committee
- Cumberland County 4-H Foundation
- North Carolina 4-H Livestock Endowment Committee
- Spring Lake Family Resource Center Planning Committee
- Cape Fear Botanical Garden Board of Directors
- Fayetteville Area Chamber of Commerce Leadership Fayetteville Resource Leader

Awards, Honors, and Degrees Earned: George received a B.S. Degree in Animal Science and a Master’s Degree in Adult Education from NC State University. In addition he received several awards during his tenure with Cooperative Extension to include:

- Young Agent Achievement Award(1983), Communication Award Radio Program (1991), Search for Excellence Award Urban Programs (1992/1996), and Distinguished Service Award (1998) from the North Carolina Association of County Agricultural Agents.
- NC Cooperative Extension Search for Excellence Award Extension Resource Development (2003)
- Honorary Chapter Degree Grays Creek High School FFA 2009

- Order of the Longleaf Pine (2009)

**JULIAN H. MCINTYRE:**

Julian McIntyre worked with the USDA Soil Conservation Service in Cumberland County from 1968 until his retirement in October of 1986 as a district conservationist.

Julian McIntyre is a native of Scotland County and a veteran of World War II. Mr. McIntyre graduated from NC State University and started with the USDA Soil Conservation Service (now the Natural Resources Conservation Service) in 1955. Over the following years he worked in various counties including Sampson, Scotland, Catawba and started in Cumberland County in 1968 after Mr. Hubert Willis retired. When Mr. McIntyre came to Cumberland County there was a heavy workload with the farmers and landowners of Cumberland County. Mr. McIntyre was a man who always treated everybody as he himself wanted to be treated and that meant he spent long hours in the fields and woods of Cumberland County helping landowners solve problems with their properties. There were miles and miles of drainage ditches and subsurface drain tile to be installed every year and that meant walking the fields over and over again to get a landowner the best possible drainage system for their farm.

Mr. McIntyre always strived to treat land as if it was his farm and that meant going the extra mile for the landowner to do the very best on each job. In addition to ditches and drain tile there were also terraces to be staked and installed on rolling cropland to reduce erosion and maintain the productivity of those fields. Cumberland County has excellent soils for tobacco and produce crops. In most cases, to maintain high productivity for those crops, they have to have supplemental irrigation. During the years of Mr. McIntyre's service, an average of thirty ponds was constructed each year. Each site had to be evaluated and field survey work and office computations had to be completed. Of those thirty sites each year the field office had received probably three times that number of sites to consider and do evaluations on.

Right after Mr. McIntyre came to Cumberland County, there was interest in reviving an old drainage system in the Eastover-Wade area that was originally dug in the early 1900's, this was called the Flea Hill drainage system. There were many fields and home sites that flooded nearly every year until the drainage canals were cleaned out. Federal money, along with local cost share money was used to complete the work. In order to get the project started and also to keep it going Mr. McIntyre had to have a lot of one-on-one contact with the farmers and landowners to improve their land as the adjacent canals were cleaned out and enlarged. In addition to helping the farmers of Cumberland County Mr. McIntyre also worked closely with the county health department to assist homeowners with drainage problems that caused their septic tanks to back up, or to help prepare a lot before a house was built on it.

Julian McIntyre's work as District Conservationist had a positive impact in the lives of thousands of citizens in Cumberland County. He always strived to do his very best.

C. Approval of Delinquent Accounts to be Written Off and Turned Over to the North Carolina Debt Set-Off Program

**BACKGROUND:**

At the Board of Health meeting on June 18, 2013, the Board approved writing off a total of \$34,363.15 as bad debts. The bad debt accounts with balances of \$50.00 or higher will be processed through the North Carolina Debt Set-Off Program which can attach a debtor's State Income Tax refund for payment of bad debts. The accounts with balances under \$50.00 will continue to be worked for collection through our in-house collection efforts. This write-off of bad debts is in compliance with the Board of Health's recommendation to write-off bad debts every quarter.

**RECOMMENDATION/PROPOSED ACTION:**

Management requests to have this item placed on the next County Commissioners' meeting agenda for their approval to write off bad debts in the amount of \$34,363.15.

**CUMBERLAND COUNTY DEPARTMENT OF PUBLIC HEALTH  
DELINQUENT ACCOUNTS TO BE TURNED OVER FOR COLLECTION  
BAD DEBT WRITE OFF #37  
JUNE 18, 2013**

PROGRAM	AMOUNT
ADULT HEALTH	\$19,063.61
BCCCP	\$151.40
CHILD HEALTH	\$2,899.40
DENTAL	\$4,033.52
DIABETES CLINIC	\$791.02
EXPRESS CARE	\$384.76
FAMILY PLANNING	\$3,443.02
IMMUNIZATIONS	\$0.00
MATERNITY	\$1,900.09
PAP	\$1,673.84

POSTPARTUM	\$22.49
T.B.	\$0.00
<b>TOTAL</b>	<b>\$34,363.15</b>

All bad debt accounts with balances of \$50.00 or higher, will be sent to the North Carolina Debt Set-Off Program, which can attach a debtor's State Income Tax Refund for payment of bad debts. The above accounts are 90 days old or older as of June 1, 2013.

- D. Approval of Resolution and Agreement of Conditions for Continued Funding of the Governor's Highway Safety Program Grant for Cumberland County Sobriety Court

**BACKGROUND:**

The Cumberland County Sobriety Court was established in September 2010 to respond to our community's need to address the number of high risk defendants charged with alcohol related offenses. Judge Keever made a presentation requesting approval of the grant application submittal at the February 18, 2013 Board of Commissioner's meeting.

The Administrative Office of the Courts was recently informed that the grant application was tentatively approved. In order to start the process, the resolution as recorded below and Agreement of Conditions must be reviewed and approved by the Cumberland County Board of Commissioners and returned to the Governor's Highway Safety Program prior to the first week of September. The Federal Funding amount is \$71,353 and the local match is an appropriation of \$12,591. Additionally, there is an associated budget revision which reflects the total grant project and the required 15% local match.

**RECOMMENDATION/PROPOSED ACTION:**

Approve the Local Governmental Resolution, Agreement of Conditions and the associated budget revision to finalize the application process of the Sobriety Court Grant for Cumberland County and submit the paperwork to the North Carolina Governor's Highway Safety Program by September 1, 2013.

North Carolina Governor's Highway Safety Program  
**LOCAL GOVERNMENTAL RESOLUTION**

WHEREAS, Cumberland County, (herein called the "Agency") has completed an application contract for traffic safety funding; and that the Cumberland County Board of Commissioners (herein called the "Governing Body") has thoroughly considered the problem identified and has reviewed the project as described in the contract;

**THEREFORE, NOW BE IT RESOLVED BY THE CUMBERLAND COUNTY BOARD OF COMMISSIOERS IN OPEN MEETING ASSEMBLED IN THE COUNTY**

OF CUMBERLAND, FAYETTEVILLE, NORTH CAROLINA, THIS 19<sup>TH</sup> DAY OF  
AUGUST, 2013, AS FOLLOWS:

1. That the project referenced above is in the best interest of the Governing Body and the general public; and
  2. That James E. Martin, County Manager, is authorized to file, on behalf of the Governing Body, an application contract in the form prescribed by the Governor's Highway Safety Program for federal funding in the amount of \$71,353 to be made to the Governing Body to assist in defraying the cost of the project described in the contract application; and
  3. That the Governing Body has formally appropriated the cash contribution of \$12,591 as required by the project contract; and
  4. That the Project Director designated in the application contract shall furnish or make arrangement for other appropriate persons to furnish such information, data, documents and reports as required by the contract, if approved, or as may be required by the Governor's Highway Safety Program; and
  5. That certified copies of this resolution be included as part of the contract referenced above; and
  6. That this resolution shall take effect immediately upon its adoption.
- E. PULLED FOR SEPARATE DISCUSSION AND ACTION AS RECORDED BELOW.
- F. Approval of Ordinance Assessing Property for the Cost of Demolition:
- 1) Case Number: MH6933-2012  
Property Owner: Gene and Sandra Maynor, Sr.  
Property Location: 5730 Gregory Street, Fayetteville, NC  
Parcel Identification Number: 0419-95-2499

ORDINANCE ASSESSING PROPERTY FOR THE COSTS  
OF DEMOLITION OF A STRUCTURE PURSUANT TO  
THE MINIMUM HOUSING CODE OF CUMBERLAND COUNTY  
CASE NUMBER: MH6933-2012  
PROPERTY OWNER: Gene & Sandra Maynor, Sr.

WHEREAS, the Board of County Commissioners of Cumberland County, North Carolina, on February 18, 2013, enacted an ordinance directing the demolition by the owner(s) of the structure(s) Gene and Sandra Maynor, Sr., located at 5730 Gregory Street, Fayetteville, NC, PIN: 0419-95-2499, said ordinance being recorded in Book 9123, page 519, 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 \$1,945.00.
- (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 \$1,945.00, 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 18 February , 2013, 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 5730 Gregory Street, Fayetteville, NC, as described in Deed Book 5915, page 33, of the Cumberland County Registry and identified in County tax records as PIN 0419-95-2499.

(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: MH6931-2012  
Property Owner: Duane Max Bryant c/o Marjorie Rogers  
Property Location: 2643 Flamingo Drive, Fayetteville, NC  
Parcel Identification Number: 0415-45-4699

ORDINANCE ASSESSING PROPERTY FOR THE COSTS  
OF DEMOLITION OF A STRUCTURE PURSUANT TO  
THE MINIMUM HOUSING CODE OF CUMBERLAND COUNTY  
CASE NUMBER: MH6931-2012  
PROPERTY OWNER: Duane Max Bryant c/o Marjorie Rogers

WHEREAS, the Board of County Commissioners of Cumberland County, North Carolina, on February 18, 2013, enacted an ordinance directing the demolition by the owner(s) of the structure(s) Duane Max Bryant c/o Marjorie Rogers, located at 2643 Flamingo Drive, Fayetteville, NC, PIN: 0415-45-4699, said ordinance being recorded in Book 9123, page 516, 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 \$2,000.00.
- (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 \$2,000.00, 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 18 February, 2013, 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 2643 Flamingo Drive, Fayetteville, NC, as described in Deed Book 3547, page 580, of the Cumberland County Registry and identified in County tax records as PIN 0415-45-4699.

(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: MH6974-2013  
Property Owner: DNS Investments, LLC c/o Doron Nissim  
Property Location: 4032 Camden Road, Fayetteville, NC  
Parcel Identification Number: 0425-04-9945

ORDINANCE ASSESSING PROPERTY FOR THE COSTS  
OF DEMOLITION OF A STRUCTURE PURSUANT TO  
THE MINIMUM HOUSING CODE OF CUMBERLAND COUNTY  
CASE NUMBER: MH6974-2013  
PROPERTY OWNER: DNS Investments, LLC c/o Doron Nissim

WHEREAS, the Board of County Commissioners of Cumberland County, North Carolina, on April 15, 2013, enacted an ordinance directing the demolition by the owner(s) of the structure(s) DNS Investments, LLC c/o Doron Nissim, located at 4032 Camden Road, Fayetteville, NC, PIN: 0425-04-9945, said ordinance being recorded in Book 9171, page 272, 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 \$2,250.00.
- (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 \$2,250.00, 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 15 April, 2013, 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 4032 Camden Road, Fayetteville, NC, as described in Deed Book 8397, page 236, of the Cumberland County Registry and identified in County tax records as PIN 0425-04-9945.

(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.

- 4) Case Number: MH6854-2012  
Property Owner: Chase  
Property Location: 4100 Nashville Drive, Fayetteville, NC  
Parcel Identification Number: 0424-85-7381

ORDINANCE ASSESSING PROPERTY FOR THE COSTS  
OF DEMOLITION OF A STRUCTURE PURSUANT TO  
THE MINIMUM HOUSING CODE OF CUMBERLAND COUNTY  
CASE NUMBER: MH6854-2012  
PROPERTY OWNER: Chase

WHEREAS, the Board of County Commissioners of Cumberland County, North Carolina, on April 15, 2013, enacted an ordinance directing the demolition by the owner(s) of the structure(s) Chase, located at 4100 Nashville Drive, Fayetteville, NC, PIN: 0424-85-7381, said ordinance being recorded in Book 9171, page 315, 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 \$1,750.00.
- (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 \$1,750.00, 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 15 April, 2013, 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 4100 Nashville Drive, Fayetteville, NC, as described in Deed Book 7776, page 437, of the Cumberland County Registry and identified in County tax records as PIN 0424-85-7381.

(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.

- 5) Case Number: MH6925-2012  
Property Owner: Billy W. and Rachel Wilson  
Property Location: 6621 Rockfish Road, Fayetteville, NC  
Parcel Identification Number: 0404-26-9762

ORDINANCE ASSESSING PROPERTY FOR THE COSTS  
OF DEMOLITION OF A STRUCTURE PURSUANT TO  
THE MINIMUM HOUSING CODE OF CUMBERLAND COUNTY  
CASE NUMBER: MH6925-2012  
PROPERTY OWNER: Billy W. & Rachel Wilson

WHEREAS, the Board of County Commissioners of Cumberland County, North Carolina, on May 20, 2013, enacted an ordinance directing the demolition by the owner(s) of the structure(s) Billy W. & Rachel Wilson, located at 6621 Rockfish Road, Fayetteville, NC, PIN: 0404-26-9762, said ordinance being recorded in Book 9203, page 92, 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 20 May, 2013, 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 6621 Rockfish Road, Fayetteville, NC, as described in Deed Book 2542, page 803, of the Cumberland County Registry and identified in County tax records as PIN 0404-26-9762.

(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. Approval of Sale of Surplus County-Owned Real Property Acquired by Tax Foreclosure:

- 1) 1.79 Ac Wood Land Vac,  
Located on E. Jenkins Street, Off Wilkes Road)  
PIN: 0436-43-4380; Pearces Mill Township

**BACKGROUND:**

On or about August 16, 2011, the County acquired by tax foreclosure the above property. The amount currently owed on the foreclosure judgment including interest and costs for the property is \$3,481.39.

Joe Fleming Jr. and Romona Darden have offered to purchase the County's interest in the property for \$3,841.39 and have deposited \$348.20 in the Finance Office. The tax value of the property is \$13,500.00.

This property is surplus to the needs of the County and, according to N.C.G.S. §153A-176 and N.C.G.S. §105-376, the County has the authority to sell such property. Management has reviewed this offer and it is now being submitted for the Board to consider whether or not to accept the bid. The property has been advertised and this office has not received any upset bids. The bid period is now closed.

**RECOMMENDATION AND PROPOSED ACTION:**

That the Board of Commissioners consider whether to accept the offer of Joe Fleming Jr. and Romona Darden to purchase the above property for the sum of \$3,481.39, plus advertising and recording costs, and authorize the Chairman to execute a deed upon receipt of the balance of the purchase price.

- 2) Imp ½ Ac Land; 5771 Foxtrot Drive  
(Located on Foxtrot Drive Off Shaw Road)  
PIN: 0419-53-0663; Cross Creek Township

**BACKGROUND:**

On or about March 14, 2007, the County acquired by tax foreclosure the above property. The amount currently owed on the foreclosure judgment including interest and costs for the property is \$4,253.24.

Joe Flemming Jr. and Romona Darden have offered to purchase the County's interest in the property for \$4,253.24 and have deposited \$425.32 in the Finance Office. The tax value of the property is \$4,778.00.

This property is surplus to the needs of the County and, according to N.C.G.S. §153A-176 and N.C.G.S. §105-376, the County has the authority to sell such property. Management has reviewed this offer and it is now being submitted for the Board to consider whether or not to accept the bid. The property has been advertised and this office has not received any upset bids. The bid period is now closed.

**RECOMMENDATION AND PROPOSED ACTION:**

That the Board of Commissioners consider whether to accept the offer of Joe Flemming Jr. and Romona Darden to purchase the above property for the sum of \$4,253.24, plus advertising and recording costs, and authorize the Chairman to execute a deed upon receipt of the balance of the purchase price.

- H. Approval of a Proclamation Congratulating Ms. Lorraine A. Tillmon on her 102<sup>nd</sup> Birthday

COUNTY OF CUMBERLAND

NORTH CAROLINA

PROCLAMATION

WHEREAS, Lorraine A. Tillmon was born on August 23, 1911 and is now celebrating her 102<sup>nd</sup> birthday; and

WHEREAS, Lorraine A. Tillmon has resided in Spring Lake, North Carolina in Cumberland County since 1963; and

WHEREAS, Lorraine A. Tillmon has been an avid Red Cross volunteer for over fifty years at Womack Army Hospital in the pediatrics unit and in the pharmacy and was featured in the Fort Bragg Paraglide; and

WHEREAS, Lorraine A. Tillmon has been an honored and active member at the JFK Chapel in all activities since it opened in 1965; and

WHEREAS, Lorraine A. Tillmon has been a lifelong bridge player and was featured in The Fayetteville Observer when she was almost one hundred years of age playing bridge at Fayetteville State University; and

WHEREAS, Lorraine A. Tillmon is a devoted military wife, mother, grandmother and great grandmother.

NOW, THEREFORE, BE IT PROCLAIMED, that We, the Cumberland County Board of Commissioners, do extend to Lorraine A. Tillmon our sincere congratulations on her ONE HUNDRED AND SECOND birthday and best wishes for many more happy and productive years.

- I. Approval of Public Notice of Requests by Community Development for HUD to Grant Exception to Violation of Conflict of Interest Rules

BACKGROUND:

Community Development proposes to engage in two separate transactions which violate HUD's conflict of interest rules. In order to proceed, Community Development must request HUD to grant an exception to the violations of its rules. HUD requires that the nature of the conflict be publically disclosed and that the county attorney provide a legal opinion that the interest for which the exception is sought would not violate State or local law.

One of these transactions is the provision of Emergency Repair Services to Diana S. Johnson. The transaction violates HUD's rules because Ms. Johnson is the sister of Carlis Sweat, who is an employee of Community Development.

The other transaction is the authorization for Kingdom Community Development Corporation, a private non-profit corporation, to lease a housing unit which it owns and developed with HOME program funds to Barbara McMillan, who is its employee. This transaction violates HUD's rules because the rules apply to the corporation as the subrecipient and prohibit an employee of a subrecipient from occupying a HOME assisted housing unit.

Complete details of each proposed transaction and the legal opinions of the county attorney with respect to each are recorded below.

**RECOMMENDATION/PROPOSED ACTION:**

Approve this agenda information as the public disclosure of the nature of these conflicts of interest.

**OPINION ON CONFLICT FOR CARLIS SWEAT**

**FACTS:**

Community Development has received an application for assistance under the Emergency Repair Program from Diana S, Johnson, who is the sister of Carlis Sweat, a Community Services Specialist employed by Community Development. Ms. Johnson owns and occupies the residence located at 13807 NC Hwy 210 S., Roseboro, NC 28382. This is the property for which the application for services is being made. Based on all other qualifying criteria, Ms. Johnson is eligible for assistance under the Emergency Repair Program. Mr. Sweat would have no direct influence or duties related to the administration, oversight or monitoring compliance of the work on his sister's residence.

Community Development must request that HUD grant an exception to the conflict of interest regulations set out in 24 CFR 570.611 in order to provide these services to Ms. Johnson because she is the sister of an employee.

**ISSUE:**

Does the provision of these services to Ms. Johnson by Community Development violate State or local law because she is the sister of Mr. Sweat?

**OPINION:**

The provision of these services to Ms. Johnson under these circumstances does not violate the law of the State of North Carolina. The only relevant State statute is G.S. §14-234. This is a criminal statute which prohibits a public employee from deriving a direct benefit from a contract with the public agency he or she serves.

The statutory definition of a direct benefit does not include familial relationships other than a spouse. The relevant portions of the statute are:

(4) A public officer or employee derives a direct benefit from a contract if the person or his or her spouse: (i) has more than a ten percent (10%) ownership or other interest in an

entity that is a party to the contract; (ii) derives any income or commission directly from the contract; or (iii) acquires property under the contract.

(5) A public officer or employee is not involved in making or administering a contract solely because of the performance of ministerial duties related to the contract.

These circumstances do not violate the state statute because, although he is a public employee, Mr. Sweat does not derive any direct benefit from the contract as defined in subsection (4). It also appears that Mr. Sweat is not involved in making or administering the contract as described in subsection (5).

The only local laws which are potentially applicable are Sections 203, Standards of Conduct, and 205, Conflict of Interest, of the *Cumberland County Personnel Ordinance*. These Sections prohibit Mr. Sweat from influencing or even requesting any other employees to grant any consideration to his sister because she is his sister. The stated facts indicate that extraordinary measures will be taken to insure that Mr. Sweat has no involvement in the transaction with his sister. Under these circumstances, the transaction does not violate either of these local ordinance provisions.

#### OPINION ON CONFLICT FOR KINGDOM EMPLOYEE

##### FACTS:

Community Development has received a request from Kingdom Community Development Corporation, a private non-profit corporation, for guidance on whether the corporation can rent a housing unit it owns and it constructed with HOME program funds provided by Community Development to Barbara McMillan, who is an employee of the corporation. The housing unit is located at 115-B Norris Street, Spring Lake, NC. Ms. McMillan is otherwise eligible

Community Development must request that HUD grant an exception to the conflict of interest regulations set out in 24 CFR 92.356 in order for the corporation to enter into this lease to its employee.

##### ISSUE:

Will the lease of this unit under the above stated circumstances violate any State or local laws?

##### OPINION:

The conflict of interest laws of the State of North Carolina and the County of Cumberland apply only to the conduct of public officials and employees. Based on the above facts, those laws do not apply to this transaction because Kingdom Community Development Corporation is a private corporation.

#### J. Budget Revisions:

- (1) Senior Aides

Revision in the net amount of \$26,417 to reconcile the County budget with the Federal allocation; increase of Federal funding \$23,804, appropriate fund balance of \$3,053 to transfer from the General Fund to Senior Aides, and to reduce in-kind funds by \$440. (B14-049 and B14-049A) Funding Source –Federal and General Fund Fund Balance Appropriated

(2) Recreation and Parks

Revision in the amount of \$298,300 to reallocate budgeted expenditures for the Linden Park Project; includes the purchase of property in the amount of \$152,000 and \$146,300 for park construction to be funded by current recreation tax funds. (B14-045) Funding Source – Reallocation of Budgeted Expenditures

(3) Public Buildings Janitorial

Revision in amount of \$19,100 to reallocate budgeted expenditures from General Government Other and Veteran Services for contracted janitorial services at Winding Creek (\$14,000) and Veterans Services (\$5,100). (B14-060 thru B14-060B) Funding Source – Reallocation of Budgeted Expenditures

K. PULLED FOR SEPARATE DISCUSSION AND ACTION AS RECORDED BELOW.

MOTION: Commissioner Council moved to approve consent agenda Items 2.A. – 2.K. with the exception of Item 2.E. and Item 2.K. as pulled for separate discussion and action.

SECOND: Commissioner King

VOTE: UNANIMOUS (7-0)

2.E. Approval of Cumberland County Facilities Report and Recommendations:

- 1) Proposed Renovations to the Bradford Avenue Facility
- 2) Proposed Renovations to the Historic Courthouse
- 3) Proposed Renovations to the Register of Deeds Office
- 4) Proposed Renovations to the Court Library/SafeLink

BACKGROUND:

On August 2, 2013, we presented an overview of several renovation projects to the Facilities Committee. The report included projects that had been completed within the County Courthouse over the last nine months; additional projects that have been

requested in the Courthouse; and renovations that have been identified to take place at Bradford Place (109 Bradford Avenue), and the Historic Courthouse. The following is a summary of the projects that were discussed and approved by the Facilities Committee.

#### Completed Projects at Courthouse

- Room 204 – Created a workspace for DSS social workers so they could work as they waited for their court cases to be heard.
- District Court Renovations – Converted a break room to an office and created a waiting area for juveniles and attorneys awaiting their time in court.
- District Attorney – Created an office for confidentiality and security of documents.
- Superior Court Renovations – Created an office and waiting area for security purposes.
- 5<sup>th</sup> Floor HVAC Improvements – Additional cooling was needed within the IS work area due to the load generated from all the computer equipment.

#### Current Projects at Courthouse

- Carpet Replacement – Numerous areas were identified for carpet replacement throughout the entire courthouse a few years back. This is an on-going project that is coming to an end.
- Customer Service Tax Administration – This project will maximize the available space with removal of some interior walls and the installation of workstations.

#### Future Projects at the Courthouse

- Court Library/Safe-Link – There are some safety concerns for employees within the Safe-Link area that necessitates change to the office layout. This project will take some space from the existing Court Library and create a safer working environment for the employees. A proposed plan for renovation has been developed in coordination with Clerk of Court Linda Priest, Judge Beth Keever, and Attorney Steve Stokes, Local Bar Association President, to ensure the needs of Safe-Link are met without diminishing the services of the Court Library.
- Register of Deeds – Creating a conference room by consolidating some space within the vault.

#### Renovations at Bradford

The mental health functions that are currently taking place at Bradford Place by Cape Fear Valley will be relocating to Roxie Avenue later in the year. This will only leave Cumberland County Child Support as the only occupant of the building. Child Support is currently located on the 4<sup>th</sup> floor and part of the 3<sup>rd</sup> floor and the Department is in desperate need of additional space. The proposed plan is for Child Support to occupy the entire 3<sup>rd</sup> floor and the 5<sup>th</sup> floor in addition to their current space. Please keep in mind that the 5<sup>th</sup> floor is a partial floor and this area will be utilized for the call center and administrative offices.

This leaves available space on the 1<sup>st</sup> and 2<sup>nd</sup> floors. As a result of the mental health merger, management has asked Communicare to take on additional responsibilities related to court-ordered parenting assessments and psychological evaluations. For many years this function was maintained in Mental Health Clinic with one psychologist

position specifically budgeted for that purpose. Other clinicians in the clinic assisted with the work load when the demand exceeded the capacity of the psychologist. Based upon the sensitive nature of the court ordered responsibility and the link to the judicial system, this responsibility was deemed not suitable to be transferred to Cape Fear Valley, and the hospital did not believe this would be applicable to the other functions being transferred.

The court-ordered care psychologist received administrative support from the Mental Health Clinic. Communicare has the administrative structure in place to provide that type of support and they have 7 clinicians which can provide assistance with the parenting assessments. The JCPC Council has previously tasked Communicare with responsibility for tracking these court ordered care psychologicals since many of these youth and families are clients of Communicare. Communicare will provide administrative support, coordination, oversight and tracking of these court ordered functions. The County was court ordered by the Court in 1994 to provide psychological and clinical assessment services to certain juveniles and/or their families. Therefore, we plan to maintain management oversight of court-ordered care and facilitate coordination between our psychologist and the Courts by co-locating the psychologist with Communicare. You may recall, Communicare was relocated to 226 Bradford Avenue from the Winding Creek Annex building due to the extensive time required to replace the HVAC and mechanical systems approximately 18 months ago. Communicare does not have the space to add the court-ordered function in their current facility.

The proposed plan is to relocate Communicare to a portion of the 1<sup>st</sup> and 2<sup>nd</sup> floor of the 109 Bradford Avenue facility. The common area on the 1<sup>st</sup> floor to include the auditorium, classroom, kitchen/break room, and reception area will be shared between Communicare and Child Support.

The renovations that have been identified are; carpet and paint on the entire 2<sup>nd</sup>, 3<sup>rd</sup>, and 5<sup>th</sup> floors, carpet in the offices and the auditorium on the first floor, paint on the entire 1<sup>st</sup> floor, rekeying of the locks for the entire building, security door on the third floor, a minor wall build to divide a room, and some ceiling tile replacements.

#### Renovations at Historic Courthouse

With the addition of an Administrative Coordinator I position to the Engineering and Infrastructure (E&I) Department, the current office configuration needs to be reconfigured. The current staff located within this building is disjointed and the goal is to trade some occupied space with the Community Transportation Program, which in turn would allow the E&I staff to be relocated within one suite instead of three separate locations. This would improve customer service and provide greater efficiency to the Department.

The renovations would consist of some minor wall reconfigurations, lowering the ceiling, carpet, phones and paint.

**RECOMMENDATION/PROPOSED ACTION:**

The Engineering and Infrastructure Director, County Management and Facilities Committee recommend that the Board of Commissioners approves the proposed renovations at each of the County Facilities listed above.

- 5) Town of Linden Park Project

**BACKGROUND:**

At its August 1, 2013, the Facilities Committee took the following action:

**3. CONSIDERATION OF PARK LAND PURCHASE FOR LINDEN PARK**

Michael Gibson, Director of Fayetteville-Cumberland Parks and Recreation, stated staff has been searching for suitable property in north Cumberland County for the development of a community park to be constructed in or near the Town of Linden. Mr. Gibson stated property has recently become available and the Fayetteville-Cumberland Parks and Recreation Department would like to request approval from the Cumberland County Board of Commissioners to move forward with the purchase.

Mr. Gibson stated the 30-35 acre tract is located on Colliers Chapel Road and approximately 5-6 acres are inside the Linden town limits. Mr. Gibson stated an appraisal has been completed and an environmental assessment is scheduled. Mr. Gibson explained the development of Phase 1 would take roughly 6-8 months and the majority of the work would be completed by Parks and Recreation Department staff. Mr. Gibson stated the park will be developed in phases as funds become available, very similar to Godwin Park. Mr. Gibson stated the first phase of about six (6) acres will consist of:

- Picnic shelter with tables and a grill
- A paved walking trail
- Children's playground unit
- Volleyball court
- Open play area
- Lighting, benches, water fountains
- Landscaping

Mr. Gibson stated funding for the land purchase and park construction is requested from Cumberland County's special recreation tax.

**MOTION:** Commissioner Evans moved to recommend to the full board approval of accepting the park land purchase for Linden Park and moving forward with the proposed park project.

**SECOND:** Commissioner Melvin

**RECOMMENDATION/PROPOSED ACTION:**

County attorney has no information on this project and recommends that the Board proceed subject to the conduct of usual due diligence for a land purchase of this nature to

include obtaining an opinion of title, survey, appraisal and Phase I environmental assessment.

\*\*\*\*\*

Chairman Keefe stated he pulled Item 2.E. not because of the proposed renovations but because of the lack of a capital improvement plan. Chairman Keefe asked James Martin, County Manager, about the future of a capital improvement or a capital renovation plan and to which committee he felt the matter should be directed. Mr. Martin suggested the matter could be referred to the Finance Committee. Mr. Martin spoke to the facilities plan developed three to four years ago that involved extensive reuse of the former Public Health building and stated those funds are being used for the Detention Center expansion project. Mr. Martin concurred that a capital facilities' plan is needed and explained the facilities' recommendations as proposed are stop-gap measures to make adaptive reuse of existing buildings under their current configuration without major alterations. Mr. Martin stated a capital plan would address how county offices would vacate the courthouse and therefore turn it over to the court system. Comments and discussion followed.

Commissioner Edge suggested that the board direct staff and the county manager to have a capital improvement plan in place by January 1, 2014. Commissioner Edge stated cost estimates could be provided as part of the plan realizing that the actual costs would not be known until the projects were bid. Commissioner Edge further stated these costs could then be included next year's budget and the following year's budget.

Chairman Keefe stated the comprehensive capital improvement could include new building, major renovations and minor repair and maintenance.

**MOTION:** Chairman Keefe moved to approve Item 2.E. and to direct a comprehensive capital improvement plan to the Facilities Committee.

**SECOND:** Commissioner Evans

**DISCUSSION:** Commissioner Faircloth requested cost estimates for the facilities' recommendations. Jeffrey Brown, Engineering and Infrastructure Director, shared the following estimated costs:

- 1) Proposed Renovations to the Bradford Avenue Facility- \$280,000
- 2) Proposed Renovations to the Historic Courthouse - \$15,000
- 3) Proposed Renovations to the Register of Deeds Office - \$30,000
- 4) Proposed Renovations to the Court Library/SafeLink - \$50,000

Mr. Martin stated the cost of the land and Phase 1 of the Town of Linden Park Project is about \$300,000.

**VOTE:** UNANIMOUS (7-0)

2.K. Approval of Payment of Past Year and Current Year Invoices for Legal Services Rendered to the Cumberland County Sheriff's Office

BACKGROUND:

The Cumberland County Sheriff's Office has requested payment of \$5,044 for two FY2013 invoices for legal services rendered by the Mitchell Law Group for the period May 2013 through June 2013. In addition, the Sheriff's Office has requested payment of \$1,700 for services rendered by the Mitchell Law Group for the month of July 2013 (FY2014). These outside legal expenditures were not included as a budgeted item in the Sheriff's FY 13 or FY14 budget.

RECOMMENDATION/PROPOSED ACTION:

Management is requesting approval for payment of the above invoices in the amount of \$6,744.00 and approval of the associated budget revision.

\*\*\*\*\*

Commissioner Edge stated when Ronnie Mitchell was hired as the attorney for the Sheriff's Office, his understanding was outside litigation would be handled by Mr. Mitchell. Commissioner Edge stated it was also his understanding that the county attorney was not approving anything for the Mitchell Law Firm because it could be considered a conflict. Commissioner Edge asked whether his interpretation was correct.

Rick Moorefield, County Attorney, stated there had been discussion of this issue on two occasions but there had been no vote or clear statement by the board as to its wishes. Mr. Moorefield stated his understanding of the board's preference when anyone hired outside counsel was that it would be with the approval or consent of the board of commissioners. Mr. Moorefield advised it is not a conflict of interest for the Sheriff to hire outside counsel including Grant Mitchell or anyone else just because Grant is Ronnie Mitchell's son. Mr. Moorefield explained he made the statement he would not do it, not because it was a conflict of interest, but because it could subject the board of commissioners, or in this instance the Sheriff, to criticism.

Commissioner Evans asked if it would pose a problem if the board of commissioners approved the payment. Mr. Moorefield advised approval of payment would not constitute a violation of any county fiscal policy because there is no policy addressing it.

Commissioner Evans asked Mr. Moorefield what he would advise in this situation. Mr. Moorefield stated other than the fact the invoice is for hiring outside counsel, this is an invoice like any other invoice and there is nothing special about it under the county's current fiscal policies. Questions and discussion followed.

Earl "Moose" Butler, Cumberland County Sheriff, and Paul Hinson, Chief Deputy, explained why an additional lawyer, in this case Grant Mitchell, was needed to handle the civil action to keep it separate from a parallel criminal investigation.

Commissioner Edge asked whether there would be additional invoices. Chief Deputy Hinson stated the Sheriff's Office is still involved in litigation. Chairman Keefe asked whether there was a not-to-exceed number. Mr. Martin stated there is no not-to-exceed number, this is an ongoing legal matter and the Sheriff's Office does not have funds available. Mr. Martin suggested the board authorize a not-to-exceed amount greater than the current amount being requested.

**MOTION:** Chairman Keefe moved to approve for this particular legal action a not-to-exceed \$30,000 for outside representation for the Sheriff and that this issue with outside counsel go before the Policy Committee at the next possible time.

**SECOND:** Commissioner Melvin

**DISCUSSION:** Commissioner Faircloth stated the board needs better communication and coordination between management, attorneys and the Sheriff's Office so there is not a request for approval for something after it has already happened. Chairman Keefe stated he moved for a not-to-exceed number because to change something in the middle of litigation would not be conducive to the Sheriff's investigation. At the request of Commissioner Edge, Amy Cannon, Deputy County Manager, explained part of the expenses were incurred in the prior year for which the Sheriff's Office had not budgeted and prior year invoices for which there is no budget appropriation are brought to the board for approval because the Finance Director does not have the authority to approve.

**VOTE:** UNANIMOUS (7-0)

### 3. Public Hearings

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

#### Uncontested Rezoning Case

- A. Case P13-23: Rezoning of 1.91+/- acres from A1 Agricultural to R40 Residential, or to a more restrictive zoning district; located on the northwest side of SR 2244 (John McMillan Road), east of Cooper Creek Drive; submitted by Rebecca C. Johnson on behalf of Cashwell Properties, Inc. (owner) and Timothy B. Evans.

Staff Recommendation: Approval

Planning Board Recommendation: Approve Staff Recommendation

**RECOMMENDATION:** Members present at the June 18, 2013 meeting of the Joint Planning Board recommended the adoption and approval of the consistency and reasonableness statements and to approve R40 Residential district.

\*\*\*\*\*

This is the duly advertised/noticed public hearing set for this date and time.

Chairman Keefe opened the public hearing.

The clerk to the board advised there were no speakers.

Chairman Keefe closed the public hearing.

MOTION: Commissioner Council moved to follow the recommendation of Planning staff and the Planning Board in case P13-23.  
SECOND: Commissioner King  
VOTE: UNANIMOUS (7-0)

B. Case P13-31: Rezoning of 7.49+/- acres from A1 Agricultural to R30 Residential or to a more restrictive zoning district, located at 3377 North Fork Lane, submitted by Christine M. Smith on behalf of Willie B. Smith Jr. (owner) and Timothy B. Evans.

Staff Recommendation: Denial of R30 but approval of R40  
Planning Board Recommendation: Approve Staff Recommendation

RECOMMENDATION: Members present at the July 16, 2013 meeting of the Joint Planning Board recommended denial of R30 Residential district and the adoption and approval of the consistency and reasonableness statements and to approve R40 Residential district.

\*\*\*\*\*

This is the duly advertised/noticed public hearing set for this date and time.

Chairman Keefe opened the public hearing.

The clerk to the board advised there were no speakers.

Chairman Keefe closed the public hearing.

MOTION: Commissioner Council moved to adopt the recommendation of the Planning Board in case P13-31.  
SECOND: Commissioner Melvin  
VOTE: UNANIMOUS (7-0)

Uncontested Conditional Zoning Case

- C. Case P13-32: CASE WAS WITHDRAWN BY THE APPLICANTS ON AUGUST 1, 2013.

Other Public Hearings – Minimum Housing Code Enforcement

The clerk to the board administered an oath to George Hatcher, Inspector for the County of Cumberland Inspection Department, who provided information to the Board of Commissioners regarding the following case:

- D. Case Number: MH7020-2013  
Property Owner: Deborah C. Lucas  
Property Location: 1220 McNeil Street, Spring Lake, NC  
Parcel Identification Number: 0502-60-9759

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 7020-2013.

Property Owner: Deborah C. Lucas  
Home Owner: Deborah C. Lucas  
Property Address: 1220 McNeil Street, Spring Lake, NC  
Tax Parcel Identification Number: 0502-60-9759

SYNOPSIS: This property was inspected on 3/6/2013. The property owners and parties of interest were legally served with Notice of Violations and were afforded a Hearing on 4/30/2013. Deborah C. Lucas 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 6/9/2013. 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 8/7/2013, 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 \$30,000.00. The Assessor for Cumberland County has the structure presently valued at \$1,501.00 (Structure is in utility condition)

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/noticed public hearing set for this date and time.

Chairman Keefe opened the public hearing.

The clerk to the board advised there were no speakers.

Chairman Keefe 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; 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 Faircloth

VOTE: UNANIMOUS (7-0)

- E. Case Number: MH7025-2013  
Property Owner: Mary W. Sutton  
Property Location: 3563 Camden Road, Fayetteville, NC  
Parcel Identification Number: 0425-36-6692

**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 7025-2013.

Property Owner: Mary W. Sutton  
Home Owner: Mary W. Sutton  
Property Address: 3563 Camden Road, Fayetteville, NC  
Tax Parcel Identification Number: 0425-36-6692

**SYNOPSIS:** This property was inspected on 3/12/2013. The property owners and parties of interest were legally served with Notice of Violations and were afforded a Hearing on 4/23/2013. Mike Tobert (designated agent) 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 6/23/2013. 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 8/7/2013, 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 \$50,146.00. The Assessor for Cumberland County has the structure presently valued at \$4,822.00 (Structure is in utility condition)

**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/noticed public hearing set for this date and time.

Chairman Keefe opened the public hearing.

The clerk to the board advised there were no speakers.

Chairman Keefe 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; 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:** Chairman Keefe

**VOTE:** UNANIMOUS (7-0)

F. Case Number: MH7006-2013  
Property Owner: Teresa A. Good  
Property Location: 535 N Grogg Street, Spring Lake, NC  
Parcel Identification Number: 0511-09-7895

**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 7006-2013.

Property Owner: Teresa A. Good  
Home Owner: Teresa A. Good  
Property Address: 535 N. Grogg Street, Spring Lake, NC  
Tax Parcel Identification Number: 0511-09-7895

**SYNOPSIS:** This property was inspected on 2/15/2013. The property owners and parties of interest were legally served with Notice of Violations and were afforded a Hearing on 3/25/2013. Dominick DePaola 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 6/25/2013. 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 8/7/2013, 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 \$42,410.00. The Assessor for Cumberland County has the structure presently valued at \$6,307.00 (3 buildings in utility condition, 1 building in salvage condition)

**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/noticed public hearing set for this date and time.

Chairman Keefe opened the public hearing.

The clerk to the board advised there were no speakers.

Chairman Keefe 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; 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 Edge  
VOTE: UNANIMOUS (7-0)

G. Case Number: MH28-2013  
Property Owner: Jacqueline Andrews  
Property Location: 1726 Kenbrian Street, Fayetteville, NC  
Parcel Identification Number: 0429-07-1235

I, Debra Johnson, 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 28-2013.

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

Property Owner: Jacqueline Andrews  
Home Owner: Jacqueline Andrews  
Property Address: 1726 Kenbrian Street, Fayetteville, NC (Units 3)  
Tax Parcel Identification Number: 0429-07-1235

SYNOPSIS: This property was inspected on 1/30/2013. The property owners and parties of interest were legally served with Notice of Violations and were afforded a Hearing on 3/11/2013. Jacqueline Andrews 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 6/10/2013. 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 8/7/2013, 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 \$20,000.00 each. The Assessor for Cumberland County has the structure presently valued at \$500.00 each.

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/noticed public hearing set for this date and time.

Chairman Keefe opened the public hearing.

The clerk to the board advised there were no speakers.

Chairman Keefe 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; 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:** Chairman Keefe

**VOTE:** UNANIMOUS (7-0)

H. Case Number: MH7026-2013  
Property Owner: Brian Daigneault  
Property Location: 6513 Celestial Pines Drive, Hope Mills, NC  
Parcel Identification Number: 0432-41-7939

**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 7026-2013.

Property Owner: Brian Daigneault  
Home Owner: Brian Daigneault  
Property Address: 6513 Celestial Pines Drive, Hope Mills, NC  
Tax Parcel Identification Number: 0432-41-7939

**SYNOPSIS:** This property was inspected on 3/1/2013. The property owners and parties of interest were legally served with Notice of Violations and were afforded a Hearing on 5/30/2013. No one 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 7/30/2013. 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 8/7/2013, the required corrective action had not 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 \$30,000.00. The Assessor for Cumberland County has the structure presently valued at \$2,500.00. (Structure in utility condition)

**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/noticed public hearing set for this date and time.

Chairman Keefe opened the public hearing.

The clerk to the board called the following speaker:

Ron Ross – Mr. Ross stated the mobile home is mounted on metal stilts and is dangerous. Mr. Ross stated the property is overgrown and has rats. Mr. Ross stated he told a young boy who was playing on the lot to leave because it was dangerous.

Chairman Keefe closed the public hearing.

**MOTION:** Commissioner King moved to adopt the order and report of the Minimum Housing Inspector as the true facts in this case; 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 Faircloth

**VOTE:** UNANIMOUS (7-0)

- I. Case Number: MH6961-2012  
Property Owner: Marco Garcia  
Property Location: Colonial Park Drive, Fayetteville, NC (13 Units)  
Parcel Identification Number: 0502-66-9057

**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 6961-2012.

Property Owner: Marco Garcia  
Home Owner: Marco Garcia  
Property Address: Colonial Park Drive, Fayetteville, NC (13 units)  
Tax Parcel Identification Number: 0502-66-9057

**SYNOPSIS:** This property was inspected on 11/26/2012. The property owners and parties of interest were legally served with Notice of Violations and were afforded a Hearing on 1/24/2013. Tina Odom (designated agent) 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 4/24/2013. 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 8/7/2013, the required corrective action had not 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 \$500,000.00. The Assessor for Cumberland County has the structure presently valued at \$5,000.00. (Structure in utility condition)

**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/noticed public hearing set for this date and time.

Chairman Keefe opened the public hearing.

The clerk to the board advised there were no speakers.

Chairman Keefe closed the public hearing.

**MOTION:** Commissioner Edge moved to adopt the order and report of the Minimum Housing Inspector as the true facts in this case; 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 King  
VOTE: UNANIMOUS (7-0)

- J. Case Number: MH7012-2013  
Property Owner: Keith & Lisa Strickland  
Property Location: 1542 Colonial Park Drive, Fayetteville, NC  
Parcel Identification Number: 0520-65-3791

**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 7012-2013.

Property Owner: Keith & Lisa Strickland  
Home Owner: Keith & Lisa Strickland  
Property Address: 1542 Colonial Park Drive, Fayetteville, NC  
Tax Parcel Identification Number: 0520-65-3721

**SYNOPSIS:** This property was inspected on 2/14/2013. The property owners and parties of interest were legally served with Notice of Violations and were afforded a Hearing on 3/21/2013. No one 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 5/9/2013. 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 8/7/2013, 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 \$35,000.00. The Assessor for Cumberland County has the structure presently valued at \$1,500.00 (Structure is in utility condition)

**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/noticed public hearing set for this date and time.

Chairman Keefe opened the public hearing.

The clerk to the board advised there were no speakers.

Chairman Keefe 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; 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 King  
**VOTE:** UNANIMOUS (7-0)

K. Case Number: MH6529-2011  
Property Owner: Isia Johnson, Willie D. Crumpler, & Gina Hogan  
Property Location: 8238 NC Highway 201 S., 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 201 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 8/7/2013, 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 \$40,000.00. The Assessor for Cumberland County has the structure presently valued at \$1,500.00 (Structure is in utility condition)

**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/noticed public hearing set for this date and time.

Chairman Keefe opened the public hearing.

The clerk to the board advised there were no speakers.

Chairman Keefe 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; 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)

#### Items of Business

#### 4. Nominations to Boards and Committees

##### A) Board of Adjustment (1 Vacancy)

Applicants that Graduated from County Citizens' Academy: None

Commissioner Council nominated Nathan Feinberg.

B) Community Child Protection / Fatality Prevention Team (1 Vacancy)

Applicants that Graduated from County Citizens' Academy: None

No nomination made; vacancy carried over to agenda for September 3, 2013 meeting.

C) Cumberland County Juvenile Crime Prevention Council (JCPC) (4 Vacancies)

Applicants that Graduated from County Citizens' Academy: None

Commissioner Edge nominated Kay Stuertz, Detective Melton Brown, Tyra Cohen and Sonya Thompson.

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

Applicants that Graduated from County Citizens' Academy: Ashley Pastorius

Commissioner Council nominated Marsha Lunt.

Chairman Keefe nominated Ashley Pastorius.

Commissioner Council withdrew her nomination of Marsha Lunt.

E) Cumberland County Workforce Development Board (1 Vacancy)

Applicants that Graduated from County Citizens' Academy: None

Commissioner Edge nominated Brian (T.J.) Haney.

F) Transportation Advisory Board (1 Vacancy)

Applicants that Graduated from County Citizens' Academy: None

Commissioner Faircloth nominated Ockidde Harris.

5. Appointments to Boards and Committees

A. Adult Care Home Community Advisory Committee (3 Vacancies)

Nominees: Pamela Wade (Reappointment)  
Alfonso Ferguson Sr. (Reappointment)  
Latara Ray

B. Air Quality Stakeholders' Committee (1 Vacancy)

Nominee:

Town of Spring Lake Stakeholder: Napoleon Hogans (Reappointment)

C. Board of Adjustment (3 Vacancies)

Nominees:

Regular Member: George Lott  
Vickie Mullins

Alternate Member: Yvette Carson (Reappointment)

D. Community Child Protection/Fatality Prevention Team (2 Vacancies)

Nominees:

Law Enforcement Officer Position: Tim Britt (Reappointment)

At-Large Position: Catherine Lesica (Reappointment)

E. Cumberland County Local Emergency Planning Committee (5 Vacancies)

Nominees:

Print and Broadcast Media Representative: Tracie Davis  
Sally Shutt (Reappointment)

Emergency Management Representative: Gene Booth (Reappointment)

At-Large Representative: Marsha Fogle (Reappointment)

Utilities Representative: Andrew Moore (Reappointment)

F. Mid-Carolina Aging Advisory Committee (5 Vacancies)

Nominees:

Volunteers: Edna A. Cogdell (Reappointment)  
MaryBeth Hicks (Reappointment)  
Rebecca Campbell (Reappointment)

Consumers: Beverly Davis Sanders (Reappointment)  
Lester Bussey (Reappointment)

There being an equal number of vacancies and nominees,

MOTION: Commissioner Council moved to appoint by acclamation all nominees to their respective positions.

SECOND: Commissioner Faircloth

VOTE: UNANIMOUS (7-0)

6. Closed Session: A) Attorney-Client Matter(s) Pursuant to NCGS 143-318.11(a)(3)

MOTION: Chairman Keefe moved to go into closed session for attorney-client matter(s) pursuant to NCGS 143-318.11(a)(3).

SECOND: Commissioner Council

VOTE: UNANIMOUS (7-0)

MOTION: Chairman Keefe moved to go into open session.

SECOND: Commissioner Council

VOTE: UNANIMOUS (7-0)

MOTION: Commissioner Council moved to adjourn.

SECOND: Commissioner King

VOTE: UNANIMOUS (7-0)

There being no further business, the meeting adjourned at 9:00 p.m.

Approved with/without revision:

Respectfully submitted,

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Candice H. White  
Clerk to the Board