

CUMBERLAND COUNTY BOARD OF COMMISSIONERS  
MARCH 18, 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/Finance Officer  
James Lawson, Assistant County Manager  
Rick Moorefield, County Attorney  
Sally Shutt, Public Information Director  
Buck Wilson, Public Health Director  
Tom Lloyd, Planning and Inspections Director  
Jeffrey Brown, Engineering and Infrastructure Director  
Candice White, Clerk to the Board  
Kellie Beam, Deputy Clerk to the Board  
Press

Chairman Keefe called the meeting to order.

INVOCATION

Commissioner Charles Evans provided the invocation followed by the Pledge of Allegiance to the American flag led by Alysia Allen, a second grader at Harvest Preparatory Academy.

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

James Martin, County Manager, read the public comment period policy. Chairman Keefe recognized the clerk to the board who called the following speaker:

Dr. Michael B. McGuire – Dr. McGuire, representing the Consumer and Family Advisory Committee (CFAC), asked the board of commissioners to support the Mental Health Authority board and keep it intact. Dr. McGuire also asked that the Mental Health Authority be allowed to continue under an interlocal agreement and not merge with the Alliance.

James Martin, County Manager, requested the addition to the agenda of a proclamation extending congratulations to Walter Bishop Drake on his one hundredth birthday, March 21, 2013, as Item 2.M.

Mr. Martin also requested an addition to the agenda of a closed session for attorney/client matters pursuant to 143-381.11(a)(3) as Item 8.B.

Chairman Keefe requested that Items 4.B. and 4.C. be transposed on the agenda.

1. Approval of Agenda

MOTION: Commissioner King moved to approve the agenda with the adjustments as requested.

SECOND: Commissioner Melvin

VOTE: UNANIMOUS (7-0)

2. Consent Agenda

A. Approval of minutes for the February 18, 2013 regular meeting and minutes of the March 7, 2013 Strategic Planning Retreat special meeting

B. Approval of Request to Increase Purchase Order to Reflect Additional Work for Engineering Services for the Southpoint Water Project

**BACKGROUND:**

The engineering firm of Koonce, Noble and Associates has completed additional work on the Southpoint Water Line Extension for the Cumberland County Public Utilities Division outside of their existing contract. Koonce, Noble and Associates had to revise the plans due to gas mains being installed down Chickenfoot Road after the plans and specifications were completed and submitted to the State for approval. Koonce, Noble and Associates also prepared specifications for water meters and is currently working on a 2-inch water main extension on Chickenfoot Road to assist the homes adjacent to the Southpoint Subdivision that were not included in the original plans. The State has agreed to fund this extension as part of the current grant. The total cost of increase to the purchase order is \$11,500, which will be added to their existing contract for a total of \$68,950.00

**RECOMMENDATION/PROPOSED ACTION:**

The Engineering and Infrastructure Director and County Management recommend that the Board of Commissioners approves the increase to the purchase order in the amount of \$11,500. The proposed action by the Board is to follow the staff recommendation.

C. Approval of Health Department Request to Pay Prior Years' Invoices

**BACKGROUND:**

The Cumberland County Health Department has requested payment for several FY2012 invoices for services rendered by the Valley Eye Clinic, PLLC for the period of June 14, 2012 through June 18, 2012. The Health Department received the invoices on February 12, 2013. The total amount to be paid is \$883.30.

**RECOMMENDATION/PROPOSED ACTION:**

Management is requesting approval for payment of the above invoices in the amount of \$883.30 and approval of budget revision B13-267.

- D. Approval of Public Health Department 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 February 19, 2013, the Board approved writing off a total of \$42,064.97 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 \$42,064.97.

**CUMBERLAND COUNTY DEPARTMENT  
OF PUBLIC HEALTH  
DELINQUENT ACCOUNTS TO BE TURNED OVER FOR COLLECTION  
BAD DEBT WRITE OFF #36  
February 19, 2013**

PROGRAM	AMOUNT
ADULT HEALTH	\$18,000.46
BCCCP	\$36.00
CHILD HEALTH	\$7,131.14
DENTAL	\$4,354.92
DIABETES CLINIC	\$356.40
EXPRESS CARE	\$572.75
FAMILY PLANNING	\$8,838.82
IMMUNIZATIONS	\$0.00

MATERNITY	\$1,954.90
PAP	\$819.58
T.B.	\$0.00
TOTAL	\$42,064.97

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 February 1, 2013.

E. Approval of Fees for Vaccines and Contraceptives for the Cumberland County Health Department

**BACKGROUND**

At the Board of Health meeting on February 19, 2013, the Board approved setting the fees for the Ortho Evra Hormone Patch and Oral Contraceptive Pills for patients to prevent pregnancy. The Board also approved setting the fees for Tdap Vaccine and Td Vaccine due to increases in the Health Department's costs and the discontinuation of free vaccine from the State Immunizations Branch.

**RECOMMENDATION/PROPOSED ACTION:**

Management requests to have this item placed on the next County Commissioner's meeting agenda for their approval to Set Fees for the Ortho Evra Hormone Patch, Oral Contraceptive Pills, Td Vaccine and Tdap Vaccine as requested below.

DRUG/ VACCINE	MEDICAID REIMB RATE	MEDICARE REIMB RATE	BCBS REIMB RATE	CCDPH ADMIN COSTS/DOSE	CURRENT FEE	PROPOSED FEE
Ortho Evra Hormone Patch	Not Covered	Not Covered	Not covered	\$15.54	N/A	\$20.00
Contraceptive Pills	\$3.35	Not Covered	Not Covered	\$7.77	\$6.00	\$8.00
Tdap Vaccine	\$39.49	Not Covered	\$34.00	\$35.25	\$34.00	\$42.00
Td Vaccine	\$19.25	\$19.93	\$21.94	\$21.74	\$20.00	\$25.00

F. Approval of the 2012-2013 Cumberland County Department of Public Health Fee Schedule

**BACKGROUND:**

At the Board of Health meeting on February 19, 2013, the Board approved the 2012-2013 Fee Schedule for the Cumberland County Department of Public Health. This Fee Schedule includes all fees already set and currently being used in the Health Department. The approval is needed for accreditation requirements and must be approved each year by the Board of Health and the Board of County Commissioners.

**RECOMMENDATION/PROPOSED ACTION:**

Management requests to have this item placed on the next County Commissioner's meeting agenda for their approval to accept the 2012-2013 CCDPH Fee Schedule.

**G. Approval of Declaration of Surplus County Property and Authorization to Accept Insurance Settlement**

**BACKGROUND:**

DATE OF ACCIDENT	February 15, 2013
VEHICLE	2009 Ford F150
VIN	1FTRX12W29FB08513
FLEET #	AC12
DEPARTMENT	Animal Control
SETTLEMENT OFFER	\$14,324.75
INSURANCE COMPANY	Travelers

This is a total loss settlement offer.

**RECOMMENDATION/PROPOSED ACTION:**

Management recommends that the Board of Commissioners:

1. declare the vehicle described above as surplus
2. authorize the Risk Manager to accept \$14,324.75 as settlement
3. allow Travelers Insurance to take possession of the wrecked (surplus) vehicle

**H. Approval of Interlocal Agreements to Provide Animal Control Services in the Towns of Eastover, Spring Lake, Stedman and Wade**

**BACKGROUND:**

The county's ordinances do not apply in the corporate limits of any incorporated municipality unless the municipal governing board consents. Once a county ordinance is applied within the corporate limits, the governing bodies of the county and the municipality must enter into an interlocal agreement in order for county personnel to enforce the ordinance within the municipality. The revised county animal control ordinance adopted in May, 2012, included provisions to accommodate the particular needs of those municipalities expressing an interest in applying the ordinance in their jurisdictions. The City of Fayetteville promptly acted to apply the ordinance within its

corporate limits. The city and the county have had an interlocal agreement for the county to provide animal control services within the city for many years.

The County Attorney's office has recently drafted resolutions and interlocal agreements for the other municipalities in Cumberland County to adopt the Cumberland County Animal Control Ordinance and authorize the county's Animal Control Department to provide animal control services in their jurisdictions. At this time, the Towns of Eastover, Spring Lake, Stedman, and Wade have passed the resolutions and executed the interlocal agreements recorded below.

RECOMMENDATION/PROPOSED ACTION:

The county attorney recommends that the Board of Commissioners approve the interlocal agreements with the Towns of Eastover, Spring Lake, Stedman, and Wade to authorize the Cumberland County Animal Control Department to continue providing services in those jurisdictions.

TOWN OF WADE

NORTH CAROLINA

AGREEMENT FOR INTERLOCAL UNDERTAKING

CUMBERLAND COUNTY

THIS AGREEMENT, is made and entered into by and between the TOWN OF WADE, a municipality duly incorporated under the laws of North Carolina (hereinafter referred to as TOWN), and CUMBERLAND COUNTY, a body politic and corporate of the State of North Carolina (hereinafter referred to as COUNTY);

WITNESSETH:

WHEREAS, COUNTY has established, staffed and funded a department for the provision of animal control services and an animal shelter; and

WHEREAS, the governing boards of TOWN and COUNTY have determined that animal control services can be most efficiently provided through a comprehensive program administered by one department within the municipal limits and adjoining suburban and rural areas; and

WHEREAS, the governing board of TOWN has adopted Chapter 3, Animals, of the *Cumberland County Code of Ordinances* as the animal control ordinance of the TOWN; and

WHEREAS, the governing boards of TOWN and COUNTY have by resolution ratified the provisions of this Agreement for interlocal Undertaking pursuant to North Carolina General Statutes, Chapter 160A, Article 20, Part I, for the purpose of providing an interlocal undertaking to provide for the provision of animal control services.

NOW THEREFORE, for and in consideration of the mutual covenants herein contained and of the mutual benefits to result therefrom, the parties hereby agree as follows:

1. PURPOSE: The purpose of this Agreement is to establish an interlocal undertaking, as provided in N.C.G.S. 160A-460, *et seq.*, whereby the COUNTY shall serve as the animal control agency for both TOWN and the COUNTY and COUNTY shall enforce TOWN'S animal control ordinance in the incorporated areas of TOWN.
2. PERSONNEL: All personnel necessary to staff, implement, administer and provide the joint animal control services contemplated by this Agreement shall be employees of COUNTY, provided, however, that COUNTY shall not be obligated to provide or fund a higher level of animal control services within TOWN than it does in its own jurisdiction.
3. FINANCES: For the same level of professional animal control services provided in COUNTY'S jurisdiction, TOWN will not make any appropriation to COUNTY; but all licenses, fees, and penalties collected under Chapter 3, Animals, of the *Cumberland County Code*, being adopted by TOWN and enforced under this Agreement, shall be retained by COUNTY.
4. AMENDMENT: This Agreement may be amended at any time by mutual agreement between the parties in writing and duly ratified by their respective governing boards, with any such amendment being effective upon adoption.
5. DURATION: This Agreement shall commence on the date ratified by COUNTY'S governing board and shall endure so long as the parties hereto exist and have the power to make and maintain such an agreement, unless sooner terminated as hereinafter provided.
6. TERMINATION: This Agreement may be terminated by either party upon one hundred eighty (180) days prior written notice duly authorized by its governing board to the other party; provided that such termination shall only be effective at the end of a fiscal year.
7. PROPERTY: This Agreement does not require the purchase, acquisition, or disposition of real property by either party.

THEREFORE, the parties have set their hands and seals pursuant to action of their respective governing boards taken on the date indicated for each.

TOWN OF SPRING LAKE

NORTH CAROLINA

AGREEMENT FOR INTERLOCAL UNDERTAKING

CUMBERLAND COUNTY

THIS AGREEMENT, is made and entered into by and between the TOWN OF SPRING LAKE, a municipality duly incorporated under the laws of North Carolina (hereinafter referred to as TOWN), and CUMBERLAND COUNTY, a body politic and corporate of the State of North Carolina (hereinafter referred to as COUNTY);

WITNESSETH:

WHEREAS, COUNTY has established, staffed and funded a department for the provision of animal control services and an animal shelter; and

WHEREAS, the governing boards of TOWN and COUNTY have determined that animal control services can be most efficiently provided through a comprehensive program administered by one department within the municipal limits and adjoining suburban and rural areas; and

WHEREAS, the governing board of TOWN has adopted Chapter 3, Animals, of the *Cumberland County Code of Ordinances* as the animal control ordinance of the TOWN; and

WHEREAS, the governing boards of TOWN and COUNTY have by resolution ratified the provisions of this Agreement for Interlocal Undertaking pursuant to North Carolina General Statutes, Chapter 160A, Article 20, Part I, for the purpose of providing an interlocal undertaking to provide for the provision of animal control services.

NOW THEREFORE, for and in consideration of the mutual covenants herein contained and of the mutual benefits to result therefrom, the parties hereby agree as follows:

1. PURPOSE: The purpose of this Agreement is to establish an interlocal undertaking, as provided in N.C.G.S. 160A-460, *et seq.*, whereby the COUNTY shall serve as the animal control agency for both TOWN and the COUNTY and COUNTY shall enforce TOWN'S animal control ordinance in the incorporated areas of TOWN.
2. PERSONNEL: All personnel necessary to staff, implement, administer and provide the joint animal control services contemplated by this Agreement shall be employees of COUNTY, provided, however, that COUNTY shall not be obligated to provide or fund a higher level of animal control services within TOWN than it does in its own jurisdiction.
3. FINANCES: For the same level of professional animal control services provided in COUNTY'S jurisdiction, TOWN will not make any appropriation to COUNTY; but all licenses, fees, and penalties collected under Chapter 3, Animals, of the *Cumberland County Code*, being adopted by TOWN and enforced under this Agreement, shall be retained by COUNTY.
4. AMENDMENT: This Agreement may be amended at any time by mutual agreement between the parties in writing and duly ratified by their respective governing boards, with any such amendment being effective upon adoption.
5. DURATION: This Agreement shall commence on the date ratified by COUNTY'S governing board and shall endure so long as the parties hereto exist and have the power to make and maintain such an agreement, unless sooner terminated as hereinafter provided.

6. TERMINATION: This Agreement may be terminated by either party upon one hundred eighty (180) days prior written notice duly authorized by its governing board to the other party; provided that such termination shall only be effective at the end of a fiscal year.

7. PROPERTY: This Agreement does not require the purchase, acquisition, or disposition of real property by either party.

THEREFORE, the parties have set their hands and seals pursuant to action of their respective governing boards taken on the date indicated for each.

TOWN OF STEDMAN

NORTH CAROLINA

AGREEMENT FOR INTERLOCAL UNDERTAKING

CUMBERLAND COUNTY

THIS AGREEMENT, is made and entered into by and between the TOWN OF STEDMAN, a municipality duly incorporated under the laws of North Carolina (hereinafter referred to as TOWN), and CUMBERLAND COUNTY, a body politic and corporate of the State of North Carolina (hereinafter referred to as COUNTY);

WITNESSETH:

WHEREAS, COUNTY has established, staffed and funded a department for the provision of animal control services and an animal shelter; and

WHEREAS, the governing boards of TOWN and COUNTY have determined that animal control services can be most efficiently provided through a comprehensive program administered by one department within the municipal limits and adjoining suburban and rural areas; and

WHEREAS, the governing board of TOWN has adopted Chapter 3, Animals, of the *Cumberland County Code of Ordinances* as the animal control ordinance of the TOWN; and

WHEREAS, the governing boards of TOWN and COUNTY have by resolution ratified the provisions of this Agreement for Interlocal Undertaking pursuant to North Carolina General Statutes, Chapter 160A, Article 20, Part I, for the purpose of providing an interlocal undertaking to provide for the provision of animal control services.

NOW THEREFORE, for and in consideration of the mutual covenants herein contained and of the mutual benefits to result therefrom, the parties hereby agree as follows:

1. PURPOSE: The purpose of this Agreement is to establish an interlocal undertaking, as provided in N.C.G.S. 160A-460, *et seq.*, whereby the COUNTY shall serve as the animal control agency for both TOWN and the COUNTY and COUNTY shall enforce TOWN'S animal control ordinance in the incorporated areas of TOWN.
2. PERSONNEL: All personnel necessary to staff, implement, administer and provide the joint animal control services contemplated by this Agreement shall be employees of COUNTY, provided, however, that COUNTY shall not be obligated to provide or fund a higher level of animal control services within TOWN than it does in its own jurisdiction.
3. FINANCES: For the same level of professional animal control services provided in COUNTY'S jurisdiction, TOWN will not make any appropriation to COUNTY; but all licenses, fees, and penalties collected under Chapter 3, Animals, of the *Cumberland County Code*, being adopted by TOWN and enforced under this Agreement, shall be retained by COUNTY.
4. AMENDMENT: This Agreement may be amended at any time by mutual agreement between the parties in writing and duly ratified by their respective governing boards, with any such amendment being effective upon adoption.
5. DURATION: This Agreement shall commence on the date ratified by COUNTY'S governing board and shall endure so long as the parties hereto exist and have the power to make and maintain such an agreement, unless sooner terminated as hereinafter provided.
6. TERMINATION: This Agreement may be terminated by either party upon one hundred eighty (180) days prior written notice duly authorized by its governing board to the other party; provided that such termination shall only be effective at the end of a fiscal year.
7. PROPERTY: This Agreement does not require the purchase, acquisition, or disposition of real property by either party.

THEREFORE, the parties have set their hands and seals pursuant to action of their respective governing boards taken on the date indicated for each.

TOWN OF EASTOVER

NORTH CAROLINA

AGREEMENT FOR INTERLOCAL UNDERTAKING

CUMBERLAND COUNTY

THIS AGREEMENT, is made and entered into by and between the TOWN OF EASTOVER, a municipality duly incorporated under the laws of North Carolina (hereinafter referred to as TOWN), and CUMBERLAND COUNTY, a body politic and corporate of the State of North Carolina (hereinafter referred to as COUNTY);

WITNESSETH:

WHEREAS, COUNTY has established, staffed and funded a department for the provision of animal control services and an animal shelter; and

WHEREAS, the governing boards of TOWN and COUNTY have determined that animal control services can be most efficiently provided through a comprehensive program administered by one department within the municipal limits and adjoining suburban and rural areas; and

WHEREAS, the governing board of TOWN has adopted Chapter 3, Animals, of the *Cumberland County Code of Ordinances* as the animal control ordinance of the TOWN; and

WHEREAS, the governing boards of TOWN and COUNTY have by resolution ratified the provisions of this Agreement for Interlocal Undertaking pursuant to North Carolina General Statutes, Chapter 160A, Article 20, Part I, for the purpose of providing an interlocal undertaking to provide for the provision of animal control services.

NOW THEREFORE, for and in consideration of the mutual covenants herein contained and of the mutual benefits to result therefrom, the parties hereby agree as follows:

1. PURPOSE: The purpose of this Agreement is to establish an interlocal undertaking, as provided in N.C.G.S. 160A-460, *et seq.*, whereby the COUNTY shall serve as the animal control agency for both TOWN and the COUNTY and COUNTY shall enforce TOWN'S animal control ordinance in the incorporated areas of TOWN.
2. PERSONNEL: All personnel necessary to staff, implement, administer and provide the joint animal control services contemplated by this Agreement shall be employees of COUNTY, provided, however, that COUNTY shall not be obligated to provide or fund a higher level of animal control services within TOWN than it does in its own jurisdiction.
3. FINANCES: For the same level of professional animal control services provided in COUNTY'S jurisdiction, TOWN will not make any appropriation to COUNTY; but all licenses, fees, and penalties collected under Chapter 3, Animals, of the *Cumberland County Code*, being adopted by TOWN and enforced under this Agreement, shall be retained by COUNTY.
4. AMENDMENT: This Agreement may be amended at any time by mutual agreement between the parties in writing and duly ratified by their respective governing boards, with any such amendment being effective upon adoption.
5. DURATION: This Agreement shall commence on the date ratified by COUNTY'S governing board and shall endure so long as the parties hereto exist and have the power to make and maintain such an agreement, unless sooner terminated as hereinafter provided.
6. TERMINATION: This Agreement may be terminated by either party upon one hundred eighty (180) days prior written notice duly authorized by its governing board to the other party; provided that such termination shall only be effective at the end of a fiscal year.
7. PROPERTY: This Agreement does not require the purchase, acquisition, or disposition of real property by either party.

THEREFORE, the parties have set their hands and seals pursuant to action of their respective governing boards taken on the date indicated for each.

- I. Approval of a Resolution in Support of Recognizing the Importance of Fort Bragg in Regard to National Defense and Urging the U.S. Army Environmental Command and Subsequent Decision-Makers to Preserve Current Fort Bragg Operational Readiness

COUNTY OF CUMBERLAND

NORTH CAROLINA

### RESOLUTION

WHEREAS, the Department of the Army recently released the Programmatic Environmental Assessment for Army 2020 Force Structure Realignment to identify and assess alternative plans to reach the Department of Defense's planned reduction in force due to the drawdown from Iraq and Afghanistan; and

WHEREAS, Fort Bragg is home to the XVIII Airborne Corps and its primary subordinate unit, the 82<sup>nd</sup> Airborne Division, and also home to the Special Operations Command (Joint and Army) schools, units and training facilities, and the expanding number of federal contractors locating in the region to strengthen the mission; and

WHEREAS, the Army 2020 report identifies three planning options for Fort Bragg: a maximum 8,000 person reduction at Fort Bragg based on a FY 2011 Army population of 56,983; the relocation of personnel to better fit the mission at each post; or no cuts to the overall force; and

WHEREAS, the Army 2020 report acknowledges that there could be significant adverse impact to the Fort Bragg regional economy from a force reduction of 8,000 in terms of population, and we must all carefully evaluate any impact on sales, employment, housing, and particularly income for those who provide services to military employees and the post as well as to local businesses; and

WHEREAS, the current estimated Fort Bragg population is 80,769 consisting of soldiers, civilian employees and their dependents living off post, and a severe reduction in force could remove as much as \$390 million in income and \$448 million in annual sales from our economy; and

WHEREAS, Cumberland County is home to nearly 57,000 members of the Army population and their families and federal military employment is 24.4 percent of the area's total employment and nearly 40 percent of our GDP is derived from Fort Bragg and its related contractors, a severe reduction in force could result in a loss of almost 11,000 jobs; and

WHEREAS, Cumberland County worked collaboratively to secure local and state funding to support the closing of Bragg Boulevard to non-military traffic for

antiterrorism and force protection and develop an alternative route of Murchison Road to provide additional capacity; and

WHEREAS, Cumberland County is currently working with Fort Bragg, the City of Fayetteville, the Fayetteville Regional Chamber, and the State of North Carolina to identify off-post regional transportation options to mitigate the delays at access points and on-post parking and utilize local, state and federal resources to expedite the construction of the Fayetteville Outer Loop (I-295) to connect to Fort Bragg; and

WHEREAS, Cumberland County wholeheartedly supports the growth of Fort Bragg and the relocation of USARC and FORSCOM, encourages a strong cooperative relationship between Fort Bragg and the County, and considers it a privilege to serve active-duty military, their families and veterans.

NOW, THEREFORE, BE IT RESOLVED, that the Board of Commissioners of Cumberland County, North Carolina, urges the U.S. Army Environmental Command and subsequent decision makers to reject reductions in force at Fort Bragg; increase the expertise in training and improve Fort Bragg facilities to support operational effectiveness and maintain operational readiness; support the coexistence of unit command and USARC and FORSCOM; recognize state and local resources contributed to meet national security requirements such as the closing of Bragg Boulevard; and recognize Cumberland County's overall efforts to support a high quality of life for soldiers and their families in its decision to minimize the impact of reductions in force to Fort Bragg and Cumberland County.

Adopted this 18th day of March, 2013.

J. Approval of Community Development Rehabilitation Subordination Agreement

BACKGROUND:

Mortgage Investors Corporation (MIC) is requesting that Cumberland County subordinate a housing rehabilitation loan to refinance the mortgage for Jasmine D. Coleman. The rehabilitation work on the property located at 2722 Daly Ave, Spring Lake, NC was completed in December 2011. Refinancing would reduce Ms. Coleman's interest rate from 7.5% to 2.5%, which is a 5% drop. The additional funds above paying off the 1<sup>st</sup> mortgage will go toward paying the settlement cost. Our current loan balance is \$16,952, which is a deferred loan. Including the new loan at MIC of \$49,685.00, the combined loan to value will still be 100%.

We believe that subordinating our mortgage would be in the best interest of the homeowners and that our lien position is not compromised. It is our opinion that the homeowners are taking measures to further protect our investment in this property. Cumberland County is currently in 2<sup>nd</sup> lien position and would remain in 2<sup>nd</sup> position with the subordination agreement. However, the agreement is necessary to allow MIC to have 1<sup>st</sup> lien position.

**RECOMMENDATION AND PROPOSED ACTION:**

CCCD recommends approval of the subordination agreement for Jasmine D. Coleman and that all related documents be executed and recorded as necessary.

- K. Approval of a Proclamation Proclaiming April 1-6, 2013 as “Community Development Week” in Cumberland County

**BACKGROUND:**

The Community Development Block Grant (CDBG) program was enacted into law as part of the Housing and Community Development Act of 1974. CDBG’s main purpose is to provide decent, safe and sanitary housing, a suitable living environment and economic opportunities to low- and moderate-income people. To this day, CDBG remains the principal source of revenue for localities to utilize in devising flexible solutions to prevent physical, economic, and social deterioration in lower-income neighborhoods and communities throughout the nation.

Enacted into law in 1990, the HOME Investment Partnerships (HOME) Program was developed to provide resources to communities to provide decent, safe and affordable housing opportunities for low-income persons. Program funding has been used nationally to complete over one million units of affordable housing. Prior to the creation of the HOME program, there were few options available to communities to develop affordable housing. Families lived in overcrowded situations and in unsafe housing. Working families struggled to save enough for a down payment. Communities lacked the resources needed to design large-scale affordable housing programs to address these problems.

Celebrated nationally, 2013 marks the 27<sup>th</sup> anniversary of the National Community Development Week campaign. This year’s theme is “Changing Communities, Changing Lives.” To commemorate the anniversary and the impact that the CDBG and HOME Programs have had on Cumberland County, we request that the Board of Commissioners proclaims April 1 – April 6, 2013 as Community Development Week in Cumberland County.

**RECOMMENDATION AND PROPOSED ACTION:**

The Community Development Department recommends that the Cumberland County Board of Commissioners proclaims April 1 – April 6, 2013 “Community Development Week” in our community.

COUNTY OF CUMBERLAND

NORTH CAROLINA

**PROCLAMATION**  
Community Development Week

Whereas, the Community Development Block Grant (CDBG) Program was enacted into law as part of the Housing and Community Development Act of 1974 to provide local governments with the resources required to establish decent, safe, and sanitary housing,

a suitable living environment and economic opportunities to persons of low-to-moderate-income; and

Whereas, the CDBG Program is the principle source of revenue for lower-income communities in preventing physical, economic, and social deterioration throughout the nation; and

Whereas, the HOME Investments Partnerships (HOME) Program was enacted into law in 1990 and developed to offer resources to communities to provide decent, safe, and affordable housing opportunities to low-income persons; and

Whereas, HOME program funds have been used nationwide to establish over one million affordable housing units, further closing the gap on homelessness; and

Whereas, 2013 marks the 27<sup>th</sup> anniversary of National Community Development Week, Cumberland County, North Carolina and other local governments have clearly demonstrated the capacity to administer and customize the CDBG and HOME Programs to identify, prioritize, and resolve local issues such as the provision of decent, affordable housing; neighborhood and human service needs; job creation and retention; and physical redevelopment.

Now, Therefore I, Commissioner Jimmy Keefe, by virtue of the authority vested in me as Chairman of the Cumberland County Board of Commissioners, do hereby proclaim:

The week of April 1 – April 6, 2013 as  
Community Development Week

in Cumberland County, and urge all citizens to join us in recognizing the Community Development Block Grant and HOME Programs and the important role they play in our community.

In Witness Whereof, I have hereunto set my hand and caused the seal of Cumberland County, North Carolina to be affixed this 18<sup>th</sup> day of March, 2013.

HOME Investment Partnerships (HOME)  
PROGRAM ACCOMPLISHMENTS FACT SHEET  
(PAST 5 YEARS)

- ❖ For CDBG and HOME funds invested, another \$45,000,000 in private and public funding was leveraged.
- ❖ CDBG created or retained 78 jobs in the past five years.
- ❖ CDBG funds in the amount of \$486,422 were spent on economic development activities, such as direct financial assistance to businesses, and commercial and industrial improvements.

- ❖ CDBG funds in the amount of \$480,000 were spent on public improvements for the development and improvement of public facilities, street and sidewalk improvements, and water and sewer improvements.
- ❖ CDBG funds in the amount of \$421,929 were spent on public services, such as services for senior and youth projects, health services, employment training, services for abused and neglected children, and services for the disabled, among others, assisting 20,451 Cumberland County residents.
- ❖ CDBG and HOME funds in the amount of \$ 6,198,422 were provided for housing activities, such as construction, rehabilitation, homebuyer assistance, and affordable housing production.
  - 732 persons were assisted through the CDBG and HOME housing programs in the past five years.
  - A total of 169 units of affordable housing were created.
  - 25 households received assistance in purchasing their first home.
  - 163 rental units were constructed and/or rehabilitated.
  - 101 homeowners received rehabilitation assistance.

Since 1995, Cumberland County has brought into the community:

- \$31 million in CDBG funding
- \$12 million in HOME funding
- \$4.6 million in program income
- Secured a \$1.5 million Section 108 Guaranteed Loan

L. Budget Revisions:

(1) Sheriff

Revision in the amount of \$10,000 to recognize a North Carolina Department of Public Safety Grant to purchase a bomb technician protective suit. (B13-266) Funding Source – State Grant

(2) Health - Child Health

Revision in the amount of \$36,304 to recognize additional state funds to support child health services and activities to improve the health of children 0-20 years. (B13-259) Funding Source – State

(3) Elections

Revision in the amount of \$14,731 to recognize funds received from the North Carolina Board of Elections to reimburse coding expenses for the second primary. (B13-254) Funding Source - State

(4) Mental Health Other

Revision in the amount of \$15,308 to appropriate Mental Health fund balance to continue funding the Sobriety Court through September 30, 2013. (B13-255) Funding Source – Mental Health Fund Balance Appropriated

(5) Tax Administration

Revision in the amount of 425,405 to appropriate fund balance to fund tax audits conducted by County Tax Services Inc. (B13-256) Funding Source- Fund Balance Appropriated

(6) Animal

Revision in the amount of \$5,250 to recognize revenue from Pet Smart Charities for hosting an on-site adoption clinic. (B13-263) Funding Source – Other

(7) School C.O. Category I-Buildings

Revision in the amount of \$620,000 to appropriate fund balance for alarms (\$120,000) and security equipment (\$500,000). (B13-264) Funding Source – Sales Tax Fund Balance

M. Approval of Proclamation Extending Congratulations to Walter Bishop Drake on His One Hundredth Birthday March 21, 2013

COUNTY OF CUMBERLAND

NORTH CAROLINA

PROCLAMATION

WHEREAS, Walter Bishop Drake was born on March 21, 1913, in Cumberland County and is now celebrating his 100<sup>th</sup> birthday; and

WHEREAS, Walter Bishop Drake was born of the late Reverend W. D. Drake and Mae Etta Jones-Drake, and is the oldest of their twelve children; and

WHEREAS, Walter Bishop Drake attended Cumberland County schools and as an adult, assisted in building and repairing many of the school facilities; and

WHEREAS, Walter Bishop Drake worked as a brick mason for seventy-five years and helped build the marine base at Camp Lejune pre-World War II; and

WHEREAS, Walter Bishop Drake is a lifetime member of Evans Metropolitan A.M.E. Zion Church and served as a member of the Steward Board for more than eighty years; and

WHEREAS, Walter Bishop Drake has been singing with the Evans Metropolitan A.M.E. Zion Church choir for seventy-seven years and the Walter B. Drake male chorus since it was founded seventy years ago; and

WHEREAS, Walter Bishop Drake is a member of Prince Hall Masonic Lodge #407 and is an honorary member of Electa Chapter #627 Order of The Eastern Star.

NOW, THEREFORE, BE IT PROCLAIMED, that We, the Cumberland County Board of Commissioners, do hereby extend to Walter Bishop Drake sincere congratulations on his ONE HUNDREDTH birthday and best wishes for many more happy, productive years in the future.

Presented this 18th day of March, 2013.

MOTION: Commissioner King moved to approve consent agenda items 2.A. – 2.M.  
SECOND: Commissioner Faircloth  
VOTE: UNANIMOUS (7-0)

### 3. Public Hearings

#### Uncontested Cases

##### Rezoning

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

- A. Case P12-68: Rezoning of 6.55+/- acres from C1(P) Planned Local Business and R6 Residential to C(P) Planned Commercial or to a more restrictive zoning district; located at 140 Farmers Road and on the north side of SR 1612 (Farmers Road), west side of US 401 (Ramsey Street); submitted by Butch Dunlap on behalf of GCMMB LLC. (owner).

Staff Recommendation: Denial of C(P) but approval of C2(P)

Planning Board Recommendation: Approve Staff Recommendation

RECOMMENDATION: Members present at the February 19, 2013 meeting of the Joint Planning Board recommended the adoption and approval of the consistency and reasonableness statements and to approve C2(P) Planned Service and Retail 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.

- B. Case P13-03: Rezoning of 1.99+/- acres from A1 Agricultural to R40A Residential or to a more restrictive zoning district, located 3061 John McMillan Road, submitted by Carol Y. Jackson (owner).

Staff Recommendation: Approval

Planning Board Recommendation: Approve Staff Recommendation

RECOMMENDATION: Members present at the February 19, 2013 meeting of the Joint Planning Board recommended the adoption and approval of the consistency and reasonableness statements and to approve R40A 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 recommendations of staff and the Joint Planning Board for Cases P12-68 and P13-03.

SECOND: Commissioner King

VOTE: UNANIMOUS (7-0)

- C. Request of petitioner was to defer Case P13-04 to the April 15, 2013 board of commissioners meeting.

Case P13-04: Rezoning of 10.36+/- acres from A1 Agricultural to R7.5 Residential or to a more restrictive zoning district, located at 820 and 840 Sand Hill Road; submitted by Sara C. Donaldson, Waymon W. and Margaret C. Wood Trustees (owners) and Mark Candler.

Staff Recommendation: Approval

Planning Board Recommendation: Approve Staff Recommendation

\*\*\*\*\*

At the request of Chairman Keefe, Mr. Lloyd explained the petitioner requested deferral of the case due to a pending sale of the property.

MOTION: Commissioner Edge moved to defer Case P13-04 to the April 15, 2013 meeting.  
SECOND: Commissioner Melvin  
VOTE: UNANIMOUS (7-0)

**Items of Business**

4. Consideration of Mental Health Matters:
- A) Report on Mental Health Clinic Services by Buck Wilson, Health Director

**BACKGROUND:**

The following documents will be presented:

- Productivity report, February 2013
- Productivity report for full time staff, February 2013
- Productivity report for other/exceptions, February 2013
- Patients Served, February 2013

The following individual will address the Board of Commissioners:

- Buck Wilson, Public Health Director

The presentation will take 10 minutes.

**RECOMMENDATION/PROPOSED ACTION:**

At this time, there is no recommendation other than to accept the presentation of the productivity reports as presented.

\*\*\*\*\*

Buck Wilson, Public Health Director, reported productivity for February, 2013 was at 1,445.25 hours worked with a total direct time percentage of 49% which was closer to the 56% in 2012. Mr. Wilson further reported provider productivity reached a higher level across the board with a total direct time percentage of 50% compared to the direct percentage of 81% in 2012. Mr. Wilson stated several of the providers reached a higher productivity than the previous year.

Commissioner Council inquired regarding a provider that worked 4.5 hours and was paid for 160. Mr. Wilson stated this was likely due to paid vacation or sick leave being taken throughout the month.

Mr. Wilson reported full time staff productivity reached 50% for total direct time and the no shows decreased, which was a big success. Mr. Wilson reported on part time staff productivity and stated the medical director picked up the pace at 68% compared to 16% in 2012. Mr. Wilson reported the contract physician assistant had a total direct time of 100%. Mr. Wilson reported on patient count per payor and stated a few more patients are being seen per provider. Mr. Wilson stated a child psychiatrist has

expressed interest in the vacant position and that interest will be pursued. Mr. Wilson responded to questions.

B) Resolution Conferring Mental Health Responsibility Upon the Board of Commissioners

**BACKGROUND:**

Chairman Keefe's memorandum dated March 8, 2013:

Upon receiving the notice of Commissioner King's agenda item for the March 18, 2013, meeting, I consulted the county attorney about the legal process for the Board of Commissioners to move forward with merger of the local mental health authority into a multi-county authority.

In order to smoothly move forward with that merger process, I request that an additional item be placed on the March 18th agenda for consideration of a resolution conferring upon the Board of County Commissioners all powers, responsibilities and duties of the Board of the Cumberland County Mental Health, Developmental Disabilities, and Substance Abuse Area Authority pursuant to G.S. 153A-77(a).

\*\*\*\*\*

At the request of Chairman Keefe, Rick Moorefield, County Attorney, explained a new statutory procedure became effective in July, 2012 that allows the board of county commissioners to confer upon itself the powers, duties and responsibilities of human service agencies including the mental health board. Mr. Moorefield further explained that once that is done, thirty days notice has to be given of a public hearing and the board cannot start exercising the powers it conferred upon itself until after the public hearing. Mr. Moorefield stated the mental health board adopted a resolution on March 14, 2013 directing that its staff move forward with merger discussion with the Alliance Managed Care Organization (MCO), Eastpointe MCO or other MCO as mental health management deemed prudent that was concurrent with the resolution adopted by the board of commissioners at its February 18, 2013 meeting directing county staff to move forward with merger discussions with the same entities.

Mr. Moorefield stated the resolution as presented at this meeting is a merging of the two resolutions and does confer upon the board of commissioners the powers, duties and responsibilities of the mental health board, and directs that the public hearing be conducted to go through that process. Mr. Moorefield stated the resolution further states that any exercise of this authority by the board of commissioners shall not become effective before May 15, 2013 because the mental health board requested in its resolution to make a presentation of its recommended merger plan to the board of commissioners by that date. Mr. Moorefield stated the resolution recorded above goes further to direct that the board's previous directive to county staff to move forward with merger discussions be rescinded.

In response to questions posed by Commissioner Evans, Mr. Moorefield explained the resolution as presented at this meeting was drafted over the weekend at the request of Chairman Keefe and it does not require a unanimous vote for approval.

Mr. Moorefield stated per the resolution, the Mental Health board is to make a recommendation on a merger plan to the board of commissioners no later than May 15, 2013. Mr. Moorefield also stated this means the responsibility and directive regarding merger negotiations has been shifted from county staff to the Mental Health board, which is what the Mental Health Board requested in its resolution adopted March 14, 2013. Mr. Moorefield advised one of the issues contained in that resolution was that the county would fund the cost of the process and by this resolution, the board of commissioners agrees to fund that in an amount not to exceed \$50,000. Mr. Moorefield also advised that the resolution as presented at this meeting states that the board of commissioners concurs with all other terms of the resolution adopted by the Mental Health board on March 14, 2013 that are not inconsistent with any of the terms set forth in this resolution. Mr. Moorefield further advised that the only other essential term in the Mental Health board resolution adopted March 14, 2013 is that the board of commissioners upon exercising the powers, responsibilities and duties of the Mental Health Board, would then appoint the existing Mental Health Board as an advisory board to serve in an advisory capacity to the board of commissioners for all mental health matters.

Commissioner Melvin questioned the need for an attorney in addition to the county's attorney and spending \$50,000 for the same.

Commissioner Evans asked whether the board of commissioners could begin the process of dissolving the Mental Health board if the resolution as presented at this meeting was not approved. Mr. Moorefield explained the board of commissioners cannot dissolve the Mental Health Board unless it assumes the responsibilities, powers and duties of the Mental Health Board, and the resolution as presented at this meeting starts that process which will give the board of commissioners' authority to do that, but not before May 15, 2013. Mr. Moorefield clarified that the Mental Health Authority cannot be dissolved unless the board of commissioners has approved a means of continuing the provision of mental health services in Cumberland County. Mr. Moorefield stated the only option at this point is a multi-county Mental Health Authority through merger.

Commissioner Evans asked whether Cumberland County would be guaranteed four seats on the Alliance board. Mr. Moorefield explained that was the preliminary start of discussions and everything was on the table.

**MOTION:** Commissioner Evans moved that the board of commissioners take no action on anything at this point until there is clarity to the board of commissioners about what is transpiring with the Alliance.

**SECOND:** Commissioner Faircloth

**DISCUSSION:** Commissioner Faircloth stated his initial reaction is in objection to spending \$50,000 and he likely will not support this resolution unless that is taken out.

Mr. Moorefield stated the Mental Health Board works through staff and Mental Health is not funded through local dollars sufficiently through the remainder of the fiscal year to undertake this process. Commissioner King stated many of the issues over which concerns have been expressed will be resolved through discussions and Mental Health needs the funds to aggressively seek out the best deal for Cumberland County's citizens. Commissioner King stated it was time for the board of commissioners to make a decision and move forward. Commissioner Edge clarified what had transpired up to this point and stated the matter needs to be put to rest and action taken to do what is best for mental health consumers and those the board of commissioners represent.

FRIENDLY AMENDMENT: Commissioner Melvin moved to remove the \$50,000 from the resolution as presented at this meeting.

The friendly amendment died due to the lack of a second.

Commissioner Faircloth withdrew his second from the original motion. The original motion died due to the lack of a second.

MOTION: Commissioner Melvin moved to approve the resolution as presented at this meeting with a change that there are no associated legal fees.

The motion died due to the lack of a second.

MOTION: Commissioner Edge moved to approve the resolution as presented at this meeting.

SECOND: Commissioner King

DISCUSSION: Commissioner Faircloth asked whether the \$50,000 was to be paid from the county's fund balance or Mental Health's fund balance. Mr. Martin stated it would be appropriate to give consideration to paying it from the assigned Mental Health fund balance since this matter involves the pursuit of mental health services. Mr. Moorefield stated should that be the board's desire, it should be clarified and added to the motion.

AMENDED MOTION: Commissioner Edge moved to approve the resolution as presented at this meeting, that legal fees not exceed \$50,000 and that legal fees be paid out of the Mental Health fund balance.

SECOND: Commissioner King

VOTE ON AMENDED MOTION: PASSED (6-1) (Commissioners Melvin, Council, Keefe, Faircloth, King and Edge voted in favor; Commissioner Evans voted in opposition)

The following is the resolution as approved:

CUMBERLAND COUNTY BOARD OF COMMISSIONERS

RESOLUTION CONFERRING ALL POWERS, RESPONSIBILITIES AND DUTIES  
OF THE GOVERNING BOARD OF THE CUMBERLAND COUNTY AREA  
MENTAL HEALTH, DEVELOPMENTAL DISABILITIES AND SUBSTANCE  
ABUSE AUTHORITY UPON THE CUMBERLAND COUNTY BOARD OF  
COMMISSIONERS PURSUANT TO N.C.G.S. § 153A-77 AND FURTHER  
DIRECTING THE COMMENCEMENT OF NEGOTIATIONS TO MERGE THE  
CUMBERLAND COUNTY AREA AUTHORITY INTO A MULTI-COUNTY  
AUTHORITY

Whereas, the Cumberland County Area Mental Health, Developmental Disabilities and Substance Abuse Authority (the Cumberland County Authority) has entered into an interlocal agreement with Alliance Behavioral Healthcare, Inc., (the Alliance) for the provision of LME services within Cumberland County; and

Whereas, the Secretary of DHHS approved this interlocal agreement whereby all State and Medicaid funds for mental health services in Cumberland County have been allocated to the Alliance for administration through a contract with the Cumberland County Authority; and

Whereas, the interlocal agreement does not provide for the appointment of any board members to the governing board of the Alliance by the Cumberland County Board of Commissioners; and

Whereas, the Cumberland County Board of Commissioners finds it to be in the best interest of Cumberland County and its consumers of mental health services for the Cumberland County Board of Commissioners to appoint Cumberland County representatives to the governing board of the Alliance in such numbers as will give Cumberland County a voice in the governance of the Alliance; and

Whereas, in furtherance of this goal, the Cumberland County Board of Commissioners has directed county staff to commence negotiations with the Alliance and such other MCO as county staff deems prudent for the merger of the Cumberland County Authority into a multi-county authority; and

Whereas, the governing board of the Cumberland County Authority (the Cumberland County Authority Board) adopted a resolution on March 14, 2013, directing its management and attorney to also immediately commence negotiating a merger plan with Alliance, Eastpointe or such other MCO as its management and the area board attorney deem reasonably prudent; and

Whereas, the resolution adopted by the Cumberland County Authority Board is only to become effective upon the adoption of a resolution by the Board of Commissioners which concurs with the terms of the Cumberland County Authority Board's resolution, and that the costs associated with negotiation and execution of a

merger plan, excluding any MCO funding, are funded by the Board of Commissioners; and

Whereas, the Board of Commissioners finds it to be reasonable and prudent for the merger plan to be negotiated by the Cumberland County Authority.

Now therefore be it resolved, that all powers, responsibilities and duties of the Cumberland County Authority Board are hereby conferred upon the Cumberland County Board of Commissioners pursuant to N.C.G.S § 153A-77(a).

Be it further resolved, that the exercise of the powers, responsibilities and duties conferred upon the Board of Commissioners herein shall be subject to a public hearing to be conducted by the Board of Commissioners pursuant to 30 days' notice to be advertised in a newspaper of general circulation in the county.

Be it further resolved, that the exercise of the powers, responsibilities and duties conferred upon the Board of Commissioners herein shall not become effective before May 15, 2013.

Be it further resolved, that the Cumberland County Board of Commissioners hereby rescinds its directive that county staff negotiate a merger agreement and concurs with the resolution adopted by Cumberland County Authority Board that the Cumberland County Authority Board shall immediately commence negotiating a merger plan with Alliance, Eastpointe or such other MCO as its management and attorney deem reasonably prudent, with the Cumberland County Authority Board to make a recommendation on the merger plan to the Board of Commissioners no later than May 15, 2013.

Be it further resolved that Cumberland County shall directly fund the costs associated with the negotiation of the merger plan from the funds designated in the County's fund balance as "Assigned for Mental Health Services" in an amount not to exceed \$50,000.

Be it further resolved that the Cumberland County Board of Commissioners hereby concurs with all other terms of the resolution adopted by the Cumberland County Authority Board on March 14, 2013, that are not inconsistent with any of the terms set forth in this resolution.

Adopted this 18th day of March, 2013.

C) Resolution from the Mental Health Authority Regarding Merger Discussions

**BACKGROUND:**

Commissioner King's memorandum dated March 8, 2013:

On Thursday morning at our retreat meeting, I shared with all of you a copy of a resolution which was passed by the Mental Health Authority at its Wednesday evening meeting.

At the meeting the Mental Health Agency felt that the Mental Health Board and/or its leadership should be actively involved in the exploring of the possibility of merger. The request seemed very reasonable to me, therefore I made the motion that it occur.

After receiving the resolution, several of you have expressed some concern to me about the inclusion of the Mental Health leadership in this process.

It is my understanding that in order for the merger process to go forward, the Mental Health Authority legally has to be engaged in that effort.

After further review it is my understanding that we will have to agenda this item for board discussion in order for the Mental Health Authority to be an active participant in this process.

It is my hope and desire that as we proceed in this potential merger agreement that all parties will continue to proceed in a civil and professional manner and that none of the relationships become adversarial.

Finally, to Chairman Keefe, please use this letter as a request to agenda this item for positive action at the March 18, 2013, meeting of the county commissioners.

\*\*\*\*\*

Commissioner King stated in light of the board of commissioners' action on Item 4.B., he would offer the following motion.

MOTION: Commissioner King moved to remove Item 4.C. from the agenda.  
SECOND: Commissioner Edge  
VOTE: UNANIMOUS (7-0)

5. Consideration of Request of Shaw Area Church of God for Assistance with Annexation

**BACKGROUND:**

The Shaw Area Church of God wishes to connect to PWC water adjacent to its property. The church is located at the corner of Tammy and Holland Streets just outside the city limits. The church has been informed by the city that in order to connect to the water line, the church must petition for the annexation of its two lots as well as the four adjoining vacant lots owned by the county. The city is not requiring the count to file an annexation petition. It simply requires a written statement from the county that the county does not object to the annexation of its four vacant lots.

**RECOMMENDATION/PROPOSED ACTION:**

The county attorney recommends that the county assist the church with its request by adopting the following resolution:

COUNTY OF CUMBERLAND

NORTH CAROLINA

RESOLUTION

WHEREAS, the Shaw Area Church of God has requested the county's assistance with its annexation petition to the City of Fayetteville for the purpose of obtaining public water.

NOW, THEREFORE, BE IT RESOLVED, that the Board of Commissioners of Cumberland County hereby waives any objection to the inclusion of the county-owned parcels identified as PIN #s 0419-85-3131, 0419-85-3075, 0419-84-4963 and 0419-85-5040 in the annexation petition of the church to the City of Fayetteville.

Adopted this 18th day of March, 2013.

MOTION: Commissioner Council moved to follow the recommendation of the county attorney that the county assist the church with its request and adopt the resolution.

SECOND: Commissioner Faircloth

VOTE: UNANIMOUS (7-0)

6. Nominations to Boards and Committees

There were no nominations scheduled for this meeting.

7. Appointments to Boards and Committees

A. Cumberland County Workforce Development Board (3 Vacancies)

Nominee(s):

Private Sector Position: John Jones  
Charlene Cross  
Pamela Gibson

B. Joint Appearance Commission (1 Vacancy)

Nominee: Matthew Auman McLean

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)

- 8. Closed Session
  - A. Personnel Matters Pursuant to NCGS 143-318.11(a)(6)
  - B. Attorney/Client Matter(s) Pursuant to NCGS 143-318.11(a)(3)

MOTION: Commissioner Faircloth moved to go into closed session for personnel matter(s) pursuant to NCGS 143-318.11(a)(6) and Attorney/Client matter(s) pursuant to NCGS 143-318.11(a)(3).

SECOND: Commissioner Council

VOTE: UNANIMOUS (7-0)

Commissioner Evans was excused from the meeting during closed session.

MOTION: Commissioner Edge moved to go into open session.

SECOND: Commissioner Faircloth

VOTE: UNANIMOUS (6-0)

MOTION: Commissioner King moved to adjourn.

SECOND: Commissioner Edge

VOTE: UNANIMOUS (6-0)

There being no further business, the meeting adjourned at 9:45 p.m.

Approved with/without revision:

Respectfully submitted,

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Candice H. White  
Clerk to the Board