

CUMBERLAND COUNTY BOARD OF COMMISSIONERS
MONDAY, MARCH 17, 2014 – 6:45 PM
117 DICK STREET, 1ST FLOOR, ROOM 118
REGULAR/REZONING MEETING
MINUTES

PRESENT: Commissioner Jeannette Council, Chair
Commissioner Kenneth Edge Vice Chairman
Commissioner Charles Evans
Commissioner Marshall Faircloth
Commissioner Jimmy Keefe
Commissioner Billy King
Commissioner Ed Melvin
James Martin, County Manager
Amy Cannon, Deputy County Manager
James Lawson, Assistant County Manager
Quentin McPhatter, Assistant County Manager
Rick Moorefield, County Attorney
Melissa Cardinali, Finance Director
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
Buck Wilson, Public Health Director
Daniel Ortiz, Environmental Health Director
Candice White, Clerk to the Board
Kellie Beam, Deputy Clerk to the Board
Press

Chairman Council called the meeting to order.

INVOCATION / PLEDGE OF ALLEGIANCE

Commissioner Evans recognized WFNC News and Program Director Jim Cooke who provided the invocation followed by the Pledge of Allegiance to the American flag led by Mitchell Dale Johnson, Jr., a kindergartner at Ed V. Baldwin Elementary School.

Special Recognition to Commissioner Jeannette Council on Receiving the M.H. “Jack” Brock Memorial Award

Commissioner Edge called on Jim Caldwell, executive director of Mid-Carolina Council of Governments, who recognized Commissioner Council for her years of service on the board of commissioners and to local government by presenting her with the M.H. “Jack” Brock Memorial Award from the Mid-Carolina Council of Governments. Mr. Caldwell outlined Commissioner Council’s accomplishments and other capacities in which she has served. Mr. Caldwell stated this award is presented each year to honor an outstanding county commissioner from Cumberland, Harnett or Sampson County. Mr. Caldwell also stated Commissioner Council joins a group of commissioners who have already received this award including Cumberland County Commissioners Edge, King and Melvin. Commissioner Council expressed her appreciation upon receiving the award.

Chairman Council recognized Fayetteville Mayor Nat Robertson, representatives from some of the commissioner-appointed boards and committees and Alliance Behavioral Healthcare Cumberland County Site Director Hank Debnam.

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

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

George Mitchell – Mr. Mitchell introduced Ashley Young and stated he and Ms. Young represent an organization called “The Miracle League”. Mr. Mitchell stated the organization deals with recreational equipment for individuals with disabilities. Mr. Mitchell stated he would like to bring a soccer field and track to the Cumberland County area and his vision is to bring the North Carolina Special Olympics to the county. Mr. Mitchell asked the county to either partner with or make a donation to the effort.

Mr. Martin requested the removal of public hearing Item 3.K., Minimum Housing Case No. 383-2013 that has come into compliance and the addition of a closed session for Economic Development Matter(s) pursuant to NCGS §143-318.11(a)(4) as Item 9.C.

Chairman Council requested the addition of Item 2.N. for a proclamation naming March 28, 2014 as James E. Martin Day in Cumberland County.

1. Approval of Agenda

MOTION: Commissioner Melvin moved to approve the agenda with the additions and deletions as requested.
SECOND: Commissioner Keefe
VOTE: UNANIMOUS (7-0)

Chairman Council asked all commissioners and Mr. Martin to join her at the podium following which she read the proclamation naming March 28, 2014 as James E. Martin Day in Cumberland County. Chairman Council presented the proclamation to Mr. Martin on behalf of the full Board. Mr. Martin thanked the Board for allowing him to serve.

2. Consent Agenda

A. Approval of minutes for the February 6, 2014 special meeting, the February 17, 2014 special and regular meetings, the February 18, 2014 special meeting for the FY15 Federal Advocacy Program Development, and the March 6, 2014 special meeting for closed session economic development matters

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

Hammond Farms Subdivision: Hammond Farms Road

The Links at Cypress Lakes Subdivision: H. Bullard Road (SR 2240 Ext.),
Sand Trap Lane

BACKGROUND:

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

Hammond Farms Subdivision: Hammond Farms Road

The Links at Cypress Lakes Subdivision: H. Bullard Road (SR 2240 Ext.)
Sand Trap Lane

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

RECOMMENDATION/PROPOSED ACTION:

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

C. Approval of Daily Deposit Exception for Soil & Water Conservation District

BACKGROUND:

Under North Carolina General Statute 159-32, all money collected by a local government must be deposited daily. An exception is allowed when money on hand is \$250 or less.

This exception must be granted by the governing board. It should be noted, however, that all funds, regardless of the total on hand, are required to be deposited by the last day of each month.

The Soil and Water Conservation District handles a minimal amount of cash and typically does not reach the deposit threshold of \$250. Therefore, an exception to the daily deposit requirement is requested under the applicable statute.

RECOMMENDATION/PROPOSED ACTION:

Exempt the Soil and Water Conservation District from the daily deposit requirement as provided in NCGS 159-32.

- D. Approval of Declaration of Surplus Property for the Cumberland County Sheriff's Office

BACKGROUND:

The Sheriff's Office obtained prices from State Contract to replace the 9 mm Glock pistols deputies currently carry. The vendor, Craig's Firearm Supply, Inc. has offered a trade in totaling \$88,390.00 for the three-hundred thirty (330) used pistols.

The Sheriff's Office will be purchasing 340 new pistols with the trade-in of the Glock pistols. Graig's Firearm Supply Inc. is on State Contract.

RECOMMENDATION/PROPOSED ACTION:

Declare the three-hundred thirty (330) pistols surplus and accept \$88,390.00 trade in for the purchase of 340 Glock pistols from Craig's Firearm Supply, Inc.

- E. Approval of Request from Hope Mills Area Chamber of Commerce for Reallocation of Funds for Exit 41 Lighting Project

BACKGROUND:

On April 15, 2013, the Board of Commissioners specifically approved the request of the Hope Mills Area Chamber of Commerce to use \$15,000 of the funds allocated to it for an entryway signage project for the Town Hope Mills. That project was completed by the Town of Hope Mills. The Chamber has requested that the \$15,000 designated for that project be reallocated for an Exit 41 Lighting Project.

RECOMMENDATION/PROPOSED ACTION:

Consider the request to reallocate the funds.

- F. Approval of Request from PWC for Easement

BACKGROUND:

PWC has requested an easement to relocate a sewer line as referenced below per correspondence from PWC dated February 6, 2014. The property is owned by the County and the City of Fayetteville.

Lobster House/Old Wilmington Road Sanitary Sewer Utility Relocation
Project; Parcel 5; 4258 School Street; Reference PIN No. 0437-16-83-9763,

RECOMMENDATION/PROPOSED ACTION:

Recommend approval.

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

- 1) 2011 Ford Crown Victoria

BACKGROUND:

DATE OF ACCIDENT	December 30, 2013
VEHICLE	2011 Ford Crown Victoria
VIN	2FABP7BV7BX149585
FLEET #	FL499

DEPARTMENT	Sheriff's Office
SETTLEMENT OFFER	\$10,079.09
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 \$10,079.09 as settlement.
3. Allow Travelers Insurance to take possession of the wrecked (surplus) vehicle.

2) 2007 Ford Expedition

BACKGROUND:

DATE OF ACCIDENT	December 30, 2013
VEHICLE	2011 Ford Crown Victoria
VIN	2FABP7BV7BX149585
FLEET #	FL499
DEPARTMENT	Sheriff's Office
SETTLEMENT OFFER	\$10,079.09
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 \$10,079.09 as settlement.
3. Allow Travelers Insurance to take possession of the wrecked (surplus) vehicle.

H. Approval of Cumberland County Facilities Report and Recommendation(s):

- 1) Issuance of Requests for Qualifications of Roof Assessments and Parking Lot Pavement Evaluation for County Buildings

BACKGROUND:

Over the last several months there have been several discussions on developing a Comprehensive Capital Improvement Plan. At the September 5th Facilities Committee, a three step action plan was presented to the Committee in order to develop this much needed plan. The first two steps were to complete a space utilization survey for all County Departments and compile a list of unoccupied space within County buildings have been completed. The Department is now in the process of analyzing the results of the survey to determine if any of the available space will meet the space needs of those Departments needing additional space.

The third step of this action plan was to complete a comprehensive facility assessment (inventory) of all County buildings. Two major components of this step will be to analyze the current conditions of all County parking lots and roofs and then to develop a priority lists on how to best address the noted deficiencies. The best way to accomplish these tasks would be to issue two separate Requests for Qualifications (RFQs) for Architecture/Engineering Services to have the roofs and parking lots evaluated. Once staff has selected a firm and successfully negotiated a price for each of these services, both of these will be brought back to the Facilities Committee for approval.

On March 6, 2014, this item was presented to and approved by the Facilities Committee.

RECOMMENDATION/PROPOSED ACTION:

The Engineering and Infrastructure Director, County Management and the Facilities Committee recommend that the Board of Commissioners authorize the Engineering and Infrastructure Department to move forward with developing and issuing Requests for Qualifications for Architecture/Engineering Services for a pavement evaluation survey along with a roof survey for County facilities.

I. Approval of Cumberland County Finance Report and Recommendation(s):

1) Update on Health Insurance, Employee Pharmacy and Clinic

BACKGROUND:

At the March 6th Finance Committee meeting, Mark Browder of Mark III Employee Benefits presented information regarding the operations of the employee clinic. Based on data from the past twelve months, it is Mark III's opinion that the County has an opportunity to improve the number of patients utilizing the clinic as well as improve cost efficiency.

The recommended path to insure the County is exploring all options available is with an RFP process.

RECOMMENDATION/PROPOSED ACTION:

For information only – Finance Committee concurred with recommendations of Mark III Employee Benefits to proceed with RFP for clinic services. Results of the RFP process will be presented at the May 1, 2014 Finance Committee meeting.

J. Approval of Cumberland County Policy Committee Report and Recommendation(s):

1) Adoption of Ordinance Repealing Section 9.5-93 of Chapter 9.5, Article III, Smoking, of the Cumberland County Code and Amending Section 9.5-92 of Chapter 9.5, Article III, Smoking, of the Cumberland County Code

BACKGROUND:

Phase II, which incorporated four additional facilities was approved in concept by the Board of County Commissioners on November 18, 2013. In light of the cost involved to update the county code and equity concerns amongst departments, county management has directed for a revised request to be submitted which repeals and amends language in the smoking ordinance to include all county owned or leased buildings with the exception of the Civic Center facility and Parks and Recreation facilities.

RECOMMENDATION/PROPOSED ACTION:

Adopt an ordinance repealing section 9.5-93 of Chapter 9.5, Article III. Smoking, of the Cumberland County Code and amending section 9.5-92 of Chapter 9.5, Article III. Smoking, of the Cumberland County Code as recorded below.

AN ORDINANCE OF THE CUMBERLAND COUNTY BOARD OF COMMISSIONERS REPEALING SECTION 9.5-93 OF CHAPTER 9.5, ARTICLE III. SMOKING, OF THE CUMBERLAND COUNTY CODE AND AMENDING SECTION 9.5-92 OF CHAPTER 9.5, ARTICLE III. SMOKING, OF THE CUMBERLAND COUNTY CODE

WHEREAS, Cumberland County adopted an ordinance on May 6, 2013 (Cumberland County Code §9.5-91-98) prohibiting smoking in all county leased and owned buildings and vehicles, within 25 feet of the entrance or exit to any public building and on designated grounds; and

WHEREAS, the Cumberland County Smoking Ordinance has been codified as Chapter 9.5, Article III, Sections 9.5-90-98 of the Cumberland County Code; and

Whereas, the Board of Commissioners wishes to amend section 9.5-92 and repeal section 9.5-93 of Chapter 9.5, Article III. Smoking., of the Cumberland County Code as

set forth below; and

WHEREAS, the Board of Commissioners finds the repeal of section 9.5-93 and the amendment of section 9.5-92 of Chapter 9.5, Article III. Smoking, of the Cumberland County Code as set forth below to be in the public interest and to promote the public health, safety, and welfare.

NOW, THEREFORE, BE IT ORDAINED by the Cumberland County Board of Commissioners that:

Section 9.5-93 of Chapter 9.5, Article III. Smoking, of the Cumberland County Code is repealed effective September 1, 2014. Section 9.5-92 of Chapter 9.5, Article III. Smoking, of the Cumberland County Code is amended effective September 1, 2014 to read as follows:

“Smoking is prohibited within all public buildings; on the grounds of all public buildings except the Civic Center facilities and Parks and Recreation facilities; and in county-owned or leased vehicles. The Civic Center Commission is authorized to develop rules and policies to regulate smoking on the grounds of Civic Center facilities. The Parks and Recreation Advisory Committee is authorized to develop rules and policies to regulate smoking on the grounds of Parks and Recreation facilities. ”

Adopted this 17th day of March, 2014.

K. Approval of Ordinance Assessing Property for the Cost of Demolition:

- 1) Case Number: MH 72-2013
Property Owner: Camilla Horne
Property Location: 1931 Middle Road, Eastover, NC
Parcel Identification Number: 0458-67-2259

ORDINANCE ASSESSING PROPERTY FOR THE COSTS
OF DEMOLITION OF A STRUCTURE PURSUANT TO
THE MINIMUM HOUSING CODE OF CUMBERLAND COUNTY
CASE NUMBER: MH 72-2013
PROPERTY OWNER: Camilla Horne

WHEREAS, the Board of County Commissioners of Cumberland County, North Carolina, on September 16 , 2013, enacted an ordinance directing the demolition by the owner(s) of the structure(s) Camilla Horne, located at 1931 Middle Road, Eastover, NC, PIN: 0458-67-2259, said ordinance being recorded in Book 9297, page 743, 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 \$3,100.00.
- (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 \$3,100.00, 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 September 16, 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 1931 Middle Road, Eastover, NC, as described in Deed Book 8035, page 340, of the Cumberland County Registry and identified in County tax records as PIN 0458-67-2259.

(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: MH 6861-2012
Property Owner: James Harris
Property Location: 9481 Hillsboro Street, Linden, NC
Parcel Identification Number: 0574-66-7132

ORDINANCE ASSESSING PROPERTY FOR THE COSTS
OF DEMOLITION OF A STRUCTURE PURSUANT TO
THE MINIMUM HOUSING CODE OF CUMBERLAND COUNTY

CASE NUMBER: MH 6861-2012
PROPERTY OWNER: James Harris

WHEREAS, the Board of County Commissioners of Cumberland County, North Carolina, on January 22, 2013, enacted an ordinance directing the demolition by the owner(s) of the structure(s) James Harris, located at 9481 Hillsboro Street, Linden, NC, PIN: 0574-66-7132, said ordinance being recorded in Book 9104, page 616, 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 \$2,345.00.
(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 \$2,345.00, 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 January 22, 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 9481 Hillsboro Street, Linden, NC, as described in Deed Book 3644, page 631, of the Cumberland County Registry and identified in County tax records as PIN 0574-66-7132.

(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: MH 6786-2012
Property Owner: Roberto Felix Robles
Property Location: 4838 Tippit Trail, Fayetteville, NC
Parcel Identification Number: 0433-76-3055

ORDINANCE ASSESSING PROPERTY FOR THE COSTS
OF DEMOLITION OF A STRUCTURE PURSUANT TO
THE MINIMUM HOUSING CODE OF CUMBERLAND COUNTY
CASE NUMBER: MH 6786-2012
PROPERTY OWNER: Roberto Felix Robles

WHEREAS, the Board of County Commissioners of Cumberland County, North Carolina, on October 21, 2013, enacted an ordinance directing the demolition by the owner(s) of the structure(s) Roberto Felix Robles, located at 4838 Tippit Trail, Fayetteville, NC, PIN: 0433-76-3055, said ordinance being recorded in Book 9319, page 775, 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 \$2,245.00.
(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 \$2,245.00, 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 October 21, 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 4838 Tippit Trail, Fayetteville, NC, as described in Deed Book 4034, page 93, of the Cumberland County Registry and identified in County tax records as PIN 0433-76-3055.

(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: MH 104-2013
Property Owner: Angela Simon
Property Location: 5613 Belsky Court, Hope Mills, NC
Parcel Identification Number: 0423-04-1219

ORDINANCE ASSESSING PROPERTY FOR THE COSTS
OF DEMOLITION OF A STRUCTURE PURSUANT TO
THE MINIMUM HOUSING CODE OF CUMBERLAND COUNTY

CASE NUMBER: MH 104-2013
PROPERTY OWNER: Angela Simon

WHEREAS, the Board of County Commissioners of Cumberland County, North Carolina, on September 16, 2013, enacted an ordinance directing the demolition by the owner(s) of the structure(s) Angela Simon, located at 5613 Belsky Court, Hope Mills, NC, PIN: 0423-04-1219, said ordinance being recorded in Book 9297, page 0749, 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 \$2,645.00.
- (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 find 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 \$2,645.00, 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 September 16, 2013, and in Section 153A-372 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 5613 Belsky Court, Hope Mills NC, as described in Deed Book 0083, page 167, of the Cumberland County Registry and identified in County tax records as PIN 0423-04-1219.

(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.

- L. Approval of Sale of Surplus County-Owned Real Property Acquired by Tax Foreclosure: Lots 24-27 Raines Property; 809 Montgomery Street; PIN: 0436-78-6341; Cross Creek Township

BACKGROUND:

On or about February 15, 2012, the County acquired by tax foreclosure the property listed below.

Lots 24-27 Raines Property 809 Montgomery Street
PIN: 0436-78-6341; Cross Creek Township

The amount currently owed on the foreclosure judgment including interest and costs for the property is \$15,499.25.

Ruby McDougal has offered to purchase the County's interest in the property for \$15,499.25 and has deposited \$1,549.93 in the Finance Office. The tax value of the property is \$52,000.00.

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 Mrs. McDougal's bid. The property has been advertised and this office has not received any upset bids. The bid period is now closed.

RECOMMENDATION/PROPOSED ACTION:

That the Board of Commissioners consider whether to accept the offer of Ruby McDougal to purchase the above property for the sum of \$15,499.25, plus advertising and recording costs, and authorize the Chairman to execute a deed upon receipt of the balance of the purchase price.

M. Budget Revisions:

(1) Health

- a. Maternal Health - Revision in the amount of \$20,253 to budget additional Medicaid fees to support the Baby Store and purchase incentives and educational materials for Prepared Childbirth classes. (B14-281) Funding Source – Fees
- b. Adult Health – Revision in the amount of \$47,500 for additional revenue anticipated to be earned for remainder of fiscal year to provide lab services and additional contracted services. (B14-300) Funding Source – Fees
- c. Sexually Transmitted Disease Clinic – Revision in the amount of \$22,000 to recognize additional Medicaid fees earned for lab services. (B14-301) Funding Source – Fees
- d. Pharmacy – Revision in the amount of \$21,407 to budget additional fees anticipated to be earned for the remainder of the fiscal year and to purchase additional medications for clinic operations. (B14-303) Funding Source – Fees

(2) Emergency Services

Revision in the amount of \$13,955 recognize additional grant funds awarded from the Emergency Management Performance Grant. (B14-280) Funding Source – State

(3) General Fund Debt Service

Revision in the amount of \$95,542 to recognize a reduction in the debt service budget resulting from the reissuance of General Obligation Refunding Bonds. (B14-277) Funding Source – State

(4) Beaver Dam Fire District

Revision in the amount of \$1,000 to cover unanticipated refunds to taxpayers in the amount of \$200 and to increase contract for additional revenue anticipated to earn for remainder of fiscal year in the amount of \$800. (B14-282) Funding Source – Beaver Dam Fire Tax

(5) Bethany Fire District

Revision in the amount of \$5,000 to cover unanticipated refunds to taxpayers in the amount of \$400 and to increase contract for additional revenue anticipated to be earned for remainder of fiscal year in the amount of \$4,600. (B14-283) Funding Source – Bethany Fire Tax

(6) Cotton Fire District

Revision in the amount of \$22,000 to cover unanticipated refunds to taxpayers in the amount of \$1,000 and to increase contract for additional revenue anticipated to be earned for remainder of fiscal year in the amount of \$21,000. (B14-284) Funding Source – Cotton Fire Tax

(7) Cumberland Fire District

Revision in the amount of \$500 to cover unanticipated refunds to taxpayers. (B14-285) Funding Source – Cumberland Fire Tax

(8) Eastover Fire District

Revision in the amount of \$5,000 to cover unanticipated refunds to taxpayers in the amount of \$200 and to increase contract for additional revenue anticipated to be earned for remainder of fiscal year in the amount of \$4,800. (B14-286) Funding Source – Eastover Fire Tax

(9) Gray's Creek Fire District #18

Revision in the amount of \$500 to cover unanticipated refunds to taxpayers. (B14-287) Funding Source – Grays Creek #18 Fire Tax

(10) Gray's Creek Fire District #24

Revision in the amount of \$500 to cover unanticipated refunds to taxpayers. (B14-288) Funding Source – Grays Creek #24 Fire Tax

(11) Lake Rim Fire District

Revision in the amount of \$1,000 to increase contract for additional revenue anticipated to be earned for remainder of fiscal year. (B14-289) Funding Source – Lake Rim Fire Tax

(12) Pearces Mill Fire District

Revision in the amount of \$5,000 to cover unanticipated refunds to taxpayers in the amount of \$200 and to increase contract for additional revenue anticipated to be earned for remainder of fiscal year in the amount of \$4,800. (B14-290) Funding Source – Pearces Mill Fire Tax

(13) Stedman Fire District

Revision in the amount of \$1,000 to cover unanticipated refunds to taxpayers in the amount of \$200 and to increase contract for additional revenue anticipated to be earned for remainder of fiscal year in the amount of \$800. (B14-291) Funding Source – Stedman Fire Tax

(14) Stoney Point Fire District

Revision in the amount of \$5,000 to cover unanticipated refunds to taxpayers in the amount of \$1,000 and to increase contract for additional revenue anticipated to be earned for remainder of fiscal year in the amount of \$4,000. (B14-292) Funding Source – Stoney Point Fire Tax

(15) Vander Fire District

Revision in the amount of \$20,000 to cover unanticipated refunds to taxpayers in the amount of \$1,000 and to increase contract for additional revenue anticipated to be earned for remainder of fiscal year in the amount of \$19,000. (B14-293) Funding Source – Vander Fire Tax

(16) Wade Fire District

Revision in the amount of \$1,000 to cover unanticipated refunds to taxpayers in the amount of \$200 and to increase contract for additional revenue anticipated to be earned for remainder of fiscal year in the amount of \$800. (B14-294) Funding Source – Wade Fire Tax

(17) Westarea Fire District

Revision in the amount of \$20,000 to cover unanticipated refunds to taxpayers in the amount of \$1,000 and to increase contract for additional revenue anticipated to be earned for remainder of fiscal year in the amount of \$19,000. (B14-295) Funding Source – Westarea Fire Tax

(18) Westarea Fire District #10

Revision in the amount of \$3,200 to cover unanticipated refunds to taxpayers in the amount of \$200 and to increase contract for additional revenue anticipated to be earned for remainder of fiscal year in the amount of \$3,000. (B14-296) Funding Source – Westarea #10 Fire Tax

(19) Emergency Services Grants

Revision in the amount of \$7,726 to recognize capital outlay purchase of mobile light tower with Emergency Management Grant funds by Duplin County and transferred to Cumberland County at no cost. (B14-305) Funding Source – Other

N. Proclamation Naming March 28, 2014 as James E. Martin Day in Cumberland County

COUNTY OF CUMBERLAND

NORTH CAROLINA

PROCLAMATION

WHEREAS, James E. Martin served as the Deputy County Manager for Cumberland County for five years and served as the County Manager for Cumberland County since October 1, 2000; and

WHEREAS, after a forty-four year career in local government, James E. Martin announced his retirement on March 31, 2014; and

WHEREAS, under James E. Martin's management, Cumberland County constructed two libraries, three recreation centers, Department of Social Services facility,

Public Health facility, Animal Control shelter, Sheriff's Training Center, and a Detention Center and Detention Center expansion; and

WHEREAS, as the County Manager and Chief Financial Officer, James E. Marin faithfully adhered to Cumberland County's mission of providing quality services to all citizens while being fiscally responsible; and

WHEREAS, under James E. Martin's leadership and strong financial management, Cumberland County weathered the economic recession, upgraded its bond rating, and negotiated interlocal agreements with the Board of Education for school funding and with all municipalities on the method of sales tax distribution; and

WHEREAS, through all of his many endeavors, James E. Martin won the highest regard of his associates and contributed immeasurably to the betterment of the quality of life of his fellow citizens.

NOW THEREFORE, BE IT PROCLAIMED, that We, the Cumberland County Board of Commissioners, by this recognition, do hereby extend to James E. Martin our deepest appreciation for meritorious service, loyalty and dedication to Cumberland County.

NOW THEREFORE, BE IT FURTHER PROCLAIMED, that We, the Cumberland County Board of Commissioners, do hereby declare Friday, March 28, 2014, as James E. Martin Day in Cumberland County and extend our very best wishes to him for many years of good health and happiness in his retirement.

Presented this 17th day of March, 2014.

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

Commissioner Edge asked to have Item 4. presented next so individuals providing the update could return to Durham. There was no objection.

Item of Business

4. Presentation of Six-Month Update on Alliance Behavioral Healthcare System Services by Ms. Ellen Holliman, CEO

BACKGROUND:

Ellen Holliman, Area Director / Chief Executive Officer of the Alliance Behavioral Healthcare System and Rob Robinson, Chief Operating Officer of the Alliance Behavioral Healthcare System will be making a presentation at the March 17, 2014 Board of Commissioner's meeting.

RECOMMENDATION/PROPOSED ACTION:

Accept the report as presented.

Ellen Holliman, Area Director / Chief Executive Officer (CEO) of the Alliance Behavioral Healthcare, introduced Rob Robinson, Chief Operating Officer of the Alliance Behavioral Healthcare, as the new CEO effective April 1, 2014 following her retirement.

Mr. Robinson stated the Alliance agreed to take on and honor contracts in all four counties and since that time, the Alliance has assessed, evaluated and built upon its strengths in each of the communities and make adjustments as necessary.

Mr. Robinson reviewed the Alliance's budget and stated Medicaid comprises about 80%.

Total Alliance Budget	
Medicaid	\$344,272,721
State	\$49,880,894
County	\$36,877,940
Federal	\$116,112
Misc. Funds (grant funds)	\$890,898
Total	\$432,038,565

Mr. Robinson then reviewed the budget for Cumberland County services and stated Medicaid is the bulk of the funds for services in Cumberland County at about 86%.

Total Cumberland County Service Budget	
Medicaid	\$82,125,324
State	\$8,111,318
County	\$4,800,000
Total	\$95,036,642

Mr. Robinson stated in order to provide services and be eligible for reimbursement under Medicaid in North Carolina, providers need to be credentialed. Mr. Robinson reviewed the various groups of providers below.

Credentialed Providers	
Agencies	377
CABHAs	85
Hospitals	41
LIPs (Group)	129
LIPs (Solo)	414
LP Only	2382
Total	3428

Mr. Robinson reviewed the categories of comprehensive services below and stated most are best practice services. Mr. Robinson stated the Alliance is fortunate to be able to offer these services in all four counties.

Cumberland Services - <i>July 1-Dec 31, 2013</i>		
Community Services	Providers	Consumers
Assertive Community Treatment Team (ACTT)	4	219

Community Support Team (CST)	4	60
Intensive In-Home (IIH)	13	406
Multisystemic Therapy (MST)	1	105

Cumberland Services - July 1-Dec 31, 2013

Community Services	Providers	Consumers
Child & Adolescent Day Treatment	3	82
Psychosocial Rehabilitation (PSR)	5	143
SA Comprehensive Outpatient Treatment Program (SACOT)	2	29
SA Intensive Outpatient Program (SAIOP)	9	326

Cumberland Services - July 1-Dec 31, 2013

Outpatient Services	Providers	Consumers
	90	7141
Includes intake, diagnostic assessment, testing, evaluation/management, psychotherapy, MH/SA counseling and medication management		

Cumberland Services - July 1-Dec 31, 2013

Residential Services	Providers	Consumers
Psychiatric Residential Treatment Facility (PRTF)	1	31
Residential Treatment (Level 3)	6	27
Residential Treatment (Level 2 Family)	10	230

Cumberland Services - July 1-Dec 31, 2013

Inpatient Services	Providers	Consumers
Hospital (MH/SA)	1	359

Cumberland Services - July 1-Dec 31, 2013

Crisis Care Services	Providers	Consumers
Facility Based Crisis	1	15
Mobile Crisis	4	394
Detoxification	2	134

Cumberland Services - July 1-Dec 31, 2013

IDD Services	Providers	Consumers
Intermediate Care Facility/IDD	11	104
Innovations Services	68	349

Mr. Robinson stated the Alliance’s largest provider in Cumberland County is the Cape Fear Valley Health System (CFVHS). Mr. Robinson reviewed CFVHS’s funding as shown below and stated the Medicaid \$1.4 million is a projection.

FY14 Cape Fear Valley Budget

County	\$2,400,000
State (includes 3-way funds)	\$3,394,376
Medicaid (projected)	\$1,400,000
Total	7,194,376

Mr. Robinson then reviewed the hospital’s inpatient, outpatient and crisis service numbers. Mr. Robinson noted numbers will grow dramatically as the program evolves and eventually become 24/7. Mr. Robinson stated the Alliance’s partnership with the hospital has been good and the Alliance looks forward to continuing the relationship and expanding services there.

CFV Inpatient and Crisis Services

Unduplicated count of patients with paid claims from July 1, 2013 through Feb 28, 2014

System	Crisis Services	Inpatient	Outpatient	Total
Medicaid B	27	133	825	985
State	134	248	103	485
Total	161	381	928	1470

Mr. Robinson responded to questions. Commissioner Evans expressed concerns regarding the Alliance’s relationship with some of the providers in Cumberland County. Mr. Robinson stated provider relationships are evolving and overall most relationships are good. Mr. Robinson asked

Commissioner Evans to refer any providers with questions/concerns to him and he will be happy to meet with them to talk about any issues. Mr. Robinson explained resources available to providers.

Ms. Holliman stated the Secretary is in the process of announcing to the General Assembly their plan to move forward in reforming Medicaid. Ms. Holliman stated Behavioral Health Services are just one small piece of Medicaid Reform and one small piece of the \$13 billion cost of Medicaid. Ms. Holliman stated when the Secretary gave the report to the Medicaid Advisory Committee, she started with the following three core principles:

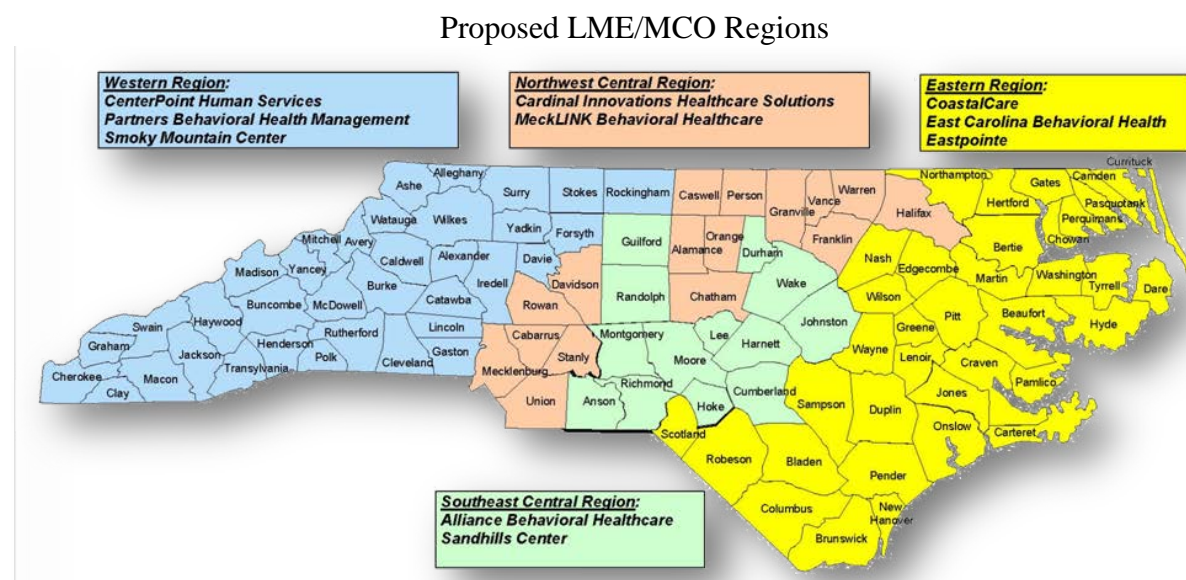
- Put consumers first
- Secure budget predictability and cost savings
- Build on what we already have in NC

Ms. Holliman stated the compromise is that North Carolina will keep the public mental health system but it will be downsized from the current ten to four. Ms. Holliman stated this has been supported by her peers and by her in order to keep the current public system. Ms. Holliman stated this is all about compromise. Ms. Holliman reviewed the following components and stated Behavioral Health will operate as a specialty service and work with physical health departments to integrate care as much as possible.

Behavioral Health Services

- Consolidate to four strong LME/MCOs
- Standardize processes
- Integrate behavioral healthcare and physical healthcare
- Explore ways to reduce waiting list for individuals with I/DD

Ms. Holliman reviewed the following map and stated the Alliance is in the Southeast Central Region and partnered with Sandhills Center to make up that region.



Ms. Holliman stated legislation will be introduced in the May Short Session that will require certain benchmarks MCOs will have to meet in order to make the 2016 deadline. Ms. Holliman stated if the benchmarks are not met, then the state will step in and do it for the MCOs.

Timeline - July 1, 2016

- All State and Medicaid funds allocated to new merged entities

Ms. Holliman stated the other part of the plan is physical healthcare which is moving from managed care to Accountable Health Organizations. Ms. Holliman reviewed the following:

Other Services

- Physical healthcare services coordinated through accountable health organizations (ACOs)

- Share savings and losses with the State
 - Responsible for quality
- Long-term services and supports
 - Streamline and strengthen case management

Ms. Holliman reviewed the county financing as outlined below and the Alliance's request moving forward:

County Financing

- Loan balance of \$7,200,000 as of July 1, 2013
- Cumberland assumed proportional share of loan balance as part of merger – \$1,584,000
 - Based on share of Alliance Board seats
- Alliance prepared to repay loan on schedule

Moving Forward

- Request option of a two-year deferment of loan payments
- Strengthen Alliance's fiscal position during consolidation to invest in:
 - Technology and equipment
 - Staffing and consultants
 - Physical plant costs
 - Unanticipated expenses

Ms. Holliman stated the Alliance can pay the money back and that is not the reason it is requesting a two year deferment of principle and interest loan payments. Ms. Holliman emphasized the deferment will strengthen the Alliance's fiscal position during the consolidation. Ms. Holliman stated this request is being made of all three Boards of Commissioners.

In response to a question posed by Commissioner Melvin, Mr. Martin stated it is believed that deferment will not have an impact on the county even though it will delay the return of funds that had been anticipated to be paid to the county sooner. Mr. Martin stated there is currently a balance in funds designated for mental health services and delaying repayment will not impede the county's delivery of any services.

Ms. Holliman stated she was not seeking a decision on the deferment request but presented it as information to be considered in the county's budget.

3. Public Hearings

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

Uncontested Rezoning Cases

- A. Case P14-04: Rezoning of 2.50+/- acres from A1 Agricultural to R40A Residential, or to a more restrictive zoning district, located at 3814 Linden Road, submitted by Rudolph Jacob and Arnice F. Roper (owners)

Staff Recommendation: 1st Motion: Find the request consistent with the LUP and approve and adopt the reasonableness statement; 2nd Motion: Approve R40A
Planning Board Recommendation: Approve Staff Recommendation

- B. Case P14-06: Rezoning of .67+/- acre from C1(P) Planned Local Business and R6A Residential to C1(P) Planned Local Business, or to a more restrictive zoning district; located at 2986 Cumberland Road; submitted by Neill E. Clark, Billie H. Clark and David E. Clark on behalf of Skibo Properties, LLC. (owner)

Staff Recommendation: 1st Motion: Find the request consistent with the LUP and approve and adopt the reasonableness statement; 2nd Motion: Approve C1(P)
Planning Board Recommendation: Approve Staff Recommendation

- C. Case P14-07: Rezoning of 1.00+/- acre from A1 Agricultural to R40 Residential, or to a more restrictive zoning district; located on the north side of SR 2245 (Thrower Road), east of SR 2372 (North Fork Lane); submitted by Robert L. McNair (owner) and Timothy B. Evans

Staff Recommendation: 1st Motion: Find the request consistent with the LUP and approve and adopt the reasonableness statement; 2nd Motion: Approve R40
Planning Board Recommendation: Approve Staff Recommendation

- D. Case P14-08: Rezoning of 3.00+/- acres from C(P) Planned Commercial and R6A Residential to C(P) Planned Commercial, or to a more restrictive zoning district, located at 3840 and 3850 Legion Road, submitted by James C. and Catherine Melvin (owners) and David Evans

Staff Recommendation: 1st Motion: Find the request consistent with the LUP and approve and adopt the reasonableness statement; 2nd Motion: Approve C(P)
Planning Board Recommendation: Approve Staff Recommendation

Mr. Lloyd stated there is no opposition to rezoning Case P14-04, Case P14-06, Case P14-07 and Case P14-08.

This is the duly advertised/noticed public hearing set for this date and time for Case P14-04, Case P14-06, Case P14-07 and Case P14-08.

Chairman Council opened the public hearing for Case P14-04, Case P14-06, Case P14-07 and Case P14-08.

The Clerk to the Board advised there were no speakers for Case P14-04, Case P14-06, Case P14-07 and Case P14-08.

Chairman Council closed the public hearing for Case P14-04, Case P14-06, Case P14-07 and Case P14-08.

MOTION: Commissioner King moved to find the requests consistent with the LUP and approve and adopt the reasonableness statements in Case P14-04, Case P14-06, Case P14-07 and Case P14-08.

SECOND: Commissioner Faircloth

VOTE: UNANIMOUS (7-0)

MOTION: Commissioner Keefe moved to approve R40A in Case P14-04, approve C1(P) in Case P14-06, approve R40 in Case P14-07 and approve C(P) in Case P14-08.

SECOND: Commissioner Faircloth

VOTE: UNANIMOUS (7-0)

Contested Rezoning Cases

- E. Case P14-05: Rezoning of .36+/- acre from R6 Residential to R6A Residential, or to a more restrictive zoning district, located at 3112 Dyke Street, submitted by David Gause (owner)

Staff Recommendation: 1st Motion: Find the request consistent with the LUP and approve and adopt the reasonableness statement; 2nd Motion: Approve R6A

Planning Board Recommendation: 1st Motion: Find the request consistent with the LUP and found the request is not reasonable or in the public interest; 2nd Motion: Deny R6A

Tom Lloyd, Planning and Inspections Director, presented this item. Mr. Lloyd showed vicinity maps and aerial views of the subject property, and provided overviews of the current land uses, current zonings, and surrounding land uses and zonings. Mr. Lloyd stated planning staff's recommendation was to find the request consistent with the LUP,

approve and adopt the reasonableness statement and approve R6A. Mr. Lloyd stated at the meeting of the Planning Board, no one showed up in favor of the rezoning and because of this, the Planning Board only heard the opposition. Mr. Lloyd clarified the Planning Board found the request consistent with the LUP but due to the opposition, did not find the reasonableness statement to be in the public's best interest and voted to deny the request. Mr. Lloyd stated the request is consistent with the Southwest Plan as well as the overall plan. Mr. Lloyd responded to questions.

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

Chairman Council opened the public hearing.

The Clerk to the Board called the following speakers:

David Gause – Mr. Gause appeared in favor and stated the property is currently a vacant wooded lot and people dump trash on it. Mr. Gause said he would like rezone the property to R6A so he can place a modular home on the lot as a single-family dwelling. Mr. Gause stated this will improve and add value to the neighborhood.

Commissioner Edge asked Mr. Gause whether he would add a modular or a mobile home to the lot. Mr. Gause stated he plans to place a modular home on the lot. Commissioner King asked whether it would be a double-wide on a brick foundation with permanent steps. Mr. Gause responded in the affirmative. Commissioner Melvin asked Mr. Gause if he only planned to place one home on the lot. Mr. Gause responded in the affirmative.

Commissioner Faircloth pointed out that once the property is rezoned R6A, there is nothing to hold Mr. Gause to what he has indicated are his plans. Mr. Moorefield advised anything that meets R6A requirements could be placed on the property.

Gabriele Gause – Ms. Gause appeared in favor and stated there are other modular homes around the corner and next to the property. Ms. Gause stated the lot is small and there is only enough space for one modular home. Ms. Gause stated the lot is overgrown and trash is dumped on it which is not safe for the neighborhood.

William Murlot – Mr. Murlot appeared in opposition and stated the lot is not overgrown because he has cut it several times and there is not a lot of trash on the property. Mr. Murlot stated seven to eight years ago the neighborhood contained run down trailers, people walked the streets and there was prostitution. Mr. Murlot stated the neighborhood has been cleaned up and trailer parks have been shut down. Mr. Murlot stated the neighborhood's biggest concern is that the lot will become rental property, property values will go down and the criminal element will return.

Ray Samples – Mr. Samples appeared in opposition and stated efforts have been made to rid the neighborhood of abandoned trailers. Mr. Samples stated there has been less trouble in the neighborhood since the trailers were removed and he doesn't see any benefit to opening the door for more trailers because this could lead to the same problems.

James Hill – Mr. Hill appeared in opposition and stated he owns the property directly behind the subject property and a lot of work has been done to clean up the neighborhood, drugs and prostitution. Mr. Hill stated most people in the neighborhood are senior citizens, most homes are stick-built and people cannot simply move. Mr. Hill asked the Board not to rezone the property and let the neighborhood continue its cleanup efforts.

There being no further speakers, Chairman Council closed the public hearing.

Questions followed. Commissioner King asked Mr. Lloyd to explain the difference in a modular versus a mobile home. Mr. Lloyd explained a modular home has to meet

building codes the same as stick built homes, and manufactured homes only come with a sticker from HUD. Mr. Lloyd stated the applicant does not need to rezone the property for a modular home; however, the applicant does need to rezone the property for a manufactured home. Mr. Lloyd stated the applicant has been using the term modular home but apparently told staff it was a manufactured home or else the item would not be before the Board.

Commissioner Keefe asked Mr. Gause what he was planning to place on the property. Mr. Gause responded a double-wide and asked whether that was considered a manufactured home. Commissioner King stated that was not a modular home.

MOTION: Commissioner Edge moved to find the request consistent with the LUP and not find the request reasonable or in the public interest.
SECOND: Commissioner Evans
VOTE: UNANIMOUS (7-0)

MOTION: Commissioner Edge moved to deny R6A zoning.
SECOND: Commissioner King
VOTE: UNANIMOUS (7-0)

Minimum Housing Code Enforcement

The clerk to the board administered an oath to Joey Lewis, Inspector for the County of Cumberland Inspection Department, who provided information to the Board of Commissioners regarding the following minimum housing code enforcement cases.

F. Case Number: MH 377-2013
Property Owner: Tony Leo & John A. Ridzelski
Property Location: 6203 Gregory Street, Fayetteville, NC
Parcel Identification Number: 0419-77-5067

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 377-2013.

Property Owner: Tony Leo & John Alfred Ridelski
Home Owner: Tony Leo & John Alfred Ridelski
Property Address: 6203 Gregory Street, Fayetteville, NC
Tax Parcel Identification Number: 0419-77-5067

SYNOPSIS: This property was inspected on 10/16/2013. The property owners and parties of interest were legally served with Notice of Violations and were afforded a Hearing on 12/17/2013. 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 1/16/2014. 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 3/6/2014, 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 \$33,300.00. The Assessor for Cumberland County has the structure presently valued at \$1782.00. (Utility)

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 Council opened the public hearing.

The clerk to the board advised there were no speakers.

Chairman Council closed the public hearing.

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

G. Case Number: MH 375-2013
Property Owner: Tony Leo & John A. Ridzelski
Property Location: 6211 Gregory Street, Fayetteville, NC
Parcel Identification Number: 0419-77-5138

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 375-2013.

Property Owner: Tony Leo & John Alfred Ridelski
Home Owner: Tony Leo & John Alfred Ridelski
Property Address: 6211 Gregory Street, Fayetteville, NC
Tax Parcel Identification Number: 0419-77-5138

SYNOPSIS: This property was inspected on 10/16/2013. The property owners and parties of interest were legally served with Notice of Violations and were afforded a Hearing on 12/17/2013. 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 1/16/2014. 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 3/6/2014, 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 \$159,680. The Assessor for Cumberland County has the structure presently valued at \$00.

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

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

Chairman Council opened the public hearing.

The clerk to the board advised there were no speakers.

Chairman Council closed the public hearing.

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

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 minimum housing code enforcement cases.

H. Case Number: MH 289-2013 (Unit 1)
Property Owner: Alfred W. Fann
Property Location: 3045 Custer Ave, Fayetteville, NC
Parcel Identification Number: 0459-27-3445

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 289-2013.

Property Owner: Alfred W. Fann
Home Owner: Alfred W. Fann
Property Address: 3045 Custer Avenue, Fayetteville, NC (unit 1)
Tax Parcel Identification Number: 0459-27-3445

SYNOPSIS: This property was inspected on 8/28/2013. The property owners and parties of interest were legally served with Notice of Violations and were afforded a Hearing on 9/26/2013. Alfred W. Fann 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 12/26/2013. 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 3/6/2014, 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 \$39,750.00. The Assessor for Cumberland County has the structure presently valued at \$500.00. (Salvage)

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 Council opened the public hearing.

The clerk to the board called the following speaker:

Alfred Fann – Following administration of the oath, Mr. Fann stated he has a permit for the demolition and although he has started the demolition, he cannot do it in 30 days and does not have the money to hire someone to do it in 30 days.

Chairman Council closed the public hearing.

Chairman Council asked Mr. Fann if he could complete the demolition in 60 days. Mr. Fann stated he was told he had to bring the structure up to code but he does not know the code. Chairman Council stated at present, the structure is in a state that it needs to be demolished. Chairman Council asked if he needed an extra 30 days to tear it down himself. Mr. Fann responded in the affirmative. Commissioner Faircloth asked to defer a decision until the next case, Case Number: MH 289-2013 (Unit 2), is heard.

- I. Case Number: MH 289-2013 (Unit 2)
Property Owner: Alfred W. Fann
Property Location: 3103 Custer Ave, Fayetteville, NC
Parcel Identification Number: 0459-27-4705

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 289-2013.

Property Owner: Alfred W. Fann
Home Owner: Alfred W. Fann
Property Address: 3103 Custer Avenue, Fayetteville, NC (unit 2)
Tax Parcel Identification Number: 0459-27-4705

SYNOPSIS: This property was inspected on 8/28/2013. The property owners and parties of interest were legally served with Notice of Violations and were afforded a Hearing on 9/26/2013. Alfred W. Fann 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 12/26/2013. 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 3/6/2014, 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 \$39,750.00. The Assessor for Cumberland County has the structure presently valued at \$500.00 (Utility)

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

Mr. Hatcher stated the property has no working heat, air or plumbing and is sitting on cinder blocks. Mr. Hatcher also stated the structure is about 750 SF and the Assessor for Cumberland County has the structure in utility condition. Commissioner Keefe asked whether the structure could remain as a utility shed. Mr. Hatcher responded an accessory structure is not permitted without a primary structure. Commissioner Evans stated he did not think Mr. Fann understood what was going on and needed to clearly understand what was happening before the Board took any action. Mr. Hatcher stated Mr. Fann attended the hearing that was held on 8/28/2013 and he explained everything to him at that time. Mr. Hatcher also stated at that time Mr. Fann obtained a demolition permit and began the demolition on Friday. Commission Faircloth asked whether complaints about the property had been received from the neighborhood. Mr. Hatcher stated the case initiated from complaints. Commissioner Faircloth asked whether there were public safety issues involved. Mr. Hatcher the property is located in the country and could be a potential dump site. Mr. Hatcher stated the two properties are side-by-side and the value of the land is greater than the structures.

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

Chairman Council opened the public hearing and asked Mr. Fann whether he had additional comments.

The clerk to the board called the following speaker:

Alfred Fann – Following administration of an oath, Mr. Fann asked whether he had to tear down Unit 2 as well, and stated he was thinking he could do a few repairs and live in it, but he was told it would have to have central heat and air. Mr. Fann stated he thought he could put in a gas heater and window air conditioner and live there if he had to. Mr. Fann explained how he originally bought both houses for his sister who was burned out but she would not keep them clean. Mr. Fann stated he told his sister to leave the premises and it stayed vacant for several months until a man asked to move in because his family was kicking him out of his mother and father's house. Mr. Fann stated he told the man if he would clean it up, he could move in. Mr. Fann stated the man moved in and did not have work or income so he let him stay for several years rent free. Mr. Fann stated he told the man anything that went wrong he was to fix it. Mr. Fann stated the man was a pack rat with things in the house and yard, and when he died, his brother-in-law and sister said they would bring the property up; but they took the metal things they could sell and other things they wanted and left the rest. Mr. Fann stated he was stuck with it. Mr. Fann stated it he has to tear down Unit 2 and Unit 1, he will sign the properties over to the county

Chairman Council closed the public hearing.

Chairman Council told Mr. Fann he would not be able to bring Unit 2 up to code and both structures needed to be demolished. Mr. Fann asked how he could sign the property over to the county. Chairman Council told Mr. Fann if he did not intend to demolish the properties himself, then the Board could rule and the county would demolish the structures.

Mr. Hatcher explained the property would not revert to the county for the cost of demolition and there would probably be a \$3,000 to \$4,000 lien. Mr. Hatcher further

explained to Mr. Fann that he would then have a clear and vacant lot that could be developed.

Chairman Council told Mr. Fann that the county did not want the property. Mr. Fann stated the property was no good to him with the houses torn off and if the county performed the demolitions, he would end up having to pay the county. Mr. Fann stated he would give the county the property to do whatever it wants with it. Commissioner Faircloth explained to Mr. Fann that the properties would not revert to the county. Commissioner Faircloth inquired regarding the acreage. Mr. Fann stated there was close to 1 acre. Commissioner Faircloth explained to Mr. Fann that he would have a vacant piece of land cleared by the county and the county would place a lien on the property for the cost of demolition. Commissioner Faircloth told Mr. Fann he would be paying the same tax he is currently paying but if he were to sell the property, the lien would have to be paid off. Commissioner Faircloth told Mr. Fann that if the county were ever to foreclose on the properties, he would have the opportunity to pay off the lien or sell the property subject the lien. Commissioner Faircloth told Mr. Fann estimates to bring the properties up to code were about \$80,000.

Chairman Council recessed the meeting for a short break.

Chairman Council reconvened the meeting.

MOTION: In Case Number: MH 289-2013 (Unit 1), 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 120 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)

MOTION: In Case Number: MH 289-2013 (Unit 2), 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 120 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)

J. Case Number: MH 374-2013
Property Owner: Floyd Parker Heirs, c/o Cynthia Mc Donald
Property Location: 3775 Critter Creek Road, Fayetteville, NC
Parcel Identification Number: 0440-53-6971

**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 374-2013.

Property Owner: Floyd Parker Heirs c/o Cynthia Parker
Home Owner: Floyd Parker Heirs c/o Cynthia Parker
Property Address: 3775 Critter Creek Road, Fayetteville, NC

Tax Parcel Identification Number: 0440-53-6971

SYNOPSIS: This property was inspected on 10/16/2013. The property owners and parties of interest were legally served with Notice of Violations and were afforded a Hearing on 11/14/2013. Cynthia McDonald 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 1/14/2014. 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 3/6/2014, 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 each. The Assessor for Cumberland County has the structure presently valued at \$500 each. (Salvage)

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

Mr. Hatcher stated the single-wide mobile home is partially demolished and the owner is requesting additional time.

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

Chairman Council opened the public hearing.

The clerk to the board called the following speaker:

Cynthia McDonald – Following administration of an oath, Ms. McDonald stated due to the inclement weather and her husband's health, the demolition could probably be completed in a couple of weeks depending on her husband's health. Ms. McDonald explained her husband's health conditions and stated he has good days and bad days.

Chairman Council closed the public hearing.

MOTION: Commissioner Melvin 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 60 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)

K. REMOVED FROM AGENDA - Case Number: MH 383-2013

L. Case Number: MH 431-2013
Property Owner: Henry & Rena M. McMillian
Property Location: 3397 & 3417 Departure Lane, Eastover, NC
Parcel Identification Number: 0469-73-6015

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 431-2013.

Property Owner: Henry & Rena M. McMillian
Home Owner: Henry & Rena M. McMillian
Property Address: 3397 & 3417 Departure Lane Eastover, NC
Tax Parcel Identification Number: 0469-73-6015

SYNOPSIS: This property was inspected on 11/20/2013. The property owners and parties of interest were legally served with Notice of Violations and were afforded a Hearing on 1/16/2014. 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 2/17/2014. 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 3/6/2014, 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 \$89,300. The Assessor for Cumberland County has the structure presently valued at \$2,017. (Utility)

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 Council opened the public hearing.

The clerk to the board advised there were no speakers.

Chairman Council 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 Faircloth

VOTE: UNANIMOUS (7-0)

M. Case Number: MH 435-2013
Property Owner: Deborah H. Suarez c/o Aaron Suarez
Property Location: 1704 Chaffin Circle, Fayetteville, NC
Parcel Identification Number: 0442-65-7782

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 435-2013.

Property Owner: Deborah Suarez c/o Aaron Saurez
Home Owner: Deborah Suarez c/o Aaron Saurez
Property Address: 1704 Chaffin Ave, Fayetteville, NC
Tax Parcel Identification Number: 0442-65-7782

SYNOPSIS: This property was inspected on 11/20/2013. The property owners and parties of interest were legally served with Notice of Violations and were afforded a Hearing on 12/19/2013. 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 2/19/2014. 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 3/6/2014, 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. The Assessor for Cumberland County has the structure presently valued at \$500. (Salvage)

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 Council opened the public hearing.

The clerk to the board advised there were no speakers.

Chairman Council 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 Faircloth

VOTE: UNANIMOUS (7-0)

5. Presentation from Cumberland County CommuniCare and Update on Court-Ordered Care Services by Ms. Sarah Hallock, Executive Director

BACKGROUND:

Ms. Sarah Hallock, Executive Director of CommuniCare, will be making a presentation at the March 17, 2014 Board of Commissioner's meeting on Cumberland County CommuniCare and will also provide an update on Court-Ordered Care Services.

RECOMMENDATION/PROPOSED ACTION:

Accept the report as presented.

Sarah Hallock, Executive Director of CommuniCare, stated CommuniCare is an agency that has been nurtured by the county for over fifteen years and over that time, the agency has been able to develop its tools and skills set to meet the needs of youth and families in the community. Ms. Hallock provide highlights of CommuniCare's accomplishments as follows:

Accomplishments:

- Trauma Focused Cognitive Behavioral Therapy (TFCBT)
- Selected to send a team of 5 clinicians to a 9 month learning collaborative to be certified as Trauma Focused clinicians through the NC Child Treatment Program. 93% of youth involved in the court system demonstrate trauma. Adults in the Court Ordered Care program demonstrate untreated trauma.
- Structured Psychotherapy for Adolescents Responding to Chronic Stress (SPARCS)
- Selected to send a team of 10 members to participate in a 9 month learning collaborative to be certified to conduct a group model to address chronic stress and trauma in youth. This training is offered by the NC Child Treatment Program.
- Successfully completed a request for proposals with Alliance Behavioral Health and accepted as a provider.
- Successfully completed the Gold Star monitoring process through Alliance Behavioral Health.

Ms. Hallock stated when measuring objective and program outcomes, it is important to show consistency. Ms. Hallock displayed a chart depicting five-year trends and outcomes for CommuniCare's programs (July 1, 2009 through February 28, 2013) with 73% of the youth served completing their programs. Ms. Hallock stated CommuniCare creates a holistic service plan around youth, their families, schools issues, court issues and peer issues. Ms. Hallock stated over the last five years, over 97% of youth have remained in school without long term suspensions or expulsions.

Ms. Hallock provided highlights of a cost/benefit analysis that compared the cost of CommuniCare's services to that of an eight-day stay in the juvenile detention center. Ms. Hallock stated the county has to pay one-half of the daily rate for juveniles staying in the juvenile detention center and there are more services with much better outcomes through investing in CommuniCare.

Ms. Hallock stated this year CommuniCare was asked to take over the daily operations management of the court-ordered care program that was formally part of the Mental Health Clinic. Ms. Hallock stated CommuniCare has made substantial strides with this program and 234 cases have been received from the courts to date. Ms. Hallock stated CommuniCare has doubled those open cases in the last three months which allows more individuals to be served and provides more timely testing information to the court system. Ms. Hallock reviewed the following accomplishments:

Accomplishments:

- Hired additional Staff Psychologist in September 2013
- New clinical supervisor contracted as of November 6, 2013
- Relocation of Staff Psychologist to CommuniCare offices
- Policies have been reviewed for consistency
- Protocol has been updated and aligned with clinical best practices
- Clinical staff training for 7 clinicians (in addition to the Staff Psychologists) to assist in conducting parenting assessments

Ms. Hallock thanked the Board of Commissioners and stated CommuniCare would not be able to operate without the support and guidance of Cumberland County and many others. Ms. Hallock responded to questions.

6. Report from the Health Director on Water Quality Issues on Bullard Circle Located Off of Ramsey Street

BACKGROUND:

Recently, County Management was made aware of water quality issues with homes in the Bullard Circle area, off Ramsey Street. This item was discussed at the Safe Water Task Force

meeting on March 11, 2014. The County is working with State officials to set up a meeting with the residents in the affected areas. Management has asked Buck Wilson, Health Director to brief the Board of Commissioners at the March 17, 2014 meeting.

RECOMMENDATION/PROPOSED ACTION:

Accept the report as presented.

Buck Wilson, Public Health Director, and Daniel Ortiz, Environmental Health Director, provided the following update on water quality issues involving homes in the Bullard Circle area.

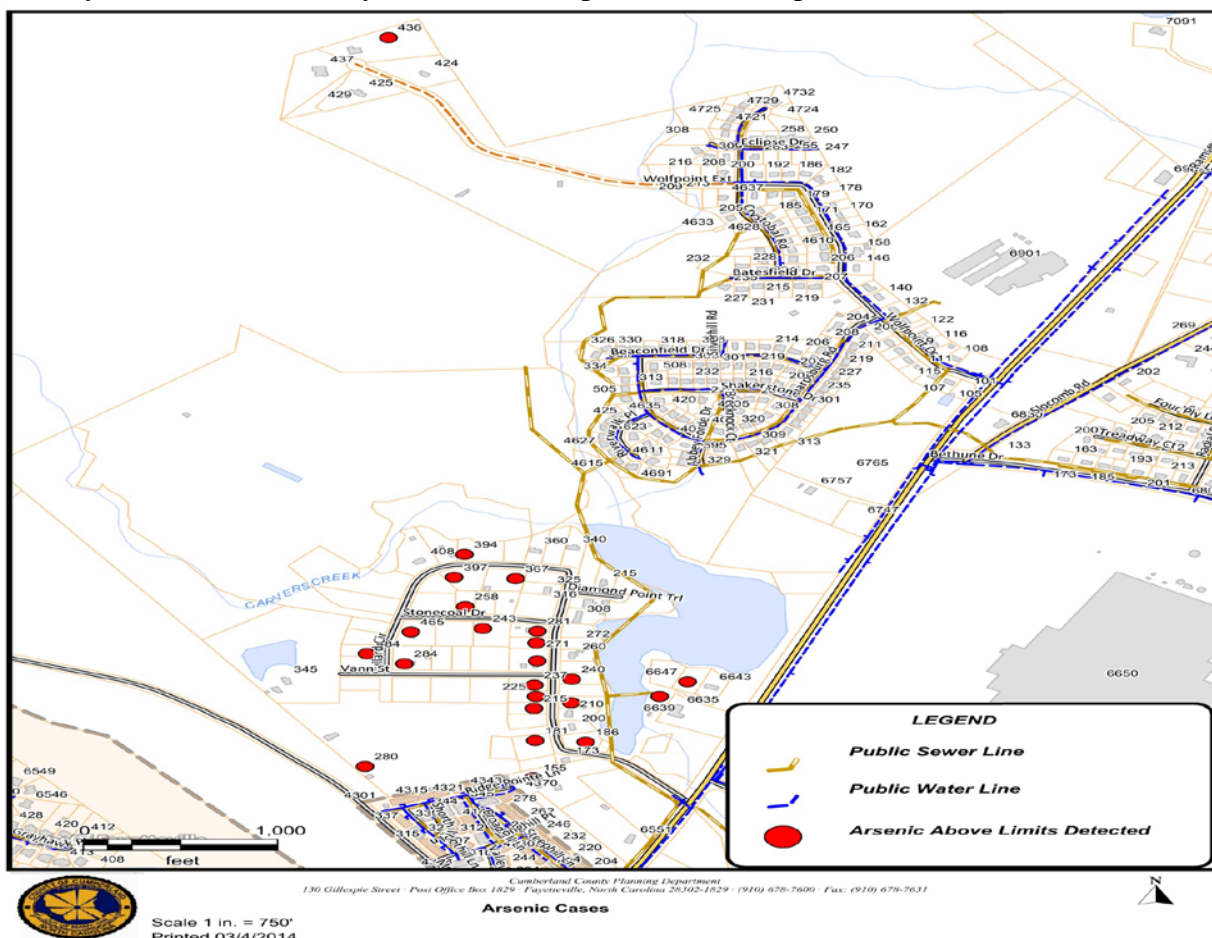
What is arsenic?

- Semi-metallic element
- Naturally occurring (which is thought to be the cause in the Bullard Circle cases)
- Industrial and Agricultural activities
 - Hazardous waste sites
 - Pesticides
 - Manufacture of electronic devices

How does arsenic get in well water?

- Private well water comes from underground water supplies
- Erosion of natural mineral deposits or industrial activities

Mr. Wilson reviewed a map depicting the locations where arsenic was detected at levels above EPA standards; the map also depicted public water and sewer lines. Mr. Wilson stated there are currently 27 locations but only about 22 are depicted on the map.



Mr. Ortiz reviewed the following timeline:

186 Bullard Circle - New well installed

- 9-18-12 - Sampled well water
 - Arsenic level above Environmental Protection Agency (EPA) standard
- 11-28-12 - Re-sampled well water
 - Level above EPA standard
- Environmental Health staff informed owner of results and filtering options.
- Owner decided not to use the well

Mr. Ortiz stated 186 Bullard Circle was the only incident that Public Health was aware of at the time because there were no records of any other water samples in the area.

436 Wolfpoint Ext. - Replacement Well (approximately 1 mile away from Bullard Circle)

- 3-18-13 – Sampled well water
 - Level above EPA standard– Owner notified
- 4-1-13
 - Re-sampled well – Level above EPA standard– Owner notified
- Owner installed well filter (reverse osmosis filter)
- Re-sampled well
 - Level below EPA standard

226 Rachel Rd. - Replacement Well (approximately 1.5 miles from Bullard Circle)

- 5-28-13 Sampled water
 - Level just below EPA standard
- 6-17-13 Re-sampled water
 - Level at min of EPA standard
- 9-30-13 Re-sampled water
 - Level above EPA standard
 - Owner notified after each sample was taken

6639 Ramsey St.

- 9-16-13 Level above EPA standard

6647 Ramsey St.

- 10-9-13 Level above EPA standard

6643 Ramsey St.

- 12-3-13 Level below EPA standard

271 Bullard Circle

- 12-4-13 Sampled water at owner's request
 - Level above EPA standard
- This was the second elevated sample in the Bullard Circle neighborhood.
- This prompted the Environmental Health staff to do a well survey of the area

Results from well survey:

- 57 water samples taken
- 27 samples above the EPA standards
- Results ranged from .011 to .161 –
 - Above .010 is elevated

Mr. Ortiz stated as soon as results came in, homeowners were informed. Mr. Ortiz also stated the well survey/well sample results were taken to the meeting of the Safe Water Task Force and the recommendation was to have public water brought to the area.

Mr. Ortiz responded to questions. Mr. Ortiz stated State Toxicologist Dr. Rudo receives water sample results, reviews them and also sends out results, and Dr. Rudo is well aware of any arsenic in the area. Mr. Ortiz stated residents are not charged for water samples used as part of the survey. Mr. Ortiz stated from a Public Health perspective, any level is of concern because it is arsenic.

Mr. Ortiz reviewed the next steps:

1. Public meeting – March 20th 7pm
 - Long Hill Elementary School
 - State officials invited
2. Public Utilities will assess community needs and what the community wants

Mr. Ortiz stated information and maps have been submitted to PWC so cost estimates can be provided. Mr. Ortiz stated the State Division of Water Quality is aware of the issue but because this is more naturally occurring, he is not sure whether they can find funding. Mr. Ortiz also stated a sample was pulled from the lake and results were below EPA standards.

Commissioner Council asked whether all residents have been notified. Mr. Ortiz stated Public Health has gone door-to-door with notices. Commissioner Council inquired regarding a timeline. Mr. Ortiz stated he does not know the timeline to get public water to the area even though it is needed now from a Public Health standpoint. Mr. Ortiz stated residents have been advised to drink bottled water and suggestions have been made regarding the use of filters. Mr. Ortiz advised the county's Public Utilities Division is working with PWC and the state toxicologist to get as much information to citizens as possible.

Chairman Council urged property owners with affected wells and in the Bullard Circle area to attend the March 20th public meeting and asked that reports come back to the Board with all deliberate speed.

7. Nominations to Boards and Committees

A. Cumberland County Workforce Development Board (1 Vacancy)

Commissioner Keefe nominated Rodney Anderson.

B. Tourism Development Authority (1 Vacancy)

Commissioner Faircloth nominated Manish Mehta.

8. Appointments to Boards and Committees

A. Appointment of Tourism Development Authority Chairperson

Nominee: Vivek Tandon

MOTION: Commissioner Edge moved to appoint Vivek Tandon as Chairman of the Tourism Development Authority until his term expires October 22, 2014.

SECOND: Commissioner King

VOTE: UNANIMOUS (7-0)

B. Appointment of Equalization and Review Board – Appointment of Officers

Nominees: William “Bill” Holland, Chairman
George Turner, First Vice Chairman
Douglas Stephens, Second Vice Chairman

MOTION: Commissioner Edge moved to appoint William “Bill” Holland as Chairman, George Turner as First Vice Chairman and Douglas Stephens as Second Vice Chairman of the Equalization and Review Board

SECOND: Commissioner King

VOTE: UNANIMOUS (7-0)

C. Animal Control Board (2 Vacancies)

Nominee(s):

At-Large Positions: Shelly Bryan
Cindy Collins

MOTION: Commissioner Edge moved to appoint Shelly Bryan and Cindy Collins to the Animal Control Board.

SECOND: Commissioner King

VOTE: UNANIMOUS (7-0)

MOTION: Commissioner King moved to recess the Cumberland County Board of Commissioners' meeting and convene the meeting of the Bragg Estates Water and Sewer District Governing Board.
SECOND: Commissioner Faircloth
VOTE: UNANIMOUS 7(-0)

Chairman Council called the meeting of the Bragg Estates Water and Sewer District Governing Board to order.

ITEMS OF BUSINESS

1. Consent Agenda

A. Approval of a Resolution Required by the State for Applications for Grant and Low Interest Funding for the Bragg Estates Sewer Project

BACKGROUND:

The Public Utilities Division is working to obtain project funding through grants and low interest loans for a wastewater system in the Bragg Estates Water and Sewer District. As a part of the application package the attached resolution must be approved by the Bragg Estates Water and Sewer District Governing Board. The Clean Water State Revolving Fund (CWSRF) is in the process of accepting applications for funding with a deadline of April 1, 2014.

RECOMMENDATION/PROPOSED ACTION:

The Engineering and Infrastructure Director and Management recommend adoption of the Resolution as recorded below.

STATE OF NORTH CAROLINA
COUNTY OF CUMBERLAND

AUTHORIZING RESOLUTION
WATER AND WASTE WATER
PROJECTS

WHEREAS, The Federal Clean Water Act Amendments of 1987 and Safe Drinking Water Act Amendments of 1996 and the North Carolina Water Infrastructure Act of 2005 (NCGS 159G) have authorized the making of loans and grants to aid eligible units of government in financing the cost of construction of wastewater or drinking water system improvements, and

WHEREAS, The Bragg Estates Water & Sewer District has need for and intends to construct a wastewater and/or drinking water system projects described as:

This project is to provide sanitary sewer service to a community of approximately one hundred seventy-five (175) parcels, primarily residential properties. This community is experiencing a high number of septic tank failures, some of which have resulted in condemnation action by our Health Department. This is primarily a lower income and retired military community.

WHEREAS, The Bragg Estates Water & Sewer District intends to request state loan and/or grant assistance for the projects,

NOW THEREFORE BE IT RESOLVED, BY THE GOVERNING BOARD OF THE BRAGG ESTATES WATER AND SEWER DISTRICT:

That the Bragg Estates Water & Sewer District, the Applicant, will arrange financing for all remaining costs of the project, if approved for a State (loan and/or grant) award.

That the Bragg Estates Water & Sewer District will adopt and place into effect on or before completion of the project a schedule of fees and charges and other available funds which will provide adequate funds for proper operation, maintenance, and administration of the system and the repayment of all principal and interest on the debt.

That the Governing Body of the Bragg Estates Water & Sewer District agrees to include in the loan agreement a provision authorizing the State Treasurer, upon failure of the Bragg Estates Water & Sewer District to make scheduled repayment of the loan, to withhold from the Bragg Estates Water & Sewer District any State funds

that would otherwise be distributed to the local government unit in an amount sufficient to pay all sums then due and payable to the State as a repayment of the loan.

That the Bragg Estates Water & Sewer District will provide, or contract for, the efficient operation and maintenance of the project upon completion of construction thereof.

That James E. Martin, County Manager, the Authorized Official, and successors so titled, is hereby authorized to execute and file an application on behalf of the Applicant with the State of North Carolina for a (loan or grant) to aid in the construction of the projects described above.

That the Authorized Official, and successors so titled, is hereby authorized and directed to furnish such information as the appropriate State agency may request in connection with such application or the project: to make the assurances as contained above; and to execute such other documents as may be required in connection with the application.

That the Bragg Estates Water & Sewer District has substantially complied or will substantially comply with all Federal, State, and local laws, rules, regulations, and ordinances applicable to the project and to Federal and State grants and loans pertaining thereto.

Adopted at a meeting of the Governing Board of the Bragg Estates Water and Sewer District held on the 17th day of March 2014 in the Commissioners Meeting Room, Room 118, County Courthouse, 117 Dick Street, in Fayetteville, North Carolina.

Jeffrey Brown, Engineering and Infrastructure Director, reviewed the background information as recorded above.

MOTION: Commissioner King moved to approve consent agenda Item 2.A.

SECOND: Commissioner Faircloth

VOTE: UNANIMOUS (7-0)

There being no further matters of business for the Bragg Estates Water and Sewer District,

MOTION: Commissioner Faircloth moved to adjourn the meeting of the Bragg Estates Water and Sewer District Governing Board and reconvene the Cumberland County Board of Commissioners meeting.

SECOND: Commissioner King

VOTE: UNANIMOUS (7-0)

9. Closed Session
- A. Attorney Client Matter(s) Pursuant to NCGS 143-318.11(a)(3)
 - B. Personnel Matters Pursuant to NCGS 143-318.11(a)(6)
 - C. Economic Development Matter(s) Pursuant to NCGS §143-318.11(a)(4)

MOTION: Commissioner Faircloth moved to go into closed session for Attorney/Client Matter(s) pursuant to NCGS §143-318.11(a)(3), Personnel Matter(s) pursuant to NCGS §143-318.11(a)(6) and Economic Development Matter(s) pursuant to NCGS §143-318.11(a)(4).

SECOND: Commissioner King

VOTE: UNANIMOUS (7-0)

MOTION: Commissioner Keefe moved to reconvene in open session.

SECOND: Commissioner Melvin

VOTE: UNANIMOUS (7-0)

MOTION: Commissioner Edge moved to adjourn.
SECOND: Commissioner Melvin
VOTE: UNANIMOUS (7-0)

There being no further business, the meeting adjourned at 10:30 p.m.

Approved with/without revision:

Respectfully submitted,

Candice H. White
Clerk to the Board