

CUMBERLAND COUNTY BOARD OF COMMISSIONERS
MONDAY, AUGUST 15, 2015 – 6:45 PM
117 DICK STREET, 1ST FLOOR, ROOM 118
REGULAR/REZONING MEETING
MINUTES

PRESENT: Commissioner Kenneth Edge, Chairman
Commissioner Marshall Faircloth, Vice Chairman
Commissioner Glenn Adams
Commissioner Jeannette Council
Commissioner Charles Evans
Commissioner Jimmy Keefe
Commissioner Larry Lancaster
Amy Cannon, County Manager
James Lawson, Deputy County Manager
Melissa Cardinali, Assistant County Manager
Tracy Jackson, Assistant County Manager
Rick Moorefield, County Attorney
Sally Shutt, Governmental Affairs Officer
Vicki Evans, Finance Director
Deborah Shaw, Budget Analyst
Randy Beeman, Emergency Services Director
Tom Lloyd, Planning and Inspections Director
Jeffrey Brown, Engineering and Infrastructure Director
George Hatcher, Code Enforcement Officer
Joey Lewis, Code Enforcement Officer
Debra Johnson, Code Enforcement Officer
Major Larry Trotter, Detention Center Chief Jailer
Chris Bostock, Chairman of Alliance Behavioral Healthcare Board of Directors
Candice White, Clerk to the Board
Kellie Beam, Deputy Clerk to the Board
Press

Chairman Edge called the meeting to order.

INVOCATION / PLEDGE OF ALLEGIANCE

Commissioner Lancaster provided the invocation followed by the Pledge of Allegiance to the American flag led by Brock West, 3rd grader at VanStory Elementary School.

Recognition of Rickey Moorefield on being elected Secretary/Treasurer to the National Association of County Civil Attorneys

Chairman Edge stated the National Association of County Civil Attorneys (NACCA) is an affiliate organization of the National Association of Counties (NACo), whose membership is composed of attorneys representing counties throughout the United States. Chairman Edge also stated the National Association of County Civil Attorneys (NACCA) is dedicated to advancing the interests and education of attorneys who represent county governments and their agencies. Chairman Edge stated the organization seeks to help county attorneys keep apprised of cutting edge legal issues facing county governments, and helps to identify best practices in resolving issues confronting local county departments and agencies.

Chairman Edge stated the National Association of County Civil Attorneys (NACCA) holds its annual meeting each year in conjunction with the NACo annual conference and during this year's conference in Mecklenburg County, Cumberland County Attorney Rick Moorefield was elected as Secretary/Treasurer to the National Association of County Civil Attorneys (NACCA).

Presentation of Government Finance Officers Association Award – Fiscal Year 2014 – Certificate of Achievement for Excellence in Financial Reporting

Chairman Edge stated the GFOA established the Certificate of Achievement for Excellence in Financial Reporting Program (CAFR Program) in 1945 to encourage and assist state and local governments to go beyond the minimum requirements of generally accepted accounting principles to prepare comprehensive annual financial reports that evidence the spirit of transparency and full disclosure and then to recognize individual governments that succeed in achieving that goal.

Chairman Edge stated this certificate is presented by the Government Finance Officers Association to Cumberland County for its excellence in the Comprehensive Annual Financial Report (CAFR) and is the highest form of recognition in the area of governmental accounting and financial reports, and its attainment represents a significant accomplishment by a government and its management.

Chairman Edge stated this certificate for preparing the award-winning CAFR for 2014 has been awarded to Vicki Evans, Cumberland County's Finance Director.

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

Amy Cannon, County Manager, read the public comment policy. Chairman Edge recognized the clerk to the board who called the following speaker.

John Smith – Mr. Smith spoke to his experience with Animal Control on July 28 and asked what progress had been made since May 22 when it was reported that Dr. Lauby said only 20-30% of the pets in Cumberland County are vaccinated, how many Animal Control officers are on duty during the weekend and whether Animal Control officers are properly trained to use the tasers they carry.

Chairman Edge informed Mr. Smith someone would contact him.

Ms. Cannon asked to have Item 4.E. Minimum Housing Case Number: MH 1053-2015 removed from the agenda.

1. Approval of Agenda

MOTION: Commissioner Evans moved to approve the agenda with the exception of Item 4.E. Minimum Housing Case Number: MH 1053-2015 to be removed as requested.

SECOND: Commissioner Council

VOTE: UNANIMOUS (7-0)

2. Presentation on Cumberland County's Critical Time Intervention Program by Ann Oshel, Chief Community Relations Officer, Alliance Behavioral Healthcare, and Wayne Cannon, Crisis Intervention Team Program Coordinator, Cumberland County Sheriff's Office

BACKGROUND:

In March of this year, Alliance Behavioral Healthcare was awarded a two-year, \$554,000 grant from the North Carolina Department of Health and Human Services to fund a Critical Time Intervention (CTI) program in Cumberland County.

Alliance manages the public mental health, substance abuse, and intellectual/developmental disability services for citizens of Cumberland, Durham, Wake and Johnston counties.

CTI is a time-limited intensive case management model designed to assist adults with mental illness who need help in successfully managing critical transitions in their lives. CTI promotes a focus on recovery, psychiatric rehabilitation, and full inclusion in the community.

The grant is being used to develop a forensic post-release program utilizing the CTI model to target persons with mental health, substance use or co-occurring conditions incarcerated at the Cumberland County Detention Center with a history of repeated incarcerations. They may be at

risk for returning to jail after discharge due to housing instability or unemployment, and may be hampered by limited or no social supports and difficulty engaging in behavioral health services. The program will offer jail in-reach, assertive engagement, peer support services, case management, and other services necessary to help ensure that individuals discharged from the Detention Center have access to behavioral health aftercare and community resources they need to succeed outside jail, including stable housing and assistance with education and employment.

A presentation regarding the CTI program will be provided to the Board of Commissioners on August 17, 2015 at the Board meeting by Ann Oshel, Chief Community Relations Officer, Alliance Behavioral Healthcare, and Wayne Cannon, Crisis Intervention Team Program Coordinator, Cumberland County Sheriff's Office.

RECOMMENDATION/PROPOSED ACTION:

No action is required. This is for informational purposes only.

James Lawson, Deputy County Manager, reviewed the background information as recorded above and introduced Ann Oshel, Chief Community Relations Officer, Alliance Behavioral Healthcare, and Wayne Cannon, Crisis Intervention Team Program Coordinator, Cumberland County Sheriff's Office.

Mr. Cannon stated jail diversion initiatives breakdown into three categories with pre-booking diversions intended to keep individuals out of jail, post-booking diversions intended to get those individuals with behavioral health disorders who are in jail released into treatment and a stable environment, and community-based services and supports intended for individuals post-release from jail.



Mr. Cannon provided a brief snapshot of the pre-booking diversion function of the Crisis Intervention Team (CIT), post-booking diversions and post-release services as follows:

Pre-Booking Diversion

Crisis Intervention Team

- Multi-agency law enforcement & first responder program
- Established in 2009, total certified 653
- Rapid & effective crisis response
- Promotes treatment as an alternative to arrest and incarceration
- Clinical follow-up after each CIT encounter
- Tandem response with Mobile Crisis Team (Greater Image Health Care Corp.) and law enforcement officers
- Crisis & Evaluation Unit (CIT Drop-off) in partnership with Cape Fear Valley Medical Center at Roxie Avenue Center

Structured Post-Booking Diversion & Reentry Planning

- Coordinated release of identified detainees with serious mental illness, substance use disorders or intellectual/developmental disabilities
- Contingent upon arrangements for clinically indicated post-release behavioral health services
- Release facilitated by a legal mechanism, such as a plea-deal, court order, "time served" per judge, or unsecured bond
- Direct transfer or "warm handoff" to provider at the time of release

Community Based Services and Support

- Assertive Community Treatment Team
- Intensive Outpatient Substance Abuse Program
- Community Support Team

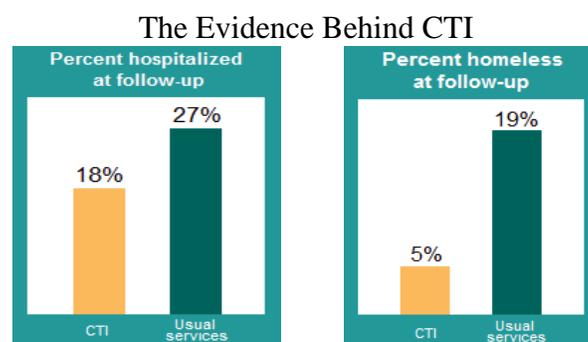
- Vocational Rehabilitation

Ms. Oshel stated when funding was released by the Division of Mental Health, Mr. Cannon was the first individual she contacted in order to build upon the strong foundation of the CIT approach to decriminalize individuals with mental health issues and its collaboration among law enforcement officers.

Ms. Oshel provided a brief snapshot of Critical Time Intervention (CTI) as follows:

What is Critical Time Intervention (CTI)?

- Evidence based practice designed for persons with severe mental illness or co-occurring disorders transitioning from homelessness or institutions to community living
- Three member team:
 - Team Leader/Licensed Clinician
 - Case manager
 - Peer Support Specialist
- Nine month, three phase, intensive case management model
- Model has wide applicability to vulnerable populations during critical transition times



Ms. Oshel then reviewed the seven focus areas or wrap-around services and stated housing is the single most critical need for persons with mental illness in transition from an institutional setting. Ms. Oshel spoke to the Alliance's partnerships with housing providers, short term and longer-term rental assistance programs and the Alliance's pool of private landlords who provide supportive housing and have an affinity for the population in which bad credit and criminal backgrounds would otherwise present barriers.

Seven Focus Areas for Intervention

- Housing and Housing Crisis Management
- Psychiatric Treatment and Medication Management
- Substance Abuse Treatment
- Medical Treatment
- Social Supports
- Financial
- Legal

Ms. Oshel stated the partnership between mental health and criminal justice can sometimes be difficult. Ms. Oshel further stated without the dialogue involving Major Larry Trotter and the collaboration of the jail, the CTI program in Cumberland County would not have been possible.

Why We Selected the Jail Population

- Addressing challenges:
 - High rate of recidivism among persons with behavioral health conditions booked in the detention center in the absence of community supports
 - Increase in both jail census and level of acuity for persons with behavioral health conditions that pose a threat to physical safety of detention staff and inmates
 - Very limited ability for comprehensive discharge planning while incarcerated due to high volume and complex needs
 - Lack of awareness for many individuals about how to access community services often resulting in a return to jail to get basic needs met
 - Social risk factors that lead to high rates of recidivism; i.e. unemployment, poverty, homelessness, lack of educational attainment

Ms. Oshel provided a snapshot of the target population for CTI and stated CTI is an adult service for a population that can be difficult to engage.

Target Population for CTI

- Persons 18 and older with a diagnosed or suspected mental illness, with or without a co-occurring substance use disorder and/or a co-occurring developmental disability
- History of erratic or non-engagement in treatment services
- Persons eligible for the existing Diversion Program
 - 5 or more bookings within two years OR
 - 3 bookings in last year
 - Misdemeanor, low level, non-violent felony
 - In 2014, 55 inmates referred to the Diversion Program
- Special consideration given to 18-30 year olds
 - Account for the highest percentage of those referred to the Diversion Program
- Referrals can also be considered from Jail Mental Health Team

Ms. Oshel stated four sites were selected across the state for CTI and the Alliance is the only site that has applied this program exclusively to the jail population. Ms. Oshel stated because the funding for the first year was dispersed late, it has been rolled over into the second year so there will be one year for implementation once the General Assembly certifies the budget.

Funding and Sustainability

- Part of NC Crisis Solutions Initiative
- Two year Federal Block Grant funding administered by Dept. of Health and Human Services
 - Yr. 1 funding award: \$188, 745
 - Yr. 2 funding award: \$364,978
- Draft service definition with a billable rate
 - Will cost model service over next year
- Can be coupled with other billable services to maximize sustainability

Ms. Oshel concluded her presentation and responded to questions regarding post-release assessments for higher levels of care, monitoring of housing accommodations to prevent recidivism, use of funds for the hiring and training of individuals local to Cumberland County who will remain in the County when the program ends and will be certified to provide the services, obtaining an accurate prevalence rate of recidivism in the Cumberland County jail, the process used to recruit landlords and post-forensic teams. Commissioner Adams asked that the Alliance consider adding someone from the private attorney population to the CTI Partnership Committee because of the number of clients they have in the jail.

3. Consent Agenda

- A. Approval of Minutes for the August 3, 2015 Regular Meeting
- B. Approval of Budget Restructuring

BACKGROUND:

On July 2, 2015 a memorandum was previously sent to the Board of Commissioners regarding the restructuring of Budget Management.

The issues faced in county government are more complex and require on-going monitoring and evaluation beyond the normal budget cycle. Current sales tax proposals in the General Assembly as well as our sales tax interlocal agreements are relevant examples of the detailed review and analysis required.

For some time, the county maintained a separate budget department to manage the annual budget process and ongoing budget monitoring. However, extreme budget pressures in the mid 1990's led the county to merge the budget function with the finance department.

This combined approach is proving more and more difficult to maintain. As the accounting staff finalizes one major project (annual audit and CAFR), another major project (annual budget) begins. Because of the growing complexity and importance of the

audit and budget, we believe it is appropriate to have dedicated and separate staff assigned to each function. Combined, the attention to budget and audit is at greater risk of being segmented and viewed from silos instead of a comprehensive approach.

In North Carolina, 7 of the 8 largest counties in North Carolina have separate budget and finance departments. The current structure of blending budget and finance is typically found in counties with a population of 100,000 or less, not a county of over 320,000.

Therefore, beginning July 1, 2015, the budget function will be moved to the County Manager's office. This move does not require additional funding but a re-organizing of the finance office. The re-structure will include moving a current staff position in finance to the manager's office and taking funds from the vacant Accounting Manager position for a second budget analyst position. The budget positions will report to the Assistant County Manager for Finance / Administrative Services.

Under this new structure, the budget division will be able to focus on the annual budget process, analysis of major revenue sources, working with departments on budget revisions, CIP coordination, outside agency monitoring, and special projects. One major special project on the near horizon is the sales tax distribution agreement between the county and the municipalities.

Finance will continue to work with Information Services on the implementation of the new software, investments, debt issuance, monthly and annual financial reporting, monitoring and recording fixed assets, and reconciliation and monitoring of receivables and payables.

The associated budget revisions relate to this notification previously sent to Board of Commissioners.

RECOMMENDATION/PROPOSED ACTION:

Approve the budget revisions B16-047 and B16-047A associated with the restructuring.

C. Approval of Cumberland County Facilities Committee Report and Recommendations:

- 1) Radio Tower Agreement with NC Division of Forest Resources

BACKGROUND:

The Emergency Management Department was contacted by the NC Division of Forest Resources to see if Cumberland County had available radio tower space for installation of an antenna. Their existing agreement for the tower on Palestine Road has expired and their goal is to find a more centrally located site within Cumberland County to provide better radio communication coverage. The Emergency Management Department then contacted the Engineering & Infrastructure Department to discuss the possibility of the Forestry Service using available space on the tower located atop of the County facility located at 109 Bradford Avenue, the former Mental Health Building.

There is available space on one of the existing towers located at the facility and there is actually an existing VHF antenna that is currently not in service that the Forestry Division utilized to test the communication coverage. It was determined from the test that this location did indeed meet their needs and it was also determined that their antenna would not have a negative impact on the existing communication antennas, as their antenna will be on a different frequency from the existing antennas. The use of the available space on the tower will provide more effective and efficient services to the citizens of Cumberland County without any negative impact to existing operations.

This was initially presented and approved by the Facilities Committee on November 6, 2014, however there was liability language within the tower agreement that the County Attorney requested to be changed after it was presented. Therefore, it was determined that this should be brought back to the Committee for review and approval. The County Attorney has reviewed and approved the attached revised agreement.

This was presented and approved by the Facilities Committee on August 6th.

RECOMMENDATION/PROPOSED ACTION:

The Engineering and Infrastructure Director, County Management and the Facilities Committee recommend that the Board of Commissioners approve the use of available space on the radio tower located atop of 109 Bradford Avenue for the purpose of the NC Division of Forest Resources operating a radio antenna.

- 2) Extension of Deli Franchise

BACKGROUND:

In 2011, Cumberland County entered into a franchise agreement allowing The Happy Deli to provide deli and snack bar services at two County-owned facilities (i.e., the Courthouse and DSS). The agreement was to expire in 2014 but during the November 6, 2014 Facilities Committee meeting, a motion was made to recommend that the full board consider extending the franchise agreement until September 30, 2015 and then consider bidding it out. At the August 3, 2015 Facilities Committee Meeting, the committee voted to recommend that the full board extend the current deli franchise until December 31, 2015 in order to allow staff adequate time to prepare a request for proposals. Recorded below is a modification created by County Attorney Rick Moorefield that allows for the extension of the deli franchise if approved by the board.

RECOMMENDATION/PROPOSED ACTION:

Approval of an extension of the current deli franchise until December 31, 2015 to allow staff time to create a request for proposals for a deli and snack bar franchisee and to solicit and vet said proposals.

NORTH CAROLINA

COUNTY OF CUMBERLAND SNACK BAR FRANCHISE MODIFICATION

Approved by the Board of Commissioners August 17, 2015

THIS AGREEMENT, made and entered into August _____, 2015, by and between SHANA B. YI and JAE YONG YI (LEE), d/b/a Go 'N Joy Restaurant, located at 412½-A North Bragg Boulevard, Spring Lake, North Carolina 28390, hereinafter referred to as "FRANCHISEE", and the COUNTY OF CUMBERLAND, a body politic and corporate of North Carolina, hereinafter referred to as "COUNTY".

W I T N E S S E T H:

WHEREAS, FRANCHISEE is operating a Snack Bar to provide food services to the visitors and staff of the Cumberland County Courthouse located at 117 Dick Street, Fayetteville, North Carolina (Courthouse Snack Bar), and the Cumberland County Department of Social Services (DSS) located at 1225 Ramsey Street, Fayetteville, North Carolina (DSS Snack Bar), pursuant to a Franchise approved by the Board of Commissioners on a second reading October 20, 2014, with a term that ends September 30, 2015; and

WHEREAS, COUNTY, through its Board of Commissioners, desires to solicit proposals from vendors who may be interested in this Franchise.

NOW, THEREFORE, for and in consideration of the promises and agreements hereafter set forth and the mutual benefits to be derived by the parties, FRANCHISEE and COUNTY agree, in accordance with Section 14 of the Franchise Agreement approved October 20, 2014, that the Franchise Agreement approved October 20, 2014, shall be extended to December 31, 2015, subject to all the other terms and conditions stated therein.

- D. Approval of Cumberland County Finance Committee Report and Recommendations:

- 1) Amendment to Annual Audit Contract

BACKGROUND:

As presented during the August 3, 2015 finance committee meeting, information was shared regarding notification from the Office of the State Auditor that they are auditing the Schedule of Expenditures of Federal Awards (SEFA) and compliance over the major federal programs of the State of North Carolina as of June 30, 2015. The goal of the additional procedures is to provide reliable data to the State Auditor who will use the data in their audit of major federal programs. The requirement for the auditors contracted by the County to perform additional procedures for the State is clearly an unfunded mandate. The cost of the additional procedures is \$2,000 annually.

RECOMMENDATION/PROPOSED ACTION:

Approval of the \$2,000 amendment of the annual audit contract with Cherry Bekaert, LLP for the fiscal year 2015 audit. (B16-048)

- 2) Budget Revisions to Allocate Funding for Benefits Now Required for Temporary Workers

BACKGROUND:

As presented during the August 3, 2015 Finance Committee meeting, compliance with the Affordable Care Act requires that the County extend health insurance benefits to temporary employees who are hired to work thirty or more hours per week. These employees will now be offered the same benefit as regular full time employees and if they choose to participate they will make the same contribution amounts. This fiscal year there are thirty-five positions within DSS who this applies to, therefore a budget revision is needed to cover this additional cost. This does not apply to any temporary staff who is working for the County through an employment agency.

In addition, employees who have worked 1,000 or more hours in a twelve month period must be enrolled in the retirement system as of their one year anniversary. We are approaching that date for some of the thirty-five DSS positions mentioned above. This additional cost has been projected in the attached budget revision.

No other benefits will apply to temporary employees, per the County's policy.

RECOMMENDATION/PROPOSED ACTION:

Approval of budget revision B16-024/B16-024A which will authorize payment of these employee benefits.

- 3) School Health Nurse Pay Guidelines and Associated Budget Revision

BACKGROUND:

As presented during the August 3, 2015 Finance Committee meeting, information was shared regarding the Guidelines for School Health Nurse Pay and Leave Accrual that have been in place and have been followed since 2003. To summarize, the guidelines state that employees in these positions will be paid prorated annualized salaries over a 12-month period even though they actually only work ten months. On a bi-weekly basis this means that the work schedule of 70 hours per pay period will amount to 59.23 paid hours. In the event one of these type employees terminates, the individual may owe the County or more likely, the County will owe the employee a pay differential.

An issue with the guidelines was recently brought to the attention of Finance and Human Resources staff when a school health nurse *transferring* to another internal department requested to be paid her annualized salary difference prior to her transfer. This was the first time a school health nurse who transferred to another internal department requested these funds. Staff had been processing pay actions according to the guidelines that were implemented in 2003 for school health nurses who *terminated* employment, only.

Calculations show that the school health nurse who brought this to our attention does have a balance owed to her because of being paid for fewer hours than she worked in accordance with the guidelines. In an effort to determine the full impact for all school health nurses, staff conducted further analysis and research, and final calculations show seven other active employees and one retired employee who transferred to other internal full time positions have balances owed covering the time period 2003 to present. The

total one-time cost to correct this is \$24,257 which will result in pay adjustments for nine individuals. To prevent future recurrence, the following actions were taken as of July 1, 2015:

- The guidelines were updated to include a payout calculation for school health nurses who *transfer* within the County; and
- The action to pay these individuals will be initiated by Human Resources staff on a Personnel Action Form, directing payroll to calculate and pay out or collect any discrepancies in pay.

Revisions to the guidelines are recorded below showing changes in italics.

RECOMMENDATION/PROPOSED ACTION:

Approve budget revision B16-037 which will authorize payments totaling \$24,257 to nine former school health nurses.

GUIDELINES FOR SCHOOL HEALTH NURSE PAY AND LEAVE ACCRUAL

Effective Date: July 1, 2003

(Updated July 1, 2015 – changes shown in italics)

1. Salary will be annualized over a 12-month period, but they will only work 10 months. This will insure payments for any deductions (ex: BCBS, term, dental...). This also means that the work schedule of 70 hours a pay period will be paid at 59.23 hours.
2. Reduced hours worked will not affect the number of years with the Retirement System. Retirement benefits are calculated based on the salary paid during the four highest paid years in a row. As a matter-of-fact, the health nurses will be in a much better position as it relates to time with the Retirement System because no contributions to the Retirement System means no creditable service. Salaries being paid over twelve months mean contributions will be made to the Retirement System monthly and they will receive credit time for the two months they are out of work.
3. Calculations will be made when an individual *in the school nurse special pay plan terminates or transfers to another County position* to determine the correct payout. In most cases, the County will owe the employee some additional pay because they will be working 70 hours per pay period, but are receiving pay for 59.23 hours. In the event an employee *in the school nurse special pay plan* decides to terminate employment *or transfers to another County position* during the period the advanced money has been paid, advanced funds are due to the County to be paid back to the County by the employee. *County HR will notify Payroll in the comments section of the Personnel Action Form anytime an individual in the school nurse special pay plan terminates or transfers to another County position, noting that the calculation must be made.*
4. Accrual of sick/annual leave will be at 88% of full-time rate; however, no leave will be accrued for the two months not worked. Other leaves will be paid at 88% of full-time rate, (i.e., holidays).
5. Since pay is being generated during the summer, the payroll system will show leave accrual. These accruals will be adjusted back to actual at the beginning of the school year.

- 4) Reimbursement Resolution Regarding Proposed Financing for Capital Improvement Projects

BACKGROUND:

As presented during the August 3, 2015 Finance Committee meeting, information was shared regarding the resolution of official intent to pursue tax exempt financing and to reimburse expenditures with proceeds of a borrowing. U. S. Treasury regulations and guidelines that involve debt financing transactions require that a governmental entity declare its intent to use debt financing for a given project before expenses are incurred. In accordance with this requirement, the County must adopt a resolution of intent to use

installment financing for the capital improvement projects in order to reimburse itself for any costs incurred before the financing is executed from the proceeds of the installment contract.

Areas of improvements within the general fund and crown fund considered and approved in the fiscal year 2016 budget include: parking lot repair/resurfacing, roof repair/replacement and building exterior improvements. To address these categories of infrastructure needs over the next three years a total of \$9,823,625 will be financed to cover these costs.

The resolution recorded below would satisfy the federal reimbursement requirements by declaring the County's intent to finance the capital improvement projects from an installment contract in an amount not to exceed \$10 million.

RECOMMENDATION/PROPOSED ACTION:

Approval of the resolution of official intent to pursue tax exempt financing

**RESOLUTION OF OFFICIAL INTENT TO PURSUE
TAX EXEMPT FINANCING AND TO REIMBURSE
EXPENDITURES WITH PROCEEDS OF A BORROWING**

WHEREAS, the Board of Commissioners of Cumberland County, North Carolina (the "County") intends to provide a portion of the financing of the acquisition, construction, renovation and equipping of certain capital improvements to various County property, including but not limited to the Crown Complex, the Courthouse, the historic Courthouse, the Sheriff's office, the Department of Social Services Building, and the Health Department, including parking lot, exterior building and roof repairs (collectively, the "Projects");

WHEREAS, the County may advance its own funds to pay expenditures related to the Projects, may borrow funds on a short term taxable or tax exempt basis in order to pay such expenditures or may enter into contracts obligating third parties to make certain expenditures relating to the Projects (the "Expenditures") prior to incurring indebtedness and to receive reimbursement for such Expenditures from proceeds of tax-exempt bonds or taxable debt, or both;

BE IT RESOLVED BY THE BOARD OF COMMISSIONERS OF CUMBERLAND COUNTY, NORTH CAROLINA:

1. The County intends to utilize the proceeds of tax-exempt indebtedness, including but not limited to installment finance agreements (the "Indebtedness") or to incur other debt, to pay the costs of the Projects in an amount not currently expected to exceed \$10,000,000.
2. The County intends that the proceeds of the Indebtedness be used to reimburse the County for Expenditures with respect to the Projects made on or after the date that is no more than 60 days prior to the date of this resolution. The County reasonably expects on the date hereof that it will reimburse the Expenditures with the proceeds of the Indebtedness or other debt.
3. The County intends that the adoption of this resolution confirms the "official intent" within the meaning of Treasury Regulations Section 1.150-2 promulgated under the Internal Revenue Code of 1986, as amended.
4. This resolution shall take effect immediately upon its passage.
- E. Approval of Cumberland County Policy Committee Report and Recommendation (For Information Purposes Only)

Minutes of the August 6, 2015 Policy Committee are fully incorporated herein by reference.

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

- 1) Case Number: MH 760-2014
Property Owner: Tina Stoddard, Stacy Stoddard & Billy V. Cain
Property Location: 5080 Tabor Church Road, Fayetteville, NC
Parcel Identification Number: 0463-82-2290

ORDINANCE ASSESSING PROPERTY FOR THE COSTS
OF DEMOLITION OF A STRUCTURE PURSUANT TO
THE MINIMUM HOUSING CODE OF CUMBERLAND COUNTY
CASE NUMBER: MH 760-2014
PROPERTY OWNER: Tina Stoddard

WHEREAS, the Board of County Commissioners of Cumberland County, North Carolina, on January 20, 2015, enacted an ordinance directing the demolition by the owner of the structure Tina Stoddard, located at 5080 Tabor Church Rd, Fayetteville, NC, PIN: 0463-82-2290, said ordinance being recorded in Book 9585, page 331, of the Cumberland County Registry of Deeds;

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

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

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

- (1) Said work had been accomplished.
- (2) The cost of such work was \$1,400.00.
- (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 \$1,400.00, 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 20, 2015, 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 5080 Tabor Church Rd, Fayetteville, NC, as described in Deed Book 7619, page 336, of the Cumberland County Registry and identified in County tax records as PIN 0463-82-2290.

(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 722-2014
Property Owner: Bryan David Arthur
Property Location: 4044 Chicken Foot Road, St. Pauls, NC
Parcel Identification Number: 0420-85-9815

ORDINANCE ASSESSING PROPERTY FOR THE COSTS
OF DEMOLITION OF A STRUCTURE PURSUANT TO

THE MINIMUM HOUSING CODE OF CUMBERLAND COUNTY
CASE NUMBER: MH 722-2014
PROPERTY OWNER: Bryan David Arthur

WHEREAS, the Board of County Commissioners of Cumberland County, North Carolina, on January 20, 2015, enacted an ordinance directing the demolition by the owner of the structure Bryan David Arthur, located at 4044 Chicken Foot Rd; St. Pauls, NC, PIN: 0420-85-9815, said ordinance being recorded in Book 9585, page 0325, of the Cumberland County Registry of Deeds;

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

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

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

- (1) Said work had been accomplished.
- (2) The cost of such work was \$1,450.00.
- (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 \$1,450.00, 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 20, 2015, 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 4044 Chicken Foot Rd, St. Pauls, NC, as described in Deed Book 9265, page 144, of the Cumberland County Registry and identified in County tax records as PIN 0420-85-9815.

(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 699-2014
Property Owner: Eric R. Nelson & Bank of America
Property Location: 6505 Amity Court, Stedman, NC
Parcel Identification Number: 0497-26-5834

ORDINANCE ASSESSING PROPERTY FOR THE COSTS
OF DEMOLITION OF A STRUCTURE PURSUANT TO
THE MINIMUM HOUSING CODE OF CUMBERLAND COUNTY
CASE NUMBER: MH 699-2014
PROPERTY OWNER: Eric R. Nelson & Bank of America

WHEREAS, the Board of County Commissioners of Cumberland County, North Carolina, on December 15, 2014, enacted an ordinance directing the demolition by the owner of the structure Eric R. Nelson & Bank of America, located at 6505 Amity Ct.;

Stedman, NC, PIN: 0497-26-5834, said ordinance being recorded in Book 9590, page 395 , 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 \$2,975.00.
- (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 \$2,975.00, 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 December 15, 2014, 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 6505 Amity Ct, Stedman, NC, as described in Deed Book 5327, page 658, of the Cumberland County Registry and identified in County tax records as PIN 0497-26-5834.

(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 789-2014
Property Owner: Dora Mason
Property Location: 2960 Duck Pond Road, Linden, NC
Parcel Identification Number: 0553-76-4830

ORDINANCE ASSESSING PROPERTY FOR THE COSTS
OF DEMOLITION OF A STRUCTURE PURSUANT TO
THE MINIMUM HOUSING CODE OF CUMBERLAND COUNTY
CASE NUMBER: MH 789-2014
PROPERTY OWNER: Dora Mason

WHEREAS, the Board of County Commissioners of Cumberland County, North Carolina, on January 20, 2015, enacted an ordinance directing the demolition by the owner of the structure Dora Mason, located at 2960 Duck Pond Road, Linden, NC, PIN: 0553-76-4830, said ordinance being recorded in Book 9585, page 0316 , 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 \$9,800.00.
- (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 \$9,800.00, 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 20, 2015, 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 2960 Duck Pond, Linden, NC, as described in Deed Book 4153, page 0354, of the Cumberland County Registry and identified in County tax records as PIN 0553-76-4830.

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

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

- 5) Case Number: MH 950-2015
Property Owner: Elizabeth W. Stifler
Property Location: 4025 Limestone Street, Eastover, NC
Parcel Identification Number: 0469-45-7228

ORDINANCE ASSESSING PROPERTY FOR THE COSTS
OF DEMOLITION OF A STRUCTURE PURSUANT TO
THE MINIMUM HOUSING CODE OF CUMBERLAND COUNTY
CASE NUMBER: MH 950-2015
PROPERTY OWNER: Elizabeth W. Stifler

WHEREAS, the Board of County Commissioners of Cumberland County, North Carolina, on April 20, 2015, enacted an ordinance directing the demolition by the owner of the structure Elizabeth W. Stifler, located at 4025 Limestone Street, Eastover, NC, PIN: 0469-45-7228, said ordinance being recorded in Book 9640, page 862, of the Cumberland County Registry of Deeds;

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

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

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

- (1) Said work had been accomplished.
- (2) The cost of such work was \$1,700.00.
- (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 \$1,700.00, 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 April 20, 2015, 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 4025 Limestone Street, Eastover, NC, as described in Deed Book 3401, page 0749, of the Cumberland County Registry and identified in County tax records as PIN 0469-45-7228.

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

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

G. Approval of a Proclamation Celebrating Up & Coming Weekly's 20th Anniversary

COUNTY OF CUMBERLAND

NORTH CAROLINA

PROCLAMATION

WHEREAS, this proclamation celebrates and recognizes Bill Bowman and the creation of Cumberland County's first weekly community newspaper *Up & Coming Weekly*; and

WHEREAS, *Up & Coming Weekly* became Cumberland County's first sanctioned North Carolina Press associated "Free" community newspaper; and

WHEREAS, *Up & Coming Weekly* has been locally owned, written and published in Cumberland County; and

WHEREAS, the *Up & Coming Weekly* is an award winning community newspaper known not only in North Carolina but throughout the Southeast region; and

WHEREAS, *Up & Coming Weekly* has provided a continuous unbiased journalist voice for all residents and communities within Cumberland County; and

WHEREAS, *Up & Coming Weekly* has been dedicated to accentuating and illuminating Cumberland County's assets and quality of life; and

WHEREAS, *Up & Coming Weekly* has provided continuous support of Cumberland County arts, cultural venues and community non-profit organizations.

NOW, THEREFORE, the County of Cumberland Board of Commissioners hereby recognizes the significant and positive journalist impact of *Up & Coming Weekly* in the daily lives of its residents, acknowledges the importance of a vibrant free press to democracy while recognizing the role of "free" community newspapers like *Up & Coming Weekly* in that process, and congratulates *Up & Coming Weekly* on its 20th Anniversary of serving the Cumberland County community.

Adopted this 17th day of August, 2015.

H. Approval of a Resolution Supporting the 2016 Regional Hazard Mitigation Program

BACKGROUND:

The Cumberland County Hazard Mitigation Plan (HMP) expires October 25, 2016. Each version of an approved Hazard Mitigation Plan lasts five years. Cumberland and Hoke Counties have been awarded a Regional Hazard Mitigation Planning Grant to assist in the preparation and review of their 2011-2016 plans. The Cumberland County Hazard Mitigation Plan Committee will identify hazards and evaluate projects to reduce the impacts of natural disasters.

Once the resolution has been approved, it authorizes the Cumberland County Hazard Mitigation Plan Committee and adds points to Cumberland County's Community Rating System.

Recorded below is a resolution to support the 2016 Regional Hazard Mitigation Program.

RECOMMENDATION/PROPOSED ACTION:

Approve the Regional Hazard Mitigation Resolution as recorded below.

RESOLUTION
CREATION OF THE REGIONAL HAZARD MITIGATION PLANNING
COMMITTEE FOR CUMBERLAND COUNTY

WHEREAS, Cumberland County participates in the National Flood Insurance Program's (NFIP) and Community Rating System (CRS) Program to reduce the cost of flood insurance to County residents; and

WHEREAS, currently Cumberland and Hoke Counties are developing a Regional Hazard Mitigation Plan that will protect the public health, safety and welfare of its residents while minimizing public and private losses due to natural hazards; and

WHEREAS, the public will be encouraged to become involved in the planning process and invited to attend all committee and public meetings held throughout the development of the Regional Hazard Mitigation Plan of Cumberland and Hoke Counties; and

WHEREAS, Hoke County has established their own Hazard Mitigation Planning Committee and will be involved in all public meetings and programs; and

WHEREAS, by Cumberland County participating in the National Flood Insurance Program (NFIP) and Community Rating System (CRS) an adopted Hazard Mitigation Plan that meets the standards outlined in 44 Code of Federal Regulation (CFR) 78.5., 78.6, and 201.6, will provide credit points toward the CRS Program; and

WHEREAS, Cumberland County has exposure to flood and other natural hazards that increase the vulnerability of life, property, environment and the County's economy; and

WHEREAS, both the Regional Hazard Mitigation Planning Committees will be involved in the assessment of the natural hazards that impact the Counties, developing goals that address the hazards, and creating various mitigation strategies to help reduce damage to structures and protect lives; and

WHEREAS, the Regional Hazard Mitigation Planning Committee has the responsibility to meet and fulfill the requirements of the Disaster Mitigation Act (DMA) of 2000 and FEMA's CRS Program; and

WHEREAS, both the Hazard Mitigation Planning Committees will serve until the completion of the Regional Hazard Mitigation Plan for Cumberland and Hoke Counties and upon adoption the Cumberland County Committee will dissolve; and

NOW, THEREFORE, BE IT RESOLVED that the Cumberland County Board of Commissioners hereby adopts the creation of the Regional Hazard Mitigation Planning Committee.

Cumberland County Hazard Mitigation Planning Committee

Scott Bullard	City of Fayetteville - Emergency Management Coordinator
David Nash	City of Fayetteville - Planning Department
Eloise Sahlstorm	City of Fayetteville - Planning Department
Gene Booth	Cumberland County - Department of Emergency Services
Melvin Lewis	Cumberland County - Department of Emergency Services
Wayne Dudley	Cumberland County - Department of Engineering and Infrastructure
W. Tracy Jackson	Cumberland County – Assistant County Manager
Denise Sykes	Cumberland County - Planning and Inspections Department
Kim Nazarchyk	Town of Eastover - Town Manager
Belinda D. White	Town of Falcon - Town Clerk
Willie J. Burnette	Town of Godwin - Mayor
John W. Ellis III	Town of Hope Mills - Town Manager
Ruby Hendges	Town of Linden - Town Clerk
Paul Hoover	Town of Spring Lake - Public Works Department
Billy Horne	Town of Stedman - Mayor
Cindy Burchett	Town of Wade - Town Clerk
Ron Thompson	American Red Cross - Highland Chapter
Alba Polonkey	Sustainable Sandhills - Sustainability Program Manager
Robert Hines	United Way of Cumberland County - Executive Director

I. Budget Revisions:

1) Surface Transportation Direct Allocation

Revision in the amount of \$1,238 to fund the processing of a NC Department of Transportation invoice for 20% local match related to grant administration. This grant was related to the Little Cross Creek Trail Project which was partially funded by a direct allocation from the Surface Transportation Program Grant. (B16-025/B16-025A) Funding Source – County

2) Health

(a) NC Aids - Revision in the amount of \$7,800 to budget additional State Funds received to support piloting a women’s Safe Spaces group. (B16-034) Funding Source – State

(b) Community Transformation - Revision in the amount of \$1,515 due to reduction in State funding. (B16-035) Funding Source – State

3) Sheriff’s Office/Roxie Crisis Intervention Center

Revision in the amount of \$24,965 to transfer funds from Sheriff’s Office to Roxie Crisis Intervention Center. This will ensure sufficient funds are available due to transferring of a Deputy from the Sheriff’s Office with several years of service with his benefits over to Roxie Crisis Intervention Center (B16-036/B16-036A) Funding Source – County

MOTION: Commissioner Council moved to approve consent agenda Items 3.A. – 3.I.3).

SECOND: Commissioner Evans

VOTE: UNANIMOUS (7-0)

4. Public Hearings

Ms. Cannon explained the Board of Commissioners' procedures for public hearings.

Tom Lloyd, Planning and Inspections Director, stated there were no speakers signed up in opposition to Case P15-42 or Case P15-43 and the Planning Board recommended approval of Case P15-42 and Case P15-43.

Uncontested Rezoning Case

- A. Case P15-42: Rezoning 65.28+/- acres from RR Rural Residential to A1 Agricultural/CZ Conditional Zoning for a borrow source operation, or to a more restrictive zoning district; located northeast of the south end of SR 2341 (Claude Lee Road); submitted by Frank McDonald on behalf McDonald Materials Inc. (owner).

Staff Recommendation:

1st motion for Case P15-42: Move to find the request for rezoning consistent with the 2030 Growth Vision Plan, and any other applicable land use plan, reasonable and in the public interest for the reasons stated in the recommendations of the Planning Staff included in the agenda package and as reflected in the minutes of the Planning Board's consideration of this case, which minutes are to be fully incorporated herein by reference.

2nd motion for Case P15-42: Move to approve the rezoning for A1 Agricultural/CZ Conditional Zoning for a borrow source operation as recommended by the Planning Staff included in the agenda package and as reflected in the minutes of the Planning Board's consideration of this case, which minutes are to be fully incorporated herein by reference.

Planning Board Recommendation: Approve the Staff Recommendation

Chairman Edge opened the public hearing for Case P15-42.

The clerk to the board advised there were no speakers for Case P15-42.

Chairman Edge closed the public hearing for Case P15-42.

MOTION: Commissioner Faircloth moved in Case P15-42 to find the request for rezoning consistent with the 2030 Growth Vision Plan, and any other applicable land use plan, reasonable and in the public interest for the reasons stated in the recommendations of the Planning Staff included in the agenda package and as reflected in the minutes of the Planning Board's consideration of this case, which minutes are to be fully incorporated herein by reference.

SECOND: Commissioner Council

VOTE: UNANIMOUS (7-0)

MOTION: Commissioner Faircloth moved in Case P15-42 to approve the rezoning for A1 Agricultural/CZ Conditional Zoning for a borrow source operation as recommended by the Planning Staff included in the agenda package and as reflected in the minutes of the Planning Board's consideration of this case, which minutes are to be fully incorporated herein by reference.

SECOND: Commissioner Council

VOTE: UNANIMOUS (7-0)

- B. Case P15-43: Rezoning 1.19+/- acres from C(P) Planned Commercial to RR Rural Residential, or to a more restrictive zoning district; located at 7152

Maxwell Road, 6108 and 6114 Sandy Creek Road; submitted by Carolyn J. Stewart (owner) and Jameson Stewart.

Staff Recommendation:

1st motion for Case P15-43: Move to find the request for rezoning consistent with the 2030 Growth Vision Plan, and any other applicable land use plan, reasonable and in the public interest for the reasons stated in the recommendations of the Planning Staff included in the agenda package and as reflected in the minutes of the Planning Board’s consideration of this case, which minutes are to be fully incorporated herein by reference.

2nd motion for Case P15-43: Move to approve the rezoning for RR Rural Residential as recommended by the Planning Staff included in the agenda package and as reflected in the minutes of the Planning Board’s consideration of this case, which minutes are to be fully incorporated herein by reference.

Planning Board Recommendation: Approve the Staff Recommendation

Chairman Edge opened the public hearing for Case P15-43.

The clerk to the board advised there were no speakers for Case P15-43.

Chairman Edge closed the public hearing for Case P15-43.

MOTION: Commissioner Council moved in Case P15-43 to find the request for rezoning consistent with the 2030 Growth Vision Plan, and any other applicable land use plan, reasonable and in the public interest for the reasons stated in the recommendations of the Planning Staff included in the agenda package and as reflected in the minutes of the Planning Board’s consideration of this case, which minutes are to be fully incorporated herein by reference.

SECOND: Commissioner Faircloth
VOTE: UNANIMOUS (7-0)

MOTION: Commissioner Council moved in Case P15-43 to approve the rezoning for RR Rural Residential as recommended by the Planning Staff included in the agenda package and as reflected in the minutes of the Planning Board’s consideration of this case, which minutes are to be fully incorporated herein by reference.

SECOND: Commissioner Faircloth
VOTE: UNANIMOUS (7-0)

Minimum Housing Code Enforcement

The clerk to the board administered an oath to George Hatcher, Code Enforcement Officer.

- C. Case Number: MH 1075-2015
- Property Owner: Peggy L. & James D. Hair, Etal
- Property Location: 3538 McKinnon Road, Fayetteville, NC
- Parcel Identification Number: 0473-33-9419

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 case number MH 1075-2015.

Property Owner: Peggy L. & James D. Hair, Etal
Property Address: 3538 McKinnon Road, Fayetteville, NC
Tax Parcel Identification Number: 0473-33-9419

SYNOPSIS: This property was inspected on 6/8/2015. The property owners and parties of interest were legally served with the Notice of Violations and were afforded a Hearing on 7/16/2015. Peggy Bland attended the Hearing. It was ordered that the structures be repaired to a minimum standard for human habitation, or be demolished and the debris removed from the premises no later than 8/1/2015. The property owners and parties of interest were notified of the appeal procedures when they were served with the Findings of Fact and Order. No Appeal was filed. Upon my visit to the property on 8/6/2015, the required corrective action has not been made to the structures. The structures are presently vacant and unsecured. In their present state, these structures constitute a fire, health, and safety hazard. The estimated cost to repair these structures to a minimum standard for human habitation is \$69,972. The Assessor for Cumberland County has these structures presently valued at \$0.00 each.

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 owner in this case signed a consent to demolish.

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

Chairman Edge opened the public hearing.

The clerk to the board advised there were no speakers.

Chairman Edge closed the public hearing.

MOTION: Chairman Faircloth moved to adopt the order and report of the Minimum Housing Inspector as the true facts in this case; to order the property owner to remove or demolish the dwelling within 30 days; to order the Inspector to remove or demolish the dwelling if the owner fails to do so and impose a lien on the real property for the cost of such action; and to direct the clerk to incorporate the foregoing findings and orders in an ordinance certified by the Chairman and record the same in the Register of Deeds.

SECOND: Commissioner Council

VOTE: UNANIMOUS (7-0)

D. Case Number: MH 858-2014
Property Owner: Grace Morris
Property Location: 204 Sharpsburg Road, Fayetteville, NC
Parcel Identification Number: 0541-19-7929

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 case number MH 858-2014.

Property Owner: Grace Morris
Property Address: 204 Sharpsburg Road, Fayetteville, NC
Tax Parcel Identification Number: 0541-19-7929

SYNOPSIS: This property was inspected on 10/8/2014. The property owner and parties of interest were legally served with the Notice of Violations and were afforded a Hearing on 11/6/2014. Grace Morris attended the Hearing. It was ordered that the structure be repaired to a minimum standard for human habitation, or be demolished and the debris removed from the premises no later than 1/1/2015. The property owner and parties of interest were notified of the appeal procedures when they were served with the Findings of Fact and Order. No Appeal was filed. Upon my visit to the property on 8/6/2015, the required corrective action has not been made to the structure. The structure is presently vacant and reasonable secured. In its present state, this structure constitutes a fire, health, and safety hazard. The estimated cost to repair this structure to a minimum standard for human habitation is \$12,500. The Assessor for Cumberland County has this structure presently valued at \$0.00.

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 owner has been slow to remove the remnants of an accessory structure and staff want to be sure the property can be abated.

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

Chairman Edge opened the public hearing.

The clerk to the board advised there were no speakers.

Chairman Edge closed the public hearing.

MOTION: Chairman 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 Council

VOTE: UNANIMOUS (7-0)

E. REMOVED FROM AGENDA

The clerk to the board administered an oath to Joey Lewis, Code Enforcement Officer.

F. Case Number: MH 1038-2015
Property Owner: Stacy D. Carson Heirs
Property Location: 5102 Donabell Drive, Fayetteville, NC
Parcel Identification Number: 0415-46-6502

**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 1038-2015.

Property Owner: Stacy D. Carson Heirs
Home Owner: Stacy D. Carson Heirs
Property Address: 5102 Donabell Drive, Fayetteville, NC

Tax Parcel Identification Number: 0415-46-6502

SYNOPSIS: This property was inspected on 4/16/2015. The property owners and parties of interest were legally served with Notice of Violations and were afforded a Hearing on 5/19/2015. 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 6/18/2015. The property owners and parties of interest were notified of the appeal procedures when they were served with the Findings of Fact and Order. (See Exhibit A for Findings of Fact and Order.) No appeal was filed. Upon my visit to the property on 8/6/2015, no corrective action had been made to the structure. The structure is presently vacant and unsecured. In its present state, this structure constitutes a fire, health, and safety hazard.

The estimated cost to repair the structure to a minimum standard for human habitation is \$35,280.00. The Assessor for Cumberland County has the structure presently valued at \$0.00.

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

Mr. Lewis stated immediate demolition is being sought on the mobile home that was destroyed by fire.

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

Chairman Edge opened the public hearing.

The clerk to the board advised there were no speakers.

Chairman Edge closed the public hearing.

MOTION: Chairman 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 Lancaster

VOTE: UNANIMOUS (7-0)

The clerk to the board administered an oath to Debra Johnson, Code Enforcement Officer.

G. Case Number: MH 616-2014
Property Owner: Samuel & Francine Graham
Property Location: 3421 Seawell Street, Fayetteville, NC
Parcel Identification Number: 0424-79-5251

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

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

BACKGROUND: That the following is a report on Minimum Housing case number MH 616-2014.

Property Owner: Samuel & Francine Graham & Parties of Interest
Home Owner: Samuel & Francine Graham & Parties of Interest
Property Address: 3421 Seawell Street, Fayetteville NC
Tax Parcel Identification Number: 0424-79-5251

SYNOPSIS: This property was inspected on 5/20/2014. The property owners and parties of interest were legally served with Notice of Violations and were afforded a Hearing on 6/25/2014. Samuel Graham attended the Hearing over the phone. 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 8/27/2014. 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 8/6/2015, no corrective action had been made to the structure. The structure is presently vacant and unsecured. In its present state, this structure constitutes a fire, health, and safety hazard.

The estimated cost to repair the structure to a minimum standard for human habitation is \$78,302 The Assessor for Cumberland County has the structure presently valued at \$12,978 (as utility condition).

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

Ms. Johnson advised Francine Graham no longer has a claim to the property due to a divorce; demolition and clean up are being sought.

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

Chairman Edge opened the public hearing.

The clerk to the board called the following speaker:

Sgt. David Dowless – After being administered an oath, Mr. Dowless appeared in favor and stated he is the Cumberland County Sheriff’s office, this property has been involved in numerous drug activities, is known as a trap house and should be demolished to lower drug activity in the area. Sgt. Dowless provided statistics from the Narcotics Unit regarding the property at 3421 Seawell Street.

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

MOTION: Chairman Faircloth moved to adopt the order and report of the Minimum Housing Inspector as the true facts in this case; to order the property owner to remove or demolish the dwelling within 30 days; to order the Inspector to remove or demolish the dwelling if the owner fails to do so and impose a lien on the real property for the cost of such action; and to direct the clerk to incorporate the foregoing findings and orders in an ordinance certified by the Chairman and record the same in the Register of Deeds.

SECOND: Chairman Edge
VOTE: UNANIMOUS (7-0)

H. Case Number: MH 1026-2015
Property Owner: Mack J. & Eunice N. Linton
Property Location: 6681 Muscat Road, Hope Mills, NC
Parcel Identification Number: 0403-71-1936

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

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

BACKGROUND: That the following is a report on Minimum Housing case number MH 1026-2015.

Property Owner: Mack J & Eunice N Linton & Parties of Interest
Home Owner: Mack J & Eunice N Linton & Parties of Interest
Property Address: 6681 Muscat Road, Hope Mills, NC
Tax Parcel Identification Number: 0403-71-1936

SYNOPSIS: This property was inspected on 4/8/2015. The property owners and parties of interest were legally served with Notice of Violations and were afforded a Hearing on 5/20/2015. Mack Linton attended the Hearing. It was ordered that the structure be repaired to a minimum standard for human habitation, or be demolished and the debris removed from the premises by a date not later than 6/26/2015. The property owners and parties of interest were notified of the appeal procedures when they were served with the Findings of Fact and Order. No appeal was filed. Upon my visit to the property on 8/6/2015, no corrective action had been made to the structure. The structure is presently vacant and unsecured. In its present state, this structure constitutes a fire, health, and safety hazard.

The estimated cost to repair the structure to a minimum standard for human habitation is \$7,495.00. The Assessor for Cumberland County has the structure presently valued at \$500.00.

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

Ms. Johnson stated the structure is a single wide mobile home that has been vandalized and the property owner has signed consent to demolish.

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

Chairman Edge opened the public hearing.

The clerk to the board advised there were no speakers.

Chairman Edge closed the public hearing.

MOTION: Chairman Council moved to adopt the order and report of the Minimum Housing Inspector as the true facts in this case; to order the property owner to remove or demolish the dwelling within 30 days; to order the Inspector to remove or demolish the dwelling if the owner fails to do so and impose a lien on the real property for the cost of such action; and to direct the clerk to incorporate the foregoing findings and orders in an ordinance certified by the Chairman and record the same in the Register of Deeds.

SECOND: Commissioner Faircloth

VOTE: UNANIMOUS (7-0)

ITEMS OF BUSINESS

5. Nominations to Boards and Committees

A. Air Quality Stakeholders of Cumberland County Committee (6 Vacancies)

Commissioner Council nominated Gregory Bean. Commissioner Keefe stated the request for third term appointments has become more of a norm than an exception to the rules. Commissioner Keefe stated the membership of the County's citizen advisory boards should be opened up to more citizens. Chairman Edge asked that contact be made with some of the stakeholders to recruit nominees.

B. Animal Control Board (1 Vacancy)

Commissioner Evans nominated John Smith.

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

Commissioner Council nominated Sonya Thompson.

D. Fayetteville Area Convention & Visitors Bureau (2 Vacancies)

Commissioner Keefe asked whether the Commissioners were being asked to approve the bylaws. Ms. Cannon stated the bylaws, more specifically Section 3.J., were provided to specify which FACVB board members were to be nominated and appointed by the Board of Commissioners. Commissioner Council asked whether the positions on the FACVB board were categorical.

MOTION: Commissioner Adams moved to hold nominations until the next meeting for further review.
SECOND: Commissioner Council
VOTE: UNANIMOUS (7-0)

6. Appointments to Boards and Committees

A. Adult Care Home Community Advisory Committee (1 Vacancy)

Nominee: Carla Fagan (Reappointment)

B. Animal Control Board (1 Vacancy)

Nominee: City of Fayetteville Resident Position: George Butterfly

C. Board of Adjustment (2 Vacancies)

Nominees:

Regular Member: Vickie Mullins (Reappointment)

Alternate Member: Alfonso Ferguson Sr. (Reappointment)

There being an equal number of vacancies and nominees,

MOTION: Commissioner Faircloth moved to appoint by acclamation all nominees to their respective positions.
SECOND: Chairman Edge
VOTE: UNANIMOUS (7-0)

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

MOTION: Commissioner Faircloth moved to go into closed session for Personnel Matter(s) pursuant to NCGS 143-318.11(a)(6).
SECOND: Commissioner Council
VOTE: UNANIMOUS (7-0)

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

MOTION: Commissioner Adams moved to ratify the contract that was on the August 3 consent agenda engaging the Nance firm for outside legal services.
SECOND: Commissioner Evans
VOTE: UNANIMOUS (7-0)

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

There being no further business, the meeting adjourned at 8:40 p.m.

Approved with/without revision:

Respectfully submitted,

Candice H. White
Clerk to the Board