

CUMBERLAND COUNTY BOARD OF COMMISSIONERS
MONDAY, FEBRUARY 16, 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
Rick Moorefield, County Attorney
Sally Shutt, Governmental Affairs Officer
Vicki Evans, Finance Director
Patti Speicher, Planning and Inspections Assistant Director
Jeffrey Brown, Engineering and Infrastructure Director
Debra Johnson, Code Enforcement Officer
Joan Fenley, Code Enforcement Officer
Russ Rogerson, Economic Development Alliance of Fayetteville and
Cumberland County Executive Director
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 Council provided the invocation followed by the Pledge of Allegiance to the American flag.

Recognition of 2014 Cumberland County Young Farmer of the Year: Mr. Chris Hall

Chairman Edge stated he was proud to recognize Chris Hall as the 2014 Cumberland County Young Farmer of the Year. Chairman Edge presented a plaque to Mr. Hall. Information about Mr. Hall is recorded below:

Chris is the son of James Ray and Kim Hall. Chris is also the brother of proud sister, Brook Gillis. He is the grandson of the late Mr. WJ Munk and Rachel Hall. Chris is a fourth generation farmer in the Beaver Dam community. He graduated from Cape Fear High School in 2005 where he was a member of FFA. In 2010, Chris graduated from the NC State University Ag Institute. While a student at NC State he was involved in the Agronomy Club, the Ag Institute club, and a member of the NC State chapter of Ducks Unlimited.

Chris farms with his father James Ray and his uncle, Ricky. The family farm consists of over 3700 acres. Chris farms 250 acres on his own where he produces corn, soybean, wheat and watermelons. Chris has been described as a hardworking young man. During his spare time Chris enjoys fishing and hunting with his “oldie but goldie” hunting dog, Max.

Recognition of 2014 Cumberland County Agricultural Hall of Fame Inductee: Mr. Glenn Jernigan

Chairman Edge stated he was proud to recognize Glenn Jernigan as the 2014 Cumberland County Agricultural Hall of Fame inductee. Chairman Edge presented a plaque to Mr. Jernigan. Information about Mr. Jernigan is recorded below:

The name Glenn Jernigan is often associated with public service to our state and community. However, what some may not be aware of is Glenn's long history of support to the agricultural industry on a county, state, and national level. He served two terms in the North Carolina House of Representatives and three terms in the North Carolina Senate. During his service at the North Carolina General Assembly he served as the North Carolina General Assembly Ethics Committee Co-Chairman; Chairman of the NC Senate ABC Committee; Chairman of the NC House Election Laws Committee; and Chairman of the NC Senate Manufacturing and Labor Committee. Mr. Jernigan also served as Chairman of the North Carolina Employment Security Commission under Governor Jim Hunt from 1981 until 1985. Glenn Jernigan is the founder and owner of Glenn Jernigan & Associates, Governmental Affairs Consultants - one of North Carolina's most highly respected and effective legislative lobbying firms.

For over 25 years Glenn Jernigan has served as the Chairman of the Kiwanis' Farm City Committee in Cumberland County. Glenn has ensured that farmers and agriculture are represented each year at the annual luncheon and no detail was ever missed. He is passionate that the luncheon be held at the Agriculture Center where farmers and producers frequent. He has often shared "this is the place our farmers feel most comfortable and this is the place the luncheon belongs." Through his political connections he has always ensured the banquet had noteworthy speakers, which have included: the US Secretary of Agriculture, Tom Vilsack; NC Agriculture Commissioner, Steve Troxler; and former NC Agriculture Commissioner, Jim Graham. Glenn always adds that extra touch to the event by ensuring the sound of live bluegrass music is in the air and the ever popular door prizes of hams, cakes, and "piiiiies"!

In 1990 Glenn realized that agriculture representation in the general assembly had decreased dramatically and that very few legislative committees had members with "hands-on" experience in agriculture which is vital in legislative discussions. Consequently, early incorporators of the agricultural alliance of NC sought to bring members into the alliance representing agribusiness, agriculture crop protection companies, and farmers to establish a total agriculture family approach. Glenn serves as a lobbyist for the Alliance which has proven to be extremely effective in legislative efforts. Glenn's work with the Ag Alliance and much of the group's achieved success can be directly attributed to his great working relationship with the NC Department of Agriculture and Consumer Services, (Ag Commissioner Steve Troxler and David McLeod), and the leadership of the NC General Assembly – especially the agriculture committees in the house and senate. Glenn has served as a lobbyist for the following agricultural organizations in our state:

- BASF
- Bayer CropScience
- Carolinas Cotton Growers Cooperative
- Corn Growers Association of North Carolina, Inc.
- Crop Protection Association of North Carolina
- Dow AgriSciences
- DuPont Crop Protection
- Monsanto
- NC Grange
- NC Nursery & Landscape Association
- NC Christmas Tree Association
- NC Cotton Producers Association
- NC Peanut Growers Association
- NC Pest Management Association
- NC Soybean Producers Association
- Syngenta
- Turfgrass Council of NC
- Cooperative Council of NC
- North Carolina Egg Association

Community Service and Achievements:

Glenn Jernigan has been a resident of Fayetteville, North Carolina for more than half a century. He and his late wife, Jane Clark Jernigan, have two children; daughter, Lisa, and son, Glenn Jr.; two granddaughters, Emme and Mary Scott, and twin grandsons, Chad and Chase.

Mr. Jernigan is a long-time, active member of Highland Presbyterian Church, serving more than 32 years as a Sunday school teacher. He has also served as the Chairman of the Board of Directors and as an Elder on the Church Session Board.

Membership in Professional and Civic Organizations:

- Fayetteville State University Board of Trustees - Chairman
- Fayetteville Kiwanis Club - President, 2001-2002
- Board of Trustees, East Carolina University
- Chairman, East Carolina University Pirates Club
- N.C. State Bar Association - Disciplinary Committee
- Fayetteville Area Chamber of Commerce VP & Board of Directors
- President, Cumberland County Boys Club
- Mortgage Bankers Association; Homebuilders Association
- Fayetteville Jaycees
- Fayetteville Board of Realtors
- Chairman of the Board, Wachovia Bank & Trust Co., Fayetteville
- Board of Regents, Barium Springs Home for Children
- Former Chairman of Fayetteville State University Chancellor's Advisory Committee

Awards, Honors, and Degrees Earned:

The Raleigh *News & Observer* recognized Mr. Jernigan as their "Tar Heel of the Week" in their July 4, 1982 publication. As a graduate of East Carolina University, he was the recipient of ECU's Distinguished Alumni Award in 1982. Additional honors include the following:

- Distinguished Alumni Award by Campbell University
- Who's Who in American Colleges and Universities
- Distinguished Service Award for Fayetteville & Cumberland County
- Order of the Long Leaf Pine Award
- Fayetteville Area Kiwanis Club E.J. Wells Award Recipient
- Fayetteville Jaycees Young Man of the Year
- North Carolina Hemophilia Presidential Award Recipient
- Realtor of the Year Award
- Boys Club Director of the Year
- United Way Outstanding Chairman Leadership Award
- Distinguished Citizen Award by Occoneechee Council, Boy Scouts of America

Recognition of Retired County Employees:

Linda McNeil - Cumberland County Library

On behalf of the Board of Commissioners, Commissioner Adams recognized Linda McNeil with a plaque honoring her years of service with the Cumberland County Library.

Myra Watson - Cumberland County Sheriff's Office

On behalf of the Board of Commissioners, Commissioner Lancaster recognized Eugene Myra Watson with a plaque honoring her years of service with the Cumberland County Sheriff's Office.

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

Chairman Edge stated prior to the meeting, both groups of speakers met and each group selected four speakers. Chairman Edge stated each speaker will be given two minutes to speak. Amy

Cannon, County Manager, read the public comment policy. The clerk to the board called the following speakers:

Gary Blackwell – Mr. Blackwell did not appear when his name was called.

Rachael Milner – Ms. Milner stated Sanderson Farms, Inc. can be thanked for the drop in property taxes because properties adjacent to the area of operations will be devalued. Ms. Milner stated there are environmental impacts such as pollution and unsafe drinking water that outweigh any financial concerns.

Grady Mims – Mr. Mims referenced letters sent to the commissioners in support of Sanderson Farms, Inc. and stated people in the community need jobs. Mr. Mims asked commissioners to look out for their neighbors, people in need and vote yes for Sanderson Farms, Inc.

Casey Groover – Mr. Groover stated the potential spray fields from Sanderson Farms, Inc. are approximately thirty feet from his backdoor, fifty feet from his well and ten feet away from another shallow well located on his property. Mr. Groover stated the gumbo clay will not allow water to permeate the ground so the wastewater will runoff into waterways. Mr. Groover asked who would pay the healthcare costs once the wells in the area are contaminated.

Willie Williams – Mr. Williams stated any problems with Sanderson Farms, Inc. can be worked out once they get here. Mr. Williams stated he sees poor people in the streets without jobs, the commissioners have these people and their families in their hands and the commissioners can do something about it by voting yes to Sanderson Farms, Inc.

Hank Parfitt – Mr. Parfitt asked commissioners to be sure they have weighed the risks and benefits associated with Sanderson Farms, Inc. because they will affect the entire community. Mr. Parfitt stated from what he had read and heard, he cannot be sure commissioners know all of the risks. Mr. Parfitt asked commissioners to solicit an unbiased environmental study so they will know the risks because they will affect everyone equally. Mr. Parfitt asked commissioners to vote no to Sanderson Farms, Inc.

Braydon Brown – Mr. Brown stated he was nine years old and stated he is concerned about how the chicken plant will affect him, his siblings and his dog. Mr. Brown stated the chicken plant will affect the clear air, produce smells and feathers and contaminate drinking water. Mr. Brown stated the low paying jobs are not worth putting health and quality of life at risk.

Christopher Davis – Mr. Davis stated he hoped the dialogue about this project will be the beginning of many conversations about matters important to this community. Mr. Davis stated the vote on Sanderson Farms, Inc. should be based on empirical data, proven performance and real results. Mr. Davis stated the decision should be based on what will move the entire county forward and should make a resounding statement to companies to let them know how important their business is to the county.

Rev. Mark Rowden – Rev. Rowden stated there are a lot of unemployed people in the county who only want the opportunity to work hard and feed their families. Rev. Rowden stated Sanderson Farms, Inc. will not only bring jobs to the community but will also fund 50% of the transportation which is so desperately needed. Rev. Rowden asked the commissioners for a unanimous yes vote.

Jim McKay – Mr. McKay stated a \$95 million investment by a company will have an economic impact of \$285 million which would be a phenomenal investment to be protected. Mr. McKay stated the jobs being offered have health benefits, paid sick leave, paid vacation, a credit union, funeral leave, stock options and training opportunities to allow employees to move up.

Chairman Edge thanked speakers for their comments.

MOTION: Commissioner Faircloth moved to revise the agenda so Item 4. is moved ahead of Item 3.

SECOND: Commissioner Council

VOTE: UNANIMOUS (7-0)

1. Approval of Agenda

MOTION: Commissioner Lancaster moved to approve the agenda with the revision as requested.

SECOND: Commissioner Council

VOTE: UNANIMOUS (7-0)

2. Consent Agenda

A. Approval of minutes of the February 2, 2015 regular meeting and the February 2, 2015 special meeting

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

BACKGROUND:

DATE OF ACCIDENT: January 23, 2015
VEHICLE: 2014 Ford Explorer Interceptor
VIN: 1FM5K8AR5EGB25310
FLEET#: FL550
DEPARTMENT: Sheriff's Office
SETTLEMENT OFFER: \$27,698.89
INSURANCE COMPANY: Travelers Property Casualty Company

This is a total loss settlement offer.

RECOMMENDATION/PROPOSED ACTION:

Management recommends that the Board of Commissioners:

1. Declares the vehicle described above as surplus,
2. Authorizes the Risk Management Coordinator to accept \$27,698.89 as settlement,
3. Allows Travelers Property Casualty Company to take possession of the wrecked (surplus) vehicle.

C. Approval of Payment for Prior Year Budget Item for Goods Received in Current Fiscal Year by Sheriff's Office

BACKGROUND:

The Cumberland County Sheriff's Office has requested approval to pay a current year invoice in the amount of \$1,670.09 to Lawmen's, utilizing funds that were budgeted and approved during FY2014. The purchase order that was given during FY2014 did not get rolled forward to FY2015. Procedures have been put in place to minimize the chance of this type of reoccurrence.

RECOMMENDATION/PROPOSED ACTION:

Management is requesting approval to pay the above invoice in the amount of \$1,670.09 and approval of budget revision B15-203.

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

- 1) Transfer of Workforce Development Administrative and Fiscal Functions

BACKGROUND:

The Workforce Development Program has undergone significant changes in the last few years. In FY2012, the Workforce Development Program was transitioned to Fayetteville Technical Community College (FTCC). With that transition, the WFD Board and its members have taken a more active role, providing guidance, direction and advocacy to the program. Last year, the program went through yet another major transition as Senate Bill 73 required that the Summer Youth and Dislocated Worker Programs be bid through an RFP process. The Summer Youth Program was transitioned to Cumberland County Schools and the Dislocated Worker Program was transitioned to ResCare, a private provider.

The latest development is the new Workforce Innovation and Opportunity Act (WIOA) which is effective July 1, 2015. This new law includes a provision that allows direct contracts for class size training, instead of individualized training contracts.

Since FTCC still serves as the fiscal agent for the Workforce Development function, they would not be eligible to receive these class-sized training dollars. This new option under the WIOA perfectly matches the community college's core mission of providing workforce skills training. Therefore, it will be necessary for another entity to assume the responsibility for the Workforce Development Program.

FTCC has approached the county regarding the assumption of these administrative responsibilities, which will include contract and fiscal oversight, transition of five administrative personnel to the county, and coordination of WFD board activities. The staff will remain in the building with the Employment Security Commission and this transition should not provide any disruption to service delivery.

This item was presented to the Finance Committee on February 5, 2015. The committee unanimously approved the request to transfer the Workforce Development administrative and fiscal functions to the county.

RECOMMENDATION/PROPOSED ACTION:

Direct the County Manager and County Attorney to work with the Community College in transferring the administrative and fiscal oversight to the county as well as the five employees which are directly responsible for these functions.

2) Request for Seventeen (17) New Child Welfare Positions

BACKGROUND:

A Budget Revision for FY 2014-15 for 17 new child welfare positions has been submitted to County Management. According to North Carolina state law and policy, local DSS agencies are required to maintain the following in the child welfare program: a caseload of 10 families per social worker and a staffing ratio of one supervisor to five social workers. With demand increasing for child protective services, many county DSS agencies across the state including Cumberland County exceed the mandatory caseload and staffing ratios.

The budget revision is based on new state recurring revenues, some of which legislatively mandates DSS to create positions to reduce caseloads in child welfare services. Cumberland County was one of thirty counties to receive additional funds based on the state's recognition of its staffing deficiency.

DSS is experiencing a steady increase in the need for child protective services in the community which has resulted in more children in foster care. It has, in fact, experienced an increase of 38% in number of children in foster care in the past two years. An increased number of juvenile delinquents placed in DSS custody by the court system have placed additional strain on the DSS system and workforce. Any increase in social work positions will also require additional leadership and supervisory support to address the staffing ratio.

The 17 new child welfare positions will be comprised of:

- Nine new Social Worker III positions would enhance the capacity of foster care staff to expedite reunification, adoptions and guardianship efforts and increase our capacity to conduct state required internal quality assurance reviews of the federally mandated outcomes.
- Four new Social Work Supervisors, three new Program Managers and one new Social Work Program Administrator position would distribute the workload of management and enhance program oversight of our Children's Services Section which will increase from 216 to 233 employees.

On February 5, 2015 this budget revision was submitted to the Finance Committee who voted to support this recommended budget revision.

RECOMMENDATION/PROPOSED ACTION:

Considering the time sensitive nature of this state mandate, the need to improve critical child welfare services and our efforts to expedite some reductions in staff caseloads, we respectfully request your approval of this budget revision.

3) Joint 911 Call Center Feasibility Study

BACKGROUND:

In October 2008 Cumberland County established a Public Safety Task Force to conduct a comprehensive review of the public safety system. The focus of this task force was fire service, communications, and EMS. The task force presented its recommendations in February 2010. One of the recommendations made was the following – "For communications, immediately establish plans and standardized protocol for an all-encompassing combined communications center and a Consolidated Public Safety Answering Point (PSAP), supporting all public safety agencies, to improve response times and increase responder safety".

Further studies were performed to determine the compatibility of PSAP staff positions and the ease with which positions could be consolidated. At that time, the personnel expense to the County was an obstacle to consolidation.

Recently, however, the City of Fayetteville invited the County to participate in a discussion regarding the feasibility of either co-locating or consolidating county and city emergency call centers. Mission Critical Partners, a public safety consultation firm, was also invited to participate in that discussion.

There is a desire by the NC 911 Board that PSAPs move toward a regional approach as opposed to call center redundancy in a geographic area. This desire is evidenced by the grant opportunities available through the NC 911 Board. These grants are typically awarded on an annual basis and target consolidation and regional initiatives. One of the key unknown aspects of these grants is how long they will remain available to PSAPs.

Since it was believed grant funding was available for feasibility studies, Mission Critical Partners (MCP) was asked to present a proposal for conducting a feasibility study. MCP submitted that proposal to the City of Fayetteville in the fall. The total cost for the study is \$81,000. Subsequently, it was discovered that grant funds are not available for studies.

The feasibility study proposed appears to be extensive in scope including co-location / consolidation requirements for: technology /equipment, operations/staffing, governance/cost sharing, facility needs assessment, and potential site(s) for co-location or consolidation. The time needed to complete the study is dependent upon the availability of the city and county stakeholders as well as others. Since the timeline is dependent upon the participation of so many and since that participation cannot be controlled by a single person or entity, it would appear prudent to begin the study as soon as possible in order to be fully prepared for the next NC 911 Board grant cycle in the spring of 2016.

RECOMMENDATION/PROPOSED ACTION:

The Finance Committee recommends re-directing funds in the amount of \$45,000 in order to jointly participate in a co-location / consolidation feasibility study with the City of Fayetteville. The Finance Committee further recommends the Committee ask the City

of Fayetteville to proceed with securing the appropriate consultant for the study and beginning the study in the current fiscal year.

E. Budget Revisions:

(1) Crown Center/Prepared Food & Beverage Tax Fund

- a. Revision in the amount of \$36,776 to appropriate Prepared Food and Beverage fund balance and transfer to the Crown Center to adjust the budget for the incentive payment to Global Spectrum to the maximum liability for FY2015 and to fund unanticipated unemployment insurance claim. (B15-196 and B15-196A) Funding Source – Prepared Food and Beverage Fund Balance
- b. Revision in the amount of \$26,040 to appropriate Prepared Food and Beverage fund balance and transfer to the Crown Center for the accessibility analysis regarding the Crown Center. (B15-198 and B15-198A) Funding Source – Prepared Food and Beverage Fund Balance Appropriated

(2) Community Development – Administration/General Government Other

Revision in the amount of \$22,000 to recognize Program Income of \$65,000 for consultant services enabling a reduction of General Fund balance appropriated by \$43,000. (B15-200 and B15-200A) Funding Source – Other and General Fund Balance

(3) Tax Administration

Revision in the amount of \$202,043 to appropriate fund balance for tax audits conducted by County Tax Services Inc. (B15-201) Funding Source – Fund Balance Appropriated

MOTION: Commissioner Council moved to approve consent agenda Items 2.A. – 2.E.(3).
SECOND: Commissioner Faircloth
VOTE: UNANIMOUS (7-0)

3. Consideration of Offer of Economic Development Incentives to Sanderson Farms, Inc.

BACKGROUND:

The Board of Commissioners conducted a joint public hearing with the Fayetteville City Council February 2, 2015, to receive public comment on proposed economic development incentives for Sanderson Farms, Inc. The joint public hearing was advertised in the *Fayetteville Observer* January 23, 2015.

The basic terms of the economic development incentives agreement proposed by the County and advertised for the public hearing are as follows:

The Company's Obligations:

Sanderson Farms, Inc., (the Company) will spend at least \$95 million to construct and equip a modern poultry-processing plant in the County's Cedar Creek Industrial Park in the City of Fayetteville (the Project). The Project will employ at least 975 employees within three years of commencing operations. Not less than sixty percent (60%) of the Company's employees at this site will be residents of Cumberland County. The Company will not contract with any producer for the production of chickens on sites located within ten miles of the Project or within one mile of the Cape Fear River in Cumberland County. The Company will inform the county and city managers of any Notices of Violation it receives from DENR for any of its operations in Cumberland County.

The County's Obligations:

As economic development incentives for the Company to undertake this Project, the County will sell to the Company the land in the Cedar Creek Industrial Park that the Company identifies for the Project at its fair market value subject to the upset bid process and grant the company a cash incentive equivalent to 50% of County general property taxes paid by the Company on the assessed value of the improvements constructed on the real property and the personal property and equipment used therein for each of the first nine years that the Project complies with all the terms of the agreement. The estimated total value of these cash incentive payments is \$2.5 million.

Note that the County is proposing to sell the land in the Cedar Creek Industrial Park to the Company that the Company identifies it needs for this project. The proposal is to sell the land at fair market value subject to the upset bid process. The Company has not identified any specific property for the project; however, based on discussions with Russ Rogerson as to what he understood the Company's choice to be, the County obtained appraisals of three of the four parcels in the park in September, 2014. Of the two larger parcels, no value was placed on the portion of the property within the 100-year flood plains. That may significantly impact the value placed on those parcels. The zoning of the smallest parcel was incorrectly identified in the appraisal, resulting in its appraisal with residential use being the highest and best use. Under the zoning in place, that parcel cannot be used for residential development. That may significantly impact the value placed on that parcel.

There are also certain conditions or matters existing on or applicable to the real property which were not addressed in the appraisals and which may impact the value. These conditions and matters must also be addressed in the incentives agreement.

The City of Fayetteville has proposed different economic development incentives for the Project. The proposals of the County and City are consistent with the interlocal agreement for the annexation of the Cedar Creek Industrial Park in 2013.

RECOMMENDATION/PROPOSED ACTION:

The county attorney makes the following recommendations:

1. Consider whether to approve an offer of the proposed economic development incentives to Sanderson Farms, Inc., as described in the notice of the public hearing published in the *Fayetteville Observer* January 23, 2015, and as described above, subject to such further terms as may be necessary or prudent.
2. If the Board determines to offer the incentives and Sanderson Farms, Inc., indicates that it wishes to accept the offer, the Board should further direct staff to obtain an appraisal of the specific property identified by Sanderson Farms, Inc., to establish its fair market value.

Rick Moorefield, County Attorney, reviewed the background information as recorded above and stated the information restates the incentives proposal that was advertised in advance of the public hearing held on February 2 and remains unchanged.

Mr. Moorefield stated the only other information being provided at this stage are issues related to the appraisal because it is an important consideration when selling the property at its fair market value as part of the incentives proposal. Mr. Moorefield stated the County obtained commercial appraisals of three of the four parcels in the park in September, 2014, based on discussions with Russ Rogerson as to what he understood the company's choice to be. Mr. Moorefield stated the appraisal was not done for the purpose of making an offer to Sanderson Farms, Inc. nor has any offer been made to Sanderson Farms. Mr. Moorefield stated the 100-year flood plain shown on two of the parcels was not included in the appraisal and no value was placed on it which again was based on discussions with Mr. Rogerson that the company had no interest in the flood plain. Mr. Moorefield stated one of the parcels was not appraised as a commercial property but rather as a residential property. Mr. Moorefield stated all four parcels comprising the industrial park were annexed by the City and all four parcels were zoned by the City as HI-Heavy Industrial consistent with zoning the county had on those parcels prior to the annexation and in accordance with the agreement that was reached at that time.

Mr. Moorefield stated should the Board offer incentives and should Sanderson Farms, Inc. accept, the Board should direct staff to obtain an appraisal of the specific property identified by Sanderson Farms, Inc., for its purposes because that has not yet been done.

Commissioner Keefe asked whether a time limit could be placed on any offer of incentives. Mr. Moorefield stated it could be done but he would not make the offer of incentives too restrictive because the posture of the company is not known. Mr. Moorefield concurred with Commissioner Keefe that the offer of incentives should not be extended in perpetuity.

At the request of Commissioner Evans and with the Board's permission, Mr. Moorefield read the following into the record:

The basic terms of the economic development incentives agreement proposed by the County and advertised for the public hearing are as follows:

The Company's Obligations:

Sanderson Farms, Inc., (the Company) will spend at least \$95 million to construct and equip a modern poultry-processing plant in the County's Cedar Creek Industrial Park in the City of Fayetteville (the Project). The Project will employ at least 975 employees within three years of commencing operations. Not less than sixty percent (60%) of the Company's employees at this site will be residents of Cumberland County. The Company will not contract with any producer for the production of chickens on sites located within ten miles of the Project or within one mile of the Cape Fear River in Cumberland County. The Company will inform the county and city managers of any Notices of Violation it receives from DENR for any of its operations in Cumberland County.

The County's Obligations:

As economic development incentives for the Company to undertake this Project, the County will sell to the Company the land in the Cedar Creek Industrial Park that the Company identifies for the Project at its fair market value subject to the upset bid process and grant the company a cash incentive equivalent to 50% of County general property taxes paid by the Company on the assessed value of the improvements constructed on the real property and the personal property and equipment used therein for each of the first nine years that the Project complies with all the terms of the agreement. The estimated total value of these cash incentive payments is \$2.5 million.

Mr. Moorefield pointed out the other incentives presented during the February 2, 2015 joint public hearing held with the City were the City's proposal and therefore not read into the record.

MOTION: Commissioner Evans moved that the incentives package that was presented by the county attorney be presented to Sanderson Farms, Inc. for possible development and future employment here in Cumberland County.

SECOND: Commissioner Council

DISCUSSION: Commissioner Keefe asked Commissioner Evans whether he would amend his motion to include a thirty or sixty day time limit for the offer of incentives. Commissioner Evans responded in the negative. Commissioner Adams spoke to the process leading up to his decision and stated at the end of the day, it is about the greater good for all citizens and he knows the community is lacking economic development for all citizens.

VOTE: PASSED (4-3) (Commissioners Evans, Council, Keefe and Adams voted in favor; Commissioners Lancaster, Faircloth and Edge voted in opposition)

MOTION: Commissioner Council moved to direct staff to obtain an appraisal of the specific property identified by Sanderson Farms, Inc., to establish its fair market value if Sanderson Farms indicates that it wishes to accept the offer of incentives.

SECOND: Commissioner Adams

VOTE: UNANIMOUS (7-0)

4. Public Hearings

Chairman Edge advised Patti Speicher, Planning and Inspections Assistant Director, would be filling in for Tom Lloyd, Planning and Inspections Director, who had been called away due to a family illness. Ms. Cannon explained the Board of Commissioners' procedures for public hearings.

Uncontested Rezoning Cases

- A. Case P15-06: Rezoning of 2.00+/- acres from A1 Agricultural/CU Conditional Use Overlay for a home catering business to R40 Residential or to a more restrictive zoning district, located at 2761 County Line Road, submitted by Andrew C. Miller and Candace D. Warren (owners).

Staff Recommendation:

1st motion for Case P15-06: 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 P15-06: Move to approve the rezoning from A1 Agricultural/CU Conditional Use Overlay to R40 Residential district as recommended by the Planning Staff 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

- B. Case P15-10: Rezoning of 5.78+/- acres from M(P) Planned Industrial to RR Rural Residential and CD Conservancy or to a more restrictive zoning district, located at 2587 Navy Road, submitted by Shawn Watts (owner) and Robert M. Bennett, PE/PLS.

Staff Recommendation:

1st motion for Case P15-10: 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 P15-10: Move to approve the rezoning from M(P) Planned Industrial to RR Rural Residential and CD Conservancy as recommended by the Planning Staff 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

These are the duly advertised/noticed public hearings set for this date and time.

Chairman Edge opened the public hearings for Case P15-06 and Case P15-10.

The clerk to the board advised there were no speakers for Case P15-06 and Case P15-10.

Chairman Edge closed the public hearings for Case P15-06 and Case P15-10.

MOTION: Commissioner Keefe moved in Case P15-06 and Case P15-10 to find the requests for rezoning consistent with the 2030 Growth Vision Plan, and any other applicable land use plans, reasonable and in the public interest for the reasons stated in the recommendations of the Planning Staff included in the agenda packages and as reflected in the minutes of the Planning Board's consideration of these cases, which minutes are to be fully incorporated herein by reference.

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

MOTION: Commissioner Keefe moved in Case P15-06 to approve the rezoning from A1 Agricultural/CU Conditional Use Overlay to R40 Residential district as recommended by the Planning Staff and moved in Case P15-10 to approve the rezoning from M(P) Planned Industrial to RR Rural Residential and CD Conservancy as recommended by the Planning Staff and as reflected in the minutes of the Planning Board's consideration of these cases, which minutes are to be fully incorporated herein by reference.

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

Contested Rezoning Case

C. Case P15-08: Rezoning of 18.50+/- acres from A1 Agricultural to R20 Residential or to a more restrictive zoning district; located on the north side of SR 1704 (Palestine Road), east of US 401 (Ramsey Street); submitted by John Culbreth on behalf of Culbreth Land and Timber Co. LLC. and Phyllis P. Streit (owners).

Staff Recommendation:

1st motion for Case P15-08: 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 P15-08: Move to approve the rezoning from A1 Agricultural to R20 Residential as recommended by the Planning Staff 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: Deny the staff recommendation and recommend rezoning to R40 Residential.

Ms. Speicher showed vicinity maps, aerial views of the subject property and provided overviews of the current land uses, current zonings, and surrounding land uses and zonings. Ms. Speicher stated hydric soils are to the north side of the subject property, Linden water in the area would be extended to the subject property if the request is approved and there was septic but no sewer. Ms. Speicher stated the 2030 Growth Vision Plan calls for rural development at this location and the North Central Land Use Plan calls for suburban density residential; the R40 as recommended by the Planning Board would allow a maximum of 20 lots or approximately 17 lots when accounting for new street right of way. Ms. Speicher stated the R20 as requested would be a maximum of 40 lots or approximately 34 lots when accounting for new street right of way.

Ms. Speicher asked to have the Cumberland County Joint Planning Board's first motion read into the record as follows:

"The Planning Board recommended that you move to find the request for the rezoning consistent with the 2030 Growth Vision Plan and any other applicable land use plans but did not find it reasonable or in the public interest because of the size of the lots being requested compared to the existing lots in the general area, the number of new septic tanks with all surrounding properties having shallow wells and the soils and wetlands in the general area."

Ms. Speicher asked to have the Cumberland County Joint Planning Board's second motion read into the record as follows:

"The Planning Board recommended that you move to approve the rezoning from A1 Agricultural to R40 Residential which was approved by the Planning Board and reflected in the Planning Board's consideration of this case."

Ms. Speicher stated the Cumberland County Joint Planning Board also asked to have the minutes of the January 20, 2015 meeting for Case P15-08 incorporated into the record as follows:

P15-08. REZONING OF 18.50+/- ACRES FROM A1 AGRICULTURAL TO R20 RESIDENTIAL OR TO A MORE RESTRICTIVE ZONING DISTRICT; LOCATED ON THE NORTH SIDE OF SR 1704 (PALESTINE ROAD), EAST OF US 401 (RAMSEY STREET); SUBMITTED BY JOHN CULBRETH ON BEHALF OF CULBRETH LAND AND TIMBER CO. LLC. AND PHYLLIS P. STREIT (OWNERS).

Ms. Speicher presented the case information and photos.

1st MOTION

The Planning and Inspections Staff recommends the board find that approval of the request for rezoning in Case No. P15-08 is generally consistent with the adopted comprehensive plan designated as the *2030 Growth Vision Plan*, which calls for "rural" at this location because the district requested promotes efforts that *encourage the development of new housing stock and provide an assortment of housing types and neighborhoods to meet the needs of all residents in the County*. The request is consistent with the North Central Land Use Plan, which calls for "suburban density residential" at this location and the general area already contains suburban and low density developments.

The staff also recommends the board further find that approval of this rezoning is reasonable and in the public interest because the district requested for the subject properties meets or exceeds the location criteria of the adopted Land Use Policies Plan, in that: *septic systems are allowed*, public sewer is not available; *direct access to a local road is required*, Palestine Road is a public street; and the subject property is *not located in any defined critical area as defined by the Fort Bragg Small Study Area*.

2nd MOTION

In addition to the above information, the Planning and Inspections Staff also recommends the board approve Case No. P15-08 for R20 Residential district based on the following:

1. The R20 Residential district will allow for land uses and lot sizes that exist in the general area; and
2. Public water is available to serve this site.

There are no other districts considered suitable for this request.

There were people present to speak in favor and in opposition.

Mr. John Culbreth spoke in favor. Mr. Culbreth stated that the subject property will have lots larger than the Castlebrook Subdivision, the plan is to have this development tie into Linden water, so each lot will be on the community water system. Mr. George Rose designed the subdivision and he was able to get twenty five lots in there. Mr. Culbreth also said that the Department of Transportation (DOT) has approved the street design, and he met with the Town Board of Linden and they felt this would be an asset to the community.

Mr. Morris asked Mr. Culbreth if the dam is still drained.

Mr. Culbreth stated that the dam had been rebuilt and will be put back together in the spring and the pond will be built back up.

Mr. Morris asked Mr. Culbreth if anything occurred to the wetlands with the occurrence of the dam breaks.

Mr. Culbreth said that there were some soils that went downstream, Dam Safety came in and said that what kept it from completely failing was the fact that it was paved and the water went across and eroded the back part of the dam. Mr. Culbreth said they built the dam back to its original height but only half as wide.

Mr. Ernest Smith spoke in favor. Mr. Smith stated that he had no objections to the rezoning request; his main thing is that he would like to tap into water if it is available.

Jamie Bowden spoke in opposition. Mr. Bowden stated that he was speaking for about one hundred homeowners who signed a petition requesting the rezoning be to R40 instead of R20, and presented the petition to the Board. Mr. Bowden stated that some of the concerns are with soils, wetlands, and the size of the lots. They also have concerns with water.

Ms. Sandra K. Bowden-Johnson spoke in opposition. Ms. Johnson stated that her property backs up to the subject property, and didn't want anything back there. She stated that she also signed the petition and agrees that the rezoning should be to R40. She also has concerns with water and security.

Mr. Morris asked Mr. Culbreth if the subject property were rezoned to R40 would he still extend the water.

Mr. Culbreth said no, they would do individual wells; the layout is based on an R20 design, so he is requesting R20 because that's what they need.

Mr. McLaurin reminded the board that they could only be concerned with the rezoning, not the number of lots.

Public hearing closed.

Mrs. Wheatley said that R40 has been discussed in the past and it has been palatable in this community.

Mr. Morris said that the land is zoned A1 and the engineers have zoned it to the highest and best use because that's what they're paid to do, he hates it when a developer spends money on an engineer to develop a plan based on what they feel is best, prior to coming to the Planning Board or buying the property under contingency. Mr. Morris said that he felt the density needs to be there and feels that the larger lot size is what is best and would concur with Mrs. Wheatley.

Mr. Morris said that the Town of Linden is looking is into extending water. Eventually it will happen it just a matter of funding and grants.

Mr. Morris made a motion to deny both of the motions referenced above, seconded by Dr. Andrews, and recommended rezoning to R40 for the subject property. The motions passed unanimously.

Ms. Speicher responded to questions. Charles Morris, Cumberland County Joint Planning Board Vice-Chair Town of Linden, explained the Planning Board's concerns with the water when the two lakes got washed out, the hydric soils and the high density septic tanks that could percolate into the water table. Mr. Morris stated the Planning Board felt R40 stick built homes would enhance and be consistent with development in that area.

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

Chairman Edge opened the public hearings for Case P15-08.

The clerk to the board called the following speakers for Case P15-08:

Neil Yarborough – Mr. Yarborough appeared in favor and stated the project cannot be accomplished without R20 when considering the types of improvements that will be necessary. Mr. Yarborough showed aerial views of areas surrounding the subject property, street views and Castlebrooke homes built by the same developer close to the subject property. Mr. Yarborough compared improvements under R20 zoning and that cannot be afforded under R40 zoning. Mr. Yarborough stated the

staff recommendations below meet all three of the county's land use programs.

Staff Recommendation for R20 Rezoning

R20 for the Subject Property is consistent with the North Central Land Use Plan

- R20 for the Subject Property is consistent with the 2030 Grown Vision Plan
- R20 for the Subject Property is consistent with the Cumberland County Land Use Policies Plan
- "There are no other districts considered suitable for this request."

Mr. Yarborough stated there is no other zoning district suitable for this request. Mr. Yarborough stated the subject property has been engineer and soil tested, there can be 25 lots, DOT has approved the street design and the plan is to tie into Linden water. Mr. Yarborough asked that this project be rezoned R20 with half-acre lots so it can be consistent with current development in the area.

Heather Bowden – Ms. Bowden appeared in opposition and stated a petition with approximately 100 Linden signatures opposing the rezoning was presented to the Planning Board. Ms. Bowden stated the R20 threatens security, will impact the schools and the additional septic tanks will ruin the water. Ms. Bowden stated 23 out of 100 homes in Castlebrooke are vacant and foreclosed and under R20 zoning, more than 25 homes can be built.

James Bowden – Mr. Bowden appeared in opposition and asked that the Board support the Planning Board's recommendation for R40 rezoning because the soil in the area is wetter than it looks. Mr. Bowden expressed concern that he would have to pay to tap into and have the water line extended when his shallow well water got messed up by the septic tanks.

Sandra K. Bowden-Johnson – Ms. Johnson appeared in opposition and asked why more houses are being built if the military is going to be downsized and civilians leave along with the military. Ms. Johnson stated there are already vacant, for sale, for rent and foreclosed homes in Castlebrooke. Ms. Johnson expressed concerns for security and the quality of the drinking water after the additional septic tanks are installed.

Neil Yarborough – Mr. Yarborough appeared in rebuttal and stated Planning Staff recommended R20 because it meets all three of the county's land use programs and because that type of developments reflects what the Board hoped would happen when I-295 came through. Mr. Yarborough stated the project will not go through except under R20 because the economics are not there to drive the types of improvements that come with a well designed and equipped subdivision.

There being no further speakers, Chairman Edge closed the public hearing for Case P15-08.

Ms. Speicher responded to questions posed by Commissioner Keefe.

MOTION: Commissioner Adams moved 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.

SECOND: Commissioner Evans

VOTE: PASSED (5-2) (Commissioners Evans, Lancaster, Edge, Council, and Adams voted in favor; Commissioners Faircloth and Keefe voted in opposition)

- MOTION: Commissioner Adams moved to approve the rezoning from A1 Agricultural to R20 Residential as recommended by the Planning Staff and as reflected in the minutes of the Planning Board's consideration of this case, which minutes are to be fully incorporated herein.
- SECOND: Commissioner Lancaster
- VOTE: PASSED (6-1) (Commissioners Evans, Lancaster, Edge, Council, Keefe and Adams voted in favor; Commissioner Faircloth voted in opposition)

Minimum Housing Code Enforcement

The clerk to the board administered an oath to Joan Fenley, Inspector for the County of Cumberland Inspection Department.

- D. Case Number: MH727-2014
Property Owner: Barry E. & Loretta Vaughn, Bank of America & Citifinancial Services
Property Location: 8255 Maxwell Road, Wade, NC
Parcel Identification Number: 0498-65-9777

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

I, Joan Fenley, 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 727-2014.

Property Owner: Barry E. & Loretta Vaughn, Bank of America & Citifinancial Services
Home Owner: Barry E. & Loretta Vaughn, Bank of America & Citifinancial Services
Property Address: 8255 Maxwell Rd, Wade, NC
Tax Parcel Identification Number: 0498-65-9777

SYNOPSIS: This property was inspected on 7/25/2014. The property owners and parties of interest were legally served with Notice of Violations and were afforded a Hearing on 9/22/2014. 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 12/22/2014. 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 2/5/2015, no corrective action has 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 \$105,840.00. The Assessor for Cumberland County has the structure presently valued at \$500.00.

RECOMMENDATION: IT IS THE RECOMMENDATION OF THE PLANNING AND 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 Edge opened the public hearing.

The clerk to the board advised there were no speakers.

Chairman Edge closed the public hearing.

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

SECOND: Commissioner Edge

VOTE: UNANIMOUS (7-0)

- E. Case Number: MH781-2014
Property Owner: Randy V. & Melanie E. Kaha
Property Location: 2548 Pinnacle Drive, Fayetteville, NC
Parcel Identification Number: 0415-56-0604

**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 781-2014.

Property Owner: Randy V & Melanie E Kaha
Home Owner: Randy V & Melanie E Kaha
Property Address: 2548 Pinnacle Drive, Fayetteville NC
Tax Parcel Identification Number: 0415-56-0604

SYNOPSIS: This property was inspected on 9/2/2014. The property owners and parties of interest were legally served with Notice of Violations and were afforded a Hearing on 10/1/2014. 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 11/5/2014. 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 2/5/2015, 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 \$41,160.00 The Assessor for Cumberland County has the structure presently valued at \$500.00.

RECOMMENDATION: IT IS THE RECOMMENDATION OF THE PLANNING AND 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 Edge opened the public hearing.

The clerk to the board advised there were no speakers.

Chairman Edge closed the public hearing.

MOTION: Commissioner Council moved to adopt the order and report of the Minimum Housing Inspector as the true facts in this case; to order the property owner to remove or demolish the dwelling within 30 days; to order the Inspector to remove or demolish the dwelling if the owner fails to do so and impose a lien on the real property for the cost of such action;

and to direct the clerk to incorporate the foregoing findings and orders in an ordinance certified by the Chairman and record the same in the Register of Deeds.

SECOND: Commissioner Edge

VOTE: UNANIMOUS (7-0)

5. Nominations to Boards and Committees

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

Commissioner Faircloth nominated Mary Dillon.

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

Commissioner Glenn Adams volunteered for the nomination.

C. Farm Advisory Board (1 Vacancy)

Commissioner Council nominated Lisa Childers.

D. Nursing Home Advisory Board (2 Vacancies)

Commissioner Faircloth nominated Carla Fagan and Keith Howard.

6. Consideration of Appointment to Local Firefighters' Relief Fund Board - Wade Community Fire Department

BACKGROUND:

According to North Carolina General Statute § 58-84-30, for each county complying with and deriving benefits from the provisions of the Article, there shall be appointed a local board of trustees, known as the trustees of the Firefighters' Relief Fund. The board of trustees shall be composed of five (5) members, two (2) of whom shall be elected by the members of the local fire department(s) who are qualified as beneficiaries of such fund, two (2) of whom shall be elected by the mayor and board of alderman or other local governing body, and one (1) of whom shall be named by the Commissioner of Insurance.

A request has been received from Fire Chief Mike Hill, Wade Community Fire Department, that the Board of Commissioners appoints Johnny Lanthorn and Linwood Hill to the Wade Community Fire Department, Inc. Firefighters' Relief Fund Board.

Correspondence containing the request is attached as is a copy of the North Carolina Rural fire District Report of Fire Conditions dated August 20, 2014 for the Wade Community Fire Department and North Carolina General Statute § 58-84-30.

RECOMMENDATION/PROPOSED ACTION:

Consider request received from Fire Chief Mike Hill for the appointment of Johnny Lanthorn and Linwood Hill to the Wade Community Fire Department's Firefighters' Relief Fund Board.

Commissioner Council nominated Johnny Lanthorn and Linwood Hill.

7. Appointments to Boards and Committees

A. Human Relations Commission (1 Vacancy)

Nominee: Kevin Brooks

B. Minimum Housing Appeals Board (4 Vacancies)

Nominees: Regular Members:
Geri Hasapis (Reappointment)
Louis L. King (Reappointment)

Alternate Members:

Rober Kater (Reappointment)

Henry Gibbs, Jr. (Reappointment)

There being an equal number of vacancies and nominees,

MOTION: Commissioner Faircloth moved to appoint all nominees to their respective positions.

SECOND: Commissioner Lancaster

VOTE: UNANIMOUS (7-0)

MOTION: Commissioner Edge moved to recess the Cumberland County Board of Commissioners' meeting and convene the meeting of the Norcross Water and Sewer District Governing Board.

SECOND: Commissioner Adams

VOTE: UNANIMOUS (7-0)

Chairman Edge called the meeting of the Norcross Water and Sewer District Governing Board to order.

1. Consent Agenda

A. Approval of Minutes of the December 15, 2014 Meeting

B. Approval of the Request by Kansas City Sausage Company to Connect to the Norcross Sewer System

BACKGROUND:

In the fall of 2014, staff from the Engineering and Infrastructure Department was contacted by a representative from the Kansas City Sausage Company, LLC about the possibility of connecting to the NORCRESS sewer system. This is the former Martin's Abattoir and Wholesale Meats located in Sampson County just across the Cumberland County line off of Highway 13 (see attached map). This meat processing plant had been in operation for over 50 years up until it closed in 2014. Kansas City Sausage Company would like to reopen this plant by December of 2015. Upon receiving this request, a meeting was held with the NORCRESS Advisory Board to inform them of the request that had been made and to seek their thoughts on the possible connection. After much discussion, it was determined that Kansas City Sausage Company should be directed to complete a feasibility study of this proposed connection and how it would impact the NORCRESS sewer system.

Kansas City Sausage Company, LLC acquired the services of Hobbs Upchurch Associates out of Southern Pines, NC to complete a Preliminary Engineering Report (PER) to determine the impact that their proposed connection would have on the NORCRESS system. This PER document has been completed and submitted to the County staff for review. A copy of this report has been attached for your review with the exceptions of appendixes C-E which were County documents that the engineer included within the report. The PER document has been sent to PWC for review and approval as well. PWC will set the wastewater concentrations that Kansas City Sausage Company is allowed to discharge into the system and permit the facility as an industrial user if they are authorized to connect to the NORCRESS sewer system by the Cumberland County Board of Commissioners.

This request was presented to the Facilities Committee on February 5th and the Committee unanimously directed staff to continue working to formalize an agreement between Kansas City Sausage Company and Cumberland County that would allow a sewer connection to the NORCRESS System.

RECOMMENDATION/PROPOSED ACTION:

The Engineering and Infrastructure Director, County Management and the Facilities Committee recommend that the NORCRESS Governing Board direct County staff to move forward with attempting to formalize an agreement between Cumberland County

and Kansas City Sausage Company that would allow a sewer connection to the NORCRESS System. If an agreement can be reached, then this item will be brought back to the Facilities Committee and the NORCRESS Governing Board at a later date for approval.

MOTION: Commissioner Edge moved to approve consent agenda items 1.A and 1.B.
SECOND: Commissioner Adams
VOTE: UNANIMOUS (7-0)

There being no further matters of business,

MOTION: Commissioner Edge moved to adjourn the meeting of the Norcross Water and Sewer District Governing Board and reconvene the meeting of the Cumberland County Board of Commissioners.
SECOND: Commissioner Adams
VOTE: UNANIMOUS (7-0)

Chairman Edge called the meeting of the Board of Commissioners to order.

8. CLOSED SESSION

There was no closed session.

MOTION: Commissioner Faircloth moved to adjourn.
SECOND: Commissioner Keefe
VOTE: UNANIMOUS (7-0)

There being no further business, the meeting adjourned at 8:30 p.m.

Approved with/without revision:

Respectfully submitted,

Candice H. White
Clerk to the Board