

CUMBERLAND COUNTY BOARD OF COMMISSIONERS
MONDAY, NOVEMBER 21, 2016 – 6:45 PM
117 DICK STREET, 1ST FLOOR, ROOM 118
REGULAR/REZONING MEETING
MINUTES

PRESENT: Commissioner Marshall Faircloth, Chairman
Commissioner Glenn Adams, Vice Chairman
Commissioner Jeannette Council
Commissioner Kenneth Edge
Commissioner Charles Evans
Commissioner Larry Lancaster
Amy Cannon, 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
Joe Utley, Tax Administrator
Kim Cribb, Budget Analyst
Jeffrey Brown, Engineering and Infrastructure Director
Patti Speicher, Planning and Inspections Department
Cecil Combs, Deputy Planning and Inspections Director
Scott Walters, Code Enforcement Manager
Randy Beeman, Emergency Services Director
Gene Booth, Emergency Management Officer
Joel Strickland, FAMPO Executive Director
Candice H. White, Clerk to the Board
Kellie Beam, Deputy Clerk to the Board
Press

ABSENT: Commissioner Jimmy Keefe

Chairman Faircloth called the meeting to order.

INVOCATION / PLEDGE OF ALLEGIANCE

Commissioner Lancaster provided the invocation followed by the Pledge of Allegiance to the American flag.

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

Chairman Faircloth recognized the clerk to the board who stated there were no public comment speakers.

Introduction of Mr. Jerod Roberts, Solid Waste Director

Melissa Cardinali, Assistant County Manager, introduced the new Solid Waste Director Jerod Roberts and stated Mr. Roberts was hired following an assessment center conducted by Developmental Associates. Ms. Cardinali stated Mr. Roberts has been the Superintendent of Waste Collections for the City of Virginia Beach, Virginia; is certified by the Solid Waste Association of North America; has worked as a route manager for Waste Management in Chesapeake, Virginia; and has worked as a general manager for a trucking company in Georgia. Ms. Cardinali stated Mr. Roberts earned a bachelor's degree in business management and served four years in the Marine Corps with a duty station at Camp Lejeune and Okinawa, Japan. Ms. Cardinali stated the County is pleased to have Mr. Roberts join the Leadership Team and looks forward to working with him as he guides the Solid Waste Department. Mr. Roberts spoke to his excitement about the opportunity to use his skills to serve the citizens of Cumberland County.

Amy Cannon, County Manager, requested the removal from the agenda of Item K. 1) and 2) for the Public Hearing on the Community Development Substantial Amendment to the 2016 Annual

Action Plan. Ms. Cannon stated the County is waiting on notification and approval from HUD in Washington, D.C. once its preliminary work is completed and the hope is to place the item on the December 19, 2016 meeting agenda once approval is received to move forward with the process.

1. Approval of Agenda

MOTION: Commissioner Council moved to approve the agenda with the removal of Item K. 1) and 2) as requested.

SECOND: Commissioner Adams

VOTE: UNANIMOUS (6-0)

2. Presentation by Dr. Frank Till and Approval of a Proclamation Recognizing December 7, 2016 as "Reading Rocks Day" in Cumberland County

Dr. Frank Till, Cumberland County Schools Superintendent, stated Hurricane Matthew caused the cancellation of the October Reading Rocks! Walk-A-Thon, which would have been the 13th year of the Walk-A-Thon. Dr. Till stated the community supports the need for all children to read so Wednesday, December 7, 2016 will be Reading Rocks! for Literacy Day and all citizens are encouraged to wear red in support of literacy.

MOTION: Commissioner Edge moved to approve the Cumberland County Board of Education's Resolution to Support Reading Rocks! for Literacy Day as will be considered for approval by the Board of Education at its meeting on November 22, 2016.

SECOND: Commissioner Lancaster

VOTE: UNANIMOUS (6-0)

3. Consent Agenda

A. Approval of Declaration of Surplus County Property Affected by Flooding and Authorization to Accept Insurance Settlements and the associated Budget Ordinance Amendments; B170262, B170263, B170295, B170293, B170294 for the Following Vehicles:

1) 2006 Ford Crown Victoria (Sheriff's Office)

BACKGROUND:

DATE OF ACCIDENT:	OCTOBER 08, 2016 (Hurr Matthew)
VEHICLE:	2006 FORD CROWN VICTORIA
VIN:	2FAHP71W96X143670
FLEET#:	FL202
DEPARTMENT:	Sheriff's Office
SETTLEMENT OFFER:	\$5,620.07
INSURANCE COMPANY:	Traveler's

This is a total loss settlement offer.

RECOMMENDATION/PROPOSED ACTION:

Management recommends that the Board of Commissioners:

1. Declare the vehicle described above as surplus
2. Authorize the Risk Management Coordinator to accept \$5,620.07 (\$6,620.07 - \$1,000 deductible) as settlement
3. Allow Travelers to take possession of the FLOOD (surplus) vehicle
4. Approve Budget Ordinance Amendment 170262 in the amount of \$5621, recognizing the insurance settlement. Please note this amendment requires no additional County funds.

2) 2016 Ford Explorer (Sheriff's Office)

BACKGROUND:

DATE OF ACCIDENT: OCTOBER 08, 2016 (HurrMatthew)
VEHICLE: 2016 FORD EXPLORER
VIN: 1FM5K8AR7GGB28552
FLEET#: FL1608
DEPARTMENT: Sheriff's Office
SETTLEMENT OFFER: \$50,075.68
INSURANCE COMPANY: Traveler's

This is a total loss settlement offer.

RECOMMENDATION/PROPOSED ACTION:

Management recommends that the Board of Commissioners:

1. Declare the vehicle described above as surplus
2. Authorize the Risk Management Coordinator to accept \$50,075.68 (\$51,075.68 - \$1,000 deductible) as settlement
3. Allow Travelers to take possession of the FLOOD (surplus) vehicle
4. Approve Budget Ordinance Amendment 170263 in the amount of \$50,076, recognizing the insurance settlement. Please note this amendment requires no additional County Funds

3) 1992 Ford F350 (Animal Control)

BACKGROUND:

DATE OF ACCIDENT: OCTOBER 08, 2016 (Hurr Matthew)
VEHICLE: 1992 Ford F350
VIN: 1FTJF35M8NNB18629
FLEET#: AC2
DEPARTMENT: ANIMAL CONTROL
SETTLEMENT OFFER: \$6,914.00
INSURANCE COMPANY: Traveler's

This is a total loss settlement offer.

RECOMMENDATION/PROPOSED ACTION:

Management recommends that the Board of Commissioners:

1. Declare the vehicle described above as surplus
2. Authorize the Risk Management Coordinator to accept (\$7,914 - \$1,000 deductible) as settlement
3. Allow Travelers to take possession of the FLOOD (surplus) vehicle
4. Approve Budget Ordinance Amendment 170295 in the amount of \$6,914, recognizing the insurance settlement. Please note this amendment requires no additional County funds.

4) 2008 Ford F150 (Animal Control)

BACKGROUND:

DATE OF ACCIDENT: OCTOBER 08, 2016 (Hurr Matthew)
VEHICLE: 2008 FORD F150
VIN: 1FTRF12W38KD87169
FLEET#: AC9
DEPARTMENT: ANIMAL CONTROL
SETTLEMENT OFFER: \$11,293.11
INSURANCE COMPANY: Traveler's

This is a total loss settlement offer.

RECOMMENDATION/PROPOSED ACTION:

Management recommends that the Board of Commissioners:

1. Declare the vehicle described above as surplus
 2. Authorize the Risk Management Coordinator to accept (\$12,293.11 - \$1,000 deductible) as settlement
 3. Allow Travelers to take possession of the FLOOD (surplus) vehicle
 4. Approve Budget Ordinance Amendment 170293 in the amount of \$11,294, recognizing the insurance settlement. Please note this amendment requires no additional County funds.
- 5) 2011 Ford F150 (Animal Control)

BACKGROUND:

DATE OF ACCIDENT:	OCTOBER 08, 2016 (Hurr Matthew)
VEHICLE:	2011 FORD F150
VIN:	1FTFX1EFXBKD13413
FLEET#:	AC20
DEPARTMENT:	ANIMAL CONTROL
SETTLEMENT OFFER:	\$13,071.99
INSURANCE COMPANY:	Traveler's

This is a total loss settlement offer.

RECOMMENDATION/PROPOSED ACTION:

Management recommends that the Board of Commissioners:

1. Declare the vehicle described above as surplus
2. Authorize the Risk Management Coordinator to accept (\$14,071.99 - \$1,000 deductible) as settlement
3. Allow Travelers to take possession of the FLOOD (surplus) vehicle
4. Approve Budget Ordinance Amendment 170294 in the amount of \$13,072, recognizing the insurance settlement. Please note this amendment requires no additional County funds.

- B. Approval of a Resolution Approving the Financing of a Tax Exempt Loan for the Stoney Point Volunteer Fire Department, Inc. to Purchase a Fire Engine and Heavy Rescue Truck

BACKGROUND:

The Stoney Point Volunteer Fire Department has requested the approval of a resolution approving the financing of a tax exempt loan that will be used to purchase two different types of fire-rescue vehicles.

This resolution is solely for the purpose of the public approval requirements for tax-exempt financing according to the Internal Revenue Code of 1986. This approval does not obligate the County in any way regarding repayment of the debt.

RECOMMENDATION/PROPOSED ACTION:

Staff recommends adoption of the requested resolution as recorded below.

**RESOLUTION APPROVING A TAX-EXEMPT LOAN BY
 STONEY POINT FIRE DEPARTMENT, INC. OF UP TO \$1,400,000
 FOR THE PURCHASE OF A FIRE ENGINE AND A HEAVY RESCUE
 TRUCK**

WHEREAS:

Stoney Point Fire Department, Inc. has determined to finance an amount of up to \$1,400,000 for a fire engine and a heavy rescue truck. The United States Internal Revenue Code requires that for such financing to be carried out on a tax-exempt basis, this Board must first approve the financing. The fire department has held a public hearing on the financing after published notice, as required by the Code. The fire department has reported the proceedings of the hearing to this Board.

BE IT THEREFORE RESOLVED by the Board of Commissioners of Cumberland County, North Carolina, as follows:

1. The County approves the VFD's entering into the financing, as required under the Code for the financing to be carried out on a tax-exempt basis. The VFD's conduct of the required public hearing is approved.
- C. Approval of Cumberland County Facilities Committee Report and Recommendations (FOR INFORMATION PURPOSES)
- D. Approval of Cumberland County Finance Committee Report and Recommendation:
- 1) Request for New Position in County's Public Information Office and Budget Ordinance Amendment B171027

BACKGROUND:

The Public Information Office, which is a section of the County Manager's Office, consists of three positions: the Governmental Affairs Officer, Public Information Specialist and Graphic Design Information Specialist II.

The three-member team is responsible for coordinating external and internal communication with the public, media and employees. The office serves as a central point for receiving and disseminating public information through various outlets, including media releases, employee newsletters, a monthly TV show, weekly newspaper column, bi-weekly newspaper section, brochures, website and social media content and other outreach materials and programs.

The Sheriff's Office has a Public Information Officer and the library system has a five-member Community Relations Department that manages its communications and outreach efforts. The Public Information Office serves all other County departments.

The Chief Public Information Director's position expanded in 2014 with a reclassification to Governmental Affairs Officer. The position became part of the County's management team. The position has operational responsibility for managing public information and governmental communications, including legislative agendas and strategic initiatives.

One of the County's strategic goals is to educate, inform and engage employees, citizens, elected and appointed officials through effective and efficient communications. In order to fulfill the objectives under this goal and better serve all County departments in sharing their message and telling the County's story, the Public Information Office needs additional capacity in the form of a Communications and Outreach Coordinator.

The new position would coordinate media relations and collaborate with the departments for press releases, videos, events and communications initiatives to ensure consistent and favorable messaging.

RECOMMENDATION/PROPOSED ACTION:

At its November 3, 2016, meeting, the Finance Committee approved forwarding the recommendations outlined below to the full Board of Commissioners:

1. Approve the establishment of a new Communications & Outreach Coordinator position at Cumberland County salary grade 72; and,
2. Approve Budget Ordinance Amendment B171027 in the amount of \$47,186 to fund a new position in the Public Information Office. Federal Labor Standards Act funds were budgeted at \$100,000; however, the impact of FLSA changes is expected to be just under \$40,000 for FY17 resulting in excess funds of \$60,000. This revision will transfer excess FLSA funds of \$47,186 to the Administration personnel accounts for salary and fringe benefits.

Please note this amendment requires no additional county funds.

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

- 1) Case Number: MH 1068-2015
Property Owner: Jason Brandon & Kimberly Ann Fortner
Property Location: 2771 Clinton Road, Fayetteville, NC
Parcel Identification Number: 0456-48-6704

ORDINANCE ASSESSING PROPERTY FOR THE COSTS
OF DEMOLITION OF A STRUCTURE PURSUANT TO
THE MINIMUM HOUSING CODE OF CUMBERLAND COUNTY
CASE NUMBER: MH 1068-2015
PROPERTY OWNER: Jason Brandon & Kimberly Ann Fortner

WHEREAS, the Board of County Commissioners of Cumberland County, North Carolina, on March 21, 2016, enacted an ordinance directing the demolition by the owner of the structure Jason Brandon & Kimberly Ann Fortner, located at 2771 Clinton Road, Fayetteville, NC, PIN: 0456-48-6704, said ordinance being recorded in Book 9840, page 0003, of the Cumberland County Registry of Deeds;

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

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

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

- (1) Said work had been accomplished.
- (2) The cost of such work was \$2,900.00.
- (3) There were no salable materials resulting from said work.

NOW THEREFORE, the above report coming on to be considered and the Board of County Commissioners 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 \$2,900.00, said sum being the unpaid balance of the cost of the work set forth in the Inspector's Report;

(2) That as provided in the Ordinance of Cumberland County dated March 21, 2016, 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 2771 Clinton Road, Fayetteville, NC, as described in Deed Book 8620, page 0499, of the Cumberland County Registry and identified in County tax records as PIN 0456-48-6704.

(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.

F. Budget Revisions:

General Fund 101

- 1) Sheriff's Office - Budget Ordinance Amendment B170254 to recognize insurance settlement in the amount of \$3,801 from Travelers

The Board is requested to approve Budget Ordinance Amendment B170254 in the amount of \$3,801 from Travelers for the FL213 2006 Ford Crown Victoria. This settlement is for a vehicle submerged as a result of the rain event on September 29, 2016, not Hurricane Matthew.

Please note this amendment requires no additional county funds.

- 2) Sheriff's Office - Budget Ordinance Amendment B170255 to recognize insurance settlement in the amount of \$2,370 from Travelers

The Board is requested to approve Budget Ordinance Amendment B170255 in the amount of \$2,370 from Travelers for the 1988 FL501 School Bus. This settlement is for a vehicle submerged in the flood waters of Hurricane Matthew while parked in the parking lot of the Cumberland County Sheriff's Office Training Center.

Please note this amendment requires no additional county funds.

- 3) Library - Budget Ordinance Amendment B170165 to recognize a Storytelling Grant in the amount of \$4,000

The Board is requested to approve Budget Ordinance Amendment B170165 in the amount of \$4,000. The library has been awarded a Storytelling Festival Grant from the Arts Council.

Please note this amendment requires no additional county funds.

- 4) Library - Budget Ordinance Amendment B170166 to recognize an EZ Literacy and Lifelong Learning Grant of \$45,656 with a \$12,500 match of E-Rate funds

The Board is requested to approve Budget Ordinance Amendment B170166. The library has been awarded an EZ Literacy and Lifelong Learning Grant from the State Library of North Carolina in the amount of \$45,656 with a \$12,500 match that will utilize E-Rate funds. This money will be used to purchase furniture, shelving, iPads, and interactive literacy-

based activities for Early Literacy Family Center's at all eight library locations.

Please note this amendment requires no additional county funds.

- 5) Health - Budget Ordinance Amendment B170265 to increase the Dentist III position with benefits above budget in the amount of \$27,292

The Board is requested to approve Budget Ordinance Amendment B170265 in the amount of \$27,292. The Health Director is requesting to hire this position above the budgeted salary due to difficulties filling the position since June 10, 2016. It is projected that Medicaid fees earned by having a permanent fulltime dentist will offset the increase in additional salary with benefits.

Please note this amendment requires no additional county funds.

- 6) Emergency Services Grants - Budget Ordinance Amendment B171130 to recognize donated funds of \$37,080 from the Fire Chief's Association

The Board is requested to approve Budget Ordinance Amendment B171130 in the amount of \$37,080 for funds from the Fire Chief's Association. The funds are to be used for an addendum to the Sunguard Maintenance Contract for Computer Added Dispatch (CAD). The addendum will enhance dispatching to the Volunteer Fire Stations serving Cumberland County. This addendum will be maintained by the Fire Chief's Association.

Please note this amendment requires no additional county funds

- 7) Emergency Services - Budget Ordinance Amendment B170238 to transfer \$500 from the recertification line to the salary line

The Board is requested to approve Budget Ordinance Amendment B170238 in the amount of \$500. This is a transfer from the certification line to the salary line due to an employee achieving certification in law enforcement dispatch.

Please note this amendment requires no additional county funds

Sheriff's Office Inmate Welfare Fund 207

- 8) Inmate Welfare Fund - Budget Ordinance Amendment B170070 to allocate \$210,000 of fund balance

The Board is requested to approve Budget Ordinance Amendment B170070 in the amount of \$210,000. This request was approved by the Inmate Welfare Committee. Telephone commissions are no longer available from the telephone provider to the Inmate Welfare Fund. However, the vendor will update and maintain inmate visitation equipment. Therefore, budgeted revenue needs to be reduced and fund balance appropriated as an offset to this reduction. Additionally, funds are requested to upgrade cameras in the inmate pods in the amount of \$65,000. Cameras will be purchased via state contract and tested prior to purchase to ensure needs of the Detention Center are met. This revision also seeks to reallocate salaries into the correct lines relating to the stipend.

Please note this amendment requires Inmate Welfare Fund Balance.

MOTION: Commissioner Lancaster moved to approve consent agenda items 3.A. –3.F.8)
SECOND: Commissioner Council
VOTE: UNANIMOUS (6-0)

4. Public Hearings

Uncontested Rezoning Cases

Patti Speicher, Planning and Inspections Department, stated there were no speakers signed up in opposition to Case P16-36, Case P16-40, Case P16-41, Case P16-42 or Case P16-43 at the Planning Board meeting and the Planning Board recommended approval of Case P16-36, Case P16-40, Case P16-41, Case P16-42 and Case P16-43.

A. Case P16-36: Rezoning of 43.06+/- acres from A1 Agricultural to R40 Residential or to a more restrictive zoning district; located between SR 2261 (Alderman Road) and SR 2245 (Thrower Road), west of NC Highway 87 South; submitted by James H. Smith on behalf of JHS Grays Creek Properties, LLC (owners) & Tim Evans (agent)

Staff Recommendation:

1st motion for Case P16-36: 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.

Planning Board Recommendation: Approve the staff recommendation

2nd motion for Case P16-36: Move to approve the rezoning for R40 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.

Chairman Faircloth opened the public hearing for Case P16-36.

The clerk to the board advised there were no speakers for Case P16-36.

Chairman Faircloth closed the public hearing for Case P16-36.

MOTION: Commissioner Faircloth moved in Case P16-36 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 Edge
VOTE: UNANIMOUS (6-0)

MOTION: Commissioner Faircloth moved in Case P16-36 to approve the rezoning for R40 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 Council
VOTE: UNANIMOUS (6-0)

- B. Case P16-40: Rezoning of .28+/- acres from R10 Residential to O&I(P) Planned Office and Institutional or to a more restrictive zoning district, located at 3227 Legion Road, submitted by Shelly Amanda Baker (owner).

Staff Recommendation:

1st motion for Case P16-40: 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 P16-40: Move to approve the rezoning for O&I(P) Planned Office and Institutional 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 Faircloth opened the public hearing for Case P16-40.

The clerk to the board advised there were no speakers for Case P16-40.

Chairman Faircloth closed the public hearing for Case P16-40.

MOTION: Commissioner Council moved in Case P16-40 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 Lancaster

VOTE: UNANIMOUS (6-0)

MOTION: Commissioner Lancaster moved in Case P16-40 to approve the rezoning for O&I(P) Planned Office and Institutional 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 (6-0)

- C. Case P16-41: Rezoning of 4.07+/- acres from A1 Agricultural to R40 Residential or to a more restrictive zoning district, located at 3410 Thrower Road, submitted by William Edward Brown (owner).

Staff Recommendation:

1st motion for Case P16-41: 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 P16-41: Move to approve the rezoning for R40 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 Faircloth opened the public hearing for Case P16-41.

The clerk to the board advised there were no speakers for Case P16-41.

Chairman Faircloth closed the public hearing for Case P16-41.

MOTION: Commissioner Evans moved in Case P16-41 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 Edge

VOTE: UNANIMOUS (6-0)

MOTION: Commissioner Evans moved in Case P16-41 to approve the rezoning for R40 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 Edge

VOTE: UNANIMOUS (6-0)

D. Case P16-42: Rezoning of 2.09+/- acres from A1 Agricultural to R40A Residential or to a more restrictive zoning district, located at 2601 Dobbin Holmes Road, submitted by Joseph P. & Linda Combs (owners).

Staff Recommendation:

1st motion for Case P16-42: 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 P16-42: Move to approve the rezoning for R40A 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 Faircloth opened the public hearing for Case P16-42.

The clerk to the board advised there were no speakers for Case P16-42.

Chairman Faircloth closed the public hearing for Case P16-42.

MOTION: Commissioner Edge moved in Case P16-42 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 (6-0)

MOTION: Commissioner Edge moved in Case P16-42 to approve the rezoning for R40A 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 Council
VOTE: UNANIMOUS (6-0)

E. Case P16-43: Rezoning of 1.77+/- acres from R6A Residential and C1(P) Planned Local Business to C(P) Planned Commercial or to a more restrictive zoning district, located at 3455 Cumberland Road, submitted by Richard A. Wheeler (owner).

Staff Recommendation:

1st motion for Case P16-43: 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 P16-43: Move to approve the rezoning for C(P) Planned Commercial 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 Faircloth opened the public hearing for Case P16-43.

The clerk to the board advised there were no speakers for Case P16-43.

Chairman Faircloth closed the public hearing for Case P16-43.

MOTION: Commissioner Lancaster moved in Case P16-43 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 Council
VOTE: UNANIMOUS (6-0)

MOTION: Commissioner Lancaster moved in Case P16-43 to approve the rezoning for C(P) Planned Commercial 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 (6-0)

Minimum Housing Code Enforcement

The clerk to the board administered an oath to Scott Walters, Code Enforcement Manager.

- F. Case Number: MH 1558-2016
Property Owner: Darrel Law
Property Location: 3112 Cricket Road, Fayetteville, NC
Parcel Identification Number: 0404-09-5810

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 1558-2016

Property Owner: Darrel Law & Parties of Interest
Home Owner: Darrel Law & Parties of Interest
Property Address: 3112 Cricket Road, Fayetteville NC
Tax Parcel Identification Number: 0404-09-5810

SYNOPSIS: This property was inspected on 4/1/2016. The property owners and parties of interest were legally served with Notice of Violations and were afforded a Hearing on 5/2/2016. Belinda Law 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 9/15/2016. 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 11/9/2016, 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 \$90,000.00. 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. Walters stated the structure burned and the burned debris remains on the property. Mr. Walters stated the homeowners paid someone to clean up the debris; however, the individual took their money and did not do the work. Mr. Walters stated the owners indicate they do not have funds to pay someone else to do the work.

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

Chairman Faircloth opened the public hearing.

The clerk to the board advised there were no speakers.

Chairman Faircloth closed the public hearing.

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

ordinance certified by the Chairman and record the same in the Register of Deeds.

SECOND: Commissioner Council
VOTE: UNANIMOUS (6-0)

G. Case Number: MH 1561-2016
Property Owner: Randall & Sharon Daniels
Property Location: 3941 Nashville Drive, Fayetteville, NC
Parcel Identification Number: 0424-75-3147

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

I, Brian Holder, 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 1561-2016.

Property Owner: Randall & Sharon Daniels
Home Owner: Randall & Sharon Daniels
Property Address: 3941 Nashville Drive, Fayetteville, NC
Tax Parcel Identification Number: 0424-75-3147

SYNOPSIS: This property was inspected on 8/17/2016. The property owners and parties of interest were legally served with Notice of Violations and was afforded a Hearing on 9/22/2016. 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 10/22/2016. 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 11/9/2016, no corrective action has been made to the structure. The structure is presently vacant and reasonably secured. 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 \$39,444.00. The Assessor for Cumberland County has the structure presently valued at \$585.00 (salvage value).

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

Mr. Walters stated the structure is unsecured and the property is overgrown. Mr. Walters stated complaints have been received that individuals are staying on the property that should not be on the property. Mr. Walters stated a tree fell on the structure. Mr. Walters stated an order for demolition is being sought.

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

Chairman Faircloth opened the public hearing.

The clerk to the board advised there were no speakers.

Chairman Faircloth closed the public hearing.

MOTION: Commissioner Lancaster 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 (6-0)

H. Case Number: MH 1478-2016
Property Owner: John Dennis Williams
Property Location: 327 Charles Street, Fayetteville, NC
Parcel Identification Number: 0426-90-2447

**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 1478-2016

Property Owner: John Dennis Williams
Home Owner: John Dennis Williams
Property Address: 327 Charles Street, Fayetteville, NC
Tax Parcel Identification Number: 0426-90-2447

SYNOPSIS: This property was inspected on 6/23/2016. The property owners and parties of interest were legally served with the Notice of Violations and were afforded a Hearing on 10/12/2016. 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 no later than 11/1/2016. 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 11/9/16, no corrective action has not been made to the structure. The structure are presently vacant and unsecured. In their present state, these structure constitute a fire, health, and safety hazard. The estimated cost to repair these structure to a minimum standard for human habitation is \$80,556.00. The Assessor for Cumberland County has these structures presently valued at \$2500.00 each for salvageable materials.

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

Mr. Walters stated this property has been a problem for County Code Enforcement and the Sheriff's Office for quite a while, there is a lot of debris on the property and the structure is in poor condition. Mr. Walters stated an order for demolition is being sought.

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

Chairman Faircloth opened the public hearing.

The clerk to the board called the following speaker:

Sgt. D. W. Dowless – After being administered an oath, Sgt. Dowless stated since October 13, 2013 numerous complaints have been received about drug activity and prostitution coming out of the house. Sgt. Dowless stated three intelligence reports have also been received and from May 31, 2016 through June 3, 2016, the Sheriff's Office has had three controlled buys over 1.33 grams of heroin being purchase and 8.44 grams of crack cocaine being purchased. Sgt. Dowless stated a search warrant was conducted which resulted in 13 grams of heroin, 11.86 grams of crack cocaine, 18.17 grams of marijuana and 64 grams of hydrocodone pills being removed. Sgt. Dowless stated there were seven weapons seized out of the

residence. Sgt. Dowless stated since he has been working nuisance abatement with the County, criminal activity comes and goes and the yard has the appearance of a landfill. Sgt. Dowless stated the Sheriff's Office is trying to improve the area. Sgt. Dowless stated there are problems associated with prostitution in the area and some of the girls are staying in the house. Sgt. Dowless stated the Sheriff's Office would appreciate any help the commissioners can give.

Commissioner Edge asked whether arrests have been made. Sgt. Dowless responded in the affirmative.

Chairman Faircloth recognized John Dennis Williams who stated he was the owner of the property and asked him whether he would like an opportunity to speak. Mr. Williams responded in the affirmative and stated he lost his mother over the past year and made some wrong choices by moving the wrong people into his house. Mr. Williams stated his kids moved out of the house and his mother's things were tossed into the back yard. Mr. Williams stated he raised two families on the property and when he got hurt in his painting business, he could not work so he was involved in a lot of junk and salvage. Mr. Williams stated one minute the property would be clean and the next minutes it would not be clean. Mr. Williams stated he would like to keep the house and give it to his kids.

Chairman Faircloth asked Mr. Williams if Charles Street was his place of residence. Mr. Williams stated Charles Street is two houses he put together and he wants to try to get the house boarded up and the yard cleaned up until he can get it remodeled. Mr. Williams stated his current address is 1906 Burnette Circle where he is staying with his son and daughter-in-law.

Commissioner Edge asked Mr. Williams whether he had a contract with any of the individuals in the house who have been arrested. Mr. Williams responded in the negative and stated he was always trying to help people out because he had plenty of room so he would move people in he did not know, but he did not know they wouldn't leave. Commissioner Edge asked Mr. Williams if he could clean up the property in thirty days. Mr. Williams responded he would try and although he can't remodel the inside, he can get the outside in good shape as far as an eye-sore. Mr. Williams stated he will try to get people to help him. Commissioner Edge asked Mr. Walters whether it was possible to rehabilitate the house. Mr. Walters responded in the affirmative and stated any structure can be rehabilitated, although this property has some structural problems. Commissioner Edge stated to Mr. Williams if he thinks he can get it cleaned up in thirty days, the Board will give him thirty days, and if he does not get it cleaned up, the structure will be demolished and a lien placed on the property, and he will not have a house anymore. Mr. Williams stated he understood because he had a house next door, fell off the roof and the house was demolished because he could not get the wiring brought up to date.

Chairman Faircloth told Mr. Williams the first thing he needed to do was to secure the structure and not allow anyone to loiter around the property. Chairman Faircloth stated he did not want the property to be a nuisance for the Sheriff's Office day after day and told Mr. Williams he has thirty days in which to show progress is being made. Mr. Williams stated he would try because he would like to keep the house in the family.

Commissioner Lancaster asked what will happen in the thirty days should the Sheriff's Office make arrests on the property. Mr. Williams stated there is no one living in the house and he actually got arrested for going on the property the first night he got out of jail to get some clothes and did not have a key. Mr. Williams stated he got arrested again when he thought someone was in the house, parked on the lot next door and was not on that property because he could not convince them it was two separate lots.

Commissioner Evans inquired regarding the location of Charles Street. Sgt. Dowless provided verbal directions. Mr. Williams stated he was unaware of prostitutes until he let a guy move in with him. Commissioner Evans asked Sgt. Dowless whether the area is a haven for prostitution and drugs, and an area the Sheriff's Office has been trying to clean up for a long time. Sgt. Dowless stated the Sheriff's Office has been working the area for a while and is making progress, although it is slow progress. Commissioner Evans asked

whether the Sheriff's Office received complaints from residents and businesses in the area about the illicit drug and prostitution activity. Sgt. Dowless responded in the affirmative. Commissioner Evans asked Mr. Williams what type of problems he had run into. Mr. Williams stated his health and he is disabled, and he has two grown boys and people who volunteered to help him get the yard cleaned up.

Chairman Faircloth closed the public hearing.

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

SECOND: Commissioner Evans

VOTE: PASSED (4-2) (Commissioners Edge, Adams, Council and Evans voted in favor. Commissioners Faircloth and Lancaster voted in opposition.)

Other Public Hearings

I. Public Hearing on the Proposed 2017 Schedules, Standards and Rules for the 2017 Property Tax Revaluation

BACKGROUND:

N.C. General Statute 105-317(b)(1) requires that uniform schedules of values, standards, and rules be prepared for each revaluation of real property, one for appraising property at market value and one for appraising agricultural, horticultural, and forest land at its present-use value. Paragraph (c) requires the values, standards and rules required by subdivision (b)(1) shall be reviewed and approved by the Board of County Commissioners before January 1 of the year they are applied. Before the Board gives final approval, certain notices must be published and the public must be given an opportunity to comment on the proposed schedule of values. The schedule of values was presented to the Board of County Commissioners and made available to the public at the November 7, 2016 Commissioner's meeting. On Tuesday, November 8, 2016, an ad was placed in the Fayetteville Observer providing notification that the schedule of values was available for public inspection in the Tax Administrator's office. In the same ad, notification was made that a public hearing concerning the schedule of values would be held at the regularly scheduled Commissioner's meeting at 6:45 pm on November 21, 2016. The statutes also require the Board of County Commissioners wait at least seven (7) days after the public hearing before adopting the schedules.

Once the Board of County Commissioners adopts the schedule of values, the statutes further provide that notice of the adoption and the appeals process for appealing the adoption must be published at least four (4) consecutive weeks and a period of 30 days be given to appeal to the North Carolina Property Tax Commission. The Board will be asked to adopt the schedule of values at their December 19, 2016 meeting. If no appeals are made to the Property Tax Commission the schedules become final on January 19, 2017.

RECOMMENDATION/PROPOSED ACTION:

The Board is requested to hold a public hearing, giving the public opportunity to comment on the proposed schedule of values to be used in the 2017 revaluation of property.

Joe Utley, Tax Administrator, reviewed the background information recorded above. Ms. Cannon stated following the public hearing, 30 days be given to appeal to the North Carolina Property Tax Commission and then the Board will be asked to adopt the schedule of values at their December 19, 2016 meeting.

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

Chairman Faircloth opened the public hearing.

The clerk to the board advised there were no speakers.

Chairman Faircloth closed the public hearing.

J. Public Hearing and Approval of Submission of the 2018 North Carolina Department of Transportation Grant Application for the Community Transportation Program

BACKGROUND:

This is the annual request that funds the administration portion of the Cumberland County Community Transportation Program. The funding period runs from July 1, 2017 to June 30, 2018. Approval by the Cumberland County Board of Commissioners is required, as is a Public Hearing. The administrative funding will be used for salaries and fringes of the Transportation Coordinator and the Transportation Assistants, office supplies, driver drug and alcohol testing, travel to meetings and conferences, program marketing for all services provided to County residents, legal advertising (public hearing advertisements for grants), and North Carolina Public Transportation Association (NCPTA) membership.

The Public Hearing Notice was advertised in both English and Spanish in the Fayetteville Observer on November 6, 2016. The Community Transportation Program is requesting the following funding amounts from the North Carolina Department of Transportation:

<i>Project</i>	<i>Total Amount</i>	<i>Local Share</i>
Administrative	\$132,078	\$19,812 (15%)

As shown above, the local share is \$19,812 which equals 15% of the total funds. The remaining funds come from the state and federal governments.

At this time the public will be asked if they wish to comment on the proposed funding.

RECOMMENDATION/PROPOSED ACTION:

Approve submission of the FY 2018 Community Transportation Program Grant Application to the North Carolina Department of Transportation. The November 4, 2016 deadline has been given consideration due to impacts by Hurricane Matthew.

Joel Strickland, FAMPO Executive Director, reviewed the background information recorded above and stated there is thought that NCDOT may add additional funds to the transportation program depending on the outcome of this year's expenditures. Mr. Strickland stated in previous years, the total amount was around \$60,000 and the County had to come up with whatever additional funding was needed for the program. Mr. Strickland stated the increase from NCDOT has been extremely valuable for the program and the County, and if a new number is received from NCDOT, he will bring the figure back to the Board of Commissioners.

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

Chairman Faircloth opened the public hearing.

The clerk to the board advised there were no speakers.

Chairman Faircloth closed the public hearing.

MOTION: Commissioner Council moved to approve submission of the FY 2018 Community Transportation Program Grant Application to the North Carolina Department of Transportation.
SECOND: Commissioner Adams
VOTE: UNANIMOUS (6-0)

K. REMOVED FROM AGENDA

Items of Business

5. Consideration of Request from Grays Creek Properties, LLC. for Removal of Graves to a Private Cemetery Pursuant to NCGS 65-106.

BACKGROUND:

Charles H. Gardner, Attorney at Law, represents Grays Creek Properties, LLC, in a request to move three graves in a private cemetery pursuant to G.S. § 65-106. He has provided the complete details of this request in his letter to the Board of Commissioners dated November 7, 2016, which is attached to this memo. Mr. Gardner has also provided a copy of the statute governing this process, a drawing of the location of the private cemetery, an order confirmation for the publication of notice pursuant to the statute, a contract between his client and the heirs of two of the three persons buried in the private cemetery, and copies of the return receipts for notice he provided to fifteen persons who are possibly the next of kin of to the third person buried in the private cemetery.

The last person to be buried in the private cemetery was buried in 2007 after Grays Creek Properties, LLC, had acquired the property on which the cemetery is located. Grays Creek Properties, LLC, allowed the heirs to bury their father in the cemetery where his wife was buried in 1999. The heirs agreed in 2007 to allow Grays Creek Properties, LLC, to move and relocate the graves of their father and mother in the future. The only other person buried in the cemetery was buried in 1887. Mr. Gardner has conducted due diligence to hire a professional genealogist to determine the potential next of kin of that decedent. Those are the fifteen persons to whom notice was given by certified mail for which the return receipts are attached.

Based on the documentation provided by Mr. Gardner, it appears his client, Grays Creek Properties, LLC, has complied with the statutory requirements to move these graves to another suitable cemetery. The Health Director has agreed that he, or his designee, will direct and supervise the disinterment, removal and reinterment of these graves.

RECOMMENDATION/PROPOSED ACTION:

County attorney recommends that the Board approve this request subject to the property owner coordinating with the Health Director for the Health Director, or his designee, to direct and supervise the disinterment, removal and reinterment of these graves to a suitable cemetery; complying with the requirements of G.S. § 65-106 for filing a written certificate with the register of deeds; removing, protecting and replacing all tombstones or markers; and being responsible for all costs arising out of this process.

Rick Moorefield, County Attorney, reviewed the background information and recommendation/proposed action recorded above.

MOTION: Commissioner Council moved to approve this request subject to the property owner coordinating with the Health Director for the Health Director, or his designee, to direct and supervise the disinterment, removal and reinterment of these graves to a suitable cemetery; complying with the requirements of G.S. § 65-106 for filing a written certificate with the register of deeds; removing, protecting and replacing all tombstones or markers; and being responsible for all costs arising out of this process.
SECOND: Commissioner Lancaster
VOTE: UNANIMOUS (6-0)

6. Consideration of Disaster Debris Removal and Monitoring Service Contracts

BACKGROUND: (provided November 17, 2016 in the agenda packet)

Due to flooding associated with Hurricane Matthew and the catastrophic damage that resulted, Cumberland County solicited two separate requests for proposals (RFP’s) to address debris-related issues: one for debris management and monitoring, and another for debris clearance and removal. In order to be eligible for federal disaster reimbursement, and to assure adequate project oversight and accountability, the County had to seek separate contractors in each area. The services being sought in each RFP included, but were not limited to, the following:

Management & Monitoring:

- Coordinating daily briefings, work progress, staffing, and other key items with the County.
- Scheduling work for all team members and debris haulers/recover contractors on a daily basis.
- Hiring, scheduling, and managing field staff.
- Monitoring debris hauler/recovery contractor operations and making/implementing recommendations to improve efficiency and speed up recovery work.
- Assisting the County with response to public concerns and comments.
- Certifying contractor vehicles for debris removal using methodology and documentation practices appropriate for contract monitoring and complying with FEMA regulations.
- Entering load tickets into a database application.
- Digitization of source documentation such as load tickets.
- Developing daily operational reports to keep the County informed of work progress.
- Comprehensive review, reconciliation, and validation of debris removal contractor(s) invoices prior to submission to the County for processing.
- Project and report preparation required for reimbursement by FEMA (Federal Emergency Management Agency), FHWA (Federal Highway Administration) and any other applicable agency for disaster recovery efforts by County staff and designated debris removal contractors.
- Final report and appeal preparation and assistance.

Clearance & Removal:

- Examining debris to determine whether or not debris is eligible, burnable or non-burnable.
- Loading the debris.
- Hauling the debris to an approved disposal facility.
- Dumping the debris at the dumpsite or landfill. This includes, but is not limited to vegetative debris and construction and demolition (C&D) debris.
- Reducing the debris as appropriate.

RECOMMENDATION/PROPOSED ACTION:

Due to our disaster recovery consultant just arriving on-site Tuesday the 15th, staff needs more time to work with the consultant to make sure our selection process was complete and accurate as we are still vetting the proposers. Staff will prepare and bring forward more detailed information regarding the successful proposers in each category at the Board of Commissioner’s meeting.

BACKGROUND: (provided November 21, 2016 as a handout)

Due to flooding associated with Hurricane Matthew and the catastrophic damage that resulted, Cumberland County solicited two separate requests for proposals (RFP’s) from qualified firms to address debris-related issues: one for debris management and monitoring (#17-12-ES), and another for debris clearance and removal (#17-13-ES). In order to be eligible for federal disaster reimbursement, and to assure adequate project oversight and accountability, the County had to seek separate contractors in each of these areas. The County received responses to each RFP from eight different companies (four per RFP category for a total of eight companies). The results of the RFP review are shown below:

SCORING TOTALS – DEBRIS MANAGEMENT AND RECOVERY #17-12-ES

Company	Raw Score	Avg. Score
Landfall	350	88
Tetra Tech	323	81
Witts/O’Brian	308	77
Metric	305	68

<u>Evaluation Criteria:</u>	
• Monitoring Experience	• Planning Timetable
• Emer. Mgt. Experience	• Training Program
• Staff Experience	• Cost of Fees

SCORING TOTALS – DEBRIS CLEARANCE AND REMOVAL #17-13-ES

Company	Raw Score	Avg. Score
Ceres	355	89
Crowder-Gulf	304	76
DRC	265	66
SDR	211	53

<u>Evaluation Criteria:</u>	
• Qualifications	• Mobilization Plan
• Technical Experience	• Rate Schedule
• Financial Strength	

At the advice of our disaster recovery consultant, and after assessing the type and amount of debris in the unincorporated portion of the county, staff also requested the debris removal companies submit a list of active projects and a tonnage cost for picking up and hauling debris.

A budget revision in the amount of \$600,000 has been created and each contract for services will include a not to exceed amount of \$300,000. All Hurricane Matthew-related work is to be completed no later than January 7, 2017 unless extended by the Board of Commissioners.

RECOMMENDATION/PROPOSED ACTION:

Staff recommends the Board of Commissioner’s: 1) approve the resolution recorded below authorizing the County Manager to enter into contracts for debris management and recovery, and debris clearance and removal, plus 2) approve Budget Revision B170578 for \$600,000 to cover the cost of the forthcoming contracts with Landfall Strategies and Ceres Environmental.

A RESOLUTION AUTHORIZING THE COLLECTION OF FLOOD-RELATED DEBRIS FROM PRIVATE PROPERTY AND PUBLIC RIGHTS-OF-WAY

WHEREAS, the County of Cumberland (COUNTY) declared a State of Emergency on October 7, 2016 as a direct result of Hurricane Matthew which brought devastating floods upon Cumberland County and its residents; and

WHEREAS, many residents and businesses suffered catastrophic damages as a result of the flooding that occurred and have begun efforts to rebuild, and

WHEREAS, the ongoing accumulation of flood-related construction and demolition debris, vegetative debris, and municipal solid waste poses a potential hazard to public health and safety, and

WHEREAS, the management and removal of flood-related debris is recognized as an essential step towards speeding the recovery of residents and businesses impacted by Hurricane Matthew; and

WHEREAS, COUNTY has solicited bids from contractors to perform the management and removal of flood-related debris;

NOW, THEREFORE, BE IT RESOLVED that the Cumberland County Board of Commissioners hereby authorizes the County Manager to enter into the appropriate contracts necessary to immediately initiate debris management and removal activities in order to address the accumulation of all types of flood-related debris resulting from Hurricane Matthew with said activities ending on January 7, 2017 unless otherwise extended by the Board of Commissioners.

PASSED AND APPROVED BY THE COUNTY OF CUMBERLAND, NORTH CAROLINA, on this, the 21st day of November, 2016; such meeting was held in compliance with the Open Meetings Act, at which meeting a quorum was present and voting.

Tracy Jackson, Assistant County Manager, introduced IEM Disaster Consultant Theresa Carter and stated the County has received several proposals for debris management removal. Mr. Jackson stated the review panel consisted of Randy Beeman, Director of Emergency Services; Jeffrey Brown, Director of Engineering and Infrastructure; Gene Booth, Emergency Management Coordinator; and himself. Mr. Jackson reviewed the background information recorded above for the handout provided on November 21, 2016. Mr. Jackson stated the County looked for companies with substantial experience, not just in one state but in multiple states that sustained large scale disasters, and the most professional companies that could be available to perform the work.

Mr. Jackson stated Ms. Carter arrived on November 15, 2016 and under her advisement, additional information was requested from the top scoring companies in the RFP process. Mr. Jackson stated the number of active projects the companies were dealing with across the states involved in the hurricane disaster and their tonnage cost for picking up debris were also looked at. Mr. Jackson stated the original thought was that there would be a lot of vegetative debris but staff found out during the assessment that most of the debris consisted of construction and demolition debris and very little vegetative debris. Mr. Jackson reviewed the recommendation/proposed action recorded above for the handout provided on November 21, 2016.

Commissioner Adams stated he felt the contract for debris management and recovery should be for a lesser amount than the contract for debris clearance and removal because it doesn't seem to him that the same amount should be paid to someone monitoring the individuals who are physically clearing and removing the debris. Mr. Jackson stated the contract amounts are up to \$300,000 and the costs are not anticipated to go above that amount. Mr. Jackson stated the monitoring company has different rates and fees than the debris clearance and removal company and have their own experts with different titles, different jobs and different functions. Mr. Jackson stated a lot of these functions are FEMA mandated so there is a requirement that there be a separate company. Mr. Jackson stated the rates have been looked at across the board and have been compared to the other companies. Mr. Jackson stated it is not just based on the low bid but is based on all of the other qualifications and the County's procurement process. Commissioner Adams stated he would like to see the range up to \$300,000.

Mr. Jackson stated when looking at hourly costs for all positions, Landfall Strategies was number one in terms of cost; however, there are a lot of other functions and performance and qualification issues that have to be looked at. Mr. Jackson stated it is not solely based on price because the County wants a company that is reputable, a company that will do the job correctly and more importantly, a company that will make sure the debris removal is done correctly. Mr. Jackson stated this all comes back to the County receiving its reimbursement from the state and federal government, and making sure that the debris is removed and handled appropriately.

In response to a question posed by Commissioner Adams, Mr. Jackson stated the debris will be disposed of in the Cumberland County landfill, the County charges the company, it is figured into the cost and there is no waiver of fee. Chairman Faircloth stated FEMA will be assessing the County's process. Mr. Jackson stated the County is fortunate to have Ms. Carter and in-house staff who are handling the documentation, working closely with the contractors and being sure everything is being done by FEMA standards. Mr. Jackson stated they in turn will be working with state and federal to make sure the paperwork submitted is appropriate and accurate. In response to a question from Chairman Faircloth, Mr. Jackson stated if all goes accordingly, there will be a 75% reimbursement from the federal government and although not yet determined, it appears the state reimbursement could be at 25%

MOTION: Commissioner Council moved to approve the resolution recorded above authorizing the County Manager to enter into contracts for debris management and recovery, and debris clearance and removal; and approve Budget Revision B170578 up to \$600,000 to cover the cost of the forthcoming contracts with Landfall Strategies and Ceres Environmental.

SECOND: Commissioner Lancaster

VOTE: UNANIMOUS (6-0)

7. Nominations to Boards and Committees

A. Civic Center Commission (3 Vacancies)

Commissioner Adams nominated Joe Gillis, Gregory Parker and Sheba McNeil.

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

Commissioner Edge nominated Gregory Raymond Koonce, Jr.

C. North Carolina's Southeast Board of Directors (1 Vacancy)

Commissioner Adams nominated Dr. Larry Keen.

D. Senior Citizens Advisory Commission (1 Vacancy)

Commissioner Edge nominated Sonja Sato.

8. Appointments to Boards and Committees

A. Cumberland County Workforce Development Board (1 Vacancy)

Nominee: Representative of Education/Training:
David Brand

B. Joint Appearance Commission (2 Vacancies)

Nominees: Dennis T. Walker
Mary Beth MacKenzie

C. Tourism Development Authority (1 Vacancy)

Nominee: Hotel/Motels Under 100 Rooms Representative:
Pavan Patel

D. Transportation Advisory Board (4 Vacancies)

Nominees: At-Large Representatives:
Anne Morrison (Reappointment)
Kenneth Washington (Reappointment)
Joel Strickland (Reappointment)
Dawn McNair

There being an equal number of vacancies and nominees,

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

SECOND: Commissioner Council

VOTE: UNANIMOUS (6-0)

9. Closed Session: Economic Development Matter(s)
Pursuant to NCGS 143.318.11(a)(4)

MOTION: Commissioner Lancaster moved to go into closed session for Economic Development Matters pursuant to NCGS 143-318.11(a)(4).

SECOND: Commissioner Council

VOTE: UNANIMOUS (6-0)

MOTION: Commissioner Edge moved to reconvene in open session.

SECOND: Commissioner Adams

VOTE: UNANIMOUS (6-0)

MOTION: Commissioner Adams moved to adjourn.

SECOND: Commissioner Edge

VOTE: UNANIMOUS (6-0)

There being no further business, the meeting adjourned at 8:15 p.m.

Approved with/without revision:

Respectfully submitted,

Candice H. White
Clerk to the Board