
AGENDA
CUMBERLAND COUNTY BOARD OF COMMISSIONERS
COURTHOUSE – ROOM 118
DECEMBER 15, 2014
6:45 PM

INVOCATION – Commissioner Jeannette Council

PLEDGE OF ALLEGIANCE – Mitchell (Mitch) Johnson, Jr., 1st Grade –
Ed V. Baldwin Elementary School, Hope Mills

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

1. Approval of Agenda.

RECESS THE BOARD OF COMMISSIONERS' MEETING.

**CONVENE THE BRAGG ESTATES WATER & SEWER DISTRICT GOVERNING
BOARD MEETING (SEE SEPARATE AGENDA) / ADJOURN (Pg. 7)**

RECONVENE THE REGULAR BOARD OF COMMISSIONERS MEETING.

2. Consent Agenda
 - A. Approval of minutes for the December 1, 2014 regular meeting.
 - B. Approval of Destruction of Department Records for the following:
 - 1) County Administration (Pg. 43)
 - 2) Governing Body (Pg. 44)
 - C. Approval of Delinquent Health Department Accounts to be Written Off and Turned Over to the N.C. Debt Set-Off Program. (Pg. 45)

- D. Approval of Demolition of County-Owned Property Located at 4900 Panda Street, Hope Mills, NC - PIN #: 0413-45-4990 – Case No. BI-2014-001. **(Pg. 47)**
- E. Consideration of Declaration of Surplus County Property and Authorization to Accept Insurance Settlement. **(Pg. 51)**
- F. Approval of Bid Award to Internetwork Engineering for the Telephone Infrastructure Project for the Department of Social Services. **(Pg. 55)**
- G. Approval of Ordinance Assessing Property for the Cost of Demolition: **(Pg. 57)**
- 1) Case Number: MH 431-2013
Property Owner: Henry & Rena M. McMillian
Property Location: 3397 & 3417 Departure Lane, Eastover, NC
Parcel Identification Number: 0469-73-6015
- H. Approval of Cumberland County Facilities Committee Report and Recommendation(s): **(Pg. 59)**
- 1) Request to Install LED Sign for Public Health Center **(Pg. 66)**
- 2) Lease Renewal for North Carolina Department of Agriculture and Consumer Services for Office Space Located in the Charlie Rose Ag-Expo Center **(Pg. 70)**
- 3) Land Purchases for Overhills Sewer Project **(Item included in Overhills Park Water & Sewer Agenda)**
- I. Approval of Grant of Franchise Agreement for Operation of Courthouse and DSS Snack Bars (2nd Reading). **(Pg. 71)**
- J. Approval of Resolution for Designation of Applicant's Agent for Pre-Disaster Mitigation Program Grant (Project Approval: PDMC-PL-04-NC-2014-002) **(Pg. 78)**
- K. Budget Revisions:
- (1) Library Grants **(Pg. 83)**
- Revision in the amount of \$(3,248) due to reduction in State Aid for FY2015. (B15-169) **Funding Source – State**

3. Public Hearings **(Pg. 84-114)**

Uncontested Modification Of Conditional Zoning

- A. **Case P02-04:** Modification of certain zoning districts within an existing Mixed Use Development approved as a Conditional Use Overlay (2001) by rearranging 25.91+/- acres of the district boundaries as follows: 12.67+/- acres of O&I(P) Planned Office and Institutional/CU Conditional Use to C(P) Planned Commercial/CU Conditional Use consisting of two areas (8.21 +/- acres and 4.46+/- acres); and 13.24+/- acres of C(P) Planned Commercial/CU Conditional Use to O&I(P) Planned Office and Institutional/CU Conditional Use or to more restrictive zoning districts; located on the east side of SR 2252 (Chicken Foot Road), south of SR 2238 (Sand Hill Road); submitted by Thomas R. Prewitt on behalf of Prewitt Land Company LLC (owner) and Moorman, Kizer and Reitzel, Inc. **(Pg. 84)**

Staff Recommendation:

1st motion for Case P2-04: Move to find the modification request for Case No. P02-04 is consistent with the adopted comprehensive plan designated as the *2030 Growth Vision Plan*, which calls for “urban” at this location because the districts in the modification request will be oriented towards the residents in the overall development. The request is also consistent with the Draft South Central Detailed Land Use Plan, which calls for “mixed use” at this location, and for the reasons stated in the recommendations of 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.

2nd motion for case P2-04: Move to find the modification request for Case P02-04 is reasonable as it is an existing approved mixed use that would not change any of the residential, non-residential percentage requirements, 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 Staff Recommendation.

Uncontested Rezoning Cases

- B. **Case P14-58:** Rezoning of 65.13+/- acres from A1 Agricultural to R30 Residential/DD Density Development/ CZ Conditional Zoning district for a 66 lot residential subdivision or to a more restrictive zoning district; located on the southwest side of SR 2243 (Roslin Farm Road), north of Running Fox Road; submitted by Charles T. and Janet K. Gardner (owners). **(Pg. 87)**

Staff Recommendation:

1st motion for Case P14-58: 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 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 P14-58: Move to approve the rezoning from RR Rural Residential to R30/DD Density Development/ CZ Conditional Zoning 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.

- C. **Case P14-59:** Rezoning 1.30+/- acres from R10 Residential to RR Rural Residential or to a more restrictive zoning district; located at 2440, 2444 and 2450 Lillington Highway; submitted by Wilton C. Jones, Sr. (owner) and Gregory Spears. **(Pg. 99)**

Staff Recommendation:

1st motion for Case P14-59: 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 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 P14-59: Move to approve the rezoning from R10 Residential to RR Rural 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: Approve the Staff Recommendation.

Minimum Housing Code Enforcement

- D. Case Number: MH 645-2014 **(Pg. 102)**
Property Owner: Alvin Cooper Billingsley
Property Location: 1056 & 1066 Bernadine Street, Fayetteville, NC
Parcel Identification Number: 0419-88-7332
- E. Case Number: MH 699-2014 **(Pg. 108)**
Property Owner: Eric R. Nelson & Bank of America
Property Location: 6505 Amity Court, Stedman, NC
Parcel Identification Number: 0497-26-5834

Items of Business

4. Consideration of Designation of Voting Delegate to the NCACC's 2015 Legislative Goals Conference. **(Pg. 115)**
5. Nominations to Boards and Committees **(Pgs. 117-171)**
- A. Board of Health (1 Vacancy) **(Pg. 117)**
- B. Cumberland County Local Emergency Planning Committee (1 Vacancy) **(Pg. 124)**
- C. Fayetteville Area Convention and Visitors Bureau (2 Vacancies) **(Pg. 138)**
- D. Transportation Advisory Board (7 Vacancies) **(Pg. 146)**
- E. Cumberland County Workforce Development Board (1 Vacancy) **(Pg. 159)**
6. Appointments to Boards and Committees **(Pgs. 172-174)**
- A. Farm Advisory Board (2 Vacancies) **(Pg. 172)**
- Farmer Position: Britt Riddle (Reappointment)
- Planning Board Representative: Patricia Hall

RECESS THE BOARD OF COMMISSIONERS' MEETING.

CONVENE THE NORCRESS WATER & SEWER DISTRICT GOVERNING BOARD MEETING (SEE SEPARATE AGENDA) / ADJOURN **(Pg. 175)**

RECONVENE THE REGULAR BOARD OF COMMISSIONERS MEETING.

RECESS THE BOARD OF COMMISSIONERS' MEETING.

CONVENE THE OVERHILLS PARK WATER & SEWER DISTRICT GOVERNING BOARD MEETING (SEE SEPARATE AGENDA) / ADJOURN (Pg. 184)

RECONVENE THE REGULAR BOARD OF COMMISSIONERS MEETING.

7. Closed Session:
- A) Economic Development Matter(s)
Pursuant to NCGS 143-318.11(a)(4).
 - B) Attorney Client Matter(s) Pursuant
To NCGS 143-318.11(a)(3).

ADJOURN

WATCH THE MEETING LIVE

THIS MEETING WILL BE STREAMED LIVE THROUGH THE COUNTY'S WEBSITE, CO.CUMBERLAND.NC.US. LOOK FOR THE LINK AT THE TOP OF THE HOMEPAGE.

THE MEETING WILL ALSO BE BROADCAST LIVE ON FAYETTEVILLE/CUMBERLAND EDUCATIONAL TV (FCETV), TIME WARNER CHANNEL 5 AND 97-3 ON THE DIGITAL TIER.

THE MEETING VIDEO WILL BE AVAILABLE AT YOUTUBE.COM/CUMBERLANDCOUNTYNC ON TUESDAY, DECEMBER 16.

IT WILL BE REBROADCAST ON WEDNESDAY, DECEMBER 17, AT 7 P.M. AND FRIDAY, DECEMBER 19, AT 10:30 A.M.

REGULAR BOARD MEETINGS:

**January 5, 2015 – (Monday – 9:00 AM
January 20, 2015 – (Tuesday) – 6:45 PM
February 2, 2015 – (Monday – 9:00 AM
February 16, 2015 – (Monday) – 6:45 PM**

**BRAGG ESTATES WATER & SEWER DISTRICT GOVERNING BOARD AGENDA
SPECIAL MEETING
CUMBERLAND COUNTY BOARD OF COMMISSIONERS
COURTHOUSE – ROOM 118
DECEMBER 15, 2014
6:45 PM**

1. Consent Agenda
 - A. Approval of minutes of March 17, 2014 special meeting.
 - B. Approval of Letter of Conditions from USDA Rural Development for the Bragg Estates Loan and Grant. **(Pg. 8)**


ADJOURN THE SPECIAL MEETING OF THE BRAGG ESTATES WATER & SEWER DISTRICT GOVERNING BOARD.



ITEM NO. 1B
BRAGG ESTATES WATER &
SEWER DISTRICT GOVERNING
BOARD

ENGINEERING & INFRASTRUCTURE DEPARTMENT
PUBLIC UTILITIES DIVISION

MEMORANDUM FOR BRAGG ESTATES WATER AND SEWER DISTRICT GOVERNING
BOARD AGENDA OF DECEMBER 15, 2014

TO: BRAGG ESTATES WATER & SEWER DISTRICT GOVERNING BOARD
FROM: JEFFERY P. BROWN, ENGINEERING & INFRASTRUCTURE DIRECTOR 
THROUGH: AMY CANNON, COUNTY MANAGER
DATE: DECEMBER 5, 2014
SUBJECT: APPROVAL OF LETTER OF CONDITIONS FROM USDA RURAL
DEVELOPMENT FOR THE BRAGG ESTATES LOAN AND GRANT

BACKGROUND

The Public Utilities Division of the Engineering and Infrastructure Department received notification from the USDA Rural Development on December 3rd of their intent to fund the installation of sewer within the Bragg Estates Water and Sewer District. The application may be completed on the basis of a Rural Utilities Service (RUS) loan not to exceed \$497,000, a RUS grant not to exceed \$1,453,000 and a contribution from Cumberland County of \$50,000 for a total project cost of \$2,000,000. Judy Hunt and Steve Smith with USDA Rural Development will present, for approval by the Governing Board, the "Letter of Conditions" outlining the conditions to be understood and agreed upon before further consideration will be given for the application.

RECOMMENDATION

The Engineering and Infrastructure Director and Management recommend approval of the Letter of Conditions for the Bragg Estates Water and Sewer District.



**United States Department of Agriculture
Rural Development
Lumberton Area Office**

December 15, 2014

Bragg Estates Water & Sewer District
ATTN: Kenneth S. Edge, Chairman
P O Box 1829
Fayetteville, NC 28302

RE: Bragg Estates Water & Sewer District - Wastewater Collection System Expansion

Dear Chairman Edge:

This letter establishes the conditions, which must be understood and agreed to by Bragg Estates Water & Sewer District ("District") before further consideration may be given to your application. The State and Area Office staffs of USDA Rural Development (RD) will administer the loan and grant funds for this project on behalf of the Rural Utilities Service (RUS).

Any changes in project costs, sources of funds, scope of services, or any other significant changes in the project or District must be reported to and approved by USDA Rural Development by written amendment to this letter. Any changes not approved by Rural Development shall be cause for discontinuing processing of the application.

This letter is not to be considered as a loan or grant approval, or as a representation as to the availability of funds. The application may be completed on the basis of a RUS loan not to exceed \$497,000; a RUS grant not to exceed \$1,453,000; and a contribution of \$50,000 from Cumberland County for a total project cost of \$2,000,000.

The interest rate will be the lower of the rate in effect at the time of loan approval or the rate in effect at the time of loan closing, whichever is less, unless you choose otherwise.

The loan and grant will be considered approved on the date the Form RD 1940-1, "Request for Obligation of Funds", is signed and mailed to you by the Rural Development State Director or an appointed representative.

Please complete and return the attached Form RD 1942-46, "Letter of Intent to Meet Conditions", if you desire that further consideration be given to your application.

Rural Development • Lumberton Area Office

Mailing Address: P O Box 7426 • Lumberton NC, 28359-7426
Physical Address: 440-C Caton Road • Lumberton, NC 28360
Voice 910.739.3349 • Fax (844) 325-6830 • Hearing Impaired: 711

USDA is an equal opportunity provider and employer.

If you wish to file a Civil Rights program complaint of discrimination, complete the USDA Program Discrimination Complaint Form (PDF), found online at http://www.ascr.usda.gov/complaint_filing_cust.html, or at any USDA office, or call (866) 632-9992 to request the form. You may also write a letter containing all of the information requested in the form. Send your completed complaint form or letter to us by mail at U.S. Department of Agriculture, Director, Office of Adjudication, 1400 Independence Avenue, S.W., Washington, D.C. 20250-9410, by fax (202) 690-7442 or email at program.intake@usda.gov.

If conditions set forth in this letter are not met within **twenty four (24) months** from the date hereof or the date of loan closing, whichever occurs first, Rural Development reserves the right to discontinue processing of the application.

PROJECT BUDGET

Funding for the project is based on the following estimated project expenditures as follows:

<u>Project Costs:</u>		<u>Total Budgeted:</u>
Construction		\$ 1,540,000
Engineering Fees		\$ 237,000
PER	\$ 15,000	
Environmental Report	\$ 12,000	
Basic Services	\$ 130,000	
Inspection Services	\$ 80,000	
Easement & Land Acquisition		\$ 9,000
Legal Fees		\$ 15,000
Interest		\$ 12,000
Project Contingency		\$ 187,000
TOTAL PROJECT COST		\$ 2,000,000

REPAYMENT SCHEDULE

The loan will be scheduled for repayment over a period of forty (40) years. The first two payments will be scheduled as interest only, with the remaining thirty-eight (38) payments consisting of principal and interest. The first interest only payment will be due and payable on June 1 following the date of the loan closing or delivery of the bond. The first principal and interest payment will be due and payable the third June 1 following the date of the loan closing or delivery of the bond and annually thereafter on the 1st day of June of each year.

PREAUTHORIZED DEBIT PAYMENT (PAD)

Prior to loan closing the District must complete *U.S. Department of Treasury Form SF 5510, Authorized Agreement for Preauthorized Payments*. This form will authorize the government to electronically debit your Rural Utilities Service loan payment(s) from your bank account annually on June 1 (payment due date). Preauthorized Debit is accomplished through the Automated Clearing House process method; thus, eliminating the need to write a check for each payment, the expense of mailing the payment, and allows you the certainty of when your payment will be applied.

SECURITY REQUIREMENTS

Security for the loan will consist of a **\$497,000 Sewer Revenue Bond** authorized and prepared in accordance with RUS Instruction 1780, Paragraph 1780.14 and the Local Government Bond Act. Rural Development will negotiate the purchase of the bond with the District and the North Carolina Local Government Commission ("LGC"). LGC reserves the right to require a public offering of the bond. The bond will be fully registered as to both principal and interest in the name of the "United States of America acting through the Department of Agriculture".

The bond and any ordinance or resolution relating thereto must not contain any provision in conflict with RUS Bulletin 1780-27, "Loan Resolution (Public Body)" RUS Bulletin 1780-12, "Water or Waste System Grant Agreement", applicable regulations, and law.

DEBT SERVICE RESERVE REQUIREMENT

The District must establish and maintain a reserve account in accordance with RUS Instruction 1780; Paragraph 1780.39(e)(2) to provide for at least one average annual loan payment. The District will make annual deposits into the debt reserve account in an amount equal to at least one-tenth (1/10) of the average annual loan payment.

SHORT LIVED ASSET RESERVE

Reserves must be properly budgeted to maintain the financial viability and sustainability of the sewer system. The Draft Sanitary Sewer Service Agreement indicates the Town of Spring Lake will be responsible for routine maintenance and repair of pump station equipment as part of the connection fee. If the Town is responsible for replacement of these items in the final agreement, contribution to a short-lived asset account by the District may not be necessary. However, if they are not responsible, the District must fund a short-lived asset replacement reserve by depositing a sum of approximately \$3,000 annually into a reserve account.

INTERIM FINANCING

The District will obtain interim construction financing in accordance with RUS Instruction 1780, paragraph 1780.39(d) and the Local Government Bond Act. Interim financing will be obtained through the sale of Bond Anticipation Note(s) with the assistance of the LGC. These funds will be placed into an appropriate construction account. The District will provide Rural Development with a copy of the interim loan financing agreement. The Agency approval official may make an exception to the above when interim financing is cost prohibitive or unavailable.

DISBURSEMENT OF FUNDS

The \$50,000 contribution from Cumberland County shall be the first funds expended for this project. The Rural Development loan funds of \$497,000 shall be the next funds expended, with the Rural Development \$1,453,000 grant being the last project funds expended.

Rural Development loan funds will be delivered to the District at the time of loan closing. These loan funds will be used to pay off the Bond Anticipation Note(s), or interim financing. Interim financing funds obtained through the sale of Bond Anticipation Notes placed into the above mentioned construction fund will not be disbursed for any purpose until written approval is obtained from Rural Development. The disbursement of all project funds must be approved by Rural Development.

You must establish a separate construction account, with an acceptable financial institution or depository that meets the requirements of 31 CFR Part 202. All project funds will be deposited into this account. Financial institutions or depositories accepting deposits of public funds and providing other financial agency services to the Federal Government are required to pledge adequate, acceptable securities as collateral. All funds in the account will be secured by a collateral pledge equaling at least 100% of the highest amount of funds expected to be deposited in the construction account at any one time. Additional guidance on collateral acceptability and valuation are available at Treasury's Bureau of the public debt website at www.publicdebt.treas.gov.

Any Agency grant funds not disbursed immediately upon receipt must be deposited in an interest bearing account except as follows:

- a. *Federal grant awards (includes all federal funding sources) are less than \$120,000 per year;*
- b. *The best available interest bearing account would not be expected to earn in excess of \$100 per year, will be submitted to the Agency at least quarterly as required in 7CFR3016;*
- c. *The depository would require a minimum balance so high that it would not be feasible.*

Grant funds from the Agency will be disbursed by multiple advances through electronic transfer of funds after loan funds or interim financing is expended.

After providing for all authorized costs at the completion of project construction, any remaining Rural Development funds are considered Agency funds and will be refunded to Rural Development.

ORGANIZATION

The District must provide a certification concerning its organization, authority to issue bonds, and compliance with special laws and regulations in accordance with RUS Instruction 1780, paragraph 1780.7(e).

AUDITS, MANAGEMENT REPORTS AND ACCOUNTING METHODS

The District's accounting methods, audits and management reports will be established and maintained as required by North Carolina General Statutes, RUS Instruction 1780, paragraph 1780.47 and appropriate OMB Circulars. The initial audit will be prepared in accordance with OMB Circular A-133 and a copy furnished to Rural Development. Subsequent audits and management reports will be performed and furnished in accordance with the above instruction. The District must provide Rural Development a copy of its current contract for auditing.

INSURANCE AND BONDING

Insurance and fidelity bond coverage must be obtained as required by the North Carolina General Statutes and RUS Instruction 1780, paragraph 1780.39(g), as shown below. The District must provide evidence of required coverage to Rural Development prior to loan closing or start of construction, whichever occurs first. The use of deductibles may be allowed providing you have the financial resources to cover potential claim requiring payment of the deductible. The Agency strongly recommends that you have your engineer, attorney, and insurance provider(s) review proposed types and amounts of coverage, including any exclusions and deductible provisions.

It is your responsibility and not that of the Agency to assure that adequate insurance and fidelity or employee dishonesty bond coverage is maintained. Evidence that the above-mentioned coverage is being maintained must be provided to Rural Development annually.

- a. **General Liability Insurance** – Include vehicular coverage;
- b. **Workers' Compensation** - In accordance with appropriate State laws;
- c. **Position Fidelity Bond(s)** - All positions occupied by persons entrusted with the receipt and/or disbursement of funds must be bonded. You should have each position bonded in an amount equal to the maximum amount of funds to be under the control of that position at any one time. The coverage may be increased during construction of this project based on the anticipated monthly advances. The minimum coverage acceptable to the Agency will be for each position to be bonded for an amount at least equal to one annual payment on your Agency loan(s);
- d. **National Flood Insurance** - If the project involves acquisition or construction in designated special flood or mudslide prone areas, you must purchase a flood insurance policy at the time of loan closing;
- e. **Real Property Insurance** – Fire and extended coverage will normally be maintained on all structures except reservoirs, pipelines and other structures if such structures are not normally insured and subsurface lift stations except for the value of electrical and pumping equipment. Prior to the acceptance of the facility from the contractor(s), you must obtain real property insurance (fire and extended coverage) on all facilities identified above.

LOAN RESOLUTION, EQUAL OPPORTUNITY AND ASSURANCE AGREEMENTS

The District must formally adopt *Form RUS Bulletin 1780-27, "Loan Resolution (Public Body)"*, *Form RD 400-1, "Equal Opportunity Agreement"*, and *Form RD 400-4, "Assurance Agreement"*, at a properly called meeting of the governing body. Adoption of these documents should be made a part of the official minutes of the above meeting. A certified copy of the said minutes should be attached to the resolution and be provided to Rural Development.

GRANT AGREEMENT

Attached is a copy of RUS Bulletin 1780-12, "Water and Waste System Grant Agreement," for your review. The District will be required to execute the completed form at the time of grant closing.

OPERATING BUDGET AND SEWER RATE SCHEDULE

The District must adopt an Operating Budget and Rate Schedule for the sewer system that provides for sufficient revenues for the repayment of operating and maintenance expenses, the proposed repayment of the new USDA loan, and required reserves. Certified copies of these documents should be provided to Rural Development prior to loan closing.

The District will be required to submit an Annual Budget at least thirty days prior to the beginning of their fiscal year to Rural Development, along with a current rate schedule, and a listing of the current District officials.

RULES AND REGULATIONS

Rules and Regulations for the District's Sewer system must be submitted to Rural Development for approval and must be formally adopted by the District, prior to loan closing. A certified copy of the Rules and Regulations must be provided to Rural Development.

USER REQUIREMENTS

The District shall adopt a mandatory connection requirement ordinance prior to loan closing or the beginning of construction, whichever comes first. A copy of said ordinance shall be submitted to the Agency for review.

PROPERTY RIGHTS

Prior to advertisement for construction bids, you must furnish satisfactory evidence that you have or can obtain adequate continuous and valid control over the lands and rights-of-ways needed for the project. Acquisitions of necessary land and rights must be accomplished in accordance with the Uniform Relocation and Real Property Acquisition Act. Such evidence of control over the lands and rights must be in the following form:

- a. **Right-of-Ways** - A right-of-way map will be required showing clearly the location of all lands and right-of-ways needed for the project. The map must designate public and private lands and rights and the appropriate legal ownership thereof. A certification and legal opinion relative to title to right-of-ways and easements is required. Form RD 442-22, "Opinion of Counsel Relative to Rights-of-Way" may be used. These forms may contain a few exceptions such as properties that must be condemned; however, prior to the start of construction or loan closing, whichever occurs first, new forms must be provided which do not provide for any exceptions.
- b. **Preliminary Title Work** - (Title Opinions) A separate Form RD 1927-9, "Preliminary Title Opinion" along with copies of deeds, contracts or options for any lands needed for construction of the proposed project, other than rights-of-way, may be used for each property currently owned or to be acquired.
- c. **Final Title Work** - On the day of loan closing, your attorney must furnish a separate final title opinion on all property (land) acquired or to be acquired necessary for construction of the proposed project. Form RD 1927-10, "Final Title Opinion" may be used for this purpose.

DEBARMENT CERTIFICATION

Prior to loan approval, the District must certify that they are not debarred or suspended from the Federal Non-procurement Program by executing Form AD-1047, "Certification Regarding Debarment, Suspension, and Other Responsibility Matters - Primary Covered Transactions". Also, Form AD-1048, "Certification Regarding Debarment, Suspension, Ineligibility, and Voluntary Exclusion - Lower Tier Covered Transactions", must be executed by lower tier parties (builders, contractors, dealers, suppliers, manufacturers, and others) involved in transactions exceeding \$25,000.

DRUG FREE WORKPLACE CERTIFICATION

Prior to approval of a USDA, Rural Development grant, the District must certify that they will provide a drug-free workplace and will establish an educational program concerning drug abuse for employees by executing Form AD-1049, "Certification Regarding Drug Free Workplace Requirement (Grants)."

DEBT COLLECTION POLICIES

Prior to loan closing, the District will acknowledge receipt of debt collection policies by executing Form RD 1910-11, "County Certification, and Federal Collection Policies for Consumer or Commercial Debts".

CENTRAL CONTRACTOR REGISTRATION and UNIVERSAL IDENTIFIER REQUIREMENTS

Requirement for Central Contractor Registration (CCR):

- a. You as the recipient must maintain the currency of your information in the CCR until you submit the final financial report required under this award and all grants funds under this award have been disbursed or de-obligated, whichever is later. This requires that you review and update the information at least annually after the initial registration, and more frequently if required by changes in your information or another award term. Recipients can register on-line at (<https://www.bpn.gov/ccr/>).
- b. You as the recipient may not make a sub-award to an entity unless the entity has provided its Data Universal Numbering System (DUNS) number to you. Sub-recipients with sub-awards of \$25,000 or more must also have and maintain a current CCR registration.
- c. Recipient Reporting: You as the recipient must report each first tier sub-awards of \$25,000 or more in non-Recovery Act funds to <http://www.fsr.gov> no later than the end of the month following the month the obligation was made. As part of your registration profile at <http://www.ccr.gov>, you must report the total compensation of the 5 most highly compensated executives (if the award was \$25,000 or more, 80% or more of annual gross revenues subject to Transparency Act, and \$25 Million of annual gross revenues subject to Transparency Act) by end of month following month in which award was made. This requirement also pertains to sub-recipients (if the award was \$25,000 or more, 80% or more of annual gross revenues subject to Transparency Act, and \$25 Million of annual gross revenues subject to Transparency Act).

VULNERABILITY ASSESSMENT AND EMERGENCY RESPONSE PLAN

The District must complete a Vulnerability Assessment (VA) and Emergency Response Plan (ERP) in relationship to the sewer system. The VA and ERP must be completed within six (6) months after the sewer system has been placed into operation. The District must provide written certification to Rural Development that the VA/ERP for the Sewer system has been completed. (Do not provide a copy of the actual VA or ERP to Rural Development).

PERMITS

The owner, contractor or responsible party will be required to obtain all required permits necessary for construction of the project and such should be provided to Rural Development.

FINAL PLANS AND SPECIFICATIONS

The project described in the final plans and specifications must conform essentially in scope to the project as described in the most recent approved version of the Preliminary Engineering Report, including any addendums. If any significant change in the project should develop (i.e. major change in service area, change in type or source of treatment, source of supply, capacity of system, etc.), after Rural Utilities Service funding has been approved, the District will take immediate action to stop incurring, to the extent practicable, any additional project costs or expenses. A supplement or addendum to the Preliminary Engineering Report will be prepared, which shall include a revised project costs summary and operating budget, if necessary, and submitted to Rural Development for review and concurrence.

Final plans and specifications shall be submitted to Rural Development and other appropriate agencies for review and approval within six (6) months from the date of this letter.

CONSTRUCTION CONTRACT DOCUMENTS

The construction contract documents should consist of the EJCDC Construction Contract Documents, as indicated in RUS Bulletin 1780-26 and must be completed in accordance with RUS Instruction 1780, Subpart C, paragraph 1780.61 and 1780.75 for projects funded, in whole or part, with Rural Utilities Service funds. Contract documents shall be the latest version of Rural Development documents in effect at the time the project is bid.

The contract documents must take into consideration and allow the use of all materials and equipment normally used for the application(s) described in the plans and specifications, unless prior concurrence is received from Rural Development to delete a particular type of material, brand or model of equipment, etc. Specifications must not contain unfair clauses, performance requirements, construction requirements, etc. designed to prevent or eliminate the use of any particular material or piece of equipment.

PROCUREMENT OF CONSTRUCTION SERVICES, SUPPLIES, and EQUIPMENT

The project shall be formally advertised for bids in accordance with RUS Instruction 1780, paragraph 1780.72(b) and state and local laws and regulations applicable to this type of procurement. Procurement by other than formal advertising may be used upon written concurrence by Rural Development in accordance with RUS Instruction 1780, paragraph 1780.70 and 1780.72. Formal advertising may be used for any procurement, however, at the option of the District.

Contracts shall be awarded on the basis of the lowest bid of acceptable materials and equipment and in accordance with 1780.70(g) and 1780.70(h). If contract award is proposed to other than the lowest bidder, documentation for such must be provided to Rural Development. The Rural Development State Engineer must provide written concurrence prior to the awarding of any contract by the District.

CONSTRUCTION MONITORING

Full-time inspection is required unless a written exception is made by the Agency upon your written request. This service is to be provided by the consulting engineer or other arrangements as approved by the Agency. Prior to the pre-construction conference, a resume of qualifications of the resident inspector(s) will be submitted to the owner and Agency for review and approval. The owner will provide a letter of acceptance for all proposed observers to the engineer and Agency. The resident inspector(s) must attend the pre-construction conference.

The Agency requires prior agency concurrence with all Change Orders, Invoices, and Payment Estimates. The Agency also requires a pre-construction conference, pre-final, final, and warranty inspection.

PROFESSIONAL SERVICES AND CONTRACTS

Contracts or other forms of agreement between the District and its professional and technical representatives, including local attorney, bond counsel, and auditor, are required to be subject to Rural Development review and concurrence. Rural Development forms and/or guides are available for use by the District, when appropriate.

GRADUATION

The District will refinance the unpaid balance, in whole or in part, of its Rural Utilities Service debt upon request of the Government, if at any time it should appear to the Government that the District is able to refinance its indebtedness by obtaining a loan for such purposes from cooperative or private sources at reasonable rates and terms.

MITIGATION MEASURES

The District must formally adopt and agree to enforce the mitigation measure(s) as identified in the final Environmental Report (revision dated October, 2014) for this project.

The project as proposed has been evaluated to be consistent with all applicable environmental requirements. If the project or any project element deviates from or is modified from the original approved project, additional environmental review may be required.

EXCESS FUNDS

If there is a significant reduction in project costs as a result of redesign or bids received, funding needs for the project will be reassessed. Any loan and/or grant funds not needed in order to complete the proposed project will be deobligated. Grant funds will be the first funds considered for deobligation. An amended Letter of Conditions will be issued if the amount of the proposed sources of funds changes.

Remaining funds may be used for eligible [loan and grant] purposes, provided the use will not result in major changes to the original scope of work and the purpose of the [loan and grant] remains the same. Agency loan funds that are not needed will be applied as an extra payment on the Agency indebtedness unless other disposition is required by the bond ordinance, resolution, or State statute. Grant funds not expended for authorized purposes will be cancelled within 45 days of project completion. Prior to actual cancellation, the District and your project engineer will be notified of the Agency's intent to cancel the remaining funds and given appropriate appeal rights.

CLOSING INSTRUCTIONS

The loan will be closed in accordance with instructions issued by the Office of General Counsel and applicable RUS Instructions issued by the Rural Development National and/or State Office.

OTHER CONDITIONS

All applicable items set out in *Form NC RUS Bulletin 1780-6-A, WWD Processing Checklist (Public Body)*, apply to this project and become a part of this Letter of Conditions. All requirements of the following must be met:

- a. *Compliance with all Federal State and local laws and Regulations in accordance with RUS Instruction 1780, Paragraph 1780.15:*
- b. *Compliance with State Pollution Control and/or Environmental Protection Agency standards;*
- c. *Compliance with other development plans;*
- d. *Compliance with State agency regulating Sewer rights;*
- e. *Compliance with the Civil Rights Act of 1964;*
- f. *Compliance with Section 504 of the Rehabilitation Act of 1973;*
- g. *Compliance with the Age Discrimination Act of 1975;*
- h. *Compliance with the American with Disabilities Act of 1990;*
- i. *OMB Circular A-133 Audit Requirements.*

Sincerely,

JUDY E. HUNT
Area Specialist

Attachment(s)

**RESOLUTION OF BRAGG ESTATES WATER & SEWER DISTRICT (BEWSD)
ACCEPTING THE CONDITIONS IN THE DECEMBER 15, 2014
LETTER OF CONDITIONS FROM USDA, RURAL DEVELOPMENT**

BE IT RESOLVED

That the **BEWSD Board of Commissioners** accepts the conditions set forth in a Letter of Conditions dated December 15, 2014 and RUS BULLETIN 1780-27, Loan Resolution (Public Body):

That the Board Chairman and Clerk to the Board were given the authority on December 15, 2014, to execute all forms necessary to obtain a loan from Rural Development, including, but not limited to the following forms:

Form RD 1940-1	Request for Obligation of Funds
Form RD 1942-46	Letter of Intent to Meet Conditions
Unnumbered Form	Certificate of Compliance
RUS Bulletin 1780-27	Loan Resolution
Form RD 400-1	Equal Opportunity Agreement
Form RD 400-4	Assurance Agreement
RUS Bulletin 1780-12	Water & Waste System Grant Agreement
Form AD-1047	Certification Regarding Debarment Primary Covered Transactions
Form AD-1049	Certification Regarding Drug-Free Workplace Requirements (Grants)
Form RD 1910-11	Applicant Certification Federal Collection Policies
1940-Q, Exhibit A-1	Certification for Contracts, Grants and Loans

That if the interest rate charged by Rural Development should change between this date and the date of actual approval, the Chairman and Clerk be authorized to execute new forms reflecting the current interest rate and revised payments as required by Rural Development.

The Board of Commissioners elects to have the interest charged by Rural Development to be the lower of the rate in effect at either the time of loan approval or loan closing.

The Board of Commissioners hereby agrees to abide by the mitigation requirements in the Letter of Conditions.

This resolution is to become a part of the official minutes of the BEWSD Board Meeting held on December 15, 2014.

MOTION MADE BY: _____ and
SECONDED BY: _____ THAT THE RESOLUTION
BE APPROVED.

MOTION PASSED _____ FOR AND _____ AGAINST.

BY:

Marshall Faircloth, Vice Chairman, Board of Commissioners

ATTEST:

Candice White, Clerk to the Board

December 15, 2014
Date

REQUEST FOR OBLIGATION OF FUNDS

INSTRUCTIONS-TYPE IN CAPITALIZED ELITE TYPE IN SPACES MARKED () Complete Items 1 through 29 and applicable Items 30 through 34. See FMI.			
1. CASE NUMBER ST CO BORROWER ID 38-026-*****0716		LOAN NUMBER 01	FISCAL YEAR 15
2. BORROWER NAME Bragg Estates Water & Sewer District		3. NUMBER NAME FIELDS 1 (1, 2, or 3 from Item 2)	
		4. STATE NAME North Carolina	
		5. COUNTY NAME Cumberland	
GENERAL BORROWER/LOAN INFORMATION			
6. RACE/ETHNIC CLASSIFICATION 1 - WHITE 2 - BLACK 3 - AM/AN 4 - HISPANIC 5 - API	7. TYPE OF APPLICANT 1 - INDIVIDUAL 2 - PARTNERSHIP 3 - CORPORATION 4 - PUBLIC BODY 5 - ASSOC. OF FARMERS 6 - ORG. OF FARMERS 7 - NONPROFIT-SECULAR 8 - NONPROFIT-FAITH BASED 9 - INDIAN TRIBE 10 - PUBLIC COLLEGE/UNIVERSITY 11 - OTHER	8. COLLATERAL CODE 1 - REAL ESTATE SECURED 2 - REAL ESTATE AND CHATTEL 3 - NOTE ONLY OR CHATTEL ONLY 4 - MACHINERY ONLY 5 - LIVESTOCK ONLY 6 - CROPS ONLY 7 - SECURED BY BONDS 8 - RLF ACCT	9. EMPLOYEE RELATIONSHIP CODE 1 - EMPLOYEE 2 - MEMBER OF FAMILY 3 - CLOSE RELATIVE 4 - ASSOC.
10. SEX CODE 1 - MALE 2 - FEMALE 3 - FAMILY UNIT 4 - ORGAN MALE OWNED 5 - ORGAN FEMALE OWNED 6 - PUBLIC BODY	11. MARITAL STATUS 1 - MARRIED 2 - SEPARATED 3 - UNMARRIED (INCLUDES WIDOWED/DIVORCED)	12. VETERAN CODE 1 - YES 2 - NO	13. CREDIT REPORT 1 - YES 2 - NO
14. DIRECT PAYMENT 3 (See FMI)	15. TYPE OF PAYMENT 1 - MONTHLY 2 - ANNUALLY 3 - SEMIANNUALLY 4 - QUARTERLY	16. FEE INSPECTION 1 - YES 2 - NO	
17. COMMUNITY SIZE 1 - 10,000 OR LESS (FOR SFH AND HPG ONLY) 2 - OVER 10,000		18. USE OF FUNDS CODE (See FMI)	
COMPLETE FOR OBLIGATION OF FUNDS			
19. TYPE OF ASSISTANCE 068 (See FMI)	20. PURPOSE CODE 1	21. SOURCE OF FUNDS	22. TYPE OF ACTION 1 - OBLIGATION ONLY 2 - OBLIGATION/CHECK REQUEST 3 - CORRECTION OF OBLIGATION
23. TYPE OF SUBMISSION 1 - INITIAL 2 - SUBSEQUENT	24. AMOUNT OF LOAN \$497,000.00	25. AMOUNT OF GRANT \$1,453,000.00	
26. AMOUNT OF IMMEDIATE ADVANCE	27. DATE OF APPROVAL MO DAY YR	28. INTEREST RATE 2.3750 %	29. REPAYMENT TERMS 40
COMPLETE FOR COMMUNITY PROGRAM AND CERTAIN MULTIPLE-FAMILY HOUSING LOANS			
30. PROFIT TYPE 1 - FULL PROFIT 2 - LIMITED PROFIT 3 - NONPROFIT			
COMPLETE FOR EM LOANS ONLY		COMPLETE FOR CREDIT SALE-ASSUMPTION	
31. DISASTER DESIGNATION NUMBER (See FMI)		32. TYPE OF SALE 1 - CREDIT SALE ONLY 2 - ASSUMPTION ONLY 3 - CREDIT SALE WITH SUBSEQUENT LOAN 4 - ASSUMPTION WITH SUBSEQUENT LOAN	
FINANCE OFFICE USE ONLY		COMPLETE FOR FP LOANS ONLY	
33. OBLIGATION DATE MO DA YR		34. BEGINNING FARMER/RANCHER (See FMI)	

If the decision contained above in this form results in denial, reduction or cancellation of USDA assistance, you may appeal this decision and have a hearing or you may request a review in lieu of a hearing. Please use the form we have included for this purpose.

Position 2

ORIGINAL - Borrower's Case Folder COPY 1 - Finance Office COPY 2 - Applicant/Lender COPY 3 - State Office

According to the Paperwork Reduction Act of 1995, an agency may not conduct or sponsor, and a person is not required to respond to a collection of information unless it displays a valid OMB control number. The valid OMB control number for this information collection is 0570-0062. The time required to complete this information collection is estimated to average 15 minutes per response, including the time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information.

CERTIFICATION APPROVAL

For All Farmers Programs

EM, OL, FO, and SW Loans

This loan is approved subject to the availability of funds. If this loan does not close for any reason within 90 days from the date of approval on this document, the approval official will request updated eligibility information. The undersigned loan applicant agrees that the approval official will have 14 working days to review any updated information prior to submitting this document for obligation of funds. If there have been significant changes that may affect eligibility, a decision as to eligibility and feasibility will be made within 30 days from the time the applicant provides the necessary information.

If this is a loan approval for which a lien and/or title search is necessary, the undersigned applicant agrees that the 15-working-day loan closing requirement may be exceeded for the purposes of the applicant's legal representative completing title work and completing loan closing.

35. COMMENTS AND REQUIREMENTS OF CERTIFYING OFFICIAL

Grant approval subject to meeting all requirements of the Letter of Conditions, Processing Checklist and the Loan Closing Instructions as issued by the Office of General Counsel.

36. I HEREBY CERTIFY that I am unable to obtain sufficient credit elsewhere to finance my actual needs at reasonable rates and terms, taking into consideration prevailing private and cooperative rates and terms in or near my community for loans for similar purposes and periods of time. I agree to use the sum specified herein, subject to and in accordance with regulations applicable to the type of assistance indicated above, and request payment of such sum. I agree to report to USDA any material adverse changes, financial or otherwise, that occur prior to loan closing. I certify that no part of the sum specified herein has been received. I have reviewed the loan approval requirements and comments associated with this loan request and agree to comply with these provisions.

(For FP loans at eligible terms only) If this loan is approved, I elect the interest rate to be charged on my loan to be the lower of the interest rate in effect at the time of loan approval or loan closing. If I check "NO", the interest rate charged on my loan will be the rate specified in Item 28 of this form. _____ YES _____ NO

WARNING: Whoever, in any matter within the jurisdiction of any department or agency of the United States knowingly and willfully falsifies, conceals or covers up by any trick, scheme, or device a material fact, or makes any false, fictitious or fraudulent statements or representations, or makes or uses any false writing or document knowing the same to contain any false, fictitious or fraudulent statement or entry, shall be fined under this title or imprisoned not more than five years, or both."

Date December 15, 20 14

Marshall Faircloth, Vice Chairman

(Signature of Applicant)

ATTEST:

Date December 15, 20 14

Candice White, Clerk to the Board

(Signature of Co-Applicant)

37. I HEREBY CERTIFY that all of the committee and administrative determinations and certifications required by regulations prerequisite to providing assistance of the type indicated above have been made and that evidence thereof is in the docket, and that all requirements of pertinent regulations have been complied with. I hereby approve the above-described assistance in the amount set forth above, and by this document, subject to the availability of funds, the Government agrees to advance such amount to the applicant for the purpose of and subject to the availability prescribed by regulations applicable to this type of assistance.

(Signature of Approving Official)

Typed or Printed Name: _____

Date Approved: _____

Title: _____

38. TO THE APPLICANT: As of this date _____, this is notice that your application for financial assistance from the USDA has been approved, as indicated above, subject to the availability of funds and other conditions required by the USDA. If you have any questions contact the appropriate USDA Servicing Office.

Form RD 1942-46
(Rev. 6-10)

UNITED STATES DEPARTMENT OF AGRICULTURE
RURAL DEVELOPMENT

FORM APPROVED
OMB NO. 0575-0015
OMB NO. 0570-0062

LETTER OF INTENT TO MEET CONDITIONS

Date 12-15-2014

TO: United States Department of Agriculture

Rural Development

(Name of USDA Agency)

P O Box 7426
Lumberton, NC 28359

(USDA Agency Office Address)

We have reviewed and understand the conditions set forth in your letter dated 12-15-2014. It is our intent to meet all of them not later than 12-15-2016.

ATTEST:

Candice White
Clerk to the Board

Bragg Estates Water & Sewer District

(Name of Association)

BY

Marshall Faircloth, Vice Chairman

(Title)

According to the Paperwork Reduction Act of 1995, an agency may not conduct or sponsor, and a persons is not required to respond to a collection of information unless it displays a valid OMB control number. The valid OMB control number for this information collection is 0575-0015 and 0570-0062. The time required to complete this information collection is estimated to average 1 hour per response, including the time for reviewing instructions, searching existing data sources, gathering and maintaining the data. needed, and completing and reviewing the collection of information.

P O Box 1829

Fayetteville, NC 28302-

RURAL DEVELOPMENT, USDA

PO Box 7426/ 440-C Caton Road

Lumberton, NC 28360

Dear Sir:

This is to certify that the Bragg Estates Water & Sewer District
is in compliance with Federal, State, and Local requirements include the following:

- a. Compliance with special laws and regulations.
- b. Compliance with State Pollution Control or Environmental Protection Agency standards.
- c. Consistency with other development plans of the area.
- d. Compliance with State agency regulating water rights.
- e. Compliance with Civil Rights Act of 1964.
- f. Compliance with Title IX of the Education Amendments of 1972.
- g. Compliance with Section 504 of the Rehabilitation Act of 1973.
- h. Compliance with Age Discrimination Act of 1975.
- i. Compliance with A-133 audit requirements.

BY: Marshall Faircloth
Vice Chairman, Board of Commissioners

ATTEST: Candice White
Clerk to the Board

12/15/2014

Date

LOAN RESOLUTION (Public Bodies)

A RESOLUTION OF THE Board of Commissioners

OF THE Bragg Estates Water & Sewer District

AUTHORIZING AND PROVIDING FOR THE INCURRENCE OF INDEBTEDNESS FOR THE PURPOSE OF PROVIDING A PORTION OF THE COST OF ACQUIRING, CONSTRUCTING, ENLARGING, IMPROVING, AND/OR EXTENDING ITS

Sewer

FACILITY TO SERVE AN AREA LAWFULLY WITHIN ITS JURISDICTION TO SERVE.

WHEREAS, it is necessary for the Bragg Estates Water & Sewer District

(Public Body)

(herein after called Association) to raise a portion of the cost of such undertaking by issuance of its bonds in the principal amount of

Four Hundred Ninety Seven Thousand Dollars & 00/100 (\$497,000.00)

pursuant to the provisions of NC General State Statutes; and

WHEREAS, the Association intends to obtain assistance from the United States Department of Agriculture, (herein called the Government) acting under the provisions of the Consolidated Farm and Rural Development Act (7 U.S.C. 1921 et seq.) in the planning, financing, and supervision of such undertaking and the purchasing of bonds lawfully issued, in the event that no other acceptable purchaser for such bonds is found by the Association:

NOW THEREFORE, in consideration of the premises the Association hereby resolves:

1. To have prepared on its behalf and to adopt an ordinance or resolution for the issuance of its bonds containing such items and in such forms as are required by State statutes and as are agreeable and acceptable to the Government.
2. To refinance the unpaid balance, in whole or in part, of its bonds upon the request of the Government if at any time it shall appear to the Government that the Association is able to refinance its bonds by obtaining a loan for such purposes from responsible cooperative or private sources at reasonable rates and terms for loans for similar purposes and periods of time as required by section 333(c) of said Consolidated Farm and Rural Development Act (7 U.S.C. 1983(c)).
3. To provide for, execute, and comply with Form RD 400-4, "Assurance Agreement," and Form RD 400-1, "Equal Opportunity Agreement," including an "Equal Opportunity Clause," which clause is to be incorporated in, or attached as a rider to, each construction contract and subcontract involving in excess of \$10,000.
4. To indemnify the Government for any payments made or losses suffered by the Government on behalf of the Association. Such indemnification shall be payable from the same source of funds pledged to pay the bonds or any other legal ly permissible source.
5. That upon default in the payments of any principal and accrued interest on the bonds or in the performance of any covenant or agreement contained herein or in the instruments incident to making or insuring the loan, the Government at its option may (a) declare the entire principal amount then outstanding and accrued interest immediately due and payable, (b) for the account of the Association (payable from the source of funds pledged to pay the bonds or any other legally permissible source), incur and pay reasonable expenses for repair, maintenance, and operation of the facility and such other reasonable expenses as may be necessary to cure the cause of default, and/or (c) take possession of the facility, repair, maintain, and operate or rent it. Default under the provisions of this resolution or any instrument incident to the making or insuring of the loan may be construed by the Government to constitute default under any other instrument held by the Government and executed or assumed by the Association, and default under any such instrument may be construed by the Government to constitute default hereunder.
6. Not to sell, transfer, lease, or otherwise encumber the facility or any portion thereof, or interest therein, or permit others to do so, without the prior written consent of the Government.
7. Not to defease the bonds, or to borrow money, enter into any contractor agreement, or otherwise incur any liabilities for any purpose in connection with the facility (exclusive of normal maintenance) without the prior written consent of the Government if such undertaking would involve the source of funds pledged to pay the bonds.
8. To place the proceeds of the bonds on deposit in an account and in a manner approved by the Government. Funds may be deposited in institutions insured by the State or Federal Government or invested in readily marketable securities backed by the full faith and credit of the United States. Any income from these accounts will be considered as revenues of the system.
9. To comply with all applicable State and Federal laws and regulations and to continually operate and maintain the facility in good condition.
10. To provide for the receipt of adequate revenues to meet the requirements of debt service, operation and maintenance, and the establishment of adequate reserves. Revenue accumulated over and above that needed to pay operating and maintenance, debt service and reserves may only be retained or used to make prepayments on the loan. Revenue cannot be used to pay any expenses which are not directly incurred for the facility financed by USDA. No free service or use of the facility will be permitted.

According to the Paperwork Reduction Act of 1995, an agency may not conduct or sponsor, and a person is not required to respond to, a collection of information unless it displays a valid OMB control number. The valid OMB control number for this information collection is 0572-0121. The time required to complete this information collection is estimated to average 1 hour per response, including the time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information.

11. To acquire and maintain such insurance and fidelity bond coverage as may be required by the Government.
12. To establish and maintain such books and records relating to the operation of the facility and its financial affairs and to provide for required audit thereof as required by the Government, to provide the Government a copy of each such audit without its request, and to forward to the Government such additional information and reports as it may from time to time require.
13. To provide the Government at all reasonable times access to all books and records relating to the facility and access to the property of the system so that the Government may ascertain that the Association is complying with the provisions hereof and of the instruments incident to the making or insuring of the loan.
14. That if the Government requires that a reserve account be established, disbursements from that account(s) may be used when necessary for payments due on the bond if sufficient funds are not otherwise available and prior approval of the Government is obtained. Also, with the prior written approval of the Government, funds may be withdrawn and used for such things as emergency maintenance, extensions to facilities and replacement of short lived assets.
15. To provide adequate service to all persons within the service area who can feasibly and legally be served and to obtain USDA's concurrence prior to refusing new or adequate services to such persons. Upon failure to provide services which are feasible and legal, such person shall have a direct right of action against the Association or public body.
16. To comply with the measures identified in the Government's environmental impact analysis for this facility for the purpose of avoiding or reducing the adverse environmental impacts of the facility's construction or operation.
17. To accept a grant in an amount not to exceed \$ 1,453,000.00

under the terms offered by the Government; that the Vice Chairman, Board of Commissioners

and Clerk to the Board of the Association are hereby authorized and empowered to take all action necessary or appropriate in the execution of all written instruments as may be required in regard to or as evidence of such grant; and to operate the facility under the terms offered in said grant agreement(s).

The provisions hereof and the provisions of all instruments incident to the making or the insuring of the loan, unless otherwise specifically provided by the terms of such instrument, shall be binding upon the Association as long as the bonds are held or insured by the Government or assignee. The provisions of sections 6 through 17 hereof may be provided for in more specific detail in the bond resolution or ordinance; to the extent that the provisions contained in such bond resolution or ordinance should be found to be inconsistent with the provisions hereof, these provisions shall be construed as controlling between the Association and the Government or assignee.

The vote was: Yeas _____ Nays _____ Absent _____

IN WITNESS WHEREOF, the Board of Commissioners of the

Bragg Estates Water & Sewer District has duly adopted this resolution and caused it

to be executed by the officers below in duplicate on this December, 15th day of 2014

Bragg Estates Water & Sewer District

(SEAL)

By Marshall Faircloth

Attest:

Title Vice Chairman, Board of Commissioners

Candice White
Title Clerk to the Board

CERTIFICATION TO BE EXECUTED AT LOAN CLOSING

I, the undersigned, as Clerk to the Board of the Bragg Estates Water & Sewer District
hereby certify that the Board of Commissioners of such Association is composed of
_____ members, of whom, _____ constituting a quorum, were present at a meeting thereof duly called and
held on the _____ day of _____; and that the foregoing resolution was adopted at such meeting
by the vote shown above, I further certify that as of _____,
the date of closing of the loan from the United States Department of Agriculture, said resolution remains in effect and has not been
rescinded or amended in any way.

Dated, this _____ day of _____

Title Clerk to the Board

EQUAL OPPORTUNITY AGREEMENT

This agreement, dated 12-15-2014 between
Bragg Estates Water & Sewer District

(herein called "Recipient" whether one or more) and United States Department of Agriculture (USDA), pursuant to the rules and regulations of the Secretary of Labor (herein called the "Secretary") issued under the authority of Executive Order 11246 as amended, witnesseth:

In consideration of financial assistance (whether by a loan, grant, loan guaranty, or other form of financial assistance) made or to be made by the USDA to Recipient, Recipient hereby agrees, if the cash cost of construction work performed by Recipient or a construction contract financed with such financial assistance exceeds \$10,000 - unless exempted by rules, regulations or orders of the Secretary of Labor issued pursuant to Section 204 of Executive Order 11246 of September 24, 1965.

1. To incorporate or cause to be incorporated into any contract for construction work, or modification thereof, subject to the relevant rules, regulations, and orders of the Secretary or of any prior authority that remain in effect, which is paid for in whole or in part with the aid of such financial assistance, the following "Equal Opportunity Clause":

During the performance of this contract, the contractor agrees as follows:

- (a) The contractor will not discriminate against any employee or applicant for employment because of race, color, religion, sex or national origin. The contractor will take affirmative action to ensure that applicants are employed, and that employees are treated during employment, without regard to their race, color, religion, sex or national origin. Such action shall include, but not be limited, to the following: employment, upgrading, demotion or transfer; recruitment or recruitment advertising; layoff or termination; rates of pay or other forms of compensation; and selection for training, including apprenticeship. The contractor agrees to post in conspicuous places, available to employees and applicants for employment, notices to be provided by the USDA setting forth the provisions of this nondiscrimination clause.
- (b) The contractor will, in all solicitations or advertisements for employees placed by or on behalf of the contractor, state that all qualified applicants will receive consideration for employment without regard to race, color, religion, sex or national origin.
- (c) The contractor will send to each labor union or representative of workers with which he has a collective bargaining agreement or other contract or understanding, a notice, to be provided by the USDA, advising the said labor union or workers' representative of the contractor's commitments under this agreement and shall post copies of the notice in conspicuous places available to employees and applicants for employment.
- (d) The contractor will comply with all provisions of Executive Order 11246 of September 24, 1965, and of all rules, regulations and relevant orders of the Secretary of Labor.
- (e) The contractor will furnish all information and reports required by Executive Order 11246 of September 24, 1965, rules, regulations, and orders, or pursuant thereto, and will permit access to his books, records, and accounts by the USDA Civil Rights Office, and the Secretary of Labor for purposes of investigation to ascertain compliance with such rules, regulations, and orders.
- (f) In the event of the contractor's noncompliance with the nondiscrimination clauses of this contract or with any of the said rules, regulations, or orders, this contract may be cancelled, terminated, or suspended in whole or in part and the contractor may be declared ineligible for further Government contracts or federally assisted construction contracts in accordance with procedures authorized in Executive Order No. 11246 of September 24, 1965, and such other sanctions may be imposed and remedies invoked as provided in Executive Order No. 11246 of September 24, 1965, or by rule, regulation or order of the Secretary of Labor, or as otherwise provided by Law.
- (g) The contractor will include the provisions of paragraph 1 and paragraph (a) through (g) in every subcontract or purchase order, unless exempted by the rules, regulations, or orders of the Secretary of Labor issued pursuant to Section 204 of Executive Order No. 11246 of September 24, 1965, so that such provisions will be binding upon each subcontractor or vendor. The contractor will take such action with respect to any subcontract or purchase order as the USDA may direct as a means of enforcing such provisions, including sanctions for noncompliance: Provided, however, that in the event the contractor becomes involved in, or is threatened with, litigation with a subcontractor or vendor as a result of such direction by the USDA, the contractor may request the United States to enter into such litigation to protect the interest of the United States.

According to the Paperwork Reduction Act of 1995, an agency may not conduct or sponsor, and a person is not required to respond to, a collection of information unless it displays a valid OMB control number. The valid OMB control number for this information collection is 0575-0018. The time required to complete this information collection is estimated to average 10 minutes per response, including the time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information.

2. To be bound by the above equal opportunity clause with respect to its own employment practices when it participates in federally assisted construction work: Provided, that if the organization so participating is a State or local government, the above equal opportunity clause is not applicable to any agency, instrumentality or subdivision of such government which does not participate in work on or under the contract.
3. To notify all prospective contractors to file the required 'Compliance Statement', Form RD 400-6, with their bids.
4. Form AD-425, Instructions to Contractors, will accompany the notice of award of the contract. Bid conditions for all nonexempt federal and federally assisted construction contracts require inclusion of the appropriate "Hometown" or "Imposed" plan affirmative action and equal employment opportunity requirements. All bidders must comply with the bid conditions contained in the invitation to be considered responsible bidders and hence eligible for the award.
5. To assist and cooperate actively with USDA and the Secretary in obtaining the compliance of contractors and subcontractors with the equal opportunity clause and rules, regulations, and relevant orders of the Secretary, that will furnish USDA and the Secretary such information such as, but not limited to, Form AD-560, Certification of Nonsegregated Facilities, to submit the Monthly Employment Utilization Report, Form CC-257, as they may require for the supervision of such compliance, and that it will otherwise assist USDA in the discharge of USDA's primary responsibility for securing compliance.
6. To refrain from entering into any contract or contract modification subject to such Executive Order 11246 of September 24, 1965, with a contractor debarred from, or who has not demonstrated eligibility for, Government contracts and Federally assisted construction contracts pursuant to the Executive Order and will carry out such sanctions and penalties for violation of the equal opportunity clause as may be imposed upon contractors and subcontractors by USDA or the Secretary of Labor pursuant to Part II, Subpart D, of the Executive Order.
7. That if the recipient fails or refuses to comply with these undertakings, the USDA may take any or all of the following actions: Cancel, terminate, or suspend in whole or in part this grant (contract, loan, insurance, guarantee); refrain from extending any further assistance to the organization under the program with respect to which the failure or refund occurred until satisfactory assurance of future compliance has been received from such organization; and refer the case to the Department of Justice for appropriate legal proceedings.

Signed by the Recipient on the date first written above.

Recipient

Recipient

(CORPORATE SEAL)

Bragg Estates Water & Sewer District

Name of Corporate Recipient

Attest:

Candice White
Clerk to the Board

XXXXXX
Secretary

By Marshall Faircloth
Vice Chairman, Board of Commissioners

XXXXXX
President

USDA
Form RD 400-4
(Rev. 06-10)

ASSURANCE AGREEMENT
(Under Title VI, Civil Rights Act of 1964)

FORM APPROVED
OMB No. 0575-0018
OMB No. 0570-0062

The Bragg Estates Water & Sewer District

(name of recipient)

P O Box 1829 Fayetteville, NC 28301-

(address)

("Recipient" herein) hereby assures the U. S. Department of Agriculture that Recipient is in compliance with and will continue to comply with Title VI of the Civil Rights Act of 1964 (42 USC 2000d et. seq.), 7 CFR Part 15, and Rural Housing Service, Rural Business-Cooperative Service, Rural Utilities Service, Risk Management Agency, or the Farm Service Agency, (hereafter known as the "Agency") regulations promulgated thereunder, 7 C.F.R. § 1901.202. In accordance with that Act and the regulations referred to above, Recipient agrees that in connection with any program or activity for which Recipient receives Federal financial assistance (as such term is defined in 7 C.F.R. § 15.2) no person in the United States shall, on the ground of race, color, or national origin, be excluded from participation in, be denied the benefits of, or be otherwise subjected to discrimination.

1. Recipient agrees that any transfer of any aided facility, other than personal property, by sale, lease or other conveyance of contract, shall be, and shall be made expressly, subject to the obligations of this agreement and transferee's assumption thereof.
2. Recipient shall:
 - (a) Keep such records and submit to the Government such timely, complete, and accurate information as the Government may determine to be necessary to ascertain our/my compliance with this agreement and the regulations.
 - (b) Permit access by authorized employees of the Agency or the U.S. Department of Agriculture during normal business hours to such books, records, accounts and other sources of information and its facilities as may be pertinent to ascertaining such compliance.
 - (c) Make available to users, participants, beneficiaries and other interested persons such information regarding the provisions of this agreement and the regulations, and in such manner as the Agency or the U. S. Department of Agriculture finds necessary to inform such persons of the protection assured them against discrimination.
3. The obligations of this agreement shall continue:
 - (a) As to any real property, including any structure, acquired or improved with the aid of the Federal financial assistance, so long as such real property is used for the purpose for which the Federal financial assistance is made or for another purpose which affords similar services or benefits, or for as long as the Recipient retains ownership or possession of the property, whichever is longer.
 - (b) As to any personal property acquired or improved with the aid of the Federal financial assistance, so long as Recipient retains ownership or possession of the property.
 - (c) As to any other aided facility or activity, until the last advance of funds under the loan or grant has been made.
4. Upon any breach or violation this agreement the Government may, at its option:
 - (a) Terminate or refuse to render or continue financial assistance for the aid of the property, facility, project, service or activity.
 - (b) Enforce this agreement by suit for specific performance or by any other available remedy under the laws of the United States or the State in which the breach or violation occurs.

Rights and remedies provided for under this agreement shall be cumulative.

In witness whereof, Bragg Estates Water & Sewer District on this
(name of recipient)

date has caused this agreement to be executed by its duly authorized officers and its seal affixed hereto, or, if a natural person, has hereunto executed this agreement.

(S E A L)

12-15-2014

Recipient

Date

, Vice Chairman

Attest:

Candice White

Title

Marshall Faircloth

Title

According to the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number. The valid OMB control number for this information collection is 0570-0018 and 0570-0062. The time required to complete this information is estimated to average 15 minutes per response, including the time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information.

Water and Waste System Grant Agreement**United States Department of Agriculture****Rural Utilities Service**THIS AGREEMENT dated 12/15/2014, betweenBragg Estates Water & Sewer District

a public corporation organized and operating under

NC General State Statutes

(Authorizing Statute)

herein called "Grantee," and the United States of America acting through the Rural Utilities Service, Department of Agriculture, herein called "Grantor," WITNESSETH:

WHEREAS

Grantee has determined to undertake a project of acquisition, construction, enlargement, or capital improvement of a (water) (waste) system to serve the area under its jurisdiction at an estimated cost of \$ 2,000,000.00 and has duly authorized the undertaking of such project.

Grantee is able to finance not more than \$ 547,000.00 of the development costs through revenues, charges, taxes or assessments, or funds otherwise available to Grantee resulting in a reasonable user charge.

Said sum of \$ 547,000.00 has been committed to and by Grantee for such project development costs.

Grantor has agreed to grant the Grantee a sum not to exceed \$ 1,453,000.00 or 72.65 percent of said project development costs, whichever is the lesser, subject to the terms and conditions established by the Grantor. Provided, however, that the proportionate share of any grant funds actually advanced and not needed for grant purposes shall be returned immediately to the Grantor. The Grantor may terminate the grant in whole, or in part, at any time before the date of completion, whenever it is determined that the Grantee has failed to comply with the Conditions of the grant.

As a condition of this grant agreement, the Grantee assures and certifies that it is in compliance with and will comply in the course of the agreement with all applicable laws, regulations, Executive orders and other generally applicable requirements, including those set out in 7 CFR 3015.205(b), which hereby are incorporated into this agreement by reference, and such other statutory provisions as are specifically set forth herein.

NOW, THEREFORE, In consideration of said grant by Grantor to Grantee, to be made pursuant to Section 306(a) of The Consolidated Farm and Rural Development Act for the purpose only of defraying a part not to exceed 72.65 percent of the project development costs, as defined by applicable Rural Utilities Service instructions.

Grantee Agrees That Grantee Will:

A. Cause said project to be constructed within the total sums available to it, including said grant, in accordance with the project plans and specifications and any modifications thereof prepared by Grantee and approved by Grantor.

B. Permit periodic inspection of the construction by a representative of Grantor during construction.

C. Manage, operate and maintain the system, including this project if less than the whole of said system, continuously in an efficient and economical manner.

D. Make the services of said system available within its capacity to all persons in Grantee's service area without discrimination as to race, color, religion, sex, national origin, age, marital status, or physical or mental handicap (possess capacity to enter into legal contract for services) at reasonable charges, including assessments, taxes, or fees in accordance with a schedule of such charges, whether for one or more classes of service, adopted by resolution dated 12/15/2014, as may be modified from time to time by Grantee. The initial rate schedule must be approved by Grantor. Thereafter, Grantee may make such modifications to the rate system as long as the rate schedule remains reasonable and nondiscriminatory.

E. Adjust its operating costs and service charges from time to time to provide for adequate operation and maintenance, emergency repair reserves, obsolescence reserves, debt service and debt service reserves.

F. Expand its system from time to time to meet reasonably anticipated growth or service requirements in the area within its jurisdiction.

G. Provide Grantor with such periodic reports as it may require and permit periodic inspection of its operations by a representative of the Grantor.

H. To execute any agreements required by Grantor which Grantee is legally authorized to execute. If any such agreement has been executed by Grantee as a result of a loan being made to Grantee by Grantor contemporaneously with the making of this grant, another agreement of the same type need not be executed in connection with this grant.

I. Upon any default under its representations or agreements set forth in this instrument, Grantee, at the option and demand of Grantor, will repay to Grantor forthwith the original principal amount of the grant stated herein above with the interest at the rate of 5 percentum per annum from the date of the default. Default by the Grantee will constitute termination of the grant thereby causing cancellation of Federal assistance under the grant. The provisions of this Grant Agreement may be enforced by Grantor, at its option and without regard to prior waivers by it previous defaults of Grantee, by judicial proceedings to require specific performance of the terms of this Grant Agreement or by such other proceedings in law or equity, in either Federal or State courts, as may be deemed necessary by Grantor to assure compliance with the provisions of this Grant Agreement and the laws and regulations under which this grant is made.

J. Return immediately to Grantor, as required by the regulations of Grantor, any grant funds actually advanced and not needed by Grantee for approved purposes.

K. Use the real property including land, land improvements, structures, and appurtenances thereto, for authorized purposes of the grant as long as needed.

1. Title to real property shall vest in the recipient subject to the condition that the Grantee shall use the real property for the authorized purpose of the original grant as long as needed.

2. The Grantee shall obtain approval by the Grantor agency for the use of the real property in other projects when the Grantee determines that the property is no longer needed for the original grant purposes. Use in other projects shall be limited to those under other Federal grant programs or programs that have purposes consistent with those authorized for support by the Grantor.

3. When the real property is no longer needed as provided in 1 and 2 above, the Grantee shall request disposition instructions from the Grantor agency or its successor Federal agency. The Grantor agency shall observe the following rules in the disposition instructions:

(a) The Grantee may be permitted to retain title after it compensates the Federal Government in an amount computed by applying the Federal percentage of participation in the cost of the original project to the fair market value of the property.

(b) The Grantee may be directed to sell the property under guidelines provided by the Grantor agency. When the Grantee is authorized or required to sell the property, proper sales procedures shall be established that provide for competition to the extent practicable and result in the highest possible return.

[Revision 1, 04/17/1998]

(c) The Grantee may be directed to transfer title to the property to the Federal Government provided that in such cases the Grantee shall be entitled to compensation computed by applying the Grantee's percentage of participation in the cost of the program or project to the current fair market value of the property.

This Grant Agreement covers the following described real property (use continuation sheets as necessary).

All real estate purchased or conveyed with loan and grant funds.

L. Abide by the following conditions pertaining to equipment which is furnished by the Grantor or acquired wholly or in part with grant funds. Equipment means tangible, non-expendable, personal property having a useful life of more than one year and an acquisition cost of \$5,000 or more per unit. A grantee may use its own definition of equipment provided that such definition would at least include all equipment defined above.
[Revision 1, 04/17/1998]

1. Use of equipment.

(a) The Grantee shall use the equipment in the project for which it was acquired as long as needed. When no longer needed for the original project, the Grantee shall use the equipment in connection with its other Federally sponsored activities, if any, in the following order of priority:

1) Activities sponsored by the Grantor.

(2) Activities sponsored by other Federal agencies.

(b) During the time that equipment is held for use on the property for which it was acquired, the Grantee shall make it available for use on other projects if such other use will not interfere with the work on the project for which the equipment was originally acquired. First preference for such other use shall be given to Grantor sponsored projects. Second preference will be given to other Federally sponsored projects.

2. Disposition of equipment. When the Grantee no longer needs the equipment as provided in paragraph (a) above, the equipment may be used for other activities in accordance with the following standards:

(a) Equipment with a current per unit fair market value of less than \$5,000. The Grantee may use the equipment for other activities without reimbursement to the Federal Government or sell the equipment and retain the proceeds.

(b) Equipment with a current per unit fair market value of \$5,000 or more. The Grantee may retain the equipment for other uses provided that compensation is made to the original Grantor agency or its successor. The amount of compensation shall be computed by applying the percentage of Federal participation in the cost of the original project or program to the current fair market value or proceeds from sale of the equipment. If the Grantee has no need for the equipment and the equipment has further use value, the Grantee shall request disposition instructions from the original Grantor agency.

The Grantor agency shall determine whether the equipment can be used to meet the agency's requirements. If no requirement exists within that agency, the availability of the equipment shall be reported, in accordance with the guidelines of the Federal Property Management Regulations (FPMR), to the General Services Administration by the Grantor agency to determine whether a requirement for the equipment exists in other Federal agencies. The Grantor agency shall issue instructions to the Grantee no later than 120 days after the Grantee requests and the following procedures shall govern:

(1) If so instructed or if disposition instructions are not issued within 120 calendar days after the Grantee's request, the Grantee shall sell the equipment and reimburse the Grantor agency an amount computed by applying to the sales proceeds the percentage of Federal participation in the cost of the original project or program. However, the Grantee shall be permitted to deduct and retain from the Federal share ten percent of the proceeds for Grantee's selling and handling expenses.

(2) If the Grantee is instructed to ship the equipment elsewhere the Grantee shall be reimbursed by the benefiting Federal agency with an amount which is computed by applying the percentage of the Grantee participation in the cost of the original grant project or program to the current fair market value of the equipment, plus any reasonable shipping or interim storage costs incurred.

(3) If the Grantee is instructed to otherwise dispose of the equipment, the Grantee shall be reimbursed by the Grantor agency for such costs incurred in its disposition.

3. The Grantee's property management standards for equipment shall also include:

(a) Records which accurately provide for: a description of the equipment; manufacturer's serial number or other identification number; acquisition date and cost; source of the equipment; percentage (at the end of budget year) of Federal participation in the cost of the project for which the equipment was acquired; location, use and condition of the equipment and the date the information was reported; and ultimate disposition data including sales price or the method used to determine current fair market value if the Grantee reimburses the Grantor for its share.

(b) A physical inventory of equipment shall be taken and the results reconciled with the equipment records at least once every two years to verify the existence, current utilization, and continued need for the equipment.

(c) A control system shall be in effect to insure adequate safeguards to prevent loss, damage, or theft of the equipment. Any loss, damage, or theft of equipment shall be investigated and fully documented.

(d) Adequate maintenance procedures shall be implemented to keep the equipment in good condition.

(e) Proper sales procedures shall be established for unneeded equipment which would provide for competition to the extent practicable and result in the highest possible return.

This Grant Agreement covers the following described equipment(use continuation sheets as necessary).

All equipment purchased with loan and grant funds.

M. Provide Financial Management Systems which will include:

1. Accurate, current, and complete disclosure of the financial results of each grant. Financial reporting will be on an accrual basis.

2. Records which identify adequately the source and application of funds for grant-supported activities. Those records shall contain information pertaining to grant awards and authorizations, obligations, unobligated balances, assets, liabilities, outlays, and income.

3. Effective control over and accountability for all funds, property and other assets. Grantees shall adequately safeguard all such assets and shall assure that they are used solely for authorized purposes.

4. Accounting records supported by source documentation.

N. Retain financial records, supporting documents, statistical records, and all other records pertinent to the grant for a period of at least three years after grant closing except that the records shall be retained beyond the three-year period if audit findings have not been resolved. Microfilm or photo copies or similar methods may be substituted in lieu of original records. The Grantor and the Comptroller General of the United States, or any of their duly authorized representatives, shall have access to any books, documents, papers, and records of the Grantee's government which are pertinent to the specific grant program for the purpose of making audits, examinations, excerpts and transcripts.

O. Provide information as requested by the Grantor to determine the need for and complete any necessary Environmental Impact Statements.

P. Provide an audit report prepared in accordance with Grantor regulations to allow the Grantor to determine that funds have been used in compliance with the proposal, any applicable laws and regulations and this Agreement.

Q. Agree to account for and to return to Grantor interest earned on grant funds pending their disbursement for program purposes when the Grantee is a unit of local government. States and agencies or instrumentality's of states shall not be held accountable for interest earned on grant funds pending their disbursement.

R. Not encumber, transfer or dispose of the property or any part thereof, furnished by the Grantor or acquired wholly or in part with Grantor funds without the written consent of the Grantor except as provided in item K above.

S. To include in all contracts for construction or repair a provision for compliance with the Copeland "Anti-Kick Back" Act (18 U.S.C. 874) as supplemented in Department of Labor regulations (29 CFR, Part 3). The Grantee shall report all suspected or reported violations to the Grantor.

T. To include in all contracts in excess of \$100,000 a provision that the contractor agrees to comply with all the requirements of the Clean Air Act (42 U.S.C. §7414) and Section 308 of the Water Pollution Control Act (33 U.S.C. §1318) relating to inspection, monitoring, entry, reports, and information, as well as all other requirements specified in Section 114 of the Clean Air Act and Section 308 of the Water Pollution Control Act and all regulations and guidelines issued thereunder after the award of the contract. In so doing the Contractor further agrees:

[Revision 1, 11/20/1997]

1. As a condition for the award of contract, to notify the Owner of the receipt of any communication from the Environmental Protection Agency (EPA) indicating that a facility to be utilized in the performance of the contract is under consideration to be listed on the EPA list of Violating Facilities. Prompt notification is required prior to contract award.

2. To certify that any facility to be utilized in the performance of any nonexempt contractor subcontract is not listed on the EPA list of Violating Facilities pursuant to 40 CFR Part 32 as of the date of contract award.

[Revision 1, 11/20/1997]

3. To include or cause to be included the above criteria and the requirements in every nonexempt subcontract and that the Contractor will take such action as the Government may direct as a means of enforcing such provisions.

As used in these paragraphs the term "facility" means any building, plan, installation, structure, mine, vessel or other floating craft, location, or site of operations, owned, leased, or supervised by a Grantee, cooperator, contractor, or subcontractor, to be utilized in the performance of a grant, agreement, contract, subgrant, or subcontract. Where a location or site of operation contains or includes more than one building, plant, installation, or structure, the entire location shall be deemed to be a facility except where the Director, Office of Federal Activities, Environmental Protection Agency, determines that independent facilities are co-located in one geographical area.

Grantor Agrees That It:

A. Will make available to Grantee for the purpose of this Agreement not to exceed \$ 1,453,000.00 which it will advance to Grantee to meet not to exceed 72.65 percent of the project development costs of the project in accordance with the actual needs of Grantee as determined by Grantor.

B. Will assist Grantee, within available appropriations, with such technical assistance as Grantor deems appropriate in planning the project and coordinating the plan with local official comprehensive plans for sewer and water and with any State or area plans for the area in which the project is located.

C. At its sole discretion and at any time may give any consent, deferment, subordination, release, satisfaction, or termination of any or all of Grantee's grant obligations, with or without valuable consideration, upon such terms and conditions as Grantor may determine to be (1) advisable to further the purpose of the grant or to protect Grantor's financial interest therein and (2) consistent with both the statutory purposes of the grant and the limitations of the statutory authority under which it is made.

Termination of This Agreement

This Agreement may be terminated for cause in the event of default on the part of the Grantee as provided in paragraph I above or for convenience of the Grantor and Grantee prior to the date of completion of the grant purpose. Termination for convenience will occur when both the Grantee and Grantor agree that the continuation of the project will not produce beneficial results commensurate with the further expenditure of funds.

In witness whereof Grantee on the date first above written has caused these presence to be executed by its duly authorized

Vice Chairman, Board of Commissioners

attested and its corporate seal affixed by its duly authorized

Clerk to the Board

Attest:

By _____
Candice White
(Title) Clerk to the Board

By _____
Marshall Faircloth
(Title) Vice Chairman, Board of Commissioners

UNITED STATES OF AMERICA

RURAL UTILITIES SERVICE

By _____
Judy E. Hunt, Area Specialist (Title)

U.S. DEPARTMENT OF AGRICULTURE

Certification Regarding Debarment, Suspension, and Other Responsibility Matters - Primary Covered Transactions

This certification is required by the regulations implementing Executive Order 12549, Debarment and Suspension, 7 CFR Part 3017, Section 3017.510, Participants' responsibilities. The regulations were published as Part IV of the January 30, 1989, Federal Register (pages 4722-4733). Copies of the regulations may be obtained by contacting the Department of Agriculture agency offering the proposed covered transaction.

(BEFORE COMPLETING CERTIFICATION, READ INSTRUCTIONS ON REVERSE)

- (1) The prospective primary participant certifies to the best of its knowledge and belief, that it and its principals:
- (a) are not presently debarred, suspended, proposed for debarment, declared ineligible, or voluntarily excluded from covered transactions by any Federal department or agency;
 - (b) have not within a three-year period preceding this proposal been convicted of or had a civil judgment rendered against them for commission of fraud or a criminal offense in connection with obtaining, attempting to obtain, or performing a public (Federal State or local) transaction or contract under a public transaction; violation of Federal or State antitrust statutes or commission of embezzlement, theft, forgery, bribery, falsification or destruction of records, making false statements, or receiving stolen property;
 - (c) are not presently indicted for or otherwise criminally or civilly charged by a governmental entity (Federal, State or local) with commission of any of the offenses enumerated in paragraph (1)(b) of this certification; and
 - (d) have not within a three-year period preceding this application/proposal had one or more public transactions (Federal, State or local) terminated for cause or default.
- (2) Where the prospective primary participant is unable to certify to any of the statements in this certification, such prospective participant shall attach an explanation to this proposal.

Bragg Estates Water and Sewer District

Organization Name

PR/Award Number or Project Name

Marshall Faircloth, Vice Chairman

Name(s) and Title(s) of Authorized Representative(s)

Signature(s)

Date

Instructions for Certification

1. By signing and submitting this form, the prospective primary participant is providing the certification set out on the reverse side in accordance with these instructions.
2. The inability of a person to provide the certification required below will not necessarily result in denial of participation in this covered transaction. The prospective participant shall submit an explanation of why it cannot provide the certification set out on this form. The certification or explanation will be considered in connection with the department or agency's determination whether to enter into this transaction. However, failure of the prospective primary participant to furnish a certification or an explanation shall disqualify such person from participation in this transaction.
3. The certification in this clause is a material representation of fact upon which reliance was placed when the department or agency determined to enter into this transaction. If it is later determined that the prospective primary participant knowingly rendered an erroneous certification, in addition to other remedies available to the Federal Government, the department or agency may terminate this transaction for cause or default.
4. The prospective primary participant shall provide immediate written notice to the department or agency to whom this proposal is submitted if at any time the prospective primary participant learns that its certification was erroneous when submitted or has become erroneous by reason of changed circumstances.
5. The terms "covered transaction," "debarred," "suspended," "ineligible," "lower tier covered transaction," "participant," "person," "primary covered transaction," "principal," "proposal," and "voluntarily excluded," as used in this clause, have the meanings set out in the Definitions and Coverage sections of the rules implementing Executive Order 12549. You may contact the department or agency to which this proposal is being submitted for assistance in obtaining a copy of those regulations.
6. The prospective primary participant agrees by submitting this form that, should the proposed covered transaction be entered into, it shall not knowingly enter into any lower tier covered transaction with a person who is debarred, suspended, declared ineligible, or voluntarily excluded from participation in this covered transaction, unless authorized by the department or agency entering into this transaction.
7. The prospective primary participant further agrees by submitting this form that it will include the clause titled "Certification Regarding Debarment, Suspension, Ineligibility and Voluntary Exclusion - Lower Tier Covered Transactions," provided by the department or agency entering into this covered transaction, without modification, in all lower tier covered transactions and in all solicitations for lower tier covered transactions.
8. A participant in a covered transaction may rely upon a certification of a prospective participant in a lower tier covered transaction that it is not debarred, suspended, ineligible, or voluntarily excluded from the covered transaction, unless it knows that the certification is erroneous. A participant may decide the method and frequency by which it determines the eligibility of its principals. Each participant may, but is not required to, check the Nonprocurement List.
9. Nothing contained in the foregoing shall be construed to require establishment of a system of records in order to render in good faith the certification required by this clause. The knowledge and information of a participant is not required to exceed that which is normally possessed by a prudent person in the ordinary course of business dealings.
10. Except for transactions authorized under paragraph 6 of these instructions, if a participant in a covered transaction knowingly enters into a lower tier covered transaction with a person who is suspended, debarred, ineligible, or voluntarily excluded from participation in this transaction, in addition to other remedies available to the Federal Government, the department or agency may terminate this transaction for cause or default.

U.S. DEPARTMENT OF AGRICULTURE

CERTIFICATION REGARDING
DRUG-FREE WORKPLACE REQUIREMENTS (GRANTS)
ALTERNATIVE I - FOR GRANTEEES OTHER THAN INDIVIDUALS

This certification is required by the regulations implementing Section 5151-5160 of the Drug-Free Workplace Act of 1988 (Pub. L. 100-690, Title V, Subtitle D: 41 U.S.C.701 et seq.), 7 CFR Part 3017. Subpart F, Section 3017.600, Purpose. The January 13, 1989, regulations were amended and published as Part 11 of the May 25, 1990 Federal Register (pages 21681-21691). Copies of the regulations may be obtained by contacting the Department of Agriculture agency offering the grant.

(BEFORE COMPLETING CERTIFICATION, READ INSTRUCTIONS ON PAGE 3)

Alternative I

- A. The grantee certifies that it will or will continue to provide a drug-free workplace by:
- (a) Publishing a statement notifying employees that the unlawful manufacture, distribution, dispensing, possession, or use of a controlled substance is prohibited in the grantee's workplace and specifying the actions that will be taken against employees for violation of such prohibition;
 - (b) Establishing an ongoing drug-free awareness program to inform employees about -
 - (1) The dangers of drug abuse in the workplace;
 - (2) The grantee's policy of maintaining a drug-free workplace;
 - (3) Any available drug counseling, rehabilitation, and employee assistance programs; and
 - (4) The penalties that may be imposed upon employees for drug abuse violations occurring in the workplace.
 - (c) Making it a requirement that each employee to be engaged in the performance of the grant be given a copy of the statement required by paragraph (a);
 - (d) Notifying the employee in the statement required by paragraph (a) that, as a condition of employment under the grant, the employee will -
 - (1) Abide by the terms of the statement; and
 - (2) Notify the employer in writing of his or her conviction for a violation of a criminal drug statute occurring in the workplace no later than five calendar days after such conviction;
 - (e) Notifying the agency in writing, within ten calendar days after receiving notice under subparagraph (d)(2) from an employee or otherwise receiving actual notice of such conviction. Employers of convicted employees must provide notice, including position

title, to every grant officer on whose grant activity the convicted employee was working, unless the Federal agency has designated a central point for the receipt of such notices. Notice shall include the identification number(s) of each affected grant;

(f) Taking one of the following actions, within 30 calendar days of receiving notice under subparagraph (d)(2), with respect to any employee who is so convicted -

(1) Taking appropriate personnel action against such an employee, up to and including termination, consistent with the requirements of the Rehabilitation Act of 1973, as amended; or

(2) Requiring such employee to participate satisfactorily in a drug abuse assistance or rehabilitation program approved for such purposes by a Federal, State, or, local health, law enforcement, or other appropriate agency;

(g) Making a good faith effort to continue to maintain a drug-free workplace through implementation of paragraphs (a), (b), (c), (d), (e), and (f).

B. The grantee may insert in the space provided below the site(s) for the performance of work done in connection with the specific grant:

Place of Performance (Street address, city, county, State, zip code)

Bragg Estates Subdivision - Spring Lake, NC 28390
Cumberland County

Check ☐ If there are workplaces on file that are not identified here.

Bragg Estates Water & Sewer District
Organization Name

Wastewater Collection System
Award Number or Project Name

Marshall Faircloth, Vice Chairman
Name and Title of Authorized Representative

Signature

12-15-2014
Date

INSTRUCTIONS FOR CERTIFICATION

1. By signing and submitting this form, the grantee is providing the certification set out on pages 1 and 2.
2. The certification set out on pages 1 and 2 is a material representation of fact upon which reliance is placed when the agency awards the grant. If it is later determined that the grantee knowingly rendered a false certification, or otherwise violates the requirements of the Drug-Free Workplace Act, the agency, in addition to any other remedies available to the Federal Government, may take action authorized under the Drug-Free Workplace Act.
3. Workplaces under grants, for grantees other than individuals, need not be identified on the certification. If known, they may be identified in the grant application. If the grantee does not identify the workplaces at the time of application, or upon award, if there is no application, the grantee must keep the identity of the workplace(s) on file in its office and make the information available for Federal inspection. Failure to identify all known workplaces constitutes a violation of the grantee's drug-free workplace - requirements.
4. Workplace identifications must include the actual address of buildings (or parts of buildings) or other sites where work under the grant takes place. Categorical descriptions may be used (e.g., all vehicles of a mass transit authority or State highway department while in operation, State employees in each local unemployment office, performers in concert halls or radio studios).
5. If the workplace identified to the agency changes during the performance of the grant, the grantee shall inform the agency of the change(s). If it previously identified the workplaces in question (see paragraph three).
6. Definitions of terms in the Nonprocurement Suspension and Debarment common rule and Drug-Free Workplace common rule apply to this certification. Grantees' attention is called, in particular, to the following definitions from these rules:

"Controlled substance" means a controlled substance in Schedules I through V of the Controlled Substances Act (21 U.S.C. 812) and as further defined by regulation (21 CFR 1308.11 through 1308.15);

"Conviction" means a finding of guilt (including a plea of nolo contendere) or imposition of sentence, or both, by any judicial body charged with the responsibility to determine violations of the Federal or States criminal drug statutes;

"Criminal drug statute" means a Federal or non-Federal criminal statute involving the manufacture, distribution, dispensing, use, or possession of any controlled substance;

"Employee" means the employee of a grantee directly engaged in the performance of work under a grant, including: (i) all "direct charge" employees; (ii) all "indirect charge" employees unless their impact or involvement is insignificant to the performance of the grant; and, (iii) temporary personnel and consultants who are directly engaged in the performance of work under the grant and who are on the grantee's payroll. This definition does not include workers not on the payroll of the grantee (e.g. volunteers, even if used to meet a matching requirement; consultants or independent contractors not on the grantee's payroll; or employees of subrecipients or subcontractors in covered workplaces)

UNITED STATES DEPARTMENT OF AGRICULTURE
RURAL DEVELOPMENT

APPLICANT CERTIFICATION
FEDERAL COLLECTION POLICIES FOR CONSUMER OR COMMERCIAL DEBTS

The Federal Government is authorized to check credit information about the applicant(s) including using the federal Credit Alert Interactive Voice Response System (CAIVRS) or its successors to check to see if the applicant(s) are delinquent or in default on a Federal debt.

The Federal Government is also authorized by law to take any or all of the following actions in the event your loan payments become delinquent or you default on your loan:

- Report your name and account information to a credit reporting agency, and the Credit Alert Interactive Voice Response System (CAIVRS).
- Assess interest and penalty charges for the period of time that payment is not made.
- Assess charges to cover additional administrative costs incurred by the government to service your account.
- Offset amounts to be paid to you from your Federal income tax refund.
- Offset amounts to be paid to you under other Federal Programs.
- Refer your account to a private collection agency to collect the amount due.
- Foreclose on any security you have given for the loan.
- Pursue legal action to collect through the courts.
- Report any written off debt to the Internal Revenue Service as taxable income.
- If you are a current or retired Federal employee, take action to offset your salary, or civil service retirement benefits.
- Debar or suspend you from doing business with the Federal Government either as a participant or principal throughout the executive branch of the Federal Government for the period of debarment or suspension.
- Refer any debt that is delinquent to the Treasury Offset Program (TOP) in accordance with the Debt Collection Improvement Act of 1996.
- Refer any eligible debt that is delinquent to the Treasury for cross servicing in accordance with the Debt Collection Improvement Act of 1996.
- Garnish your wages as allowed by the Debt Collection Improvement Act of 1996.

Any or all of these actions may be used to recover any debts owed when it is determined to be in the interest of the Government to do so.

CERTIFICATION: I/we have read and I/we understand the actions the Federal Government may take in the event that I/we fail to meet my/our scheduled payments in accordance with the terms and conditions of my/our agreement. I/we understand that the above list is not all inclusive and that the Federal Government may deem additional actions necessary to collect should I/we become delinquent.

_____ (Signature-Individual(s))	_____ (Date)	_____ (Signature-Individual(s))	_____ (Date)
-----		-----	
(SEAL)	12-15-2014 (Date)	Bragg Estates Water & Sewer District	(Name of Applicant)
		_____ (Signature of Authorized Entity Official)	
		Marshall Faircloth, Vice Chairman	
		(Title of Authorized Entity Official)	
		P O Box 1829	
		(Address)	
		Fayetteville, NC 28301-	
		(City, State, and Zip Code)	
ATTEST:			
_____ (Signature of Attesting Official)			
Candice White, Clerk to the Board			
(Title of Attesting Official)			

CERTIFICATION FOR CONTRACTS, GRANTS AND LOANS

The undersigned certifies, to the best of his or her knowledge and belief, that:

1. No Federal appropriated funds have been paid or will be paid, by or on behalf of the undersigned, to any person for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with the awarding of any Federal contract, the making of any Federal grant or Federal loan, and the extension, continuation, renewal, amendment, or modification of any Federal contract, grant or loan.

2. If any funds other than Federal appropriated funds have been paid or will be paid to any person for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with this Federal contract, grant or loan, the undersigned shall complete and submit Standard Form - LLL, "Disclosure of Lobbying Activities," in accordance with its instructions.

3. The undersigned shall require that the language of this certification be included in the award documents for all subawards at all tiers (including contracts, subcontracts, and subgrants under grants and loans) and that all subrecipients shall certify and disclose accordingly.

This certification is a material representation of fact upon which reliance was placed when this transaction was made or entered into. Submission of this certification is a prerequisite for making or entering into this transaction imposed by section 1352, title 31, U.S. Code. Any person who fails to file the required certification shall be subject to a civil penalty of not less than \$10,000 and not more than \$100,000 for each such failure.

Bragg Estates Water and Sewer District

(name)

12-15-2014

(date)

,Marshall Faircloth

Vice Chairman
Board of Commissioners

000

AMY H. CANNON
County Manager

JAMES E. LAWSON
Deputy County Manager



CUMBERLAND
★ **COUNTY** ★
NORTH CAROLINA


MELISSA C. CARDINALI
Assistant County Manager

ITEM NO. 2B(1)

OFFICE OF THE COUNTY MANAGER

MEMORANDUM FOR BOARD OF COMMISSIONERS AGENDA OF DECEMBER 15, 2014

TO: BOARD OF COUNTY COMMISSIONERS

FROM: AMY H. CANNON, COUNTY MANAGER 

DATE: DECEMBER 11, 2014

SUBJECT: DISPOSITION OF COUNTY ADMINISTRATION RECORDS

BACKGROUND

In accordance with the current County Management Records Retention and Disposition Schedule issued by the North Carolina Division of Archives and History and adopted by the Board of Commissioners at its May 6, 2013 meeting, authorization is requested to destroy County Administration records as recorded below:

Standard 1 - 2011 County Administration Correspondence & Memoranda – Item #18

RECOMMENDATION / PROPOSED ACTION

Approve destruction of the records as noted above.

/ct

CM121114-3

KENNETH S. EDGE
Chairman

W. MARSHALL FAIRCLOTH
Vice-Chairman

GLENN B. ADAMS
JEANNETTE M. COUNCIL
CHARLES E. EVANS
JIMMY KEEFE
LARRY L. LANCASTER



CUMBERLAND
COUNTY
NORTH CAROLINA

CANDICE WHITE
Clerk to the Board

KELLIE BEAM
Deputy Clerk

ITEM NO. 23(2)

BOARD OF COMMISSIONERS

MEMORANDUM BOARD OF COMMISSIONERS' AGENDA OF DECEMBER 15, 2014

TO: BOARD OF COUNTY COMMISSIONERS

FROM: CANDICE H. WHITE, CLERK TO THE BOARD *ew*

DATE: DECEMBER 9, 2014

SUBJECT: DESTRUCTION OF GOVERNING BODY DEPARTMENT RECORDS

BACKGROUND:

In accordance with the County Management Records Retention and Disposition Schedule issued by the North Carolina Department of Cultural Resources, Division of Archives and Records, State Archives of North Carolina, Government Records Section on April 13, 2013 and pursuant to the Board of Commissioners adoption of the County Management Records Retention and Disposition Schedule at its May 6, 2013 meeting, authorization is requested to destroy Governing Body Department records as recorded below.

COMMISSIONERS' AGENDA AND MEETING PACKETS RECORD SERIES – 2010

Per Standard 1-Administration and Management Records – Item #2:

Destroy in office when administrative value ends.

CORRESPONDENCE AND MEMORANDA RECORD SERIES - 2010

Per Standard 1-Administration and Management Records – Item #18:

Destroy in office when administrative value ends. Destroy in office
remaining records after 3 years.

RECOMMENDATION/PROPOSED ACTION:

Approve destruction of the record series as noted above and instruct the Clerk to the Board to include the same in the minutes of the December 15, 2014 Board of Commissioners' meeting.



CUMBERLAND
★ **COUNTY** ★
NORTH CAROLINA

DEPARTMENT OF PUBLIC HEALTH

MEMORANDUM FOR CONSENT AGENDA – DECEMBER 15, 2014 BOARD OF COUNTY COMMISSIONERS MEETING

TO: Board of County Commissioners

THROUGH: James Lawson, Deputy County Manager

FROM: Buck Wilson, Public Health Director *BW*

DATE: December 4, 2014

SUBJECT: Consent Item for Agenda – December 15, 2014:
Approval of Delinquent Accounts to Be Written Off and Turned
Over to the N.C. Debt Set-Off Program

BACKGROUND

At the Board of Health meeting on November 18, 2014 the Board approved writing off a total of \$16,651.98 as bad debts. The bad debt accounts with balances of \$50.00 or higher, will be processed through the North Carolina Debt Set-Off Program, which can attach a debtor's State Income Tax refund for payment of bad debts. The accounts with balances under \$50.00 will continue to be worked for collection through our in-house collection efforts. This write-off of bad debts is in compliance with the Board of Health's recommendation to write-off bad debts every quarter.

RECOMMENDATION/PROPOSED ACTION

Approve write off of \$16,651.98 bad debts to the North Carolina Debt Set-Off Program.

cc: Candice York, CCDPH Finance Officer
File

/tlb

Attachment (1)

**CUMBERLAND COUNTY DEPARTMENT
OF PUBLIC HEALTH
DELINQUENT ACCOUNTS TO BE TURNED OVER FOR COLLECTION
BAD DEBT WRITE OFF #41
November 18, 2014**

PROGRAM	AMOUNT
ADULT HEALTH	\$8,959.68
BCCCP	\$74.24
CHILD HEALTH	\$2,262.60
DENTAL	\$930.78
EXPRESS CARE	\$1,038.59
FAMILY PLANNING	\$660.41
MATERNITY	\$2,725.68
TOTAL	\$16,651.98

**All bad debt accounts with balances of \$50.00 or higher, will be sent to the North
Carolina Debt Set-Off Program, which can attach a debtor's State Income
Tax Refund for payment of bad debts.**

The above accounts are 90 days old or older as of 9/30/2014

Patricia Hall,
Chair
Town of Hope Mills

Charles C. Morris,
Vice-Chair
Town of Linden

Garland C. Hostetter,
Town of Spring Lake
Harvey Cain, Jr.,
Town of Stedman

Donovan McLaurin
Wade, Falcon & Godwin



CUMBERLAND
★ **COUNTY** ★
NORTH CAROLINA

Planning & Inspections Department

Thomas J. Lloyd,
Director

Cecil P. Combs,
Deputy Director

Vikki Andrews,
Diane Wheatley,
Carl Manning,
Walter Clark,
Cumberland County

Benny Pearce,
Town of Eastover

December 10, 2014

ITEM NO.

2D

MEMORANDUM

To: Cumberland County Board of Commissioners
Thru: Tom Lloyd, Director Planning & Inspection Department
From: Cecil P. Combs, Deputy Director Planning & Inspection Department
Re: County Owned Property (4900 Panda Street, Hope Mills, NC)

The above referenced property is currently owned by the County of Cumberland and has been inspected by code enforcement staff and determined to be uninhabitable. A concerted effort by this department to address similar issues in this area has precipitated this action in order that enforcement is fair and equitable in our clean-up efforts. This action would help ensure and protect the health, safety and welfare of the citizens of Cumberland County.

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

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

BACKGROUND: That the following is a report on case number BI-2014-001


Property Owner: Cumberland County

Property Address: 4900 Panda Street, Hope Mills, NC (single wide manufactured home and accessory structure)

Tax Parcel Identification Number: 0413-45-4990

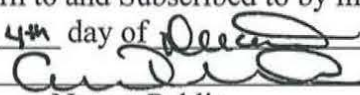
SYNOPSIS: This property was inspected on **June 30, 2014**. The structures are presently vacant and unsecure. In their present state, these structures constitute a fire, health, and safety hazard. The estimated cost to repair these structures to a minimum standard for human habitation is \$51,450. The Assessor for Cumberland County has these structures presently valued at \$500.00 for salvageable materials. Attached is a map depicting the location of the property. (See Exhibit B.)

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



Affiant
Housing Inspector/County of Cumberland

Sworn to and Subscribed to by me this
the 4th day of December 2014.



Notary Public

My Commission Expires: 11/06/2019



REPORT OF BUILDING INSPECTION
CASE # BI-2014-001

DATE OF INSPECTION: June 30, 2014

PROPERTY LOCATION: 4900 Panda St, Hope Mills, NC 28348

OWNER/AGENT: Cumberland County, PO Box 449, Fayetteville, NC 28302

OCCUPANT: Vacant

PARCEL ID. NO. 0413-45-4990

BUILDING USE:	<u>Residential</u>
BUILDING CLASSIFICATION:	<u>Residential</u>
ZONING CLASSIFICATION:	<u>RR</u>

APPRAISED TAX VALUE: (STRUCTURE: \$0.00)

APPRAISAL DATE: 01/01/2003

DOES DAMAGE OR DETERIORATION OF THE STRUCTURE EXCEEDS 50% OF ITS PHYSICAL VALUE YES

DOES STRUCTURE CONFORM WITH ZONING REGULATIONS? YES

ITEMS DETERMINED TO BE UNSAFE BY INSPECTOR:

A county owned single wide manufactured home and one accessory structure that is vacant, unsecure, collapsing and overgrown with vegetation creating a fire, health and safety hazard in a residential neighborhood.

Inspection Certified by Building Inspector: _____



TAX PARCEL IDENTIFICATION NUMBER: 0413-45-4990

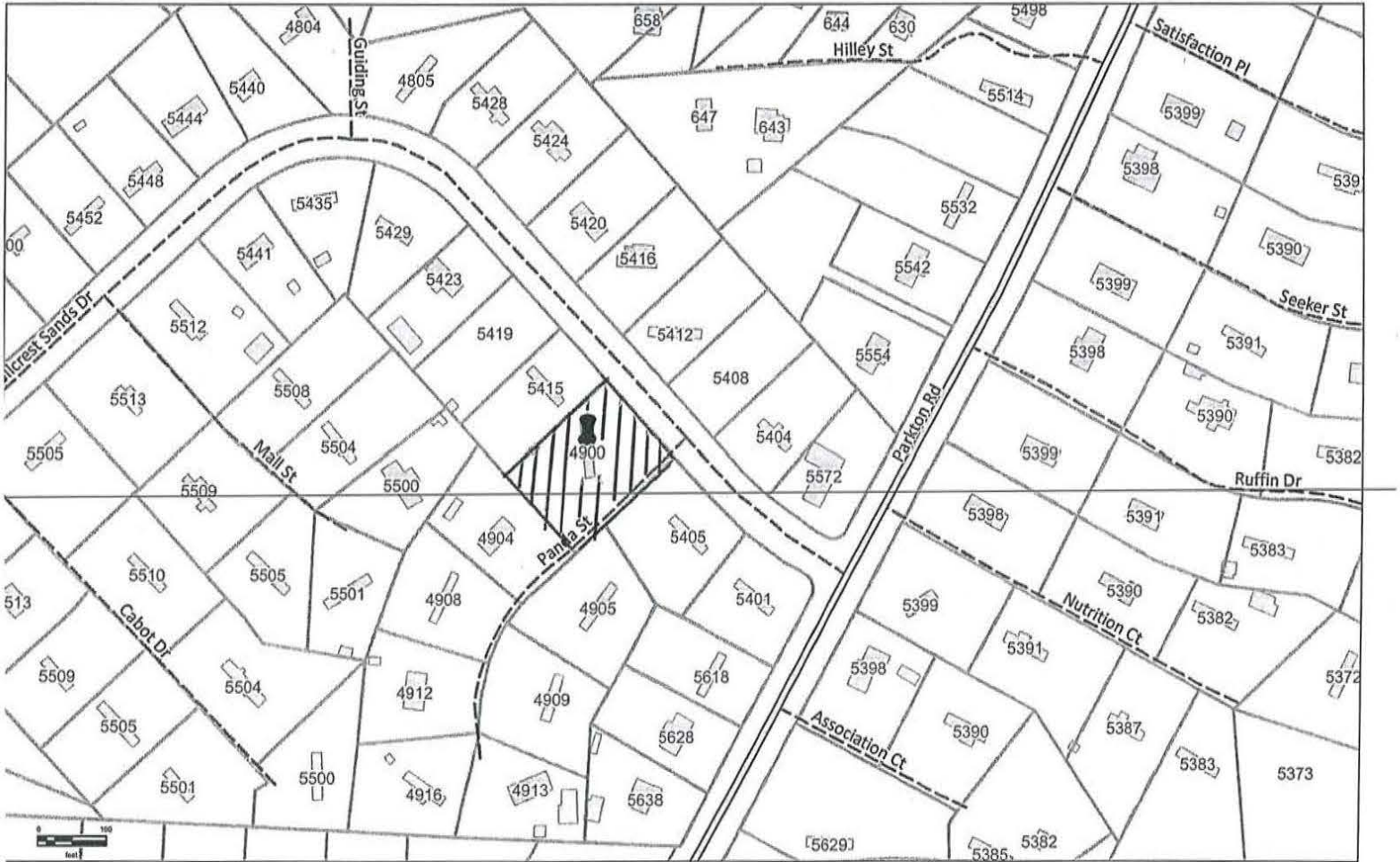


EXHIBIT B



ITEM NO. 2E

**CUMBERLAND
★ COUNTY ★
NORTH CAROLINA**

OFFICE OF THE RISK MANAGER

MEMORANDUM

TO: BOARD OF COUNTY COMMISSIONERS

FROM: PATRICIA LUCAS, RISK MANAGEMENT COORDINATOR *PL*

DATE: December 10, 2014

SUBJECT: CONSENT ITEM – CONSIDERATION OF DECLARATION OF SURPLUS COUNTY PROPERTY AND AUTHORIZATION TO ACCEPT INSURANCE SETTLEMENT

BACKGROUND

DATE OF ACCIDENT: October 15, 2014

VEHICLE: 2008 Ford Crown Victoria

VIN: 2FAHP71V78X145041

FLEET#: FL200

DEPARTMENT: Sheriff's Office

SETTLEMENT OFFER: \$5,919.70 (\$5,733.52 + \$186.18 for decals)

INSURANCE COMPANY: Travelers Property Casualty Company

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 \$5,919.70 as settlement
3. allow Travelers Property Casualty Company to take possession of the wrecked (surplus) vehicle



Sarah Citek

Claim Representative
Travelers
Total Loss Unit, Albany, NY
(800) 662-2310 Ext 6261
(855) 852-8510 (fax)
scitek@travelers.com

P.O. Box 220
Buffalo, NY 14240

December 8, 2014

Ms. Patsy Lucas
Cumberland County
PO Box 1829
Fayetteville, NC 28302

Re: Claim #: EYB7643-001
Date of Loss: 10/15/14
Vehicle: 2008 Ford Crown Victoria
Mileage: 152,000

Dear Ms. Lucas,

A recent inspection of your damaged vehicle by a Travelers claim representative confirmed the vehicle is a total loss. Travelers is dedicated to guiding you through the total loss process, ensuring everything moves as smoothly as possible.

After considering all of your vehicle's options, mileage and general condition, in accordance with North Carolina State Insurance Department Regulation 64, Section 216.7 © (iii), we have determined the actual cash value (ACV) to be as follows:

ACV	\$ 6,484.00
Added Sales Tax	\$ 194.52
Added Title Fee	\$ 55.00
Less Deductible	\$ 1,000.00
Settlement	\$ 5,733.52

We will also be reimbursing you for \$186.18 on top of the settlement for the cost to install decals on the vehicle per a 10% depreciation per year schedule.

There are several items we will need to ensure the fastest resolution of your claim:

Vehicle Title: Sign the original Certificate of Title on the back under section 1 (seller's signature) exactly as the name/names appear on the front. Please do not complete any other information as it may void your title.

Keys: Forward all sets of keys you have in your possession.

License Plates: If you are not transferring the vehicle's license plates to a replacement vehicle, remove the plates and return them to the Department of Motor Vehicles. It is important to do this immediately.

Agent: Please also contact your agent to have the vehicle removed from your policy.

Storage: We understand your vehicle is located at a storage free facility. You should not consider moving the vehicle without first contacting Travelers. If you choose to move your vehicle and incur charges as a result, Travelers will not be responsible for storage charges accrued after December 8, 2014.

Thank you for placing your trust in Travelers. We know experiencing damage to your vehicle is difficult, which is why we work hard on each and every claim we handle. Do not hesitate to call me if you have any further questions at (800)662-2310 x 6261.

Sincerely,

Sarah Citek
Claims Professional

STATE OF NORTH CAROLINA

MVR 191 (Rev 05/07)

CERTIFICATE OF TITLE

VEHICLE IDENTIFICATION NUMBER

YEAR MODEL

MAKE

BODY STYLE

2FAHP71V78X145041

2008

FORD

4S

TITLE NUMBER

TITLE ISSUE DATE

PREVIOUS TITLE NUMBER

775191080463915

02/19/2008



MAIL TO
COUNTY OF CUMBERLAND
PO BOX 1829
FAYETTEVILLE NC 28302-1829

ODOMETER READING

000005

ODOMETER STATUS

TITLE BRANDS

OWNER(S) NAME AND ADDRESS

COUNTY OF CUMBERLAND
131 DICK ST SHERIFFS OFFICE
FAYETTEVILLE NC 28301-5725



The Commissioner of Motor Vehicles of the State of North Carolina hereby certifies that an application for a certificate of title for the herein described vehicle has been filed pursuant to the General Statutes of North Carolina and based on that application, the Division of Motor Vehicles is satisfied that the applicant is the lawful owner. Official records of the Division of Motor Vehicles reflect vehicle is subject to the liens, if any, herein enumerated at the date of issuance of this certificate.

As WITNESS, his hand and seal of this Division of the day and year appearing in this certificate as the title issue date.

William C. Gore Jr.
COMMISSIONER OF MOTOR VEHICLES

FIRST LIENHOLDER:

DATE OF LIEN

LIEN RELEASED BY:

SIGNATURE

TITLE

DATE

SECOND LIENHOLDER:

DATE OF LIEN

LIEN RELEASED BY:

SIGNATURE

TITLE

DATE

THIRD LIENHOLDER:

DATE OF LIEN

LIEN RELEASED BY:

SIGNATURE

TITLE

DATE

FOURTH LIENHOLDER:

DATE OF LIEN

LIEN RELEASED BY:

SIGNATURE

TITLE

DATE

ADDITIONAL LIENS:

77368301

915 T1M0BF3

ANY ALTERATIONS OR ERASURES VOID TITLE



ITEM NO. 2F

CUMBERLAND COUNTY

Thelma S. Matthews
Purchasing Manager
910.678.7743

*Finance Office
Purchasing Division*

Debbie H. Miller
Buyer
910.678.7746

MEMORANDUM FOR BOARD OF COMMISSIONERS AGENDA OF DECEMBER 15, 2015

TO: BOARD OF COMMISSIONERS

THRU: MELISSA CARDINALI, ASSISTANT COUNTY MANAGER

FROM: THELMA S. MATTHEWS, PURCHASING MANAGER *THM*

SUBJECT: TELEPHONE INFRASTRUCTURE PROJECT FOR DSS

BACKGROUND

Request for proposals for Networking Equipment for phone system infrastructure at the Department of Social Services were received by Purchasing on December 4, 2014. Four complete proposals were received with Internetwork Engineering being the lowest.

RECOMMENATION/PROPOSES ACTIONS

Information Services has reviewed the proposal and agree the proposal meets all specifications. It is my recommendation to put this item on the agenda for approval at the December 15, 2014 meeting.



County of Cumberland
INFORMATION SERVICES DEPARTMENT

Memo

TO: Melissa Cardinali
Assistant County Manager

FROM: Betty M. Clark
Information Services Director *BMC*

DATE: December 10, 2014

SUBJ: Telephone Infrastructure Project for DSS

BACKGROUND:

The Information Services Department issued a Request for Proposal (RFP) for Networking Equipment for the phone system infrastructure for DSS. This will complete phase II to update the telecommunication for the entire county that is part of the counties strategic plan.

The County received four (4) responses with Internetwork Engineering submitted to lowest bid.

RECOMMENATION / PROPOSES ACTIONS:

Recommend to accept the bid from Internetwork Engineering Inc. The Information Services Department has reviewed the bid, and agrees that the bid meets all the specifications of the Request for Proposal (RFP).

ORDINANCE ASSESSING PROPERTY FOR THE COSTS
OF DEMOLITION OF A STRUCTURE PURSUANT TO
THE MINIMUM HOUSING CODE OF CUMBERLAND COUNTY
CASE NUMBER: MH 431-2013
PROPERTY OWNER: Henry & Rena M. McMillian

WHEREAS, the Board of County Commissioners of Cumberland County, North Carolina, on March 17, 2014, enacted an ordinance directing the demolition by the owner of the structure Henry & Rena M. McMillian, located at 3397 & 3417 Departure Lane, Eastover, NC, PIN: 0469-73-6015, said ordinance being recorded in Book 9399, page 0885, 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 \$4,600.00.
- (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 \$4,600.00, 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 17, 2014, and in Section 153A-372 of the General Statutes of North Carolina, the amount of the foregoing assessment be, and hereby does constitute, a lien against the real property upon which such costs were incurred, such property being more particularly described as follows:

The structure and premises located at 3397 & 3417 Departure Lane, Eastover, NC, as described in Deed Book 883, page 555, of the Cumberland County Registry and identified in County tax records as PIN 0469-73-6015.

(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.

* * * * *

I certify that the foregoing Ordinance was adopted and ordered by the Board of Commissioners of Cumberland County, North Carolina, this 15th day of December, 2014, at 6:45 p.m. o'clock.

Cumberland County Clerk

AMY H. CANNON
County Manager

JAMES E. LAWSON
Deputy County Manager



MELISSA C. CARDINALI
Assistant County Manager



ITEM NO. 24

OFFICE OF THE COUNTY MANAGER

MEMORANDUM FOR BOARD OF COMMISSIONERS AGENDA OF DECEMBER 15, 2014

TO: BOARD OF COUNTY COMMISSIONERS

FROM: AMY H. CANNON, COUNTY MANAGER

DATE: DECEMBER 10, 2014

SUBJECT: APPROVAL OF THE CUMBERLAND COUNTY FACILITIES COMMITTEE REPORT AND RECOMMENDATION(S)

BACKGROUND

The Cumberland County Facilities Committee met on Thursday, December 4, 2014 and discussed the following agenda:

- 1) Request to Install LED Sign for Public Health Center
- 2) Lease Renewal for North Carolina Department of Agriculture and Consumer Services for Office Space Located in the Charlie Rose Ag-Expo Center
- 3) Land Purchases for Overhills Sewer Project
(Item included in Overhills Park Water & Sewer Agenda)

Separate memos for items 1 & 2 are attached and the draft minutes of the Cumberland County Facilities Committee are attached for your convenience. A memo for Item 3 is included as part of the separate agenda for the Overhills Park Water & Sewer District meeting, which is also scheduled for December 15, 2014.

RECOMMENDATION/PROPOSED ACTION

Accept the Cumberland County Facilities Committee report and recommendation(s).

/ct

Attachments
CM121014-4

DRAFT

CUMBERLAND COUNTY FACILITIES COMMITTEE
COURTHOUSE, 117 DICK STREET, 5TH FLOOR, ROOM 564
DECEMBER 4, 2014 - 8:30 A.M.
MINUTES

MEMBERS PRESENT: Commissioner Charles Evans
Commissioner Kenneth Edge

OTHER COMMISSIONERS

PRESENT: Commissioner Glenn Adams
Commissioner Larry Lancaster

OTHERS PRESENT: Amy Cannon, County Manager
James Lawson, Deputy County Manager
Melissa Cardinali, Assistant County Manager for Finance /
Administrative Services
Sally Shutt, Governmental Affairs Officer
Jeffery Brown, Engineering and Infrastructure Director
Vicki Evans, Finance Accounting Manager
Buck Wilson, Public Health Director
Rod Jenkins, Deputy Health Director
Candice White, Clerk to the Board
Kellie Beam, Deputy Clerk to the Board
Press

Commissioner Kenneth Edge called the meeting to order.

1. APPROVAL OF MINUTES – NOVEMBER 6, 2014 REGULAR MEETING

MOTION: Commissioner Edge moved to approve the minutes.
SECOND: Commissioner Evans
VOTE: UNANIMOUS (2-0)

2. CONSIDERATION OF APPROVAL OF REQUEST TO INSTALL LED SIGN
FOR PUBLIC HEALTH CENTER

BACKGROUND:

State money is available to purchase an LED sign for the Public Health Center. There is no required County match for the cost of the sign. If the County approves the LED sign, the next step will be to request approval from the City of Fayetteville. The project needs approval from Cumberland County and the City of Fayetteville to be completed.

The Cumberland County Department of Public Health has an opportunity to purchase an LED sign for the community. The purchase of this sign will be funded entirely with state

DRAFT

dollars (cost not to exceed \$54,000). This will include delivery and set up of the sign. The proposed location of this sign is on Ramsey Street, approximately fifty (50) yards from Peace Street. The sign will stand sixteen (16) feet tall with the bottom of the sign ten (10) feet from the ground. The sign will have a decorative post with the Cumberland County logo. The sign will be easily seen by individuals traveling Ramsey Street in either direction. There will be two to four lines (full color) of information on the LED sign, as well as the permanent portion of the sign that says Cumberland County Public Health. It can be programmed via computer from within the Health Department building. Messages can be programmed up to a year in advance.

The sign will bring major awareness to the community about day-to-day Public Health, to include:

- Programs and projects
- Board of Health announcements
- Public Health laws
- Public Health website
- General hours of the Health Department
- Holiday schedule

The sign will provide a Public Health emergency and/or disaster notification, as well as general neighborhood emergency notifications to include:

- Disease outbreaks
- Contaminated areas – chemicals
- Flood zones – well contamination
- Weather alerts
- Shelter information – locations
- Natural disasters
- Amber and silver alerts
- Other

The messages on the sign will be 24 hours a day, 7 days a week. Tens of thousands of citizens of Cumberland County will travel past the sign every day. The cost of this coverage with other media outlets would be astronomical and unaffordable.

Benefits of the sign include:

- A healthier and safer community
- Potential for more revenue for the Health Department

RECOMMENDATION/PROPOSED ACTION:

Approve the installation of an LED sign for the Public Health Center located at 1235 Ramsey Street and forward to the Board of Commissioners for its consideration at their December 15, 2014 meeting. In addition, since this is new money, a budget revision will need to be approved.

DRAFT

Buck Wilson, Public Health Director, reviewed the background information and recommendation recorded above and responded to questions. Mr. Wilson stated the State grant funds of \$54,000 are required to be spent by January 2015 or will need to be sent back to the State.

Jeffery Brown, Engineering and Infrastructure Director, stated the City of Fayetteville will require three permits which include: a sign permit, a building permit for the footing design and an electrical permit for the electrical work. Mr. Brown stated there is now a governmental exemption for signs in the Unified Development Ordinance (UDO) which will allow the County to move forward with the installation of an LED sign without having to go to the Board of Adjustment for a variance on the location and height of the LED sign.

MOTION: Commissioner Evans moved to recommend to the full board approval of the installation of an LED sign for the Public Health Center located at 1235 Ramsey Street.
SECOND: Commissioner Edge
VOTE: UNANIMOUS (2-0)

3. CONSIDERATION OF APPROVAL OF LEASE RENEWAL FOR NC DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES FOR OFFICE SPACE LOCATED IN THE CHARLIE ROSE AG-EXPO CENTER

BACKGROUND:

The North Carolina Department of Agriculture (NCDA) and Consumer Services currently leases 368 square feet of office space located within the Charlie Rose Ag-Expo Center from Cumberland County at a rate of \$12/SF. This existing lease is a three year lease which is set to expire on December 31, 2014.

County staff reached out to representatives from NCDA to see if they were interested in renewing the lease. County staff was later notified that NCDA was indeed interested in continuing to lease the space that they are currently occupying. NCDA representatives were then informed that their present lease rate of \$12/SF was no longer in line with the County's current lease rate, as two leases had been renewed earlier in the year with a lease rate of \$15/SF where the County provides janitorial services and utilities. NCDA representatives communicated back to County staff that they were in agreement with the increased lease rate and to move forward with renewing the lease.

No other changes to the lease other than the lease rate are being recommended at this time.

RECOMMENDATION/PROPOSED ACTION:

The Engineering and Infrastructure Director and County Management recommend that the Facilities Committee vote to approve the lease rate of \$15/SF for a period of three

DRAFT

years and recommend to the Board of Commissioners to approve the lease renewal following the approval of the County Attorney.

Mr. Brown reviewed the background information and recommendation recorded above.

MOTION: Commissioner Edge moved to recommend to the full board approval of the lease renewal for NC Department of Agriculture and Consumer Services for office space located in the Charlie Rose Ag-Expo Center following the approval of the County Attorney at a lease rate of \$15/SF for a period of three years.

SECOND: Commissioner Evans

VOTE: UNANIMOUS (2-0)

4. CONSIDERATION OF APPROVAL OF LAND PURCHASES FOR OVERHILLS SEWER PROJECT

BACKGROUND:

On April 14, 2014 in a called special meeting the Board of Commissioners acting as the Overhills Park Water and Sewer District governing board approved the letter of conditions presented by USDA Rural Development for a loan and grant in the amount of \$3,322,000 for the construction of a much needed sewer system within the Overhills Park Subdivision. In order to construct the sewer system as designed the County must purchase two vacant lots that are currently owned by W.S. Wellons Corporation of Spring Lake. One lot is located at 3004 Collingwood Street and the other lot is located at 2410 Brinkley Drive.

County staff reached out to Mr. Billy Wellons several months ago about the need to purchase the two vacant lots for the construction of the sewer project. After several conversations, it was determined that an appraisal needed to be completed for each of the lots. Therefore, the County obtained the services of Roger Holmes to complete the requested appraisals. Mr. Holmes concluded that each lot currently has a value of \$2,500. Mr. Wellons was provided the appraisals with an offer to purchase each lot at the appraised value. After reviewing the appraisals Mr. Wellons felt that the value assigned to each lot was too low and that he in turn wanted to provide an in depth review on his own. After a few weeks, Mr. Wellons contacted County staff and offered to sell the lot on Collingwood Street for \$4,000 and offered to sell the lot on Brinkley Drive for a price of \$5,000 as is or for \$4,000 if he removed the trees prior to selling the lot.

The acquisition of these lots is critical for the construction of the proposed sewer project. The lot on Collingwood Street is needed for a lift station that will pump the collected

DRAFT

wastewater on the north side of Manchester Road back to the south side into a proposed gravity line. The gravity sewer system on the south side of Manchester Road will cross the lot on Brinkley Drive to a dedicated easement owned by the Town of Spring Lake where the second lift station will be constructed. The cost of trying to redesign the system will far outweigh the additional cost above the appraised value of the lots. Not to mention, land still will need to be acquired and the majority of the vacant lots within the subdivision are owned by W. S. Wellons Corporation. USDA Rural Development has established milestone dates for the County to meet in order to still qualify for the loan and grant money that has been offered. The Board has the power of eminent domain; however the time necessary to complete this process could jeopardize the funding that has been allocated for the project. Again, the cost of this process would exceed the additional cost above the appraised value.

As previously stated, the lot on Brinkley Drive will be utilized to access the dedicated easement where the lift station is to be constructed. If the option were selected to purchase the lot for \$4,000, then the County would most likely have to spend additional money during construction to re-establish some sort of vegetation on the lot. So with that said, it would be more beneficial for the County to purchase this lot for the asking price of \$5,000 and utilize the existing trees as a buffer between the adjacent lots.

RECOMMENDATION/PROPOSED ACTION:

The Engineering and Infrastructure Director along with County Management recommend that the Facilities Committee approve the purchase of the lot on Collingwood Street for the asking price of \$4,000 and to approve the purchase of the lot on Brinkley Drive for the asking price of \$5,000 and forward this to the Board of Commissioners for its consideration at their December 15, 2014 meeting.

Jeffery Brown, Engineering and Infrastructure Director, reviewed the background information and recommendation as recorded above. Mr. Brown stated it he County purchases the lots as recommended above he would like to bid the project out in February or March of 2015 and begin construction in the spring of 2015.

Commissioner Adams asked if there was any counter offering done with Mr. Wellons. Mr. Brown stated the recommended purchase price listed above is the counter offer. Mr. Brown further stated he feels the County has done its due diligence in trying to get the purchase price of the lots as low as possible.

MOTION: Commissioner Evans moved to recommend to the Overhills Water Sewer District Governing Board approval of the purchase of the lot on Collingwood Street for the asking price of \$4,000 and approval of the purchase of the lot on Brinkley Drive for the asking price of \$5,000.

SECOND: Commissioner Edge

DRAFT

VOTE: UNANIMOUS (2-0)

5. OTHER ITEMS OF BUSINESS

Mr. Brown stated the County just received good news that the U.S. Department of Agriculture Rural Development (USDA) will fund the installation of a sewer system within the Bragg Estates Water and Sewer District, a neighborhood along Vass Road north of Spring Lake. Mr. Brown further stated the project is expected to cost approximately \$2 million and a USDA grant will cover up to \$1,453,000. Mr. Brown further explained the County will also receive a \$497,000 loan for the project and contribute \$50,000 of county funding.

Mr. Brown stated the USDA staff will be at the December 15th Board of Commissioners meeting to present the letter of conditions for review and approval. Mr. Brown stated this is a much needed project to be able to address ongoing sewer issues in a subdivision that really needs assistance.

MEETING ADJOURNED AT 8:58 AM.

AMY H. CANNON
County Manager

JAMES E. LAWSON
Deputy County Manager



MELISSA C. CARDINALI
Assistant County Manager

ITEM NO. 24(1)

OFFICE OF THE COUNTY MANAGER

MEMORANDUM FOR THE BOARD OF COMMISSIONERS AGENDA - DECEMBER 15, 2014

TO: BOARD OF COMMISSIONERS

FROM: JAMES LAWSON, DEPUTY COUNTY MANAGER 

DATE: DECEMBER 10, 2014

SUBJECT: INSTALLATION OF LED SIGN FOR PUBLIC HEALTH CENTER AND APPROVAL OF ASSOCIATED BUDGET REVISION (B15-171)

BACKGROUND

On December 4, 2014, the Facilities Committee approved a request from Public Health Director Buck Wilson to install an LED sign at the Public Health Center. State funding is available to fund the purchase and installation of the sign, with no required County match for the cost of the sign. The proposed location of the sign is on the Ramsey Street side of the building near Peace Street.

The attached information illustrates the design of the sign, and provides additional information about how the sign will benefit the community.

RECOMMENDATION

Approve the Facilities Committee recommendation to authorize the installation of an LED sign at the Public Health Center located at 1235 Ramsey Street, along with the associated budget revision, (B15-171).

Attachments

CM121014-3

**COUNTY OF CUMBERLAND
BUDGET REVISION REQUEST**

Budget Office Use	
Budget Revision No.	<u>815-171</u>
Date Received	<u>12/1/14</u>
Date Completed	

Fund No. 101 Agency No. 431 Organ. No. 4311

Organization Name: Immunization Clinic

REVENUE

Revenue Source Code	Description	Current Budget	Increase (Decrease)	Revised Budget
4109	NC Immunization	146,804	54,860	201,664
				-
				-
				-
				-
	Total	146,804	54,860	201,664

EXPENDITURES

Object Code	Appr Unit	Description	Current Budget	Increase (Decrease)	Revised Budget
3652	152	Capital Outlay- Signage	0	54,860	54,860
					-
					-
					-
					-
					-
					-
		Total	0	54,860	54,860

Justification:

Purchase a LED Sign to promote communication to citizens about Health related information and upcoming events.

Funding Source: State: 54,860 Federal: _____ Fund Balance: County: _____ New: _____ Other: _____
Other: _____ Fees: _____ Prior Year: _____

Submitted By: *Bob Incher* Date: 11.26.14
Department Head

Reviewed By: *Bob Incher* Date: 12/4/14
Finance

Reviewed By: _____ Date: _____
Finance Director

Reviewed By: *Melissa Cardinal* Date: 12.8.14
Assistant County Manager

Approved By:	
County Manager	Date: _____
Board of County Commissioners	Date: _____

The Cumberland County Department of Public Health has an opportunity to purchase an LED sign (message center) for the community. The purchase of this sign will be funded entirely with state dollars (Cost not to exceed \$54,000). This will include delivery and set-up of the sign. The proposed location of this sign is on Ramsey Street, approximately 50 yards from Peace St. The sign will stand 16 feet tall with the bottom of the sign 10 feet from the ground. The sign will have a decorative post with the Cumberland County logo. The sign will be easily seen by individuals traveling Ramsey Street in either direction. There will be two- to- four lines (full color) of information on the LED sign, as well as the permanent portion of the sign that says Cumberland County Public Health. It can be programmed via computer from within the Health Department building. Messages can be programmed up to a year in advance.

The sign will bring major awareness to the community about day-to-day Public Health, to include:

- Programs and projects (see Attachment A)
- Board of Health Announcements
- Public Health Laws
- Public Health Website
- General Hours of the Health Department
- Holiday Schedule

The sign will provide a Public Health emergency and/or disaster notification, as well as general neighborhood emergency notifications to include:

- Disease outbreaks (see Attachment B)
- Contaminated Areas – Chemicals
- Flood Zones – Well contamination
- Weather alerts
- Shelter Information – Locations
- Natural Disasters
- Amber and Silver Alerts
- Other

The messages on the sign will be 24 hours a day, 7 days a week. Tens of thousands of citizens of Cumberland will travel past the sign every day. The cost of this coverage with other media outlets would be astronomical and unaffordable. Benefits of the sign include:

- A Healthier and Safer Community
- Potential for more revenue for the Health Department

A horizontal line segment is shown with arrows at both ends. Above the segment, the text "8 ft" is written. Below the segment, there is a point. From the left end of the segment to this point, a dimension line is drawn with the label "18 in". From this point to the right end of the segment, another dimension line is drawn with the label "16 in".

PUBLIC HEALTH CENTER



PDF. To remove this line, buy a

[://www.software602.com/](http://www.software602.com/)



4 ft

14 in

34 in

1

1

161

10 ft



ITEM NO. 2H(2)

CUMBERLAND
★ **COUNTY** ★
NORTH CAROLINA

ENGINEERING & INFRASTRUCTURE DEPARTMENT

JEFFERY P. BROWN, PE
Engineering & Infrastructure Director

MEMORANDUM FOR BOARD OF COMMISSIONERS AGENDA OF DECEMBER 15, 2014

TO: BOARD OF COUNTY COMMISSIONERS

FROM: JEFFERY P. BROWN, PE, E & I DIRECTOR

THROUGH: AMY H. CANNON, COUNTY MANAGER

DATE: DECEMBER 9, 2014

**SUBJECT: LEASE RENEWAL FOR NC DEPARTMENT OF AGRICULTURE
AND CONSUMER SERVICES FOR OFFICE SPACE LOCATED IN
THE CHARLIE ROSE AG-EXPO CENTER**

BACKGROUND:

The North Carolina Department of Agriculture (NCDA) and Consumer Services currently leases 368 square feet of office space located within the Charlie Rose Ag-Expo Center from Cumberland County at a rate of \$12/SF. This existing lease is a three year lease which is set to expire on December 31, 2014.

County staff reached out to representatives from NCDA to see if they were interested in renewing the lease. County staff was later notified that NCDA was indeed interested in continuing to lease the space that they are currently occupying. NCDA representatives were then informed that their present lease rate of \$12/SF was no longer in line with the County's current lease rate, as two leases had been renewed earlier in the year with a lease rate of \$15/SF where the County provides janitorial services and utilities. NCDA representatives communicated back to County staff that they were in agreement with the increased lease rate and to move forward with renewing the lease for a three year period. No other changes to the lease other than the lease rate are being recommended at this time.

This was presented and approved by the Facilities Committee on December 4th.

RECOMMENDATION/PROPOSED ACTION:

The Engineering and Infrastructure Director, County Management and the Facilities Committee recommend that the Board of Commissioners vote to approve a lease renewal with the NCDA and Consumer Services with a lease rate of \$15/SF for a period of three years following the approval of the County Attorney.

RICKEY L. MOOREFIELD
County Attorney



ITEM NO. 21
PHYLLIS P. JONES
Assistant County Attorney
ROBERT A. HASTY, JR.
Assistant County Attorney

OFFICE OF THE COUNTY ATTORNEY

5th Floor, New Courthouse • P.O. Box 1829 • Suite 551 • Fayetteville, North Carolina 28302-1829
(910) 678-7762

**MEMO FOR THE AGENDA OF THE NOVEMBER 17, 2014,
MEETING OF THE BOARD OF COMMISSIONERS**

TO: Board of Commissioners; Co. Manager
FROM: Co. Atty. *R. Moorefield*
DATE: November 12, 2014
SUBJECT: Approval of Grant of Franchise for Operation of Courthouse and DSS
Snack Bars

Attachment: Franchise Agreement

BACKGROUND:

Shana B. Yi and Jae Yong Yi (Lee) have been operating the snack bar in the Courthouse since 2003 and at DSS since 2008 under a franchise granted by the Board of Commissioners. The franchise expired September 30, 2014, but has a continuation provision subject to the approval of the Board. Finance Office reports that the franchisee is current on all financial obligations under the franchise and the franchise fees received by the county for the combined Courthouse and DSS snack bars for the past two fiscal years and the first two months of the current fiscal year have exceeded the minimum required payments by an average of \$50.37 per month.

The Board of Commissioners approved the 1st reading of this franchise agreement on November 17, 2014.

RECOMMENDATION/PROPOSED ACTION:

Approve the 2nd reading of the Courthouse and DSS Snack franchise agreement.

NORTH CAROLINA

COUNTY OF CUMBERLAND

SNACK BAR FRANCHISE AGREEMENT

First Reading October 6, 2014

Second Reading October 20, 2014

THIS AGREEMENT, made and entered into October _____, 2014, by and between SHANA B. YI and JAE YONG YI (LEE), d/b/a Go 'N Joy Restaurant, located at 412½-A North Bragg Boulevard, Spring Lake, North Carolina 28390, hereinafter referred to as "FRANCHISEE", and the COUNTY OF CUMBERLAND, a body politic and corporate of North Carolina, hereinafter referred to as "COUNTY".

W I T N E S S E T H:

WHEREAS, the COUNTY is desirous of continuing the grant of a franchise to a food services vendor for the purpose of operating a Snack Bar to provide food services to the visitors and staff of the Cumberland County Courthouse located at 117 Dick Street, Fayetteville, North Carolina 28301 (Courthouse Snack Bar) and the Cumberland County Department of Social Services (DSS) located at 1225 Ramsey Street, Fayetteville, North Carolina 28301(DSS Snack Bar); and

WHEREAS, the COUNTY, through its Board of Commissioners, approved the grant of a franchise for the operation of these two snack bars to the FRANCHISEE upon a second reading at the regular meeting of the Board of Commissioners held November 7, 2011; and

WHEREAS, FRANCHISEE is a food services vendor and has operated the DSS Snack Bar as a franchisee of the County under a franchise agreement dated September 23, 2008, and the Courthouse Snack Bar as a franchisee of the County under a franchise agreement dated September 29, 2003 ; and

WHEREAS, FRANCHISEE desires to renew the franchises on the same terms in order to continue to provide the food services at the DSS Snack Bar and the Courthouse Snack Bar; and

WHEREAS, the Board of Commissioners of Cumberland County, North Carolina, finds that FRANCHISEE has fully performed all its obligations under the franchise agreements and each renewal thereof: and

WHEREAS, the Board of Commissioners desires to renew the described franchises on the same terms and to fully re-state those terms in this franchise agreement.

NOW, THEREFORE, for and in consideration of the promises and agreements hereafter set forth and the mutual benefits to be derived by the parties, the FRANCHISEE and the COUNTY promise and agree as follows:

1. **TERM:** The FRANCHISEE shall utilize the spaces occupied by the Courthouse Snack Bar and the DSS Snack Bar for the continued operation of those Snack Bars from October 1, 2014 through September 30, 2015.
2. **AGENCY AND AUTHORITY:** The COUNTY hereby designates Deputy County Manager James Lawson as its agent with respect to this Agreement. The Deputy County Manager is authorized, on behalf of the COUNTY, to negotiate directly with the FRANCHISEE on all matters pertaining to this Agreement. The FRANCHISEE agrees that all of its dealings with the COUNTY in respect to the terms and conditions of this Agreement shall be with the Deputy County Manager. Further, the FRANCHISEE specifically agrees that it shall not implement any requested modifications in the specifications of any of the services subject to this Agreement except in the manner described in the paragraph entitled MODIFICATION.
3. **SERVICES:**
 - a. During the term of this Agreement, COUNTY agrees that the FRANCHISEE shall be authorized to operate a Snack Bar for the purpose of providing food services at the Cumberland County Courthouse, 117 Dick Street, Fayetteville, North Carolina 28301 and at the DSS Building, 1225 Ramsey Street, Fayetteville, North Carolina 28301 (the Snack Bars). The FRANCHISEE has provided, at FRANCHISEE'S own expense, all the construction and equipment necessary to operate these snack bars and FRANCHISEE'S construction and equipment have been approved by the COUNTY. No external signage shall be allowed.
 - b. Food and drink items which are sold at the Snack Bars shall be palatable and of high quality. Prices charged for food and drink shall be no higher than that charged for similar merchandise in other similarly situated local places of business. Said prices are subject to reasonable, periodic adjustments by the FRANCHISEE in order to maintain reasonable profit margins in the operation of the Snack Bars.
 - c. The hours of operation for the FRANCHISEE to provide food services at the Snack Bars shall be weekdays from 7:30 a.m. until 3:00 p.m., closed Saturdays and Sundays, and COUNTY recognized holidays.
 - d. The FRANCHISEE shall employ adequate personnel to provide the needed food services and render prompt, courteous service. The FRANCHISEE will keep the kitchen facilities and equipment clean and orderly.
 - e. Trash disposal services, convenient to the Snack Bars, shall be provided by the COUNTY.
 - f. The FRANCHISEE shall operate the Snack Bars as an independent business enterprise, and shall hire and pay the wages and compensation of all its employees and agents. The FRANCHISEE shall be responsible for the conduct of its employees and agents.

- g. The FRANCHISEE shall not use or occupy, nor permit the Snack Bars or any part thereof, to be used or occupied for any unlawful business use or purpose deemed disreputable or extra hazardous or which will constitute a public or private nuisance or which is in any way detrimental, harmful, or prejudicial to the COUNTY, or is in violation of any laws, regulations, ordinances or codes, present or future.
 - h. If the COUNTY deems the performance of the FRANCHISEE and the operation of the Snack Bars as unsatisfactory for any reason, COUNTY will notify the FRANCHISEE in writing, providing details of said unsatisfactory performance. FRANCHISEE shall have thirty (30) days to eliminate any deficiencies. Failure to eliminate the deficiencies shall result in termination pursuant to paragraph 12.
 - i. In its operation of the Snack Bars, FRANCHISEE shall maintain a Grade "A" Health Inspection Rating issued by the North Carolina Department of Health and Human Resources, Division of Environmental Health Services. Failure to do so shall result in the immediate termination of the agreement.
 - j. Only those foods that have been properly inspected by U.S. Government agencies, and maintained according to Cumberland County Health Department standards may be utilized by the Snack Bar.
4. **RECORD KEEPING:** The FRANCHISEE agrees to keep its books, documents, and records relating to the provision of food services under this Agreement for a minimum of one year after the expiration of this franchise.
5. **FEES:** During the term of this Agreement, FRANCHISEE shall pay to the COUNTY Six Percent (6%) of the net sales generated by each of the Snack Bars ("the Commission") with a minimum Commission of \$500.00 per month for each of the Snack Bars. The term "net sales" shall mean the gross receipts of the Snack Bars less sales tax and discounts. The Commission shall be paid monthly, by the 15th day of the following month (i.e.: the Commission payable for the month of December shall be paid by January 15th). FRANCHISEE shall provide proof of sales to Cumberland County in the form of a copy of its "Monthly Business Report", along with a copy of cash register tapes, invoices, or other documentation as required by the County. Payments shall be made by check payable to "Cumberland County". Monthly checks and reporting information shall be mailed to: Cumberland County; Attention James Lawson; P. O. Box 1829; Fayetteville, NC 28302-1829.
6. **UTILITIES:** The COUNTY shall provide, at its own expense, to the FRANCHISEE power and water utilities necessitated by the operation of the Snack Bars to include the provision of potable water, all lighting, heating, and cooling requirements for the operation of each of the Snack Bars. The COUNTY shall provide electrical service for all equipment and outlets at the Snack Bars. Any natural gas service shall be provided by FRANCHISEE.

7. **MAINTENANCE:** The FRANCHISEE shall maintain and leave said premises in substantially as good condition as when received by it, excepting reasonable wear and tear. The FRANCHISEE shall provide all of the janitorial services necessary to properly maintain the snack bar.
8. **LICENSING:** The FRANCHISEE shall obtain, at its own expense, the necessary business and health inspection licenses from the State of North Carolina and the Cumberland County Board of Health and shall continuously comply with all applicable State, Federal, County and City of Fayetteville laws, ordinances and regulations.
9. **INSURANCE AND HOLD HARMLESS PROVISIONS:** The FRANCHISEE shall, at its sole cost and expense, secure and constantly maintain during the term of this Agreement public and product liability insurance and Workmen's Compensation insurance in the minimum amounts as follows:
 - a. Bodily Injury \$ 500,000.00 for each occurrence, and \$1,000,000.00 aggregate
 - b. Property Damage \$ 100,000.00 for each occurrence, and \$ 100,000.00 aggregate
 - c. Product Liability \$1,000,000.00 minimum coverage
 - d. Workmen's Compensation insurance covering all of the FRANCHISEE's employees who are engaged in any work at the Snack Bars. The coverage shall meet all statutory requirements.

The FRANCHISEE shall furnish the COUNTY a certificate of insurance evidencing the coverage set out above prior to FRANCHISEE beginning any work under this franchise agreement. The FRANCHISEE hereby agrees to release and hold harmless the COUNTY from all liability for personal injury and property damage arising out of the provision of food services under this Franchise Agreement, except that which is due to the active fault or negligence of the COUNTY. The insurance policy shall cover any such liability asserted against the COUNTY and the aforesaid obligation of the FRANCHISEE to hold the COUNTY harmless.

FRANCHISEE shall not be liable for injury or damage to persons or property except those resulting from the acts or negligence of FRANCHISEE or its employees. Neither FRANCHISEE nor the COUNTY shall be held responsible or liable for any loss or damage due to fire, flood, or by insurrection or riot, or other causes which are not avoidable or beyond the control of FRANCHISEE or the COUNTY, or in any event for consequential damages.

10. **NOTICES:** Unless otherwise specified herein, any written notices to the parties shall be sufficient if sent by certified mail, return receipt requested, or hand-delivered to:

For FRANCHISEE:

Shana B. Yi
304 Wagoner Drive
Fayetteville, NC 28303
(910) 487-6919

FOR COUNTY:

James Lawson
Deputy County Manager
PO Box 1829
Fayetteville, NC 28302-1829
(910) 678-7726

11. **ASSIGNMENT:** The FRANCHISEE shall not assign its contract rights under this Agreement or any part thereof, nor delegate any performance hereunder, nor subcontract without first obtaining the COUNTY'S written approval.
12. **TERMINATION:** This Agreement may be terminated immediately by the COUNTY or the COUNTY may pursue any other remedy recognized in law or equity upon the violation of any of the terms of the contract. Either party may terminate the contract upon thirty (30) days' notice in writing to the other party. Upon the entering of a judgment of bankruptcy or insolvency by or against the FRANCHISEE, the COUNTY may immediately terminate this Agreement for cause. Upon termination or expiration of this Agreement, FRANCHISEE will immediately remove all equipment, food products, etc., owned by FRANCHISEE from the Snack Bars or any other areas at either Courthouse or the DSS facility controlled by FRANCHISEE.
13. **MISCELLANEOUS:**
 - a. The parties hereto, for themselves, their agents, officials, employees, and servants agree not to discriminate in any manner on the basis of race, color, creed, handicap, or national origin in the course of fulfilling any obligation, duty, or service that arises as a result of this Agreement. More specifically, FRANCHISEE shall comply with Title VI and VII of the Civil Rights Act of 1964, Section 504 of the Rehabilitation Act of 1973, and the Americans with Disabilities Act of 1990 (ADA), and all requirements imposed by Federal regulations, rules, and guidelines issues pursuant to these Titles for both personnel employed and customers served.
 - b. The FRANCHISEE will make no alterations or changes in the present facilities without prior approval of the COUNTY.
14. **MODIFICATIONS:** This Franchise Agreement may be modified only by an instrument duly executed by the parties or their respective successors.

IN WITNESS WHEREOF, the FRANCHISEE and the COUNTY have caused their duly authorized officers to execute this instrument the day and year first above written, in triplicate originals, with one being retained by the FRANCHISEE, and two by the COUNTY.

[Signature Page Follows]

COUNTY OF CUMBERLAND

ATTEST:

BY: _____
Jeanette Council, Chair

BY: _____
Candice White, Clerk

[COUNTY SEAL]

FRANCHISEE:

Shana B. Yi

Jae Yong Yi (Lee)

ATTEST:

BY: _____
Witness

Drafted by R. Moorefield November 12, 2014

Approved for Legal Sufficiency

County Attorney
Expiration Date: Sept. 30, 2015

RANDY BEEMAN
Director/Fire Marshal

TIM MITCHELL
Deputy Director




ITEM NO. _____

25

EMERGENCY SERVICES DEPARTMENT

TO: BOARD OF COUNTY COMMISSIONERS

FROM: RANDY BEEMAN, EMERGENCY SERVICES DIRECTOR 

DATE: DECEMBER 11, 2014

SUBJECT: APPROVAL OF RESOLUTION FOR DESIGNATION OF APPLICANT'S AGENT FOR PRE-DISASTER MITIGATION PROGRAM GRANT (PROJECT APPROVAL: PDMC-PL-04-NC-2014-002)

BACKGROUND

Cumberland County Emergency Services received notice from North Carolina Department of Public Safety, Division of Emergency Management via the U. S. Department of Homeland Security, FEMA Region IV, that the Pre-Disaster Mitigation Grant Application: 2014 – Cumberland and Hoke Counties Regional Hazard Mitigation Plan has been approved through the PDM grant program pursuant to the Congressional appropriations for Fiscal Year 2014. The Project Approval number for this grant is PDMC-PL-04-NC-2014-002).

The attached resolution must be approved by the Cumberland County Board of Commissioners specifically designating the Applicant's Agent who are authorized to execute and file applications for federal and/or state assistance on behalf of the Cumberland County Emergency Services for the purpose of obtaining certain state and federal financial assistance under the Robert T. Stafford Disaster Relief and Emergency Assistance Act.

RECOMMENDATION/PROPOSED ACTION

Approve the attached Resolution (Designation of Applicant's Agent) and direct staff to process the paperwork for proper submission.



RESOLUTION
DESIGNATION OF APPLICANT'S AGENT
North Carolina Division of Emergency Management

Organization Name (hereafter named Organization):	Disaster Number:
County of Cumberland - Emergency Services	Pre-Disaster Mitigation FY 2014
Applicant's State Cognizant Agency for Single Audit purposes (If Cognizant Agency is not assigned, please indicate):	
NC Department of Public Safety	
Applicant's Fiscal Year (FY) Start	Month: Day:
FY-2015	July 1
Applicant's Federal Employer's Identification Number: 56-6000291	
Applicant's Federal Information Processing Standards (FIPS) Number: 051-99051-00	

PRIMARY AGENT	SECONDARY AGENT
Agent's Name	Agent's Name
Amy H. Cannon	Randy Beeman
Organization	Organization
County of Cumberland	County Of Cumberland - Emergency Services
Official Position	Official Position
County Manager	Emergency Services Director
Mailing Address	Mailing Address
PO Box 1829	PO Box 1829
City, State, Zip	City, State, Zip
Fayetteville, NC 28302	Fayetteville, NC 28302
Daytime Telephone	Daytime Telephone
(910) 678-7723	(910) 321-6960
Facsimile Number	Facsimile Number
(910) 678-7717	(910) 677-5552
Pager or Cellular Number	Pager or Cellular Number
	(910) 303-7566

BE IT RESOLVED BY the governing body of the Organization (a public entity duly organized under the laws of the State of North Carolina) that the above-named Primary and Secondary Agents are hereby authorized to execute and file applications for federal and/or state assistance on behalf of the Organization for the purpose of obtaining certain state and federal financial assistance under the Robert T. Stafford Disaster Relief & Emergency Assistance Act, (Public Law 93-288 as amended) or as otherwise available. BE IT FURTHER RESOLVED that the above-named agents are authorized to represent and act for the Organization in all dealings with the State of North Carolina and the Federal Emergency Management Agency for all matters pertaining to such disaster assistance required by the grant agreements and the assurances printed on the reverse side hereof. BE IT FINALLY RESOLVED THAT the above-named agents are authorized to act severally.

PASSED AND APPROVED this _____ day of _____, 20_____.

GOVERNING BODY	CERTIFYING OFFICIAL
Name and Title	Name
Kenneth Edge, Chairman	Candice White
Name and Title	Official Position
Marshall Faircloth, Vice Chairman	Clerk to the Board of County Commissioners
Name and Title	Daytime Telephone
	(910) 678-7771

CERTIFICATION

I, Candice White (Name) duly appointed and Clerk to the Board (Title) of the Governing Body, do hereby certify that the above is a true and correct copy of a resolution passed and approved by the Governing Body of County of Cumberland (Organization) on the 15th day of December 2014.

Date: _____

Signature: _____

APPLICANT ASSURANCES

The applicant hereby assures and certifies that it will comply with the FEMA regulations, policies, guidelines and requirements including, but not limited to the following authorities: OMB Circulars Nos. A-87, A-95, A-102 and A-110, where applicable, and Part 13 of Title 44 of the Code of Federal Regulations (C.F.R.), as they relate to the application, acceptance and use of Federal funds for this Federally assisted project. Also, the Applicant gives assurance and certifies with respect to and as a condition for the grant that:

1. It possesses legal authority to apply for the grant, and to finance and construct the proposed facilities; that a resolution, motion or similar action has been duly adopted or passed as an official act of the applicant's governing body, authorizing the filing of the application, including all understandings and assurance contained therein, and directing and authorizing the person identified as the official representative of the applicant to act in connection with the application and to provide such additional information as may be required.
2. It will comply with the provisions of: Executive Order 11988, relating to Floodplain Management and Executive Order 11990, relating to Protection of Wetlands.
3. It will have sufficient funds available to meet the non-Federal share of the cost for construction projects. Sufficient funds will be available when construction is completed to assure effective operation and maintenance of the facility for the purpose constructed.
4. It will not enter into a construction contract(s) for the project or undertake other activities until the conditions of the grant program(s) have been met.
5. It will provide and maintain competent and adequate architectural engineering supervision and inspection at the construction site to insure that the completed work conforms with the approved plans and specifications; that it will furnish progress reports and such other information as the Federal grant or agency may need.
6. It will operate and maintain the facility in accordance with the minimum standards as may be required or prescribed by the applicable Federal, State and local agencies for the maintenance and operation of such facilities.
7. It will give the grantor agency and the Comptroller General, through any authorized representative, access to and the right to examine all records, books, papers, or documents related to the grant.
8. It will require the facility to be designed to comply with the "American Standard Specifications for Making Buildings and Facilities Accessible to, and Usable by the Physically Handicapped," Number A117.1-1961, as modified (41 CFR 101-17-7031). The applicant will be responsible for conducting inspections to insure compliance with these specifications by the contractor.
9. It will cause work on the project to be commenced within a reasonable time after receipt of notification from the approving Federal agency that funds have been approved and will see that work on the project will be prosecuted to completion with reasonable diligence.
10. It will not dispose of or encumber its title or other interests in the site and facilities during the period of Federal interest or while the Government holds bonds, whichever is the longer.
11. It agrees to comply with Section 311, P.L. 93-288 and with Title VI of the Civil Rights Act of 1964 (P.L. 83-352) and in accordance with Title VI of the Act, no person in the United States shall, on the ground of race, color, or national origin, be excluded from participation in, be denied the benefits of, or be otherwise subjected to discrimination under any program or activity for which the applicant receives Federal financial assistance and will immediately take any measures necessary to effectuate this agreement. If any real property or structure is provided or improved with the aid of Federal financial assistance extended to the Applicant, this assurance shall obligate the Applicant, or in the case of any transfer of such property, any transferee, for the period during which the real property or structure is used for a purpose for which the Federal financial assistance is extended or for another purpose involving the provision of similar services or benefits.
12. It will establish safeguards to prohibit employees from using their positions for a purpose that is or gives the appearance of being motivated by a desire for private gain for themselves or others, particularly those with whom they have family, business, or other ties.
13. It will comply with the requirements of Title II and Title III of the Uniform Relocation Assistance and Real Property Acquisitions Act of 1970 (P.L. 91-646) which provides for fair and equitable treatment of persons displaced as a result of Federal and Federally-assisted programs.
14. It will comply with all requirements imposed by the Federal grantor agency concerning special requirements of law, program requirements, and other administrative requirements approved in accordance with OMB Circular A-102, P.L. 93-288 as amended, and applicable Federal Regulations.
15. It will comply with the provisions of the Hatch Act which limit the political activity of employees.
16. It will comply with the minimum wage and maximum hours provisions of the Federal Fair Labor Standards Act, as they apply to hospital and educational institution employees of State and local governments.
17. (To the best of his knowledge and belief) the disaster relief work described on each Federal Emergency Management Agency (FEMA) Project Application for which Federal Financial assistance is requested is eligible in accordance with the criteria contained in 44 Code of Federal Regulations, Part 205, and applicable FEMA Handbooks.
18. The emergency or disaster relief work therein described for which Federal Assistance is requested hereunder does not or will not duplicate benefits received for the same loss from another source.
19. It will (1) provide without cost to the United States all lands, easements and rights-of-way necessary for accomplishment of the approved work; (2) hold and save the United States free from damages due to the approved work or Federal funding.
20. This assurance is given in consideration of and for the purpose of obtaining any and all Federal grants, loans, reimbursements, advances, contracts, property, discounts of other Federal financial assistance extended after the date hereof to the Applicant by FEMA that such Federal Financial assistance will be extended in reliance on the representations and agreements made in this assurance and that the United States shall have the right to seek judicial enforcement of this assurance. This assurance is binding on the applicant, its successors, transferees, and assignees, and the person or persons whose signatures appear on the reverse as authorized to sign this assurance on behalf of the applicant.
21. It will comply with the flood insurance purchase requirements of Section 102(a) of the Flood Disaster Protection Act of 1973, Public Law 93-234, 87 Stat. 975, approved December 31, 1973. Section 102(a) requires, on and after March 2, 1975, the purchase of flood insurance in communities where such insurance is available as a condition for the receipt of any Federal financial assistance for construction or acquisition purposes for use in any area that has been identified by the Director, Federal Emergency Management Agency as an area having special flood hazards. The phrase "Federal financial assistance" includes any form of loan, grant, guaranty, insurance payment, rebate, subsidy, disaster assistance loan or grant, or any other form of direct or indirect Federal assistance.
22. It will comply with the insurance requirements of Section 314, P.L. 93-288, to obtain and maintain any other insurance as may be reasonable, adequate, and necessary to protect against further loss to any property which was replaced, restored, repaired, or constructed with this assurance.
23. It will defer funding of any projects involving flexible funding until FEMA makes a favorable environmental clearance, if this is required.
24. It will assist the Federal grantor agency in its compliance with Section 106 of the National Historic Preservation Act of 1966, as amended, (16 U.S.C. 470), Executive Order 11593, and the Archeological and Historic Preservation Act of 1966 (16 U.S.C. 469a-1 et seq.) by (a) consulting with the State Historic Preservation Officer on the conduct of investigations, as necessary, to identify properties listed in or eligible for inclusion in the National Register of Historic places that are subject to adverse effects (see 36 CFR Part 800.8) by the activity, and notifying the Federal grantor agency of the existence of any such properties, and by (b) complying with all requirements established by the Federal grantor agency to avoid or mitigate adverse effects upon such properties.
25. It will for any repairs or construction financed herewith, comply with applicable standards of safety, decency and sanitation and in conformity with applicable codes, specifications and standards; and, will evaluate the natural hazards in areas in which the proceeds of the grant or loan are to be used and take appropriate action to mitigate such hazards, including safe land use and construction practices.

STATE ASSURANCES

The State agrees to take any necessary action within State capabilities to require compliance with these assurances and agreements by the applicant or to assume responsibility to the Federal government for any deficiencies not resolved to the satisfaction of the Regional Director.



FEMA

October 20, 2014

Michael A. Sprayberry, Director
NC Department of Public Safety
Division of Emergency Management
4236 Mail Service Center
Raleigh, NC 27699-4236

Attention: Chris Crew, State Hazard Mitigation Officer

Reference: PRE DISASTER MITIGATION PROGRAM (PDM-C),
Project Approval: PDMC-PL-04-NC-2014-002

Dear Mr. Sprayberry:

It is my pleasure to confirm that the following planning project sub-grant has been approved through the PDM grant program pursuant to the Congressional appropriations for Fiscal Year 2014.

PDM Planning Grant Approval	Federal Share	Non-Federal Share	Total Project Cost
PDMC-PL-04-NC-2014-002 Cumberland County Regional Hazard Mitigation Plan	\$60,000.000	\$20,000.000	\$80,000.00

The Scope of Work (SOW) and Budget submitted by the State for this PDM Planning Grant is approved, subject to the following conditions:

- The planning process implemented through this grant must comply with the Local Hazard Mitigation Plan requirements contained in 44 CFR 201.
- Complete draft plan documents must be submitted to the State and our office for review and comment at least 6 months prior to completion of the grant such that any necessary revisions may be made prior to adoption and within the approved Period of Performance.
- The final plan documents must be submitted to the State and our office for review and approval prior to the end of the Period of Performance of the sub-grant, and FEMA approval must be obtained prior to sub-grant closeout.
- The plan must be adopted by the governing body of at least one participating jurisdiction within one year of the initial FEMA finding of approvable pending adoption.

This letter constitutes programmatic approval for use of FY 2014 PDM funds. Ms. Sandra McNease, Assistance Officer, has issued the financial award and documentation in support of this approval on 09/26/2014. The funds have been obligated to the appropriate PARS account.

The terms and conditions of this award are provided in the Agreement Articles issued through eGrants by Ms. McNease. Please review these Articles thoroughly and abide by all provisions.

FEMA will not establish activity completion timelines for individual subgrants. Grantees are responsible for ensuring that all approved activities are completed by the end of the Grant Period of Performance (POP). The POP for FY2014 PDM is April 21, 2014 through September 30 2016. The Grantee shall submit a Final SF-425 and Performance Report no later than 90 days after the end date of the POP, per 44 CFR §13.50.

Thank you for submitting an application to the FY 2014 PDM grant program. If you have any questions, please contact Victor Geer of my staff at (770) 220-5659.

Sincerely,



Jacky Bell, Chief
Hazard Mitigation Assistance Branch
Mitigation Division

**COUNTY OF CUMBERLAND
BUDGET REVISION REQUEST**

Budget Office Use	
Budget Revision No.	<u>B15-169</u>
Date Received	<u>11-25-14</u>
Date Completed	

Fund No. 101 Agency No. 440 Organ. No. 4402
 Organization Name: Library

ITEM NO. 2K(1)

REVENUE

Revenue Source Code	Description	Current Budget	Increase (Decrease)	Revised Budget
4402	NC Library Programs Grant	305,488	(3,248)	302,240
				-
				-
				-
				-
Total		305,488	(3,248)	302,240

EXPENDITURES

Object Code	Appr Unit	Description	Current Budget	Increase (Decrease)	Revised Budget
2996	266	Books	764,789	(3,248)	761,541
					-
					-
					-
					-
					-
					-
Total			764,789	(3,248)	761,541

Justification:

The Library received a letter from the State Library indicating there was a reduction in State Aid for this fiscal year. This budget revision is reflecting the decrease in State Aid.

Funding Source: State: -3,248 Federal: _____ County: _____ New: _____ Other: _____
Fund Balance: Other: _____ Fees: _____ Prior Year: _____

Submitted By: Joey Pascher Date: 11/24/14
 Department Head
 Reviewed By: Borah W. Shaw Date: 11/25/14
 Finance
 Reviewed By: _____ Date: _____
 Finance Director
 Reviewed By: Theresa Landman Date: 12-8-14
 Assistant County Manager

Approved By:	
_____	Date: _____
County Manager	
_____	Date: _____
Board of County Commissioners	
_____	Date: _____

Patricia Hall,
Chair
Town of Hope Mills

Charles Morris,
Vice-Chair
Town of Linden

Garland C. Hostetter,
Town of Spring Lake
Harvey Cain, Jr.,
Town of Stedman

Donovan McLaurin,
Wade, Falcon & Godwin



CUMBERLAND
★ COUNTY ★
NORTH CAROLINA

Planning & Inspections Department

Thomas J. Lloyd,
Director

Cecil P. Combs,
Deputy Director

Vikki Andrews,
Diane Wheatley,
Carl Manning,
Walter Clark,
Cumberland County

Benny Pearce,
Town of Eastover

DECEMBER 5, 2014

ITEM NO.

3A

MEMO TO: Cumberland County Board of Commissioners

FROM: Cumberland County Joint Planning Board

SUBJECT: **Case P02-04:** Modification of certain zoning districts within an existing Mixed Use Development approved as a Conditional Use Overlay (2001) by rearranging 25.91+/- acres of the district boundaries as follows: 12.67+/- acres of O&I(P) Planned Office and Institutional/CU Conditional Use to C(P) Planned Commercial/CU Conditional Use consisting of two areas (8.21 +/- acres and 4.46+/- acres); and 13.24+/- acres of C(P) Planned Commercial/CU Conditional Use to O&I(P) Planned Office and Institutional/CU Conditional Use or to more restrictive zoning districts; located on the east side of SR 2252 (Chicken Foot Road), south of SR 2238 (Sand Hill Road); submitted by Thomas R. Prewitt on behalf of Prewitt Land Company LLC (owner) and Moorman, Kizer and Reitzel, Inc.

ACTION: 1st motion for Case P2-04: Move to find the modification request for Case No. P02-04 is consistent with the adopted comprehensive plan designated as the *2030 Growth Vision Plan*, which calls for "urban" at this location because the districts in the modification request will be oriented towards the residents in the overall development. The request is also consistent with the Draft South Central Detailed Land Use Plan, which calls for "mixed use" at this location, and for the reasons stated in the recommendations of the Planning Staff.

2nd motion for case P2-04: Move to find the modification request for Case P02-04 is reasonable as it is an existing approved mixed use that would not change any of the residential, non-residential percentage requirements

SITE PROFILE: **Frontage & Location:** 2,110.00'+/- on SR 2252 (Chicken Foot Road); **Depth:** 30.00'+/-; **Jurisdiction:** Cumberland County; **Adjacent Property:** Yes; north, east and south of subject properties; **Current Use:** Vacant land; **Initial Zoning:** A1 – June 25, 1980 (Area 13); rezoned to O&I(P)/CU & C(P)/CU on February 25, 2002; **Nonconformities:** None; **Zoning Violation(s):** None; **Surrounding Zoning:** North: C(P)/CU (Specified uses), M(P), C(P) & A1; South: O&I(P)/CU (Specified uses), R7.5 & A1; East: C(P)/CU (Specified uses), R10/CU (Specified uses) R6/CU (Specified uses), R7.5 & A1; West: RR, R10 & A1; **Surrounding Land Use:** Residential, truck terminal activities, daycare, office, restaurant, veterinarian, schools (2), farmland and woodlands; **2030 Land Use Plan:** Urban; **Draft South Central Detailed Land Use Plan:** Mixed use; **Special Flood Hazard Area (SFHA):** No; **Water/Sewer Availability:** PWC/PWC; **Soil Limitations:** Yes, hydric – PA Pactolus loamy sand; **School Capacity/Enrolled:** Galberry Farm Elementary: 900/899; Gray's Creek Middle: 1,100/1,047; Gray's Creek High:

1,270/1,317; **Subdivision/Site Plan:** If approved, staff site plan approval is required; **Sewer Service Area:** Yes; **Average Daily Traffic Count (2012):** 11,000 on SR 2252 (Chicken Foot Road); **Highway Plan:** There impending realignment of Braxton Road and Sand Hill Road (a NCDOT safety project) will divide the northern most property under consideration; **Note:** All related conditions of approval from Case No. P02-04 are applicable.

MINUTES OF NOVEMBER 18, 2014

This case was originally approved by the Board of Commissioners on February 25, 2001 as a Conditional Use Overlay for a mixed use development.

1st MOTION

The Planning and Inspections Staff recommends the board find that approval of the modification request for Case No. P02-04 is consistent with the adopted comprehensive plan designated as the 2030 Growth Vision Plan, which calls for "urban" at this location because the districts in the modification request will be oriented towards the residents in the overall development. The request is also consistent with the Draft South Central Detailed Land Use Plan, which calls for "mixed use" at this location.

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 property meets or exceeds the location criteria of the adopted Land Use Policies Plan, in that: public water and sewer are available, there is direct access to a local road (Chicken Foot Road), should be a minimum of 10 acres, is a means to promote an alternative to strip commercial development and located on a sufficient site that provides adequate area for buffering, screening landscaping, parking and required open space.

2nd MOTION

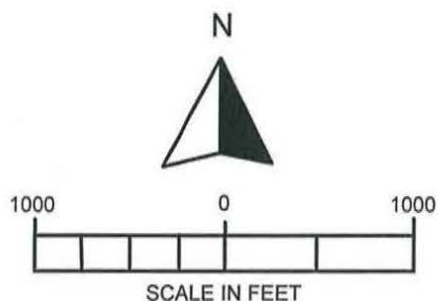
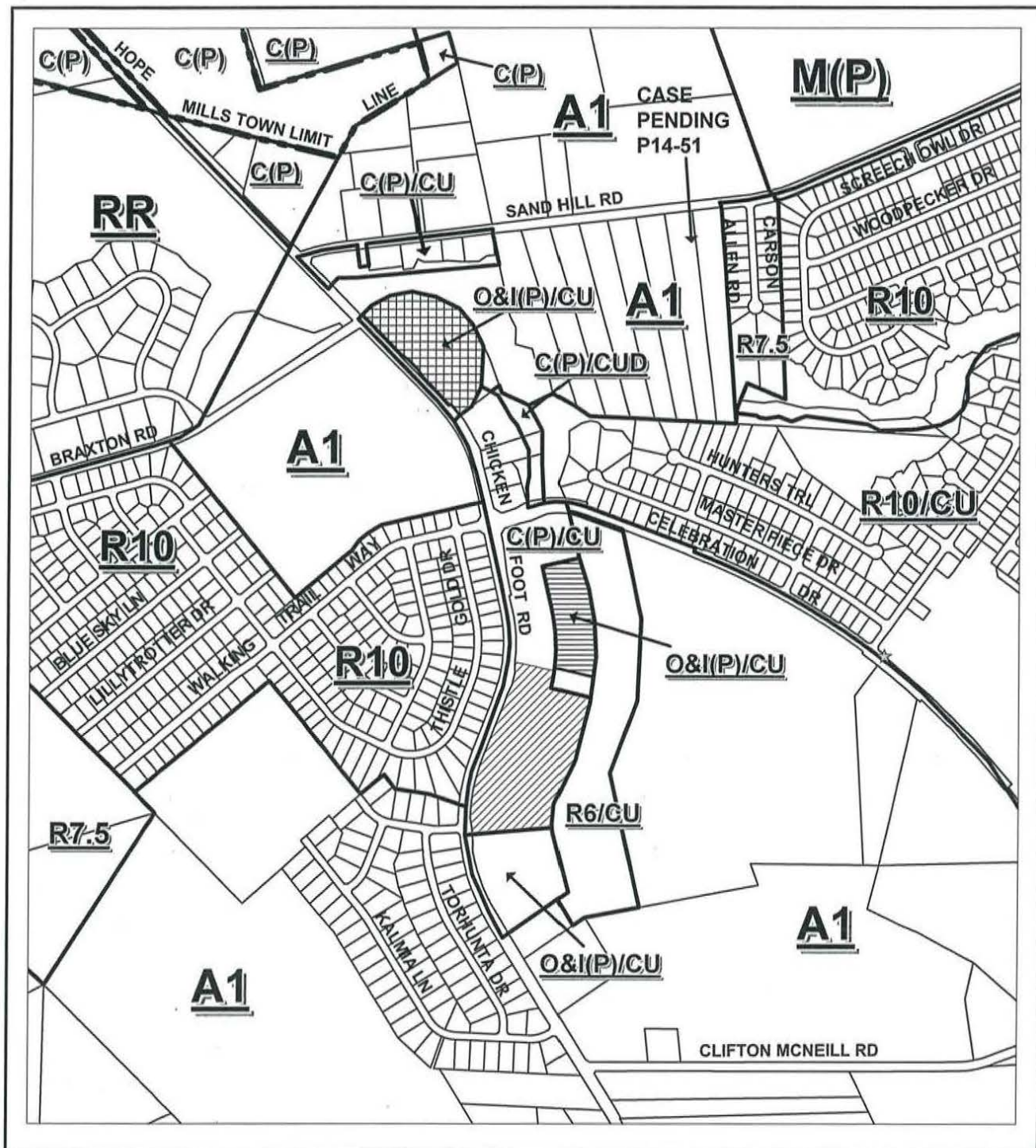
In addition to the above information, the Planning and Inspections Staff recommends the board approve the modification to Case No. P02-04 based on the following:

- The modification is reasonable as it is an existing approved mixed use that would not change any of the residential, non-residential percentage requirements; and, the rearrangement, coupled with the impending realignment of Sand Hill Road and Braxton Road and renewed interest in the general area will locate commercially zoned property at an intersection providing convenient goods and services to local residents.

Mr. Morris made both of the motions referenced above, seconded by Ms. Andrews, to follow the staff recommendations and approve the request. The motions passed unanimously.

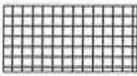


First Class and Record Owners' Mailed Notice Certification

A certified copy of the tax record owner(s) of the subject and adjacent properties and their tax record mailing address is contained within the case file and is incorporated by reference as if delivered herewith.



PORT OF PIN: 0422-68-6707
 PORT OF PIN: 0422-76-5912
 PORT OF PIN: 0422-76-2439

MODIFICATION OF

	O&I(P)/CU TO C(P)/CU 8.21 AC +/-		O&I(P)/CU TO C(P)/CU 4.46 AC +/-		C(P)/CU TO O&I(P)/CU 13.24 AC +/-
---	---	--	---	---	--

ACREAGE: 25.91 AC. +/-

HEARING NO: P02-04

ORDINANCE: COUNTY
 STAFF RECOMMENDATION
 PLANNING BOARD
 GOVERNING BOARD

HEARING DATE

ACTION

Patricia Hall,
Chair
Town of Hope Mills

Charles Morris,
Vice-Chair
Town of Linden

Garland C. Hostetter,
Town of Spring Lake
Harvey Cain, Jr.,
Town of Stedman

Donovan McLaurin,
Wade, Falcon & Godwin



CUMBERLAND
★ COUNTY ★
NORTH CAROLINA

Planning & Inspections Department

Thomas J. Lloyd,
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Deputy Director

Vikki Andrews,
Diane Wheatley,
Carl Manning,
Walter Clark,
Cumberland County

Benny Pearce,
Town of Eastover

DECEMBER 5, 2014

ITEM NO.

3B

MEMO TO: Cumberland County Board of Commissioners

FROM: Cumberland County Joint Planning Board

SUBJECT: **Case P14-58:** Rezoning of 65.13+/- acres from A1 Agricultural to R30 Residential/DD Density Development/ CZ Conditional Zoning district for a 66 lot residential subdivision or to a more restrictive zoning district; located on the southwest side of SR 2243 (Roslin Farm Road), north of Running Fox Road; submitted by Charles T. and Janet K. Gardner (owners).

ACTION: 1st motion for Case P14-58: 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.

2nd motion for Case P14-58: Move to approve the rezoning from RR Rural Residential to R30/DD Density Development/ CZ Conditional Zoning as recommended by the Planning Staff.

SITE PROFILE: Frontage & Location: 659.10'+/- on SR 2243 (Roslin Farm Road); **Depth:** 2,540.35'+/-; **Jurisdiction:** Cumberland County; **Adjacent Property:** No; **Current Use:** substation & FAA tower; **Initial Zoning:** A1 – June 25, 1980 (Area 13); **Nonconformities:** None; **Zoning Violation(s):** None; **Surrounding Zoning:** North: RR/CU (tour bus operation), C1(P) & A1; South: RR/DD/CZ (234 lot subdivision), A1/CU (allow 2.55 density), & CD; East: R40A & A1; West: RR; **Surrounding Land Use:** Residential (including manufactured homes), substations (2), tower, farmland & woodlands; **2030 Growth Strategy Map:** Urban fringe; **Special Flood Hazard Area (SFHA):** None; **Water/Sewer Availability:** Well/Septic; **Soil Limitations:** Yes, hydric – RA Rains sandy loam; **School Capacity/Enrolled:** Gallberry Farm Elementary: 900/899; Gray's Creek Middle: 1,100/1,047; Gray's Creek High: 1,270/1,317; **Subdivision/Site Plan:** If approved, "Ordinance Related Conditions" apply; **Average Daily Traffic Count (2012):** 2,100 on SR 2243 (Roslin Farm Road); **Highway Plan:** Roslin Farm Road & Running Fox Road are local roads. There are no road improvements/ constructions specified for this area. This case has no impact on the current Highway Plan or Transportation Improvement Program; **Notes:** Density minus 15% acres for R/W: A1 – 28 lots/units, R40 – 60 lots/units, R30 – 80 lots/units; Minimum Yard Setbacks: **A1:** Front yard: 50', Side yard: 20', Rear yard: 50'; **R40 & R30:** Front yard: 30', Side yard: 15', Rear yard: 35'; Contents of Application and Site Plan: 1. Typical lot size is 100' x 200' (20,000 sq. ft), 2. Requesting maximum 66 lots, 3. Site Plan provides 40.24% as open space where 40% is required

MINUTES OF NOVEMBER 18, 2014

1st MOTION

The Planning and Inspections Staff recommends the board find that approval of the request for rezoning in Case No. P14-58 is consistent with the adopted comprehensive plan designated as the *2030 Growth Vision Plan*, which calls for "urban fringe" at this location because the district requested will allow for single family dwelling units on relatively large lots in a suburban area.

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 property 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 public street is required, Roslin Farm 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 recommends the board approve Case No. P14-58 for the R30 Residential/DD Density Development/CZ Conditional Zoning district for a 66 lot residential subdivision based on the following:

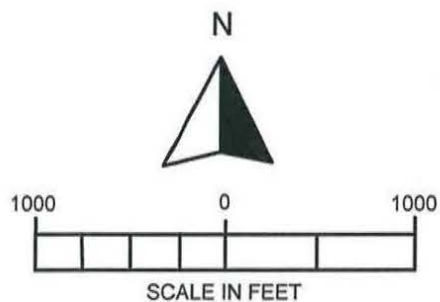
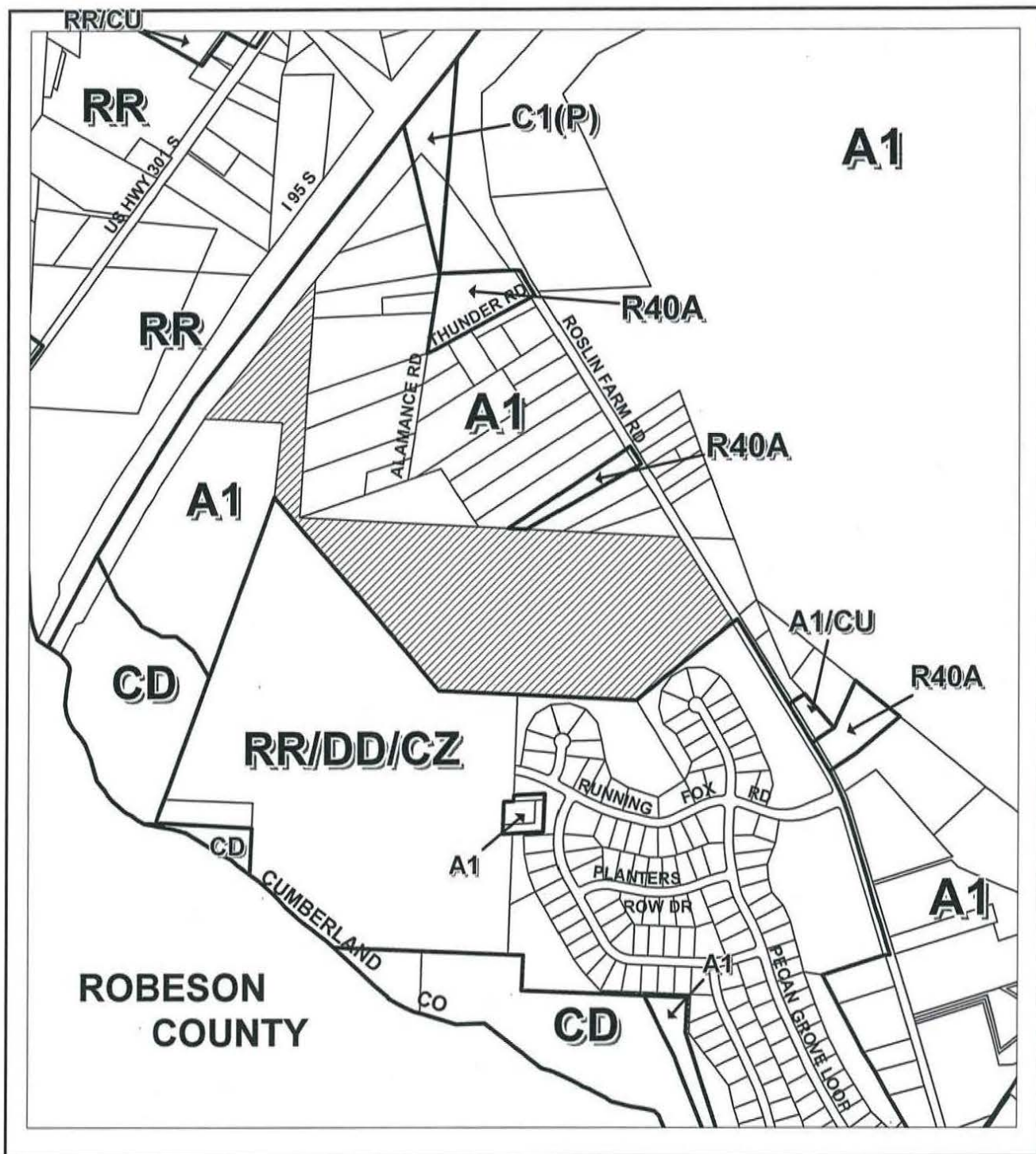
- The proposed development plan along with the Ordinance Related Conditions, provides a means of protecting and retaining the rural viewshed of the area by providing the 40 foot wide roadside buffer, a 20 foot wide perimeter buffer and ensuring the permanent retention of 40 percent of the tract as open space.

Generally, there are no other districts suitable for this request at this location. The property owner has voluntarily agreed to all "Ordinance Related Conditions".

Mr. Morris made both of the motions referenced above, seconded by Ms. Andrews, to follow the staff recommendations and approve the rezoning request. The motions passed unanimously.

First Class and Record Owners' Mailed Notice Certification

A certified copy of the tax record owner(s) of the subject and adjacent properties and their tax record mailing address is contained within the case file and is incorporated by reference as if delivered herewith.



PIN: 0412-54-3178

REQUESTED REZONING A1 TO R30/DD/CZ

ACREAGE: 65.13 AC.+/-		HEARING NO: P14-58	
ORDINANCE: COUNTY		HEARING DATE	ACTION
STAFF RECOMMENDATION			
PLANNING BOARD			
GOVERNING BOARD			

11-10-14
AM



INTERSTATE 95
N 40°00'50" E
1173.28'

480.97'

N 87°33'33" W

N 02°30'05" E
280.80'

239.19'

S 04°22'48" W 1529.88'

20' BUFFER

S 86°00'43" E 1396.83'

S 85°59'54" E (1143.52')

ROSLIN FARM ROAD

30' SIGN & LANDSCAPE
ESM'T

70' RW

RESIDENTIAL

OPEN SPACE (TOTAL = 26.21 AC)

EXIST ELECTRIC TRANSMISSION LINE & SUB STATION

20' BUFFER

20' BUFFER

20' BUFFER

N 87°15'50" W

50' BUFFER

R30 RESIDENTIAL/DENSITY
DEVELOPMENT/CONDITIONAL ZONING
REQUEST: A 66 LOT RESIDENTIAL SUBDIVISION
CASE: P14-58 ACREAGE: 65.13 AC ±
ZONED: A1 SCALE: NTS

*SCALED DETAILED SITE PLAN IN FILE AVAILABLE FOR REVIEW UPON REQUEST

R30 RESIDENTIAL/DD DENSITY DEVELOPMENT/CZ CONDITIONAL ZONING DISTRICT

DRAFT

Ordinance Related Conditions

Permit-Related:

1. The owner/developer(s) of these lots must obtain detailed instructions on provisions of the County Zoning Ordinance and permits required to place any structure within this development from the County Code Enforcement Section, Room 101 in the Historic Courthouse at 130 Gillespie Street. For additional information, the developer should contact a Code Enforcement Officer.
2. The County Health Department must approve water and sewer plans prior to application for any permits. Site and soil evaluations must be conducted on the property by the County Environmental Health Department prior to application for permits. A copy of the Health Department approval must be provided to Code Enforcement at the time of application for any building/zoning permits. (Note: All Health Department requirements must be met prior to issuance of final permits.) (Section 2306 A, Water and Sewer, County Subdivision and Development Ordinance)
3. The developer must provide a site-specific address and tax parcel number at the time of building/zoning permit application.
4. New development where the developer will disturb or intends to disturb more than one acre of land is subject to the Post-Construction Stormwater Management Permitting Program (Phase II Stormwater Management Requirements) administered by the Division of Water Quality, North Carolina Department of Environment and Natural Resources. If one acre or more of land is to be disturbed, prior to the issuance of any building/zoning permits for this site, a copy of the State's *Post-Construction Permit* must be provided to County Code Enforcement.
5. For any new development where the developer disturbs or intends to disturb more than one acre of land, the developer must provide the Code Enforcement Section with an approved NC Department of Environment and Natural Resources (NCDENR) sedimentation and erosion control plan (S&E) prior to any application for permits. (Note: If any retention/detention basins are required for state approval of this plan, then three copies of a revised plan must be submitted and approved by Planning & Inspections prior to application for any building/zoning permits.) A copy of the NCDENR approval must be provided to Code Enforcement at the time of application for any building/zoning permits.
6. The building final inspection cannot be accomplished until a Code Enforcement Officer inspects the site and certifies that the site is developed in accordance with the approved plans.
7. The developer must formally notify the NC Department of Transportation once construction of the public streets is complete and initiate the process of transferring the responsibility of road maintenance to the NCDOT. If application to the NCDOT District Engineer has not been formally submitted by the time building permits have been issued for 80% of the lots shown on the preliminary plan, no additional building permits can be issued until the NCDOT District Engineer notifies this department of the receipt of the application.

Site-Related:

8. All uses, dimensions, setbacks and other related provisions of the County Subdivision and Development Ordinance and Zoning Ordinances for the R30/DD/CZ zoning district for a 66 lot residential subdivision, to include the contents of the application and site plan must be complied with, as applicable.
9. All corner lots and lots fronting more than one street must provide front yard setbacks from each street.
10. This conditional approval is not approval of the permit for the freestanding development entrance signs. (Note: This conditional approval is **not** approval of the size, shape, or location of any signs.)
11. All applicable provisions of Section 2401, "Group Developments", County Subdivision and Development Ordinance, must be complied with.

12. For any new development, an adequate drainage system must be installed by the developer in accordance with the NC Department of Environment and Natural Resources' (NCDENR) *Manual on Best Management Practices* and all drainage ways must be kept clean and free of debris. (Section 2306 D, County Subdivision and Development Ordinance)
13. For new development, all utilities, except for 25kv or greater electrical lines, must be located underground. (Section 2306 C, County Subdivision and Development Ordinance)
14. In the event a stormwater utility structure is required by the NC Department of Environment and Natural Resources (NCDENR), the owner/developer must secure the structure with a four foot high fence with a lockable gate, and is required to maintain the detention/retention basin, keeping it clear of debris and taking measures for the prevention of insect and rodent infestation.
15. This review does not constitute a "subdivision" approval by NC Department of Transportation (NCDOT). A separate submittal to NCDOT will be required prior to consideration for addition to the system of any street within this development.
16. The developer must obtain a driveway permit from the NC Department of Transportation (NCDOT). A copy of the approved driveway permit must be provided to Code Enforcement at the time of application for building/zoning permits.
17. The NC Department of Transportation (NCDOT) must approve the street plans and the street(s) are required to be constructed to the NCDOT standards for secondary roads.
18. Turn lanes may be required by the NC Department of Transportation (NCDOT).
19. The open space s shall be preserved and used only as natural scenic, passive recreational, agricultural, pasture and/or meadow, forestry, wetlands or horticultural uses.
20. The perimeter buffer, 40 feet in width along the right-of-way and 20 foot wide around the remainder of the development, must be provided and maintained in accordance with Section 803.E of the County Zoning Ordinance. The application indicates the developer's intention of using the existing natural vegetation; however, in order to obtain opacity within three years, additional plantings may be required. Any new plantings are required to be three feet in height at time of planting, to reach a height of six feet within three years. A berm or combination berm and plantings may be also be used provided an initial height of three feet is achieved with a total height of six feet within three years.
21. All notes and calculations as shown on the site plan and contained in the application are to be considered as a part of this density development approval.

Plat-Related:

22. The final plat must be labeled as a "Zero Lot Line" development.
23. The open space, stormwater structures, perimeter buffer and recreation areas must also be labeled a "Common Area" on the final plat.
24. The developer is required to submit to Land Use Codes:
 - a. Three copies of proposed covenants, by-laws and articles of incorporation for the proposed development designating responsibility for the streets until accepted for maintenance by the NC Department of Transportation (NCDOT), and the open space and perimeter buffer by the owners' association for the development;
 - b. One copy of the deeds proposed for recordation conveying all common area to the proposed owners association;
 - c. One copy of any proposed supplemental covenants if the proposed development is to be submitted for final approval in phases; and
 - d. Two copies of each proposed final plat prior to the submission for final approval – can be a phase of the approved development or the complete development as approved.

These documents must be approved by the County Attorney prior to the sale of or submission for final plat approval of any lot or unit within this development.

25. The street name signs, in compliance with the County Street Sign Specifications, must be installed prior to final plat approval. The developer should contact Location Services for inquiries regarding the County's policy for street sign installation or, if the sign is commissioned from a private source, to schedule an inspection of the street sign(s). Land Use Codes must receive notice of agreement with the Location Services Section for sign installation or of satisfactory inspection prior to the approval of the final plat.
26. Because this development is a "density development" all common area (open space and perimeter) must be recorded as one initial final plat or if phasing the development the common area must be recorded incrementally, ensuring the 40% required open space is held to.
27. The builder/developer must provide the buildable envelopes on the final plat: providing a five-foot maintenance easement along each side of all common internal lines with all other applicable setbacks being provided for; or at the time of permit application, the individual plot plans must be approved by Land Use Codes prior to issuance of any permits.
28. Any/All easements must be reflected on the final plat and labeled as to type of easement, reference number for document creating the easement, and the name of the agency, individual, etc. who holds the easement.
29. All lots within this development must be served by an internal street system and a "no access" easement must be reflected on the final plat along SR 2243(Roslin Farm Road) on the common area/open space lot.
30. A 10' x 70' sight distance easement is required at the intersection of SR 2243 (Roslin Farm Road) with Lymstock Drive and must be reflected on the final plat.
31. A 25' right-of-way radius is required at all intersections and must be reflected on the final plat. (Section 2304.10.c, Street Design, County Subdivision and Development Ordinance)
32. The NC Department of Transportation (NCDOT) stamp must be affixed to the final plat prior to submission for final plat approval by Land Use Codes.
33. The notarized signature(s) of all current tax record owner(s) and notary certifications appear on the final plat when submitted for final approval. (Section 2503 D, Certificate of Ownership and Dedication, County Subdivision and Development Ordinance)
34. The developer is reminded that the improvements must be in place or that final plat approval will only be granted in accordance with Section 2502 B, C, or D, Final Plat – Guarantees of Improvements, County Subdivision and Development Ordinance. (Note: Once the improvements are in place, the developer is responsible for contacting Jeff Barnhill to schedule an inspection of the improvements.) **Note: For purposes of this conditional approval, the perimeter buffer is also considered an "improvement."**
35. The final plat must be submitted to Land Use Codes for review and approval for recording with the County Register of Deeds, and the plat must be recorded prior to any permit application for any structure and/or prior to the sale of any lot or unit within this development.

Plat-Required Statements:

36. Since this development does not have public water/sewer, the following disclosure statement is required to be provided on the final plat (Section 2504 C, On-Site Water and/or Sewer Disclosure, County Subdivision and Development Ordinance):

"The individual lots in this development do not have public sewer and/or water services available, and no lots have been approved by the Health Department for on-site sewer services or been deemed acceptable for private wells at the date of this recording."
37. All structures shall be shown on the final plat or the final plat shall reflect the following statement (Section 2504 D, County Subdivision and Development Ordinance):

"Nonconforming structures have not been created by this development plat."

38. Because the streets in this development have been approved as “public” streets and the streets do not yet qualify for acceptance by the NC Department of Transportation to the State system for maintenance purposes, the following statement is required to be included on the final plat (Section 2504 E, County Subdivision and Development Ordinance):

“The streets shown on this plat though labeled as “public” – unless otherwise noted – have not been accepted by the NC Department of Transportation as of the date of this recording. Until such time that the streets are accepted and formally added to the State system, maintenance and liability of the streets are the responsibility of the developer and any future lot owner(s).”

Other Relevant Conditions:

39. The applicant is advised to consult an expert on wetlands before proceeding with any development.
40. The US Postal Service most likely will require this development to have centralized cluster boxes for postal service to each lot or unit. The developer is advised contact the US Postal Growth Coordinator for the Mid-Carolinas District to determine the appropriate location for the cluster boxes. If the cluster box location requires changes to the subdivision or site plan, a revised preliminary/plan must be submitted to the Planning & Inspections Department for review and approval.
41. The owner/developer is responsible for ensuring easements which may exist on the subject property are accounted for, not encumbered and that no part of this development is violating the rights of the easement holder.
42. The developer(s) and any future lot owners are responsible for the maintenance and upkeep of the streets until such time the streets are added to the State system by the NC Department of Transportation (NCDOT) for maintenance purposes. The developer is advised to give notice of the street status to any future lot owners in the event the lots are conveyed prior to the NCDOT's acceptance.
43. The owner/developer be aware that every deed created for a lot being served by an on-site water and/or sewer system must contain the following disclosure when filed with the County Register of Deeds:

“Public water and/or sewer services are not available as of the date of the recording of this deed. On-site sewer disposal systems must be approved by the County Health Department.”

Thank you for developing in Cumberland County!

If you need clarification of any conditions, please contact Ed Byrne at 910-678-7609 or Patti Speicher at 910-678-7605 with the Land Use Codes Section; otherwise, contact the appropriate agency at the contact numbers below.

Contact Information (Area Code is 910 unless otherwise stated):

Subdivision/Site Plan/Plat	Ed Byrne	678-7609
Code Enforcement (Permits):	Ken Sykes	321-6654
County Health Department:	Daniel Ortiz	433-3680
Ground Water Issues:	Matt Rooney	678-7625
Robeson Co Public Utilities:	BH Harris	(910) 671-3485
County Public Utilities:	Amy Hall	678-7637
Corp of Engineers (wetlands):	Emily Greer	(910) 251-4049
NC DENR (E&S):	Sally Castle	433-3300
Location Services:		
Site-Specific Address:	Ron Gonzales	678-7616
Street Naming/Signs:	Diane Shelton	678-7665
Tax Parcel Numbers:		678-7549
NCDOT (driveways/curb-cuts):	Gary Burton	486-1496
NCDOT (subdivision roads):	David Plummer	486-1496
N.C. Division of Water Quality:	Mike Randall	(919) 733-5083 ext. 545
United States Postal Service	Terry Carr	(704) 393-4466

TO THE CUMBERLAND COUNTY JOINT PLANNING BOARD AND THE BOARD OF COUNTY COMMISSIONERS OF CUMBERLAND COUNTY, NC:

I (We), the undersigned, hereby submit this application, and petition the County Commissioners to amend and to change the zoning map of the County of Cumberland as provided for under the provisions of the County Zoning Ordinance. In support of this petition, as hereinafter requested, the following facts are submitted:

1. Applicant/Agent CHARLES T. GARDNER & JANET K. GARDNER
2. Address: 6742 ROSLIN FARM RD. Zip Code 28348
3. Telephone: (Home) 910-818-4093 (Work) 910-425-4117
4. Location of Property: _____
5. Parcel Identification Number (PIN #) of subject property: 0412-54-3178
(also known as Tax ID Number or Property Tax ID)
6. Acreage: 65.13 Frontage: 660' Depth: 2550'
7. Water Provider: WELL
8. Septage Provider: SEPTIC TANK
9. Deed Book 6089, Page(s) 303, Cumberland County Registry. (Attach copy of deed of subject property as it appears in Registry).
10. Existing use of property: AGRICULTURAL
11. Proposed use(s) of the property: RESIDENTIAL

NOTE: Be specific and list all intended uses.

12. It is requested that the foregoing property be rezoned FROM: A1
TO: (Select one)
_____ Conditional Zoning District, with an underlying zoning district of _____
(Article IV)
_____ Mixed Use District/Conditional Zoning District (Article VI)
_____ Planned Neighborhood District/Conditional Zoning District (Article VII)
☒ _____ Density Development/Conditional Zoning District, at the R30 Density
(Article VIII)

The Planning and Inspections Staff is available for advice on completing this application; however, they are not available for completion of the application.

APPLICATION FOR
CONDITIONAL ZONING

1. PROPOSED USE(S):

- A. List the use(s) proposed for the Conditional Zoning. (Use of the underlying district will be restricted only to the use(s) specified in this application.)

66 LOT RESIDENTIAL SUBDIVISION

- B. Density: List the amount of acreage that will be residential, commercial, and/or open space, and the number of lots and/or dwelling units proposed, and the square footage of the non-residential units.

AVERAGE LOT SIZE 20,000 SQ FT.

2. DIMENSIONAL REQUIREMENTS:

- A. Reference either the dimensional requirements of the district, Sec. 1104 or list the proposed setbacks.

PER SITE PLAN

- B. Off-street parking and loading, Sec.1202: List the number of spaces, type of surfacing material and any other pertinent information.

NA

3. SIGN REQUIREMENTS:

Reference the district sign regulations proposed from Article XIII.

PER SITE PLAN

4. LANDSCAPE AND BUFFER REQUIREMENTS:

- A. For all new non-residential and mixed use development abutting a public street, indicate the number and type of large or small ornamental trees used in the streetscape, yard space, and/or parking areas, plus the number and type of shrubs. (Sec. 1102N). **NOTE: All required landscaping must be included on the site plan.**

PER SITE PLAN

- B. Indicate the type of buffering and approximate location, width and setback from the property lines.

~~PER SITE PLAN~~ PER SITE PLAN

5. MISCELLANEOUS:

List any information not set forth above, such as the days and hours of the operation, number of employees, exterior lighting, noise, odor and smoke, emission controls, etc.

NA

6. SITE PLAN REQUIREMENTS:

The application must include a site plan drawn to the specifications of Sec. 1402. If the proposed uses involve development subject to the County Subdivision Ordinance, the site plan required may be general in nature, showing a generalized street pattern, if applicable, and the location of proposed uses. If the proposed uses include development not subject to the Subdivision Ordinance, the site plan shall be of sufficient detail to allow the Planning and Inspections Staff and the Planning Board to analyze the proposed uses and arrangement of uses on the site. It shall also include the footprints of all buildings (proposed and existing), the proposed number of stories, location and number of off-street parking and loading spaces, proposed points of access to existing streets and internal circulation patterns. In addition, the location of all proposed buffers and fences and landscaping shall be included on the site plan.

7. STATEMENT OF ACKNOWLEDGMENT:

It is understood by the undersigned that the official zoning map, as originally adopted and subsequently amended, is presumed to be appropriate to the property involved and that the burden of proof for a zoning amendment (rezoning) rest with the petitioner.

It is the responsibility of the petitioner (personally or by agent) to submit to the Planning and Inspections Department a valid request within a complete application.

I further understand I must voluntarily agree to all ordinance related conditions prior to the first hearing on the case or any disagreement may be cause for an unfavorable recommendation. The undersigned hereby acknowledge that the Planning and Inspections Staff has conferred with the petitioner or assigns, and the application as submitted is accurate and correct.

CHARLES T. & JANE K. GARDNER
NAME OF OWNER(S) (PRINT OR TYPE)

5405 LAKEVIEW RD., HOPE MILLS, NC 28348
ADDRESS OF OWNER(S)

charlestgardner@hotmail.com
E-MAIL

910-818-4093 910-425-4117
HOME TELEPHONE WORK TELEPHONE

Charles T. Gardner Jane K. Gardner
SIGNATURE OF OWNER(S) SIGNATURE OF OWNER(S)

MOORMAN, KYLER & RIETZEL
NAME OF AGENT, ATTORNEY, APPLICANT (by assign) (PRINT OR TYPE)

115 BROADFOOT AVE. FAYETTEVILLE, NC 28314
ADDRESS OF AGENT, ATTORNEY, APPLICANT

484-5191
HOME TELEPHONE WORK TELEPHONE

E-MAIL ADDRESS FAX NUMBER

SIGNATURE OF AGENT, ATTORNEY, OR APPLICANT

Patricia Hall,
Chair
Town of Hope Mills

Charles Morris,
Vice-Chair
Town of Linden

Garland C. Hostetter,
Town of Spring Lake
Harvey Cain, Jr.,
Town of Stedman

Donovan McLaurin,
Wade, Falcon & Godwin



CUMBERLAND
★ COUNTY ★
NORTH CAROLINA

Planning & Inspections Department

Thomas J. Lloyd,
Director

Cecil P. Combs,
Deputy Director

Vikki Andrews,
Diane Wheatley,
Carl Manning,
Walter Clark,
Cumberland County

Benny Pearce,
Town of Eastover

DECEMBER 5, 2014

ITEM NO. 3C

MEMO TO: Cumberland County Board of Commissioners

FROM: Cumberland County Joint Planning Board

SUBJECT: **Case P14-59:** Rezoning 1.30+/- acres R10 Residential to RR Rural Residential or to a more restrictive zoning district; located at 2440, 2444 and 2450 Lillington Highway; submitted by Wilton C. Jones, Sr. (owner) and Gregory Spears.

ACTION: 1st motion for Case P14-59: 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.

2nd motion for Case P14-59: Move to approve the rezoning from R10 Residential to RR Rural Residential as recommended by the Planning Staff.

SITE PROFILE: **Frontage:** 175.34'+/- on NC Hwy 210 (Lillington Highway); **Depth:** 370.94'+/-; **Jurisdiction:** Cumberland County; **Adjacent Property:** No; **Current Use:** 1 stick built & 2 manufactured dwellings; **Initial Zoning:** R10— January 11, 1977 (Area 11); **Nonconformities:** None; **Zoning Violation(s):** None; **Surrounding Zoning:** North: C1(P), O&I(P), RR, R10 & R6A; South: O&I(P)/CU (dog kennel), C1(P), O&I(P), RR, R10, R6 (Spring Lake) & CD; East: RR & R6 (Spring Lake); West: C1(P) & R10; **Surrounding Land Use:** Residential (including manufactured dwellings), tire sales, vacant commercial structure, water tower, religious worship, food sales (2), substation, restaurants (2), barbering, bar, manufactured home park & woodlands; **2030 Land Use Plan:** Urban; **Spring Lake Area Detailed Land Use Plan:** Light commercial; **Special Flood Hazard Area (SFHA):** None; **Water/Sewer Availability:** Town of Spring Lake /Septic; **Soil Limitations:** Yes, hydric – WMB Wickham fine sandy; **School Capacity/Enrolled:** Lillian Black Elementary: 265/221; Spring Lake Middle: 700/488; Pine Forest High: 1,750/1,597; **Subdivision/Site Plan:** Group development approved, Case No. 2014-110; **US Fish & Wildlife:** No objection to rezoning as property is relatively small; however, concerned about loss of trees for dispersal corridor for red-cockaded woodpeckers in this general area; **Municipal Influence Area:** Town of Spring Lake; **Average Daily Traffic Count (2012):** 19,000 on NC Hwy 210 (Lillington Highway); **Highway Plan:** NC Hwy 210 (Lillington Highway) is identified in the highway plan as a Principal Arterial that is designated as needing improvement. The current right-of-way is 110 feet; **Notes:** Density (minus 15% for R/W): R7.5 – 8 lots/units (6 lots/units), RR – 3 lots/units (2 lots/units); Minimum Yard Setback Regulations: **R7.5:** Front yard: 30', Side yard: 10', Rear yard: 35'; **RR:** Front yard: 30', Side yard: 15', Rear yard: 35'.

MINUTES OF NOVEMBER 18, 2014

1st MOTION

The Planning and Inspections Staff recommends the board find that approval of the request for rezoning in Case No. P14-59 is consistent with the adopted comprehensive plan designated as the *2030 Growth Vision Plan*, which calls for "urban" at this location. The request is not consistent with the Spring Lake Area Land Use Plan, which calls for "light commercial development", however, the request will allow for various housing types and a limited number of non-residential uses.

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 property 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 public street is required*, Lillington Highway 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

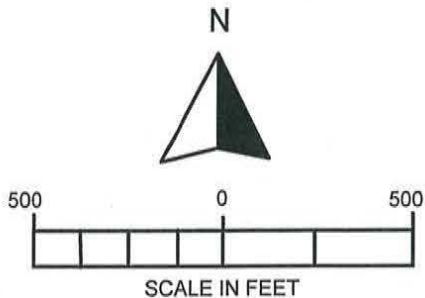
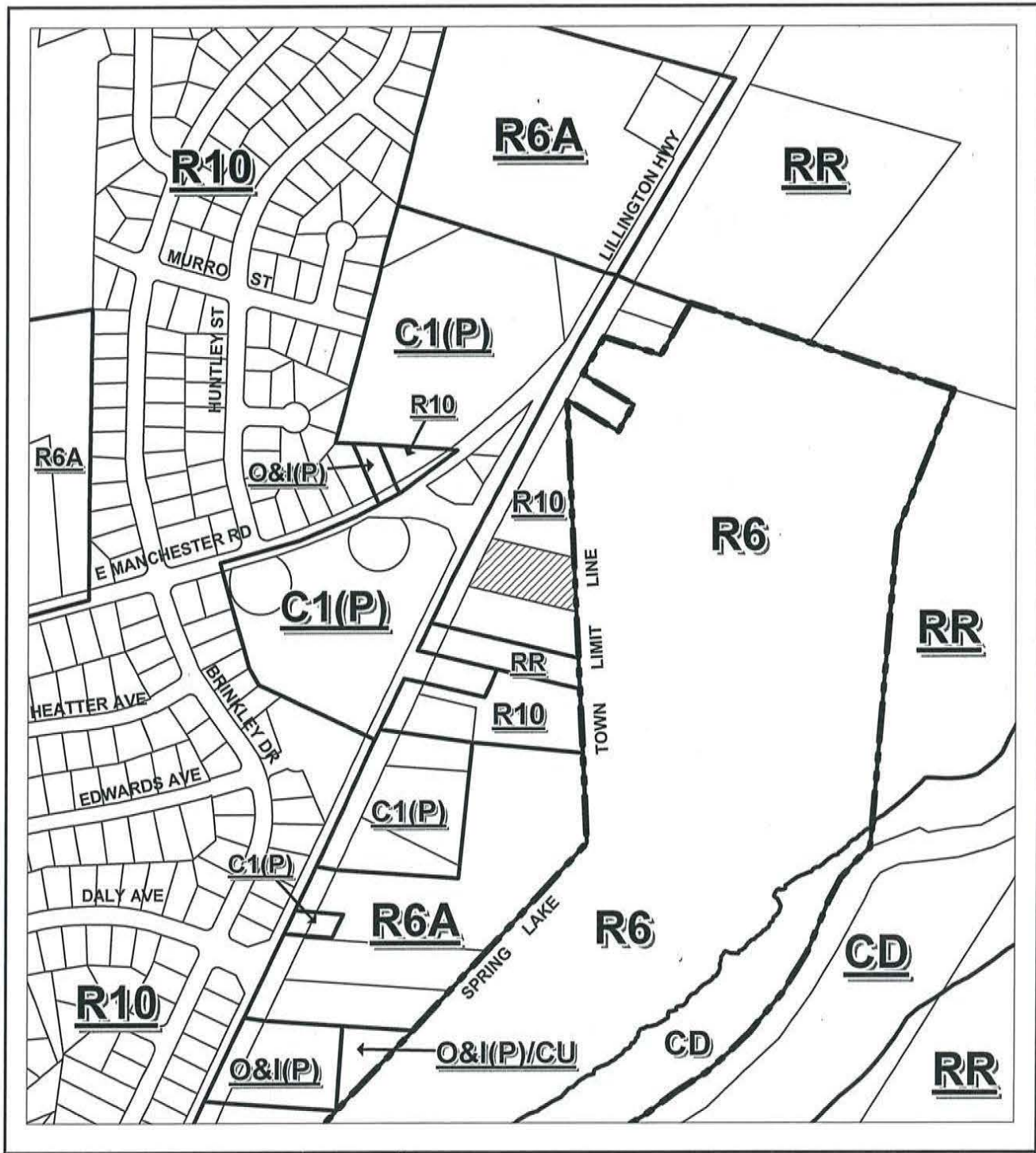
In addition to the above information, the Planning and Inspections Staff recommends the board approve Case No. P14-59 for RR Rural Residential district based on the following:

1. Public water is available to the subject property;
2. The RR Rural Residential district will allow for land uses and lot sizes that exist in the general area. There are no other districts considered suitable for this request.

Mr. Morris made both of the motions referenced above, seconded by Ms. Andrews, to follow the staff recommendations and approve the rezoning request. The motions passed unanimously.

First Class and Record Owners' Mailed Notice Certification

A certified copy of the tax record owner(s) of the subject and adjacent properties and their tax record mailing address is contained within the case file and is incorporated by reference as if delivered herewith.



PIN: 0513-50-4927

REQUESTED REZONING R10 TO RR

ACREAGE: 1.3 AC.+/-	HEARING NO: P14-59	
ORDINANCE: COUNTY	HEARING DATE	ACTION
STAFF RECOMMENDATION		
PLANNING BOARD		
GOVERNING BOARD		

AM

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 645-2014.

Property Owner: Alvin Cooper Billingsley

Home Owner: Alvin Cooper Billingsley

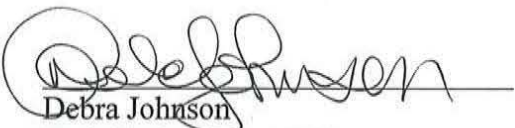
Property Address: 1056 & 1066 Bernadine Street Fayetteville NC

Tax Parcel Identification Number: 0419-88-7332

SYNOPSIS: This property was inspected on 6/17/2014. The property owners and parties of interest were legally served with Notice of Violations and was afforded a Hearing on 7/23/2014. No one attended the Hearing. It was ordered that the structures be repaired to a minimum standard for human habitation, or be demolished and the debris removed from the premises by a date not later than 8/3/2014. The property owners and parties of interest were notified of the appeal procedures when they were served with the Findings of Fact and Order. (See Exhibit A for Findings of Fact and Order.) No appeal was filed. Upon my visit to the property on 12/4/2014. The required corrective action has not been made to the structures. The structures are presently vacant and unsecured. In their present state, these structures constitute a fire, health, and safety hazard.

The estimated cost to repair the structures to a minimum standard for human habitation is 1056 Bernadine = \$35,280.00. 1066 Bernadine = \$37,682.00 The Assessor for Cumberland County has the structures presently valued at 1056 Bernadine = \$1,311.00. 1066 Bernadine = \$1,614.00. Attached is a map depicting the location of the property. (See Exhibit B.)

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


Debra Johnson
Code Enforcement Officer
County of Cumberland



Sworn to and Subscribed to by me this
the 4th day of December 2014.


Notary Public
My Commission Expires: 11-06-19

BOARD FINDINGS AND ACTION CHECK LIST
MINIMUM HOUSING REHABILITATION AND/OR DEMOLITION ORDINANCE

Name(s) of Owner(s)

Appearances:

Inspection Dept. Case No.:

BOARD OF COUNTY COMMISSIONERS MOTION:

1. If the Board feels that the structure should be demolished, the Board's motion should be:

To adopt the order and report of the Minimum Housing Inspector as the true facts in this case, and

To order the property owner to remove or demolish the dwelling within _____ 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.

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.

2. If the Board feels that the property can be rehabilitated, the Board's motion should be:

To adopt the order and report of the Minimum Housing Inspector as the true facts in this case.

To order the property owner to rehabilitate the property within _____ days.

To order the property owner to vacate and secure the property within _____ days pending rehabilitation.

To order the Inspector to rehabilitate the property or 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.

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.

3. If the Board wishes to delay action on the case, the Board's motion should be:

To adopt the order and report of the Minimum Housing Inspector as the true facts in this case.

To delay a decision on the case until _____ (date) in order to give the owner or party of interest time to: _____

Thomas J. Lloyd,
Director

Cecil P. Combs,
Deputy Director

Ken Sykes,
Code Enforcement Manager

Carol M. Post
Office Processing Assistant



**CUMBERLAND
★ COUNTY ★
NORTH CAROLINA**

Planning & Inspections Department

FINDINGS OF FACT AND ORDER

7/23/2014

George Hatcher,
Inspector

Joey Lewis,
Inspector

Joan Fenley,
Inspector

Debra Johnson,
Inspector

Christopher Fulton,
Inspector

91 7199 9991 7034 5067 6466

Alvin Cooper Billingsley & Parties of Interest
4307 Coventry Rd
Fayetteville NC, 28304

CASE # MH-645-2014

PROPERTY AT: 1054, 1056, & 1066 Bernadine Street, Fayetteville, NC

A Complaint, Notice of Hearing and Report of Inspection were legally served to the owner or owner's agent, and any party of interest. These documents were in fact received by the owner or owner's agent and party of interest on 6/28/2014.


Pursuant of law, a Hearing was conducted in Room 101, of the old courthouse at 130 Gillespie Street, Fayetteville, NC on 7/23/2014 at 10:00 AM. The items identified below took place at the Hearing:

- ☒ 1. No owner or party of interest, or their agent, or representative appeared.
- ☐ 2. An answer was filed by owners and/or parties of interest. The answer was heard, read, and considered. Those answering by phone were: _____
- ☒ 3. The undersigned inspector personally inspected the dwelling described in the Complaint and Notice of Hearing dated 6/18/2014. Upon the record and all of the evidence offered and contentions made, the undersigned Hearing Officer does thereby find the following fact:
 - ☒ a. The dwelling in question is violative of the Cumberland County Housing Ordinance as per findings in the inspection report with an assigned case number of MH-645-2014, dated 6/17/2014.
 - ☒ b. Due to these findings, the dwellings are found to be in a substandard condition in accordance with the Cumberland County Ordinance.
 - ☒ c. The dwelling is unfit for human habitation.

EXHIBIT "A"

- ☒ 4. Due to facts presented above, the Hearing Officer orders as follows:
- ☒ a. The owners and/or parties of interest of the dwelling named above are required to bring such dwelling into compliance with the Cumberland County Housing Ordinance by either repairing, altering, and improving the dwelling up to a minimum standard or by demolishing the structure and then causing the debris to be removed from the premises by a date not later than 8/3/2014. **All required permits must be obtained. A copy of this order must be presented when obtaining permits.**
- ☐ b. The dwelling shall remain vacated until compliance with this order is completed and removed by the inspector, and the lot must be continuously maintained.
- ☐ c. The structure shall be/remain secured to prevent entry by ___ and shall remain secured.
- ☐ d. By authority of North Carolina General Statutes 14-4, violation of the County code is punishable as a Class 3 Misdemeanor in criminal court and also subjects the violator to injunctive relief and/or a civil penalty of \$50.00 per day for each day's continuing violation after___.
- ☒ e. The County Planning/Inspection Department may immediately begin procedures to seek a demolition ordinance from the Cumberland County Board of Commissioners for failure to bring the property into compliance by 8/3/2014. The cost of said demolition will be assessed against the real property in the form of a lien.

An appeal may be made to the Cumberland County Housing Board of Appeals. If an appeal is requested, it must be made in writing and within the time limits specified in the enclosed appeal procedures.

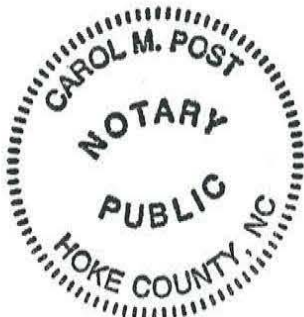

Ken Sykes
Hearing Officer


Debra Johnson
Code Enforcement Officer

Enclosed: Appeals Procedure Form

Cc:

Sworn to and Subscribed to by me
this the 23rd day of July, 2014





Notary Public
My Commission Expires: 11-03-14

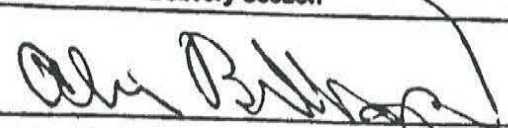
EXHIBIT "A"

Date: August 6, 2014

d j:

The following is in response to your August 6, 2014 request for delivery information on your Certified Mail™ item number 9171999991703450676466. The delivery record shows that this item was delivered on August 1, 2014 at 10:43 am in FAYETTEVILLE, NC 28304. The scanned image of the recipient information is provided below.

Signature of Recipient :

Signature	
Printed Name	ALVIN BILLINGS

Address of Recipient :

Address	4307 Coventry
---------	---------------

Thank you for selecting the Postal Service for your mailing needs.

If you require additional assistance, please contact your local Post Office or postal representative.

Sincerely,
United States Postal Service

PROOF OF SERVICE OF **FINDINGS OF FACT AND ORDER**
DATED July 23, 2014 CASE NUMBER **MH 645-2014**

EXHIBIT A

MAP DEPICTING LOCATION OF PROPERTY
Property Owner: Alvin Cooper Billingsley
1056 & 1066 Bernadine Street, Fayetteville, NC
Minimum Housing Case # MH 645-2014
TAX PARCEL IDENTIFICATION NUMBER 0419-88-7332

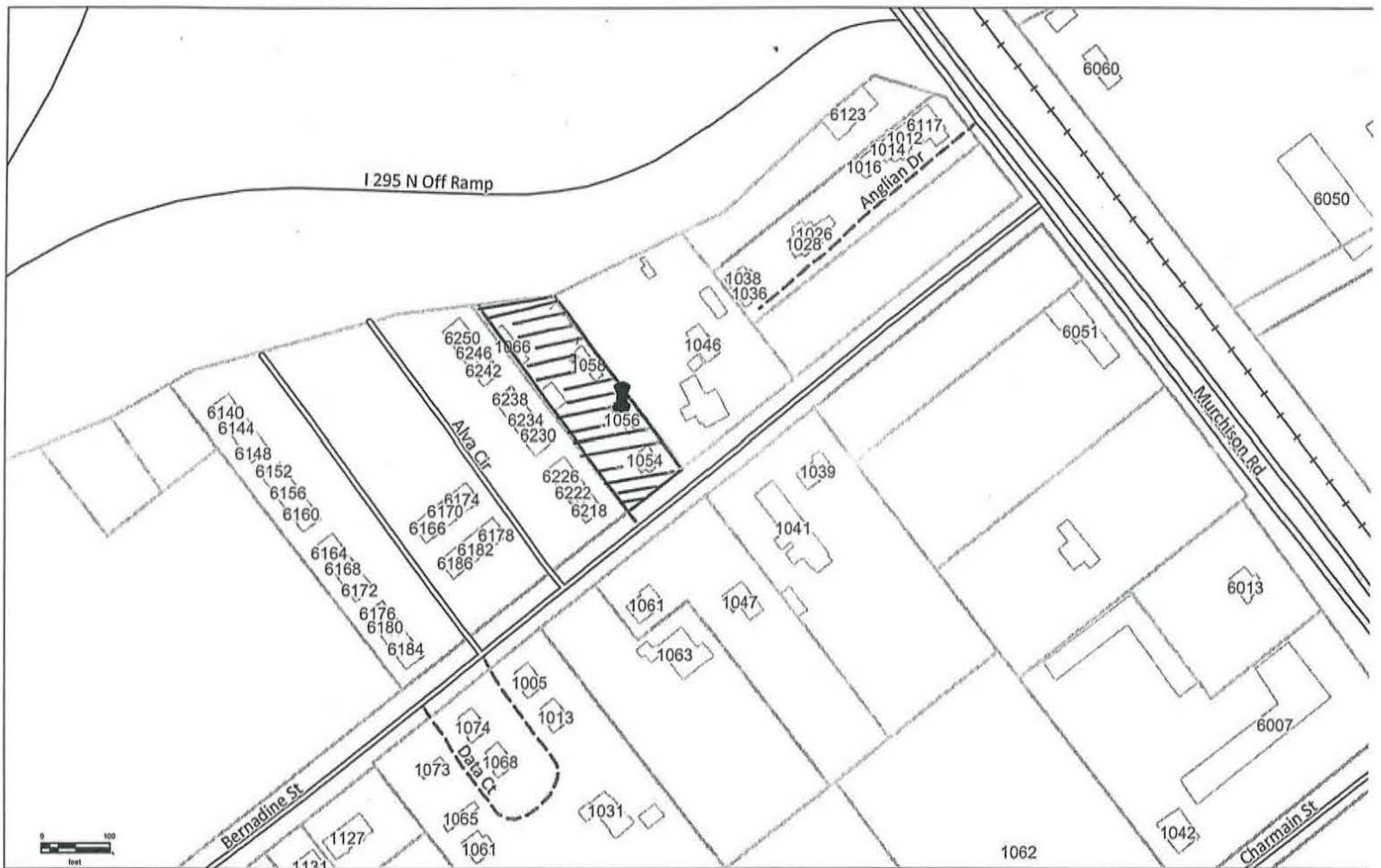


EXHIBIT B

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 699-2014.

Property Owner: Eric R Nelson & Bank of America

Home Owner: Eric R Nelson & Bank of America

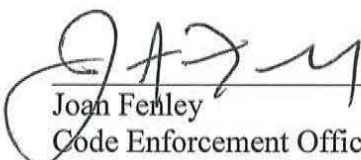
Property Address: 6505 Amity Court, Stedman, NC

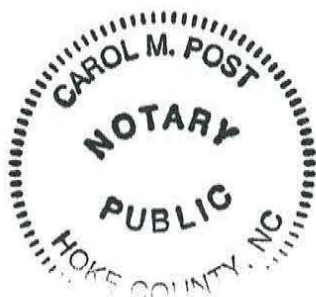
Tax Parcel Identification Number: 0497-26-5834

SYNOPSIS: This property was inspected on 7/16/2014. The property owners and parties of interest were legally served with Notice of Violations and was afforded a Hearing on 9/15/2014. 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 10/15/2014. The property owners and parties of interest were notified of the appeal procedures when they were served with the Findings of Fact and Order. (See Exhibit A for Findings of Fact and Order.) No appeal was filed. Upon my visit to the property on 12/4/2014, the required corrective action has not 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 \$75,411.00. The Assessor for Cumberland County has the structure presently valued at \$571.00. Attached is a map depicting the location of the property. (See Exhibit B.)


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


Joan Fenley
Code Enforcement Officer
County of Cumberland



Sworn to and Subscribed to by me this

the 4th day of December 2014.


Notary Public
My Commission Expires: 11-06-19

BOARD FINDINGS AND ACTION CHECK LIST
MINIMUM HOUSING REHABILITATION AND/OR DEMOLITION ORDINANCE

Name(s) of Owner(s)

Appearances:

Inspection Dept. Case No.:

BOARD OF COUNTY COMMISSIONERS MOTION:

1. If the Board feels that the structure should be demolished, the Board's motion should be:

To adopt the order and report of the Minimum Housing Inspector as the true facts in this case, and

To order the property owner to remove or demolish the dwelling within _____ 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.

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.

2. If the Board feels that the property can be rehabilitated, the Board's motion should be:

To adopt the order and report of the Minimum Housing Inspector as the true facts in this case.

To order the property owner to rehabilitate the property within _____ days.

To order the property owner to vacate and secure the property within _____ days pending rehabilitation.

To order the Inspector to rehabilitate the property or 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.

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.

3. If the Board wishes to delay action on the case, the Board's motion should be:

To adopt the order and report of the Minimum Housing Inspector as the true facts in this case.

To delay a decision on the case until _____ (date) in order to give the owner or party of interest time to: _____

Thomas J. Lloyd,
Director

Cecil P. Combs,
Deputy Director

Ken Sykes,
Code Enforcement Manager

Carol M. Post
Office Processing Assistant



**CUMBERLAND
★ COUNTY ★
NORTH CAROLINA**

Planning & Inspections Department

FINDINGS OF FACT AND ORDER

10/10/2014

George Hatcher,
Inspector

Joey Lewis,
Inspector

Joan Fenley,
Inspector

Debra Johnson,
Inspector

Christopher Fulton,
Inspector

91 7199 9991 7034 5068 1811

Eric R Nelson & Parties of Interest
4061 B Daisy Mine Court
Fort Irwin CA, 92310

CASE # MH-699-2014

PROPERTY AT: 6505 Amity Court, Stedman, NC

91 7199 9991 7034 5068 1804

Bank of America & Parties of Interest
2380 Performance Drive
Richardson, TX 75082

A Complaint, Notice of Hearing and Report of Inspection were legally served to the owner or owner's agent, and any party of interest. These documents were in fact received by the owner or owner's agent and party of interest on 8/25/2014.

Pursuant of law, a Hearing was conducted in Room 101, of the old courthouse at 130 Gillespie Street, Fayetteville, NC on 9/15/2014 at 3:30 PM. The items identified below took place at the Hearing:

- ☒ 1. No owner or party of interest, or their agent, or representative appeared.
- ☐ 2. An answer was filed by owners and/or parties of interest. The answer was heard, read, and considered. Those answering by phone were: _____
- ☒ 3. The undersigned inspector personally inspected the dwelling described in the Complaint and Notice of Hearing dated 7/28/2014. Upon the record and all of the evidence offered and contentions made, the undersigned Hearing Officer does thereby find the following fact:
 - ☒ a. The dwelling in question is violative of the Cumberland County Housing Ordinance as per findings in the inspection report with an assigned case number of MH-699-2014, dated 7/16/2014.
 - ☒ b. Due to these findings, the dwellings are found to be in a substandard condition in accordance with the Cumberland County Ordinance.
 - ☒ c. The dwelling is unfit for human habitation.


EXHIBIT "A"

☒ 4. Due to facts presented above, the Hearing Officer orders as follows:

- ☒ a. The owners and/or parties of interest of the dwelling named above are required to bring such dwelling into compliance with the Cumberland County Housing Ordinance by either repairing, altering, and improving the dwelling up to a minimum standard or by demolishing the structure and then causing the debris to be removed from the premises by a date not later than 10/15/2014. **All required permits must be obtained. A copy of this order must be presented when obtaining permits.**
- ☐ b. The dwelling shall remain vacated until compliance with this order is completed and removed by the inspector, and the lot must be continuously maintained.
- ☐ c. The structure shall be/remain secured to prevent entry by 10/15/2014 and shall remain secured.
- ☐ d. By authority of North Carolina General Statutes 14-4, violation of the County code is punishable as a Class 3 Misdemeanor in criminal court and also subjects the violator to injunctive relief and/or a civil penalty of \$50.00 per day for each day's continuing violation after 10/15/2014.
- ☒ e. The County Planning/Inspection Department may immediately begin procedures to seek a demolition ordinance from the Cumberland County Board of Commissioners for failure to bring the property into compliance by 10/15/2014. The cost of said demolition will be assessed against the real property in the form of a lien.

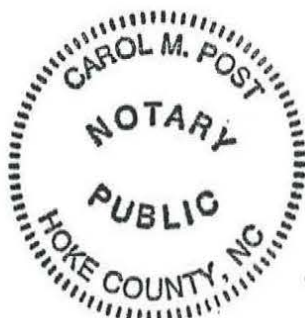
An appeal may be made to the Cumberland County Housing Board of Appeals. If an appeal is requested, it must be made in writing and within the time limits specified in the enclosed appeal procedures.


Karen Sykes
Hearing Officer


Joan Fenley
Code Enforcement Officer

Enclosed: Appeals Procedure Form

cc:



Sworn to and Subscribed to by me
this the 22nd day of September, 2014



Notary Public
My Commission Expires: 11-03-14

EXHIBIT "A"

NORTH CAROLINA
COUNTY OF CUMBERLAND

PLANNING/INSPECTIONS DEPARTMENT

RE: Eric R Nelson & Parties of Interest
Name of Violator

MH 699-2014
Case Number

AFFIDAVIT OF RETURN OF SERVICE
(Personal Service to Individual)

I, Joan Fenley, Code Enforcement Officer, with the Cumberland County Inspections Department, personally
(name & title)

served Eric R Nelson, a copy of the Findings of Fact and Order and Appeals Procedures Form
(name of violator)

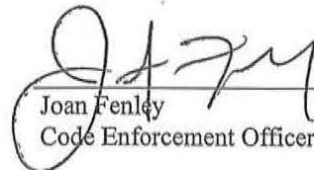
citing violations of Article IV, Chapter 4 of the Cumberland County Minimum Housing Ordinance by
mailing said notice(s) via certified mail and first class mail to the following address:

4061 B Daisy Mine Court, Fort Irwin, CA 92310

and by hand posting at the following address:

6505 Amity Court, Stedman, NC

I further certify that said service was completed on this the 26th day of September, 2014.

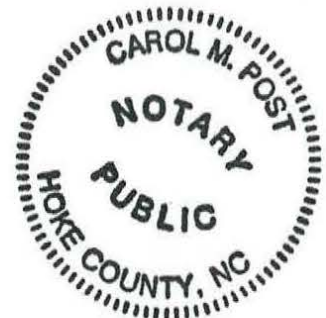

Joan Fenley
Code Enforcement Officer

Sworn to and subscribed to before me

this the 26th day of September, 20 14.


Notary Public

My Commission Expires: 11-03-14



PROOF OF SERVICE OF **FINDINGS OF FACT AND ORDER**
DATED October 10, 2014 CASE NUMBER **MH 699-2014**

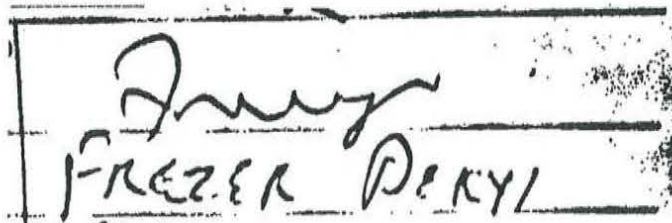
EXHIBIT A

Date: October 23, 2014

j fenley:

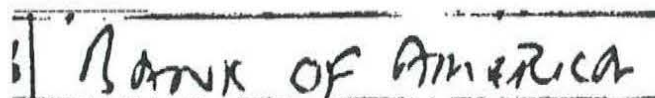
The following is in response to your October 23, 2014 request for delivery information on your Certified Mail™ item number 9171999991703450681804. The delivery record shows that this item was delivered on October 20, 2014 at 10:26 am in RICHARDSON, TX 75085. The scanned image of the recipient information is provided below.

Signature of Recipient :



FREZER PERRY

Address of Recipient :



BANK OF AMERICA

Thank you for selecting the Postal Service for your mailing needs.

If you require additional assistance, please contact your local Post Office or postal representative.

Sincerely,
United States Postal Service

PROOF OF SERVICE OF *FINDINGS OF FACT AND ORDER*
DATED October 10, 2014 CASE NUMBER *MH 699-2014*

EXHIBIT A

MAP DEPICTING LOCATION OF PROPERTY
Property Owner: Eric R. Nelson & Bank of America
6505 Amity Court; Stedman, NC 28312
Minimum Housing Case # MH 699-2014
TAX PARCEL IDENTIFICATION NUMBER 0497-26-5834



KENNETH S. EDGE
Chairman

W. MARSHALL FAIRCLOTH
Vice-Chairman

GLENN B. ADAMS
JEANNETTE M. COUNCIL
CHARLES E. EVANS
JIMMY KEEFE
LARRY L. LANCASTER



CUMBERLAND
COUNTY
NORTH CAROLINA

BOARD OF COMMISSIONERS

CANDICE WHITE
Clerk to the Board

KELLIE BEAM
Deputy Clerk

ITEM NO. 4

MEMORANDUM FOR BOARD OF COMMISSIONERS' AGENDA
DECEMBER 15, 2014

TO: BOARD OF COUNTY COMMISSIONERS

FROM: CANDICE H. WHITE, CLERK TO THE BOARD *cw*

DATE: DECEMBER 5, 2014

**SUBJECT: DESIGNATION OF VOTING DELEGATE TO THE NCACC'S 2015
LEGISLATIVE GOALS CONFERENCE**

BACKGROUND:

The NCACC's 2015 Legislative Goals Conference will be held January 15-16, 2015 at the Pinehurst Resort in Moore County. The Board of Commissioners is hereby requested to designate a commissioner or other official as a voting delegate. The voting delegate designation form is to be returned to the NCACC no later than Friday, January 2, 2015.

RECOMMENDATION/PROPOSED ACTION:

Appoint a voting delegate to the NCACC's 2015 Legislative Goals Conference.

Attachment(s)



VOTING DELEGATE DESIGNATION FORM
LEGISLATIVE GOALS CONFERENCE
January 15-16, 2015 (Thursday – Friday)
Pinehurst Resort – Moore County

NOTE: Please place this action on your board meeting agenda.

Each Board of County Commissioners is hereby requested to designate a commissioner or other official as a voting delegate for the 2015 Legislative Goals Conference. Each voting delegate should complete and sign the following statement and **RETURN IT TO THE ASSOCIATION NO LATER THAN FRIDAY, JANUARY 2, 2015.**

PLEASE RETURN FORM TO SHEILA SAMMONS, CLERK TO THE BOARD BY EMAIL: SHEILA.SAMMONS@NCACC.ORG OR FAX: 919-719-1172.

I, _____, hereby certify that I am the duly designated voting delegate for _____ County at the North Carolina Association of County Commissioners 2015 Legislative Goals Conference.

Signed: _____

Title: _____

Article VI, Section of the Association's Constitution provides:

"On all questions, including the election of officers, each county represented shall be entitled to one vote, which shall be the majority expression of the delegates of that county. The vote of any county in good standing may be cast by any one of its County Commissioners who is present at the time the vote is taken; provided, if no commissioner be present, such vote may be cast by another county official, elected or appointed, who holds elective office or an appointed position in the county whose vote is being cast and who is formally designated by the Board of County Commissioners. These provisions shall likewise govern district meetings of the Association. A county in good standing is defined as one which has paid the current year's dues."

KENNETH S. EDGE
Chairman

W. MARSHALL FAIRCLOTH
Vice Chairman

GLENN B. ADAMS
JEANNETTE M. COUNCIL
CHARLES E. EVANS
JIMMY KEEFE
LARRY L. LANCASTER



CUMBERLAND
★ **COUNTY** ★
NORTH CAROLINA

BOARD OF COMMISSIONERS

CANDICE WHITE
Clerk to the Board

KELLIE BEAM
Deputy Clerk

ITEM NO.

5A

December 9, 2014

December 15, 2014 Agenda Item

TO: Board of Commissioners

FROM: Kellie Beam, Deputy Clerk to the Board *KB*

SUBJECT: Board of Health

BACKGROUND: The Board of Health will have the following one (1) vacancy on December 31, 2014:

Pharmacist:

Tom Nicholson – completing second term. Not eligible for reappointment.
Recommendation of the Board of Health is for the appointment of **Dr. Carl Creech**. (See attached.)

I have attached the current membership list and applicant list for this board.

PROPOSED ACTION: Nominate individuals to fill the one (1) vacancy above.

Attachments

pc: Buck Wilson, Public Health Director

Board of Health

The Board of Health is the policy-making, rule-making and adjudicatory body for the Cumberland County Health department. The Board has the responsibility to protect and promote the public health and has authority to adopt rules necessary for that purpose.

Statutory Authorization: NCGS 130A-35

Member Specifications:

11 Members with Specific Categories:

- Veterinarian (1)
- Physician (1)
- Dentist (1)
- Registered Nurse (1)
- Optometrist (1)
- Pharmacist (1)
- Engineer (1)
- General Public (3)
- County Commissioner (1)

Term: 3 Years

Compensation: None

Duties:

- Protect and promote the public health;
- Adopt rules necessary to promote and protect public health (includes environmental health issues);
- Impose fees for services, except where prohibited by statute or where an employee of the Health Department is performing the services as an agent of the state;
- After consultation with the Board of County Commissioners; may appoint a local health director.

Meetings: Third Tuesday of each month at 6:00 PM. July and September meetings take place only if desired.

Meeting Location: Cumberland County Health Department Board Room 1235 Ramsey Street Fayetteville, NC



CUMBERLAND
★ **COUNTY** ★
NORTH CAROLINA

DEPARTMENT OF PUBLIC HEALTH

MEMORANDUM FOR BOARD OF COMMISSIONERS AGENDA, DECEMBER 1, 2014

TO: Board of Commissioners
FROM: Board of Health
DATE: November 21, 2014
SUBJECT: Recommendation for Appointment: Dr. Carl Creech as Pharmacist Representative to the Board of Health

BACKGROUND

The Board of Health recommends Dr. Carl Creech for the Pharmacist representative position on the Board of Health. The Board of Health will have a vacancy for the Pharmacist position effective December 31, 2014; as Tom Nicholson, current Pharmacist representative is not eligible for re-appointment. Dr. Creech expressed interest in being appointed to the Board of Health.

RECOMMENDATION

Appoint Dr. Carl Creech as Pharmacist representative to the Board of Health. Your favorable consideration of this request is greatly appreciated.

cc: James Lawson, Deputy County Manager

BOARD OF HEALTH

3 Year Term

(All terms expire on December 31st per NCGS § 130A-35)

<u>Name/Address</u>	<u>Date Appointed</u>	<u>Term</u>	<u>Expires</u>	<u>Eligible For Reappointment</u>
<u>Veterinarian</u>				
Dr. Heather Burkhardt (W/F) 5226 Lacross Point Parkton, NC 28371 (served an unexpired term; eligible for one additional three-year term) 910-489-2336	12/12	1 st full term	Dec/15 12/31/15	Yes
<u>Physician</u>				
Dr. Sanjay Shah 308 Forest Creek Drive Fayetteville, NC 28303 864-4080 / 987-2571	12/14	2nd	Dec/17 12/31/17	No
<u>Dentist</u>				
Dr. Oliver L. Hodge Jr. (B/M) 537 Old Farm Rd Fayetteville, NC 28314 487-0886/483-0409	12/12	1st	Dec/15 12/31/15	Yes
<u>Registered Nurse</u>				
Pamela Pollock, RN 1321 General Lee Avenue Fayetteville, NC 28305 481-9968 / 907-9091	12/12	2nd	Dec/15 12/31/15	No
<u>Optometrist</u>				
Dr. William Philbrick (W/M) 321 Springbrook Place Fayetteville, NC 28305 485-4580/484-6178	12/13	1st	Dec/16 12/31/16	Yes
<u>Pharmacist</u>				
Tom Nicholson (W/M) 274 Saint Johns Wood Fayetteville, NC 28303 485-1059/609-6839	12/11	2nd	Dec/14 12/31/14	No
<u>Engineer</u>				
David Greyshock (-/M) 3191 Braddy Road Fayetteville, NC 28306 717-215-6304	8/14	1 st	Dec/16 12/31/16	Yes
(serving unexpired term; eligible for one additional three-year term)				

(All terms expire on December 31st per NCGS § 130A-35)

<u>Name/Address</u>	<u>Date Appointed</u>	<u>Term</u>	<u>Expires</u>	<u>Eligible For Reappointment</u>
<u>Cumberland County Commissioner</u>				
Billy R. King PO Box 1829 Fayetteville, NC 28302 822-6676 (W)/ 822-0892 (H)	1/12	1 st	Dec/14 12/31/14	Yes
<u>General Public Reps.</u>				
Barbara Stelly (B/F) 3219 Broadview Drive Fayetteville, NC 28301 488-9590 (H) / 488-3098 (W)	12/14	2nd	Dec/17 12/31/17	No
Christopher Frank (W/M) 2506 Torcross Drive Fayetteville, NC 28304 339-4851/485-4108 (W)	12/12	2nd	Dec/15 12/31/15	No
Dr. Vikki Andrews (B/F) 2913 Beringer Drive Fayetteville, NC 28306 910-964-5828	11/12	1st	Dec/15 12/31/15	Yes

Contact: Buck Wilson, Health Director
Trisha Barfield, Administrative Assistant
Phone: 433-3705
Fax: 433-3659

Meetings: 3rd Tuesday of the month - 6:00 PM - Board Room, Health Department, 1235 Ramsey Street
(July and September meetings take place only if desired).

**APPLICANTS FOR
BOARD OF HEALTH**

<u>NAME/ADDRESS/TELEPHONE</u>	<u>OCCUPATION</u>	<u>EDUCATIONAL BACKGROUND</u>
COUNCIL, SONJA (-/F) 2214 PUFFIN PLACE FAYETTEVILLE, NC 28306 864-1651 (H) / 615-6139 (W) **SERVES ON NURSING HOME ADVISORY BOARD** Graduate-County Citizens' Academy: NO Graduate-Institute for Community Leadership: NO Graduate-Leadership Fayetteville: NO Graduate-United Way's Multi-Cultural Leadership Program: NO Graduate-other leadership academy: NO	NURSE CAPE FEAR VALLEY	ATTENDING METHODIST UNIV
CREECH, CARL R (W/M) 322 WESTVIEW DRIVE FAYETTEVILLE NC 28303 425-7298/615-1808 Graduate-County Citizens' Academy: NO Graduate-Institute for Community Leadership: NO Graduate-Leadership Fayetteville: NO Graduate-United Way's Multi-Cultural Leadership Program: NO Graduate-other leadership academy: NO	PHARMACIST CAPE FEAR VALLEY	DOCTOR OF PHARMACY
FLEISHMAN, SAM (W/M) 311 SUMMERTIME RD FAYETTEVILLE, NC 28303 483-4260 / 615-3213 Graduate-County Citizens' Academy: N/A Graduate-Institute for Community Leadership: NO Graduate-Leadership Fayetteville: NO Graduate-United Way's Multi-Cultural Leadership Program: NO Graduate-other leadership academy: NO	PHYSICIAN CAPE FEAR VALLEY	MEDICAL DOCTOR ECU SCHOOL OF MEDICINE
LUCAS, DENSIE D. (B/F) 106 CARMICHAEL LANE SPRING LAKE, NC 28390 497-1227 (H) / 672-1210 (W) **SERVES ON THE CHILD HOMICIDE IDENTIFICATION & PREVENTION COUNCIL** Graduate-County Citizens' Academy: N/A Graduate-Institute for Community Leadership: NO Graduate-Leadership Fayetteville: NO Graduate-United Way's Multi-Cultural Leadership Program: NO Graduate-other leadership academy: NC Public Manager's Program	FSU INSTRUCTOR	BA-SOCIOLOGY MASTERS - SOCIAL WORK
MORTON, DINEEN (B/F) 5835 PETTIGREW DRIVE FAYETTEVILLE, NC 28314 778-9107/258-1098 Graduate-County Citizens' Academy: NO Graduate-Institute for Community Leadership: NO Graduate-Leadership Fayetteville: YES Graduate-United Way's Multi-Cultural Leadership Program: NO Graduate-other leadership academy: NO	HEALTHCARE VP OF BUSINESS DEVELOPMENT	BS-SOCIOLOGY

APPLICANTS FOR
BOARD OF HEALTH PAGE 2

<u>NAME/ADDRESS/TELEPHONE</u>	<u>OCCUPATION</u>	<u>EDUCATIONAL BACKGROUND</u>
MURRAY, WILLIAM (B/M) 530 GRAND WAILEA DR #913 HOPE MILLS NC 28348 633-0733/862-5292 Graduate-County Citizens' Academy: No Graduate-Institute for Community Leadership: No Graduate-Leadership Fayetteville: No Graduate-United Way's Multi-Cultural Leadership Program: No Graduate-other leadership academy: No	FOOD SAFETY MANAGER SMITHFIELD	BS-CHEMISTRY

KENNETH S. EDGE
Chairman

W. MARSHALL FAIRCLOTH
Vice Chairman

GLENN B. ADAMS
JEANNETTE M. COUNCIL
CHARLES E. EVANS
JIMMY KEEFE
LARRY L. LANCASTER



CUMBERLAND
★ **COUNTY** ★
NORTH CAROLINA

BOARD OF COMMISSIONERS

CANDICE WHITE
Clerk to the Board

KELLIE BEAM
Deputy Clerk

ITEM NO. 5B

December 9, 2014

December 15, 2014 Agenda Item

TO: Board of Commissioners

FROM: Kellie Beam, Deputy Clerk to the Board KB

SUBJECT: Cumberland County Local Emergency Planning Committee

BACKGROUND: The Cumberland County Local Emergency Planning Committee (LEPC) has the following one (1) vacancy for an unexpired term:

Operators of Facilities Representative:

Antionette Barnes – Resigned. The Cumberland County Local Emergency Planning Committee recommends **Matthew Dempster** to fill the unexpired term.
(See attached.)

I have attached the current membership list and applicant list for this board.

PROPOSED ACTION: Nominate individual to fill the one (1) vacancy above.

pc: Gene Booth, Emergency Services

Attachments

Cumberland County Emergency Planning Committee

The Cumberland County Emergency Planning Committee's primary task is to serve as a liaison between industry and the community by working with facilities to develop their facility emergency response plans.

Statutory Authorization: Emergency Planning and Community Right to Know Act of 1986 (301C)

Member Specifications:

13 Members (Minimum) with Specific Categories:

- Print and Broadcast Media
- Operators of Facilities
- Law Enforcement
- Emergency Management
- Community Group
- Transportation
- Health
- Hospital
- Fire Fighter
- First Aid
- At-large
- Local Environmental Representative
- Utilities

Term: 3 Years

Compensation: None

Duties:

- Provide a basis for the community to develop and tailor a chemical emergency planning and response program to suit its needs;
- Provide the public with identity, quantity, location, and properties of hazardous substances in the community;
- Review the county and facility plans annually and conduct emergency drills to test the plan. The annual review of the plan should include a hazards analysis and an evaluation of available resources that could be used during a response for a chemical incident.

Meetings: On the last Thursday of the first month of each quarter at 10:00 AM. Members are also required to attend and work with the subcommittee they are assigned to. The meetings generally last approximately one hour. The time required for the subcommittee would vary depending on the nature of the subcommittee (i.e., Membership, Resources, Exercise, Planning, etc.)

Meeting Location: Public Works Commission 955 Old Wilmington Road Fayetteville, NC

Kellie Beam

From: Gene Booth
Sent: Monday, November 24, 2014 12:25 PM
To: Kellie Beam
Subject: LEPC Resignation and Recommendation

Ms. Beam,

I just wanted to let you know that Antionette Barnes resigned as an industry rep from Purolator to pursue an opportunity out of state. The LEPC recommends Matthew Dempster from Purolator as her replacement. This was voted on at the last meeting on October 30, 2014. If you have any questions please let me know.

Gene Booth
Emergency Management Coordinator
Cumberland County Emergency Services
131 Dick St Rm. 4
Fayetteville, NC 28306
910-678-7641 Office
910-687-7642 Fax
910-850-8166 Cell

CUMBERLAND COUNTY
LOCAL EMERGENCY PLANNING COMMITTEE
3 Year Term
(Staggered Terms Initially)

<u>Name/Address</u>	<u>Date Appointed</u>	<u>Term</u>	<u>Expires</u>	<u>Eligible For Reappointment</u>
<u>Print and Broadcast Media Representative</u>				
Tracie Davis City of Fayetteville 2415 Silverbells Loop Fayetteville, NC 28304 Phone: 391-2476 (C) 568-5880 (H)	8/13	1st	Aug/16 8/31/16	Yes
Sally Shutt CC Communications Manager P.O. Box 1829 Fayetteville, NC 28302 Phone: 437-1921	8/13	2nd	Aug/16 8/31/16	No
<u>Operators of Facilities Representative</u>				
Rayford Hunt (Hexion Specialty Chemicals) 1411 Industrial Drive Fayetteville, NC 28301 485-9269	12/11	2nd	Dec/14 12/31/14	No
Mark Ingram (Dupont) 2507 Torcross Drive Fayetteville, NC 28304 483-6646/678-1860	9/14	1 st	Sep/17 9/30/17	Yes
Mark Faircloth (Eaton Corporation) 338 Hilliard Drive Fayetteville, NC 28311 482-4266/677-5219	10/13	2nd	Oct/16 10/31/16	No
VACANT (Vacated by A. Barnes)	2/13	2nd	Feb/16 2/28/16	No

Cumberland County Local Emergency Planning Committee, page 2

<u>Name/Address</u>	<u>Date Appointed</u>	<u>Term</u>	<u>Expires</u>	<u>Eligible For Reappointment</u>
<u>Law Enforcement Representative</u>				
Lt. Freddie Johnson Jr. NC Highway Patrol 5455 Grimes Road Fayetteville, NC 28306 423-6881/486-1058	4/13	1st	Apr/16 4/30/16	Yes
Lt. Robert Dickie Cumberland Co. Sheriff's Office 8038 Kalmia Lane Hope Mills, NC 28348 910-322-4230	12/13	1 st	Dec/16 12/31/16	Yes
Capt. Kenneth Eaker Fayetteville Police Department 467 Hay Street Fayetteville, NC 28301-5565 433-1819	2/13	2nd	Feb/16 2/28/16	No
<u>Emergency Management Representative</u>				
Gene Booth Cumberland County Emergency Services 131 Dick Street Fayetteville, NC 28301 678-7641	8/13	2nd	Sept/16 9/30/16	No
<u>Community Group Representative</u>				
VACANT (vacated by J. Womble)	8/09	2 nd	Aug/12 8/31/12	No
<u>Transportation Representative</u>				
VACANT (vacated by Eddie Smith)	12/09	1st	Dec/12 12/31/12	Yes
<u>Health Representative</u>				
Greg Phillips Cumberland County Public Health 801 Sandalwood Drive Fayetteville, NC 28304 910-364-3362	11/13	1st	Nov/16 11/30/16	Yes

<u>Name/Address</u>	<u>Date Appointed</u>	<u>Term</u>	<u>Expires</u>	<u>Eligible For Reappointment</u>
<u>Hospital Representative</u>				
Marsha Lunt 227 Summertime Road Fayetteville, NC 28303 868-1207/907-6688	9/13	1st	Feb/16 2/28/16	Yes
	(serving unexpired term; eligible for one additional term)			
<u>Fire Fighting Representative</u>				
Ronnie Willet Fire/Emergency Management City of Fayetteville 8927 Main Street Godwin, NC 28344 391-8093/433-1413	12/13	1 st	Dec/14 12/31/14	Yes
	(serving unexpired term; eligible for two additional terms)			
<u>First Aid Representative</u>				
James Bullard Jr. Cumberland Co. EMS/Emergency Management Cape Fear Valley Health System 610 Gillespie St Fayetteville, NC 28306 615-5696/988-8871	11/13	1 st full term	Nov/16 11/30/16	Yes
	(serving unexpired term; eligible for one additional term)			
<u>At-Large Representative</u>				
Phillip McCorquodale 3814 Corapeake Drive Fayetteville, NC 28312 323-4112/323-9600 (W)	4/13	2nd	April/16 04/30/16	No
Marsha Fogle PO Box 278 Stedman, NC 28391 483-9579	8/13	2nd	Aug/16 08/31/16	No
<u>Local Environmental Representative</u>				
VACANT (Vacated by P. Rawls)	2/10	1st	Feb/13 2/28/13	Yes
<u>Utilities Representative</u>				
Ray Jackson (/M) Public Works Commission 955 Old Wilmington Road Fayetteville, NC 28301 223-4118	2/13	2nd	Feb/16 2/28/16	No

Cumberland County Local Emergency Planning Committee, page 4

<u>Name/Address</u>	<u>Date</u> <u>Appointed</u>	<u>Term</u>	<u>Expires</u>	<u>Eligible For</u> <u>Reappointment</u>
Andrew Moore Directorate of Public Works Environmental Compliance Branch 2175 Reilly Road, Stop A Fort Bragg, NC 28310 813-8506	8/13	2nd	Aug/16 8/31/16	No

Ex-Officio/Voting Member:

Ed Melvin, County Commissioner

Emergency Management

Randy Beeman, Cumberland County Emergency Services

Fayetteville Fire/Emergency Management

Ben Major, Chief, Fayetteville Fire Department

Amy Cannon, County Manager

Contact: Randy Beeman, Director – Emergency Services; Ifetayo Farrakhan (x7688)
and Gene Booth (x7641) – Emergency Management Officer, Emergency Services

Meets quarterly on the last Thursday of the month in January, April, July & October at 10:00 am – PWC
Office, 955 Old Wilmington Road

APPLICANTS FOR
CUMBERLAND COUNTY LOCAL EMERGENCY PLANNING COMMITTEE

<u>NAME/ADDRESS/TELEPHONE</u>	<u>OCCUPATION</u>	<u>EDUCATIONAL BACKGROUND</u>
ALEXANDER, MARK (W/M) 7716 DUNDENNON DRIVE FAYETTEVILLE NC 28306 423-0059 Graduate-County Citizens' Academy: N/A Graduate-Institute for Community Leadership: NO Graduate-Leadership Fayetteville: NO Graduate-United Way's Multi-Cultural Leadership Program: NO Graduate-other leadership academy: MILITARY	RETIRED MILITARY	BS-AERODYNAMICS MA-FOREIGN POLICY
BECK, REBECCA EILEEN (W/F) 3605 PERSIMMON RD HOPE MILLS NC 28348 286-0759/826-3045 Graduate-County Citizens' Academy: NO Graduate-Institute for Community Leadership: NO Graduate-Leadership Fayetteville: NO Graduate-United Way's Multi-Cultural Leadership Program: NO Graduate-other leadership academy: CITY OF FAYETTEVILLE CITIZENS ACADEMY	INFORMATION SYSTEMS MANAGER PARTNERSHIP FOR CHILDREN	PUBLIC ADMIN. DEGREE
BULLARD, SCOTT (W/M) 433 HAY STREET FAYETTEVILLE, NC 28301 551-4208/433-1789 Graduate-County Citizens' Academy: NO Graduate-Institute for Community Leadership: NO Graduate-Leadership Fayetteville: NO Graduate-United Way's Multi-Cultural Leadership Program: NO Graduate-other leadership academy: NO	EMERGENCY MANAGEMENT CITY OF FAYETTEVILLE FIRE/EMERGENCY	BACHELORS- BIOLOGY & GEOGRAPHY MASTERS-BUSINESS ADMIN.
CARLYLE, BOB (-M) 3213 PLAYER AVE FAYETTEVILLE NC 28304 910-221-1845 Graduate-County Citizens' Academy: NO Graduate-Institute for Community Leadership: NO Graduate-Leadership Fayetteville: NO Graduate-United Way's Multi-Cultural Leadership Program: NO Graduate-other leadership academy: NO	SELF-EMPLOYED PRINTING INDUSTRY CONSULTANT	BS-COMPUTER SCIENCE ENGINEERING
CASHION, STEVEN P. (W/M) 6390 ABBOTTS PARK DR FAYETTEVILLE NC 28311 779-5358 (H) / 485-6843 (W) Graduate-County Citizens' Academy: N/A Graduate-Institute for Community Leadership: NO Graduate-Leadership Fayetteville: NO Graduate-United Way's Multi-Cultural Leadership Program: NO Graduate-other leadership academy: NO	PEER SUPPORT SPECIALIST & FIREMAN EVERGREEN BEHAVIORAL MANAGEMENT	HS

Emergency Planning Committee, Page 2

NAME/ADDRESS/TELEPHONE	OCCUPATION	EDUCATIONAL BACKGROUND
DAUNTAIN, TIMOTHY (B/M) 5780 FRANKLIN ST HOPE MILLS NC 28348 527-6479/630-7000 Graduate-County Citizens' Academy: NO Graduate-Institute for Community Leadership: NO Graduate-Leadership Fayetteville: NO Graduate-United Way's Multi-Cultural Leadership Program: NO Graduate-other leadership academy: LEADERSHIP DEVELOPMENT COURSE & POLICE ACADEMY	CUSTODIAN SUPERVISOR METHODIST UNIVERSITY	HS SOME COLLEGE
DEMPSTER, MATTHEW (W/M) 908 HIDDEN OASIS DRIVE FAYETTEVILLE NC 28312 977-5344/426-4386 Graduate-County Citizens' Academy: NO Graduate-Institute for Community Leadership: NO Graduate-Leadership Fayetteville: NO Graduate-United Way's Multi-Cultural Leadership Program: NO Graduate-other leadership academy: NO	ENVIRONMENTAL SPECIALIST MANN & HUMMEL PUROLATOR	BS
FERGUSON, ALFONSO SR. (B/M) 3329 EASTGATE STREET EASTOVER NC 28312 401-2313/483-1888 Graduate-County Citizens' Academy: NO* SERVES ON THE ADULT CARE ADVISORY COMMITTEE* Graduate-Institute for Community Leadership: NO Graduate-Leadership Fayetteville: NO Graduate-United Way's Multi-Cultural Leadership Program: NO Graduate-other leadership academy: NO	FACILITY MANAGER SALIENT FEDERAL SOLUTIONS	MS-ORGANIZATIONAL LEADERSHIP BS-HEALTH SVC MGMT AS-ACCOUNTING/FINANCE
GALBREATH, NATHAN (W/M) 230 NANDINA COURT FAYETTEVILLE, NC 28311 815-990-8393/570-9250 Graduate-County Citizens' Academy: NO Graduate-Institute for Community Leadership: NO Graduate-Leadership Fayetteville: NO Graduate-United Way's Multi-Cultural Leadership Program: NO Graduate-other leadership academy: Moore County Leadership Institute	DA CIVILIAN US ARMY	BS-FINANCE BS-HUMAN RESOURCES
HOUSE, KORI (B/F) 1127 CAPE HARBOR CT #34 FAYETTEVILLE NC 28314 229-7998/429-3501 Graduate-County Citizens' Academy: YES Graduate-Institute for Community Leadership: NO Graduate-Leadership Fayetteville: NO Graduate-United Way's Multi-Cultural Leadership Program: NO Graduate-other leadership academy: NO	CRIME ANALYST TOWN OF HOPE MILLS	MASTERS-PUBLIC ADMIN. BA-POLITICAL SCIENCE

NAME/ADDRESS/TELEPHONE	OCCUPATION	EDUCATIONAL BACKGROUND
JAMES, QUINSENTINA (-/F) 2441 CANFORD LANE FAYETTEVILLE, NC 28304 910-323-3421 EXT 2141 Graduate-County Citizens' Academy: NO Graduate-Institute for Community Leadership: NO Graduate-Leadership Fayetteville: NO Graduate-United Way's Multi-Cultural Leadership Program: NO Graduate-other leadership academy: NO	EMPLOYMENT & TRAINING CASE MANAGER FTCC – WORKFORCE DEVELOPMENT	MSM –MGMT/ HR & HEALTHCARE
JOHNSON, TOMMY (W/M) 515 ADAM ST APT D FAYETTEVILLE NC 28301 252-268-6332/252-268-1511 Graduate-County Citizens' Academy: NO Graduate-Institute for Community Leadership: NO Graduate-Leadership Fayetteville: NO Graduate-United Way's Multi-Cultural Leadership Program: NO Graduate-other leadership academy: NO	RETIRED	DOCTORATE- THEOLOGY
LANTHORN, JOHNNY (W/M) 6841 MAIN ST WADE NC 28395 484-7467/850-8453 **SERVES ON THE AIR QUALITY STAKEHOLDERS COMMITTEE** Graduate-County Citizens' Academy: N/A Graduate-Institute for Community Leadership: No Graduate-Leadership Fayetteville: No Graduate-United Way's Multi-Cultural Leadership Program: No Graduate-other leadership academy: No	POWER PLANT MAINTENANCE PWC	HIGH SCHOOL
LOWE, CHERYL (W/F) 6554 ALAMANCE ROAD HOPE MILLS, NC 28348 366-7506/630-7267 (W) Graduate-County Citizens' Academy: N/A Graduate-Institute for Community Leadership: No Graduate-Leadership Fayetteville: No Graduate-other leadership academy: No	DISPATCHER METHODIST UNIVERSITY	NONE LISTED
MARTIN, RICHARD L (W/M) 911 TOBERMORY RD FAYETTEVILLE NC 28306 309-8164/ 678-1174 Graduate-County Citizens' Academy: NO Graduate-Institute for Community Leadership: NO Graduate-Leadership Fayetteville: NO Graduate-United Way's Multi-Cultural Leadership Program: NO Graduate-other leadership academy: NO	FIRE MARSHALL DUPONT	SOME COLLEGE

<u>NAME/ADDRESS/TELEPHONE</u>	<u>OCCUPATION</u>	<u>EDUCATIONAL BACKGROUND</u>
MEHTA, NAYNESH (ASIAN-INDIAN/M) 229 FOREST CREEK DRIVE FAYETTEVILLE NC 28303 910-494-2037 Graduate-County Citizens' Academy: NO Graduate-Institute for Community Leadership: NO Graduate-Leadership Fayetteville: NO Graduate-United Way's Multi-Cultural Leadership Program: NO Graduate-other leadership academy: NO	HOTEL MANAGEMENT FIVE POINTS HOSPITALITY	BS-COMPUTER ENGINEERING
MINER, JOHN (B/M) 6753 CANDLEWOOD DRIVE FAYETTEVILLE, NC 28314 224-0650(H)/483-6056 (W) Graduate-County Citizens' Academy: N/A Graduate-Institute for Community Leadership: No Graduate-Leadership Fayetteville: No Graduate-United Way's Multi-Cultural Leadership Program: No Graduate-other leadership academy: No	FOUNDER OF THE MINER FOUNDATION	NONE LISTED
MORRIS, ROYFORD C SR. (B/M) 5124 ROY C STALLINGS JR ST HOPE MILLS NC 28348 920-2158/765-1402 Graduate-County Citizens' Academy: No Graduate-Institute for Community Leadership: No Graduate-Leadership Fayetteville: No Graduate-United Way's Multi-Cultural Leadership Program: No Graduate-other leadership academy: No	INSURANCE AGENT BANKERS LIFE & CASUALTY CO.	BACHELOR-CRIMINAL JUSTICE
MYERS, SUSAN E. (W/F) 5135 FOXFIRE RD FAYETTEVILLE NC 28303 910-779-2932 Graduate-County Citizens' Academy: NO Graduate-Institute for Community Leadership: NO Graduate-Leadership Fayetteville: NO Graduate-United Way's Multi-Cultural Leadership Program: NO Graduate-other leadership academy: US ARMY	UNEMPLOYED	BUSINESS ADMIN.
NKUSI, ERIC S. (B/M) 244 WICKFORD CT #4 FAYETTEVILLE, NC 28314 910-779-5611 Graduate-County Citizens' Academy: NO Graduate-Institute for Community Leadership: YES Graduate-Leadership Fayetteville: NO Graduate-United Way's Multi-Cultural Leadership Program: YES Graduate-other leadership academy: ARMY ADVANCED LEADERSHIP COURSE	MILITARY	

Emergency Planning Committee, Page 5

NAME/ADDRESS/TELEPHONE	OCCUPATION	EDUCATIONAL BACKGROUND
OATES, MIRANDA (B/F) 1752 WELLONS DRIVE FAYETTEVILLE NC 28304 818-7138/364-0971 Graduate-County Citizens' Academy: NO Graduate-Institute for Community Leadership: NO Graduate-Leadership Fayetteville: NO Graduate-United Way's Multi-Cultural Leadership Program: NO Graduate-other leadership academy: NO	EXECUTIVE INTERN FIRST CHOICE COMMUNITY HEALTH	BS-PSYCHOLOGY MBA
RAY, LATARA (B/F) 5823 NESSEE ST FAYETTEVILLE, NC 28314 860-3443/587-7795 Graduate-County Citizens' Academy: NO Graduate-Institute for Community Leadership: YES Graduate-Leadership Fayetteville: NO Graduate-United Way's Multi-Cultural Leadership Program: NO Graduate-other leadership academy: NO	GRADUATION COORDINATOR FSU	MA-BUSINESS BA-SOCIOLOGY AS-BUSINESS ADMIN. *SERVES ON THE ADULT CARE HOME COMMUNITY COMMITTEE*
RODRIGUEZ, JOSE A. (H/M) 265 KENWOOD DRIVE FAYETTEVILLE NC 28311 213-3570/483-3101 Graduate-County Citizens' Academy: NO Graduate-Institute for Community Leadership: NO Graduate-Leadership Fayetteville: NO Graduate-United Way's Multi-Cultural Leadership Program: NO Graduate-other leadership academy: VARIOUS MILITARY LEADERSHIP ACADEMIES	SOCIAL STUDIES TEACHER DOUGLAS BYRD MIDDLE SCHOOL RETIRED ARMY	BS-SOCIAL SCIENCES MA-BUSINESS
ROWELL, MICHAEL (W/M) 5618 WALKING TRAIL WAY HOPE MILLS NC 28348 425-6625/987-4560 Graduate-County Citizens' Academy: YES Graduate-Institute for Community Leadership: NO Graduate-Leadership Fayetteville: NO Graduate-United Way's Multi-Cultural Leadership Program: NO Graduate-other leadership academy: NO	EMERGENCY MGMT OFFICER NC DEPT OF PUBLIC SAFETY	BS-FIRE SCIENCE AAS-ELECTRONIC SYSTEMS TECH. AAS-AVIATION OPERATIONS
RUSSO, BARBARA (W/F) 611 GREENLAND DRIVE FAYETTEVILLE NC 28305 919-922-2625/672-2652 Graduate-County Citizens' Academy: NO Graduate-Institute for Community Leadership: NO Graduate-Leadership Fayetteville: NO Graduate-United Way's Multi-Cultural Leadership Program: NO Graduate-other leadership academy: NO	PROFESSOR OF FIRE & EMERGENCY SVCS FSU	PHD & MS – FIRE & EMERGENCY MGMT BS-SOCIOLOGY/ CRIMINAL JUSTICE

<u>NAME/ADDRESS/TELEPHONE</u>	<u>OCCUPATION</u>	<u>EDUCATIONAL BACKGROUND</u>
SEAMAN, DANIEL (W/M) 4001 FINAL APPROACH RD EASTOVER, NC 28312 483-7733/286-3202 Graduate-County Citizens' Academy: YES Graduate-Institute for Community Leadership: NO Graduate-Leadership Fayetteville: NO Graduate-United Way's Multi-Cultural Leadership Program: NO Graduate-other leadership academy: NO	RETIRED MILITARY	BACHELOR OF ARTS
SHECKELS, JAMES A. (W/M) 6916 GLYNN MILL FARM DRIVE FAYETTEVILLE, NC 28306-9516 322-7683 (H) / 243-1950 (W) Graduate-County Citizens' Academy: N/A Graduate-Institute for Community Leadership: Yes Graduate-Leadership Fayetteville: No Graduate-United Way's Multi-Cultural Leadership Program: No Graduate-other leadership academy: Army Civilian Education System Intermediate/Advanced DL	CIVIL SERVICE JSOC US ARMY RETIRED	BA – BUSINESS MGT MA – SECURITY MGT
SIMMONS, LAZARUS (B/M) 2323 CAITHNESS DR FAYETTEVILLE NC 28306 910-818-4891 Graduate-County Citizens' Academy: N/A Graduate-Institute for Community Leadership: NO Graduate-Leadership Fayetteville: NO Graduate-United Way's Multi-Cultural Leadership Program: NO Graduate-other leadership academy: NO	RETIRED	BS-BUSINESS ADMIN.
STUCKEY, DEBORAH (B/F) 5578 ARAPAHOE COURT FAYETTEVILLE, NC 28304 826-6747 (H) / 224-6786 (W) Graduate-County Citizens' Academy: NO Graduate-Institute for Community Leadership: NO Graduate-Leadership Fayetteville: NO Graduate-United Way's Multi-Cultural Leadership Program: NO Graduate-other leadership academy: NO	LAB INSTRUCTOR FTCC	BACHELORS
TOMITA, DANIEL (ASIAN/M) 3501 GABLES DRIVE FAYETTEVILLE NC 28311 364-4102/570-9154 Graduate-County Citizens' Academy: Yes Graduate-Institute for Community Leadership: NO Graduate-Leadership Fayetteville: NO Graduate-United Way's Multi-Cultural Leadership Program: NO Graduate-other leadership academy: Various Military Leadership Trainings	US ARMY OFFICER	MA, BS, BA

NAME/ADDRESS/TELEPHONE	OCCUPATION	EDUCATIONAL BACKGROUND
WARREN, JONATHAN S. SR (H/M) 313 PETERSON PLACE FAYETTEVILLE NC 28301 354-0676/307-3030 Graduate-County Citizens' Academy: NO Graduate-Institute for Community Leadership: NO Graduate-Leadership Fayetteville: NO Graduate-United Way's Multi-Cultural Leadership Program: NO Graduate-other leadership academy: NO	DIRECTOR OF SPECIAL OPERATIONS CREC GROUP	BS-BUSINESS ADMIN. MBA
WELCH, JARED (W/M) 4512 SPINEL DRIVE FAYETTEVILLE NC 28311 541-513-4306/432-7477 Graduate-County Citizens' Academy: NO Graduate-Institute for Community Leadership: NO Graduate-Leadership Fayetteville: NO Graduate-United Way's Multi-Cultural Leadership Program: NO Graduate-other leadership academy: NO	FINANCIAL ANALYST BOOZ ALLEN HAMILTON	BBA-ACCOUNTING CURRENT MS & MBA STUDENT
WHITE, ROBERT L. (AA/M) 1956 KENMORE DRIVE FAYETTEVILLE, NC 28304 476-1387 Graduate-County Citizens' Academy: NA Graduate-Institute for Community Leadership: No Graduate-Leadership Fayetteville: No Graduate-other leadership academy: Military Academy	RETIRED MILITARY	UNDERGRADUATE; MA
ZIMMERMAN, JEFFREY (W/M) 5730 MCDOUGAL DR FAYETTEVILLE NC 28304 252-876-5380 (H) / 409-5870 (W) Graduate-County Citizens' Academy: N/A Graduate-Institute for Community Leadership: NO Graduate-Leadership Fayetteville: NO Graduate-United Way's Multi-Cultural Leadership Program: NO Graduate-other leadership academy: PRIMARY LEADERSHIP DEVELOPMENT COURSE, U.S. ARMY	LAW ENFORCEMENT AGENT NC LICENSE & THEFT BUREAU	BA-POLITICAL SCIENCE PURSUING MA-PUBLIC ADMINISTRATION
ZOLMAN, ZACHARY SCOTT (-/M) 718 SARAZEN DRIVE FAYETTEVILLE, NC 28303 419-566-7167 Graduate-County Citizens' Academy: NO Graduate-Institute for Community Leadership: NO Graduate-Leadership Fayetteville: NO Graduate-United Way's Multi-Cultural Leadership Program: NO Graduate-other leadership academy: NO	STUDENT/COMPUTER LAB COORDINATOR FT. BRAGG	CURRENT STUDENT

KENNETH S. EDGE
Chairman

W. MARSHALL FAIRCLOTH
Vice Chairman

GLENN B. ADAMS
JEANNETTE M. COUNCIL
CHARLES E. EVANS
JIMMY KEEFE
LARRY L. LANCASTER



CUMBERLAND
★ COUNTY ★
NORTH CAROLINA

BOARD OF COMMISSIONERS

CANDICE WHITE
Clerk to the Board

KELLIE BEAM
Deputy Clerk

ITEM NO. 5C

December 10, 2014

December 15, 2014 Agenda Item

TO: Board of Commissioners
FROM: Kellie Beam, Deputy Clerk to the Board *KB*
SUBJECT: Fayetteville Area Convention and Visitors Bureau

BACKGROUND: The Fayetteville Area Convention and Visitors Bureau will have the following two (2) vacancies on December 31, 2014:

Hotel/Motel Over 100 Rooms Representatives:

Annette Cogburn – completing first term. Eligible for reappointment. The Fayetteville Area Convention and Visitors Bureau Board of Directors recommend the reappointment of **Annette Cogburn**. (See attached.)

Hotel/Motels Under 100 Rooms Representatives:

Dan Roberts – completing second term. The Fayetteville Area Convention and Visitors Bureau Board of Directors recommend the reappointment of Dan Roberts for an additional one year to run December 31, 2014 – December 31, 2015. (See attached.)

I have attached the current membership list and applicant list for this Board.

PROPOSED ACTION: Nominate individuals to fill the two (2) vacancies above.

pc: John Meroski, FACVB

Fayetteville Area Convention and Visitors Bureau Board of Directors

The purpose of the Fayetteville Area Convention and Visitors Bureau Board of Directors is to encourage travel and tourism in Cumberland County and to engage in any lawful act or activity for which non-profit corporations may be organized under Chapter 55A of the North Carolina General Statutes.

Statutory Authorization: Chapter 983, House Bill 1590

Member Specifications:

11 Members with Specific Categories:

- Cumberland County Manager or his designee (1)
- Manager of the City of Fayetteville or his designee (1)
- Director of the Cumberland County Civic Center or his designee
- Representatives nominated by hotels and motels within the county which have in excess of 100 rooms and appointed by the County Commissioners. (2)
- Representatives nominated by hotels and motels within the county which have less than 100 rooms and appointed by the County Commissioners. (2)
- Chairman of the Travel and tourism Committee of the Fayetteville Area Chamber of Commerce (1)
- Representative of a hotel or motel within Cumberland county which has rooms subject to the Occupancy Tax and meeting space in excess of 6,000 square feet which shall be elected by the Board of Directors upon recommendation of a Nominating Committee appointed by the Chairman (1)
- Representative of a hotel or motel within Cumberland county which has rooms subject to the Occupancy Tax and shall be elected by the board of Directors upon recommendation of a Nominating Committee appointed by the chairman (1)
- At-large member, appointed by the Board of County Commissioners which is representative of one or more of the following groups: 1) arts/cultural community; 2) business community; 3) military; and has a demonstrated interest in travel and tourism in the County (1)

Term: 3 Years

Compensation: None

Duties:

- Responsible for reviewing, approving and monitoring the financial integrity of the Fayetteville Area Convention and Visitors Bureau;
- Helps establish and monitor the implementation and administration of policies and programs;
- Approves and supports the Fayetteville Area Convention and Visitors Bureau's programs within the community;

- Hire, support and evaluate the performance of the President and CEO of the Fayetteville Area Convention and Visitors Bureau.

Meetings: Second Thursday of every other month at 12:00 PM

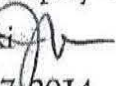
Meeting Location: Fayetteville Area Convention and Visitors Bureau Board Room 245 Person Street Fayetteville, NC



Fayetteville
North Carolina
AREA CONVENTION
& VISITORS' BUREAU
**HISTORY, HEROES,
A HOMETOWN FEELING!**

245 Person Street
Fayetteville, NC 28301
fon | 800.255.8217
910.483.5311
fax | 910.484.6632

Memo

To: Kellie Beam, Deputy Clerk to the CC Board of Commissioners
From: John Meroski 
Date: November 17, 2014
Re: Fayetteville Area Convention & Visitors Bureau Board of Directors upcoming vacancies

The CVB's recommendation is to have Annette Cogburn reappointed and also to see if Dan Roberts can have a term extended one year to December 31, 2015. Dan has been a stellar board member with perfect attendance and also there is some movement in hotels under 100 so we feel it would be prudent to keep Dan in this position.

/jmm



FAYETTEVILLE AREA CONVENTION AND VISITORS BUREAU
BOARD OF DIRECTORS
3 Year Terms

<u>Name/Address</u>	<u>Date Appointed</u>	<u>Term</u>	<u>Expires</u>	<u>Eligible For Reappointment</u>
<u>Hotel/Motels under 100 rooms Representatives:</u>				
Dan Roberts (-/-) Wingate Inn 4182 Sycamore Dairy Road Fayetteville, NC 28303	12/11	2nd	Dec/14 12/31/14	No
Manish Mehta Holiday Inn Express 1706 Skibo Road Fayetteville, NC 28303 494-1918	11/13	2nd	Dec/16 12/31/16	No
<u>Hotel/Motel over 100 rooms Representatives:</u>				
Annette Cogburn Holiday Inn 1944 Cedar Creek Road Fayetteville, NC 28301	12/11	1st	Dec/14 12/31/14	Yes
William S. Wellons, Jr. PO Box 766 Spring Lake, NC 28390 868-5425/436-3131 (W)	1/14	2nd	Feb/17 02/28/17	No
<u>At Large</u>				
Gwen Holloman (B/F) 721 Edgehill Road Fayetteville, NC 28314 868-1691/261-7813 (C)	6/12	2nd	June/15 6/30/15	No
<u>Representative, Hotel/Motel with meeting space in excess of 6,000 square feet</u>				
<u>Board of Directors Appointee:</u>				
Balbir S. (Bill) Brar, Owner Fayetteville Doubletree Hotel 1965 Cedar Creek Road Fayetteville, NC 28312 323-8282	12/09			

<u>Name/Address</u>	<u>Date Appointed</u>	<u>Term</u>	<u>Expires</u>	<u>Eligible For Reappointment</u>
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Hotel/Motel Representative

Board of Directors Appointee:

Subodh Thakur 7/97

Villager Lodge and Shangri La Motel

521 Ramsey Street

Fayetteville, NC 28301-4911

483-2621(W)

Chamber of Commerce Representative:

Henry Holt

Holt Oil

P. O. Box 53157

Fayetteville, NC 28303

Ex-officio Members:

Amy Cannon, County Manager

James Grafstrom, CEO/Coliseum Complex Manager

Ted Voorhees, City Manager

Contact: John Meroski (or Kelly Brill), Fayetteville Area Convention & Visitors' Bureau – 483-5311

Meetings: Second Thursday of every other month (starting in January) at 12:00 pm – Fayetteville Area Convention and Visitors Bureau, Board Room, 245 Person Street

APPLICANTS FOR
FAYETTEVILLE AREA CONVENTION AND VISITORS BUREAU
BOARD OF TRUSTEES

<u>NAME/ADDRESS/TELEPHONE</u>	<u>OCCUPATION</u>	<u>EDUCATIONAL BACKGROUND</u>
BECK, REBECCA E. (I/F) 3605 PERSIMMON RD HOPE MILLS, NC 28348 286-0759 (H) / 867-9700 X 2579 (W) Graduate-County Citizens' Academy: NO Graduate-Institute for Community Leadership: NO Graduate-Leadership Fayetteville: NO Graduate-United Way's Multi-Cultural Leadership Program: NO Graduate-other leadership academy: NO	INFORMATION SYSTEMS MANAGER PARTNERSHIP FOR CHILDREN	AAS-PUBLIC ADMIN.
DECOSTA, JOSEPH (W/M) 7016 MARINERS LANDING DR FAYETTEVILLE NC 28306 286-9686/396-5724 Graduate-County Citizens' Academy: Starts September 2013 Graduate-Institute for Community Leadership: NO Graduate-Leadership Fayetteville: NO Graduate-United Way's Multi-Cultural Leadership Program: NO Graduate-other leadership academy: NO	US WARRANT OFFICER US ARMY	CURRENT STUDENT
SERVES ON THE BOARD OF ADJUSTMENT		
ELAY, ZACCHEAUS (B/M) 800 TAMARACK DR APT 8116 FAYETTEVILLE, NC 28311 237-5456/323-0813 Graduate-County Citizens' Academy: No Graduate-Institute for Community Leadership: No Graduate-Leadership Fayetteville: No Graduate-United Way's Multi-Cultural Leadership Program: No Graduate-other leadership academy: No	TAX ACCOUNTING ZACK TAX & ACCOUNTING SERVICE	BS-ACCOUNTING
FORD, STANLEY (B/M) 4013 POLK DRIVE HOPE MILLS, NC 28348 910-425-5639 Graduate-County Citizens' Academy: NO Graduate-Institute for Community Leadership: NO Graduate-Leadership Fayetteville: NO Graduate-United Way's Multi-Cultural Leadership Program: NO Graduate-other leadership academy: ARMY LEADERSHIP COURSE	BANKING/MORTGAGES NOT LISTED	BACHELORS
HERNANDEZ, ANTOINETTE (B/F) 7661 BEVERLY DRIVE FAYETTEVILLE, NC 28314 263-1833 (H) / 323-4424, 864-8085 (W) Graduate-County Citizens' Academy: NO Graduate-Institute for Community Leadership: NO Graduate-Leadership Fayetteville: NO Graduate-United Way's Multi-Cultural Leadership Program: NO Graduate-other leadership academy: NO	ADMIN. ASST & GENERAL MANAGER – CAPE FEAR ADULT DHCC, SYLVESTER LOVING, LLC.	HS FTCC-ACCOUNTING

APPLICANTS FOR
FAYETTEVILLE AREA CONVENTION AND VISITORS BUREAU
BOARD OF TRUSTEES Page 2

<u>NAME/ADDRESS/TELEPHONE</u>	<u>OCCUPATION</u>	<u>EDUCATIONAL BACKGROUND</u>
JACKSON, RAMONA (W/F) 4780 DUDLEY ROAD FAYETTEVILLE NC 28312 433-0144/977-0521 Graduate-County Citizens' Academy: NO Graduate-Institute for Community Leadership: NO Graduate-Leadership Fayetteville: NO Graduate-United Way's Multi-Cultural Leadership Program: NO Graduate-other leadership academy: NO	AREA DIRECTOR MARIOTT INTERNATIONAL	BS-BUSINESS ADMIN.
MCMILLIAN, STEVE (B/M) 6521 CISSNA DRIVE FAYETTEVILLE, NC 28303 910-273-7933 Graduate-County Citizens' Academy: NO Graduate-Institute for Community Leadership: NO Graduate-Leadership Fayetteville: NO Graduate-United Way's Multi-Cultural Leadership Program: NO Graduate-other leadership academy: MILITARY ACADEMY	RETIRED MILITARY	BS
SESSOMS, JR, DAVID (W/M) 221 ½ HAY STREET FAYETTEVILLE NC 28301 584-3884/354-1901 Graduate-County Citizens' Academy: N/A Graduate-Institute for Community Leadership: NO Graduate-Leadership Fayetteville: YES Graduate-United Way's Multi-Cultural Leadership Program: NO Graduate-other leadership academy: NO	COLLEGE PRESIDENT MILLER-MOTTE COLLEGE	NONE LISTED
WILLIAMS, ROBERT C. (B/M) 2713 ROSEHILL RD FAYETTEVILLE NC 28301 910-488-7587 Graduate-County Citizens' Academy: N/A Graduate-Institute for Community Leadership: NO Graduate-Leadership Fayetteville: YES Graduate-United Way's Multi-Cultural Leadership Program: NO Graduate-other leadership academy: NO	RETIRED SELF-EMPLOYED	BS MS
WILLIAMS, TERRY (B/M) 674 BAYWOOD ROAD FAYETTEVILLE, NC 28312 435-0960/658-7586 Graduate-County Citizens' Academy: NO Graduate-Institute for Community Leadership: NO Graduate-Leadership Fayetteville: NO Graduate-United Way's Multi-Cultural Leadership Program: NO Graduate-other leadership academy: NO	DISABLED VETERAN	MASTERS-COMPUTER SCIENCE BS-COMPUTER SCIENCE AS-COMPUTER STUDIES

KENNETH S. EDGE
Chairman

W. MARSHALL FAIRCLOTH
Vice Chairman

GLENN B. ADAMS
JEANNETTE M. COUNCIL
CHARLES E. EVANS
JIMMY KEEFE
LARRY L. LANCASTER



CUMBERLAND
★ COUNTY ★
NORTH CAROLINA

BOARD OF COMMISSIONERS

CANDICE WHITE
Clerk to the Board

KELLIE BEAM
Deputy Clerk

ITEM NO. 5D

December 9, 2014

December 15, 2014 Agenda Item

TO: Board of Commissioners

FROM: Kellie Beam, Deputy Clerk to the Board *KB*

SUBJECT: Transportation Advisory Board

BACKGROUND: The Transportation Advisory Board has the following seven (7) vacancies:

County Planning Department Director or Designee:

Tom Lloyd – Completed first term. Eligible for reappointment. Recommendation of the Transportation Advisory Board is for the reappointment of **Tom Lloyd**. (See attached.)

County Health Director or Designee:

Ockidde Harris – Completed first term. Eligible for reappointment. Recommendation of the Transportation Advisory Board is for the reappointment of **Ockidde Harris**. (See attached.)

At-Large Representatives:

Dorothy A. Harris – completed second term. Not eligible for reappointment. Recommendation of the Transportation Advisory Board is for the appointment of **Anne Morrison**. (See attached.)

Pamela Story – completed second term. Not eligible for reappointment. Recommendation of the Transportation Advisory Board is for the appointment of **Kenneth Washington**. (See attached.)

Faye Lewis – completed second term. Not eligible for reappointment. Recommendation of the Transportation Advisory Board is for the appointment of **Joel Strickland**. (See attached.)

Alfred Foote – completed first term. Eligible for reappointment. Recommendation of the Transportation Advisory Board is for the reappointment of **Alfred Foote**. (See attached.)

MPO Representative:

Deloma West – completed first term. Eligible for reappointment. Recommendation of the Transportation Advisory Board is for the reappointment of **Deloma West**. (See attached.)

I have attached the current membership list and applicant list for this board.

PROPOSED ACTION: Nominate individuals to fill the seven (7) vacancies above.

pc: Kristine Wagner, Transportation Program Coordinator, Planning Dept.

Transportation Advisory Board

The Transportation Advisory Board (TAB) is the County Commissioner-approved advisory board for the Community Transportation Program in Cumberland County. The organizational purpose of the TAB is to be a liaison between the Transportation Program Coordinator, the County Commissioners, and the public receiving service, to ensure that the transportation-related needs of the citizens of Cumberland County are and will continue to be met.

Member Specifications:

17 Members with Specific Categories

- City of Fayetteville Representative
- Urban Transit Provider Representative
- Mid-Carolina Council of Governments Director or Designee
- County DSS Director or Designee
- DSS Work First Representative
- Workforce Development Center Director or Designee
- Sheltered Workshop Director or Designee
- Aging Programs Representative
- County Mental Health Director or Designee
- Emergency Medical Services Representative
- County Representative
- County Planning Department Director or Designee
- County Health Director or Designee
- Private Transportation Provider Representative
- Vocational Rehab Director or Designee
- Private Citizen
- At-Large Representatives

Term: 2 Years

Compensation: None

Duties:

- Provides a safe, dependable, accessible and affordable transportation program for elderly and disabled Cumberland County residents in order to enhance their quality of life;
- Allocates funds received through the ROAP Grant to local agencies providing transportation to the elderly, disabled and rural residents of Cumberland County;
- Oversees the official actions of the Community Transportation Program and ensures that Federal and State requirements are met.

Meetings: The third Tuesday of the first month in the quarter, (January, April, July, and October) at 10:00 AM.

Meeting Location: Historic Cumberland County Courthouse 2nd Floor, Room 3 130 Gillespie Street Fayetteville, NC

Alfred Foote
Chairman

Thomas Lloyd
Vice Chairman



Kristine Wagner
Transportation Coordinator

130 Gillespie Street
Fayetteville, NC 28301
910-678-7624
kwagner@co.cumberland.nc.us

CUMBERLAND COUNTY

TRANSPORTATION ADVISORY BOARD

November 20, 2014

MEMORANDUM

TO: Kelly Beam, Deputy Clerk to the Board

FROM: Kristine Wagner, Transportation Program Coordinator

SUBJECT: TAB Member Terms

The Transportation Advisory Board voted unanimously at their November 18, 2014 meeting to reappoint the following individuals:

Mr. Alfred Foote
Mr. Ockidde Harris
Mr. Thomas Lloyd
Ms. Deloma West

The Transportation Advisory Board also voted unanimously to nominate the following individuals:

Ms. Anne Morrison (to replace Dorothy Harris)
Mr. Joel Strickland (to replace Faye Lewis)
Mr. Kenneth Washington (to replace Pamela Story)

The following board members are yet to be replaced. Their positions shall remain vacant until a replacement nominee is made:

Mr. Shelton Clark
Ms. Eboni Green

If you have any questions or need any additional information please contact me.

TRANSPORTATION ADVISORY BOARD

2 Year Term

(All terms expire November 30th and begin December 1st according to the TAB bylaws.)

<u>Name/Address</u>	<u>Date Appointed</u>	<u>Term</u>	<u>Expires</u>	<u>Eligible For Reappointment</u>
<u>City of Fayetteville Representative</u>				
VACANT (Vacated by A. Thomas)	11/10	2nd	Nov/12 11/30/12	No
<u>Urban Transit Provider Representative</u>				
James Roper	11/13	1st	Nov/15 11/30/15	Yes
Fayetteville City Transit				
455 Grove Street				
Fayetteville, NC 28301				
<u>Mid-Carolina Council of Governments Director or Designee</u>				
Carla Smith	11/13	1st	Nov/15 11/30/15	Yes
Mid-Carolina Council of Governments				
1004 Willow Street				
Fayetteville, NC 28303				
273-5124/323-4191				
<u>County DSS Director or Designee</u>				
Lisa Chance	11/13	1st	Nov/15 11/30/15	Yes
5309 Ballester Street				
Hope Mills, NC 28348				
677-2356/425-5650				
<u>DSS Work First Representative</u>				
Angelita Marable	11/13	1st	Nov/15 11/30/15	Yes
Cumberland County DSS				
839 Abilene Road				
Fayetteville, North Carolina 28303				
864-1108/677-2489				
<u>Workforce Development Center Director or Designee</u>				
VACANT (Vacated by L. Troy)	11/11	2nd	Nov/13 11/30/13	No

(All terms expire November 30th and begin December 1st according to the TAB bylaws.)

<u>Name/Address</u>	<u>Date Appointed</u>	<u>Term</u>	<u>Expires</u>	<u>Eligible For Reappointment</u>
<u>Vocational Rehab Representative</u>				
Shelton L. Clark 1407 Murchison Road Fayetteville, NC 28301 964-3332/486-1717	11/12	2nd	Nov/14 11/30/14	No
<u>Sheltered Workshop Director or Designee</u>				
Kena Farrington 2123 Quailridge Drive Fayetteville, NC 28304 910-826-4699	11/13	2nd	Nov/15 11/30/15	No
<u>Aging Programs Representative</u>				
Elouise Garvin 4017 Bankside Drive Fayetteville, North Carolina 28311	11/13	2nd	Nov/15 11/30/15	No
<u>Mental Health Representative</u>				
Vince Wagner CC Area Mental Health Center 109 Bradford Avenue Fayetteville, North Carolina 28301-5496 323-0601(W)	11/13	2nd	Nov/15 11/30/15	No
<u>Emergency Medical Services Representative</u>				
Brian Pearce Cape Fear Valley – EMC 1862 Middle Road Eastover, NC 28312 615-5618	11/13	1 st	Nov/15 11/30/15	Yes
<u>County Planning Department Director or Designee</u>				
Tom Lloyd Cumberland County Planning Department P.O. Box 1829 Fayetteville, North Carolina 28302-1829 678-7606 (W)	11/12	1st	Nov/14 11/30/14	Yes

(All terms expire November 30th and begin December 1st according to the TAB bylaws.)

Name/Address	Date Appointed	Term	Expires	Eligible For Reappointment
<u>County Health Director or Designee</u>				
Ockidde Harris 200 Curry Ford Drive Fayetteville, NC 28314 867-0590/433-3852	11/12	1st	Nov/14 11/30/14	Yes
<u>At-Large Representatives</u>				
Dorothy A. Harris 270 Lick Creek Drive Linden, NC 28356 897-5265	11/12	2nd	Nov/14 11/30/14	No
Pamela S. Story 631 West Cochran Avenue Fayetteville, NC 28301 339-8350/678-2621	11/12	2nd	Nov/14 11/30/14	No
Faye Lewis 415 Shamos Court Fayetteville, NC 28311 568-6884/323-4191 (ext. 31)	11/12	2nd	Nov/14 11/30/14	No
Alfred Foote 5476 Raeford Rd Fayetteville, NC 28305 910-578-5687	11/12	1st	Nov/14 11/30/14	Yes
<u>MPO Representative</u>				
Deloma West Cumberland County Planning Department 8355 Judy Drive Fayetteville, NC 28314 910-977-8146	11/13	1 st	Nov/14 11/30/14	Yes
<u>Dialysis Center Representative</u>				
Eboni Green 3826 Glencorra Drive Fayetteville, NC 28314 919-889-3996/910-323-5288	11/12	1 st	Nov/14 11/30/14	Yes

**Board was created by the Commissioners on 11/6/00.

Meetings: Third Tuesday in first month of each quarter (Jan., Apr., July, Oct.) at 10:00 AM – Special meeting held in June.

Location: Historic Courthouse, Courtroom 3B

Contact: Kristine Wagner (Planning & Inspections) x7624, fax # 678-7601

**APPLICANTS FOR
TRANSPORTATION ADVISORY BOARD**

<u>NAME/ADDRESS/TELEPHONE</u>	<u>OCCUPATION</u>	<u>EDUCATIONAL BACKGROUND</u>
BALDWIN, ALICE (B/F) 3218 MASTERS DRIVE HOPE MILLS, NC 28348 423-7012 / 317-1216 Graduate-County Citizens' Academy: NO Graduate-Institute for Community Leadership: NO Graduate-Leadership Fayetteville: NO Graduate-United Way's Multi-Cultural Leadership Program: NO Graduate-other leadership academy: NO	RETIRED	MASTERS-LIBRARY SCIENCE
BECK, REBECCA EILEEN (W/F) 3605 PERSIMMON RD HOPE MILLS NC 28348 286-0759/826-3045 Graduate-County Citizens' Academy: NO Graduate-Institute for Community Leadership: NO Graduate-Leadership Fayetteville: NO Graduate-United Way's Multi-Cultural Leadership Program: NO Graduate-other leadership academy: CITY OF FAYETTEVILLE CITIZENS ACADEMY	INFORMATION SYSTEMS MANAGER PARTNERSHIP FOR CHILDREN	PUBLIC ADMIN. DEGREE
BRYANT, STEPHEN (W/M) 539 NOTTINGHAM DR FAYETTEVILLE, NC 28311 757-515-8787 Graduate-County Citizens' Academy: No Graduate-Institute for Community Leadership: No Graduate-Leadership Fayetteville: No Graduate-United Way's Multi-Cultural Leadership Program: No Graduate-other leadership academy: No	US NAVY RESERVES	HS NAVAL SCHOOLS
BULLETTE, SHERYL (B/F) 3425 STONECLAVE PLACE FAYETTEVILLE, NC 28304 867-0150 (H) / 570-5810 (W) Graduate-County Citizens' Academy: N/A Graduate-Institute for Community Leadership: NO Graduate-Leadership Fayetteville: NO Graduate-United Way's Multi-Cultural Leadership Program: NO Graduate-other leadership academy: ARMY MANAGEMENT STAFF COLLEGE	FINANCIAL MGT ANALYST HQS FORSCOM FT BRAGG	ATTENDING FTCC CRIMINAL JUSTICE
CHRISTIN, ELOUISE (B/F) 117 ALABAMA LN FAYETTEVILLE NC 28306 705-5983/864-5310 Graduate-County Citizens' Academy: No Graduate-Institute for Community Leadership: No Graduate-Leadership Fayetteville: No Graduate-United Way's Multi-Cultural Leadership Program: No Graduate-other leadership academy: No	CUSTODIAN BRENTWOOD ELEMENTARY	SOME COLLEGE

**APPLICANTS FOR
TRANSPORTATION ADVISORY BOARD PAGE 2**

NAME/ADDRESS/TELEPHONE	OCCUPATION	EDUCATIONAL BACKGROUND
COLEMAN, ARTHUR (B/M) 2633 PLUM RIDGE RD FAYETTEVILLE NC 28306 644-7599/868-9996 Graduate-County Citizens' Academy: No Graduate-Institute for Community Leadership: No Graduate-Leadership Fayetteville: No Graduate-United Way's Multi-Cultural Leadership Program: No Graduate-other leadership academy: No	PROGRAM MANAGER FDR INC	BACHELORS-LIBERAL ARTS ASSOCIATES -CRIMINAL JUSTICE
COLLINS, RICKEY (-/M) 4876 US HWY 301 S HOPE MILLS NC 28348 910-425-9990 Graduate-County Citizens' Academy: NO Graduate-Institute for Community Leadership: NO Graduate-Leadership Fayetteville: NO Graduate-United Way's Multi-Cultural Leadership Program: NO Graduate-other leadership academy: NO	RETIRED	SOME COLLEGE
DECOSTA, JOSEPH (W/M) 7016 MARINERS LANDING DR FAYETTEVILLE NC 28306 286-9686/396-5724 **SERVES ON THE BOARD OF ADJUSTMENT** Graduate-County Citizens' Academy: YES Graduate-Institute for Community Leadership: NO Graduate-Leadership Fayetteville: NO Graduate-United Way's Multi-Cultural Leadership Program: NO Graduate-other leadership academy: NO	US WARRANT OFFICER US ARMY	CURRENT STUDENT
FORD, STANLEY (B/M) 4013 POLK DRIVE HOPE MILLS, NC 28348 910-425-5639 Graduate-County Citizens' Academy: NO Graduate-Institute for Community Leadership: NO Graduate-Leadership Fayetteville: NO Graduate-United Way's Multi-Cultural Leadership Program: NO Graduate-other leadership academy: ARMY NCO LEADERSHIP COURSE	NONE LISTED	BS-ADMIN./MGMT
GASTON, JAMES (B/M) 1101 TORREY DRIVE FAYETTEVILLE NC 28301 910-977-9037 Graduate-County Citizens' Academy: NO Graduate-Institute for Community Leadership: NO Graduate-Leadership Fayetteville: NO Graduate-United Way's Multi-Cultural Leadership Program: NO Graduate-other leadership academy: NO	SELF EMPLOYED	FTCC

APPLICANTS FOR
TRANSPORTATION ADVISORY BOARD PAGE 3

<u>NAME/ADDRESS/TELEPHONE</u>	<u>OCCUPATION</u>	<u>EDUCATIONAL BACKGROUND</u>
HERNANDEZ, ANTOINETTE (B/F) 7661 BEVERLY DRIVE FAYETTEVILLE, NC 28314 263-1833 (H) / 323-4424, 864-8085 (W) Graduate-County Citizens' Academy: NO Graduate-Institute for Community Leadership: NO Graduate-Leadership Fayetteville: NO Graduate-United Way's Multi-Cultural Leadership Program: NO Graduate-other leadership academy: NO	ADMIN. ASST & GENERAL MANAGER – CAPE FEAR ADULT DHCC, SYLVESTER LOVING, LLC.	HS FTCC-ACCOUNTING
HUFFAM, JEFFERSON (B/M) 3911 W. BENT GRASS DRIVE FAYETTEVILLE, NC 28312 910-485-3024 / 910-308-7404 Graduate-County Citizens' Academy: NO Graduate-Institute for Community Leadership: NO Graduate-Leadership Fayetteville: NO Graduate-United Way's Multi-Cultural Leadership Program: NO Graduate-other leadership academy: MILITARY LEADERSHIP SCHOOLS	MINISTER UNION OAK AME ZION CHURCH	BS-SOCIAL SCIENCE MS-HUMAN RES. PHD-BUSINESS ADM.
JAMES, QUINSENTINA (-/F) 2441 CANFORD LANE FAYETTEVILLE, NC 28304 910-323-3421 EXT 2141 Graduate-County Citizens' Academy: NO Graduate-Institute for Community Leadership: NO Graduate-Leadership Fayetteville: NO Graduate-United Way's Multi-Cultural Leadership Program: NO Graduate-other leadership academy: NO	EMPLOYMENT CASE MANAGER FTCC – WORKFORCE DEVLOPMENT	MSM-MGMT HR & HEALTHCARE
LANTHORN, JOHNNY (W/M) 6841 MAIN ST WADE NC 28395 484-7467/850-8453 Graduate-County Citizens' Academy: N/A Graduate-Institute for Community Leadership: No Graduate-Leadership Fayetteville: No Graduate-United Way's Multi-Cultural Leadership Program: No Graduate-other leadership academy: No	POWER PLANT MAINTENANCE PWC	HIGH SCHOOL
SERVES ON THE AIR QUALITY STAKEHOLDERS COMMITTEE		
MCFADDEN, JENSON (B/M) 1717 SYKES POND RD FAYETTEVILLE NC 28304 868-9067/850-8409 Graduate-County Citizens' Academy: No Graduate-Institute for Community Leadership: No Graduate-Leadership Fayetteville: No Graduate-United Way's Multi-Cultural Leadership Program: No Graduate-other leadership academy: No	PRES TRANSPORT SVC DM TRANSPORTATION	ASSOCIATE-BIBLICAL STUDIES

APPLICANTS FOR
TRANSPORTATION ADVISORY BOARD PAGE 4

<u>NAME/ADDRESS/TELEPHONE</u>	<u>OCCUPATION</u>	<u>EDUCATIONAL BACKGROUND</u>
MCKOY, WILLIE JR (B/M) 1632 GREENOCK AVE FAYETTEVILLE, NC 28304 273-2976/432-5571	CIVIL SERVICE FT. BRAGG	MA-HUMAN RESOURCES MANAGEMENT BS-EDUCATION
SERVES ON THE MID-CAROLINA AGING ADVISORY COMMITTEE		
Graduate-County Citizens' Academy: NO		
Graduate-Institute for Community Leadership: NO		
Graduate-Leadership Fayetteville: NO		
Graduate-United Way's Multi-Cultural Leadership Program: NO		
Graduate-other leadership academy: NO		
MEADOWS, GERALDINE (B/F) 235 ROSEMARY STREET FAYETTEVILLE, NC 28301 578-7273 / 919-718-4650	WORKFORCE DEVELOPMENT SPECIALIST – LEE COUNTY	MASTERS STUDENT BA-SOCIOLOGY
Graduate-County Citizens' Academy: NO		
Graduate-Institute for Community Leadership: NO		
Graduate-Leadership Fayetteville: NO		
Graduate-United Way's Multi-Cultural Leadership Program: NO		
Graduate-other leadership academy: NO		
MEHTA, NAYNESH (ASIAN-INDIAN/M) 229 FOREST CREEK DRIVE FAYETTEVILLE NC 28303 910-494-2037	HOTEL MANAGEMENT FIVE POINTS HOSPITALITY	BS-COMPUTER ENGINEERING
Graduate-County Citizens' Academy: NO		
Graduate-Institute for Community Leadership: NO		
Graduate-Leadership Fayetteville: NO		
Graduate-United Way's Multi-Cultural Leadership Program: NO		
Graduate-other leadership academy: NO		
MORRISON, ANNE (B/F) 3041 STONE CARRIAGE CIR #C FAYETTEVILLE NC 28314 339-2123/973-943-3334	RETIRED RIDER OF SYSTEM	NONE LISTED
Graduate-County Citizens' Academy: NO		
Graduate-Institute for Community Leadership: NO		
Graduate-Leadership Fayetteville: NO		
Graduate-United Way's Multi-Cultural Leadership Program: NO		
Graduate-other leadership academy: NO		
MURRELL, CHARMAINE F (B/F) 313 BRYAN STREET FAYETTEVILLE, NC 28305 286-3533 (H) / 678-8363 (W)	ALUMNI RELATIONS & PROGRAM COORDINATOR FTCC	BA-COMMUNICATION MS-INTERNATIONAL RELATIONS
Graduate-County Citizens' Academy: N/A		
Graduate-Institute for Community Leadership: Yes		
Graduate-Leadership Fayetteville: No		
Graduate-United Way's Multi-Cultural Leadership Program: No		
Graduate-other leadership academy: No		

APPLICANTS FOR
TRANSPORTATION ADVISORY BOARD PAGE 5

<u>NAME/ADDRESS/TELEPHONE</u>	<u>OCCUPATION</u>	<u>EDUCATIONAL BACKGROUND</u>
PITTMAN, RONALD (W/M) 813 KATIE STREET FAYETTEVILLE NC 28306 257-0754/850-5015 Graduate-County Citizens' Academy: NO Graduate-Institute for Community Leadership: NO Graduate-Leadership Fayetteville: NO Graduate-United Way's Multi-Cultural Leadership Program: NO Graduate-other leadership academy: NO	EXECUTIVE DIRECTOR ARMS OF REFUGE INC	SOME COLLEGE
RAY, LATARA (B/F) 5823 NESSEE ST FAYETTEVILLE, NC 28314 860-3443/587-7795 *SERVES ON THE ADULT CARE HOME COMMUNITY COMMITTEE* Graduate-County Citizens' Academy: NO Graduate-Institute for Community Leadership: YES Graduate-Leadership Fayetteville: NO Graduate-United Way's Multi-Cultural Leadership Program: NO Graduate-other leadership academy: NO	GRADUATION COORDINATOR FSU	MA-BUSINESS BA-SOCIOLOGY AS-BUSINESS ADMIN.
RAY, RODNEY (B/M) 5823 NESSEE STREET FAYETTEVILLE, NC 28314 910-587-7909 Graduate-County Citizens' Academy: NO Graduate-Institute for Community Leadership: YES Graduate-Leadership Fayetteville: NO Graduate-United Way's Multi-Cultural Leadership Program: NO Graduate-other leadership academy: NO	SENIOR MANPOWER MANAGEMENT GOVERNMENT CONTRACTOR	BS-BUSINESS ADMIN. MBA
SAULNIER, STEVEN MICHAEL (W/M) 117 GRANDE OAKS DRIVE UNIT 6 FAYETTEVILLE NC 28314 910-639-0602 Graduate-County Citizens' Academy: N/A Graduate-Institute for Community Leadership: NO Graduate-Leadership Fayetteville: NO Graduate-United Way's Multi-Cultural Leadership Program: NO Graduate-other leadership academy: NO	ASSISTANT PROJECT MANAGER CHIMES	NONE LISTED
SIMMONS, MICHAEL (B/M) 2720 CREEKDEW COURT FAYETTEVILLE NC 28306 443-866-0020/570-5426 Graduate-County Citizens' Academy: NO Graduate-Institute for Community Leadership: NO Graduate-Leadership Fayetteville: NO Graduate-United Way's Multi-Cultural Leadership Program: NO Graduate-other leadership academy: NO	RETIRED MILITARY/PROJECT MANAGER FORSCOM, FT BRAGG	SOME COLLEGE

APPLICANTS FOR
TRANSPORTATION ADVISORY BOARD PAGE 6

<u>NAME/ADDRESS/TELEPHONE</u>	<u>OCCUPATION</u>	<u>EDUCATIONAL BACKGROUND</u>
STRICKLAND, TIMOTHY JOEL (W/M) 1611 BLUFFSIDE DRIVE #205 FAYETTEVILLE NC 28312 853-8975/323-4191 Graduate-County Citizens' Academy: NO Graduate-Institute for Community Leadership: NO Graduate-Leadership Fayetteville: NO Graduate-United Way's Multi-Cultural Leadership Program: NO Graduate-other leadership academy: NO	TRANSPORTATION PLANNER MID-CAROLINA COG	MASTERS-PUBLIC ADMIN. BACHELORS-POLITICAL SCI.
WASHINGTON, KENNETH (B/M) 1538 CYPRESS LAKES RD HOPE MILLS NC 28348 425-2242/424-2312 Graduate-County Citizens' Academy: NO Graduate-Institute for Community Leadership: NO Graduate-Leadership Fayetteville: NO Graduate-United Way's Multi-Cultural Leadership Program: NO Graduate-other leadership academy: AIR FORCE LEADERSHIP ACADEMY	SCHOOL SOCIAL WORKER CC SCHOOLS	BSW
WELCH, JARED (W/M) 4512 SPINEL DRIVE FAYETTEVILLE NC 28311 541-513-4306/432-7477 Graduate-County Citizens' Academy: NO Graduate-Institute for Community Leadership: NO Graduate-Leadership Fayetteville: NO Graduate-United Way's Multi-Cultural Leadership Program: NO Graduate-other leadership academy: NO	FINANCIAL ANALYST BOOZ ALLEN HAMILTON	BBA-ACCOUNTING CURRENT MS & MBA STUDENT
WHEATLEY, DIANE 9774 RAMSEY STREET FAYETTEVILLE, NC 28312 980-0338/728-7126 Graduate-County Citizens' Academy: NO Graduate-Institute for Community Leadership: NO Graduate-Leadership Fayetteville: NO Graduate-United Way's Multi-Cultural Leadership Program: NO Graduate-other leadership academy: NO	RETIRED *SERVES ON THE JOINT PLANNING BOARD*	SOME COLLEGE
WILLET, RONNIE (W/M) 8927 MAIN ST GODWIN, NC 28344 391-8093/433-1413 Graduate-County Citizens' Academy: NO Graduate-Institute for Community Leadership: NO Graduate-Leadership Fayetteville: NO Graduate-United Way's Multi-Cultural Leadership Program: NO Graduate-other leadership academy: NO	FIRE CAPTAIN CITY OF FAYETTEVILLE *SERVES ON THE LOCAL EMERGENCY PLANNING COMMITTEE*	MASTERS-PUBLIC ADMIN. BS-FIRE SCIENCE MGMT

APPLICANTS FOR
TRANSPORTATION ADVISORY BOARD PAGE 7

<u>NAME/ADDRESS/TELEPHONE</u>	<u>OCCUPATION</u>	<u>EDUCATIONAL BACKGROUND</u>
ZOLMAN, ZACHARY SCOTT (-/M) 718 SARAZEN DRIVE FAYETTEVILLE, NC 28303 419-566-7167 Graduate-County Citizens' Academy: NO Graduate-Institute for Community Leadership: NO Graduate-Leadership Fayetteville: NO Graduate-United Way's Multi-Cultural Leadership Program: NO Graduate-other leadership academy: NO	STUDENT/COMPUTER LAB COORDINATOR FT. BRAGG	CURRENT STUDENT

KENNETH S. EDGE
Chairman

W. MARSHALL FAIRCLOTH
Vice Chairman

GLENN B. ADAMS
JEANNETTE M. COUNCIL
CHARLES E. EVANS
JIMMY KEEFE
LARRY L. LANCASTER



CUMBERLAND
★ **COUNTY** ★
NORTH CAROLINA

BOARD OF COMMISSIONERS

CANDICE WHITE
Clerk to the Board

KELLIE BEAM
Deputy Clerk

ITEM NO. 5E

December 10, 2014

December 15, 2014 Agenda Item

TO: Board of Commissioners
FROM: Kellie Beam, Deputy Clerk to the Board *KB*
SUBJECT: Cumberland County Workforce Development Board

BACKGROUND: The Cumberland County Workforce Development Board has the following one (1) vacancy:

Public Sector Position:

Rosie McMillan – completed second term. Not eligible for reappointment.
Recommendation of the Workforce Development Board is for the appointment of **Brenda Jackson**. (See attached.)

I have attached the current membership list and applicant list for this board.

PROPOSED ACTION: Nominate individual to fill the one (1) vacancy above.

Attachments

pc: Jim Lott, Workforce Development Director
Carl Mitchell, FTCC VP for HR and Institutional Effectiveness/Assessment
Dr. J. Larry Keen, FTCC President

Cumberland County Workforce Development

The Cumberland County Workforce Development Board promotes the full development and utilization of the state's employment and training resources.

Member Specifications:

23 Members with Specific Categories:

- Private Sector (12)
- Social Services (1)
- Rehabilitation (1)
- Community Based Organizations (3)
- Economic Development (1)
- Employment Service (1)
- Labor (1)
- Education and Other (2)
- County Representative (1)

Term: 3 Years

Compensation: None

Duties:

Works to develop employment and training programs for the residents of Cumberland County.

Meetings: Second Tuesday of every other month at 12:00 PM

Meeting Location: FTCC Thomas McLean Administration Bld Room 170 2001 Hull Road
Fayetteville NC 28303



FAYETTEVILLE TECHNICAL COMMUNITY COLLEGE

P.O. BOX 35236 • FAYETTEVILLE, NORTH CAROLINA 28303-0236

Dr. J. Larry Keen, President

October 16, 2014

Cumberland County Board of Commissioners
ATTN: Clerk to the Board (Kellie Beam)
P.O. Box 1829
Fayetteville, North Carolina 28302

Dear Ms. Beam,

The Workforce Development Board is required to have a representative from the Department of Social Services as a Board Member per guidance in the Workforce Investment Act. The former Social Services representative, Richard Everett, retired from that organization and moved to a public sector opening on the board. We need to fill the mandated Social Services position on the Board and we have confirmed that Ms. Brenda Jackson, Director of Social Services, has agreed to serve the Board as a voting social services representative. I would like to personally endorse Ms. Jackson's request for appointment.

Social Services representatives have already begun attending the Board meetings as guests pending Ms. Jackson's official appointment to the Board. The transition to an active voting board member will be smooth because of this advanced knowledge of ongoing Workforce Development Board activities and initiatives. Ms. Jackson's knowledge, insight, business partnerships, and daily advocacy of Cumberland County citizens will be very valuable to the Workforce Development Board as they continue their forward movement in support of Cumberland County residents. Ms. Jackson prefers that all correspondence related to this appointment be mailed to her work address: 1225 Ramsey Street, Fayetteville, NC 28301. She can be reached at telephone number 910-677-2035. We are also providing her home address: 6409 Burnside Drive, Fayetteville, NC 2831 for your records.

BOARD OF TRUSTEES

Board Chair Dr. Dallas M. Freeman • **Vice-Chair** Mr. Charles E. Koonce • **Secretary** Mrs. Sheryl J. Lewis
Members Dr. Breeden Blackwell, Mr. Dohn B. Broadwell, Jr., Mr. Ronald C. Crosby, Jr., Mr. Charles J. Harrell
Mrs. Delores P. Ingram, Dr. Marye J. Jeffries, Mr. David McCune, Mrs. Esther R. Thompson, Mr. William S. Wellons, Jr.

MAIN CAMPUS: PHONE (910) 678-8400 • FAX (910) 484-6600
SPRING LAKE CAMPUS: PHONE (910) 678-1000 • FAX (910) 436-5184

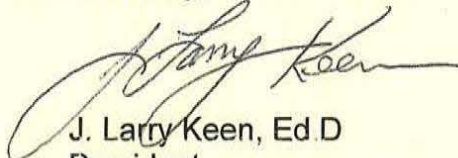
www.faytechcc.edu

An Equal Opportunity Institution

Mr. David McCune, Workforce Development Board Chairperson also supports this request for appointment. Mr. McCune would like to have a Social Services representative on the Board as quickly as possible.

Should you have any questions, please contact Mr. Carl Mitchell, FTCC Vice President for Human Resources, Workforce Development, and Institutional Effectiveness by calling 910-678-8373 or you may contact him via email at mitchelc@faytechcc.edu.

Sincerely,



J. Larry Keen, Ed.D
President

Cc: Ms. Candice White, Clerk to the Board of Commissioners
Mr. Tony Rand, FTCC Associate Vice President and Career Center Manager
Mr. David McCune, Workforce Development Board Chairperson
Mr. Jim Lott, Workforce Development Director
Mr. Carl Mitchell, FTCC VP for Human Resources and Institutional Effectiveness

CUMBERLAND COUNTY WORKFORCE DEVELOPMENT BOARD
(FORMERLY, PRIVATE INDUSTRY COUNCIL)
3 Year Terms

<u>Name/Address</u>	<u>Date Appointed</u>	<u>Term</u>	<u>Expires</u>	<u>Eligible For Reappointment</u>
<u>Private Sector:</u>				
Esther Acker (W/F) 301 Coolee Circle Fayetteville, NC 28311 488-1402/323-3192 x32 (W)	10/14	3 rd	Oct/17 10/31/17	No
Richard Everett (W/M) 408 Mirror Lake Drive Fayetteville, NC 28303 484-0432/677-2360 (W)	6/14	3 rd	Oct/17 10/31/17	No
Linda Hoppmann (W/F) 5331 Rimrock Ct Fayetteville, NC 28303 826-4939/483-5016 (W)	11/14	3 rd	Nov/17 11/30/17	No
John Jones (NA/M) 4104 Bonfield Road Fayetteville, NC 28312 303-0444/222-1506	3/13	1 st	Mar/16 3/31/16	Yes
David McCune (W/M) 106 Penmark Pl Fayetteville, NC 28301 476-2976/424-2978 (W)	10/14	2 nd	Oct/17 10/31/17	No
Randall Newcomer (W/M) 109 Cypress Lakes Circle Hope Mills, NC 28348 308-5432/424-1776 (W)	10/14	2 nd	Oct/17 10/31/17	No
VACANT (Vacated by B. Spigner)	11/11	1 st	Nov/14 11/30/14	Yes
Esther Thompson (F) 511 Forest Lakes Rd Fayetteville, NC 28305 323-9687 (H) / 670-5515 (W)	11/14	2 nd	Nov/17 11/30/17	No

Cumberland County Workforce Development Board, page 2

<u>Name/Address</u>	<u>Date Appointed</u>	<u>Term</u>	<u>Expires</u>	<u>Eligible For Reappointment</u>
Rodney Anderson (B/M) 4321 Huntsfield Rd Fayetteville, NC 28314 826-0366/922-1214	4/14	1st	Apr/17 4/30/17	Yes
VACANT (Vacated by S. Hicks)	2/12	2nd	Feb/15 2/28/15	No
<u>Economic Development:</u> Catherine Johnson (W/F) FCCCC 524 Deerpath Drive Fayetteville, NC 28311 822-4809/484-4242 x247 (W)	1/14	3 rd	Aug/17 8/31/17	No
<u>Public Sector:</u> Jody Risacher (W/F) 3533 Sweetbay Circle Fayetteville, NC 28311 630-5102/483-7727	8/13	1 st	Aug/16 8/31/16	Yes
Charlene Cross (B/F) 1949 Culpepper Lane Fayetteville, NC 28304 630-1450/308-9413	3/13	1st	Mar/16 3/31/16	Yes
VACANT (Vacated by R. McMillan)	10/11	2nd	Oct/14 10/31/14	No

Rehabilitation:

Ellen Morales (/F) 11/06 (unlimited term - replaced by state agency)
 North Carolina Department of Human Resources
 Division of Vocational Rehabilitation Services
 1200 Fairmont Court
 Fayetteville, NC 28304

Cumberland County Workforce Development Board, page 3

<u>Name/Address</u>	<u>Date Appointed</u>	<u>Term</u>	<u>Expires</u>	<u>Eligible For Reappointment</u>
<u>Community Based Organization</u>				
Sara Hemingway Hallock (W/F) Communicare, Inc. 711B Executive Place Fayetteville, NC 28305 829-9017	2/12	2nd	Feb/15 2/28/15	No
Cynthia Wilson (B/F) 228 Summertime Road Fayetteville, NC 28303 864-9602/485-6131	11/14	1st	Nov/17 11/30/17	Yes
<u>Employment Service:</u>				
Edith Edmond Employment Security Comm. 414 Ray Avenue Fayetteville, NC 28301 486-1010	12/11	(unlimited term - replaced by state agency)		
<u>Labor:</u>				
VACANT (Vacated by J. Smith)	10/11	2nd	Oct/14 10/31/14	No
<u>Education:</u>				
Brian (T.J.) Haney (W/M) FTCC 1660 Rock Creek Lane Fayetteville, NC 28301 488-4664/678-1068	8/13	1st	Aug/16 8/31/16	Yes
Pamela Gibson (W/F) 7526 Hammersley Road Fayetteville, NC 28306 423-1830/678-2416	3/13	1st	Mar/16 3/31/16	Yes
Dr. Curtis Charles (B/M) 4402 Ping Court Fayetteville, NC 28312 263-7308/672-2954	8/14	1 st	Oct/17 10/31/17	Yes

<u>Name/Address</u>	<u>Date Appointed</u>	<u>Term</u>	<u>Expires</u>	<u>Eligible For Reappointment</u>
<u>County Representative:</u> Amy Cannon County Manager P. O. Box 1829 Fayetteville, NC 28302 678-7723	02/11	N/A	N/A	N/A

Contact: Carl Mitchell – FTCC – 910-678-8373 – Email: mitchelc@faytechcc.edu
Jim Lott (interoffice mail) 323-3421, CC: Dr. Larry Keen-FTCC

Regular Meetings: 2nd Tuesday, every other month beginning in February, 11:00 AM, FTCC – Thomas McLean Administration Bld Room 170, 2001 Hull Road, Fayetteville, NC 28303

(Name Changed to Cumberland County Workforce Development Board, November, 1995)

*Recommendations for the WFD Board should come from FTCC.

**APPLICANTS FOR
WORKFORCE DEVELOPMENT BOARD**

<u>NAME/ADDRESS/PHONE</u>	<u>OCCUPATION</u>	<u>EDUCATIONAL BACKGROUND</u>
BROWN, JOSEPH C. SR (B/M) 150 RIDGEWAY DRIVE FAYETTEVILLE NC 28311 910-488-7254 Graduate-County Citizens' Academy: No Graduate-Institute for Community Leadership: No Graduate-Leadership Fayetteville: No Graduate-United Way's Multi-Cultural Leadership Program: No Graduate-other leadership academy: Church	MINISTER A.M.E. ZION CHURCH	GRADUATE OF SHAW UNIVERSITY
COLEMAN, ARTHUR (B/M) 2633 PLUM RIDGE RD FAYETTEVILLE NC 28306 644-7599/868-9996 Graduate-County Citizens' Academy: No Graduate-Institute for Community Leadership: No Graduate-Leadership Fayetteville: No Graduate-United Way's Multi-Cultural Leadership Program: No Graduate-other leadership academy: No	PROGRAM MANAGER FDR INC	BACHELOR-LIBERAL ARTS ASSOCIATES - CRIMINAL JUSTICE
FORD, STANLEY (B/M) 4013 POLK DRIVE HOPE MILLS, NC 28348 910-425-5639 Graduate-County Citizens' Academy: N/A Graduate-Institute for Community Leadership: NO Graduate-Leadership Fayetteville: NO Graduate-United Way's Multi-Cultural Leadership Program: NO Graduate-other leadership academy: NO	BANKING/MORTGAGES NOT LISTED	BACHELORS
GASTON, JAMES (B/M) 1101 TORREY DRIVE FAYETTEVILLE NC 28301 910-977-9037 Graduate-County Citizens' Academy: NO Graduate-Institute for Community Leadership: NO Graduate-Leadership Fayetteville: NO Graduate-United Way's Multi-Cultural Leadership Program: NO Graduate-other leadership academy: NO	SELF EMPLOYED	FTCC
HARDY, LAURA (B/F) 6720 WILLOWBROOK DR #1 FAYETTEVILLE NC 28314 224-7255/867-6857 Graduate-County Citizens' Academy: NO Graduate-Institute for Community Leadership: NO Graduate-Leadership Fayetteville: NO Graduate-United Way's Multi-Cultural Leadership Program: NO Graduate-other leadership academy: NO	INSURANCE AGENT AIG FINANCIAL NETWORK	BACHELOR'S DEG. CURRENT MBA STUDENT

APPLICANTS FOR
WORKFORCE DEVELOPMENT BOARD Page 2

<u>NAME/ADDRESS/PHONE</u>	<u>OCCUPATION</u>	<u>EDUCATIONAL BACKGROUND</u>
HOUSE, KORI (B/F) 1127 CAPE HARBOR CT #34 FAYETTEVILLE NC 28314 229-7998/429-3501 Graduate-County Citizens' Academy: YES Graduate-Institute for Community Leadership: NO Graduate-Leadership Fayetteville: NO Graduate-United Way's Multi-Cultural Leadership Program: NO Graduate-other leadership academy: NO	CRIME ANALYST TOWN OF HOPE MILLS	MASTERS-PUBLIC ADMIN. BA-POLITICAL SCIENCE
JOHN-WILLIAMS, MARY (B/F) 2921 BAKERS MILL RD FAYETTEVILLE NC 28306 527-5571/323-3377 Graduate-County Citizens' Academy: NO Graduate-Institute for Community Leadership: YES Graduate-Leadership Fayetteville: NO Graduate-United Way's Multi-Cultural Leadership Program: NO Graduate-other leadership academy: FAYETTEVILLE CITIZENS ACADEMY	EMPLOYMENT & HOUSING DIRECTOR CEED	MBA
KELLY, IVA MARIE (B/F) 1844 GOLA DRIVE FAYETTEVILLE, NC 28301 910-488-5302 Graduate-County Citizens' Academy: N/A Graduate-Institute for Community Leadership: No Graduate-Leadership Fayetteville: No Graduate-United Way's Multi-Cultural Leadership Program: No Graduate-other leadership academy: No	RETIRED EDUCATOR	BS-EDUCATION MASTERS-EDUCATION MASTERS-LIBRARY SCIENCE
MCFADDEN, JENSON (B/M) 1717 SYKES POND RD FAYETTEVILLE NC 28304 868-9067/850-8409 Graduate-County Citizens' Academy: NO Graduate-Institute for Community Leadership: NO Graduate-Leadership Fayetteville: NO Graduate-United Way's Multi-Cultural Leadership Program: NO Graduate-other leadership academy: NO	PRES TRANSPORT SERVICE DM TRANSPORTATION	ASSOCIATE-BIBLICAL STUDIES
MCNEILL, TERESA (B/F) 3918 METEOR DRIVE HOPE MILLS NC 28348 429-4482/483-3648 Graduate-County Citizens' Academy: NO Graduate-Institute for Community Leadership: YES Graduate-Leadership Fayetteville: NO Graduate-United Way's Multi-Cultural Leadership Program: YES Graduate-other leadership academy: NO	COMPUTER SYSTEMS ANALYST FAY. METROPOLITAN HOUSING	BA-PUBLIC ADMIN. GRADUATE STUDENT

**APPLICANTS FOR
WORKFORCE DEVELOPMENT BOARD Page 3**

NAME/ADDRESS/PHONE	OCCUPATION	EDUCATIONAL BACKGROUND
MEHTA, NAYNESH (ASIAN INDIAN/M) 229 FOREST CREEK DRIVE FAYETTEVILLE NC 28303 910-494-2037 Graduate-County Citizens' Academy: NO Graduate-Institute for Community Leadership: NO Graduate-Leadership Fayetteville: NO Graduate-United Way's Multi-Cultural Leadership Program: NO Graduate-other leadership academy: NO	HOTEL MANAGEMENT FIVE POINTS HOSPITALITY INC.	BS-COMPUTER ENGINEERING
MINER, JOHN (B/M) 6753 CANDLEWOOD DRIVE FAYETTEVILLE, NC 28314 224-0650(H)/483-6056 (W) Graduate-County Citizens' Academy: N/A Graduate-Institute for Community Leadership: No Graduate-Leadership Fayetteville: No Graduate-United Way's Multi-Cultural Leadership Program: No Graduate-other leadership academy: No	FOUNDER OF THE MINER FOUNDATION	NONE LISTED
MURRELL, CHARMAINE F (B/F) 313 BRYAN STREET FAYETTEVILLE, NC 28305 286-3533 (H) / 678-8363 (W) Graduate-County Citizens' Academy: N/A Graduate-Institute for Community Leadership: Yes Graduate-Leadership Fayetteville: No Graduate-United Way's Multi-Cultural Leadership Program: No Graduate-other leadership academy: No	ALUMNI RELATIONS & PROGRAM COORDINATOR FTCC	BA-COMMUNICATION MS-INTERNATIONAL RELATIONS
OKHOMINA, DON DR. (B/M) 494 DUNLOE CT FAYETTEVILLE, NC 28311 868-1618/ 672-2148 (W) Graduate-County Citizens' Academy: N/A Graduate-Institute for Community Leadership: NO Graduate-Leadership Fayetteville: NO Graduate-United Way's Multi-Cultural Leadership Program: NO Graduate-other leadership academy: NO	PROFESSOR OF MANAGEMENT FSU	BS-BUSINESS ADMIN MBA & PHD - MANAGEMENT
SESSOMS, JR, DAVID (W/M) 221 ½ HAY STREET FAYETTEVILLE NC 28301 584-3884/354-1901 Graduate-County Citizens' Academy: N/A Graduate-Institute for Community Leadership: NO Graduate-Leadership Fayetteville: YES Graduate-United Way's Multi-Cultural Leadership Program: NO Graduate-other leadership academy: NO	COLLEGE PRESIDENT MILLER-MOTTE COLLEGE	NONE LISTED

**APPLICANTS FOR
WORKFORCE DEVELOPMENT BOARD Page 4**

NAME/ADDRESS/PHONE	OCCUPATION	EDUCATIONAL BACKGROUND
SIMMONS, ANGELIQUE 6632 BROOKSTONE LN APT 302 FAYETTEVILLE, NC 28314 202-590-6273/485-2955 (W) Graduate-County Citizens' Academy: N/A Graduate-Institute for Community Leadership: No Graduate-Leadership Fayetteville: No Graduate-United Way's Multi-Cultural Leadership Program: No Graduate-other leadership academy: No	LIBRARIAN II CUMBERLAND CO LIBRARY	MASTERS-LIBRARY SCIENCE BS-CRIMINAL JUSTICE
SMITH, II, LESTER J. (B/M) 1836-4 SARDONYX RD FAYETTEVILLE, NC 28303 501-264-4699/396-1808 Graduate-County Citizens' Academy: YES Graduate-Institute for Community Leadership: NO Graduate-Leadership Fayetteville: NO Graduate-United Way's Multi-Cultural Leadership Program: NO Graduate-other leadership academy: NO	LOGISTICS MANAGEMENT SPECIALIST FT. BRAGG	ASSOCIATES-ARTS BS-ORGANIZATIONAL LEADERSHIP
STANLEY, LASHONDA (B/F) 6211 CARVER PINE LOOP #6303 FAYETTEVILLE NC 28311 Graduate-County Citizens' Academy: No Graduate-Institute for Community Leadership: No Graduate-Leadership Fayetteville: No Graduate-United Way's Multi-Cultural Leadership Program: No Graduate-other leadership academy: No	STAFF DEVELOPMENT CONSULTANT NC DEPT OF HEALTH & HUMAN SERVICES	BA-HUMAN RESOURCES BA-PUBLIC RELATIONS
WASHINGTON, ANDRE TYRONE (B/M) 274 WATERDOWN DRIVE #10 FAYETTEVILLE NC 28314 867-9301/627-5264 Graduate-County Citizens' Academy: YES Graduate-Institute for Community Leadership: No Graduate-Leadership Fayetteville: No Graduate-United Way's Multi-Cultural Leadership Program: No Graduate-other leadership academy: CUMBERLAND COUNTY DEMOCRATIC PARTY LEADERSHIP INSTITUTE	STUDENT	BS-POLITICAL SCIENCE
WHITE, ROBERT L. (AA/M) 1956 KENMORE DRIVE FAYETTEVILLE, NC 28304 476-1387 Graduate-County Citizens' Academy: NA Graduate-Institute for Community Leadership: No Graduate-Leadership Fayetteville: No Graduate-other leadership academy: Military Academy	RETIRED MILITARY	UNDERGRADUATE; MA
WIRE, DONALD DR (/M) 540 NOTTINGHAM DR FAYETTEVILLE, NC 28311 779-2312 **SERVES ON THE HOME & COMMUNITY CARE COMMITTEE** Graduate-County Citizens' Academy: N/A Graduate-Institute for Community Leadership: YES Graduate-Leadership Fayetteville: NO Graduate-United Way's Multi-Cultural Leadership Program: NO Graduate-other leadership academy: NO	RETIRED	BA - POLITICAL SCIENCE MA-POLITICAL SCIENCE PHD-EDUCATION

APPLICANTS FOR
WRECKER REVIEW BOARD

<u>NAME/ADDRESS/TELEPHONE</u>	<u>OCCUPATION</u>	<u>EDUCATIONAL BACKGROUND</u>
MILES, LINDA H (W/F) 5608 PAR COURT HOPE MILLS, NC 28348 910-426-1606/910-818-1172 Graduate-County Citizens' Academy: NO Graduate-Institute for Community Leadership: NO Graduate-Leadership Fayetteville: NO Graduate-United Way's Multi-Cultural Leadership Program: NO Graduate-other leadership academy: NO	FINANCIAL SECRETARY	SOME COLLEGE
MITCHELL, RONNIE JR (B/M) 6430 MILFORD RD FAYETTEVILLE NC 28303 336-3037 (H) / 339-4959 (W) Graduate-County Citizens' Academy: N/A Graduate-Institute for Community Leadership: NO Graduate-Leadership Fayetteville: NO Graduate-United Way's Multi-Cultural Leadership Program: NO Graduate-other leadership academy: NO	RETIRED ARMY SELF EMPLOYED	BA HOTEL RESTAURANT MANAGEMENT
SEAMAN, DANIEL (W/M) 4001 FINAL APPROACH RD EASTOVER, NC 28312 483-7733/286-3202 Graduate-County Citizens' Academy: YES Graduate-Institute for Community Leadership: NO Graduate-Leadership Fayetteville: NO Graduate-United Way's Multi-Cultural Leadership Program: NO Graduate-other leadership academy: NO	RETIRED MILITARY	BACHELOR OF ARTS



KENNETH S. EDGE
Chairman

W. MARSHALL FAIRCLOTH
Vice Chairman

GLENN B. ADAMS
JEANNETTE M. COUNCIL
CHARLES E. EVANS
JIMMY KEEFE
LARRY L. LANCASTER

CANDICE WHITE
Clerk to the Board

KELLIE BEAM
Deputy Clerk

CUMBERLAND
★ **COUNTY** ★
NORTH CAROLINA

BOARD OF COMMISSIONERS

ITEM NO. 6A

December 9, 2014

December 15, 2014 Agenda Item

TO: Board of Commissioners

FROM: Kellie Beam, Deputy Clerk to the Board *KB*

SUBJECT: Farm Advisory Board

BACKGROUND: On November 17, 2014, the Board of Commissioners nominated the following individuals to fill two (2) vacancies on the Farm Advisory Board:

Farmer Position:
Britt Riddle (reappointment)

Planning Board Representative:
Patricia Hall (new appointment)

I have attached the current membership list for this board.

PROPOSED ACTION: Appoint individuals to fill the two (2) vacancies above.

Attachment

pc: Will Linville, Planning Department

FARM ADVISORY BOARD

The Farm Advisory Committee was created by Resolution approved by the Board of Commissioners on April 5, 2004. Committee members were appointed by the Commissioners on June 7, 2004. Bylaws were adopted by the Commissioners on November 30, 2006 and the Farm Advisory Committee became the Farm Advisory Board. **Initial terms for the Farm Advisory Board began on December 31, 2006.** The initial term was for 3 years with an expiration date of December 31, 2009. (All second terms were staggered as outlined in the bylaws with 1/3 of the members appointed for a 1-year term; 1/3 of the members appointed for a 2-year term; and 1/3 of the members appointed to a 3-year term.) Determination was made at the membership meeting during the final quarter of the 3rd year by drawing lots. **(Bylaws specify that terms begin January 1st and expire December 31st; members may serve an unexpired term and 2 additional terms.)**

<u>Name/Address</u>	<u>Date Appointed</u>	<u>Term</u>	<u>Expires</u>	<u>Eligible for Reappointment</u>
<u>Farmers:</u>				
Britt Riddle 7397 Riddle Road St. Pauls, NC 28384 425-8532/ 818-1049	12/11	1st	Dec/14 12/31/14	Yes
Wayne Beard 1514 Middle Road Fayetteville, NC 28312 483-9165/818-9992 (C)	12/12	1st	Dec/15 12/31/15	Yes
Kevin West 4656 Cedar Creek Road Fayetteville, NC 28301 910-850-2476	12/13	1st	Dec/16 12/31/16	Yes
Wayne Collier, Jr. 5489 Indian Ridge Road Linden, NC 28356 980-0066/308-9197 (C)	12/12	2nd	Dec/15 12/31/15	No
appointed to an unexpired term 11/3/08 for an initial term that began in 12/31/06 Collier reappointed to a 3-year term in 2009; eligible for an additional 3-year term				
Vance Tyson 4925 NC Hwy 87 S Fayetteville, NC 28306 910-308-4057	12/12	1st	Dec/15 12/31/15	Yes
<u>Natural Resource Conservation Service:</u>				
Clifton McNeill, Jr. 1471 Clifton McNeill Road Hope Mills, NC 28348 425-7354/309-4750	12/13	1 st full	Dec/16 12/31/16	Yes

(Bylaws specify that terms begin January 1st and expire December 31st; members may serve an unexpired term and 2 additional terms.)

<u>Name/Address</u>	<u>Date Appointed</u>	<u>Term</u>	<u>Expires</u>	<u>Eligible for Reappointment</u>
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Farm Bureau Representative:

David Gillis 7775 Climbing Tree Lane Fayetteville, NC 28306 487-0684	12/13	2nd	Dec/16 12/31/16	No
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Planning Board Representative:

VACANT (Vacated by W. Clark) 1/12		1st	Dec/14 12/31/14	Yes
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(eligible for an additional three-year term)

Cooperative Extension Service Representative:

Colby Lambert NC Cooperative Extension Service 301 East Mountain Drive Fayetteville, NC 28306 321-6875(W)	12/11	2nd	Dec/14 12/31/14	No
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Meetings: Quarterly – Second Tuesday of the first month of each quarter (Jan, Apr, July, Oct) at 7:00 PM
Historic Cumberland County Courthouse, 130 Gillespie Street, Room 107C

Contact: Will Linville – 678-7607 (Planning and Inspections)

**NORCRESS WATER & SEWER DISTRICT GOVERNING BOARD AGENDA
SPECIAL MEETING
CUMBERLAND COUNTY BOARD OF COMMISSIONERS
COURTHOUSE – ROOM 118
DECEMBER 15, 2014
6:45 PM**

1. Consent Agenda
 - A. Approval of minutes for the April 22, 2014 regular meeting.
 - B. Approval of the Utility Service Agreement for the NORCRESS Sanitary Sewer System. **(Pg. 176)**

ADJOURN THE SPECIAL MEETING OF THE NORCRESS WATER & SEWER DISTRICT GOVERNING BOARD.

RECONVENE THE REGULAR BOARD OF COMMISSIONERS MEETING.




ITEM NO. 18
NORCRESS GOVERNING BOARD

**ENGINEERING & INFRASTRUCTURE DEPARTMENT
PUBLIC UTILITIES DIVISION**

MEMORANDUM FOR NORCRESS GOVERNING BOARD AGENDA OF DECEMBER 15, 2014

TO: NORCRESS GOVERNING BOARD

FROM: JEFFERY P. BROWN, ENGINEERING & INFRASTRUCTURE DIRECTOR 

THROUGH: AMY CANNON, COUNTY MANAGER

DATE: DECEMBER 5, 2014

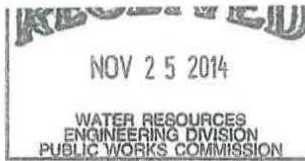
**SUBJECT: APPROVAL OF THE UTILITY SERVICE AGREEMENT
FOR THE NORCRESS SANITARY SEWER SYSTEM**

BACKGROUND

The Falcon Children's Home has requested connection to the NORCRESS sanitary sewer system, by extension of the sanitary sewer main of approximately 1,000 LF, with all costs being paid by the Falcon Children's Home. The Utility Service Agreement is needed to set the guidelines between the Falcon Children's Home and NORCRESS, to ensure proper installation and connection to the system. Upon completion of construction of the sanitary sewer mains and written acceptance of the asbuilts and certifications the said utility mains shall be the property of NORCRESS and NORCRESS will operate and maintain them as part of the existing sanitary sewer system.

RECOMMENDATION

The Engineering and Infrastructure Director and Management recommend to the NORCRESS Governing Board to approve the Utility Service Agreement between the Falcon Children's Home and NORCRESS Water and Sewer District.



NORTH CAROLINA
CUMBERLAND COUNTY

AGREEMENT FOR UTILITY SERVICE(S)

THIS AGREEMENT, made this 13th day of November, 2014 by and between the Norcross Water and Sewer District (hereinafter called "DISTRICT") and Falcon Children's Home (hereinafter called "APPLICANT")

WITNESSETH

WHEREAS, APPLICANT desires public utility services from DISTRICT as selected below.
(check all that apply)

- ☒ Water and/or Sewer Utility Extension
☐ Water Service
☒ Sewer Service

NOW THEREFORE, in consideration of the premises and of the mutual agreements hereinafter set forth, the parties hereby agree and contract as follows:

Article 1: Water and/or Sewer Utility Extension

As selected above, APPLICANT hereby requests installation of water and/or sanitary sewer utility services as described in Exhibit "I-A", Project Summary, and is subject to the following terms and conditions:

- A. APPLICANT will furnish all material, perform all labor, and pay all other costs not provided for herein to construct, by a contractor licensed to perform utilities construction in North Carolina, to DISTRICT rules currently in effect and approved by the Board of Commissioners of Cumberland County, all applicable local codes and ordinances, the current service provider and State regulations and laws for those utilities on the conditions precedent that 1) DISTRICT reserves the right to require a performance bond from APPLICANT (and/or his contractor) any time before or during construction of these utilities; and 2) APPLICANT will first obtain for and in the name of the DISTRICT deeds or easements of conveyance for all unencumbered rights-of-way necessary for said construction; and 3) APPLICANT shall obtain an encroachment agreement from NCDOT prior to any work commencing.
- B. Such construction shall be undertaken and completed as soon as practicable, and not later than six months from date of this agreement, unless delayed or prevented by acts of God, or other things beyond APPLICANT's control. In the event that construction will be longer than six months from date of this agreement, then DISTRICT reserves the right to amend this agreement.
- C. Connection to the DISTRICT's water and/or sanitary sewer system of buildings constructed after the date of this agreement on parcels of land that are subject to the County's Subdivision Ordinance shall be governed by the requirements of the County's Subdivision Ordinance.
- D. Upon satisfactory completion of construction of said water and/or sanitary sewer mains and written acceptance of such construction by DISTRICT, said utility mains shall be the property solely of the DISTRICT and the DISTRICT will maintain same after the one (1) year warranty set forth below has expired. To accurately value the assets being transferred, APPLICANT shall complete and submit the Statement of Project Cost Form attached as Exhibit II to DISTRICT at project completion.
- E. Warranty: APPLICANT shall warrant that the water and/or sanitary sewer utilities to be owned by the DISTRICT shall be free from any defects in materials and workmanship. APPLICANT also warrants that it shall be solely responsible for the repair of any damage caused by its agents or employees. Said warranties shall remain in full force and effect for a period of one (1) year from the date of final acceptance of the facilities by the DISTRICT. In the event it becomes necessary to repair and/or replace any of the facilities during the initial one (1) year period, such repair and/or replacement shall be at APPLICANT's sole expense and the warranty as to those items repaired and/or replaced shall continue to remain in effect

for an additional period of one (1) year from the date of final acceptance by the DISTRICT of those repairs and/or replacements. If the DISTRICT must repair and/or replace said utilities during the warranty period due to response time requirements, the DISTRICT may bill the APPLICANT for work completed and APPLICANT shall remit payment therefore within thirty (30) days of the date of the invoice.

- F. Water and/or sanitary sewer connections to structures along said utility mains from service laterals installed by APPLICANT will not be made nor will such service be activated until all work to be performed by APPLICANT has been satisfactorily completed and written acceptance of such work is given by the DISTRICT. Also, if a water main is extended pursuant to this agreement, it must be tested and sterilized by APPLICANT'S contractor before activation of any water service from said water main.
- G. Water and/or sanitary sewer service will be supplied to structures now or hereafter located along said utility mains in accordance with the DISTRICT's rules, regulations, and rate schedules applicable to such structures and currently in effect at the time of application for service. If all normal DISTRICT fees and charges for installation and activation of such services have been paid by applicants for said services, DISTRICT will thereafter use its best efforts to supply water to said structures at good operating pressure, but in no event shall DISTRICT be liable for failure to do so, it being understood that all such original operating fees, charges, rates, etc., are, solely at DISTRICT's discretion, subject to change by DISTRICT.
- H. Any replacements or adjustments in elevations and grades of those water and/or sanitary sewer service laterals, including water meters and boxes and sanitary sewer cleanout stacks, which were originally installed by APPLICANT'S contractor in accordance with approved plans by APPLICANT's engineer, shall be at APPLICANT's expense; and the determination of the DISTRICT that such replacements or adjustments are required shall be final and binding on APPLICANT.
- I. During construction of project, APPLICANT will be responsible and pay DISTRICT as invoiced for any and all damages to DISTRICT utilities and materials except when such damages are caused by DISTRICT forces. APPLICANT shall remit payment therefore within thirty (30) days of the date of the invoice.
- J. DISTRICT requires a Tap Fee to all new users connecting to its water and/or sanitary sewer systems which will provide the DISTRICT with funds for long-term system replacement and upgrade. All costs associated with serving this development are outlined on the attached Exhibit "I-B", Project/Facility Charges and Credits.
- K. APPLICANT'S contractor shall be responsible for complying with any and all statutes, rules, regulations or ordinances, which may be imposed by other governmental agencies (local, state and federal), which have jurisdiction. APPLICANT shall hold harmless, to the extent permitted by law, the DISTRICT against any claims, fines or civil penalties resulting from APPLICANT'S contractor failure to comply with said regulations.
- L. The Water and Sewer Utility Extension is further illustrated in Exhibit "I-C", Water and Sewer Utility Extension Map. APPLICANT shall be responsible for costs (engineering, materials, design, etc.) associated with major design changes that deviate from Exhibit "II" and the attached map as identified in "I-C".

Article 2: General Terms and Conditions

SAFETY:

Safety in, on, or about the site is the sole and exclusive responsibility of the APPLICANT. The APPLICANT's means and method of work performance, superintendent of the APPLICANT's employees and sequencing of construction are also sole and exclusive responsibilities of the APPLICANT.

APPLICANT shall be responsible for the safety of any person, including but not limited to, any worker, DISTRICT's Representative and/or DISTRICT's Representative's Representative, Owner and/or Owner's Representative, citizen, etc. on the site of the work at all times during the prosecution of the work, regardless of whether the individual is an employee of the applicant or Contractor or

Sub-Contractor. The APPLICANT is responsible for compliance with the rules, regulations and interpretations of the North Carolina Department of Labor relating to "North Carolina Occupational Safety and Health Standards (OSHA) for the Construction Industry" (Title 29 CFR Part 1926 and 29 CFR Part 1919 as adopted by 13 NCAC 7C.0101) and revisions as adopted by GS95-126 through 155 and additionally with normal industry safety practices or standards.

DISTRICT shall have the right to inspect the work for pay application compliance and compliance with DISTRICT standards and specifications but is not required to do so. DISTRICT shall further have the right to monitor the progress of the work but no such inspection shall relieve APPLICANT of any duty or obligation it might have under the terms of this contract and agreement. Nothing in this agreement shall relieve the APPLICANT of any duty or obligation to direct the means and methods of the work.

INDEMNIFICATION:

APPLICANT agrees to indemnify and hold the DISTRICT, its servants, agents, and employees harmless from and against all liabilities, claims, demands, suits, losses, damages, costs, and expenses (including attorney's fees) for bodily injury to or death of any person, or damage to or destruction of any property proximately caused by the negligence of APPLICANT or any person for whom APPLICANT is legally responsible during the performance of services relative to this Agreement.

INDEPENDENT CONTRACTOR:

APPLICANT is an independent contractor and shall undertake performance of the services relative to this Agreement as an independent contractor. APPLICANT shall be wholly responsible for the methods, means, and techniques of performance. DISTRICT shall have no rights to supervise methods and techniques of performance employed by APPLICANT, but DISTRICT shall have the right to observe such performance.

COMPLIANCE WITH LAWS:

APPLICANT agrees that in performing services relative to this Agreement to comply with all applicable regulatory requirements including federal, state, and local laws, rules, regulations, orders, codes, criteria, and standards. APPLICANT shall be responsible for procuring all permits, certificates, and licenses necessary to allow APPLICANT to perform services relative to this Agreement.

NOTICE:

Any formal notice, demand, or request required by or made in connection with this Agreement shall be deemed properly made if delivered in writing or deposited in the United States mail, postage prepaid, to the address specified below.

APPLICANT: Company Name: Falcon Childrens Home
 Attention: Member/Manager Joseph Leggett
 Address P.O. Box 39
 City, State, Zip Falcon, NC 28342

DISTRICT: County of Cumberland
 Attention: NORCRESS Water and Sewer District
 P.O. Box 1829
 Fayetteville, NC 28302

Nothing contained in this Article shall be construed to restrict the transmission of routine communication between representatives of APPLICANT and DISTRICT.

GOVERNING LAW:

This Agreement shall be governed by the laws of the State of North Carolina.

BREACH:

APPLICANT'S failure to observe or perform any of the terms, warranties, conditions, requirements, or provisions of this Agreement shall constitute a breach of this Agreement by APPLICANT. In the

event of a breach of this Agreement by APPLICANT, DISTRICT, due to such breach, shall have the right to terminate this Agreement upon which DISTRICT shall have no further obligation to perform under this Agreement and APPLICANT shall have no right to perform any further work under this Agreement.

In the event of breach of this Agreement by APPLICANT and termination of this Agreement by DISTRICT, APPLICANT hereby agrees to reimburse DISTRICT for all expenditures made in relation to, and in furtherance of, this Agreement.

NONWAIVER OF BREACH:

No breach or non-performance of any term of this Agreement shall be deemed to be waived by either party unless said breach or non-performance is waived in writing and signed by the parties. No waiver of any breach or non-performance under this Agreement shall be deemed to constitute a waiver of any subsequent breach or non-performance and, for any such breach or non-performance, each party shall be relegated to such remedies as provided by law.

SEVERABILITY:

The invalidity, illegality, or unenforceability of any portion or provision of this Agreement shall in no way affect the validity, legality, and/or enforceability of any other portion or provision of this Agreement. If any provision of this Agreement is held invalid, illegal or unenforceable, then such provision shall be modified to the mutual satisfaction and agreement of all parties to reflect the parties' intention. In the event the parties cannot reach an agreement as to a modification of said provision, any invalid, illegal, or unenforceable provision of this Agreement shall be deemed severed from this Agreement, and the balance of this Agreement shall be construed and enforced the same as if the Agreement had not contained any portion or provision which was invalid, illegal, or unenforceable. Provided, however, this section shall not prevent this entire Agreement from being void in the event any portion or provision of this Agreement which is of the essence of or a material part of, this Agreement shall be void.

ASSIGNMENT:

APPLICANT shall not assign, sublet, or transfer any rights under or interest in (including, but without limitation, monies that may become due or monies that are due) this Agreement without the written consent of DISTRICT. Nothing contained in this paragraph shall prevent DISTRICT from employing such independent consultants, associates, and subcontractors as it may deem appropriate to assist APPLICANT in the performance of services rendered.

BENEFITS LIMITED TO PARTIES:

Nothing herein shall be construed to give any right or benefits hereunder to anyone other than DISTRICT and APPLICANT.

IN WITNESS WHEREOF, the parties hereto through their duly authorized officers has executed this instrument as to the date and year first above written.

COMPANY NAME

Falcon Children's Home

BY: Joseph J. Jaggard, CEO
Name, Title

WITNESS:

Anna P. Reynolds

NORCROSS WATER & SEWER DISTRICT

BY: _____, Chair

WITNESS:

Candice White, Clerk to the Board

APPROVED for Legal Sufficiency
NORCROSS Water & Sewer District

This instrument has been pre-audited in the manner required by the Local Government Budget and Fiscal Control Act.

Rick L. Moorefield, County Attorney
Attorney for NORCROSS

Melissa Cardinali, Assistant County Manager
Finance Officer for NORCROSS

Exhibit "I"
Water and Sewer Utility Extension Detail

Project:	Marvin and Joyce Whitfield Life Campus	WDEV #:unknown
Engineer:	Cape Fear Engineering, Inc.	SDEV #:unknown PWC Drawing #:14774
Developer:	Falcon Children's Home	PIN#:1502-37-5595

A. Project Summary

Asset Summary

- 1070 LF of 6" water main (includes valves, fittings, etc.)
- 1058 LF of 2" domestic water laterals
- 1022 LF of 8" sewer mains
- 258 LF of 8" sewer laterals

Project Highlights

The project is located on N West Street (NC-82) across from existing Falcon Children's Home. The site is approximately 1.0 miles from the intersection of NC-82 and I-95. The project included the construction of utility infrastructure to support three proposed buildings as part of the Whitfield Life Center Project.

B. Project/Facility Charges and Credits

N/A

C. Water and Sewer Utility Extension Map

A3 and A4 (from as-builts by Cape Fear Engineering, Inc.)

EXHIBIT "II"

STATEMENT OF TOTAL PROJECT COST

Developer/Applicant Falcon Children's Home Contractor T2 Contracting

Project Name/Loc Marvin & Joyce Whitfield Campus Pipe Supplier Fergusson Water Works

Completion Date 11/14/2014 Engineer Cape Fear Engineering

WATER

<u>1070</u>	feet of	<u>6</u>	inch water main	
	feet of		inch water main	
	feet of		inch water main	
<u>1058</u>	-	<u>2</u>	inch domestic water lateral(s)	
			Total water distribution*	\$ <u>93,508</u>
Mains greater than 12"				
	feet of		inch water main	
	feet of		inch water main	
			Total water transmission *	\$ <u> </u>

SEWER

<u>1,022</u>	feet of	<u>8</u>	inch sewer mains	
	feet of		inch sewer mains	
<u>258</u>	-	<u>6</u>	inch sewer laterals	
			Total sanitary sewer collection*	\$ <u>92,844</u>
Mains greater than 12"				
	feet of		inch sewer main	
	feet of		inch sewer main	
			Total sanitary sewer outfalls & interceptors*	\$ <u> </u>
	feet of		inch sewer force mains	\$ <u> </u>
	-		lift station (s)	\$ <u> </u>

OFF-Site

	feet of		inch water mains*	\$ <u> </u>
	feet of		inch sewer mains*	\$ <u> </u>

*Value to include equipment, labor & materials (valves, fittings, fire mains & hydrants, manholes, etc.)

Other Project Costs:

Engineering	<u>24,500</u>
-------------	---------------

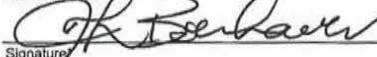
<u>13%</u>	* Percentage of Project Cost	
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Other (list detail)	<u> </u>
---------------------	-------------------

Total project cost	\$ <u>\$210,852.00</u>
---------------------------	-------------------------------

Comments: _____

I certify to my actual knowledge that the information provided herein is true and accurate cost for the project named above.

Signature 

Date 11/14/14

* Signature of Legal Authorized Representative of the "Applicant" as identified in the Agreement with DISTRICT

Attach all supporting documents such as final contractor's invoice, material invoices/receipts, engineer's invoice(s), if available.

**OVERHILLS PARK WATER & SEWER DISTRICT GOVERNING BOARD AGENDA
SPECIAL MEETING
COURTHOUSE – ROOM 118
DECEMBER 15, 2014
6:45 PM**

1. Consent Agenda
 - A. Approval of minutes of August 4, 2014 special meeting.
 - B. Approval of Land Purchases for the Overhills Park Sewer Project. **(Pg. 185)**

**ADJOURN THE SPECIAL MEETING OF THE OVERHILLS PARK WATER &
SEWER DISTRICT GOVERNING BOARD.**

RECONVENE THE REGULAR BOARD OF COMMISSIONERS' MEETING.



ITEM NO. 18
OVERHILLS GOVERNING BOARD

**ENGINEERING & INFRASTRUCTURE DEPARTMENT
PUBLIC UTILITIES DIVISION**

**MEMORANDUM FOR OVERHILLS PARK WATER AND SEWER DISTRICT GOVERNING
BOARD AGENDA OF DECEMBER 15, 2014**

TO: OVERHILLS PARK WATER & SEWER DISTRICT GOVERNING BOARD
FROM: JEFFERY P. BROWN, ENGINEERING & INFRASTRUCTURE DIRECTOR
THROUGH: AMY CANNON, COUNTY MANAGER
DATE: DECEMBER 5, 2014
SUBJECT: LAND PURCHASES FOR THE OVERHILLS PARK SEWER PROJECT

BACKGROUND

On April 14, 2014 in a special called meeting, the Overhills Park Water and Sewer District governing board approved the letter of conditions presented by USDA Rural Development for a loan and grant in the amount of \$3,322,000 for the construction of a much needed sewer system within the Overhills Park Subdivision. In order to construct the sewer system as designed, the County must purchase two vacant lots that are currently owned by W.S. Wellons Corporation of Spring Lake. One lot is located at 3004 Collingwood Street and the other lot is located at 2410 Brinkley Drive.

County staff reached out to Mr. Billy Wellons several months ago about the need to purchase the two vacant lots for the construction of the sewer project. After several conversations, it was determined that an appraisal needed to be completed for each of the lots. Therefore, the County obtained the services of Roger Holmes to complete the requested appraisals. These appraisal reports have been attached for your review. Mr. Holmes concluded that each lot currently has a value of \$2,500. Mr. Wellons was provided the appraisals with an offer to purchase each lot at the appraised value. After reviewing the appraisals Mr. Wellons felt that the value assigned to each lot was too low and that he in turn wanted to provide an in depth review on his own. After a few weeks, Mr. Wellons contacted County Staff and offered to sell the lot on Collingwood Street for \$4,000 and offered to sell the lot on Brinkley Drive for a price of \$5,000 as is or for \$4,000 if he removed the trees prior to selling the lot.

The acquisition of these lots is critical for the construction of the proposed sewer project. The lot on Collingwood Street is needed for a lift station that will pump the collected wastewater on the north side of Manchester Road back to the south side into a proposed gravity line. The gravity sewer system on the south side of Manchester Road will cross the lot on Brinkley Drive to a dedicated easement owned by the Town of Spring Lake where the second lift station will be

constructed. The cost of trying to redesign the system will far outweigh the additional cost above the appraised value of the lots. Not to mention, land still will need to be acquired and the majority of the vacant lots within the subdivision are owned by W.S. Wellons Corporation. USDA Rural Development has established milestone dates for the County to meet in order to still qualify for the loan and grant money that has been offered. The Board has the power of eminent domain; however the time necessary to complete this process could jeopardize the funding that has been allocated for the project. Again, the cost of this process would exceed the additional cost above the appraised value.

As previously stated, the lot on Brinkley Drive will be utilized to access the dedicated easement where the lift station is to be constructed. If the option were selected to purchase the lot for \$4,000, then the County would most likely have to spend additional money during construction to reestablish some sort of vegetation on the lot. So with that said, it would be more beneficial for the County to purchase this lot for the asking price of \$5,000 and utilize the existing trees as a buffer between the adjacent lots.

This was presented to the Facilities Committee on December 4th.

RECOMMENDATION

The Engineering and Infrastructure Director, County Management and the Facilities Committee recommend that the governing board for the Overhills Park Water and Sewer District approve the purchase of the lot on Collingwood Street for the asking price of \$4,000 and to approve the purchase of the lot on Brinkley Drive for the asking price of \$5,000.

LAND APPRAISAL REPORT

File No. 201409032

IDENTIFICATION	Borrower <u>N/A</u>		Census Tract <u>0036.00</u> Map Reference <u>0512</u>	
	Property Address <u>2410 Brinkley Dr</u>			
	City <u>Spring Lake</u>		County <u>Cumberland</u>	State <u>NC</u> Zip Code <u>28390</u>
	Legal Description <u>Lot #20 Section 3 Overhills Park (0.26 Acres) PB 28-34 Tax PIN 0512-39-5001</u>			
NEIGHBORHOOD	Sale Price \$ <u>N/A</u>		Date of Sale <u>N/A</u>	Loan Term <u>N/A</u> yrs.
	Actual Real Estate Taxes \$ <u>6.77</u> (yr)		Loan charges to be paid by seller \$ <u>N/A</u> Other sales concessions <u>N/A</u>	
	Lender/Client <u>Cumberland Cnty Engineering & Infrastructure Dept</u>		Address <u>130 Gillespie Street, Fayetteville, NC 28302</u>	
	Occupant <u>N/A</u>		Appraiser <u>Roger G. Holmes</u> Instructions to Appraiser <u>Appraise vacant lot for potential purchase. On inspection, the subject lot was owned by W.S. Wellons Corporation of Spring Lake, NC.</u>	
	Location	<input type="checkbox"/> Urban	<input checked="" type="checkbox"/> Suburban	<input type="checkbox"/> Rural
	Built Up	<input type="checkbox"/> Over 75%	<input checked="" type="checkbox"/> 25% to 75%	<input type="checkbox"/> Under 25%
	Growth Rate	<input type="checkbox"/> Fully Dev.	<input type="checkbox"/> Rapid	<input checked="" type="checkbox"/> Steady
	Property Values	<input type="checkbox"/> Increasing	<input checked="" type="checkbox"/> Stable	<input type="checkbox"/> Declining
	Demand/Supply	<input type="checkbox"/> Shortage	<input checked="" type="checkbox"/> In Balance	<input type="checkbox"/> Oversupply
	Marketing Time	<input type="checkbox"/> Under 3 Mos.	<input checked="" type="checkbox"/> 4-6 Mos.	<input type="checkbox"/> Over 6 Mos.
SITE	Present Land Use	<input checked="" type="checkbox"/> 95% 1 Family	<input type="checkbox"/> 0% 2-4 Family	<input type="checkbox"/> 0% Apts.
		<input type="checkbox"/> 0% Industrial	<input type="checkbox"/> 5% Vacant	<input type="checkbox"/> 0% Condo
	Change in Present Land Use	<input checked="" type="checkbox"/> Not Likely	<input type="checkbox"/> Likely (*)	<input type="checkbox"/> Taking Place (*)
	Predominant Occupancy	<input checked="" type="checkbox"/> Owner	<input type="checkbox"/> Tenant	<input type="checkbox"/> % Vacant
	Single Family Price Range	\$ <u>25,000</u> to \$ <u>95,000</u>		Predominant Value \$ <u>57,000</u>
	Single Family Age	<u>48</u> yrs. to <u>40</u> yrs.		Predominant Age <u>46</u> yrs.
	Employment Stability <input type="checkbox"/> Good <input checked="" type="checkbox"/> Avg. <input type="checkbox"/> Fair <input type="checkbox"/> Poor Convenience to Employment <input type="checkbox"/> <input checked="" type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> Convenience to Shopping <input type="checkbox"/> <input checked="" type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> Convenience to Schools <input type="checkbox"/> <input checked="" type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> Adequacy of Public Transportation <input type="checkbox"/> <input checked="" type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> Recreational Facilities <input type="checkbox"/> <input checked="" type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> Adequacy of Utilities <input type="checkbox"/> <input checked="" type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> Property Compatibility <input type="checkbox"/> <input checked="" type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> Protection from Detrimental Conditions <input type="checkbox"/> <input checked="" type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> Police and Fire Protection <input type="checkbox"/> <input checked="" type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> General Appearance of Properties <input type="checkbox"/> <input checked="" type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> Appeal to Market <input type="checkbox"/> <input checked="" type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>			
	Comments including those factors, favorable or unfavorable, affecting marketability (e.g. public parks, schools, view, noise): <u>The subject neighborhood is called Overhills and it was established in the late 60's. The area is served by Spring Lake Water & the existing homes use private septic systems. Homes were constructed in the late 60's on lots suitable for septic systems. Subject NBHD has good access to Spring Lake, Fort Bragg, & Fayetteville.</u> <u>There have been some foreclosures in the NBHD, but foreclosures are not a driving force in the market. Typical home size is <1,200 SF.</u>			
	Dimensions <u>77.41 x 133.49</u> (Per Tax Data) = <u>0.26</u> Sq. Ft. or Acres <input type="checkbox"/> Corner Lot Zoning classification <u>R-10</u> Present Improvements <input checked="" type="checkbox"/> do <input type="checkbox"/> do not conform to zoning regulations Highest and best use <input type="checkbox"/> Present use <input checked="" type="checkbox"/> Other (specify) <u>Assemblage or eventual residential development if sewer service becomes available.</u>			
	Elec. <input checked="" type="checkbox"/> Public <input type="checkbox"/> Other (Describe) _____ OFF SITE IMPROVEMENTS Gas <input type="checkbox"/> _____ Street Access <input checked="" type="checkbox"/> Public <input type="checkbox"/> Private Water <input checked="" type="checkbox"/> _____ Surface <u>Asphalt</u> Topo <u>Appeared Level</u> San. Sewer <input type="checkbox"/> <u>Pvt. Septic</u> Maintenance <input checked="" type="checkbox"/> Public <input type="checkbox"/> Private Size <u>Appeared Typical</u> <input type="checkbox"/> Underground Elect. & Tel. <input type="checkbox"/> Storm Sewer <input type="checkbox"/> Curb/Gutter Shape <u>Rectangular</u> <input type="checkbox"/> Sidewalk <input checked="" type="checkbox"/> Street Lights View <u>Residential</u> Drainage <u>Appeared Adequate</u> Is the property located in a HUD Identified Special Flood Hazard Area? <input checked="" type="checkbox"/> No <input type="checkbox"/> Yes			
Comments (favorable or unfavorable including any apparent adverse easements, encroachments, or other adverse conditions): <u>At some point around 1998, the owner got their property tax valuation reduced due to septic 'percolation issues', but no supporting documentation was available from the Tax Office, & the County Health Department had no record for the subject, which they stated meant no documentation was ever supplied for the lot. It is my opinion that if the lot was suitable for a septic system, a home would have been built when the subdivision was started.</u>				
The undersigned has recited three recent sales of properties most similar and proximate to subject and has considered these in the market analysis. The description includes a dollar adjustment reflecting market reaction to those items of significant variation between the subject and comparable properties. If a significant item in the comparable property is superior to or more favorable than the subject property, a minus (-) adjustment is made thus reducing the indicated value of subject; if a significant item in the comparable is inferior to or less favorable than the subject property, a plus (+) adjustment is made thus increasing the indicated value of the subject.				
MARKET DATA ANALYSIS	ITEM		SUBJECT PROPERTY	
	Address <u>2410 Brinkley Dr</u>		<u>3018 Brinkley Dr</u>	
	<u>Spring Lake, NC 28390</u>		<u>Spring Lake, NC 28390</u>	
	Proximity to Subject		<u>0.43 miles NE</u>	
	Sales Price		\$ <u>2,500</u>	
	Price Per Lot		\$ <u>2,500</u>	
	Data Source		Public Records	
	Date of Sale and Time Adjustment		DESCRIPTION + (-) \$ Adjust	
	Location		<u>Overhills</u>	
	Site/View		<u>1.0 Lot/Residential</u>	
Acreage		<u>0.26 Acres</u>		
Zoning		<u>R-10</u>		
Shape		<u>Rectangular</u>		
Utilities/Percolation		<u>Elec/Water/Unlikely</u>		
Sales or Financing Concessions		<u>Cash</u>		
Net Adj. (Total)		<input type="checkbox"/> + <input type="checkbox"/> - \$		
Indicated Value of Subject		\$ <u>2,500</u>		
		\$ <u>5,000</u>		
		\$ <u>2,500</u>		
Comments on Market Data: <u>Vacant land is scarce in the area and it is typical in Cumberland County to consider vacant sales data from within the prior 6 years as needed. Subject NBHD is at the lower end in quality and sales prices for the county with very few similar NBHDs north of Fort Bragg, NC. Selected sales were the most recent similar sales available from the area.</u>				
Comments and Conditions of Appraisal: <u>The sales sold on a 'per lot' basis. Acreage, zoning, and shape did not appear to be significant factor in Buyers's considerations for the lots. No adjustments for time were supportable. Sale Two is given little weight because it appears they bought the lot thinking they could rebuild, went through extensive legal proceedings to try to build, then had the Attorney General's office say they should not rebuild due to septic tank issues. Sale One is not suitable for a septic system. Sale Three is likely to be unsuitable for a septic system.</u>				
Final Reconciliation: <u>Sales 1 & 3 produce the most reasonable indications of value for the subject lot, assuming the subject is not suitable for a septic system. This report is comprised of 9 total pages and is invalid if used without nine total pages as one complete document.</u>				
I ESTIMATE THE MARKET VALUE, AS DEFINED, OF SUBJECT PROPERTY AS OF <u>09/24, 2014</u> to be \$ <u>2,500</u>				
Roger G. Holmes Appraiser(s) _____ Review Appraiser (if applicable) _____ <input type="checkbox"/> Did <input type="checkbox"/> Did Not Physically Inspect Property				

(Y2K)

Subject Photo Page

Client	Cumberland County Engineering & Infrastructure Department				
Property Address	2410 Brinkley Dr				
City	Spring Lake	County	Cumberland	State	NC Zip Code 28390
Owner	W.S. Wellons Corporation				

**Subject Front**

2410 Brinkley Dr
 Sales Price N/A
 G.L.A.
 Tot. Rooms
 Tot. Bedrms.
 Tot. Bathrms.
 Location Overhills
 View 1.0 Lot/Residential
 Site
 Quality
 Age
 Looking northwest.

**Subject Front**

Looking southwest.

**Street View**

Subject on right.

Comparable Photo Page

Client	Cumberland County Engineering & Infrastructure Department				
Property Address	2410 Brinkley Dr				
City	Spring Lake	County	Cumberland	State	NC Zip Code 28390
Owner	W.S. Wellons Corporation				



Comparable 1

3018 Brinkley Dr
 Prox. to Subj. 0.43 miles NE
 Sales Price 2,500
 G.L.A.
 Tot. Rooms
 Tot. Bedrms.
 Tot. Bathrms.
 Location Overhills
 View 1.0 Lot/Residential
 Site
 Quality
 Age



Comparable 2

3104 Brinkley Dr
 Prox. to Subj. 0.62 miles N
 Sales Price 5,000
 G.L.A.
 Tot. Rooms
 Tot. Bedrms.
 Tot. Bathrms.
 Location Overhills
 View 1.0 Lot/Residential
 Site
 Quality
 Age
 Home burned in
 2007 and they were
 not allowed to build
 again due to the lot
 being unsuitable for
 further septic use.

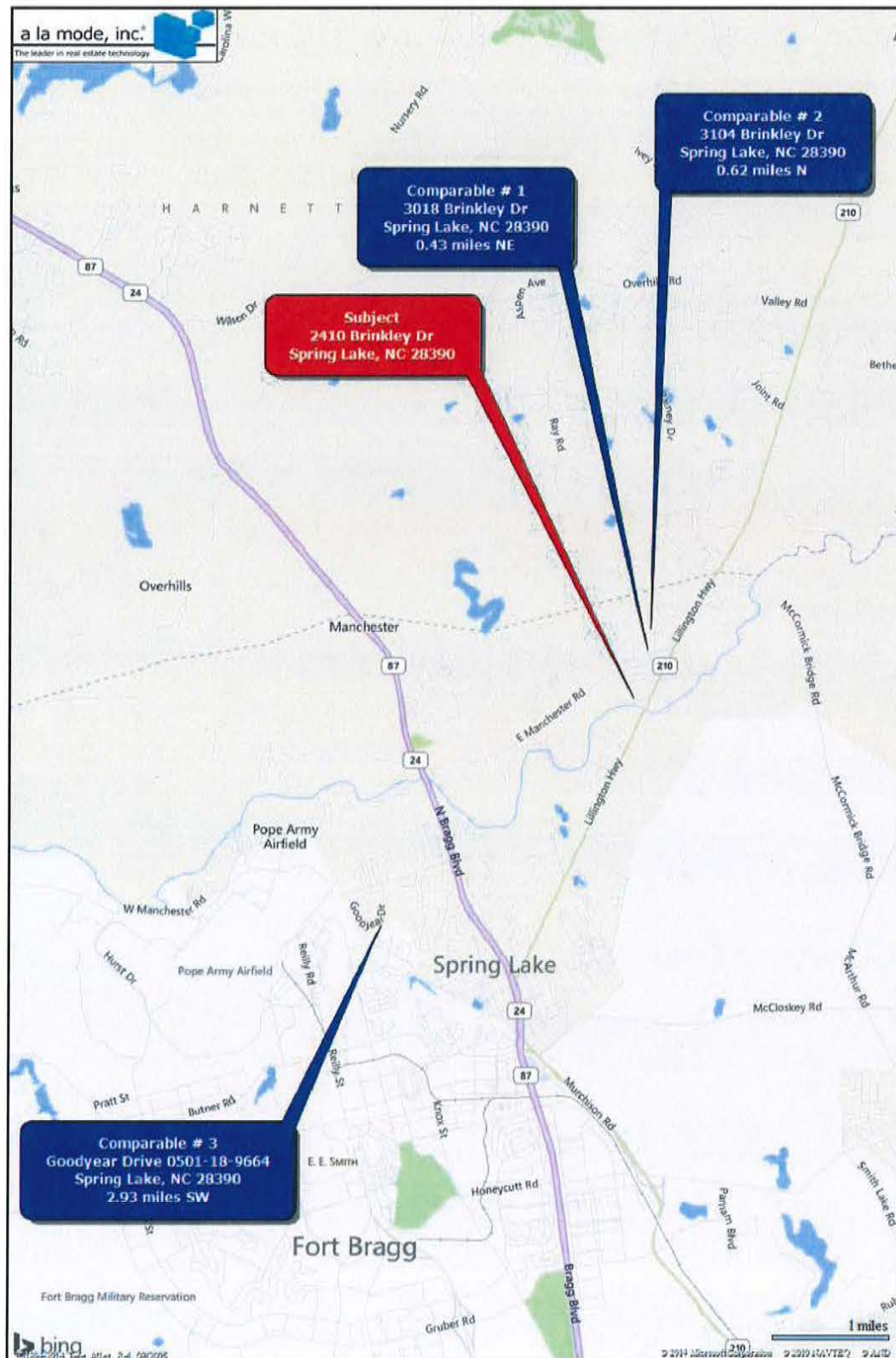


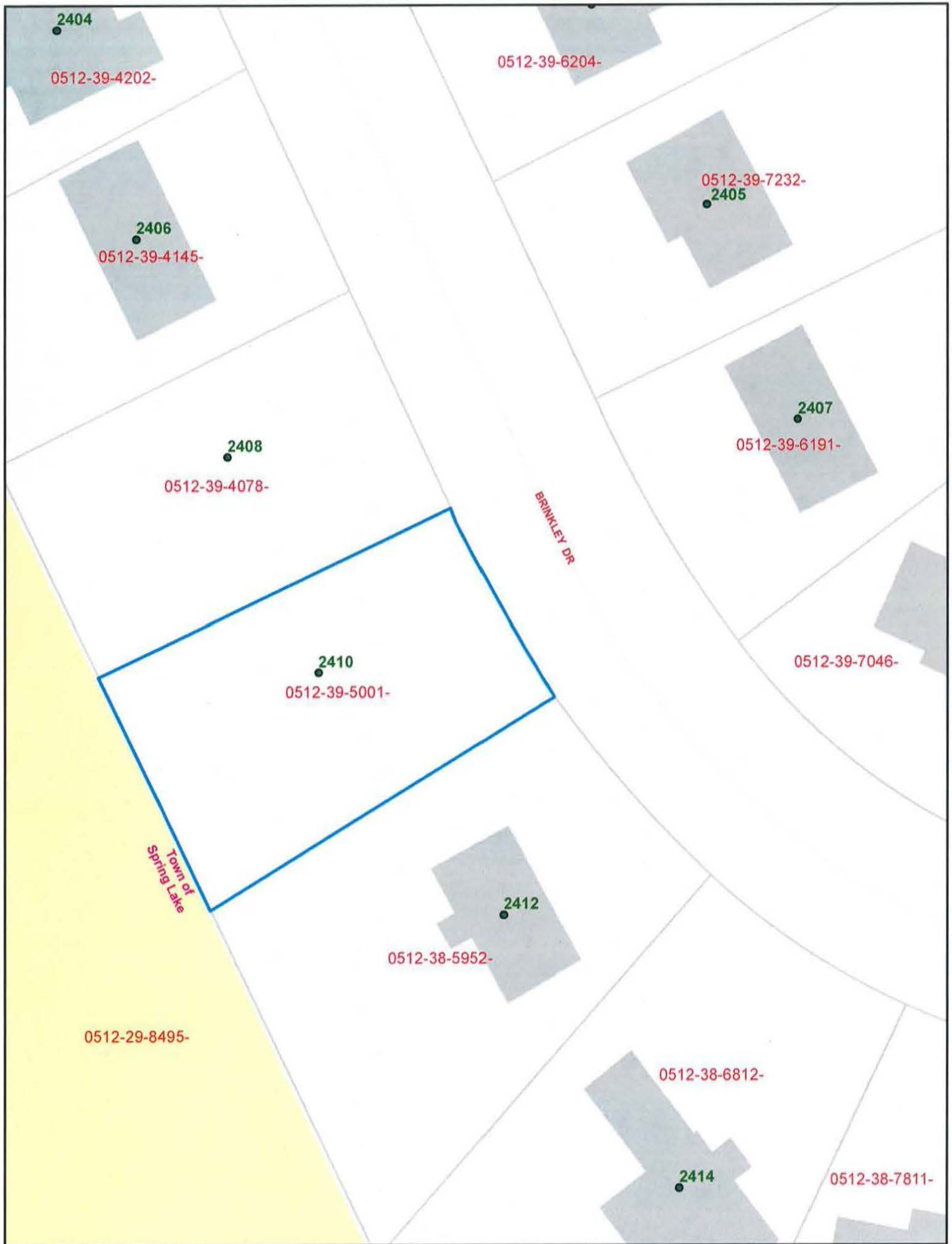
Comparable 3

Goodyear Drive 0501-18-9664
 Prox. to Subj. 2.93 miles SW
 Sales Price 2,500
 G.L.A.
 Tot. Rooms
 Tot. Bedrms.
 Tot. Bathrms.
 Location Holly Hills
 View 1.0 Lot/Residential
 Site
 Quality
 Age

Location Map

Client	Cumberland County Engineering & Infrastructure Department				
Property Address	2410 Brinkley Dr				
City	Spring Lake	County	Cumberland	State	NC
Owner	W.S. Wellons Corporation				
				Zip Code	28390







2404

0512-39-4202-

0512-39-6204-

0512-39-7232-
2405

2406
0512-39-4145-

2407
0512-39-6191-

2408
0512-39-4078-

2410
0512-39-5001-

0512-39-7046-

Town of
Spring Lake

2412

0512-38-6962-

0512-29-8495-

0512-38-6812-

2414

0512-38-7811-

Client	Cumberland County Engineering & Infrastructure Department	File No.	201409032
Property Address	2410 Brinkley Dr		
City	Spring Lake	County	Cumberland
		State	NC
Owner	W.S. Wellons Corporation	Zip Code	28390

APPRAISAL AND REPORT IDENTIFICATION

This Appraisal Report is one of the following types:

- ☐ **Self Contained** (A written report prepared under Standards Rule 2-2(a), pursuant to the Scope of Work, as disclosed elsewhere in this report.)
- ☒ **Summary** (A written report prepared under Standards Rule 2-2(b), pursuant to the Scope of Work, as disclosed elsewhere in this report.)
- ☐ **Restricted Use** (A written report prepared under Standards Rule 2-2(c), pursuant to the Scope of Work, as disclosed elsewhere in this report, restricted to the stated intended use by the specified client or intended user.)

Comments on Standards Rule 2-3

I certify that, to the best of my knowledge and belief:

- The statements of fact contained in this report are true and correct.
- The reported analyses, opinions, and conclusions are limited only by the reported assumptions and limiting conditions and are my personal, impartial, and unbiased professional analyses, opinions, and conclusions.
- I have no (or the specified) present or prospective interest in the property that is the subject of this report and no (or the specified) personal interest with respect to the parties involved.
- I have no bias with respect to the property that is the subject of this report or the parties involved with this assignment.
- My engagement in this assignment was not contingent upon developing or reporting predetermined results.
- My compensation for completing this assignment is not contingent upon the development or reporting of a predetermined value or direction in value that favors the cause of the client, the amount of the value opinion, the attainment of a stipulated result, or the occurrence of a subsequent event directly related to the intended use of this appraisal.
- My analyses, opinions, and conclusions were developed, and this report has been prepared, in conformity with the Uniform Standards of Professional Appraisal Practice that were in effect at the time this report was prepared.
- Unless otherwise indicated, I have made a personal inspection of the property that is the subject of this report.
- Unless otherwise indicated, no one provided significant real property appraisal assistance to the person(s) signing this certification (if there are exceptions, the name of each individual providing significant real property appraisal assistance is stated elsewhere in this report).
- Unless otherwise indicated, I have performed no services regarding the subject property within the prior three years, as an appraiser or in any other capacity.

Comments on Appraisal and Report Identification

Note any USPAP related issues requiring disclosure and any State mandated requirements:

Potential exposure time estimated for the subject to have sold for the appraised amount on the date of inspection is 6 months, which is based on vacant lot sales for the area.

APPRAISER:

Signature: *Roger G. Holmes*

Name: Roger G. Holmes

1688 Rock Hill Road, Eastover, NC 28312

Date Signed: 09/26/2014

State Certification #: A3995

or State License #: _____

State: NC

Expiration Date of Certification or License: 06/30/2015

Effective Date of Appraisal: 09/24/2014

SUPERVISORY APPRAISER (only if required):

Signature: _____

Name: _____

Date Signed: _____

State Certification #: _____

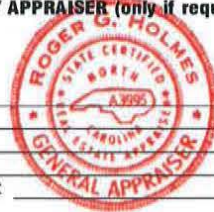
or State License #: _____

State: _____

Expiration Date of Certification or License: _____

Supervisory Appraiser inspection of Subject Property:

☐ Did Not ☐ Exterior-only from street ☐ Interior and Exterior



DEFINITION OF MARKET VALUE: The most probable price which a property should bring in a competitive and open market under all conditions requisite to a fair sale, the buyer and seller, each acting prudently, knowledgeably and assuming the price is not affected by undue stimulus. Implicit in this definition is the consummation of a sale as of a specified date and the passing of title from seller to buyer under conditions whereby: (1) buyer and seller are typically motivated; (2) both parties are well informed or well advised, and each acting in what he considers his own best interest; (3) a reasonable time is allowed for exposure in the open market; (4) payment is made in terms of cash in U.S. dollars or in terms of financial arrangements comparable thereto; and (5) the price represents the normal consideration for the property sold unaffected by special or creative financing or sales concessions* granted by anyone associated with the sale.

* Adjustments to the comparables must be made for special or creative financing or sales concessions. No adjustments are necessary for those costs which are normally paid by sellers as a result of tradition or law in a market area; these costs are readily identifiable since the seller pays these costs in virtually all sales transactions. Special or creative financing adjustments can be made to the comparable property by comparisons to financing terms offered by a third party institutional lender that is not already involved in the property or transaction. Any adjustment should not be calculated on a mechanical dollar for dollar cost of the financing or concession but the dollar amount of any adjustment should approximate the market's reaction to the financing or concessions based on the appraiser's judgement.

STATEMENT OF LIMITING CONDITIONS AND APPRAISER'S CERTIFICATION

CONTINGENT AND LIMITING CONDITIONS: The appraiser's certification that appears in the appraisal report is subject to the following conditions:

1. The appraiser will not be responsible for matters of a legal nature that affect either the property being appraised or the title to it. The appraiser assumes that the title is good and marketable and, therefore, will not render any opinions about the title. The property is appraised on the basis of it being under responsible ownership.
2. The appraiser has provided a sketch in the appraisal report to show approximate dimensions of the improvements and the sketch is included only to assist the reader of the report in visualizing the property and understanding the appraiser's determination of its size.
3. The appraiser has examined the available flood maps that are provided by the Federal Emergency Management Agency (or other data sources) and has noted in the appraisal report whether the subject site is located in an identified Special Flood Hazard Area. Because the appraiser is not a surveyor, he or she makes no guarantees, express or implied, regarding this determination.
4. The appraiser will not give testimony or appear in court because he or she made an appraisal of the property in question, unless specific arrangements to do so have been made beforehand.
5. The appraiser has estimated the value of the land in the cost approach at its highest and best use and the improvements at their contributory value. These separate valuations of the land and improvements must not be used in conjunction with any other appraisal and are invalid if they are so used.
6. The appraiser has noted in the appraisal report any adverse conditions (such as, needed repairs, depreciation, the presence of hazardous wastes, toxic substances, etc.) observed during the inspection of the subject property or that he or she became aware of during the normal research involved in performing the appraisal. Unless otherwise stated in the appraisal report, the appraiser has no knowledge of any hidden or unapparent conditions of the property or adverse environmental conditions (including the presence of hazardous wastes, toxic substances, etc.) that would make the property more or less valuable, and has assumed that there are no such conditions and makes no guarantees or warranties, express or implied, regarding the condition of the property. The appraiser will not be responsible for any such conditions that do exist or for any engineering or testing that might be required to discover whether such conditions exist. Because the appraiser is not an expert in the field of environmental hazards, the appraisal report must not be considered as an environmental assessment of the property.
7. The appraiser obtained the information, estimates, and opinions that were expressed in the appraisal report from sources that he or she considers to be reliable and believes them to be true and correct. The appraiser does not assume responsibility for the accuracy of such items that were furnished by other parties.
8. The appraiser will not disclose the contents of the appraisal report except as provided for in the Uniform Standards of Professional Appraisal Practice.
9. The appraiser has based his or her appraisal report and valuation conclusion for an appraisal that is subject to satisfactory completion, repairs, or alterations on the assumption that completion of the improvements will be performed in a workmanlike manner.
10. The appraiser must provide his or her prior written consent before the lender/client specified in the appraisal report can distribute the appraisal report (including conclusions about the property value, the appraiser's identity and professional designations, and references to any professional appraisal organizations or the firm with which the appraiser is associated) to anyone other than the borrower; the mortgagee or its successors and assigns; the mortgage insurer; consultants; professional appraisal organizations; any state or federally approved financial institution; or any department, agency, or instrumentality of the United States or any state or the District of Columbia; except that the lender/client may distribute the property description section of the report only to data collection or reporting service(s) without having to obtain the appraiser's prior written consent. The appraiser's written consent and approval must also be obtained before the appraisal can be conveyed by anyone to the public through advertising, public relations, news, sales, or other media.

APPRAISER'S CERTIFICATION: The Appraiser certifies and agrees that:

1. I have researched the subject market area and have selected a minimum of three recent sales of properties most similar and proximate to the subject property for consideration in the sales comparison analysis and have made a dollar adjustment when appropriate to reflect the market reaction to those items of significant variation. If a significant item in a comparable property is superior to, or more favorable than, the subject property, I have made a negative adjustment to reduce the adjusted sales price of the comparable and, if a significant item in a comparable property is inferior to, or less favorable than the subject property, I have made a positive adjustment to increase the adjusted sales price of the comparable.
2. I have taken into consideration the factors that have an impact on value in my development of the estimate of market value in the appraisal report. I have not knowingly withheld any significant information from the appraisal report and I believe, to the best of my knowledge, that all statements and information in the appraisal report are true and correct.
3. I stated in the appraisal report only my own personal, unbiased, and professional analysis, opinions, and conclusions, which are subject only to the contingent and limiting conditions specified in this form.
4. I have no present or prospective interest in the property that is the subject to this report, and I have no present or prospective personal interest or bias with respect to the participants in the transaction. I did not base, either partially or completely, my analysis and/or the estimate of market value in the appraisal report on the race, color, religion, sex, handicap, familial status, or national origin of either the prospective owners or occupants of the subject property or of the present owners or occupants of the properties in the vicinity of the subject property.
5. I have no present or contemplated future interest in the subject property, and neither my current or future employment nor my compensation for performing this appraisal is contingent on the appraised value of the property.
6. I was not required to report a predetermined value or direction in value that favors the cause of the client or any related party, the amount of the value estimate, the attainment of a specific result, or the occurrence of a subsequent event in order to receive my compensation and/or employment for performing the appraisal. I did not base the appraisal report on a requested minimum valuation, a specific valuation, or the need to approve a specific mortgage loan.
7. I performed this appraisal in conformity with the Uniform Standards of Professional Appraisal Practice that were adopted and promulgated by the Appraisal Standards Board of The Appraisal Foundation and that were in place as of the effective date of this appraisal, with the exception of the departure provision of those Standards, which does not apply. I acknowledge that an estimate of a reasonable time for exposure in the open market is a condition in the definition of market value and the estimate I developed is consistent with the marketing time noted in the neighborhood section of this report, unless I have otherwise stated in the reconciliation section.
8. I have personally inspected the interior and exterior areas of the subject property and the exterior of all properties listed as comparables in the appraisal report. I further certify that I have noted any apparent or known adverse conditions in the subject improvements, on the subject site, or on any site within the immediate vicinity of the subject property of which I am aware and have made adjustments for these adverse conditions in my analysis of the property value to the extent that I had market evidence to support them. I have also commented about the effect of the adverse conditions on the marketability of the subject property.
9. I personally prepared all conclusions and opinions about the real estate that were set forth in the appraisal report. If I relied on significant professional assistance from any individual or individuals in the performance of the appraisal or the preparation of the appraisal report, I have named such individual(s) and disclosed the specific tasks performed by them in the reconciliation section of this appraisal report. I certify that any individual so named is qualified to perform the tasks. I have not authorized anyone to make a change to any item in the report; therefore, if an unauthorized change is made to the appraisal report, I will take no responsibility for it.

SUPERVISORY APPRAISER'S CERTIFICATION: If a supervisory appraiser signed the appraisal report, he or she certifies and agrees that: I directly supervise the appraiser who prepared the appraisal report, have reviewed the appraisal report, agree with the statements and conclusions of the appraiser, agree to be bound by the appraiser's certifications numbered 4 through 7 above, and am taking full responsibility for the appraisal and the appraisal report.

ADDRESS OF PROPERTY APPRAISED: 2410 Brinkley Dr, Spring Lake, NC 28390

APPRAISER:

Signature: *Roger G. Holmes*
 Name: Roger G. Holmes
 Date Signed: 09/26/2014
 State Certification #: A3995
 or State License #: _____
 State: NC
 Expiration Date of Certification or License: 06/30/2015


SUPERVISORY APPRAISER (only if required):

Signature: _____
 Name: _____
 Date Signed: _____
 State Certification #: _____
 or State License #: _____
 State: _____
 Expiration Date of Certification or License: _____

☐ Did ☐ Did Not Inspect Property

LAND APPRAISAL REPORT

File No. 201409031

IDENTIFICATION	Borrower <u>N/A</u>		Census Tract <u>0036.00</u> Map Reference <u>0513</u>																																																													
	Property Address <u>3004 Collingwood St</u>																																																															
	City <u>Spring Lake</u>	County <u>Cumberland</u>	State <u>NC</u>	Zip Code <u>28390</u>																																																												
	Legal Description <u>Lot #228 Section 5 Overhills Park (0.38 Acres) PB 33-31 Tax PIN 0513-53-1068</u>																																																															
NEIGHBORHOOD	Sale Price \$ <u>N/A</u>		Date of Sale <u>N/A</u>	Loan Term <u>N/A</u> yrs.																																																												
	Actual Real Estate Taxes \$ <u>6.77</u> (yr)		Loan charges to be paid by seller \$ <u>N/A</u>																																																													
	Lender/Client <u>Cumberland Cnty Engineering & Infrastructure Dept</u>		Address <u>130 Gillespie Street, Fayetteville, NC 28302</u>																																																													
	Occupant <u>N/A</u>		Appraiser <u>Roger G. Holmes</u>																																																													
	Instructions to Appraiser <u>Appraise vacant lot for potential purchase. On inspection, the subject lot was owned by W.S. Wellons Corporation of Spring Lake, NC.</u>																																																															
	Location	<input type="checkbox"/> Urban	<input checked="" type="checkbox"/> Suburban	<input type="checkbox"/> Rural																																																												
	Built Up	<input type="checkbox"/> Over 75%	<input checked="" type="checkbox"/> 25% to 75%	<input type="checkbox"/> Under 25%																																																												
	Growth Rate	<input type="checkbox"/> Fully Dev.	<input type="checkbox"/> Rapid	<input checked="" type="checkbox"/> Steady																																																												
	Property Values	<input type="checkbox"/> Increasing	<input checked="" type="checkbox"/> Stable	<input type="checkbox"/> Declining																																																												
	Demand/Supply	<input type="checkbox"/> Shortage	<input checked="" type="checkbox"/> In Balance	<input type="checkbox"/> Oversupply																																																												
Marketing Time	<input type="checkbox"/> Under 3 Mos.	<input checked="" type="checkbox"/> 4-6 Mos.	<input type="checkbox"/> Over 6 Mos.																																																													
Present Land Use	<input checked="" type="checkbox"/> 95% 1 Family	<input type="checkbox"/> 0% 2-4 Family	<input type="checkbox"/> 0% Apts.	<input type="checkbox"/> 0% Condo																																																												
	<input type="checkbox"/> 0% Industrial	<input type="checkbox"/> 5% Vacant	<input type="checkbox"/> 0% Commercial																																																													
Change in Present Land Use	<input checked="" type="checkbox"/> Not Likely	<input type="checkbox"/> Likely (*)	<input type="checkbox"/> Taking Place (*)																																																													
Predominant Occupancy	<input checked="" type="checkbox"/> Owner	<input type="checkbox"/> Tenant	<input type="checkbox"/> % Vacant																																																													
Single Family Price Range	\$ <u>25,000</u> to \$ <u>95,000</u>		Predominant Value \$ <u>57,000</u>																																																													
Single Family Age	<u>48</u> yrs. to <u>40</u> yrs.		Predominant Age <u>46</u> yrs.																																																													
<table border="1" style="width:100%; border-collapse: collapse;"> <tr> <td>Employment Stability</td> <td><input type="checkbox"/></td> <td><input checked="" type="checkbox"/></td> <td><input type="checkbox"/></td> <td><input type="checkbox"/></td> </tr> <tr> <td>Convenience to Employment</td> <td><input type="checkbox"/></td> <td><input checked="" type="checkbox"/></td> <td><input type="checkbox"/></td> <td><input type="checkbox"/></td> </tr> <tr> <td>Convenience to Shopping</td> <td><input type="checkbox"/></td> <td><input checked="" type="checkbox"/></td> <td><input type="checkbox"/></td> <td><input type="checkbox"/></td> </tr> <tr> <td>Convenience to Schools</td> <td><input type="checkbox"/></td> <td><input checked="" type="checkbox"/></td> <td><input type="checkbox"/></td> <td><input type="checkbox"/></td> </tr> <tr> <td>Adequacy of Public Transportation</td> <td><input type="checkbox"/></td> <td><input checked="" type="checkbox"/></td> <td><input type="checkbox"/></td> <td><input type="checkbox"/></td> </tr> <tr> <td>Recreational Facilities</td> <td><input type="checkbox"/></td> <td><input checked="" type="checkbox"/></td> <td><input type="checkbox"/></td> <td><input type="checkbox"/></td> </tr> <tr> <td>Adequacy of Utilities</td> <td><input type="checkbox"/></td> <td><input checked="" type="checkbox"/></td> <td><input type="checkbox"/></td> <td><input type="checkbox"/></td> </tr> <tr> <td>Property Compatibility</td> <td><input type="checkbox"/></td> <td><input checked="" type="checkbox"/></td> <td><input type="checkbox"/></td> <td><input type="checkbox"/></td> </tr> <tr> <td>Protection from Detrimental Conditions</td> <td><input type="checkbox"/></td> <td><input checked="" type="checkbox"/></td> <td><input type="checkbox"/></td> <td><input type="checkbox"/></td> </tr> <tr> <td>Police and Fire Protection</td> <td><input type="checkbox"/></td> <td><input checked="" type="checkbox"/></td> <td><input type="checkbox"/></td> <td><input type="checkbox"/></td> </tr> <tr> <td>General Appearance of Properties</td> <td><input type="checkbox"/></td> <td><input checked="" type="checkbox"/></td> <td><input type="checkbox"/></td> <td><input type="checkbox"/></td> </tr> <tr> <td>Appeal to Market</td> <td><input type="checkbox"/></td> <td><input checked="" type="checkbox"/></td> <td><input type="checkbox"/></td> <td><input type="checkbox"/></td> </tr> </table>					Employment Stability	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Convenience to Employment	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Convenience to Shopping	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Convenience to Schools	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Adequacy of Public Transportation	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Recreational Facilities	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Adequacy of Utilities	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Property Compatibility	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Protection from Detrimental Conditions	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Police and Fire Protection	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	General Appearance of Properties	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Appeal to Market	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Employment Stability	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>																																																												
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Comments including those factors, favorable or unfavorable, affecting marketability (e.g. public parks, schools, view, noise): <u>The subject neighborhood is called Overhills and it was established in the late 60's. The area is served by Spring Lake Water & the existing homes use private septic systems. Homes were constructed in the late 60's on lots suitable for septic systems. Subject NBHD has good access to Spring Lake, Fort Bragg, & Fayetteville. There have been some foreclosures in the NBHD, but foreclosures are not a driving force in the market. Typical home size is <1,200 SF.</u>																																																																
SITE	Dimensions <u>80.00 x 281.10 (Per Tax Data)</u>		= <u>0.38</u> Sq. Ft. or Acres																																																													
	Zoning classification <u>R-10</u>		Present Improvements <input checked="" type="checkbox"/> do <input type="checkbox"/> do not conform to zoning regulations																																																													
	Highest and best use <input type="checkbox"/> Present use <input checked="" type="checkbox"/> Other (specify) <u>Assemblage or eventual residential development if sewer service becomes available.</u>																																																															
	Public <input type="checkbox"/> Other (Describe) <u>OFF SITE IMPROVEMENTS</u>		Topo <u>Appeared Level</u>																																																													
	Elec. <input checked="" type="checkbox"/>	Street Access <input checked="" type="checkbox"/> Public <input type="checkbox"/> Private	Size <u>Appeared Typical</u>																																																													
	Gas <input type="checkbox"/>	Surface <u>Asphalt</u>	Shape <u>Rectangular</u>																																																													
	Water <input checked="" type="checkbox"/>	Maintenance <input checked="" type="checkbox"/> Public <input type="checkbox"/> Private	View <u>Residential</u>																																																													
	San. Sewer <input type="checkbox"/>	<u>Pvt. Septic</u>	Drainage <u>Appeared Adequate</u>																																																													
	<input type="checkbox"/> Underground Elec. & Tel.	<input type="checkbox"/> Storm Sewer <input type="checkbox"/> Curb/Gutter	Is the property located in a HUD identified Special Flood Hazard Area? <input checked="" type="checkbox"/> No <input type="checkbox"/> Yes																																																													
	<input type="checkbox"/> Sidewalk <input checked="" type="checkbox"/> Street Lights																																																															
Comments (favorable or unfavorable including any apparent adverse easements, encroachments, or other adverse conditions): <u>At some point around 1998, the owner got their property tax valuation reduced due to septic 'percolation issues', but no supporting documentation was available from the Tax Office, & the County Health Department had no record for the subject, which they stated meant no documentation was ever supplied for the lot. It is my opinion that if the lot was suitable for a septic system, a home would have been built. The lot has a 30' drainage easement across the rear.</u>																																																																
The undersigned has recited three recent sales of properties most similar and proximate to subject and has considered these in the market analysis. The description includes a dollar adjustment reflecting market reaction to those items of significant variation between the subject and comparable properties. If a significant item in the comparable property is superior to or more favorable than the subject property, a minus (-) adjustment is made thus reducing the indicated value of subject; if a significant item in the comparable is inferior to or less favorable than the subject property, a plus (+) adjustment is made thus increasing the indicated value of the subject.																																																																
MARKET DATA ANALYSIS	ITEM		SUBJECT PROPERTY		COMPARABLE NO. 1		COMPARABLE NO. 2		COMPARABLE NO. 3																																																							
	Address <u>3004 Collingwood St</u>		<u>3018 Brinkley Dr</u>		<u>3104 Brinkley Dr</u>		<u>Goodyear Drive 0501-18-9664</u>																																																									
	<u>Spring Lake, NC</u>		<u>Spring Lake, NC 28390</u>		<u>Spring Lake, NC 28390</u>		<u>Spring Lake, NC</u>																																																									
	Proximity to Subject		<u>0.41 miles SW</u>		<u>0.23 miles SW</u>		<u>3.68 miles SW</u>																																																									
	Sales Price		\$ <u>N/A</u>		\$ <u>2,500</u>		\$ <u>5,000</u>		\$ <u>2,500</u>																																																							
	Price Per Lot		\$ <u>N/A</u>		\$ <u>2,500</u>		\$ <u>5,000</u>		\$ <u>2,500</u>																																																							
	Data Source		<u>Inspection/Public Rec</u>		<u>Public Records</u>		<u>Public Records</u>		<u>Public Records</u>																																																							
	Date of Sale and Time Adjustment		<u>N/A</u>		<u>11/2008</u>		<u>05/2008</u>		<u>07/2014</u>																																																							
	Location		<u>Overhills</u>		<u>Overhills</u>		<u>Overhills</u>		<u>Holly Hills</u>																																																							
	Site/View		<u>1.0 Lot/Residential</u>		<u>1.0 Lot/Residential</u>		<u>1.0 Lot/Residential</u>		<u>1.0 Lot/Residential</u>																																																							
	Acreage		<u>0.38 Acres</u>		<u>0.25 Acres</u>		<u>0.26 Acres</u>		<u>0.23 Acres</u>																																																							
	Zoning		<u>R-10</u>		<u>R-10</u>		<u>R-10</u>		<u>R-10</u>																																																							
	Shape		<u>Rectangular</u>		<u>Rectangular</u>		<u>Rectangular</u>		<u>Rectangular</u>																																																							
	Utilities/Percolation		<u>Elec/Water/Unlikely</u>		<u>Elec/Water/No</u>		<u>Elec/Water/No</u>		<u>Elec/Water/Unlikely</u>																																																							
	Sales or Financing Concessions		<u>N/A</u>		<u>Cash</u>		<u>Cash</u>		<u>Cash</u>																																																							
Net Adj. (Total)		<input type="checkbox"/> + <input type="checkbox"/> - \$		<input type="checkbox"/> + <input type="checkbox"/> - \$		<input type="checkbox"/> + <input type="checkbox"/> - \$		<input type="checkbox"/> + <input type="checkbox"/> - \$																																																								
Indicated Value of Subject		\$ <u>2,500</u>		\$ <u>5,000</u>		\$ <u>2,500</u>																																																										
Comments on Market Data: <u>Vacant land is scarce in the area and it is typical in Cumberland County to consider vacant sales data from within the prior 6 years as needed. Subject NBHD is at the lower end in quality and sales prices for the county with very few similar NBHDs north of Fort Bragg, NC. Selected sales were the most recent similar sales available from the area.</u>																																																																
Comments and Conditions of Appraisal: <u>The sales sold on a 'per lot' basis. Acreage, zoning, and shape did not appear to be significant factor in Buyers's considerations for the lots. No adjustments for time were supportable. Sale Two is given little weight because it appears they bought the lot thinking they could rebuild, went through extensive legal proceedings to try to build, then had the Attorney General's office say they should not rebuild due to septic tank issues. Sale One is not suitable for a septic system. Sale Three is likely to be unsuitable for a septic system.</u>																																																																
Final Reconciliation: <u>Sales 1 & 3 produce the most reasonable indications of value for the subject lot, assuming the subject is not suitable for a septic system. This report is comprised of 9 total pages and is invalid if used without nine total pages as one complete document.</u>																																																																
RECONCILIATION	I ESTIMATE THE MARKET VALUE, AS DEFINED, OF SUBJECT PROPERTY AS OF <u>09/24</u> <u>20</u> <u>14</u> to be \$ <u>2,500</u>																																																															
	 Roger G. Holmes Appraiser(s)																																																															
	Review Appraiser (if applicable) <input type="checkbox"/> Did <input type="checkbox"/> Did Not Physically Inspect Property																																																															

[Y2K]

Subject Photo Page

Client	Cumberland County Engineering & Infrastructure Department				
Property Address	3004 Collingwood St				
City	Spring Lake	County	Cumberland	State	NC Zip Code 28390
Owner	W.S. Wellons Corporation				

**Subject Front**

3004 Collingwood St
Sales Price N/A
G.L.A.
Tot. Rooms
Tot. Bedrms.
Tot. Bathrms.
Location Overhills
View 1.0 Lot/Residential
Site
Quality
Age

Padlocked fence
crossed road. The
subject is on the
right side of the
road.

**Street View**

Looking toward
subject.

**Street View**

Looking away from
subject.

Comparable Photo Page

Client	Cumberland County Engineering & Infrastructure Department				
Property Address	3004 Collingwood St				
City	Spring Lake	County	Cumberland	State	NC
Zip Code	28390				
Owner	W.S. Wellons Corporation				

**Comparable 1**

3018 Brinkley Dr
 Prox. to Subj. 0.41 miles SW
 Sales Price 2,500
 G.L.A.
 Tot. Rooms
 Tot. Bedrms.
 Tot. Bathrms.
 Location Overhills
 View 1.0 Lot/Residential
 Site
 Quality
 Age

**Comparable 2**

3104 Brinkley Dr
 Prox. to Subj. 0.23 miles SW
 Sales Price 5,000
 G.L.A.
 Tot. Rooms
 Tot. Bedrms.
 Tot. Bathrms.
 Location Overhills
 View 1.0 Lot/Residential
 Site
 Quality
 Age

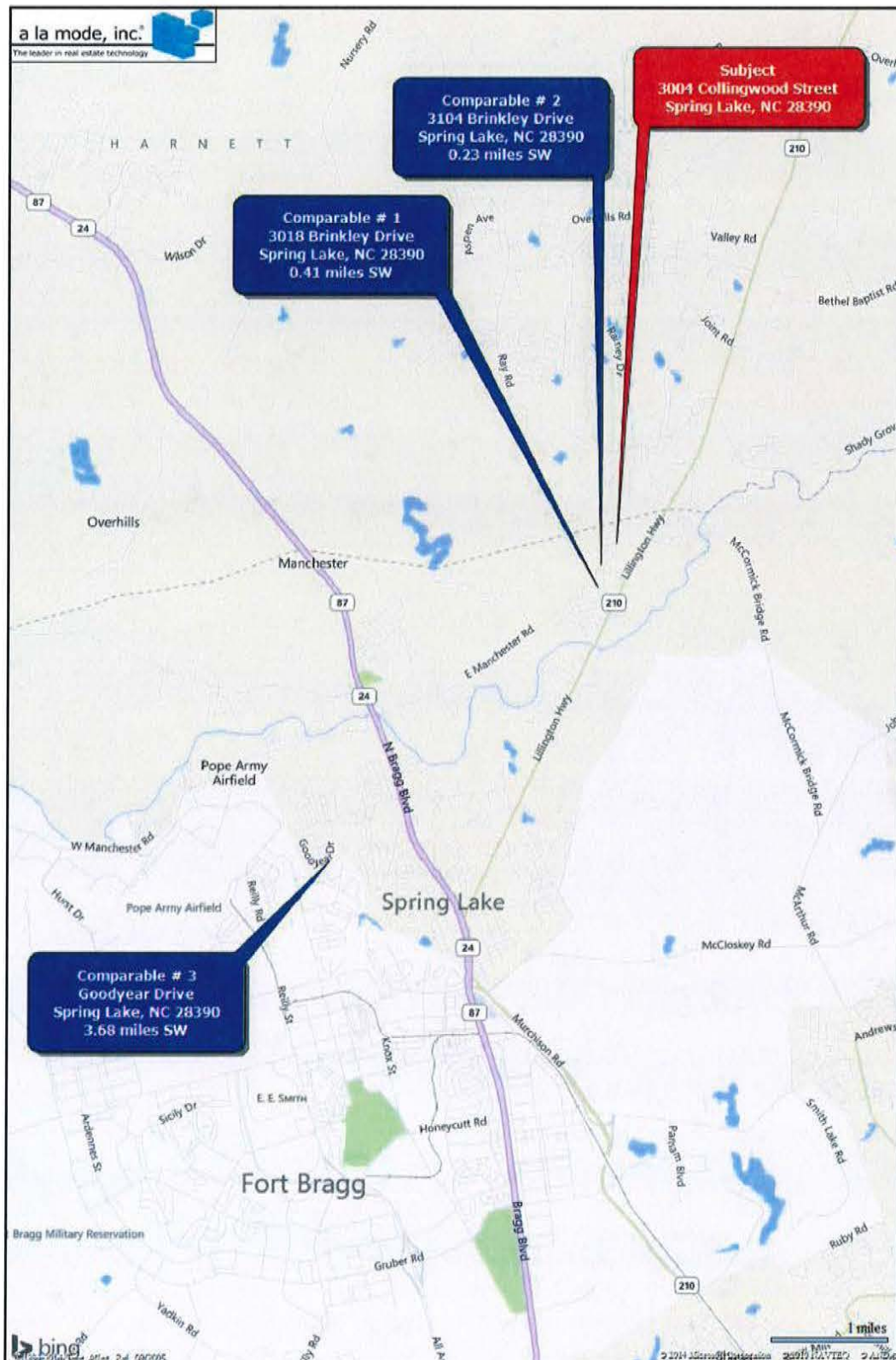
Home burned in
 2007 and they were
 not allowed to build
 again due to the lot
 being unsuitable for
 further septic use.

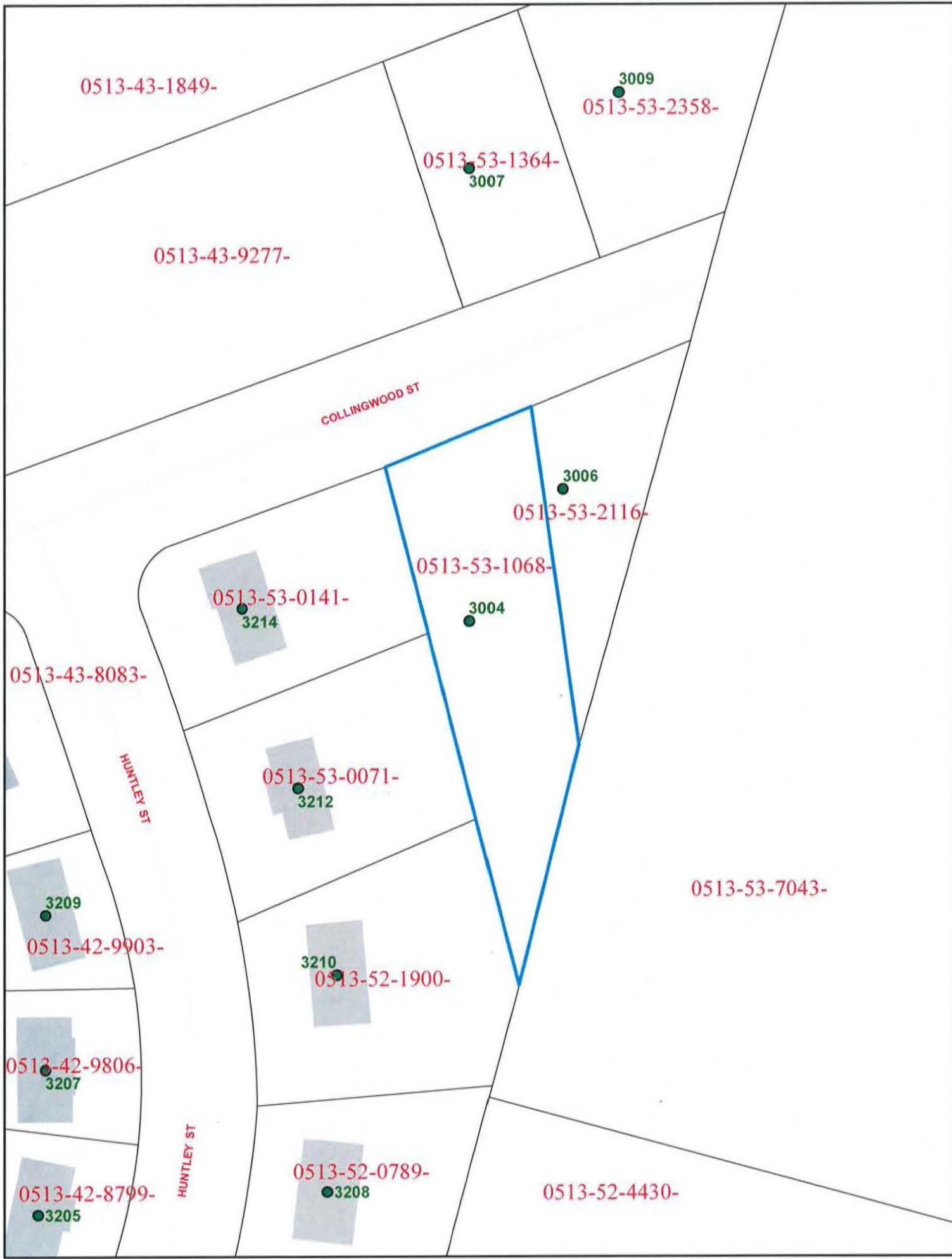
**Comparable 3**

Goodyear Drive 0501-18-9664
 Prox. to Subj. 3.68 miles SW
 Sales Price 2,500
 G.L.A.
 Tot. Rooms
 Tot. Bedrms.
 Tot. Bathrms.
 Location Holly Hills
 View 1.0 Lot/Residential
 Site
 Quality
 Age

Location Map

Client	Cumberland County Engineering & Infrastructure Department				
Property Address	3004 Collingwood St				
City	Spring Lake	County	Cumberland	State	NC
Zip Code	28390				
Owner	W.S. Wellons Corporation				





0513-43-1849-

3009
0513-53-2358-

0513-53-1364-
3007

0513-43-9277-

COLLINGWOOD ST

3006

0513-53-2116-

0513-53-1068-

3004

0513-53-0141-
3214

0513-43-8083-

HUNTLEY ST

0513-53-0071-
3212

0513-53-7043-

3209

0513-42-9903-

3210

0513-52-1900-

0513-42-9806-
3207

0513-42-8799-
3205

HUNTLEY ST

0513-52-0789-
3208

0513-52-4430-



0513-43-1849-

0513-53-2358-

0513-53-1364-

0513-43-9277-

COLLINGWOOD ST

0513-53-2116-

0513-53-1068-

0513-53-0141-

0513-43-8083-

HUNTLEY ST

0513-53-0071-

0513-53-7043-

0513-42-9903-

0513-52-1900-

0513-42-9806-

0513-42-8799-

0513-52-0789-

0513-52-4430-

Client	Cumberland County Engineering & Infrastructure Department			File No.	201409031
Property Address	3004 Collingwood St				
City	Spring Lake	County	Cumberland	State	NC Zip Code 28390
Owner	W.S. Wellons Corporation				

APPRAISAL AND REPORT IDENTIFICATION

This Appraisal Report is one of the following types:

- ☐ **Self Contained** (A written report prepared under Standards Rule 2-2(a), pursuant to the Scope of Work, as disclosed elsewhere in this report.)
- ☒ **Summary** (A written report prepared under Standards Rule 2-2(b), pursuant to the Scope of Work, as disclosed elsewhere in this report.)
- ☐ **Restricted Use** (A written report prepared under Standards Rule 2-2(c), pursuant to the Scope of Work, as disclosed elsewhere in this report, restricted to the stated intended use by the specified client or intended user.)

Comments on Standards Rule 2-3

I certify that, to the best of my knowledge and belief:

- The statements of fact contained in this report are true and correct.
- The reported analyses, opinions, and conclusions are limited only by the reported assumptions and limiting conditions and are my personal, impartial, and unbiased professional analyses, opinions, and conclusions.
- I have no (or the specified) present or prospective interest in the property that is the subject of this report and no (or the specified) personal interest with respect to the parties involved.
- I have no bias with respect to the property that is the subject of this report or the parties involved with this assignment.
- My engagement in this assignment was not contingent upon developing or reporting predetermined results.
- My compensation for completing this assignment is not contingent upon the development or reporting of a predetermined value or direction in value that favors the cause of the client, the amount of the value opinion, the attainment of a stipulated result, or the occurrence of a subsequent event directly related to the intended use of this appraisal.
- My analyses, opinions, and conclusions were developed, and this report has been prepared, in conformity with the Uniform Standards of Professional Appraisal Practice that were in effect at the time this report was prepared.
- Unless otherwise indicated, I have made a personal inspection of the property that is the subject of this report.
- Unless otherwise indicated, no one provided significant real property appraisal assistance to the person(s) signing this certification (if there are exceptions, the name of each individual providing significant real property appraisal assistance is stated elsewhere in this report).
- Unless otherwise indicated, I have performed no services regarding the subject property within the prior three years, as an appraiser or in any other capacity.

Comments on Appraisal and Report Identification

Note any USPAP related issues requiring disclosure and any State mandated requirements:

Potential exposure time estimated for the subject to have sold for the appraised amount on the date of inspection is 6 months, which is based on vacant lot sales for the area.

APPRAISER:

Signature: *Roger G. Holmes*
 Name: Roger G. Holmes
1688 Rock Hill Road, Eastover, NC 28312
 Date Signed: 09/26/2014
 State Certification #: A3995
 or State License #: _____
 State: NC
 Expiration Date of Certification or License: 06/30/2015
 Effective Date of Appraisal: 09/24/2014

SUPERVISORY APPRAISER (only if required):

Signature: _____
 Name: _____
 Date Signed: _____
 State Certification #: _____
 or State License #: _____
 State: _____
 Expiration Date of Certification or License: _____
 Supervisory Appraiser Inspection of Subject Property:
☐ Did Not ☐ Exterior-only from street ☐ Interior and Exterior



DEFINITION OF MARKET VALUE: The most probable price which a property should bring in a competitive and open market under all conditions requisite to a fair sale, the buyer and seller, each acting prudently, knowledgeably and assuming the price is not affected by undue stimulus. Implicit in this definition is the consummation of a sale as of a specified date and the passing of title from seller to buyer under conditions whereby: (1) buyer and seller are typically motivated; (2) both parties are well informed or well advised, and each acting in what he considers his own best interest; (3) a reasonable time is allowed for exposure in the open market; (4) payment is made in terms of cash in U.S. dollars or in terms of financial arrangements comparable thereto; and (5) the price represents the normal consideration for the property sold unaffected by special or creative financing or sales concessions* granted by anyone associated with the sale.

* Adjustments to the comparables must be made for special or creative financing or sales concessions. No adjustments are necessary for those costs which are normally paid by sellers as a result of tradition or law in a market area; these costs are readily identifiable since the seller pays these costs in virtually all sales transactions. Special or creative financing adjustments can be made to the comparable property by comparisons to financing terms offered by a third party institutional lender that is not already involved in the property or transaction. Any adjustment should not be calculated on a mechanical dollar for dollar cost of the financing or concession but the dollar amount of any adjustment should approximate the market's reaction to the financing or concessions based on the appraiser's judgement.

STATEMENT OF LIMITING CONDITIONS AND APPRAISER'S CERTIFICATION

CONTINGENT AND LIMITING CONDITIONS: The appraiser's certification that appears in the appraisal report is subject to the following conditions:

1. The appraiser will not be responsible for matters of a legal nature that affect either the property being appraised or the title to it. The appraiser assumes that the title is good and marketable and, therefore, will not render any opinions about the title. The property is appraised on the basis of it being under responsible ownership.
2. The appraiser has provided a sketch in the appraisal report to show approximate dimensions of the improvements and the sketch is included only to assist the reader of the report in visualizing the property and understanding the appraiser's determination of its size.
3. The appraiser has examined the available flood maps that are provided by the Federal Emergency Management Agency (or other data sources) and has noted in the appraisal report whether the subject site is located in an identified Special Flood Hazard Area. Because the appraiser is not a surveyor, he or she makes no guarantees, express or implied, regarding this determination.
4. The appraiser will not give testimony or appear in court because he or she made an appraisal of the property in question, unless specific arrangements to do so have been made beforehand.
5. The appraiser has estimated the value of the land in the cost approach at its highest and best use and the improvements at their contributory value. These separate valuations of the land and improvements must not be used in conjunction with any other appraisal and are invalid if they are so used.
6. The appraiser has noted in the appraisal report any adverse conditions (such as, needed repairs, depreciation, the presence of hazardous wastes, toxic substances, etc.) observed during the inspection of the subject property or that he or she became aware of during the normal research involved in performing the appraisal. Unless otherwise stated in the appraisal report, the appraiser has no knowledge of any hidden or unapparent conditions of the property or adverse environmental conditions (including the presence of hazardous wastes, toxic substances, etc.) that would make the property more or less valuable, and has assumed that there are no such conditions and makes no guarantees or warranties, express or implied, regarding the condition of the property. The appraiser will not be responsible for any such conditions that do exist or for any engineering or testing that might be required to discover whether such conditions exist. Because the appraiser is not an expert in the field of environmental hazards, the appraisal report must not be considered as an environmental assessment of the property.
7. The appraiser obtained the information, estimates, and opinions that were expressed in the appraisal report from sources that he or she considers to be reliable and believes them to be true and correct. The appraiser does not assume responsibility for the accuracy of such items that were furnished by other parties.
8. The appraiser will not disclose the contents of the appraisal report except as provided for in the Uniform Standards of Professional Appraisal Practice.
9. The appraiser has based his or her appraisal report and valuation conclusion for an appraisal that is subject to satisfactory completion, repairs, or alterations on the assumption that completion of the improvements will be performed in a workmanlike manner.
10. The appraiser must provide his or her prior written consent before the lender/client specified in the appraisal report can distribute the appraisal report (including conclusions about the property value, the appraiser's identity and professional designations, and references to any professional appraisal organizations or the firm with which the appraiser is associated) to anyone other than the borrower; the mortgagee or its successors and assigns; the mortgage insurer; consultants; professional appraisal organizations; any state or federally approved financial institution; or any department, agency, or instrumentality of the United States or any state or the District of Columbia; except that the lender/client may distribute the property description section of the report only to data collection or reporting service(s) without having to obtain the appraiser's prior written consent. The appraiser's written consent and approval must also be obtained before the appraisal can be conveyed by anyone to the public through advertising, public relations, news, sales, or other media.

APPRAISER'S CERTIFICATION: The Appraiser certifies and agrees that:

1. I have researched the subject market area and have selected a minimum of three recent sales of properties most similar and proximate to the subject property for consideration in the sales comparison analysis and have made a dollar adjustment when appropriate to reflect the market reaction to those items of significant variation. If a significant item in a comparable property is superior to, or more favorable than, the subject property, I have made a negative adjustment to reduce the adjusted sales price of the comparable and, if a significant item in a comparable property is inferior to, or less favorable than the subject property, I have made a positive adjustment to increase the adjusted sales price of the comparable.
2. I have taken into consideration the factors that have an impact on value in my development of the estimate of market value in the appraisal report. I have not knowingly withheld any significant information from the appraisal report and I believe, to the best of my knowledge, that all statements and information in the appraisal report are true and correct.
3. I stated in the appraisal report only my own personal, unbiased, and professional analysis, opinions, and conclusions, which are subject only to the contingent and limiting conditions specified in this form.
4. I have no present or prospective interest in the property that is the subject to this report, and I have no present or prospective personal interest or bias with respect to the participants in the transaction. I did not base, either partially or completely, my analysis and/or the estimate of market value in the appraisal report on the race, color, religion, sex, handicap, familial status, or national origin of either the prospective owners or occupants of the subject property or of the present owners or occupants of the properties in the vicinity of the subject property.
5. I have no present or contemplated future interest in the subject property, and neither my current or future employment nor my compensation for performing this appraisal is contingent on the appraised value of the property.
6. I was not required to report a predetermined value or direction in value that favors the cause of the client or any related party, the amount of the value estimate, the attainment of a specific result, or the occurrence of a subsequent event in order to receive my compensation and/or employment for performing the appraisal. I did not base the appraisal report on a requested minimum valuation, a specific valuation, or the need to approve a specific mortgage loan.
7. I performed this appraisal in conformity with the Uniform Standards of Professional Appraisal Practice that were adopted and promulgated by the Appraisal Standards Board of The Appraisal Foundation and that were in place as of the effective date of this appraisal, with the exception of the departure provision of those Standards, which does not apply. I acknowledge that an estimate of a reasonable time for exposure in the open market is a condition in the definition of market value and the estimate I developed is consistent with the marketing time noted in the neighborhood section of this report, unless I have otherwise stated in the reconciliation section.
8. I have personally inspected the interior and exterior areas of the subject property and the exterior of all properties listed as comparables in the appraisal report. I further certify that I have noted any apparent or known adverse conditions in the subject improvements, on the subject site, or on any site within the immediate vicinity of the subject property of which I am aware and have made adjustments for these adverse conditions in my analysis of the property value to the extent that I had market evidence to support them. I have also commented about the effect of the adverse conditions on the marketability of the subject property.
9. I personally prepared all conclusions and opinions about the real estate that were set forth in the appraisal report. If I relied on significant professional assistance from any individual or individuals in the performance of the appraisal or the preparation of the appraisal report, I have named such individual(s) and disclosed the specific tasks performed by them in the reconciliation section of this appraisal report. I certify that any individual so named is qualified to perform the tasks. I have not authorized anyone to make a change to any item in the report; therefore, if an unauthorized change is made to the appraisal report, I will take no responsibility for it.

SUPERVISORY APPRAISER'S CERTIFICATION: If a supervisory appraiser signed the appraisal report, he or she certifies and agrees that: I directly supervise the appraiser who prepared the appraisal report, have reviewed the appraisal report, agree with the statements and conclusions of the appraiser, agree to be bound by the appraiser's certifications numbered 4 through 7 above, and am taking full responsibility for the appraisal and the appraisal report.

ADDRESS OF PROPERTY APPRAISED: 3004 Collingwood St, Spring Lake, NC 28390

APPRAISER:

Signature: Roger G. Holmes
 Name: Roger G. Holmes
 Date Signed: 09/26/2014
 State Certification #: A3995
 or State License #: _____
 State: NC
 Expiration Date of Certification or License: 06/30/2015

SUPERVISORY APPRAISER (only if required):

Signature: _____
 Name: _____
 Date Signed: _____
 State Certification #: _____
 or State License #: _____
 State: _____
 Expiration Date of Certification or License: _____

☐ Did ☐ Did Not Inspect Property

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CUMBERLAND COUNTY FACILITIES COMMITTEE
COURTHOUSE, 117 DICK STREET, 5TH FLOOR, ROOM 564
DECEMBER 4, 2014 - 8:30 A.M.
MINUTES

MEMBERS PRESENT: Commissioner Charles Evans
Commissioner Kenneth Edge

OTHER COMMISSIONERS
PRESENT: Commissioner Glenn Adams
Commissioner Larry Lancaster

OTHERS PRESENT: Amy Cannon, County Manager
James Lawson, Deputy County Manager
Melissa Cardinali, Assistant County Manager for Finance /
Administrative Services
Sally Shutt, Governmental Affairs Officer
Jeffery Brown, Engineering and Infrastructure Director
Vicki Evans, Finance Accounting Manager
Buck Wilson, Public Health Director
Rod Jenkins, Deputy Health Director
Candice White, Clerk to the Board
Kellie Beam, Deputy Clerk to the Board
Press

Commissioner Kenneth Edge called the meeting to order.

1. APPROVAL OF MINUTES – NOVEMBER 6, 2014 REGULAR MEETING

MOTION: Commissioner Edge moved to approve the minutes.
SECOND: Commissioner Evans
VOTE: UNANIMOUS (2-0)

2. CONSIDERATION OF APPROVAL OF REQUEST TO INSTALL LED SIGN FOR PUBLIC HEALTH CENTER

BACKGROUND:

State money is available to purchase an LED sign for the Public Health Center. There is no required County match for the cost of the sign. If the County approves the LED sign, the next step will be to request approval from the City of Fayetteville. The project needs approval from Cumberland County and the City of Fayetteville to be completed.

The Cumberland County Department of Public Health has an opportunity to purchase an LED sign for the community. The purchase of this sign will be funded entirely with state

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dollars (cost not to exceed \$54,000). This will include delivery and set up of the sign. The proposed location of this sign is on Ramsey Street, approximately fifty (50) yards from Peace Street. The sign will stand sixteen (16) feet tall with the bottom of the sign ten (10) feet from the ground. The sign will have a decorative post with the Cumberland County logo. The sign will be easily seen by individuals traveling Ramsey Street in either direction. There will be two to four lines (full color) of information on the LED sign, as well as the permanent portion of the sign that says Cumberland County Public Health. It can be programmed via computer from within the Health Department building. Messages can be programmed up to a year in advance.

The sign will bring major awareness to the community about day-to-day Public Health, to include:

- Programs and projects
- Board of Health announcements
- Public Health laws
- Public Health website
- General hours of the Health Department
- Holiday schedule

The sign will provide a Public Health emergency and/or disaster notification, as well as general neighborhood emergency notifications to include:

- Disease outbreaks
- Contaminated areas – chemicals
- Flood zones – well contamination
- Weather alerts
- Shelter information – locations
- Natural disasters
- Amber and silver alerts
- Other

The messages on the sign will be 24 hours a day, 7 days a week. Tens of thousands of citizens of Cumberland County will travel past the sign every day. The cost of this coverage with other media outlets would be astronomical and unaffordable.

Benefits of the sign include:

- A healthier and safer community
- Potential for more revenue for the Health Department

RECOMMENDATION/PROPOSED ACTION:

Approve the installation of an LED sign for the Public Health Center located at 1235 Ramsey Street and forward to the Board of Commissioners for its consideration at their December 15, 2014 meeting. In addition, since this is new money, a budget revision will need to be approved.

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Buck Wilson, Public Health Director, reviewed the background information and recommendation recorded above and responded to questions. Mr. Wilson stated the State grant funds of \$54,000 are required to be spent by January 2015 or will need to be sent back to the State.

Jeffery Brown, Engineering and Infrastructure Director, stated the City of Fayetteville will require three permits which include: a sign permit, a building permit for the footing design and an electrical permit for the electrical work. Mr. Brown stated there is now a governmental exemption for signs in the Unified Development Ordinance (UDO) which will allow the County to move forward with the installation of an LED sign without having to go to the Board of Adjustment for a variance on the location and height of the LED sign.

MOTION: Commissioner Evans moved to recommend to the full board approval of the installation of an LED sign for the Public Health Center located at 1235 Ramsey Street.
SECOND: Commissioner Edge
VOTE: UNANIMOUS (2-0)

3. CONSIDERATION OF APPROVAL OF LEASE RENEWAL FOR NC DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES FOR OFFICE SPACE LOCATED IN THE CHARLIE ROSE AG-EXPO CENTER

BACKGROUND:

The North Carolina Department of Agriculture (NCDA) and Consumer Services currently leases 368 square feet of office space located within the Charlie Rose Ag-Expo Center from Cumberland County at a rate of \$12/SF. This existing lease is a three year lease which is set to expire on December 31, 2014.

County staff reached out to representatives from NCDA to see if they were interested in renewing the lease. County staff was later notified that NCDA was indeed interested in continuing to lease the space that they are currently occupying. NCDA representatives were then informed that their present lease rate of \$12/SF was no longer in line with the County's current lease rate, as two leases had been renewed earlier in the year with a lease rate of \$15/SF where the County provides janitorial services and utilities. NCDA representatives communicated back to County staff that they were in agreement with the increased lease rate and to move forward with renewing the lease.

No other changes to the lease other than the lease rate are being recommended at this time.

RECOMMENDATION/PROPOSED ACTION:

The Engineering and Infrastructure Director and County Management recommend that the Facilities Committee vote to approve the lease rate of \$15/SF for a period of three

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years and recommend to the Board of Commissioners to approve the lease renewal following the approval of the County Attorney.

Mr. Brown reviewed the background information and recommendation recorded above.

MOTION: Commissioner Edge moved to recommend to the full board approval of the lease renewal for NC Department of Agriculture and Consumer Services for office space located in the Charlie Rose Ag-Expo Center following the approval of the County Attorney at a lease rate of \$15/SF for a period of three years.

SECOND: Commissioner Evans

VOTE: UNANIMOUS (2-0)

4. CONSIDERATION OF APPROVAL OF LAND PURCHASES FOR OVERHILLS SEWER PROJECT

BACKGROUND:

On April 14, 2014 in a called special meeting the Board of Commissioners acting as the Overhills Park Water and Sewer District governing board approved the letter of conditions presented by USDA Rural Development for a loan and grant in the amount of \$3,322,000 for the construction of a much needed sewer system within the Overhills Park Subdivision. In order to construct the sewer system as designed the County must purchase two vacant lots that are currently owned by W.S. Wellons Corporation of Spring Lake. One lot is located at 3004 Collingwood Street and the other lot is located at 2410 Brinkley Drive.

County staff reached out to Mr. Billy Wellons several months ago about the need to purchase the two vacant lots for the construction of the sewer project. After several conversations, it was determined that an appraisal needed to be completed for each of the lots. Therefore, the County obtained the services of Roger Holmes to complete the requested appraisals. Mr. Holmes concluded that each lot currently has a value of \$2,500. Mr. Wellons was provided the appraisals with an offer to purchase each lot at the appraised value. After reviewing the appraisals Mr. Wellons felt that the value assigned to each lot was too low and that he in turn wanted to provide an in depth review on his own. After a few weeks, Mr. Wellons contacted County staff and offered to sell the lot on Collingwood Street for \$4,000 and offered to sell the lot on Brinkley Drive for a price of \$5,000 as is or for \$4,000 if he removed the trees prior to selling the lot.

The acquisition of these lots is critical for the construction of the proposed sewer project. The lot on Collingwood Street is needed for a lift station that will pump the collected

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wastewater on the north side of Manchester Road back to the south side into a proposed gravity line. The gravity sewer system on the south side of Manchester Road will cross the lot on Brinkley Drive to a dedicated easement owned by the Town of Spring Lake where the second lift station will be constructed. The cost of trying to redesign the system will far outweigh the additional cost above the appraised value of the lots. Not to mention, land still will need to be acquired and the majority of the vacant lots within the subdivision are owned by W. S. Wellons Corporation. USDA Rural Development has established milestone dates for the County to meet in order to still qualify for the loan and grant money that has been offered. The Board has the power of eminent domain; however the time necessary to complete this process could jeopardize the funding that has been allocated for the project. Again, the cost of this process would exceed the additional cost above the appraised value.

As previously stated, the lot on Brinkley Drive will be utilized to access the dedicated easement where the lift station is to be constructed. If the option were selected to purchase the lot for \$4,000, then the County would most likely have to spend additional money during construction to re-establish some sort of vegetation on the lot. So with that said, it would be more beneficial for the County to purchase this lot for the asking price of \$5,000 and utilize the existing trees as a buffer between the adjacent lots.

RECOMMENDATION/PROPOSED ACTION:

The Engineering and Infrastructure Director along with County Management recommend that the Facilities Committee approve the purchase of the lot on Collingwood Street for the asking price of \$4,000 and to approve the purchase of the lot on Brinkley Drive for the asking price of \$5,000 and forward this to the Board of Commissioners for its consideration at their December 15, 2014 meeting.

Jeffery Brown, Engineering and Infrastructure Director, reviewed the background information and recommendation as recorded above. Mr. Brown stated it he County purchases the lots as recommended above he would like to bid the project out in February or March of 2015 and begin construction in the spring of 2015.

Commissioner Adams asked if there was any counter offering done with Mr. Wellons. Mr. Brown stated the recommended purchase price listed above is the counter offer. Mr. Brown further stated he feels the County has done its due diligence in trying to get the purchase price of the lots as low as possible.

MOTION: Commissioner Evans moved to recommend to the Overhills Water Sewer District Governing Board approval of the purchase of the lot on Collingwood Street for the asking price of \$4,000 and approval of the purchase of the lot on Brinkley Drive for the asking price of \$5,000.

SECOND: Commissioner Edge

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VOTE: UNANIMOUS (2-0)

5. OTHER ITEMS OF BUSINESS

Mr. Brown stated the County just received good news that the U.S. Department of Agriculture Rural Development (USDA) will fund the installation of a sewer system within the Bragg Estates Water and Sewer District, a neighborhood along Vass Road north of Spring Lake. Mr. Brown further stated the project is expected to cost approximately \$2 million and a USDA grant will cover up to \$1,453,000. Mr. Brown further explained the County will also receive a \$497,000 loan for the project and contribute \$50,000 of county funding.

Mr. Brown stated the USDA staff will be at the December 15th Board of Commissioners meeting to present the letter of conditions for review and approval. Mr. Brown stated this is a much needed project to be able to address ongoing sewer issues in a subdivision that really needs assistance.

MEETING ADJOURNED AT 8:58 AM.