
AGENDA
CUMBERLAND COUNTY BOARD OF COMMISSIONERS
COURTHOUSE – ROOM 118
JUNE 15, 2015
6:45 PM

INVOCATION - Commissioner Charles Evans

PLEDGE OF ALLEGIANCE – Destinee Harris, 6th Grade, Lake Rim Elementary School

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

Outgoing Board Member Recognition:

Rayford Hunt - Cumberland County Local Emergency Planning Committee

Recognition of Citizens Academy Graduates (Listed on Separate Sheet) **(Pg. 9)**

1. Approval of Agenda
2. Presentation on the Progress of the Collision Repair and Refinishing Technology Center by Dr. Larry Keen, President, Fayetteville Technical Community College. **(Pg. 10)**
3. Consent Agenda **(Pgs. 11-147)**
 - A. Approval of minutes for the May 26, 2015 Special Meeting for the FY16 Budget Presentation, the May 28, 2015 Budget Work Session, the June 1, 2015 regular meeting, the June 2, 2015 Public Hearing for the FY16 Budget, the June 4, 2015 Department Head Appeals and the June 8, 2015 Budget Work Session.
 - B. Approval of Proposed Additions to the State Secondary Road System: **(Pg. 11)**

McCall South Subdivision: McCall Road
 - C. Approval of Health Department Delinquent Accounts to be Written Off and Turned Over to the N.C. Debt Set-Off Program. **(Pg. 14)**
 - D. Approval of Declaration of Surplus County Property and Authorization to Accept Insurance Settlement. **(Pg. 16)**

- E. Approval of a Resolution of the Cumberland County Board of Commissioners Supporting Governor McCrory's Bond Proposal. **(Pg. 19)**
- F. Approval of Alcoholic Beverage Control (ABC) Board Travel Policy. **(Pg. 20)**
- G. Approval of Interlocal Agreement Between Cumberland County and the Town of Spring Lake for Building Inspection Services. **(Pg. 31)**
- H. Approval of Request from Solid Waste Department to Purchase a Used Dump Truck. **(Pg. 38)**
- I. Approval of Cumberland County Facilities Committee Report and Recommendation(s): **(Pgs. 40-62)**
 - (1) Lease Terms for Dorothy Spainhour Facility **(Pg. 51)**
 - (2) Professional Services Agreement with McGill Associates for Bragg Estates Sewer Project **(Pg. 53)**
 - (3) Public Utilities Policy Regarding Delinquent Account Collections **(Pg. 54)**
 - (4) Disposition of the Wells House **(Pg. 57)**
 - (5) License Agreement to Lamar Companies for Continued Billboard Use **(Pg. 58)**
- J. Approval of Cumberland County Finance Committee Report and Recommendation(s): **(Pgs. 63-94)**
 - (1) Internal Audit and Finance/Audit Committee Charters **(Pg. 76)**
 - (2) Budget Revisions for the Incurred But Not Reported (IBNR) Year End Entry **(Pg. 85)**
 - (3) Funding Agreements with Alliance Behavioral Healthcare **(Pg. 91)**
- K. Approval of Cumberland County Policy Committee Report and Recommendation(s): **(Pgs. 95-104)**
 - (1) Wrecker Board Data Review **(Pg. 101)**
 - (2) Revisions to Section 9.5-101 of the Cumberland County Code Regarding Weapons Posting **(Pg. 103)**
- L. Approval of the FY 2015-2016 Home and Community Care Block Grant for Older Adults Agreement Between County of Cumberland and Mid-Carolina Area Agency on Aging. **(Pg. 105)**

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

- (1) Case Number: MH 457-2014 **(Pg. 127)**
Property Owner: Betty Morneault c/o David Pait
Property Location: 6526 Alamance Road, Hope Mills, NC
Parcel Identification Number: 0412-54-7360
- (2) Case Number: MH 634-2014 **(Pg. 129)**
Property Owner: Ruby H. Parker Heirs
Property Location: 139 N. Grogg Street, Spring Lake, NC
Parcel Identification Number: 0511-27-1603
- (3) Case Number: MH 775-2014 **(Pg. 131)**
Property Owner: James E. & Jennifer Wright & RBMG. Inc. (Netbank, Inc.)
Property Location: 8533 Candlebrush Dr., Linden, NC
Parcel Identification Number: 0554-56-7668

N. Budget Revisions: **(Pgs. 133-147)**

- (1) Emergency Services **(Pg. 133)**

Revision in the amount of \$16,711 to recognize additional revenue received from the NC Emergency Performance Grant. (B15-343) **Funding Source – State**
- (2) Soil and Water Conservation District **(Pg. 134)**

Revision in the amount of \$2,940 to recognize additional fundraiser collections. (B15-352) **Funding Source – Other**
- (3) Mid-Carolina Senior Transportation **(Pg. 135)**

Revision in the amount of \$555 to recognize receipt of general fees collected. (B15-353) **Funding Source – Fees**
- (4) Recreation and Parks – Hope Mills **(Pg. 136)**

Revision in the amount of \$15,000 to recognize additional revenue received. (B15-344) **Funding Source – Recreation and Parks Tax**
- (5) Lake Rim Fire District **(Pg. 137)**

Revision in the amount of \$7,500 to increase contract for additional revenues earned. (B15-345) **Funding Source – Lake Rim Fire District Tax**

- (6) Grays Creek Fire District #24 **(Pg. 138)**

Revision in the amount of \$5,600 to increase expenditure line to cover unanticipated motor vehicle collection fees in the amount of \$600 and recognize additional revenue received in the amount of \$5,000. (B15-347)
Funding Source – Grays Creek Fire District Tax

- (7) Grays Creek Fire District #18 **(Pg. 139)**

Revision in the amount of \$5,600 to increase expenditure line to cover unanticipated motor vehicle collection fees in the amount of \$600 and recognize additional revenue received in the amount of \$5,000. (B15-346)
Funding Source – Grays Creek Fire District Tax

- (8) Tourism Development Authority **(Pg. 140)**

Revision in the amount of \$512,000 to recognize additional revenues anticipated to be earned for the remainder of the current fiscal year. (B15-357) **Funding Source – Room Occupancy Tax**

- (9) Facilities Maintenance/Public Buildings Janitorial **(Pg. 141)**

Revisions in the total amount of \$17,000 to reallocate budgeted expenditures from Public Buildings Janitorial to Facilities Maintenance to cover maintenance and repair costs through the remainder of the fiscal year. (B15-359 thru B15-360A) **Funding Source – Reallocation of Budgeted Expenditures**

- (10) Facilities Maintenance/Court Facilities **(Pg. 143)**

Revision in the amount of \$30,169 to reallocate budgeted expenditures from Court Facilities to Facilities Maintenance to cover maintenance and repair costs through the remainder of the fiscal year. (B15-361 thru B15-361A) **Funding Source – Reallocation of Budgeted Expenditures**

- (11) Facilities Maintenance/Stadium Maintenance **(Pg. 144)**

Revision in the amount of \$8,000 to reallocate budgeted expenditures from Stadium Maintenance to Facilities Maintenance to cover maintenance and repair costs through the remainder of the fiscal year. (B15-362 thru B15-362A) **Funding Source – Reallocation of Budgeted Expenditures**

- (12) Non-Medical Transportation Grant/General Government Other **(Pg. 145)**

Revision in the amount of \$45,000 to appropriate fund balance to provide the required 10% local match for Section 5310 Non-Medical Transportation Grant. (B15-364 thru B364A) **Funding Source – Fund Balance Appropriated**

4. Public Hearings **(Pgs. 148-234)**

Uncontested Rezoning Case

- A. **Case P15-27:** Rezoning of 2.16+/- acres from R40 Residential to A1 Agricultural, or to a more restrictive zoning district, located at 2226 Dunn Road, submitted by James A. McLaurin (owner) and Michael J. Adams, PLS. **(Pg. 148)**

Staff Recommendation:

1st motion for Case P15-27: Move to find the request for rezoning consistent with the 2030 Growth Vision Plan, and any other applicable land use plan, reasonable and in the public interest for the reasons stated in the recommendations of the Planning Staff included in the agenda package and as reflected in the minutes of the Planning Board’s consideration of this case, which minutes are to be fully incorporated herein by reference.

2nd motion for Case P15-27: Move to approve the rezoning for A1 Agricultural district as recommended by the Planning Staff included in the agenda package and as reflected in the minutes of the Planning Board’s consideration of this case, which minutes are to be fully incorporated herein by reference.

Planning Board Recommendation: Approve the Staff Recommendation.

- B. **Case P15-28:** Rezoning of 3.00+/- acres from R6A Residential to C(P) Planned Commercial, or to a more restrictive zoning district, located at 1062 Charmain Street, submitted by Albert and Shirley R. Norton on behalf of ASK Properties, LLC. (owner). **(Pg. 151)**

Staff Recommendation:

1st motion for Case P15-28: Move to find the request for rezoning consistent with the 2030 Growth Vision Plan, and any other applicable land use plan, reasonable and in the public interest for the reasons stated in the recommendations of the Planning Staff included in the agenda package and as reflected in the minutes of the Planning Board’s consideration of this case, which minutes are to be fully incorporated herein by reference.

2nd motion for Case P15-28: Move to approve the rezoning for C(P) Planned Commercial as recommended by the Planning Staff included in the agenda package and as reflected in the minutes of the Planning Board’s consideration of this case, which minutes are to be fully incorporated herein by reference.

Planning Board Recommendation: Approve the Staff Recommendation.

C. **Presentation on South Central Land Use Plan** **(Pgs. 154-234)**

(1) **South Central Land Use Plan – PowerPoint Presentation** **(Pg. 154)**

(2) **South Central Land Use Plan Recommendations** **(Pg. 192)**

This draft Plan provides the location of future land uses in the area bounded on the south by Robeson and Bladen Counties, on the west by U.S. 301 South and Interstate 95, on the north by the City of Fayetteville, and on east by the Cape Fear River.

Comprehensive Planning Committee Recommendation:

Approve the plan and move it forward to the Board of Commissioners for their review and approval for the reasons stated in the recommendations of the Comprehensive Planning Committee included in the agenda package and as reflected in the minutes of the Planning Board’s consideration of this case, which minutes are to be fully incorporated herein by reference.

Planning Board Recommendation: Approve the Committee Recommendation

ITEMS OF BUSINESS **(Pgs. 235-251)**

5. Nomination and Appointment **(Pg. 235)**

A. Mid-Carolina Rural Transportation Advisory Committee (1 Vacancy) **(Pg. 235)**

- 6. Nominations to Boards and Committees **(Pgs. 236-243)**
 - A. Cumberland County Juvenile Crime Prevention Council (1 Vacancy) **(Pg. 236)**

- 7. Appointments to Boards and Committees **(Pgs. 244-251)**
 - A. Fayetteville Technical Community College Board of Trustees (1 Vacancy) **(Pg. 244)**
 - Nominee(s): Paul Crenshaw
Dr. Linwood Powell

 - B. Human Relations Commission (2 Vacancies) **(Pg. 246)**
 - Nominees: Kevin Brooks (Reappointment)
Kim Robertson

 - C. Transportation Advisory Board (1 Vacancy) **(Pg. 248)**
 - Nominee:

 - Dialysis Center Representative: Antionette Wiggins (Reappointment)

ADJOURN

RECESS THE BOARD OF COMMISSIONERS' MEETING.

CONVENE THE BRAGG ESTATES WATER & SEWER DISTRICT GOVERNING BOARD MEETING (SEE SEPARATE AGENDA) / ADJOURN (Pg. 252)

RECONVENE THE REGULAR BOARD OF COMMISSIONERS' MEETING

- 8. Closed Session:
 - A. Attorney Client Matter(s)
Pursuant to NCGS 143-318.11(a)(3).

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, JUNE 16.

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

REGULAR BOARD MEETINGS:

**August 3, 2015 – (Monday) – 9:00 AM
August 17, 2015 – (Monday) – 6:45 PM
September 8, 2015 – (Tuesday) – 9:00 AM
September 21, 2015 – (Monday) – 6:45 PM**

*****THERE WILL BE NO BOARD OF COMMISSIONERS MEETINGS IN JULY*****

AMY H. CANNON
County Manager

JAMES E. LAWSON
Deputy County Manager



MELISSA C. CARDINALI
Assistant County Manager

W. TRACY JACKSON
Assistant County Manager



OFFICE OF THE COUNTY MANAGER

CITIZENS' ACADEMY GRADUATES

Ora Bethea
Marsha Bryant
Denise Comulada
Alexia Fields
John Garvey
Ralph Hinrichs
Wilson Jenkins
Terry Johnson
Terry Malmgren
Jewel Martin
Yvette Sanders
Ruth D. Sherman
Raymond Sienkiewicz
Sook Sienkiewicz
Michael Simmons
George Solomon
Sallie Solomon
Kathleen Spell
Griselda Sutton
Paul L. Taylor
Terry Williams

AMY H. CANNON
County Manager

JAMES E. LAWSON
Deputy County Manager



CUMBERLAND
★ **COUNTY** ★
NORTH CAROLINA

MELISSA C. CARDINALI
Assistant County Manager

W. TRACY JACKSON
Assistant County Manager


ITEM NO. _____

2

OFFICE OF THE COUNTY MANAGER

MEMORANDUM FOR BOARD OF COMMISSIONERS AGENDA OF JUNE 15, 2015

TO: BOARD OF COUNTY COMMISSIONERS

FROM: AMY H. CANNON, COUNTY MANAGER 

DATE: JUNE 10, 2015

SUBJECT: PRESENTATION ON THE PROGRESS OF THE COLLISION REPAIR AND REFINISHING TECHNOLOGY CENTER BY DR. LARRY KEEN, PRESIDENT OF FAYETTEVILLE TECHNICAL COMMUNITY COLLEGE

Dr. Larry Keen will be making a presentation to the Cumberland County Board of Commissioners at the June 15, 2015 Board Meeting on the progress of the Collision Repair and Refinishing Technology Center.

/ct

CM061015-1

AMY H. CANNON
County Manager

JAMES E. LAWSON
Deputy County Manager



MELISSA C. CARDINALI
Assistant County Manager


W. TRACY JACKSON
Assistant County Manager



ITEM NO. 3B

OFFICE OF THE COUNTY MANAGER

MEMORANDUM FOR BOARD OF COMMISSIONERS AGENDA OF JUNE 15, 2015

TO: BOARD OF COUNTY COMMISSIONERS
FROM: AMY H. CANNON, COUNTY MANAGER 
DATE: JUNE 10, 2015
**SUBJECT: APPROVAL OF PROPOSED ADDITIONS TO THE STATE
SECONDARY ROAD SYSTEM**

BACKGROUND

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

McCall South Subdivision: McCall Road

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

RECOMMENDATION / PROPOSED ACTION

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

Approve the above listed streets for addition to the State Secondary Road System.

/ct

Attachments



STATE OF NORTH CAROLINA
DEPARTMENT OF TRANSPORTATION

PAT MCCRORY
GOVERNOR

ANTHONY J. TATA
SECRETARY

May 29, 2015

Division Six - District Two
Cumberland County

Mr. Kenneth Edge, Chairman
Cumberland County Board of Commissioners
Post Office Box 1829
Fayetteville, North Carolina 28302

Subject: Secondary Road Addition

To Whom It May Concern:

This is in reference to a petition submitted to this office requesting street(s) in Cumberland County be placed on the State's Secondary Road System. Please be advised that these street(s) have been investigated and our findings are that the below listed street(s) are eligible for addition to the State System.

McCall South Subdivision

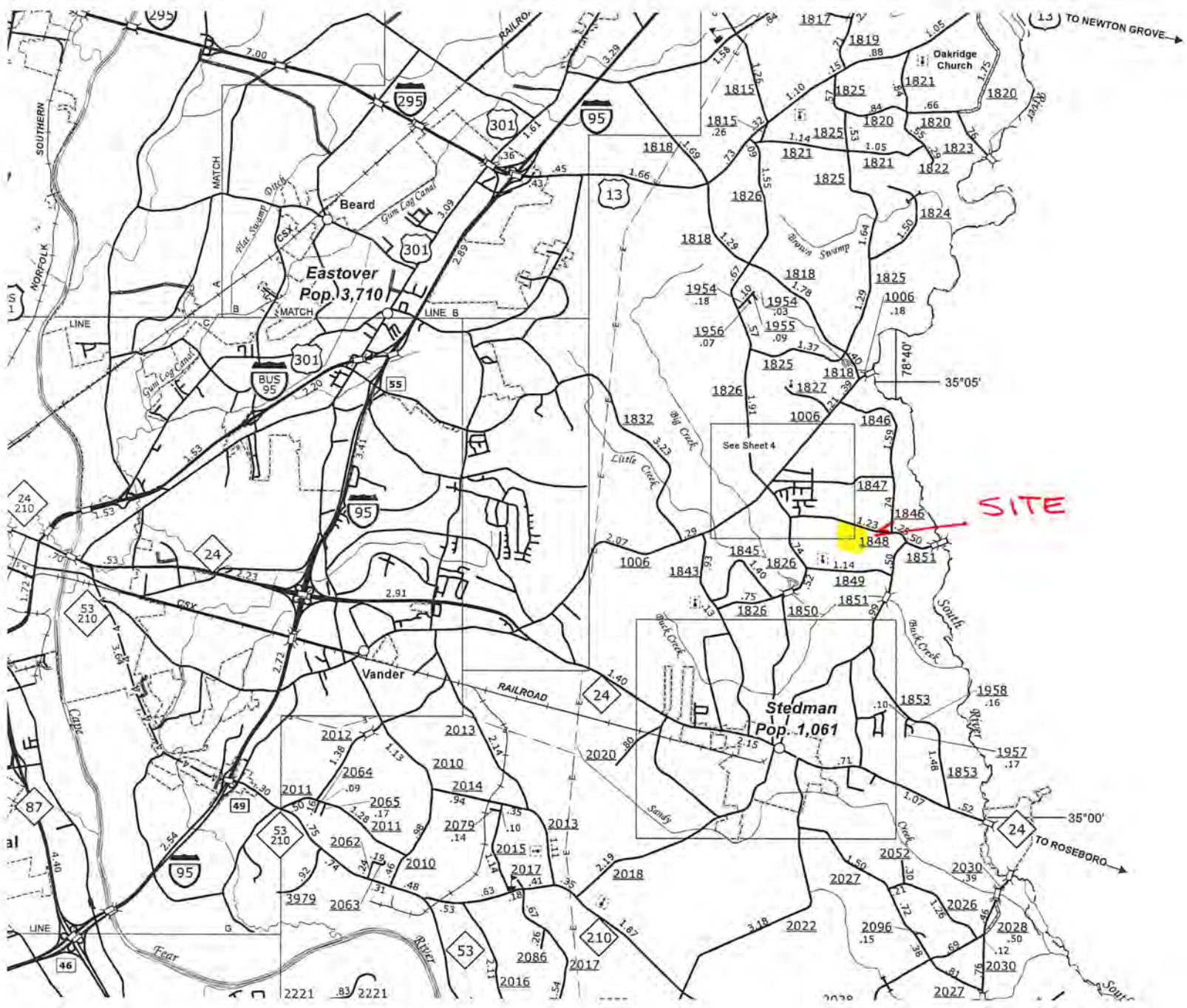
- McCall Road

It is our recommendation that the above named street(s) be placed on the State's Secondary Road System. If you and your Board concur in our recommendation, please submit a resolution to this office.

Sincerely,

A handwritten signature in blue ink, appearing to read "David Plummer".

David Plummer
Engineering Technician





ITEM NO. 30

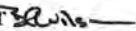
**CUMBERLAND
★ COUNTY ★
NORTH CAROLINA**

DEPARTMENT OF PUBLIC HEALTH

MEMORANDUM

TO: Board of County Commissioners

THROUGH: James Lawson, Deputy County Manager

FROM: Buck Wilson, Public Health Director 

DATE: June 4, 2015

SUBJECT: Consent Item for Agenda – June 15, 2015:
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 May 19, 2015 the Board approved writing off a total of \$27,321.73 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 \$27,321.73 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 #42

March 31, 2015

PROGRAM	AMOUNT
ADULT HEALTH	\$12,957.34
CHILD HEALTH	\$4,420.20
DENTAL	\$2,709.03
EXPRESS CARE	\$1,817.41
FAMILY PLANNING	\$2,592.02
MATERNITY	\$2,825.73
TOTAL	\$27,321.73

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 03/31/2015



ITEM NO. 3D

**CUMBERLAND
★ COUNTY ★
NORTH CAROLINA**

OFFICE OF THE RISK MANAGER

MEMORANDUM FOR BOARD OF COMMISSIONERS
MEETING OF JUNE 15 2015

TO: BOARD OF COUNTY COMMISSIONERS

FROM: PATRICIA LUCAS, RISK MANAGEMENT COORDINATOR *PL*

DATE: June 5, 2015

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

BACKGROUND

DATE OF ACCIDENT: May 8, 2015

VEHICLE: 2004 Chevrolet Tahoe

VIN: 1GNEK13V84R258028

FLEET#: FL390

DEPARTMENT: Sheriff's Office

SETTLEMENT OFFER: \$7,148.74

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 \$7,148.74 as settlement
3. allow Travelers Property Casualty Company to take possession of the wrecked (surplus) vehicle



Beth Bohensky
Claim Representative
Travelers
Total Loss Unit, Albany, NY
(518)454-4749
(877) 246-4240 (fax)
Email address ebohensk@travelers.com

PO Box 220
Buffalo, NY 14240

June 5, 2015

CUMBERLAND COUNTY
P O BOX 1829
FAYETTEVILLE , NC 28302

Re: Claim #: EZL4485
Date of Loss: 5-8-2015
Vehicle: 2004 Chevrolet Tahoe

Dear Patsy:

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 Insurance Department Regulation, we have determined the actual cash value (ACV) to be as follows:

ACV	\$7858.00
Added Sales Tax	\$ 235.74
Added DMV Fee	\$ 55.00
Less Deductible	\$1000.00
Total	\$7148.74

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

Vehicle Title: Please have an authorized agent sign the original Certificate of Title on the back where it says Seller's Signature, exactly how it appears on the front. Please also complete the odometer section, with the mileage of 154,181. Please do not complete any other information as it may void your title. Please send this to us with a business card or something written on letterhead that gives the agent's business title and authorization to sign the title. I have attached a prepaid Fed Ex label for your convenience to send this to Travelers.

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. Once the vehicle is released, please let me know and we will set to have the vehicle moved to Copart Auto Auctions.

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 1-518-454-4749.

Sincerely,

Beth Bohensky
Claim Representative

**A RESOLUTION OF THE CUMBERLAND COUNTY BOARD OF COMMISSIONERS
SUPPORTING GOVERNOR MCCRORY'S BOND PROPOSAL**

WHEREAS, Governor McCrory has proposed a \$2.85 billion bond purposed for investment in the State of North Carolina's infrastructure to strengthen and support the needs of transportation, public health, education, technology, parks, ports and military operations; and

WHAREAS, in his proposal, Governor McCrory dedicates \$1.48 billion to 101 infrastructure projects in 64 counties and \$1.37 billion to 27 highway and 176 paving projects in 57 counties across North Carolina, creating substantial short-term and long-term job growth through projects enhancing North Carolina's readiness for economic growth; and

WHEREAS, among the projects in his bond proposal, there are significant investments in Cumberland County and its neighboring counties; and

WHEREAS, in his proposal, Governor McCrory dedicates an estimated \$10.6 million for the Fayetteville State University Lyons Science Building Renovation project and an estimated \$11 million for Ft. Bragg and Camp Lejeune road improvements; and

WHEREAS, also in his proposal, Governor McCrory dedicates an estimated \$47.9 million for the All-American Freeway project and an estimated \$54.5 million for the I-295 project; and

WHEREAS, North Carolina has a history of using long-term financing to meet infrastructure needs, and it is considered prudent to invest when current rates are at historic lows; and

WHEREAS, the bond proposal does not require a tax increase and is well within the State's debt affordability as determined by the State Treasurer and the nonpartisan Debt Affordability Committee; and

WHEREAS, fifteen years have passed since the State's last general obligation bond was authorized for the improvement of public infrastructure, resulting in years of statewide deferred maintenance.

NOW, THEREFORE, BE IT RESOLVED, that the Cumberland County Board of County Commissioners hereby supports the addition of Governor McCrory's general obligation bond proposal to the November 2015 ballot.

Adopted this 15th day of June, 2015.

Kenneth S. Edge, Chairman
Cumberland County Board of Commissioners

Attest:

Candice White, Clerk to the Board

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. 3F

MEMORANDUM FOR BOARD OF COMMISSIONERS'
CONSENT AGENDA OF JUNE 15, 2015

TO: BOARD OF COUNTY COMMISSIONERS

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

DATE: JUNE 9, 2015

SUBJECT: ALCOHOLIC BEVERAGE CONTROL (ABC) BOARD TRAVEL POLICY

BACKGROUND:

According to the attached correspondence from A. Johnson Chestnutt, Chairman of the Cumberland County ABC Board, the ABC Board is requesting that the Cumberland County Board of Commissioners approve the ABC Board's adoption of Cumberland County's Travel Policy, CP-06, in accordance with House Bill 1717: Modernization of the State ABC System, Section 13.

RECOMMENDATION/PROPOSED ACTION:

Approve the ABC Board's request to adopt Cumberland County Travel Policy, CP-06, and direct the Clerk to the Board to send to the ABC Commission written confirmation of said action and a copy of Cumberland County's Travel Policy, CP-06.

Attachments

CUMBERLAND COUNTY
ALCOHOLIC BEVERAGE CONTROL BOARD
1705 OWEN DRIVE P.O. BOX 64957
FAYETTEVILLE, N.C. 28306

June 9, 2015

Subject: Board Travel Policy

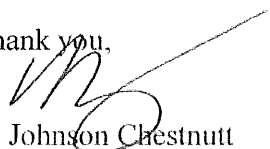
Chairman Kenneth Edge:

The ABC Board voted at the June 8, 2015 meeting to request the permission and approval from the County Commissioners to adopt the County's Travel Policy according to House Bill 1717: Modernization of the State ABC System. The House Bill 1717 is a result of recommendations by a joint legislative study committee on Alcoholic Beverage Control issues. House Bill 1717, Section 13 (see below) requires that the local board annually submit a copy of the County's travel policy and the authorization to the ABC Board to be forwarded to the ABC Commission.

Section 13 of the bill provides for members and employees of local ABC boards to be reimbursed for travel on official business in accordance with the statutory travel allowances of State officers and employees. With approval of the appointing authority, a local board may adopt a travel policy that conforms to the travel policy of the appointing authority. The local board would be required to annually provide to the Commission a copy of its travel policy along with the appointing authority's written confirmation of its approval. Excess expenses not covered by the local board's travel policy would be paid only with written authorization of the appointing authority's finance officer, and the local board would be required to submit a copy of the authorization to the ABC Commission within 30 days of approval.

The Board would greatly appreciate the Commissioners support and appreciate in advance the approval of the bill. The Board is working hard to ensure that the ABC System is in high standards and is in compliance with the NC ABC Commission statutes.

Thank you,


A. Johnson Chestnutt
Chairman

**County of Cumberland
Policies & Procedures**

Subject: CUMBERLAND COUNTY TRAVEL POLICY

Policy No. CP-06 **Revision No.** 2 **Date:** 12/15/2010

Approved By: *A. Monrovia*
County Attorney

James E. Martin
County Manager

I. PURPOSE

The purpose of this policy is to establish standards and guidelines to help ensure that public funds are expended for travel only when it serves a public purpose. It is the intent of this policy to establish a reference regarding the payment or reimbursement of travel expense pertaining to official travel and subsistence for the County of Cumberland. Article V, Section 2(1) of the Constitution of the State of North Carolina requires that funds generated by taxation be spent for public purposes only.

An employee or board member traveling on official business is expected to exercise the same care in incurring expenses that a prudent person would exercise if traveling on personal business and expending personal funds.

II. SCOPE

The scope of this policy should include the following: 1) the parties covered by the policy; 2) the definition of travel; 3) the procedures for approval; and 4) the rates for reimbursement. In addition the following applies:

- An employee or board member traveling on official business is expected to exercise the same care in incurring expenses that a prudent person would exercise if traveling on personal business and expending personal funds. Excess costs, circuitous routes, luxury accommodations, and services unnecessary in the performance of official business are not acceptable under this standard. Employees and board members will be responsible for unauthorized cost and any additional expenses incurred for personal preference or convenience.
- Non-employees (i.e. board members) traveling on County business shall be subject to the same policies and requirements as employees if the county is paying the expenses.

- Travel advances represent a payment of public funds to an employee or official for travel costs, which have not yet been incurred. Advances should be made for the minimum amount necessary, paid just prior to travel, and reconciled immediately at the conclusion of the travel. They are not to be used as interest-free loans.
- G.S. 14-247 states that it is illegal for a publicly owned vehicle to be used for a private purpose.
- G.S. 159-181 (a) states that any officer or employee of a local government or public authority who submits a written claim or approves a claim for funds that he/she knows to be false is guilty of a misdemeanor.

III. DEFINITIONS

A general term that will have a specific meaning within the context of the travel policy should be defined. Once the term is defined, that definition becomes part of the travel policy.

- A. Authorizing Party – An individual authorized by this policy to approve or disapprove requests for travel, cash advances, travel reimbursements, etc. (Usually a department head).
- B. Employee’s Duty Station - “Duty Station” is defined as the job location at which the employee spends the majority of his or her working hours. For an employee in travel status, the duty station should be the point where traveling begins the majority of the time (home or office).
- C. Reimbursements – To pay back previously incurred expenses to requesting parties. All reimbursement requests shall be submitted to finance within ten working days after the travel.
- D. Requesting Party – The person who will be reimbursed for travel costs incurred while conducting County business.
- E. Subsistence (Meals and Lodging) – Subsistence is an allowance related to lodging, meal costs, incidental expenses, and gratuities thereon.
- F. Transportation Expenses – Transportation expenses include personal vehicle, county vehicle, taxi, bus, train, airplane, auto rentals, tolls, and parking fees. All transportation expenses must be incurred by and for employees, board members or other eligible travelers while conducting official County business in order to be eligible for reimbursement.

- G. Travel – Travel is defined as going to and from the normal duty station to a site located outside the County to conduct County business. Authorization of travel requests will be based upon need and cost/benefit of travel as determined by the authorizing party. All travel costs except airline tickets will be paid directly by the requesting party, and will be reimbursed by the County. The requesting party will be reimbursed for actual costs incurred only, subject to the limitations established in this policy.

IV. GENERAL GUIDELINES

A. In-State/Out-of-State Travel

Travel is contingent upon the availability of funds in the departmental budget. Department heads are responsible for ensuring funds are available for travel within their departmental budgets and approving travel. Department heads shall ensure that all charges and expenses are in compliance with this policy.

B. Multiple Employees Traveling to the Same Destination

Two or more travelers traveling to the same destination are expected to make maximum use of joint transportation including taxicabs, County owned, leased, or privately owned vehicles.

V. PROCEDURES

Specific Guidelines Relating to Travel Advances, Registration, Transportation, and Subsistence:

A. **Travel Advances**

The requesting party must submit an approved Check Request (by the Department Head) to the County Finance Department (Finance) no later than the closing date of the check run with an issue date just prior to the start of travel. (Note: The Check Request should have supporting documentation such as a conference agenda.) The amount of the advance will not exceed eighty percent of the projected meals and the total cost of the lodging. The minimum advance will be \$50. After returning to work the employee shall submit an approved Travel Reimbursement form with appropriate receipts to Finance within ten working days. Excess travel advance funds will be repaid at this time. If the employee does not submit the Travel Reimbursement Form within ten working days then the advance amount will be deducted from the employee's next paycheck at the discretion of the Finance Director. If travel expenses exceed the travel advance, payment will be made on the next scheduled check run.

B. Registration

The County allows for registration fees to be reimbursed at the actual amount as shown by a valid receipt or invoice. They may be paid directly by the department or paid by the employee and then reimbursed. These fees are charged to a training line item. Charges resulting from the cancellation of conference registration shall be the County's obligation if the employee's registration has been approved in advance and the cancellation or change is made at the direction of and for the convenience of the County. If the cancellation or change is made for the personal benefit of the employee, it shall be the employee's obligation to reimburse the County for registration fees paid. However, in the event of accidents, serious illness or death within the employee's immediate family, or other critical circumstances beyond the control of the employee, the employee is not expected to reimburse the County.

C. Transportation

Air Line Travel – Tickets for airline travel will be purchased through the County approved travel agency. Penalties and charges resulting from the cancellation of airline reservations (or other travel reservations) shall be the County's obligation if the employee's travel has been approved in advance and the cancellation or change is made at the direction of and for the convenience of the County. If the cancellation or change is made for the personal benefit of the employee, it shall be the employee's obligation to pay the penalties and charges. However, in the event of accidents, serious illness or death within the employee's immediate family, or other critical circumstances beyond the control of the employee, the County will be obligated to pay the penalties and charges.

Personal Vehicle – A requesting party may use his/her personal vehicle for travel and be reimbursed for actual mileage. The County reimburses mileage expenses at the IRS standard mileage rate. The Finance Director is authorized to make periodic adjustments for automobile mileage rates in accordance with current IRS regulations. Normal parking charges are reimbursable. Parking receipts or an explanation of why there is no receipt should be attached to the reimbursement request. Travel from your home to an out-of-town conference or training session is eligible for reimbursement from your home to the conference site and back home. See the section on **Daily Travel** for details on mileage reimbursement for daily travel.

Rental Vehicle – Must be authorized in advance by department head. Rental vehicles are to be used only in conjunction with approved transportation other than automobile, and a receipt is necessary for reimbursement.

County Vehicles – County vehicles may be used for any authorized travel. The requesting party must obey all laws of the jurisdiction in which the vehicle is being operated. The vehicle will be used in conducting County business only. A minimal amount of personal use, such as driving the vehicle to and from dinner, is permissible, when a County vehicle is utilized for overnight travel related to official County business.

D. Overnight Travel – Subsistence

The per diem rate for meals and incidentals for both in-state and out-of-state travel is based upon the standard rate or the rate specified by the primary destination. These rates are published by the US General Services Administration (GSA) for all destinations within the Continental United States (CONUS). Employees may be eligible for a higher per diem rate depending on the travel destination. A listing of the current rate is available on the County Intranet. If the travel destination has a rate above the standard rate, print the page that details the daily rate for that destination and attach it to the travel voucher.

The County will not require any receipts under the per diem method. The subsistence rate is inclusive of personal gratuities except baggage handling tips that may be claimed for porters at terminals and hotels, under the category of “other expenses”.

Meals included as part of a conference **will not** be included in the daily meal reimbursement. For example, if dinner for one day of the conference is included in the conference registration fee the requesting party cannot claim the dinner reimbursement for that day. A breakout of the meals and incidentals for the various per diem rates is provided in the table below.

M&IE Total	\$39 Standard	\$44	\$49	\$54	\$59	\$64
Breakfast	\$7	\$8	\$9	\$10	\$11	\$12
Lunch	\$11	\$12	\$13	\$15	\$16	\$18
Dinner	\$18	\$21	\$24	\$26	\$29	\$31
Incidentals	\$3	\$3	\$3	\$3	\$3	\$3

Partial Days of Travel - Employees may receive allowances for meals for partial days of travel when the partial day is the day of departure or the day of return.

For employees in an overnight travel status, the per diem will be reduced to 75% of the normal amount on the days of departure and return. For example, if the destination has a per diem of \$39.00, the employee will receive \$29.25 on the days of departure and return. As noted above, the \$29.25 will be reduced by any meals included as part of the conference registration fee.

E. Motel/ Hotel:

Employee will be reimbursed for actual cost of motel/hotel at single occupancy rate. **Receipts are required.**

F. Telephone:

Work Related Long Distance Phone Calls – Work related long distance phone calls are reimbursable if approved by the Department Head in advance. However, where possible a phone card should be obtained from the Information Services Department for official use instead of hotel room phones. Individual calls over \$3.00 must be identified as to point of origin and destination.

Personal – Personal calls are not reimbursable.

G. Internet Connection:

Internet connection charges may be incurred only if approved in advance by the Department Head and be deemed necessary in conducting County business while away from the office.

H. Daily Travel (Not Overnight)

There will not be Reimbursement for meals under daily travel.

I. Mileage Reimbursement

The County reimburses mileage expense at the IRS standard mileage rate. The Finance Director is authorized to make periodic adjustments for

automobile mileage rates in accordance with current IRS regulations. The IRS approved rate may change on a calendar year basis and generally becomes effective January 1 of each year. Normal parking charges are reimbursable. Parking receipts or an explanation of why there is no receipt should be attached to the reimbursement request.

To the extent possible, trips should be planned out in advance so that mileage is minimized. In order for mileage to be reimbursed, it must be substantiated with enough detail that the mileage claimed can be verified.

Transportation expenses between your home and your regular place of work are personal commuting expenses and are not eligible for mileage reimbursement. Employees who are called back into work on the same day will be eligible for mileage reimbursement. If you are required to travel from your regular place of work to client or job sites during the day, that travel is eligible for mileage reimbursement.

County Office is Principal Place of Business	
Example	Eligible for Mileage Reimbursement
Home to office or first work site	NO
Office or last work site to home	NO
First work site to subsequent work sites	YES
Employee called back to work after regular work hours	YES
Employee is called into work on the weekend	NO

Home is Principal Place of Business	
Example	Eligible for Mileage Reimbursement
Home to office or first work site	NO
Office or last work site to home	NO
First work site to subsequent work sites	YES
Employee called back to work after regular work hours	YES
Employee is called into work on the weekend	NO

J. Processing and Approval of Reimbursement Requests

Submitting Expense Reports: The requesting party will submit an approved (by the Department Head) Travel Reimbursement Form with attached receipts for expenses requiring reimbursement to Finance within ten working days after returning from travel. Advances will be deducted from reimbursable costs. (Note: If the purpose of the travel was to attend a conference/seminar, the program for the conference/seminar should be attached to the Travel Reimbursement Form.)

Finance will determine that the reimbursement form has been properly approved, that it is mathematically correct, that the requested reimbursements agree with submitted receipts or per diem amounts, and are within the limits set by this policy. If an error in the reimbursement request is found, the requesting party will be informed and the error will be corrected before payment is made.

Before the reimbursement is made, Finance will determine that there is a sufficient unexpended appropriation in the expenditure line item to pay the request for payment. The Finance Director will immediately inform the authorizing party and requesting party if payment cannot be made.

Reimbursements to the requesting party will be made in the next scheduled check run after the Travel Reimbursement is filed.

The following items are **NOT** reimbursable:

- Any miscellaneous expense not supported by a receipt.
- Meals included as part of a conference.
- Travel to and from duty station.
- Non-employee expense. (Unless non-employee is traveling on official County business.)
- Laundry, newspaper, entertainment, alcoholic beverages and snacks.
- Paid room service, valet and personal gratuities (exclusive of baggage handling tips).
- Any traffic fines.
- Any item which is not deemed a necessary or reasonable business expense.

A requesting party submitting a falsified Travel Reimbursement form will be subject to disciplinary action and criminal prosecution. An authorizing party or Finance Director who approves a falsified reimbursement form that they know to be false will be subject to disciplinary action or criminal prosecution. Violations of the County's travel policy may result in dismissal from County employment.

K. Responsibilities of Travel Approvers

Although the Finance Director is statutorily charged with stewardship of all taxpayer dollars, the fiscal integrity and credibility of our organization is the responsibility of all County employees and supervisors.

If you are approving a travel reimbursement request, whether or not you are the traveling employee's direct supervisor, you are attesting to the following:

1. That you have reviewed the reimbursement request in its entirety;
2. That the reimbursement request is accurate; and
3. That the travel is for a public (County business-related) purpose.

L. Responsibilities of Finance Director

The Finance Director is responsible for implementing and enforcing this Travel Policy, and to interpret it consistent with its spirit and intent, fiscal prudence and accountability. The Finance Director is authorized to approve travel reimbursements not specifically set forth above when he or she determines on the basis of substantial evidence that such reimbursement is necessary or appropriate to accomplish business of the County and is warranted in the circumstances. He or she shall document all such reimbursements and the justification therefore.

Patricia Hall,
Chair
Town of Hope Mills

Charles C. Morris,
Vice-Chair
Town of Linden

Jami McLaughlin,
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

ITEM NO. 36

MEMORANDUM FOR BOARD OF COMMISSIONERS AGENDA JUNE 15, 2015

TO: BOARD OF COUNTY COMMISSIONERS

THROUGH: AMY H. CANNON, COUNTY MANAGER *AKZ*

FROM: THOMAS LLOYD, DIRECTOR OF PLANNING AND INSPECTIONS *TL*

DATE: JUNE 10, 2015

SUBJECT: INTERLOCAL AGREEMENT BETWEEN CUMBERLAND COUNTY AND THE TOWN OF SPRING LAKE FOR BUILDING INSPECTION SERVICES

BACKGROUND

The Town of Spring Lake has requested the use of one of Cumberland County's Level III Building Inspectors for two major projects. The first project is the new construction of a 100 room, four story hotel. The second project is for the remodeling of an existing grocery store. Both of these projects are of such scale that they require a Level III Building Inspector which the Town does not have available. The attached inter-local agreement specifies that the inspector will only be used for these two projects and on an as needed basis. The projected completion of these two projects is estimated to be approximately eight months. The attached agreement has been reviewed and approved by the County Attorney.

RECOMMENDATION/PROPOSED ACTION

Staff recommends a motion to approve an interlocal agreement between Cumberland County and the Town of Spring Lake that will allow the Town of Spring Lake to utilize a Cumberland County Level III Building Inspector as specified in the agreement.

**CUMBERLAND COUNTY AND
TOWN OF SPRING LAKE
INTERLOCAL AGREEMENT FOR BUILDING INSPECTION SERVICES**

**NORTH CAROLINA
COUNTY OF CUMBERLAND**

**NORTH CAROLINA
TOWN OF SPRING LAKE**

THIS AGREEMENT, made and entered into this the ____ day of _____ 2015, by and between the County of Cumberland a body politic and political subdivision of the State of North Carolina established and operating pursuant to the laws of the State of North Carolina (hereinafter called "COUNTY"), and the Town of Spring Lake, a municipal corporation organized and existing pursuant to the laws of the State of North Carolina (hereinafter called "TOWN").

WITNESSETH:

WHEREAS, N. C. Gen. Stat. § 160A-413 provides that “. . . a city council may designate an inspector from any other city or county to serve as a member of its inspection department with the approval of the governing body of the other city or county[;]” and

WHEREAS, N. C. Gen. Stat. § 160A-413 further provides that “. . . “[t]he inspector, if designated from another city or county under this section, shall, while exercising the duties of the position, be considered a municipal employee. The city shall have the same potential liability, if any, for inspections conducted by an individual who is not an employee of the city as it does for an individual who is an employee of the city.

WHEREAS, TOWN has requested COUNTY to enter into this agreement for the purpose of providing building inspection services and County, upon action of its Board of Commissioners, has agreed to do so.

THEREFORE, COUNTY and TOWN, though action taken by their respective governing boards, agree as follows:

ARTICLE 1

PURPOSE AND AUTHORITY FOR THE AGREEMENT

The purpose of this Agreement is to establish an Undertaking, as herein below defined, by the two units of local government who are parties to this Agreement. The authority for this Agreement is Article 20 of Chapter 160A of the General Statutes of North Carolina.

ARTICLE 2

DEFINITIONS

For purposes of this Agreement, the following definitions shall apply:

- 2.1 “**Agreement**” – shall mean this Interlocal Agreement for Building Inspection Services.
- 2.2 “**County**” – shall mean the County of Cumberland, North Carolina.
- 2.3 “**Town**” – shall mean the Town of Spring Lake.
- 2.4 “**Undertaking**” – shall mean the services identified herein and in Attachment 1.

ARTICLE 3

DURATION OF THE AGREEMENT

The duration of this Agreement shall begin upon adoption of this Agreement by the governing bodies of COUNTY and TOWN and shall exist and be effective until the specific projects described in Attachment 1, consisting of the construction of a new hotel and the renovation of an existing grocery store, are completed and TOWN notices COUNTY that the inspection services are no longer needed by TOWN.

ARTICLE 4

AMENDMENTS

This Agreement may only be amended by the parties in writing after the approval of the governing boards of each.

ARTICLE 5
TERMINATION

This Agreement may be terminated by written notice from the TOWN or COUNTY. Such notice shall be provided a minimum of 30 days from in advance of the termination.

ARTICLE 6
TOWN'S OBLIGATIONS

TOWN agrees:

- 6.1** To satisfy those duties and obligations identified in Attachment 1.
- 6.2** Pursue the Undertaking in accordance with all applicable Federal, State and local laws and regulations.
- 6.3** TOWN shall reimburse COUNTY for all salary, benefits and mileage costs associated with this temporary assignment. Salary and benefits will be reimbursed at \$28.42 per hour and mileage will be reimbursed at \$0.575 per mile. Billing and payment will be consistent with COUNTY's payroll schedule.
- 6.4** TOWN agrees that any COUNTY inspector performing services under this contract, shall, while exercising the duties of the position, be considered a municipal employee, and TOWN shall have the same potential liability, if any, for inspections conducted by a COUNTY inspector providing services under this contract as it does for an inspector who is an employee of the city.

ARTICLE 7
COUNTY OBLIGATIONS

COUNTY agrees to:

- 7.1 To satisfy those duties and obligations identified in Attachment 1.
- 7.2 Pursue the Undertaking in accordance with all applicable Federal, State and local laws and regulations.

ARTICLE 8
JOINT OBLIGATIONS

The parties agree to discuss any modifications that may be necessary to satisfy the desires of the parties or other local, state, or federal requirements.

IN WITNESS WHEREOF the parties hereto have executed this Agreement, the same having been approved by the respective governing bodies of the County and the Town.

[SIGNATURE PAGE FOLLOWS]

COUNTY OF CUMBERLAND, NORTH CAROLINA

(SEAL)

By: _____
Kenneth Edge, Chairman, Board of Commissioners

Attest:

CLERK TO THE BOARD

TOWN OF SPRING LAKE

(SEAL)

By: _____
Chris Ray, Mayor

Attest:

TOWN CLERK

ATTACHMENT 1

DUTIES AND RESPONSIBILITIES

BUILDING INSPECTION, PERMITTING AND PLAN REVIEW SERVICES

In order to ensure effective and timely delivery of these services, this Attachment sets forth the service expectations of both jurisdictions.

Service type and frequency to be provided by Cumberland County. Cumberland County agrees to provide building inspections to Town of Spring Lake of the same type and frequency as allowed for in this agreement. Cumberland County will provide inspections only when Town has an inspector out of the office or there is no qualified inspector on duty. Exceptions to this limitation may be made with the mutual consent of both parties.

Permitting and Inspection Process for Contracted Inspections. The following process shall be utilized for scheduling and performing inspections for building permits issued by Town of Spring Lake.

Town of Spring Lake will continue to issue all permits, collect all fees and maintain responsibility for all plans and permits issued.

Inspections requests shall be called into the Cumberland County Inspections Coordinator by the Inspections Clerk. The scheduled inspections will typically be accomplished within twenty-four hours.

All inspections shall be conducted based on the pre-approved permits and plans on file with the Town of Spring Lake Inspections Department and as where required by the state building code. Reasonable effort will be made to complete inspections in accordance with approved plans, but deviations between plans and the state building code will be resolved in favor of the code, particularly in the case of life-safety code requirements.



ITEM NO. _____

34

FINANCE OFFICE

4th Floor, Room No. 451, Courthouse • PO Box 1829 • Fayetteville, North Carolina 28302-1829
(910) 678-7753 • Fax (910) 323-6120

**MEMORANDUM FOR BOARD OF COMMISSIONERS CONSENT AGENDA OF
JUNE 15, 2015**

TO: BOARD OF COUNTY COMMISSIONERS

FROM: VICKI EVANS, FINANCE DIRECTOR *VE*

DATE: JUNE 8, 2015

**SUBJECT: SOLID WASTE MANAGEMENT – REQUEST FOR USED DUMP
TRUCK PURCHASE**

BACKGROUND

Cumberland County Solid Waste Management has been renting a 2012 model 725 Articulated Dump Truck from Gregory Poole and has an opportunity to purchase that equipment for \$175,971 in lieu of purchasing a new dump truck. Comparable equipment was researched and quoted and the requested item was found to be an excellent value in comparison. The FY2015 budget included \$325,000 for a new off road dump truck resulting in a budgeted savings of \$149,029.

RECOMMENDATION

Approve the request to purchase the used dump truck for \$175,971.

Celebrating Our Past... Embracing Our Future



COUNTY of CUMBERLAND

Office of Solid Waste Management

DATE: May 22, 2015
TO: Vicki Evans, Finance Director
THRU: Thelma Matthews, Purchasing
FROM: Robert Howard, Director *R.H.*
SUBJECT: Board of Commissioners Approval

BACKGROUND:

Cumberland County Solid Waste Management has been renting a 725 Articulated Dump Truck from Gregory Poole and now has the opportunity to purchase this piece of equipment for \$175,970.27. As you can see from the attached documents this is an excellent price. Gregory Poole has applied some of the rent we have paid on this machine, which allows for the lower purchase price.

RECOMMENDATIONS:

Recommend that the Board of Commissioners approve purchase of this piece of equipment.

Sufficient funds are available for purchase of this equipment in the budget.

Attachments

Quote and comparable machines

AMY H. CANNON
County Manager

JAMES E. LAWSON
Deputy County Manager



MELISSA C. CARDINALI
Assistant County Manager

W. TRACY JACKSON
Assistant County Manager



ITEM NO. 3 I (1-5)

OFFICE OF THE COUNTY MANAGER

MEMORANDUM FOR BOARD OF COMMISSIONERS AGENDA OF JUNE 15, 2015

TO: BOARD OF COUNTY COMMISSIONERS
FROM: AMY H. CANNON, COUNTY MANAGER *AKC*
DATE: JUNE 10, 2015
SUBJECT: APPROVAL OF THE CUMBERLAND COUNTY FACILITIES COMMITTEE REPORT AND RECOMMENDATIONS

BACKGROUND

The Cumberland County Facilities Committee met on Thursday, June 4, 2015 and discussed the following agenda:

- 1) Lease Terms for Dorothy Spainhour Facility
- 2) Professional Services Agreement with McGill Associates for Bragg Estates Sewer Project
- 3) Public Utilities Policy Regarding Delinquent Account Collections
- 4) Disposition of the Wells House
- 5) Update on Offer of Lamar Companies to Lease or Purchase Sites of Existing Billboards

Separate memos for these items are attached and the draft minutes of the Cumberland County Facilities Committee are attached for your convenience.

RECOMMENDATION/PROPOSED ACTION

Accept the Cumberland County Facilities Committee report and recommendations.

/ct
Attachments
CM061015-2

DRAFT

CUMBERLAND COUNTY FACILITIES COMMITTEE
COURTHOUSE, 117 DICK STREET, 5TH FLOOR, ROOM 564
JUNE 4, 2015 - 8:30 A.M.
MINUTES

MEMBERS PRESENT: Commissioner Glenn Adams
Commissioner Jimmy Keefe (arrived at 8:37 a.m.)
Commissioner Larry Lancaster

COMMISSIONERS PRESENT:
Commissioner Kenneth Edge
Commissioner Jeannette Council

OTHERS PRESENT: Amy Cannon, County Manager
James Lawson, Deputy County Manager
Tracy Jackson, Assistant County Manager
Melissa Cardinali, Assistant County Manager for Finance /
Administrative Services
Sally Shutt, Governmental Affairs and Public Information
Officer
Rick Moorefield, County Attorney
Jeffery Brown, Engineering and Infrastructure Director
Vicki Evans, Finance Accounting Manager
Amy Hall, Administrative Program Officer
Doug Noble, Lamar Advertising
Mark Stocks, Lamar Advertising
Amanda Hurlburt, Easter Seals/UCP
Mark Germann, Easter Seals/UCP
Candice White, Clerk to the Board
Kellie Beam, Deputy Clerk to the Board
Press

Commissioner Glenn Adams called the meeting to order.

1. APPROVAL OF MINUTES – MAY 7, 2015 REGULAR MEETING

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

2. CONSIDERATION OF LEASE TERMS FOR DOROTHY SPAINHOUR FACILITY

BACKGROUND:

DRAFT

During the March 5, 2015, Special Meeting of the Board of Commissioners, an update was provided regarding the Dorothy Spainhour facility located at 223 Hull Road. Easter Seals United Cerebral Palsy (UCP) is a nonprofit agency currently housed in the 12,310 square foot building. They provide children's educational and therapeutic day services in a developmentally appropriate environment for infants, toddlers and preschoolers requiring specialized care, including autistic clients. These services are unique and unavailable elsewhere in the region.

These services are similar to those provided by the former Cumberland County Mental Health Local Management Entity (LME) until 2004 when the LME divested of this service. At that time, the LME established an agreement with Easter Seals UCP to utilize the Spainhour facility for the specific and sole purpose of continuing developmental day services for children, with the understanding that Easter Seals UCP would pay utility costs and provide ongoing maintenance for the building. Under this arrangement, they have been able to sustain this critical service within a limited budget.

Easter Seals UCP continues to be the only certified developmental day center in our region. The Spainhour Center is also the largest Easter Seals Center in North Carolina, with a staff of 30 serving up to 92 enrollees, including approximately 30 referrals from the Cumberland County School System. They are also the only agency providing year-round, full-day child care, before and after school, including the summer. They fill a gap in our community by supplementing childcare needs for the Partnership for Children, and clients who are no longer eligible for DSS childcare subsidies.

Tracy Jackson, Assistant County Manager, and James Lawson, Deputy County Manager, have been in discussions with Mr. Mark Germann, Community Director for Easter Seals/UCP, and Amanda Hurlburt, Spainhour Site Manager regarding their operations, financial condition and terms for a lease agreement. Mr. Germann has indicated that due to their budgetary constraints, additional costs incurred by Easter Seals/UCP would probably create financial difficulties, and likely result in a reduction of services in our community. A review of their financial data reflects an uncertain trend from year-to-year that widely varies from end-of-year shortfalls to break-even to surplus. Mr. Germann indicates that Easter Seals UCP North Carolina & Virginia, Inc. and Affiliate have had to take on some debt in order to help sustain their operations.

CONSIDERATIONS:

In considering reasonable lease terms for the Easter Seals UCP to continue operations in the Spainhour facility, the following should be taken into account:

- Community impact; critical nature and lack of alternative resources for this specialized service.
- Services were previously under the umbrella of Cumberland County.
- Spainhour facility has been generally maintained in a structurally sound condition.

DRAFT

- Over the past 5 years, Easter Seals UCP has spent an average of over \$37,000 annually for utilities and maintenance; recently covered \$13,000 cost of replacing an aging HVAC unit.
- Easter Seals UCP's financial condition.

RECOMMENDATION

Consider whether to extend a 3-year agreement with the Easter Seals UCP to remain in the Dorothy Spainhour Center located at 223 Hull Road with the following requirements:

- Continue the same developmental day programs and services currently provided; Cumberland County must receive 30 days advance notice of changes in services.
- Maintain responsibility for utility costs and ongoing maintenance of the facility to the County's standard; this includes building and grounds; HVAC, plumbing, electrical and telephone systems; parking area, playground and fencing. Any replacement of mechanical equipment or proposed renovation must be coordinated through the County for approval.
- Provide annual financial statements.
- Be subject to periodic facility inspections conducted by the County; and correct any noted deficiencies within a reasonable timeframe.
- Payment of an annual \$1 lease rate.

James Lawson, Deputy County Manager, reviewed the background information and recommendation as recorded above. Mr. Lawson introduced Mr. Mark Germann and Amanda Hurlburt from Easter Seals UCP. Mr. Lawson stated he feels Easter Seals provides a substantial public benefit to this community.

MOTION: Commissioner Lancaster moved to recommend to the full board approval to extend a 3-year agreement with Easter Seals UCP to remain in the Dorothy Spainhour Center located at 223 Hull Road along with the requirements listed in the recommendation above.

SECOND: Commissioner Adams

DISCUSSION:

Commissioner Adams stated he would like the public to know the value of this lease because this is a benefit to this community.

VOTE: UNANIMOUS (3-0)

3. CONSIDERATION OF PROFESSIONAL SERVICES AGREEMENT WITH MCGILL ASSOCIATES FOR BRAGG ESTATES SEWER PROJECT

BACKGROUND:

The Bragg Estates Water and Sewer (BEWS) District has received notification from the USDA Rural Development of their intent to fund the installation of sewer within the District. The application may be completed on the basis of a Rural Utilities Service

DRAFT

(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. The next step in moving forward with the application is to hire an engineer for the design, bidding and construction oversight of the wastewater collection system. A Request for Qualifications (RFQ) for Engineering Services for the Bragg Estates Sewer Project was sent out to engineering firms in December 2014, with responses received on January 9, 2015. A selection committee was formed and tasked with evaluating the Qualification Statements submitted by the engineering firms responding to the RFQ. An evaluation matrix was used to evaluate the written qualification statements and a numerical score was assigned to each engineering firm. McGill Associates was selected by the committee to complete the design, bidding and construction oversight for the BEWS District.

RECOMMENDATION/PROPOSED ACTION:

The Engineering and Infrastructure Director and County Management recommend that the Facilities Committee approve the Professional Services Agreement with McGill Associates and place it on the agendas of the June 15, 2015 Board of Commissioners and Bragg Estates Water and Sewer District meetings for approval.

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

Mr. Brown stated last year the County was awarded a significant grant in addition to a loan amount to fund the installation of a sewer project in an area just north of Spring Lake that has failing septic systems. Mr. Brown stated a part of this process is to acquire the services of an engineer to design and administer construction for the project. Mr. Brown stated the County issued a Request for Qualifications for Engineering Services and received proposals back from several firms. Mr. Brown further stated the County has compiled a team that evaluated the responses that were received and a firm has been selected. Mr. Brown stated the next step in the process is to move forward with a contract with the most qualified firm.

Mr. Brown stated the recommendation to the Facilities Committee is to approve a professional service agreement with McGill Associates and place on the June 15, 2015 Board of Commissioners agenda and the Bragg Estates Water and Sewer District agenda for approval.

MOTION: Commissioner Keefe moved to recommend to the full board approval of the Professional Services Agreement with McGill Associates and place it on the agendas of the June 15, 2015, Board of Commissioners and Bragg Estates Water and Sewer District meetings.

SECOND: Commissioner Lancaster

VOTE: UNANIMOUS (3-0)

DRAFT

4. CONSIDERATION OF PUBLIC UTILITIES POLICY REGARDING DELINQUENT ACCOUNT COLLECTIONS

BACKGROUND:

The purpose of the Delinquent Account Policy is to set forth uniform collection actions for all of the Cumberland County Water and Sewer Districts. The policy establishes the steps that will be taken should an account become delinquent. The policy will be for all existing and future Water and Sewer Districts created by Cumberland County Board of Commissioners.

RECOMMENDATION/PROPOSED ACTION:

The Engineering and Infrastructure Director and County Management recommend that the Facilities Committee approve the Delinquent Account Policy and place it on the agenda of the June 15, 2015 Board of Commissioners meeting for approval.

Cumberland County Public Utilities Division Delinquent Account Policy

The Public Utilities Division will take the following steps to collect past due payments from the customers:

Water Customers and Sewer Customers with Elder Valves

1. Send a cutoff notice (certified and regular mail) informing the customer that payment needs to be paid by 5:00 PM the day prior to the cutoff date stated on the notice. In addition, the customer will receive a door hanger at the service address on the day prior to the cutoff date stated on the notice.
2. If no payment is made, the customer will then be disconnected from the service. Service will not be restored until all outstanding bills and charges are paid, and all service or reconnection charges are paid in accordance with the rate currently in effect and approved by the Board of Commissioners of Cumberland County.
3. For sewer customers, the Environmental Health Division of the Cumberland County Health Department will be notified that sewer service has been disconnected which in turn may render the residence uninhabitable.
4. Accounts delinquent over 90 days and in excess of \$50.00 will be submitted to the NC Debt Set-Off program, which will allow the County to retrieve monies owed through income tax returns and lottery winnings.
5. Accounts delinquent in excess of \$200 will then be sent to Small Claims Court to seek judgment against the customer.
6. Any returning customer with a previous debt and who is legally responsible shall be required to pay the debt before being allowed to sign up for a new service.

Sewer Customers without Elder Valves

1. Send a cutoff notice (certified and regular mail) informing the customer that payment needs to be paid by 5:00 p.m. the day prior to the cutoff date stated on

DRAFT

- the notice. In addition, the customer will receive a door hanger at the service address on the day prior to the cutoff date stated on the notice.
2. If no payment is made, Public Utilities staff will then place a work order to have an elder valve installed to disconnect the service. Service will not be restored until all outstanding bills and charges are paid, and all service or reconnection charges are paid in accordance with the rate currently in effect and approved by the Board of Commissioners of Cumberland County.
 3. The Environmental Health Division of the Cumberland County Health Department will be notified that sewer service has been disconnected which in turn may render the residence uninhabitable.
 4. Accounts delinquent over 90 days and in excess of \$50.00 will be submitted to the NC Debt Set-Off program, which will allow the County to retrieve monies owed through income tax returns and lottery winnings.
 5. Accounts delinquent in excess of \$200 will then be sent to Small Claims Court to seek judgment against the customer.
 6. Any returning customer with a previous debt and who is legally responsible shall be required to pay the debt before being allowed to sign up for a new service.

Customers Not Connected and Only Paying Availability Fee

1. Accounts delinquent over 90 days and in excess of \$50.00 will be submitted to the NC Debt Set-Off program, which will allow the County to retrieve monies owed through income tax returns and lottery winnings.
2. Accounts delinquent in excess of \$200 will then be sent to Small Claims Court to seek judgment against the customer.
3. Any returning customer with a previous debt and who is legally responsible shall be required to pay the debt before being allowed to sign up for a new service.

Mr. Brown reviewed the background information and recommendation as recorded above. Mr. Brown stated during the May Facilities Committee meeting Kelly Hills rate structure item discussion there was a suggestion for a written internal policy on how to deal with delinquent accounts. Mr. Brown stated Amy Hall developed a Public Utilities Division Delinquent Account Policy that will allow the County to specify which path the County can take to collect on accounts if customers are not paying their bills.

Commissioner Adams stated he feels sending certified mail, regular mail and putting a door hanger on the customers door will be too much work for the small staff in the Public Utilities Department. Mr. Brown stated he feels it would give customers one last opportunity to become current on their bill and he does not anticipate a large number of customers becoming delinquent. Commissioner Keefe stated he does not feel the letter needs to be sent by certified mail.

MOTION: Commissioner Keefe moved to recommend to the full board approval of the Delinquent Account Policy and removing the need for certified mail to delinquent customers.

DRAFT

SECOND: Commissioner Lancaster
VOTE: UNANIMOUS (3-0)

5. DISCUSSION OF CIP ITEMS ASSOCIATED WITH CROWN COLISEUM COMPLEX

BACKGROUND:

In consultation with Heery International, PC, staff has recently identified a number of basic maintenance and repair items associated with the Crown Coliseum Complex that should be included in the Capital Improvement Projects Plan. Addressing these items in a timely manner is viewed as taking a proactive step towards handling various compliance issues which have been recently identified. Many of these items can be addressed utilizing in-house labor while some items may have to be contracted. County staff will be utilized where possible to complete the work that needs to be done. In all, the total cost of completing the repair items is not expected to exceed \$74,500.

Along these lines, staff wishes to make the Facilities Committee aware of two individuals employed by the County that have responsibility for ADA-related concerns. John Holmes with the Human Resources Department handles the processing of ADA-related grievances involving Cumberland County while Jeffrey Brown, Engineering and Infrastructure Director, is charged with reviewing any ADA issues involving County facilities.

RECOMMENDATION/PROPOSED ACTION:

Staff recommends including the repair items and associated costs as part of the Capital Improvement Projects Plan so that work can begin without delay.

Tracy Jackson, Assistant County Manager, reviewed the background information and recommendation as recorded above.

Ms. Cannon stated the repair items will be included in the FY 2016 budget for the Crown Coliseum. Ms. Cannon stated the County will do as much as possible in-house.

MOTION: Commissioner Lancaster moved to recommend to the full board approval of the recommended repairs and associated costs as part of the Capital Improvement Projects Plan so that work can begin without delay.

SECOND: Commissioner Keefe
VOTE: UNANIMOUS (3-0)

6. REVIEW OF COURTHOUSE SPACE UTILIZATION LAYOUT

BACKGROUND:

DRAFT

At the conclusion of the Facilities Committee in May, Chairman Adams asked if the County had an existing layout of the Courthouse indicating how the space was being utilized on each floor. It was communicated that the County had space allocation layouts on some of the floors but that they needed to be updated and that it would take some time to compile the information for the floors that were missing. This space utilization layout of each floor will be completed early next week in time to be presented during the Facilities Committee meeting scheduled for June 4, 2015.

RECOMMENDATION:

The Facilities Committee is not being asked to take action. The purpose of this item was to inform the Facilities Committee as to how space within the Courthouse is currently being utilized.

Mr. Brown reviewed the background information and recommendation as recorded above. Commissioner Adams stated between all the different agencies that are housed in the courthouse he felt it was important to have a current layout to see what space is being occupied and if any space is available at this time.

Commissioner Edge asked if the Law Library on the 3rd floor is used and still needed. Mr. Brown stated the Law Library was recently made smaller when the waiting room for SafeLink was created and he does feel it is still being used and needed. Commissioner Adams stated he feels it is an asset to have in the Courthouse. Commissioner Keefe stated he feels most of the books in the Law Library need to be updated. Commissioner Keefe asked Mr. Brown to track the number of people using the Law Library. Mr. Moorefield stated the Law Library is actually designated by the legislature as the Cumberland County Courthouse Library with a funding mechanism associated with it so if the commissioners want to do something different it would need to be done in conjunction with the statute. Mr. Brown stated when the renovations were made to the Law Library he worked with library staff and the Cumberland County Lawyers Association to identify which books were not utilized and current and they were disposed properly.

Commissioner Adams stated he sees four spaces on the 3rd floor for Clerk's Office storage and there is one storage space on the 2nd floor. Commissioner Adams asked Mr. Brown to possibly talk to the Clerk about getting a bigger location and putting all of the small storage areas in one location.

No action taken.

7. CONSIDERATION OF DISPOSITION OF THE WELLS HOUSE

BACKGROUND:

During the March 5, 2015 Budget Work Session, it was recommended to the Board of Commissioners that the Wells House located at 111 Bradford Avenue be considered for

DRAFT

demolition based on the facility's current condition and utilize the vacant space to expand the existing paved parking lot that serves 109 Bradford Avenue. Funding has been included in the FY 2016 budget for demolition. To demolish the structure the following steps along with the projected timeframes will have to be taken.

Complete Asbestos Survey on the Structure	30 days
Advertise and Award Demolition Project	45 days
Complete Demolition	30 days
Survey, Design, and Permit Parking Lot Area	60 days
Advertise and Award Construction Project	45 days
Complete Construction Project	45 days

If approved, the Engineering & Infrastructure Department would anticipate beginning this process in July 2015.

RECOMMENDATION:

The Engineering and Infrastructure Director and County Management recommend that the Facilities Committee approve the demolition of the Wells House based upon the above schedule, to utilize the vacant space for the expansion of the existing paved parking for 109 Bradford Avenue and place it on the agenda of the June 15, 2015 Board of Commissioners meeting for approval.

Mr. Brown reviewed the background information and recommendation as recorded above. Mr. Brown stated the parking at 109 Bradford Ave is currently very tight if the Facilities Committee moves forward with the demolition of the Wells House the vacant area will be utilized for an expanded parking lot.

Commissioner Keefe asked if there is any historical salvage to the Wells House. Mr. Brown stated he would look into any historical salvage before the demolition. Commissioner Council asked Mr. Brown to have Bobby Howard look through the Wells House for any salvage or value.

MOTION: Commissioner Lancaster moved to recommend to the full board approval of the demolition of the Wells House based upon the schedule recorded above, to utilize the vacant space for the expansion of the existing paved parking for 109 Bradford Avenue.

SECOND: Commissioner Keefe

VOTE: UNANIMOUS (3-0)

8. UPDATE ON OFFER OF LAMAR COMPANIES TO LEASE OR PURCHASE SITES OF EXISTING BILLBOARDS

BACKGROUND

DRAFT

At its May meeting the Facilities Committee expressed interest in simply licensing both parcels on which the Lamar billboards are located instead of selling the triangular portion in the intersection of Ramsey Street and the MLK Expressway.

RECOMMENDATION/PROPOSED ACTION

The county attorney requests that the Facilities Committee consider whether a license agreement for the use of these parcels is its preference, as opposed to the option of selling subdividing and selling the parcel that is separated from the DSS campus by the railroad tracks.

Rick Moorefield, County Attorney, reviewed the background information and recommendation recorded above. Mr. Moorefield stated if the County is going to continue a non-sale situation with Lamar billboards it is Mr. Moorefield's preference to establish with a license agreement as opposed to a lease because it gives the County more flexibility.

MOTION: Commissioner Keefe moved to recommend to the full board approval of a license agreement for the use of both parcels on which the Lamar billboards are located on Ramsey Street and the MLK Expressway.

SECOND: Commissioner Lancaster

VOTE: UNANIMOUS (3-0)

9. OTHER ITEMS OF BUSINESS

Mr. Lawson stated Alliance Behavioral Healthcare has provided notice to vacate the Winding Creek facility. Mr. Lawson further stated the Alliance has asked the County to give them an extension on the current lease which expires at the end of June 2015. Mr. Lawson stated the Alliance projects they will be out of the Winding Creek facility by the first of January 2016. Mr. Moorefield suggested the amendment be extended to a month to month lease once the current lease expires in June 2015. Commissioner Edge stated once the Alliance Behavioral Healthcare vacates the Winding Creek facility it will give the County the opportunity to utilize the building for some other reason or sell it.

MOTION: Commissioner Lancaster moved to recommend to the full board approval of an amendment to the Alliance Behavioral Healthcare lease to convert to a month to month lease once the current lease expires in June 2015 with the same terms.

SECOND: Commissioner Keefe

VOTE: UNANIMOUS (3-0)

No other items of business.

MEETING ADJOURNED AT 9:31 AM.

AMY H. CANNON
County Manager

JAMES E. LAWSON
Deputy County Manager



MELISSA C. CARDINALI
Assistant County Manager

W. TRACY JACKSON
Assistant County Manager


CUMBERLAND
★ COUNTY ★
NORTH CAROLINA

ITEM NO. 3 I (1)

OFFICE OF THE COUNTY MANAGER

MEMORANDUM FOR BOARD OF COMMISSIONERS AGENDA OF JUNE 15, 2015

TO: BOARD OF COUNTY COMMISSIONERS

FROM: JAMES LAWSON, DEPUTY COUNTY MANAGER 

DATE: JUNE 10, 2015

SUBJECT: CONSIDERATION OF LEASE TERMS FOR SPAINHOUR FACILITY

BACKGROUND

During the March 5, 2015 Special Meeting of the Board of Commissioners, an update was provided regarding the Dorothy Spainhour facility located at 223 Hull Road. Easter Seals United Cerebral Palsy (UCP) is a nonprofit agency currently housed in the 12,310 square foot building. They provide children's educational and therapeutic day services in a developmentally appropriate environment for infants, toddlers and preschoolers requiring specialized care, including autistic clients. These services are unique and unavailable elsewhere in the region.

These services are similar to those provided by the former Cumberland County Mental Health Local Management Entity (LME) until 2004 when the LME divested of this service. At that time, the LME established an agreement with Easter Seals UCP to utilize the Spainhour facility for the specific and sole purpose of continuing developmental day services for children, with the understanding that Easter Seals UCP would pay utility costs and provide ongoing maintenance for the building. Under this arrangement, they have been able to sustain this critical service within a limited budget.

Easter Seals UCP continues to be the only certified developmental day center in our region. The Spainhour Center is also the largest Easter Seals Center in North Carolina, with a staff of 30 serving up to 92 enrollees, including approximately 30 referrals from the Cumberland County School System. They are also the only agency providing year-round, full-day child care, before and after school, including the Summer. They fill a gap in our community by supplementing childcare needs for the Partnership for Children, and clients who are no longer eligible for DSS childcare subsidies.

Tracy Jackson and I have been in discussions with Mr. Mark Germann, Community Director for Easter Seals/UCP, and Amanda Hurlburt, Spainhour Site Manager regarding their operations, financial condition and terms for a lease agreement. Mr. Germann has indicated that due to their budgetary constraints, additional costs incurred by Easter Seals/UCP would probably create financial difficulties, and likely result in a reduction of their services in our community. A review of their financial data reflects an uncertain trend from year-to-year that widely varies from end-of-year shortfalls to break-even to surplus. Mr. Germann indicates that Easter Seals UCP North Carolina & Virginia, Inc. and Affiliate have had to take on some debt in order to help sustain their operations.

CONSIDERATIONS

In considering reasonable lease terms for the Easter Seals UCP to continue operations in the Spainhour facility, the following should be taken into account:

- Community impact; critical nature and lack of alternative resources for this specialized service.
- Services were previously under the umbrella of Cumberland County.
- Spainhour facility has been generally maintained in a structurally sound condition.
- Over the past 5 years, Easter Seals UCP has spent an average of over \$37,000 annually for utilities and maintenance; recently covered \$13,000 cost of replacing an aging HVAC unit.
- Easter Seals UCP's financial condition.

On June 4, 2015, the Facilities Committee approved a recommendation to extend a 3-year agreement with the Easter Seals UCP to remain in the Dorothy Spainhour Center with the following stipulations:

- Continue the same developmental day programs and services currently provided; Cumberland County must receive 30 days advance notice of changes in services.
- Maintain responsibility for utility costs and ongoing maintenance of the facility to the County's standard; this includes building and grounds; HVAC, plumbing, electrical and telephone systems; parking area, playground and fencing. Any replacement of mechanical equipment or proposed renovation must be coordinated through the County for approval.
- Provide annual financial statements
- Be subject to periodic facility inspections conducted by the County; and correct any noted deficiencies within a reasonable timeframe.
- Payment of an annual \$1 lease rate.

RECOMMENDATION/PROPOSED ACTION:

Consider whether to approve the Facilities Committee's recommendation.

cc: County Management Team
Rick Moorefield, County Attorney
Vicki Evans, Finance Director
Jeffery Brown, Engineering and Infrastructure Director



ITEM NO. 3I(2)

CUMBERLAND
★ **COUNTY** ★
NORTH CAROLINA

ENGINEERING & INFRASTRUCTURE DEPARTMENT

Engineering Division · Facilities Management Division · Landscaping & Grounds Division · Public Utilities Division

MEMORANDUM FOR BRAGG ESTATES WATER AND SEWER DISTRICT GOVERNING BOARD AGENDA OF JUNE 15, 2015

TO: BRAGG ESTATES WATER & SEWER DISTRICT GOVERNING BOARD

FROM: JEFFERY P. BROWN, ENGINEERING & INFRASTRUCTURE DIRECTOR

THROUGH: AMY H. CANNON, COUNTY MANAGER

DATE: JUNE 5, 2015

SUBJECT: APPROVAL OF PROFESSIONAL SERVICES AGREEMENT WITH MCGILL ASSOCIATES FOR BRAGG ESTATES WATER AND SEWER PROJECT

BACKGROUND:

The Bragg Estates Water and Sewer (BEWS) District has received notification from the USDA Rural Development of their intent to fund the installation of sewer within the 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. The next step in moving forward with the application is to hire an engineer for the design, bidding and construction oversight of the wastewater collection system. A Request for Qualifications (RFQ) for Engineering Services for the Bragg Estates Sewer Project was sent out to engineering firms in December 2014, with responses received on January 9, 2015. A selection committee was formed and tasked with evaluating the Qualification Statements submitted by the engineering firms responding to the RFQ. An evaluation matrix was used to evaluate the written qualification statements and a numerical score was assigned to each engineering firm. McGill Associates was selected by the committee to complete the design, bidding and construction oversight for the BEWS District.

This was presented to the Facilities Committee on June 4th.

RECOMMENDATION/PROPOSED ACTION:

The Engineering and Infrastructure Director, County Management and the Facilities Committee recommend that the Bragg Estates Water Sewer District Governing Board approve the Professional Services Agreement with McGill Associates in the amount of \$210,000.



ITEM NO. 3I(3)

CUMBERLAND
COUNTY
NORTH CAROLINA

ENGINEERING & INFRASTRUCTURE DEPARTMENT

Engineering Division · Facilities Management Division · Landscaping & Grounds Division · Public Utilities Division

MEMORANDUM FOR BOARD OF COMMISSIONERS AGENDA OF JUNE 15, 2015

TO: BOARD OF COUNTY COMMISSIONERS

FROM: JEFFERY P. BROWN, ENGINEERING & INFRASTRUCTURE DIRECTOR

THROUGH: AMY H. CANNON, COUNTY MANAGER *AHC*

DATE: JUNE 5, 2015

SUBJECT: CONSIDERATION OF ADOPTION OF THE PUBLIC UTILITIES POLICY REGARDING DELINQUENT ACCOUNT COLLECTIONS

BACKGROUND

The purpose of the Delinquent Account Policy is to set forth uniform collection actions for all of the Cumberland County Water and Sewer Districts. The policy establishes the steps that will be taken should an account become delinquent. The policy will be for all existing and future Water and Sewer Districts created by Cumberland County Board of Commissioners.

This was presented to the Facilities Committee on June 4th and the Committee approved the policy as presented with one modification. The Committee removed the requirement to send written notification by certified mail.

RECOMMENDATION

The Engineering and Infrastructure Director, County Management and the Facilities Committee recommend that the Board of Commissioners approve the Delinquent Account Policy with the changes approved by the Facilities Committee as shown on the attached policy.

Cumberland County Public Utilities Division Delinquent Account Policy

The Public Utilities Division will take the following steps to collect past due payments from the customers:

Water Customers and Sewer Customers with Elder Valves

1. Send a cutoff notice (regular mail) informing the customer that payment needs to be paid by 5:00 PM the day prior to the cutoff date stated on the notice. In addition, the customer will receive a door hanger at the service address on the day prior to the cutoff date stated on the notice.
2. If no payment is made, the customer will then be disconnected from the service. Service will not be restored until all outstanding bills and charges are paid, and all service or reconnection charges are paid in accordance with the rate currently in effect and approved by the Board of Commissioners of Cumberland County.
3. For sewer customers, the Environmental Health Division of the Cumberland County Health Department will be notified that sewer service has been disconnected which in turn may render the residence uninhabitable.
4. Accounts delinquent over 90 days and in excess of \$50.00 will be submitted to the NC Debt Set-Off program, which will allow the County to retrieve monies owed through income tax returns and lottery winnings.
5. Accounts delinquent in excess of \$200 will then be sent to Small Claims Court to seek judgment against the customer.
6. Any returning customer with a previous debt and who is legally responsible shall be required to pay the debt before being allowed to sign up for a new service.

Sewer Customers without Elder Valves

1. Send a cutoff notice (regular mail) informing the customer that payment needs to be paid by 5:00 PM the day prior to the cutoff date stated on the notice. In addition, the customer will receive a door hanger at the service address on the day prior to the cutoff date stated on the notice.
2. If no payment is made, Public Utilities staff will then place a work order to have an elder valve installed to disconnect the service. Service will not be restored until all outstanding bills and charges are paid, and all service or reconnection charges are paid in accordance with the rate currently in effect and approved by the Board of Commissioners of Cumberland County.

Cumberland County Public Utilities Division Delinquent Account Policy

3. The Environmental Health Division of the Cumberland County Health Department will be notified that sewer service has been disconnected which in turn may render the residence uninhabitable.
4. Accounts delinquent over 90 days and in excess of \$50.00 will be submitted to the NC Debt Set-Off program, which will allow the County to retrieve monies owed through income tax returns and lottery winnings.
5. Accounts delinquent in excess of \$200 will then be sent to Small Claims Court to seek judgment against the customer.
6. Any returning customer with a previous debt and who is legally responsible shall be required to pay the debt before being allowed to sign up for a new service.

Customers Not Connected and Only Paying Availability Fee

1. Accounts delinquent over 90 days and in excess of \$50.00 will be submitted to the NC Debt Set-Off program, which will allow the County to retrieve monies owed through income tax returns and lottery winnings.
2. Accounts delinquent in excess of \$200 will then be sent to Small Claims Court to seek judgment against the customer.
3. Any returning customer with a previous debt and who is legally responsible shall be required to pay the debt before being allowed to sign up for a new service.



ITEM NO. 3 I(4)

CUMBERLAND
★ **COUNTY** ★
NORTH CAROLINA

ENGINEERING & INFRASTRUCTURE DEPARTMENT

Engineering Division · Facilities Management Division · Landscaping & Grounds Division · Public Utilities Division

MEMORANDUM FOR BOARD OF COMMISSIONERS AGENDA OF JUNE 15, 2015

TO: BOARD OF COUNTY COMMISSIONERS
FROM: JEFFERY P. BROWN, PE, ENGINEERING & INFRASTRUCTURE DIRECTOR
THROUGH: AMY H. CANNON, COUNTY MANAGER *AKC*
DATE: JUNE 5, 2015
SUBJECT: CONSIDERATION OF DISPOSITION OF THE WELLS HOUSE

BACKGROUND:

During the March 5th Budget Work Session, it was recommended to the Board of Commissioners that the Wells House located at 111 Bradford Avenue be considered for demolition based on the facility's current condition and utilize the vacant space to expand the existing paved parking lot that serves 109 Bradford Avenue. Funding has been included in the FY16 budget for demolition. To demolish the structure the following steps along with the projected timeframes will have to be taken.

Complete Asbestos Survey on the Structure	30 days
Advertise and Award Demolition Project	45 days
Complete Demolition	30 days
Survey, Design and Permit Parking Lot Area	60 days
Advertise and Award Construction Project	45 days
Complete Construction Project	45 days

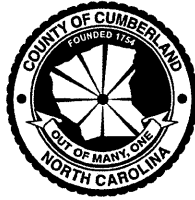
If approved, the Engineering & Infrastructure Department would anticipate beginning this process in July 2015.

This was presented to the Facilities Committee on June 4th.

RECOMMENDATION/PROPOSED ACTION:

The Engineering and Infrastructure Director, County Management and the Facilities Committee recommend that the Board of Commissioners approve the demolition of the Wells House based on the above schedule and to utilize the vacant space for the expansion of the existing paved parking for 109 Bradford Avenue.

RICKEY L. MOOREFIELD
County Attorney



ITEM NO. _____

3 I (5)

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 JUNE 15, 2015,
MEETING OF THE BOARD OF COMMISSIONERS**

TO: Board of Commissioners; Co. Manager; Jeffrey Brown; Doug Noble (for the Lamar Companies)
FROM: Co. Atty. *R. Moorefield*
DATE: June 9, 2015
SUBJECT: Update on Offer of Lamar Companies to Lease or Purchase Sites of Existing Billboards

Attachments: Draft of License Agreement

BACKGROUND:

The Lamar Companies have two billboards on county properties adjacent to the DSS/Public Health complex. One is located on a triangular shaped parcel fronting on the Martin Luther King, Jr., Freeway (the "MLK site.") The other is located on a triangular shaped portion of the DSS property, separated by the railroad tracks and fronting Ramsey Street (the "Ramsey site.")

The MLK site is a separate parcel lying between the MLK Freeway and the southern-most Hillsboro Street entrance to the DSS parking lot. The tax mapping office calculates this parcel to contain 2.66 acres west of the railroad tracks with an additional 3/1000ths of an acre east of the tracks. Lamar has maintained a static billboard on this site pursuant to a purported ten-year lease with the county dated April 22, 2005. Lamar wishes to continue to lease the MLK Freeway site with a rent increase to \$3,000 annually for a nine year lease term. The county attorney is recommending that the transaction be structured as a license to use the property with a termination clause by which either party can terminate the license upon six months' notice and with the license fee to be renegotiated every three years.

The Ramsey site is the portion of the parcel occupied by the DSS building lying on the eastern side of the railroad tracks and fronting Ramsey Street. The tax mapping office calculates this portion to contain 1.26 acres. Lamar maintained a static billboard on this site pursuant to a purported ten year lease dated September 14, 2006, which converted to a year to year lease at the end of the term. It is not apparent in the purported lease when the original term commenced. This purported lease was amended on September 24, 2008, to extend it from January 1, 2016, to December 31, 2018, because the billboard was changed to digital. The annual rent for the original lease term has remained \$500. The county acquired this parcel in 1994 as part of the purchase of 25.72 acres for the DSS/Public Health complex. This parcel is listed in the tax records as commercially zoned property at a value of \$0.85 per square foot, or \$46,653 for the

1.26 acres. Lamar has offered to purchase this parcel for \$65,000 or to lease it for 9 years beginning January 1, 2016, for annual rent of \$5,000.

At its June meeting the Facilities Committee recommended that both sites be licensed to Lamar for continued billboard use. A draft license agreement for both parcels is attached.

RECOMMENDATION/PROPOSED ACTION:

The county attorney requests that the Board of Commissioners to consider the Facilities Committee's recommendation.

LICENSE AGREEMENT

THIS LICENSE AGREEMENT is hereby made and entered into this _____ day of _____, 2015, by and between THE COUNTY OF CUMBERLAND, (hereinafter referred to as the "LICENSOR," and THE LAMAR COMPANIES, a _____ corporation authorized to conduct business in North Carolina (hereinafter referred to as the "LICENSEE").

W I T N E S S E T H;

WHEREAS, LICENSOR is the fee simple owner of certain real property located in Cumberland County, North Carolina, as more particularly identified in Exhibit "A", attached hereto and by reference made a part hereof; and

WHEREAS, LICENSEE desires to use a portion of LICENSOR's property for the purpose of maintaining a (static)(digital) billboard which is owned by LICENSEE and has been located on this property for a number of years; and

WHEREAS, LICENSOR agrees to grant, and LICENSEE agrees to accept, a LICENSE for the aforementioned purpose.

NOW, THEREFORE, for and in consideration of the terms, conditions and mutual covenants contained herein and other good and valuable consideration received by each party, the sufficiency of which are hereby acknowledged, LICENSOR and LICENSEE hereby agree as follows:

1. LICENSOR hereby grants LICENSEE, its agents, servants and assigns the right, privilege and license to use the property described in Exhibit "A" (License Area) to inspect, alter, improve, maintain, and repair the (static)(digital) billboard advertising sign located thereon; and attain ingress and egress to and upon said License Area for the purpose of exercising the rights, privileges and license granted herein.
2. This License is granted for a term not to exceed ten (10) years commencing on _____ and shall continue in full force and effect thereafter until terminated by LICENSOR or LICENSEE upon six (6) months written notice.
3. LICENSEE shall pay LICENSOR an annual License Fee to be paid in advance each year by the anniversary date of the License Term. The initial License Fee shall be _____. The License Fee shall be renegotiated every three years with such renegotiated License Fee to take effect on the fourth and eighth year's anniversary date of the License Term.
4. LICENSOR retains the right to use the License Area in any manner not inconsistent with the rights herein granted to LICENSEE provided, however, that the LICENSOR shall not disturb the billboard in any way without prior approval by the LICENSEE.

5. The LICENSEE expressly acknowledges and accepts its responsibility under applicable North Carolina law for loss, damage, or injury to persons or property, arising out of or resulting from the authorized use of the License Area, unless, however, such claim or demand shall arise out of or result from the negligence or willful misconduct of LICENSOR, its servants, agents, employees, or assigns.
6. Neither LICENSOR nor LICENSEE shall have any responsibility to each other in the event of any damage to or theft of any equipment or property of the other party except if caused by the gross negligence or willful misconduct of such party, and the party incurring such loss shall look to its own insurance coverage, if any, for recovery in the event of any such damage, loss or theft.
7. LICENSEE agrees that any and all work performed in the License Area and in association with the purposes of this License shall be done in a good, safe, workmanlike manner and in accordance with applicable federal, state, and local statutes, rules, regulations and ordinances.
8. In the event LICENSEE shall not make any alterations to the License Area without the prior written consent of LICENSOR, which consent shall not be unreasonably withheld. LICENSOR may refuse to allow any such alteration if in LICENSOR'S judgment such alteration would adversely affect LICENSOR'S use of the License Area or its adjoining property.
9. LICENSEE'S failure to pay the annual License Fee, or comply with any other provision of this License shall constitute default. In the event LICENSEE fails to cure any such default within a reasonable period of receiving written notice of such default from LICENSOR, then LICENSOR shall have the right to terminate the License herein granted with respect to the applicable License Area and pursue any other remedies available at law or in equity.
10. Upon termination of this License Agreement, LICENSEE shall, within a reasonable time and at LICENSEE's sole cost and expense, remove the billboard and all equipment, accessories, and materials owned by LICENSEE from the License Area and restore said License Area as nearly as practicable to its condition prior to the granting of the License.
11. The License Area is of such configuration and is not of such size as to justify, in the opinion of the parties, entering into a formal lease and/or sublease covering the License Area. The parties have therefore entered into this License Agreement which, the parties recognize, is not dispositive of all matters and issues that may arise during the License period with respect to the License Area. As and when issues and matters arise during the course of the License Period that are not definitively controlled by the provisions of this License Agreement, the parties shall act reasonably and in good faith endeavor to adjust and resolve such issues and matters.
12. This License Agreement shall be governed by and construed in accordance with the laws of North Carolina.

13. LICENSEE acknowledges that LICENSOR has made no warranty nor given any assurance to LICENSEE as to the suitability of the License Area for LICENSEE'S purposes.

IN WITNESS WHEREOF, the undersigned parties have executed this License Agreement on the day and year first above written.

LICENSOR: CUMBERLAND COUNTY

By:

Amy H. Cannon, County Manager

Attest:

Candice White, Clerk to the Board

LICENSEE: THE LAMAR COMPANIES

By:

Printed Name: _____

Title: _____

Attest:

Printed Name: _____

Title: _____

AMY H. CANNON
County Manager

JAMES E. LAWSON
Deputy County Manager



MELISSA C. CARDINALI
Assistant County Manager

W. TRACY JACKSON
Assistant County Manager



ITEM NO. 35(1-3)

OFFICE OF THE COUNTY MANAGER

MEMORANDUM FOR BOARD OF COMMISSIONERS AGENDA OF JUNE 15, 2015

TO: BOARD OF COUNTY COMMISSIONERS
FROM: AMY H. CANNON, COUNTY MANAGER *AKC*
DATE: JUNE 10, 2015
SUBJECT: APPROVAL OF THE CUMBERLAND COUNTY FINANCE COMMITTEE REPORT AND RECOMMENDATIONS

BACKGROUND

The Cumberland County Finance Committee met on Thursday, June 4, 2015 and discussed the following agenda:

- 1) Internal Audit and Finance/Audit Committee Charters
- 2) Budget Revisions for the Incurred But Not Reported (IBNR) Year End Entry
- 3) Funding Agreements with Alliance Behavioral Healthcare

Separate memos for these items are attached and the draft minutes of the Cumberland County Finance Committee are attached for your convenience.

RECOMMENDATION/PROPOSED ACTION

Accept the Cumberland County Finance Committee report and recommendations.

/ct

Attachments

CM061015-3

DRAFT

CUMBERLAND COUNTY FINANCE COMMITTEE
COURTHOUSE, 117 DICK STREET, 5TH FLOOR, ROOM 564
JUNE 4, 2015 - 9:30 AM
MINUTES

MEMBERS PRESENT: Commissioner Marshall Faircloth, Chairman
Commissioner Jeannette Council
Commissioner Larry Lancaster

OTHER COMMISSIONERS

PRESENT: Commissioner Glenn Adams (departed 10:15 a.m.)
Commissioner Kenneth Edge
Commissioner Charles Evans (arrived 10:08 a.m.)

OTHERS:

Amy Cannon, County Manager
James Lawson, Deputy County Manager
Tracy Jackson, Assistant County Manager
Rick Moorefield, County Attorney
Vicki Evans, Finance Director
Tammy Gillis, Director of Internal Audit and Wellness
Sally Shutt, Governmental Affairs Officer
Rob Robinson, Alliance Behavioral Healthcare CEO
Kelly Goodfellow, Alliance Behavioral Healthcare CFO
Candice White, Clerk to the Board
Press

Commissioner Faircloth called the meeting to order.

1. APPROVAL OF MINUTES – MAY 7 , 2015 REGULAR MEETING

MOTION: Commissioner Lancaster moved to approve the May 7, 2015 meeting minutes.
SECOND: Commissioner Council
VOTE: UNANIMOUS (3-0)

2. CONSIDERATION OF INTERNAL AUDIT AND FINANCE/AUDIT COMMITTEE CHARTERS

BACKGROUND:

At the April 2, 2015 Finance Committee meeting, recent changes to the Generally Accepted Auditing Standards (GAAS) and their implications were discussed. In summary of that meeting, the County is no longer allowed to provide assistance to the external auditor by using County internal audit staff unless structure changes are made within the County.

DRAFT

The heart of the changes needed is designed to insure the internal audit staff maintain independence and objectivity and are free from interference by any element in the organization. To further insure this change, the internal audit staff should have direct access to the governing body. In this case the Finance Committee of the Board of Commissioners is asked to oversee the system of internal audit.

While the internal auditor has historically performed independently and objectively, the approval of an Internal Audit Charter as well as a Finance Committee Charter will solidify the County's commitment to the internal audit process and provide assurance to both internal and external parties that our internal audit program is one of quality and independence. Both proposed charters are included for your review.

For your consideration, the following are highlights of the charters:

Finance Committee Charter:

- Purpose – assist the Board of Commissioners in fulfilling its oversight responsibilities for the financial reporting process, the system of internal control, the audit process and monitoring compliance with laws and regulations
- Authority of the committee – conduct or authorize investigations in to any matters within its scope of responsibility
- Responsibilities –
 - Financial statement review
 - Review audit results
 - Monitor County's internal control system
 - Internal audit – monitor effectiveness of internal audit, review internal audit plans and reports
 - External audit – review performance, review coordination with internal audit, receive annual audit report
- Compliance – review any audit findings
- Reporting – report to the Board of County Commissioners at least once per year

Internal Audit Charter:

- Purpose – insure Internal Auditing endeavors are conducted in compliance with County objectives and policies as well as the government auditing standards applicable to financial and performance audits
- Authority – establishes the authority of the Internal Audit activity and insures that the Internal Auditor has full, free, and unrestricted access to the Finance Committee
- Establishes independence and objectivity as a requirement for Internal Audit
- Responsibilities –
 - Appraise effectiveness of financial controls within the County

DRAFT

- Evaluate sufficient adherence to policies, procedures, and compliance with governmental laws and regulations
- Ascertain quality of controls for safeguarding County assets
- Perform special reviews as requested
- Reporting – file a written report of each internal audit engagement with the Clerk to the Board of Commissioners and periodically report to the Finance Committee and Assistant County Manager

RECOMMENDATION/PROPOSED ACTION:

Staff recommends approving the Internal Audit Charter and the Finance Committee Charter.

CUMBERLAND COUNTY FINANCE (AUDIT) COMMITTEE CHARTER

PURPOSE

To assist the Board of County Commissioners (BOCC) in fulfilling its oversight responsibilities for the financial reporting process, the system of internal control, the audit process, and the County's process for monitoring compliance with laws and regulations and the code of conduct.

AUTHORITY

The finance committee has authority to conduct or authorize investigations into any matters within its scope of responsibility. It is empowered to:

- Appoint, compensate, and oversee the work of any registered public accounting firm employed by the County.
- Resolve any disagreements between management and the auditor regarding financial reporting.
- Pre-approve all auditing services.
- Retain independent counsel, accountants, or others to advise the committee or assist in the conduct of an investigation.
- Seek any information it requires from employees—all of whom are directed to cooperate with the committee's requests—or external parties.
- Meet with County management and staff, external auditors, or outside counsel, as necessary.

COMPOSITION

The Audit Committee will consist of the Finance Committee of the BOCC, all of which are Cumberland County Commissioners. The BOCC Chair will appoint the Finance Committee members and the Finance Committee will elect their chair.

Each committee member will be both independent and financially literate. At least one member shall be designated as the “financial expert,” as defined by applicable legislation and regulation.

MEETINGS

DRAFT

The Finance Committee will meet at least four times a year, with authority to convene additional meetings, as circumstances require. All committee members are expected to attend each meeting. The committee will invite members of management, auditors, or others to attend meetings and provide pertinent information, as necessary. It will hold private meetings with auditors (see below) and executive sessions. Meeting agendas will be prepared and provided in advance to members, along with appropriate briefing materials. Minutes will be prepared.

RESPONSIBILITIES

The Finance Committee will carry out the following responsibilities:

Financial Statements

- Review significant accounting and reporting issues, including complex or unusual transactions and highly judgmental areas, and recent professional and regulatory pronouncements, and understand their impact on the financial statements.
- Review with management and the external auditors the results of the audit, including any difficulties encountered.
- Review with management and the external auditors all matters required to be communicated to the committee under generally accepted auditing *Standards*.
- Understand how management develops interim financial information and the nature and extent of internal and external auditor involvement.

Internal Control

- Consider the effectiveness of the County's internal control system, including information
- Understand the scope of internal and external auditors' review of internal control over financial reporting and obtain reports on significant findings and recommendations, together with management's responses.

Internal Audit

- Review with the County Manager, the Assistant County Manager, the Finance Director, and the chief audit executive about the charter, plans, activities, staffing, and organizational structure of the internal audit function.
- Review the effectiveness of the internal audit function, including compliance with The Institute of Internal Auditors' *Standards for the Professional Practice of Internal Auditing*.
- On a regular basis, review internal audit reports and meet separately with the chief audit executive on an as needed basis to discuss any matters that the committee or internal audit believes should be discussed privately.

External Audit

- Review the external auditors' proposed audit scope and approach, including coordination of audit effort with internal audit.
- Review the performance of the external auditors, and exercise final approval on the appointment or discharge of the auditors.
- Review and confirm the independence of the external auditors by obtaining statements from the auditors on relationships between the auditors and the County, including non-audit services, and discussing the relationships with the auditors.

DRAFT

- On a regular basis, meet separately with the external auditors to discuss any matters that the committee or auditors believe should be discussed privately.

Compliance

- Review the findings of any examinations by regulatory agencies and any auditor observations.
- Obtain updates from management and County legal counsel regarding compliance matters on an as needed basis.

Reporting Responsibilities

- Report to the BOCC about committee activities, issues, and related recommendations as needed, but at a minimum, one time a year.
- Provide an open avenue of communication between internal audit, the external auditors, and the BOCC.
- Review any other reports the County issues that relate to committee responsibilities.

Other Responsibilities

- Perform other activities related to this charter as requested by the BCC.
- Institute and oversee special investigations as needed.
- Confirm annually that all responsibilities outlined in this charter have been carried out.
- Evaluate the committee's and individual members' performance on a regular basis.

CUMBERLAND COUNTY INTERNAL AUDIT CHARTER

PURPOSE

Internal Auditing is an independent appraisal activity established to conduct reviews of operations and procedures and to report findings and recommendations to the Cumberland County Board of Commissioners Finance Committee, the Cumberland County Manager, the Finance Director, and the department reviewed. All Internal Auditing endeavors are to be conducted in compliance with County objectives and policies as well as the government auditing standards applicable to financial and performance audits.

VALUES AND GUIDING PRINCIPLES

In delivering its services, the internal audit activity embraces the values of integrity, objectivity, confidentiality and competency, as identified by the Institute of Internal Auditors Code of Ethics. Additionally, anyone who is practicing internal auditing at Cumberland County will be a Certified Government Audit Professional within twelve months of employment by the Internal Audit Department. The internal audit activity also demonstrates Cumberland County's Core Values:

Professionalism

Respect

Integrity with accountability

Diversity

Excellent Customer Service

DRAFT

AUTHORITY

Internal Auditing reports to the Cumberland County Assistant County Manager for Finance and Administrative Services, but has full, free, and unrestricted access to the County's Finance Committee. These reporting relationships ensure office independence, promote comprehensive audit coverage, and assure adequate consideration of audit recommendations.

Internal Audit personnel, in the performance of audits and with stringent accountabilities of safekeeping and confidentiality, will be granted unlimited accessibility to all County activities, records, property, and employees, except Official Personnel Files, which will be obtained through the County Manager. All employees are requested to assist the internal audit activity in fulfilling its roles and responsibilities.

Internal Auditing is a function that has no direct authority over activities, which its personnel review. The performance of these reviews does not relieve management of any assigned responsibilities.

Objectivity is essential to the audit staff in the proper fulfillment of its duties. Performance of line responsibilities by internal auditors may compromise their objectivity. This practice will be limited and considered in personnel selection for audit assignments.

INDEPENDENCE AND OBJECTIVITY

The internal audit activity will remain free from interference by any element in the organization, including matters of audit selection, scope, procedures, frequency, timing, or report content to permit maintenance of a necessary independent and objective mental attitude.

Internal auditors will have no direct operational responsibility or authority over any of the activities audited. Accordingly, they will not implement internal controls, develop procedures, install systems, prepare records, or engage in any other activity that may impair internal auditor's judgment.

Internal auditors will exhibit the highest level of professional objectivity in gathering, evaluation, and communicating information about the activity or process being examined. Internal auditors will make a balanced assessment of all the relevant circumstances and not be unduly influenced by their own interests or by others in forming judgments.

The Chief Audit Executive will confirm to the Finance Committee, at least annually, the organizational independence of the internal audit activity.

RESPONSIBILITIES

The scope of Internal Auditing encompasses, but is not limited to, the examination and evaluation of the adequacy and effectiveness of the organization's governance, risk management, and internal controls as well as the quality of performance in carrying out assigned responsibilities to achieve the County's stated goals and objectives. To this end, Internal Auditing furnishes the Finance Committee and reviewed department with analysis, appraisals, recommendations, counsel, and information concerning the activities reviewed.

The fulfillment of this accountability is not confined to but includes:

DRAFT

- Appraising the effectiveness and application of administrative and financial controls and reliability of data that is developed within the County.
- Evaluating sufficiency of an adherence to plans, policies, procedures, and compliance with governmental laws and regulations.
- Ascertaining the adequacy of controls for safeguarding County assets and, when appropriate, verifying the existence of assets.
- Performing special reviews, requested by the County Manager, Assistant County Manager, Finance Director, or the Finance Committee.

- Conducting appraisals of effective and efficient use of County resources and making appropriate recommendations to the County Manager, Assistant County Manager, Finance Director, Finance Committee, and the department reviewed.
- Monitoring and evaluating governance processes.

REPORTING AND MONITORING

A written report will be prepared and issued by the Chief Audit Executive or designee following the conclusion of each internal audit engagement and will be filed with the Clerk to the Board of Commissioners. The internal audit report may include management's response and corrective action taken or to be taken in regard to the specific findings and recommendations. Management's response, whether included within the original audit report or provided thereafter (i.e. within thirty days) by management of the audited area should include a timetable for anticipated completion of action to be taken and an explanation for any corrective action that will not be implemented.

The internal audit activity will be responsible for appropriate follow-up on engagement findings and recommendations. All significant findings will remain in an open issues file until cleared. The Chief Audit Executive will periodically report to the Assistant County Manager and the Finance Committee on the internal audit activities. Reporting will include significant risk exposures and control issues, including fraud risks, governance issues, and other matters needed or requested by the senior management or the Finance Committee.

QUALITY ASSURANCE AND IMPROVEMENT PROGRAM:

The internal audit activity will maintain a quality assurance and improvement program that covers all aspects of the internal audit activity. The program will include an evaluation of the internal audit activity's conformance with the Definition of Internal Audition and the Standards and an evaluation of whether internal auditors apply the Code of Ethics. The program also assesses the efficiency and effectiveness of the internal audit activity and identifies opportunities for improvement.

The Chief Audit Executive will communicate to senior management and the Finance Committee on the internal audit activity's quality assurance and improvement program, including results of ongoing internal assessments and external assessments conducted at least every five years.

Melissa Cardinali, Assistant County Manager, reviewed the background information and recommendation as recorded above and referenced the Internal Audit Charter and the Finance

DRAFT

Committee Charter also recorded above. Ms. Cardinali stated the charters are based on parameters and guidelines from the Institute of Internal Auditors (IIA). Ms. Cardinali stated the charters were presented to Cherry Bekaert LLC and following their review, a few tweaks were made. Ms. Cardinali stated the charters are in compliance in the way in which they are structured and beginning July 1, internal audit staff will provide a completely independent internal audit function.

Commissioner Faircloth asked whether separate meetings would be held. Ms. Cardinali stated internal audit activities would fall under the Finance Committee as an additional function. Rick Moorefield, County Attorney, stated separate meetings could be held depending on how much is presented and the extent of what is presented. Ms. Cardinali stated proposed under the charter is that any reports by internal audit staff would automatically be filed with the Clerk to the Board so the Board of Commissioners has free and full access to those reports and any records needed to conduct any audit.

Commissioner Faircloth inquired regarding qualifications for expertise on the committee. Ms. Cardinali stated the current chair of the Finance Committee would qualify and one of the foundations under the guidelines is anyone with years of experience dealing with government would qualify.

Additional questions followed. Ms. Cannon stated the County can audit any community organization with whom it has a contract; without a contract, the County has no right to inspect any organization's books. Ms. Cannon stated internal audit staff have the right to review or audit any County department. Ms. Cannon also explained the overlap between audit staff and the committee for Enterprise Solutions Division (ESD) and stated the Director of Internal Audit will be a part of the ESD committee.

MOTION: Commissioner Council moved to approve the Internal Audit Charter and the Finance Committee Charter.
SECOND: Commissioner Lancaster
VOTE: UNANIMOUS (3-0)

3. CONSIDERATION OF BUDGET REVISIONS FOR THE INCURRED BUT NOT REPORTED (IBNR) YEAR END ENTRY

BACKGROUND:

During the FY16 budget planning session held in March, Mark III presented information regarding health insurance cost increases including an unexpected rise in current year claims of 20%. In addition, finance staff have been monitoring active employee and retiree health insurance claims throughout the fiscal year and the trend does show that claims costs have increased. By June 30 of each fiscal year *the County must estimate the dollar amount of claims for services that have been rendered but not yet billed to BCBS for the fiscal year, known as IBNR-incurred but not reported.* The estimate of IBNR is based on prior year data combined with current year trend. This fiscal year, the expenditure budget is not enough to cover the actual claims paid and the IBNR, which is recorded in our books through a journal entry. The

DRAFT

combined projected budget shortfall is \$2,300,000. Of that shortfall, the estimated IBNR amount totals \$2,135,000.

Budget revisions have been prepared to request the movement of general funds totaling \$2,300,000 into the active employee health insurance fund and the retiree health insurance fund to cover the projected shortfall at year-end. It is anticipated that the IBNR portion of the total will be put back into the general fund (by reversing the journal entry) during the second quarter of FY16. At that time a budget revision will be prepared. The net impact to the general fund is a one-time projection of \$165,000.

RECOMMENDATION/PROPOSED ACTION:

Consensus to move forward to the next scheduled meeting of the Board of County Commissioners and approve the budget revisions to move funds from the general fund to the health insurance funds.

Vicki Evans, Finance Director, introduced this item and reviewed the background information and recommendation as recorded above. Ms. Cannon explained the \$165,000 is the projected shortfall for this fiscal year. Commissioner Edge asked how this shortfall compared to last year. Ms. Evans stated last year was flat with no shortfall but this year healthcare costs are up. Ms. Cannon responded to additional questions and stated with the clinic opening and with the enhanced emphasis on the wellness plan, the hope is that the County will see some positive changes in the upcoming fiscal year. Ms. Cannon stated the County's increases have been minor compared to other local governments who have seen 14% to 20% increases and the hope is the County will have a positive impact on lifestyle changes with employees included in the health plan. Ms. Cannon stated Mark III will continue to evaluate the changes and other techniques will be employed such as a spouse and dependent eligibility audit to attempt to save money and preserve the plan. Ms. Cannon stated she hopes that the strategies being employed will keep the County under budget in the upcoming year.

MOTION: Commissioner Lancaster moved to approve the budget revisions to move funds from the general fund to the health insurance funds.
SECOND: Commissioner Council
VOTE: UNANIMOUS (3-0)

4. CONSIDERATION OF FUNDING AGREEMENTS WITH ALLIANCE BEHAVIORAL HEALTHCARE

BACKGROUND:

Cumberland County currently has two funding agreements with Alliance Behavioral Health Care (Alliance), each providing \$2.4 million in County funding, for a total of \$4.8 million in County dollars. One agreement is a three-year tri-party contract between the County, Alliance and the Cape Fear Valley Medical Center (CFVMC) that allocates funding for services provided by CFVMC; this contract expires June 30, 2016. The second agreement is a one-year two-party contract between the County and Alliance that allocates funding for all other

DRAFT

behavioral health provider services in Cumberland County; this contract is set to expire June 30, 2015.

During Alliance's fiscal year 2014 audit, unspent County funds were recorded as unearned revenue (a liability account) based on the contract language. This caused a drastic decrease in their current ratio which is used to determine their stability across the state against all other managed care organizations (MCOs). Based on a recommendation by their auditors, Alliance has requested a change in the contract language for fiscal year 2015 and forward. The proposed language has been changed to reflect any unspent County funds to be recognized as restricted fund balance instead of unearned revenue and allows that fund balance to be treated as income in the next fiscal year and to be utilized for services for Cumberland County residents. They are seeking approval no later than June 30, 2015 so that this change can be applied in this year's audit.

In addition, the Alliance requested a 1% increase to the \$4.8 million allocation (or \$48,000) to support the administrative efforts required to manage these funds (see attached). During merger discussions, it was understood that the County's funding was to be allocated to support services and that the administration of these funds would be the responsibility of the Alliance, which is also supported by administrative funds provided through Medicaid and State funds. In their request, the Alliance indicated that they are no longer able to sustain the costs of administering County services and has therefore made this request of all its County partners which includes Cumberland, Durham and Wake.

RECOMMENDATION/PROPOSED ACTION:
County Management recommends that:

- 1) the following amendment to paragraph 3 of the 2015 Funding Agreement (indicated by underlining):

Pursuant to N.C.G.S. 122C-115, the County agrees to allocate and pay to Alliance Two Million Four Hundred Thousand Dollars (\$2,400,000.00) for the provision of mental health, intellectual/developmental disability and substance abuse services to eligible Cumberland residents served by Alliance. The County shall pay to Alliance through a wire transfer an amount equal to one-quarter the Annual Allocation beginning on July 2, 2014, and quarterly thereafter. Any Annual Allocation funds left unspent at the end of the fiscal year shall be applied to the next year's annual allocation. Alliance will recognize funding as income in the year received and any unspent funding from the current year and prior years will be recognized as income in the current year. Cumberland County funds held by Alliance on June 30, shall be held by Alliance in a restricted fund balance for the purchase of services for Cumberland County residents in future fiscal years, unless otherwise directed in writing by the County Manager.

- 2) the agreement be renewed for one year from July 1, 2015 to June 30, 2016.
- 3) consideration be given to authorizing the Alliance to utilize 1% of its current \$2.4 million allocation of Cumberland County funding to cover administrative costs.

DRAFT

James Lawson, Deputy County Manager, recognized Rob Robinson, Alliance Behavioral Healthcare CEO, and Kelly Goodfellow, Alliance Behavioral Healthcare CFO, and reviewed the background information and recommendations as recorded above.

Mr. Robinson explained the Alliance has not been able to successfully manage county dollars due to the uniqueness of each county. Mr. Robinson stated the Alliance is primarily funded by Medicaid or federal dollars and Medicaid dollars cannot be used to support the oversight and management of county dollars. Mr. Robinson stated the 1% will cover a couple of admin positions and the Alliance will absorb the remaining costs this year in order to get the oversight of services in Cumberland County started. Questions followed. Mr. Robinson stated the Alliance has received favorable responses from Durham and Wake counties.

Commissioner Edge stated as a member of the Alliance Board of Directors, he understands why the Alliance is requesting the 1% out of the County's allocation of \$4.8 million which means that \$48,000 will not be available for services to clients in Cumberland County. Commissioner Edge stated this should not have much of an impact on services at this time because many of the clients that the Alliance serves are paid through Medicaid or state dollars. Commissioner Edge stated he recommends approving the 1% of \$4.8 million or designating \$48,000 for admin services. Additional questions followed.

MOTION: Commissioner Lancaster move to approve the amendment to paragraph 3 of the 2015 Funding Agreement.

SECOND: Commissioner Council

VOTE: UNANIMOUS (3-0)

MOTION: Commissioner Council moved that the agreement be renewed for one year from July 1, 2015 to June 30, 2016.

SECOND: Commissioner Lancaster

VOTE: UNANIMOUS (3-0)

MOTION: Commissioner Council moved to authorize the Alliance to utilize 1% of its current allocation of Cumberland County funding to cover administrative costs.

SECOND: Commissioner Lancaster

VOTE: UNANIMOUS (3-0)

5. MONTHLY FINANCIAL REPORT

BACKGROUND:

The financial report is included as of April 30, 2015. Highlights include:

- Revenues

DRAFT

- Current real and personal property taxes continue at a trend similar to past years with maximum collections occurring prior to the month of April.
- Motor vehicle tax revenues continue to appear strong this year. Nine collection months are reflected in the April financials.
- Sales tax (April report reflects seven collection months) collections show slight growth compared to last fiscal year.

- Expenditures
 - Expenditures remain in line with budget and show no unusual patterns.

- Crown center expense summary/prepared food and beverage and motel tax
 - A combined year-to-date summary is provided.
 - Prepared food and beverage and motel tax summary included.

RECOMMENDATION/PROPOSED ACTION:

No action needed – for information purposes only.

Ms. Evans reviewed highlights of the financial report as of April 30 as recorded above. Commissioner Faircloth inquired whether the state charged the County to administer the Tax & Tag program. Ms. Cannon responded in the affirmative and stated the charges vary depending on the payment method and the state's charge is higher than the amount the County charges municipalities to collect their property taxes. Commissioner Faircloth asked that the charges be kept in mind for the next meeting of the Finance Committee.

6. OTHER MATTERS OF BUSINESS

There were no other matters of business.

There being no further business, the meeting adjourned at 10:19 a.m.

AMY H. CANNON
County Manager

JAMES E. LAWSON
Deputy County Manager



MELISSA C. CARDINALI
Assistant County Manager

W. TRACY JACKSON
Assistant County Manager



ITEM NO. 35(1)

OFFICE OF THE COUNTY MANAGER

**MEMORANDUM FOR BOARD OF COMMISSIONERS CONSENT AGENDA OF
JUNE 15, 2015**

TO: BOARD OF COUNTY COMMISSIONERS

FROM: MELISSA C. CARDINALI, ASSISTANT COUNTY MANAGER
mc

DATE: JUNE 4, 2015

SUBJECT: INTERNAL AUDIT AND FINANCE COMMITTEE CHARTERS

BACKGROUND:

At the April 2, 2015 Finance Committee meeting, recent changes to the Generally Accepted Auditing Standards (GAAS) and their implications were discussed. In summary of that meeting, the County is no longer allowed to provide assistance to the external auditor by using County internal audit staff unless structure changes are made within the County.

The heart of the changes needed is designed to insure the internal audit staff maintain independence and objectivity and are free from interference by any element in the organization. To further insure this change, the internal audit staff should have direct access to the governing body. In this case the Finance Committee of the Board of Commissioners is asked to oversee the system of internal audit.

While the internal auditor has historically performed independently and objectively, the approval of an Internal Audit Charter as well as a Finance Committee Charter will solidify the County's commitment to the internal audit process and provide assurance to both internal and external parties that our internal audit program is one of quality and independence. Both proposed charters are included for your review.

For your consideration, the following are highlights of the charters:

Finance Committee Charter:

- Purpose – assist the Board of Commissioners in fulfilling its oversight responsibilities for the financial reporting process , the system of internal control, the audit process and monitoring compliance with laws and regulations
- Authority of the committee – conduct or authorize investigations in to any matters within its scope of responsibility
- Responsibilities –
 - Financial statement review
 - Review audit results
 - Monitor County’s internal control system
 - Internal audit – monitor effectiveness of internal audit, review internal audit plans and reports
 - External audit – review performance, review coordination with internal audit, receive annual audit report
- Compliance – review any audit findings
- Reporting – report to the Board of County Commissioners at least once per year

Internal Audit Charter:

- Purpose – insure Internal Auditing endeavors are conducted in compliance with County objectives and policies as well as the government auditing standards applicable to financial and performance audits
- Authority – establishes the authority of the Internal Audit activity and insures that the Internal Auditor has full, free, and unrestricted access to the Finance Committee
- Establishes independence and objectivity as a requirement for Internal Audit
- Responsibilities –
 - Appraise effectiveness of financial controls within the County
 - Evaluate sufficient adherence to policies, procedures, and compliance with governmental laws and regulations
 - Ascertain quality of controls for safeguarding County assets
 - Perform special reviews as requested

- Reporting – file a written report of each internal audit engagement with the Clerk to the Board of Commissioners and periodically report to the Finance Committee and Assistant County Manager

RECOMMENDATION/PROPOSED ACTION:

The Finance Committee recommends the approval of the Internal Audit Charter and the Finance Committee Charter.

CUMBERLAND COUNTY INTERNAL AUDIT CHARTER

PURPOSE

Internal Auditing is an independent appraisal activity established to conduct reviews of operations and procedures and to report findings and recommendations to the Cumberland County Board of Commissioners Finance Committee, the Cumberland County Manager, the Finance Director, and the department reviewed. All Internal Auditing endeavors are to be conducted in compliance with County objectives and policies as well as the government auditing standards applicable to financial and performance audits.

VALUES AND GUIDING PRINCIPLES

In delivering its services, the internal audit activity embraces the values of integrity, objectivity, confidentiality and competency, as identified by the Institute of Internal Auditors Code of Ethics. Additionally, anyone who is practicing internal auditing at Cumberland County will be a Certified Government Audit Professional within twelve months of employment by the Internal Audit Department. The internal audit activity also demonstrates Cumberland County's Core Values:

- Professionalism
- Respect
- Integrity with accountability
- Diversity
- Excellent Customer Service

AUTHORITY

Internal Auditing reports to the Cumberland County Assistant County Manager for Finance and Administrative Services, but has full, free, and unrestricted access to the County's Finance Committee. These reporting relationships ensure office independence, promote comprehensive audit coverage, and assure adequate consideration of audit recommendations.

Internal Audit personnel, in the performance of audits and with stringent accountabilities of safekeeping and confidentiality, will be granted unlimited accessibility to all County activities, records, property, and employees, except Official Personnel Files, which will be obtained through the County Manager. All employees are requested to assist the internal audit activity in fulfilling its roles and responsibilities.

Internal Auditing is a function that has no direct authority over activities, which its personnel review. The performance of these reviews does not relieve management of any assigned responsibilities.

Objectivity is essential to the audit staff in the proper fulfillment of its duties. Performance of line responsibilities by internal auditors may compromise their objectivity. This practice will be limited and considered in personnel selection for audit assignments.

INDEPENDENCE AND OBJECTIVITY

The internal audit activity will remain free from interference by any element in the organization, including matters of audit selection, scope, procedures, frequency, timing, or report content to permit maintenance of a necessary independent and objective mental attitude.

Internal auditors will have no direct operational responsibility or authority over any of the activities audited. Accordingly, they will not implement internal controls, develop procedures, install systems, prepare records, or engage in any other activity that may impair internal auditor's judgment.

Internal auditors will exhibit the highest level of professional objectivity in gathering, evaluation, and communicating information about the activity or process being examined. Internal auditors will make a balanced assessment of all the relevant circumstances and not be unduly influenced by their own interests or by others in forming judgments.

The Chief Audit Executive will confirm to the Finance Committee, at least annually, the organizational independence of the internal audit activity.

RESPONSIBILITIES

The scope of Internal Auditing encompasses, but is not limited to, the examination and evaluation of the adequacy and effectiveness of the organization's governance, risk management, and internal controls as well as the quality of performance in carrying out assigned responsibilities to achieve the County's stated goals and objectives. To this end, Internal Auditing furnishes the Finance Committee and reviewed department with analysis, appraisals, recommendations, counsel, and information concerning the activities reviewed.

The fulfillment of this accountability is not confined to but includes:

- Appraising the effectiveness and application of administrative and financial controls and reliability of data that is developed within the County.
- Evaluating sufficiency of an adherence to plans, policies, procedures, and compliance with governmental laws and regulations.
- Ascertaining the adequacy of controls for safeguarding County assets and, when appropriate, verifying the existence of assets.
- Performing special reviews, requested by the County Manager, Assistant County Manager, Finance Director, or the Finance Committee.
- Conducting appraisals of effective and efficient use of County resources and making appropriate recommendations to the County Manager, Assistant County Manager, Finance Director, Finance Committee, and the department reviewed.
- Monitoring and evaluating governance processes.

REPORTING AND MONITORING

A written report will be prepared and issued by the Chief Audit Executive or designee following the conclusion of each internal audit engagement and will be filed with the Clerk to the Board of Commissioners. The internal audit report may include management’s response and corrective action taken or to be taken in regard to the specific findings and recommendations. Management’s response, whether included within the original audit report or provided thereafter (i.e. within thirty days) by management of the audited area should include a timetable for anticipated completion of action to be taken and an explanation for any corrective action that will not be implemented.

The internal audit activity will be responsible for appropriate follow-up on engagement findings and recommendations. All significant findings will remain in an open issues file until cleared. The Chief Audit Executive will periodically report to the Assistant County Manager and the Finance Committee on the internal audit activities. Reporting will include significant risk exposures and control issues, including fraud risks, governance issues, and other matters needed or requested by the senior management or the Finance Committee.

QUALITY ASSURANCE AND IMPROVEMENT PROGRAM:

The internal audit activity will maintain a quality assurance and improvement program that covers all aspects of the internal audit activity. The program will include an evaluation of the internal audit activity’s conformance with the Definition of Internal Audition and the Standards and an evaluation of whether internal auditors apply the Code of Ethics. The program also assesses the efficiency and effectiveness of the internal audit activity and identifies opportunities for improvement.

The Chief Audit Executive will communicate to senior management and the Finance Committee on the internal audit activity’s quality assurance and improvement program, including results of ongoing internal assessments and external assessments conducted at least every five years.

INTERNAL AUDIT CHARTER

Approved this _____ day of _____, 2015.

Chairman of the Cumberland County Board of Commissioners

Chairman of the Cumberland County Finance Committee

County Manager

Chief Audit Executive

CUMBERLAND COUNTY FINANCE (AUDIT) COMMITTEE CHARTER

PURPOSE

To assist the Board of County Commissioners (BOCC) in fulfilling its oversight responsibilities for the financial reporting process, the system of internal control, the audit process, and the County's process for monitoring compliance with laws and regulations and the code of conduct.

AUTHORITY

The finance committee has authority to conduct or authorize investigations into any matters within its scope of responsibility. It is empowered to:

- Appoint, compensate, and oversee the work of any registered public accounting firm employed by the County.
- Resolve any disagreements between management and the auditor regarding financial reporting.
- Pre-approve all auditing services.
- Retain independent counsel, accountants, or others to advise the committee or assist in the conduct of an investigation.
- Seek any information it requires from employees—all of whom are directed to cooperate with the committee's requests—or external parties.
- Meet with County management and staff, external auditors, or outside counsel, as necessary.

COMPOSITION

The Audit Committee will consist of the Finance Committee of the BOCC, all of which are Cumberland County Commissioners. The BOCC Chair will appoint the Finance Committee members and the Finance Committee will elect their chair.

Each committee member will be both independent and financially literate. At least one member shall be designated as the "financial expert," as defined by applicable legislation and regulation.

MEETINGS

The Finance Committee will meet at least four times a year, with authority to convene additional meetings, as circumstances require. All committee members are expected to attend each meeting. The committee will invite members of management, auditors, or others to attend meetings and provide pertinent information, as necessary. It will hold private meetings with auditors (see below) and executive sessions. Meeting agendas will be prepared and provided in advance to members, along with appropriate briefing materials. Minutes will be prepared.

RESPONSIBILITIES

The Finance Committee will carry out the following responsibilities:

Financial Statements

- Review significant accounting and reporting issues, including complex or unusual transactions and highly judgmental areas, and recent professional and regulatory pronouncements, and understand their impact on the financial statements.
- Review with management and the external auditors the results of the audit, including any difficulties encountered.
- Review with management and the external auditors all matters required to be communicated to the committee under generally accepted auditing *Standards*.
- Understand how management develops interim financial information and the nature and extent of internal and external auditor involvement.

Internal Control

- Consider the effectiveness of the County's internal control system, including information
- Understand the scope of internal and external auditors' review of internal control over financial reporting and obtain reports on significant findings and recommendations, together with management's responses.

Internal Audit

- Review with the County Manager, the Assistant County Manager, the Finance Director, and the chief audit executive about the charter, plans, activities, staffing, and organizational structure of the internal audit function.
- Review the effectiveness of the internal audit function, including compliance with The Institute of Internal Auditors' *Standards for the Professional Practice of Internal Auditing*.
- On a regular basis, review internal audit reports and meet separately with the chief audit executive on an as needed basis to discuss any matters that the committee or internal audit believes should be discussed privately.

External Audit

- Review the external auditors' proposed audit scope and approach, including coordination of audit effort with internal audit.
- Review the performance of the external auditors, and exercise final approval on the appointment or discharge of the auditors.
- Review and confirm the independence of the external auditors by obtaining statements from the auditors on relationships between the auditors and the County, including non-audit services, and discussing the relationships with the auditors.
- On a regular basis, meet separately with the external auditors to discuss any matters that the committee or auditors believe should be discussed privately.

Compliance

- Review the findings of any examinations by regulatory agencies and any auditor observations.
- Obtain updates from management and County legal counsel regarding compliance matters on an as needed basis.

Reporting Responsibilities

- Report to the BOCC about committee activities, issues, and related recommendations as needed, but at a minimum, one time a year.
- Provide an open avenue of communication between internal audit, the external auditors, and the BOCC.
- Review any other reports the County issues that relate to committee responsibilities.

Other Responsibilities

- Perform other activities related to this charter as requested by the BCC.
- Institute and oversee special investigations as needed.
- Confirm annually that all responsibilities outlined in this charter have been carried out.
- Evaluate the committee's and individual members' performance on a regular basis.

FINANCE COMMITTEE CHARTER

Approved this _____ day of _____, 2015.

Chairman of the Cumberland County Board of Commissioners

Chairman of the Cumberland County Finance Committee

County Manager

Chief Audit Executive



ITEM NO. 3 J (2)

FINANCE OFFICE

4th Floor, Room No. 451, Courthouse • PO Box 1829 • Fayetteville, North Carolina 28302-1829
(910) 678-7753 • Fax (910) 323-6120

**MEMORANDUM FOR BOARD OF COMMISSIONERS CONSENT AGENDA OF
JUNE 15, 2015**

TO: BOARD OF COUNTY COMMISSIONERS
FROM: VICKI EVANS, FINANCE DIRECTOR *VE*
DATE: JUNE 8, 2015
SUBJECT: FY15 HEALTH INSURANCE CLAIMS INCREASE

BACKGROUND

During the FY16 budget planning session held in March, Mark III presented information regarding health insurance cost increases including an unexpected rise in current year claims of 20%. In addition, finance staff have been monitoring active employee and retiree health insurance claims throughout the fiscal year and the trend does show that claims costs have increased. By June 30 of each fiscal year *the County must estimate the dollar amount of claims for services that have been rendered but not yet billed to BCBS for the fiscal year, known as IBNR-incurred but not reported.* The estimate of IBNR is based on prior year data combined with current year trend. This fiscal year, the expenditure budget is not enough to cover the actual claims paid and the IBNR, which is recorded in our books through a journal entry. The combined projected budget shortfall is \$2,300,000. Of that shortfall, the estimated IBNR amount totals \$2,135,000.

Budget revisions have been prepared to request the movement of general funds totaling \$2,300,000 into the active employee health insurance fund and the retiree health insurance fund to cover the projected shortfall at year-end. It is anticipated that the IBNR portion of the total will be put back into the general fund (by reversing the journal entry) during the second quarter of FY16. At that time a budget revision will be prepared. The net impact to the general fund is a one-time projection of \$165,000.

Celebrating Our Past...Embracing Our Future

RECOMMENDATION

Approval of the four budget revisions moving funds from the general fund to the health insurance funds.

**COUNTY OF CUMBERLAND
BUDGET REVISION REQUEST**

Budget Office Use	
Budget Revision No.	B15-340A
Date Received	5/28/2015
Date Completed	

Fund No. 101 Agency No. 412 Organ. No. 4195
 Organization Name: General Government Other

REVENUE

Revenue Source Code	Description	Current Budget	Increase (Decrease)	Revised Budget
9901	Fund Balance Appropriated		1,000,000	
Total			1,000,000	

EXPENDITURES

Object Code	Appr Unit	Description	Current Budget	Increase (Decrease)	Revised Budget
3883	080	Transfer to Fund 115	0	1,000,000	1,000,000
Total			0	1,000,000	1,000,000

Justification:

Appropriate Fund Balance to transfer funds to the Group Insurance Fund due to higher than expected active employee medical insurance claims and the year-end audit accrual.

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

Submitted By: _____ Date: _____
 Department Head
 Reviewed By: Todd Matthews Date: 5/28/15
 Finance
 Reviewed By: Wicki Evans Date: 5/28/15
 Finance Director
 Reviewed By: Regina DiGiordano Date: 6.9.15
 Assistant County Manager

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

**COUNTY OF CUMBERLAND
BUDGET REVISION REQUEST**

Budget Office Use	
Budget Revision No.	B15-341A
Date Received	5/28/2015
Date Completed	

Fund No. 101 Agency No. 412 Organ. No. 4195
 Organization Name: General Government Other

REVENUE

Revenue Source Code	Description	Current Budget	Increase (Decrease)	Revised Budget
9901	Fund Balance Appropriated		1,300,000	
Total			1,300,000	

EXPENDITURES

Object Code	Appr Unit	Description	Current Budget	Increase (Decrease)	Revised Budget
387R	080	Transfer to Fund 118	0	1,300,000	1,300,000
Total			0	1,300,000	1,300,000

Justification:

Appropriate Fund Balance to transfer funds to the Retiree Health Insurance Fund due to higher than expected retiree medical insurance claims and the year-end audit accrual.

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

Submitted By: _____ Date: _____
 Department Head
 Reviewed By: Tom Halliway Date: 5/28/15
 Finance
 Reviewed By: Wicki Evans Date: 5/28/15
 Finance Director
 Reviewed By: Regina D'Amico Date: 6-9-15
 Assistant County Manager

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

**COUNTY OF CUMBERLAND
BUDGET REVISION REQUEST**

Budget Office Use	
Budget Revision No.	B15-341
Date Received	5/28/2015
Date Completed	

Fund No. 118 Agency No. 412 Organ. No. 4193
 Organization Name: Retiree Health Insurance

REVENUE

Revenue Source Code	Description	Current Budget	Increase (Decrease)	Revised Budget
9110	Transfer From Fund 101	0	1,300,000	1,300,000
Total		0	1,300,000	1,300,000

EXPENDITURES

Object Code	Appr Unit	Description	Current Budget	Increase (Decrease)	Revised Budget
1846	357	PPO 65 Medical	1,335,063	400,000	1,735,063
1851	357	PPO Retiree Medical	2,542,648	900,000	3,442,648
Total			3,877,711	1,300,000	5,177,711

Justification:

Increase the budgeted line items for retiree medical claims due to higher than expected claims and the year-end accrual for the annual audit.

Funding Source:

State: _____ Federal: _____ County: _____ New: _____ Other: _____
 Other: _____ Fees: _____ Prior Year: _____

Fund Balance:

Submitted By: _____ Date: _____

Department Head

Reviewed By: Todd H. [Signature] Date: 5/28/15

Finance

Reviewed By: Wesley Evans Date: 5/28/15

Finance Director

Reviewed By: Melissa [Signature] Date: 6.9.15

Assistant County Manager

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

AMY H. CANNON
County Manager

JAMES E. LAWSON
Deputy County Manager



MELISSA C. CARDINALI
Assistant County Manager

W. TRACY JACKSON
Assistant County Manager




ITEM NO. 3J(3)

OFFICE OF THE COUNTY MANAGER

MEMORANDUM FOR BOARD OF COMMISSIONERS AGENDA OF JUNE 15, 2015

TO: BOARD OF COUNTY COMMISSIONERS

FROM: JAMES LAWSON, DEPUTY COUNTY MANAGER 

DATE: JUNE 10, 2015

SUBJECT: REPORT AND RECOMMENDATION FUNDING AGREEMENTS WITH ALLIANCE BEHAVIORAL HEALTHCARE

BACKGROUND

Cumberland County currently has two funding agreements with Alliance Behavioral Health Care (Alliance), each providing \$2.4 million in County funding, for a total of \$4.8 million in County dollars. One agreement is a three-year tri-party contract between the County, Alliance and the Cape Fear Valley Medical Center (CFVMC) that allocates funding for services provided by CFVMC; this contract expires June 30, 2016. The second agreement is a one-year two-party contract between the County and Alliance that allocates funding for all other behavioral health provider services in Cumberland County; this contract is set to expire June 30, 2015.

During Alliance's fiscal year 2014 audit, unspent County funds were recorded as unearned revenue (a liability account) based on the contract language. This caused a drastic decrease in their current ratio which is used to determine their stability across the state against all other managed care organizations (MCOs). Based on a recommendation by their auditors, Alliance has requested a change in the contract language for fiscal year 2015 and forward. The proposed language has been changed to reflect any unspent County funds to be recognized as restricted fund balance instead of unearned revenue and allows that fund balance to be treated as income in the next fiscal year and to be utilized for services for Cumberland County residents. They are seeking approval no later than June 30, 2015 so that this change can be applied in this year's audit.

In addition, the Alliance requested a 1% increase to the \$4.8 million allocation (or \$48,000) to support the administrative efforts required to manage these funds (see attached). During merger discussions, it was understood that the County's funding was to be allocated to support services and that the administration of these funds would be the responsibility of the Alliance, which is also supported by administrative funds provided through Medicaid and State funds. In their request, the Alliance indicated that they are no longer able to sustain the costs of administering County services and has therefore made this request of all its County partners which includes Cumberland, Durham and Wake.

During the June 4, 2015, the Finance Committee meeting, Rob Robinson reported to the Committee the challenges he faced administering the County's funds. He also indicated that Medicaid and State administrative funds could not be used in support of managing County dollars.

In response to the requests from Alliance, the Finance Committee approved the following recommendations for Board of Commissioner consideration:

- 1) Amend language in paragraph 3 of the 2015 Funding Agreement (as indicated by underlining):

Pursuant to N.C.G.S. 122C-115, the County agrees to allocate and pay to Alliance Two Million Four Hundred Thousand Dollars (\$2,400,000.00) for the provision of mental health, intellectual/developmental disability and substance abuse services to eligible Cumberland residents served by Alliance. The County shall pay to Alliance through a wire transfer an amount equal to one-quarter the Annual Allocation beginning on July 2, 2014, and quarterly thereafter. Any Annual Allocation funds left unspent at the end of the fiscal year shall be applied to the next year's annual allocation. Alliance will recognize funding as income in the year received and any unspent funding from the current year and prior years will be recognized as income in the current year. Cumberland County funds held by Alliance on June 30, shall be held by Alliance in a restricted fund balance for the purchase of services for Cumberland County residents in future fiscal years, unless otherwise directed in writing by the County Manager.

- 2) Renew the above referenced agreement for one year from July 1, 2015 to June 30, 2016.
- 3) Authorize the Alliance to utilize \$48,000 of the current \$2.4 million allocation of Cumberland County funding to cover administrative costs (equates to 1% of the total \$4.8 million County funding allocation)

RECOMMENDATION/PROPOSED ACTION:

Consider whether to approve the Finance Committee's recommendation.

cc: County Management Team
Rick Moorefield, County Attorney
Vicki Evans, Finance Director

Attachment

Alliance

BEHAVIORAL HEALTHCARE



All Offices:
(919) 651-8401



Online:
AllianceBHC.org

May 27, 2015

Ms. Amy Cannon, County Manager
Cumberland County Government
117 Dick Street, Room 512
Fayetteville, NC 28301

Dear Amy:

Alliance Behavioral Healthcare is pleased to present its FY16 budget request for your consideration.

Alliance leadership views this budget as a continued investment in our ongoing effort to build North Carolina's most fiscally-stable, clinically-sound public behavioral health managed care organization. It allows us to maintain momentum in strengthening and enhancing the key resources and infrastructures that are placing Alliance in the strongest possible position as we look to the future of Medicaid reform in North Carolina. And as always, it is designed to provide the innovative, effective local services and supports that help ensure effective pathways to recovery and self-determination for the individuals we serve.

Our request this year is to continue the level of funding of \$4,800,000 for services. We also request an additional 1% to support the administrative efforts required to manage these funds. Alliance receives a significant amount of funding from Durham, Wake and Cumberland counties to support an array of local services that directly benefit their citizens. County funding allows Alliance the needed flexibility to respond innovatively to service gaps not addressed by funding reserved for Medicaid recipients or individuals included in State target populations.

However, with this generous funding comes responsibility for the administration of these services, and a significant allocation of Alliance resources is required to ensure robust fiscal and clinical oversight and in turn the efficient utilization of county dollars. For example, county-funded services require specialized budget tracking, careful reporting of expenditures and outcomes, significant contract negotiation with providers and unique monitoring of contractual terms.

To date Alliance has absorbed the administration of county services into its overall administration budget. However, for various reasons this is not sustainable. We are making this request of all our county partners.

Corporate Office: 4600 Emperor Boulevard, Durham, NC 27703 • Durham Office: 414 E. Main Street, Durham, NC 27701
Wake Office: 5000 Falls of Neuse Road, Raleigh, NC 27609 • Cumberland Office: 711 Executive Place, Fayetteville, NC 28305
Johnston Office: 521 N. Brightleaf Boulevard, Smithfield, NC 27577

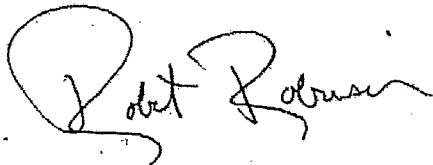


ACCREDITED
HEALTH NETWORK
HEALTH UTILIZATION
MANAGEMENT
HEALTH CALL CENTER

We are very appreciative of the opportunity provided us by the County to utilize space at 711 Executive Place since Alliance was created in 2012. This was important early-on in making the transition as seamless as possible for the citizens of Cumberland County. However, as we have discussed we are planning to relocate our Cumberland community office to private space by January 1, 2016.

As always, we wish to express our sincere gratitude for Cumberland County's ongoing commitment to Alliance Behavioral Healthcare and for your thoughtful consideration to our FY16 budget request.

Respectfully Submitted,

A handwritten signature in black ink that reads "Rob Robinson". The signature is written in a cursive style with a large, looped initial "R".

Rob Robinson
Chief Executive Officer

cc: William Stanford, Board Chair
Kelly Goodfellow, Chief Financial Officer
Carol Hammett, General Counsel

AMY H. CANNON
County Manager

JAMES E. LAWSON
Deputy County Manager



MELISSA C. CARDINALI
Assistant County Manager

W. TRACY JACKSON
Assistant County Manager



ITEM NO. 3K(1-2)

OFFICE OF THE COUNTY MANAGER

MEMORANDUM FOR BOARD OF COMMISSIONERS AGENDA OF JUNE 15, 2015

TO: BOARD OF COUNTY COMMISSIONERS
FROM: AMY H. CANNON, COUNTY MANAGER *AMC*
DATE: JUNE 10, 2015
SUBJECT: APPROVAL OF THE CUMBERLAND COUNTY POLICY COMMITTEE REPORT AND RECOMMENDATIONS

BACKGROUND

The Cumberland County Policy Committee met on Thursday, June 4, 2015 and discussed the following agenda:

- 1) Wrecker Board Data Review
- 2) Revisions to Section 9.5-101 of the Cumberland County Code Regarding Weapons Posting

Separate memos for these items are attached and the draft minutes of the Cumberland County Policy Committee are attached for your convenience.

RECOMMENDATION/PROPOSED ACTION

Accept the Cumberland County Policy Committee report and recommendations.

/ct

Attachments

CM061015-4

DRAFT

CUMBERLAND COUNTY POLICY COMMITTEE
COURTHOUSE, 117 DICK STREET, 5TH FLOOR, ROOM 564
JUNE 4, 2015 – 10:30 A.M.
MINUTES

MEMBERS PRESENT: Commissioner Charles Evans
Commissioner Jimmy Keefe
Commissioner Jeannette Council

OTHER COMMISSIONERS
PRESENT:

Commissioner Kenneth Edge
Commissioner Larry Lancaster
Commissioner Marshall Faircloth

OTHERS PRESENT:

Amy Cannon, County Manager
James Lawson, Deputy County Manager
Tracy Jackson, Assistant County Manager
Melissa Cardinali, Assistant County Manager for Finance/
Administrative Services
Sally Shutt, Governmental Affairs and Public Information
Officer
Rick Moorefield, County Attorney
Rob Hasty, Assistant County Attorney
Randy Beeman, Emergency Services Director
Vicki Evans, Finance Accounting Manager
Gary Blackwell, Citizen
Tara Malik, Student
Candice White, Clerk to the Board
Kellie Beam, Deputy Clerk to the Board
Press

Commissioner Evans called the meeting to order.

1. APPROVAL OF MINUTES – MAY 7, 2015

MOTION: Commissioner Keefe moved to approve the minutes.

SECOND: Commissioner Council

VOTE: UNANIMOUS (3-0)

2. UPDATE ON WRECKER REVIEW ROTATION PROGRAM

BACKGROUND:

DRAFT

Robert Hasty, Assistant County Attorney, and Tracy Jackson, Assistant County Manager, met with Mr. Gary Blackwell recently regarding his concerns with the County's wrecker rotation program. Mr. Blackwell let staff know that he had a disagreement with the deputy that was formerly in charge of the wrecker rotation program and another deputy that operates a towing service that is not on the County's wrecker rotation list. As a result of Mr. Blackwell's concerns, staff reviewed the wrecker ordinance, the wrecker rotation list, and the way in which the program is administered. Staff believes the ordinance and program are operating as intended, and that no one associated with administering the County's wrecker rotation program is operating a towing service that is dispatched through the County's wrecker rotation list.

RECOMMENDATION:

It appears that Mr. Blackwell has an ongoing disagreement with at least two Sheriff's Deputies which have colored his opinion of the County's wrecker rotation program, but staff is unable to identify any current weaknesses in the ordinance or administration of the program. Staff has no further recommendations or proposed actions at this time.

Tracy Jackson, Assistant County Manager, reviewed the background information and recommendation as recorded above.

Commissioner Keefe asked if Randy Beeman, Emergency Services Director, could go over the protocol of the wrecker rotation service and asked if there is a ledger kept of all calls. Mr. Beeman briefly explained the wrecker rotation process and stated he does have the ability to produce a report of the wrecker calls to include which wrecker company responded.

Commissioner Keefe stated he would like to request Mr. Beeman to provide a report over the past year to find out if any towing companies are being called more than others. Mr. Beeman stated he would run a report to see if any wrecker companies are getting a disproportionate amount of calls. Ms. Cannon stated she would have Mr. Beeman provide Commissioner Keefe the requested report with the information sent out for the June 15, 2015, Board of Commissioners agenda.

No action was taken.

3. CONSIDERATION OF APPROVAL OF REVISIONS TO SECTION 9.5-101 OF THE CUMBERLAND COUNTY CODE REGARDING WEAPONS POSTING

BACKGROUND

A man has entered one of the Cumberland County libraries with an open carry firearm. He also emailed library personnel stating that the posting on its website prohibiting "carrying weapons of any kind" is unlawful and enforceable as North Carolina law

DRAFT

preempts County rules over the carrying of handguns. He further states that he will continue to open carry unless he is provided with authority under state law allowing the library to prohibit firearms, and should his rights be violated, a lawsuit may result. Someone also visited the Historic Courthouse with a gun, and it is not known if it is the same person from the library.

The only ordinance Cumberland County appears to have on this issue is section (a) of 9.5-101 which states,

Concealed weapon posting. (a) *Posting of signs required.* The county manager is hereby ordered to post appropriate signage on each park, building or portion of a building now or hereafter owned, leased as lessee, operated, occupied, managed or controlled by Cumberland County, as well as the appurtenant premises to such buildings, indicating that concealed handguns are prohibited therein.

Sections (b) through (c) of this ordinance provide directions for the posting of the signage as well as exceptions for law enforcement officers and others, but these subsections are not specifically relevant to this issue.

Open Carry

It is unlawful for a person to willfully or intentionally carry a concealed pistol or gun, unless the weapon is a handgun and the person has a concealed handgun permit (there are other exceptions not relevant to this discussion). NCGS 14-269. Any person with a concealed handgun permit may carry a concealed handgun unless otherwise specifically prohibited by law. NCGS 14-415.11 (NCGS 14-415.11(c) lists specific exceptions where handguns are not allowed even with a permit to include, schools, courthouses, law enforcement facilities, and venues where alcohol is sold or admission is charged).

NCGS 14-415.23 states that “a unit of local government may adopt an ordinance to permit the posting of a prohibition against carrying a concealed handgun, in accordance with GS 14-415.11(c) on local government buildings and their appurtenant premises. Further, NCGS 14-415.23 (b) provides that a County may adopt an ordinance to prohibit, by posting, the carrying of a concealed handgun on county recreational facilities that are specifically identified by the County (interestingly, “parks” were previously specifically mentioned as areas authorized by local governments for the prohibition of concealed weapons, but the word “parks” is removed in the current version of the statute. NCGS 14-415.23(c) provides that the term “recreational facilities” includes athletic fields, swimming pools, athletic event facilities, and the appurtenant facilities of these examples. The statute states that “recreational facilities” does not include any greenway or biking/walking path or any other area not specifically described therein. Therefore, it seems that a County may not ban concealed carry handguns in County owned parks. This is further supported because concealed handguns are specifically permitted in state parks in NCGS 14-415.11(c1).

Based on the statutes discussed above, a County may prohibit the concealed carry of firearms in County buildings and their appurtenant premises as well as recreational facilities, but not County parks. The current Cumberland County ordinance on concealed

DRAFT

weapon posting appears consistent with the statutory authority other than it allowing the posting to prohibit handguns in parks.

The ordinance may be revised with language as follows to be consistent with the statutory authority to prohibit handguns (both concealed and open carry) on County property:

Sec. 9.5-101. – ~~Concealed~~ Weapon posting.

- (a) Posting of signs required. The County manager is hereby ordered to post appropriate signage on each park, recreational facility, building or portion of a building now or hereafter owned, leased as lessee, operated, occupied, managed or controlled by Cumberland County, as well as the appurtenant premises to such buildings, indicating that **weapons, including** concealed handguns **and open carry handguns** are prohibited therein.

RECOMMENDATION/PROPOSED ACTION

The Legal Department recommends that the ordinance be revised as above or with such other language to reflect the policy of Cumberland County with regards to the prohibition of open carry and concealed handguns on County property.

Rob Hasty, Assistant County Attorney, reviewed the background information and recommendation as recorded above. Mr. Hasty stated there has been an individual going into County buildings with an open carry firearm that has disputed the County signage that he cannot have a weapon. Mr. Hasty stated unless there is an ordinance to prohibit open carry firearms he is allowed to carry it in certain County buildings. Mr. Hasty stated the current ordinance only deals with allowing the County to prohibit concealed weapons. Mr. Hasty stated the ordinance needs to be revised or a new ordinance needs to be put into place if the County desires to prohibit open carry because the state statute allows local governments to do that.

MOTION: Commissioner Council moved to recommend to the full board approval of the revised ordinance as recorded above with regards to the prohibition of open carry and concealed carry handguns on County property.

SECOND: Commissioner Evans

DISCUSSION:

Commissioner Keefe stated he feels there needs to be more research done on the open carry issue to find out what other governmental units are doing to handle this issue. Commissioner Keefe stated he is not ready to recommend this ordinance as written to the full board and feels more research needs to be done.

VOTE: PASSED (2-1) (Commissioners Evans and Council voted in favor; Commissioner Keefe voted in opposition.)

DRAFT

4. OTHER ITEMS OF BUSINESS

No other items of business.

MEETING ADJOURNED AT 11:00 AM

AMY H. CANNON
County Manager

JAMES E. LAWSON
Deputy County Manager



MELISSA C. CARDINALI
Assistant County Manager


W. TRACY JACKSON
Assistant County Manager



ITEM NO. 3K(1)

OFFICE OF THE COUNTY MANAGER

MEMORANDUM FOR BOARD OF COMMISSIONERS AGENDA JUNE 15, 2015

TO: BOARD OF COUNTY COMMISSIONERS
THROUGH: AMY H. CANNON, COUNTY MANAGER
FROM: W. TRACY JACKSON, ASST. COUNTY MANAGER 
DATE: JUNE 10, 2015
SUBJECT: WRECKER ROTATION DATA REVIEW

BACKGROUND

At the June 4, 2015 Policy Committee Meeting, Staff was asked to review statistics for the County's Rotation Wrecker Program and other data associated with Road Runner Towing Service. There are no records kept of private requests for a non-rotation wrecker by the County Communication Center so staff cannot verify how many times a specific towing service may have been requested by a private citizen through the Communications Center. Staff did however request information from the City of Fayetteville and found that of 3,260 rotation wreckers dispatched since May 2014 to May 2015, Road Runner Towing was dispatched 131 times or 4% of the total calls dispatched.

RECOMMENDATION/PROPOSED ACTION

This is for information purposes only. Staff makes no recommendation or proposed action at this time.

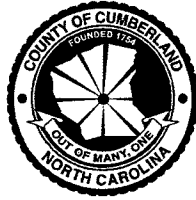
CUMBERLAND COUNTY WRECKER SERVICE CALL DATA: MAY 2014 - MAY 2015

Zones 1, 2 & 3

	Accepted	Cancelled	Total
301 TRUCK STOP	21	5	26
AAA AUTOMOTIVE	21	7	28
AUTO TUNE INC	2	4	6
B&B TOWING	7	5	12
B&D TOWING	0	1	1
BEACON	1	0	1
BISHOPS AUTO	19	12	31
CROSS CREEK	16	5	21
CRUMPLERS	1	12	13
EDS WRECKER	28	11	39
ERNIES TIRE SALES & SERVICE	24	5	29
HMC	6	3	9
HOLDERS RECOVERY	5	3	8
HORNES RECOVERY	5	2	7
JC TOWING	8	12	20
JOHNNYS TOWING	7	1	8
KENS MUFFLER SHOP	15	6	21
LEROYS WRECKER SERVICE	17	2	19
LOGANS BODY SHOP	3	6	9
MARKS WRECKER SERVICE	3	12	15
NORTONS AUTO SALES	17	1	18
NORTONS WRECKER SERVICE	20	4	24
PHILLIPS RECOVERY	13	9	22
PHILLIPS TOWING	14	10	24
PHILLIPS TRANSPORTATION	15	8	23
RALPHS	15	3	18
T&K TOWING	12	7	19
TARHEEL TOWING & RECOVERY	4	6	10
TOW RITE CO	78	18	96
WORTH BROTHERS TOWING	84	14	98
	481	194	675

Note : Number of calls may vary from one towing service to another depending on the zone worked (some zones are busier than others) and whether or not an individual wrecker service was under a suspension from the wrecker rotation program by the Sheriff's Office. The total number of wrecker calls in the county service area may appear low compared to the City of Fayetteville, which had 3,260 total calls for the same time period, because the State Highway Patrol handles a wrecker rotation program for the same area of the county since they investigate all traffic accidents on state roadways outside municipalities.

RICKEY L. MOOREFIELD
County Attorney



ITEM NO. 3K(2)

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

MEMORANDUM FOR BOARD OF COMMISSIONERS AGENDA OF JUNE 15, 2015

TO: CUMBERLAND COUNTY BOARD OF COMMISSIONERS

FROM: ROBERT A. HASTY, JR, ASSISTANT COUNTY ATTORNEY *Rah*

DATE: June 10, 2015

SUBJECT: REVISIONS TO SECTION 9.5-101 OF THE CUMBERLAND COUNTY CODE REGARDING WEAPONS POSTING

BACKGROUND:

A man has entered the Historic Courthouse carrying an open carry firearm. Someone also emailed library personnel stating that the posting on its website prohibiting "carrying weapons of any kind" is unlawful and enforceable as North Carolina law preempts county rules over the carrying of handguns.

The ordinance Cumberland County has on this issue is section (a) of 9.5-101 which states,

Concealed weapon posting. (a) *Posting of signs required.* The county manager is hereby ordered to post appropriate signage on each park, building or portion of a building now or hereafter owned, leased as lessee, operated, occupied, managed or controlled by Cumberland County, as well as the appurtenant premises to such buildings, indicating that concealed handguns are prohibited therein.

(Sections (b) through (c) of this ordinance provide exceptions for law enforcement officers and others, but these subsections are not specifically relevant to this issue)

Open Carry

N.C.G.S. § 153A-129 allows a county, by ordinance, to regulate the display of firearms on public property. N.C.G.S. §14-409.40(f) allows a county to prohibit the possession of firearms in public-owned buildings, their grounds, and parking areas with the exception that firearms may be stored in vehicles while on the above-described property. These are the relevant statutes to apply to "open carry" of firearms.

Cumberland County's ordinance cited above prohibiting weapons specifically references "concealed handguns", so it does not apply to open carry. The ordinance must be revised or a new ordinance passed to prohibit the open carry of firearms on county property under the statutory authority.

Concealed Carry

It is unlawful for a person to willfully or intentionally carry a concealed pistol or gun, unless the weapon is a handgun and the person has a concealed handgun permit (there are other exceptions not relevant to this discussion). N.C.G.S. ¶ 14-269. Any person with a concealed handgun permit may carry a concealed handgun unless otherwise specifically prohibited by law. N.C.G.S. ¶ 14-415.11 (N.C.G.S. ¶ 14-415.11(c) lists specific exceptions where handguns are not allowed even with a permit to include, schools, courthouses, law enforcement facilities, and venues where alcohol is sold or admission is charged).

N.C.G.S. 14-415.23 states that "A unit of local government may adopt an ordinance to permit the posting of a prohibition against carrying a concealed handgun, in accordance with G.S. 14-415.11(c), on local government buildings and their appurtenant premises. Further, N.C.G.S. 14-415.23(b) provides that a county may adopt an ordinance to prohibit, by posting, the carrying of a concealed handgun on county recreational facilities. N.C.G.S. 14-415.23(c) provides that the term "recreational facilities" includes athletic fields, swimming pools, athletic event facilities, and the appurtenant facilities of these examples. The statute states that "recreational facilities" does not include any greenway or biking/walking path or any other area not specifically described therein. Therefore, it seems that a county may not ban concealed carry handguns in county owned parks. This is further supported because concealed handguns are specifically permitted in state parks in N.C.G.S. 14-415.11(c1).)

Based on these "concealed carry" statutes, a county may prohibit the concealed carry of firearms in county buildings and their appurtenant premises as well as recreational facilities. The current Cumberland County ordinance on concealed weapon posting appears consistent with the statutory authority other than it allowing the posting to prohibit handguns in parks.

The ordinance may be revised with language as follows to be consistent with the statutory authority to prohibit handguns (both concealed and open carry) on county property:

Sec. 9.5-101. – ~~Concealed~~ **Weapon** posting.

- (a) Posting of signs required. The county manager is hereby ordered to post appropriate signage on each ~~park~~, recreational facility, building or portion of a building now or hereafter owned, leased as lessee, operated, occupied, managed or controlled by Cumberland County, as well as the appurtenant premises to such buildings, indicating that **weapons, including** concealed handguns **and open carry handguns** are prohibited therein.

RECOMMENDATION/PROPOSED ACTION:

These revisions were approved by the Policy Committee at its June 4, 2015, meeting by a vote of 2-1.

AMY H. CANNON
County Manager

JAMES E. LAWSON
Deputy County Manager



CUMBERLAND
★ **COUNTY** ★
NORTH CAROLINA

MELISSA C. CARDINALI
Assistant County Manager


W. TRACY JACKSON
Assistant County Manager

ITEM NO. 3L

OFFICE OF THE COUNTY MANAGER

MEMORANDUM FOR BOARD OF COMMISSIONERS AGENDA OF JUNE 15, 2015

TO: BOARD OF COMMISSIONERS

FROM: AMY H. CANNON, COUNTY MANAGER 

DATE: JUNE 10, 2015

SUBJECT: APPROVAL OF THE FY2015-2016 HOME & COMMUNITY CARE BLOCK GRANT FOR OLDER ADULTS AGREEMENT BETWEEN COUNTY OF CUMBERLAND AND MID-CAROLINA AREA AGENCY ON AGING

BACKGROUND

Grant funding allocations for the Home & Community Care Block Grant for Cumberland County have not yet been finalized for FY2015-2016, however, the County has been instructed to use the current funding levels for planning purposes at this time. Mid-Carolina Area Agency on Aging has provided committee recommendations that the service provider allocations be maintained as currently distributed. Backup material regarding the abovementioned information is attached.

RECOMMENDATION/PROPOSED ACTION

Approve the County Summary and County Agreement for the Provision of County-Based Aging Services which require the signatures of the Chairman of the Board and the County Finance Director.

/ct

Attachments

CM061015-5

Mid-Carolina Area Agency on Aging

130 Gillespie Street • Post Office Drawer 1510 • Telephone (910) 323-4191 • Fax (910) 323-9330
Fayetteville, North Carolina 28302

June 8, 2015

Ms. Amy Cannon
County Manager
County of Cumberland
P.O. Box 1829
Fayetteville, NC 28302

Dear Ms. Cannon:

Home and Community Care Block Grant funding allocations have not been finalized for FY 2015-2016 as of yet; but the County has been instructed to use the current funding levels for planning purposes at this time. The Committee is recommending that the service provider allocations be maintained as currently distributed.

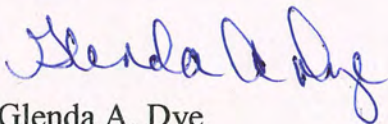
You will find enclosed:

Lead Agency Designation, DOA-730
County Services Summary, DOA-731
Provider Services Summary, DOA-732 (for each provider)
Agreement for the Provision of County-Based Aging Services, DOA-735

The County Summary and the County Agreement require the signature of the Chairman of the Board of Commissioners. The Provider Summaries need the signature of the Chairman and the County Finance Officer.

If you have any questions, please call me.

Thank you,



Glenda A. Dye
Aging Director

Enclosures

Home and Community Care Block Grant for Older Adults

County Funding Plan

Identification of Agency or Office with Lead Responsibility for County Funding Plan

County Cumberland July 1, 2015 through June 30, 2016

The agency or office with lead responsibility for planning and coordinating the County Funding Plan recommends this funding plan to the Board of Commissioners as a coordinated means to utilize community-based resources in the delivery of comprehensive aging services to older adults and their families.

Mid-Carolina Area Agency on Aging
(Name of agency/office with lead responsibility)

Glenda A. Dye 06-08-2015
Authorized signature (date)

Glenda A. Dye, Aging Director
(Type name and title of signatory agent)

Home and Community Care Block Grant for Older Adults

County Funding Plan

County Services Summary

County: CUMBERLAND
July 1, 2015 through June 30, 2016

REVISION # , Date:

Services	A				B	C	D	E	F	G	H	I
	Access	In-Home	Other	Total	Required Local Match	Net Service Cost	USDA Subsidy	Total Funding	Projected HCCBG Units	Projected Reimbursement Rate	Projected HCCBG Clients	Projected Total Units
Adult Day Health*		176634		//////////	19626	196260		196260				
Adult Day Health Transportation		1800			200	2000		2000	1333	1.5000	12	1333
Care Management	131080			//////////	14564	145644		145644			30	
Care Mgmt Consumer Directed	95000			//////////	10556	105556		105556			9	
In-home Aide, LV1		26098		//////////	2900	28998		28998	1350	21.4803	17	1350
In-home Aide, LV2		115000		//////////	12778	127778		127778	5949	21.4803	37	5949
In-home Aide, LV3		141057		//////////	15673	156730		156730	7343	21.4803	41	7343
Home Improvement		97602		//////////	10845	108447		108447			150	
Transportation-General	45188			//////////	5021	50209		50209	3324	15.1050	25	3324
Transportation-Medical	156936			//////////	17437	174373		174373	7232	24.1113	250	7232
Senior Center Operations**			36000	//////////	4000	40000		40000				
Nutrition-Congregate			94681	//////////	10520	105201	15368	120569	19923	5.2800	150	20491
Nutrition-Home Del Meals			321292	//////////	35699	356991	59063	416054	67614	5.2800	350	78750
Information & Options Counseling	53659			//////////	5962	59621		59621			1870	
				//////////	0	0		0				
Total	481863	558191	451973	1492027	165781	1657808	74431	1732239	114068	//////////	2941	125772

*Adult Day Health												
Cape Fear ADHC		87417			9713	97130		97130	2215	43.8500	12	2215
Southern Hospitality ADC		89217			9913	99130		99130	2179	45.4800	15	2179
**Senior Center Operations												
Fayetteville-Cumberland Senior Center			12000		1333	13333						
Hope Mills Sunshine Senior Center			12000		1333	13333						
Spring Lake Senior Enrichment Center			12000		1333	13333						

Signature, Chairman, Board of Commissioners Date

NAME AND ADDRESS
 COMMUNITY SERVICE PROVIDER
 Cape Fear Adult Day Health Care Center
 920Stamper Rd
 Fayetteville, NC 28303

Home and Community Care Block Grant for Older Adults

County Funding Plan

Provider Services Summary

DOA-732 (Rev. 2/15)
 County: Cumberland
 July 1, 2015 through June 30, 2016

REVISION # , DATE :

Services	Ser. Delivery		A				B	C	D	E	F	G	H	I
	(Check One)		Block Grant Funding				Required	Net*	NSIP	Total	Projected	Projected	Projected	Projected
	Direct	Purch.	Access	In-Home	Other	Total	Local Match	Serv Cost	Subsidy	Funding	HCCBG Units	Reimburse. Rate	HCCBG Clients	Total Units
Adult Day Halth Care	x			87417		////////////////////	9713	97130		97130	2215	43.85	12	2215
ADHC Transportation	x			1800		////////////////////	200	2000		2000	1333	1.5	12	1333
						////////////////////	0	0		0				
						////////////////////	0	0		0				
						////////////////////	0	0		0				
						////////////////////	0	0		0				
						////////////////////	0	0		0				
						////////////////////	0	0		0				
						////////////////////	0	0		0				
						////////////////////	0	0		0				
						////////////////////	0	0		0				
						////////////////////	0	0		0				
						////////////////////	0	0		0				
						////////////////////	0	0		0				
						////////////////////	0	0		0				
						////////////////////	0	0		0				
Total	////	////	0	89217	0	89217	9913	99130	0	99130	3548	////	24	3548

*Adult Day Care & Adult Day Health Care Net Service Cost

	ADC	ADHC
Daily Care		\$ 40.00
Transportation		\$ 3.00
Administrative		\$ 3.85
Net Ser. Cost Total		\$ 46.85

Certification of required minimum local match availability.
 Required local match will be expended simultaneously
 with Block Grant Funding.

Myra J. Wall director 5-29-15
 Authorized Signature, Title Date
 Community Service Provider

 Signature, County Finance Officer Date

 Signature, Chairman, Board of Commissioners Date

NAME AND ADDRESS
 COMMUNITY SERVICE PROVIDER
 Southern Hospitality Adult Day Care
 3211 Natal Street
 Fayetteville, NC 28306

Home and Community Care Block Grant for Older Adults

County Funding Plan

Provider Services Summary

DOA-732 (Rev. 2/14)
 County _____ Cumberland
 July 1, 2015 through June 30, 2016

REVISION # , DATE :

Services	A						B	C	D	E	F	G	H	I
	Ser. Delivery (Check One)		Block Grant Funding				Required	Net*	NSIP	Total	Projected	Projected	Projected	Projected
	Direct	Purch.	Access	In-Home	Other	Total	Local Match	Serv Cost	Subsidy	Funding	HCCBG Units	Reimburse Rate	HCCBG Clients	Total Units
Adult Day Health Care	X			89217		////////////////	9913	99130		99130	2179	45.48	15	2179
						////////////////	0	0		0				
						////////////////	0	0		0				
						////////////////	0	0		0				
						////////////////	0	0		0				
						////////////////	0	0		0				
						////////////////	0	0		0				
						////////////////	0	0		0				
						////////////////	0	0		0				
						////////////////	0	0		0				
						////////////////	0	0		0				
						////////////////	0	0		0				
						////////////////	0	0		0				
						////////////////	0	0		0				
						////////////////	0	0		0				
Total	////	////	0	89217	0	89217	9913	99130	0	99130	2179	////	15	2179

*Adult Day Care & Adult Day Health Care Net Service Cost

	ADC	ADHC
Daily Care		40.00
Transportation		0
Administrative		5.48
Net Ser. Cost Total		45.48

Certification of required minimum local match availability.
 Required local match will be expended simultaneously
 with Block Grant Funding.

Patricia Crooke 6/8/15
 Authorized Signature, Title _____ Date
 Community Service Provider

 Signature, County Finance Officer Date

 Signature, Chairman, Board of Commissioners Date

NAME AND ADDRESS
 COMMUNITY SERVICE PROVIDER
 Mid-Carolina Council of Governments
 P.O. Drawer 1510
 Fayetteville, NC 28302

Home and Community Care Block Grant for Older Adults

County Funding Plan

DOA-732 (Rev. 2/15)
 County Cumberland
 July 1, 2015 through June 30, 2016
 Revision # , Date:

Provider Services Summary

Services	Ser. Delivery		A				B	C	D	E	F	G	H	I
	(Check One)		Block Grant Funding				Required	Net*	NSIP	Total	Projected	Projected	Projected	Projected
	Direct	Purch.	Access	In-Home	Other	Total	Local Match	Serv Cost	Subsidy	Funding	HCCBG Units	Reimburse Rate	HCCBG Clients	Total Units
Care Management	X		131080			////////////////////	14564	145644		145644			30	
Care Mgmt Consumer Directed Care	X		95000			////////////////////	10556	105556		105556			9	
						////////////////////	0	0		0				
						////////////////////	0	0		0				
						////////////////////	0	0		0				
						////////////////////	0	0		0				
						////////////////////	0	0		0				
						////////////////////	0	0		0				
						////////////////////	0	0		0				
						////////////////////	0	0		0				
						////////////////////	0	0		0				
Total	////	////	226080	0	0	226080	25120	251200	0	251200	0	////	39	0

*Adult Day Care & Adu ADC	ADHC
Daily Care	_____
Transportation	_____
Administrative	_____
Net Ser. Cost Total	_____

Certification of required minimum local match availability.
 Required local match will be expended simultaneously with Block Grant Funding.

[Handwritten Signature]
 Authorized Signature, Title _____ Date 08-08-15
 Community Service Provider

 Signature, County Finance Officer Date

 Signature, Chairman, Board of Commissioners Date

NAME AND ADDRESS
 COMMUNITY SERVICE PROVIDER
 Town of Hope Mills
 5770 Rockfish Road
 Hope Mills NC 28348

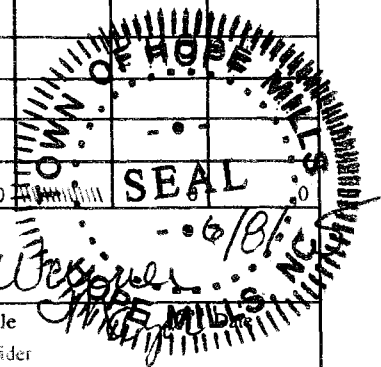
Home and Community Care Block Grant for Older Adults

County Funding Plan

Provider Services Summary

DOA-732 (Rev. 2/15)
 County _____ Cumberland
 July 1, 2015 through June 30, 2016
 REVISION # , Date:

Services	Ser. Delivery		A				B	C	D	E	F	G	H	I
	(Check One)		Block Grant Funding				Required	Net*	NSIP	Total	Projected	Projected	Projected	Projected
	Direct	Parch.	Access	In-Home	Other	Total	Local Match	Serv Cost	Subsidy	Funding	HCCBG Units	Reimburse Rate	HCCBG Clients	Total Units
Sr Center Operations	X				12000	1333	13333		13333					
						0	0		0					
						0	0		0					
						0	0		0					
						0	0		0					
						0	0		0					
						0	0		0					
						0	0		0					
						0	0		0					
						0	0		0					
						0	0		0					
						0	0		0					
						0	0		0					
						0	0		0					
						0	0		0					
Total			0	0	12000	12000	1333	13333	0	13333	0			



*Adult Day Care & Adult Day Health Care Net Service Cost

	ADC	ADHC
Daily Care		
Transportation		
Administrative		
Net Ser. Cost Total		

Certification of required minimum local match availability.
 Required local match will be expended simultaneously
 with Block Grant Funding.

Signature, County Finance Officer _____ Date _____

Jackie Weigman
 Authorized Signature, Title
 Community Service Provider
 Signature, Chairman, Board of Commissioners _____ Date _____

NAME AND ADDRESS
 COMMUNITY SERVICE PROVIDER
 City of Fayetteville
 Fayetteville-Cumberland Senior Center
 739 Blue Street
 Fayetteville, NC 28301

Home and Community Care Block Grant for Older Adults

County Funding Plan

Provider Services Summary

DOA-732 (Rev. 2/15)

County _____ Cumberland

July 1, 2015 through June 30, 2016

REVISION # _____, DATE : _____

Services	A						B	C	D	E	F	G	H	I
	Ser. Delivery (Check One)		Block Grant Funding				Required	Net*	NSIP	Total	Projected	Projected	Projected	Projected
	Direct	Purch.	Access	In-Home	Other	Total	Local Match	Serv Cost	Subsidy	Funding	HCCBG Units	Reimburse. Rate	HCCBG Clients	Total Units
Sr. Center Operations	X				12000	//////////	1333	13333		13333				
						//////////	0	0		0				
						//////////	0	0		0				
						//////////	0	0		0				
						//////////	0	0		0				
						//////////	0	0		0				
						//////////	0	0		0				
						//////////	0	0		0				
						//////////	0	0		0				
						//////////	0	0		0				
						//////////	0	0		0				
						//////////	0	0		0				
						//////////	0	0		0				
						//////////	0	0		0				
						//////////	0	0		0				
						//////////	0	0		0				
						//////////	0	0		0				
Total	////////	////////	0	0	12000	12000	1333	13333	0	13333	0	//////////	0	0

*Adult Day Care & Adult Day Health Care Net Service Cost

	ADC	ADHC
Daily Care	_____	_____
Transportation	_____	_____
Administrative	_____	_____
Net Ser. Cost Total	_____	_____

Certification of required minimum local match availability.
 Required local match will be expended simultaneously
 with Block Grant Funding.

Lisa Smith 6/8/2015
 Signature, County Finance Officer Date
 city

Charles A. Baker, City Manager 6/8/15
 Authorized Signature, Title Date
 Community Service Provider

Signature, Chairman, Board of Commissioners Date

July 1, 2015 through June 30, 2016

Home and Community Care Block Grant for Older Adults

Agreement for the Provision of County-Based Aging Services

This Agreement, entered into as of this 1st day of July, 2015, by and between the County of Cumberland (hereinafter referred to as the "County") and the Mid-Carolina Area Agency on Aging, (hereinafter referred to as the "Area Agency").

Witnesseth That:

WHEREAS, the Area Agency and the County agree to the terms and conditions for provision of aging services in connection with activities financed in part by Older Americans Act grant funds, provided to the Area Agency from the United States Department of Health and Human Services through the North Carolina Division of Aging and Adult Services (DAAS) and state appropriations made available to the Area Agency through the North Carolina Division of Aging and Adult Services, as set forth in a) this document, b) the County Funding Plan, as reviewed by the Area Agency and the Division of Aging and Adult Services, c) the Division of Aging and Adult Services Home and Community Care Block Grant Procedures Manual for Community Service Providers, d) the Division of Aging and Adult Services Service Standards Manual, Volumes I through IV, and, e) the Division of Aging and Adult Services Community Service Providers Monitoring Guidelines.

NOW THEREFORE, in consideration of these premises, and mutual covenants and agreements hereinafter contained, the parties hereto agree as follows:

1. As provided in the Area Plan, community service providers specified by the County to encourage maximum collocation and coordination of services for older persons are as follows:

Cumberland County Council on Older Adults, Inc.

- 1.(a) The Community Service Provider(s), shall be those specified in the County Funding Plan on the Provider Services Summary format(s) (DOA-732) for the period ending June 30 for the year stated above.
2. Availability of Funds. The terms set forth in this Agreement for payment are contingent upon the receipt of Home and Community Care Block Grant funding by the Area Agency.
3. Grant Administration. The grant administrator for the Area Agency shall be Glenda Dye, Aging Director. The grant administrator for the County shall be the County Manager.

It is understood and agreed that the grant administrator for the County shall represent the County in the performance of this Agreement. The County shall notify the Area Agency in writing if the administrator changes during the grant period. Specific responsibilities of the grant administrator for the County are provided in paragraph seven (7) of this Agreement.

4. Services authorized through the County Funding Plan, as specified on the Provider Services Summary format(s) (DOA-732) are to commence no later than July 1 of the state fiscal year and shall be undertaken and pursued in such sequence as to assure their expeditious completion. All services required hereunder shall be completed on or before the end of the Agreement period, June 30 of the state fiscal year.
5. Assignability and Contracting. The County shall not assign all or any portion of its interest in this Agreement. Any purchase of services with Home and Community Care Block Grant for Older Adults funding shall be carried out in accordance with the procurement and contracting policy of the community services provider or, where applicable, the Area Agency, which does not conflict with procurement and contracting requirements contained in 45 CFR 92.36. Federal funds shall not be awarded to any subrecipients who have been suspended or debarred by the Federal government. In addition, Federal funds may not be used to purchase goods or services costing over \$100,000 from a vendor that has been suspended or debarred from Federal grant programs.
6. Compensation and Payments to the County. The County shall be compensated for the work and services actually performed under this Agreement by payments to be made monthly by the Area Agency. Total reimbursement to the community service providers under this Agreement may not exceed the grand total of Block Grant funding, as specified on the Provider Services Summary format (DOA-732).

(a) Interim Payments to the County

Upon receipt of a written request from the County, the Division of Aging and Adult Services, through the Area Agency, will provide the County Finance Officer with an interim payment equivalent to seventy percent (70%) of one-twelfth (1/12) of the County's Home and Community Care Block Grant allocation.

(b) Reimbursement of Service Costs

Reimbursement of service costs are carried out as provided in Section 3 of the N.C. Division of Aging and Adult Services Home and Community Care Block Grant Procedures Manual for Community Service Providers, revised February 17, 1997.

(c) Role of the Area Agency

The Area Agency shall be responsible for disbursing Home and Community Care Block Grant Funding to Community Service Providers in accordance with procedures specified in the N.C.

Division of Aging and Adult Services Home and Community Care Block Grant Manual for Community Service Providers, revised February 17, 1997.

(d) Payment of Administration on Aging Nutrition Services Incentive Program (NSIP) Subsidy

NSIP subsidy for congregate and home delivered meals will be disbursed by the Division of Aging through the Area Agency to the County on a monthly basis, subject to the availability of funds as specified in Section 3 of the N.C. Division of Aging and Adult Services Home and Community Care Block Grant Procedures Manual for Community Services Providers, revised February 17, 1997.

If through the US Department of Agriculture Area Agency on Aging Elections Project, the County elects to receive a portion of its USDA entitlement in the form of surplus commodity foods in lieu of cash, the Area Agency will notify the County in writing of its community valuation upon notification from the Division of Aging and Adult Services. The delivery of commodity and bonus foods is subject to availability. The County will not receive cash entitlement in lieu of commodities that are unavailable or undelivered during the Agreement period.

7. Reallocation of Funds and Budget Revisions. Any reallocation of Block Grant funding between counties shall be voluntary on the part of the County and shall be effective only for the period of the Agreement. The reallocation of Block Grant funds between counties will not affect the allocation of future funding to the County. If during the performance period of the Agreement, the Area Agency determines that a portion of the Block Grant will not be expended, the Area Agency will make funds available for reallocation to other counties in the Planning and Service Area or elsewhere in the state.

The Area Agency may authorize community service providers to implement budget revisions which do not cause the County to fall below minimum budgeting requirements for access, in-home, congregate, and home delivered meals services, as specified in Division of Aging and Adult Services budget instructions issued to the County. If a budget revision will cause the County to fall below minimum budgeting requirements for any of the aforementioned services, as specified in Division of Aging and Adult Services budgeting instructions issued to the County, the Area Agency will work to assure that regional minimum budgeting requirements for the aforementioned services will be met.

Unless community services providers have been given the capacity to enter data into the Aging Resources Management System (ARMS), Area Agencies on Aging are responsible for entering amended service data into the Division of Aging Management Information System, as specified in the N.C. Division of Aging and Adult Services Home and Community Care Block Grant Procedures Manual for Community Service Providers, revised February 17, 1997.

8. Monitoring. This Agreement will be monitored to assure that services are being provided as stated in the Division of Aging and Adult Service monitoring Policies and Procedures at <http://www.ncdhhs.gov/aging/monitor/mpolicy.htm> .

The monitoring of services provided under this Agreement shall be carried out by the Area Agency on Aging in accordance with its Assessment Plan and as specified in Administrative Letter 12-08 located at <http://ncdhhs.gov/aging/admltrs/2012/DAAS-12-08.pdf> . As of July 1, 2012, DAAS Program Compliance Representatives (PCRs) are no longer monitoring HCCBG services provided through county departments of social services.

Counties and community service providers will receive a written report of monitoring findings in accordance with procedures established in Section 308 of the AAA Policies and Procedures Manual (<http://www.ncdhhs.gov/aging/monitor/mpolicy.htm>). Any areas of non-compliance will be addressed in a written corrective action plan with the community service provider.

9. Disputes and Appeals. Any dispute concerning a question of fact arising under this Agreement shall be identified to the designated grants administrator for the Area Agency. In accordance with Lead Regional Organization (LRO) policy, a written decision shall be promptly furnished to the designated grants administrator for the County.

The decision of the LRO is final unless within twenty (20) days of receipt of such decision the Chairman of the Board of Commissioners furnishes a written request for appeal to the Director of the North Carolina Division of Aging and Adult Services, with a copy sent to the Area Agency. The request for appeal shall state the exact nature of the complaint. The Division of Aging and Adult Services will inform the Chairman of the Board of Commissioners of its appeal procedures and will inform the Area Agency that an appeal has been filed. Procedures thereafter will be determined by the appeals process of the Division of Aging and Adult Services. The state agency address is as follows:

Director
North Carolina Division of Aging and Adult Services
2101 Mail Service Center
693 Palmer Drive
Raleigh, North Carolina 27699-2101

10. Termination for Cause. If through any cause, the County shall fail to fulfill in a timely and proper manner its obligations under this Agreement, or the County has or shall violate any of the covenants, agreements, representations or stipulations of this Agreement, the Area Agency shall have the right to terminate this Agreement by giving the Chairman of the Board of Commissioners written notice of such termination no fewer than fifteen (15) days prior to the effective date of termination. In such event, all finished documents and other materials collected or produced under this Agreement shall at the option of the Area Agency, become its property. The County shall be entitled to receive just and equitable compensation for any work satisfactorily performed under this Agreement.

11. Audit. The County agrees to have an annual independent audit in accordance with North Carolina General Statutes, North Carolina Local Government Commission requirements, Division of Aging and Adult Services Program Audit Guide for Aging Services and Federal Office of Budget and Management (OMB) Circular A-133.

Community service providers, as specified in paragraph one (1), who are not units of local government or otherwise subject to the audit and other reporting requirements of the Local Government Commission are subject to audit and fiscal reporting requirements, as stated in NC General Statute 143C-6-22 and 23 and OMB Circular A-133, where applicable. Applicable community service providers must send a copy of their year-end financial statements, and any required audit, to the Area Agency on Aging. Home and Community Care Block Grant providers are not required to submit Activities and Accomplishments Reports. For-profit corporations are not subject to the requirements of OMB Circular A-133, but are subject to NC General Statute 143C-6-22 and 23 and Yellow Book audit requirements, where applicable. **Federal funds** may not be used to pay for a **Single or Yellow Book audit** unless it is a federal requirement. **State funds** will not be used to pay for a **Single or Yellow Book audit** if the provider receives less than \$500,000 in state funds. The Department of Health and Human Services will provide confirmation of federal and state expenditures at the close of the state fiscal year. Information on audit and fiscal reporting requirements can be found at <https://www.ncgrants.gov/NCGrants/PublicReportsRegulations.jsp>.

The following provides a summary of reporting requirements under NCGS 143C-6-22 and 23 and OMB Circular A-133 based upon funding received and expended during the service provider's fiscal year.

<u>Annual Expenditures</u>	<u>Report Required to AAA</u>	<u>Allowable Cost for Reporting</u>
<ul style="list-style-type: none"> • Less than \$25,000 in State or Federal funds 	Certification form and State Grants Compliance Reporting <\$25,000 (item # 11, Activities and Accomplishments does <u>not</u> have to be completed) OR Audited Financial Statements in Compliance with GAO/GAS (i.e. Yellow Book)	N/A
Greater than \$25,000 and less that \$500,000 in State or Federal Funds	Certification form and Schedule of Grantee Receipts >\$25,000 and Schedule of Receipts and Expenditures OR Audited Financial Statements in Compliance with GAO/GAS	N/A

(i.e. Yellow Book)

- | | | |
|---|--|---|
| <ul style="list-style-type: none"> • \$500,00+ in State funds <u>and</u> Federal pass through in an amount less than \$500,000 | <p>Audited Financial Statement in compliance with GAO/GAS (i.e. Yellow Book)</p> | <p>May use State funds, but <u>not</u> Federal Funds</p> |
| <ul style="list-style-type: none"> • \$500,000+ in State funds <u>and</u> \$500,000+ in Federal pass through funds (i.e. at least \$1,000,000) | <p>Audited Financial Statement in compliance with OMB Circular A-133 (i.e. Single Audit)</p> | <p>May use State and Federal funds</p> |
| <ul style="list-style-type: none"> • Less than \$500,000 in State funds <u>and</u> \$500,000+ in Federal pass through funds | <p>Audited Financial Statement in compliance with OMB Circular A-133 (i.e. Single Audit)</p> | <p>May use Federal funds, but <u>not</u> State funds.</p> |

12. Audit/Assessment Resolutions and Disallowed Cost. It is further understood that the community service providers are responsible to the Area Agency for clarifying any audit exceptions that may arise from any Area Agency assessment, county or community service provider single or financial audit, or audits conducted by the State or Federal Governments. In the event that the Area Agency or the Department of Health and Human Services disallows any expenditure made by the community service provider for any reason, the County shall promptly repay such funds to the Area Agency once any final appeal is exhausted in accordance with paragraph nine (9). The only exceptions are if the Area Agency on Aging is designated as a community service provider through the County Funding Plan or, if as a part of a procurement process, the Area Agency on Aging enters into a contractual agreement for service provision with a provider which is in addition to the required County Funding Plan formats. In these exceptions, the Area Agency is responsible for any disallowed costs. The County or Area Agency on Aging can recoup any required payback from the community service provider in the event that payback is due to a community service provider's failure to meet OMB Circular A-122 requirements, requirements of A-110, requirements of 45CFR, Part 1321, and 45CFR, Part 92, or state eligibility requirements as specified in policy.
13. Indemnity. The County agrees to indemnify and save harmless the Area Agency, its agents, and employees from and against and all loss, cost, damages, expenses, and liability arising out of performance under this Agreement to the extent of errors or omissions of the County.
14. Equal Employment Opportunity and Americans With Disabilities Act Compliance. Both the County and community service providers, as identified in paragraph one (1), shall comply with all federal and state laws relating to equal employment opportunity and accommodation for disability.
15. Data to be Furnished to the County. All information which is existing, readily available to the Area Agency without cost and reasonably necessary, as determined by the Area Agency's staff, for the

performance of this Agreement by the County shall be furnished to the County and community service providers without charge by the Area Agency. The Area Agency, its agents and employees, shall fully cooperate, with the County in the performance of the County's duties under this Agreement.

16. Rights in Documents, Materials and Data Produced. The County and community service providers agree that at the discretion of the Area Agency, all reports and other data prepared by or for it under the terms of this Agreement shall be delivered to, become and remain, the property of the Area Agency upon termination or completion of the work. Both the Area Agency and the County shall have the right to use same without restriction or limitation and without compensation to the other. For the purposes of this Agreement, "data" includes writings, sound recordings, or other graphic representations, and works of similar nature. No reports or other documents produced in whole or in part under this Agreement shall be the subject of an application for copyright by or on behalf of the County.
17. Interest of the Board of Commissioners. The Board of Commissioners covenants that neither the Board of Commissioners nor its agents or employees presently has an interest, nor shall acquire an interest, direct or indirect, which conflicts in any manner or degree with the performance of its service hereunder, or which would prevent, or tend to prevent, the satisfactory performance of the service hereunder in an impartial and unbiased manner.
18. Interest of Members of the Area Agency, Lead Regional Organization, and Others. No officer, member or employee of the Area Agency or Lead Regional Organization, and no public official of any local government which is affected in any way by the Project, who exercises any function or responsibilities in the review or approval of the Project or any component part thereof, shall participate in any decisions relating to this Agreement which affects his personal interest or the interest of any corporation, partnership or association in which he is, directly or indirectly, interested; nor shall any such persons have any interest, direct or indirect, in this Agreement or the proceeds arising there from.
19. Officials not to Benefit. No member of or delegate to the Congress of the United States of America, resident Commissioner or employee of the United States Government, shall be entitled to any share or part of this Agreement or any benefits to arise here from.
20. Prohibition Against Use of Funds to Influence Legislation. No part of any funds under this Agreement shall be used to pay the salary or expenses of any employee or agent acting on behalf of the County to engage in any activity designed to influence legislation or appropriations pending before Congress.
21. Confidentiality and Security. Any client information received in connection with the performance of any function of a community service provider or its subcontractors under this Agreement shall be kept confidential. The community service provider acknowledges that in receiving, storing, processing, or otherwise handling any confidential information, the agency and any subcontractors will safeguard and not further disclose the information except as provided in this Agreement and accompanying documents.

22. Record Retention and Disposition. All state and local government agencies, nongovernmental entities, and their subrecipients, including applicable vendors, that administer programs funded by federal sources passed through the NC DHHS and its divisions and offices are expected to maintain compliance with the DHHS record retention and disposition schedule and any agency-specific program schedules developed jointly with the NC Department of Cultural Resources, Division of Archives and Records. Retention requirements apply to the community service providers funded under this Agreement to provide Home and Community Care Block Grant services. Information on retention requirements is posted at <http://www.ncdhhs.gov/control/retention/retention.htm> and updated semi-annually by the NC DHHS Controller's Office. By funding source and state fiscal year, this schedule lists the earliest date that grant records in any format may be destroyed. The Division of Archives and Records provides information about destroying confidential data and authorized methods of record destruction (paper and electronic) at <http://www.ncdcr.gov/archives/ForGovernment/RetentionSchedules/AuthorizedDestruction.aspx>.

The DHHS record retention schedule is based on federal and state regulations and pertains to the retention of all financial and programmatic records, supporting documents, statistical records, and all other records supporting the expenditure of a federal grant award. Records legally required for ongoing official proceedings, such as outstanding litigation, claims, audits, or other official actions, must be maintained for the duration of that action, notwithstanding the instructions of the DHHS record retention and disposition schedule.

In addition to record retention requirements for records in any format, the long-term and/or permanent preservation of electronic records require additional commitment and active management by agencies. The community service provider will comply with all policies, standards, and best practices published by the Division of Aging and Adult Services regarding the creation and management of electronic records.

This page will be utilized when the Area Agency is designated by County to write checks to community service providers.

23. Payment to Community Service Providers by the Area Agency on Aging. The County authorizes the Area Agency on Aging, in lieu of the County Finance Officer, to provide interim and reimbursement payments to community service providers as prescribed in paragraphs 6(a) and (c) of this Agreement. Services applicable to this authorization are as follows:

<u>Community Service Provider</u>	<u>Service</u>
Cumberland County Council on Older Adults, Inc.	In-Home Aide Level I In-Home Aide Level II In-Home Aide Level III Information and Options Counseling Housing and Home Improvement Congregate Nutrition Home Delivered Nutrition
Cumberland Co. Community Transportation Program	General Transportation Medical Transportation
Cape Fear Adult Day Health Care Center	Adult Day Health Adult Day Health Transportation
Southern Hospitality Adult Day Health Care Center	Adult Day Health
Fayetteville-Cumberland Senior Center	Senior Center Operations
Town of Hope Mills	Senior Center Operations
Town of Spring Lake	Senior Center Operations

This authorization by the County shall be in compliance with requirements set forth in the North Carolina Budget and Fiscal Control Act. The County Finance Officer shall establish controls to account for the receipt and expenditure of Home and Community Care Block Grant Funds.

24. Applicable Law. This Agreement is executed and is to be performed in the State of North Carolina, and all questions of interpretation and construction shall be construed by the laws of such State.

In witness whereof, the Area Agency and the County have executed this Agreement as of the day first written above.

Cumberland County

Attest:

_____ By: _____
Chairman, Board of Commissioners

Area Agency

Attest:

Heida A. Day By: J. E. Caldwell
Area Agency Director Executive Director,
Lead Regional Organization

Provision for payment of the monies to fall due under this Agreement within the current fiscal year have been made by appropriation duly authorized as required by the Local Government Budget and Fiscal Control Act.

BY: J. E. Caldwell
FINANCE OFFICER, Lead Regional Organization

ORDINANCE ASSESSING PROPERTY FOR THE COSTS
OF DEMOLITION OF A STRUCTURE PURSUANT TO
THE MINIMUM HOUSING CODE OF CUMBERLAND COUNTY
CASE NUMBER: MH 457-2014
PROPERTY OWNER: Betty Morneault c/o David Pait

WHEREAS, the Board of County Commissioners of Cumberland County, North Carolina, on November 17, 2014, enacted an ordinance directing the demolition by the owner of the structure Connie G. Groves, located at 6526 Alamance Road, Hope Mills, NC, PIN: 0412-54-7360, said ordinance being recorded in Book 9548, page 437, 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 \$4,300.00.
- (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 \$4,300.00, 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 November 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 6526 Alamance Road, Hope Mills, NC, as described in Deed Book 3940, page 867, of the Cumberland County Registry and identified in County tax records as PIN 0412-54-7360.

(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 June, 2015, at 6:45 p.m. o'clock.

Cumberland County Clerk

ORDINANCE ASSESSING PROPERTY FOR THE COSTS
OF DEMOLITION OF A STRUCTURE PURSUANT TO
THE MINIMUM HOUSING CODE OF CUMBERLAND COUNTY
CASE NUMBER: MH 634-2014
PROPERTY OWNER: Ruby H. Parker Heirs

WHEREAS, the Board of County Commissioners of Cumberland County, North Carolina, on October 20, 2014, enacted an ordinance directing the demolition by the owner(s) of the structure(s) Ruby H. Parker Heirs, located at 139 N Grogg Street, Spring Lake, NC, PIN: 0511-27-1603, said ordinance being recorded in Book 9536, page 0566, of the Cumberland County Registry of Deeds;

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

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

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

- (1) Said work had been accomplished.
- (2) The cost of such work was \$1,100.00.
- (3) There were no salable materials resulting from said work.

NOW THEREFORE, the above report coming on to be considered and the Board of County Commissioners finding it to be a true and accurate accounting, the said Board hereby ORDAINS:

(1) That the real property on which the work was performed be, and it hereby is, assessed in the amount of \$1,100.00, said sum being the unpaid balance of the cost of the work set forth in the Inspector's Report;

(2) That as provided in the Ordinance of Cumberland County dated October 20, 2014, and in Section 160A-443(6) of the General Statutes of North Carolina, the amount of the foregoing assessment be, and hereby does constitute, a lien against the real property upon which such costs were incurred, such property being more particularly described as follows:

The structure and premises located at 139 N Grogg Street Spring Lake, NC, as described in Deed Book 0490, page 0008, of the Cumberland County Registry and identified in County tax records as PIN 0511-27-1603.

(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 June 2015, at 6:45 p.m. o'clock.

Cumberland County Clerk

ORDINANCE ASSESSING PROPERTY FOR THE COSTS
OF DEMOLITION OF A STRUCTURE PURSUANT TO
THE MINIMUM HOUSING CODE OF CUMBERLAND COUNTY
CASE NUMBER: MH 775-2014

PROPERTY OWNER: James E. & Jennifer Wright & RBMG. INC.
(Netbank, Inc.)

WHEREAS, the Board of County Commissioners of Cumberland County, North Carolina, on January 20, 2015, enacted an ordinance directing the demolition by the owner of the structure James E. & Jennifer Wright & RBMG. INC. (Netbank, Inc.), located at 8533 Candlebrush Dr; Linden, NC, PIN: 0554-56-7668, said ordinance being recorded in Book 9585, page 328, of the Cumberland County Registry of Deeds;

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

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

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

- (1) Said work had been accomplished.
- (2) The cost of such work was \$2,540.00.
- (3) There were no salable materials resulting from said work.

NOW THEREFORE, the above report coming on to be considered and the Board of County Commissioners find it to be a true and accurate accounting, the said Board hereby ORDAINS:

(1) That the real property on which the work was performed be, and it hereby is, assessed in the amount of \$2,540.00, said sum being the unpaid balance of the cost of the work set forth in the Inspector's Report;

(2) That as provided in the Ordinance of Cumberland County dated January 20, 2015, and in Section 153A-372 of the General Statutes of North Carolina, the amount of the foregoing assessment be, and hereby does constitute, a lien against the real property upon which such costs were incurred, such property being more particularly described as follows:

The structure and premises located at 8533 Candlebrush Dr, Linden, NC, as described in Deed Book 3189, page 559, of the Cumberland County Registry and identified in County tax records as PIN 0554-56-7668.

(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 June, 2015, at 6:45 p.m. o'clock.

Cumberland County Clerk

**COUNTY OF CUMBERLAND
BUDGET REVISION REQUEST**

Budget Office Use	
Budget Revision No.	<u>B15-343</u>
Date Received	<u>6-4-15</u>
Date Completed	

Fund No. 101 Agency No. 420 Organ. No. 4210
 Organization Name: Emergency Services

ITEM NO. 3N(1)

REVENUE

Revenue Source Code	Description	Current Budget	Increase (Decrease)	Revised Budget
4592	Emergency Mgmt Performance Grant EMPG	62,500	16,711	79,211
Total		62,500	16,711	79,211

EXPENDITURES

Object Code	Appr Unit	Description	Current Budget	Increase (Decrease)	Revised Budget
459B		NC Preparedness	37,500	16,711	54,211
Total			37,500	16,711	54,211

Justification:

Budget revision to incorporate EMPG 2014 Cost Report

Funding Source: State: 16,711 Federal: _____ County: _____ New: _____ Other: _____
 Other: _____ Fees: _____ Prior Year: _____

Submitted By: Landy Beaman Date: 6-4-15
 Department Head
 Reviewed By: Kelly Cutry Date: 6-4-15
 Finance
 Reviewed By: Vicki Evans Date: 6/8/15
 Finance Director
 Reviewed By: Melissa Cardinale Date: 6-9-15
 Assistant County Manager

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

**COUNTY OF CUMBERLAND
BUDGET REVISION REQUEST**

Budget Office Use	
Budget Revision No.	B15-352
Date Received	6/5/2015
Date Completed	

Fund No. 101 Agency No. 450 Organ. No. 4509
 Organization Name: Soil & Water Conservation District

ITEM NO. 3N(2)

REVENUE

Revenue Source Code	Description	Current Budget	Increase (Decrease)	Revised Budget
7757	Fundraisers	4,243	2,940	7,183
Total		4,243	2,940	7,183

EXPENDITURES

Object Code	Appr Unit	Description	Current Budget	Increase (Decrease)	Revised Budget
2757	309	Fundraisers	6,975	2,940	9,915
Total			6,975	2,940	9,915

Justification:

Revision to adjust fundraiser revenue budget to actual collections.

Funding Source:

State: _____ Federal: _____ County: _____ New: _____ Other: _____
 Other: _____ Fees: _____ Prior Year: _____

Fund Balance:

Submitted By: _____ Date: _____
 Department Head
 Reviewed By: Bob Tucker Date: 6/5/15
 Finance
 Reviewed By: Wicki Evans Date: 6/8/15
 Finance Director
 Reviewed By: Melissa Dandrea Date: 6.9.15
 Assistant County Manager

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

**COUNTY OF CUMBERLAND
BUDGET REVISION REQUEST**

Budget Office Use	
Budget Revision No.	B15-353
Date Received	6/5/2015
Date Completed	

Fund No. 454 Agency No. 450 Organ. No. 457D
 Organization Name: Mid-Carolina Senior Transportation

ITEM NO. 3.N(3)

REVENUE

Revenue Source Code	Description	Current Budget	Increase (Decrease)	Revised Budget
6030	General Fees	0	555	555
Total		0	555	555

EXPENDITURES

Object Code	Appr Unit	Description	Current Budget	Increase (Decrease)	Revised Budget
336A	456	Transportation Medical	174,373	555	174,928
Total			174,373	555	174,928

Justification:

Revision to budget general fees collected in order to increase medical transportation services that can be provided before June 30, 2015.

Funding Source:

State: _____ Federal: _____ County: _____ New: _____ Other: _____
 Other: _____ Fees: _____ Prior Year: _____

Fund Balance:

Submitted By: <u>Thomas J. Hyl</u> Department Head	Date: <u>6/8/15</u>	Approved By: _____ Date: _____ County Manager Board of County Commissioners Date: _____
Reviewed By: <u>Bob Tucker</u> Finance	Date: <u>6/8/15</u>	
Reviewed By: <u>Wicki Evans</u> Finance Director	Date: <u>6/8/15</u>	
Reviewed By: <u>Myra Olandine</u> Assistant County Manager	Date: <u>6.9.15</u>	

**COUNTY OF CUMBERLAND
BUDGET REVISION REQUEST**

Budget Office Use	
Budget Revision No.	B15-344
Date Received	6/4/2015
Date Completed	

Fund No. 420 Agency No. 442 Organ. No. 4438
 Organization Name: Recreation and Parks - Hope Mills

ITEM NO. 3N(4)

REVENUE

Revenue Source Code	Description	Current Budget	Increase (Decrease)	Revised Budget
1011	Motor Vehicles DOT	22,351	15,000	37,351
			15,000	37,351

EXPENDITURES

Object Code	Appr Unit	Description	Current Budget	Increase (Decrease)	Revised Budget
3391	396	Contracted Services	551,130	13,000	564,130
4022	396	Motor Vehicles Tax Collection	0	2,000	2,000
Total			551,130	15,000	566,130

Justification:

Revision in the amount of \$15,000 to recognize additional revenue.

Funding Source:

State: _____ Federal: _____ Fund Balance: _____ County: _____ New: _____ Other: _____
 Other: _____ Fees: _____ Prior Year: _____

Submitted By: _____ Date: _____

Department Head

Reviewed By: Kelly A. Ostry Date: 6.4.15
 Finance

Reviewed By: Wicki Evans Date: 6/8/15
 Finance Director

Reviewed By: Melissa Cordina Date: 6.9.15
 Assistant County Manager

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

**COUNTY OF CUMBERLAND
BUDGET REVISION REQUEST**

Budget Office Use	
Budget Revision No.	B15-345
Date Received	6/4/2015
Date Completed	

Fund No. 486 Agency No. 429 Organ. No. 4278

Organization Name: Lake Rim Fire District

ITEM NO. 3.N(5)

REVENUE

Revenue Source Code	Description	Current Budget	Increase (Decrease)	Revised Budget
1000	Tax Current Year	5,550	7,500	13,050
Total		5,550	7,500	13,050

EXPENDITURES

Object Code	Appr Unit	Description	Current Budget	Increase (Decrease)	Revised Budget
5552	478	Fire Protection Contract	5,987	7,500	13,487
Total			5,987	7,500	13,487

Justification:

To increase contract for additional revenues earned in the fiscal year in the amount of \$7,500.

Funding Source:

State: _____
Other: 7,600

Federal: _____
Fees: _____

Fund Balance:

County: _____ New: _____
Prior Year: _____

Other: _____

Submitted By: _____

Department Head

Date: _____

Reviewed By: Kelly Austry

Finance

Date: 6.4.15

Reviewed By: Victoria Evans

Finance Director

Date: 6/8/15

Reviewed By: Yvonne O'Rourke

Assistant County Manager

Date: 6.9.15

Approved By:

Date: _____

County Manager

Board of County
Commissioners

Date: _____

**COUNTY OF CUMBERLAND
BUDGET REVISION REQUEST**

Budget Office Use	
Budget Revision No.	B15-347
Date Received	6/4/2015
Date Completed	

Fund No. 482 Agency No. 429 Organ. No. 4275

Organization Name: Grays Creek Fire District #24

ITEM NO. 3N(6)

REVENUE

Revenue Source Code	Description	Current Budget	Increase (Decrease)	Revised Budget
1000	Taxes Current Year	310,988	5,600	316,588
Total		310,988	5,600	316,588

EXPENDITURES

Object Code	Appr Unit	Description	Current Budget	Increase (Decrease)	Revised Budget
4022	476	Motor Vehicle Tax Collection Fee	500	600	1,100
5552	476	Fire Protection Contract	357,726	5,000	362,726
Total			358,226	5,600	363,826

Justification:

Increase expenditure line to cover unanticipated motor vehicle collection fees in the amount of \$600 and recognize additional revenue received in the amount of \$5,000.

Funding Source: State: _____ Federal: _____ Other: _____
 Fund Balance: County: _____ New: _____ Other: _____
 Prior Year: _____

Submitted By: _____
 Department Head

Reviewed By: Kelly Curtis
 Finance

Reviewed By: Wicki Evans
 Finance Director

Reviewed By: Missal Cardinale
 Assistant County Manager

Date: _____

Date: 6.4.15

Date: 6/8/15

Date: 6.9.15

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

**COUNTY OF CUMBERLAND
BUDGET REVISION REQUEST**

Budget Office Use	
Budget Revision No.	B15-346
Date Received	6/4/2015
Date Completed	

Fund No. 482 Agency No. 429 Organ. No. 4274

Organization Name: Grays Creek Fire District #18

ITEM NO. 3-N(7)

REVENUE

Revenue Source Code	Description	Current Budget	Increase (Decrease)	Revised Budget
1000	Taxes Current Year	310,988	5,600	316,588
Total		310,988	5,600	316,588

EXPENDITURES

Object Code	Appr Unit	Description	Current Budget	Increase (Decrease)	Revised Budget
4022	475	Motor Vehicle Tax Collection Fee	500	600	1,100
5552	475	Fire Protection Contract	357,726	5,000	362,726
Total			358,226	5,600	363,826

Justification:

Increase expenditure line to cover unanticipated motor vehicle collection fees in the amount of \$600 and recognize additional revenue received in the amount of \$5,000.

Funding Source:

State: _____
Other: _____

Federal: _____
Fees: _____

Fund Balance:

County: _____ New: _____
Prior Year: _____

Other: _____

Submitted By: _____
Department Head

Date: _____

Reviewed By: Kelly A. [Signature]
Finance

Date: 6.4.15

Reviewed By: Wickie Evans
Finance Director

Date: 6/8/15

Reviewed By: Theresa [Signature]
Assistant County Manager

Date: 6.9.15

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

**COUNTY OF CUMBERLAND
BUDGET REVISION REQUEST**

Budget Office Use	
Budget Revision No.	B15-357
Date Received	6/8/2015
Date Completed	

Fund No. 824 Agency No. 450 Organ. No. 4599
 Organization Name: Tourism Development Authority

ITEM NO. 3N(8)

REVENUE

Revenue Source Code	Description	Current Budget	Increase (Decrease)	Revised Budget
2602	Room Occupancy Tax - Tourism	5,020,477	512,000	5,532,477
			512,000	5,532,477

EXPENDITURES

Object Code	Appr Unit	Description	Current Budget	Increase (Decrease)	Revised Budget
349R	557	TDA- FACVB	2,291,000	230,000	2,521,000
349S	557	TDA - Arts Council	1,252,500	123,000	1,375,500
349T	557	TDA - Discretionary	273,473	36,000	309,473
350H	557	TDA - Civic Center	1,252,500	123,000	1,375,500
		Total	5,069,473	512,000	5,581,473

Justification:

Revision in the amount of \$512,000 to recognize additional revenues anticipated to be earned for remainder of current fiscal year.

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

Submitted By: Jenny Giles Date: 6-8-15
 Department Head
 Reviewed By: Kelly Aitry Date: 6-8-15
 Finance
 Reviewed By: Vicki Evans Date: 6/8/15
 Finance Director
 Reviewed By: Yvonne Olszewski Date: 6-9-15
 Assistant County Manager

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

**COUNTY OF CUMBERLAND
BUDGET REVISION REQUEST**

Budget Office Use	
Budget Revision No.	B15-3601/361A
Date Received	6-8-15
Date Completed	

Fund No. 101 Agency No. 411 Organ. No. 4112
 Organization Name: Facilities Maintenance/Court Facilities

ITEM NO. 3-N(10)

REVENUE				
Revenue Source Code	Description	Current Budget	Increase (Decrease)	Revised Budget
	Total	0	0	-

EXPENDITURES					
Object Code	Appr Unit	Description	Current Budget	Increase (Decrease)	Revised Budget
3433	036	Maintenance and Repair Equipment	895,502	30,169	925,671
101-410-4110		Court Facilities			
3650	010	Capital Outlay Other Improvements	30,169	(30,169)	-
		Total	925,671	-	925,671

Justification:
 Revision in the amount of \$30,169 to reallocate budgeted expenditures from Court Facilities to Facilities Maintenance due to several unbudgeted cost and emergency repairs the Facilities Maintenance budget needs additional funds to cover maintenance and repairs costs through the remainder of this fiscal year. The Courts Budget has funds available to cover some of these costs.

Funding Source: State: _____ Federal: _____ Other: _____
Fund Balance: County: _____ New: _____ Other: _____
 Prior Year: _____

Submitted By: [Signature] Date: 6-5-15
 Department Head

Reviewed By: [Signature] Date: 6-8-15
 Finance

Reviewed By: [Signature] Date: 6/8/15
 Finance Director

Reviewed By: [Signature] Date: 6.9.15
 Assistant County Manager

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

**COUNTY OF CUMBERLAND
BUDGET REVISION REQUEST**

Budget Office Use	
Budget Revision No.	B15-364A
Date Received	6/9/2015
Date Completed	

Fund No. 101 Agency No. 412 Organ. No. 4195
 Organization Name: General Government Other

ITEM NO. 3N(12)
pg 1 of 3

REVENUE

Revenue Source Code	Description	Current Budget	Increase (Decrease)	Revised Budget
9901 (101-999-9999)	Fund Balance Appropriated		45,000	
		Total	45,000	

EXPENDITURES

Object Code	Appr Unit	Description	Current Budget	Increase (Decrease)	Revised Budget
389H	080	Transfer to Fund 454	73,672	45,000	118,672
			Total	73,672	118,672

Justification:

Revision to appropriate fund balance to provide the required 10% local match for the Section 5310 Non-Medical Transportation Grant.

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

Submitted By: _____ Date: _____
 Department Head
 Reviewed By: Bob Sucher Date: 6/9/15
 Finance
 Reviewed By: Wicki Evans Date: 6/9/15
 Finance Director
 Reviewed By: Melissa Landin Date: 6-10-15
 Assistant County Manager

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

**COUNTY OF CUMBERLAND
BUDGET REVISION REQUEST**

Budget Office Use	
Budget Revision No.	B15-364
Date Received	6/9/2015
Date Completed	

Fund No. 454 Agency No. 450 Organ. No. 457E
 Organization Name: 5310 Non-Medical Transportation Grant

pg. 2 of 3

REVENUE

Revenue Source Code	Description	Current Budget	Increase (Decrease)	Revised Budget
9110	Transfer from General Fund	0	45,000	45,000
Total		0	45,000	45,000

EXPENDITURES

Object Code	Appr Unit	Description	Current Budget	Increase (Decrease)	Revised Budget
336E	458	Non-Medical Transportation	250,507	45,000	295,507
Total			250,507	45,000	295,507

Justification:

Revision to provide the required 10% local match for the Section 5310 Non-Medical Transportation Grant.

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

Submitted By: _____ Date: _____
 Department Head
 Reviewed By: Bob Tucker Date: 6/9/15
 Finance
 Reviewed By: Wicki Evans Date: 6/9/15
 Finance Director
 Reviewed By: Rebecca Cardinali Date: 6.10.15
 Assistant County Manager

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

d. Limitations of Agreement. This Agreement shall be subject to the availability of Federal and State funds, and contingent upon the terms and conditions of the Master Agreement between the FTA and the Department.

Section 3. Project Budget/Cost of Project. The total cost of the Project approved by the Department is **FOUR HUNDRED FIFTY THOUSAND DOLLARS (\$450,000)** as set forth in the Project Description and Budget, incorporated into this Agreement as Appendix A. The Department shall provide, from Federal and State funds, the percentages of the actual net cost of the Project as indicated below, not in excess of the identified amounts for eligible operating and capital expenses. The Contractor hereby agrees that it will provide the percentages of the actual net cost of the Project, as indicated below, and any amounts in excess of the Department's maximum (Federal plus State shares). The net cost is the price paid minus any refunds, rebates, or other items of value received by the Contractor which have the effect of reducing the actual cost. The Contractor shall initiate and prosecute to completion all actions necessary to enable it to provide its share of the Project costs at the time directed. All of the local match must be provided from sources other than federal funds.

Capital WBS	Capital Total	Capital Federal (80%)	Capital State (10%)	Capital Local (10%)
51001.46.2.1	\$450,000	\$360,000	\$45,000	\$45,000
AGREEMENT #	2000002356			
Project Total	Project Total	Project Total Federal	Project Total State	Project Total Local
	\$450,000	\$360,000	\$45,000	\$45,000

Section 4. Period of Performance. This Agreement shall commence upon the date of execution, unless specific written authorization from the Department to the contrary is received. The period of performance for all expenditures shall extend from **JULY 1, 2013 to JUNE 30, 2014** unless written authorization to the contrary is provided by the Department. **Any requests to change the Period of Performance must be submitted 60 days before the end of the current Performance Period and in accordance with the policies and procedures established by the Department or FTA.** The Contractor shall commence, carry on, and complete the approved Project with all practicable dispatch, in a sound, economical, and efficient manner.

Section 5: Contractor's Capacity

a. IRS Tax Exemption Letter. The Contractor acknowledges that proof of IRS tax-exempt status as a nonprofit organization, as defined in Internal Revenue Code Section 501(c)(3), must be submitted to the Department prior to execution of this Agreement and disbursement of funds. The Contractor agrees to submit a tax exempt letter, ruling and determination letter, or other document issued by the Internal Revenue Service, which will be incorporated into this Agreement as Attachment A.

b. No Overdue Tax Debts Certification. The Contractor shall complete and submit to the Department a sworn written statement pursuant to N.C.G.S. 143C-6-23(c), stating that the Contractor does not have any overdue tax debts, as defined by G.S. 105-243.1, at the Federal, State, or local level. The Contractor acknowledges that the written statement must be submitted to the Department prior to execution of this Agreement and disbursement of funds. The certification will be incorporated into this Agreement as Attachment B.

c. The Contractor also agrees to maintain sufficient legal, financial, technical, and managerial capability to:

- (1) Plan, manage, and complete the Project and provide for the use of Project property;

Patricia Hall,
Chair
Town of Hope Mills

Charles Morris,
Vice-Chair
Town of Linden

Jami McLaughlin,
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

JUNE 5, 2015

ITEM NO. 4A

MEMO TO: Cumberland County Board of Commissioners
FROM: Cumberland County Joint Planning Board
SUBJECT: **Case P15-27:** Rezoning of 2.16+/- acres from R40 Residential to A1 Agricultural or to a more restrictive zoning district, located at 2226 Dunn Road, submitted by James A. McLaurin (owner) and Michael J. Adams, PLS.

ACTION: 1st motion for Case P15-27: 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 P15-27: Move to approve the rezoning for A1 Agricultural district as recommended by the Planning Staff.

SITE PROFILE: **Frontage & Location:** No frontage; **Depth:** 980.00'+/-; **Jurisdiction:** Cumberland County; **Adjacent Property:** Yes, west of subject property; **Current Use:** 1 residential structure & 3 accessory structures; **Initial Zoning:** A1 – April 26, 1979 (Area 8); rezoned to R40 May 21, 2007; **Nonconformities:** None; **Zoning Violation(s):** None; **Surrounding Zoning:** North: RR (Eastover), R40 & A1; South: A1; East: R40 & A1; West: RR (Eastover) & A1; **Surrounding Land Use:** Residential (including manufactured dwellings), farmland & woodlands; **2030 Land Use Plan:** Urban Fringe Area; **Eastover Land Use Plan:** One Acre Residential Lots; **Special Flood Hazard Area (SFHA):** None; **Water/Sewer Availability:** Well/Septic; **Soil Limitations:** Yes, hydric – RO Roanoke and Wahee loams; **School Capacity/Enrolled:** Armstrong Elementary: 450/411; Mac Williams Middle: 1,270/1,165; Cape Fear High: 1,425/1,534; **Subdivision/Site Plan:** If approved, new development may require review and approval; **Average Daily Traffic Count (2012):** 3,000 on SR 1838 (Dunn Road); **Highway Plan:** Dunn Road is identified in the Highway Plan as a Local Road. 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: R40 – 2 lots/units, A1 – 1 lot/unit'; Minimum Yard Setback Regulations: **R40:** Front yard: 30', Side yard: 15', Rear yard: 35'; **A1:** Front yard: 50', Side yard: 20', Rear yard: 50'.

MINUTES OF APRIL 21, 2015

1st MOTION

The Planning and Inspections Staff recommends the board find that approval of the request for rezoning in Case No. P15-27 is consistent with the adopted comprehensive plan designated as the 2030 Growth Vision Plan, which calls for "urban fringe area" at this location as the proposed

district would allow development at one or less units per acre. The request is also consistent the Eastover Area Detailed Land Use Plan which calls for "one acre residential lots" 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: *individual well and septic systems are allowed, public water and sewer are not available; could be located in any defined critical area as defined by the Fort Bragg Small Study Area; desirable to be limited to 1 unit per acre in areas with hydric and severe septic tank limitations soils; desirable to not be located in an area that is a prime industrial site; and may be outside the Sewer Service Area.*

2nd MOTION

In addition to the above information, the Planning and Inspections Staff also recommends the board approve Case No. P15-27 for A1 Agricultural district based on the following:

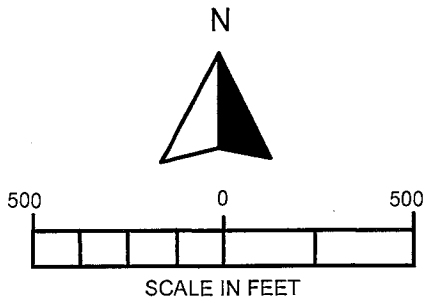
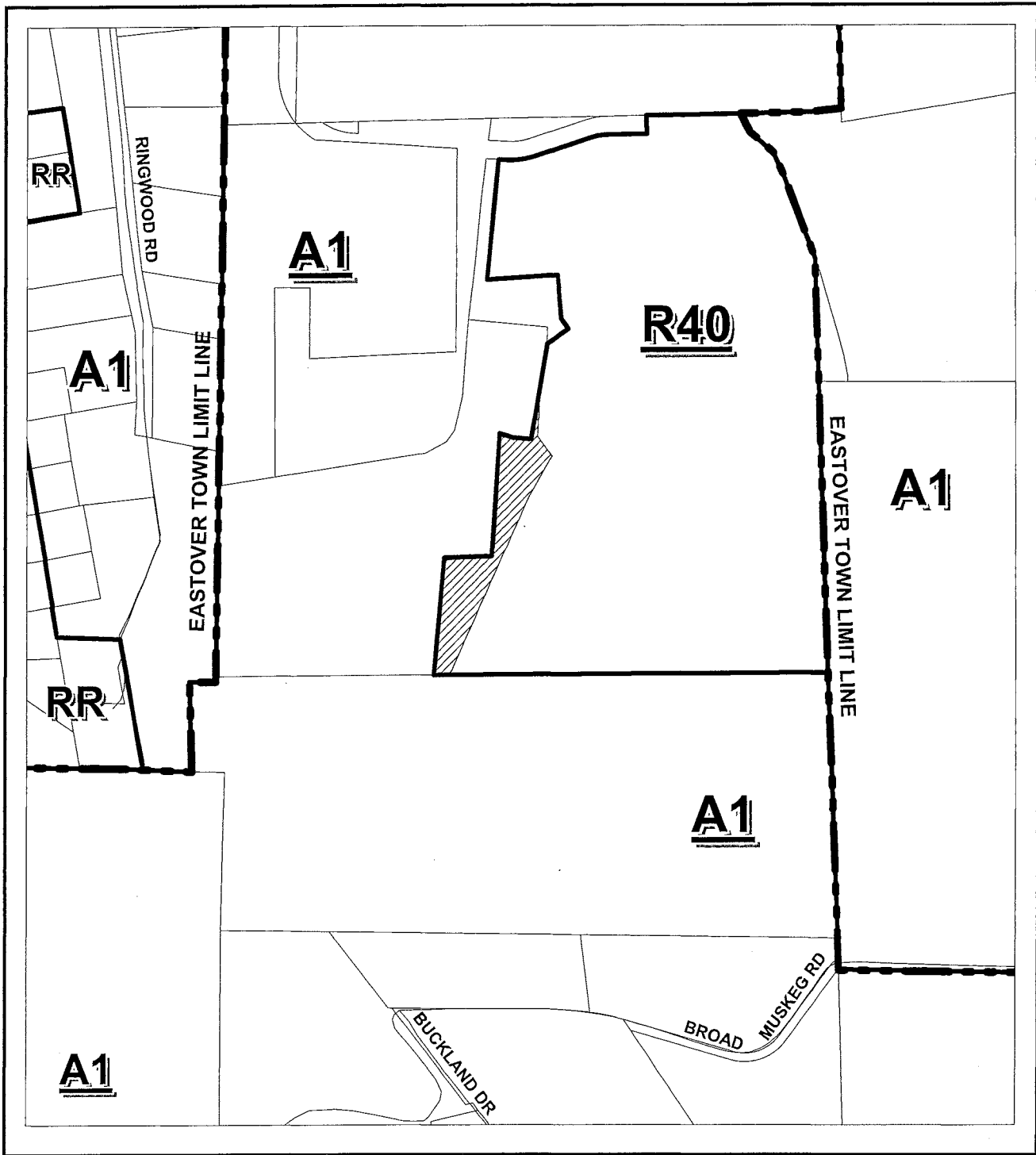
1. The A1 Agricultural district will allow for land uses and lot sizes that exist in the general area; and
2. If approved, the re-zoning would make the zoning of the subject property consistent with the recently recombined parcel under same ownership.

There are no other districts considered suitable for this request.

Mr. Pearce made both of the motions referenced above, seconded by Mr. Cain, 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.



REQUESTED REZONING R40 TO A1

ACREAGE: 2.16 AC.+/-	HEARING NO: P15-27	
ORDINANCE: COUNTY	HEARING DATE	ACTION
STAFF RECOMMENDATION		
PLANNING BOARD		
GOVERNING BOARD		

PIN: 0457-79-3044

JM
5/4/2015

Patricia Hall,
Chair
Town of Hope Mills

Charles Morris,
Vice-Chair
Town of Linden

Jami McLaughlin,
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

JUNE 5, 2015

ITEM NO. 4B

MEMO TO: Cumberland County Board of Commissioners

FROM: Cumberland County Joint Planning Board

SUBJECT: **Case P15-28:** Rezoning of 3.00+/- acres from R6A Residential to C(P) Planned Commercial or to a more restrictive zoning district, located at 1062 Charmain Street, submitted by Albert and Shirley R. Norton on behalf of ASK Properties, LLC. (owner).

ACTION: 1st motion for Case P15-28: 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 P15-28: Move to approve the rezoning for C(P) Planned Commercial district as recommended by the Planning Staff.

SITE PROFILE: Frontage & Location: 304.89'+/- on SR 1444 (Charmain Street); **Depth:** 435.62'+/-; **Jurisdiction:** Cumberland County; **Adjacent Property:** Yes, northeast of subject property; **Current Use:** Vacant land; **Initial Zoning:** R6A – September 17, 1973 (Area 2A); **Nonconformities:** None; **Zoning Violation(s):** None; **Surrounding Zoning:** North: R6A/CU (motor vehicle sales), M(P), C3, C(P) & R6A; South: C(P)/CU (mandatory sewer connection), C3, C(P), CC (Fay), SF-6 (Fay) & R6A; East: C(P)/CU (specified uses), M(P), M1(P) & C3; West: C3 & R6A; **Surrounding Land Use:** Residential (including manufactured dwellings & multi-family), industrial operation not otherwise permitted, manufactured home parks (3), open storage, office, motor vehicle sales (2), substation, trade contractor, motor vehicle repair, tire sales & woodlands; **2030 Land Use Plan:** Urban; **Shaw Heights Land Use Plan:** Commercial; **Special Flood Hazard Area (SFHA):** None; **Water/Sewer Availability:** PWC/Septic; **Soil Limitations:** None; **Watershed:** Yes; **School Capacity/Enrolled:** Warrenwood Elementary: 450/446; Spring Lake Middle: 700/487; Pine Forest High: 1,750/1,583; **Subdivision/Site Plan:** If approved, new development will require review and approval; **RLUAC:** Does not object to the request but advises the property is located within a military aircraft high noise level area (65db); **Municipal Influence Area:** City of Fayetteville; **Average Daily Traffic Count (2012):** 15,000 on NC Hwy 210 (Murchison Road); **Highway Plan:** Charmain Street is identified in the Highway Plan as a Local Road. 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% for ROW): R6A – 31 lots/units (27 lots/units) *24 units if Manufactured Home Park; Minimum Yard Setback Regulations: **R6A:** Front yard: 25', Side yard: 10', Rear yard: 15'; **C2(P) & C(P):** Front yard: 50', Side yard: 30', Rear yard: 30'.

MINUTES OF MAY 19, 2015

1st MOTION

The Planning and Inspections Staff recommends the board find that approval of the request for rezoning in Case No. P15-28 is consistent with the adopted comprehensive plan designated as the *2030 Growth Vision Plan*, which calls for "urban" at this location as the proposed district will allow for a wide variety of commercial businesses. The request is also consistent with the Shaw Heights Land Use Plan which calls for "commercial" at this location.

The staff 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 required, public water is available, however, due to topography PWC cannot extend sewer; should have minimum direct access to a collector street, Charmain Street is a local road; should not be in a predominantly residential, office & institutional, or light commercial area; must be located on a sufficient site that provides adequate area for buffering, screening, and landscaping and could be located in a designated Activity Node Area.*

2nd MOTION

The Planning and Inspections Staff recommends the board approve Case No. P15-28 for C(P) Planned Commercial district based on the above information and the following:

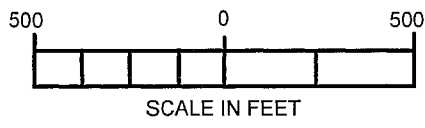
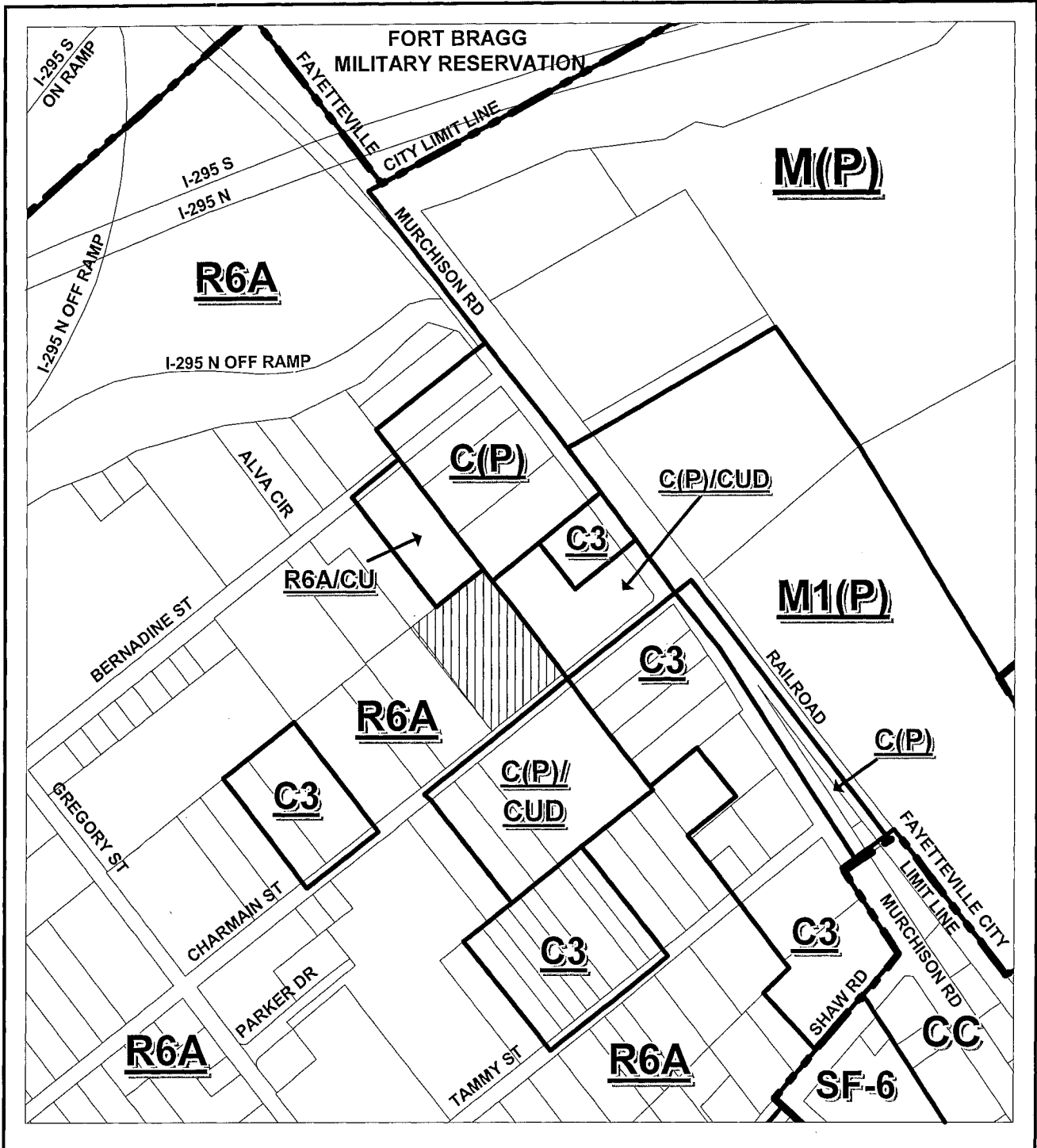
1. The C(P) Planned Commercial district will allow for land uses and lot sizes that exist in the general area; and
2. If approved, the rezoning would be consistent with the adjacent commercial property under the same ownership.

There are no other districts considered suitable at this location.

Mr. Pearce made both of the motions referenced above, seconded by Mr. Cain, 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.



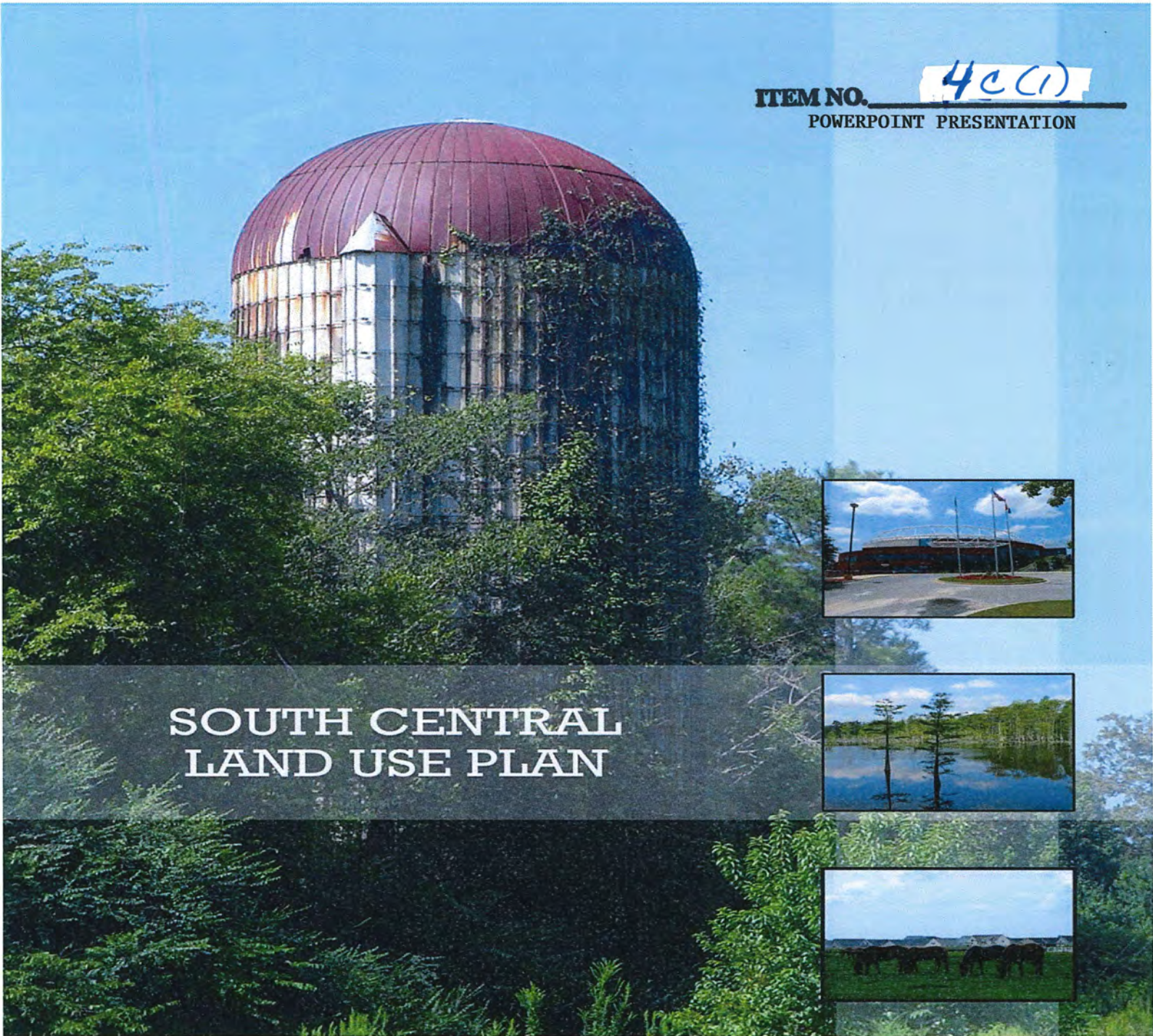
REQUESTED REZONING R6A TO C(P)

ACREAGE: 3.00 AC.+/-	HEARING NO: P15-28	
ORDINANCE: COUNTY	HEARING DATE	ACTION
STAFF RECOMMENDATION		
PLANNING BOARD		
GOVERNING BOARD		

PIN: 0419-97-3674

JM 4/23/2015

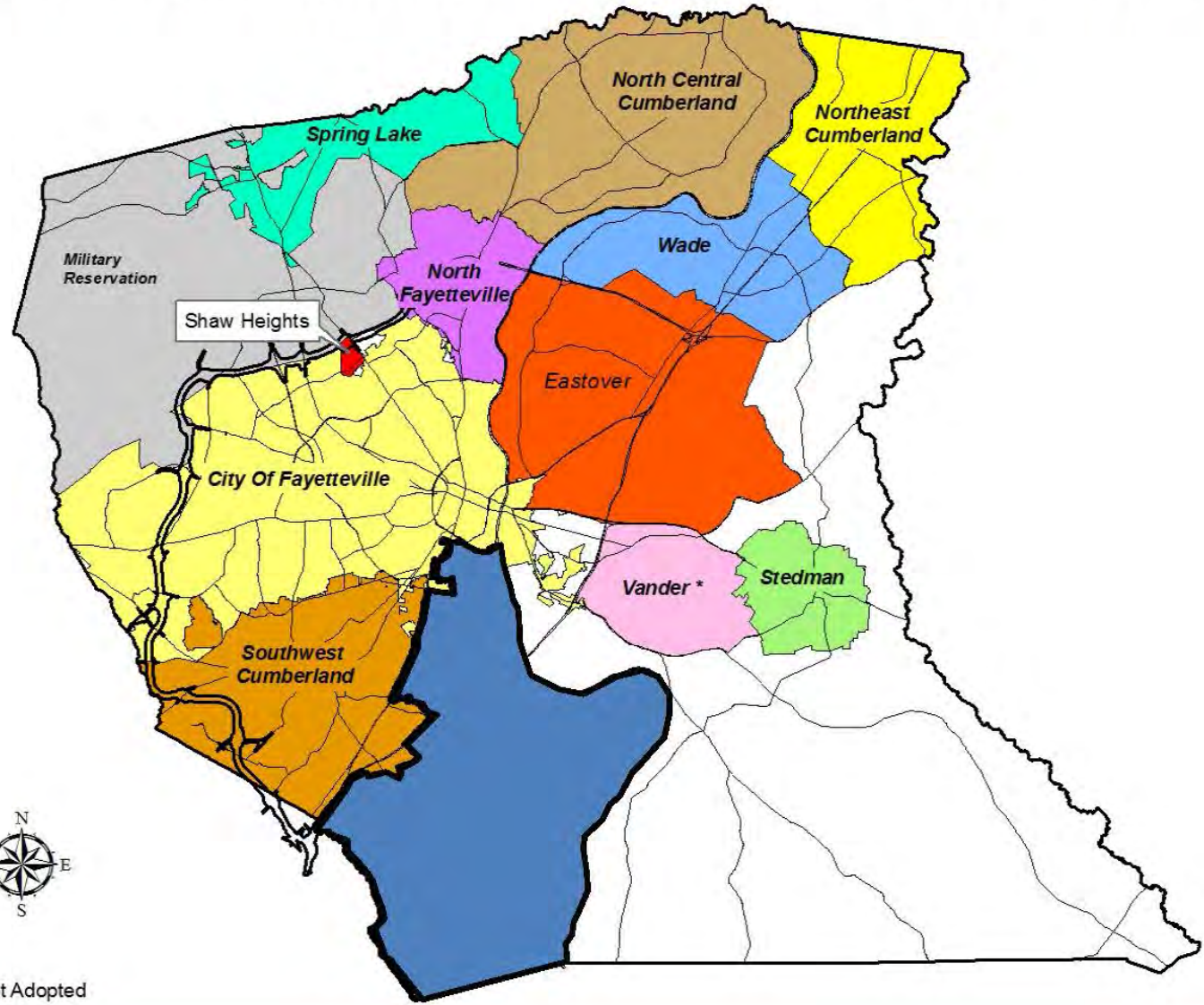
ITEM NO. 4c(1)
POWERPOINT PRESENTATION



**SOUTH CENTRAL
LAND USE PLAN**



Cumberland County Completed Detailed Area Land Use Plans

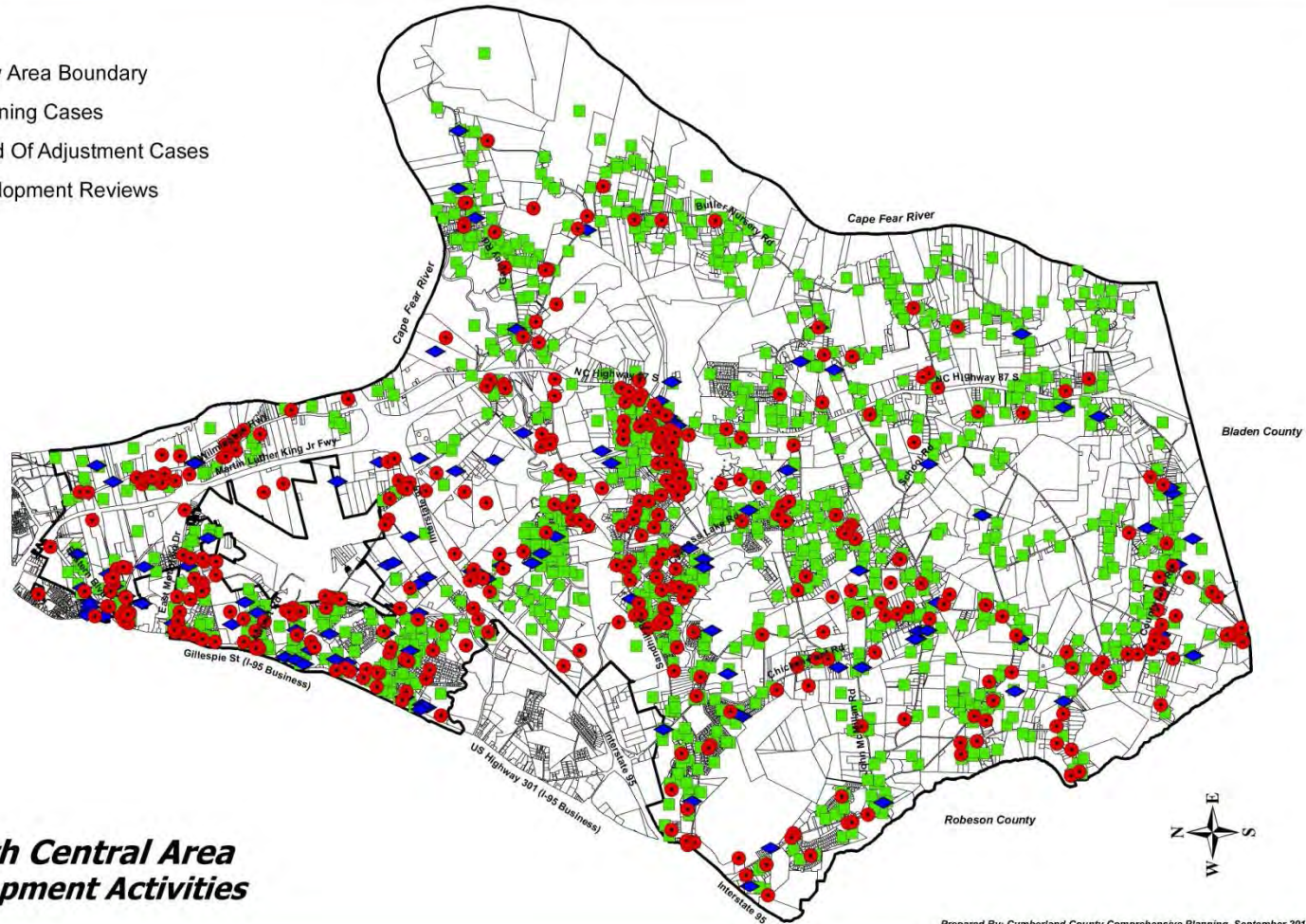


Note: * Not Adopted

DEVELOPMENT ACTIVITIES

Legend

- Study Area Boundary
- Rezoning Cases
- ◆ Board Of Adjustment Cases
- Development Reviews



***South Central Area
Development Activities***

PROCESS

ACTIVITY	DATE
Research, Compile, and Analyze Data	April - November 2013
Conduct Vision Session with Area Residents <ul style="list-style-type: none">• Present data• Gather community issues, needs & desires• Establish Citizen Planning Committee	September 2013
Develop Draft Plan Facilitated by Staff with the Citizen Planning Committee	October 2013 – August 2014
Present Draft Plan to Area Residents and Get Feedback	October 2014
Planning Committee Review Residents' Comments and Finalize the Draft Plan	November 2014
Planning Staff Finalize Draft Plan Document	January 2015 – March 2015
Planning Board Public Hearing	May 2015
Governing Board Hold Public Hearing and Adopt the Plan	June 2015

VISION SESSION



Future Vision

- **Controlled Growth**
- **Maintain country atmosphere**
- **Improvements around Crown Coliseum**
- **Incorporated Gray's Creek**
- **Affordable water and sewer**
- **Preservation of wildlife habitats and open space**

Existing Assets

- **Peace and Quiet**
- **Agriculture**
- **School system**
- **Cape Fear River**
- **Community atmosphere**

Liabilities

- **Litter - especially along roads**
- **Animal control**
- **Lack of control of urban and industrial sprawl**
- **Poor private trash service**
- **Lack of police protection**
- **No controls on the type of houses built**

CITIZEN PLANNING COMMITTEE



- All volunteers (53)
- 15 Meetings held
- Over 30 hours developing the plan
- Between 11-27 participants per meeting



A scenic view of a swampy forest. In the foreground, a tall, slender cypress tree stands prominently on the left. The water is calm, reflecting the sky and the surrounding trees. In the middle ground, a large flock of white birds, likely cormorants, is gathered on the water's surface. The background is filled with a dense forest of tall, thin cypress trees under a bright, slightly cloudy sky.

RECOMMENDATIONS

GOALS & OBJECTIVES

- Residential
- Commercial
- Open Space
- Transportation
- Farmland
- Community Facilities & Services
- Industrial/Manufacturing
- Community Appearance

ENTRANCE CORRIDORS ENHANCEMENT

- **Chicken Foot Road**
- **US Highway 301 South/Gillespie Street**
- **Claude Lee Road**
- **Owen Drive**
- **Owen Drive Extension**
- **I- 95**
- **Doc Bennett Road**
- **Airport Road**
- **Wilmington Highway/Old N.C. Highway 87 South**
- **N C Highway 87 South**

WATERWAYS NATURAL BUFFER PROTECTION

Protect Waterways with
minimum-width Natural Buffers



CO-LOCATE COMMUNITY FACILITIES & SERVICES

- **Law Enforcement**
- **Schools**
- **Recreation Centers**
- **Parks**
- **Walking Trails**
- **Social Services**
- **Medical & Mental Health Services**
- **Libraries**
- **Etc.**

NO NEW BILLBOARDS ON DESIGNATED STREETS

- **Martin Luther King Jr. Boulevard**
- **I- 95**
- **Proposed Airport/Coliseum/Downtown Connector Roads**
- **U.S. Highway 301 South**
- **Claude Lee Road**
- **Airport Road**
- **Chicken Foot Road**
- **East Mountain Drive**

OTHER RECOMMENDATIONS

- **Concentrate commercial development in nodes at major intersections and interchanges**
- **No new strip commercial development**
- **Encourage the re-use of vacant industrial and commercial buildings**
- **Protect residential areas from industrial and commercial development**
- **Protect farmland, the agricultural interests, and the rural character in the southern portion of the Area**
- **Create provisions for a “family subdivision” for immediate family farm members and farm workers**

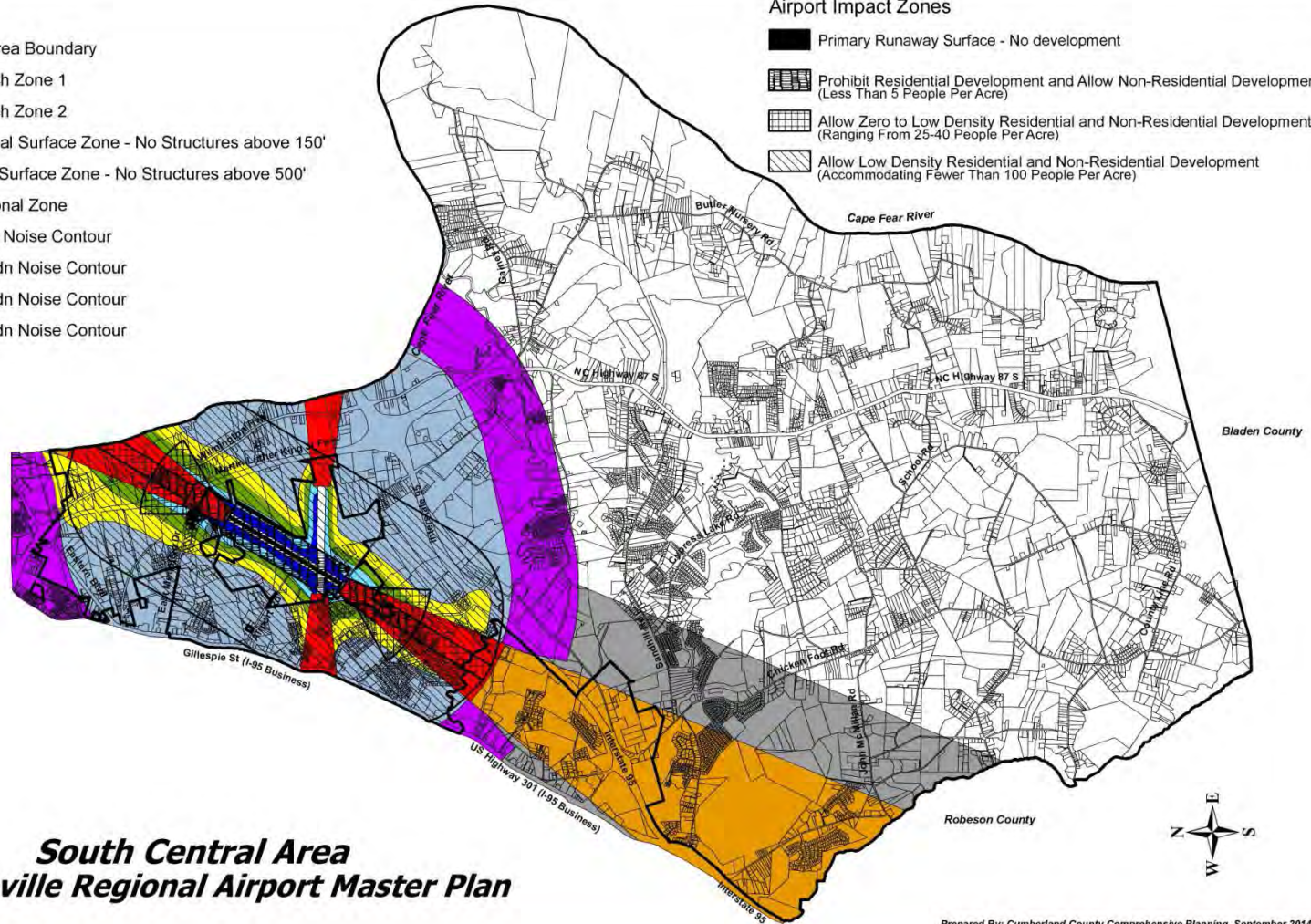
PROTECT FAYETTEVILLE REGIONAL AIRPORT

Legend

- Study Area Boundary
- Approach Zone 1
- Approach Zone 2
- Horizontal Surface Zone - No Structures above 150'
- Conical Surface Zone - No Structures above 500'
- Transitional Zone
- 75+ Ldn Noise Contour
- 70-75 Ldn Noise Contour
- 65-70 Ldn Noise Contour
- 60-65 Ldn Noise Contour

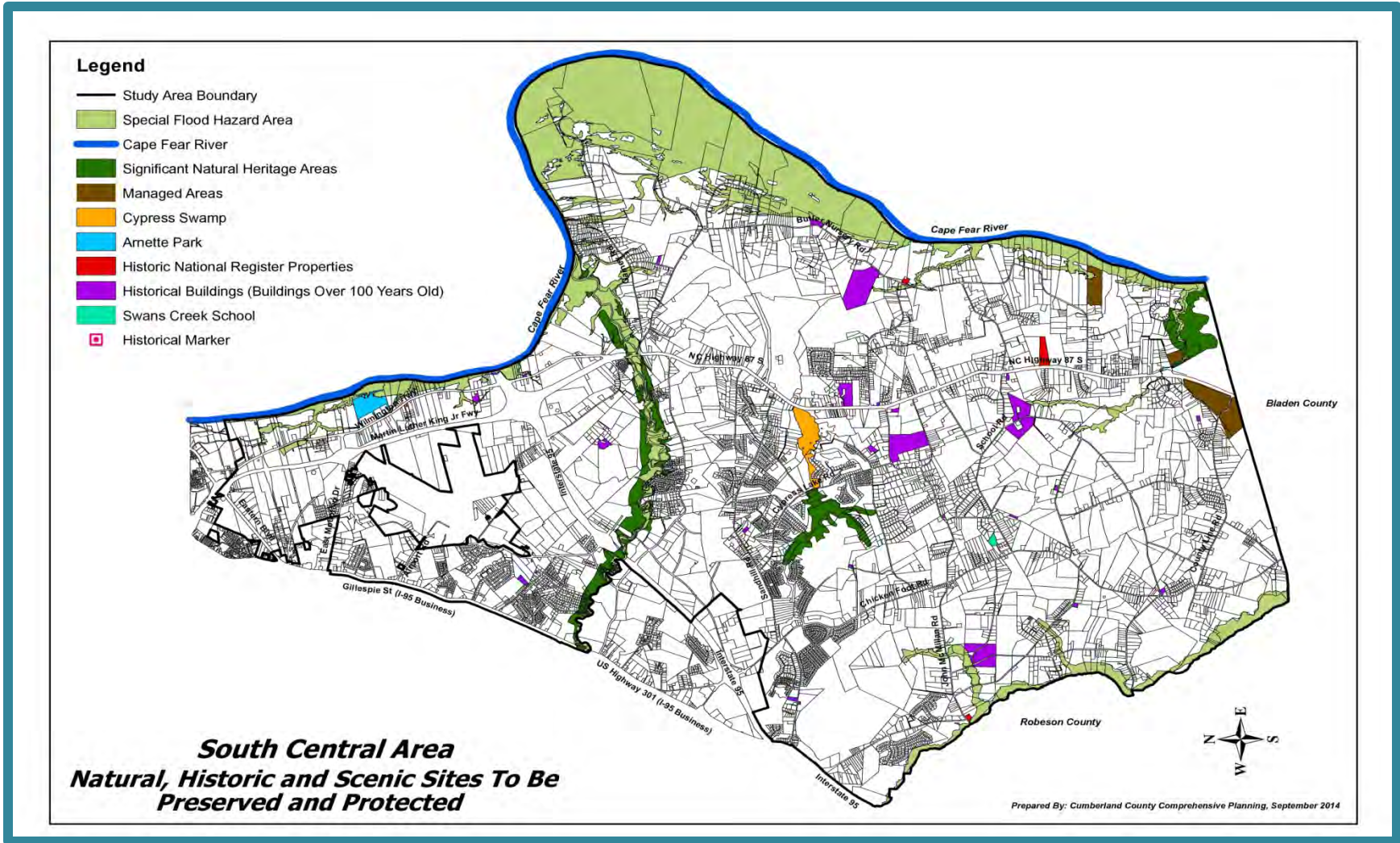
Airport Impact Zones

- Primary Runway Surface - No development
- Prohibit Residential Development and Allow Non-Residential Development (Less Than 5 People Per Acre)
- Allow Zero to Low Density Residential and Non-Residential Development (Ranging From 25-40 People Per Acre)
- Allow Low Density Residential and Non-Residential Development (Accommodating Fewer Than 100 People Per Acre)



**South Central Area
Fayetteville Regional Airport Master Plan**

PROTECT NATURAL AREAS, ENVIRONMENTALLY SENSITIVE AREAS, HISTORIC AND SCENIC SITES



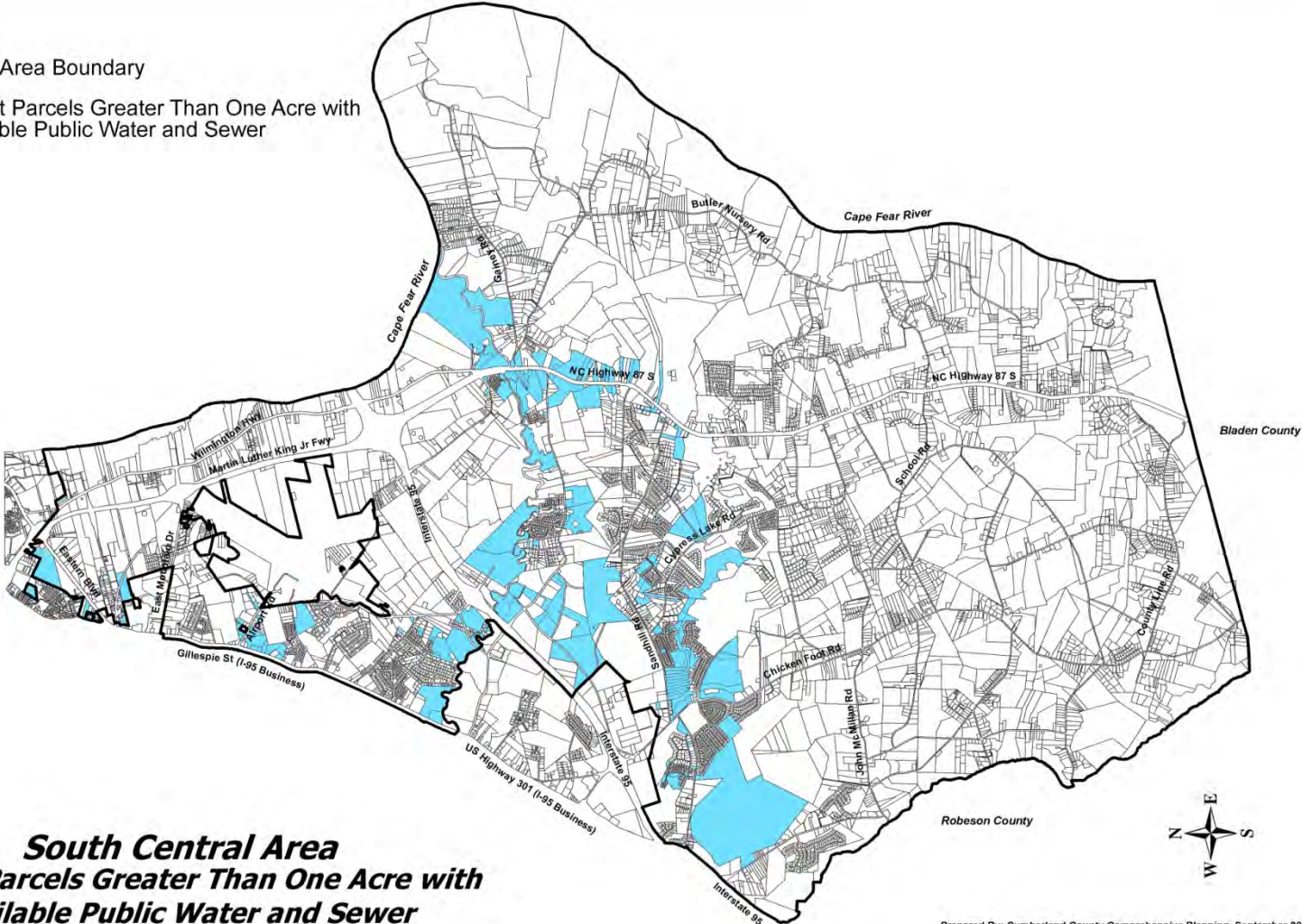
WATER AND SEWER POLICY

- Density Greater than two units or lots/per acre must have public or community water and sewer.
- Areas with existing water and sewer should be encouraged to be developed first
- Explore the establishment of a water district with the water source from Bladen County to provide safe drinking water with the district being owned, operated and controlled by the residents.
- Any future water and sewer extensions should be done incrementally and systematically.
- Rural water should be extended only to provide potable water, eliminate water contamination issues, and be explicit for rural development only.
- Sewer only be permitted in designated farmland area where there is a health risk.

PROMOTE INFILL DEVELOPMENT

Legend

- Study Area Boundary
- Vacant Parcels Greater Than One Acre with Available Public Water and Sewer

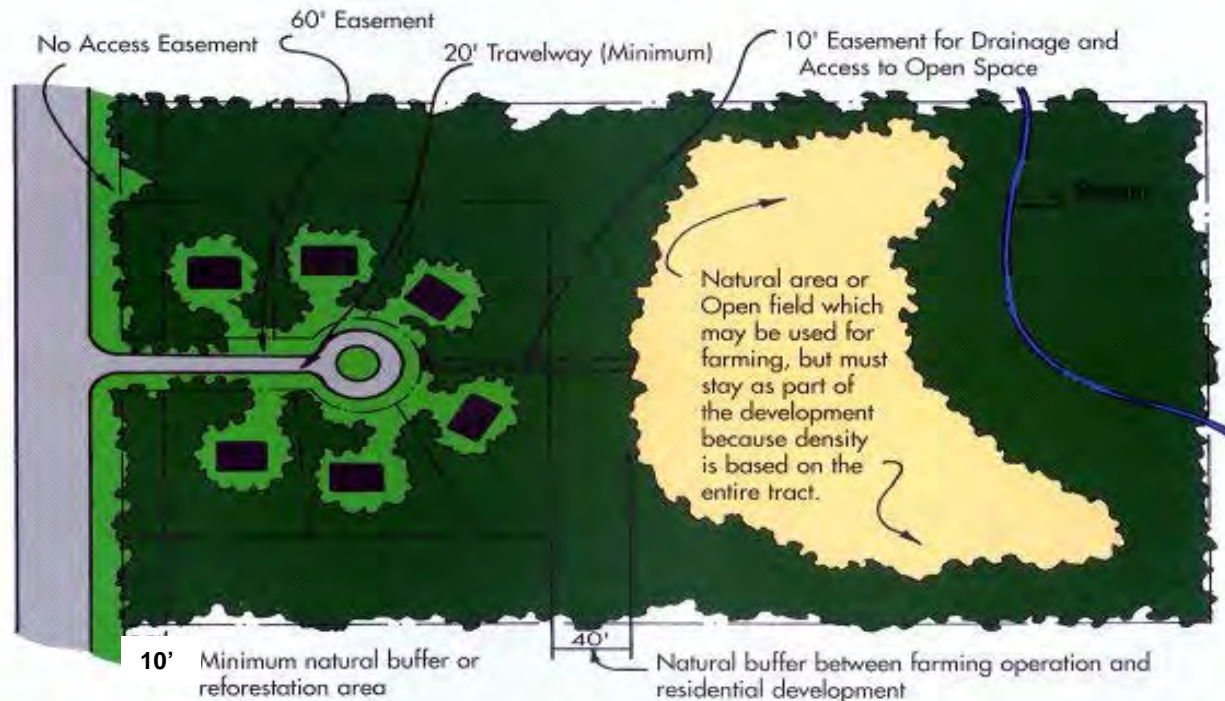


***South Central Area
Vacant Parcels Greater Than One Acre with
Available Public Water and Sewer***

Prepared By: Cumberland County Comprehensive Planning, September 2014

PRESERVE THE RURAL CHARACTER IN THE FARMLAND DESIGNATED AREA

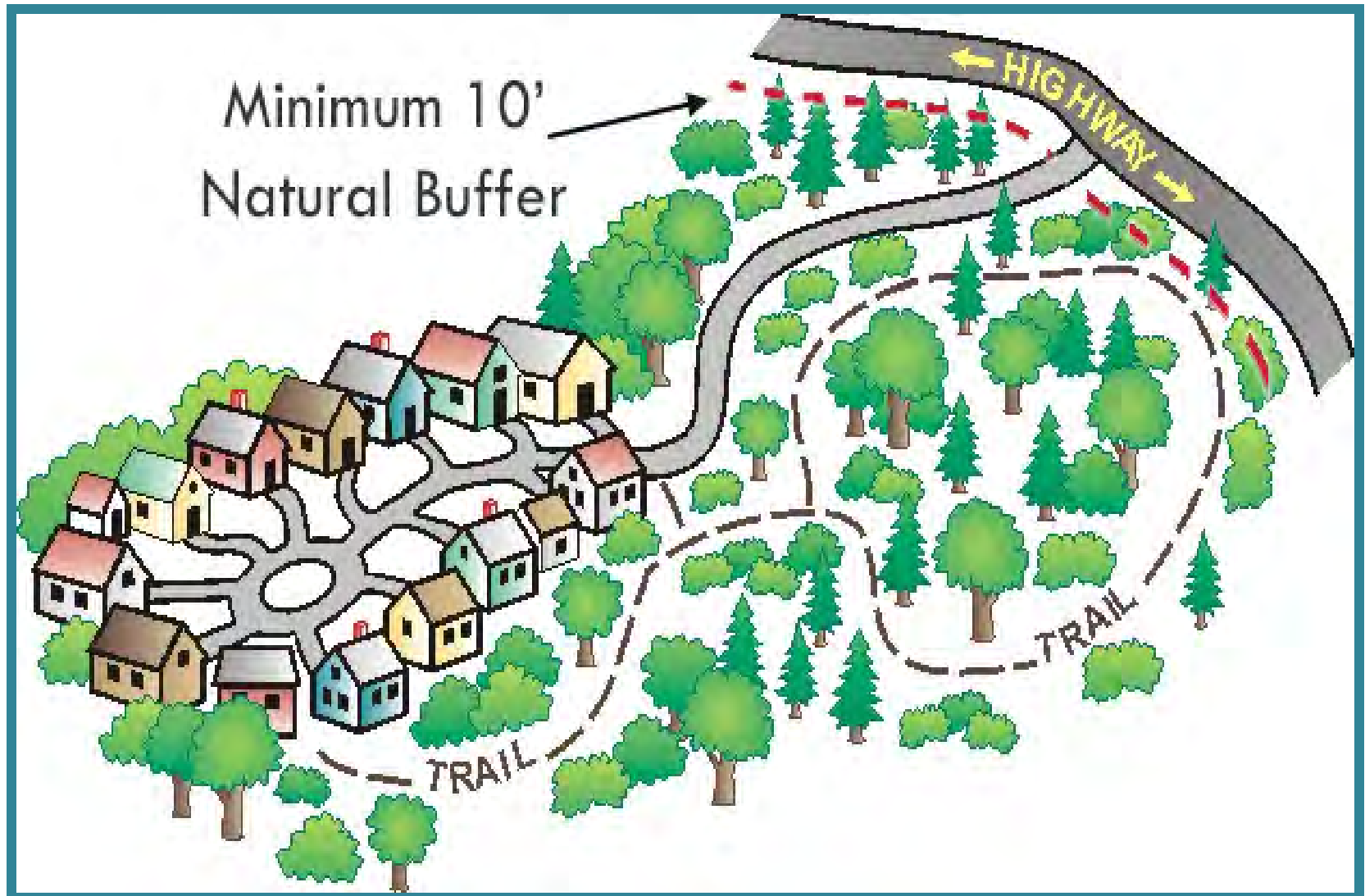
EXHIBIT 14 TYPICAL CLUSTER DEVELOPMENT FOR RURAL SINGLE FAMILY DEVELOPMENT



NOTE: Streets Should Meet NCDOT Standards or Minimum Design Specifications For Private Streets in Cumberland County, 1981. No clear cutting of right of way.

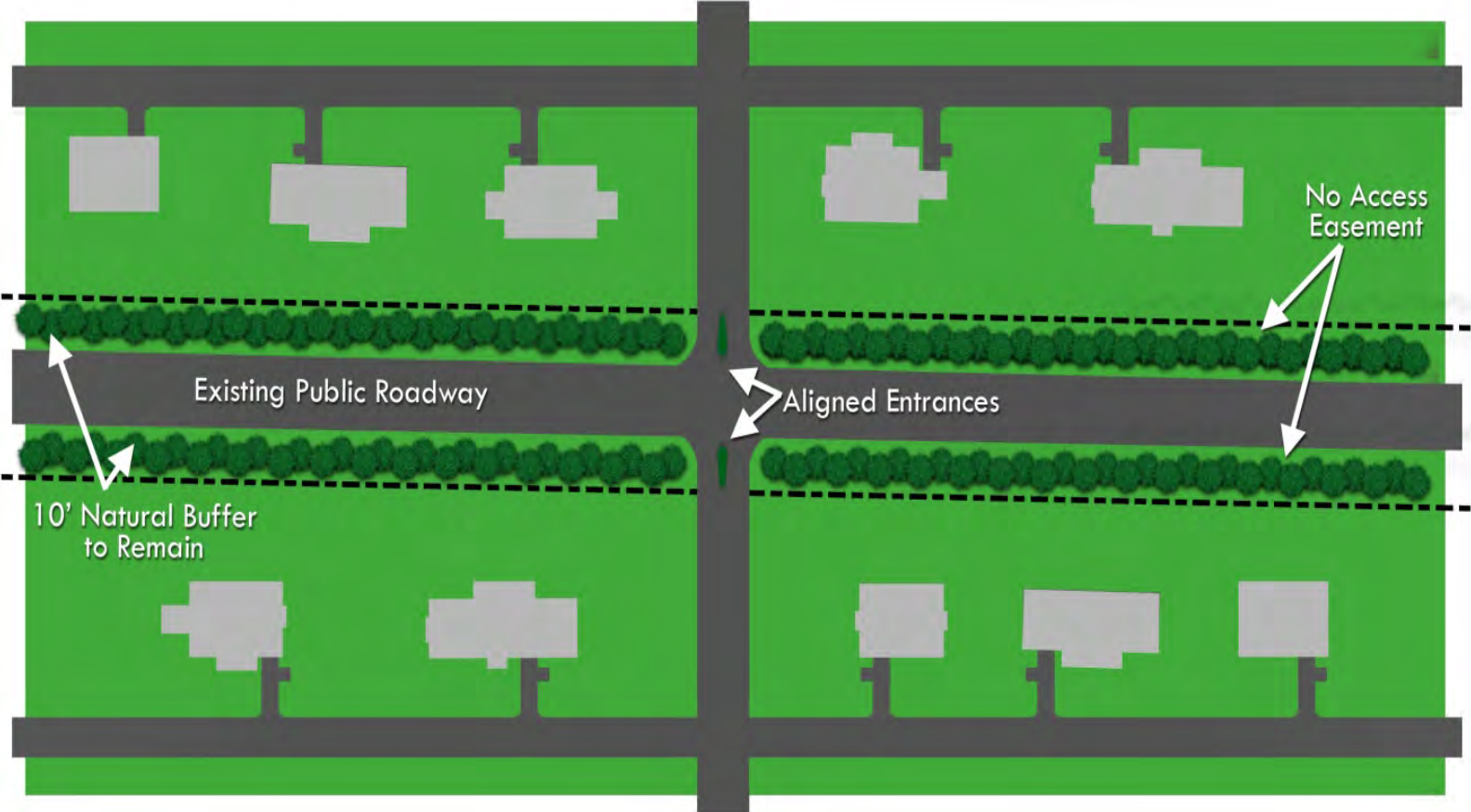
SOURCE: CUMBERLAND COUNTY JOINT PLANNING BOARD, 1991

DEVELOP INCENTIVES TO ENCOURAGE CLUSTER AND OPEN SPACE SUBDIVISIONS



NO ACCESS EASEMENTS FOR RESIDENTIAL DEVELOPMENT ALONG ROADWAYS

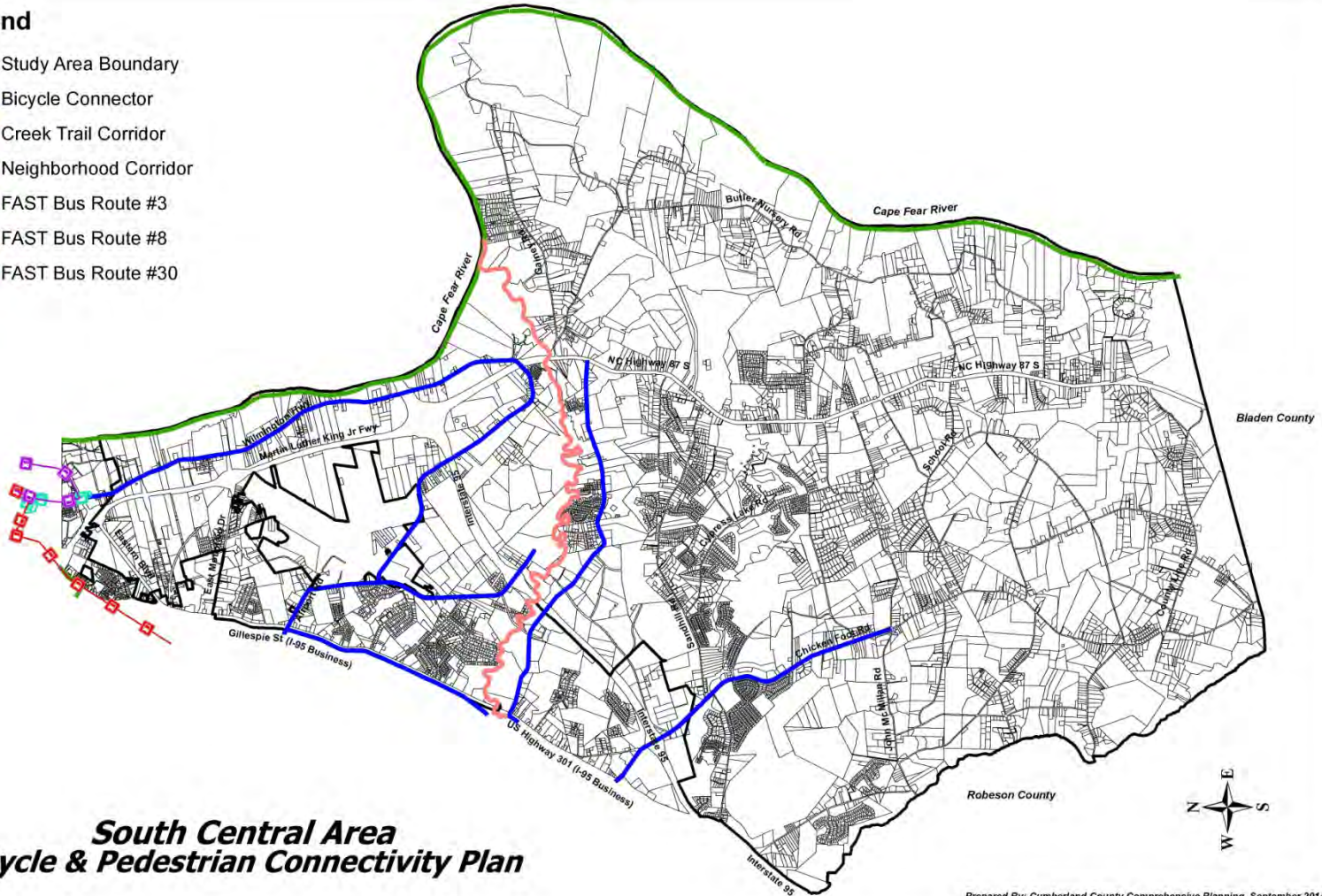
Illustration of Development Recommendations along Roadways



SUPPORT THE ADOPTED BIKE & PEDESTRIAN CONNECTIVITY PLAN

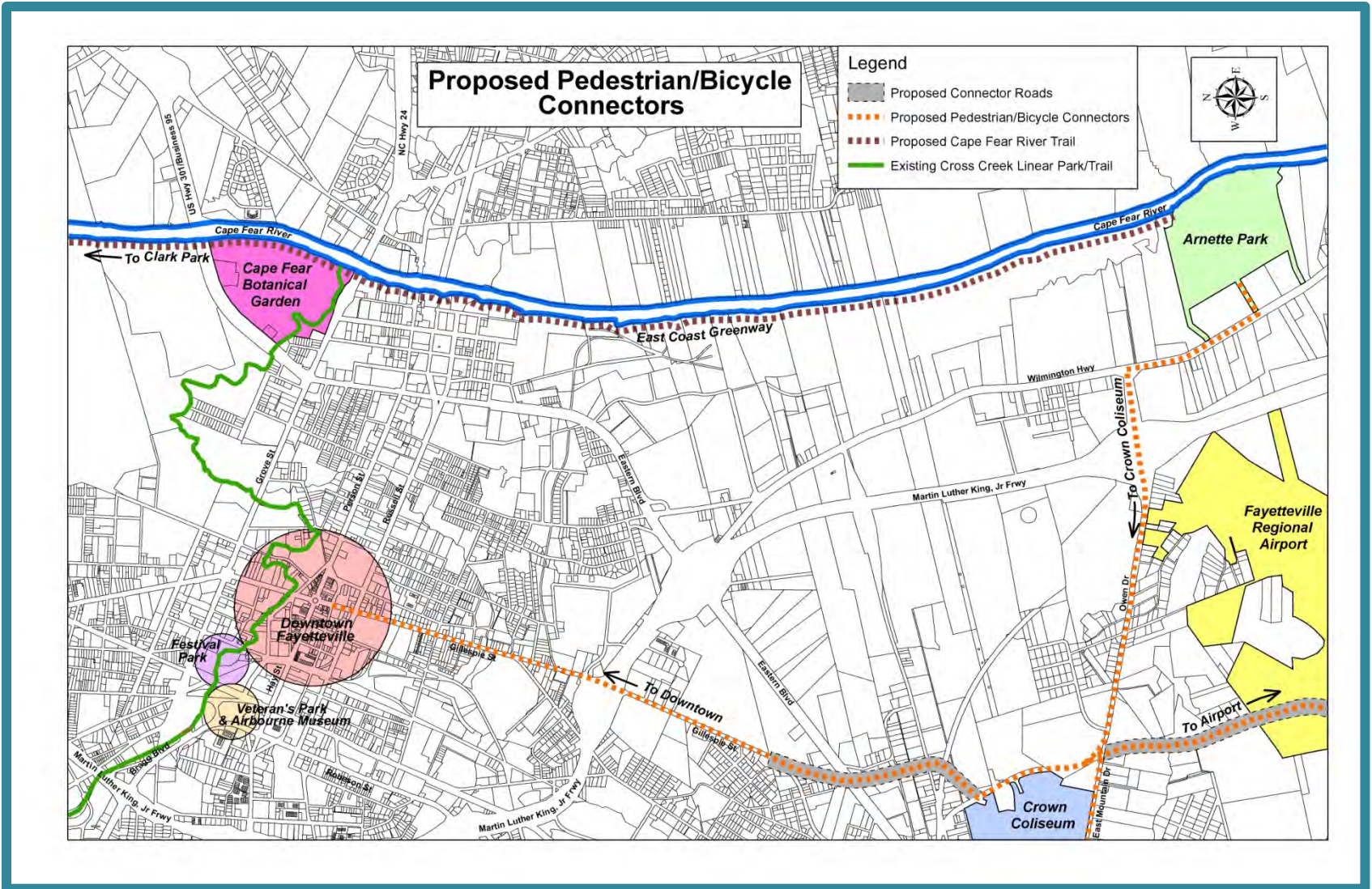
Legend

- Study Area Boundary
- Bicycle Connector
- Creek Trail Corridor
- Neighborhood Corridor
- FAST Bus Route #3
- FAST Bus Route #8
- FAST Bus Route #30



**South Central Area
Bicycle & Pedestrian Connectivity Plan**

EXTEND CAPE FEAR RIVER TRAIL TO ARNETTE PARK



CUMBERLAND COUNTY INDUSTRIAL PARK

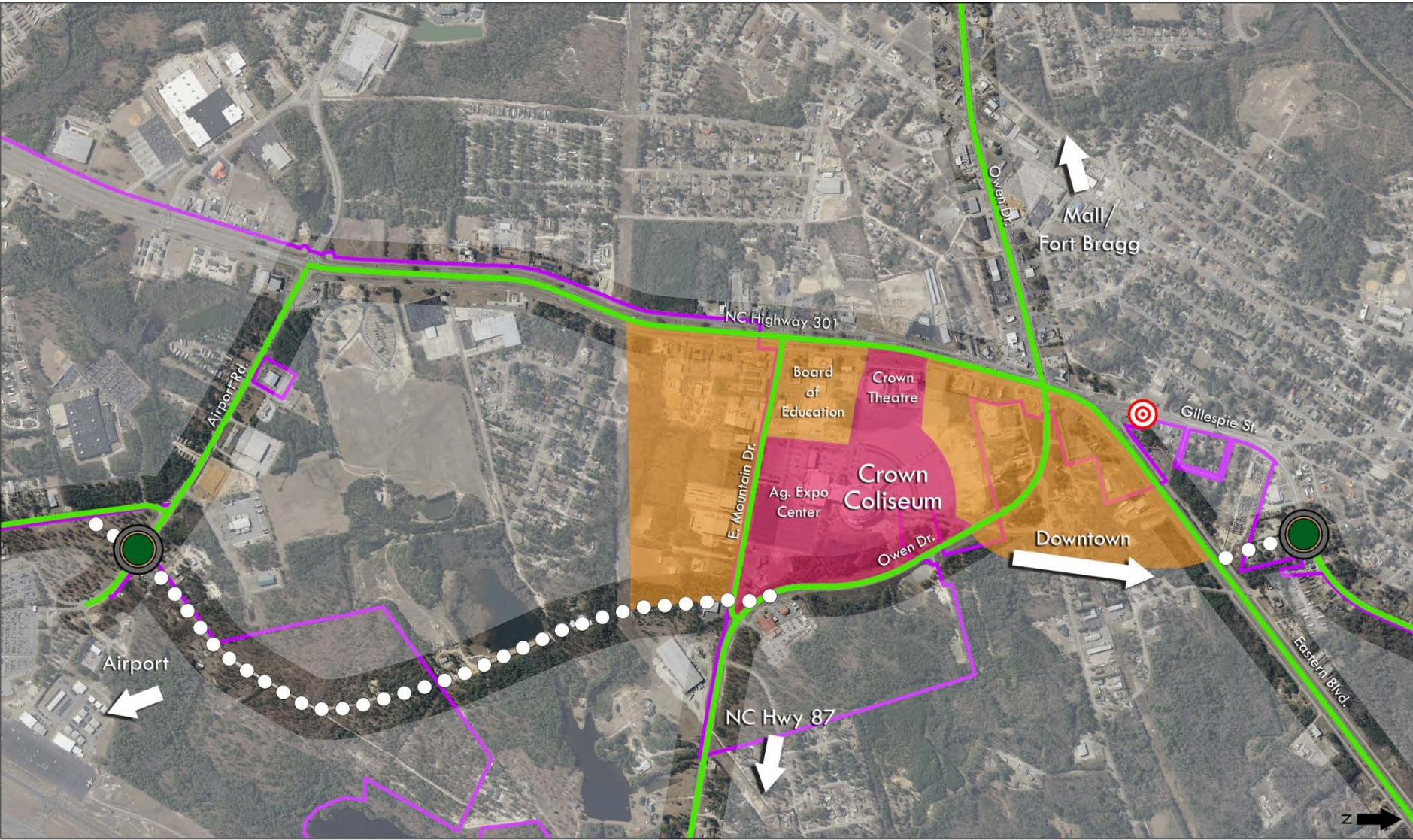
Continue effective development of the Cumberland County Industrial Center by instituting:

- A systematic beautification and maintenance plan
- Additional landscaping
- Signage
- Manicured grass areas
- Enhance the visual appeal of vacant structures



CROWN COLISEUM COMPLEX AND AIRPORT AREA LINKAGES





- Crown Coliseum Complex
- Proposed Support Facilities
- Proposed Roads
- Proposed Roundabout
- Proposed Cul-de-sac
- Proposed Landscaping/ Streetscape Impr.
- South Central Study Area

Map 42

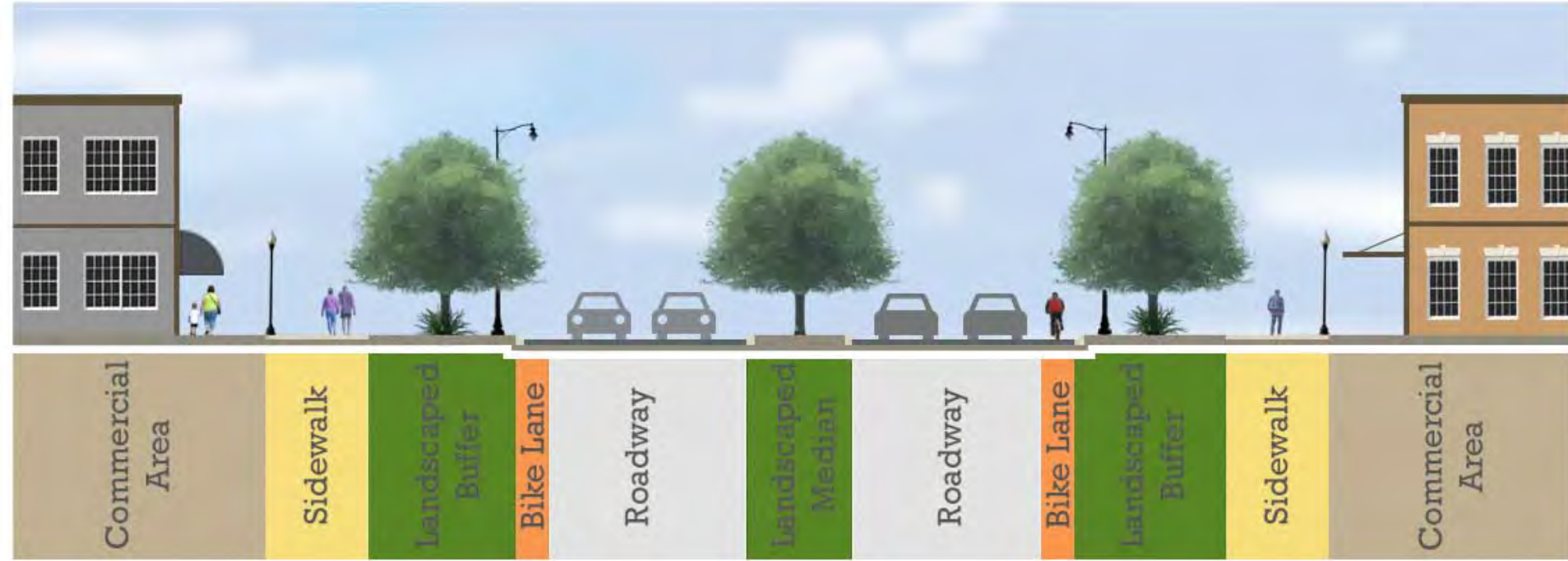
Coliseum/Airport Area Recommendations



Crown
Coliseum
Downtown
↑



URBAN STREET CROSS-SECTION



Gillespie Street

New Bd. Of Education Bldg.

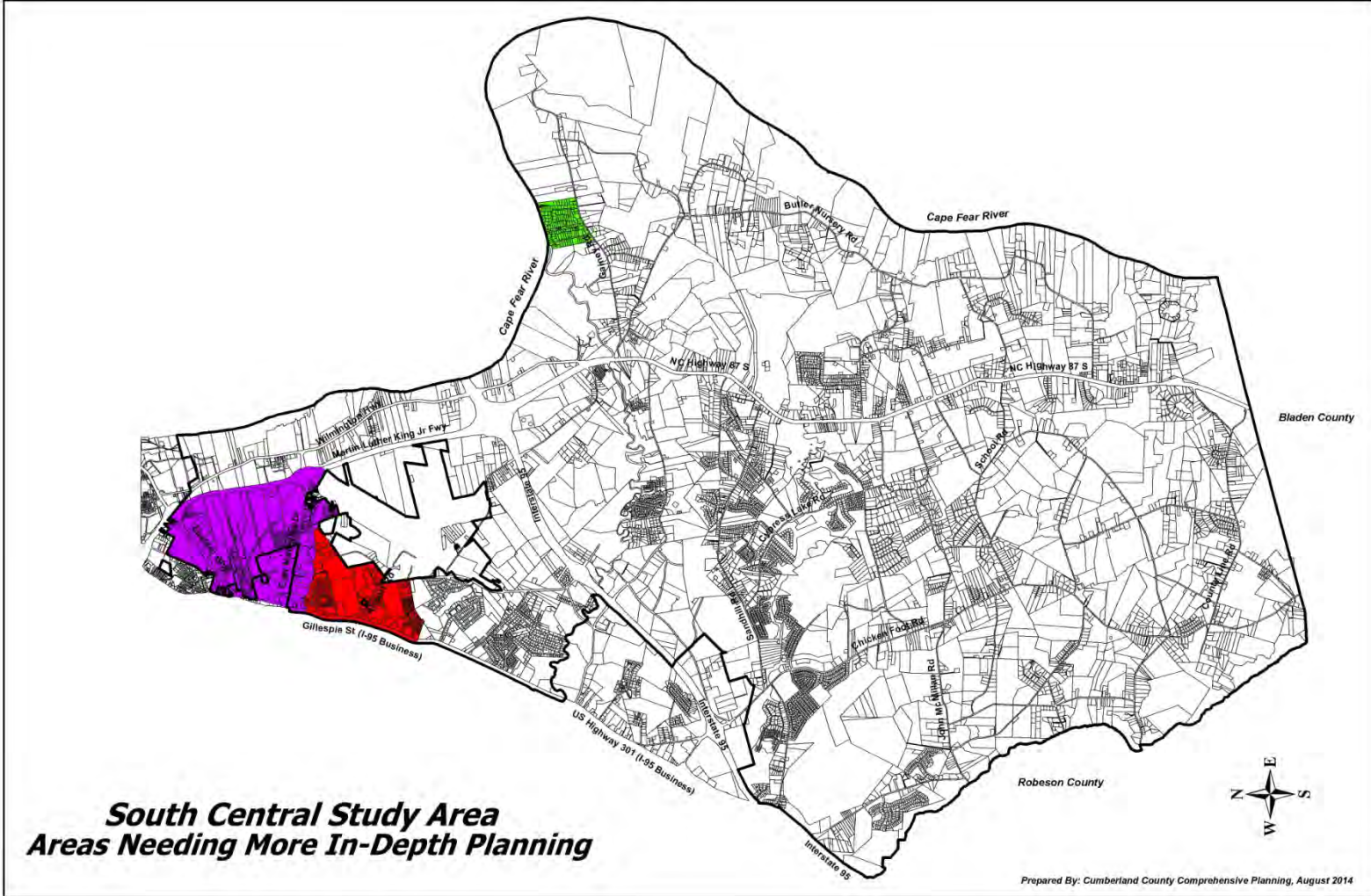
Downtown
Festival Park
Museums
City Hall
↑



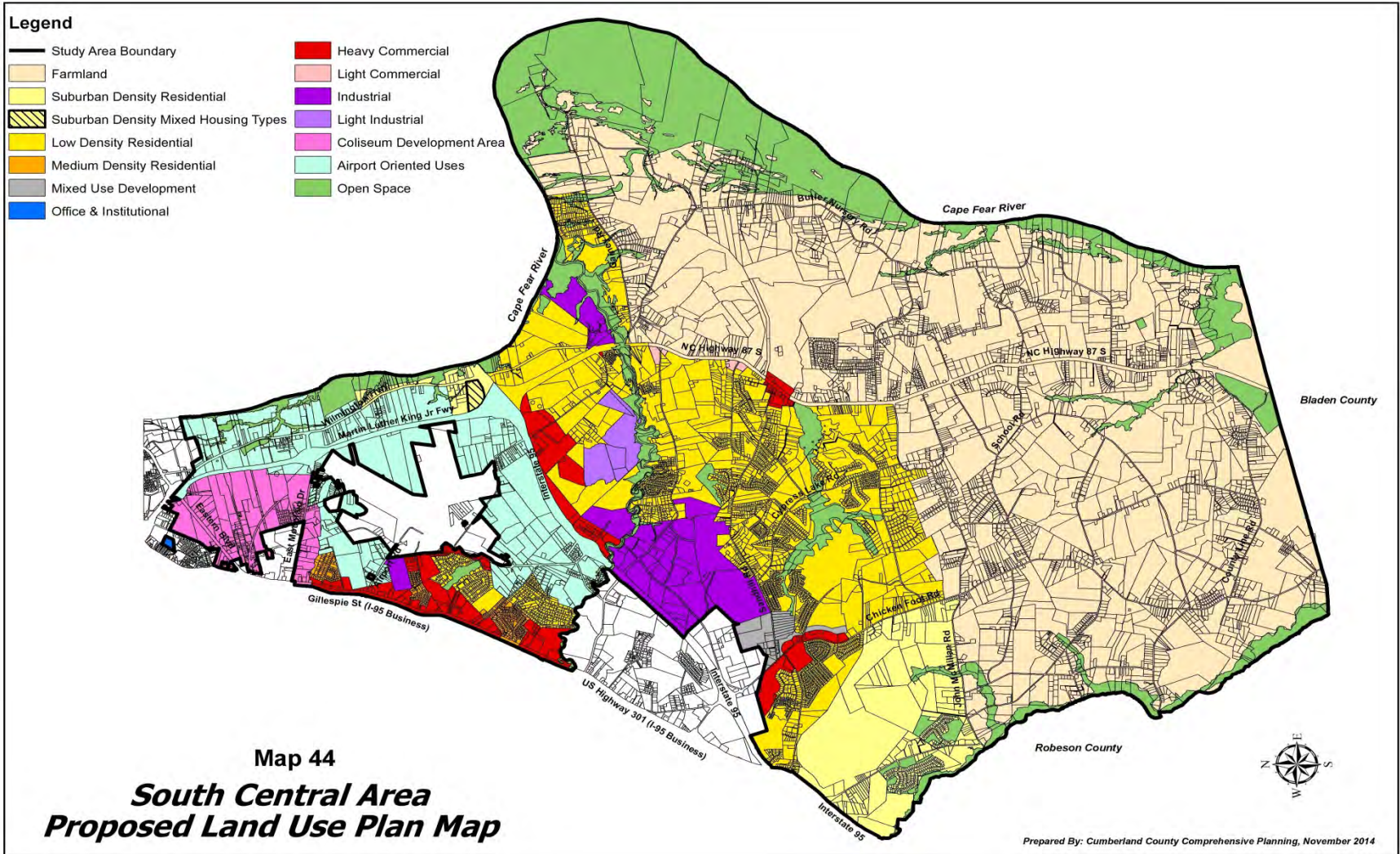
FAYETTEVILLE AND CUMBERLAND COUNTY REGIONAL WAYFINDING SIGNING PROGRAM



AREAS REQUIRING MORE IN-DEPTH PLANNING

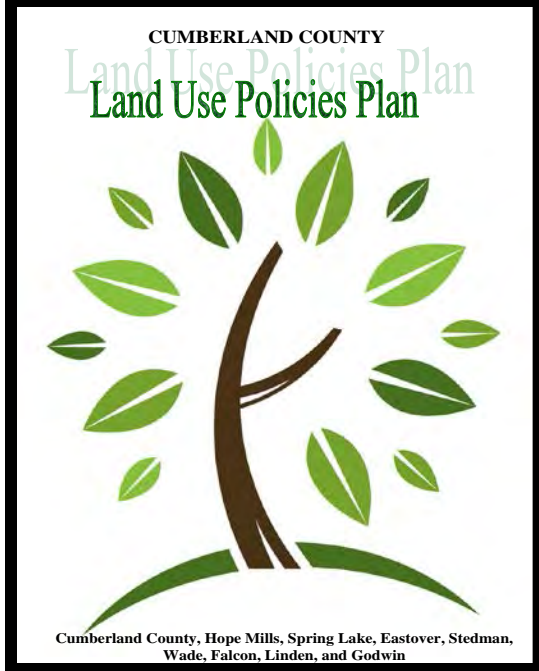
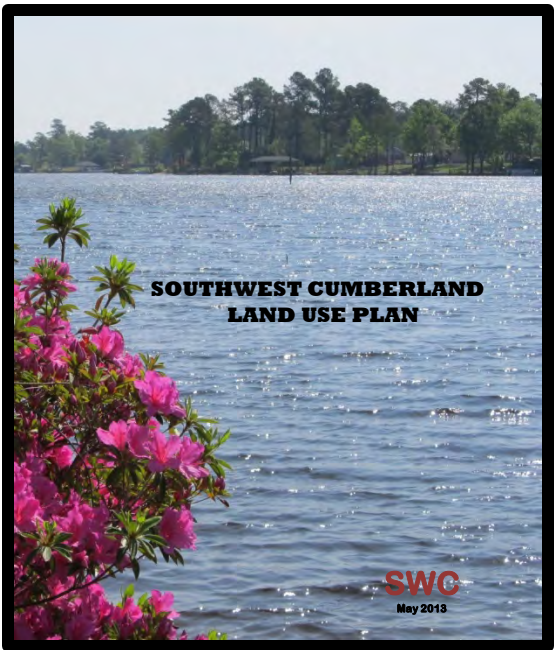
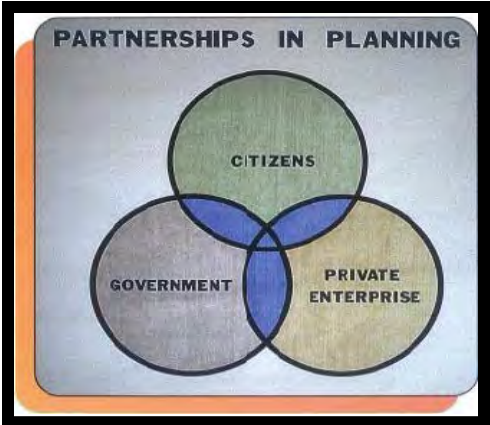


ADOPT PROPOSED SOUTH CENTRAL LAND USE PLAN



RECOMMENDED PROJECTS

- Sandhill Road/ Chicken Foot Road realignment & intersection improvements
- Provide fenced walking trails around the perimeter of all school sites for the community use
- Repair dam on Canady Pond Road
- Establish standards for private trash pickup service
- Post more speed limit signs
- Sheriff substation
- Improve Yarborough Road
- Pave dirt roads
- Develop A-1 type zoning district that allows only stick built homes



Cumberland County Planning & Inspections Department
130 Gillespie Street
Fayetteville, NC 28302
(910) 678-7611
www.co.cumberland.nc.us/planning.aspx

Cumberland County, Hope Mills, Spring Lake, Eastover, Stedman, Wade, Falcon, Linden, and Godwin

Patricia Hall,
Chair
Town of Hope Mills

Charles Morris,
Vice-Chair
Town of Linden

Jami McLaughlin,
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

JUNE 5, 2015

ITEM NO. 4c(2)

MEMO TO: Cumberland County Board of Commissioners
FROM: Cumberland County Joint Planning Board
SUBJECT: South Central Land Use Plan
ACTION: Approve the plan and move it forward to the Board of Commissioners for their review and approval

MINUTES OF MAY 19, 2015

Mr. Will Denning presented the South Central Land Use Plan. Mr. Denning talked about the study area, process, and vision sessions with the citizen planning committee, recommendations, and recommended projects.

For clarification Mr. Denning read the following statement: "It should be noted that this Plan may be changed, modified, or altered if the basis for some or all of the land use decisions made within this document changes in the future. Factors that may precipitate this change include; but are not limited to, the extension of public or community water and sewer, road improvements or changes, the construction of a school or public facility, changes in the economic climate, land use policy changes, or the location of major employment in or near the area."

Mr. Denning had the people who were on the Citizen Planning Committee stand.

Mr. Morris and the Board thanked them for the work that they put into the plan.

Public hearing opened.

Ms. Roberta Waddle spoke in favor of the plan. Ms. Waddle stated that she was a member of the study committee and a local resident. The plan is not perfect, but the citizens came together and addressed what they wanted for their community. Ms. Waddle thanked staff for working with them, and asked the board to support the work of the citizens and approve the plan.

Mr. Paul Johnson spoke in favor of the plan. Mr. Johnson said that he agreed with the comments of the previous speaker, and said that what they were looking to do was improve the area and asked the Board to approve the plan.

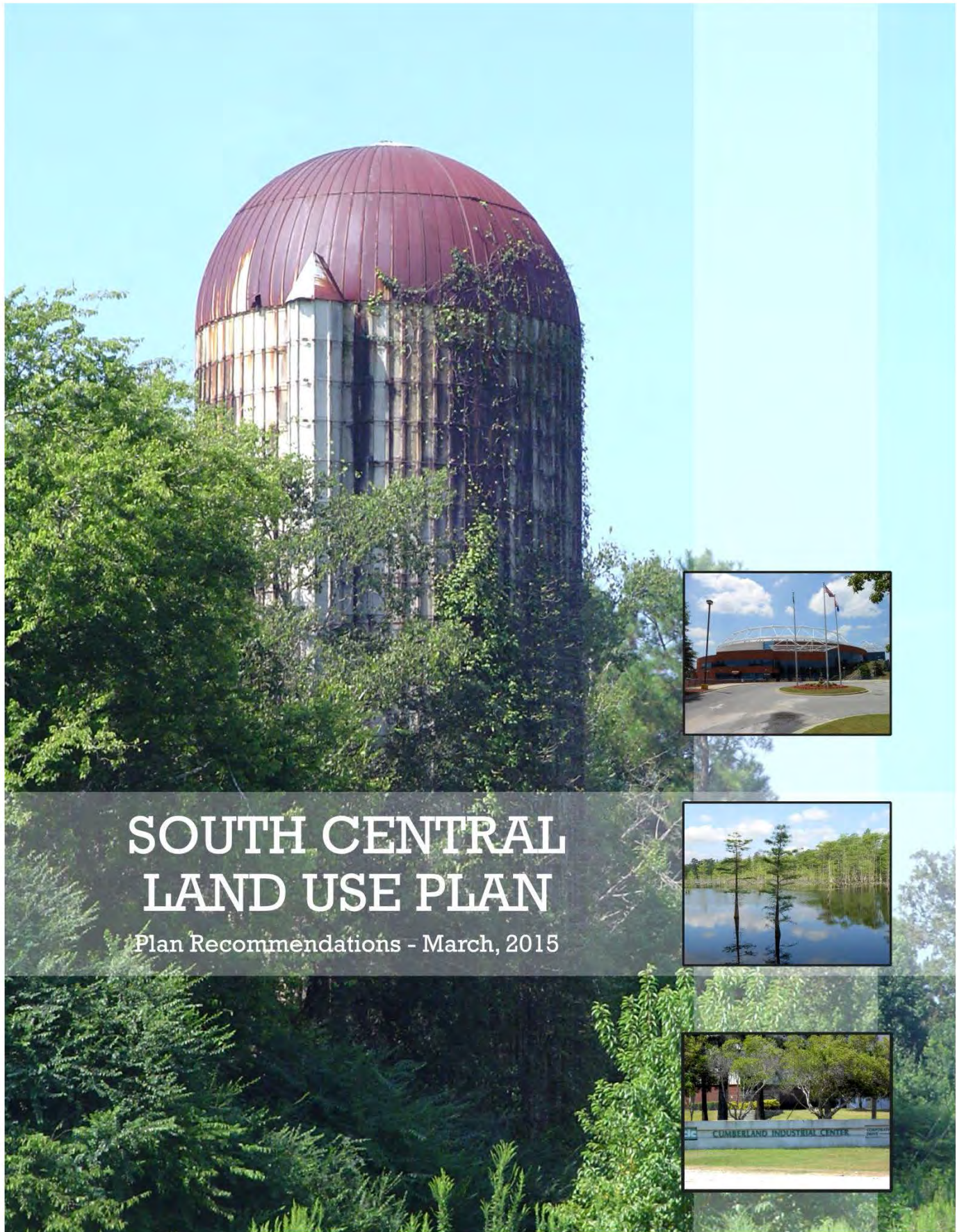
Mr. Clifton McNeil spoke in favor. Mr. McNeil stated that his only suggestion would be that there be a provision that states the plan could change as conditions change. Mr. McNeil stated that he would also like to see it remain rural, but the land people own is their retirement. But there need to be provisions for people to be able to use that land to be able to provide for their retirement.

Mr. Morris reminded everyone that this is a long term plan and there are certain events that occur, there are certain factors that put pressure on these plans and that's why we always tell the communities, that these plans are macro plans not micro plans (not parcel specific), if there are events that change the nature of the plan, there are provisions in the plan that will take care of those changes.

Mr. Denning thanked Mr. Paul Johnson with Beasley Broadcasting Group who took care of all the advertising for the meeting and other advertising throughout the whole process.

Public hearing closed.

Mr. Clark made a motion to approve the plan and move it forward to the Board of Commissioners for their review and approval, seconded by Mrs. Wheatley. Unanimous approval.



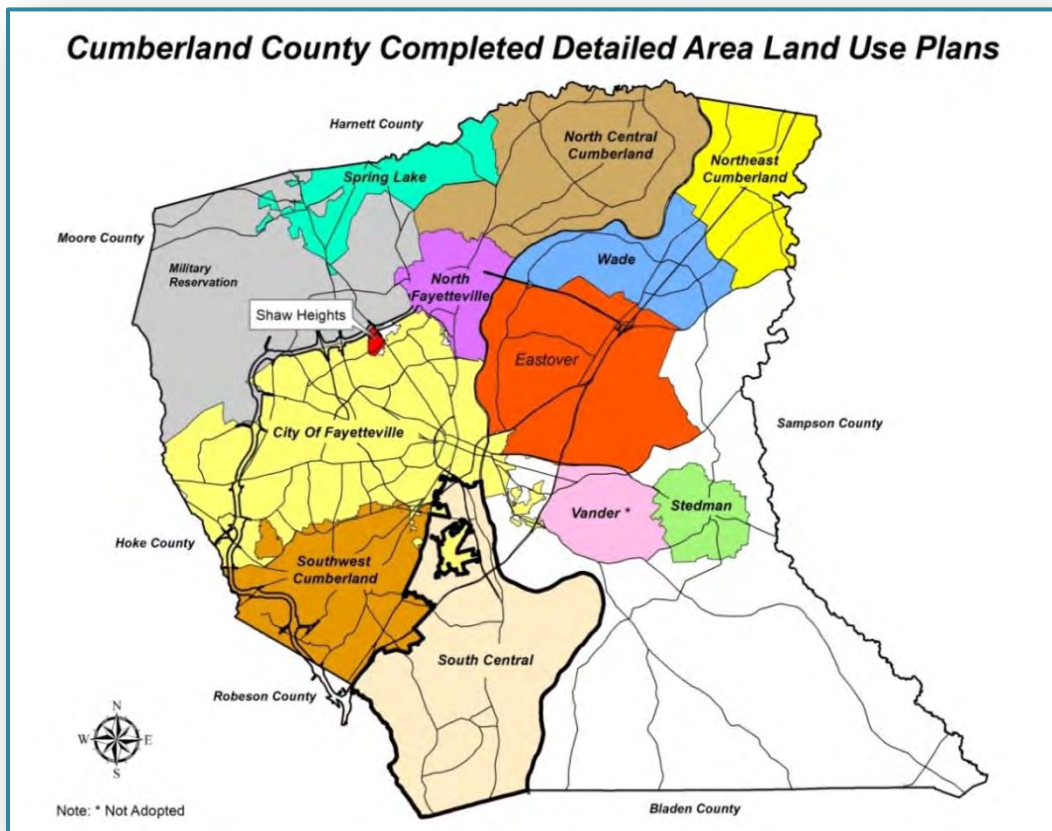
SOUTH CENTRAL LAND USE PLAN

Plan Recommendations - March, 2015

PREFACE

The South Central Study Area Land Use Plan is part of a continuing effort by the Cumberland County Joint Planning Board to develop detailed land use plans for the entire County and all the jurisdictions that are part of the Joint Planning Board. South Central is the eleventh area in this effort. These detailed plans supplement the Cumberland County 2030 Growth Vision Plan, adopted in April 2009. While the policies and actions in the 2030 Plan are still valid and provide a framework for the future, detailed land use plans address and updates the Cumberland County 2030 Growth Strategy Map. Additionally, the detailed plans serve, along with the Land Use Policies Plan, as a tool to help the Planning Board and the various governing bodies make planning and zoning decisions. It should be noted that this Plan may be changed, modified, or altered if the basis for some or all of the land use decisions made within this document changes in the future. Factors that may precipitate this change include; but are not limited to, the extension of public or community water and sewer, road improvements or changes, the construction of a school or public facility, changes in the economic climate, land use policy changes, or the location of major employment in or near the area.

This report is a condensed version of the document that provides the Committee's recommendations only. All the background information is in the official document entitled the South Central Study Area Land Use Plan.



OVERVIEW

The South Central Study Area consists of approximately 44,714 acres, with a 2010 population of approximately 16,422 persons. Between 1990 and 2010 the population in the Area grew approximately 95% and projections are that the population will increase about 30% by 2030. Housing in the Area grew approximately 103% during the same period and based on past growth it can be assumed that 700 new homes could be constructed by 2020.

The Area can be defined as the City of Fayetteville City Limits on the north, Business 95/US Highway 301 South on the west, Robeson and Bladen County on the south, and the Cape Fear River to the east. The Study Area includes all of Census Tracts 15, 30.01 and 30.02, and parts of Census Tracts 2 and 5. The Fayetteville Regional Airport and the Crown Coliseum Complex are not part of the study, but have a great impact on the surrounding land within the Study Area.

The Study began with the Planning Staff researching, analyzing and compiling data of the Area; and mailing 7,000 notices to property owners informing them of a community meeting that was held on September 24, 2013. The purpose of the meeting was to conduct a "Vision Session" to gather input from the residents and form a Citizen Planning Committee, with Staff facilitation, to develop a long range plan for the Area. The meeting was attended by over 200 residents. These residents were asked three questions:

What would you like for the Area to look like in the future?

What are the existing assets in the Area that helps obtain this future?

What are the current liabilities in the Area that hinder that future?

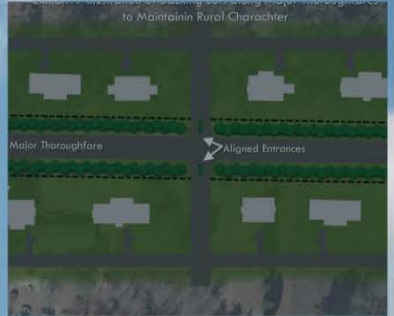
The staff also handed out a questionnaire for the residents to complete and turn in and set up an online survey using Survey Monkey. All of this information, along with maps, and socio-economic data was compiled and presented to the Citizen Planning Committee.

The Citizen Planning Committee consisted of 53 residents and met between October 2013 and November 2014 developing a draft South Central Study Area Land Use Plan. Committee members were given information to help them make land use decisions which consisting of socio-economic data, natural features, and the built environment. This plan was presented to the residents at a public meeting on October 9, 2014 attended by approximately 72 residents. Feedback from this meeting was recorded and presented to the Citizen Planning Committee for consideration. The Plan was modified by the Committee reflect the accepted citizen's requested changes.

This draft plan is the Committee's recommended plan for the Area and is submitted for adoption.



“a society grows
GREAT
 when old men plant trees
 whose shade they know
 they will never sit in.”
 greek proverb



GOALS & OBJECTIVES

The process of developing goals and objectives provides guidance for the overall Plan and specifically is helpful in the development of the Land Use Plan Map and a means of evaluating the progress in the Plan's implementation. These goals and objectives were developed by information gathered through the public participation process, questionnaires and formulated by the South Central Citizen Planning Committee.

A goal is a long term vision that explains what is going to be achieved; whereas the objectives are more specific actions and strategies to obtain the goal. Plans and actions that are based on well-articulated goals and objectives are more likely to succeed in meeting the community's needs, values, and aspirations.

Specific goals and objectives developed for the Study Area include residential, commercial, open space, farmland, transportation, industrial/manufacturing, community appearance, and community facilities and services.

Residential Development Goal

Provide a complete range of residential housing types that accommodates the needs of all residents with adequate infrastructure while preserving the character of the area and protecting environmentally sensitive areas.

Objectives:

- Any residential development greater than two units per acre must have public or private water and sewer.
- Encourage the use of low impact developments techniques.
- Strengthen and enforce minimum housing standards.
- Promote the building of quality housing.
- Provide flexibility for mixed-use and higher density developments to locate close to existing or future commercial centers.
- Locate residential areas with respect to natural and environmental sensitive areas.
- Promote infill development.
- Promote sidewalks and pedestrian facilities, where appropriate to provide access to facilities such as schools, commercial areas, and recreation facilities.
- Provide and preserve natural vegetative buffer areas between single and multi-story residential development and non-residential uses.

Commercial Development Goal

Provide quality, attractive commercial development that meets market demand, is harmonious with its surrounding area, has supporting infrastructure, preserves the natural environment, and is concentrated in nodes near major intersections and existing commercial development.

Objectives:

- Allow small, concentrated commercial nodes for “Rural Area Centers” at selected major intersections in the rural portion of the Study Area to serve the needs of the residents.
- Promote the concentration of intense commercial development in nodes at the intersections of major thoroughfares, interchanges, and other designated areas along US Highway 301 South with public water and sewer.
- Discourage commercial development in wetlands, Special Flood Hazard Areas, and other environmentally sensitive areas.
- Permit commercial establishments on tracts of land sufficient in size to accommodate vehicular and pedestrian circulation, landscaping, buffering, signs, and other required development standards.
- Commercial buildings’ size should be based on context of surrounding land uses.
- Strengthen existing landscape standards for commercial developments.
- Protect established residential areas from the encroachment of non-residential developments.
- Mixed-use development should be permitted in or near intense commercial developments and large centers of population or urban area.
- Encourage the reuse of vacant commercial structures.
- No large malls.
- Require all new commercial developments to retain or reforest a natural area along its road frontage.

Open Space/Parks Goal

Provide a diversified parks and open space system that protects, preserves, and enhances environmentally sensitive areas, wildlife habitats, agricultural lands, and air and water quality; while providing new facilities such as greenways, parks, and similar amenities that serves the betterment of all citizens, rural and urban, in the Study Area.

Objectives:

- Support measures that protect Special Flood Hazard Areas, natural areas, wildlife habitats, endangered species, water quality, open space, historic features, and scenic sites.
- Co-locate parks and recreation facilities with other community facilities such as schools, fire and police stations, libraries, and etc., whenever feasible.

- Provide a range of parks, recreation facilities, and open spaces near densely populated areas and commercial centers while providing connectivity to other facilities.
- Consider using existing infrastructure for bicycle/pedestrian facilities as a linkage to the open space system in the Study Area, County, and Region.
- Promote incentives that will encourage developers to provide usable open space in developments.
- Encourage the protection and preservation of existing trees.
- Utilize parks, unique natural areas, scenic sites, and other amenities to attract economic development and tourism.

Farmland Goal

Preserve and protect farmland to ensure the continued viability of the farming and agri-business industry in the Study Area.

Objectives:

- Create a significant designated farmland area (“farm zone”) to provide a sustainable environment for agricultural operations.
- Support the establishment of a local farmers’ market and local roadside produce stands.
- Support the Cumberland County Voluntary Agricultural District Program (VAD).
- Support policies that will help farms provide affordable, fresh commodities to local schools, businesses, military, etc.
- Promote a natural or reforested buffer area between development and farming operations.
- Utilize agriculture as a means to protect critical land around the Fayetteville Regional Airport from development.
- Promote the concentration of development in areas with sufficient services such as water, sewer, roads, and nearby commercial establishments.
- Promote the awareness of the benefits of farmland to the environment and in maintaining the rural character of the area.
- Create family farm subdivisions standards.
- Promote agri-tourism.
- Support efforts that protect the family farm.

Transportation Goal

Provide safe, adequate, and accessible multi-modal transportation facilities for the movement of people, goods, and services that meets the needs of residents while preserving the urban and rural character of the Study Area.

Objectives:

- Maintain and enhance the existing rural road network within the Study Area.
- Support a study for a potential park and ride facility that serves the Crown Coliseum area, Fort Bragg, Downtown Fayetteville, Fayetteville Technical Community College, Fayetteville State University, and Methodist College.
- Recommend existing and new roadways that will be capable of handling expected traffic growth prior to development occurring.
- Support any expansion and protection efforts of land immediately surrounding Fayetteville Regional Airport.
- Require sidewalks to be constructed on both sides of streets in new subdivisions, and along the frontage of any new commercial development.
- Provide signalization and other improvements at major intersections and high traffic roads to alleviate traffic congestion.
- Restrict new billboards within the Study Area, especially along NC Hwy 87 South, US Hwy 301 South, Martin Luther King Jr. Freeway, and I-95.
- Ensure that adequate signals, signage, crosswalks, and other recommended safety devices are installed to protect the well-being of all types of travel modes within the Study Area.
- Promote transportation improvements that provide for the needs of the elderly and disabled.
- Enhance tourist travel and access to scenic sites, cultural facilities, recreation areas, retail, entertainment and other local sites of interest.
- Provide an efficient and effective network of roads and pedestrian facilities, that is in harmony with the character of the Area, and that provide connectivity within and beyond the Study Area.
- Promote the paving of all dirt roads.
- Support bus service to the urban portion of the Study Area to better serve the residents and the commercial, industrial and entertainment facilities in the area.
- Restrict subdivision lots from having direct access along designated thoroughfares, freeways, expressways, and boulevards (based on FAMPO 2040 Highway Plan, 2014), and limited direct access for non-residential development.
- Improve safety for cyclists by marking lanes and widening and hardening shoulders on designated bicycles connectors.
- Improve connectivity between the Crown Coliseum Complex, Downtown, the Mall, the Military Reservation, and Fayetteville Regional Airport.

Community Facilities and Services Goal

Support a range of community facilities and services that are adequate, accessible, and cost effective that will meet the needs of its present and future residents who visit, live, or work in the Study Area.

Objectives:

- Develop a plan to extend affordable water to the rural parts of the Study Area where private wells are contaminated or not potable.
- Explore the establishment of a Gray's Creek citizen controlled Sanitary District to provide safe drinking water from Bladen Bluff Regional Surface Water System to the area.
- Ensure an adequate level of fire and police protection.
- Provide community facilities in a way that serves the underserved, and co-locate them with other facilities such as schools, fire stations, law enforcement facilities, medical and social services, libraries and other compatible services.
- Utilize the perimeter of school properties for walking trails so as not to interfere with school operations during normal school hours.
- Utilize school buildings for after-hours uses such as community meeting sites and recreational activities.
- Explore the possibility of expanding trash service, recycling, and other efforts to prevent roadway littering in the Study Area.
- Encourage the use of solar powered street lights on all new streets and roads.
- Promote improvements around the Crown Coliseum complex that will enhance its marketability and attractiveness for new development.
- Develop a plan to provide affordable water and sewer to the urban portion of the Study Area where it currently does not exist.
- Limit the provisions of facilities and services in the rural portion of the Study Area that are not efficient investments in services or which might encourage more growth than is desired.
- Promote cooperation between municipalities, the Board of Education, State, Federal, and private entities in providing facilities and programs to area residents.

Industrial/Manufacturing Goal

Provide areas for clean high-tech industries and manufacturing where infrastructure is adequate, that does not impact the environment or natural areas, utilizes existing vacant structures when feasible, complements existing industrial development, and is in harmony with surrounding development.

Objectives:

- Promote incentives for industries to locate in existing vacant structures within designated and zoned industrial areas.
- Promote the use of existing buildings by reducing permitting and bonding fees.
- Support efforts to retain and expand existing industries.
- Identify sites that are unique in size and location that provide special opportunities for industrial development within the Study Area, County, and Region.

Community Appearance Goal

Provide an attractive living environment by protecting the existing natural beauty, improving the landscaping and site design requirements for new development, and reducing litter and sign clutter along the roadways in the Study Area.

Objectives:

- Develop ordinances and regulations that will require new commercial buildings to have specific architectural features that will match the character of the Area. This will allow for a seamless adaptive reuse.
- Promote the provision of open spaces, urban spaces, and landscaping to soften, beautify, and enhance the Area's image.
- Enforce Cumberland County's Minimum Housing and Junk Car Ordinances to eliminate abandoned and neglected residential properties and vehicles.
- Restrict the proliferation of billboards in the Area.
- Require parking lots to have landscaped islands to soften their appearance, improve air quality, reduce the heat island effect, and to filter runoff.
- Enforce litter laws and promote other programs to clean up existing roadway litter and educate the citizenry of the cost and impact of littering.
- Promote a pilot program that would encourage civic groups, businesses, and other entities to adopt interchanges for beautification and maintenance.
- Utilize the Conservation District, Special Flood Hazard Areas, public and non-profit lands and development concepts such as open space subdivisions to maintain rural character in the Area.
- Promote the planting and maintaining of native plants as a natural vegetative buffer along major corridors.
- Create incentives that encourage developers to retain mature trees within their developments.
- Promote a center median with landscaping and street trees for any widening of an existing or new major thoroughfare.
- Develop a sign ordinance that will regulate the size, height, style, illumination, and appearance of signage in the Area.

ENTRANCE CORRIDORS

Attractive entrance corridors speak volumes about a community. First impressions of a community are formed by the initial streetscape at its entrance. Streetscape is a general

Exhibit 30 - Illustration of Claude Lee Road /I-95 Interchange Enhancements



term applied to all of the elements that make up the public realm. They include street, paving, sidewalks, planting strips, lighting, traffic signals, outdoor street furniture, public signs, and utilities. It could also include structures in the private sector such as parking lots, signs, and structures and their relationship to the streetscape.

It is recommended that all entrance corridors in the County, the City

of Fayetteville and Hope Mills be enhanced by street trees, natural vegetation, landscaping, sign control, lighting, and pedestrian facilities where applicable. Good architectural design of structures and site planning should be encouraged. Entrance streets in the Study Area should include Interstate 95, U.S. Highway 301 South/Eastern Boulevard, N.C. Highway 87 South, John McMillan Road, Yarborough Road, and Chicken Foot Road at their entrance into the County, Claude Lee Road, Martin Luther King Jr. Freeway, U.S. Highway 301 South/Eastern Boulevard, Wilmington Highway, Doc Bennett Road, East Mountain Drive, Owen Drive, and Airport Road as they enter the City of Fayetteville, and Chicken Foot Road at its entrance into the Town of Hope Mills.

It is also recommended that the City of Fayetteville enhance the Claude Lee Road/I-95 Interchange as a major gateway into the City and airport. These enhancements should include, but not be limited to, wayfinding signs, lighting, landscaping, and restricting billboards as illustrated in **Exhibit 30 - Illustration of Claude Lee Road/I-95 Interchange Enhancement**.

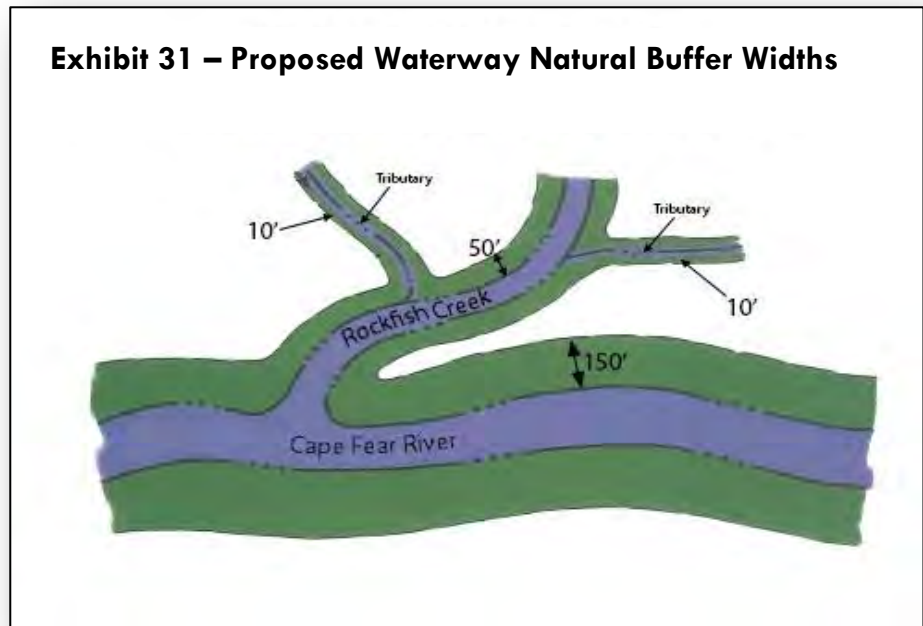
Further recommendations include banning billboards on Martin Luther King Jr. Boulevard, I-95, U.S. Highway 301 South, Claude Lee Road, Airport Road, Chicken Foot Road, Owen Drive Extension, and the proposed Coliseum/Downtown Connector Road.

WATERWAY NATURAL BUFFERS

The Study Area contains many water courses within its boundary. Those included are Rockfish Creek, Cold Camp Creek, Gallberry Swamp, Willis Creek, Swans Creek, Long Branch Creek, Kirk's Mill Creek, and the Cape Fear River. It is important that these waterways be protected to ensure bank stabilization, filtration of storm water and providing for aquatic and wildlife habitats. The protection area for these waterways should be based on their importance and size. Since Rockfish Creek and the Cape Fear River are considered major waterways within the Study Area, Region, and County, the buffer should be of significant width to protect them.

It is recommended that the buffer of protection for the Cape Fear River should be a minimum of 150 feet or the width of Special Flood Hazard Area, whichever is greater. The creek buffer area shall be 50 feet from the top of the creek bank. Streams and drainage way

buffers should a minimum of 20 feet from the top of the bank. These waterways natural buffers are illustrated in **Exhibit 31 - Proposed Waterway Natural Buffer Widths**.



RECOMMENDED DESIGNATED FARMLAND AREA DEVELOPMENT

The designated farmland area should be protected and preserved from normal development. Development in this area should be limited and be in character with a farming community. The majority of the designated farmland in the Study Area is zoned A1-Agricultural District. This district requires a minimum of a two-acre lot, or a density of one unit per two acres.

The Planning Board's current policy is to allow rezoning to one acre lots on tracts 10 acres or less in the farmland area. It is recommended that the Planning Board's current policy should be enforced with a modification. This modification is to disallow tracts 10 acres or less that request one acre minimum lot size or one unit per acre in the farmland designated area when the soils are unsuitable for septic tanks.

Tracts greater than ten acres that request permission to subdivide one acre lots or a density of one unit per acre would be considered more favorable if soil conditions are suitable for septic tanks, the subdivision access is approved by the North Carolina Department of Transportation, the land is not in the Present Use Value Tax Program, is located on a public street/road, and must be approved as a density development/conditional zoning.

In addition, it is recommended that a zoning district be created in the farmland designated area that would allow only stick built homes. This is in response to the community's concerns that many upscale homes have been built in the farmland area on large lots that later had manufactured homes placed next door. It is hoped that this will help maintain property values in the area.

CONCENTRATE COMMERCIAL DEVELOPMENT IN NODES AT INTERSECTIONS AND INTERCHANGES

Commercial development is inevitable in some locations in the area. Efforts should be made to ensure that this commercial development is located in the most convenient location, has access to public utilities and urban services, has the transportation network to handle the expected traffic volume, is not encroaching in an established residential area, is compatible with its surrounding uses, is conveniently located, and not stripped along the roadways. Commercial development should be concentrated in nodes at major intersections or interchanges near the most densely developed areas. This is reflected in the proposed South Central Land Use Plan.

The Plan shows very little commercial development in the designated farmland area. Since most of the Plan's designated farmland is zoned A1-Agricultural District, there are many commercial uses already allowed. If there are other desired commercial uses not allowed in the A1- Agricultural District, the change may be supported on a limited basis if it is located at an intersection with at least one of the roads classified as a principal arterial, major collector, or higher, is compatible with the surrounding uses, and does not promote strip commercial development. All commercial development must blend with the surrounding land uses in scale, appearance and size.

CO-LOCATE COMMUNITY FACILITIES AND SERVICES

Community facilities and services should be planned and conveniently located near the population. These services may include law enforcement protection, schools, recreation centers, parks, social services, mental health services, libraries, and etc. These facilities should be interconnected by pedestrian paths and amenities.

PROTECT NATURAL AREAS, ENVIRONMENTALLY SENSITIVE AREAS, HISTORIC AND SCENIC SITES

The Study Area has an abundance of natural areas, environmentally sensitive areas, scenic sites and some historic structures that need to be protected and preserved as shown on **Map 38 - South Central Area Natural, Historic and Scenic Sites To Be Preserved and Protected**. Environmentally sensitive and natural areas help protect water supplies, reduce sedimentation and soil erosion, replenish soils, clean the air, nourish wildlife, and provide habitats. The Cape Fear River and Special Flood Hazard Area are significant natural areas that are viable resources to the economy of the Study Area, County, and Region for their use as recreation, drinking water, and wildlife habitats. The Study Area also contains several other unique water bodies, a regional park, plus scenic and historical sites that should be protected and preserved.

WATER AND SEWER POLICY

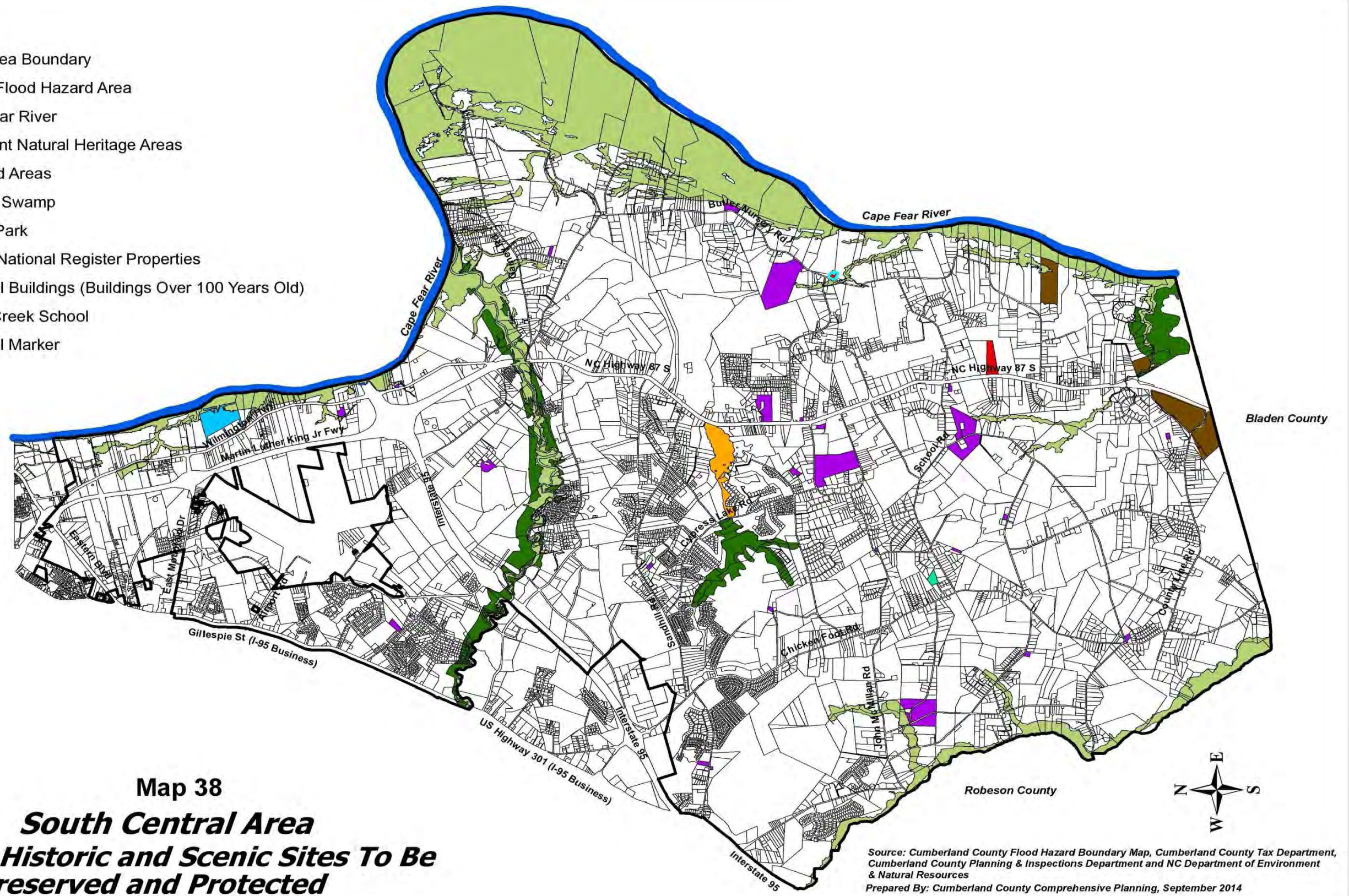
In order to protect the rural area and allow for urban development in designated areas, the provision of water and sewer must be addressed. The South Central Citizen Planning Committee recognizes that growth will come to the Area, but it must be controlled, and the timing of water and sewer extension is critical. It is recommended that any density greater than two units/lots per acre should have public or community water and sewer. Areas in the Study Area that currently have available sewer and water should be developed first and should be the most densely developed. Any future water and sewer extensions should be done incrementally and systematically to prevent “leapfrog development”. It is recommended that the Gray’s Creek Sanitary District pursue the establishment of a sanitary district with a water source from Bladen Bluffs Regional Surface Water System that will be owned , operated, and controlled by the residents. Rural water should be extended only to provide potable water, eliminate water contamination issues, and it should be explicit that it will be only for rural development. Sewer should only be permitted in the designated farmland area when there is a health risk due to septic tank failure.

ENCOURAGE THE REUSE OF VACANT COMMERCIAL AND INDUSTRIAL SITES

Since there are vacant manufacturing/industrial facilities and other commercial structures within the Study Area, consideration should be given to the reuse or conversion of these facilities to a usable structure. The marketing for the reuse of these structures is viable to the economic development of the County and Study Area. An inventory and database of these vacant structures should be conducted and maintained as well as incentives developed to encourage investment in these structures.

Legend

- Study Area Boundary
- Special Flood Hazard Area
- Cape Fear River
- Significant Natural Heritage Areas
- Managed Areas
- Cypress Swamp
- Arnette Park
- Historic National Register Properties
- Historical Buildings (Buildings Over 100 Years Old)
- Swans Creek School
- Historical Marker



Map 38
South Central Area
Natural, Historic and Scenic Sites To Be Preserved and Protected

Source: Cumberland County Flood Hazard Boundary Map, Cumberland County Tax Department, Cumberland County Planning & Inspections Department and NC Department of Environment & Natural Resources
 Prepared By: Cumberland County Comprehensive Planning, September 2014

PROMOTE INFILL DEVELOPMENT

Protecting rural character in the southern portion of the Study Area is of paramount importance for the residents. In an effort to protect the rural character, prevent haphazard development in the farmland designated area, and prevent urban sprawl, it is recommended that existing areas and lots that have sewer and water available now should be developed first. These lots and tracts are shown in **Map 39 – South Central Area Buildable Lots One Acre or Less with Available Public Water and Sewer**. Some type of incentives should be crafted to encourage their development. There are approximately 169 existing lots (one acre or less) with water and sewer available.

Tracts greater than one acre were also inventoried on **Map 40 – South Central Area Tracts Greater than One Acre with Available Public Water and Sewer within 300 Feet**. These tracts of land can support higher density and should be promoted first for development before tracts that require the extension of these services are considered. There are about 165 tracts in the Study Area that have public water and sewer within 300 feet.

INDUSTRIAL PARK

The Cumberland Industrial Center (CIG) is the largest employment concentration in the Study Area. It was founded in 1987 and consists of approximately 620 acres. The park currently has approximately 10 active tenants employing between 500-1000 persons. The Cumberland Industrial Center and some surrounding land could provide future employment opportunities for South Central Cumberland Study Area residents. Most of the sites are developed, however there are some vacant structures available for new clients. The Park has approximately 80 acres for additional tenants; there are currently three vacant available structures in the Park, and there is an adjacent 290 acres of privately owned land available for development.

In order to continue the effective development of Cumberland Industrial Center, a systematic beautification and maintenance plan should be instituted. The result of this plan will reflect the image of a prosperous community, a thriving development and an effective management that demonstrates a well-planned, cohesive industrial center. In an effort to enhance the visual appearance of the center, façade improvements, landscaping, signage, and manicured grass areas should be included in the maintenance.

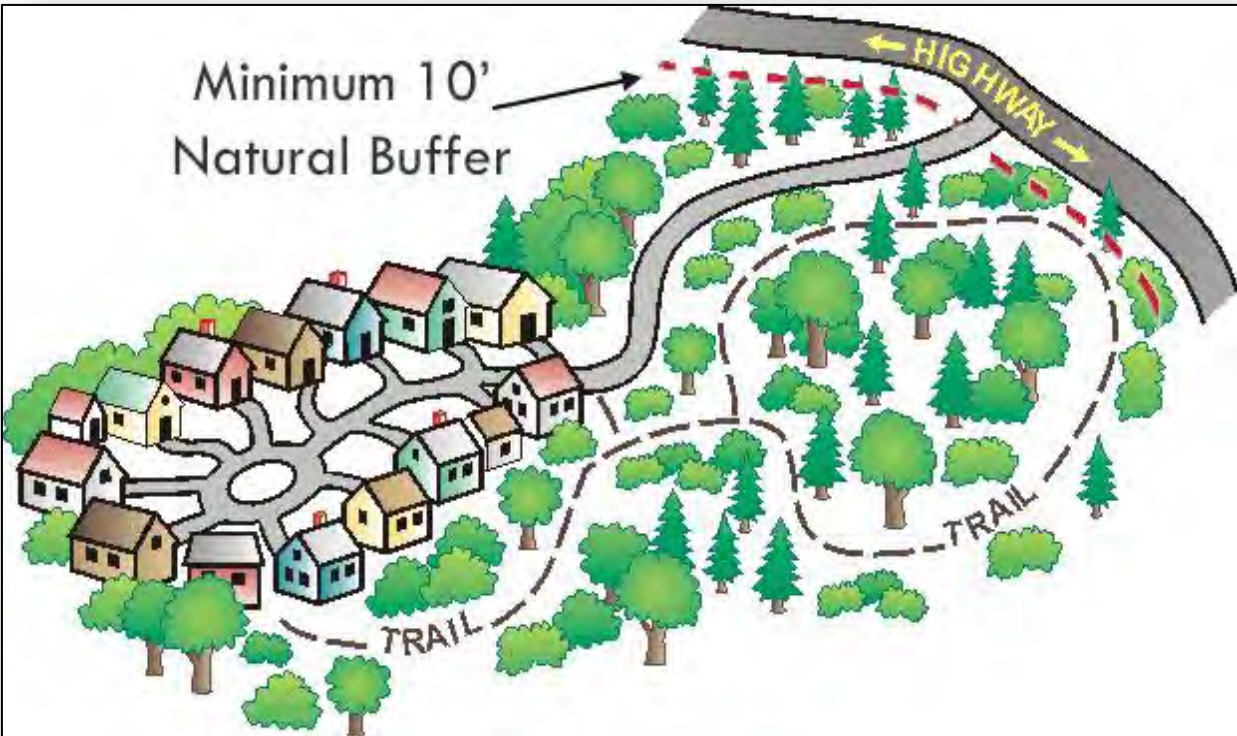
PROTECT RURAL CHARACTER IN THE FARMLAND DESIGNATED AREA

During the Citizen Vision Session there was considerable interest in protecting the rural character of the Area. The Plan acknowledged this desire by designating the rural portion of the Study Area as farmland. These actions can be supplemented by the use

of cluster or open space subdivisions. The Plan recommends that open space and cluster subdivisions be the method of development in the farmland area. Open space and cluster development allows for the preservation of open space, protects the rural landscape, is a more cost effective method of development, and can be a method to keep more land in agricultural use, as shown in **Exhibit 32 - Illustration of Open Space & Cluster Development**.

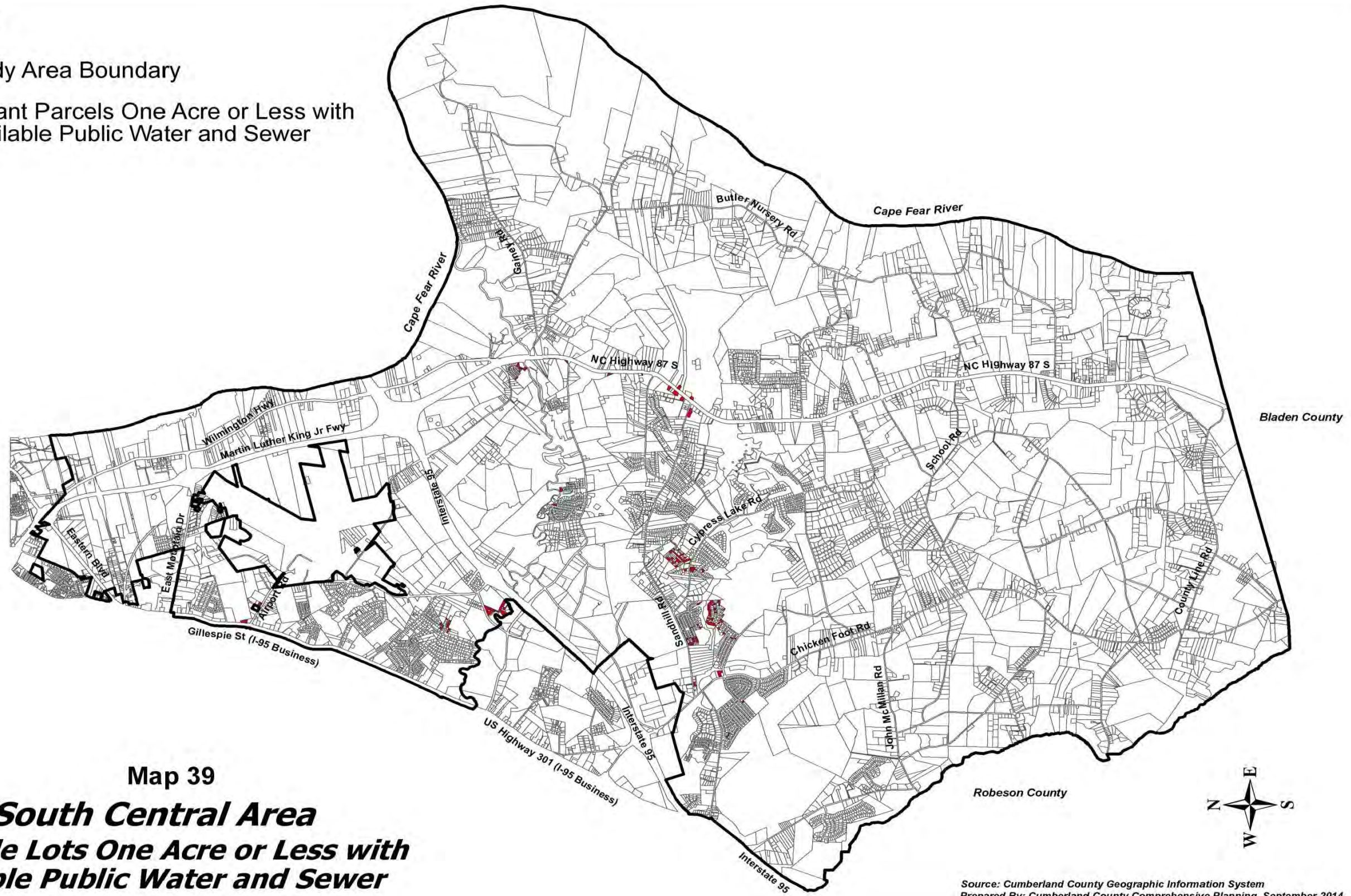
In order to protect the rural character in the farmland designated portion of the Study Area, it is recommended that a minimum 10 feet wide natural buffer be left when the development is along a State maintained road.

Exhibit 32 – Illustration of Open Space & Cluster Development



Legend

- Study Area Boundary
- Vacant Parcels One Acre or Less with Available Public Water and Sewer

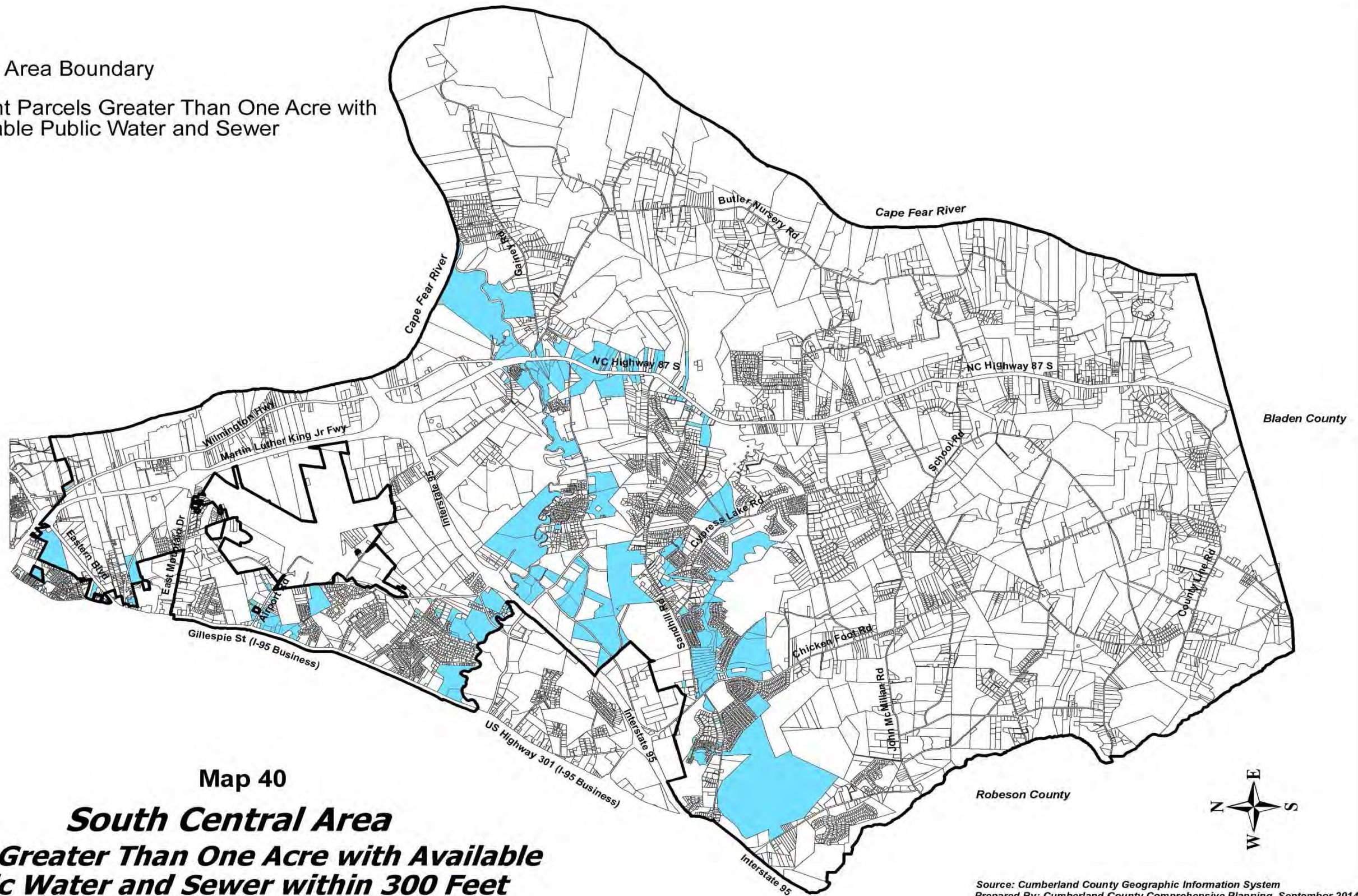


Map 39
South Central Area
Buildable Lots One Acre or Less with
Available Public Water and Sewer

Source: Cumberland County Geographic Information System
Prepared By: Cumberland County Comprehensive Planning, September 2014

Legend

- Study Area Boundary
- Vacant Parcels Greater Than One Acre with Available Public Water and Sewer



Map 40
South Central Area
Tracts Greater Than One Acre with Available
Public Water and Sewer within 300 Feet

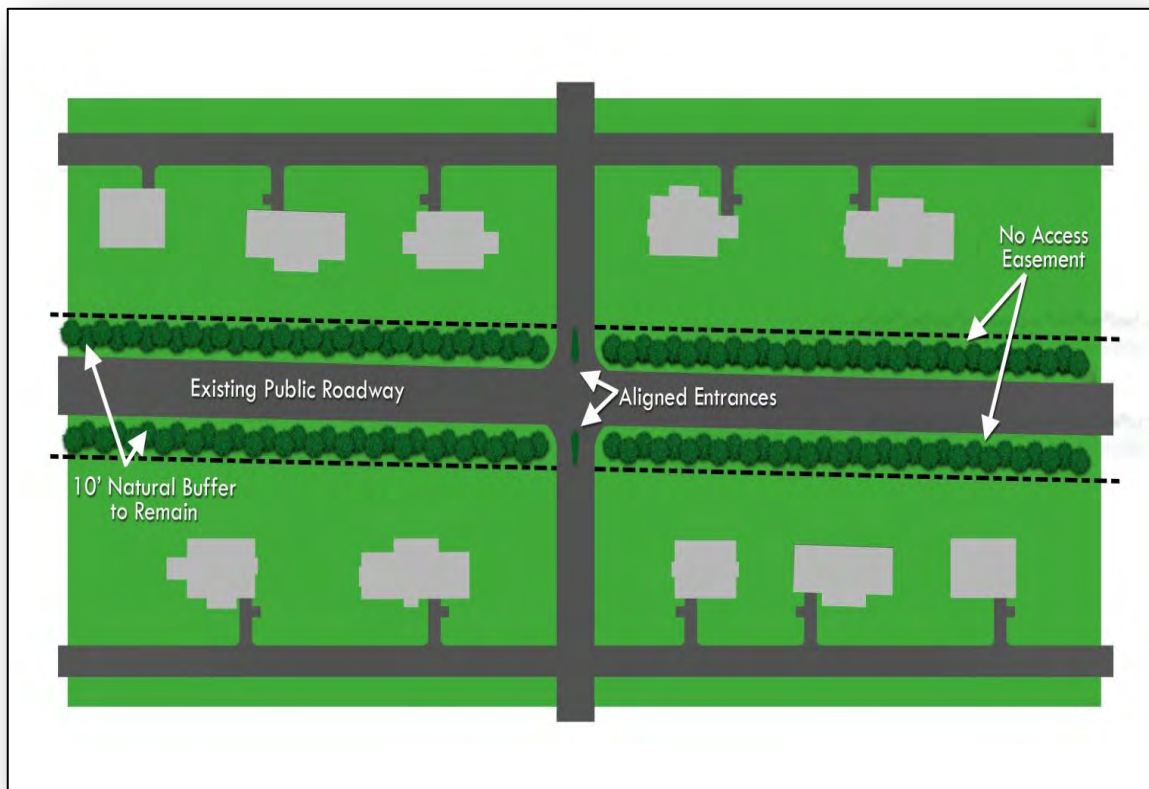
Source: Cumberland County Geographic Information System
Prepared By: Cumberland County Comprehensive Planning, September 2014

NO ACCESS EASEMENT FOR RESIDENTIAL DEVELOPMENTS ALONG ROADWAYS

The Study Area, although rural in many areas, does have roads that carry traffic to, from, and within the Area. Some are classified as “arterials” and “collector” streets according to the 2040 Highway Plan, 2014. In order to preserve the functionality of these roads as development increases, it is imperative that driveways be limited and conflict points reduced. All existing State maintained roads should require all subdivisions with more than three adjacent lots to back to the road.

The recorded plats should contain a “no access easement” clause to these roads. In the rural portion of the study area when lots are created, there should be a minimum 10 feet wide natural buffer left along the roadway as shown in **Exhibit 33 - Illustration of Development Recommendations Along Roadways**. Corresponding subdivision entrances on opposite sides of the street should align directly with each other whenever possible.

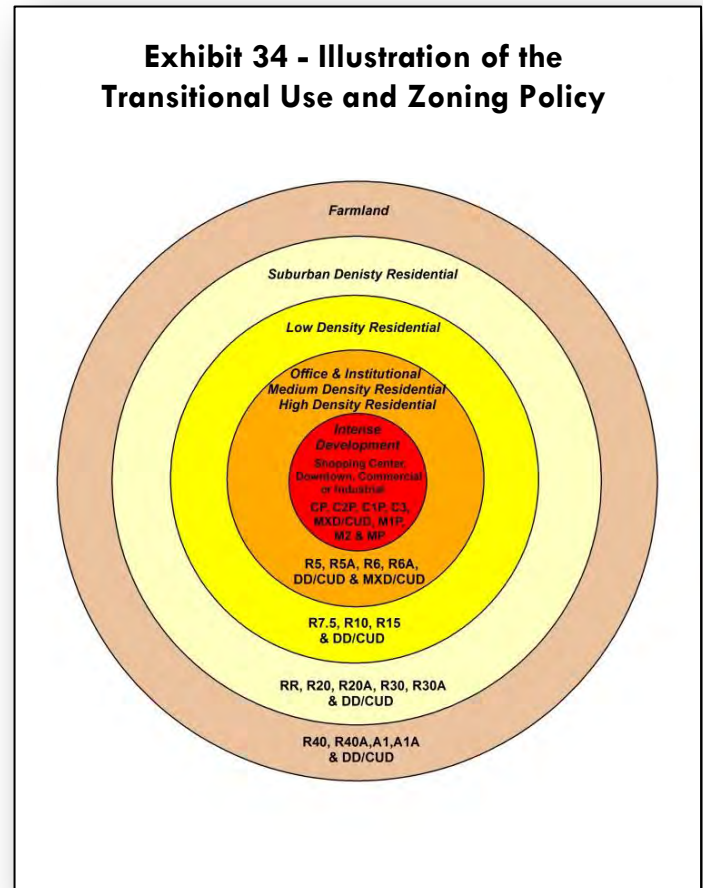
Exhibit 33 – Illustration of Development Recommendations along Roadways



PROTECT RESIDENTIAL AREAS FROM COMMERCIAL AND INDUSTRIAL DEVELOPMENT

Residents and Citizen's Committee members expressed a need to protect residential development from encroachment by commercial and industrial development. Upon review of vision session questionnaires, the desire to control development and the growth of shopping centers were listed numerous times, while the rural and non-commercialized nature of the southern part of the Study Area is viewed as an asset by Study Area residents.

It is recommended that applying the Traditional Use and Zoning Policy when making planning and zoning recommendations is a means to achieve those objectives. Under this policy, centralized, concentrated commercial development is surrounded by less concentrated development of differing types as shown in **Exhibit 34 - Illustration of the Transitional Use and Zoning Policy**. Conceptually, this policy results in a land use form that is similar to concentric circles, where suburban density residential development and farmland radiate outward from more intense development. It also assists in creating a buffer to minimize impacts between residential areas and incompatible uses.



PROTECT FARMLAND AND AGRICULTURAL INTEREST IN THE AREA

There is a real need to protect farmland, farming operations, and agricultural related activities in the Area. While the Plan is not a “No Growth Plan”, there is an area designated as farmland where development should be limited. This will help keep farming viable, prevent urban sprawl, and protect the rural character of the Area.

It is recommended that Cumberland County Subdivision Ordinance be amended to include a “family subdivision” that would allow farmers to provide residential lots to immediate family members and farm workers. Family members that build on the farm are more likely to become farmers and continue the operation than members that reside

off the farm. It is also recommended the continued support of the Voluntary Agricultural District Program and development of some additional local incentives to farmers that participate in the program such as free booths at the local farmers market, cash incentives, free advertizing in the local media, and promote a local farm produce section as part of all local festivals. Utilization of the Agri-Expo Center as a regional hub for agricultural and agribusiness gatherings and developing training classes for individual to learn farming practices, techniques, farm commodity pricing, mentoring, and any other activities that prepares interested individuals in pursuing farming is strongly recommended.

Many solutions to protect farmland and the agricultural industry are beyond the scope of planning. Examples include treating farming and agribusinesses as an industry and recruiting farmers. Agribusiness, like other businesses, requires having farmers at the table for economic decisions and as such, they should be represented on the Economic Development Alliance of Fayetteville and Cumberland County that recruits and retain businesses. Other actions should include promoting “farm to table” programs, promoting an understanding and appreciation of agriculture, recruiting industries that utilize locally grown and produced farm products, and promoting a home for a local farmer’s market. The Farm Advisory Board should have a very active role in all farming and agricultural related matters in the County.

SUPPORT THE ADOPTED BIKE & PEDESTRIAN CONNECTIVITY PLAN

During the public outreach process of the FAMPO Bicycle and Pedestrian Connectivity Plan, 2011 the public expressed their desire for accessible bicycle and pedestrian routes and facilities that would offer them safe transportation to employment, schools, shopping, and recreation. A system of sidewalks and bicycle facilities that connect origins and destinations provide users with choices that provide more direct convenient and safe travel routes, increase the ability to walk to key destinations, provide children an alternative route to school, improve access to public transit, provide alternatives for those individuals unable to drive, provide a stronger sense of community by encouraging people to walk or bike thus increasing the opportunity for interaction with neighbors, and improve the quality of life. It is recommended that the Bicycle and Pedestrian Plan as shown on **Map 23 - South Central Area Bicycle & Pedestrian Connectivity Plan** be implemented within the Study Area.

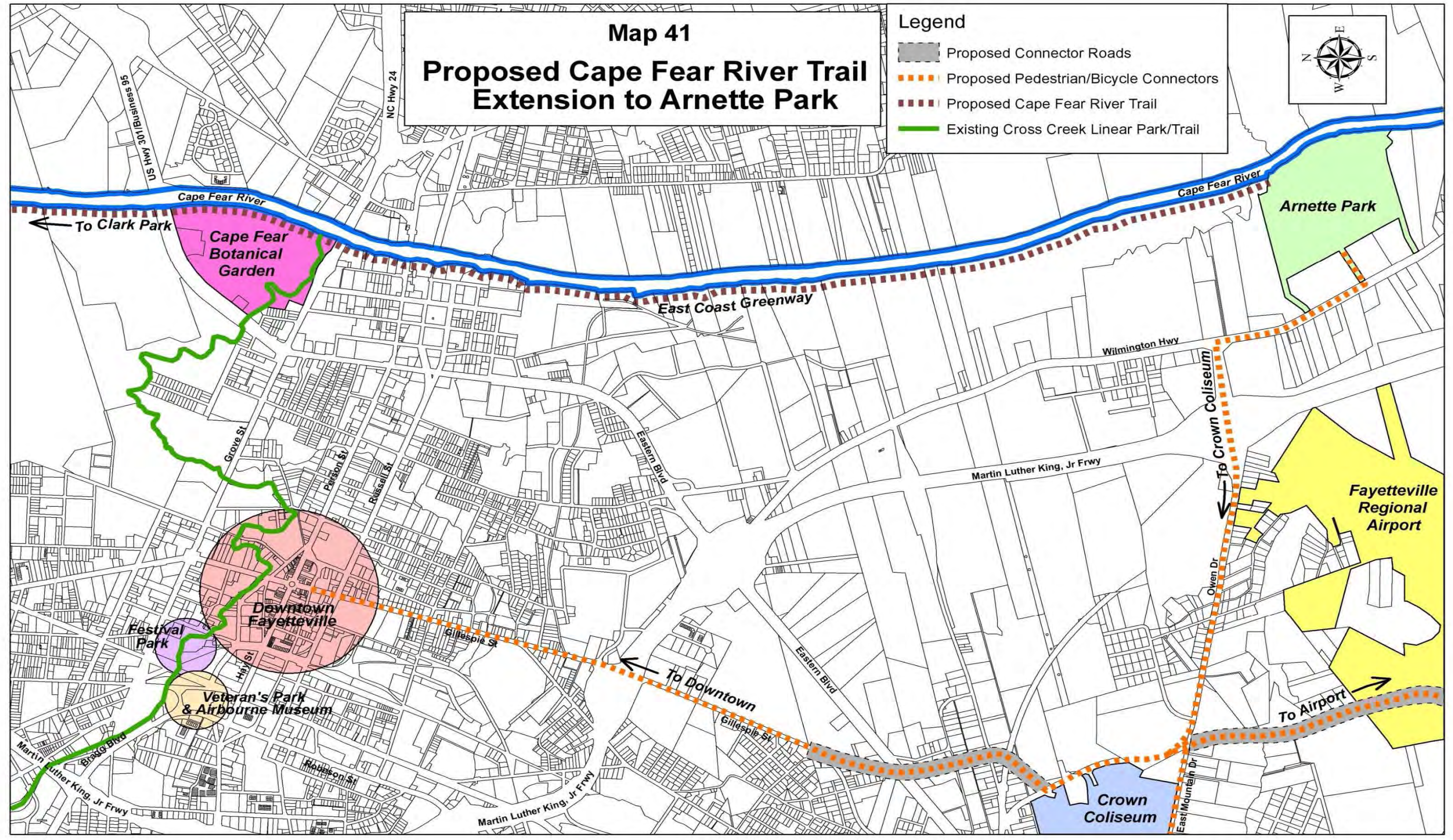
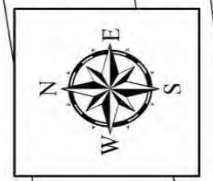
EXTEND THE CAPE FEAR RIVER TRAIL TO ARNETTE PARK

The northern portion of the Study Area is more urban in nature and is where public services and amenities are more accessible to the residents. The Cape Fear River Trail, while very significant locally, also has national prominence. It is part of the East Coast Greenway that is planned to provide a bicycle and pedestrian route from Maine to

Miami, Florida. Extending the Cape Fear River Trail to Arnette Park will tie it to the Botanical Garden, Downtown Fayetteville, Clark Park, Methodist University, the Soccer Complex, and eventually to Carver's Falls and Carver's Creek State Park, as shown in **Map 41 - Proposed Cape Fear River Trail Extension to Arnette Park**. This proposed pedestrian connector between the Crown Coliseum Complex and Arnette Park provides patrons access to all the above mentioned facilities.

Map 41 Proposed Cape Fear River Trail Extension to Arnette Park

- Legend**
-  Proposed Connector Roads
 -  Proposed Pedestrian/Bicycle Connectors
 -  Proposed Cape Fear River Trail
 -  Existing Cross Creek Linear Park/Trail



CROWN COLISEUM COMPLEX AND AIRPORT AREA POSSIBILITIES

The Study Area is a contrast of rural and urban development with the northern portion being the most urban and the southern portion most rural. The residents in the rural area strongly emphasized maintaining the rural character and keeping farming as much as possible. Most of the denser development is recommended to be concentrated in more urban northern portion of the Study Area and at the interchanges.

The northern portion of the Study Area has two major entities that impact the Area: the Crown Coliseum Complex and Fayetteville Regional Airport. Both of these facilities are important for the economic health of the entire County and this Region. Special consideration should be directed to these facilities to ensure their viability. Each of these facilities is governed by two separate entities, the City of Fayetteville over the Airport and Cumberland County over the Crown Coliseum Complex. In order for both of these facilities to serve the public and function to their fullest potential, there must be a joint vision, cooperation, shared financial responsibility, land use and regulations decisions made that positively impact the area, compatibility, and joint public-private partnerships between all stakeholders.

Fayetteville Regional Airport Environs

Fayetteville Regional Airport has had many studies completed to address the long range plans for the airport and its surrounding land use compatibility. There are existing areas already developed around the airport that will remain, but non-compatible areas should not be allowed to expand. In the long-term, some areas should be acquired by the airport and used for compatible uses such as farming, nurseries, non-people intensive manufacturing or assembly, and etc.

Most of the past studies done on the airport fail to address issues unrelated to airport operations. There have been few studies looking at the airport as a major gateway into the City of Fayetteville. The City of Fayetteville has made efforts to enhance Airport Road, but there are some less attractive areas on the south side of the road that needs addressing. This area is under the County's jurisdiction. Therefore addressing this issue will require action from Fayetteville and Cumberland County. The south side of Airport Road should be landscaped to screen and soften unattractive areas facing the road. Long range plans should include the redevelopment of the area to non-residential uses compatible with the Airport's plan.

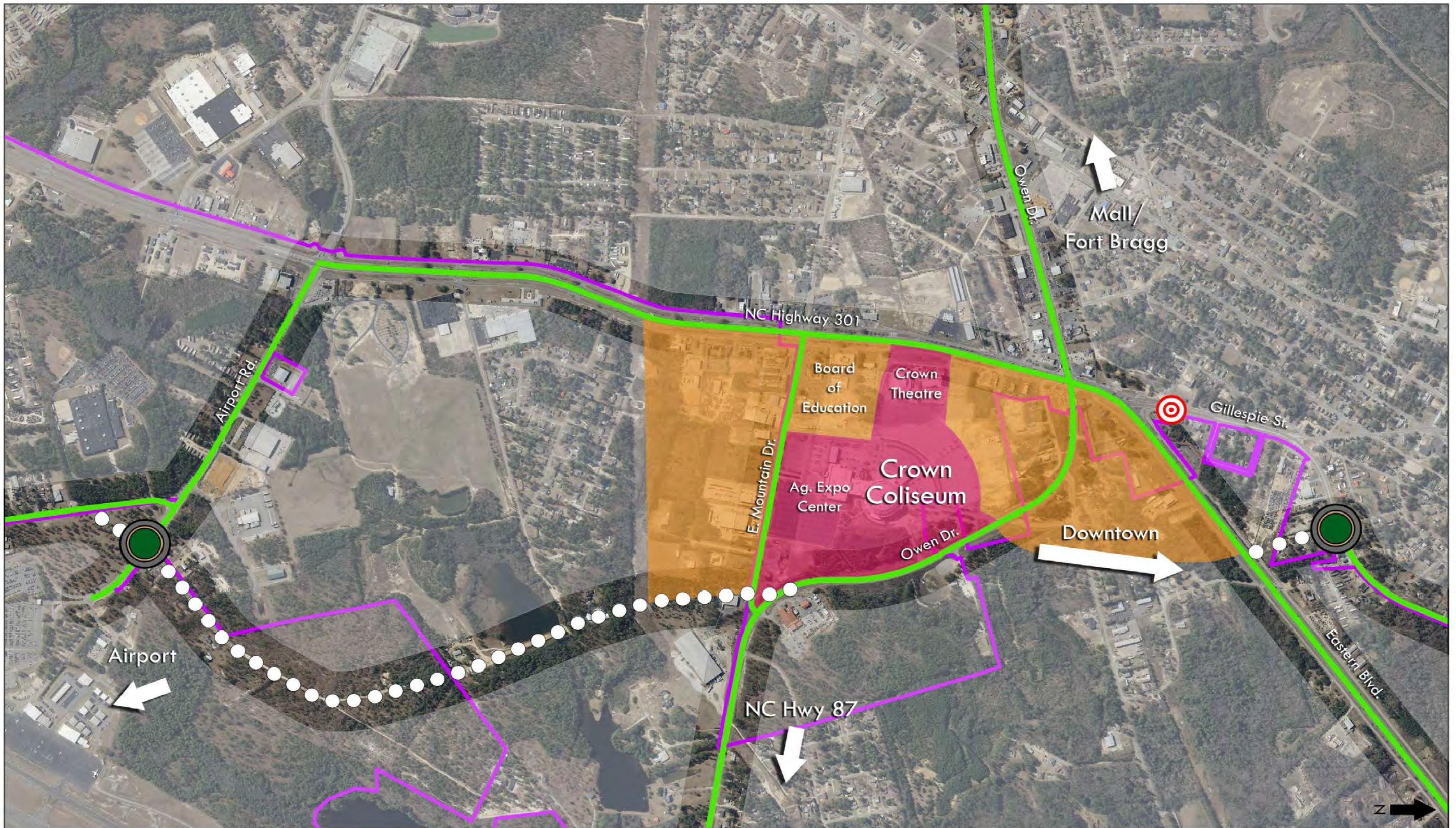
While much attention has focused on Airport Road, the airport entrance off Interstate 95 (Exit 44) is by way of Claude Lee Road should be recognized. This is a two lane road at the present and is in FAMPO's 2040 Highway Plan, 2014 to be upgraded to multi-lanes. This should have wayfinding signs installed, landscaped, and lighted as illustrated in **Exhibit 35 – Illustration of Recommended Roadway Improvements**. Claude Lee Road should be designated an entrance corridor and be enhanced as such. At the confluence of Doc Bennett Road and Airport Road, a large traffic circle containing an attractive

sculpture, art piece, a “Welcome to Fayetteville” sign, or attractive landscaping is recommended.

Additionally, a new road is proposed that will tie Airport Road to Owen Drive linking the Airport directly to the Coliseum Complex and downtown Fayetteville as shown on **Map 42 – Coliseum Area Recommendations**.

Exhibit 35 - Illustration of Recommended Roadway Improvements





Map 42

Coliseum/Airport Area Recommendations

Coliseum Complex Environs

The Crown Coliseum Complex is a major County and Regional facility that has a great economic benefits and enhancements to the County resident's quality of life. While it is not in the actual Study Area, the Plan will address its impact on the Area. The objective of this Plan is not to address all the challenges facing the Complex; that would require a more detailed in-depth study beyond the capability of this study and staff.

The Complex has many strengths and some Plan identified challenges that should be addressed for it to achieve its full potential. Some of the strengths of the Complex include:

- a. It is a nice public gathering place
- b. Has the potential ability to bring big name acts
- c. It has a variety of venues (i.e. Theater, expo-center, ect.) to attract different types of entertainment utilized by many people.
- d. Recent management change has proved to be initially successful
- e. Has an approved special overly zoning district
- f. Improvements to the Crown Center and the Crown Theater are scheduled
- g. Has the ability to enhance the economy of the County

Some challenges facing the Complex include isolation, limited access, lack of beautification, lack of pedestrian facilities, no mass transit service, the condition and type of surrounding land uses, and the lack of amenities such as food and lodging facilities.

Isolation is one of the challenges keeping the complex reaching its fullest potential. Currently, there are no supporting facilities near the Complex for guest to patronize. The viability and success of the complex requires a connection to other activity centers in the County. Downtown Fayetteville, the Mall Area, Airport, and the Military Reservation should all be linked to the Complex through transit, road connections, and wayfinding signs for motorists.

The linkage between the Mall area and the Military Reservation to the Complex is recommended to be enhanced. Due to distance, these connections are vehicular based and could best achieved through bus service, a new trolley service, or personal vehicle. The primary roadway linking these facilities is Owen Drive. It is recommended that the Owen Drive Corridor be upgraded as a "super street" with the center median heavily landscaped. Street trees, code enforcement to eliminate unsightly structures, enhanced sign regulations, sidewalks, intersection treatment with pedestrian crosswalks and brick pavers, and wayfinding signs should be included in the treatment of Owen Drive. These improvements should be applied to Owen Drive beginning at Martin Luther King Jr. Freeway to All American Expressway. Improvements on this segment of road will provide primary access to the Coliseum Complex for patrons coming from the Military Reservation and points north from Sanford and Greensboro. More importantly, it will provide patrons using the Complex direct access to the Mall, shopping facilities, and amenities.

Another link recommended is from the Crown Complex to Downtown Fayetteville. Downtown Fayetteville and its environs have the cultural, historical, and urban core that can sustain patrons looking for activities during their stay.

The Plan proposes that a new direct connector road beginning at Owen Drive crossing Eastern Boulevard and terminating with a large round-about with an attractive focal element (similar to the one proposed at the Airport Road/Doc Bennett Road intersection) at Gillespie Street should be installed. This proposed road will tie the Airport, the Crown Complex to Downtown Fayetteville together. The cross-section for this facility should be pedestrian oriented with sidewalks with brick paver strips, pedestrian lighting, benches, landscaping and street trees, bike lanes, crosswalks, and wayfinding signs. The cross-section of this road should be extended along Gillespie Street into Downtown Fayetteville as shown in **Exhibit 36 - Illustration of Potential Gillespie Street Improvements**.



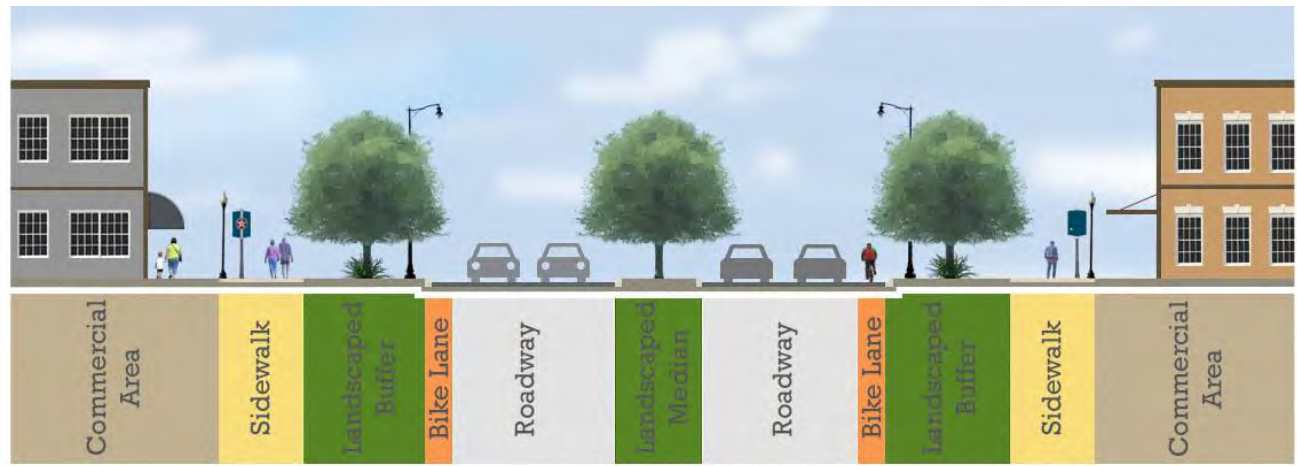
Exhibit 36 - Illustration of Potential Gillespie Street Improvements. Unattractive areas and land use along Gillespie Street should also be addressed. An overall vision for this proposed new corridor linking the Crown Coliseum Complex to Downtown Fayetteville should be developed. That vision should address all elements of the streetscape. Any new structures should be compatible in mass, scale, colors, and materials. Long range plans should also include bus or a trolley service between the Coliseum Complex and Downtown Fayetteville.

Incentives should be developed for existing structures along Gillespie Street to upgrade to these standards. Design plans for this street should contain common elements that provide continuity throughout the corridor linking the Airport, the Crown Coliseum Complex to Downtown Fayetteville.

Consideration should be given to the structure's scale, height, mass, complexity of form, and architectural details, the impact of spaces created, and how it will be experienced by the public. Structural elements to consider include the size, placement, and number of doors, windows, portals and openings and number of ground-floor pedestrian access.

Development along the corridor should be encouraged to retain as many of the mature trees as possible, and blend in with the natural topography. The signage should be harmonious and in scale with building elements and landscaping features. Parking when feasible should be behind buildings. Buildings should be encouraged to be multi-storied and adjacent to a wide public walk with pedestrian facilities, as shown in **Exhibit 37 - Recommended Urban Boulevard Cross-Section**.

Exhibit 37 - Recommended Urban Boulevard Cross-Section



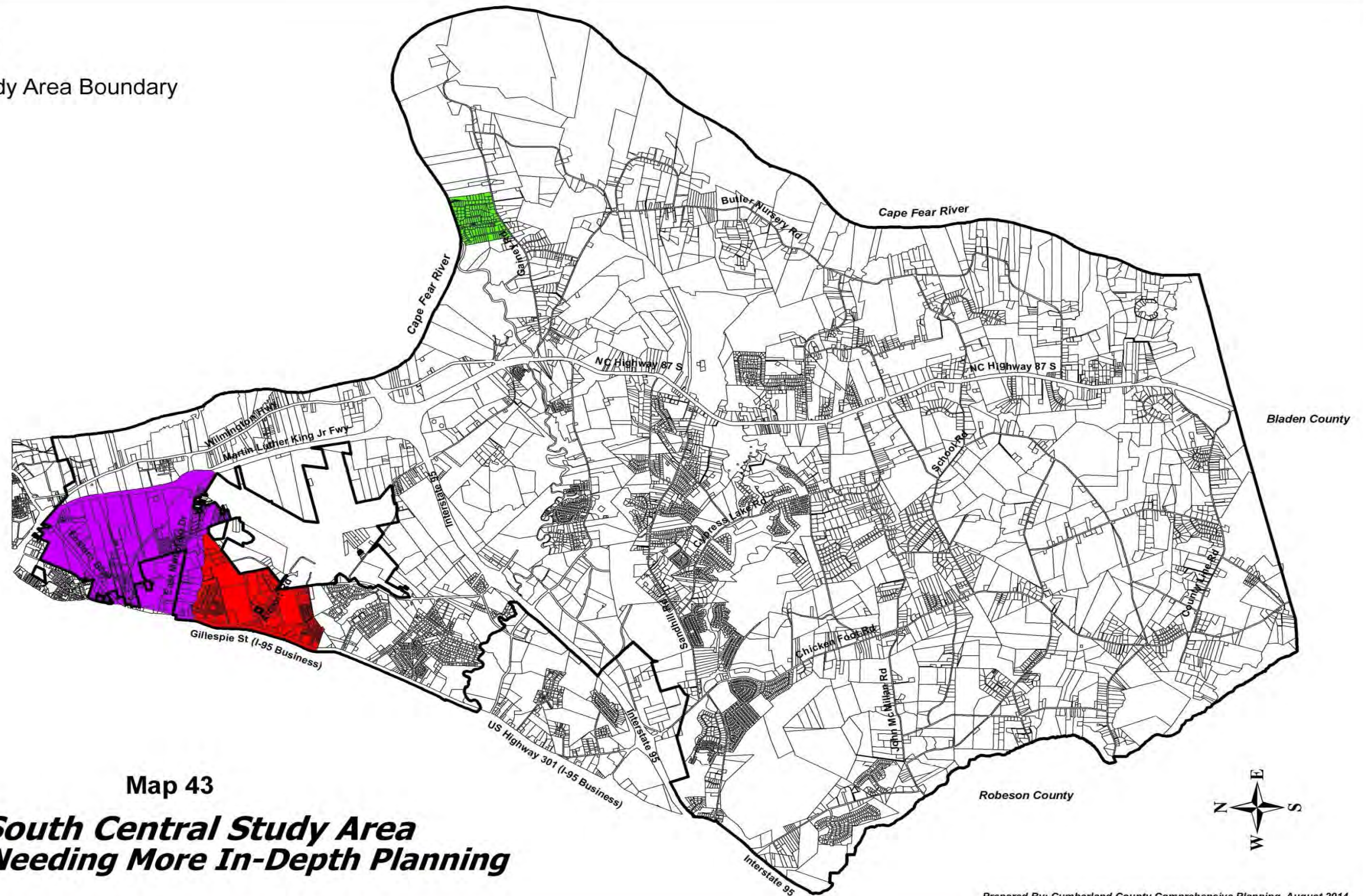
In addition to linkages to the Downtown, Mall environs, and Military Reservation, it is also recommended that a pedestrian/bicycle connection be made to Arnette Park and the Cape Fear River. Pedestrian/bicycle facilities may include sidewalks, bike lanes, bike trails or greenways. This connection to the Cape Fear River Trail will provide pedestrian access to the Botanical Garden, Downtown Fayetteville, Clark Park, and the Methodist College Soccer Complex and provides East Coast Greenway travelers' access to the Complex. This connection can be made during the installation of street trees along Owen Drive from East Mountain Drive to Wilmington Highway (Old NC Highway 87) down to the entrance of Arnette Park. A boating operation for dinner and nature tours could add an additional attraction for Crown Complex Coliseum visitors.

AREAS REQUIRING MORE IN DEPTH PLANNING AND RESOURCES

There are some areas in the Study Area that require more in-depth planning and resources that will generate a specific action plan to address issues beyond this study. These areas include the Crown Coliseum Area, the area south of the Coliseum between U.S. Highway 301 South/Gillespie Street and Fayetteville Regional Airport, and a predominantly manufactured home development between Gainey Road and the Cape Fear River, as shown on **Map 43 - South Central Area Areas Requiring More In-Depth Planning**.

Legend

— Study Area Boundary



Map 43
South Central Study Area
Areas Needing More In-Depth Planning

Prepared By: Cumberland County Comprehensive Planning, August 2014

ADOPT THE PROPOSED SOUTH CENTRAL AREA LAND USE PLAN MAP

The land use plan map is a vital part of the Study's recommendations. Its purpose is to enhance the community, preserve the existing natural environment, scheme the growth of the Area in a systematic approach by indicating where the various land uses or proposed developments can occur, and how it will blend and meet the needs of the residents and existing conditions in the Area.

The proposed land use plan outlines the desired future land use for the South Central Area. This Plan takes into consideration the goals and objectives developed by the Planning Committee and the existing or planned infrastructure for the Area. The Plan also acknowledges that it was developed in the absence of any future water and sewer extension plans that would have some significance in the placement of certain land uses. Whenever public water & sewer is extended, the Plan should be re-evaluated for its proposed use and be changed or modified if necessary.

The proposed Plan land use classifications include Farmland, Suburban Density Residential, Suburban Density Residential with Mixed Housing Types, Low Density Residential, Medium Density Residential, Mixed-Use Development, Heavy Commercial, Light Commercial, Heavy Industrial, Light Industrial, Airport Oriented Uses, Coliseum Development Area, and Open Space as shown on **Map 44 - Proposed South Central Area Land Use Plan**.

The Farmland area is generally an agricultural and farming area which allows a mixture of residential development of manufactured and stick built homes. The density is generally one house or unit per two acres. There is an exception that allows a density of one unit or house per acre for tracts of land less than 10 acres and tracts greater than 10 acres that have favorable soil conditions, are approved as a Conditional Zoning/Density Development, has public or community water, and has it's access approved by the North Carolina Department of Transportation. The Farmland designated area also allows some limited commercial uses that are oriented specifically for a rural community such as convenient general merchandise stores, farm supplies and machinery sales, fish hatcheries, milling & grinding, wholesale sales, and etc. It is recommended that these allowed commercial uses be located at the intersection of two roads. The Farmland designated area is located in the southern and eastern portion of the Area consisting of approximately 51% (22,807 acres) of the Study Area.

Suburban Density Residential allows for a density of approximately two units per acre (1/2 acre lots) and permits stick-built homes only. It is proposed in the southwestern portion of the Study Area between I-95 and John McMillan Road; and on the eastern side of Wilmington Highway near the Martin Luther King Jr. Freeway Interchange at I-95 consisting of approximately .3% (148 acres).

Suburban Density Residential Mixed Housing Types is designated in the northeast quadrant of the MLK, Jr. Freeway and I-95 Interchange. This designation allows stick built and manufactured homes on approximately .08% (41 acres).

Low Density Residential allows a residential development with a density of 2.2 to 6 units/acre. Only stick-built homes are permitted in this land use classification. Public or community water and sewer is required. The Plan shows Low Density Residential development primarily east of I-95 to NC Highway 87 south, between Gainey Road and the Cape Fear River and south to encompass the Sewer Service Area. There is a pocket of Low Density Residential just east of Fayetteville Regional Airport. Approximately 17% (7,542 acres) of the Study Area is denoted as Low Density Residential.

Medium Density Residential is denoted along Gillespie Street/Business I-95 between East Mountain Drive and Rockfish Creek. This area allows a density of approximately 6 to 15 units per acre. It allows for all types of multi-family development including manufactured home on individual lots and manufactured home parks. Public or community water and sewer is required. This area comprises of approximately .5% (223 acres) of the Study Area. Most of the Medium Density Residential area is already developed and consist of a mixture of housing types.

Mixed-Use development is proposed at the intersection of Sandhill and Chicken Foot Roads. A Mixed-Use area allows a mixture of light commercial, office and institutional and residential uses on the same parcel; and vertical mixed-use, which allows light commercial/office and institutional/residential uses in the same building. Public water and sewer is required. Approximately .5% (222 acres) of the Study Area is designated as Mixed-Use development.

The Office and Institutional designated area consumes only .02% (10 acres) of the Study Area. It allows both general office uses such as doctor offices, banks, and institutional uses such as schools and government offices.

Commercial designation consists of Light and Heavy Commercial. Light Commercial caters to the ordinary needs of the immediate neighborhood with emphasis on convenient goods. Light Commercial is generally located in the Study Area at the intersection of Tom Starling and Smith Roads with NC Highway 87 South consisting of .1% (46 acres).

Heavy Commercial is designated at the intersection of Sandhill Road and NC Highway 87 South, concentrated near the I-95/Chicken Foot Road/Sandhill Road Interchange area, along US Highway 301 South between East Mountain Drive and Rockfish Creek, and along the south side of I-95 from Rockfish Creek to the Martin Luther King, Jr. Freeway interchange containing approximately 2.8% (1,153 acres) of the Study Area. Heavy Commercial allows a variety of heavy retail uses, service, and wholesale establishments. It does not allow any billboards and must have public water and sewer.

Industrial and manufacturing classifications include heavy and light industrial/manufacturing. Light Industrial/Manufacturing involves manufacturing and processing small items, warehousing, and wholesaling. It should not generate odor, loud noise, or be detrimental to the environment. There is only one Light Industrial/Manufacturing designated area on the Plan which is located south of I-95 near Doc Bennett Road containing .7% (291 acres) of the Study Area.
















Heavy Industrial/Manufacturing areas allow for industries that operate on larger tracts, produce large quantities of items, may generate heavy traffic volumes, noise, smoke, odor and other nuisances. The primary area denoted for Heavy Industrial/Manufacturing is the Cumberland County Industrial Center and the adjacent properties, the east side of Martin Luther King Jr. Freeway at Rockfish Creek, and the Eaton Corporation site on Doc Bennett Road containing approximately 3% (1,462 acres) in the Study Area. Public water and sewer is required.

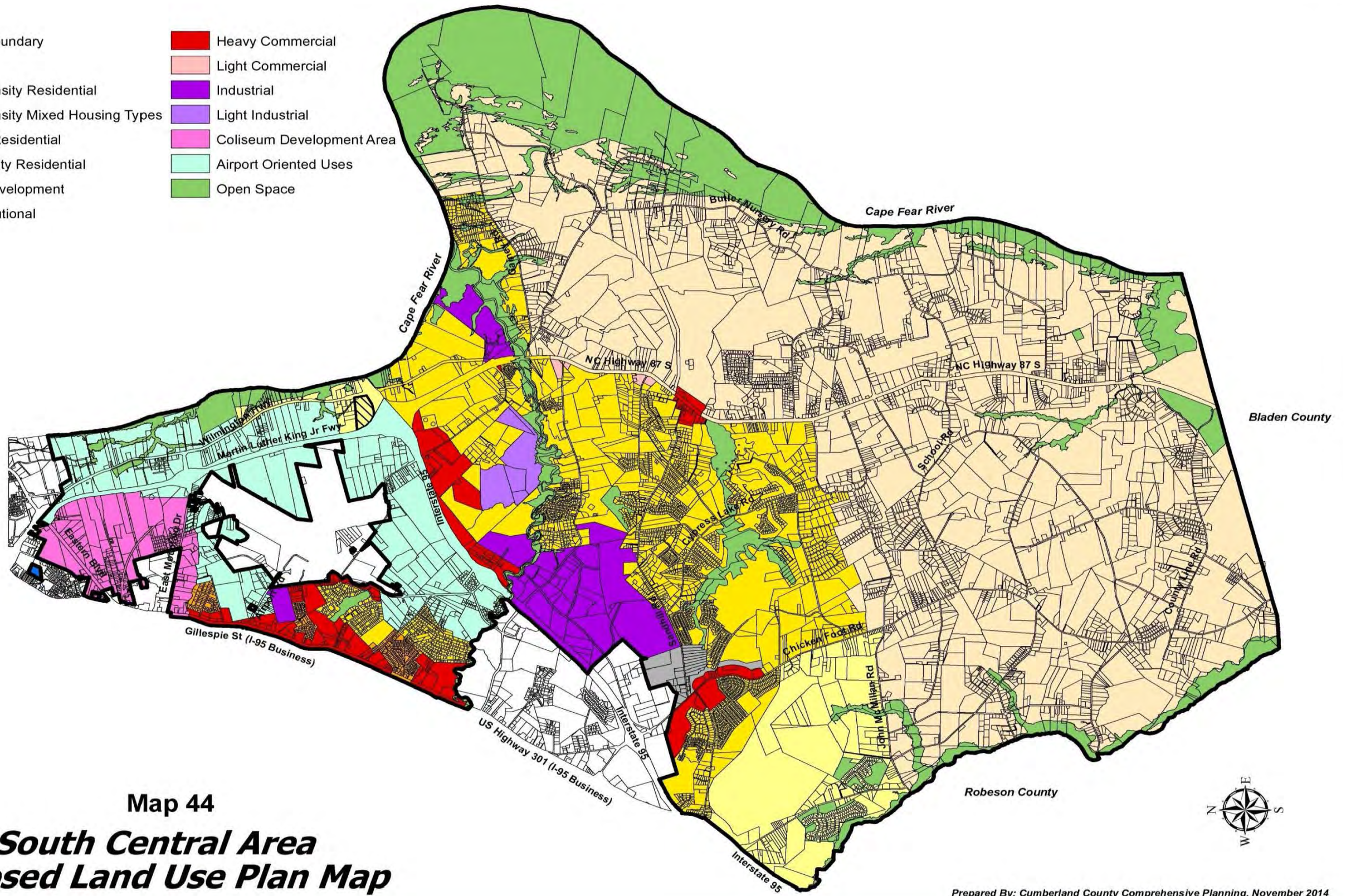
The Coliseum Development Area is designated on the Plan for the area immediately surrounding the Crown Coliseum Complex. This area is critical for the long term success of the Complex and is recommended for more detailed study. Uses allowed in this area include any use that is compatible, compliments, and enhances the Crown Coliseum Complex. The area contains approximately 2% (1,022 acres).

The proposed Plan denotes an Airport Oriented Use area immediately adjacent to Fayetteville Regional Airport. Its purpose is to protect the Airport from unwanted encroachment, protect human life, and allow for future expansion. Its area is determined by the Airport's Plan which defines critical areas around the airport based on safety and the protection of human life. Uses allowed in the area must be compatible with the Airport's operation, compatible with other uses in the area, and does not impact the area negatively. Approximately 8% (3,409 acres) is in the Airport Oriented Use area.

Open space is denoted on the Plan to protect the Special Flood Hazard Areas, environmentally sensitive areas, parks, public or non-profit natural areas, scenic sites, and other protected lands. The Open space designated area contains approximately 14% (6,338 acres).

Legend

-  Study Area Boundary
-  Farmland
-  Suburban Density Residential
-  Suburban Density Mixed Housing Types
-  Low Density Residential
-  Medium Density Residential
-  Mixed Use Development
-  Office & Institutional
-  Heavy Commercial
-  Light Commercial
-  Industrial
-  Light Industrial
-  Coliseum Development Area
-  Airport Oriented Uses
-  Open Space



Map 44
South Central Area
Proposed Land Use Plan Map

Prepared By: Cumberland County Comprehensive Planning, November 2014

South Central Land Use Plan Implementation

An important part of the South Central Land Use Plan is the implementation of the recommendations. In order for the recommendations to be implemented, it will require a concerted effort between citizens, Cumberland County, the City of Fayetteville, local, state, and federal agencies, the business community, and other public/private agencies.

The matrix below outlines the responsible parties for achieving these recommendations and ensuring implementation. The roles that responsible persons/agency play will vary and may be that of an advisory, financial, decision making, coordination, ordinance writing, grant writing or planning.

<u>Recommendation</u>	<u>Responsible Entity</u>
Entrance Corridors	Cumberland County, City of Fayetteville, Town of Hope Mills, North Carolina Department of Transportation, Fayetteville Area Convention & Visitors Bureau and Fayetteville Regional Chamber of Commerce
Waterway Natural Buffers	Cumberland County Planning & Inspections Department, Cumberland County Infrastructure and Public Utilities Department, North Carolina Department of Environment and Natural Resources and North Carolina Wildlife Commission
Designated Farmland Area Development	Cumberland County Planning & Inspections Department, Cumberland County Board of Commissioners, Cumberland County Farm Advisory Board, Cumberland County Joint Planning Board and Cumberland County Cooperative Extension Service
Concentrate Commercial Development in Nodes at Intersections and Interchanges	Cumberland County Planning & Inspections Department, Cumberland County Joint Planning Board, Fayetteville Planning Department, Cumberland County, City of Fayetteville and Town of Hope Mills
Co-Locate Community Facilities and Services	Cumberland County Planning & Inspections Department, Cumberland County Board of Education, Cumberland County Sheriff Department, Cumberland County Social Services, Cumberland County Library and Fayetteville/Cumberland County Parks & Recreation
Protect Natural Areas, Environmentally Sensitive Areas, Historic and Scenic Sites	North Carolina Department of Environment and Natural Resources, North Carolina Heritage Program, Cape Fear River Assembly, Sandhills Area Land Trust (SALT), North Carolina Department of Cultural Resources, and Cumberland County Planning & Inspections Department
Water and Sewer Policy	Cumberland County Planning & Inspections Department, Cumberland County Infrastructure & Public Utilities Department, Fayetteville Public Works Commission, City of Fayetteville, Cumberland County and Existing and Future Sanitary Districts

Encourage the Reuse of Vacant Commercial and Industrial Sites	Economic Development Alliance of Fayetteville & Cumberland County and Fayetteville Area Chamber of Commerce
Promote Infill Development	Cumberland County Planning & Inspections Department and Developers
Industrial Park	Cumberland County and Economic Development Alliance of Fayetteville & Cumberland County
Protect Rural Character in the Farmland Designated Area	Cumberland County Planning & Inspections Department, Cumberland County Farm Advisory Board, Cumberland County Cooperative Extension Service, Cumberland County Soil & Water Conservation District, and Farmers
No Access Easement for Residential Development along Roadways	Cumberland County Planning & Inspections Department, North Carolina Department of Transportation, and Fayetteville Area Metropolitan Planning Organization
Protect Residential Areas from Commercial and Industrial Development	Cumberland County Planning & Inspections Department, Cumberland County Joint Planning Board, Cumberland County Board of Commissioners, Fayetteville Planning Department, Hope Mills Town Board, and Fayetteville City Council
Protect Farmland and Agricultural Interest in the Area	Cumberland County Planning & Inspections Department, Cumberland County Farm Advisory Board, Cumberland County Cooperative Extension Service, Cumberland County Board of Commissioners, Economic Development Alliance of Fayetteville and Cumberland County, and Farmers
Support the Adopted Bike & Pedestrian Connectivity Plan	Cumberland County Planning & Inspections Department, Fayetteville Area Metropolitan Planning Organization, Cumberland County Board of Commissioners, and City of Fayetteville
Extend the Cape Fear River Trail to Arnette Park	Fayetteville/Cumberland County Parks & Recreation Department, Cumberland County, City of Fayetteville, Fayetteville Area Metropolitan Planning Organization
Fayetteville Regional Airport Environs	City of Fayetteville, Fayetteville Airport Commission, North Carolina Department of Transportation and Cumberland County Joint Planning Board
Coliseum Complex Environs	Cumberland County Coliseum Board, Cumberland County Board of Commissioners, City of Fayetteville City Council, North Carolina Department of Transportation, Fayetteville Planning Department, Cumberland County Planning & Inspections Department, Fayetteville Area Metropolitan Planning Organization and Fayetteville Area System of Transit (FAST)
Areas Requiring More In-depth Planning and Resources	Cumberland County Planning & Inspections Department, Cumberland County Board of Commissioners, and Cumberland County Community Development Department
Adopted the Proposed South Central Land Use Plan Map	Cumberland County Joint Planning Board and Cumberland County Board of Commissioners

**RESOLUTION OF ADOPTION
SOUTH CENTRAL AREA LAND USE PLAN
CUMBERLAND COUNTY JOINT PLANNING BOARD**

WHEREAS, the Cumberland County Joint Planning Board is empowered to prepare and recommend plans for the County of Cumberland, including all municipalities therein and portions thereof, in accordance with G.S. 153A-321, G.S. 160A-361 and G.S. 160A-464 of the North Carolina General Statutes; and

WHEREAS, the Planning Board has prepared a specific document entitled the South Central Area Land Use Plan designed to provide the County of Cumberland a statement of desirable objectives to guide future growth, change, and development within the defined South Central Study Area; and

WHEREAS, the South Central Citizens Planning Committee consisting of citizens within the Study Area boundary developed and endorses the South Central Area Land Use Plan; and

WHEREAS, the Plan is subject to future re-evaluation and changes by existing and future Planning Boards and the Cumberland County Board of Commissioners;

NOW, THEREFORE, BE IT RESOLVED that the Cumberland County Joint Planning Board hereby recommends the adoption of the South Central Area Land Use Plan.

On this _____ day of _____, 2015.

BY: _____

Patricia Hall, Chair
CUMBERLAND COUNTY JOINT PLANNING BOARD

ATTEST: _____

Thomas J. Lloyd, Director
CUMBERLAND COUNTY PLANNING & INSPECTIONS DEPARTMENT

**RESOLUTION OF ADOPTION
SOUTH CENTRAL AREA LAND USE PLAN
COUNTY OF CUMBERLAND**

WHEREAS, the Cumberland County Joint Planning Board is empowered to prepare and recommend plans for the County of Cumberland in accordance with G.S. 153A-321 of the North Carolina General Statutes; and

WHEREAS, the Planning Board has prepared a specific document entitled the South Central Area Land Use Plan designed to provide the County of Cumberland a statement of desirable objectives to guide future growth, change, and development within the South Central Study Area; and

WHEREAS, the South Central Citizens Planning Committee consisting of citizens within the Study Area boundary developed and endorses the South Central Land Use Plan; and

WHEREAS, the Plan is subject to future re-evaluation and changes by existing and future Planning Boards, and the Cumberland County Board of Commissioners;

NOW, THEREFORE, BE IT RESOLVED that the Cumberland County Board of Commissioners hereby adopts the South Central Area Land Use Plan.

On this _____ day of _____, 2015.

BY: _____
Kenneth S. Edge, Chairman
BOARD OF COUNTY COMMISSIONERS

ATTEST: _____
Candice White, Clerk to the Board

**SOUTH CENTRAL CUMBERLAND AREA
CITIZEN'S PLANNING COMMITTEE**

Billie Atkins
Darlene Bain
Sheryl Bailey
PR & Kathy Barker
Regina Blanding
Bertha Crosby
Mike Davis
Phil Edge
Tim Evans
Ashton Fox
Dick Fox
Charles Gardner
Rose L. Green
Kevin Herndon
Howardette Herndon
Charles A. Jones
Franklin Johnson
Paul A. Johnson
Joe & Audrey Martin
Brenda McDowell
Jim MacRae
David Nash
Jennell O'Fay
William Parnell
Verdery Pate
James Patterson
Sabrina Patterson
James S. Pone
Ralph Reeves
Ron Ross
William A. Scott
Bill & Linda Smith
Quentin Smith
Troi Smith
Debra Stewart
Bobby J. Swilley
Craig Tyson
Vance Tyson
Roberta Waddle
Bradley Whited

CUMBERLAND COUNTY JOINT PLANNING BOARD

Mrs. Patricia Hall, Chairman Hope Mills
Mr. Charles Morris, Vice-Chairman.....Linden
Mrs. Jami McLaughlinSpring Lake
Mr. Walter Clark Cumberland County
Mr. Harvey Cain, Jr..... Stedman
Mr. Carl Manning..... Cumberland County
Mrs. Diane Wheatley Cumberland County
Dr. Vikki Andrews Cumberland County
Mr. Benny Pearce.....Eastover
Mr. Donovan McLaurin Falcon, Godwin & Wade

ADMINISTRATIVE STAFF

Mr. Thomas J. LloydPlanning & Inspections Director
Mr. Cecil P. Combs Planning & Inspections Deputy Director
Mrs. Laverne HowardAdministrative Coordinator

ADDRESSING/STREET NAMING

Mr. Mike Osbourn Planning Manager E911
Mr. William Phipps Senior Planner
Mr. Ron GonzalezAddressing Technician
Ms. Diane SheltonStreet/Naming Coordinator
Mr. Dwayne Bigler Sign Shop Supervisor
Mr. Philip MulhallStreet Sign Installation Tech

GIS

Mr. Matthew Rooney, AICP Planning Manager

COMPREHENSIVE PLANNING

Mr. Will Denning Planning Manager
Mrs. Denise Sykes Senior Planner
Mr. William Linville Planner
Ms. Pier Varner Planner

**Section responsible for this report

GRAPHIC SERVICES

Ms. Donna McFayden Plat Review Officer
Ms. Annie FairclothGIS Technician II
Mr. Will LucasGIS Technician I

LAND USE CODES

Ms. Patti Speicher Planning Manager
Mr. Ed Byrne Senior Planner
Mr. Johnny Scott Planner
Mr. Jeff Barnhill Planner
Mr. Robert Haigh Planner
Mrs. Betty LyndSenior Administrative Support Specialist

TRANSPORTATION

Mr. Rick Heicksen Planning Manager
Mr. Michael Rutan Senior Planner
Mrs. Deloma West Planner
Mr. Michael Manderville Planner
Mr. Aaron Dawson Planner
Mrs. Kristine WagnerTransportation Program Coordinator
Ms. Gloria BradleyTransportation Program Assistant

March 2015

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

June 10, 2015

June 15, 2015 Agenda Item

TO: Board of Commissioners

FROM: Kellie Beam, Deputy Clerk to the Board KB

SUBJECT: Mid-Carolina Rural Transportation Advisory Committee (RTAC)

BACKGROUND: The Rural Transportation Advisory Committee was established by a Memorandum of Understanding (MOU) between the counties of Bladen, Cumberland, Harnett, Sampson, their respective municipalities and the N. C. Department of Transportation. Membership as specified in the MOU shall consist of an elected official from Cumberland County. The Rural Transportation Advisory Committee has one (1) vacancy for a Cumberland County Commissioner.

Cumberland County Commissioner:

Commissioner Charles Evans – Resigned.

Position subject to State of Economic Interest (SEI) filing requirements.

(Position not subject to prohibition on dual office holding under NCGS 128-1.1.)

PROPOSED ACTION: Nominate and appoint a Cumberland County Commissioner to fill the one (1) vacancy above.

pc: Joel Strickland, Mid-Carolina Council of Government

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. 6A

June 10, 2015

June 15, 2015 Agenda Item

TO: Board of Commissioners

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

SUBJECT: Cumberland County Juvenile Crime Prevention Council (JCPC)

BACKGROUND: The Cumberland County Juvenile Crime Prevention Council (JCPC) will have the following one (1) vacancy:

At-Large Representatives:

Detective Melton Brown – completing first term. Eligible for reappointment. Recommendation of the Juvenile Crime Prevention Council is for the reappointment of **Detective Melton Brown**. (See attached)

I have attached the current membership roster.

PROPOSED ACTION: Make nomination to fill the one (1) vacancy above.

Attachment(s)

pc: Mark Stang, Cumberland County Communicare

Juvenile Crime Prevention Council

The purpose of the Juvenile Crime Prevention Council is to help prevent at-risk juveniles from delinquency. Develop community-based delinquency alternatives to training schools and to provide community-based delinquency and substance abuse prevention strategies and programs. Provide non-institutional dispositional alternatives that will protect the community and the juveniles. Plan and organize programs in partnership with the state.

Statutory Authorization: NCGS 147-33.49

Member Specifications:

26 Members with Specific Categories:

- Local School Superintendent or designee (1)
- Chief of Police (1)
- Local Sheriff (1)
- District Attorney or designee (1)
- Chief Court Counselor or designee (1)
- Director of Mental Health or designee (1)
- Director of Social Services or designee (1)
- County Manager or designee (1)
- Substance Abuse Professional (1)
- Member of Faith Community (1)
- County Commissioner (1)
- Person under 21 (1)
- Juvenile Defense Attorney (1)
- Chief District Court Judge or designee judge (1)
- Member of Business (1)
- Health Director or designee (1)
- United Way or nonprofit (1)
- Parks and Recreation Representative (1)
- At-Large Members (Maximum of 7)
- Non-Voting Member (1)

Term: 2 Years

Compensation: None

Duties:

- Annual review of the needs of juveniles in the county who are at-risk or who have been adjudicated. Council shall develop a request for proposal process and submit to the County Commissioners a written plan of expenditures. Upon the County's authorization, the plan must be approved by the Office;

- Ensure appropriate community based intermediate dispositions for adjudicated juveniles are available, pursuant to minimum standards set by the Office; and
- Perform the following on an ongoing basis:
 1. Assess needs of juveniles in the community, evaluate resources, plan for unmet needs;
 2. Evaluate performance of juvenile services/programs as a condition of continued funding of programs;
 3. Increase public awareness causes of delinquency and prevention efforts;
 4. Develop intervention strategies and risk assessments for at-risk youth;
 5. Provide funds for services: treatment/counseling/parenting/rehabilitation;
 6. Plan permanent funding streams for delinquency prevention programs.

Meetings: Third Wednesday of each month at 1:00 PM. Meetings are normally one to two hours in length.

Meeting Location: Cumberland County CommuniCare, Conference Room 226 Bradford Ave Fayetteville, NC 28301

Kellie Beam

From: Mark Stang [MStang@ccccommunicare.org]
Sent: Friday, June 05, 2015 9:37 AM
To: Kellie Beam
Subject: JCPC Reappointment

To: Kellie Beam, Deputy Clerk to the Board

From: Mark Stang, JCPC Coordinator

Date: June 5, 2014

RE: Cumberland County Juvenile Crime Prevention Council

Please be advised that Detective Melton Brown (8/15) has agreed to serve another term with the Council.

Thanks

CUMBERLAND COUNTY
JUVENILE CRIME PREVENTION COUNCIL
(Two year terms)

<u>Name/Address</u>	<u>Date Appointed</u>	<u>Term</u>	<u>Expires</u>	<u>Eligible For Reappointment</u>
<u>Local School Superintendent or designee</u>				
Bruce Morrison Cumberland County Schools P.O. Box 2357 Fayetteville, North Carolina 28302 Phone: 678-2495	1/12			
<u>Chief of Police or designee</u>				
Lt. John Somerindyke Fayetteville Police Department 467 Hay Street Phone: 433-1910	3/15			
<u>Local Sheriff or designee</u>				
Lt. Bobby Jeffers Cumberland County Sheriff's Office 131 Dick Street Fayetteville, North Carolina 28301 Phone: 677-5474	2/14			
<u>District Attorney or designee</u>				
Tiffany Whitfield Assistant District Attorney District Attorney's Office 117 Dick Street, Suite 427 Fayetteville, North Carolina 28301 Phone: 678-2915	3/15			
<u>Chief Court Counselor or designee</u>				
Miguel Pitts Department of Juvenile Justice P.O. Box 363 Fayetteville, North Carolina 28302 Phone: 678-2947	3/15			
<u>Mental Health Representative or designee</u>				
Tina Higgs Alliance Behavioral Healthcare – Community Relations, Court Liaison 711 Executive Place Fayetteville, North Carolina 28305 910-491-4794	04/14			

Cumberland County Juvenile Crime Prevention Council Page 2

<u>Name/Address</u>	<u>Date Appointed</u>	<u>Term</u>	<u>Expires</u>	<u>Eligible For Reappointment</u>
<u>Director of Social Services or designee</u>				
Melakne Simpson Cumberland County Department of Social Services P.O. Box 2429 Fayetteville, North Carolina 28302-2429 Phone: 677-2061	10/13			
<u>County Manager or designee</u>				
Melissa Cardinali Assistant County Manager Cumberland County Courthouse P.O. Box 1829 Fayetteville, North Carolina 28302-1829 Phone: 678-7745	7/14			
<u>Chief District Judge or designee</u>				
Judge Ed Pone P.O. Box 363 Fayetteville, North Carolina 28302 Phone: 678-2901	1/99			
<u>Health Director or designee</u>				
Wanda Tart 205 Gillespie Street Fayetteville, North Carolina 28301 Phone: 672-5723	3/15			
<u>Parks and Recreation Representative</u>				
Melvin Lindsay City of Fayetteville Parks and Recreation Dept. 433 Hay Street Fayetteville, North Carolina 28301 Phone: 433-1547	2/05			
<u>County Commissioner</u>				
Glenn Adams P.O. Box 1829 Fayetteville, NC 28302-1829 Phone: 678-7771	3/15			

<u>Name/Address</u>	<u>Date Appointed</u>	<u>Term</u>	<u>Expires</u>	<u>Eligible For Reappointment</u>
<u>Substance Abuse Professional</u>				
Louis Leake Carolina Treatment Center 7669 Beverly Drive Fayetteville, NC 28314 910-960-7599	10/14	1st	Oct/16 10/31/16	Yes
<u>Member of Faith Community</u>				
Shawn Withy-Allen Manna Church 5117 Cliffdale Road Fayetteville, NC 28314 910-867-9151	10/14	2nd	Oct/16 10/31/16	No
<u>Person Under Age 21</u>				
VACANT (vacated by J. Hassell)	01/11	1 st full term	Feb/13 2/28/13	Yes
<u>Juvenile Defense Attorney</u>				
Juanita Bailer 2223 Pridgeonfarm Road Fayetteville, NC 28306 910-321-6046	10/14	1st	Oct/16 10/31/16	Yes
<u>Member of Business Community</u>				
Kristine Thomas Methodist University 204 Sutton Street Fayetteville, NC 28305 910-630-7268	10/14	1st	Oct/16 10/31/16	Yes
<u>United Way or Non-Profit</u>				
Linda Blanton 5753 Bear Creek Cir Fayetteville, NC 28304 574-6522/826-3109	6/14	2nd	Aug/16 8/31/16	No
<u>At Large Representatives</u>				
Detective Melton Brown 300 Ruth Street Spring Lake, NC 28390 436-7167	8/13	1st	Aug/15 8/31/15	Yes

Cumberland County Juvenile Crime Prevention Council, Page 4

<u>Name/Address</u>	<u>Date Appointed</u>	<u>Term</u>	<u>Expires</u>	<u>Eligible For Reappointment</u>
John McIntyre 223 Viking Road Fayetteville, NC 28303 910-391-9031	4/15	1st	Apr/17 4/30/17	Yes
VACANT (Vacated by K. Stuertz)	8/13	1st	Aug/15 8/31/15	Yes
Sonya Thompson 410 Ray Street Fayetteville, NC 28301 323-3421 x 2123	8/13	1st	Aug/15 8/31/15	Yes
Dwight Creech 906 Wattle Bird Drive Fayetteville, NC 28312 910-461-6519	4/15	1st	Apr/17 4/30/17	Yes
Stephanie Glover 3801 Chadbourne Drive Fayetteville, NC 28312 263-0494/907-5755	10/13	2nd	Oct/15 10/31/15	No
Latoya Gordon Fayetteville Police Department 467 Hay Street Fayetteville, NC 28301 910-433-1033	10/14	2nd	Oct/16 10/31/16	No

Non-Voting Member

Ronald Tillman
DJJDP Regional Consultant
100 Dillion Drive
Butner, North Carolina 27509
Phone: 919-575-3166 (W)

Meetings: Third Wednesday of each month at 1:00 PM. CC CommuniCare Conference Room –109
Bradford Ave, Fayetteville, NC 28301.

Contact: Cumberland County Communicare, Mark Stang – Phone: 222-6172 Fax: 485-4752

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. 7A

June 2, 2015

June 15, 2015 Agenda Item

TO: Board of Commissioners
FROM: Kellie Beam, Deputy Clerk to the Board *KB*
SUBJECT: Fayetteville Technical Community College Board of Trustees

BACKGROUND: At their meeting on June 1, 2015, the Board of Commissioners nominated two individuals to fill one (1) vacancy on the Fayetteville Technical Community College Board of Trustees:

Paul Crenshaw
Dr. Linwood Powell

I have attached the current membership list for this board.

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

Attachment

pc: Dr. J. Larry Keen, FTCC President

FAYETTEVILLE TECHNICAL COMMUNITY COLLEGE
BOARD OF TRUSTEES
(County Appointees)
4 Year Terms

Name/Address	Date Appointed	Term	Expires	Eligible For Reappointment
Dr. Marye Jeffries (B/F) 6895 Fox Run Road Linden, NC 28356 822-4042	6/14	2nd	June/18 6/30/18	No
Breeden Blackwell (W/M) 1201 Haymount Court Fayetteville, NC 28305 483-4493/615-5130(W)	6/11	1st	June/15 6/30/15	Yes
David McCune Sr. (W/M) 4801 Research Drive Fayetteville, NC 28306 476-2976/424-2978 (W)	6/12	2nd	June/16 6/30/16	No
Sheryl Lewis (W/F) 3011 Bankhead Drive Fayetteville, NC 28306 426-6999	6/13	2nd	June/17 6/30/17	No

§ 155D-12(b1) – No person who has been employed full time by the community college within the prior five (5) years and no spouse or child of a person currently employed full time by the community college shall serve on the board of trustees of that college. (See file.)

Contact person: Dr. J. Larry Keen, President, or Betty Shackelford
PO Box 35236
Fayetteville, NC 28303
Phone: 678-8222
Fax: 678-8269
E-mail: shackelb@faytechcc.edu

Meetings: Board has been meeting the 3rd Monday of each month at 12:45 pm – Tony Rand Student Center Board Room. No meetings in July or December. (Bylaws require one meeting per month.) Written notification is sent for all regularly-called meetings.

* Terms extended by the General Assembly.

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. 73

June 2, 2015

June 15, 2015 Agenda Item

TO: Board of Commissioners
FROM: Kellie Beam, Deputy Clerk to the Board *KB*
SUBJECT: Human Relations Commission

BACKGROUND: At their meeting on June 1, 2015, the Board of Commissioners nominated the following individuals to fill two (2) vacancies on the Human Relations Commission:

Kevin Brooks (reappointment)
Kim Robertson (new appointment)

I have attached the current membership list for this commission.

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

Attachment

pc: Willetta Ragin, Human Relations – City of Fayetteville

HUMAN RELATIONS COMMISSION
 (County Commissioner Appointees)
 2 Year Term

Name/Address	Date Appointed	Term	Expires	Eligible for Reappointment
Linda Amos 917 Bashlot Place Fayetteville, NC 28303 860-4280/486-1010 x 2201	5/14	1st	May/16 5/31/16	Yes
Kevin Brooks 321 Hay Street Fayetteville, NC 28301 910-551-9031	3/15	1 st	Aug/15 8/31/15	Yes
(serving unexpired term; eligible for two additional terms)				
Tomecia Sobers 980 Creek Side Run Fayetteville, NC 28303 494-6872/678-9805	5/14	1st	May/16 5/31/16	Yes
Mitchell Guy 205 Bethune St Fayetteville, NC 28305 964-7390	7/13	2nd	Jul/15 7/31/15	No

Contact: Willetta Ragin – 433-1696 – Fax # 433-1535
 Human Relations
 City of Fayetteville

Meetings: 2nd Thursday of every month – 5:30 pm
 City Hall – Lafayette Room

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. 7C

June 2, 2015

June 15, 2015 Agenda Item

TO: Board of Commissioners
FROM: Kellie Beam, Deputy Clerk to the Board KB
SUBJECT: Transportation Advisory Board

BACKGROUND: On June 1, 2015, the Board of Commissioners nominated the following individual to fill one (1) vacancy on the Transportation Advisory Board:

Dialysis Center Representative:
Antionette Wiggins (reappointment)

I have attached a current membership list for this board.

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

Attachment

pc: Kristine Wagner, Transportation Program Coordinator

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

<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)	11/14	2nd	Nov/16 11/30/16	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>County Health Director or Designee</u>				
Ockidde Harris 200 Curry Ford Drive Fayetteville, NC 28314 867-0590/433-3852	11/14	2nd	Nov/16 11/30/16	No
<u>At-Large Representatives</u>				
Anne Morrison 3041 Stone Carriage Cir #C Fayetteville, NC 28314 339-2123/973-943-3334	11/14	1st	Nov/16 11/30/16	Yes
Kenneth Washington 1538 Cypress Lakes Rd Hope Mills, NC 28348 425-2242/424-2312	11/14	1st	Nov/16 11/30/16	Yes
Joel Strickland 1611 Bluffside Drive #205 Fayetteville, NC 28312 853-8975/323-4191	11/14	1st	Nov/16 11/30/16	Yes
Alfred Foote 5476 Raeford Rd Fayetteville, NC 28305 910-578-5687	11/14	2nd	Nov/16 11/30/16	No
<u>MPO Representative</u>				
Deloma West Cumberland County Planning Department 8355 Judy Drive Fayetteville, NC 28314 910-977-8146	11/14	1 st full term	Nov/16 11/30/16	Yes
(serving unexpired term; eligible for one additional term)				
<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

**BRAGG ESTATES WATER & SEWER DISTRICT GOVERNING BOARD AGENDA
SPECIAL MEETING
CUMBERLAND COUNTY BOARD OF COMMISSIONERS
COURTHOUSE – ROOM 118
JUNE 15, 2015
6:45 PM**

1. Consent Agenda
 - A. Approval of minutes of December 15, 2014 special meeting.
 - B. Approval of Professional Services Agreement with McGill Associates for Bragg Estates Water and Sewer Project. **(Pg. 253)**

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



CUMBERLAND
COUNTY
NORTH CAROLINA

ITEM NO. 13

**BRAGG ESTATES WATER & SEWER
DISTRICT GOVERNING BOARD**

ENGINEERING & INFRASTRUCTURE DEPARTMENT

Engineering Division · Facilities Management Division · Landscaping & Grounds Division · Public Utilities Division

**MEMORANDUM FOR BRAGG ESTATES WATER AND SEWER DISTRICT GOVERNING
BOARD AGENDA OF JUNE 15, 2015**

TO: BRAGG ESTATES WATER & SEWER DISTRICT GOVERNING BOARD

FROM: JEFFERY P. BROWN, ENGINEERING & INFRASTRUCTURE DIRECTOR

THROUGH: AMY H. CANNON, COUNTY MANAGER

DATE: JUNE 5, 2015

**SUBJECT: APPROVAL OF PROFESSIONAL SERVICES AGREEMENT WITH
MCGILL ASSOCIATES FOR BRAGG ESTATES WATER AND SEWER
PROJECT**

BACKGROUND:

The Bragg Estates Water and Sewer (BEWS) District has received notification from the USDA Rural Development of their intent to fund the installation of sewer within the 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. The next step in moving forward with the application is to hire an engineer for the design, bidding and construction oversight of the wastewater collection system. A Request for Qualifications (RFQ) for Engineering Services for the Bragg Estates Sewer Project was sent out to engineering firms in December 2014, with responses received on January 9, 2015. A selection committee was formed and tasked with evaluating the Qualification Statements submitted by the engineering firms responding to the RFQ. An evaluation matrix was used to evaluate the written qualification statements and a numerical score was assigned to each engineering firm. McGill Associates was selected by the committee to complete the design, bidding and construction oversight for the BEWS District.

This was presented to the Facilities Committee on June 4th.

RECOMMENDATION/PROPOSED ACTION:

The Engineering and Infrastructure Director, County Management and the Facilities Committee recommend that the Bragg Estates Water Sewer District Governing Board approve the Professional Services Agreement with McGill Associates in the amount of \$210,000.