
AGENDA
CUMBERLAND COUNTY BOARD OF COMMISSIONERS
COURTHOUSE – ROOM 118
MAY 18, 2015
6:45 PM

INVOCATION - Commissioner Kenneth Edge, Chairman

PLEDGE OF ALLEGIANCE –

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

Recognition of Fayetteville Cumberland Youth Council

1. Approval of Agenda
2. Consent Agenda
 - A. Approval of minutes for May 4, 2015 regular meeting.
 - B. Approval of the Cumberland County Juvenile Crime Prevention Council Contracts Representing Funding Allocations for July 1, 2015 through June 30, 2016. **(Pg. 7)**
 - C. Approval of Sale of Real Property Located at 3445 Dandelion Lane, Fayetteville, NC to Dennis Miller. **(Pg. 10)**
 - D. Approval of Cumberland County Facilities Committee Report and Recommendation(s): **(Pg. 14)**
 1. Bullard Circle Water Extension Interlocal Agreement. **(Pg. 22)**
 2. Bids for the Construction of the Bullard Circle Water Extension Project. **(Pg. 28)**
 - E. Approval of Cumberland County Policy Committee Report and Recommendation(s):
 1. Jail Health Medical Plan **(Pg. 32)**

- F. Approval of Proclamation Designating May 28, 2015 as “Project Homeless Connect” in Cumberland County. **(Pg. 41)**
- G. Approval of Proclamation Designating the Week of May 24-30, 2015 as “Hurricane Preparedness Week” in Cumberland County. **(Pg. 43)**
- H. Budget Revisions: **(Pgs. 44-47)**
 - (1) Health **(Pg. 44)**
 - a. Adult Health – Revision in the amount of \$3,000 to recognize funds to support the Diabetes Education Program. (B15-323) **Funding Source – Other**
 - (2) JCPC
 - a. Programs - Revision in the amount of \$36,536 to adjust the budget to match the state contracts. (B15-320) **Funding Source – State (Pg. 45)**
 - b. Residential Group Homes/Social Services - Revision in the amount of \$4,018 to recognize additional funds and to better align the budget with projected expenditures and revenue. Revision to move available funds needed to balance the Group Home budget. (B15-325 and B15-325A) **Funding Source –State (Pg. 46)**
- 3. Public Hearings **(Pgs. 48-74)**

Uncontested Rezoning Cases

Conditional Zoning District

- A) **Case P15-09:** Rezoning of 8.42+/- acres from R6A to C2(P) Planned Service and Retail/CZ Conditional Zoning for retailing, office and trade contractor or to a more restrictive zoning district; located on the southwest side of SR 1126 (Brooklyn Circle), northeast of Lady Lane Road; submitted by Thomas D. Horne and Timothy Sealy on behalf of Directional Services Inc. (owner) and Greg Bagley. **(Pg. 48)**

Staff Recommendation:

1st motion for Case P15-09: 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 P15-09: Move to approve the rezoning for C2(P) Planned Service and Retail/CZ Conditional Zoning for trade contractor with open storage 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

Rezoning Case

- B) **Case P15-21:** Rezoning of .21+/- acre from C1(P) Planned Local Business to R7.5 Residential or to a more restrictive zoning district, located at 3835 Cumberland Road, submitted by Geoffrey D. and Ann S. Kieser (owners). **(Pg. 60)**

Staff Recommendation:

1st motion for Case P15-21: 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 P15-21: Move to approve the rezoning for R7.5 Residential 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

- C) **Case P15-22:** Rezoning of 1.58+/- acres from R10 Residential to C1(P) Planned Local Business or to a more restrictive zoning district; located on the northwest side of NC Hwy 210 (Lillington Hwy), southeast of SR 1451 (E Manchester Road); submitted by William S. Wellons, Jr. on behalf of W.S. Wellons Corporation (owner). **(Pg. 63)**

Staff Recommendation:

1st motion for Case P15-22: 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 P15-22: Move to approve the rezoning for C1(P) Planned Local Business 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

- D) **Case P15-23:** Rezoning of 1.30+/- acres from A1 Agricultural to R20 or to a more restrictive zoning district, located at 8477 and 8495 Clinton Road, submitted by Horace T. Cashwell heirs (owners). **(Pg. 66)**

1st motion for Case P15-23: 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 P15-23: Move to deny the rezoning for R20 Residential, but approve RR Rural Residential as recommended by the Planning Staff included in the agenda package and as reflected in the minutes of the Planning Board's consideration of this case, which minutes are to be fully incorporated herein by reference.

Planning Board Recommendation: Approve the Staff Recommendation

Text Amendment

- E) **Case P15-25:** Revision and amendment to the Cumberland County Zoning Ordinance by amending Article II Interpretations, Calculations, and Definitions, Section 202. Methods of Calculations, creating provisions for the measurement of height and Section 203. Definitions of Specific Terms and Words, specifically amending Public Utility Station and creating a definition for Solar Farms; amending Article IV Permitted, Conditional, and Special Uses, Section 403. Use Matrix by inserting SOLAR FARMS as a land use classification allowed as a permitted (P) use in the A1 Agricultural and the M1(P) and M(P) Industrial zoning districts; amending Article IX Individual Uses, creating Section 924.1 entitled: Solar Farms, inclusive of sub-sections A through H; and updating the table of contents as appropriate. **(Pg. 69)**

1st motion for Case P15-25: Move to find the text amendment 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 Land Use Codes 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.

2nd motion for Case P15-25: Move to approve the text amendment for solar farms in the County as recommended by the Land Use Codes 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 Land Use Codes Committee Recommendation

Items of Business

4. Consideration of CDBG Grant Funds for Groveview Terrace Project. **(Pg. 75)**
5. Consideration of the 2015-2016 Strategic Plan. **(Pg. 80)**
6. Nominations to Boards and Committees **(Pgs. 100-105)**
 - A. Jury Commission (1 Vacancy) **(Pg. 100)**
7. Appointments to Boards and Committees **(Pgs. 106-107)**
 - A. ABC Board (1 Vacancy) **(Pg. 106)**

Nominee: Wade Hardin (Reappointment)

RECESS THE BOARD OF COMMISSIONERS' MEETING.

CONVENE THE NORCRESS WATER & SEWER DISTRICT GOVERNING BOARD MEETING (SEE SEPARATE AGENDA) / ADJOURN **(Pg. 108)**

RECESS THE BOARD OF COMMISSIONERS' MEETING

CONVENE THE KELLY HILLS/SLOCOMB ROAD WATER & SEWER DISTRICT GOVERNING BOARD MEETING (SEE SEPARATE AGENDA) / ADJOURN **(Pg. 115)**

RECONVENE THE REGULAR BOARD OF COMMISSIONERS MEETING

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

ADJOURN

WATCH THE MEETING LIVE

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

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

THE MEETING VIDEO WILL BE AVAILABLE AT YOUTUBE.COM/CUMBERLANDCOUNTYNC ON TUESDAY, MAY 19.

IT WILL BE REBROADCAST ON WEDNESDAY, MAY 20, AT 7 P.M. AND FRIDAY, MAY 22, AT 10:30 A.M.

REGULAR BOARD MEETINGS:

**June 1, 2015 – (Monday) – 9:00 AM
June 15, 2015 – (Monday) – 6:45 PM**

BUDGET MEETINGS:

Tuesday, May 26, 2015	7:00 PM	Budget Presentation	Room 118
Thursday, May 28, 2015	5:30 PM	Budget Work Session	Room 564
Tuesday, June 2, 2015	7:00 PM	Budget Public Hearing	Room 118
Thursday, June 4, 2015	5:30 PM	Budget Work Session/Dept. Head Appeal	Room 564
Monday, June 8, 2015	5:30 PM	Budget Work Session	Room 564
Wednesday, June 10, 2015	5:30 PM	Budget Work Session/Adopt Budget	Room 564

***** NO BOARD OF COMMISSIONER 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




ITEM NO. 2B

OFFICE OF THE COUNTY MANAGER

MEMORANDUM FOR BOARD OF COMMISSIONERS AGENDA OF MAY 18, 2015

TO: BOARD OF COUNTY COMMISSIONERS

FROM: AMY H. CANNON, COUNTY MANAGER 

DATE: MAY 13, 2015

SUBJECT: APPROVAL OF THE CUMBERLAND COUNTY JUVENILE
CRIME PREVENTION COUNCIL CONTRACTS REPRESENTING
FUNDING ALLOCATIONS FOR JULY 1, 2015 THROUGH
JUNE 30, 2016

BACKGROUND

The Cumberland County Juvenile Crime Prevention Council annually submits the JCPC Program Contracts to the Board of Commissioners for approval prior to submitting to the State office. The contracts represent the funding allocations for FY2015-2016.

RECOMMENDATION/PROPOSED ACTION

The Juvenile Crime Prevention Council recommends approval of the JCPC DJJDP/County Funding requests for FY2015-2016. Information regarding the contracts is attached.

CM051315-1



CUMBERLAND COUNTY
**Juvenile Crime
Prevention Council**
BRINGING RESOURCES TOGETHER FOR AT-RISK YOUTH

May 1, 2015

Melvin Lindsay, Sr., Chair

Linda Blanton Vice-Chair

Kristine Thomas

Bruce Morrison

Lt. John Somerindyke

Lt. Bobby Jeffers

Tiffany Whitfield

Miguel Pitts

Tina Higgs

Melakne Stimpson

Melissa Cardinali

Wanda Tart

Honorable Edward A. Pone

Shawn Withy-Allen

Honorable Glenn Adams

Louis Leake

Det. Melton Brown

Juanita Bailer

Stephanie Glover

Sonya Thompson

Latoya Gordon

Ronald Tillman,
DJJDP Community
Specialist

Mark Stang,
JCPC Coordinator,
CC CommuniCare, Inc.

Sarah Hallock,
Executive Director,
CC CommuniCare Inc.

To: Ms. Amy Cannon, County Manager

Annually, the Department of Public Safety/Department Adult Corrections Juvenile Justice makes funding available to local county governments for the purpose of funding early intervention programs/services for youth that are involved in, or may become involved in, the juvenile court system.

The local Council established an Allocations Committee that reviewed all proposals submitted for consideration for the 2015.2016 DACJJ projected allocation. As such, the JCPC has completed their annual planning process and presented their recommendation to the full Council at the April meeting. During the Council's April meeting on Wednesday, April 8, 2015, the full Council discussed the funding requests submitted for the upcoming fiscal year. As part of that meeting, the Council **voted unanimously** to submit funding recommendations, outlined in Attachment A, and the FY16 annual JCPC Certification for Cumberland County and the DAC/JJ state program agreements for six local programs. The annual comprehensive planning document will be forthcoming when received from DACJJ.

Cumberland County is projected to receive \$918,508 in state dollars for fiscal year 2015.2016. Local matching funds of 20% are required in order to be eligible to receive DACJJ state funds. The County of Cumberland has contributed a portion of the required match annually. The local council gratefully acknowledges the ongoing support provided by the county. The program agreements have been submitted to the county legal department for review.

This packet represents the funding recommendations the JCPC is making to the C.C. Board of Commissioners for their consideration. Please feel free to contact me should you have any questions or require further assistance.

Regards,

Melvin Lindsay, Sr.
JCPC Chair

JCPC DACJJ/County Funding Requests for FY 2015-2016

Program Name	Current DACJJ Funding	Current County Matching funds	FY 15.16 DACJJ funds requested	Change in DACJJ request	County Cash requested for match FY 15.16	Local Program Cash as a portion of match	Program Inkind as a portion of match	Other Program Cash	Total Program Budget Per Request	FY 15.16 Recommendation to Commissioners (DJJDP \$\$\$)	FY 15.16 Recommendation for County Cash match
Juvenile Assessment Center	251,750	32,232	251,750	0	32,232		38,440		322,422	251,750	32,232
Find A Friend	59,813	9,657	79,813	20,000	9,657	32,633	42,485		164,588	59,813	9,657
C.C. Group Care	293,855	400	293,855	0	79,065	181,389		232,402	786,711	293,855	400
Fay/CC Restitution	87,672	12,152	86,984	(688)	12,152	12,151			111,287	86,984	12,152
Teen Court	53,936	20,495	53,936	0	20,495	960	17,280		92,671	53,936	20,495
Families & Courts Together	139,921	80,414	139,921	0	80,000		9,724		229,645	139,921	80,000
CONNECT	10,868	0	15,046	4,178			7,982		23,028		
BICEP	0	0	90,415	0		4,000	18,467		112,882		
Coordinator Budget		56,734		0	56,734				56,734		56,734
Administrative Budget	15,500		15,500	0					15,500	15,500	
Unallocated funds	5,193		5,193	0					5,193	16,749	
Totals	918,508	212,084	1,032,413	23,490	290,335	231,133	134,378	232,402	1,920,661	918,508	211,670

Projected County funds for
FY 15.16 **\$211,670**

Projected 2015.2016 DACJJ
allocation **\$918,508**

RICKEY L. MOOREFIELD
County Attorney



ITEM NO. 2C

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 MAY 18, 2015,
MEETING OF THE BOARD OF COMMISSIONERS**

TO: Board of Commissioners; Co. Manager; Hope Page
FROM: Co. Atty. *R. Moorefield*
DATE: May 6, 2015
SUBJECT: Sale of Real Property Located at 3445 Dandelion Lane, Fayetteville, NC to
Dennis Miller

BACKGROUND:

On April 13, 2015, the Board adopted a resolution of its intent to accept the offer of Dennis Miller to purchase the property with PIN 0441-51-3552 located at 3445 Dandelion Lane, Fayetteville, NC, being Lot 29, Windfield Section 1, Plat Book 98, Page 34, for \$5,782.81. Based on the County GIS Mapping system and tax department, the lot appears to be a vacant residential lot with a tax value of \$19,000.

Notice of the proposed sale pursuant to the upset bid process of G. S. §160A-269 was advertised in the *Fayetteville Observer* April 21, 2015. More than 10 days have elapsed since the notice was published and no upset bid was received. The publisher's affidavit is attached.

RECOMMENDATION/PROPOSED ACTION:

County attorney recommends the Board accept this offer and authorize the Chair to execute a deed for the property upon the county's receipt of the balance of the purchase price.

No Revenue Stamps \$0

PIN: 0441-51-3552

Approved by the Board of Commissioners May 18, 2015

Mail after recording to: Dennis Miller
3200 Lugsail Lane.
Fayetteville, NC 28306

This instrument prepared by: R. Moorefield, County Attorney

Brief description for the Index: Lot 29 Windfield Section 1, PB. 98, P .34

NORTH CAROLINA NON-WARRANTY DEED

THIS DEED, made this ____ day of May, 2015 by and between the COUNTY OF CUMBERLAND, a body politic and corporate of the State of North Carolina, Grantor; and DENNIS MILLER whose address is 3200 Lugsail Lane, Fayetteville, NC 28306, Grantee.

WITNESSETH:

That Grantor, for valuable consideration, has remised and released and by these presents does remise, release, convey, and forever quitclaim unto the Grantee, his heirs, successors and assigns, all right, title, claim and interest of the Grantor in and to those certain lots or parcels of land lying and being in Gray's Creek Township, Cumberland County, North Carolina, and more particularly described as follows:

Being Lot 29, Windfield Section 1, located at 3445 Dandelion Lane, Fayetteville, NC, and as shown on the plat prepared by Harvey H. Allen, recorded in Plat Book 98 at page 34, Cumberland County Registry, with the PIN 0441-51-3552.

This is the same property conveyed to Cumberland County by deed recorded in Book 8916, Page 255.

This conveyance is made subject to all matters of record including property taxes and local improvement assessments. This conveyance is further made subject to matters of survey.

TO HAVE AND TO HOLD, the aforesaid lots or parcels, and all privileges and appurtenances thereto belonging to the Grantee in fee simple.

The Grantor makes no warranty, express or implied, as to title to the property hereinabove described.

IN WITNESS WHEREOF, the Grantor has caused this instrument to be signed in its official name by its duly authorized officers and its seal to be hereunto affixed by authority of its Board of Commissioners, the day and year first above written.

COUNTY OF CUMBERLAND

(SEAL)

BY:

ATTEST

Kenneth S. Edge, Chairman
Board of Commissioners

Candice H. White, Clerk

STATE OF NORTH CAROLINA
COUNTY OF CUMBERLAND

I, HOPE W. PAGE, a Notary Public in and for the State of North Carolina, certify that CANDICE H. WHITE personally appeared before me this day and acknowledged that she is the Clerk to the Board of Commissioners of Cumberland County; that KENNETH S. EDGE is the Chairman of the Board of Commissioners; that the seal affixed to the foregoing Deed is the Official Seal of the Board; that this Deed was signed and sealed by the Chairman and attested by her as Clerk on behalf of the Board, all by its authority duly granted; and that CANDICE H. WHITE acknowledged this Deed to be the act and deed of the Board of Commissioners.

WITNESS my hand and seal this the ____ day of May, 2015

Print Name: _____
Notary Public

(SEAL)

My commission expires: _____

AFFIDAVIT OF PUBLICATION

NORTH CAROLINA
Cumberland County

CUMBERLAND COUNTY BOARD OF
COMMISSIONERS ADVERTISEMENT OF
PROPOSAL TO ACCEPT AN OFFER TO
PURCHASE CERTAIN REAL PROPERTY
PURSUANT TO N.C.G.S. 160A-269

Take notice that the Board of Commissioners finds the real property described herein is not needed for governmental purposes and proposes to accept an offer to purchase the property with 044-51-3552 located at 3445 Dandelion Lane, Fayetteville, NC, for a purchase price of \$3,782.81. Within 10 days of this notice any person may raise the bid by not less than ten percent (10%) of the first one thousand dollars (\$1,000) and five percent (5%) of the remainder by making a five percent (5%) deposit of the bid with the Clerk. This procedure shall be repeated until no further qualifying upset bids are received. The Board of Commissioners may at any time reject any and all offers.

Further details may be obtained from the Office of the County Attorney, Suite 551-Courthouse, Fayetteville, NC 28302.

April 13, 2015

Candice White, Clerk to the Board
4488945

Before the undersigned, a Notary Public of said County and state, duly commissioned and authorized to administer oaths, affirmations, etc., personally appeared. CINDY L. OROZCO

Who, being duly sworn or affirmed, according to law, doth depose and say that he/she is LEGAL SECRETARY

of THE FAYETTEVILLE PUBLISHING COMPANY, a corporation organized and doing business under the Laws of the State of North Carolina, and publishing a newspaper known as the FAYETTEVILLE OBSERVER, in the City of Fayetteville, County and State aforesaid, and that as such he/she makes this affidavit; that he/she is familiar with the books, files and business of said Corporation and by reference to the files of said publication the attached advertisement of CL Legal Line

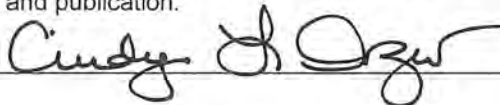
CUMBERLAND COUNTY BOARD OF COMMISSIONERS
ADVERTISEMENT OF PROPOSAL / DANDELION LANE
of CUMB CO ATTORNEY'S

was inserted in the aforesaid newspaper in space, and on dates as follows:

4/21/2015

and at the time of such publication The Fayetteville Observer was a newspaper meeting all the requirements and qualifications prescribed by Sec. No. 1-597 G.S. of N.C.

The above is correctly copied from the books and files of the aforesaid corporation and publication.



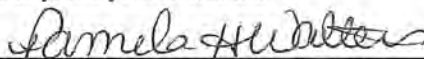
LEGAL SECRETARY

Title

Cumberland County, North Carolina

Sworn or affirmed to, and subscribed before me, this 21 day
of April, A.D., 2015.

In Testimony Whereof, I have hereunto set my hand and affixed my
official seal, the day and year aforesaid.



Pamela H. Walters, Notary Public

My commission expires 5th day of December, 2015.

MAIL TO: CUMB CO ATTORNEY'S
PO BOX 1829,
FAYETTEVILLE, NC 28302

0004488945

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. 20(1-2)

OFFICE OF THE COUNTY MANAGER

MEMORANDUM FOR BOARD OF COMMISSIONERS AGENDA OF MAY 18, 2015

TO: BOARD OF COUNTY COMMISSIONERS

FROM: AMY H. CANNON, COUNTY MANAGER 

DATE: MAY 13, 2015

SUBJECT: APPROVAL OF THE CUMBERLAND COUNTY FACILITIES
COMMITTEE REPORT AND RECOMMENDATIONS

BACKGROUND

The Cumberland County Facilities Committee met on Thursday, May 7, 2015 and discussed the following agenda:

- 1) Bullard Circle Water Extension Interlocal Agreement.
- 2) Bids for the Construction of the Bullard Circle Water Extension Project.

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

CM051315-2

DRAFT

CUMBERLAND COUNTY FACILITIES COMMITTEE
COURTHOUSE, 117 DICK STREET, 5TH FLOOR, ROOM 564
MAY 7, 2015 - 8:30 A.M.
MINUTES

MEMBERS PRESENT: Commissioner Glenn Adams
Commissioner Jimmy Keefe
Commissioner Larry Lancaster (arrived at 8:50 a.m.)

COMMISSIONERS PRESENT:
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
Jeffery Brown, Engineering and Infrastructure Director
Vicki Evans, Finance Accounting Manager
Amy Hall, Administrative Program Officer
Steve Fleming, Fleming & Associates
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 – APRIL 2, 2015 REGULAR MEETING

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

2. CONSIDERATION OF APPROVAL OF AN AMENDMENT TO THE EASTOVER/NORCRESS SANITARY SEWER INTERLOCAL AGREEMENT

BACKGROUND:

The Interlocal Agreement dated October 14, 2002, by and between the County of Cumberland (County), the Cumberland County Board of Education (CCBE), NORCRESS Water and Sewer District (NORCRESS), Eastover Sanitary District (ESD) and Public Works Commission of the City of Fayetteville (PWC) stated that the allocated

DRAFT

capacity of the Eastover approach main that serves both ESD and NORCRESS is one million gallons per day (GPD). PWC has recently completed flow modeling on the approach main and the tests show that there is an additional 180,000 GPD unallocated in the line. NORCRESS has requested from the other entities involved to acquire the additional unallocated capacity in the approach main. The other entities involved to acquire the additional unallocated capacity in the approach main. The other entities have approved to allow NORCRESS the additional unallocated capacity. The amendment is the first step in moving forward in being able to provide a sewer connection to Kansas City Sausage Company without decreasing the existing allocated capacity to either ESD or NORCRESS. The next step will be to develop an agreement between the NORCRESS governing board and Kansas City Sausage Company for an agreement to connect. The approval of this agreement will be placed on a future Facilities Committee agenda. This agreement will outline any costs, as well as, any proposed improvements/upgrades to the existing NORCRESS system.

RECOMMENDATION/PROPOSED ACTION:

The Engineering and Infrastructure Director and County Management recommend that the Facilities Committee approve the Interlocal Agreement First Amendment to Eastover/NORCRESS Sanitary Sewer Extension Agreement and place it on the agendas of the May 18, 2015, Board of Commissioners and the NORCRESS Water and Sewer District meeting.

Jeffery Brown, Engineering and Infrastructure Director, reviewed the background information and recommendation above. Questions and discussion followed. Commissioner Adams stated he feels this agreement is a win-win situation for all the entities and will help Sampson County.

MOTION: Commissioner Keefe moved to recommend to the full board approval of the Interlocal Agreement First Amendment to Eastover/NORCRESS Sanitary Sewer Extension Agreement.

SECOND: Commissioner Adams

VOTE: UNANIMOUS (2-0)

3A. CONSIDERATION OF APPROVAL OF THE BULLARD CIRCLE WATER EXTENSION INTERLOCAL AGREEMENT

BACKGROUND:

The Public Utilities Division is in the process of extending a PWC waterline to the Bullard Circle area through a special assessment. In moving forward, an interlocal agreement between PWC and the County is needed to identify each party's roll in this project, to include each entities contribution of 25% of the total project cost and PWC accepting the lines after completion of construction.

DRAFT

RECOMMENDATION/PROPOSED ACTION:

The Engineering and Infrastructure Director and County Management recommend that the Facilities Committee approve the Interlocal Agreement Bullard Circle Waterline Extension and place it on the agenda of the May 18, 2015, Board of Commissioners meeting.

Mr. Brown reviewed the background information and recommendation recorded above. Mr. Brown stated the Bullard Circle community came to the County looking for answers as to the contaminated drinking water wells due to high levels of naturally occurring arsenic in the deep water wells. Mr. Brown stated the County has already approved a resolution to move forward with this project and approve the preliminary assessment roll.

Mr. Brown stated a Professional Services Contract has been approved for the design of the project and that all necessary easements have been acquired. Mr. Brown stated in order to proceed with this project the County will have to do an interlocal agreement with PWC that stipulates the requirements for Cumberland County and PWC.

Mr. Brown stated the resolution is set up where the County cannot ask the property owners to pay more than 50% of the overall cost of the project based on the preliminary assessment the Board of Commissioners approved. Rick Moorefield, County Attorney, stated PWC's obligation is 25% of the main cost and the County will be responsible for the remaining costs. Mr. Brown stated there are existing FIF credits to offset the difference the property owners will have to pay to connect to the water.

MOTION: Commissioner Adams moved to recommend to the full board approval of the Interlocal Agreement Bullard Circle Waterline Extension.
SECOND: Commissioner Lancaster
VOTE: UNANIMOUS (3-0)

3B. CONSIDERATION OF APPROVAL OF BIDS FOR THE CONSTRUCTION OF THE BULLARD CIRCLE WATER EXTENSION PROJECT

BACKGROUND:

The Public Utilities Division will receive bids on May 5, 2015, for the contractor that will install the waterlines in the Bullard Circle area project. The lowest bid will be known and submitted to the May Facilities Committee.

RECOMMENDATION/PROPOSED ACTION:

The Engineering and Infrastructure Director and County Management recommend that the Facilities Committee accept the bids for the construction of the Bullard Circle waterline extension, award a contract to the lowest, responsive bidder, establish a contingency amount based off the price to be used for additional work recommended

DRAFT

by the Engineering and Infrastructure Director and approved by the County Manager and place it on the agenda of the May 18, 2015 Board of Commissioners agenda.

Mr. Brown reviewed the background information and recommendation recorded above. Mr. Brown stated the bids were opened on May 5, 2015, at 2:00 p.m. for the Bullard Circle water extension project. Mr. Brown stated the low bid was Autry Grading at \$255,238.65 which is significantly lower than anticipated. Mr. Brown stated he is asking the Facilities Committee to accept the bids as is from Autry Grading and establish a 10% contingency and move forward to the full board.

MOTION: Commissioner Keefe moved to recommend to the full board to accept the lowest bid from Autry Grading in the amount of \$255,238.65 and establish a 10% contingency for the Bullard Circle Water Extension Project.

SECOND: Commissioner Lancaster

VOTE: UNANIMOUS (3-0)

4. CONSIDERATION OF APPROVAL OF THE RATE STRUCTURE FOR THE KELLY HILLS/SLOCOMB ROAD WATER AND SEWER DISTRICT

BACKGROUND:

The Public Utilities Division is in the process of taking over the billing from PWC for the Kelly Hills/Slocomb Road customers per the revised interlocal agreement dated September 24, 2014. The interlocal agreement will have the County paying \$4.1267 per 1,000 gallons for sewer treatment and basic operation and maintenance costs. The current rate structure for the District is set-up as the "prevailing flat rate charged by the sewer service provider", which is \$52.74 per month, sewer service provider billing services charge of \$2.00 and Kelly Capital Reserve Fund fee of \$2.10 for a total monthly charge of \$56.84

The total charge for sewer users would be \$51.74 per month, the breakdown would be as follows; \$39.74 for sewer usage, \$10.00 for availability fee and \$2.00 for administration fee.

RECOMMENDATION/PROPOSED ACTION:

The Engineering and Infrastructure Director and County Management recommend that the Facilities Committee approve the rate structure for the Kelly Hills/Slocomb Road Water and Sewer District to go into effect once the Public Utilities Division begins billing the customers and place it on the agendas of the May 18, 2015, Board of Commissioners and Kelly Hills/Slocomb Road Water and Sewer District meetings.

DRAFT

Mr. Brown reviewed the background information and recommendation as recorded above. Mr. Brown stated an amendment to the interlocal agreement was brought to the full board in September 2014. Mr. Brown further stated prior to the amendment to the agreement PWC took care of the billing for the Kelly Hills Sewer District. Mr. Brown stated during that time if the customers did not pay their bill PWC would charge the County because the contract was written to the fact that the County would be responsible for outstanding charges that the customers did not pay.

Mr. Brown stated the proposed rate structure for Kelly Hills Sewer District will have a flat rate structure of \$52.74 so a majority of customers will see a decrease in their sewer bill. Mr. Brown further stated a few customers that are PWC customers that are billed off of sewer usage may see a slight rate increase.

Mr. Brown stated the goal is for the County to take over the billing for the Kelly Hills Sewer District by July 1, 2015. Mr. Brown further stated the County will have the ability to install an elder valve which will cut off sewer service for nonpayment. Mr. Brown explained this interlocal agreement will give the County more control to exercise authority over the sewer system.

Commissioner Adams stated once the County handles the billing he feels it will put the County in a better position to attempt to collect for nonpayment of sewer services. Commissioner Adams further stated he feels an internal policy needs to be in place that lays out the guidelines of the elder valve and explains at what point the elder valve will be put in when a customer has not paid.

MOTION: Commissioner Lancaster moved to recommend to the full board approval of the proposed rate structure for the Kelly Hills/Slocomb Road Water and Sewer District to include an internal policy in reference to the elder valve to go into effect once the Public Utilities Division begins billing the customers.

SECOND: Commissioner Keefe

VOTE: UNANIMOUS (3-0)

5. PRESENTATION ON THE RESULTS OF THE ROOF/BUILDING ENVELOPE ASSESSMENT

BACKGROUND:

At the Board of Commissioners meeting on October 20, 2014, the Board approved the award of a Professional Services Contract to Fleming & Associates, for the completion of a roof and building envelope (exterior) assessment of all County-owned facilities. The purpose of this assessment was to identify any deficiencies with the roofs and building envelopes of County facilities and the associated costs to correct the identified deficiencies.

DRAFT

At this time, the County has not received the final report from Fleming & Associates, but the County has received the costs to repair the deficiencies identified from the assessments conducted by the consultant.

RECOMMENDATION:

The Facilities Committee is not being asked to take action at this time. The purpose of this item was to provide the Committee an update on the project.

Mr. Brown reviewed the background information and recommendation as recorded above. Mr. Brown introduced Steve Fleming from Fleming & Associates who was responsible for the evaluations of the roofs and exterior walls at County facilities.

Mr. Brown reviewed the results of the roof/building envelope assessment. Mr. Brown stated an RFQ was issued in August 2014 and the top firms were interviewed in September 2014. Mr. Brown stated Fleming & Associates was the firm selected and a Professional Services Contract was awarded by the Board of Commissioners on October 20, 2014. Mr. Brown reviewed the recommendations of the estimated roof costs and exterior wall costs over the next five years.

Commissioner Adams stated he thinks Jeffery Brown needs to attend the CIP meetings at the Crown Coliseum.

Ms. Cannon stated the County has set aside about a half a million dollars per year for roofing based on an assessment completed 12-15 years ago and there will be some discussion about the roof/building envelope assessment at the upcoming budget work sessions.

No action taken.

6. UPDATE ON OFFER OF LAMAR COMPANIES TO LEASE OR PURCHASE SITES OF EXISTING BUILDINGS

BACKGROUND:

On April 2, 2015, the Facilities Committee heard a request from the county attorney to bring the existing purported leases of the billboard sites fronting the MLK Freeway and Ramsey Street on the DSS property into compliance with the statutory requirements.

As an update, Lamar has offered to purchase the Ramsey Street site separated from the DSS parking lot by the railroad tracks for \$65,000. It will be necessary to obtain subdivision approval from the City of Fayetteville for the County to sell this site. Lamar is pursuing subdivision approval.

DRAFT

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 rather than as a lease 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.

RECOMMENDATION:

The county attorney recommends that the Facilities Committee recommend these transactions to the full Board at such time as the subdivision is approved and the license agreement is drafted.

Mr. Moorefield reviewed the background information and recommendation as recorded above.

Commissioner Adams stated the consensus of the Facilities Committee is for Mr. Moorefield to draft the license agreement and bring back both sites to the next Facilities Committee meeting in June.

No action taken.

7. OTHER ITEMS OF BUSINESS

No other items of business.

MEETING ADJOURNED AT 9:34 AM.



ITEM NO. 2D(1)



ENGINEERING & INFRASTRUCTURE DEPARTMENT

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

MEMORANDUM FOR BOARD OF COMMISSIONERS AGENDA OF MAY 18, 2015

TO: BOARD OF COUNTY COMMISSIONERS

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

THROUGH: AMY H. CANNON, COUNTY MANAGER *[Signature]*

DATE: MAY 8, 2015

SUBJECT: CONSIDERATION OF APPROVAL OF THE INTERLOCAL AGREEMENT BULLARD CIRCLE WATERLINE EXTENSION

BACKGROUND:

The Public Utilities Division is in the process of extending a PWC waterline to the Bullard Circle area through a special assessment. In moving forward an interlocal agreement between PWC and the County is needed to identify each party's role in this project, to include PWC's contribution of 25% and PWC accepting the lines after completion of construction.

This was presented to the Facilities Committee on May 7th.

RECOMMENDATION/PROPOSED ACTION:

The Engineering and Infrastructure Director, County Management and Facilities Committee recommend that the Board of Commissioners approve the Interlocal Agreement for the Bullard Circle Waterline Extension.

**STATE OF NORTH CAROLINA
COUNTY OF CUMBERLAND**

**INTERLOCAL AGREEMENT
BULLARD CIRCLE WATER EXTENSION**

THIS AGREEMENT made this ____ day of _____, 2015 by and between the County of Cumberland (hereinafter referred to as "COUNTY"), and the City of Fayetteville, a North Carolina municipal corporation, acting by and through its Public Works Commission of the City of Fayetteville, North Carolina (hereinafter referred to as "COMMISSION").

W I T N E S S E T H

THAT WHEREAS, plans are currently being developed for water to serve properties within Bullard Circle area as shown in Exhibit A (hereinafter referred to as the "Project"); and

WHEREAS, the Project has an estimated cost of \$ 525,000 ("Project Cost") that includes the construction of approximately 5,900 linear feet of water main as shown in Exhibit B; and the cost of construction of these mains is estimated to be \$ 440,000 ("Main Cost"); this cost includes the cost of engineering and

WHEREAS, COUNTY and COMMISSION, recognizing the advantages to each for participating in the Project, agree to contribute in the cost of such Project as set forth herein. COMMISSION shall contribute 25% of the total Main Cost, including engineering not to exceed \$ 110,000 and COUNTY shall contribute the remaining costs through assessment, grant or other funding means.

NOW, THEREFORE, in consideration of the mutual benefits each of the parties shall derive from construction and extension of the Project, they mutually agree as follows:

1. Except as otherwise provided herein, upon execution of this Agreement, each of the parties agree to participate in the cost of the Project in the respective amounts set forth above. Payment by COMMISSION to COUNTY shall be based on the final project costs and will be made within 30 days of receipt of an invoice from the COUNTY following project completion and COUNTY's acceptance of final costs.
2. COUNTY will be the Primary agency providing contract administration for engineering services as well as construction, inspection, and other aspects of the Project.
3. COUNTY has contracted or shall contract with a qualified professional engineer for services the engineer may deem necessary for design and construction of the Project to include preparation and submission of erosion control plans as required by the State of North Carolina. All Contractors will operate as Independent Contractors.

4. COUNTY agrees to require all Contractors to maintain adequate Insurance Coverage for their respective services provided. COMMISSION and the City of Fayetteville (the "CITY") will be named as an additional insured on the Contractors General Liability Policy, which shall include Completed Operations coverage.
5. COUNTY agrees to require all Contractors to indemnify and hold harmless the CITY, COMMISSION, and its officers, agents and employees from any claim, action, suit, liability, loss, cost, fine, or any other damage arising out of the negligent acts of Contractor. COUNTY further agrees to indemnify and hold harmless the CITY, COMMISSION, and its officers, agents and employees from any claim, action, suit, liability, loss, cost, fine, or any other damage arising out of the negligent acts of COUNTY.
6. COUNTY and its contractor shall be responsible for complying with all statutes, rules, regulations, and/or ordinances, which may be imposed by other governmental agencies (local, state, and federal) having jurisdiction over the Project.
7. COMMISSION shall acquire all deeds or easements of conveyance for rights-of-way and encroachments necessary for said extension. If such easements are required from those participating in this Agreement, they shall be conveyed at no expense to COMMISSION. The right-of-way costs for this Project shall be a credit against COMMISSION's contribution to the Main Cost.
8. Upon satisfactory completion of construction of said Project and written acceptance of such construction by COMMISSION, said utility mains with such pipes, drains, connections, manholes, and other attachments, equipment, and accessories necessary or desirable in connection therewith shall be the property solely of COMMISSION and COMMISSION will operate and maintain them.
9. The COMMISSION is only responsible for repairs directly related to the Operation and Maintenance of the said Water Main, the associated laterals and meters. Commission will not be responsible for the general maintenance of the street Right of Way, including erosion related damages, pot holes, cracks, etc.
10. In concurrence with the transfer of property from COUNTY to COMMISSION, all standing warranty provisions will be assigned to COMMISSION accordingly.
11. Connections of structures shall not be made until COMMISSION determines all work has been satisfactorily completed and accepts it in writing.

12. Utility services supplied to structures now or hereinafter located along the Project shall be in accordance with COMMISSION rules, regulations, and rate schedules applicable for such structures and in effect at the time of application for service and provided all customary COMMISSION fees and charges for installation and activation of such service have been paid by the applicant[s] for said services. All original operating fees, charges, rates, etc. shall be solely at COMMISSION's discretion in accordance with its established policies which shall be subject to change by COMMISSION. The County will pay the then appropriate FIF for any new customer located along the Project using their FIF credits.
13. Nothing in this Agreement shall be construed to create a partnership or joint venture between COUNTY and COMMISSION. The parties intend that each party shall perform its duties and obligations hereunder as an independent contractor.
14. Binding Effect: This contract shall be binding upon and inure to the benefit of the parties hereto, and their respective heirs, successors, and assigns.
15. Entire Agreement: This contract contains the entire agreement of the parties and there are no representations, inducements, or other provisions other than those expressed herein in writing.
16. Governing Law: This contract shall be governed by the internal laws of the State of North Carolina without regard to the conflict of law's provisions thereof.
17. Notices: Any notice required or permitted hereunder shall be sufficient if hand-delivered or sent certified mail—return receipt requested to:

COUNTY:
County of Cumberland
P.O. Box 1829
Fayetteville, NC 28302
Attention: Amy H. Cannon
County Manager

COMMISSION:
Public Works Commission
P.O. Box 1089
Fayetteville, NC 28302
Attention: Steven K. Blanchard
CEO/General Manager

IN WITNESS WHEREOF, COUNTY and COMMISSION have executed this Agreement as of the date first above written.

COUNTY OF CUMBERLAND

By: _____
Kenneth Edge, Chairman

ATTEST:

Candice White, Clerk to the Board

Approved for legal sufficiency:

This instrument has been pre-audited in the manner required by the Local Government Budget and Fiscal Control Act.

Rick L. Moorefield
County Attorney

Melissa Cardinali
Assistant County Manager for Finance

**PUBLIC WORKS COMMISSION
OF THE CITY OF FAYETTEVILLE**

By: _____
Michael G. Lallier, Chairman

ATTEST:

Wade R. Fowler Jr., Secretary

Approved as to form this _____ day of _____ This instrument has been pre-audited in the manner
_____, 2014. Required by the Local Government Budget and Fiscal Control Act

Scott Flowers
Public Works Commission Attorney

J. Dwight Miller
PWC Chief Financial Officer

CITY OF FAYETTEVILLE

By: _____
Nat Robertson, Mayor

ATTEST:

Pamela J. Megill, CMC, City Clerk

Approved for legal sufficiency:

This instrument has been pre-audited in the manner
Required by the Local Government Budget and
Fiscal Control Act.

Karen M. McDonald
City of Fayetteville Attorney

Lisa Smith
City of Fayetteville Chief Financial Officer



ITEM NO. 2D(2)

**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 MAY 18, 2015

TO: BOARD OF COUNTY COMMISSIONERS

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

THROUGH: AMY H. CANNON, COUNTY MANAGER 

DATE: MAY 8, 2015

**SUBJECT: ACCEPTANCE OF THE BIDS FOR THE CONSTRUCTION
OF THE BULLARD CIRCLE WATERLINE EXTENSION**

BACKGROUND:

The Public Utilities Division received and opened bids on May 5, 2015 for the construction of the Bullard Circle water line extension. Attached is a copy of the bid tabulation prepared by the consulting engineer; Moorman, Kizer and Reitzel, Inc. of Fayetteville, North Carolina. The lowest responsive, responsible bid submitted was from Autry Grading, Inc. of Hope Mills, North Carolina in the amount of \$255,239.

RECOMMENDATION/PROPOSED ACTION:

1. The Engineering and Infrastructure Director, County Management and the Facilities Committee recommend that the Board of Commissioners vote to approve the following recommendations.
2. Accept the bids for the construction of the Bullard Circle Water Line Extension.
3. Award a contract to the lowest responsive bidder, Autry Grading, Inc., in the amount of \$255,239.
4. Establish a contingency in the amount of \$25,524 (10%) to be used for additional work recommended by the Engineering & Infrastructure Director and approved by the County Manager.
5. Approve the attached budget revision to establish the items listed above.

CUMBERLAND COUNTY
BULLARD CIRCLE WATER MAIN EXTENSION

Bids opened Tuesday, May 5th, 2015 at 2:00 p.m. in Room 214, Historic Courthouse located at 130 Gillespie Street, Fayetteville, NC.

BIDDER	LICENSE NO.	ADD. 1 ACK.	AFFIDAVIT A OR B	SDBE VALUE	BID BOND	POWER OF ATTORNEY	TOTAL BID
<u>Autry Grading, Inc.</u>	<u>11604</u>	<u>X</u>	<u>B</u>	<u>\$0.00</u>	<u>X</u>	<u>X</u>	<u>\$255,238.65</u>
<u>Sanford Contractors, Inc.</u>	<u>6301</u>	<u>X</u>	<u>A</u>	<u>\$33,300.00</u>	<u>X</u>	<u>X</u>	<u>\$279,546.12</u>
<u>Sandy's Hauling & Backhoe</u>	<u>64254</u>	<u>X</u>	<u>A</u>	<u>\$0.00</u>	<u>X</u>	<u>X</u>	<u>\$300,070.50</u>
<u>Utilities Plus, Inc.</u>	<u>47895</u>	<u>X</u>	<u>B</u>	<u>\$351,878.70</u>	<u>X</u>	<u>X</u>	<u>\$351,878.70</u>
<u>TA Loving Company</u>	<u>325</u>	<u>X</u>	<u>A</u>	<u>\$8,000.00</u>	<u>X</u>	<u>X</u>	<u>\$365,715.00</u>
<u>State Utility Contractors, Inc.</u>	<u>17793</u>	<u>X</u>	<u>B</u>	<u>\$0.00</u>	<u>X</u>	<u>X</u>	<u>\$396,149.40</u>
<u>Billy Bill Grading Company</u>	<u>17599</u>	<u>X</u>	<u>A</u>	<u>\$0.00</u>	<u>X</u>	<u>X</u>	<u>\$664,725.00</u>

I hereby certify that the bid prices and amounts shown hereon are true and correct to the best of my knowledge and belief, and that the bids were opened and publicly read at the time, place and date specified.

Jeffrey D. Reitzel, PE, PLS No. 14951



**COUNTY OF CUMBERLAND
BUDGET REVISION REQUEST**

Budget Office Use	
Budget Revision No.	B15-327
Date Received	5/12/2015
Date Completed	

Fund No. 027 Agency No. 450 Organ. No. 450R

Organization Name: Bullard Circle Water Project

REVENUE

Revenue Source Code	Description	Current Budget	Increase (Decrease)	Revised Budget
9110	Transfer from General Fund	0	269,403	269,403
4670	PWC Cost Share	0	69,535	69,535
Total		0	338,938	338,938

EXPENDITURES

Object Code	Appr Unit	Description	Current Budget	Increase (Decrease)	Revised Budget
3426	TJA	Licenses & Permits	0	1,000	1,000
3747	TJA	Engineering	0	57,175	57,175
3791	TJA	Construction	0	280,763	280,763
Total			0	338,938	338,938

Justification:

Revision in the amount of \$338,938 to establish a new capital project fund for the Bullard Circle Water Line Extension Project. Funding for the project will come from the County Water & Sewer organization and from PWC participation in an amount currently estimated to be \$69,535. In addition, assessments on the affected property owners will be used to replenish the County Water & Sewer organization. The construction contract includes an in-contract contingency of \$25,524. Engineering and licenses/permits were previously budgeted in FY2015 in the single year County Water & Sewer organization, but are being moved to this newly established capital project fund to provide better tracking of multi-year project expenditures.

Funding Source:

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

Fund Balance:

Submitted By: [Signature]
Department Head

Date: 5/13/15

Reviewed By: [Signature]
Finance

Date: 5/13/15

Reviewed By: [Signature]
Finance Director

Date: 5/14/15

Reviewed By: _____
Assistant County Manager

Date: _____

Approved By:

County Manager

Board of County
Commissioners

Date: _____

Date: _____

**COUNTY OF CUMBERLAND
BUDGET REVISION REQUEST**

Budget Office Use	
Budget Revision No.	B15-327A
Date Received	5/12/2015
Date Completed	

Fund No. 101 Agency No. 450 Organ. No. 4590
 Organization Name: County Water and Sewer

REVENUE

Revenue Source Code	Description	Current Budget	Increase (Decrease)	Revised Budget
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EXPENDITURES

Object Code	Appr Unit	Description	Current Budget	Increase (Decrease)	Revised Budget
New	321	Transfer to Capital Project Fund 027	0	269,403	269,403
3846	320	Water & Sewer Improvements	404,718	(269,403)	135,315

Total	404,718	-	404,718
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Justification:

Revision to transfer funds in the amount of \$269,403 from the General Fund Water & Sewer organization to establish new Capital Project Fund 027 for the Bullard Circle Water Line Extension Project.

Funding Source:

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

Fund Balance:

Submitted By: [Signature] Department Head

Date: 5/13/15

Reviewed By: Bob Sucher Finance

Date: 5/13/15

Reviewed By: Vicki Evans Finance Director

Date: 5/14/15

Reviewed By: _____ Assistant County Manager

Date: _____

Approved By:

County Manager

Board of County Commissioners

Date: _____

Date: _____

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. _____

2E(1)

OFFICE OF THE COUNTY MANAGER

MEMORANDUM FOR BOARD OF COMMISSIONERS AGENDA OF MAY 18, 2015

TO: BOARD OF COMMISSIONERS
FROM: JAMES LAWSON, DEPUTY COUNTY MANAGER 
DATE: MAY 12, 2015
SUBJECT: ANNUAL REVIEW OF JAIL HEALTH MEDICAL PLAN

BACKGROUND

The 2014 Jail Health Medical Plan was adopted by the Board of County Commissioners in February 2014.

North Carolina General Statute 153A-225 requires the unit of county government to develop the plan. In developing the plan, the unit must consult with the sheriff, county physician, health director and the local medical society. In this context, the county manager has responsibility for seeing that the plan is developed.

Once the plan is developed, it must be approved by the health director, if, after consulting with the area mental health director, the health director finds it is adequate to protect the health and welfare of the prisoners. Upon approval by the health director, it must be adopted by the governing body. Finally, 10A NCAC 14J.1001(b)(7) requires the plan to be reviewed annually. A particular point of emphasis for County Management and the Public Health Director is to ensure the plan takes into account any issues impacting the Sheriff's standards, as the party responsible for managing the detention center facility and operations.

Over the course of the past year, there have been various interactions in regards to proposed changes to the plan. County Management has worked closely with Public Health Director Buck Wilson to ensure all the required consultation and input has taken place as referenced above. On April 10, 2015, a meeting was held to discuss and finalize changes in preparation for the annual approval and adoption of the 2015 plan. The meeting participants were Sheriff Butler, Chief Deputy Wright, Chief Jailer Trotter, Sheriff's Attorney Ronnie Mitchell, County Attorney Rick Moorefield, Mr. Wilson and several members of his Jail Health Staff, including Dr. Haq. Based on the outcome of this meeting, the revised plan has been finalized and agreed to by all relevant parties, and approved by Mr. Wilson. In addition, the group decided to implement a quarterly review of the plan to facilitate ongoing review and discussion in managing revisions to the plan.

A complete copy of the Medical Plan is available for review in the Clerk's Office, with the attached summary of changes highlighted.

On May 7, 2015, the Policy Committee approved the 2015 Jail Health Medical Plan for your consideration.

RECOMMENDATION

The Public Health Director and County Management recommend adoption of the proposed 2015 Jail Health Medical Plan.

Attachment

Changes/Revisions - Jail Health Medical Plan Policy and Procedure Manual

Signature page		Sheriff and Jail Health Psychiatrist are added.
i		The Executive Summary now references <i>NCGS 153A-225 Medical Care of Prisoners</i>
i		Paragraph 8 was added regarding fees for services provided.
P. 1	A-01	Procedures #3 - #7 -were moved to General Information # 1- #5.
P. 3	A-02	Procedure #1 has been changed; the Jail Health Administrator is not a RN Supervisor.
	A-02	Procedure #4 has been changed. Jail Health currently has one psychiatrist. He works 32 hours per week. Jail Health no longer has a contract psychiatrist.
P. 4	A-03	Procedure #2 has been added. "Medical, mental health, and dental health judgments are the sole province of the responsible clinicians."
P. 4	A-03	Procedure #5 has been added. "Custody staff will report serious medical requests for care to medical staff. Medical staff will respond and make determination for medical care."
P. 5	A-04	Procedure #1 was changed to specify but not limit members of the Jail Health Administrative Committee. Specifically included on the committee are representatives from: area mental health, developmental disabilities, and substance abuse authority; the local medical society; the Sheriff's office; the county physician, the local Public Health communicable disease nurse; local health director; the lead public health nurse supervisor for Jail Health.
		Procedure #5, additions were made to the list of statistical items to be reported - 1. Nursing contacts, 2. Physical exams performed, and 3. Follow-ups.
P. 6	A-05	Standard has been changed to include both NCGS 153-225 Medical Care of Prisoners and (National Commission of Correctional Health Care) Standards for Health Care Services.
P. 7		Procedures #1 and #2 are new and specify all requirements for new standard. Procedure #7- has been added to provide an opportunity to discuss the jail medical plan at Quarterly Jail Health Administration Committee Meeting.
P. 8	A-06	Procedure #5 has been added.
P. 9	A-07	Procedures were reformatted for ease of reading

P. 10	A-07	Procedure 10, Triage site - Paragraph 1 was changed from "custody will bring those in need of medical care to the triage site" to "Detention Officers, Law Enforcement officers and any available medical staff will bring those in need of medical care to the triage site." Procedure #11 was added.
P. 10	A-07	Procedure 12 was added "Practice – Drills"
P. 11	A-08	Standard - second sentence was added. Procedure #3 added "organize the "transfer of individuals with disabilities...."
P. 13	A-10	Standard paragraph 2 was added. Procedure #4 added "Jail Administrator"
P. 14	A-11	Procedure 7 and 8 were changed for clarity
P. 16	B-01	This section has been re-arranged for ease of reading.
P. 17	B-01	A.1. "Medical" was added before screening.
P.18	B-01	C #2 changed to have nurse contact physician for orders if TB symptoms are present
P. 18	B-01	C #5 – Added
P. 18	B-01	C #7 – Added
P. 21	B-01	H.2.a.1 paragraph 1 added "reasonable suspicion"
P. 28	B-01	M #3 is an addition
P. 29	B-01	M 5. d) 5) is an addition
P. 30	B-02	"Compliance Indicators" were removed from manual. They should not be included as a part of the medical plan.
P. 37	B-04	Procedures changed to "Provisions of the CCDC are adopted here in reference. The Medical Staff shall comply with those policies and requisites and those required regulations and other provisions and policies established pursuant to the Prison Rape Elimination Act and 22 CFR, Part 115."
P. 38	B-05	Changed from "Procedure in the Event of Sexual Assault" to "Response to Sexual Abuse"
P. 38	B-05	Procedure I- Added
P. 38	B-05	Procedure II #5 Added
P. 40	B-05	Procedure XI #4 Added

Changes to the 2014 Jail Health Medical Plan Policy and Procedure Manual

April 28, 2015

P. 43	C-01	Procedure #5 added
P. 44	C-02	Standard changed to specify primary care providers.
P. 44	C-02	Definitions written more specific and definitions added for "direct patient care" and "independent review"
P. 44	C-02	Procedure # 1 changed from annual review to "at lease quarterly"
p. 46	C-03	Procedures- some wording was changed.
p. 46	C-03	Procedure # 3 and #5 were added
P. 49	C-06	Standard was changed to state "Inmates shall not perform any medical functions in the jail. "
P. 54	D-01	Procedure 11 was added
P. 62	E-02	Standard was reworded;
P. 62	E-02	Procedure 3. j) and 3. k) were added
P. 62	E-02	Procedure 4- f) was added
P. 65	E-04	Standard was changed
P. 67	E-05	Procedure 2.a. 2) and 3) added
P.70	E-07	Procedure #1 changed to include use of kiosks. Two procedures were removed from section.
P. 78	E-09	Types of segregation were named;
P. 78	E-09	Procedure 4, 5 and 6 were added;
P. 78	E-09	Procedure for log color-coding portion was removed.
P. 82	E-12	Added "Coordination of Care"
P. 82	E-12	Standard changed
P. 82	E-12	Procedures added: 1., 2., 7., 8., 9., and 12.
P. 83	E-13	Procedure #2 added;
P. 84	E-13	Procedure #5 b. 4) - the second sentence is an addition.
P. 87	F-02	Procedure #8 is an addition.

P. 90	F-03	Standard changed to, "No smoking is permitted at this facility, inside the building or on the grounds."
P. 92	G-01	Procedure #1 added - high blood cholesterol, sickle cell and major mental illness.
P. 92	G-01	Procedure #2 – a. through h. were added.
P. 92	G-01	Procedures #3 and #4 added.
P. 94	G-02	Procedure #1 was added
P. 96	G-04	Section was completely revised
P. 99	G-05	Procedures were revised
P. 100	G-06	(G-08 in Current manual)
P. 100	G-06	Standard revised
P. 101	G-07	(G-06 in Current manual)
P. 101	G-07	Standard revised
P. 103	G-08	New section <u>Contraception</u> - under development
P. 104	G-09	(G-07 and G-09- Current manual)
P. 104	G-09	Standard now includes counseling in addition to care of the pregnant female.
P. 105	G-09	Procedure #14 was added.
P. 109	H-01	Procedure # 3 was added, "Medical and mental health diagnosis, clinician orders and notes, flow sheets, discharge summaries, clinical encounters (place, date and time) signature and title of each document."
P. 112	H-03	(H-04- Current manual) Format change only.
P. 112	H-04	(H-03 Current manual) Numbering change only.
P. 116	I-01	2. b. Ending of sentence is an addition.
P. 116	I-01	2. c. Second and third sentences are additions.
P. 120	I-05	Procedure 2 is an addition.

DRAFT

CUMBERLAND COUNTY POLICY COMMITTEE
COURTHOUSE, 117 DICK STREET, 5TH FLOOR, ROOM 564
MAY 7, 2015 – 10:30 A.M.
MINUTES

MEMBERS PRESENT: Commissioner Charles Evans
Commissioner Jimmy Keefe

MEMBERS ABSENT: Commissioner Jeannette Council

OTHER COMMISSIONERS
PRESENT:

Commissioner Marshall Faircloth
Commissioner Larry Lancaster

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
Buck Wilson, Public Health Director
Kim McLamb, Public Health
Wanda Tart, Public Health
Jane Stevens, Public Health
Ronnie Mitchell, Sheriff's Office Attorney
Rebecca Rogers-Carter, City of Fayetteville
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 – APRIL 2, 2015

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

DRAFT



2. ANNUAL REVIEW OF JAIL HEALTH MEDICAL PLAN

BACKGROUND:

The 2014 Jail Health Medical Plan was adopted by the Board of Commissioners in February 2014.

North Carolina General Statute 153A-225 requires the unit of county government to develop the plan. In developing the plan, the unit must consult with the sheriff, county physician, health director and the local medical society. In this context, the county manager has responsibility for seeing that the plan is developed.

Once the plan is developed, it must be approved by the health director, if, after consulting with the area mental health director, the health director finds it is adequate to protect the health and welfare of the prisoners. Upon approval by the health director, it must be adopted by the governing body. Finally, 10A NCAC 14J.1001(b)(7) requires the plan to be reviewed annually. A particular point of emphasis for County Management and the Public Health Director is to ensure the plan takes into account any issues impacting the Sheriff's standards, as the party responsible for managing the detention center facility and operations.

Over the course of the past year, there have been various interactions in regards to proposed changes to the plan: County Management has worked closely with Public Health Director Buck Wilson to ensure all the required consultation and input has taken place as referenced above. On April 10, 2015, a meeting was held to discuss and finalize changes in preparation for the annual approval and adoption of the 2015 plan. The meeting participants were Sheriff Butler, Chief Deputy Wright, Chief Jailer Trotter, Sheriff's Attorney Ronnie Mitchell, County Attorney Rick Moorefield, Mr. Wilson and several members of his Jail Health Staff, including Dr. Haq. Based on the outcome of this meeting, the revised plan has been finalized and agreed to by all relevant parties, and approved by Mr. Wilson. In addition, the group decided to implement a quarterly review of the plan to facilitate ongoing review and discussion in managing revisions to the plan.

Mr. Wilson will provide a brief overview of the attached revisions to the Policy Committee. A complete copy of the Medical Plan is available for review in the Clerk's Office.

RECOMMENDATION:

The Public Health Director and County Management recommend approval of the proposed 2015 Jail Health Medical Plan for submission to the Board of Commissioners for adoption.

James Lawson, Deputy County Manager, reviewed the background information and recommendation as recorded above. Mr. Lawson introduced Buck Wilson, Public Health Director, to introduce his staff.

DRAFT

Mr. Wilson stated the Public Health Department is responsible for Jail Health and introduced Jane Stevens, Wanda Tart and Kim McLamb.

Ms. Stevens stated Jail Health provides medical care for inmates in the Cumberland County Detention Center. Ms. Stevens stated the Jail Health Medical Plan is a policy and procedure manual that has been in place for many years and is revised as needed. Ms. Stevens stated the first official adoption of the Jail Health Medical Plan by the Cumberland County Board of Commissioners was done in February 2014.

Ms. Stevens stated the types of revisions made to the medical plan are either wording changes or changes in the operation rule. Ms. Stevens stated the reasons for the proposed changes are either made by the 2014 Revisions of Standards by the National Commission on Correctional Health Care, requests from the Sheriff's Department, or to refine and improve the manual since it is such a long and detailed document.

Ms. Stevens detailed some of the revisions that have been made to the medical plan this year to include:

- The signature of the Sheriff and Jail Health Psychiatrist has been added to the signature page.
- Added "Medical, mental health, and dental health judgments are the sole province of the responsible clinicians."
- Added "Custody staff will report serious medical requests for care to medical staff. Medical staff will respond and make determination for medical care."
- Added "The Jail Health Administrative Committee includes but is not limited to: representatives from the area mental health, developmental disabilities, and substance abuse authority; the local medical society; the sheriff's office, the county physician, local health communicable disease nurse; the local health director, and the lead public health nurse supervisor for jail health."
- Added to the list of statistical items to report each month, "Nursing contracts, physical exams performed and follow-ups".
- Added "Each service area will be measured at least annually and according to the quality performance measures; accessibility, appropriateness of clinical decision making, continuity, timeliness, effectiveness (outcomes), efficiency, quality of clinician-patient interaction and safety."
- Medical staff determine the method of transporting patient to the triage site (i.e. use of back board, wheelchair, etc.)
- Added "Inmates housed in the detention center for one year or more will be screened/tested for TB annually as ordered by the jail physician."
- Detention Center Prison Rape Elimination Policy was adopted by reference.
- Requires review of clinical performance of all primary care providers at least quarterly.
- "In addition the Medical Staff shall prepare a copy of all health information and medical records and deliver that documentation to the transportation officer for delivery to another local confinement facility".

DRAFT

- Added “high blood cholesterol, sickle cell and major mental illnesses” to chronic diseases. Also added new documentation requirements for chronic diseases.
- Added “The medical staff will notify the Jail Administrator or designee of the identification and nature of any disease or condition of any inmate who has a condition which might affect placement or classification of the inmate; or condition of confinement, whether the conditions is acute or chronic”.
- Added, “Medical staff shall notify the Jail Administrator, or designee, when an inmates’ physical or mental health affects the placement, classification, or condition of confinement or transport. The notification will include all known information necessary to provide for the health and safety of the inmate and others housed and working with the inmate”.

Commissioner Keefe stated he has been trying to look at innovative approaches to Jail Health for some time. Ms McLamb stated through Alliance Healthcare beginning July 1, 2015, there will be a follow-up program that will prepare inmates for post-release and will follow them throughout their release to make sure they are linked to a community resource and still getting the medications they need.

Commissioner Lancaster stated in speaking to the well-being of the inmates he wanted to know the status of the GED program for inmates in the Detention Center. Ronnie Mitchell, Sheriff’s Attorney, stated the GED program is on track but waiting on next fiscal year where the Sheriff’s Office has requested the proper funding to make sure this program can move forward.

Mr. Mitchell stated he appreciates the way the Public Health Department has worked with the Sheriff’s Office in modifying the Jail Health Medical Plan. Mr. Mitchell stated he is very confident with the plan this year and appreciates the cooperation. Mr. Lawson stated the complete version of the Jail Health Medical Plan is available in the Clerk’s office.

MOTION: Commissioner Keefe moved to recommend to the full board approval of the proposed 2015 Jail Health Medical Plan.
SECOND: Commissioner Evans
VOTE: UNANIMOUS (2-0)

3. UPDATE ON DRAFT 2015-2016 CUMBERLAND COUNTY STRATEGIC PLAN

BACKGROUND:

The Board of Commissioners and Leadership Team developed the draft 2015-2016 Strategic Plan during two work sessions held on March 10, 2015 and March 31, 2015.

RECOMMENDATION/ACTION REQUESTED:

Recommend the draft 2015-2016 Strategic Plan go before the full Board of Commissioners on May 18, 2015, for approval.



ITEM NO. 2F

**CUMBERLAND
★ COUNTY ★
NORTH CAROLINA**

COMMUNITY DEVELOPMENT

MEMORANDUM FOR BOARD OF COMMISSIONERS AGENDA OF MAY 18, 2015

TO: BOARD OF COUNTY COMMISSIONERS
THRU: AMY H. CANNON, COUNTY MANAGER *ahc*
FROM: SYLVIA H.-MCLEAN, DIRECTOR *shmclean*
DATE: MAY 7, 2015
SUBJECT: PROJECT HOMELESS CONNECT PROCLAMATION

BACKGROUND:

Cumberland County Continuum of Care (CoC) on Homelessness is sponsoring the Project Homeless Connect May 28, 2015 beginning at 9 a.m. at the Smith Recreational Center. This one-stop model event will offer services to the homeless in our community. Local agencies will offer assistance and services to include health care screening, housing support, employment services and more.

The day will begin with a ceremony spotlighting the aim and purpose for the day's activities, to connect people with the various services our community has to offer. Throughout the day, participants will receive vital assistance with services many of us take for granted. Food will also be provided during this event.

This event takes great effort in coordinating with the various agencies, however; it is just one small part of a much greater goal - to address and end homelessness in our community. Therefore, in order to commemorate this event and the impact that serving the homeless or at risk of being homeless has on all citizens of Cumberland County, we would like for the Board to proclaim May 28, 2015 as Project Homeless Connect Day.

RECOMMENDATION AND PROPOSED ACTION:

The Community Development Department recommends that the Board of County Commissioners proclaims May 28, 2015 as Project Homeless Connect Day in Cumberland County.

Attachment – Proclamation

2015 PROJECT HOMELESS CONNECT PROCLAMATION

WHEREAS, Cumberland County is committed to ending homelessness; and

WHEREAS, on January 29, 2015 the 2015 Continuum of Care Homeless Population Point-in-Time (PiT) Survey identified 593 homeless persons, 68 persons at-risk of being homeless; and 528 students within the Cumberland County School system who are homeless or at-risk of being homeless in the Fayetteville/Cumberland County area; and

WHEREAS, the PiT Survey identified homeless people that include the working poor, veterans, people with mental and physical disabilities, mothers who have fled domestic violence, and people with few choices in affordable housing; and

WHEREAS, the Cumberland County Continuum of Care (CoC) on Homelessness has identified efforts in which to address homeless issues in the City of Fayetteville and Cumberland County through the CoC Action Plan; and

WHEREAS, one of the goals identified in the CoC Action Plan is to expand community outreach efforts; and

WHEREAS, The Cumberland County Continuum of Care on Homelessness will sponsor the Project Homeless Connect on May 28th at the Smith Recreation Center as a means of accomplishing such efforts; and

WHEREAS, the Project Homeless Connect is an event designed to offer vital assistance and services to include health care screenings, job placement opportunities, housing support, and governmental services in a one-stop model to persons experiencing homelessness; and

WHEREAS this year's Project Homeless Connect is preparing to serve approximately 300 people during a time when the community is continuing its efforts to increase affordable housing and expand economic opportunities for all people without stable housing and employment.

Now, Therefore I, Kenneth S. Edge, by virtue of the authority vested in me as Chairman of the Cumberland County Board of Commissioners, do hereby proclaim:

*May 28, 2015 as
Project Homeless Connect*

in Cumberland County, and urge all citizens to join us in supporting this event and the Cumberland County Continuum of Care on Homelessness in its efforts to end homelessness in our community.

In Witness Whereof, I have hereunto set my hand and caused the seal of Cumberland County, North Carolina to be affixed this ____ day of _____ 2015.

*Kenneth S. Edge, Chairman
Cumberland County Board of Commissioners*

COUNTY OF CUMBERLAND

NORTH CAROLINA

Proclamation

WHEREAS, hurricanes and tropical systems have impacted every North Carolina county with disastrous results; and

WHEREAS, North Carolina is repeatedly one of the leading states nationally for overall damage from hurricanes; and

WHEREAS, hurricanes and tropical storms can cause life-threatening hazards such as flooding, storm surge, destructive winds, tornadoes and landslides; and

WHEREAS, flooding claims lives every year, usually when motorists attempt to drive through flooded roadways, and

WHEREAS, people are less likely to be injured when they have prepared ahead of time and know what to do when a hurricane threatens North Carolina; and

WHEREAS, people should have an emergency plan and prepare their personal emergency supply kit to use at home or during an evacuation with enough food and water to sustain them and their families for three days or longer; and

WHEREAS, Cumberland County residents should know their evacuation routes and comply with local and state authorities when asked to evacuate; and

WHEREAS, Cumberland County Emergency Management works to inform and educate residents about how to plan, prepare and stay safe before, during and after a hurricane; and

WHEREAS, the observance of Hurricane Preparedness Week in Cumberland County provides better protection from the dangers of hurricanes and tropical storms.

*NOW THEREFORE, WE, the Board of Commissioners of Cumberland County, do hereby proclaim the week of May 24 – 30, 2015, as "**HURRICANE PREPAREDNESS WEEK**" in Cumberland County, and encourage all county residents to plan and prepare for hurricanes by assembling their emergency supply kits and updating their emergency plans.*

This 18th day of May, 2015.

*Kenneth S. Edge, Chairman
Cumberland County Board of Commissioners*

**COUNTY OF CUMBERLAND
BUDGET REVISION REQUEST**

Budget Office Use	
Budget Revision No.	<u>BLS 303</u>
Date Received	<u>4.30.15</u>
Date Completed	

Fund No. 101 Agency No. 431 Organ. No. 4329

Organization Name: Adult Health

ITEM NO. 24(1)a

REVENUE

Revenue Source Code	Description	Current Budget	Increase (Decrease)	Revised Budget
7670	MISC	-	3,000	3,000
Total		-	3,000	3,000

EXPENDITURES

Object Code	APRs	Unit	Description	Current Budget	Increase (Decrease)	Revised Budget
2393	217		Educational Materials	250	701	951
2992	217		Department Supply	1,100	1,796	2,896
3406	217		Dues and Subscriptions	300	140	440
3470	217		Travel- Employee	2,000	248	2,248
3474	217		Training	800	115	915
Total				4,450	3,000	7,450

Justification:

Budgeting funds received to support the Diabetes Education Program.

Funding Source:

State: _____
Other: 3,000

Federal: _____
Fees: _____

Fund Balance:

County: _____ New: _____
Prior Year: _____

Other: _____

Submitted By: <u>Carli York</u> Department Head	Date: <u>4/28/15</u>	Approved By: _____ Date: _____ County Manager Board of County Commissioners Date: _____
Reviewed By: <u>Kelly C. C. C.</u> Finance	Date: <u>4.30.15</u>	
Reviewed By: <u>Melissa Woodhouse</u> Deputy/Assistant County Mgr	Date: <u>5.12.15</u>	

Budget Office Use	
Budget Revision No.	B15-320
Date Received	5/7/2015
Date Completed	

ITEM NO. 24(2)a

revised 7-1-14

**COUNTY OF CUMBERLAND
BUDGET REVISION REQUEST**

Budget Office Use	
Budget Revision No.	<u>B15-325</u>
Date Received	<u>5/11/15</u>
Date Completed	

Fund No. 430 Agency No. 438 Organ. No. 4388
 Organization Name: JCP RESIDENTIAL GROUP HOMES

ITEM NO. 24(2)b

REVENUE

Revenue Source Code	Description	Current Budget	Increase (Decrease)	Revised Budget
432J	FOSTER CARE	236,999	(56,825)	180,174
4399	NC JCP RESIDENTIAL GROUP CARE	293,855	36,536	330,391
9110	TRANSFER FROM 101	181,789	16,271	198,060
Total		712,643	(4,018)	708,625

EXPENDITURES

Object Code	Appr Unit	Description	Current Budget	Increase (Decrease)	Revised Budget
2510	405	FUEL VEHICLE	7,692	(3,018)	4,674
3470	405	TRAVEL	1,000	(1,000)	-
Total			8,692	(4,018)	4,674

Justification:

To recognize additional available funds and to better align the budget with projected expenditures and revenue. The projected foster care board revenue is less than currently budgeted due to a decrease in the average number of placements and a lower reimbursement percentage for some of the placements based on their funding source.

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

Submitted By: [Signature]
 Department Head

Date: 5-4-15

Reviewed By: [Signature]
 Finance

Date: 5/11/15

Reviewed By: [Signature]
 Finance Director

Date: 5/12/15

Reviewed By: [Signature]
 Assistant County Manager

Date: 5-12-15

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

**COUNTY OF CUMBERLAND
BUDGET REVISION REQUEST**

Budget Office Use	
Budget Revision No.	<u>B15-325A</u>
Date Received	<u>5/11/15</u>
Date Completed	

Fund No. 101 Agency No. 437 Organ. No. 4366
 Organization Name: SOCIAL SERVICES - OTHER

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
-------------	-----------	-------------	----------------	---------------------	----------------

4380	243	AID TO AGED & DISABLED	2,005,690	(16,271)	1,989,419
3874 3474	244	TRANSFER TO 430	181,789	16,271	198,060

Total 2,187,479 - 2,187,479

Justification:

To shift available funds needed to balance the Org 4388 budget.

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

Submitted By: [Signature] Date: 5/11/15
 Department Head

Reviewed By: Bob Tucker Date: 5/11/15
 Finance

Reviewed By: Ricki Evans Date: 5/12/15
 Finance Director

Reviewed By: Nyssa Cardinale Date: 5-12-15
 Assistant County Manager

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

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

ITEM NO.

3A

MAY 8, 2015

MEMO TO: Cumberland County Board of Commissioners

FROM: Cumberland County Joint Planning Board

SUBJECT: **Case P15-09:** Rezoning of 8.42+/- acres from R6A to C2(P) Planned Service and Retail/CZ Conditional Zoning for retailing, office and trade contractor or to a more restrictive zoning district; located on the southwest side of SR 1126 (Brooklyn Circle), northeast of Lady Lane Road; submitted by Thomas D. Horne and Timothy Sealy on behalf of Directional Services Inc. (owner) and Greg Bagley.

ACTION: 1st motion for Case P15-09: 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 P15-09: Move to approve the rezoning for C2(P) Planned Service and Retail/CZ Conditional Zoning for trade contractor with open storage as recommended by the Planning Staff.

SITE PROFILE: Frontage & Location: 239.65' +/- on SR 1126 (Brooklyn Circle); **Depth:** 963.83' +/-; **Jurisdiction:** Cumberland County; **Adjacent Property:** Yes, south of subject property; **Current Use:** Woodlands; **Initial Zoning:** R6A – February 3, 1977 (Area 7); **Nonconformities:** None; **Zoning Violation(s):** None; **Surrounding Zoning:** North: C(P), R10 & R6A; South: C(P)/CU (retail & other uses), C3, C(P) & R6A; East: C3 & RR; West: R6A; **Surrounding Land Use:** Residential (including manufactured dwellings & multi-family), manufactured home park, vacant commercial building, strip mall, government office & woodlands; **2030 Land Use Plan:** Urban fringe; **Southwest Cumberland Land Use Plan:** Medium density residential, mixed housing types (including manufactured homes); **Special Flood Hazard Area (SFHA):** None; **Water/Sewer Availability:** PWC/Septic; **Soil Limitations:** Yes, hydric – TR Torhunta and Lynn Haven soils; **School Capacity/Enrolled:** Gallberry Farm Elementary: 900/889; South View Middle: 900/705; South View High: 1,800/1,777; **Subdivision/Site Plan:** If approved, "Ordinance Related Conditions" apply; **Municipal Influence Area:** Town of Hope Mills; **Average Daily Traffic Count (2012):** 2,400 on SR 1126 (Brooklyn Circle) & 16,000 on US Hwy 301 (Gillespie Street); **Highway Plan:** 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 – 90 lots/units (77 lots/units), Manufactured Home Park (67 mh spaces); Minimum Yard Setback Regulations: **R6A:** Front yard: 25', Side yard: 10', Rear yard: 15'; **C2(P):** Front yard: 50', Side yard: 30', Rear yard: 30'.

MINUTES OF APRIL 21, 2015

At the March 17, 2015 Planning Board meeting, the board requested and the applicant agreed to amend the application so that the primary access to the subject property will be through the applicant's adjacent site which fronts on US HWY 301 South. In modifying the main access to this site, the applicant addressed the staff's primary concern and the staff recommendation has been amended and is now requesting your consideration of a favorable recommendation for a C2(P) Planned Service and Retail/CZ Conditional Zoning district for trade contracting with open storage.

1st MOTION

The Planning and Inspections Staff recommends the board find the request is generally consistent with the adopted comprehensive plan designated as the *2030 Growth Vision Plan*, which calls for "urban fringe" at this location even though approval would allow for incompatible commercial encroachment into a residential area the primary access would not be from a residential street; and although the request is not consistent with the Southwest Cumberland Land Use Plan which calls for "medium density residential" at this location, if approved the proposed development could be a viable use of previously vacant land.

The staff also recommends the board further find that this request is reasonable and in the public interest because the district requested for the subject property with the amended site plan meets most of the location criteria of the adopted Land Use Policies Plan, in that: *public water and sewer required*, public sewer is not available; *should serve as a transition between heavy commercial, office & institutional or residential development*, this area is an established residential neighborhood, adjacent to heavy commercial, and *may be located along a street that is in transition from residential to non-residential through redevelopment and physical improvements*, the developer is proposing the primary access to be from US HWY 301 South a principal arterial, with Brooklyn Circle, a local residential street, only as an emergency access.

2nd MOTION

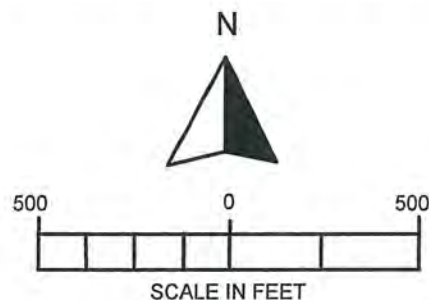
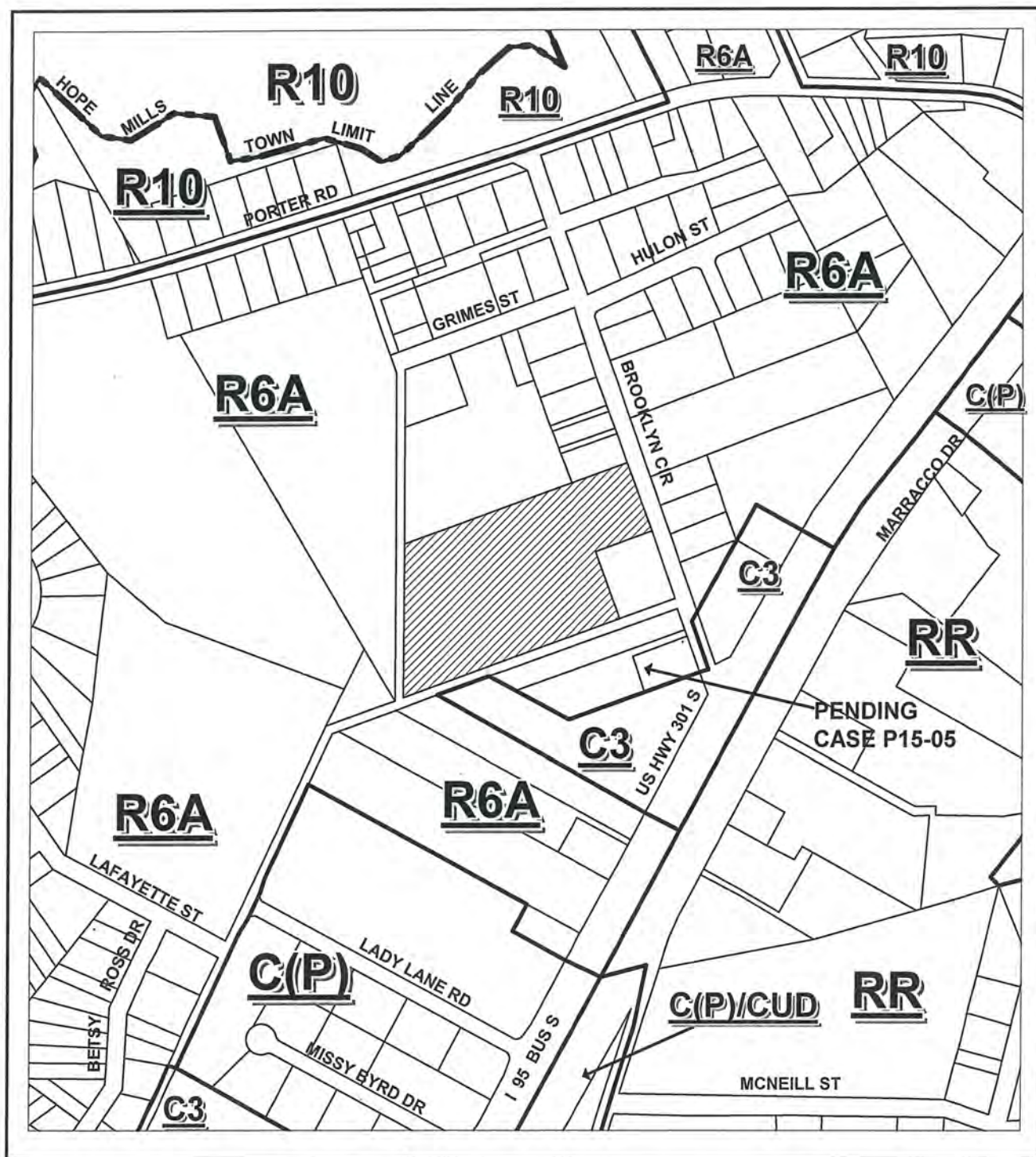
In addition to the above information, the Planning and Inspections Staff recommends the board recommend approval of Case No. P15-09 for the C2(P) Planned Service and Retail/CZ Conditional Zoning district for trade contracting with open storage based on the requested district of C2(P) and use as trade contractor with open storage being consistent with the adjacent commercial development.

There are no other districts considered suitable for this request. The property owner has voluntarily agreed to all "Ordinance Related Conditions."

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

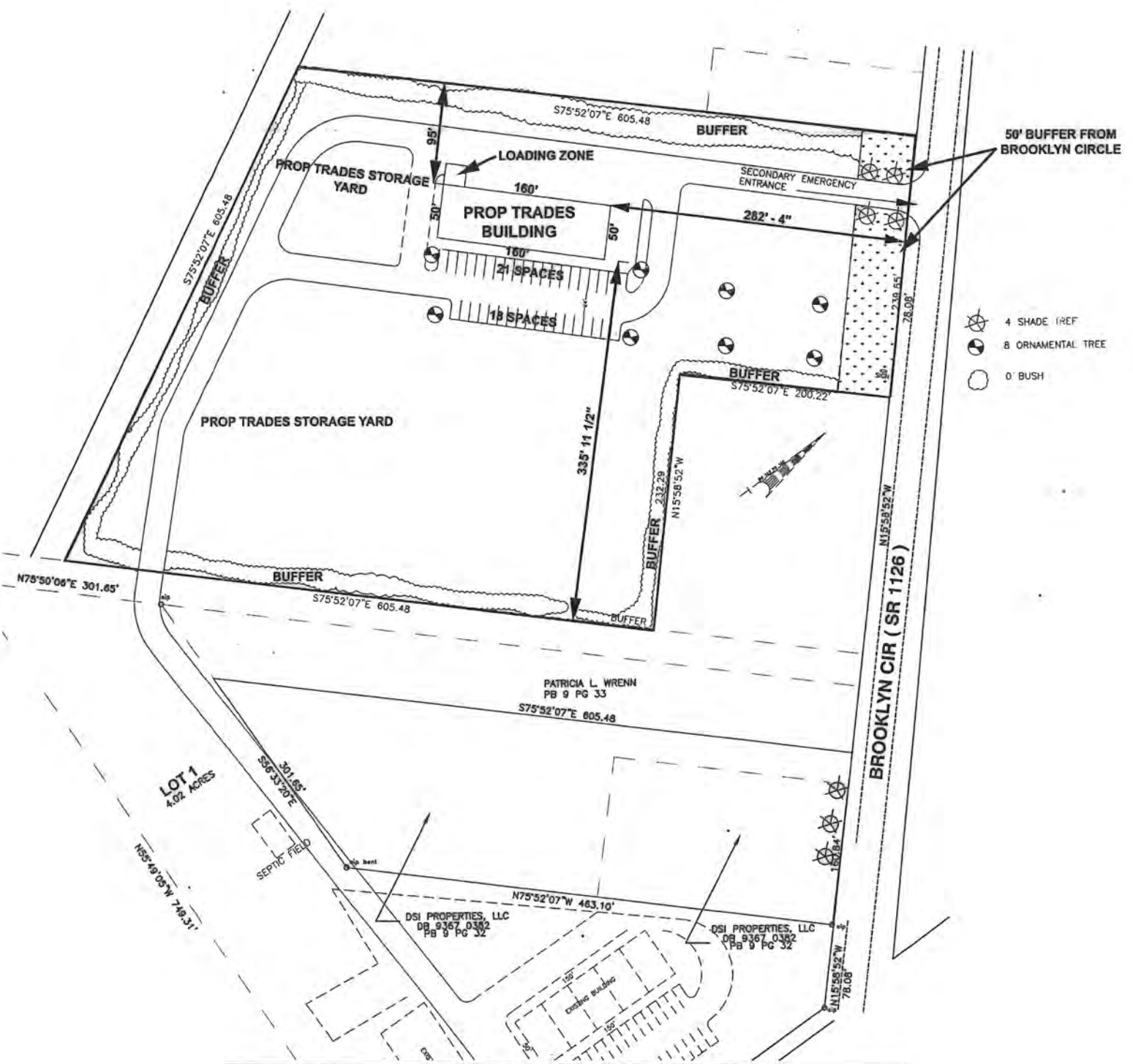


PIN: 0423-18-8993

REQUESTED REZONING R6A TO C2(P)/CZ

ACREAGE: 8.42 AC.+/-		HEARING NO: P15-09	
ORDINANCE: COUNTY		HEARING DATE	ACTION
STAFF RECOMMENDATION			
PLANNING BOARD			
GOVERNING BOARD			

12/19/2014
1/05/15
AM



**C2(P) PLANNED SERVICE AND RETAIL/ CZ CONDITIONAL ZONING
REQUESTED: TRADE CONTRACTOR & OUTSIDE STORAGE**

CASE: P15-09 ACREAGE: 8.42 AC +/-

SCALE: NTS PARKING: 39 SPACES

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

C2(P) PLANNED SERVICE AND RETAIL/CZ CONDITIONAL ZONING

DRAFT

Ordinance Related Conditions
for
Trade Contractor with Open Storage

Pre- Permit Related:

1. A recombination plat (also known as a "No Approval Required" or "NAR") must be submitted to Land Use Codes for review and approval for recording with the County Register of Deeds, and the plat must be recorded prior to any permit application for any structure and/or prior to the sale of any lot or unit within this development.
2. Three copies of a revised site plan for case number 08-190 showing through access for adjacent property must be submitted prior to application for any permits.
3. Three copies of a revised site plan must be submitted for review and approval prior to application for any permits, the revised plan must include:
 - A minimum of one off-street loading space for the 175' x 50' proposed building measuring 12' x 25' with 14' overhead clearance must be submitted for review and approval prior to application for any permits.

Permit-Related:

4. The owner/developer(s) of these lots must obtain detailed instructions on provisions of the County Zoning Ordinance and permits required to place any structure within this development from the County Code Enforcement Section, Room 101 in the Historic Courthouse at 130 Gillespie Street. For additional information, the developer should contact a Code Enforcement Officer.
5. The County Health Department must approve sewer plans prior to application for any permits. Site and soil evaluations must be conducted on the property by the County Environmental Health Department prior to application for permits. A copy of the Health Department approval must be provided to Code Enforcement at the time of application for any building/zoning permits. (Note: All Health Department requirements must be met prior to issuance of final permits.) (Section 2306 A, Water and Sewer, County Subdivision and Development Ordinance)
6. Connection to public water is required, the Public Works Commission (PWC) must approve water plans prior to application for any permits. A copy of the PWC approval must be provided to Code Enforcement at the time of application for building/zoning permits. (Section 2306 A.1, Public Water and Sewer Systems, County Subdivision and Development Ordinance)

Note: Due to an existing agreement between the PWC and the Town of Hope Mills, an annexation petition most likely will be required prior to the PWC's review of any utility plans.

7. The developer must provide a site-specific address and tax parcel number at the time of building/zoning permit application.
8. New development where the developer will disturb or intends to disturb more than one acre of land is subject to the Post-Construction Stormwater Management Permitting Program (Phase II Stormwater Management Requirements) administered by the Division of Water Quality, North Carolina Department of Environment and Natural Resources. If one acre or more of land is to be disturbed, prior to the issuance of any building/zoning permits for this site, a copy of the State's *Post-Construction Permit* must be provided to County Code Enforcement.
9. For any new development where the developer disturbs or intends to disturb more than one acre of land, the developer must provide the Code Enforcement Section with an approved NC Department of Environment and Natural Resources (NCDENR) sedimentation and erosion control plan (S&E) prior to any application for permits. (Note: If any retention/detention basins are required for state approval of this plan, then three copies of a revised plan must be submitted and approved by Planning &

Inspections prior to application for any building/zoning permits.) A copy of the NCDENR approval must be provided to Code Enforcement at the time of application for any building/zoning permits.

10. Landscaping must be provided in accordance with Section 1102 N, Landscaping, County Zoning Ordinance and/as shown on the site plan. The following are the minimum standards for the required landscaping of this site:
 - a. Four large shade trees or eight small ornamental trees within the front yard setback area along SR1126 (Brooklyn Circle);
 - b. Four ornamental trees and 16 shrubs are required in the building yard area;
 - c. Two large shade trees or four small ornamental trees are required within the parking area.

In addition:

- a. Required plant materials shall be maintained by the property owner, including replacing dead or unhealthy trees and shrubs; and
 - b. All yard and planting areas shall be maintained in a neat, orderly, and presentable manner and kept free of weeds and debris.
11. The building final inspection cannot be accomplished until a Code Enforcement Officer inspects the site and certifies that the site is developed in accordance with the approved plans.

Site-Related:

12. All uses, dimensions, setbacks and other related provisions of the County Subdivision and Development Ordinance and Zoning Ordinances for a trade contractor in the C2(P) zoning district and as shown on the site plan and/or included in the application must be complied with, as applicable.
13. This conditional approval is not approval of the permit for the freestanding sign. Attached signage for this development must be in accordance with the applicable sign regulations as set forth in Article XIII of the County Zoning Ordinance and that the proper permit(s) must be obtained prior to the installation of any permanent signs on the property. (Note: This conditional approval is **not** approval of the size, shape, or location of any signs.)
14. For any new development, an adequate drainage system must be installed by the developer in accordance with the NC Department of Environment and Natural Resources' (NCDENR) *Manual on Best Management Practices* and all drainage ways must be kept clean and free of debris. (Section 2306 D, County Subdivision and Development Ordinance)
15. For new development, all utilities, except for 25kv or greater electrical lines, must be located underground. (Section 2306 C, County Subdivision and Development Ordinance)
16. In the event a stormwater utility structure is required by the NC Department of Environment and Natural Resources (NCDENR), the owner/developer must secure the structure with a four foot high fence with a lockable gate, and is required to maintain the detention/retention basin, keeping it clear of debris and taking measures for the prevention of insect and rodent infestation.
17. The developer must obtain a driveway permit from the NC Department of Transportation (NCDOT). A copy of the approved driveway permit must be provided to Code Enforcement at the time of application for building/zoning permits.
18. Turn lanes may be required by the NC Department of Transportation (NCDOT).
19. All lighting is required to be directed internally within this development and comply with the provisions of Section 1102 M, Outdoor Lighting, County Zoning Ordinance.
20. All required off-street parking spaces is required to be a minimum of 9' x 20'; a minimum of one space for each vehicle used in the conduct of the trade, plus two additional spaces for each three employees on the largest shift is required for this development.
21. A solid buffer must be provided and maintained along the northern property lines where this tract/site abuts residentially zoned properties and the open storage must be screened from view from the public street in accordance with the provisions of Section 1102 G, Buffer Requirements, County Zoning Ordinance. (Note: Chain link fencing cannot be used to satisfy the buffer requirement.)

22. All dumpster, garbage, and utility areas shall be located on concrete pads and screened on a minimum of three sides.

Plat-Related:

23. "Brooklyn Circle" must be labeled as "SR 1126 (Brooklyn Circle)" on the recombination plat.
24. Prior to submission of the recombination plat for approval for recording, a fire hydrant must be installed along SR 1126 (Brooklyn Circle); hydrants must be located no further than 1,000 feet apart and at a maximum of 300 feet from any lot.
25. Any/All easements must be reflected on the recombination plat and labeled as to type of easement, reference number for document creating the easement, and the name of the agency, individual, etc. who holds the easement.
26. The notarized signature(s) of all current tax record owner(s) and notary certifications appear on the recombination plat when submitted for approval for recordation. (Section 2503 D, Certificate of Ownership and Dedication, County Subdivision and Development Ordinance)

Plat-Required Statements:

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

"The individual lots in this development do not have public sewer services available, and no lots have been approved by the Health Department for on-site sewer services at the date of this recording."

28. All structures shall be shown on the recombination plat or the plat shall reflect the following statement (Section 2504 D, County Subdivision and Development Ordinance):

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

Other Relevant Conditions:

29. The applicant is advised to consult an expert on wetlands before proceeding with any development.
30. All notes and calculations as shown on the site plan are to be considered as a part of this conditional approval. This conditional approval is not approval of the area labeled "Future Retail."
31. The subject property is located within the Town of Hope Mills Municipal Influence Area (MIA) and the town has tree preservation standards in their ordinances. The developer is encouraged to retain as many of the existing trees as possibly on this site.
32. The owner/developer is responsible for ensuring easements which may exist on the subject property are accounted for, not encumbered and that no part of this development is violating the rights of the easement holder.

Thank you for choosing Cumberland County for your business location!

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

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

Improvements Inspections:	Jeff Barnhill	678-7765
Subdivision/Site Plan/Plat	Ed Byrne	678-7609
Code Enforcement (Permits):	Ken Sykes	321-6654
County Building Inspections:	Gary Faulkner	321-6648
Fire Marshal – Emergency Services	Rodney Ward	321-6625
County Health Department:	Daniel Ortiz	433-3680

Ground Water Issues:	Matt Rooney	678-7625
PWC:	Heidi Maly	223-4737
Town of Hope Mills:		424-4555*
Town Clerk:	Melissa P. Adams	
County Public Utilities:	Amy Hall	678-7637
Corp of Engineers (wetlands):	Emily Greer	(910) 251-4049
NCDENR (E&S):	Brad Cole	433-3300
Location Services:		
Site-Specific Address:	Ron Gonzales	678-7616
Tax Parcel Numbers:		678-7549
NCDOT (driveways/curb-cuts):	Gary Burton	486-1496
N.C. Division of Water Quality:	Mike Randall	(919) 733-5083 ext. 545
United States Postal Service	Terry Carr	(704) 393-4466

*This is the main telephone number for the Town of Hope Mills; once connected, the caller will be directed to the various departments.

cc: Mike Bailey, Town of Hope Mills

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

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

1. Applicant/Agent C. Gregory Bagley
2. Address: 805 Cokesbury Road Zip Code 27526
3. Telephone: (Home) _____ (Work) 919-609-0300
4. Location of Property: SW BROOKLYN CIRCLE NW I-95
5. Parcel Identification Number (PIN #) of subject property: 423-18-8993
(also known as Tax ID Number or Property Tax ID)
6. Acreage: 8.42 Frontage: 220' Depth: 605'
7. Water Provider: PWC Septage Provider: Septic Field
8. Deed Book 9367, Page(s) 382, Cumberland County Registry. (Attach copy of deed of subject property as it appears in Registry).
9. Existing use of property: VACANT
10. Proposed use(s) of the property: Trade Contracting with
Storage

NOTE: Be specific and list all intended uses.

11. Do you own any property adjacent to, including across the street from, the property being submitted for rezoning? Yes ☒ No _____
12. Has a violation been issued on this property? Yes _____ No ☒
13. It is requested that the foregoing property be rezoned FROM: R6A

TO: (Select one)

- ☒ Conditional Zoning District, with an underlying zoning district of C2(P)
(Article V)
- _____ Mixed Use District/Conditional Zoning District (Article VI)
- _____ Planned Neighborhood District/Conditional Zoning District (Article VII)
- _____ Density Development/Conditional Zoning District, at the _____ Density
(Article VIII)

APPLICATION FOR
CONDITIONAL ZONING

1. PROPOSED USE(S):

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

Trade Contractor B.

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

SEE Site PLAN

2. DIMENSIONAL REQUIREMENTS:

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

SEE Site PLAN

- B. Off-street parking and loading, Sec. 1202 & 1203: List the number of spaces, type of surfacing material and any other pertinent information.

SEE Site PLAN

3. SIGN REQUIREMENTS:

Reference the district sign regulations proposed from Article XIII.

SEE Site PLAN

4. LANDSCAPE AND BUFFER REQUIREMENTS:

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

SEE SITE PLAN

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

SEE SITE PLAN

5. MISCELLANEOUS:

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


N/A


6. SITE PLAN REQUIREMENTS:

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

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

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


SIGNATURE OF OWNER(S)


SIGNATURE OF OWNER(S)

C. Gary Bagley
SIGNATURE OF AGENT, ATTORNEY, OR APPLICANT

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

MAY 8, 2015

ITEM NO. 3B

MEMO TO: Cumberland County Board of Commissioners

FROM: Cumberland County Joint Planning Board

SUBJECT: **Case P15-21:** Rezoning of .21+/- acre from C1(P) Planned Local Business to R7.5 Residential or to a more restrictive zoning district, located at 3835 Cumberland Road, submitted by Geoffrey D. and Ann S. Kieser (owners).

ACTION: 1st motion for Case P15-05: 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 P15-21: Move to approve the rezoning for R7.5 Residential district as recommended by the Planning Staff.

SITE PROFILE: **Frontage:** 75.56' +/- on SR 1141 (Cumberland Road); **Depth:** 123.97' +/-; **Jurisdiction:** Cumberland County; **Adjacent Property:** No; **Current Use:** 1 residential structure; **Initial Zoning:** C1(P) – November 17, 1975 (Area 4); **Nonconformities:** Existing residential structure & use are nonconforming; **Zoning Violation(s):** None; **Surrounding Zoning:** North: R6A/CU (motor vehicle repair), R6A/CU (cabinet shop), C3, C1(P), R10, R6A & R6; South: RR/CU (trade contractor), R10/CU (motor vehicle wrecking yard), M2, RR, R10, R6A, R6 & R5A; East: C3, C2(P), C1(P), RR & R6A; West: C3, C2(P) & R10; **Surrounding Land Use:** Residential (including manufactured dwellings), manufactured home park (5), office, motor vehicle repair, motor vehicle storage lot, retail, convenience retail w/ gasoline sales & farmer's market; **2030 Land Use Plan:** Urban; **Southwest Cumberland Land Use Plan:** Heavy commercial; **Special Flood Hazard Area (SFHA):** None; **Water/Sewer Availability:** PWC/Septic; **Soil Limitations:** None; **School Capacity/Enrolled:** Cumberland Road Elementary: 457/403; Ireland Drive Middle (6): 340/354; Douglas Byrd Middle (7-8): 700/743; Douglas Byrd High: 1,280/1,175; **Subdivision/Site Plan:** If approved, new development may require review and approval; **Municipal Influence Area:** City of Fayetteville; **Average Daily Traffic Count (2012):** 26,000 on SR 1141 (Cumberland Road); **Highway Plan:** Cumberland Road is identified in the Highway Plan as a Minor Arterial. 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: R7.5 – 1 lot/unit; Minimum Yard Setback Regulations: **R7.5:** Front yard: 30', Side yard: 10', Rear yard: 35'; **C1(P):** Front yard: 45', Side yard: 15', Rear yard: 20'.

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. P15-21 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 would allow development at less than 5.8 units per acre. The requested district is not consistent with the Southwest Cumberland Land Use Plan which calls for "heavy commercial" at this location; however, the residential structure on the subject property has been in existence since 1965.

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 generally meets or exceeds the location criteria of the adopted Land Use Policies Plan, in that: *public or community water and public sewer are required*, public sewer is not available; *direct access to a public street is required*, Cumberland Road is a minor arterial; and the subject property is *not located in any defined critical area as defined by the Fort Bragg Small Study Area*.

2nd MOTION

In addition to the above information, the Planning and Inspections Staff also recommends the board approve Case No. P15-21 for R7.5 Residential district based on the following:

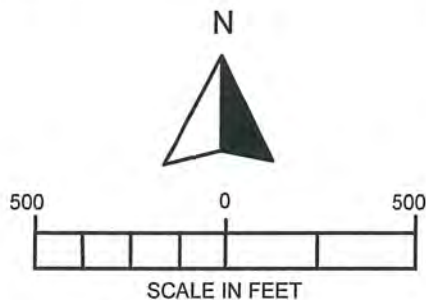
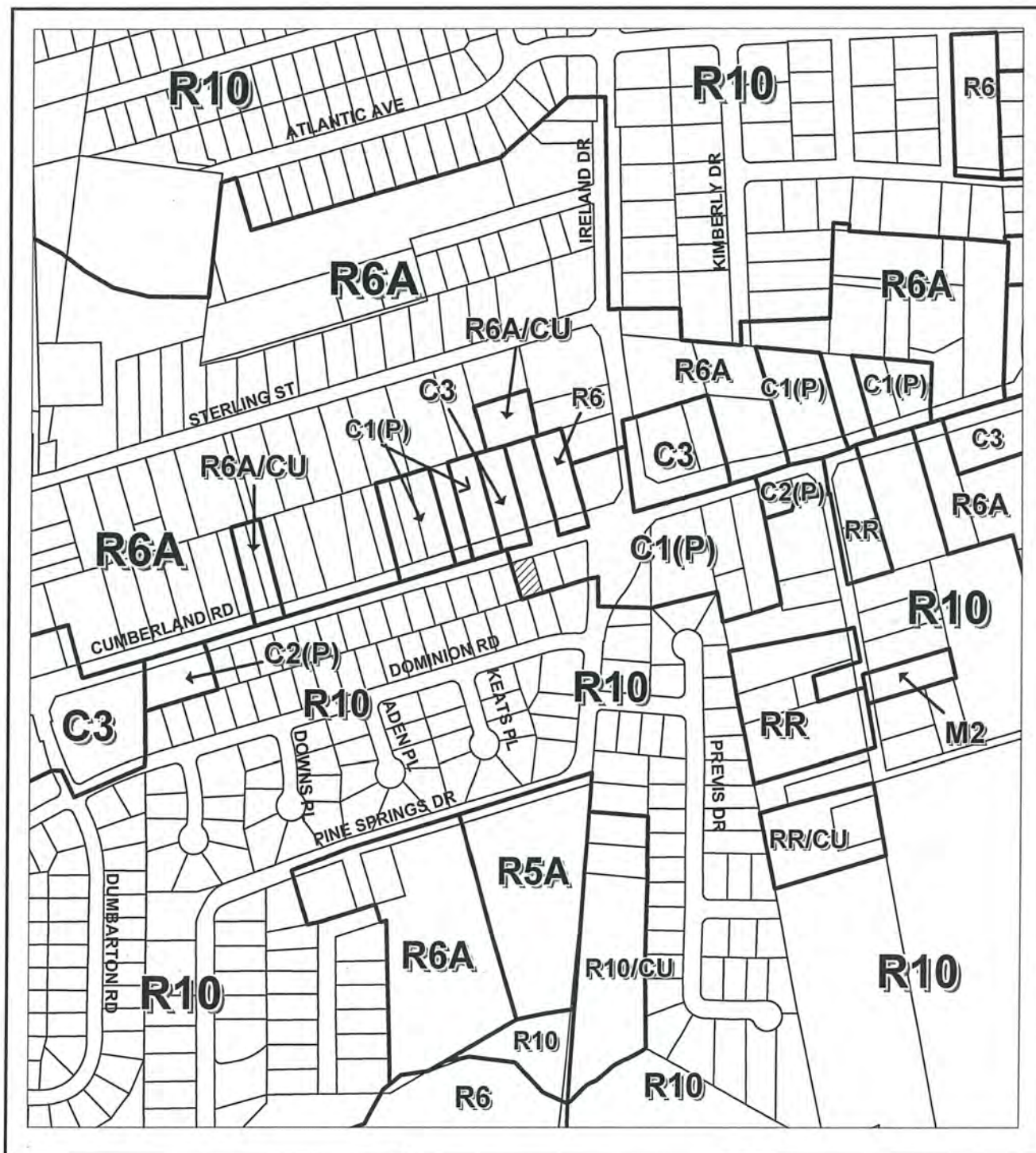
1. The R7.5 Residential district will allow for land uses and lot sizes that exist in the general area; and
2. The request is logical as the subject and several surrounding properties were initially zoned C1(P) in 1975 but have mostly remained legal nonconforming residential or are undeveloped.

There are no other districts considered suitable for this request.

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



PIN: 0415-79-6560

REQUESTED REZONING C1(P) TO R7.5

ACREAGE: 0.21 AC.+/-		HEARING NO: P15-21	
ORDINANCE: COUNTY		HEARING DATE	ACTION
STAFF RECOMMENDATION			
PLANNING BOARD			
GOVERNING BOARD			

AM

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

MAY 8, 2015

ITEM NO.

3C

MEMO TO: Cumberland County Board of Commissioners

FROM: Cumberland County Joint Planning Board

SUBJECT: **Case P15-22:** Rezoning of 1.58+/- acres from R10 Residential to C1(P) Planned Local Business or to a more restrictive zoning district; located on the northwest side of NC Hwy 210 (Lillington Hwy), southeast of SR 1451 (E Manchester Road); submitted by William S. Wellons, Jr. on behalf of W.S. Wellons Corporation (owner).

ACTION: 1st motion for Case P15-22: 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 P15-22: Move to approve the rezoning for C1(P) Planned Local Business as recommended by the Planning Staff.

SITE PROFILE: **Frontage:** 314.05'+/- on NC Hwy 210 (Lillington Highway); **Depth:** 310.00'+/-; **Jurisdiction:** Cumberland County; **Adjacent Property:** No; **Current Use:** Vacant land; **Initial Zoning:** R10— January 11, 1977 (Area 11); **Nonconformities:** None; **Zoning Violation(s):** None; **Surrounding Zoning:** North: C1(P), O&I(P), RR, R10, R6 (SL) & R6A; South: M1(P), C(P), C1(P), O&I(P), RR (SL), R10, R6A, R6 (SL) & CD; East: C1(P), R6 & R6A; West: R10; **Surrounding Land Use:** Residential (including manufactured dwellings), substation, restaurants (2), bar, manufactured home parks (2), grocery store & woodlands; **2030 Land Use Plan:** Urban; **Spring Lake Area Detailed Land Use Plan:** Low density residential; **Special Flood Hazard Area (SFHA):** None; **Water/Sewer Availability:** Town of Spring Lake /Septic; **NORCRESS:** Cumberland County has received funding to install a sewer system in that area; construction to begin summer 2015; **Soil Limitations:** Yes, hydric – WMB Wickham fine sandy; **School Capacity/Enrolled:** Lillian Black Elementary: 265/221; Spring Lake Middle: 700/488; Pine Forest High: 1,750/1,597; **Subdivision/Site Plan:** If approved, new development will require a review and approval; **US Fish & Wildlife:** No objection to rezoning; however, concerned about loss of trees for dispersal corridor for red-cockaded woodpeckers; **Municipal Influence Area:** Town of Spring Lake; **Average Daily Traffic Count (2012):** 19,000 on NC Hwy 210 (Lillington Highway); **Highway Plan:** NC Hwy 210 (Lillington Highway) is identified in the highway plan as a Principal Arterial that is designated as needing improvement. The current right-of-way is 110 feet; **Notes:** Density (minus 15% for R/W): R10 (R7.5) – 9 lots/units (7 lots/units); Minimum Yard Setback Regulations: **R10 (R7.5):** Front yard: 30', Side yard: 10', Rear yard: 35'; **C1(P):** Front yard: 45', Side yard: 15', Rear yard: 20'.

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. P15-22 is consistent with the adopted comprehensive plan designated as the *2030 Growth Vision Plan*, which calls for "urban" at this location as approval would be consistent with the zoning for adjacent property under the same ownership. The request is not consistent with the Spring Lake Detailed Land Use Plan which calls for "low density residential" at this location, however, the request is logical as there is public water available and Cumberland County has received funding to install a public sewer system in that area.

The staff also recommends the board approve this rezoning request as it is reasonable and in the public interest because the district requested for the subject property meets most of the location criteria of the adopted Land Use Policies Plan, in that: *public water and sewer required*, the criteria not met is public sewer which has been funded; *should serve as a transition between heavy commercial, office & institutional or residential development*, and *should provide convenient goods and services to the immediate surrounding neighborhood*.

2nd MOTION

In addition to the above information, the Planning and Inspections Staff recommends the board approve Case No. P15-22 for the C1(P) Planned Local Business district based on the following:

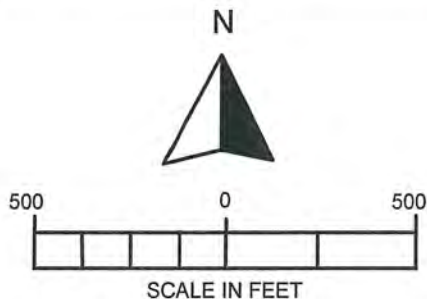
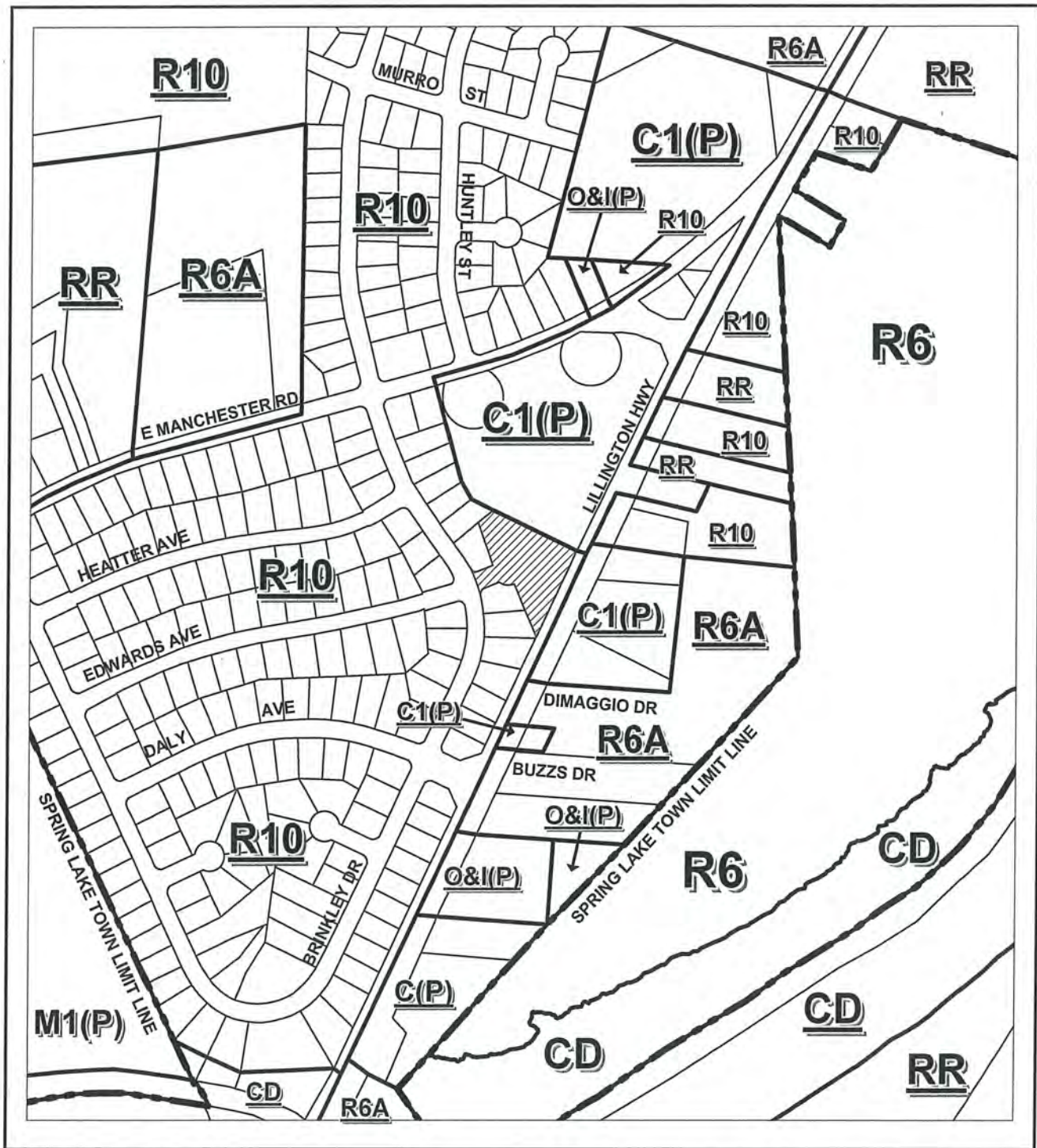
- The location and character of the requested district will be in harmony with the general area.

The O&I(P) district may also be considered suitable for this request at this location.

Mr. Pearce made both of the motions referenced above, seconded by Mrs. Wheatley, 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 R10 TO C1(P)

ACREAGE: 1.58 AC. +/-

HEARING NO: P15-22

ORDINANCE: COUNTY

HEARING DATE

ACTION

STAFF RECOMMENDATION

PLANNING BOARD

GOVERNING BOARD

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
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Deputy Director

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

Benny Pearce,
Town of Eastover

MAY 8, 2015

ITEM NO. 3D

MEMO TO: Cumberland County Board of Commissioners

FROM: Cumberland County Joint Planning Board

SUBJECT: **Case P15-23:** Rezoning of 1.30+/- acres from A1 Agricultural to R20 or to a more restrictive zoning district, located at 8477 and 8495 Clinton Road, submitted by Horace T. Cashwell heirs (owners).

ACTION: 1st motion for Case P15-23: 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 P15-23: Move to deny the rezoning for R20 Residential, but approval of RR Rural Residential as recommended by the Planning Staff.

SITE PROFILE: **Frontage & Location:** 326.35'+/- on NC Hwy 24 (Clinton Road); **Depth:** 212.66'+/-; **Jurisdiction:** Cumberland County; **Adjacent Property:** No; **Current Use:** 1 stick built structure & 1 manufactured dwelling; **Initial Zoning:** A1 – September 3, 1996 (Area 20); **Nonconformities:** Yes, lot contains less than minimum size requirement; **Zoning Violation(s):** None; **Surrounding Zoning:** North, South & West: A1; East: C(P) & A1; **Surrounding Land Use:** Residential (including multi-family & manufactured dwellings), club, tower, religious worship, vacant commercial structure, motor vehicle repair, substation, farmland & woodlands; **2030 Land Use Plan:** Rural; **Special Flood Hazard Area (SFHA):** None; **Water/Sewer Availability:** Stedman/Septic; **Soil Limitations:** None; **School Capacity/Enrolled:** Stedman Primary (K-1): 200/172; Stedman Elementary (2-5): 300/291; Mac Williams Middle: 1,270/1,169; Cape Fear High: 1,425/1,541; **Subdivision/Site Plan:** If approved, new development may require review and approval; **Average Daily Traffic Count (2012):** 9,200 on NC Hwy 24 (Clinton Road); **Highway Plan:** Clinton Road is identified in the Highway Plan as a Principal Arterial. There is currently a bypass project under construction near the subject property; **Notes:** Density: A1 – 1 lot/unit, RR/R20 – 3 lots/units; Minimum Yard Setback Regulations: **A1:** Front yard: 50', Side yard: 20', Rear yard: 50'; **RR/R20:** Front yard: 30', Side yard: 15', Rear yard: 35'.

MINUTES OF APRIL 21, 2015

1st MOTION

The Planning and Inspections Staff recommends the board find that denial of R20 Residential but approval of RR Rural Residential district for Case No. P15-23 is consistent with the adopted comprehensive plan designated as the 2030 Growth Vision Plan, which calls for "rural" at this location because the district requested will allow for development at 2.2 units per acre.

The staff recommends the board further find that approval of the recommended rezoning is reasonable and in the public interest because the district requested for the subject property meets or exceeds the location criteria of the adopted Land Use Policies Plan, in that: *septic system allowed based on soil type, lot size and distance from public sewer; must have direct access to a public street, Clinton Road is a principal arterial; must not be located in any defined critical area as defined by the Fort Bragg Small Study Area.*

2nd MOTION

The Planning and Inspections Staff recommends denial of the requested district of R20 Residential but approval of the RR Rural Residential district. In addition to the above information, the Planning and Inspections Staff recommends the board approve Case No. P15-23 for RR Rural Residential based on the following :

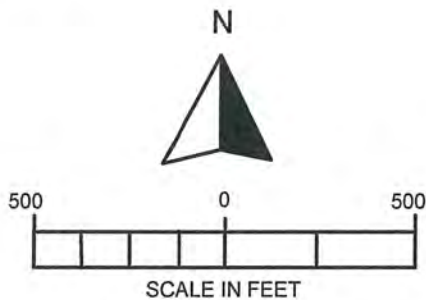
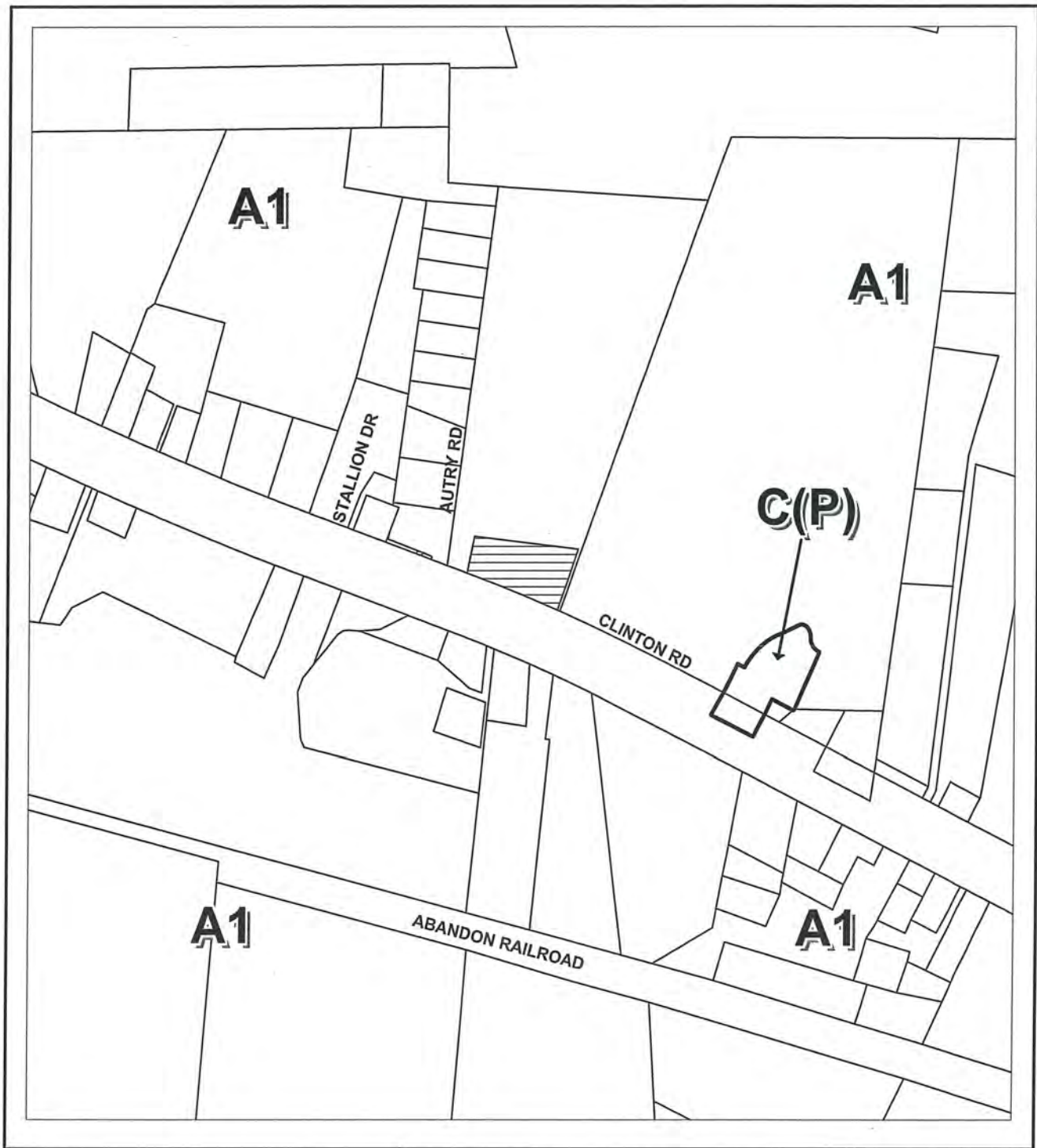
- The RR Rural Residential district will cure the nonconformity of the existing lot size that was created by the widening of Clinton Road.

The applicant has verbally agreed with the staff recommendation. There are no other districts considered suitable for this request due to lack of sewer availability.

Mr. Pearce made both of the motions referenced above, seconded by Mrs. Wheatley, 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 A1 TO R20

ACREAGE: 1.30 AC.+/-

HEARING NO: P15-23

ORDINANCE: COUNTY

HEARING DATE

ACTION

STAFF RECOMMENDATION

PLANNING BOARD

GOVERNING BOARD

PIN: 1405-07-0539

AM

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

MAY 8, 2015

ITEM NO. 3E

MEMO TO: Cumberland County Board of Commissioners

FROM: Cumberland County Joint Planning Board

SUBJECT: **Case P15-25:** Revision and amendment to the Cumberland County Zoning Ordinance by amending Article II Interpretations, Calculations, and Definitions, Section 202. Methods of Calculations, creating provisions for the measurement of height and Section 203. Definitions of Specific Terms and Words, specifically amending *Public Utility Station* and creating a definition for *Solar Farms*; amending Article IV Permitted, Conditional, and Special Uses, Section 403. Use Matrix by inserting *SOLAR FARMS* as a land use classification allowed as a permitted (P) use in the A1 Agricultural and the M1(P) and M(P) Industrial zoning districts; amending Article IX Individual Uses, creating Section 924.1 entitled: *Solar Farms*, inclusive of sub-sections A through H; and updating the table of contents as appropriate.

ACTION: 1st motion for Case P15-25: Move to find the text amendment 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 Land Use Codes Committee.

2nd motion for Case P15-23: Move to approve the text amendment for solar farms in the County as recommended by the Land Use Codes Committee.

MINUTES OF APRIL 21, 2015

1st MOTION

The Land Use Codes Committee recommends the board find that approval of the text amendment in Case No. P15-25 is consistent with the adopted comprehensive plan designated as the *2030 Growth Vision Plan*, in particular with the Policies and Actions of: Policy Area 1: A More Diversified Local Economy; and Policy Area 2: Well Managed Growth and Development.

The committee further recommends the board find that approval of the text amendment is reasonable and in the public interest because the growing solar farm movement can be a vehicle for economic development.

2nd MOTION

The Land Use Codes Committee recommends approval of Case No. P15-25 for a text amendment creating provisions for solar farms in the County based on the following:

If approved, the proposed amendment would define and permit solar farms as well as provide development criteria that would ensure that minimum standards are met.

Mr. Pearce made both of the motions referenced above, seconded by Mrs. Wheatley, to follow the Land Use Codes Committee recommendation and approve the text amendment. The motions passed unanimously.

P15-25
County Zoning Ordinance
Text Amendment
(Solar Farms)

REVISION AND AMENDMENT TO THE CUMBERLAND COUNTY ZONING ORDINANCE, BY AMENDING ARTICLE II INTERPRETATIONS, CALCULATIONS, AND DEFINITIONS, SECTION 202. METHODS OF CALCULATIONS CREATING PROVISIONS FOR THE MEASUREMENT OF HEIGHT AND SECTION 203. DEFINITIONS OF SPECIFIC TERMS AND WORDS, SPECIFICALLY *PUBLIC UTILITY STATION* AND *SOLAR FARMS*; AMENDING ARTICLE IV PERMITTED, CONDITIONAL, AND SPECIAL USES, SECTION 403 USE MATRIX BY INSERTING *SOLAR FARMS* AS A LAND USE CLASSIFICATION ALLOWED AS A PERMITTED (P) USE IN THE A1 AGRICULTURAL AND THE M1(P) AND M(P) INDUSTRIAL ZONING DISTRICTS; AMEND ARTICLE IX INDIVIDUAL USES CREATING SECTION 924.1, ENTITLED: *SOLAR FARMS*, INCLUSIVE OF SUB-SECTIONS A THROUGH H; AND UPDATING THE TABLE OF CONTENTS AS APPROPRIATE.

AMEND Article II Interpretations, Calculations, and Definitions, Section 202. Methods of Calculation, C. Calculations of Measurements, by CREATING a new sub-section 4, *entitled: Height*, to read as indicated below:

Section 202. Methods of Calculations.

C. Calculations of Measurement. The spatial separations required by this ordinance shall be calculated as follows:

1. Distance. By drawing a straight line from the closest point on the perimeter of the exterior wall of the site being measured to the closest point of the property line in question.

2. Separation from a Use/Structure. By drawing a straight line from the closest point on the perimeter of the exterior wall, structure or bay to another structure, the property line, or a well or septic, as applicable.

3. Area. Multiplying the length times the width and then further calculate to provide total acreage or square footage.

4. Height. Measuring from grade to the apex of the structure being measured, except that antennas added to an approved tower shall not be counted toward the height of the structure.

AMEND Article II Interpretations, Calculations, and Definitions, Section 203. Definitions of Specific Terms and Words, by MODIFYING the definition for *Public Utility Station* by

INSERTING the term *solar farm* as an exclusion from public utility station and INSERTING the term *Solar Farm* in alphabetical order CREATING the associated definition, to read as indicated below:

Section 203. Definitions of Specific Terms and Words

Public Utility Station: A structure or facility used by a public or quasi-public utility agency to store, distribute or generate electricity, gas, communications and related equipment or to pump or chemically treat water. This does not include solar farms, storage or treatment of sewage, solid waste or hazardous waste. (Amd. 01-19-10)

Solar Farm: The components and subsystems required to convert solar energy into electric or thermal energy suitable to supply merchant power to the electricity grid. The area of the system includes all the land inside the perimeter of the system, which extends to any fencing, land area required for setbacks, landscaping and signage. This term applies, but is not limited to, solar photovoltaic (PV) systems and solar thermal systems. This term does not apply to roof mounted on any code-compliant structure, ground mounted and in compliance with accessory structure provisions as contained within this ordinance, or any building integrated solar (i.e., shingle, hanging solar, canopy).

AMEND Article IV Permitted, Conditional, and Special Uses, Section 403 Use Matrix, by INSERTING the term *Solar Farms* in alphabetical order in the LAND USES column, with a "P" in the solar farms row under the A1, M1(P) and M(P) ZONING CLASSIFICATIONS columns

Section 403. Use Matrix

(See Use Matrix attached to this text amendment.)

AMEND Article IX Individual Uses, by CREATING a new Section 924.1, entitled: *SOLAR FARMS*, inclusive of sub-sections A through H, with the contents to read as follows:

Section 924.1. Solar Farms

A. Solar farms shall be located on a minimum 20-acre tract and shall comply with the minimum yard setbacks for the zoning district in which the property is located.

B. Solar farms shall not be constructed over any onsite waste water system unless otherwise specifically approved by the County's Environmental Health Department.

C. Every component of the solar farm shall be limited to a maximum of 20 feet in height; this provision shall not include the interconnection poles, substation equipment or other devices necessary for the electricity to be delivered to the public utility station.

D. Streetscape landscaping and buffering as required in Section 1102 shall be provided.

E. The military Garrison Commander or the commander's representative shall be afforded a maximum of ten days to comment on any proposed solar farm site plan submittal.

F. After site plan approval and prior to permit application, the developer must submit the Federal Aviation Administration's FAA Form 7460-1, filed under Part 77 and included in the Obstruction Evaluation Program, in which the FAA must determine the proposed solar farm to be no obstruction/hazard to air traffic. For all proposed solar farms within five miles of the Fayetteville Regional Airport, a solar glare analysis, with the Airport Director's approval, indicating "no glare" shall be attached to the Form 7460-1 and included with the Form 7460-1 when presented for permit application. The Solar Glare Hazard Analysis Tool (SGHAT) may be found at www.sandia.gov/glare.

G. In the event power production ceases for a period of six (6) months, the owner of the real property upon which the solar farm is located shall remove from the site all the components of the solar farm, to include equipment, conduit, structures, foundations and any other improvements or devices used in the installation or operation of the solar farm and dispose of these components in accordance with applicable law. The owner's failure to remove and dispose of these components within nine (9) months from the date which power production ceases shall constitute an unlawful condition existing upon or use of the real property which may be enforced by all the remedies available under this ordinance and N.C.G.S. § 153A-123.

H. All Federal, State and other local regulations shall be complied with.

(Partial Representation of Cumberland County Zoning Ordinance, Section 403. Use Matrix)

SECTION 403. USE MATRIX

CUMBERLAND COUNTY ZONING ORDINANCE

P = PERMITTED USE

S = SPECIAL USE (Sec. 1606 Board of Adjustment approval required)

Z = CONDITIONAL ZONING (Article V – County Commissioners approval required) (Amd. 04-18-11)

LAND USES	ZONING CLASSIFICATIONS																					
	CD	A1	A1A	R40	R40A	R30	R30A	RR	R20	R20A	R15	R7.5	R6	R6A	R5	R5A	O&I(P)	C1(P)	C2(P)	C(P)	M1(P)	M(P)

SECOND-HAND, PAWN AND FLEA MARKET (Sec. 923)																				P		
SEPTAGE DISPOSAL SITE		P																			P	P
SEXUALLY ORIENTED BUSINESSES (Sec. 924)																				S		P
SHEET METAL FABRICATION																						P
SOLAR FARMS		P																			P	P
SOLID WASTE DISPOSAL FAC. (Sec. 925)		S	S																			S
SPECIAL INFORMATION SIGNS (Sec. 1304 D)	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S
STORAGE-FLAMMABLE																						P

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. 4

OFFICE OF THE COUNTY MANAGER

MEMORANDUM FOR BOARD OF COMMISSIONERS AGENDA MAY 18, 2015

TO: BOARD OF COUNTY COMMISSIONERS

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

FROM: W. TRACY JACKSON, ASST. COUNTY MANAGER *WJ*

DATE: MAY 8, 2015

SUBJECT: SUPPORT FOR THE GROVEVIEW TERRACE PROJECT

BACKGROUND

Cumberland County has been approached by the Fayetteville Metropolitan Housing Authority (FMHA) and Duggins-Smith Companies seeking financial support to demolish the old Groveview Terrace Public Housing Complex and reconstruct approximately 272 low income housing units in its place. FMHA has committed to providing 14 units designated for homeless families at or below the 40% Area Median Income (AMI)*.

Funding commitments have been secured from the City of Fayetteville and PWC. A commitment from Cumberland County of \$100,000, in the form of a CDBG grant earmarked for demolition expenses, subject to appropriation and HUD's approval, is being sought to help with the project.

RECOMMENDATION/PROPOSED ACTION

Staff recommends approval of a letter of commitment, subject to appropriation, in an amount of \$100,000 in the form of a CDBG grant to assist in demolition expenses associated with the proposed Groveview Terrace Project.

**Note: The at or below 40% AMI represents a total household income that is at or below 40% of the area median income limits. For Cumberland County, NC, the median income is \$54,300 for a family of 4, therefore, 40% of the \$54,300 would be approximately \$21,700 (maximum annual income) for a family of 4. Which means the housing units designated for the homeless would serve the population with incomes that are at or below \$21,700 for a household consisting of 4 people.*

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CUMBERLAND COUNTY FINANCE COMMITTEE
COURTHOUSE, 117 DICK STREET, 5TH FLOOR, ROOM 564
MAY 7, 2015 - 9:30 AM
MINUTES

MEMBERS PRESENT: Commissioner Marshall Faircloth, Chairman
Commissioner Larry Lancaster

MEMBER ABSENT: Commissioner Jeannette Council

OTHER COMMISSIONERS

PRESENT: Commissioner Jimmy Keefe
Commissioner Charles Evans

OTHERS: Amy Cannon, County Manager
James Lawson, Deputy County Manager
Melissa Cardinali, Assistant County Manager
Tracy Jackson, Assistant County Manager
Rick Moorefield, County Attorney
Vicki Evans, Finance Director
Sally Shutt, Governmental Affairs Officer
Sylvia McLean, Community Development Director
Dawn Driggers, Fayetteville Metropolitan Housing
Authority
Murray Duggins, Duggins-Smith Companies
James Smith, Duggins-Smith Companies
Candice White, Clerk to the Board
Press

Commissioner Faircloth called the meeting to order.

1. APPROVAL OF MINUTES – APRIL 2, 2015 REGULAR MEETING

MOTION: Commissioner Lancaster moved to approve the April 2, 2015 meeting minutes.
SECOND: Commissioner Faircloth
VOTE: UNANIMOUS (2-0)

2. CONSIDERATION OF PROPOSED SUPPORT FOR THE GROVE VIEW TERRACE PROJECT

BACKGROUND:

Cumberland County has been approached by the Fayetteville Metropolitan Housing Authority (FMHA) and Duggins-Smith Companies seeking financial support to demolish the old Grove View Terrace Public Housing Complex and reconstruct approximately 240 - 272 low income housing units in its place. Staff has emphasized the need for an unspecified number of housing

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units that will help address homeless needs in the community. A specific commitment needs to be further defined at this point.

Funding commitments have already been secured from the City of Fayetteville in the form of a \$3 million low interest loan repayable over ten years, and also from PWC in the amount of \$1.5 million in the form of a grant and utility rebates. A commitment from Cumberland County in an amount not to exceed \$850,000 is being sought and is proposed as follows:

- \$100,000 from the HUD HOME Program earmarked for demolition expenses
- \$750,000 as a grant from the General Fund in three equal amounts of \$250,000 per year, for three consecutive fiscal years, starting in Fiscal Year 2016.

The total amount proposed may be less than \$850,000 depending upon other HUD funding sources but will not exceed \$850,000 as a total contribution from Cumberland County.

FMHA and Duggins-Smith Companies must submit a completed proposal to HUD by May 15, 2015 in order to obtain the necessary approval and comprehensive funding for the project.

RECOMMENDATION/PROPOSED ACTION:

Staff recommends approval of a letter of commitment, subject to appropriation, in an amount not to exceed \$850,000 to assist in funding the proposed Grove View Terrace Project. Due to the timing of the HUD deadline and the May 18th Board of Commissioner's Meeting, approval of a commitment letter is being sought from the Finance Committee with the understanding that a report will be made to the full Board once funding approval and details are issued by HUD.

Amy Cannon, County Manager, recognized in attendance Sylvia McLean, Community Development Director; Dawn Driggers, Fayetteville Metropolitan Housing Authority (FMHA); Murray Duggins, Duggins-Smith Companies and James Smith, Duggins-Smith Companies.

Tracy Jackson, Assistant County Manager, reviewed the background information as recorded above and stated a completed proposal must be submitted to HUD by May 15th in order to obtain the necessary approval and comprehensive funding for the project. Mr. Jackson stated the principals have secured funding from the City and PWC and are seeking a letter of commitment from the County to present with their application to HUD. Mr. Jackson stated following discussions with Duggins-Smith Companies and the FMHA, staff recommend approval of a letter of commitment, subject to appropriation, in an amount not to exceed \$850,000 with a final amount yet to be determined depending on HUD and costs involved with the project.

Mr. Jackson stated the original request to the County was for \$1.7 million but through continued discussions and planning for the project, the number dropped to "up to" \$850,000. Mr. Jackson stressed this number could change with time.

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Mr. Smith provided an update on the redevelopment project stating there are 216 units to be demolished and replaced with 272 affordable housing units. Mr. Smith stated this is a \$35 million project in which \$32 million is being brought to the table in federal credits generating equity, with a large HUD insured first mortgage as a source. Mr. Smith stated the FMHA is bringing \$1.8 million to the table. Mr. Smith stated the total gap needed at this time is \$3 million and with pro-rata giving as was the case with the HOPE VI project, funds are being sought as an “up to” amount from the City, PWC and County. Mr. Smith stated PWC will provide \$344,000 and a commitment is being sought from the County in an “up to” amount.

Commissioner Faircloth asked how the County would get its money back if the City is going to provide a low interest loan. Ms. Cannon stated the proposal is for the County to provide a small grant structured over a three-year period in an amount “up to” \$250,000 from the General Fund; this would be manageable and would enable the County to participate in the project. Questions and discussion followed.

Commissioner Faircloth stated the Finance Committee does not have the authority to make a commitment and the next Board of Commissioner meeting is not until May 18th. Mr. Smith stated a commitment by the full Board at its meeting on May 18th would be workable because the \$3 million gap being an “up to” amount is technically covered at this point by the City’s \$3 million low interest loan.

Consensus was to forward to the May 18th meeting of the Board of Commissioners.

3. MONTHLY FINANCIAL REPORT

BACKGROUND:

The financial report as of March 31, 2015 highlights include:

- Revenues
 - Current real and personal property taxes continue at a pace similar to past years.
 - Motor vehicle tax revenues continue to appear strong this year.
 - Sales tax (report shows six collection months) collections show slight growth compared to last fiscal year.
 - Social Services revenues show growth as a result of an increase in the percentage of reimbursement on some programs/relative to expense increase.
- 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.

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Vicki Evans, Finance Director, reviewed revenue and expenditure highlights as recorded above and referenced the report for the Crown Center. Commissioner Keefe spoke to sales tax revenues and asked whether the County would meet budget this fiscal year. Ms. Evans responded in the affirmative. Questions followed regarding the status of the sales tax distribution bill, property values compared to sales prices as they relate to revaluation and Category 30-Unrestricted Intergovernmental for February.

4. OTHER MATTERS OF BUSINESS

There being no further business, the meeting adjourned at 10:05 a.m.



ITEM NO. 5



PUBLIC INFORMATION OFFICE

MEMO FOR BOARD OF COMMISSIONERS MAY 18, 2015 AGENDA

TO: BOARD OF COMMISSIONERS

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

FROM: SALLY SHUTT, GOVERNMENTAL AFFAIRS OFFICER

DATE: MAY 13, 2015

SUBJECT: APPROVAL OF 2015-2016 STRATEGIC PLAN

BACKGROUND

The Board of Commissioners and Leadership Team developed the attached draft 2015-2016 Strategic Plan during work sessions held March 10 and March 31. The Policy Committee reviewed the draft plan during their May 7 meeting and it is being forwarded to the full board for final approval.

RECOMMENDATION/PROPOSED ACTION

Approve the 2015-2016 Cumberland County Strategic Plan.

Cumberland County DRAFT 2015-2016 Strategic Plan

GOAL 1: Ensure a safe and healthy community by providing needed services to our citizens in a timely manner.

Objectives	Action Steps	Responsible
Objective 1: <i>Provide youth development program opportunities that promote good citizenship.</i>	<ul style="list-style-type: none"> Coordinate and implement youth development programs and initiatives. Educate County departments on the Summer Youth Program and encourage participation to provide job training opportunities. 	<ul style="list-style-type: none"> Departments Workforce Development/Cumberland County Schools
Objective 2: <i>Assist with efforts to reduce crime by repeat offenders.</i>	<ul style="list-style-type: none"> Continue Pre-trial Services. Support Drug, Sobriety and Veterans Courts. Seek grant funding for Mental Health Court. Support the grant-funded Critical Time Intervention program at the Detention Center. 	<ul style="list-style-type: none"> Pretrial Services Management, Finance, Pretrial services, Courts Sheriff's Office, Health Department Alliance BHC
Objective 3: <i>Improve emergency response services to citizens.</i>	<ul style="list-style-type: none"> Revive the Public Safety Task Force to collaborate on emergency response recommendations. Plan for regional back-up 911 Center. Improve technology to enhance efficiency in emergency response. Establish a consolidated Public Safety Answering Point between City of Fayetteville and County within the next five years. 	<ul style="list-style-type: none"> Management, Emergency Services Emergency Services Emergency Services, IS Emergency Services, Management; governing bodies
Objective 4: <i>Promote a healthy community by providing educational, health and human services programs and resources to citizens.</i>	<ul style="list-style-type: none"> Conduct annual community health needs assessment to identify priority needs. Provide health, child/elder abuse prevention, mental health and nutrition education programs and consumer resources for children, citizens and employees. Continue and improve programs that promote responsible pet ownership, including offering a Pet Responsibility Class through FTCC Continuing Education and the SUMMERSCAPES Kid's Program. Continue targeted focus on animal cruelty investigations 	<ul style="list-style-type: none"> Health Department Health, DSS, Child Support, Cooperative Extension, Library Animal Control Animal Control, Sheriff's Office

	<ul style="list-style-type: none"> • Expand smoke-free efforts throughout the county and region 	<ul style="list-style-type: none"> • Health Department
Objective 5: <i>Collaborate with community partners to improve programs and services to reduce homelessness.</i>	<ul style="list-style-type: none"> • Create and maintain inventory of available community resources to address issues impacting homelessness. • Research models from other communities that have been successful in addressing homelessness through best practices. • Identify underlying issues that contribute to homelessness and identify community partners. • Develop a comprehensive and sustainable plan to provide resource and referral case management, housing and employment services to the homeless. • Identify and seek grant and other funding opportunities to assist in developing a comprehensive “wraparound” homeless resource. 	<ul style="list-style-type: none"> • Community Development, COC • Community Development, Administration, Alliance Behavioral HC • CD, Continuum of Care, Alliance BHC, Community and Faith Partners • County, City, COC, Alliance BHC, partners • County, City, Alliance BHC, Federal lobbyist, Community partners

GOAL 2: Provide adequate infrastructure consistent with orderly growth of a dynamic county.

Objectives	Action Steps	Responsible
Objective 1: <i>Explore strategies to address the County's need for more office space, and ensure facilities are well-maintained.</i>	<ul style="list-style-type: none"> • Inventory and assess all County facilities and properties to determine usage, space availability, and feasibility of retrofit. • Assess all County buildings and parking lots for regulatory compliance and condition of infrastructure. • Develop a County facilities plan and explore opportunities to share and create needed office space and address any compliance and maintenance issues. • Prioritize projects through a Capital Improvement plan. • Develop a Crown Complex facility plan (buildings, parking, properties, etc.) and consider possible funding options • Assess directional signage in public buildings and update to ensure accuracy and efficiency. 	<ul style="list-style-type: none"> • Engineering & Infrastructure • Engineering & Infrastructure; management • Engineering & Infrastructure • Engineering & Infrastructure, Management, Commissioners • Engineering & Infrastructure, Management, Commissioners • Engineering & Infrastructure, PIO
Objective 2: <i>Strengthen the County's green and energy-efficiency initiatives.</i>	<ul style="list-style-type: none"> • Assess County government departmental recycling practices in place through an updated survey. • Revive the Green Committee to research best practices and develop a feasible and fiscally responsible county government wide three-year action plan with consistent departmental green procedures and education provided by County's recycling coordinator. • Place recycling containers in public areas of County buildings. 	<ul style="list-style-type: none"> • Engineering & Infrastructure, Solid Waste Management • Engineering & Infrastructure Solid Waste Management; County management • Engineering & Infrastructure, Solid Waste Management
Objective 3: <i>Advance the county's automation and technology capabilities.</i>	<ul style="list-style-type: none"> • Maintain a yearly updated 3-year countywide technology plan. • Continue advancing the county's telecommunications plan by phasing in VoiceOver IP Phase 4 so all of County will be on a single system. • Continue implementation of digital records system to include Child Support, DSS and Veterans Services. • Continue application modernization to enhance customer service, specifically, finance, HR and jury software. • Develop a central phone number with a phone tree to serve as the primary citizen contact line. • Complete the framework for an interdepartmental business partnership. 	<ul style="list-style-type: none"> • County Information Services • County Information Services • County Information Services • County Information Services • County Information Services • County Information Services

<p>Objective 4: <i>Increase gateway and other beautification efforts to create a more aesthetically appealing community.</i></p>	<ul style="list-style-type: none"> • Assess feasibility of providing wireless access in Courthouse. • Continue to enforce existing regulations and introduce new ordinances and codes in order to maintain a visually friendly and safe environment. • Promote Master Gardener program and enlist MG volunteers to assist in beautification and green efforts by providing educational opportunities and consultation services. • Encourage Adopt-A-Highway throughout the County. • Promote educational programs to schools, library, parks and recreation centers, festivals, etc. to protect our natural resources. 	<ul style="list-style-type: none"> • County Information Services • Planning, Fire inspectors, Legal, Solid Waste • Cooperative Extension • Management coordinating with DOT • Soil and Water Conservation
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GOAL 3: Promote economic development by creating and retaining jobs, and providing career opportunities, quality education, cultural and recreational services.

Objectives	Action Steps	Responsible
Objective 1: <i>Ensure effective economic development incentives and practices are in place to attract and retain business and industry.</i>	<ul style="list-style-type: none"> Identify expectations for economic development including, but not limited to, existing incentive programs and policies, utilization of existing business sites and industrial parks, and job creation. Review existing economic development incentives to assure they are consistent with NC General Statutes and conducive to attractive new business. Continue to promote development that is economically viable through responsible land-use planning and zoning. Create a culture that supports a user-friendly approach to the growth and development of the industrial base and local workforce. Establish a policy that promotes the use of local businesses for products and services, as allowed N.C. General Statutes. Continue to provide small business programs, databases, job and career centers, and skills training and increase participation. 	<ul style="list-style-type: none"> Commissioners Commissioners Planning, Community Development Library
Objective 2: <i>Promote economic development through the preservation of natural resources, farmland and the county's agricultural industry.</i>	<ul style="list-style-type: none"> Continue to utilize the Working Lands Protection Plan as a guide to promote the long-term use of agricultural land. Provide classes and technical assistance to veterans transitioning to agriculture. Continue to raise awareness and promote economic impact of agriculture. Continue to promote local food movement, including community gardens and farmers markets. 	<ul style="list-style-type: none"> Planning, Cooperative Extension Cooperative Extension provide services, Veterans Services will promote Cooperative Extension, Soil and Water Conservation Cooperative Extension, Planning, Wellness
Objective 3: <i>Provide quality cultural and recreational services.</i>	<ul style="list-style-type: none"> Continue to provide diverse events and programs to entertain, educate and enlighten. 	<ul style="list-style-type: none"> Crown, Library system
Objective 4: <i>Develop a flexible, proactive approach to the expansion</i>	<ul style="list-style-type: none"> Improve communications and partnership with Fort Bragg. Participate in and collaborate with local, regional and state 	<ul style="list-style-type: none"> Commissioners, Leadership Team Management

<i>and contraction of the military</i>	military affairs and economic development organizations.	
GOAL 4: Educate, inform and engage employees, citizens, elected and appointed officials through effective and efficient communications.		
Objectives	Action Steps	Responsible
OBJECTIVE 1: <i>Increase citizen engagement as evidenced by increased advisory board applications, meeting attendance and program participation.</i>	<ul style="list-style-type: none"> Engage and educate citizens through resource guides, public forums, programs and other outlets. Share information on County resources with each municipality and on Fort Bragg. Educate commissioners about advisory board members' responsibilities and time commitment to assist in recruiting citizens with relevant experience to apply for vacancies. Promote student involvement in boards and programs like Citizens' Academy through institutions of higher learning. 	<ul style="list-style-type: none"> Departments PIO, departments Deputy Clerk to the Board PIO
OBJECTIVE 2: <i>Enhance communications systems and transparency so citizens can readily access information.</i>	<ul style="list-style-type: none"> Develop additional online services for citizens. Enhance website; ensure information is current and links operational. Provide link to County website on library public computers. Ensure links to municipalities, school system and Fort Bragg are easily accessible on County website. 	<ul style="list-style-type: none"> IS, departments PIO, IS
OBJECTIVE 3: <i>Improve internal communications.</i>	<ul style="list-style-type: none"> Enhance Intranet and ensure access to the County's intranet and email system. Update and revise County personnel ordinance (Chapter 10); disseminate to employees. Update Human Resources policies; disseminate to employees. Continue to utilize performance management evaluation system to enhance effective communications between supervisors and employees. 	<ul style="list-style-type: none"> PIO, IS Legal, commissioners HR, Legal, Management HR, departments
OBJECTIVE 4: <i>Improve communication and collaboration between the County and other governmental entities, including boards, committees and commissions.</i>	<ul style="list-style-type: none"> Continue holding joint meetings between Commissioners and various other governing boards such as the School Board, staff and community leaders. Ensure each new board member receives a full and complete orientation to the board, including attending countywide 	<ul style="list-style-type: none"> Commissioners Departments with boards, PIO, Clerk

	<p>welcome/information session and a tour.</p> <ul style="list-style-type: none"> • Promote advisory board participation in Citizens' Academy. • Participate fully in the Mayors Coalition and City/County Liaison Committee; invite the Garrison Commander to participate. • Meet and communicate with Legislative and Congressional delegations to keep local issues in the forefront. • Post agendas and minutes from advisory board meetings. 	<ul style="list-style-type: none"> • Departments with boards, PIO, Clerk • Commisisoners, County Manager's Office • Commissioners, Governmental Affairs • Departments with Boards, PIO, IS
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GOAL 5: Employ motivated, professional and well-trained personnel who offer excellent customer service with PRIDE – Professionalism, Respect, Integrity with accountability, Diversity and Excellent Customer Service.

Objectives	Action Steps	Responsible
OBJECTIVE 1: <i>Optimize service delivery through innovation, automation and technology to enhance current services and create new service opportunities.</i>	<ul style="list-style-type: none"> • Seek and implement automated systems that enhance or create new service delivery methods. • Explore the feasibility of allowing flexible work schedules for our employees. 	<ul style="list-style-type: none"> • IS, Departments • HR, Leadership Team committee, administration
OBJECTIVE 2: <i>Encourage citizen engagement and provide feedback opportunities through various outlets as it relates to service delivery.</i>	<ul style="list-style-type: none"> • Develop a “Tell us about your experience” feedback system with a prominent link on homepage. • Ensure feedback is reviewed and responded to by appropriate staff member. • Respond to complaints from public within 24 hours. 	<ul style="list-style-type: none"> • PIO, IS • Departments • Departments
OBJECTIVE 3: <i>Implement staff development and training programs.</i>	<ul style="list-style-type: none"> • Identify training needs and areas of improvement. • Prepare a risk assessment to determine safety issues that impact our employees in the workplace. • Facilitate a detailed succession plan for each department to address turnover due to aging workforce. • Develop courses that target supervisors’ and employees’ training needs and promote customer service, teambuilding and leadership. • Support department-specific licensure and certification training needs. 	<ul style="list-style-type: none"> • HR, Departments • HR, HR Policy Committee, Risk Management • HR, Departments • HR • HR
OBJECTIVE 4: <i>Recognize employees for their achievements.</i>	<ul style="list-style-type: none"> • Identify ways department heads can recognize employees. • Develop best practices approach to employee recognition and offer training in those best practices. 	<ul style="list-style-type: none"> • HR, departments • HR

OBJECTIVE 5: <i>Support the development and maintenance of a competitive pay and position classification system.</i>	<ul style="list-style-type: none"> • Use labor market analysis and periodic classification studies to develop and maintain a competitive pay and position classification system. 	<ul style="list-style-type: none"> • Management, HR
OBJECTIVE 6: <i>Recognize the importance of the employee's health and fitness for the benefit of the employee as well as the entire organization.</i>	<ul style="list-style-type: none"> • Develop a communications plan to educate our workforce on the importance of employee health and wellness participation. • Promote Employee Assistance Program. • Conduct an employee wellness survey. • Explore further methods of offering incentives to employees for their participation in wellness programs. • Assess opportunities available to the County in encouraging physical activity through a voucher program to local fitness facilities. 	<ul style="list-style-type: none"> • PIO, HR, Wellness staff • PIO, HR, Wellness staff • Wellness staff • Wellness staff • Wellness staff

DRAFT

CUMBERLAND COUNTY POLICY COMMITTEE
COURTHOUSE, 117 DICK STREET, 5TH FLOOR, ROOM 564
MAY 7, 2015 – 10:30 A.M.
MINUTES

MEMBERS PRESENT: Commissioner Charles Evans
Commissioner Jimmy Keefe

MEMBERS ABSENT: Commissioner Jeannette Council

OTHER COMMISSIONERS
PRESENT:

Commissioner Marshall Faircloth
Commissioner Larry Lancaster

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
Buck Wilson, Public Health Director
Kim McLamb, Public Health
Wanda Tart, Public Health
Jane Stevens, Public Health
Ronnie Mitchell, Sheriff's Office Attorney
Rebecca Rogers-Carter, City of Fayetteville
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 – APRIL 2, 2015

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

DRAFT

2. ANNUAL REVIEW OF JAIL HEALTH MEDICAL PLAN

BACKGROUND:

The 2014 Jail Health Medical Plan was adopted by the Board of Commissioners in February 2014.

North Carolina General Statute 153A-225 requires the unit of county government to develop the plan. In developing the plan, the unit must consult with the sheriff, county physician, health director and the local medical society. In this context, the county manager has responsibility for seeing that the plan is developed.

Once the plan is developed, it must be approved by the health director, if, after consulting with the area mental health director, the health director finds it is adequate to protect the health and welfare of the prisoners. Upon approval by the health director, it must be adopted by the governing body. Finally, 10A NCAC 14J.1001(b)(7) requires the plan to be reviewed annually. A particular point of emphasis for County Management and the Public Health Director is to ensure the plan takes into account any issues impacting the Sheriff's standards, as the party responsible for managing the detention center facility and operations.

Over the course of the past year, there have been various interactions in regards to proposed changes to the plan: County Management has worked closely with Public Health Director Buck Wilson to ensure all the required consultation and input has taken place as referenced above. On April 10, 2015, a meeting was held to discuss and finalize changes in preparation for the annual approval and adoption of the 2015 plan. The meeting participants were Sheriff Butler, Chief Deputy Wright, Chief Jailer Trotter, Sheriff's Attorney Ronnie Mitchell, County Attorney Rick Moorefield, Mr. Wilson and several members of his Jail Health Staff, including Dr. Haq. Based on the outcome of this meeting, the revised plan has been finalized and agreed to by all relevant parties, and approved by Mr. Wilson. In addition, the group decided to implement a quarterly review of the plan to facilitate ongoing review and discussion in managing revisions to the plan.

Mr. Wilson will provide a brief overview of the attached revisions to the Policy Committee. A complete copy of the Medical Plan is available for review in the Clerk's Office.

RECOMMENDATION:

The Public Health Director and County Management recommend approval of the proposed 2015 Jail Health Medical Plan for submission to the Board of Commissioners for adoption.

James Lawson, Deputy County Manager, reviewed the background information and recommendation as recorded above. Mr. Lawson introduced Buck Wilson, Public Health Director, to introduce his staff.

DRAFT

Mr. Wilson stated the Public Health Department is responsible for Jail Health and introduced Jane Stevens, Wanda Tart and Kim McLamb.

Ms. Stevens stated Jail Health provides medical care for inmates in the Cumberland County Detention Center. Ms. Stevens stated the Jail Health Medical Plan is a policy and procedure manual that has been in place for many years and is revised as needed. Ms. Stevens stated the first official adoption of the Jail Health Medical Plan by the Cumberland County Board of Commissioners was done in February 2014.

Ms. Stevens stated the types of revisions made to the medical plan are either wording changes or changes in the operation rule. Ms. Stevens stated the reasons for the proposed changes are either made by the 2014 Revisions of Standards by the National Commission on Correctional Health Care, requests from the Sheriff's Department, or to refine and improve the manual since it is such a long and detailed document.

Ms. Stevens detailed some of the revisions that have been made to the medical plan this year to include:

- The signature of the Sheriff and Jail Health Psychiatrist has been added to the signature page.
- Added "Medical, mental health, and dental health judgments are the sole province of the responsible clinicians."
- Added "Custody staff will report serious medical requests for care to medical staff. Medical staff will respond and make determination for medical care."
- Added "The Jail Health Administrative Committee includes but is not limited to: representatives from the area mental health, developmental disabilities, and substance abuse authority; the local medical society; the sheriff's office, the county physician, local health communicable disease nurse; the local health director, and the lead public health nurse supervisor for jail health."
- Added to the list of statistical items to report each month, "Nursing contracts, physical exams performed and follow-ups".
- Added "Each service area will be measured at least annually and according to the quality performance measures; accessibility, appropriateness of clinical decision making, continuity, timeliness, effectiveness (outcomes), efficiency, quality of clinician-patient interaction and safety."
- Medical staff determine the method of transporting patient to the triage site (i.e. use of back board, wheelchair, etc.)
- Added "Inmates housed in the detention center for one year or more will be screened/tested for TB annually as ordered by the jail physician."
- Detention Center Prison Rape Elimination Policy was adopted by reference.
- Requires review of clinical performance of all primary care providers at least quarterly.
- "In addition the Medical Staff shall prepare a copy of all health information and medical records and deliver that documentation to the transportation officer for delivery to another local confinement facility".

DRAFT

- Added “high blood cholesterol, sickle cell and major mental illnesses” to chronic diseases. Also added new documentation requirements for chronic diseases.
- Added “The medical staff will notify the Jail Administrator or designee of the identification and nature of any disease or condition of any inmate who has a condition which might affect placement or classification of the inmate; or condition of confinement, whether the conditions is acute or chronic”.
- Added, “Medical staff shall notify the Jail Administrator, or designee, when an inmates’ physical or mental health affects the placement, classification, or condition of confinement or transport. The notification will include all known information necessary to provide for the health and safety of the inmate and others housed and working with the inmate”.

Commissioner Keefe stated he has been trying to look at innovative approaches to Jail Health for some time. Ms McLamb stated through Alliance Healthcare beginning July 1, 2015, there will be a follow-up program that will prepare inmates for post-release and will follow them throughout their release to make sure they are linked to a community resource and still getting the medications they need.

Commissioner Lancaster stated in speaking to the well-being of the inmates he wanted to know the status of the GED program for inmates in the Detention Center. Ronnie Mitchell, Sheriff’s Attorney, stated the GED program is on track but waiting on next fiscal year where the Sheriff’s Office has requested the proper funding to make sure this program can move forward.

Mr. Mitchell stated he appreciates the way the Public Health Department has worked with the Sheriff’s Office in modifying the Jail Health Medical Plan. Mr. Mitchell stated he is very confident with the plan this year and appreciates the cooperation. Mr. Lawson stated the complete version of the Jail Health Medical Plan is available in the Clerk’s office.

MOTION: Commissioner Keefe moved to recommend to the full board approval of the proposed 2015 Jail Health Medical Plan.
SECOND: Commissioner Evans
VOTE: UNANIMOUS (2-0)

3. UPDATE ON DRAFT 2015-2016 CUMBERLAND COUNTY STRATEGIC PLAN

BACKGROUND:

The Board of Commissioners and Leadership Team developed the draft 2015-2016 Strategic Plan during two work sessions held on March 10, 2015 and March 31, 2015.

RECOMMENDATION/ACTION REQUESTED:

Recommend the draft 2015-2016 Strategic Plan go before the full Board of Commissioners on May 18, 2015, for approval.

DRAFT

Sally Shutt, Governmental Affairs and Public Information Officer, reviewed the background information and recommendation as recorded above. Ms. Shutt stated on March 10th and March 31st the Strategic Planning meetings and workshops were held.

Ms. Shutt reviewed some of the items in the Strategic Plan this year:

Goal 1: Ensure a safe and healthy community by providing needed services to our citizens in a timely manner.

- Educate County departments on the Summer Youth Program and encourage participation to provide job training opportunities.
- Support the grant-funded Critical Time Intervention program at the Detention Center.
- Support Drug, Sobriety and Veterans Courts. Seek grant funding for Mental Health Court.
- Continue and improve programs that promote responsible pet ownership, including offering a Pet Responsibility Class through FTCC Continuing Education and the SUMMERSCAPES Kid's Program.
- Continue targeted focus on animal cruelty investigations.
- Create and maintain inventory of available community resources to address issues impacting homelessness.
- Research models from other communities that have been successful in addressing homelessness through best practices.
- Identify and seek grant and other funding opportunities to assist in developing a comprehensive "wraparound" homeless resource.

Goal 2: Provide adequate infrastructure consistent with orderly growth of a dynamic county.

- Inventory and assess all County facilities and properties to determine usage, space availability, and feasibility of retrofit.
- Prioritize projects through a Capital Improvement Plan.
- Develop a Crown Complex facility plan (buildings, parking, properties, etc.) and consider possible funding options.
- Maintain a yearly updated 3 year countywide technology plan.
- Continue advancing the County's telecommunications plan by phasing in VoiceOver IP Phase 4 so all of County will be on a single system.
- Continue implementation of digital records system to include Child Support, DSS and Veterans Services.
- Continue application modernization to enhance customer service, specifically, Finance, HR and Jury software.

Commissioner Keefe stated the County needs one central phone number for citizens to call for information so employees are not receiving information calls often.

DRAFT

Commissioner Keefe stated he would like to see this number fast tracked and be published for information and sent out to the community.

Goal 3: Promote economic development by creating and retaining jobs, and providing career opportunities, quality education, cultural and recreational services.

- Identify expectations for economic development including but not limited to, existing incentive programs and policies, utilization of existing business sites and industrial parks, and job creation.
- Establish a policy that promotes the use of local businesses for products and services, as allowed by N.C. General Statutes.
- Improve communication and partnership with Fort Bragg.
- Participate in and collaborate with local, regional and state military affairs and economic development organizations.

Goal 4: Educate, inform and engage employees, citizens, elected and appointed officials through effective and efficient communications.

- Share information on County resources with each municipality and on Fort Bragg.
- Educate commissioners about advisory board members' responsibilities and time commitment to assist in recruiting citizens with relevant experience to apply for vacancies.
- Enhance website, ensure information is current and links operational.
- Meet and communicate with Legislative and Congressional delegations to keep local issues in the forefront.

Goal 5: Employ motivated, professional and well-trained personnel who offer excellent customer service with PRIDE – Professionalism, Respect, Integrity with accountability, Diversity and Excellent Customer Service.

- Explore the feasibility of allowing flexible work schedules for our employees.
- Develop a “tell us about your experience” feedback system with a prominent link on homepage.
- Ensure feedback is reviewed and responded to by appropriate staff member.
- Identify training needs and areas of improvement.
- Prepare a risk assessment to determine safety issues that impact our employees in the workplace.
- Facilitate a detailed succession plan for each department to address turnover due to aging workforce.
- Promote Employee Assistance Program.
- Conduct an employee wellness survey.
- Explore further methods of offering incentives to employees for their participation in wellness programs.

Commissioner Lancaster stated he is very impressed with this plan. Commissioner Keefe stated he is amazed by all of the items that have been taken off the plan over the years.

No action taken.

DRAFT

4. UPDATE ON FEDERAL LEGISLATIVE PROGRAM

BACKGROUND:

The City of Fayetteville, Fayetteville Regional Chamber of Commerce and Cumberland County have established a partnership to engage the federal government through advocacy and grant opportunities. Representatives from Faegre BD and the partnership participated in a federal engagement strategy workshop on April 24, 2015.

Sessions were held on various topics and elected officials were invited to a wrap-up briefing at the end of the day.

RECOMMENDATION:

For information purposes only.

Ms. Shutt reviewed the background information and recommendation as recorded above. Ms. Shutt stated she would briefly hit the highlights of the topics discussed at the Federal Engagement Strategy Workshop on April 24, 2015:

- Homelessness:
 - To further advance the issues, the Partnership proposes to:
 - Make a request to Veterans Affairs to identify a national homeless expert who will hold a workshop with the City and County elected leadership during the month of May 2015 to define the most important issues for Fayetteville/Cumberland County to address over the next fiscal year relating to the myriad of concerns regarding homelessness in our community.
 - In May 2015, make a request to HUD for technical assistance in the homelessness policy. The community would benefit from a third party review of the existing homeless programs to further identify gaps and areas where the local program has not adopted best practices (single point entry program, data analysis, diversion programs).
 - Evaluate the VA foreclosed home sales program, in conjunction with our community partners, and the HUD third party review.
- Census:
 - To further advance the issues, the Partnership would:
 - Request the Census Bureau undertake a review of the decades-old policy to prevent further undercounting in garrison communities and will ask the North Carolina Congressional delegation to support the needed changes.
- Law Enforcement/Criminal Justice:
 - To further advance the issues, the Partnership will:

DRAFT

- Engage with the DOJ around policing and criminal justice problems in garrison communities in preparation for a convening before September 30, 2015.
- Reiterate the invitation to the DOJ to site the convening in Fayetteville, NC.
- Pursue federal assistance (either through the convening or via other avenues) for issues including human trafficking, military-connected suicides, and prescription drug abuse.
- Seek to identify possible research projects and partners that will be compelling to the DOJ to support for future projects.
- Seek funding for 300 law enforcement body cameras for City of Fayetteville and approximately 300 for the Sheriff's Office.
- Pursue federal assistance for the establishment of a Mental Health Court for Cumberland County.
- Housing Market:
 - To further advance the issues, the Partnership will:
 - Develop a set of criteria including seek data from the VA that will allow the City and the County to monitor the housing market, to identify impacted neighborhoods and to inform the City and County of impacts on tax revenues.
 - Determine whether the VA has the authority to make expenditures in areas where it has a high level of mortgage risk in an effort to stabilize the market.
- Impact Aid:
 - To further support our efforts, we would:
 - Request a third element to the LOT (Learning Opportunity Threshold) factor: a plus-up of XX percentage points for a narrow group of districts that meet a selective criteria around which a logical argument can be fashioned to support the additional funds.
- Office of Economic Adjustment:
 - To further support our efforts, we would request Congress authorize OEA to use appropriated funds to support communities affected by the military drawdown and outside of a BRAC process.
- Shared Service Agreements:
 - To further support our efforts to unitize the opportunity of shared service agreements between the military and local government we request:
 - The City will contact Ivan Bolden, the Chief of Privatization and Partnerships at Army Headquarters, to explain the current problem regarding transit opportunities and seek his assistance.
 - The Partnership will share examples of the current obstacles to shared service projects with the Armed Services Committees and seek support for Congressional direction supporting shared service contracts.
- Veterans Affairs Report Language:
 - To further support our efforts to understand the impact of the drawdown on economy generally, and the housing sector specifically, we will request

DRAFT

the inclusion in relevant authorizing legislation or the Military Construction and Veterans Affairs Appropriations Bill for Fiscal Year 2017, report language directing the VA to study the issue of VA mortgage foreclosures and the resulting impact on communities in which VA loans make up a significant portion of the mortgage environment.

Questions and discussion followed. No action taken.

5. DISCUSSION REGARDING TERM LIMITS FOR CITIZENS SERVING ON COMMISSIONER-APPOINTED BOARDS AND COMMITTEES

BACKGROUND:

Commissioner Jimmy Keefe requested the following item "Discussion Regarding Term Limits for Citizens Serving on Commissioner-Appointed Boards and Committees" be placed on the Policy Committee agenda.

RECOMMENDATION/PROPOSED ACTION:

For discussion purposes.

Commissioner Keefe stated there is a policy that was adopted by the Board of Commissioners that determines how many terms a citizen can serve on a commissioner-appointed board and/or committee. Commissioner Keefe stated he is concerned with the number of requests to extend terms and he feels it is becoming more and more common. Commissioner Keefe stated he feels the board should try to enforce the policy to give others an opportunity to serve or not have the policy.

Commissioner Faircloth stated the policy does state that no citizen may serve more than two consecutive terms on any board/committee but the board reserves the right to waive this requirement, based on special circumstances. Commissioner Faircloth further stated he does not feel this policy has been abused at this point and thinks it should be looked at on a case by case basis.

Commissioner Evans stated he is concerned with elected officials serving on boards/committees. Commissioner Evans further stated he feels if you are elected to office after you have been appointed to a board/committee you should have to relinquish that seat. Commissioner Evans stated he feels an elected official would have more influence on the board/committee than a regular citizen.

No action taken.

6. OTHER ITEMS OF BUSINESS

DRAFT

Commissioner Keefe recognized Gary Blackwell a citizen attending the meeting that wanted an update on the status of the Wrecker Rotation Ordinance and the comments he made at a previous Board of Commissioners meeting. Commissioner Evans stated he spoke with Mr. Blackwell after that meeting and told him he would put this matter on this Policy Committee agenda but since the agenda was so full he was not able to add Mr. Blackwell's item to the Policy Committee agenda in May.

Commissioner Evans requested this item be placed on the June 2015 Policy Committee agenda for discussion. Mr. Blackwell stated the Wrecker Rotation Ordinance states that no employee or state official can own a wrecker service and work for the county or the state but he feels this has been happening for years and would like the Board of Commissioners to look into this matter.

Ms. Cannon stated County Management will provide some helpful information that can be presented at the June 2015 Policy Committee meeting that may answer some of the questions.

MEETING ADJOURNED AT 11:22 AM

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

May 14, 2015

ITEM NO. 6A

May 18, 2015 Agenda Item

TO: Board of Commissioners
FROM: Kellie Beam, Deputy Clerk to the Board *KB*
SUBJECT: Jury Commission

The Jury Commission has the following one (1) upcoming vacancy:

Steve Harper – Completing first term. Eligible for reappointment. Mr. Steve Harper is interested in serving a second term.

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

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

Attachments

pc: Ellen B. Hancox, Trial Court Administrator

Jury Commission

The Cumberland County Jury Commission compiles the Master Jury List used by the Cumberland County Court System.

Statutory Authorization: NCGS 9-1

Member Specifications:

3 Members

- Appointed by the Cumberland County Board of Commissioners (1)
- Appointed by the Clerk of Superior Court (1)
- Appointed by the Senior Resident Superior Court Judge (1)

Term: 2 Years

Compensation: \$250.00 per term

Duties:

- Responsible for compiling the Master Jury List that is to be used in Cumberland County for each year. It must be prepared by, and in compliance with, the North Carolina General Statutes as well as local Orders of the Court;
- The Commission first meets to make decisions as to how it will direct the Master List to be prepared. This meeting will be attended by Court Officials to offer any assistance the Commission may request, and to provide clerical support.;
- The last meeting is to review the Master Jury List and the Statement of Sources and Procedures, which sets forth in writing how the Commission prepared the list. If the list meets the Commission's criteria, the Commission then presents a printed Master Jury List to the Register of Deeds for filing and the Statement of Sources and procedures to the Clerk of Superior Court for filing.

Meetings: The Jury Commission meets at least twice a year. The Commission is responsible to meet as often as required to complete the jury list for the next year by the 30th day of November of each year. The amount of time required for each meeting and the number of meetings required is determined by the Commission and dictated by the procedures that the Commission chooses to prepare the Master List.

Meeting Location: Cumberland County Courthouse 3rd Floor 117 Dick Street Fayetteville, NC



State of North Carolina
General Court of Justice
TRIAL COURT ADMINISTRATOR

ELLEN B. HANCOX
TRIAL COURT ADMINISTRATOR

CUMBERLAND COUNTY
FAYETTEVILLE, N.C.

TEL. (910) 475-3018

May 4, 2015

Cumberland County Board of Commissioners
P.O. Box 1829
Fayetteville, NC 28302-1829

RE: Appointment to the Jury Commission

Dear Commissioners:

Currently, Steve C. Harper serves as the Cumberland County Board of Commissioners' appointee. Mr. Harper's term expires June 30, 2015. Pursuant to N.C.G.S. § 9-1, your appointee to the Jury Commission for the term beginning July 1, 2015, must be a resident and a qualified voter in the county.

Please let me know the name and address of your appointee to the Jury Commission for the two-year term beginning July 1, 2015.

If you have any questions, please feel free to contact me.

Sincerely yours,

Ellen B. Hancox
Trial Court Administrator

EBH/dgb

JURY COMMISSION

2 Year Term

<u>Name/Address</u>	<u>Date Appointed</u>	<u>Term</u>	<u>Expires</u>	<u>Eligible For Reappointment</u>
Steve Harper 5707 Bashford Court Fayetteville, NC 28304 910-425-9643	10/14	1st	June/15 6/30/15	Yes
(serving unexpired term; eligible for two additional two-year terms)				

Perry Evans – Clerk of Court's AppointeeGary Weller – Judge Johnson's Appointee

(The other two are appointed (1) by the Senior Resident Superior Court Judge and (1) by the Clerk of Superior Court.)

Contact: Ellen B. Hancox, Trial Court Administrator – 321-3841, fax # 678-2975

No regular meeting schedule. (Usually meet in September and November.)

**APPLICANTS FOR
JURY COMMISSION**

<u>NAME/ADDRESS/TELEPHONE</u>	<u>OCCUPATION</u>	<u>EDUCATIONAL BACKGROUND</u>
FLEMING, JOE, DR REV. (/M) 7235 RYAN ST FAYETTEVILLE, NC 28314 910-339-2608 Graduate-County Citizens' Academy: No Graduate-Institute for Community Leadership: NO Graduate-Leadership Fayetteville: NO Graduate-United Way's Multi-Cultural Leadership Program: NO Graduate-other leadership academy: NO	RETIRED SELF-EMPLOYED	SOME COLLEGE
FORD, STANLEY (B/M) 4013 POLK DRIVE HOPE MILLS, NC 28348 910-425-5639 Graduate-County Citizens' Academy: NO Graduate-Institute for Community Leadership: NO Graduate-Leadership Fayetteville: NO Graduate-United Way's Multi-Cultural Leadership Program: NO Graduate-other leadership academy: ARMY LEADERSHIP COURSE	BANKING/MORTGAGES NOT LISTED	BACHELORS
HERNDON, KENNETH (W/M) 2549 BEARD RD EASTOVER, NC 28312 910-223-0968/609-230-7249 Graduate-County Citizens' Academy: NO Graduate-Institute for Community Leadership: NO Graduate-Leadership Fayetteville: NO Graduate-United Way's Multi-Cultural Leadership Program: NO Graduate-other leadership academy: NO	RETIRED	D-ED M-ED BS-ED
HUFFAM, JEFFERSON (B/M) 3911 W. BENT GRASS DRIVE FAYETTEVILLE, NC 28312 910-485-3024/910-308-7404 Graduate-County Citizens' Academy: NO Graduate-Institute for Community Leadership: NO Graduate-Leadership Fayetteville: NO Graduate-United Way's Multi-Cultural Leadership Program: NO Graduate-other leadership academy: MILITARY LEADERSHIP SCHOOLS	MINISTER UNION OAK AME ZION CHURCH	BS-SOCIAL SCIENCE MS-HUMAN RESOURCES MASTER OF DIVINITY PHD-BUSINESS ADMIN.
MCKOY, WILLIE JR (B/M) 1632 GREENOCK AVE FAYETTEVILLE, NC 28304 273-2976/432-5571 *SERVES ON THE MID-CAROLINA AGING ADVISORY COMMITTEE* Graduate-County Citizens' Academy: NO Graduate-Institute for Community Leadership: NO Graduate-Leadership Fayetteville: NO Graduate-United Way's Multi-Cultural Leadership Program: NO Graduate-other leadership academy: NO	CIVIL SERVICE FT. BRAGG	MA-HUMAN RESOURCES MANAGEMENT BS-EDUCATION

APPLICANTS FOR JURY COMMISSION, PAGE 2

<u>NAME/ADDRESS/TELEPHONE</u>	<u>OCCUPATION</u>	<u>EDUCATIONAL BACKGROUND</u>
MCMILLAN, FRED C. (W/M) 4608 NIX ROAD FAYETTEVILLE, NC 28314 339-0076/261-0015 Graduate-County Citizens' Academy: NO Graduate-Institute for Community Leadership: NO Graduate-Leadership Fayetteville: NO Graduate-United Way's Multi-Cultural Leadership Program: NO Graduate-other leadership academy: CENTERS FOR CREATIVE LEADERSHIP	DIRECTOR OF ENGINEERING SOME COLLEGE GENERAL BUILDERS	
WOODALL, AL II (B/M) 732 GALLOWAY DRIVE FAYETTEVILLE, NC 28303 910-864-4064 Graduate-County Citizens' Academy: NO Graduate-Institute for Community Leadership: NO Graduate-Leadership Fayetteville: NO Graduate-United Way's Multi-Cultural Leadership Program: NO Graduate-other leadership academy: NO	RETIRED US ARMY	AVIATION MANAGEMENT DEGREE

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

May 14, 2015

ITEM NO. 7A

May 18, 2015 Agenda Item

TO: Board of Commissioners
FROM: Kellie Beam, Deputy Clerk to the Board *KB*
SUBJECT: ABC Board Appointment

BACKGROUND: On May 4, 2015, the Board of Commissioners nominated the following individual to fill one (1) vacancy on the ABC Board:

Wade Hardin (reappointment)

I have attached the current membership list for this board.

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

Attachment

pc: Gene Webb, ABC Board General Manager

ABC BOARD

3 Year Term

<u>Name/Address</u>	<u>Date Appointed</u>	<u>Term</u>	<u>Expires</u>	<u>Eligible For Reappointment</u>
A. Johnson Chestnutt (W/M) 578 Mildred Road Fayetteville, NC 28314 484-6365/323-1040 (W)	6/14	2nd	June/17 6/30/17	No
Wade Hardin (I/M) 1701 Ft. Bragg Road Fayetteville, NC 28303 483-7129/486-0334	6/12	1st	June/15 6/30/15	Yes
Bob Lewis (W/M) 3011 Bankhead Drive Fayetteville, NC 28306 426-6999	6/13	1 st full	June/16 6/30/16	Yes
serving unexpired term; eligible for one additional three-year term				
Alice Stephenson 464 Kingsford Road Fayetteville, NC 28314 864-2062/483-5009(W)	6/13	2nd	June/16 6/30/16	No
Terri Thomas (B/F) 508 Spaulding Street Fayetteville, NC 28301 485-4765/483-2719 (W)	6/14	2nd	June/17 6/30/17	No

Commissioner Liaison: Commissioner Marshall Faircloth

Regular Meetings: 2nd Monday of the month at 6:00 PM in the conference room at the ABC office at 1705 Owen Drive, Fayetteville, NC 28304.

Contact: ABC Board Director Gene Webb
PO Box 64957
Fayetteville, NC 28306
484-8167
carolyn.parker@cumberlandabc.com

**NORCRESS WATER & SEWER DISTRICT GOVERNING BOARD AGENDA
SPECIAL MEETING
CUMBERLAND COUNTY BOARD OF COMMISSIONERS
COURTHOUSE – ROOM 118
MAY 18, 2015
6:45 PM**

1. Consent Agenda
 - A. Approval of minutes for the February 16, 2015 regular meeting.
 - B. Approval of First Amendment to the Eastover/Norcross Sanitary Sewer Interlocal Agreement. **(Pg. 109)**

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

RECONVENE THE REGULAR BOARD OF COMMISSIONERS MEETING.



ITEM NO. 1B
NORCRESS GOVERNING BOARD



ENGINEERING & INFRASTRUCTURE DEPARTMENT

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

**MEMORANDUM FOR NORCRESS WATER AND SEWER DISTRICT GOVERNING
BOARD AGENDA OF MAY 18, 2015**

TO: NORCRESS WATER & SEWER DISTRICT GOVERNING BOARD

FROM: JEFFERY P. BROWN, PE, ENGINEERING & INFRASTRUCTURE DIRECTOR

THROUGH: AMY H. CANNON, COUNTY MANAGER *[Signature]*

DATE: MAY 8, 2015

**SUBJECT: APPROVAL OF THE INTERLOCAL AGREEMENT FIRST
AMENDMENT TO EASTOVER/NORCRESS SANITARY SEWER
EXTENSION AGREEMENT**

BACKGROUND:

The Interlocal Agreement dated October 14, 2002, by and between the County of Cumberland (County), the Cumberland County Board of Education (CCBE), NORCRESS Water and Sewer District (NORCRESS), Eastover Sanitary District (ESD) and Public Works Commission of the City of Fayetteville (PWC) stated that the allocated capacity of the Eastover approach main that serves both ESD and NORCRESS is one million gallons per day (GPD). PWC has recently completed flow modeling on the approach main and the test showed that there is an additional 180,000 GPD unallocated in the line. NORCRESS has requested from the other entities involved to acquire the additional unallocated capacity in the approach main. The other entities have given their approval ~~approved~~ to allow NORCRESS the additional unallocated, therefore, the attached amendment needs to be approved by the Governing Board. This amendment is the first step in moving forward ~~in being able~~ to provide a sewer connection to Kansas City Sausage Company without decreasing the existing allocated capacity to either ESD or NORCRESS. The next step will be to develop an agreement between the NORCRESS Governing Board and Kansas City Sausage Company for an agreement to connect. The approval of this agreement will be placed on a future Facilities Committee agenda. This agreement will outline any costs as well as any proposed improvements/upgrades to the existing NORCRESS system.

This was presented to the Facilities Committee on May 7th.

RECOMMENDATION/PROPOSED ACTION:

The Engineering and Infrastructure Director, County Management and Facilities Committee recommend that the Governing Board approve the Interlocal Agreement First Amendment to Eastover/NORCRESS Sanitary Sewer Extension Agreement.

**STATE OF NORTH CAROLINA
COUNTY OF CUMBERLAND**

**INTERLOCAL AGREEMENT
FIRST AMENDMENT TO
EASTOVER/NORCRESS SANITARY
SEWER EXTENSION AGREEMENT**

THIS AGREEMENT made this ____ day of _____, 2015 by and between the County of Cumberland (hereinafter referred to as "COUNTY"), the Cumberland County Board of Education (hereinafter referred to as "CCBE", NORCRESS Water and Sewer District hereinafter referred to as "NORCRESS"), Eastover Sanitary District (hereinafter referred to as "ESD"), and the City of Fayetteville, a North Carolina municipal corporation, acting by and through its Public Works Commission of the City of Fayetteville, North Carolina (hereinafter referred to as "COMMISSION").

WITNESSETH

THAT WHEREAS, the parties have entered into an Interlocal Sanitary Sewer Extension Agreement dated October 14, 2002 to allocate 1,000,000 gallons per day (gpd) of capacity in a 15 inch gravity sewer main for the purpose of delivering wastewater to COMMISSION's wastewater collection system for processing by COMMISSION under terms of separate agreements.

WHEREAS the parties agreed to allocate such capacity as follows:

CCBE	6,000 gpd
NORCRESS	400,000 gpd
ESD	594,000 gpd

WHEREAS, an 18 inch gravity sewer main was installed in the place of the anticipated 15" gravity sewer main.

WHEREAS PARTIES have agreed that the 18 inch gravity sewer line has a capacity of 1,180,000 gpd in accordance the State of North Carolina established criteria.

NOW THEREFORE, In consideration of the mutual promises contained in this Amendment, PARTIES agree to amend the Agreement as follows:

1. The capacity shall be allocated as follows:

CCBE	6,000 gpd
NORCRESS	580,000 gpd
ESD	594,000 gpd

2. Except as expressly stated and agreed in this First Amendment, all other terms and conditions as set forth in the original Agreement shall remain in full force and effect.

IN WITNESS WHEREOF, the parties hereto through their duly authorized officers have executed this Amendment to the original Contract as to the date and year first above written.

This interlocal agreement was approved by the Cumberland County Board of Commissioners on this ____ day of _____, 2015 and entered into the minutes of that meeting.

COUNTY OF CUMBERLAND

By: _____
Kenneth S. Edge, Chairman

ATTEST:

Candice White, Clerk to the Board

Approved for legal sufficiency:

Rick Moorefield, County Attorney

This instrument has been preaudited in the manner required by the Local Government Budget and Fiscal Control Act.

Vicki Evans, Finance Director

This interlocal agreement was approved by the Cumberland County Board of Education on this _____ day of _____, 2015 and entered into the minutes of that meeting.

**CUMBERLAND COUNTY BOARD
OF EDUCATION**

By: _____
James McLaughlin, Chairman

ATTEST:

This interlocal agreement was approved by the NORCRESS Water and Sewer District Governing Board on this _____ day of _____, 2015 and entered into the minutes of that meeting.

NORCRESS WATER AND SEWER DISTRICT

By: _____
Kenneth S. Edge, Chairman

ATTEST:

Candice White, Clerk

Approved for legal sufficiency:

Rick Moorefield, Attorney

This instrument has been preaudited in the manner required by the Local Government Budget and Fiscal Control Act.

Vicki Evans, Finance Officer

This interlocal agreement was approved by the Eastover Sanitary District Governing Board on this ____ day of _____, 2015 and entered into the minutes of that meeting.

EASTOVER SANITARY DISTRICT

By: _____
Morgan Johnson, Chairman

ATTEST:

Lisa Lloyd, Clerk to the Board

Approved for legal sufficiency:

Neil Yarborough, Attorney

This interlocal agreement was approved by the Public Works Commission on this ____ day of _____, 2015 and entered into the minutes of that meeting.

**PUBLIC WORKS COMMISSION OF
THE CITY OF FAYETTEVILLE**

By: _____
Michael G. Lallier, Chairman

ATTEST:

Wade R. Fowler, Jr., Secretary

APPROVED as to form this ____ day of _____, 2015.

Scott Flowers, Public Works Commission Attorney

This instrument has been preaudited in the manner required by the Local Government Budget and Fiscal Control Act.

J. Dwight Miller, PWC Chief Financial Officer

This interlocal agreement was approved by the Fayetteville City Council on this _____ day of _____, 2015 and entered into the minutes of that meeting.

CITY OF FAYETTEVILLE

By: _____
Nat Robertson, Mayor

ATTEST:

Pamela Megill, City Clerk

Approved for legal sufficiency:

Karen M. McDonald, City Attorney

This instrument has been preaudited in the manner required by the Local Government Budget and Fiscal Control Act.

Lisa Smith, Chief Financial Officer

**KELLY HILLS/SLOCOMB ROAD WATER & SEWER DISTRICT
GOVERNING BOARD AGENDA
SPECIAL MEETING
CUMBERLAND COUNTY BOARD OF COMMISSIONERS
COURTHOUSE – ROOM 118
MAY 18, 2015
6:45 PM**

1. Items of Business
 - A. Approval of minutes for the April 20, 2015 special meeting.
 - B. Approval of the Rate Structure for the Kelly Hills/Slocomb Road Water & Sewer District. **Pg. 116**

**ADJOURN THE MAY 18, 2015 SPECIAL MEETING OF THE KELLY HILLS/
SLOCOMB ROAD WATER & SEWER DISTRICT GOVERNING BOARD.**

RECONVENE THE REGULAR BOARD OF COMMISSIONERS MEETING.



ITEM NO. 1B
**KELLY HILLS/SLOCOMB ROAD
GOVERNING BOARD**



ENGINEERING & INFRASTRUCTURE DEPARTMENT

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

**MEMORANDUM FOR KELLY HILLS/SLOCOMB ROAD WATER AND SEWER
DISTRICT GOVERNING BOARD AGENDA OF MAY 18, 2015**

TO: KELLY HILLS/SLOCOMB RD WATER & SEWER DISTRICT GOVERNING BOARD

FROM: JEFFERY P. BROWN, PE, ENGINEERING & INFRASTRUCTURE DIRECTOR

THROUGH: AMY H. CANNON, COUNTY MANAGER

DATE: MAY 8, 2015

SUBJECT: APPROVAL OF THE RATE STRUCTURE FOR THE KELLY HILLS/SLOCOMB ROAD WATER AND SEWER DISTRICT

BACKGROUND:

The Public Utilities Division is in the process of taking over the billing from PWC for the Kelly Hills/Slocomb Road customers on July 1, 2015, per the revised interlocal agreement dated September 24, 2014. The interlocal agreement will have the County paying \$4.1267 per 1,000 gallons for sewer treatment and basic operation and maintenance costs. The current rate structure for the District is set-up as the "prevailing flat rate charged by the sewer service provider", which is \$52.74 per month, sewer service provider billing services charge of \$2.00 and Kelly Capital Reserve Fund fee of \$2.10 for a total monthly charge of \$56.84.

To keep all of the County water and sewer districts uniform, the attached rate structure is proposed for the Kelly Hills/Slocomb Road Water and Sewer District. This rate structure will need to be mailed to all of the customers no later than June 1st. The total charge for sewer users would be \$51.74 per month, the breakdown would be as follows; \$39.74 for sewer usage, \$10.00 for availability and \$2.00 for administration fee.

This item was presented to the Facilities Committee on May 7th. The Committee asked staff to develop an internal policy that establishes procedures for handling past due accounts. This will be presented to the Facilities Committee in June. However, since the County plans to take over the billing on July 1st, the Board will need to approve the attached rate schedule so that customers can be informed of the proposed rate change.

RECOMMENDATION/PROPOSED ACTION:

The Engineering and Infrastructure Director, County Management and Facilities Committee recommend that the Governing Board approve the rate structure for the Kelly Hills/Slocomb Road Water and Sewer District.

Kelly Hills/Slocomb Road Sanitary Sewer Rate Schedule

MONTHLY RATE

The monthly rate shall be the sum of the Availability Fee and the Administration Fee.

AVAILABILITY FEE

Availability Fee – Non-connected customers (As referenced in the Cumberland County Water & Sewer Ordinance)	\$10.00
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ADMINISTRATION FEE

Administration Fee	\$2.00
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FLAT RATE SANITARY SEWER SERVICE

The monthly flat rate shall be the sum of the Flat Monthly Charge, Availability Fee and the Administration Fee.

Flat Monthly Charge	\$39.74
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OTHER FEES

Deposit	\$100.00
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Late Penalty	\$10.00
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Reconnect Fee- Business hours (Administrative charge to re-establish service after discontinuance for non-payment)	\$25.00
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After-Hours Reconnect Fee (Available until 9:00 pm)	\$75.00
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*Returned Check Fee (Amount of check plus return fee - CASH, MONEY ORDER OR CERTIFIED CHECK ONLY)	\$25.00
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Court Costs	Actual
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Elder Valve	\$1,000.00
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CONNECTION FEES AND CHARGES

1. Facility Investment Fee:

The Facility Investment Fee will be based on the customer's water meter size and will provide Kelly Hills/Slocomb Road Water and Sewer District with funds for long-term system replacement and upgrade.

<u>Size of Water Meter</u>	<u>Facility Investment Fee</u>
5/8"	\$720.00
1"	\$1,800.00
1-1/2"	\$3,600.00
2"	\$5,760.00

Kelly Hills/Slocomb Road Sanitary Sewer Rate Schedule

Facility Investment Fees for water meter sizes 3" or larger shall be determined by an engineering estimate.

2. Sewer Laterals:

An estimate shall be given to the applicant prior to installation and shall be paid by the applicant prior to any installation of laterals to be connected to the sewer system. All charges include labor, equipment and materials required for the installation of the specified pipe size or sizes.

3. Main Extension Charges:

An estimate shall be given to the applicant prior to installation and shall be paid by the applicant prior to extending the main in the sewer district. All charges include labor, equipment and materials required for the installation of the specified pipe size or sizes.