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**AGENDA**  
**CUMBERLAND COUNTY BOARD OF COMMISSIONERS**  
**COURTHOUSE – ROOM 118**  
**NOVEMBER 16, 2015**  
**6:45 PM**

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INVOCATION - Commissioner Glenn Adams

Minister:

Pledge of Allegiance –

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

Recognition of Cumberland County Citizens' Academy Graduates (See Attached List) **(Pg. 8)**

Recognition of Noah Murray – Cumberland County NCACC Conference Youth Voice Delegate

1. Approval of Agenda
2. Presentation of the Tourism Development Authority (TDA) Fiscal Year 2014-2015 Annual Status Report by Mr. Billy Wellons, TDA Chairman. **(Pg. 9)**
3. Consent Agenda
  - A. Approval of minutes for the November 2, 2015 regular meeting.
  - B. Approval of Health Department Delinquent Accounts to be Turned Over to the N.C. Debt Set-Off Program. **(Pg. 11)**
  - C. Approval of Amended Record Retention Schedule for Business Personal Property Discoveries. **(Pg. 13)**
  - D. Approval of FY15 Summary of Activities Funded by County ABC Fund Contributions. **(Pg. 18)**



- E. Approval of Cumberland County Facilities Committee Report and Recommendations: (Pgs. 20-36)
- 1) Alliance Behavioral Healthcare Lease Terms and Building Renovation **\*See Item 4\***
  - 2) Mid-Carolina Council of Government Lease Agreement (Pg. 28)
  - 3) Deli Franchise **\*See Item 2H\***
- F. Approval of Cumberland County Finance Committee Report and Recommendations: (FOR INFORMATION PURPOSES ONLY) (Pg. 37)
- G. Approval of Grant of Franchise for Operation of Courthouse and DSS Snack Bars (First Reading). (Pg. 45)
- H. Ordinance Assessing Property for the Cost of Demolition: (Pg. 53-56)
- 1) Case Number: MH616-2014 (Pg. 53)  
Property Owner: Samuel & Francine Graham  
Property Location: 3421 Seawell Street, Fayetteville, NC  
Parcel Identification Number: 0424-79-5251
  - 2) Case Number: MH 1026-2015 (Pg. 55)  
Property Owner: Mack & Eunice Linton  
Property Location: 6681 Muscat Road, Fayetteville, NC  
Parcel Identification Number: 0403-71-1936
- I. Approval a Proclamation Recognizing December 1, 2015 as “World Aids Day” in Cumberland County. (Pg. 57)
- J. Approval of a Proclamation Recognizing November as “Adoption Awareness Month” in Cumberland County. (Pg. 58)
- K. Approval of a Proclamation Recognizing December 24, 2015 as “St. Ann Catholic Parish Day” in Cumberland County. (Pg. 59)
- L. Budget Revisions: (Pgs. 60-67)
- (1) Social Services (Pg. 60)  
  
Revision in the amount of \$9,613 to recognize additional funds available from the Division of Aging and Adult Services. (B16-138) **Funding Source – State and Federal**



(2) School Capital Project Funds

- a. Revision to close the Gray's Creek Middle School Capital Project Fund and to move the remaining cash balance to the School Fund (B16-139) **Funding Source – Other** (Pg. 61)
- b. Revision to close the New Century Elementary School Capital Project Fund and to move the remaining cash balance to the School Fund (B16-139A) **Funding Source – Other** (Pg. 62)
- c. Revision to close the New Century Middle School Capital Project Fund and to move the remaining cash balance to the School Fund (B16-139B) **Funding Source – Other** (Pg. 63)
- d. Revision to budget transfers of the remaining cash balance from the School Capital Project Funds. (B16-139C) **Funding Source – Other** (Pg. 64)

(3) Cooperative Extension (Pg. 65)

Revision in the amount of \$1,000 to recognize a donation for the start-up cost for the Cooperative Extension Better Living Series which will begin January 2016. This Series will charge for registration fees for all attendees for all workshops. (B16-140) **Funding Source – Other**

(4) Emergency Services/Grants

- a. Revision in the amount of \$30,000 to adjust for the encumbrances that were rolled and budgeted between FY15 and FY16. (B16-141) **Funding Source – Other** (Pg. 66)
- b. Revision in the amount of \$99,432 to adjust for the encumbrances that were rolled and budgeted between FY15 and FY16. (B16-142) **Funding Source – Other** (Pg. 67)



4. Public Hearings **(Pgs. 68-110)**

**Uncontested Rezoning Cases**

- A. **Case P15-52:** Rezoning of 3.00+/- acres from C(P) Planned Commercial and R6A Residential to C(P) Planned Commercial, or to a more restrictive zoning district, located at 110 and 112 Alabama Lane, submitted by Betty H. Strickland (owner) and Joseph T. Strickland. **(Pg. 68)**

**Staff Recommendation:**

**1<sup>st</sup> motion for Case P15-53:** 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.

**2<sup>nd</sup> motion for Case P15-53:** Move to approve the request for C(P) Planned Commercial District as recommended by the Planning Staff included in the agenda package and as reflected in the minutes of the Planning Board's consideration of this case, which minutes are to be fully incorporated herein by reference.

**Planning Board Recommendation:** Approve the Staff Recommendation.

- B. **Case P15-53:** Rezoning of 33.38+/- acres from A1 Agricultural and RR Rural Residential to RR Rural Residential, or to a more restrictive zoning district; located on the northwest side of SR 1885 (Hummingbird Place), south of SR 1864 (Huckleberry Road); submitted by Albert O. McCauley on behalf of AOM Investments, LLC. (owner). **(Pg. 71)**

**Staff Recommendation:**

**1<sup>st</sup> motion for Case P15-53:** 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.



**2<sup>nd</sup> motion for Case P15-53:** Move to approve the request for RR Rural 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.

**Other Public Hearings - Minimum Housing Code Enforcement**

- C. Case Number: MH 1089-2015 **(Pg. 74)**  
Property Owner: Fort, Mavis, James, & Aubrey McGilberry  
Property Location: 204 Forte Road, Stedman, NC  
Parcel Identification Number: 0486-80-0105
- D. Case Number: MH 1135-2015 **(Pg. 81)**  
Property Owner: Mary Melvin Locke Heirs  
Property Location: 2307 L.A. Dunham Road, Fayetteville, NC  
Parcel Identification Number: 0446-92-9317
- E. Case Number: MH 1085-2015 **(Pg. 87)**  
Property Owner: Tonto Morrison  
Property Location: 3523 Cumberland Road, Fayetteville, NC  
Parcel Identification Number: 0416-90-6039
- F. Case Number: MH 1023-2015 **(Pg. 93)**  
Property Owner: Stacy L. & Ernestine Carthon  
Property Location: 4813 Battery Court, Fayetteville, NC  
Parcel Identification Number: 0433-77-9399
- G. Case Number: MH 1110-2015 **(Pg. 99)**  
Property Owner: Carla Frances Gibson  
Property Location: 5348 Chicken Foot Road & 2787 McCall Road, St. Pauls, NC  
Parcel Identification Number: 0339-06-9237
- H. Case Number: MH 1205-2015 **(Pg. 105)**  
Property Owner: Margaret Brinegar  
Property Location: 4412 Pleasant View Drive, Fayetteville, NC  
Parcel Identification Number: 0467-71-3226



## Items of Business

5. Presentation by Mr. Rob Robinson of Alliance Behavioral Healthcare, Inc:
  - A. Consideration of Approval of the Alliance Behavioral Healthcare Lease Terms and Building Renovation. **(Pg. 111)**
  - B. Discussion of the Impact of Recent State Budget Actions
6. Consideration of Interlocal Agreement on the Homeless Initiative and Approval of Two New Positions and Associated Budget Revisions. **(Pg. 114)**
7. Nominations to Boards and Committees **(Pg. 133-137)**
  - A. Joint Appearance Commission (1 Vacancy) **(Pg. 133)**
8. Appointments to Boards and Committees **(Pg. 138-148)**
  - A. Farm Advisory Board (3 Vacancies) **(Pg. 138)**

### Nominees:

Farmer Position: Sherrill Jernigan  
Wayne Beard (Reappointment)  
Vance Tyson (Reappointment)

- B. Fayetteville/Cumberland County Economic Development Corporation  
(3 Vacancies) **(Pg. 141)**

### Nominees: (Approve One Seat Per Term)

One Year Term: Board of Commissioners' Chairman or Designee

Two Year Term: Franklin Douglas Byrd III  
Billy R. King  
Tim Richardson

Three Year Term: Juanita Pilgrim  
Tim Richardson

- C. Tourism Development Authority (1 Vacancy) **(Pg. 146)**

### Nominee:

Hotels/Motels Under 100 Rooms Representative: Vivek Tandon



9. Closed Session:           A.) Personnel Matter(s) Pursuant to  
NCGS 143.318.11(a)(6).

**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.**

**THE MEETING VIDEO WILL BE AVAILABLE AT YOUTUBE.COM/CUMBERLANDCOUNTYNC ON TUESDAY, NOVEMBER 17.**

**IT WILL BE REBROADCAST ON WEDNESDAY, NOVEMBER 18, AT 7 P.M. AND FRIDAY, NOVEMBER 20, AT 10:30 A.M.**

**REGULAR BOARD MEETINGS:**

**December 7, 2015 – (Monday) – 9:00 AM  
December 21, 2015 – (Monday) – 6:45 PM  
January 4, 2016 – (Monday) – 9:00 AM**



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

**OFFICE OF THE COUNTY MANAGER**

**Cumberland County Citizens' Academy Fall 2015 Class**

**Lisa Blauser**

**Mary Campbell**

**Tracey Cox**

**Ashley Ellis**

**Franzetta Grandison**

**Debbie Horton**

**Paula Howard**

**Rosemary Johnson**

**Marsha Lunt**

**Laurie Maple**

**Antoinette McLaughlin**

**Ana Mirabal-Bivians**

**Nosa Obanor**

**Jan Robinson**

**Bryanna Smith**

**Jackie Taylor**

**Gwen Witherspoon**



AMY H. CANNON  
County Manager

JAMES E. LAWSON  
Deputy County Manager



**CUMBERLAND**  
★ **COUNTY** ★  
NORTH CAROLINA

MELISSA C. CARDINALI  
Assistant County Manager


W. TRACY JACKSON  
Assistant County Manager

**ITEM NO.** 2

**OFFICE OF THE COUNTY MANAGER**

**MEMORANDUM FOR BOARD OF COMMISSIONERS AGENDA OF NOVEMBER 16, 2015**

**TO:** BOARD OF COMMISSIONERS

**FROM:** AMY H. CANNON, COUNTY MANAGER 

**DATE:** NOVEMBER 10, 2015

**SUBJECT:** PRESENTATION OF TOURISM DEVELOPMENT  
AUTHORITY ANNUAL REPORT BY BILLY WELLONS,  
CHAIRMAN

Mr. Billy Wellons, Chairman of the Tourism Development Authority, will be presenting their annual report at the November 16, 2015 Board of Commissioners meeting.

/ct

Attachment

CM111015-3



November 11, 2015

MEMORANDUM

To: Tourism Development Authority  
From: Tammy D. Gillis, Internal Auditor  
Subject: Fiscal Year 14-15 Annual Status

During the fiscal year ended June 30, 2015 the Occupancy Tax netted \$5,510,257.39 in revenue.

These funds have been distributed as follows:

Cumberland County Crown Coliseum	\$ 1,377,564.35
Fayetteville Area Visitors and Convention Bureau	2,525,534.62
Arts Council of Fayetteville	1,377,564.35
TDA Discretionary Funds	<u>229,594.07</u>
Total	\$ 5,510,257.39

**TDA Discretionary Funds:**

Balance July 1, 2014 (unobligated)	\$ 821,474.02
Funds received for the fiscal year	229,594.07
<sup>1</sup> Funds returned or not requested by recipient	9,475.65
Less obligations during the fiscal year	(232,550.00)
Less minimum balance	<u>(100,000.00)</u>
Balance June 30, 2015 (unobligated)	\$ 727,993.74

During the year, the TDA obligated funds for the following projects:

Communities in Schools - "When Pigs Fly BBQ Cookoff"	\$ 22,998.99
Cape Fear Botanical Garden	25,000.00
Ft. Bragg Marathon & Half Marathon	25,000.00
Junior League of Fayetteville - Holly Day Fair	25,000.00
Fayetteville Duck Derby	<u>13,850.00</u>
Total	\$ 111,848.99

During the year, the TDA paid obligations from previous fiscal years for the following projects:

Patriot Outreach	8,300.00
Fayetteville State University Homecoming	731.06
Fay-Cumberland Parks & Rec - Christmas in the Park	6,794.30
NC Civil War Trails / FAVCB	<u>1,200.00</u>
Total	\$ 17,025.36

As of June 30, 2015 the TDA had the following outstanding obligations:

NC Civil War Trails / FAVCB	\$ 1,700.00
Spring Lake Guide	25,000.00
Hope Mills Chamber of Commerce	5,500.00
Fayetteville Regional Chamber	25,000.00
Greater Spring Lake Chamber of Commerce	12,000.00
WE-DO Anniversary & Conference	<u>25,000.00</u>
Total	\$ 94,200.00

Note: some of the obligations mentioned above span more than one fiscal year.

<sup>1</sup> Funds were returned or not requested because expenditures submitted were less than approved award amount.





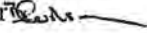
**CUMBERLAND  
★ COUNTY ★  
NORTH CAROLINA**

**DEPARTMENT OF PUBLIC HEALTH**

**MEMORANDUM**

TO: Board of County Commissioners

THROUGH: James Lawson, Deputy County Manager

FROM: Buck Wilson, Public Health Director 

DATE: November 10, 2015

SUBJECT: Consent Item for Agenda – November 16, 2015:  
Approval of Health Department Delinquent Accounts to be Turned  
Over to the N.C. Debt Set-Off Program

**BACKGROUND**

At the Board of Health meeting on October 20, 2015 the Board approved writing off a total of \$29,442.59 as bad debts. The bad debt accounts with balances of \$50.00 or higher, will be processed through the North Carolina Debt Set-Off Program, which can attach a debtor's State Income Tax refund for payment of bad debts. The accounts with balances under \$50.00 will continue to be worked for collection through our in-house collection efforts. This write-off of bad debts is in compliance with the Board of Health's recommendation to write-off bad debts every quarter.

**RECOMMENDATION/PROPOSED ACTION**

Approve write off of \$29,442.59 bad debts to the North Carolina Debt Set-Off Program.

cc: Candice York, CCDPH Finance Officer  
File

Attachment (1)



**CUMBERLAND COUNTY DEPARTMENT  
OF PUBLIC HEALTH  
DELINQUENT ACCOUNTS TO BE TURNED OVER FOR COLLECTION  
BAD DEBT WRITE OFF #44  
September 30, 2015**

PROGRAM	AMOUNT
ADULT HEALTH	\$12,327.38
CHILD HEALTH	\$4,963.40
DENTAL	\$2,070.51
EXPRESS CARE	\$2,123.11
FAMILY PLANNING	\$3,058.22
MATERNITY	\$4,899.97
TOTAL	\$29,442.59

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

**The above accounts are 90 days old or older as of 09/30/2015**





ITEM NO. 3C

**OFFICE OF THE TAX ADMINISTRATOR**

Courthouse • 5<sup>th</sup> Floor - Suite 530 • P.O. Box 449 • Fayetteville, North Carolina 28302-0449  
(910) 321-6804 • Fax: (910) 678-7582

**MEMORANDUM FOR BOARD OF COMMISSIONERS AGENDA OF NOVEMBER 16, 2015**

TO: BOARD OF COMMISSIONERS

FROM: JOSEPH R. UTLEY, JR., TAX ADMINISTRATOR *JRU*

DATE: OCTOBER 29, 2015

SUBJECT: APPROVAL OF AMMENDED RECORD RETENTION & DISPOSITION SCHEDULE FOR  
BUSINESS PERSONAL PROPERTY DISCOVERIES

**BACKGROUND**

In reviewing the current records retention practices of Tax Administration, it was determined that our Assessment and Audit division were retaining Business Personal Property discoveries and no official records retention schedule was in place for those type of records.

**RECOMMENDATION/PROPOSED ACTIONS**

The amendment that has been approved by Sarah Koonts, Director of Division of Archives and Records, is Standard-8. Item #1, letters b and c. Letter b states destroy office records concerning discovered personal property after 6 years and letter c was ammended to state remaining records destroyed after 2 years. To make these changes official Tax Administration is requesting approval by Cumberland County Board of Commissioners. Please sign the attached amendment and return to the Tax Administrator.

/sr

Encl.



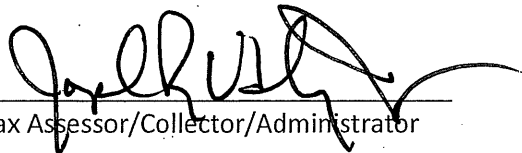
**Tax Administration  
Records Retention Schedule Amendment  
Cumberland County**

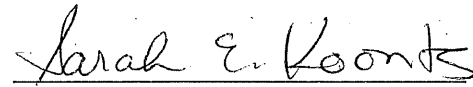
Amending the County Tax Administration Records Retention and Disposition Schedule published April 17, 2013.

**STANDARD-8. PROGRAM OPERATIONAL RECORDS: PROPERTY APPRAISAL RECORDS**

Amending Item 1, Appraisal Monitoring Records, as shown on new page 53 dated September 25, 2015.

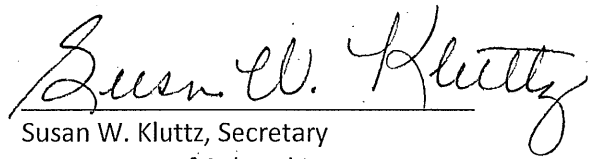
**APPROVAL RECOMMENDED**

  
\_\_\_\_\_  
Tax Assessor/Collector/Administrator

  
\_\_\_\_\_  
Sarah E. Koonts, Director  
Division of Archives and Records

**APPROVED**

\_\_\_\_\_  
Chairman, Bd. Of County Commissioners

  
\_\_\_\_\_  
Susan W. Kluttz, Secretary  
Department of Cultural Resources

September 25, 2015





## North Carolina Department of Natural and Cultural Resources

Pat McCrory, Governor  
Susan Kluttz, Secretary

Division of Archives and Records  
Kevin Cherry, Deputy Secretary

October 5, 2015

Kathy Pittman  
Cumberland County Tax Administration  
117 Dick Street, Room 530  
Fayetteville, NC 28301

Dear Kathy Pittman:

Enclosed is the signed local amendment to the Tax Administration Records Retention Schedule published April 17, 2013, effective September 25, 2015 pending Cumberland County's signature. Please adopt this schedule amendment in an open meeting: the signatures of the County Tax Administrator and the Chair of the Board of County Commissioners are required.

Once the schedule amendment has been signed, please make a copy for your own records, substituting the amended page 53 in your official copy of the schedule as necessary. Then send the original back to me for the Department of Natural and Cultural Resources' official copy.

Thank you for your commitment to managing Cumberland County's records effectively, and for your continued feedback and assistance as we work to help tax offices around the state with better retention schedules.

Sincerely,

A handwritten signature in cursive script that reads "Emily H. Sweitzer".

Emily H. Sweitzer

Records Management Analyst  
4615 Mail Service Center  
Raleigh, NC 27699-4615

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DIVISION OF ARCHIVES AND RECORDS — GOVERNMENT RECORDS SECTION

MAILING ADDRESS:  
4615 Mail Service Center  
Raleigh, N.C. 27699-4615

<http://archives.ncdcr.gov>  
Telephone (919) 807-7350  
Facsimile (919) 715-3627  
State Courier 51-81-20

LOCATION:  
215 N. Blount Street  
Raleigh, N.C. 27601-2823



**STANDARD-8. PROGRAM OPERATIONAL RECORDS: PROPERTY APPRAISAL RECORDS.** Records received and created by county tax offices necessary to meet all statutory requirements.

ITEM #	STANDARD-8. PROGRAM RECORDS: PROPERTY APPRAISAL RECORDS		
	RECORD SERIES TITLE	DISPOSITION INSTRUCTIONS	CITATION
1.	<p><b>APPRAISAL MONITORING RECORDS</b> Records used to discover unlisted and under-appraised real and personal property (including business personal property) during non-revaluation years. May include field notes; correspondence, including email, to and from property owners; and similar records documenting changes in parcel features and characteristics used to update property records.</p> <p>See also <b>REVALUATION RECORDS</b> item 16, page 56.</p>	<p>a) Destroy in office records concerning real property after 10 years or two revaluation cycles, whichever occurs first.</p> <p>b) Destroy in office records concerning discovered personal property after 6 years.</p> <p>c) Destroy in office remaining records after 2 years.</p>	G.S. §105-287
2.	<p><b>BOARD OF EQUALIZATION AND REVIEW (APPEALS FILE)</b> Records associated with appeals to the Board of Equalization and Review. May include appeal letters, hearing notices, listing information, affidavits, staff recommendations, and final actions.</p>	Destroy in office after 8 years.*	<p>G.S. §105-322</p> <p>G.S. §105-323</p> <p>G.S. §105-325</p>

\*See **AUDITS, LITIGATION, AND OTHER OFFICIAL ACTION**, page vi.

† See signature page. The agency hereby agrees that it will establish and enforce internal policies setting minimum retention periods for the records that Cultural Resources has scheduled with the disposition instruction "destroy when administrative value ends." Please use the space provided.



CURRENT

**STANDARD-8. PROGRAM OPERATIONAL RECORDS: PROPERTY APPRAISAL RECORDS.** Records received and created by county tax offices necessary to meet all statutory requirements.

ITEM #	STANDARD-8. PROGRAM RECORDS: PROPERTY APPRAISAL RECORDS		
	RECORD SERIES TITLE	DISPOSITION INSTRUCTIONS	CITATION
1.	<b>APPRAISAL MONITORING RECORDS</b> Records used to discover unlisted and under-appraised real and personal property during non-revaluation years. May include field notes; correspondence, including email, to and from property owners; and similar records documenting changes in parcel features and characteristics used to update property records.  See also <b>REVALUATION RECORDS</b> item 16, page 56.	a) Destroy in office records concerning real property after 10 years or two revaluation cycles, whichever occurs first.  b) Destroy in office records concerning personal property after two revaluation cycles.	G.S. §105-287
2.	<b>BOARD OF EQUALIZATION AND REVIEW (APPEALS FILE)</b> Records associated with appeals to the Board of Equalization and Review. May include appeal letters, hearing notices, listing information, affidavits, staff recommendations, and final actions.	Destroy in office after 8 years.*	G.S. §105-322 G.S. §105-323 G.S. §105-325



\*See **AUDITS, LITIGATION, AND OTHER OFFICIAL ACTION**, page vi.

† See signature page. The agency hereby agrees that it will establish and enforce internal policies setting minimum retention periods for the records that Cultural Resources has scheduled with the disposition instruction "destroy when administrative value ends." Please use the space provided.





ITEM NO. 3D

FINANCE OFFICE

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

**MEMORANDUM FOR BOARD OF COMMISSIONERS CONSENT AGENDA OF  
NOVEMBER 16, 2015**

**TO: BOARD OF COUNTY COMMISSIONERS**

**FROM: VICKI EVANS, FINANCE DIRECTOR** *[Signature]*

**DATE: NOVEMBER 8, 2015**

**SUBJECT: CONSENT AGENDA - FY15 SUMMARY OF ACTIVITIES  
FUNDED BY COUNTY ABC FUND CONTRIBUTIONS**

**BACKGROUND**

In accordance with North Carolina General Statute 18B-805(h), Expenditure of Alcoholism Funds: *Funds distributed under subdivisions (b)(4) and (c)(3) of this section shall be spent for the treatment of alcoholism or substance abuse or for research or education on alcohol or substance abuse. The minutes of the board of county commissioners or local board spending funds allocated under this subsection shall describe the activity for which the funds are to be spent. Any agency or person receiving funds from the county commissioners or local board under this subsection shall submit an annual report to the board of county commissioners or local board from which funds were received, describing how the funds were spent.*

For fiscal year 2015 collections related to (b)(4) totaled \$90,488; collections related to (c)(3) totaled \$168,134; for a combined total of \$258,622. To be in compliance with this statute, Alliance Behavioral Healthcare has reported that provider agency "Myrover Reese Fellowship Homes, Inc." provided substance abuse services totaling \$305,838 to 98 substance abuse consumers over the course of the fiscal year.

**RECOMMENDATION/PROPOSED ACTION**

Accept the report and include same in minutes of the November 16, 2015 Commissioners' Meeting.

*Celebrating Our Past...Embracing Our Future*



## Alliance FY15 Summary of Cumberland County MH/DD/SA Services

### 1 FY14 Summary of Dollars Utilized by Funding Source for Cumberland County Residents

	State/Federal*	County*	Medicaid*
Total Dollars	\$5,404,862	\$2,039,373	\$74,511,337

### 2 FY14 Number of Cumberland County Residents served by Funding Source

	State/Federal*	County*	Medicaid*
Total Count	2,922	n/a	10,761

### 3 FY14 Summary of Activities funded by County ABC Funds Contributions

*In FY2015, \$258,622 of the \$4,800,000 Cumberland Allocation of ABC funds were allocated for the purposes stated in NCGS18B-805(h).*

§ 18B-805. Distribution of revenue.

(h) Expenditure of Alcoholism Funds. - Funds distributed under subdivisions (b)(4) and (c)(3) of this section shall be spent for the treatment of alcoholism or substance abuse, or for research or education on alcohol or substance abuse. The minutes of the board of county commissioners or local board spending funds allocated under this subsection shall describe the activity for which the funds are to be spent. Any agency or person receiving funds from the county commissioners or local board under this subsection shall submit an annual report to the board of county commissioners or local board from which funds were received, describing how the funds were spent.

4		Treatment of Alcoholism or Substance Abuse	Research or Education on Alcohol or Substance Abuse
	Dollars Utilized	\$305,838	n/a
	# served	98	n/a

Provider Name: "Myrover Reese Fellowship Homes, Inc."

### FY2015 Required minimum ABC funding amount

Actual	FY15
ABC 5c	\$90,488
ABC Profit	\$168,134
Total	\$258,622



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. 3E(1-3)

**OFFICE OF THE COUNTY MANAGER**

**MEMORANDUM FOR BOARD OF COMMISSIONERS AGENDA OF NOVEMBER 16, 2015**

**TO: BOARD OF COUNTY COMMISSIONERS**

**FROM: AMY H. CANNON, COUNTY MANAGER**

**DATE: OCTOBER 14, 2015**

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

**BACKGROUND**

The Cumberland County Facilities Committee met on Thursday, November 5, 2015 and discussed the following agenda:

- 1) Alliance Behavioral Healthcare Lease Terms and Building Renovations  
\*\*See Item 5\*\*
- 2) Mid-Carolina Council of Government Lease Agreement
- 3) Deli Franchise \*\*See Item 3G\*\*

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

CM111015-4



# DRAFT

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

MEMBERS PRESENT: Commissioner Glenn Adams  
Commissioner Jimmy Keefe  
Commissioner Larry Lancaster

COMMISSIONERS PRESENT:  
Commissioner Kenneth Edge

OTHERS PRESENT: Amy Cannon, County Manager  
James Lawson, Deputy County Manager  
Tracy Jackson, Assistant County Manager  
Rick Moorefield, County Attorney  
Vicki Evans, Finance Director  
Thelma Matthews, County Finance  
Jeffery Brown, Engineering & Infrastructure Director  
Claudia Sievers, Public Information Office  
Tammy Gillis, Internal Auditor/Wellness Services Director  
Glenda Dye, Mid-Carolina Council of Government  
Michael Rutan, Mid-Carolina Council of Government  
Rob Robinson, Alliance Behavioral Healthcare  
Kelly Goodfellow, Alliance Behavioral Healthcare  
Kellie Beam, Deputy Clerk to the Board

Commissioner Glenn Adams called the meeting to order.

## 1. APPROVAL OF MINUTES – OCTOBER 1, 2015 REGULAR MEETING

MOTION: Commissioner Lancaster moved to approve the minutes.

SECOND: Commissioner Keefe

VOTE: UNANIMOUS (3-0)

## 2. CONSIDERATION OF APPROVAL OF ALLIANCE BEHAVIORAL HEALTHCARE LEASE AGREEMENT

### BACKGROUND:

Alliance Behavioral Healthcare, the managed care organization that provides mental health services for the citizens of Cumberland County, wishes to enter into a lease agreement with Cumberland County for 16,995 square feet of office space located at 711 Executive Place in Fayetteville. Alliance Behavioral Healthcare is seeking approval to renovate the first and second floors of the building and would like assistance from the



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County in the form of a waiver of rent for six (6) months in the amount of \$112,924 and the use of carryover funds from a prior year in the amount of \$387,076 for a total County contribution of \$500,000. Preliminary cost estimates obtained by Alliance Behavioral Healthcare for renovations are projected to be approximately \$1.2 million.

The term of the lease will be three (3) years initially, with two (2), two (2) year extensions for a total of seven (7) years. The effective date of the lease agreement will be January 1, 2016. If approved, the rent will be waived for the first six (6) months of the lease and thereafter will be \$16,995 per month for the remainder of the lease. Lease revenue for FY15 has only been budgeted for the first half of the year.

## RECOMMENDATION

Staff recommends approval of a lease agreement, and the proposed building renovations, for Alliance Behavioral Healthcare.

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

Rob Robinson, CEO of Alliance Behavioral Healthcare, stated the Alliance's is proposing to renovate the office space currently occupied at 711 Executive Place under a cost-sharing arrangement with Cumberland County because Alliance has occupied this space since the merger between Cumberland County Mental Health and Alliance on July 1, 2013. Mr. Robinson stated Alliance staff occupies the first and second floor and share meeting and storage space on the fourth and fifth floors.

Mr. Robinson stated Alliance leadership recently completed a walkthrough of the space with Cumberland County Management with the goal of understanding the current architecture of the building as well as the scope of a redesign necessary to optimize future use of the space. Mr. Robinson stated the property has shared a benefit for both Alliance and Cumberland County to include continuity of operations for stakeholders who visit the building but Alliance has significant concerns regarding the current layout with respect to security, usage of space and design.

Mr. Robinson stated Alliance has a proposed design that would:

- Result in occupancy of only the first and second floors.
- Allow for secure space for Alliance staff in compliance with URAC and safety standards.
- Allow for open common area on first floor for other tenants.
- Rebrand the space per Alliance guidelines.

Mr. Robinson stated Alliance requests that the County contribute 50% of the final cost of renovations not to exceed \$500,000 broken down as follows:

- Alliance is permitted to occupy the space rent-free from January through June 2016 (cash value \$112,924).



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- Cumberland County allows Alliance to utilize the remaining \$387,076 from the County fund balance it currently holds.

Mr. Robinson stated additional costs would be absorbed by Alliance. Discussion followed.

Commissioner Glenn Adams asked about the tax value and square footage of 711 Executive Place. Ms. Cannon stated staff would get this information and provide it to the Facilities Committee at a later date. Ms. Cannon asked the Alliance how much of the \$1.2 million is for the cost of workstations and furniture. Kelly Goodfellow, Alliance Behavioral Healthcare, stated a great deal of that cost is related to demolition and plans but she can furnish a better breakdown to Ms. Cannon at a later date.

Commissioner Lancaster stated he feels this is a win-win situation for everyone and he appreciates the commitment of the Alliance. Commissioner Adams stated he would be in opposition of the lease agreement until he receives further information regarding the square footage and tax value of 711 Executive Place.

MOTION: Commissioner Keefe moved to recommend to the full board approval of the lease agreement and the proposed building renovations for Alliance Behavioral Healthcare  
SECOND: Commissioner Lancaster  
VOTE: PASSED (2-1) (Commissioners Keefe and Lancaster voted in favor; Commissioner Adams voted in opposition)

### 3. CONSIDERATION OF APPROVAL OF MID-CAROLINA COUNCIL OF GOVERNMENT LEASE AGREEMENT

#### BACKGROUND:

This item was originally introduced at the October 1<sup>st</sup> Facilities Committee meeting. No action was taken at that time so that a representative from the Mid-Carolina Council of Governments (MCCOG) could be present to answer questions at the November Facilities Committee meeting. MCCOG, a quasi-governmental regional agency serving Cumberland, Harnett and Sampson Counties, and the municipalities contained therein, wishes to enter into a lease agreement with Cumberland County for 4,070 square feet of executive office space located in the Historic Cumberland County Courthouse.

This agreement will take the place of a prior lease that was outdated, and the intent was to gradually increase the lease rate over time to minimize the impact on services. The rent shall be at an annual rate of \$8,000 the first year (fiscal year 2016); \$12,210 the second year (fiscal year 2017); \$16,280 the third year (fiscal year 2018); \$20,350 the fourth year (fiscal year 2019); and \$24,420 the fifth year (fiscal year 2020). MCCOG provides services which include the administration of an array of aging programs. These aging programs include adult day health care, transportation, in-home aides, home-delivered



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meals, information and consumer services, housing and home improvements, and advocacy for those 60 years of age and older.

## RECOMMENDATION/PROPOSED ACTION:

Staff recommends approval of the proposed lease agreement due to the importance and value of the services provided to senior adults in our local community.

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

Ms. Cannon stated the MCCOG lease is extremely outdated and staff is working on bringing the lease up to date and gradually increasing the lease income. Ms. Cannon stated any increase in the lease amount will impact the dollars available for providing services according to Jim Caldwell at MCCOG.

Commissioner Keefe stated he is not familiar with all of the services the MCCOG provides. Commissioner Keefe further stated he feels like this location is prime real estate and the lease rate is low. Glenda Dye, Mid-Carolina Council of Government Director of Area Agency on Aging, stated the MCCOG is the fiscal and staff support for agencies such as RULAC, Mid Cape Fear River Basin Association and the Community Transportation Program among other agencies and services.

Commissioner Keefe stated he feels the County has lease rates that are all over the place and there needs to be more consistency. Ms. Cannon explained there are various lease rates depending on the value of services provided. Ms. Cannon further explained some agencies are providing County services. Ms. Cannon stated if the Facilities Committee would like to revisit lease rates and come up with a standard rate that could be done but recommendations are currently based on the value of services that are actually provided. Commissioner Adams stated he feels it is important for the Facilities Committee to receive information regarding the County services the agencies provide when making decisions regarding lease rates. Discussion followed.

Commissioner Keefe stated he is surprised the City of Fayetteville is not a member of the MCCOG. Commissioner Adams stated he would like to see the commissioners speak to the Mayor or the City/County Liaison Committee about possibly joining the MCCOG since there has been some change in leadership at the City of Fayetteville.

Commissioner Edge stated he has served as the MCCOG liaison for several years in the past and he feels they operate on a shoe string budget. Commissioner Edge stated the transportation service and the other services provided to the elderly are critical.

MOTION: Commissioner Lancaster moved to recommend to the full board approval of the proposed lease agreement with Mid-Carolina Council of Government due to the importance and value of the services provided to senior adults in our local community.



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SECOND: Commissioner Adams  
VOTE: PASSED (2-1) (Commissioners Lancaster and Adams voted in favor;  
Commissioner Keefe voted in opposition)

## 4. CONSIDERATION OF APPROVAL OF RESULTS OF DELI FRANCHISE REQUEST FOR PROPOSALS

### BACKGROUND:

Staff successfully advertised for proposals to operate and provide deli and snack bar services on October 8, 2015 with a deadline for submittal of 10:00 a.m., October 23, 2015. One (1) response to the Request for Proposal (RFP) for deli and snack bar services was received.

### Requirements included:

- Must maintain a Grade A Health Inspection Rating
- Must pay a percentage of monthly earnings or a minimum of \$500 whichever is greater
- Must maintain a point-of-sale system and accept credit and debit cards
- Proof of insurance

### Evaluation criteria included:

- Five (5) years of deli/restaurant experience
- Evidence of stable financial position
- Acceptable menu and pricing
- Adequate references

The sole respondent to the RFP process was Mr. Jae Yi, current provider of deli and snack bar services, and his proposal package was compliant in all ways with the specifications of the proposal process. If Mr. Yi is awarded this franchise, staff will work closely with him to improve certain aesthetics of the spaces where deli and snack bar services are provided. The proposed term for the franchise agreement is for a three (3) year period with a renewal option for an additional three (3) years in one (1) year increments (six (6) years in total).

### RECOMMENDATION/PROPOSED ACTION:

Staff recommends awarding a deli and snack bar franchise for two locations in County-owned facilities to Mr. Jae Yi and forwarding this recommendation to the full board for approval on a consent agenda.

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Mr. Jackson reviewed the background information and recommendation as recorded above. Mr. Jackson stated the deli franchise RFP was advertised in The Fayetteville Observer and online for two weeks and only one proposal was received. Mr. Jackson stated the proposal received did meet all the requirements. Mr. Jackson stated Tammy



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Gillis, Internal Auditor, has reviewed all the financial statements and staff recommends approval.

MOTION: Commissioner Lancaster moved to recommend to the full board approval of the deli and snack bar franchise for two locations in County-owned facilities to Mr. Jae Yi.  
SECOND: Commissioner Keefe  
VOTE: UNANIMOUS (3-0)

## 5. REPORT ON NATIONAL FLOOD INSURANCE PROGRAM'S (NFIP) COMMUNITY RATING SYSTEM (CRS) ANNUAL RECERTIFICATION PROGRESS REPORT

### BACKGROUND:

Cumberland County participates within the National Flood Insurance Program's (NFIP) Community Rating System (CRS). The CRS is a voluntary incentive program that recognizes and encourages community floodplain management activities that exceed the minimum NFIP requirements. The County's participation allows those that are required to have flood insurance to receive discounted insurance premium rates. Cumberland County currently has a class rating of 8 which allows property owners to receive a 10% discount off of their insurance premiums for policies within the Special Flood Hazard Area (SFHA).

As part of the County's annual recertification process, the Engineering and Infrastructure Department is required to provide an update on each action item related to floodplain management outlined within the Cumberland County Multi-Jurisdictional Hazard Mitigation Plan. Another requirement is that this progress report be presented to the governing board.

The Engineering and Infrastructure Department received notification on October 8<sup>th</sup> that the County's recertification packet had been reviewed and the County was found to be in good standing in the CRS Program for the next year.

### RECOMMENDATION/PROPOSED ACTION:

The Facilities Committee is not being asked to take action. The purpose of this item is to provide the Committee the progress report as required by NFIP for the County's annual recertification for the Community Rating System.

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

Mr. Brown stated this program helps citizens that are required to have flood insurance get a lower rate. Mr. Brown stated as long as the County participates in this program we will have to go through an annual audit and a part of that recertification process requires the



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Engineering and Infrastructure Department to review what the County is doing related to flood associated action items within the Hazard Mitigation Plan. Mr. Brown stated the report has to be brought to the governing board to ensure the County is doing what needs to be done in regards to the Hazard Mitigation Plan. Mr. Brown provided the report to the Facilities Committee. Mr. Brown stated no action needs to be taken and this item is for information only.

## 6. OTHER ITEMS OF BUSINESS

No other items of business.

MEETING ADJOURNED AT 9:26 AM.



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.

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**OFFICE OF THE COUNTY MANAGER**

**MEMO FOR THE AGENDA OF THE NOVEMBER 16, 2015  
MEETING OF THE BOARD OF COMMISSIONERS**

**TO: BOARD OF COMMISSIONERS**

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

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

**DATE: NOVEMBER 2, 2015**

**SUBJECT: APPROVAL OF MID-CAROLINA COUNCIL OF GOVERNMENT  
LEASE AGREEMENT**

**BACKGROUND**

The Facilities Committee met on November 5, 2015 to consider the proposed lease of a specified portion of the premises located at 130 Gillespie Street to the Mid-Carolina Council of Governments (MCCOG). MCCOG is a quasi-governmental regional agency serving Cumberland, Harnett and Sampson Counties, and the municipalities contained therein, that provides services for the aging population, transportation, and planning programs. The aging programs include adult day health care, transportation, in-home aides, home-delivered meals, information and consumer services, housing and home improvements, and advocacy for those 60 years of age and older.

The attached lease agreement replaces an outdated lease with the intent to gradually increase the rental rate over time so as to minimize the impact on MCCOG services. The rent shall be at an annual rate of \$8,000 for the first year (FY2016); \$12,210 the second year (FY2017); \$16,280 the third year (FY2018); \$20,350 the fourth year (FY2019); and \$24,420 the fifth year (FY2020). In addition, the Committee requested to include a 90 day "Early Out" provision in the lease agreement. Because the agreement is with a governmental agency the requirement to give public notice is not applicable.



**RECOMMENDATION/PROPOSED ACTION:**

The Facilities Committee recommends approving the revised lease agreement between Cumberland County and Mid-Carolina Council of Governments for a five (5) year term beginning July 1, 2015 through June 30, 2020 as stipulated within the agreement.

/ct

CM111015-1



**STATE OF NORTH CAROLINA**

**COUNTY OF CUMBERLAND**

**LEASE AGREEMENT**

**Notice of Intent not Required**

**Approved by the Board of Commissioners on**

This Lease Agreement, made and entered as of the \_\_\_\_\_ day of \_\_\_\_\_, 2015, by and between **Mid Carolina Council of Governments**, located at 130 Gillespie Street, Fayetteville, North Carolina, hereinafter referred to as "LESSEE", and the **County of Cumberland**, a body politic and corporate of the State of North Carolina, hereinafter referred to as "LESSOR".

**W I T N E S S E T H:**

THAT for and in consideration of the mutual promises hereinafter contained herein and subject to the terms and conditions hereinafter set forth or referred to, LESSOR does hereby lease and demise to LESSEE that certain space consisting of 4,070 square feet of office space in the Historic Cumberland County Courthouse, located at 130 Gillespie Street, Fayetteville, NC, and being the same space already occupied by Lessee.

TO HAVE AND TO HOLD said property, together with all privileges and appurtenances thereto belonging including easements of ingress and egress, to the said LESSEE, under the terms and conditions hereinafter set forth:

1. **TERM**: The Lease shall commence the 1st day of July, 2015, and unless sooner terminated, continue for five years to June 30, 2020.
2. **RENT**: The rent shall be at an annual rate of EIGHT THOUSAND (\$8,000) the first year (fiscal year 2016); TWELVE THOUSAND TWO HUNDRED TEN DOLLARS (\$12,210) the second year (fiscal year 2017); SIXTEEN THOUSAND TWO HUNDRED EIGHTY DOLLARS (\$16,280) the third year (fiscal year 2018); TWENTY THOUSAND THREE HUNDRED FIFTY DOLLARS (\$20,350) the fourth year (fiscal year 2019); and TWENTY-FOUR THOUSAND FOUR HUNDRED TWENTY DOLLARS (\$24,420) the fifth year (fiscal year 2020). The rent shall be payable in quarterly installments beginning on July 1st each year.
3. **DEPOSIT**: LESSOR shall not require a security deposit from the LESSEE.
4. **SERVICES**: LESSOR covenants and agrees to furnish the leased premises with electrical service suitable for the intended use as general office space (including dedicated ground circuits for computer operation), including fluorescent tube and ballast replacements, heating and air conditioning for the comfortable use and occupancy of the leased premises, plus supplying and maintaining building common areas and restroom facilities, including hot and cold water, and sewage disposal in the building in which the leased premises are located. If the premises have a security system, Lessor will maintain it in good working order.
5. **PARKING LOT**: LESSEE shall have the right of shared use and enjoyment of the Historic Cumberland County Courthouse parking areas at no charge to the LESSEE.



6. **ASSIGNMENT OR SUB-LEASE:** The LESSEE shall not assign this lease or sublet the leased premises or any part thereof, without the written consent of the LESSOR. Such written consent will not be unreasonably withheld by LESSOR.
7. **USE AND POSSESSION:** It is understood that the leased premises are to be used for general office purposes and for no other purposes without prior written consent of LESSOR. LESSEE shall not use the leased premises for any unlawful purpose or so as to constitute a nuisance. LESSEE shall return the premises to LESSOR at the termination hereof in as good condition and state of repair as the same was at the commencement of the term hereof, except for loss, damage, or depreciation occasioned by reasonable wear and tear and damage by accidental fire or other casualty.
8. **DESTRUCTION OF PREMISES:** In the event that said building is damaged by fire, windstorm, or an act of God, so as to materially affect the use of the building and premises, this Lease shall automatically terminate as of the date of such damage or destruction, provided, however, that if such building and premises are repaired so as to be available for occupancy and use within sixty (60) days after said damage, then this lease shall not terminate, provided further that the LESSEE shall pay no rent during the period of time that the premises are unfit for occupancy and use.
9. **CONDEMNATION:** If during the term of this lease or any renewal period thereof, the whole of the leased premises, or such portion thereof as will make the leased premises unusable for the purpose leased, be condemned by public authority for public use, then in either event, the term hereby granted shall cease and come to an end as of the date of the vesting of title in such public authority, or when possession is given to such public authority, whichever event occurs last. Upon such occurrence the rent shall be apportioned as of such date and any rent paid in advance at the due date for any space condemned shall be returned to the LESSEE. The LESSOR shall be entitled to reasonable compensation for such taking except for any statutory claim of the LESSEE for injury, damage or destruction of the LESSEE'S business accomplished by such taking. If a portion of the leased premises is taken or condemned by public authority for public use so as not to make the remaining portion of the leased premises unusable for the proposes leased, this lease will not be terminated but shall continue. In such case, the rent shall be equitably and fairly reduced or abated for the remainder of the term in proportion to the amount of leased premises taken. In no event shall the LESSOR be liable to the LESSEE for any interruption of business, diminution in use or for the value of any unexpired term of this lease.
10. **INTERRUPTION OF SERVICE:** LESSOR shall not be or become liable for damages to LESSEE alleged to be caused or occasioned by or in any way connected with or the result of any interruption in service, or defect or breakdown from any cause whatsoever in any of the electric, water, plumbing, heating, or air conditioning systems. However, upon receipt of actual notice of any such interruption, defect or breakdown, LESSOR will take such steps as are reasonable to restore any such interrupted service to remedy any such defect.
11. **LESSOR'S RIGHT TO INSPECT:** The LESSOR shall have the right, at reasonable times during the term of this lease, to enter the leased premises, for the purposes of examining and inspecting same and of making such repairs or alterations therein as the LESSOR shall deem necessary.



12. **INSURANCE:** LESSOR will be responsible for insuring its interest in the building and LESSEE will be responsible for insuring its personal property within the leased premises. LESSEE shall at all times during the term hereof, at its own expense, maintain and keep in force a policy or policies of general and premises liability insurance against claims for bodily injury, death or property damage occurring in, on, or about the demised premises in a coverage amount of no less than \$500,000 per occurrence and naming LESSOR as an additional named insured.
13. **MAINTENANCE OF STRUCTURE:** LESSOR shall be responsible for the maintenance and good condition of the roof and supporting walls of the building leased hereunder and for maintenance in good working condition of all mechanical equipment (including but not limited to heating and air conditioning equipment) installed and provided by the LESSOR. The LESSEE shall be responsible for the maintenance in good condition of interior surfaces, floors, doors, ceilings, and similar items except that the LESSEE shall not be responsible for fair wear and tear or for major damage or destruction of such walls, grounds, surfaces, or any structural component of the premises.
14. **HEATING AND AIR CONDITIONING; JANITORIAL SERVICES:** LESSOR shall provide and maintain heating and air conditioning in good working condition. Temporary stoppages of heating services for the purposes of maintaining or repairing heating equipment and facilities shall not constitute a default by LESSOR in performance of this Lease, provided that the LESSOR exercises due diligence and care to accomplish such maintenance and repair and such stoppages do not continue to an unreasonable length of time. LESSOR shall be responsible for commercially reasonable janitorial service and trash removal from leased premises.
15. **PERSONAL PROPERTY AND IMPROVEMENTS:** Any additions, fixtures, or improvements placed or made by the LESSEE in or upon the leased premises, which are permanently affixed to the leased premises and which cannot be removed without unreasonable damage to said premises shall become the property of the LESSOR and remain upon the premises as a part thereof upon the termination of this Lease. All other additions, fixtures, or improvements to include trade fixtures, office furniture and equipment, and similar items, which can be removed without irreparable damage to the leased premises, shall be and remain the property of the LESSEE and may be removed from the leased premises by the LESSEE upon the termination of this lease. LESSEE shall bear the expense of any repairs of the leased premises, other than fair wear and tear caused by such removal.
16. **TAXES:** LESSEE will list and pay all business personal property taxes, if any, on its personal property located within the demised premises.
17. **NOTICE:** Any notices to be given by either party to the other under the terms of this Agreement shall be in writing and shall be deemed to have been sufficiently given if delivered by hand, with written acknowledgement of receipt, or mailed by certified mail, return receipt requested, or delivered by receipt controlled express service, to the other party at the following addresses or to such other addresses as either party hereafter from time to time designates in writing to the other party for the receipt of notice:



**LESSEE:**

Mid Carolina Council of Governments  
Attn: Jim Caldwell, Executive Director  
130 Gillespie Street.  
Fayetteville, NC 28302

**LESSOR:**

Cumberland County  
Attn: County Manager  
P. O. Box 1829  
Fayetteville, NC 28302-1829

Such notice, if mailed, shall be deemed to have been received by the other party on the date contained in the receipt.

18. **ORDINANCES AND REGULATIONS:** The LESSEE hereby covenants and agrees to comply with all the rules and regulations of the Board of Fire Underwriters, officers and boards of the city, county or state having jurisdiction over the leased premises, and with all ordinances and regulations or governmental authorities wherein the leased premises are located, at the LESSEE'S sole cost and expense, but only insofar as any of such rules, ordinances, and regulations pertain to the manner in which the LESSEE shall use the leased premises, the obligation to comply in every other case, and also all cases where such rules, regulations, and ordinances require repairs, alterations, changes or additions to the building (including the leased premises) or building equipment, or any part of either, being hereby expressly assumed by the LESSOR and LESSOR covenants and agrees promptly and duly to comply with all such rules, regulations and ordinances with which LESSEE has not herein expressly agreed to comply.
19. **INDEMNIFICATION:** LESSEE will indemnify LESSOR and save it harmless from and against any and all claims, actions, damages, liability and expense in connection with loss of life, personal injury or damage to property occurring in or about, or arising out of, the demised premises, and occasioned wholly or in part by any act or omission of LESSEE, its agents, licensees, concessionaires, customers or employees. In the event LESSOR shall be made a party to any litigation, commenced by or against LESSEE, its agents, licensees, concessionaires, customers or employees, then LESSEE shall protect and hold LESSOR harmless and shall pay all costs, expenses and reasonable attorneys' fees incurred or paid by LESSOR in connection with such litigation, unless such litigation arises out of an injury or injuries claimed as a result of some defective condition existing on the premises for which LESSOR has responsibility to maintain or repair under the terms of this lease and to which LESSOR has been put on notice by LESSEE.
20. **REPAIR:** The premises shall meet all requirements necessitated by the ADA and OSHA Inspection Guidelines. Should it be necessary during the term of this Lease to repair the roof structure; exterior walls; or structural members or the building because of defect or failure, the LESSOR shall make such repairs or replacements at its sole cost and expense, within a reasonable time after demand is made in writing to the LESSOR to do so by the LESSEE. The LESSOR shall keep the premises, including all improvements, in good condition and repair and in a good, clean, and safe condition at all times during the term of this Lease Agreement.
21. **WARRANTY:** The LESSOR warrants that all plumbing, electrical, heating, and air conditioning units and facilities are in good working order at the commencement of this Lease.



22. **REMEDIES:** If either party shall be in default with respect to any separate performance hereunder, and shall have remained in default for ten (10) days after receipt of notice of default, there shall be a breach of this lease. The defaulting party shall remain fully liable for performing its remaining obligations under this lease. The defaulting party shall be liable for reasonable damages as provided by law and for all costs and expenses, including reasonable attorneys fees, incurred by the other party on account of such default, except as otherwise provided herein. Waiver by either party of any breach of the other's obligation shall not be deemed a waiver of any other or subsequent breach of the same obligation. No right or remedy of any party is exclusive of any other right or remedy provided or permitted by law or equity, but each shall be cumulative of every other right or remedy given hereunder or now or hereafter existing at law or in equity or by state or otherwise any may be enforced concurrently or from time to time.
23. **SUCCESSOR AND ASSIGNS:** This lease shall bind and inure to the benefit of the successors, assigns, heirs, executors, administrators, and legal representatives of the parties hereto.
24. **ALTERATIONS AND PARTITIONS:** The LESSEE may make reasonable alterations and partitions to the interior of the premises to enhance their suitability for the uses contemplated in this Lease Agreement, provided prior written approval of the graphic plan for alterations and partitions shall be obtained from the LESSOR, who shall not unreasonably withhold such approval.
25. **UTILITIES:** Electrical power, water, and sewer services to serve the leased premises shall be at LESSOR'S expense. LESSOR shall not be liable for any failure of any public utility to provide utility services over such connections and such failure shall not constitute a default by LESSOR in performance of this Lease. LESSEE shall be prudent in its use of utilities and compliant with the LESSOR'S practices and policies related to utilities.
26. **RISKS OF LOSS:** As between the LESSOR and the LESSEE, any risk of loss of personal property placed by the LESSEE in or upon the leased premises shall be upon and a responsibility to the LESSEE, regardless of the cause of such loss.
27. **DESTRUCTION OF PREMISES:** If the leased premises should be completely destroyed or damaged so that more than fifty percent (50%) of the leased premises are rendered unusable, this Lease shall immediately terminate as of the date of such destruction or damage.
28. **TERMINATION:** Either party may terminate the contract upon ninety (90) days' notice in writing to the other party. If the LESSEE shall fail to pay any installment of rent when due and payable as heretofore provided or fail to perform any of the terms and conditions heretofore set forth and shall continue in such default for a period of fifteen (15) days after written notice of default, LESSOR, at its discretion, may terminate this Lease and take possession of the premises without prejudice to any other remedies allotted by law; and/or, if the LESSOR shall fail to perform any of the terms and conditions heretofore set forth and shall continue in such default thirty (30) days after written notice of such default, the LESSEE, at its discretion shall terminate this Lease and vacate the leased premises without further obligation to pay rent as theretofore provided from date of said termination, without prejudice to any other remedies provided by law.



28. **OCCUPANCY AND QUIET ENJOYMENT:** LESSOR promises that LESSEE shall have quiet and peaceable possession and occupancy of the above leased premises in accordance with the terms set forth herein, and that LESSOR will defend and hold harmless the LESSEE against any and all claims or demands of others arising from LESSEE'S occupancy of the premises or in any manner interfering with the LESSEE'S use and enjoyment of said premises.
29. **MODIFICATION:** This Agreement may be modified only by an instrument duly executed by the parties or their respective successors.
30. **MERGER CLAUSE:** This instrument is intended by the parties as a final expression of their agreement and as a complete and exclusive statement of its terms. No course of prior dealings between the parties and no usage of trade shall be relevant or admissible to supplement, explain, or vary any of the terms of this Agreement. Acceptance of, or acquiescence in, a course of performance rendered under this or any prior agreement shall not be relevant or admissible to determine the meaning of this Agreement even though the accepting or acquiescing party has knowledge of the nature of the performance and an opportunity to make objection. No representations, understandings or agreements have been made or relied upon in the making of this Agreement other than those specifically set forth herein.

IN WITNESS WHEREOF, the LESSOR and LESSEE have caused this Lease Agreement to be executed in duplicate originals by their duly authorize officers, the date and year first above written.

LESSEE: MID CAROLINA COUNCIL OF  
GOVERNMENTS

ATTEST:

BY: \_\_\_\_\_ BY: \_\_\_\_\_  
Secretary Jim Caldwell, Executive Director

LESSOR: COUNTY OF CUMBERLAND

ATTEST:

BY: \_\_\_\_\_ BY: \_\_\_\_\_  
Candice White, Clerk Kenneth Edge, Chair  
Board of Commissioners



STATE OF NORTH CAROLINA

COUNTY OF CUMBERLAND

I, \_\_\_\_\_, a Notary Public in and for the County and State aforesaid, do hereby certify that Candice White, personally appeared before me this day and acknowledged that she is the Clerk to the Cumberland County Board of Commissioners; that Kenneth Edge is the Chair of the Cumberland County Board of Commissioners; that the seal affixed to the foregoing is the Corporate Seal of said Board; that said instrument was duly passed at a regular meeting of the Board of Commissioners as therein set forth and was signed, sealed, and attested by the said Clerk on behalf of said Board, all by its authority duly granted; and that said Candice White acknowledged the said instrument to be the act and deed of the said Board.

WITNESS MY HAND and seal this the \_\_\_\_ day of \_\_\_\_\_, 2015.

\_\_\_\_\_  
Notary Public

My Commission Expires: \_\_\_\_\_

NORTH CAROLINA

\_\_\_\_\_ COUNTY

I, \_\_\_\_\_, a Notary Public of the County and State aforesaid, certify that \_\_\_\_\_ personally appeared before me this day and acknowledged that he/she is Secretary of Mid Carolina Council of Governments, a nonprofit North Carolina corporation, and that by authority duly given and as an act of the corporation, the foregoing instrument was signed in its name by its Executive Director, sealed with its corporate seal and attested by him/her as its Secretary.

Witness my hand and official stamp or seal, this the \_\_\_\_\_ day of \_\_\_\_\_, 2015.

\_\_\_\_\_  
Notary Public

My Commission Expires: \_\_\_\_\_.

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

Approved for Legal Sufficiency

\_\_\_\_\_  
Vicki Evans, Finance Officer

\_\_\_\_\_  
County Attorney's Office

( ) Renewable

( ) Non-renewable

Expiration Date: June 30, 2020



**DRAFT**

**ITEM NO.** \_\_\_\_\_

3F

CUMBERLAND COUNTY FINANCE COMMITTEE  
COURTHOUSE, 117 DICK STREET, 5TH FLOOR, ROOM 564  
NOVEMBER 5, 2015 - 10:30 AM  
MINUTES

MEMBERS PRESENT: Commissioner Marshall Faircloth, Chairman  
Commissioner Larry Lancaster

MEMBERS ABSENT: Commissioner Jeannette Council

OTHER COMMISSIONERS  
PRESENT: Chairman Kenneth Edge  
Commissioner Jimmy Keefe

OTHERS: Amy Cannon, County Manager  
James Lawson, Deputy County Manager  
Tracy Jackson, Assistant County Manager  
Rick Moorefield, County Attorney  
Vicki Evans, Finance Director  
Claudia Sievers, Public Information Office  
Keith Todd, Chief Information Services Director  
Jeffrey Brown, Engineering and Infrastructure Director  
Sylvia McLean, Cumberland County Community Development  
Director  
Dee Taylor, Cumberland County Community Development  
Victor Sharpe, City of Fayetteville Community Development  
Director  
Adolph Thomas, City of Fayetteville Community Development  
Kellie Beam, Deputy Clerk to the Board  
Press

Commissioner Faircloth called the meeting to order.

1. APPROVAL OF MINUTES – OCTOBER 1, 2015 REGULAR MEETING

MOTION: Commissioner Lancaster moved to approve the October 1, 2015 regular meeting minutes.  
SECOND: Commissioner Faircloth  
VOTE: UNANIMOUS (2-0)

2. CONSIDERATION OF APPROVAL OF JOINT CITY/COUNTY HOMELESSNESS INITIATIVE

BACKGROUND:

Cumberland County and the City of Fayetteville have adopted strategic plans to address homelessness and both governing bodies have indicated that working cooperatively to end



# DRAFT

homelessness in our community is a key priority. The joint staffs have developed an Interlocal Agreement between the City and County and propose to fill two new positions: 1) a Homeless Coordinator and 2) a Data & Evaluation Analyst both to be assigned to the Cumberland County Community Development Department. The County and City collectively have contributed \$150,000 in FY16 for this endeavor (\$100,000 from the County and \$50,000 from the City). It is estimated that approximately \$63,777.00 will be utilized for salaries and benefits for the remainder of FY16, \$9,000 has been committed to the Homeless Information System needed for compiling data about the homeless, and the remaining \$77,223.00 will be utilized to fill gaps in services for rapid re-housing and preventing homelessness. Approving an interlocal agreement and hiring two homelessness specialists will serve as the starting point for what follows in terms of expanding programs and services for the homeless.

## RECOMMENDATION/PROPOSED ACTION:

Staff recommends approval of the following to address homelessness in Cumberland County and the City of Fayetteville:

- Interlocal Agreement
- Homeless Coordinator and Data Evaluation Analyst Positions
- Budget Revision

## STRATEGY TO REDUCE HOMELESSNESS OCTOBER 21, 2015

### Specific HMIS-Related Activities Involving the Homeless Coordinator and Data & Evaluation Analyst (Local System Administrator)

The main purpose of having a Homeless Coordinator and Data & Evaluation Analyst is to oversee and implement activities that meet the community's objectives for addressing homelessness. These personnel will monitor the progress in the community by using various tools and reports primarily from the Homeless Management Information System (HMIS). HMIS is a local information technology system used to collect client-level information and data on the provision of housing and services to homeless individuals and families and people at risk of homelessness. Each Continuum of Care (CoC) is responsible for selecting an HMIS software solution that complies with HUD's data collection, management, and reporting standards and for monitoring the data quality. Many CoCs across the nation have utilized this system to:

1. **Measure** the success of their community's implementation of the performance measures
2. **Assess** the cost effectiveness of various programs or interventions
3. **Assess** capacity, manage staff, allocate resources or prepare budgets and reports
4. **Research** for more resources
5. **Prevent** homelessness by identifying where the homeless come from and who is most likely to become homeless
6. **Measure** outcomes by assessing the impact of service and housing interventions on meeting immediate needs and the long-term goal of ending homelessness

### Suggested Steps to Address City/County Strategic Plan on Homelessness

#### 1) Personnel – Coordination, Oversight, and Data Management



# DRAFT

- Hire a Homeless Coordinator to implement strategic plan initiatives and data-driven solutions addressing and reducing homelessness through collaboration with local governments and the local CoC; oversee HMIS and evaluate the performance outcomes of agencies and services addressing homelessness; identify and coordinate with various agencies the availability of resources for homeless persons.
- Hire a Data & Evaluation Analyst to manage and analyze data from HMIS to ensure data and reporting accuracy; generate data-driven reports on the activities reported by various agencies; assist with the coordinated intake assessment system; coordinate and disseminate system information to assist in assessing overall performance outcomes of the programs and agencies serving the homeless.
- The proposed positions will be under the authority of the County and under the supervision of Cumberland County Community Development Department.

## **2) Increase available local funding for homeless services/housing**

- Provide financial stability for local homeless initiatives in order to eliminate potential gaps in services by accessing local resources targeted for prevention and rapid-housing of families and individuals at risk, or actually homeless, who do not meet HUD's definition of homelessness with incomes at or below 80%. This effort can have an immediate and positive impact on preventing and/or reducing long term homelessness for individuals and families.
- Assess available properties for acquisition and renovation to provide additional affordable housing that addresses the lack of affordable housing for low and very low income residents.

### **What Can HMIS Tell Us?**

How many people are homeless in the community;

Who are the homeless;

Where are people receiving housing and services;

Where did people stay prior to seeking shelter and services;

The capacity of the programs that are serving the homeless.

### **Benefits of HMIS**

Decrease in duplicative intakes

Coordinated scope of care

Identify needs and gaps in services

Provides client an outline for program completion

Coordinate services, internally among agency programs, and externally with other providers which can decrease in duplicative intakes

Providers can develop individualized goal plans and track clients' outcomes

Support coordinated case management

Prepare financial and programmatic reports for funders, boards, and other stakeholders

Ability to measure performance of programs

Improve agency effectiveness through tracking client outcomes

Coordinate services, internally among agency programs, and externally with other providers

Support coordinated Case Management

Prepare financial and programmatic reports for funders, boards, and other stakeholders

Ability to measure performance of programs



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Increase understanding of the extent and scope of homelessness  
Identify service gaps (i.e. are the services available meeting the needs of clients)  
Inform systems design and policy decisions  
Ability to measure the performance of the community system to prevent and end homelessness  
Develop a forum for addressing community-wide issues  
Provide data for the CoC's plan to reduce Homelessness (available services, service gaps, shelter beds, demographics, and many more)  
Serve as a tool to coordinate services, track utilization and cost  
Evaluate program effectiveness and program outcomes  
Identify at-risk populations and prevent homelessness  
Plan services and programs appropriately to address local needs  
Comply with HUD's mandate to continue to receive funding  
HMIS can be used to check on sheltered populations  
Compare PIT count with information on HMIS data  
Verify missing or incorrect data

NORTH CAROLINA

INTERLOCAL AGREEMENT BETWEEN  
CUMBERLAND COUNTY AND THE CITY  
OF FAYETTEVILLE TO ADDRESS  
HOMELESSNESS

CUMBERLAND COUNTY

*Approved by the Cumberland County Board of Commissioners* \_\_\_\_\_  
*Approved by the Fayetteville City Council* \_\_\_\_\_

This interlocal agreement is made pursuant to Article 20, Chapter 160A of the General Statutes of North Carolina by and between Cumberland County, a body corporate and politic and a political subdivision of the State of North Carolina, and the City of Fayetteville, a municipal corporation existing under the laws of the State of North Carolina.

## WITNESSETH:

Whereas, the parties have funded programs and services to address homelessness by their respective community development agencies for a number of years; and

Whereas, the parties desire to establish a partnership that addresses homelessness through the formation of an advisory committee, appropriate programs and services, and the hiring of two new personnel, a Homeless Coordinator and a Data & Evaluation Analyst, to be jointly funded by the parties and assigned to the Cumberland County Community Development Department.

Now therefore, in consideration of the mutual covenants set forth herein, and pursuant to the specific authority granted to them by Article 20, Chapter 160A of the General Statutes of North Carolina, the parties agree as follows:



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(1) The purpose of this agreement is for the parties to jointly undertake the provision of community-wide programs and services that address homelessness (the “undertaking”).

(2) The duration of the agreement shall be for so long as the parties conduct activities pursuant to the undertaking.

(3) The undertaking shall be directed by a committee to be designated the Homeless Initiatives Committee. The committee shall consist of the County Manager or designee, the County’s Governmental Affairs Officer, the City Manager or designee, the Chairman of the Cumberland County Continuum of Care (CoC), the City and County Community Development Directors, and the Homeless Coordinator will meet regularly to coordinate and develop strategies to address homelessness through community-wide programs and services.

(4) Any new personnel necessary to the execution of the undertaking shall be employees of Cumberland County and shall be assigned to the County’s Community Development Department under the supervision of the Community Development Director for Cumberland County.

(5) The parties will jointly fund the new personnel and associated programs and services in a sufficient amount to cover all the costs necessary to the execution of the undertaking in accordance with the budgets approved by the parties’ governing boards.

(6) This agreement may be amended at any time by the execution of an amendment approved by the governing boards of both parties.

(7) This agreement may be terminated at the end of any fiscal year by the vote of either governing board with written notice of such termination being given to the other governing board at least sixty (60) days prior to the date of termination.

This interlocal agreement has been approved by the governing board of each party and entered into the minutes of the meeting at which such action was taken as indicated above.

\*\*\*\*\*

Amy Cannon, County Manager, stated Cumberland County and the City of Fayetteville have adopted strategic plans to address homelessness and both governing bodies have indicated that working cooperatively to end homelessness in the community is a key priority. Ms. Cannon introduced attendees representing the City and the County Community Development departments. Tracy Jackson, Assistant County Manager, reviewed the background information and recommendation/proposed action as recorded above. Mr. Jackson reviewed an intake referral form and stated the form is key to the Homeless Information System needed for compiling data about the homeless. Mr. Jackson stated it will track the status of the homeless as it relates to such things as housing, mental health, physical health, social situation, potential for substance abuse and available finances.

Chairman Edge inquired regarding a timeline. Ms. Cannon stated if the committee and Board approve the recommendation, the recruitment process can begin immediately. Commissioner Keefe asked whether next year’s budget would contain a double commitment. Ms. Cannon stated the \$77,000 depends on what goals are set for the upcoming year with regard to the services and two positions. Commissioner Faircloth stated the Fayetteville-Cumberland Liaison Committee had substantial discussions about this initiative, it will be an effort towards a census of the homeless in the community and will make a difference with those it can.



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MOTION: Commissioner Lancaster moved to approve staff recommendations as recorded above.  
SECOND: Commissioner Faircloth  
VOTE: UNANIMOUS (2-0)

Victor Sharpe, Fayetteville Community Development Director, stated it is important to move forward in the most expeditious way in terms of helping the community's homeless population. Mr. Sharpe stated the interlocal agreement will need to be approved by the Fayetteville City Council and will be placed on the next possible agenda.

Commissioner Keefe inquired regarding the number of homeless that have been identified. Mr. Sharpe stated the total number identified is 563 which is broken down into categories such as the chronic homeless and veterans. Mr. Sharpe stated a comparison was done with other cities and Fayetteville is pretty much in line based on its population. Mr. Sharpe stated the intake form, the process and the two positions to keep things coordinated will put Fayetteville ahead of other cities.

### 3. UPDATE ON THE COUNTY'S BUSINESS INTELLIGENCE INITIATIVE

Ms. Cannon stated during the FY2015-2016, a new philosophy was embraced to look at the County's business processes, to identify ways to operate more efficiently, effectively and also to reduce costs. Ms. Cannon stated County Administration has worked closely with Keith Todd, Chief Information Services Director, who is present to provide an update on the County's business intelligence initiative. Ms. Cannon stated Mr. Todd will return to the Finance Committee in December 2015 or January 2016 to present information about the first review completed by the IS Enterprise Solutions Division.

Mr. Todd stated earlier in the year, the IS Department was reorganized to have a heavier focus on enterprise solutions and business intelligence and business information in order to have a more holistic approach and better understand the County's business needs and requirements. Mr. Todd stated the role of the IS Enterprise Solutions Division is to focus on enterprise solutions which include enterprise systems and our business information initiatives. Mr. Todd stated this division establishes a proactive, strategic, forward thinking direction that drives enterprise development. Mr. Todd stated the goal is to think on the enterprise level and this begins by understanding the business. Mr. Todd stated the goal since establishing this division was first and foremost to fully staff the division.

Mr. Todd provided the following presentation:

#### The Role of the IS Enterprise Solutions Division

##### Current Progress

- The hiring process began in July and the Business Analyst positions were filled as of October 5, 2015. We now have a completely staffed Enterprise Solutions Division to fully concentrate on Business Intelligence initiatives.



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- While interviewing for these positions, IS were able to complete the Business Intelligence framework/approach to facilitate the business process reviews and management. This includes a standardized strategy with templates from initiation of the business process review to completion of the business process improvement/monitoring.
- The Business Analysts have been familiarizing themselves with the organization and with our established Business Intelligence framework/approach.
- The business process review, which involves a standardized template, for our Veteran Services department is underway and we are preparing to begin with two other larger departments within the next few weeks.

Mr. Todd stated IS expects to have a feasibility study with findings, solutions and recommendations to bring back to the Finance Committee in December 2015 or January 2016.

Mr. Todd continued his presentation:

## PROCESS MANAGEMENT LIFE CYCLE

- Process Planning and Strategy
  - Analysis of Business Processes
  - Design and Modeling of Business Processes
  - Process Implementation
  - Process Monitoring and Controlling
  - Process Refinement
1. Partner with the business units through a series of engagements to identify areas of inefficiency and pain points. Identify and capture baseline measures of the current state of the process.
  2. Analyze current state process against identified issues, concerns, and pain points. Look for areas of inefficiency and opportunities. Document the findings.
  3. New design or model will include Value Stream Mapping, Flowchart, BPMN, Value-add vs. waste. Feasibility Study with recommendations.
  4. Develop and execute the approved processes or solutions. Provide clear steps for implementing recommendations. Follow PM Framework. Training on new processes or solutions, SOP.
  5. Review and evaluate takes the process improvement effort full circle to look at whether the process is meeting goals and objectives and whether additional improvements and/or analysis may be needed.

Mr. Todd stated in reviewing of other local government entities, there are similar intelligence frameworks and stated Cumberland County's will be somewhat different because of the process management life cycle rather than a process improvement life cycle. Mr. Todd stated success depends on whether the process improvement process is on time and under budget and whether it meets the expectations of the business unit. Mr. Todd stated the proposal is to take this to the next level to monitor processes which will determine whether what has been implemented continues to meet the expectations of the business unit and key performance measures that were identified early in the analysis process or whether additional improvements and/or analysis may be needed.



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Mr. Todd concluded his presentation as follows:

## CONCLUSION

- Enterprise Solutions Division fully staffed.
- Established Business Intelligence framework/approach.
- The Business Process Review for Veterans Services is underway with Feasibility Study recommendations expected by the end of November.
- Creating actionable next steps for other departments.

Chairman Edge asked to have staff of the IS Enterprise Solutions Division introduced to the Board. Ms. Cannon stated there was a meeting with the County's Leadership Team in June and she challenged them to identify some efficiencies on their own. Ms. Cannon stated she felt County Administration needed to start the process and it was felt that the mailroom's two full time positions were not being utilized to their abilities or fully challenged. Ms. Cannon stated the Print Shop was also having to turn away jobs because of the lack of staffing that was needed. Ms. Cannon stated as a result, those two divisions were merged and an additional printer was purchased to give the Print Shop additional capabilities. Ms. Cannon stated the benefits of that merger are already being seen. Ms. Cannon provided examples of some of the savings. Ms. Cannon stated the space previously occupied by the mail room will be occupied by Public Information.

Commissioner Keefe encouraged Mr. Todd to talk with citizens to get their input on what would make things easier for them so the County can become more efficient. Mr. Todd stated opportunities are being explored in Veterans Services to find out to engage veterans early on to include website information and other alternatives. Chairman Edge suggested involving the Clerk of Court's office in order to share the positive things that come out of the process and also share with the media in order to let citizens know County government is trying to be more efficient. Commissioner Keefe suggested working on efficiencies with the phone system.

## 4. OTHER MATTERS OF BUSINESS

Ms. Cannon stated the monthly financial report will be emailed at a later date.

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



**RICKEY L. MOOREFIELD**  
County Attorney



**ITEM NO.** 3G

**PHYLLIS P. JONES**  
Assistant County Attorney

**ROBERT A. HASTY, JR.**  
Assistant County Attorney

**OFFICE OF THE COUNTY ATTORNEY**

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

**MEMO FOR THE AGENDA OF THE NOVEMBER 16, 2015,  
MEETING OF THE BOARD OF COMMISSIONERS**

**TO:** Board of Commissioners; Co. Manager  
**FROM:** Asst. Co. Atty. *P. Jones*  
**DATE:** November 10, 2015  
**SUBJECT:** Approval of Grant of Franchise for Operation of Courthouse and DSS  
Snack Bars

**Attachment: Franchise Agreement**

**BACKGROUND:**

Shana B. Yi and Jae Yong Yi (Lee) have been operating the snack bar in the Courthouse since 2003 and at DSS since 2008 under a franchise granted by the Board of Commissioners. The franchise expires on December 31, 2015. Staff advertised for proposals to operate and provide snack bar services on October 8, 2015 and the Yis (Lees) were the only respondent.

Grant of a franchise will require two readings.

**RECOMMENDATION/PROPOSED ACTION:**

At its meeting held October 23, 2015, the Facilities Committee recommended award of the franchise to the Yis (Lees) d/b/a Go 'N Joy Restaurant for a term of three years with the option to renew for an additional three years in one-year increments.



**NORTH CAROLINA**

**COUNTY OF CUMBERLAND**

**SNACK BAR FRANCHISE AGREEMENT**

*First Reading November 16, 2015*

THIS AGREEMENT, made and entered into December \_\_\_\_\_, 2015, by and between SHANA B. YI and JAE YONG YI (LEE), d/b/a Go 'N Joy Restaurant, located at 412½-A North Bragg Boulevard, Spring Lake, North Carolina 28390, hereinafter referred to as "FRANCHISEE", and the COUNTY OF CUMBERLAND, a body politic and corporate of North Carolina, hereinafter referred to as "COUNTY".

**W I T N E S S E T H:**

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

WHEREAS, the COUNTY, through its Board of Commissioners, approved the grant of a franchise for the operation of these two snack bars to the FRANCHISEE upon a second reading at the regular meeting of the Board of Commissioners held December 7, 2015; and

WHEREAS, FRANCHISEE is a food services vendor and has operated the DSS Snack Bar as a franchisee of the County under franchise agreements dated September 23, 2008 and November 7, 2011, and the Courthouse Snack Bar as a franchisee of the County under a franchise agreements dated September 29, 2003 and November 7, 2011 ; and

WHEREAS, FRANCHISEE was the sole respondent to the County's Request for Proposal dated October 8, 2015 and desires to continue to provide the food services at the DSS Snack Bar and the Courthouse Snack Bar; and

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

WHEREAS, the Board of Commissioners desires to grant the described franchises under the terms in this franchise agreement.

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



1. **TERM:** The FRANCHISEE shall utilize the spaces occupied by the Courthouse Snack Bar and the DSS Snack Bar for the continued operation of those Snack Bars from January 1, 2016 through December 31, 2019. FRANCHISEE shall have the option to renew this franchise agreement for an additional three years in one year increments.
2. **AGENCY AND AUTHORITY:** The COUNTY hereby designates Assistant County Manager Tracy Jackson as its agent with respect to this Agreement. The Assistant County Manager is authorized, on behalf of the COUNTY, to negotiate directly with the FRANCHISEE on all matters pertaining to this Agreement. The FRANCHISEE agrees that all of its dealings with the COUNTY in respect to the terms and conditions of this Agreement shall be with the Assistant County Manager. Further, the FRANCHISEE specifically agrees that it shall not implement any requested modifications in the specifications of any of the services subject to this Agreement except in the manner described in the paragraph entitled MODIFICATION.
3. **SERVICES:**
  - a. During the term of this Agreement, COUNTY agrees that the FRANCHISEE shall be authorized to operate a Snack Bar for the purpose of providing food services at the Cumberland County Courthouse, 117 Dick Street, Fayetteville, North Carolina 28301 and at the DSS Building, 1225 Ramsey Street, Fayetteville, North Carolina 28301 (the Snack Bars). The FRANCHISEE has provided, at FRANCHISEE'S own expense, all the construction and equipment necessary to operate these snack bars and FRANCHISEE'S construction and equipment have been approved by the COUNTY. No external signage shall be allowed.
  - b. Food and drink items which are sold at the Snack Bars shall be palatable and of high quality. Prices charged for food and drink shall be no higher than that charged for similar merchandise in other similarly situated local places of business. Said prices are subject to reasonable, periodic adjustments by the FRANCHISEE in order to maintain reasonable profit margins in the operation of the Snack Bars.
  - c. The hours of operation for the FRANCHISEE to provide food services at the Snack Bars shall be weekdays from 7:30 a.m. until 3:00 p.m., closed Saturdays and Sundays, and COUNTY recognized holidays.
  - d. The FRANCHISEE shall employ adequate personnel to provide the needed food services and render prompt, courteous service. The FRANCHISEE will keep the kitchen facilities and equipment clean and orderly.
  - e. Trash disposal services, convenient to the Snack Bars, shall be provided by the COUNTY.
  - f. The FRANCHISEE shall operate the Snack Bars as an independent business enterprise, and shall hire and pay the wages and compensation of all its employees



and agents. The FRANCHISEE shall be responsible for the conduct of its employees and agents.

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



potable water, all lighting, heating, and cooling requirements for the operation of each of the Snack Bars. The COUNTY shall provide electrical service for all equipment and outlets at the Snack Bars. Any natural gas service shall be provided by FRANCHISEE.

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

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

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



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

For FRANCHISEE:

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

For COUNTY:

Tracy Jackson  
Assistant County Manager  
PO Box 1829  
Fayetteville, NC 28302-1829  
(910) 678-7726

6. **ASSIGNMENT:** The FRANCHISEE shall not assign its contract rights under this Agreement or any part thereof, nor delegate any performance hereunder, nor subcontract without first obtaining the COUNTY'S written approval.

7. **TERMINATION:** This Agreement may be terminated immediately by the COUNTY or the COUNTY may pursue any other remedy recognized in law or equity upon the violation of any of the terms of the contract. Either party may terminate the contract upon thirty (30) days' notice in writing to the other party. Upon the entering of a judgment of bankruptcy or insolvency by or against the FRANCHISEE, the COUNTY may immediately terminate this Agreement for cause. Upon termination or expiration of this Agreement, FRANCHISEE will immediately remove all equipment, food products, etc., owned by FRANCHISEE from the Snack Bars or any other areas at either Courthouse or the DSS facility controlled by FRANCHISEE.

8. **MISCELLANEOUS:**

- a. The parties hereto, for themselves, their agents, officials, employees, and servants agree not to discriminate in any manner on the basis of race, color, creed, handicap, or national origin in the course of fulfilling any obligation, duty, or service that arises as a result of this Agreement. More specifically, FRANCHISEE shall comply with Title VI and VII of the Civil Rights Act of 1964, Section 504 of the Rehabilitation Act of 1973, and the Americans with Disabilities Act of 1990 (ADA), and all requirements imposed by Federal regulations, rules, and guidelines issues pursuant to these Titles for both personnel employed and customers served.
- b. The FRANCHISEE will make no alterations or changes in the present facilities without prior approval of the COUNTY.

9. **MODIFICATIONS:** This Franchise Agreement may be modified only by an instrument duly executed by the parties or their respective successors.

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

[Signature Page Follows]



**COUNTY OF CUMBERLAND**

ATTEST:

BY: \_\_\_\_\_  
Kenneth Edge, Chairman  
Board of Commissioners

BY: \_\_\_\_\_  
Candice White, Clerk

[COUNTY SEAL]

**FRANCHISEE:**

\_\_\_\_\_  
Shana B. Yi

\_\_\_\_\_  
Jae Yong Yi (Lee)

ATTEST:

BY: \_\_\_\_\_  
Witness

*Drafted by P. Jones November 9, 2015.*

Approved for Legal Sufficiency

\_\_\_\_\_  
Assistant County Attorney  
Expiration Date: December 31, 2019



**AN ORDINANCE GRANTING A FRANCHISE FOR THE PROVISION OF FOOD SERVICES  
AT THE DEPARTMENT OF SOCIAL SERVICES BUILDING LOCATED AT 1225 RAMSEY STREET  
AND THE CUMBERLAND COUNTY COURTHOUSE LOCATED AT 117 DICK STREET**

WHEREAS, the County of Cumberland has certain property located at 1225 Ramsey Street, Fayetteville, North Carolina, known as the New DSS Building; and

WHEREAS, the County of Cumberland has certain property located at 117 Dick Street, Fayetteville, North Carolina, known as Cumberland County Courthouse; and

WHEREAS, SHANA B. YI AND JAE YONG YI (LEE), propose to provide snacks, meals and drinks to the employees and visitors of the New DSS Building located at 1225 Ramsey Street and the Cumberland County Courthouse, 117 Dick Street, Fayetteville, North Carolina; and

WHEREAS, the Board of Commissioners of Cumberland County wishes to grant the right to use County property to private entities by franchise ordinance and the Board of Commissioners finds and determines that it is in the public interest to grant a franchise to SHANA B. YI AND JAE YONG YI (LEE), for the New DSS Building, 1225 Ramsey Street, and the Cumberland County Courthouse, 117 Dick Street, Fayetteville, North Carolina;

NOW, THEREFORE, the Board of Commissioners of Cumberland County, North Carolina, hereby ordains that the following ordinance is, and it is, hereby enacted:

Section 1.        Purpose:

The purpose of this Ordinance is to provide for the orderly and careful use by SHANA B. YI AND JAE YONG YI (LEE), of a portion of the premises and facilities of the New DSS Building, 1225 Ramsey Street, and the Cumberland County Courthouse, 117 Dick Street, Fayetteville, North Carolina, to provide food services to the employees and visitors to those buildings, and to ensure such use contributes to the general welfare of the citizens of this County.

Section 2.        Franchise Granted:

The Board of Commissioners grants a franchise for the use of the areas designated as the snack bar in the DSS Building located at 1225 Ramsey Street, and the County Courthouse located at 117 Dick Street, Fayetteville, North Carolina, to SHANA B. YI AND JAE YONG YI (LEE), for the sole purpose of providing meals, snacks and drinks for the employees and visitors at those buildings. The terms and conditions of such franchise shall be set forth in a Franchise Agreement by and between said franchisee and the County of Cumberland and such terms and conditions are hereby incorporated by reference into this Ordinance.

Adopted upon at a first reading by the Cumberland County Board of Commissioners on the 16th day of November, 2015, and a second reading this 7th day of December, 2015.

\_\_\_\_\_  
KENNETH S. EDGE, Chairman  
Board of County Commissioners

ATTEST:

\_\_\_\_\_  
CANDICE WHITE  
Clerk to the Board



ORDINANCE ASSESSING PROPERTY FOR THE COSTS  
OF DEMOLITION OF A STRUCTURE PURSUANT TO  
THE MINIMUM HOUSING CODE OF CUMBERLAND COUNTY  
CASE NUMBER: MH 616-2014  
PROPERTY OWNER: Samuel & Francine Graham

WHEREAS, the Board of County Commissioners of Cumberland County, North Carolina, on August 17, 2015 enacted an ordinance directing the demolition by the owner(s) of the structure(s) Samuel & Francine Graham located at 3421 Seawell Street, Fayetteville, NC, PIN: 0424-79-5251-, said ordinance being recorded in Book 9710, page 0647, of the Cumberland County Registry of Deeds;

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

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

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

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

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

(1) That the real property on which the work was performed be, and it hereby is, assessed in the amount of \$2,900.00 said sum being the unpaid balance of the cost of the work set forth in the Inspector's Report;



- (2) That as provided in the Ordinance of Cumberland County dated August 17, 2015 and in Section 153A-372 of the General Statutes of North Carolina, the amount of the foregoing assessment be, and hereby does constitute, a lien against the real property upon which such costs were incurred, such property being more particularly described as follows:

The structure and premises located at 3421 Seawell, Fayetteville NC, as described in Deed Book 5299, page 0792, of the Cumberland County Registry and identified in County tax records as PIN 0424-79-5251.

- (3) That as further provided in Section 160A-443(6) of the General Statutes of North Carolina, such lien shall be filed, have the same priority, and be collected as the lien for special assessment provided in Article 10 of Chapter 160A of said General Statutes;

- (4) That one copy of this resolution be filed in the minutes of this Board of County Commissioners and another copy certified and delivered by the Clerk as a charge to the Tax Collector, who shall thereupon enter the amount of the assessment set forth above upon the Tax Books of the County as a special assessment against the above described property.

\* \* \* \* \*

I certify that the foregoing Ordinance was adopted and ordered by the Board of Commissioners of Cumberland County, North Carolina, this 16th day of November 2015, at 6:45 p.m. o'clock.

---

Cumberland County Clerk



ORDINANCE ASSESSING PROPERTY FOR THE COSTS  
OF DEMOLITION OF A STRUCTURE PURSUANT TO  
THE MINIMUM HOUSING CODE OF CUMBERLAND COUNTY  
CASE NUMBER: MH 1026-2015  
PROPERTY OWNER: Mack & Eunice Linton

WHEREAS, the Board of County Commissioners of Cumberland County, North Carolina, on August 17, 2015 enacted an ordinance directing the demolition by the owner(s) of the structure(s) Mack & Eunice Linton located at 6681 Muscat Road, Fayetteville, NC, PIN: 0403-71-1936-, said ordinance being recorded in Book 9710, page 0650, of the Cumberland County Registry of Deeds;

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

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

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

- (1) Said work had been accomplished.
- (2) The cost of such work was \$ 2,600.00.
- (3) There were no salable materials resulting from said work.

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

(1) That the real property on which the work was performed be, and it hereby is, assessed in the amount of \$2,600.00 said sum being the unpaid balance of the cost of the work set forth in the Inspector's Report;



- (2) That as provided in the Ordinance of Cumberland County dated August 17, 2015 and in Section 153A-372 of the General Statutes of North Carolina, the amount of the foregoing assessment be, and hereby does constitute, a lien against the real property upon which such costs were incurred, such property being more particularly described as follows:

The structure and premises located at 6681 Muscat Road, Fayetteville NC, as described in Deed Book 3351, page 461, of the Cumberland County Registry and identified in County tax records as PIN 0403-71-1936-.

- (3) That as further provided in Section 160A-443(6) of the General Statutes of North Carolina, such lien shall be filed, have the same priority, and be collected as the lien for special assessment provided in Article 10 of Chapter 160A of said General Statutes;

- (4) That one copy of this resolution be filed in the minutes of this Board of County Commissioners and another copy certified and delivered by the Clerk as a charge to the Tax Collector, who shall thereupon enter the amount of the assessment set forth above upon the Tax Books of the County as a special assessment against the above described property.

\* \* \* \* \*

I certify that the foregoing Ordinance was adopted and ordered by the Board of Commissioners of Cumberland County, North Carolina, this 16th day of November 2015, at 6:45 p.m. o'clock.

---

Cumberland County Clerk



COUNTY OF CUMBERLAND

NORTH CAROLINA

## Proclamation

*WHEREAS, today we now join the world in celebrating the extraordinary advancements made in the battle against HIV and AIDS, and remembering those we have lost; and*

*WHEREAS, over the past three decades, brave men and women have fought devastating discrimination, stigma, doubt, and violence as they stood in the face of this deadly disease; and*

*WHEREAS, we have been witness to incredible progress, our struggle against HIV/AIDS is far from over. With an infection occurring every nine-and-a-half minutes in America, there are more than one million individuals estimated to be living with the disease in our country; and*

*WHEREAS, of those currently infected, one in five does not know they have the condition, and the majority of new infections are spread by people who are unaware of their own status; and*

*WHEREAS, HIV/AIDS does not discriminate as it infiltrates neighborhoods and communities. Americans of any gender, age, ethnicity, income, or sexual orientation can and are contracting the disease.*

*NOW, THEREFORE, we, the Cumberland County Board of Commissioners, do hereby proclaim December 1, 2015, as World AIDS Day in Cumberland County and urge town officials, and the citizens of Cumberland County to join in activities, programs and faith services to remember those who have lost their lives to AIDS, and to provide support and comfort to those living with this disease.*

*Adopted this 16th day of November, 2015.*

---

KENNETH S. EDGE, Chairman  
Cumberland County Board of Commissioners



COUNTY OF CUMBERLAND

NORTH CAROLINA

## Proclamation

*WHEREAS, the County of Cumberland recognizes the importance of giving children in foster care permanent, safe and loving families through adoption; and*

*WHEREAS, every child deserves the chance to grow up in a loving, stable family; and*

*WHEREAS, children of all ages need adoptive homes and many of them are siblings and need to be placed together; and*

*WHEREAS, more than 130,000 children in the United States foster care system are waiting to be adopted; and*

*WHEREAS, more than 10,000 children in North Carolina are waiting for permanent families; and*

*WHEREAS, more than 844 children in Cumberland County, North Carolina, are in foster care and, of that number, 80 are legally free for adoption and are waiting for "forever" families; and*

*WHEREAS, the Cumberland County Department of Social Services and the Clerk of Court's Office are holding several adoption awareness events in November, including a special court session to formalize adoptions for 25 children at 3 p.m. on Tuesday, November 17, 2015, in Room 118 of the Cumberland County Courthouse. Their efforts, along with similar celebrations in all 50 states around the country, will offer children the chance to live with stable and loving families and encourage other dedicated individuals to make a powerful difference in the lives of a child through adoption; and*

*NOW, THEREFORE, BE IT RESOLVED, that the Board of Commissioners proclaims November 2015 as Adoption Awareness Month in Cumberland County, North Carolina, and we urge all citizens to join in raising awareness on behalf of the foster children in Cumberland County who are waiting for a loving family. We further encourage communities, businesses, schools, faith-based organizations and families to "answer the call" and honor the special needs of Cumberland County's children in hopes of securing a permanent, loving family for each and every child regardless of race, age, gender, health, emotional or behavioral condition, and past distress.*

*Adopted this 16<sup>th</sup> day of November 2015.*

KENNETH S. EDGE, Chairman  
Cumberland County Board of Commissioners



COUNTY OF CUMBERLAND

NORTH CAROLINA

## Proclamation

*WHEREAS, the Cumberland County Board of Commissioners, on behalf of the citizens of Cumberland County, North Carolina, proudly congratulates the St. Ann Catholic Parish on its 76th Anniversary; and*

*WHEREAS, St. Ann Catholic Church was founded on October 28, 1939, the Feast of St. Jude; and*

*WHEREAS, the first Mass was celebrated in Mack's Barber Shop in downtown Fayetteville/Cumberland County on Christmas Eve of 1939 with Reverend William P. Ryan, O.M.I. as celebrant; and*

*WHEREAS, the dedication of St. Ann Catholic Church was held on December 22, 1940 with Bishop McGuiness officiating; and*

*WHEREAS, St. Ann Catholic Parish, established as a mission for Colored Catholics, has thrived in the Cumberland County area for seventy-five years as a place of worship where "all are welcome."*

*NOW, THEREFORE, BE IT RESOLVED, that the Cumberland County Board of Commissioners hereby proclaims Thursday, December 24, 2015 to be*

### ***St. Ann Catholic Parish Day***

*in Cumberland County, North Carolina and urges all citizens in our community to participate in this observance.*

*Adopted this 16<sup>th</sup> day of November 2015.*

---

*KENNETH S. EDGE, Chairman  
Cumberland County Board of Commissioners*



**COUNTY OF CUMBERLAND  
BUDGET REVISION REQUEST**

Budget Office Use	
Budget Revision No.	<u>B16-138</u>
Date Received	<u>11-5-15</u>
Date Completed	

Fund No. 101 Agency No. 437 Organ. No. 4365  
 Organization Name: SOCIAL SERVICES

**ITEM NO.** 3L (1)

**REVENUE**

Revenue Source Code	Description	Current Budget	Increase (Decrease)	Revised Budget
4300	NC SSBG	1,415,643	1,202	1,416,845
4352	NC ADULT DAY CARE	150,209	8,411	158,620
Total		1,565,852	9,613	1,575,465

**EXPENDITURES**

Object Code	Appr Unit	Description	Current Budget	Increase (Decrease)	Revised Budget
4317	241	ADULT DAY CARE	171,667	9,613	181,280
Total			171,667	9,613	181,280

**Justification:**

To recognize additional funds available from the Division of Aging and Adult Services.

**Funding Source:** State: \$4,010 Federal: \$5,603 **Fund Balance:** County: \_\_\_\_\_ New: \_\_\_\_\_ Other: \_\_\_\_\_  
 Other: \_\_\_\_\_ Fees: \_\_\_\_\_ Prior Year: \_\_\_\_\_

Submitted By: Mrenda Bell  
 Department Representative

Date: 10/28/15

Reviewed By: Deborah W Shaw  
 Budget Analyst

Date: 11-5-15

Reviewed By: Wicki Evans  
 Finance Director

Date: 11/9/15

Reviewed By: Nelson Cardinali  
 Assistant County Manager

Date: 11/10/15

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

**OCT 30 2015**



**COUNTY OF CUMBERLAND  
BUDGET REVISION REQUEST**

Budget Office Use	
Budget Revision No.	B16-139
Date Received	11/6/2015
Date Completed	

Fund No. 017 Agency No. 470 Organ. No. 4717  
 Organization Name: Gray's Creek Middle School Fund

ITEM NO. 3L(2)a

**REVENUE**

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

**EXPENDITURES**

Object Code	Appr Unit	Description	Current Budget	Increase (Decrease)	Revised Budget
386Z	PAA	Gray's Creek Middle School	20,485,261	(78,206)	20,407,055
3889	PAC	Transfer to School Fund 106	0	78,206	78,206

Total      20,485,261                      (0)              20,485,261

**Justification:**

Revision to close the Gray's Creek Middle School Capital Project Fund and to move the remaining cash balance to School Fund 106.

**Funding Source:**

State: \_\_\_\_\_ Federal: \_\_\_\_\_ County: \_\_\_\_\_ New: \_\_\_\_\_ Other: \_\_\_\_\_  
 Other: \_\_\_\_\_ Fees: \_\_\_\_\_ Prior Year: \_\_\_\_\_

**Fund Balance:**

Submitted By: Bob Tucher Date: 11/9/15  
    Department Representative

Reviewed By: Deborah W. Shaw Date: 11/9/15  
    Budget Analyst

Reviewed By: Wesley Evans Date: 11/9/15  
    Finance Director

Reviewed By: Melissa Cardinale Date: 11/10/15  
    Assistant County Manager

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



**COUNTY OF CUMBERLAND  
BUDGET REVISION REQUEST**

Budget Office Use	
Budget Revision No.	B16-139A
Date Received	11/6/2015
Date Completed	

Fund No. 018 Agency No. 470 Organ. No. 4719  
 Organization Name: New Century Elementary School Fund

ITEM NO. 31(2)b

**REVENUE**

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

**EXPENDITURES**

Object Code	Appr Unit	Description	Current Budget	Increase (Decrease)	Revised Budget
3419	SAC	Miscellaneous Expenditures	1,223,110	(80,145)	1,142,965
3889	SAE	Transfer to School Fund 106	0	80,145	80,145

Total      1,223,110      -      1,223,110

**Justification:**

Revision to close the New Century Elementary School Capital Project Fund and to move the remaining cash balance to School Fund 106.

**Funding Source:**

State: \_\_\_\_\_ Federal: \_\_\_\_\_ County: \_\_\_\_\_ New: \_\_\_\_\_ Other: \_\_\_\_\_  
 Other: \_\_\_\_\_ Fees: \_\_\_\_\_ Prior Year: \_\_\_\_\_

**Fund Balance:**

Submitted By: Bob Sucher Date: 11/9/15  
 Department Representative

Reviewed By: Deborah W. Shaw Date: 11/9/15  
 Budget Analyst

Reviewed By: Wicki Evans Date: 11/8/15  
 Finance Director

Reviewed By: Melissa Dardanis Date: 11/10/15  
 Assistant County Manager

**Approved By:**

County Manager

Board of County  
Commissioners

Date: \_\_\_\_\_

Date: \_\_\_\_\_



**COUNTY OF CUMBERLAND  
BUDGET REVISION REQUEST**

Budget Office Use	
Budget Revision No.	B16-139B
Date Received	11/6/2015
Date Completed	

Fund No. 021 Agency No. 470 Organ. No. 4721

Organization Name: New Century Middle School Fund

ITEM NO. 3L(2)c

**REVENUE**

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

**EXPENDITURES**

Object Code	Appr Unit	Description	Current Budget	Increase (Decrease)	Revised Budget
385S	TCD	School Renovations	1,184,369	(154,979)	1,029,390
3889	TCE	Transfer to School Fund 106	0	154,979	154,979

Total      1,184,369      -      1,184,369

**Justification:**

Revision to close the New Century Middle School Capital Project Fund and to move the remaining cash balance to School Fund 106.

Funding Source:      Fund Balance:

State: \_\_\_\_\_ Federal: \_\_\_\_\_ County: \_\_\_\_\_ New: \_\_\_\_\_ Other: \_\_\_\_\_

Other: \_\_\_\_\_ Fees: \_\_\_\_\_ Prior Year: \_\_\_\_\_

Submitted By: Bob Sucher Date: 11/9/15  
Department Representative

Reviewed By: Deborah W. Shaw Date: 11/9/15  
Budget Analyst

Reviewed By: Viola Evans Date: 11/9/15  
Finance Director

Reviewed By: Melissa Olandine Date: 11/10/15  
Assistant County Manager

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



**COUNTY OF CUMBERLAND  
BUDGET REVISION REQUEST**

Budget Office Use	
Budget Revision No.	B16-139C
Date Received	11/6/2015
Date Completed	

Fund No. 106 Agency No. 470 Organ. No. 4704  
 Organization Name: School Capital Outlay - Category I (Bldgs)

ITEM NO. 3L(2)d

**REVENUE**

Revenue Source Code	Description	Current Budget	Increase (Decrease)	Revised Budget
9156	Transfer from Fund 017	0	78,206	78,206
9157	Transfer from Fund 018	0	80,145	80,145
9158	Transfer from Fund 021	0	154,979	154,979
2512	Article 40 Sales Tax (1/2 Cent)	1,537,708	(313,330)	1,224,378
Total		1,537,708	0	1,537,708

**EXPENDITURES**

Object Code	Appr Unit	Description	Current Budget	Increase (Decrease)	Revised Budget
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**Justification:**

Revision to budget transfers of the remaining cash balances from School Capital Project Funds being closed including Gray's Creek Middle School Fund (\$78,206), New Century Elementary School Fund (\$80,145), and New Century Middle School Fund (\$154,979). This will provide additional funds for school capital expenditures, however, the Board of Education will need to submit a budget revision to access these funds in the current fiscal year. If these funds are not expended in current fiscal year, the funds will roll into the school capital outlay fund balance for future appropriation.

**Funding Source:**

State: \_\_\_\_\_ Federal: \_\_\_\_\_ County: \_\_\_\_\_ New: \_\_\_\_\_ Other: \_\_\_\_\_  
 Other: \_\_\_\_\_ Fees: \_\_\_\_\_ Prior Year: \_\_\_\_\_

**Fund Balance:**

Submitted By: Bob Sucher  
 Department Representative

Date: 11/9/15

Reviewed By: Deborah W. Shaw  
 Budget Analyst

Date: 11/9/15

Reviewed By: Wicki Evans  
 Finance Director

Date: 11/9/15

Reviewed By: Theresa O'Connell  
 Assistant County Manager

Date: 11/10/15

**Approved By:**

Date: \_\_\_\_\_

County Manager

Board of County  
Commissioners

Date: \_\_\_\_\_



Budget Office Use	
Budget Revision No.	1311-140
Date Received	11-6-15
Date Completed	

ITEM NO. 3L(3)



**COUNTY OF CUMBERLAND  
BUDGET REVISION REQUEST**

<b>Budget Office Use</b>	
Budget Revision No.	<u>B16-141</u>
Date Received	<u>11-9-15</u>
Date Completed	

Fund No. 101 Agency No. 420 Organ. No. 4210

Organization Name: Emergency Services

ITEM NO. 3L(4)a

**REVENUE**

Revenue Source Code	Description	Current Budget	Increase (Decrease)	Revised Budget
9901	Fund Balance		(30,000)	(30,000)
				-
				-
				-
				-
				-
	Total	0	(30,000)	(30,000)

**EXPENDITURES**

Object Code	Appr Unit	Description	Current Budget	Increase (Decrease)	Revised Budget
459B	O87	NC Prepare	75,211	(30,000)	45,211
					-
					-
					-
					-
					-
		Total	75,211	(30,000)	45,211

**Justification:**

To adjustment encumbered grant amounts rolled between two fiscal years.

**Funding Source:**

State: \_\_\_\_\_  
Other: \_\_\_\_\_

Federal: \_\_\_\_\_  
Fees: \_\_\_\_\_

**Fund Balance:**

County: \_\_\_\_\_ New: \_\_\_\_\_  
Prior Year: \_\_\_\_\_

Other: \_\_\_\_\_

Submitted By: *Larry Beemer*  
Department Representative

Date: 11-9-2015

Reviewed By: *Deborah W. Shaw*  
Budget Analyst

Date: 11-9-15

Reviewed By: *Wicki Evans*  
Finance Director

Date: 11/9/15

Reviewed By: *Yuliana Alandrali*  
Assistant County Manager

Date: 11/10/15

<b>Approved By:</b>	
County Manager	Date: _____
Board of County Commissioners	Date: _____



**COUNTY OF CUMBERLAND  
BUDGET REVISION REQUEST**

Budget Office Use	
Budget Revision No.	<u>B16-142</u>
Date Received	<u>11-9-15</u>
Date Completed	

Fund No. 101 Agency No. 420 Organ. No. 4215

Organization Name: Emergency Services Grants

ITEM NO. 3L (4) b.

**REVENUE**

Revenue Source Code	Description	Current Budget	Increase (Decrease)	Revised Budget
9901	Fund Balance		(99,432)	(99,432)
				-
				-
				-
				-
Total		0	(99,432)	(99,432)

**EXPENDITURES**

Object Code	Appr Unit	Description	Current Budget	Increase (Decrease)	Revised Budget
3411	092	In-kind Service	40,000	(20,000)	20,000
4584	092	Predisaster	117,632	(57,632)	60,000
4580	089	HazMat Planning	18,879	(8,300)	10,579
4582	089	Hurricane Exercise	27,000	(13,500)	13,500
					-
					-
					-
Total			203,511	(99,432)	104,079

**Justification:**

To adjustment Grant amounts encumbered and rolled between two fiscal years.

**Funding Source:**

State: \_\_\_\_\_  
Other: \_\_\_\_\_

Federal: \_\_\_\_\_  
Fees: \_\_\_\_\_

**Fund Balance:**

County: \_\_\_\_\_ New: \_\_\_\_\_  
Prior Year: \_\_\_\_\_

Other: \_\_\_\_\_

Submitted By: Larry Berns  
Department Representative

Date: 11-9-15

Reviewed By: Deborah W. Shaw  
Budget Analyst

Date: 11-9-15

Reviewed By: Vicki Evans  
Finance Director

Date: 11/9/15

Reviewed By: Mylena Olandine  
Assistant County Manager

Date: 11/10/15

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

NOVEMBER 6, 2015

ITEM NO. 4A

MEMO TO: Cumberland County Board of Commissioners

FROM: Cumberland County Joint Planning Board

SUBJECT: **Case P15-52:** Rezoning of 3.00+/- acres from C(P) Planned Commercial and R6A Residential to C(P) Planned Commercial or to a more restrictive zoning district, located at 110 and 112 Alabama Lane, submitted by Betty H. Strickland (owner) and Joseph T. Strickland.

ACTION: 1<sup>st</sup> motion for Case P15-52: 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.

2<sup>nd</sup> motion for Case P15-52: Move to approve the rezoning for C(P) Planned Commercial District as recommended by the Planning Staff.

**SITE PROFILE:** **Frontage & Location:** 356.20'+/- on SR 2273 (Gillespie Street) & 389.72'+/- on SR; 2314 (Alabama Lane); **Depth:** 389.72'+/-; **Jurisdiction:** Cumberland County; **Adjacent Property:** Yes, north & southeast of subject property; **Current Use:** Manufactured home sales & rentals, storage building & playground equipment sales; **Initial Zoning:** C(P) & R6A— March 15, 1979 (Area 6); **Nonconformities:** Yes, manufactured home sales & rentals not permitted on small portion zoned R6A; **Zoning Violation(s):** None; **Surrounding Zoning:** North: M(P), HI (Fay), C(P), CC (Fay), R10 & R6A; South: C(P), O&I(P), R10 & R6A; East: R10 & R6A; West: RR, R10 & R6A; **Surrounding Land Use:** Residential (including manufactured dwellings), day cares (2), manufactured home park, manufactured home sales & woodlands; **2030 Land Use Plan:** Urban; **South Central Land Use Plan:** Commercial; **Special Flood Hazard Area (SFHA):** None; **Water/Sewer Availability:** Carolina Water/Septic; **Soil Limitations:** Yes, hydric — JT Johnston loam; **School Capacity/Enrolled:** Elizabeth Cashwell Elementary: 800/745; South View Middle: 900/676; South View High: 1,800/1,806; **Subdivision/Site Plan:** If approved, any new development may require review and approval; **Municipal Influence Area:** City of Fayetteville; **Average Daily Traffic Count (2012):** 19,000 on I-95 Business; **Highway Plan:** Alabama Lane is a Local Thoroughfare. 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 (approximately): R6A — 2 lots/units; Minimum Yard Setback Regulations: **C2(P) & C(P):** Front yard: 50', Side yard: 30', Rear yard: 30'; **R6A:** Front yard: 25', Side yard: 10', Rear yard: 15'.

MINUTES OF OCTOBER 20, 2015

**1<sup>st</sup> MOTION**

The Planning and Inspections Staff recommends the board find that approval of C(P) Planned Commercial district for Case No. P15-52 is consistent with the adopted comprehensive plan



designated as the *2030 Growth Vision Plan*, which calls for "urban" at this location. The recommended district is also consistent with the South Central Land Use Plan which calls for "commercial" at this location.

The staff recommends the board further find that approval of this rezoning is reasonable and in the public interest because the district requested for the subject property meets or exceeds most of the location criteria of the adopted Land Use Policies Plan, in that: *public water and sewer required*, public water is available, however, sewer is not yet available; *should have minimum direct access to a collector street*; *should not be in a predominantly residential, office & institutional, or light commercial area*; *must be located on a sufficient site that provides adequate area for buffering, screening, and landscaping* and *could be located in a designated Activity Node Area*.

## **2<sup>nd</sup> MOTION**

The Planning and Inspections Staff recommends approval of Case No. P15-52 to C(P) Planned Commercial district based on the following:

1. If approved the C(P) district will allow for non-residential land uses and lot sizes that exist in the general area; and
2. Approval of the request is logical as 90% of the subject property is currently zoned C(P) Planned Commercial.

There are no other districts considered to be suitable for this location.

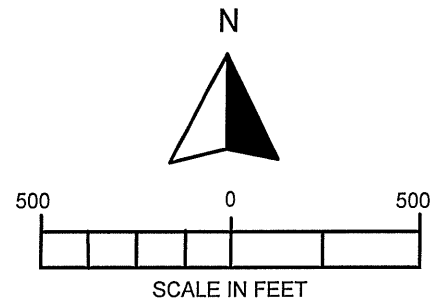
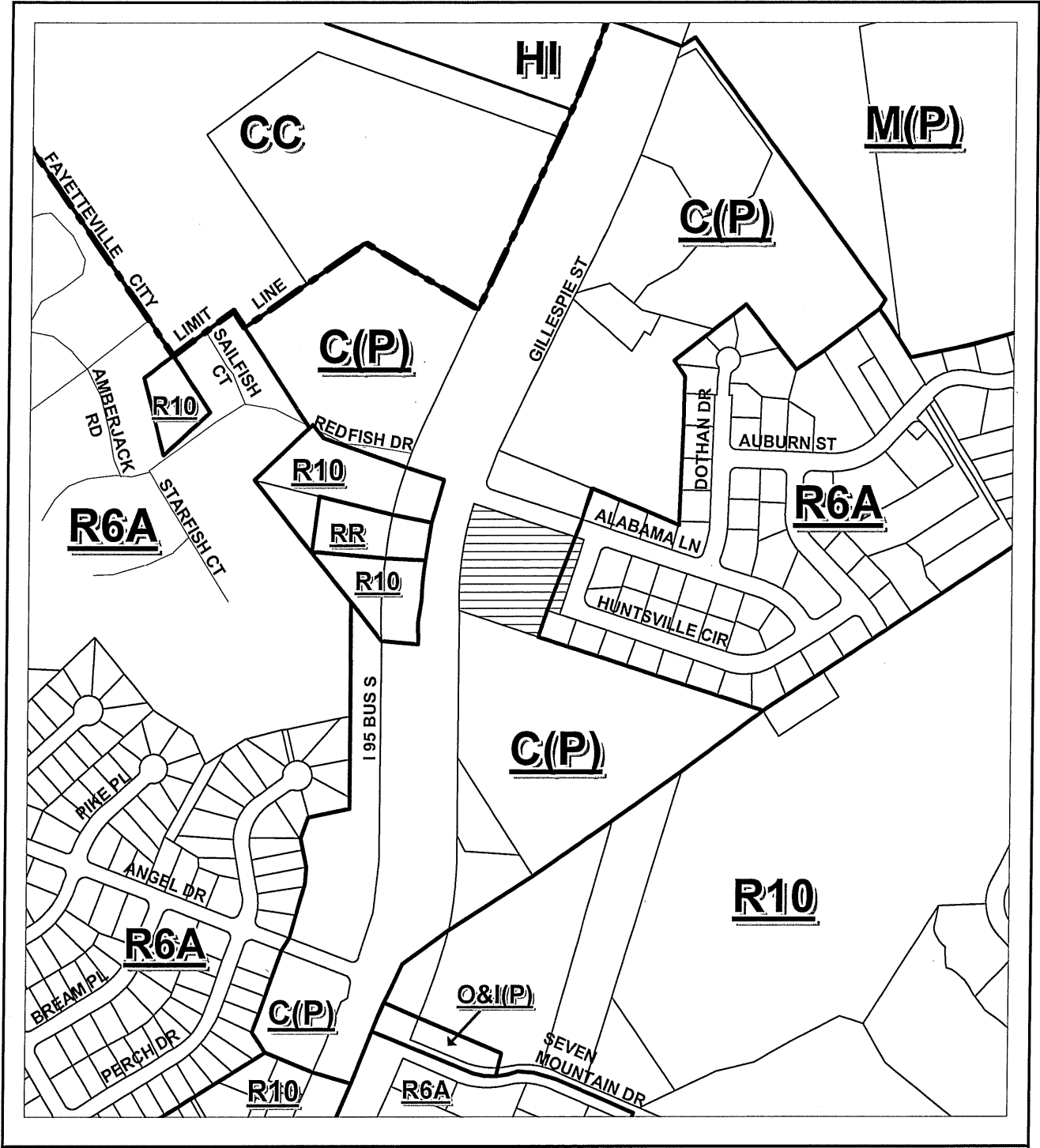
**Mr. Cain made both of the motions referenced above, seconded by Mrs. McLaughlin, to follow the staff recommendations and approve the request. The motions passed unanimously.**

### **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.*



NOTE: IN AOD AREA



PIN: 0425-91-1726

## REQUESTED REZONING C(P) & R6A TO C(P)

ACREAGE: 3.00 AC.+/-		HEARING NO: P15-52	
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

NOVEMBER 6, 2015

ITEM NO. 43

MEMO TO: Cumberland County Board of Commissioners

FROM: Cumberland County Joint Planning Board

SUBJECT: **Case P15-53:** Rezoning of 33.38+/- acres from A1 Agricultural and RR Rural Residential to RR Rural Residential or to a more restrictive zoning district; located on the northwest side of SR 1885 (Hummingbird Place), south of SR 1864 (Huckleberry Road); submitted by Albert O. McCauley on behalf of AOM Investments, LLC. (owner).

ACTION: 1<sup>st</sup> motion for Case P15-53: 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.

2<sup>nd</sup> motion for Case P15-53: Move to approve the rezoning for RR Rural Residential District as recommended by the Planning Staff.

**SITE PROFILE:** **Frontage & Location:** 1,049.50+/- on SR 1885 (Hummingbird Place) & 900'+/- on Rafe Avenue; **Depth:** 1,280.00'+/-; **Jurisdiction:** Cumberland County; **Adjacent Property:** No; **Current Use:** Vacant land; **Initial Zoning:** A1 & RR – April 26, 1979 (Area 8); **Nonconformities:** None; **Zoning Violation(s):** None; **Surrounding Zoning:** North: R40A, RR & A1; South: RR & A1; East: R40A & RR; West: RR; **Surrounding Land Use:** Residential (including manufactured dwellings), motor vehicle repair, farmland & woodlands; **2030 Land Use Plan:** Urban Fringe; **Eastover Land Use Plan:** One Acre Residential Lots; **Special Flood Hazard Area (SFHA):** None; **Water/Sewer Availability:** ESD/Septic; **Soil Limitations:** None; **Sewer Service Area:** Yes; **School Capacity/Enrolled:** Armstrong Elementary: 450/444; Mac Williams Middle: 1,270/1,165; Cape Fear High: 1,425/1,534; **Subdivision/Site Plan:** If approved, new development may require review and approval; **Average Daily Traffic Count (2012):** 770 on SR 1885 (Hummingbird Place); **Highway Plan:** Hummingbird Place is identified as a Local Thoroughfare. 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): RR – 73 lots/units (62 lots/units) **Overall Tract, A1 – 3 lots/units;** (approximated A1 portion only); Minimum Yard Setback Regulations: **RR:** Front yard: 30', Side yard: 15', Rear yard: 35'; **A1:** Front yard: 50', Side yard: 20', Rear yard: 50'.

MINUTES OF OCTOBER 20, 2015

**1<sup>st</sup> MOTION**

The Planning and Inspections Staff recommends the board find that approval of the request for rezoning in Case No. P15-53 is consistent with the adopted comprehensive plan designated as the 2030 Growth Vision Plan, which calls for "urban fringe" at this location as the proposed district



would allow development at 2.2 units or less per acre. The request is not consistent with the Eastover Area Detailed Land Use Plan which calls for "one acre residential lots" at this location but is reasonable as approximately 80% of the subject property is currently zoned RR Rural Residential.

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

**2<sup>nd</sup> MOTION**

In addition to the above information, the Planning and Inspections Staff also recommends the board approve Case No. P15-53 for RR Rural Residential district based on the following:

1. The RR Rural Residential district will allow for land uses and lot sizes allowed on the majority of the tract and of those that exist in the general area; and
2. Public water is available to the subject property.

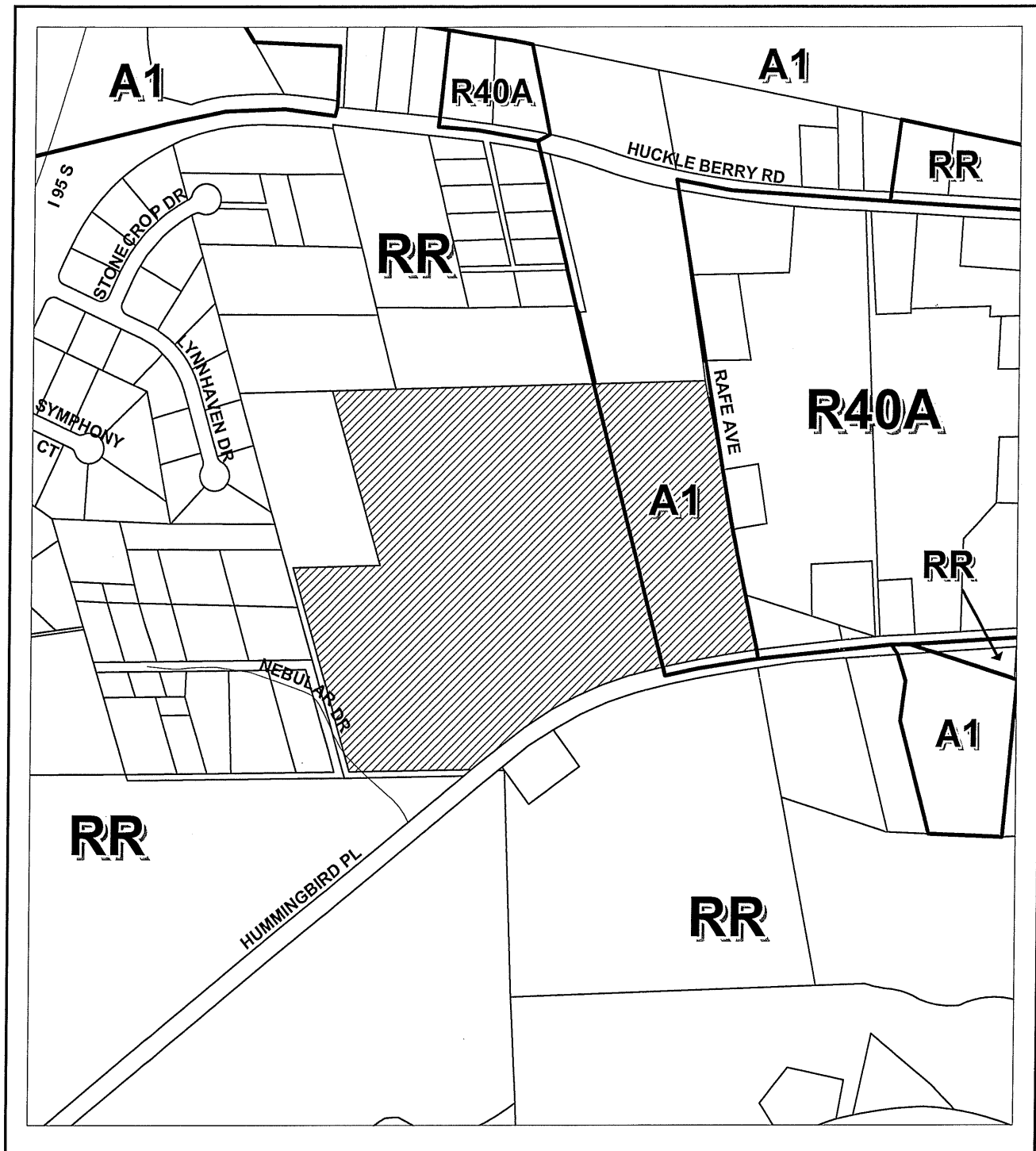
Because of the lack of public sewer, there are no other districts considered suitable for this request.

**Mr. Cain made both of the motions referenced above, seconded by Mrs. McLaughlin, 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 & RR TO RR

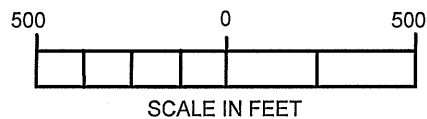
ACREAGE: 33.38 AC.+/-

HEARING NO: P15-53

ORDINANCE: COUNTY	HEARING DATE	ACTION
STAFF RECOMMENDATION		
PLANNING BOARD		
GOVERNING BOARD		

HEARING DATE

ACTION



PIN: 0467-25-9289

JM



ITEM NO. 4c

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

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

BACKGROUND: That the following is a report on Minimum Housing case number MH 1089-2015.

Property Owner: Fort, Mavis, James & Aubrey McGilberry

Home Owner: Fort, Mavis, James & Aubrey McGilberry


Property Address: 204 Forte Rd; Stedman, NC

Tax Parcel Identification Number: 0486-80-0105

SYNOPSIS: This property was inspected on 6/18/2015. The property owners and parties of interest were legally served with Notice of Violations and was afforded a Hearing on 9/14/2015. Melantha Williams attended the Hearing by phone. It was ordered that the structure be repaired to a minimum standard for human habitation, or be demolished and the debris removed from the premises by a date not later than 10/14/2015. The property owners and parties of interest were notified of the appeal procedures when they were served with the Findings of Fact and Order. (See Exhibit A for Findings of Fact and Order.) No appeal was filed. Upon my visit to the property on 11/5/2015, no corrective action has been made to the structure. The structure is presently vacant and unsecured. In its present state, this structure constitutes a fire, health, and safety hazard.

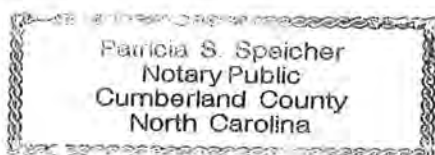
The estimated cost to repair the structure to a minimum standard for human habitation is \$48,412.00. The Assessor for Cumberland County has the structure presently valued at \$571.00. Attached is a map depicting the location of the property. (See Exhibit B.)

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

  
Joan Fenley  
Code Enforcement Officer  
County of Cumberland

North Carolina  
Cumberland County

Sworn to and Subscribed to by me this  
the 21st day of October 2015.



Patricia S. Speicher  
Notary Public Patricia S. Speicher  
My Commission Expires: 10-2-16



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

Name(s) of Owner(s)

Appearances:

Inspection Dept. Case No.:

**BOARD OF COUNTY COMMISSIONERS MOTION:**

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

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

To order the property owner to remove or demolish the dwelling within \_\_\_\_\_ days.

To order the Inspector to remove or demolish the dwelling, if the owner fails to do so and  
impose a lien on the real property for the cost of such action.

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

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

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

To order the property owner to rehabilitate the property within \_\_\_\_\_ days.

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

To order the Inspector to rehabilitate the property or remove or demolish the dwelling, if the  
owner fails to do so and impose a lien on the real property for the cost of such action.

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

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

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

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

4. In addition there is imposed a civil penalty in the amount of \$\_\_\_\_\_ per day (up to  
a maximum amount of \$3,000.00) for failure to comply with the terms of this Ordinance.

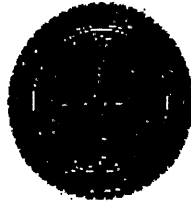


Thomas J. Lloyd,  
Director

Cecil P. Combs,  
Deputy Director

Scott Walters,  
Code Enforcement Manager

Carol M. Post  
Office Processing Assistant



**CUMBERLAND  
★ COUNTY ★  
NORTH CAROLINA**

*Planning & Inspections Department*

**FINDINGS OF FACT AND ORDER**

9/14/2015

Fort, Mavis, James, & Aubrey McGilberry, & Mary Ann Brewer & Parties of Interest Attn: Melantha Williams  
771 Grote St; Apt 7  
Bronx, NY 10460

91 7199 9991 7034 5775 2118

**CASE # MH-1089-2015**

**PROPERTY AT:** 204 Forte Rd, Stedman, NC

A Complaint, Notice of Hearing and Report of Inspection were legally served to the owner or owner's agent, and any party of interest. These documents were in fact received by the owner or owner's agent and party of interest on 7/2/2015.

Pursuant of law, a Hearing was conducted in Room 101, of the old courthouse at 130 Gillespie Street, Fayetteville, NC on 9/14/2015 at 10:30 AM. The items identified below took place at the Hearing:

- ☐ 1. No owner or party of interest, or their agent, or representative appeared.
- ☒ 2. An answer was filed by owners and/or parties of interest. The answer was heard, read, and considered. Those answering by phone were: Melantha Williams
- ☒ 3. The undersigned inspector personally inspected the dwelling described in the Complaint and Notice of Hearing dated 7/2/2015. Upon the record and all of the evidence offered and contentions made, the undersigned Hearing Officer does thereby find the following fact:
  - ☒ a. The dwelling in question is violative of the Cumberland County Housing Ordinance as per findings in the inspection report with an assigned case number of MH-1089-2015, dated 7/2/2015.
  - ☒ b. Due to these findings, the dwellings are found to be in a substandard condition in accordance with the Cumberland County Ordinance.
  - ☒ c. The dwelling is unfit for human habitation.

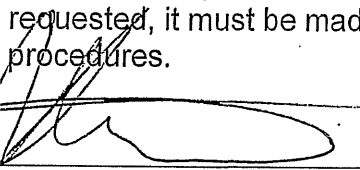
**EXHIBIT "A"**

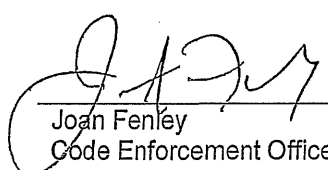


☒ 4. Due to facts presented above, the Hearing Officer orders as follows:

- ☒ a. The owners and/or parties of interest of the dwelling named above are required to bring such dwelling into compliance with the Cumberland County Housing Ordinance by demolishing the structure and then causing the debris to be removed from the premises by a date not later than 10/14/2015. **All required permits must be obtained. A copy of this order must be presented when obtaining permits.**
- ☐ b. The dwelling shall remain vacated until compliance with this order is completed and removed by the inspector, and the lot must be continuously maintained.
- ☒ c. The structure shall be/remain secured to prevent entry by 10/14/2015 and shall remain secured.
- ☒ d. By authority of North Carolina General Statutes 14-4, violation of the County code is punishable as a Class 3 Misdemeanor in criminal court and also subjects the violator to injunctive relief and/or a civil penalty of \$50.00 per day for each day's continuing violation after 10/14/2015.
- ☒ e. The County Planning/Inspection Department may immediately begin procedures to seek a demolition ordinance from the Cumberland County Board of Commissioners for failure to bring the property into compliance by 10/14/2015. The cost of said demolition will be assessed against the real property in the form of a lien.

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

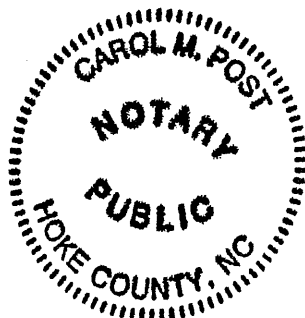
  
\_\_\_\_\_  
Scott Walters  
Hearing Officer

  
\_\_\_\_\_  
Joan Fenley  
Code Enforcement Officer

Enclosed: Appeals Procedure Form

Cc:

Sworn to and Subscribed to by me  
this the 14th day of September 2015




  
\_\_\_\_\_  
Notary Public  
My Commission Expires: 11-06-19

EXHIBIT "A"






Date: September 28, 2015

j fenley:

The following is in response to your September 28, 2015 request for delivery information on your Certified Mail™ item number 9171999991703457752118. The delivery record shows that this item was delivered on September 21, 2015 at 2:16 pm in BRONX, NY 10460. The scanned image of the recipient information is provided below.

Signature of Recipient :

Signature	
Printed Name	NICK WILLIAMS

Address of Recipient :

Delivery Address	771 Grove St #7
------------------	-----------------

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

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

Sincerely,  
United States Postal Service

PROOF OF SERVICE OF *FINDINGS OF FACT AND ORDER*  
DATED September 14, 2015 CASE NUMBER *MH 1089-2015*

EXHIBIT A



**MAP DEPICTING LOCATION OF PROPERTY**  
**Property Owner: Fort, Mavis, James & Aubrey McGilberry**  
204 Forte Rd; Stedman, NC  
Minimum Housing Case # MH 1089-2015  
TAX PARCEL IDENTIFICATION NUMBER 0486-80-0105



EXHIBIT B



Thomas J. Lloyd,  
Director

Cecil P. Combs,  
Deputy Director

Scott Walters,  
Code Enforcement Manager

Carol M. Post  
Office Processing Assistant



**CUMBERLAND  
★ COUNTY ★  
NORTH CAROLINA**

George Hatcher,  
Inspector

Joey Lewis,  
Inspector

Joan Fenley,  
Inspector

Debra Johnson,  
Inspector

Christopher Fulton,  
Inspector

**Planning & Inspections Department**

**CONSENT TO DEMOLISH**

I, Melantha Williams, property owner of

204 Forte Road, Stedman, NC, identified by Tax Parcel Identification

Number 0486-80-0105, and more particularly described as:

one family frame constructed house - one story

do hereby consent to the Cumberland County Planning and Inspection Department demolishing the structure(s) as described above and thereafter clearing all the debris from the premises, leaving the lot free and clear of any rubbish and debris or pockets or holes that will collect water.

I further understand that the cost for said demolition and debris removal will be placed in the form of a lien against the real property identified by Tax Parcel Identification Number

0486-80-0105, and will be collected by the Cumberland County Tax Collector.

Failure to pay the tax lien or assessment can result in the Tax Administrator's Office taking action to cause a mortgage style foreclosure of the property, to garnish my wages or to levy on my bank account.

Melantha Williams  
Property Owner

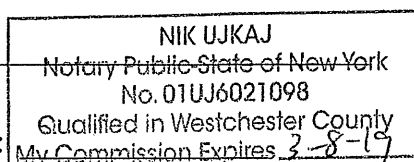
10/4/15  
Date

Sworn to and Subscribed to by me this

The 4 day of OCTOBER, 2015

Nik Ujkaj  
Notary Public

My Commission Expires:





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

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

BACKGROUND: That the following is a report on Minimum Housing case number MH 1135-2015.

Property Owner: Mary Melvin Locke Heirs

Home Owner: Mary Melvin Locke Heirs


Property Address: 2307 L A Dunham Rd; Fayetteville, NC

Tax Parcel Identification Number: 0446-92-9317

SYNOPSIS: This property was inspected on 7/14/2015. The property owners and parties of interest were legally served with Notice of Violations and was afforded a Hearing on 8/17/2015. No one attended the Hearing. It was ordered that the structure be repaired to a minimum standard for human habitation, or be demolished and the debris removed from the premises by a date not later than 9/16/2015. The property owners and parties of interest were notified of the appeal procedures when they were served with the Findings of Fact and Order. (See Exhibit A for Findings of Fact and Order.) No appeal was filed. Upon my visit to the property on 11/5/2015, no corrective action has been made to the structure. The structure is presently vacant and unsecured. In its present state, this structure constitutes a fire, health, and safety hazard.

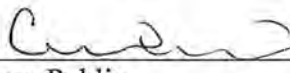
The estimated cost to repair the structure to a minimum standard for human habitation is \$68,012.00. The Assessor for Cumberland County has the structure presently valued at \$00.00. Attached is a map depicting the location of the property. (See Exhibit B.)

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

  
Joan Fenley  
Code Enforcement Officer  
County of Cumberland



Sworn to and Subscribed to by me this  
the 5th day of November 2015.

  
Notary Public  
My Commission Expires: 11-06-19



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

Name(s) of Owner(s)

Appearances:

Inspection Dept. Case No.:

**BOARD OF COUNTY COMMISSIONERS MOTION:**

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

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

To order the property owner to remove or demolish the dwelling within \_\_\_\_\_ days.

To order the Inspector to remove or demolish the dwelling, if the owner fails to do so and  
impose a lien on the real property for the cost of such action.

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

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

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

To order the property owner to rehabilitate the property within \_\_\_\_\_ days.

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

To order the Inspector to rehabilitate the property or remove or demolish the dwelling, if the  
owner fails to do so and impose a lien on the real property for the cost of such action.

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

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

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

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

4. In addition there is imposed a civil penalty in the amount of \$\_\_\_\_\_ per day (up to  
a maximum amount of \$3,000.00) for failure to comply with the terms of this Ordinance.

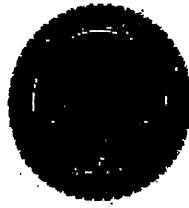


Thomas J. Lloyd,  
Director

Cecil P. Combs,  
Deputy Director

Scott Walters,  
Code Enforcement Manager

Carol M. Post  
Office Processing Assistant



**CUMBERLAND  
★ COUNTY ★  
NORTH CAROLINA**

*Planning & Inspections Department*

George Hatcher,  
Inspector

Joey Lewis,  
Inspector

Joan Fenley,  
Inspector

Debra Johnson,  
Inspector

Christopher Fulton,  
Inspector

**FINDINGS OF FACT AND ORDER**

91 7199 9991 7034 5775 2309

8/17/2015

CIP 9/10/15

Mary Melvin Locke Heirs C/O Mamie Locke Thompson (Deceased) & Mary Harris & Parties of Interest  
2805 Eldorado Rd  
Fayetteville NC, 28306

**CASE # MH-1135-2015**

**PROPERTY AT: 2307 L A Dunham Rd,**

A Complaint, Notice of Hearing and Report of Inspection were legally served to the owner or owner's agent, and any party of interest. These documents were in fact received by the owner or owner's agent and party of interest on 7/22/2015.

Pursuant of law, a Hearing was conducted in Room 101, of the Historical Courthouse at 130 Gillespie Street, Fayetteville, NC on 8/17/2015 at 10:00 AM. The items identified below took place at the Hearing:

- ☒ 1. No owner or party of interest, or their agent, or representative appeared.
- ☐ 2. An answer was filed by owners and/or parties of interest. The answer was heard, read, and considered. Those answering by phone were: \_\_\_\_\_
- ☒ 3. The undersigned inspector personally inspected the dwelling described in the Complaint and Notice of Hearing dated 7/15/2015. Upon the record and all of the evidence offered and contentions made, the undersigned Hearing Officer does thereby find the following fact:
  - ☒ a. The dwelling in question is violative of the Cumberland County Housing Ordinance as per findings in the inspection report with an assigned case number of MH-1135-2015, dated 7/15/2015.
  - ☒ b. Due to these findings, the dwellings are found to be in a substandard condition in accordance with the Cumberland County Ordinance.
  - ☒ c. The dwelling is unfit for human habitation.

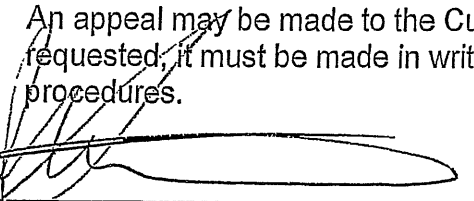
**EXHIBIT "A"**

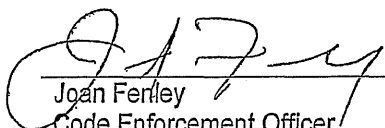


☒ 4. Due to facts presented above, the Hearing Officer orders as follows:

- ☒ a. The owners and/or parties of interest of the dwelling named above are required to bring such dwelling into compliance with the Cumberland County Housing Ordinance by either repairing, altering, and improving the dwelling up to a minimum standard or by demolishing the structure and then causing the debris to be removed from the premises by a date not later than 9/16/2015. **All required permits must be obtained. A copy of this order must be presented when obtaining permits.**
- ☐ b. The dwelling shall remain vacated until compliance with this order is completed and removed by the inspector, and the lot must be continuously maintained.
- ☐ c. The structure shall be/remain secured to prevent entry by \_\_\_\_\_ and shall remain secured.
- ☒ d. By authority of North Carolina General Statutes 14-4, violation of the County code is punishable as a Class 3 Misdemeanor in criminal court and also subjects the violator to injunctive relief and/or a civil penalty of \$50.00 per day for each day's continuing violation after 9/16/2015.
- ☒ e. The County Planning/Inspection Department may immediately begin procedures to seek a demolition ordinance from the Cumberland County Board of Commissioners for failure to bring the property into compliance by 9/16/2015. The cost of said demolition will be assessed against the real property in the form of a lien.

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

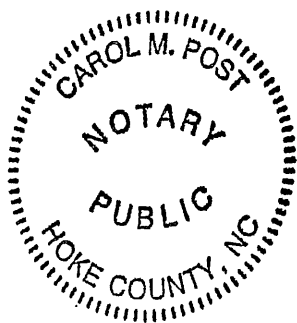
  
\_\_\_\_\_  
Scott Walters  
Hearing Officer

  
\_\_\_\_\_  
Joan Ferley  
Code Enforcement Officer

Enclosed: Appeals Procedure Form

Cc:

Sworn to and Subscribed to by me  
this the 17<sup>th</sup> day of August, 2015




  
\_\_\_\_\_  
Notary Public  
My Commission Expires: 11-06-19

EXHIBIT "A"



NORTH CAROLINA  
COUNTY OF CUMBERLAND

PLANNING/INSPECTIONS DEPARTMENT

RE: Mary Melvin Lock Heirs  
C/O Mamie Locke Thompson (deceased) & Mary Harris & Parties of Interest  
Name of Violator

MH 1135-2015  
Case Number

**AFFIDAVIT OF RETURN OF SERVICE**  
(Personal Service to Individual)

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

personally served Mary Melvin Lock Heirs C/O Mamie Locke Thompson (deceased) & Mary Harris a copy of the  
(name of violator)

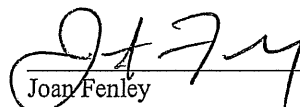
Findings of Fact and Order and Appeals Procedures Form citing violations of Article IV, Chapter 4 of the

Cumberland County Ordinance by mailing said notice(s) certified and 1<sup>st</sup> class mail to the addresses shown below:

2805 Eldorado Road, Fayetteville, NC 28306 and by posting said notice(s) on the property located at:

2307 L A Dunham Road, Fayetteville, NC.

I further certify that said service was completed on this the 4<sup>th</sup> day of September, 2015.

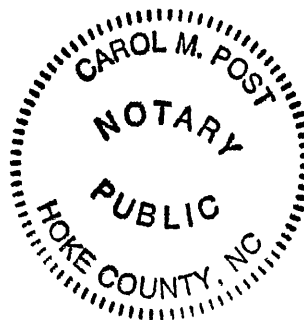
  
Joan Fenley  
Code Enforcement Officer

Sworn to and subscribed to before me

this the 4<sup>th</sup> day of September, 2015.

  
Notary Public

My Commission Expires: 11/6/2019



PROOF OF SERVICE OF *FINDINGS OF FACT AND ORDER*  
DATED August 17, 2015 CASE NUMBER *MH 1135-2015*

EXHIBIT A

5



**MAP DEPICTING LOCATION OF PROPERTY**  
**Property Owner: Mary Melvin Locke Heirs**  
2307 L A Dunham Rd, Fayetteville, NC  
Minimum Housing Case # MH 1135-2015  
TAX PARCEL IDENTIFICATION NUMBER 0446-92-9317



EXHIBIT B



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

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

BACKGROUND: That the following is a report on Minimum Housing case number MH 1085-2015.

Property Owner: Tonto Morrison

Home Owner: Tonto Morrison


Property Address: 3523 Cumberland Rd, Fayetteville, NC

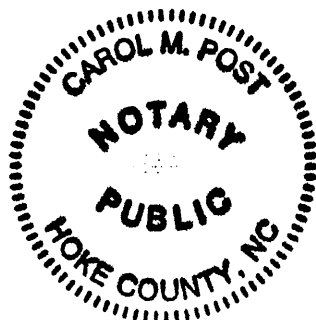
Tax Parcel Identification Number: 0416-90-6039

SYNOPSIS: This property was inspected on 6/18/2015. The property owners and parties of interest were legally served with Notice of Violations and was afforded a Hearing on 7/13/2015. No one attended the Hearing. It was ordered that the structure be repaired to a minimum standard for human habitation, or be demolished and the debris removed from the premises by a date not later than 9/11/2015. The property owners and parties of interest were notified of the appeal procedures when they were served with the Findings of Fact and Order. (See Exhibit A for Findings of Fact and Order.) No appeal was filed. Upon my visit to the property on 11/5/2015, no corrective action has been made to the structure. The structure is presently vacant and unsecured. In its present state, this structure constitutes a fire, health, and safety hazard.

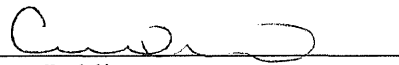
The estimated cost to repair the structure to a minimum standard for human habitation is \$35,672.00. The Assessor for Cumberland County has the structure presently valued at \$487.00. Attached is a map depicting the location of the property. (See Exhibit B.)

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

  
Joan Fenley  
Code Enforcement Officer  
County of Cumberland



Sworn to and Subscribed to by me this  
the 5<sup>th</sup> day of November 2015.

  
Notary Public  
My Commission Expires: 11-06-19



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

Name(s) of Owner(s)

Appearances:

Inspection Dept. Case No.:

**BOARD OF COUNTY COMMISSIONERS MOTION:**

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

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

To order the property owner to remove or demolish the dwelling within \_\_\_\_\_ days.

To order the Inspector to remove or demolish the dwelling, if the owner fails to do so and  
impose a lien on the real property for the cost of such action.

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

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

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

To order the property owner to rehabilitate the property within \_\_\_\_\_ days.

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

To order the Inspector to rehabilitate the property or remove or demolish the dwelling, if the  
owner fails to do so and impose a lien on the real property for the cost of such action.

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

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

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

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

4. In addition there is imposed a civil penalty in the amount of \$ \_\_\_\_\_ per day (up to  
a maximum amount of \$3,000.00) for failure to comply with the terms of this Ordinance.

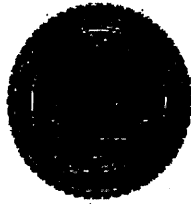


Thomas J. Lloyd,  
Director

Cecil P. Combs,  
Deputy Director

Scott Walters,  
Code Enforcement Manager

Carol M. Post  
Office Processing Assistant



**CUMBERLAND  
★ COUNTY ★  
NORTH CAROLINA**

*Planning & Inspections Department*

**FINDINGS OF FACT AND ORDER**

8/10/2015

91 7199 9991 7035 6812 7348 CIP

Tonto Morrison & Parties of Interest  
679 Hollow Bridge Rd  
Autryville NC, 28318

**CASE # MH-1085-2015**

**PROPERTY AT:** 3523 Cumberland Rd,

A Complaint, Notice of Hearing and Report of Inspection were legally served to the owner or owner's agent, and any party of interest. These documents were in fact received by the owner or owner's agent and party of interest on 6/19/2015.

Pursuant of law, a Hearing was conducted in Room 101, of the old courthouse at 130 Gillespie Street, Fayetteville, NC on 7/13/2015 at 11:00 AM. The items identified below took place at the Hearing:

- ☒ 1. No owner or party of interest, or their agent, or representative appeared.
- ☐ 2. An answer was filed by owners and/or parties of interest. The answer was heard, read, and considered. Those answering by phone were: \_\_\_\_\_
- ☒ 3. The undersigned inspector personally inspected the dwelling described in the Complaint and Notice of Hearing dated 6/19/2015. Upon the record and all of the evidence offered and contentions made, the undersigned Hearing Officer does hereby find the following fact:
  - ☒ a. The dwelling in question is violative of the Cumberland County Housing Ordinance as per findings in the inspection report with an assigned case number of MH-1085-2015, dated 7/13/2015.
  - ☒ b. Due to these findings, the dwellings are found to be in a substandard condition in accordance with the Cumberland County Ordinance.
  - ☒ c. The dwelling is unfit for human habitation.

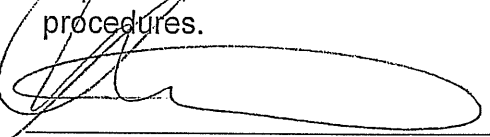
**EXHIBIT "A"**

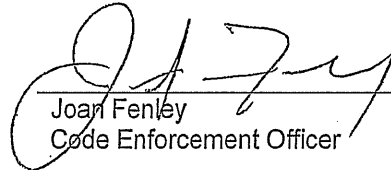


☒ 4. Due to facts presented above, the Hearing Officer orders as follows:

- ☒ a. The owners and/or parties of interest of the dwelling named above are required to bring such dwelling into compliance with the Cumberland County Housing Ordinance by either repairing, altering, and improving the dwelling up to a minimum standard or by demolishing the structure and then causing the debris to be removed from the premises by a date not later than 9/11/2015. **All required permits must be obtained. A copy of this order must be presented when obtaining permits.**
- ☒ b. The dwelling shall remain vacated until compliance with this order is completed and removed by the inspector, and the lot must be continuously maintained.
- ☐ c. The structure shall be/remain secured to prevent entry by \_\_\_\_\_ and shall remain secured.
- ☒ d. By authority of North Carolina General Statutes 14-4, violation of the County code is punishable as a Class 3 Misdemeanor in criminal court and also subjects the violator to injunctive relief and/or a civil penalty of \$50.00 per day for each day's continuing violation after 9/11/2015.
- ☒ e. The County Planning/Inspection Department may immediately begin procedures to seek a demolition ordinance from the Cumberland County Board of Commissioners for failure to bring the property into compliance by 9/11/2015. The cost of said demolition will be assessed against the real property in the form of a lien.

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

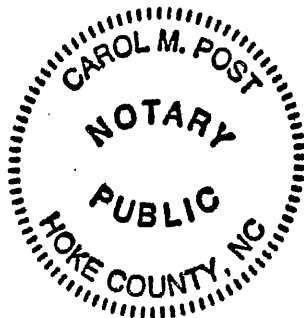
  
Scott Walters  
Hearing Officer

  
Joan Fenley  
Code Enforcement Officer

Enclosed: Appeals Procedure Form

Cc:

Sworn to and Subscribed to by me  
this the 10<sup>th</sup> day of August, 2015



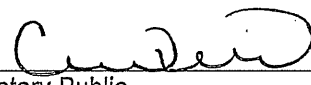
  
Notary Public  
My Commission Expires: 11-06-19

EXHIBIT "A"



NORTH CAROLINA  
COUNTY OF CUMBERLAND

PLANNING/INSPECTIONS DEPARTMENT

RE: Tonto Morrison & Parties of Interest  
Name of Violator

MH 1023-2015  
Case Number

**AFFIDAVIT OF RETURN OF SERVICE**  
(Personal Service to Individual)

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

served Tonto Morrison, a copy of the Findings of Fact and Order citing violations of Article IV, Chapter 4  
(name of violator)

of the Cumberland County Minimum Housing Ordinance by mailing said notice(s) via certified  
and first class mail to the following address:

679 Hollow Ridge Road, Autryville, NC 28318 and by posting said notice(s) to the following address:

3523 Cumberland Road, Fayetteville, NC 28306 on this the 13<sup>th</sup> day of August, 2015

Posted

Person Receiving Notice(s)

Joan Fenley

Code Enforcement Officer, Cumberland County  
Planning & Inspections Dept.

Check box if person refuses to sign ☐

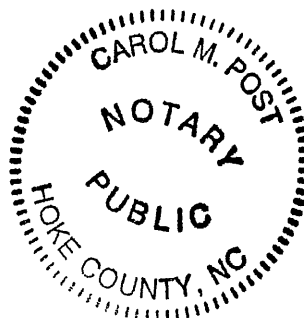
North Carolina  
Hoke County

Sworn to and subscribed to before me  
this the 13<sup>th</sup> day of July, 2015.

C. Miller

Notary Public

My Commission Expires: 11/06/2019



PROOF OF SERVICE OF *FINDINGS OF FACT AND ORDER*  
DATED 8/10/2015 CASE NUMBER *MH 1085-2015*

EXHIBIT A

5



**MAP DEPICTING LOCATION OF PROPERTY**  
**Property Owner: Tonto Morrison**  
3523 Cumberland Rd, Fayetteville, NC  
Minimum Housing Case # MH 1085-2015  
TAX PARCEL IDENTIFICATION NUMBER 0416-90-6039



**EXHIBIT "B"**



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

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

BACKGROUND: That the following is a report on Minimum Housing case number MH 1023-2015.

Property Owner: Stacy L. & Ernestine Carthon

Home Owner: Stacy L. & Ernestine Carthon

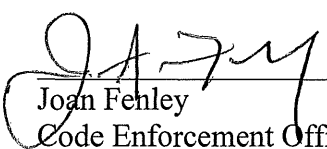
Property Address: 4813 Battery Ct; Fayetteville, NC

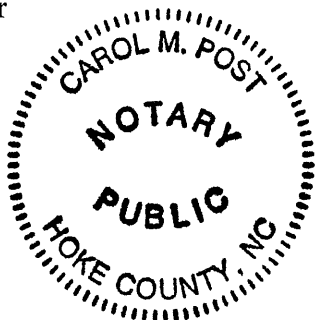
Tax Parcel Identification Number: 0433-77-9399

SYNOPSIS: This property was inspected on 4/2/2015. The property owners and parties of interest were legally served with Notice of Violations and was afforded a Hearing on 6/29/2015. No one attended the Hearing. It was ordered that the structure be repaired to a minimum standard for human habitation, or be demolished and the debris removed from the premises by a date not later than 9/11/2015. The property owners and parties of interest were notified of the appeal procedures when they were served with the Findings of Fact and Order. (See Exhibit A for Findings of Fact and Order.) No appeal was filed. Upon my visit to the property on 11/5/2015, no corrective action has been made to the structure. The structure is presently vacant and unsecured. In its present state, this structure constitutes a fire, health, and safety hazard.


The estimated cost to repair the structure to a minimum standard for human habitation is \$54,243.00. The Assessor for Cumberland County has the structure presently valued at \$439.00. Attached is a map depicting the location of the property. (See Exhibit B.)

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

  
Joan Fenley  
Code Enforcement Officer  
County of Cumberland



Sworn to and Subscribed to by me this  
the 5<sup>th</sup> day of November 2015.

  
Notary Public  
My Commission Expires: 11-06-19



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

Name(s) of Owner(s)

Appearances:

Inspection Dept. Case No.:

**BOARD OF COUNTY COMMISSIONERS MOTION:**

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

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

To order the property owner to remove or demolish the dwelling within \_\_\_\_\_ days.

To order the Inspector to remove or demolish the dwelling, if the owner fails to do so and  
impose a lien on the real property for the cost of such action.

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

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

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

To order the property owner to rehabilitate the property within \_\_\_\_\_ days.

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

To order the Inspector to rehabilitate the property or remove or demolish the dwelling, if the  
owner fails to do so and impose a lien on the real property for the cost of such action.

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

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

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

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

4. In addition there is imposed a civil penalty in the amount of \$ \_\_\_\_\_ per day (up to  
a maximum amount of \$3,000.00) for failure to comply with the terms of this Ordinance.

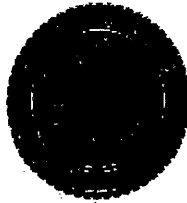


Thomas J. Lloyd,  
Director

Cecil P. Combs,  
Deputy Director

Scott Walters,  
Code Enforcement Manager

Carol M. Post  
Office Processing Assistant



**CUMBERLAND  
★ COUNTY ★**  
NORTH CAROLINA

*Planning & Inspections Department*

**FINDINGS OF FACT AND ORDER**

8/10/2015

Stacy L & Wife Carthon & Parties of Interest  
10 Silverthorne Dr  
Sanford NC, 27332

91 7199 9991 7035 6812 7331 CIP

91 7199 9991 7035 6812 7324 CIP

**CASE # MH-1023-2015**

**PROPERTY AT:** 4813 Battery Ct,

A Complaint, Notice of Hearing and Report of Inspection were legally served to the owner or owner's agent, and any party of interest. These documents were in fact received by the owner or owner's agent and party of interest on 6/16/2015.

Pursuant of law, a Hearing was conducted in Room 101, of the old courthouse at 130 Gillespie Street, Fayetteville, NC on 6/29/2015 at 10:00 AM. The items identified below took place at the Hearing:

- ☒ 1. No owner or party of interest, or their agent, or representative appeared.
- ☐ 2. An answer was filed by owners and/or parties of interest. The answer was heard, read, and considered. Those answering by phone were: \_\_\_\_\_
- ☒ 3. The undersigned inspector personally inspected the dwelling described in the Complaint and Notice of Hearing dated 6/12/2015. Upon the record and all of the evidence offered and contentions made, the undersigned Hearing Officer does thereby find the following fact:
  - ☒ a. The dwelling in question is violative of the Cumberland County Housing Ordinance as per findings in the inspection report with an assigned case number of MH-1023-2015, dated 6/29/2015.
  - ☒ b. Due to these findings, the dwellings are found to be in a substandard condition in accordance with the Cumberland County Ordinance.
  - ☒ c. The dwelling is unfit for human habitation.

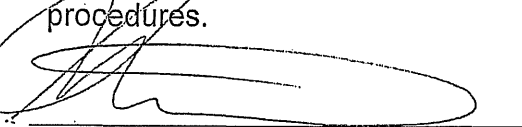
**EXHIBIT "A"**



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

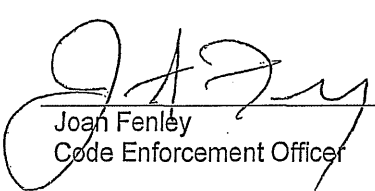
- ☒ a. The owners and/or parties of interest of the dwelling named above are required to bring such dwelling into compliance with the Cumberland County Housing Ordinance by either repairing, altering, and improving the dwelling up to a minimum standard or by demolishing the structure and then causing the debris to be removed from the premises by a date not later than 9/11/2015. **All required permits must be obtained. A copy of this order must be presented when obtaining permits.**
- ☒ b. The dwelling shall remain vacated until compliance with this order is completed and removed by the inspector, and the lot must be continuously maintained.
- ☐ c. The structure shall be/remain secured to prevent entry by 9/11/2015 and shall remain secured.
- ☒ d. By authority of North Carolina General Statutes 14-4, violation of the County code is punishable as a Class 3 Misdemeanor in criminal court and also subjects the violator to injunctive relief and/or a civil penalty of \$50.00 per day for each day's continuing violation after 9/11/2015.
- ☒ e. The County Planning/Inspection Department may immediately begin procedures to seek a demolition ordinance from the Cumberland County Board of Commissioners for failure to bring the property into compliance by 9/11/2015. The cost of said demolition will be assessed against the real property in the form of a lien.

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

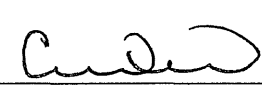
  
Scott Walters  
Hearing Officer

Enclosed: Appeals Procedure Form

Cc:

  
Joan Fenley  
Code Enforcement Officer

Sworn to and Subscribed to by me  
this the 10th day of August, 2015

  
Notary Public  
My Commission Expires: 11-06-19

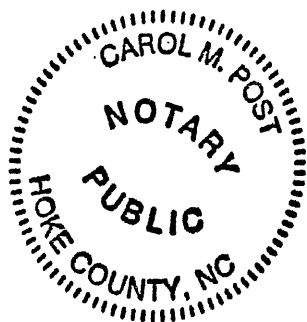


EXHIBIT "A"



NORTH CAROLINA  
COUNTY OF CUMBERLAND

PLANNING/INSPECTIONS DEPARTMENT

RE: Stacy L & Ernestine Carthon & Parties of Interest  
Name of Violator

MH 1023-2015  
Case Number

**AFFIDAVIT OF RETURN OF SERVICE**  
(Personal Service to Individual)

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

served Stacy L & Ernestine Carthon, a copy of the Findings of Fact and Order citing violations  
(name of violator)

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

10 Silverthorne Drive, Sanford, NC 27332 and by posting said notice(s) to the following address:

4813 Battery Court, Hope Mills, NC 28348 on this the 13<sup>th</sup> day of August, 2015

Posted

Person Receiving Notice(s)

Joan Fenley  
Code Enforcement Officer, Cumberland County  
Planning & Inspections Dept.

Check box if person refuses to sign ☐

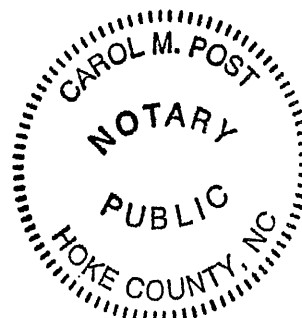
North Carolina  
Hoke County

Sworn to and subscribed to before me  
this the 13<sup>th</sup> day of August, 2015.

C. W. D.

Notary Public

My Commission Expires: 11/06/2019

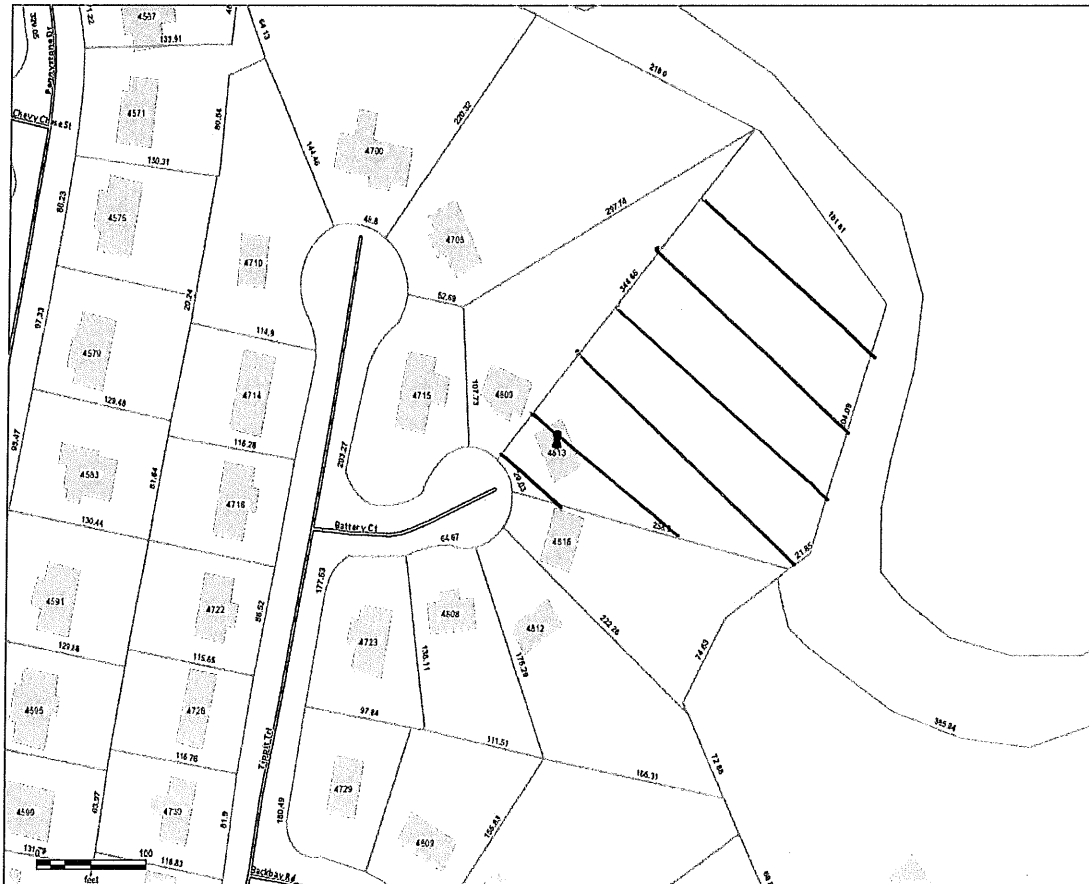


PROOF OF SERVICE OF *FINDINGS OF FACT AND ORDER*  
DATED 8/10/2015 CASE NUMBER *MH 1023-2015*

EXHIBIT A



**MAP DEPICTING LOCATION OF PROPERTY**  
**Property Owner: Stacy L. & Ernestine Carthon**  
4813 Battery Ct, Fayetteville, NC  
Minimum Housing Case # MH 1023-2015  
**TAX PARCEL IDENTIFICATION NUMBER 0433-77-9399**



**EXHIBIT "B"**



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

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

BACKGROUND: That the following is a report on Minimum Housing case number MH 1110-2015.

Property Owner: Carla Frances Gibson

Home Owner: Carla Frances Gibson

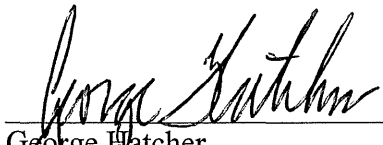
Property Address: 5348 Chicken Foot Road & 2787 McCall Road, St. Pauls, NC

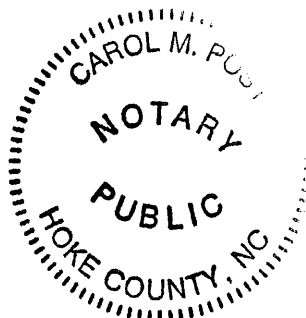
Tax Parcel Identification Number: 0339-06-9237

SYNOPSIS: This property was inspected on 6/17/2015. The property owners and parties of interest were legally served with Notice of Violations and was afforded a Hearing on 8/27/2015. Carla Frances Gibson attended the Hearing. It was ordered that the structure be repaired to a minimum standard for human habitation, or be demolished and the debris removed from the premises by a date not later than 9/27/2015. The property owners and parties of interest were notified of the appeal procedures when they were served with the Findings of Fact and Order. (See Exhibit A for Findings of Fact and Order.) No appeal was filed. Upon my visit to the property on 11/5/2015, no corrective action has been made to the structure. The structure is presently vacant and unsecured. In its present state, this structure constitutes a fire, health, and safety hazard.

The estimated cost to repair the structure to a minimum standard for human habitation is \$47,040.00. The Assessor for Cumberland County has the structure presently valued at \$2,500.00. (utility value). Attached is a map depicting the location of the property. (See Exhibit B.)

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

  
George Hatcher  
Code Enforcement Officer  
County of Cumberland



Sworn to and Subscribed to by me this

The 5th day of November 2015.

  
Notary Public  
My Commission Expires: 11-06-19



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

Name(s) of Owner(s)

Appearances:

Inspection Dept. Case No.:

**BOARD OF COUNTY COMMISSIONERS MOTION:**

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

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

To order the property owner to remove or demolish the dwelling within \_\_\_\_\_ days.

To order the Inspector to remove or demolish the dwelling, if the owner fails to do so and impose a lien on the real property for the cost of such action.

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

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

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

To order the property owner to rehabilitate the property within \_\_\_\_\_ days.

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

To order the Inspector to rehabilitate the property or remove or demolish the dwelling, if the owner fails to do so and impose a lien on the real property for the cost of such action.

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

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

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

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



Thomas J. Lloyd,  
Director

Cecil P. Combs,  
Deputy Director

Scott Walters,  
Code Enforcement Manager

Carol M. Post  
Office Processing Assistant



**CUMBERLAND  
★ COUNTY ★  
NORTH CAROLINA**

*Planning & Inspections Department*

**FINDINGS OF FACT AND ORDER**

8/27/2015

91 7199 9991 7034 1880 5044

Carla Frances Gibson & Parties of Interest  
5043 Hampshire Drive  
Fayetteville, NC 28311

**CASE # MH-1110-2015**

**PROPERTY AT:** 5348 Chicken Foot Road & 2787 McCall Road, St. Pauls, NC

A Complaint, Notice of Hearing and Report of Inspection were legally served to the owner or owner's agent, and any party of interest. These documents were in fact received by the owner or owner's agent and party of interest on 8/12/15.

Pursuant of law, a Hearing was conducted in Room 101, of the old courthouse at 130 Gillespie Street, Fayetteville, NC on 8/27/2015 at 10:30 AM. The items identified below took place at the Hearing:

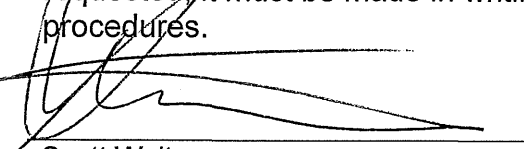
- ☐ 1. No owner or party of interest, or their agent, or representative appeared.
- ☒ 2. An answer was filed by owners and/or parties of interest. The answer was heard, read, and considered. Those answering by phone were: Carla Frances Gibson.
- ☒ 3. The undersigned inspector personally inspected the dwelling described in the Complaint and Notice of Hearing dated 8/6/15. Upon the record and all of the evidence offered and contentions made, the undersigned Hearing Officer does thereby find the following fact:
  - ☒ a. The dwelling in question is violative of the Cumberland County Housing Ordinance as per findings in the inspection report with an assigned case number of MH-1110-2015, dated 6/17/2015.
  - ☒ b. Due to these findings, the dwellings are found to be in a substandard condition in accordance with the Cumberland County Ordinance.
  - ☒ c. The dwelling is unfit for human habitation.

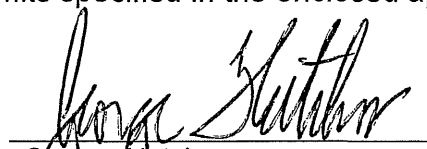
**EXHIBIT "A"**



- ☒ 4. Due to facts presented above, the Hearing Officer orders as follows:
- ☒ a. The owners and/or parties of interest of the dwelling named above are required to bring such dwelling into compliance with the Cumberland County Housing Ordinance by either repairing, altering, and improving the dwelling up to a minimum standard or by demolishing the structure and then causing the debris to be removed from the premises by a date not later than 9/27/2015. **All required permits must be obtained. A copy of this order must be presented when obtaining permits.**
  - ☒ b. The dwelling shall remain vacated until compliance with this order is completed and removed by the inspector, and the lot must be continuously maintained.
  - ☒ c. The structure shall be/remain secured to prevent entry by 9/4/2015 and shall remain secured.
  - ☒ d. By authority of North Carolina General Statutes 14-4, violation of the County code is punishable as a Class 3 Misdemeanor in criminal court and also subjects the violator to injunctive relief and/or a civil penalty of \$50.00 per day for each day's continuing violation after 9/27/2015.
  - ☒ e. The County Planning/Inspection Department may immediately begin procedures to seek a demolition ordinance from the Cumberland County Board of Commissioners for failure to bring the property into compliance by 9/27/2015. The cost of said demolition will be assessed against the real property in the form of a lien.

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

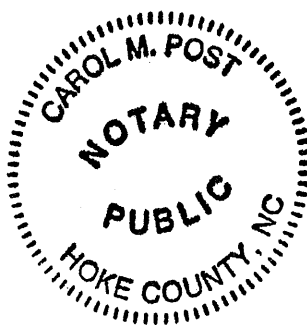
  
Scott Walters  
Hearing Officer

  
George Hatcher  
Code Enforcement Officer

Enclosed: Appeals Procedure Form

Cc:

Sworn to and Subscribed to by me  
this the 27th day of August 2015



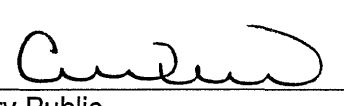
  
Notary Public  
My Commission Expires: 11-06-19

EXHIBIT "A"



## PLANNING/INSPECTIONS DEPARTMENT

**MH 1110-2015**  
Case Number

# AFFIDAVIT OF RETURN OF SERVICE

## (Personal Service to Individual)

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

served Carla F Gibson, a copy of the Findings of Fact and Order citing violations of  
(name of violator)

Article IV, Chapter 4 of the Cumberland County Minimum Housing Ordinance by mailing said notice(s)

via certified and first class mail to the following address:

5043 Hampshire Drive, Fayetteville, NC 28311 and by posting said notice(s) to the following address:

5348 Chicken Foot Road & 2787 McCall Road, St. Pauls, NC on this the 2<sup>nd</sup> day of September, 2015

George Hatcher

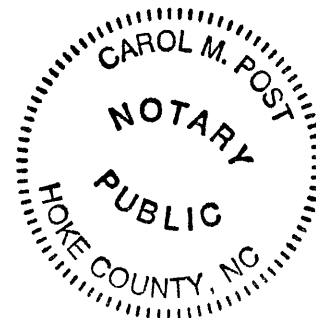
George Hatcher  
Code Enforcement Officer, Cumberland County  
Planning & Inspections Dept.

North Carolina  
Hoke County

Sworn to and subscribed to before me  
this the 2<sup>nd</sup> day of September, 2015.

Conrad

Notary Public  
My Commission Expires: 11/06/2019



PROOF OF SERVICE OF ***FINDINGS OF FACT AND ORDER***  
DATED August 27, 2015 CASE NUMBER ***MH 1110-2015***



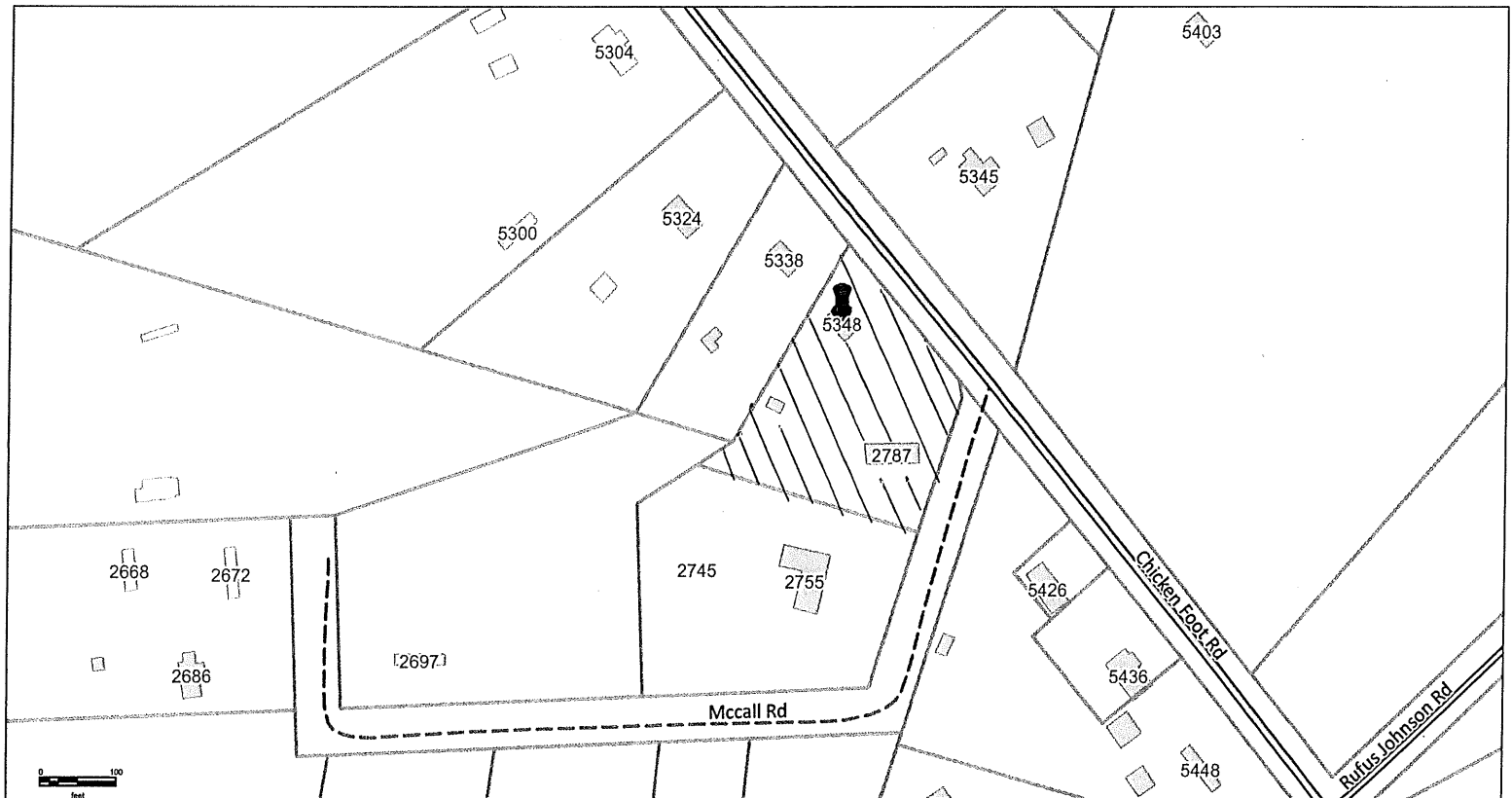
**MAP DEPICTING LOCATION OF PROPERTY**

**Property Owner: Carla Frances Gibson**

5348 Chicken Foot Road & 2787 McCall Road, St Pauls, NC

Minimum Housing Case # MH 1110-2015

TAX PARCEL IDENTIFICATION NUMBER: 0339-06-9237



**EXHIBIT B**



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

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

BACKGROUND: That the following is a report on Minimum Housing case number MH 1205-2015.

Property Owner: Margaret Brinegar

Home Owner: Margaret Brinegar

Property Address: 4412 Pleasant View Drive, Fayetteville, NC

Tax Parcel Identification Number: 0467-71-3226

SYNOPSIS: This property was inspected on 9/2/2015. The property owners and parties of interest were legally served with Notice of Violations and was afforded a Hearing on 10/1/2015. No one attended the Hearing. It was ordered that the structure be repaired to a minimum standard for human habitation, or be demolished and the debris removed from the premises by a date not later than 11/1/2015. The property owners and parties of interest were notified of the appeal procedures when they were served with the Findings of Fact and Order. (See Exhibit A for Findings of Fact and Order.) No appeal was filed. Upon my visit to the property on 11/5/2015, no corrective action has been made to the structure. The structure is presently vacant and unsecured. In its present state, this structure constitutes a fire, health, and safety hazard.

The estimated cost to repair the structure to a minimum standard for human habitation is \$77,616.00. The Assessor for Cumberland County has the structure presently valued at \$2,500.00. (utility value). Attached is a map depicting the location of the property. (See Exhibit B.)

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

George Hatcher  
George Hatcher

Code Enforcement Officer  
County of Cumberland



Sworn to and Subscribed to by me this

The 5th day of November 2015.

C. Post  
Notary Public

My Commission Expires: 11-06-19



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

Name(s) of Owner(s)

Appearances:

Inspection Dept. Case No.:

**BOARD OF COUNTY COMMISSIONERS MOTION:**

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

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

To order the property owner to remove or demolish the dwelling within \_\_\_\_\_ days.

To order the Inspector to remove or demolish the dwelling, if the owner fails to do so and impose a lien on the real property for the cost of such action.

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

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

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

To order the property owner to rehabilitate the property within \_\_\_\_\_ days.

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

To order the Inspector to rehabilitate the property or remove or demolish the dwelling, if the owner fails to do so and impose a lien on the real property for the cost of such action.

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

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

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

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

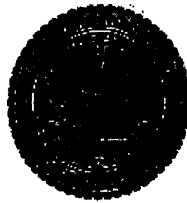


Thomas J. Lloyd,  
Director

Cecil P. Combs,  
Deputy Director

Scott Walters,  
Code Enforcement Manager

Carol M. Post  
Office Processing Assistant



**CUMBERLAND  
★ COUNTY ★  
NORTH CAROLINA**

*Planning & Inspections Department*

**FINDINGS OF FACT AND ORDER**

10/2/2015

91 7199 9991 7034 5769 3442

Margaret Brinegar & Parties of Interest  
4412 Pleasant View Drive  
Fayetteville, NC 28312-8267

**CASE # MH-1205-2015**

**PROPERTY AT:** 4412 Pleasant View Drive, Fayetteville, NC

A Complaint, Notice of Hearing and Report of Inspection were legally served to the owner or owner's agent, and any party of interest. These documents were in fact received by the owner or owner's agent and party of interest on 9/17/2015.

Pursuant of law, a Hearing was conducted in Room 101, of the old courthouse at 130 Gillespie Street, Fayetteville, NC on 10/1/2015 at 10:00 AM. The items identified below took place at the Hearing:

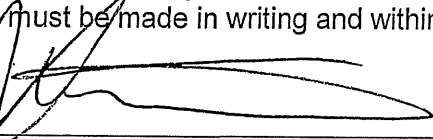
- ☒ 1. No owner or party of interest, or their agent, or representative appeared.
- ☐ 2. An answer was filed by owners and/or parties of interest. The answer was heard, read, and considered. Those present were: \_\_\_\_\_.
- ☒ 3. The undersigned inspector personally inspected the dwelling described in the Complaint and Notice of Hearing dated 9/3/2015. Upon the record and all of the evidence offered and contentions made, the undersigned Hearing Officer does thereby find the following fact:
  - ☒ a. The dwelling in question is violative of the Cumberland County Housing Ordinance as per findings in the inspection report with an assigned case number of MH-1205-2015, dated 9/2/2015.
  - ☒ b. Due to these findings, the dwellings are found to be in a substandard condition in accordance with the Cumberland County Ordinance.
  - ☒ c. The dwelling is unfit for human habitation.
- ☒ 4. Due to facts presented above, the Hearing Officer orders as follows:

**EXHIBIT "A"**



- ☒ a. The owners and/or parties of interest of the dwelling named above are required to bring such dwelling into compliance with the Cumberland County Housing Ordinance by either repairing, altering, and improving the dwelling up to a minimum standard or by demolishing the structure and then causing the debris to be removed from the premises by a date not later than 11/1/2015. **All required permits must be obtained. A copy of this order must be presented when obtaining permits.**
- ☒ b. The dwelling shall remain vacated until compliance with this order is completed and removed by the inspector, and the lot must be continuously maintained.
- ☒ c. The structure shall be/remain secured to prevent entry by 10/15/2015 and shall remain secured.
- ☒ d. By authority of North Carolina General Statutes 14-4, violation of the County code is punishable as a Class 3 Misdemeanor in criminal court and also subjects the violator to injunctive relief and/or a civil penalty of \$50.00 per day for each day's continuing violation after 11/1/2015.
- ☒ e. The County Planning/Inspection Department may immediately begin procedures to seek a demolition ordinance from the Cumberland County Board of Commissioners for failure to bring the property into compliance by 11/1/2015. The cost of said demolition will be assessed against the real property in the form of a lien.

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

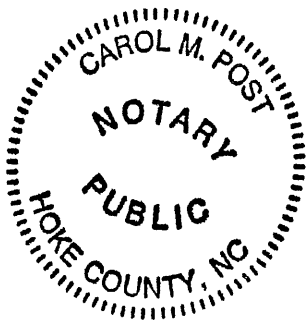
  
\_\_\_\_\_  
Scott Walters  
Hearing Officer

  
\_\_\_\_\_  
George Hatcher  
Code Enforcement Officer

Enclosed: Appeals Procedure Form

Cc:

Sworn to and Subscribed to by me  
this the 2nd day of October, 2015



  
\_\_\_\_\_  
Notary Public  
My Commission Expires: 11-06-19

EXHIBIT "A"



NORTH CAROLINA  
COUNTY OF CUMBERLAND

PLANNING/INSPECTIONS DEPARTMENT

RE: Margaret Brinegar & Parties of Interest  
Name of Violator

MH 1205 -2015  
Case Number

**AFFIDAVIT OF RETURN OF SERVICE**  
(Personal Service to Individual)

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

served Margaret Brinegar, a copy of the Findings of Fact and Order and Appeals Procedure Form  
(name of violator)

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

4412 Pleasant View Drive, Fayetteville, NC and by posting said notice(s) to the following address:

4412 Pleasant View Drive, Fayetteville, NC on this the 5<sup>th</sup> day of October, 2015

POSTED

(Person signing for Notice(s) )

☐ Check box if person(s) refuse to sign

George Hatcher

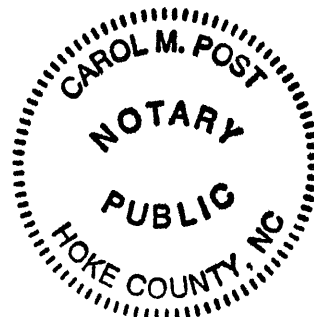
George Hatcher  
Code Enforcement Officer, Cumberland County  
Planning & Inspections Dept.

North Carolina  
Hoke County

Sworn to and subscribed to before me  
this the 5<sup>th</sup> day of October, 2015.

[Signature]

Notary Public  
My Commission Expires: 11/06/2019



PROOF OF SERVICE OF **FINDINGS OF FACT AND ORDER**  
DATED October 2, 2015 CASE NUMBER **MH 1205-2015**

EXHIBIT A



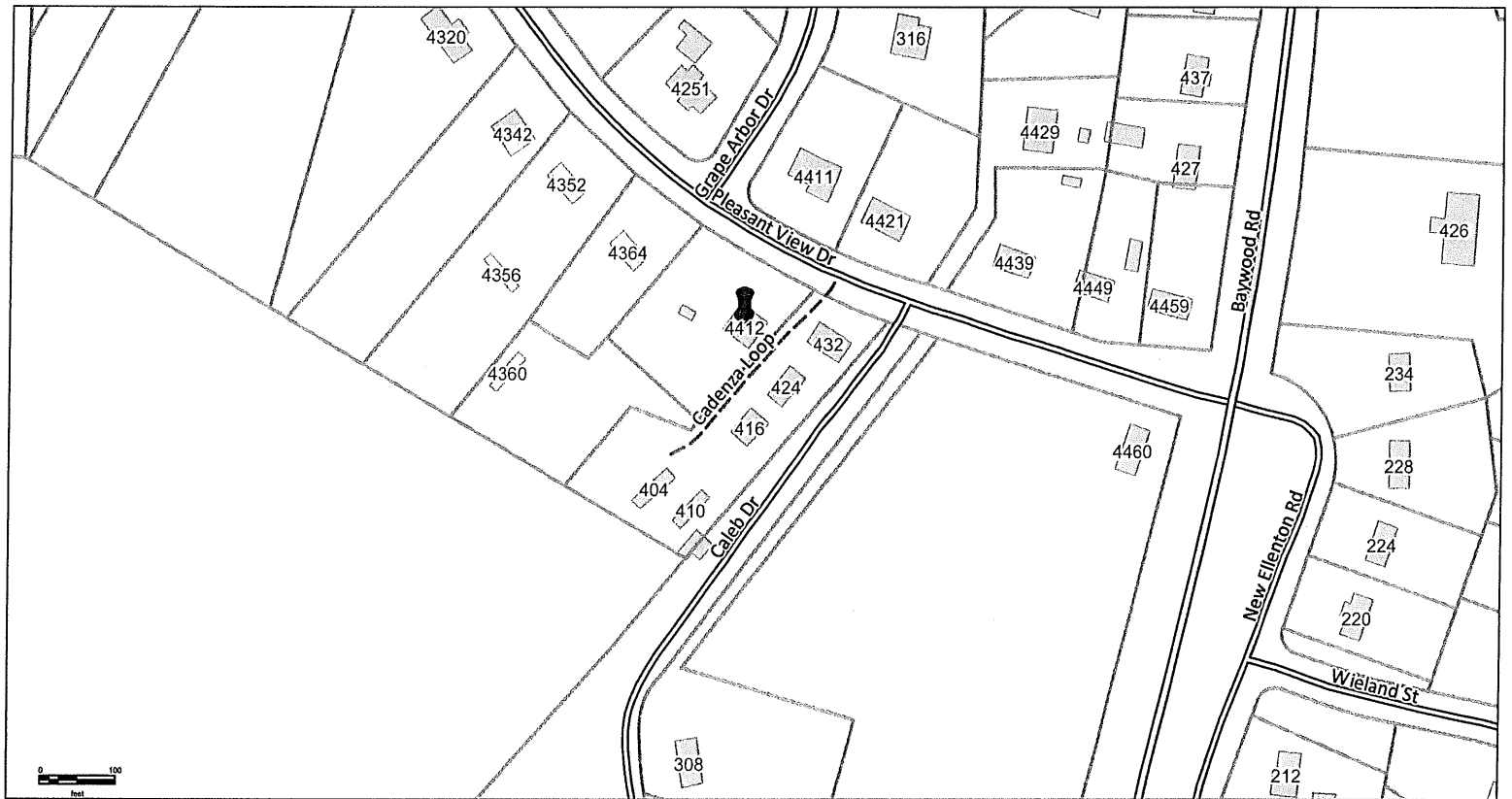
**MAP DEPICTING LOCATION OF PROPERTY**

**Property Owner: Margaret Brinegar**

4412 Pleasant View Drive, Fayetteville, NC

Minimum Housing Case # MH 1205-2015

TAX PARCEL IDENTIFICATION NUMBER: 0467-71-3226



**EXHIBIT B**



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. 5A

**OFFICE OF THE COUNTY MANAGER**

**MEMO FOR THE BOARD OF COMMISSIONERS AGENDA OF THE NOVEMBER 16, 2015**

**TO:** BOARD OF COUNTY COMMISSIONERS

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

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

**DATE:** NOVEMBER 10, 2015

**SUBJECT:** ALLIANCE BEHAVIORAL HEALTHCARE LEASE AND BUILDING RENOVATIONS

**BACKGROUND**

The Facilities Committee met on November 5, 2015 to discuss the Alliance Behavioral Healthcare lease and building renovation. Alliance Behavioral Healthcare wishes to enter into a lease agreement with Cumberland County for 16,995 square feet of office space located at 711 Executive Place in Fayetteville. Alliance Behavioral Healthcare is also seeking approval to renovate the first and second floors of the building. They would like assistance from the County in the form of a waiver of rent for six (6) months in the amount of \$112,924 and the use of carryover funds from a prior year in the amount of \$387,076 for a total County contribution of \$500,000. Preliminary cost estimates obtained by Alliance Behavioral Healthcare for renovations are projected to be approximately \$1.2 million, with the Alliance responsible for the remaining portion of the renovation.

The proposed term of the lease will be three (3) years initially, with two (2), two (2) year extensions for a total of seven (7) years. The effective date of the lease agreement will be January 1, 2016. If approved, the rent will be waived for the first six (6) months of the lease and thereafter will be \$16,995 per month for the remainder of the lease. Because the agreement is with a governmental agency there is not a requirement to publish the agreement thirty (30) days in advance of a regular meeting to approve this lease. Lease revenue for FY15 has only been budgeted for the first half of the fiscal year.



Other terms include the following:

- Alliance Behavioral Healthcare shall:
  - Be responsible for bidding the project
  - Be responsible for project management
  - Provide the Cumberland County Department of Engineering & Infrastructure (E&I Dept.) a copy of all monthly pay applications submitted by the contractor within 10 days of receiving
  - Provide E&I Dept. a copy of all receipts for furniture ordered for the renovated area within 15 days of purchasing
  - Provide a set of final as-built drawings to E&I Dept. within 30 days of final completion of project
  - Remove and properly dispose of any existing furniture that will not be utilized post-renovation.
  - Provide a full evaluation of the impact of the proposed renovations on the building's current HVAC system, and pay for all associated costs of any necessary upgrades that are a result of the proposed renovations.
  
- Cumberland County's Department of Engineering and Infrastructure shall:
  - Review and approve renovation plans prior to bidding
  - Attend pre-bid and pre-construction meetings
  - Review and approve any change order greater than \$5,000 prior to the work being completed
  - E&I Dept. shall be made aware of all other change orders on a monthly basis
  - Attend all project progress meetings with contractor
  - Review and accept final work prior to final payment to contractor

Draft Facilities Committee minutes are attached for your review.

**RECOMMENDATION/PROPOSED ACTION:**

The Facilities Committee recommends approval of the terms for the Alliance Behavioral Healthcare lease agreement, and the proposed building renovations, beginning January 1, 2016 per the terms included above.





To: W. Tracy Jackson (Assistant County Manager)  
From: Rob Robinson (CEO), Kelly Goodfellow (CFO)  
Date: October 22, 2015  
RE: Renovation of Winding Creek (711 Executive Place)

This memo details Alliance Behavioral Healthcare's proposal to renovate the office space currently occupied at 711 Executive Place under a cost-sharing arrangement with Cumberland County. Alliance has occupied this space since the merger between Cumberland Mental Health and Alliance on July 1, 2013. Alliance staff occupy the first and second floor and share meeting and storage space on the fourth and fifth floors.

Alliance leadership recently completed a walkthrough of the space with Cumberland County management with the goal of understanding the current architecture of the building as well as the scope of redesign necessary to optimize future use of the space. While our occupancy of the property has shared benefit for both Alliance and Cumberland County, including continuity of operations for stakeholders who visit the building, Alliance has significant concerns regarding the current layout with respect to security, usage of space, and design.

As a result of the walkthrough, Alliance has a proposed design that would:

- Result in occupancy of only the first and second floors.
- Allow for secure space for Alliance staff in compliance with URAC and safety standards.
- Allow for open common area on first floor for other tenants.
- Rebrand the space per Alliance guidelines.

Alliance requests that the County contribute 50% of the final cost of renovations not to exceed \$500,000, broken down as follows:

- Alliance is permitted to occupy the space rent-free from January through June, 2016 (cash value \$112,924).
- Cumberland County allows Alliance to utilize the remaining \$387,076 from the County fund balance it currently holds.

Additional costs would be absorbed by Alliance.

We appreciate the County's ongoing partnership in serving its citizens and look forward to the opportunity to speak with the Facilities Committee on November 5 and the Board of County Commissioners on November 16.





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. 6

**OFFICE OF THE COUNTY MANAGER**

**MEMO FOR THE BOARD OF COMMISSIONERS AGENDA OF THE NOVEMBER 16, 2015**

**TO: BOARD OF COUNTY COMMISSIONERS**

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

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

**DATE: NOVEMBER 10, 2015**

**SUBJECT: CONSIDERATION OF INTERLOCAL AGREEMENT WITH THE CITY OF FAYETTEVILLE ON THE HOMELESS INITIATIVE AND APPROVAL OF TWO NEW POSITIONS AND ASSOCIATED BUDGET REVISIONS**

**BACKGROUND**

The Finance Committee met on November 5, 2015 and discussed the joint City/County homeless initiative. Both the City and County have adopted strategic plans to address homelessness and both governing bodies have indicated that working cooperatively to end homelessness in our community is a priority. Staff developed an Interlocal Agreement between the City and County and proposes the following:

- Classify and Fill Two New Positions: a Homeless Coordinator position and a Data & Evaluation Analyst position. Both positions will be assigned to the Cumberland County Community Development Department.
- The County and City collectively have contributed \$150,000 in FY16 for this endeavor (\$100,000 from the County and \$50,000 from the City). It is estimated that approximately \$63,777 will be utilized for salaries and benefits for the remainder of FY16, \$9,000 has been committed to the Homeless Information System needed for compiling data about the homeless, and the remaining \$77,223 will be utilized to fill gaps in services for rapid re-housing and preventing homelessness. Completing an interlocal agreement and hiring two homeless specialists will serve as the foundation for expanding programs and services for the homeless.



Draft minutes of the November 5, 2015 Finance Committee meeting are attached for your review.

**RECOMMENDATION/PROPOSED ACTION:**

The Finance Committee's recommendation is to approve the proposed Interlocal Agreement with the City of Fayetteville, the addition of two new positions in the Cumberland County Community Development Department and approval of the associated budget revisions to address homelessness in Cumberland County and the City of Fayetteville.

/ct

CM101115-2



**COUNTY OF CUMBERLAND  
BUDGET REVISION REQUEST**

Budget Office Use	
Budget Revision No.	B16-137
Date Received	10/30/2015
Date Completed	

Fund No. 446 Agency No. 450 Organ. No. 4576  
 Organization Name: Community Development-Administration

**REVENUE**

Revenue Source Code	Description	Current Budget	Increase (Decrease)	Revised Budget
9110	Transfer from General Fund	82,093	63,777	145,870
Total		82,093	63,777	145,870

**EXPENDITURES**

Object Code	Appr Unit	Description	Current Budget	Increase (Decrease)	Revised Budget
1210	410	Salaries - Regular	165,708	47,510	213,218
1810	410	FICA Match	12,877	3,635	16,512
1820	410	Retirement	11,228	3,207	14,435
1824	410	401K	1,685	475	2,160
1830	410	Medical Insurance	24,544	7,670	32,214
1860	410	Workers Comp	4,619	1,280	5,899
Total			220,661	63,777	284,438

**Justification:**

Revision to fund the salaries and benefits for two new positions for 15 pay periods to provide homeless services in Community Development.

**Funding Source:**

State: \_\_\_\_\_ Federal: \_\_\_\_\_ County: \_\_\_\_\_ New: \_\_\_\_\_ Other: \_\_\_\_\_  
 Other: \_\_\_\_\_ Fees: \_\_\_\_\_ Prior Year: \_\_\_\_\_

Submitted By: _____ Department Representative	Date: _____	<div align="center"> <b>Approved By:</b>           _____ Date: _____  <b>County Manager</b>   <b>Board of County Commissioners</b> Date: _____       </div>
Reviewed By: _____ Budget Analyst	Date: _____	
Reviewed By: <u>Bob Tucher</u> Finance Director	Date: <u>11/2/15</u>	
Reviewed By: <u>M. D. Jackson</u> Assistant County Manager	Date: <u>11/2/15</u>	



**COUNTY OF CUMBERLAND  
BUDGET REVISION REQUEST**

Budget Office Use	
Budget Revision No.	B16-137A
Date Received	10/30/2015
Date Completed	

Fund No. 448 Agency No. 450 Organ. No. 4589  
 Organization Name: CD - Support Housing Program

**REVENUE**

Revenue Source Code	Description	Current Budget	Increase (Decrease)	Revised Budget
7675	City of Fayetteville Reimbursement	0	41,000	41,000
9110	Transfer from General Fund	0	36,223	36,223
Total		0	77,223	77,223

**EXPENDITURES**

Object Code	Appr Unit	Description	Current Budget	Increase (Decrease)	Revised Budget
341N	434	Homeless Services	20,000	77,223	97,223
Total			20,000	77,223	97,223

**Justification:**

Revision to fund the provision of homeless services in Community Development. Costs will be allocated between City of Fayetteville and the County.

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

Submitted By: \_\_\_\_\_ Date: \_\_\_\_\_  
 Department Representative

Reviewed By: \_\_\_\_\_ Date: \_\_\_\_\_  
 Budget Analyst

Reviewed By: Bob Tucker Date: 11/2/15  
 Finance Director

Reviewed By: W. J. Jackson Date: 11/2/15  
 Assistant County Manager

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



**COUNTY OF CUMBERLAND  
BUDGET REVISION REQUEST**

Budget Office Use	
Budget Revision No.	B16-137B
Date Received	10/30/2015
Date Completed	

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

**REVENUE**

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

Object Code	Appr Unit	Description	Current Budget	Increase (Decrease)	Revised Budget
341N	077	Homeless Services	100,000	(100,000)	-
3895	080	Transfer to Community Development Fund 446	82,093	63,777	145,870
389K	080	Transfer to Community Development Fund 448	0	36,223	36,223

Total      182,093      -      182,093

**Justification:**

The County's FY2016 adopted General Fund budget included \$100,000 for homeless services. This revision is to move funds to Community Development to administer the provision of homeless services.

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

Submitted By: \_\_\_\_\_  
                                  Department Representative

Reviewed By: \_\_\_\_\_  
                                  Budget Analyst

Reviewed By: Bob Tucker  
                                  *for* Finance Director

Reviewed By: M. Jackson  
                                  Assistant County Manager

Date: \_\_\_\_\_

Date: \_\_\_\_\_

Date: 11/2/15

Date: 11/2/15

Approved By:

County Manager

Board of County  
Commissioners

Date: \_\_\_\_\_

Date: \_\_\_\_\_



# DRAFT

CUMBERLAND COUNTY FINANCE COMMITTEE  
COURTHOUSE, 117 DICK STREET, 5TH FLOOR, ROOM 564  
NOVEMBER 5, 2015 - 10:30 AM  
MINUTES

MEMBERS PRESENT: Commissioner Marshall Faircloth, Chairman  
Commissioner Larry Lancaster

MEMBERS ABSENT: Commissioner Jeannette Council

OTHER COMMISSIONERS  
PRESENT: Chairman Kenneth Edge  
Commissioner Jimmy Keefe

OTHERS: Amy Cannon, County Manager  
James Lawson, Deputy County Manager  
Tracy Jackson, Assistant County Manager  
Rick Moorefield, County Attorney  
Vicki Evans, Finance Director  
Claudia Sievers, Public Information Office  
Keith Todd, Chief Information Services Director  
Jeffrey Brown, Engineering and Infrastructure Director  
Sylvia McLean, Cumberland County Community Development  
Director  
Dee Taylor, Cumberland County Community Development  
Victor Sharpe, City of Fayetteville Community Development  
Director  
Adolph Thomas, City of Fayetteville Community Development  
Kellie Beam, Deputy Clerk to the Board  
Press

Commissioner Faircloth called the meeting to order.

1. APPROVAL OF MINUTES – OCTOBER 1, 2015 REGULAR MEETING

MOTION: Commissioner Lancaster moved to approve the October 1, 2015 regular meeting minutes.

SECOND: Commissioner Faircloth

VOTE: UNANIMOUS (2-0)

2. CONSIDERATION OF APPROVAL OF JOINT CITY/COUNTY HOMELESSNESS INITIATIVE

BACKGROUND:

Cumberland County and the City of Fayetteville have adopted strategic plans to address homelessness and both governing bodies have indicated that working cooperatively to end



# DRAFT

homelessness in our community is a key priority. The joint staffs have developed an Interlocal Agreement between the City and County and propose to fill two new positions: 1) a Homeless Coordinator and 2) a Data & Evaluation Analyst both to be assigned to the Cumberland County Community Development Department. The County and City collectively have contributed \$150,000 in FY16 for this endeavor (\$100,000 from the County and \$50,000 from the City). It is estimated that approximately \$63,777.00 will be utilized for salaries and benefits for the remainder of FY16, \$9,000 has been committed to the Homeless Information System needed for compiling data about the homeless, and the remaining \$77,223.00 will be utilized to fill gaps in services for rapid re-housing and preventing homelessness. Approving an interlocal agreement and hiring two homelessness specialists will serve as the starting point for what follows in terms of expanding programs and services for the homeless.

## RECOMMENDATION/PROPOSED ACTION:

Staff recommends approval of the following to address homelessness in Cumberland County and the City of Fayetteville:

- Interlocal Agreement
- Homeless Coordinator and Data Evaluation Analyst Positions
- Budget Revision

## STRATEGY TO REDUCE HOMELESSNESS OCTOBER 21, 2015

### Specific HMIS-Related Activities Involving the Homeless Coordinator and Data & Evaluation Analyst (Local System Administrator)

The main purpose of having a Homeless Coordinator and Data & Evaluation Analyst is to oversee and implement activities that meet the community's objectives for addressing homelessness. These personnel will monitor the progress in the community by using various tools and reports primarily from the Homeless Management Information System (HMIS). HMIS is a local information technology system used to collect client-level information and data on the provision of housing and services to homeless individuals and families and people at risk of homelessness. Each Continuum of Care (CoC) is responsible for selecting an HMIS software solution that complies with HUD's data collection, management, and reporting standards and for monitoring the data quality. Many CoCs across the nation have utilized this system to:

1. **Measure** the success of their community's implementation of the performance measures
2. **Assess** the cost effectiveness of various programs or interventions
3. **Assess** capacity, manage staff, allocate resources or prepare budgets and reports
4. **Research** for more resources
5. **Prevent** homelessness by identifying where the homeless come from and who is most likely to become homeless
6. **Measure** outcomes by assessing the impact of service and housing interventions on meeting immediate needs and the long-term goal of ending homelessness

### Suggested Steps to Address City/County Strategic Plan on Homelessness

#### 1) Personnel – Coordination, Oversight, and Data Management



# DRAFT

- Hire a Homeless Coordinator to implement strategic plan initiatives and data-driven solutions addressing and reducing homelessness through collaboration with local governments and the local CoC; oversee HMIS and evaluate the performance outcomes of agencies and services addressing homelessness; identify and coordinate with various agencies the availability of resources for homeless persons.
- Hire a Data & Evaluation Analyst to manage and analyze data from HMIS to ensure data and reporting accuracy; generate data-driven reports on the activities reported by various agencies; assist with the coordinated intake assessment system; coordinate and disseminate system information to assist in assessing overall performance outcomes of the programs and agencies serving the homeless.
- The proposed positions will be under the authority of the County and under the supervision of Cumberland County Community Development Department.

## **2) Increase available local funding for homeless services/housing**

- Provide financial stability for local homeless initiatives in order to eliminate potential gaps in services by accessing local resources targeted for prevention and rapid-housing of families and individuals at risk, or actually homeless, who do not meet HUD's definition of homelessness with incomes at or below 80%. This effort can have an immediate and positive impact on preventing and/or reducing long term homelessness for individuals and families.
- Assess available properties for acquisition and renovation to provide additional affordable housing that addresses the lack of affordable housing for low and very low income residents.

### **What Can HMIS Tell Us?**

How many people are homeless in the community;

Who are the homeless;

Where are people receiving housing and services;

Where did people stay prior to seeking shelter and services;

The capacity of the programs that are serving the homeless.

### **Benefits of HMIS**

Decrease in duplicative intakes

Coordinated scope of care

Identify needs and gaps in services

Provides client an outline for program completion

Coordinate services, internally among agency programs, and externally with other providers which can decrease in duplicative intakes

Providers can develop individualized goal plans and track clients' outcomes

Support coordinated case management

Prepare financial and programmatic reports for funders, boards, and other stakeholders

Ability to measure performance of programs

Improve agency effectiveness through tracking client outcomes

Coordinate services, internally among agency programs, and externally with other providers

Support coordinated Case Management

Prepare financial and programmatic reports for funders, boards, and other stakeholders

Ability to measure performance of programs



# DRAFT

Increase understanding of the extent and scope of homelessness  
Identify service gaps (i.e. are the services available meeting the needs of clients)  
Inform systems design and policy decisions  
Ability to measure the performance of the community system to prevent and end homelessness  
Develop a forum for addressing community-wide issues  
Provide data for the CoC's plan to reduce Homelessness (available services, service gaps, shelter beds, demographics, and many more)  
Serve as a tool to coordinate services, track utilization and cost  
Evaluate program effectiveness and program outcomes  
Identify at-risk populations and prevent homelessness  
Plan services and programs appropriately to address local needs  
Comply with HUD's mandate to continue to receive funding  
HMIS can be used to check on sheltered populations  
Compare PIT count with information on HMIS data  
Verify missing or incorrect data

NORTH CAROLINA

INTERLOCAL AGREEMENT BETWEEN  
CUMBERLAND COUNTY AND THE CITY  
OF FAYETTEVILLE TO ADDRESS  
HOMELESSNESS

CUMBERLAND COUNTY

*Approved by the Cumberland County Board of Commissioners* \_\_\_\_\_  
*Approved by the Fayetteville City Council* \_\_\_\_\_

This interlocal agreement is made pursuant to Article 20, Chapter 160A of the General Statutes of North Carolina by and between Cumberland County, a body corporate and politic and a political subdivision of the State of North Carolina, and the City of Fayetteville, a municipal corporation existing under the laws of the State of North Carolina.

## WITNESSETH:

Whereas, the parties have funded programs and services to address homelessness by their respective community development agencies for a number of years; and

Whereas, the parties desire to establish a partnership that addresses homelessness through the formation of an advisory committee, appropriate programs and services, and the hiring of two new personnel, a Homeless Coordinator and a Data & Evaluation Analyst, to be jointly funded by the parties and assigned to the Cumberland County Community Development Department.

Now therefore, in consideration of the mutual covenants set forth herein, and pursuant to the specific authority granted to them by Article 20, Chapter 160A of the General Statutes of North Carolina, the parties agree as follows:



# DRAFT

(1) The purpose of this agreement is for the parties to jointly undertake the provision of community-wide programs and services that address homelessness (the “undertaking”).

(2) The duration of the agreement shall be for so long as the parties conduct activities pursuant to the undertaking.

(3) The undertaking shall be directed by a committee to be designated the Homeless Initiatives Committee. The committee shall consist of the County Manager or designee, the County’s Governmental Affairs Officer, the City Manager or designee, the Chairman of the Cumberland County Continuum of Care (CoC), the City and County Community Development Directors, and the Homeless Coordinator will meet regularly to coordinate and develop strategies to address homelessness through community-wide programs and services.

(4) Any new personnel necessary to the execution of the undertaking shall be employees of Cumberland County and shall be assigned to the County’s Community Development Department under the supervision of the Community Development Director for Cumberland County.

(5) The parties will jointly fund the new personnel and associated programs and services in a sufficient amount to cover all the costs necessary to the execution of the undertaking in accordance with the budgets approved by the parties’ governing boards.

(6) This agreement may be amended at any time by the execution of an amendment approved by the governing boards of both parties.

(7) This agreement may be terminated at the end of any fiscal year by the vote of either governing board with written notice of such termination being given to the other governing board at least sixty (60) days prior to the date of termination.

This interlocal agreement has been approved by the governing board of each party and entered into the minutes of the meeting at which such action was taken as indicated above.

\*\*\*\*\*

Amy Cannon, County Manager, stated Cumberland County and the City of Fayetteville have adopted strategic plans to address homelessness and both governing bodies have indicated that working cooperatively to end homelessness in the community is a key priority. Ms. Cannon introduced attendees representing the City and the County Community Development departments. Tracy Jackson, Assistant County Manager, reviewed the background information and recommendation/proposed action as recorded above. Mr. Jackson reviewed an intake referral form and stated the form is key to the Homeless Information System needed for compiling data about the homeless. Mr. Jackson stated it will track the status of the homeless as it relates to such things as housing, mental health, physical health, social situation, potential for substance abuse and available finances.

Chairman Edge inquired regarding a timeline. Ms. Cannon stated if the committee and Board approve the recommendation, the recruitment process can begin immediately. Commissioner Keefe asked whether next year’s budget would contain a double commitment. Ms. Cannon stated the \$77,000 depends on what goals are set for the upcoming year with regard to the services and two positions. Commissioner Faircloth stated the Fayetteville-Cumberland Liaison Committee had substantial discussions about this initiative, it will be an effort towards a census of the homeless in the community and will make a difference with those it can.



# DRAFT

MOTION: Commissioner Lancaster moved to approve staff recommendations as recorded above.  
SECOND: Commissioner Faircloth  
VOTE: UNANIMOUS (2-0)

Victor Sharpe, Fayetteville Community Development Director, stated it is important to move forward in the most expeditious way in terms of helping the community's homeless population. Mr. Sharpe stated the interlocal agreement will need to be approved by the Fayetteville City Council and will be placed on the next possible agenda.

Commissioner Keefe inquired regarding the number of homeless that have been identified. Mr. Sharpe stated the total number identified is 563 which is broken down into categories such as the chronic homeless and veterans. Mr. Sharpe stated a comparison was done with other cities and Fayetteville is pretty much in line based on its population. Mr. Sharpe stated the intake form, the process and the two positions to keep things coordinated will put Fayetteville ahead of other cities.

### 3. UPDATE ON THE COUNTY'S BUSINESS INTELLIGENCE INITIATIVE

Ms. Cannon stated during the FY2015-2016, a new philosophy was embraced to look at the County's business processes, to identify ways to operate more efficiently, effectively and also to reduce costs. Ms. Cannon stated County Administration has worked closely with Keith Todd, Chief Information Services Director, who is present to provide an update on the County's business intelligence initiative. Ms. Cannon stated Mr. Todd will return to the Finance Committee in December 2015 or January 2016 to present information about the first review completed by the IS Enterprise Solutions Division.

Mr. Todd stated earlier in the year, the IS Department was reorganized to have a heavier focus on enterprise solutions and business intelligence and business information in order to have a more holistic approach and better understand the County's business needs and requirements. Mr. Todd stated the role of the IS Enterprise Solutions Division is to focus on enterprise solutions which include enterprise systems and our business information initiatives. Mr. Todd stated this division establishes a proactive, strategic, forward thinking direction that drives enterprise development. Mr. Todd stated the goal is to think on the enterprise level and this begins by understanding the business. Mr. Todd stated the goal since establishing this division was first and foremost to fully staff the division.

Mr. Todd provided the following presentation:

#### The Role of the IS Enterprise Solutions Division

##### Current Progress

- The hiring process began in July and the Business Analyst positions were filled as of October 5, 2015. We now have a completely staffed Enterprise Solutions Division to fully concentrate on Business Intelligence initiatives.



# DRAFT

- While interviewing for these positions, IS were able to complete the Business Intelligence framework/approach to facilitate the business process reviews and management. This includes a standardized strategy with templates from initiation of the business process review to completion of the business process improvement/monitoring.
- The Business Analysts have been familiarizing themselves with the organization and with our established Business Intelligence framework/approach.
- The business process review, which involves a standardized template, for our Veteran Services department is underway and we are preparing to begin with two other larger departments within the next few weeks.

Mr. Todd stated IS expects to have a feasibility study with findings, solutions and recommendations to bring back to the Finance Committee in December 2015 or January 2016.

Mr. Todd continued his presentation:

## PROCESS MANAGEMENT LIFE CYCLE

- Process Planning and Strategy
  - Analysis of Business Processes
  - Design and Modeling of Business Processes
  - Process Implementation
  - Process Monitoring and Controlling
  - Process Refinement
1. Partner with the business units through a series of engagements to identify areas of inefficiency and pain points. Identify and capture baseline measures of the current state of the process.
  2. Analyze current state process against identified issues, concerns, and pain points. Look for areas of inefficiency and opportunities. Document the findings.
  3. New design or model will include Value Stream Mapping, Flowchart, BPMN, Value-add vs. waste. Feasibility Study with recommendations.
  4. Develop and execute the approved processes or solutions. Provide clear steps for implementing recommendations. Follow PM Framework. Training on new processes or solutions, SOP.
  5. Review and evaluate takes the process improvement effort full circle to look at whether the process is meeting goals and objectives and whether additional improvements and/or analysis may be needed.

Mr. Todd stated in reviewing of other local government entities, there are similar intelligence frameworks and stated Cumberland County's will be somewhat different because of the process management life cycle rather than a process improvement life cycle. Mr. Todd stated success depends on whether the process improvement process is on time and under budget and whether it meets the expectations of the business unit. Mr. Todd stated the proposal is to take this to the next level to monitor processes which will determine whether what has been implemented continues to meet the expectations of the business unit and key performance measures that were identified early in the analysis process or whether additional improvements and/or analysis may be needed.



# DRAFT

Mr. Todd concluded his presentation as follows:

## CONCLUSION

- Enterprise Solutions Division fully staffed.
- Established Business Intelligence framework/approach.
- The Business Process Review for Veterans Services is underway with Feasibility Study recommendations expected by the end of November.
- Creating actionable next steps for other departments.

Chairman Edge asked to have staff of the IS Enterprise Solutions Division introduced to the Board. Ms. Cannon stated there was a meeting with the County's Leadership Team in June and she challenged them to identify some efficiencies on their own. Ms. Cannon stated she felt County Administration needed to start the process and it was felt that the mailroom's two full time positions were not being utilized to their abilities or fully challenged. Ms. Cannon stated the Print Shop was also having to turn away jobs because of the lack of staffing that was needed. Ms. Cannon stated as a result, those two divisions were merged and an additional printer was purchased to give the Print Shop additional capabilities. Ms. Cannon stated the benefits of that merger are already being seen. Ms. Cannon provided examples of some of the savings. Ms. Cannon stated the space previously occupied by the mail room will be occupied by Public Information.

Commissioner Keefe encouraged Mr. Todd to talk with citizens to get their input on what would make things easier for them so the County can become more efficient. Mr. Todd stated opportunities are being explored in Veterans Services to find out to engage veterans early on to include website information and other alternatives. Chairman Edge suggested involving the Clerk of Court's office in order to share the positive things that come out of the process and also share with the media in order to let citizens know County government is trying to be more efficient. Commissioner Keefe suggested working on efficiencies with the phone system.

## 4. OTHER MATTERS OF BUSINESS

Ms. Cannon stated the monthly financial report will be emailed at a later date.

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



Strategy to

# Reduce Homelessness

October 21, 2015





## **Specific HMIS-Related Activities Involving the Homeless Coordinator and Data & Evaluation Analyst (Local System Administrator)**

The main purpose of having a Homeless Coordinator and Data & Evaluation Analyst is to oversee and implement activities that meet the community's objectives for addressing homelessness. These personnel will monitor the progress in the community by using various tools and reports primarily from the Homeless Management Information System (HMIS). HMIS is a local information technology system used to collect client-level information and data on the provision of housing and services to homeless individuals and families and people at risk of homelessness. Each Continuum of Care (CoC) is responsible for selecting an HMIS software solution that complies with HUD's data collection, management, and reporting standards and for monitoring the data quality. Many CoCs across the nation have utilized this system to:

1. **Measure** the success of their community's implementation of the performance measures
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6. **Measure** outcomes by assessing the impact of service and housing interventions on meeting immediate needs and the long-term goal of ending homelessness

## **Suggested Steps to Address City/County Strategic Plan on Homelessness**

### **1) Personnel – Coordination, Oversight, and Data Management**

- Hire a Homeless Coordinator to implement strategic plan initiatives and data-driven solutions addressing and reducing homelessness through collaboration with local governments and the local CoC; oversee HMIS and evaluate the performance outcomes of agencies and services addressing homelessness; identify and coordinate with various agencies the availability of resources for homeless persons.
- Hire a Data & Evaluation Analyst to manage and analyze data from HMIS to ensure data and reporting accuracy; generate data-driven reports on the activities reported by various agencies; assist with the coordinated intake assessment system; coordinate and disseminate system information to assist in assessing overall performance outcomes of the programs and agencies serving the homeless.
- The proposed positions will be under the authority of the County and under the supervision of Cumberland County Community Development Department.

### **2) Increase available local funding for homeless services/housing**

- Provide financial stability for local homeless initiatives in order to eliminate potential gaps in services by accessing local resources targeted for prevention and rapid-housing of families and individuals at risk, or actually homeless, who do not meet HUD's definition of homelessness with incomes at or below 80%. This effort can have an immediate and positive impact on preventing and/or reducing long term homelessness for individuals and families.
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## **What Can HMIS Tell Us?**

How many people are homeless in the community;

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The capacity of the programs that are serving the homeless.

## **Benefits of HMIS**

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Provides client an outline for program completion

Coordinate services, internally among agency programs, and externally with other providers which can decrease in duplicative intakes

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Improve agency effectiveness through tracking client outcomes

Coordinate services, internally among agency programs, and externally with other providers

Support coordinated Case Management

Prepare financial and programmatic reports for funders, boards, and other stakeholders

Ability to measure performance of programs

Increase understanding of the extent and scope of homelessness

Identify service gaps (i.e. are the services available meeting the needs of clients)

Inform systems design and policy decisions

Ability to measure the performance of the community system to prevent and end homelessness

Develop a forum for addressing community-wide issues

Provide data for the CoC's plan to reduce Homelessness (available services, service gaps, shelter beds, demographics, and many more)

Serve as a tool to coordinate services, track utilization and cost

Evaluate program effectiveness and program outcomes

Identify at-risk populations and prevent homelessness

Plan services and programs appropriately to address local needs

Comply with HUD's mandate to continue to receive funding

HMIS can be used to check on sheltered populations

Compare PIT count with information on HMIS data

Verify missing or incorrect data



NORTH CAROLINA

CUMBERLAND COUNTY

INTERLOCAL AGREEMENT BETWEEN  
CUMBERLAND COUNTY AND THE CITY  
OF FAYETTEVILLE TO ADDRESS  
HOMELESSNESS

*Approved by the Cumberland County Board of Commissioners* \_\_\_\_\_

*Approved by the Fayetteville City Council* \_\_\_\_\_

This interlocal agreement is made pursuant to Article 20, Chapter 160A of the General Statutes of North Carolina by and between Cumberland County, a body corporate and politic and a political subdivision of the State of North Carolina, and the City of Fayetteville, a municipal corporation existing under the laws of the State of North Carolina.

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(3) The undertaking shall be directed by a committee to be designated the Homeless Initiatives Committee. The committee shall consist of the County Manager or designee, the County’s Governmental Affairs Officer, the City Manager or designee, the Chairman of the Cumberland County Continuum of Care (CoC), the City and County Community Development



Directors, and the Homeless Coordinator will meet regularly to coordinate and develop strategies to address homelessness through community-wide programs and services.

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(6) This agreement may be amended at any time by the execution of an amendment approved by the governing boards of both parties.

(7) This agreement may be terminated at the end of any fiscal year by the vote of either governing board with written notice of such termination being given to the other governing board at least sixty (60) days prior to the date of termination.

This interlocal agreement has been approved by the governing board of each party and entered into the minutes of the meeting at which such action was taken as indicated above.

[Signature page follows]



Cumberland County

By:

\_\_\_\_\_  
Kenneth S. Edge, Chairman  
Board of Commissioners

Attest:

\_\_\_\_\_  
Candice H. White, Clerk to the Board

City of Fayetteville

By:

\_\_\_\_\_  
Mayor Nat Robertson

Attest:

\_\_\_\_\_  
Pamela Megill, City Clerk





KENNETH S. EDGE  
Chairman

W. MARSHALL FAIRCLOTH  
Vice Chairman

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

CANDICE WHITE  
Clerk to the Board

KELLIE BEAM  
Deputy Clerk

**CUMBERLAND  
★ COUNTY ★**  
NORTH CAROLINA

**BOARD OF COMMISSIONERS**

**ITEM NO.** 7A

November 12, 2015

**November 16, 2015 Agenda Item**

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

**BACKGROUND:** The Joint Appearance Commission has one (1) vacancy:

**George Quigley** – completed first term. Eligible for reappointment. Mr. Quigley is interested in serving a second term.

I have attached the membership list and applicant list for this commission.

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

Attachments

pc: David Nash, Planner II  
City of Fayetteville



### **Joint Appearance Commission**

The Joint Appearance Commission makes recommendations to governing bodies on appearance issues and promotes the enhancement of the appearance of the community.

**Statutory Authorization:** NCGS 160A-451

**Member Specifications:**

15 Members

- Appointed by the Board of Commissioners (4)
- Appointed by the Fayetteville City Council (4)
- And one each from the remaining municipalities in Cumberland County

**Term:** 2 Years

**Compensation:** None

**Duties:**

**Meetings:** First Monday of the month at 5:15 PM

**Meeting Location:** City Hall 1st Floor, Cape Fear Room 433 Hay Street Fayetteville, NC



JOINT APPEARANCE COMMISSION  
2-Year Terms

<u>Name/Address</u>	<u>Date Appointed</u>	<u>Term</u>	<u>Expires</u>	<u>Eligible for Reappointment</u>
Shelia Wilson 1839 Brawley Avenue Fayetteville, NC 28314 764-0638/551-4708	8/14	2nd	Aug/16 8/31/16	No
Mitchell, Christopher 7357 Beaver Run Drive Fayetteville, NC 28314 229-7871 (H)/860-3333(W)	8/14	3rd	Aug/16 8/31/16	No
George Quigley 616 Blawell Circle Stedman, NC 28391 485-2980/286-5508	8/13	1st	Aug/15 8/31/15	Yes
<b>VACANT</b> (Vacated by M. McLean) 8/13 <b>*Waiting on recommendation*</b>		1 <sup>st</sup> full term	Aug/15 8/31/15	Yes

Meetings: First Monday of Month – 5:15 PM – City Hall, 1<sup>st</sup> Floor, Cape Fear Room

Contact: David Nash, Planner II – Phone: 433-1995 – Fax: 433-1776  
City of Fayetteville



**APPLICANTS FOR  
JOINT APPEARANCE COMMISSION**

<b><u>NAME/ADDRESS/TELEPHONE</u></b>	<b><u>OCCUPATION</u></b>	<b><u>BACKGROUND</u></b>	<b><u>EDUCATIONAL</u></b>
BALDWIN, ALICE (B/F) 3218 MASTERS DRIVE HOPE MILLS, NC 28348 910-423-7012/317-1216 Graduate-County Citizens' Academy: NO Graduate-Institute for Community Leadership: NO Graduate-Leadership Fayetteville: NO Graduate-United Way's Multi-Cultural Leadership Program: NO Graduate-other leadership academy: NO	RETIRED		HS AA BA-POLITICAL SCIENCE MASTERS-LIBRARY SCIENCE
BRISCOE, KEVIN ( /M) 7312 SCENIC VIEW DRIVE FAYETTEVILLE NC 28306 286-0608 / 433-6769 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	CHAMBER EMPLOYEE FAYETTEVILLE REGIONAL CHAMBER		HS SOME COLLEGE
BRYANT, STEPHEN (W/M) 539 NOTTINGHAM DR FAYETTEVILLE, NC 28311 757-515-8787 Graduate-County Citizens' Academy: No Graduate-Institute for Community Leadership: No Graduate-Leadership Fayetteville: No Graduate-United Way's Multi-Cultural Leadership Program: No Graduate-other leadership academy: No	US NAVY RESERVES		HS NAVAL SCHOOLS
DAVIDSON, SERENA (W/F) 1417 VALMEAD COURT FAYETTEVILLE, NC 28312 813-713-5313/910-570-9227 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	MANAGEMENT ANALYST US ARMY RESERVE		BS-FINANCE MBA STUDENT
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
RAY, LATARA (B/F) 5823 NESSEE ST FAYETTEVILLE NC 28314 910-587-7795 Graduate-County Citizens' Academy: No Graduate-Institute for Community Leadership: Yes Graduate-Leadership Fayetteville: No Graduate-United Way's Multi-Cultural Leadership Program: No Graduate-other leadership academy: No	REGISTRAR'S OFFICE FSU		MA-BUSINESS BA-SOCIOLOGY

**\*SERVES ON THE ADULT CARE HOME COMMUNITY COMMITTEE\***



**APPLICANTS FOR  
JOINT APPEARANCE COMMISSION /Page 2**

<b>NAME/ADDRESS/TELEPHONE</b>	<b>OCCUPATION</b>	<b>EDUCATIONAL BACKGROUND</b>
SAULNIER, STEVEN MICHAEL (W/M) 117 GRANDE OAKS DRIVE UNIT 6 FAYETTEVILLE NC 28314 910-639-0602 / 907-1186 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	ASSISTANT PROJECT MANAGER CHIMES D.C.	BS – BUSINESS ADMIN
THOMPSON, JOHN (B/M) 8533 CLIFFDALE RD FAYETTEVILLE NC 28314 864-1043 Graduate-County Citizens' Academy: N/A Graduate-Institute for Community Leadership: NO Graduate-Leadership Fayetteville: NO Graduate-United Way's Multi-Cultural Leadership Program: NO Graduate-other leadership academy: NO	SELF EMPLOYED RETIRED MILITARY	BA-SOCIOLOGY
WALKER, DENNIS TYRREL (B/M) 4677 NORTHGALES CIR FAYETTEVILLE NC 28314 574-1943/672-1808 Graduate-County Citizens' Academy: NO Graduate-Institute for Community Leadership: NO Graduate-Leadership Fayetteville: NO Graduate-United Way's Multi-Cultural Leadership Program: NO Graduate-other leadership academy: NO	AUDIO/VISUAL FSU	SOME COLLEGE
WATTS, MELISSA (W/F) 3503 MANORBRIDGE COURT FAYETTEVILLE, NC 28306 520-678-7250/570-9133 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	ANALYST US ARMY	BS-OCCUPATIONAL EDUC MASTERS-PUBLIC ADMIN.
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

ITEM NO. 8A

November 12, 2015

**November 16, 2015 Agenda Item**

TO: Board of Commissioners

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

SUBJECT: Farm Advisory Board

BACKGROUND: On November 2, 2015, the Board of Commissioners nominated the following individuals to fill three (3) vacancies on the Farm Advisory Board:

Farmer Position:

**Sherrill Jernigan** (new appointment)

**Wayne Beard** (reappointment)

**Vance Tyson** (reappointment)

I have attached the current membership list for this board.

**PROPOSED ACTION:** Appoint individuals to fill the three (3) vacancies above.

Attachment

pc: Will Linville, Planning Department



## FARM ADVISORY BOARD

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

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



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

<u>Name/Address</u>	<u>Date Appointed</u>	<u>Term</u>	<u>Expires</u>	<u>Eligible for Reappointment</u>
<u>Farm Bureau Representative:</u>				
David Gillis 7775 Climbing Tree Lane Fayetteville, NC 28306 487-0684	12/13	2nd	Dec/16 12/31/16	No
<u>Planning Board Representative:</u>				
Patricia Hall 3511 Beechwood Street Hope Mills, NC 28348 424-3106/308-8663	12/14	1st	Dec/17 12/31/17	Yes
<u>Cooperative Extension Service Representative:</u>				
Lisa Childers NC Cooperative Extension Service 301 East Mountain Drive Fayetteville, NC 28306 321-6875(W)	12/14	1st	Dec/17 12/31/17	Yes

Meetings: Quarterly – Second Tuesday of the first month of each quarter (Jan, Apr, July, Oct) at 7:00 PM  
Historic Cumberland County Courthouse, 130 Gillespie Street, Room 107C

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



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.** 8B

**OFFICE OF THE COUNTY MANAGER**

**MEMORANDUM FOR BOARD OF COMMISSIONERS AGENDA OF NOVEMBER 16, 2015**

**TO:** BOARD OF COUNTY COMMISSIONERS

**FROM:** KELLIE BEAM, DEPUTY CLERK TO THE BOARD

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

**DATE:** NOVEMBER 12, 2015

**SUBJECT:** FAYETTEVILLE/CUMBERLAND COUNTY ECONOMIC DEVELOPMENT CORPORATION

**BACKGROUND:**

At your November 2, 2015 meeting, the Board of Commissioners nominated the following individuals to fill three (3) vacancies on the Fayetteville/Cumberland County Economic Development Corporation:

**1 Year Term:** Board of Commissioners' Chairman or Designee – Effective 1/1/2016

**2 Year Term:** Franklin Douglas Byrd III  
Billy R. King  
Tim Richardson

**3 Year Term:** Juanita Pilgrim  
Tim Richardson

After that meeting, staff became aware that the online application system which allows citizens to apply for boards electronically experienced a service interruption. Once restarted, the system normally pushes any pending application through to the Clerk to the Board and the Deputy Clerk. However, because an applicant used quotation marks in his name the software stopped processing applications. Therefore, thirteen applications did not come through before the deadline.



All applications have been retrieved from the system.

Attached is an applicant list reflecting the thirteen applications that did not come through the online application system before the deadline.

**RECOMMENDATION:**

Should you wish to consider nominating any of these applicants, the recommendation is to nominate and appoint at your meeting on Monday, November 16, 2015.

**PROPOSED ACTION:**

Appoint two citizens and one elected official to fill three (3) vacancies with staggered terms:

- a. One (1) seat with an initial term of one (1) year.
- b. One (1) seat with an initial term of two (2) years
- c. One (1) seat with an initial term of three (3) years

Attachment

CM111215-1



**ADDITIONAL APPLICANTS TO THOSE PRESENTED ON NOV. 2<sup>ND</sup> FOR  
FAYETTEVILLE/CUMBERLAND COUNTY ECONOMIC DEVELOPMENT CORPORATION**

<b><u>NAME/ADDRESS/TELEPHONE</u></b>	<b><u>OCCUPATION</u></b>	<b><u>EDUCATIONAL BACKGROUND</u></b>
<b>AUBREY, PETER W. (W/M)</b> 339 SANDWEDGE DRIVE FAYETTEVILLE, NC 28311 779-1031/364-4411 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 ACADEMIES	<b>NATIONAL SECURITY CONSULTANT</b> <b>STRATEGIC OPPORTUNITIES INT.</b>	<b>BA-HISTORY</b> <b>MA-POLITICAL</b> <b>SCIENCE</b> <b>MA-STRATEGIC</b> <b>STUDIES</b>
<b>BERRY, WILLIAM (W/M)</b> 827 THREE WOOD DRIVE FAYETTEVILLE, NC 28312 339-9072/223-4023 Graduate-County Citizens' Academy: NO Graduate-Institute for Community Leadership: NO Graduate-Leadership Fayetteville: YES Graduate-United Way's Multi-Cultural Leadership Program: NO Graduate-other leadership academy: NO	<b>PUBLIC WORKS COMMISSION</b>	<b>BS</b> <b>AS</b> <b>GRADUATE STUDIES</b>
<b>CHESTNUTT, A. JOHNSON (W/M)</b> 578 MILDEN ROAD FAYETTEVILLE, NC 28314 484-6365/323-1040 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	<b>CERTIFIED PUBLIC ACCOUNTANT</b> <b>FAIRCLOTH, CHESTNUTT &amp; CO.</b>	<b>COLLEGE</b>
<b>GOODEN, RODERICK J. (B/M)</b> 706 DANDRIDGE DRIVE FAYETTEVILLE NC 28303 339-6600/728-6228 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 ACADEMIES	<b>RETIRED ARMY</b>	<b>CURRENT STUDENT</b>
<b>GORDNER, GERALD "MARV" (W/M)</b> 2709 PLUM RIDGE ROAD FAYETTEVILLE, NC 28306 424-2656/644-8566 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 ACADEMIES	<b>PROGRAM MANAGER</b> <b>IGOV-FT. BRAGG</b>	<b>BA-POLITICAL SCIENCE</b>



**ADDITIONAL APPLICANTS TO THOSE PRESENTED ON NOV. 2<sup>ND</sup> FOR**  
**FAYETTEVILLE/CUMBERLAND COUNTY ECONOMIC DEVELOPMENT CORPORATION**  
**PAGE 2**

<b><u>NAME/ADDRESS/TELEPHONE</u></b>	<b><u>OCCUPATION</u></b>	<b><u>EDUCATIONAL BACKGROUND</u></b>
HARRIS, OCKIDDE (B/M) 1200 CURRY FORD DRIVE FAYETTEVILLE, NC 28314 267-235-6348/433-3852 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	HUMAN SERVICES PLANNER CC DEPT. OF PUBLIC HEALTH	MASTERS-PUBLIC HEALTH BS-EXERCISE SCIENCE
HARRIS, WENDY (W/F) 3214 TROGDAN DRIVE FAYETTEVILLE NC 28306 237-7355/433-2724 Graduate-County Citizens' Academy: NO Graduate-Institute for Community Leadership: NO Graduate-Leadership Fayetteville: YES Graduate-United Way's Multi-Cultural Leadership Program: NO Graduate-other leadership academy: NO	REAL ESTATE BROKER TEAM HARRIS REAL ESTATE	BA-INTERNATIONAL BUSINESS LICENSED BROKER
JOHNSON, HOWARD (W/M) 3605 HOLSTEIN DRIVE FAYETTEVILLE, NC 28311 822-2042/818-6174 Graduate-County Citizens' Academy: NO Graduate-Institute for Community Leadership: NO Graduate-Leadership Fayetteville: YES Graduate-United Way's Multi-Cultural Leadership Program: NO Graduate-other leadership academy: NO	RETIRED	MASTERS-ECONOMICS BS-BUSINESS/ECONOMICS
LEVEY, AVALON (W/F) 911 SHELL DRIVE #225 SPRING LAKE, NC 28390 612-875-1588 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	WRITER ANALYST	BA-ECONOMICS
MARSHALL, SONIA I. (H/F) 1275 EXETER LN FAYETTEVILLE, NC 28314 339-4261/485-0085 Graduate-County Citizens' Academy: NO Graduate-Institute for Community Leadership: NO Graduate-Leadership Fayetteville: NO Graduate-United Way's Multi-Cultural Leadership Program: NO Graduate-other leadership academy: NO	FINANCIAL OFFICER PROFESSIONAL FAMILY CARE	MASTERS-BUSINESS ADMIN.



**ADDITIONAL APPLICANTS TO THOSE PRESENTED ON NOV. 2<sup>ND</sup> FOR**  
**FAYETTEVILLE/CUMBERLAND COUNTY ECONOMIC DEVELOPMENT CORPORATION**  
**PAGE 3**

<b><u>NAME/ADDRESS/TELEPHONE</u></b>	<b><u>OCCUPATION</u></b>	<b><u>EDUCATIONAL BACKGROUND</u></b>
MEHTA, MANISH S. (ASIAN INDIAN/M) 229 FOREST CREEK DRIVE FAYETTEVILLE, NC 28303 494-1918/689-0800 Graduate-County Citizens' Academy: NO Graduate-Institute for Community Leadership: NO Graduate-Leadership Fayetteville: NO Graduate-United Way's Multi-Cultural Leadership Program: NO Graduate-other leadership academy: NO	HOTEL OWNER FIVE POINTS HOSPITALITY, INC	COLLEGE
OXENDINE, LAVERN SAMUEL (NA/M) 220 BRADFORD AVENUE FAYETTEVILLE, NC 28301 910-618-3834 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: FAYETTEVILLE CITIZENS ACADEMY	RETIRED CEO COLDWELL BANKER ADVANTAGE	MASTERS-SOCIAL WORK BS-SOCIAL WORK
THOMPSON, RUSTY (W/M) 439 FOXLAIR DRIVE FAYETTEVILLE, NC 28311 910-689-5460 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: UNC-SCHOOL OF GOVERNMENT	CONSULTING ENGINEER HATCH MOTT MACDONALD	AAS-CIVIL ENGINEERING TECH.





KENNETH S. EDGE  
Chairman

W. MARSHALL FAIRCLOTH  
Vice Chairman

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

CANDICE WHITE  
Clerk to the Board

KELLIE BEAM  
Deputy Clerk

**CUMBERLAND  
★ COUNTY ★**  
NORTH CAROLINA

ITEM NO. 8C

**BOARD OF COMMISSIONERS**

November 12, 2015

**November 16, 2015 Agenda Item**

TO: Board of Commissioners

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

SUBJECT: Tourism Development Authority

BACKGROUND: At their November 2, 2015 meeting, the Board of Commissioners nominated the following individual to fill one (1) vacancy on the Tourism Development Authority:

Hotel/Motels Under 100 Rooms Representative:  
**Vivek Tandon** (new appointment)

I have attached the current membership list for the Tourism Development Authority.

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

Attachment

pc: Candice White, Clerk to the Board



## TOURISM DEVELOPMENT AUTHORITY

11/14

## 3 Year Terms

Name/Address	Date Appointed	Term	Expires	Eligible For Reappointment
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## Commissioner Appointees:

Hotel/Motels under 100 rooms Representatives:**VACANT** (Vacated by D. Roberts) 11/144<sup>th</sup>\*Oct/15  
10/31/15

No

*\*One additional year; October 2014 – October 2015\**

William S. Wellons, Jr.  
406 Overton Place  
Fayetteville, NC 28303  
868-5425/436-3131 (W)  
[billy@wellonsrealty.com](mailto:billy@wellonsrealty.com)

11/13

2<sup>nd</sup>Aug/16  
8/31/16

No

Hotel/Motel over 100 rooms Representatives:

Anup Contractor (A/M) 10/14  
217 Kirkwood Drive  
Fayetteville, NC 28303  
433-2657 (H) / 433-2100 (W) / 286-9373 (C)  
[anup.econolodge@gmail.com](mailto:anup.econolodge@gmail.com)

1<sup>st</sup>Oct/17  
10/31/17

Yes

Manish Mehta  
229 Forest Creek Drive  
Fayetteville, NC 28303  
494-1918 / 689-0800 (C)  
[msmehta@5points.nc.com](mailto:msmehta@5points.nc.com)

4/14

1<sup>st</sup> full termMar/17  
3/31/17

Yes

*\*serving unexpired term; eligible to serve one additional term\**Member of the Public Not Affiliated with Travel/Tourism

Dallas Mack Freeman  
961 Kaywood Drive  
Fayetteville, NC 28311  
488-9478/391-4177 (cell)  
[dmackfreeman@gmail.com](mailto:dmackfreeman@gmail.com)

6/14

2<sup>nd</sup>June/17  
6/30/17

No

President of the Fayetteville Regional Chamber (ex officio)

Fayetteville Regional Chamber  
159 Maxwell Street  
Fayetteville, NC 28311  
483-8133

Cumberland County Manager (ex officio)

Amy Cannon  
P.O. Box 1829  
Fayetteville, NC 28302  
678-7740  
[acannon@co.cumberland.nc.us](mailto:acannon@co.cumberland.nc.us)



Authority was created by the Board of Commissioners on January 28, 2002.

Board was appointed on March 11, 2002.

Meetings: Quarterly (January/April/July/October) - 4th Wednesday – 8:00 AM – Room 564

Contact: Candice White – 678-7771