

CUMBERLAND COUNTY BOARD OF COMMISSIONERS
AUGUST 19, 2002, 7:00PM
REGULAR/REZONING MEETING

PRESENT: Chairman Breeden Blackwell
Vice Chairman Talmage Baggett
Commissioner Jeannette Council
Commissioner Kenneth Edge
Commissioner Billy R. King
Commissioner John Henley
Commissioner J. Lee Warren, Jr.
James Martin, County Manager
Juanita Pilgrim, Deputy County Manager
Cliff Spiller, Asst. County Manager
Grainger Barrett, County Attorney
Marsha Fogle, Clerk to the Board

INVOCATION: Commissioner J. Lee Warren, Jr.

PLEDGE: Nathan Warren – 7th Grade, Max Abbott
Middle School

Ex-Officio High School Participant: Leslie McFarland – Reid Ross
Classical

Additions to Agenda:

Item 2K: Robeson County – Cumberland County Boundary Determination
Item 2L Approval of a Resolution in support of the 4.7 mile scenic portion of the
Averasboro Historic Byway
Item 2M Request from DSS regarding Cumberland County Training Center and
Medicaid Policy Change
Item 2N Request from Mid Carolina Council of Governments for approval of a
Resolution on North Carolina Aging Programs

MOTION: Commissioner Edge moved to add the above items to the Agenda.
SECOND: Commissioner Council
VOTE: UNANIMOUS

Items removed from Agenda:

MOTION: Commissioner King moved to remove item 7B (Proposed reclassification
of Information Technology (IT) Positions.
SECOND: Commissioner Baggett
VOTE: UNANIMOUS

1. PUBLIC HEARINGS

The following cases were moved from Contested to Uncontested:

Case P02-55, Case P02-57, Case P02-58, Case P02-70

The petitioner for Case P02-65 asked that he be allowed to withdraw his case.

Uncontested Rezoning Cases

Upon finding the rezoning requests to be reasonable, neither arbitrary or unduly
discriminating, and in the public interest and that the property within such proposed
district is suitable for all uses permitted by the new classifications, the following motion
was offered for the Uncontested Cases:

MOTION: Commissioner King moved to follow staff recommendations on the
Uncontested Rezoning Cases, and to approve the petitioner's request to
withdraw Case P02-65.
SECOND: Commissioner Baggett
VOTE: UNANIMOUS

- A. Case P02-52. The rezoning of .27 acres from R10 to C1 or a more restrictive zoning district at 2018 Hope Mills Road owned by Willis E. Harris, Jr.

The Planning Board recommends approval of C1.

- B. Case P02-59. The rezoning of .65 acres from A1 to R20 or a more restrictive zoning district on South West Street, north of Allie Cooper Road owned by Virginia Brigman.

The Planning Board recommends approval of R20.

- C. Case P02-60. The rezoning of 4.37 acres from A1 to R40 or a more restrictive zoning district at 3845 Final Approach Drive owned by Eastover Development Co., LLC.

The Planning Board recommends approval of R40.

- D. Case P02-61. The rezoning of 1.34 acres from A1 and RR to C(P) or a more restrictive zoning district at 8171 Godwin-Falcon Road owned by Abdo Alsaede.

The Planning Board recommends approval of C(P).

- E. Case P02-62. The rezoning of 5.06 acres from A1 to R40A or a more restrictive zoning district at 3724 Linden Road owned by Donnie S. Byrd.

The Planning Board recommends approval of R40A.

- F. Case P02-63. The rezoning of 1.57 acres from A1 to RR or a more restrictive zoning district at 2080 Tom Starling Road owned by Carlton and Tewana Nelson.

The Planning Board recommends approval of RR.

- G. Case P02-66. The rezoning of a 61.74 acre portion of a 231.57 acre tract from A1, RR & R6A to R15 or to a more restrictive zoning district on River Road adjacent to and in the town limits of Wade.

The Planning Board recommends approval of R15.

Contested Rezoning Case:

- H. Case P02-23. The rezoning of 8.08 acres from A1 to M2 or a more restrictive zoning district on the north side of Hawkins Road east of McBryde Street owned by Tom J. Keith.

The Planning Board recommends denial of the rezoning.

Speakers:

Tom Keith – Mr. Keith said this property was zoned during the initial zoning of the Linden area. He said he would like to have it rezoned so he can put mini-storage buildings on the property. Mr. Keith said he would consider conditional use overlay for this piece of property.

Flora Dunham – lives in the area and noted the area should be preserved for its historical value. She noted concern that this zoning would be for a 20 year period, yet there is little development in the area currently.

Commissioner Baggett noted the property is beside a railroad and he thought that the mini-storage buildings may be a good fit. He said perhaps a conditional use overlay district might work.

Commissioner King inquired why the Planning Staff recommended denial of the rezoning. Mr. Lloyd said because there is no water and sewer and no major entrance corridor.

MOTION: Commissioner Baggett moved to send the Case back to the Planning Board, at no charge for the petitioner, to consider conditional use overlay for this property.
SECOND: Commissioner Warren
VOTE: UNANIMOUS

Uncontested Rezoning Case:

- I. Case P02-55. The rezoning of 1.70 acres from A1 to RR or a more restrictive zoning district at 4233 Butler Nursery Road owned by Edna L. Cameron.

The Planning Board recommends approval of R40A.

Uncontested Rezoning Case:

- J. Case P02-57. The rezoning of 109.8 acres from A1 and RR to R6 or a more restrictive zoning district on Plymouth Street, south of Dunn Road owned by C. Austin Crumpler Heirs, Springs of Living Water Baptist Church, Ervin M. Cade, John and Carolyn Kuykendall and Nathaniel and Janice Washington.

The Planning Board recommends approval of R10.

Uncontested Rezoning Case:

- K. Case P02-58. The rezoning of 2.0 acres from A1 to R40A or a more restrictive zoning district at 7667 Rufus Johnson Road owned by John E. Hardin.

The Planning Board recommends approval of R40.

Case Pulled from Agenda:

- L. Case P02-65. The rezoning of 11.14 acres from A1 & RR to R30 or a more restrictive zoning district on the northeast quadrant of Sids Mill and A.B. Carter Roads owned by Kenneth McDonald.

The Planning Board recommends approval of R30.

Contested Rezoning Case:

- M. Case P02-67. The rezoning of 1.6 acres from A1 to R40 or a more restrictive zoning district at 1876 Heritage Lane owned by Milton L and Deborah M. Underwood.

The Planning Board recommends approval of R40.

Upon finding the rezoning request to be reasonable, neither arbitrary or unduly discriminating, and in the public interest and that the property within such proposed district is suitable for all uses permitted by the new classification, the following motion was offered:

MOTION: Commissioner King moved to follow the recommendation of the Planning Board on this case.
SECOND: Commissioner Warren
VOTE: UNANIMOUS

Uncontested Rezoning Case:

- N. Case P02-70. The rezoning of 39.73 acres from RR to R10 or a more restrictive zoning district on the southwest quadrant of Camden and Waldos Beach Roads owned by Walter C. Garnette T., David H. and William H. Johnson and Mary J. Koonce.

The Planning Board recommends approval of R10.

2. CONSENT AGENDA

MOTION: Commissioner King moved to follow staff recommendations on the items on the Consent Agenda.
SECOND: Commissioner Council
VOTE: UNANIMOUS

A. Approval of Minutes: August 5, 2002

ACTION: Approve

B. Approval of Interlocal Agreement with City of Fayetteville to Reimburse the City the cost of a portion of water or sewer utility improvements for Phase I of Cedar Creek Business Center funded by the City from Proceeds of low interest loan from South River Electric Membership Corporation (SREMC).

BACKGROUND: The City proposes to take advantage of interest-free economic development loan funds available to it from SREMC to contribute towards the Phase I cost of water and sewer utilities for Cedar Creek Business Center. The availability of these funds will expire if the City and County do not make a binding commitment before the end of the month to use these funds for economic development purposes. The funds were originally committed to fund PWC water and sewer improvements around the I-95/NC59 interchange but were not needed for that purpose. Rural Development and SREMC have both agreed that applying these funds to Phase I water and sewer improvements for the Cedar Creek Business Park would be consistent with the economic development purpose of the funds. SREMC will loan the City \$396,000 interest free (but subject to SREMC's right to charge an annual servicing charge of 1% of the outstanding balance) to be repaid in annual installments over 10 years. The loan would be secured by a lien on the water or sewer facilities in the ground and would not constitute a pledge of the City's taxing power. SREMC will provide 50% of the funds upon its closing with the City and the other 50% upon 50% completion of the project.

ACTION: Adopt Resolution approving the Interlocal Agreement.

RESOLUTION

WHEREAS, the City of Fayetteville proposes to take advantage of interest-free economic development loan funds available to it from SREMC to contribute towards the Phase I cost of water and sewer utilities for Cedar Creek Business Center, which funds have been made available to SREMC by USDA-Rural Development for economic development purposes; and

WHEREAS, the Board of Commissioners wishes to give final, binding approval to an Interlocal Agreement to be entered into with the City, pursuant to which the County will reimburse the City its gross costs of obtaining the funds from SREMC, with annual reimbursements to the City of the City's contribution of up to approximately \$42,400.00 annually, phased to match the City's obligation to repay its loan from SREMC, which costs will include \$396,000 principal, any annual servicing fee up to 1%, bond counsel review fees and Local Government Commission application fee.

NOW, THEREFORE the Board of Commissioners of Cumberland County resolves that it gives its final, binding approval to an Interlocal Agreement to be entered into with the City, pursuant to which the County will reimburse the City its gross costs of obtaining the funds from SREMC, with annual reimbursements from the County to the City of up to \$42,500 annually, phased to match the City's obligation to repay its loan from SREMC, which costs include \$396,000 principal, any annual servicing fee up to 1%, bond counsel review fees and Local Government Commission application fee; and it further

RESOLVES that title to all water and sewer utility improvements constructed for Phase I of Cedar Creek Business Center will be conveyed to the City's Public Works Commission ("PWC") for addition to PWC's system upon completion of construction of Phase I of Cedar Creek Business Center utilities and acceptance thereof by PWC; and it further

RESOLVES, that such Interlocal Agreement shall be generally consistent with the terms of that certain Memorandum dated August 12, 2002, from the County Attorney to the Board of Commissioners for its meeting of August 19, 2002, describing and summarizing the transactions contemplated by this resolution and filed with the permanent records of this meeting; and it further

RESOLVES, that it authorizes the Chairman or Vice Chairman to sign and the Clerk to acknowledge an Interlocal Agreement consistent with the terms of this memorandum and any other documents necessary or desirable to consummate the transaction, subject to any minor changes as may be negotiated and approved by the County Manager and the County Attorney.

C. Approval of additions to the State Secondary Road System

Mt. Vernon Estates Subdivision: Independence Drive

ACTION: Approve

D. Approval of Lease and Franchise Agreement renewals for Recreation Concessionaire Services – 2nd Reading (Hope Mills Youth Association, Southwest Athletic Association and Cliffdale Area Sports Association)

ACTION: Approve Second Reading

E. Approval/ratification of special funding request for the Hope Mills Dixie Youth Boys Baseball Team

BACKGROUND: Cumberland County was approached regarding providing financial assistance to enable the 11 & 12 year old All Starts to represent the State of North Carolina at the Dixie Youth World Series in Mississippi on August 12-17, 2002. The County Manager, in accordance with the policy adopted by the Board of Commissioners on February 5, 2001, processed a payment in the amount of \$650 for thirteen players to participate in this event.

ACTION: Approve and ratify the manager's action.

F. Approval of a Resolution urging the NC General Assembly not to require local ABC Boards to fund the State's Alcohol Law Enforcement Division as one provision to balance the State's budget shortfall.

BACKGROUND: The Cumberland County ABC Board is requesting the Board of Commissioners to endorse a resolution asking the State not to require local ABC Boards to fund the State's ALE Division.

ACTION: Approve the Resolution

RESOLUTION

WHEREAS, by State law the excess profits of Cumberland County ABC Board operations go entirely to the County's General Fund; and

WHEREAS, the Cumberland County ABC Board contributed almost \$1,000,000 to the County's General Fund in its most recent fiscal year, which ended June 30, 2002; and

WHEREAS, almost half of the County's General Fund goes to support the operations of the Cumberland County Schools and to indebtedness incurred for school purposes; and

WHEREAS, other substantial County appropriations fund Mental Health, Social Services, the Health Department, the Cumberland County Library and Information Center and the Sheriff's Office; and

WHEREAS, the NC State House's proposed State budget for fiscal year 2002-03 would require local ABC Boards to fund the cost of operating the State's Alcohol Law Enforcement Division as one provision to balance the State's budget shortfall; and

WHEREAS, that provision would cost the Cumberland County ABC Board an estimated \$187,000 in fiscal year 2002-03; and

WHEREAS, that is \$187,000 that will be unavailable for distribution to the County to support its appropriations for such beneficial purposes as public schools, mental health, public health, the library and law enforcement, and those funds are unlikely to be realized by Cumberland County ABC Board through increased sales in this period of economic uncertainty;

NOW, THEREFORE BE IT RESOLVED by the Cumberland County Board of Commissioners that it urges the NC General Assembly NOT to require local ABC Boards to fund the cost of the State's Alcohol Law Enforcement Division as one provision to balance the State's budget shortfall; and be it further

RESOLVED, that the Chairman of the Board of Commissioners forward a certified Resolution to each member of the Cumberland County Legislative Delegation.

- G. Approval of a Proclamation proclaiming August 18-24, 2002 "National Health Center Week" in Cumberland County.

ACTION: Approve Proclamation

PROCLAMATION

WHEREAS, there is a significant number of citizens in Cumberland County, North Carolina and surrounding areas who are currently medically underserved for a number of reasons, the most prominent which include geographical isolation, financial barriers, and an insufficient number of health care providers; and

WHEREAS, the Stedman-Wade Health Services, Inc., is a private, nonprofit corporation that provides high quality comprehensive primary health care to medically underserved people in Cumberland County; and

WHEREAS, Stedman-Wade Health Services, Inc. has made great strides in the Wade health care system, specifically by maintaining a high standard of accountability, demonstrating cost effectiveness, obtained JCAHO accreditation empowering our community to development programs to its specific needs, enhancing opportunities for children and families, and providing health care services in accessible low-cost environments; and

WHEREAS, Stedman-Wade Health Services, Inc. has also made a significant difference in the Cumberland County health care system by improving access to quality health care provided by trained professionals in areas that had previously been unserved or underserved, promoting individual responsibility and health awareness in the community, and offering primary preventive health care of the highest quality to reduce preventable deaths, costly disabilities and communicable diseases; and

WHEREAS, Community Health Centers such as Stedman-Wade Health Services, Inc doing business as Wade Family Medical Center and Stedman Family Dental Center promote 100% access and zero health disparities to help achieve primary health care for all people;

NOW, THEREFORE, we, the Cumberland County Board of Commissioners, do hereby proclaim the week of August 18-24, 2002 "National Health Center Week" in Cumberland County and urge our citizens to recognize the important contributions to the Stedman-Wade Health Services, Inc., to the improvement of the general quality of life of the Citizens of Cumberland County, North Carolina.

BE IT FURTHER RESOLVED that Cumberland County, North Carolina, does hereby recognize the important contributions of Stedman-Wade Health Services, Inc. in expanding access to health care and improving the health and future well being of the people of Cumberland County, North Carolina.

- H. Approval of declaration of surplus county property and authorization to accept insurance settlement.

BACKGROUND: Date of Accident:

July 14, 2002

Vehicle	2002 Crown Victoria
VIN	2FAFP71W92X151270
Department	Sheriff's Office
Insurance Settlement	\$24,033
Insurance Company	St. Paul

ACTION: Declare vehicle surplus, accept the \$24,033 as settlement and allow St. Paul to take possession of the wrecked vehicle.

- I. Approval of declaration of surplus Cape Fear Valley Health System properties and authorization for disposition.

BACKGROUND: The Hospital Board of Trustees declared the building located at 520 Beaumont Road and the attached list (Attachment A to these Minutes) surplus to their needs.

ACTION: Declare properties surplus and authorize disposal by transfer to other county departments, upset bid, negotiated offer process, or that they be scrapped as deemed appropriate by Management.

J. Budget Revisions

- (1) Cotton Fire District/Westarea Fire District – Amount: \$400 – to appropriate fund balance to fund unanticipated refunds to taxpayers (B03-052&053) Funding Source – Fire District Fund Balance
- (2) Tax Department – Amount: \$6,542 – to appropriate fund balance for Tax Management Associates audits (B03-050) Funding Source – County Fund Balance
- (3) Planning/Inspections Department – Amount: \$2,815 – to reallocate budgeted expenditures to adjust salaries for three employees who have received additional certifications (B03-054) Funding Source – Reallocation of budgeted expenditures
- (4) Mental Health
 - a. General Support – Amount: \$1,854 to budget for the reclassification of Lead Worker IV to a Processing Assistant V (B03-049) Funding Source – Reallocation of budgeted expenditures
 - b. Substance Abuse – Majors – Amount: \$3,510 to reallocate budgeted expenditures to fund the salary for an employee who is being transferred from Workfirst at a higher salary than budgeted (B03-051) Funding Source – Reallocation of budgeted expenditures
 - c. Administration – Revision in the amount of \$22,000 to appropriate fund balance to budget for the second half of the Council on Accreditation fee and for on site accreditation expenditures (B03-059) Funding Source – Mental Health Fund Balance
- (5) Eastover Water System Project – Amount: \$910 to budget additional interest income and to approved revised Capital Project Ordinance (B03-048) Funding Source – Interest Income
- (6) Social Services – Amount: \$1,850 to recognize revenue from insurance settlement to offset cost of repairs to the Cumberland County Department of Social Services sign (B03-058) Funding Source – Insurance Settlement
- (7) Animal Control/General Government Other – Amount: \$8,300 to transfer funds from General Government contingency to fund the startup costs for the microchip program (B03-062) Funding Source – Reallocation of budgeted expenditures
- (8) Elderly and Handicapped Transportation

- a. Revision in the amount of \$574 to adjust budgeted revenues and expenditures for the NC Community Transportation Program grant to agree to State approved amounts and to reduce the 15% local match from Planning and Inspections to the Elderly and Handicapped Transportation (B03-055&055A) Funding Source – State
 - b. Revision in the amount of \$20,000 to transfer funding from DSS to budget DSS Workfirst Transportation services for Spring Lake and to adjust Workfirst revenue and expenditures to state allocation (B03-061&061A) Funding Source – State
- (9) General Government Other – Amount: \$400,000 to budget a NC Industrial Recruitment grant for the Cedar Creek Fiber Company (B03-060) Funding Source – State Grant
- (10) Community Development
 - a. HOME Program/General Government Other – Amount \$5,637 to appropriate fund balance to budget required grant match (B03-064) Funding Source – County Fund Balance
 - b. SHP Administration – Amount: \$9,282 to adjust budget in accordance with grant applications for FY2003 (B03-065) Funding Source – Federal
 - c. SHP Program/Family Violence Care Center – Amount \$307,198 to adjust grant allocations; to rebudget unexpended prior year grant funds; and to appropriate fund balance for required county match (B03-066&066A) Funding Source – Federal & County Fund Balance

K. Robeson County – Cumberland County Boundary Determination

BACKGROUND: On September 4, 2001, the Board appointed the Tax Administrator a Special Commissioner to determine and confirm the boundary line between Robeson County and Cumberland County. The survey confirmed that the legal description of the applicable boundary had always been as originally established in 1791, and in addition determined its location on the ground. The boundary always has been from a point at the bridge over Big Rockfish Creek where Camden Road crosses it (NC Grid NAD 83 coordinate 437723.4573/1,988,389.1149) South 60 degrees 46 minutes East 29,000 feet to a point where The Old Lumberton-Fayetteville Public Access Road crosses Cold Camp Branch (NC Grid NAD 83 coordinate 423366.8022/2,013527.7355). The Tax Administrator has written a letter to the Board of Education confirming the location of the boundary for the purpose of enrolling children in school as the new school year starts. As an administrative follow-up, the NC Geodetic Survey (County Boundaries Section) has set the monuments defining the boundary's actual location on the ground at no expense to the County.

ACTION: Authorize the Chairman of the Board to write a letter to NC Geodetic Survey authorizing them to set the appropriate new monuments in the ground at no expense to the County.

- L. Approval of a Resolution in support of the 4.7 scenic portion of the Averasboro Historic Byway.

ACTION: Adopt Resolution

RESOLUTION

WHEREAS, the Cumberland County Board of Commissioners is in support of the 4.7 mile scenic portion of the Averasboro Historic Byway; and

WHEREAS, the byway project is a 23 mile long route which has been identified, related planning is progressing well and the designation is to be the “Averasboro Historic Byway”; and

WHEREAS, Cumberland County and the Averaasboro Battlefield Commission have been well established in support of the project and the subsequent legal agreement with the Department of Transportation; and

WHEREAS, the necessity has arisen to designate a portion of the historic byway additionally as the "Scenic Byway" under the State's rightly controlled scenic byway program and such that Cumberland County present this separate resolution indicating County support for the 4.7 mile scenic portion of the byway which extends from the point that NC82 Highway joins Burnett Road in Godwin and continues through the Averaasboro Battlefield;

NOW, THEREFORE, BE IT RESOLVED that the Cumberland County Board of Commissioners is in support of the 4.7 mile "Scenic Byway" portion of the "Averaasboro Historic Byway".

- M. Consideration of a request from DSS regarding Cumberland County Training Center and the Medicaid Policy Change

BACKGROUND: DSS is requesting the Board of Commissioners to write a letter to the Cumberland County Legislative Delegation asking them to support restoring the child welfare training money cut from the House budget. The reduction includes the elimination of the child welfare training center in Cumberland County, which serves counties from the southeastern portion of the state. Without this center, counties in the southeast will be required to send staff to other centers as distant as Asheville, which will likely result in greater expenditures. In addition, DSS has learned of proposed legislation that would change Medicaid eligibility and potentially affect 143 families in Cumberland County who have family members in nursing homes. The change would required family members to sell property they vacated when entering the nursing home if the equity exceed \$6,000. Current policy permits the family members to keep the property if it produces at least 6% of the property's equity annually. The concern is the possibility that a family member is not able to sell, becomes ineligible for Medicaid and is inappropriately discharged or the cost of nursing home care becomes a family expense.

ACTION: Authorize Chairman to write a letter addressing the above two concerns.

- N. Consideration of adoption of a Resolution regarding North Carolina Aging Programs

ACTION: Adopt Resolution asking the General Assembly to minimize budget cuts incurred by the Aging Programs across the state.

RESOLUTION

WHEREAS, many Cumberland County senior citizens receive services through programs funded in part by the State of North Carolina; and

WHEREAS, these programs include Senior Citizen Development and Research, Nutrition, Area Agency on Aging Administration, Senior Tar Heel Legislature and Support for Alzheimers' Contracts; and

WHEREAS, these programs face reductions in funding as a result of pending budget action by the State of North Carolina; and

WHEREAS, significant budget cuts in these areas would hinder the delivery of programs to seniors in our county.

NOW, THEREFORE, BE IT RESOLVED that the Cumberland County Board of Commissioners does hereby request that the NC General Assembly make every effort to minimize the budget cuts incurred by Aging Programs across the state.

REGULAR AGENDA

- 3. Nominations to Boards/Committees

- A. Adult Care Home Community Advisory Committee (1 vacancy)

BACKGROUND: The Regional Ombudsman for the Adult Care Home Community Advisory Committee has asked that Mildred Bonner be replaced due to lack of participation.

NOMINEE: Lloyd Brisson

B. Community Child Protection/Fatality Prevention Team (2 vacancies)

BACKGROUND: The following positions are vacant:

EMS Provider/Firefighter position – Katie Talk with the Ambulance Service is recommended to fill the vacancy.

At-large position – Dr. David Smith has been recommended for nomination.

Nominees: Katie Talk
Dr. David Smith

4. Appointments to Boards/Committees:

a. Cape Fear Valley Health System Board of Trustees (2 vacancies)

Nominees: Dr. Sid Gautam (reappointment)
Emmett Fogle
Ralph Mitchell

Breeden Blackwell withdrew the name of Emmett Fogle for this appointment.

MOTION: Commissioner Baggett moved to appoint Dr.Sid Gautam and Ralph Mitchell to the Hospital Board of Trustees.

SECOND: Commissioner Council

VOTE: UNANIMOUS

MOTION: Commissioner Edge moved to appoint the nominees in Items 4b, 4c, 4d, & 4e.

SECOND: Commissioner Council

VOTE: UNANIMOUS

b. Senior Citizens Advisory Board (2 vacancies)

Nominees: Marie Tomlin (reappointment)
Evelyn C. Bryant

c. Southeastern Economic Development Commission (1 vacancy)

Nominee: Commissioner Billy R. King

d. Workforce Development Board (9 vacancies)

Nominees: Private Sector: Linda Baez
Cynthia Curtis (reappointment)
Bob Dickerson (reappointment)
Lynne Green (reappointment)
Annie Hasan (reappointment)

Public Sector (DSS): Vivian Tookes

Rehabilitation Representative: Billy Cupit (reappointment)

Employment Service Representative: Glenn McQueen
(reappointment)

Labor Representative: Damita Rucker-Ash

e. Appointment of Mr. Morgan Johnson to the Eastover Sanitary District Board, effective August 5, 2002, for the unexpired term of Mr. Rad Rich.

5. Consideration of scheduling a joint meeting for August 26, 2002 with Fayetteville City Council to receive FY03 Economic Development proposal from the Greater Fayetteville Economic Development Council

ACTION: Schedule joint meeting.

The consensus of the Board was to schedule the meeting for August 26, 2002, 8:00PM. Staff will check to see if it is possible to receive this information at a meeting already scheduled for the Commissioners and City Council on September 24, 2002 at 7:30AM.

6. Discussion of the Town of Linden's request to create a water & sewer district in the area identified in the Rural Water Study as the Linden Service Area.

BACKGROUND: Linden officials met with some county officials on August 5, 2002 to discuss options for extending their water service to the residents in the north central part of the county. The Rural Water Study identified a service area for Linden. At the time the feasibility study was undertaken, there were no immediate plans to create a water and sewer district in this area. The plan was to allow for the natural growth of Linden's water system in this area. However, the Town has recognized its limitations to fund major water system expansions and is looking for assistance from the County. Town representatives have agreed that the creation of a Water and Sewer District would accomplish their desire to expand water service to residents in the Linden area and would report the results of the August 5 meeting to the Town Board at its meeting on August 20, 2002.

ACTION: Work with the Town of Linden and its engineer to delineate the boundaries of the Linden Water and Sewer District, develop feasibility studies and make applications to available funding agencies for construction of public water in the district.

MOTION: Commissioner Warren moved to create a water and sewer district and to direct our county staff to work with the Town of Linden and its engineer to delineate the boundaries of the Linden Water and Sewer District and to develop feasibility studies and make applications to available funding agencies for construction of public water in the district.

SECOND: Commissioner Henley

VOTE: UNANIMOUS

7. Consideration of Personnel Committee Report and Recommendations FY2002-03 Position Classification and Pay Plan

- a. FY2002-03 Position Classification and Pay Plan

ACTION: Approve with amendments (See Attachment B to these Minutes)

MOTION: Commissioner Warren moved to approve.

SECOND: Commissioner King

VOTE: UNANIMOUS

- b. Removed from Agenda. (Reclassification of IT positions)

8. Consideration of Facilities Committee Report and Recommendation

- a. Transfer of property to Kingdom Community Development Corporation for Affordable Housing

BACKGROUND: The County acquired a .85 acre lot at the corner of South Cool Spring Street and Simmons Street from the Board of Education in 1987. The property is surplus to the needs of the County. The Community Development Department proposes to convey it to Kingdom Community Development Corporation, a community housing development organization (CHDO), to develop together with other nearby land as an affordable housing project for persons at or under 80% of median income. The project would provide 20 new single-family homes. The value of the property, \$37,000, would be counted towards the County's required matching share for the federal funding. The Facilities Committee and Community Development Department recommend transfer of the property.

ACTION: Approve Resolution transferring the property to Kingdom Community Development Corporation.

RESOLUTION

WHEREAS, the County owns a .85 acre tract at the corner of Cool Spring Street and Simmons Street, Fayetteville, NC, Tax Parcel PIN 0437-60-2073 (the "property"); and

WHEREAS, the property is surplus to the needs of the County; and

WHEREAS, the Board of Commissioners wishes to authorize transfer of the property to Kingdom Community Development Corporation, a non-profit corporation, for an affordable housing project to provide up to 20 single family homes for persons of up to 80% of the median family income, which is a public purpose; and

WHEREAS, the property has been appraised at \$37,000 which value will constitute the County's required matching contribution under its federal Community Development Home Grant funding.

NOW, THEREFORE, BE IT RESOLVED by the Cumberland County Board of Commissioners that, pursuant to G.S. 160A-279, it approves transfer of the property to Kingdom Community Development Corporation, a non-profit corporation, for an affordable housing project to provide up to 20 single family homes for persons of up to 80% of the median family income, which is a public purpose; and

BE IT FURTHER RESOLVED, that the County shall publish a notice complying with the requirements of G.S. 160A-267 and no transfer shall be consummated until 10 days after its publication; and

BE IT FURTHER RESOLVED, that the Board of Commissioners authorizes the Chairman of the Board or the County Manager to execute and the Clerk to the Board to acknowledge any documents of title and conveyance in form satisfactory to the County Attorney conveying title to the property to Kingdom Community Development Corporation.

Commissioner King asked and was given permission to abstain from this vote as he is a member of the Kingdom Community Development Corporation's Board of Directors.

MOTION: Commissioner Warren moved to approve the Resolution.

SECOND: Commissioner Council

VOTE: UNANIMOUS with Commissioner King abstaining.

9. Closed Session – Economic Development (Pursuant to NCGS 143-318.11(a)4)

MOTION: Commissioner King moved to go into Closed Session for the above noted matter.

SECOND: Commissioner Henley

VOTE: UNANIMOUS

MOTION: Commissioner Edge moved to go back into Open Session.

SECOND: Commissioner King

VOTE: UNANIMOUS

Meeting Adjourned: 8:30PM

Clerk to the Board

