

CUMBERLAND COUNTY BOARD OF COMMISSIONERS
MAY 16, 2005, 7:00PM
REGULAR/REZONING MEETING

PRESENT: John T. Henley, Jr., Chairman
Commissioner Talmage Baggett
Commissioner J. Breeden Blackwell
Commissioner Jeannette Council
Commissioner Kenneth Edge
Commissioner Diane Wheatley
James Martin, County Manager
Juanita Pilgrim, Deputy County Manager
Amy Cannon, Asst. County Manager
Cliff Spiller, Asst. County Manager
Doug Canders, Staff Attorney
Tom Lloyd, Deputy Director, Planning/Inspections Department
Marsha Fogle, Clerk to the Board

INVOCATION - Commissioner Breeden Blackwell

PLEDGE OF ALLEGIANCE – Eagle Scout Ryan Wesley Hall – Troop 742

1. Recognition of the 2005 Class of the Institute for Community Leadership by Dr. Elton Hendricks, President, Methodist College.

Dr. Hendricks recognized the Class of the Institute for Community Leadership. Chairman Henley noted how important this class is and thanked those who took part.

2. Presentation by Patrick Hurley, Workforce Development Director, on the Military Spouses Project.

Patrick Hurley, Workforce Development Director, reviewed the Military Spouses Project. The Chairman presented him with a plaque recognizing his work in this area.

3. Consent Agenda

Items 3G1, 3G3 and 3I-2(a) will be voted on separately.

MOTION: Commissioner Edge moved to follow staff recommendations on the items on the Consent Agenda except as noted above.

SECOND: Commissioner Council

VOTE: UNANIMOUS

- A. Approval of minutes for the May 2, 2005 regular meeting and approval of minutes of the Special Meeting with Fayetteville Technical Community College on April 19, 2005.

ACTION: Approve

- B. Approval of Bid Award for the Construction of the Windridge Water Distribution System.

BACKGROUND: Bids were received and opened on April 20, 2005 for the construction of the Windridge Water Distribution System. The bid proposal included all of the work for the construction of a potable water distribution system to residents within the Windridge subdivision off of Chickenfoot Road in southeastern Cumberland County. The low responsive bid submitted was from UTILITIES PLUS, INC. of Linden, North Carolina, in the amount of \$508,195.73. The original estimate for the project was closed to \$300,000 and was prepared by Fayetteville Public Works Commissioner engineering staff. Since the estimate was prepared and the project approved there has been a tremendous increase in the cost of construction material. The PWC will participate in this project in the amount of \$170,736.71 to pay for the cost of increasing the diameter of the water main from 8” to 16” and for the inclusion of a conduit for future use.

Funds are available in the Water and Sewer Fund (250) for this project. This project is a special assessment project approved by the Board in August, 2004. At that time, it was estimated that the individual assessment would have been \$3,714.22 (if financed by the County with 8% interest for five years would amount to \$5,199.91 or an annual payment of \$1,039.98). At the present time, it is estimated that the individual assessment will be \$4,689.62 (if financed by the County with 8% interest for five years, amounting to \$6,564.46 or an annual payment of \$1,313.09, if financed for ten years the annual payment would be \$844.13).

ACTION:

Accept the bids for construction of this project, award the contract to Utilities Plus, Inc. in the amount of \$508,195.73, authorize an Interlocal Agreement between the County and PWC outlining the responsibilities of each party as well as the participation amounts, authorize the establishment of a project contingency line within the project budget in the amount of \$25,000 (5%), only to be disbursed with the approval of the County Manager, and approve associated budget revision (B05-396).

- C. Approval of the FY06 Home and Community Care Block Grant for Older Adults Agreement Between County of Cumberland and Mid-Carolina Area Agency on Aging and 2005-2006 County Funding Plan.

BACKGROUND: The Board of Commissioners designated Mid Carolina Area Agency on Aging as the lead agency for planning and coordination of the County's funding plan for Older Adult Services. The funding plan is a means to provide coordination through community-based resources in the delivery of comprehensive aging service to older adults and their families. Contracts for FY06 are included in the Plan. The total Block Grant is \$1,235,846, with a local match of \$103,873 (County) and \$33,443 (Other).

ACTION: Approve the Agreement and the FY 2005-06 Funding Plan.

- D. Approval of Sale of Surplus County-Owned Real Property Acquired by Tax Foreclosure – 1009 W/S North Street (Located on North Street Off Ramsey Street) Cross Creek Township; PIN: 0438-70-0243.

BACKGROUND:

Amount owed plus interest & costs: \$1,010.43
Bid: \$1,010.43 (\$10% has been deposited in the Finance Office)
Bidder: Phillip Justin Hill
Tax Value: \$5,000
No upset bids have been received.

ACTION: Sell property to Mr. Hill in the amount of \$1,010.43, plus costs, and authorize the Chairman to execute a deed upon receipt of the balance of the purchase price.

- E. Approval of Sale of Surplus County-Owned Real Property Acquired by Tax Foreclosure – Lot 12, Willie Dancy Subdivision (Located on Wilma Street, Off Murchison Road) Cross Creek Township; PIN: 0428-97-9944.

BACKGROUND:

Amount owed plus interest & costs: \$561.26
Bid: \$561.26 (\$10% has been deposited in the Finance Office)
Bidder: Phillip Justin Hill
Tax Value: \$3,000
No upset bids have been received.

ACTION: Sell property to Mr. Hill in the amount of \$561.26, plus costs, and authorize the Chairman to execute a deed upon receipt of the balance of the purchase price.

- F. Approval of Sale of Surplus County-Owned Real Property Acquired by Tax Foreclosure – Lot 41, House 88-89 RR Street, Hope Mills w/Res (Located on

Railroad Street, Off S. Main Street in Hope Mills, Rockfish Township, PIN: 0414-53-5539.

BACKGROUND:

Amount owed plus interest & costs: \$5,007.46
Bid: \$6,664.90 (\$10% has been deposited in the Finance Office)
Bidder: Jeff Gleaton
Tax Value: \$25,700
No upset bids have been received.

ACTION: Sell property to Mr. Gleaton in the amount of \$6,664.90, plus costs, and authorize the Chairman to execute a deed upon receipt of the balance of the purchase price.

G. Approval of Cumberland County Facilities Committee Report and Recommendations:

MOTION: Commissioner Council moved to approve the contract for design services for the Eastover Central Recreation Center, and also approve in concept the courthouse plaza renovation project 3(G)(3). The actual design when completed will go back to the Facilities Committee for review and recommendation to the Board of Commissioners. The Commissioners will be briefed on the renovation project at their meeting on June 6, 2005.

SECOND: Commissioner Edge
VOTE: UNANIMOUS

- 1) Design Services Contract for the Eastover-Central Recreation Center to Thomas Goetz Architect, PA.

BACKGROUND: On October 14, 2004, a Parks and Recreation panel conducted interviews with local architectural firms who were interested in providing design services for the construction of the Eastover Central Recreation Center. The panel selected Thomas Goetz Architect firm to provide design and construction administration services for the project. The firm has requested a fee of \$112,000 to perform the work. The facility is a component of Cumberland County’s 1995 Parks and Recreation master plan. The center will serve the town of Falcon, Godwin, and Wade and the unincorporated areas of Eastover and South River. The estimated cost for construction for the 13,000 square foot center is \$1,690,000. The center will feature four activity areas, a gym, a large meeting room a smaller meeting room and a fitness room. It will also have a catering kitchen, restrooms, staff offices, circulation area and storage rooms. Approximately 45 parking spaces will be added to serve the facility. Completion of the construction is expected to be in the Summer of 2007. The Facilities Committee recommends that the Board approve a contract with Thomas Goetz in the amount of \$112,000.

Commissioner Blackwell noted that this is the last project in the County Recreation Master Plan.

- 2) Health Department Facilities Renovations

BACKGROUND: The Cumberland County Health Department recently completed a Needs Assessment and Facility Master Plan. The study was prompted by the desire of the Board of Health to study the needs of the 25-year old Health Department facility. The key components of the study included:

An assessment of the physical conditions of the site & building systems;
A functional evaluation of all departments and the effect of the physical facilities on the operations;
Development of a Facility Master Plan geared towards adaptive reuse of the facility

The Master Plan identifies a logical sequence of renovation work and new construction to meet the Health Department’s mission while correcting existing facility and operational deficiencies. The plan would be implemented over a four year period at an estimated cost of \$7.8 million. However, about \$1.8 million can be deducted because the County is already addressing some of the issues, bringing the total estimated cost to \$6 million. The renovations and construction will be done in phases. Phase 1 will cost about \$2 million (the county will fund \$1 million and the

Health Department will fund \$1 million). The Health Department anticipates it will need about \$1 million per year over the next three years from the county and \$500,000 the fourth year to complete the project. The Health Department will provide about \$2.5 million over the next four years or 42% of the cost of the total project. Master Plan changes include:

- the dental clinic will be enlarged;
- Adult Primary Care and Communicable Disease will be adjacent to each other;
- Medical Records will be relocated to an area adjacent to Primary Care across from the elevators;
- the main laboratory will be located adjacent to Medical Records & Primary Care;
- Environment Health will remain on site, but relocated to a new building addition;
- WIC will occupy space currently occupied by Environmental Health;
- Epidemiology will move to the first floor and Medical Records to the third floor;
- the mail laboratory will be centralized on the third floor with the Stat lab on the second floor;
- the Wise Woman Program will move to the Second Floor;
- the current WIC department will be renovated as a universal clinical exam area;
- the main lobby will be renovated to provide centralized registration;
- minor office areas will need to be provided temporarily during renovation;
- Information Technology will switch locations with the Wise Woman Program;
- Administration/Finance will be renovated in place, with focus on lighting, ceiling and floor replacement.

The County Facilities Committee reviewed the Master Plan and recommends that the Board endorse the Plan and the funding arrangement.

3) Courthouse Plaza/Grounds Renovations

BACKGROUND: The new courthouse plaza renovation committee (Amy Cannon, Cliff Spiller, Bob Stanger, Jeff DeVore) has been working with the project consulting team led by Moorman, Kizer and Reitzel, Inc. during the past four months to develop a plan to address existing deficiencies in the plaza and parking areas of the new courthouse/law enforcement center complex. The County Facilities Committee received the Schematic Design Report at its meeting on May 10, 2005. The key design elements include:

- renovations to the plaza area that improves signage, handicap accessibility, security, drainage, site lighting, hardscape areas, landscaped areas, pedestrian flow and other physical elements such as deteriorated steps, handrails and retaining walls;
- improvements to the courthouse (west) entrance through construction of a new addition that would expand the lobby and improve security in the building, new uplighting of the courthouse façade, repairs to the law enforcement center entrance and new building signage;
- improvements to the existing parking lots to replace failed pavement, seal pavement cracks, correct drainage problems, replace deteriorated light pole pedestals, install new light poles and energy efficient light fixtures;
- improvements at Dick Street and Ottis Jones Parkway.

The estimated cost to do the above renovations is \$2,524,800 including design fee. The Facilities Committee recommends that the Board endorse the project in concept and that, after the final design is completed, it go to the Facilities Committee for review.

ACTION: Follow the recommendation of the Facilities Committee.

4) Update on Animal Control and Sheriff's Training Facilities

BACKGROUND: The project architect is about 95% complete with construction plans and specifications. Recent soil boring information obtained at the locations of the proposed building columns and in proposed pavement areas indicates that careful attention will be required during site preparation to avoid costly undercutting of the loose sandy/silty subgrade materials and to

backfill with select fill material. Perched water was found within one foot of the surface contributing to the loosely compacted soils. The project design team recommends that a separate site grading package be developed and let for bids in advance of the general construction bid package. The design team believes the County can realize significant savings through avoided undercut/select backfill costs and general contractor mark-up costs on a site grading sub-contract. As a result, there will be additional design/construction administration costs to the County to prepare a separate site grading bid package; however, these costs will be offset by potential cost savings. The anticipated schedule is to have the sitework under construction by mid-July and completed by mid-November. Bids for the general building construction contract would be let and awarded such that the general contractor would be ready to begin as soon as the site grading contractor has completed his work. The estimated construction period for the building is 12 months.

- H. Approval of a Proclamation Proclaiming May 2005 as “Industry Appreciation Month” in Cumberland County.

ACTION: Approve

PROCLAMATION

WHEREAS, the existing industries of Fayetteville and Cumberland County are an essential segment of the area’s economy, providing employment for local residents, contributing revenues and greatly enhancing the area’s quality of life; and

WHEREAS, the various industries existing in Fayetteville and Cumberland County have an influence either directly or indirectly upon the lives of every one of the county’s citizens; and

WHEREAS, the potential for growth comes in part from within through the expansion of existing industries and the establishment of new, homegrown industries; and

WHEREAS, public awareness and understanding of the importance of industry to our local economy and quality of life are vital to the preservation of a favorable industrial climate; and

WHEREAS, a favorable industrial climate is a major factor in the decision made by officials of existing plants to expand operations and in our area’s ability to attract new industry.

NOW, THEREFORE, BE IT RESOLVED that the Board of Commissioners of Cumberland County proclaims the month of May, 2005 “Industry Appreciation Month” in Cumberland County and urges its citizens to salute the industries located in our area and the employees of those industries for their important role in the growth and prosperity of Cumberland County.

- I. Budget Revisions:

ACTION: Approve

(1) Sheriff

- a. Sheriff/LEO Special Separation Allowance - Revisions in the amount of \$20,000 to appropriate fund balance to transfer funds to the LEO Special Separation Allowance Fund to fund the revised annual contribution. (B05-373 and B05-373A) **Funding Source – General Fund Fund Balance**
- b. Revision in the amount of \$12,000 to recognize additional fees for court ordered restitution commissions on property sales actually received or projected for the remainder of fiscal year. (B05-384) **Funding Source – Fees**

- c. Revision in the amount of \$6,000 to recognize additional fees for court ordered restitution actually received or projected for the remainder of fiscal year. (B05-385) **Funding Source - Fees**

(2) Emergency Services Grants

Commissioner Blackwell asked staff to look into the possibility of combining the Emergency Dispatch Center with the Sheriff's Dispatch Center. Staff will look at this issue and report back to the Board.

MOTION: Commissioner Blackwell moved to approve the budget revision.

SECOND: Commissioner Council

VOTE: UNANIMOUS

- a. Revision in the amount of \$285,458 to establish a new Law Enforcement Terrorism Prevention Program Grant for the upgrade of the Sheriff's dispatch center. (B05-364) **Funding Source – Federal Grant**
- b. Revision in the amount of \$5,500 to establish a new Citizen Corps Grant. (B05-374) **Funding Source – Federal Grant**

(3) Health

- a. Laboratory – Revision in the amount of \$8,000 to budget additional fees earned. (B05-378) **Funding Source – Fees**
- b. Health Promotion – Revision in the amount of \$500 to budget a reduction in state funding. (B05-379) **Funding Source – State**
- c. Family Planning Clinic – Revision in the amount of \$1,000 to budget additional state funding. (B05-380) **Funding Source – State**
- d. Health Promotion – Revision in the amount of \$2,000 to recognize Cumberland Community Foundation, Inc. grant for the “Believe to Achieve Basketball Camp.” (B05-387) **Funding Source - Grant**

(4) Library

- a. Revision in the amount of \$31,411 to budget additional PWC E-Rate to purchase shelving, chairs and a carpet cleaning machine to be used by all branch libraries. (B05-375) **Funding Source – Other**
- b. Smart Start Read to Me– Revision in the amount of \$8,684 to revert unused funds back to the state and to reallocate budgeted expenditures. (B05-376) **Funding Source – State**

- c. Smart Start Mother Read – Revision in the amount of \$6,095 to revert unused funds back to the state and to reallocate budgeted expenditures. (B05-377) **Funding Source – State**

(5) Planning and Inspections

Revision in the amount of \$844 to reallocate budgeted expenditures for certification earned for a Building Level II. (B05-383) **Funding Source – Reallocation of Budgeted Expenditures**

(6) Social Services

- a. Social Services/Group Home - Revisions to reallocate budgeted expenditures for county share of foster care for County Group Homes (\$149,213) and reduction in state funding (\$4,763). (B05-388 and B05-389) **Funding Source – Reallocation of Budgeted Expenditures and State**
- b. Social Services Other – Revision in the amount of \$55,052 to recognize additional funding from the Division of Child Development in Child Care and Smart Start. (B05-390) **Funding Source - State**

(7) Mental Health

- a. Intermediate Care Facility/Mentally Retarded HUD Homes– Revision in the amount of \$164,644 to recognize additional Medicaid fees. (B05-381) **Funding Source - Fees**
- b. Smart Start – Revision in the amount of \$2,087 to reallocate budgeted expenditures and revenues. (B05-382) **Funding Source – Reallocation of Budgeted Expenditures and Revenues**

(8) Board of Elections

Revision in the amount of \$14,947 to recognize 2005 List Maintenance Grant received from State Board of Elections. (B05-386) **Funding Source - State**

4. Public Hearings

Uncontested Cases

Rezoning

Case B will be considered a “contested case”.

Upon finding the requests to be reasonable, neither arbitrary unduly discriminatory and in the public interest, the following motion was offered:

MOTION: Commissioner Edge moved to follow the recommendation of the Planning Board on Cases A, C, and D.

SECOND: Commissioner Blackwell
VOTE: UNANIMOUS

- A. Case P05-09. The rezoning of 63.81 +/- acres from CD and R10 to R10, R5A and C3, or a more restrictive zoning district, west of Lillington Highway, north of Chapel Hill Road, owned by Albert Alabaster, Sr., Donald B. Outlaw and Harvey E. Outlaw.

The Planning Board recommends approval of R10 and R5A, denial of C3, and approval of C(P).

- B. Case P05-16. The rezoning of 1.02 acres from R6A to M2, or a more restrictive zoning district, at 3926 Church Street, owned by Wade Community Fire Department.

The Planning Board recommends approval of M2.

Speakers:

Mayor Huell Aekins – Mayor Aekins said that M2 would better serve the Town of Wade and he asked the Board to approve it.

Russell McLaurin – Opposed. Said he did not think most of the residents in Wade were aware of this rezoning.

Upon finding the requests to be reasonable, neither arbitrary unduly discriminatory and in the public interest, the following motion was offered:

MOTION: Commissioner Baggett moved to approve M2.
SECOND: Commissioner Council
VOTE: UNANIMOUS

- C. Case P05-24. The rezoning of two parcels totaling 1.44 acres from A1 to RR, or a more restrictive zoning district, south of John Hall Road, between Myrtle Lane and Ney Court, owned by Charles A. Jordan and Wife.

The Planning Board recommends approval of RR.

- D. Case P05-25. The rezoning of 12.45 acres from A1 to R20, or a more restrictive zoning district, north of Ramsey Street, southwest of West Reeves Bridge Road, owned by Southeast Development of Cumberland, LLC.

The Planning Board recommends approval of R20.

Contested Cases

- E. Case P04-76. The rezoning of 1.43 acres from M2 to R6A, or a more restrictive zoning district, at 4001 Lofton Street, owned by Gerald E. Creech.

The Planning Board recommends denial of R6A and approval of R6.

Speakers:

Gerald Creech – owner. Requested R6A because most of the property around his was zoned R6A. He said he would accept R6, but would rather have R6A.

Russell McLaurin – Would like for the Board to approve R6A because it could affect some property in the area that he might like to have rezoned. He said if this not rezoned R6A, then his probably would not be zoned either. He said not rezoning this R6A is denying Mr. Creech the opportunity others have in the area whose property is zoned R6A.

Mayor Huell Aekins – The Mayor noted that the property has been cleaned up and there are stick built homes in the area. He said that R6 would better serve the Town.

Upon finding the request to be reasonable, neither arbitrary unduly discriminatory and in the public interest, the following motion was offered:

MOTION: Commissioner Blackwell moved to approve R6.

SECOND: Commissioner Baggett

VOTE: UNANIMOUS

- F. Case P05-20. The rezoning of 100.79 acres from RR and R15 to R10, or a more restrictive zoning district, north of Sunnyside School Road, west of I-95, owned by Mildred C. Allen.

The Planning Board recommends denial of R10 and approval of R15.

Speakers:

John Gillis – Mr. Gillis said he was representing the Allens. He noted that water and sewer is near the property. He said that the R10 density based on the availability of utilities would be in the best interest of smart growth principles. He asked the Board to approve R10. In response to a question, Mr. Gillis noted that there are wetlands on the property in question.

Commissioner Baggett inquired if Mr. Gillis would have to petition for annexation in order to get the utilities. Mr. Gillis responded in the affirmative. Commissioner Baggett also inquired if the subdivision would have to be built to city standards. Mr. Gillis said at this time that particular issue is unclear.

Barbara Shumway – Opposed to the R10 rezoning. Inadequate school system for that many homes, and there is a lot of wetlands in the area. Also concerned about the wildlife. She said an impact statement should be done before any building commences.

Jerry Britt – Opposed to the R10 rezoning. Too many houses on one acre of ground. Area is very low and wet. One house per ½ acre would be much better. He noted he has to pump his septic tank three times a year. The property does not drain well.

Robert Peterson – Opposed to the rezoning. Very wet area. During a hard rain, 15-18 inches of water will stand.

Edward Wallace – Opposed to the rezoning to R10. Very wet area. There are 2-3 creeks and 3 springs in the area. Would like the zoning to be left at RR.

Upon finding the request to be reasonable, neither arbitrary unduly discriminatory and in the public interest, the following motion was offered:

MOTION: Commissioner Edge moved to approve R15.

SECOND: Commissioner Council

DISCUSSION: Chairman Henley inquired if Mr. Gillis was planning to bring utilities to the property. Mr. Gillis indicated he was. Mr. Gillis noted that he would be required by the State to develop a storm drain system to handle the runoff. Commissioner Wheatley inquired if Mr. Gillis would accept R15. He indicated he would, but he would rather have R10.

VOTE: UNANIMOUS

5. Other Planning Matters

- A. Consideration of Scheduling Meeting on June 28, 2005 of All Elected Officials to Begin the 2030 Planning Process.

BACKGROUND: This meeting, or Summit, will consist of all elected officials throughout the County. The Summit date has been set for June 28, 2005, 7:00PM in the City Council Chambers. It will be televised on Time Warner. During the Summit, local officials will be participating in a process designed to identify important issues and common objectives.

ACTION: Officially set June 28, 2005 as the date for the Local Government Summit and instruct the consultant, Glenn Harbeck, to prepare notices and invitations.

MOTION: Commissioner Council moved to set the date of June 28, 2005 for the Local Government Summit.

SECOND: Commissioner Blackwell

VOTE: UNANIMOUS

- B. Consideration of Scheduling Public Hearing on June 20, 2005 for Revised Zoning Ordinance.

BACKGROUND: At its May 3, 2005 meeting, the Joint Planning Board voted unanimously to approve and forward to the Board of Commissioners the Revised Zoning Ordinance to be heard at the Commissioners' meeting on June 20.

ACTION: Schedule a Public Hearing on June 20, 2005, 7:00PM.

The Board confirmed the date of June 20, 2005, 7:00PM for this public hearing.

Items of Business

6. Consideration of Introduction and Preliminary Adoption of Revised Preliminary Special Assessment Resolution for Lake Upchurch Dam Project, Extending Repayment Period from Five to Ten Years.

BACKGROUND: In April, 2004, the Board of Commissioners approved a special assessment project to fund the restoration of Lake Upchurch Dam. Since then, costs have increased significantly because of a general increase in the cost of construction materials as well as because of the design considerations required to ensure compliance with state and federal regulatory requirements. The Revised Resolution will provide greater affordability to property owners by increasing the time over which assessments may be repaid from five to ten years.

ACTION: Approve the REVISED Preliminary Special Assessment Resolution and set the public hearing for June 20, 2005, 7:00AM. Direct staff to publish a legal notice and mail the revised resolution to property owners subject to assessment.

REVISED PRELIMINARY ASSESSMENT RESOLUTION LAKE UPCHURCH DAM RESTORATION PROJECT

WHEREAS, the Cumberland County Board of Commissioners determined that a public benefit exists in repairing Lake Upchurch Dam, which was breached by heavy rainfall during May, 2003, resulting in loss of impounded water in the lake; and

WHEREAS, the Board of Commissioners adopted a preliminary special assessment resolution on April 5, 2004 (the "Preliminary Special Assessment Resolution") providing for a project to restore the Lake Upchurch Dam and allow safe impoundment of water in Lake Upchurch, as well as to provide flood control and storm water quality benefits and to restore the ability to generate an environmentally clean source of electricity; and

WHEREAS, costs of the project have increased significantly because of a general increase in the cost of construction materials as well as because of design considerations required to ensure compliance with state and federal regulatory requirements; and

WHEREAS, the Board of Commissioners desires to provide greater affordability to property owners in paying assessments by amending the time over which assessments will be payable to ten from five years; and

NOW, THEREFORE, pursuant to Article 9 of Chapter 153A of the North Carolina General Statutes, the Cumberland County Board of Commissioners hereby adopts the following REVISED Preliminary Assessment Resolution:

The first sentence of Section VII of the Preliminary Special Assessment Resolution is amended to read in its entirety as follows: “The assessment will be payable in ten (10) annual installments and the first installment with interest will be due sixty (60) days after the date that the assessment roll is confirmed.”

BE IT FURTHER RESOLVED by the Cumberland County Board of Commissioners that a public hearing on the revised Preliminary Special Assessment Resolution shall be held in the Board meeting room, Room 118, in the Cumberland County Courthouse in Fayetteville, North Carolina, at 7:00PM on June 20, 2005; and

BE IT FURTHER RESOLVED by the Cumberland County Board of Commissioners that the staff is directed to cause a copy of the revised Preliminary Special Assessment Resolution to be mailed by first-class mail to each owner, as shown on the County tax records, of property subject to assessment if the project is undertaken, and the person so mailing copies of the revised Preliminary Special Assessment Resolution shall file with the Board of Commissioners a certificate stating that the revised Preliminary Special Assessment Resolutions were mailed by first-class mail and on what date; and

BE IT FURTHER RESOLVED by the Cumberland County Board of Commissioners that the staff is directed to publish a legal notice at least ten (10) days before the date set for the public hearing provided herein, that a revised Preliminary Special Resolution has been adopted and that a public hearing on it will be held in the Board meeting room, Room 118, in the Cumberland County Courthouse in Fayetteville, NC, at 7:00PM on June 20, 2005.

Mr. Stanger, in response to a question from Commissioner Baggett, said that the assessment is based on the unimproved land values. The only thing this revised Preliminary Special Assessment Resolution addresses is the pay-back period from five years to ten years.

MOTION: Commissioner Council moved that the Revised Preliminary Special Assessment Resolution be approved, that a public hearing be set for June 20, 2005, 7:00PM, and that the public hearing will be limited to addressing the cost and pay-back period, which has changed from five years to ten years. Mr. Stanger will note in his letter to the residents affected that the only issues to be addressed at the hearing are cost of the project and the pay-back period. The method of assessment will not be a subject for discussion at the public hearing.

SECOND: Commissioner Blackwell

VOTE: UNANIMOUS

7. Nominations to Boards and Committees

A. ABC Board (2 Vacancies)

BACKGROUND: Stephen Satsky is completing his first term on the ABC Board. He is eligible for reappointment. Landis Chavis has completed his second term on the Board is not eligible for reappointment.

Nominees: Stephen Satsky and Ed Melvin

B. Adult Care Home Community Advisory Committee (3 Vacancies)

BACKGROUND: The following vacancies have occurred:

Sandra Bethea – resigned. Replacement needed.

Nathandra Hicks – does not attend meetings and has not responded to letters. Replace.

Tracy Jones – does not attend meetings and has not responded to letters. Replace.

Nominees: Jean Bradley, Cathy Bain and Claire Hudspeth

C. Animal Control Board (1 Vacancy)

BACKGROUND: Carol Langdon, City of Fayetteville Resident position, has completed her first term and is eligible for reappointment.

Nominee: Carol Langdon

D. Department of Social Services Board (1 Vacancy)

BACKGROUND: Lyn S. Green's term will expire in June. She is not eligible for reappointment. The Social Services Board would like to make a recommendation concerning this appointment. They will not meet until after this meeting. Nominations remain open until the actual appointment is made, therefore, other nominations can be offered at the next meeting just prior to the appointment.

Nominee: Chet Oehme

E. Fayetteville Technical Community College Board of Trustees (1 Vacancy)

BACKGROUND: The term of Wilson Yarborough will expire on June 30, 2005. He is not eligible for reappointment.

Nominee: Harry Shaw

F. Mental Health Board (1 Vacancy)

BACKGROUND: Mr. Jim Hankins (individual with management or business expertise position) has resigned. His term would have expired 1/1/07. The Mental Health Board recommends Liliana Parker be nominated to fill the vacancy.

Nominees: Liliana Parker

G. Planning Board (2 Vacancies)

BACKGROUND: David Averette has moved to Hoke County. His term would have expired on June 30, 2005. Marion Gillis-Olson has completed her first term and is eligible for reappointment.

Nominees: Marion Gillis-Olson (reappointment), Sara Piland, Lori Epler

H. Storm Water Advisory Board (2 Vacancies)

BACKGROUND: The Storm Water Advisory Board has the following vacancies:

Don B. Jessup – completed second term and is not eligible for reappointment.
Carlton Mercer – completed second term and is not eligible for reappointment.

Nominees: Jennings McArthur
M.C. Colvin

8. Appointments to Boards and Committees

MOTION: Commissioner Blackwell moved to appoint the nominees in B & C.
SECOND: Commissioner Council
VOTE: UNANIMOUS

A. Eastover Sanitary District (1 Vacancy, elected position)

MOTION: Commissioner Baggett moved to appoint Benny Pearce to fill the unexpired term of Jenny Williams, who resigned. Her term will expire December, 2005.
SECOND: Commissioner Edge
VOTE: UNANIMOUS

The Clerk administered the oath of office to Mr. Pearce.

Nominee: Benny Pearce

B. Juvenile Crime Prevention Council (1 Vacancy)

Nominee:

Member of Faith Community Representative: Rev. Brian Thompson

C. Nursing Home Advisory Board (1 Vacancy)

Nominee: Deborah Atkinson

Chairman Henley recessed the Board of Commissioners meeting so the Board could meet as the NORCRESS Board.

CHAIRMAN HENLEY CONVENED THE NORCRESS WATER & SEWER DISTRICT GOVERNING BOARD MEETING (SEE SEPARATE AGENDA). MINUTES AND AGENDA MAY BE FOUND IN THE WATER AND SEWER MINUTE BOOK.

Chairman Henley reconvened the Board of Commissioners meeting.

9. Closed Session:
- A. Economic Development Matter
Pursuant to NCGS 143.318.11(a)(4)
 - B. Attorney-Client Matter
Pursuant to NCGS 143.318.11(a)(3)

MOTION: Commissioner Baggett moved to into Closed Session for the above noted matters.
SECOND: Commissioner Edge
VOTE: UNANIMOUS

MOTION: Commissioner Blackwell moved to go back into Open Session.
SECOND: Commissioner Council
VOTE: UNANIMOUS

MEETING ADJOURNED: 9:10PM

Clerk to the Board