

CUMBERLAND COUNTY BOARD OF COMMISSIONERS  
FEBRUARY 21, 2011 (TUESDAY) – 6:45 PM  
117 DICK STREET, 1<sup>ST</sup> FLOOR, ROOM 118  
REGULAR/REZONING MEETING  
MINUTES

PRESENT: Commissioner Marshall Faircloth, Chairman  
Commissioner Jimmy Keefe, Vice Chairman  
Commissioner Jeannette Council  
Commissioner Kenneth Edge  
Commissioner Charles Evans  
Commissioner Billy King  
Commissioner Ed Melvin  
James Martin, County Manager  
Amy Cannon, Deputy County Manager/Finance Officer  
James Lawson, Assistant County Manager  
Rick Moorefield, County Attorney  
Sally Shutt, Communication and Strategic Initiatives Manager  
Tom Lloyd, Planning and Inspections Director  
George Hatcher, Planning and Inspections  
Candice White, Clerk to the Board  
Kellie Beam, Deputy Clerk to the Board  
Press

Chairman Marshall Faircloth called the meeting to order.

INVOCATION

Commissioner Keefe called on Imam Adam Beyah who provided the invocation followed by the Pledge of Allegiance to the American flag.

Recognition of Second Missionary Baptist Church Youth Organization

Commissioner Charles Evans stated the youth and Cultural Arts Ministry of Second Missionary Baptist Church worked collaboratively with Mrs. Nancy Evans-Gaddy, the Youth Writing Project coordinator, to publish a book titled We are God's Children, God Is Love. Commissioner Evans stated Mrs. Evans-Gaddy was inspired by her love for children and her belief that children are speaking to everyone. Commissioner Evans stated when Mrs. Evans-Gaddy shared her vision for this writing project, her hope was that the children's book would give readers an incentive to think about God's love and what it means. Commissioner Evans recognized Mrs. Evans-Gaddy who introduced the youth and members of the Cultural Arts Ministry that participated in the writing project.

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

James Martin, County Manager, read the public comment period policy. Chairman Faircloth opened the public comment period and the Clerk to the Board called the following speakers:

Wavely Sledge – Mr. Sledge expressed concern about his neighbor's dog that is left out and has charged at him on multiple occasions. Mr. Sledge stated as far as he knows, nothing has been done about the dog. Mr. Sledge stated he now walks with a golf club. Mr. Sledge asked that Animal Control enforce the county's ordinance.

Mr. Moorefield advised he had not been made aware of the situation and informed Mr. Sledge that he would contact him the next day.

Willie Wright – Mr. Wright of the Cumberland County Library Board of Trustees thanked the Board of Commissioners for their support of the library in 2011. Mr. Wright stated by supporting the library, the Board made it possible for a number of individuals to have access to computers and receive assistance with their search for employment. Mr. Wright stated the library now has Skype which allows individuals to talk with relatives residing overseas.

1. Approval of Agenda.

MOTION: Commissioner King moved to approve the agenda.  
SECOND: Commissioner Council  
VOTE: UNANIMOUS (7-0)

2. Consent Agenda

A. Approval of February 6, 2012 regular meeting minutes

B. Approval of Resolution to Lease Certain Real Property to Employment Source, Inc.

BACKGROUND:

The Board adopted the required resolution of intent at its February 6, 2012 meeting. Pursuant to G.S. 160A-272, the notice of intent was advertised in the *Fayetteville Observer* on February 10, 2012. Adoption of the following resolution will authorize the chairman to execute the lease.

RECOMMENDATION/PROPOSED ACTION:

Adopt the following resolution:

The Cumberland County Board of Commissioners finds:

The real property located at 600 and 620 Ames Street, Fayetteville, (the sheltered workshop site) will not be needed for government purposes for the term proposed for the lease of the property to Employment Source, Inc.;

The Board adopted a resolution of intent to lease the property described herein at its regular meeting held February 6, 2012; and

The notice of intent to lease the property was advertised in the Fayetteville Observer on February 10, 2012.

BE IT THEREFORE RESOLVED that the chairman is authorized to execute a lease to Employment Source, Inc., a non-profit corporation, for that property consisting of approximately 12.96 acres described as Tract 1, PB 111 p. 69, located at 600 and 620 Ames Street, Fayetteville, NC, for a term of not more than 10 years commencing April 1, 2012, to be terminated upon two years notice, and at an annual rental rate of One Dollar (\$1).

C. Approval of Report of North Carolina Department of Transportation Notification

**BACKGROUND:**

According to correspondence from Tracy M. Clark, NCDOT Division 6 Right of Way Agent, seven (7) known graves will be disinterred from a cemetery located in Cumberland County, TIP/Parcel No. R-2303A 157. These seven (7) known graves are located in the proposed right of way of the NC 24 project. The correspondence received from Ms. Clark is to serve as a report of this issue. Request is that a copy of the minutes in which this issue was reported to the Board of Commissioners be submitted to the NCDOT Right of Way Office located on Green Street in Fayetteville.

**RECOMMENDATION/PROPOSED ACTION:**

Receive report and direct the Clerk to the Board to submit a copy of the minutes of the February 21, 2012 Board of Commissioners' meeting to the NCDOT Right of Way Office located on Green Street in Fayetteville.

D. Approval of Declaration of Foreclosed Real Property as Surplus

**BACKGROUND:**

The County when it is the successful bidder on tax foreclosed property first offers that property to the various County Departments and Agencies and to the City. If none of these entities has a need for the property, then the Commissioners are asked to declare the property surplus and it is placed on the County's Surplus Property list for sale to the public.

The County of Cumberland has recently acquired by tax foreclosure certain real property located in the County. Exhibit 1 below is a list of properties which also shows their tax values.

**RECOMMENDATION AND PROPOSED ACTION:**

That the Board declares the foreclosed property as surplus to the needs of the County.

EXHIBIT 1

COUNTY OWNED PROPERTY

ITEM	PIN	ADDRESS	DESCRIPTION	ASSESSED VALUE	TAX LIEN	DATE RECORDED	DEED Book / Page
1.	0436-43-4380	Off Jenkins St	1.79 ac Woods Ld Vac	13,500.00	3,481.39	08/16/11	8701/829
2.	0412-67-2832	6189 S US	0.50 ac Hodge Land	21,068.00	7,143.96	05/19/11	8646/370

		301 Hwy					
3.	0451-78-5417	2729 Chimney Brook Rd	Lot 29 Jordan Ridge Sec 4 Pt 1 (5.33 ac)	35,680.00	10,374.37	10/18/11	8744/227
	0451-78-4097	2725 Chimney Brook Rd	Sm Pt Lot 4 M J Hair Estate (1.67 ac)	13,125.00			
4.	0432-89-4967	1078 Tower Dr	Lot 35 Sunny Acres Est Sec 2 (0.51 ac)	7,500.00	9,659.55	04/12/11	8624/306
	0426-51-3014	3106 Dyke St	Pt Lot 5 McFarland Hgts (0.36 ac)	10,667.00			
5.	0466-39-8246	1716 Bladen Ct	0.55 ac Hall Land	6,000.00	2,299.62	06/20/11	8665/80
6.	0415-78-1330	2709 Larry St	Lot 11 Manness Prop	15,201.00	6,540.45	06/20/11	8665/82
7.	9494-45-8818	4007 Dolittle Rd	1.51 ac Alice Dixon Land	23,438.00	5,255.41	08/16/11	8701/839

## COUNTY AND CITY OWNED PROPERTY

ITEM	PIN	ADDRESS	DESCRIPTION	ASSESSED VALUE	TAX LIEN	DATED RECORDED	DEED Book / Page
8.	9487-72-0599	780 Vagabond Dr	Lot 45 Sunset Pk Sec 1	29,800.00	13,702.18	06/17/11	8644/352
9.	0437-47-4755	512 Moore St	646 Square Feet	25,800.00	5,991.83	01/04/11	8559/538
10.	0428-87-3075	2318 Slater Av	Lots 96-97 Wheller Ld	7,500.00	17,442.04	05/17/11	8644/717
	0428-87-4394	2408 Greensboro St	Lot 4 Block A Macks Pk	4,219.00			
11.	0428-94-0040	1015 Henderson Ave	Lots 78-79 Council Hgts	47,800.00	9,134.79	08/16/11	8701/834
12.	0419-61-7062	814 Anita Rd	Lot 21 Golden Properties Investments LLC (0.26 ac)	5,962.00	28,133.07	12/22/10	8551/173
	0419-60-8951	751 Johnson St	Lot 10 Golden Properties Investments LLC (0.24ac)	40,900.00			
	0419-50-3201	Off Clyde St	Lot 233 Boonie Ac	4,500.00			
	0419-61-8009	822 Anita Rd	Lot 20 Golden Properties Investments LLC (0.25ac)	49,100.00			
13.	0437-93-8844	513 Link St	Imp 513 Link St	5,000.00	10,252.11	05/03/11	8636/816
14.	0436-07-9378	538 Mayview	0.67 ac W R Moore Ld	51,700.00	6,031.21	10/04/11	8735/280
	0436-07-8334	505 Mayview	0.45 ac W r Moore Ld	9,800.00			
15.	0446-49-0036	521 Martin Rd	Pt Lots 88-90 2 <sup>nd</sup> Cendar Rose Add (0.08ac)	36,100.00	5,206.75	10/04/11	8735/278
16.	0437-93-9798	601 Link St	Imp 601 Link St	29,800.00	5,883.23	06/20/11	8665/078
17.	0437-78-0030	701 North St	Res 701 North St	8,501.00	5,160.41	06/20/11	8665/088
18.	0437-11-4516	Off Weiss Ave	Lots 114 & 116 Savoy Hgts Sec1	11,250.00	9,227.47	08/16/11	8701/836
	0437-11-0345		Lot 216 Weiss Ave	10,000.00			
	0437-00-6970	Off Weiss Ave	Lot 311 Savoy Hgts	5,625.00			
	0437-00-0500	Off Weiss Ave	Lots 403 & 405 Savoy Hgts & Vac to Creek	6,250.00			
	0437-12-4190	Off Weiss Ave	Lot 104 Savoy Hgts	3,500.00			
			4.05 ac Land Adj Briarwood	55,688.00			

	0426-54-8992	Off Ashley St	Hills Sec 3				
19.	0437-11-0387	710 Weiss Ave	Lot 214 Savoy Heights Sec 1	19,900.00	9,938.54	01/12/12	8807/489
20.	0419-53-8150	1925 Alder Rd	0.25 ac Maynor Ld IMP	3,375.00	5,838.53	01/12/12	8807/487

- E. Approval of Declaration of Surplus Property and Approval of Sale of County-Owned Real Property Acquired by Tax Foreclosure: PT Tract 164 Simmons Heights 500 x 180 – PIN: 0428-55-0724; Cross Creek Township

**BACKGROUND:**

On or about June 1, 1981, the County acquired by tax foreclosure PT Tract 164 Simmons Heights 500 x 180 – PIN: 0428-55-0724; Cross Creek Township. The amount currently owed on the foreclosure judgment including interest and costs for the property is \$1,886.45.

Chris Manning has offered to purchase the property for \$1,886.45 and has deposited \$188.65 in the Finance Office. The tax value of the property is \$8,520.00.

This property has not been declared surplus to the needs of the County. If it is so declared, according to N.C.G.S. §153A-176 and N.C.G.S. §105-376, the County has the authority to sell such property. Management has reviewed this offer and it is now being submitted for the Board to consider whether or not to accept Mr. Manning's bid. The property has been advertised and this office has not received any upset bids. The bid period is now closed.

**RECOMMENDATION AND PROPOSED ACTION:**

That the Board of Commissioners considers whether to declare this property surplus to the needs of the County. If declared surplus, that the Board of Commissioners consider whether to accept the offer of Chris Manning to purchase the above property for the sum of \$1,886.45, plus advertising and recording costs, and authorizes the Chairman to execute a deed upon receipt of the balance of the purchase price.

- F. Approval of a Resolution to Appoint Agents on Behalf of Cumberland County to Obtain Certain State and Federal Financial Assistance Under the Robert T. Stafford Disaster Relief and Emergency Assistance Act

STATE OF NORTH CAROLINA

COUNTY OF CUMBERLAND

**RESOLUTION**

BE IT RESOLVED BY the governing body of Cumberland County (a public entity duly organized under the laws of the State of North Carolina) that Tim Mitchell, Deputy Emergency Services Director as Primary Agent and Howard Abner, Assistant Finance Director as Secondary Agent, are hereby authorized to execute and file applications for federal and/or state assistance on behalf of Cumberland County for the purpose of obtaining certain state and federal financial assistance under the Robert T. Stafford Disaster Relief and Emergency Assistance Act, (Public law 93-288 as amended), or as otherwise available.

BE IT FURTHER RESOLVED that the above-named agents are authorized to represent and act for Cumberland County in all dealings with the State of North Carolina and the Federal Emergency Management Agency for all matters pertaining to such disaster assistance required by the grant agreements and the assurances printed on the attached Designation of Applicant's Agent Application.

BE IT FURTHER RESOLVED that the above-named agents are authorized to act severally.

PASSED AND APPROVED on this 21<sup>st</sup> day of February, 2012.

G. Approval of a Proclamation Proclaiming March 2012 as "American Red Cross Month" in Cumberland County

COUNTY OF CUMBERLAND

NORTH CAROLINA

#### PROCLAMATION

Whereas, The American Red Cross- Highlands Chapter was established on April 26, 1917 in response to call from President Woodrow Wilson after the start of World War I to assist and comfort communities stricken by disasters large and small, and to help the able-bodied and disabled veterans and civilians overseas; AND

Whereas, The American Red Cross- Highlands Chapter provides services to local military personnel and their families, including 24-7 emergency messaging, assisting military members and their families through pre-deployment and post-deployment briefings and seminars; AND

Whereas, The American Red Cross- Highlands Chapter continues to partner with city and county government and civic agencies to help ensure our communities are more ready and resilient in the face of future disasters; AND

Whereas, Each year the American Red Cross- Highlands Chapter provides shelter, clothing, food and counsel to hundreds of area families who experience a home fire or other disasters such as tornadoes and floods; AND

Whereas, The American Red Cross plays a vital role in relief operations by deploying volunteers to rebuild communities hit by disaster and by providing critical support and resources at home and across the Nation; AND

Whereas, Each year the American Red Cross- Highlands Chapter trains thousands of local citizens to lead safer and healthier lives through life-saving skills from swimming and life guarding to first aid, CPR and AED; AND

Whereas, Each year the American Red Cross- Highlands Chapter helps to collect, test and distribute thousands of life saving units of blood and blood products; AND

Whereas, Our County's leadership relies upon our citizens who are motivated to act by our common humanity. This month, let us come together to celebrate Cumberland County's spirit of generosity, and the dedicated individuals and organizations who keep that spirit alive.

NOW THEREFORE, LET IT RESOLVED, that the Cumberland County Board of Commissioners hereby proclaims March 2012 as AMERICAN RED CROSS MONTH in Cumberland County and encourages all citizens to join in the observance.

Adopted this 21<sup>st</sup> day of February, 2012.

H. Approval of a Proclamation Proclaiming March 2012 as "Meals on Wheels Month" in Cumberland County

COUNTY OF CUMBERLAND

NORTH CAROLINA

PROCLAMATION

WHEREAS, we recognize that hunger is a serious threat facing millions of senior citizens in communities across the United States; and

WHEREAS, we recognize that senior hunger cuts across the income spectrum, all demographic groups, and the urban-rural continuum; and

WHEREAS, we recognize that our community has senior citizens who suffer from hunger and need supplemental food assistance; and

WHEREAS, we believe preventing hunger among senior citizens to be of the utmost importance; and

WHEREAS, our community relies heavily upon volunteer assistance and collaboration as an important partner in government; and

WHEREAS, we applaud those who give their time and energy to providing for nutrition to sustain the health of seniors citizens in our community; and

WHEREAS, Meals on Wheels has for many years played an important role in the lives of senior citizens in our community by delivering healthy, nutritious meals;

NOW, THEREFORE, we urge all citizens of Cumberland County to join with people across the United States to achieve the goal of ending senior hunger by the year 2020;

FURTHERMORE, the Cumberland County Board of Commissioners does hereby proclaim March, 2012, as "MEALS ON WHEELS MONTH" in Cumberland County.

Adopted this 21st day of February, 2012.

I. Cumberland County Committee Reports (for Information Purposes):

- 1) Cumberland County Facilities Committee Minutes
- 2) Cumberland County Finance Committee Minutes

J. Budget Revisions:

(1) Health

- a. Sexually Transmitted Disease Clinic - Revision in the amount of \$900 to budget a NC Medical Society Alliance Health Education Foundation Grant for the purpose of educational materials. (B12-241) Funding Source – Grant
- b. Communicable Disease - Revision in the amount of \$2,489 to budget additional State funding for infectious control training. (B12-242) Funding Source – State
- c. Childhood Lead Poisoning – Revision in the amount of \$936 to budget additional State funding for supplies. (B12-243) Funding Source – State

(2) Tax Administration

Revision in the amount of \$226,047 to appropriate fund balance to pay County Tax Services, Inc. for tax audits per January 5, 2010 agreement. (B12-244)  
Funding Source – General Fund Fund Balance

(3) Water & Sewer

Revision to budget a grant from the Golden Leaf Foundation in the amount of \$469,218 for the Vander Sewer Extension Project and to award related engineering services contract in the amount of \$59,500. (B12-245) Funding Source – Grant

MOTION: Commissioner King moved to approve all consent items 2.A. – 2.J.(3).  
SECOND: Commissioner Edge  
VOTE: UNANIMOUS (7-0)

3. Public Hearings

Mr. Martin explained the Board of Commissioners' procedures for public hearings.

Uncontested Rezoning Case

- A. Case P11-51: Rezoning of 1.00+/- acre from A1 Agricultural to R40A Residential, or to a more restrictive zoning district, located at 5338 Chicken Foot Road, submitted by Linda Walters (owner)



RECOMMENDATION: Members of the Cumberland County Joint Planning Board present at the January 17, 2012 meeting voted to recommend approval of the R40A Rural Residential district.

- B. Case P12-02: Rezoning of 1.22+/- acres from A1 Agricultural to C(P) Planned Commercial, or to a more restrictive zoning district; located at 6449 Clinton Road and on the north side of NC 24 (Clinton Road), west of Windwood Drive; submitted by Anna M. Moore (owner)

RECOMMENDATION: Members of the Cumberland County Joint Planning Board present at the January 17, 2012 meeting voted to recommend approval of the C2(P) Planned Service and Retail district.

These are the duly advertised/noticed public hearings set for this date and time. Chairman Faircloth opened the public hearings for Cases P11-51 and P12-02.

The Clerk to the Board advised there were no speakers in opposition to Cases P11-51 and P12-02.

Chairman Faircloth closed the public hearings.

MOTION: Commissioner King moved to accept the recommendations of the Cumberland County Joint Planning Board for Cases P11-51 and P12-02.  
SECOND: Commissioner Council  
VOTE: UNANIMOUS (7-0)

#### Minimum Housing Hearing

#### C. Public Hearing Minimum Housing Code Enforcement

The Clerk to the Board administered an oath to George Hatcher, Code Enforcement Officer, who provided information to the Board of Commissioners regarding the following case:

- 1) Case Number: MH 6529-2011  
Property Owners: Isia Johnson, Willie D. Crumpler and Gina Hogan  
Property Location: 8238 NC Highway 210 S, Autryville, NC  
Parcel ID No.: 1403-29-7383

#### 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 6529-2011.

Property Owner: Isia Johnson, Willie D. Crumpler, & Gina Hogan  
Home Owner: Isia Johnson, Willie D. Crumpler, & Gina Hogan  
Property Address: 8238 NC Highway 210 S., Autryville, NC  
Tax Parcel Identification Number: 1403-29-7383

**SYNOPSIS:** This property was inspected on 6/8/2011. The property owners and parties of interest were legally served with Notice of Violations and were afforded a Hearing on 7/28/2011. Isia Johnson 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 10/28/2011. The property owners and parties of interest were notified of the appeal procedures when they were served with the Findings of Fact and Order. No appeal was filed. Upon my visit to the property on 11/7/2011, no corrective action had been made to the structure. The structure is presently vacant and unsecured. In its present state, the structure constitutes a fire, health, and safety hazard.

The estimated cost to repair the structure to a minimum standard for human habitation is \$40,514.00. The Assessor for Cumberland County has the structure presently valued at \$2,762.00.

This case is returning before the Board pursuant to the Minutes of the November 21, 2011 Board of Commissioners Meeting granting a 90 day continuance.

This is the duly advertised/noticed public hearing set for this date and time. Chairman Faircloth opened the public hearing.

The Clerk to the Board advised there were no speakers.

Chairman Faircloth closed the public hearing.

**MOTION:** Commissioner Edge moved 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 30 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; and 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.

**SECOND:** Commissioner Keefe

**DISCUSSION:** Commissioner King asked if the property had once been a school. Mr. Hatcher stated the property was the Lonely Hill School in the 1930's and was converted to a residence in the 1950's. Mr. Hatcher stated over the last three to four years the property has deteriorated. Mr. Hatcher stated he had received a letter from Isia Carter and the family. Commissioner Evans asked whether the family sought assistance from Community Development. Mr. Moorefield advised he had given Ms. Carter the address information but did not know whether she made contact.

VOTE: PASSED (6-1) (Commissioners King, Keefe, Faircloth, Council, Melvin and Edge voted in favor; Commissioner Evans voted in opposition)

(SEE ITEM 3.C. BELOW WITH SUBSEQUENT MOTION TO RECONSIDER MINIMUM HOUSING CASE NUMBER MH 6529-2011 AND SUBSEQUENT MOTION TO APPEAL THE ORDINANCE FOR MINIMUM HOUSING CASE NUMBER MH 6529-2011.)

#### ITEMS OF BUSINESS

4. Presentation of I-95 Corridor Planning and Finance Study by Mr. Roberto Canales, Coordinator of Strategic Initiatives for the Secretary of Transportation

#### BACKGROUND:

Mr. Roberto Canales, Coordinator of Strategic Initiatives for Secretary of Transportation Eugene A. Conti, presented information on the I-95 Corridor Planning and Finance study, which is a blueprint for improvements to Interstate 95 in North Carolina. The study recommends widening the interstate to eight lanes from Exit 31 in Robeson County to the Interstate 40 interchange at Exit 81, and to six lanes for the remainder of the I-95 corridor. Tolling is the recommended funding option.

Throughout February, the N.C. Department of Transportation has scheduled a series of seven public hearings to gather public feedback on the study. The public is invited to attend the public hearing in Cumberland County from 4 to 7 p.m. on Monday, February 27 at the Double Tree Hotel at 1965 Cedar Creek Road.

#### RECOMMEDATION/PROPOSED ACTION:

Encourage citizens to attend the public hearing on the I-95 Corridor Study from 4 to 7 p.m. on Monday, February 27 at the Double Tree Hotel at 1965 Cedar Creek Road and to contact the Department of Transportation for more information.

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Mr. Martin called on Roberto Canales who provided the following presentation of the I-95 Corridor Planning and Finance Study dated February 2012:

#### I-95 Background

- 1950s-1980s: I-95 built in NC
- 2003: Tolling feasibility study
- 2006: TIP Project I-4745
- 2009: I-95 Corridor Planning & Finance Study
- 2010: Tolling at the Borders study

Mr. Canales pointed out that the policy decision as whether or not to toll has not yet been made.

#### Study Overview

- Started Sept. 2009
- Two consultants: Baker and Atkins
- Budget: \$6.4 million
- Project Elements:
  - Environmental Screening
  - Traffic Forecast Model
  - Public Involvement
  - Needs Assessment
  - Alternatives Analysis
  - Phasing and Finance Plan

#### Need for Study

- Pinpoint deficiencies and needs of I-95
- Create a master plan for corridor improvements
- Streamline development of future projects
- Determine a feasible funding strategy

Mr. Canales stated the study has already identified the need to widen the interstate to eight lanes from Exit 31 in Robeson County to the Interstate 40 interchange at Exit 81, and to six lanes for the remainder of the I-95 corridor.

#### Public Involvement

- Website: <http://www.driving95.com>
- Social media: Facebook and Twitter
- Hotline: 1-(877)-I95-VIEW
- Brochures and posters
- Local Officials meetings – January 2010, 2011, and 2012
- Editorial Board meetings – March 2010 and February 2012
- Citizens Workshops – August 2010
- Public Hearings –February 2012

#### Alternatives Analysis

- Developed 10 preliminary alternatives
  - Type and location of improvements
  - Median width
  - Approximate right of way
- Eliminated impracticable alternatives
- Provided preliminary cost estimate - \$4.4 B

#### Phasing and Finance Plan

- Evaluated multiple funding options
  - Traditional funding
  - Federal earmarks
  - Tolling
    - Toll at borders

- Toll all lanes
- Toll new lanes
- Local tax options
- Construction timeframes based on funding availability

#### Recommendations

- Improvements
  - Widen to 6 or 8-lanes
  - Form changes to 17 interchanges
  - Combine 2 interchanges
- Financing
  - Tolling recommended as most feasible option
- Phasing
  - Two main phases
- Phase I (Exit 31-81)
  - Construction starts in 2016
  - Completed in 2019
  - Tolling begins on entire I-95 corridor
  - Some smaller projects included
- Phase II (Remainder of Corridor)
  - Construction beginning in 2019
  - Fund improvements with toll revenues as available

Mr. Canales displayed a map depicting Phases I and II of the improvements to Interstate 95 in North Carolina.

#### Why Tolling?

- Equitably distributes cost to users, not just residents
- Limited availability of funding from other sources
- Provides a dedicated revenue stream for I-95
- Allows for accelerated construction timeframe
- Creates opportunities for private sector partnerships

#### Tolling Considerations

- Tolling authority
- Electronic toll collection
- Enforcement
- Interoperability
- Local use
- Reinvestment of toll revenue

Mr. Canales advised North Carolina General Statutes require that any tolls collected have to be applied directly to the route that is tolled. Mr. Canales stated should North Carolina move forward, federal approval would have to be granted and a tolling agreement would have to be developed to spell out how the revenue will be used; the corridor would have to be defined and it could only be used on I-95.

### Study Deliverables

- Completed study and recommendations
- Traffic Forecast Model
- Phasing and Finance Plan

### Historic Timeline

- |                               |               |
|-------------------------------|---------------|
| • Project Kickoff             | October 2009  |
| • Citizens Workshops          | August 2010   |
| • Environmental Screening     | May 2010      |
| • Needs Assessment            | August 2010   |
| • Alternatives Analysis       | November 2011 |
| • Traffic Model and Estimates | November 2011 |
| • Environmental Assessment    | January 2012  |

### Current Timeline

- |                            |               |
|----------------------------|---------------|
| • Public Hearings          | February 2012 |
| • Phasing and Finance Plan | March 2012    |
| • Completed Study          | May 2012      |
| • Beginning of Phase I     | June 2012     |

Mr. Canales responded to questions. Commissioner Keefe asked whether studies had been conducted to identify the economic impact toll roads have on communities along I-95. Mr. Canales stated there are preliminary evaluations and there are issues associated with diversion lanes that shift traffic into local communities.

Commissioner Keefe read the following statement:

In response to the presentation by the NCDOT to initiate Toll Roads, Toll Booths and Prepaid tickets for the I-95 corridor strikes me as one of the greatest cases of short term thinking and not truly looking at the global picture of solutions to our economic crisis. I believe this is a very narrow perspective of how NCDOT may eliminate their fiscal burden of responsibility to maintain the highways without taking into consideration the unintended consequences. But the butterfly effect of these toll roads and booths to Cumberland County, its industry, and citizens will be felt everyday in the future and will be a constant reminder of why we cannot break out of the government “tar pit” of an increased financial burden created by government on the backs of our citizens and the industry that has chosen to put roots down in our area.

This initiative is just another short fix in a long line of government proposals that will be placed on the backs of the working people and their families in Cumberland County and the State of North Carolina.

Cumberland County is the most populous county in North Carolina, on I-95, that will be affected by this decision. Its ability to attract economic development projects

in the future will seriously have a negative impact on our ability to recruit new business and industry to our area. Our greatest asset and selling tool is our close proximity to I-95. This toll road initiative would largely negate any advantage we have in the global market. It will not matter how good our schools are, how low our tax rate is, how vibrant our arts and culture programs are; Industry will ultimately make their decisions based on the costs of doing business. If every shipment moving down I-95 will have to pay the toll, if every worker has to pay a toll to come to work and every potential customer or visitor has to pay a toll to arrive to their destination in Cumberland County, we might as well “throw in the towel” on economic development, recruitment and tourism. Large manufacturing companies will recruit personnel from all over our region. If a worker has to commute to a company in Cumberland County from another county and that person has to use I-95 to get to work, it could easily cost that person up to \$100 extra per month or \$1200.00 a year just to get to work. This is a high cost to an economically depressed area and would surely be a consideration for any new industry with thoughts of locating here. I have heard my fellow commissioners speak many times of our commitment to bring good paying jobs to our area. I do not think any of us, envisioned that a large part of these salaries, would be going to the state to maintain the roads. Currently, North Carolinians pay one of the highest gas taxes in the nation to maintain our road systems. These tolls will be in addition to these funds. I have heard it said that this will largely be a “passing though,” toll for people from other states who using I-95. Although I understand the argument, I am not sure I am comfortable, charging a family, who probably saved responsibly all year to take their kids to Disney World or Myrtle Beach, \$20.00 each way just to drive on our portion of I-95. Many of them will already be filling up their gas tanks in North Carolina, paying a Gas Tax, Eating in our restaurants, Sales tax + Food & Beverage tax, staying in our hotels, Sales Tax +Occupancy Tax, and stopping along the way to enjoy the scenic beauty of our state. I believe asking them to pay an additional fee for the privilege of using our road borders on greed. I do not wish that the unofficial motto of North Carolina, up and down the east coast to be, “North Carolina, Home of the \$20 toll.” The reality of these toll roads is they will primarily be used and paid for by taxpayers of North Carolina.

Recently, we lost two major industries that could have brought in excess of 2,000 high paying jobs with solid benefits. We lost both of these, not because our location, but the potential industries made a decision that it would be more profitable for them to locate else because of infrastructure issues not addressed earlier in the state of North Carolina. I would ask anyone in the economic development field if toll roads would be an advantage or disadvantage to our area. The answer is clear. Frankly, I am surprised that every economic developer and state economic development agency has not vigorously opposed this initiative. It is not unforeseeable that counties may find ourselves having to subsidize or supplement potential industry the toll fees just to stay in the game of recruitment.

There is much concern from many members of community that many daily drivers or I-95 will navigate other roads to by pass the tolls. It doesn't take a Harvard

Mathematician to realize that this will cause increased traffic, enforcement and maintenance in our rural roadways and will cause a 'backslide' to an era before we were fortunate to have our I-295 beltline constructed. If I was in the financial position that some of these workers may find themselves in and the I had to make the decision to leave 5-10 minutes earlier, so I could save that extra \$100.00 per month for my family, there would be no question that I would do what so many people do every day, I would sacrifice my comfort and convenience for my family.

Furthermore, I have read that the funding generated by these tolls would help maintain I-95 and increase the lane capacity to up to 8 lanes in some places. I-95 is NOT where there needs to be increases in traffic lanes. If you were to travel across the state, you would clearly see that the traffic congestion on the interstate highway system is consolidated around the large highway systems and beltlines in Raleigh, Greensboro/Winston-Salem and Charlotte. I am sure that many members of the North Carolina legislature in areas not affected by this proposal will think it is a good additional source of revenue and will back the initiative. Of course, most of them will not see the direct impact of the toll roads to their counties and communities. It is not a stretch to see in the future that the revenue generated from these tolls in Robeson, Cumberland, Harnett, Sampson, Johnston County and the other counties on the corridor could be diverted to other projects in that NCDOT will be required to maintain and improve.

I find it curious that I-40 was not considered as a possible test case for the toll road program. Both are interstate road systems, NCDOT has responsibility to maintain this system also. Although I-40 is not as old as I-95, according to the life of a highway system, we may be looking at this same scenario in 10-15 years. If I were cynical, I may conclude that because I-40 runs from Wilmington, through Raleigh, Durham, Chapel Hill, Greensboro, Asheville, and north of Charlotte that our NCDOT may not have had the political fortitude to be able to pass this through some of those communities without heavy push back.

I understand that this project is being presented that the revenue will be initially dedicated to I-95, but, over time, funds in all forms of government rarely are used for their initial intended purpose and many times get appropriated by savvy politicians and bean counters. One must only look back at the state lottery and its initial intentions and its current use.

I would encourage all commissioners in counties on the I-95 corridor to take a hard look at the benefits and consequences of toll roads going through their respective communities.

In closing, I have spoken at length about the negative impact that toll roads on I-95 will have on communities, the industry and the citizens who rely on this artery to get to work everyday to support their families. The other side of the financial burden to these people is the fact that we will be implementing another massive government agency and authority that will surely increase in size.



This is not intended to be any sort of partisan position, I was elected to represent the citizens of our county and do whatever I can to protect them, their families and their jobs while being fiscally responsible...with compassion to their quality of life. I will continue do my elected duty to ensure that they are able to enjoy the fruits of their labor and not allow the government to unfairly and recklessly impose additional taxes and fees on them.

These comments only represent my opinion as one county commissioner and do not necessarily reflect the opinions of the entire board.

Mr. Canales responded to additional questions.

Commissioner Evans asked to go on record in support of Commissioner Keefe's statement.

Consensus of the Board was to accept the report as information.

5. Presentation of the Juvenile Crime Prevention Council Report by Ms. Sarah Hallock and Mike Strickland

Chairman Faircloth called on Sarah Hallock, Director of Cumberland County CommuniCare, Inc., and Michael W. Strickland, Chief Court Counselor for the Twelfth Judicial District. Ms. Hallock stated CommuniCare, Inc. is a local non-profit organization that was developed over twelve years ago in partnership with the County of Cumberland. Ms. Hallock stated the CommuniCare, Inc.'s purpose is to develop quality driven prevention and intervention services for at-risk and court involved youth to create local alternatives to juvenile court. Ms. Hallock also stated CommuniCare, Inc. has built a successful relationship with the County of Cumberland based upon its program structure as well as the staff's abilities to provide superior project management in a myriad of areas including project and program development, oversight, financial planning/management and evidence-based monitoring and evaluation activities. Ms. Hallock stated since its incorporation, CommuniCare, Inc. has developed and implemented programs for youth ages six through seventeen in the following areas: juvenile justice and delinquency prevention / early intervention, child abuse prevention, drug and alcohol abuse prevention and out-patient treatment, youth leadership development, youth gang violence prevention/intervention, family strengthening and community collaboration/development. Ms. Hallock stated as a directive from the County Manager's office, CommuniCare, Inc. provides service coordination for the Juvenile Crime Prevention Council (JCPC).

Ms. Hallock stated members of the Juvenile Crime Prevention Council are appointed by the Board of Commissioners and make recommendations to the Board so it can plan for the juvenile justice needs in Cumberland County. Ms. Hallock described the reputation the JCPC has earned across the state. Ms. Hallock reviewed the JCPC's duties and the Department of Juvenile Justice and Delinquency Prevention's (DJJDP) comprehensive strategies aimed at providing the right programs for the right youth at the right time.

Mr. Strickland presented data regarding charges by defense class for juveniles between the ages of six and fifteen for a total of 2,067 charges, which is made up of 1,975 delinquent charges and 92 undisciplined charges. Mr. Strickland stated the rate per thousand for delinquent charges in Cumberland County is 44.4%, which is above the state average of 27.73%. Mr. Strickland stated the

rate per thousand for undisciplined charges in Cumberland County is 1.72%, which is below the state average of 2.7%.

Mr. Strickland provided a breakdown of juvenile detention facility admissions for FY 2010-2011 and explained the reasons juveniles are going to detention. Mr. Strickland shared the following trend for Detention Center admissions from Cumberland County:

517 admissions in 2008-2009	(Cost to Cumberland County- \$466,089.00)
484 admissions in 2009-2010	(Cost to Cumberland County- \$366,680.00)
374 admissions in 2010-2011	(Cost to the County- \$496,054.00)

Mr. Strickland stated there was a decrease in the Youth Development Center (YDC) commitment numbers. Mr. Strickland reported the 2010 annual report reflected 32 commitments from Cumberland County but in FY 11, 28 youth were confined to the YDC. Mr. Strickland stated Cumberland County still sends more youth on average compared to all other counties.

Ms. Hallock stated JCPC works closely with the Department of Social Services, juvenile court, law enforcement and others to work with youth on the front end to keep them from incurring juvenile probation and other court sanctions. Ms. Hallock presented JCPC admissions by referral source for FY 2010-2011 and stated the majority of local juvenile crime is related to person and property crimes. Ms. Hallock stated each JCPC program includes interpersonal skill building into each intervention plan to redirect negative behaviors and hold them accountable for their actions and behaviors. Ms. Hallock stated 79.25% of the youth participating in JCPC programs achieve at least satisfactory and successful outcomes. Ms. Hallock reported of the youth that terminated the JCPC programs in FY 2010-2011 there was a success rate of 59% without new petitions which is a good recidivism rate compared to most community programs. Ms. Hallock stated JCPC is working to follow these youth at least one year after their program involvement to make sure they are not recidivating. Ms. Hallock shared cost data and stated JCPC works very hard to be cost effective and fiscally conservative, with most of the funding going to direct services.

Ms. Hallock and Mr. Strickland responded to questions. Consensus of the Board was to accept the report.

6. Nominations to Boards and Committees

Mr. Martin advised there were no nominations scheduled for this meeting.

7. Appointments to Boards and Committees

A. Appointment of Tourism Development Authority Chairman

Nominee: Vivek Tandon

B. Area Mental Health Board (2 Vacancies)

Nominees:

Family Member Representing the Interests of Individuals with Mental Illness:  
Dr. Mary H. Hales (Reappointment)

Openly Declared Consumer in Recovery from Addiction:  
Ernest Gore (Reappointment)

C. Cape Fear Valley Hospital System Board of Trustees (3 Vacancies)

Nominees:

Medical Doctor Positions: Rueben Rivers, MD (Reappointment)  
Bryant Murphy, MD

General Public Position: Denise M. Wyatt, Ph.D (Reappointment)

D. Cumberland County Workforce Development Board (1 Vacancy)

Nominee:

Community Based Organization Position: Sarah Hemingway Hallock

E. Equalization and Review Board (5 Vacancies)

Nominees:

At-Large Position: William Holland  
Curtis Alexander (Reappointment)

Businessman Position: George Turner (Reappointment)

Farmer Position: Sherrill Jernigan (Reappointment)

Home Builder Position: Richard Player III

F. Transportation Advisory Board (4 Vacancies)

Nominees:

County Health Director/Designee: Sharon Barrett  
County Mental Health Director/Designee: Vince Wagner  
Aging Programs Representative: Ellouise Garvin  
Sheltered Workshop Director/Designee: Charles Crowell

There being an equal number of vacancies and nominees,

MOTION: Commissioner Keefe moved to appoint all nominees to their respective positions.  
SECOND: Commissioner Council  
VOTE: UNANIMOUS (7-0)

ITEM 3.C. Public Hearing Minimum Housing Code Enforcement

Case Number: MH 6529-2011  
Property Owners: Isia Johnson, Willie D. Crumpler and Gina Hogan  
Property Location: 8238 NC Highway 210 S, Autryville, NC  
Parcel ID No.: 1403-29-7383

Commissioner Council revisited Item 3.C. and called attention to a letter dated February 21, 2012 from the Carter family. Commissioner Council stated because of the Board's interest in the historical nature of the property, and because of the mother's situation upon the loss of her son, she would like to know if the Board could reconsider the item and allow the family more time.

Mr. Moorefield advised the Board would need to repeal the ordinance that was adopted and table the matter without taking action.

MOTION: Commissioner Keefe moved to reconsider Case Number MH 6529-2011.  
SECOND: Commissioner King  
VOTE: UNANIMOUS (7-0)

MOTION: Commissioner Council moved to repeal the ordinance for Case Number MH 6529-2011.  
SECOND: Commissioner King  
VOTE: UNANIMOUS (7-0)

Upon discussion, staff was directed to follow up to see what can be done to preserve the historic property.

MOTION: Commissioner Council moved to table Case Number MH 6529-2011 and refer to staff for appropriate action as directed by the Board.  
SECOND: Commissioner King  
VOTE: UNANIMOUS (7-0)

8. CLOSED SESSION: A. Economic Development Matter(s)  
Pursuant to NCGS 143-318.11(a)(4)

MOTION: Commissioner Keefe moved to go into closed session for economic development matters pursuant to NCGS 143-318.11(a)(4).  
SECOND: Commissioner Council

VOTE: UNANIMOUS (7-0)

MOTION: Commissioner Council moved to reconvene in open session.

SECOND: Commissioner Melvin

VOTE: UNANIMOUS (7-0)

MOTION: Commissioner Council moved to adjourn.

SECOND: Commissioner Edge

VOTE: UNANIMOUS (7-0)

There being no further business, the meeting adjourned at 8:25 p.m.

Approved with/without revision:

Respectfully submitted,

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Candice H. White  
Clerk to the Board