

CUMBERLAND COUNTY BOARD OF COMMISSIONERS  
SEPTEMBER 17, 2012 – 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, Chief Public Information Officer  
Tom Lloyd, Planning and Inspections Director  
Kristine Wagner, Transportation Program Planner  
Will Phillips, Planning and Inspections Location Services  
Mike Osborne, Planning and Inspections Location Services  
George Hatcher, Planning and Inspections  
Hank Debnam, Mental Health Director  
Buck Wilson, Public Health Director  
Daniel Ortiz, Environmental Health Supervisor  
Thanena Wilson, Community Development Director  
Candice White, Clerk to the Board  
Kellie Beam, Deputy Clerk to the Board  
Press

Chairman Faircloth called the meeting to order.

INVOCATION

Commissioner Edge provided the invocation followed by the Pledge of Allegiance to the American flag.

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:

Rev. Mark Rowden – Rev. Rowden appealed to the Board to approve the Cedar Creek pilot transportation project. Rev. Rowden stated citizens walk along Hwy. 53 every day and in all kinds of weather because they do not have transportation.

Regina McLean – Ms. McLean relayed issues associated with a corrected bill she received from the Public Works Commission (PWC) and stated she had been double charged. Ms. McLean stated she was disappointed that the county could not affect her problem.

Commissioner Melvin stated he looked into the matter on behalf of Ms. McLean and was told that if she would pay the bill and go through the process, the PWC stood ready to work with her.

Dave Allred – Mr. Allred stated he was the chairman of the CREST non-profit agency and the handicapped/developmentally disabled segment of the population has been unfairly treated in the current budget. Mr. Allred expressed concern about the letter received from Mental Health which stated all funding for CREST had been cut or eliminated effective September 1, 2012. Mr. Allred stated CREST did not expect to be abandoned from September 2012 until January 2013, hoped this was an unintentional oversight, and implored the Board to find a way to rectify the situation until January 2013.

Mr. Debnam responded to questions and stated letters were sent to 150 providers in Cumberland County. Mr. Martin asked whether this was a cut of Local Management Entity (LME) funds. Mr. Debnam responded in the affirmative.

Commissioner Edge stated it was his understanding when the Board adopted the budget that all of the services were to be funded through December 2012. Mr. Martin stated the belief was that no service levels were being cut and that they were sufficiently funded for July 2012 through December 2012 based on what they had been prior to July 1, 2012. Mr. Debnam stated the demand for services has gone up at the same time state and federal funds have been cut.

Commissioner Council asked Mr. Martin whether he was aware the letters were being sent to providers and whether he had been given a list of the providers. Mr. Martin stated he was not previously aware of the letters and had not received a list of providers. Commissioner Council stated with cuts coming from the state level, there is absolutely no way the county can bear them all unless taxes are raised and revenues are earmarked.

Chairman Faircloth stated federal and state governments are cutting funds at every turn and will continue to do so, so when the Board said it did not want any mental health clients to fall through the cracks, it should have specified due to county cuts. Chairman Faircloth stated the Board can not ask citizens of the county to make up the shortage of federal and state dollars. Mr. Martin stated he does not know how the county can make up for state and federal cuts. Chairman Faircloth stated many counties across the state have had to drastically cut their funding but Cumberland County has been able to maintain its funding levels. Chairman Faircloth stated the Mental Health Director has no choice when the state cuts funds and there are no local funds authorized to inform providers and clients that funds are not available.

Betty George – Ms. George stated she is a parent of a son with developmental disabilities. Ms. George stated she was shocked when she heard about the letters sent out by Mental Health and asked the county to do all it could to help.

Glen Autry – Mr. Autry spoke on behalf of CREST and asked the county to do what it could to help.

Special Presentation of Government Finance Officers Association Award - Fiscal Year 2011- Certificate of Achievement for Excellence in Financial Reporting to Ms. Amy Cannon, Deputy County Manager / Finance Director

Chairman Faircloth stated this award is presented by the Government Finance Officer's Association to counties who, in addition to meeting the financial reporting requirements established by law, undertake the voluminous requirements for excellence in financial reporting. Commissioner Faircloth further stated under the auspices of Amy Cannon, Deputy County Manager and Finance Officer, Cumberland County seeks to do what is required each year to attain this award. Commissioner Faircloth recognized Ms. Cannon for receiving this prestigious award for Cumberland County for this year and in years past. Ms. Cannon accepted the award on behalf staff whose hard work and dedication made the award possible and thanked the Board for their continued support.

James Martin, County Manager, requested the addition of a budget revision in the amount of \$35,000 to recognize additional FY12 occupancy tax revenue to fund payment to the Fayetteville Area Convention and Visitors Bureau as Item 2.E.(8); the addition of a closed session for personnel matters pursuant to NCGS 143-318.11(a)(6) as Item 8.B.; the addition of discussion regarding a campaign fundraiser invitation flyer as Item 9.; and the moving of Item 5. to Item 3 prior to the public hearings.

1. Approval of Agenda

MOTION: Commissioner King moved to approve the agenda with the adjustments as requested by the county manager.  
SECOND: Commissioner Edge  
VOTE: UNANIMOUS (7-0)

2. Consent Agenda

- A. Approval of minutes of the September 4, 2012 regular meeting
- B. Approval of Declaration of Surplus County Property and Authorization to Accept Insurance Settlement

BACKGROUND:

DATE OF ACCIDENT	August 29, 2012
VEHICLE	2008 Ford F150
VIN	1FTRF12W18KD87168
FLEET #	AC5

DEPARTMENT	Animal Control
SETTLEMENT OFFER	\$11,703.40
INSURANCE COMPANY	Travelers

This is a total loss settlement offer.

RECOMMENDATION/PROPOSED ACTION:

Management recommends that the Board of Commissioners:

1. declare the vehicle described above as surplus
  2. authorize the Risk Manager to accept \$11,703.40 as settlement
  3. allow Travelers Insurance to take possession of the wrecked (surplus) vehicle.
- C. Approval of a Resolution Requesting Congress to Minimize the Impact of Sequestration

COUNTY OF CUMBERLAND

NORTH CAROLINA

RESOLUTION

WHEREAS, the Board of Commissioners of Cumberland County, North Carolina requests the U. S. Congress pass legislation that will stop the legal requirements in the 2011 Budget Control Act to avoid sequestration, and

WHEREAS, if sequestration is not halted, the government must implement the first of 10 years of across-the board cuts in defense spending that would be devastating to both the national defense and local economies throughout the nation, North Carolina and Cumberland County, and

WHEREAS, Secretary of Defense has cautioned that the defense cuts contained in the Budget Control Act would “hollow out the force and inflict serious damage to the national defense,” and

WHEREAS, Federal contracts awarded in 2011 in Cumberland County were worth nearly \$1.3 billion, and

WHEREAS, Federal military expenditures in 2009 equaled to \$5.5 billion inflation adjusted dollars or 37.7 percent of the area’s total GDP and Federal military employment was 24.4 percent of the area’s total employment.

NOW, THEREFORE, BE IT RESOLVED, that Board of Commissioners of Cumberland County, North Carolina implores the U. S. Congress to pass whatever measures necessary to mitigate the impact of the sequestration provisions of the 2011 Budget Control Act prior to the November general election due to the harmful effects it

will have on the nation's economy and defense, and encourages like organizations and local governments within Cumberland County to follow suit.

Adopted this 17th day of September, 2012.

D. Approval of Ordinance Assessing Property for the Costs of Demolition:

- |    |                               |                                   |
|----|-------------------------------|-----------------------------------|
| 1) | Case Number:                  | MH 6658-2012                      |
|    | Property Owner:               | C&A/GFSP Joint Venture            |
|    | Property Location:            | 6414 Canadian Ave, Hope Mills, NC |
|    | Parcel Identification Number: | 0442-45-8565                      |

ORDINANCE ASSESSING PROPERTY FOR THE COSTS  
OF DEMOLITION OF A STRUCTURE PURSUANT TO  
THE MINIMUM HOUSING CODE OF CUMBERLAND COUNTY  
CASE NUMBER: MH 6658-2012  
PROPERTY OWNER: C&A/GFSP Joint Venture

WHEREAS, the Board of County Commissioners of Cumberland County, North Carolina, on April 16, 2012, enacted an ordinance directing the demolition by the owner(s) of the structure(s), C&A/GFSP Joint Ventures located at 6414 Canadian Avenue, Hope Mills, NC, PIN: 0442-45-8565, said ordinance being recorded in Book 8882, page 483 , of the Cumberland County Registry of Deeds;

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

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

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

- (1) Said work had been accomplished.
- (2) The cost of such work was \$1,100.00.
- (3) There were no salable materials resulting from said work.

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

- (1) That the real property on which the work was performed be, and it hereby is, assessed in the amount of \$1,100.00, said sum being the unpaid balance of the cost of the work set forth in the Inspector's Report;

(2) That as provided in the Ordinance of Cumberland County dated 16<sup>th</sup> April, 2012, and in Section 160A-443(6) of the General Statutes of North Carolina, the amount of the foregoing assessment be, and hereby does constitute, a lien against the real property upon which such costs were incurred, such property being more particularly described as follows:

The structure and premises located at 6414 Canadian Avenue, Hope Mills, NC, as described in Deed Book 7651, page 664, of the Cumberland County Registry and identified in County tax records as PIN 0442-45-8565.

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

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

2)	Case Number:	MH 6610-2012
	Property Owner:	Tony A. & Twilla Carr
	Property Location:	5923 St. Patrick Drive, Fayetteville, NC
	Parcel Identification Number:	0454-52-3908

ORDINANCE ASSESSING PROPERTY FOR THE COSTS  
OF DEMOLITION OF A STRUCTURE PURSUANT TO  
THE MINIMUM HOUSING CODE OF CUMBERLAND COUNTY  
CASE NUMBER: MH6610-2012  
PROPERTY OWNER: Tony A.& Twilla Carr

WHEREAS, the Board of County Commissioners of Cumberland County, North Carolina, on April 16, 2012, enacted an ordinance directing the demolition by the owner(s) of the structure(s)

Tony A. & Twilla Carr, located at 5923 St. Patrick Drive, Fayetteville, NC, PIN: 0454-52-3908, said ordinance being recorded in Book 8882, page 486, of the Cumberland County Registry of Deeds;

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

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

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

(1) Said work had been accomplished.

(2) The cost of such work was \$1,800.00.

(3) There were no salable materials resulting from said work.

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

(1) That the real property on which the work was performed be, and it hereby is, assessed in the amount of \$1,800.00, said sum being the unpaid balance of the cost of the work set forth in the Inspector's Report;

(2) That as provided in the Ordinance of Cumberland County dated April 16, 2012, and in Section 160A-443(6) of the General Statutes of North Carolina, the amount of the foregoing assessment be, and hereby does constitute, a lien against the real property upon which such costs were incurred, such property being more particularly described as follows:

The structure and premises located at 5923 St. Patrick Drive, Fayetteville, NC, as described in Deed Book 8044, page 265, of the Cumberland County Registry and identified in County tax records as PIN 0454-52-3908.

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

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

3)	Case Number:	MH 6586-2011
	Property Owner:	Crysandra Inc., Irrevocable Trust
	Property Location:	3134 Duck Pond Road, Linden, NC
	Parcel Identification Number:	0553-87-7716

ORDINANCE ASSESSING PROPERTY FOR THE COSTS  
OF DEMOLITION OF A STRUCTURE PURSUANT TO  
THE MINIMUM HOUSING CODE OF CUMBERLAND COUNTY  
CASE NUMBER: MH 6586-2011  
PROPERTY OWNER: Crysandra Inc., Irrevocable Trust

WHEREAS, the Board of County Commissioners of Cumberland County, North Carolina, on March 19, 2012, enacted an ordinance directing the demolition by the owner(s) of the structure(s), Crysandra Inc., Irrevocable Trust located at 3134 Duck Pond Road, Linden, NC, PIN: 0553-87-7716, said ordinance being recorded in Book 8862, page 603, of the Cumberland County Registry of Deeds;

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

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

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

- (1) Said work had been accomplished.
- (2) The cost of such work was \$2,550.00.
- (3) There were no salable materials resulting from said work.

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

(1) That the real property on which the work was performed be, and it hereby is, assessed in the amount of \$2,550.00, said sum being the unpaid balance of the cost of the work set forth in the Inspector's Report;

(2) That as provided in the Ordinance of Cumberland County dated 19<sup>th</sup> March, 2012, and in Section 160A-443(6) of the General Statutes of North Carolina, the amount of the foregoing assessment be, and hereby does constitute, a lien against the real property upon which such costs were incurred, such property being more particularly described as follows:

The structure and premises located at 3134 Duck Pond Road, Linden , NC, as described in Deed Book 5282, page 537, of the Cumberland County Registry and identified in County tax records as PIN 0553-87-7716.

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

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

E. Budget Revisions:

- (1) Animal Control



Revision in the amount of \$2,275 to recognize Pet Smart Charities funds to purchase supplies. (B13-072) Funding Source – Other

(2) Eastover Sanitary District Water Project – Phase II

a. Revision in the amount of \$15,500 budget revenue and expenditures for the change order to Contract #2. (B13-071) Funding Source – Fees

b. Revision in the amount of \$2,000 to budget miscellaneous revenue to fund a settlement payment for damages to residential property. (B13-075) Funding Source - Miscellaneous Revenue

(3) Health - Diabetes Education Clinic

Revision in the amount of \$1,525 to recognize additional state funding to purchase educational supplies. (B13-070) Funding Source – State

(4) Emergency Services

Revision in the amount of \$89,593 to recognize revenue from the City of Fayetteville, Cape Fear Valley Hospital EMS, and the Fire Chief's Association to support expenditures associated with maintenance for the Emergency Dispatch CAD system. (B13-068) Funding Source – Other

(5) Sheriff

Revision in the amount of \$12,151 to roll forward unexpended contributions. (B13-075) Funding Source – Contributions

(6) Juvenile Crime Prevention Programs/General Government Other

Revision in the amount of \$112,259 to budget Intensive Services grant for FY13 and to delete funding for the Juvenile Court Outreach program and replace it with a new program, FACT, operated by Communicare Inc. and to reduce the match from General Fund. (B13-074 and B13-074A) Funding Source – Grant

(7) Community Development – PATH Program

Revision in the amount of \$7,458 to recognize additional state funding. (B13-077) Funding Source – State

(8) THIS ITEM WAS PULLED FOR SEPARATE DISCUSSION AND ACTION AS RECORDED BELOW.

MOTION: Commissioner Keefe moved to pull Item 2.E.(8) for separate discussion and action and approve consent Items 2.A. – 2.E.(7).  
SECOND: Commissioner King  
VOTE: UNANIMOUS (7-0)

2.E.(8) Tourism Development Authority (TDA)

Revision in the amount of \$35,000 to recognized additional FY2012 occupancy tax revenue to fund payment to the Fayetteville Area Convention & Visitors Bureau (FACVB) (B12-414) Funding Source – Occupancy Tax

Commissioner Keefe requested additional information about the TDA budget revision. Amy Cannon, Deputy County Manager, explained more occupancy tax receipts were received through fiscal year June 30, 2012 than was originally anticipated so there was not an appropriate expenditure budget to pay it out. Ms. Cannon further explained this occupancy tax represents part of the legislation in which a percentage portion is allocated directly to the FACVB. In response to a question from Commissioner Keefe, Ms. Cannon confirmed other applicable agencies also received funds over what was anticipated in the original budget.

MOTION: Commissioner King moved to approve Item 2.E.(8).  
SECOND: Commissioner Council  
VOTE: UNANIMOUS (7-0)

3. Consideration of Report on the Cedar Creek Pilot Transportation Project

BACKGROUND:

Below is a report from Kristine Wagner, Transportation Program Coordinator, outlining an estimated cost of \$14,400 to conduct a pilot transportation program in Cedar Creek for a three month period. The Finance Committee received the report on this project on September 6, 2012 as information.

RECOMMENDATION/PROPOSED ACTION:

Consider this report and if the Board is prepared to move this project forward, appropriate \$14,400 from General Fund Balance for a 3 month pilot project.

After the community meeting at the Savannah Missionary Baptist Church, Tom Lloyd and I met with Randy Hume, FAST Director.

We determined that the shuttle service would pick up at the corner of Tabor Church Road and would drop riders off at the FAST transfer center on Old Wilmington Road, where they could access multiple FAST bus routes.

The hourly FAST rate is \$65.72; therefore, I requested that our current county contractors submit hourly bids as well, for a comparison. We requested bids be submitted based upon the use of a 15 passenger van. Majestic Luxury Tours

submitted a bid of \$55.00 per hour, and FAMIKS Transport submitted a bid of \$56.00 per hour.

We recommend going with the lowest rate of \$55.00 per hour with Majestic Luxury Tours.

If we ran the shuttle service twice in the morning (pick up in Cedar Creek at 5am and 6am to be at the transfer center by 6am and 7am) and twice in the evening (leave the transfer center by 6pm and 7pm to be at in Cedar Creek by 7pm and 8pm), Monday thru Friday, the cost per day would be \$220 daily. An estimated cost for three months of service would be \$14,400, assuming 22 days of service for each month. We also suggest that a \$1 fare per one-way trip be collected in order to offset the cost of service. Riders then would then pay an additional \$1 fare when using the FAST bus service from the transfer center.

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Tom Lloyd, Planning and Inspections Director, reviewed the above background information regarding transportation for the Tabor Church Road area. Commissioner King inquired regarding ridership for the pilot project to be successful. Mr. Lloyd stated the understanding from the Fayetteville Area Transit System (FAST) is that the industry standard for larger transit systems to consider a route successful is recouping 20% of the fare so for this route that would equal twenty-two round trips per day. Mr. Lloyd stated the pilot project can probably begin on October 15<sup>th</sup> and staff can provide monthly updates on the number of riders utilizing the service.

Commissioner Melvin informed residents of the Cedar Creek community that there has to be enough demand in the community to sustain the program.

**MOTION:** Commissioner Evans moved to accept the report about the Cedar Creek pilot transportation project, proceed with the pilot project effective October 15, 2012, and study the project for ninety days.

**SECOND:** Commissioner Keefe

**DISCUSSION:** Commissioner Edge stated transportation is normally a municipal service and not a service provided by counties. Commissioner Edge stated the county's mission as adopted by the Board is to provide quality services to citizens while being fiscally responsible. Commissioner Edge questioned the success and sustainability of a service the county knows will lose money and stated the county can not afford to offer the service countywide. Commissioner Edge stated he will not support the pilot project because it does not make sensible use of the county's human and financial resources. Commissioner Council stated she would like insight into what other counties are doing with regards to transportation. Additional comments followed.

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

Chairman Faircloth recessed the meeting at 8:00 pm and reconvened the meeting at 8:15 pm.

4. Public Hearings

Uncontested Rezoning Case

- A. Case P12-49: Rezoning 4.41+/- acres from A1 Agricultural to R40A Residential or to a more restrictive zoning district, located at 5455 through 5515 Matt Hair Road, submitted by William Frank and Virginia Kay Skipper (owners)

RECOMMENDATION: Members present at the August 21, 2012 meeting of the Joint Planning Board unanimously recommended adoption and approval of consistency and reasonableness statements and to approve R40A Residential district.

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Tom Lloyd, Planning and Inspections Director, presented this item. Mr. Lloyd showed vicinity maps and aerial views of the subject property, and provided overviews of the current land uses, current zonings, and surrounding land uses and zonings. Mr. Lloyd stated there are currently three structures on the property. Mr. Lloyd also stated staff recommended approval because the request is consistent with the 2030 Growth Vision Plan which calls for “rural” and at this location as well as meeting the local criteria for “rural density residential” development as listed in the Land Use Policies Plan. Mr. Lloyd further stated the location and character of the use is reasonable and will be in harmony with the surrounding area.

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 called the following speakers:

Brenda Fonville – Ms. Fonville appeared in opposition and stated she moved to the Cedar Creek area two years ago and her rationale for moving there was to avoid the crimes that come with mobile home parks and lower income residents. Ms. Fonville stated she felt the farm environment would be threatened by the increase in population brought by a 4.5 acre mobile home park in what she considers to be a truly rural area. Ms. Fonville stated this would also affect her property value. Ms. Fonville stated the crime rate in Cedar Creek is rising and with mobile homes, it will rise even higher.

Michael J. Adams – Mr. Adams appeared in favor and stated he was the surveyor who performed the work for the petitioner William Skipper. Mr. Adams stated plans have been submitted pending zoning approval for a four-lot subdivision and not for a trailer park. Mr. Adams stated Mr. Skipper and his wife have three children and his intention is to give each of his children a separate lot. Mr. Adams stated he can not do this under the current zoning.

Chairman Faircloth closed the public hearing.

Mr. Lloyd responded to questions regarding zoning districts, subdivision of lots, manufactured homes and mobile home parks. In response to a question posed by Commissioner King regarding whether a buffer could be required, Mr. Lloyd stated in order to do that, the case would have to be referred back for R40A conditional zoning in order for conditions to be added that could be enforced. Additional questions and comments followed. Mr. Lloyd stated in essence what is being requested is to add one more manufactured home to the three that already exist.

MOTION: Commissioner Melvin moved to approve the recommendation of the Joint Planning Board for Case P12-49.

SECOND: Commissioner Evans

SUBSTITUTE MOTION: Commissioner King moved to refer Case P12-49 back to the Joint Planning Board for consideration of development of a buffer.

The substitute motion died due to lack of a second.

DISCUSSION: Commissioner Keefe stated the zoning as requested by the petitioner is going to be more restrictive than the current zoning. Commissioner Keefe also stated the manufactured homes may increase the value of the area because low income people tend to lean more towards mobile homes than large manufactured homes.

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

#### Minimum Housing Code Enforcement Hearings

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 cases. Mr. Martin advised there was no time limit for quasi-judicial hearings.

B.	Case Number:	MH 6733-2012
	Property Owner:	Audley M Edmondson
	Property Location:	1608 Shaw Road, Fayetteville, NC
	Parcel Identification Number:	0419-95-8343

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

I, Joey Lewis, 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 6733-2012.

Property Owner: Audley M. Edmondson  
Home Owner: Audley M. Edmondson  
Property Address: 1608 Shaw Road, Fayetteville, NC  
Tax Parcel Identification Number: 0419-95-8343

SYNOPSIS: This property was inspected on 4/19/2012. The property owners and parties of interest were legally served with Notice of Violations and were afforded a Hearing on 5/16/2012. Audley M. Edmondson and George Hatcher 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 8/16/2012. 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 9/6/2012, 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 \$80,000.00. The Assessor for Cumberland County has the structure presently valued at \$713.00.

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

C.	Case Number:	MH 6711-2012
	Property Owner:	Towers Realty Group, LLC
	Property Location:	6115 Pineview Street, Fayetteville, NC
	Parcel Identification Number:	0520-87-5808

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

I, Joey Lewis, 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 6711-2012.

Property Owner: Towers Realty Group, LLC C/O Curtis James  
Home Owner: Towers Realty Group, LLC C/O Curtis James  
Property Address: 6115 Pineview Street, Fayetteville, NC  
Tax Parcel Identification Number: 0520-87-5808

SYNOPSIS: This property was inspected on 2/23/2012. The property owners and parties of interest were legally served with Notice of Violations and were afforded a Hearing on 6/6/2012.

Curtis James attended the Hearing via telephone. 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 8/7/2012. 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 9/6/2012, 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 \$50,000.00. The Assessor for Cumberland County has the structure presently valued at \$1,497.00.

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

D.	Case Number:	MH 6712-2012
	Property Owner:	Towers Realty Group, LLC
	Property Location:	6137 Pineview Street, Fayetteville, NC
	Parcel Identification Number:	0520-88-4061

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

I, Joey Lewis, 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 6712-2012.

Property Owner: Towers Realty Group, LLC C/O Curtis James  
Home Owner: Towers Realty Group, LLC C/O Curtis James  
Property Address: 6137 Pineview Street, Fayetteville, NC

Tax Parcel Identification Number: 0520-88-4061

SYNOPSIS: This property was inspected on 2/23/2012. The property owners and parties of interest were legally served with Notice of Violations and were afforded a Hearing on 6/6/2012. Curtis James 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 8/7/2012. 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 9/6/2012, 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 \$50,000.00. The Assessor for Cumberland County has the structure presently valued at \$693.00.

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

E.	Case Number:	MH 6752-2012
	Property Owner:	Ella W Lipscomb
	Property Location:	2615 Blossom Road, Hope Mills, NC
	Parcel Identification Number:	0442-33-7365

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 6752-2012.

Property Owner: Ella W. Lipscomb  
Home Owner: Ella W. Lipscomb  
Property Address: 2615 Blossom Road, Hope Mills, NC  
Tax Parcel Identification Number: 0442-33-7365

SYNOPSIS: This property was inspected on 4/25/2012. The property owners and parties of interest were legally served with Notice of Violations and were afforded a Hearing on 5/31/2012. Ella W. Lipscomb 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 8/31/2012. 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 9/6/2012, 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 \$30,000.00. The Assessor for Cumberland County has the structure presently valued at \$0.00.

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

F.	Case Number:	MH 6760-2012
	Property Owner:	Clarence D Godwin
	Property Location:	2865 Dobbin Holmes Road, Eastover, NC
	Parcel Identification Number:	0459-75-0386



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 6760-2012.

Property Owner: Clarence D. Godwin  
Home Owner: Clarence D. Godwin  
Property Address: 2856 Dobbin Holmes Road, Eastover, NC  
Tax Parcel Identification Number: 0459-75-0386

SYNOPSIS: This property was inspected on 5/4/2012. The property owners and parties of interest were legally served with Notice of Violations and were afforded a Hearing on 6/7/2012. Gary Godwin attended the Hearing. It was ordered that the structure be repaired to a minimum standard for human habitation, or be demolished and the debris removed from the premises by a date not later than 9/7/2012. 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 9/7/2012, 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 \$50,000.00. The Assessor for Cumberland County has the structure presently valued at \$2,616.00.

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

G.	Case Number:	MH 6781-2012
	Property Owner:	Joseph R Thompson
	Property Location:	6823 Coopers Creek Drive, Hope Mills, NC
	Parcel Identification Number:	0431-79-1751

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 6781-2012.

Property Owner: Joseph R. Thompson

Home Owner: Joseph R. Thompson  
Property Address: 6823 Cooper's Creek Drive, Hope Mills, NC  
Tax Parcel Identification Number: 0431-79-1751

SYNOPSIS: This property was inspected on 5/21/2012. The property owners and parties of interest were legally served with Notice of Violations and were afforded a Hearing on 6/21/2012. No one attended the Hearing. It was ordered that the structure be repaired to a minimum standard for human habitation, or be demolished and the debris removed from the premises by a date not later than 8/21/2012. 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 9/6/2012, 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 \$30,000.00. The Assessor for Cumberland County has the structure presently valued at \$500.00.

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

H.	Case Number:	MH 6750-2012
	Property Owner:	Anthony L & Beverly D Horne
	Property Location:	4705 Tippet Trail, Fayetteville, NC
	Parcel Identification Number:	0433-77-8536

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 6750-2012.

Property Owner: Anthony L. & Beverly D. Horne  
Home Owner: Anthony L. & Beverly D. Horne  
Property Address: 4705 Tippet Trail, Fayetteville, NC  
Tax Parcel Identification Number: 0433-77-8536

SYNOPSIS: This property was inspected on 4/25/2012. The property owners and parties of interest were legally served with Notice of Violations and were afforded a Hearing on 6/28/2012. No one attended the Hearing. It was ordered that the structure be repaired to a minimum standard for human habitation, or be demolished and the debris removed from the premises by a date not later than 8/15/2012. 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 9/6/2012, 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 \$30,000.00. The Assessor for Cumberland County has the structure presently valued at \$2,774.00.

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

These are the duly advertised/noticed public hearings set for this date and time for Cases MH 6733-2012, MH 6711-2012, MH 6712-2012, MH 6752-2012, MH 6760-2012, MH 6781-2012, and MH 6750-2012.

Chairman Faircloth opened the public hearings for Cases MH 6733-2012, MH 6711-2012, MH 6712-2012, MH 6752-2012, MH 6760-2012, MH 6781-2012, and MH 6750-2012.

The Clerk to the Board advised there were no speakers for Cases MH 6733-2012, MH 6711-2012, MH 6712-2012, MH 6752-2012, MH 6760-2012, MH 6781-2012, and MH 6750-2012.

Chairman Faircloth closed the public hearings for Cases MH 6733-2012, MH 6711-2012, MH 6712-2012, MH 6752-2012, MH 6760-2012, MH 6781-2012, and MH 6750-2012.

MOTION: Commissioner Keefe moved to adopt the order and report of the Minimum Housing Inspector as the true facts in Cases MH 6733-2012, MH 6711-2012, MH 6712-2012, MH 6752-2012, MH 6760-2012, MH 6781-2012, and MH 6750-2012; to order the property owners to remove or demolish the dwellings within 30 days; to order the Inspector to remove or demolish the dwellings if the owners fail to do so and impose a lien on the real properties for the cost of such action; and to direct the clerk to incorporate the foregoing findings and orders in ordinances certified by the Chairman and record the same in the Register of Deeds.

SECOND: Commissioner Council

VOTE: UNANIMOUS (7-0)

#### Other Public Hearings

##### I. Renaming of Roads Severed By the I-295 Project

#### BACKGROUND:

The North Carolina Dept of Transportation (NCDOT) realigned and severed roads due to the newly constructed Highway I-295 project within the Eureka Springs area, which will present confusion with the general public and/or emergency services if the existing names are not clarified or changed.

Cumberland County Code Section 4-172 Street Naming Procedures requires that the Cumberland County Board of Commissioners hold a public hearing to consider the changing of street names and to publish a notice in the newspaper of general circulation and post notice in the township where the roads are located, prior to the public hearing. The roads affected are:

CURRENT NAMES	PROPOSED
SEVERED PORTION OF JACOB ST	BENJAMIN ST
SEVERED PORTION OF GARNER ST	PINEVIEW ST
SEVERED PORTION OF PINEVIEW ST	JOSSIE ST
SEVERED PORTION OF GARNER ST	JACOB ST
SEVERED PORTION OF JOSSIE ST	BETTY LOU DR OR MCLEAN TRAIL DR

All property owners were notified of this public hearing by first class mail and a Public Hearing Notice was published in the Fayetteville Observer on Friday, September 7, 2012, however there was an error and the notification was published again with corrections on September 8, 2012.

**RECOMMENDATION / PROPOSED ACTION:**

Request that the Cumberland County Board of Commissioners go forward with the public hearing and recommend adoption of the street name changes.

\*\*\*\*\*

Will Phillips, Planning and Inspections Location Services, reviewed the above background information and displayed maps depicting the affected portions of Jacob Street, Garner Street, Pineview Street, and Jossie Street as severed by the Highway I-295 project. Mr. Phillips stated two responses were received that the severed portion of Jossie Street be renamed Betty Lou Drive or McLean Trail Drive.

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 called the following speakers:

Mable C. Williams – Ms. Williams appeared and stated she lives on Garner Street and also she owns property on Benjamin Street. Ms. Williams stated she does not want Garner Street changed to Jacob Street and wants Pineview Street to be renamed Pineview Memorial in honor of Prisoners of War, Bronze Star recipients and veterans.

Mr. Phillips explained the NCDOT combined Garner and Jacob Streets into one street in the form of a loop and the proposed name is Jacob Street. Ms. Williams elaborated on her request and spoke about some of the other affected streets. Questions and discussion followed in an

effort to clarify Ms. Williams' request. Commissioner King suggested that staff discuss the matter further with Ms. Williams and bring it back to the Board in 30 days.

Charles L. Kenney – Mr. Kenney appeared and stated he lives on Jacob Street and wants it to remain Jacob Street. Mr. Kenney suggested that the names of Garner Street and Jacob Street remain the same and only change at the mid point of the loop.

A brief discussion followed about letters sent to and notification of property owners.

Chairman Faircloth closed the public hearing.

Rick Moorefield, County Attorney, advised that should the Board choose to continue the public hearing until a date certain, it would not need to be re-advertised.

MOTION: Commissioner King moved to table the matter until the Board of Commissioners' October 15, 2012 meeting.  
SECOND: Commissioner Edge  
VOTE: UNANIMOUS (7-0)

J. Community Development 2011 Consolidated Annual Performance and Evaluation Report (CAPER)

BACKGROUND:

Community Development has prepared an abbreviated version of the draft CAPER for the 2011 Program Year (Exhibit 1). This document is available for public review and comment during the period September 4, 2012 through September 18, 2012. Copies of the draft CAPER in its entirety will be available for review in the County Commissioners office and at the Community Development office beginning September 19, 2012. Copies of the abbreviated version have been distributed to several locations throughout the County in compliance with our Citizen Participation Plan (see Exhibit 2 – Public Notice). The final CAPER is due to HUD on September 28, 2012.

The PY2011 CAPER details program accomplishments and an assessment of our efforts in meeting the goals and objectives set forth in our Annual Action Plan for the period July 1, 2011 through June 30, 2012. Performance reporting meets three basic purposes: 1) It provides HUD with necessary information for the Department to meet its statutory requirement to assess each grantee's ability to carry out relevant community development programs in compliance with all applicable rules and regulation; 2) It provides information necessary for HUD's Annual Report to Congress, also statutorily mandated; and 3) It provides grantees an opportunity to describe to citizens their successes in revitalizing deteriorated communities and meeting objectives outlined in their Consolidated Plan. This reporting tool assures that citizens, community groups, and other interested stakeholders in the community planning process are accurately informed of the use of these federal funds.

**RECOMMENDATION/PROPOSED ACTION:**

Community Development requests that the Board of Commissioners hold a public hearing on the PY2011 CAPER. No other action is necessary.

\*\*\*\*\*

Thanena Wilson, Community Development Director, reviewed the above background information and provided highlights of Community Development's activities for 2011. Ms. Wilson reported Community Development expended \$1.7 million assisting low and moderate income residents which included federal, state and local funds through CDBG, HOME, SHP, URP and EDI programs. Ms. Wilson further reported thirty-seven households were assisted through various housing programs. Ms. Wilson stated in combination with Better Health of Cumberland County, Cumberland County Drug Treatment Courts and Myrover-Reese Fellowship Homes, Inc., 599 individuals were assisted through public service programs which included prescription assistance and dental extractions, bus passes, security and utility deposits, and vocational, literacy and GED training. Ms. Wilson also stated Community Development continued its administration of the Robin's Meadows housing program in partnership with the Fayetteville Metropolitan Housing Authority (MHA) and eighteen families comprised of seventy-four individuals were housed and received supportive services through the program. Ms. Wilson reported the department continues to provide homeless activities through its local Continuum of Care (CoC) in addition to outreach and marketing efforts that are conducted through the citizens' participation process as well as promoting fair housing awareness and education throughout the county.

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.

**Items of Business**

5. Consideration of Report from the Health Department Regarding Options for Mosquito Spraying

**BACKGROUND:**

On September 4, 2012, we provided the Board of Commissioners a report regarding public concerns with the mosquito nuisance problem and risks of contracting the West Nile Virus.

As stated during the report on September 4<sup>th</sup>, Cumberland County has taken several steps to educate the public about the mosquito population and the related risks. The County web site was updated with current news, information and precautions for dealing with this matter. The Environmental Health Division has also conducted radio interviews and published newspaper articles to provide helpful information, including how to eliminate mosquito-breeding areas, and personal preventative measures to reduce the potential of coming into contact with mosquitoes.

During the September 4<sup>th</sup> meeting, there was also discussion about the effectiveness of mosquito spraying in reducing the mosquito population. As indicated, pesticides are only effective while airborne and only upon direct contact with mosquitoes. Since mosquitoes are typically most active at dusk and dawn, spraying for mosquitoes during nighttime hours is not optimal in reducing the population. Also it is important to note that spraying for mosquitoes will not eliminate the threat of West Nile Virus. You should also be aware that while we have received calls from citizens who desire spraying in their area, we have also received calls from citizens who oppose to mosquito spraying, expressing health concerns and fear of harming the environment.

#### CONSIDERATIONS:

Following our report to the Board of Commissioners, the Board directed staff to identify options for a mosquito spraying program and to provide a follow-up report to the Board at its next meeting so that all information could be considered in determining the best approach to responding to the concerns about mosquitoes.

Environmental Health has contacted many mosquito-spraying companies for information regarding their services. In addition, we researched information on equipment, supplies and the requirements for conducting mosquito spraying. Mosquito spraying operations are required to be conducted under a National Pollution Discharge Elimination (NPDES) permit. We discovered that most of the companies did not meet the requirements nor had the resources needed to perform mosquito spraying for Cumberland County.

We learned that Hope Mills currently has an active mosquito spraying program that utilizes one (1) truck for spraying one (1) night per week, and has a 2<sup>nd</sup> truck equipped with the spraying equipment. They have expressed their willingness to provide a spraying service for Cumberland County by providing two (2) of their staff with mosquito trucks and supplies two (2) nights per week at cost.

We discovered that Bladen County has a sprayer unit that they are willing to loan to us that could be used by Cumberland County.

For any internal spraying operation, we would have to identify a source willing to allow us to operate under their NPDES permit. We have identified two (2) other outside sources with the required credentials for a mosquito spraying operation. John Yates, of Yates Farms currently possesses the NPDES permit and provides consultation to the Town of Hope Mills. We have also learned that that RB Goforth meets the permitting requirements for mosquito spraying.

If we were to consider operating an internal mosquito spraying program, there are several alternatives that could be considered involving some combination of County staff, vehicles and borrowed sprayer equipment from Hope Mills and/or Bladen County. It would then have to be decided whose permit to operate under. We would also have to either purchase or reimburse the costs for the pesticide solution needed for spraying. Based on the other opportunities available to us, we do not recommend this approach for mosquito spraying.

Please note that in consideration of potential needs in the future, Environmental Health will have at least two (2) employees take the necessary classes and obtain the Public applicators license. Also, Environmental Health will apply for the NPDES permit for next year so that we will possess the credentials required to operate a mosquito spraying program.

**OPTIONS:**

After review of all of the information gathered, we have developed the following options for mosquito spraying for your consideration:

\*Please note that total projected costs will be based on actual costs for labor, pesticides and equipment (we expect to have a more specific cost estimate for the following options at the Board of Commissioners' meeting on September 17, 2012).

**Option 1:**

Enter into an interlocal agreement with the Town of Hope Mills, who has agreed to spray the County up to two (2) days per week utilizing their staff, equipment and supplies.

Note: If mosquito spraying is implemented, Environmental Health recommends that first consideration be given to Option 1. The town of Hope Mills is currently spraying under state and federal guidelines. If any other option is used, it will place liability on the license holder.

**Option 2:**

Purchase two (2) sprayer units and the associated supplies; hire two (2) part-time truck drivers to implement a County Mosquito Spraying Program that sprays two (2) nights per week. Contract with Mr. John Yates or RB Goforth to conduct mosquito spraying under their permit.

**Option 3:**

Take no action to implement a mosquito spraying program for the remainder of this year's peak mosquito season. Reassess during the FY14 budget cycle whether to implement a mosquito spraying program effective July 2013.

**RECOMMENDATION/PROPOSED ACTION:**

Consider whether to institute a County mosquito spraying service, utilizing one of the above options.

\*\*\*\*\*

Daniel Ortiz, Environmental Health Supervisor, reviewed the above background information and advised for Option 1 mosquito spraying could be accomplished for \$15,000 to \$20,000 which would likely provide coverage until the first frost. Mr. Ortiz advised Option 2 is likely a last resort because he did not feel liability should be placed on a local company or license holder and if mosquito spraying is to be implemented because it would best be conducted by a municipality through an interlocal agreement. Mr. Ortiz further advised Option 3 was not to implement mosquito spraying but maintain the current education efforts through Environmental Health and the use of a larvacide in standing water and open ditches which is an effective measure to reduce the mosquito population.



MOTION: Commissioner King moved to go forward with Option 1.

Commissioner Council stated the mosquito season is nearing an end and the effectiveness of mosquito spraying is limited. Commissioner Council stated she favored Option 3 and the continuance of education efforts. Mr. Ortiz stated since the Board's September 4, 2012 meeting, Environmental Health has received three complaints about mosquitoes plus two calls from citizens opposed to spraying for mosquitoes.

In response to a question posed by Commissioner Keefe, Mr. Ortiz stated there will likely be no need for the program in six to eight weeks and spraying will not eliminate the threat of West Nile Virus. Mr. Ortiz stated the majority of phone calls the county received were from residents who were concerned they would get West Nile Virus and out of 9.6 million people in North Carolina, there have only been five reported cases. Commissioner Edge asked where mosquito spraying would begin were it to be implemented. Mr. Ortiz responded in the rural areas of the county. Mr. Ortiz stated mosquitoes have to fly through the spray in order for it to be effective.

Commissioner King withdrew his motion.

MOTION: Commissioner Council moved to receive the report as information and delay until the next budget season.

SECOND: Commissioner Edge

VOTE: UNANIMOUS (7-0)

6. Nominations to Boards and Committees

A. Cumberland County Juvenile Crime Prevention Council (JCPC) (2 Vacancies)

Commissioner Melvin nominated Vince Benbenek and Latoya Gordon.

B. Transportation Advisory Board (1 Vacancy)

Commissioner King nominated Kena Farrington.

7. Appointments to Boards and Committees

A. Animal Control Board (2 Vacancies)

Nominees: City of Fayetteville Resident Positions:

Reba Axtell  
Daniel Montoya

B. Southeastern Economic Development Commission (SEDC) (1 Vacancy)

Nominee: Russ Rogerson

C. Tourism Development Authority (1 Vacancy)

Nominee: Hotel/Motel Over 100 Rooms Representative:

Manish Mehta

There now being an equal number of vacancies and nominees,

MOTION: Commissioner Keefe moved to appoint all nominees by acclamation to their respective positions.

SECOND: Commissioner Council

VOTE: UNANIMOUS (7-0)

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

B) Personnel Matter Pursuant  
To NCGS 143-318.11(a)(6)

MOTION: Commissioner Keefe moved to go into closed session for attorney-client matters pursuant to NCGS 143-318.11(a)(3) and for personnel matters pursuant to NCGS 143-318.11(a)(6).

SECOND: Commissioner Council

VOTE: UNANIMOUS (7-0)

MOTION: Commissioner Keefe moved to reconvene in open session.

SECOND: Commissioner King

VOTE: UNANIMOUS (7-0)

9. Consideration of a Campaign Fundraiser Invitation Flyer

Mr. Martin referenced a campaign flyer which stated "Friends and Neighbors of Gates Four and the Cumberland County Board of Commissioners invite you to a reception to support Eddie Dees for House District 45". Mr. Moorefield stated the Board of Commissioners did not take action regarding this campaign flyer and it would be appropriate for the Board to direct him to contact the Eddie Dees campaign and advise them to correct this and to cease and desist from making further assertions.

MOTION: Commissioner Keefe moved to follow the advisement of the county attorney.

SECOND: Commissioner King

DISCUSSION: Commissioner Edge stated the Board of Commissioners does not endorse specific candidates for any office because the Board has to work with all candidates regardless of who is elected. Chairman Faircloth stated the Board of Commissioners did not vote to endorse any candidate and should not do so. Commissioner Evans concurred.

VOTE: UNANIMOUS (7-0)

MOTION: Commissioner Keefe moved to adjourn.

SECOND: Commissioner King

VOTE: UNANIMOUS (7-0)

There being no further business, the meeting adjourned at 11:00 p.m.

Approved with/without revision:

Respectfully submitted,

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Candice H. White  
Clerk to the Board