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**AGENDA**  
**CUMBERLAND COUNTY BOARD OF COMMISSIONERS**  
**JUDGE E. MAURICE BRASWELL**  
**CUMBERLAND COUNTY COURTHOUSE- ROOM 118**  
**SEPTEMBER 3, 2024**  
**9:00 AM**

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INVOCATION - Commissioner Jeannette Council

PLEDGE OF ALLEGIANCE -

RECOGNITIONS

Excellence in Innovation Award for Cumberland County Public Library System's Navigator Program

Excellence in Innovation Award for Cumberland County Department of Public Health's WIC Office on Fort Liberty

1. APPROVAL OF AGENDA

2. PRESENTATIONS

A. Fiscal Year 2025 Budget Highlights Video

B. Homeless Support Center Update

3. CONSENT AGENDA

A. Approval of Declaration of Surplus County Property, Budget Ordinance Amendment #250152 and Authorization to Accept Insurance Settlement

B. Approval of Formal Bid Award and Contract Approval for Disaster Transportation Services Stand-By Contract

C. Approval to Waive the Administration Fee for COVID-19, Flu, and RSV Vaccines

D. Approval of The Health Departments Delinquent Accounts to Be Turned Over for Bad Debt Write Off

E. Approval to Pay Prior Year Invoices

F. Approval of Sale of Surplus Real Property Located At 939 Taft Street, Fayetteville

G. Approval of Proclamation Recognizing Cumberland County Preparedness Month

H. Approval of Budget Ordinance Amendments for the September 3, 2024 Board of Commissioners' Agenda

4. ITEMS OF BUSINESS

A. Grant of Additional Easement in Cumberland Industrial Center to Piedmont Natural Gas

B. Revision of the Minimum Housing Code – Second Reading

5. NOMINATIONS

- A. Board of Adjustment (4 Vacancies)
- B. Cumberland County Local Emergency Planning Committee (4 Vacancies)
- C. Fayetteville Area Convention and Visitor's Bureau Board of Directors (1) Vacancy
- D. Fayetteville-Cumberland Parks and Recreation Advisory Board (2 Vacancies)
- E. Home and Community Care Block Grant Committee (1 Vacancy)

6. APPOINTMENTS

- A. ABC Board Appointment-Chairman

7. CLOSED SESSION

- A. Attorney Client Matter Pursuant to NCGS 143-318.11(a)(3)

**ADJOURN**

**REGULAR BOARD MEETINGS:**

**September 16, 2024 (Monday) 6:45 PM**  
**October 7, 2024 (Monday) 9:00 AM**  
**October 21, 2024 (Monday) 6:45 PM**

**WATCH THE MEETING LIVE**

**THIS MEETING WILL BE STREAMED LIVE THROUGH THE COUNTY'S WEBSITE, [www.cumberlandcountync.gov](http://www.cumberlandcountync.gov). LOOK FOR THE LINK AT THE TOP OF THE HOMEPAGE.**

**THE MEETING WILL ALSO BE BROADCAST LIVE ON CCNC-TV SPECTRUM CHANNEL 5**



**OFFICE OF THE COUNTY MANAGER**

**MEMORANDUM FOR BOARD OF COMMISSIONERS AGENDA OF SEPTEMBER 3,  
2024**

**TO: BOARD OF COUNTY COMMISSIONERS**

**FROM: CLARENCE GRIER, COUNTY MANAGER**

**DATE: 8/28/2024**

**SUBJECT: EXCELLENCE IN INNOVATION AWARD FOR CUMBERLAND COUNTY  
PUBLIC LIBRARY SYSTEM'S NAVIGATOR PROGRAM**

**BACKGROUND**

The North Carolina Association of County Commissioners (NCACC) in partnership with the Civic Federal Credit Union awarded the Excellence in Innovation Award for Cumberland County Public Library System's Community Navigator Program. The award was announced and presented during the NCACC's 2024 Annual Conference, which was held Aug. 8 – 10 in Forsyth County. The award recognizes successful county programs that demonstrate innovative solutions and cost/resources savings for counties.

The Community Navigator Program places a trained community navigator within the Cumberland County Public Library system to work with Library customers who may be experiencing a variety of issues including homelessness, mental illness and substance abuse to connect them with resources. The Library's community navigator assesses situations, links individuals with pertinent resources and can help address emergencies on-site. They also enhance the capabilities of all Library staff by providing tailored trainings from conflict resolution to adult mental health first aid. The program is headed by Community Navigator Ray Santini, who works a flexible schedule to meet the needs of staff and customers at all eight library branch locations. He also partners with other County departments and agencies to improve access to resources beyond the library system. Since its inception in November 2023, the Community Navigator Program has successfully connected more than 100 individuals with resources ranging from housing and food assistance to medical care and reentry support post-incarceration.

**RECOMMENDATION / PROPOSED ACTION**

Congratulate Cumberland County Public Library for receiving the Excellence in Innovation Award.



**OFFICE OF THE COUNTY MANAGER**

**MEMORANDUM FOR BOARD OF COMMISSIONERS AGENDA OF SEPTEMBER 3,  
2024**

**TO: BOARD OF COUNTY COMMISSIONERS**

**FROM: CLARENCE GRIER, COUNTY MANAGER**

**DATE: 8/28/2024**

**SUBJECT: EXCELLENCE IN INNOVATION AWARD FOR CUMBERLAND COUNTY  
DEPARTMENT OF PUBLIC HEALTH'S WIC OFFICE ON FORT  
LIBERTY**

**BACKGROUND**

The North Carolina Association of County Commissioners (NCACC) in partnership with the Civic Federal Credit Union awarded the Excellence in Innovation Award for Cumberland County Public Health's WIC Office on Fort Liberty. The award was announced and presented during the NCACC's 2024 Annual Conference, which was held Aug. 8 – 10 in Forsyth County. The award recognizes successful county programs that demonstrate innovative solutions and cost/resources savings for counties.

The Cumberland County Health Department opened a satellite Women, Infants, and Children (WIC) office on Fort Liberty in March 2023. WIC is a Special Supplemental Food and Nutrition Education Program funded by the U. S. Department of Agriculture, which has been shown to reduce food insecurity and improve health outcomes. Bringing a WIC office to Fort Liberty was an initiative of the Food Policy Council and Fort Liberty Public Health Partnership, which is a collaboration with the Fort Liberty Department of Public Health, UNC Gillings School of Global Public Health and the UNC Lineberger Comprehensive Cancer Center.

The WIC office on Fort Liberty was intended to better serve the County's military families and respond to needs identified by a 2021 Fort Liberty Community Survey, in which more than two-thirds of respondents indicated some level of worry over the past 12 months that their household's food would run out before they had the resources to purchase more. As part of the initiative, the Health Department operates a WIC clinic on Fort Liberty two days a week where eligible soldiers, dependents, contractors, and other civilian workers can receive WIC services on the installation. Military families receive nutrition education, supplemental foods, breastfeeding promotion, and referrals to other community and health agencies. The Fort Liberty WIC location has an average monthly enrollment of 1,004 WIC participants, an increase from an average monthly enrollment

of 308 during the first quarter Fort Liberty was open.

**RECOMMENDATION / PROPOSED ACTION**

Congratulate Cumberland County Public Health's WIC Office for receiving the Excellence in Innovation Award.



**ASSISTANT COUNTY MANAGER GENERAL GOVERNMENT AND STEWARDSHIP**

**MEMORANDUM FOR BOARD OF COMMISSIONERS AGENDA OF SEPTEMBER 3,  
2024**

**TO: BOARD OF COUNTY COMMISSIONERS**

**FROM: BRIAN HANEY, ASSISTANT COUNTY MANAGER FOR GENERAL  
GOVERNMENT & STEWARDSHIP**

**DATE: 8/27/2024**

**SUBJECT: FISCAL YEAR 2025 BUDGET HIGHLIGHTS VIDEO**

**BACKGROUND**

Following the Board of Commissioners' adoption of the Fiscal Year 2025 Budget on June 5, 2024, the Cumberland County Public Information Department worked with the Budget & Performance Department to create a video to communicate the details and priorities included in the FY 2025 Budget. The video is intended to serve as a visual companion to the adopted budget document prepared by the Budget & Performance Department.

**RECOMMENDATION / PROPOSED ACTION**

No action needed. Public Information staff will play the FY 2025 Budget Highlights video during the meeting.



**ASSISTANT COUNTY MANAGER COMMUNITY SUPPORT SERVICES**

**MEMORANDUM FOR BOARD OF COMMISSIONERS AGENDA OF SEPTEMBER 3,  
2024**

**TO: BOARD OF COUNTY COMMISSIONERS**

**FROM: HEATHER SKEENS, ASSISTANT COUNTY MANAGER**

**DATE: 8/28/2024**

**SUBJECT: HOMELESS SUPPORT CENTER UPDATE**

**BACKGROUND**

The Board of Commissioners' will receive an update on the Homeless Support Center.

The Homeless Support Center Architect RFP bid results were originally brought to the Board of Commissioners for approval on September 18, 2023 with the recommendation for LS3P. The contract for LS3P was brought to the May 20, 2024 Board of Commissioners meeting and was approved.

Since May, we have had two visioning sessions with LS3P and the Homeless Advisory Committee on June 13, 2024 and August 12, 2024 where we received extensive feedback. In addition staff made a site visit to Oak City Cares and the Wake County Men's Shelter on August 15, 2024.

Staff conducted interviews for the Construction Manager at Risk (CMAR) in July 2024 and the Board of Commissioners approved the selection of Barr & Barr and McFarland Construction on August 5, 2024. Staff will bring the contract back for approval at a future meeting.

Power Point presentation and other materials will be provided at meeting.

**RECOMMENDATION / PROPOSED ACTION**

For Information only. No action needed.



## **RISK MANAGEMENT**

### **MEMORANDUM FOR BOARD OF COMMISSIONERS AGENDA OF SEPTEMBER 3, 2024**

**TO: BOARD OF COUNTY COMMISSIONERS**

**FROM: ROBIN DEAVER, FINANCE DIRECTOR AND CHIEF FINANCIAL  
OFFICER**

**DATE: 8/11/2024**

**SUBJECT: APPROVAL OF DECLARATION OF SURPLUS COUNTY PROPERTY,  
BUDGET ORDINANCE AMENDMENT #250152 AND AUTHORIZATION  
TO ACCEPT INSURANCE SETTLEMENT**

#### **BACKGROUND**

DATE OF ACCIDENT: May 4, 2024

VEHICLE: Ford Explorer

VIN: 1FM5K8AT5JGA57810

FLEET#: FL-1807

DEPARTMENT: Sheriff's Office

SETTLEMENT OFFER: \$13,188.50

INSURANCE COMPANY: Travelers

#### **RECOMMENDATION / PROPOSED ACTION**

Management recommends the Board of Commissioners:

1. Declare the vehicle described above as surplus.
2. Authorize the Finance Director to accept \$13,188.50 (\$14,188.50-\$1,000 deductible) as settlement.
3. Allow Travelers to take possession of the wrecked (surplus) vehicle.
4. Approve Budget Ordinance Amendment BR#250152 to recognize the insurance settlement.

This amendment requires no additional County funds.

#### **ATTACHMENTS:**

**Description**  
Market Valuation Report

**Type**  
Backup Material



# MARKET VALUATION REPORT

Prepared for TRAVELERS - THE TRAVELERS INDEMNITY COMPANY



## REPORT SUMMARY



### CLAIM INFORMATION

Owner	Cumberland, County Of Fayetteville, NC 28302
Loss Unit	Police 2018 Ford EXPLORER POLICE AWD 6cyl. 3.5I-T Suv/Eco
Loss Unit Type	SPECIALTY VEHICLES
Loss Incident Date	05/04/2024
Claim Reported	06/25/2024



### INSURANCE INFORMATION

Report Reference Number	119068534
Claim Reference	F1H4630001
Adjuster	Karner, Brianna
Appraiser	Laurie B., Daniel
Odometer	124,958
Last Updated	06/25/2024 07:28 AM



### VALUATION SUMMARY

Base Value	\$ 14,111.00
Adjusted Value	\$ 14,111.00
DMV	+ \$ 77.50
Deductible	- \$ 1,000.00

**Total** **\$ 13,188.50**

The total may not represent the total of the settlement as other factors (e.g. license and fees) may need to be taken into account.

The CCC ONE® Market Valuation Report reflects CCC Intelligent Solutions Inc.'s opinion as to the value of the loss unit, based on information provided to CCC by TRAVELERS - THE TRAVELERS INDEMNITY COMPANY.

#### BASE VALUE

This is derived from comparable unit(s) available or recently available in the marketplace at the time of valuation, per our valuation methodology described on the next page.

#### Inside the Report

Valuation Methodology.....	2
Loss Unit Information.....	3
Comparable Units.....	6
Valuation Notes.....	8
Supplemental Information.....	9



**FINANCE DEPARTMENT**

**MEMORANDUM FOR BOARD OF COMMISSIONERS AGENDA OF SEPTEMBER 3,  
2024**

**TO: BOARD OF COUNTY COMMISSIONERS**

**FROM: JESSICA HULLENDER, FINANCE ACCOUNTANT MANAGER**

**DATE: 8/21/2024**

**SUBJECT: APPROVAL OF FORMAL BID AWARD AND CONTRACT APPROVAL  
FOR DISASTER TRANSPORTATION SERVICES STAND-BY  
CONTRACT**

**BACKGROUND**

In the event of a disaster, transportation services may be required to assist in evacuating the general population, including non-ambulatory citizens and those requiring American with Disabilities Act (ADA) support. Stand-by contracts for these services are imperative to have in place as they allow the County to begin serving the community immediately before or following an event, rather than waiting for a bid process to be completed, as is mandated by the Federal Uniform Guidance Procurement Policy for Local Governments ("Uniform Guidelines"). No funding is currently tied to these contracts as they are stand-by contracts, to be utilized in disaster events (such as a hurricane). In the event that services are required, a notice to proceed will be issued and a contract amendment will be executed to incorporate a "not to exceed" amount.

Proposals were solicited, received, and evaluated by subject matter experts. Pico Bros Company was determined to offer the best value of services.

**RECOMMENDATION / PROPOSED ACTION**

Finance and Purchasing staff recommend that the Board of Commissioners:

1. Award RFP #24-7-ES II to Pico Bros Company using the Uniform Guidelines best overall value standard of award.
2. Delegate authority to the County Manager to sign the contract and any contract amendments with Pico Bros Company.

**ATTACHMENTS:**

**Description**

Bid Award Request Form

Bid Tab Summary

Bid Evaluation Summary

**Type**

Backup Material

Backup Material

Backup Material



## Formal Bid Award Request (Eff. 6/21/21)

**Please Note:** This form is required for purchases in the formal bid range and must be completed and signed prior to any final bid award recommendations being submitted to a committee or the Board. Please complete all applicable fields.

**Date:** 8/13/24 **Department:** Emergency Services (Countywide standby contract)

**Bid Description** (If additional space necessary, may attach a separate sheet): Disaster Transportation Services Re-Bid

**Amount of Bid Award** (or estimated contract amount): N/A (If \$90,000 – \$99,999.99 County Manager approval required only, if \$100,000 or more County Manager and Board approval required.)

**Budgeted Amount for Project:** N/A **Original Budget (Y/N):**     **or Budget Revision #:**    

**Budget Line:** Org. N/A **Object Code:** N/A **Project Code:**      
*No funding is currently tied to this contract as this is a standby contract, to be utilized in disaster events. In the event that services are required, a notice to proceed will be issued and a contract amendment will be executed to incorporate a "not to exceed" amount.*

**Department Bid Award Recommendation** (specify the vendor):

Pico Bros Company

**Justification** (ex. lowest bidder) (Please note that if the lowest bidder is not selected a detailed explanation must be provided. If additional space necessary, may attach a separate sheet.):

Proposals were evaluated by subject matter experts from the Emergency Services department using the evaluation criteria in the RFP. Pico Bros Company had the highest score and was determined to be the best overall value. This contract is a standby contract and no funding is currently tied to this contract. In the event that services are required due to a disaster event, a notice to proceed will be issued and a contract amendment will be executed to incorporate a NTE amount.

**Has this project** (not the bid award, just the actual project or funds for the project) **been reviewed by a committee?** No **If so, which committee?**     **on what date?**     (Please note committee review/approval is not necessarily required for all bids, if a department is not certain if committee review is necessary, they should consult their Assistant County Manager.)

**Recommended By:** *[Signature]*

Department Head

**Reviewed and Accepted By:**

This is within the County Manager's authority to approve range ☐

This is within the BOCC authority to approve range, requesting County Manager approval to send forward to BOCC ☒

*[Signature]* **Date:** 8/14/24  
Finance Director (Please see question below)

*[Signature]* **Date:** 8/15/24  
County Manager (Please see question below)

Should this bid be submitted to the Agenda Session?

Yes ☐ No ☒

Is the County Manager approval contingent upon any committee review/approvals of bid award? If so, please specify the required committee:

*[Signature]* **Date:** 8/14/24  
County Purchasing Manager

FOR PURCHASING ONLY BELOW THIS LINE

SAM CHECKED ☒  
DOA CHECKED ☒  
IRAN CHECKED ☒



Financial Services

Purchasing Division

**Bid Tab Summary**  
**RFP# 24-7-ES II | Disaster Transportation Services Rebid**

**Bids Due Date: May 17, 2024, at 2:00 PM**

Vendor Name	Date Received	Time Received	Proposal Sealed	One (1) Signed, Original Executed Bid Response	One (1) Copy	One (1) Electronic Copy on a Flash Drive	References	Attachment B	Attachment C	Attachment D	Attachment E	Attachment F	Comments
Pico Bros Company	5/16/24	10:16 AM	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	
Holiday Tours, Inc.	5/16/24	10:40 AM	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	
Phoenix Bus, Inc.	5/17/24	10:33 AM	✓	X	✓	X	✓	✓	✓	✓	✓	✓	Nonresponsive Attachment B - Proposal not executed Did not submit one (1) electronic copy on a flash drive

# Evaluation Sheet RFP #24-7-ES II Disaster Transportation Services Re-Bid

Scale of 100

Vendor-Contractor		GC					Totals	AS					Totals	CG					Totals	Ave.
		Qualifications & Experience	Availability & Response Time	Understanding of Work Statement	Safety Protocols/ Training	Cost Proposal		Qualifications & Experience	Availability & Response Time	Understanding of Work Statement	Safety Protocols/ Training	Cost Proposal		Qualifications & Experience	Availability & Response Time	Understanding of Work Statement	Safety Protocols/ Training	Cost Proposal		
		30 Points	20 Points	10 Points	20 Points	20 Points		30 Points	20 Points	10 Points	20 Points	20 Points		30 Points	20 Points	10 Points	20 Points	20 Points		
1	Pico Bros Company	25	20	5	20	10	80	25	20	5	20	10	80	25	20	5	20	10	80	80
2	Holiday Tours, Inc.	0	0	0	20	20	40	5	0	0	20	20	45	0	0	0	18	20	38	41



**DEPARTMENT OF PUBLIC HEALTH**

**MEMORANDUM FOR BOARD OF COMMISSIONERS AGENDA OF SEPTEMBER 3,  
2024**

**TO: BOARD OF COUNTY COMMISSIONERS**

**FROM: DR. JENNIFER GREEN, PUBLIC HEALTH DIRECTOR**

**DATE: 8/21/2024**

**SUBJECT: APPROVAL TO WAIVE THE ADMINISTRATION FEE FOR COVID-19,  
FLU, AND RSV VACCINES**

**BACKGROUND**

Cumberland County Public Health Department provides COVID-19, flu, and RSV vaccines to the citizens of Cumberland County. The fees are based on acquisition cost of the vaccine, the Medicaid rate, third party rates and the type of vaccine being administered. After a review of the COVID-19, flu, and RSV vaccines to be administered during the 2024-2025 season, it was determined that the fees do not need to be charged this year. Historically, we have waived the administration fee for uninsured and underinsured adults for COVID-19, flu, and RSV. The proposed administration fee for one (1) vaccination is \$24, for the 2024-2025 respiratory virus season. The Health Department will be able to provide COVID-19, flu, and RSV vaccines at no cost to the uninsured and underinsured.

The Health Department received COVID-19 Bridge Access funds, which will offset the cost of flu vaccines for the uninsured and underinsured. Adults (19 and older) enrolled in the Be Smart Family Planning program and uninsured pregnant women are already eligible to receive flu vaccinations at no cost. Children aged 18 and under are also able to receive the vaccine at no cost through the Vaccines For Children (VFC) program.

The COVID-19 vaccine is no longer provided fully free of charge to the Health Department. We receive free vaccines to administer to children under the VFC program and to uninsured adults through the Bridge Access program. However, we must purchase COVID-19 vaccines to administer to insured children and adults. All patients will continue to receive the COVID-19 vaccine with no out of pocket expense.

RSV is a common respiratory virus that usually causes mild common symptoms however can cause severe lung disease in certain populations. The CDC recommends everyone ages 75 and older receive the RSV vaccine. In addition, individuals ages 60–74 who are at increased risk of severe RSV should also receive the

vaccine. RSV vaccines are also available for infants. Uninsured and underinsured children will qualify for a free vaccine through the VFC program which includes pregnant teenagers. Pregnant Women will receive their vaccine as part of their Maternal Health visit; the fee will be assessed based on their sliding scale eligibility. Adults aged 60 and above will be subject to pay for the vaccine if they are uninsured or do not have Medicare Part D for those aged 65 and up.

The Board of Health unanimously approved waiving the administration fee for COVID-19, flu, and RSV vaccines for uninsured or underinsured adults (RSV vaccines for adults 60 and older) at their August 20, 2024 meeting.

### **RECOMMENDATION / PROPOSED ACTION**

The Public Health Director recommend approval to waive the administration fee for COVID-19, flu and RSV vaccines.



**DEPARTMENT OF PUBLIC HEALTH**

**MEMORANDUM FOR BOARD OF COMMISSIONERS AGENDA OF SEPTEMBER 3,  
2024**

**TO: BOARD OF COUNTY COMMISSIONERS**

**FROM: DR. JENNIFER GREEN, PUBLIC HEALTH DIRECTOR**

**DATE: 8/21/2024**

**SUBJECT: APPROVAL OF THE HEALTH DEPARTMENTS DELINQUENT  
ACCOUNTS TO BE TURNED OVER FOR BAD DEBT WRITE OFF**

**BACKGROUND**

At the Board of Health meeting on August 20, 2024, the Board approved writing off a total of \$7,747.53 as bad debts. The bad debt accounts with balances of \$50.00 or higher, are sent to the North Carolina Debt Setoff Clearinghouse. This program can attach to a debtors' North Carolina State Income Tax Refund and/or Education lottery winnings for payment of bad debts. The accounts with balances under \$50.00 will continue to be worked for collection through our in-house collection efforts. The accounts listed are 90 days or older as of 7/31/2024. This write-off of bad debts is compliant with the Cumberland County Health Department's Debt Collection Policy 02-03 to write off bad debts every quarter.

**RECOMMENDATION / PROPOSED ACTION**

Approve write-off of \$7,747.53 bad debts to the North Carolina Debt Set-Off Program.

**ATTACHMENTS:**

Description	Type
Delinquent Accounts to be turned over for bad debt write off	Backup Material

**CUMBERLAND COUNTY DEPARTMENT  
OF PUBLIC HEALTH  
DELINQUENT ACCOUNTS TO BE TURNED OVER FOR COLLECTION  
BAD DEBT WRITE OFF #73  
August 6, 2024**

PROGRAM	AMOUNT
ADULT HEALTH	\$0.00
CHILD HEALTH CLINIC	\$2,431.40
FAMILY PLANNING CLINIC	\$4,600.73
IMMUNIZATIONS	\$106.00
MATERNAL HEALTH CLINIC	\$609.40
TOTAL	\$7,747.53

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

The above accounts are 90 days old or older as of 7/31/2024



FINANCE DEPARTMENT

**MEMORANDUM FOR BOARD OF COMMISSIONERS AGENDA OF SEPTEMBER 3, 2024**

**TO: BOARD OF COUNTY COMMISSIONERS**

**FROM: ROBIN DEAYER, FINANCE DIRECTOR AND CHIEF FINANCIAL OFFICER**

**DATE: 8/22/2024**

**SUBJECT: APPROVAL TO PAY PRIOR YEAR INVOICES**

**BACKGROUND**

There is a period of time after June 30<sup>th</sup> of fiscal year-end in which transactions of the prior fiscal year will continue to be processed (typically until the third week in August). After that cutoff date has passed, a department may still receive a vendor invoice that is payable for services that were rendered, or goods that were received in the prior fiscal year. When that occurs, approval by the Board of Commissioners is required prior to payment. The following departmental invoices meet those criteria:

Department	Vendor	Invoice Date/Services Rendered	Amount
Community Development	Fire Protection	April 29, 2024	\$422.46
Community Development	Gill Security Systems	June 14, 2024	\$101.65
Community Development Total			\$524.11
Planning and Inspections	LOCALiQ Gannett	May 1, 2023	\$137.02
Planning and Inspections Total			\$137.02
Human Resources	Wolfe	June 2023	\$2,511.00
Human Resources	Meghan E. Jones	May 2024	\$500.00
Human Resources Total			\$3,011.00
Risk Management	Aegis Training Solution	February 20, 2024	\$1,199.00
Risk Management Total			\$1,199.00

**RECOMMENDATION / PROPOSED ACTION**

Management is requesting approval to pay prior year invoices for Community Development totaling \$524.11, Planning and Inspections invoice for \$137.02, Human Resources invoices totaling \$3,011.00 and Risk Management invoice for \$1,199.00.

**ATTACHMENTS:**

Description	Type
Prior Year Invoice - Community Development	Backup Material
Prior Year Invoice - Human Resources	Backup Material
Prior Year Invoice - Planning and Inspections	Backup Material
Prior Year Invoice - Risk Management	Backup Material



## Community Development

**TO:** ROBIN DEAVER, FINANCE DIRECTOR  
**FROM:** RAYSHONIA MANUEL, FINANCE ACCOUNTANT-AR *RM*  
**THRU:** TYE VAUGHT, INTERIM DIRECTOR *TV*  
**DATE:** 8/14/2024  
**SUBJ:** REQUEST TO PAY PRIOR YEAR (FY24) INVOICES

The Community Development Department is requesting approval to pay the following Fiscal Year 2024 invoices:

- Fire Protection, Invoice #12461017: \$422.46
- Gill Security Systems, Invoice #662902: \$101.65

The Department did not receive notification that these invoices were past due prior to the FY24 invoice processing deadline. The invoices were received in August 2024 for services required at Robins Meadow Transitional Housing Units. These payments will not significantly impact the Community Development Department's FY25 budget, and sufficient funds are available to cover these expenditures. Additionally, this action will not require a budget revision.

Thank you.



Human Resources

MEMORANDUM

TO: Clarence Grier, County Manager

Brian Haney, Assistant County Manager

Robin Deaver, Chief Operating Officer/Finance Director *[Signature]*

Deborah Shaw, Budget and Performance Director *[Signature]*

Dominique Hall, Human Resources Director *[Signature]*

FROM: Cathy Woods, Classification & Compensation Manager *[Signature]*

DATE: August 12, 2024

SUBJECT: Request to Pay Prior Year (FY 24) Invoice

Please approve payment for the attached three (3) prior year invoices.

1. Wolfe – Background screenings. Budget 1014111-533301
  - a. Invoice 422225 for services from June 14 – June 28, 2024, in the amount of \$2403.00
  - b. Invoice 423147 for services from June 25 – June 28, 2024, in the amount of \$108.00
2. Tuition Assistance – Invoice TA/Mjones/11753. Budget 1014195-533770  
Completion of course work on 5/10/2024, in the amount of \$500.00

**Verification Statement:** The attached invoices have been verified and the charges are not duplicates and have not been previously paid.

**Measure of prevention:** We are strengthened additional training to assist with steps needed for end of year processing.

The cost of the invoices can be absorbed in this year's budget.


Rawls Howard  
Director


David Moon  
Deputy Director



## Cumberland County Joint Planning Board

### MEMORANDUM

TO: ROBIN DEEVER, FINANCE DIRECTOR 

FROM: RAWLS HOWARD, DIRECTOR OF PLANNING & INSPECTIONS 

DATE: AUGUST 19, 2024

SUBJECT: REQUESTING PAYMENT OF A PRIOR FY23 INVOICE FROM CURRENT FY25 BUDGET.

Planning and Inspections is requesting payment of a prior FY23 invoice from the Fayetteville Observer (LOCALiQ, Gannett), Invoice #: 0005595830, for \$137.02, with late payment subtracted due to a billing error on Fayetteville Observer's end. The \$137.02 amount is to be paid with current FY25 advertising funds (1014502-533501).

This invoice was billed to the wrong account, and we were not notified of the mistake. We believe that when the ad was sent to the email contact for the Fayetteville Observer, they selected the wrong account number for billing, because no account number was shown on the original email.

No payment was found in Departmental files or Munis.

Since this invoice was created, we have upgraded to using a "public notices" website where each account has their own sign-in and ad creation, essentially resolving the possibility of creating the same error in the future.

Attached you will find a copy of the ad that was placed, the invoice, and supporting documentation.

This will not impact the current year's budget. No revisions are required, and the cost can be absorbed within the current year's budget.

Robin Deaver  
Finance Director  
Chief Financial Officer



FINANCIAL SERVICES  
RISK MANAGEMENT DIVISION

4<sup>th</sup> Floor, Room No. 451, Courthouse • PO Box 1829 • Fayetteville, North Carolina 28302-1829

MEMORANDUM FOR BOARD OF COMMISSIONERS

TO: BOARD OF COUNTY COMMISSIONERS  
THRU: ROBIN DEAVER, FINANCE DIRECTOR *RD*  
FROM: STEPHEN ROGERS, RISK MANAGEMENT CONSULTANT *SR*  
DATE: AUGUST 21, 2024  
SUBJECT: REQUEST TO PAY PRIOR YEAR INVOICE

BACKGROUND:

- Aegis Training Solution Invoice 615455 \$1,199.00
- Invoice was missed in email and not noticed until vendor sent additional email to inform of non-payment
- Ask vendor to send invoice prior to training, instead of after training
- No invoices have been paid to this vendor
- Invoice can be absorbed into the FY25 budget
- See attached Certificate

RECOMMENDATION/PROPOSED ACTION:

Management recommends that the Board of Commissioners:

1. Accept my apologies for the late payment and approve this request.
2. Authorize Risk Management to pay this invoice.

*Celebrating Our Past...Embracing Our Future*

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EASTOVER - FALCON - FAYETTEVILLE - GODWIN - HOPE MILLS - LINDEN - SPRING LAKE - STEDMAN - WADE



**OFFICE OF THE COUNTY ATTORNEY**

**MEMORANDUM FOR BOARD OF COMMISSIONERS AGENDA OF SEPTEMBER 3,  
2024**

**TO: BOARD OF COUNTY COMMISSIONERS**

**FROM: COUNTY ATTORNEY**

**DATE: 8/28/2024**

**SUBJECT: APPROVAL OF SALE OF SURPLUS REAL PROPERTY LOCATED AT 939  
TAFT STREET, FAYETTEVILLE**

**BACKGROUND**

On August 5, 2024, the board adopted a resolution of its intent to accept the offer of Zioni Isreal to purchase property with PIN 0436-19-1555, being Lots 158-159 Pleasant View, Section 3, Plat Book 15, Page 64, located at 939 Taft Street, Fayetteville, for \$4,003.31, and directed that it be advertised and sold pursuant to the upset bid process of G.S. § 160A-269. The parcel is zoned MR5 with a tax value of \$2,500.00. Based on the County GIS Parcel View System and the tax records, there is not a structure on the lot.

Notice of the proposed sale, subject to the upset bid process required by G.S. § 160A-269, was advertised in the *Fayetteville Observer* on August 9, 2024. The proof of publication is attached. More than 10 days have elapsed since the notice was published. No upset bid was received.

**RECOMMENDATION / PROPOSED ACTION**

County attorney recommends the board approve this sale and authorize the chair or the county manager to execute a deed for the property upon the county's receipt of the balance of the purchase price.

**ATTACHMENTS:**

Description

939 Taft St - Pub Affidavit

Type

Backup Material

# LOCALiQ

StarNews | The Dispatch | Times-News  
Sun Journal | The Daily News | The Star  
The Free Press | Gaston Gazette  
The Fayetteville Observer

PO Box 631697 Cincinnati, OH 45263-1697

## **AFFIDAVIT OF PUBLICATION**

County Attorney's Office/Legal Dept.  
Cumb Co Attorney's, Myra Brooks  
Po Box 1829

Fayetteville NC 28302-1829

STATE OF NORTH CAROLINA, COUNTY OF CUMBERLAND

The Fayetteville Observer, a newspaper distributed in the county of Cumberland, published in the City of Fayetteville, County of Cumberland, State of North Carolina printed and published and personal knowledge of the facts herein state and that the notice hereto annexed was Published in said newspapers in the issues dated on:

08/09/2024

and that the fees charged are legal. The Fayetteville Observer was a newspaper meeting all the requirements and qualifications prescribed by Sec. No. 1-597 G.S. of N.C.  
Sworn to and subscribed before on 08/09/2024

Legal Clerk

Notary, State of WI, County of Brown

My commission expires

Publication Cost: \$140.61

Tax Amount: \$0.00

Payment Cost: \$140.61

Order No: 10457524

Customer No: 744407

PO #: LWLM0140446

# of Copies:

0

**THIS IS NOT AN INVOICE!**

*Please do not use this form for payment remittance.*

MARIAH VERHAGEN  
Notary Public  
State of Wisconsin

CUMBERLAND COUNTY  
BOARD OF COMMISSION-  
ERS

NOTICE OF INTENT TO  
ACCEPT AN OFFER TO  
PURCHASE

CERTAIN REAL PROP-  
ERTY PURSUANT TO  
N.C.G.S. § 160A-269

Take notice that the board of commissioners finds the real property with PIN 0436-19-1555, being Lots 158- 159 Pleasant View, Section 3, Plat Book 15, Page 64, located at 939 Taft Street, Fayetteville, is not needed for governmental purposes and proposes to accept an offer to purchase the property for \$5,087.00. Within 10 days of this notice any person may raise the bid by not less than ten percent (10%) of the first one thousand dollars (\$1,000) and five percent (5%) of the remainder by making a five percent (5%) deposit of the bid with the clerk. This procedure shall be repeated until no further qualifying upset bids are received. The board of commissioners may at any time reject any and all offers. Further details may be obtained from the Office of the County Attorney, Suite 551-Courthouse, Fayetteville, NC 28302.

August 9, 2024                      Andrea  
Tebbe, Clerk to the Board  
August 9 2024  
LWLM0140446



**CLERK TO THE BOARD OF COMMISSIONERS**

**MEMORANDUM FOR BOARD OF COMMISSIONERS AGENDA OF SEPTEMBER 3,  
2024**

**TO: BOARD OF COUNTY COMMISSIONERS**

**FROM: ANDREA TEBBE, CLERK TO THE BOARD**

**DATE: 8/28/2024**

**SUBJECT: APPROVAL OF PROCLAMATION RECOGNIZING CUMBERLAND  
COUNTY PREPAREDNESS MONTH**

**BACKGROUND**

A request was received for a proclamation recognizing September 2024 as Cumberland County Preparedness Month.

**RECOMMENDATION / PROPOSED ACTION**

Respectfully request approval of the proclamation.

**ATTACHMENTS:**

Description

Preparedness Month

Type

Backup Material

## Proclamation

*WHEREAS, all North Carolinians should be prepared for natural and man-made disasters as well as disease outbreaks; and*

*WHEREAS, North Carolina is traditionally an active state for tornadoes and severe thunderstorms, with tornado touchdowns and straight-line winds causing severe damage in parts of the state this year; and*

*WHEREAS, in 2023 the state experienced 26 tornado touchdowns, 154 flood incidents and 843 severe thunderstorms with damaging wind and 127 thunderstorms with wind and hail; and*

*WHEREAS, last year the National Weather Service in North Carolina issued 51 tornado warnings and 762 severe thunderstorm warnings, with an average warning time of 19 minutes; and 106 flash flood warnings, with an average warning time of 66 minutes; and*

*WHEREAS, every community, business, family and individual in Cumberland County must be ready for natural and man-made disasters including tornadoes, flooding, hurricanes, and public disturbances that might disrupt normal daily activities; and*

*WHEREAS, all Cumberland County residents can take a few simple steps – making a family disaster plan, creating an emergency supply kit, and staying informed – to help make preparedness and personal responsibility a priority; and*

*WHEREAS, Cumberland County residents should know the risks for their area and plan accordingly, and*

*WHEREAS, Cumberland County residents should help the elderly and those who cannot help themselves; and*

*WHEREAS, Cumberland County residents should include the safety of their pets and/or livestock in their emergency plans; and*

*WHEREAS, Cumberland County, North Carolina Emergency Management, the State of North Carolina, and the Federal Emergency Management Agency have collaborated to recognize September as Preparedness Month to encourage Cumberland County residents to be disaster ready.*

*NOW THEREFORE, We, the Cumberland County Board of Commissioners, hereby proclaim the month of September 2024, as “**CUMBERLAND COUNTY PREPAREDNESS MONTH**” in Cumberland County and encourage all county residents to plan and prepare weather-related and man-made disasters by assembling their emergency supply kits and updating their emergency plans.*

*Adopted this 3<sup>rd</sup> day of September 2024.*

---

Glenn B. Adams, Chairman  
Cumberland County Board of Commissioners



**BUDGET AND PERFORMANCE DEPARTMENT**

**MEMORANDUM FOR BOARD OF COMMISSIONERS AGENDA OF SEPTEMBER 3, 2024**

**TO: BOARD OF COUNTY COMMISSIONERS**

**FROM: DEBORAH W. SHAW, BUDGET AND PERFORMANCE DIRECTOR**

**DATE: 8/28/2024**

**SUBJECT: APPROVAL OF BUDGET ORDINANCE AMENDMENTS FOR THE  
SEPTEMBER 3, 2024 BOARD OF COMMISSIONERS' AGENDA**

**BACKGROUND**

**Education Fund 106**

**1) School Capital Outlay Category I, II, and III – Budget Ordinance Amendment B250799 in the amount of \$13,025,293 for capital outlay**

The Board is requested to accept and approve Budget Ordinance Amendment B250799 in the amount of \$13,025,293 for capital outlay. Category I is for school renovations in the amount of \$12,005,593. Category II is for equipment in the amount of \$445,400. Category III is for vehicles in the amount of \$574,300. This revision is to update the school capital outlay from the Cumberland County Board of Education as approved at the Board of Education meeting on June 20, 2024.

Please note this amendment requires no additional county funds.

**Federal Drug Forfeiture Fund 204**

**2) Federal Drug Forfeiture – Budget Ordinance Amendment B250318 to appropriate Federal Drug Forfeiture fund balance in the amount of \$84,872**

The Board is requested to approve Budget Ordinance Amendment B250318 to appropriate Federal Drug Forfeiture fund balance in the amount of \$84,872. These funds will be used to purchase a 2024 Chevrolet Tahoe and the Clearview Artificial Intelligence software. The vehicle will replace the 2017 Chevrolet Tahoe that

has high mileage and advanced engine time.

Please note this amendment requires appropriation of the Federal Drug Forfeiture fund balance.

### **General Litigation Fund 806**

#### **3) Sheriff's Office Litigation - Budget Ordinance Amendment B250493 to appropriate General Litigation fund balance in the amount of \$45,000**

The Board is requested to approve Budget Ordinance Amendment B250493 to appropriate General Litigation fund balance in the amount of \$45,000. These funds will be used to pay the litigation invoices for the Sheriff's Office.

Please note this amendment requires appropriation of the General Litigation fund balance.

### **REGARDING THE FOLLOWING ITEMS #4-#22 PLEASE NOTE:**

Each fiscal year, County departments may have projects that have been approved and initiated but were not complete by the fiscal year end (6/30/24) or items ordered that had not been received by fiscal year end. These projects or items were approved in the Fiscal Year 2024 budget; however, the money was not spent by June 30, 2024.

The following amendments seek to bring those funds forward from FY 2024 into the current fiscal year, allowing departments to complete and pay for these projects and items. These revisions are not using 'new' funds but are recognizing the use of FY24 funds in FY25.

### **General Fund 101**

#### **4) Financial Services – Budget Ordinance Amendment B250607 to re-appropriate funds in the amount of \$30,416**

The Board is requested to approve Budget Ordinance Amendment B250607 to re-appropriate funds in the amount of \$30,416. These funds will be used for financial assistance with the audit and the annual comprehensive financial report. These projects were started in FY24 and will not be completed until FY25.

#### **5) General Government Other – Budget Ordinance Amendment B250116 to re-appropriate funds in the amount of \$1,376,950**

The Board is requested to approve Budget Ordinance Amendment B250116 to re-appropriate funds in the amount of \$1,376,950 to be used for the Inclement Weather Shelter generators. These standby generators will be placed at designated shelter locations. This project was started in FY22 and will not be completed until FY25.

#### **6) Sheriff's Office – Budget Ordinance Amendment B250217 to re-appropriate FY24 funds in the amount of \$5,248**

The Board is requested to approve Budget Ordinance Amendment B250217 to re-appropriate FY24 funds in the amount of \$5,248. These funds will be used to purchase firearms for training. This purchase was ordered in FY24 but will not be received until FY25.

#### **7) Detention Center – Budget Ordinance Amendment B250214 to re-appropriate FY24 funds in the amount of \$12,668**

The Board is requested to approve Budget Ordinance Amendment B250214 to re-appropriate FY24 funds in the amount of \$12,668. These funds will be used to complete the radio purchases. These items were ordered in FY24 but will not be received until FY25.

**8) Department of Social Services – Budget Ordinance Amendment B250994 to re-appropriate FY24 funds in the amount of \$230,693**

The Board is requested to approve Budget Ordinance Amendment B250994 to re-appropriate FY24 funds in the amount of \$230,693. These funds will be used for computer equipment and advertising. These funds were approved at the May 26, 2023, Board of Commissioners meeting.

**9) Department of Social Services – Budget Ordinance Amendments B250995, B250996, and B250997 to re-appropriate FY24 funds in the amount of \$201,812**

The Board is requested to approve Budget Ordinance Amendment B250995, B250996, and B250997 to re-appropriate FY24 funds in the amount of \$201,812. Budget amendment B250995 in the amount of \$63,612, will be used for maintenance and repair projects. Budget amendment B250996 in the amount of \$125,000, will be used to purchase the bi-directional antenna. Budget amendment B250997 in the amount of \$13,200 will be used for the replacement of the computer server equipment. These projects were approved in the FY24 budget process but will not be completed until FY25.

**10) Soil Conservation District – Budget Ordinance Amendment B250112 to re-appropriate FY24 funds in the amount of \$15,167**

The Board is requested to approve Budget Ordinance Amendment B250112 to re-appropriate FY24 funds in the amount of \$15,167. These funds will be used for the projects that were started in FY24 but will not be completed until FY25.

**11) Water and Sewer – Budget Ordinance Amendment B250110 to re-appropriate FY24 funds in the amount of \$28,078**

The Board is requested to approve Budget Ordinance Amendment B250110 to re-appropriate FY24 funds in the amount of \$28,078. These funds will be used for consulting services for engineering that was started in FY24 but will not be completed until FY25.

**Capital Investment Fund 107**

**12) Capital Improvement Plan – Budget Ordinance Amendment B250085 to re-appropriate FY24 funds in the amount of \$5,337,138**

The Board is requested to approve Budget Ordinance Amendment B250085 to re-appropriate FY24 funds in the amount of \$5,337,138. These funds are needed to complete various capital improvement projects that were started in FY24 and will be completed in FY25.

**13) Preliminary Capital – Budget Ordinance Amendment B250109 to re-appropriate FY24 funds in the amount of \$8,169**

The Board is requested to approve Budget Ordinance Amendment B250109 to re-appropriate FY24 funds in the amount of \$8,169. These funds are needed to complete the preliminary general government services design that was started in FY24 and will be completed in FY25.

**14) Capital Investment - Technology - Budget Ordinance Amendment B250216 to re-appropriate FY24 funds in the amount of \$6,172**

The Board is requested to approve Budget Ordinance Amendment B250216 to re-appropriate FY24 funds in the amount of \$6,172. These funds will be used to finish the computer server project for the Sheriff's Office that was started in FY24 but will not be completed until FY25.

**Inmate Welfare Fund 207**

**15) Inmate Welfare – Budget Ordinance Amendment B250218 to re-appropriate FY24 funds in the amount of \$58,443**

The Board is requested to approve Budget Ordinance Amendment B250218 to re-appropriate FY24 funds in the amount of \$58,443. These funds will be used to purchase a Court TV for the Detention Center. This is an arraignment video system that will assist with less movement and ensure the safety of the inmates. These projects were started in FY24 but will not be completed until FY25.

**Stream Restoration Grant Fund 243**

**16) Stream Restoration Grant – Budget Ordinance Amendment B250117 to re-appropriate FY24 funds from the North Carolina Legislated State Directed Grants for Methodist University Stream Restoration in the amount of \$1,715,421**

The Board is requested to approve Budget Ordinance Amendment B250117 to re-appropriate FY24 funds from the North Carolina Legislated State Directed Grants for Methodist University Stream Restoration in the amount of \$1,715,421. These funds will be utilized to reimburse Methodist University for stream restoration expenditures incurred between the original timeframe of July 1, 2021 and June 30, 2023. This grant period has been extended until June 30, 2025. This grant was approved at the March 7, 2022 Board of Commissioners' meeting.

**State Capital Infrastructure Fund (SCIF) 244**

**17) State Capital Infrastructure Fund (SCIF) – Budget Ordinance Amendment B250285 to re-appropriate FY24 funds from the North Carolina Legislated State Directed Grants – State Capital Infrastructure Funds (SCIF) for the Homeless Shelter in the amount of \$162,883**

The Board is requested to approve Budget Ordinance Amendment B250285 to re-appropriate FY24 funds from the North Carolina Legislated State Directed Grants – State Capital Infrastructure Funds (SCIF) in the amount of \$162,883. This grant was approved at the March 7, 2022, Board of Commissioners' meeting.

**Opioid Settlement Fund 249**

**18) Opioid Settlement – Budget Ordinance Amendment B250498 to re-appropriate grant funds from the Opioid Settlement Funds in the amount of \$24,244**

The Board is requested to accept and approve Budget Ordinance Amendment B250498 grant funding from the Opioid Settlement Funds in the amount of \$24,244. These funds will be used to fund eligible organizations to implement evidence based early intervention strategies to address the opioid epidemic in Cumberland County.

**Cumberland Industrial Center Sewer Fund 252**

**19) Cumberland Industrial Center Sewer – Budget Ordinance Amendment 250121 to re-appropriate FY24 funds in the amount of \$252,608**

The Board is requested to approve Budget Ordinance Amendment B250121 to re-appropriate FY24 funds in the amount of \$252,608. These funds will be used to finish the project that was started in FY24. These funds were approved at the June 20, 2022, Board of Commissioners meeting for the Liberty Point sewer project.

**Crown Complex Fund 600**

**20) Crown Complex – Budget Ordinance Amendment B250118 to re-appropriate FY24 funds in the amount of \$5,570,193**

The Board is requested to approve Budget Ordinance Amendment B250118 to re-appropriate FY24 funds in the amount of \$5,570,193. These funds are needed to complete projects that were started in FY24 and will not be completed until FY25.

**NORCRESS Water and Sewer Fund 605**

**21) NORCRESS Water and Sewer – Budget Ordinance Amendment B250114 to re-appropriate FY24 funds in the amount of \$1,298,435**

The Board is requested to approve Budget Ordinance Amendment B250114 to re-appropriate FY24 funds in the amount of \$1,298,435. These funds are needed to complete projects that were started in FY24 and will not be completed until FY25.

**Solid Waste Fund 625**

**22) Solid Waste – Budget Ordinance Amendment B250918 to re-appropriate FY24 funds in the amount of \$8,102,158**

The Board is requested to approve Budget Ordinance Amendment B250918 to re-appropriate FY24 funds in the amount of \$8,102,158. These funds are needed to complete various projects and for vehicle and equipment purchases that were budgeted in FY24 and will not be completed or received until FY25.

**RECOMMENDATION / PROPOSED ACTION**

Approve Budget Ordinance Amendments



**OFFICE OF THE COUNTY ATTORNEY**

**MEMORANDUM FOR BOARD OF COMMISSIONERS AGENDA OF SEPTEMBER 3,  
2024**

**TO: BOARD OF COUNTY COMMISSIONERS**

**FROM: COUNTY ATTORNEY**

**DATE: 8/28/2024**

**SUBJECT: GRANT OF ADDITIONAL EASEMENT IN CUMBERLAND INDUSTRIAL  
CENTER TO PIEDMONT NATURAL GAS**

**BACKGROUND**

At its meeting June 17, 2024, the board approved the sale of an easement 50' in width across four parcels in Cumberland Industrial Center to Piedmont Natural Gas ("PNG"). PNG is now requesting an additional temporary construction easement (50' x 180' in size) adjacent to one section of the easement it has already acquired. PNG will pay \$1,044 for the temporary easement and damage to the trees within it. The compensation calculation, easement document, and plat of the easement are attached.

**RECOMMENDATION / PROPOSED ACTION**

The county attorney recommends the board approve the resolution below to approve the grant of this temporary construction easement to PNG for \$1,044:

Whereas, at its meeting June 17, 2024, the board of commissioners approved the sale of an easement 50' in width across four parcels in Cumberland Industrial Center to Piedmont Natural Gas ("PNG"); and

Whereas, PNG has now requested to purchase an additional temporary construction easement (50' x 180' in size) located adjacent to one section of the easement it has already acquired and as shown on the attached plat and easement document it has already acquired in the Cumberland Industrial Center for \$1,044 for the temporary use of the easement for construction purposes and for the damage to trees located within the easement; and

Whereas, the board of commissioners finds that PNG's temporary use for this construction easement does

not interfere with other use of the property in the Cumberland Industrial Center; and

Whereas the board of commissioners finds the amount of \$1,044 to be a reasonable and fair value for the temporary use of the described easement and the damage done to the trees located therein.

BE IT THEREFORE RESOLVED, the board of commissioners accepts the offer of PNG to purchase the temporary easement described herein for \$1,044 subject to the condition that at the conclusion of construction PNG shall return the property to the grade and condition it was in before construction, except for any trees that are removed.

BE IT FURTHER RESOLVED, the county attorney shall take such action as is necessary to complete the sale of this easement, and the county manager is delegated full authority to sign the deed and any other documents necessary to conduct this sale on behalf of the board of commissioners.

Approved September 3, 2024.

**ATTACHMENTS:**

Description

Type

Temporary Construction Easement Documents

Backup Material



**Total Compensation Agreement for Permanent Easement(s),  
Temporary Easement(s), and/or Damages ("Agreement")**

Piedmont Natural Gas Company, Inc. ("Piedmont")

Project Name: Line 5 Segment 2 Project 110 MAOP

Project Number: 0235312

Project Tract #: CUMB-127\_000

Consideration: \$0

Landowner: County of Cumberland

% Ownership: 100.00%

Pay to the Order of: County of Cumberland

Deliver Check To: Glenn Adams

Phone: 910-678-7771

117 Dick St.

Fayetteville, NC 28301

In consideration of the right(s) of way and/or easement(s) dated \_\_\_\_\_, 2024 (collectively, "Easement") granted by Landowner to Piedmont, Piedmont agrees to pay Landowner the following amounts:

<b>PER ACRE FAIR MARKET VALUE ("FMV")</b>	<b>\$36,857</b>
---	-----------------

PERMANENT (G662)	Acres	%FMV	
Pipeline Easement Area			\$0
Perm. Access Easement Area			\$0
USSE Area			\$0
Testing and Operations Easement Area			\$0
<b>PERMANENT TOTAL</b>			<b>\$0</b>

TEMPORARY (G663)	Acres	%FMV	
TCE Area	0.207	10%	\$763
Temp. Access Easement Area			\$0
Right of Entry			
Option Agreement			\$0
<b>TEMPORARY TOTAL</b>			<b>\$763</b>

CROP DAMAGES (G656)	Type	Acres	Yield per Acre	Price per Yield Unit	
Crops					\$0
Timber					\$0
<b>CROP DAMAGE TOTAL</b>					<b>\$0</b>

OTHER DAMAGES (G656)			
Detailed Description of Damages	Damages to Trees-.187 acres @ \$1500/acre		\$281
<b>OTHER DAMAGES TOTAL</b>			<b>\$281</b>

<b>GRAND TOTAL</b>	<b>\$1,044</b>
--------------------	----------------

Landowner agrees that this Agreement is and shall remain confidential, and Landowner agrees not to disclose the Agreement or its terms to any person or entity other than as required by law or as necessary in conjunction with a tax return or other filings with a governmental body. Landowner agrees the amounts paid pursuant to this Agreement shall constitute full and final payment for the Easement and any damages described above. Any damages not listed above will be addressed pursuant to the terms of the Easement. Landowner understands that trees, shrubs, crops and other landscaping Piedmont removes from the Easement Areas will not be restored or replaced upon completion of its activities on Landowner's property. This Agreement shall be governed by North Carolina law.

Landowner:

Date:

\_\_\_\_\_  
(SIGN)  
County of Cumberland By: Glenn Adams, Chairman of the Board of  
Commissioners  
(PRINT)

\_\_\_\_\_  
(SIGN)  
\_\_\_\_\_  
(PRINT)

Land Agent:

\_\_\_\_\_  
(SIGN)  
Tracie T. Cheseldine  
(PRINT)

## TEMPORARY CONSTRUCTION EASEMENT

STATE OF NORTH CAROLINA

COUNTY OF CUMBERLAND

*For Internal Informational Purposes Only*  
LINE NO. 5 SEG 2 PROJ 110 MAOP  
PROJECT TRACT NO. L5S2-CUMB-127\_000  
PROJECT NO. 0235312  
PARCEL ID #: 0433-14-3695

THIS "TEMPORARY CONSTRUCTION EASEMENT" is made and granted as of this \_\_\_\_ day of \_\_\_\_\_, 20\_\_, from COUNTY OF CUMBERLAND, a body politic and corporate of the State of North Carolina ("Grantor", whether one or more), to PIEDMONT NATURAL GAS COMPANY, INC., a North Carolina corporation ("Piedmont").

WHEREAS, Grantor is the owner of, or has an interest in, that property situated in the County of Cumberland, North Carolina, as more particularly described in the instrument recorded in Book 2927, Page 153, Cumberland County Registry (the "Property").

NOW, THEREFORE, Grantor, for and in consideration of the sum of Ten Dollars (\$10.00) and other good and valuable consideration, the receipt and legal sufficiency of which is hereby acknowledged, hereby grants, bargains, sells, and conveys unto Piedmont, its successors and assigns, a temporary construction easement (the "TCE") for the purposes of performing construction activities and laying, storing, erecting, parking, and/or protecting any equipment, vehicles, materials, fill, gravel, components, parts, and tools associated with the construction of Piedmont's pipelines and appurtenant facilities (the "Facilities"), which Facilities may or may not be located on the Property.

The TCE encompasses an area of approximately 0.207+ acres, the location of which has been mutually agreed upon between Grantor and Piedmont and is generally shown and approximated on Exhibit A, which is attached hereto and incorporated herein by reference (the "TCE Area").

**Piedmont's Use.** Piedmont shall have all rights necessary or convenient for the full use and enjoyment of the TCE, including, without limitation: (1) reasonable access across the Property to and from the TCE Area; (2) the right, but not the obligation, to clear and keep the TCE Area cleared of vegetation, undergrowth, trees (including overhanging limbs and foliage), buildings, structures, installations, and any other obstructions (collectively, "Obstructions") which unreasonably interfere with the rights granted herein; (3) the right, but not the obligation, to install temporary fencing around the TCE Area and to exclude all persons, including Grantor, from any fenced portions of the TCE Area. Grantor may change the use of or install Obstructions within the TCE Area if Grantor has obtained Piedmont's prior written approval, which approval shall not be withheld, conditioned, or delayed unless such change unreasonably interferes with Piedmont's use of the TCE Area. The TCE does not grant Piedmont the right to place any permanent Facilities in the TCE Area.

**Term.** The term of the TCE shall begin effective as of the date first written above. Following all facilities for which this TCE is given being placed in service, the TCE shall automatically terminate upon (1) Piedmont's restoration of the TCE Area pursuant to the restoration requirements described in the Damages section below and (2) when any permits have been issued for construction and/or erosion and sediment control measures are present, the release of Piedmont from its obligations under all permits and the removal of all temporary erosion and sediment control measures from the Property.

**Damages.** Piedmont shall be responsible for actual physical damage to (1) the land within the Property and TCE Area and (2) improvements and annual crops located on the Property that are not in violation of the terms hereof, to the extent caused by Piedmont in exercising the rights granted herein, provided that a claim is made by Grantor within one hundred and twenty (120) days after such damages are sustained. Piedmont shall restore and level the surface of the TCE Area to a condition which is reasonably close to the condition existing immediately prior to Piedmont's use of the TCE Area, excepting earthen water bars to prevent erosion. Piedmont shall not be liable for any damage caused to Obstructions installed or maintained in violation of the terms hereof and may remove them at Grantor's expense without Grantor's prior approval or permission.

**Ownership of the Property.** Grantor represents, warrants, and covenants that it (i) is the lawful owner of the Property and has the right to convey the rights set forth herein and that the Property is free from all encumbrances, except for encumbrances of record and (ii) has obtained any necessary approvals from any applicable tenant interests.

To have and to hold said rights, privileges, and TCE unto Piedmont, its affiliates, successors, and assigns until such time as the TCE terminates pursuant to the terms herein. Piedmont and its successors and assigns shall have the right to assign, license, lease, or otherwise transfer, in whole or in part, this TEMPORARY CONSTRUCTION EASEMENT, or any rights granted herein, to any person or entity, including but not limited to, any affiliate, parent, or subsidiary of Piedmont, for the uses and purposes expressly stated herein. This TEMPORARY CONSTRUCTION EASEMENT shall run with the land and inure to the benefit of and be binding upon Grantor, Piedmont and their respective heirs, successors and assigns until such time as the TCE terminates pursuant to the terms herein.

IN WITNESS WHEREOF, this TEMPORARY CONSTRUCTION EASEMENT has been signed under seal by Grantor, as of the date first above written.

**GRANTOR:**

COUNTY OF CUMBERLAND, a body politic and corporate of the  
State of North Carolina

By: \_\_\_\_\_

Name: Glenn Adams

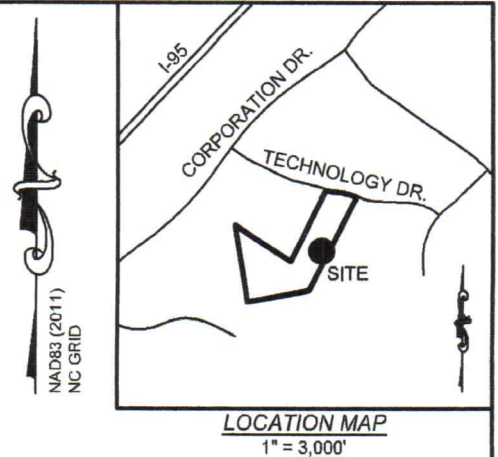
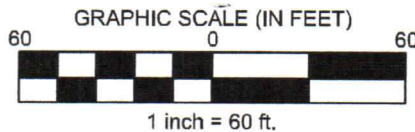
Title: Chairman of the Board of Commissioners

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

AREA TABLE		
EASEMENT TYPE	ACRES	SQ. FT.
TCE	0.207	9,002

## EXHIBIT A

THIS MAP MAY NOT BE A CERTIFIED SURVEY AND HAS NOT BEEN REVIEWED BY A LOCAL GOVERNMENT AGENCY FOR COMPLIANCE WITH ANY APPLICABLE LAND DEVELOPMENT REGULATIONS AND HAS NOT BEEN REVIEWED FOR COMPLIANCE WITH RECORDING REQUIREMENTS FOR PLATS.

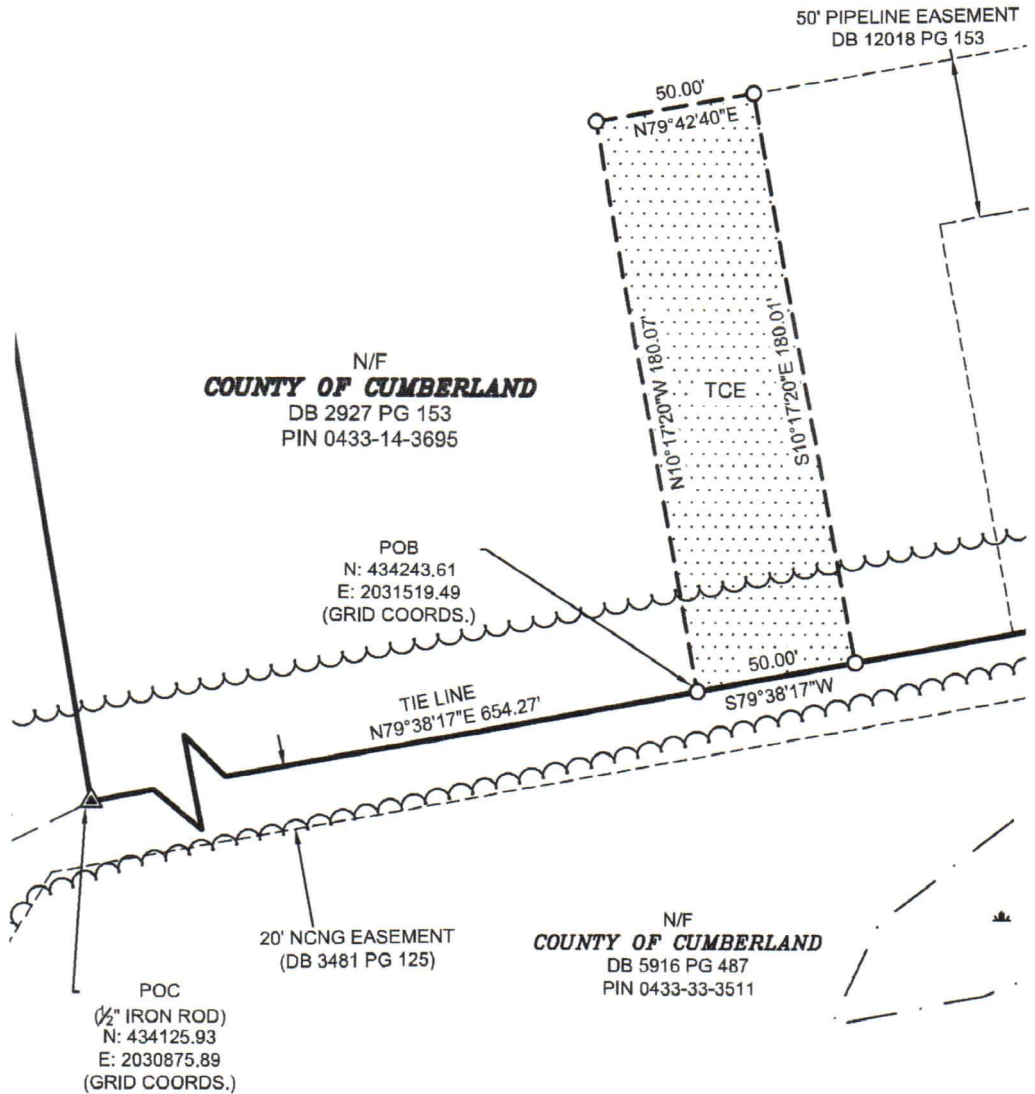


### CERTIFICATION

I, DAVID M. SHEEHAN, CERTIFY THAT THIS PLAT WAS DRAWN UNDER MY SUPERVISION FROM AN ACTUAL SURVEY MADE UNDER MY SUPERVISION (DEED DESCRIPTION RECORDED IN BOOK 2927, PAGE 153); THAT THE BOUNDARIES NOT SURVEYED ARE CLEARLY INDICATED AS DRAWN FROM INFORMATION FOUND IN BOOK 2927, PAGE 153; THAT THE RATIO OF PRECISION IS 1:10,000; AND THAT THIS MAP MEETS THE REQUIREMENTS OF THE STANDARDS OF PRACTICE FOR LAND SURVEYING IN NORTH CAROLINA 12 N.C.A.C. 56.1600; PURSUANT TO G.S. 47-30 (F)(1)(C)(4) THIS SURVEY IS OF A PROPOSED EASEMENT FOR A PUBLIC UTILITY AS DEFINED IN G.S. 62-3; AND MEETS THE ATTACHMENT RULES OF G.S. 47-30 (M)(1); THE PURPOSE OF THIS EXHIBIT IS FOR RIGHT OF WAY OR EASEMENT ACQUISITION ONLY AND IS NOT INTENDED TO BE A BOUNDARY SURVEY OF THE PROPERTY SHOWN HEREON.

THIS 7TH DAY OF AUGUST 2024

*David M. Sheehan*  
DAVID M. SHEEHAN, PLS L-5300



### NOTES

- SUBJECT PROPERTY SURVEYED AND MAPPED FOR: DUKE ENERGY / PIEDMONT NATURAL GAS.
- AREA BY COORDINATE COMPUTATION METHOD.
- GRID COORDINATES AND BEARINGS SHOWN ARE BASED ON THE NORTH CAROLINA STATE PLANE COORDINATE SYSTEM, NORTH AMERICAN DATUM 1983 (NAD83), REALIZATION 2011, EPOCH 2010 BASED ON AN OPUS CONTROL POINT FOR THE PROJECT AT LAT. N 34 DEG. 57 MIN. 56.60320 SEC., LONG. W 078 DEG. 50 MIN. 55.34117 SEC. DISTANCES SHOWN ARE HORIZONTAL GRID IN U.S. SURVEY FEET WITH A COMBINED FACTOR OF 0.999877805 (GROUND TO GRID).
- PROPERTY SUBJECT TO ANY VALID & ENFORCEABLE EASEMENTS, RESTRICTIONS, & RIGHTS OF WAY.
- SURVEY IS BASED ON PHYSICAL EVIDENCE AND EXISTING MONUMENTATION FOUND DURING THIS SURVEY.
- THE OUTER LIMITS OF THE PERMANENT EASEMENT EXTENDS OR SHORTENS TO THE RESPECTIVE TRACT LINES.

ELI PROJECT #: 23-31-3001

LEGEND	
▲ IRON ROD FOUND	—— SUBJECT PARCEL
○ COMPUTED POINT (NOT SET)	--- SUBJECT EASEMENT
POB POINT OF BEGINNING	—— ADJACENT PARCEL
POC POINT OF COMMENCEMENT	--- EXISTING EASEMENT
N/F NOW OR FORMERLY	~~~~ TREE LINE

WETLANDS

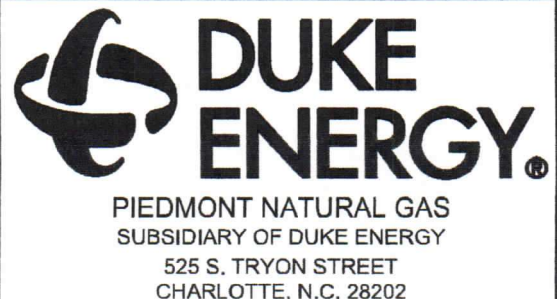


PIEDMONT NATURAL GAS COMPANY, INC  
EASEMENT EXHIBIT

EASEMENT ACROSS THE LAND OF  
**COUNTY OF CUMBERLAND**

TECHNOLOGY DR., GRAYS CREEK TOWNSHIP  
CUMBERLAND COUNTY, NORTH CAROLINA

REVISIONS:	DATE OF SURVEY: 12/09/2023	SCALE: 1" = 60'
DUKE PROJ. #: 0235312	DRAWN BY: EAS	DEED: 2927-153
TRACT #: L5S2_CUMB-127_000	CHECK BY: GCC	PROPERTY ID #: 115002
115002_RW_L5S2-CUMB-127_000_TCE_R0_080724		





**OFFICE OF THE COUNTY ATTORNEY**

**MEMORANDUM FOR BOARD OF COMMISSIONERS AGENDA OF SEPTEMBER 3,  
2024**

**TO: BOARD OF COUNTY COMMISSIONERS**

**FROM: COUNTY ATTORNEY**

**DATE: 8/28/2024**

**SUBJECT: REVISION OF THE MINIMUM HOUSING CODE – SECOND READING**

**BACKGROUND**

The county attorney has rewritten the Minimum Housing and Nonresidential Building Code. The revision begins with eliminating the provisions for nonresidential buildings and adding abandoned structures. This is necessary because the nonresidential buildings provisions were taken from the Article 11-Building Code Enforcement from Chapter 160D and have different enforcement mechanisms than the Minimum Housing Code taken from Article 12 of that chapter. Chapter 160D added abandoned structures to coverage of the minimum housing codes. That changes the name of the ordinance to the Minimum Housing and Abandoned Structures Code. All the minimum housing cases which have been brought to the board of commissioners for a demolition ordinance were abandoned structures. If that continues, having abandoned structures in the minimum housing ordinance will be the most efficient way these can be handled.

The other amendments are to make the ordinance language track the language in the Chapter 160D statutes, including new definitions; remove criminal penalties to comply with new legislation that prohibits ordinances authorized by Chapter 160D from having criminal penalties unless specifically authorized by a statute; and include provisions that are only applicable if the property is in a municipality to accommodate the enforcement of the county's ordinance in those towns that have requested it and the board has approved.

This requires a public hearing to be advertised for two consecutive weeks before adoption. Because it does impose a criminal penalty on the owner of a dwelling allowing occupancy after the dwelling is ordered to be vacated, it must be voted on and approved by the board at two meetings. Before the August 19, 2024, meeting, the county attorney added a definition of "abandoned structure" at the request of the director of planning and inspections, updated or removed some other definitions to comply with the current law, and reformatted the document to be consistent with the Cumberland County Code. The public hearing notice was advertised in the *Fayetteville Observer* August 8 and 15, 2024. The publisher's affidavit of publication is

attached. The board unanimously adopted a resolution at the August 19, 2024, meeting to approve the repeal of the existing minimum housing ordinance and adopt the proposed minimum housing ordinance and move it forward for a second reading at the next regular meeting.

**RECOMMENDATION / PROPOSED ACTION**

The county attorney recommends the board approve the revised minimum housing code by adopting the attached resolution to which the new ordinance is attached.

**ATTACHMENTS:**

Description	Type
AFFIDAVIT OF PUBLICATION	Backup Material
Resolution for Adoption on Second Reading	Backup Material
Minimum Housing and Abandoned Structures Code	Backup Material

# LOCALiQ

StarNews | The Dispatch | Times-News  
Sun Journal | The Daily News | The Star  
The Free Press | Gaston Gazette  
The Fayetteville Observer

PO Box 631697 Cincinnati, OH 45263-1697

## **AFFIDAVIT OF PUBLICATION**

County Attorney's Office/Legal Dept.  
Cumb Co Attorney's, Myra Brooks  
Po Box 1829

Fayetteville NC 28302-1829

STATE OF NORTH CAROLINA, COUNTY OF CUMBERLAND

The Fayetteville Observer, a newspaper distributed in the county of Cumberland, published in the City of Fayetteville, County of Cumberland, State of North Carolina printed and published and personal knowledge of the facts herein state and that the notice hereto annexed was Published in said newspapers in the issues dated on:

08/08/2024, 08/15/2024

and that the fees charged are legal. The Fayetteville Observer was a newspaper meeting all the requirements and qualifications prescribed by Sec. No. 1-597 G.S. of N.C.  
Sworn to and subscribed before on 08/15/2024

Legal Clerk

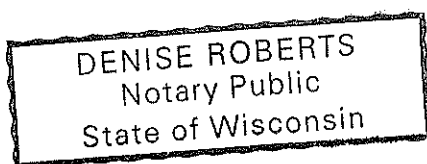
Notary, State of WI, County of Brown

My commission expires

Publication Cost:	\$173.91	
Tax Amount:	\$0.00	
Payment Cost:	\$173.91	
Order No:	10451867	# of Copies:
Customer No:	744407	0
PO #:	LWLM0139441	

**THIS IS NOT AN INVOICE!**

*Please do not use this form for payment remittance.*



NOTICE OF PUBLIC  
HEARING TO BE HELD  
AUGUST 19, 2024

The Cumberland County Board of Commissioners will hold a public hearing at 6:45 p.m. Monday, August 19, in Room 118, Cumberland County Courthouse, 117 Dick Street, Fayetteville, to solicit public comment on a legislative decision to repeal the Cumberland County Minimum Housing and Nonresidential Building Code and adopt the Cumberland County Minimum Housing and Abandoned Structures Code as a complete revision of the code to be repealed. Further information may be obtained from the Office of the County Attorney, Cumberland County Courthouse, Suite 551. All persons interested in this matter are encouraged to attend the meeting and register to speak.

August 8, 15, 2024  
Clerk to the Board  
August 8, 15 2024  
LWLM0139441

Resolution of the Cumberland County Board of Commissioners  
to Repeal the County's Minimum Housing and Nonresidential Building Code  
and to Adopt the Minimum Housing and Abandoned Structures Code

Whereas, Cumberland County has had an ordinance requiring minimum standards for habitable housing since at least October 20, 1980; and

Whereas, the county's minimum housing ordinance has been amended and revised numerous times; and

Whereas, the statutes authorizing counties to adopt minimum housing ordinances were amended and recodified as Article 12, Minimum Housing Codes, of Chapter 160D of the North Carolina General Statutes; and

Whereas, the Cumberland County Board of Commissioners has determined to update the county's minimum housing ordinance to more closely follow the new statutes and to add the remedies for the county to address abandoned structures now authorized by the statutes; and

Whereas, a notice of the board conducting a hearing August 19, 2024, to receive public comment on the proposed Cumberland County Minimum Housing and Abandoned Structures Code was published in the *Fayetteville Observer* August 8 and 15, 2024; and

Whereas, the board conducted the described hearing to receive public comment August 19, 2024, and adopted a resolution at that meeting repealing the ordinance entitled, "Cumberland County Minimum Housing and Nonresidential Building Code," codified as Article IV, Chapter 4, of the Cumberland County Code and adopting a new minimum housing code entitled, "Cumberland County Minimum Housing and Abandoned Structures Code," attached hereto, to be codified as Article IV, Chapter 4, of the Cumberland County Code with the repeal and adoption to be effective upon the second reading of the Cumberland County Minimum Housing and Abandoned Structures Code at the next regular meeting of the board when it is presented.

Now therefore be it resolved and ordained, on this second reading, the Cumberland County Board of Commissioners does hereby repeal the ordinance entitled, "Cumberland County Minimum Housing and Nonresidential Building Code," codified as Article IV, Chapter 4, of the Cumberland County Code and adopts a new minimum housing code entitled, "Cumberland County Minimum Housing and Abandoned Structures Code," attached hereto, to be codified as Article IV, Chapter 4, of the Cumberland County Code, to be effective upon adoption of this resolution.

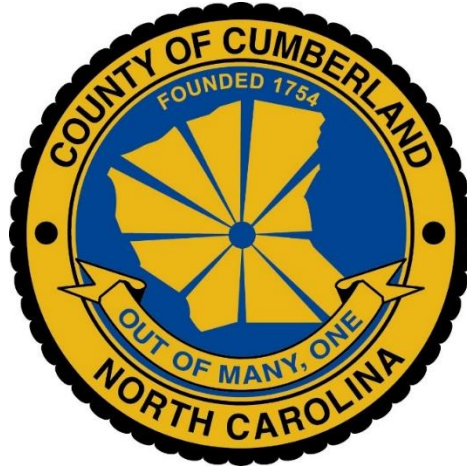
Adopted September 3, 2024.

Cumberland County Board of Commissioners  
By:

Attest:

\_\_\_\_\_  
Glenn Adams, Chairman of the Board

\_\_\_\_\_  
Andrea Tebbe, Clerk to the Board



# **MINIMUM HOUSING AND ABANDONED STRUCTURES CODE**

**CUMBERLAND COUNTY  
NORTH CAROLINA**

ORIGINALLY ADOPTED: FEBRUARY 22, 1979  
WITH AMENDMENTS THROUGH: , 2024

\*\*\*As adopted in Chapter 4 of the Cumberland County Code of Ordinances\*\*\*



# **Minimum Housing and Abandoned Structures -Code**

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## **DIVISION 1. GENERALLY**

### **Sec. 4-66. Finding and purpose.**

(a) Pursuant to N.C.G.S. § 160D-1201, the Board of Commissioners of Cumberland County hereby finds that there exist in the planning and development regulation jurisdiction of the County:

- (1) dwellings that are unfit for human habitation due to dilapidation; defects increasing the hazards of fire, accidents or other calamities; lack of ventilation, light, or sanitary facilities; accumulations of garbage, trash or rubbish on the premises; other conditions rendering the dwellings unsafe or unsanitary, or dangerous or detrimental to the health, safety, morals, or otherwise inimical to the welfare of the residents of the County; and
- (2) abandoned structures that create a health or safety hazard as a result of the attraction of insects or rodents, conditions creating a fire hazard, dangerous conditions constituting a threat to children, or frequent use by vagrants as living quarters in the absence of sanitary facilities.

(b) The Board of Commissioners of Cumberland County further finds that the existence and occupation of dwellings that are unfit for human habitation and abandoned structures that create a health or safety hazard are inimical to the welfare and dangerous and injurious to the health and safety of the people of the County, and a public necessity exists for the repair, closing, or demolition of such dwellings and abandoned structures.

(Ord. of 6-15-98; Ord. of 6-21-21)

### **Sec. 4-67. Definitions.**

The following definitions shall apply in the interpretation and enforcement of this article:

*Abandoned structure* means a structure of any type that is in such dilapidated condition as to cause or contribute to blight, disease, vagrancy, or fire or safety hazard; to be a danger to children; or to tend to attract persons intent on criminal activities or other activities that would constitute a public nuisance. Abandonment may be evidenced by, but not limited to, the owner, tenant, or their agent allowing any one or more of the following conditions to occur and remain in place for more than six months:

- (1) Overgrown weeds or vegetation, or the accumulation of trash, garbage, and refuse of any sort on the premises to such extent that the premises constitutes harborage for insects or vermin or a fire hazard; or
- (2) The structure is not properly boarded up or secured, or has broken windows, open doors, gates, or other openings which make the structure or premises

- accessible to trespassers, vagrants, criminals, or other unauthorized persons; or
- (3) The structure has roofs or walls which have buckled or caved in and left to remain unsecured; or
  - (4) Demolition of the structure was commenced and stopped leaving portions of the structure standing; or
  - (5) Failing to accept or respond to any notices of violations or administrative hearings issued by code enforcement officials of the county's Planning and Inspections Department, Office of the Fire Marshal, or Public Health Department.

*Accessory building or accessory structure* means a building or structure the use of which is incidental to that of the main building or structure and which is located on the same lot or on a contiguous lot.

*Alter or alteration* means any change or modification in construction or occupancy.

*Apartment* means any building, or portion thereof, which is designed, built, rented, leased, let or hired out to be occupied, or which is occupied as the home or residence of three or more families living independently of each other in dwelling units.

*Article* means this Article IV, "Minimum Housing and Abandoned Structures Code," of Chapter 4 of the Cumberland County Code.

*Basement* means a story with 50 percent or more of its cubical content below finish grade.

*Building* means that which is built or constructed, an edifice or building of any kind, or any piece of work artificially built up or composed of parts joined together in some definite manner. The term "building" shall be construed as if followed by the words "or part thereof."

*Ceiling height* means the clear vertical distance from the finished floor to the finished ceiling.

*Demolish* means the demolition and removal of the entire building, leaving the property free and clear of any debris, and without holes or pockets which may retain water.

*Dwelling* means any building, structure, manufactured home, or mobile home, or part thereof, used and occupied for human habitation or intended to be so used, and includes any outhouses and appurtenances belonging thereto or usually enjoyed therewith, but does not include any manufactured home, mobile home, or recreational vehicle, if used solely for a seasonal vacation purpose.

*Exit* means a clear and unobstructed way of departure from the interior of a building or structure to the exterior at street or grade level.

*Extermination* means the control and elimination of insects, rodents or other pests by eliminating their harborage places; by removing or making inaccessible materials that may serve as their food; by poisoning, spraying, fumigating, trapping or any other recognized and legal pest elimination methods approved by the public officer.  
(Ord. of 6-21-21)

*Family* means an individual; two or more persons related by blood, marriage or law, or a group of not more than any five persons living together in a dwelling unit.

*Garbage* means the animal and vegetable refuse resulting from the handling, preparation, cooking and consumption of food, including the minimum amount of liquid necessarily incidental thereto.

*Garbage receptacle* means a durable, rust resistant, non-absorbent, watertight, and rodent proof container with an insect tight lid that is large enough to contain a week's worth of refuse, unless more than one receptacle is used.  
(Ord. of 4/16/12; Ord. of 6-21-21)

*Habitable space or room* means a room or enclosed floor space used or intended to be used for living, sleeping, cooking, or eating purposes, excluding bathrooms, water closet compartments, laundries, pantries, foyers, communicating corridors, closets, or storage spaces.

*Hearing officer* means the public officer or his designated agent.  
(Ord. of 6-21-21)

*Housing* (See "Dwelling").

*Impervious to water* (as to floors) means a clean, smooth floor, without cracks or holes, made of terrazzo, ceramic, asphalt or rubber tile, smooth concrete, linoleum or other similar material, or made of wood, and, if made of wood, then with tightly fitting joints, covered with varnish, lacquer or other similar water-resistant coating.

*Infestation* means the presence within or around housing of any insects, rodents or other pests in such numbers as to constitute a threat or deterioration to the housing or a hazard to the health or physical well-being of the occupants.

*Manufactured home* means a manufactured building designed to be used exclusively as a single-family dwelling, which has been constructed and labeled indicating compliance with the Department of Housing and Urban Development (HUD) administered national

Manufactured Housing Construction and Safety Act of 1974, as amended.  
(Ord. of 4/16/12)

*Multifamily* means a building or structure occupied or intended for occupancy as the home or residence of more than two families, living independently of each other, and doing their own cooking within their respective housing units.

*Occupant* means any person over one year of age, living, sleeping, cooking or eating in, or having actual possession of, a dwelling, dwelling unit or rooming unit.

*Owner* means the holder of the title to real property in fee simple and every mortgagee of record.

*Parties in interest* means all individuals, associations, and corporations that have interests of record in a dwelling or abandoned structure and any that are in possession of a dwelling or abandoned structure.

*Person* means and includes any individual, firm, corporation, association or partnership.

*Plumbing* means and includes the water supply and distribution pipes, plumbing fixtures, supports and appurtenances; soil, waste, and vent pipes; sanitary drains and building sewers to an approved point of disposal.

*Premises* means a lot, plot, or parcel of land, including the buildings or structures thereon.

*Public space* means that space within or about any structure which is open to use or access by the general public.

*Public authority* means any public authority for housing or any officer who is in charge of any department, or branch of the government of the town, city, county or State relating to health, fire, building regulations, or other activities concerning dwellings and abandoned structures in the county.

*Public officer* means the Cumberland County Director of Planning and Inspections, or his or her designee, or employee whose assigned duties include the enforcement of provisions of this article.  
(Ord. of 6-21-21)

*Removal* means the demolition and removal of the entire structure, leaving the property free and clean of debris, and without holes or pockets which may retain water.

*Residential building* means any building or structure, or portion thereof, which is used,

or designed or intended to be used, for human habitation, including living, sleeping, cooking and eating or any combination thereof.

*Rooming house* means any dwelling, or that part of any dwelling containing one or more rooming units, in which space is let by the owner or operator to three or more persons who are not members of the family of the owner or operator.

*Rooming unit* means any room or group of rooms forming a single habitable unit used or intended to be used for living and sleeping, but not for cooking or eating purposes.

*Rubbish* means combustible and noncombustible waste materials, except garbage. The term shall include, but not be limited to, combustible material, wood, paper, rags, cartons, boxes, tires, mattresses, tree branches, yard trimmings, metals, glass, crockery, furniture or appliances stored in the open which are not intended for outdoor use and including immobilized vehicles or parts thereof.

*Story* means that portion of a building included between the upper surface of any floor and the upper surface of the floor or roof next above.

*Structure* means that which is built or constructed, an edifice or building of any kind, or any piece of work artificially built up or composed of parts joined together in some definite manner. The term "structure" shall be construed as if followed by the words "or part thereof."

*Substandard* means any condition existing in any housing or structure which does not meet the standards of fitness of this article.

*Tenant* means a person, partnership, firm or corporation occupying or using a building, premises or any part or parts thereof owned by another.

*Unfit for human habitation* means any of those certain conditions that exist as set forth under section 4-86.

*Ventilation* means the adequate supply and removal of air to and from a space through windows, skylights, doors, louvers, grills, ducts or other similar devices.

*Words having certain meanings.* Whenever the words "dwelling," "dwelling unit," "rooming house," "rooming unit," or "premises" are used in this article, they shall be construed as though they are followed by the words "or any part thereof."  
(Ord. of 6-15-98)

**Sec. 4-68. Conflict with other provisions.**

In the event any provision, standard or requirement of this article is found to conflict with any provision of any other ordinance or code of the county, the provision which establishes the higher standard or more stringent requirement for the promotion and protection of the health and safety of the residents of the county shall prevail.

(Ord. of 6-15-98)

**Sec. 4-69. Duties and limitation of liability of public officer.**

The public officer is hereby designated to exercise the powers herein prescribed. The public officer shall have such powers as may be necessary to carry out and effectuate the purpose and provisions of this article, including, without limiting the generality of the foregoing, the following powers in addition to others herein granted:

- (1) To investigate, inspect, and determine which buildings, dwellings, or dwelling units are substandard and/or unfit for human habitation, and those which pose an imminent threat of bodily harm to occupants of a building, dwelling, or a dwelling unit, or any person upon the premises.
- (2) To take such action alone or together with other appropriate departments and agencies, public and private, as may be necessary to effect rehabilitation or removal of buildings and abandoned structures which are substandard and/or unfit or otherwise in violation of this article.
- (3) To take such action alone or together with other appropriate departments or agencies, public and private, as may be necessary to eliminate vegetation overgrowth, clear unauthorized dump sites, or correct other environmental conditions which are inimical to public well-being and prevents harboring of rodents, insects, other similar pests.
- (4) To serve as hearing officer, administer oaths and affirmations, examine witnesses and receive evidence.
- (5) To enter upon premises for the purpose of making examinations and inspections, provided such entries shall be made in accordance with this article and state law, and shall be made in such a manner as to cause the least possible inconvenience to the persons in possession.
- (6) To appoint and fix the duties of such officers, agents and employees as necessary to assist in carrying out the purposes of this article and to delegate any of their functions and powers to such officers, agents and employees.
- (7) To determine that buildings and accessory structures are substandard and/or unfit for human habitation if the public officer finds, based on the requirements set forth in this article, that conditions exist in such structures or accessory structures which are dangerous or injurious to the health, safety or well-being of the

occupants of such building, the occupants of neighboring buildings, or other residents of the county and environs. Such conditions include, but are not limited to, lack of adequate ventilation, light or sanitary facilities, dilapidation, disrepair, structural defects, and uncleanliness.

- (8) Except as may otherwise be provided by statute or local law or ordinance, no public officer, agent or employee of the county charged with enforcement of this article shall be personally liable for any damage that may accrue to persons or property as a result of any act required or permitted in the discharge of his or her duties under this article.

(Ord. of 6-15-98; Ord. of 6-21-21)

**Sec. 4-70. Board of Adjustment to serve as housing appeals board.**

The Cumberland County Board of Adjustment shall serve as the housing appeals board to which appeals may be taken from decisions or orders of the public officer as provided in section 4-84. The board shall perform the duties prescribed by this article and shall keep an accurate record of its proceedings.

(Ord. of 6-15-98; Ord. of 5-17-21)

## **DIVISION 2. - MINIMUM STANDARDS AND REQUIREMENTS**

### **Sec. 4-71. Compliance.**

(a) Every building, dwelling and dwelling unit used as a human habitation, or held out for use as human habitation, shall comply with all of the minimum standards of fitness for human habitation and all of the requirements of Division 2 of this article. No person shall occupy as owner-occupant or let to another for occupancy or use as a human habitation, any building, dwelling or dwelling unit which does not comply with all of the minimum standards of fitness for human habitation and all of the requirements of Division 2 of this article.

(b) A public officer responsible for administering this article may determine that a dwelling is unfit for human habitation if the officer finds that conditions exist in the dwelling that render it dangerous or injurious to the health, safety, or welfare of the occupants of the dwelling, the occupants of neighboring dwellings, or other residents of the county. Defective conditions may include the following, without limiting the generality of the foregoing: defects therein increasing the hazards of fire, accident, or other calamities; lack of adequate ventilation, light, or sanitary facilities; dilapidation; disrepair; structural defects; or uncleanness, and such additional standards as are set forth in this article.

(c) A public officer responsible for administering this article may determine that an abandoned structure creates a health or safety hazard as a result of the attraction of insects or rodents, conditions creating a fire hazard, dangerous conditions constituting a threat to children, frequent use by vagrants as living quarters in the absence of sanitary facilities or attracts persons intent on criminal activities which constitute a public nuisance.

(Ord. of 6-15-98; Ord. of 6-21-21)

### **Sec. 4-72. Space and use standards.**

The following shall constitute the minimum standards for residential and non-residential buildings and shall be pertinent in determining fitness for human habitation or occupation:

(1) Every dwelling or dwelling unit shall contain the minimum room size for each habitable room or space as required by the NC Residential Building Code as amended, or the Code in effect at the time of construction, whichever is least restrictive. All rooms and spaces that are intended to be occupied at different times for different purposes within a structure that is not a dwelling shall meet the NC Building Code as amended, or the Code in effect at the time of construction, whichever is least restrictive.

(2) No basement or cellar shall be used as a habitable room or space unless:

- a. The floors and walls are impervious to leakage of underground and surface runoff water and insulated against dampness and condensation.
  - b. The total window area in each room meets the requirements of section 4-77 or, if only one egress door is provided, the requirements of subsection 4-73(a).
  - c. Ceiling heights shall be equal to those required for habitable rooms.
  - d. There is at least one exit egress door, with a minimum horizontal opening of not less than thirty-six inches 36" and a vertical opening of not less than six foot, eight inches (6'8").
- (3) There shall be installed in every dwelling unit, outside every sleeping area, at least one operable smoke detector with audible alarm. The alarm shall emit not less than 85 decibels at ten feet. The detector shall be located on or near the ceiling and installed in accordance with the manufacturer's instructions and applicable state codes. The owner shall be responsible for maintenance and replacement of the detectors; however, the tenant may not remove or render a smoke detector inoperable.
- (4) There shall be installed a minimum of one operable carbon monoxide detector on every level of any dwelling unit that is rented to a tenant. The carbon monoxide detector may be either battery operated or wired into the electrical circuit, shall be listed by a nationally recognized testing laboratory, and shall be installed in accordance with either the standards of the NFPA or the minimum protection designated in the manufacturer's instructions. A carbon monoxide detector may be combined with detectors if the combination detector does both of the following: (i) complies with ANSI/UL2034 or ANSI/UL2075 for carbon monoxide alarms and ANSI/UL217 for smoke detectors; and (ii) emits an alarm in a manner that clearly differentiates between the presence of carbon monoxide and the presence of smoke. This section only applies to dwelling units having a fossil-fuel burning heater, appliance, or fireplace and in any dwelling having an attached garage. Any operable carbon monoxide detector installed prior to January 1, 2010, shall be deemed to be in compliance with this section.
- (Ord. of 4/16/12)
- (5) All appliances supplied by the property owner shall be maintained in good repair and operation.
- (6) Access shall be provided to all rooms within a dwelling unit without passing through a public space. Rooming houses are exempt from this section.
- (7) Doors shall be provided at all doorways leading to bedrooms, toilet rooms, and bathrooms, and all rooms adjoining a public space. Toilet and bathroom doors shall have an operable privacy lock.

- (8) Manufactured homes placed, erected or located on any parcel or lot, must have been constructed after July 1, 1976, and meet or exceed the standards promulgated by the United States Department of Housing and Urban Development that were in effect at the time of construction to qualify for any permits. In addition, all manufactured homes shall be provided with skirting materials that is acceptable for exterior construction. Skirting materials shall be durable and suitable for exterior exposures. Any wood framing used in support of skirting shall be approved pressure-treated wood. Manufactured skirting material shall be installed in accordance with the skirting manufacturer's requirements. The skirting requirement shall apply to all manufactured homes sited after the date of the adoption of this subsection April 16, 2012. All manufactured homes sited on real property before April 16, 2012, shall be brought into compliance with this skirting requirement on or before July 1, 2013.

(Ord. of 4/16/12)

(Ord. of 6-15-98; Ord. of 6-21-21)

#### **Sec. 4-73. Exit standards.**

(a) Each dwelling or dwelling unit shall be provided with two exit egress doors, one of which shall have a minimum horizontal opening of not less than thirty-six inches 36" and a vertical opening of not less than six foot, eight inches 6'8", and accessible to the occupants of each housing unit. All exit egress doors shall be operable and lockable. In instances where only one exit egress door can be provided, then each sleeping room must have at least one operable window approved for emergency egress. The window must be operable from the inside without the use of a special key or tool. The bottom of the windowsill shall not exceed forty-four inches 44" above the finished floor. Such window shall provide a minimum clear opening width of twenty inches 20" and a minimum clear opening height of twenty-two inches 22". The total net clear opening shall not be less than four square feet. Bars, grills, or other obstructions placed over these windows must be releasable or removable from the inside without the use of a special key or tool.

(b) Platforms and/or steps shall be provided to serve exits and shall be maintained in a safe condition and in accordance with subsections 4-78(g) and (h).

(c) Safe, continuous and unobstructed exits shall be provided from the interior of the structure to the exterior at street or grade level.

(Ord. of 6-15-98; Ord. of 6-21-21)

#### **Sec. 4-74. Plumbing standards.**

(a) Every dwelling or dwelling unit shall be connected to an approved water supply and sewage disposal system.

(b) Every dwelling or dwelling unit used or intended for use as human habitation shall have an enclosed bathroom and toilet facilities complete with water closet, tub or shower and lavatory, and shall also have a kitchen sink, all of which shall be connected to approved water and sewer systems.

(c) There shall be running water installed inside each dwelling or dwelling unit, with unimpeded flow to each outlet.

(d) There shall be separate toilet facilities for each dwelling or dwelling unit.

(e) Water-heating systems shall be provided which are properly installed, are maintained in safe and good working condition, are properly connected with the hot water line to each tub, shower, lavatory, kitchen sink, washing machine, and/or any other supplied plumbing fixture and are capable of supplying water at a temperature of not less than 120 degrees Fahrenheit. Such supplied water-heating systems shall be capable of operating independently of the space-heating equipment.

(f) All fixtures shall be in proper working condition with no leaks.

(g) No fixtures shall be cracked, broken or badly chipped.

(h) Hopper bowl toilets are hereby prohibited.

(i) Access to toilet and bathing facilities shall be through a weather-tight area without going outside the building.

(j) Every water closet compartment floor surface and bathroom floor surface shall be so constructed and maintained as to be reasonably impervious to water to permit such floor to be readily kept in clean and sanitary condition.

(k) All water supply lines shall be protected from freezing by approved methods.

(l) All plumbing waste-water lines and vents shall be installed meeting the NC Plumbing Code, as amended, or the Code in effect at the time of construction, whichever is least restrictive, and maintained in proper working order free from leaks, broken lines, and stoppages at all times.

(m) Water closets shall be properly connected to a cold-water supply line.  
(Ord. of 6-15-98; Ord. of 6-21-21)

#### **Sec. 4-75. Heating standards.**

(a) Every building and dwelling unit shall be weatherproof and capable of being adequately heated. The heating equipment in every dwelling or dwelling unit shall be maintained in proper working order at all times and comply with the following:

- (1) Every central or electric heating system shall be properly installed and maintained in good and safe working condition and capable of safely and adequately heating all habitable rooms, bathrooms and water closet compartments in every dwelling or dwelling units to a temperature of at least 68 degrees Fahrenheit at a point three feet above the floor with an outside temperature of 20 degrees Fahrenheit.
- (2) Where a central or electric heating system is not provided, each dwelling or dwelling unit shall be provided with sufficient fireplaces, chimney flues, or gas vents whereby heating appliances may be properly connected so as to furnish a minimum temperature of 68 degrees Fahrenheit at a point three feet above the floor with an outside temperature of 20 degrees Fahrenheit.
- (3) All gas and oil burning equipment installed on the premises shall be of a type approved and installed in accordance with the provisions of the state building code and any other applicable codes.

(b) Liquid fuel stored on the premises shall be stored in accordance with the provisions of the state building code and any other applicable codes.

(c) Chimneys shall be tight, safe, and capable of maintaining proper draft of combustion byproducts to outside air.

(d) No holes shall be permitted in the flue except for necessary vent connections and cleanout doors.

(e) All existing masonry chimneys that are not properly attached to the structure shall be removed or reattached in accordance with the provisions of the most currently adopted State residential building code and any other applicable codes.

(f) Thimbles shall be grouted in tightly.

(g) Thimbles shall be located high enough to provide proper draft for the heating appliance served thereby.

(h) Fireplace(s) shall be used only for supplemental heat and not for primary heating and shall have no loose mortar or damaged firebrick.

(i) Hearths shall be of noncombustible material and shall extend at least 12 inches beyond the face and six inches beyond each side of the fireplace opening.

(j) No combustible materials shall be permitted within seven inches of the top and seven inches on either side of the fireplace opening.

(k) No combustible material shall be located within six inches of the thimble.  
(Ord. of 6-15-98; Ord. of 6-21-21)

#### **Sec. 4-76. Electrical standards.**

(a) Every dwelling and dwelling unit shall be wired for electrical lights and convenience receptacles. Every habitable room shall contain at least two floor or wall-type electric convenience receptacles installed in accordance with the NC State Electrical Code. At least one fixed in place ceiling or wall type electric light fixture shall be provided in every bedroom, toilet room, bathroom, laundry room, furnace room, public hall, basement or any other area in which artificial light is required for the safety and welfare of the occupants. A switched wall receptacle shall be acceptable in a bedroom, living room or den.

(b) All receptacles, ceiling fixtures or other fixtures shall be securely attached.

(c) All switches and fixtures shall be safely operable or sealed off and disconnected.

(d) No flexible cords shall be used as a substitute for the fixed wiring of a structure, nor run through holes in walls, ceiling or floors; through doorways, windows or similar openings; attached to building surfaces, or concealed behind building walls, ceilings or floors.

(e) Fuses, circuit breakers, or branch circuits shall be properly sized and maintained in accordance with the provisions of the most currently adopted National Electrical Code and any other applicable codes.

(f) Every public hall and stairway in every multifamily dwelling containing five or more dwelling units shall be adequately lighted at all times. Every public hall and stairway in structures devoted solely to residential occupancy, containing not more than four dwelling units, may be supplied with conveniently located light switches controlling an adequate lighting system which may be turned on when needed instead of full-time lighting. Lights at entrances and exits are required.

(g) All electric wiring, devices, appliances and fixtures shall be installed and maintained in accordance with the provisions of the most currently adopted National Electrical Code and any other applicable codes.  
(Ord. of 6-15-98; Ord. of 6-21-21)

**Sec. 4-77. Light and ventilation standards.**

(a) Every habitable room shall have an aggregate glazing area of not less than 8 percent of the area of such room. Natural ventilation shall be through windows, skylights, doors, or other approved openings to the outside air. Such openings shall be easily accessible and controllable by the occupants of the room. The openable area to the outdoors shall be not less than 4 percent of the floor area being ventilated.

(b) Openable windows, skylights, doors, or other approved openings that have been installed to meet the foregoing requirement shall be properly screened and alone or combined meet the minimum 4 percent clear opening requirement for ventilation of the room. This requirement does not apply to emergency egress windows from sleeping rooms as required in subsection 4-73(a).

(c) Screens shall not be permanently fixed to the window frame or sash. All exterior doors shall have either a screen door or a storm door and be equipped with a self-closing device. When approved by the public officer, the screens on windows and doors may be omitted for dwelling or dwelling units containing a permanently installed heating and air conditioning system providing the dwelling or dwelling unit with year-round mechanical ventilation. Screens shall be installed in dwellings or dwelling with window air conditioning units which are not permanently installed.

(d) Window frames and glass shall be reasonably weather-tight, with no cracked or broken glass.

(e) Each toilet room and bathroom shall have an operable window unless served by an approved mechanical ventilation system.

(f) Every exterior and interior public passageway, hallway, and stairwell in every dwelling or multifamily building shall be adequately illuminated at all times to permit safe passage.

(Ord. of 6-15-98; Ord. of 6-21-21)

**Sec. 4-78. Structural standards.**

(a) *Foundations.*

(1) The foundation shall be on firm, reasonably dry ground, and there shall be no water standing or running under the building.

(2) All elements of the foundation, including masonry, steel, or wood piers, masonry walls, and steel structural members, shall be in good repair and free from decay, rot,

or structural deterioration. Piers shall be plumb, level, and have proper bearing on footings and structural member they support.

- (3) There shall be properly sized and spaced footings placed on adequate bearing soil.
- (4) There shall be no wood stiff knees or other improper piers.
- (5) No isolated masonry pier shall exceed ten times the least dimension.
- (6) Units, when underpinned, shall use an approved material so as to be substantially weatherproof and rodent-proof. A crawl space access, with cover, shall be provided to the under-floor space. Adequate ventilation shall be provided to the foundation area by approved methods.

(b) *Floors.*

- (1) Broken, overloaded, decayed or excessively sagging sills, beams, girders and joists shall be prohibited. Floors shall be maintained in good repair and be capable of supporting the intended live and dead loads which normal use may cause to be placed on them.
- (2) Flooring shall be reasonably smooth, not rotten or worn through, and without holes or excessive cracks which permit air or rodents to penetrate rooms.
- (3) There shall be no loose flooring or floor covering.
- (4) Floors shall be reasonably level.
- (5) There shall be no dirt floors or wood floors on the ground.
- (6) All bathroom, toilet room, laundry and kitchen floors shall be constructed and maintained to be impervious to water by covering with a waterproof, nonabsorbent material.

(c) *Walls, exterior.*

- (1) All exterior surfaces shall be structurally sound, waterproof, weatherproof and rodent- proof with no holes, cracks or rotted boards.
- (2) Window frames and glass shall be reasonably weather-tight, with no cracked or broken glass. All windows shall be provided with suitable hardware to include operable locks and shall be made to open freely.

- (3) Exterior doors shall be substantially weather-tight, waterproof and rodent-proof, and lockable from inside and outside. Doors shall be maintained in proper working condition.
- (4) All load-bearing walls, exterior or interior, shall not be substantially bowed or out-of-plumb and shall be structurally sound.
- (5) Studs shall provide sufficient support for sheathing or exterior finish and shall not be rotten or termite damaged.
- (6) All exterior surfaces shall be protected with paint or other approved protective covering to prevent deterioration and the entrance or penetration of moisture.
- (7) There shall be no chimneys or parts thereof which are defective, deteriorated or in danger of falling, or in such condition or locations as to constitute a fire hazard. See section 4-75 for additional requirements.

(d) *Walls, interior.*

- (1) Interior finish shall be free of holes.
- (2) Walls shall be in sound condition, not seriously out-of-plumb, and structurally sound.
- (3) There shall be no loose plaster, loose boards, or other loose wall materials susceptible to falling.
- (4) There shall be no rotten, termite [-damaged], fire-damaged or broken studs.
- (5) There shall be no cardboard, newspaper, or other similar highly combustible wall finish.

(e) *Ceilings.*

- (1) There shall be no rotten, broken, sagging, or fire-damaged joists or improperly supported ends.
- (2) Joists and supporting members shall provide sufficient support for the ceiling.
- (3) The ceiling shall be substantially rodent proof. There shall be no holes, loose plaster, boards, sheetrock, or other ceiling finish susceptible to falling.

- (4) There shall be no cardboard, newspaper, or other similar highly combustible finishes.

(f) *Roof.*

- (1) Roofs shall be in sound condition and capable of supporting the load intended.
- (2) There shall be no rotten, broken, or fire-damaged rafters or improperly supported ends.
- (3) Rafters shall be adequately braced.
- (4) Attics shall be properly ventilated.
- (5) There shall be no loose or seriously rotted or fire-damaged sheathing or roof covering. Roofing shall be provided to prevent the entrance of moisture and shall be maintained by renewal, repair, waterproofing or other suitable means.
- (6) There shall be a minimum of Class C roof covering.
- (7) There shall be proper flashing at walls and chimney.
- (8) There shall be no roof with more than two roof coverings.
- (9) Gutters and downspouts, if installed, shall be properly maintained to collect, transfer, and discharge the water from the roof and away from the structure.

(g) *Porches.*

- (1) The foundation, floor, ceiling and roof of all porches shall meet and be maintained to the same standards as set forth above, except sills and joists need not be level if providing drainage of floors; floors need not be weather-tight; and the ceiling height shall be not less than seven feet.
- (2) Posts and railings shall not be rotted or termite damaged.
- (3) Every porch, terrace or entrance platform located at more than 30 inches above the adjacent finished grade shall be equipped with guardrails not less than 36 inches high.
- (4) Surfaces shall be protected with paint or other approved covering or material to prevent the entrance or penetration of moisture.

(h) *Stairs and steps.*

- (1) Stairs and steps shall be free of holes, grooves and cracks large enough to present tripping hazards. They shall be properly attached, supported, and capable of supporting the loads that normal use may cause to be placed on them.
- (2) Stairwells and flights of stairs, attached to or within a dwelling unit, that contain four or more risers shall have handrails with minimum and maximum heights of 30 inches and 38 inches, respectively, measured vertically from the nose of the treads.
- (3) Every rail shall be firmly fastened and maintained in good condition.
- (4) No flight of stairs settled more than one inch out of its intended position or pulled away from supporting or adjacent structures shall be allowed.
- (5) No rotting, sagging or deteriorated supports shall be allowed.
- (6) Every stair riser shall be reasonably uniform and shall not exceed eight and one-fourth inches in height and shall be securely fastened in position. Every wood riser in excess of 36 inches in width shall have an additional stringer, each stringer to be spaced not more than 30 inches apart. The minimum depth of treads shall be nine inches excluding the nosing.
- (7) Exterior stairs shall be protected with paint or other approved covering or material to prevent the entrance or penetration of moisture.

(i) *Accessory structures.*

- (1) Fences and other accessory structures and buildings shall either be maintained in a safe and structurally sound condition or be demolished and removed from the property.
- (2) The structural standards, as outlined in this section, shall also apply to all accessory structures and buildings.
- (3) No deterioration due to the elements because of lack of preventive maintenance consisting of painting, waterproofing and repair shall be allowed.
- (4) Any electrical, plumbing, heating or other utilities furnished to an accessory structure shall be installed in accordance with the state building code or other applicable codes and maintained in a safe condition.

- (5) Every accessory structure shall be properly maintained in a clean and sanitary condition, and free from physical hazards and other matter detrimental to the public health.

(Ord. of 6-15-98; Ord. of 6-21-21)

**Sec. 4-79. Property maintenance.**

(a) *Vermin.* Premises, buildings, and structures shall, by generally accepted methods of extermination, be maintained free of vermin and rodent harborage and infestation.

(b) *Rubbish and garbage.* Every person who occupies and controls a dwelling unit shall dispose of all rubbish and garbage in a clean and sanitary manner by placing it in proper garbage receptacles. The owner shall be responsible for providing the receptacles for the storage of garbage and rubbish. Removal shall be at such frequent intervals to prevent buildup.

(c) *Drainage.* Every yard shall be properly graded to obtain thorough drainage and to prevent the accumulation of stagnant water in the yard or under the structure.

(d) *Overgrown Vegetation.* Every yard and all exterior property areas shall be kept free of overgrown vegetative plant growth which is detrimental to public health or provide breeding places for flies, insects, rodents, or other similar pests.

(e) *Protective Treatment.* All exterior surfaces, including but not limited to, doors, door and window frames, cornices, porches, trim, balconies, decks, and fences shall be maintained in good condition. Exterior wood surfaces, other than decay-resistant woods, shall be protected from the elements and decay by painting or other protective covering or treatment. Peeling, flaking and chipped paint shall be eliminated, and surfaces repainted. All siding and masonry joints as well as those between the building envelope and the and the perimeter of windows, doors, and skylights shall be maintained weather-resistant and water-tight. All metal surfaces subject to rust or corrosion shall be stabilized and coated to inhibit rest and corrosion. Oxidation stains shall be removed from exterior surfaces. Surfaces designed for stabilization by oxidation are exempt from this requirement.

(Ord. of 6-15-98; Ord. of 6-21-21)

**Sec. 4-80. Rooming house exceptions.**

All of the provisions of this article and all of the minimum standards and requirements of this article shall be applicable to rooming houses, and to every person who operates a rooming house, or who occupies or lets to another for occupancy any rooming unit in any rooming house, except as provided in the following subsections:

- (1) At least one water closet, lavatory and bathtub or shower, properly connected to an approved water and sewer system and in good working condition, shall be supplied for each four rooms within a rooming house wherever these facilities are shared. All such facilities shall be located within the resident building served; shall be accessible from a common hall or passageway; and shall not be more than one story removed from any of the persons sharing such facilities. Every lavatory and bathtub or shower shall be supplied with hot and cold water at all times. Such required facilities shall not be located in a cellar or basement. All rooms containing these appurtenances shall have a door equipped with a privacy lock.
- (2) Every room occupied for sleeping by one occupant shall contain at least 70 square feet of floor area and every room occupied for sleeping purposes by more than one occupant shall contain at least 50 square feet of floor area for each occupant over 12 years of age.
- (3) The operator of every rooming house shall be responsible for the sanitary maintenance of all walls, floors and ceilings, and for the sanitary maintenance of every other part of the rooming house and premises.
- (4) No occupant of a rooming house shall heat or cook or permit the heating of food within his rooming unit.

(Ord. of 6-15-98)

**Sec. 4-81. Requirements of occupants.**

Every occupant of a dwelling or dwelling unit or apartment shall:

- (1) Keep that part of a dwelling or dwelling unit or apartment which they occupy and control in a clean and sanitary condition.
- (2) Keep all required plumbing and other fixtures in a clean and sanitary condition, and exercise reasonable care in the use and operation thereof.
- (3) Be responsible for the extermination of any insects, rodents or other pests whenever such dwelling unit or apartment is the only one in the residential building infested, and the owner has provided a reasonable insect-proof and adequate rodent-proof building.
- (4) Dispose of all garbage and other refuse in an approved garbage receptacle.
- (5) Permit the public officer free access at reasonable times for the purpose of inspection in accordance with section 4-83 of this article.

- (6) Not place on the premises any material which causes a fire or otherwise endangers the health or safety of any occupants of such building; not place in storage or on the premises any furniture, auto parts, junk rubbish, equipment or material which harbors insects, rodents or other pests.
  - (7) Not occupy any dwelling unit unless running water is provided to the required plumbing fixtures.
  - (8) Not place within any structure, for use therein, any oil or gas-fired portable or non-vented cook stove or heater.
  - (9) Not place on the premises, for use thereon, any heating or cooking unit which constitutes a fire hazard.
  - (10) Not cause such damage to the dwelling unit or apartment let to him as to make the same unfit for human habitation.
  - (11) Not occupy a dwelling unit after the public officer has duly placarded the structure in accordance with section 4-83 and section 4-86.
  - (12) Give the owner, their agent or employee access to any part of such dwelling or dwelling unit and its premises at all reasonable hours for the purpose of making such repairs or alterations as are necessary to effect compliance with the provisions of this article or with any lawful order issued pursuant to the provisions of this article.
  - (13) Not cause any service, facility, equipment, or utility which is required under this chapter to be removed or shut off from, or discontinued for, any dwelling occupied by them.
- (Ord. of 6-15-98; Ord. of 6-21-21)

**Sec. 4-82. Liability, responsibility of owner.**

(a) An owner remains liable for violation of duties imposed upon them by this article even though:

- (1) An obligation is also imposed on the occupant.
- (2) The owner has, by agreement, imposed on the occupant the duty of furnishing required equipment or of complying with this article.

(b) Whenever infestation is caused by failure of the owner to maintain a dwelling in a

rodent- proof or reasonably insect-proof condition, extermination shall be the responsibility of the owner. Whenever infestation exists in two or more of the dwelling units in a dwelling or in the shared or public parts of any dwelling containing two or more dwelling units, extermination shall be the responsibility of the owner.

(c) The owner may not permit the continued occupancy of a dwelling unit which has been duly placarded by the public officer in accordance with section 4-83 or section 4-86.

(d) The owner shall furnish adequate storage receptacles for garbage and rubbish and shall be responsible for the removal of all garbage and rubbish from the premises at frequent enough intervals to prevent buildup of such garbage and rubbish.

(e) The owner shall be responsible for compliance with this Division 2 of this article.

(f) No owner or operator shall cause any service, facility, equipment, or utility which is required under this ordinance to be removed or shut off from or discontinued for any occupied dwelling.

(g) The owner shall ensure that the structure remains closed and secured when not occupied. Should it become necessary to board the windows and/or doors, it must be done with boards fitted to the openings, screwed in place, and painted a color consistent with the surrounding wall area.

(Ord. of 4-16-12; Ord. of 6-21-21)

## DIVISION 3. – ENFORCEMENT

### Sec. 4-83. Procedure.

(a) *Investigation, complaint, hearing.* Whenever a petition is filed with the public officer by a public authority or by at least five residents of the jurisdiction charging that any dwelling is unfit for human habitation or any abandoned structure creates a health or safety hazard, or when it appears to the public officer that any dwelling is unfit for human habitation or any abandoned structure creates a health or safety hazard, the public officer shall, if a preliminary investigation discloses a basis for such charges, issue and cause to be served upon the owner of and parties in interest in such dwellings and abandoned structures a complaint stating the charges in that respect and containing a notice that an administrative hearing will be held before the public officer, or the officer's designated agent, at a place within the county. The hearing shall be held not less than 10 days nor more than 30 days after the serving of the complaint. The owner and parties in interest shall be given the right to file an answer to the complaint and to appear in person, or otherwise, and give testimony at the place and time fixed in the complaint. The rules of evidence prevailing in courts of law shall not be controlling in administrative hearings before the public officer.

(b) *Orders.* If, after notice and an administrative hearing, the public officer determines that the dwelling or abandoned structure under consideration is unfit for human habitation or creates a health or safety hazard, the officer shall state in writing findings of fact in support of that determination in the form of a notice of violation and shall issue and cause to be served upon the owner one of the following orders, as appropriate:

- (1) If the public officer determines that the repair, alteration, or improvement of the dwelling to render it fit for habitation or the elimination of the health or safety hazard created by the abandoned structure can be made at a cost not exceeding fifty percent (50%) of the then current value of the dwelling or abandoned structure, the order shall require the owner, within the time specified, to repair, alter, or improve the dwelling in order to render it fit for human habitation or eliminate the health or safety hazard created by the abandoned structure. The order may require that the property be vacated and closed only if continued occupancy during the time allowed for repair will present a significant threat of bodily harm, taking into account the nature of the necessary repairs, alterations, or improvements; the current state of the property; and any additional risks due to the presence and capacity of minors under the age of 18 or occupants with physical or mental disabilities. The order shall state that the failure to make timely repairs or eliminate the health and safety hazard as directed in the order shall make the dwelling or abandoned structure subject to the issuance of an unfit order under subsection 4-83(c).

- (2) If the public officer determines that the repair, alteration, or improvement of the dwelling to render it fit for habitation or the elimination of the health or safety hazard created by the abandoned structure cannot be made at a cost not exceeding fifty percent (50%) of the then current value of the dwelling or abandoned structure, the order shall require the owner, within the time specified in the order, to remove or demolish the dwelling or abandoned structure. However, if the dwelling is located in a historic district and the Historic District Commission determines, after an administrative hearing as provided by ordinance, that the dwelling is of particular significance or value toward maintaining the character of the district, and the dwelling has not been condemned as unsafe, the order may require that the dwelling be vacated and closed consistent with G.S. 160D-949.

(c) *Repair, closing, and posting.* – If the owner fails to comply with an order to repair, alter, or improve or to vacate and close the dwelling or abandoned structure, the public officer may cause the dwelling or abandoned structure to be repaired, altered, or improved or to be vacated and closed, and the public officer may cause to be posted on the main entrance of any dwelling or abandoned structure so closed a placard with the following words: "This building is unfit for human habitation; the use or occupation of this building for human habitation is prohibited and unlawful." Occupation of a building so posted shall constitute a Class 1 misdemeanor. The duties of the public officer set forth in this subsection shall not be exercised until the board of commissioners shall have by ordinance ordered the public officer to proceed to effectuate the purpose of this article with respect to the particular property or properties that the public officer shall have found to be unfit for human habitation or create a health or safety hazard and which property or properties shall be described in the ordinance. This ordinance shall be recorded in the Office of the Cumberland County Register of Deeds and shall be indexed in the name of the property owner in the grantor index.

(d) *Demolition.* If the owner fails to comply with an order to remove or demolish the dwelling or abandoned structure, the public officer may cause such dwelling or abandoned structure to be removed or demolished. The duties of the public officer set forth in this subsection shall not be exercised until the board of commissioners shall have by ordinance ordered the public officer to proceed to effectuate the purpose of this article with respect to the particular property or properties that the public officer shall have found to be unfit for human habitation or create a health or safety hazard and which property or properties shall be described in the ordinance. No such ordinance shall be adopted to require demolition of a dwelling or abandoned structure until the owner has first been given a reasonable opportunity to bring the dwelling into conformity with the housing code or to eliminate the health and safety hazards created by the abandoned structure. This ordinance shall be recorded in the Office of the Cumberland County Register of Deeds and shall be indexed in the name of the property owner in the grantor index.

(e) *Abandonment of Intent to Repair.* If the dwelling has been vacated and closed for a period of one year pursuant to an ordinance adopted pursuant to subsection 4-83(c), or after a public officer issues an order or proceedings have commenced under the substandard housing regulations regarding a dwelling to be repaired or vacated and closed as provided in this subsection, then the board of commissioners may find that the owner has abandoned the intent and purpose to repair, alter, or improve the dwelling in order to render it fit for human habitation and that the continuation of the dwelling in its vacated and closed status would be inimical to the health, safety, and welfare of the county in that the dwelling would continue to deteriorate, would create a fire and safety hazard, would be a threat to children and vagrants, would attract persons intent on criminal activities, would cause or contribute to blight and the deterioration of property values in the area, and would render unavailable property and a dwelling that might otherwise have been made available to ease the persistent shortage of decent and affordable housing in the community, then in such circumstances, the board of commissioners may after the expiration of such one-year period, enact an ordinance and serve such ordinance on the owner, setting forth the following:

- (1) If the public officer determines that the repair of the dwelling to render it fit for human habitation can be made at a cost not exceeding fifty percent (50%) of the then current value of the dwelling, the ordinance shall require that the owner either repair or demolish and remove the dwelling within 90 days.
- (2) If the public officer determines that the repair of the dwelling to render it fit for human habitation cannot be made at a cost not exceeding fifty percent (50%) of the then current value of the dwelling, the ordinance shall require the owner to demolish and remove the dwelling within 90 days.

These ordinances shall be recorded in the Office of the Cumberland County Register of Deeds and shall be indexed in the name of the property owner in the grantor index. If the owner fails to comply with the ordinance, the public officer shall effectuate the purpose of the ordinance.

(f) *Liens.*

- (1) The amount of the cost of repairs, alterations, or improvements, or vacating and closing, or removal or demolition by the public officer shall be a lien against the real property upon which the cost was incurred, which 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 the General Statutes.
- (2) If the real property upon which the cost was incurred is located in an incorporated city, then the amount of the cost is also a lien on any other real property of the

owner located within the city limits or within one mile thereof except for the owner's primary residence. The additional lien provided in this sub-subdivision is inferior to all prior liens and shall be collected as a money judgment.

- (3) If the dwelling or abandoned structure is removed or demolished by the public officer, the county shall sell the materials of the dwelling or structure, and any personal property, fixtures, or appurtenances found in or attached to the dwelling or structure, and shall credit the proceeds of the sale against the cost of the removal or demolition, and any balance remaining shall be deposited in the superior court by the public officer, shall be secured in a manner directed by the court, and shall be disbursed by the court to the persons found to be entitled thereto by final order or decree of the court.

(g) *Other remedies.* Nothing in this section shall be construed to impair or limit in anyway the power of the county to define and declare nuisances and to cause their removal or abatement by summary proceedings or otherwise.

(h) *Civil action.* If any occupant fails to comply with an order to vacate a dwelling, the public officer may file a civil action in the name of the county to remove such occupant. The action to vacate the dwelling shall be in the nature of summary ejectment and shall be commenced by filing a complaint naming as defendant any person occupying such dwelling. The clerk of superior court shall issue a summons requiring the defendant to appear before a magistrate at a certain time, date, and place not to exceed 10 days from the issuance of the summons to answer the complaint. The summons and complaint shall be served as provided in G.S. 42-29. If the summons appears to have been duly served and if at the hearing the public officer produces a certified copy of an ordinance adopted by the board of commissioners pursuant to subsection 4-83(c) authorizing the officer to proceed to vacate the occupied dwelling, the magistrate shall enter judgment ordering that the premises be vacated and that all persons be removed. The judgment ordering that the dwelling be vacated shall be enforced in the same manner as the judgment for summary ejectment entered under G.S. 42-30. An appeal from any judgment entered hereunder by the magistrate may be taken as provided in G.S. 7A-228, and the execution of such judgment may be stayed as provided in G.S. 7A-227. An action to remove an occupant of a dwelling who is a tenant of the owner may not be in the nature of a summary ejectment proceeding pursuant to this paragraph unless such occupant was served with notice at least 30 days before the filing of the summary ejectment proceeding that the board of commissioners has ordered the public officer to proceed to exercise his duties under subsections 4-83(c), (d), or (e) to vacate and close or remove and demolish the dwelling.

(i) *Additional notices to affordable housing organizations.* Whenever a determination is made pursuant to subsection 4-83(c) that a dwelling must be vacated and closed, or removed or demolished, under the provisions of this section, notice of the order shall be

given by first-class mail to any organization involved in providing or restoring dwellings for affordable housing that has filed a written request for such notices. A minimum period of 45 days from the mailing of such notice shall be given before removal or demolition by action of the public officer, to allow the opportunity for any organization to negotiate with the owner to make repairs, lease, or purchase the property for the purpose of providing affordable housing. The public officer or clerk shall certify the mailing of the notices, and the certification shall be conclusive in the absence of fraud. Only an organization that has filed a written request for such notices may raise the issue of failure to mail such notices, and the sole remedy shall be an order requiring the public officer to wait 45 days before causing removal or demolition.

*(j) Service of complaints and orders.*

- (1) Complaints or orders issued by a public officer shall be served upon persons either personally or by certified mail. When service is made by certified mail, a copy of the complaint or order shall also be sent by regular mail. Service shall be deemed sufficient if the certified mail is unclaimed or refused but the regular mail is not returned by the post office within 10 days after the mailing. A notice of the pending proceedings shall also be posted in a conspicuous place on the premises affected.
- (2) If the identities of any owners or the whereabouts of persons are unknown and cannot be ascertained by the public officer in the exercise of reasonable diligence, or, if the owners are known but have refused to accept service by certified mail and the regular mail was returned within 10 days, and the public officer makes an affidavit to that effect, then the serving of the complaint or order upon the owners or other persons may be made by publication in a newspaper having general circulation in the jurisdiction at least once no later than the time at which personal service would be required under the provisions of this article. When service is made by publication, a notice of the pending proceedings shall also be posted in a conspicuous place on the premises thereby affected.

(Ord. of 6-15-98; Ord. of 6-21-21)

**Sec. 4-84. Right of appeal to the Board of Adjustment and Superior Court.**

(Ord. of 6-15-98; Ord. of 6-21-21)

(a) An appeal from any decision or order of the public officer is a quasi-judicial matter and may be taken by any person aggrieved thereby or by any officer, board, or commission of the county. Any appeal from the public officer shall be taken within 10 days from the rendering of the decision or service of the order by filing with the public officer and with the Board of Adjustment a notice of appeal that shall specify the grounds upon which the appeal is based. Upon the filing of any notice of appeal, the public officer shall forthwith

transmit to the Board of Adjustment all the papers constituting the record upon which the decision appealed from was made. When an appeal is from a decision of the public officer refusing to allow the person aggrieved thereby to do any act, the decision remains in force until modified or reversed. When any appeal is from a decision of the public officer requiring the person aggrieved to do any act, the appeal has the effect of suspending the requirement until the hearing by the Board of Adjustment, unless the public officer certifies to the Board of Adjustment, after the notice of appeal is filed with the officer, that because of facts stated in the certificate, a copy of which shall be furnished to the appellant, a suspension of the requirement would cause imminent peril to life or property. In that case the requirement is not suspended except by a restraining order, which may be granted for due cause shown upon not less than one day's written notice to the public officer, by the Board of Adjustment, or by a court of record upon petition made pursuant to subsection 4-84(d).

(b) The Board of Adjustment shall fix a reasonable time for hearing appeals, shall give due notice to the parties, and shall render its decision within a reasonable time. Any party may appear in person or by agent or attorney. The board may reverse or affirm, wholly or partly, or may modify the decision or order appealed from, and may make any decision and order that in its opinion ought to be made in the matter, and, to that end, it has all the powers of the public officer, but the concurring vote of four members of the board is necessary to reverse or modify any decision or order of the public officer. The board also has power in passing upon appeals, when unnecessary hardships would result from carrying out the strict letter of the ordinance, to adapt the application of the ordinance to the necessities of the case to the end that the spirit of the ordinance is observed, public safety and welfare secured, and substantial justice done.

(c) Every decision of the Board of Adjustment is subject to review by proceedings in the nature of certiorari instituted within 15 days of the decision of the Board of Adjustment, but not otherwise.

(d) Any person aggrieved by an order issued by the public officer or a decision rendered by the Board of Adjustment may petition the superior court for an injunction restraining the public officer from carrying out the order or decision and the court may, upon such petition, issue a temporary injunction restraining the public officer pending a final disposition of the cause. The petition shall be filed within 30 days after issuance of the order or rendering of the decision. Hearings shall be had by the court on a petition within 20 days and shall be given preference over other matters on the court's calendar. The court shall hear and determine the issues raised and shall enter such final order or decree as law and justice may require. It is not necessary to file bond in any amount before obtaining a temporary injunction under this subsection.

(e) If any dwelling is erected, constructed, altered, repaired, converted, maintained, or used in violation of this article or of any ordinance adopted under authority of this article

or any valid order or decision of the public officer or Board of Adjustment made pursuant to any ordinance adopted under authority of this article, the public officer or Board of Adjustment may institute any appropriate action or proceedings to prevent the unlawful erection, construction, reconstruction, alteration, or use; to restrain, correct, or abate the violation; to prevent the occupancy of the dwelling; or to prevent any illegal act, conduct, or use in or about the premises of the dwelling.

**Sec. 4-85. Violations, penalties, and enforcement remedies.**

*(a) Violations.*

- (1) Every dwelling as defined herein which does not comply with all the requirements of Division 2 of this article shall be deemed substandard and in violation of this article. Every abandoned structure which creates a health or safety hazard shall be in violation of this article.
- (2) Unless otherwise provided in this article, all requirements relating to housing and the maintenance of abandoned structures shall be the responsibility of the owner.
- (3) No person shall occupy as owner-occupant or let to another or others for occupancy or use or cause or allow to be used as a human habitation, any dwelling or building which exhibits any of the conditions described in subsection 4-86(b) and has been ordered vacated in accordance with subsection 4-83(c). The removal, defacing, moving, mutilating, or covering of the placard by any person is prohibited and shall constitute a separate offense.
- (4) The public officer shall determine that a residential building is unfit for human habitation if he finds that any of the conditions contained in subsection 4-86(b) exist in such building.
- (5) Each day that any such condition or failure, neglect, refusal, or occupancy continues shall constitute a separate and distinct offense.

*(b) Criminal penalty.*

- (1) With the exception of occupation of a posted dwelling or abandoned structure in violation of subsection 4-83(c), no other violations of this article are crimes.
- (2) The public officer may seek, from an appropriate official of the general court of justice, an arrest warrant or other process initiating criminal charges against any person who violates subsection 4-83(c) of this article.

(c) *Civil penalties.* Violation of this article may subject the owner or party in interest to a penalty of \$250.00 per day for each day and every day the violation exists. The penalty shall be payable to Cumberland County and shall be paid at the Office of the Cumberland County Planning and Inspections Department. Failure of the owner or party in interest to pay the penalty within 12 days shall result in the county initiating collection of the debt through a civil action and through the North Carolina Setoff Debt Collection Act.

(d) *Equitable remedies.*

- (1) This article may be enforced by an appropriate equitable remedy issued from a court of competent jurisdiction. In such case, the general court of justice shall have jurisdiction to issue such orders as may be appropriate and it shall not be a defense to the application of the county that there is an adequate remedy at law.
- (2) When a violation of this article occurs, the county may apply to the appropriate division of the general court of justice for a mandatory or prohibitory injunction commanding the defendant to correct the unlawful condition upon or cease the unlawful use of the property. In addition to an injunction, the court may enter an order of abatement as part of the judgment in the case. An order of abatement may direct that buildings or other structures on the property be closed, demolished or removed; that fixtures, furniture or other movable property be removed from buildings on the property, that grass and weeds be cut, that improvements or repairs be made; or that other action be taken that is necessary to bring the property into compliance with the article. If the defendant fails or refuses to comply with an injunction or with an order of abatement within the time allowed by the court, he may be cited for contempt and the county may execute the order of abatement. The county shall have a lien on the property for the cost of executing an order of abatement. The defendant may secure cancellation of an order of abatement by paying all costs of the proceedings and posting a bond for compliance with the order. The bond shall be given with sureties approved by the judge before whom the matter is heard and shall be continued on the defendant's full compliance with the terms of the order of abatement within a time fixed by the judge. Cancellation of an order of abatement shall not suspend or cancel an injunction issued in conjunction therewith.

(e) *Other remedies.*

- (1) The criminal penalties and equitable remedies provided in this section are cumulative and not exclusive and may be independently pursued against the same person for the activity constituting a violation of this section. Nothing in this section shall be construed to impair or limit in any way the power of the county to define and declare nuisances and to cause their removal or abatement by summary

proceedings or otherwise. The enforcement of any remedy provided herein shall not prevent the enforcement of any other remedy or remedies in other ordinances or laws.

- (2) This article may be enforced by the public officer submitting to the board of county commissioners an ordinance ordering a substandard or unfit, dwelling or abandoned structure to be repaired, altered, improved, vacated, closed, removed or demolished, and pending removal or alteration, by placing a placard on such dwelling, , or abandoned structure as provided by section 4-83 of this article. The amount of the cost of any repairs, alterations, improvement, vacating, closing, removal, or demolishing caused to be done by the public officer shall be a lien against the real property upon which such cost was incurred in accordance with subsection 4-83(f). The ordinance may provide for the imposition of a civil penalty for each day's continuing violation of any provision of the ordinance for compliance. The amount of the penalty shall be determined by the board of county commissioners in each ordinance based upon the facts and circumstances of each case. The amount of the penalty for each day's violation shall not exceed \$250.00.

(Ord. of 6-15-98; Ord. of 6-21-21)

#### **Sec. 4-86. Emergency enforcement procedures.**

(a) *Generally.* The existence of unfit conditions of habitation which pose an imminent threat of bodily harm to occupants of a dwelling, a dwelling unit, or an abandoned structure, or any person upon the premises or adjacent property or neighborhood are declared unlawful conditions existing upon, or use made of, land and constitute a public nuisance. In order to protect the public welfare, expedited procedures are necessary to immediately remedy these unlawful conditions.

(b) *Unfit conditions.* Unfit conditions of habitation or occupation which pose an imminent threat of serious bodily harm include, but are not limited to:

- (1) Unsafe drinking water.
- (2) Lack of a sanitary and legal means to dispose of human sewage.
- (3) Unsafe electrical installation in violation of the state building code.
- (4) Hazardous cooking or heating equipment.
- (5) Unsafe fuel storage tanks and/or supply lines.

(6) Substantial rodent or vermin infestation.

(7) Serious structural deterioration creating a likelihood of collapse.

(c) *Violation.* It shall be a violation of this article for an owner or party of interest to knowingly permit, allow or condone the existence of unfit conditions of habitation or occupation upon the premises of any dwelling or abandoned structure which pose an imminent threat of serious bodily harm of occupants of the dwelling, or abandoned structure, or any person upon the premises of adjacent property or neighborhood. Failure of the owner to correct the unfit condition of habitation or occupation which poses an imminent threat of serious bodily injury within the time prescribed by the public officer shall be prima facie proof of the initial violation. Each day's existence of the condition, subsequent to the date of correction specified by the public officer, shall be an additional separate and distinct violation.

(d) *Procedure.*

(1) The public officer, upon receipt of a complaint or upon his own initiative, shall investigate the alleged unlawful condition. The public officer shall determine if the condition creates an imminent threat of bodily harm to occupants or persons upon the premises. Such determination constitutes a violation of this article.

(2) Upon such determination, the public officer shall:

- a. Placard the main entrance of any structure. The placard shall provide notice that the structure has been condemned and is deemed unsafe for human occupancy.
- b. Notify the owner or party of interest of the public officer's determination that the dwelling or abandoned structure is unfit for human habitation and poses an imminent threat of bodily harm to occupants or persons upon the premises, and that such condition is a violation of this article.

(3) The notice shall be in writing and served in accordance with section 4-83 and shall state:

- a. The particular condition found to pose a serious threat of bodily injury and that the condition is both a violation of this article.
- b. The specific correction to be made.
- c. The date of the initial violation as the date of receipt of the notice.

- d. The date not later than which the correction is to be made.
- e. The failure to correct the condition within the time prescribed in the notice is prima facie proof of the initial violation.
- f. That each day's willful failure to correct the condition subsequent to the date prescribed in the notice for correction is a separate and distinct violation of this article.

(4) The public officer shall prescribe a reasonable time for the correction of the condition found to pose a serious threat of bodily harm; however, that period shall not be less than 72 hours.

(5) A copy of section 4-86 shall accompany the notice.

(e) *Enforcement.*

(1) Violation of this section subjects the owner or party in interest to a civil penalty of \$250.00 per day, subsequent to the date of receipt of the notice of violation, for each day and every day the condition remains uncorrected. The penalty shall be payable to Cumberland County and shall be paid at the Cumberland County Planning & Inspections Department. Failure of the owner or party in interest to pay the penalty within 12 days after receipt of the notice shall result in the county initiating collection of the debt through a civil action and the North Carolina Setoff Debt Collection Act.

(2) The civil penalties and equitable remedies provided in section 4-85 are applicable to this section in addition to the civil penalty above. These means of enforcement are cumulative, and not exclusive, and may be independently pursued against the same person for the activity constituting a violation of this section.

(Ord. of 6-15-98; Ord. of 6-21-21)

**Sec. 4-87. Territorial Jurisdiction.**

(a) This article is applicable to any area within the territorial jurisdiction of the County of Cumberland, North Carolina, and within the territorial limits of any municipality within the county for which the governing board of the municipality has adopted a resolution pursuant to former N.C.G.S. § 160A-441, N.C.G.S. § 160D-202, or any other statutory authority requesting this ordinance or code to be applicable within the municipality's jurisdiction and for which the county's governing board adopts a resolution accepting the municipality's jurisdiction for this purpose.

(b) The Clerk to the Board of Commissioners shall maintain a copy of the requesting and accepting resolutions in the Ordinance Book with this ordinance.  
(Ord. of 12-18-23)



## CLERK TO THE BOARD OF COMMISSIONERS

### MEMORANDUM FOR BOARD OF COMMISSIONERS AGENDA OF SEPTEMBER 3, 2024

**TO: BOARD OF COUNTY COMMISSIONERS**

**FROM: IVA CLARK, DEPUTY CLERK TO THE BOARD**

**DATE: 8/19/2024**

**SUBJECT: BOARD OF ADJUSTMENT (4 VACANCIES)**

#### **BACKGROUND**

The Cumberland County Board of Adjustment has the following four (4) vacancies:

Vickie Mullins-Completes First term October 2024-Eligible for Reappointment. The Cumberland County Board of Adjustment recommends **Vickie Mullins** for reappointment.

Gregory Parks-Completes Second term September 2024-Not Eligible for Reappointment. The Cumberland County Board of Adjustment recommends **Donald Brooks** for appointment. Mr. Brooks is currently serving as an alternate member and the Board of Adjustment would like him to serve as a full-time member. Mr. Brooks' term will expire in February 2026.

Robert Davis-Completes First Term August 2024-Declined Second Term. The Board of Adjustment recommends **Kenneth Turner** for appointment. Mr. Turner currently serves as an Alternate Member and the Board of Adjustment would like him to serve as a full-time member. If appointed, his term would expire in August of 2027.

#### **Alternate Members:**

Kenneth Turner-First Term Expires August 2024-Requested to move to Full- Time member. If appointed as a full-time member, The Board of Adjustment recommends **Veronica Mitchell-Rozier** for appointment to the Alternate Position.

The membership roster, applicant list, and recommendation letters from the Board of Adjustment are attached.

#### **RECOMMENDATION / PROPOSED ACTION**

Please nominate individuals to fill the vacancies above.

**ATTACHMENTS:**

**Description**

Board of Adjustment Membership Roster

Board of Adjustment Applicant List

Board of Adjustment Letter of Recommendation

BOA 2nd Recommendation Letter

**Type**

Backup Material

Backup Material

Backup Material

Backup Material

BOARD OF ADJUSTMENT  
3 Year Term

<u>Name/Address</u>	<u>Date Appointed</u>	<u>Term</u>	<u>Expires</u>	<u>Eligible For Reappointment</u>
Robert E. David(B/M) 901 Kaywood Drive Fayetteville, NC 28311 910-488-1194 <a href="mailto:Redavis1911@aol.com">Redavis1911@aol.com</a>	8/21	1st	Aug/24 8/31/24.	Yes
Linda Amos (B/F) <b>Vice-Chair</b> 917 Bashlot Place Fayetteville, NC 28303 910-261-4003 <a href="mailto:Linda.amos901@yahoo.com">Linda.amos901@yahoo.com</a>	6/22	2nd	June/25 6/30/25 (serving unexpired term; eligible for two additional terms)	No
Marva Lucas-Moore (B/F) 3014 Hampton Ridge Road Fayetteville, NC 28311 551-1904/227-9605 <a href="mailto:marva@lucasmoorerealtyinc.com">marva@lucasmoorerealtyinc.com</a>	10/22	2nd	Oct/25 10/31/25 (serving unexpired term; eligible for one additional term)	No
Vickie M. Mullins (W/F) 5905 Turnbull Rd Fayetteville, NC 28312 910-322-3100 <a href="mailto:Girlimon1@aol.com">Girlimon1@aol.com</a>	10/21	1st	Oct/24 10/31/24	Yes
Gregory Parks (W/M) <b>Chair</b> 307 Devane Street Fayetteville, NC 28305 484-9666/483-8194	9/21	2nd	Sept/24 9/30/24	No
<u>Alternate Members:</u> Gary Silverman 1174 Derbyshire Road Fayetteville, NC 28314 910-574-9952 <a href="mailto:Gsilverman001@gmail.com">Gsilverman001@gmail.com</a>	8/22	1st	Aug/25 8/31/25	Yes
Donald Brooks (B/M) 301 Southland Drive Fayetteville, NC 28311 910-826-6078 <a href="mailto:Donaldbrooks959@gmail.com">Donaldbrooks959@gmail.com</a> **Mailing address PO Box 316 Fayetteville, NC 28302	2/23	1 <sup>st</sup>	Feb 26 2/28/26	Yes

Board of Adjustment, page 2

<u>Name/Address</u>	<u>Date Appointed</u>	<u>Term</u>	<u>Expires</u>	<u>Eligible For Reappointment</u>
<u>Alternate Members Continued:</u>				
Kenneth Turner (W/M) 2009 Rock Ave Fayetteville, NC 28303 484-0042/797-1896 <a href="mailto:kturneri@hotmail.com">kturneri@hotmail.com</a>	8/21	1st	Aug/24 8/31/24	Yes
Jovan Bowser (B/F) 2016 Manning Drive Fayetteville, NC 28306 775-775-7789 Bowser.jovan@gmail.com	2/23	1st	Feb/26 2/28/26	Yes
Brenee Orozco (B/F) 1736 Ellie Ave Fayetteville, NC 28314 910-286-3382 <a href="mailto:orozcofirm@gmail.com">orozcofirm@gmail.com</a>	2/23	1st	Feb/26 2/28/26	Yes

Meets 3<sup>rd</sup> Thursday of each month at 6:00 PM – Historic Cumberland County Courthouse, 130 Gillespie Street, Second Floor Hearing Room #3

Contact: Yolanda Bennett/David Moon - Planning & Inspections Department, 678-7608

**APPLICANTS FOR  
BOARD OF ADJUSTMENT**

<b><u>NAME/ADDRESS/TELEPHONE</u></b>	<b><u>OCCUPATION</u></b>	<b><u>EDUCATIONAL BACKGROUND</u></b>
BUSH-MCMANUS, PATRICIA (B/F) 3472 THORNDIKE DRIVE FAYETTEVILLE NC 28311 488-1314/202-468-3065 <a href="mailto:PATRICIA.BUSH-MCMANUS@PBMCONSULTINGGROUP.COM">PATRICIA.BUSH-MCMANUS@PBMCONSULTINGGROUP.COM</a> Graduate-County Citizens' Academy: NO Graduate-Institute for Community Leadership: NO Graduate-Leadership Fayetteville: YES Graduate-United Way's Multi-Cultural Leadership Program: NO Graduate-other leadership academy: NO <b>CATEGORY: GENERAL PUBLIC</b>	CONSULTANT AND PROFESSOR	EDS/MA
MITCHELL-ROZIER, VERONICA 501 ST. THOMAS ROAD FAYETTEVILLE, NC 28311 <a href="mailto:VERONI501@ICLOUD.COM">VERONI501@ICLOUD.COM</a> Graduate-County Citizens' Academy: NO Graduate-Institute for Community Leadership: NO Graduate-Leadership Fayetteville: NO Graduate-United Way's Multi-Cultural Leadership Program: NO Graduate-other leadership academy: YES STAR 8/NCSTATE, DEPT OF COMMERCE <b>CATEGORY: GENERAL PUBLIC</b> <b>APPLICATION RECEIVED: 5-9-24.</b>	BUSINESS SERVICES COORDINATOR	BS
OMOGBEHIN, FOLORUNSHO (B/M) 1308 SNOWY EGRET DRIVE FAYETTEVILLE, NC 28306 270-684-4227 <a href="mailto:FOLORUNSHO838@GMAIL.COM">FOLORUNSHO838@GMAIL.COM</a> Graduate-County Citizens' Academy: YES Graduate-Institute for Community Leadership: NO Graduate-Leadership Fayetteville: NO Graduate-United Way's Multi-Cultural Leadership Program: NO Graduate-other leadership academy: NO <b>CATEGORY: ALTERNATE MEMBER</b>	CLERGY	MA/BUS ADMIN.
RHODES, EVA P. (-/F) 301 DUNLEITH PLACE FAYETTEVILLE NC 28311 443-326-2924 <a href="mailto:EVAPHR1161@COMCAST.NET">EVAPHR1161@COMCAST.NET</a> Graduate-County Citizens' Academy: NO Graduate-Institute for Community Leadership: NO Graduate-Leadership Fayetteville: NO Graduate-United Way's Multi-Cultural Leadership Program: NO Graduate-other leadership academy: NO <b>CATEGORY: GENERAL PUBLIC</b>	RETIRED FEDERAL EMPLOYEE	COLLEGE LISTED

**APPLICANTS FOR  
BOARD OF ADJUSTMENT PAGE 2**

<b><u>NAME/ADDRESS/TELEPHONE</u></b>	<b><u>OCCUPATION</u></b>	<b><u>EDUCATIONAL BACKGROUND</u></b>
STEPHENS, JOSEPH (M) 461 TEXAN DRIVE FAYETTEVILLE, NC 28312 Graduate-County Citizens' Academy: YES Graduate-Institute for Community Leadership: NO Graduate-Leadership Fayetteville: NO Graduate-United Way's Multi-Cultural Leadership Program: NO Graduate-other leadership academy: NO <b>CATEGORY: GENERAL PUBLIC</b> <b>APPLICATION RECEIVED: 5-28-24.</b>	RETIRED	NONE LISTED
TWITTY, MARTELLE (B/F) 6404 DAVIS BYNUM FAYETTEVILLE NC 28306 910-922-2014 <a href="mailto:MARTELLECOKE@GMAIL.COM">MARTELLECOKE@GMAIL.COM</a> Graduate-County Citizens' Academy: NO Graduate-Institute for Community Leadership: NO Graduate-Leadership Fayetteville: NO Graduate-United Way's Multi-Cultural Leadership Program: NO Graduate-other leadership academy: NO <b>CATEGORY: GENERAL PUBLIC</b>	DENTAL HYGIENIST DAY AND NIGHT FAMILY DENTAL	DENTAL HYGIENE, BS
WALTERS, JAIMIE (W/F) 4829 MURPHY ROAD FAYETTEVILLE NC 28312 910-461-8873 <a href="mailto:JAIMIEMELTON@YAHOO.COM">JAIMIEMELTON@YAHOO.COM</a> Graduate-County Citizens' Academy: NO Graduate-Institute for Community Leadership: YES Graduate-Leadership Fayetteville: NO Graduate-United Way's Multi-Cultural Leadership Program: NO Graduate-other leadership academy: NO <b>CATEGORY: ALTERNATE MEMBER/ GENERAL PUBLIC</b> <b>APPLICATION RENEWED: 10-16-2023.</b>	SENIOR PLANNER MOORE COUNTY	BA HISTORY/MPA



**Planning & Inspections Department**

**MEMORANDUM**

**TO:** Andrea Tebbe, County Clerk  
Iva Clark, Deputy County Clerk

**THROUGH:** Rawls Howard, Director

**FROM:** David Moon, Deputy Director *DBM*

**DATE:** July 10, 2024

**SUBJECT:** Board of Adjustment (BOA) recommendations for Appointment

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On Thursday, June 20, 2024 the County Board of Adjustment made a unanimous recommendation to the Board of County Commissioners to re-appoint Vickie Mullins to a second term as a Regular member of the Board of Adjustment and to appoint Donald Brooks, currently serving as an Alternate member, to serve as a Regular member. This recommendation was made after reviewing the list of "Applicants for the Board of Adjustment".

Ms. Vickie Mullins' first term expires on October 31, 2024. BOA attendance records indicate that she has regularly attended meetings with no un-notified absences. She has agreed to serve a second term if re-appointed by the Board of County Commissioners.

Mr. Donald Brooks, if appointed, will fill a seat to be vacated by Gregory Parks on September 30, 2024. Mr. Parks will complete his second term on the BOA as of that date and is not eligible for a third term. Mr. Brooks has maintained a good attendance record as an Alternate member and has sat as a Regular member during meetings when Regular BOA members were unable to attend. Mr. Brooks has agreed to serve as a Regular member if appointed by the Board of Adjustment.

Please present these recommendations to the BOCC for consideration and action.

If you have any questions, please contact me.



Planning & Inspections Department

MEMORANDUM

**TO:** Andrea Tebbe, County Clerk  
Iva Clark, Deputy County Clerk

**THROUGH:** Rawls Howard, Director of Planning and Inspections *PH*

**FROM:** David Moon, Deputy Director of Planning and Inspections *DBM*

**DATE:** August 16, 2024

**SUBJECT:** Board of Adjustment (BOA) recommendations for Appointment

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On Thursday, August 15, 2024 the Cumberland County Board of Adjustment (BOA) made a unanimous recommendation to the Board of County Commissioners (BOCC) to appoint Ken Turner, currently serving as an Alternate member, to serve as a Regular member to fill the seat vacated by Gregory Parks, whose second term expires on September 31, 2024. This recommendation was made after reviewing the list of "Applicants for the Board of Adjustment". As an Alternate member Mr. Turner has attended BOA meetings over the past two years and has sat as a Regular member from time-to-time when a Regular member was absent.

Further, the BOA made a unanimous recommendation to the Board of County Commissioners to re-appoint Ken Turner to a second term as an Alternate Member if the BOCC does not appoint him to a Regular membership as described above. Mr. Turner's first term as an Alternate member expires on August 31, 2024.

If Mr. Turner is appointed to a Regular BOA membership by the BOCC, the BOA recommends to the BOCC that Veronica Mitchell-Rosier receive an appointment to serve the Alternate seat vacated by Mr. Turner. Ms. Mitchell-Rosier was recommended by the BOA from the County list of "Applicants for Board of Adjustment."

Please present these recommendations to the BOCC for consideration and action.

If you have any questions, please contact me.

CC: Helen Nelson, Assistant County Attorney  
Rob Hasty, Assistant County Attorney



## CLERK TO THE BOARD OF COMMISSIONERS

### MEMORANDUM FOR BOARD OF COMMISSIONERS AGENDA OF SEPTEMBER 3, 2024

**TO: BOARD OF COUNTY COMMISSIONERS**

**FROM: IVA CLARK, DEPUTY CLERK TO THE BOARD**

**DATE: 7/31/2024**

**SUBJECT: CUMBERLAND COUNTY LOCAL EMERGENCY PLANNING COMMITTEE (4 VACANCIES)**

#### **BACKGROUND**

The Cumberland County Local Emergency Planning Committee has the following four (4) vacancies:

**Community Group Representative:**

Andrew McLean-Completed First Term November 2022-Eligible for Reappointment. The Local Emergency Planning Committee recommends **Colby Foster** for appointment.

**Emergency Management Representative:**

Marc C. Baker-Resigned October 2023-Not Eligible for Reappointment. The Local Emergency Planning Committee recommends **Laura Smith** for appointment.

**Law Enforcement Representative:**

Brett Chandler-Completed Second Term November 2022. Not Eligible for Reappointment. The Local Emergency Planning Committee recommends **Harrison Combs** for appointment.

**Utilities Representative:**

VACANT- The Local Emergency Planning Committee recommends **Marcia Tillman-Bookhart** for appointment.

The membership roster, applicant list, and recommendation letter for the Cumberland County Local Emergency Planning Committee is attached.

#### **RECOMMENDATION / PROPOSED ACTION**

Please nominate individuals to fill the vacancies above.

**ATTACHMENTS:**

Description	Type
Local Emergency Planning Committee Roster	Backup Material
Local Emergency Planning Committee Recommendation	Backup Material
Local Emergency Planning Committee Applicant List	Backup Material

CUMBERLAND COUNTY  
LOCAL EMERGENCY PLANNING COMMITTEE  
3 Year Term  
(Staggered Terms Initially)

<u>Name/Address</u>	<u>Date Appointed</u>	<u>Term</u>	<u>Expires</u>	<u>Eligible For Reappointment</u>
<u>Print and Broadcast Media Representative</u>				
Lou Cherry 4243 Cherry Hill Lane Fayetteville, NC 28312 919-903-6232 (C) 910-438-4023 (W) lcherry@co.cumberland.nc.us	11/22	Serving unexpired term	June/24 6/30/24	Yes
Sean Swain <b>VACANT</b> CC Sheriff's Office PIO 5315 Fisher Road Fayetteville, NC 28304 910-849-4004	11/19	2nd	Nov/22 11/30/22	No
<u>Operators of Facilities Representative</u>				
Donna Godwin (Dupont) 722 Alexwood Drive Hope Mills, NC 28348 676-8385 / 213-1383 <a href="mailto:D-FAYE.GODWIN@DUPONT.COM">D-FAYE.GODWIN@DUPONT.COM</a>	11/22	1st	Nov/25 11/30/25	Yes
Robert Melvin <b>VACANT</b> (Eaton Corporation) PO Box 156 Stedman, NC 28391 910-677-5318	11/19	2nd	Nov/22 11/30/22	No
Tony Collado <b>VACANT</b> (Valley Proteins) 3814 Corapeake Drive Fayetteville, NC 28312 323-4112/323-9600	11/19	2nd	Nov/22 11/30/22	No
Caleb Stoker (Hexion) 821-101 Astron Lane Fayetteville, NC 28314 874-4340/364-5064 <a href="mailto:Caleb.stoker@hexion.com">Caleb.stoker@hexion.com</a>	6/21	2nd	June/24 6/30/24	No

Cumberland County Local Emergency Planning Committee, page 2

<u>Name/Address</u>	<u>Date Appointed</u>	<u>Term</u>	<u>Expires</u>	<u>Eligible For Reappointment</u>
<u>Law Enforcement Representative</u>				
Trooper Robert David Rhodes 1810 Carl Freeman Rd Stedman, NC 28391 910-916-3726 <a href="mailto:Robdrhodes@gmail.com">Robdrhodes@gmail.com</a>	6/21	1st	June/24 6/30/24	No
Deputy Gary Clarke Cumberland Co. Sheriff's Office 5740 Pooh Avenue Stedman, NC 28391 910-670-4790 <a href="mailto:gclarke@ccsonc.org">gclarke@ccsonc.org</a>	2/24	1st	June/27 6/30/27	Yes
Brett Chandler <b>VACANT</b> Fayetteville Police Department 5337 Anna Belle Lane Wade, NC 28395 273-0529/433-1885	11/19	2nd	Nov/22 11/30/22	No
<u>Emergency Management Representative</u>				
Marc C. Baker <b>VACANT</b> 190 Wolfpoint Drive Fayetteville, NC 28311 797-7662/321-6734 <a href="mailto:mbaker@co.cumberland.nc.us">mbaker@co.cumberland.nc.us</a>	6/21	1 <sup>st</sup>	June/24 6/30/24.	Yes
<u>Community Group Representative</u>				
Andrew McLean 6764 Willowbrook Drive, Apt 6 Fayetteville, NC 28314 910-987-6728 <a href="mailto:Andrew.mclean3@redcross.org">Andrew.mclean3@redcross.org</a>	11/22	1st	Nov/22 11/30/25	Yes
<u>Transportation Representative</u>				
Janet Renae Larson 2202 Kimberly Drive Fayetteville, NC 28306 574-1338/323-8283 <a href="mailto:rlarson@parkergas.com">rlarson@parkergas.com</a>	6/21	2nd	Feb/24 2/28/24	No

<u>Name/Address</u>	<u>Date Appointed</u>	<u>Term</u>	<u>Expires</u>	<u>Eligible For Reappointment</u>
<u>Health Representative</u>				
Greg Phillips Cumberland County Public Health 6300 Nakoma Way Fayetteville, NC 28306 489-1669/433-3685 <a href="mailto:gregphillips@co.cumberland.nc.us">gregphillips@co.cumberland.nc.us</a>	11/23	1 <sup>st</sup>	Nov/26 6/30/26	Yes
<u>Hospital Representative</u>				
George White (-/M) 2741 Hayfield Road Wade, NC 28395 366-8703/907-6688 <a href="mailto:GEORGE.C.WHITE.CIV@MAIL.MIL">GEORGE.C.WHITE.CIV@MAIL.MIL</a>	3/22	1 <sup>st</sup>	Mar/25 3/31/25	Yes
<u>Fire Fighting Representative</u>				
Chief Logan Herndon 7600 Documentary Drive Fayetteville, NC 28306 910-624-6177 <a href="mailto:GCFIRE1801@GMAIL.COM">GCFIRE1801@GMAIL.COM</a>	8/23	1 <sup>st</sup>	June/27 6/30/27	Yes
<u>First Aid Representative</u>				
Robert L. Godwin Cumberland Co. EMS/Emergency Management Cape Fear Valley Health System 3014 Player Ave Fayetteville, NC 28304 987-7923/615-5696 <a href="mailto:rgodwin@capefearvalley.com">rgodwin@capefearvalley.com</a>	11/23	1 <sup>st</sup>	Nov/26 11/30/26	Yes
<u>At-Large Representative</u>				
Terrance Phillips 1926 Harcourt Circle Fayetteville, NC 28304 910-495-3653 <a href="mailto:Tlphillips247@gmail.com">Tlphillips247@gmail.com</a>	5/23	1 <sup>st</sup>	May/26 5/31/26	Yes
<u>Local Environmental Representative</u>				
Amy Mateo 5591 Bellflower Street Fayetteville, NC 28314 364-5459 <a href="mailto:Amateo011@gmail.com">Amateo011@gmail.com</a>	1/22	1 <sup>st</sup>	Jan/25 1/31/25	Yes

<u>Name/Address</u>	<u>Date Appointed</u>	<u>Term</u>	<u>Expires</u>	<u>Eligible For Reappointment</u>
<u>Utilities Representative</u>				
PWC Maintenance Supervisor				
Johnny Lanthorn	2/24	1st	Mar/27	Yes
6841 Main Street			3/28/27	
Wade, NC 28395				
910-850-8453				
<a href="mailto:Johnny.Lanthorn@faypwc.com">Johnny.Lanthorn@faypwc.com</a>				

Ex-Officio/Voting Member:

Marshall Faircloth, County Commissioner

Emergency Management

Gene Booth, Cumberland County Emergency Services

County Manager

County Manager or County Manager Designee

Hazardous Materials Response Team Leader

David Richtmeyer, **Chairperson**, City of Fayetteville Fire Department

Fort Liberty :

Adam Buehler, Fort Liberty

Cumberland County Emergency Management Coordinator:

Garry Crumpler, **Vice Chairperson**, Cumberland County Emergency Services

Secretary

Christina King

Contacts: Garry Crumpler 438-4069 [gcrumpler@co.cumberland.nc.us](mailto:gcrumpler@co.cumberland.nc.us)

Meets quarterly on the last Thursday of the month in January, April, July & October at 10:00 am –  
Meeting Location Varies



TO: CUMBERLAND COUNTY BOARD OF COMMISSIONERS

THRU: DAVID RICHTMEYER, CHAIRMAN OF LEPC

FROM: GARRY CRUMPLER, VICE-CHAIR OF LEPC

SUBJECT: LEPC NOMINATIONS

The Cumberland County Local Emergency Planning Committee recommends the following individuals to serve in the capacity as listed:

- Colby Foster of the American Red Cross (ARC) to serve as the Community Group representative.
- Laura Smith of Fayetteville City Emergency Management to serve as the Emergency Management representative.
- Harrison Combs of Fayetteville City Police Department to serve as the Fayetteville City Police representative.
- Marcia Tillman-Bookhart of Piedmont/Duke Energy to serve as a Utilities representative.
- Carson Walker of South River Electric to serve as a Facility representative.
- Marty Marler of Piedmont/Duke Energy to serve as a Utilities representative.



**APPLICANTS FOR  
CUMBERLAND COUNTY LOCAL EMERGENCY PLANNING COMMITTEE**

<b>NAME/ADDRESS/TELEPHONE</b>	<b>OCCUPATION</b>	<b>EDUCATIONAL BACKGROUND</b>
<b>BROOKS, DONALD (B/M)</b> 301 SOUTHLAND DRIVE FAYETTEVILLE NC 28311 910-826-6078 <a href="mailto:DONALDBROOKS959@GMAIL.COM">DONALDBROOKS959@GMAIL.COM</a> Graduate-County Citizens' Academy: NO Graduate-Institute for Community Leadership: NO Graduate-Leadership Fayetteville: NO Graduate-United Way's MultJUVEi-Cultural Leadership Program: YES Graduate-other leadership academy: GRADUATE EXECUTIVE LEADERSHIP PROGRAM <b>CATEGORY: GENERAL PUBLIC</b> <i>Currently appointed to Cumberland County Industrial Facilities and Pollution Control Financing Authority and Board of Adjustment</i>	RETIRED	BACHELORS
<b>BROOKS, JEFFREY D (W/M)</b> 4700 MATCHWOOD CT FAYETTEVILLE NC 28306 822-2875/580-3088 <a href="mailto:JPDPHD08@GMAIL.COM">JPDPHD08@GMAIL.COM</a> Graduate-County Citizens' Academy: YES Graduate-Institute for Community Leadership: YES Graduate-Leadership Fayetteville: YES Graduate-United Way's Multi-Cultural Leadership Program: YES Graduate-other leadership academy: NO <b>CATEGORY: GENERAL PUBLIC</b>	RETIRED FSU PROFESSOR	PHD MSW
<b>COMBS, HARRISON III (W/M)</b> 6873 FIRE DEPARTMENT ROAD HOPE MILLS, NC 28348 260-602-4548 <a href="mailto:HARRISONCONMBS@FAYETTEVILLENC.GOV">HARRISONCONMBS@FAYETTEVILLENC.GOV</a> Graduate-County Citizens' Academy: NO Graduate-Institute for Community Leadership: NO Graduate-Leadership Fayetteville: NO Graduate-United Way's Multi-Cultural Leadership Program: NO Graduate-other leadership academy: NO <b>CATEGORY: POLICE REPRESENTATIVE</b>	POLICE LT.	MA CRIMINAL JUSTICE
<b>DAVIDSON, HANK (W/M)</b> 2088 TEESDALE DRIVE HOPE MILLS NC 28348 813-832-3290 <a href="mailto:HMDAVID@TWC.COM">HMDAVID@TWC.COM</a> Graduate-County Citizens' Academy: NO Graduate-Institute for Community Leadership: NO Graduate-Leadership Fayetteville: NO Graduate-United Way's Multi-Cultural Leadership Program: NO Graduate-other leadership academy: NO <b>CATEGORY: FIREFIGHTER REPRESENTATIVE</b>	GOVERNMENT CONTRACTOR OWT GLOBAL	NONE LISTED

Cumberland County Local Emergency Planning Committee, Page 2

NAME/ADDRESS/TELEPHONE	OCCUPATION	EDUCATIONAL BACKGROUND
DEBRULER, DANIEL (W/M) 6791 BUTTERMERE DRIVE FAYETTEVILLE NC 28314 964-3241/864-5028 <a href="mailto:DANDEBRULER@GMAIL.COM">DANDEBRULER@GMAIL.COM</a> Graduate-County Citizens' Academy: NO Graduate-Institute for Community Leadership: NO Graduate-Leadership Fayetteville: NO Graduate-United Way's Multi-Cultural Leadership Program: NO Graduate-other leadership academy: UNITED STATES ARMY ADVANCED NON-COMMISSIONED OFFICERS <b>CATEGORY: PRINT &amp; BROADCAST MEDIA REPRESENTATIVE</b>	RADIO STATION OWNER GRANDER VISION MEDIA	SOME COLLEGE
EARL, RENARDE D. (B/M) 6919 SOUTH STAFF RD FAYETTEVILLE NC 28306 336-682-4424 <a href="mailto:RDE9498@GMAIL.COM">RDE9498@GMAIL.COM</a> Graduate-County Citizens' Academy: YES Graduate-Institute for Community Leadership: NO Graduate-Leadership Fayetteville: NO Graduate-United Way's Multi-Cultural Leadership Program: NO Graduate-other leadership academy: LEADERSHIP WINSTON SALEM <b>CATEGORY: LAW ENFORCEMENT REPRESENTATIVE</b> <b>INELIGIBLE TO SERVE UNTIL: AUGUST 2025</b>	ASSOCIATE VICE CHANCELLOR OF POLICE/PUBLIC SAFETY AT FSU	BACHELORS CRIMINAL JUSTICE
FOSTER, COLBY (F) 2611 WESTCHESTER DRIVE FAYETTEVILLE, NC 28303 315-804-4207 <a href="mailto:COLBY.FOSTER@REDCROSS.ORG">COLBY.FOSTER@REDCROSS.ORG</a> Graduate-County Citizens' Academy: NO Graduate-Institute for Community Leadership: NO Graduate-Leadership Fayetteville: NO Graduate-United Way's Multi-Cultural Leadership Program: NO Graduate-other leadership academy: NO <b>CATEGORY: COMMUNITY GROUP REPRESENTATIVE</b> <b>APPLICATION RECEIVED: 5-1-24.</b>	DISASTER PROGRAM MANAGER AMERICAN RED CROSS	BS SCIENCE
HONDROS, DENO (W/M) 304 COURTYARD LANE FAYETTEVILLE NC 28303 977-0685/802-0076/864-2626 <a href="mailto:DJHONDROS@HOTMAIL.COM">DJHONDROS@HOTMAIL.COM</a> Graduate-County Citizens' Academy: NO Graduate-Institute for Community Leadership: NO Graduate-Leadership Fayetteville: NO Graduate-United Way's Multi-Cultural Leadership Program: NO Graduate-other leadership academy: NO <b>CATEGORY: LOCAL ENVIRONMENTAL REP??</b>	REAL ESTATE BROKER SELF EMPLOYED	SOME COLLEGE

NAME/ADDRESS/TELEPHONE	OCCUPATION	EDUCATIONAL BACKGROUND
JENKINS, ASHLEE (B/F) 2605 MIDDLE BRANCH BEND FAYETTEVILLE NC 28304 301-379-3857 <a href="mailto:A.THOMASJENKINS@GMAIL.COM">A.THOMASJENKINS@GMAIL.COM</a> Graduate-County Citizens' Academy: NO Graduate-Institute for Community Leadership: NO Graduate-Leadership Fayetteville: NO Graduate-United Way's Multi-Cultural Leadership Program: NO Graduate-other leadership academy: NO <b>CATEGORY: GENERAL PUBLIC</b>	UNEMPLOYED FORMER LAW ENFORCEMENT	BS-CRIM JUSTICE MS-CRIM JUSTICE MS-PUBLIC ADMIN.
JONES, CHARLES (W/M) 437 BRIGHTWOOD DRIVE FAYETTEVILLE, NC 28303 910436-1231 (H) 910-303-7170 (M) <a href="mailto:CJ_68@HOTMAIL.COM">CJ_68@HOTMAIL.COM</a> Graduate-County Citizens' Academy: NO Graduate-Institute for Community Leadership: NO Graduate-Leadership Fayetteville: YES Graduate-United Way's Multi-Cultural Leadership Program: NO Graduate-other leadership academy: NO <b>CATEGORY: LAW ENFORCEMENT REPRESENTATIVE/OPERATORS OF FACILITIES REPRESENTATIVE</b>	ENGINEER	BA
KRAKOVER, BRIAN Dr. (W/M) COMMONWEALTH 401 HARLOW DRIVE FAYETTEVILLE, NC 28314 910-366-7116 <a href="mailto:BKRAK@CAPEFEARVALLEY.COM">BKRAK@CAPEFEARVALLEY.COM</a> Graduate-County Citizens' Academy: NO Graduate-Institute for Community Leadership: NO Graduate-Leadership Fayetteville: NO Graduate-United Way's Multi-Cultural Leadership Program: NO Graduate-other leadership academy: NO <b>CATEGORY: Health Representative</b>	EMERGENCY PHYSICIAN CAPE FEAR VALLEY MEDICAL CENTER	MC- VIRGINIA
LILLY, JAMAL DASHAWN (B/M) 2610 CATTAIL CIRCLE FAYETTEVILLE NC 28312 910-916-3087 <a href="mailto:JAMALDLILY@GMAIL.COM">JAMALDLILY@GMAIL.COM</a> Graduate-County Citizens' Academy: NO Graduate-Institute for Community Leadership: NO Graduate-Leadership Fayetteville: NO Graduate-United Way's Multi-Cultural Leadership Program: NO Graduate-other leadership academy: NO <b>CATEGORY: GENERAL PUBLIC</b>	ARMED SECURITY OFFICER PARKER SECURITY	SOME COLLEGE

NAME/ADDRESS/TELEPHONE	OCCUPATION	EDUCATIONAL BACKGROUND
LONG, MICHAEL J (W/M) 5308 Bella Farms Ct. Godwin, NC 28344 910-434-4123 (W) 910-476-6582 (M) <a href="mailto:Longmj13@gmail.com">Longmj13@gmail.com</a> Graduate-County Citizens' Academy: Yes Graduate-Institute for Community Leadership: No Graduate-Leadership Fayetteville: No Graduate-United Way's Multi-Cultural Leadership Program: Yes Graduate-other leadership academy: No	FIRE CAPTAIN/CITY OF FAY	HIGH SCHOOL
<b>CATEGORY: GENERAL PUBLIC</b>		
MCPHAIL, JEFFREY (W/M) 227 WOODROW STREET FAYETTEVILLE, NC 28303 910-524-6459 <a href="mailto:Jeffmcp hail27@gmail.com">Jeffmcp hail27@gmail.com</a> Graduate-County Citizens' Academy: NO Graduate-Institute for Community Leadership: NO Graduate-Leadership Fayetteville: NO Graduate-United Way's Multi-Cultural Leadership Program: NO Graduate-other leadership academy: NO	FIRE CAPTAIN/CITY OF FAY	HIGH SCHOOL
<b>CATEGORY: Firefighter Representative</b>		
OATMAN, LEWIS S. (-/M) 5575 HALLWOOD DRIVE FAYETTEVILLE, NC 28348 884/5020 <a href="mailto:LEWIS_OATMAN@MSN.COM">LEWIS_OATMAN@MSN.COM</a> Graduate-County Citizens' Academy: NO Graduate-Institute for Community Leadership: NO Graduate-Leadership Fayetteville: NO Graduate-United Way's Multi-Cultural Leadership Program: NO Graduate-other leadership academy: NO	ADJUNCT PROFESSOR HEALTH CARE EXECUTIVE	PHD HEALTH SCIENCES GLOBAL HEALTH
<b>CATEGORY: GENERAL PUBLIC</b>		
OSBORN, JENNIFER (W/) 3828 LITTLE JOHN COURT FAYETTEVILLE, NC 910-644-4921 <a href="mailto:JENNIFEROZ@OUTLOOK.COM">JENNIFEROZ@OUTLOOK.COM</a> Graduate-County Citizens' Academy: NO Graduate-Institute for Community Leadership: CURRENTLY TAKING PART IN ICL Graduate-Leadership Fayetteville: NO Graduate-United Way's Multi-Cultural Leadership Program: NO Graduate-other leadership academy: NO	PROFESSOR, FORMER POLICE OFFICER VETERAN	MA-JUSTICE ADMIN
<b>CATEGORY: GENERAL PUBLIC</b>		

Cumberland County Local Emergency Planning Committee, Page 5

NAME/ADDRESS/TELEPHONE	OCCUPATION	EDUCATIONAL BACKGROUND
PATTERSON, DENNIS (W/M) 6080 CEDAR CREEK RD FAYETTEVILLE, NC 28312 910-224-2182 <a href="mailto:RANGERPAT1@GMAIL.COM">RANGERPAT1@GMAIL.COM</a> Graduate-County Citizens' Academy: NO Graduate-Institute for Community Leadership: NO Graduate-Leadership Fayetteville: NO Graduate-United Way's Multi-Cultural Leadership Program: NO Graduate-other leadership academy: MILITARY LEADERSHIP ACADEMIES <b>CATEGORY: GENERAL PUBLIC</b> <i>Currently serving on the Animal Services Board</i>	SPECIAL FORCES COMMUNICATIONS INSTRUCTOR DEPT OF DEFENSE	BS/MS
RHODES, ROBERT DAVID (W/M) 1810 CARL FREEMAN RD STEDMAN NC 28391 910-916-3726 <a href="mailto:ROBDRHODES@GMAIL.COM">ROBDRHODES@GMAIL.COM</a> Graduate-County Citizens' Academy: NO Graduate-Institute for Community Leadership: NO Graduate-Leadership Fayetteville: NO Graduate-United Way's Multi-Cultural Leadership Program: NO Graduate-other leadership academy: NO <b>CATEGORY: LAW ENFORCEMENT REPRESENTATIVE</b>	NC STATE TROOPER NC STATE HIGHWAY PATROL	SOME COLLEGE
RIVERA, HENRY (H/M) 850 JEREMIAH STREET STEDMAN, NC 28391 508-837-0420/580-0178/567-2625 <a href="mailto:RIVERAHENRY64@YAHOO.COM">RIVERAHENRY64@YAHOO.COM</a> Graduate-County Citizens' Academy: NO Graduate-Institute for Community Leadership: NO Graduate-Leadership Fayetteville: NO Graduate-United Way's Multi-Cultural Leadership Program: NO Graduate-other leadership academy: NO <b>CATEGORY: LOCAL ENVIRONMENTAL REPRESENTATIVE</b>	OCCUPATIONAL SAFETY/HEALTH TRI STATE	BA/MA
SANTIAGO, RUBEN (H/M) 7021 MARINERS LANDING DRIVE FAYETTEVILLE NC 28306 910-574-1800 <a href="mailto:RSANTIAGO800@GMAIL.COM">RSANTIAGO800@GMAIL.COM</a> Graduate-County Citizens' Academy: NO Graduate-Institute for Community Leadership: NO Graduate-Leadership Fayetteville: NO Graduate-United Way's Multi-Cultural Leadership Program: NO Graduate-other leadership academy: FBI NATIONAL ACADEMY, RICHLAND CO, SC CITIZENS ACADEMY, CITY OF COLUMBIA SC CITIZENS ACADEMY <b>CATEGORY: EMERGENCY MANAGEMENT REPRESENTATIVE, GENERAL PUBLIC, LAW ENFORCEMENT REPRESENTATIVE</b>	FEDERAL LAW ENFORCEMENT FT BRAGG CRIMINAL INVESTIGATIONS DIVISION	BA/MA

Cumberland County Local Emergency Planning Committee, Page 6

NAME/ADDRESS/TELEPHONE	OCCUPATION	EDUCATIONAL BACKGROUND
<p>SELDON, SCHERELL A. (-/F) 1558 SEABROOK SCHOOL RD FAYETTEVILLE NC 28312 910-627-6689 <a href="mailto:MUZACINMYHEART@GMAIL.COM">MUZACINMYHEART@GMAIL.COM</a> Graduate-County Citizens' Academy: NO Graduate-Institute for Community Leadership: NO Graduate-Leadership Fayetteville: NO Graduate-United Way's Multi-Cultural Leadership Program: NO Graduate-other leadership academy: NO <b>CATEGORY: GENERAL PUBLIC</b></p>	<p>GRAPHIC DESIGNER MSC GRAPHIC DESIGNS</p>	<p>ASSOCIATES</p>
<p>SMITH, LAURA 1220 MAGNOLIA CHURCH ROAD STEDMAN, NC 28391 910-391-9179 or 910-433-1344 <a href="mailto:CHAOSCOOR911@GMAIL.COM">CHAOSCOOR911@GMAIL.COM</a> Graduate-County Citizens' Academy: NO Graduate-Institute for Community Leadership: NO Graduate-Leadership Fayetteville: NO Graduate-United Way's Multi-Cultural Leadership Program: NO Graduate-other leadership academy: NO <b>CATEGORY: EMERGENCY MANAGEMENT REPRESENTATIVE</b> <b>APPLICATION RECEIVED: 5-3-24</b></p>	<p>EMERGENCY MANAGEMENT CITY OF FAYETTEVILLE</p>	<p>BA</p>
<p>SMITH, WILLIAM (W/M) 2606 MELLWOOD DRIVE FAYETTEVILLE NC 28306 485-0157/624-9896/678-1535 <a href="mailto:BILL.H.SMITH@CHEMOURS.COM">BILL.H.SMITH@CHEMOURS.COM</a> Graduate-County Citizens' Academy: NO Graduate-Institute for Community Leadership: NO Graduate-Leadership Fayetteville: NO Graduate-United Way's Multi-Cultural Leadership Program: NO Graduate-other leadership academy: DUPONT PROJECT TEAM LEADER ACADEMY <b>CATEGORY: OPERATORS OF FACILITIES REPRESENTATIVE</b></p>	<p>PROJECT ENGINEER CHEMOURS COMPANY LLC</p>	<p>SOME COLLEGE</p>
<p>THOMPSON, LYNN DORA (B/F) 3402 RUDLAND COURT FAYETTEVILLE NC 28304 910-584-5324 <a href="mailto:LYNN DORATHOMPSON3@GMAIL.COM">LYNN DORATHOMPSON3@GMAIL.COM</a> Graduate-County Citizens' Academy: NO Graduate-Institute for Community Leadership: NO Graduate-Leadership Fayetteville: NO Graduate-United Way's Multi-Cultural Leadership Program: NO Graduate-other leadership academy: NO <b>CATEGORY: GENERAL PUBLIC</b></p>	<p>UNEMPLOYED</p>	<p>BA, MA</p>

Cumberland County Local Emergency Planning Committee, Page 7

<u>NAME/ADDRESS/TELEPHONE</u>	<u>OCCUPATION</u>	<u>EDUCATIONAL BACKGROUND</u>
<p>TILLMAN-BOOKHART, MARCIA  7012 BOSTIC COURT  FAYETTEVILLE, NC 28314  <a href="mailto:MARCIA.TILLMAN-BOOKHART@DUKE-ENERGY.COM">MARCIA.TILLMAN-BOOKHART@DUKE-ENERGY.COM</a>  Graduate-County Citizens' Academy: NO  Graduate-Institute for Community Leadership: NO  Graduate-Leadership Fayetteville: NO  Graduate-United Way's Multi-Cultural Leadership Program: NO  Graduate-other leadership academy: NO  <b>CATEGORY: UTILITIES REPRESENTATIVE</b>  <b>APPLICATION RECEIVED: 6-26-24.</b></p>	<p>OPERATIONS SUPERVISOR</p>	<p>MA, BA</p>
<p>WRIGHT, TRACEY (B/F)  3920 SOUTHERN OAKS DRIVE  UNIT 3  FAYETTEVILLE, NC 28310  919-671-8626 (M) 910-570-5450 (W)  <a href="mailto:TLWRIGHT29@GMAIL.COM">TLWRIGHT29@GMAIL.COM</a>  Graduate-County Citizens' Academy: NO  Graduate-Institute for Community Leadership: YES  Graduate-Leadership Fayetteville: NO  Graduate-United Way's Multi-Cultural Leadership Program: NO  Graduate-other leadership academy: NO  <b>CATEGORY: GENERAL PUBLIC</b></p>	<p>MILITARY/US ARMY</p>	<p>MASTERS- PUBLIC  ADMINISTRATION  BACHELORS-PSYCHOLOGY</p>



**CLERK TO THE BOARD OF COMMISSIONERS**

**MEMORANDUM FOR BOARD OF COMMISSIONERS AGENDA OF SEPTEMBER 3,  
2024**

**TO: BOARD OF COUNTY COMMISSIONERS**

**FROM: IVA CLARK, DEPUTY CLERK TO THE BOARD**

**DATE: 8/9/2024**

**SUBJECT: FAYETTEVILLE AREA CONVENTION AND VISITOR'S BUREAU  
BOARD OF DIRECTORS (1) VACANCY**

**BACKGROUND**

The Fayetteville Area Convention and Visitors' Bureau Board of Directors has the following one (1) vacancy:

Tony Kotso-Poulos-Resigned-Term Expires October 2024. Not Eligible for Reappointment. The Fayetteville Area Convention and Visitors Bureau Board of Directors recommends **Nathan Ernst** for appointment.

The applicant list, membership roster, and recommendation letter for the Fayetteville Area Convention and Visitors' Bureau Board of Directors is attached.

**RECOMMENDATION / PROPOSED ACTION**

Please nominate individuals to fill the vacancy above.

**ATTACHMENTS:**

Description	Type
Fayetteville Area Convention and Visitor's Bureau Board of Director's Applicant List	Backup Material
Fayetteville Area Convention and Visitor's Bureau Board of Director's Membership Roster	Backup Material
Fayetteville Area Convention and Visitor's Bureau Board of Directors Letter of Recommendation	Backup Material

**APPLICANTS FOR**  
**FAYETTEVILLE AREA CONVENTION AND VISITORS' BUREAU**  
**BOARD OF DIRECTORS**

<b><u>NAME/ADDRESS/TELEPHONE</u></b>	<b><u>OCCUPATION</u></b>	<b><u>EDUCATIONAL BACKGROUND</u></b>
BOSTIC, MELISSA (H/F) 3931 BROOKGREEN DRIVE FAYETTEVILLE, NC 28304 364-2345 (H) <a href="mailto:MBOSTIC19@ICLOUD.COM">MBOSTIC19@ICLOUD.COM</a> Graduate-County Citizens' Academy: No Graduate-Institute for Community Leadership: Yes Graduate-Leadership Fayetteville: No Graduate-United Way's Multi-Cultural Leadership Program: No Graduate-other leadership academy: No <b><i>CATEGORY: GENERAL PUBLIC</i></b>	HR MANAGER, MOUTAIRE FARMS	MBA/PHD BUSINESS ADMINISTRATION
FISHER-ROBINSON, JANICE (B/F) 4405 RUBY ROAD FAYETTEVILLE, NC 28311 <a href="mailto:JROBINSON4405@GMAIL.COM">JROBINSON4405@GMAIL.COM</a> Graduate-County Citizens' Academy: NO Graduate-Institute for Community Leadership: NO Graduate-Leadership Fayetteville: NO Graduate-United Way's Multi-Cultural Leadership Program: NO Graduate-other leadership academy: NO <b><i>CATEGORY: GENERAL PUBLIC</i></b>	RETIRED	HS/SOME COLLEGE
JONES, NICOLE DANIELLE (B/F) 112 WEATHERSTONE DR. APT. 102 FAYETTEVILLE, NC 28311 758-5945(H)/723-3685(M/W) <a href="mailto:LOVEJONESPROSERVICES@GMAIL.COM">LOVEJONESPROSERVICES@GMAIL.COM</a> Graduate-County Citizens' Academy: NO Graduate-Institute for Community Leadership: NO Graduate-Leadership Fayetteville: NO Graduate-United Way's Multi-Cultural Leadership Program: NO Graduate-other leadership academy: NO <b><i>CATEGORY: LOCAL BUSINESS</i></b>	SOCIAL WORKER/SMALL BUSINESS OWNER	BS
MABE, S. AARON (-/M) 7018 BYERLY DRIVE HOPE MILLS NC 28348 910-670-3497 <a href="mailto:AMABE221@GMAIL.COM">AMABE221@GMAIL.COM</a> Graduate-County Citizens' Academy: NO Graduate-Institute for Community Leadership: YES Graduate-Leadership Fayetteville: NO Graduate-United Way's Multi-Cultural Leadership Program: NO Graduate-other leadership academy: NO <b><i>CATEGORY: GENERAL PUBLIC</i></b>	CCP/DUAL ENROLLMENT PROGRAM COORDINATOR FTCC	MASTERS

**APPLICANTS FOR  
FAYETTEVILLE AREA CONVENTION AND VISITORS' BUREAU  
BOARD OF DIRECTORS Page 2**

<b>NAME/ADDRESS/TELEPHONE</b>	<b>OCCUPATION</b>	<b>EDUCATIONAL BACKGROUND</b>
MCKNIGHT, ANTHONY LEE II (B/M) 4200 DAVID STREET FAYETTEVILLE, NC 28304 910-391-4514 <a href="mailto:Tlmcknight1991@gmail.com">Tlmcknight1991@gmail.com</a> Graduate-County Citizens' Academy: NO Graduate-Institute for Community Leadership: NO Graduate-Leadership Fayetteville: NO Graduate-United Way's Multi-Cultural Leadership Program: NO Graduate-other leadership academy: NO <b>CATEGORY: GENERAL PUBLIC</b>	WALMART ASSOCIATE	SOME COLLEGE
MCLAUGHLIN, JAMI (W/F) 300 N. 2 <sup>ND</sup> STREET SPRING LAKE, NC 28390 910-391-4870 <a href="mailto:JAMIMCLAUGHLIN1@GMAIL.COM">JAMIMCLAUGHLIN1@GMAIL.COM</a> Graduate-County Citizens' Academy: NO Graduate-Institute for Community Leadership: NO Graduate-Leadership Fayetteville: NO Graduate-United Way's Multi-Cultural Leadership Program: NO Graduate-other leadership academy: NO <b>CATEGORY: GENERAL PUBLIC</b> *** Currently serving on the Joint Plan Board as Chair***	GREATER FAY CHAMBER	BA ECU
MILLS, SUSAN (W/F) 4158 BENT GRASS DRIVE FAYETTEVILLE NC 28312 910-308-2409 <a href="mailto:VOTE4MILLS@AOL.COM">VOTE4MILLS@AOL.COM</a> Graduate-County Citizens' Academy: NO Graduate-Institute for Community Leadership: NO Graduate-Leadership Fayetteville: NO Graduate-United Way's Multi-Cultural Leadership Program: NO Graduate-other leadership academy: NO <b>CATEGORY: GENERAL PUBLIC</b>	HIGH SCHOOL TEACHER SAMPSON COUNTY PUBLIC SCHOOLS	BS-COMMUNICATIONS
MOORE, BENJAMIN (B/M) 5419 CEDAR CREEK RD FAYETTEVILLE NC 28312 804-593-8237/433-1657 <a href="mailto:BMOORE@CI.FAY.NC.US">BMOORE@CI.FAY.NC.US</a> Graduate-County Citizens' Academy: NO Graduate-Institute for Community Leadership: NO Graduate-Leadership Fayetteville: NO Graduate-United Way's Multi-Cultural Leadership Program: NO Graduate-other leadership academy: CITY OF FAYETTEVILLE LEADERSHIP ACADEMY <b>CATEGORY: GENERAL PUBLIC</b>	ENGINEERING SPECIALIST II CITY OF FAYETTEVILLE	COLLEGE LISTED

**APPLICANTS FOR  
FAYETTEVILLE AREA CONVENTION AND VISITORS' BUREAU  
BOARD OF DIRECTORS Page 3**

<b>NAME/ADDRESS/TELEPHONE</b>	<b>OCCUPATION</b>	<b>EDUCATIONAL BACKGROUND</b>
<b>RENTERIA, ANTONIO (H/M)</b> <b>DIRECTOR OF OPERATIONS</b> 506 LAW ROAD FAYETTEVILLE, NC 28311 910 583-4850 Graduate-County Citizens' Academy: No Graduate-Institute for Community Leadership: Graduate-Leadership Fayetteville: YES Graduate-United Way's Multi-Cultural Leadership Program: No Graduate-other leadership academy: FAYETTEVILLE CITIZENS ACADEMY <b>CATEGORY: GENERAL PUBLIC</b>		BA LIBERAL ARTS\ GRADUATE STUDENT
<b>SIMMS-THOMPCKINS, RACHEL (B/F)</b> 490 CARLTON PLACE FAYETTEVILLE, NC 28311 646-234-9290 <a href="mailto:RSIMMSTHOMPCKINS@YAHOO.COM">RSIMMSTHOMPCKINS@YAHOO.COM</a> Graduate-County Citizens' Academy: YES Graduate-Institute for Community Leadership: NO Graduate-Leadership Fayetteville: NO Graduate-United Way's Multi-Cultural Leadership Program: NO Graduate-other leadership academy: NO <b>CATEGORY: GENERAL PUBLIC</b>	<b>CHARTER COMMUNICATIONS</b>	<b>SOME COLLEGE</b>
<b>SMITH, AMANDA (B/F)</b> 674 BAYWOOD ROAD FAYETTEVILLE, NC 28312 910-658-7541/910-907-7029 <a href="mailto:AMANDA67@HOTMAIL.COM">AMANDA67@HOTMAIL.COM</a> Graduate-County Citizens' Academy: YES Graduate-Institute for Community Leadership: NO Graduate-Leadership Fayetteville: NO Graduate-United Way's Multi-Cultural Leadership Program: NO Graduate-other leadership academy: NO <b>CATEGORY: GENERAL PUBLIC</b> <b>APPLICATION RECEIVED: 5-21-24.</b>	<b>DEFENSE HEALTH AGENCY</b>	<b>MA, EDU</b>
<b>THOMPSON, LYNNDORA (B/F)</b> 3402 RUDLAND COURT FAYETTEVILLE NC 28304 910-584-5324 <a href="mailto:LYNNDORATHOMPSON3@GMAIL.COM">LYNNDORATHOMPSON3@GMAIL.COM</a> Graduate-County Citizens' Academy: NO Graduate-Institute for Community Leadership: NO Graduate-Leadership Fayetteville: NO Graduate-United Way's Multi-Cultural Leadership Program: NO Graduate-other leadership academy: NO <b>CATEGORY: GENERAL PUBLIC</b>	<b>UNEMPLOYED</b>	<b>BA, MA</b>

FAYETTEVILLE AREA CONVENTION AND VISITORS' BUREAU  
BOARD OF DIRECTORS  
3 Year Terms

Name/Address	<u>Date</u> Appointed	Term	Expires	<u>Eligible For</u> Reappointment
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**Appointed by Board of County Commissioners:**

Hotel/Motels under 100 rooms Representatives:

Lily Schmidt	8/22	1st	Aug/25	Yes
TownePlace Suites by Marriott-Skibo			8/30/25	
5238 Foxfire Rd.				
Fayetteville, NC 28303				
<i>(County Commissioner Appointee)</i>				
910-764-1100 (W) 910-224-0306 (M)				
<a href="mailto:lilys@immhotels.com">lilys@immhotels.com</a>				

Hotel/Motel over 100 rooms Representatives:

Michelle Williams	8/7	1st	Aug/26	Yes
Fairfield Inn & Suites			8/31/26	
4249 Ramsey Street				
Fayetteville, NC 28311				
<i>(County Commissioner Appointee)</i>				
910-987-4807				
<a href="mailto:michellew@nhghotels.com">michellew@nhghotels.com</a>				

At Large

Sheba McNeill	10/21	1 <sup>st</sup>	Oct/24	Yes
542 Williwood Rd			10/31/24	
Fayetteville, NC 28311				
<i>(County Commissioner Appointee)</i>				
910-229-1111/910-568-5005				
<a href="mailto:Shemc20@gmail.com">Shemc20@gmail.com</a>				

At Large

Jimmy Keefe	10/21	1 <sup>st</sup>	Oct/24	Yes
Trophy House			10/31/24	
370 Echo Lane				
Fayetteville, NC 28303				
<i>(County Commissioner Appointee)</i>				
910-987-2255				
<a href="mailto:jkeefe@thetrophyhouseinc.com">jkeefe@thetrophyhouseinc.com</a>				

Local Business

Tony Kotso-Poulos <b>(RESIGNED)</b>	10/21	1 <sup>st</sup>	Oct/24	Yes
474 Kingsford Rd			10/31/24	
Fayetteville, NC 28314				
<i>(County Commissioner Appointee)</i>				
910-964-5901				
<a href="mailto:akotso@aol.com">akotso@aol.com</a>				

Name/Address	<u>Date</u> Appointed	Term	Expires	<u>Eligible For</u> Reappointment
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**Appointed by FACVB Board of Directors:**

Hotel/Motel with 6000+ Meeting Space Representative

Manish Mehta	10/21	1st	Oct/24	Yes
Embassy Suites			10/31/24	
229 Forest Creek Drive				
Fayetteville, NC 28303				
910-494-1918				
<a href="mailto:msmehta@5pointsnc.com">msmehta@5pointsnc.com</a>				

**(FACVB Board of Directors Appointee)**

Hotel/Motel Representative

Byron McNeill	10/21	1st	Oct/24	Yes
Hampton Inn & Suites			10/31/24	
2065 Cedar Creek Rd				
Fayetteville, NC 28312				
313-779-1963				
<a href="mailto:Byron.mcneill2@hilton.com">Byron.mcneill2@hilton.com</a>				

**(FACVB Board of Directors Appointee)**

Local Business

Fred Surgeon	10/21	1 <sup>st</sup>	Oct/24	Yes
Sweet Valley Ranch			10/31/24	
2990 Sunnyside Road				
Fayetteville, NC 28312				
910-733-0617				
<a href="mailto:fsurgeon@bellsouth.net">fsurgeon@bellsouth.net</a>				

**(FACVB Board of Directors Appointee)**

Cumberland County Manager or Designee (Voting Member):

Sally Shutt, Cumberland Assistant County Manager

General Manager of the Crown Complex or Designee (Voting Member):

Seth Benalt, General Manager Crown Complex

City of Fayetteville Manager or Designee (Voting Member):

Jodi Phelps, City of Fayetteville Manager

Ex-Officio Positions (Non-Voting) :

Airborne and Special Operations Museum  
 Tourism Development Authority  
 President of Fayetteville Area Hospitality Association  
 President of the Cool Springs Downtown District  
 President of the Fayetteville Cumberland County Economic Development Corporation  
 Fayetteville Area Convention and Visitors Bureau, Page 3  
 Past Chair of the Fayetteville Area Convention and Visitors Bureau  
 One (1) Position at Board Discretion

County Commissioner Liaison (Non-Voting):

Commissioner Veronica Jones

Meetings: Quarterly – Fourth Wednesday of the first month at 12 p.m.

Contact: Randy Fiveash (or Jennifer Betshlimon), Fayetteville Area Convention & Visitors' Bureau – 483-5311  
[rfiveash@visitfayettevillenc.com](mailto:rfiveash@visitfayettevillenc.com) & [jbetshlimon@visitfayettevillenc.com](mailto:jbetshlimon@visitfayettevillenc.com)



Where history meets  
history in the making.

## MEMORANDUM

TO: Andrea Tebbe, County Clerk  
Iva Clark, Deputy County Clerk

FROM: Devin Heath, President & CEO – Fayetteville Area Convention & Visitors Bureau

DATE: July 31, 2024

RE: Recommendation for Board of Directors Open Seat

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Recently Tony Kotsopoulos resigned his seat on our Board of Directors representing Local Businesses (Attractions, restaurants or other businesses affected by tourism). His term was due to expire November 2024. During the Board of Directors meeting on July 24, 2024, the board accepted Mr. Kotsopoulos' resignation and voted unanimously to support the recommendation of Nate Ernst to fill the vacancy.

Mr. Ernst has taken over Mr. Kotsopoulos' interest in Luigi's Italian Chophouse and Bar as partner and is eager to get more involved in the Cumberland County community. He has been in Fayetteville since 2016 when he first started as Manager of Parks Building Supply. He left in January 2020 and started working in the family business at Luigi's, right before Covid. After working with the team through that incredibly difficult period, he is as committed as ever to Luigi's and our community. Now, he is ready to give back in ways outside the restaurant as well. Recently Mr. Ernst took time out of a busy dinner evening at the restaurant to meet with the President of the Lou Hammond Group and her staff during a visit to Cumberland County. His visit had a strong impact on them and provided valuable input towards their future work.

The Board of Directors request consideration of Mr. Ernst to be appointed to the FACVB Board of Directors for an initial three-year term to commence September 1, 2024.

If I can answer any questions, please let me know.



## CLERK TO THE BOARD OF COMMISSIONERS

### **MEMORANDUM FOR BOARD OF COMMISSIONERS AGENDA OF SEPTEMBER 3, 2024**

**TO: BOARD OF COUNTY COMMISSIONERS**

**FROM: IVA CLARK, DEPUTY CLERK TO THE BOARD**

**DATE: 7/26/2024**

**SUBJECT: FAYETTEVILLE-CUMBERLAND PARKS AND RECREATION  
ADVISORY BOARD (2 VACANCIES)**

#### **BACKGROUND**

The Fayetteville-Cumberland County Parks and Recreation Advisory Commission has the following two (2) vacancies:

Louis Wood-Completed Second Term October 2023- Not Eligible for Reappointment. The Fayetteville-Cumberland County Parks and Recreation Advisory Commission recommends **Antonio Renteria** for appointment.

Trevon McNeill-Term Expires October 2026-Removed from the Commission. The Fayetteville-Cumberland County Parks and Recreation Advisory Commission recommends **David Breece** for appointment.

The membership roster, applicant list, and recommendation letter for the Fayetteville-Cumberland County Advisory Commission is attached.

#### **RECOMMENDATION / PROPOSED ACTION**

Please nominate individuals to fill the vacancies above.

#### **ATTACHMENTS:**

Description	Type
Fayetteville-Cumberland County Parks and Recreation Applicant List	Backup Material
Fayetteville-Cumberland County Parks and Recreation Membership Roster	Backup Material
Fayetteville-Cumberland County Parks and Recreation Recommendation Letter	Backup Material



**APPLICANTS FOR  
FAYETTEVILLE-CUMBERLAND PARKS AND RECREATION ADVISORY COMMISSION**

<b>NAME/ADDRESS/TELEPHONE</b>	<b>OCCUPATION</b>	<b>EDUCATIONAL BACKGROUND</b>
<b>BREECE, DAVID (W/M)</b> 500 RAMSEY STREET FAYETTEVILLE, NC 28301 910-635-7706 <a href="mailto:ROGERSANDBREECE.DAVID@GMAIL.COM">ROGERSANDBREECE.DAVID@GMAIL.COM</a> Graduate-County Citizens' Academy: NO Graduate-Institute for Community Leadership: NO Graduate-Leadership Fayetteville: NO Graduate-United Way's Multi-Cultural Leadership Program: NO Graduate-other leadership academy: NO <b>CATEGORY: GENERAL PUBLIC</b>	GENERAL MANAGER- FUNERAL HOME	BA IN BUSINESS
<b>BROCKETT, HELEN STOVALL (/)</b> 6998 POINT EAST DRIVE FAYETTEVILLE, NC 910-484-2781 Graduate-County Citizens' Academy: NO Graduate-Institute for Community Leadership: NO Graduate-Leadership Fayetteville: NO Graduate-United Way's Multi-Cultural Leadership Program: NO Graduate-other leadership academy: NO <b>CATEGORY: GENERAL PUBLIC</b>	RETIRED	
<b>COUNCIL-ORELLANA, TRAMAIN (B/F)</b> 1225 BOMBAY DR FAYETTEVILLE NC 910-876-2344 <a href="mailto:TRAMAINORELLANA@GMAIL.COM">TRAMAINORELLANA@GMAIL.COM</a> Graduate-County Citizens' Academy: NO Graduate-Institute for Community Leadership: NO Graduate-Leadership Fayetteville: NO Graduate-United Way's Multi-Cultural Leadership Program: NO Graduate-other leadership academy: NO <b>CATEGORY: GENERAL PUBLIC</b>	EMPLOYMENT CONSULTANT	MA-SCIENCE
<b>HARPER, STEVE C. (B/M)</b> 5707 BASHFORT CT FAYETTEVILLE NC 28304 425-9643/988-7004 <a href="mailto:STEVEHARPER276@GMAIL.COM">STEVEHARPER276@GMAIL.COM</a> Graduate-County Citizens' Academy: YES Graduate-Institute for Community Leadership: NO Graduate-Leadership Fayetteville: NO Graduate-United Way's Multi-Cultural Leadership Program: NO Graduate-other leadership academy: CITY OF FAYETTEVILLE CITIZENS ACADEMY <b>CATEGORY: GENERAL PUBLIC</b>	RETIRED OPERATIONS MANAGER	SOME COLLEGE

**APPLICANTS FOR  
FAYETTEVILLE-CUMBERLAND PARKS AND RECREATION ADVISORY COMMISSION Page 2**

<b>NAME/ADDRESS/TELEPHONE</b>	<b>OCCUPATION</b>	<b>EDUCATIONAL BACKGROUND</b>
HERBERT, KASANDRA (B/F) 6323 ABERCARN WAY FAYETTEVILLE NC 28311 396-5731/922-0851 <a href="mailto:KASANDRA.HERBERT@HOTMAIL.COM">KASANDRA.HERBERT@HOTMAIL.COM</a> Graduate-County Citizens' Academy: NO Graduate-Institute for Community Leadership: NO Graduate-Leadership Fayetteville: NO Graduate-United Way's Multi-Cultural Leadership Program: NO Graduate-other leadership academy: NO <b>CATEGORY: GENERAL PUBLIC</b>	AUDITOR/ACCOUNTANT DEPT OF ARMY	MBA-FINANCE BSBA-LOGISTICS
HOLMES, KIM (B/F) 3050 JAMES DAIL RD FAYETTEVILLE NC 28312 910-824-1000 <a href="mailto:KIMHOLMES2@GMAIL.COM">KIMHOLMES2@GMAIL.COM</a> Graduate-County Citizens' Academy: YES Graduate-Institute for Community Leadership: YES Graduate-Leadership Fayetteville: NO Graduate-United Way's Multi-Cultural Leadership Program: NO Graduate-other leadership academy: NO <b>CATEGORY: GENERAL PUBLIC</b>	CUSTOMER SERVICE PWC	SOME COLLEGE
HOYT, GEORGE (TREY) III 6086 MIDUS STREET HOPE MILLS, NC 28348 433-0001/723-6897/630-7620 <a href="mailto:TREYHOYT@CENTURYLINK.NET">TREYHOYT@CENTURYLINK.NET</a> Graduate-County Citizens' Academy: NO Graduate-Institute for Community Leadership: YES Graduate-Leadership Fayetteville: NO Graduate-United Way's Multi-Cultural Leadership Program: NO Graduate-other leadership academy: NO <b>CATEGORY: GENERAL PUBLIC</b>	PROFESSOR METHODIST UNIVERSITY	PHD MED
JONES, NICOLE DANIELLE (B/F) 112 WEATHERSTONE DR. APT. 102 FAYETTEVILLE, NC 28311 758-5945(H)/723-3685(M/W) <a href="mailto:LOVEJONESPROSERVICES@GMAIL.COM">LOVEJONESPROSERVICES@GMAIL.COM</a> Graduate-County Citizens' Academy: NO Graduate-Institute for Community Leadership: NO Graduate-Leadership Fayetteville: NO Graduate-United Way's Multi-Cultural Leadership Program: NO Graduate-other leadership academy: NO <b>CATEGORY: GENERAL PUBLIC</b>	SOCIAL WORKER/SMALL BUSINESS OWNER	BS

**APPLICANTS FOR  
FAYETTEVILLE-CUMBERLAND PARKS AND RECREATION ADVISORY COMMISSION Page 3**

<b>NAME/ADDRESS/TELEPHONE</b>	<b>OCCUPATION</b>	<b>EDUCATIONAL BACKGROUND</b>
KOLBFLEISCH, DANA 7416 HAMMERSLEY ROAD FAYETTEVILLE, NC 28306 919-480-5388 ©/910-482-5514 (W) <a href="mailto:DKOLBFLEISCH@METHODIST.EDU">DKOLBFLEISCH@METHODIST.EDU</a> Graduate-County Citizens' Academy: NO Graduate-Institute for Community Leadership: NO Graduate-Leadership Fayetteville: NO Graduate-United Way's Multi-Cultural Leadership Program: NO Graduate-other leadership academy: NO <b>CATEGORY: GENERAL PUBLIC</b>	ASSISTANT PROFESSOR OCCUPATIONAL THERAPIST	DOCTORATE OCCUPATIONAL THERAPY
MELVIN, JOY N. E.D. (B/F) 846 WIGWAM DR FAYETTEVILLE NC 28314 910-778-3697(H)/678-8498(M) <a href="mailto:MELVINJOYN@GMAIL.COM">MELVINJOYN@GMAIL.COM</a> Graduate-County Citizens' Academy: NO Graduate-Institute for Community Leadership: YES Graduate-Leadership Fayetteville: NO Graduate-United Way's Multi-Cultural Leadership Program: NO Graduate-other leadership academy: NO <b>CATEGORY: GENERAL PUBLIC</b>	INSTRUCTOR FTCC	DOCTORATE
MARSHLL, DESTINI (B/F) 2353 CUMBERLAND GAP DRIVE APT. 201 FAYETTEVILLE, NC 28304 269-579-0456 <a href="mailto:DESTINIMARSHALL21@OUTLOOK.COM">DESTINIMARSHALL21@OUTLOOK.COM</a> Graduate-County Citizens' Academy: NO Graduate-Institute for Community Leadership: NO Graduate-Leadership Fayetteville: NO Graduate-United Way's Multi-Cultural Leadership Program: NO Graduate-other leadership academy: NO <b>CATEGORY: GENERAL PUBLIC</b> <b>APPLICATION RECEIVED: 4-3-2024.</b>	PROFESSIONAL ASSISTANT	MBA
RENTERIA, ANTONIO (H/M) 506 LAW ROAD FAYETTEVILLE, NC 28311 910 583-4850 Graduate-County Citizens' Academy: No Graduate-Institute for Community Leadership: Graduate-Leadership Fayetteville: YES Graduate-United Way's Multi-Cultural Leadership Program: No Graduate-other leadership academy: FAYETTEVILLE CITIZENS ACADEMY <b>CATEGORY: GENERAL PUBLIC</b>	DIRECTOR OF OPERATIONS	BA LIBERAL ARTS GRADUATE STUDENT

**APPLICANTS FOR**  
**FAYETTEVILLE-CUMBERLAND PARKS AND RECREATION ADVISORY COMMISSION Page 4**

<b><u>NAME/ADDRESS/TELEPHONE</u></b>	<b><u>OCCUPATION</u></b>	<b><u>EDUCATIONAL BACKGROUND</u></b>
STEIGELMAN, SABRINA (A/F) 2100 ROCK AVENUE FAYETTEVILLE, NC 28303 226-5059 (H/C)/6782797 (W) Graduate-County Citizens' Academy: No Graduate-Institute for Community Leadership: Graduate-Leadership Fayetteville: No Graduate-United Way's Multi-Cultural Leadership Program: No Graduate-other leadership academy: JACKSONVILLE ONSLOW LEADERSHIP ACADEMY <b><i>CATEGORY: GENERAL PUBLIC</i></b>	GRANTS AND PROJECT MANAGER CUMBERLAND COUNTY SCHOOLS	MA LIBRARY SCIENCE

FAYETTEVILLE-CUMBERLAND  
PARKS AND RECREATION ADVISORY COMMISSION  
3 Year Terms  
(Terms were initially 2 and 3 years)

<u>Name/Address</u>	<u>Date Appointed</u>	<u>Term</u>	<u>Expires</u>	<u>Eligible For Reappointment</u>
Stacy Bolton 787 Wade Stedman Road Stedman, NC 28391 910-850-5851 <a href="mailto:Stacytb12@gmail.com">Stacytb12@gmail.com</a>	1/24	1st	Oct/27 10/31/27	Yes
Trevon McNeill 8436 English Saddle Drive Fayetteville, NC 28314 (910) 364-2693 <a href="mailto:FDECYP@GMAIL.COM">FDECYP@GMAIL.COM</a>	5/23	1 <sup>st</sup>	Oct/26 10/31/26.	Yes
Helen Stovall-Brockett 6998 Point East Drive Fayetteville, NC 910-303-2179 <a href="mailto:HelenBrockett@gmail.com">HelenBrockett@gmail.com</a>	5/23	1st	Oct/26 10/31/26	Yes
Harold Smelcer 3209 Boone Trail Fayetteville, NC 28306 910-425-1769 <a href="mailto:smelcerco@aol.com">smelcerco@aol.com</a>	6/22	2nd	Oct/25 10/31/25	No
Vickie M. Mullins (W/F) 5905 Turnbull Rd Fayetteville, NC 28312 910-322-3100 <a href="mailto:Girlimon1@aol.com">Girlimon1@aol.com</a>	6/23	2nd	Oct/26 10/31/26	Yes
Louis Wood (W/M) 6221 Azelia Drive Stedman, NC 28391 910-308-4861 <a href="mailto:louis.wood@stateelectric.com">louis.wood@stateelectric.com</a>	1/24	2nd	Oct/27 10/31/27	No
Lee Spruill (W/M) 960 Ken Hancock Lane Stedman, NC 28391 309-0157/483-0191 <a href="mailto:vleespruill@gmail.com">vleespruill@gmail.com</a>	4/21	2nd	Oct/24 10/30/24	No

Meetings: 1st Tuesday of every month at 5:45 PM – Parks and Recreation Admin Bldg. 121 Lamon Street  
Contact: Michael Gibson/Jessica Legette, City of Fayetteville, Phone 433-1547, Fax 433-1762

# FAYETTEVILLE PARKS & RECREATION CUMBERLAND CO.

July 5, 2024

Cumberland County Commissioners  
117 Dick Street  
Fayetteville, NC 28301

Dear County Commissioners,

The Fayetteville-Cumberland Parks & Recreation Advisory Commission would like to provide the following recommendations for the two vacancies currently available:

Antonio Renteria

David Breece

Please let me know if you have any questions or need further information.

Thank you,



Harold Smelcer  
(910) 308-8033



**CLERK TO THE BOARD OF COMMISSIONERS**

**MEMORANDUM FOR BOARD OF COMMISSIONERS AGENDA OF SEPTEMBER 3,  
2024**

**TO: BOARD OF COUNTY COMMISSIONERS**

**FROM: IVA CLARK, DEPUTY CLERK TO THE BOARD**

**DATE: 8/9/2024**

**SUBJECT: HOME AND COMMUNITY CARE BLOCK GRANT COMMITTEE (1  
VACANCY)**

**BACKGROUND**

The Cumberland County Home and Community Care Block Grant Committee has the following one (1) vacancy:

Devin Trego-Resigned. The Cumberland County Home and Community Care Block Grant Committee recommends **Barbara Brooks** for appointment.

The membership roster, applicant list, and recommendation letter for the Cumberland County Home and Community Care Block Grant Committee is attached.

**RECOMMENDATION / PROPOSED ACTION**

Please nominate individual to fill the vacancy above.

**ATTACHMENTS:**

Description	Type
Home and Community Care Block Grant Committee Applicant List	Backup Material
Home and Community Care Block Grant Committee Membership Roster	Backup Material
Home and Community Care Block Grant Committee Membership Recommendation Letter	Backup Material

**APPLICANTS FOR**  
**CUMBERLAND COUNTY HOME AND COMMUNITY CARE BLOCK GRANT COMMITTEE**

<b><u>NAME/ADDRESS/PHONE</u></b>	<b><u>OCCUPATION</u></b>	<b><u>EDUCATIONAL BACKGROUND</u></b>
BROOKS, BARBARA (W/F) 2608 HUNTINGTON ROAD FAYETTEVILLE, NC 28303 910-484-2705/910-261-7135 <a href="mailto:BRKS442@YAHOO.COM">BRKS442@YAHOO.COM</a> Graduate-County Citizens' Academy: NO Graduate-Institute for Community Leadership: NO Graduate-Leadership Fayetteville: NO Graduate-United Way's Multi-Cultural Leadership Program: NO Graduate-other leadership academy: NO <b>CATEGORY: OLDER CONSUMER</b> <b>APPLICATION RECEIVED: 6-3-2024.</b>	RETIRED	BA HISTORY
BLUE, ASHLEI (-/-) 734 MORISTON RD FAYETTEVILLE NC 28314 910-8509606 <a href="mailto:ASHKASHBLUE@GMAIL.COM">ASHKASHBLUE@GMAIL.COM</a> Graduate-County Citizens' Academy: NO Graduate-Institute for Community Leadership: NO Graduate-Leadership Fayetteville: NO Graduate-United Way's Multi-Cultural Leadership Program: NO Graduate-other leadership academy: YES <b>CATEGORY: AT-LARGE; CITY OF FAYETTEVILLE REP; URBAN TRANSIT PROVIDER</b>	POLITICAL CONSULTANT	UNC @CHARLOTTE
JETER, DARCELLE(B/F) 1000 WOOD CREEK DRIVE #4 FAYETTEVILLE, NC 28314 201-654-2776 <a href="mailto:DARCELLEJETER@GMAIL.COM">DARCELLEJETER@GMAIL.COM</a> Graduate-County Citizens' Academy: NO Graduate-Institute for Community Leadership: NO Graduate-Leadership Fayetteville: NO Graduate-United Way's Multi-Cultural Leadership Program: YES Graduate-other leadership academy: YES, URBAN MINISTRY MENTORSHIP PROGRAM <b>CATEGORY: OLDER CONSUMER</b>	COSMETOLOGIST	BS MASS COMMUNICATIONS
KNOX, ELLA 245 DUSTY LN LINDEN, NC 28356 910-753-4210 <a href="mailto:EKNOWX@BTEENTERPRIZE.COM">EKNOWX@BTEENTERPRIZE.COM</a> Graduate-County Citizens' Academy: NO Graduate-Institute for Community Leadership: NO Graduate-Leadership Fayetteville: NO Graduate-United Way's Multi-Cultural Leadership Program: NO Graduate-other leadership academy: NO <b>CATEGORY: Civic Representative</b>	QUALITY ASSURANCE &CUSTOMER SERVICE	BS HUMAN DEVELOPMENT

**APPLICANTS FOR  
CUMBERLAND COUNTY HOME AND COMMUNITY CARE BLOCK GRANT COMMITTEE – Page 2**

<b>NAME/ADDRESS/PHONE</b>	<b>OCCUPATION</b>	<b>EDUCATIONAL BACKGROUND</b>
MARABLE, KATHERINE (-/F) 1805 MCGOUGAN RD FAYETTEVILLE NC 28303 486-9035 NO EMAIL LISTED Graduate-County Citizens' Academy: YES Graduate-Institute for Community Leadership: YES Graduate-Leadership Fayetteville: YES Graduate-United Way's Multi-Cultural Leadership Program: YES Graduate-other leadership academy: YES <b>CATEGORY: GENERAL PUBLIC</b>	RETIRED EDUCATOR CC SCHOOLS  <b>*SERVES ON THE MID-CAROLINA AGING ADVISORY COUNCIL*</b>	MASTERS
MCENTIRE, RASHAD (B/M) 142 SORGHUM WAY FAYETTEVILLE NC 28314 706-763-0632 <a href="mailto:RASHADMCENTIRE@GMAIL.COM">RASHADMCENTIRE@GMAIL.COM</a> Graduate-County Citizens' Academy: NO Graduate-Institute for Community Leadership: NO Graduate-Leadership Fayetteville: NO Graduate-United Way's Multi-Cultural Leadership Program: NO Graduate-other leadership academy: NO <b>CATEGORY: GENERAL PUBLIC</b>	FOOD SAFETY US ARMY	BA-BUSINESS ADMIN
ANNETTE SKINNER-COLEMAN (B/F) 5712 POOH AVENUE STEDMAN, NC 28391 910-988-8185 (M) 910-907-0209 (W) <a href="mailto:en1dc8ve@gmail.com">en1dc8ve@gmail.com</a> Graduate-County Citizens' Academy: NO Graduate-Institute for Community Leadership: NO Graduate-Leadership Fayetteville: NO Graduate-United Way's Multi-Cultural Leadership Program: NO Graduate-other leadership academy: <b>CATEGORY: OLDER CONSUMER</b>	DOD SCHOOL COUNSELOR	DOCTORATE EDUCATION
STEEGER, VICTORIA (AI/F) 408 MCPHERSON AVE FAYETTEVILLE NC 28303 918-809-3695/919-346-0947 <a href="mailto:VICTORIASTEEGER@GMAIL.COM">VICTORIASTEEGER@GMAIL.COM</a> Graduate-County Citizens' Academy: No Graduate-Institute for Community Leadership: No Graduate-Leadership Fayetteville: No Graduate-United Way's Multi-Cultural Leadership Program: No Graduate-other leadership academy: No <b>CATEGORY: OLDER CONSUMER</b>	DIRECTOR SMI CONSULTANCY	BSE & MED, PHD

HOME AND COMMUNITY CARE BLOCK GRANT COMMITTEE  
(PLANNING COMMITTEE FOR AGING SERVICES)  
4 Year Term

<u>Name/Address</u>	<u>Date Appointed</u>	<u>Term</u>	<u>Expires</u>	<u>Eligible For Reappointment</u>
<u>Older Consumer</u> Willie Wright (B/M) 196 Darrock Court Fayetteville, NC 28311 822-6415/568-1291 <a href="mailto:Wright196@yahoo.com">Wright196@yahoo.com</a>	11/21	1st	Sept/25 9/30/25	Yes
	serving unexpired term-eligible for 1 full term on 9/30/24.			
Stephen MacDonald 1783 Cawdor Drive Fayetteville, NC 28304 426-8117 <a href="mailto:SMACDONALD3@NC.RR.COM">SMACDONALD3@NC.RR.COM</a>	11/21	2nd	Nov/25 11/30/25	No
Delores "Dee" J. Boyer (W/F) 724 Maxwell Street Fayetteville, NC 28303 630-3735/322-1450 <a href="mailto:Deeboyer48@yahoo.com">Deeboyer48@yahoo.com</a>	2/22	1st full	Feb/26 2/28/26	Yes
Rebecca Campbell 7027 Darnell Street Fayetteville, NC 28314 487-7555	12/20	2nd	Sept/24 9/30/24	No
Willie McKoy 1632 Greenock Ave Fayetteville NC 28304	12/20	1st	Dec/24 12/31/24	Yes
Edna Cogdell 734 Ashburton Drive Fayetteville, NC 28301 488-4582/624-4558	12/20	2nd	Sept/24 9/30/24	No
Judy Dawkins 2004 Morganton Rd Fayetteville, NC 28305	12/20	1st	Dec/24 12/31/24	Yes
Rebecca "Becky" Rebec 4010-204 Bardstown Ct Fayetteville, NC 28304 248-535-1804 <a href="mailto:Babchab6@gmail.com">Babchab6@gmail.com</a>	2/22	2nd	Feb/26 2/28/26	No

<u>Name/Address</u>	<u>Date Appointed</u>	<u>Term</u>	<u>Expires</u>	<u>Eligible For Reappointment</u>
<u>Aging Service Provider</u>				
Kevin Walker 3420 dorado Cir #304 Fayetteville, NC 28304 734-218-1392/676-8676 <a href="mailto:kevinwalker@rdltherapeutic.com">kevinwalker@rdltherapeutic.com</a>	2/22	2nd	Feb/26 2/28/26	No
Kendra Haywood 603 Sugaridge Lane Fayetteville, NC 28311 354-6743	11/21	2nd	Nov/25 11/30/25	No
Debra Kinney (B/F) 1506 Camelot Drive Fayetteville, NC 28304 491-4793/853-1510 <a href="mailto:dkinney@alliancehealthplan.org">dkinney@alliancehealthplan.org</a>	2/22	1st full	Feb/26 2/28/26	Yes
Attorney Sigma Smith 5343 Parkton Road Hope Mills, NC 28348 <a href="mailto:sigmas@legalaidnc.org">sigmas@legalaidnc.org</a>	3/24	1st	Mar/28 3/31/28	Yes
Felicia Johnson 2606 Raeford Rd Fayetteville, NC 28303 910-771-4499	2/22	2nd	Feb/26 2/28/26	No
Devin Trego <b>(RESIGNED)</b> 1006 McKimmon Road Fayetteville, NC 28303 910-493-3449/610-223-2165 <a href="mailto:devint@legalaidnc.org">devint@legalaidnc.org</a>	5/22	1st	May/26 5/31/26	Yes
Lisa Hughes 5524 Shady Pine Ct Hope Mills, NC 28348 339-6579/988-8727/484-0111 <a href="mailto:LHUGHES@CCCCOOA.ORG">LHUGHES@CCCCOOA.ORG</a>	11/21	2nd	Nov/25 11/30/25	No
Meagan Honaker 5427 Fountain Lane Hope Mills, NC 28348 988-8505/429-7223 <a href="mailto:mhonaker@trinity-health.org">mhonaker@trinity-health.org</a>	4/21	1st	April/25 4/30/25	Yes

Home and Community Care Block Grant Committee, page 3

<u>Name/Address</u>	<u>Date Appointed</u>	<u>Term</u>	<u>Expires</u>	<u>Eligible For Reappointment</u>
<u>Aging Service Provider</u> Helen Godwin 805 Retriever Court Fayetteville, NC 28311 630-3674/670-2451	12/20	2 <sup>nd</sup>	Dec/24 12/31/24	No
<u>Civic Representative</u> Bennie Bradley (B/F) 5837 Conservation Court Fayetteville, NC 28314 339-3402/624-9120 <a href="mailto:Bdbradley26@gmail.com">Bdbradley26@gmail.com</a>	11/21	1st	Nov/25 11/30/25	Yes
<u>Elected Official</u> Frances Collier PO Box 47 Linden, NC 28356	12/20	2nd	Sept/24 9/30/24	No
<u>County Representative</u> Clarence Grier County Manager PO Box 1829 Fayetteville, NC 28302-1829	03/23	NA	NA	NA

Meets as needed at Mid-Carolina Regional Council Office, 6205 Raeford Rd. Fayetteville, NC

Contact: Tracy Honeycutt - 323-4191 x27 - Fax 323-9330 – [thoneycutt@mccog.org](mailto:thoneycutt@mccog.org)  
6205 Raeford Rd, Fayetteville, NC 28304



January 29, 2024

**TO: Iva Clark, Deputy Clerk to the Board**

**FROM: Tracy Honeycutt, Area Agency on Aging Director**

**SUBJECT: Cumberland County Home and Community Care Block Grant Committee**

The Cumberland County Home and Community Care Block Grant Committee recommends Barbara Brooks to be appointed to the committee as a volunteer.

Thank you for your consideration.

**Area Agency on Aging**

6205 Raeford Road • Telephone (910) 323-4191 • Fax (910) 323-9330  
Fayetteville, North Carolina 28304



**CLERK TO THE BOARD OF COMMISSIONERS**

**MEMORANDUM FOR BOARD OF COMMISSIONERS AGENDA OF SEPTEMBER 3,  
2024**

**TO: BOARD OF COUNTY COMMISSIONERS**

**FROM: IVA CLARK, DEPUTY CLERK TO THE BOARD**

**DATE: 8/16/2024**

**SUBJECT: ABC BOARD APPOINTMENT-CHAIRMAN**

**BACKGROUND**

Pursuant to North Carolina General Statutes, the Board of Commissioners shall appoint the Chairman of the ABC Board.

The ABC Board recommends **Terri Thomas** as the Chairman for the 2024-2025 year. (See attached.)

The ABC Board recommendation letter is attached.

**RECOMMENDATION / PROPOSED ACTION**

Please appoint the ABC Board Chairman.

**ATTACHMENTS:**

Description

ABC Board Chairman Recommendation Letter

Type

Backup Material

CUMBERLAND COUNTY  
ALCOHOLIC BEVERAGE CONTROL BOARD  
1705 OWEN DRIVE  
FAYETTEVILLE, N.C. 28304

July 09, 2024


Ms. Andrea Tebbe  
Clerk of County Commissioners  
Cumberland County – 5<sup>th</sup> Floor  
P.O. Box 1829  
Fayetteville, NC 28302-1829

Dear Ms. Tebbe:

The Cumberland County ABC Board has recommended that Terri Thomas be the chairman for the 2024-2025 year. Please add this recommendation to the County Commissioners' next meeting agenda.

Mr. Paul Crenshaw has decided not to return to the Board for his second term. Please inform the County Commissioner that we have two vacant seats on the Board.

Thank you,

  
Carolyn S. Parker  
Secretary to the Board  
Finance Officer