

# STONEY POINT FIRE DEPARTMENT INC.

## Stations 13 & 19

2190 Lake Upchurch Road, Parkton, North Carolina 28371

Telephone: (910) 424-0694 Fax: (910) 425-2795

E-Mail [spfd13@nc.rr.com](mailto:spfd13@nc.rr.com)

December 20, 2011

SUBJECT: Minutes of the Monthly Board of Directors Meeting December 20, 2011

The monthly meeting of the Stoney Point Fire Department Inc., Board of Directors was called to order by Chairman Brown and was let in prayer by Director Pate. At 7:30 PM. The meeting was conducted at Station 19

### A: Roll Call:

#### Members Present:

Daniel C. Brown	Chairman
Larry A. Townsend	Vice Chairman
Alan Grupy	Treasurer
Angus Pate	Secretary
Jerry R. Hall	Member
Joel A. Siles	Member
J. Gary Turlington	Member
Freddy L. Johnson Sr.	Fire Chief
Matthew W. Williams	Assistant Fire Chief

#### Members Absent:

Freddy L. Johnson Jr. Deputy Chief

### B: ANNUAL/SPECIAL/PUBLIC HEARING MEETING:

Not Applicable

### C: READING AND APPROVAL OF THE MINUTES OF THE LAST MEETING:

Secretary Pate, presented the minutes from the November 15, 2011 Board of Directors meeting for review and approval. Chairman Brown called for the approval of the November 15, 2011 minutes. **MOTION** A motion was made by Director Joel Giles to approve the November 15, 2011 minutes as presented by the Secretary. The motion was **SECONDED** by Director Gary Turlington and **APPROVED** by all members present.

### D: REPORT OF THE FIRE CHIEF:

#### General Information:

1. Guests: None<sup>1</sup>

<sup>1</sup> SPFD Board Minutes –December 20, 2011

2. Personnel:

1. The Chief advised that we have several of our military members deploying to Afghanistan during the first several weeks of January 2012. These members will be missed. The deployment is for 9 to 12 months. He also stated that we have several additional soldiers from Fort Bragg submit applications to join. All have brought in their perspective back-ground check and are currently working on their NIMS requirements and will start our 1<sup>st</sup> 2012 Pre-basic Training Course on Saturday January 7, 2012. We also had one member to resign due to moving to Wake County where he works with the Capital Police. He stated that during the calendar year 2011 26 new members joined our department.

3. Vehicles:

1. Chief Johnson stated that effective with the New Year Captain Hanzal will be assigned to Station 19 to assist Captain Stoudt with getting 1932 back in service. He will also work two (2) days out of the week at Station 19 to insure the building and grounds are up to our standards. He anticipates the 1392 project to take several weeks up to a month max.
2. Engine 1331 had new rear tires installed and 1376 had new front tires mounted.
3. Engine 1333 is currently at H&H garage for brake problems. Initially mechanics indicated that we had a brake dryer issue but the brake dryer is functioning properly so other trouble shooting is being conducted to see what is causing our braking problems with the truck.
4. Engine 1931 has been repaired and is back in service at station 19.
5. The Chief discussed vehicle repairs and maintenance costs and provided the following facts and figures as of December 20, 2011.

1311 (1984 Pierce Dash)	\$	2,998.85
1331 (2004 Pierce Dash)	\$	3,986.31
1332 (2004 Pierce Dash)	\$	9,320.45
1333 (1989 Pierce Dash)	\$	
1361 (1999 Pierce Assow)	\$	395.13
1362 (2008 F-350 PU)	\$	
1371 (2002 Silverado HD)	\$	1,343.06
1376 (1996 International)	\$	12.83
1391 (2007 Crown Vic)	\$	50.29
1931 (1994 Quality)	\$	5,503.32
1932 (1985 Pierce Dash)	\$	6,579.34
1941 (1984 Silverado 2500)	\$	889.51
1991 (1984 Blazer)	\$	648.93 – Sold \$ 4,500.00
Boat # 19 (1994 Avon)	\$	
<u>Maintenance – Other</u>	\$	<u>10,883.38<sup>2</sup></u>
<b>Total Expenses</b>	<b>\$</b>	<b>42,883.38</b>

A discussion amongst all members followed and Chairman Brown asked Chief Johnson to closely monitor the vehicle and equipment maintenance costs and to continue to keep the board up-to-date on any major or unforeseen and un-scheduled issues.

<sup>2</sup> SPFD Board Minutes –December 20, 2011

4. Grounds and Buildings:

1. No current issues but all our sprinkles have been shut off until spring of next year.
2. The pot hole at station 13 discussed during our last meeting has been patched. Total costs \$ 250.00.

5. Fire Conditions:

1. Year to date we have responded to a total of 1432 calls. (Please see the total below for monthly call data)

January 2011	-	143	July 2011	-	122
February 2011	-	166	August 2011	-	120
March 2011	-	134	September 2011	-	135
April 2011	-	127	October 2011	-	134
May 2011	-	116	November 2011	-	100
September 2011	-	136	December 2011	-	

2. The Chief stated November 2011 was our lowest month for incident calls that we experienced a 20% decrease in emergency calls. Not exactly sure what caused that but we will monitor and hoping the trend will continue to decline.

6. Training Report:

1. The training is on-going and posted on our web page @ [www.stonepointfire.com](http://www.stonepointfire.com)
2. We are now in the process of compiling our annual records. All members have been advised to bring in any outstanding certificates in order to finalize our 2011 training hours. An annual training hours report will be or should be available for the January 2012 meeting. The Chief will also be working on the 2011 annual report.
3. The Chief advised that we will run the NIMS 400 Course at Station 13 in February once the date has been locked in with Chief Benny Nichols the instructor.<sup>3</sup>
4. The Chief stated that Assistant Chief Murphy and the appointed training committee is working on our 2011 Training Strategy and we hope to have it implemented by our 1<sup>st</sup> meeting in January 2012.

**REPORT OF THE TREASURER**

1. Treasurer Grupy presented the treasurers and financial report for review and approval.

Current Fund Balances:	As of today is	\$	659,257.06 checking
	CD	\$	152,422.29 = 13% of Budget.
	Total Cash Flow Available	\$	811,679.35 Total Available Funds

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<sup>3</sup> SPFD Board Minutes – December 20, 2011



<b>Approved County FY 11/12 Budget</b>	<b>\$</b>	<b>838,091.00</b>
County Budget Funding Received YTD	\$	601,564.00
County Budget Funding Pending YTD	\$	236,527.00
<b>Approved Fayetteville FY 11/12 Budget</b>	<b>\$</b>	<b>328,240.00</b>
Fayetteville City Funding Received YTD	\$	0.00
Fayetteville City Funding Pending YTD	\$	0.00
<b>Combined City &amp; County Approved Budget</b>	<b>\$</b>	<b>1,166,331.00</b>
Combined City & County Budget Received YTD	\$	601,564.00
Combined City & County Budget Pending	\$	564,767.00
Other Income Hope Mills	\$	0.00
Other Income CCFCA	\$	0.00
Tax Refund (Sales & Fuel Tax)	\$	4,604.12
Other Income Miscellaneous-	\$	12,113.86
Cost of Goods Sold	\$	4,500.00
Safer Grant Income FY 09-12	\$	0.00
<b>Total Board Funds received 11/12 to date all Sources</b>	<b>\$</b>	<b>622,781.98</b>

- 1 Treasurer Al Grupy presented the financial transaction report and update for the month of November 2011 to the Board. Oversight Treasurer Townsend reviewed all the November transaction along with the entire board and presented his monthly review memorandum for the month of October and November 2011. He stated that he prepared a memorandum for record concerning his concerns stated last month and is ready to have the oversight report approved for both listed months. **MOTION** - Director Jerry Hall made a motion to approve the financial oversight report submitted by Vice Chairman Townsend for the months of October & November 2011 with attachment. (See Enclosure # 1 & 2) The motion was **SECONDED** by Director Gary Turlington and **APPROVED** by all members present.
3. The Auxiliary Treasurer Ms. Kathy Picon send an itemized expense and income report dated December 20, 2011 for the Auxiliary Account. The Current Balance as of today is \$ 1665,110.68 (See Enclosure # 3)
4. ICE/Can Trailer funds – No Report. <sup>4</sup>
5. Treasurer Grupy informed the membership that all our annual response and volunteer payroll checks have been written and were distributed during the Christmas Dinner last Sunday. This year's Volunteer Response and Overnight Duty costs represented a total of \$ **31,845.00**
6. NC Firemen's & Rescue Squad Worker's Pension Fund Treasurer Larry Townsend provided the current Pension Fund balance of \$ 44,781.84 with Bank of America. (See Enclosure # 4)

#### **F: REPORT OF COMMITTEE'S:**

<sup>4</sup> SPFD Board Minutes – December 20, 2011



1. Policy Committee - No Report
2. Building & Grounds Committee - No Report
3. Small Tools & Gear Committee - No Report
4. Equipment & Vehicle Replacement Committee - No Report
5. Budget Committee - No Report

**G: OLD BUSINESS:**

1. The Chief stated that he received a letter asking for additional information for the 2008 Millstone Annexation concerning the value. Don't know what happened but the value of the land is not recorded. He is trying to get the historical information in order to complete the report. He stated that he had the opportunity to talk with the Hope Mills Town Attorney Mr. Jackson about the issue by chance when he visited with Mr. Yarborough concerning the old station 19 properties.
2. The Chief updated the board members on our PEER Site Visit during the first week in December. He stated that period leading up to the site visit was a very stressful occasion. The PEER team dissected our operations as they pertain to the ten (10) Self-Assessment Categories. He stated that Treasurer Grupy, Director Hall and Vice President Townsend attended the PEER Assessor out-brief and the team will recommend our department for full accreditation in March to the Accreditation Commission in Las Vegas. The Chief stated that a rather large contingency from the department will attend this historic event in March 2012. He stated that VP Townsend, Accreditation Manager Clouston, Deputy Chief Johnson, Assistant Chief Johnson, Assistant Chief Murphy and himself will attend the commission hearing and subsequent awards banquet. Assistant Chief Williams will remain and oversee the department in our absence.
3. The Chief stated that the annual Christmas dinner last Sunday was a great success and thanked all the members for participating. Our Special Guests were Senator Toni Rand, Mayor Jack Warner – Hope Mills, City Councilman Bill Crisp – Fayetteville, Ed Melvin – County Fire Commissioner, Kenny Currie – Cumberland County Emergency Services Director, Benny Nichols – Retired Fayetteville Fire Chief, Ben Major – Fayetteville Fire Chief, Mark Melvin – Fort Bragg Fire Chief and Derrick Clouston – Office of the State Fire Marshal (OSFM). The Chief also informed the members that many of our members received awards and recognitions and our 2011 Firefighter of the Year was Firefighter Brian Parker.
4. The Chief stated that due to the accreditation process he has not been able to contact the Budget Committee and work on the requested 2012-2013 City of Fayetteville Budget. He is planning on calling the committee together after Christmas and then submits to the COF their portion of our proposed budget.
5. Chief Johnson passed out a Letter dated November 23, 2011 from Mrs. Allred the daughter of Joe Brown concerning the old station 19 property. He also provided the response from our attorney Mr. Neil Yarborough. A general discussion followed amongst all members present concerning the property and associated issues. (See Enclosure # 5) We are now waiting on a response from Mrs. Allred<sup>5</sup>

<sup>5</sup> SPFD Board Minutes – December 20, 2011

6. During the PEER assessment the 1989 County Contract was found in-adequate. The Chief explained that the county attorney's office is working on the issue. To verify that the county contract is being updated we received a letter from County Manager Mr. Martin and placed it in the appropriate file. (See Enclosure # 6) This met the requirement of the SAM, we do however have to note when the new contract is in place.

## **H. NEW BUSINESS:**

1. The Chief stated that during the accreditation process the PEER assessors identified that we have not officially adopted the NIMS resolution adopted by the Cumberland County Commissioners on 2 May 2005. The Chief stated we are fully compliant with the NIMS requirement but need to adopt the resolution as well. (See Enclosure # 3) – **MOTION** – Secretary Angus Pate made a Motion to formally adopt the 2005 adopted Cumberland County NIMS Resolution and comply with the resolution as published. The motion was **SECONDED** – by Vice Chairman Townsend and **APPROVED** by all members present. (See Enclosure # 7)
2. The Chief informed the members present that during the accreditation process “Succession” came up. The question asked who takes over in case the chief becomes incapacitated or perishes suddenly. The Chief stated that all our Chief Officers are appointed by the Board on an annual basis.<sup>6</sup> We have an appointed Deputy Fire Chief who would automatically be in charge in the chief's absence or until the board appoints a new chief. He stated that we will write a short succession Standard Operating Guideline (SOG) delineating our order of precedence, which is as follows.

1. Fire Chief Freddy L. Johnson Sr.
2. Deputy Fire Chief Freddy L. Johnson Jr.
3. Assistant Fire Chief Matthew W. Williams
4. Assistant Fire Chief Sean C. Johnson
5. Assistant Fire Chief Kevin T. Murphy

3. Chief Johnson Sr., advised board members that during his preparation for the Christmas dinner and awards for service he came up with the following information on the current board of directors. He used the board minutes to verify this information.

1.	Daniel C. Brown	President	June 1966	45 Years
2.	Angus R. Pate	Secretary	June 1986	25 Years
3.	Alan R. Grupy	Treasurer	June 1993	18 Years
4.	Joel A. Siles	Member	Oct 1994	17 Years
5.	Jerry R. Hall	Member	June 2002	9 Years
6.	Larry D. Townsend	Member	March 2008	3 Years
7.	James “Gary” Turlington	Member	April 2011	1 Year

## **I. CLOSED SESSION - WHEN APPLICABLE:**

1. The board met in closed session with the Chief to discuss a personnel matter brought to the attention of the Fire Chief that needed to be shared with the members. A complaint was filed against an unknown firefighter by another member who persisted on handling the matter and would not divulge the name of the member in question. The Chief will address the overall issue with the officers during the

<sup>6</sup> SPFD Board Minutes – December 20, 2011



January 2012 Officers meeting on Wednesday January 4, 2012 and the entire membership during our 1<sup>st</sup> meeting in January 2012. He stated that we have current and effective policies in affect that addresses this issue Director Townsend stated he would like to be at the Officers meeting to re-enforce the board's position.

**J: ADJOURNMENT:**

There being no further business, a **MOTION** was made by Director Gary Turlington to adjourn. The motion was **SECONDED** by Vice Chairman Larry Townsend and **APPROVED** by all members present. The meeting adjourned at 2040 hours. **The next meeting is scheduled for January 17, 2012 at Station # 13 @ 7:30 PM.**

Respectfully Submitted:

*Angus R. Pate*

ANGUS R. PATE

Secretary

**3 Enclosures:**

1. Oversight Memo & Attachment for the month of October 2011
2. Oversight Memo for the month of November 2011
3. Auxiliary Fund Balance Sheet dated December 20, 2011
4. Bank of America SPFD Pension Fund Statement for the period through November 30, 2011
5. Letter from Mrs. Allred and SPFD Response from Attorney Yarborough dated December 13, 2011
6. Letter from Mr. James Martin, Office of the County Manager dated December 1, 2011
7. Cumberland County NIMS Resolution dated and adopted on May 2, 2005
8. Board of Directors Attendance – December 20, 2011<sup>7</sup>

**STONEY POINT  
FIRE DEPARTMENT INC.**

Stations 13 & 19  
7221 Stoney Point Road  
Fayetteville, North Carolina 28306  
Phone # (910) 424-0694  
Fax # (910) 425-2795  
Email: [spfd13@nc.rr.com](mailto:spfd13@nc.rr.com)

Station 19 – Lake Upchurch  
2190 Lake Upchurch Road  
Parkton, North Carolina 28371



- Daniel C. Brown**  
President
- Larry Townsend**  
Vice President
- Angus Pate**  
Secretary
- Al Grupy**  
Treasurer
- James P. Bullard**  
Member
- Jerry R. Hall**  
Member
- Joel A. Siles**  
Member
- Freddy L. Johnson Sr.**  
Fire Chief

Memorandum For: Haigh, Byrd & Lambert, LLP, Certified Public Accountants

Reference: Additional Internal Financial Control & Segregation of Duties

**October 2011**  
End of Fiscal Year 2011-2012  
**MONTH**

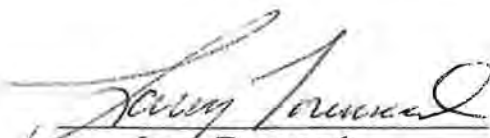
In order to establish and maintain enhanced internal controls, including monitoring of ongoing financial and accounting principles of our organization in addition to the current duties performed by the Clerk of the Board and the Appointed Treasurer, and to comply with the recommendation as outlined in a letter from Haigh, Byrd & Lambert, LLP Certified Public Accountant, addressed to the Stoney Point Board of Directors addressing Segregation of Duties, and whereas the Stoney Point Board of Directors appointed Director Larry Townsend to conduct and perform said duties.

\*\*\*\*\*

I Director Larry Townsend have reviewed the transactions for the month indicated above. In particular I reviewed and documented the reconciliation process for all financial transactions for the month indicated above.

- I have found no discrepancies
- Discrepancies are indicated below

See Attached, Discrepancies have be resolved,

  
Larry Townsend



**SPFD Board Minutes Dec 2011**  
Enclosure # 1 - Oversight Memo October 2011

RC, Dec 11  
Date



December 20, 2011

During the monthly review of the October 2011 fire department expenses it was recognized that time cards were missing from full and part time paid personnel. This was brought to the attention of the board treasurer (Mr. Al Grupy) and the fire department administrative assistance (Ms Clarkie Johnson). I was advised that there was a malfunction of the time clock and the issue has been resolved. Receipts from the affected personnel were attached to the paychecks reflecting time worked for the period, as well as relevant tax information. The noted discrepancies have been resolved to my satisfaction. //



Larry D. Townsend  
Board Vice President



**SPFD Board Minutes Dec 2011**  
Enclosure # 1-Oversight Memo Attachment

**STONEY POINT  
FIRE DEPARTMENT INC.**  
Stations 13 & 19  
7221 Stoney Point Road  
Fayetteville, North Carolina 28306  
Phone # (910) 424-0694  
Fax # (910) 425-2795  
Email: [spfd13@nc.rr.com](mailto:spfd13@nc.rr.com)

**Station 19 – Lake Upchurch**  
2190 Lake Upchurch Road  
Parkton, North Carolina 28371



**Daniel C. Brown**  
President  
**Larry Townsend**  
Vice President  
**Angus Pate**  
Secretary  
**Al Grupy**  
Treasurer  
**James P. Bullard**  
Member  
**Jerry R. Hall**  
Member  
**Joel A. Siles**  
Member  
**Freddy L. Johnson Sr.**  
Fire Chief

Memorandum For: Haigh, Byrd & Lambert, LLP, Certified Public Accountants  
Reference: Additional Internal Financial Control & Segregation of Duties

## November 2011 MONTH

In order to establish and maintain enhanced internal controls, including monitoring of ongoing financial and accounting principles of our organization in addition to the current duties performed by the Clerk of the Board and the Appointed Treasurer, and to comply with the recommendation as outlined in a letter from Haigh, Byrd & Lambert, LLP Certified Public Accountant, addressed to the Stoney Point Board of Directors addressing Segregation of Duties, and whereas the Stoney Point Board of Directors appointed Director Larry Townsend to conduct and perform said duties.

\*\*\*\*\*

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\_\_\_\_\_  
\_\_\_\_\_



**SPFD Board Minutes Dec 2011**  
Enclosure # 2 - Oversight Memo November 2011

  
Larry Townsend.

20 Dec 2011  
Date



BB&T Checking Account Statement as of December 20, 2011

Balance is \$165,110.68

Date	Transaction Type	Check Number	Description	Amount	Return Trail Item	For Trail
11/21/2011	POS		KIMBALL MIDWEST 11-18 800-233-1294 OH 0029 BB&T CHECK CARD RETURN	\$19.78		Yes
11/21/2011	Deposit		DEPOSIT	\$500.00		
11/21/2011	Deposit		DEPOSIT	\$6,087.00		
11/21/2011	POS		KIMBALL MIDWEST 11-17 800-233-1294 OH 0029 BB&T CHECK CARD PURCHASE	(\$553.47)	Trail items (valves/fuuls/ Connectors)	Yes
11/21/2011	Check	1199	CHECK #1199 Radio Shack	(\$43.78)	USB cable	Yes
11/21/2011	Check	1200	CHECK #1200 Advance Auto Parts	(\$9.06)	Fix a flat for ticket trailer	Yes
11/22/2011	Check	1201	CHECK #1201 Lowes Business Account	(\$22.68)	Trail items	Yes
11/23/2011	Check	1203	CHECK #1203 Tara Whitman	(\$177.91)	Reimbursement for Trail Items	Yes
11/25/2011	Deposit		DEPOSIT	\$1,773.00		
11/25/2011	Deposit		DEPOSIT	\$2,000.00		
11/25/2011	Deposit		DEPOSIT	\$3,000.00		
11/29/2011	Check	1204	CHECK #1204 St Lucas AME Church	(\$148.00)	Fruit for kids Christmas bags	
11/30/2011	POS		WAL-MART #3595 11-29-11 FAYETTEVILLE NC 0029 BB&T CHECK CARD PURCHASE-PIN	(\$1,398.87)	Christmas gifts, for children	
12/2/2011	POS		GRIGNARD COMPANY L 12-01 RAHWAY NJ 0029 BB&T CHECK CARD PURCHASE	(\$539.00)	55 gallon of Pure Magic Ground Fog	Yes
12/5/2011	POS		SEASONAL WINDS CORP 12-02-11 CUMBERLAND NC 0029 BB&T CHECK CARD PURCHASE-PIN	(\$176.02)	Christmas decorations	
12/5/2011	POS		LOWE'S #2905 12-02-11 FAYETTEVILLE NC 0029 BB&T CHECK CARD PURCHASE-PIN	(\$104.80)	Christmas decorations	
12/5/2011	POS		LOWE'S #2805 12-03-11 FAYETTEVILLE NC 0029 BB&T CHECK CARD PURCHASE-PIN	(\$34.38)	Christmas decorations	
12/5/2011	Check	1202	CHECK #1202 Freddy Johnson Jr.	(\$300.00)	Station 19 weight set	
12/5/2011	Check	1205	CHECK #1205 Seasonal Winds Corp	(\$288.75)	Christmas decorations	
12/16/2011	POS		CVS 04293 04293-- 12-15-11 FAYETTEVILLE NC 0029 BB&T CHECK CARD PURCHASE-PIN	(\$30.99)	Christmas cards for FF paychecks	
12/19/2011	POS		OFFICE MAX 1800 SKIBO R 12-16-11 FAYETTEVILLE NC 0029 BB&T CHECK CARD PURCHASE-PI	(\$100.56)	Toner cartridge Station 19	







November 23, 2011

Nancy B Allred  
472 Brady St Ext  
Ramseur, N. C. 27316

Fire Chief Freddy L. Johnson, Sr.  
Stoney Point Fire Department  
7221 Stoney Point Road  
Fayetteville, NC 28306

Dear Chief Johnson:

For many years, I have assisted my father, J. B. Brown, in contacting you and the Stoney Point Fire Department regarding the Lake Upchurch/Stoney Point Fire Department building located at 2906 Lake Upchurch Rd, including his last letter to the fire department Board of Directors and the Cumberland County Commissioners dated May 4, 2011.

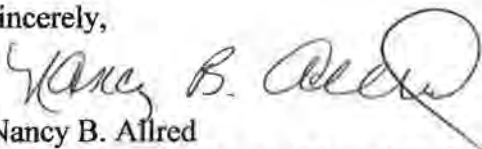
In this letter, he again reminded you that this property was to revert back to him since the parcel was no longer used as Lake Upchurch fire station. Because it was not deeded back to him when Lake Upchurch stopped being a fire department, he also asked for rent since the date Lake Upchurch Fire Department was dissolved. I wish this matter had been resolved so that my father could have seen the benefit of his generosity to the citizens and the fire department of the Lake Upchurch community.

His last letter to you was written 14 days before he died of a massive stroke.

As an Executor of his estate, I am writing to let you know of this status. In addition, we would ask you to proceed with the Deed of Reversion to the Estate as we have a potential buyer with an interest in purchasing the property from the estate.

Please contact me so that we can get this matter of the deed resolved as soon as possible.

Sincerely,

  
Nancy B. Allred  
Executor of the Estate of Joseph B. Brown

Cc: Stoney Point Fire Department Board of Directors  
Cumberland County Commissioners



**SPFD Board Minutes Dec 2011**  
Enclosure # 5 - Allred & Yarborough Letters

**THE YARBOROUGH LAW FIRM, P.A.**

115 E. Russell Street  
Fayetteville, North Carolina 28301

Garris Neil Yarborough  
Hugh Addison Winters, III  
John H. Jackson  
J. Thomas Neville  
Elizabeth Prewitt Gilluly

Telephone: (910) 433-4433  
Facsimile: (910) 433-2233  
www.yarboroughlawfirm.com

December 13, 2011

Ms. Nancy B. Allred  
472 Brady Street Ext  
Ramseur, NC 27316

RE: Stoney Point Fire Department, Inc.

Dear Ms. Allred:

As you may know from your years of assistance to your father, I am the attorney for the Stoney Point Fire Department and have sought to resolve any outstanding controversies between the Department and your father for the last six years.

On February 9, 2009, I, on behalf of the Stoney Point Fire Department, Inc., made an offer to your father to resolve this matter and to engage in an orderly transition of the property. The basis for this transition was that Stoney Point Fire Department would stop using the facility and quitclaim it back to your father in exchange for a release by your father on any claims he had previously made against my client. I made this offer contingent upon the release, in an abundance of caution, in that I did not believe your father had any valid legal claims against the Fire Department, but didn't want to litigate the issue in the future. Since your father's refusal to accept this offer, the Stoney Point Fire Department, Inc. has continued its utilization of the property along with its maintenance and upkeep. [Please note, it is my belief your father has not paid County taxes on this property for many years.]

Once again, I am reconveying a similar offer to you:

1. The Fire Department will cease its utilization, upkeep and maintenance of the property; and
2. The Fire Department will quitclaim any interests it may have in the property back to your father's estate or to whomever has been formally designated as his heir in regard to this property; **IF**
3. The Estate executes the appropriate release.

This matter could have been resolved years ago had your father chosen to accept this reasonable and fair offer. As it stands now, the "Lake Upchurch Fire Department" by and

Mailing Address: Post Office Box 705, Fayetteville, North Carolina 28302



**SPFD Board Minutes Dec 2011**

**Enclosure # 5 - Allred & Yarborough Letters**



through its corporate entity, the Stoney Point Fire Department, Inc. is continuing to use the property as a backup fire station facility "for general firefighting and fire prevention purposes for the benefit of the general public." The Stoney Point Fire Department is prepared to cease this use and help you clear the title to the property if you release the Fire Department from any unfounded claims for back rent or other matters.

To facilitate this transfer, please let me know who, in light of your father's death, is the appropriate Grantor of Stoney Point's deed and I will prepare the appropriate paperwork including an incorporated release. My client is in no way interested in giving up its use of this property and then being sued for its cooperation.

Yours truly,



GARRIS NEIL YARBOROUGH  
Attorney at Law

GNV:kbb

cc: Freddy L. Johnson, Sr., Fire Chief  
Stoney Point Fire Department, Inc. Board of Directors  
Cumberland County Commissioners



JAMES E. MARTIN  
County Manager

AMY H. CANNON  
Deputy County Manager

JAMES E. LAWSON  
Assistant County Manager



**CUMBERLAND**  
COUNTY  
NORTH CAROLINA

**OFFICE OF THE COUNTY MANAGER**

December 1, 2011

Mr. Freddy Johnson, Chief  
Stoney Point Fire Department  
7221 Stoney Point Road  
Fayetteville, NC 28306

Dear Chief Johnson,

This is to confirm that the current County Fire Services Contract is in the process of being revised by the County Attorney for further review and approval by the Cumberland County Board of Commissioners.

This process should be completed in the first quarter of 2012.

If you have any questions, please do not hesitate to contact me at your convenience.

Sincerely,

A handwritten signature in black ink that reads "James E. Martin".

James E. Martin  
County Manager

cc: Management Team  
County Attorney

/ct

CM120111-1



**SPFD Board Minutes Dec 2011**  
Enclosure # 6 - County Manager Letter



**RESOLUTION IMPLEMENTING THE  
NATIONAL INCIDENT MANAGEMENT SYSTEM (NIMS)**

WHEREAS, In Homeland Security Presidential Directive (HSPD)-5, the President directed the Secretary of the Department of Homeland Security to develop and administer a National Incident Management System (NIMS), which would provide a consistent nationwide approach for federal, state, local, and tribal governments to work together more effectively and efficiently to prevent, prepare for, respond to, and recover from domestic incidents, regardless of cause, size, or complexity; and

WHEREAS, the collective input and guidance from all federal, state, local and tribal homeland security partners has been, and will continue to be, vital to the development, effective implementation and utilization of a comprehensive NIMS; and

WHEREAS, it is necessary that all federal, state, local and tribal emergency management agencies and personnel coordinate their efforts to effectively and efficiently provide the highest levels of incident management; and

WHEREAS, to facilitate the most efficient and effective incident management it is critical that federal, state, local and tribal organizations utilize standardized terminology, standardized organizational structures, uniform personnel qualification standards, uniform standards for planning, training and exercising, comprehensive resource management, and designated facilities during emergencies or disasters; and

WHEREAS, the NIMS standardized procedures for managing personnel, communications, facilities and resources will improve Cumberland County's ability to utilize federal funding to enhance local agency readiness, maintain first responder safety, and streamline incident management processes; and

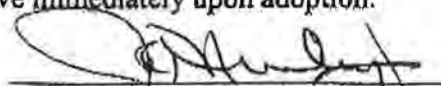
WHEREAS, the Incident Command System components of NIMS are already an integral part of various incident management activities throughout Cumberland County, including all public safety and emergency response organizations training programs; and

WHEREAS, the National Commission on Terrorist Attacks (9-11 Commission) recommended adoption of a standardized Incident Command System.

NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners of the County of Cumberland, North Carolina, that;

- (1) The National Incident Management System shall be utilized for all incident management within Cumberland County.
- (2) This resolution shall be effective immediately upon adoption.

Adopted May 2, 2005.

  
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John T. Henley, Jr., Chairman



**2011**

**BOARD OF DIRECTORS  
ATTENDANCE ROSTER**

##	NAME	JAN	FEB	MAR	APR	MAY	JUN	JUL	AUG	SEP	OCT	NOV	DEC
01	Daniel C. Brown - President(2012)	P	P	N/A	P	P	P	N/A	N/A	P	P	P	P
02	Larry Townsend V-President (2014)	P	P	N/A	P	P	P	N/A	N/A	A-E	P	P	P
03	Alan R. Grupy - Treasurer (2012)	P	P	N/A	P	P	P	N/A	N/A	P	P	P	P
04	Angus Pate - Secretary (2012)	P	A-E	N/A	A-E	P	P	N/A	N/A	P	P	P	P
05	Joel Siles - (2014)	P	A-E	N/A	A-E	P	P	N/A	N/A	A-E	A-E	A-E	P
06	James Bullard - (2014) (Resigned)	A-E	A-E	N/A	A-E	N/A	NA	N/A	N/A	N/A	N/A	N/A	N/A
07	Jerry Hall - (2014)	P	P	N/A	P-T	P	P	N/A	N/A	P	P	P	P
08	Gary Turlington(2014)(Replaced Mr. Bullard)	N/A	N/A	N/A	P	P	A-E	N/A	N/A	P	P	P	P
09	Freddy Johnson Sr. - Chief	P	P	N/A	P	P	P	N/A	N/A	P	P	P	P
10	Freddy Johnson Jr. - Deputy Chief	P	A	N/A	P	A	P	N/A	N/A	P	P	P	A-E
11	Matthew W. Williams - Asst Chief	A-E	P	N/A	A-E	P	P	N/A	N/A	P	P	P	P
12	Sean Johnson - Asst Chief	N/A	P	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A
13	Kevin T. Murphy - Asst. Chief	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A

**P-Present - A-Absent - N/A - No Meeting Conducted** **A-E - Absent & not required to attend by invitation only.** **N/A No Meeting-P- telephonic participation.**

**Enclosure # 8 Board Minutes December 20, 2011**