

CUMBERLAND COUNTY BOARD OF COMMISSIONERS
DECEMBER 4, 2006, 9:00AM
REGULAR MEETING

PRESENT: Billy R. King, Chairman
Kenneth S. Edge, Vice Chairman
Commissioner Jeannette M. Council
Commissioner Talmage Baggett
Commissioner Elect Edward Melvin
Commissioner Breeden Blackwell
Commissioner John T. Henley, Jr.
Commissioner Diane Wheatley
James Martin, County Manager
Juanita Pilgrim, Deputy County Manager
Cliff Spiller, Asst. County Manager
Amy Cannon, Asst. County Manager
Grainger Barrett, County Attorney
Marsha Fogle, Clerk to the Board

INVOCATION Commissioner Kenneth Edge

Minister: Dr. Ernest Johnson – Highland Presbyterian Church

Pledge of Allegiance

Presentation of Plaque to Outgoing Commissioner – Talmage S. Baggett, Jr.

1. Administration of Oath of Office:

- A. Administration of Oath of Office to Dr. J. Breeden Blackwell by Associate Justice Patricia Timmons-Goodson, North Carolina Supreme Court.
- B. Administration of Oath of Office to Dr. Jeanette M. Council by Associate Justice Patricia Timmons-Goodson, North Carolina Supreme Court.
- C. Administration of Oath of Office to Billy R. King by Associate Justice Patricia Timmons-Goodson, North Carolina Supreme Court.
- D. Administration of Oath of Office to Edward G. Melvin, Jr. by Associate Justice Patricia Timmons-Goodson, North Carolina Supreme Court.

Prior to election of officers, Chairman King reviewed some of the major accomplishments of the Board over the past year:

- Working closely with CCBC leadership and other stakeholders regarding BRAC;
- Continue to recruit business and industry to the county;
- Continue to recruit tenants to the county's industrial parks;
- The Town of Hope Mills rejoined the Joint Planning Board;

- Significant progress is being made on the 2030 Plan;
- Working on a 4-year plan for funding the school system;
- Aligned with legislators to gather support of Goodyear;
- Continue to work on water/sewer extensions throughout the County.

Chairman King thanked the Board and staff for its support during the past year.

2. Election of Officers:

A. Chairman

Commissioner Jeannette Council offered the name of Kenneth Edge as Chairman.

MOTION: Commissioner Blackwell moved to approve Kenneth Edge as Chairman of the Board of Commissioners by acclamation.

SECOND: Commissioner King

VOTE: UNANIMOUS

Chairman Edge thanked the Board for its support. He noted it is traditional for the Chairman to offer ideas and suggest goals for the upcoming year. He said he believed that establishing goals is a team effort and the Board would be meeting in the early part of 2007 to discuss its goals. He noted some continuing goals are:

- comprehensive planning;
- expanding water and sewer;
- investing in economic development;
- being fiscally responsible & efficient in government;
- educating our children and work force;
- maintaining quality human services;
- providing adequate compensation for county employees;
- building inter-governmental relations

Chairman Edge noted some things that the Board will need to address:

- Capital Needs – work with School Board, Library Board and Health Board to development strategies and action plans to meet growing capital needs;
- Changing Faces – study the impact of changing demographics on Cumberland County services and programs that guide plans now and in the future as they relate to mental health reforms and the impact on our county justice system;
- Legislative Lobbying – establish a relationship with the State Legislature, Congressmen and Senators to ensure that Cumberland County's interests are pursued and met;
- 2030 Plan – simplify and update the county's subdivision, zoning and other ordinances to reflect current policies and initiatives as well as how development should occur in the unincorporated areas;
- Cumberland County Cares – establish and recognize volunteers by event and award them for caring enough to help someone or some cause by volunteering or serving one or more days per month.

He noted the above suggestions don't cover all the initiatives or services that require the Board's leadership, but are significantly important to the community.

B. Vice Chairman

Commissioner Henley offered the name of Breeden Blackwell as Vice Chairman of the Board.

MOTION: Commissioner Council moved to approve Breeden Blackwell as Vice Chairman of the Board of Commissioners, by acclamation.

SECOND: Commissioner Melvin

VOTE: UNANIMOUS

3. Presentation of Plaque to Outgoing Chairman.

Chairman Edge presented a plaque to outgoing Chairman Billy R. King from the Board of Commissioners, thanking him for his service.

4. Consent Agenda

MOTION: Commissioner King moved to follow staff recommendations on the items on the Consent Agenda.

SECOND: Commissioner Council

VOTE: UNANIMOUS

A. Approval of minutes for the November 20, 2006 regular meeting.

ACTION: Approve

B. Approval of Bonds for Public Officials.

BONDS

| Name/Position | Amount | Expires | Agent | Holder |
|---|-----------|------------|-----------|------------------------|
| Finance Officer (Amy Cannon) | \$100,000 | Indefinite | Marsh | Ohio Casualty Ins. Co. |
| Asst. Finance Officer (Howard Abner) | \$50,000 | Indefinite | Marsh | Ohio Casualty Ins. Co. |
| Asst. Finance Officer (Terry Gagnon) | \$50,000 | Indefinite | Marsh | Ohio Casualty Ins. Co. |
| Register of Deeds (J. Lee Warren, Jr.) | \$10,000 | Auto Renew | Highland | Peerless |
| Tax Administrator (Aaron Donaldson) | \$200,000 | Indefinite | Marsh | Ohio Casualty Ins. Co. |
| Sheriff (Earl Butler) | \$25,000 | 12/07/08 | Tomlinson | W. Surety |

| | | | | |
|---|----------|------------|-----------|-----------|
| Sheriff's Office (Cuyler Windham, Sr.) | \$20,000 | 10/09/07 | Tomlinson | W. Surety |
| Mental Health (Hank Debnam) | \$20,000 | Indefinite | BB&T | W. Surety |
| Mental Health ((Densie Lucas) | \$20,000 | Indefinite | BB&T | W. Surety |
| Social Services (William Scarlett) | \$20,000 | Indefinite | BB&T | W. Surety |
| Civic Center (Rick Reno) | \$20,000 | Indefinite | BB&T | W. Surety |
| Civic Center (Lisa Foster) | \$20,000 | 6/21/09 | BB&T | W. Surety |
| Civic Center (Paul Beard) | \$20,000 | 11/13/09 | BB&T | W. Surety |

ACTION: Approve

- C. Approval of Amendment of Franchise Ordinance and Franchise Agreement for Shana B. Yi and Jae Yong Yi (Lee) to Provide Food Services at the DSS Building (1st Reading).

ACTION: Approve 1st Reading

- D. Approval of Ratification of Renewal of Franchise Agreement for Shana B. Yi and Jae Yong Yi (Lee) to Provide Food Services at the Cumberland County Courthouse.

ACTION: Approve 1st Reading

- E. Approval of a Resolution in Support of Bladen Bluffs Regional Surface Water System.

BACKGROUND:

- Project is proposed 35 million gallons per day intake from the Cape Fear River at Lock and Dam No. 2 in Bladen County, approximately 10 miles south of Cumberland County;
- Initial water user is Smithfield Packing Company, presently at 4 million gallons per day;
- Project owner is Lower Cape Fear Water & Sewer Authority, a public agency;
- Proposed operator is Smithfield Packing Company, by contract with owner;
- Owner has requested resolutions from all local jurisdictions;
- Owner reports that resolutions of support have been adopted by Bladen and Sampson Counties and the municipalities of Clinton, Elizabethtown, Lake Waccamaw, St. Pauls and White Lake;
- Approximately 18,000 acres (28 square miles) to be reclassified in the southern end of Cumberland County with no significant impact on land use;

- Proposed resolution will assure notification to Cumberland County during the permitting process.

ACTION: Approve Resolution

RESOLUTION

WHEREAS, the Board of Commissioners of Cumberland County (the Board) finds that the availability of water suitable for industrial use, irrigation and human consumption is instrumental to the economic well-being of Cumberland County, particularly as it relates to the growth of industry and agriculture and the development of commercial and residential properties; and

WHEREAS, the Board finds that the continued availability of adequate water resources will be promoted by the management of long-range sustainable water supplies; and

WHEREAS, the Board finds that the preservation of the regional groundwater resources supplying Cumberland and surrounding counties will be enhanced by the development of alternative water sources, including surface waters; and

WHEREAS, the Lower Cape Fear Water & Sewer Authority (the Authority) is a non-profit public agency organized under the provisions of the NC Water and Sewer Authorities Act to construct and operate water and sewer systems in Bladen, Brunswick, Columbus, New Hanover and Pender Counties and the City of Wilmington; and

WHEREAS, the Authority and Smithfield Packing Company, Inc., (Smithfield) have entered into a Memorandum of Understanding dated January 9, 2006, with respect to the terms, conditions and important elements regarding the development, construction and operation of an up to 35 million gallons per day raw water intake located behind Lock and Dam Number 2 on the Cape Fear River and a raw water storage reservoir and a water treatment plant to meet the needs of Smithfield's facility located in Tarheel, North Carolina, with the possibility of additional capacity to serve the needs of regional, local government and other industrial users (the Project); and

WHEREAS, the name of the Project shall be Bladen Bluffs Regional Surface Water System; and

WHEREAS, the Authority has determined and reported that the Project will diminish the demand for groundwater which in turn will allow the recharge of regional aquifers, thereby increasing groundwater storage volume and improving its quality by reducing the intrusion of salt water; and

WHEREAS, the construction of the Project and the use of the surface water will require a reclassification of a portion of the Cape Fear river from a Class "C" surface water to a "WS-IV" water supply classification (the Reclassification), including approximately 18,000 acres in southern Cumberland County; and

WHEREAS, the Reclassification must be approved through rulemaking by the NC Environmental Management Commission; and

WHEREAS, the Authority must prepare an Environmental Assessment and the NC Department of Environment and Natural Resources must issue a Finding of No Significant Impact as a prerequisite to permitting the Project; and

WHEREAS, the Authority has asked the Board to adopt a resolution endorsing the Project, the Reclassification and the required regulatory approvals.

NOW, THEREFORE BE IT RESOLVED, that the Board of Commissioners of Cumberland County hereby endorses the Project, without objection to the necessary reclassification of that portion of the Cape Fear River Basin within the County's jurisdiction, subject to the conditions that:

- (1) The Project is developed incident to a plan for the development of sustainable water sources satisfactory to and approved by the Division of Water Resources as contemplated by the Cooperative Agreement between the Environmental Management Commission, the Division of Water Resources and the Lumber River Council of Governments dated October 14, 2004.
- (2) The long-term impacts of the Project in conjunction with existing and planned surface water use from the entire Cape Fear River Basin be fully considered by the appropriate regulatory agencies.
- (3) The Authority shall keep Cumberland County informed of the filing of all permit applications, agencies' requests for written comments, public hearings, and regulatory hearings conducted incident to the permitting process.

(4)

F. Approval of Proposed Additions to the State Secondary Road System:

ACTION: Approve

Acorn Ridge Subdivision: Chasewater Road, Oldstead Drive,
Saltwood Road, Middlesbrough Drive

G. Budget Revisions:

ACTION: Approve

(1) Health

Revision in the amount of \$47,708 to budget additional state funding for family planning. (B07-176) **Funding Source – State**

(2) Mental Health

- a. Adult Contracts - Revision in the amount of \$17,346 to appropriate fund balance to rebudget unexpended funds from FY06. (B07-178) **Funding Source – State**
- b. Substance Abuse Contracts - Revision in the amount of \$52,500 to budget additional State Majors Grant funding. (B07-179) **Funding Source – State**
- c. Work First – Revision in the amount of \$2,438 to appropriate fund balance to increase trainee position to full salary. (B07-177) **Funding Source – Mental Health Fund Balance**

(3) Social Services

- a. Social Services Other – Revision in the amount of \$466,975 to budget Work First Demonstration Grant. (B07-181) **Funding Source – State**
- b. Revision in the amount of \$2,500 to budget insurance settlement to cover cost of replacing parking lot light. (B07-182) **Funding Source – Other**
- c. Revision in the amount of \$36,113 to budget additional federal and state funding for adult day care program (\$31,598) and to appropriate fund balance for the required county match (\$4,515). (B07-183) **Funding Source – Federal, State, General Fund Fund Balance**

(4) Community Development Supportive Housing/General Government Other

Revision to reallocate budgeted expenditures due to a change in sub-grantee and to appropriate county fund balance of \$6,000 for the required match. (B07-180 and 180A) **Funding Source – Reallocation of Budgeted Expenditures and General Fund Fund Balance**

(5) Public Safety Other

Revision in the amount of \$22,050 to appropriate fund balance to roll forward unexpended expenditures to pay for Assistant District Attorney services rendered in FY2006. (B07-184) **Funding Source – General Fund Fund Balance**

(6) Mid-Carolina Senior Transportation

Revision in the amount of \$130 to appropriate fund balance to increase funding for medical transportation. (B07-185) **Funding Source – Transportation Fund Balance**

ITEMS OF BUSINESS

5. Nominations to Boards and Committees

A. ABC Board (2 Vacancies)

Nominees: Steven Horne – nominated by Commissioner Henley
Dr. Valarie Wynne-Hall – nominated by Commissioner Council
Landis Chavis – nominated by Commissioner Melvin

B. Nursing Home Advisory Board (1 Vacancy)

Nominee: Edgar Merritt – nominated by Commissioner Council

6. Appointments to Boards and Committees

A. Air Quality Stakeholders' Committee (1 Vacancy)

Nominee: Stakeholder: County of Cumberland - Jeannette Council

B. Mental Health Board (6 Vacancies)

Note: Commissioner Diane Wheatley withdrew the name of Michael Boose.

MOTION: Commissioner Blackwell moved to appoint the nominees listed below by acclamation.

SECOND: Commissioner King

VOTE: UNANIMOUS

Nominees:

Individual with Financial Expertise:

Christopher Bostock

Individual Representing the Interest of Children (1):

Pam McEvoy

Licensed Physician:

Dr. Melvin Henderson

Representative with a Family Member or from
a Citizen's Organization Who Advocates
for Persons with a Developmental Disability :

Anna Finch

At-Large Representative:

Evelyn Shaw

Openly Declared Consumer with Mental Illness:

Nancy Capps

MEETING ADJOURNED

Clerk to the Board