

W. MARSHALL FAIRCLOTH
Chairman

GLENN B. ADAMS
Vice Chairman

JEANNETTE M. COUNCIL
KENNETH S. EDGE
CHARLES E. EVANS
JIMMY KEEFE
LARRY L. LANCASTER



CUMBERLAND
★ COUNTY ★
NORTH CAROLINA

BOARD OF COMMISSIONERS

CANDICE WHITE
Clerk to the Board

KELLIE BEAM
Deputy Clerk

MEMORANDUM

TO: Finance Committee Members (Commissioners Council, Edge, Keefe and Lancaster)

FROM: Candice H. White, Clerk to the Board

DATE: May 2, 2016

SUBJECT: Finance Committee Meeting – Thursday, May 5, 2016

There will be a regular meeting of the Finance Committee on Thursday, May 5, 2016 at 9:30 AM in Room 564 of the Cumberland County Courthouse located at 117 Dick Street, Fayetteville, NC.

AGENDA

1. Approval of Minutes – April 7, 2016 Finance Committee Regular Meeting (**Pg. 2**)
2. Consideration of Adoption of the Preliminary Assessment Roll for the Bullard Circle Waterline Extension and Scheduling of a Public Hearing (**Pg. 17**)
3. Discussion Regarding a Youth Misdemeanor Diversion Program (**Pg. 21**)
4. Update on Crime Lab (**Pg. 23**)
5. Consideration of Approval of Use of Outside Counsel for Personnel Policies (**Pg. 24**)
6. Monthly Financial Report (**Pg. 27**)
7. Other Matters of Business (**No Materials**)

cc: Board of Commissioners
County Administration
Vicki Evans, Finance Director
Tammy Gillis, Director of Internal Audit and Wellness Services
County Legal
County Department Head(s)
Sunshine List

DRAFT

CUMBERLAND COUNTY FINANCE COMMITTEE
COURTHOUSE, 117 DICK STREET, 5TH FLOOR, ROOM 564
APRIL 7, 2016 - 10:30 AM
MINUTES

MEMBERS PRESENT: Commissioner Larry Lancaster, Chairman
Commissioner Jeannette Council
Commissioner Kenneth Edge
Commissioner Jimmy Keefe

OTHER COMMISSIONERS

PRESENT: Commissioner Glenn Adams
Commissioner Charles Evans

OTHERS:

Amy Cannon, County Manager
James Lawson, Deputy County Manager
Tracy Jackson, Assistant County Manager
Melissa Cardinali, Assistant County Manager
Sally Shutt, Governmental Affairs Officer
Rick Moorefield, County Attorney
Vicki Evans, Finance Director
Deborah Shaw, Budget Analyst
Heather Harris, Budget Analyst
Buck Wilson, Public Health Director
Wanda Tart, Public Health Director of Nursing
Jane Stevens, Public Health Department
Kim McLamb, Jail Health Administrator
Sylvia McLean, Community Development Director
Earl "Moose" Butler, Cumberland County Sheriff
Ennis Wright, Cumberland County Chief Deputy Sheriff
Ronnie Mitchell, Sheriff's Office Legal Advisor
Jeffrey Brown, Engineering and Infrastructure Director
Candice H. White, Clerk to the Board
Press

Commissioner Lancaster called the meeting to order.

1. APPROVAL OF MINUTES – JANUARY 7, 2016 REGULAR MEETING

MOTION: Commissioner Council moved to approve the January 7, 2016 regular meeting minutes.
SECOND: Commissioner Edge
VOTE: UNANIMOUS (4-0)

2. CONSIDERATION OF REQUEST TO ESTABLISH A NEW POSITION IN THE GUN PERMITS DIVISION OF THE SHERIFF'S OFFICE

DRAFT

BACKGROUND:

A written request was received from the Sheriff's Office to add a new Admin Support Specialist in the Gun Permits Division due to an increase in the volume of permits. The FY2016 budget for concealed weapon permits and ID fees total \$310,000 and \$318,157 has been collected to date. If the Finance Committee approves this new position, the fees that are projected to exceed the current budget may be recognized to fund this request.

RECOMMENDATION/PROPOSED ACTION:

Consider the request to add a new Admin Support Specialist position in the Gun Permits Division of the Sheriff's Office.

Amy Cannon, County Manager, reviewed the background information recorded above. Earl "Moose" Butler, Cumberland County Sheriff, stated the request is for one additional employee to help reduce the overwhelming workload in the Gun Permit Division. Ronnie Mitchell, Sheriff's Office Legal Counsel, provided statistics on the increase in the number of applications processed in 2014 and 2015 and stated first quarter estimates project an increased volume in applications for 2016. Mr. Mitchell explained measures the Sheriff's Office has taken to assist with processing applications online and through electronic kiosks inside the Law Enforcement Center. Mr. Mitchell also explained the fingerprinting process and stated the current processing times are not appropriate for the citizens of Cumberland County.

Mr. Mitchell stated the Sheriff's Office is also asking for an Assistant Supervisor Position to start in the new budget year. Mr. Mitchell stated the Sheriff's Office will need these two employees but the new position in Gun Permits Division is needed immediately.

Commissioner Council inquired regarding the number of staff in the Gun Permit Division. Mr. Mitchell stated there are currently five and it would appear there is a need for seven. Commissioner Council asked whether revenue collections covered the salaries of current staff. Mr. Mitchell responded in the affirmative and stated there is an excess over the payment of salaries. Commissioner Evans asked why this new position could not be filled as part of the FY17 budget. Mr. Mitchell stated that would cause a continuing delay in services. Additional questions followed.

MOTION: Commissioner Lancaster moved to fund at this time the new Admin Support Specialist position in the Gun Permits Division of the Sheriff's Office.

SECOND: Commissioner Keefe

DISCUSSION: Commissioner Council stated she is not opposed to adding the position, but it would help the Board of Commissioners if the Sheriff's Office could wait until the FY17 budget process because this request is a recurring expense and a lot of departments are requesting new positions. Commissioner Keefe asked whether there was something the Sheriff's Office could do internally for the next two to three months. Mr. Mitchell stated there is no funding available to transfer positions. Ms. Cannon stated as County Manager she does not have the authority to create a new position, only the Board of Commissioners can create a new

DRAFT

position. Commissioner Lancaster asked what the approximate cost would be between now and July 1 to add the new position. Ms. Cannon responded at the most, approximately \$6,000. Commissioner Keefe asked the Sheriff's Office to look for \$6,000 to finance the position until the FY17 budget process. Ms. Cannon stated the FY16 budget for concealed weapon permits and ID fees totals \$310,000 and \$318,157 has been collected to date. Ms. Cannon stated FY16 collections exceed what has been budgeted and if the decision is to add the new position at this time, the avenue would be to increase the budget by the amount needed for the new position by utilizing fees in excess of the current budget to date.

AMENDED MOTION: Commissioner Edge moved to allocate the additional money for the Sheriff's Office out of the over realized fees in the Gun Permits Division.

SECOND: Commissioner Keefe

DISCUSSION: Commissioner Edge stated the money could be taken out of over realized fees for the remainder of FY16 and the position could then be dealt with as part of the FY17 budget. Mr. Mitchell asked that this position be continued into the next year along with one additional position. Commissioner Keefe stated the motion only deals with funding until the FY17 budget process.

VOTE ON AMENDED MOTION: UNANIMOUS (4-0)

3. CONSIDERATION OF REQUEST FOR ADDITIONAL COUNTY FUNDING FOR THE JAIL HEALTH PROGRAM

BACKGROUND:

The Jail Health Program provides 24/7 medical care to Cumberland County Detention Center inmates with a current population of 687. Each shift requires one RN, two LPN's and one Med Technician. In addition, one RN Supervisor and two RN's are on staff Monday through Friday during the hours the physician is on site. During this time there is more activity requiring nursing support. Due to staffing requirements to meet the needs of the inmates, temporary nursing staff has been utilized to ensure adequate coverage on all shifts. Temporary staff has been used while employees were using Family Medical Leave and were not on Leave Without Pay Status which resulted in no lapsed salaries to support temporary staff. Also, one nurse retired during this fiscal year and received an annual leave payout resulting in no lapsed salaries accruing for six weeks for this position. Once new staff is hired, temporary staff is maintained to train the new employee. The cost of temporary nursing staff per hour exceeds the budgeted salaries for vacant positions. The Jail Health Program requires overtime pay due to shift work and because they are required to work County observed holidays. Overtime pay will exceed budget as well.

Moving forward, the Public Health Department will improve its internal controls to better manage staffing costs while also meeting the healthcare demands in the Detention Center. In addition, it will assess its staffing model to better organize its coverage during peak periods

DRAFT

and in response to priority health concerns. This will include a plan to reduce staffing of its temporary nurses.

Medical costs for private medical care at hospitals and specialty providers are projected to exceed budget also. Each year, medical costs fluctuate based on the severity of illness of the inmates. The budget for these costs was prepared based on the previous year's expenses. Illnesses among inmates have been more common and severe during this fiscal year. The upcoming budget request includes an increase to these line items to attempt to avoid a repeated shortfall.

RECOMMENDATION/PROPOSED ACTION:

Requesting approval of County Fund Balance in the amount of \$346,299 and transfer of \$127,618 of accumulated lapsed salaries from other Health Department programs to support additional Jail Health expenditures anticipated during Fiscal Year 16.

Buck Wilson, Public Health Director, reviewed the background information recorded above. Mr. Wilson stated of the \$473,917 deficit, the Health Department was able to utilize \$127,618 from its current budget, which is separate from the Jail Health Program budget, leaving a projected deficit of \$346,299 for the remainder of the fiscal year. Mr. Wilson explained there are three reasons for the deficit: 1) excessive turnover in nursing staff; 2) a combination of overtime/hazard pay/reclassification of two positions; and 3) medical expenses which are unpredictable.

Excessive Turnover

Mr. Wilson stated thirteen nursing positions have turned over through the third quarter of this fiscal year, two of which have been vacant twice. Mr. Wilson stated this equates to about 7,440 hours without nursing coverage and is roughly equal to five FTE's. Mr. Wilson stated the Health Department has a total of 20 nursing positions, including two supervisory positions. Mr. Wilson stated there are currently three nursing positions vacant and attempts are being made to fill the positions. Mr. Wilson stated keeping nursing positions filled is very challenging; there has been a loss of five positions to Womack, three positions to the VA, one position to a nursing home, one position to a doctor's office and one nurse retired.

Mr. Wilson stated processes have been put in place over the years in an effort to keep nurses. Mr. Wilson stated the Health Department initiated a temporary staffing contract with Professional Nursing Services (PNS) in February of 2013; however, PNS did not initially have nurses to provide coverage. Mr. Wilson stated PNS realized the need for nurses and the Health Department spent \$2,500 on PNS last year. Mr. Wilson stated PNS offers RN's for \$41 per hour and LPN's for \$32 per hour compared to a staff RN at \$37 per hour including benefits and a staff LPN at \$26 per hour including benefits. Mr. Wilson stated the Health Department tries to use LPN's versus RN's whenever possible. Mr. Wilson explained temporary staff coverage is needed while new staff are being trained, existing staff are out on annual leave or sick leave and for existing staff that retire or resign and use paid annual leave which could be up to six weeks. Mr. Wilson stated unlike clinics at the Health Department, temporary staff are used because patient appointments cannot be rescheduled, patients cannot be put on a waiting list, services cannot be scaled back if a provider or nurse is out, over 50% of inmates in the jail need

DRAFT

medication delivered and guidelines/requirements often have time limits on when services must be provided. Mr. Wilson stated excessive turnover equals almost \$200,000 of the \$473,917.

Overtime/Hazard Pay/Reclassification of Two Positions

Mr. Wilson stated overtime/hazard pay/reclassification of 2 positions equals about \$80,000 of the \$473,917. Mr. Wilson explained staff that work overtime are paid overtime rather than given time off and with shift scheduling of 12-hour days, nurses work overtime every other week. Mr. Wilson also stated this year new employees were added to those who could receive hazard pay; whereas, it used to be paid only to nurses. Mr. Wilson further stated two Med Technician positions were reclassified to LPN's.

Unpredictable Medical Expenses

Mr. Wilson stated medical expenses equal approximately \$194,584 of the \$473,917 and although the hope is not to spend that amount, inmate medical expenses are very unpredictable. Mr. Wilson stated measures have been taken to have doctors and nurses available as opposed to transporting inmates by ambulance to the hospital.

Mr. Wilson stated Public Health works closely with County Management on these issues and although the use of temporary staff at a higher cost is not the best staffing model, it has been important to keep staff at this level to make sure services can be provided.

In response to a question posed by Commissioner Keefe, Mr. Wilson stated health care costs are clearly increasing. Mr. Wilson stated while nurses were conducting 67 visits per day, they are now conducting 74 visits per day. Mr. Wilson stated it is a sicker population with more chronic disease, and this includes the younger population. Ms. Cannon confirmed that the County has to provide jail health and stated the Health Department has already overspent its budget so to a certain extent, the County really does not have a choice about redirecting money to get through to the end of the fiscal year. Commissioner Adams stated he has heard the problem but not what the plans are to attack the problem. Mr. Wilson explained he cannot control nurse turnover and his budget was based on the previous year in which there was not a turnover problem. Ms. Cannon confirmed additional staffing were added to the Jail Health Program when the Detention Center was expanded.

Discussion followed about whether everyone who needed to be involved was actually involved in dealing with the issues related to the Jail Health Program. Mr. Mitchell stated this might be a good time and of benefit to all concerned to put together a Request for Proposal (RFP) to see the value private companies place on the Jail Health Program. Mr. Mitchell stated this will also enable the Health Department to evaluate its budget for the Jail Health Program. Discussion continued about the mental health aspect of jail health.

Commissioner Lancaster stated moving forward, he thinks there is consensus to look into the possibility of seeing whether outside management companies are interested in looking at the situation. Ms. Cannon stated it can be a cooperative effort between the Health Department and the Sheriff's Office. Commissioner Council asked that hospital administration be included. Commissioner Keefe stated he would like the Affordable Care Act (ACA) included in the discussions. Mr. Wilson stated the cost to provide ACA coverage would also have to be evaluated.

DRAFT

- MOTION: Commissioner Council moved to approve County Fund Balance in the amount of \$346,299 and transfer of \$127,618 of accumulated lapsed salaries from other Health Department programs to support additional Jail Health expenditures anticipated during FY16.
- SECOND: Commissioner Keefe
- VOTE: UNANIMOUS (4-0)

Ms. Cannon requested an adjustment to the agenda so that Items 5. and 6. could be moved ahead of Item 4. Consensus of the Committee followed.

4. CONSIDERATION OF REQUEST TO ESTABLISH A JUVENILE CRIME PREVENTION COUNCIL (JCPC) COORDINATOR POSITION

BACKGROUND:

Cumberland County partners with the NC Department of Public Safety (NCDPS) to fund a local Juvenile Crime Prevention Council (JCPC). This partnership is part of a strategy by the NCDPS to mobilize communities to create a multi-disciplinary continuum of care that includes prevention programs for children, early intervention for juvenile offenders and graduated sanctions for repeat offenders.

Currently all JCPC activities are funded through State and County dollars. Cumberland County has also chosen to fund a JCPC Coordinator position through Cumberland County CommuniCare. While the programs are funded 25% County / 75% State, the County funds 100% of the Coordinator position.

Under the current arrangement, the JCPC Coordinator is an employee of CommuniCare; however, the County has total fiduciary responsibility for both local and State dollars in the JCPC program. This arrangement does not allow for alignment of fiduciary responsibility with staff accountability. Additionally, creating a position for JCPC coordination within the County allows flexibility regarding expansion of position duties.

The creation of this position now (April) will allow the recruitment process to begin immediately and have the position filled in July for the start of the fiscal year.

RECOMMENDATION/PROPOSED ACTION:

Staff recommends establishing a JCPC Coordinator position within the Cumberland County Finance Department effective immediately and cease funding of the position through CommuniCare effective July 1, 2016.

Melissa Cardinali, Assistant County Manager, reviewed the background information recorded above. Ms. Cardinali stated staff recommends establishing a JCPC Coordinator position within the Cumberland County Finance Department effective immediately which will allow the County to recruit a position and have it filled by July 1, and effective July 1, cease funding of the JCPC

DRAFT

Coordinator position through CommuniCare.

MOTION: Commissioner Council moved to establish a JCPC Coordinator position within the Cumberland County Finance Department effective immediately and cease funding of the position through CommuniCare effective July 1, 2016.

SECOND: Commissioner Edge

VOTE: UNANIMOUS (4-0)

5. CONSIDERATION OF REQUEST FOR CONTRACT MODIFICATION FOR FY2016 AUDIT AND THREE-YEAR EXTENSION PROPOSAL

BACKGROUND:

During fiscal year 2016, the County is implementing a new financial software system and developing a new chart of accounts. This change was not originally contemplated in the scope of work for the fiscal year 2016 audit. However, these changes will cause additional work on the part of the auditors. As a result, Cherry Bekaert has requested an additional \$10,000 fee for report conversion for the fiscal year 2016 financial audit.

Although Cherry Bekaert will be charging the additional fee for the fiscal year 2016 audit, they have provided the County with an opportunity to recoup that fee if or when the County agrees to a three-year contract extension for fiscal years 2017, 2018 and 2019. If the County chooses to accept the extension, Cherry Bekaert will refund the \$10,000 fee for report conversion over the three years by reducing the quoted fee by \$4,000, \$3,000 and \$3,000 for each of the three years, respectively.

Cherry Bekaert has provided several different fee options for consideration over the three years. All options include pricing for report writing and financial and single audit work. A credit for internal audit work is shown in options two and three. An additional credit for report writing being performed by the County is shown under option three. Once the new financial software is fully implemented, the County will be prepared for the report writing function and is already equipped to utilize internal audit staff to complete audit work hours, thereby able to maximize the credit options beginning with the fiscal year 2017 audit.

From the options provided, the most feasible option by fiscal year is summarized in the table below:

	<u>FY2016</u> (option 2)	<u>FY2017</u> (option 3)	<u>FY2018</u> (option 3)	<u>FY2019</u> (option 3)
Report writing	\$21,500	\$21,500	\$22,000	\$22,500
Financial & single audit	101,000	95,125	97,650	99,250
Report conversion	10,000	-	-	-
Less: Use of Internal Auditor (235 hours)	(21,000)	(21,000)	(21,500)	(22,000)
Less: All report writing performed by County				

DRAFT

	-	(15,000)	(15,500)	(16,000)
Less: Recoup report conversion fee	<u>-</u>	<u>(4,000)</u>	<u>(3,000)</u>	<u>(3,000)</u>
Total audit fee - County	<u>\$111,500</u>	<u>\$76,625</u>	<u>\$79,650</u>	<u>\$80,750</u>

In addition, as part of the continuation period, a portion of the hours will again be sub-contracted out to a local minority firm, Willie Cooper, Jr., CPA. The Fayetteville Cumberland County Economic Development Corporation audit and financial statement will be considered separately by the FCCEDC Board.

RECOMMENDATION/PROPOSED ACTION:

Approve the additional \$10,000 fee for report conversion for the fiscal year 2016 audit under option two and engage Cherry Bekaert to perform the annual audit for Cumberland County for fiscal years 2017, 2018 and 2019 under option number three.

Vicki Evans, Finance Director, reviewed the background information recorded above stated although similar to the table recorded above, the table below contains the FY2015 actual audit cost summary.

Audit Cost Summary

** per Cherry Bekaert fee schedule dated March 8, 2016*

	FY2015	FY2016*	FY2017*	FY2018*	FY2019*
	(Actual)	(option 2)	(option 3)	(option 3)	(option 3)
Report Writing	\$21,000	\$21,500	\$21,500	\$22,000	\$22,500
Financial & single audit	97,800	101,000	95,125	97,650	99,250
Report conversion	-	10,000	-	-	-
Less: Use of Internal Auditor	-	(21,000)	(21,000)	(21,500)	(22,000)
Less: All report writing performed by County	-	-	(15,000)	(15,500)	(16,000)
Less: Recoup report conversion Fee	-	-	(4,000)	(3,000)	(3,000)
Total audit fee - County	<u>\$118,800</u>	<u>\$111,500</u>	<u>\$76,625</u>	<u>\$79,650</u>	<u>\$80,750</u>

Ms. Evans stated the audit contract is up for discussion now because of the timing of the County's system conversion to Munis financials and the conversion includes a complete overhaul of the County's chart of accounts. Ms. Evans stated the entire County's scheduled go-LIVE is May 1 and because go-LIVE falls within this current fiscal year, there will be an impact on the auditors' workload. Ms. Evans stated all of Cherry Bekaert's reports and schedules to produce the CAFR and analyze the County's work have been based on the old chart of accounts. Ms. Evans stated just as County staff had to adjust from the old to the new structure, Cherry

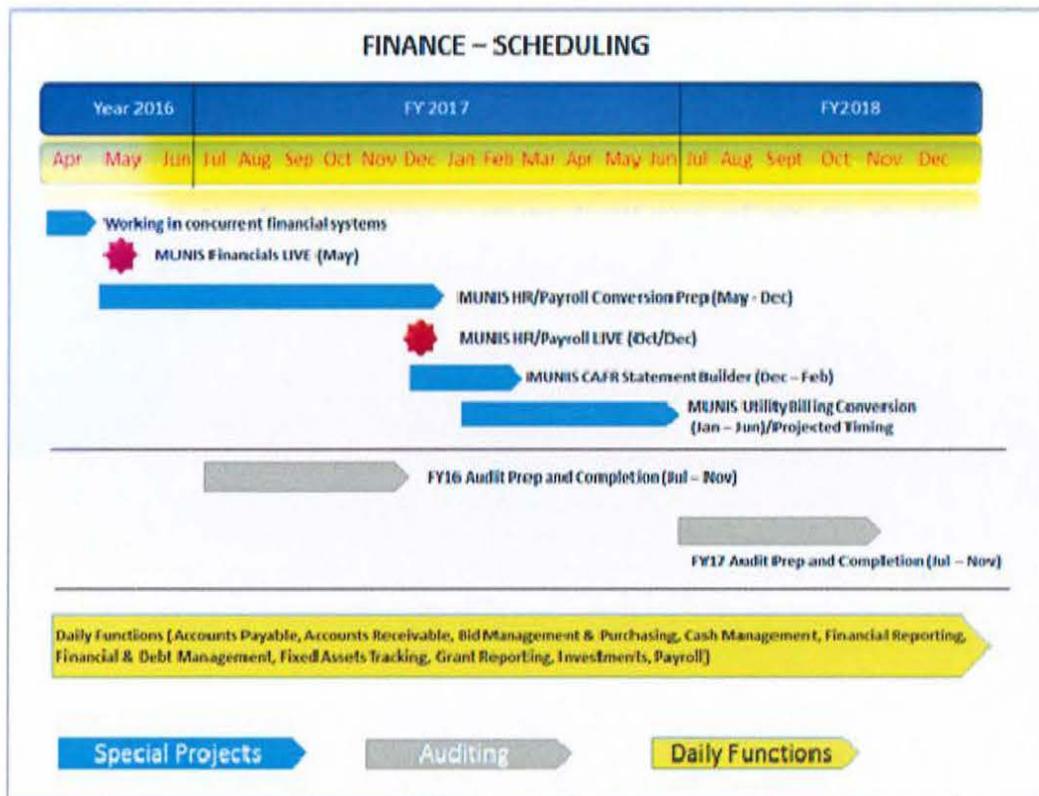
DRAFT

Bekaert will have to do the same to convert their setup. Ms. Evans stated because of this, Cherry Bekaert is requesting an additional \$10,000 fee for the audit report conversion.

Ms. Evans explained during discussions with Cherry Bekaert, they offered to give credit for the \$10,000 if the County agrees to a three-year contract extension. Ms. Evans stated Cherry Bekaert felt it could absorb that cost over the three-year period which is why they provided the fee schedule at this time.

Ms. Evans stated Cherry Bekaert provided several different fee options to consider and the table recorded above shows the best options to enable the County to take advantage of the offered credits. Ms. Evans explained in addition to the \$10,000, there is another credit for the County's internal audit staff providing audit work hours and another if the report writing is brought in-house. Ms. Evans explained once Munis financials is fully implemented, the County will have the tools in place to handle report writing in-house. Ms. Evans stated with credits taken for FY17, there is a drop of almost \$35,000.

Ms. Evans stated there has been a suggestion to conduct a Request for Proposal (RFP) for the audit and although she concurs it is best practice to periodically complete a competitive RFP process to ensure the County is getting the best deal possible, it will be difficult to accomplish with the system conversion projects that are going to continue until at least FY18. Ms. Evans stated exempt level Finance staff have been consistently working between 48-60 hours per week because of the additional work required for system conversion.



DRAFT

Ms. Evans reviewed the Finance Department's scheduling for the next year and a half as shown above and stated at present, Finance staff are keying in both the new and old systems and non-exempt staff are working overtime to complete the extra keying in. Ms. Evans stated the Finance Department also has two temporary staff members working through this process. Ms. Evans stated this conversion will be followed by Human Resources conversion and payroll conversion which will be done while the FY16 audit work is underway. Ms. Evans stated during the second half of FY17, Finance staff will be working on the CAFR statement builder and utility billing conversion, followed by the FY17 audit. Ms. Evans stated the special projects and audit prep and completion will be underway while Finance staff are handling their normal daily duties as well. Ms. Evans stated waiting until after the three year extension with Cherry Bekaert would be the best timing for an effective RFP process which could take up to three months to put together.

Commissioner Adams asked how putting out a proposal would affect the system conversion process. Ms. Cardinali stated she has been through an RFP audit process several times and can say from experience that the actual process of creating the rather large RFP document will be time and labor intensive for the Finance Director and Finance staff. Ms. Cardinali stated once created, the document will then have to come before the Audit Committee. Ms. Cardinali explained there is a qualifications packet and a cost packet because one should not determine the end result on cost before a qualified firm is known. Ms. Cardinali stated in a county with less dollars than Cumberland, she received nine very thick responses. Ms. Cardinali stated staff and the Audit Committee will have to wade through all of the responses, grade each one and then determine who moves forward. Ms. Cardinali stated the cost side of the house is then opened. Ms. Cardinali stated the RFP process is time intensive and Finance staff are already pulling a lot of overtime with the system conversion and the audit process. Ms. Cardinali stated to embark on an RFP process at this time would create an additional burden and she cannot be sure that the best possible RFP process can be conducted when Finance staff are already distracted and focused on other projects. Ms. Cardinali stated the Munis Financials project is a \$1.5 million project which the County wants to be successful.

Ms. Cardinali also stated the Local Government Commission maintains a data bank of all audits and prices paid, and Cherry Bekaert is comparable in like size and like audit. Ms. Cardinali stated it is best practice to complete a competitive RFP process but the request would be to see if it can be delayed at least through the FY17 audit. Ms. Cardinali stated if the audit firm is not engaged by December, no one will respond and the end result will be that there is no auditor. Ms. Cannon stated there is no resistance to an RFP process but at present, the County is challenged by time and projects.

Discussion followed regarding the options. Ms. Cannon stated the most pressing issue and step one is to amend the current contract. Ms. Cannon stated if there is not a desire to go the full three years, then she would ask that consideration be given to at least through FY18 to get the County through the conversion. Ms. Cannon stated Finance staffing is very low for a County of this size. Commissioner Adams stated expanding the department may be a consideration.

MOTION: Commissioner Council moved to approve Option 2 to amend the current year contract and add \$10,000 for the report conversion; to approve Option 3 with the stipulation to go out for an RFP at the end of FY2019; and to include enough personnel to perform the basic duties.

DRAFT

SECOND: Commissioner Lancaster

VOTE: UNANIMOUS (4-0)

6. CONSIDERATION OF RECOMMENDED CHANGES FROM THE CITY COUNCIL TO THE INTERLOCAL AGREEMENT BETWEEN CUMBERLAND COUNTY AND THE CITY OF FAYETTEVILLE TO ADDRESS HOMELESSNESS

BACKGROUND:

Both the City and County adopted strategic plans in 2015 to address homelessness and both governing bodies indicated that working cooperatively to reduce homelessness in our community was a priority. City and County staff jointly developed an Interlocal Agreement, which the Board of Commissioners approved on November 16, 2015, and forwarded to the City Council for consideration at its November 23, 2015 regular meeting. The original agreement proposed two new positions that would be jointly funded by the City and County: a Homeless Coordinator and a Data & Evaluation Analyst position. Both positions would be assigned to the Cumberland County Community Development Department.

The County and City collectively budgeted \$150,000 in FY16 for this endeavor (\$100,000 from the County and \$50,000 from the City). It was estimated that approximately \$63,777 would be utilized for salaries and benefits for the remainder of FY16; \$9,000 was committed to the Homeless Information System needed for compiling data about the homeless, and the remaining \$77,223 would be utilized to fill gaps in services for rapid re-housing and preventing homelessness. Completing an interlocal agreement and hiring the homeless specialists were to serve as the foundation for expanding programs and services for the homeless. The interlocal agreement also called for the creation of a homeless committee made up of City and County staff, Community Development departments from the City and County and the Homeless Coordinator position; this committee would continue to work to identify the appropriate strategic pathways to address homeless issues in the community.

- At its November 23, 2015, meeting, the City Council tabled the item until its January 4, 2016, work session.
- At the January 4, 2016, work session, the City Council discussed the agreement and placed it on the January 25, 2016, agenda.
- At the January 25, 2016, meeting, the City Council tabled item for further discussion at its February 8, 2016, meeting. The agreement was placed on the February 22, 2016.
- On February 22, 2016, the City Council approved the attached modifications to the agreement and forwarded it to the County Commissioners for review and approval.

MODIFICATIONS

The City approved hiring and sharing in the funding of only the Data Analyst position. The Interlocal Agreement recorded below reflects the City's approved revisions, which include adding an elected official from each governing body to the proposed Homeless Committee.

The Council also approved starting discussions in the form of a resolution with the County and Continuum of Care to provide a more formal structure for strategic goals and community efforts.

DRAFT

RECOMMENDATION/PROPOSED ACTION:

Staff recommends:

- Consideration and approval of the revised Interlocal Agreement.
- Approval to hire the Data & Evaluation Analyst position as soon as possible in order to fully implement the HUD-required Homeless Management Information System (also known as “HMIS”).
- Consideration of placing the appointment of a commissioner to serve on the Homeless Committee on the April 18, 2016, Board of Commissioners agenda.
- Begin discussions regarding the structure and strategic goals of the local Continuum of Care Committee through the Homeless Committee addressed in the Interlocal Agreement.

NORTH CAROLINA

INTERLOCAL AGREEMENT BETWEEN
CUMBERLAND COUNTY AND THE CITY
OF FAYETTEVILLE TO ADDRESS
HOMELESSNESS

CUMBERLAND COUNTY

Approved by the Cumberland County Board of Commissioners _____

Approved by the Fayetteville City Council _____

This interlocal agreement is made pursuant to Article 20, Chapter 160A of the General Statutes of North Carolina by and between Cumberland County, a body corporate and politic and a political subdivision of the State of North Carolina, and the City of Fayetteville, a municipal corporation existing under the laws of the State of North Carolina.

WITNESSETH:

Whereas, the parties have funded programs and services to address homelessness by their respective community development agencies for a number of years; and

Whereas, the parties desire to establish a partnership that addresses homelessness through the formation of an advisory committee, appropriate programs and services, and the hiring of a Data & Evaluation Analyst, to be jointly funded by the parties and assigned to the Cumberland County Community Development Department.

Now therefore, in consideration of the mutual covenants set forth herein, and pursuant to the specific authority granted to them by Article 20, Chapter 160A of the General Statutes of North Carolina, the parties agree as follows:

(1) The purpose of this agreement is for the parties to jointly undertake the provision of community-wide programs and services that address homelessness.

(2) The duration of the agreement shall be for so long as the parties maintain the aforementioned personnel for the purpose of providing programs and services to address homelessness (the “undertaking”).

(3) A Homeless Committee consisting of a member of City Council, a member of the County Commissioners, an Assistant County Manager, Governmental Affairs Officer, Deputy

DRAFT

City Manager, Chairman of the Cumberland County Continuum of Care (CoC), City and County Community Development Directors, and the Data & Evaluation Analyst will meet regularly to coordinate and develop strategies to address homelessness through community-wide programs and services.

(4) The Data & Evaluation Analyst shall be an employee of Cumberland County and shall report to the Community Development Director for Cumberland County.

(5) The parties will jointly fund the Data & Evaluation Analyst and associated programs and services in a sufficient amount to cover all the costs incurred by it necessary to the execution of the undertaking in accordance as budgeted and approved by the parties.

(6) This agreement may be amended at any time by the execution of an amendment approved by the governing boards of both parties.

(7) This agreement may be terminated at the end of any fiscal year by the vote of either governing board with written notice of such termination being given to the other governing board at least sixty (60) days prior to the date of termination.

This interlocal agreement has been approved by the governing board of each party and entered into the minutes of the meeting at which such action was taken as indicated above.

REVISION:

Staff is updating the agenda information recorded above.

The local Continuum of Care is seeking to transition from an advisory board to a non-profit provider of services to the homeless. In light of this development, it may be more appropriate for the City and County, as the funding partners, to develop the strategy to address homelessness moving forward. As these discussions take place, Cumberland County Community Development will continue to provide services to the homeless as outlined in the report recorded below.

REVISED RECOMMENDATION/PROPOSED ACTION:

Staff recommends:

- Taking no action regarding the proposed Interlocal Agreement, but beginning discussions with the City regarding strategic goals to address homelessness in Fayetteville and Cumberland County.
- Jointly developing a comprehensive strategy to reduce homelessness *and* identify a formal structure for implementation.
- Approval to hire the Data & Evaluation Analyst position as soon as possible in order to fully implement the HUD-required Homeless Management Information System (also known as "HMIS").

Cumberland County Community Development addresses homelessness through the administration and provision of various programs. CCCD builds strong partnerships with other providers in the community to ensure those who are homeless or at-risk of being homeless are receiving the assistance needed to ensure long-term stability. Currently, Cumberland County Community Development manages the following programs:

DRAFT

1. **Safe Homes for New Beginnings:** Through partnership, this program provides permanent supportive housing (five units) and case management services to single adults who are homeless and have a substance abuse disorder. For the program year (Nov. 1, 2014 – Dec. 31, 2015), this program has served eight homeless individuals.
2. **Robin’s Meadow Transitional Housing Program:** This is a 12-unit transitional housing program for homeless families where they are allowed to stay for up to 24 months to receive case management services that will help them become self-sufficient. Currently, 38 individuals are being served. Since June 1, 2015, seven families have exited the program and all seven families (21 individuals) became self-sufficient to where they were able to move on to permanent housing.
3. **Care Center Transitional Housing Program:** Last year, Cumberland County Community Development took over as grantee for this transitional housing program for families fleeing from domestic violence. We currently are serving 11 families. These families are able to stay in the program for up to 12 months and work with a case manager to become self-sufficient. Since May 2015, we have moved six families to permanent housing.
4. **Projects for Assistance in Transition from Homelessness:** Since July 1, 2015, the PATH team has provided financial assistance (either security deposit or utility deposit) to approximately 93 individuals. In addition to housing, the main goal of the program is to connect them to mental health services. The PATH Team also consists of a Peer Support Specialist that actually conducts street outreach to connect those living in places not meant for habitation to services that will help move them into a stable environment.
5. **Emergency Solutions Grant:** As recipient of ESG, CCCD partners with other providers in the community to provide shelter for individuals / families and rapid re-housing and homeless prevention services. Last fiscal year, we served 27 households for homelessness prevention and 15 households for rapid re-housing.

Ms. Cannon called attention to the revised information and revised recommendation/proposed action recorded above. Commissioner Adams stated the Board of Commissioners likely needs to decide early on whether it wants to join the City by going with an outside agency/private group to address homelessness. A brief discussion followed.

Ms. Cannon explained the Data and Evaluation Analyst position is an ongoing HUD requirement to manage the homeless population and the services as they are utilized or not utilized. Ms. Cannon stated it will be a constant position; the County currently receives HUD funding for homelessness and as a part of HUD funding, the County becomes a part of the coordinated HUD-required Homeless Management Information System also known as “HMIS”. Ms. Cannon stated this position will manage all of the resources, work with all of the agencies and provide constant vetting of data about the homeless. Ms. Cannon stated HUD is looking to the County as a HUD

DRAFT

provider to make sure there is good information. Ms. Cannon stated the City agreed to partially fund the Data and Evaluation Analyst position.

MOTION: Commissioner Council moved to hire the Data and Evaluation Analyst position.
SECOND: Commissioner Edge
VOTE: UNANIMOUS (4-0)

7. MONTHLY FINANCIAL REPORT

BACKGROUND:

The financial report is included as of February 29, 2016. Highlights include:

- Revenues
 - Ad Valorem tax collections are continuing to appear strong
 - Sales and other taxes are just slightly above collections at this time last fiscal year
 - Sales & service revenues are lagging slightly behind this point in fiscal year 2015. This is attributable to a lag in that some of January's receipts were posted in the month of February.
- Expenditures
 - General Fund expenditures remain in line with budget and previous year patterns.
- Crown center expense summary/prepared food and beverage and motel tax
 - Total year-to-date event income over operating expenses is trending very close to last fiscal year

RECOMMENDATION/PROPOSED ACTION:

No action needed – for information purposes only.

8. OTHER MATTERS OF BUSINESS

There were no other matters of business.

There being no further business, the meeting adjourned at 11:10 a.m.



CUMBERLAND COUNTY NORTH CAROLINA

ENGINEERING & INFRASTRUCTURE DEPARTMENT

Engineering Division · Facilities Management Division · Landscaping & Grounds Division · Public Utilities Division

MEMO FOR THE AGENDA OF THE MAY 5, 2016 MEETING OF THE FINANCE COMMITTEE

TO: FINANCE COMMITTEE MEMBERS
FROM: JEFFERY BROWN, PE, E & I DIRECTOR
THROUGH: TRACY JACKSON, ASSISTANT COUNTY MANAGER TJ
DATE: APRIL 18, 2016
SUBJECT: APPROVAL OF ADOPTING THE PRELIMINARY ASSESSMENT ROLL FOR THE BULLARD CIRCLE WATERLINE EXTENSION AND SCHEDULING OF PUBLIC HEARING

Requested by: JEFFERY BROWN, PE, E & I DIRECTOR

Presenter(s): TRACY JACKSON, ASSISTANT COUNTY MANAGER

Estimate of Committee Time Needed: 10 MINUTES

BACKGROUND:

The Board of Commissioners, at their August 18, 2014 meeting, adopted a Final Assessment Resolution for the Bullard Circle Waterline Extension Project. The resolution defined the term of the assessment as 15 years at 6% interest. The construction of the waterline extension throughout the Bullard Circle area is now complete, Fayetteville Public Works Commission (FPWC) has accepted the lines, and FPWC will own and operate the waterline as an extension of their existing water system. Letters were mailed to the property owners on April 12, 2016 informing them that they may now connect to the waterline and of the steps necessary to connect to the system through FPWC. The final project costs have been determined and the preliminary assessment roll prepared. A copy of the assessment roll is attached for your review.

The next step is for the Board of Commissioners to adopt the preliminary assessment roll and set a date for a public hearing. It is suggested that a public hearing be scheduled for June 20, 2016 at 6:45 pm. Following the public hearing the Board of Commissioners will need to confirm the assessments for each parcel. The cost per parcel will be \$2,701.22.

The following is a summary of the costs and the calculated assessment per parcel:

Engineering & Design	Moorman, Kizer & Reitzel	\$ 57,175
Construction	Autry Grading, Inc.	\$268,559
Licensing, Permits & Easements		\$ 3,815
	Total	\$329,549

FPWC participation in the project per agreement	\$ 67,899.66
County's participation in the project per agreement	<u>\$ 96,874.84</u>
Total	\$164,774.50

Total Project Cost	\$329,549.00
County & FWPC participation	<u>-\$164,774.50</u>
	\$164,774.50

Balance to be assessed to property owners	\$164,774.50
---	--------------

Number of parcels for assessment 61	
Assessment per parcel	\$ 2,701.22

As a side note, per the agreement FPWC is responsible for 25% water main construction cost but not the lateral cost. The County and the property owners are responsible for the lateral costs. These costs have been considered and are included above.

RECOMMENDATION/PROPOSED ACTION:

The Engineering and Infrastructure Director and County Management recommends that the Finance Committee approve the Preliminary Assessment Roll and place this item on the agenda of the May 16, 2016 Board of Commissioners meeting to set the public hearing date for June 20, 2016 as well as confirming the assessment roll at the conclusion of the public hearing.

Preliminary Assessment Roll

Bullard Circle

4-18-16

Parcel Number	Owner Name	Owner Address	Situs Address	Assessment
0531-87-9127-	TIMOTHY & YEE SIMMONS	394 BULLARD CIR, FAYETTEVILLE, NC 28311	345 VANN ST	\$ 2,701.22
0531-96-2991-	LOCAL 959 UNITED WORKERS ASSOC	280 MCCLOSKEY RD, FAYETTEVILLE, NC 28311	VANN ST	\$ 2,701.22
0531-96-5464-	LOCAL 959 UNITED WORKERS ASSOC	280 MCCLOSKEY RD, FAYETTEVILLE, NC 28311	280 MCCLOSKEY RD	\$ 2,701.22
0531-96-5856-	PAUL WILLIAMS	281 BULLARD CIR, FAYETTEVILLE, NC 28311	VANN ST	\$ 2,701.22
0531-96-7856-	PAUL & CYNTHIA WILLIAMS	281 BULLARD CIR, FAYETTEVILLE, NC 28311	VANN ST	\$ 2,701.22
0531-96-9856-	PAUL WILLIAMS	281 BULLARD CIR, FAYETTEVILLE, NC 28311	VANN ST	\$ 2,701.22
0531-97-2290-	STEPHEN & CARLEEN JOYNER	484 BULLARD CIR, FAYETTEVILLE, NC 28311	484 BULLARD CIR	\$ 2,701.22
0531-97-2693-	BROADWELL LAND CO	PO BOX 53587, FAYETTEVILLE, NC 28305	N/A	\$ 2,701.22
0531-97-3301-	GREAT SOUTHEASTERN PROPERTIES	PO BOX 58375, FAYETTEVILLE, NC 28305	BULLARD CIR	\$ 2,701.22
0531-97-3442-	BROADWELL LAND CO	PO BOX 53587, FAYETTEVILLE, NC 28305	BULLARD CIR	\$ 2,701.22
0531-97-3767-	CATHOLIC SOCIAL MINISTRIES	7200 STONEHENGE DR, RALEIGH NC 27613	BULLARD CIR	\$ 2,701.22
0531-97-5163-	PATRICIA STOVER	284 VANN ST, FAYETTEVILLE, NC 28311	284 VANN ST	\$ 2,701.22
0531-97-5384-	JEFF & KATHY STAFFORD	465 BULLARD CIR, FAYETTEVILLE, NC 28311	465 BULLARD CIR	\$ 2,701.22
0531-97-6670-	MELODY HANEY	713 DALMORE DR, FAYETTEVILLE, NC 28311	BULLARD CIR	\$ 2,701.22
0531-97-6786-	TIMOTHY & YEE SIMMONS	394 BULLARD CIR, FAYETTEVILLE, NC 28311	BULLARD CIR	\$ 2,701.22
0531-97-7113-	PATRICIA STOVER	284 VANN ST, FAYETTEVILLE, NC 28311	VANN ST	\$ 2,701.22
0531-97-7375-	LULA GROVER	3519 ROSEHILL RD, FAYETTEVILLE, NC 28311	N/A	\$ 2,701.22
0531-97-8631-	JENNIFER GATES	258 STONECOAL DR, FAYETTEVILLE, NC 28311	258 STONECOAL DR	\$ 2,701.22
0531-97-8832-	TIMOTHY & YEE SIMMONS	394 BULLARD CIR, FAYETTEVILLE, NC 28311	397 BULLARD CIR	\$ 2,701.22
0531-97-9364-	JAMES & DONNA BRYSON	243 STONECOAL DR, FAYETTEVILLE, NC 28311	243 STONECOAL DR	\$ 2,701.22
0531-97-9631-	GERALD KINDER, DONALD KINDER & PATRICIA KINDER STOVER	258 STONECOAL DR, FAYETTEVILLE, NC 28311	N/A	\$ 2,701.22
0531-98-1814-	BROADWELL LAND CO	PO BOX 53587, FAYETTEVILLE, NC 28305	N/A	\$ 2,701.22
0531-98-5073-	SABRENA & GERALDINE WALKER	101 NORWOOD ST, NEWARK, NJ 07106	408 BULLARD CIR	\$ 2,701.22
0531-98-7100-	TIMOTHY & YEE SIMMONS	394 BULLARD CIR, FAYETTEVILLE, NC 28311	N/A	\$ 2,701.22
0531-98-7342-	MARY CURRY	1916 WILLIAMSON RD, FAIRMONT, NC 28340	6635 RAMSEY ST	\$ 2,701.22
0531-98-9005-	TIMOTHY & YEE SIMMONS	394 BULLARD CIR, FAYETTEVILLE, NC 28311	394 BULLARD CIR	\$ 2,701.22
0541-05-6993-	PRAMUKH ENTERPRISES LLC ATTN: MEENA DAVE	350 PINE ST, LILLINGTON, NC 27546	RAMSEY ST	\$ 2,701.22
0541-06-1377-	KEITH MILLIKEN	181 BULLARD CIR, FAYETTEVILLE, NC 28311	181 BULLARD CIR	\$ 2,701.22
0541-06-1549-	KENNETH & JOVANI REAVES	398 N MAINT ST, MILTOWN, NJ 08850	BULLARD CIR	\$ 2,701.22
0541-06-1750-	GWENDOLYN ANDERSON	215 BULLARD CIR, FAYETTEVILLE, NC 28311	215 BULLARD CIR	\$ 2,701.22
0541-06-1850-	MARGARETE JOHNSON C/O MARGARETE K. MORLEY	213 W 2ND AVE, RED SPRINGS, NC 28377	225 BULLARD CIR	\$ 2,701.22
0541-06-1951-	GARY SHAVER	237 BULLARD CIR, FAYETTEVILLE, NC 28311	237 BULLARD CIR	\$ 2,701.22
0541-06-3019-	DANNY AVERITT	155 BULLARD CIR, FAYETTEVILLE, NC 28311	155 BULLARD CIR	\$ 2,701.22
0541-06-3267-	THOMAS COPPEDGE	173 BULLARD CIR, FAYETTEVILLE, NC 28311	173 BULLARD CIR	\$ 2,701.22
0541-06-3594-	KENNETH NETTLES, JR.	200 BULLARD CIR, FAYETTEVILLE, NC 28311	200 BULLARD CIR	\$ 2,701.22
0541-06-4432-	JERRY & JOYCE TUBERVILLE	6257 CHURCH ST, FAYETTEVILLE, NC 28311	186 BULLARD CIR	\$ 2,701.22
0541-06-4605-	ROBERT & MARY JO ANDERSON	511 ARGYLL RD, FAYETTEVILLE, NC 28303	210 BULLARD CIR	\$ 2,701.22
0541-06-4726-	TAMMY BURNETTE WOLFE	215 RESOLUTION DR, YORKTOWN, VA 23692	220 BULLARD CIR	\$ 2,701.22
0541-06-4846-	MARK GATES	8784 COATS RD, LINDEN, NC 28356	BULLARD CIR	\$ 2,701.22
0541-06-4936-	CRAIG & NORA MACDONALD	240 BULLARD CIR, FAYETTEVILLE, NC 28311	240 BULLARD CIR	\$ 2,701.22

Preliminary Assessment Roll

Bullard Circle

4-18-16

Parcel Number	Owner Name	Owner Address	Situs Address	Assessment
0541-07-0641-	GERALD KINDER, DONALD KINDER & PATRICIA KINDER STOVER	258 STONECOAL DR, FAYETTEVILLE, NC 28311	N/A	\$ 2,701.22
0541-07-0830-	LAURA GUTIERREZ	367 BULLARD CIR, FAYETTEVILLE, NC 28311	367 BULLARD CIR	\$ 2,701.22
0541-07-1152-	HOSEA & ALEETA WILLIAMS	259 BULLARD CIR, FAYETTEVILLE, NC 28311	259 BULLARD CIR	\$ 2,701.22
0541-07-1266-	WILLIAM ADAMS	4405 CLIFTON DR, HOPE MILLS, NC 28348	271 BULLARD CIR	\$ 2,701.22
0541-07-1367-	PAUL & CYNTHIA WILLIAMS	281 BULLARD CIR, FAYETTEVILLE, NC 28311	281 BULLARD CIR	\$ 2,701.22
0541-07-1598-	CHRISTOPHER MOORE	9803 FRANKLIN AVE, LANHOM, MD 20706	BULLARD CIR	\$ 2,701.22
0541-07-2723-	NORWEST BANK MINNESOTA TRUSTEE C/O JAMES C. BLUE	9803 FRANKLIN AVE, LANHOM, MD 20706	325 BULLARD CIR	\$ 2,701.22
0541-07-2833-	DAVID & PATRICIA MULLINS	8825 RAMSEY ST, LINDEN, NC 28356	645 BULLARD CIR	\$ 2,701.22
0541-07-4016-	DAVID & PATRICIA MULLINS	8825 RAMSEY ST, LINDEN, NC 28356	N/A	\$ 2,701.22
0541-07-4116-	GLENN & HELEN BRINSON	260 BULLARD CIR, FAYETTEVILLE, NC 28311	260 BULLARD CIR	\$ 2,701.22
0541-07-4236-	CONNIE C. HAYES	14 FOXFIRE TRCE, OAK ISLAND, NC 28465	BULLARD CIR	\$ 2,701.22
0541-07-4317-	DAVID & MARIE NEWTON	710 EMELINE AVE, FAYETTEVILLE, NC 28303	BULLARD CIR	\$ 2,701.22
0541-07-4449-	WILLIAM & MARTHA BENFIELD TRUSTEES	308 BULLARD CIR, FAYETTEVILLE, NC 28311	308 BULLARD CIR	\$ 2,701.22
0541-07-4660-	JAMES STEWART TRUSTEE	316 BULLARD CIR, FAYETTEVILLE, NC 28311	316 BULLARD CIR	\$ 2,701.22
0541-07-4960-	LEON & MELODY BROWN	4560 RUSTIC HAVEN, FAYETTEVILLE, NC 28311	BULLARD CIR	\$ 2,701.22
0541-07-5841-	JERRY & GENNIE ENNIS	215 DIAMOND POINT TRL, FAYETTEVILLE, NC 28311	215 DIAMOND POINT TRL	\$ 2,701.22
0541-07-7613-	DAVID & MARIE NEWTON	710 EMELINE AVE, FAYETTEVILLE, NC 28303	DIAMOND POINT TRL	\$ 2,701.22
0541-08-0096-	TIMOTHY & YEE SIMMONS	394 BULLARD CIR, FAYETTEVILLE, NC 28311	644 BULLARD CIR	\$ 2,701.22
0541-08-2008-	GEORGE MICHAEL DOUGLAS	360 BULLARD CIR, FAYETTEVILLE, NC 28311	360 BULLARD CIR	\$ 2,701.22
0541-08-2190-	DOROTHY DANIEL	340 BULLARD CIR, FAYETTEVILLE, NC 28311	647 BULLARD CIR	\$ 2,701.22
0541-08-3097-	DOROTHY DANIEL	340 BULLARD CIR, FAYETTEVILLE, NC 28311	340 BULLARD CIR	\$ 2,701.22

W. MARSHALL FAIRCLOTH
Chairman

GLENN B. ADAMS
Vice Chairman

JEANNETTE M. COUNCIL
KENNETH S. EDGE
CHARLES E. EVANS
JIMMY KEEFE
LARRY L. LANCASTER



CUMBERLAND
★ **COUNTY** ★
NORTH CAROLINA

BOARD OF COMMISSIONERS

ITEM NO. 3

CANDICE WHITE
Clerk to the Board

KELLIE BEAM
Deputy Clerk

MEMO FOR THE AGENDA OF THE MAY 5, 2016 FINANCE COMMITTEE MEETING

TO: FINANCE COMMITTEE
FROM: GLENN ADAMS, COMMISSIONER
DATE: APRIL 29, 2016
SUBJECT: DISCUSSION REGARDING A YOUTH MISDEMEANOR DIVERSION PROGRAM

Requested by: Commissioner Glenn Adams
Presenter(s): Commissioner Glenn Adams
Estimate of Committee Time Needed: 15 Minutes

BACKGROUND

North Carolina is one of only two states that continue to prosecute all 16 and 17 year olds charged with criminal offenses in the adult criminal justice system. This includes minor, misdemeanor offenses such as littering, disorderly conduct, underage drinking, shoplifting, etc. These charges are considered in the same setting as more serious "adult" criminal charges such as robbery, home invasions and drugs. Many times, minor incidents involving our 16 and 17 year olds are the result of immaturity, peer pressure or acting on impulse. Simply stated, teenagers oftentimes make dumb mistakes, not attributable to criminal intent.

However, all arrests/allegations in the adult legal system can have a lifelong negative impact for a young person, even if the case is diverted or dismissed. All charges will appear indefinitely on the youth's (adult) criminal record, regardless of what the disposition in court was. This can have severe collateral consequences that can be immediate or far reaching to the youth and their family. Beyond the immediate costs associated with prosecution, there is the risk of an immediate loss of driving privileges, loss of college admission or scholarships, denial of public benefits (including financial aid for college), or loss of/inability to attain professional licensure and future employment opportunities.

Further, the prosecution of such offenses involves significant law enforcement and court resources in processing the citation/arrest.

In response to this issue, Durham County has implemented a Youth Misdemeanor Diversion Program (MDP) that offers an alternative to prosecution for 16 and 17 year old first-time non-violent offenders committing misdemeanors (with the exception of firearms offenses, sex offenses and traffic matters). Instead of formal court processing, Durham has an incident report process that, at the discretion of law enforcement, provides a 90-day diversion to avoid a first arrest for low-risk youth in Durham County, thereby keeping them out of the adult criminal justice system.

Durham's MDP has proven successful in educating and rehabilitating youth who are facing a first-time non-violent misdemeanor charge. The project provides youth a second chance at a successful life, while also preventing the unintended, long lasting and far reaching consequences of an adult criminal record. From the perspective of law enforcement and the Court system, it has significantly decreased the time and resources involved in prosecuting these cases. Cumberland County could potentially achieve similar outcomes by implementing a youth MDP comparable to the Durham model for our 16 and 17 year olds. Local law enforcement and court officials are aware of this model and are in support of implementing the program in Cumberland County.

A Youth MDP Coordinator would be needed in order to administer this program and to provide case management for our youth participants. This would be a part-time role at the program's inception, with the potential of evolving into a full-time role, depending on work demands. While some upfront funding might be needed to support this part-time role, there may be opportunities for grant funding on a limited basis to support this function.

RECOMMENDATION

It is recommended that the Finance Committee:

- 1) Approve the concept of a Youth MDP for Cumberland County.
- 2) Direct staff to develop a strategy for implementing this program effective September 2016.

AMY H. CANNON
County Manager

JAMES E. LAWSON
Deputy County Manager



CUMBERLAND
★ **COUNTY** ★
NORTH CAROLINA

ITEM NO. 4
MELISSA C. CARDINALI
Assistant County Manager

W. TRACY JACKSON
Assistant County Manager

OFFICE OF THE COUNTY MANAGER

**MEMO FOR THE AGENDA OF THE
MAY 5, 2016 MEETING OF THE FINANCE COMMITTEE**

TO: FINANCE COMMITTEE

FROM: MELISSA C. CARDINALI, ASSISTANT COUNTY MANAGER

DATE: APRIL 27, 2016

SUBJECT: UPDATE ON CRIME LAB

Presenter(s): Ronnie Mitchell, Cumberland County Sheriff Office Legal Counsel

Estimated of Committee Time Needed: 10 Minutes

BACKGROUND

Mr. Mitchell will be presenting an update on the crime lab and associated statistics.

RECOMMENDATION

No action required, for informational purposes only.

AMY H. CANNON
County Manager

JAMES E. LAWSON
Deputy County Manager



CUMBERLAND
★ **COUNTY** ★
NORTH CAROLINA

ITEM NO. 5

MELISSA C. CARDINALI
Assistant County Manager

W. TRACY JACKSON
Assistant County Manager

OFFICE OF THE COUNTY MANAGER

**MEMO FOR THE AGENDA OF THE
MAY 5, 2016 MEETING OF THE FINANCE COMMITTEE**

TO: FINANCE COMMITTEE

FROM: MELISSA C. CARDINALI, ASSISTANT COUNTY MANAGER
mc

DATE: APRIL 27, 2016

SUBJECT: CONSIDERATION OF APPROVAL OF USE OF OUTSIDE COUNSEL
FOR PERSONNEL POLICIES

Presenter(s): Melissa C. Cardinali, Assistant County Manager

Estimated of Committee Time Needed: 10 Minutes

BACKGROUND

More than 18 months ago the County Finance and IS departments began the process of financial software implementation and conversion. While the transition to the new financial software will be complete in May, the transition to the payroll / human resources software has just begun.

In preparation of the payroll / human resources software implementation, a review of personnel policies was undertaken within the past year. Certain aspects of the software rely on policy to insure that payroll will be processed correctly for all employees. Therefore, it is imperative the appropriate policies are in place and in compliance with employment law as well as the local ordinance.

Employment law encompasses a myriad of ever-changing issues including, but not limited to, health care reform, same-sex marriage, anti-discrimination practices, as well as the Federal Labor Standards Act (FLSA). Engaging outside counsel in the area of employment law will facilitate this review and the related software implementation.

The law firm of Teague Campbell has successfully worked with Cumberland County in the specialized area of workers compensation. This relationship has been very positive for the County as the firm has steered us through numerous facilitations and mediations

while minimizing the financial impact of workers compensation claims. It is because of the proven track record with Teague Campbell that we once again seek to engage the firm.

The attached representation agreement represents an extremely conservative 'not to exceed' amount of \$10,000. This fee is based upon completely rewriting the County's policies, which is not anticipated at this time.

RECOMMENDATION

Staff recommends engaging the law firm of Teague Campbell to review proposed updates to the personnel policies for employment law compliance thus insuring software conversion is both timely and accurate. Staff further recommends a 'not to exceed' amount of \$10,000 for the engagement.

REPRESENTATION AGREEMENT

The terms of this Agreement, by and between Cumberland County, hereinafter referred to as "Client," and Teague, Campbell, Dennis & Gorham, L.L.P., hereinafter referred to as "Law Firm," are set forth as follows:

1. The Client hereby retains and employs the Law Firm to represent Cumberland County in connection with employment issues, and specifically in relation to review and revision of the Cumberland County Personnel Manual, which concern Cumberland County, and other related matters about which the Client may need to seek the advice and counsel of the Law Firm.
2. The fee for this representation will be based upon time spent by attorneys and staff of the Law Firm on the above-described matters. The Client agrees to pay the Law Firm for services to be rendered pursuant to this agreement, at the Law Firm's hourly rate for the actual time spent in this representation. The Law Firm's hourly rate for attorney services to the Client will range from \$200 for associates to \$225 for partners, and the hourly rate for paralegal services to the Client will be \$100. Additionally, the Client agrees to pay costs and expenses, if any, paid or incurred by the Law Firm for the Client in connection with this representation. The Law Firm will render paper statements at monthly intervals in increments of one tenth (1/10) of an hour for time expended providing services to the Client, which statements shall be due and payable on receipt.
3. In specific regard to the representation of Client on the review and revision of its Personnel Manual, it is expected that the maximum amount billed to the Client will be no more than \$10,000.00. Provided however, either party may agree in writing that more work is necessary such that more than \$10,000.00 may be billed.
4. The Law Firm will represent the Client promptly, efficiently, and zealously according to the highest legal and ethical standards. The Client shall have the right to terminate the services of the Law Firm at any time upon written notice to the Law Firm. The Law Firm shall also have the right to terminate its services at any time if the Law Firm determines that continuing services to the Client would be unethical, impractical, improper or otherwise undesirable. In the event of termination by the Client or the Law Firm, payment for legal services would be due through the termination date.

This the _____ day of April, 2016.

COUNTY OF CUMBERLAND, NC

By: _____
Assistant County Manager Melissa Cardinali

TEAGUE, CAMPBELL, DENNIS & GORHAM, L.L.P.

By: _____
Leslie Lasher



FINANCE OFFICE

4th Floor, Room No. 451, Courthouse • PO Box 1829 • Fayetteville, North Carolina 28302-1829
(910) 678-7753 • Fax (910) 323-6120

**MEMO FOR THE AGENDA OF THE MAY 5, 2016
MEETING OF THE FINANCE COMMITTEE**

TO: FINANCE COMMITTEE
FROM: VICKI EVANS, FINANCE DIRECTOR *VJE*
DATE: APRIL 29, 2016
SUBJECT: MONTHLY FINANCIAL REPORT

BACKGROUND

The fiscal year 2016 March year-to-date financial report is not yet available. Budget and finance staff have been heavily involved in working within the new Munis system. Fiscal updates will be shared during the budget presentation and the April year-to-date financial report will be presented during the June Finance Committee meeting.

RECOMMENDATION/PROPOSED ACTION

No action needed – for information purposes only.