
AGENDA
CUMBERLAND COUNTY BOARD OF COMMISSIONERS
COURTHOUSE - ROOM 118
NOVEMBER 20, 2017
6:45 PM

INVOCATION

PLEDGE OF ALLEGIANCE

Recognition of the Fayetteville Academy Boys Soccer Team - State 2-A Champions of the North Carolina Independent Schools Athletic Association

Introduction of Fayetteville-Cumberland Youth Council Members

Jordan Clayborn
Camrionna "Cammie" Corbett

PUBLIC COMMENT PERIOD

1. APPROVAL OF AGENDA
2. PRESENTATIONS
 - A. Presentation on Fayetteville State University's Comprehensive Integrated HIV Prevention Program
 - B. Presentation on the Cumberland County Child Abuse and Neglect Prevention Plan and Consideration of Resolution of Support
 - C. Presentation on Newly Designed County Website
3. CONSENT AGENDA
 - A. Approval of Minutes of the November 6, 2017 regular meeting
 - B. Approval of Proclamation Recognizing November 25, 2017 as Shop Small Saturday
 - C. Approval of Report on the Disposal of Surplus Property Pursuant to N.C.G.S.160A-2269a)
 - D. Approval of Proposed Additions to the State Secondary Road System
 - E. Approval of Employment Contract with Dr. Lauby
 - F. Approval of Budget Ordinance Amendments for the November 20, 2017 Board of Commissioners' Agenda
 - G. Approval of Cumberland County Facilities Committee Report and Recommendation(s)

1. County Group Home Facilities Utilization Plan
 2. Offer of Blue Sky LLC to Purchase a Parcel in the Cumberland Industrial Center
 3. Transfer of E. Newton Smith and Executive Place Facilities to Cumberland County Hospital System, Inc., d/b/a Cape Fear Valley Health System
 4. Cumberland County Facilities Committee Minutes - November 2, 2017
- H. Approval of Cumberland County Finance Committee Report and Recommendation(s)
1. Proposed New Clinical Services Fees
 2. Engaging Outside Legal Counsel for DSS Independent Contractor for Children's Services
 3. Cumberland County Finance Committee Minutes - November 2, 2017
- I. Approval of Cumberland County Policy Committee Report and Recommendation(s)
1. Resolution Supporting Ozone Advance Program
 2. Amendment to Personnel Ordinance
 3. Cumberland County Policy Committee Minutes - November 2, 2017
4. PUBLIC HEARINGS
- Uncontested Rezoning Cases
- A. Case P17-20
 - B. Case P17-41
5. ITEMS OF BUSINESS - **There are no Items of Business for this Meeting**
6. NOMINATIONS
- A. Cumberland County Home and Community Care Block Grant Committee (7 Vacancies)
7. APPOINTMENTS
- A. Cumberland County Juvenile Crime Prevention Council (2 Vacancies)
 - B. Cumberland County Workforce Development Board (2 Vacancies)
 - C. Farm Advisory Board (7 Vacancies)
 - D. Fayetteville Area Convention and Visitors Bureau Board of Directors (1 Vacancy)
 - E. Human Relations Commission (2 Vacancies)
 - F. Senior Citizens Advisory Commission (3 Vacancies)
 - G. Tourism Development Authority (1 Vacancy)
8. CLOSED SESSION:
- A. Economic Development Matter(s) Pursuant to NCGS 143.318.11(a)(4)
 - B. Attorney-Client Matter(s) Pursuant to NCGS 143.318.11(a)(3)

ADJOURN

WATCH THE MEETING LIVE

THIS MEETING WILL BE STREAMED LIVE THROUGH THE COUNTY'S WEBSITE, CO.CUMBERLAND.NC.US. LOOK FOR THE LINK AT THE TOP OF THE HOMEPAGE.

THE MEETING WILL ALSO BE BROADCAST LIVE ON FAYETTEVILLE/CUMBERLAND EDUCATIONAL TV (FCETV), SPECTRUM CHANNEL 5.

IT WILL BE REBROADCAST ON WEDNESDAY, NOVEMBER 22, AT 7:00 PM AND FRIDAY, NOVEMBER 24, AT 10:30 AM.

REGULAR BOARD MEETINGS:

**December 4, 2017 (Monday) – 9:00 AM
December 18, 2017 (Monday) – 6:45 PM
January 2, 2018 (Tuesday) - 9:00 AM**

**THE MEETING VIDEO WILL BE AVAILABLE AT
[YOUTUBE.COM/CUMBERLANDCOUNTYNC](https://www.youtube.com/cumberslandcountync)**



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NORTH CAROLINA

OFFICE OF THE COUNTY MANAGER

MEMORANDUM FOR BOARD OF COMMISSIONERS AGENDA OF NOVEMBER 20,
2017

TO: BOARD OF COUNTY COMMISSIONERS

FROM: AMY H. CANNON, COUNTY MANAGER

DATE: 11/9/2017

**SUBJECT: PRESENTATION ON FAYETTEVILLE STATE UNIVERSITY'S
COMPREHENSIVE INTEGRATED HIV PREVENTION PROGRAM**

BACKGROUND

Dr. Maurice Mongkuo, PI/Project Director for Fayetteville State University's Comprehensive Integrated HIV Prevention Program will be making a short presentation on the Comprehensive Integrated HIV Prevention Program at the November 20, 2017 Board of Commissioners meeting.

RECOMMENDATION / PROPOSED ACTION

Accept the report as presented.

ATTACHMENTS:

Description	Type
Comprehensive Integrated HIV Prevention Program	Presentation



**Fayetteville State University
MSI CBO HIV Prevention Program Project
Grant Number: SP021355-01**



PI/Project Director: Dr. Maurice Mongkuo

- **Program Activities & Community Collaborations**
Kelisha B. Graves, MA
Program Operations Manager
- **Program Outcomes & Goals**
Sigrid J. Crow, BS
Research Data and Quality Assurance Manager
- **Marketing Outreach & Environmental Intervention Strategy**
Tamri D. Graves, BS
Marketing Outreach Coordinator

**Cumberland County Board of Commissioners
November 20, 2017**

Program Activities & Collaborations For Year 3

MONTH	ACTIVITY
October 2017	<ul style="list-style-type: none"> • Bronco Bizarre (Organization fair) October 20th
December 2017	<ul style="list-style-type: none"> • World AIDS Day event – December 1st
February 2018	<ul style="list-style-type: none"> • National Black HIV/AIDS Awareness Day - February 7 • National Condom Day – February 14
March 2018	<ul style="list-style-type: none"> • National Women and Girls HIV/AIDS Awareness Day – March 10 • Healthy Lifestyles and HIV Prevention Awareness Event: Women’s and Girl Addition with guest speaker Dr. Mandy Hill from The University of Texas, Health Science Center at Houston – March 22
May 2018	<ul style="list-style-type: none"> • CIHPP & CHILL (movie night)
June 2018	<ul style="list-style-type: none"> • National HIV Testing Day (June 27th) (CBO Responsibility)
August 2018	<ul style="list-style-type: none"> • Bronco Kickoff 2018 Organization fair
September 2018	<ul style="list-style-type: none"> • CIHPP & Paint (health awareness forum and creative art night) • Funding Ends



PERCEPTIONS

- Campus Respondents
 - No significant changes
 - Increase in knowledge of HIV status
 - Decrease in unprotected sex
 - Need for strengthening perception of risk and confidence
- Community Respondents
 - Significant decrease in unprotected sex
 - Confidence measures increased significantly



NEXT STEPS

- Continue to address campus risky behaviors and confidence; leverage social media
- Continue to address community awareness, comfort and use of services
- Expand follow-up to track outcomes of HIV-positive referrals
- Address sustainability – partnerships with local agencies, access to services, message “inoculation”



Healthy Lifestyles & HIV Prevention Awareness Event: September 7-8, 2017

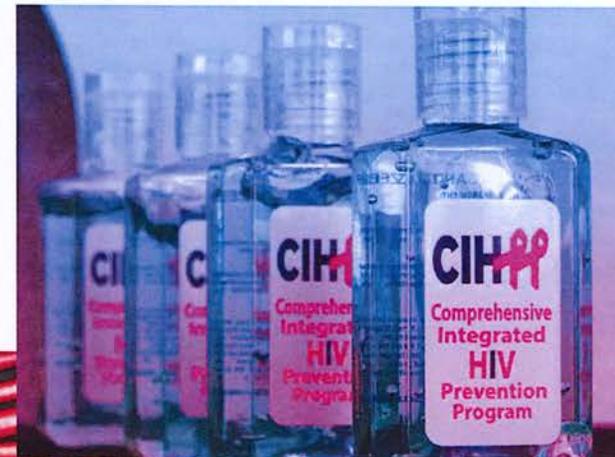
CIHPP aims to incorporate FSU's Fine Arts Department in all of our events.



CIHPP
Comprehensive Integrated
HIV Prevention Program
www.fsucihpp.com

Prevention Themed Promotional Items

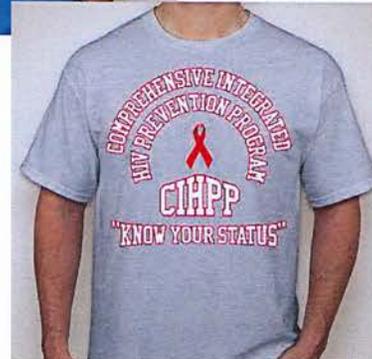
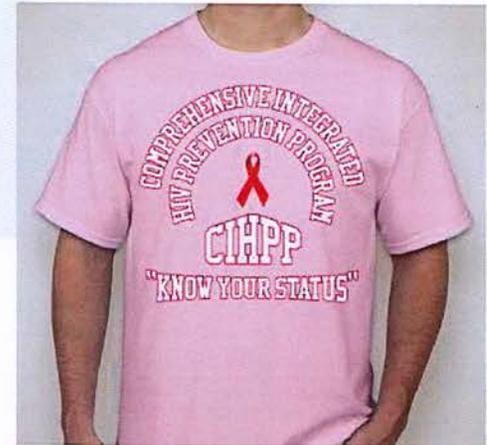
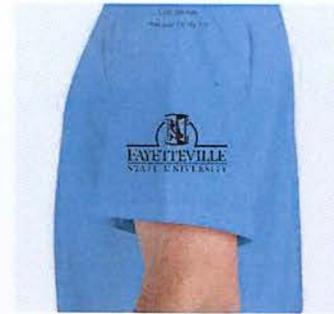
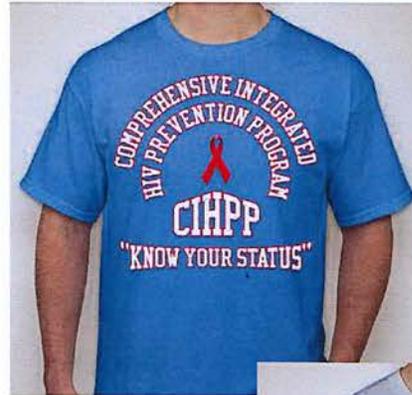
"Hey, where did you get that?! I want one too!"



CIHPP
Comprehensive Integrated
HIV Prevention Program
www.fsucihpp.com

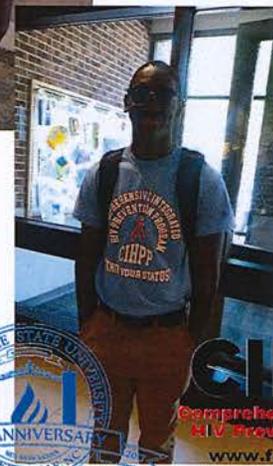
CIHPP Apparel

Hey where did you get that shirt?!"



CIHPP
Comprehensive Integrated
HIV Prevention Program
www.fsucihpp.com

FSU Students In CIHPP Apparel



FSU Administrators Support the CIHPP Program



Dr. Bertha
Miller!

Executive Assistant
to the Chancellor



CIHPP
Comprehensive Integrated
HIV Prevention Program
www.fsucihpp.com

We Provide Volunteer Opportunities To Our Students



We have 26 volunteers!



We Create An *Experience* For Our Volunteers & Offer Volunteer Hours!

VOLUNTEERS MAKE A HUGE DIFFERENCE - SIGN UP TODAY!



Interested in becoming a CIHPP Volunteer? Fill out the form below:

Fayetteville State University students from all walks of life and backgrounds are welcome to become volunteers for the Comprehensive Integrated HIV Prevention Program (CIHPP). Depending on your skills, availability, and interest, our goal is to provide the best fit for you as we help to educate and empower students and the larger community on HIV/AIDS, STD/STI and substance abuse prevention, testing, and care. The experience of volunteering can provide many rewards including learning new skills, receiving free training and education on HIV/AIDS, meeting new people, and knowing that you are helping to empower others to take control of their health and make better decisions.

Name *
 Email *
 Phone Number *
 Message *

Just to prove you are a human, please solve the equation: 14 + 10 = ?



CIHPP
 Comprehensive Integrated
 HIV Prevention Program
www.fsuqippp.com



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NORTH CAROLINA

OFFICE OF THE COUNTY MANAGER

MEMORANDUM FOR BOARD OF COMMISSIONERS AGENDA OF NOVEMBER 20,
2017

TO: BOARD OF COUNTY COMMISSIONERS

FROM: AMY H. CANNON, COUNTY MANAGER

DATE: 11/9/2017

**SUBJECT: PRESENTATION ON THE CUMBERLAND COUNTY CHILD ABUSE AND
NEGLECT PREVENTION PLAN AND CONSIDERATION OF RESOLUTION
OF SUPPORT**

BACKGROUND

The SOAR (S^trengthening Families Provide O^ptimal Child Development and R^educe Child Abuse and Neglect) Committee will be making a presentation at the November 20, 2017 Board of Commissioners Meeting.

Ms. Mary Sonnenberg, President of Partnership for Children of Cumberland County, Inc., Faith Boehmer, Child Advocacy Center Volunteer Coordinator/Prevention Coordinator, Melea Rose-Waters, Parent and Community Engagement Manager for Prevent Child Abuse NC, and Judge Robert Stiehl, Chief District Court Judge / SOAR Member will be presenting the Cumberland County Child Abuse and Neglect Prevention Plan.

The SOAR Committee is requesting consideration of a Resolution of Support to endorse the Community Child Abuse Prevention Plan.

RECOMMENDATION / PROPOSED ACTION

Accept the plan as presented and consider the Resolution of Support to endorse the Community Child Abuse Prevention Plan.

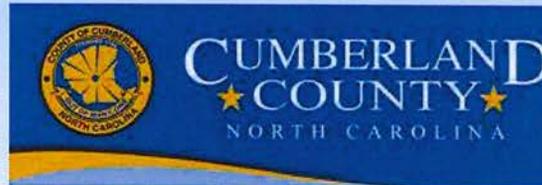
ATTACHMENTS:

Description

Type

Community Child Abuse Prevention Plan
Community Child Abuse Prevention Plan Endorsement -Resolution of Support
SOAR Letter to Cumberland County

Presentation
Resolution
Backup Material



Community Child Abuse Prevention Plan

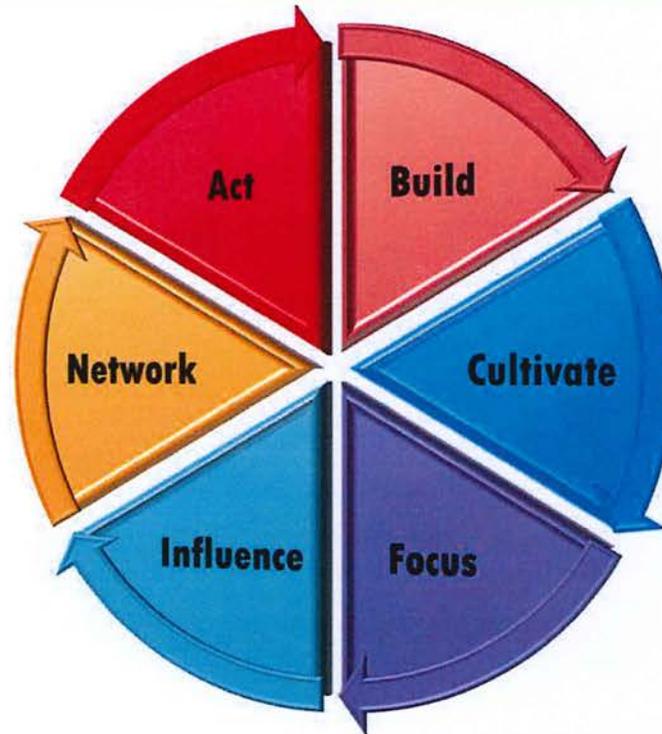
Presented to the Cumberland County
Board of County Commissioners
November 20, 2017



We want to make Cumberland County a safe and stable community where children are nurtured and families thrive

- Optimal Child Development
- Increased Family Strengths
- A Responsive Service System
- A Decrease in Child Abuse and Neglect

Community Child Abuse Prevention Plan



SOAR: Strengthen Families, Provide Optimal Child Development And Reduce Child Abuse and Neglect



Build A Nurturing Community

1. Collective Action Yields Collective Impact
2. A Mutually Reinforcing Plan of Action
3. Strengthening Families Protective Factors Framework



Cultivate And Expand Partnerships



SOAR: Strengthen Families, Provide Optimal Child Development And Reduce Child Abuse and Neglect



Focus on Protective Factors

Parental Resilience



Knowledge of Parenting and Child Development

Concrete Support in Times of Need



Social Connections



Social and Emotional Competence of Children



SOAR: Strengthen Families, Provide Optimal Child Development And Reduce Child Abuse and Neglect



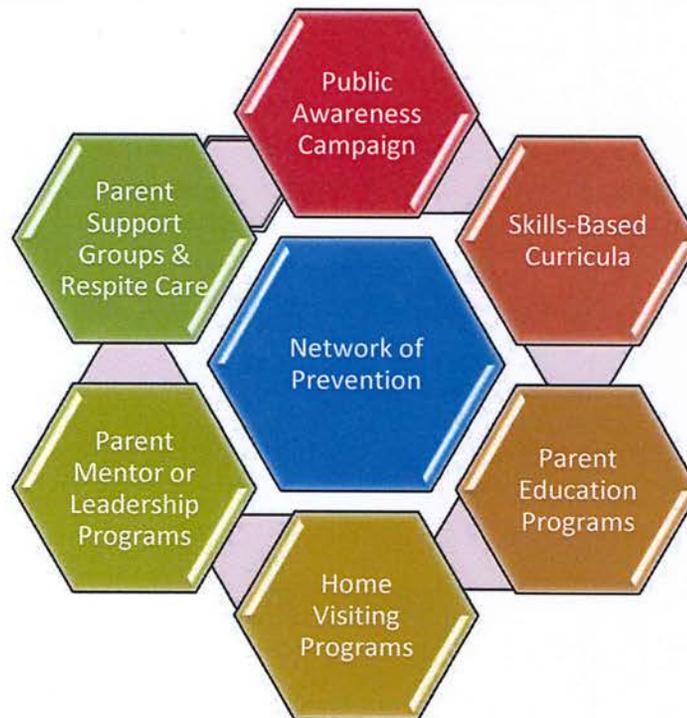
Influence Our Community



SOAR: Strengthen Families, Provide Optimal Child Development And Reduce Child Abuse and Neglect



Network with Prevention Partners



SOAR: Strengthen Families, Provide Optimal Child Development And Reduce Child Abuse and Neglect



Act Collectively Leading to . . .

- Optimal Child Development
- Increased Family Strengths
- A Responsive Service System
- A Decrease in Child Abuse and Neglect





Community Child Abuse Prevention Plan Resolution of Support

WHEREAS, multiple factors cause community problems; therefore, efforts to affect behavioral, environmental, and social change must be collaborative and multidimensional;

WHEREAS, adverse childhood experiences (ACEs) are traumatic experiences, such as abuse, neglect and household dysfunction, and can result in toxic stress and have a profound effect on a child's developing brain and body;

WHEREAS, protective factors serve as a buffer to prevent families from becoming "at risk" for abuse and neglect;

WHEREAS, multiple agencies provide services, resources and supports to parents, children and other family members;

WHEREAS, collaboration across governmental jurisdictions and across the public, private, and nonprofit sectors is needed to reinforce one another's work and investments;

WHEREAS, we can choose a course for change that will lead to the mutually reinforcing outcomes of optimal child development, increased family strengths, a responsive service system and a decrease in child abuse and neglect;

WHEREAS, there is a network of prevention partners ensuring access to evidence-based/informed prevention programs for children and their families all along the age continuum;

WHEREAS, our Community Child Abuse Prevention Plan is framed around Sound Science, Strong Families, and Stronger Services;

AND WHEREAS, the plan steers the efforts of prevention partners to be used as a vehicle for promoting community dialogue, problem-solving and planning at the local level;

NOW, THEREFORE, BE IT RESOLVED that the Cumberland County Board of Commissioners hereby endorses the Community Child Abuse Prevention Plan.

ENDORSED this the 20th day of November, 2017.

Signed:

Glenn B. Adams, Chairman
Cumberland County Board of Commissioners

Attest:

Candice H. White, Clerk to the Board



351 Wagoner Drive, Suite 200
Fayetteville, NC 28303
P 910-867-9700 / F 910-867-7772
ccpfc.org

OF CUMBERLAND COUNTY

To: Amy Cannon, Cumberland County Manager

From: S.O.A.R. (**S**trengthening Families Provide **O**ptimal Child Development **a**nd **R**educe Child Abuse and Neglect)

Date: 11/9/2017

The SOAR Committee requests to appear before the Cumberland County Commissioners on Monday, November 20, 2017. During this 6:45 pm meeting we will provide a brief overview of the Cumberland County Child Abuse and Neglect Prevention Plan and request your endorsement for this plan.

In 2013, Partnership for Children started conversations with community and regional stakeholders around the idea of developing and implementing a county wide Child Abuse and Neglect Prevention Plan. Out of these conversations, the SOAR committee was developed. After years of work, research, community surveys, etc., this group has developed the framework of a prevention plan.

This plan is only the beginning. The SOAR committee will continue to meet, review what is already in place as well as look to the future to see what needs we have in our community that are not being met and work towards meeting our community's needs to reduce child abuse and neglect in our community. The plan will be presented by Mary Sonnenberg, Melea Rose-Waters, Faith Boehmer, and Judge Robert Stiehl. The enclosed PowerPoint and handouts will be used during presentation.

PFC is a 501(c)(3) non-profit organization supported by public and private funds through Smart Start, NC Pre-K, tax-deductible donations, and grants.



Be the Driving Force.



OFFICE OF THE COUNTY MANAGER

**MEMORANDUM FOR BOARD OF COMMISSIONERS AGENDA OF NOVEMBER 20,
2017**

TO: BOARD OF COUNTY COMMISSIONERS

FROM: SALLY SHUTT, ASSISTANT COUNTY MANAGER

DATE: 11/14/2017

SUBJECT: PRESENTATION ON NEWLY DESIGNED COUNTY WEBSITE

BACKGROUND

The Public Information Office and Information Services Department have partnered to create a new County website, which was built in-house and uses content-management software that allows departments to update their information when needed.

The new site is easier for residents to use and designed for mobile phones and tablets. The presentation will introduce the website and spotlight several features.

RECOMMENDATION / PROPOSED ACTION

The presentation is provided for information only. No action is required.



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BOARD OF COMMISSIONERS' OFFICE

**MEMORANDUM FOR BOARD OF COMMISSIONERS AGENDA OF NOVEMBER 20,
2017**

TO: BOARD OF COUNTY COMMISSIONERS

FROM: CANDICE H. WHITE, CLERK TO THE BOARD

DATE: 11/20/2017

**SUBJECT: APPROVAL OF PROCLAMATION RECOGNIZING NOVEMBER 25, 2017 AS
SHOP SMALL SATURDAY**

BACKGROUND

Request was received for a proclamation recognizing Saturday, November 25, 2017 as **Shop Small Saturday** in Cumberland County.

RECOMMENDATION / PROPOSED ACTION

The Board of Commissioners is respectfully requested to consider approval of the proclamation.

ATTACHMENTS:

Description	Type
Proclamation Recognizing November 25, 2017 as Shop Small Saturday	Backup Material

Proclamation

WHEREAS, small businesses form the backbone of our local economy, generating jobs and improving the quality of life to citizens; and

WHEREAS, since the birth of our country, small businesses have represented opportunity, independence and the fulfillment of dreams for generations of Americans; and

WHEREAS, Small Business Saturday was first observed in the United States on November 27, 2010 and is a nationwide campaign to cultivate business for small merchants by following in the tradition of Black Friday and Cyber Monday, two of the busiest shopping days of the year; and

WHEREAS, Cumberland County supports the efforts of local small businesses and recognizes the critical role they play in our community; and

WHEREAS, Cumberland County joins the Greater Fayetteville Chamber in recognizing Small Business Saturday as a day to celebrate and support local small businesses that create jobs and boost the economy.

*NOW, THEREFORE, We, the Cumberland County Board of Commissioners, do hereby recognize Saturday, November 25, 2017 as **Shop Small Saturday** in Cumberland County and encourage our residents to support small businesses within our community by shopping these establishments on the Saturday following Thanksgiving.*

Adopted this 20th day of November, 2017.

*GLENN B. ADAMS, Chairman
Cumberland County Board of Commissioners*



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ENGINEERING AND INFRASTRUCTURE DEPARTMENT

MEMORANDUM FOR BOARD OF COMMISSIONERS AGENDA OF NOVEMBER 20,
2017

TO: BOARD OF COUNTY COMMISSIONERS

**FROM: JEFFERY P. BROWN, PE, ENGINEERING & INFRASTRUCTURE
DIRECTOR**

DATE: 11/9/2017

**SUBJECT: APPROVAL OF REPORT ON THE DISPOSAL OF SURPLUS PROPERTY
PURSUANT TO N.C.G.S.160A-2269A)**

BACKGROUND

On September 18, 2017, the Board of Commissioners declared several items that are outdated and are no longer used by the Print, Mail & Design Services Department surplus property and transferred the property to the Cumberland County School System for their use. The Cumberland County School System only elected to take two of the six items. The Print, Mail & Design Services Department desires to place the remaining four items on GovDeals to attempt to sell the items that have already been declared surplus property.

Since the disposal method of the property is changing from the original action taken by the Board of Commissioners on September 18th, the Board will need to approve County staff placing the remaining items on GovDeals for disposal.

RECOMMENDATION / PROPOSED ACTION

Staff recommends the Board of Commissioners adopt the attached report, allow staff to place the remaining items on GovDeals for disposal and duly record the report in the official minutes.

ATTACHMENTS:

Description

Print Shop Surplus Property Disposal

Type

Backup Material



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OFFICE OF THE COUNTY MANAGER

MEMORANDUM FOR BOARD OF COMMISSIONERS AGENDA OF NOVEMBER 20,
2017

TO: BOARD OF COUNTY COMMISSIONERS

FROM: AMY H. CANNON, COUNTY MANAGER

DATE: 11/13/2017

**SUBJECT: APPROVAL OF PROPOSED ADDITIONS TO THE STATE SECONDARY
ROAD SYSTEM**

BACKGROUND

The North Carolina Department of Transportation has received petitions requesting the following streets be placed on the State Secondary Road System for maintenance (see attached):

Upchurch Farm Subdivision:

- Homeland Drive
- Lion Heart Lane
- Bullsbay Court
- Ubet Place
- True Fews Circle

DOT has determined that the above streets are eligible for addition to the state system.

RECOMMENDATION / PROPOSED ACTION

NCDOT recommends that the above named streets be added to the State Secondary Road System. County Management concurs.

Approve the above listed streets for addition to the State Secondary Road System.

ATTACHMENTS:

Description

Department of Transportation - Secondary Road Addition

Type

Backup Material



STATE OF NORTH CAROLINA
DEPARTMENT OF TRANSPORTATION

ROY COOPER
GOVERNOR

JAMES H. TROGDON, III
SECRETARY

October 18, 2017

Mr. Glenn B. Adams
Chairman
Cumberland County Board of Commissioners
Post Office Box 1829
Fayetteville, North Carolina 28302

Subject: Secondary Road Addition

To Whom It May Concern:

This is in reference to a petition submitted to this office requesting street(s) in Cumberland County be placed on the State's Secondary Road System. Please be advised that these street(s) have been investigated and our findings are that the below listed street(s) are eligible for addition to the State System.

Upchurch Farm Subdivision

- Homeland Drive
- Lion Heart Lane
- Bullsbay Court
- Ubet Place
- True Fews Circle

It is our recommendation that the above named street(s) be placed on the State's Secondary Road System. If you and your Board concur in our recommendation, please submit a resolution to this office.

Sincerely,

A handwritten signature in blue ink, appearing to read "Janet James".

Janet James
Engineering Technician

Mailing Address:
NC DEPARTMENT OF TRANSPORTATION
DIVISION SIX / DISTRICT TWO
POST OFFICE BOX 1150
FAYETTEVILLE, NC 28302

Telephone: (910) 364-0601
Fax: (910) 437-2529
Customer Service: 1-877-368-4968

Website: www.ncdot.gov

Location:
600 SOUTHERN AVENUE
FAYETTEVILLE, NC 28306



OFFICE OF THE COUNTY ATTORNEY

**MEMORANDUM FOR BOARD OF COMMISSIONERS AGENDA OF NOVEMBER 20,
2017**

TO: BOARD OF COUNTY COMMISSIONERS

FROM: COUNTY ATTORNEY

DATE: 11/14/2017

SUBJECT: APPROVAL OF EMPLOYMENT CONTRACT WITH DR. LAUBY

BACKGROUND

Dr. Lauby has been employed as the Director of Animal Control since July 1, 2010. The conditions of his employment have included characteristics typically associated with a contracted employee. Section 10-83 of the Personnel Ordinance in place when Dr. Lauby was hired required that any contract for employment be approved by the Board of Commissioners. The current Personnel Ordinance also contains that requirement. Dr. Lauby has agreed to continue his employment through April, 2018, with the contract which is attached. The County Manager is satisfied with the terms of the contract. The Board has considered this matter in a prior closed session.

RECOMMENDATION / PROPOSED ACTION

The county attorney recommends that the Board approve the contract of employment with Dr. Lauby.

ATTACHMENTS:

Description

Copy of Employment Contract with Dr. Lauby

Type

Backup Material

NORTH CAROLINA

MEMORANDUM OF AGREEMENT

CUMBERLAND COUNTY

This AGREEMENT by and between John A. Lauby, Sr., (Lauby), and the County of Cumberland, (County), referred to hereinafter as Parties, is entered into October ____, 2017.

WITNESSETH:

WHEREAS, Lauby is and has been an employee of the County and Director of Animal Control for the County since July 1, 2010; and

WHEREAS, a dispute has arisen as to the status of Lauby and his employment with the County; and

WHEREAS, the Parties have agreed on a resolution to determine the agreement by and between the Parties so that all matters regarding the employment of Lauby by the County may be settled.

NOW, THEREFORE, for and in consideration of the mutual covenants set forth in in this Agreement, the sufficiency of which are hereby acknowledged, the Parties agree as follows:

1. Lauby, has since July 1, 2010, been an employee of the County Director of its Animal Control Department.
2. During the period of time Lauby has been employed with the County as the Director of Animal Control, he has not been paid certain raises or any benefits as a regular employee.
3. Lauby may have been entitled to receive those benefits as an employee and an agreement has been made between the Parties as to the amount that Lauby is to receive for past benefits that were not paid.
4. Lauby, Sr., is to receive the sum of \$38,000.00 which represents the negotiated compromise of payments he may have been due and that this negotiated amount is considered payment in full of any past benefits he may have been due and any benefits he will forego for the remainder of his employment with the County. One-half of this amount will be paid within a reasonable time of the execution of this agreement and the other half shall be paid at the end of April, 2018.
5. Lauby will continue to be employed as the Director of the Animal Control Department until the end of April, 2018. During that time Lauby will be paid his current salary and shall not receive any employee benefits.
6. Lauby agrees that he will work a minimum of 24 hours per week during the period of time he remains employed with the County.

7. Lauby will be considered a contract employee for the period of time between the date of this instrument and the last day of April, 2018.

8. During the remainder of the term of his employment, Lauby will not be involved in the hiring or selection of the Animal Enforcement Supervisor, the Animal Shelter Supervisor, or the Deputy Animal Services Director/Trainer and that that selection will be made by the County through its servants, agents and employees, to include the HR Department and county management. However, Lauby shall still have the authority to hire and fire those other employees who are directly under him in the operation of the Animal Control Department.

9. During the remainder of the term of Lauby's employment as the Director of the Animal Control Department, the Animal Control Department shall still be under the supervision of Tracy Jackson or such person as the County Manager may designate in lieu of Mr. Jackson.

10. It is further stipulated and agreed, however, that neither Mr. Jackson nor any other management supervisor assigned by the County Manager to supervise the Animal Control Department will attempt to directly instruct or direct employees of the Animal Control Department but shall, instead, take management's concerns with regard to the operation of the Department to Lauby, as the Director, to implement such changes as may be required during the term of this contractual agreement which shall terminate the last day of April, 2018.

11. That each of the Parties acknowledges and affirms that this Memorandum of Agreement contains the entire Agreement between the Parties, that no promise, inducement or agreement not herein expressed has been made to either of the Parties, and each Party does herein acknowledge and agree that this Agreement may not be modified except by written agreement signed by each of them.

This Memorandum of Agreement is herewith approved by the Board of Commissioners October _____, 2017, to be executed by the Parties in duplicate originals.

County of Cumberland:
By:

Glenn B. Adams, Chair
Board of Commissioners

John A Lauby, Sr.



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NORTH CAROLINA

BUDGET DIVISION

MEMORANDUM FOR BOARD OF COMMISSIONERS AGENDA OF NOVEMBER 20,
2017

TO: BOARD OF COUNTY COMMISSIONERS

FROM: MELISSA CARDINALI, ASSISTANT COUNTY MANAGER

DATE: 11/13/2017

**SUBJECT: APPROVAL OF BUDGET ORDINANCE AMENDMENTS FOR THE
NOVEMBER 20, 2017 BOARD OF COMMISSIONERS' AGENDA**

BACKGROUND

General Fund 101

1) Mental Health Other - Budget Ordinance Amendment B180143 to move \$2,160,841 of FY18 mental health funding to fund balance.

The Board is requested to approve Budget Ordinance Amendment B180143 in the amount of \$2,160,841. This represents available County fund balance held by Alliance Behavioral Health as of June 30, 2017. The County is opting to pay Alliance Behavioral Health (ABH) \$2,639,159 and require ABH to use County funds it is holding in the amount of \$2,160,841 to fulfill total mental health funding of \$4,800,000.

Please note this amendment reduces fund balance appropriated and assigns these funds for future mental health expenditures.

Eastover Sanitary District Fund 620

2) Eastover Sanitary District - Budget Ordinance Amendment B181120 to recognize the reimbursement from the Town of Eastover in the amount of \$50,496 to pave the Ballpark Road.

The Board is requested to approve Budget Ordinance Amendment B181120 to recognize reimbursement from the Town of Eastover in the amount of \$50,496 for the paving of Ballpark Road.

Please note this amendment requires no additional county funds.

REGARDING ITEM 3 PLEASE NOTE:

Each fiscal year County departments may have projects that are not complete by the fiscal year end (6/30/17) or items ordered that have not been received by fiscal year end. These projects or items were approved in the Fiscal Year 2017 budget; however, the money was not spent by June 30, 2017.

The following amendments seek to bring those funds forward from FY 2017 into the current fiscal year, allowing departments to complete and pay for these items. These revisions are not using ‘new’ funds, but are recognizing the use of FY17 funds in FY18.

General Fund 101

3) Sheriff’s Office - Budget Ordinance Amendment B180333 to bring FY17 funds forward in the amount of \$37,244 for a vehicle.

The Board is requested to approve Budget Ordinance Amendment B180333 to bring FY17 funds forward in the amount of \$37,244. This is for a vehicle that was ordered prior to June 30, 2017, but was not received until FY18. Therefore, funding is requested to be carried forward so the invoice can be paid in FY18.

Contingency Funds Report – FY18

The County Manager approved the following use of contingency funds.

- \$13,668 was used to cover the cost of relocating the Pretrial Department to 412 West Russell Street.

RECOMMENDATION / PROPOSED ACTION

Approve Budget Ordinance Amendments



CUMBERLAND
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NORTH CAROLINA

DEPARTMENT OF SOCIAL SERVICES

MEMORANDUM FOR BOARD OF COMMISSIONERS AGENDA OF NOVEMBER 20,
2017

TO: BOARD OF COUNTY COMMISSIONERS

FROM: BRENDA R. JACKSON

DATE: 11/13/2017

SUBJECT: COUNTY GROUP HOME FACILITIES UTILIZATION PLAN

BACKGROUND

The Group Care Program addresses issues and other identified problems by providing youth & their parents or caregivers with a 24-hour program designed to strengthen their relationships. Right Track (boys) and Safe Landing (girls) Group Homes were created in Cumberland County through the use of Juvenile Crime Prevention Council, state/federal foster care and county funds to assist in addressing these needs in the community. The target population is youth aged 13-17 years and their families. The program works closely with Juvenile Court Counselors, Juvenile Assessment Centers, Mental Health professionals, DSS, Schools, Communicare and NC Dept. of Juvenile Justice affiliated programs. Both group homes are Community-Based Alternative facilities, licensed by NC Department of Health and Human Services.

A presentation was made at the November 2, 2017 Facilities Committee Meeting. This was a follow-up to the September 7, 2017 discussion about improving the effectiveness and efficiency of group home services and properties. Based on utilization of current facilities, staff believes there are advantages to combining group home placements into one facility. Over the past year there has been a steady decline in the number of referrals received for the group home placements for girls. The home is licensed for six youths. There is an average of two youth in the girls group home per month. The boys group home maintains consistent occupancy.

The Facilities Committee unanimously approved to combine the current boy's facility with the girl's facility at Safe Landing to create one unisex group home effective July 1, 2018, pursuant to formal approval in the Juvenile Crime Prevention Council (JCPC) budget process which is anticipated to be completed in early 2018.

RECOMMENDATION / PROPOSED ACTION

We request that the Board of Commissioners adopt the recommendation of the Facilities Committee and approve the combining of the current boy's facility with the girl's facility at Safe Landing to create one unisex group home effective July 1, 2018, pursuant to formal approval in the Juvenile Crime Prevention Council (JCPC) budget process which is anticipated to be completed in early 2018.

ATTACHMENTS:

Description	Type
Condensed Budget Information	Backup Material

DSS Group Care

General Operation Budget - Preliminary Projections

October 27, 2016

Cost of Operations: FY18	Current 2 Group Homes		
Total Expenses		\$	725,833.00
Total Revenue (Includes State/Federal, In-Kind, County Match)		\$	541,288.00
Additional County Dollars		\$	184,545.00
Total County Dollars		\$	257,227.00

Cost of Operations: FY19	Safe Landing - Unisex Group Home	6 Males and 2 Females	
Total Expenses *			\$ 763,820.00
Total Revenue (Includes State/Federal, In-Kind, County Match)			\$ 541,288.00
Additional County Dollars			\$ 222,532.00
Total County Dollars			\$ 295,214.00

**Includes one time cost of \$35,000 to renovate to accomadate unisex facilities*

**Includes increases in salary and fringe costs*

Cost of Operations: FY19	Right Track - Hold Facility		
Total Expenses		\$	3,932.00
Total Revenue (Includes State/Federal, In-Kind, County Match)		\$	-
Additional County Dollars		\$	3,932.00
Total County Dollars		\$	3,932.00

Minimal expenses for utilities, security, pest control, and annual inspections



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OFFICE OF THE COUNTY ATTORNEY

MEMORANDUM FOR BOARD OF COMMISSIONERS AGENDA OF NOVEMBER 20,
2017

TO: BOARD OF COUNTY COMMISSIONERS

FROM: COUNTY ATTORNEY

DATE: 11/14/2017

**SUBJECT: OFFER OF BLUE SKY LLC TO PURCHASE A PARCEL IN THE
CUMBERLAND INDUSTRIAL CENTER**

BACKGROUND

Blue Sky LLC has made an offer of \$10,000 to purchase the parcel described as Outparcel "A" on the plat of the Cumberland Industrial Center recorded in Plat Book 68 at page 13 in the Office of the Register of Deeds. A copy of the relevant portion of the recorded plat is attached. The parcel lies in the intersection of Tom Starling Road and Research Drive. It is a narrow parcel approximately 75' in width and 700' in length lying between Research Drive and the property of McCune Technology, Inc. The recorded plat identifies it as "undevelopable at current standards."

The parcel is identified in the tax records with Parcel ID 0423-99-5861. It is assessed as commercial property with an assessment rate of 0.49 per square foot and a total assessed value of \$25,203.

Signage for the Cumberland Industrial Center is located on the parcel near the street intersection. The buyer has agreed to accept the property subject to a signage easement. The buyer has also been informed that the sale must be subject to the upset bid process.

At its meeting November 2, 2017, the Facilities Committee recommended approval of this sale subject to the following conditions:

- (1) a determination that property is not needed for governmental purposes;
- (2) the reservation of a signage easement deemed sufficient by the county engineer to maintain and replace the signage;
- (3) the liability for ad valorem taxes set out in G.S. §105-285(d); and

(4) the upset bid process set out in G.S. §160A-269.

RECOMMENDATION / PROPOSED ACTION

County attorney recommends approval of the recommendation of the Facilities Committee.

ATTACHMENTS:

Description

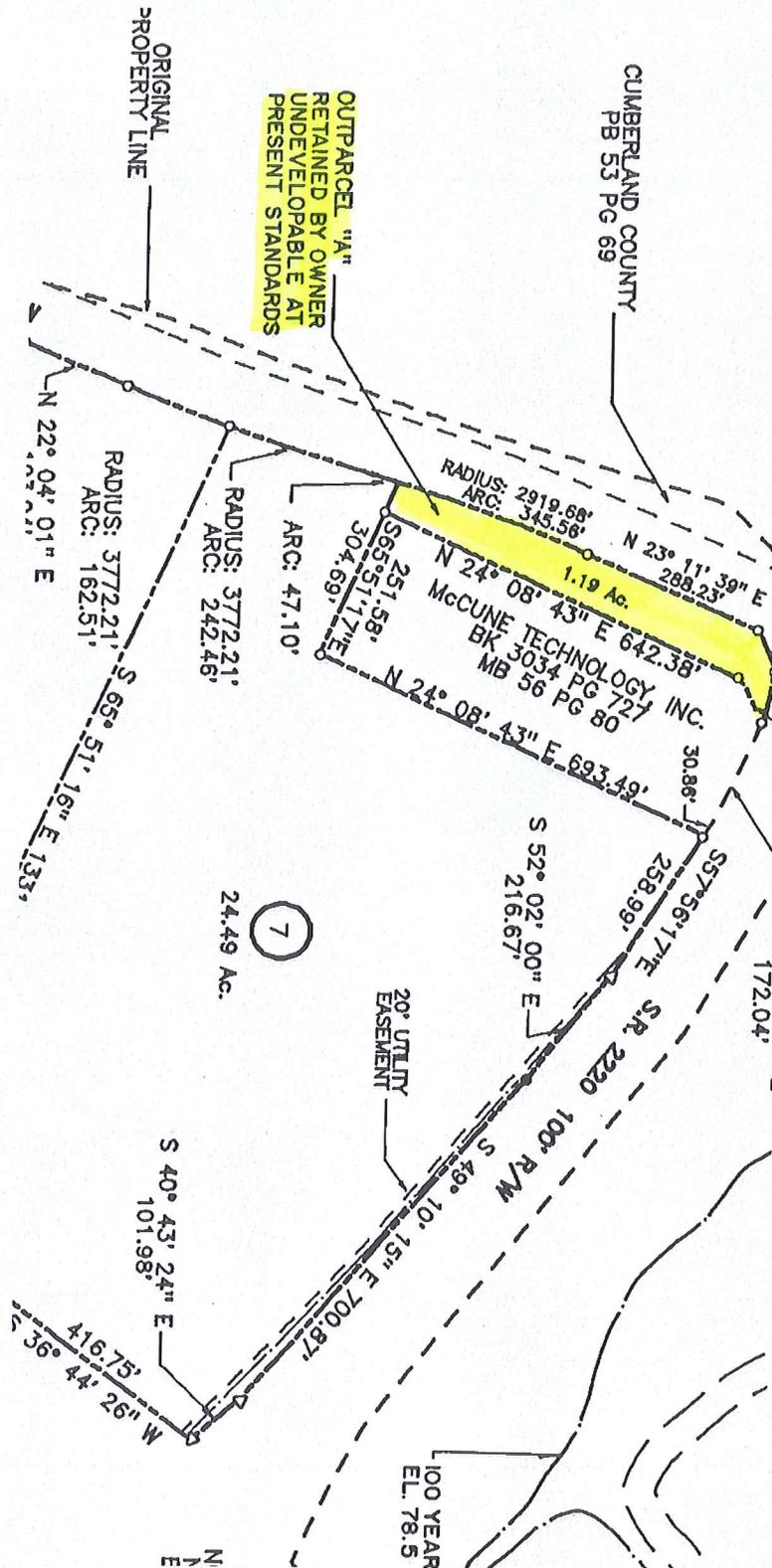
Portion of Plat Book 68-13

Type

Backup Material

PORTION OF PLAT RECORDED IN PLAT BOOK 68 AT PAGE 13

Cumberland Industrial Center, Section I





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OFFICE OF THE COUNTY ATTORNEY

MEMORANDUM FOR BOARD OF COMMISSIONERS AGENDA OF NOVEMBER 20,
2017

TO: BOARD OF COUNTY COMMISSIONERS

FROM: COUNTY MANAGER AND COUNTY ATTORNEY

DATE: 11/14/2017

**SUBJECT: TRANSFER OF E. NEWTON SMITH AND EXECUTIVE PLACE FACILITIES
TO CUMBERLAND COUNTY HOSPITAL SYSTEM, INC., D/B/A CAPE FEAR
VALLEY HEALTH SYSTEM**

BACKGROUND

Cape Fear Valley Health System, the “Hospital,” needs additional space to accommodate its new residency program. The Hospital currently leases approximately half of the County’s office building at 711 Executive Place for \$108,762 annually and the fourth floor of the E. Newton Smith building for \$94,555 annually. Both of these facilities are sufficient for the Hospital’s uses for the residency program and other hospital functions. The County’s employee pharmacy and the Board of Elections occupy the first floor of the E. Newton Smith building. The remaining portion of the Executive Place office building is leased to Alliance Behavioral Health Care for \$225,848 annually. Alliance has the right to lease its space until December 31, 2023. There is a separate, small office building at Executive Place occupied by the County’s Community Development Department and Senior Community Service Employment Program.

County and Hospital management are engaged in on-going discussions of the transfer of these two facilities to the Hospital. The conveyance of county-property to a non-profit hospital corporation is governed by G. S. §131E-8. This would be the same type of transfer that was done with the 2006 Transfer Agreement when the county-owned hospital property was transferred to the Hospital; however, the continued occupancy of portions of these facilities by County Departments and a commercial tenant present an issue that must be addressed to comply with the statutory restrictions.

To assure statutory compliance, the county manager and county attorney recommend the County pursue an agreement with the Hospital as follows:

(1) The E. Newton Smith building be transferred to the Hospital pursuant to G.S. §131E-8, subject to the reservation of a leasehold interest to the County for its continued use and occupancy of the first floor for

County's governmental purposes for a term not to exceed 90 years, with the Hospital to be responsible for all maintenance including the first floor.

(2) The entire parcel at Executive Place be transferred to the Hospital pursuant to G.S. §131E-8 at such time as the Alliance lease terminates with the County to continue to maintain the property and the Hospital to continue to pay rent pursuant to its lease.

(3) The transfer of the Executive Place parcel would be subject to the reservation of a leasehold interest to the County for its continued use and occupancy of the separate, small office building for County's governmental purposes for a term not to exceed 90 years, with the County to be solely responsible for all maintenance of that building.

Once all the details are finalized the agreement must be reviewed by bond counsel to determine whether there are any further limitations to the transaction arising from the use of tax-exempt financing for the acquisition or construction of the facilities.

At its meeting November 2, 2017, the Facilities Committee recommended the transfer of these facilities to the Hospital in accordance with the conditions stated above and directed the county attorney to develop a formal agreement with the Hospital for this purpose.

RECOMMENDATION / PROPOSED ACTION

County manager and county attorney recommend the Board approve the action of the Facilities Committee.



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BOARD OF COMMISSIONERS' OFFICE

MEMORANDUM FOR BOARD OF COMMISSIONERS AGENDA OF NOVEMBER 20,
2017

TO: BOARD OF COUNTY COMMISSIONERS

FROM: KELLIE BEAM, DEPUTY CLERK TO THE BOARD

DATE: 11/15/2017

**SUBJECT: CUMBERLAND COUNTY FACILITIES COMMITTEE MINUTES -
NOVEMBER 2, 2017**

BACKGROUND

The draft minutes of the November 2, 2017 meeting of the Cumberland County Facilities Committee are attached for review.

RECOMMENDATION / PROPOSED ACTION

No action required.

ATTACHMENTS:

Description

November 2 2017 Facilities Committee Minutes

Type

Minutes

DRAFT

CUMBERLAND COUNTY FACILITIES COMMITTEE
JUDGE E. MAURICE BRASWELL CUMBERLAND COUNTY COURTHOUSE
117 DICK STREET, 5TH FLOOR, ROOM 564
NOVEMBER 2, 2017 - 8:15 A.M.
SPECIAL MEETING MINUTES

MEMBERS PRESENT: Commissioner Glenn Adams
 Commissioner Jeannette Council
 Commissioner Larry Lancaster

OTHER COMMISSIONERS PRESENT:
 Commissioner Jimmy Keefe
 Commissioner Michael Boose

OTHERS PRESENT: Amy Cannon, County Manager
 Melissa Cardinali, Assistant County Manager
 Tracy Jackson, Assistant County Manager
 Sally Shutt, Assistant County Manager
 Duane Holder, Assistant County Manager
 Rick Moorefield, County Attorney
 Jeffery Brown, Engineering & Infrastructure Director
 Deborah Shaw, Budget Analyst
 Heather Harris, Budget Analyst
 Geneve Mankel, Communications & Outreach Coordinator
 Claudia Sievers, Graphic Design Information Specialist
 Jon Soles, Public Information Specialist
 Shamon Larson, IS Applications Manager
 Erwin Kelly, IS Applications Analyst
 Keith Todd, Information Services Director
 Ellen Hancox, Trial Court Administrator
 Julean Self, Human Resources Director
 Brenda Jackson, Social Services Director
 Kim Barefoot, DSS Finance
 Vicki Evans, Finance Director
 Ivonne Mendez, Financial Specialist
 Judge Robert Stiehl, District Court Judge
 Jeremy Agard, Fayetteville Swampdogs
 John Nalbone, Department of Social Services
 Candice White, Clerk to the Board
 Kellie Beam, Deputy Clerk to the Board
 Press

Commissioner Glenn Adams called the meeting to order.

DRAFT

1. APPROVAL OF MINUTES – OCTOBER 5, 2017 REGULAR MEETING

MOTION: Commissioner Lancaster moved to approve the minutes as presented.

SECOND: Commissioner Council

VOTE: UNANIMOUS (3-0)

2. CONSIDERATION OF OFFER OF BLUE SKY LLC TO PURCHASE A PARCEL IN THE CUMBERLAND INDUSTRIAL CENTER

BACKGROUND:

Blue Sky LLC has made an offer of \$10,000 to purchase the parcel described as Outparcel “A” on the plat of the Cumberland Industrial Center recorded in Plat Book 68 at page 13 in the Office of the Register of Deeds. The parcel lies in the intersection of Tom Starling Road and Research Drive. It is a narrow parcel approximately 75’ in width and 700’ in length lying between Research Drive and the property of McCune Technology, Inc. The recorded plat identifies it as “undevelopable at current standards.”

The parcel is identified in the tax records with Parcel ID 0423-99-5861. It is assessed as commercial property with an assessment rate of 0.49 per square foot and a total assessed value of \$25,203.

Signage for the Cumberland Industrial Center is located on the parcel near the street intersection. The buyer has agreed to accept the property subject to a signage easement. The buyer has also been informed that the sale must be subject to the upset bid process.

RECOMMENDATION/PROPOSED ACTION:

The county attorney advises that acceptance of this offer must be made subject to the following conditions:

- (1) a determination that property is not needed for governmental purposes;
- (2) the reservation of a signage easement deemed sufficient by the county engineer to maintain and replace the signage;
- (3) the liability for ad valorem taxes set out in G.S. § 105-285(d); and
- (4) the upset bid process set out in G.S. § 160A-269.

Rick Moorefield, County Attorney, reviewed the background information and recommendation as recorded above. Mr. Moorefield stated since this is not an economic development matter it would be subject to the upset bid process.

MOTION: Commissioner Lancaster moved to recommend to the full board approval to accept the offer from Blue Sky LLC to purchase the parcel listed above subject to the following conditions:

DRAFT

- (1) a determination that property is not needed for governmental purposes;
- (2) the reservation of a signage easement deemed sufficient by the county engineer to maintain and replace the signage;
- (3) the liability for ad valorem taxes set out in G.S. § 105-285(d); and
- (4) the upset bid process set out in G.S. § 160A-269.

SECOND: Commissioner Council

VOTE: UNANIMOUS (3-0)

3. CONSIDERATION OF TRANSFER OF E. NEWTON SMITH AND EXECUTIVE PLACE FACILITIES TO CUMBERLAND COUNTY HOSPITAL SYSTEM, INC. D/B/A/ CAPE FEAR VALLEY HEALTH SYSTEM

BACKGROUND:

Cape Fear Valley Health System, the “Hospital,” needs additional space to accommodate its new residency program. The Hospital currently leases approximately half of the County’s office building at 711 Executive Place for \$108,762 annually and the fourth floor of the E. Newton Smith building for \$94,555 annually. Both facilities are sufficient for the Hospital’s use for the residency program and other hospital functions. The County’s employee pharmacy and the Board of Elections occupy the first floor of the E. Newton Smith building. The remaining portion of the Executive Place office building is leased to Alliance Behavioral Health Care for \$225,848 annually. Alliance has the right to lease its space until December 31, 2023. There is a separate, small office building at Executive Place occupied by the County’s Community Development Department and Senior Community Service Employment Program.

County and Hospital management are engaged in on-going discussions of the transfer of these two facilities to the Hospital. The conveyance of county-property to a non-profit hospital corporation is governed by G.S. § 131E-8. This would be the same type of transfer that was done with the 2006 Transfer Agreement when the county-owned hospital property was transferred to the Hospital; however; the continued occupancy of portions of these facilities by County Departments and a commercial tenant present an issue that must be addressed to comply with the statutory restrictions.

To assure statutory compliance, the county manager and county attorney recommend the County pursue an agreement with the Hospital as follows:

- (1) The E. Newton Smith building be transferred to the Hospital pursuant to G.S. § 131E-8, subject to the reservation of a leasehold interest to the County for its continued use and occupancy of the first floor for County’s governmental purposes for a term not to exceed 90 years, with the Hospital to be responsible for all maintenance including the first floor.

DRAFT

- (2) The entire parcel at Executive Place be transferred to the Hospital pursuant to G.S. § 131E-8 at such time as the Alliance lease terminates with the County to continue to maintain the property and the Hospital to continue to pay rent pursuant to its lease.
- (3) The transfer of the Executive Place parcel would be subject to the reservation of a leasehold interest to the County for its continued use and occupancy of the separate, small office building for County's governmental purposes for a term not to exceed 90 years, with the County to be solely responsible for all maintenance of that building.

Once all the details are finalized the agreement must be reviewed by bond counsel to determine whether there are any further limitations to the transaction arising from the use of tax-exempt financing for the acquisition or construction of the facilities.

RECOMMENDATION/PROPOSED ACTION:

County Manager and County Attorney ask the Facilities Committee to recommend the transfer of these facilities to the Hospital and direct the County Attorney develop a formal agreement with the Hospital for this purpose.

Amy Cannon, County Manager, reviewed the background information and recommendation as recorded above. Ms. Cannon stated she had been working with Mr. Moorefield the County Attorney on this item.

Ms. Cannon stated the new Public Health facility was completed in 2010 and the County researched what to do with the former Public Health facility at that time. Ms. Cannon further stated the County approached the hospital in 2010 but at that time the hospital did not have a need for a building that size. Ms. Cannon stated with the implementation of the residency program the hospital is now in need of additional classroom space and has sought assistance from the state and the county. Ms. Cannon stated she has met with the CEO of Cape Fear Valleys several times to find ways the county can support the residency program and their need for additional space.

Ms. Cannon stated she asked the County Attorney Rick Moorefield to look at the legal side of the transfer of buildings to the hospital and they have jointly developed a recommendation for the board to consider.

MOTION: Commissioner Lancaster moved to recommend to the full board approval of the recommendation of the County Manager and the County Attorney to transfer the facilities listed above to the Hospital and direct the County Attorney to develop a formal agreement with the Hospital for this purpose.

SECOND: Commissioner Council

VOTE: UNANIMOUS (3-0)

DRAFT

4. PRESENTATION ON J.P. RIDDLE STADIUM IMPROVEMENTS AND LEASE EXTENSION

BACKGROUND:

Jeremy Aagard, General Manager for the Swampdogs, along with the team owner, Lou Handelsman, reached out to County staff requesting that the County make capital improvements to J.P. Riddle Stadium that would enhance the fan experience. In exchange, the Swampdogs are willing to execute a four-year lease with the County with the ability to extend the lease for an additional term of four years, provided, however the parties can negotiate various terms in the agreement. Renegotiating the terms of the lease agreement with the Swampdogs may allow them to stay in Fayetteville and continue to utilize the J.P. Riddle stadium.

The Swampdogs are interested in addressing the following items in the existing lease that expires on December 31, 2017:

- Rent and concessions payment percentage.
- Cap of twenty (20) non-Coastal Plain League (CPL) events that the Swampdogs have the ability to schedule at the stadium.
- HVAC system maintenance for the Club Office and telephone services for the clubhouse and office.

The Swampdogs are also interested in the following improvements:

- Replace the existing scoreboard with a video scoreboard \$230,000
- Upgrade the existing marquee sign to digital LED \$22,000

Funding identified for improvements to the E. Newton Smith facility as part of the installment financing may be redirected to fund these requested improvements.

RECOMMENDATION/PROPOSED ACTION:

Staff is seeking permission to negotiate the terms of a new lease agreement with the Swampdogs and bring back to the Facilities Committee.

Tracy Jackson, Assistant County Manager, reviewed the background information and recommendation as recorded above. Mr. Jackson stated the Swampdogs approached the County about discussing the terms of their contract. Ms. Cannon stated Management is seeking guidance on whether the board is willing to entertain an extension of the J.P. Riddle Stadium lease with some capital improvements.

Chairman Adams stated everything the Swampdogs have proposed will cost the County additional money. Chairman Adams stated he does not believe the committee can make this kind of decision on spending this kind of money in an hour. Chairman Adams further stated he would like to have staff gather additional information and have a special meeting to further discuss this issue. Commissioner Keefe stated he would like Management to provide a copy of the J.P. Riddle Stadium lease to the board before a

DRAFT

decision is made. Commissioner Council agreed with Commissioner Keefe and stated she needs more information regarding the funding amounts.

The consensus of the Facilities Committee was for Management to gather all the necessary information to include the J.P. Riddle Stadium lease and schedule a special meeting of the Facilities Committee within the next two or three weeks. No action taken.

5. PRESENTATION ON COUNTY GROUP HOME FACILITIES

BACKGROUND:

The Group Care Program addresses issues and other identified problems by providing youth & their parents or caregivers with a 24-hour program designed to strengthen their relationships. Right Track (boys) and Safe Landing (girls) Group Homes were created in Cumberland County by Juvenile Crime Prevention Council, state/federal foster care and county funds to assist in addressing these needs in the community. The target population is youth aged 13-17 years and their families. The program works closely with Juvenile Court Counselors, Juvenile Assessment Centers, Mental Health professionals, DSS, Schools, Communicare and NC Dept. of Juvenile Justice affiliated programs. Both group homes are Community-Based Alternative facilities, licensed by NC Department of Health and Human Services.

Today's presentation is a follow-up to the September 7, 2017 discussion about improving the effectiveness and efficiency of group home services and properties. Based on utilization of current facilities, staff believes there are advantages to combining group home placements into one facility. Over the past year there has been a steady decline in the number of referrals received for the group home placements for girls. The home is licensed for six youth. There is an average of two youth in the girls group home per month. The boys group home maintains consistent occupancy.

RECOMMENDATION/PROPOSED ACTION:

Staff requests approval to combine the current boy's facility with the girl's facility at Safe Landing to create one unisex group home effective July 1, 2018, pursuant to formal approval in the Juvenile Crime Prevention Council (JCPC) budget process which is anticipated to be completed in early 2018.

Brenda Jackson, Department of Social Services Director, reviewed the background information and recommendation as recorded above. Ms. Jackson reviewed additional information regarding the boys and girls group homes and provided funding information.

Commissioner Keefe asked what other counties in North Carolina are doing regarding group homes. Ms. Jackson stated very few counties operate juvenile group homes. Duane Holder, Assistant County Manager, stated juvenile group homes are typically done through private non-profit agencies.

DRAFT

MOTION: Commissioner Council moved to recommend to the full board approval to combine the current boy’s facility with the girl’s facility at Safe Landing to create one unisex group home effective July 1, 2018, pursuant to formal approval in the Juvenile Crime Prevention Council (JCPC) budget process which is anticipated to be completed in early 2018.

SECOND: Commissioner Lancaster

VOTE: UNANIMOUS (3-0)

6. CONSIDERATION OF REQUEST TO RELOCATE AND RENOVATE COURT OFFICES IN THE E. MAURICE BRASWELL COURTHOUSE

BACKGROUND:

As services and staffing of various Court-related agencies continues to grow, so does the need for additional office space to house Court staff and their files. The District Attorney’s Office and the Clerk of Court have received additional staff recently and need more office space for these employees. Cumberland County Court Officials have met as a group, along with County Management, to discuss space needs and potential options.

RECOMMENDATION/PROPOSED ACTION:

Staff presents the information for the Facilities Committee review and as information only.

PROPOSED USE OF EXISITING COURTHOUSE SPACE

November 2, 2017

Facilities Committee Meeting

Agency	Move From	Move To
Register of Deeds	Off-site File Storage (Patterson)	Room 24 – Lower Level
Clerk of Court	Room 24 – Lower Level	Law Library – Third Floor
Attorney/Client Visitation	N/A	Using Room 216 now; want to add 217 & 218
Public Defender Investigator	Room 217 - Second Floor	Second Floor waiting room next to 207D
Sheriff Transportation	Second Floor outside of holding cell	Room 215
Juvenile District Court/Domestic Violence Court	Reassign uses of various rooms to allow for attorneys and families to meet	Create a conference room for attorneys and families
DSS Court	206 - Second Floor	Courtroom 4B – Fourth Floor
Juvenile District Court	206 - Second Floor	Courtroom 4C – Fourth Floor
New DA Staff	N/A	Rooms 335-337; Third Floor

DRAFT

Court Reporters	Rooms 335-337; Third Floor	Clerk’s Meeting Room – Fourth Floor
Legal Aid	---	Room 330 – Third Floor

Mr. Jackson reviewed the background information and recommendation as recorded above. Mr. Jackson also reviewed the Proposed Use of Existing Courthouse Space as listed above.

Jeffery Brown, Engineering & Infrastructure Director, reviewed the summary of space needs as identified by Court Officials and a preliminary cost estimate. Mr. Brown also reviewed the floorplan showing the requested changes in occupancy by Court Officials. Mr. Brown stated the estimated cost for the changes is \$97,600 which is not part of the Capital Improvement Plan.

Mr. Brown stated once a workable solution is reached as far as DSS case workers it will be brought back to the Facilities Committee for review and consideration of approval. Commissioner Council stated she would like the Facilities Committee to have a walking tour to see all proposed changes in person. Chairman Adams stated the Facilities Committee should look at the whole picture and not just the individual needs of one group. Chairman Adams stated he believes everyone impacted should have a voice in the planning of the proposed changes. Chairman Adams stated he suggested to Judge Ammons that at least two members of the Bar Association be present in planning discussions.

The consensus of the Facilities Committee was for this item to be further discussed at the special meeting of the Facilities Committee that will be scheduled in the next two to three weeks. No action taken.

7. PRESENTATION ON PIO/INFORMATION SERVICES TECHNOLOGY UPGRADES

BACKGROUND:

The Public Information Office and Information Services Department have partnered on two major projects:

- upgrading the broadcasting equipment and meeting room technology; and
- creating a new County website.

Broadcasting Equipment and Meeting Room Upgrades

The Public Information Office ensures that Board of Commissioners meetings held in Room 118 are broadcast live through Spectrum Channel 5, the Fayetteville Cumberland Education Channel, and rebroadcast at different times. The meetings are also streamed live through the County website and posted to the County’s YouTube channel.

DRAFT

The equipment in the Commissioners Meeting Room was antiquated and had been subject to numerous issues in recent months, including loss of camera control, streaming capability and system response, which often resulted in the need to reboot the system during live meetings.

After issuing a Request for Proposals, the County purchased new Broadcast Pix equipment, as well as four high-quality cameras in Room 118 that will be lowered to provide better positioning. The podium will be updated with a monitor facing the Board of Commissioners and two laser projectors will go in Room 118 and one in Room 564 to replacing the existing aging units.

The contract includes equipment installation and 20 hours of training for PIO and IS staff.

New Website

PIO and IS will preview the County's new website during the meeting. The website has been built in-house and uses content-management software, which allows departments to update their information when needed.

The IS Web Team are the technical experts responsible for building, deploying and supporting the backend technology for the website.

The Public Information Office manages and publishes all content for departments and maintains quality and style consistency based on the Web Content Style Guide that was written in collaboration between PIO and IS staff.

County departments have assigned content contributors who write and maintain up-to-date website content. Website training for department contributors was held October 18-20.

RECOMMENDATION/PROPOSED ACTION:

The update is provided for information only. No action is requested.

Sally Shutt, Assistant County Manager, reviewed the background information and recommendation as recorded above. Ms. Shutt introduced the team of employees responsible for the new website that was created in house. Ms. Shutt also revealed the new website to the Facilities Committee. Ms. Shutt stated she will be presenting the new website to the public at the November 20, 2017 board meeting.

The Facilities Committee thanked everyone involved for all the hard work that went in to the new website. No action taken.

DRAFT

8. OTHER ITEMS OF BUSINESS

There were no other items of business.

MEETING ADJOURNED AT 9:51 AM.



DEPARTMENT OF PUBLIC HEALTH

**MEMORANDUM FOR BOARD OF COMMISSIONERS AGENDA OF NOVEMBER 20,
2017**

TO: BOARD OF COUNTY COMMISSIONERS

FROM: RODNEY JENKINS, INTERIM HEALTH DIRECTOR

DATE: 11/13/2017

SUBJECT: PROPOSED NEW CLINICAL SERVICES FEES

BACKGROUND

The Board of Health approved proposed new clinical services at their meeting, October 17, 2017. This item was presented to the Finance Committee at their meeting, November 2, 2017 and was approved.

The Department of Public Health has partnered with Stedman-Wade Health Services, Inc. to resume Adult Health and Dental services beginning Oct. 3. New clinical services will be provided which will benefit the Cumberland County citizens. Please see proposed fees attached.

RECOMMENDATION / PROPOSED ACTION

Consider the recommendation of the Finance Committee.

ATTACHMENTS:

Description	Type
Proposed new clinical services	Backup Material

**CUMBERLAND COUNTY HEALTH DEPARTMENT
PROPOSED- NEW SERVICES/FEES**

Clinical Services

Procedure Code	Procedure Description	Proposed Fee
10060	Incision & Drainage of Abscess (Simple or Single)	80.14
10061	Incision & Drainage of Abscess (Complex or Multiple)	137.99
11200	Skin Tag Removal Up to 15	59.46
11201	Skin Tag Removal- Next 10	14.05
11730	Avulsion of Nail Plate	72.54
11732	Additional Avulsion of Nail Plate	33.86
11750	Excision of Nail and Nail Matrix- Partial	157.05
20600	Injection of small joint	41.20
20605	Injection of intermediate joint	44.13
20610	Injection of major joint	56.80
83605	Measurement of Lactic Acid	13.58
86360	CD4/CD8 Absolute Count	57.95
90620	Bexsero- Meningococcal Group B Vaccine	185.00
D0180	Comprehensive Periodontal	60.00



CUMBERLAND
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NORTH CAROLINA

DEPARTMENT OF SOCIAL SERVICES

MEMORANDUM FOR BOARD OF COMMISSIONERS AGENDA OF NOVEMBER 20,
2017

TO: BOARD OF COUNTY COMMISSIONERS

FROM: BRENDA R. JACKSON

DATE: 11/13/2017

**SUBJECT: ENGAGING OUTSIDE LEGAL COUNSEL FOR DSS INDEPENDENT
CONTRACTOR FOR CHILDREN'S SERVICES**

BACKGROUND

The overriding and primary need for this contract is to have a knowledgeable and capable attorney to handle the many cases being appealed from Juvenile Court to the North Carolina Court of Appeals. Cases are being appealed in record numbers. Seven cases are pending. Every case must be professionally addressed meeting stringent Court of Appeals requirements. These cases are time consuming with drop dead deadlines. These cases are decided on the written, not oral argument. They required research, extensive knowledge of the law, and excellent writing ability which allows this work to be managed remotely. When time allows, this contract attorney would be able to assist with legal research, termination of parental rights petitions and other legal duties as assigned.

The Contract was considered at the November 2, 2017 Finance Committee meeting and the committee unanimously approved the contract with Elizabeth Gurnee in the amount of \$40,000 (not to exceed 32 hours per week) effective December 1, 2017 through June 30, 2018.

RECOMMENDATION / PROPOSED ACTION

We request that the Board of Commissioners adopt the recommendation of the Finance Committee and approve the contract for Elizabeth Gurnee in the amount of \$40,000 (not to exceed 32 hours per week) effective December 1, 2017 through June 30, 2018.

ATTACHMENTS:

Description

Type

7. **Reporting Requirements:** Contractor shall comply with audit requirements as described in N.C.G.S. § 143C-6-22 & 23 and OMB Circular- CFR Title 2 Grants and Agreements, Part 200, and shall disclose all information required by 42 USC 455.104, or 42 USC 455.105, or 42 USC 455.106.
8. **Payment Provisions:** Payment shall be made in accordance with the Contract Documents as described in the Scope of Work, Attachment B.
9. **Contract Administrators:** All notices permitted or required to be given by one Party to the other and all questions about the contract from one Party to the other shall be addressed and delivered to the other Party's Contract Administrator. The name, post office address, street address, telephone number, fax number, and email address of the Parties' respective initial Contract Administrators are set out below. Either Party may change the name, post office address, street address, telephone number, fax number, or email address of its Contract Administrator by giving timely written notice to the other Party.

For the County:

IF DELIVERED BY US POSTAL SERVICE	IF DELIVERED BY ANY OTHER MEANS
Name & Title: Jasmen Lima, Accounting Technician II County: Cumberland Mailing Address: P.O. Box 878 City, State, Zip: Fayetteville, NC 28302 Telephone: (910) 677-2917 Fax: (910) 677-2886 Email: jasmenlima@ccdsnc.com	Name & Title: County: Cumberland Street Address: 1225 Ramsey Street City, State, Zip: Fayetteville, NC 28301

For the Contractor:

IF DELIVERED BY US POSTAL SERVICE	IF DELIVERED BY ANY OTHER MEANS
Name & Title: Elizabeth Gurnee, Attorney at Law Company Name: Elizabeth Gurnee, Attorney at Law Mailing Address: 370 Confluence Ave City State Zip: Durango, CO 81301 Telephone: 910-670-2978 Fax:970-828-1345 Email: elizabethgurnee@gmail.com	Name & Title: Company Name: Street Address: City State Zip:

10. **Supplementation of Expenditure of Public Funds:** The Contractor assures that funds received pursuant to this contract shall be used only to supplement, not to supplant, the total amount of federal, state and local public funds that the Contractor otherwise expends for contract services and related programs. Funds received under this contract shall be used to provide additional public funding for such services; the funds shall not be used to reduce the Contractor's total expenditure of other public funds for such services.

11. Disbursements: As a condition of this contract, the Contractor acknowledges and agrees to make disbursements in accordance with the following requirements:

- (a) Implement adequate internal controls over disbursements;
- (b) Pre-audit all vouchers presented for payment to determine:
 - Validity and accuracy of payment
 - Payment due date
 - Adequacy of documentation supporting payment
 - Legality of disbursement
- (c) Assure adequate control of signature stamps/plates;
- (d) Assure adequate control of negotiable instruments; and
- (e) Implement procedures to insure that account balance is solvent and reconcile the account monthly.

12. Outsourcing to Other Countries:

The Contractor certifies that it has identified to the County all jobs related to the contract that have been outsourced to other countries, if any. The Contractor further agrees that it will not outsource any such jobs during the term of this contract without providing notice to the County

13. Federal Certifications:

Individuals and Organizations receiving federal funds must ensure compliance with certain certifications required by federal laws and regulations. The contractor is hereby complying with Certifications regarding Nondiscrimination, Drug-Free Workplace Requirements, Environmental Tobacco Smoke, Debarment, Suspension, Ineligibility and Voluntary Exclusion Lower Tier Covered Transactions, and Lobbying. These assurances and certifications are to be signed by the contractor's authorized representative.

14. Signature Warranty: The undersigned represent and warrant that they are authorized to bind their principals to the terms of this agreement.

The Contractor and the County have executed this contract in duplicate originals, with one original being retained by each party.

CONTRACTOR:

Signature

Date

Elizabeth Gurnee
Printed Name

Attorney at Law
Title

COUNTY:

Signature

Date

Brenda Reid Jackson
Printed Name

Director
Title

By: _____
Glenn B. Adams, Chairman
Cumberland County Board of Commissioners

Date

This instrument has been pre-audited in the manner required by the Local Government Budget and Fiscal Control Act.

Approved for Legal Sufficiency:

By: _____
Vicki Evans
County Finance Director

By: _____
COUNTY ATTORNEY'S OFFICE
Expires: 30 June 2018
 RENEWABLE
 NON-RENEWABLE

ATTACHMENT A General Terms and Conditions

Relationships of the Parties

Independent Contractor: The Contractor is and shall be deemed to be an independent contractor in the performance of this contract and as such shall be wholly responsible for the work to be performed and for the supervision of its employees. The Contractor represents that it has, or shall secure at its own expense, all personnel required in performing the services under this agreement. Such employees shall not be employees of, or have any individual contractual relationship with the County.

Subcontracting: The Contractor shall not subcontract any of the work contemplated under this contract without prior written approval from the County. Any approved subcontract shall be subject to all conditions of this contract. Only the subcontractors specified in the contract documents are to be considered approved upon award of the contract. The County shall not be obligated to pay for any work performed by any unapproved subcontractor. The Contractor shall be responsible for the performance of all of its subcontractors.

Assignment: No assignment of the Contractor's obligations or the Contractor's right to receive payment hereunder shall be permitted. However, upon written request approved by the issuing purchasing authority, the County may:

- (a) Forward the Contractor's payment check(s) directly to any person or entity designated by the Contractor, or
- (b) Include any person or entity designated by Contractor as a joint payee on the Contractor's payment check(s).

In no event shall such approval and action obligate the County to anyone other than the Contractor and the Contractor shall remain responsible for fulfillment of all contract obligations.

Beneficiaries: Except as herein specifically provided otherwise, this contract shall inure to the benefit of and be binding upon the parties hereto and their respective successors. It is expressly understood and agreed that the enforcement of the terms and conditions of this contract, and all rights of action relating to such enforcement, shall be strictly reserved to the County and the named Contractor. Nothing contained in this document shall give or allow any claim or right of action whatsoever by any other third person. It is the express intention of the County and Contractor that any such person or entity, other than the County or the Contractor, receiving services or benefits under this contract shall be deemed an incidental beneficiary only.

Indemnity and Insurance

Indemnification: The Contractor agrees to indemnify and hold harmless the County and any of their officers, agents and employees, from any claims of third parties arising out of or any act or omission of the Contractor in connection with the performance of this contract.

Insurance: During the term of the contract, the Contractor at its sole cost and expense shall provide commercial insurance of such type and with such terms and limits as may be reasonably associated with the contract. As a minimum, the Contractor shall provide and maintain the following coverage and limits:

- (a) **Worker's Compensation** - The contractor shall provide and maintain Worker's Compensation Insurance as required by the laws of North Carolina, as well as employer's liability coverage with minimum limits of \$500,000.00, covering all of Contractor's employees who are engaged in any work under the contract. If any work is sublet, the Contractor shall require the subcontractor to provide the same coverage for any of his employees engaged in any work under the contract.
- (b) **Commercial General Liability** - General Liability Coverage on a Comprehensive Broad Form on an occurrence basis in the minimum amount of \$1,000,000.00 Combined Single Limit. (Defense cost shall be in excess of the limit of liability.)
- (c) **Automobile Liability Insurance:** The Contractor shall provide automobile liability insurance with a combined single limit of \$500,000.00 for bodily injury and property damage; a limit of \$500,000.00 for uninsured/under insured motorist coverage; and a limit of \$25,000.00 for medical payment coverage. The Contractor shall provide this insurance for all automobiles that are:
 - (a) owned by the Contractor and used in the performance of this contract;
 - (b) hired by the Contractor and used in the performance of this contract; and
 - (c) Owned by Contractor's employees and used in performance of this contract ("non-owned vehicle insurance"). Non-owned vehicle insurance protects employers when employees use their personal vehicles for work purposes. Non-owned vehicle insurance supplements, but does not replace, the car-owner's liability insurance.

The Contractor is not required to provide and maintain automobile liability insurance on any vehicle – owned, hired

or non-owned -- unless the vehicle is used in the performance of this contract.

- (d) The insurance coverage minimums specified in subparagraph (a) are exclusive of defense costs.
- (e) The Contractor understands and agrees that the insurance coverage minimums specified in subparagraph (a) are not limits, or caps, on the Contractor's liability or obligations under this contract.
- (f) The Contractor may obtain a waiver of any one or more of the requirements in subparagraph (a) by demonstrating that it has insurance that provides protection that is equal to or greater than the coverage and limits specified in subparagraph (a). The County shall be the sole judge of whether such a waiver should be granted.
- (g) The Contractor may obtain a waiver of any one or more of the requirements in paragraph (a) by demonstrating that it is self-insured and that its self-insurance provides protection that is equal to or greater than the coverage and limits specified in subparagraph (a). The County shall be the sole judge of whether such a waiver should be granted.
- (h) Providing and maintaining the types and amounts of insurance or self-insurance specified in this paragraph is a material obligation of the Contractor and is of the essence of this contract.
 - (i) The Contractor shall only obtain insurance from companies that are authorized to provide such coverage and that are authorized by the Commissioner of Insurance to do business in the State of North Carolina. All such insurance shall meet all laws of the State of North Carolina.
 - (j) The Contractor shall comply at all times with all lawful terms and conditions of its insurance policies and all lawful requirements of its insurer.
 - (k) The Contractor shall require its subcontractors to comply with the requirements of this paragraph.
 - (l) The Contractor shall demonstrate its compliance with the requirements of this paragraph by submitting certificates of insurance to the County before the Contractor begins work under this contract.

Transportation of Clients by Contractor:

The contractor will maintain Insurance requirements if required as noted under Article 7 Rule R2-36 of the North Carolina Utilities Commission.

Default and Termination

Termination Without Cause: The County may terminate this contract without cause by giving 30 days written notice to the Contractor.

Termination for Cause: If, through any cause, the Contractor shall fail to fulfill its obligations under this contract in a timely and proper manner, the County shall have the right to terminate this contract by giving written notice to the Contractor and specifying the effective date

thereof. In that event, all finished or unfinished deliverable items prepared by the Contractor under this contract shall, at the option of the County, become its property and the Contractor shall be entitled to receive just and equitable compensation for any satisfactory work completed on such materials, minus any payment or compensation previously made. Notwithstanding the foregoing provision, the Contractor shall not be relieved of liability to the County for damages sustained by the County by virtue of the Contractor's breach of this agreement, and the County may withhold any payment due the Contractor for the purpose of setoff until such time as the exact amount of damages due the County from such breach can be determined. In case of default by the Contractor, without limiting any other remedies for breach available to it, the County may procure the contract services from other sources and hold the Contractor responsible for any excess cost occasioned thereby. The filing of a petition for bankruptcy by the Contractor shall be an act of default under this contract.

Waiver of Default: Waiver by the County of any default or breach in compliance with the terms of this contract by the Provider shall not be deemed a waiver of any subsequent default or breach and shall not be construed to be modification of the terms of this contract unless stated to be such in writing, signed by an authorized representative of the County and the Contractor and attached to the contract.

Availability of Funds: The parties to this contract agree and understand that the payment of the sums specified in this contract is dependent and contingent upon and subject to the appropriation, allocation, and availability of funds for this purpose to the County.

Force Majeure: Neither party shall be deemed to be in default of its obligations hereunder if and so long as it is prevented from performing such obligations by any act of war, hostile foreign action, nuclear explosion, riot, strikes, civil insurrection, earthquake, hurricane, tornado, or other catastrophic natural event or act of God.

Survival of Promises: All promises, requirements, terms, conditions, provisions, representations, guarantees, and warranties contained herein shall survive the contract expiration or termination date unless specifically provided otherwise herein, or unless superseded by applicable Federal or State statutes of limitation.

Intellectual Property Rights

Copyrights and Ownership of Deliverables: All deliverable items produced pursuant to this contract are the exclusive property of the County. The Contractor shall not assert a claim of copyright or other property interest in such deliverables.

Federal Intellectual Property Bankruptcy Protection Act: The Parties agree that the County shall be entitled to all rights and benefits of the Federal Intellectual Property Bankruptcy Protection Act, Public Law 100-506, codified at 11 U.S.C. 365 (n) and any amendments thereto.

Compliance with Applicable Laws

Compliance with Laws: The Contractor shall comply with all laws, ordinances, codes, rules, regulations, and licensing requirements that are applicable to the conduct of its business, including those of federal, state, and local agencies having jurisdiction and/or authority.

Title VI, Civil Rights Compliance: In accordance with Federal law and U.S. Department of Agriculture (USDA) and U.S. Department of Health and Human Services (HHS) policy, this institution is prohibited from discriminating on the basis of race, color, national origin, sex, age or disability. Under the Food Stamp Act and USDA policy, discrimination is prohibited also on the basis of religion or political beliefs.

Equal Employment Opportunity: The Contractor shall comply with all federal and State laws relating to equal employment opportunity.

Health Insurance Portability and Accountability Act (HIPAA): The Contractor agrees that, if the County determines that some or all of the activities within the scope of this contract are subject to the Health Insurance Portability and Accountability Act of 1996, P.L. 104-91, as amended ("HIPAA"), or its implementing regulations, it will comply with the HIPAA requirements and will execute such agreements and practices as the County may require to ensure compliance.

(a) Data Security: The Contractor shall adopt and apply data security standards and procedures that comply with all applicable federal, state, and local laws, regulations, and rules.

(b) Duty to Report: The Contractor shall report a suspected or confirmed security breach to the local Department of Social Services/Human Services Contract Administrator within twenty-four (24) hours after the breach is first discovered, provided that the Contractor shall report a breach involving Social Security Administration data or Internal Revenue Service

data within one (1) hour after the breach is first discovered.

(c) Cost Borne by Contractor: If any applicable federal, state, or local law, regulation, or rule requires the Contractor to give written notice of a security breach to affected persons, the Contractor shall bear the cost of the notice.

Trafficking Victims Protection Act of 2000:

The Contractor will comply with the requirements of Section 106(g) of the Trafficking Victims Protection Act of 2000, as amended (22 U.S.C. 7104)

Executive Order # 24: It is unlawful for any vendor, contractor, subcontractor or supplier of the state to make gifts or to give favors to any state employee. For additional information regarding the specific requirements and exemptions, contractors are encouraged to review Executive Order 24 and G.S. Sec. 133-32.

Confidentiality

Confidentiality: Any information, data, instruments, documents, studies or reports given to or prepared or assembled by the Contractor under this agreement shall be kept as confidential and not divulged or made available to any individual or organization without the prior written approval of the County. The Contractor acknowledges that in receiving, storing, processing or otherwise dealing with any confidential information it will safeguard and not further disclose the information except as otherwise provided in this contract.

Oversight

Access to Persons and Records: The State Auditor shall have access to persons and records as a result of all contracts or grants entered into by State agencies or political subdivisions in accordance with General Statute 147-64.7. Additionally, as the State funding authority, the Department of Health and Human Services shall have access to persons and records as a result of all contracts or grants entered into by State agencies or political subdivisions.

Record Retention: Records shall not be destroyed, purged or disposed of without the express written consent of the Division. State basic records retention policy requires all grant records to be retained for a minimum of five years or until all audit exceptions have been resolved, whichever is longer. If the contract is subject to federal policy and regulations, record retention may be longer than five years since records must be retained for a period of three years following submission of the final Federal Financial Status Report, if applicable, or three years following the submission of a revised final Federal Financial Status Report. Also, if any litigation, claim,

negotiation, audit, disallowance action, or other action involving this Contract has been started before expiration of the five-year retention period described above, the records must be retained until completion of the action and resolution of all issues which arise from it, or until the end of the regular five-year period described above, whichever is later. The record retention period for Temporary Assistance for Needy Families (TANF) and MEDICAID and Medical Assistance grants and programs must be retained for a minimum of ten years.

Warranties and Certifications

Date and Time Warranty: The Contractor warrants that the product(s) and service(s) furnished pursuant to this contract ("product" includes, without limitation, any piece of equipment, hardware, firmware, middleware, custom or commercial software, or internal components, subroutines, and interfaces therein) that perform any date and/or time data recognition function, calculation, or sequencing will support a four-digit year format and will provide accurate date/time data and leap year calculations. This warranty shall survive the termination or expiration of this contract.

Certification Regarding Collection of Taxes: G.S. 143-59.1 bars the Secretary of Administration from entering into contracts with vendors that meet one of the conditions of G.S. 105-164.8(b) and yet refuse to collect use taxes on sales of tangible personal property to purchasers in North Carolina. The conditions include: (a) maintenance of a retail establishment or office; (b) presence of representatives in the State that solicit sales or transact business on behalf of the vendor; and (c) systematic exploitation of the market by media-assisted, media-facilitated, or media-solicited means. The Contractor certifies that it and all of its affiliates (if any) collect all required taxes.

E-Verify

Pursuant to G.S. 143-48.5 and G.S. 147-33.95(g), the undersigned hereby certifies that the Contractor named below, and the Contractor's subcontractors, complies with the requirements of Article 2 of Chapter 64 of the NC General Statutes, including the requirement for each employer with more than 25 employees in North Carolina to verify the work authorization of its employees through the federal E-Verify system." E-Verify System Link: www.uscis.gov

Miscellaneous

Choice of Law: The validity of this contract and any of its terms or provisions, as well as the rights and duties of the parties to this contract, are governed by the laws of North Carolina. The Contractor, by signing this contract, agrees and submits, solely for matters concerning this Contract, to the exclusive jurisdiction of the courts of North Carolina and agrees, solely for such purpose, that the exclusive venue for any legal proceedings shall be the county is

which the contract originated. The place of this contract and all transactions and agreements relating to it, and their situs and forum, shall be the county where the contract originated, where all matters, whether sounding in contract or tort, relating to the validity, construction, interpretation, and enforcement shall be determined.

Amendment: This contract may not be amended orally or by performance. Any amendment must be made in written form and executed by duly authorized representatives of the County and the Contractor.

Severability: In the event that a court of competent jurisdiction holds that a provision or requirement of this contract violates any applicable law, each such provision or requirement shall continue to be enforced to the extent it is not in violation of law or is not otherwise unenforceable and all other provisions and requirements of this contract shall remain in full force and effect.

Headings: The Section and Paragraph headings in these General Terms and Conditions are not material parts of the agreement and should not be used to construe the meaning thereof.

Time of the Essence: Time is of the essence in the performance of this contract.

Key Personnel: The Contractor shall not replace any of the key personnel assigned to the performance of this contract without the prior written approval of the County. The term "key personnel" includes any and all persons identified as such in the contract documents and any other persons subsequently identified as key personnel by the written agreement of the parties.

Care of Property: The Contractor agrees that it shall be responsible for the proper custody and care of any property furnished to it for use in connection with the performance of this contract and will reimburse the County for loss of, or damage to, such property. At the termination of this contract, the Contractor shall contact the County for instructions as to the disposition of such property and shall comply with these instructions.

Travel Expenses: Reimbursement to the Contractor for travel mileage, meals, lodging and other travel expenses incurred in the performance of this contract shall not exceed the rates established in County policy.

Sales/Use Tax Refunds: If eligible, the Contractor and all subcontractors shall: (a) ask the North Carolina Department of Revenue for a refund of all sales and use taxes paid by them in the performance of this contract, pursuant to G.S. 105-164.14; and (b) exclude all refundable sales and use taxes from all reportable expenditures before the expenses are entered in their reimbursement reports.

Advertising: The Contractor shall not use the award of this contract as a part of any news release or commercial advertising.

ATTACHMENT B – Scope of Work

A. CONTRACTOR INFORMATION

1. Contractor Agency Name: Elizabeth Gurnee, Attorney at Law

2. *If different* from Contract Administrator Information in General Contract:

Address: same

Telephone Number: 910-670-2978 Fax Number: _____ Email: elizabethgurnee@gmail.com

3. Name of Program (s): Children’s Services

4. Status: () Public () Private, Not for Profit (X) Private, For Profit

5. Contractor's Financial Reporting Year January 1 through December 31

B. Explanation of duties to be provided and to whom (include SIS Service Code):

1. Handle cases appealed to the N. C. Court of Appeals and Supreme Court;
2. Provide advanced research needed for the Agency attorneys;
3. Monitor statutory changes by the Legislature for Juvenile Court requirements;
4. Track Court of Appeals and Supreme Court cases that impact DSS and the Juvenile Court;
5. Develop training modules for Social Workers based on Child First knowledge;
6. Assist, when needed, with other duties within her expertise as assigned.
7. Contractor must maintain valid North Carolina Law License.

Insofar as practical, the CONTRACTOR shall cooperate with the operation schedule of the COUNTY and with other personnel employed, retained, or hired by the COUNTY.

C. Negotiated County Rate: N/A

D. Number of units to be provided: N/A

E. Details of Billing process and Time Frames;

The County shall pay bi-weekly for services rendered at the rate of \$35.73 per hour. The total expenditures under this agreement shall not exceed \$40,000.00.

The contractor shall bill the County by the 5th business day of the month following services. The County ensures all invoices will be processed within 30 days.

F. Area to be served/Delivery site(s): Cumberland County

(Signature of Contractor)

(Signature of County Authorized Person)

(Date Submitted)

(Date Submitted)

ATTACHMENT C

CERTIFICATION REGARDING DRUG-FREE WORKPLACE REQUIREMENTS AND CERTIFICATION REGARDING NONDISCRIMINATION

Cumberland County Department of Social Services/Human Services

- I. By execution of this Agreement the Contractor certifies that it will provide a drug-free workplace by:
- A. Publishing a statement notifying employees that the unlawful manufacture, distribution, dispensing, possession or use of a controlled substance is prohibited in the Contractor's workplace and specifying the actions that will be taken against employees for violation of such prohibition;
 - B. Establishing a drug-free awareness program to inform employees about:
 - (1) The dangers of drug abuse in the workplace;
 - (2) The Contractor's policy of maintaining a drug-free workplace;
 - (3) Any available drug counseling, rehabilitation, and employee assistance programs; and
 - (4) The penalties that may be imposed upon employees for drug abuse violations occurring in the workplace;
 - C. Making it a requirement that each employee be engaged in the performance of the agreement be given a copy of the statement required by paragraph (A);
 - D. Notifying the employee in the statement required by paragraph (A) that, as a condition of employment under the agreement, the employee will:
 - (1) Abide by the terms of the statement; and
 - (2) Notify the employer of any criminal drug statute conviction for a violation occurring in the workplace no later than five days after such conviction;
 - E. Notifying the County within ten days after receiving notice under subparagraph (D)(2) from an employee or otherwise receiving actual notice of such conviction;
 - F. Taking one of the following actions, within 30 days of receiving notice under subparagraph (D)(2), with respect to any employee who is so convicted:
 - (1) Taking appropriate personnel action against such an employee, up to and including termination; or
 - (2) Requiring such employee to participate satisfactorily in a drug abuse assistance or rehabilitation program approved for such purposes by a Federal, State, or local health, law enforcement, or other appropriate agency; and

Making a good faith effort to continue to maintain a drug-free workplace through implementation of paragraphs (A), (B), (C), (D), (E), and (F).

II. The site(s) for the performance of work done in connection with the specific agreement are listed below:

1. 1225 Ramsey Street
(Street address)

Fayetteville, Cumberland County, NC 28301
(City, county, state, zip code)
2. 117 Dick Street
(Street address)

Fayetteville, Cumberland County, NC 28301
(City, county, state, zip code)

Contractor will inform the County of any additional sites for performance of work under this agreement.

False certification or violation of the certification shall be grounds for suspension of payment, suspension or termination of grants, or government-wide Federal suspension or debarment
45 C.F.R. Section 82.510. Section 4 CFR Part 85, Section 85.615 and 86.620.

Certification Regarding Nondiscrimination

The Vendor certifies that it will comply with all Federal statutes relating to nondiscrimination. These include but are not limited to: (a) Title VI of the Civil Rights Act of 1964 (P.L. 88-352) which prohibits discrimination on the basis of race, color or national origin; (b) Title IX of the Education Amendments of 1972, as amended (20 U.S.C. §§1681-1683, and 1685-1686), which prohibits discrimination on the basis of sex; (c) Section 504 of the Rehabilitation Act of 1973, as amended (29 U.S.C. §794), which prohibits discrimination on the basis of handicaps; (d) the Age Discrimination Act of 1975, as amended (42 U.S.C. §§6101-6107), which prohibits discrimination on the basis of age; (e) the Drug Abuse Office and Treatment Act of 1972 (P.L. 92-255), as amended, relating to nondiscrimination on the basis of drug abuse; (f) the Comprehensive Alcohol Abuse and Alcoholism Prevention, Treatment and Rehabilitation Act of 1970 (P.L. 91-616), as amended, relating to nondiscrimination on the basis of alcohol abuse or alcoholism; (g) Title VIII of the Civil Rights Act of 1968 (42 U.S.C. §§3601 et seq.), as amended, relating to nondiscrimination in the sale, rental or financing of housing; (h) the Food Stamp Act and USDA policy, which prohibit discrimination on the basis of religion and political beliefs; and (i) the requirements of any other nondiscrimination statutes which may apply to this Agreement.

Signature Attorney at Law
Title

Elizabeth Gurnee, Attorney at Law
Agency/Organization _____
Date

(Certification signature should be same as Contract signature.)

ATTACHMENT D

Conflict of Interest Policy

The Board of Directors/Trustees or other governing persons, officers, employees or agents are to avoid any conflict of interest, even the appearance of a conflict of interest. The Organization's Board of Directors/Trustees or other governing body, officers, staff and agents are obligated to always act in the best interest of the organization. This obligation requires that any Board member or other governing person, officer, employee or agent, in the performance of Organization duties, seek only the furtherance of the Organization mission. At all times, Board members or other governing persons, officers, employees or agents, are prohibited from using their job title, the Organization's name or property, for private profit or benefit.

A. The Board members or other governing persons, officers, employees, or agents of the Organization should neither solicit nor accept gratuities, favors, or anything of monetary value from current or potential contractors/vendors, persons receiving benefits from the Organization or persons who may benefit from the actions of any Board member or other governing person, officer, employee or agent. This is not intended to preclude bona-fide Organization fund raising-activities.

B. A Board or other governing body member may, with the approval of Board or other governing body, receive honoraria for lectures and other such activities while not acting in any official capacity for the Organization. Officers may, with the approval of the Board or other governing body, receive honoraria for lectures and other such activities while on personal days, compensatory time, annual leave, or leave without pay. Employees may, with the prior written approval of their supervisor, receive honoraria for lectures and other such activities while on personal days, compensatory time, annual leave, or leave without pay. If a Board or other governing body member, officer, employee or agent is acting in any official capacity, honoraria received in connection with activities relating to the Organization are to be paid to the Organization.

C. No Board member or other governing person, officer, employee, or agent of the Organization shall participate in the selection, award, or administration of a purchase or contract with a vendor where, to his knowledge, any of the following has a financial interest in that purchase or contract:

1. The Board member or other governing person, officer, employee, or agent;
2. Any member of their family by whole or half blood, step or personal relationship or relative-in-law;
3. An organization in which any of the above is an officer, director, or employee;
4. A person or organization with whom any of the above individuals is negotiating or has any arrangement concerning prospective employment or contracts.

D. **Duty to Disclosure** -- Any conflict of interest, potential conflict of interest, or the appearance of a conflict of interest is to be reported to the Board or other governing body or one's supervisor immediately.

E. **Board Action** -- When a conflict of interest is relevant to a matter requiring action by the Board of Directors/Trustees or other governing body, the Board member or other governing person, officer, employee, or agent (person(s)) must disclose the existence of the conflict of interest and be given the opportunity to disclose all material facts to the Board and members of committees with governing board delegated powers considering the possible conflict of interest. After disclosure of all material facts, and after any discussion with the person, he/she shall leave the governing board or committee meeting while the determination of a conflict of interest is discussed and voted upon. The remaining board or committee members shall decide if a conflict of interest exists. In addition, the person(s) shall not participate in the final deliberation or decision regarding the matter under consideration and shall leave the meeting during the discussion of and vote of the Board of Directors/Trustees or other governing body.

F. **Violations of the Conflicts of Interest Policy** -- If the Board of Directors/Trustees or other governing body has reasonable cause to believe a member, officer, employee or agent has failed to disclose actual or possible conflicts of interest, it shall inform the person of the basis for such belief and afford the person an opportunity to explain the alleged failure to disclose. If, after hearing the person's response and after making further investigation as warranted by the circumstances, the Board of Directors/Trustees or other governing body determines the member, officer, employee or agent has failed to disclose an actual or possible conflict of interest, it shall take appropriate disciplinary and corrective action.

G. **Record of Conflict** -- The minutes of the governing board and all committees with board delegated powers shall contain:

1. The names of the persons who disclosed or otherwise were found to have an actual or possible conflict of interest, the nature of the conflict of interest, any action taken to determine whether a conflict of interest was present, and the governing board's or committee's decision as to whether a conflict of interest in fact existed.
2. The names of the persons who were present for discussions and votes relating to the transaction or arrangement that presents a possible conflict of interest, the content of the discussion, including any alternatives to the transaction or arrangement, and a record of any votes taken in connection with the proceedings.

Approved by:

Elizabeth Gurnee, Attorney at Law
Name of Organization

Signature of Organization Official

Date

NOTARIZED CONFLICT OF INTEREST POLICY

State of North Carolina

County of Cumberland

I, Deborah S. Bedsole, Notary Public for said County and State, certify that Elizabeth Gurnee personally appeared before me this day and acknowledged that he/she is an Independent Attorney of Elizabeth Gurnee, Attorney at Law, and by that authority duly given and as the act of the Organization, affirmed that the foregoing Conflict of Interest Policy was read and adopted/declined (circle one) by Elizabeth Gurnee.

Sworn to and subscribed before me this _____ day of _____, _____.

(Official Seal)

Notary Public

My Commission expires _____, 20 ____

ATTACHMENT E - OVERDUE TAXES

Elizabeth Gurnee, Attorney at Law
370 Confluence Avenue
Durango, CO 81301

December 01, 2017

To: Cumberland County Department of Social Services/Human Services

Certification:

I certify that the Elizabeth Gurnee, Attorney at Law does not have any overdue tax debts, as defined by N.C.G.S. 105-243.1, at the federal, State, or local level. I further understand that any person who makes a false statement in violation of N.C.G.S. 143-6.2(b2) is guilty of a criminal offense punishable as provided by N.C.G.S. 143-34(b).

Sworn Statement:

Elizabeth Gurnee being duly sworn, says that I am an Independent Attorney respectively, of Elizabeth Gurnee, Attorney at Law of Fayetteville in the State of North Carolina; and that the foregoing certification is true, accurate and complete to the best of my knowledge and was made and subscribed by me. I also acknowledge and understand that any misuse of State funds will be reported to the appropriate authorities for further action.

Independent Attorney

Sworn to and subscribed before me on the day of the date of said certification.

(Notary Signature and Seal)

My Commission Expires: _____

¹ G.S. 105-243.1 defines: Overdue tax debt. – Any part of a tax debt that remains unpaid 90 days or more after the notice of final assessment was mailed to the taxpayer. The term does not include a tax debt, however, if the taxpayer entered into an installment agreement for the tax debt under G.S. 105-237 within 90 days after the notice of final assessment was mailed and has not failed to make any payments due under the installment agreement.”

ATTACHMENT M

State Certification

Contractor Certifications Required by North Carolina Law

The person who signs this document should read the text of the statutes listed below and consult with counsel and other knowledgeable persons before signing.

- The text of Article 2 of Chapter 64 of the North Carolina General Statutes can be found online at: http://www.ncga.state.nc.us/EnactedLegislation/Statutes/PDF/ByArticle/Chapter_64/Article_2.pdf
- The text of G.S. 105-164.8(b) can be found online at: http://www.ncga.state.nc.us/EnactedLegislation/Statutes/PDF/BySection/Chapter_105/GS_105-164.8.pdf
- The text of G.S. 143-48.5 (S.L. 2013-418, s. 2.(d)) can be found online at: <http://www.ncga.state.nc.us/Sessions/2013/Bills/House/PDF/H786v6.pdf>
- The text of G.S. 143-59.1 can be found online at: http://www.ncga.state.nc.us/EnactedLegislation/Statutes/PDF/BySection/Chapter_143/GS_143-59.1.pdf
- The text of G.S. 143-59.2 can be found online at: http://www.ncga.state.nc.us/EnactedLegislation/Statutes/PDF/BySection/Chapter_143/GS_143-59.2.pdf
- The text of G.S. 147-33.95(g) (S.L. 2013-418, s. 2. (e)) can be found online at: <http://www.ncga.state.nc.us/Sessions/2013/Bills/House/PDF/H786v6.pdf>

Certifications

- (1) **Pursuant to G.S. 143-48.5 and G.S. 147-33.95(g)**, the undersigned hereby certifies that the Contractor named below, and the Contractor's subcontractors, complies with the requirements of Article 2 of Chapter 64 of the NC General Statutes, including the requirement for each employer with more than 25 employees in North Carolina to verify the work authorization of its employees through the federal E-Verify system." E-Verify System Link: www.uscis.gov
- Local government is specifically exempt from Article 2 of Chapter 64 of the North Carolina General Statutes. However, local government is subject to and must comply with North Carolina General Statute §153A-99.1., which states in part as follows:
- Counties Must Use E-Verify. - Each county shall register and participate in E-Verify to verify the work authorization of new employees hired to work in the United States.
- (2) **Pursuant to G.S. 143-59.1(b)**, the undersigned hereby certifies that the Contractor named below is not an "ineligible Contractor" as set forth in G.S. 143-59.1(a) because:
- (a) Neither the Contractor nor any of its affiliates has refused to collect the use tax levied under Article 5 of Chapter 105 of the General Statutes on its sales delivered to North Carolina when the sales met one or more of the conditions of G.S. 105-164.8(b); **and**
- (b) [check **one** of the following boxes]
- Neither the Contractor nor any of its affiliates has incorporated or reincorporated in a "tax haven country" as set forth in G.S. 143-59.1(c) (2) after December 31, 2001; **or**
- The Contractor or one of its affiliates **has** incorporated or reincorporated in a "tax haven country" as set forth in G.S. 143-59.1(c)(2) after December 31, 2001 **but** the United States is not the principal market for the public trading of the stock of the corporation incorporated in the tax haven country.
- (3) **Pursuant to G.S. 143-59.2(b)**, the undersigned hereby certifies that none of the Contractor's officers, directors, or owners (if the Contractor is an unincorporated business entity) has been convicted of any violation of Chapter 78A of the General Statutes or the Securities Act of 1933 or the Securities Exchange Act of 1934 within 10 years immediately prior to the date of the bid solicitation.

- (4) The undersigned hereby certifies further that:
 - (a) He or she is a duly authorized representative of the Contractor named below;
 - (b) He or she is authorized to make, and does hereby make, the foregoing certifications on behalf of the Contractor; and
 - (c) He or she understands that any person who knowingly submits a false certification in response to the requirements of G.S. 143-59.1 and -59.2 shall be guilty of a Class I felony.

Elizabeth Gurnee, Attorney at Law

Contractor's Name

Signature of Contractor's Authorized Agent

Date

Printed Name of Contractor's Authorized Agent

Title

Signature of Witness

Title

Printed Name of Witness

Date

The witness should be present when the Contractor's Authorized Agent signs this certification and should sign and date this document immediately thereafter.

Cumberland County Department of Social Services/Human Services

**DEPARTMENT OF HEALTH AND HUMAN SERVICES
BUSINESS ASSOCIATE ADDENDUM**

This Agreement is made effective the 1st day of December 2017, by and between Cumberland County Department of Social Services (“Covered Entity”) and Elizabeth Gurnee, Attorney at Law (“Business Associate”) (collectively the “Parties”).

1. BACKGROUND

- a. Covered Entity and Business Associate are parties to a contract entitled Elizabeth Gurnee, Attorney at Law (the “Contract”), whereby Business Associate agrees to perform certain services for or on behalf of Covered Entity.
- b. Covered Entity is an organizational unit of Cumberland County as the Cumberland County Department of Social Services (DSS) as a health care component for purposes of the HIPAA Privacy Rule.
- c. The relationship between Covered Entity and Business Associate is such that the Parties believe Business Associate is or may be a “business associate” within the meaning of the HIPAA Privacy Rule.
- d. The Parties enter into this Business Associate Addendum to the Contract with the intention of complying with the HIPAA Privacy Rule provision that a covered entity may disclose protected health information to a business associate, and may allow a business associate to create or receive protected health information on its behalf, if the covered entity obtains satisfactory assurances that the business associate will appropriately safeguard the information.

2. DEFINITIONS

Unless some other meaning is clearly indicated by the context, the following terms shall have the following meaning in this Agreement:

- a. “HIPAA” means the Administrative Simplification Provisions, Sections 261 through 264, of the federal Health Insurance Portability and Accountability Act of 1996, Public Law 104-191.
- b. “Individual” shall have the same meaning as the term “individual” in 45 CFR 160.103 and shall include a person who qualifies as a personal representative in accordance with 45 CFR 164.502(g).
- c. “Privacy Rule” shall mean the Standards for Privacy of Individually Identifiable Health Information at 45 CFR part 160 and part 164, subparts A and E.
- d. “Protected Health Information” shall have the same meaning as the term “protected health information” in 45 CFR 160.103, limited to the information created or received by Business Associate from or on behalf of Covered Entity.
- e. “Required By Law” shall have the same meaning as the term “required by law” in 45 CFR 164.103.
- f. “Secretary” shall mean the Secretary of the United States Department of Health and Human Services or his designee.
- g. Unless otherwise defined in this Agreement, terms used herein shall have the same meaning as those terms have in the Privacy Rule.

3. OBLIGATIONS OF BUSINESS ASSOCIATE

- a. Business Associate agrees to not use or disclose Protected Health Information other than as permitted or required by this Agreement or as Required by Law.
- b. Business Associate agrees to use appropriate safeguards to prevent use or disclosure of the Protected Health Information other than as provided for by this Agreement.
- c. Business Associate agrees to mitigate, to the extent practicable, any harmful effect that is known to Business Associate of a use or disclosure of Protected Health Information by Business Associate in violation of the requirements of this Agreement.
- d. Business Associate agrees to report to Covered Entity any use or disclosure of the Protected Health Information not provided for by this Agreement of which it becomes aware.
- e. Business Associate agrees to ensure that any agent, including a subcontractor, to whom it provides Protected Health Information received from, or created or received by Business Associate on behalf of Covered Entity, agrees to the

same restrictions and conditions that apply through this Agreement to Business Associate with respect to such information.

- f. Business Associate agrees to provide access, at the request of Covered Entity, to Protected Health Information in a Designated Record Set to Covered Entity or, as directed by Covered Entity, to an Individual in order to meet the requirements under 45 CFR 164.524.
- g. Business Associate agrees, at the request of the Covered Entity, to make any amendment(s) to Protected Health Information in a Designated Record Set that the Covered Entity directs or agrees to pursuant to 45 CFR 164.526.
- h. Unless otherwise prohibited by law, Business Associate agrees to make internal practices, books, and records, including policies and procedures and Protected Health Information, relating to the use and disclosure of Protected Health Information received from, or created or received by Business Associate on behalf of, Covered Entity available to the Covered Entity, or to the Cumberland County Department of Social Services, in a time and manner designated by the Secretary, for purposes of the Cumberland County Department of Social Services determining Covered Entity's compliance with the Privacy Rule.
- i. Business Associate agrees to document such disclosures of Protected Health Information and information related to such disclosures as would be required for Covered Entity to respond to a request by an Individual for an accounting of disclosures of Protected Health Information in accordance with 45 CFR 164.528, and to provide this information to Covered Entity or an Individual to permit such a response.

4. PERMITTED USES AND DISCLOSURES

- a. Except as otherwise limited in this Agreement or by other applicable law or agreement, if the Contract permits, Business Associate may use or disclose Protected Health Information to perform functions, activities, or services for, or on behalf of, Covered Entity as specified in the Contract, provided that such use or disclosure:
 - 1) would not violate the Privacy Rule if done by Covered Entity; or
 - 2) would not violate the minimum necessary policies and procedures of the Covered Entity.
- b. Except as otherwise limited in this Agreement or by other applicable law or agreements, if the Contract permits, Business Associate may use Protected Health Information as necessary for the proper management and administration of the Business Associate or to carry out the legal responsibilities of the Business Associate.
- c. Except as otherwise limited in this Agreement or by other applicable law or agreements, if the Contract permits, Business Associate may disclose Protected Health Information for the proper management and administration of the Business Associate, provided that:
 - 1) disclosures are Required By Law; or
 - 2) Business Associate obtains reasonable assurances from the person to whom the information is disclosed that it will remain confidential and will be used or further disclosed only as Required By Law or for the purpose for which it was disclosed to the person, and the person notifies the Business Associate of any instances of which it is aware in which the confidentiality of the information has been breached.
- d. Except as otherwise limited in this Agreement or by other applicable law or agreements, if the Contract permits, Business Associate may use Protected Health Information to provide data aggregation services to Covered Entity as permitted by 45 CFR 164.504(e)(2)(i)(B).
- e. Notwithstanding the foregoing provisions, Business Associate may not use or disclose Protected Health Information if the use or disclosure would violate any term of the Contract or other applicable law or agreements.

5. TERM AND TERMINATION

- a. **Term.** This Agreement shall be effective as of the effective date stated above and shall terminate when the Contract terminates.
- b. **Termination for Cause.** Upon Covered Entity's knowledge of a material breach by Business Associate, Covered Entity may, at its option:
 - 1) Provide an opportunity for Business Associate to cure the breach or end the violation, and terminate this Agreement and services provided by Business Associate, to the extent permissible by law, if Business Associate does not cure the breach or end the violation within the time specified by Covered Entity;

- 2) Immediately terminate this Agreement and services provided by Business Associate, to the extent permissible by law; or
- 3) If neither termination nor cure is feasible, report the violation to the Secretary as provided in the Privacy Rule.

Effect of Termination.

- 4) Except as provided in paragraph (2) of this section or in the Contract or by other applicable law or agreements, upon termination of this Agreement and services provided by Business Associate, for any reason, Business Associate shall return or destroy all Protected Health Information received from Covered Entity, or created or received by Business Associate on behalf of Covered Entity. This provision shall apply to Protected Health Information that is in the possession of subcontractors or agents of Business Associate. Business Associate shall retain no copies of the Protected Health Information.
- 5) In the event that Business Associate determines that returning or destroying the Protected Health Information is not feasible, Business Associate shall provide to Covered Entity notification of the conditions that make return or destruction not feasible. Business Associate shall extend the protections of this Agreement to such Protected Health Information and limit further uses and disclosures of such Protected Health Information to those purposes that make the return or destruction infeasible, for so long as Business Associate maintains such Protected Health Information.

6. GENERAL TERMS AND CONDITIONS

- a. This Agreement amends and is part of the Contract.
- b. Except as provided in this Agreement, all terms and conditions of the Contract shall remain in force and shall apply to this Agreement as if set forth fully herein.
- c. In the event of a conflict in terms between this Agreement and the Contract, the interpretation that is in accordance with the Privacy Rule shall prevail. In the event that a conflict then remains, the Contract terms shall prevail so long as they are in accordance with the Privacy Rule.
- d. A breach of this Agreement by Business Associate shall be considered sufficient basis for Covered Entity to terminate the Contract for cause.

(Signature of Contractor)

(Signature of County Authorized Person)

(Date Submitted)

(Date Submitted)



CONTRACT #: _____

IRAN DIVESTMENT ACT CERTIFICATION. Contractor hereby certifies that Contractor, and all subcontractors, are not on the Iran Final Divestment List (“List”) created by the North Carolina State Treasurer pursuant to N.C.G.S. 147-86.55-69. Contractor shall not utilize any subcontractor that is identified on the List.

E-VERIFY. CONTRACTOR shall comply with the requirements of Article 2 of Chapter 64 of the General Statutes. Further, if CONTRACTOR utilizes a subcontractor, CONTRACTOR shall require the subcontractor to comply with the requirements of Article 2 of Chapter 64 of the General Statutes.”

Company Name: Elizabeth Gurnee, Attorney at Law

Authorized Signer

Date _____



CUMBERLAND
★ **COUNTY** ★
NORTH CAROLINA

BOARD OF COMMISSIONERS' OFFICE

MEMORANDUM FOR BOARD OF COMMISSIONERS AGENDA OF NOVEMBER 20,
2017

TO: BOARD OF COUNTY COMMISSIONERS

FROM: CANDICE H. WHITE, CLERK TO THE BOARD

DATE: 11/20/2017

SUBJECT: CUMBERLAND COUNTY FINANCE COMMITTEE MINUTES - NOVEMBER
2, 2017

BACKGROUND

The draft minutes of the November 2, 2017 meeting of the Cumberland County Finance Committee are attached for review.

RECOMMENDATION / PROPOSED ACTION

No action required.

ATTACHMENTS:

Description

Cumberland County Finance Committee Report and Recommendation(s)

Type

Backup Material

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CUMBERLAND COUNTY FINANCE COMMITTEE
COURTHOUSE, 117 DICK STREET, 5TH FLOOR, ROOM 564
NOVEMBER 2, 2017 – 9:30 AM
REGULAR MEETING MINUTES

MEMBERS PRESENT: Commissioner Marshall Faircloth, Chairman
Commissioner Jeannette Council
Commissioner Jimmy Keefe

OTHERS: Amy Cannon, County Manager
Melissa Cardinali, Assistant County Manager
Tracy Jackson, Assistant County Manager
Sally Shutt, Assistant County Manager
Duane Holder, Assistant County Manager
Rick Moorefield, County Attorney
Deborah Shaw, Budget Analyst
Heather Harris, Budget Analyst
Vicki Evans, Finance Director
Ivonne Mendez, Accounting Supervisor
Tammy Gillis, Director of Internal Audit and Wellness Services
Jeffrey Brown, Engineering and Infrastructure Director
Brenda Jackson, Social Services Director
Tim Kinlaw, Cumberland County Schools Interim Superintendent
Clyde Locklear, Cumberland County Schools Chief Financial Officer
Candy York, Health Department Accountant
Candice H. White, Clerk to the Board

Commissioner Faircloth called the meeting to order. Consensus followed to have Item 4. moved forward on the agenda to become Item 2. and for the remaining items to be renumbered accordingly.

1. APPROVAL OF MINUTES – OCTOBER 5, 2017 REGULAR MEETING OF FINANCE COMMITTEE

MOTION: Commissioner Keefe moved to approve the minutes of the October 5, 2017 regular meeting of the Finance Committee.

SECOND: Commissioner Council

VOTE: UNANIMOUS (3-0)

2. CONSIDERATION OF FUNDING AGREEMENT WITH CUMBERLAND COUNTY SCHOOL SYSTEM

BACKGROUND:

The current funding agreement with the Cumberland County School System(CCSS) expires June 30, 2018. This funding agreement allows both the County and CCSS to more accurately plan and

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prepare annual budgets. The current agreement provides CCSS revenue derived from \$0.3406 on the County's ad valorem property tax rate. It also provides that actual taxes collected above the budget are split 75% (County) / 25% (CCSS).

As discussed at the October Finance Committee meeting, the renewal of this agreement will need consideration over the next few months to ensure a timely resolution prior to the Fiscal Year 2018-19 budget process. To assist with this effort, a snapshot of information is recorded below.

RECOMMENDATION/PROPOSED ACTION:

No action needed at this time. Information is for discussion purposes and to move an agreement renewal forward by February 1, 2018.

Cumberland County Schools K-12 Enrollment (as used for resource allotment)

Fiscal Year	CCSS	Charter Schools	Total	% Change (Cumulative)
2012-13	51,890	263	52,153	
2013-14	51,855	410	52,265	0.21%
2014-15	50,939	628	51,567	(1.12%)
2015-16	50,662	887	51,549	(1.16%)
2016-17	50,558	1,019	51,577	(1.10%)

Cumberland County Schools Impact Aid – (used to pay teacher supplements)

Fiscal Year	Funds Received	% Change (Cumulative)
2012-13	\$5,834,185	
2013-14	\$4,480,986	(23.19%)
2014-15	\$4,907,172	(15.89%)
2015-16	\$4,332,425	(25.74%)
2016-17	\$4,033,227	(30.87%)

Annual Funding from Cumberland County to CCSS

Fiscal Year	County Funding	Cumulative Increase	% Change (Cumulative)
2012-13	\$76,220,676		
2013-14	\$76,220,676	\$0	
2014-15	\$76,982,883	\$762,207	1.00%
2015-16	\$78,345,062	\$2,124,386	2.79%
2016-17	\$79,463,109	\$3,242,433	4.25%

Cumberland County Schools Unassigned Fund Balance

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Fiscal Year	Unassigned Fund Balance
2012-13	\$28,150,619
2013-14	\$22,640,043
2014-15	\$23,371,510
2015-16	\$28,441,184
2016-17	Not available

Melissa Cardinali, Assistant County Manager, reviewed the background information recorded above and stated the agreement is beneficial for both parties because it allows the County and the school system to prepare their budgets. Ms. Cardinali referenced the snapshot of information recorded above and stated the information was derived from the school system, the County's books and the Comprehensive Annual Financial Report (CAFR). Ms. Cardinali stated the hope is to have the agreement finalized by February 1, 2018. Tim Kinlaw, Cumberland County Schools Interim Superintendent, stated the Board of Education likes the formula because it is fair and makes it easy to plan. Mr. Kinlaw stated the school system is available to answer questions or provide additional information, especially in regards to the growth in fund balance. Mr. Kinlaw stated Cumberland County ranks 57 across the state in ability to pay and ranks 12 in contributing which demonstrates the Board of Commissioners' commitment to education. A brief discussion followed about accommodating changes at the state level and changes in demographics.

3. CONSIDERATION OF ENGAGING OUTSIDE LEGAL COUNSEL FOR DSS FOR CHILDREN'S SERVICES

BACKGROUND:

The overriding and primary need for this contract is to have a knowledgeable and capable attorney to handle the many cases being appealed from Juvenile Court to the North Carolina Court of Appeals. Cases are being appealed in record numbers. Seven cases are pending. Every case must be professionally addressed meeting stringent Court of Appeals requirements. These cases are time consuming with drop dead deadlines. These cases are decided on the written, not oral argument. They required research, extensive knowledge of the law, and excellent writing ability which allows this work to be managed remotely. When time allows, this contract attorney would be able to assist with legal research, termination of parental rights petitions and other legal duties as assigned.

RECOMMENDATION/PROPOSED ACTION:

DSS respectfully requests the Finance Committee's approval to contract with Elizabeth Gurnee in the amount of \$40,000 (not to exceed 32 hours per week) effective December 1, 2017 through June 30, 2018. Ms. Gurnee has a record of successful appeals for this agency. At this time, no other Cumberland County Department of Social Services attorney can take on this added work.

Brenda Jackson, Social Services Director, reviewed the background information recorded above and stated these cases involve legal proceedings in which the parents have the right to bring their

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cases before the N. C. Court of Appeals for determination. Ms. Jackson stated DSS is finding that more and more parents are exercising their rights to appeal the decisions of the local Juvenile Court. Ms. Jackson explained the work required and the Elizabeth Gurnee’s qualifications to take on the seven cases that are pending.

Chairman Adams expressed concern about spending tax payer dollars on an attorney that resides in Colorado when the work can be handled locally and also about cases that may require oral arguments. Ms. Jackson stated in this day and time being able to successfully work remotely is an achievable goal and most of the cases involve written arguments. Ms. Jackson stated to have an individual who has worked with DSS a number of years and has the expertise and knowledge of the work and a proven track of success in these cases is worth the dollars. Commissioner Boose stated appellate work is specialized and no one else would touch the work for \$41 per hour. In response to a question from Commissioner Keefe, Ms. Jackson explained the growth in the number of cases and the complexities involved therein and stated this is likely the new normal. Ms. Jackson stated DSS workloads and legal needs are being evaluated to determine whether to continue the outside legal contracts or request a full-time attorney in the FY19 budget. Ms. Jackson stated should these number constitute a new normal, there also needs to be efficiencies in the court system because the way cases currently move through the courts creates a lot issues that contribute to the DSS workload. Additional questions and discussion followed. Commissioner Council stated as part of the upcoming budget process, she would like to know how many outside attorneys are under contract and the dollar amount spent for outside legal counsel.

MOTION: Commissioner Council moved to approve the contract with Elizabeth Gurnee in the amount of \$40,000 (not to exceed 32 hours per week) effective December 1, 2017 through June 30, 2018.

SECOND: Commissioner Keefe

VOTE: UNANIMOUS (3-0)

MOTION: Commissioner Council moved to request a tabulation of outside legal counsel used for all County departments and a listing of when the contracts come do or expire.

SECOND: Commissioner Keefe

VOTE: UNANIMOUS (3-0)

4. CONSIDERATION OF HEALTH DEPARTMENT NEW CLINICAL SERVICES FEES

BACKGROUND:

The Board of Health approved proposed new clinical services at their meeting, October 17, 2017.

The Department of Public Health has partnered with Stedman-Wade Health Services, Inc. to resume Adult Health and Dental services beginning October 3. New clinical services will be provided which will benefit the Cumberland County citizens. The new fees are recorded below.

Incision & Drainage of Abscess (Simple or Single)	\$ 80.14
Incision & Drainage of Abscess (Complex or Multiple)	\$ 137.99

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Skin Tag Removal Up to 15	\$ 59.46
Skin Tag Removal-Next 10	\$ 14.05
Avulsion of Nail Plate	\$ 72.54
Additional Avulsion of Nail Plate	\$ 33.86
Excision of nail and Nail Matrix-Partial	\$ 157.05
Injection of small joint	\$ 41.20
Injection of intermediate joint	\$ 44.13
Injection of major joint	\$ 56.80
Measurement of Lactic Acid	\$ 13.58
CD4/CD8 Absolute Count	\$ 57.95
Bexsero-Meningococcal Group B Vaccine	\$ 185.00
Comprehensive Periodontal	\$ 60.00

RECOMMENDATION/PROPOSED ACTION:

The Health Department recommends approval of the new clinical services fees as adopted by the Board of Health and revision of the FY18 Budget Ordinance to reflect the new fees.

Candy York, Health Department Accountant, reviewed the background information and recommendation/proposed action recorded above. Ms. York noted these are new fees for new clinical services being offered which will benefit citizens of the County.

MOTION: Commissioner Council moved to approve the new clinical services fees as adopted by the Board of Health and revision of the FY18 Budget Ordinance to reflect the new fees.

SECOND: Commissioner Keefe

VOTE: UNANIMOUS (3-0)

5. UPDATE ON PUBLIC SAFETY TASK FORCE

BACKGROUND:

In February of 2017, staff sought and received approval from the Board of Commissioners to re-institute the Cumberland County Public Safety Task Force (PSTF). In short order, County Management retained the services of retired Fire Chief Greg Grayson with North Carolina Fire Rescue Innovative Solutions, LLC to facilitate the meetings and work processes of the task force. The task force has met several times since April and has discussed many important issues and concerns impacting the current and future delivery of fire services in Cumberland County. It is the goal of County Management and the Task Force to develop short and long-term recommendations that address the funding and operations of the fire departments under contract to provide services in Cumberland County. This project is planned for completion in time for the FY19 Budget process.

RECOMMENDATION/PROPOSED ACTION:

This item is for information only, and no action is being requested.

Tracy Jackson, Assistant County Manager, reviewed the background information recorded above. Mr. Jackson stated Mr. Grayson with North Carolina Fire Rescue Innovative Solutions, LLC is charged with helping the task force achieve the scope of work it established which includes: reviewing recommendations of the previous task force and providing a list of what has been fulfilled and not fulfilled; appointing representatives for fire service; re-evaluating any recommendations coming out of the task force; finding existing inefficiencies; developing recommendations based on a review of old recommendations; and developing an action plan that will address the updated recommendations. Mr. Jackson stated the task force consists of appointed representative from Cumberland County Fire Chiefs' Association, Commissioner Liaison Jimmy Keefe, volunteer fire departments, City of Fayetteville fire departments, EMS and County staff. Mr. Jackson stated subcommittees are stood up as needed to research and discuss special issues, and subject matter experts have been brought in to discuss best practices in a number of different areas. Mr. Jackson stated the task force has met nine times since April 2017, and the meetings have been well attended by task force members and members of fire service. Mr. Jackson stated topics of discussion to date include short and long range priorities along with a SWAT analysis, current system of county-wide fire protection, communication needs and expectations, county fire contracts, recruitment and retention of volunteers, technology and management of records and data, and performance measures. Mr. Jackson stated the end goal of this work is to provide a report and recommendations to the Board by early spring 2018. Mr. Jackson provided highlights of the SWAT analysis of the current fire service. Commissioner Keefe spoke to the knowledge he has gained as a member of the task force and the complexities therein. Commissioner Keefe stated the funding formula and fire service must change because it is not sustainable as is. Ms. Cannon stated staff are working with a committee of the task force made up of volunteer fire departments on is a sustainable and equitable funding formula.

6. MONTHLY FINANCIAL REPORT

BACKGROUND:

The financial report recorded below shows results of the general fund for the first quarter of fiscal year 2018. Results for fiscal year ending 2017 will be added upon completion of the audit. The layout is closer in format to the Schedule of Revenues, Expenditures, and Changes in Fund Balance found in the Comprehensive Annual Financial Report.

The goal is to provide the Committee a report that is more reader-friendly. Expenditure information is provided at the department level and at the expenditure type level. Revenue information is provided at the line level for the largest revenue sources and summarized by category for smaller revenue sources. As always, modifications to the report can be implemented to provide the Finance Committee the most useful information.

RECOMMENDATION/PROPOSED ACTION:

No action needed – for information purposes only.

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	FY17-18	FY17-18	AS OF	PERCENT OF
REVENUES	ADOPTED BUDGET	REVISED BUDGET	SEPTEMBER 30, 2017	BUDGET TO DATE
Ad Valorem Taxes				
Current Year	\$ 160,312,162	\$ 160,312,162	\$ 15,356,507	9.6%
Prior Years	1,121,000	1,121,000	465,027	41.5%
Motor Vehicles	18,070,242	18,070,242	3,251,512	18.0%
Penalties and Interest	667,602	667,602	103,270	15.5%
Other	930,279	930,279	249,215	26.8%
Total Ad Valorem Taxes	181,101,285	181,101,285	19,425,532	10.7%
Other Taxes				
Sales	41,760,036	41,760,036	-	0.0%
Real Estate Transfer	700,000	700,000	261,670	37.4%
Other	1,111,500	1,111,500	171,351	15.4%
Total Other Taxes	43,571,536	43,571,536	433,021	1.0%
Unrestricted & Restricted Intergovernmental Revenues	67,300,253	68,096,560	7,904,565	11.6%
Charges for Services	12,056,608	12,066,608	2,250,678	18.7%
Other (includes Transfers In)	6,988,890	7,028,020	393,192	5.6%
Proceeds Refunding Bonds	-	23,005,000	23,005,000	100.0%
Premium on COPS Sold	-	4,285,558	4,285,557	100.0%
County Closing Contribution	-	254,736	254,735	100.0%
Lease Land CFVMC	3,714,637	3,714,637	3,474,492	93.5%
Total Other	10,703,527	38,287,951	31,412,976	
Total Revenue	\$ 314,733,209	\$ 343,123,940	\$ 61,426,771	17.9%
Fund Balance Appropriation	8,889,652	10,126,328	-	0.0%
Total Funding Sources	\$ 323,622,861	\$ 353,250,268	\$ 61,426,771	17.4%

Vicki Evans, Finance Director, stated the financial report on the first quarter results of fiscal year 2018 is in a different format and updated to be more in line with the report within the CAFR with the schedule of revenues, expenditures and changes in fund balance. Ms. Evans stated the report is on general fund and expenditure information is reported at the department level. Ms. Evans stated revenue information is provided at the line item level for the higher dollar amounts and combined for other revenue sources. Ms. Evans stated the report contains a summary by type of expenditure. Feedback and discussion followed.

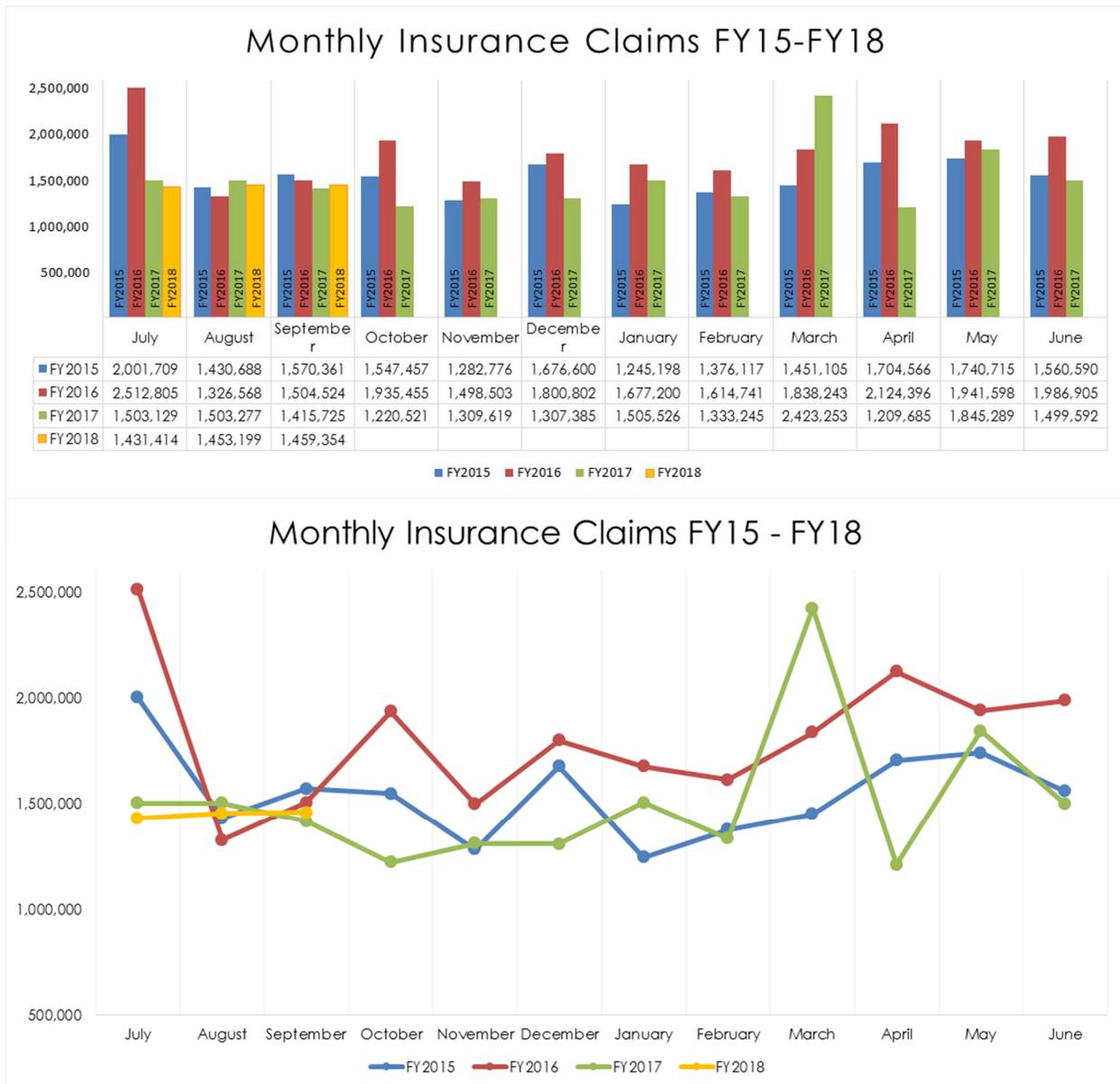
7. MONTHLY HEALTH INSURANCE REPORT

BACKGROUND:

Health insurance claims remain flat as the end the first quarter of the fiscal year. The average monthly claims are trending 3.8% below Fiscal Year 2017.

RECOMMENDATION/PROPOSED ACTION:

No action needed – for information only.



Ms. Cardinali reviewed the background information recorded above and referenced the graphs on monthly insurance claims for FY15-FY18. Ms. Cardinali stated after the fiscal information is audited for FY17, she will be able to plot more data. Ms. Cardinali stated the good news is that the County is still trending at \$1.4 million for claims.

8. OTHER ITEMS OF BUSINESS

Mr. Jackson briefed the Committee on two items that will go directly to the Board’s November 6 agenda: Soil and Water Conservation’s stream debris removal \$1.2 million grant related to Hurricane Matthew that will require a \$5,000 match and FY18 parks and recreation projects.

There being no further business, the meeting adjourned at 11:15 a.m.



CUMBERLAND
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COUNTY ★
NORTH CAROLINA

PLANNING AND INSPECTIONS DEPARTMENT

MEMORANDUM FOR BOARD OF COMMISSIONERS AGENDA OF NOVEMBER 20,
2017

TO: BOARD OF COUNTY COMMISSIONERS

FROM: JOEL STRICKLAND

DATE: 11/13/2017

SUBJECT: RESOLUTION SUPPORTING OZONE ADVANCE PROGRAM

BACKGROUND

In 2003 the Cumberland County Board of Commissioners partnered with the municipalities within Cumberland County to participate in the Environmental Protection Agency's (EPA) Early Action Compact program. The program was designed to improve air quality within the County and show the EPA that Cumberland County was committed to being in attainment with the EPA's standards for ground level ozone. Since that time the Early Action Compact program has been discontinued, but the county still has shown their commitment to air quality by participating in the voluntary Ozone Advance Program. By doing so, the efforts put forth will help Cumberland County stay within the EPA's standards for attainment as well as open opportunities for grants from the EPA.

This item was approved by the Policy Committee at their November 2, 2017 meeting.

RECOMMENDATION / PROPOSED ACTION

Consider approval of the 2017 Ozone Advance Program Resolution.

ATTACHMENTS:

Description

Resolution Supporting Ozone Advance Program

Type

Backup Material

**RESOLUTION SUPPORTING THE
OZONE ADVANCE PROGRAM**

WHEREAS, the federal Clean Air Act, through the Environmental Protection Agency (EPA), establishes air quality standards to protect public health and welfare; and

WHEREAS, Cumberland County has acknowledged the importance of these standards in promoting quality of life, economic development, and future healthy development; and

WHEREAS, Cumberland County is currently attaining the 2015 federal ozone standard of 0.070 parts per million (ppm); and

WHEREAS, in 2003 the Cumberland County Board of Commissioners partnered with all of its municipalities to participate in the EPA's Early Action Compact and created the Air Quality Stakeholders of Cumberland County to proactively improve air quality for our citizens; and

WHEREAS, EPA, in conjunction with state governments, business, industry, and environmental interest, has developed an option known as an "Ozone Advance Program", through which an area, in partnership with the North Carolina Department of Environmental and Natural Resources and EPA, can voluntarily improve conditions through strategies developed through an Action Plan to help avoid a designation of non-attainment; and

WHEREAS, the benefits of participating in an Ozone Advance Program include: clean air sooner, potentially avoiding non-attainment designation; preference during EPA federal grant allocations; flexibility to achieve standards in cost effective ways; development of local standards in partnership with stakeholders and the state, and other benefits;

NOW, THEREFORE, BE IT RESOLVED, that we, the Cumberland County Board of Commissioners, support the Ozone Advance Program and will participate in the development and implementation of an Action Plan with the purpose of reducing ground-level ozone concentrations.

ADOPTED this 20th day of November, 2017.

Glenn B. Adams, Chairman
Cumberland County Board of Commissioners

Attest:

Candice H. White
Clerk to the Board of Commissioners



CUMBERLAND
★
COUNTY ★
NORTH CAROLINA

HUMAN RESOURCES

MEMORANDUM FOR BOARD OF COMMISSIONERS AGENDA OF NOVEMBER 20,
2017

TO: BOARD OF COUNTY COMMISSIONERS

FROM: JULEAN SELF , HUMAN RESOURCES DIRECTOR

DATE: 11/3/2017

SUBJECT: AMENDMENT TO PERSONNEL ORDINANCE

BACKGROUND

Since July 1, 2001, the County has tracked leave balances in the automated system known as Advantage in the format of hours and minutes (4 hours and 30 minutes was shown as 4.30). The County converted to a new system known as Munis on October 1st, 2016. Leave balances are now reflected in a decimal hour format (4 hours and 30 minutes shown as 4.5). This has slightly adjusted our leave tables.

Based on their work schedule, Cumberland County Sheriff's Office law enforcement officers' accrue annual leave at a rate slightly higher than civilian employees. For reference purposes, this table has been added to the current ordinance.

RECOMMENDATION / PROPOSED ACTION

Request that the Board of Commissioners accept and approve the Policy Committee recommendations, made on November 2, 2017, that these leave adjustments be made to reflect the accurate rates and format of leave accrual for all staff as reflected by Munis. These adjustments are reflected in Article VI Section 606 and 607.

ATTACHMENTS:

Description	Type
Amendment to 606 and 607	Ordinance

**BOARD OF COMMISSIONERS OF CUMBERLAND COUNTY
ORDINANCE AMENDING ARTICLE VI SECTIONS 606 AND 607 OF
THE CUMBERLAND COUNTY PERSONNEL ORDINANCE**

Be it ordained by the Board of Commissioners that the Cumberland County Personnel Ordinance, formerly codified as Chapter 10 of the Cumberland County Code, *Personnel*, is hereby amended as follows:

FIRST AMENDMENT:

Article VI Section 606(b), Annual leave, is amended to update the table containing the accrual rates due to the new system, Munis, accruing leave at a rate rounded at the ten-thousandths decimal place by repealing existing *Article VI subsection 606(b)*, and adopting in its stead the following new subsection *Article VI subsection 606(b)*:

(b) All employees subject to the Local Government Employees' and Law Enforcement Officers' Retirement Systems who are in pay status for ten or more workdays, 80 hours, in a pay period earn annual leave. The following table indicates the amount of annual leave accrued per pay period based on years of Cumberland County service for regular employees:

Years of Completed <u>Aggregate Service</u>	Hours Earned <u>Each Pay Period</u>	Days Earned <u>Annually</u>
0-2	3.7000	12.0250
2	4.6167	15.0043
5	5.5500	18.0375
10	6.4667	21.0168
15	7.4000	24.0500
20	8.3167	27.0293

(c) The following table indicates the amount of annual leave accrued per pay period based on years of *Cumberland County* service for ***Law Enforcement Officers Only***.

Years of Completed <u>Aggregate Service</u>	Hours Earned <u>Each Pay Period</u>	Days Earned <u>Annually</u>
0-2	3.9500	12.0117
2	4.9333	15.0018
5	5.9333	18.0428
10	6.9167	21.0332
15	7.9000	24.0234
20	8.8833	27.0135

SECOND AMENDMENT:

Article VI Section 607, Sick leave, is amended to update the amount of sick leave accumulated per pay period to reflect current rate from new system, by repealing existing *Article VI Section 607(a) Sick leave credits*, and adopting in its stead the following new subsection *Article VI Section 607(a) Sick leave credits*:

(a) *Sick leave credits*. All employees participating in the Local Governmental Employees Retirement system must be in pay status the entire bi-weekly pay period (80 hours for standard work schedule employees and 85.5 hours for law enforcement/detention officers) to accrue sick leave as follows:

Standard Schedule Employees accrue 3.70 hours per pay period/96.20 hours (12 days) annually

LEO/Detention Officers accrue 3.95 hours per pay period/102.70 hours (12 days) annually

Employees whose normal work week is less than 40 hours per week shall earn sick leave proportionally.



CUMBERLAND
★
COUNTY ★
NORTH CAROLINA

BOARD OF COMMISSIONERS' OFFICE

MEMORANDUM FOR BOARD OF COMMISSIONERS AGENDA OF NOVEMBER 20,
2017

TO: BOARD OF COUNTY COMMISSIONERS

FROM: KELLIE BEAM, DEPUTY CLERK TO THE BOARD

DATE: 11/14/2017

**SUBJECT: CUMBERLAND COUNTY POLICY COMMITTEE MINUTES - NOVEMBER
2, 2017**

BACKGROUND

The draft minutes of the November 2, 2017 meeting of the Cumberland County Policy Committee are attached for review.

RECOMMENDATION / PROPOSED ACTION

No action required.

ATTACHMENTS:

Description

Nov 2 Policy Committee Minutes

Type

Minutes

DRAFT

CUMBERLAND COUNTY POLICY COMMITTEE
JUDGE E. MAURICE BRASWELL CUMBERLAND COUNTY COURTHOUSE
117 DICK STREET, 5TH FLOOR, ROOM 564
NOVEMBER 2, 2017 – 10:30 A.M.
MINUTES

MEMBERS PRESENT: Commissioner Charles Evans
 Commissioner Michael Boose
 Commissioner Larry Lancaster

OTHER COMMISSIONERS
PRESENT: Commissioner Jimmy Keefe
 Commissioner Jeannette Council
 Commissioner Marshall Faircloth

OTHERS PRESENT: Amy Cannon, County Manager
 Tracy Jackson, Assistant County Manager
 Sally Shutt, Assistant County Manager
 Melissa Cardinali, Assistant County Manager
 Duane Holder, Assistant County Manager
 Rick Moorefield, County Attorney
 Jeffery Brown, Engineering & Infrastructure Director
 Julean Self, Human Resources Director
 Joel Strickland, FAMPO Director
 Vicki Evans, Finance Director
 Ivonne Mendez, Financial Specialist
 Deborah Shaw, Budget Analyst
 Heather Harris, Budget Analyst
 Candice White, Clerk to the Board
 Kellie Beam, Deputy Clerk to the Board
 Press

Commissioner Evans called the meeting to order.

1. APPROVAL OF MINUTES – SEPTEMBER 7, 2017 REGULAR MEETING

MOTION: Commissioner Boose moved to approve the minutes from the September
 7, 2017 regular meeting of the Policy Committee as presented.
SECOND: Commissioner Lancaster
VOTE: UNANIMOUS (3-0)

2. DISCUSSION OF PROCEDURES TO BE FOLLOWED BY INSPECTORS
 FOR THE ENFORCEMENT OF THE MINIMUM HOUSING CODE

BACKGROUND:

Policy Committee Chair Evans asked Planning and Inspections Director Tom Lloyd to provide the Policy Committee with an explanation of how the owner was represented by someone with a power of attorney in Minimum Housing Case MH1773-2017, heard August 21, 2017. At the time Policy Committee Chair Evans asked for this report, the Planning and Inspections Director had already asked the County Attorney to meet with inspections staff and discuss this issue and others that had recently arisen with respect to enforcement of the Minimum Housing Code. The County Attorney had proposed to create an outline of minimum housing code enforcement procedures and provide training to inspections staff on these procedures. For that reason, the Planning and Inspections Director asked the County Attorney to discuss this process with Policy Committee Chair Evans. Policy Committee Chair Evans asked the County Attorney to present that information to the Policy Committee.

The outline of the procedures is recorded below. The procedures are intended to ensure that all owners and parties of interest are served notice of the violations and hearing and that the structures which are demolished are in fact located at the address and on the parcel of land owned by the persons to whom notice was given. Determining ownership and location is often difficult for several reasons including incorrect tax mapping and listing information, multiple addresses on a single parcel, bad descriptions of the boundaries in the deeds, and ownership passing by inheritance without the estate being administered. The county attorney is working with Inspections staff to improve the forms used for these enforcement procedures. Even with better forms and a more uniform approach, enforcement of this ordinance is often going to take several months to complete.

In response to Policy Committee Chair Evan's specific question about an owner being represented by an attorney-in-fact, it is permissible if the county attorney determines that the power of attorney is valid. In the case that was heard August 21, 2017, the power of attorney was not valid and that case will not go forward except through a civil action with a guardian being appointed for the owner. To do so will increase the cost of this enforcement action considerably. It is a Town of Eastover case.

RECOMMENDATION/ACTION REQUESTED:

This was presented as information in response to Policy Committee Chair Evan's request and no action is requested from the Policy Committee.

**PROCEDURES TO BE FOLLOWED BY INSPECTORS FOR
THE ENFORCEMENT OF THE MINIMUM HOUSING CODE**

The County's Minimum Housing Code has been adopted pursuant to Part 6, Article 19, Chapter 160A of the General Statutes of North Carolina, and those statutes govern its implementation. Many of the properties found to be in violation of this Code have

simply been abandoned and often it is difficult to determine who owns the property or upon which parcel a structure is located. Even so, it is important to keep in mind that the demolition of these structures amounts to a taking of property by the county and the owners of these properties are always to be afforded the constitutional protection of due process. When an inspector has doubt about any aspect of the enforcement process, he or she should err on the side of caution and consult with the county attorney. The county attorney has set out below an outline of the basic processes to address recurring issues.

I. Inspections.

A Minimum Housing Code enforcement inspection shall be conducted in compliance with Section 4-83(a) of the Minimum Housing Code. An enforcement inspection shall only commence upon the filing of a written petition by one of the following:

- (1) the County or State Public Health Director;
- (2) the County or State Fire Marshal;
- (3) the County Planning Director;
- (4) the County Director of Community Development;
- (5) at least five (5) residents of the county;
- (6) the occupant of a dwelling that the occupant charges to be in violation;

or, whenever it appears to the inspector that any dwelling is in violation.

II. The Complaint.

- A. *Contents.* The complaint shall contain an itemized list of each violation of the Code which identifies the specific code sections found to be violated.
- B. *Report on Title.* The county attorney shall prepare a Report on Title for each property subject to an enforcement action. No enforcement action shall be commenced without obtaining a Report on Title. A copy of the Report on Title shall be attached to each complaint. This is necessary to explain the reason judgment creditors and other lien holders have been noticed as parties of interest.
- C. *Lis pendens.* A notice of lis pendens shall be filed with the Clerk of Court at the time a complaint is served on the owner and parties of interest.

III. Service of the Complaint and Notice of Hearing.

- A. *Service by posting.* A copy of the Complaint and Notice of Hearing shall be posted conspicuously on each structure on the property which has been found to violate any section of the Code.

- B. *Service by mail.* Service of the Complaint and Notice of Hearing by mail shall be made in accordance with Section 4-83(f) of the Code. Each owner and party of interest identified by the county attorney on the Report of Title shall be served separately by both regular mail and certified mail, return receipt requested, to the addresses shown on the Report of Title.
 - 1. If the return receipt for the certified mail is returned signed by anyone, service is deemed sufficient for the owner or party of interest to which it was addressed.
 - 2. If the return receipt for the certified mail is unclaimed or refused, and the regular mail addressed to the same owner or party of interest is not returned within ten days of mailing, service is deemed sufficient for the owner or party of interest to which it was addressed.
 - 3. If the return receipt for the certified mail is unclaimed or refused, and the regular mail addressed to the same owner or party of interest is returned within ten days of mailing, service is not deemed sufficient for the owner or party of interest to which it was addressed. When service is deemed not sufficient for this reason, the owner or party of interest shall be served by publication.
- C. *Service by publication.* Service by publication shall be made as to all owners and parties of interest for which service by publication is directed on the Report of Title, and as to all owners and parties of interest for which the return receipt for the certified mail is unclaimed or refused, and the regular mail addressed to the same owner or party of interest is returned within ten days of mailing
- D. *Affidavit of service.* An Affidavit of Service in a form approved by the county attorney shall be prepared for each owner and party of interest for which service is attempted. All Affidavits of Service shall be made part of the enforcement file.

IV. The Hearing.

- A. *When all parties have been served.* All owners and parties of interest have a right to be heard at the hearing, and to appeal the order of the inspector.
- B. *When all parties have not been served.* If during the conduct of the hearing, the inspector discovers information indicating that there are owners or parties of interest that have not been served, the inspector shall conduct the scheduled hearing and give notice to the parties present that the scheduled hearing shall be continued to a date that is not less than

thirty (30) days from the scheduled hearing in order to attempt service on any unserved party and to give the unserved party an opportunity to be heard. The inspector shall consult with the county attorney as to the perceived deficiency in service and how to remedy it.

- C. *Representation by an attorney.* Any party may be represented by an attorney. An attorney representing an owner or party of interest shall file a written notice of appearance which identifies all parties represented by the attorney and provides the attorney's mailing address and State Bar Number.
- D. *Representation by someone other than an attorney.* If anyone other than an attorney appears on behalf of an owner or party of interest, the person appearing must file a written document signed by the party being represented indicating the appointment of the representative. Examples of such appointments include a power of attorney and an agent. The hearing must be continued as to the party being represented by someone other than an attorney and the inspector shall consult with the county attorney as to the validity of the appointment. The county attorney shall advise the inspector how to proceed.
- E. *Persons with special needs.* If it appears to the inspector that any owner or party of interest appearing at the hearing has a handicap or disability that substantially impairs his or her ability to communicate by ordinary hearing and speech, the hearing shall be continued as to such person and the inspector shall consult with the county attorney. The county attorney shall advise the inspector how to proceed.

V. **Special Circumstances.**

The county attorney shall advise in the Report on Title of any special circumstances affecting an enforcement action. Examples of such special circumstances include:

- (1) the property is subject to civil litigation such as a tax or mortgage foreclosure, condemnation or boundary dispute;
- (2) one of the owners or parties of interest is incompetent or is a minor;
- (3) one of the owners or parties of interest is in a bankruptcy proceeding;
- (4) the property must be surveyed to determine whether the structure for which demolition is sought is located upon it; or
- (5) the dwelling found to be in violation is a manufactured home which is not owned by the owner of the land upon which it is sited.

If a special circumstance is indicated, the inspector shall follow the instructions provided by the county attorney. Any questions on the procedures to follow should be directed to the county attorney.

Rick Moorefield, County Attorney, reviewed the background information, recommendation and “Procedures to be Followed by Inspectors for the Enforcement of the Minimum Housing Code” as recorded above.

Commissioner Boose stated he feels this is a great process and very clear. Commissioner Evans stated he appreciates the work Mr. Moorefield put into this issue. No action necessary or taken.

3. CONSIDERATION OF RESOLUTION SUPPORTING THE OZONE ADVANCE PROGRAM

BACKGROUND:

The Fayetteville Area Metropolitan Planning Organization (FAMPO) Air Quality Stakeholders is requesting a resolution seeking continued support of the existing Ozone Advance Action Program. This program is a collaborative effort among local governments, agencies, and other groups interested in protecting and improving the air quality of Fayetteville and Cumberland County. The proposed resolution is recorded below.

RECOMMENDATION/PROPOSED ACTION:

Staff recommends approval of the proposed resolution and further consideration by the full Board of Commissioners as a Consent Agenda item at the November 20, 2017 regular meeting.

**RESOLUTION SUPPORTING
THE OZONE ADVANCE
PROGRAM**

RESOLUTION 2017-01

WHEREAS, the federal Clean Air Act, through the Environmental Protection Agency (EPA), establishes air quality standards to protect public health and welfare; and

WHEREAS, Cumberland County has acknowledged the importance of these standards in promoting quality of life, economic development, and future healthy development; and

DRAFT

WHEREAS, Cumberland County is currently attaining the 2015 federal ozone standard of 0.070 parts per million (ppm); and

WHEREAS, in 2003 the Cumberland County Board of Commissioners partnered with all its municipalities to participate in the EPA’s Early Action Compact and created the Air Quality Stakeholders of Cumberland County to proactively improve air quality for our citizens; and

WHEREAS, EPA, in conjunction with state governments, business, industry, and environmental interest, has developed an option known as an “Ozone Advance Program,” through which an area, in partnership with the North Carolina Department of Environmental and Natural Resources and EPA, can voluntarily improve conditions through strategies developed through an Action Plan to help avoid a designation of non-attainment; and

WHEREAS, the benefits of participating in an Ozone Advance Program include: clean air sooner, potentially avoiding non-attainment designation; preference during EPA federal grant allocations; flexibility to achieve standards in cost effective ways; development of local standards in partnership with stakeholders and the state, and other benefits;

NOW, THEREFORE, BE IT RESOLVED, that Cumberland County supports the Ozone Advance Program and will participate in the development and implementation of an Action Plan with the purpose of reducing ground-level ozone concentrations.

Joel Strickland, FAMPO Director, reviewed the background information, recommendation and proposed resolution recorded above.

- MOTION: Commissioner Lancaster moved to recommend to the full board approval of the proposed resolution supporting the Ozone Advance Program.
- SECOND: Commissioner Boose
- VOTE: UNANIMOUS (3-0)

4. CONSIDERATION OF AMENDMENT TO PERSONNEL ORDINANCE ARTICLE VI

BACKGROUND

Since July 1, 2001, the County tracked leave balances in the automated system known as Advantage in the format of hours and minutes (4 hours and 30 minutes was shown as 4.30). The County converted to a new system known as Munis on October 1, 2016. Leave balances are now reflected in a decimal hour format (4 hours and 30 minutes shown as 4.5). This has slightly adjusted our leave tables.

Based on their work schedule, Cumberland County Sheriff’s Office law enforcement officers accrue annual leave at a rate slightly higher than civilian employees. For reference purposes, this table has been added to the current ordinance.

RECOMMENDED/PROPOSED ACTION

Human Resources recommends that these leave adjustments be made to reflect the accurate rates and format of leave accrual for all staff as reflected by Munis. These adjustments are reflected in Article VI Section 606 and 607.

**BOARD OF COMMISSIONERS OF CUMBERLAND COUNTY
ORDINANCE AMENDING ARTICLE VI SECTIONS 606 AND 607 OF
THE CUMBERLAND COUNTY PERSONNEL ORDINANCE**

Be it ordained by the Board of Commissioners that the Cumberland County Personnel Ordinance, formerly codified as Chapter 10 of the Cumberland County Code, Personnel, is hereby amended as follows:

FIRST AMENDMENT:

Article VI Section 606(b), Annual leave, is amended to update the table containing the accrual rates due to the new system, Munis, accruing leave at a rate rounded at the ten-thousandths decimal place by repealing existing *Article VI subsection 606(b)*, and adopting in its stead the following new subsection *Article VI subsection 606(b)*:

(b) All employees subject to the Local Government Employees’ and Law Enforcement Officers’ Retirement Systems who are in pay status for ten or more workdays, 80 hours, in a pay period earn annual leave. The following table indicates the amount of annual leave accrued per pay period based on years of Cumberland County service for regular employees:

<u>Years of Completed Aggregate Service</u>	<u>Hours Earned Each Pay Period</u>	<u>Days Earned Annually</u>
0-2	3.7000	12.0250
2	4.6167	15.0043
5	5.5500	18.0375
10	6.4667	21.0168
15	7.4000	24.0500
20	8.3167	27.0293

(c) The following table indicates the amount of annual leave accrued per pay period based on years of *Cumberland County* service for *Law Enforcement Officers Only*.

<u>Years of Completed Aggregate Service</u>	<u>Hours Earned Each Pay Period</u>	<u>Days Earned Annually</u>
0-2	3.9500	12.0117
2	4.9333	15.0018
5	5.9333	18.0428
10	6.9167	21.0332
15	7.9000	24.0234
20	8.8833	27.0135

SECOND AMENDMENT:

Article VI Section 607, Sick leave, is amended to update the amount of sick leave accumulated per pay period to reflect current rate from new system, by repealing existing *Article VI Section 607(a) Sick leave credits*, and adopting in its stead the following new subsection *Article VI Section 607(a) Sick leave credits*:

(a) *Sick leave credits*. All employees participating in the Local Governmental Employees Retirement system must be in pay status the entire bi-weekly pay period (80 hours for standard work schedule employees and 85.5 hours for law enforcement/detention officers) to accrue sick leave as follows:

Standard Schedule Employees accrue 3.70 hours per pay period/96.20 hours (12 days) annually

LEO/Detention Officers accrue 3.95 hours per pay period/102.70 hours (12 days) annually

Employees whose normal work week is less than 40 hours per week shall earn sick leave proportionally.

Julean Self, Human Resources Director, reviewed the background information, recommendation and draft ordinance amendment as recorded above.

MOTION: Commissioner Lancaster moved to recommend to the full board approval of the amendment to the Personnel Ordinance so the leave adjustments reflect the accurate rates and format of leave accrual for all staff as reflected by Munis in Article VI Section 606 and 607.

SECOND: Commissioner Boose

VOTE: UNANIMOUS (3-0)

5. OTHER ITEMS OF BUSINESS

No other items of business.

MEETING ADJOURNED AT 11:31 AM



CUMBERLAND
★ **COUNTY** ★
NORTH CAROLINA

PLANNING AND INSPECTIONS DEPARTMENT

MEMORANDUM FOR BOARD OF COMMISSIONERS AGENDA OF NOVEMBER 20,
2017

TO: BOARD OF COUNTY COMMISSIONERS

FROM: CUMBERLAND COUNTY JOINT PLANNING BOARD

DATE: 11/9/2017

SUBJECT: CASE P17-20

BACKGROUND

Case P17-20: Rezoning of 1.27+/- acres from R6A Residential to C2(P) Planned Service and Retail or to a more restrictive zoning district, located at 116 Airport Road, submitted by Osaze Love Asemota & Lily Igunbor (owners) and Gabriel Igunbor (agent).

RECOMMENDATION / PROPOSED ACTION

Planning Board Action: Unanimously approved the staff recommendation at the October 17, 2017 Planning Board Meeting.

Staff Recommendation:

1st motion for Case P17-20: Move to find the request for rezoning consistent with the 2030 Growth Vision Plan, and any other applicable land use plan, reasonable and in the public interest for the reasons stated in the recommendations of the Planning Staff.

2nd motion for Case P17-20: Move to approve the request for C2(P) Planned Service and Retail zoning.

ATTACHMENTS:

Description	Type
Action Memo	Backup Material

Charles Morris,
Chair
Town of Linden

Diane Wheatley,
Vice-Chair
Cumberland County

Jami McLaughlin,
Town of Spring Lake
Harvey Cain, Jr.,
Town of Stedman

Donovan McLaurin,
Wade, Falcon & Godwin



CUMBERLAND
COUNTY
NORTH CAROLINA

Planning & Inspections Department

Thomas J. Lloyd,
Director

Cecil P. Combs,
Deputy Director

Vikki Andrews,
Carl Manning,
Lori Epler,
Cumberland County

Stan Crumpler,
Town of Eastover

Patricia Hall,
Town of Hope Mills

NOVEMBER 9, 2017

MEMO TO: Cumberland County Board of Commissioners

FROM: Cumberland County Joint Planning Board

SUBJECT: **Case P17-20:** Rezoning of 1.27+/- acres from R6A Residential to C2(P) Planned Service and Retail or to a more restrictive zoning district, located at 116 Airport Road, submitted by Osaze Love Asemota & Lily Igunbor (owners) and Gabriel Igunbor (agent).

ACTION: 1st motion for Case P17-20: Move to find the request for rezoning consistent with the 2030 Growth Vision Plan, and any other applicable land use plan, reasonable and in the public interest for the reasons stated in the recommendations of the Planning Staff.

2nd motion for Case P17-20: Move to approve the request for C2(P) Planned Service and Retail zoning.

PROPERTY INFORMATION: **Frontage & Location:** 202'+/- on SR 2260 (Airport Rd); **Depth:** 360'+/-; **Adjacent Property:** No; **Current Use:** Residential; **Initial Zoning:** R6A – March 15, 1979 (Area 6); **Nonconformities:** Yes – if approved, C2(P) would make the building nonconforming on the side yard setback. The residential use would become nonconforming as well.; **Zoning Violation(s):** None; **Surrounding Land Use:** Residential (including manufactured homes), manufactured home park, vacant commercial, motor vehicle rental, pest control, fleet maintenance, bottled water distribution, manufactured home sales & manufactured home part sales; **Comprehensive Plans: 2030 Growth Vision Plan:** Urban **South Central Land Use Plan:** Airport uses; **School Capacity/Enrolled:** Comments requested, none received; **Special Flood Hazard Area (SFHA):** No; **Water/Sewer Availability:** PWC/PWC; **Soil Limitations:** Yes – Hydric, JT Johnston loam; **Average Daily Traffic Count (2014):** 8,700 on SR 2260 (Airport Road); **Highway Plan:** Airport Road is identified as an existing boulevard in the 2040 Metropolitan Transportation Plan with no constructions/improvements planned. The subject property will have no impact on the Transportation Improvement Plan; **Fayetteville Regional Airport:** The airport supports commercial uses of property surrounding the airport; **Airport Impact Zone:** 6, Fewer than 100 people per acre; **Notes:** Density: R6A – 12 lots/13 units, MHP – 10 units; Minimum Yard Setbacks: **C2(P):** Front yard: 50', Side yard: 30', Rear yard: 30'; **C1(P):** Front yard: 45', Side yard: 15', Rear yard: 20'; **O&I(P):** Front yard: 35', Side yard: 15', Rear yard: 20'; **R6A:** Front yard: 25', Side yard: 10', Rear yard: 15'.

MINUTES OF OCTOBER 17, 2017

The staff recommends the board further find that approval of this rezoning is reasonable and in the public interest because the district requested for the subject property generally meets or

exceeds the location criteria of the adopted Land Use Policies Plan, in that: *public water and sewer required*, PWC water and sewer exist in the area; *must have direct access to a collector street*, Airport Road is a minor arterial street; *should serve as a transition between heavy commercial, office & institutional or residential development*, the area surrounding the subject property is a mix of industrial, heavy commercial and residential uses; *should provide convenient goods and services to the immediate surrounding neighborhood*, light commercial uses could serve those in the immediate residential areas as well as customers and employees of the Fayetteville Regional Airport.

SECOND MOTION

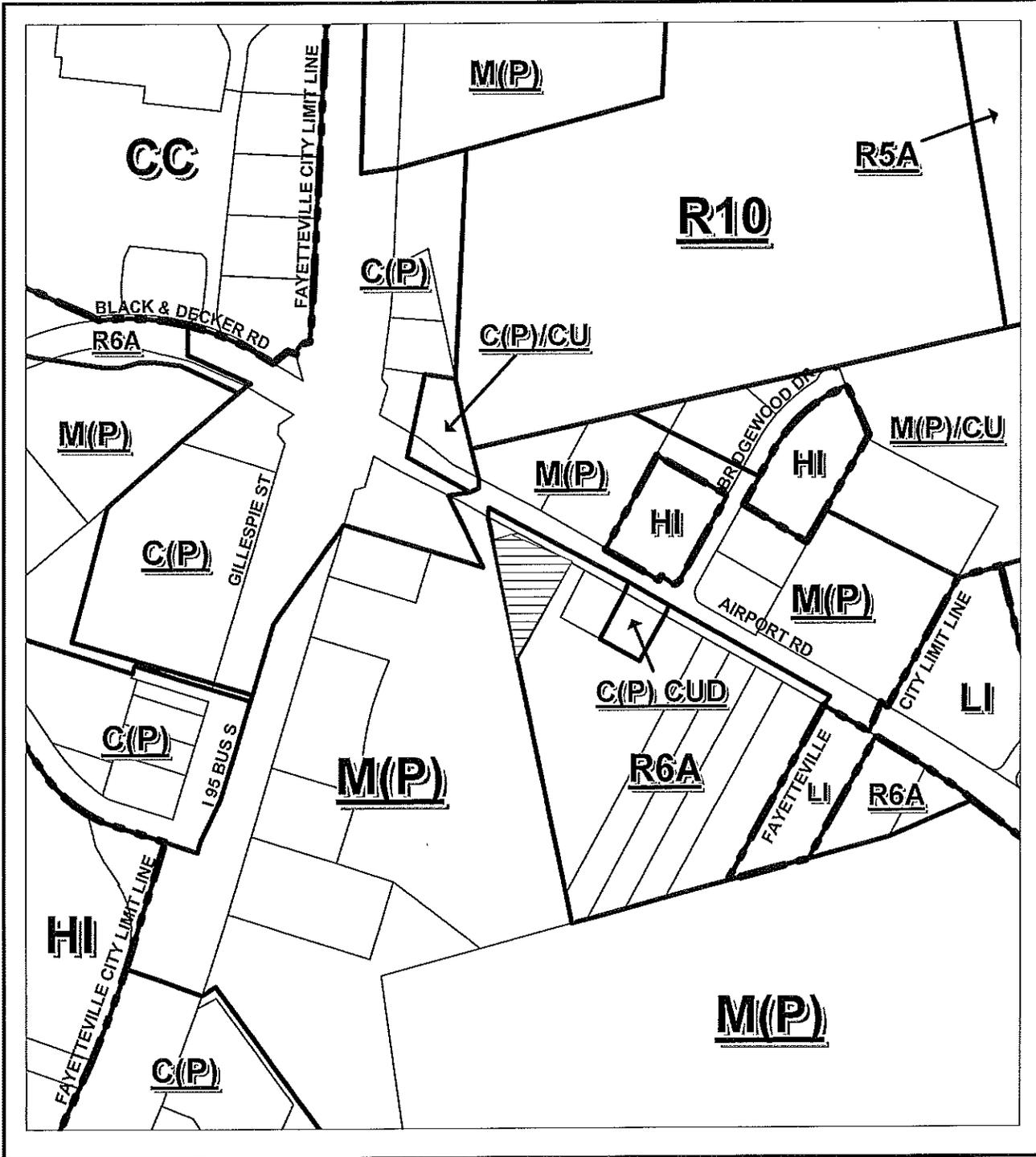
In addition to the above information, the Planning and Inspections Staff recommends the board approve Case No. P17-20 for C2(P) Planned Service and Retail based on the following:

- The district requested will allow for land uses that are considered favorable under the Airport Overlay District and by the Fayetteville Regional Airport Director.

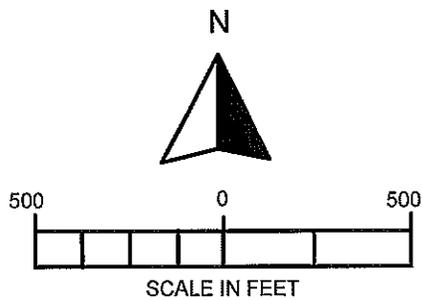
Mrs. McLaughlin made both motions referenced above, seconded by Mr. Crumpler, to follow the staff recommendations and approve the C2(P) Planned Service and Retail. The motions passed unanimously.

First Class and Record Owners' Mailed Notice Certification

A certified copy of the tax record owner(s) of the subject and adjacent properties and their tax record mailing address is contained within the case file and is incorporated by reference as if delivered herewith.



REQUESTED REZONING R6A TO C2(P)



ACREAGE: 1.27 AC. +/-		HEARING NO: P17-20	
ORDINANCE: COUNTY	HEARING DATE	ACTION	
STAFF RECOMMENDATION			
PLANNING BOARD			
GOVERNING BOARD			



CUMBERLAND
★**COUNTY**★
NORTH CAROLINA

PLANNING AND INSPECTIONS DEPARTMENT

MEMORANDUM FOR BOARD OF COMMISSIONERS AGENDA OF NOVEMBER 20,
2017

TO: BOARD OF COUNTY COMMISSIONERS

FROM: CUMBERLAND COUNTY JOINT PLANNING BOARD

DATE: 11/9/2017

SUBJECT: CASE P17-41

BACKGROUND

Case P17-41: Rezoning of 5.89+/- acres from A1 Agricultural and A1/CU for motor vehicle sales to C2(P) Planned Service and Retail or to a more restrictive zoning district, located at 4716, 4722 & 4750 NC Hwy 87 S, submitted by Bruce Fred Long (owner) & Adam Sellner on behalf of Primax Properties LLC (agent).

RECOMMENDATION / PROPOSED ACTION

Planning Board Action: Unanimously approved the staff recommendation at the October 17, 2017 Planning Board Meeting.

Staff Recommendation:

1st motion for Case P17-41: Move to find the request for rezoning consistent with the 2030 Growth Vision Plan, and any other applicable land use plan, reasonable and in the public interest for the reasons stated in the recommendations of the Planning Staff.

2nd motion for Case P17-41: Move to approve the request for C2(P) Planned Service and Retail zoning.

ATTACHMENTS:

Description

Type

Charles Morris,
Chair
Town of Linden

Diane Wheatley,
Vice-Chair
Cumberland County

Jami McLaughlin,
Town of Spring Lake
Harvey Cain, Jr.,
Town of Stedman

Donovan McLaurin,
Wade, Falcon & Godwin



CUMBERLAND
COUNTY
NORTH CAROLINA

Planning & Inspections Department

Thomas J. Lloyd,
Director

Cecil P. Combs,
Deputy Director

Vikki Andrews,
Carl Manning,
Lori Epler,
Cumberland County

Stan Crumpler,
Town of Eastover

Patricia Hall,
Town of Hope Mills

NOVEMBER 9, 2017

MEMO TO: Cumberland County Board of Commissioners

FROM: Cumberland County Joint Planning Board

SUBJECT: **Case P17-41:** Rezoning of 5.89+/- acres from A1 Agricultural and A1/CU for motor vehicle sales to C2(P) Planned Service and Retail or to a more restrictive zoning district, located at 4716, 4722 & 4750 NC Hwy 87 S, submitted by Bruce Fred Long (owner) & Adam Sellner on behalf of Primax Properties LLC (agent).

ACTION: 1st motion for Case P17-41: Move to find the request for rezoning consistent with the 2030 Growth Vision Plan, and any other applicable land use plan, reasonable and in the public interest for the reasons stated in the recommendations of the Planning Staff.

2nd motion for Case P17-41: Move to approve the request for C2(P) Planned Service and Retail zoning.

PROPERTY INFORMATION: **Frontage & Location:** 590'+/- on NC Hwy 87 S; 340'+/- on SR 2237 (Smith Road); **Depth:** 475'+/-; **Adjacent Property:** Yes; portion of parent tract not included in request; **Current Use:** Residential & vacant motor vehicle sales; **Initial Zoning:** R6A – June 25, 1980 (Area 13); **Nonconformities:** If approved, existing residential structure will be made nonconforming; **Zoning Violation(s):** None; **Surrounding Land Use:** Residential (including manufactured homes), manufactured home park, religious worship facility, open storage of junk; **Comprehensive Plans: 2030 Growth Vision Plan:** Urban; **South Central Land Use Plan:** Light Commercial; **School Capacity/Enrolled:** Alderman Road Elementary School 750/691; Gray's Creek Middle School 1100/1061; Gray's Creek High School 1470/1496; **Sewer Service Area:** Yes; **Special Flood Hazard Area (SFHA):** None; **Water/Sewer Availability:** PWC/PWC; **Soil Limitations:** None; **Subdivision/Site Plan:** If approved, site plan review and potential subdivision required; **Highway Plan:** The subject property lies on NC 87 S. NC 87 S is identified as a Thoroughfare existing in the 2040 Metropolitan Transportation Plan with no constructions/improvements planned. The subject property will have no impact on the Transportation Improvement Plan; **Average Daily Traffic County (2014):** 760 on SR 2237 (Smith Rd); 16,000 on NC Hwy 87 S; **Notes: Density:** A1 – 2 lots/3 units; **Minimum Yard Setbacks: C2(P):** Front yard: 50', Side yard: 30', Rear yard: 30'; **A1:** Front yard: 50', Side yard: 20', Rear yard: 50'.

MINUTES OF OCTOBER 17, 2017

FIRST MOTION

The Planning and Inspections Staff recommends the board find that approval of the request for rezoning in Case No. P17-41 is consistent with the adopted comprehensive plan designated as the 2030 Growth Vision Plan, which calls for "urban" at this location. The request is also consistent with the South Central Land Use Plan which calls for "light commercial", as C2(P) is classified as light commercial in the adopted Land Use Policies plan.

The staff recommends the board further find that approval of this rezoning is reasonable and in the public interest because the district requested for the subject property generally meets or exceeds the location criteria of the adopted Land Use Policies Plan, in that: *public water and sewer required*, PWC water and sewer available; *must have direct access to a collector street*, NC Hwy 87 S is a collector street; *should serve as a transition between heavy commercial, office & institutional or residential development*, this area is in transition with a mix of development types; *should provide convenient goods and services to the immediate surrounding neighborhood*, C2(P) allows for land uses intended to serve the surrounding area; and *may be located in a rural area at the intersection of two collector streets*, subject property is located at the intersection of NC Highway 87 S and Smith Road.

SECOND MOTION

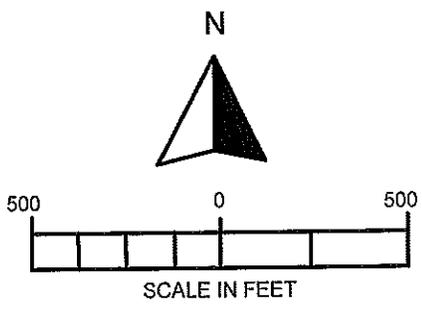
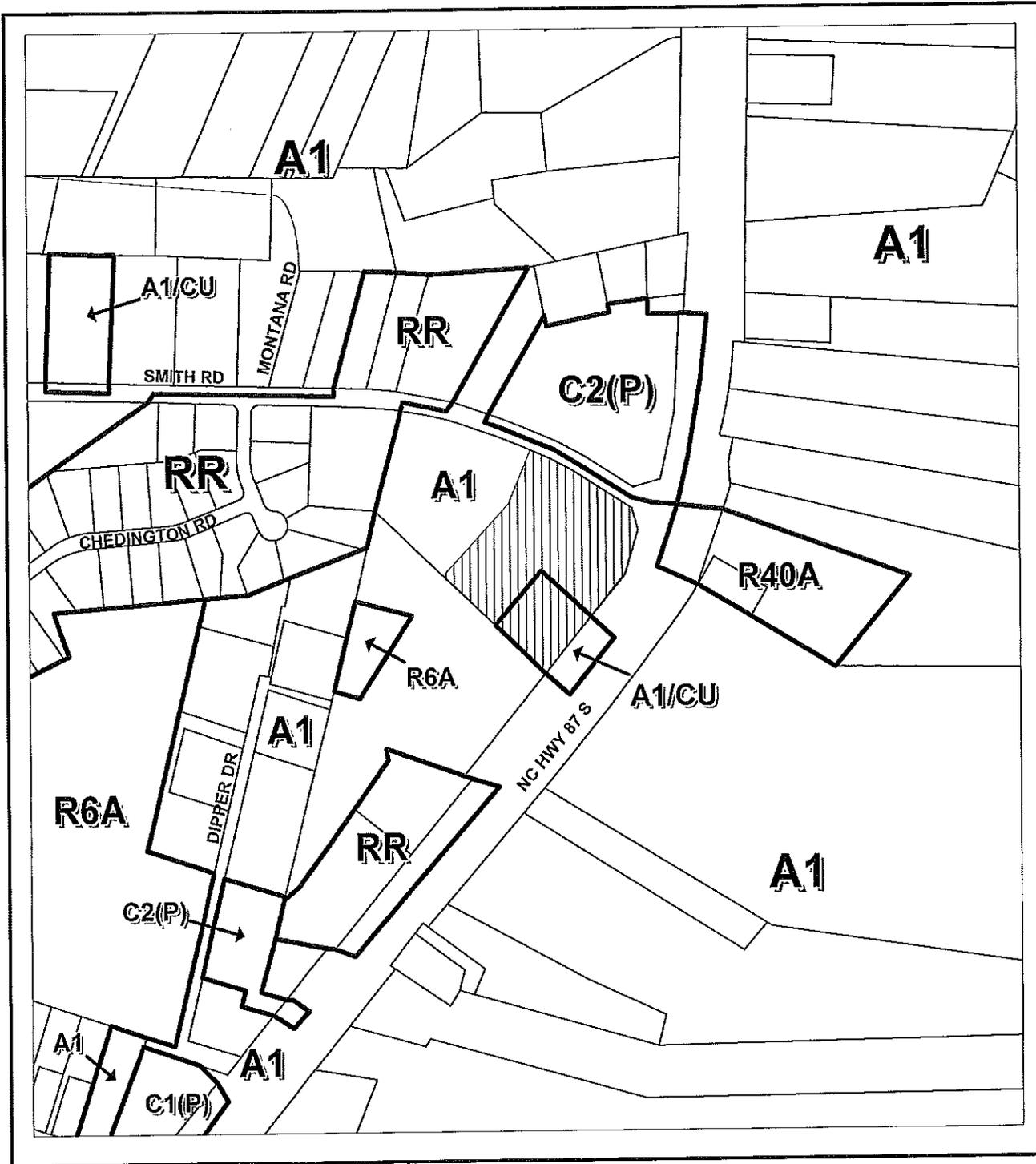
In addition to the above information, the Planning and Inspections Staff recommends the board approve Case No. P17-41 for C2(P) Planned Service and Retail district based on the following:

- The district requested will restrict the land uses to that which would be considered favorable in the general area

Mrs. McLaughlin made both motions referenced above, seconded by Mr. Crumpler, to follow the staff recommendations and approve C2(P) Planned Service and Retail. The motions passed unanimously.

First Class and Record Owners' Mailed Notice Certification

A certified copy of the tax record owner(s) of the subject and adjacent properties and their tax record mailing address is contained within the case file and is incorporated by reference as if delivered herewith.



PORT OF PIN: 0443-41-9572

REQUESTED REZONING A1 & A1/CU TO C2(P)

ACREAGE: 5.89 AC.+/-	HEARING NO: P17-41	
ORDINANCE: COUNTY	HEARING DATE	ACTION
STAFF RECOMMENDATION		
PLANNING BOARD		
GOVERNING BOARD		



CUMBERLAND
★ **COUNTY** ★
NORTH CAROLINA

BOARD OF COMMISSIONERS' OFFICE

MEMORANDUM FOR BOARD OF COMMISSIONERS AGENDA OF NOVEMBER 20,
2017

TO: BOARD OF COUNTY COMMISSIONERS

FROM: KELLIE BEAM, DEPUTY CLERK TO THE BOARD

DATE: 11/15/2017

**SUBJECT: CUMBERLAND COUNTY HOME AND COMMUNITY CARE BLOCK GRANT
COMMITTEE (7 VACANCIES)**

BACKGROUND

The Cumberland County Home and Community Care Block Grant Committee has the following seven (7) vacancies.

Older Consumer:

Glenn Draughon – completed first term. Not interested in serving a second term. The Home and Community Care Block Grant Committee recommends **Stephen MacDonald**. (See attached.)

Cassandra McMillion – completed first term. Eligible for reappointment. The Home and Community Care Block Grant Committee recommends the reappointment of **Cassandra McMillion**. (See attached.)

Aging Service Provider:

Rosa Crowe – completed second term. Not eligible for reappointment. The Home and Community Care Block Grant Committee recommends **Kendra Haywood**. (See attached.)

Antoinette Hernandez – completed first term. Eligible for reappointment. The Home and Community Care Block Grant Committee recommends the reappointment of **Antoinette Hernandez**. (See attached.)

Donald Wire – completed first term. Not interested in serving a second term. The Home and Community Care Block Grant Committee recommends **Lisa Hughes**. (See attached.)

Helen Godwin – completed first term. Eligible for reappointment. The Home and Community Care Block Grant Committee recommends the reappointment of **Helen Godwin**. (See attached.)

Civic Representative:

Robin Kivett – completed first term. Eligible for reappointment. The Home and Community Care Block Grant Committee recommends the reappointment of **Robin Kivett**. (See attached.)

I have attached the current membership and applicant list for this board.

RECOMMENDATION / PROPOSED ACTION

Nominate individuals to fill the seven (7) vacancies above.

ATTACHMENTS:

Description	Type
Home and Community Care Block Grant Committee	Backup Material

Cumberland County Home and Community Care Block Grant Committee

The Cumberland County Home and Community Care Block Grant Committee works with the County on matters related to service priorities and planning for older adults.

Statutory Authorization: NCGS 143B

Member Specifications:

21 Members with Specific Categories:

- Older consumers (8)
- Aging Service Providers (9)
- Civic Representative (1)
- Elected Official (1)
- County Representative (2)

Term: 4 Years

Compensation: None

Duties:

- Functions as a resource to the Mid-Carolina Area Agency on Aging by obtaining input from service providers, older consumers and their families in the development of an annual Aging Funding Plan;
- Serves in an advisory capacity for the Care Management service provided by Mid-Carolina Area Agency on Aging.

Meetings: 3rd Thursday January, April, August and November at 2:00 PM. Length of the meetings varies.

Meeting Location: Various service provider locations within Cumberland County



Mid Carolina Area Agency on Aging

130 Gillespie Street
Post Office Drawer 1510
Fayetteville, NC 28302

Tracy Honeycutt

Phone: 323-4191 ext. 27

Fax: 323-9330

e-mail: thoneycutt@mccog.org

November 9, 2017

TO: Kellie Beam, Deputy Clerk to the Board

FROM: Tracy Honeycutt, Area Agency on Aging Director

SUBJECT: Mid-Carolina Home and Community Care Block Grant Committee (HCCBG)

The Home and Community Care Block Grant Committee recommends the following positions:

Stephen MacDonald for the Older Consumer position previously held by Glenn Draughon

Kendra Haywood, FSU Career Services Director, for the Aging Service Provider position previously held by Rosa Crowe

Lisa Hughes, Cumberland County Council on Older Adults, for the Aging Service Provider position previously held by Donald Wire

The HCCBG committee continues to review applicants for vacant positions and anticipates future recommendations soon.

Thank you for your consideration.



Mid Carolina Area Agency on Aging

130 Gillespie Street
Post Office Drawer 1510
Fayetteville, NC 28302

Tracy Honeycutt

Phone: 323-4191 ext. 27

Fax: 323-9330

e-mail: thoneycutt@mccog.org

November 9, 2017

TO: Kellie Beam, Deputy Clerk to the Board

FROM: Tracy Honeycutt, Area Agency on Aging Director

SUBJECT: Mid-Carolina Home and Community Care Block Grant Committee

The Home and Community Care Block Grant Committee recommends the reappointment of the following positions on the Home and Community Care Block Grant Committee.

Older Consumer

Cassandra McMillion, Mrs. McMillion has indicated she is willing to serve a second term.

Aging Service Provider

Antoinette Hernandez, Ms. Hernandez has indicated she is willing to serve a second term.
Helen Godwin, Mrs. Godwin has indicated she is willing to serve a second term.

Civic Representative

Robin Kivett, Mrs. Kivett has indicated she is willing to serve a second term.

Thank you for your consideration.

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

<u>Name/Address</u>	<u>Date Appointed</u>	<u>Term</u>	<u>Expires</u>	<u>Eligible For Reappointment</u>
<u>Older Consumer</u> Susan Hesnard 2130 Bay Water Drive Fayetteville, NC 28304	9/16	1st	Sept/20 9/30/20	Yes
Glenn Draughon 5521 Winners Circle Hope Mills, NC 28348 424-5425	12/12	1st	Dec/16 12/31/16	Yes
Mary Mack 5471 Maplewood Lane Fayetteville, NC 28314 867-9533	4/13	1 st	April/17 4/30/17	Yes
Rebecca Campbell 7027 Darnell Street Fayetteville, NC 28314 487-7555	9/16	1st	Sept/20 9/30/20	Yes
Diane D. Townsend 5625 Pepperbush Drive Fayetteville NC 28304 426-4948	9/16	1 st	Sept/20 9/30/20	Yes
Edna Cogdell 734 Ashburton Drive Fayetteville, NC 28301 488-4582/624-4558	9/16	1st	Sept/20 9/30/20	Yes
Cassandra McMillion 1905 Eichelberger Drive Fayetteville, NC 28303 488-8336 / 391-1508	11/12	1 st	Nov/16 11/30/16	Yes
Annie R. Hasan 1340 McArthur Road Fayetteville, NC 28311 630-0688/482-3513 (W)	2/13	2nd	Feb/17 2/28/17	No

<u>Name/Address</u>	<u>Date Appointed</u>	<u>Term</u>	<u>Expires</u>	<u>Eligible For Reappointment</u>
<u>Aging Service Provider</u>				
Karin Simkin Department of Social Services PO Box 2429 Fayetteville, NC 28302-2429	4/13	2 nd	April/17 4/30/17	No
Rosa Crowe PO Box 64526 Fayetteville, NC 28306 424-2993	4/13	2 nd	April/17 4/30/17	No
Mary Galyean Fayetteville-Cumberland Senior Center 739 Blue Street Fayetteville, NC 28301	4/13	2 nd	April/17 4/30/17	No
Antoinette Hernandez 7661 Beverly Drive Fayetteville, NC 28314 263-1833	11/12	1 st	Nov/16 11/30/16	Yes
Raymond Johnson Jr. 736 Pecan Grove Loop Hope Mills, NC 28348 706-464-8120	9/16	1 st	Dec/16 12/31/16	Yes
serving unexpired term; eligible for two additional terms				
Tina Dicke Legal Aid of NC PO Box 1268 Fayetteville, NC 28302	4/13	2 nd	April/17 4/30/17	No
Donald Wire 540 Nottingham Dr Fayetteville, NC 28311 717-0769 (H)	9/12	1 st	Sep/16 9/30/16	Yes
Doris Snider Spring Lake Senior Enrichment Center 301 Ruth Street Spring Lake, NC 28390	12/16	2 nd	Dec/19 12/31/19	No

Home and Community Care Block Grant Committee, page 3

<u>Name/Address</u>	<u>Date Appointed</u>	<u>Term</u>	<u>Expires</u>	<u>Eligible For Reappointment</u>
<u>Aging Service Provider</u>				
Helen Godwin 805 Retriever Court Fayetteville, NC 28311 630-3674/670-2451	9/16	1st	Dec/16 12/31/16	Yes
	serving unexpired term; eligible for two additional terms			
<u>Civic Representative</u>				
Robin Kivett Cape Fear Valley 4042 Pleasant View Drive Fayetteville, NC 28312 483-6964/615-5649	11/12	1st	Nov/16 11/30/16	Yes
<u>Elected Official</u>				
Frances Collier PO Box 47 Linden, NC 28356	9/16	1st	Sept/20 9/30/20	Yes
<u>County Representative</u>				
Amy Cannon County Manager PO Box 1829 Fayetteville, NC 28302-1829	02/11	NA	NA	NA

Meets the 3rd Thursday of January, April, August and November at 2:00 PM at various service providers within Cumberland County

Contact: Tracy Honeycutt - 323-4191 x27 - Fax 323-9330 – thoneycutt@mccog.org

APPLICANTS FOR
CUMBERLAND COUNTY HOME AND COMMUNITY CARE BLOCK GRANT COMMITTEE

<u>NAME/ADDRESS/PHONE</u>	<u>OCCUPATION</u>	<u>EDUCATIONAL BACKGROUND</u>
BALDWIN, ALICE (B/F) 3218 MASTERS DRIVE HOPE MILLS, NC 28348 910-423-7012/317-1216 Graduate-County Citizens' Academy: NO Graduate-Institute for Community Leadership: NO Graduate-Leadership Fayetteville: NO Graduate-United Way's Multi-Cultural Leadership Program: NO Graduate-other leadership academy: NO	RETIRED	HS AA BA-POLITICAL SCIENCE MASTERS-LIBRARY SCIENCE
BLACKWELL, GARY (W/M) 3107 BLANTYRE WAY FAYETTEVILLE NC 28306 425-2708/764-3488 Graduate-County Citizens' Academy: No Graduate-Institute for Community Leadership: No Graduate-Leadership Fayetteville: No Graduate-United Way's Multi-Cultural Leadership Program: No Graduate-other leadership academy: No	BUSINESS OWNER B&B AUTO	NONE LISTED
DAVIS, CHRISTOPHER (B/M) 3009 CARULA LANE FAYETTEVILLE NC 28306 803-546-1047 Graduate-County Citizens' Academy: NO Graduate-Institute for Community Leadership: NO Graduate-Leadership Fayetteville: NO Graduate-United Way's Multi-Cultural Leadership Program: NO Graduate-other leadership academy: NO	RETIRED MILITARY	BS-PHYSICS
HAYWOOD, KENDRA (B/F) 603 SUGARIDGE LANE FAYETTEVILLE, NC 28311 354-6743 Graduate-County Citizens' Academy: N/A Graduate-Institute for Community Leadership: NO Graduate-Leadership Fayetteville: NO Graduate-United Way's Multi-Cultural Leadership Program: NO Graduate-other leadership academy: NO	INSTRUCTOR FTCC	PHD-IN PROGRESS MA-POLITICAL SCIENCE BA-POLITICAL SCIENCE
HIGGS, JUDITH A. (-/F) 6402 GREENGATE HILL ROAD FAYETTEVILLE, NC 28303 901-361-6172/396-4612 Graduate-County Citizens' Academy: NO Graduate-Institute for Community Leadership: NO Graduate-Leadership Fayetteville: NO Graduate-United Way's Multi-Cultural Leadership Program: NO Graduate-other leadership academy: NO	HUMAN RESOURCE SPECIALIST FORT BRAGG	BA-PUBLIC ADMIN.

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

NAME/ADDRESS/PHONE	OCCUPATION	EDUCATIONAL BACKGROUND
HOLLAND, DEREA BATISTA (H/F) 449 TRADEWINDS DR APT H FAYETTEVILLE NC 28314 540-641-9052 Graduate-County Citizens' Academy: NO Graduate-Institute for Community Leadership: NO Graduate-Leadership Fayetteville: NO Graduate-United Way's Multi-Cultural Leadership Program: NO Graduate-other leadership academy: NO	NONE LISTED	HS SOME COLLEGE
HOWARD, PAULA BROWN (B/F) 3500 BENNETT DRIVE FAYETTEVILLE NC 28301 709-8595/483-0153 Graduate-County Citizens' Academy: NO Graduate-Institute for Community Leadership: NO Graduate-Leadership Fayetteville: NO Graduate-United Way's Multi-Cultural Leadership Program: YES Graduate-other leadership academy: NO	TEACHER EE SMITH HIGH SCHOOL	BS-PSYCHOLOGY M.ED
HUGHES, LISA (W/F) 5524 SHADY PINE CT HOPE MILLS NC 28348 339-6579/988-8727/484-0111 LHUGHES@CCCCOOA.ORG Graduate-County Citizens' Academy: NO Graduate-Institute for Community Leadership: NO Graduate-Leadership Fayetteville: NO Graduate-United Way's Multi-Cultural Leadership Program: NO Graduate-other leadership academy: NO CATEGORY: AGING SERVICE PROVIDER	SOCIAL WORKER CC COUNCIL ON OLDER ADULTS	BA-PSYCHOLOGY MASTERS
HUX, MARQUITA BLACKWELL (B/F) 6604 FLEMING STREET FAYETTEVILLE NC 28311 417-365-3432/436-7886 Graduate-County Citizens' Academy: NO Graduate-Institute for Community Leadership: NO Graduate-Leadership Fayetteville: NO Graduate-United Way's Multi-Cultural Leadership Program: NO Graduate-other leadership academy: NO	SENIOR TAX ADVISOR H&R BLOCK	COLLEGE STUDENT
JAMES, QUINSENTINA (-/F) 2441 CANFORD LANE FAYETTEVILLE, NC 28304 910-323-3421 EXT 2141 Graduate-County Citizens' Academy: NO Graduate-Institute for Community Leadership: NO Graduate-Leadership Fayetteville: NO Graduate-United Way's Multi-Cultural Leadership Program: NO Graduate-other leadership academy: NO	EMPLOYMENT CASE MANAGER FTCC – WORKFORCE DEVLOPMENT	MSM-MGMT HR & HEALTHCARE

APPLICANTS FOR
CUMBERLAND COUNTY HOME AND COMMUNITY CARE BLOCK GRANT COMMITTEE – Page 3

<u>NAME/ADDRESS/PHONE</u>	<u>OCCUPATION</u>	<u>EDUCATIONAL BACKGROUND</u>
KELLEY, HEIDI J (W/F) 101 PERSON STREET FAYETTEVILLE NC 28301 239-888-0189/222-3382 Graduate-County Citizens' Academy: NO Graduate-Institute for Community Leadership: NO Graduate-Leadership Fayetteville: NO Graduate-United Way's Multi-Cultural Leadership Program: NO Graduate-other leadership academy: NO	EXECUTIVE DIRECTOR FAY. DOWNTOWN ALLIANCE	MBA - MARKETING BA-ADVERTISING
LONG, ADAM (W/M) 495 CORONATION DR FAYETTEVILLE NC 28311 910-364-6410 Graduate-County Citizens' Academy: NO Graduate-Institute for Community Leadership: NO Graduate-Leadership Fayetteville: NO Graduate-United Way's Multi-Cultural Leadership Program: NO Graduate-other leadership academy: NO	PRODUCTION MANAGER CAROLINA PAINT & BODY	SOME COLLEGE
LOWE, CHERYL (W/F) 6554 ALAMANCE ROAD HOPE MILLS, NC 28348 366-7506/630-7267 (W) Graduate-County Citizens' Academy: N/A Graduate-Institute for Community Leadership: No Graduate-Leadership Fayetteville: No Graduate-other leadership academy: No	DISPATCHER METHODIST UNIVERSITY	NONE LISTED
MACDONALD, STEPHEN (-/M) 1783 CAWDOR DRIVE FAYETTEVILLE NC 28304 426-8117 SMACDONALD3@NC.RR.COM Graduate-County Citizens' Academy: YES Graduate-Institute for Community Leadership: YES Graduate-Leadership Fayetteville: NO Graduate-United Way's Multi-Cultural Leadership Program: YES Graduate-other leadership academy: NO <i>CATEGORY: OLDER CONSUMER</i>	RETIRED	BA-POLITICAL SCIENCE
MCKOY, WILLIE JR (B/M) 1632 GREENOCK AVE FAYETTEVILLE, NC 28304 273-2976/432-5571 Graduate-County Citizens' Academy: NO Graduate-Institute for Community Leadership: NO Graduate-Leadership Fayetteville: NO Graduate-United Way's Multi-Cultural Leadership Program: NO Graduate-other leadership academy: NO	CIVIL SERVICE FT. BRAGG *SERVES ON THE MID-CAROLINA AGING ADVISORY COUNCIL*	MA-HUMAN RESOURCES MANAGEMENT BS-EDUCATION

APPLICANTS FOR
CUMBERLAND COUNTY HOME AND COMMUNITY CARE BLOCK GRANT COMMITTEE – Page 4

<u>NAME/ADDRESS/PHONE</u>	<u>OCCUPATION</u>	<u>EDUCATIONAL BACKGROUND</u>
MCNEILL, TERESA RENA (B/F) 3918 METEOR DRIVE HOPE MILLS, NC 28348 480-0090/483-3648 Graduate-County Citizens' Academy: N/A Graduate-Institute for Community Leadership: NO Graduate-Leadership Fayetteville: NO Graduate-United Way's Multi-Cultural Leadership Program: NO Graduate-other leadership academy: NO	COMPUTER SYSTEMS ANALYST FAY METROPOLITAN HOUSING	BA-PUBLIC ADMIN. MA STUDENT
MEADOWS, GERALDINE (B/F) 235 ROSEMARY STREET FAYETTEVILLE, NC 28301 578-7273/919-718-4650 Graduate-County Citizens' Academy: NO Graduate-Institute for Community Leadership: NO Graduate-Leadership Fayetteville: NO Graduate-United Way's Multi-Cultural Leadership Program: NO Graduate-other leadership academy: NO	WORKFORCE DEVELOP. SPECIALIST	BA-SOCIOLOGY MASTERS STUDENT
MEHTA, NAYNESH (ASIAN INDIAN/M) 229 FOREST CREEK DRIVE FAYETTEVILLE NC 28303 910-494-2037 Graduate-County Citizens' Academy: NO Graduate-Institute for Community Leadership: NO Graduate-Leadership Fayetteville: NO Graduate-United Way's Multi-Cultural Leadership Program: NO Graduate-other leadership academy: NO	HOTEL MANAGEMENT FIVE POINTS HOSPITALITY INC.	BS-COMPUTER ENGINEERING
MYERS, SUSAN E. (W/F) 5135 FOXFIRE RD FAYETTEVILLE NC 28303 910-779-2932 Graduate-County Citizens' Academy: NO Graduate-Institute for Community Leadership: NO Graduate-Leadership Fayetteville: NO Graduate-United Way's Multi-Cultural Leadership Program: NO Graduate-other leadership academy: US ARMY	UNEMPLOYED	BUSINESS ADMIN.
NEWMAN, AUGUSTA (B/F) 450 BLADEN CIRCLE FAYETTEVILLE NC 28312 709-8344/555-5555 Graduate-County Citizens' Academy: YES Graduate-Institute for Community Leadership: YES Graduate-Leadership Fayetteville: YES Graduate-United Way's Multi-Cultural Leadership Program: YES Graduate-other leadership academy: NO	RETIRED ACCOUNTING AUDITOR	FSU

APPLICANTS FOR
CUMBERLAND COUNTY HOME AND COMMUNITY CARE BLOCK GRANT COMMITTEE – Page 5

<u>NAME/ADDRESS/PHONE</u>	<u>OCCUPATION</u>	<u>EDUCATIONAL BACKGROUND</u>
PAYTON, JAMERUS R. (B/M) 1425 GENERAL LEE AVE FAYETTEVILLE NC 28305 214-274-0911/677-5388 Graduate-County Citizens' Academy: NO Graduate-Institute for Community Leadership: NO Graduate-Leadership Fayetteville: NO Graduate-United Way's Multi-Cultural Leadership Program: YES Graduate-other leadership academy: NO	PRODUCTION SUPERVISOR EATON	MS - MANAGEMENT BS-ELECTRONICS BS-MANUFACTURING SYSTEMS
POOLE, CATHERINE (B/F) 541 PEARL STREET FAYETTEVILLE NC 28303 779-0700/797-8332 Graduate-County Citizens' Academy: NO Graduate-Institute for Community Leadership: NO Graduate-Leadership Fayetteville: NO Graduate-United Way's Multi-Cultural Leadership Program: NO Graduate-other leadership academy: NO	BUSINESS OWNER	SOME COLLEGE
ROBBINS, SHARON (B/F) 5900 MOORGATE CIRCLE FAYETTEVILLE NC 28304 703-6553/391-8256 Graduate-County Citizens' Academy: NO Graduate-Institute for Community Leadership: YES Graduate-Leadership Fayetteville: YES Graduate-United Way's Multi-Cultural Leadership Program: No Graduate-other leadership academy: No	COMMUNITY SERVICES COORDINATOR AUTISM SOCIETY OF NC	NONE LISTED
RUSSELL, MONICA (B/F) 116 PARTRIDGE RD FAYETTEVILLE NC 28306 910-818-4172 Graduate-County Citizens' Academy: NO Graduate-Institute for Community Leadership: NO Graduate-Leadership Fayetteville: NO Graduate-United Way's Multi-Cultural Leadership Program: NO Graduate-other leadership academy: NO	NONE LISTED	BA-PSYCHOLOGY MBA-HEALTHCARE MANAGEMENT
SAULNIER, STEVEN (W/M) 117 GRANDE OAKS DRIVE FAYETTEVILLE, NC 28314 910-639-0602/907-1186 Graduate-County Citizens' Academy: NO Graduate-Institute for Community Leadership: NO Graduate-Leadership Fayetteville: NO Graduate-United Way's Multi-Cultural Leadership Program: NO Graduate-other leadership academy: NO	ASST PROJECT MANAGER CHIMES D.C.	BS-BUSINESS ADMIN.

**APPLICANTS FOR
CUMBERLAND COUNTY HOME AND COMMUNITY CARE BLOCK GRANT COMMITTEE – Page 6**

<u>NAME/ADDRESS/PHONE</u>	<u>OCCUPATION</u>	<u>EDUCATIONAL BACKGROUND</u>
TAYLOR, PAUL L. (OTHER/M) 3283 FLORIDA DRIVE FAYETTEVILLE NC 28301 910-751-0435 Graduate-County Citizens' Academy: YES Graduate-Institute for Community Leadership: NO Graduate-Leadership Fayetteville: NO Graduate-United Way's Multi-Cultural Leadership Program: NO Graduate-other leadership academy: NO	RETIRED	4 YEAR DEGREE
TUCKER, GAY (B/F) 604 LUFKIN CIRCLE FAYETTEVILLE NC 28311 644-8265/703-8905 Graduate-County Citizens' Academy: NO Graduate-Institute for Community Leadership: NO Graduate-Leadership Fayetteville: NO Graduate-United Way's Multi-Cultural Leadership Program: NO Graduate-other leadership academy: NO	ACCOUNTS PAYABLE SPECIALIST TOWN OF SPRING LAKE	COLLEGE
WAGNER, REV RICHARD (W/M) 2074 LOGANBERRY DRIVE FAYETTEVILLE NC 28304 867-5634/578-1227 REV.WAGNER@GMAIL.COM Graduate-County Citizens' Academy: NO Graduate-Institute for Community Leadership: NO Graduate-Leadership Fayetteville: NO Graduate-United Way's Multi-Cultural Leadership Program: NO Graduate-other leadership academy: NO CATEGORY: OLDER CONSUMER	BISHOP LUTHERAN ORTHODOX CHURCH	BA
WALKER, AVA (B/F) 6420 TARBERT AVE FAYETTEVILLE, NC 28304 229-8031/978-5347 Graduate-County Citizens' Academy: NO Graduate-Institute for Community Leadership: NO Graduate-Leadership Fayetteville: NO Graduate-United Way's Multi-Cultural Leadership Program: NO Graduate-other leadership academy: NO	HOMEMAKER	BA-JOURNALISM BA-BROADCASTING
WARREN, JONATHAN S. SR (H/M) 313 PETERSON PLACE FAYETTEVILLE NC 28301 354-0676/307-3030 Graduate-County Citizens' Academy: NO Graduate-Institute for Community Leadership: NO Graduate-Leadership Fayetteville: NO Graduate-United Way's Multi-Cultural Leadership Program: NO Graduate-other leadership academy: NO	DIRECTOR OF SPECIAL OPERATIONS CREC GROUP	BS-BUSINESS ADMIN. MBA

**APPLICANTS FOR
CUMBERLAND COUNTY HOME AND COMMUNITY CARE BLOCK GRANT COMMITTEE – Page 7**

NAME/ADDRESS/PHONE	OCCUPATION	EDUCATIONAL BACKGROUND
WASHINGTON, BRIANNE (B/F) 1074 ELLIOTT CIRCLE FAYETTEVILLE NC 28301 229-1499/419-1791 Graduate-County Citizens' Academy: NO Graduate-Institute for Community Leadership: NO Graduate-Leadership Fayetteville: NO Graduate-United Way's Multi-Cultural Leadership Program: NO Graduate-other leadership academy: NO	NONE LISTED	BACHELORS
WELCH, JARED (W/M) 4512 SPINEL DRIVE FAYETTEVILLE NC 28311 541-513-4306/432-7477 Graduate-County Citizens' Academy: NO Graduate-Institute for Community Leadership: NO Graduate-Leadership Fayetteville: NO Graduate-United Way's Multi-Cultural Leadership Program: NO Graduate-other leadership academy: NO	FINANCIAL ANAYLYST BOOZ ALLEN HAMILTON	BBA-ACCOUNTING CURRENT MS & MBA STUDENT
ZOLMAN, ZACHARY SCOTT (-/M) 718 SARAZEN DRIVE FAYETTEVILLE, NC 28303 419-566-7167 Graduate-County Citizens' Academy: NO Graduate-Institute for Community Leadership: NO Graduate-Leadership Fayetteville: NO Graduate-United Way's Multi-Cultural Leadership Program: NO Graduate-other leadership academy: NO	STUDENT/COMPUTER LAB COORDINATOR FT. BRAGG	CURRENT STUDENT



BOARD OF COMMISSIONERS' OFFICE

**MEMORANDUM FOR BOARD OF COMMISSIONERS AGENDA OF NOVEMBER 20,
2017**

TO: BOARD OF COUNTY COMMISSIONERS

FROM: KELLIE BEAM, DEPUTY CLERK TO THE BOARD

DATE: 11/14/2017

**SUBJECT: CUMBERLAND COUNTY JUVENILE CRIME PREVENTION COUNCIL (2
VACANCIES)**

BACKGROUND

On November 6, 2017, the Board of Commissioners nominated the following individuals to fill two (2) vacancies on the Cumberland County Juvenile Crime Prevention Council:

At-Large Representatives:

Matthew Dixon (new appointment)

Maybelyn Laureano (new appointment)

I have attached the current membership list for this council.

RECOMMENDATION / PROPOSED ACTION

Appoint individuals to fill the two (2) vacancies above.

ATTACHMENTS:

Description

Cumberland County Juvenile Crime Prevention Council

Type

Backup Material

Cumberland County Juvenile Crime Prevention Council

The purpose of the Cumberland County Juvenile Crime Prevention Council is to help prevent at-risk juveniles from delinquency. Develop community-based delinquency alternatives to training schools and to provide community-based delinquency and substance abuse prevention strategies and programs. Provide non-institutional dispositional alternatives that will protect the community and the juveniles. Plan and organize programs in partnership with the state.

Statutory Authorization: NCGS 147-33.49

Member Specifications:

26 Members with Specific Categories:

- Local School Superintendent or designee (1)
- Chief of Police (1)
- Local Sheriff (1)
- District Attorney or designee (1)
- Chief Court Counselor or designee (1)
- Director of Mental Health or designee (1)
- Director of Social Services or designee (1)
- County Manager or designee (1)
- Substance Abuse Professional (1)
- Member of Faith Community (1)
- County Commissioner (1)
- Person under 18 (1)
- Juvenile Defense Attorney (1)
- Chief District Court Judge or designee judge (1)
- Member of Business (1)
- Health Director or designee (1)
- United Way or nonprofit (1)
- Parks and Recreation Representative (1)
- At-Large Members (Maximum of 7)
- Non-Voting Member (1)

Term: 2 Years

Compensation: None

Duties:

- Annual review of the needs of juveniles in the county who are at-risk or who have been adjudicated. Council shall develop a request for proposal process and submit to the County Commissioners a written plan of expenditures. Upon the County's authorization, the plan must be approved by the Office;

- Ensure appropriate community based intermediate dispositions for adjudicated juveniles are available, pursuant to minimum standards set by the Office; and
- Perform the following on an ongoing basis:
 1. Assess needs of juveniles in the community, evaluate resources, plan for unmet needs;
 2. Evaluate performance of juvenile services/programs as a condition of continued funding of programs;
 3. Increase public awareness causes of delinquency and prevention efforts;
 4. Develop intervention strategies and risk assessments for at-risk youth;
 5. Provide funds for services: treatment/counseling/parenting/rehabilitation;
 6. Plan permanent funding streams for delinquency prevention programs.

Meetings: Third Wednesday of each month at 1:00 PM. Meetings are normally one to two hours in length.

Meeting Location: Cumberland County CommuniCare, Conference Room 226 Bradford Ave Fayetteville, NC 28301

CUMBERLAND COUNTY
JUVENILE CRIME PREVENTION COUNCIL
(Two year terms)

<u>Name/Address</u>	<u>Date</u> <u>Appointed</u>	<u>Term</u>	<u>Expires</u>	<u>Eligible For</u> <u>Reappointment</u>
<u>Local School Superintendent or designee</u>				
Bruce Morrison Cumberland County Schools P.O. Box 2357 Fayetteville, North Carolina 28302 Phone: 678-2495	1/12			
<u>Chief of Police or designee</u>				
Lt. John Somerindyke Fayetteville Police Department 467 Hay Street Phone: 433-1910	3/15			
<u>Local Sheriff or designee</u>				
Lt. Bobby Jeffers Cumberland County Sheriff's Office 131 Dick Street Fayetteville, North Carolina 28301 Phone: 677-5474	2/14			
<u>District Attorney or designee</u>				
Brandy Brutsch Assistant District Attorney District Attorney's Office 117 Dick Street, Suite 427 Fayetteville, North Carolina 28301 Phone: 678-2915	10/17			
<u>Chief Court Counselor or designee</u>				
Miguel Pitts Department of Juvenile Justice P.O. Box 363 Fayetteville, North Carolina 28302 Phone: 678-2947	3/15			
<u>Mental Health Representative or designee</u>				
Tina Higgs Alliance Behavioral Healthcare – Community Relations, Court Liaison 711 Executive Place Fayetteville, North Carolina 28305 910-491-4794	04/14			

Cumberland County Juvenile Crime Prevention Council Page 2

<u>Name/Address</u>	<u>Date Appointed</u>	<u>Term</u>	<u>Expires</u>	<u>Eligible For Reappointment</u>
<u>Director of Social Services or designee</u>				
Natasha Tomlinson Cumberland County Department of Social Services P.O. Box 2429 Fayetteville, North Carolina 28302-2429 Phone: 321-6459	11/17			
<u>County Manager or designee</u>				
Duane Holder Assistant County Manager Cumberland County Courthouse P.O. Box 1829 Fayetteville, North Carolina 28302-1829 Phone: 678-7725	10/17			
<u>Chief District Judge or designee</u>				
Judge Ed Pone P.O. Box 363 Fayetteville, North Carolina 28302 Phone: 678-2901	1/99			
<u>Health Director or designee</u>				
Elaine Cessna 1235 Ramsey Street Fayetteville, North Carolina 28301 Phone: 433-3783	10/17			
<u>Parks and Recreation Representative</u> (Vacated by M. Lindsay – waiting on replacement)2/05 City of Fayetteville Parks and Recreation Dept. 433 Hay Street Fayetteville, North Carolina 28301 Phone: 433-1547				
<u>County Commissioner</u>				
Glenn Adams P.O. Box 1829 Fayetteville, NC 28302-1829 Phone: 678-7771	3/15			

<u>Name/Address</u>	<u>Date Appointed</u>	<u>Term</u>	<u>Expires</u>	<u>Eligible For Reappointment</u>
<u>Substance Abuse Professional</u>				
Louis Leake Carolina Treatment Center 7669 Beverly Drive Fayetteville, NC 28314 910-960-7599	9/16	2nd	Oct/18 10/31/18	No
<u>Member of Faith Community</u>				
Augusta Newman 450 Bladen Circle Fayetteville, NC 28312 709-8344/555-5555	9/16	1st	Sept/18 9/30/18	Yes
<u>Person Under Age 18</u>				
Gregory Raymond Koonce Jr. 1833 Notre Dame Place Fayetteville, NC 28304 483-3604/723-1149/814-7336 gregoryjrk@embarqmail.com	12/16	1st	Dec/18 12/31/18	Yes
<u>Juvenile Defense Attorney</u>				
Michael J. Onufer 356 Tartan Court Fayetteville, NC 28301	2/17	1st	Feb/19 2/28/19	Yes
<u>Member of Business Community</u>				
Austin Campbell 5316 Sandstone Drive Fayetteville, NC 28311	2/17	1st	Sept/18 9/30/18	Yes
			(serving unexpired term; eligible for an additional term)	
<u>United Way or Non-Profit</u>				
Terri Thomas 508 Spaulding Street Fayetteville, NC 28301	2/17	1st	Sept/18 9/30/18	Yes
			(serving unexpired term; eligible for an additional term)	
<u>At Large Representatives</u>				
Detective Melton Brown 300 Ruth Street Spring Lake, NC 28390 436-7167	8/15	2nd	Aug/17 8/31/17	No

<u>Name/Address</u>	<u>Date Appointed</u>	<u>Term</u>	<u>Expires</u>	<u>Eligible For Reappointment</u>
Deborah L. Rosen 317 Sharpsburg Road Fayetteville, NC 28311 988-0493/243-9188	4/17	1 st full term	Apr/19 4/30/19	Yes
	serving unexpired term; eligible for one additional term			
Dr. Rebecca Campbell 7027 Darnell Street Fayetteville, NC 28314 910-487-1555	9/16	1st	Oct/18 10/31/18	Yes
Sonya Thompson 410 Ray Street Fayetteville, NC 28301 323-3421 x 2123	8/15	2nd	Aug/17 8/31/17	No
Dwight Creech 906 Wattle Bird Drive Fayetteville, NC 28312 910-461-6519	4/17	2nd	Apr/19 4/30/19	No
Densie D. Lucas 106 Carmichael Lane Spring Lake, NC 28390 497-1227/672-2287	9/16	1st	Oct/18 10/31/18	Yes
Crystal Bennett 2654 Rivercliff Road Fayetteville, NC 28301 429-4930/475-3287	9/16	1st	Oct/18 10/31/18	Yes

Non-Voting Member

Ronald Tillman
DJJDP Regional Consultant
100 Dillion Drive
Butner, North Carolina 27509
Phone: 919-575-3166 (W)

Meetings: Second Wednesday of each month at 1:15 PM. CC CommuniCare Conference Room –109
Bradford Ave, Fayetteville, NC 28301.
Contact: Kim Cribb JCPC Coordinator – 678-7819



CUMBERLAND
★ **COUNTY** ★
NORTH CAROLINA

BOARD OF COMMISSIONERS' OFFICE

MEMORANDUM FOR BOARD OF COMMISSIONERS AGENDA OF NOVEMBER 20,
2017

TO: BOARD OF COUNTY COMMISSIONERS

FROM: KELLIE BEAM, DEPUTY CLERK TO THE BOARD

DATE: 11/14/2017

SUBJECT: CUMBERLAND COUNTY WORKFORCE DEVELOPMENT BOARD (2 VACANCIES)

BACKGROUND

On November 6, 2017, the Board of Commissioners nominated the following individuals to fill two (2) vacancies on the Cumberland County Workforce Development Board:

Representative of Business:

Albeiro Florez (new appointment)

Diana Potts (new appointment)

I have attached the current membership list for this board.

RECOMMENDATION / PROPOSED ACTION

Appoint individuals to fill the two (2) vacancies above.

ATTACHMENTS:

Description

Cumberland County Workforce Development Board

Type

Backup Material

Cumberland County Workforce Development

The Cumberland County Workforce Development Board promotes the full development and utilization of the state's employment and training resources.

Member Specifications:

Members with Specific Categories:

- Representative of Business
- Representative of Workforce
- Representative of Education/Training
- Representative of Economic Development
- Representative – Other
- Representative of Labor

Term: 3 Years

Compensation: None

Duties:

Works to develop employment and training programs for the residents of Cumberland County.

Meetings: Second Wednesday of every other month at 11:00 AM

Meeting Location: Meeting take place at various locations

CUMBERLAND COUNTY WORKFORCE DEVELOPMENT BOARD
(FORMERLY, PRIVATE INDUSTRY COUNCIL)
3 Year Terms

<u>Name/Address</u>	<u>Date Appointed</u>	<u>Term</u>	<u>Expires</u>	<u>Eligible For Reappointment</u>
<u>Representative of Business:</u>				
David McCune (W/M) 106 Penmark Pl Fayetteville, NC 28301 476-2976/424-2978 (W)	10/14	2nd	Oct/17 10/31/17	No
Linda Hoppmann (W/F) 5331 Rimrock Ct Fayetteville, NC 28303 826-4939/483-5016 (W)	11/14	3 rd	Nov/17 11/30/17	No
Randall Newcomer (W/M) 109 Cypress Lakes Circle Hope Mills, NC 28348 308-5432/424-1776 (W)	10/14	2nd	Oct/17 10/31/17	No
Esther Thompson (F) 511 Forest Lakes Rd Fayetteville, NC 28305 323-9687 (H) / 670-5515 (W)	11/14	2nd	Nov/17 11/30/17	No
Jensen McFadden (B/M) 1717 Sykes Pond Rd Fayetteville, NC 28304 868-9067/850-8409	1/15	1 st	Jan/18 1/31/18	Yes
Rodney Anderson (B/M) 4321 Huntsfield Rd Fayetteville, NC 28314 826-0366/922-1214	4/17	2nd	Apr/20 4/30/20	No
Joy Miller (W/F) 210 Queensberry Drive Fayetteville, NC 28303 864-1955/309-3645/615-6799	2/16	1 st	Feb/19 2/28/19	Yes
serving unexpired term; eligible for an additional term				
Jesse A. Brayboy Jr. 105 Ruritan Drive Fayetteville, NC 28314 527-9717/822-1700	2/16	1 st	Feb/19 2/28/19	Yes

Cumberland County Workforce Development Board, page 2

<u>Name/Address</u>	<u>Date Appointed</u>	<u>Term</u>	<u>Expires</u>	<u>Eligible For Reappointment</u>
Chad Kormanek (-/M) 4437 Bent Grass Drive Fayetteville, NC 28312 213-6329/916-3125	2/16	1 st	Feb/19 2/28/19	Yes
Dina Simcox (W/F) 421 Foxwood Drive Hope Mills, NC 28348 728-3910/868-7668	2/16	1 st	Feb/19 2/28/19	Yes
Jonathan Warren (H/M) 5815 Rainsford Drive Fayetteville, NC 28311 354-0676/307-3050	2/16	1 st	Feb/19 2/28/19	Yes
R. Jonathan Charleston (B/M) 132 Great Oaks Drive Fayetteville, NC 28303 488-3368/485-2500	2/16	1 st	Feb/19 2/28/19	Yes
Kent Listoe 6712 Jacobs Creek Circle Fayetteville, NC 28306	10/16	1 st	Oct/19 10/31/19	Yes
Jimmy Driscoll (W/M) 5622 Walking Trail Way Hope Mills, NC 28348 425-8567/483-7171	9/16	1 st	Sep/19 9/30/19	Yes
Marty Cayton 6841 Munford Drive Fayetteville, NC 28306	10/16	1 st	Oct/19 10/31/19	Yes
Isabella Effen 6520 Brookshire Road Fayetteville, NC 28314	10/16	1 st	Oct/19 10/31/19	Yes
<u>Representative of Workforce:</u>				
Charlene Cross (B/F) 1949 Culpepper Lane Fayetteville, NC 28304 630-1450/308-9413	3/16	2 nd	Mar/19 3/31/19	No
Cynthia Wilson (B/F) 228 Summertime Road Fayetteville, NC 28303 864-9602/485-6131	11/14	1 st	Nov/17 11/30/17	Yes

Cumberland County Workforce Development Board, page 3

<u>Name/Address</u>	<u>Date Appointed</u>	<u>Term</u>	<u>Expires</u>	<u>Eligible For Reappointment</u>
Crystal Bennett (W/F) 2654 Rivercliff Road Fayetteville, NC 28301 429-4930/630-0106	8/16	1 st	Aug/19 8/31/19	Yes
Carl Manning (B/M) 328 Kimberwicke Drive Fayetteville, NC 28311 818-9810-436-2426	8/16	1 st	Aug/19 8/31/19	Yes
David Servie (W/M) 1063 Mohawk Avenue Fayetteville, NC 28303 703-1846/429-3506	9/16	1 st	Sep/19 9/30/19	Yes
<u>Representative of Education/Training:</u>				
Pamela Gibson (W/F) 7526 Hammersley Road Fayetteville, NC 28306 423-1830/678-2416	3/16	2nd	Mar/19 3/31/19	No
David Brand (W/M) 1814 Morganton Road Fayetteville, NC 28305 393-9914/678-8307 davidlbrand@gmail.com	11/16	1 st	Feb/19 2/28/19	Yes
(serving unexpired term; eligible for one additional term)				
<u>Representative of Economic Development:</u>				
Robert Van Geons (W/M) FCEDC 411 Forest Lake Road Fayetteville, NC 28305 704-985-3483/678-7644 robert@fayedc.com	8/17	1st	Aug/20 8/31/20	Yes
<u>Representative – Other:</u>				
Richard Everett (W/M) 408 Mirror Lake Drive Fayetteville, NC 28303 484-0432/677-2360 (W)	6/14	3rd	Oct/17 10/31/17	No
Jody Risacher (W/F) 3533 Sweetbay Circle Fayetteville, NC 28311 630-5102/483-7727	8/16	2nd	Aug/19 8/31/19	No

Cumberland County Workforce Development Board, page 4

<u>Name/Address</u>	<u>Date Appointed</u>	<u>Term</u>	<u>Expires</u>	<u>Eligible For Reappointment</u>
Dallas Mack Freeman (B/M) 961 Kaywood Drive Fayetteville, NC 28311 488-9478/391-4177	2/16	1 st	Feb/19 2/28/19	Yes

Representative of Labor:

Charles Royal (W/M) 3054 Hayfield Road Wade, NC 28395 584-8993/822-1906	2/16	1 st	Feb/19 2/28/19	Yes
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Ellen Morales (/F) (unlimited term - replaced by state agency)
North Carolina Department of Human Resources
Division of Vocational Rehabilitation Services
1200 Fairmont Court
Fayetteville, NC 28304

Josephus Thompson (unlimited term – replaced by state agency)
NC WORKS Career Center
414 Ray Avenue
Fayetteville, NC 28301
486-1010

Contact: Peggy Aazam (Administrative Support) 323-3421 x2126 paazam@co.cumberland.nc.us

Regular Meetings: 2nd Wednesday, every other month beginning in February 2016, 11:00 AM, meetings take place at various locations

Name Changed to Cumberland County Workforce Development Board, November, 1995

The Cumberland County Workforce Development Board reconstituted its membership composition to comply with the workforce Innovation and Opportunity Act of 2014 (WIOA) on February 1, 2016.



BOARD OF COMMISSIONERS' OFFICE

**MEMORANDUM FOR BOARD OF COMMISSIONERS AGENDA OF NOVEMBER 20,
2017**

TO: BOARD OF COUNTY COMMISSIONERS

FROM: KELLIE BEAM, DEPUTY CLERK TO THE BOARD

DATE: 11/14/2017

SUBJECT: FARM ADVISORY BOARD (7 VACANCIES)

BACKGROUND

On November 6, 2017, the Board of Commissioners nominated the following individuals to fill seven (7) vacancies on the Farm Advisory Board:

Farmer Position:

Ryan Kennedy (new appointment)
Tracy Gardner (new appointment)
Kevin West (reappointment)

Natural Resource Conservation Service:

Clifton McNeill Jr. (reappointment)

Farm Bureau Representative:

Joe Gillis (new appointment)

Planning Board Representative:

Stan Crumpler (new appointment)

Cooperative Extension Service Representative:

Lisa Childers (reappointment)

I have attached the current membership list for this board.

RECOMMENDATION / PROPOSED ACTION

Appoint individuals to fill the seven (7) vacancies above.

ATTACHMENTS:

Description

Farm Advisory Board

Type

Backup Material

Farm Advisory Board

The Farm Advisory Board serves as a watchdog for development in farm and rural areas, protect agricultural land, preserve the farming industry and protect the character of the rural areas in the county.

Member Specifications:

9 Members

Term: 3 Years

Compensation: None

Duties:

1. Promote the health, safety, rural agricultural values, and general welfare of the County;
2. Increase identity and pride in the agricultural community and its way of life;
3. Encourage the economic and financial health of agriculture;
4. Make recommendations to the Cumberland County Joint Planning Board and Board of Commissioners regarding issues involving farmland in Cumberland County.

Meetings: Quarterly - second Tuesday of the first month at 7:00 PM

Meeting Location: Historic Cumberland County Courthouse, Room 107C 130 Gillespie Street Fayetteville, NC

FARM ADVISORY BOARD

The Farm Advisory Committee was created by Resolution approved by the Board of Commissioners on April 5, 2004. Committee members were appointed by the Commissioners on June 7, 2004. Bylaws were adopted by the Commissioners on November 30, 2006 and the Farm Advisory Committee became the Farm Advisory Board. **Initial terms for the Farm Advisory Board began on December 31, 2006.** The initial term was for 3 years with an expiration date of December 31, 2009. (All second terms were staggered as outlined in the bylaws with 1/3 of the members appointed for a 1-year term; 1/3 of the members appointed for a 2-year term; and 1/3 of the members appointed to a 3-year term.) Determination was made at the membership meeting during the final quarter of the 3rd year by drawing lots. **(Bylaws specify that terms begin January 1st and expire December 31st; members may serve an unexpired term and 2 additional terms.)**

<u>Name/Address</u>	<u>Date Appointed</u>	<u>Term</u>	<u>Expires</u>	<u>Eligible for Reappointment</u>
<u>Farmers:</u>				
Britt Riddle 7397 Riddle Road St. Pauls, NC 28384 425-8532/ 818-1049	12/14	2nd	Dec/16 12/31/16	No
VACANT (Vacated by W. Beard)	12/15	2nd	Dec/18 12/31/18	No
Kevin West 4656 Cedar Creek Road Fayetteville, NC 28301 910-850-2476	12/13	1st	Dec/16 12/31/16	Yes
Sherrill Jernigan 6717 Sisk Culbreth Rd Godwin, NC 28344 910-237-5065	12/15	1st	Dec/18 12/31/18	Yes
Vance Tyson 4925 NC Hwy 87 S Fayetteville, NC 28306 910-308-4057	12/15	2nd	Dec/18 12/31/18	No
<u>Natural Resource Conservation Service:</u>				
Clifton McNeill, Jr. 1471 Clifton McNeill Road Hope Mills, NC 28348 425-7354/309-4750	12/13	1 st full	Dec/16 12/31/16	Yes

(Bylaws specify that terms begin January 1st and expire December 31st; members may serve an unexpired term and 2 additional terms.)

<u>Name/Address</u>	<u>Date Appointed</u>	<u>Term</u>	<u>Expires</u>	<u>Eligible for Reappointment</u>
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Farm Bureau Representative:

David Gillis 7775 Climbing Tree Lane Fayetteville, NC 28306 *they will submit recommendation after 1/10/17 meeting* 487-0684	12/13	2nd	Dec/16 12/31/16	No
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Planning Board Representative:

VACANT (Vacated by P. Hall)	12/14	1st	Dec/17 12/31/17	Yes
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Cooperative Extension Service Representative:

Lisa Childers NC Cooperative Extension Service 301 East Mountain Drive Fayetteville, NC 28306 321-6875(W)	12/14	1st	Dec/17 12/31/17	Yes
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Meetings: Quarterly – Second Tuesday of the first month of each quarter (Jan, Apr, July, Oct) at 7:00 PM
Historic Cumberland County Courthouse, 130 Gillespie Street, Room 107C

Contact: Jaimie Melton 678-7612 (Planning and Inspections) jmelton@co.cumberland.nc.us



CUMBERLAND
★ **COUNTY** ★
NORTH CAROLINA

BOARD OF COMMISSIONERS' OFFICE

MEMORANDUM FOR BOARD OF COMMISSIONERS AGENDA OF NOVEMBER 20,
2017

TO: BOARD OF COUNTY COMMISSIONERS

FROM: KELLIE BEAM, DEPUTY CLERK TO THE BOARD

DATE: 11/14/2017

SUBJECT: FAYETTEVILLE AREA CONVENTION AND VISITORS BUREAU BOARD OF DIRECTORS (1 VACANCY)

BACKGROUND

On November 6, 2017, the Board of Commissioners nominated the following individual to fill one (1) vacancy on the Fayetteville Area Convention and Visitors Bureau Board of Directors:

Hotel/Motel Under 100 Rooms Representative:

Suresh Patel (new appointment)

I have attached the current membership list for this Board.

RECOMMENDATION / PROPOSED ACTION

Appoint individual to fill the one (1) vacancy above.

ATTACHMENTS:

Description
FACVB

Type
Backup Material

Fayetteville Area Convention and Visitors Bureau Board of Directors

The purpose of the Fayetteville Area Convention and Visitors Bureau Board of Directors is to encourage travel and tourism in Cumberland County and to engage in any lawful act or activity for which non-profit corporations may be organized under Chapter 55A of the North Carolina General Statutes.

Statutory Authorization: Chapter 983, House Bill 1590

Member Specifications:

11 Members with Specific Categories:

- Cumberland County Manager or his/her designee (1)
- Manager of the City of Fayetteville or his/her designee (1)
- General Manager of the Crown Complex or his/her designee (1)
- Representatives nominated by hotels and motels within the county which have in excess of 100 rooms and appointed by the County Commissioners. (2)
- Representatives nominated by hotels and motels within the county which have less than 100 rooms and appointed by the County Commissioners. (2)
- Chairman of the Airborne Special Operations Museum Board of Directors (1)
- Representative of a hotel or motel within Cumberland county which has rooms subject to the Occupancy Tax and meeting space in excess of 6,000 square feet which shall be elected by the Board of Directors upon recommendation of a Nominating Committee appointed by the Chairman (1)
- Representative of a hotel or motel within Cumberland county which has rooms subject to the Occupancy Tax and shall be elected by the board of Directors upon recommendation of a Nominating Committee appointed by the chairman (1)
- At-large member, appointed by the Board of County Commissioners which is representative of one or more of the following groups: 1) arts/cultural community; 2) business community; 3) military; and has a demonstrated interest in travel and tourism in the County (1)

Term: 3 Years

Compensation: None

Duties:

- Responsible for reviewing, approving and monitoring the financial integrity of the Fayetteville Area Convention and Visitors Bureau;
- Helps establish and monitor the implementation and administration of policies and programs;
- Approves and supports the Fayetteville Area Convention and Visitors Bureau's programs within the community;

- Hire, support and evaluate the performance of the President and CEO of the Fayetteville Area Convention and Visitors Bureau.

Meetings: Second Thursday of every other month at 12:00 PM

Meeting Location: Fayetteville Area Convention and Visitors Bureau Board Room 245 Person Street Fayetteville, NC

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

<u>Name/Address</u>	<u>Date Appointed</u>	<u>Term</u>	<u>Expires</u>	<u>Eligible For Reappointment</u>
<u>Hotel/Motels under 100 rooms Representatives:</u>				
Sharon Lee Ambassador Inn 2621 Lone Pine Drive Fayetteville, NC 28306 624-0021(H)/485-8135(W)	3/16	1st	Mar/19 3/31/19	Yes
Manish Mehta Holiday Inn Express 229 Forest Creek Drive Fayetteville, NC 28303 494-1918/689-0800	11/13	2nd	Dec/16 12/31/16	No
<u>Hotel/Motel over 100 rooms Representatives:</u>				
Laura Leal Hampton Inn Cross Creek 6626 NC Hwy 210 S Stedman, NC 28391 910-286-3464	9/15	1st	Sept/18 9/30/18	Yes
Adam Collier Fairfield Inn & Suites 3612 South River School Road Wade, NC 28395	5/17	1st	May/20 5/31/20	Yes
<u>At Large</u>				
Becki D. Kirby 2020 Calista Circle Fayetteville, NC 28304 910-261-4168	9/15	1st	Sept/18 9/30/18	Yes
<u>Representative, Hotel/Motel with meeting space in excess of 6,000 square feet</u>				
<u>FACVB Appointee:</u>				
Sanda Budic Doubletree Hotel 1965 Cedar Creek Road Fayetteville, NC 28312 323-8282	7/15			

<u>Name/Address</u>	<u>Date</u> <u>Appointed</u>	<u>Term</u>	<u>Expires</u>	<u>Eligible For</u> <u>Reappointment</u>
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Hotel/Motel Representative

FACVB Appointee:

Subodh Thakur 7/15

Regency Inn
521 Ramsey Street
Fayetteville, NC 28301-4911
483-2621(W)

ASOM Representative:

Henry Holt
Holt Oil
P. O. Box 53157
Fayetteville, NC 28303

Ex-officio Members:

Cumberland County Manager or his/her designee position

Amy Cannon, County Manager

General Manager of the Crown Complex or his/her designee position

James Grafstrom, CEO/Coliseum Complex Manager

Manager of the City of Fayetteville or his/her designee position

Doug Hewett City Manager

Contact: John Meroski (or Kelly Brill), Fayetteville Area Convention & Visitors' Bureau – 483-5311

Meetings: Quarterly on the Fourth Wednesday (starting in January) at 12:00 pm – Fayetteville Area Convention and Visitors Bureau, Board Room, 245 Person Street



CUMBERLAND
★
COUNTY ★
NORTH CAROLINA

BOARD OF COMMISSIONERS' OFFICE

MEMORANDUM FOR BOARD OF COMMISSIONERS AGENDA OF NOVEMBER 20,
2017

TO: BOARD OF COUNTY COMMISSIONERS

FROM: KELLIE BEAM, DEPUTY CLERK TO THE BOARD

DATE: 11/14/2017

SUBJECT: HUMAN RELATIONS COMMISSION (2 VACANCIES)

BACKGROUND

At their meeting on November 6, 2017, the Board of Commissioners nominated the following individuals to fill two (2) vacancies on the Human Relations Commission:

Kevin Brooks (reappointment)
Dr. Mark Kendrick (new appointment)

I have attached the current membership list for this commission.

RECOMMENDATION / PROPOSED ACTION

Appoint individuals to fill the two (2) vacancies above.

ATTACHMENTS:

Description	Type
Human Relations Commission	Backup Material

Human Relations Commission

The Human Relations Commission is an eighteen member body comprised of both county, city and military representatives. The Human Relations Commission's Mission Statement is "To facilitate and advocate programs, projects, and actions to ensure a better quality of life and the civil and human rights of all citizens, without regard to race, sex, religion, creed, national origin, age, familial status, or disability."

Member Specifications:

18 Members

- Appointed by the Board of Commissioners (4)

Term: 2 Years

Compensation: None

Duties:

Meetings: Second Thursday of every month at 5:30 PM

Meeting Location: City Hall LaFayette Room 433 Hay Street Fayetteville, NC

HUMAN RELATIONS COMMISSION
 (County Commissioner Appointees)
 2 Year Term

<u>Name/Address</u>	<u>Date Appointed</u>	<u>Term</u>	<u>Expires</u>	<u>Eligible for Reappointment</u>
Linda Amos 917 Bashlot Place Fayetteville, NC 28303 860-4280/486-1010 x 2201	5/16	2nd	May/18 5/31/18	No
Kevin Brooks 321 Hay Street Fayetteville, NC 28301 910-551-9031	8/15	1 st full term	Aug/17 8/31/17	Yes
VACANT (Vacated by M. Lodhi)	11/16	1st	Nov/18 11/30/18	Yes
Georgeanna Pinckney 3529 Furman Drive Fayetteville, NC 28304 229-3778/286-8582/396-2937	11/16	1st	Jan/18 1/31/18	Yes

(serving unexpired term; eligible for one additional term)

Contact: Willetta Ragin – 433-1696 – Fax # 433-1535
 Human Relations
 City of Fayetteville

Meetings: 2nd Thursday of every month – 5:30 pm
 City Hall – Lafayette Room



BOARD OF COMMISSIONERS' OFFICE

**MEMORANDUM FOR BOARD OF COMMISSIONERS AGENDA OF NOVEMBER 20,
2017**

TO: BOARD OF COUNTY COMMISSIONERS

FROM: KELLIE BEAM, DEPUTY CLERK TO THE BOARD

DATE: 11/14/2017

SUBJECT: SENIOR CITIZENS ADVISORY COMMISSION (3 VACANCIES)

BACKGROUND

At their November 6, 2017 meeting, the Board of Commissioners nominated the following individuals to fill three (3) vacancies on the Senior Citizens Advisory Commission.

Sonja Sato (reappointment)
Carey Berg (reappointment)
Patricia Fairley (reappointment)

I have attached the current membership list for this commission.

RECOMMENDATION / PROPOSED ACTION

Appoint individuals to fill the three (3) vacancies above.

ATTACHMENTS:

Description	Type
Senior Citizens Advisory Commission	Backup Material

Senior Citizens Advisory Commission

The Senior Citizens Advisory Commission cooperates in an advisory capacity with the City of Fayetteville, Cumberland County and any other interested municipal corporations of Cumberland County in their planning, coordinating and directing programs and activities for senior citizens.

Statutory Authorization: NCGS 160a-460 and Resolution adopted by Board of Commissioners on October 12, 1978

Term: 2 Years

Compensation: None

Duties:

- Serves as an advisory organization for senior citizens governmental units, providing those units with assistance in securing funding and in meeting responsibilities to senior citizens in the area;
- Assists city and county agencies (related to activities of senior citizens) in securing funds, grants, or appropriations necessary to function as directed by city, county, state and federal governments;
- Commission members may visit health care or recreation facilities.

Meetings: Second Tuesday of each month at 2:30 PM

Meeting Location: City Hall, Lafayette Room 433 Hay Street Fayetteville, NC

SENIOR CITIZENS ADVISORY COMMISSION
(Joint Fayetteville/Cumberland County)
2 Year Term
(County Appointees)

<u>Name/Address</u>	<u>Date Appointed</u>	<u>Term</u>	<u>Expires</u>	<u>Eligible For Reappointment</u>
Sonja Sato 314 Homewood Street Fayetteville, NC 28306 910-707-9605 sonjalsato@yahoo.com	12/16	1st	June/17 6/30/17	Yes
	(serving unexpired term; eligible for two additional terms)			
Carey D. Berg PO Box 87326 Fayetteville, NC 28304 425-9754/568-7742	9/15	1st	Sept/17 9/30/17	Yes
Edna Cogdell 734 Ashburton Drive Fayetteville, NC 28301 488-4582/624-4558	10/15	2nd	Oct/17 10/31/17	No
Willie F. Wright 196 Darrock Ct Fayetteville, NC 28311 822-6415/868-8351	12/15	1 st full term	Dec/17 12/31/17	Yes
	(serving unexpired term; eligible for one additional term)			
Patricia Fairley 4818 Arbor Road Fayetteville, NC 28311 488-8187/850-4649	9/15	1st	Sept/17 9/30/17	Yes
Augusta Newman 450 Bladen Circle Fayetteville, NC 28312 709-8344/555-5555	6/16	1st	Jun/18 6/30/18	Yes
Meagan Elise Honaker 5418 Phillips Street Hope Mills, NC 28348 988-8505/429-7223	6/16	1st	Jun/18 6/30/18	Yes

Contact: Mary Galyean– Senior Citizens Center Director – Phone: 433-1574
(Interoffice – Parks and Recreation)

Regular Meetings: 2nd Tuesday of each month at 2:30 PM
LaFayette Room – City Hall



BOARD OF COMMISSIONERS' OFFICE

**MEMORANDUM FOR BOARD OF COMMISSIONERS AGENDA OF NOVEMBER 20,
2017**

TO: BOARD OF COUNTY COMMISSIONERS

FROM: KELLIE BEAM, DEPUTY CLERK TO THE BOARD

DATE: 11/14/2017

SUBJECT: TOURISM DEVELOPMENT AUTHORITY (1 VACANCY)

BACKGROUND

At their November 6, 2017 meeting, the Board of Commissioners nominated the following two individuals to fill **one (1) vacancy** on the Tourism Development Authority:

Member of the Public Not Affiliated with Travel/Tourism:

Appoint (1) one individual:

Buzz Lloyd
Terri Thomas

I have attached the current membership list for the Tourism Development Authority.

RECOMMENDATION / PROPOSED ACTION

Appoint individual to fill the one (1) vacancy above.

ATTACHMENTS:

Description	Type
Tourism Development Authority	Backup Material

Tourism Development Authority

The Tourism Development Authority is charged with expending the net proceeds of the occupancy tax authorized by and levied under Session Laws 2001 Chapter 484 for the purposes provided in that act.

Web Page Links, Downloads, and Resources:

Statutory Authorization: NCGS 2001-484

Member Specifications:

7 Members with Specific Categories

- Representatives nominated by hotels and motels within the County which have in excess of 100 rooms subject to the occupancy tax (2)
- Representatives nominated by hotels and motels within the County which have fewer than 100 rooms subject to the occupancy tax (2)
- The President of the Fayetteville-Cumberland County Chamber of Commerce (1)
- The County Manager (1)
- A member of the public who is not affiliated with travel and tourism and who reflects the cultural diversity of the County (1)

Term: 3 Years

Compensation: None

Duties:

- Expend the net proceeds of the occupancy tax authorized by and levied under Session Laws 2001 Chapter 484, as amended from time to time, for the purposes provided in that act;
- Promote travel, tourism and conventions in the County, sponsor tourist-related capital projects in the County;
- Contract for and be contracted with, apply for and accept grants and gifts for the accomplishment of the purposes provided in the act.

Meetings: Quarterly (January/April/July/October) - Fourth Wednesday at 8:00 AM

Meeting Location: Cumberland County Courthouse Fifth Floor, Room 564 117 Dick Street Fayetteville, NC

TOURISM DEVELOPMENT AUTHORITY
3 Year Terms

6/17

<u>Name/Address</u>	<u>Date Appointed</u>	<u>Term</u>	<u>Expires</u>	<u>Eligible For Reappointment</u>
<u>Commissioner Appointees:</u>				
<u>Hotel/Motels under 100 rooms Representatives:</u>				
Vivek Tandon (A/M) 2857 Skye Drive Fayetteville, NC 28303 323-9070/(w) 438-0945/(c) 670-1072 Vtandon103@aol.com	11/15	1st	Nov/18 11/30/18	Yes
Pavan D. Patel (IA/M) 4321 Ferncreek Drive Fayetteville, NC 28314 584-7174/919-904-2673 pavan@willowgroupinvestments.com	11/16	1st	Nov/19 11/30/19	Yes
<u>Hotel/Motel over 100 rooms Representatives:</u>				
Anup Contractor (A/M) 217 Kirkwood Drive Fayetteville, NC 28303 433-2657 (H) /433-2100 (W) / 286-9373 (C) anup.econolodge@gmail.com	10/14	1st	Oct/17 10/31/17	Yes
Manish Mehta 229 Forest Creek Drive Fayetteville, NC 28303 494-1918 /689-0800 (C) msmehta@5points.nc.com	4/17	2 nd	Mar/20 3/31/20	No
<u>Member of the Public Not Affiliated with Travel/Tourism</u>				
Dallas Mack Freeman 961 Kaywood Drive Fayetteville, NC 28311 488-9478/391-4177 (cell) dmackfreeman@gmail.com	6/14	2nd	June/17 6/30/17	No
<u>President of the Fayetteville Regional Chamber (ex officio)</u>				
Christine Michaels 159 Maxwell Street Fayetteville, NC 28311 483-8133 cmichaels@faybiz.com				
<u>Cumberland County Manager (ex officio)</u>				
Amy Cannon P.O. Box 1829 Fayetteville, NC 28302 678-7723 acannon@co.cumberland.nc.us				

Authority was created by the Board of Commissioners on January 28, 2002.

Board was appointed on March 11, 2002.

Meetings: Quarterly (January/April/July/October) - 4th Wednesday – 8:00 AM – Room 564

Contact: Candice White, Clerk to the Board @ 678-7771