

CUMBERLAND COUNTY FINANCE COMMITTEE
DEPARTMENT OF SOCIAL SERVICES-1225 RAMSEY STREET
CONFERENCE ROOM C
NOVEMBER 1, 2018 – 8:30 AM
SPECIAL MEETING MINUTES

MEMBERS PRESENT: Commissioner Jimmy Keefe, Chairman
Commissioner Glenn Adams
Commissioner Marshall Faircloth

OTHERS: Commissioner Jeannette Council
Amy Cannon, County Manager
Melissa Cardinali, Assistant County Manager
Tracy Jackson, Assistant County Manager
Duane Holder, Assistant County Manager
Rick Moorefield, County Attorney
Vicki Evans, Finance Director
Jeffery Brown, Engineering and Infrastructure Director
AJ Riddle, Assistant County Engineer
Brenda Jackson, Social Services Director
Heather Harris, Budget Analyst
Geneve Mankel, Communications and Outreach Coordinator
Julean Self, Human Resources Director
Candi York, Health Department Finance
Candice H. White, Clerk to the Board
Kellie Beam, Deputy Clerk
Press

Commissioner Keefe called the meeting to order.

1. CONSIDERATION OF APPROVAL OF MINUTES – SEPTEMBER 6, 2018 SPECIAL MEETING

MOTION: Commissioner Faircloth moved to approve the September 6, 2018 special meeting minutes.

SECOND: Commissioner Adams

VOTE: UNANIMOUS (3-0)

2. CONSIDERATION OF INTERLOCAL AGREEMENT WITH THE TOWN OF HOPE MILLS TO SHARE IN STATE APPROPRIATED FUNDING FOR MOSQUITO SPRAYING

BACKGROUND:

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The Health Department received a State appropriation in the amount of \$260,536 to conduct mosquito abatement activities as a result of Hurricane Florence. These funds may be expended to conduct ground and/or aerial spraying, establish or enhance an existing Integrated Mosquito Management at the city or county level, and to purchase BTI mosquito dunks for distribution to citizens.

The Town of Hope Mills conducted ground spraying in corporate limits of the town. The Town has requested financial assistance to recoup their expenses related to mosquito abatement as a result of Hurricane Florence. Because of their activities, the County did not incur the cost of ground spraying within the Town limits. Based on their pro-rata share of the County, it is projected that the cost of spraying that area would total \$13,100. We are requesting the ability to allow the Town of Hope Mills to share in the State-appropriated funding for mosquito spraying.

RECOMMENDATION/PROPOSED ACTION

Request that the Board approve the development of an interlocal agreement with the Town of Hope Mills to share in the State-appropriated funding for mosquito spraying in an amount not to exceed \$13,100 and authorize the Chairman of the Board of Commissioners to execute the agreement.

- MOTION:** Commissioner Adams moved to approve the development of an interlocal agreement with the Town of Hope Mills to share in the State-appropriated funding for mosquito spraying in an amount not to exceed \$13,100.
- SECOND:** Commissioner Faircloth
- VOTE:** UNANIMOUS (3-0)

Commissioner Faircloth asked whether the County was going into the business or whether it would use contractors. Duane Holder, Assistant County Manager, stated as part of being better prepared in the future, vendors will be available on standby status and intermittent spraying from a preventive standpoint throughout the year is also being considered. Mr. Holder stated staff will return with a plan that may have budget implications.

3. CONSIDERATION OF ENGAGING OUTSIDE LEGAL COUNSEL FOR DEPARTMENT OF SOCIAL SERVICES (DSS) CHILDREN'S SERVICES

BACKGROUND:

Due to unexpected events, the Legal Section is in dire need of additional attorney support. One of the Staff Attorneys has been on Family Medical Leave since August 2018. He is expected to return to the office soon but will be unable to resume his normal caseload. His duties will be to concentrate on in-house matters to include working with adult services, staffing cases to determine whether safety issues require the court to intervene and helping with complex orders. Hurricane Florence has created a backlog of work. All DSS Juvenile Court attorneys continue to carry heavy caseloads and new petitions continue to be filed.

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The hurricanes also delayed the hiring of an attorney and paralegal that was granted to DSS by the Commissioners in the last budget. I expect the attorney position to be filled on October 29. Even though the new attorney is experienced in Juvenile Law, becoming familiar with the social services cases takes a significant amount of time because of the number of cases and the way they are scheduled for court.

Next, the juvenile cases are complex and require more preparation time. Many go from the Abuse and Neglect status to the Termination of Parental Rights within a short period of time. Moving these cases is extremely important to provide permanency for children. Any delay in the process is an expense for the Agency and the County. Having a contract attorney who is familiar with the juvenile law, especially the Termination of Parental Rights and the Responsible Individual law, will mean the other attorneys can concentrate on the heavy caseloads that are assigned as set out in the Local Court Rules.

Lastly, the retirement of the Managing Attorney on January 31, 2019 will also require an adjustment period for the Legal Section staff. The attorneys may be required to handle some of the other legal matters that the Managing Attorney has been responsible for, which are outside of their usual practice.

RECOMMENDED/PROPOSED ACTION:

We respectfully request your approval of the Contract Amendment for Margaret Russ to increase her FY 18-19 contract by \$75,000.00 and Budget Ordinance Amendment #191134 to move \$75,000 from Salaries to Contracted Services to fund the increase. This contract shall not exceed \$95,000.

Brenda Jackson, Social Services Director, reviewed the background information recorded above and responded to questions about positions affected by the Staff Attorney being on Family Medical Leave, possible restructuring of positions should the Staff Attorney return but be unable to resume his normal caseload and responsibilities within the Legal Staff Section. Ms. Jackson also explained the time and court work involved in Children's Services cases. Commissioner Adams stated contracted positions are expensive and rather than piecemeal and continue with contract work, it should probably be determined whether DSS has enough legal staff to manage its caseload. Discussion followed. Ms. Jackson stated DSS is also working in partnership with the court system to look at efficiencies.

MOTION: Commissioner Faircloth moved to follow staff recommendation to approve the contract amendment for Margaret Russ to increase her FY 18-19 contract by \$75,000.00 and Budget Ordinance Amendment #191134 to move \$75,000 from Salaries to Contracted Services to fund the increase, with this contract not exceed \$95,000.

SECOND: Commissioner Adams

VOTE: UNANIMOUS (6-0)

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4. CONSIDERATION OF REQUEST TO WAIVE SOLID WASTE FEES FOR SPERANZA MOBILE HOME PARK DUE TO HURRICANE FLORENCE

BACKGROUND

At the October 15, 2018, Board of Commissioners' Meeting during Public Comments, Mr. Mike Speranza, co-owner of Speranza Mobile Home Park located off West Manchester Road in Spring Lake, requested that Solid Waste fees be waived for twenty-nine mobile homes that his family owns which were damaged during Hurricane Florence due to flooding. Staff have visited the property in question and estimated that the amount of demolition material fees to be waived will be approximately \$14,500. This may also involve labor, equipment, and transportation costs associated with the debris removal if the Speranza's cannot provide the debris removal. The waiver of tipping fees and/or removal cost is typically not reimbursable to the County by FEMA because the debris is on private, commercial property. It is worth noting that after Hurricane Matthew, a similar situation occurred at a local mobile home park, and the owner was required to remove storm-related debris without a waiver of tipping fees or other assistance from the County.

Rather than a waiver, staff recommends the amount of the tipping fees for the tonnage accepted be placed on the property in question as a lien to be recovered when and if the parcel associated with the Speranza Mobile Home Park is sold.

RECOMMENDATION/PROPOSED ACTION:

Staff recommends approval to forward this to the full Board of Commissioners as a consent agenda item at the November 5, 2018 regular meeting with the stipulation that the amount of the tipping fees for the tonnage accepted be placed on the property in question as a lien to be recovered when and if the parcel associated with the Speranza Mobile Home Park is sold.

Tracy Jackson, Assistant County Manager, reviewed the background information recorded above. In response to questions from Commissioner Keefe, Mr. Jackson stated C&D fees were waived on residential property but not commercial or income generating property. Ms. Cannon stated that is according to FEMA guidelines and what FEMA will reimburse. Commissioner Adams stated the Speranza MHP is also on a private road. Mr. Jackson stated part of the issue is that the MHP is fairly far removed from a state-maintained highway. Additional questions and discussion followed. Mr. Jackson clarified the waiver of tipping fees for the tonnage would just be for the mobile homes.

MOTION: Commissioner Faircloth moved to follow staff recommendation to accept the construction and demolition debris without an upfront charge and place a lien on the property.

SECOND: Commissioner Adams

VOTE: UNANIMOUS (3-0)

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5. SALES TAX DISTRIBUTION INTERLOCAL AGREEMENT

A. APPROVAL OF MINUTES-CUMBERLAND COUNTY SALES TAX COMMITTEE-OCTOBER 9, 2017

No action was taken.

B. DISCUSSION OF PROPOSED AMENDMENT TO SALES TAX DISTRIBUTION INTERLOCAL AGREEMENT

BACKGROUND:

On October 5, 2018 Chairman Lancaster provided a proposed amendment to the Sales Tax Distribution Interlocal Agreement to the City of Fayetteville via Mayor Colvin. The City of Fayetteville responded with a counter proposal which would:

- Renew the sales tax agreement with County and Towns for 10 years.
- Keep future reimbursements from the City to the County at the FY2018 level of approximately \$7.3 million for all 10 years.
- And begin phasing out the reimbursements from the City to the Towns over a 5-year period. Reimbursements from the City to the Towns would cease in year 6 of the agreement.

The goals of the Fayetteville proposal include development of an agreement that includes:

- A cap on growth over a 10-year term.
- An agreement that is ultimately between the City and County only.
- An agreement that is long-term.

The current agreement expires June 30, 2019. If it is the desire of the Finance / Sales Tax committee to craft a new agreement, it would be needed by March 30, 2019. Any formal change in the sales tax distribution method must occur in April 2019 to be effective with the 2019-20 fiscal year.

RECOMMENDATION/PROPOSED ACTION:

For discussion purposes only.

Ms. Cannon stated in January 2018, Chairman Lancaster wrote a letter to Mayor Colvin with a rewritten and restructured interlocal agreement for sales tax which extended the agreement under most of the same terms, with the City reimbursing the towns and county for 50% of the sales tax from prior annexations. Ms. Cannon stated no response was received. Ms. Cannon stated in October, Chairman Lancaster provided a proposed amendment to the Sales Tax Distribution

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Interlocal Agreement to the City of Fayetteville via Mayor Colvin. Ms. Cannon stated the City Manager sent a response with the counter proposals and goals outlined in the background information recorded above. Ms. Cannon stated any formal change in the sales tax distribution method must occur in April 2019 to be effective with the 2019-20 fiscal year. Ms. Cannon stated the City ultimately wants an agreement between just the City and the County. Ms. Cannon stated no action is being requested but this is being provided as information to the Finance Committee having been appointed by Chairman Lancaster as the County's Sales Tax Committee.

Commissioner Faircloth stated the Sales Tax Committee needs to ask staff for information and know what the options are and how they affect everyone.

Commissioner Keefe recognized Town of Falcon Mayor Clifton Turpin, Chairman of the Mayors' Coalition, who addressed the committee. Mayor Turpin stated if the towns are not able to share in sales tax, then neither should the City of Fayetteville. Mayor Turpin stated his recommendation to the Mayors' Coalition tomorrow morning is going to be that the County has reached out and been benevolent and as the driver, the County needs to do what it needs to do. Mayor Turpin stated his recommendation is also that this does not need to go into 2019 because at some point, enough is enough. Commissioner Keefe stated the Sales Tax Committee looks forward to hearing from the Mayor's Coalition and others who wish to participate. A brief discussion followed.

6. MONTHLY UPDATES

A. HEALTH INSURANCE

BACKGROUND:

Total health insurance claims for FY19 are down 12% for the month of September as compared to the same month in FY18. To provide some perspective on the claims, below is the 3-month average for the past 5 fiscal years. This average represents the average claims for July - September of each fiscal year. Additionally, graphs are provided as an aid to the analysis.

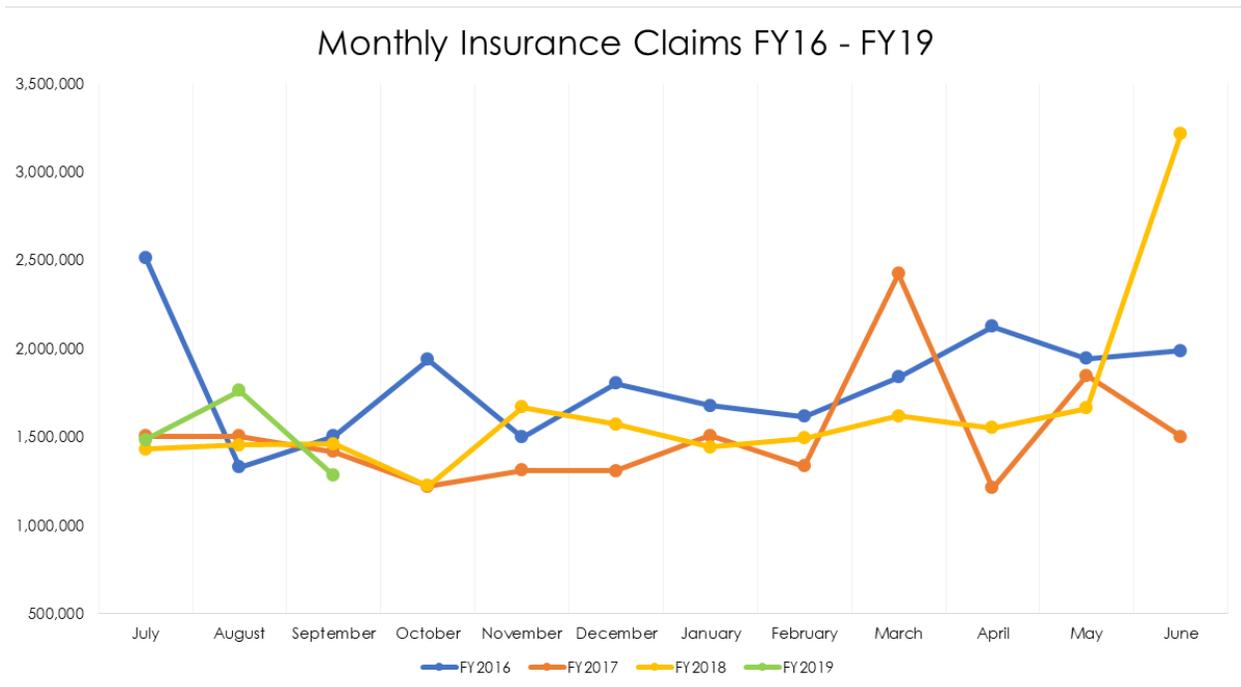
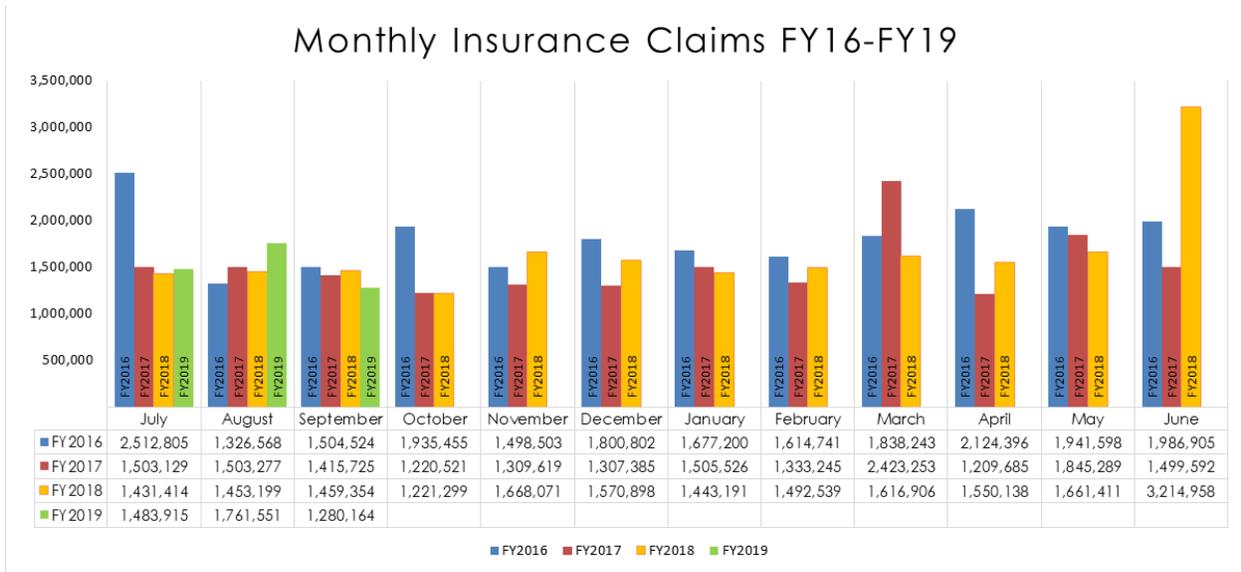
Average claims per fiscal year through September:

FY15	\$1,667,586
FY16	\$1,781,299
FY17	\$1,474,044
FY18	\$1,447,991
FY19	\$1,508,543

RECOMMENDATION/PROPOSED ACTION:

No action needed – for information only.

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B. CDBG-DR

**CUMBERLAND COUNTY CDBG-DR PROGRAM UPDATE
FOR THE NOVEMBER 1, 2018
FINANCE COMMITTEE MEETING**

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Status as of October 23, 2018:

Total Applications	County Application Intake (Step 1)	State Eligibility Check (Step 2)	State Duplication of Benefits Check (Step 3)	State Under Further Review /Withdrawn /Ineligible
289	64 (15 county/49 city)	19 (5 county/14 city)	81 (14 county/67 city)	26 / 13 / 4
State Inspection & Environmental Review (Step 4)	State Grant Determination (Step 5)	Contractor Selection (Step 6)	Construction (Step 7)	Completion (Step 8)
62 (10 county/52 city)	19 (3 county/16 city)	0	0	0

**Step 1 performed by County; Steps 2-5 performed by State; 6-8 performed by County/City/State*

Milestones/Activities:

- Request for Project Management Proposal – Review completed –recommendation at upcoming Board meeting
- Board approved proposed Amendment to CDBG-DR Agreement between State and County submitted to Commerce/HUD;
- Ongoing– County processing applications and submitting to State for eligibility review;
- Two homeowners closing for reimbursements pending State scheduling - (closing will be held at County Community Development office by State contracted staff with County staff present);
- State implemented and opened Regional Intake Centers – this will also allow applicants to apply at any center (non-Cumberland residents – 2 *Tier II Counties*) Cumberland County Center receives applicants from various counties.
- Robins Meadow Permanent Supportive Housing Project under State review. Draft RFQ A/E Services under review.

Current Staffing:

- State: – David Calthorn, CD Specialist II, Dept. of Public Safety – (Community Outreach for CDBG-DR)
- Cumberland County:
 - Sylvia McLean, P.T. Community Development (CD) Consultant; Terrinique Washington, Admin Support Specialist; Tye Vaught, Admin Program Officer II; Chavaugh McLamb, Admin Housing Coordinator II

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- City of Fayetteville: Jay Reinstein and Cindy Blot, CD Director; Anedra Walls, Admin Assistant

Hours of Operation (Cumberland County Application Intake Center):

Monday – Friday, 9 a.m. to 4 p.m.

- Location – Cumberland County Community Development Dept – 707 Executive Place

C. FINANCIAL REPORT

BACKGROUND

The financial report is included which shows results of the general fund for the first quarter of fiscal year 2019. Results of fiscal year ended 2018 will be added upon completion of the audit. Additional detail has been provided on a separate page explaining any percentages that may appear inconsistent with year-to-date budget expectations.

RECOMMENDATION/PROPOSED ACTION

No action needed – for discussion and information purposes only.

In response to a question from Commissioner Keefe, Ms. Evans stated the audit is underway and she plans to conduct a presentation at the December meeting of the Finance Committee of FY2018 results.

REVENUES	FY18-19	FY18-19	YTD ACTUAL	PERCENT OF	*
	ADOPTED BUDGET	REVISED BUDGET	AS OF September 30, 2018	BUDGET TO DATE	
Ad Valorem Taxes					
Current Year	\$ 163,777,000	\$ 163,777,000	\$ 22,926,753	14.0%	(1)
Prior Years	1,121,000	1,121,000	528,394	47.1%	
Motor Vehicles	18,326,000	18,326,000	4,934,762	26.9%	(2)
Penalties and Interest	500,000	500,000	149,088	29.8%	
Other	908,000	908,000	260,213	28.7%	
Total Ad Valorem Taxes	184,632,000	184,632,000	28,799,209	15.6%	
Other Taxes					
Sales	42,625,774	42,625,774	-	0.0%	(3)
Real Estate Transfer	700,000	700,000	418,703	59.8%	
Other	1,060,000	1,060,000	160,363	15.1%	
Total Other Taxes	44,385,774	44,385,774	579,066	1.3%	
Unrestricted & Restricted Intergovernmental Revenues	62,049,904	63,549,113	5,180,818	8.2%	(4)
Charges for Services	12,312,681	12,319,181	2,929,710	23.8%	
Other Sources (includes Transfers In)	2,442,205	2,522,386	348,308	13.8%	
Proceeds Refunding Bonds	-	-	-	0.0%	
Premium on COPS Sold	-	-	-	0.0%	
County Closing Contribution	-	-	-	0.0%	
Lease Land CFVMC	3,714,637	3,714,637	3,533,596	95.1%	(5)
Total Other	6,156,842	6,237,023	3,881,904	62.2%	
Total Revenue	\$ 309,537,201	\$ 311,123,091	\$ 41,370,707	13.3%	
Fund Balance Appropriation	7,447,195	12,777,470	-	0.0%	
Total Funding Sources	\$ 316,984,396	\$ 323,900,561	\$ 41,370,707	12.8%	

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Fiscal Year 2019 - September Year-to-Date Actuals (Report Run Date: October 19, 2018)	
Additional Detail	
General Fund Revenues	
*	
(1)	Current Year Ad Valorem 14% - Normal for this time of year. The bulk of revenues are typically recorded between November - January.
(2)	Motor Vehicles 26.9% - YTD Actual reflects 2 months of collections.
(3)	Sales Tax 0.00% - There is a 3-month lag. Collections for the fiscal year are first recorded in October.
(4)	Unrestricted/Restricted Intergovernmental 8.2% - There is typically a one-two month lag in receipt of this funding.
(5)	Lease Land CFVMC 95.1% - typically paid in the beginning of the fiscal year.
General Fund Expenditures	
**	
(1)	Youth Diversion 14.7% - Staff has not yet been hired. An allocation is done for the administrative assistant that is helping with the program currently.
(2)	Public Safety Other 14.3% - Outside agency lag in submitting invoices during the first quarter.
(3)	Location Services 11.4% - Vacant position within the department during the first quarter.
(4)	Economic Incentive 6.2% - Economic incentives are budgeted at 100% of agreements but are not paid unless/until the company complies.
(5)	Water and Sewer 0% - No expenditures were incurred for the first quarter.
(6)	Transfers Out 0.8% - Transfers are generally prepared towards the end of the fiscal year.

MOTION: Commissioner Faircloth moved to adjourn.

SECOND: Commissioner Adams

VOTE: UNANIMOUS (3-0)

There being no further business, the meeting adjourned at 9:35 a.m.

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