
Minutes
Cumberland County Board of Commissioners
December 4, 2000, 9:00 a.m.
Regular Meeting/Reorganizational Meeting
Cumberland County Courthouse, Room 118
Fayetteville, NC

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

INVOCATION Commissioner Edward G. Melvin, Jr.
 Rev. Tony Buchanan, Carroll Memorial Baptist Church

PLEDGE OF ALLEGIANCE

ADDITION TO THE AGENDA: Approval of a Services Management Agreement with Arena Ventures (to be added to the Consent Agenda as Item 1H).

MOTION: **Commissioner Blackwell moved to add this to the Consent Agenda.**

SECOND: **Commissioner Warren**

VOTE: **UNANIMOUS**

1. CONSENT AGENDA

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

SECOND: **Commissioner Baggett**

VOTE: **UNANIMOUS**

A. Approval of Minutes: November 20, 2000

ACTION: **Approve**

B. Approval of Cumberland County Work First Program Plan

BACKGROUND: On November 20, 2000, the Board of Commissioners held a public hearing on this Plan. In addition the Plan has been available for review and public comment for the period November 20-28, 2000. No public comment has been made.

ACTION: Approve the Plan for FY2002 and FY2003.

C. Approval of Flood Damage Prevention Damage Ordinance Revisions

BACKGROUND: The Towns of Godwin, Falcon, Linden, Stedman and Wade have adopted the County's Flood Damage Prevention Ordinance. The County Engineering Department will administer the floodplain management activities through interlocal agreements. The Federal Emergency Management Agency, FEMA, has informed the Towns that a minor revision to the County's ordinance is required allowing the provisions of the ordinance to be applicable to lands within the Towns. Presently the ordinance applies to only those lands within all areas of special flood hazard in the unincorporated areas of Cumberland County. The proposed revision of Section 6.5-21 of the ordinance would include all lands within SFHA in any municipality that has adopted the County's ordinance.

ACTION: Approve the revision to Section 6.5-21 of the ordinance.

D. Approval of Health Department Fees for the PREVNAR Vaccine

BACKGROUND: The Board of Health approved charges for the Pneumonia Vaccine for Children as follows:

CRITERIA: Ages – Under 2 years of age and are healthy infants and toddlers are approved to receive state vaccine.

Ages – 2-5 years that have these diseases/conditions are approved to receive the state vaccine:

- Sickle cell disease
- Damaged spleen or no spleen
- HIV/AIDS
- Diseases that affect the immune system, i.e., diabetes or cancer
- Take medication that affect the immune system, i.e., chemotherapy or steroids
- Children under 3 years of age
- Children who are Alaskan Native, American Indian or African-American decent
- Attend group child care

*All other children within the age group and do not meet the above criteria, must pay to receive the vaccine.

CPT CODE: 90669

Vaccine direct cost - \$290.00 per 5 doses = \$58.20 per dose

RECOMMENDED CHARGE: \$60.00

Plus Administration Fee

CPT Code – one vaccine 90471 - \$7.50

CPT Code – 2 or more vaccines 90472 - \$10.00

E. Approval of a Resolution designating an agent for the Cumberland County Health Department in connection with mosquito control

BACKGROUND: This resolution is an important part of the County's application for state funding for local mosquito control from the Public Health Pest Management Section of the NC Department of Environmental and Natural Resources, Division of Environmental Health. If State funding is available for mosquito control next year, the Health Department would like Cumberland County to be eligible.

ACTION: Authorize Janet Lindbloom as agent for Cumberland County Health Department to sign and execute all documents necessary in connection with the request made to the Division of Environmental and Natural Resources for aid in control of mosquitoes, to carry out all agreements stipulated in the application, and to perform other acts that are proper and necessary in connection with the operation of this project.

F. Consideration of the appointment of the County's Planning Director

BACKGROUND: Barry A. Warren was offered conditional employment on November 27, 2000, subject to final approval of the Board of Commissioners. Mr. Warren accepted the County's offer of employment on November 28, contingent on Board approval.

Effective date of employment: December 18, 2000

Starting salary: \$71,000 per annum

Moving expenses: \$1,000

Must establish family residence in Cumberland County within six months of date of employment;

Other standard conditions of employment apply

ACTION: Approve appointment of Mr. Warren as Planning Director

G. Budget Revisions

(1) Assessor: Revision in the amount of \$13,400 to budget payments to TMA for tax audits conducted by them (B01-241) Funding Source – Appropriated Fund Balance

(2) E-911 Sign Shop: Revision in the amount of \$1,000 to appropriate fund balance to fund additional unanticipated cost increases for a replacement

truck (B01-247) Funding Source – Appropriated Fund Balance

(3) County Attorney: Revision in the amount of \$16,412 to appropriate fund balance to cover coding ordinances and advertising costs (B01-249) Funding Source – Appropriated Fund Balance

(4) Social Services: Revision in the amount of \$220,555 to recognize additional revenue and expenditures for the Crisis Intervention Program (B01-248) Funding Source – State

ACTION: Approve

H. Consideration of approval of a resolution approving a Services Agreement with Arena Ventures, LLC

BACKGROUND: The Board of Commissioners discussed this services agreement at its December 1, 2000, Special Meeting. The County Attorney indicates the issues discussed by the Board at that time have been resolved and incorporated into this agreement. Arena Ventures, LLC, indicates it agrees with the incentive based compensation component, the cap on annual expenditures at \$20,000 and the county's termination option after three years for \$200,000.

ACTION: Adopt Resolution

**RESOLUTION APPROVING A SERVICES AGREEMENT WITH
ARENA VENTURES, LLC**

BE IT RESOLVED by the Cumberland County Board of Commissioners, that it approves and ratifies the actions of the County Manager, the Assistant Manager for Finance and Administration and the County Attorney in negotiating and reaching tentative agreement on the terms of that certain Services Agreement to be dated as of December ____, 2000, between the Cumberland County Civic Center Commission and Arena Ventures, LLC, including the attachments, schedules or exhibits thereto (the "Services Agreement"), and it approves the Services Agreement substantially in the form as submitted to this meeting; and be it

FURTHER RESOLVED, that the Chairman or Vice Chairman of the Board of Commissioners, and the officers of the County, as appropriate, are authorized on behalf of the County and in its name to execute and deliver all documents necessary or appropriate to consummate the above transactions, including the Services Agreement substantially in the form as submitted to this meeting, together with such revisions as may be satisfactory to the Chairman or Vice Chairman of the Board, the Chairman of the Civic Center Commission, the County Manager, the County Attorney, and the County's Bond Counsel, William McBride.

REGULAR AGENDA ITEMS

2. Appointment to the Cumberland County Industrial Development and Pollution Control Financing Authority (1 vacancy)

Nominee: H.B. Smith, Jr.

MOTION: Commissioner Warren moved to appoint H.B. Smith, Jr.

SECOND: Commissioner Tyson

VOTE: UNANIMOUS

3. Approval of Lake Rim Park Wetlands Boardwalk Change Order No. 1

BACKGROUND: On October 27, 1995, the County entered into an agreement with The Rose Group to provide engineering and design services for sports field improvements. Various conditions to the performance of this job needed to be amended. The Change Order is needed to cover the balance of the cost and labor for the changes. The Change Order includes:

Concrete & delivery to site:	\$3,504.00
Concrete forms & construction:	\$ 463.00
Hauling extra concrete to work site:	\$2,286.00
Dig footings/setting forms:	\$6,890.00
Pouring concrete footings:	\$3,592.00
15% overhead	\$2,510.00
TOTAL:	\$19,245.00

Note: The contract contingency (\$6,928) will cover a portion of the above charges.

ACTION: Approve the Change Order in the amount of \$12,317.00, the amended contract amount of \$88,525.00 and associated budget revision (B01-242).

MOTION: Commissioner Blackwell moved to approve.

SECOND: Commissioner Tyson

VOTE: UNANIMOUS

4. Recognition of Outgoing Board Members:

Lee Warren, Vice Chairman, presented Commissioners Edward G. Melvin, Jr., and H. Mac Tyson II plaques recognizing their service on the Board of Commissioners.

5. Administration of Oath of Office to newly elected commissioners

a. Administration of Oath of Office to Dr. Jeannette M. Council by Judge Patricia Timmons-Goodson

b. Administration of Oath of Office to Kenneth S. Edge by Judge Jim Ammons

c. Administration of Oath of Office to Dr. John T. Henley, Jr. by Judge John Dickson

d. Administration of Oath of Office to J. Lee Warren, Jr., by Tommy Griffin,

Clerk of Court**6. Election of new officers****a. Chairman**

MOTION: Commissioner Baggett moved to appoint Lee Warren, Chairman.

SECOND: Commissioner Blackwell

VOTE: UNANIMOUS

b. Vice Chairman

MOTION: Commissioner King moved to appoint Breeden Blackwell, Vice Chairman.

SECOND: Commissioner Edge

VOTE: UNANIMOUS

Chairman Lee Warren made the following comments:

"I want to first thank my colleagues for their vote of confidence in electing me Chairman of the Cumberland County Board of Commissioners. I also want to congratulate Commissioner Blackwell on his being elected Vice Chairman. On a personal note, I want to thank my wife, Sue, and our family and friends for their support, love and understanding. Being a County Commissioner takes you away from your family. To all of the families represented up here today, I say thank you for the support you give to all of us. The elected officials seated here have one thing in common. The citizens of Cumberland County, over the last two elections, have spoken strongly and emphatically in support of our being here. There are no hanging chad or dimpled chad elected officials sitting up here. We clearly all have the support of the people of Cumberland County. I have served on this Board for 8 years. My friend Billy King is the senior member of the Commission, having served 10 years. Billy, I know you and the others who have served as County Commissioner know that we have steadily, over the past few years, put into place the ingredients for momentum and success for Cumberland County. We, as County Commissioners, take seriously our commitment to every citizen who expects us to bring progress to our community. I know I speak for the board when I pledge to the citizens of Cumberland County that we are here to work our hardest to bring our community to the premier level it deserves. Billy, Tal, Jeannette, Breeden, John, Kenneth – we share a common obligation to join hands and lead our county forward together, and in that process, not leave anyone behind. Cumberland County is a diverse community. We have rural areas, a growing city, small towns, our military friends with their families, business people, merchants, laborers and students. We have folks whose families owned land here 200 years ago and we have people who moved here 2 weeks ago. Whether the issue is education, economic development, the environment or public safety, these citizens have unique needs and it is our job to find the best way to meet their particular needs. As Chairman of the Cumberland County Board of Commissioners, I offer our hand of friendship to the elected officials of Fayetteville, Hope Mills, Spring Lake, Stedman, Linden, Wade, Godwin and Falcon. As Commissioners, we will work as hard with you and for you as we do for all our constituents because we are all one constituency and one community. Let's keep our eye on the horizon. Our journey to greatness is as important as the destination itself. May God continue to bless

Cumberland County."

7. Presentation to outgoing Chairman

Chairman Lee Warren presented a gavel to outgoing Chairman Ed Melvin.

8. Approval of Bonds for elected officials

ACTION: Approve Bonds

<u>Officer</u>	<u>Amount</u>	<u>Expires</u>	<u>Agent</u>	<u>Holder</u>
Finance Officer (Amy Cannon)	\$100,000	Auto/renew	Kemper	NACo
Register of Deeds George Tatum	\$ 10,000	Auto/renew (4 years)	Highland	Peerless
Tax Administrator (Garrett Alexander)	\$100,000	Auto/renew	Redland	NACo
Sheriff (Earl Butler)	\$ 25,000	12/07/2002	Tomlinson	W. Surety
Sheriff's Office (Cutler Windham, Sr.)	\$ 20,000	10/09/2003	Tomlinson	W. Surety
Mental Health Dept. (Tom Miriello)	\$ 20,000	Indefinite	Tomlinson	W. Surety
Mental Health Dept. (Phil McCall)	\$ 20,000	Indefinite	Tomlinson	W. Surety
Civic Center (Kendall B. Wall)	\$ 20,000	Indefinite	Tomlinson	W. Surety
Civic Center (Vicki M. Ramsey)	\$ 20,000	Indefinite	Tomlinson	W. Surety
Employee Blanket	\$100,000	Auto/renew	Carpenter & Cammack	Chubb Ins.
Auto Dealer Bond	\$ 25,000	Indefinite	Carpenter & Cammack	Travelers

MOTION: Commissioner King moved to approve.

SECOND: Commissioner Council

VOTE: UNANIMOUS

9. Nominations to Boards/Committees

a. Board of Health (6 vacancies)

BACKGROUND: The following positions will become vacant on the Board of Health:

Veterinarian Position: Dr. John Lauby – not eligible for reappointment

Dentist Position: Dr. Phillip E. Caldwell – not eligible for reappointment

Registered Nurse Position: Annette E. Lanier – eligible for reappointment

Optometrist Position: Dr. Janet Ward (resigned) – replacement needed

General Public Positions (2): Artheneus Dew – not eligible for reappointment

Eleanor McGinnis – eligible for reappointment

NOMINEES:	Veterinarian Position:	Dr. James L. Williams (nominated by Commissioner King)
	Dentist Position:	Dr. Walter Scott (nominated by Commissioner King)
		Dr. Harold Maxwell (nominated by Commissioner Edge)
	Registered Nurse Position:	Annette Lanier (reappointment)
	Optometrist Position:	Dr. William Philbrick (nominated by Commissioner Blackwell)
	General Public Positions:	Mary James (nominated by Commissioner Council)
		W. Lee Utley (nominated by Commissioner Henley)
		Dr. Joe Burks (nominated by Chairman Warren)
		Eleanor McGinnis (reappointment) (nominated by Commissioner Blackwell)

Appointments will be made at the December 18, 2000 meeting.

b. Cape Fear Valley Health System Board of Trustees (2 vacancies)

BACKGROUND: The following positions will become vacant:

Medical Doctor Position: Dr. John T. Henley, Jr. (moving to Board of Commissioners)

R.N. Position: Mary T. Thomas – eligible for reappointment

NOMINATIONS:	Medical Doctor Position:	Dr. Rakesh Gupta (nominated by Commissioner Henley)
		Dr. Johnny Gaston (nominated by Commissioner King)
	Nurse Position:	Mary Thomas (reappointment) (nominated by Commissioner Blackwell)

Appointments will be made at the December 18, 2000 meeting.

c. Civic Center Commission (5 vacancies)

BACKGROUND: The following positions will become vacant:

George Breece – eligible for reappointment
James Carson – eligible for reappointment
Sue Evans – not eligible for reappointment
Henry W. Holt – eligible for reappointment
Dr. Marye Jeffries – not eligible for reappointment

NOMINATIONS:	George Breece (reappointment) (nominated by Chairman Warren)
	James Carson (reappointment) (nominated by Chairman Warren)
	Henry Holt (reappointment) (nominated by Chairman Warren)
	Susan James Monroe (nominated by Commissioner Council)
	Jack Justice (nominated by Chairman Warren)
	Ruth Davis (nominated by Commissioner Blackwell)
	Ed McDaries (nominated by Commissioner King)

These appointments will be made at the December 18, 2000 meeting

d. Library Board of Trustees (3 vacancies)

The following positions will become vacant:

Dr. Joseph F. Johnson – eligible for reappointment
C. Kim Nazarchyk – eligible for reappointment
Doris P. Lewis – not eligible for reappointment

NOMINATIONS:	Dr. Joseph Johnson (reappointment) (nominated by Commissioner Blackwell)
	C. Kim Nazarchyk (reappointment) (nominated by Commissioner Blackwell)
	Richard Higgins (nominated by Commissioner Blackwell)
	Pearlie McMillan (nominated by Commissioner King)

These appointments will be made on December 18, 2000.

e. Minimum Housing Appeals Board (2 vacancies)

BACKGROUND: The following positions will become vacant:

Regular member position: J.E. Herndon, Jr. – eligible for reappointment

Alternate member position: Mary J. Raynor – eligible for reappointment

NOMINATIONS: J.E. Herndon, Jr. (nominated by Commissioner King) for
Regular member position

Mary Raynor (nominated by Commissioner King) for
Alternate member position

These appointments will be made at the December 18, 2000 meeting.

MEETING ADJOURNED: 9:50AM

Clerk to the Board