
Minutes
Cumberland County Board of Commissioners
January 3, 2000
Regular Meeting

PRESENT: Chairman Edward G. Melvin, Jr.
Vice Chairman J. Lee Warren, Jr.
Commissioner Talmage Baggett, Jr.
Commissioner Billy R. King
Commissioner H. Mac Tyson, II
Commissioner J. Breeden Blackwell
Cliff Strassenburg, County Manager
James Martin, Deputy County Manager
Juanita Pilgrim, Assistant County Manager
Cliff Spiller, Assistant County Manager
Grainger Barrett, County Attorney
Marsha Fogle, Clerk to the Board

ABSENT: Thomas B. Bacote, (Illness)

INVOCATION: Commissioner H. Mac Tyson, II
Jack A. Watson, Area Seven

Coordinator of The N.C.

Gideons ministry.

PLEDGE OF ALLEGIANCE

RECOGNITION: Tracy Honeycutt and the Cumberland County Recreation and Parks Department for receiving the NC Recreation and Parks Society – Arts & Humanities Award

1. PUBLIC HEARING: Proposed Economic Development Inducement Agreement and Lease Agreement with Advanced Internet Technologies, Inc.

BACKGROUND: The Board of Commissioners previously approved a Memorandum of Agreement with Advanced Internet Technologies, Inc. (AIT) to lease the old DSS building to AIT and to enter into an economic development Inducement Agreement. This public hearing is to receive comment on the proposed Inducement Agreement and Lease Agreement with AIT. The hearing has been properly noticed by 10 days prior

publication in the newspaper. The Inducement Agreement would commit the County to spend up to \$450,000.00 to install a new roof membrane of the building and a new PBX system to serve the building. That amount was calculated on the county's usual formula for return on economic development expenditures, through increased property and sales tax over 60 months. It would commit AIT to create or cause to be created over the next 60 months 250 new jobs at an average salary of \$17 an hour and to make a capital investment of at least \$2.6 million at the old DSS building and its facilities within the County. The County could recoup a pro rata share of its inducement expenditure for any proportionate failure by AIT to meet its required investments and job creation targets. The Lease Agreement would lease the building to AIT for five years, during which it would have the option to purchase the building at its appraised value, \$310,000.00, plus an inflation adjustment. The monthly rent would be \$2,750.00. The projected occupancy date is estimated to be April 1, 2000, but depends on factors such as DSS's occupancy of its new building and the schedule for roof renovation and PBX installation. The County would be responsible for major repairs or maintenance (over \$100.00), including for the HVAC systems. AIT would be responsible for all utilities. AIT will have the right to assign its rights to a wholly owned subsidiary without County approval, or to sublease the premises or assign its rights, such as to incubator tenants, with the County's approval, which will not unreasonably be withheld.

ACTION: Hold public hearing and then consider whether to authorize approval of the Inducement Agreement and Lease Agreement.

SPEAKERS:

1. Ed McDaries, Chief Operating Officer – AIT, Inc.

Mr. McDaries said he would like to make a couple of changes to the Lease Agreement concerning the county installing a PBX system. Instead, he would like for the county to apply \$150,000 towards exterior painting and third floor carpeting for the building.

Mr. McDaires noted the Fayetteville City Council will consider leasing parking spaces to AIT, Inc., at their meeting tonight. Once the City approves the parking issue, AIT, Inc., will sign both agreements.

Chairman Ed Melvin said he would be supporting this agreements because of

the creation of 250 jobs at an estimated salary of \$35,000 (approximately \$17.00 per hour), which would mean \$44 million in economic benefit to the county over the next five years, because the building will go back on the tax books, once it is bought, and because the county will be a part of downtown revitalization.

Commissioner Tyson said this is probably the only way downtown revitalization can come about and was pleased the County could help jump-start the downtown development.

Commissioner King said although he had some concerns, he felt the jobs created by this project will outweigh any concerns he may have. He asked what would happen if in the worse case scenario, AIT, Inc., faltered. The County Attorney noted the contract provides the County would be a creditor and hopefully could recover pro rata share of its inducement funds.

Commissioner Warren noted that Internet technology is taking off like a jet and it appears that this project is good for our area. He asked if the County has obtained a financial statement from the Company. Mr. Strassenburg, noted this was a young company, and there was not a great deal of financial information available; however, he noted the county has checked with Dun and Bradstreet. In addition, Harry Whalen, of Fayetteville Economic Development is running checks and nothing negative has turned up.

Grainger Barrett, County Attorney, noted AIT, Inc. is banking with one of our local banks, Centura and has a strong banking relationship there.

Commissioner Baggett asked about the parking situation. It was noted the City of Fayetteville will consider the leasing of the parking spaces behind the old DSS building to AIT, Inc. at its meeting tonight.

MOTION: Commissioner Blackwell moved to approve the Inducement Agreement and Lease Agreement, as amended, (the County will not provide funds for the PBX system, but instead provide \$150,000 for painting, carpet, etc.), contingent on the City of Fayetteville approving the leasing of parking space to AIT, Inc.

SECOND: Commissioner King

VOTE: UNANIMOUS

2. CONSENT AGENDA

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

SECOND: Commissioner Tyson

VOTE: UNANIMOUS

A. Approval of Minutes: December 20, 1999

ACTION: Approve

B. Report on the destruction of records for the Board of Commissioners office.

BACKGROUND: The following records have been approved for destruction in accordance with the Records Retention and Disposition Schedule issued by NC Division of Archives and History and adopted by the Board of Commissioners:

Commissioners' packets for 1995.
Correspondence for 1995.

ACTION: Record in Minutes.

C. Approval of declaration of surplus county property and authorization to accept insurance settlement.

BACKGROUND:

Date of Accident:	November 20, 1999
Vehicle:	1992 Ford Taurus VIN# 1FACP5049NA286768
Fleet:	FL317
Mileage:	82,860
Department:	Sheriff
Settlement Offer:	\$3,399.00
Insurance Co.:	Farm Bureau

ACTION: Declare the vehicle surplus, authorize the Risk Manager to accept the settlement offer and allow the Farm Bureau to take possession of the wrecked surplus vehicle.

D. Approval of sale of county-owned real property acquired by tax foreclosure – Lots 1-7, Block D, Colonial Heights, Addition #5.

BACKGROUND: In 1999, the County acquired by tax foreclosure lots 1-7 Block D, Colonial Heights located in Rockfish Township. The amount owed on the foreclosed judgment plus interest and cost is \$855.63. The appraised value for this parcel is \$984.00. The Board of Commissioners has previously declared the property surplus to the needs of the County. Mr. William Caulkins made an initial bid to purchase this property for \$855.63. The property was advertised and no upset bids were received. The bid period closed at 5:00 PM on December 17, 1999.

ACTION: Accept Mr. Caulkins' bid of \$855.63 and upon receipt of the balance of the purchase price execute a deed to William Caulkins.

E. Approval of sale of county-owned real property acquired by tax foreclosure (5 tracts of property).

BACKGROUND: In 1986, the County acquired the following tracts by tax foreclosure:

1. the east portion of lot 8 Block A Hollywood Heights, amount owed: \$196.09;
2. a small portion of lot 48 Block A Murray Fork Section 2, amount owed: \$204.96;
3. the east portion of lot 2 Block A Hollywood Heights, amount owed: \$128.82;
4. the south portion of lot 304 section 11 Hollywood Heights, amount owed: \$145.43

(all of the above are located in Seventy-First Township)

5. the west 3 ft. lot 3 Block A south/east Fay Redevelopment Section 1 located in Cross Creek Township, amount owed: \$125.00

The Board of Commissioners has previously declared this property to be surplus to the needs of the County. Mr. Randy Wiley made an initial bid to purchase these parcels for \$713.00. The property was advertised and no upset bids were received. The bid period closed at 5:00 PM on November 22, 1999.

ACTION: Accept Mr. Wiley's bid of \$713.00 and upon receipt of the purchase price execute a deed to William Wiley.

F. Approval of Letter of Support for the Town of Falcon's application for PARTF funds for park improvements.

BACKGROUND: The Town of Falcon intends to submit an application to the State of North Carolina for PARTF Grant Funds to make improvements to the town's park. The Falcon Board of Commissioners is requesting a letter of support for the project from the Board of Commissioners. The County's Long-Range Park Plan projects the development of a district park to serve the northeastern area of the County. A specific site for the district park has not been identified nor has a specific project schedule been formulated at this time. There is a need for recreational facilities in the northeastern part of the County. A town park and county park will complement each other and will not be a duplication.

ACTION: Authorize the Chairman to write a letter of support.

G. Budget Revisions

(1) Health Department

a. Maternal Health: Increase in revenue/ expenditures in the amount of \$2,500 to budget the Medicaid 19 earnings in order to purchase incentives as a mode to significantly increase the number of patients in the Maternity Care Coordination Home Visitation Program (B00-306) Funding Source – Fees

(b) Child Service Coordination: Increase in revenue/ expenditures in the amount of \$2,500 to budget the Medicaid 19 earnings in order to purchase incentives as a mode to significantly increase the number of patients in the Child Service Coordination Program (B00-307) Funding Source – Fees.

REGULAR AGENDA ITEMS

3. Nominations to Boards/Committees:

A. Nursing Home Advisory Board (4 vacancies)

BACKGROUND: The following vacancies exist on the Nursing Home Advisory Board:

Betty Freeman
reappointment.

Completing initial term. Eligible for

Graham King
Does not
attend meetings. Mid Carolina recommends
replacement.

Catherine D. McNeill
Completed
second term. Replacement needed.

Robert A. Searle
Completing
first term. Eligible for reappointment.

NOMINEES: Betty Freeman
(reappointment)

(reappointment) Bob Searle

Comm. Blackwell nominated: Karen
Collazo and

Patricia
Prescott

B. Adult Care Home Community Advisory Committee (5 vacancies)

BACKGROUND: The following vacancies exist on this committee:

Annie Faircloth Bullard Resigned. Replacement needed.

Deborah Cunningham Resigned. Replacement needed.

Sallie Jones Did not accept reappointment.

Replacement needed.

Ania Rowles Has not responded to letter notifying

her of her appointment. Replacement needed.

Darlease H. Wormack Completing initial term. Eligible for

reappointment.

NOMINEES:

Commissioner Blackwell nominated the following people:

Darlease H. Wormack (reappointment)
Phyllis Watson
Mary Porter
Montserrat McArthur
Gertrude Armstrong

4. Appointment to the Animal Control Board (1 vacancy)

Nominee: Donald Byrd

MOTION: Commissioner Warren moved to appoint Mr. Byrd by acclamation.
SECOND: Commissioner Tyson
VOTE: UNANIMOUS

5. Consideration of Change Order #1 for the chiller and cooling tower replacement at the Headquarters Library.

BACKGROUND: This change order involves repiping the chilled water lines at Air Handling Units #3, #8 & #9. This repiping will give some additional capacity for dehumidification for the building.

ACTION: Approve the Change Order for Barnes/Ivey Mechanical Company in the amount of \$5,520, revise the total contract price to \$149,920.00, and approve associated budget revision (B00-313).

MOTION: Commissioner King moved to approve.
SECOND: Commissioner Blackwell
VOTE: UNANIMOUS

6. Consideration of the County Policy Committee report and recommendations:

A. Resolution refining the eligibility criteria for retired employees participation in the County Health Insurance Plan.

BACKGROUND: At its meeting on December 16, 1999, the Policy Committee approved a recommendation to refine the criteria for retired employees to participate in the County's health insurance plan. Back in 1988, amended in 1995, the Board established eligibility for participation in the county's health insurance plan, as follows: (1) employee had to have worked as a full-time

employee for the County for 10 years immediately prior to retirement; (2) the employee had to be receiving retirement benefits; and (3) the employee must pay the full premium cost of the health insurance (employee portion).

The Policy Committee recommends the first criteria be amended as noted in the Resolution below:

RESOLUTION OF THE BOARD OF COMMISSIONERS OF CUMBERLAND COUNTY, NORTH CAROLINA REGARDING CONTINUED PARTICIPATION IN COUNTY HEALTH INSURANCE PLAN BY RETIRED EMPLOYEES

WHEREAS, the Board of Commissioners of Cumberland County, North Carolina, adopted a Resolution on June 1, 1988, as amended on February 21, 1995, providing for the continued participation in the County's health insurance plan by retired County employees; and

WHEREAS, the Board of Commissioners determines that it would be appropriate to amend such Resolution to refine the criteria for eligibility for such participation set forth in such Resolution;

NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners of Cumberland county, North Carolina, that its Resolution of February 21, 1995, providing for participation in the County's health insurance plan by certain retired employees, is amended by deleting numbered paragraph 1 thereof in its entirety and inserting in lieu thereof the following:

"1. To be eligible for continued participation in the County's health insurance plan, a retired employee must be:

- (a) Retired from County government with (1) at least ten consecutive years of County employment immediately preceding retirement in which the employee contributed to the NC Local Government Employees Retirement System or the NC Law Enforcement Officers Benefit and Retirement fund, AND (II) at least three full years of participation in the County's health insurance plan immediately prior to regular, early or disability retirement;
- (b) Receiving retirement benefits from the NC Local Government Employees retirement System or the NC Law Enforcement Officers Benefit and Retirement Fund; and
- (c) Paying one hundred percent of the employee portion of the

premium costs of such health insurance."

This amendment will have no dramatic effect on the County's health insurance as it will affect only a handful of retirees. Commissioner Baggett noted it will have a tremendous effect on the small number of employees who need health insurance. He said this amendment corrects a policy that needed to be corrected.

MOTION: Commissioner Baggett moved to approve.

SECOND: Commissioner King

VOTE: UNANIMOUS

B. Employee Suggestion Program

BACKGROUND: On December 16, 1999, the Policy Committee considered a proposed Employee Suggestion Program. Commissioner Breeden Blackwell asked management to look into an incentive program which would reward employees for suggestions that would save the county money or otherwise make the delivery of services to the public more efficient. The Policy Committee reviewed the proposal and authorized the County Manager to review it with department heads, and if there were no major changes, bring it to the Board of Commissioners for consideration. Management presented the proposal to department heads on December 21, 1999; they endorsed the proposal.

The program will reimburse county employees for their suggestions with a monetary and/or non-monetary award. Cash awards are based on 10% of the tangible expected savings during the first 12 months after implementation and will be paid up front. Awards for suggestions providing intangible benefits such as more efficient procedures, forms, improved employee morale, health and safety may consist of a Certificate of Recognition or up to 3 paid days off. (A Copy of the Program may be found in the office of the County Manager and Personnel Director).

ACTION: Approve the Program

MOTION: Commissioner Blackwell moved to approve the Program.

SECOND: Commissioner King

DISCUSSION: Commissioner Warren asked if this program would apply to something departments were already supposed to be doing.

The County Manager said it would not. Commissioner Baggett said he thought we should give more time off for the non-monetary awards and perhaps we can do that later on.

VOTE: UNANIMOUS

7. Consideration of the County Personnel Committee report and recommendation regarding proposed classification changes and new positions.

BACKGROUND: On December 15, 1999, the Personnel Committee considered proposed classifications changes in the Animal Control, Finance and Planning Departments. Those changes/additions are as follows:

ANIMAL CONTROL DEPARTMENT:

<u>Current Classification</u> <u>Proposed Salary</u>	<u>Salary</u>	<u>Proposed Classification</u>
Animal Control Officer/60 Invest/61 \$24,421	\$23,258	Animal Cruelty

FINANCE DEPARTMENT:

Budget Analyst/68 II/74 \$42,782	\$36,455	Accountant
New position II/74 \$42,782	0	Accountant
Office Support IV/59 II/61 \$23,650	\$22,008	Financial Assistant
Acct/Budget Manager/75 Mgr/76 \$47,960	\$45,676	Acct/Budget

*These positions effective January 16, 2000.

PLANNING DEPARTMENT

New position	0	Transportation Prog. Coord. Salary Grade 66
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\$42,924

(based on maximum

through the

Program.

Salary Range \$29,764 -

Starting Salary: \$32,450

Amount of administrative

Community Transportation

Note: The County will fund the position for a six month period – January 1-2000, - June 30, 2000, at a total cost of \$20,352. The County will apply for Administrative funding through the Community Transportation Program 2001 Grant Application to fund the position starting July 1, 2000.

ACTION: Approve the classification changes, new positions and associated budget revisions (B00-312-312C)

MOTION: Commissioner Tyson moved to approve.

SECOND: Commissioner Melvin

VOTE: UNANIMOUS

8. Consideration of a Franchise Ordinance and Lease Agreement for the Arnette Park Concessionaire Services. (Second Reading)

BACKGROUND: The Board approved the first reading of the ordinance and lease agreement at its December 20, 1999 meeting. This Ordinance and lease agreement will provide for Windows of Opportunities Vocational Training Center to provide concessionaire services to the general public visiting Arnette Park located at 2165 Wilmington Highway, Fayetteville, NC.

ACTION: Approve second reading of the Franchise and Lease Agreement for Windows of Opportunities vocational Training Center.

MOTION: Commissioner Warren moved to approve.

SECOND: Commissioner King

VOTE: UNANIMOUS

Clerk to the Board

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