

**CUMBERLAND COUNTY BOARD OF COMMISSIONERS
DECEMBER 3, 2001, 9:00AM
REGULAR MEETING**

PRESENT: J. Lee Warren, Jr., Outgoing Chairman
Breedon Blackwell, Vice Chairman
Commissioner Talmage Baggett
Commissioner Jeannette Council
Commissioner Kenneth Edge
Commissioner John Henley, Jr.
Commissioner Billy R. King
James Martin, County Manager
Juanita Pilgrim, Deputy County Manager
Cliff Spiller, Asst. County Manager
Amy Cannon, Asst. County Manager/Finance Director
Grainger Barrett, County Attorney
Marsha Fogle, Clerk to the Board

INVOCATION: Commissioner Kenneth Edge
Rev. Brian Lee – Lafayette Baptist Church

OATH OF OFFICE FOR EASTOVER SANITARY DISTRICT MEMBERS:

David C. Pate
Jeannie Williams

The Oath of Office was administered by Marsha Fogle, Clerk to the Board of Commissioners.

1. Election of Officers:

A. Chairman

Commissioner Billy King nominated J. Breedon Blackwell for Chairman.

MOTION: Commissioner Edge moved to appoint Commissioner Blackwell as Chairman, by acclamation.

SECOND: Commissioner Henley

VOTE: UNANIMOUS

B. Vice Chairman

Commissioner Warren nominated Talmage Baggett for Vice Chairman.

MOTION: Commissioner Council moved to appoint Commissioner Baggett as Vice Chairman, by acclamation.

SECOND: Commissioner Henley

VOTE: UNANIMOUS

Chairman Blackwell thanked the Board for its vote and confidence. He read the following statement:

**NEWLY ELECTED CHAIRMAN'S COMMENTS
DECEMBER 3, 2001**

First of all, I would like to thank my colleagues on the County Commission for your vote of confidence in electing me as your Chairman for the 2002 year. I will always strive to represent you and our county in the best possible way. An open invitation is offered to each of you and to our staff to dialogue with me on issues of importance.

Secondly, I would be remiss if I did not thank my family, especially my wife of 33 years, Cathy. She is truly the person who pushes me to excel and who is the best sounding board any elected person could have. To my son, Ryan, and those friends who could be present today, I thank you also for your support.

Serving as your Chairman provides me with the opportunity to offer ideas and suggestions on issues I think we need to address during my term. I would like to review some of these with you this morning.

I. Commissioner Planning Retreat

We need to spend some time in a session with management to take a hard look at some tangible goals for the year and for the future. I would hope each of you would support this in January, 2002, so we can set the course for the year. My hope is that we can set some goals for the year, print these goals for all to see and set time lines for completion. This process will provide us a road map for the year and will serve as a constant reminder of where we want to go. A trained facilitator from the School of Government at UNC-Chapel Hill may be necessary to keep us focused.

II. Waste Disposal Solution

We need to renew our interest in researching a waste disposal system that extends the lifetime of our landfill. Our present landfill will not last forever and proper planning can help us look at other alternatives besides the burial of trash. We must proceed with caution, but must make this a priority! I would hope management would seek out companies that can perform this function. Through my research I have found that there are companies of this type in Orlando, Florida, San Diego, California and Camden, New Jersey to name a few. Will it hurt to see what they have to offer? Maybe we need to create a Waste Focus Group to have citizen input to help us find a workable solution. We can ill afford to continue burying 90% of our waste because the question we must then face is – “WHERE WILL THE NEXT LANDFILL BE LOCATED?”

III. Convention and Visitors Bureau Restructuring

With the proposal from the General Assembly to restructure the Fayetteville Convention and Visitors Bureau and create the Board of Tourism Development Authority, is it not time to have a Commissioner Liaison to their Board which has a budget of over \$600,000? This proposed restructuring may require more input on the part of this Commission and the public.

IV. Quarterly Meeting with Area Mayors

I am going to propose to all the mayors of the municipalities that they meet with me on a quarterly basis to discuss concerns and make suggestions on how we can better serve their communities. Should they prefer to meet monthly, we can do that also. Hopefully, this will make them feel more “connected” to their county government.

V. High School Student Connectivity

I will invite each high school in Cumberland County, both public and private, to send a student of their choice to our third Monday meeting so they can see their government in action. The principal may choose the student body president or a student of their choice to represent their individual school. My hope is that students who will soon graduate can better understand what public officials do and the awesome responsibility we have. After the September 11th attacks on our nation, students need to know how government works and how important it is to exercise their freedom to vote in all elections.

VI. Continuance of Community Meetings

These community meetings provide the elected persons of the area municipalities the opportunity to dialogue with us as a group. I believe these meetings have been good for all concerned. I recommend we continue these because they also allow citizens to address us on their “own turf”.

VII. Funding Formula For Public Schools

The time is now to create a workable formula for the funding of public education in Cumberland County. For too long we have waged a battle with the school board over school funding. A first positive step was the meeting of both finance committees on November 27, 2001. Both groups will meet back again within 45 days to bring various proposals to the table. We must insist that we reach common ground on this issue. The public demands this from both bodies because they are tired of the in-fighting. The public expects it and we should move forward with all due haste. If other counties can do this, I believe we can. This formula could provide stability and predictability as a starting point in the funding process. I first proposed this in March 2000, and to date no action has been taken! It is time to move this process forward with full disclosure to the public as to what the plan will be.

The membership of the finance committees of both boards may change, but this process must continue.

VIII. Contact with Members of the General Assembly

I believe we need to communicate with our members of the General Assembly more often than once a year. Typically, we meet before they go into session and that is all. With all the issues we face as a county, we must keep them informed on a regular basis. The NC General Assembly continues to place more and more mandates upon us, which drain our financial resources. We must insist that this process stop! ONCE IS NOT ENOUGH!

IX. Compromise on Voting Member of PWC for voting member on the CFVMC Board of Trustees

Can this happen? I want to pursue this with newly elected Mayor Marshall Pitts. In order to get a seat we may have to give a seat! What will it take? I don't know, but without a good faith effort we will get nowhere.

X. Ending Duplication

For too long we have beaten this topic to death. Time has come for those of us who want a serious study to end duplication of services between the city and county to stand tall. I will encourage the newly elected Fayetteville City Council to do the same. How can we not look for improved efficiencies in government? The public demands that we, as public servants, do this. It is time to either vote this initiative up or down and quit talking about it, if we refuse to take any action. EACH OF US CAN CHOOSE TO BE AN OBSTACLE, A SPECTATOR OR A LEADER ON THIS ISSUE!!

XI. Performance Audits

I have asked management to explore the idea of Performance Audits for each of our departments. With the massive layoffs last year, the timing was not right. I contend that we need to move in this direction with all due haste. Audits will show us how to be more efficient, more customer friendly, and present cost-savings to the taxpayers of Cumberland County. IF WE CONTINUE TO DO WHAT WE HAVE ALWAYS DONE, WE CONTINUE TO GET THE SAME RESULTS. Is there a better and more efficient way? LET'S FIND OUT!!

Finally, I want management to continue to STRONGLY encourage more employee suggestions. We implemented this initiative two years ago, but it has not had the success we need to see.

Thank you again for your support and for your indulgence. **TOGETHER WE CAN SUCCEED!**

C. Presentation of gavel to Outgoing Chairman

Chairman Breeden Blackwell presented outgoing Chairman Lee Warren a gavel and thanked him for his service as Chairman of the Board of Commissioners. Chairman Blackwell noted that Commissioner Warren has served a total of three years as Chairman of the Board.

2. Public Hearing: FY2003 NCDOT Community Transportation Program Grant Application

BACKGROUND: In compliance with NCDOT grant requirements, the County must hold a public hearing before submitting this application. Included in this new grant application are two new funding items: drug and alcohol testing and indirect cost. NCDOT/PTD is willing to participate in 85% of the indirect costs of central services as determined by the FY2000 Cumberland County indirect cost plan with a 15% local match. This line item will allow Cumberland County to recoup a portion of the overhead costs of operating the community transportation system.

NO SPEAKERS

MOTION: Commissioner King moved to approve submission of this grant application.
SECOND: Commissioner Warren
VOTE: UNANIMOUS

3. CONSENT AGENDA

MOTION: Commissioner King moved to follow staff recommendations on the items on the Consent Agenda.
SECOND: Commissioner Council
VOTE: UNANIMOUS

A. Approval of Minutes: November 19, 2001

ACTION: Approve

B. Approval of Bonds for Public Officials

ACTION: Approve the following bonds:

<u>Name/position</u>	<u>Amount</u>	<u>Expires</u>	<u>Agent</u>	<u>Holder</u>
Finance Officer	\$100,000	1/01/02	Marsh	Lumbermens Mutual Casualty
Register of Deeds	\$ 10,000	Auto/renew - For 4 yrs.	Highland	Peerless
Tax Administrator	\$100,000	7/01/02	Marsh	Fidelity & Deposit Co. Of Maryland
Sheriff	\$ 25,000	12/07/02	Tomlinson	Western Surety
Sheriff's Office (Cuyler Windham)	\$ 20,000	10/09/03	Tomlinson	Western Surety
Mental Health (Tom Miriello)	\$ 20,000	Indefinite	Tomlinson	Western Surety
Mental Health (Hank Debnam)	\$ 20,000	Indefinite	BB&T	Western Surety
Civic Center Rick Reno	\$ 20,000	Indefinite	Tomlinson	Western Surety
Civic Center Vicki Ramsey	\$ 20,000	Indefinite	Tomlinson	Western Surety
DSS William Scarlett	\$ 20,000	Indefinite	BB&T	Western Surety
Employee Blanket	\$100,000	Auto/renew	Carpenter & Cammack	Chubb Insurance

C. Approval of lease with State Department of Health and Human Services for space at the DSS building

BACKGROUND: The Board of Commissioners has previously approved in concept leasing approximately 4,326 square feet in the DSS building to the State Department of Health and Human Services for a Social Services training facility. The Council of State has now approved the lease agreement. The term of the lease is for 5 years starting October 1, 2001 at an annual rent of \$56,238. The County will provide parking, utilities (except phone), janitorial services, and repair and maintenance.

ACTION: Approve the lease and authorize the Chairman and Clerk to execute.

D. Approval of the Second Reading of a franchise agreement between A&R Wilson Enterprise, Inc and the County of Cumberland

BACKGROUND: The Board approved the First Reading on November 5, 2001. Approval will allow A&R Wilson Enterprise, Inc. to provide food services to staff and visitors at the Cumberland County Mental Health Center located at 109 Bradford Avenue, Fayetteville, NC.

ACTION: Approve the Second Reading.

E. Approval of a Resolution of Support for Cape Fear River Basin Water Resource Management proposal

BACKGROUND: Mid Carolina Council of Governments requests a favorable consideration of a proposal submitted by the Cape Fear River Assembly to the NC Attorney General's Office to conduct needed water resource management projects within the Cape Fear River Basin.

ACTION: Approve Resolution

**RESOLUTION OF SUPPORT FOR CAPE FEAR RIVER BASIN
WATER RESOURCE MANAGEMENT PROPOSAL**

WHEREAS, water is a resource of critical importance to the environmental and economic health of this Region and the State of North Carolina; and

WHEREAS, an agreement was executed between the North Carolina Office of the Attorney General and Smithfield Foods on September 29, 2000, to provide funds for mitigation of water quality impacts resulting from concentrated animal operations; and

WHEREAS, the Cape Fear River Basin contains twenty-two percent of the land area and twenty-seven percent of the population of the State of North Carolina; and

WHEREAS, the Cape Fear River Basin has within it the majority of the concentrated animal operations for the entire state; and

WHEREAS, the Cape Fear River Assembly is a basin-wide diverse-interests river stewardship organization; and

WHEREAS, the Cape Fear River Assembly has conducted a variety of comprehensive coordinated water resource management projects; and

WHEREAS, we are dependent on effective management and continued availability of water resources in our state and in the Cape Fear River Basin.

NOW, THEREFORE, BE IT RESOLVED that the Board of Commissioners of Cumberland County hereby requests that the North Carolina Attorney General's Office favorably consider the proposal submitted by the Cape Fear River Assembly to conduct needed water resource management projects within the Cape Fear River Basin.

F. Approval of a Resolution approving procedures to convey Lot 40 in Cumberland Industrial Center to FAEDC for a shell building

BACKGROUND: The Board of Commissioners approved on September 4, 2001, conveying Lot 40 in the Cumberland Industrial Center to FAEDC to build a shell building. FAEDC is now ready to close the construction loan for the project and title to the lot should now be conveyed to FAEDC. The resolution approves the procedures to legally convey the lot to FAEDC and provides for certain conditions such as publication of notice, requiring FAEDC to construct a shell building of at least 100,000 square feet, and having the Board of Commissioners hold a public hearing and approve the transfer to the ultimate purchaser.

ACTION: Adopt Resolution

**RESOLUTION APPROVING CONVEYANCE OF PROPERTY PURSUANT TO
G.S. 160A-279 TO THE FAYETTEVILLE AREA ECONOMIC DEVELOPMENT**

CORPORATION

WHEREAS, the County of Cumberland owns property in the Cumberland County Industrial Center, which has been developed by the County; and

WHEREAS, NCGS 160A-279 authorizes a county to convey real property by private sale to a nonprofit corporation if the county is authorized by law to appropriate money to the corporation; and

WHEREAS, NCGS 160A-20.1 authorizes a county to contract with and appropriate money to any private entity to carry out any purpose that the county is authorized to carry out and the county is authorized by NCGS 158-7.1 to engage in economic development; and

WHEREAS, the County of Cumberland has negotiated with the Cumberland County Economic Development Corporation (hereafter, Corporation) to convey a 30-acre tract in the Cumberland County Industrial Park to Corporation in order that Corporation may construct a shell building on the property and then market and arrange for the sale of the building; and

WHEREAS, the construction and availability of the shell building will enhance the economic development of the County of Cumberland and provide jobs for its citizens.

NOW, THEREFORE, the Cumberland County Board of Commissioners RESOLVES that:

1. The Chairman of the Board of the Cumberland County Board of Commissioners is authorized to execute and the Clerk to the Board is authorized to attest and acknowledge all documents necessary to convey to the Corporation fee simple fee tile to a 30-acre tract of land in the Cumberland County Industrial Center more particularly described as follows:

BEING all of Lot 40, Cumberland Industrial Center

2. The consideration for the conveyance is the following set of conditions and restrictions, which shall be agreed to by contract by the Cumberland County Economic Development Corporation:
 - a. Corporation will construct on the property a shell building of at least 100,000 square feet, adaptable for either industrial or distribution purposes.
 - b. Corporation will market the land and building, in cooperation with the County, to potential businesses. In marketing the building and negotiating with potential buyers, Corporation will comply with the economic development goals and policies of the County.
 - c. Before the land and building may be sold by Corporation, the same must be approved by the Cumberland County Board of Commissioners and the following conditions must be met:

First, the conveyance must stimulate the local economy, promote business, and result in the creation of a substantial number of jobs in the County that pay at or above the median average wage in Cumberland County.

Second, the consideration for the conveyance must at least equal the fair market value of the property, as affected by whatever covenants, conditions, and restrictions the property is subject to; in determining the amount of consideration received, the County may take into account prospective property tax revenues, sales tax revenues, and other taxes and other revenues generated because of improvements to be made to the property over the 10 years following the conveyance.

Third, the purchaser of the property must be contractually bound to construct within 5 years any additional improvements on the property that will be the basis for the taxes and other revenues received by the County as consideration for the conveyance.

Fourth, the Cumberland County Board of Commissioners must have held a public hearing on the proposed conveyance pursuant to the terms of NCGS 158-7.1.

3. The Clerk to the Board shall publish a notice summarizing the contents of this resolution, and the property may be sold at any time after 10 days after publication of the notice.

G. Approval of a Resolution designating an agent for the Cumberland County Health Department in connection with Mosquito Control Project

BACKGROUND: This resolution is part of the application for state funding for local mosquito control from the Public Health Pest Management Section of DENR.

ACTION: Adopt Resolution

RESOLUTION

NOW, THEREFORE BE IT RESOLVED THAT Janet Lindbloom RN,MS,MBA, as agent for Cumberland County Health Department is hereby authorized and empowered to sign and execute all papers and documents necessary in connection with the request made to the Division of Environmental Health, North Carolina Department of Environment and Natural Resources, for aid in control of mosquitoes. She is further authorized and required to carry out all agreements stipulated in the project submitted by us to the Division of Environmental Health, DENR, and to perform other acts that are proper and necessary with the operation of this project. Acts of said person on behalf of said Cumberland County Health Department are in all respects validated, approved and confirmed.

H. Budget Revisions

- (1) **Health – Decrease in revenue/expenditures in the amount of \$7,593 to adjust the budget to reflect the reduction in state funding (B02-222) funding Source – State**
- (2) **Social Services**
 - a. **Revision in the amount of \$98,000 to budget for federal and grant funding to support foster care and adoption services for children and families (B02-214) Funding Source – Federal and Grant**
 - b. **Other – Revision in the amount of \$10,000 to budget for grant funding to support foster care and adoption services for children and families (B02-215) Funding Source – Grant**
 - c. **Revision in the amount of \$107,964 to budget additional federal and state funding to support energy programs (B02-224) Funding Source – Federal and State**
- (3) **Mental Health**
 - a. **Willie M Administration and others – Revision in the total amount of \$321,865 to reconcile budget to state allocation increase and increase in fees budgeted (B02-209-209F) Funding Source – State and Fees**
 - b. **HUD Apartment – Revision in the amount of \$8,992 to appropriate fund balance to fund the reclassification of a Social Worker Supervisor II to Local Mental Health Unit Coordinator (B02-213) Funding Source – Mental Health Fund Balance**
- (4) **School C.O. Category I – Revisions in the total amount of \$2,551,500 to appropriate fund balance to rebudget unexpended capital outlay funds from the prior fiscal year (B02-216-217) Funding Source – School Capital Outlay Fund Balance**
- (5) **Emergency 911 – Revision in the amount of \$52,220 to appropriate fund balance to upgrade 911 phone equipment (B02-226) Funding Source – 911 Fund Balance**

REGULAR AGENDA

4. Nominations to Boards/Committees

A. Animal Control Board (1 vacancy)

BACKGROUND: Donna Broadhurst resigned her position on the Animal Control Board. She was serving in one of the at-large positions.

ACTION: Make nominations to fill the vacancy.

Nominee: Edwin A. Hamblin

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

BACKGROUND: The following positions will expire January 1, 2002:

Medical Doctor Position: Dr. Rakesh Gupta – Eligible for reappointment
General Public Position: Dr. Dudley C. Miller – Eligible for reappointment

Nominees: Dr. Rakesh Gupta (reappointment)
Dr. Dudley C. Miller (reappointment)

C. Criminal Justice Partnership Advisory Board (1 vacancy)

BACKGROUND: Commissioner Billy King has completed his second term on the Board. He is serving in one of the county commissioner positions on the board. He is eligible for reappointment.

Nominee: Billy R. King

5. Appointments to Boards/Committees

MOTION: Commissioner Edge moved to appoint the nominees in 5A, 5C & 5D, respectively.
SECOND: Commissioner Council
VOTE: UNANIMOUS

A. Board of Health (2 vacancies)

Nominees: Dr. William Philbrick (Optometrist Position) – Reappointment
Engineer Position – Jeff Reitzel

B. Civic Center Commission (5 vacancies)

Nominees/Voting:

Bruce Armstrong: Commissioners Henley, Baggett, Council, King
Sylvia Caldwell: Commissioners Henley, Baggett, Council, King
Bobby Ervin: Commissioners Henley, Edge, Blackwell
Jack Justice: Commissioners Henley, Edge, Baggett, Blackwell, Warren, King
Larry Lancaster: Commissioners Edge, Baggett, Blackwell, Council
Kenneth Lancaster: Commissioners Edge, Blackwell, Council, King
Bob Ray: Unanimous
Dan Roberts: no votes
Manish Mehta: no votes
H.B. Smith: Commissioner Warren
Gary Strickland: Commissioner Warren
David Varnadoe: Commissiioner Warren

Bob Ray and Jack Justice were appointed in the first round of voting.

Second Round Voting:

Bruce Armstrong: Commissioners Henley, Edge, Baggett, Council, Warren, King
Sylvia Caldwell: Commissioners Henley, Baggett, Blackwell, Council, Warren, King
Bobby Ervin: no votes
Larry Lancaster: Commissioners Henley, Edge, Baggett, Blackwell, Council
Kenneth Lancaster: Commissioners Edge, Blackwell, Warren, King

Bruce Armstrong, Sylvia Caldwell and Larry Lancaster were appointed in the second round of voting.

Appointees: Bob Ray, Jack Justice, C. Bruce Armstrong, Sylvia Caldwell, Larry Lancaster.

C. FACVB Board of Directors & Occupancy Tax Advisory Board (2 vacancies)

Nominees: Hotel/Motel under 100 rooms – Katherine Keefe Jensen (reappointment)
Hotel/Motel over 100 rooms – Cameron W. Stout (reappointment)

D. Minimum Housing Appeals Board (2 vacancies)

Nominees: Alternate Members: Sarah Bracey – reappointment
Rose January – reappointment

6. Consideration of a Resolution of Support for Southeastern North Carolina Passenger Rail Service through Fayetteville/Cumberland County

BACKGROUND: On November 23, 2001, Lyndo Tippet, Secretary of the North Carolina Department of Transportation presented the Southeastern North Carolina Passenger Rail Feasibility Study at the Cape Fear and Yadkin Valley Railroad Depot. The study, as amended, included 2 potential passenger routes from Wilmington to Raleigh with connections to the Northeast Corridor:

Wilmington-Goldsboro - Raleigh Alternate
Wilmington – Pembroke – Fayetteville – Raleigh Alternate

ACTION: Adopt attached Resolution

RESOLUTION

WHEREAS, Cumberland County has benefited from and enjoyed continuous intercity passenger rail service since 1888, greatly enhancing the quality of life for our citizens for these 113 intervening years; and

WHEREAS, intercity passenger rail service continues to contribute to our economic growth, vitality and prosperity by providing safe, energy efficient and environmentally sound travel to all citizens, including those with special needs;

BE IT THEREFORE RESOLVED THAT THIS County Commission representing the citizens of Cumberland County, meeting in Fayetteville, North Carolina, on Monday, December 3, 2001, declares its unanimous support for improved intercity passenger rail service as a viable component of a balanced state and national transportation policy; and

BE IT FURTHER RESOLVED THAT our delegates serving in the State and Federal legislatures be encouraged to support the intercity passenger rail initiatives on the NC Department of Transportation, to include the timely development of the Southeast High Speed Rail Corridor; and

BE IT FURTHER RESOLVED THAT our delegation to the NC General Assembly be asked to support the proposed intercity passenger rail service through Cumberland County which will connect Wilmington to Raleigh and the Southeast High Speed Rail Corridor; and

BE IT FINALLY RESOLVED that a copy of this resolution be provided to our State and Federal Congressional delegations, to the Honorable Lyndo Tippet, Secretary, NC Department of Transportation, and to the Honorable Mike Easley, Governor of the State of North Carolina.

MOTION: Commissioner King moved to adopt the Resolution.
SECOND: Commissioner Henley
VOTE: UNANIMOUS

7. Consideration of Resolutions from the Towns of Falcon, Godwin & Wade requesting the Board of Commissioners to create a county water and sewer district to serve northeastern Cumberland County and further that the district be named the Northern Cumberland Regional Sewer System (NORCRESS)

BACKGROUND: The Board of Commissioners has received a request from the Towns of Falcon, Godwin and Wade to form the NORCRESS Water and Sewer District. They ask that the territory of the proposed district include the municipal limits of those towns and the rights of way of the highways between them. (A water and sewer district may serve areas outside its boundaries and may set a difference schedule of charges for those customers.)

The Board has the authority to establish the district under Chapter 162A, Article 6. To begin the statutory process, the Board of Commissioners must publish legal notice of a public hearing to be held on the issue. The earliest possible regular meeting date to hold the public hearing is January 7, 2001. The Board may establish the district by resolution after the public hearing. It must find that there is a demonstrable need for providing in the district water services, or sewer services, or both; that the residents of all the territory to be included will benefit from the district's creation; and it is economically feasible to provide the proposed service or services within the district without unreasonable or burdensome annual tax levies. Territory within a municipality may not be included unless the municipality's governing body by resolution agrees to be included. The Board of Commissioners would serve as the governing board of the water and sewer district; however, the Board may consider it useful to establish an advisory board with representatives from Wade, Falcon and Godwin, to provide input on policy issues affecting the district.

The Towns believe they have a good chance for a USDA-Rural Development grant of \$4,000,000 and a loan of \$1,000,000. Wade has previously received an Unsewered Communities Grant from the Rural Center of \$2,688,781 and a \$150,000 grant from

Cumberland County Community Development Entitlement Funds. The NORCRESS consulting engineer, Hobbs & Upchurch, estimates that an unfunded gap of some \$1,660,000 remains after taking into account these actual and anticipated funding sources.

The loan would require a referendum and the latest that a referendum could be held and still meet Rural Development's spring funding cycle is April. The Board of Elections says it can do the referendum on April 2, 2002. The first advertisement of the date would have to be no later than February 22, 2002 and for a second advertisement, March 1, 2002. The final day to register would be March 8, 2002. Establishment of the district and holding of the referendum would require US Department of Justice pre-clearance.

Once the Board adopts a resolution creating a district, notice must be published once in each of two successive weeks containing specific language required by GS 162A-87(b), that any challenge to the creation of the district must be brought within 30 days of the first publication of that notice.

Because the Board previously formed a county-wide water and sewer district in the early 1990's, which has been dormant, it would be appropriate to abolish that district. To do so, the Board must authorize publication of notice of a public hearing on the issue, at least once not less than one week before the date of the public hearing. The Board may adopt a resolution abolishing a district upon finding that there is no longer a need for it and that there are no outstanding bonds or notes issued to finance projects in it. The abolition may take effect at the end of a fiscal year following the passage of the resolution.

ACTION: Initiate statutory process to form NORCRESS Water and Sewer district and authorize publication of notice of public hearing to be held on January 7, 2002, 9:00AM to consider proposal to form NORCRESS, with a territory to include the municipal limits of Wade, Godwin and Falcon, and the following highway rights of way: State Highway 82 between Falcon and Godwin; Smithfield Road south from the municipal limits of Falcon to its intersection with the Wade-Stedman Road; Wade-Stedman Road west from its intersection with Smithfield Road to the municipal limits of Wade; Sisk-Culbreth Road north from the municipal limits of Wade to its intersection with Burnett Road; Burnett Road north from its intersection with Sisk-Culbreth Road to its intersection with State Highway 82; State Highway 82 east from its intersection with Burnett Road to the municipal limits of Godwin. Also, authorize publication of notice of a public hearing to be held on January 7, 2002 to consider abolishment of previously-established county-wide water and sewer district.

Kevin Lindsay of Hobbs, Upchurch and Associates, P.A. was present at the meeting to review the project.

MOTION: Commissioner Baggett moved to Initiate statutory process to form NORCRESS Water and Sewer district and authorize publication of notice of public hearing to be held on January 7, 2002, 9:00AM to consider proposal to form NORCRESS, with a territory to include the municipal limits of Wade, Godwin and Falcon, and the following highway rights of way: State Highway 82 between Falcon and Godwin; Smithfield Road south from the municipal limits of Falcon to its intersection with the Wade-Stedman Road; Wade-Stedman Road west from its intersection with Smithfield Road to the municipal limits of Wade; Sisk-Culbreth Road north from the municipal limits of Wade to its intersection with Burnett Road; Burnett Road north from its intersection with Sisk-Culbreth Road to its intersection with State Highway 82; State Highway 82 east from its intersection with Burnett Road to the municipal limits of Godwin. Also, authorize publication of notice of a public hearing to be held on January 7, 2002 to consider abolishment of previously-established county-wide water and sewer district.

SECOND: Commissioner Warren

DISCUSSION: In response to a question, James Martin, County Manager, said this is a worthy project and he is supportive; however, a \$1.6 million shortfall will have to be addressed at some point. Commissioner Baggett noted that Kelly Hills may benefit from this type of project. He said they could possibly set up something similar to this with their project, if the funding is approved. Commissioner Edge inquired if the Southeastern Economic Development Commission would be able to help with the NORCRESS project. At this point it is unclear if they will be able to provide some funding. Commissioner Baggett said he hoped PWC would be able to provide some compensation as these lines will help them in the northern part of the County.

VOTE: UNANIMOUS

8. Consideration of County Personnel Committee Report and Recommendation:

A. Overtime pay for Mental Health Nurses providing services in the 24 hour medical facility (Roxie Avenue Center)

BACKGROUND: Mental Health is experiencing difficulties retaining sufficient staff to provide nursing services on evening shifts. This shortage has placed a burden on existing day shift nurses to work extra hours in providing the needed coverage on evening/night shifts. Since the nursing staff is exempt, they accrue compensatory

time for each hour worked beyond their normal work schedule. Due to the work demands, it is difficult to schedule time off for these people. There has been some indication among nursing staff that payment of additional time worked would provide them with an incentive to work additional hours. Mental Health management feels that pay consideration for overtime would also provide an incentive improving their ability to retain nursing staff. The Personnel Committee met on November 15, 2001 and recommends approval of the overtime pay.

ACTION: Approve a policy limited to Mental Health nurses who provide services in the 24-hour Roxie Avenue Center to allow payment of overtime hours worked beyond the normally scheduled work week at the nurses' current hourly rate. Work schedules shall be managed to avoid overtime work as much as possible and all overtime work must be approved prior to the work by the appropriate manager/supervisor of the Roxie Center.

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

B. Name change for the Director of Sales (Grade 71) for the Cumberland County Crown Coliseum

BACKGROUND: Mr. Rick Reno, CEO of the Coliseum Complex, has asked that the Director of Sales position be changed to the Director of Ticketing. The grade will remain a 71. There will be no salary change. The person in this position would manage the ticket sales process and has significantly more financial responsibility. Mr. Reno will be coming to the Board to ask for a position in sales (sales manager).

MOTION: Commissioner Henley moved to approve the name change for the Director of Sales position (#948) at a grade 71 to the Director of Ticketing with the same number and grade.
SECOND: Commissioner King
VOTE: UNANIMOUS

C. Recruitment and Retention Plan for Information Services

BACKGROUND: On October 19, 1998, the Board of Commissioners approved a recruitment and retention plan for mainframe computer personnel that established a hiring rate at the midpoint of the salary range for applicable position classifications. Additionally, the salaries of existing staff were also increased to include an adjustment for service time, on top of the new hiring rate. Although two positions were filled shortly after implementation of the new plan, there was no substantial increase in the number of candidates that applied for vacancies in the Information Services Department. The two employees have since left county employment, and Information Services continues to face challenges with staffing the department, including the impending retirement of one of the two remaining Systems Analysts. In addition, Information Services has also faced budget cuts that reduced the number of positions assigned to the department. In the FY00 budget, funding was eliminated for a Programmer Analyst position. In FY02 budget, two other positions (Systems Analyst /Programmer Analyst) were eliminated. Information Services has gone from 8 employees to 5 for the mainframe. At the same time, more programs have been added. Sufficient staffing is critical to the continued support of the Tax Department, the Finance Department and the Personnel Department, as well as the remaining county departments. At the Personnel Committee meeting on November 15, 2001, the Personnel Committee recommended the following:

- approve the proposed "experience" hiring plan for the following job classifications:

Job Classification	0-4 yrs	Starting Salaries	
		5-9 years*	10 years +
Information Svcs. Dir/79	71,134-74,690	74,691-78,425	78,426-88,582
Asst. Inf.Svcs. Dir/77	64,954-68,201	68,202-71,611	71,612-80,886
Network Adm/71	49,485-51,958	51,959-54,556	54,557-61,623
Senior Systems Analyst/71	49,485-51,958	51,959-54,556	54,557-61,623
Systems Analyst/70	47,303-49,667	49,668-52,150	52,151-58,905

- increase all current employees to the applicable starting rate of the experience hiring plan; employees whose current salary exceeds the new hiring rate shall retain their current salary:

Proposed Salaries for Existing Staff

<u>Employee</u> (Hire Date)	<u>Job Title/Grade</u> Current Sal.	<u>Salary Range</u> Min - Mid - Max	<u>Proposed Salary</u>	<u>Increase</u>
H. Smith (2/1/85)	IS Director/79 80,275	53,686-71,134-88,582	Same	0
Betty Clark (1/27/86)	Asst IS Dir/77 64,200	49,022-64,954-80,886	71,612	+ 7,412
Mitch Johnson (1/16/01)	Network Adm/71 37,347	37,347-49,485-61,623	51,959	+14,612
Bob Paul (6/30/86)	Sr. Sys. Analy/71 48,933	37,347-49,485-61,623	54,557	+ 5,624
Bill Fadden (3/1/80)	Sys. Analy/70 47,006	35,700-47,303-58,905	52,151	+ 5,145

MOTION: Commissioner Henley moved to approve.

SECOND: Commissioner Baggett

DISCUSSION: Commissioner Council inquired about the cost to make these changes. Amy Cannon, Asst. County Manager, noted the annualized cost is \$93,196. From now until the end of the fiscal year, the cost would be about \$40,000. Commissioner Edge said he has been struggling with this issue. He said he thought the appropriate time to do something like this is at budget time. He noted that other employees in the county are also carrying a heavy load and he said he did not feel it was fair to make this adjustment at this time. He said he was not questioning the fact that the increases are deserving; however, the timing is not good, especially since we have had to lay off employees.

VOTE: **FAVOR:** Commissioners Henley, Baggett, Blackwell, Council, King
OPPOSED: Commissioners Edge and Warren

9. Consideration of rescheduling or canceling the January 22, 2002 Board of Commissioners meeting due to a Hospital Governance Education Conference

BACKGROUND: Some members of the Board of Commissioners may be attending the Hospital Governance Education Conference in January 21-23, 2002.

ACTION: Determine whether to cancel the January 22 meeting and/or reschedule for a different time.

MOTION: Commissioner Warren moved to cancel the January 22 meeting and have a Special Meeting on January 28, 2001, 7:00PM to take care of any items that would have been on the January 22 agenda.

SECOND: Commissioner King

VOTE: UNANIMOUS

10. CLOSED SESSION: Attorney Client Matter (Hindle v. DSS)

MOTION: Commissioner King moved to go into Closed Session for Attorney-client matters.

SECOND: Commissioner Council

VOTE: UNANIMOUS

MOTION: Commissioner King moved to go back into Open Session.

SECOND: Commissioner Council

VOTE: UNANIMOUS

MOTION: Commissioner King moved to adjourn.

SECOND: Commissioner Council

VOTE: UNANIMOUS