

CUMBERLAND COUNTY BOARD OF COMMISSIONERS
MAY 20, 2002, 7:00 PM
REGULAR/REZONING MEETING

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

INVOCATION: Vice Chairman Talmage Baggett

PLEDGE: Marianna Baggett

HIGH SCHOOL STUDENT PARTICIPANT: Brooke McMurray, Rising Senior – Westover High School

Chairman Breeden Blackwell announced that Vice Chairman Talmage S. Baggett received the 2002 County Commissioner Leadership Award .

RECOGNITION OF OUTGOING BOARD MEMBERS:

Alicia S. Chisolm – Joint Storm Water Advisory Board
James G. Lucas – Criminal Justice Partnership Advisory Board
Diane Wheatley – Community Health Care Council

AMENDMENTS TO AGENDA: Item 3 - Budget Revisions (H) (3)(b) – Management Support – Amount of money should be \$80,600.

1. PUBLIC HEARINGS

The County Manager noted that no one has signed up to speak on any of the contested cases; therefore, if the Board has no objections, one motion will suffice for all of the cases.

Upon finding the requests to be reasonable, neither arbitrary or unduly discriminatory, and in the public interest and that the property within such proposed district is suitable for all uses permitted by the new classification for the rezoning cases which were recommended to be approved, the following motion was offered for the Rezoning Cases:

MOTION: Commissioner Warren moved to follow the Planning Board recommendations on all of the rezoning cases.

SECOND: Commissioner King

VOTE: UNANIMOUS

Uncontested Rezoning Cases

- A. Case P02-27. The rezoning of 4.7 acres from A1 to R40A or a more restrictive zoning district at 2838 Duck Pond Road owned by Junnie E & Lillian L. Mason.

The Planning Board recommends approval of R40A.

- B. Case P02-35. The rezoning of .79 acres from RR to R10 or a more restrictive zoning district at 1420 Acacia Drive owned by Patrick T. & Karen J. O'Brien.

The Planning Board recommends approval of R10.

- C. Case P02-36. The rezoning of .47 acres from R10 to R6A or a more restrictive zoning district at 2730 and 2732 Belhaven Road owned by Arlie R. & Agnes D. Pierce.

The Planning Board recommends approval of R6A.

- D. Case P02-37. The rezoning of an 18.70 acre portion of a 28.74 acre tract from M(P) and R5 to C(P) or a more restrictive zoning district on the northeast quadrant of Glensford Drive and Cliffdale Road owned by Joseph P. Riddle.

The Planning Board recommends approval of C(P).

- E. Case P02-28. The rezoning of 1.05 acres from CD to R10 or a more restrictive zoning district on Surrey Road east of Scotholm Road owned by March F. Riddle.

The Planning Board recommends approval of R10.

SPEAKERS: None

- F. Case P02-29. The rezoning of 4.17 acres from A1 to R40 or a more restrictive zoning district at 4060 Billy Joe Lane, owned by Mitchell A. & Stormy P. Griffin.

The Planning Board recommends denial of the rezoning.

SPEAKERS: None

- G. Case P02-30. The rezoning of 4.0 acres from A1 to R40 or a more restrictive zoning district at 7103 Honeybee Drive owned by Robin C. Rudd.

The Planning Board recommends denial of R40.

SPEAKERS: None

- H. Consideration of the Spring Lake area detailed Land Use Plan

The Planning Board recommends approval of the Land Use Plan.

Will Denning, a member of the Planning Department staff, reviewed the Plan with the Board.

SPEAKERS: None

MOTION: Commissioner Edge moved to endorse the Spring Lake Plan and amend the Cumberland County 2010 Land Use Plan.

SECOND: Commissioner Council

DISCUSSION: Commissioner Warren noted his concern about the extension of the Municipal Influence Area (MIA), noting the residents have no say and no one to represent their concerns. He inquired if any other towns have a MIA. Mr. Denning responded that Stedman does and the Planning Board is working

with Wade on designating a MIA. Tom Lloyd, Interim Planning Director, noted there is really very little difference between the County standards and the municipal standards. He said the Planning Department is working towards unified standards. Vice Chairman Baggett inquired about the new proposed runway at Pope. Mr. Denning said the issue of the runway would be addressed once a decision is made about the runway. He said the Plan is based on “what we know now”.

VOTE: UNANIMOUS

2. Presentation by Tony Chavonne on Greater Fayetteville Futures economic vision concept.

Wilson Lacy and Tony Chavonne appeared to update the commissioners on the Greater Fayetteville Futures economic vision. Mr. Chavonne noted that for the past 18 months, hundreds of Cumberland County residents have been involved in a collaborative initiative with Fayetteville Futures to create a better economic opportunity for all citizens and businesses in Cumberland County. Fayetteville Futures will report back to the community at 8:30 AM on June 14, 2002 at the Crown Coliseum about the results of its work.

3. **CONSENT AGENDA**

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

SECOND: Commissioner King

VOTE: UNANIMOUS

- A. Approval of Minutes – May 6, 2002

ACTION: Approve

- B. Approval of a Resolution requesting that local government revenue sources be made secure

BACKGROUND: When the 2002 Legislature reconvenes in May, the NC Association of County Commissioners will support the introduction and passage of legislation to restrict the authority of the Governor to withhold local revenues that the General Assembly has provided to units of local government by statute or annual appropriations acts or otherwise.

ACTION: Adopt resolution requesting that local government revenue sources be made secure.

RESOLUTION

WHEREAS, the County of Cumberland is required by North Carolina law to operate and maintain a balanced budget and comply with the provisions of the Local Government Budget and Fiscal Control Act; and

WHEREAS, the County of Cumberland is required to maintain a sufficient fund balance to operate in a fiscally sound manner and to have adequate reserves in case of emergencies; and

WHEREAS, the Cumberland County Board of Commissioners has a responsibility to provide for the health, safety and well being of the citizens of this community by providing necessary services; and

WHEREAS, the ability of county governments to borrow for capital infrastructure needs is dependent on reliable revenue sources for repayment; and

WHEREAS, adequate revenues are required to carry out the above mentioned responsibilities.

NOW, THEREFORE BE IT RESOLVED THAT THE Cumberland County Board of Commissioners respectfully requests that the General Assembly enact legislation that will secure the local government revenue sources on a timely basis as set forth by the state's General Statutes.

- C. Approval of Franchise Agreement between Coca-Cola Bottling Company Consolidated and the Cumberland County Parks and Recreation Department (1st Reading).

BACKGROUND: This franchise will grant exclusive advertising, promotional and product availability rights including the right to provide its beverages at certain athletic games in consideration of it providing scoreboards to the game sites free of charge. The agreement will end in May, 2008. Coca-Cola will provide scoreboards for three additional facilities: Stedman, Stoney Pont and Lake Rim Elementary Schools Recreation Centers. The County will install and maintain the scoreboards.

This item appeared on the January 7, 2002 agenda; however due to an administrative oversight it did not appear for a second reading in the required time frame. Therefore, it is necessary to resubmit this item for Board approval.

ACTION: Approve the First Reading.

- D. Approval of bid award for mainframe upgrade in Information Services.

BACKGROUND: The following bids were received:

	Cornerstone	PSR	T3 Tech.
Hardware total	\$ 137,950	142,025	138,548
Maint. Total (36 mos.)	21,500	25,772	21,133
VSE Central functions (annual)	50,945	51,547	49,515
Additional Software (mo. Amount)	5,530	5,530	5,530
Services Total	3,000	4,000	1,900
TOTAL:	\$ 213,395	223,344	211,096

ACTION: Award the bid to T3 Technologies and approve associated budget revision (B02-432).

- E. Approval of the annual modification for the Program Year 2002 Workforce Investment Act (WIA) Program.

BACKGROUND: The Cumberland County Workforce Development Center is required to prepare a modification to its five year strategic plan to accommodate program year 2002 WIA funding.

ACTION: Approve

- F. Approval of a Resolution of joint support for the Sentencing Services Program and the Criminal Justice Partnership Program.

BACKGROUND: In response to the State's revenue shortfall, the Governor asked all state agencies to identify a 7 to 11% range of cuts in its departments. In late April, 2002, representatives of the Department of Correction and the Administrative Office of the Courts made presentations and proposed to completely eliminate many programs. The Sentencing Services Program and the Criminal Justice Partnership Program are two of the programs proposed for elimination.

ACTION: Adopt Resolution of joint support for these two programs.

RESOLUTION OF JOINT SUPPORT FOR THE SENTENCING SERVICES PROGRAM AND THE CRIMINAL JUSTICE PARTNERHSIP PROGRAM

WHEREAS, the Fayetteville Area Sentencing Center, Inc., a Sentencing Services Program, was created and organized in Cumberland County in 1981 to develop sentencing plans for the courts, which provide safe, cost-effective ways of punishing and rehabilitating offenders in the community. Sentencing plans identify offenders appropriate for community punishment and provide linkages to substance abuse and mental health treatment, employment and educational opportunities, and other necessary rehabilitative services; and

WHEREAS, the Cumberland County Day Reporting Center, a Criminal Justice Partnership Program, was created and organized in Cumberland County in 1995 to provide a “one-stop” community punishment center, which provides rehabilitation, employment and educational services for those offenders sentenced by the courts to the Center. The Day Reporting Center through the programs it offers is designed to effectively control and manage offenders placed in the community; and

WHEREAS, legislative allocations of \$216,363 to Fayetteville Area Sentencing Center, Inc., and \$240,885 to the County of Cumberland Day Reporting Center provides core funding for these effective programs which hold offenders accountable for their actions; and

WHEREAS, the County of Cumberland supports both of these programs by providing matching funds to Fayetteville Area Sentencing Center, Inc., and financial, technical and other County support services, including office and classroom space, to the Day Reporting Center; and

WHEREAS, because of the state budget crisis, the Administrative Office of the Courts and the Department of Correction have proposed elimination of both of these programs; and

WHEREAS, an elimination or substantial decrease in funding of these two programs will result in fewer resources available for offenders sentenced to our community and more offenders being imprisoned, thereby increasing the tax burden on local citizens.

NOW, THEREFORE, BE IT RESOLVED that the Board of Commissioners of Cumberland County hereby endorses and fully supports continued state funding for these two programs and that a copy of this Resolution of Support be provided to the Governor of the State of North Carolina and members of the Cumberland County Legislative Delegation.

- G. Approval of formal bid awards less than \$100,000 approved by Management.

BACKGROUND: The following bids were received for office supplies:

Forms and Supply:	\$85,129.19
Poole:	\$118,221.98
Williams Office Environments:	\$82,384.25

The Bid was awarded to the low bidder, Williams Office Environments.

ACTION: Include information of the bid award in the Minutes.

- H. Budget Revisions
 - 1. Mental Health

- a. Crisis Diversion – Amount: \$3,300 – Appropriate fund balance for computer equipment (B02-417) Funding Source – Mental Health Fund Balance
- b. Developmentally Disabled Contracts – Amount \$10,000 – Appropriate fund balances to increase contract with Cape Fear Valley Hospital (B02-418) Funding source – Mental Health Fund Balance
- c. MR/MI Case Management – Amount: \$94,134 – Reallocate funding sources (B02-419) Funding Source – Reallocation of Budgeted Revenue
- d. MRI/MI Contract Services – Amount \$200,000 – Contracted services provided by Medicaid (B02-420) Funding Source – State and Fees
- e. Developmentally Disabled Adult Outpatient – Amount \$8,564 – Appropriate fund balance to purchase computers, software and printers for case managers (B02-422) Funding Source – Mental Health Fund Balance
- f. Developmentally Disabled Child Outpatient – Amount \$8,186 to purchase computers, software and printers for case managers (B02-423) Funding Source – Mental Health Fund Balance
- g. Periodic Outpatient – Amount \$21,109 – Reallocate State funds to Federal Funds (B02-424) Funding Source – Reallocation of Budgeted Revenue
- h. Crisis Stabilization – Amount \$125,000 – Appropriate fund balance for repairs to Roxie Avenue caused by roof damage (B02-426) Funding Source – Mental Health Fund Balance
- i. General and Support – Amount \$174,000 – Appropriate fund balance to replace obsolete telephone switching equipment with a digital system (B02-427) Funding Source – Mental Health Fund Balance

2. Social Services

- a. Amount \$38,722 – Budget federal funding for the Adoption Incentive Program (B02-429) Funding Source – Federal
- b. Revision in the net amount of \$410,349 to recognize grant funding for the Day Care program; \$89,651, and to reduce Smart Start funding by \$500,000 (B02-430) Funding Source – State

3. Health

- a. Adult Health – Amount \$7,000 – Budget additional revenue (B02-428) Funding Source – Fees
- b. Family Planning & BCCCP Wisewoman/Management Support – Amount \$80,600 (B02-434-436) Funding Source – Reallocation of Budgeted revenues/expenditures

4. NC Worker's Trust – Amount \$50,000 – Budget prior year funding for client programs (B02-431) Funding Source – Federal
5. Grays Creek Fire District – Amount \$100 – Budget for unanticipated refunds to taxpayers (B02-412) Funding Source – Taxes Current Year
6. Lake Rim Fire District – Amount \$100 – Budget for unanticipated refunds to taxpayers (B02-413) Funding Source – Taxes Current Year
7. Vander Fire District – Amount \$150 – Budget for unanticipated refunds to taxpayers (B02-414) Funding Source – Taxes Current Year
8. Tax Administration – Amount \$16,591 – Appropriate Fund Balance to fund Tax Management Associates audits (B02-433) Funding Source – County Fund Balance

REGULAR AGENDA

4. Appointments to Boards/Committees

MOTION: Commissioner King moved to appoint the nominees in Items B, C, D, F, G & H to the respective Boards.

SECOND: Commissioner Edge

VOTE: UNANIMOUS

A. ABC Board (2 vacancies)

Nominees and votes: Landis Chavis – Unanimous

Ernie Grooms – Commissioners Warren and King

Stephen Satsky – Commissioners Henley, Baggett, Blackwell, Council, & Edge

B. Adult Care Home Community Advisory Committee (1 vacancy)

Nominee: Ann C. Long

C. Cumberland Cemetery Commission (1 vacancy)

Nominee: Robert B. Barnhart

D. Emergency Planning Committee (1 vacancy)

Nominee: Law Enforcement Representative – Captain Craig Hart

E. FTCC Board (1 vacancy)

Nominees and votes: Maxine Andrews-McCall – Commissioners Henley, Blackwell and King

Lula Crenshaw – Commissioners Warren, Baggett, Edge, and Council

F. Nursing Home Advisory Board (2 vacancies)

Nominees: Monica Barrett
Susan G. Swain

G. Social Services Board (1 vacancy)

Nominee: Lynn S. Green (reappointment)

H. Storm Water Advisory Board (1 vacancy)

Nominee: Clifton McNeill, Sr.

5. Consideration of employee health insurance proposals received from Doctors Direct Healthcare and the NCACC Group Benefit Pool

BACKGROUND: Proposals were discussed by the County Finance Committee on May 14, 2002. Mark Browder, Mark III Brokerage, Inc. reviewed the options that were presented to the County. The Finance Committee referred this item to the Board without a recommendation. The County Manager initially recommended to the Board that the County keep its current coverage and issue a request for proposals during the coming fiscal year. However, after the Finance Committee meeting and after the packet material was distributed, the Manager received additional information which led him to change his initial recommendation. The Manager said he based his new recommendation on the fact that he believed the County would save about \$100,000 if it goes with the Doctors Direct plan. Mr. Martin also noted there would be some changes in the PPO coverage with the BCBS.

The Manager also noted that he had learned that the NCACC claims for FY01 included a HMO Management fee of \$189,870. He said the estimated fee for the current fiscal year is \$110,000 and for fiscal year 03 would be about \$20,000.

ACTION: Management recommends that the County change its insurance to Doctors Direct Healthcare (owned by the Sandhills Physicians Group and Cape Fear Valley Health System).

Commissioner Henley (MD), a member of the Sandhills Physicians Group, noted he had spoken with the County Attorney who advised him he did not have a conflict of interest in voting on this particular matter because of his de minimis percentage interest.

Because the Board and staff have had so little time to review the information Commissioner Edge offered the following motion:

MOTION: Commissioner Edge moved that the County remain with NCACC for the coming year and that in January 2003 Requests for Proposals be sent to anyone interested in providing health insurance to the county.

SECOND: Commissioner King

DISCUSSION: Commissioner Council said she would like for county employees to be involved in the insurance deliberations. Commissioner Edge said he would like for us to consider a 3-year plan when we go out for proposals. Commissioner Henley noted that whatever we do there will be "noise". He noted that not all doctors in the county are members of the Sandhills Group, so it is possible that if the county changes to Doctors Direct some employees may have to change physicians.

VOTE: Commissioners Edge, Baggett, Blackwell, King, Warren, Council

OPPOSED: Commissioner Henley

6. Consideration of proposed schedule for fiscal year 2003 budget work

sessions and public hearings.

ACTION: Consider the following schedule for budget work sessions and public hearing on the budget

Monday, June 3, 2002 – 5:30 PM – Budget Work Session – Room 564

Tuesday, June 4, 2002 – 5:30 PM – Budget Work Session – Room 564

Thursday, June 6, 2002 – 6:30 PM – Public Hearing – Room 118

Monday, June 17, 2002 – 5:30 PM – Budget Work Session – Room 564

Commissioner Council asked staff to designate one more meeting date as an alternate. The Chairman and Manager will designate a date.

The consensus of the Board was to approve the above budget meeting dates.

7. Closed Session – Economic Development (NCGS 143-318.11(a)(4))

MOTION: Commissioner King moved to go into Closed Session to discuss Economic Development matters, pursuant to NCGS 143-318.11(a)(4).

SECOND: Commissioner Henley

VOTE: UNANIMOUS

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

SECOND: Commissioner Council

VOTE: UNANIMOUS

MOTION: Commissioner King moved to adjourn.

SECOND: Commissioner Council

VOTE: UNANIMOUS

MEETING ADJOURNED: 9:25

Clerk to the Board