

CUMBERLAND COUNTY BOARD OF COMMISSIONERS
OCTOBER 4, 2004, 9:00AM
REGULAR MEETING

PRESENT: Jeannette M. Council, Chair
John T. Henley, Jr., Vice Chair
Commissioner Talmage S. Baggett
Commissioner J. Breeden Blackwell
Commissioner Kenneth S. Edge
Commissioner Billy R. King
Commissioner Edward G. Melvin
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 Ed Melvin

Minister: Dr. Bruce Martin, Village Baptist Church

Pledge of Allegiance

Recognition of Cumberland County Wachovia Principal of the Year 2004 and the
South Central Region Principal of the Year 2004: Dr. Mary Black

Recognition of Cumberland County Teacher of the Year – Jovan Z. Jones,
7th & 8th Grade Social Studies Teacher – Westover Middle School

Recognition of Olympic Gold Medalist – Crystal Cox – 4X400 Relay Runner

Recognition of Outgoing Board Members:

Eleanor Hall Ayers – Nursing Home Advisory Board
Marie Tomlin – Senior Citizens Advisory Board

ADDITIONS/DELETIONS TO AGENDA:

Deletion: 2A – Approval of Minutes: September 20, 2004

Addition: Approval of Introduction of Bond Order and Resolution providing for a
public hearing on bond order for \$23,000,000 General Obligation Refunding Bonds
and Publication of Bond Order and Notice of Hearing and Other Action (add to
consent agenda – Item 2A.)

Addition: Consideration of sending rezoning case P03-96 back to the Planning
Board for reconsideration (Item I)

**MOTION: Commissioner Blackwell moved to approve the above
deletions/additions to the agenda.**

SECOND Commissioner King

VOTE: UNANIMOUS

1. Public Hearing

A. Local Law Enforcement Block Grant FY 2004 - Sheriff Butler.

SPEAKERS: None

No action needed.

2. Consent Agenda

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

SECOND: Commissioner King

VOTE: UNANIMOUS

A. Approval of Bond Order authorizing further general obligation
refunding bonds to reduce interest expense and resolution providing
for public hearing on bond order for \$23,000,000 general obligation

refunding bonds and publication of bond order and notice of hearing and other action.

ACTION: Approve

Commissioner Blackwell introduced a bond order, the title of which is as follows and was read:

BOND ORDER AUTHORIZING ISSUANCE OF GENERAL OBLIGATION REFUNDING BONDS, SERIES 2004B OF CUMBERLAND COUNTY IN A MAXIMUM AGGREGATE PRINCIPAL AMOUNT NOT TO EXCEED \$23,000,000 FOR THE PURPOSE OF REFUNDING, IN PART, CERTAIN MATURITIES OF THE COUNTY'S GENERAL OBLIGATION SCHOOL BONDS, SERIES, 2000

WHEREAS, the Board of Commissioners of Cumberland County (the "Board") has decided to pursue the issuance of general obligation refunding bonds in a maximum aggregate principal amount of not to exceed \$23,000,000 under the Local Government Bond Act (the "Act") to refund, in part, certain maturities of the Cumberland County General Obligation School Bonds, Series 2000; and

WHEREAS, the Board has filed an application with the Local Government Commission of North Carolina of approval of such bonds as required by the Act.

BE IT ORDERED BY THE BOARD OF COMMISSIONERS FOR THE COUNTY OF CUMBERLAND:

(1) It is hereby determined necessary and expedient for Cumberland County to borrow money, and there are hereby authorized to be issued general obligation refunding bonds of Cumberland County for the purpose of providing money to refund, in part, certain maturities of the Cumberland County General Obligation School Bonds, Series 2000.

(2) The bonds shall be in an aggregate principal amount not to exceed \$23,000,000.

(3) The bonds shall be general obligations of Cumberland County for the payment of principal and interest on which its full faith and credit shall be irrevocably pledged and taxes will be levied in an amount sufficient to pay the principal of and interest on the bonds.

(4) A sworn statement of debt has been filed with the Clerk to the Board pursuant to GS 159-55 and is open to public inspection.

(5) This Bond Order will take effect 30 days after its publication following adoption.

RESOLUTION PROVIDING FOR PUBLIC HEARING ON BOND ORDER
\$23,000,000 GENERAL OBLIGATION REFUNDING BONDS
AND PUBLICATION OF BOND ORDER AND NOTICE OF HEARING
AND OTHER ACTION

WHEREAS, there has been introduced to the Board of Commissioners of Cumberland County a Bond Order entitled "BOND ORDER AUTHORIZING ISSUANCE OF GENERAL OBLIGATION REFUNDING BONDS, SERIES 2004B OF CUMBERLAND COUNTY IN A MAXIMUM AGGREGATE PRINCIPAL AMOUNT NOT TO EXCEED \$23,000,000 FOR THE PURPOSE OF REFUNDING, IN PART, CERTAIN MATURITIES OF THE COUNTY'S GENERAL OBLIGATION SCHOOL BONDS, SERIES 2000; and

WHEREAS, GS 159-54 provides there shall be a public hearing on the Bond Order and GS 159-56 provides for publication of the Bond Order and notice of the hearing.

NOW, THEREFORE, the Board of Commissioners of the County of Cumberland, meeting in regular session in Fayetteville, North Carolina, on October 4, 2004, does the following:

BE IT RESOLVED BY THE BOARD OF COMMISSIONERS FOR THE COUNTY OF CUMBERLAND:

(1) A public hearing on the Bond Order shall be held at 7:00PM in the Board Meeting Room in the Cumberland County Courthouse, Fayetteville, North Carolina on October 18, 2004.

(2) The Clerk to the Board of Commissioners shall cause the Bond Order, with a statement appended in form described by GS 159-56 to be published in The Fayetteville Observer.

(3) The County Finance Officer is hereby designated to file the statement of debt required by GS 159-55.

(4) The completed form of application to the Local Government Commission with respect to the proposed Bonds is hereby approved.

(5) This Resolution shall take effect immediately.

B. Approval of Declaration of Surplus County Property and Authorization to Accept Insurance Settlement.

BACKGROUND: Date of Accident:	August 13, 2004
Vehicle:	1998 Ford Crown Victoria
VIN:	2FAF-71W8WX116984
Fleet:	FL264
Mileage:	122,923
Department:	Sheriff's Office
Settlement Offer:	\$5,955
Insurance Company:	St. Paul

ACTION: Declare vehicle surplus, accept the settlement offer and allow St. Paul to take possession of the wrecked surplus vehicle.

C. Approval of Report of Destruction of Finance Department Records.

BACKGROUND: The Finance Department has requested that the following records be destroyed according to the Records Retention and Disposition Schedule:

- (1) Records with 3-year retention requirement (dated prior to July 1, 2001)
 - Fiscal correspondence/memoranda
 - Bank statements, canceled checks, deposit slips, reconciliation file
 - Purchasing – request for proposals for purchase contracts, purchase orders and requisitions
 - Cash receipt report files
 - Check registers
 - Investment records
 - Journal vouchers
 - LGC financial statements
 - Invoices
 - Employee earnings record file/local government retirement system monthly reports, payroll file – salaries paid and deduction file
- (2) Records with 2-year retention requirement (dated prior to July 1, 2002)
 - Employee benefits register file
- (3) Records with 1-year retention requirement (dated prior to July 1, 2003)
 - Daily journal and ledger printouts
 - Monthly detail reports except June 30 which is permanent
- (4) Records that have been superseded or obsolete
 - Property and equipment inventory files

No action is required by the Board.

D. Approval of Settlement of Claim.

BACKGROUND: Attorney Haral E. Carlin presented a claim on behalf of Ms. Tomika Smith against the Sheriff's office. The Commissioners approved settlement in the amount of \$10,000.

STATEMENT OF SETTLEMENT: This matter has been settled with a payment of \$10,000 and the execution by Ms. Smith of a release of all parties.

- E. Approval of Architectural Agreement for Public Health Department Needs Assessment.

BACKGROUND: The Facilities Committee of the Board of Health was tasked with procuring architectural services to assist the Health Department with assessing the physical and operational conditions of the department. A Request for Qualifications was sent to local architectural firms and other firms with known experience in the public health field. Three firms were shortlisted and presentations made to the Health Department Facilities Committee. The firm of Calloway, Johnson, Moore & West was selected by the committee and also approved by the Board of Health.

ACTION: Approve an agreement with CJMW to provide architectural services to conduct a Needs Assessment for the Public Health Department in the amount of \$66,995 including reimbursable expenses and approve associated budget revision (B05-106-106I)

- F. Approval of Delinquent Accounts to be Turned Over to Collectors for the Health Department.

BACKGROUND: The Board of Health approved writing off \$66,853.05 as bad debts and turning them over to Professional Recovery Consultants, Inc., for collection.

ACTION: Approve as noted above.

- G. Approval of Adoption of a Proclamation Proclaiming October 20, 2004 as "United States Air Force Band Day" in Cumberland County.

BACKGROUND: Fayetteville State University and Methodist College will be hosting the US Air Force Band and Singing Sergeants concert on October 20, 2004.

ACTION: Adopt proclamation.

PROCLAMATION

WHEREAS, the United States Air Force Band and Singing Sergeants will be in concert on October 20, 2004, 7:00PM at Reeves Auditorium on the campus of Methodist College; and

WHEREAS, the Band has been performing and has an outstanding record of achievement for more than 60 years; and

WHEREAS, the Band is known as "America's International Musical Ambassadors" and has toured the People's Republic of China in 1987 and Moscow in 1995; and

WHEREAS, the Band has made more than 25 international concert tours with performances in more than 50 counties and 42 world capitals; and

WHEREAS, the Singing Sergeants perform a wide range of musical repertoire including opera, traditional and contemporary choral literature, oratorio, folk songs, pop standards and musical theatre and jazz with emphasis on the choral music of America; and

WHEREAS, Major Frank J. Grzych, conductor of the concert, holds both a bachelor and master of music degree and has served as a commander and conductor of Air Force Bands throughout the United States and Europe.

NOW, THEREFORE, BE IT RESOLVED, that the Cumberland County Board of Commissioners proclaims October 20, 2004 "UNITED STATES AIR FORCE BAND DAY" in Cumberland County and urges its citizens to enjoy this wonderful experience by attending this concert.

- H. Budget Revisions:

ACTION: Approve

(1) Health

- a. School Health - Revision in the amount of \$98,630 to establish two School Public Health Nurse II positions. (B05-103) **Funding Source – State**

- b. Environmental Health – Revision in the amount of \$576 to budget state funds for the Summer Food Services Program. (B05-104)
Funding Source - State

(2) Tax Administration

Revision in the amount of \$2,180 to fund TMA Audits based upon additional tax collection received as of September 2004. (B05-105)
Funding Source – General Fund Fund Balance

(3) Social Services Other

- a. Revision in the amount of \$9,265 to appropriate fund balance to rebudget unexpended Federal Adoption Incentive Funds from FY2004. (B05-108) **Funding Source – Fund Balance Appropriated – Prior Year**
- b. Revision in the amount of \$310,182 to appropriate fund balance to rebudget unexpended Adoption Incentive Funds originally received in FY2002. (B05-109) **Funding Source – Fund Balance – Prior Year**
- c. Revision in the amount of \$9,047 to appropriate fund balance to rebudget unexpended Duke Neighbor Grant Funds from FY2004. (B05-110) **Funding Source – Fund Balance – Prior Year**

(4) Social Services

Revision in the amount of \$145,890 to appropriate fund balance to rebudget Casey Foundation Grant Funds received since FY2002. (B05-111) **Funding Source – Fund Balance Appropriated – Prior Year**

(5) Elections

Revision in the amount of \$11,808 to recognize revenues and expenditures for a grant received from Help America Vote Act (HAVA) Title I funding, to establish an additional one-stop absentee voting site. (B05-112) **Funding Source – Grant**

- I. Consideration to referring rezoning case P03-96 back to the Planning Board for reconsideration to allow a daycare on the property

ACTION: Refer back to Planning Board

REGULAR AGENDA

3. Presentation of the FY04 Joint Planning Board Report - Ms. Nancy Roy.

Ms. Roy reported on the activities of the Planning Board and Planning and Inspections Department for FY04. Some of the highlights of the recent years are:

- Appointed Tom Lloyd Deputy Director;
- Special projects: Randall Arendt Subdivision Design Workshop; Zoning Ordinance revision; Military Compatibility/Ft. Bragg/Pope Air Force Base Study; GIS, moving forward on computerized permitting process; participated in the Cumberland County 250th Anniversary Celebration.
- Noted an increase in building and other permits in June, 2004;
- Comprehensive Planning Projects: Cumberland County/Hope Mills PARTF Grant, County Landscape Ordinance, Hazard Mitigation Plan, Military compatible Land Use Plan, Northeast Cumberland (Falcon-Godwin) Land Use Plan, Oversee PARTF Grant for Wade and Stedman, Spring Lake Streetscape Enhancement Grant; Spring Lake Appearance & Landscape Ordinance; Stedman Streetscape Enrichment Grant; Stedman Pedestrian

- Plan; Wade Area Detailed Land Use Plan; Wade, Falcon, Godwin, Stedman and Linden Technical Assistance;
- The Streets and Addressing Section continues to process new street names and provides info to the public and other agencies;
- Pilot Project with Mid Carolina Council of Governments that will allow users to obtain an image of development reviews electronically by utilizing a GIS system or other interface;
- Streets and Addressing section oversaw the development of a 911 mapping application that maps calls automatically when they are received categorized by wired, wireless and wireless Phase II, to allow the Dispatch Center to see where an emergency call is located and perform analyses after the fact for numerous purposes;
- Staff completed Long Range Transportation Plan for 2030; Staff participated and monitored in various stages of planning 12 area road projects;
- Staff provide logistical support for Air Quality Technical Committee and Stakeholders meetings;
- Staff produced the Executive Summary Report from the Rail Study published in June 2002 and participated in several meeting regarding this issue;
- Staff participated in the FAMPO community Transportation Program project.

4. Nominations to Boards and Committees

A. Adult Care Home Community Advisory Committee (2 Vacancies)

Vacancies: Tracy Jones – eligible to serve three year term
Nathandra Hicks – eligible to serve three year term

Nominees: Tracy Jones
Nathandra Hicks

B. Minimum Housing Appeals Board (1 Vacancy)

Vacancy: Jimmy Ragland, former alternate member, was appointed as a regular member on September 20, 2004. Need a replacement.

Nominee: Nicholas Christopher

C. Nursing Home Advisory Board (1 Vacancy)

Vacancy: Robert Pringle completed first term. Eligible for reappointment

Nominee: Robert Pringle

5. Appointments to Boards and Committees

A. Cumberland County Juvenile Crime Prevention Council (1 Vacancy)

Nominee: Substance Abuse Professional Representative: Barbara Smith

ACTION: Appoint nominee

MOTION: Commissioner Henley moved to appoint Barbara Smith.

SECOND: Commissioner King

VOTE: UNANIMOUS

6. Closed Session: A. Economic Development Pursuant to NCGS 143-318.11(a)(4).

B. Attorney-Client Matter Pursuant to NCGS 143-318.11(a)(3).

MOTION: Commissioner Blackwell moved to go into Closed Session for the above noted matters.

SECOND: Commissioner King

VOTE: UNANIMOUS

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

SECOND: Commissioner Melvin

VOTE: UNANIMOUS

MOTION: Commissioner King moved to adjourn.
SECOND: Commissioner Melvin
VOTE: UNANIMOUS

Meeting adjourned: 10:15AM

Clerk to the Board