

**CUMBERLAND COUNTY BOARD OF COMMISSIONERS  
COURTHOUSE – ROOM 118  
SEPTEMBER 7, 2004 (TUESDAY)  
9:00 AM**

PRESENT: Chairman Jeannette M. Council  
Vice Chairman John Henley, Jr.  
Commissioner Talmage Baggett  
Commissioner Breeden Blackwell  
Commissioner Kenneth Edge  
Commissioner Billy King  
Commissioner Ed Melvin  
James Martin, County Manager  
Juanita Pilgrim, Deputy County Manager  
Cliff Spiller, Assistant County Manager  
Amy Cannon, Assistant County Manager  
Grainger Barrett, County Attorney  
Ann Hymes, Deputy Clerk

INVOCATION Reverend Jay Coker, First Presbyterian Church, Fayetteville, NC

Pledge of Allegiance

Recognition of Cumberland County Retired Employees:

Catherine Shaw – Cumberland County Health Department  
Martha Tyler – Cumberland County Department of Social Services

Recognition: Presentation to the Cumberland Community Foundation, Mary Holmes - Executive Director, in appreciation of the Foundation's Support of the County's 250<sup>th</sup> Anniversary Celebration

Additions to the Agenda:

- Item 1.J. Approve an oral presentation by Mary Deyampert, Social Services Board Chairman.

**MOTION: Commissioner Melvin moved to approve the addition of Item 1.J. to the Consent Agenda.**

**SECOND: Commissioner King**

**VOTE: UNANIMOUS**

- Add as Item 1. L. to Consent Agenda: Approval of Establishing a Sister-County Relationship with a Community in Greece.

**MOTION: Commissioner Melvin moved to approve the addition of Item 1.L. to the Consent Agenda.**

**SECOND: Commissioner Blackwell**

**VOTE: UNANIMOUS**

1. Consent Agenda

**MOTION: Commissioner Henley moved to follow staff recommendations on the items on the consent agenda.**

**SECOND: Commissioner King.**

**VOTE: UNANIMOUS**

- A. Approval of minutes for the August 16, 2004 regular meeting.

ACTION: Approve

- B. Approval of the Cumberland County JobLink Career Center Business Plan.

BACKGROUND: The North Carolina Department of Commerce, Commission on Workforce Development, requires all JobLink Career Centers to be re-chartered every three years. The Workforce Development Center, a key partner agency of the JobLink Career Center, has prepared all required documentation for the re-chartering of the center. The Business Plan has been reviewed and signed by all partner agencies.

ACTION: Approve

- C. Approval of Standard Designation for the Work First Program and Designation of Agencies to Assist in the Development of the County Work First Block Grant Plan.

BACKGROUND: Each county in North Carolina is required to develop its fourth biennial Work First Plan. One of the first actions to be taken is a decision to be made by the Board of Commissioners as to whether our county will seek electing county or standard county status. The Cumberland County Board of Social Services approved a recommendation to maintain Standard county designation at its August 25, 2004 Board meeting. The Department of Social Services has also provided a listing of agencies to assist in the development of the County Work First Block Grant plans.

ACTION: Approve

- D. Approval of Bid Award for Crown Arena, Theater, Exposition Center Roofing Project.

BACKGROUND: Bids were received on August 26, 2004, for the Crown Arena, Theater, Exposition Center Roofing Project. The scope of work includes the removal and replacement of all roof areas on the facilities that have not been replaced within the last three years with the exception of the canopy at the Crown Theater. This work represents the last phase of the project to make these facilities watertight. The low bid was submitted by AAR of North Carolina in the amount of \$864,635.00 including the base bid plus Alternate #2 (installation of a roof access ladder at Crown Theater). Subsequent to receiving the bids, AAR sent notice to the project engineer, Fleming & Associates, requesting its bid be withdrawn due to mathematical errors. The next low bid was submitted by Owens Roofing, Inc. in the amount of \$961,486.00 including the base bid plus Alternate #2. The project engineer, Fleming & Associates, recommends a contract be awarded to Owens Roofing in the amount of \$961,486.00. There are sufficient funds in the project budget for this work. In addition, a 5% contingency in the amount of \$48,100.00 is recommended for the project. The contingency will not be included in the contract and will only be used for justifiable changes to the contract work that are recommended by the engineer and approved by the County Manager.

Bids:

Contractor	Expo Base Bid	Theater/Arena Base Bid	Total Contract Sum	Alt. #1	Alt. #2
AAR of NC	\$414,240.00	\$446,295.00	\$ 860,535.00	\$19,575.00	\$4,100.00
Baker Roofing	\$541,900.00	\$481,650.00	\$1,023,550.00	\$61,200.00	\$3,850.00
Curtis Construc.	\$605,800.00	\$581,400.00	\$1,187,200.00	\$39,300.00	\$3,843.00
Greenville	\$472,984.00	\$662,267.00	\$1,138,251.00	\$79,775.00	\$1,800.00
Contractors					
Owens Roofing	\$569,327.00	\$390,309.00	\$ 959,636.00	\$50,300.00	\$1,850.00
T. R. Driscoll	\$515,000.00	\$584,000.00	\$1,099,000.00	\$55,000.00	\$4,300.00

ACTION: Accept the bids for the Crown Arena, Theater & Exposition Center Roofing Project. Allow AAR of North Carolina to withdraw its bid due to mathematical errors. Award a contract to the low responsive bidder, Owens Roofing, in the amount of \$961,486.00. Approve a 5% construction contingency in the amount of \$48,100.00 to be used for

changes to the contract work that are recommended by the engineer and approved by the County Manager.

- E. Approval of Bid Award for Tub Grinder for the Wilkes Road Yard Waste Facility.

BACKGROUND: Bids were solicited to purchase a New Tub Grinder with the option to trade-in a 1995 Mobark Tub Grinder, Model #1400 at the Wilkes Road Yard Waste Facility. Mobark was the only bidder during the process and in the absence of more than one bid, cost comparisons were collected for similar equipment. Mobark has presented a bid that meets all specifications and is very reasonable for a 2004, Model #1400 machine.

Bid:

Company	Bid Price	Extended Warranty	Trade-In Price	Total Bid Price
Mobark	\$518,740	\$40,760	\$160,000	\$399,500
Mobark Option 2	\$518,740	\$40,760	0	\$559,500

ACTION: Award the bid to Mobark with the no Trade-In price option.

- F. Approval of Cape Fear Valley Health System 2004-2005 Operating and Capital Budget and Budget Ordinance.

BACKGROUND: The Cape Fear Valley Health System Board of Trustees approved the Health System’s 2004-2005 Budget on August 25, 2004. It also requires approval of the Board of Commissioners.

ACTION: Approve.

- G. Approval of Declaration of Surplus Cape Fear Valley Health Systems Equipment and Furnishings and Authorization for Disposition.

BACKGROUND: On August 25, 2004, the Hospital Board of Trustees declared these items surplus and requested instruction as to disposition. (Attachment A to these Minutes)

ACTION: Declare surplus and authorize disposition through sale, scrapping or trade as deemed appropriate by hospital management.

- H. Approval of a Resolution Declaring October 2, 2004 as Cumberland County “Big Sweep Day”.

ACTION: Approve.

**RESOLUTION DECLARING OCTOBER 2, 2004 AS  
CUMBERLAND COUNTY BIG SWEEP DAY**

WHEREAS, Cumberland County is rich in natural resources and beauty; and

WHEREAS, water is a basic and essential need for all life; and,

WHEREAS, trash fouls our waterways as well as our landscapes; and,

WHEREAS, every citizen should contribute to keeping our environment clean and healthy by working together to preserve clean water and the natural beauty of our surroundings; and,

WHEREAS, North Carolina Big Sweep is a statewide community effort to retrieve trash from North Carolina’s waterways and landscapes;

NOW, THEREFORE, BE IT RESOLVED that the Board of Commissioners of Cumberland County, North Carolina, meeting on September 7, 2004, does

I. Approval of Proclamation Proclaiming September 18 – October 3, 2004 as “Litter Sweep” in Cumberland County.

**CUMBERLAND COUNTY                          NORTH CAROLINA**

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# **PROCLAMATION**

WHEREAS, the Cumberland County Board of Social Services is committed to strengthening families and protecting children, the disabled and the elderly; and,

WHEREAS, successful outcomes for families are the responsibility of entire community; and,

WHEREAS, Luther N. Packer was a leader in this community and was an advocate for the economically disadvantaged and the more vulnerable families in our community; and  
WHEREAS, Luther N. Packer’s work provided encouragement to the staff of the Cumberland County Department of Social Services; his advocacy for our staff and the families we serve was a source of inspiration; and,  
WHEREAS, Luther N. Packer’s commitment to the effective conduct of government led him to many years of active service for the people across our state; and,  
NOW, THEREFORE, BE IT RESOLVED, that the Cumberland County Board of Social Services strongly and unanimously memorializes Luther N. Packer as a leader in our community. His commitment as chairman of the Boards of County Commissioners and Social Services gave evidence of his love for family, Cumberland County and the State of North Carolina.

K. Budget Revisions:

ACTION: Approve.

(1) Health

- a. Pharmacy - Revision in the amount of \$2,996 to reallocate budgeted expenditures for state mandated grade change for Pharmacist I position. (B05-048) **Funding Source – Reallocation of Budgeted Expenditures**
- b. Bioterrorism Response Team – Revision in the amount of \$91,628 to decrease state funding and to reallocate expenditures. (B05-073) **Funding Source – State**
- c. Bioterrorism Preparedness and Response – Revision in the amount of \$68,812 to budget increase in state funding. (B05-057) **Funding Source – State**
- d. Bioterrorism Smallpox – Revision in the amount of \$68,365 to budget net decrease in state funding. (B05-056) **Funding Source – State**
- e. Women, Infants, Children – Revision in the amount of \$52,034 to reallocate budgeted expenditures to establish two new Medical Office Assistant positions. (B05-049) **Funding Source – Reallocation of Budgeted Expenditures**
- f. Women, Infants, Children – Revision in the amount of \$6,000 to reconcile state and local revenue accounts. (B05-050) **Funding Source – Reallocation of Budgeted Revenues**

(2) Soil and Conservation District

Revision in the amount of \$100 to recognize contribution from “Second Chance Wildlife Rescue” to be used for the District’s education programs. (B05-080) **Funding Source – Donation**

(3) Planning and Inspections

Revision in the amount of \$50,000 to budget grant from NCDENR for the purpose of equipping 50 school buses on Ft. Bragg with emission reduction devices to improve air quality in the County. (B05-074) **Funding Source – State**

(4) School C.O. Category III/School C.O. Category II

Revision in the amount of \$25,000 to reallocate budgeted expenditures as approved by the Cumberland County Board of Education. (B05-081) **Funding Source – Reallocation of Budgeted Expenditures**

(5) Planning Grants

Revision in the net amount of \$190 to budget decrease in revenue from NCDOT as a result of the court-ordered stay of the City of Fayetteville's annexation. (B05-079) **Funding Source – State**

(6) US DOT 104(f)

Revision in the amount of \$14,224 to reallocate budgeted revenues and expenditures as a result of the court-ordered stay of the City of Fayetteville's annexation. (B05-078) **Funding Source – Reallocation of Budgeted Revenues and Expenditures**

(7) Parks and Recreation

Revision in the amount of \$29,942 to appropriate fund balance for the purchase of a playground system at Arnette Park. (B05-087) **Funding Source – Parks and Recreation Fund Balance**

(8) NORCRESS

Revision in the amount of \$5,000 to fund the cost of running pipelines and to approve the associated Capital Project Ordinance. (B05-088) **Funding Source – Reallocation of Budgeted Expenditures**

(9) Community Development

a. Housing – Revision in the amount of \$463,922 to re-budget FY2004 grant funds. (B05-082) **Funding Source – Federal Grant**

b. Economic Development – Revision in the amount of \$190,000 to re-budget FY2004 grant funds. (B05-083) **Funding Source – Federal Grant**

c. Home Administration – Revision in the amount of \$65,000 to re-budget FY2004 grant funds. (B05-084) **Funding Source – Federal Grant**

d. Support Housing Administration – Revision in the amount of \$5,163 to re-budget FY2004 grant funds. (B05-085) **Funding Source – Federal Grant**

e. Support Housing Programs/Grant FV Care Center – Revision in the amount of \$319,769 to re-budget FY2004 grant funds (\$315,399) and match from Grant FV Care Center (\$4,370).

**(B05-086 and B05-086A) Funding Source – Federal Grant  
and General Fund Fund Balance Appropriated**

- L. Approval of Establishing a Sister-County Relationship with a Community in Greece.

ACTION: Approve

Lee Warren, Register of Deeds, introduced George Dias, Chris Poulos, John Poulos, and Kay Poulos, members of the Evrytania Association of America. There are 75 families that live in Fayetteville that are from Evrytania, Greece. They would like Cumberland County to establish a sisterhood relationship with Evrytania and ask for approval to proceed with this concept.

**ITEMS OF BUSINESS**

2. Review of the Contractor's Proposed Schedule for the Kelly Hills/Slocumb Road Sewer Project – Tom Cooney

**BACKGROUND:** The contract to approve sanitary sewer service to the Kelly Hills/Slocumb Road Water & Sewer District was awarded to METCON, Inc. General Contractors of Lumberton, NC. A Notice to Proceed was issued to METCON to begin work on or after July 6, 2004. The scheduled contract completion date is June 30, 2005. To date, there has been little evidence of METCON being on-site proceeding with the project. Aaron Thomas, president of METCON, said the delay was because the County needed additional time to complete paperwork associated with a grant that the County would use to pay for the project. He indicated that, unless there are rain delays, the project will be completed on schedule in May 2005.

At this time, Chairman Council asked the Board to allow Dr. Marvin Curtis, Director of the Fayetteville Symphony Orchestra, to give a brief presentation and introduced its new conductor, Fouad Fakhouri.

**MOTION: Commissioner Baggett moved to approve the presentation.**

**SECOND: Commissioner King**

**VOTE: UNANIMOUS**

Dr. Curtis introduced the new conductor of the Fayetteville Symphony Orchestra, Fouad Fakhouri. Carolina Parsons, Executive Director of the Fayetteville Symphony, thanked the Board for its support.

3. Nominations to Boards and Committees

- A. Criminal Justice Partnership Advisory Board (1 Vacancy)

**BACKGROUND:** Captain Bob Fisher, Police Chief or Designee Representative, has retired. The Fayetteville Police Chief has recommended that Lieutenant Michael Calfee fill the vacancy.

Nominee: Lieutenant Michael Calfee

- B. Mid-Carolina Aging Advisory Committee (5 Vacancies)

**BACKGROUND:** The following terms have expired:

Bonnie Ammons – Completed first term. Is eligible to serve another three year appointment.

Sarah Bracey – Completed first term. Is eligible to serve another three year appointment.

Eleanor W. Fleishman – Completed second term. Not eligible for reappointment. Eleanor Ayers is recommended to fill the vacancy.

Barbara T. Leach – Completed second term. Not eligible for reappointment. Timothy Copeland is recommended to fill the vacancy.  
Lesley Resnick-Ward – Completed first term and has moved from the area. Patty McArdle is recommended to fill the vacancy.

Nominees: Bonnie Ammons (reappointment)  
Sarah Bracey (reappointment)  
Eleanor Ayers  
Timothy Copeland  
Patty McArdle

C. Minimum Housing Appeals Board (2 Vacancies)

BACKGROUND: The following terms have expired:

Willie McKoy - completed his first full term. Eligible for reappointment to a full three year term.  
Susan Mills – Completed second term. Not eligible for reappointment. It is recommended that Jimmy Ragland, currently serving as an Alternate Member, fill the vacancy.

Nominees: Willie McKoy (reappointment)  
Jimmy Ragland

D. Southeastern Economic Development Commission (1 Vacancy)

BACKGROUND: Erik Wells has completed his first term. Is eligible for reappointment to serve a second four year term.

Nominee: Erik Wells (reappointment)

4. Appointments to Boards and Committees

**MOTION: Commissioner Baggett moved to appoint the nominees in 4.A and 4.B to the respective boards.**  
**SECOND: Commissioner King**  
**VOTE: UNANIMOUS**

A. Cape Fear Valley Health System Board of Trustees (1 Vacancy)

Nominee: Katheryn Jenifer

B. Nursing Home Advisory Board (2 Vacancies)

Nominees: Martha McKoy  
Mariela Walker

**MOTION: Commissioner Henley moved to recess the Board of Commissioners Meeting so the Board could meet as the NORCRESS Governing Board.**  
**SECOND: Commissioner Melvin**  
**VOTE: UNANIMOUS**

**Note: The NORCRESS Board met. Minutes of its meeting may be found in the Minute Book for Sewer District meetings.**

**MOTION: Commissioner Henley moved to reconvene the Board of Commissioners.**  
**SECOND: Commissioner King**  
**VOTE: UNANIMOUS**

5. Closed Session: A. Property Matter Pursuant to NCGS 143-318.11(a)(5).



B. Economic Development Matter  
Pursuant to NCGS 143-318.11(a)(4).

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

**SECOND: Commissioner Henley**

**VOTE: UNANIMOUS**

**MOTION: Commissioner Henley moved to go back into Open Session.**

**SECOND: Commissioner King**

**VOTE: UNANIMOUS**

**MOTION: Commissioner Henley moved to adjourn.**

**SECOND: Commissioner Melvin**

**VOTE: UNANIMOUS**

**MEETING ADJOURNED: 10:50 AM.**

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Deputy Clerk to the Board