

**CUMBERLAND COUNTY BOARD OF COMMISSIONERS
COURTHOUSE – ROOM 118
MAY 1, 2006 – 9:00 AM
REGULAR MEETING**

PRESENT: Commissioner Billy R. King, Chairman
Commissioner Kenneth Edge, Vice Chairman
Commissioner Talmage Baggett
Commissioner Breeden Blackwell
Commissioner Jeannette Council
Commissioner John T. Henley, Jr.
Commissioner Diane Wheatley
James Martin, County Manager
Juanita Pilgrim, Deputy County Manager
Cliff Spiller, Assistant County Manager
Amy Cannon, Assistant County Manager
Grainger Barrett, County Attorney
Sara VanderClute, Public Information Officer
Ann Hymes, Deputy Clerk

INVOCATION Commissioner John Henley

Minister: Rev. Jay Winston – Salem Methodist Church

Pledge of Allegiance

Recognition of Outgoing Board Member: Ron Smith, Equalization and Review Board

Recognition of Retired County Employee: David Kennedy – Department of Social Services

Special Recognition Presented to Deputy County Manager Juanita Pilgrim, Recently
Elected Chairman of the Southeastern Economic Development Commission

Addition to the Agenda

- Add Item 5.C.: Personnel Matter

1. Public Hearing

 A. Public Hearing on Economic Development Incentive to LeBleu Corporation.

BACKGROUND: This public hearing is to consider a proposed Incentive Agreement with Le Bleu Corporation to locate a distribution and bottled water bottling facility in a 2.34 acre portion of Lot 6, Cumberland Industrial Center, Cumberland County, NC and to maintain employment of 8 to 10 full time jobs. The Company will commit to make an investment in ad valorem property tax valuation, over such valuation as of January 1, 2006, of \$790,000 by December 31, 2008. In return, the County would sell a 2.34 acre portion of Lot 6, Cumberland Industrial Center to the Company for \$40,000. The Company also has the potential to expand its facility, depending on market conditions, and add a five gallon bottled water bottling line within three years. If the Company expanded to add the additional bottling line, it would make an additional investment in ad valorem property tax valuation of approximately \$800,000. If the Company expands its facility and adds a five gallon bottled water bottling line by January 1, 1010, the County would make an economic development incentive payment of \$10,000 to the Company. The proposed incentive payment would be based on performance by Le Bleu of its commitment, and would also be conditioned on payment of ad valorem property taxes.

ACTION: Hold public hearing, determine if the proposed agreement is in the public interest and would promote the public health, safety and welfare, and consider whether to approve proposed Incentive Agreement with Le Bleu Corporation. If approved, approve the proposed Incentive Agreement with Le Bleu Corporation, with such revisions to the Incentive Agreement as may be acceptable to the County Manager and County Attorney, and authorize the Chairman to sign on behalf of the County.

The Chairman of the Board opened the Public Hearing.

Speakers: Phyllis Owens, Executive Vice President of the Cumberland County Business Council, said this has been an ongoing project for over seven years. CCBC appreciates the County's efforts in getting the land developed to Le Bleu's satisfaction.

MOTION: Commissioner Blackwell moved to approve the Incentive Agreement for Le Bleu Corporation.

SECOND: Commissioner Council

VOTE: UNANIMOUS

The Chairman of the Board closed the Public Hearing.

- B. Public Hearing on the FY 2006-2007 Annual Rural Operating Assistance Program (ROAP) Grant.

BACKGROUND: The NCDOT deadline for the yearly application for Rural Operating Assistance Program funds is May 12, 2006. This grant incorporates three parts of the Community Transportation Program: the Rural General Public allotment, Elderly and Disabled Transportation Assistance Program allotment, and the Work First allotment. The total award amount for the FY 06-07 ROAP Grant is \$260,546. The breakdown of funding is: Elderly and Disabled Transportation Assistance Program - \$106,199; Work First - \$48,836; Rural General Public - \$105,511. There is no local match required for the EDTAP or Work First funds. RGP funding is \$105,511. A local match of 10% of the fully allocated cost equals \$10,551, resulting in an overall total of \$116,062. RGP funds are currently being used for a bus route to Spring Lake, NC from the Cross Creek Mall. The Board of Alderman of the Town of Spring Lake has committed to provide the required local match if enough funding is not generated from the fares collected from passengers to cover the local match. The TAB is not requesting that Cumberland County provide any local match.

ACTION: Conduct hearing and approve the FY06-07 Application for ROAP grant funds.

The Chairman of the Board opened the Public Hearing.

Speakers: Kristine Wagner, Transportation Coordinator for the Planning and Inspections Department, provided a brief presentation of the ROAP Application and requested approval.

MOTION: Commissioner Edge moved to approve the FY 2006-2007 Rural Operating Assistance Program Grant Application.

SECOND: Commissioner Henley

VOTE: UNANIMOUS

The Chairman of the Board closed the Public Hearing.

2. Consent Agenda

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

SECOND: Commissioner Wheatley

VOTE: UNANIMOUS

- A. Approval of minutes for the April 18, 2005 regular meeting.

ACTION: Approve

- B. Approval of Submission of 2006 Community Development Annual Action Plan.

BACKGROUND: Entitlement for this funding year is as follow:

Community Development Block Grant:	\$1,423,167
HOME Investment Partnership Act:	\$ 631,472
American Dream Down Payment Initiative:	\$ 12,935

A public hearing was held on April 18, 2006. There were no speakers.

ACTION: Approve submission of the Plan.

- C. Approval of the Cumberland County Juvenile Crime Prevention Council Contracts Representing Funding Allocations for July 1, 2006 through June 30, 2007.

BACKGROUND: The Juvenile Crime Prevention Council contracts are submitted to the Board for approval prior to submitting to the State.

ACTION: Approve the FY07 funding plan.

- D. Approval of Proclamation Proclaiming the Week of May 7-13, 2006 as “Cumberland County Law Enforcement Week” and May 10, 2006 as “Peace Officers Memorial Day” in Cumberland County.

ACTION: Approve.

CUMBERLAND COUNTY

NORTH CAROLINA

PROCLAMATION

WHEREAS, Cumberland County recognizes the heroism of all law enforcement officers who have died in the line of duty – giving their lives to protect and serve the citizens of our country; and

WHEREAS, the Cumberland County Sheriff’s Office has lost twelve officers in the line of duty; and

WHEREAS, a permanent memorial has been designated and erected in memory of all those fallen officers and placed on the grounds of the Cumberland County Courthouse and the Sheriff’s Office.

NOW, THEREFORE, the Cumberland County Board of Commissioners hereby proclaims May 7-13, 2006 as “*CUMBERLAND COUNTY LAW ENFORCEMENT OFFICERS’ WEEK*” and May 10, 2006 as “*PEACE OFFICERS MEMORIAL DAY.*” With this proclamation, the Board encourages all citizens of Cumberland County to recognize the contributions of those who serve their community in potentially dangerous circumstances and the ultimate sacrifice by those who have given their lives protecting and serving this county.

- E. Approval of a Resolution Seeking North Carolina General Assembly Funding for the Support of the Fort Bragg/Pope Air Force Base Regional Land Use Advisory Commission (RLUAC).

ACTION: Approve.

CUMBERLAND COUNTY

RESOLUTION SEEKING NORTH CAROLINA GENERAL ASSEMBLY FUNDING FOR THE SUPPORT OF THE FORT BRAGG/POPE AIR FORCE BASE REGIONAL LAND USE ADVISORY COMMISSION (RLUAC)

WHEREAS, the Fort Bragg/Pope Air Force Base Regional Land Use Advisory Commission (RLUAC) was organized in 1991 for the purpose of balancing the need to protect the military training areas from incompatible urban development, the Longleaf Pine Ecosystem from destruction, and the safety of the civilian population living near the bases;

WHEREAS, for nearly fifteen years RLUAC has been very successful in raising the public awareness of these important issues and encouraging sustainable land use practices;

WHEREAS, to become a permanent influence in the Fort Bragg region, RLUAC incorporated in September 2004 and achieved tax-exempt status as a 501(c)(3) corporation in February 2006;

WHEREAS, since RLUAC’s membership is limited to Fort Bragg, Pope Air Force Base, seven counties and eleven municipalities, its opportunities to raise funding in support of its budget are very limited (local government dues only generate approximately \$11,000 annually);

WHEREAS, RLUAC’s modest budget obligations cannot be met without an annual appropriation from the North Carolina State Budget;

WHEREAS, the County of Cumberland is a member of RLUAC and supports its mission, as stated in the adopted Bylaws;

WHEREAS, the County of Cumberland intends to continue financially supporting RLUAC with its own annual payment of membership dues.

THEREFORE, BE IT RESOLVED, that the County of Cumberland formally requests that the North Carolina General Assembly approve an annual and reoccurring appropriation of \$35,000 to support the RLUAC budget.

- F. Approval of a Resolution Declaring May 6, 2006 as “Cumberland County Litter Free Watershed Day” in Cumberland County.

ACTION: Adopt Resolution.

**A RESOLUTION OF BOARD OF COMMISSIONERS OF CUMBERLAND COUNTY
DECLARING MAY 6, 2006 AS CUMBERLAND COUNTY
LITTER FREE WATERSHED 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, litter 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, Litter Free Watershed is partnered with North Carolina Big Sweep, 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 May 1, 2006, does hereby declare May 6, 2006 as CUMBERLAND COUNTY LITTER FREE WATERSHED DAY in Cumberland County, and does further hereby urge every citizen to do his or her part to restore the beauty and function of our lakes and streams by volunteering to participate in the Litter Free Watershed event.

- G. Budget Revisions:

ACTION: Approve

- (1) Emergency Services

Revision in the amount of \$48,430 to recognize additional state funding.
(B06-330) **Funding Source – State**

- (2) Sheriff

Revision in the amount of \$30,714 to recognize sale of fixed assets and insurance settlements to replace four patrol vehicles. (B06-332) **Funding Source – Other**

- (3) General Government Other

Revision in the amount of \$1,464,912 to appropriate designated fund balance to relocate and upgrade fire and EMS consoles and to fund the County's share of the upgrade to the City of Fayetteville's radio system. (B06-328) **Funding Source – Designated Fund Balance**

(4) Health Department

- a. N.C. Bioterrorism Pandemic Influenza- Revision in the amount of \$13,175 to recognize state funding for the NC Bioterrorism Pandemic Influenza program. (B06-334) **Funding Source – State**
- b. Administration- Revision to appropriate Health Department fund balance of \$5,997 to fund additional architect fees associated with the proposed building renovation. (B06-333) **Funding Source – Health Department Fund Balance**

ITEMS OF BUSINESS

3. Nominations to Boards and Committees

A. Animal Control Board (3 Vacancies)

BACKGROUND: The above committee has the following vacancies:

Knowledge & Experience in Dog Behavior and/or Handling Position

Paula Thompson – Completing first term. Eligible for reappointment.

Promoting Goals of the Animal Protection Society or the Humane Society or Another Such Broadly-Based and Representative Organization Interested in the Care and Protection of Animal Position

Tommy Griffin – Completing first term. Eligible for reappointment.

City of Fayetteville Resident Position

Linda Hardy Lewis – Completing first term. Eligible for reappointment.

Nominees: Paula Thompson
Tommy Griffin
Linda Hardy Lewis

B. Cumberland County Home and Community Care Block Grant Committee (1 Vacancy)

BACKGROUND: Older Consumer Representative: Jack Harnsberger resigned. Replacement needed.

Nominee: Edwin Deaver

C. Fayetteville Technical Community College Board of Trustees (1 Vacancy)

BACKGROUND: The term for Lula Crenshaw will expire June 30, 2006. Eligible for reappointment.

Nominee: Lula Crenshaw

D. Storm Water Advisory Board (1 Vacancy)

BACKGROUND: The term of Clifton McNeill, Sr. will expire June 30, 2006. Not eligible for reappointment. Replacement needed.

Nominee: Roosevelt Odom

4. Appointments to Boards and Committees

A. Adult Care Home Community Advisory Committee (1 Vacancy)

Nominee: Janet Pelley (Reappointment)

ACTION: Appoint the nominee.

MOTION: Commissioner Blackwell moved to appoint the nominee in Item 4A.

SECOND: Commissioner Council.

VOTE: UNANIMOUS

5. Closed Session
- A. Economic Development Matter
Pursuant to NCGS 143-318.11(a)(4)
 - B. Attorney Client Matter
Pursuant to NCGS 143-318.11(a)(3)
 - C. Personnel Matter
Pursuant to NCGS 143-318.11(a)(6)

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

SECOND: Commissioner Henley

VOTE: UNANIMOUS

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

SECOND: Commissioner Baggett

VOTE: UNANIMOUS

MOTION: Commissioner Edge moved to adjourn.

SECOND: Commissioner Wheatley

VOTE: UNANIMOUS

MEETING ADJOURNED: 9:55 AM.

Deputy Clerk to the Board