

CUMBERLAND COUNTY BOARD OF COMMISSIONERS  
DECEMBER 1, 2008, 9:00AM  
REGULAR MEETING

PRESENT: Commissioner Breeden Blackwell, Chairman  
Vice Chair Jeannette Council  
Commissioner Kenneth Edge  
Commissioner John T. Henley, Jr.  
Commissioner Ed Melvin  
Commissioner Billy R. King  
Commissioner Diane Wheatley  
James Martin, County Manager  
Juanita Pilgrim, Deputy County Manager  
Cliff Spiller, Asst. County Manager  
Amy Cannon, Asst. County Manager  
Grainger Barrett, County Attorney  
Harvey Raynor, Deputy County Attorney  
Sara VanderClute, PIO  
Marsha Fogle, Clerk  
Marie Colgan, Deputy Clerk

INVOCATION          Commissioner John Henley

Minister:          District Court Judge Talmage Baggett

Pledge of Allegiance

Recognition of Cumberland County Outstanding Employee Award:

Renee Aguilar – Office of the Register of Deeds

Special Recognition to the Cumberland County Day Reporting Center on the 2008 Criminal Justice Partnership Program of Excellence Award for Division II

Special Recognition to Sheriff Earl Butler from the Southeastern Association of Area Agencies on Aging on Receiving the Aging Impact Award for Contributions to the Lives of Older Americans

ADDITION TO THE AGENDA:    Closed Session for Attorney Client Matter

MOTION:          Commissioner Edge moved to add the above item to the agenda.

SECOND:          Commissioner Melvin

VOTE:            UNANIMOUS

1.          Election of Officers:

Chairman Breeden Blackwell thanked the Board for its support during his year as Chairman and noted while the Board accomplished a great deal, there is still a lot to be done, particularly with the water contamination issues in the County. He noted this Board worked together very well,

even though they sometimes had different view on issues. He said they always put the County first and he was so pleased to be associated with these Board members.

A. Chairman

MOTION: Commissioner Edge moved to appoint Commissioner Jeannette Council, Chairperson of the Board of Commissioners.

SECOND: Commissioner Melvin

VOTE: UNANIMOUS

B. Vice Chairman

MOTION: Commissioner Blackwell moved to appoint Commissioner Billy King, Vice Chairman of the Board of Commissioners.

SECOND: Commissioner Melvin

VOTE: UNANIMOUS

2. Presentation of Plaque to Outgoing Chairman.

The newly elected Chairperson presented a gavel plaque to outgoing Chairman Breeden Blackwell.

Commissioner Jeannette Council thanked the Board for electing her Chairperson. She noted the Board works well together as a group, always keeping in mind that service to the citizens is of utmost importance.

3. Consent Agenda

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

SECOND: Commissioner Henley

VOTE: UNANIMOUS

A. Approval of Minutes for the November 17, 2008 regular meeting.

ACTION: Approve

B. Approval of Bonds for Public Officials.

BACKGROUND: The Board of Commissioners, at its first meeting in December must approve Bonds for certain county officials.

ACTION: Approve Bonds

<u>Name/Position</u>	<u>Amount</u>	<u>Expires</u>	<u>Broker</u>	<u>Carrier</u>
Finance Officer	\$100,000	Indefinite	Marsh	Ohio Casualty

(Amy Cannon)				Ins. Co.
Asst. Finance Officer (Howard Abner)	\$ 50,000	Indefinite	Marsh	Ohio Casualty Ins. Co.
Asst. Finance Officer (Terry Gagnon)	\$ 50,000	Indefinite	Marsh	Ohio Casualty Ins. Co.
Register of Deeds (J. Lee Warren, Jr.)	\$ 25,000	Indefinite	Marsh	Ohio Casualty Ins. Co.
Tax Administrator (Aaron Donaldson)	\$200,000	Indefinite	Marsh	Ohio Casualty Ins. Co.
Sheriff (Earl Butler)	\$ 25,000	12-06-10	Marsh	Ohio Casualty Ins. Co.
Sheriff's Office Chief Deputy Paul Hinson	\$ 20,000	Indefinite	Marsh	Ohio Casualty Ins. Co.
Mental Health (Hank Debnam)	\$ 20,000	Indefinite	Marsh	Ohio Casualty Ins. Co.
Mental Health (Densie Lucas)	\$ 20,000	Indefinite	Marsh	Ohio Casualty Ins. Co.
Social Services (Brenda Reid Jackson)	\$ 20,000	Indefinite	Marsh	Ohio Casualty Ins. Co.
Civic Center Lisa Foster	\$ 20,000	6/21/09	BB&T	W. Surety
Civic Center Eric Fronczek	\$20,000	Indefinite	Marsh	Ohio Casualty Ins. Co.

C. Approval of Proposed Additions to the State Secondary Road System:

Acorn Ridge Subdivision: Saltwood Road (SR 4302 Ext.),  
Chasewater Road (SR 4301 Ext.), Aultroy Drive  
Avoncroft Drive, Mingary Avenue  
Rockfish Township: Pinecrest Drive (SR 3646 Ext.)  
Worthington Subdivision: Bramblegate Road (SR 3698 Ext.),  
Clifton Drive (SR 3699 Ext.), Rose Meadow Drive,  
Battle Forest Road, Harborgate Road

ACTION: Approve

D. Budget Revisions:

ACTION: Approve

(1) Health-Environmental/Animal Control

Revision in the amount of \$400 to move the expense budget for veterinarian rabies program from Environmental Health to the organization receiving the corresponding revenues, Animal Control. (B09-222 and B09-222A) **Funding Source - Fees**

(2) Health

South Central Partnership for Public Health - Revision in the amount of \$7,500 for unanticipated reduction in grant funding. (B09-223) **Funding Source - Grant**

(3) Sheriff

School Law Enforcement - Revision in the amount of \$9,708 to recognize revenue received from the Board of Education for two additional traffic control officers to be located at Long Hill Elementary School. (B09-179) **Funding Source – Cumberland County School System**

(4) WDC- Statewide Activities

Revision in the amount of \$30,612 to recognize additional state funding. (B09-224) **Funding Source – State**

(5) School Capital Outlay

a. Category I – Revision in the amount of \$6,137,351 to appropriate fund balance for building expenditures as approved by the Board of Education. (B09-221) **Funding Source – Sales Tax Fund Balance**

b. Category II – Revision in the amount of \$2,859,000 to appropriate fund balance for equipment expenditures as approved by the Board of Education. (B09-221A) **Funding Source – Sales Tax Fund Balance**

c. Category III – Revision in the amount of \$255,000 to appropriate fund balance for vehicles as approved by the Board of Education. (B09-221B) **Funding Source – Sales Tax Fund Balance**

- d. Lottery - Revision in the amount of \$1,376,219 to appropriate fund balance for projects as approved by the Board of Education. (B09-221C) **Funding Source – Lottery Proceeds Fund Balance**

## REGULAR AGENDA

4. Consideration of Lease and Sublease for Western Elementary School and Public Library Financing.

**BACKGROUND:** County Management hopes to go market in December to close the financing for the Western Elementary School and Western Branch Library. The Board previously approved a resolution authorizing COPs for the project. The Board of Education will convey the entire 60.702 site to the County at or prior to Closing. The County at Closing will lease the entire site to the Board of Education for a term co-extensive with the term of the financing. The lease will contain customary provisions regarding utilities, insurance, condemnation or casualty loss, maintenance, cross-licenses for parking, sidewalks and utilities, party wall provisions, etc. Simultaneously at Closing, the Board of Education will sublease a 3.625 acre portion of the property to the County for the branch public library, for a term co-extensive with the term of the lease. The lease and sublease will be subordinate and subject to a first lien on the Property to the Trustee to secure this financing. Upon full satisfaction of this financing, the lease will terminate and the County will re-convey the Property to the Board of Education in consideration of a lease for the branch public library from the Board of Education to the County for a term of 75 years on mutually satisfactory terms and conditions.

**ACTION:** Approve the lease and sublease for the Western Elementary School and Western Branch Library substantially in the form as presented to this meeting, with such minor changes or revisions consistent with the spirit and intent of this approval as may be satisfactory to the County Manager and County Attorney, and authorize the Chairman or the County Manager to sign on behalf of the county together with other documents as may be necessary or desirable to carry into effect the COPs financing transaction previously approved by the Board.

**MOTION:** Commissioner King moved to approve as noted above.  
**SECOND:** Commissioner Blackwell  
**VOTE:** UNANIMOUS

5. Consideration of Adoption of 2009 Board of Commissioners Regular Meeting Dates.

**BACKGROUND:** The Board of Commissioners, at its first meeting in December, usually approves its regular meeting schedule for the following year.

**ACTION:** Approve the following meeting schedule.

January 5, 2009, 9:00AM  
January 20, 2009, 6:45PM (Tuesday)

February 2, 2009, 9:00AM  
February 17, 2009, 6:45PM (Tuesday)

March 2, 2009, 9:00AM  
March 16, 2009, 6:45PM

April 6, 2009, 9:00AM  
April 20, 2009, 6:45PM

May 4, 2009, 9:00AM  
May 18, 2009, 6:45PM

June 1, 2009, 9:00AM  
June 15, 2009, 6:45PM

July - NO MEETINGS

August 3, 2009, 9:00AM  
August 17, 2009, 6:45PM

September 8, 2009, 9:00AM (Tuesday)  
September 21, 2009, 6:45PM

October 5, 2009, 9:00AM  
October 19, 2009, 6:45PM

November 2, 2009, 9:00AM  
November 16, 2009, 6:45PM

December 7, 2009, 9:00AM  
December 21, 2009, 6:45PM

Note: All meetings are on Monday except as noted above.

6. Nominations to Boards and Committees

A. Civic Center Commission (5 Vacancies)

Vacancies: Elizabeth Varnedoe – eligible for reappointment  
Ann Mitchell – not eligible for reappointment. Olivia Chavis has been recommended to fill this vacancy

Robert Smith – not eligible for reappointment. Pat Williford has been recommended to fill this vacancy

Jon Warren – not eligible for reappointment. Ramona Moore has been recommended to fill this vacancy

William E. Tew – not eligible for reappointment. Wayne Beard, Sr., has been recommended to fill this vacancy

Nominees: Elizabeth Varnedoe (reappointment)  
Olivia Chavis  
Pat Williford  
Ramona Moore  
Wayne Beard, Sr.

B. Local Emergency Planning Committee (1 Vacancy)

Vacancy: Captain Benjamin Major (fire fighting representative) – not eligible for reappointment. Assistant Chief Thomas “Mike” Allen has been recommended to fill the vacancy

Nominee: Assistant Chief Thomas “Mike” Allen

C. Transportation Advisory Board (1 Vacancy)

Vacancy: Sharon Stanley (Health Department Director/Designee). Terresio Pope has been recommended to fill this vacancy

Nominee: Terresio Pope (Health Department Designee)

7. Appointments to Boards and Committees

MOTION: Commissioner King moved to appoint the nominees in item 7A-7H.

SECOND: Commissioner Edge

VOTE: UNANIMOUS

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

Nominees: Sandra Ebron  
Cassandra Haire

B. Board of Health (3 Vacancies)

Nominees:

<u>General Public Representative:</u>	Rev. Dr. Cureton L. Johnson (Reappointment)
<u>Pharmacist:</u>	Tom Nicholson (Reappointment)
<u>Physician:</u>	Dr. Cynthia Norris (Reappointment)

D. Fayetteville Area Convention & Visitors Bureau (2 Vacancies)

Nominees:

Hotels/Motels Under 100 Rooms Representative: Dan Roberts  
Hotels/Motels Over 100 Rooms Representative: Chintan Patel

E. Human Relations Commission (1 Vacancy)

Nominee: Elvin McNeill

F. Mental Health Board (2 Vacancies)

Nominees:

Mental Health Representative from a  
Citizens Organization or Primary Consumer: Luis Collazo

Professional Representative (Psychology,  
Social Work, Nursing, Religion): Rev. Floyd Johnson, Jr.

G. Minimum Housing Appeals Board (1 Vacancy)

Nominee: Alternate Member: Louis King (Reappointment)

H. Nursing Home Advisory Board (1 Vacancy)

Nominee: Marilyn Homer

I. Transportation Advisory Board (2 Vacancies)

Nominees:

City of Fayetteville Representatives: Adolphus Thomas  
County Planning Dept Director or Designee: Cecil Combs

8. Closed Session – Attorney Client Matter – NCGS 143-318.11-(a)(3)

MOTION: Commissioner King moved to go into Closed Session for the above noted matter.  
SECOND: Commissioner Melvin  
VOTE: UNANIMOUS

MOTION: Commissioner Henley moved to go back into Open Session.  
SECOND: Commissioner King  
VOTE: UNANIMOUS

MEETING ADJOURNED: 9:54AM.



