

CUMBERLAND COUNTY BOARD OF COMMISSIONERS
JUNE 15, 2009, 6:45PM
REGULAR/REZONING MEETING

PRESENT: Chairman Jeannette Council
Vice Chairman Billy R. King
Commissioner Kenneth Edge
Commissioner Marshall Faircloth
Commissioner Jimmy Keefe
Commissioner Ed Melvin
James Martin, County Manager
Juanita Pilgrim, Deputy County Manager
Amy Cannon, Asst. County Manager
Grainger Barrett, County Attorney
Harvey Raynor, Deputy County Attorney
Sally Shutt, Communications Manager
Marie Colgan, Deputy Clerk
Tom Lloyd, Planning/Inspections Department Director
Marsha Fogle, Clerk

INVOCATION - Commissioner Jimmy Keefe

PLEDGE OF ALLEGIANCE

PUBLIC COMMENT PERIOD (6:45 PM – 7:00 PM) – NO SPEAKERS

ADDITIONS TO AGENDA:

Presentation of Proclamation to Marsha Fogle, retiring Clerk to the Board of Commissioners.

Appointment of an alternate voting member for the NACo Conference.

MOTION: Commissioner Faircloth moved to add the above items to the Agenda.
SECOND: Commissioner King
VOTE: UNANIMOUS

Recognition: Presentation of a Proclamation to Marsha Fogle, retiring Clerk to the Board of Commissioners

The Board presented the Clerk with a proclamation recognizing her years of service and proclaiming June 30, 2009 “Marsha Fogle Day” in Cumberland County.

PROCLAMATION

WHEREAS, Marsha Fogle began working for Cumberland County on July 15, 1974; and

WHEREAS, Marsha Fogle was appointed to the position of Clerk to the Board on November 1, 1977; and

WHEREAS, Marsha Fogle has tirelessly served the citizens and the Cumberland County Board of Commissioners for more than three decades in a most caring and commendable way; and

WHEREAS, Marsha Fogle is known throughout Cumberland County as a true and faithful public servant and has deep and abiding love of Cumberland County and its people; and

WHEREAS, Marsha Fogle has served as an admirable role model throughout her professional career; and

WHEREAS, Marsha Fogle has demonstrated a positive image as the Clerk to the Cumberland County Board of Commissioners; and

WHEREAS, Marsha Fogle has exhibited admirable skills and competence in maintaining accurate minutes of the public's business as it is executed by the Commissioners; and

WHEREAS, Marsha Fogle has earned the respect and admiration of the Cumberland County Board of Commissioners, her peers, colleagues and coworkers as well as the citizens of Cumberland County; and

WHEREAS, Marsha Fogle will retire on June 30, 2009;

NOW, THEREFORE, BE IT RESOLVED that the Cumberland County Board of Commissioners proclaims June 30th as "Marsha Fogle Day" in Cumberland County and calls upon the citizens of Cumberland County to join us in observing this day in honor of Marsha Fogle who has played such a vital role as Clerk to the Cumberland County Board of Commissioners. Our heartfelt best wishes are extended to her and her family.

1. Consent Agenda

MOTION: Commissioner King moved to approve the items on the Consent Agenda.
SECOND: Commissioner Edge
VOTE: UNANIMOUS

- A. Approval of minutes for the June 1, 2009 regular meeting and the June 1, and June 2, 2009 Budget Work Sessions and the June 8, 2009 Special Called Meeting and the June 8, 2009 Budget Public Hearing.

ACTION: Approve

- B. Approval of the FY10 Home and Community Care Block Grant for Older Adults Agreement Between County of Cumberland and Mid-Carolina Area Agency on Aging and 2009-2010 County Funding Plan.

BACKGROUND: This Funding Plan is a means to provide coordination through community-based resources in the delivery of comprehensive aging services to older adults. The total grant amount is \$1,382,320 with a local match of \$101,834 (County) and \$51,757 (Other). Mid Carolina Area Agency on Aging will administer the Plan.

ACTION: Approve

- C. Approval of Change Order #3 – Rentenbach Constructors – New Public Health Center Project.

BACKGROUND: In May, 2008, the Board entered into a contract with Rentenbach Constructors in the amount of \$22,190,429 for construction of the new Health Building. A contingency in the amount of \$537,435 was also approved. To date, two change orders have been approved totaling \$35,033. Change Order #3 in the amount of \$103,046 is for some additional work on the project as noted below:

| | |
|--------------------------------|----------------|
| Revisions at building exterior | Add: \$36,098 |
| Revisions at building interior | Add: \$15,349 |
| Code Compliance revisions | Add: \$39,982 |
| Design revisions | Add: \$12,002 |
| HVAC revisions (credit) | Deduct: \$ 385 |

Net increase in contract amount is \$138,079 which equates to 0.62% of the original amount of the contract. Money is available in the project contingency to fund the Change Order.

ACTION: Approve Change Order #3 in the amount of \$103,046 for the work noted above and increase the contract sum to \$22,328,508, and approved associated budget revision (B09-394).

D. Public Notice of Community Development Housing Rehabilitation Program – Request for HUD Approval of Exception to the Conflict of Interest Rule.

BACKGROUND: Erma Sweat, mother of Carlis Sweat, a Community Development employee, has applied for a housing rehabilitation loan for her residence at 4484 Highway 242, Roseboro, NC and is eligible to receive the loan. Thanena Wilson, Director of the Community Development Department, assures that the decision making process used for this application is the same impartial and objective process used in all other such applications. The County Attorney’s office has reviewed the application and finds no conflict of interest provided Ms. Sweat is in all ways eligible for the program, Carlis Sweat will not supervise or in any way influence approval of the application, and Carlis Sweat has no ownership interest in the property, nor resides on the property. This issue is being presented to the Board as matter of disclosure for public record.

NO ACTION IS NEEDED.

E. Approval of Adoption of an Identity Theft Prevention Program to Comply with Federal Regulations Relating to Red Flags and Identity Theft.

BACKGROUND: The Federal Trade Commission (FTC) issued regulations requiring creditors to develop and implement a written program to detect, prevent and mitigate identify theft. Included in the definition of a “creditor” is any government or governmental subdivision or agency that regularly extends the right to purchase services and defer payment for the service. The written program must be approved by the creditor’s board of director or committee of the board of directors. The FTC rules became effective November 1, 2008, however the FTC extended the compliance date to August 1, 2009. The County’s Solid Waste Department extends credit and therefore is subject to the FTC regulations. The Health Department has adopted a separate Red Flag and Identity Theft Policy applicable to credit it extends on some patient accounts.

ACTION: Approve Resolution adopting the Program.

A Resolution of the Cumberland County Board of Commissioners Adopting an Identity Theft Protection Policy and Breach Response Plan

WHEREAS pursuant to federal law the Federal Trade Commission adopted Identity Theft Rules (the “Identity Theft Rules”) requiring the creation of certain policies relating to the use of consumer reports, address discrepancy and the detection, prevention and mitigation of identity theft;

WHEREAS, the Federal Trade Commission regulations, adopted as 16 CFR § 681.2, require creditors as defined by 15 U.S.C. § 168a(r)(5) to adopt red flag policies to prevent and mitigate identity theft with respect to covered accounts;

WHEREAS 15 U.S. C. § 1681a (r)(5) cites 15 U.S.C. 1691a, which defines creditor as a person that extends, renews or continues credit, and defines ‘credit’ in part as the right to purchase property or services and defer payment therefore;

WHEREAS the County of Cumberland is a creditor with respect to 16 CFR § 681.2 by virtue of certain departments, agencies or functions accepting payment for county services in arrears;

WHEREAS the Identity Theft Rules define “covered account” in part as an account that a creditor provides for personal, family or household purposes that is designed to allow multiple payments or transactions;

WHEREAS the Identity Theft Rules require each creditor to adopt and implement an Identity Theft Prevention Program which will identify and use red flags to detect, prevent, and mitigate identity theft related to information used in covered accounts;

WHEREAS the duly elected governing authority of the County of Cumberland is the Cumberland County Board of Commissioners;

WHEREAS, the Cumberland County Board of Commissions desires to comply with the Identity Theft Rules by formally adopting a policy concerning the protection of customer information it obtains through covered programs and services.

NOW, THEREFORE, BE IT RESOLVED, that the Board of Commissioners of Cumberland County adopts the following Identity Theft Protection Policy and Breach Response Plan (the “Policy”):

I. PROGRAM PURPOSE AND DEFINITIONS

A. Purpose

The purpose of this policy is to identify programs and services where information is collected by county departments from citizens in a “creditor” relationship, determine whether such information is maintained in “covered accounts” containing customer “identifying information” per federal regulations, and establish procedures for the security of such information, as those terms are defined by the Identity Theft Rules.

B. Definitions

- (a) Covered Accounts . An account that a financial institution or creditor offers or maintains, primarily for personal, family or household purposes, that involves or is designed to permit multiple payments or transactions; or any other account that the financial institution or creditor offers or maintains for which there is a reasonably foreseeable risk to customers or to the safety and soundness of the financial institution or creditor from identity theft, including financial, operational, compliance, reputation or litigation risks.
- (b) Credit . The right granted by a creditor to a debtor to defer payment of debt or to incur debts and defer its payment or to purchase property or services and defer payment therefore.
- (c) Creditor . Any department, agency or function of the County overseen by the County Manager that regularly extends, renews, or continues creditor that regularly arranges for the extension, renewal, or continuation of credit; or any assignee of an original creditor who participates in the decision to extend, renew, or continue credit.
- (d) Identifying Information . Any name or number that may be used, alone or in connection with any other information, to identify a specific person, including any:
 - 1. Name, social security number, date of birth, official state or government issued driver’s license or identification number, alien registration number;
 - 2. Unique biometric data, such as fingerprint, voiceprint, retina or iris image, or other unique physical representation;
 - 3. Unique electronic identification number, address or routing code; or
 - 4. Telecommunication identifying information or access device.

C. Accounts

Cumberland County Solid Waste Department landfill “credit” accounts are covered by this Policy. If other County accounts offered or maintained by any other County departments, agencies or functions overseen by the County Manager are determined to be “covered” they will be included under this Policy as well.

II. IDENTIFICATION OF RED FLAGS.

In order to identify relevant Red Flags, the County considers the types of credit accounts that it offers and maintains, the methods it provides to open those credit accounts, the methods it provides to access those credit accounts, and any previous experiences with Identity Theft. The County identifies the following red flags, in each of the listed categories:

A. Notifications and Warnings From Credit Reporting Agencies

Red Flags

- 1. Report of fraud accompanying a credit report;
- 2. Notice or report from a credit agency of a credit freeze on a customer or applicant;
- 3. Notice or report from a credit agency or an active duty alert for an applicant; and
- 4. Indication from a credit report of activity that is inconsistent with a customer’s usual pattern or activity.
- 5. Any other credit account the County offers or maintains for which there is a reasonably foreseeable risk to customers or to the safety and soundness of the County from Identity Theft.

B. Suspicious Documents

Red Flags

- 1. Identification document or card that appears to be forged, altered or inauthentic;

2. Identification document or card on which a person's photograph or physical description is not consistent with the person presenting the document;
3. Other document with information that is not consistent with existing customer information (such as if a person's signature on a check appears forged); and
4. An application that appears to have been altered or forged.
- 5.

C. Suspicious Personal Identifying Information

Red Flags

1. Identifying information presented that is inconsistent with other information the customer provides (example: inconsistent birth dates);
2. Identifying information presented that is inconsistent with other sources of information (for instance, an address not matching an address on a credit report);
3. Identifying information presented that is the same as information shown on other applications that were found to be fraudulent;
4. Identifying information presented that is consistent with fraudulent activity (such as an invalid phone number or fictitious billing address);
5. Social security number presented that is the same as one given by another customer.
6. An address or phone number presented that is the same as that of another person.
7. A person fails to provide complete personal identifying information on an application when reminded to do so (however, by law social security numbers must not be require; and
8. A person's identifying information that is not consistent with the information that is on file for the customer.

D. Suspicious Account Activity or Unusual Use of Account

Red Flags

1. A Change of address for a credit account followed by a request to change the credit account holder's name;
2. Payments stop on an otherwise consistently up-to-date account;
3. Credit account used in a way that is not consistent with prior use (example: very high activity);
4. Mail sent to the credit holder is repeatedly returned as undeliverable;
5. Notice to the County that a customer is not receiving mail sent by the County;
6. Notice to the County that a credit account has unauthorized activity;
7. Breach of the County's computer system security; or
8. Unauthorized access to or use of customer credit account information.

E. Alerts from Others

Red Flags

Notice to the County from a customer, identity theft victim, law enforcement or other person that it has opened or is maintaining a fraudulent account for a person engaged in Identity Theft.

IV. DETECTING RED FLAGS.

A. New Accounts

In order to detect any of the Red Flags identified above associated with the opening of a new credit account, County personnel will take the following steps to obtain and verify the identity of the person opening the account:

1. Require certain identifying information such as name, date of birth, residential or business address, principal place of business for an entity, driver's license or other photo ID;
2. Verify the customer's identity (for instance, review a driver's license or other identification card);
3. Review documentation showing the existence of a business entity; and
4. Independently contact the customer.

B. Existing Credit Accounts

In order to detect any of the Red Flags identified above for an **existing credit account**, County personnel will take the following steps to monitor transactions with an account:

1. Verify the identification of customers if they request information (in person, via telephone, via facsimile, via email);
2. Verify the validity of request to change billing addresses; and
3. Verify changes in banking information given for billing and payment purposes.

V. PREVENTING AND MITIGATING IDENTITY THEFT

If County personnel detect any identified Red Flags, such personnel shall take one or more of the following steps, depending on the degree of risk posed by the Red Flag, as well as taking into confidentiality laws related to certain information.

A. Prevent and Mitigate

1. Continue to monitor a credit account for evidence of Identity Theft;
2. Contact the customer;
3. Change any passwords or other security devices that permit access to credit accounts;
4. Not open a new credit account;
5. Close an existing credit account;
6. Reopen a credit account with a new number;
7. Notify the Finance Director for determination of the appropriate steps to take;
8. Notify law enforcement; or
9. Determine that no response is warranted under the particular circumstances.

B. Protect customer identifying information

In order to further prevent the likelihood of identity theft occurring with respect to County credit accounts, the County will take the following steps with respect to its internal operating procedures to protect customer identifying information:

1. Ensure that its website is secure or provide clear notice that the website is not secure;
2. Ensure complete and secure destruction of paper documents and computer files containing customer information;
3. Ensure that office computers are password protected and that computer screens lock after a set period of time;
4. Keep offices clear of papers containing customer information;
5. Request only the last 4 digits of social security numbers (if any);
6. Ensure computer virus protection is up to date; and
7. Require and keep only the kinds of customer information as is necessary for the purpose of the credit account.

VI. PROGRAM UPDATES

This Program will be periodically reviewed and updated to reflect changes in risks to customers and the soundness of the County from Identity Theft. At least annually, the Finance Director will consider the County's experience with Identity Theft situations, changes in Identity Theft methods, changes in Identity Theft detection and prevention methods, changes in types of credit accounts the County maintains and changes in the County's business arrangements with other entities. After considering these factors, the Finance Director will determine whether changes to the Policy, including the listing of Red Flags, are warranted. If warranted, the Finance Director will update this Policy or present the Board of Commissioners with his or her recommended changes and the Board of Commissioners will make a determination of whether to accept, modify or reject those changes to this Policy.

VII. PROGRAM ADMINISTRATION.

A. Oversight

Responsibility for developing, implementing and updating this Policy lies with the Finance Officer, upon the legal advice of the County Attorney's Office. The Finance Officer will be responsible for Policy administration, for ensuring appropriate training of County staff on the Policy, for reviewing any staff reports regarding the detection of Red Flags and the steps for preventing and mitigating Identity Theft, determining which steps of prevention and mitigation should be taken in particular circumstances and considering periodic changes to the Policy.

B. Staff Training and Reports

County staff responsible for implementing the Policy shall be trained either by or under the direction of the Finance Officer in the detection of Red Flags, and the responsive steps to be taken when a Red Flag is detected.

C. Service Provider Arrangements

If the County engages a service provider to perform an activity in connection with one or more credit accounts, the County will take the following steps to ensure the service provider performs its activity in accordance with reasonable policies and procedures designed to detect, prevent, and mitigate the risk of Identity Theft.

1. Require, by contract, that service providers have such policies and procedures in place; and
2. Require, by contract, that service providers review the County's Policy, agree to comply with it, and report any Red Flags to the Finance Director.

D. Specific Program Elements and Confidentiality

For the effectiveness of Identity Theft prevention programs, the Identity Theft Rules envisions a degree of confidentiality regarding the County's specific practices relating to Identity Theft detection, prevention and mitigation. Therefore, knowledge of such specific practices is to be limited to the Finance Officer and those employees who need to know them for purposes of preventing Identity Theft. Because this Policy is to be adopted by a public body and thus be publicly, it would be counterproductive to list these specific practices here. Therefore, only the Policy's general Red Flag detection, implementation and prevention practices are, by deliberate intention, listed in this document.

- F. Approval of Modification to the Workforce Investment Act Plan to Include the Plan for American Recovery and Reinvestment Act (ARRA).

ACTION: Adopt the Plan

- G. Approval of Ordinance Assessing Property for the Cost of Demolition:

- (1) Property Owner: John W. Mace
Property Location: 388 Stephanie Street, Linden, NC
Parcel Identification Number: 0543-58-9569

BACKGROUND: The Board of Commissioners, on December 15, 2008, enacted an Ordinance directing Mr. Mace demolish the structure located at the above noted address. Mr. Mace failed to comply with the demolition with the specified time period and accordingly, the Minimum Housing Inspector had the structure demolished as required by the ordinance at a cost of \$1,175.

ACTION: Adopt Ordinance assessing the above noted property for the cost of demolition.
(ORDINANCE MAY BE FOUND IN THE MINIMUM HOUSING ORDINANCE BOOK)

- H. Budget Revisions:

ACTION: Approve revisions.

- (1) Health – South Central Partnership
Revision in the amount of \$71,597 to re-budget funds from FY2008.
(B09-393) Funding Source – State

- (2) Workers Compensation
Revision in the amount of \$300,000 to appropriate fund balance for the year end audit adjustment for workers compensation claims. (B09-389)
Funding Source- Workers Compensation Fund Balance

- (3) Group Health Insurance

Revision in the amount of \$500,000 to appropriate fund balance for the year end audit adjustments for health claims. (B09-388) **Funding Source – Group Health Insurance Fund Balance**

- (4) Emergency Services
Revision in the net amount of \$28,184 to appropriate communications fund balance of \$26,184 and to reallocate grant funds of \$15,418 to purchase two vehicles costing \$ 41,602. (B09-399) **Funding Source – Communications Fund Balance and Reallocation of Budgeted Expenditures**

- (5) School Capital Outlay Fund

Revision to reallocate sales tax fund balance from Category I Buildings to Category II Equipment and Category III Vehicles. (B09-400, B09-400A and B09-400B) **Funding Source – Reallocation of Budgeted Revenue and Expenditures**

2. Public Hearings

Uncontested Cases

Rezoning

- A. Case P09-17. The rezoning of 2.7 +/- acres from A1 Agricultural to R40A Residential, or to a more restrictive zoning district, located at 437 John Nunnery Road, owned by Sara Jane Hair Heirs.

The Planning Board recommends approval of R40A.

MOTION: Commissioner Edge moved to follow the recommendation of Planning Board and approved R40A.

SECOND: Commissioner King

VOTE: UNANIMOUS

Amendments to County Zoning Ordinance

- B. Case P09-20. Revision and amendment to the Cumberland County Zoning Ordinance, amending Article II, Interpretations, Calculations and Definitions, Section 203, Definitions of Specific Terms and Words, specifically: religious worship activity; amending Article XI, Lot and Yard Regulations, Section 1102, Yard Regulations, Sub-section G, Buffer Requirements; and updating the Table of Contents as appropriate.

The Planning Board recommends approval of the revisions as noted above.

MOTION: Commissioner Edge moved to approve.

SECOND: Commissioner King

VOTE: UNANIMOUS

Other Public Hearings

- C. Public Hearing on the Edward Byrne Memorial Justice Assistance Grant.

BACKGROUND: The Sheriff's Office and the City of Fayetteville Police Department will submit a joint application for grant funding. Each agency will use the money for its own priorities. The Sheriff's Office share is \$81,284 and the City Police Department Share is \$172,301. There is no requirement for local matching funds. The Sheriff's Office intends to use the funds to offset the cost of the connection to the FBI and SBI databases for both in-office computer terminals and MDTs in Deputy's cars.

ACTION: Hold a public hearing and following the public hearing authorize the County Manager to sign the application.

The Chairman opened the Public Hearing.

Speakers: No Speakers

The Chairman closed the Public Hearing.

MOTION: Commissioner Faircloth moved to approve.

SECOND: Commissioner King

VOTE: UNANIMOUS

D. Public Hearing on Economic Development Incentive Agreement for Clear Path Recycling LLC.

BACKGROUND: The purpose of this public hearing is to consider a proposed Incentive Agreement with Clear Path Recycling LLC to locate a PET plastic bottle recycling facility on a 52.61 acre tract on Highway 53 east of Interstate 95, a portion of the DAK Americas property. The Company expects to make a \$29 million capital outlay investment in Phase I by January 1, 2011, much of which will be tax exempt recycling equipment. The facility would have the capacity to process about 280 million pounds annually of PET bottles, or about 5 billion bottles. The Company is a joint venture of DAK Americas AND Shaw Industries. The Company expects to create approximately 76 full-time jobs at salaries of over \$11 per hour, with health and retirement benefits. The proposed Incentive Agreement would provide that the County would make grant-back incentive payments to the Company of 50% of the Company's ad valorem property taxes paid on that taxable portion of its capital investment over such taxable valuation as of January 1, 2009. Currently the amount of taxable investment will depend on exactly how much of the equipment that DENR determines to be tax exempt. Based on current estimates, the County's grant-back incentive payments could average in a range of from \$3,000 to \$7,500 per year. The County would make grant-back incentive payments beginning in January 2012 for a period of five years, but only if the Company has paid all of its property taxes. The Company has the potential to expand its facility, depending on market conditions and additional investment of \$10 million, including tax-exempt recycling equipment in a Phase II.

ACTION: Hold the public hearing, determine in the proposed agreement is in the public interest and would promote public health, safety and welfare, and consider whether to approve the Agreement. If approved, authorize the Chairman to sign on behalf of the County.

The Chairman opened the public hearing.

Speakers: Doug Peters, CEO, Chamber of Commerce: Mr. Peters spoke in favor of the Incentive Agreement and noted this is the first project in Cumberland County which falls under the new state guidelines related to recycling.

The Chairman closed the public hearing.

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

REGULAR AGENDA ITEMS

3. Update on Status of County's 800 MHz Communication System and Approval of Notice to the City of Fayetteville and PWC of County's Intent to Transition to the State VIPER System.

UPDATE ON PROJECT: The Sheriff's Office has provided a letter regarding its meetings with the City of Fayetteville over the last three year to discuss the problems that have plagued the current 800 MHz radio system. Motorola conducted a study to determine whether the City's 800 MHz system or the State's VIPER system would provide the best county-wide coverage. The study clearly indicated that the VIPER system provided superior coverage. The County has also collaborated with the City of Fayetteville to determine that the converting to the State's VIPER system would be best for both parties. To proceed with the conversion, the County has to notify the City of its intent to transition to the State VIPER system with a one-year notice to terminate the current 800 MHz Radio System Interlocal Agreement with the City and PWC. The five-year agreement, approved in June, 2006, will expire on June 30, 2010.

ACTION: Authorize the County Manager to issue a letter of intent to terminate the current Interlocal Agreement with the City of Fayetteville and PWC for 800MHz services and to transition to the North Carolina State VIPER system.

Commissioner Faircloth inquired if this VIPER system would be compatible with the fire department communication system. Mr. Kenny Currie, Director, Emergency Services, said that it would and that the rural fire departments may move to the VIPER system in the future.

MOTION: Commissioner Edge moved to approve the above noted action.
SECOND: Commissioner Melvin
VOTE: UNANIMOUS

4. Consideration of Submission of Energy Efficiency and Conservation Block Grant Program Application.

BACDGROUND: The American Recovery and Reinvestment Act of 2009 appropriated funding for the Department of Energy (DOE) to award formula-based grants to states under the Energy Efficiency and Conservation Block Grant (EECBG) Program. Cumberland County has been awarded a \$590,700 grant to conduct eligible activities under the Program. The County Engineering Department has prepared the application for submission. As part of the application, the County must designate the proper authority to apply for and receive funding. The Chairman must certify the name and contact information for the county agency that is authorized to receive funds and implement the Program.

The County will use the funding to conduct energy audits of our facilities, identify and prioritize energy conservation measures for implementation, develop an implementation schedule and evaluate opportunities for renewable energy retrofits at county facilities such as solar hot water systems. In addition to reducing energy costs, any improvements will enhance building occupant comfort; reduce deferred maintenance, decrease the need for capita dollars by funding subsequent projects with dollars saved on reduced energy use, replace banned refrigerants with environmentally friendly coolants and provide for GHG emissions reductions.

ACTION: Authorize the staff to proceed and submit the EECBG application along with certification by the Chairman.

James Martin, County Manager, thanked the County Engineer for his work on this issue.

MOTION: Commissioner King moved to approve.
SECOND: Commissioner Edge
DISCUSSION: Commissioner Faircloth inquired about the amount of stimulus money the County has received. It was noted the County received \$285,000 for Community Development; \$590,000 for this project; and \$1.7 million in funding for Workforce Development.
VOTE: UNANIMOUS

5. Nominations to Boards and Committees

A. Air Quality Stakeholders' Committee (1 Vacancy)

Vacancy: Town of Linden representative – The town recommends Elizabeth Small at its representative.

Nominee: Elizabeth Small

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

Vacancy: Yvonne Booth has completed first term and is eligible for reappointment.

Nominee: Yvonne Booth

C. Animal Service Board (2 Vacancies)

Vacancies: Paula Thomason (Knowledge & Experience in Dog Behavior and/or Handling Position: Ms. Thompson has completed her second term and is not eligible for reappointment. Tolulope Adeyemi has been recommended to fill the vacancy.

Tommy Griffin (Promoting Goals of Animal Protection Society or the Humane Society or another such broadly based representative organization in the care and protection of animals): Completed second term and not eligible for

reappointment. Cristobal S. Berry-Caban has been recommended to fill the vacancy.

Nominees: Tolulope Adeyemi
Cristobal S. Berry-Caban

D. Board of Adjustment (1 Vacancy, Alternate)

Vacancy: Martin Locklear is completing his first term and is eligible for reappointment.

Nominee: Martin Locklear

E. Cumberland County Juvenile Crime Prevention Council (4 Vacancies)

Vacancies: Henry Berry (at-large): Completed 1st term and eligible for reappointment.
Geneva Mixon (at-large): Completed 1st term and eligible for reappointment.
Douglas Parrish (at-large): Completed 1st term and eligible for reappointment.
Gregory Pitts (Substance Abuse Professional): Completed 1st term and eligible for reappointment.

Nominees: Henry Berry (at-large)
Geneva Mixon (at-large)
Douglas Parrish (at-large)
Gregory Pitts (Substance Abuse Professional)

F. Joint Appearance Commission (3 Vacancies)

Vacancies: William David McFadyen – completed 1st term, unable to serve second term
Nancy Smith – completed 1st term, eligible for reappointment.
Edna Cogdell – resigned, replacement needed.

Nominees: Nancy Smith (reappointment)
Steve Hogan
Sonya Edmonds

6. Appointments to Boards and Committees

ACTION: Appoint nominees in A-B.

MOTION: Commissioner King moved to appoint the nominees in A and B.

SECOND: Commissioner Faircloth

VOTE: UNANIMOUS

A. Air Quality Stakeholders' Committee (3 Vacancies)

Nominees:

Town of Godwin Representative: Natalee Ezzell
Town of Wade Representative: Johnny Lanthan
Industry Representative: Gene Smith

B. Criminal Justice Partnership Advisory Board (3 Vacancies)

Nominees:

District Court Judge: Beth Keever (Reappointment)
At-Large: Carrie Heffney (Reappointment)
Chris McLamb

7. Adoption of FY2010 Budget (If Not Already Adopted). Budget was adopted at the Special Meeting of the Board of Commissioners this evening at 5:00PM.

8. Closed Session – If Needed. No Closed Session Needed
9. Appointment of an alternate voting delegate to the NACo Conference.

MOTION: Commissioner Melvin moved to appoint Commissioner Edge.
SECOND: Commissioner Council
VOTE: UNANIMOUS

Meeting Adjourned: 7:30PM.

Marie Colgan, Clerk to the Board