

CUMBERLAND COUNTY BOARD OF COMMISSIONERS
DECEMBER 20, 2010 – 6:45 PM
117 DICK STREET, 1ST FLOOR, ROOM 118
REGULAR/REZONING MEETING

PRESENT: Chairman Kenneth Edge
Commissioner Jeannette Council
Commissioner Charles Evans
Commissioner Marshall Faircloth
Commissioner Jimmy Keefe
Commissioner Billy King
Commissioner Ed Melvin
James Martin, County Manager
Juanita Pilgrim, Deputy County Manager
Amy Cannon, Assistant County Manager
James Lawson, Assistant County Manager
Rick Moorefield, County Attorney
Sally Shutt, Communication & Strategic Initiatives Manager
Hank Debnam, Area Director of Mental Health
George Hatcher, Code Enforcement Officer
Candice White, Deputy Clerk to the Board
Marie Colgan, Clerk to the Board

INVOCATION - Commissioner Kenneth Edge, Chairman

PLEDGE OF ALLEGIANCE – David Edge, Michael Edge and Madeline Edge

Recognition of Outgoing Board Members:

Barbara Marshall, Board of Health – Commissioner King advised Ms. Marshall was unable to attend, but recognized her many years of service to the Board of Health.

Charles Luther, Jr., Transportation Advisory Board – Commissioner Evans recognized Mr. Luther and thanked him for his two terms on the Transportation Advisory Board. Mr. Luther thanked Commissioner Evans, the Board and the County Manager and encouraged them to continue working on the transit system within the county. His vision is to have a park and ride system within the city.

George Hatcher, Sr., Senior Citizens Advisory Commission – Commissioner Evans recognized Mr. Hatcher and thanked him for his four years service on the Senior Citizens Advisory Commission. Mr. Hatcher thanked the Board for their recognition and support of the Senior Citizens Advisory Commission.

Special Recognition of the Cumberland County Mental Health Center for Winning 2010 Program of Excellence Award for Best Practice for their Reclaiming Futures Program – Commissioner Faircloth recognized Hank Debnam, Mental Health Director, stating Cumberland County Mental Health Center was recently recognized by the North Carolina Council of Community Mental Health, Developmental Disabilities and Substance Abuse Programs with a Programs of Excellence Award for Best Practice for their Reclaiming Futures Program. Commissioner Faircloth explained the program is a family and community-centered model for improving outcomes for youth entering the juvenile justice system that may have substance abuse and/or mental health problems. Commissioner Faircloth introduced staff and other individuals who were instrumental in winning the award and praised their work with this program. Mr. Debnam thanked the Board for their recognition and introduced Sara Hallock, Executive Director with CommuniCare the agency through which the award was won. Mr. Debnam also recognized Judge Ed Pone and Mike Singletary, Chief Court Counselor, who were also involved. Ms. Hallock praised the Mental Health Center and the program. Judge Pone spoke to his hope that one day juveniles with substance abuse problems will have a gateway to reach treatment without court involvement.

Judge Pone stated that one of the biggest issues in family treatment drug court, criminal drug court, family court and the court system is transportation.

PUBLIC COMMENT PERIOD (6:45 PM – 7:00 PM)

Speakers:

Judge Beth Keever, PO Box 363, Fayetteville, NC – spoke in support of the Reclaiming Futures Program and spoke on the agenda item regarding marketability of the Old Public Health building. Judge Keever stated discussions in the court system have been going on for a number of years regarding the court system’s need to occupy the entire courthouse. Judge Keever reminded the Board of the original intent when the courthouse was built was for three buildings to be placed on the site. Projections of staffing levels in the court system through 2030 will be provided to the Board in the near future. Judge Keever asked the Board to seriously look at when it would be possible for the county offices to move out within the next 5 to 10 years so that the court system will have the space that is needed.

Charles Packer, 1733 Joe Hall Road, Hope Mills, NC – spoke regarding the questions he still has with the supplying of water to the Gray’s Creek area. He questioned whether the County has a written agreement regarding providing water to the Gray’s Creek area from Robeson and Bladen Counties such as what he assumes the county has with PWC. He also questioned whether stimulus dollars can be used to provide water to the Gray’s Creek area. Chairman Edge informed Mr. Packer that staff will be in touch with him with the answers to his questions. County Manager Martin offered to provide an answer and Chairman Edge consented. Mr. Martin stated he did approach Robeson County about supplying water to the Southpointe subdivision about a year ago and they agreed to supply water if Cumberland County would install a system in the Southpointe area and turn the system over to Robeson County. However, Mr. Martin did not feel this was what Cumberland was looking for at that time. Bladen County was also approached about selling water to Cumberland County and they agreed to do so and there is

a draft contract with them for the Southpointe area only. Neither Bladen County nor Robeson County would be in a position to provide water to the entire Gray’s Creek area at this time. Chairman Edge advised Mr. Packer if he has further questions to contact county staff.

County Manager Martin requested an addition to the agenda of a item for Closed Session, a Personnel Matter pursuant to NCGS 143-318.11(a)(6) as Item 13.B.

1. Approval of Agenda

MOTION: Commissioner Council moved to approve the agenda as presented with the addition of a Closed Session for a Personnel Matter as Item 13.B.

SECOND: Commissioner King

VOTE: UNANIMOUS

2. Presentation of the FY 2010 Annual Audit by Mr. Eddie Burke, CPA, Partner, Cherry, Bekaert and Holland, L.L.P.

BACKGROUND: The annual audit has been completed by the independent certified public accounting firm of Cherry, Bekaert and Holland. Mr. Eddie Burke, Partner, with Cherry, Bekaert & Holland, L.L.P., is prepared to present the results of the annual audit to the Board of County Commissioners at the December 20, 2010 Commissioners’ Meeting.

Mr. Eddie Burker, provided a power point presentation on the 2010 Comprehensive Annual Financial Report for fiscal year ended June 30, 2010 which explained the report which was included in the Board packet. The County was given a “unqualified/clean

opinion” on all three audit requirements which is the highest standard level of assurance which can be provided by a CPA firm. Breakdowns were provided for the following:

Countywide Statement of Net Assets Total		\$171,876,676
General Fund Summary	Total	\$ 96,263,043
General Fund Revenues	Total	\$332,683,211
Revenue over Expenditures	Total	\$ 2,993,259
\$ Amount over 10% Fund Balance Required for Fund 101	Total	\$ 2,391,868
\$ Amount over 10% Fund Balance Required for Fund 112	Total	\$ 5,924,321

This report is available on the County website.

Commissioner Keefe questioned Mr. Burke as to whether he has seen a change in opinions they have issued to government agencies this past year and questioned how

Cumberland County rates. Mr. Burke stated his agency actually issued one “qualified” opinion this past year and will be issuing an adverse opinion this year on another organization. Mr. Burke stated Cumberland County is in line with the current trend of other cities and counties with cutbacks and North Carolina is unique in that it has a significant oversight body, the Local Government Commission, which keeps a close eye on patterns and trends of the cities and counties which helps them to get involved early when concerns are seen.

Assistant County Manager Cannon used a power point presentation to provide a report on the financial condition of the County. Ms. Cannon provided information regarding the Board’s fiscal responsibilities with the review of the annual audit being one of them. Management has used a benchmarking process obtained from the School of Government for the past year. Three benchmark partners were selected: Buncombe, Durham and Forsythe counties for external comparisons. Ms. Cannon provided detailed explanations on how the following six indicators were used in comparisons of the General Fund for 2010 with the partners:

- Resource Amount – Liquidity (County 6.4% compared to 8.0% partners – the higher the ratio, the more likely to meet short-term obligations)
- Resource Amount – Solvency (County 22.8% compared to 24.29% - the higher the ratio the greater the solvency)
- Resource Amount – Leverage – (County 1.00% compared to 1.20% partners - a higher ratio indicates the General Fund is overly reliant on debt)
- Resource Flow – Service Obligations (County below 1.00% compared to over 1.06% partners - a ratio of 1.0 or higher indicates that the General Fund lived within its means).
- Resource Flow – Dependency (County over 24.0% compared to below 18.0% for partners – a lower percentage indicates less dependency)
- Resource Flow – Financial Obligation (County over 8.0% compared to over 10.0% - the lower the percentage, the greater the service flexibility)

Ms. Cannon stated that management believes the indicators show the County is and has been stable, consistent and strong. The liquidity and solvency ratios supports the fact that conservative budgeting and the practice of building fund balance has placed the County in a unique position to meet the County’s obligations and continue to provide services in difficult economic times. Ms. Cannon thanked Howard Abner and the County Finance Department for their hard work in putting the information together for the presentation and also thanked Mr. Burke for his and his firm’s quick and excellent work.

In answer to questions from the Board, Ms. Cannon advised there is no limit to the benchmark partners that can be selected for comparison and her office will extend the selection to 10 as requested by Commissioner Faircloth. In response to a question from Commissioner Keefe, Ms. Cannon stated the only area that may need to be looked into further is the Dependency area.

PROPOSED RECOMMENDATION/ACTION: Recommend that the Board of County Commissioners accept the independent auditor's report.

MOTION: Commissioner King moved to accept the audit report as provided.
 SECOND: Commissioner Faircloth
 VOTE: UNANIMOUS

3. Presentation of the Proposed Federal Agenda for FY 2012 by Ms. Leslie Mozingo, with the Ferguson Group.

Ms. Mozingo reviewed the proposed joint agenda which was included in the Board packet and highlighted some areas of the listing. Ms. Mozingo stated past advocacy endeavors yielded over \$46 million since 2005. Ms. Mozingo explained the process used to prepare the proposed listing and advised a request will be brought back to the Board to approve the final agenda.

Commissioner Evans questioned the selection method and voiced his desire for transit to be included on the agenda. After further discussion, Ms. Mozingo stated she will take his request to the next meeting for consideration as an addition to the proposed agenda.

City of Fayetteville/Cumberland County/Fayetteville - Cumberland County Chamber, NC
 FY 2012 FEDERAL AGENDA
 (All priorities below were chosen based on the partnership's MOU.)

FUNDING (APPROPRIATIONS/GRANTS)

	PROJECT	DESCRIPTION OF REQUEST	FUNDING HISTORY
1	Regional Public Safety	\$2 million, Justice Department, COPS Technology, to purchase digital radios.	\$300,000 (FY06) \$352,500 (FY08) \$200,000 (FY09) \$300,000 (FY10)
2	Partnership for Defense Innovation (PDI)	\$4.6 million, Defense Department, Special Operations Advanced Technology Development, for Wi-Fi Laboratory Testing and Assessment Center to, research and develop cellular capabilities on the battlefield.	\$1.08 million (FY07) \$2.7 million (FY08) \$2 million (FY09) \$2.8 million (FY10) \$3 million or less pending(FY11)
3	Sanitary Sewer System	\$2 million, U.S. Army Corps of Engineers, Sec. 219, for sanitary sewer system.	\$6 million authorized by WRDA 2007
4	Multimodal Center	\$5 million, Transportation Department, Federal Transit Administration, for Multimodal Transportation Center.	\$400,000 (FY10)
5	Electronic Records Management	\$500,000, Health and Human Services Department, Health Resources and Services Administration, for County's public health records management and digitization of veteran's records.	Fourth year requested
6	Emergency Operations Center	\$1.7 million, Homeland Security Department, Federal Emergency Management Agency, for the Fayetteville-Cumberland County Emergency Operations Center.	Second year request

7	Murchison Road Right of Way Acquisition	\$34.6 million total authorization (plus-up of \$17.6 million) Department of the Army, Military Construction, Defense Access Roads, Fort Bragg.	\$21.8 million Phase I (FY09) \$17 million pending (FY11)
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FUNDING (AUTHORIZATIONS)

PROJECT	DESCRIPTION OF REQUEST	FUNDING HISTORY
Military Business Park (MBP)	\$8 million, Transportation Department, Federal Highway Administration, for transportation network surrounding the MBP.	\$600,000 (FY06) \$147,000 (FY08) \$584,400 (FY10)
Sanitary Sewer System	Expand Water Resources Development Act (WRDA) authorization from \$6 million to \$20 million and modifications to language.	Authorized by WRDA 2007.

ADDITIONAL PRIORITIES AND LEGISLATIVE POLICY ITEMS

ISSUE	DESCRIPTION OF REQUEST
Competitive Grants	Keep partnership informed of potential grant opportunities for identified projects.
Direct Flight to DC	Support efforts to create direct flight(s) from Fayetteville to DC's Reagan National Airport.
Unfunded Mandates	Oppose legislation that imposes unfunded mandates on local government.
I-295 Loop	Support efforts by NC DOT to fund the I-295 Loop.
Parks and Recreation Master Plan	Support efforts to increase funding for parks and recreation facilities and programs.
Sustainability	Keep partnership informed on sustainability funding and initiatives that would help support the development of a National Sustainability Center in Fayetteville-Cumberland County.
Abandoned Home Removal	Keep partnership informed on funding available to assist in transforming vacant and blighted properties near Fort Bragg.
Air Quality	Pursue local, state and EPA agreement to reach attainment.
Homelessness	Develop awareness of City's 10-Year Plan to end chronic homelessness and pursue funds for same, as well as specifically for homeless veterans.
Murchison Road Redevelopment	Support partnership efforts for grants and low interest loans to help fund redevelopment of the Murchison Road Corridor.
Crime	Support cops on the streets, gang resistance and education, and crime prevention funding.
Sidewalks	Support Safe Route to Schools.
Broadband Access	Notify partnership of opportunities to expand access to wired and wireless broadband technology.

MOTION: Commissioner King moved to accept the proposed FY2012 Federal Agenda as presented.

SECOND: Commissioner Council

DISCUSSION: Commissioner Faircloth questioned the next steps and was informed that once she receives all additional requests, they will finalize the agenda for approval and will circulate the document to all parties. A travel date will be selected for a visit to Washington, DC. Commissioner Council questioned the method of selecting the travel date and it was agreed Ms. Mozingo will suggest a rotation method. Commissioner Evans questioned whether his request for

transit to be added to the list could be included as part of the motion. The process was explained which requires the three entities would need to agree on the addition. Commissioner Evans requested a friendly amendment of the motion to add transit issues to the list but after further discussion and explanation of the process, the motion on the floor was not modified.

VOTE: Voting in favor of the motion – Commissioners King, Faircloth, Chairman Edge, Council, Melvin and Keefe.
Voting against – Commissioner Evans.

4. Consent Agenda

- A. Approval of minutes for the December 6, 2010 regular meeting.
- B. Approval of Destruction of Finance Department Records.

BACKGROUND: Pursuant to the resolution adopted by the Board of County Commissioners on February 4, 1985, authorization is requested to destroy Finance Department records noted below. The destruction of these records is in accordance with the Records Retention and Disposition Schedule issued by the North Carolina Division of Archives and History which was previously adopted by the Board of County Commissioners.

- 1. Records with three-year retention requirement (dated prior to July 1, 2007).
 - a. Fiscal correspondence/memorandums.
 - b. Bank statements, canceled checks. Deposit slips, and reconciliation file.
 - c. Purchasing – request for proposals for purchase contracts, purchase orders, and requisitions.
 - d. Cash receipt report files.
 - e. Check registers.
 - f. Investment records.
 - g. Journal vouchers.
 - h. LGC financial statements.
 - i. Invoices.
 - j. Employee Earnings Record File – Local government retirement system monthly reports.
 - k. Payroll file – salaries paid and deductions file.
- 2. Records with two-year retention requirement (dated prior to July 1, 2008).
 - a. Employee benefits register file.
- 3. Records with one-year retention requirement (dated prior to July 1, 2009).
 - a. Daily journal and ledger printouts
 - b. Monthly detail reports, except June 30 which is permanent.
- 4. Records that have been superseded or obsolete.
 - a. Property and equipment inventory files.

PROPOSED RECOMMENDATION/ACTION: Approve destruction of Finance Department Records as presented above.

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

Mariners Pointe Subdivision: Northbank Street, Mariners Landing Drive, Deep Channel Court

Camden Wood Subdivision: Whisperwood Drive, Plum Ridge Road, Cherry Plum Drive, Windy Fields Drive, Summerberry Drive

BACKGROUND: The North Carolina Department of Transportation has received petitions requesting the above streets be placed on the State Secondary Road System for

maintenance. DOT has determined that the above streets are eligible for addition to the state system.

PROPOSED RECOMMENDATION/ACTION: NCDOT recommends that the above named streets be added to the State Secondary Road System. County Management concurs. Approve the above listed streets for addition to the State Secondary Road System.

D. Approval of Change Order #7 (Final) - Rentenbach Constructors, New Public Health Center Project.

BACKGROUND: In May, 2008, the Board entered into a contract with Rentenbach Constructors, Inc., in the amount of \$22,190,429 for construction of the New Public Health Center Project. The Board also approved the project budget which included an Owner Construction Contingency of \$537,435. Construction of the new facility has been completed and the one-year warranty inspection was conducted with the Rentenbach and its subcontractors on December 9, 2010. To date six change orders totaling \$457,452 have been approved.

Change Order #7 (Final) in the deductive amount of \$284,802 is for return of the unused Construction Manager Contingency Funds and additional work on the New Public Health Center Project. All additional work items outlined in this change order were requested by the Owner and total \$13,246. The CM Contingency Fund in the original contract totaled \$556,979 of which \$258,931 was used during construction of the facility. The balance of \$298,048 is being deducted from the contract amount.

With approval of Change Order #7, the net increase in the contract price is \$172,650 which equates to 0.78% of the original contract amount. The change order document has been reviewed by the County Attorney's Office for legal sufficiency.

RECOMMENDATION/PROPOSED ACTION: The recommendation of the County Engineer, the project architect CJM&W, and management is to approve Change Order #7 (Final) for Rentenbach Constructors for additional work on the New Public Health Center Project in the deductive amount of \$284,802 and decrease the contract sum to \$22,363,079. The proposed action by the Board is to follow the staff recommendation.

E. Approval of Change Order M-1 (Final) - Bass Air Conditioning Company, Inc., Crown Arena & Theater PME & Life Safety Improvements Project.

BACKGROUND: In May, 2010, the Board entered into a contract with Bass Air Conditioning Co., Inc., in the amount of \$1,148,000.00 for construction of mechanical improvements in the Crown Arena and Theater. The Board also approved a project construction contingency of \$242,350.00. The scope of the mechanical work included the demolition of the existing chillers, air handling units, cooling tower and pneumatic controls and installation of new air cooled chillers, air handling units and digital controls. During the course of construction on this renovation project, a number of issues arose that required immediate decisions to maintain the project schedule and ensure the availability of the Theater by mid-September.

Change Order M-1 (Final) in the amount of \$109,323.00 is for additional work on the Crown Arena & Theater PME & Life Safety Improvements Project. The additional work items are outlined in this change order and can be summarized as follows:

- Owner requested revisions. ADD: \$14,548.00
- Design revisions. ADD: \$30,171.00
- General construction assigned to the Mechanical Contractor. ADD: \$64,604.00

(The General Contractor was eliminated when the project was re-bid.)

Sufficient monies are available in the construction contingency to fund this change order. The change order document has been reviewed by the County Attorney's Office for legal sufficiency.

RECOMMENDATION/PROPOSED ACTION: The recommendation of the County Engineer, the project architect LSV, and management is to approve Change Order M-1 (Final) for Bass Air Conditioning for additional work on the Crown Arena & Theater PME & Life Safety Improvements Project in the amount of \$109,323.00 and increase the contract sum to \$1,257,323.00. The proposed action by the Board is to follow the staff recommendation.

F. Approval of Trade/Exchange of Cumberland County Sheriff's Office Firearms for Five LWRC .308 Rifles and Certain Tactical Equipment Pursuant to NCGS 160A-271.

BACKGROUND: The Cumberland County Sheriff's Office has in its possession a number of handguns, shotguns and rifles which are either confiscated weapons or old and/or damaged CCSO weapons (see below listing). The Sheriff's Office sought proposals for a trade of the surplus weapons for the desired rifles and received to proposals: one from LWRC International of Maryland; which proposed to provide the CCSO with three of the desired weapons in exchange for the CCOS's surplus weapons plus \$2,665.00; and one from Shooters Supply of Fayetteville; which proposed to provide CCSO with five of the desired rifles, five slings and five high-scope ring sets for an even exchange (see below proposal). NCGS 160A-271 provides that governmental units may exchange personal property for other personal property by

private negotiation if the unit receives full and fair consideration upon a resolution adopted at a regular meeting after 10 days proper notice has been published. The required notice appeared in the Fayetteville Observer on Friday, December 10th.

MAKE	MODEL	SERIAL #	CALIBER	COMMENTS
ASA	ASA-15	AS 11754	223	
ASTRA	CUB	959090	25	
BAUER	UNKNOWN	147179S	25	
BERETTA	92F	BER019391Z	9MM	
BERETTA	92F	D70544Z	9MM	
BERETTA	84B	B86485Y	38	
BROWNING	LT TWELVE	91522	12 GA	
COLT	MK-IV	ACG19478	45 CAL	
COLT	KING COBRA	KA 1422	357	
COBRAY	M-11	88-0009502	9MM	
COLT	AUTO 25	OD75582	25	
COLT	UNKNOWN	20107	38	
ENFIELD	#4	T 15861		
ENFIELD	#4			
FIE	E22	AB01202	.22LR	
GLOCK	22	YU556US	40	
GLOCK	26	BPD670US	9MM	
H & K	USP9	24-077206	9MM	
HIPOINT	995	A08512	9MM RIFLE	
INTERARMS	STAR	1946381		
JAPANESE	308	L1819	RIFLE	
KAHR	MARK 9	GA3686	9MM	
KBI	CHARLES	2202643	20 GA	
MOSSBERG	500-A	P-380625	12 GA	
NEW ENGLAND	SBI	NK218032	12 GA	
REMINGTON	742	A7209384	30-06	
REMINGTON	870	D308497M	12 GA	
REMINGTON	700	G6217684	.308	
REMINGTON	700	E6469772	.308	
REMINGTON	700	B6684599A	.308	

REMINGTON	700	E6475957	.308	
REMINGTON	700	E6829938	.308	
ROSSI	88	W494856	38	
ROSSI	38 SPECIAL	W187477	38	
RUGER	GP100	174-87312	357	
RUGER	P90	661-99663	45	
RUGER	P94	308-39276	9MM	
RUGER	BLACKHAWK	47-37246	45	
RUGER	SUPER BLACKHAWK	84-46873	44	
RUGER	P89	307-07877	9MM	
RUGER	MARK II	212-24268	22	
RUGER	MARK II	22315179	22	
RUGER	REDHAWK	50084517	44	
RUGER	SECURITY SIX	161-45620	38	
S & W	38 SPECIAL	D93716	38	
S & W	SW9VE	PDR0124	9MM	
S & W	66-7	CHR1106	357	
S & W	686	AAR0809	357	
S & W	4691	RSR1435	9MM	
S & W	15-3	1K98729	38	
S & W	27-2	N177154	357	
S & W	10-8	4DD1396	38	
SAVAGE	110	G076387	270	
SAVAGE	99-F	961695	308	3X9X50 SCOPE
SAVAGE	110	G399853	270	3X9X40 SCOPE
SIG SAUER	P220	G160743	45 ACP	
SIG SAUER	P-220	G313403	45	
SMITH & WESSON	66-2	ADP9577	357	
SMITH & WESSON	SW9VE	PBM5043	9MM	
SMITH & WESSON	15-3	8K32716	38	
SPAS	12	AA18217	12 GA	
SPRINGFIELD	XD40	US423762	40	
SPRINGFIELD	67-F	NO #	410	
SPRINGFIELD	XD9	US940186	9MM	
SPRINGFIELD	XD40	US480494	40	
SPRINGFIELD	XD	US797389	45	
TAURUS	MILLENIUM	TVH44078	9MM	
TAURUS	PT24/7	TWK23903	9MM	
TAURUS	PT92AF	TIA61341		
TAURUS	357	RA610084	357	
TAURUS	44	OA186870	44 MAG	
UNIVERSAL	M-1	386083	30 CAL	
WALTHER	PPK	A065847	9MM	
WINCHESTER	1300	L3046580	12 GA	
WINCHESTER	94AE	6072754	30-30	
WINCHESTER	94	4127398	30-30	
WINCHESTER	DEFENDER	L2495666	20 GA	

Shooters Supply Price Quote:

Quantity	Item Number/ Item Description	Unit Price	Line Total
5	LWRC Reeper .308 piston semi auto rifles Includes 20" heavy sniper barrel	\$3,300.00	\$16,500.00
5	Viking Tactics MK2 padded sling	\$ 28.00	\$ 140.00
5	Leupold MK4 30mm High Scope Rings	\$ 150.00	\$ 750.00
		Grand Total	\$17,390.00

RESOLUTION

WHEREAS, the Sheriff's Office has requested the Board of Commissioners to approve the exchange of the weapons listed on the attached inventory which is incorporated herein for five LWRC .308 rifles, five padded slings and five high-scope ring sets, more particularly described in a proposal by Shooters Supply dated August 10, 2010, attached hereto and incorporated herein; and,

WHEREAS, the Board finds that the surplus property of the County's Sheriff's Office has a value of \$17,390.00 and that the rifles and tactical equipment proposed to be exchanged has an equal value and the proposed exchange will be full and fair consideration; and,

WHEREAS, NCGS160A-271 permits governmental units to exchange personal property belonging to the unit by private negotiation for full and fair consideration.

THEREFORE BE IT RESOLVED, that the Cumberland County Board of Commissioners does hereby approve the trade and exchange between the Cumberland County Sheriff's Office and Shooters Supply of Fayetteville, NC of the surplus weapons and new weapons and tactical equipment listed on the attached and incorporated "Price Quote" dated August 13, 2010 pursuant to NCGS 160A-271.

This 20th day of December 2010.

RECOMMENDATION / PROPOSED ACTION: Board adopt the above Resolution approving the exchange of the CCOS's surplus weapons listed on the above inventory with Shooters Supply, Fayetteville, NC for the five LWRC weapons and the tactical equipment listed on the Shooters Supply's proposal dated August 13, 2010.

G. Approval of Declaration of Foreclosed Real Property as Surplus.

BACKGROUND: The County when it is the successful bidder on tax foreclosed property first offers that property to the various County Departments & Agencies and to the City. If none of these entities has a need for the property then the Commissioners are asked to declare the property surplus, then it is placed on the County's Surplus Property list for sale to the public.

The County of Cumberland has recently acquired by tax foreclosure certain real property located in the County. The below is a list of properties which also shows their tax values. Exhibit 2 is a set of maps which shows the PIN number, vicinity, and township for each parcel.

ITEM	PIN	ADDRESS	DESCRIPTION	ASSESSED VALUE \$	TAX LIEN \$	DATED RECORDED	DEED Book / Page
1.	9486-57-0335	7653 Maggie Cir	0.44 acre Gillis Ld	15,149	4,648.68	09/22/06	7369/774
2.	0423-07-4266	Off Betsy Ross Drive	Lot 22 Block W Colonial Heights Add No 1	3,250	2,899.02	01/26/10	8328/840
3.	0486-88-1941	Off Magnolia Church Rd	0.53 acre Bryant Land Landlocked	6,000	4,264.55	11/18/10	8525/174
4.	0467-44-5967	Off Hummingbird Pl	.41 acre Jacobs Ld	5,200	4,072.81	11/18/10	8525/169
5.	0443-02-2470	Off Smith Rd	Lot 2 Fennell Ld Tyson Sub	12,000	3,314.26	03/30/10	8363/800
6.	0428-97-9711	2220 Roosevelt Dr.	Lots 11-12 Dawson St H L Dawson Sub	11,250	8,580.98	11/18/10	8525/251
7.	0438-07-0224-NAD	718 Wilma St	718 Wilma St Dawson Sub 6	9,000	10,836.77	11/18/10	8525/253
	0429-80-	Off Country	5.76 acres Wicker	43,200			

	2953	Club Dr.	Ld Landlocked				
	0428-92-9668	Off Coley Dr	Lots 12 & 16 & SM Lot 11 Ada Boone Prop	15,000			
8.	0438-33-5672	1507 Howell St	Lots 57-67 Kings Terrace 2 Pt 1	22,770	5,727.95	11/18/10	8525/171
	0438-34-6463	Off Langdon St	Lot 47 Kings Terrace Sub Two Pt 2	2,438			
	0438-34-6469	Off Langdon St	Lot 48 Kings Terrace Sub Two Pt 2	2,438			
	0438-34-6574	Off Langdon St	Lot 49 Kings Terrace Sub Two Pt 2	2,438			
	0438-34-6599	Off Langdon St	Lot 50 Kings Terrace Sub Two Pt 2	2,438			
	0438-34-7634	Off Langdon St	Lot 51 Kings Terrace Sub Two Pt 2	3,250			

Item numbers 6, 7(a) (b) (c) and 8 (a) (b) (c) (d) (e) (f) are jointly owned with the City of Fayetteville

RECOMMENDATION AND PROPOSED ACTION: That the Board declare the foreclosed property as surplus to the needs of the County.

H. Approval of Ordinance Assessing Property for the cost of Demolition:

- 1) Case Numbers: MH 5954, 5955 and 5956-2009
Property Owners: Annie Jane Eason
Property Location: 5555, 5559 & Lot between 5555 & 5559 Leitha Lane, Dunn, NC
Parcel Identification Number: 1503-02-4628

Approved ordinance can be found in the Minimum Housing Ordinance book.

- 2) Case Number: MH 5742-2008
Property Owner: Ralph & Mae Bonner, c/o Ralph Bonner, Jr.
Property Location: 1207 Yancy Court, Spring Lake, NC
Parcel Identification Number: 0502-81-6406

Approved ordinance can be found in the Minimum Housing Ordinance book.

- 3) Case Number: MH 5743-2008
Property Owner: Ralph & Mae Bell Bonner, c/o Ralph W. Bonner, Jr.
Property Location: 1207A Yancy Court, Spring Lake, NC
Parcel Identification Number: 0502-81-6472

Approved ordinance can be found in the Minimum Housing Ordinance book.

- 4) Case Numbers: MH 6072 and 6073-2009
Property Owner: Ernest H. & Evelyn L. Brewington
Property Location: 304 Wilkes Road, Unit #1 and behind 290 Wilkes Road, Unit #2, Fayetteville, NC
Parcel Identification Number: 0436-32-0374 and 0436-32-1394

Approved ordinance can be found in the Minimum Housing Ordinance book.

- 5) Case Number: MH 6093-2009
Property Owner: Sangie Bass
Property Location: 1078 Tower Drive, Hope Mills, NC
Parcel Identification Number: 0432-89-4967

Approved ordinance can be found in the Minimum Housing Ordinance book.

- 6) Case Number: MH 6092-2010
Property Owner: Eddie D. Covington Heirs, c/o Joyce Covington
Property Location: 1836 Sand Hill Road, Hope Mills, NC
Parcel Identification Number: 0433-71-2669

Approved ordinance can be found in the Minimum Housing Ordinance book.

I. Budget Revisions:

(1) Health

Child Health Clinic - Revision in the amount of \$3,000 to appropriate Health fund balance for contracted services. (B11-222) Funding Source – Health Fund Balance

(2) Eastover Sanitary District Water Project

Revision in the amount of \$110,533 to reallocate budgeted expenditures for change orders. (B11-219) Funding Source – Reallocation of Budgeted Expenditures

(3) Library

Revision in the amount of \$42,211 to recognize additional state funding. (B11-224) Funding Source – State

(4) New Century Middle School/School Capital Outlay Lottery

Revision in the amount of \$17,416,930 to establish the New Century Middle School project as approved by the Cumberland County Board of Education. Proposed funding from issuance of Qualified School Construction Bonds (\$14,805,000) and transfer of Lottery Proceeds (\$2,611,930). (B11-223 and B11-223A) Funding Source – Qualified School Construction Bonds and Lottery Proceeds

(5) Solid Waste Management

a. Ann Street Landfill: Revision in the amount of \$100,000 to appropriate fund balance to rent heavy equipment when maintenance is required on landfill equipment. B11-228 Funding Source – Fund Balance Appropriated

b. Wilkes Road: Revision in the amount of \$100,000 to appropriate fund balance to rent a tub grinder until a replacement can be purchased. B11-229 Funding Source – Fund Balance Appropriated

c. Recycling: Revision in the amount of \$96,000 to appropriate fund balance to rent a rock crusher. B11-230 Funding Source – Fund Balance Appropriated

(6) NORCRESS

Revision in the amount of \$100,000 to appropriate fund balance for additional funding for maintenance and repair. B11-227 Funding Source – Fund Balance Appropriated

(7) Federal Forfeiture - Justice

Revision in the amount of \$14,000 to appropriate fund balance to purchase night vision equipment for the Special Response Team. B11-226 Funding Source – Fund Balance Appropriated

MOTION: Commissioner King moved to approve all consent agenda items 4.A. through 4.I.7.
SECOND: Commissioner Council
VOTE: UNANIMOUS

5. Public Hearings

Zoning Cases

There are no rezoning cases for the December 20, 2010 meeting.

Other Public Hearings

These are the advertised public hearings set for this date and time.

MINIMUM HOUSING CODE ENFORCEMENT

- A) Case Number: MH 6275-2010
Property Owner: Joseph Randall Thompson
Property Location: 6823 Coopers Creek Drive, Hope Mills, NC
Parcel Identification Number: 0431-79-1751

AFFIDAVIT OF THE HOUSING INSPECTOR'S REPORT
BEFORE THE BOARD OF CUMBERLAND COUNTY COMMISSIONERS

I, George Hatcher, Inspector for the County of Cumberland Inspection Department, acting in my official capacity, being duly sworn, depose and say:

BACKGROUND: That the following is a report on Minimum Housing case number MH 6275-2010.

Property Owner: Joseph Randall Thompson, C/O Sally Dahlstrom
Home Owner: Joseph Randall Thompson, C/O Sally Dahlstrom
Property Address: 6823 Cooper Creek Drive, Hope Mills, NC
Tax Parcel Identification Number: 0431-79-1751

SYNOPSIS: This property was inspected on 8/3/2010. The property owners and parties of interest were legally served with Notice of Violations and was afforded a Hearing on 9/2/2010. Joseph Randall Thompson attended the Hearing. It was ordered that the structure be repaired to a minimum standard for human habitation, or be demolished and the debris removed from the premises by a date not later than 12/2/2010. The property owners and parties of interest were notified of the appeal procedures when they were served with the Findings of Fact and Order. No appeal was filed. Upon my visit to the property on 12/2/2010 the required corrective action had not been made to the structure. The structure is presently vacant and unsecured. In its present state, the structure constitutes a fire, health, and safety hazard.

The estimated cost to repair the structure to a minimum standard for human habitation is \$20,000.00. The Assessor for Cumberland County has the structure presently valued at \$500.00.

PROPOSED RECOMMENDATION/ACTION: It is the recommendation of the Planning & Inspection Department that the structure be demolished, and the debris removed from the lot.

The Chairman opened the Public Hearing.

Speakers: No Speakers

The Chairman closed the Public Hearing.

MOTION: Commissioner Melvin moved to adopt the order and report of the Minimum Housing Inspector as the true facts in this case, and to order the property owner to remove or demolish the dwelling within 30 days; to further order the Inspector to remove or demolish the dwelling, if the owner fails to do so and impose a lien on the real property for the cost of such action; and to direct the clerk to incorporate the foregoing findings and orders in an ordinance certified by the Chairman and record the same in the Register of Deeds.

SECOND: Commissioner Faircloth

VOTE: UNANIMOUS

B) Case Number: MH 6220-2010
Property Owner: Thomas N. and Alisa R. Dodson
Property Location: 2693 Blowing Rock Court, Hope Mills, NC
Parcel Identification Number: 0442-45-8885

**AFFIDAVIT OF THE HOUSING INSPECTOR'S REPORT
BEFORE THE BOARD OF CUMBERLAND COUNTY COMMISSIONERS**

I, George Hatcher, Inspector for the County of Cumberland Inspection Department, acting in my official capacity, being duly sworn, depose and say:

BACKGROUND: That the following is a report on Minimum Housing case number MH 6220-2010.

Property Owner: Thomas N. & Alisa R. Dodson
Home Owner: Thomas N. & Alisa R. Dodson
Property Address: 2693 Blowing Rock Court, Hope Mills, NC
Tax Parcel Identification Number: 0442-45-8885

SYNOPSIS: This property was inspected on 6/16/2010. The property owners and parties of interest were legally served with Notice of Violations and was afforded a Hearing on 8/5/2010. No one attended the Hearing. It was ordered that the structure be repaired to a minimum standard for human habitation, or be demolished and the debris removed from the premises by a date not later than 9/5/2010. The property owners and parties of interest were notified of the appeal procedures when they were served with the Findings of Fact and Order. No appeal was filed. Upon my visit to the property on 12/2/2010 the required corrective action had not been made to the structure. The structure is presently vacant and unsecured. In its present state, the structure constitutes a fire, health, and safety hazard.

The estimated cost to repair the structure to a minimum standard for human habitation is \$15,000.00. The Assessor for Cumberland County has the structure presently valued at \$500.00.

PROPOSED RECOMMENDATION/ACTION: It is the recommendation of the Planning & Inspection Department that the structure be demolished, and the debris removed from the lot.

The Chairman opened the Public Hearing.

Speakers: No Speakers

The Chairman closed the Public Hearing.

MOTION: Commissioner Faircloth moved to adopt the order and report of the Minimum Housing Inspector as the true facts in this case; to order the property owner to remove or demolish the dwelling within 30 days; to further order the Inspector to remove or demolish the dwelling, if the owner fails to do so and impose a lien on the real property for the cost of such action; and to direct the clerk to incorporate the foregoing findings and orders in an ordinance certified by the Chairman and record the same in the Register of Deeds.

SECOND: Commissioner King

VOTE: UNANIMOUS

C) Case Number: MH 6212-2010
Property Owner: Anthony and Sangie Bass
Property Location: 3106 Dyke Street, Fayetteville, NC
Parcel Identification Number: 0426-51-3014

AFFIDAVIT OF THE HOUSING INSPECTOR'S REPORT
BEFORE THE BOARD OF CUMBERLAND COUNTY COMMISSIONERS

I, George Hatcher, Inspector for the County of Cumberland Inspection Department, acting in my official capacity, being duly sworn, depose and say:

BACKGROUND: That the following is a report on Minimum Housing case number MH 6212-2010.

Property Owner: Anthony & Sangie Bass
Home Owner: Anthony & Sangie Bass
Property Address: 3106 Dyke Street, Fayetteville, NC
Tax Parcel Identification Number: 0426-51-3014

SYNOPSIS: This property was inspected on 6/9/2010. The property owners and parties of interest were legally served with Notice of Violations and was afforded a Hearing on 7/1/2010. Anthony Bass attended the Hearing. It was ordered that the structure be repaired to a minimum standard for human habitation, or be demolished and the debris removed from the premises by a date not later than 9/2/2010. The property owners and parties of interest were notified of the appeal procedures when they were served with the Findings of Fact and Order. No appeal was filed. Upon my visit to the property on 12/2/2010 no corrective action had been made to the structure. The structure is presently vacant and unsecured. In its present state, the structure constitutes a fire, health, and safety hazard.

The estimated cost to repair the structure to a minimum standard for human habitation is \$40,000.00. The Assessor for Cumberland County has the structure presently valued at \$1611.00.

PROPOSED RECOMMENDATION/ACTION: It is the recommendation of the Planning & Inspection Department that the structure be demolished, and the debris removed from the lot.

The Chairman opened the Public Hearing.

Speakers: No Speakers

The Chairman closed the Public Hearing.

MOTION: Commissioner Faircloth moved to adopt the order and report of the Minimum Housing Inspector as the true facts in this case; to order the property owner to remove or demolish the dwelling within 30 day; to further order the Inspector to

remove or demolish the dwelling, if the owner fails to do so and impose a lien on the real property for the cost of such action; and to direct the clerk to incorporate the foregoing findings and orders in an ordinance certified by the Chairman and record the same in the Register of Deeds.

SECOND: Commissioner Keefe
VOTE: UNANIMOUS

- D) Case Number: MH 6213-2010
Property Owner: Elbert D. Calhoun, Jr.
Property Location: 2936 Dunn Road, Eastover, NC
Parcel Identification Number: 0468-14-5771

AFFIDAVIT OF THE HOUSING INSPECTOR'S REPORT
BEFORE THE BOARD OF CUMBERLAND COUNTY COMMISSIONERS

I, George Hatcher, Inspector for the County of Cumberland Inspection Department, acting in my official capacity, being duly sworn, depose and say:

BACKGROUND: That the following is a report on Minimum Housing case number MH 6213-2010.

Property Owner: Elbert D. Calhoun, Jr.
Home Owner: Elbert D. Calhoun, Jr.
Property Address: 2936 Dunn Road, Eastover, NC

Tax Parcel Identification Number: 0468-14-5771

SYNOPSIS: This property was inspected on 6/9/2010. The property owners and parties of interest were legally served with Notice of Violations and was afforded a Hearing on 7/1/2010. No one attended the Hearing. It was ordered that the structure be repaired to a minimum standard for human habitation, or be demolished and the debris removed from the premises by a date not later than 9/23/2010. The property owners and parties of interest were notified of the appeal procedures when they were served with the Findings of Fact and Order. No appeal was filed. Upon my visit to the property on 12/2/2010 no corrective action had been made to the structure. The structure is presently vacant and unsecured. In its present state, the structure constitutes a fire, health, and safety hazard.

The estimated cost to repair the structure to a minimum standard for human habitation is \$40,000.00. The Assessor for Cumberland County has the structure presently valued at \$8,759.00.

PROPOSED RECOMMENDATION/ACTION: It is the recommendation of the Planning & Inspection Department that the structure be demolished, and the debris removed from the lot.

The Chairman opened the Public Hearing.

Speakers: No Speakers

The Chairman closed the Public Hearing.

MOTION: Commissioner Keefe moved to adopt the order and report of the Minimum Housing Inspector as the true facts in this case; to order the property owner to remove or demolish the dwelling within 30 days; to further order the Inspector to remove or demolish the dwelling, if the owner fails to do so and impose a lien on the real property for the cost of such action; and to direct the clerk to incorporate the foregoing findings and orders in an ordinance certified by the Chairman and record the same in the Register of Deeds.

SECOND: Commissioner Melvin
VOTE: UNANIMOUS

E) Case Number: MH 6224-2010
Property Owner: Pug Williams Heirs, c/o Nina Smith
Property Location: 6016 River Road, Wade, NC
Parcel Identification Number: 0561-38-1419

**AFFIDAVIT OF THE HOUSING INSPECTOR'S REPORT
BEFORE THE BOARD OF CUMBERLAND COUNTY COMMISSIONERS**

I, George Hatcher, Inspector for the County of Cumberland Inspection Department, acting in my official capacity, being duly sworn, depose and say:

BACKGROUND: That the following is a report on Minimum Housing case number MH 6224-2010.

Property Owner: Pug Williams Heirs, C/O Nina Smith
Home Owner: Pug Williams Heirs, C/O Nina Smith
Property Address: 6016 River Road, Wade, NC
Tax Parcel Identification Number: 0561-38-1419

SYNOPSIS: This property was inspected on 6/9/2010. The property owners and parties of interest were legally served with Notice of Violations and was afforded a Hearing on 7/22/2010. Shawana Joseph attended the Hearing via telephone. It was ordered that the structure be repaired to a minimum standard for human habitation, or be demolished and the debris removed from the premises by a date not later than 10/22/2010. The property owners and parties of interest were notified of the appeal procedures when they were served with the Findings of Fact and Order. No appeal was filed. Upon my visit to the property on 12/2/2010 no corrective action had been made to the structure. The structure is presently vacant and unsecured. In its present state, the structure constitutes a fire, health, and safety hazard.

The estimated cost to repair the structure to a minimum standard for human habitation is \$25,000.00. The Assessor for Cumberland County has the structure presently valued at \$2,927.00.

RECOMMENDATION: It is the recommendation of the Planning & Inspection Department that the structure be demolished, and the debris removed from the lot.

The Chairman opened the Public Hearing.

Speakers: No Speakers

The Chairman closed the Public Hearing.

MOTION: Commissioner Faircloth moved to adopt the order and report of the Minimum Housing Inspector as the true facts in this case; to order the property owner to remove or demolish the dwelling within 30 days; to further order the Inspector to remove or demolish the dwelling, if the owner fails to do so and impose a lien on the real property for the cost of such action; and to direct the clerk to incorporate the foregoing findings and orders in an ordinance certified by the Chairman and record the same in the Register of Deeds.

SECOND: Commissioner Council
VOTE: UNANIMOUS

Items of Business

6. Update on Financial Matters:

A) Rescheduling of Issuance of Qualified School Construction Bonds (QSCB's) and Potential Refinancing.

BACKGROUND: At the Board of Commissioners' meeting on November 15, 2010, Management gave an update on the QSCB issuance and the potential refinancing of the Public Health Center and the Gray's Creek Middle School notes. As of November 15th, the refinancing savings had diminished significantly and the recommendation was made to place this transaction on hold until market conditions improved. It was reported that the County was still on track to issue the QSCB on the County's sale date of December 15th to meet the December 31st deadline.

However, since that time, the municipal market conditions have been continually monitored and they have continued to deteriorate. Additionally, a concern remains that the market will be saturated with taxable debt as other entities enter the market to comply with the December 31st deadline originally established with the American Recovery and Reinvestment Act (ARRA) stimulus borrowing package. This market saturation will create additional competition and limited purchasing demand at year end for taxable debt, thus escalating the interest rate.

Alternatives have been explored to issuing on the County's original sale date of December 15th which preserves the bids received by the Board of Education and the project schedule. The County's Bond Counsel has rendered an opinion confirming that the County may issue the QSCB in 2011.

Based upon the opinion of Bond Counsel and the fact that market conditions continue to be turbulent, it is believed that the market will be saturated with this ARRA taxable debt and Management has made the decision to delay the QSCB issuance. Approval has been received from the Local Government Commission (LGC) and a new sale date of January 12, 2011 has been assigned. Typically, January has been a good month to issue debt, rendering more positive market conditions than those encountered with a calendar year-end issuance. A key element to note is that the County's QSCB taxable debt in January should have less competition in the taxable markets as opposed to the deluge of taxable ARRA bonds in December as issuers try to beat the December 31st deadline for all ARRA bonds other than the federal extension granted to QSCB. It is the hope that tax exempt market conditions could also improve in January, thus making the refinancing viable. Management will only move forward with the refinancing when market conditions produce savings which make this a fiscally prudent transaction.

This financing plan does not create any project delay for the Board of Education. The authority exists to move forward with the contractor under bonds, authorized and approved by the LGC, remaining to be issued. There has been continuing discussion with the Board of Education staff, informing them of changes in the financing plan. Staffs of both entities have a mutual interest in timing this transaction to minimize interest rate risk.

Assistant County Manager Cannon provided the above background information.

PROPOSED RECOMMENDATION/ACTION: This is for information purposes only, no action is necessary.

B) Reports from Rating Agencies.

BACKGROUND: Presentations were made to Standard and Poor's and Moody's in November regarding the above-mentioned financing. The County was notified last week that both agencies have affirmed our current ratings of AA+ with Standard & Poor's and Aa1 with Moody's. These ratings reflect the County's standing at the top of the AA category.

All debt introduced into the municipal market has to be reviewed and "rated" by the agencies. Management took the opportunity with this refinancing to report on the County's continued strong financial performance, our solid and growing economy, and the impact on our community from the expansion of Fort Bragg. The report issued by

Moody's states that, "the Aa1 general obligation rating reflects the county's robust tax base growth and a strengthening socioeconomic profile within the county as a result of the region's economic anchor, U.S. Army base Fort Bragg and its sizeable expansion through 2013. Additionally factored into the rating is the county's consistently solid financial performance, including the maintenance of General Fund balance levels in excess of 30% of revenues for the past six fiscal years and adopted financial and debt policies which demonstrate prudent and thoughtful management."

Standard and Poor's (S&P) reported that, "due to the County's strong financial management practices, we expect that its financial position will remain strong. A positive outlook or upgrade could be triggered by some combination of continued growth in wealth and income levels, continued diversification and expansion of the area economy, and maintenance of a very strong financial position."

Management is pleased that both Moody's and S&P have affirmed the County's ratings. More importantly, Management believes that a foundation has been established for a future upgrade in the County's bond rating to AAA.

Assistant County Manager Cannon provided the above background information.

PROPOSED RECOMMENDATION/ACTION: This is for information purposes only, no action is necessary.

C) Gray's Creek Bond Referendum Schedule

BACKGROUND: On November 15, 2010, the Board of Commissioners, acting as the governing board of Gray's Creek Water & Sewer District, conducted a public hearing and adopted a resolution authorizing the issuance of up to \$21 million in general obligation bonds for the Gray's Creek Water & Sewer District, subject to passage by the voters in the district of a referendum to be held on March 15, 2011. The board was advised that a March 15th referendum date was a tight schedule and could only be achieved if all the components of the process proceeded without any significant further delays. Upon hearing from the state office of USDA-RD after the December 6 board meeting, the County Attorney determined that the bulk water purchase contract offered by PWC required further discussion and communicated with the consulting engineer to develop the language needed.

The CEO of PWC contacted the county attorney's office on Monday, December 6, to discuss these issues. The County Attorney spent almost all of his time during the week of December 6 working on a federal case which had a filing deadline of midnight on December 9. PWC was not the cause of any delay during the week of December 6. The County Attorney simply did not have time to complete the matter.

Staff met with the engineer on December 13. After discussion of several issues concerning the Gray's Creek project, it was determined that it would be beneficial for discussions with citizens of Gray's Creek to have the language of the ordinance governing the connections, debt service charges and commodity charges in place. Management wants that presented to the Board by the mid-January meeting.

For these reasons, management has determined that the March 15 date for the referendum does not provide sufficient time for presentations to the community to address any questions and concerns that citizens may have. The County Attorney has already advised the Elections Supervisor and withdrawn the County's request for that date. Management will suggest a later date for the referendum as these remaining issues are resolved. Again, the County Attorney wants to make it clear that PWC is not the cause of postponing the referendum date.

County Attorney Moorefield presented the above background information and advised that he will have the contract back to PWC on Tuesday morning as requested by Mr. Blanchard with PWC.

County Manager Martin added that before the bond referendum date is scheduled, more information will be provided to the Board regarding proposed policies and ordinances on how the system will operate in terms of who will be charged the debt service for having access to the availability of water, as well as other charges. Attorney Moorefield agreed that citizens should have accurate information and a draft of needed documents should be available before community presentations are made. Commissioner Edge reminded Board members of the meeting with PWC on January 3rd.

PROPOSED RECOMMENDATION/ACTION: This is for information purposes only, no action is necessary.

7. Consideration of Cumberland County Facilities Committee Report & Recommendation:

A) Explore Marketability Options for the Former Public Health Building.

BACKGROUND: At the Cumberland County Facilities Committee meeting on Thursday, November 4, 2010, the Committee discussed the potential use of the former Health Building for the consolidated E-911 Center.

The Committee voted to recommend that staff explore marketability options for the building.

County Manager Martin advised that a recommendation was made at the November 4th Facilities Committee meeting to explore marketability options for the former Public Health building. Commissioner Keefe, Chairman of the Facilities Committee, informed the Board the placement of the E-911 Center into this building was not economically feasible and there was not a great sense of urgency in moving county offices out of the courthouse. County Manager Martin was asked to obtain an appraisal of the building and to explore the marketability options. Commissioner Council questioned whether the Board should also consider assessing the space in the Law Enforcement Center in light of the background information Judge Keever provided earlier in the meeting regarding the initial plans for the courthouse site. Commissioner Keefe agreed and will bring this question to the next Facilities Committee meeting. County Manager Martin stated in essence additional space would need to be built in addition to the jail expansion to free up space. Chairman Edge added this discussion is a good topic for the upcoming Strategic Planning Session as well. Commissioner King questioned whether the Committee was in agreement that the retired public health building would not be suitable for the E-911 Center and Commissioner Keefe advised the Committee was in agreement because it would cost a half million dollars or more to complete the needed upgrades required for E-911 facilities which included seismic loading structural renovations for earthquakes.

PROPOSED RECOMMENDATION/ACTION: Consider the Cumberland County Facilities report and recommendation and provide County Management with direction on what action to take on the former Public Health Building.

MOTION: Commissioner Keefe moved to direct the County Manager to look at the marketability of the former public health building.

SECOND: Chairman Edge

VOTE: Voting in favor of the motion, Commissioners Evans, Faircloth, Chairman Edge, Council, Melvin and Keefe.
Voting in opposition – Commissioner King.

MOTION: Commissioner King moved to refer the assessment of the space in the Law Enforcement Center to the Facilities Committee for discussion.

SECOND: Commissioner Council

VOTE: UNANIMOUS

8. Report on Current Year Board Goals.

Sally Shutt, Communication and Strategic Initiatives Manager, provided a written report on the current year Board Goals as listed below:

Top Tier Goals

- WATER – Continue to develop plans to meet countywide water needs
 - Lower Cape Fear Water & Sewer Authority made presentation April 6, 2010 about Bladen Bluffs Water Treatment Project
 - Tri-party (City, County, PWC) agreement for Franklin Street Parking Garage approved by BOC on June 7, 2010. As part of the agreement, PWC agreed to sell water to the County for rural water service.
 - Gray's Creek Water and Sewer District –
 - BOC approved going with PWC as bulk water provider in September.
 - November 15, 2010: Public Hearing on issuance of bonds for up to \$21 million, subject to passage of referendum on March 15
 - Proposed contract with PWC was been sent to USDA and several issues are being discussed.
 - Initial referendum date of March 15 has been postponed.
 - Joint PWC and BOC meeting set for January 3, 2011 at 11 a.m.
 - Other Public Utilities/Safe Water Task Force Projects
 - Bragg Estates
 - Town of Spring Lake is looking into how they can meet the needs of Bragg Estates residents with a planned lift station.
 - Overhills Park
 - Application for low-interest loan was submitted to USDA but funding was not secured. Additional information was requested, and consulting engineer Hi Marziano is preparing the revised application by the March 2011 deadline.
 - Brooklyn Circle
 - The Commissioners confirmed the final assessment roll for the Brooklyn Circle Waterline Extension Project, which will bring potable, public water to the 100 and 200 blocks of Brooklyn Circle. The service will provide water to 19 structures.
 - Cedar Creek Road water line extension
 - Project has been completed and close-out documents are being prepared for BOC approval of resolution for the assessments.
 - Southpoint Water distribution
 - In September, an application was submitted to the State Construction Grants & Loans Section. No word yet.
 - In November, an approved encroachment agreement from the Department of Transportation for the Bladen County portion of the project was received.
- PUBLIC SAFETY
 - Public Safety Task Force – charged with reviewing and making recommendations to improve communications, fire and emergency medical services in Cumberland County
 - Report presented February 16, 2010 looked at funding, standards and operations. Two short-term goals were increased funding to low-wealth fire departments and establishing a consolidated communications center.
 - Task Force meets every other month to discuss issues related to their recommendations. For example, formation of a 17-member Public Safety Commission to develop a system-wide long-range strategic plan; consolidated communications; and closest unit dispatch.
 - In September, Task Force added law enforcement representation and a law enforcement subcommittee established.
 - Fire -
 - Based on Task Force recommendation, Commissioners approved Special Fire District Tax increase of $\frac{3}{4}$ cent (raising tax to 1.25 cents per \$100 valuation) to bring minimum funding for five low-wealth fire departments (Beaver Dam, Bethany, Godwin/Falcon, Stedman and Wade) to \$250,000. Funding increase is to go toward personnel costs.

- Contracts and financial reporting forms developed for five departments
- 911 Emergency Communications –
 - Hope Mills merged with County 911, leaving two primary Public Safety Answering Points – City of Fayetteville and Cumberland County.
 - Viper – City turned over six of its 800 MHz channel frequencies that it no longer needed to the Highway Patrol, which then assigned them to the County’s Viper system to improve communications.
 - City and County staffs are working on an assessment for a consolidated PSAP. The City Manager and County Manager notified City Council and the Board of Commissioners on December 17, 2010 that an action plan, with resource needs, would be ready by April 30, 2011. The following phases have been outlined:
 - Phase One – CAD-to-CAD communications expected to be completed by January 15, 2011
 - Phase Two – Merger of two CAD systems and standardizing protocols and procedures
 - Phase Three – Physical consolidation into one call center
- EMS – Emergency Medical Services-
 - New EMS chief has redesigned response districts. Nine ambulances are staffed round the clock, with five additional ambulances coming on for 12-hour periods of peak call demand
 - In the process of purchasing seven new ambulances: five new; two replacement
 - In the process of purchasing equipment and implementing automatic vehicle locators for ambulances
- Detention Center – address overcrowding by involving key groups in reviewing population control and the need for expansion
 - Jail summit with stakeholders held on April 30
 - Approved six-tenths cent tax for jail expansion fund
 - Hired Mosely Architects to develop expansion scenarios
 - Kick-off meeting with stakeholders and public held November 23
 - Tours of existing detention facilities with jail staff and architect have occurred and initial planning activities are underway.
- Animal Services
 - Dr. Lauby hired as director
 - Shelter manager with veterinarian technician experience hired
 - Approved funding for eight additional staff, who have been hired
 - Appointed commissioner as liaison to board
 - Adoption hours expanded and adoption rates increased significantly
 - Beginning in January, additional enforcement staff will be working 12-hour shifts to provide continuous coverage, to include nights, weekends and holidays. This now means two people will be on duty.
 - County Attorney is working on revising the Animal Control ordinances, and the City is agreeable to adopting the same revised unified code.
 - Dr. Lauby has been talking and meeting with area citizens in reference to establishing a Friends of the Shelter type organization
 - Since previous report, the recommended Community Outreach/Education Coordinator position was reclassified because of a critical need for office support staff. The Public Information Office will attempt to handle outreach and public education.
- JOBS/ECONOMIC DEVELOPMENT – promote countywide job creation and retention
 - Chamber of Commerce provides regular updates; last one in October
 - Approved Economic Development Incentives policy with City and Chamber on June 7, 2010
 - Incentive agreements approved for MBM Hospitality LLC (Embassy Suites project with estimated 160 new jobs) and Strategic Solutions Unlimited Inc. (estimated 50 jobs).

- Regarding County employee retention, HR continues to work on identifying and addressing any departmental retention issues. County employees received a 2 percent COLA in FY2011
- BRAC-related Economic Development goals –
 - Prepare to provide school facilities for BRAC-related student population growth once county knows where and when those are needed
 - New Century International Elementary School opened in August
 - QSBs for Gray’s Creek Middle School
 - Continue to develop partnerships with key groups to market the area and collect data on incoming residents
 - New Fort Bragg liaison position established for 2011
- COMMUNICATIONS – Improve overall communications with municipalities, school system and the public
 - County requests to and from municipalities and/or school board are to be made in writing
 - Joint meeting with City of Fayetteville on November 18
 - Joint meeting with PWC set for January 3
 - County adopted social media policy and is now on Facebook and Twitter
 - Cumberland Matters communications initiative received NCACC award
 - Multimedia specialist to start in Public Information Office on January 3

Second Tier Goals

- PLANNING – initiate regional planning through consolidation and collaboration with municipalities
 - FAMPO conducted two studies: the Raeford Road Corridor Study and the Bicycle and Pedestrian Connectivity Study
 - Approved the Northeast Cumberland Area Land Use Plan in March
 - Approved Cumberland County Working Lands Protection Plan in November
 - North Central Area Citizens Planning Committee is working on a detailed Land Use Plan for the north central area of county, including the Town of Linden.
- SCHOOL FORMULA –
 - In September, the BOC deferred consideration of any funding agreement with the Cumberland County Schools until the board has a clear picture of what the state budget will look like and the impact on the county
- FORMER HEALTH DEPARTMENT
 - Preliminary schematics completed on remodeling facility to include 911 call center and county administration
 - Facilities Committee recommended County investigate marketability options
- PARKS & RECREATION – Provide recreational opportunities within 10 miles of county residents.
 - Town of Godwin and Parks & Recreation received \$150,000 PARTF (Parks & Recreation Trust Fund) grant for Godwin Park
 - Initiate discussions with municipalities related to countywide recreation tax set at same rate or other way to equalize funding options
 - Parks & Recreation developed project list and recommends a bond referendum to fund facilities designed to produce revenue sufficient to cover operational costs. At joint City/County meeting, the Parks & Recreation Director was given six months to develop a package to present to the joint body.

PROPOSED RECOMMENDATION/ACTION: This is for information purposes only, no action is necessary.

9. Designation of Voting Delegate for the NCACC Legislative Goals Conference on January 20-21, 2011 in Raleigh, NC.

BACKGROUND: The NCACC Legislative Goals Conference will be held January 20-21, 2011 in Raleigh, NC. The Board will need to appoint a voting delegate to represent

Cumberland County.

PROPOSED RECOMMENDATION/ACTION: Appoint a voting delegate.

MOTION: Commissioner Council nominated Chairman Kenneth Edge as the designee for the voting delegate.

SECOND: Commissioner Faircloth

VOTE: UNANIMOUS

10. Consideration of Adoption of 2011 Board of Commissioners Regular Meeting Dates.

BACKGROUND: Attached is a list of proposed meeting dates for 2011. The second meeting in January and the second meeting in September has been moved to Tuesdays due to holidays. Traditionally, the second meeting in February has been moved to a Tuesday due to the schools being closed on President's Day. The first meeting in March is being cancelled due to the NACo Legislative Conference being held March 5-9, 2011.

PROPOSED

2011 COMMISSIONERS' REGULAR MEETING DATES

January 3, 2011, 9:00AM

January 18, 2011, 6:45PM (Tuesday)

February 7, 2011, 9:00AM

February 22, 2011, 6:45PM (Tuesday)

March 7, 2011, 9:00AM (No Meeting – NACo Legislative Conference)

March 21, 2011, 6:45PM

April 4, 2011, 9:00AM

April 18, 2011, 6:45PM

May 2, 2011, 9:00AM

May 16, 2011, 6:45PM

June 6, 2011, 9:00AM

June 20, 2011, 6:45PM

July – NO MEETINGS

August 1, 2011, 9:00AM

August 15, 2011, 6:45PM

September 6, 2011, 9:00AM (Tuesday)

September 19, 2011, 6:45PM

October 3, 2011, 9:00AM

October 17, 2011, 6:45PM

November 7, 2011, 9:00AM

November 21, 2011, 6:45PM

December 5, 2011, 9:00AM

December 19, 2011, 6:45PM

PROPOSED RECOMMENDATION/ACTION: Adopt meeting dates for 2011

MOTION: Commissioner Council moved to approve the meeting dates as presented.

SECOND: Commissioner Melvin

VOTE: UNANIMOUS

11. Nominations to Boards and Committees

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

Background: John Griffin is completing his second term and is not eligible for reappointment. Recommendation of the Nominating Committee of the Cape Fear Valley Hospital System Board of Trustees is for Ernest Curry to fill this position.

Commissioner Council nominated Ernest Curry (General Public Position-County Appointee)

B. Child Homicide Identification and Prevention (CHIP) Council (1 Vacancy)

Background: Phillip Gilfus recently vacated the Representative of the Cumberland County Board of Commissioners position. Fill the vacant position.

Chairman Edge nominated Commissioner Faircloth (Representative of the Cumberland County Board of Commissioners).

C. Farm Advisory Board (3 Vacancies)

Background: Sherrill Jernigan, Charlie Guy and Joe Gillis are completing their second terms and are not eligible for reappointment. Recommendation of the Farm Advisory Board is for Collins Bullard, Reuben Cashwell and David Gillis to fill the positions.

Commissioner Council nominated Collins Bullard (Farmer slot); Reuben Cashwell (Natural Resource Conservation Services slot); and David Gillis (Farm Bureau Representative slot).

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

Background: John Keefe and Charles R. Wellons are completing their second terms and are not eligible for reappointment. The FACVB is recommending Manish Mehta and Dipak Thakker to fill these positions.

Commissioner Faircloth nominated Manish Mehta (Hotels/Motels Under 100 Rooms Representative position) and Dipak Thakker (Hotels/Motels Over 100 Rooms Representative position).

E. Minimum Housing Appeals Board (1 Vacancy – Alternate Member)

Background: Deborah Ann Dantzler is completing her second term and is not eligible for reappointment.

Chairman Edge nominated Veronica Langston (Alternate Member position)

12. Appointments to Boards and Committees

There are no appointments scheduled for the December 20, 2010 Board of Commissioners meeting.

13. Closed Session:

- A) Economic Development Matter(s)
Pursuant to NCGS 143-318.11(a)(4)
- B) Personnel Matter(s)
Pursuant to NCGS 143-318.11(a)(6)

MOTION: Commissioner Council moved to go into Closed Session for the requested item.
 SECOND: Commissioner Evans
 VOTE: UNANIMOUS

Thereupon, the Board went into closed session.

Upon returning into open session, the following motion was made:

MOTION: Commissioner Council moved to go into Open Session.

SECOND: Commissioner Melvin
VOTE: UNANIMOUS

MOTION: Commissioner Evans moved to adjourn.
SECOND: Commissioner Faircloth
VOTE: UNANIMOUS

There being no further business, the meeting adjourned at 10:13 p.m.

Approved with/without revision:

Respectfully submitted,

Marie Colgan
Clerk to the Board