

CUMBERLAND COUNTY BOARD OF COMMISSIONERS
MARCH 1, 2010 - 9:00 AM
117 Dick Street, 1st Floor, Room 118
REGULAR MEETING

PRESENT: Chairman Billy King
Commissioner Jeannette Council
Commissioner Kenneth Edge
Commissioner Marshall Faircloth
Commissioner Ed Melvin
Commissioner Phillip Gilfus
James Martin, County Manager
Juanita Pilgrim, Deputy County Manager
Amy Cannon, Assistant County Manager
Rick Moorefield, County Attorney
Harvey Raynor, Deputy County Attorney
Sally Shutt, Communications Manager
Bob Stanger, County Engineer
Marie Colgan, Clerk to the Board
Candice White, Deputy Clerk to the Board

ABSENT: Commissioner Jimmy Keefe

INVOCATION - Commissioner Billy King, Chairman

Minister - Reverend William L. Neill
Pastor of Mt. Zion AME Zion Church, Eastover, NC

PLEDGE OF ALLEGIANCE –

Appointment and Administration of Oath of Office to Phillip Gilfus to Vacant At-Large Board of Commissioner Seat by District Court Judge Talmage Baggett

MOTION: Commissioner Edge moved to follow the recommendation of the Democratic Party and to confirm the appointment of Phillip Gilfus.

SECOND: Commissioner Council

VOTE: Unanimous

Special Recognition of Former Commissioner Dr. J. Breeden Blackwell

Special Recognition to Meme Diaz, Income Maintenance Caseworker in the Children Services Section for winning both the North Carolina Social Services Association's

(NCSSA) South Central District Member of the Year and the State Member of the Year Awards

Recognition of Outgoing Board Members:

Carolyn Tracy – Senior Citizens Advisory Commission

Recognition of Retired Cumberland County Employees:

Mary “Lee” Roberts – Department of Social Services
Legrand Hucks – Maintenance – Public Buildings & Grounds
Flavia Thompson – Cumberland County Public Library

Chairman King thanked all visitors for their attendance and recognized current Elected Officials, past Elected Officials and other visiting officials.

County Manager Martin stated that he had made arrangements for Dr. Kelly Ferris, who is Clinical Assistant Professor of Animal Welfare at North Carolina State University College of Veterinary Medicine, to speak at this meeting regarding distemper and other airborne infectious diseases in animals. However, she will not be able to attend due to some health reasons and she will be rescheduled for a future meeting.

1. Approval of Agenda

MOTION: Commissioner Council moved to approve the agenda.
SECOND: Commissioner Melvin
VOTE: Unanimous

2. Consent Agenda

MOTION: Commissioner Council moved to approve all consent agenda items.
SECOND: Commissioner Faircloth
VOTE: Unanimous

- A. Approval of minutes for the February 6, 2010 regular meeting (rescheduled from February 1, 2010), the February 6, 2010 Special Planning Session and the February 16, 2010 Special Public Safety Task Force Meeting and the February 16, 2010 regular meeting.
- B. Approval of Declaration of Surplus County Property and Authorization to Accept Insurance Settlement.

BACKGROUND:

Date of Accident	December 20, 2009
Vehicle	2008 Ford Crown Victoria
VIN	2FAHP71V18X166354

Fleet #	FL192
Mileage	59,460
Department	Sheriff's Office
Settlement Offer	\$10,442.68
Insurance Company	Travelers

This is a total loss settlement offer.

RECOMMENDATION/PROPOSED ACTION:

Management recommends that the Board of Commissioners:

1. declare the vehicle described above as surplus
 2. authorize the Risk Manager to accept \$10,442.68 as settlement
 3. allow Travelers Insurance to take possession of the wrecked (surplus) vehicle.
- C. Approval of Architectural Agreement for Mechanical, Electrical, Plumbing and Life Safety Upgrades for Crown Arena and Theater.

BACKGROUND: In November 2009, the Board approved the Crown Arena & Theater Mechanical, Electrical, Plumbing and Life Safety Upgrade Project. The scope of the project includes:

Mechanical System Improvements: This involves demolition and removal of existing water cooled chiller, cooling tower, air handling units and associated chilled water piping and pumps. A new cooling system will be installed with air cooled chillers, ice storage tanks, pumps, chilled water piping, air handling units and associated controls incorporating Johnson Controls Metasys.

Mechanical Room: A new mechanical room will be constructed adjacent to the Theater stage of sufficient size to accommodate the new mechanical equipment. All outdoor equipment will be secured and visually screened.

Electrical: This involves demolition and removal of existing Federal Pacific switchgear and panels. A new electrical distribution system shall be installed including switchgear, panels, disconnects and starters. A new emergency generator will be installed to provide back-up electrical power primarily to the Arena and emergency lighting throughout.

Life Safety: This involves installing a new addressable analog fire alarm system to monitor the Arena and Theater.

Plumbing: This involves demolition and replacement of the domestic hot water storage tank and one sanitary sewage pump.

Lighting: This involves demolition and replacement of the existing HID lighting system in the Arena with an energy efficient fluorescent lighting system.

The agreement with LSV Partnership provides architectural and engineering services for this project. The scope of services includes design and preparation of contract documents for construction of the improvements outlined above, assisting the Owner with the formal bid process, and providing construction administration. The architect will also retain the services of an Asbestos Consulting & Testing Firm as an additional service. Compensation for services rendered is as follows:

Basic Services - Stipulated sum of \$350,000
Asbestos Consultant - Not-to-exceed amount of \$7,200
Reimbursable Expenses - Not-to-exceed amount of \$20,000

This project is being funded with Recovery Zone Economic Development Bonds and the Food and Beverage Tax. The County Attorney's office has reviewed the form of agreement for legal sufficiency.

RECOMMENDATION/PROPOSED ACTION: Approve recommendation of the County Engineer and management to:

1. Approve the agreement with LSV Partnership in the amount of \$377,200 for architectural and engineering services for the Crown Arena & Theater Mechanical, Electrical, Plumbing and Life Safety Upgrades Project.
2. Approve the budget revision.

D. Approval of Proposed Changes in Vaccination Fees – Rabies Vaccinations for Animals.

BACKGROUND: At the Board of Health meeting on February 16, 2010, the Board approved the change of the Rabies Vaccination Fee from \$5.00 To \$10.00 per animal. The current fee of \$5.00 per animal has been in place for 20+ years. The Cumberland County Veterinarians' Association, which provides veterinarians, scribes and veterinary supplies to administer the vaccinations at the clinics, made the plea for an increase because they were not receiving enough revenue at the clinics to pay their expenses.

Type of Vaccination	Current Fee	Proposed Fee
Rabies Vaccination for Animals	\$5.00 per animal	\$10.00 per animal

RECOMMENDATION/PROPOSED ACTION: Approve requested changes to vaccination fee for Rabies Vaccinations for Animals.

E. Approval to Set or Increase Fees for Private Purchased Vaccines.

BACKGROUND: At the Board of Health meeting on February 16, 2010, the Board approved a request to set or increase the fees for privately purchased vaccines due to changes from the State. Effective December 1, 2009, the NC Immunization Program discontinued supplying certain vaccines to local Health Departments due to substantial reductions in state appropriations for immunizations. These vaccines will no longer be supplied to local Health Departments free of charge. The Cumberland County Health Department must purchase these vaccines from various manufacturers and provide them to the public for a set fee, customarily as close to costs as possible. (See below list of Vaccines).

VACCINE	CPT CODE	MEDICAID REIMB RATE	MEDICARE REIMB RATE	BCBS REIMB RATE	CCDPH COSTS PER DOSE	CURRENT FEE	PROPOSED FEE
TDAP	90715	\$33.87	N/A	\$39.29	\$31.25	\$32.81	\$34.00
MMR*	90707	\$41.02	N/A	\$54.65	\$48.27	\$41.02	\$50.00
VARICELLA	90716	\$70.82	N/A	\$95.51	\$94.03	\$80.00	\$95.00
HEP A PED	90633	\$28.22	N/A	\$33.24	\$15.25	\$28.22	\$29.00
ROTAVIRUS	90681	\$11.51	N/A	\$82.46	\$83.25	\$0.00	\$85.00
PREVNAR	90669	N/A	N/A	\$99.43	\$78.44	\$60.00	\$80.00
PEDIARIX	90723	\$72.63	N/A	N/A	\$48.75	\$0.00	\$73.00
PENTACEL	90698	\$81.18	N/A	\$85.69	\$69.16	\$0.00	\$82.00
KINRIX	90696	\$53.33	N/A	\$56.29	\$32.25	\$0.00	\$54.00
GARDASIL	90649	\$135.73	N/A	\$138.25	\$153.93	\$150.00	\$155.00

RECOMMENDATION/PROPOSED ACTION: Approve to set or increase fees for private purchased vaccines.

- F. Approval of Health Department Delinquent Accounts to be Written Off and/or Turned Over to Collectors.

BACKGROUND: At the Board of Health meeting on February 16, 2010, the Board approved writing off a total of \$34,067.57 as bad debts. Family Planning accounts in the amount of \$3622.25 will be written off as bad debt, however cannot be sent to our collection agency, Professional Recovery Consultants, Inc. pursuant to North Carolina Division of Health and Human Services Guidelines. The amount to be sent to the collection agency will be \$30,445.32.

This write-off of bad debts is in compliance with the Board of Health's recommendation to write-off bad debts every quarter.

CUMBERLAND COUNTY DEPARTMENT
OF PUBLIC HEALTH
DELINQUENT ACCOUNTS TO BE TURNED OVER FOR COLLECTION
BAD DEBT WRITE-OFF # 27

February 16, 2010

PROGRAM	AMOUNT
ADULT HEALTH	\$20,736.28
BCCCP	\$25.47
CHILD HEALTH	\$3,200.36
DENTAL	\$3,912.95
FAMILY PLANNING *****	\$3,622.25
GYN/POSTPARTUM	\$0.00
IMMUNIZATIONS	\$135.22
MATERNITY	\$2,255.59
MEDICAL RECORDS	\$0.00
PAP	\$179.45
T.B.	\$0.00
TOTAL	\$34,067.57

RECOMMENDATION/PROPOSED ACTION: Approve write off of bad debts in the amount of \$34,067.57 and to turn over to Professional Recovery Consultants, Inc. the amount of \$30,445.32 for collection.

- G. Approval of Offer to Purchase by Cyril Escourse from Community Development Department of a House Located at 911 West Mountain Drive, Fayetteville and to Publish Notice of Upset Bid.

BACKGROUND: Thanena Wilson, Director of Community Development, has negotiated an offer to purchase county-owned surplus property at 911 West Mountain Drive, Fayetteville with Cyril Escourse. This property is a house and lot acquired through the Community Development program and the buyer is a qualified buyer under the program's guidelines. The offer is for \$10,500.00 with a down payment of 5% and with the balance of \$9,975.00 to be paid at closing. This offer, if approved, shall be subject to advertisement in the newspaper with a ten-day upset period.

RECOMMENDATION/PROPOSED ACTION: Approve the Offer to Purchase, subject to the statutory notice and upset provisions, authorize the Manager to sign the contract on behalf of the County and the Chairman to execute and deliver a deed to the appropriate party at the completion of the upset period and at the direction of legal.

H. Approval of a Proclamation in Honor of Dr. Valeria Fleming.

CUMBERLAND COUNTY BOARD OF COMMISSIONERS
PROCLAMATION

A Proclamation in Honor of Dr. Valeria Fleming

Whereas, Dr. Valeria Fleming knew early in her career that she wanted to make a difference in the lives of students, especially those in the sciences; and

Whereas, she had a positive impact on science education and many other aspects of Fayetteville State University and its surrounding community; and

Whereas, she has been recognized as “the first” in many areas such as the first woman Provost in the University of North Carolina System and one of the first recipients and first to complete the UNC Board of Governor’s Faculty Doctoral Study Assignment Program; and

Whereas, for 50 years she provided science instruction and academic administration, gave leadership to academic organizations and to academic support services, helped produce many science leaders and helped young professionals find their place in science, engineering, technology, health professions, mathematics, and other related careers; and

Whereas, in recent years she has given leadership to the biotechnology program at FSU, which is helping students develop skills for rapidly developing career paths; and

Whereas, her expertise has garnered vast sources of funding from such agencies as the Howard Hughes Foundation, the Rockefeller Foundation, the National Science Foundation, the Ford Foundation, and the North Carolina Biotechnology Center to name a few; and

Whereas, Dr. Fleming has held numerous leadership positions at FSU to include Assistant Dean of Students, Director of General Education, Head of the Division of Arts and Sciences, and Assistant to the Provost and Vice Chancellor for Academic Affairs; and

Whereas, she has been a community servant by working with the local American Red Cross, the American Cancer Society Board, and other civic organizations.

NOW, THEREFORE, BE IT RESOLVED that the Cumberland County Board of Commissioners honors Dr. Valeria Fleming for her 50 years of service to the State of North Carolina, Fayetteville State University, the City of Fayetteville, and the County of Cumberland, and is respectfully admired for touching and changing the lives of countless students.

Signed this 1st day of March, 2010.

I. Budget Revisions:

(1) Health

- a. Health Promotion - Revision in the amount of \$500 to budget funding from Kohl’s for a “Safety for Children Grant.” (B10-244) Funding Source – Grant

- b. Pharmacy/Child Health/Adult Health – Revisions in the total amount of \$177,512 to budget additional fees for vaccinations. (B10-273 thru B10-273B) Funding Source – Fees
- c. Women’s, Infant’s and Children – Revision in the amount of \$13,598 to budget additional state funding. (B10-275) Funding Source – State

(2) Sheriff

- a. Law Enforcement - Revision in the amount of \$2,512 to establish a new Crossing Guard/Traffic Control Officer for W.T. Brown Elementary. (B10-267) Funding Source – Board of Education
- b. Revision in the amount of \$21,705 to budget insurance proceeds for the replacement of one law enforcement vehicle. (B10-271) Funding Source – Insurance Proceeds

(3) School Capital Outlay

- a. Category I–Buildings - Revision in the amount of \$3,064,000 to appropriate fund balance for expenditures approved by the Cumberland County Board of Education. (B10-242) Funding Source – Sales Tax Fund Balance
- b. Category II–Equipment – Revision in the amount of \$2,345,000 to appropriate fund balance for expenditures approved by the Cumberland County Board of Education. (B10-242A) Funding Source – Sales Tax Fund Balance
- c. Category III–Vehicles - Revision in the amount of \$180,000 to appropriate fund balance for expenditures approved by the Cumberland County Board of Education. (B10-242B) Funding Source – Sales Tax Fund Balance

(4) Mental Health

- a. Child and Youth Contracts - Revision in the amount of \$100,322 to reconcile budget with state funding reclassification of \$90,000, additional funding of \$58,322 and appropriate fund balance for \$42,000. (B10-245) Funding Source – State and Mental Health Fund Balance

- b. Treatment Alternative to Street Crime – Revision in the amount of \$131,660 to reconcile budget with state funding reduction of \$141,660 and appropriate fund balance for \$10,000. (B10-246) Funding Source – State and Mental Health Fund Balance
- c. Substance Abuse Contracts – Revision in the amount of \$485,132 to reconcile budget with state funding reclassifications of \$13,231, additional funding of \$333,422 and appropriate fund balance for \$151,710. (B10-247) Funding Source - State and Mental Health Fund Balance
- d. Developmentally Disabled Contracts – Revision in the amount of \$15,000 to budget additional state funding. (B10-248) Funding Source – State
- e. Developmentally Disabled Contracts – Revision in the amount of \$171,927 to reconcile budget with state funding reclassifications of \$3,073, additional funding of \$11,927 and appropriate fund balance for \$160,000. (B10-249) Funding Source - State and Mental Health Fund Balance
- f. Adult Contracts – Revision in the amount of \$16,228 to reconcile budget with state reduction of \$289,514 and appropriate fund balance for \$273,286. (B10-250) Funding Source – State and Mental Health Fund Balance
- g. Adult Homeless – Revision in the amount of \$8,013 to budget additional federal funding for the NC Path Grant. (B10-251) Funding Source – Federal
- h. Mental Health Department – Revision in the amount of \$34,410 to budget reduction in state funding. (B10-252) Funding Source – State
- i. MRMI – Revision to reconcile the reclassification of state funding \$538,290, the reduction in funding of \$200,000 and appropriate fund balance for \$200,000. (B10-253) Funding Source – State and Mental Health Fund Balance

(5) Lake Rim Fire District

Revision in the amount of \$4,000 to increase contract for additional revenue anticipated for the remainder of fiscal year. (B10-258) Funding Source – Lake Rim Fire District Taxes

(6) Westarea Fire District

Revision in the amount of \$75,000 to increase contract for additional revenue anticipated for the remainder of fiscal year. (B10-257) Funding Source – Westarea Fire District Taxes

(7) Workforce Development

a. In-School Youth (70%) - Revision in the amount of \$166,558 to reconcile budget with state funding. (B10-265) Funding Source – State

b. Out-of-School Youth (30%) – Revision in the amount of \$50,087 to reconcile budget with state funding. (B10-266) Funding Source – State

(8) Transportation 5310 Grant

Revision in the amount of \$350,000 to establish budget for a new State Grant in the amount of \$315,000 and the required match as In-Kind of \$35,000. (B10-260) Funding Source – State and In-Kind

(9) Community Transportation Program/Planning

Revision in the amount of \$1,991 to reallocate budgeted expenditures from Planning to Community Transportation to increase a position from 20 hours to 30 hours per week. (B10-272) Funding Source – Reallocation of Budgeted Expenditures

(10) Senior Aides Consolidation Appropriations Act of 2010/General Government Other

Revisions in the total amount of \$417,920 to establish a new Senior Aides Grant with state funding (\$369,258), in-kind match (\$14,095) and appropriate General Fund fund balance for the required match (\$34,567). (B10-274 and B10-274A) Funding Source – State, In-Kind, General Fund Fund Balance

(11) Recreation and Parks

Revision in the amount of \$500,000 to recognize additional revenue expected to be earned. (B10-276) Funding Source – Recreation Taxes

Items of Business

3. Consideration of Selection of Architect for Old Public Health Center Renovation Project.

Bob Stanger, County Engineer, made a short presentation using the following background information.

BACKGROUND: Request for Qualifications to provide Architectural Services for the Old Public Health Center Renovation Project were solicited from local architectural firms. The scope of services includes developing a building program, evaluate existing building systems, prepare schematic floor plans and preliminary cost estimates for the proposed renovations of the Old Public Health Center for reuse as County Administrative offices. Responses were received on February 3, 2010 from three firms and the written qualification statements were reviewed by the project team on February 15, 2010. The firm of Gordon Johnson Architecture (GJA) in collaboration with Calloway, Johnson, Moore & West (CJM&W) was deemed the most qualified for this assignment by the project team based on current workload and knowledge of the existing facility. Gordon Johnson Architecture will be the principal architectural firm with CJM&W serving as a design consultant.

A meeting was held with Gordon Johnson and Allan McGuinn (CJM&W) on February 18, 2010 to refine the scope of services, discuss architectural fees and review the proposed form of agreement. Based on the architect's initial scope of services, the proposed fee exceeded the amount budgeted for this phase of work. The level of detail in the schematic phase was reduced in order to get the fees in line with our budget.

The proposal from GJA/CJM&W describes in detail the scope of services and associated fees. The proposed fee is a stipulated sum of \$97,000 plus a travel allowance not-to-exceed \$3,000 for a total of \$100,000. The proposed form of agreement is the AIA Document B102 which will be modified to include the County's Dispute Resolution Clause and other conditions required by the County Attorney's Office.

Chairman King questioned whether two local groups could not be found for this project. Mr. Stanger stated Gordon Johnson is local and the other group was determined by the project team to be the most qualified.

RECOMMENDATION/PROPOSED ACTION: Follow the recommendation of the County Engineer and Management to:

1. Approve the selection of Gordon Johnson Architecture in collaboration with Calloway, Johnson, Moore & West to provide architectural services for the Old Public Health Center Renovation Project.
2. Authorize the County Manager to execute a mutually acceptable agreement with Gordon Johnson Architect, subject to review for legal sufficiency by the County Attorney's Office, in the amount not-to-exceed \$100,000.

MOTION: Commissioner Council moved to approve as recommended by the County Engineer and County Management.

SECOND: Commissioner Faircloth

VOTE: Unanimous

4. Nominations to Boards and Committees

A. Mid-Carolina Aging Advisory Committee (1 Vacancy)

Nominee: Frances Collier

5. Appointments to Boards and Committees

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

Nominee: Jacqueline Wolfe (Reappointment)

B. Air Quality Stakeholders' Committee (1 Vacancy)

Nominee: Alderman Debora Hudson

C. Board of Health (1Vacancy)

Nominee: Registered Nurse: Pamela Pollock

D. Community Child Protection/Fatality Prevention Team (1Vacancy)

Nominee: At-Large: Catherine Lesica

E. Equalization and Review Board (3 Vacancies)

Nominees: Appraiser: Steven A. Parson (Reappointment)

At-Large: David Duria

Industrialist: W. Carroll Beard, Jr. (Reappointment)

F. Tourism Development Authority (1 Vacancy)

Nominee:

Hotel/Motel Over 100 Rooms Representative: Vivek Tandon (Reappointment)

MOTION: Commissioner Faircloth moved to approve appoint all nominees.

SECOND: Commissioner Gilfus

VOTE: Unanimous

6. Appointment of Equalization and Review Board Chairman, First Vice Chairman and Second Vice Chairman

<u>Nominees:</u>	<u>Chairman:</u>	Carroll Beard, Jr.
	<u>First Vice Chairman:</u>	George Turner
	<u>Second Vice Chairman:</u>	Kathy Olsen

MOTION: Commissioner Melvin moved to approve as recommended.

SECOND: Commissioner Gilfus

VOTE: Unanimous

7. Closed Session: Not Needed

MOTION: Commissioner Gilfus moved to adjourn.

SECOND: Commissioner Melvin

VOTE: Unanimous

There being no further business, the meeting adjourned at 9:35AM

Approved with/without revision:

Respectfully submitted,

Marie Colgan
Clerk to the Board