

CUMBERLAND COUNTY BOARD OF COMMISSIONERS
AND
CUMBERLAND COUNTY LEGISLATIVE DELEGATION
APRIL 24, 2012 – 7:30 AM
ROOM 119, 117 DICK STREET, FAYETTEVILLE, NC
SPECIAL MEETING
MINUTES

PRESENT: Commissioner Marshall Faircloth, Chairman
Commissioner Jimmy Keefe, Vice Chairman
Commissioner Kenneth Edge
Commissioner Jeannette Council
Commissioner Billy King
Commissioner Ed Melvin
James Martin, County Manager
Amy Cannon, Deputy County Manager
James Lawson, Assistant County Manager
Rick Moorefield, County Attorney
Sally Shutt, Communication and Strategic Initiatives Manager
Candice H. White, Clerk to the Board
Kellie Beam, Deputy Clerk to the Board
Press

COMMISSIONERS

ABSENT: Commissioner Charles Evans

LEGISLATIVE MEMBERS

PRESENT: Representative Marvin W. Lucas, 42nd District (left at 8:30 a.m.)
Representative Elmer Floyd, 43rd District
Representative Diane Parfitt, 44th District
Representative Rick Glazier, 45th District
Representative William Brisson, 22nd District
Senator Wesley Meredith, 19th District (left at 8:30 a.m.)

LEGISLATIVE MEMBERS

ABSENT: Senator Eric Mansfield, 21st District

1. WELCOME AND INTRODUCTIONS

Chairman Faircloth called the meeting to order and thanked members of the legislative delegation for attending.

2. NCACC 2012 KEY LEGISLATIVE ISSUE FOR SHORT SESSION:
STATE BUDGET – INCREASE COUNTY LOTTERY FUNDS AND RESTORE
MENTAL HEALTH FUNDING

Commissioner Edge explained the North Carolina Association of County Commissioners' (NCACC) goals setting process and stated the first legislative issue involves the state budget. Commissioner Edge stated an increase in county lottery funds is being requested because many counties have committed lottery funds for debt service and are now having a hard time paying for projects already under construction. Commissioner Edge stated also included in the state budget issue is a request to restore mental health funding.

James Martin, County Manager, stated the county is concerned about the service level for mental health patients and the impact on the county budget. Mr. Martin stated the county has not yet determined its mental health funding level and any assistance with maintaining mental health funding in the state budget would be appreciated.

Commissioner Keefe stated mental health patients make up 20% of the jail population and overwhelm the hospital emergency room. Representative Glazier requested data on the status of developmental disabilities population and inquired regarding the triage process for mental health patients being seen in the hospital's emergency room. Commissioner Keefe stated the mental health service delivery model has been turned into an insurance company and although there is a definite need for managing mental health services, there is also more of a need to target individuals in need of mental health services because there are people using mental health services as a financial resource.

Chairman Faircloth stated there is little understanding about the composition of the mental health boards moving forward but there needs to be county commissioner representation on the board. Commissioner Faircloth stated the representative could be a county commissioner or a county commissioner-appointee. Commissioner Council stated counties can not forget the children of individuals with mental health issues or children who have mental health issues of their own. Representative Lucas stated the mental health problem is recognized throughout the state and is now under scrutiny of the federal government. Rick Moorefield, County Attorney, advised the statutes governing mental health organizational structure need to be studied by the legislature to see if they adequately address the present day reality of management entities which do not provide services rather than the direct service organizations that were in place in the eighties when these statutes were last updated.

With respect to the state's allocation of lottery proceeds, Mr. Martin stated Cumberland County and the Cumberland County Board of Education have made financial commitments on capital projects totaling \$7 million annually which will continue for a couple more years before the amount is reduced. Mr. Martin further stated Cumberland County has a \$2.6 million gap which the school system will have to cover from its allocation of the county sales tax; these monies were previously used for maintenance and other renovation projects.

Representative Glazier stated education lottery funds need to stay in the education arena and there should be flexibility of legislators to move lottery funds as circumstances require within the three (3) categories of: school construction, teaching positions for pre-kindergarten and elementary education, and need-based scholarships. Representative Glazier stated when the

worst of the recession hit and the political parties changed, formulas for the allocation for schools were revamped and the 50/40/10 ratio changed dramatically as funds were moved to close Medicaid gaps. Representative Brisson stated counties have options and should be more in touch with their Boards of Education as to how money is spent.

3. NCACC 2012 KEY LEGISLATIVE ISSUE FOR SHORT SESSION:
ALLOW HUMAN SERVICES ADMINISTRATIVE FLEXIBILITY

Commissioner Edge stated Senate Bill 433 basically allows human services administrative flexibility. Commissioner Edge explained some counties in North Carolina want the option of combining their Mental Health, Public Health and Department of Social Services (DSS) boards into one Human Services board. Commissioner Edge stated although some counties want to combine their boards, Cumberland County has no desire to change its human services administration at this time. Commissioner Edge stated the concern of the Mental Health, DSS, and Public Health departments is whether their employees are being taken from under the State Personnel Act by this proposal. Commissioner Edge further stated Cumberland County would like the legislator's support to allow human services administrative flexibility as it may become relevant to Cumberland County at some point in the future.

4. NCACC 2012 KEY LEGISLATIVE ISSUE FOR SHORT SESSION:
AUTHORIZE COUNTY BROADBAND/PUBLIC-PRIVATE PARTNERSHIPS

Chairman Faircloth stated the issue of authorizing county broadband/public-private partnerships is not an issue for Cumberland County but it is recognized as being an issue for some counties. Commissioner Edge stated legislators may want to look into supporting a goal to authorize county broadband public/private partnerships. Representative Lucas stated public/private partnerships need to be recognized at the federal level to be a world class nation. Commissioner Edge stated individual counties desperately need a seat at the table when the state addresses tax reform.

5. DISCUSSION OF LEGISLATIVE DELEGATION'S POSITION ON TOLL ROADS
GOING THROUGH CUMBERLAND COUNTY

A. REDUCED TOLL FEES FOR RESIDENTS AND LOCAL INDUSTRY

Commissioner Keefe stated tolls along the I-95 corridor will have a negative impact on citizens of Cumberland County because the reality is it will cost them money. Commissioner Keefe stated if tolls are imposed, people who live and work along the I-95 corridor need to be able to purchase a toll card at a reduced rate. Commissioner Keefe further stated he cannot see how charging residents of other counties who travel I-95 to work will help the economy. Commissioner Keefe reported that the Department of Transportation (DOT) estimates that 55% of traffic on I-95 passes through Cumberland County. Commissioner Keefe stated he feels money currently allotted to maintain I-95 should be spent on secondary road maintenance and other nearby rural routes rather than elsewhere in the state. Commissioner Council expressed concern that the state could push the responsibility for secondary road maintenance down to counties who do not have funds to handle it.

Representative Floyd stated he can not support the number of toll booths currently being projected for I-95. Representative Floyd also stated the Department of Transportation (DOT) could reduce one-third of the total projected construction costs by reducing the number of toll booths and number of lanes; this would have less of an impact on citizens. Representative Floyd stated when you read the way the I-95 language is drafted, the toll monies will be used for secondary roads.

Representative Brisson stated he opposed toll roads because I-95 is a federal highway and the federal government should do what it is supposed to do and be responsible for maintaining the highway. Representative Brisson stated there are things of greater importance to the state's budget than putting eight lanes on I-95. Representative Glazier stated he agrees with Commissioner Keefe that people who live in the area and travel I-95 for work should be able to receive a discount. Representative Glazier stated the roads are in bad shape and in need of maintenance, and eventually the state legislature will have to face the issue in a bi-partisan manner.

Commissioner Council stated the money has to come from somewhere so there needs to be some sort of compromise or creative solution. Commissioner Council further stated she does not want citizens paying tolls because gas prices are already too high.

6. DISCUSSION OF RUTHERFORD COUNTY'S RESOLUTION TO REQUEST THE GOVERNOR TO SECURE FUNDS TO PAY THE UNPAID PRINCIPAL OF THE FEDERAL UNEMPLOYMENT TAX ACT LOAN MADE TO THE STATE OF NORTH CAROLINA

Chairman Faircloth stated Rutherford County's resolution "To Request the Governor to Secure Funds to Pay the Unpaid Principal of the Federal Unemployment Tax Act Loan Made to the State of North Carolina" has not been adopted by the Cumberland County Board of Commissioners but he wanted to make the legislators aware that the unemployment tax is being balanced on the back of employers. Commissioner Faircloth stated every employer in the state has been impacted by the state's decision not to pay back the federal unemployment tax act loan.

Representative Glazier stated it will take a lot of years to satisfy the loan and increasingly so unless legislators act. Representative Glazier further stated this issue is between \$2-\$3 billion dollars and there is a House Select Committee looking at options although their report is pending.

Representative Brisson stated he feels very confident decision makers are aware small businesses can not shoulder the loan so they will keep bearing on the federal government for forgiveness or other solutions that will not be passed on to small businesses.

7. INFORMATIONAL ITEM: RESOLUTION OF THE ELECTION BOARDS ASSOCIATION OF NORTH CAROLINA TO THE HONORABLE GOVERNOR BEVERLY PURDUE AND MEMBERS OF THE N. C. GENERAL ASSEMBLY REQUESTING THAT THE (HELP AMERICANS VOTE ACT) HAVA FUNDS BE INCLUDED IN THIS YEAR'S BUDGETS AND THAT SAID FUNDS BE PROVIDED

TO THE STATE BOARD OF ELECTIONS FOR THE COUNTIES TO IMPROVE THE ELECTIONS PROCESS

Chairman Faircloth called attention to the resolution and stated it is being presented to the legislator's for informational purposes only.

8. INFORMATIONAL ITEM: SNAPSHOT OF NCACC 2012 BUDGET AND TAX SURVEY

Chairman Faircloth called attention to the snapshot of the NCACC's 2012 budget and tax survey which reflected budget reductions taken by counties across the state. Commissioner Edge stated Cumberland County's economy has remained a little more stable because of the military but the county still needs jobs. Commissioner Edge stated the county's major emphasis is the detention center project and trying to find funds for county employees who have not received an increase in four years. Commissioner Edge stated the county also needs to find funds to operate the detention center following completion of the expansion project.

9. OPEN DISCUSSION

Commissioner King asked the legislators whether they had heard anything about this year's state budget. Representative Parfitt stated there is already a shortfall in Medicaid and a lot of money is yet to be cut. Representative Glazier stated the good news is the state is \$175 million over in its projected revenue; however, the bad news is the revenue is offset by deficits existing in some budget areas that were underfunded and that there may be other rounds of cuts coming. Representative Glazier spoke to three issues on the education side which included enrollment numbers for universities, financial aid, tuition increases and cuts in federal funding; a \$258 million gap in educational job funds; and \$50-\$70 million cuts to schools in the biennium budget.

Chairman Faircloth provided closing remarks and thanked everyone for attending.

MEETING ADJOURNED: 9:10 AM

Respectfully submitted,

Kellie Beam
Deputy Clerk to the Board