

CUMBERLAND COUNTY BOARD OF COMMISSIONERS
MONDAY, MAY 7, 2012 – 9:00 AM
117 DICK STREET, 1ST FLOOR, ROOM 118
REGULAR MEETING
MINUTES

PRESENT: Commissioner Marshall Faircloth, Chairman
Commissioner Jeannette Council
Commissioner Kenneth Edge
Commissioner Charles Evans
Commissioner Jimmy Keefe
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
Jon Soles, Multimedia Specialist
Randy Beeman, Emergency Services Director
Jeffery Brown, Engineering and Infrastructure Director
Thanena Wilson, Community Development Director
Howard M. Lloyd, Sheriff's Office Budget Officer
Candice White, Clerk to the Board
Kellie Beam, Deputy Clerk to the Board
Press

Chairman Marshall Faircloth called the meeting to order.

INVOCATION AND PLEDGE OF ALLEGIANCE – Commissioner Melvin provided the invocation followed by the Pledge of Allegiance to the American Flag.

Recognition of the Cumberland County Public Information Office on Receiving the North Carolina City and County Communicators (NC3C) Excellence in Communications Award

Chairman Faircloth called on Sally Shutt, Communication and Strategic Initiatives Manager, who stated Cumberland County received a first place Excellence in Communications award from the North Carolina City and County Communicators (NC3C) in the Printed Publications-External Newsletters category for its “Cumberland Matters” newspaper column that appears weekly in The Fayetteville Observer’s Saturday Extra. Ms. Shutt recognized Jon Soles, Multimedia Specialist, who often writes the newspaper column.

Introduction of New County Department Heads:

- Randy Beeman, Emergency Services Director
- Jeffery Brown, Director of Engineering and Infrastructure

Mr. Martin introduced and welcomed Randy Beeman, Emergency Services Director, and Jeffery Brown, Director of Engineering and Infrastructure. Chairman Faircloth welcomed Mr. Beeman and Mr. Brown on behalf of the Board of Commissioners.

James Martin, County Manager, requested the removal of Item 6.A. Closed Session for Economic Development Matters Pursuant to NCGS 143-318.11(a)(4).

1. Approval of Agenda

MOTION: Commissioner Melvin moved to approve the agenda to include the removal of Item 6.A.

SECOND: Commissioner Council

VOTE: UNANIMOUS (7-0)

2. Consent Agenda

A. Approval of minutes of April 16, 2012 regular meeting, April 16, 2012 Special Meeting with the FTCC, April 24, 2012 Special Meeting with the Cumberland County Legislative Delegation and the April 25, 2012 Special Meeting for the NCACC District Meeting

B. Approval of Schedule Changes for FY13 Budget Public Hearing and Presentation

BACKGROUND:

The FY 2012 Budget Work Sessions Schedule approved on April 14 holds the May 31 Budget Presentation in Room 564 instead of Room 118 where it can be televised. The Public Hearing is scheduled for June 11 at 7 p.m., which conflicts with the Fayetteville City Council meeting that is aired live over Time Warner Cable.

RECOMMENDATION/PROPOSED ACTION:

In order to air both the Budget Presentation and the Public Hearing over Time-Warner Cable and record them for posting to the county's website, management recommends moving the May 31 Budget Presentation from Room 564 to Room 118 and changing the date of the Budget Public Hearing from Monday, June 11, to Thursday, June 7 at 7:00 p.m.

Thursday, May 31, 2012	7:00 PM	Budget Presentation	Room 564 118
Tuesday, June 5, 2012	5:30 PM	Department Head Appeals/Work Sessions	Room 564
Thursday, June 7, 2012	5:30 PM 7:00 PM	Budget Work Session -Public Hearing	Room 564 118
Monday, June 11, 2012	7:00 5:30 PM	Budget Public Hearing Work Session	Room 118 564
Tuesday, June 12, 2012	5:30 PM	Budget Work Session	Room 564
Thursday, June 14, 2012	5:30 PM	Budget Work Session	Room 564
Monday, June 18, 2012	6:45 PM	Adopt Budget	Room 118

C. Approval of Submission of 2012 Community Development Annual Action Plan

BACKGROUND:

As part of the HUD 5-Year Consolidated Planning process, an Action Plan must be presented each year by Community Development outlining activities to be carried out over the next program year. The 2012 Annual Action Plan is to be submitted to the U.S. Department of Housing and Urban Development (HUD) by May 15, 2012. Entitlement funding for this year is as follows: Community Development Block Grant (CDBG) - \$855,428; and HOME Investment Partnership Act (HOME) - \$322,894. Competitive funding awarded in our community is as follows: Supportive Housing Program (SHP) - \$1,005,499; and Emergency Solutions Grant (ESG) - \$177,424.

The draft proposal was presented and a public hearing held at the April 16, 2012 Board of Commissioners meeting. This document has also been available at several locations throughout the County since April 4, 2012 for a 30-day citizen review and comment period. No comments have been received to date; however any comments received will be addressed by the Director and forwarded to HUD along with the Action Plan. If comments are received, responses will also be forwarded to the Board for review. A final copy of the plan will be available through the Community Development Office beginning May 7, 2012.

RECOMMENDATION/PROPOSED ACTION:

Community Development recommends that the Board of County Commissioners approve submission of the Annual Action Plan to HUD by May 15, 2012.

D. Approval of Lease of Alphin House (Office Use Only) at 2736 Cedar Creek Road to the Fort Bragg Regional Alliance

BACKGROUND:

At its April 5, 2010 meeting, the Facilities Committee voted to recommend to the Board of Commissioners that the county lease the Alphin House located at 2736 Cedar Creek Road to the Fort Bragg Regional Alliance for offices. The county will up-fit the HVAC system and install appropriate wiring for data and communications systems. The county will continue to maintain the grounds and the tenant will provide all utilities, janitorial and garbage service. The rent will be \$1,500 per month for a lease term of 12 months, then becoming a month to month tenancy which can be terminated by either party with 60 days' notice.

The Board of Commissioners adopted a resolution of intent to enter into this lease at its April 16, 2012 meeting. Pursuant to G.S. 160A-272 the notice of intent was published in the "Fayetteville Observer" on April 26, 2012.

SUMMARY OF LEASE TERMS:

Premises: Alphin house located at 2736 Cedar Creek Road to be used for office space only

Lessee: Fort Bragg Regional Alliance, Inc., a non-profit NC corporation

Notice of Intent: published on April 26, 2012 in the "Fayetteville Observer"

Use: office space for the lessee only

Term: one year, commencing July 1, 2012, then becoming a month-to-month tenancy
Rent: \$1500 per month
Utilities: lessee's responsibility
Regular Maintenance: routine, regular maintenance of the structure and grounds shall be responsibility of County
Janitorial: lessee's responsibility
Garbage Collection: lessee's responsibility
Insurance: hazard insurance on structure to be responsibility of County; lessee shall provide general liability and premises liability appropriate for office operations
Early Termination Provision: none needed
Renewal Terms: none needed
Management Recommendation: approval
Facilities Committee Recommendation: approval

E. Approval of Payment of Past Year Invoice for Services Rendered to the Cumberland County Health Department

BACKGROUND:

The Cumberland County Health Department has requested payment of a FY2011 invoice for services rendered by Cape Fear Valley Health System Emergency Department for services to an inmate from the County Detention Center. The total amount to be paid is \$350.00.

The Cumberland County Health Department also requests payment of a FY2010 invoice for services rendered by North Carolina Department of Corrections for services rendered to an inmate from the County Detention Center. The invoice was not paid due to confusion as to who was responsible for the bill, Health Department or Sheriff's office. The total amount to be paid is \$794.95. The Health Department has implemented procedures to prevent reoccurrence.

RECOMMENDATION/PROPOSED ACTION:

Management is requesting approval for payment of the above two invoices in the total amount of \$1,144.95, and approval of the associated budget revision.

F. Approval of Payment of Past Year Invoice for Services Rendered to the Cumberland County Legal Department

BACKGROUND:

The Cumberland County Legal Department has requested payment of a FY2010 invoice for the annual internet fee to Municipal Code Corporation for access to the Cumberland County Code. Payment was not made timely during FY2010 due to an oversight by the Legal Department. County Finance has determined the invoice was not paid and that the invoice represented a normal annual charge. The total amount to be paid is \$400.00. The Legal Department has taken steps to assure routine recurring bills are paid timely and that these circumstances do not reoccur.

RECOMMENDATION/PROPOSED ACTION:

Management is requesting approval for payment of the above mentioned invoice to Municipal Code Corporation in the amount of \$400.00, and approval of the associated budget revision.

G. Approval of Sale of Surplus County Owned Real Property Acquired by Tax Foreclosure

- 1) Lot 25 Windfield Sec 2 (0.60 Ac); 3357 Dandelion Ln
PIN No. 0441-41-6308

BACKGROUND:

On or about March 30, 2010, the County acquired by tax foreclosure the above property. The amount currently owed on the foreclosure judgment including interest and costs for the property is \$2,702.33. Chantel Coaxum has offered to purchase the County's interest in the property for \$2,702.33 and has deposited \$270.23 in the Finance Office. The tax value of the property is \$14,850.00.

This property is surplus to the needs of the County and, according to N.C.G.S. §153A-176 and N.C.G.S. §105-376, the County has the authority to sell such property. Management has reviewed this offer and it is now being submitted for the Board to consider whether or not to accept Ms. Coaxum's bid. The property has been advertised and this office has not received any upset bids. The bid period is now closed.

RECOMMENDATION/PROPOSED ACTION:

That the Board of Commissioners consider whether to accept the offer of Chantel Coaxum to purchase the above property for the sum of \$2,702.33, plus advertising and recording costs, and authorize the Chairman to execute a deed upon receipt of the balance of the purchase price.

H. Approval of a Proclamation Proclaiming May 6-12, 2012 as "Cumberland County Law Enforcement Officers Week and May 10, 2012 as "Peace Officers Memorial Day" in Cumberland County

COUNTY OF CUMBERLAND

NORTH CAROLINA

PROCLAMATION

WHEREAS, Cumberland County recognizes the heroism of all law enforcement officers who have died in the line of duty – giving their lives to protect and serve the citizens of our county; and

WHEREAS, the Cumberland County Sheriff's Office has lost twelve officers in the line of duty; and

WHEREAS, a permanent memorial has been designated and erected in memory of all those fallen officers and placed in the ground of the Cumberland County Courthouse and Law Enforcement Center;

NOW, THEREFORE, BE IT RESOLVED that the Cumberland County Board of Commissioners PROCLAIMS May 6-12, 2012 “CUMBERLAND COUNTY LAW ENFORCEMENT OFFICERS WEEK” and May 10, 2012 “PEACE OFFICERS MEMORIAL DAY”;

BE IT FURTHER RESOLVED that the Board of Commissioners encourages all citizens of Cumberland County to recognize the contributions of those who serve their community in potentially dangerous circumstances and the ultimate sacrifice by those who have given their lives protecting and serving this county.

Adopted this 7th day of May, 2012.

- I. Approval of a Proclamation Proclaiming May 17, 2012 as “Project Homeless Connect Day” in Cumberland County

BACKGROUND:

On Thursday, May 17th the Cumberland County Continuum of Care on Homelessness and the Fayetteville/Cumberland County Ten-Year Plan to End Homelessness Steering Committee is sponsoring Project Homeless Connect from 7:30 a.m. to 1:30 p.m. at Smith Recreation Center on Slater Avenue. This one-day, one-stop event will offer services to the homeless in our community. Local agencies will provide information and applications for housing, employment services, health care services, and more.

The day will begin with a ceremony spotlighting the aim and purpose for the day’s activities, to connect people with the various services our community has to offer. Throughout the day, participants will receive vital assistance with services many of us take for granted such as: health care screenings, job placement opportunities, housing support, governmental services and so much more. Breakfast and lunch will also be served.

While orchestrating this event takes great effort, it is just one small part of a much greater goal – to end homelessness in our community. Therefore, in order to commemorate this event and the impact that serving the homeless has on all citizens of Cumberland County, we would like for the Board of Commissioners to proclaim May 17, 2012 as Project Homeless Connect Day.

RECOMMENDATION/PROPOSED ACTION:

The Cumberland County Continuum of Care on Homelessness and the Fayetteville/Cumberland County Ten-Year Plan to End Homelessness Steering Committee, through Cumberland County Community Development, recommends that the Board of Commissioners recognize May 17, 2012 as Project Homeless Connect Day.

**2012 PROJECT HOMELESS CONNECT DAY
PROCLAMATION**

WHEREAS, Cumberland County is committed to ending homelessness; and

WHEREAS, on January 25, 2012 the 2012 Continuum of Care Homeless Population Point-in-Time Survey identified 1,606 homeless persons in the Fayetteville/Cumberland County area; and

WHEREAS, the Fayetteville/Cumberland County Ten-year Plan to End Homelessness Steering Committee and the Fayetteville/Cumberland County Continuum of Care on Homelessness has identified efforts in which to address homeless issues in the City of Fayetteville and Cumberland County through the Ten-year Plan to End Homelessness; and

WHEREAS, the Cumberland County Board of Commissioners adopted this plan on October 20, 2008; and

WHEREAS, one of the goals identified in the Ten-year Plan to End Homelessness is to expand our outreach network in coordinating annual outreach events; and

WHEREAS, The Fayetteville/Cumberland County Ten-year Plan to End Homelessness Steering Committee and Cumberland County Continuum of Care on Homelessness will sponsor Project Homeless Connect on May 17, 2012 as a means of accomplishing such efforts; and

WHEREAS, Project Homeless Connect is a one-day event designed to offer vital assistance and services to include health care screenings, job placement opportunities, housing support, and governmental services in a one-stop model to persons experiencing homelessness.

Now, Therefore I, Marshall Faircloth, by virtue of the authority vested in me as Chairman of the Cumberland County Board of Commissioners, do hereby proclaim:

May 17, 2012 as
Project Homeless Connect Day

in Cumberland County, and urge all citizens to join us in supporting this event and the Fayetteville/Cumberland County Ten-year Plan to End Homelessness Steering Committee and the Cumberland County Continuum of Care on Homelessness in its efforts to end homelessness in our community.

In Witness Whereof, I have hereunto set my hand and caused the seal of Cumberland County, North Carolina to be affixed this 7th day of March, 2012.

J. Budget Revisions:

(1) Health

a. Women's, Infants and Children – Revision in the amount of \$15,000 to budget reduction in State funding. (B12-300) Funding Source- State

- b. Administration – Revision in the amount of \$10,435 to recognize State funding for a Motivational Interview Training Program. (B12-317)
Funding Source - State

(2) Solid Waste

Construction and Demolition - Revision in the amount of \$300,000 to appropriate Solid Waste fund balance for the purchase of mobile picking station, covers and to construct a concrete pad to sort incoming construction debris into recyclable piles. (B12-314) Funding Source – Solid Waste Fund Balance

(3) School Capital Outlay Category I - Buildings

Revision in the amount of \$500,000 to appropriate sales tax fund balance to budget additional capital outlay for school renovations. (B12-303)
Funding Source – Sales Tax Fund Balance

(4) Eastover Sanitary District/ESD Water Project-Phase II

Revision in the amount of \$208,605 to reduce the transfer from the Eastover Sanitary District Water Project-Phase II and reallocate budgeted expenditures to make the interest payment from the capital project. (B12-304 and B12-304A) Funding Source- Reallocation of Budgeted Expenditures

(5) ESD Water Project –Phase II

Revision in the amount of \$126,098 to reallocate unused construction funds to contingency. (B12-306) Funding Source – Reallocation of Budgeted Expenditures

(6) Sheriff's Office

- a. Detention Center – Revision in the amount of \$81,000 to appropriate fund balance for food & provisions due to increase costs. (B12-318)
Funding Source- General Fund Fund Balance
- b. School Law Enforcement/General Government – Revision in the amount of \$20,000 to reallocate dedicated fuel reserve funds to School Law Enforcement. (B12-319) Funding Source – Reallocation of Budgeted Expenditures
- c. Sheriff's Office/General Government – Revision in the amount of \$94,734 to reallocate dedicated fuel reserve funds to the Sheriff's Office and to appropriate from fund balance an additional \$75,266 for fuel. (B12-320) Funding Source – Reallocation of Budgeted Expenditures and Fund balance Appropriated

(7) Crown Center

Revision in the amount of \$250,000 to appropriate fund balance for the FY2012 “other post-employment benefits” (OPEB) expense. (B12-296)
Funding Source – Crown Center Fund Balance

(8) New Century Elementary School Capital Project

Revision in the amount of \$278,323 to budget interest income, sales tax contractors and to reallocate expenditures to fund miscellaneous expenditures to close out the capital project. (B12-321) Funding Source – Reallocation of Expenditures, Interest Income and Sales Tax Contractors

MOTION: Commissioner Council moved to approve all consent items 2.A. through 2.J.(8)
SECOND: Commissioner Melvin
VOTE: UNANIMOUS (7-0)

PUBLIC HEARING

3. Public Hearing on the Edward Byrne Memorial Justice Assistance Grant (JAG)

BACKGROUND:

The Sheriff’s Office is eligible to apply for funding through the Edward Byrne Memorial Assistance Grant through the United States Department of Justice. This grant continues the Department of Justice effort to support law enforcement at the local level.

This year the Sheriff’s Office and the City of Fayetteville Police Department must submit a joint application. Even though this is a joint application, each agency will be able to use the funds for their own priorities. The Department of Justice uses crime statistics and population to compute the award. The Sheriff’s Office share is \$54,580 and the City Police Department’s share is \$120,053. Under the JAG Grant, there is no fund match.

As part of the USDOJ requirements, the public must be offered the opportunity to comment. The Sheriff’s Office publicly advertised the grant opportunity in the Fayetteville Observer on May 5, 2012.

RECOMMENDATION/PROPOSED ACTION:

Conduct the public hearing and authorize the county manager to sign the application submittal.

Howard M. Lloyd, Sheriff's Office Budget Officer, presented the above background information.

Mr. Martin explained the Board of Commissioners’ procedures for public hearings.

This is the duly advertised/noticed public hearing set for this date and time. Chairman Faircloth opened the public hearing.

The Clerk to the Board advised there were no speakers.

Chairman Faircloth closed the public hearing.

MOTION: Commissioner Council moved to authorize the county manager to sign the application
submittal.
SECOND: Commissioner Melvin
VOTE: UNANIMOUS (7-0)

ITEMS OF BUSINESS

4. Nominations to Boards and Committees

A. Air Quality Stakeholder's Committee (1 Vacancy)

Commissioner Council nominated County Commissioner Kenneth Edge for the County of Cumberland Elected Official stakeholder position.

B. Farm Advisory Board (2 Vacancies)

Commissioner Melvin nominated Clifton McNeill, Jr. for the Natural Resource Conservation position and Walter Clark for the Planning Board Representative position.

5. Appointments to Board and Committees

Mr. Martin advised there were no appointments scheduled for this meeting.

6. ITEM REMOVED FROM AGENDA

Closed Session: A. Economic Development Matter
Pursuant to NCGS 143-318.11(a)(4).

MOTION: Commissioner Evans moved to adjourn.
SECOND: Commissioner Council
VOTE: UNANIMOUS (7-0)

There being no further business, the meeting adjourned at 9:13 a.m.

Approved with/without revision:

Respectfully submitted,

Candice H. White
Clerk to the Board