

CUMBERLAND COUNTY BOARD OF COMMISSIONERS
MONDAY, APRIL 2, 2013 – 9:00 AM
117 DICK STREET, 1ST FLOOR, ROOM 118
REGULAR MEETING
MINUTES

PRESENT: Commissioner Jimmy Keefe, Chairman
Commissioner Jeannette Council, Vice Chair
Commissioner Kenneth Edge
Commissioner Charles Evans (departed at 9:50 a.m.)
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, Public Information Director
Jon Soles, Public Information Specialist
Buck Wilson, Public Health Director
Christopher Frank, Board of Health Chairman
Randy Beeman, Emergency Services Director
Dr. John Lauby, Animal Services Director
Karen Long, Crown Coliseum General Manager
Judge Beth Keever, Chief District Court Judge
Kellie Beam, Deputy Clerk to the Board
Press

ABSENT: Commissioner Marshall Faircloth

Chairman Keefe called the meeting to order.

INVOCATION AND PLEDGE OF ALLEGIANCE – Commissioner Melvin introduced Reverend Eastland Gray, Minister of Pastoral Care and Senior Adults at Village Baptist Church, who provided the invocation followed by the Pledge of Allegiance to the American Flag.

State of the County Address, Chairman Jimmy Keefe

Chairman Keefe delivered the State of the County address as follows:

Good morning everyone. On behalf of the board of county commissioners, I want to welcome you to our “State of the County” address.

April is National County Government Month and this year’s theme is Smart Justice: Creating Safer Communities. Throughout this month we will celebrate the important functions of county government, and I thought this would be a good time to reflect on where we are in Cumberland County. As I stand before you, I am more confident than ever about the future of our county.

Our mission as a county government is to provide quality services to our citizens while being fiscally responsible.

With more than 30 departments and 2,300 employees, we take that mission seriously. We have established strategic goals related to the health and safety of our community, our infrastructure, economic development, citizen engagement and customer service.

Your Board of Commissioners brings a vast amount of experience and insight as your representatives. Collectively, this board has almost 100 years of elected service. Just as our county population is a mixture of different backgrounds, education and ethnicities, so is your board of commissioners. Please do not assume that with this much elected experience, we are career politicians. We have dedicated ourselves to our businesses, professions, careers, families and causes -- all while trying to balance our public service. I am proud to serve on this board with each of these commissioners. Although, we do not agree on some items, we respect each other and keep open dialogue and open minds.

This morning I would like to focus on some of our successes, commitments and the challenges faced over the past year and the new opportunities we will have in the upcoming year.

Five years ago, our county tax rate of .86 cents per \$100 valuation was one of the top five highest in the state. Today, as the result of revaluation, sound financial management, aggressive cost-cutting and creative efficiencies, our tax rate is .74 cents. We are only 1.5 cents from being tied for the second lowest tax rate among our contiguous counties.

Although we had a revaluation during that time, so did each of the other counties, except one. It is also important to note that during this time no services were cut that had any impact on the community.

This did not happen by accident, it is the result of leadership, planning and being responsible with tax payer money. Our finance department, headed by Deputy County Manager Amy Cannon, has won national awards for over a decade for sound financial management and practices. When other governments' bond ratings were being downgraded, ours was upgraded, which allowed the county to leverage its finances to avoid increased interest rates and fees.

Being fiscally responsible while providing needed services to our community is not just a tagline for the commissioners and staff. It is a commitment. Since 2008, during the initial economic crisis, we were preparing for the increases in human services that always come with tough economic times. The purpose of county government is to be the local representation on state issues to the citizenship; this primarily comes down to the health, education and welfare of a community.

When the economy began its downturn and the unemployment numbers started to rise, your county worked closely with Dr. Larry Keen, president of Fayetteville Technical Community College, and his excellent staff on programs and initiatives to get people back in school to learn new trades, continue an education they may have put on hold and get them back in the workforce as quickly as possible.

Because of some inefficiency in our previous Workforce Development Program, we recognized that training for new skills should be left to the professionals and Dr. Keen and FTCC willingly and aggressively assumed the responsibilities of that program and it is one of the most effective in the state.

Another program proving to be a great success is the partnership of the Cumberland County School System and FTCC with their “High School Connections” program that allows rising high school juniors to take classes in the afternoons at FTCC and learn one of over 30 trades, so that upon graduation, they are fully trained and ready to join the workforce. We hope this will be a catalyst for increased vocational training in Cumberland County.

Our county’s unemployment rate is currently at 10.2 percent, and the impending federal furloughs and other potential job cuts facing our citizens are of great concern to them and all of the residents of Cumberland County. Even if these job cuts are not affecting you directly, the economic impact will be felt throughout our community.

We have had some economic development successes, Booz-Allen and The Sykes Corporation for example, and we have had some disappointments like the House of Raeford announcement that 950 jobs will be lost. By all indications, the next few years are going to be tough years for all levels of government and we will be forced to do more with less. Many of our departments, such as The Crown Center, the Department of Social Services and our library system have assisted job seekers by providing opportunities to meet with potential employers. Just last week, DSS and its community partners held the “March to Work” job fair at the Crown Expo Center that attracted approximately 2,500 of job seekers.

The county’s nationally recognized public library system is offering career and job centers at all eight branches. Jody Risacher and her staff have transformed our library system into an educational “hub” that informs our citizens about the vast resources available in our county. The library is also partnering with our Child Support Department to assist parents who are seeking employment.

The library does all this in addition to providing excellent materials and programs for all ages. We have come to expect this level of service from our library, which is one of five libraries in the country to win the prestigious National Medal for Museum and Library Services.

In a collaborative effort, the City of Fayetteville, Cumberland County and business representatives have joined the Economic Development Alliance, the Chamber of Commerce’s economic development arm, to strengthen and diversify

our business base. This partnership ensures that all tax money allocated by the commissioners will go directly into the program to enhance economic development.

One economic development project is an agreement with the City of Fayetteville to provide utilities to our industrial parks outside the city limits. Cedar Creek Business Park is a pilot program that could extend these types of services to any business that wishes to build in our unincorporated areas. This program also allows for an incentives package for future projects in the park.

We are very fortunate to be one of the few counties with a licensed veterinarian as the Animal Control director. Since Dr. John Lauby assumed the leadership responsibilities, he has brought a level of professionalism and compassion to an otherwise very unglamorous and emotional job. Though his tenure, adoptions are up, service and training of officers has improved and we now have more officers on staff to ensure the public stays as safe as possible. Dr. Lauby and his staff have proactively partnered with outside agencies to increase exposure of adoptions by getting out into the community and streamlining the adoption process. Animal Control is not without its challenges; Dr. Lauby will be the first to tell you that he works everyday to get the euthanasia rate down in Cumberland County.

Since January 1, Animal Control has been administering our pet licensing in the county and has tied the renewal dates to pets' rabies vaccinations. The change is designed to decrease the number of unlicensed pets in the county and the revenues will help fund Animal Control services.

The county's Department of Social Services under the direction of Brenda Jackson is the only agency in North Carolina to receive "Child First" certification and to bring that specialized training to our state. This program ensures professionals working with children in the court system are trained in forensic interviewing techniques. Because of their success, DSS is reaching out across the state to offer this training. So far 98 individuals in North Carolina have been trained through our DSS.

One of the most exciting programs we have started is our Cumberland County Citizens' Academy under the direction of our Public Information Office. We graduated our first class of almost 30 citizens in the fall of 2012. The class now in session has more than 30 enrolled participants and there is already a waiting list for the next class. Our Citizens' Academy introduces the students to all aspects of county government; from the Health Department to the Crown Coliseum, from Animal Control to County Government and almost every department in between. These accomplishments have not happened by accident. They were achieved by design and are the result of collaboration – working together on decisions and projects to better our community.

We know there are challenges ahead, and we are preparing for them.

Budget cuts at the federal and state level will have an impact on many of our county departments. We are following the happenings in Washington and Raleigh and developing strategies on how best to weather these cuts and continue the county's mission to provide quality services to our citizens while being fiscally responsible.

In the next two months, our County Manager will bring his recommended budget before us. We will continue to use the county's conservative fiscal policies that have proven successful in the past and helped us weather the prolonged economic recession.

We have proven our financial commitment to the Cumberland County School Board time and again. In February, we voted to keep school funding next fiscal year at the same level as this year. We made this decision early so that the school system could begin planning. Dr. Frank Till, our superintendent, Mr. Ricky Lopes and Mr. Tim Kinlaw always do a great job at working with the finances available and consistently produce an outstanding public school education for our young citizens.

Our Detention Center expansion remains on schedule and we hope to open in November. This project will help alleviate overcrowding in our jail. Although it will not solve our crime issue, it is another step to protect our citizens, their families and their property. We will continue to fund the Detention Center as a pay-as-we-go project without any anticipated property tax increases.

The county is partnering with the court system in seeking state grant funding to continue our successful Sobriety Treatment Court program. We are also seeking federal funding for other court innovation programs that have an emphasis on veterans and mental health needs.

Unfortunately, almost 25 percent of the detainees in our jail are clinically determined to need mental health services and they have emancipated themselves from their families, either voluntarily or involuntarily. These detainees are often the people who stay in jail for long periods of time and have the highest medical expenses, which are paid directly from the county coffers.

It is more important than ever to work together with law enforcement, our mental health professionals and our medical facility to initiative a program to help citizens who need mental health assistance. We need a more proactive and positive solution for patients when they are picked up by law enforcement. Our Crisis Intervention Team, under Director Hank Debnam, is made up of law enforcement and other public safety personnel who have received special training and has received state awards this year and in past years. Our CIT coordinator, Mr. Wayne Cannon, moved from the Mental Health Center to the Sheriff's Office in order to continue this program in light of changes at the Mental Health Center. Training first-responders and 911 telecommunicators to diffuse situations and help citizens who are experiencing mental health crisis find the help they need is critically important to helping reduce our jail population. As we look at our

Mental Health needs in the county, establishing a community evaluation center to help divert these individuals from the jail and the emergency room to the treatment they need is one of our goals.

Like other counties across North Carolina, Cumberland County continues to wrestle with Mental Health reform. During the next two months, our Mental Health Board, by direction from the Board of Commissioners will be negotiating a merger between our county and a managed care organization that will supervise our federal and state mental health dollars. Our goal has always been and remains to ensure our citizens receive quality mental health services and that no one falls through the cracks.

Our Public Health Department received a five-year Community Transformation Grant. They have already partnered with the Town of Spring Lake and are working on a smoking ban in public areas for that municipality.

Mr. Buck Wilson, our health director, was named Health Director of the year in North Carolina and is spearheading the adoption of a smoke-free campus at the Health Center, DSS, Historic Courthouse and the E. Newton Smith Center, home of the Employee Health Services.

Speaking of our Employee Health Services, this is an initiative we started last year as a way to deal with our increasing healthcare costs and to improve the health of our employees. The three components—a wellness program, in-house employee pharmacy and express care clinic – have proven a big hit with our employees.

Even with this new program, we are still facing an estimated \$1.8 million increase in healthcare costs this budget year. For that reason, the commissioners have approved a new wellness strategy that sets accountability standards for employees on the county self-insured health plan. The new strategy will go into effect in July 2014. Measurements taken last week during the county's employee wellness fair will serve as baseline controls for measurement taken in 2014. We encourage all of our employees to take advantage of the resources offered through our Employee Health Services and take steps now to get healthy.

For the next three months, we will be working on the annual 2014 budget of your county. In the next few weeks, this board will decide on the method of sales tax distribution, a decision that affects the county's budget but also the budgets of our nine municipalities. This is a very complex issue and will affect almost every citizen in our county. Each of our mayors, their managers and your county staff has been very engaged in this conversation.

We met just last week with our state legislative delegation to share our concerns about state cuts in school funding and pushing down unfunded mandates to the counties.

We will learn more about the budget and other issues facing our county in the coming months, but today's message to our citizens, business leaders and fellow elected officials is that in order to face the challenges ahead, we need to continue to work together and seek solutions that will benefit our citizens – the people we as elected officials serve.

This Board of Commissioners and staff have been vigilant in protecting your services and tax money. When the first Detention Center expansion bids came in 25 percent above budget, we stopped the project until it came within budget. Each of us has been elected to represent our citizens and that is our only purpose. This means we have a duty to not just represent the loud, but also the quiet; not only the biggest, but the smallest and meek; the business owner and the unemployed; the land developer and the homeless.

In county government, we have adopted the core values of serving Cumberland County citizens with PRIDE, which means that when you need county services you will be treated with Professionalism, Respect, Integrity, Diversity and Excellent Customer Service.

Our community is made up of many cultures and ethnicities. Our greatest assets are that we continue to embrace our differences, learn from them and cultivate them into this unique community we call Cumberland County. Together, we will find a way to advance the county's cultural climate - by insisting that:

“People are our business and we care about our people.”

Presentation from the Child Advocacy Center by Judge Beth Keever, Board Chair and Roberta Humphries, Executive Director

Judge Beth Keever, Chief District Court Judge, introduced Roberta Humphries, Child Advocacy Center Executive Director, who provided a packet containing information about Child Advocacy Centers across the state. Ms. Humphries stated the Cumberland County Child Advocacy Center is celebrating its 20th anniversary of providing multidisciplinary services to the county's citizens. Ms. Humphries called attention to a cost benefit analysis that showed the Child Advocacy Center's approach to providing services saved the community approximately \$1,000 for each case it handled or about \$500,000 each year. Ms. Humphries presented a plaque of appreciation to Cumberland County with a thank you for bringing hope to children.

1. Approval of Agenda

Commissioner Melvin requested the addition of a resolution to approve the financing by Cotton Volunteer Fire Department, Inc., of up to \$400,000 for a fire truck as Item 2.L.

MOTION: Chairman Keefe moved to add the resolution to the consent agenda as requested.
SECOND: Commissioner Melvin
VOTE: UNANIMOUS (6-0)

MOTION: Chairman Keefe moved to approve the agenda.
SECOND: Commissioner Melvin
VOTE: UNANIMOUS (6-0)

2. Consent Agenda

Commissioner Evans requested Item 2.B. pulled for separate discussion and action.

Commissioner King requested Item 2.L. pulled for separate discussion and action.

- A. Approval of minutes for the March 18, 2013 regular meeting
- B. Pulled for separate discussion and action as recorded below.
- C. Approval of Notice of Public Hearing for May 6, 2013 to Receive Comments on the Assumption of the Powers, Duties and Responsibilities of the Board of the Cumberland County Mental Health Area Authority by the Board of County Commissioners

BACKGROUND:

At its March 18, 2013 meeting the Board of Commissioners adopted a resolution conferring the powers, responsibilities and duties of the governing board of the Cumberland County Area Mental Health, Developmental Disabilities and Substance Abuse Authority upon the Cumberland County Board of Commissioners pursuant to N.C.G.S § 153A-77(a). This action was conditioned upon the conduct of the statutorily required public hearing and the further condition that the exercise of this authority by the Board of Commissioners would not become effective before May 15, 2013. In order to commence the exercise of that authority on May 15, 2013, the public hearing must be conducted at the May 6, 2013 meeting of the Board of Commissioners. This would require that the notice be advertised no later than April 6.

RECOMMENDATION/PROPOSED ACTION:

Consider whether to conduct the public hearing on May 6, 2013, and direct its advertising as follows:

Take notice that the Cumberland County Board of Commissioners will conduct a public hearing on May 6, 2013, at 9:00 a.m. in Room 118 at the Cumberland County Courthouse, 117 Dick Street, Fayetteville, to receive comments on the assumption of the powers, duties and responsibilities of the governing board of the Cumberland County Area Mental Health, Developmental Disabilities and Substance Abuse Authority by the Board of County Commissioners pursuant to G.S. 153A-77.

- D. Approval of Bid Award to Draydaze Contracting Crown Coliseum Compression Ring Painting Project

BACKGROUND:

Formal bids were received on March 14, 2013 for the Crown Coliseum compression ring painting project. Bids were initially set to be accepted on February 28th, however due to only receiving two bids for a formal bid opening, the could not open the bids and was forced to re-advertise the project. The existing coating is flaking off and allowing the compression ring to rust as it has been exposed to the outside elements. The base bid was to remove only the rust and clean the existing surface, while the alternate bid was to remove all the rust and existing paint to bare metal. It is being recommended to go with the alternate bid since this will provide a better end product and the paint manufacturer will provide a longer warranty with this approach. The low bid was submitted by Graydaze Contracting out of North Charleston, SC in the amount of \$383,063.67. In addition, a 10% contingency in the amount of \$38,306 is recommended

RECOMMENDATION/PROPOSED ACTION:

The Engineering and Infrastructure Director and County Management recommend that the Board of Commissioners:

1. Accept the bids for the Crown Compression Ring Painting Project and award a contract to Graydaze Contracting in the amount of \$383,063.67.
 2. Establish a contingency in the amount of \$38,306 to be used for additional work recommended by the E&I Director and approved by the County Manager.
 3. Approve the associated budget revision.
- E. Approval of a Resolution Supporting and Requesting a Study to Evaluate a Multi-Modal Transportation Greenway Corridor That Will Link Wilmington and Fayetteville

COUNTY OF CUMBERLAND

NORTH CAROLINA

**RESOLUTION SUPPORTING AND REQUESTING A STUDY TO EVALUATE A
MULTI-MODAL TRANSPORTATION GREENWAY CORRIDOR THAT WILL
LINK WILMINGTON AND FAYETTEVILLE**

WHEREAS, Fayetteville and Wilmington are two of the 10 largest municipalities in North Carolina that are linked together by many smaller communities that make up the fabric of southeastern North Carolina; and

WHEREAS, a coalition of MPOs and RPOs in southeastern North Carolina desire to study and evaluate the a multi-modal bicycle and pedestrian greenway corridor that would link Wilmington, Fayetteville and the many smaller communities in southeastern North Carolina; and

WHEREAS, greenways are corridors of land that link people and places together and enhance multi-modal transportation and recreation opportunities connecting people and places; and

WHEREAS, greenways benefit all involved that include residents to visitors, local businesses to the natural environment to improve the quality of life of the region; and

WHEREAS, communities across the country and throughout the world are investing in greenways as a factor of overall livability of their communities; and

WHEREAS, greenways have positive impacts on communities by improving health, safety, welfare, social, ecologic and economic aspects of the communities; and

WHEREAS, studies have demonstrated that the construction of these greenways improve the health of the community by increasing the number of people having access to physical activity that includes walking, biking, rollerblading and other greenway activities; and

WHEREAS, studies have demonstrated increases to property values adjacent to greenways and that greenways attract businesses and tourism to communities in which these facilities are located; and

WHEREAS, an NCDOT study has demonstrated the annual return on bicycle facility development in the Outer Banks, North Carolina, is approximately nine times higher than the initial investment; and

WHEREAS, a Virginia Department of Conservation study has demonstrated that non-local visitors annually spend about \$1.2 million directly into local economies along a 34-mile greenway in southwestern Virginia; and

WHEREAS, a Furman University study in Greenville County, South Carolina, shows increases in business sales/revenue along a regional greenway ranging from 30% to as high as 85%, and,

WHEREAS, it is envisioned that a greenway linking Wilmington and Fayetteville would improve the health, safety, welfare, social, ecologic and economics of southeastern North Carolina.

NOW THEREFORE, be it resolved that the Cumberland County Board Commissioners hereby supports and recommends a study of a multi-modal greenway corridor that would link Wilmington and Fayetteville in southeastern North Carolina.

ADOPTED at a regular meeting of the Cumberland County Board of Commissioners on the 18th day of March, 2013.

F. Approval of a Resolution to Maintain and Support the Current Integrity and Funding for the Parks and Recreation Trust Fund (PARTF)

COUNTY OF CUMBERLAND

NORTH CAROLINA

A RESOLUTION TO MAINTAIN AND SUPPORT THE CURRENT INTEGRITY
AND FUNDING

FOR THE PARKS AND RECREATION TRUST FUND (PARTF)

WHEREAS, North Carolina is known for its unique and scenic natural resources and opportunities for recreation with a long tradition of its citizens and visitors enjoying parks, mountains, rivers, greenways, beaches and more. Generations of residents and visitors have delighted in these landscapes and park facilities; and

WHEREAS, The Parks and Recreation Trust Fund (PARTF) was established with bi-partisan support on July 16, 1994 to fund improvements in the state's park system, to fund grants for local governments and to increase the public's access to the state's beaches and coastal waterways; and

WHEREAS, since its inception The Parks and Recreation Trust Fund has provided \$161 million via 722 grants to 370 local governments in 99 counties and has been matched with \$312 million of local and private dollars for the purchase of local park land, building and renovation of facilities and development of greenways and trails; and

WHEREAS, North Carolina's population has grown to make it the 10th most populous state in the nation with projections for the significant growth to continue in the coming decades, and more state and local parks are needed to meet the increased demands; and

WHEREAS, parks are identified as key contributors to North Carolina's tourism industry that generates nearly \$20 billion in annual economic impact; and

WHEREAS, parks in North Carolina are experiencing record visitation levels including over 14.25 million to state parks in both 2011 and 2012; and

WHEREAS, The Parks & Recreation Trust Fund has leveraged funds that allowed our State to acquire land for state parks and state natural areas and protected nearly 83,000 acres and made major additions to the Mountains-to-Sea State Trail; and

WHEREAS, The Parks & Recreation Trust Fund has funded capital improvement projects in the state parks such as visitor centers and exhibit halls which provide tremendous opportunities to educate students and all citizens about North Carolina's outstanding natural resources, and other capital projects including campgrounds, picnic areas, boating facilities, trails and swimming beaches; and local capital projects including construction of community centers, athletic fields and greenways; and

WHEREAS, the annual economic impact to local economies of all tourists visiting the state parks system was estimated at more than \$400 million in sales and income, as well as nearly 5,000 jobs according to a 2008 study.

WHEREAS, a portion of The Parks & Recreation Trust Fund is designated for the Public Beach and Coastal Waterfront Access Program to improve access to beaches and coastal waterways by funding public boat ramps and public beaches accesses; and

WHEREAS, access to parks, recreation facilities and open space provides cost-effective opportunities for citizens of all ages to participate in health and wellness activities thereby reducing costs associated with obesity, heart disease, diabetes and high blood pressure; and

WHEREAS, research has documented that structured park and recreational opportunities in local communities can prevent crime and provide positive activities and directions for young people; and

WHEREAS, dedicated, recurring funding of the Parks & Recreation Trust Fund allows for structured and objective planning and efficient management of the system at both the state and local levels for today and future generations; and

WHEREAS, the success of The Parks and Recreation Trust Fund is due to the dedicated funding source provided by a portion of the deed stamp tax, and is recognized nationally as a model for efficiency and accountability; and

NOW, THEREFORE, BE IT RESOLVED, that the Cumberland County Board of Commissioners does call on the members of the General Assembly to maintain dedicated revenues generated by seventy-five cents of the deed stamp tax for The Parks and Recreation Trust Fund.

Adopted this 2nd day of April, 2013.

G. Approval of a Proclamation Proclaiming April 2013 as “National County Government Month”

COUNTY OF CUMBERLAND

NORTH CAROLINA

PROCLAMATION

National County Government Month - April 2013
“Smart Justice: Creating Safer Communities”

WHEREAS, the nation’s 3,068 counties provide a variety of essential public services to communities serving more than 300 million Americans; and

WHEREAS, Cumberland County and all counties take pride in their responsibility to protect and enhance the health, welfare and safety of its residents in sensible and cost-effective ways; and

WHEREAS, county governments are often the entity providing both direct and indirect services to enhance the lives residents and are responsible for maintaining public safety and the efficient use of local tax dollars; and

WHEREAS, currently more than 13 million individuals are booked into county jails each year and more than 700,000 individuals are booked into state and federal prisons; and

WHEREAS, National Association of Counties President Chris Rodgers is encouraging counties to promote effective community corrections programs across the country through his 2012-13 “Smart Justice” presidential initiative; and

WHEREAS, each year since 1991 the National Association of Counties has encouraged counties across the country to actively promote their own programs and services to the public they serve; and

WHEREAS, during the month of April 2013, Cumberland County will conduct public awareness events to educate citizens about the role and functions county government performs and will recognize its veteran county employees for their years of service.

NOW, THEREFORE, BE IT RESOLVED THAT We, the Board of County Commissioners of Cumberland County, do hereby proclaim April 2013 as National County Government Month and encourage all county officials, employees, schools and residents to participate in county government celebration activities.

Presented this 2nd day of April, 2013.

H. Approval of a Proclamation Recognizing April as Fair Housing Month

BACKGROUND:

Enacted in 1968, the Fair Housing Act prohibits housing discrimination on the basis of race, color, religion and national origin. The Act was amended in 1974 to outlaw discrimination based on sex and in 1988 to bar discrimination against families with children and person with disabilities.

April is National Fair Housing Month and the Cumberland County Community Development Department wants to make sure residents of Cumberland County are aware of and educated on the Fair Housing Law. Our goal is that all citizens will receive fair treatment when looking for a home and to make housing choice a reality through fair housing planning.

RECOMMENDATION AND PROPOSED ACTION:

Community Development recommends that the Board of Commissioners recognize April as Fair Housing Month in Cumberland County.

COUNTY OF CUMBERLAND

NORTH CAROLINA

**PROCLAMATION
Fair Housing Month**

Whereas, April 2013 marks the 45th anniversary of the Federal Fair Housing Act of 1968 and the 30th anniversary of the State Fair Housing Act; and

Whereas, the State Fair Housing Act of 1983 and the Federal Fair Housing Act of 1968 prohibit discrimination in housing because of “race, color, religion, sex, national origin, disability, and familial status”; and

Whereas, an important concern for Cumberland County individuals and families is the availability of decent and affordable housing; and

Whereas, Cumberland County supports the efforts of local governments, fair housing organizations, concerned citizens, and the housing industry to strive toward promoting broader housing choice in Cumberland County and promoting understanding of the State and Federal Fair Housing Acts.

Now, Therefore We Proclaim That, Cumberland County will adhere to the fundamental right of all citizens having equal access to housing, and housing related transactions.

Now, The Cumberland County Board of Commissioners proclaims:

April, 2013 as
Fair Housing Month

In Witness Whereof, I have hereunto set my hand and caused the seal of Cumberland County, North Carolina to be affixed this 2nd day of April, 2013.

- I. Approval of a Proclamation Proclaiming 2013 the Year of the Child Advocacy Center Celebrating 20 Years of Healing and Hope

PROCLAMATION

The Child Advocacy Center – Celebrating 20 Years of Healing and Hope

Whereas, based on national best practice and research, the Child Advocacy Center was founded in 1993 by a group of concerned local professionals seeking to alleviate the trauma children experience once a disclosure of sexual abuse or serious physical abuse occurs by creating a community of collaborating advocates.

Whereas, for 20 years, the CAC has provided a safe and child-friendly environment where professionals from 19 community agencies come together to interview, investigate and provide support for abused children and their families.

Whereas, the CAC reduces the number of interviews for child victims of abuse by providing specially trained professionals to conduct forensic interviews in a centralized and safe location.

Whereas, the CAC secures local, specialized medical evaluations for child abuse victims by highly-trained medical personnel, and prior to the establishment of the CAC, victims had to travel to UNC-Chapel Hill or Duke for exams.

Whereas, the CAC coordinates Multidisciplinary Team case reviews where professionals from multiple agencies come together to plan the best course of legal and supportive action for child abuse victim.

Whereas, these agencies include law enforcement, medical care, mental health, military family services, social work, child protective services, the District Attorney's office, victim advocates, education and Guardian ad Litem.

Whereas, national research has determined that this type of coordinated approach can help alleviate trauma for children, increase the prosecution rate of perpetrators, and be fiscally beneficial to the community.

Whereas, it is estimated that the CAC approach saves the community approximately \$500,000 per year.

Whereas, the CAC also provides continuing education to professionals who serve child abuse victims and prevention education for the public.

Whereas, the vision of the CAC is a community where children live in a safe and nurturing environment free from sexual and physical abuse.

Therefore, I, Jimmy Keefe, Chairman, and the Cumberland County Board of Commissioners do hereby proclaim 2013 the Year of the Child Advocacy Center – Celebrating 20 Years of Healing and Hope, encouraging every citizen to participate in this year-long celebration of the important role the Child Advocacy Center serves in our community.

J. Approval of a Proclamation Proclaiming April 13-21, 2013 as “Spring Litter Sweep” in Cumberland County

CUMBERLAND COUNTY

NORTH CAROLINA

PROCLAMATION

WHEREAS, the North Carolina Department of Transportation organizes an annual Spring statewide roadside cleanup to ensure clean beautiful roads in North Carolina; and

WHEREAS, the Spring 2013 “LITTER SWEEP” roadside cleanup will take place

April 13 through April 21, 2013, and encourages local governments and communities, civic and professional groups, businesses, churches, schools, families and individual citizens to participate in the Department of Transportation cleanup by sponsoring and organizing local roadside cleanups; and

WHEREAS, Adopt-A-Highway volunteers, Department of Transportation employees, Department of Correction inmates and community service workers, local government agencies, community leaders, civic and community organizations,

businesses, churches, schools, and environmentally concerned citizens conduct annual local cleanups during “LITTER SWEEP” and may receive certificates of appreciation for their participation; and

WHEREAS, the great natural beauty of our state and a clean environment are sources of great pride for all North Carolinians, attracting tourists and aiding in recruiting new industries; and

WHEREAS, the cleanup will increase awareness of the need for cleaner roadsides, emphasize the importance of not littering, and encourage recycling of solid wastes; and

WHEREAS, the 2013 Spring cleanup will celebrate the 25th Anniversary of the North Carolina Adopt-A-Highway program and its 5,760 volunteer groups that donate their labor and time year round to keep our roadsides clean; and

WHEREAS, the “LITTER SWEEP” cleanup will be part of educating the children of this Great State and County regarding the importance of a clean environment to the quality of life in North Carolina;

NOW THEREFORE, the Cumberland County Board of Commissioners hereby proclaim April 13 through April 21, 2013 as “SPRING LITTER SWEEP” in Cumberland County and encourages all citizens to take an active role in making the County cleaner and more beautiful.

This 2nd day of April, 2013.

K. Budget Revisions:

(1) Employee Pharmacy

Revision in the amount of \$12,205 to appropriate fund balance to establish a new Pharmacy Technician position to assist in the Pharmacy. (B13-283) Funding Source – Insurance Fund Fund Balance Appropriated

(2) Mental Health

Revision in the amount of \$456,850 to recognize single stream funding for mental health services provided by the Alliance for Behavioral Healthcare for the month of January. (B13-286) Funding Source – State

(3) Workers Compensation

Revision in the amount of \$1,000,000 to appropriate fund balance to fund several large unexpected claims. (B13-287) Funding Source – Workers Compensation Fund Balance Appropriated

L. Pulled for separate discussion and action as recorded below.

MOTION: Commissioner Edge moved to approve the consent agenda with the exception of Item 2.B. and 2.L. as pulled for separate discussion and action.
SECOND: Commissioner King
VOTE: UNANIMOUS (6-0)

2.B. Approval of Proposed Additions to the State Secondary Road System:

Cypress Crossing Subdivision: Dulles Road, Laguardia Drive,
Hoboken Court, Gander Way

BACKGROUND:

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

Cypress Crossing Subdivision: Dulles Road, Laguardia Drive,
Hoboken Court, Gander Way

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

RECOMMENDATION/PROPOSED 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.

In response to questions posed by Commissioner Evans, Rick Moorefield, County Attorney, explained why some roads and not others are considered for addition to the State's secondary road system. Mr. Moorefield stated the board of commissioners has the prerogative to request that any road be placed in the system in terms of the criteria NCDOT uses to evaluate whether or not a road will become state maintained, but whether or not a road will be state maintained is a NCDOT decision.

2.L. Approval of a Resolution of the Cumberland County Board of Commissioners Approving the Financing by Cotton Volunteer Fire Department, Inc. of up to \$400,000 for a Fire Truck

Commissioner King requested clarification of the resolution. Commissioner Melvin stated the Cotton Volunteer Fire Department requested tax exempt financing for the purchase of a fire truck after the agenda had been finalized and if the resolution is not added to this agenda, it will delay their process until the next meeting.

MOTION: Commissioner Council moved to approve Item 2.B. and Item 2.L.
SECOND: Commissioner King
VOTE: UNANIMOUS (6-0)

ITEMS OF BUSINESS

3. Presentation on Health Department Activities by Buck Wilson, Public Health Director and Chris Frank, Chairman of the Board of Health

BACKGROUND:

Mr. Buck Wilson, Public Health Director and Mr. Chris Frank, Chairman of the Board of Health will be making a presentation on Health Department activities at the April 2, 2013 Board of Commissioner's meeting.

RECOMMENDATION/PROPOSED ACTION:

Accept the report as presented.

Chris Frank, Chairman of the Board of Health, reviewed the array of services and education and health initiatives provided by the Public Health Department to include Environmental Health. Mr. Frank provided the following presentation.

Board of Health

- The Board of Health makes and adopts policies and rules for the county health department, provides guidance on health issues in the county and appoints the Health Director.
- Regular Board of Health meetings include: agenda, action items, discussion items, informational items; updates and reports from the Director and Deputy Director, and program highlights. Past program highlights have included: tour of the building, report on meth lab regulations, report on various clinics and initiatives, etc.

National Association of Local Boards of Health (NALBOH)

- What is NALBOH?
The National Association of Local Boards of Health (NALBOH) informs, guides, and is the national voice for boards of health.
- What is the MISSION of NALBOH?
The mission of NALBOH is to strengthen and improve public health governance.

NALBOH has been engaged in establishing a significant voice for local boards of health on matters of national public health policy.

Board of Health Members – 11 Positions as established under N.C. General Statutes

- Engineer
- Physician
- Dentist
- Optometrist
- Registered Nurse
- Pharmacist
- 3 Members of General Public
- Veterinarian

- County Commissioner

Cumberland County Board of Health Members:

Christopher Frank, Chair	General Public/Architect
Barbara Stelly, Vice Chair	General Public/ Retired, Public Health Social Worker
Dr. Vikki Andrews	General Public/Retired, US Army
Pamela Pollock	Registered Nurse
Dr. Sanjay Shah	Physician
Dr. Oliver Hodge, Jr.	Dentist
Tom Nicholson	Pharmacist
Dr. Barbara Ciampa	Optometrist
Jimmy Kizer	Engineer
Dr. Heather Burkhardt	Veterinarian
Billy King	County Commissioner

Public Health Initiative - Smoke Free Initiative

- October 2012: Smoke Free Ordinance approved by the Board of Health.
 - This ordinance prohibits smoking on the grounds of the Department of Social Services building, library grounds, and the grounds of any County building where Cumberland County Health Department services are provided.
- Next Steps:
 - The ordinance is to be presented to the BOCC Policy Committee in April 2013 and then presented to the BOCC in May 2013.

Teenage Pregnancy Prevention Taskforce

- Mission:
 - To reduce teenage pregnancy in Cumberland County.
- 2 Board of Health Members serving on the Taskforce:
 - Barbara Stelly
 - Dr. Sanjay Shah

School Nurse Initiative

- The State student/nurse ratio is 1:1185.
- Recommended student/nurse ratio is 1:750.

Mental Health

- BOH recommendation that Mental Health/ medical services to transition and be housed under the Public Health entity.

- BOH continuing efforts to provide Safety Net Service to vulnerable population of mental health service recipients.

Other Board of Health Activities

- Preparation for Accreditation—April 23-25, 2013.
- Provide overall guidance for the direction of and priority setting for the activities of the agency.

Buck Wilson, Public Health Director, responded to questions regarding school nurse ratios, collaboration with other agencies for teenage pregnancy prevention and the legislative bill addressing inmate medical costs.

4. Presentation on I-95 Economic Assessment Status Update by Roberto Canales, Secretary's Coordinator of Strategic Initiatives, and Kristine O'Connor, Special Projects Coordinator of the North Carolina Department of Transportation

BACKGROUND:

Mr. Roberto Canales, P.E., Secretary's Coordinator of Strategic Initiatives, and/or Ms. Kristine O'Connor, P.E., Project Executive from the North Carolina Department of Transportation (NCDOT) will be making a presentation on the I-95 Economic Assessment Status Update at the April 2, 2013 Board of Commissioner's meeting.

RECOMMENDATION/PROPOSED ACTION:

Accept the report as presented.

Roberto Canales, P.E., Secretary's Coordinator of Strategic Initiatives, provided a back brief of the study presentation he delivered the prior year and stated one of the options identified was the potential for funding the I-95 corridor through tolls. Mr. Canales stated in reaction to the excitement created by the concept of tolling, the General Assembly directed the NCDOT to enter into a study to look into the economic impacts of concepts to fund the project.

Mr. Canales provided the following presentation on the I-95 economic assessment study:

Study Purpose:

- To compare economic impacts of the proposed alternatives
 - Business as Usual
 - Funding improvements by tolling
 - Funding improvements by other methods
- To provide information for decision making when moving forward

Key Benefits of the Study:

- Review existing studies/reports to determine what can be validated
- Engage and inform the public and officials
- Analyze impacts to:
 - Freight and logistics
 - Economic development

- Traffic
 - Economy in general
- Screen and analyze funding options

Establishment of an Advisory Council to engage stakeholders that would be affected by the potentials for any sources of funding:

- An advisory council of external stakeholders was established to help guide the study and has been involved every step of the way
- Membership:
 - NC Retail Merchants Association
 - NC Chamber of Commerce
 - NC Trucking Association
 - NC Farm Bureau
 - NC Travel & Tourism Coalition
 - NC Travel Industry Association
 - NC State University (Agriculture & Resource Economics)
 - No Tolls I-95 Coalition

Stakeholder Involvement:

Advisory Council

- Interviews
- Meetings
- Electronic updates

Surveys

- Trucking industry
- General public

Interviews

- Shippers/Agriculture
- Trucking industry
- Economic developers
- Site selection consultants
- County engineers
- Tourism officials
- NCDOT management

Website

- Study updates
- Fact sheets
- Meeting notices
- Comments
- Public survey link

Meetings

- No Tolls I-95 Board
- Advisory Council

- NCDOT mgmt
- Public (in May)

Focus Groups

- Shippers
- Trucking Industry
- Economic developers
- Tourism stakeholders
- General public
- Agriculture businesses
- Roadway contractors

Linking Transportation to the Economy:

Mr. Canales stated there is a direct correlation between the health of transportation systems and the health of economic development. Mr. Canales stated impacts to the following are considered when analyzing the potential growth and future of counties along I-95 in addition to the affect of the different types of funding sources.

Travel Time	Cost	Reliability
Productivity	Labor and Market Access	
Competitiveness		
Economic Growth		

Impact Categories for Assessing I-95 Alternatives:

<u>Direct User Impacts</u>	<u>Business Competitiveness</u>	<u>Economic Impacts</u>
Travel Time	Productivity	GDP
Vehicle operating costs	Market access	Employment
Safety cost	Business revenue and spending	Income
Reliability	Profits	
Traffic Volumes		

Study Schedule – General Findings Final Report to be Drafted Early May, 2013

Mr. Canales stated this is a legislative required study and so there will be a report back to the General Assembly.

Next steps:

- Final Advisory Council Meeting April 2013
- Finalize Draft Report April 2013
- Public Meetings May 2013
- Present to General Assembly May 2013

Mr. Canales concluded his presentation and responded to questions. Mr. Canales stated North Carolina from a gas tax perspective is in the top three nationally but when looking at actual funding revenue per lane mile nationally, it is in the bottom 5. Mr. Canales stated this is

because other states have multiple sources of revenue but North Carolina is gas tax and vehicle registration oriented.

5. Presentation on the Cumberland County Juvenile Crime Prevention Council by Sarah Hallock, Executive Director of Cumberland County CommuniCare and Presentation on the 12th District Court Counseling Office by Miguel Piits

BACKGROUND:

Mrs. Sarah Hallock, Executive Director of Cumberland County CommuniCare, will be making a presentation on the Cumberland County Juvenile Crime Prevention Council and Mr. Miguel Pitts, 12th District Chief Court Counselor will be providing an update on the 12th District Court Counseling Office.

RECOMMENDATION/PROPOSED ACTION:

Accept the report as presented.

Sarah Hallock, Executive Director of Cumberland County CommuniCare, advised Mr. Pitts had been called out of town for a meeting in Raleigh and therefore could not attend the meeting. Ms. Hallock reviewed the following duties of the Cumberland County Juvenile Crime Prevention Council:

Leadership

- Advocacy
- Evaluate Program Performance/Develop Accountability Standards
- Provide Technical Assistance

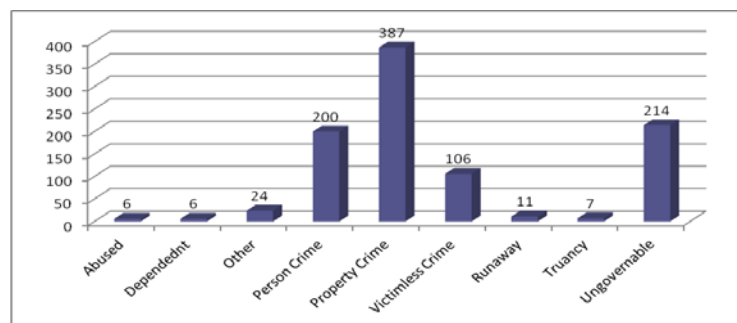
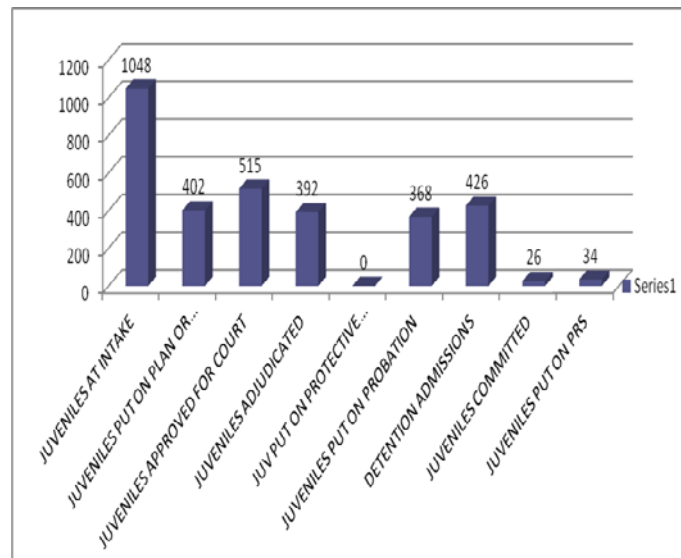
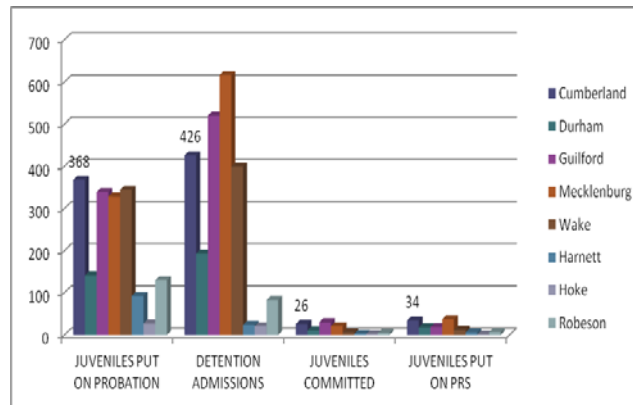
Planning for Continuum of Services

- Assess Risk and Needs
- Identify Resources
- Ensure Appropriate Dispositional Options Are Available
- Fund Programs That Lead To Positive Outcomes

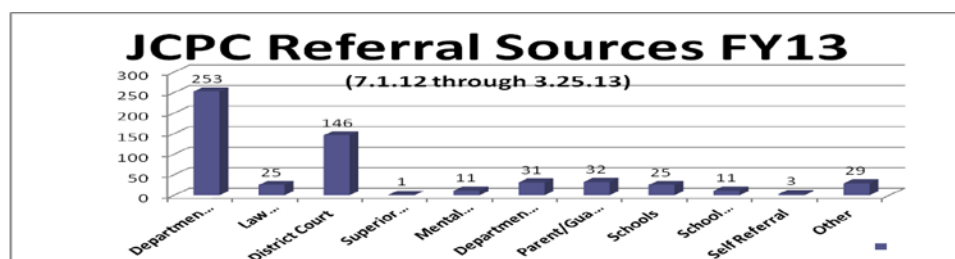
Implement Comprehensive Strategy

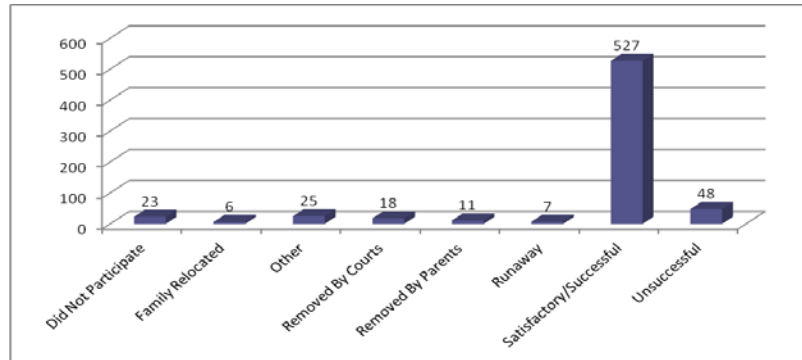
- Create Partnerships to Expand Resources To Provide Community Sanctions for Court Involved Youth
- Ensure The Local Continuum of Services Responds To The Needs Of The Community

Ms. Hallock reviewed juvenile court data from 2011 compared to other counties with high juvenile crime rates as follows. Ms. Hallock stated Cumberland County is unique in that it has both urban and rural characteristics. Ms. Hallock stated Cumberland County rates about 4th in the state for juveniles coming into the juvenile system, and Cumberland County is committing more youth than the other 98 counties in North Carolina.



Ms. Hallock stated Cumberland County has the number one ranking for youth going on juvenile probation and the fourth ranking for adjudicating youth as delinquent in the state.





Ms. Hallock reviewed the following cost/benefit analysis:

Local Program	Cost Per Client Ratio	# Of Potential Clients Served vs. A YDC placement (\$98K)	# Of Potential Clients Served Vs. An Average 8 Day Stay In Juvenile Detention (\$244 daily rate)	# Of Potential Clients served Vs. Serving One Year of Supervised Probation (\$3K annually)
DSS Group Care	\$13,739	17	N/A	N/A
FACT Clinical Assessments	\$1,065	92	2	3
FACT Clinical Counseling	\$1,726	56	1	2
FACT Clinical Home Based Counseling	\$2,152	45	1	2
Fay/CC Juvenile Restitution	\$544	180	3	6
Find A Friend	\$1,687	58	1	2
Juvenile Assessment Center	\$2,054	48	N/A	2
CC Teen Court	\$176	556	11	17

# of Admissions for reporting period	# of Terminations for the reporting period	# of Youth Served	# of Court Petitions @ Entry	# of Court Petitions Since Entry	Net change in Court Petitions	# of Suspensions @ Entry	# of Suspensions since program entry	Net change in suspensions	# of runaway incidents at program enrollment	# of runaway incidents since program entry	Net change in runaway incidents	# of days lost to secure detentions @ entry	# of days lost to secure detentions since entry	Net change in secure detentions	# to Training school
7	13	174	65	34	-31	410	122	-288	91	15	-76	43	40	-3	0
21	27	198	235	10	-225	337	19	-318	52	2	-50	25	0	-25	0
1	0	11	7	0	-7	18	8	-10	18	4	-14	51	0	-51	0
0	1	12	19	2	-17	40	6	-34	12	0	-12	154	16	-138	0
0	0	91	65	20	-45	70	28	-42	9	4	-5	0	0	0	0
1	2	26	66	20	-46	75	29	-46	9	4	-5	25	67	42	0
10	9	109	95	5	-90	121	6	-115	18	2	-16	83	8	-75	0
6	5	21	0	0	0	0	0	0	0	0	0	0	0	0	0
2	0	10	17	0	-17	12	2	-10	6	0	-6	41	7	-34	0
0	1	13	28	4	-24	21	18	-3	7	2	-5	41	102	61	0
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45	58	665	597	95	-502	1104	238	-866	222	33	-189	422.0	197.0	-223.0	0.0
See Below:					Reduction in Court Petitions	84.09%	Reduction in Suspensions	78.44%	Reduction in Runaway Incidents	85.14%	Reduction in days lost to secure detentions	54.00%			

Ms. Hallock stated only evidence-based programming is used and most youth are terminating with satisfactory or better outcomes, which means they are not getting worse from being part of the system. Ms. Hallock highlighted the Cumberland County Reclaiming Futures Final Evaluation Report as provided, concluded her presentation and responded to questions.

6. Presentation by Mr. Robert Hines, President/Chief Executive Officer of United Way, on the 2012 Annual 2-1-1 Report for Cumberland County

Robert Hines, President/Chief Executive Officer of United Way, referenced the 2012 2-1-1 Annual Report as provided covering the period of July through December, 2012. Mr. Hines reported during that period, 1,191 calls were made to 2-1-1 operators located in Durham. Mr. Hines highlighted major categories of needs for the third and fourth quarters with basic needs being 64% to 65% of the calls and health care being 7% to 8% of the calls. Mr. Hines reported on calls by gender, language, types of calls received (advocacy, business, crisis, information or referral), with referral being the highest, and call counts from churches, friends/relatives, organizations or self, with self being the highest.

Mr. Hines then reported on how callers heard about 2-1-1 with agency and friend/relative being the highest, and the age of callers with 31.25% being age range 30-39 and 21.88% being age range 40-49. Mr. Hines reported the primary race of callers was black or African American.

Mr. Hines reported on leads and stated 24.49% of the calls were for utility service payment assistance, 17.11% were for housing expense assistance and 10.02% were for homeless shelters. Mr. Hines also reported on referrals and stated 211 of the calls were referred to Operation Blessing for emergency assistance, 175 of the calls were referred to the Fayetteville Urban Ministry for emergency assistance and 110 of the calls were referred to Project People Who Care. Mr. Hines concluded his report and stated beginning June 1, 2013, a kiosk will be set up at Ft. Bragg with the federal government paying the cost of the computers, printers, set up and four individuals to staff the kiosk from 8:00 am to 5:00 pm. Mr. Hines stated Cumberland County, the City of Fayetteville, the Public Works Commissioner, Cape Fear Valley Health System and United Way fund 2-1-1. Mr. Hines stated the request is for \$5,500 to support 2-1-1 going forward.

Chairman Keefe recessed the meeting for a five minute break and then reconvened the meeting.

7. Consideration of Offer from North Carolina Department of Transportation to Purchase and Take Right-of-Way for a Portion of J.P. Riddle Stadium Property for Legion Road Widening

BACKGROUND:

NCDOT is widening Legion Road and installing medians and turn lanes. The project includes the portion of Legion Road which abuts the county's J. P. Riddle Stadium property and will control the directional entrance to and exit from the stadium.

NCDOT is taking a permanent right of way and utility easement with a total area of only 0.143 of an acre and the stadium sign. NCDOT has appraised the value of this taking, including the sign, at \$45,895. That is the amount of NCDOT's final offer.

NCDOT is also taking a strip containing 0.405 acres which it has designated as a "Temporary Construction Easement." NCDOT is not paying anything for this easement. This really is not a temporary easement because it will be used for what is typically characterized as a "slope easement" to be filled to create a permanent slope to support the highway. The slope cannot be

further graded by the county. The county attorney requested the NCDOT right of way agent to consider compensation for taking this easement and the agent reported that NCDOT never paid anything for this type of easement.

None of these easements encroach into the paved parking lot. The county attorney has no information to support whether the amount offered by the NCDOT is the fair market value. It would be necessary for the county to obtain a market appraisal in order to decline the offer and proceed to a condemnation action.

The county granted NCDOT access to the easements last year in order for the project to proceed.

RECOMMENDATION PROPOSED ACTION:

Consider whether to accept the offer of NCDOT in the amount of \$45,895 or reject the offer and obtain a market appraisal.

Mr. Moorefield reviewed the background information as recorded above and stated the offer of \$45,895 is reasonable. Mr. Moorefield stated he engaged in several conversations with NCDOT about the temporary or slope easement and NCDOT reported it has never paid nor will it pay for this type of easement.

MOTION: Commissioner King moved to accept the offer of NCDOT in the amount of \$45,895.

SECOND: Commissioner Melvin

DISCUSSION: Commissioner King asked whether the tenants were okay with the situation. Mr. Moorefield stated they are aware of it and have been involved in the process but have no choice in the matter. Commissioner King asked whether it would have any adverse effect on entering or exiting the J. P. Riddle Stadium. Mr. Moorefield stated a left turn when exiting the stadium will no longer be possible and will change traffic flows. Mr. Moorefield responded to additional questions related to traffic flow and ingress/egress to the stadium. Mr. Moorefield stated the county cannot alter the outcome of the way NCDOT has designed the road and this item is really only a matter of the compensation for a taking by NCDOT. Mr. Moorefield stated if the county does not accept an offer, then NCDOT will file for condemnation.

Commissioner Melvin stated he felt it was time to challenge the ingress and egress to the stadium as designed by NCDOT because the inability to turn left when exiting the stadium is unreasonable. Commissioner King asked about options available to the county. Mr. Moorefield stated although the law can change by specific court case, at present in North Carolina there is no compensation for changes in access and no ability to tell NCDOT how it will design its projects.

Chairman Keefe asked whether the board of commissioners could request that NCDOT re-evaluate that interchange. Mr. Moorefield responded in the affirmative. Commissioner Council asked what the impact would be if there was a delay to explore the project further. Mr. Moorefield stated NCDOT initiated the request about a year ago and in June, 2012 the board of commissioners gave them an access easement to commence the project without having a right

of way. Mr. Moorefield stated at that time, the issue was the signage and relocation of the same and to his understanding, those issues had been resolved.

Chairman Keefe asked whether the right entrance/exit only had been confirmed. Mr. Moorefield stated NCDOT has consistently maintained there will be a right exit only and there have been different discussions at different times about the entrance. Mr. Moorefield stated although safety is an issue, traffic count is driving the project.

Commissioner Edge spoke to median projects in the county and stated the board could approve the recommendation of the county attorney and could also submit a written request to the NCDOT that it prepare an exit design that would allow both left and right turns.

AMENDED MOTION: Commissioner King moved to accept the offer of NCDOT in the amount of \$45,895 and to send a letter from the board of commissioner to the NCDOT requesting that it re-evaluate the intersection.

SECOND: Commissioner Melvin

VOTE ON AMENDED MOTION: UNANIMOUS (6-0)

8. Consideration of Grant of Easement to Gertrude Meeks for Access to Residence

BACKGROUND:

In the attached letters, Attorney Felmet states that Ms. Meeks and her sister, Ms. King, wish to place a new double-wide mobile home on a land-locked parcel owned by Ms. Meeks which abuts the corporate limits of the Town of Spring Lake. Ms. Arletha Walton is the niece of Ms. Meeks and has contacted the county attorney and reported that the old homeplace on the property, in which the sisters did live, was dilapidated and has been demolished. The Meeks parcel has always been served by a driveway connecting to Chapel Hill Road but there is no recorded easement for the driveway. In order to finance the purchase of the double-wide mobile home, Attorney Felmet has requested the county and three other property owners grant a new driveway easement connecting the Meeks property to Chapel Hill Road with this easement to be recorded. The easement is being located on the boundaries of the parcels upon which it will lie in a different location than the existing driveway. This was done at the request of one of the other property owners to avoid splitting the parcels with the driveway easement.

The county acquired its parcel by a tax foreclosure. There may be an issue as to where the county parcel is located but Attorney Felmet is confident that the county's parcel is located where it is shown on the county's GIS maps. Regardless of whether the easement actually lies on the county's tract, the county is not warranting its title. The easement document also makes it clear that the county is not responsible for the maintenance of the driveway.

The Meeks parcel is very small, containing only 0.18 of an acre. The county attorney has advised Attorney Felmet and Ms. Walton that it will be necessary to obtain proper approvals from zoning, building inspections and environmental health. Ms. Walton has reported to the county attorney that the Meeks property is already served by public water. Ms. Meeks is not paying the county for this easement.

RECOMMENDATION/PROPOSED ACTION:

The county attorney advises that the recorded access to the county's land-locked parcel and the increased tax value of the Meeks parcel constitute sufficient consideration for the county to grant this easement. Moreover, this easement will help these ladies to obtain good housing. The county attorney recommends approval of this grant of easement and authorization for the easement document to be signed by the Chairman.

Mr. Moorefield reviewed the background information as recorded above.

MOTION: Commissioner King moved to approve the grant of easement and authorize the chairman to sign the easement document.
SECOND: Commissioner Melvin
VOTE: UNANIMOUS (6-0)

9. Update on Action of Mayor's Coalition Regarding Sales Tax Distribution Method

BACKGROUND:

Sales tax is distributed to local governments either on a "per capita" or "ad valorem" basis. The county has statutory authority to determine the method of distribution on an annual basis. In October of 2003, the county and municipalities entered into an interlocal agreement to distribute sales tax revenues on a modified "per capita" basis. This agreement expires on June 30, 2013. Municipal representatives have discussed potential options through Mayor's Coalition Meetings called specifically for that purpose. At their last meeting on March 20, 2013, a proposal was submitted which provides for transition from the "modified per capita" method to a standard "per capita" distribution method.

This proposal calls for an initial four-year term, with four optional renewals, which provides for up to a 20-year agreement. In year one of the agreement, each municipality reimburses the county and each municipality 100% of the percentage reimbursed in 2013, for annexations occurring on or before June 30, 2012. However, Eastover will no longer reimburse for their initial incorporation. Thereafter, this percentage will be reduced annually in equal decrements of 5% over the remaining number of years in the agreement. Based on this proposal from the municipalities, the county's reimbursement will be reduced \$318,787 annually, based upon the FY13 base year percentages. Further, the county's reimbursements will be reduced by another \$164,588, which represents Eastover's prior reimbursement, for a total of \$485,000 per year until the full \$6.7 million reimbursement is phased out.

A spreadsheet was provided to show the incremental reductions over the life or twenty year period of the proposed agreement.

Sales tax distribution options will be discussed in more detail at the April 4th Finance Committee Meeting. This information has been provided as an update on action taken at the Mayor's Coalition Meeting last week.

RECOMMENDATION/PROPOSED ACTION:

Receive as information only.

Amy Cannon, Deputy County Manager, stated the Mayor's Coalition took action at its March 20, 2013 meeting following the board of commissioners March 18, 2013 meeting and the matter will be discussed in detail by the Finance Committee at its April 4, 2013 meeting. Ms. Cannon reviewed the background information as recorded above.

In response to a question posed by Commissioner King, Ms. Cannon stated her understanding was that some of the municipalities, specifically the City of Fayetteville, did not feel the agreement should continue forever, that it should be phased out and that the county should have the opportunity to make up the revenue source. Ms. Cannon stated the agreement that was entered into in 2003 was never intended just to end in 2013 and former county attorney Grainger Barrett suggested that there could not be a perpetual open ended agreement which is why the agreement was for three years with additional renewals. Mr. Martin further explained the losses and gains in sales tax revenue that occur as a result of annexations by municipalities. Questions and discussion followed.

10. Nominations to Boards and Committees

A. Board of Adjustment (1 Vacancy)

Commissioner Melvin nominated Johnson Chestnutt.

Commissioner Edge nominated Kimberly Smalls.

B. Cumberland County Local Emergency Planning Committee (2 Vacancies)

Commissioner Melvin nominated James Bullard and Lt. Freddie Johnson, Jr.

C. Transportation Advisory Board (5 Vacancies)

Commissioner Council nominated Shelton L. Clark, Alfred Foote, Tom Lloyd, Michael Rutan and Eboni Green.

11. Appointments to Boards and Committees

There were no appointments scheduled for this meeting.

12. Closed Session

A closed session was not called for this meeting.

MOTION: Commissioner Council moved to adjourn.

SECOND: Commissioner Faircloth

VOTE: UNANIMOUS (6-0)

There being no further business, the meeting adjourned at 11:17 a.m.

Approved with/without revision:

Respectfully submitted,

Candice H. White
Clerk to the Board