

CUMBERLAND COUNTY BOARD OF COMMISSIONERS  
MONDAY, NOVEMBER 3, 2014 – 9:00 AM  
117 DICK STREET, 1<sup>ST</sup> FLOOR, ROOM 118  
REGULAR MEETING  
MINUTES

PRESENT: Commissioner Jeannette Council, Chair  
Commissioner Kenneth Edge, Vice Chair  
Commissioner Charles Evans  
Commissioner Marshall Faircloth  
Commissioner Jimmy Keefe  
Commissioner Billy King (arrived 9:13 a.m. during closed session)  
Commissioner Ed Melvin  
Amy Cannon, County Manager  
James Lawson, Deputy County Manager  
Rick Moorefield, County Attorney  
Sally Shutt, Government Affairs Officer  
Vicki Evans, Accounting Manager  
Kristine Wagner, Transportation Program Coordinator  
Candice H. White, Clerk to the Board  
Kellie Beam, Deputy Clerk to the Board  
Press

Chairman Council called the meeting to order.

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

Amy Cannon, County Manager, requested the removal of Item 7.A. Closed Session for Economic Development Matter(s) Pursuant to NCGS 143-318.11(a)(4).

1. Approval of Agenda

MOTION: Commissioner Faircloth moved to approve the agenda with the removal of Item 7.A.  
SECOND: Commissioner Melvin  
VOTE: UNANIMOUS (6-0)

2. Consent Agenda

- A. Approval of minutes for the October 20, 2014 regular meeting
- B. Approval of IBM Mainframe Replacement/Upgrade Bid for Information Services Department

BACKGROUND:

The Information Services Department issued a Request for Proposal (RFP) for a turnkey replacement of the County's existing mainframe processor to include a combination of hardware, software, maintenance, and services. The replacement of the mainframe is included in the FY 15 budget. The current IBM 2096-R07 processor has proven to be a reliable operating system for the past eight (8) years; however the current system is operating on the last supported release of software and nearing the end of life support for hardware. This budgeted amount includes hardware maintenance for five (5) years for the purpose of maintaining a reliable system that will support the County's initiative of improving service innovation, automation, and technology.

The County received one (1) response from PSR Inc. for \$249,752.05. The current system was also purchased from PSR Inc. in 2006. PSR Inc. has provided ongoing maintenance and support of the current system since 2006 and is familiar with the current system. The Information Services Department is confident that PSR Inc. will provide the same level of professional services that they have demonstrated over the past eight (8) years.

**RECOMMENATION / PROPOSED ACTION:**

Recommend to accept the bid from PSR Inc. The Information Services Department has reviewed the bid and feels that it meets all the specifications of the Request for Proposal (RFP).

- C. Approval of Acceptance of the Offer of Anthony Darden to Purchase Certain Real Property

**BACKGROUND:**

On October 6, 2014, the Board adopted a resolution of its intent to accept the offer of Anthony Darden to purchase the property with the PIN 9493-55-1006 located at 4726 Star Rite Lane, Parkton, NC, for \$5,750.79, subject to the upset bid process pursuant to G. S. § 160A-269. Notice of the proposed sale subject to upset bids was advertised in the *Fayetteville Observer* October 14, 2014. More than 10 days have elapsed since the notice was published. No upset bid was received.

**RECOMMENDATION/PROPOSED ACTION:**

County attorney recommends the Board accept this offer and authorize the Chair to execute a deed for the property upon the county's receipt of the balance of the purchase price.

- D. Approval of Request from the Public Health Department to Increase Fees for Water Sample Tests (Full Inorganic, Pesticides and Petroleum)

**BACKGROUND:**

The Board of Health approved the increase of fees for water sample tests (full inorganic, pesticides and petroleum) at their meeting, October 21, 2014. The Department of Public Health provides water testing for the citizens of Cumberland County. Effective September 1, 2014, Legislation passed allowing the State Public Health Laboratory the ability to increase water sampling fees to \$74.00. These tests are not part of any State or Local mandated service but are offered by the Health Department to citizens requesting their water be tested. The Health Department fee includes the sample container, lab testing and travel expenses for the Environmental Health staff to collect the samples throughout the county.

**RECOMMENDATION/PROPOSED ACTION:**

Approve the increase in fees for the three water sample tests as presented below.

WATER SAMPLE TEST	Lab Cost Fiscal Year 14	Lab Cost Effective 9/1/14	Current Fee	PROPOSED FEE
Full Inorganic Panel	\$3.15	\$74.00	\$45.00	\$100.00
Pesticides	\$23.99	\$74.00	\$50.00	\$100.00
Petroleum	\$28.26	\$74.00	\$50.00	\$100.00

- E. Approval of a Proclamation Recognizing November 14, 2014 as "Community Homeless & Hunger Stand Down Day" in Cumberland County

COUNTY OF CUMBERLAND

NORTH CAROLINA

**PROCLAMATION**

**2014 Community Homeless & Hunger Stand Down**

WHEREAS, the mission of the Community Homeless & Hunger Stand Down is to provide a one-stop location for homeless veterans, individuals and families or those who are at-risk of being homeless, for access to information and services that meet their basic needs; AND

WHEREAS, homeless and disadvantaged residents of the Fayetteville-Cumberland County community will receive food, clothing, as well as, health and human service information; AND

WHEREAS, we join all citizens of Fayetteville and Cumberland County in recognizing the impact the Community Homeless & Hunger Stand Down Committee has made in providing for citizens in need in our community.

NOW THEREFORE, I, Jeannette Council, by virtue of the authority vested in me as Chairman of the Cumberland County Board of Commissioners, do hereby proclaim:

November 14, 2014  
Community Homeless and Hunger Stand Down Day

IN WITNESS WHEREOF, I have hereunto set my hand and caused the seal of Cumberland County, North Carolina to be affixed this 3rd day of November, 2014.

F. Budget Revisions

(1) Child Support/Information Services

Revision in the amount of \$74,000 to reallocate budgeted expenditures from Information Services to Child Support for software and hardware related to document imaging system. (B15-124 and B15-124A) Funding Source – Reallocation of Budgeted Expenditures

(2) Rural Operating Assistance Program/Mid Carolina Senior Transportation

Revisions in the total amount of \$28,175 to reconcile County budgets with State allocations and to reallocate transfer from General Fund in the amount of \$1,618 between programs. (B15-131 and B15-131A) Funding Source – State and General Fund

(3) Special Sales Tax/C.O. Lottery/General Fund Debt Service

Revisions in the total amount of \$420,672 to reallocate budgeted expenditures and revenues; reducing sales tax allocated to pay school debt service (\$420,672), recognize carryover of Lottery Proceeds for payment of debt service (\$402,117) and adjust funding source due to sequestration reduction percentage (\$18,555). (B15-130 thru B15-130B) Funding Source – Sales Tax, Lottery Proceeds and Federal Subsidy

(4) General Government Other

Revision in the amount of \$2,700 to appropriate fund balance to roll forward a portion of contingency that was originally budgeted in FY2014 for Law Enforcement Center HVAC Project for payment of change order. (B15-132) Funding Source – Fund Balance Appropriated

(5) Soil and Water Conservation Cost Share

Revision in the amount of \$177 to reconcile County budget with State allocation, resulting in a reduction of fund balance appropriated. (B15-133) Funding Source – State and Fund Balance Appropriated

(6) Soil and Water Conservation District

Revision in the amount of \$6,975 to appropriate fund balance in the amount of \$2,732 to roll forward FY2014 fundraiser activities net profit and recognize FY2015 fundraiser revenue in the amount of \$4,243. (B15-134) Funding Source – Fund Balance Appropriated and Fundraisers

(7) Health

- a. Maternal Health - Revision in the amount of \$2,000 to appropriate fund balance to roll forward Baby Store revenue received in FY2014. (B15-136) Funding Source – Fund Balance Appropriated

- b. South Central Partnership – Revision in the amount of \$2,348 to appropriate fund balance to roll forward unused funds received from North Carolina Public Health Incubator Collaborative/Institute for Public Health in FY2014. (B15-137) Funding Source – Fund Balance Appropriated
- c. Health Promotion – Revision in the amount of \$904 to appropriate fund balance to roll forward Wolfe Mini Grant Funds received in FY2014. (B15-138) Funding Source – Fund Balance Appropriated

(8) Tax Administration

Revision in the amount of \$60,180 to appropriate fund balance for tax audits conducted by County Tax Services Inc. (B15-135) Funding Source – Fund Balance Appropriated

(9) Crown Center

Revision in the amount of \$81 to appropriate fund balance for the remainder of the contract for the Crown Center Roof Assessment Survey. (B15-139) Funding Source – Crown Center Fund Balance Appropriated

MOTION: Commissioner Edge moved to approve consent agenda Items 2.A. – 2.F.(9).  
SECOND: Commissioner Melvin  
VOTE: UNANIMOUS (6-0)

## PUBLIC HEARING

- 3. Public Hearing on the Annual FY2016 Community Transportation Program Grant
  - A. Approval of Submission of FY16 Application and Resolution for the Community Transportation Program Grant Funds

### BACKGROUND:

According to a memo from our Transportation Program Coordinator, the NCDOT deadline for the County's yearly application for the Community Transportation Program Grant funds is November 21, 2014. The required Public Hearing was advertised in the Fayetteville Observer on October 20, 2014 and in the Acento Latino on October 21, 2014 for the Board's November 3, 2014 meeting at 9:00am. This grant incorporates the administrative funds for the Cumberland County Community Transportation Program. A copy of the full application will be available for review in the Clerk's office.

### RECOMMENDATION/PROPOSED ACTION:

Conduct the Public Hearing and approve the FY 2016 Application and Resolution for the Community Transportation Program Grant funds.

## COMMUNITY TRANSPORTATION PROGRAM RESOLUTION

### Section 5311 FY 2016 RESOLUTION

Applicants seeking permission to apply for Community Transportation Program funding, enter into agreement with the North Carolina Department of Transportation, provide the necessary assurances and the required local match.

A motion was made by Chairman Council and seconded by Commissioner Faircloth for the adoption of the following resolution, and upon being put to a vote was duly adopted.

WHEREAS, Article 2B of Chapter 136 of the North Carolina General Statutes and the Governor of North Carolina have designated the North Carolina Department of Transportation (NCDOT) as the agency responsible for administering federal and state public transportation funds; and

WHEREAS, the North Carolina Department of Transportation will apply for a grant from the US Department of Transportation, Federal Transit Administration and receives funds from

the North Carolina General Assembly to provide assistance for rural public transportation projects; and

WHEREAS, the purpose of these transportation funds is to provide grant monies to local agencies for the provision of rural public transportation services consistent with the policy requirements for planning, community and agency involvement, service design, service alternatives, training and conference participation, reporting and other requirements (drug and alcohol testing policy and program, disadvantaged business enterprise program, and fully allocated costs analysis); and

WHEREAS, the County of Cumberland hereby assures and certifies that it will provide the required local matching funds; that its staff has the technical capacity to implement and manage the project, prepare required reports, obtain required training, attend meetings and conferences; and agrees to comply with the federal and state statutes, regulations, executive orders, Section 5333 (b) Warranty, and all administrative requirements related to the applications made to and grants received from the Federal Transit Administration, as well as the provisions of Section 1001 of Title 18, U. S. C.

NOW, THEREFORE, be it resolved that the County Manager of the County of Cumberland is hereby authorized to submit a grant application for federal and state funding, make the necessary assurances and certifications and be empowered to enter into an agreement with the NCDOT to provide rural public transportation services.

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Kristine Wagner, Transportation Program Coordinator, stated the application for the FY 2016 Community Program Transportation Grant is the annual request that funds the administration portion of the County's Community Transportation Program. Ms. Wagner stated the funding amount from the N. C. Department of Transportation Division is \$60,884 and the local share is \$9,133 or 15%.

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

Chairman Council opened the public hearing.

The clerk to the board advised there were no speakers.

Chairman Council closed the public hearing.

MOTION: Chairman Council moved to approve submission of the FY16 application and resolution for the Community Transportation Program Grant funds.

SECOND: Commissioner Faircloth

VOTE: UNANIMOUS (6-0)

## ITEMS OF BUSINESS

### 4. Consideration of Adoption of 2015 Board of Commissioners' Regular Meeting Dates

#### BACKGROUND:

Each year the Board of Commissioners considers adoption of its regular meeting dates for the upcoming calendar year and each year there are exceptions that have to be considered. The exceptions for calendar year 2015 include the following:

- The second meeting in January has been moved to Tuesday, January 20 because the preceding Monday is observed as the Martin Luther King, Jr. Birthday holiday.
- The first meeting in April has been moved to Tuesday, April 7 because the preceding Monday is Easter Monday. The Board at its November 19, 2012 meeting took action to continue moving the Easter Monday meeting to Tuesday.
- The first meeting in September has been moved to Tuesday, September 8 because the preceding Monday is observed as Labor Day holiday.

The first meeting in March has been not been cancelled for 2015 because the NACo Legislative Conference is scheduled for February 21-25, 2015 in Washington, DC and therefore will not interfere with the March 2, 2015 meeting.

**RECOMMENDATION/PROPOSED ACTION:**

Adopt the 2015 Board of Commissioners regular meeting dates as proposed.

**MOTION:** Commissioner Faircloth moved to adopt the 2015 Board of Commissioners' regular meeting dates.

**SECOND:** Commissioner Edge

**VOTE:** UNANIMOUS (6-0)

**5. Nominations to Boards and Committees**

**A. Adult Care Home Community Advisory Committee (3 Vacancies)**

Commissioner Faircloth nominated Clarence Everett, Adam Long and John Thompson.

**B. Board of Health (2 Vacancies)**

Chairman Council nominated Dr. Sanjay Shah and Barbara Stelly.

**C. Cumberland County Juvenile Crime Prevention Council (2 Vacancies)**

Commissioner Faircloth nominated Shawn Withy-Allen and Latoya Gordon.

**D. Nursing Home Advisory Board (2 Vacancies)**

Commissioner Edge nominated Clarence Everett and Latara Ray.

**E. Tourism Development Authority (1 Vacancy)**

Commissioner Melvin nominated Daniel E. Roberts.

**F. Cumberland County Workforce Development Board (1 Vacancy)**

Commissioner Faircloth nominated Cynthia Wilson.

**6. Appointments to Boards and Committees**

There were no appointments scheduled for this meeting.

**7. Closed Session:**      **A. REMOVED FROM AGENDA**  
Economic Development Matter(s)  
Pursuant to NCGS 143-318.11(a)(4)

**B. Attorney Client Matter(s)**  
Pursuant to NCGS 143-318.11(a)(3)

**MOTION:** Chairman Council moved to go into closed session for Attorney Client Matter(s) pursuant to NCGS 143-318.11(a)(3).

**SECOND:** Commissioner Melvin

**VOTE:** UNANIMOUS (6-0)

**MOTION:** Commissioner Edge moved to reconvene in open session.

**SECOND:** Commissioner Faircloth

**VOTE:** UNANIMOUS (7-0)

**MOTION:** Chairman Council moved to adjourn.

**SECOND:** Commissioner Faircloth

**VOTE:** UNANIMOUS (7-0)

There being no further business, the meeting adjourned at 9:55 a.m.

Approved with/without revision:

Respectfully submitted,

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Candice H. White  
Clerk to the Board