

CUMBERLAND COUNTY BOARD OF COMMISSIONERS
MONDAY, MARCH 7, 2016 – 9:00 AM
117 DICK STREET, 1ST FLOOR, ROOM 118
REGULAR MEETING MINUTES

PRESENT: Commissioner Marshall Faircloth, Chairman (arrived 9:04 a.m.)
Commissioner Glenn Adams, Vice Chairman
Commissioner Jeannette Council
Commissioner Kenneth Edge
Commissioner Charles Evans
Commissioner Jimmy Keefe
Commissioner Larry Lancaster
Amy Cannon, County Manager
Melissa Cardinali, Assistant County Manager
Tracy Jackson, Assistant County Manager
Rick Moorefield, County Attorney
Sally Shutt, Governmental Affairs Officer
Vicki Evans, Finance Director
Joe Utley, Tax Administrator
Jeffrey Brown, Engineering and Infrastructure Director
Deborah Shaw, Budget Analyst
Heather Harris, Budget Analyst
Candice H. White, Clerk to the Board
Kellie Beam, Deputy Clerk to the Board
Press

Vice Chairman Adams called the meeting to order.

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

Chairman Faircloth recognized Senator Wesley Meredith, N.C. State Senate 19th District, and Kirk deViere of the Fayetteville City Council.

Recognition of Retired Cumberland County Employee: Robert L. Howard, Solid Waste Director

On behalf of the Board of Commissioners, Commissioner Edge recognized Robert L. Howard with a plaque honoring his thirty-three years of service with Cumberland County Solid Waste from October 16, 1981 to January 1, 2016.

Chairman Faircloth recognized Senator Meredith who stated it was an honor and privilege to present the Order of the Long Leaf Pine to Robert L. Howard on behalf of the Governor of North Carolina. Senator Meredith stated the Order of the Long Leaf Pine is among the highest honors and most prestigious awards presented by the Governor. Senator Meredith thanked Mr. Howard for his service to the community and the state.

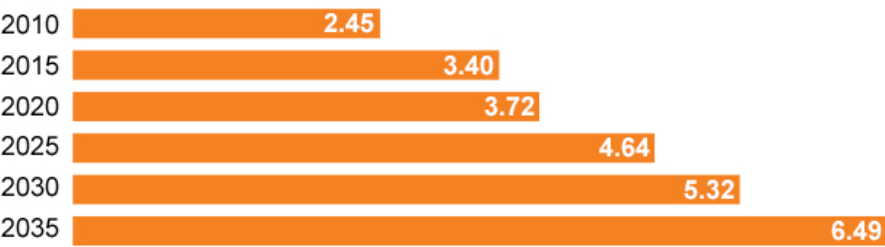
1. Approval of Agenda

MOTION: Commissioner Edge moved to approve the agenda.
SECOND: Commissioner Adams
VOTE: UNANIMOUS (7-0)

2. Presentation on the Atlantic Coast Pipeline by Mr. Bruce McKay, Senior Policy Advisor for Dominion Power

Amy Cannon, County Manager, recognized Bruce McKay, Senior Policy Advisory for Dominion Power, who provided the following presentation as an update on the Atlantic Coast Pipeline:

Mr. McKay outlined the increased demand for natural gas in Virginia and North Carolina. Mr. McKay stated a lot of the demand is for power generation due to the shutdown of coal-fired power plants and replacement with new gas-fired power plants and renewable sources.



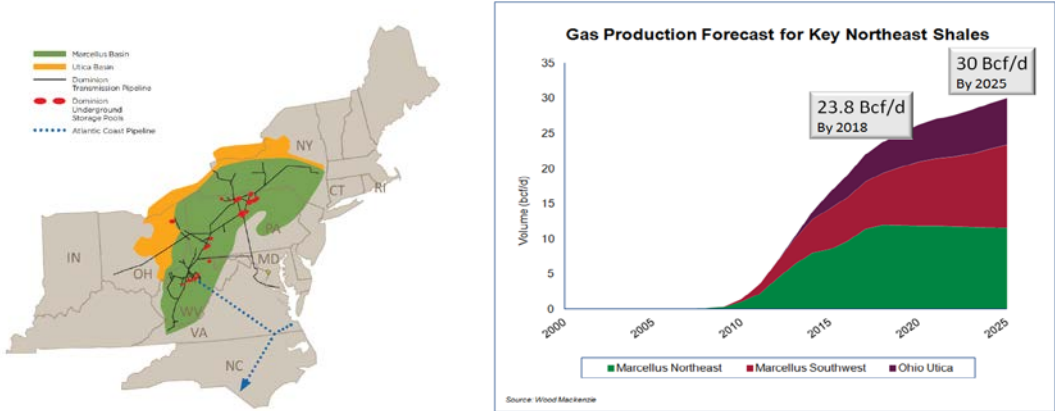
Total natural gas demand in our region is estimated to rise at **3.5 percent** annually, **increasing nearly 165 percent** from 2010 to 2035.

Source: *The Economic Impacts of the Atlantic Coast Pipeline*, ICF International, February 2015

Mr. McKay stated by 2025, the U.S. Census Bureau predicts a population increase of:

- 1.8M in Virginia
- 2.1M in North Carolina

Mr. McKay reviewed the abundant supply of natural gas below. Mr. McKay stated the current Northeast Shale’s production is >13 Bcf/d, the Marcellus/Utica production has been called the “Saudi Arabia” of natural gas and production exceeds average regional demand.



Mr. McKay outlined the Atlantic Coast Pipeline ownership, structure and timeline below:

Ownership:

- Dominion Resources* 45%
- Duke Energy 40%
- Piedmont Natural Gas 10%
- AGL Resources (Virginia Natural Gas) 5%
- *Dominion will construct, operate and manage the pipeline

Estimated Cost:

\$4.5 - \$5.0 billion (excludes financing costs)

Projected Timeline:

- Submit FERC pre-filing October 2014
- File FERC application Late Summer 2015
- Receive FERC Certificate 2016
- In-Service Late 2018

Mr. McKay stated AGL Resources is the parent firm of Virginia Natural Gas and VNG supplies gas to the largest metropolitan areas in Virginia such as Virginia Beach, Chesapeake and south Hampton Roads.

Mr. McKay highlighted project details as follows:

- Length: Approximately 594 miles
- Pipe: West Virginia: 42-inch diameter; Virginia: 42-inch diameter; North Carolina: 36-inch diameter; Secondary line: 20-inch diameter
- Capacity: 1.5 billion cubic feet/day
- Three compressor station locations:
 1. Lewis County, West Virginia
 2. Buckingham County, Virginia
 3. Northampton County, North Carolina

Route:

A proposed route is being studied. Dominion is collecting data through surveys and consultations with landowners and other stakeholders to determine the best route with the least impact to the environment, and to historic and cultural resources.

Mr. McKay provided the following information about the pipeline:

- The capacity of the pipeline is projected to be 1.5 billion cubic feet of gas per day
- The range of normal operating pressure on the pipeline would be from 750 pounds per square inch to 1,440 pounds per square inch, its Maximum Allowable Operating Pressure.
- The pipeline is designed and built with redundant safety systems to ensure this maximum pressure is not exceeded.
- Three compressor stations have been planned as part of this project – the exact locations have not been finalized, but they will be placed in Lewis County, WV; Buckingham County, VA and Northampton County, NC.

Mr. McKay provided information about the pipeline within Cumberland County and stated the 400-foot wide study corridor covers about 38 miles and 383 tracts in the county. Mr. McKay stated as of May 2015, nearly 80 percent of the landowners have given Atlantic Coast Pipeline permission to conduct surveys and we are in discussion with the rest.

- 39.5 miles
- 190 parcels affected
- 143 landowners

Mr. McKay stated in 2022, the full value of the project will be reflected in tax payments estimated below. Mr. McKay stated one of the local benefits of the Atlantic Coast Pipeline project will be the annual property taxes paid to every county and municipality through which the pipeline will run. Mr. McKay stated those taxes will begin at a low level in 2015 and grow as the pipeline work continues. Mr. McKay stated the estimates are based on the latest available tax rates and assessment ratios by each county and current income, expense and capital estimates. Mr. McKay stated all numbers are subject to revision and change, and changes in the construction schedules may affect the amount and distribution of the property tax payments in any given year. Mr. McKay stated the actual tax payments will be determined by the taxing authorities.

North Carolina counties (total for all)

- | | |
|---------------------------------------------------------------|-------------|
| <input type="checkbox"/> Miles of pipeline: | 194 |
| <input type="checkbox"/> Estimated 2022 property tax payments | \$6 million |

Cumberland County

- | | |
|---------------------------------------------------------------|-------------|
| <input type="checkbox"/> Miles of pipeline: | 38 |
| <input type="checkbox"/> Estimated 2022 property tax payments | \$1 million |

Mr. McKay stated nothing is more important than safety; this is a core value of Dominion, Duke Energy, Piedmont Natural Gas and AGL Resources. Mr. McKay stated natural gas pipelines must meet strict standards and rigorous federal and state testing protocols:

- Pipeline welds are X-rayed
- Thorough inspections and pressure tests prior to operation
- Government-mandated operator qualification standards
- Community awareness programs
- Coordination with local emergency responders
- 24/7 monitoring from Dominion gas control center

Mr. McKay outlined project benefits as it relates to the following:

Reliability/Supply

- New, independent routed ensures deliverability and diversity of supply
- Improves access to the most prolific and cost-competitive natural gas supply in the U.S.
- Supports growing natural gas demand in VA and NC (new power generation and local distribution customers)

Economic Development

- An increase in a region's potential for economic development.
- The decision to seek economic development is the county's alone to make.
- Based on our experience, a pipeline helps make that potential possible.

Sales Tax Revenue

- An increase in sales tax revenue.
- Construction companies purchase material and fuel.
- Crews have to eat and sleep, and they will eat and sleep locally. And these would NOT be just be one-night opportunities.

Employment

- Near-term employment opportunities. Dominion encourages companies to hire local workers whenever they can.

Property Tax Revenues

- An increase in county property tax revenues from the pipeline in the ground.

Cleaner Air

- When burned, natural gas produces significantly lower emissions than coal, including just half the carbon

Mr. McKay stated the 194 miles of pipeline through eight counties and total capital expenditures of \$1.2 billion will have significant economic impacts in North Carolina such as:

Construction

- Economic activity: \$680.2 million total
- Jobs: 4,426
- Local tax revenue: \$1.1 million annually

Operations

- Energy cost savings: \$134 million annually
- Economic activity: \$11.7 million annually
- Jobs: 925
- Local tax revenue: \$6 million annually

Other benefits

- Enhanced gas supply security
- Increased flexibility and optionality
- Improved electric reliability
- Support renewable generation in market areas

Mr. McKay outlined the regulatory process and expected timeline:

Activity	Timing
✓ Survey/route planning	May 2014 – Ongoing
✓ Hosted Open Houses	September 2014
✓ FERC Pre-Filing Request	October 2014
✓ Prepare & Submit draft Resource Reports	Fall 2014 – Spring 2015
✓ Hosted Open Houses	January, March, July 2015
✓ FERC held Scoping Meetings	March 2015
✓ Respond to Comments submitted during Scoping	May 2015
✓ File FERC Application	September 18, 2015
FERC draft Environmental Impact Statement (EIS)	2016
FERC Comment Period/Host public meetings on draft EIS	
FERC Final EIS	2016
FERC Certificate	2016
Construction	2016-2018
In-service	Late 2018

Mr. McKay provided photos as of examples of natural gas pipeline rights-of-way after construction and outlined special considerations for agriculture:

- Pipeline has four feet of cover to allow planting/plowing
- Compensation rate of 200% for annual crop loss
- Valuation of construction impact on loss of timber, Christmas trees and vineyards under development
- Fencing, row crops, and livestock: all allowable uses of right-of-way

Mr. McKay outlined special considerations for timber:

- Typically, Dominion will purchase and take ownership of timber, unless another agreement has been reached with the landowner
- An independent 3rd party completes an inventory of the property
 - Evaluate by species and diameter
 - Provide current market value

Mr. McKay outlined the anticipated environmental permits and authorizations for North Carolina as follows:

Anticipated North Carolina Environmental Permits & Authorizations	
Permit/Approval	Agency
Clean Water Act – Section 401 Water Quality Certification	North Carolina Division of Water Resources – Wetlands Branch
Isolated wetland/Other Non 404 Jurisdictional Wetlands/Waters	North Carolina Division of Water Resources – Wetlands Branch
North Carolina National Pollutant Discharge Elimination System – General Stormwater Permit (NCG 01)	North Carolina Department of Environment and Natural Resources – Division of Water Quality
North Carolina Stormwater General Permit SWG 04 – For Linear Utility Projects	North Carolina Department of Environment and Natural Resources – Division of Water Quality
North Carolina Construction and Operation Permit (Air Permit)	North Carolina Department of Environment and Natural Resources – Division of Air Quality
National Historic Preservation Act Section 106 Clearance/Approval	North Carolina State Historic Preservation Office
Native American Consultations	Multiple
State Endangered Species Clearance	North Carolina Wildlife Resources Commission – Division of Wildlife Management

Mr. McKay concluded his presentation by providing project contact information and responded to questions. In response to a question posed by Commissioner Edge, Mr. McKay stated he would follow up with information about the location of the pipeline relative to the industrial park.

3. Consent Agenda

- A. Approval of minutes for the February 15, 2016 regular meeting
- B. Approval of Memorandum of Agreement between Cumberland County and Alliance Behavioral Healthcare Services for Work First/Child Protective Services

BACKGROUND:
The purpose of this Memorandum of Agreement (MOA) is to establish procedures surrounding the Work First/Child Protective Services/Substance Abuse (WF/CPS/SA) assessment services and facilitate appropriate Mental Health/Substance Abuse (MH/SA) services to parents and caretakers of children in order to better assure the safety, permanence and well-being of children where there has been substantiated child abuse, neglect and/or dependency or when the need for Child Protective Services has been identified and substance abuse or mental illness has been a factor in the maltreatment.

There is no monetary value attached to this MOA. However, CCDSS and Alliance Behavioral Healthcare currently have a contractual agreement whereas Alliance Behavioral Healthcare agrees to reimburse CCDSS a total of \$83,600.00 for the cost of two (2) Substance Abuse workers and one (1) on-site supervisor.

RECOMMENDATION/PROPOSED ACTION:
It is recommended that the Board of County Commissioners approve the Memorandum of Agreement between CCDSS and Alliance Behavioral Healthcare.

- C. Approval of Offer to Purchase Lot 4 and Lot 5 in the Beaver Dam Acres Subdivision, Section 4, Plat Book 67 at Page 32, Located Near Autryville

BACKGROUND:
On December 21, 2015, the Board adopted a resolution of its intent to accept the offer of Javier Smith to purchase lots 4 through 8 in Beaver Dam Acres Subdivision, Section 4, Plat Book 67 at Page 32, near Autryville, as shown below.

PIN	PB 67-32	Zoning	Tax Value	Foreclosure Judgment	Offer
1423-12-5843	Lot 8	Rural Lot	\$6,750	\$804.65	\$804.65
1423-12-5973	Lot 7	Rural Lot	\$6,750	\$804.65	\$804.65
1423-13-5092	Lot 6	Rural Lot	\$6,750	\$804.65	\$804.65
1423-13-6112	Lot 5	Rural Lot	\$6,750	\$804.65	\$804.65
1423-13-6233	Lot 4	Rural Lot	\$9,000	\$1,058.75	\$1,058.75

These lots were sold subject to the upset bid process of G. S. § 160A-269. Notice of the proposed sale was first advertised in the *Fayetteville Observer* December 28, 2015. Upset bids were received and the sales were advertised in the *Fayetteville Observer* January 12, 2016 and again on January 26, 2016.

Saundra Emily Pittman placed the last and highest bid offer on lot 4 for \$2,106 and on lot 5 for \$1,192.25, for a total of \$3,298.25. The sale was advertised in the *Fayetteville Observer* February 9, 2016. The publisher's affidavit for this sale has been received. Lots 6, 7, 8 were sold separately and the sale of those lots has been finalized.

RECOMMENDATION/PROPOSED ACTION:
County attorney recommends the Board accept the offer for these two lots and authorize the Chair to execute a deed for these two lots upon the county's receipt of the balance of the purchase price.

- D. Approval of Offer to Purchase Lot 104, Plat Book 20 at Page 21, Section I, Savoy Heights Subdivision, Ashley Street, Fayetteville

BACKGROUND:

On January 19, 2016, the Board adopted a resolution of its intent to accept the offer of Dezmon T. Monroe to purchase the property with PIN 0437-12-4190, being Lot 104, Plat Book 20 at Page 21, Section I, Savoy Heights Subdivision, Fayetteville, NC for \$323. Based on the County GIS system there is no structure on this parcel. It is a lot with dimensions of 60' x 168' with a tax value of \$3,500.

The property was sold subject to the upset bid process of G. S. § 160A-269. Notice of the proposed sale was advertised in the *Fayetteville Observer* January 29, 2016. 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.

- E. Approval of Payment of Prior Year Invoices to McDonald Lumber Company, Inc. and Highland Lumber Company, Inc.

BACKGROUND:

The Sheriff's Office Detention Center is requesting payment to two separate vendors for items received and invoiced during fiscal year 2015. The March 25, 2015 invoice payable to McDonald Lumber Company, Inc. totals \$58.12. The February 3, 2015 invoice payable to Highland Lumber Company, Inc. totals \$49.83. Goods were received and verified, however the invoices were inadvertently misplaced. Payment is due to the vendors. The cost is able to be absorbed within the Detention Center's current year budget.

RECOMMENDATION/PROPOSED ACTION:

Management is requesting approval to pay the two prior year invoices totaling \$107.95.

- F. Approval of Payment of Prior Year Invoices to Hope Mills Area Chamber of Commerce

BACKGROUND:

The Finance Department is requesting payment to the Hope Mills Area Chamber of Commerce for expenditures incurred during fiscal year 2015 for creative development services for website creation totaling \$2,650. Upon approval of community funding in fiscal year 2013, a purchase order was approved for the Hope Mills Chamber totaling \$28,805. During the next two fiscal years, remaining balances were carried forward to encumber any remaining funds. That did not happen for the current fiscal year. Therefore, no funds are currently budgeted to pay for the prior year expenditures. Timely submission of the invoices did not occur. However, funds were remaining at the end of fiscal year 2015 that could have covered this cost.

RECOMMENDATION/PROPOSED ACTION:

Management is requesting approval of the attached budget revision and approval to pay the prior year invoice totaling \$2,650.

- G. Approval of Payment of Prior Year Invoice to the Department of Public Safety/Division of Adult Corrections Juvenile Justice

BACKGROUND:

Communicare is requesting payment of \$600 to the Department of Public Safety, Division of Adult Corrections Juvenile Justice for a final fiscal year 2015 accounting of unused funds. DPS was late in sending out the notification which resulted in Communicare having a prior year payment request. Funds can be absorbed within the current year budget.

RECOMMENDATION/PROPOSED ACTION:

Management is requesting approval to pay the prior year payment request of \$600.

- H. Budget Revisions:

- (1) Soil & Water Conservation District

Revision in the amount of \$5,475 to appropriate fund balance (\$1,672) to roll forward the FY15 net profit from the fundraising activities and to budget fundraiser revenues (\$3,803) received in FY16. (B16-198) Funding Source- Fund Balance Appropriated and Revenue

(2) Sheriff's Office

Revision in the amount of \$4,362 to increase the LEO contribution to reflect the actuarial Annual Required Contribution for FY16. (B16-202 and B16-202A) Funding Source – Fund Balance Appropriated

(3) School Capital Outlay Category II

Revision in the amount of \$450,000 to fund Capital Outlay Category II expenditures as approved by the Cumberland County Board of Education. (B16-199) Funding Source – Other

(4) Detention Center Expansion

Revision in the amount of \$122,385 to close Detention Center Expansion Project and move balance to the General Fund (B16-203) to purchase Security Cameras and transfer unused portion to General Fund Contingency (B16-203A/B16-203B) Funding Source – Fund Balance Appropriated

MOTION: Commissioner Adams moved to approve consent agenda items 3.A. – 3.H.(4).

SECOND: Commissioner Edge

VOTE: UNANIMOUS (7-0)

ITEMS OF BUSINESS

4. Consideration of Proposed Schedule for Fiscal Year 2017 Budget Work Sessions and Budget Public Hearing

BACKGROUND:

Management anticipates submitting the FY17 Proposed Budget to the Commissioners on Tuesday, May 26, 2016. Several work sessions may be needed for review.

The following schedule is recommended for consideration with all meetings to be held in the Cumberland County Courthouse, 117 Dick Street, Fayetteville, NC.

Thursday, May 26, 2016	7:00 PM	Budget Presentation	Room 118
Tuesday, May 31, 2016	5:30 PM	Budget Work Session	Room 564
Thursday, June 2, 2016	5:30 PM	Budget Work Session	Room 564
Tuesday, June 7, 2016	5:30 PM	Budget Work Session/Dept. Head Appeal	Room 564
Monday, June 13, 2016	7:00 PM	Budget Public Hearing/Work Session	Room 118
Thursday, June 16, 2016	5:30 PM	Budget Work Session/Adopt Budget	Room 564

RECOMMENDATION/PROPOSED ACTION:

Adopt a schedule for FY17 budget work sessions and public hearing as recommended or modified.

Ms. Cannon reviewed the proposed schedule as recorded above. Commissioner Keefe posed questions regarding the availability of projected numbers for revaluation as they relate to the FY17 budget work sessions. Commissioner Adams recognized a potential conflict and asked that schedule be tabled until the March 21, 2016 regular meeting.

5. Resolution in Support of the March 15, 2016 City of Fayetteville Parks and Recreation Bond Referendum

CUMBERLAND COUNTY BOARD OF COMMISSIONERS
RESOLUTION IN SUPPORT OF THE MARCH 15, 2016,
CITY OF FAYETTEVILLE PARKS AND RECREATION BOND REFERENDUM

Whereas, the City of Fayetteville has proposed certain improvements and enhancements to the City's parks and recreation facilities to be financed with the issuance of bonds; and

Whereas, the referendum to approve the City's issuance of these bonds is on the ballot for the upcoming March 15, 2016, primary election; and

Whereas, the Board of County Commissioners finds that enhancement of the City's parks and recreation facilities will benefit the community by expanding the opportunities for recreation and should enhance the community's ability to attract economic development projects.

Be it resolved, that the Cumberland County Board of Commissioners does encourage the City's voters to favorably consider approval of the City of Fayetteville's Parks and Recreation Bond Issue in the primary election to be conducted March 15, 2016.

Adopted this 7th day of March, 2016.

MOTION: Commissioner Evans moved to moved to approve the Resolution in Support of the March 15, 2016 City of Fayetteville's Parks and Recreation Bond Referendum.

SECOND: Commissioner Adams

VOTE: UNANIMOUS (7-0)

6. Nominations to Boards and Committees

A. Adult Care Home Community Advisory Committee (2 Vacancies)

Commissioner Adams nominated John Thompson and Clarence Everett, Sr.

B. Fayetteville Area Convention and Visitors Bureau (FACVB) (1 Vacancy)

Commissioner Adams nominated Sharon Lee.

7. Appointment to Boards and Committees

There were no appointments to boards or committees scheduled for this meeting.

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

MOTION: Commissioner Council moved to go into closed session for Economic Development Matter(s) pursuant to NCGS 143-318.11(a)(4).

SECOND: Commissioner Evans

VOTE: UNANIMOUS (7-0)

MOTION: Commissioner Council moved to reconvene in open session.

SECOND: Commissioner Evans

VOTE: UNANIMOUS (7-0)

MOTION: Commissioner Council moved to adjourn.

SECOND: Commissioner Evans

VOTE: UNANIMOUS (7-0)

There being no further business, the meeting adjourned at 10:04 a.m.

Approved with/without revision:

Respectfully submitted,

Candice H. White
Clerk to the Board