

CUMBERLAND COUNTY BOARD OF COMMISSIONERS
MONDAY, APRIL 3, 2017 – 9:00 AM
117 DICK STREET, 1ST FLOOR, ROOM 118
REGULAR MEETING MINUTES

PRESENT: Commissioner Glenn Adams, Chairman
Commissioner Michael Boose
Commissioner Jeannette Council
Commissioner Marshall Faircloth
Commissioner Jimmy Keefe
Commissioner Larry Lancaster
Amy Cannon, County Manager
Melissa Cardinali, Assistant County Manager
Tracy Jackson, Assistant County Manager
Sally Shutt, Assistant County Manager
Rick Moorefield, County Attorney
Vicki Evans, Finance Director
Tammy Gillis, Director of Internal Audit and Wellness Services
Deborah Shaw, Budget Analyst
Heather Harris, Budget Analyst
Kim Cribb, Budget Analyst
Joe Utley, Tax Administrator
Jeffrey Brown, Engineering and Infrastructure Director
Lee Warren, Register of Deeds
Ron Cooper, Central Maintenance
Ann Johnson, Senior Aide Program
Dee Taylor, Community Development
Eric Redrick, Veterans' Services
Michael Gibson, Fayetteville-Cumberland Parks and Recreation
Director
Robert Van Geons, Fayetteville-Cumberland Economic
Development Corporation
Kim Nazarchyk, Eastover Town Manager
Candice H. White, Clerk to the Board
Kellie Beam, Deputy Clerk to the Board
Press

ABSENT: Commissioner Charles Evans, Vice Chairman

Chairman Adams called the meeting to order and stated Commissioner Charles Evans was unable to attend.

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

Presentation of United Way Campaign Excellence and Achievement Awards to the following County Departments by Mr. Robert Hines, President and CEO of United Way

Campaign Excellence Awards:
Administration
Central Maintenance
Community Development
Senior Aides Program

Campaign Achievement Awards:
Finance Department
Register of Deeds
Veterans Services

Amy Cannon, County Manager, recognized Robert Hines, President and CEO of the United Way of Cumberland County, who thanked the Board of Commissioners and County staff for supporting the United Way's 2-1-1. Mr. Hines stated 2-1-1 is available 24/7 in any language to seek assistance from health and human service agencies. Mr. Hines stated 2-1-1 received approximately 2,000 calls for disaster relief in the six week period following Hurricane Matthew.

Mr. Hines presented Campaign Excellence Awards to Amy Cannon for Administration; Ron Cooper for Central Maintenance; Dee Taylor for Community Development; and Ann

Johnson for the Senior Aids Program. Mr. Hines presented Campaign Achievement Awards to Vicki Evans for the Finance Department; Lee Warren for the Register of Deeds; and Eric Redrick for Veterans Services.

Amy Cannon, County Manager, requested the addition to the agenda of a closed session for personnel matter(s) pursuant to NCGS 143-318.11(a)(6).

1. Approval of Agenda

MOTION: Commissioner Lancaster moved to approve the agenda with the addition of a closed session for personnel matter(s) pursuant to NCGS 143-318.11(a)(6).

SECOND: Commissioner Council

VOTE: UNANIMOUS (6-0)

Commissioner Boose requested the removal of Item 2.C. from the consent agenda for separate discussion and action.

2. Consent Agenda

A. Approval of minutes of the March 20, 2017 regular meeting

B. Approval of Destruction of Risk Management Records

BACKGROUND:

Pursuant to the resolution adopted by the Board of County Commissioners on February 4, 1985, authorization is requested to destroy Risk Management records noted below. The destruction of these records are in accordance with the Records Retention and Disposition Schedule issued by the North Carolina Division of Archives and History which was previously adopted by the Board of Commissioners.

1. Records with six-year retention requirement (dated prior to July 1, 2010):
 - a) Insurance Policies and related invoices and claims-concerning purchased accident, sickness, automobile, theft, fire, life and all other insurance policies purchased by the county – destroy when superseded or obsolete, other records 6 years after settlement.
2. Records with five-year retention requirement (dated prior to July 1, 2011):
 - a) Drug Test Reporting - Blood Alcohol Test Results >.02, positive drug test results, drug test refusals, adulterated drug tests, follow-up tests
 - b) Worker's Compensation Claims Files – if no litigation, claim, audit or other official action initiated.
 - c) Occupational Safety and Health Administration Files – OSHA 300 and 300A
 - d) US Bureau of Labor Statistics & Summary File - *retention is after administrative value ends but will match to OSHA files since related data
3. Records with three - year retention requirement (dated prior to July 1, 2013):
 - a) Certificates of Insurance
4. Records with one - year retention requirement (dated prior to July 1, 2015):
 - a) Drug tests reporting - Blood Alcohol Test Results <.02, canceled tests, negative test results

RECOMMENDATION/PROPOSED ACTION:

Accept the report on disposition of records and include same in minutes of the April 3, 2017 commissioners' meeting.

C. Removed for separate discussion and action as recorded below.

D. Approval of Offers to Purchase Surplus Properties Pursuant to the Upset Bid Process:

- 1) Portion of Lot 12, Block B, Stubbs Acres, Plat Book 21/

BACKGROUND:

The County acquired the real property with PIN 0439-41-3155 at an execution sale in 2001 for a purchase price of \$1,855.24. The parcel is described in the tax records as .14 acres, being part of Lot 12, Block B, Stubbs Acres, zoned SF10, with a tax value of \$7,500. Based on the County GIS Parcel Viewer System, the parcel abuts Plantation Road in the City of Fayetteville and there is not a structure on the property. Mr. Myles Hester has made an offer to purchase the property for \$1,855.24, and has submitted the required deposit to the Finance Department. If the Board proposes to accept this offer, the proposed sale must be advertised subject to the upset bid process of G. S. § 160A-269. The proposed advertisement is attached.

RECOMMENDATION/PROPOSED ACTION:

The county attorney recommends that the Board consider the offer of Mr. Hester and if the Board proposes to accept the offer, resolve that the described real property is not needed for governmental purposes and direct that it be advertised and sold pursuant to the upset bid process of G. S. § 160A-269.

**CUMBERLAND COUNTY BOARD OF COMMISSIONERS
ADVERTISEMENT OF PROPOSAL TO ACCEPT AN OFFER TO
PURCHASE
CERTAIN REAL PROPERTY PURSUANT TO N.C.G.S § 160A-269**

Take notice that the Board of Commissioners finds the real property described herein is not needed for governmental purposes and proposes to accept an offer to purchase the property with PIN 0439-41-3155, containing .14 acres and being a portion of Lot 12, Block B, Stubbs Acres, Plat 21 Book 29, for a purchase price of \$1,855.24. Within 10 days of this notice any person may raise the bid by not less than ten percent (10%) of the first one thousand dollars (\$1,000) and five percent (5%) of the remainder by making a five percent (5%) deposit of the bid with the Clerk. This procedure shall be repeated until no further qualifying upset bids are received. The Board of Commissioners may at any time reject any and all offers. Further details may be obtained from the Office of the County Attorney, Suite 551-Courthouse, Fayetteville, NC 28302.

- 2) 2323 Applebury Lane, Fayetteville

BACKGROUND:

The County acquired the real property with PIN 0405-87-9315 from a tax foreclosure sale in 2014 for a purchase price of \$6,238.67. It is a residentially zoned lot approximately 150' by 121' with an address of 2323 Applebury Lane, Fayetteville. The tax value is \$48,100. Based on the County GIS Parcel Viewer System, there is not a structure on the property and it does not front a public or private street. Amber Jones has made an offer to purchase the property for \$6,600 and has submitted the required deposit to the Finance Department. If the Board proposes to accept this offer, the proposed sale must be advertised subject to the upset bid process of G. S. § 160A-269. The proposed advertisement is attached.

RECOMMENDATION/PROPOSED ACTION:

The County Attorney recommends that the Board consider the offer of Amber Jones and if the Board proposes to accept the offer, resolve that the described real property is not needed for governmental purposes and direct that it be advertised and sold pursuant to the upset bid process of G. S. § 160A-269.

**CUMBERLAND COUNTY BOARD OF COMMISSIONERS
ADVERTISEMENT OF PROPOSAL TO ACCEPT
AN OFFER TO PURCHASE
CERTAIN REAL PROPERTY PURSUANT TO N.C.G.S. § 160A-269**

Take notice that the Board of Commissioners finds the real property described herein is not needed for governmental purposes and proposes to accept an offer to

purchase the property with PIN 0405-87-9315 located at 2323 Applebury Lane, Fayetteville, for a purchase price of \$6,600 Within 10 days of this notice any person may raise the bid by not less than ten percent (10%) of the first one thousand dollars (\$1,000) and five percent (5%) of the remainder by making a five percent (5%) deposit of the bid with the Clerk. This procedure shall be repeated until no further qualifying upset bids are received. The Board of Commissioners may at any time reject any and all offers. Further details may be obtained from the Office of the County Attorney, Suite 551-Courthouse, Fayetteville, NC 28302.

- 3) Being Lots 114 & 116, Savoy Heights, Sec 1, Plat Book 20 at Page 21; and 4.05 Acres Land adj. Briarwood Hills, Sec 3, Plat Book 117 at Page 189

BACKGROUND:

The County acquired the two parcels described below together with four other parcels at a tax foreclosure sale in 2011 for a total purchase price of \$9,227.47. The prorated share of the purchase price for the two parcels for which an offer has been made is \$6,885.95.

Description	Tax Value	Prorated Judgment Amount	Deed	PIN No.
Lots 114 & 116 Savoy Hgts., Sec 1, PB 20-21, located off Weiss Ave	\$11,250.00	\$1,038.10	8701/836	0437-11-4516
4.05 ac. Land adj Briarwood Hills, Sec 3, PB 117-189, located off Eldorado Rd	\$55,688.00	\$5,847.85		0426-54-8992

According to the County’s tax records, these parcels are vacant and are zoned residential. There is also a plat recorded in Plat Book 117/189 showing the 4.05 ac. tract as a permanent conservation easement. These parcels were acquired jointly with the City of Fayetteville. The city quitclaimed its interest to the county by a deed recorded in Book 8955/530. Dale and Dianna Brigham have made an offer to purchase these parcels for a single price of \$6,885.95. If the Board proposes to accept this offer, the proposed sale must be advertised subject to the upset bid process of G. S. § 160A-269.

RECOMMENDATION/PROPOSED ACTION:

The County Attorney recommends that the Board consider the offer of Dale and Dianna Brigham and if the Board proposes to accept the offer, resolve that the described real properties are not needed for governmental purposes and direct that it be advertised and sold pursuant to the upset bid process of G. S. § 160A-269.

**CUMBERLAND COUNTY BOARD OF COMMISSIONERS
ADVERTISEMENT OF PROPOSAL TO ACCEPT AN OFFER TO PURCHASE
CERTAIN REAL PROPERTY PURSUANT TO N.C.G.S § 160A-269**

Take notice that the Board of Commissioners finds the following real properties not needed for governmental purposes and proposes to accept an offer to purchase the properties being Lots 114 & 116 Savoy Heights, Sec. 1, Plat Book 20/21, PIN 0437-11-4516; and 4.05 Acres adj. Briarwood Hills, Sec 3, Plat Book 117/189, PIN 0426-54-8992, which may be dedicated as a permanent conservation easement, for a purchase price of \$6,885.95. Within 10 days of this notice, any person may raise the bid by not less than ten percent (10%) of the first one thousand dollars (\$1,000) and five percent (5%) of the remainder by making a five percent (5%) deposit of the bid with the Clerk. This procedure shall be repeated until no further qualifying upset bids are received. The Board of Commissioners may at any time reject any and all offers. Further details may be obtained from the Office of the County Attorney, Suite 551-Courthouse, Fayetteville, NC 28302.

- 4) Being Lots 6 & 7, Block D, Spring Lake Subdivision, Plat Book 11 at Page 3, Located at 118 and 105 N. First Street, Spring Lake

BACKGROUND:

The County acquired the two parcels described below together with two other parcels at a tax foreclosure sale in 2012 for a total purchase price of \$10,615.02. The prorated share of the purchase price for the two parcels for which an offer has been made is \$3,396.80.

Description	Tax Value	Prorated Cost	Deed	PIN
Lot 6, Block D, PB 11-3, Spring Lake S/D, with address of 118 N. First St., Spring Lake	\$24,421.00	\$1,698.40	8926/884	0501-76-4236
Lot 7, Block D, PB 11-3, Spring Lake S/D, with address of 105 N. First St., Spring Lake	\$24,421.00	\$1,698.40		0501-76-4252

According to the county’s tax records, these parcels are vacant and are zoned by the Town of Spring Lake as commercial (CB). Heath Johnson has made an offer to purchase these parcels for a single price of \$3,396.80. If the Board proposes to accept this offer, the proposed sale must be advertised subject to the upset bid process of G.S. § 160A-269.

RECOMMENDATION/PROPOSED ACTION:

The County Attorney recommends that the Board consider the offer of Mr. Johnson and if the Board proposes to accept the offer, resolve that the described real property is not needed for governmental purposes and direct that it be advertised and sold pursuant to the upset bid process of G. S. § 160A-269. The proposed advertisement follows:

**CUMBERLAND COUNTY BOARD OF COMMISSIONERS
ADVERTISEMENT OF INTENT TO ACCEPT AN OFFER TO PURCHASE
CERTAIN REAL PROPERTY PURSUANT TO N.C.G.S § 160A-269**

Take notice that the Board of Commissioners finds the real property described herein is not needed for governmental purposes and proposes to accept an offer to purchase the properties being Lot 6, Block D, Spring Lake Subdivision, Plat Book 11 at Page 3, PIN 0501-76-4236, located at 118 N. First St., Spring Lake; and Lot 7, Block D, Spring Lake Subdivision, Plat Book 11 at Page 3, PIN 0501-76-5466, located at 105 N. First Street, Spring Lake, for a total purchase price of \$3,396.80. Within 10 days of this notice, any person may raise the bid by not less than ten percent (10%) of the first one thousand dollars (\$1,000) and five percent (5%) of the remainder by making a five percent (5%) deposit of the bid with the Clerk. This procedure shall be repeated until no further qualifying upset bids are received. The Board of Commissioners may at any time reject any and all offers. Further details may be obtained from the Office of the County Attorney, Suite 551-Courthouse, Fayetteville, NC 28302.

- E. Approval of a Resolution Opposing Modifications to the Machinery Act Outlined in 2017 Senate Bill 363 “An Act to Modify Appeals of Property Tax Valuations Where the Appeal Involves Certain Appraisals”

**CUMBERLAND COUNTY BOARD OF COMMISSIONERS
RESOLUTION OPPOSING MODIFICATIONS TO THE MACHINERY ACT
OUTLINED IN 2017 SENATE BILL 363 ‘AN ACT TO MODIFY APPEALS
OF PROPERTY TAX VALUATIONS WHERE THE APPEAL INVOLVES
CERTAIN APPRAISALS’**

Whereas, the “Machinery Act,” the official title given to Subchapter II of Chapter 105 of the North Carolina General Statutes, governs the entire administrative structure of the property tax system used by counties and municipalities in North Carolina; and

Whereas, Senate Bill 363 filed on March 22, 2017, removes the authority of the local Boards of Equalization and Review and the Property Tax Commission to make reasoned, informed decisions regarding the assessed values of properties; and

Whereas, the bill removes the ability for both the Property Tax Commission and the local Boards of Equalization and Review to ensure that similar properties are appraised in a similar manner, thereby promoting inequality among property values; and

Whereas, by promoting inequality among properties, the bill would create inequity among property owners through inequitable tax bills for similar properties; and

Whereas, the bill appears to presume that a county can appeal the decision of the local Board of Equalization and Review to the State Commission; although the statutory appeal rights are available only to the appealing property owners, and not to the county; and

Whereas, S363 fails to recognize that appraisal opinions are almost always reflective of a range of values that are sometimes higher and sometimes lower than typical values; and

Whereas, S363 fails to recognize that the purpose for which an appraisal is conducted can have a significant impact on where the final value falls within a given range; and

Whereas, because the bill would require adopting the value expressed in the appraisal, it is certain that neighboring and similar properties would become appraised at different levels, and

Whereas, the bill does not provide discretion from local or state oversight boards to evaluate the quality of the submitted appraisal; and

Whereas, counties must provide and bear the cost of hiring mutually agreed upon appraisers if the county has an exception to order; and

Whereas, there are likely to be professional ethics implications for both sides when general appraisers negotiate with county appraisers to select a mutually agreeable appraiser in the case of an appeal to the Commission; and

Whereas, the bill completely disregards the concept of due process and the opportunity to be heard, replacing it with an arbitrary mechanism for designating value; and

Whereas, S363 represents a dangerous departure from a procedure that has historically offered due process and equal protection for taxpayers statewide; and

NOW THEREFORE BE IT RESOLVED that the Cumberland County Board of Commissioners requests that the General Assembly not advance S363.

Adopted April 3, 2017.

F. Approval of a Proclamation Recognizing April 2017 as “National County Government Month”

COUNTY OF CUMBERLAND

NORTH CAROLINA

PROCLAMATION

National County Government Month - April 2017
“Brilliant Ideas at Work”

WHEREAS, the nation’s 3,069 counties serving more than 300 million Americans provide essential services to create healthy, safe and vibrant communities; and

WHEREAS, counties move America forward by providing health care, administering justice, keeping communities safe, creating economic opportunities and much more; 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 efficient and cost-effective ways; and

WHEREAS, through National Association of Counties (NACo) President Bryan Desloge's "Brilliant Ideas at Work" initiative, NACo is encouraging counties to focus on the most innovative programs and services that strengthen communities; and

WHEREAS, in order to remain healthy, vibrant and safe, America's counties provide public health, justice, safety, infrastructure, transportation, technology, environmental stewardship and economic services that play a key role in everything from residents' daily commutes to emergency response; and

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

NOW THEREFORE, BE IT RESOLVED, that the Board of County Commissioners of Cumberland County, do hereby proclaim April 2017 as National County Government Month and encourage all county officials, employees, schools and residents to participate in county government celebration activities.

Adopted this 3rd day of April, 2017.

G. Approval of a Proclamation Recognizing April 2017 as "Child Abuse Prevention Month"

COUNTY OF CUMBERLAND

NORTH CAROLINA

PROCLAMATION

April 2017 Child Abuse Prevention Month

Whereas, based on national best practice and research, The Child Advocacy Center (CAC) was founded in 1993 by a group of concerned local professionals seeking to coordinate services to child abuse victims and their families; and

Whereas, the primary goal of the CAC is to alleviate the trauma children experience once a disclosure of sexual abuse or serious physical abuse occurs; and

Whereas, the CAC provides 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; and

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 location; and

Whereas, the CAC provides continuing education to professionals who serve child abuse victims and child abuse prevention and awareness programs to the entire community; and

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 the child abuse victim; and

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; and

Whereas, the Child Advocacy Center provided services to 595 child victims of physical and/or sexual abuse during 2011 which saved the community over \$500,000.

Now, Therefore, We, the Cumberland County Board of Commissioners, on behalf of the citizens of Cumberland County, do hereby proclaim April 2017 as Child Abuse Prevention and Awareness Month in Cumberland County, N.C. and recognize the Child Advocacy Center and the work of its community partners in creating a safer community for all and protecting our community's children.

Presented this 3rd day of April, 2017.

H. Approval of a Proclamation Recognizing April 9-15, 2017 as "National Public Safety Telecommunicators Week" in Cumberland County

COUNTY OF CUMBERLAND

NORTH CAROLINA

PROCLAMATION
National Public Safety Telecommunicators Week
April 9-15, 2017

WHEREAS, emergencies can occur at anytime that require law enforcement, fire or emergency medical services; and

WHEREAS, when an emergency occurs, the prompt response of law enforcement officers, firefighters and medical services personnel is critical to the protection of life and preservation of property; and

WHEREAS, the safety of our law enforcement officers and firefighters is dependent upon the quality and accuracy of information obtained from citizens who telephone the Cumberland County Communications Center; and

WHEREAS, Public Safety Telecommunicators are the first and most critical contact our citizens have with emergency services; and

WHEREAS, Public Safety Telecommunicators are the single vital link for our law enforcement officers and firefighters by monitoring their activities by radio, providing them information and insuring their safety; and

WHEREAS, Public Safety Telecommunicators of the Cumberland County Communications Center have contributed substantially to the apprehension of criminals, suppression of fires and treatment of patients; and

WHEREAS, dispatchers have exhibited compassion, understanding and professionalism during the performance of their jobs over the past year.

NOW THEREFORE, BE IT RESOLVED, that the Cumberland County Board of Commissioners declares the week of April 9-15, 2017 to be "NATIONAL PUBLIC SAFETY TELECOMMUNICATORS WEEK" in Cumberland County in honor of the men and women whose diligence and professionalism keep our County and citizens safe.

Adopted this 3rd day of April, 2017.

I. Approval of Budget Ordinance Amendments:

General Fund 101

- 1) Public Health - Budget Ordinance Amendment B170207 to recognize additional State funds in the amount of \$5,807 to support the NC Youth Prevention services.

The Board is requested to approve Budget Ordinance Amendment B170207 in the amount of \$5,807 representing additional State Health funds received from North Carolina Department of Health and Human Services – Division of Public Health. These funds are to be used for tobacco prevention to help implement policies for tobacco free campuses.

Please note this amendment requires no additional county funds.

Injured Animal Fund 215

- 2) Injured Animal Fund - Budget Ordinance Amendment B170213 to recognize additional revenue of \$4,382 to support the Injured Animal Fund.

The Board is requested to approve Budget Ordinance Amendment B170213 in the amount of \$4,382 from donations. This money will be used to provide medical services to injured animals.

Please note this amendment requires no additional county funds.

Contingency Funds Report

There was no usage of contingency funds to report this period.

- MOTION:** Commissioner Keefe moved to approve consent agenda items 2.A. – 2.I.2) with the exception of Item 2.C. as removed for separate discussion and action.
- SECOND:** Commissioner Faircloth
- VOTE:** UNANIMOUS (6-0)

Chairman Adams referenced the proclamation for April as Child Abuse Prevention Month and recognized Faith Boehmer, Prevention/Volunteer Coordinator for the Child Advocacy Center. Ms. Boehmer briefly explained how to become involved in the Pinwheel for Prevention campaign, a national and local public awareness campaign dedicated to preventing child abuse and limiting the negative impact of trauma once it occurs.

- 2.C. Approval of a Memorandum of Understanding between Cumberland County and Cumberland County Schools for the Workforce Development Work Ready Community Initiative.

BACKGROUND

Workforce Development would like to enter into a Memorandum of Understanding (MOU) with Cumberland County Schools with a not-to-exceed amount of \$50,000. The purpose of this MOU is to set forth the roles and responsibilities of this bilateral agreement related to duties and responsibilities for achieving Work Ready Community status for Cumberland County.

By participating in the Work Ready Communities (WRC) initiative, Cumberland County can identify skill gaps and quantify the skill level of its workforce. This helps educators build career pathways aligned to the needs of business and industry and recognizes the level of our workforce development efforts. A strong workforce is a tremendous economic development advantage.

Our required employer commitments to support the Work Ready Community initiative has been set at 158 for the Cumberland County area. Please refer to the attached brochure for program information. Through the efforts of the Cumberland County Schools System, Cumberland County has 89 employers currently supporting this process. However, the intent of this MOU is to garner commitments from an additional 69 businesses by June 30, 2018.

Workforce Development has sufficient funds within the current budget to cover this agreement.

RECOMMENDATION/PROPOSED ACTION

Approve the Memorandum of Understanding which requires the signature of the County Manager.

**MEMORANDUM OF UNDERSTANDING BETWEEN
CUMBERLAND COUNTY AND CUMBERLAND COUNTY SCHOOLS**

I. Parties

This Memorandum of Understanding (MOU) is entered into between Cumberland County, a body public and political subdivision of the State of North Carolina established and operating pursuant to the laws of the State of North Carolina (herein referred to as "COUNTY"), the entity responsible for oversight of the local Workforce Development System and grant recipient of local area Workforce Innovation and Opportunity Act (WIOA) Funds, and Cumberland County Schools (herein referred to as "CCS").

II. Purpose

The purpose of this MOU is to set forth the roles and responsibilities of this bilateral agreement for CCS to provide duties and responsibilities related to achieving Work Ready Community status for Cumberland County.

III. Statement of Expectations

- a. CCS will employ a Career Development Coordinator to fulfill the duties and responsibilities associated with the Work Ready Community initiative (refer to Statement of Duties Addendum). CCS shall accept full responsibility for paying, withholding, and transmitting payroll taxes; making unemployment contributions; and handling unemployment and workers' compensation claims involving the Career Development Coordinator (herein referred to as "EMPLOYEE"). CCS shall comply with all laws regarding the aforementioned responsibilities. Employee shall be entitled to benefits only as provided them by CCS. Employee shall not be employed by County. The period of performance of these activities will occur March 15, 2017 through June 30, 2018 (contingent upon funding) with an amount not to exceed \$50,000.
- b. To fulfill the employment responsibilities, it is understood that Employee may incur other incidental expenses such as outreach materials and professional development activities related to the ACT Work Ready Community initiative.
- c. CCS will provide a monthly report of progression of the Work Ready Community initiative and provide periodic updates to the Cumberland County Workforce Development Board and Youth Sub-Committee as requested.
- d. CCS shall invoice County within 15 days of each quarter identified below, except during the last quarter for which the invoice shall be issued no later than the 16th day of June in order for County to make payment in the same fiscal year.
 - i. Quarter 1: March 15, 2017 - June 30, 2017
 - ii. Quarter 2: July 1, 2017 - September 30, 2017
 - iii. Quarter 3: October 1, 2017 - December 31, 2017
 - iv. Quarter 4: January 1, 2018 - March 31, 2018
 - v. Quarter 5: April 1, 2018 - June 30, 2018

All written invoice notices from CCS to County shall be placed in a postage paid envelope with the United States Postal Service addressed to:

Cumberland County Workforce Development Director
Cumberland County NCWorks Career Center
414 Ray Ave
Fayetteville, NC 28301

- e. County agrees to provide payment to CCS within 45 days after the end of each quarter identified in section “d” above. All payments from County to CCS shall be placed in a postage paid envelope with the United States Postal Service addressed to:

Executive Director of Career & Technical Education
 Cumberland County Schools
 P.O. Box 2357
 Fayetteville, NC 28302

- f. County shall notify CCS immediately if it becomes aware of any injury or accident involving Employee, should injury or accident occur on any real property owned or leased by County.
- g. Each party shall comply with the requirements of the Occupational Safety and Health Act (OSHA) and comparable state laws and regulations as said laws may be applicable to each party’s facilities to which Employee may be assigned to work, whether said assignment is temporary or permanent.
- h. CCS and County shall be equal opportunity employers and shall comply with any and all applicable anti-discrimination laws, rules, and regulations. CCS and County agree not to harass, discriminate against, or retaliate against any employee of the other because of his or her race, color, national origin, age, sex, religion, disability, or other category protected by law; nor shall either party cause or request the other party to engage in such discrimination, harassment, or retaliation. In the event of any complaint of unlawful discrimination, harassment, or retaliation by Employee, CCS and County shall cooperate in the prompt investigation and resolution of such complaint.
- i. CCS and County agree that for the purposes of all statutory and regulatory requirements for employee leaves of absence, including Family and Medical Leave Act (FMLA) and any similar state or local law, CCS and County shall cooperate in compliance with any such requirements.
- j. CCS and County shall cooperate fully with and to provide assistance to each other party in the investigation and resolution of any complaints, claims, actions, or proceedings which may be brought by or involve Employee.
- k. This Memorandum of Understanding shall be effective from March 15, 2017 through June 30, 2018. CCS and County reserve the right to terminate this Memorandum of Understanding at any time, provided that the terminating party provides written notice to the non-terminating party of the terminating party’s intent to terminate the MOU ninety (90) days prior to the effective date of the termination. If this Memorandum of Understanding is determined to violate the laws and regulations of the United States, the State of North Carolina or any of its political subdivisions, this agreement shall be terminated immediately.

Signed and agreed to on the dates indicated below.

<p>Frank Till Date Superintendent Cumberland County Schools Fayetteville, North Carolina 28306</p>	<p>Amy Cannon Date County Manager Cumberland County Fayetteville, North Carolina 28301</p>
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Statement of Duties Addendum
 to accompany the
 Memorandum of Understanding between Cumberland County Schools and Cumberland
 County Workforce Development Board.

- Communicate the value and benefits of becoming a Nationally Recognized Work Ready Community.
- Promote program awareness with program presentations.

- Engage the Greater Fayetteville Chamber and other area Chambers to educate/register members.
- Engage local governments and community influencers about program initiative.
- Educate employers and job seekers about the value of the Career Readiness Certificate (CRC) through our Workforce Development Board.
- Update the Workforce Development Board on goal progress.
- Leverage media outlets to promote the initiative to employers and future employees.
- Spread the word to job seekers about the CRC through our Workforce Development Youth Services Program.
- Attend CCS Career Academy Board meetings to promote initiative.
- Input company registration information directly into the ACT website.
- Partner with ResCare to register partnering employers who are already utilizing the CRC.
- Utilize ACT website to identify businesses /agencies that are registered in other counties but serve Cumberland County.
- Create marketing materials to promote initiative.
- Participate in professional development activities/conferences related to the ACT Work Ready Community Initiative.

Commissioner Boose stated he requested the item removed from the consent agenda because his vote would be in opposition to the Memorandum of Understanding.

MOTION: Commissioner Council moved to approve the Memorandum of Understanding which requires the signature of the County Manager.

SECOND: Commissioner Faircloth

DISCUSSION: Commissioner Keefe asked whether this was a new initiative in Workforce Development in which the school system would be addressing some of the needs in the community. Tracy Jackson, Assistant County Manager, stated the Memorandum of Understanding actually formalizes a program that has been done informally in the past. Mr. Jackson stated the advantage of having the school system involved is that it already administers a test that prequalifies students coming into the workforce and provides minimum standards as it relates to certification which is of benefit to many employers. Commissioner Keefe stated he was not clear on the purpose of the program and asked how the \$50,000 is used. Ms. Cannon stated the \$50,000 pays part of the salary of the program coordinator who is with the school system and this relationship between Workforce Development and the school system provides a link between those students graduating who are work-ready and employers. Ms. Cannon stated her understanding is that the program is trying to grow the number of employers who are part of this work ready initiative. Commissioner Boose stated he did not think the county should pay part of a school employee's salary without having control over the employee and he is still unclear on how the \$50,000 helps students. Chairman Adams spoke in support of the motion.

VOTE: PASSED (4-2) (Commissioners Faircloth, Adams Council and Lancaster voted in favor; Commissioners Keefe and Boose voted in opposition)

Mr. Jackson clarified the \$50,000 is federal dollars and not county dollars.

ITEMS OF BUSINESS

3. Presentation by Vivek Tandon on the Annual Tourism Development Authority Report of Receipts and Expenditures as of December 31, 2016

BACKGROUND:

Mr. Vivek Tandon, Chairman of the Tourism Development Authority, will be presenting the annual report of receipts and expenditures as of December 31, 2016 at the April 3, 2017 Board of Commissioners meeting.

RECOMMENDATION/PROPOSED ACTION:

No action necessary.

During the fiscal year ended June 30, 2016 the Occupancy Tax netted \$5,516,705.78 in revenue.			
These funds have been distributed as follows:			
	Cumberland County Crown Coliseum		\$ 1,379,176.47
	Fayetteville Area Visitors and Convention Bureau		2,528,490.14
	Arts Council of Fayetteville		1,379,176.47
	TDA Discretionary Funds		229,862.70
		Total	\$ 5,516,705.78
During the year, the TDA obligated funds for the following projects:			
	Communities in Schools - "When Pigs Fly BBQ Cookoff"		\$ 24,940.00
	Cape Fear Botanical Garden		25,000.00
	Ft. Bragg Marathon & Half Marathon		25,000.00
	Junior League of Fayetteville - Holly Day Fair		25,000.00
	Fayetteville Urban Ministry - Fayetteville Duck Derby		14,999.07
	Fayetteville Dogwood Festival		25,000.00
	Exclusive Sports Marketing - Halloween Half Marathon		15,000.00
	Methodist University - Rodin Exhibit		25,000.00
	WeDo Productions - WIDU Anniversary & Empowerment Series		25,000.00
	As One Fellowship - Prayer Walk		14,821.32
	Fayetteville Cumberland County Chamber of Commerce		6,060.00
		Total	\$ 225,820.39
During the year, the TDA paid obligations from previous fiscal years for the following projects:			
	NC Civil War Trails		400.00
		Total	\$ 400.00
As of June 30, 2016 the TDA had the following outstanding obligations:			
	NC Civil War Trails		\$ 900.00
	Spring Lake Guide		25,000.00
	Groundswell Pictures		22,500.00
	Fayetteville Swampdogs		10,000.00
	National Women's Golf Association		5,600.00
	Spring Lake Chamber of Commerce		5,000.00
		Total	\$ 69,000.00
Note: some of the obligations mentioned above span more than one fiscal year.			

Vivek Tandon, Chairman of the Tourism Development Authority, presented the annual report of receipts and expenditures as of December 31, 2016 recorded above. The report was received without questions or discussion.

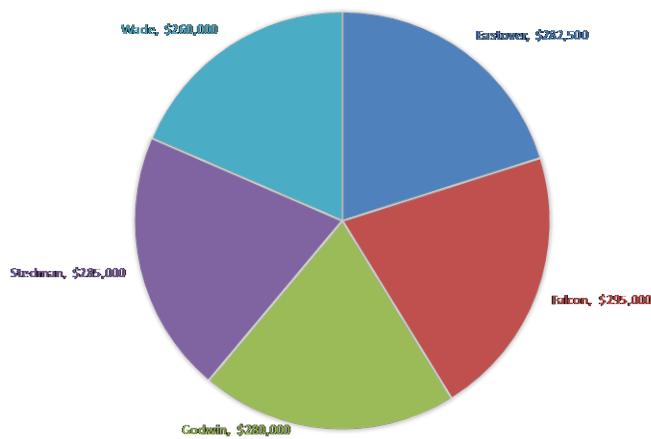
4. Presentation on Parks and Recreation County District Projects by Michael Gibson, City of Fayetteville

BACKGROUND:

Mr. Michael Gibson, Parks and Recreation Director, City of Fayetteville, will be making a presentation at the April 3, 2017 Board of Commissioners Meeting on County District Projects.

Ms. Cannon called on Michael Gibson, Fayetteville-Cumberland Parks and Recreation Director, who provided the following presentation. Mr. Gibson stated in 2006 a master plan was approved by the Fayetteville City Council and Board of Commissioners for providing recreational services to people who live in the city and district who participate in the district fund. Mr. Gibson stated at this point, the fund has been built up and improvements can be made to some of the district parks. Mr. Gibson stated the population has grown and people use the services, so the master plan is to be updated every ten years. Mr. Gibson stated after talking with the county manager and people in the recreation districts, \$1.5 million was requested and divided up based on community needs and wants. Mr. Gibson reviewed the district budget below.

DISTRICT BUDGET \$1,402,500



Mr. Gibson displayed pictures of Eastover improvements to include back parking, concrete concession, front parking and road asphalt. Mr. Gibson highlighted the following Eastover projects:

FY 16/17

- Parking Lot
- Lighting Improvement
- Resodding Baseball Field #3
- Walkway Improvement
- Emergency Roof Repair

FY 17/18

- Tennis Courts
- Volleyball Area
- Drainage Improvement

Mr. Gibson displayed pictures of Falcon improvements to include a bridge sidewalk, a bridge, a flap pole, a park sign and sidewalk. Mr. Gibson highlighted the following Falcon projects:

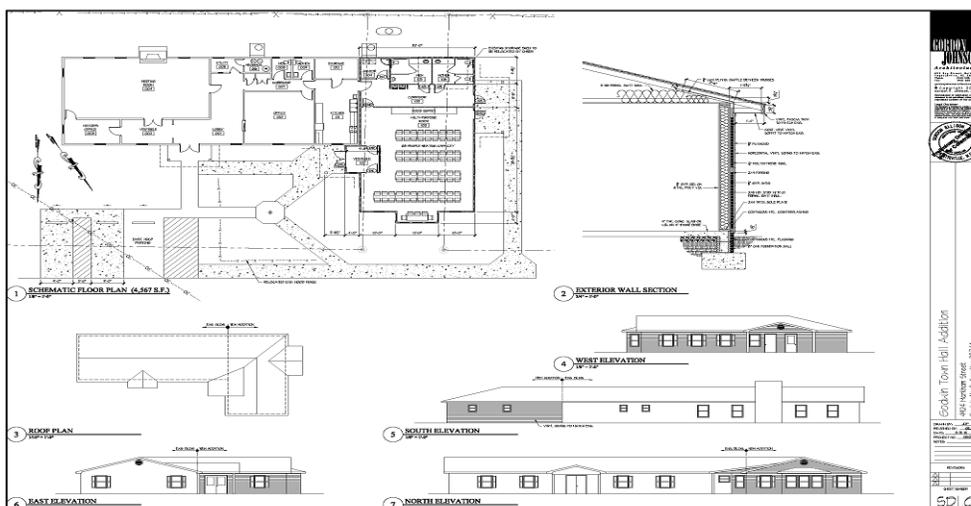
FY 16/17

- Playground Equipment
- Restroom Renovations
- Lighting Improvement
- Water Cooler
- Bridge Improvement
- Park Paving
- Sign

FY 17/18

- Park Ditch Rip
- T-Ball Field

Godwin displayed a picture of Godwin picnic shelter improvements and an addition to the Godwin Town Hall.



FY 16/17

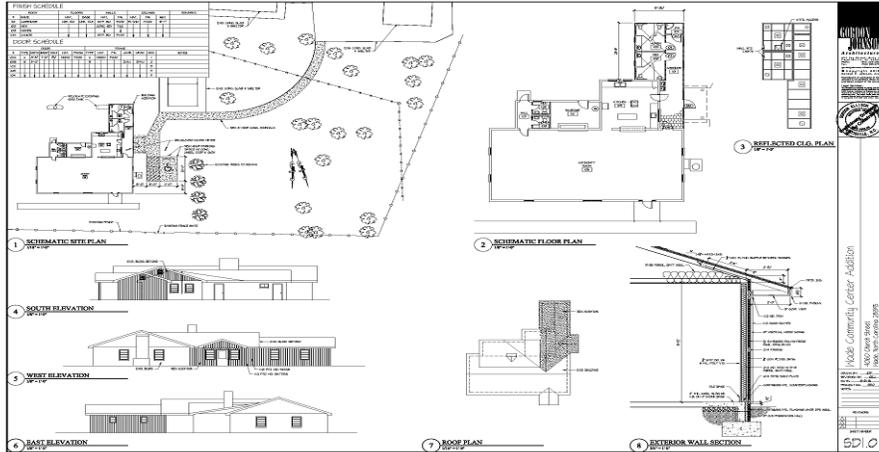
- Picnic Shelter

- Paved Trails
- Recreation Room Addition Design

FY 17/18

- Recreation Room Addition
- Mini Shelter
- Multipurpose Field

Mr. Gibson displayed pictures of Wade improvements to include a fence, sidewalk and picnic shelter and the Wade Community Center addition.



Mr. Gibson provided highlights of the following Wade projects:

FY 16/17

- Large Shelter
- Paved Trails
- HVAC Replacement For Community Center
- Concrete Sidewalk
- Water Heater
- Family Restroom - Preliminary Plans

FY 17/18

- Restroom (build)
- Mini Shelters/4
- Tennis Court Resurfacing

Mr. Gibson provided highlights of the following Stedman projects:

FY 16/17

- Picnic Shelter
- Batting Cage
- HVAC
- Water Fountains

FY 17/18

- Basketball Court Improvement
- Tennis Court Resurfacing

Mr. Gibson provided the following reconciliation of projects summary:

	BEGINNING	FY 2015	FY 2016	FY 2017	REMAINING
PARK	BALANCE	EXPENSES	EXPENSES	EXPENSES	BALANCE
				(THRU MARCH 17)	
FALCON	\$ 295,000.00	\$ -	\$ 22,801.49	\$ 20,222.87	\$ 251,975.64
GODWIN	280,000.00	-	33,080.00	18,680.00	228,240.00
WADE	260,000.00	-	75,542.66	21,180.00	163,277.34
STEDMAN	285,000.00	-	43,225.00	102,594.33	139,180.67
EASTOVER	282,500.00	-	137,227.37	28,629.95	116,642.68
Total	\$ 1,402,500.00	\$ -	\$ 311,876.52	\$ 191,307.15	\$ 899,316.33

PART# GRANT	Budget	FY 2015	FY 2016	FY 2017
		EXPENSES	EXPENSES	EXPENSES
				(THRU NOV 2016)
LINDEN	\$ 463,231.00	\$ 153,726.00	\$ 218,950.09	\$ 90,554.17

Mr. Gibson displayed pictures of Linden improvements to include a split rail fence, picnic shelter, basketball court, bocce ball and horse shoe pit, grills and benches, a park sign and play unit. Mr. Gibson highlighted the following Linden projects:

FY16/17

- Picnic Shelter
- Playground
- Walking Trail
- Parking Lot
- Open Space

Mr. Gibson concluded his presentation and responded to questions. Mr. Gibson explained the remaining balance of \$899,316 for Wade, Falcon, Godwin, Wade, Stedman and Eastover is committed and will be spent in those communities.

5. Consideration of Revised Schedule for Fiscal Year 2018 Budget Work Sessions and Budget Public Hearing

BACKGROUND:

Since the proposed schedule for fiscal Year 2018 budget work sessions was presented at the March 20, 2017 Board of Commissioners meeting, a calendar conflict was discovered. Therefore, the schedule has been amended to reflect the deletion of May 31 and the addition of April 24.

RECOMMENDATION/PROPOSED ACTION:

The following schedule is recommended for your consideration with all meetings to be held in the Cumberland County Courthouse, 117 Dick Street, Fayetteville, NC. Adopt the revised schedule for FY18 budget work sessions and public hearing as recommended.

Monday April 24, 2017	5:30 PM	Budget Work Session	Room 564
Thursday May 25, 2017	7:00 PM	Budget Presentation	Room 118
Tuesday May 30, 2017	5:30 PM	Budget Work Session	Room 564
Monday June 5, 2017	7:00 PM	Budget Public Hearing / Work Session	Room 118
Thursday June 8, 2017	5:30 PM	Dept. Head Appeals / Budget Work Session	Room 564
Tuesday June 13, 2017	5:30 PM	Budget Work Session	Room 564
Wednesday June 14, 2017	5:30 PM	Budget Work Session – if needed / Adopt Budget	Room 564

Ms. Cannon reviewed the background information and revised schedule recorded above.

MOTION: Commissioner Keefe moved to adopt the revised schedule for FY18 budget work sessions and public hearing as recommended.

SECOND: Commissioner Council

VOTE: UNANIMOUS (6-0)

6. Nominations to Boards and Committees

- A. Southeastern Economic Development Commission (1 Vacancy)

Commissioner Lancaster nominated Robert Van Geons.

7. Appointments to Boards and Committees

- A. Board of Health (1 Vacancy)

Nominee: Physician: Sam Fleishman

MOTION: Commissioner Council moved to appoint Dr. Sam Fleishman to the Board of Health.

SECOND: Commissioner Faircloth

VOTE: UNANIMOUS (6-0)

8. Closed Session: A. Personnel Matter(s) Pursuant to NCGS 143-318.11(a)(6)

MOTION: Commissioner Keefe moved to go into closed session for Personnel Matter(s) pursuant to NCGS 143-318.11(a)(6).

SECOND: Commissioner Lancaster

VOTE: UNANIMOUS (6-0)

MOTION: Commissioner Lancaster moved to reconvene in open session.

SECOND: Commissioner Keefe

VOTE: UNANIMOUS (6-0)

MOTION: Commissioner Lancaster moved to adjourn.

SECOND: Commissioner Keefe

VOTE: UNANIMOUS (6-0)

There being no further business, the meeting adjourned at 10:25 a.m.

Approved with/without revision:

Respectfully submitted,

Candice H. White
Clerk to the Board