

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

PRESENT: Commissioner Glenn Adams, Chairman
Commissioner Charles Evans, Vice 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
Rick Moorefield, County Attorney
Vicki Evans, Finance Director
Deborah Shaw, Budget Analyst
Heather Harris, Budget Analyst
Kim Cribb, Budget Analyst
Jeffrey Brown, Engineering and Infrastructure Director
Randy Beeman, Emergency Services Director
Candice H. White, Clerk to the Board
Kellie Beam, Deputy Clerk to the Board
Press

Chairman Adams called the meeting to order.

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

Recognition of the Cumberland County Soil and Water District for being named Outstanding Soil and Water District for 2016

Chairman Adams called on Amy Cannon, County Manager, who asked to have the recognition of the Cumberland County Soil and Water District moved to the Tuesday, January 17, 2017 meeting.

1. Approval of Agenda

MOTION: Commissioner Faircloth moved to approve the agenda with the recognition moved to the January 17, 2017 meeting as requested.

SECOND: Commissioner Boose

VOTE: UNANIMOUS (7-0)

2. Consent Agenda

A. Approval of minutes for the December 19, 2016 regular meeting

B. Approval of Declaration of Surplus County Property and Authorization to Accept Insurance Settlement and the associated Budget Ordinance Amendment; B170748

BACKGROUND:

DATE OF ACCIDENT: OCTOBER 18, 2016

VEHICLE: 1994 WHITE GMC

VIN: F835B140931645

FLEET#: SW44

DEPARTMENT: SOLID WASTE

SETTLEMENT OFFER: \$17,889.00 (\$18,889.00 LESS \$1,000 deductible)

INSURANCE COMPANY: TRAVELERS INSURANCE COMPANY

This is a total loss settlement offer.

RECOMMENDATION/PROPOSED ACTION:

Management recommends that the Board of Commissioners:

- 1. Declare the EQUIPMENT described above as surplus
 - 2. Authorize the Risk Management Coordinator to accept \$17,889.00 as settlement
 - 3. Approve Budget Ordinance Amendment B170748 in the amount of \$17,889, recognizing the insurance settlement. Please note this amendment requires no additional county funds
 - 4. Allow TRAVELERS to take possession of the burned (surplus) equipment
- C. Approval of Proposed Additions to the State Secondary Road System:

Braxton Village Subdivision:
 Gallberry Farms Road (SR3968 Ext.)
 Prestonfield Lane (SR4543 Ext.)
 Derby Lane (SR 3996 Ext.)
 Rossendale Drive
 Kirkstall Drive
 Otley Court
 Nottinghamly Drive

- D. Approval of Sale of Surplus Property Being Lot 5, Block D, Spring Lake Subdivision, Plat Book 11 at Page 3

BACKGROUND:

On November 7, 2016, the Board adopted a resolution of its intent to accept the offer of Ms. Virginia Novak to purchase the property with PIN 0501-76-4311, being Lot 5, Block D, Spring Lake Subdivision, Plat Book 11 at Page 3, for \$4,172.00. Based on the County’s GIS Mapping System, the property is a vacant lot. It is zoned by the Town of Spring Lake as commercial (CB) with a tax value of \$24,421.00.

Notice of the proposed sale was advertised in the *Fayetteville Observer* on November 11, 2016, subject to the upset bid process required by G. S. § 160A-269. 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. Budget Revisions:

General Fund 101

- 1) Health Department - Budget Ordinance Amendment B170172 in the amount of \$1,100 to recognize additional allocation for NC Ebola Preparedness

The Board is requested to approve Budget Ordinance Amendment B170172 in the amount of \$1,100. An additional allocation has been awarded by the Department of Health and Human Services, Centers for Disease Control and Intervention. These funds will be used towards emergency planning and preparedness for pathogens such as Ebola and Zika. The direct purpose of the additional allotment is to provide additional Zika awareness to our community.

Please note this amendment requires no additional county funds.

- 2) Health Department - Budget Ordinance Amendment B170231 in the amount of \$458 to recognize additional allocation for North Carolina Centers for Disease Control Tuberculosis Project (NC CDC TB)

The Board is requested to approve Budget Ordinance Amendment B170231 in the amount of \$458. An additional allocation has been awarded by the Department of Health and Human Services, Centers for Disease Control and Intervention. These funds will be used to expand testing for tuberculosis infections and to assist in supportive treatment.

Please note this amendment requires no additional county funds.

- 3) Central Maintenance - Budget Ordinance Amendment B170667 in the amount of \$70,123 to increase Capital Outlay Vehicles

The Board is requested to approve Budget Ordinance Amendment B170667 in the amount of \$70,123 towards the purchase of three replacement vehicles for our Animal Control Department that were lost due to Hurricane Matthew. Funds from the insurance proceeds and vehicle reserve account will be used to purchase the vehicles.

Please note this amendment requires no additional county funds.

General Fund 101/Solid Waste Fund 625

- 4) FEMA Related: General Government Other and Solid Waste – Budget Ordinance B170613 in the total amount of \$81,783 to transfer Contingency Operating to Overtime and Fringes in order to cover additional hours worked as a result of Hurricane Matthew

The Board is requested to approve Budget Ordinance Amendment B170613 in the total amount of \$81,783 to cover overtime and subsequent fringe expenses related to Hurricane Matthew. The unanticipated overtime expenses are estimated at \$21,741 for the General Fund and \$60,042 for the Solid Waste Fund. This request is to replenish overtime for the impacted departments immediately, with the expectation that a portion of these dollars will be reimbursed by the Federal Emergency Management Agency.

Please note this amendment requires no additional county funds.

REGARDING THE FOLLOWING ITEM 5 PLEASE NOTE:

Each fiscal year County departments may have projects that are not complete by the fiscal year end (6/30/16) or items ordered that have not been received by fiscal year end. These projects or items were approved in the Fiscal Year 2016 budget however the money was not spent by June 30, 2016. The following amendments seek to bring those funds forward from FY 2016 into the current fiscal year, allowing departments to complete and pay for these items. These revisions are not using 'new' funds, but are recognizing the use of FY2016 funds in FY17.

General Fund 101

- 5) Social Services - Budget Ordinance Amendment B170146 to recognize NC Adoption Incentive of \$223,800

The Board is requested to approve Budget Ordinance Amendment B170146 in the amount of \$223,800. This amendment will recognize adoption incentive funds received in July 2017 based on adoption efforts for FY2016. These funds must be utilized for adoption efforts in FY2017.

Please note this amendment requires a re-appropriation of FY2016 fund balance to the current year.

MOTION: Commissioner Council moved to approve consent agenda Items 2.A. – 2.E.5).
SECOND: Commissioner Evans
VOTE: UNANIMOUS (7-0)

ITEMS OF BUSINESS

- 3. Consideration of Appointment of Sheriff to Fulfill the Unexpired Term of Sheriff Earl Butler Due to His Retirement Effective December 31, 2016

BACKGROUND:

The Board of Commissioners was notified of the resignation of Sheriff Earl Butler, effective December 31, 2016, as Sheriff of Cumberland County.

Under N.C. General Statutes, the Board of Commissioners shall appoint a person to fill the unexpired term of a sheriff who has resigned. The qualifications a person must possess to be elected or appointed Sheriff are set forth in the North Carolina Constitution.

The Board developed a process to consider any individual interested in being appointed as the Sheriff of Cumberland County. The public was notified on December 16 that commissioners would accept letters of interest, including resumes and supporting documents until noon on December 28. As of this deadline, the following ten individuals have submitted documentation regarding their interest in serving in this capacity:

- | | |
|-----------------------|---------------------------|
| Charlie Baxley | John Sawyer |
| Denny Davis | Ronnie D. Smith |
| Glenn Mobley | Ronald Starling |
| Elvira Patricia Petty | Cuyler LaRue Windham, Jr. |
| Carlton Sallie | Ennis Wright |

RECOMMENDATION/PROPOSED ACTION:

After consideration and review of the documents submitted by all interested candidates, the following actions are necessary in filling the unexpired term of Sheriff of Cumberland County:

- (1) Appoint an individual to serve as Sheriff of Cumberland County for the unexpired term which ends in 2018.
- (2) Approve the surety bond for the Sheriff with the Ohio Casualty Insurance Company.
- (3) Establish an annual salary of \$145,025 for the Sheriff effective January 3, 2017.

Ms. Cannon reviewed the background information and recommendation/proposed action recorded above. Ms. Cannon stated the salary of \$145,025 is based on a market analysis only. Ms. Cannon stated without knowing the individual or their qualifications and experience, the first baseline to start with is a market analysis. Ms. Cannon explained the \$145.025 is based on the actual salary of Sheriffs in seven counties with the highest population, and their years of experience range from two years to twenty-two years with an average of eleven years of experience. Ms. Cannon stated the Board can also take into consideration education and years of experience.

MOTION: Commissioner Lancaster moved to appoint Ennis Wright to fill the unexpired term of Sheriff.
SECOND: Commissioner Council
VOTE: UNANIMOUS (7-0)

In response to a question posed by Commissioner Boose regarding the surety bond, Ms. Cannon explained there is a bond for the Sheriff and a separate bond for the Chief Deputy, and on an interim basis beginning December 31, 2016, until the new Sheriff is appointed this morning, there was a bond issued for the Chief Deputy serving in the capacity of Sheriff.

MOTION: Commissioner Lancaster moved to approve the surety bond for the Sheriff with the Ohio Casualty Insurance Company.
SECOND: Commissioner Evans
VOTE: UNANIMOUS (7-0)

MOTION: Commissioner Lancaster moved to establish an annual salary of \$145,025 for the new Sheriff.

DISCUSSION: Chairman Adams stated this salary for the new Sheriff will stay in place and prior to the next election, commissioners will have sixty days from filing period to change the salary should they so choose. Rick Moorefield, County Attorney, stated for clarification that the annual salary of \$145,025 for the Sheriff will be effective January 3, 2017 through the unexpired term.

SECOND: Commissioner Faircloth
VOTE: UNANIMOUS (7-0)

4. Nominations to Boards and Committees

A. The Board of Health (1 Vacancy)

Commissioner Council nominated Dr. William Philbrick.

B. Cape Fear Valley Health System Board of Trustees (2 Vacancies)

Commissioner Boose nominated Alicia Marks.

Commissioner Faircloth nominated Dr. Bradley J. Broussard.

5. Appointments to Boards and Committees **(Pgs. 32-33)**

A. Alliance Behavioral Healthcare Board of Directors (1 Vacancy)

Nominee: Commissioner Michael C. Boose

MOTION: Commissioner Evans moved to appoint Commissioner Michael C. Boose to the Alliance Behavioral Healthcare Board of Directors.

SECOND: Commissioner Council

VOTE: UNANIMOUS (7-0)

6. Closed Session: If Needed

No closed session was needed.

MOTION: Commissioner Lancaster moved to adjourn.

SECOND: Commissioner Evans

VOTE: UNANIMOUS (7-0)

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

Approved with/without revision:

Respectfully submitted,

Candice H. White
Clerk to the Board