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CUMBERLAND COUNTY BOARD OF COMMISSIONERS
MONDAY, FEBRUARY 5, 2018 – 9:00 AM
117 DICK STREET, 1ST FLOOR, ROOM 118
REGULAR MEETING MINUTES

PRESENT: Commissioner Larry Lancaster, Chairman
Commissioner Jeannette Council, Vice Chair
Commissioner Glenn Adams
Commissioner Michael Boose (arrived 9:05 a.m.)
Commissioner Charles Evans
Commissioner Marshall Faircloth
Commissioner Jimmy Keefe
Amy Cannon, County Manager
Melissa Cardinali, Assistant County Manager
Sally Shutt, Assistant County Manager
Duane Holder, Assistant County Manager
Rick Moorefield, County Attorney
Vicki Evans, Finance Director
Deborah Shaw, Budget Analyst
Heather Harris, Budget Analyst
Jeffrey Brown, Engineering and Infrastructure Director
Eric Redrick, Veteran Services Director
Callie Gardner, Pre-Trial Services Director
Joe Utley, Tax Administrator
Julean Self, Human Resources Director
Candice White, Clerk to the Board
Kellie Beam, Deputy Clerk
Press

Chairman Lancaster called the meeting to order.

INVOCATION / PLEDGE OF ALLEGIANCE

Commissioner Faircloth provided the invocation followed by the Pledge of Allegiance to the American flag.

Recognition of Fayetteville Technical Community College being Ranked #1 Nationally and for Receiving Top 10 Gold Category College Award for 2017-18 by Military Friendly Schools and Victory Media

Commissioner Keefe recognized Dr. Larry Keen, Fayetteville Technical Community College President, for FTCC's being ranked No. 1 nationally in the Top 10 Gold Category College Award for large community colleges for 2017-2018 by Military Friendly Schools and Victory Media. Commissioner Keefe stated this prestigious list is created each year based on research using public data for more than 8,800 schools nationwide. Commissioner Keefe stated such an honor for FTCC should come as no surprise to Cumberland County, where military service members and veterans are held in special regard. Commissioner Keefe stated Cumberland County is a military-friendly place, where people, businesses and institutions recognize the enrichment that comes from the service, sacrifice and contributions of veterans. On behalf of the full Board, Commissioner Keefe extended congratulations to Dr. Keen on the richly-deserved honor for FTCC as an outstanding institution that contributes greatly to Cumberland County's skilled and educated workforce.

Recognition of Cumberland County Veterans Services on Achieving "Number One Position in the State" for Distribution of Veterans Benefits

Commissioner Evans joined Commissioner Keefe for the Veteran Services recognitions. Commissioner Keefe stated the North Carolina Department of Military and Veterans Affairs notified the Cumberland County Veterans Services office that Cumberland County achieved the highest ranking in the state for the Geographic Distribution of Veterans Affairs Expenditures for fiscal year 2016. Commissioner Keefe stated Cumberland County had VA expenditures totaling more than \$823 million while by comparison, Onslow County had expenditures of \$411 million; Mecklenburg County's expenditures were just over \$395 million and Wake County's had \$391 million in VA expenditures. Commissioner Keefe recognized Veteran Services Director Eric

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Redrick and Veteran Services staff on this prestigious recognition and on behalf of the Board, extended congratulations and thanked them for their service.

Recognition of Cumberland County Veterans Services

Gerry Fountain, US Army Wounded Warrior Program provided Certificates of Appreciation to each Veterans Services staff member and stated the certificates read, “The Certificate of Appreciation (COA) from The Department of The Army, U. S. Army Wounded Warrior Program (AW2). In recognition of the dedication and selfless service in support of the Army Wounded Warrior Program (AW2), the Veterans Community, and the Families of the Fayetteville, North Carolina. The continued outreach efforts to provide relief, encouragement, and support during critical life transitions have made a lasting impact on those you serve”. Mr. Fountain called on Chaplain John Cone from the Sergeant Major Association who read a citation and provided Certificates of Achievement and coins to each member of the Veterans Services office.

1. APPROVAL OF AGENDA

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

2. PRESENTATIONS

A. Presentation from the North Carolina Department of Transportation on Proposed Landscape Designs for Specified Interchanges on the Outer Loop of I-295

BACKGROUND:

At the August 1, 2017 Fayetteville City Council Gateways, Roads and Streets Committee Meeting, representatives from the NC Department of Transportation (NCDOT) provided estimates for three levels of landscaping design on the Outer Loop of I-295 at the Murchison Road and Ramsey Street interchanges. The three design levels are classified as *landmark, enhanced, or standard*. A PowerPoint presentation will be provided that includes information about the different designs and includes illustrative examples and estimates. A summary will also be provided with costs for each level as well as available funding from NCDOT.

NCDOT requests that the County and City review this information and provide guidance as to the level of landscaping desired for each specified interchange. NCDOT plans to initiate the design, interagency maintenance agreements, and develop a schedule for the work after receiving guidance from the County and the City.

RECOMMENDATION / PROPOSED ACTION:

NCDOT requests feedback regarding the desired level of landscaping for the Ramsey Street and Murchison Road interchanges on the Outer Loop of I-295.

Mike Tarrant, Stewart, Inc. Associate Manager of Landscape Architecture, and Jeff Lackey, NCDOT, provided an presentation overview on the proposed landscape designs for the Ramsey Street and Murchison Road interchanges on the outer loop of I-295. Mr. Tarrant stated the aesthetic roadside management program for the outer loop is divided into three classification tiers: standard, enhanced and landmark. Mr. Tarrant explained features and focus areas for each tier. Mr. Tarrant displayed images of proposed standard, enhanced and landmark treatments for the Murchison Road interchange and provided a cost comparison for the three treatments. Mr. Tarrant then displayed images of proposed standard, enhanced and landmark treatments for the Ramsey Street interchange and provided a cost comparison for the three treatments. Mr. Tarrant displayed images and explained the concept of clean edges in naturalized landscapes and provided a cost comparison for each of the three tiers for the Murchison Road and Ramsey Street interchanges. Mr. Tarrant stated nonprofits link private funding with public resources in order to leverage public dollars and identify high impact projects which results in shared maintenance costs and community stewardship for improvements. Mr. Tarrant stated total available NCDOT funding is \$1.3 million for the Murchison Road and Ramsey Street interchanges.

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Mr. Lackey stated NDOT takes a selective, holistic and programmatic approach to managing visual quality along North Carolina's roadways and hopes the presentation will provide a template for the same. Mr. Lackey stated feedback is requested on the desired level of landscaping for the outer loop areas. Questions and comments followed.

B. Presentation by Calli Gardner, Director on Pre-Trial Services, Departmental Update

Callie Gardner, Director of Pre-Trial Services, provided the following PowerPoint presentation on program services provided by the department.

Department Overview

Cumberland County Pretrial Services serves the fourth largest metropolitan area in North Carolina with the largest military complex.

- Mission: Promote public safety by providing comprehensive supervision of persons released on pending criminal charges in a fiscally responsible manner.
- Purpose: Reduce incarceration costs by reducing the jail population.

The Program Services Unit has two programs:

- Pretrial Release Program
- Electronic Monitoring Program Global Positioning System (GPS), also known as "House Arrest."

Pretrial Release Program

Designed for defendants who:

- Have lesser criminal history
- Require moderate supervision (no ankle bracelet); daily calls and weekly office visit.
- Are able to be gainfully employed and/or attend school
- Some may require a curfew

Electronic Monitoring (GPS) Program

Designed for defendants who:

- Have an extensive criminal history and require more intensive supervision
- Are confined to their residence
- Are on GPS where they are monitored with a tracking device

Collaboration

Our agency also works in conjunction with judges who assign individuals to the programs, attorneys, and the Detention Center to reduce the jail population by releasing defendants who qualify for our program.

Summary

- In the last six months of 2017, there was a daily average of 147 participants in the Pretrial Release Program and an average of 65 people on GPS House Arrest.
- A total of 51 defendants were placed on the House Arrest Program.
- A total of 129 defendants were placed on Pretrial Release.
- In this same six-month timeframe, 40 people completed the House Arrest Program and 87 people completed the Pretrial Release Program.
- Completion means the participants were either sentenced by the courts or were found in violation of their Pretrial Release agreement.

Cost Savings

- Average daily cost per inmate in Cumberland County Jail is \$75.55
- Average daily cost per participant in GPS House Arrest program is \$4.48 (daily cost for 65 participants is \$291.20)
- The savings of 147 participants in Pretrial Release vs. Cumberland County Incarceration is \$11,105.85 per day

Summary

We will continue to save the county money by carefully releasing those individuals who qualify for the program from jail.

Ms. Gardner responded to questions about monitoring bracelets. Commissioner Adams stated an increase in the number of bracelets would increase costs saved per day by keeping individuals out of jail. Commissioner Keefe spoke to balancing fiscal and safety responsibilities and asked Ms. Gardner about her bracelet capacity. Ms. Gardner stated the department could use at least another twenty

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bracelets. Commissioner Council inquired about the cost of bracelets. Ms. Gardner responded \$4.48 covers the average daily cost of the bracelet and monitoring. Commissioner Council asked that this be included in the upcoming budget process along with recommendations on how to save money. Ms. Cannon stated \$4.48 does not include staff costs, and staff look forward to working with Ms. Gardner during the budget process to add more bracelets and evaluate staffing levels.

Ms. Gardner continued her presentation.

Sobriety Treatment Court

Overview

- Mission: Prohibit use of alcohol and provide support to addicted participants in their recovery process. Sobriety Court helps participants become clean and sober.
- Purpose: Providing safety for our community by monitoring high-risk DWI offenders.
- Time: 12 to 24 month program. Time is determined by judge during sentencing.

Program Components

1. A pretrial monitoring program
2. A sobriety court treatment program for convicted defendants.

Pretrial Monitoring Program

Participants must:

- Be a resident of Cumberland County
- Receive an additional DWI charge while awaiting trial on a pending DWI charge
- Receive a new DWI charge and have a DWI conviction within the past three years
- Receive a new DWI charge and have two convictions within seven years

Participant Responsibilities:

- Attend Court sessions every other Wednesday
- Continuously wear alcohol monitoring bracelet for a minimum 60 days, provided there are no violations. Clients are required to pay for bracelet and monitoring.
- Complete DWI/MH Assessment
- If unemployed, attend Job Readiness at FTCC
- Report for random drug screen
- Abide by curfew

Sobriety Treatment Court Program

Participants must:

- Be a resident of Cumberland County
- A resident of a suitable household or willing to reside in transitional housing
- Convicted of a DWI, and in probation violation status
- Assessed as chemically dependent by a treatment provider

Participant Responsibilities

- Attend court sessions every other Wednesday
- Attend substance abuse treatment classes, as ordered
- Submit to random alcohol testing
- Wear alcohol monitoring bracelet for minimum 60 days
- Abide by a curfew as ordered
- Pay a monthly supervision fee
- Attend CBI (Cognitive Behavioral Course) if assigned
- Remain on probation six (6) months following graduation
- Abide by all Probation Conditions set forth by the Court and Probation officer.

Clients Served

- There are an average of 75 clients served daily during the last six month period.
- A total of 42 participants were ordered to Sobriety Court in the past six months.

Summary

Sobriety Court aims to treat alcohol addicted DWI offenders by assisting the client in rebuilding his or her life and saving the lives of both the client and innocent lives in our community. Our designated presiding Sobriety Court Judge is District Court Judge David Hasty.

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Misdemeanor Diversion Program

Program Overview

Cumberland County, with the support and approval of the Board of Commissioners, started a new Misdemeanor Diversion Program (MDP) in 2016 for 16-17-year olds who have no adult criminal record.

- Purpose: Divert first-time arrests or citations for eligible misdemeanor charges. Rather than issuing a citation or making an arrest where probable cause exists, law enforcement officers in Cumberland County will issue a youth a citation directing the youth to contact the MDP representative
- This diversionary process is initiated by the officer.

Eligibility

- Must be 16 or 17 years old at time of offense
- No adult criminal record (can have a juvenile record)
- Must be a misdemeanor offense. Sex offenses, firearms offenses, and traffic offenses are specifically excluded.

MDP referrals are made by Law Enforcement Agencies to include: Cumberland County Sheriff's Office
Fayetteville Police Department
Spring Lake Police Department
Hope Mills Police Department
Stedman Police Department

First-Year Results

January 2017 – December 2017

Referrals to MDP: 96

Completions: 84 Of the 12 who did not complete MDP, 6 were incomplete (started MDP but did not finish) and 6 were unsuccessful (did not report to MDP). The 12 who did not complete MDP were issued citations. Of the 84 who completed the program, no re-arrests recorded to date.

Ms. Gardner concluded her presentation. Commissioner Keefe asked whether dovetailing sobriety court and the opioid crisis had been considered. Duane Holder, Assistant County Manager, stated he has been working with Ms. Gardner to look at her services more comprehensively, to include dovetailing, and also looking at the possibility of mental health court.

Chairman Lancaster asked whether any items were to be pulled from the consent agenda for separate discussion and action. Commissioner Boose requested removal from the consent agenda of Items 3.G. and 3.M. Commissioner Keefe requested removal of Item 3.N.8) from the consent agenda.

3. CONSENT AGENDA

- A. Approval of January 16, 2018 Regular Meeting Minutes
- B. Approval of Destruction of Finance Department Records

BACKGROUND:

Pursuant to the resolution adopted by the Board of County Commissioners on February 4, 1985, authorization is requested to destroy Finance Department records noted below. The destruction of these records is 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 three-year retention requirement (dated prior to July 1, 2014)
 - a. Fiscal correspondence/memorandums
 - b. Bank statements, canceled checks. Deposit slips, and reconciliation file
 - c. Purchasing - request for proposals for purchase contracts, purchase orders, and requisitions
 - d. Cash receipt report files
 - e. Check registers
 - f. Investment records
 - g. Journal vouchers
 - h. LGC financial statements
 - i. Invoices
 - j. Employee Earnings Record File - Local government retirement system monthly reports

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- k. Payroll file - salaries paid and deductions file
- 2. Records with two-year retention requirement (dated prior to July 1, 2015)
 - a. Employee benefits register file
- 3. Records with one-year retention requirement (dated prior to July 1, 2016)
 - a. Daily journal and ledger printouts
 - b. Monthly detail reports, except June 30, which is permanent
- 4. Records that have been superseded or obsolete
 - a. Property and equipment inventory files

RECOMMENDATION / PROPOSED ACTION:

Accept the report on disposition of records and include same in minutes of the February 5, 2018 Commissioners' Meeting.

C. Approval of Report on Delinquent Real Property Taxes for the Year 2017

BACKGROUND:

North Carolina General Statute 105-369 requires the Tax Administrator to report unpaid taxes for the current fiscal year that are liens on real property by the first Monday in February. The purpose of the reporting is to allow the Board to order the Tax Administrator to advertise the tax liens. Upon receipt of the Board's order, the Tax Administrator will advertise the tax liens by posting notice at the County Courthouse and by publishing each lien at least one time in one or more of the newspapers having general circulation in Cumberland County.

The statute requires the advertisement period for unpaid taxes that are liens on real property to occur during the period of March 1st through June 30th. It is the Tax Administrator's intention to deliver a list of delinquent taxes to the Fayetteville Observer newspaper prior to June 30th for advertisement.

RECOMMENDATION / PROPOSED ACTION:

Accept the report of unpaid taxes for the current fiscal year that are liens on real property and charge the Tax Administrator to advertise a list of the tax liens on real property by posting notice at the County Courthouse and by publishing each lien at least one time in the Fayetteville Observer no later than the month of June 2018.

2017 Delinquent Real Property Taxes as of January 25, 2018								
Total Municipality Delinquent				GRAND TOTAL TAXES & FEES DELINQUENT:				
County Tax	\$ 8,185,220	Muni. Tax	\$ 3,620,998	Total Delinquent County Taxes		\$ 8,783,625	Delinquent	
Fire Tax	351,332	Revit. Tax	9,970	Total Delinquent Municipality Taxes		\$ 3,630,968	Parcel Count:	
Special Fire Tax	43,917			Total Taxes Delinquent		\$ 12,414,593	16,220	
Recreation Tax	203,157			Total Delinquent Fees		\$ 2,079,372		
TOTAL	\$ 8,783,625	TOTAL	\$ 3,630,968	Total Delinquent Taxes & Fees Owed		\$ 14,493,965		
Tax District	Total Value of Delinquent Bills* (Taxable)	Total Amount Taxes Owed*	County Tax @ .799	Fire Tax @ .10	Special Fire Tax @ .0125	Recreation Tax @ .05	Municipal Tax	Revitalization Tax
Cotton	39,481,225	349,784	290,668	36,379	4,547	18,190		
Cumberland Road	27,433,408	246,277	204,655	25,614	3,202	12,807		
Stoney Point	38,096,947	335,164	278,519	34,858	4,357	17,429		
Bonnie Doone	-	-	-	-	-	-		
Pearces Mill	38,446,174	336,872	279,938	35,036	4,380	17,518		
Westarea	37,396,283	319,430	265,444	33,222	4,153	16,611		
Westarea10	13,400,994	119,913	99,647	12,471	1,559	6,236		
Grays Creek	47,158,156	417,907	347,278	43,464	5,433	21,732		
Vander	57,539,804	512,448	425,841	53,297	6,662	26,648		
ETWN Vander	-	-	-	-	-	-		
Manchester	7,620,889	65,731	54,622	6,836	855	3,418		
Wade	8,628,494	75,360	62,624	7,838	980	3,919		
Stedman	11,133,004	99,020	82,285	10,298	1,287	5,149		
Godwin/Falcon	8,239,889	73,178	60,810	7,611	951	3,805		
Lake Rim	542,791	2,865	2,381	298	37	149		
Eastover	16,110,689	143,630	119,356	14,938	1,867	7,469		
Bethany	15,409,094	135,674	112,744	14,111	1,764	7,055		
Beaver Dam	16,317,367	144,806	120,333	15,060	1,883	7,530		
Fire District Total	382,955,208	3,378,059	2,807,144	351,332	43,917	175,666		
Municipalities								
Fayetteville	\$ 682,959,261	\$ 7,649,126	\$ 4,706,701				\$ 2,942,425	
Downtown Revital	11,056,123	139,431	79,661				\$ 49,800	9,970
Hope Mills	49,582,874	553,407	337,794			21,139	\$ 194,475	
Spring Lake	22,207,857	285,945	152,415				\$ 133,530	
Stedman	6,800,519	77,498	52,969			3,315	\$ 21,214	
Wade	2,947,213	29,537	21,474			1,344	\$ 6,719	
Falcon	1,450,510	13,520	10,813			677	\$ 2,030	
Godwin	1,007,944	8,651	6,347			397	\$ 1,907	
Linden	1,286,920	14,238	9,901			620	\$ 3,717	
Eastover	28,737,595	265,181	211,035			\$ -	\$ 265,181	
Total Municipality	\$ 808,036,816	\$ 9,036,534	\$ 5,378,076	\$ -	\$ -	\$ 27,491	\$ 3,620,998	\$ 9,970
Fire District Total	\$ 382,955,208	\$ 3,378,059	\$ 2,807,144	\$ 351,332	\$ 43,917	\$ 175,666		
Municipalities Total	808,036,816	9,036,534	5,378,076	-	-	27,491	3,620,998	9,970
Grand Total	\$ 1,190,992,024	\$ 12,414,593	\$ 8,185,220	\$ 351,332	\$ 43,917	\$ 203,157	\$ 3,620,998	\$ 9,970

*Includes total value even on partially paid bill amts. *Does not include fees or interest

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D. Approval of Health Department Delinquent Accounts to be Turned Over to the NC Debt Set-Off Program

BACKGROUND:

At the Board of Health meeting on January 16, 2018, the Board approved writing off a total of \$20,569.14 as bad debts. The bad debt accounts, with balances of \$50.00 or higher, will be processed through the North Carolina Debt Set-Off Program. This program can attach a debtor's State Income Tax refund for payment of bad debts. The accounts with balances under \$50.00 will continue to be worked for collection through our in-house collection efforts. This write-off of bad debts is in compliance with the Board of Health's recommendation to write-off bad debts every quarter.

RECOMMENDATION / PROPOSED ACTION:

Approve write off of \$20,569.14 bad debts to the North Carolina Debt Set-Off Program.

CUMBERLAND COUNTY DEPARTMENT OF PUBLIC HEALTH
 DELINQUENT ACCOUNTS TO BE TURNED OVER FOR COLLECTION BAD DEBT WRITE OFF
 #52
 December 31, 2017

PROGRAM	AMOUNT
ADULT HEALTH CLINIC	\$3,159.95
CHILD HEALTH CLINIC	\$6,240.42
DENTAL HEALTH CLINIC	\$1,442.40
FAMILY PLANNING CLINIC	\$6,367.14
IMMUNIZATIONS	\$1,362.00
MATERNAL HEALTH	\$1,997.23
TOTAL	\$20,569.14

All bad debt accounts with balances of \$50.00 or higher, will be sent to the North Carolina Debt Set-Off Program, which can attach a debtor's State Income Tax Refund for payment of bad debts.
 The above accounts are 90 days old or older as of 09/30/2017

E. Approval of Declaration of Surplus Property and Authorization to Accept Insurance Settlement and Approval of Budget Ordinance Amendment B180710

BACKGROUND:

DATE OF ACCIDENT: DECEMBER 27,2017
 VEHICLE: 2015 FORD EXPLORER
 VIN: 1FM5K8AR7FGA89153
 FLEET#: FL583
 DEPARTMENT: Sheriff's Office
 SETTLEMENT OFFER: \$15,038.00
 INSURANCE COMPANY: Travelers

This is a total loss settlement offer.

RECOMMENDATION / PROPOSED ACTION:

Management recommends that the Board of Commissioners:

1. Declare the vehicle described above as surplus.
2. Authorize the Risk Management Coordinator to accept \$15,038 (\$16,038 - \$1,000 deductible) as settlement.
3. Allow Travelers to take possession of the wrecked (surplus) vehicle.
4. Approve Budget Ordinance Amendment B180710 in the amount of \$15,038, recognizing the insurance settlement. Please note this amendment requires no additional county funds.

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F. Approval of Report on the Disposal of Surplus Property Pursuant to N.C.G.S.160A- 226(a)

BACKGROUND:

On June 15, 1998, the Board adopted a resolution found in the statutes allowing disposal of County “personal property, worth less than \$5,000 per item or group of similar items, which have become obsolete, unusable, economically unrepairable, or otherwise surplus to the needs of the county.”

RECOMMENDATION / PROPOSED ACTION:

That the Board adopts the attached report and that the report be duly recorded in the official minutes.

SURPLUS PROPERTY DISPOSAL LIST
July 1, 2017 - December 31, 2017

QTY	PROPERTY DESCRIPTION	RENDERING DEPARTMENT	DISPOSAL METHOD
1	Small file cabinet	Health Department	Landfill-Ann Street
6	Large file cabinets	Health Department	Landfill-Ann Street
1	Brother Intellifax 4100 fax machine	Health Department	Landfill-Ann Street
1	Commercial sweeper med 1	Health Department	Landfill-Ann Street
2	Desk	Historic Courthouse	Landfill-Ann Street
1	Printer	Historic Courthouse	Landfill-Ann Street
1	Monitor	Historic Courthouse	Landfill-Ann Street
1	APC system	Historic Courthouse	Landfill-Ann Street
1	Table	Historic Courthouse	Landfill-Ann Street
1	Box	Historic Courthouse	Landfill-Ann Street
1	Washing machine	Cooperative	Landfill-Ann Street
1	Cardboard box	Cooperative	Landfill-Ann Street
1	Filing Cabinet (damaged)	LEC	Landfill-Ann Street
9	Chairs (Old)	LEC	Landfill-Ann Street
1	Small wood table (Old)	LEC	Landfill-Ann Street
1	Wood desk, Damaged	LEC	Landfill-Ann Street
1	GE Television (unserviceable)	LEC	Landfill-Ann Street
2	HP Printers (Unserviceable)	LEC	Landfill-Ann Street
1	Printer, Brother (Unserviceable)	LEC	Landfill-Ann Street
6	Monitors (Unserviceable)	LEC	Landfill-Ann Street
1	Filing Cabinet (damaged)	Clerk of Court	Landfill-Ann Street
1	Book Shelf	Clerk of Court	Landfill-Ann Street
1	Love seat	Judges Chambers	Landfill-Ann Street
1	Sofa Chair	Judges Chambers	Landfill-Ann Street
16	Chairs (Old)	Judges Chambers	Landfill-Ann Street
16	Chairs (Old)	cs	Landfill-Ann Street
1	Broken Desk (Old)	cs	Landfill-Ann Street
2	Computer Tables	cs	Landfill-Ann Street

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

H. Approval of Destruction of Records Series - Legal Department

BACKGROUND:

No documents have been destroyed in the legal department since 1998. In addition to the office files, there are more than 500 boxes stored at Patterson. Paralegal Devon Newton has begun the process of bringing these files current with the adopted records retention and disposition schedule. A detailed index will be maintained for all files which are destroyed.

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In accordance with the County Management Records Retention and Disposition Schedule issued by the North Carolina Division of Archives and History and adopted by the Board of Commissioners May 6, 2013, authorization is requested to destroy Legal Department records as recorded below.

BANK STATEMENTS, CANCELED CHECKS, DEPOSIT SLIPS, RECEIPTS, RECONCILIATIONS, AND WARRANTS RECORD SERIES:

Per Standard 4 – Budget, Fiscal, and Payroll Records – Item#8 Destroy in office after 3 years.

Documents: 8 items from 2000-2012

CONTRACTS AND AGREEMENTS RECORD SERIES:

Per Standard 9 – Legal Records – Item#6

(b) Destroy in office construction (capital improvements) contracts 6 years after completion or termination of project.

(c) Destroy in office all other contracts and agreements 3 years after expiration, termination, or completion. Documents: 7 items from 1987-2012

CORRESPONDENCE (LEGAL) RECORD SERIES:

Per Standard 9 – Legal Records – Item#7 Destroy in office 5 years after resolution.

Documents: 499 items from 1986-2012

LEGAL REVIEW RECORDS RECORD SERIES:

Per Standard 9 – Legal Records – Item#13

Destroy in office records (without historical value) when administrative value ends or after expiration of relevant statute of limitations, whichever is longer.

Documents: 21 items from 1987-2012

LITIGATION CASE RECORDS RECORD SERIES:

Per Standard 9 – Legal Records – Item#14

(b) Destroy in office adjudicated cases 5 years after final disposition (per North Carolina State Bar recommendations, litigation records are kept 6 years).

(c) Destroy in office non-adjudicated cases (out of court claims) 5 years after final disposition or expiration of relevant statute of limitations (per North Carolina State Bar recommendations, litigation records are kept 6 years).

Documents: 25 items from 1984-2011

RECOMMENDATION / PROPOSED ACTION:

Approve destruction of the record series as noted above.

- I. Approval of Offer to Purchase Surplus Property Being Lots 204 and 206 Savoy Heights

BACKGROUND

The County and the City of Fayetteville acquired the following real properties, together with one other parcel at a tax foreclosure sale in 2012 for a total purchase price of \$11,781.05: The prorated share of the purchase price of both parcels for which an offer has been made is \$8,482.36. Based on the GIS Mapping and the tax records, both parcels are vacant and zoned O&I, with a combined tax value of \$20,000.00. The City conveyed its interest in the property to the County on July 20, 2016, by a Quitclaim Deed recorded in Book 9904 at Page 139. Scott Cameron on behalf of Friendship Community Gardens has made an offer to purchase the property for \$8,482.36. 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 has been provided.

RECOMMENDATION / PROPOSED ACTION:

The County Attorney recommends that the Board consider the offer of Scott Cameron on behalf of Friendship Community Gardens 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.

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Description	Date Acquired	Value	County's Tax Lien	Deed	PIN No.
Lot 204 Savoy Heights Location:1112 Turnpike Rd	02/15/2012	\$10,000.00	\$4,241.18	8832/371	0437-03-1242
Lot 206 Savoy Heights Location:0000 Turnpike Rd		\$10,000.00	\$4,241.18		0437-03-1109

J. Approval of Sale of Surplus Property Being Lot 216 Savoy Heights

BACKGROUND:

On December 18, 2017, the Board adopted a resolution of its intent to accept the offer of Michael Mathis to purchase the property with PIN 0437- 11-0345, being Lot 216 Savoy Heights, Plat Book 20 at Page 21, located off Weiss Avenue in the City of Fayetteville, for \$1,000. The parcel is zoned residential, with a tax value of \$10,000. Based on the County GIS Parcel Viewer System, there is not a structure on the property.

Notice of the proposed sale subject to the upset bid process required by G. S. § 160A-269 was advertised in the *Fayetteville Observer* on December 22, 2017. The publisher’s affidavit has been provided. 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.

K. Approval of Sale of Surplus Property Being Lots 403 and 405 Savoy Heights

BACKGROUND:

On November 6, 2017, the Board adopted a resolution of its intent to accept an offer to purchase the property with PIN 0437-00-0500, being Lots 403 & 405 Savoy Heights, Plat Book 20 at Page 21, located off Weiss Avenue, Fayetteville, NC for \$635.00.

Notice of the proposed sale, subject to the upset bid process required by G. S. § 160A-269, was advertised in the *Fayetteville Observer* on November 18, 2017. On November 30, an upset bid was received by Pilgrim Townsend to purchase the property for \$667.00 and was advertised in the *Fayetteville Observer* on December 7, 2017. The publisher’s affidavit has been provided. 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 Pilgrim Townsend’s offer and authorize the Chair to execute a deed for the property upon the County’s receipt of the balance of the purchase price

L. Approval of Sale of Surplus Real Property Located at 2302 Edgar Street, Fayetteville

BACKGROUND:

On December 4, 2017, the Board adopted a resolution of its intent to accept an offer to purchase the property with PIN 0428-97-7506, being Lots 11-13, H.L. Dawson S/D, Plat Book 14 at Page 39, located at 2302 Edgar Street, Fayetteville, NC for \$8,690.68. The offer was made by Leroy Johnson. The property is zoned SF6 with a tax value of \$86,364. Based on the GIS Mapping and the tax records, there is a structure on the lot.

Notice of the proposed sale subject to the upset bid process required by G. S. § 160A-269 was advertised in the *Fayetteville Observer* on December 22, 2017. The publisher’s affidavit has been provided. 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 Leroy Johnson’s offer and authorize the

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Chair to execute a deed for the property upon the County's receipt of the balance of the purchase price.

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

N. Approval of Budget Ordinance Amendments for the February 5, 2018 Board of Commissioners' Agenda

BACKGROUND:

General Fund 101

1) Library - Budget Ordinance Amendment B180436 to recognize Library Services and Technology Act (LSTA) Evergreen Conference Scholarship Grant in the amount of \$1,700

The Board is requested to approve Budget Ordinance Amendment B180436 to recognize LSTA Evergreen Conference Scholarship grant of \$1,700. This grant is to cover conference expenses for an employee to attend the Evergreen International Conference. Evergreen is the software used for the library catalog and patron database which make lending materials across the state possible, greatly increasing our citizens access to materials outside the local libraries.

Please note this amendment requires no additional county funds.

2) Soil Conservation/Cost Share Program - Budget Ordinance Amendment B180759 to increase personnel cost in the amount of \$10,595 to be used towards the final payout for an employee's retirement

The Board is requested to approve Budget Ordinance Amendment B180759 in the amount of \$10,595. These funds are needed to pay accumulated leave due to an employee who retired. This organization only has one staff member and therefore funds will need to be allocated to cover this unanticipated cost.

Please note this amendment requires the use of General Fund Balance.

3) Soil and Water - Budget Ordinance Amendment B180635 to recognize \$208,292 from the North Carolina Department of Agriculture and Consumer Services Division of Soil and Water Conservation

The Board is requested to approve Budget Ordinance Amendment B180635 in the amount of \$208,292 from the North Carolina Department of Agriculture and Consumer Services Division of Soil and Water Conservation. These funds will be used for storm debris removal as a result of Hurricane Matthew.

Please note this amendment requires no additional county funds.

4) Public Health - Budget Ordinance Amendment B180657 to recognize \$3,000 from the U.S. Food and Drug Administration for Environmental Health

The Board is requested to approve Budget Ordinance Amendment B180657 in the amount of \$3,000 representing Federal Grant funds. These funds will be used for staff to attend the North Carolina Food Safety and Defense Task Force Annual Conference and Bimonthly Meetings as part of the Retail Standards Grant Program. This program provides funding for training to enhance conformance with the Voluntary National Retail Food Regulatory Program Standards. Knowledge of these standards improve the skills of the food inspectors when inspecting food establishments.

Please note this amendment requires no additional county funds.

5) Public Health - Budget Ordinance Amendment B180659 to recognize \$11,000 from the National Association of County & City Health Officials (NACCHO) for Environmental Health

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The Board is requested to approve Budget Ordinance Amendment B180659 in the amount of \$11,000 representing grant funds from NACCHO. These funds will be used for staffing that will provide mentorship to Richmond County Health Department and Randolph County Health Department. Mentorship will be provided to both agencies on U.S. Food and Drug Administration standards. Staff will assist both agencies on a self-assessment of their current process and identify areas of improvement. These funds will support the travel expenses to conduct the on-site trainings.

Please note this amendment requires no additional county funds.

6) Public Health - Budget Ordinance Amendment B180661 to recognize \$3,000 from the U.S. Food and Drug Administration for Environmental Health

The Board is requested to approve Budget Ordinance Amendment B180661 in the amount of \$3,000 representing Federal Grant funds from the U.S. Food and Drug Administration. These funds will be used for staff to attend the National Environmental Health Association Annual Conference and to purchase program supplies.

Please note this amendment requires no additional county funds.

Workforce Investment Opportunity Act - Fund 255

7) Workforce Administration - Budget Ordinance Amendment B180713 to recognize grant funds from the North Carolina Department of Commerce, Division of Workforce Solutions in the amount of \$30,000

The Board is requested to approve Budget Ordinance Amendment B180713 in the amount of \$30,000 for the development of a Workforce Innovation Opportunity Act Enhancement grant to identify best practices to ensure that lower-skilled workers obtain necessary education and training for career success. Funds will be used to hire temporary staff and other items needed for successful implementation of the program.

Please note this amendment requires no additional county funds.

Community Development Block Grant Disaster Recovery – Fund 264

8) Removed for separate discussion and action as recorded below.

Contingency Funds Report – FY18

Contingency funds were not used.

RECOMMENDATION / PROPOSED ACTION:
Approve Budget Ordinance Amendments.

- MOTION:** Commissioner Boose moved to approve consent agenda Items 3.A. – 3.N. with the exception of Items 3.G., 3.M. and 3.N.8) as pulled for separate discussion and action.
- SECOND:** Commissioner Keefe
- VOTE:** UNANIMOUS (7-0)

3.G. Approval of the Waiving of the Flu Shot Administrative Fee

BACKGROUND:

During the Board of Health meeting held on January 16, 2018 there was discussion about the flu outbreak and the fee charged to administer the vaccine. Currently, the Health Department's approved Fee Schedule for the flu vaccine is \$47. The fee includes \$15 for the vaccine and an \$32 administration fee. The Board of Health decided to waive the administration fee to make the vaccine more affordable to the citizens of Cumberland County.

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RECOMMENDATION / PROPOSED ACTION:

The Health Department is requesting the Board of County Commissioners approve waiving the \$32 administration fee for the flu vaccine beginning on January 17, 2018 and ending on February 28, 2018.

Commissioner Boose stated his understanding was that the waiver of the flu shot administrative fee would not end on February 28, 2018 but extend a little longer so the Health Department would not be in the same position next year at this time, and that the Health Department would begin being more proactive about evaluating this fee and similar fees.

MOTION: Commissioner Boose moved to approve the waiver of the flu shot administrative fee with the condition that all other fee structures be reviewed throughout the Health Department.

AMENDED MOTION: Commissioner Adams asked that management review all fees.

DISCUSSION: Commissioner Keefe stated research showed him that with the administrative fee, the cost of the Health Department’s flu shot exceeds other the cost of the flu shot given by other providers. Commissioner Keefe stated just because an administrative fee is authorized, does not mean it has to be charged or is competitive. Commissioner Adams stated all fees may not be out of order but his request is just to look at them across the board because some may not have changed in years. Commissioner Boose asked that staff be directed to analyze all fees under their jurisdiction. Ms. Cannon stated this is done under the budget process.

Commissioner Boose accepted the amendment.

SECOND ON AMENDED MOTION: Commissioner Adams

VOTE ON AMENDED MOTION: UNANIMOUS (7-0)

3.M. Approval of Request of Parker Poe for Waiver of Conflict of Interest

BACKGROUND:

The law firm of Parker Poe currently represents the county as trademark counsel with respect to the Crown Coliseum and with respect to the Health Savings Account that was offered as a benefit to employees in the current fiscal year. The firm has been asked to represent the Red Lion Inn and Suites in a valuation appeal to the North Carolina Property Tax Commission against the County. The Rules of Professional Conduct require the firm to disclose this conflict of interest and obtain the consent of the County before undertaking the representation of the Red Lion Inn and Suites in this circumstance. The firm’s disclosure and request for consent has been provided.

RECOMMENDATION / PROPOSED ACTION:

County Attorney advises that these matters are unrelated and recommends approval of Parker Poe’s request for the County to waive the conflict of interest arising out of the firm’s representation of the Red Lion Inn and Suites.

Commissioner Boose stated he has no problem with Parker Poe but his opinion is that they either represent the County or they do not. Commissioner Adams stated his issue is that there has not been enough information provided to consider the waiver request. Rick Moorefield, County Attorney, stated the difference of the Tax Office’s valuation and what the Red Lion Inn and Suites is saying is approximately \$200,000.

MOTION: Commissioner Adams moved to deny the request because there is not enough information.

SECOND: Commissioner Boose

VOTE: UNANIMOUS (7-0)

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3.M.8) Community Development Block Grant Disaster Recovery - Budget Ordinance Amendment B180800 in the amount of \$161,363 for staffing at a disaster recovery intake center.

The Board is requested to approve Budget Ordinance Amendment B180800 in the amount of \$161,363. These funds will be used to provide temporary staffing for a disaster recovery intake center that will be transitioning from the state effective February 19, 2018. The Community Development Block Grant will be used to fund this initiative.

Please note this amendment requires no additional county funds.

Tracy Jackson, Assistant County Manager, responded to questions from Commissioner Keefe regarding staffing and dedicated funding under the CDBG-DR grant. Commissioner Keefe stated his issue is that all of the dedicated funding may not be needed, especially since it has not been determined where the funding will go. Commissioner Keefe asked that information be provided to the Finance Committee about how many people are using disaster recovery. In response to questions posed by Commissioner Boose, Mr. Jackson explained time limited positions under the program and stated the funding is intended to help the County go through June 2018. Mr. Jackson stated the plan all along has been to have adequate staff at the disaster recovery intake center to work with individuals who come to the center requesting assistance. Additional questions followed about staffing.

David Hawthorne, NCDPS local representative to the Cumberland County intake office, stated there are 200 completed applications but there are still a number of incomplete applications. Mr. Hawthorne concurred with the information provided by Mr. Jackson and stated the same individuals may come to the disaster recovery intake center multiple times to be sure they have the proper documentation for their applications because the applications are document driven. Mr. Hawthorne stated approximately 300 individuals have walked into the center since November 9, 2017.

Commissioner Adams asked whether the budget amendment required additional County funding. Ms. Cannon stated the funding is HUD money from the disaster recovery program and requires no matching County dollars. Commissioner Boose asked whether unspent funds could be used for County projects. Mr. Hawthorne stated his understanding is the funds are just for disaster recovery.

MOTION: Commissioner Council moved to approve Item 3.M.8) for Budget Ordinance Amendment B180800 in the amount of \$161,363 to provide temporary staffing for a disaster recovery intake center.

SECOND: Commissioner Adams

VOTE: PASSED (6-1) (Commissioners Keefe, Faircloth, Adams, Council, Lancaster and Evans voted in favor; Commissioner Boose voted in opposition)

4. ITEMS OF BUSINESS

A. 1) Consideration of First Amendment to the Interlocal Agreement Related to the Funding of the Franklin Street Parking Garage and the Sale of Water

2) Consideration of an Interlocal Agreement Between the City of Fayetteville and Cumberland County Related to the Funding and Development of a Downtown Minor League Baseball Stadium with Attachments

BACKGROUND:

In early 2016, the City of Fayetteville commissioned a baseball stadium feasibility study to assess the market and financial feasibility of a proposed minor league baseball stadium. The report, which also included information on the total economic and fiscal impact of the proposed stadium, concluded that ongoing operations of the Venue would generate considerable new spending resulting in enhanced economic development.

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Key to advancing this project, known as Project Home Run, was identifying an acceptable financing model to construct the baseball stadium. To that end, on September 12, 2016, the Fayetteville City Council approved the financing model and asked for the Board of Commissioners to consider contributing to this project through the creation of a tax Increment Financing district by Interlocal Agreement.

At the September 19, 2016 Board of Commissioners meeting, a resolution to support the construction of a minor league baseball stadium from increased ad valorem tax revenues was unanimously approved. The resolution provided for the development of a new Interlocal Agreement for the baseball stadium subject to the negotiation of a satisfactory amendment to the existing Interlocal Agreement related to the Funding and Development of the Franklin Street Parking Garage.

The first document for your consideration is the First Amendment to the Interlocal Agreement Related to the Funding of the Franklin Street Parking Garage and the Sale of Water. The key provisions in this amendment are:

1. Redefining the boundaries of the district to exclude the "Stadium-Redevelopment Site" (Subsection 1.1.2.1 MSD).
2. Adding a provision to treat formerly tax exempt property within the district in the same manner as non-exempt property (Subsection 1.1.3.2 Basis).
3. Changing the term of the County's Obligation to provide this tax increment funding through December 31, 2030.

The second document for your consideration is the Interlocal Agreement between the City of Fayetteville and Cumberland County Related to the Funding and Development of a Downtown Minor League Baseball Stadium. The key provisions of the "Baseball Stadium" agreement are:

1. The County will contribute 100% of increased revenue from ad valorem tax collections from the stadium district for 5 fiscal years beginning the first fiscal year following completion of the baseball stadium, and 75% of the increased revenue from ad valorem tax collections for 15 fiscal years thereafter.
2. This agreement shall remain in full force and effect until all taxes levied for each of the tax years 2020-2039 have been collected or subjected to the forced collection methods available to Cumberland County Tax Collector under the North Carolina Machinery Act and deemed to be uncollectible by the Tax Collector and the final tax capture payment is remitted to the City, or until June 30, 2040, whichever should first occur.

These items were discussed at the February 1, 2018 Finance Committee Meeting and were unanimously approved. The Committee recommended consideration by the Board of Commissioners at the February 5, 2018 Board Meeting.

RECOMMENDATION / PROPOSED ACTION:

Consider approving:

1. First Amendment to the Interlocal Agreement Related to the Funding of the Franklin Street Parking Garage and the Sale of Water
2. Interlocal Agreement Between the City of Fayetteville and Cumberland County Related to the Funding and Development of a Downtown Minor League Baseball Stadium with Attachments

STATE OF NORTH CAROLINA

COUNTY OF CUMBERLAND

AMENDMENT TO INTERLOCAL AGREEMENT

THIS FIRST AMENDMENT TO THE INTERLOCAL AGREEMENT RELATED TO THE FUNDING OF THE FRANKLIN STREET PARKING GARAGE AND THE SALE OF WATER shall be dated effective as of the first day following adoption by each and all of the

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governing boards of the parties hereto and is between the CITY OF FAYETTEVILLE, North Carolina (“City”), CUMBERLAND COUNTY, North Carolina (“County”), and the PUBLIC WORKS COMMISSION OF THE CITY OF FAYETTEVILLE (“PWC”).

RECITALS:

WHEREAS, the City, County, and PWC entered into the interlocal agreement for sharing in the funding of the Franklin Street parking garage and the sale of water to the county or its rural water districts by action taken by the governing boards of each in June 2010; and

WHEREAS, in a continuing effort to both expand and support substantial additional public and private sector investment and development within the City’s downtown and MSD, the City, County, and PWC wish to develop a mechanism for funding the development and construction of a City-owned Minor League professional baseball stadium (“Stadium”) in the City’s downtown; and

WHEREAS, in order to provide funding for the Stadium, the City and County have agreed to utilize a Synthetic Tax Increment Financing (“TIF”) model to capture and dedicate new property taxes generated as a result of the private development immediately surrounding the Stadium, but which would also be contained within the pre-existing boundaries of the MSD and therefore subject to capture by the interlocal agreement for the Franklin Street parking garage if not separately exempted by amendment to that agreement; and

WHEREAS, it is now the desire of the City, County, and PWC to amend the interlocal agreement for the Franklin Street parking garage in order to exempt from tax capture for the parking garage certain development parcels contained within the MSD and immediately surrounding the Stadium site, which will, in turn, allow for the proper creation of a separate interlocal agreement between the City and County to memorialize their agreement for Stadium funding.

NOW, THEREFORE, the interlocal agreement by and between the City, County, and PWC for the funding and development of the Franklin Street Parking Garage is amended as follows:

1. A new Subsection 1.1.2.1., MSD - Boundaries Defined, shall be added to read: “For purposes of this agreement, the term “MSD” shall refer to an area consistent with the pre-existing boundaries established for the City of Fayetteville Downtown Municipal Service District, excepting therefrom the area designated as the “Stadium Re-development Site” as legally described and attached hereto as Exhibit A, and made a part hereof.”

2. The existing Subsection 1.1.3.2 shall be deleted in its entirety and amended by substituting the following:

1.1.3.2. Basis – The ad valorem tax revenue collected from properties within the increment area (the MSD) for the FY 2011 year shall be the Basis of the tax increment calculations, except for any properties which were not taxable because of exempt status on December 31, 2017. As to those tax-exempt properties which may become taxable after December 31, 2017, within the increment area (now the MSD except the Stadium Redevelopment District), the Basis for the tax increment calculation shall include that portion of the taxes on the market value of the property as appraised by the Cumberland County Tax Assessor in accordance with the 2017 Schedule of Values. The inclusion of this portion of the taxes in the Basis is intended to remove from the tax capture revenue the taxes collected on the formerly exempt portion of any property if the property loses exempt status.

3. There shall be added a new subsection 1.1.3.4 as follows:

1.1.3.4. Accounting - For each fiscal year, the City shall provide the County an annual accounting of all payments made on the Debt for interest and principal which shall identify the source of all revenues used for payment and reflect the balance of the debt. This accounting for each fiscal year shall be provided by September 1 of the following fiscal year.

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4. Subsection 3.1 shall be amended by deleting the existing subsection 3.1. and substituting in its stead the following:

3.1. **Term** - The County’s obligation to provide the tax increment funding under this Agreement will persist until December 31, 2030. This provision shall supersede any other provision for termination of the County’s obligation to provide the tax increment funding under this Agreement.

5. All other provisions not amended herein shall remain the same and unchanged and in full force and effect.

STATE OF NORTH CAROLINA

COUNTY OF CUMBERLAND

Interlocal Agreement Between the City of Fayetteville
and Cumberland County Related to the Funding and
Development of a Downtown Minor League Baseball Stadium

THIS INTERLOCAL AGREEMENT is entered into pursuant to Sections 160A-460 et seq., North Carolina General Statutes, between the CITY OF FAYETTEVILLE, Cumberland County, North Carolina, (“City”), and CUMBERLAND COUNTY, North Carolina, (“County”), together, “The Parties”, for the purpose of establishing the obligations of the parties to the funding of a Minor League professional baseball stadium in downtown Fayetteville to be owned by the City and constructed to serve as the home of a Class-A-Advanced affiliate of the Houston Astros.

WITNESSETH:

WHEREAS, in an effort to both expand and support substantial additional private sector investment, development and job creation within Cumberland County generally, and the historic, downtown core of Fayetteville specifically, the City and County have partnered to plan for and develop a City-owned Minor League professional baseball stadium (“Stadium”) as a catalyst to surrounding mixed-use development to be privately-constructed and owned; and

WHEREAS, in order to provide funding for the Stadium, the City and County have agreed to utilize a funding model which will involve the capture of new property taxes generated as a result of the private development immediately surrounding the Stadium and of the sale of the Festival Park Plaza; and

WHEREAS, it is now the desire of the City and County to create an Inter-local agreement for the Stadium Funding in order to specifically memorialize and describe how certain real and personal ad valorem property taxes resulting from new private-sector, mixed-use developments immediately surrounding the Stadium, and from the sale of the Festival Park Plaza, which would otherwise accrue to the City and County respectively for general purposes will instead be subject to tax capture for certain terms and to certain extents, in order to assist the City in funding the Stadium.

NOW, THEREFORE, the Parties agree as follows:

1. Minor League Baseball Stadium – The Parties agree to the following regarding the construction of a Minor League professional baseball stadium in downtown Fayetteville, to be owned exclusively by the City, on City-owned land North of Hay Street and adjacent to the historic train depot.
 - 1.1. Design and Construction – The City will select and contract with architects, engineers, a Construction-Manager-at-Risk, and other professionals to design, engineer, and construct the stadium and support infrastructure. City will consult with representatives of Minor League Baseball, and/or other specialized consultants or project managers of its choosing to assure that stadium design meets the short- and long-term operational needs and requirements of Minor League Baseball associated with having and maintaining a Major League-affiliated Class A-Advanced Baseball franchise or greater. The stadium will also be designed as a multi-use venue to

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accommodate football, soccer, concerts, festivals, gatherings, and a myriad of other events, year-round when not otherwise in use to serve and host the baseball season.

- 1.2. Use/Operating Agreement – The City entered into a long-term Use and Operating Agreement on December 13, 2016, consistent with State statutory requirements, with the Fayetteville Baseball Club, LLC, to operate and maintain the stadium and to operate, maintain, and field therein a Class A-Advanced Minor League Professional Baseball affiliate of the Astros as anchor tenant throughout the term of the Lease/Management Agreement.
- 1.3. Project Funding – The City has established a total project budget of \$33 million and working within that budget will arrange for funding and see that all legitimate and appropriate costs and expenditures associated with the design and construction of the Stadium and support infrastructure are timely paid and discharged.
- 1.4. Debt Financing – The City will take the lead in and secure long-term debt financing for the project sufficient to support the complete design and construction of the Stadium, along with any furniture fixtures and equipment, and support infrastructure in an aggregate principal sum not to exceed \$33 million. The City will secure and guarantee the repayment of the long-term debt by any lawful means it deems appropriate.
- 1.5. Definitions – To further establish the obligations of City and County, the following definitions shall apply:
 - 1.5.1. “Base Value(s)” – shall be the valuation, as established for ad valorem tax purposes by the Office of the Cumberland County Tax Assessor’s Office, effective January 1, 2017, for each of the identified real property parcels included within the designated project area (the “Stadium Re-Development Site” as defined in Attachment A hereto [Lots 1-9 and FPP] and Amendment 1 to the Interlocal Agreement between the City of Fayetteville, Cumberland County and the Fayetteville Public Works Commission Related to the Funding and Development of the Franklin Street Parking Garage [“The Amendment”]) and the associated personal property located thereon. The valuation shall be based upon the taxable value of the property, i.e., the appraised value offset by historic or exempt property reductions. The Base Value shall include 50% of the appraised value as of January 1, 2017, of Festival Park Plaza as shown as “FPP” on Attachment A. The Base Value of each parcel within the Stadium Redevelopment Site for the purposes of this agreement is set out in Attachment C.
 - 1.5.2. “Increased tax value” – shall be the increase or addition in taxable value, measured as effective each January 1st for tax value purposes, when compared to the base value established for each of the identified parcels included within the designated project area, including Festival Park Plaza, for each of the tax years subject to tax capture.
 - 1.5.3. “Designated project area” – shall be and include Lots 1-9 and FPP in “Attachment A” hereto. It is only and exclusively those real and personal ad valorem property taxes produced as a result of increased tax value to parcels contained within, or equipment and personal property housed on the designated project area that shall be subject to tax capture for the Debt repayment described herein.
 - 1.5.4 “Tax Capture area” – shall be and include the property parcels comprising the designated project area as platted during calendar year 2017 (and subject to change in the future). The new property parcels established for ad valorem tax purposes by the Office of the Cumberland County Tax Assessor’s Office, effective January 1, 2018,

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are attached as and depicted in Attachment B hereto (Tax Capture area defined as Lots 1-5 and FPP therein). This area (i.e., the established Tax Assessor's parcels at the beginning of each tax year) will be the area utilized for purposes of Tax Capture during the duration of this Agreement.

- 1.5.5. "Tax increment" – shall be the total amount of ad valorem real and personal property taxes levied and paid, as produced within the designated project area, for each of the tax years subject to tax capture, as a result of multiplying the increased tax value times the then current and established tax levy of Cumberland County.
- 1.5.6. "Tax Capture" – shall equal a portion of the tax increment and be remitted quarterly by the County to the City in the following manner and extent:
 - 1.5.6.1. Beginning with the tax year which establishes property values effective January 1, 2020, (taxes due September 1, 2020) and continuing through and including the tax year which establishes property values effective January 1, 2024, (taxes due September 1, 2024), representing five (5) total years, the tax capture shall equal one hundred percent (100%) of the tax increment.
 - 1.5.6.2. Beginning with the tax year which establishes property values effective January 1, 2025, (taxes due September 1, 2025) and continuing through and including the tax year which establishes property values effective January 1, 2039, (taxes due September 1, 2039), representing fifteen (15) total years, the tax capture shall equal seventy-five percent (75%) of the tax increment.
 - 1.5.6.3. The County's obligation for this contribution to the City for debt repayment shall be exclusively limited to and capped at the cumulative tax capture remitted to the City pursuant to Subsections 1.5.6.1 and 1.5.6.2 herein.

- 1.6. Operation and Maintenance – As Stadium Owner, the City shall bear exclusive responsibility for the operation and maintenance of the Stadium, but may choose, by contractual arrangement, Lease, or Management Agreement to assign said duties and responsibilities to other parties.
- 1.7. Term – This agreement shall remain in full force and effect until all taxes levied for each of the tax years 2020-2039 have been collected or subjected to the forced collection methods available to Cumberland County Tax Collector under the North Carolina Machinery Act and deemed to be uncollectible by the Tax Collector and the final tax capture payment is remitted to the City, or until June 30, 2040, whichever should first occur.
- 1.8. Termination – This agreement may be terminated prior to the requirements of Section 1.7 herein only upon the mutual consent of the parties. Such consent is to be granted by action of the governing boards of the parties and evidenced in writing.

2. General Terms

- 2.1. Making of Payments – County shall remit tax capture payments required hereunder, beginning with the first quarter of the calendar year 2021, remitting same within thirty (30) days following the completion of the quarter to the Office of the City Chief Financial Officer, and thereafter continuing each subsequent quarter throughout the term of this Agreement.
- 2.2. Dispute Resolution – Any dispute regarding the application or enforcement of this agreement will be communicated to the City Manager, County

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Manager, Mayor, and County Board of Commissioners Chairman. These four individuals will meet to attempt to resolve any dispute prior to any further enforcement action. Should these individual representatives fail to resolve the issue(s) at dispute, then a Joint meeting of the Governing boards of the parties shall convene to attempt to resolve any and all matters still in dispute prior to any further action.

- 2.3 Bond Counsel Review – The parties agree that fundamental to the Stadium project is the need to acquire and issue debt financing which meets the economic needs of the project while satisfying the requirements of the Local Government Commission (LGC) of the state Treasurer’s Office. To that end, any revisions to this agreement recommended by the City’s Bond Counsel in order to meet the requirements of the LGC will be incorporated into this agreement, provided however, that any revisions to or changes that impact subsections 1.5 through 1.5.6.3 shall require the consent of the County.
- 2.4. Severability - The determination of a court of competent jurisdiction that any section or term hereof is illegal or unenforceable shall not impact the effectiveness of any remaining terms. The parties agree to negotiate in good faith to revise the agreement as necessary to cure any legal defect necessary to protect the purpose and intent of this agreement.
- 2.5. Amendment – This agreement may be amended only by mutual consent of the parties. Such consent to be granted by action of the governing boards of the parties and evidenced in writing.

ATTACHMENT A - ORIGINAL PARCELS (Recorded herein by reference.)
 ATTACHMENT B - REPLATTED PARCELS (Recorded herein by reference.)

ATTACHMENT C BASE VALUE OF EACH PARCEL IN THE STADIUM RE-DEVELOPMENT AGREEMENT

LOT#	OWNER	APPRAISAL	TAX STATUS	TAXABLE VALUE	BASE VALUE
1	City	894,538	Exempt	0	0
2	PCH	299,558	Historic	149,780	149,780
3	PCH	68,278	Historic	34,139	34,139
4	City	45,485	Exempt	0	0
5	City	345,958	Exempt	0	0
6	City	173,026	Exempt	0	0
7	City	269,358	Exempt	0	0
8	City	105,351	Exempt	0	0
9	City	56,989	Exempt	0	0
FPP	City	4,758,577	Exempt	0	2,379,289
		7,017,118		183,919	2,563,208

Ms. Cannon stated after the City of Fayetteville commissioned a feasibility study in early 2016, the City Council approved a financing model. Ms. Cannon stated at that time, the City asked the Board of Commissioner to consider contributing to this project through the creation of a tax increment financing district by an interlocal agreement. Ms. Cannon stated at the September 19, 2016 Board of Commissioners’ meeting, the Board unanimously approved a resolution to consider participating in the baseball project providing that an amendment to the existing parking deck agreement could be negotiated.

Ms. Cannon stated during the month of December 2017, there were discussions about the parking deck amendment and the new interlocal agreement for the baseball stadium. Ms. Cannon reviewed the key provision in the first amendment to the parking deck agreement and the baseball stadium agreement as recorded in the background information above. Ms. Cannon stated on February 2 the County received from the City of Fayetteville a baseball agreement and an amendment to the parking deck agreement and her understanding is that the County Attorney has reviewed the agreements.

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Mr. Moorefield referenced the final documents provided to the Board as referred to by Ms. Cannon and stated the language in the documents complies with what he understands the Board's expectations to be and as described by the County Manager. Mr. Moorefield stated in the parking deck agreement he inserted the word "or" in the first recital eliminated Section 6 in its entirety because Commissioner Adams resolved the issue created by the city's insertion of Section 6, so striking that section is not an issue. Mr. Moorefield stated with these changes, this amendment complies with the expectations that were stated by the Board.

Commissioner Keefe asked whether the TIF contract was consistent with what was approved by the Finance Committee. Mr. Moorefield responded in the affirmative.

MOTION: Commissioner Keefe moved that Cumberland County approve the interlocal agreement pursuant to the Franklin Street Parking Deck with the City of Fayetteville.

SECOND: Commissioner Boose

VOTE: UNANIMOUS (7-0)

MOTION: Commissioner Keefe moved for approval of the interlocal agreement with the City of Fayetteville and Cumberland County related to funding and development of a downtown minor league baseball stadium per the document dated February 2, 2018.

SECOND: Commissioner Adams

VOTE: UNANIMOUS (7-0)

B. Consideration of a Resolution in Support of Pursuing Opioid Litigation

BACKGROUND:

During the February 1, 2018 meeting of the Finance Committee, committee members agreed to move forward with seeking damages to the County and its citizens as a result of the current Opioid Crisis. Recorded below is a resolution for the Board's consideration for adoption.

Upon adoption of the resolution, County Legal will begin the process of selecting and recommending representation on behalf of the County. Recommended counsel will be brought back to the Board (through Committee) for approval.

RECOMMENDATION / PROPOSED ACTION:

Adopt the resolution recorded below.

RESOLUTION OF THE BOARD OF COMMISSIONERS OF CUMBERLAND COUNTY, NORTH CAROLINA

WHEREAS, Cumberland County Board of Commissioners has the authority to adopt resolutions with respect to county affairs of Cumberland County, North Carolina, pursuant to N.C. Gen. Stat. Ann. § 153A-121;

WHEREAS, the Cumberland County Board of Commissioners has the authority to take action to protect the public health, safety, and welfare of the residents and citizens of Cumberland County;

WHEREAS, there exists a serious public health and safety crisis involving opioid abuse, addiction, morbidity, and mortality in Cumberland County;

WHEREAS, the diversion of legally produced controlled substances into the illicit market causes or contributes to the serious public health and safety crisis involving opioid abuse, addiction, morbidity, and mortality in Cumberland County;

WHEREAS, the opioid crisis unreasonably interferes with rights common to the general public of Cumberland County; involves a significant interference with the public health, safety, peace, comfort, and convenience of citizens and residents of Cumberland County; includes the delivery of controlled substances in violation of State and Federal law and regulations; and therefore constitutes a public nuisance;

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WHEREAS, the opioid crisis is having an extended and far reaching impact of the general public, health, and safety, of residents and citizens of Cumberland County and must be abated;

WHEREAS, the violation of any laws of the State of North Carolina, or of the United States of America controlling the distribution of a controlled substance is inimical, harmful, and adverse to the public welfare of the residents and citizens of Cumberland County constitutes a public nuisance;

WHEREAS, the Cumberland County Board of Commissioners has the authority to abate, or cause to be abated, any public nuisance including those acts that unreasonably interfere with rights common to the general public of Cumberland County and/or involve a significant interference with the public health, safety, peace, comfort, and convenience of citizens and residents of Cumberland County;

WHEREAS, Cumberland County has expended, is expending, and will continue to expend in the future County funds to respond to the serious public health and safety crisis involving opioid abuse, addiction, morbidity, and mortality within Cumberland County; and

WHEREAS, the Cumberland County Board of Commissioners have received information that indicates that the wholesale distributors of controlled substances in areas surrounding Cumberland County, North Carolina, may have violated Federal and/or State laws and regulations that were enacted to prevent the diversion of legally produced controlled substances into the illicit market.

NOW, THEREFORE, BE IT RESOLVED by the Cumberland County Board of Commissioners, assembled on this day at which a quorum is present, that based upon the above the Cumberland County Board of Commissioners are declaring the opioid crisis a public nuisance which must be abated for the benefit of Cumberland County and its residents and citizens.

BE IT FINALLY RESOLVED that all resolutions that are inconsistent with this resolution are rescinded. The motion to approve the foregoing resolution was made by Commissioner _____, seconded by Commissioner _____, and the following vote was recorded:

Entered this the 5th day of February 2018.

Commissioner Adams clarified that during the meeting of the Finance Committee, it was not his intent to bring a resolution to the February 5, 2018 Board of Commissioners’ meeting, but to have the County Manager and County Attorney set out a plan. Commissioner Adams stated without documentation or the proper data, the Board should not move forward to support a resolution. Commissioner Adams asked the Board not to move forward and approve the resolution until such time as the data is presented along with a resolution.

MOTION: Commissioner Adams moved to bring a plan of action to the February 15, 2018 special meeting of the Finance Committee for forward to the full Board at its February 19, 2018 regular meeting.

SECOND: Commissioner Boose

VOTE: UNANIMOUS (7-0)

- C. Approval of Changes to the Economic Development Incentives for Campbell Soup Supply, LLC, (Project NAN02) and the Re-subdivision of Cedar Creek Industrial Park

BACKGROUND:

On October 16, 2017, the Board conducted the advertised public hearing and approved incentives for Project “NANO2.” Campbell Soup Supply Company, LLC, (the “Company”) announced the project in January, 2018.

The Company requires that the transfer of the land in Cedar Creek Industrial Park be done pursuant to a purchase-sale agreement which is to be incorporated into the incentives agreement. It has been difficult to develop a purchase-sale agreement that was acceptable to the Company because the Company’s initial expectation was the purchase-sale agreement would include terms that are typically found in complex, commercial real estate sales contracts between private parties for privately-owned land. In addition, the Company insists on modification of some of the terms of the incentives offer. Since the incentives were approved by the Board, it will be necessary for the Board to approve the modifications.

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There are now more than 50 pages contained in the documents that constitute this incentives agreement. For that reason, a summary of the matters that need the Board's approval are listed as follows:

1. A third party shall be the operator of the Project and create the jobs. That party has been identified as DHL. This does not create any significant issues for the incentives agreement; it just needs to be approved by the Board because this was not presented as a third party arrangement. (IA-Sec. 3.1)
2. G.S. § 158-7.1(d)(2) requires the Company to reconvey the land to the county if it fails to complete construction within 5 years. Because the construction costs of the project will be secured by a deed of trust on the land, the county would take the property subject to this large mortgage. This statute creates a harsh result for the county if the construction is not timely completed. This is a statutory requirement and is being provided to the Board as information only. (IA-Sec. 4.1.3)
3. The number of jobs the Project must create for the Company to qualify for the annual cash incentives payment has been decreased. The incentives approved by the Board required the Company to create 112 jobs the first year and to increase that to 140 jobs by the fifth year. The job numbers have been decreased to 100 the first year and going to 135 by the sixth year. The Board must approve this reduction in the job numbers. (IA- Sec. 4.4)
4. The Company requires that the county agree to the Company's designation of First American Title Insurance Company as an Escrow Agent for closing the land transaction. The Escrow Agent has significant powers. Only the Board of Commissioners can designate an agent to act on behalf of the county and the Board must approve this appointment of an agent. (PSA-Sec. 3(a))
5. The Company has the right to assign its rights to purchase the land and all of its rights and obligations under the incentives agreement to another party. This was not disclosed in the incentives approved by the Board; however; the identity of the Company was not disclosed at that time either. This potential assignment does not create any significant issues, but the Board must approve it. (PSA-Sec. 11)
6. The Company insists on a term in the contract that if the county defaults on the sale of the land, the Company has the right to compel the county to sell the land or the recovery of damages from the county in the maximum amount of \$600,000. Neither of these remedies is consistent with the application of the statute governing the transfer of land as an economic development incentive; however; it is part of the contract and because it is beyond the scope of the incentives approved by the Board, the Board must approve this term. (PSA-13(a))
7. The county is obligated to indemnify the Escrow Agent for all liabilities and costs, including counsel fees, arising out of any dispute, litigation or liabilities imposed on the Escrow Agent in an amount not to exceed \$100,000. The Board must approve this term. (PSA-Sec. 20(c))
8. The Title Insurance Company must approve the form of the deed from the county to the Company. The proposed deed will be submitted to the Company for approval before the contract is executed to avoid a dispute over the form of the deed. (TC-Sch. B-Sec.15.a)

Incident to the subdivision of the land to the Company, the remainder of the Cedar Creek Industrial Park was subdivided into three lots designated as Lots 1, 2 and 4 The subdivision plat was prepared by Moorman, Kizer & Reitzel, Inc., and is entitled, "Subdivision and Recombination Map-- Cedar Creek Industrial Park." The Board must approve the subdivision.

At its February 1, 2018 meeting, the Finance Committee recommended the approval of each of the items.

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RECOMMENDATION / PROPOSED ACTION:

The Finance Committee recommended the Board approve the following changes to the economic development incentives agreement with Campbell Soup Supply Company, LLC:, and the re-subdivision of the Cedar Creek Industrial Park as follows:

1. the jobs for this Project will be created and maintained by a third party identified as DHL;
2. the number of jobs for the Project to be eligible for the performance-based, annual cash incentives is decreased from 112 to 100 in the first year, going to 135 jobs by the sixth year instead of 140 by the fifth year;
3. the appointment of American Title Insurance Company as an Escrow Agent for closing the sale of the land to the Company;
4. the Company's assignment of the agreement for the purchase and sale of the land to a different party if the Company chooses to make such an assignment;
5. the County will be liable for not more than \$600,000 in damages to the buyer of the land if the County defaults on the sale of the land;
6. the County will be liable to the Escrow Agent for an amount not to exceed \$100,000 if the Escrow Agent incurs any costs or liabilities imposed on the Escrow Agent and arising out of any dispute or litigation related to its services for closing this real estate transaction; and
7. the subdivision of the remaining portion of Cedar Creek Industrial Park into three lots designated as lots 1, 2, and 4, in accordance with the plat entitled, "Subdivision and Recombination Map—Cedar Creek Industrial Park," dated January 18, 2018, and prepared by Moorman, Kizer & Reitzel, Inc.

MOTION: Commissioner Faircloth moved to approve the following changes to the economic development incentives agreement with Campbell Soup Supply Company, LLC:, and the re-subdivision of the Cedar Creek Industrial Park as approved by the Finance Committee:

1. the jobs for this Project will be created and maintained by a third party identified as DHL;
2. the number of jobs for the Project to be eligible for the performance-based, annual cash incentives is decreased from 112 to 100 in the first year, going to 135 jobs by the sixth year instead of 140 by the fifth year;
3. the appointment of American Title Insurance Company as an Escrow Agent for closing the sale of the land to the Company;
4. the Company's assignment of the agreement for the purchase and sale of the land to a different party if the Company chooses to make such an assignment;
5. the County will be liable for not more than \$600,000 in damages to the buyer of the land if the County defaults on the sale of the land;
6. the County will be liable to the Escrow Agent for an amount not to exceed \$100,000 if the Escrow Agent incurs any costs or liabilities imposed on the Escrow Agent and arising out of any dispute or litigation related to its services for closing this real estate transaction; and
7. the subdivision of the remaining portion of Cedar Creek Industrial Park into three lots designated as lots 1, 2, and 4, in accordance with the plat entitled, "Subdivision and Recombination Map—Cedar Creek Industrial Park," dated January 18, 2018, and prepared by Moorman, Kizer & Reitzel, Inc.

SECOND: Commissioner Boose

VOTE: UNANIMOUS (7-0)

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D. Consideration of Calling for a Public Hearing for Consideration of a Change in the Governance Structure of a Health and/or Human Services Agency

BACKGROUND:

State law authorizes a County Board of Commissioners to exercise its authority over the governance of its Departments of Social Services and Public Health. Legislation allows for selection of one of the following three options:

- o Option 1
 - Departments do not consolidate
 - Commissioners assume powers & responsibilities of DSS and/or Public Health Board(s)
 - If Commissioners assume role of Public Health Board, they must appoint a Health Advisory Committee
 - Director(s) report(s) directly to County Manager
- o Option 2
 - Commissioners create a Consolidated Human Services Agency (CHSA)
 - Commissioners appoint a CHSA Board
 - CHSA Director reports directly to County Manager
- o Option 3
 - Commissioners create a CHSA
 - Commissioners assume the role of CHSA Board
 - CHSA Director reports directly to County Manager

In accordance with NCGS 153A-77, the Board of County Commissioners must hold a public hearing to receive citizen comments on consideration of a change to the governance structure of a Health and/or Human Services Agency. If the Board desires to explore these options, a public hearing should be advertised 30 days in advance of a scheduled hearing. A public hearing could be held on Monday, March 19, 2018.

RECOMMENDATION / PROPOSED ACTION:

Consider approval to advertise and call for a public hearing on Monday, March 19, 2018 to receive public comments on consideration of a change to the governance structure.

Duane Holder, Assistant County Manager, reviewed the background information recorded above and stated as a result of the Board’s January 26, 2018 goal setting session, staff have been in contact with the UNC School of Government to seek their advice for steps that have to take place for such a change to occur in the County’s Health and/or Human Services agencies.. Mr. Holder stated in accordance with NCGS 153A-77, the Board of County Commissioners must hold a public hearing to receive citizen comments for any consideration of a change to the governance structure.

MOTION: Commissioner Evans move for approval to advertise and call for a public hearing on Monday, March 19, 2018 to receive public comments on consideration of a change to the governance structure of the Health and/or Human Services agencies.

SECOND: Commissioner Faircloth

VOTE: UNANIMOUS (7-0)

E. Consideration and Approval of a Resolution and Submission of an Application in Support of "Project Copper" to Apply for Funding through the North Carolina Department of Commerce Building Reuse Program

BACKGROUND:

The North Carolina General Assembly has authorized funds through the North Carolina Department of Commerce Building Reuse Program to stimulate economic development and job creation in distressed areas through constructing critical water and wastewater facilities, addressing technology needs, renovating vacant buildings, and implementing research and demonstration projects.

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“Project Copper” is a “direct contact” lead generated in the fall of 2017 by the Fayetteville-Cumberland County Economic Development Corporation (FCEDC). The company, Cambridge-Lee Industries, is based in Reading, Pennsylvania and is considering numerous counties in North Carolina and Virginia as possible locations for expanding their manufacturing operations.

“Project Copper” makes copper tubes for water supply, air conditioning, refrigeration, and a variety of commercial applications. They have been in business since 1955 and purchased Reading Tube Corporation in 1996, which facilitated an expansion of their operations in the US, Mexico and Canada. FCEDC has worked with this company in finding a vacant building in Cumberland County that meets their expansion needs.

If we are successful with this recruitment effort, the proposed project would create 19 full-time jobs with an average annual salary of approximately \$31,378, as well as a comprehensive benefits package. The company would invest approximately \$400,000 in real and personal property, of which an estimated \$75,000 will be toward building renovations. The company hopes to begin operations by mid-2018, with a long-term goal of creating a distribution center for their company in Cumberland County.

Pending final construction numbers, this project has received preliminary approval for up to \$37,500 of grant funds from the Building Reuse Program. This program requires a local match of 5% from the County, not to exceed \$1,875.

FCEDC is requesting consideration and approval of a resolution in support of "Project Copper" and for Cumberland County to apply for funding through the North Carolina Department of Commerce Building Reuse Program for the Cambridge-Lee Building Reuse Project. Should this process move forward, all grant documents and agreements will be subject to County review and approval.

RECOMMENDATION / PROPOSED ACTION:

Consider approval of a resolution in support of “Project Copper” and for Cumberland County to apply for funding through the North Carolina Department of Commerce Building Reuse Program for the Cambridge-Lee Building Reuse Project.

RESOLUTION AUTHORIZING THE BOARD OF COMMISSIONERS OF THE COUNTY OF CUMBERLAND, NORTH CAROLINA TO APPLY FOR FUNDING THROUGH THE NORTH CAROLINA DEPARTMENT OF COMMERCE BUILDING REUSE PROGRAM FOR THE CAMBRIDGE-LEE BUILDING REUSE PROJECT

WHEREAS, The North Carolina General Assembly has authorized funds to stimulate economic development and job creation in distressed areas through constructing critical water and wastewater facilities, addressing technology needs, renovating vacant buildings, and implementing research and demonstration projects; and

WHEREAS, The Building Reuse and Restoration Grants Program is designed to spur economic activity and job creation by assisting in the productive reuse of vacant or existing buildings; and

WHEREAS, the County has need for and intends to assist in the renovation of an existing building in a project described as “Project Copper” located at 382 Tom Starling Rd., Fayetteville, NC; and

WHEREAS, the County intends to request funding assistance in the amount of \$37,500 from the North Carolina Department of Commerce from its Building Reuse Program for the project that will create 19 full-time jobs.

NOW, THEREFORE, be it resolved by the Board of Commissioners for the County of Cumberland that;

The County is in full support of the application and the project, if funding is received. The County will arrange for a local cash match, not to exceed \$1,875; and

Cumberland County has substantially complied or will substantially comply with all State, and local laws, rules, regulations, and ordinances applicable to the project and to the grants pertaining

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thereto.

Adopted this the _____ day of _____, 2018.

Ms. Cannon reviewed the background information recorded above.

MOTION: Commissioner Boose moved to approve the resolution for “Project Copper” and the application for funding through the North Carolina Department of Commerce Building Reuse Program.

SECOND: Commissioner Council

VOTE: UNANIMOUS (7-0)

5. NOMINATIONS

A. Alliance Behavioral Healthcare Board of Directors (2 Vacancies)

Commissioner Boose nominated Duane Holder and Commissioner Glenn Adams.

B. Cumberland County Home and Community Care Block Grant Committee (6 Vacancies)

Commissioner Council nominated Paul Taylor, Rebecca “Becky” Rebec, Alicia Campbell, Robert Williams, Felicia Johnson and Ida Baker.

C. Equalization and Review Board (5 Vacancies)

Commissioner Council nominated Marsha Mello, William Carroll Beard, Jr., Ernest Canady, Rodney Sherill and Kathy Olsen.

D. Cumberland County Local Emergency Planning Committee (4 Vacancies)

Commissioner Council nominated Geneve Mankel, Caleb Stoker, Renae Larson and Andrew Jacobs.

E. Civic Center Commission (1 Vacancy)

Commissioner Evans nominated Alexander (Lexi) Hasapis.

6. APPOINTMENTS

There were no appointments for this meeting.

MOTION: Commissioner Adams moved to adjourn.

SECOND: Commissioner Faircloth

VOTE: UNANIMOUS (7-0)

There being no further business, the meeting adjourned at 11:05 a.m.

Approved with/without revision:

Respectfully submitted,

Candice H. White
Clerk to the Board