
Minutes
Cumberland County Board of Commissioners
June 21, 1999, 7:00PM
Regular/Rezoning Meeting

PRESENT: Chairman Thomas B. Bacote
 Vice Chairman Edward G.

| | |
|----------------|----------------------------|
| Melvin | Commissioner Talmage |
| Baggett | Commissioner Breeden |
| Blackwell | Commissioner Billy R. King |
| Tyson II | Commissioner H. Mac |
| Warren, Jr. | Commissioner J. Lee |
| Manager | Cliff Strassenburg, County |
| County Manager | James Martin, Deputy |
| County Manager | Juanita Pilgrim, Asst. |
| Attorney | Neil Yarborough, County |
| Board | Marsha Fogle, Clerk to the |

INVOCATION: Chairman Tom Bacote
PLEDGE OF ALLEGIANCE

RECOGNITION: Board/Committee Members:

Jim Hankins - Joint Storm Water Advisory Board
Dr. Harold McNeill - Social Services Board

1. PUBLIC HEARING

Uncontested Rezoning Cases

Upon finding the requests to be reasonable, neither arbitrary or unduly discriminatory and in the public interest and that the property within such proposed district is suitable for all uses permitted by the new classification and/or the conditions and performance criteria imposed are neither arbitrary or unduly discriminatory, the following motion was offered:

MOTION: Commissioner King moved to follow the recommendations of the Planning Board on the Uncontested Rezoning Cases.
SECOND: Commissioner Tyson
VOTE: UNANIMOUS

(A) Case No. P99-26. The rezoning from RR Rural Residential to C3 Heavy Commercial or to a more restrictive zoning district north of Claude Lee Road and east of US HWY 301 Business I-95, the property of Roland Young and Isaac and Linda Young

The Planning Board recommends approval of the rezoning to C3.

B. Case No. P99-29. The addition of a Conditional Use Overlay District in R6 Residential District to allow automobile sales and repair on the southeast corner of Clay Boulevard and Betsy Ross Drive, the property of Gerald and Betty Elixson.

The Planning Board recommends denial of Conditional Use Overlay and approval of C(P).

C. Case No. P99-36. The rezoning from C(P) Planned Commercial to M(P) Industrial or to a more restrictive zoning district on the northeast corner of US HWY 301 Business I-95 and Sanders Street, the property of Browning Ferris Industries of South Atlantic, Inc.

The Planning Board recommends approval of M(P).

D. Case No. P99-39. The rezoning from A1 Agricultural to RR Rural Residential or to a more restrictive zoning district on the west side of Gabe Smith Road, south of Callie Road, the property of Hubert McArthur.

The Planning Board recommends approval of RR.

E. Case No. P99-40. The rezoning from R6A Residential to C(P) Planned Commercial or to a more restrictive zoning district on the east side of US HWY 301 Business I-95, south of Snow Hill Road, the property of Mary White Reynolds and Ruby White Britt.

The Planning Board recommends approval of C(P).

Contested Rezoning Case:

(F) Case No. P99-41. The rezoning from A1 Agriculture to R30 Residential District or to a more restrictive zoning district on the south side of Maxwell Road, north of New Hope Church Road, the property of James H. and Jessie A. Johnson.

The Planning Board recommends denial of R30 and approval of R40.

SPEAKERS:

1. Annette Johnson - Mr. and Mrs. Johnson have farmed this land for a long time; however because of Mr. Johnson's health they are no longer able to do so. They want to have the property rezoned to R30 so they can sell it for development. R30 will allow them to get the most financial benefit from their property.
2. Harvey Johnson - Mr. Johnson said his health is not good and they need to sell their property so they can get some financial assistance to help them with the medical bills.
3. Bob Bennett - Mr. Bennett said this property, if rezoned to R30, will be used to construct quality housing in the area. He said the soil was a sandy loam type and would support septic tanks. Mr. Bennett said R40 would not provide the Johnson's what they need financially. In addition,

he noted the R30 would not be detrimental to the neighborhood.

4. Tammy Barry - Ms. Barry is in the real estate business and plans to purchase the Johnson's property. She indicated she plans to develop a neighborhood in which the house sizes will start at 1500 square feet. She noted the houses would cost approximately \$100,000 - \$120,000. The lots will be $\frac{3}{4}$'s of an acre. She is planning to put in roads, curb, guttering and sidewalks.

Commissioner Tyson inquired if Ms. Barry would purchase the Johnson's property if it was not rezoned R30. She indicated she did not know if it would be cost effective for her to purchase if it was not rezoned R30.

Commissioner Baggett said he was satisfied that Mr. Bennett knew what he was talking about when he said the property would support septic tanks.

Commissioner Warren asked about the restrictive covenants. Ms. Barry said she and Mrs. Johnson worked out what the restrictive covenants would be and that most of the homes would be around 1700 square feet as opposed to 1500 square feet. She said no manufactured homes would be allowed in this development.

5. John Cain, Jr.: Mr. Cain said he and his sister (Ms. Barry) will be building the homes. He noted he did not live far from the area and would do nothing to detract from the area.

6. Arnold Pope: Mr. Pope expressed reservations about whether the land would support the septic tanks. He noted there are some areas that don't drain very well, and expressed serious concern about the water table.

Commissioner Blackwell asked for clarification regarding R40 and R30. R30 will allow 24.4 dwelling units. R40 will allow 18.3 dwelling units.

MOTION: Commissioner Baggett moved to approve R30.

SECOND: Commissioner Melvin

DISCUSSION: Commissioner Baggett noted he had some reservations about the R30; however he was concerned that a mobile home development would come into the area if we did not rezone to R30. Commissioner King pointed out the Planning Staff and Planning Board recommended R40 and for the Commissioners

not to go along flies in the face of the Planning Board. He said it understands the economic impact between R30 and R40. Commissioner Baggett noted it appears the staff's position was based on the 2010 Plan and the Farmland Protection Plan. Commissioner Warren said he visited the property and he felt R40 may very well be adequate in providing the kind of financial compensation needed. Mr. Warren noted it is awfully hard for the Commissioners to go against what the Planning Staff and Planning Board have recommended. Commissioner Tyson noted that the Health Department will take care of the septic tank concerns.

SUBSTITUTE

MOTION: Commissioner King moved to approve R40.

SECOND: Commissioner Blackwell

VOTE: **FAVOR:** Commissioners King, Blackwell, Warren, Bacote
OPPOSED: Commissioners Tyson, Melvin, Baggett

Minimum Housing Hearings:

(G) Case No. MH458-98. Billy C. Whittenton, 6369 Patton Street, Fayetteville, NC
PIN: 0520-59-6489

Affidavit of the Housing Inspector's Report: Doyle W. Hubbard

Property Owner: Billy C. Whittenton

Home Owner: Billy C. Whittenton

Property Address: 6369 Patton Street

PIN: 0520-59-6489

SYNOPSIS: This property was inspected on 6/2/98. The property owner was legally served with Notice of Violations and was afforded a Hearing on 7/22/98. Mr. Whittenton did not attend the Hearing. It was ordered that the structure be repaired to a minimum standard for human habitation, or be demolished and the debris removed from the premises by a date not later than 9/22/98. The property owner was notified of the appeal procedures

when he was served with the Findings of Fact and Order. No appeal was filed. Upon my visit to the property on 4/27/99 no corrective action had been made to the structure. The structure is presently vacant and unsecured. In its present state, this structure constitutes a fire, health and safety hazard. The estimated cost to repair this structure to a minimum standard for human habitation is \$3,800.00. The Assessor for Cumberland county has this structure presently valued at \$1,000.00.

RECOMMENDATION: Demolish the structure, and remove debris from the lot.

SPEAKERS: None

MOTION: Commissioner Warren moved to:

- n adopt the order and report of the Minimum Housing Inspector as the true facts in this case;
- n order the property owner to remove or demolish the dwelling within 90 days;
- n order the Inspector to remove or demolish the dwelling, if the owner fails to do so and impose a lien on the real property for the cost of such action;
- n direct the Clerk to incorporate the foregoing findings and orders in an ordinance certified by the Chairman and record the same in the Register of Deeds.

SECOND: Commissioner Melvin

VOTE: UNANIMOUS

Street Names Changes:

(H) Adopt Sandy Creek Road as the official name for State Road 1847

BACKGROUND: Staff identified SR 1847 (formerly Bunce Road) in 1989 as a road to be renamed since it duplicated the existing Bunce Road within the County. The Board of Commissioners adopted SR 1847 as the official name because the residents and staff could not determine an acceptable name. Property owners that abut the road have now approved 32 to 7 the name of Sandy Creek Road.

SPEAKERS: None

MOTION: Commissioner Melvin moved to adopt Sandy Creek Road as the official name for SR 1847.

SECOND: Commissioner Tyson

VOTE: UNANIMOUS

(I). Renaming the northwest portion of Barefoot Road (SR 1820) to South River School Road (SR 1825).

BACKGROUND: A petition has been received requesting the renaming of the above noted road. One hundred percent of the property owners abutting this road are in favor of renaming the road South River School Road (SR 1825).

SPEAKERS: Mr. Charles E. Cass, Sr.: Supports the renaming.

MOTION: Commissioner Warren moved to approve the renaming of the northwest portion of Barefoot Road to South River School Road (SR 1825).

SECOND: Commissioner Melvin

VOTE: UNANIMOUS

(J). Renaming the southeastern portion of Sherrill Baggett Road (SR 1806) to Allie Cooper Road.

BACKGROUND: A petition has been received requesting the renaming of the above noted road. All property owners have been notified of the renaming; nine have voted in favor; three did not respond.

SPEAKERS: None

MOTION: Commissioner Baggett moved to approve the renaming of the southeastern portion of Sherrill Baggett Road to Allie Cooper Road.

SECOND: Commissioner Warren
VOTE: UNANIMOUS

2. CONSENT AGENDA

Mr. James Martin, Deputy County Manager, reviewed some changes in Item 2K. Those changes are incorporated into the Minutes.

MOTION: Commissioner Warren moved to follow staff recommendations on the items on the Consent Agenda.

SECOND: Commissioner Baggett
VOTE: UNANIMOUS

A. Approval of Minutes: June 7, 1999

ACTION: Approve

B. Approval of Additions to the State Secondary Road System:

Springfield Crossing Subdivision: Gaelic Drive
Riverside Estates Subdivision: Sandy Bay Circle

ACTION: Approve

C. Approval of Right-of-Way Deed to NCDOT for Robeson Street Widening Project (Highsmith Rainey Memorial Hospital Property)

BACKGROUND: NCDOT is widening Robeson Street to allow two-way traffic and provide for a left turn lane into Highsmith Rainey Hospital. As part of this project, NCDOT will need approximately .10 acres of right-of-way and 3,633 square feet for a permanent utility easement. This easement will be used by PWC as necessary to install and maintain public utilities. The proposed widening will only affect the landscape and signage. NCDOT is requesting that the County deed this property to them in exchange for relocation of the sign and replacement of the landscape.

The Medical Arts Center will be adversely affected by the widening. Once NCDOT has had this property appraised, they will be in a better position to discuss compensation. No action is required by the Board regarding this

parcel of land.

ACTION: Approve the request from NCDOT regarding the right-of-way and 3,633 square feet for a permanent utility easement at Highsmith Rainey Hospital.

D. Approval of renewal of the Courthouse Snack Bar Franchise Agreement

BACKGROUND: In 1996, the Board granted a Franchise to Sessoms Properties, Inc., dba Dogwood Deli, to operate a Snack Bar on the lower level of the Courthouse. The term of the Franchise Agreement was June 1, 1996 through June 30, 1999 and, subject to the approval of the parties, renewable for an additional three years. Management has been satisfied with the operation of the Snack Bar and Mr. Sessoms desires to renew the Agreement for an additional three years. The Franchise Agreement will be amended as necessary to address any changes in the ingress and egress to the smoking patio.

ACTION: Approve renewal of the Franchise Agreement for an additional three years.

E. Award of Bid for Optical Scanning Equipment for the Health Department

BACKGROUND: The following bids were received:

| <u>Company</u> | <u>Total Project Cost</u> |
|----------------|---------------------------|
| Bowman | \$364,423.30 |
| SMI Imaging | \$143,651.02 |

ACTION: Award the bid to SMI Imaging in the amount of \$143,651.02.

F. Declaration of Sheriff's Office radios as surplus and authorization to transfer to the Cumberland County Fire Chief's Association, Inc.

BACKGROUND: Earlier this year the Sheriff completed the transition to an "800mz" communications system. Several agencies have requested transfer

of the old radios to them, and their requests have been honored. In addition, the Fire Chief's Association is requesting a transfer of some of the radios to them. This transfer requires the action of the Board of Commissioners.

ACTION: Declare the excess radios as surplus to the needs of the County, publish the transfer of these radios in the newspaper and finalize the transfer to the Fire Chief's Association pursuant to GS 160A-279.

G. Approval of Community Development Program policies:

(1) HOME Program Subsidy Layering Guidelines

BACKGROUND: The US Department of Housing and Urban Development establishes limits on the amount of HOME Program funds that may be invested in affordable housing projects on a per-unit basis. Before committing funds to a project that combines the use of any other local, state or federal assistance, the Participating Jurisdiction must evaluate the project in accordance with guidelines that it has adopted. This ensures that the Participating Jurisdiction does not invest any more HOME funds than are necessary to provide affordable housing. In addition, we must also certify in our Consolidated Plan that these guidelines exist and are followed.

ACTION: Approve the Resolution to Adopt Subsidy Layering Guidelines

RESOLUTION TO ADOPT SUBSIDY LAYERING GUIDELINES FOR HOME PARTICIPATING JURISDICTIONS FOR CUMBERLAND COUNTY COMMUNITY DEVELOPMENT

WHEREAS, the Cumberland County Board of Commissioners is committed to the development of affordable housing and partnering with other governmental entities for such development; and

WHEREAS, the Cumberland County Board of Commissioners will not invest in any one project more HOME funds in combination with other governmental assistance than is necessary to provide affordable housing; and

WHEREAS, the Cumberland County Board of Commissioners certifies that prior to commitment of funds to a project, the HOME Participating Jurisdiction will evaluate the project in accordance with the guidelines

adopted herein for this purpose.

NOW, THEREFORE BE IT RESOLVED by the Cumberland County Board of Commissioners that the guidelines are adopted for the Cumberland County Community Development Affordable Housing Program (a copy of said guidelines may be found in the office of Community Development).

(2) Minority and Women Business Enterprises (M/WBE) Policy

BACKGROUND: Under Executive Orders of the National Affordable Housing Act, grantees must prescribe procedures acceptable to the Department of Housing and Urban Development for a minority outreach program to ensure the inclusion, to the maximum extent possible, of minorities and women, and entities owned by minorities and women, in all contracts. At a minimum, outreach efforts by the grantee must be: (1) a good faith, comprehensive and continuing endeavor; (2) supported by a statement of public policy and commitment published in the print media of widest local circulation; (3) supported by an office and/or key, ranking staff person with oversight responsibilities and access to the chief elected official; and (4) designed to utilize all available and appropriate public and private sector local resources. The Community Development Housing Services Division, will carry out these requirements.

ACTION: Approve the Policies and Procedures for Affirmative Contracting with Minority and Women Business Enterprises. A copy of this document is located in the Office of Community Development.

(H) Approval of Interlocal Agreements with the City of Fayetteville for Transportation Planning and Street Addressing

BACKGROUND: Currently, the County has an Interlocal Agreement with the City for Addressing and Transportation Planning. It is desirable that the two agreements be separated.

Changes include:

1. Change the month from June to September for the certified population numbers. The State of North Carolina provides the City and the County their certified population numbers in September of each year. By waiting to receive the numbers, it provides each

organization with the latest figures which is especially important to the County since the City's population may significantly increase on June 30 due to annexation.

2. The City shall pay the personnel and fringe benefit cost to the County based upon the percentage of the total population of the County that resides within the City for those positions that provide general service for addressing. The original agreement provided for the entire addressing section. The revised agreement allocates the City's cost with the services provided in a more equitable fashion.

3. The agreement for Transportation Planning is based upon the total cost for the transportation component of the County Planning Board. The city's cost is based upon the percentage of the population within the City as compared to the population of the County.

The revised agreements do not change the level of service or the cost of the service, but reflect more accurately the service that is provided and the payment for that service.

ACTION: Approve the Amendments to the Interlocal Agreements.

(I). Approval of Engineering Contract for Preliminary Feasibility Study - Multi-Purpose Reservoir Project.

BACKGROUND: Cumberland County has solicited qualification statements from engineering firms to perform a preliminary reservoir siting and feasibility study to identify and evaluate potential reservoir sites within and adjacent to the County. The Reservoir Task Force evaluated the qualification statements, held interviews and selected the firm of Hobbs, Upchurch & Associates for this assignment. The scope of services includes identifying and evaluating the topographic and hydrologic characteristics, environmental impacts and construction concerns of potential sites. A preliminary report will be prepared that will include detailed cost estimates for the most viable sites and a review of methods of project financing. The engineer will also assist the County with all appropriate grant application submittals. Compensation for services rendered will be on a time and material basis with a not to exceed amount of \$49,300.00, including reimbursable expenses. It is anticipated that one-half of the cost of this study will be funded by a state

grant administered by the NC Division of Water Resources. The local match will be funded jointly by the County and PWC. The County Attorney's Office has reviewed the agreement for legal sufficiency and has approved it subject to minor editorial revisions.

ACTION: Approve the form of the agreement with Hobbs, Upchurch & Associates in an amount not to exceed \$49,300, subject to such minor revisions as deemed necessary by the County Attorney's office.

(J) Approval for close out of the ADA Improvements Program

BACKGROUND: During FY94, a Capital Improvement Project Fund was established to account for mandatory improvements to County facilities to comply with the Americans with Disabilities Act. The current budget of \$596,437 is funded through a general fund transfer. To date, \$528,136.77 has been expended for this program. The County Engineer has recommended this fund be closed out as of June 30, 1999. All major ADA improvements are complete.

ACTION: Authorize the Finance Director to close out the Fund effective June 30, 1999 through the rollover of the FY2000 budget on July 1, 1999.

(K) Award of Bid for Mainframe Computer System Upgrade

BACKGROUND: The following bids were received:

| <u>Company</u> <u>less Refund</u> | <u>June Total Bid</u> | <u>July Total Bid</u> | <u>IBM EOG Ref.</u> | <u>Bid</u> |
|--------------------------------------|-----------------------|-----------------------|---------------------|------------|
| Cornerstone | | \$476,986.00 | \$45,723 | |
| \$431,263.00 | | | | |
| Mainline | \$438,100.00 | | 52,318 | |
| 385,782.00 | | | | |
| Real | 409,100.00 | 499,120.00 | 42,500 | |
| 366,600.00 | | | | |
| T3 Tech | | 439,525 | | |

ACTION: Award the bid to Real Computer Group in the amount of \$366,600.00. In order to receive this low price a purchase order must be

awarded and the equipment ordered with an installation date provided during the month of June. These prices will change in July due to IBM changes with the ESO program.

(L) Budget Revisions:

(1) Social Services

(a) Social Services Other: Increase in revenue/ expenditures in the amount of \$30,055 to budget receipt of Work First Transportation Reimbursement funds from the Department of Transportation (B99-806) Funding Source - State

(b) Social Services: Increase in revenue/expenditures in the net amount of \$4,030 to recognize grant funding from Cape Fear Valley Medical Foundation to provide supplemental funding for an existing Human Resources Coordinator position (\$4,199) and subsequent decrease in fund balance appropriated (\$169) (B99-708) Funding Source - Grant

(2) Mental Health: Increase in revenue/expenditures in the net amount of \$2,147 to budget additional fees received (\$4,770) and to decrease budgeted Thomas S Diversion revenue (\$2,623) to reconcile to the final State allocation (B99-799) Funding Source - Fees and State

(3) Health (School Health): Increase in revenue/expenditures in the amount of \$6,674 to budget additional fees earned for the acquisition of computer hardware and software for use by School Health Nurses (B99-804) Funding Source - Fees

(4) 1998 School Bond Projects: Revision in the amount of \$50,000 to budget additional capital project expenditures for the Morganton Road Elementary School addition (\$26,000) and the Beaver Dam Elementary School addition (\$24,000) and to approve the associated revised Capital Project Ordinances (B99-805) Funding Source - G.O. Bonds

(5) General Government Other: Revision in the amount of \$49,300 to fund a preliminary reservoir siting and feasibility study to identify and evaluate potential reservoir sites. Cost of the project is to be funded 50% NC Department of Water Resources, 25% PWC and 25% County (B99-808) Funding Source: Grant, PWC, and County

ACTION: Approve revisions

REGULAR AGENDA ITEMS

3. Nominations to Boards/Committees:

a. Board of Adjustment (2 vacancies)

BACKGROUND: The following vacancies exist on this Board:

H.B. Smith, Jr. Resigned. Replacement needed.

Clifton McNeill, Jr. Resigned. Replacement needed.

ACTION: Fill these vacancies from among the Alternate Members. Note: Alternate members can be filled from those persons who have submitted an application.

Nominees: Margaret Davis (moved from Alternate position)
Douglas Stephens (moved from Alternate position)

b. Nursing Home Advisory Board (1 vacancy)

BACKGROUND: Mr. Larry Chason has not attended any training sessions, and Mid Carolina Council of Governments is requesting he be replaced.

NOMINEE: Teresa Johnson

4. Appointments to Boards/Committees:

a. Work Force Development Board (8 vacancies)

Nominees (Private Sector): Select 5

Private Sector Nominees: Joel Allen, John Hagle, David McCune, Cynthia Curtis, Myrtle Edge, Barry Bullock

Employment Service Representative: Glenn McQueen

Community Based Organization Representative: William H. Hardy

Public Sector Representative: Richard Everett

Voting on Private Sector vacancies: Barry Bullock

Commissioner King

Myrtle Edge

Commissioners Blackwell, Tyson

Warren,

Bacote, Baggett, Melvin

Cynthia Curtis

Unanimous

David McCune Unanimous

John Hagle

Unanimous

Joel Allen

Unanimous

MOTION: Commissioner Melvin moved to appoint Mr. McQueen, Mr. Hardy & Mr.

Everett to their respective positions by acclamation.

SECOND: Commissioner King

VOTE: UNANIMOUS

5. Presentation on Work First Demonstration Project, FAST Route to Industrial Park

BACKGROUND: Jerome Brown, Fayetteville Area Transit System Director, makes the following report on FAST Route 20:

n transit service to the Industrial Park was implemented in November 1999;

n the purpose of this service was to provide access to jobs in the Industrial Park, the Town of Hope Mills and the City of Fayetteville;

n the project was funded for one year with anticipated funding in subsequent years;

n during the month of November, 358 riders used the service (the

ridership increased every month);
n ridership for May was 1,276.

Funding for the first year came from NCDOT State Maintenance Assistance, NCDOT Rural Demonstration Program, City of Fayetteville and the County of Cumberland. Funding for year two is unclear. Currently \$103,743 is anticipated from the NCDOT State Maintenance Assistance Program. The remaining balance of \$103,742 is unfunded. Mr. Brown indicated there would have to be a decision made by November 20 as to whether or not we are going to fund this program.

Commissioner Baggett asked if would be less expensive to use a van to transport citizens. Mr. Brown indicated it would not be less expensive, noting we would still have to pay for gas, maintenance, etc. Commissioner King said it is time to decide where we are going with the transportation program in the County. The federal and state funding is drying up and the County will have to determine if this is an issue we want to pursue.

In response to a question, Mr. Brown noted that if you look at the program from an economical standpoint, it is not profitable; however, if you look at it from a quality of life and employment standpoint, it is worth the effort.

Commissioner Blackwell noted this is a long-range planning issue. Commissioner King said this is one of the issues that can be raised by himself, Commissioner Baggett and Vice Chairman Melvin when they meet with three members of the City Council to discuss some issues that can be worked on through a joint effort of the two governing boards.

6. Consideration of approval of Change Order P-2 for Town and Country Plumbing, Cumberland County Community Corrections Center project

BACKGROUND: Change Order #2 in the amount of \$2,878.71 is for additional plumbing work on the project. The additional work includes the installation of a 2-inch backflow prevention device together with an above ground enclosure and water and waste lines for future lab equipment. This additional work was required for code compliance and to meet the needs of the building occupants. Sufficient money is available in the project contingency to fund this Change Order.

ACTION: Approve the Change Order for Town and Country Plumbing in the amount of \$2,878.71, revise the total contract amount to \$95,028.33 and approve associated budget revision (B99-807)

MOTION: Commissioner Warren moved to approve.

SECOND: Commissioner King

VOTE: UNANIMOUS

7. County Facilities Committee Report and Recommendations

(a) Proposed Recreation Center at the new Stoney Point Elementary School

BACKGROUND: On June 10, 1999, the County Facilities Committee received a report from the County Parks and Recreation Director regarding a proposed recreation center to be constructed in conjunction with the new Stoney Point Elementary School. This proposal will require the approval of the County Board of Education. The estimated cost of the center is \$600,000.

The Facilities Committee recommends moving forward with the project and building a complete recreation center if funds are available.

ACTION: Authorize the Parks and Recreation Department to move forward with the proposed recreation center contingent upon the availability of sufficient funds and the approval of the County Board of Education.

MOTION: Commissioner Blackwell moved to approve.

SECOND: Commissioner King

VOTE: UNANIMOUS

(b) Proposed Amendments to the Courthouse Smoking Court

BACKGROUND: The Facilities Committee met on June 10, 1999 and offers the following recommendation to the Board concerning this issue:

- n that the existing outside entrance to the Court be used for ingress and egress to the Smoking Court;
- n that the entrance to the Smoking Court through the Snack Bar be locked;
- n that security cameras be removed and utilized elsewhere;

n that picnic tables be moved to the outside area at relatively no additional cost to the County.

ACTION: Follow the recommendations of the Facilities Committee.

Commissioner Warren asked the Sheriff if he was satisfied with the recommendation of the Facilities Committee. The Sheriff indicated he was.

MOTION: Commissioner Blackwell moved to follow the recommendations of the Facilities Committee.

SECOND: Commissioner Melvin

DISCUSSION: Commissioner Bacote said he could not support the motion. He said he felt the smokers were being discriminated against, in that they will have to walk outside to get to the smoking area. Commissioner Baggett noted that if 20 people a day use the smoking court, it will cost the County \$7.00 per cigarette smoked. He said he thought that money could be better utilized by the Sheriff if he put the deputy working security in that area, on the road.

VOTE: FAVOR: Commissioners Blackwell, Melvin, Baggett, Warren, Tyson

OPPOSED: Commissioners Bacote and King

8. Consideration of the County Finance Committee Report and Recommendations:

(a) Proposed Procurement Card Program and related amendments to the County Purchasing Policy

BACKGROUND: A procurement card is a mechanism used by organizations to obtain small dollar, high volume goods and services and differs from a credit card in that many different levels of control exist with the procurement card. In addition, the full amount of the procurement card bill is due each month. A procurement card will reduce transaction costs, check writing volume, streamline purchasing and free staff time for other functions. Vendors will also enjoy the advantages of payment within 2 to 3 days as opposed to 30 to 60 days. It is recommended that the per transaction limit mirror the purchasing policy guidelines established for purchasing without a purchase order. Currently all purchases over \$250 must have a purchase order. However, because of the volume of the County's spending, the

Finance Director recommends that both the procurement card and purchase order limit be \$1,000. Proposals have been received from three financial institutions for the procurement cards. Each bank waived card fees for annual spending of \$2,000,000 or more. First Union and Bank of America proposed per card fees for programs under \$2,000,000. Wachovia proposed a \$3 maintenance fee regardless of the volume. Each bank also has a monitoring software as a part of the procurement program.

Amy Cannon, Finance Director, said we would enter into this program on a trial basis for six months to see how it works out.

ACTION (as recommended by the Finance Committee):

1. Authorize the Finance director to enter into a contract with Wachovia Bank for Procurement Card Services;
2. Approve associated changes to the Purchasing Policy.

MOTION: Commissioner King moved to follow the recommendation of the Finance

Committee and approve this program on a trial basis for six months, and

approve the associated changes to the Purchasing Policy.

SECOND: Commissioner Blackwell

DISCUSSION: Commissioner Blackwell noted he has some concerns as a result of the credit card problems with Fayetteville Partnership. However, he said he thought we had enough safeguards built in to make it difficult for people to abuse the system. He asked Ms. Cannon to monitor this new program closely.

VOTE: UNANIMOUS

(b) Proposed amendments to the County Fixed Asset Policy.

BACKGROUND: The current fixed asset policy requires that all equipment with a useful life that extends beyond one year and has an original unit cost of \$500 or more, must be identified and included in the fixed asset accounting system. In addition, improvements to real and personal property of \$1,000 or greater are also capitalized. Accounting for fixed assets of small dollar value is a very labor intensive process for the Finance Department. Due to the loss of a vacant Buyer position in the Purchasing

Division, it is necessary to make several operational and personnel adjustments to deal effectively with this reduction. The Finance Director recommends that the cost criteria for fixed asset capitalization be increased from \$500 to \$2,500 per unit cost and that the capitalizing of improvements also be raised, from \$1,000 to \$5,000. County Departments will be responsible for establishing and maintaining accountability procedures for equipment which is not capitalized.

ACTION: Approve the recommended increases in the fixed asset capitalization limits as noted above and as set out in the County Fixed Assets procedure.

MOTION: Commissioner Warren moved to approve.

SECOND: Commissioner King

VOTE: UNANIMOUS

9. Consideration of the County Personnel Committee Recommendation regarding a Proposed Feasibility Study of the Consolidation of Behavioral Health Care of Cape Fear Valley Health System services and Mental Health Center services

BACKGROUND: The County Finance Committee, on June 10, 1999, moved to recommend to the Board of Commissioners to study the feasibility of and encourage if at all possible the consolidation of Cumberland Hospital with or of working in conjunction with Cumberland County Mental Health..

MOTION: Commissioner Blackwell moved to approve the recommendation of the County

Finance Committee, as noted above.

SECOND: Commissioner Baggett

VOTE: **FAVOR:** Commissioners Baggett, Tyson, Melvin, Warren, Blackwell

OPPOSED: Commissioners Bacote and King

10. Consideration of Gun Show/Privilege License

BACKGROUND: Grainger Barrett, Senior Staff Attorney, noted that questions have been raised about individual vendor's compliance with the privilege license requirement, which was most recently enforced at the Gun Show at the Civic Center. Mr. Barrett noted vendors tend to think of this tax as a

"nuisance tax". It was also noted the Tax Administrator has indicated it is generally not cost-effective for his office to enforce the tax. In fact, it costs more to enforce it than what is actually collected. Mr. Barrett recommended the Board consider the following options:

- n repeal all county-enacted business privilege license taxes, or
- n retain most county-enacted business privilege license taxes but repeal the county-enacted bowie knife and pistol license taxes, or
- n retain all county-enacted business privilege taxes, but equalize the fee for the bowie knife and pistol licenses by reducing the knife license fee from \$200 to \$50, or
- n take no action and retain the current business privilege license structure.

Mr. Barrett told the Board that the County Policy Committee met on June 17 and recommends the repeal of all county-enacted business privilege license taxes.

MOTION: Commissioner King moved to repeal all county-enacted business privilege license taxes as recommended by the County Policy Committee.

SECOND: Commissioner Blackwell

VOTE: UNANIMOUS

11. CLOSED SESSION: Attorney Client discussions and Personnel Matters

MOTION: Commissioner King moved to go into Closed Session to discuss the above noted matter.

SECOND: Commissioner Blackwell

VOTE: UNANIMOUS

MOTION: Commissioner Warren moved to go back into Regular Session.

SECOND: Commissioner Tyson

VOTE: UNANIMOUS

APPOINTMENT OF COUNTY ATTORNEY

MOTION: **Commissioner Blackwell moved to appoint Grainger
Barrett, County Attorney
 for Cumberland County, effective July 1, 1999, at a
salary of \$80,000 a year.**
SECOND: **Commissioner Tyson**
VOTE: **UNANIMOUS**

MEETING ADJOURNED: 11:30PM

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