
Minutes
Cumberland County Board of Commissioners
April 3, 2000, 9:00 AM
Regular Meeting

PRESENT: Chairman Edward G. Melvin, Jr.
Vice Chairman J. Lee Warren, Jr.
Commissioner Talmage Baggett, Jr.
Commissioner Breeden Blackwell
Commissioner Billy R. King
Commissioner H. Mac Tyson II
Cliff Strassenburg, County Manager
James Martin, Deputy County Manager
Juanita Pilgrim, Assistant County Manager
Cliff Spiller, Assistant County Manager
Grainger Barrett, County Attorney
Marsha Fogle, Clerk to the Board

ABSENT: Commissioner Tom Bacote (due to illness)

INVOCATION: Commissioner Talmage Baggett
Rev. Ian T. Rankine, First
Presbyterian Church

PLEDGE OF ALLEGIANCE

RECOGNITION: County Retirees: George E.
McCormick, Sheriff's Office
Michael W. Whitley, Mental Health

Additions to the Agenda: Closed Session for Personnel Matter

MOTION: Commissioner Blackwell moved to add a Closed Session for a Personnel Matter to the Agenda.

SECOND: Commissioner King

VOTE: UNANIMOUS

1. PUBLIC HEARINGS

A. Minimum Housing Hearing (deferred by Board of Commissioners from their October 18, 1999 meeting). MH679-99 - Thomas J. Roberts, 4766 South Main Street, Hope Mills - PIN 0413-86-9608.

Affidavit of the Housing Inspector's Report:

I, Kim Reeves, Inspector for the County of Cumberland Inspection Department, acting in my official capacity, being duly sworn, depose and say:

BACKGROUND: That the following is a report on case number MH679-99

Property Owner: Thomas J. Roberts

Property Address: 4766 South Main Street, Hope Mills, NC (1973 Skyline 12x66 mobile home) VIN 0112494G

Tax Parcel ID Number: PIN 0413-86-9608

SYNOPSIS: This property was first inspected on April 22, 1999. This case was initially heard by This Board at the October 18, 1999, regular meeting. At that meeting, the Board adopted the orderOf the Housing Inspector as the true facts in this case and deferred action for six months until the April3, 2000 meeting to allow time for Mr. Roberts to bring the property up to Code. Upon myreinspection of the property on March 17, 2000, the septic tank has been installed; however, it isnot connected to the mobile home. Some siding has been installed to approximately one third of the exterior, and some sheet rock hung on interior walls and ceilings; however, none of the required permits have been obtained (Building, Electrical, Plumbing, Mechanical) and no inspections requested or conducted. None of the electrical wiring, plumbing or heating has been installed or repaired in the mobile home and no repairs have been made to the structural frame of the unit. The Tax Office has informed me that the mobile home was not listed for property taxes in 1999 or 2000.

Ms. Reeves indicated she could not gain access to the mobile home, noting she had tried to set up appointments to meet with Mr. Roberts, but he was out of town and cancelled the appointments.

Speakers:

1. Tom Roberts, owner. Mr. Roberts said he could not finish the project because the Minimum Housing Inspector would not let him, noting the Inspection Department requires him to provide a letter of structural integrity, which he says will cost him \$4,000. He said he was able to contact an architectural engineer who inspected the mobile home and said he could not find anything wrong. He blamed the County Inspection Department for keeping him from bringing the structure up to code. He said he did not think the people in the Inspection Department were qualified to do an inspection.

2. Clinton Harris - Mr. Harris asked the Board to give Mr. Roberts another year to fix the mobile home. He said it was secured and did not constitute a health or safety hazard.

Commissioner Blackwell noted that Mr. Roberts would not make the premises available for inspection a year ago when this case first came before the Board. He also noted that Mr. Roberts did not attend the hearing at the

Inspection Department. Commissioner Blackwell said he thought the County has been fair with Mr. Roberts.

In response to a question from Commissioner Warren, the Inspection Department noted the State Building Code requires certification from a third party confirming the structural integrity of the building. Commissioner Warren inquired as to why Mr. Roberts did not secure permits or list his property for the last two years. Mr. Roberts said it was just a matter of time before he got the permits. He said he left it up to someone else to list his property and he did not know it had not been listed.

Commissioner King asked Mr. Roberts how much money he has spent on rehabilitating the mobile home. Mr. Roberts said he has spent about \$6,000. He said he could not afford to put another \$4,000 in the property.

Commissioner Baggett told Mr. Roberts it was his responsibility to get the permits to rehabilitate the mobile home. He noted that Mr. Roberts is in the construction business and he surely knows what is required. Commissioner Baggett noted that the County Inspection Department is doing their job and Mr. Roberts is not doing his.

Chairman Melvin asked Mr. Roberts if the Board were to give him more time, would he fix up the mobile home? He said he would but would not spend another \$4,000 for an engineer to certify structural integrity.

Commissioner Tyson said he would like to find a way to help Mr. Roberts out and inquired why the letter concerning the need for certification of structural integrity was not given to Mr. Roberts until March 17, 2000. Ms. Deborah Simpson of the County Inspection Department said Mr. Roberts would have received that information when he came in to secure permits to do the work; however he has not been in to get his permits.

In response to a question from the County Attorney, Ms. Simpson noted she was a North Carolina certified Plumbing/Mechanical Systems/Electrical Inspector and she also serves on the NC Building Code Officials Qualification Board.

Commissioner King said he felt there was a lack of enthusiasm on Mr. Roberts part to finish the project.

MOTION: Commissioner King moved

To adopt the order and report of the Minimum Housing Inspector as the true facts in this case; and

To order the property owner to remove or demolish the dwelling within

thirty (30) days; and

To 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; and

To 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 Blackwell

VOTE: FAVOR: Commissioners Blackwell, Warren, Baggett, King

OPPOSED: Commissioners Melvin and Tyson

B. Consideration of the proposed FY01 Secondary Roads Improvement Program for Cumberland County

BACKGROUND: The purpose of the public hearing is to receive public comment on the proposed FY01 Secondary Roads Improvement Program for Cumberland County.

Mr. R.R. Stone, NCDOT, presented the Program to the Board of Commissioners as follows:

2000-2001 Secondary Road Construction Program
Cumberland County

Secondary Road Construction Program	\$	607,194
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Highway Trust fund Allocation		557,841
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Total Secondary road Construction Funds Available:\$ 1,165,035

<u>Maintenance Operations:</u>	\$	150,476
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Funds required to supplement secondary road maintenance operations to
Be used for: Stabilization of unpaved roads with stone or local materials;
Widening of paved secondary roads; Drainage Improvements: Safety
Projects

Secondary Construction	\$	69,822
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Highway Trust Fund	\$	80,654
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<u>Reserve for Contingencies:</u>		\$
202,559		

28	2024	Bogie Island Rd	2023	1002	3.26	Grade, Drain
525,000		280,000		245,000		
						Base, Pave
29	2256	Riddle Rd	2251	2257	0.80	Grade, Drain
104,000		0		70,000		
						Base, Pave

Notes:

1. See list of 16 roads with unattainable right of way on the Rural & Residential/Subdivision list.
2. Priority number 1-10 on the Rural List are frozen as required by General Statute 136-44.7. Currently 3F (SR 1720A) has r/w problems and will not be paved until the conflicts are resolved. All remaining roads on the frozen list are under construction or paved.

List of Roads with Unavailable Right of Way
1997-2000
Cumberland County

Rural Roads

<u>Priority</u>	<u>SR Number</u>	<u>Name</u>	<u>Length</u>
1	2227	Simmons Road	0.96
2	2232	Marsh Road	1.58
3	1610	Reeves	3.41
4	1821	Centerfield Circle	0.55
5	1856	Elva Wallace	0.82
6	2248	Canady Road	1.30
7	1818	Budd Geddie	0.14
8	1720B	None	1.50
9	1707	Carlos	1.90
10	1724	Cooper	1.00
11	2230	Jim Hair Road	0.25

Subdivision/Residential Roads

1	3080	McInnis Street	0.33
2	2006	Peteland Drive	0.30
3	2431	N Betty Street	0.17
4	2321	Womble Drive	0.42
5	2742	Quilliam Shaber	0.13

Number of Roads on List: 16
Total Length of Roads: 14.76

Total Length with 50/more ADT 14.76

SPEAKERS: Clinton Harris: Mr. Harris asserted that the issue of race influenced what roads would be paved.

Commissioner Warren noted that Bogie Island Road has been on the list and seems to get bumped each year. He asked if rights of way have been secured and what would happen if some people at the end of the road would not give a right of way. Mr. Stone noted that DOT likes to pave an entire road but would give some consideration to paving a portion of the road under special circumstances.

Commissioner King inquired about a dirt road off of Hwy 24 East that needs paving. Mr. Stone said he was familiar with the road, but has been unable to secure rights of way to pave the road.

Commissioner Baggett inquired as to how many miles of unpaved road are left in Cumberland County. Mr. Stone said approximately 30 miles. He projected all roads would be paved in Cumberland County by 2004.

In response to a question concerning whether or not the County could purchase rights of way in order to have a road paved, the County Attorney said counties do not have the authority to purchase rights of way, except for a county construction project. Unlike municipalities, counties are not in the "streets and highways" business.

Commissioner Warren noted that the NC DOT and the County does not determine paving priorities based on the color of one's skin, as suggested by Mr. Harris.

ACTION: Adopt the Program

MOTION: Commissioner Blackwell moved to approve the Secondary Road Construction Program for FY2001.

SECOND: Chairman Melvin

VOTE: UNANIMOUS

3. Consent Agenda

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

SECOND: Commissioner Tyson

VOTE: UNANIMOUS

A. Approval of Minutes: March 20, 2000

ACTION: Approve

B. Approval of Proclamations

ACTION: Adopt proclamations.

1. April 6, 2000, Guardian ad Litem Child Advocate Day in Cumberland County

PROCLAMATION

WHEREAS, the Guardian ad Litem/Court Appointed Special Advocate (GAL/CASA) programs have established a distinguished record of public service through their work to enhance the quality of life for children; and

WHEREAS, all one hundred counties in North Carolina have a GAL program; and

WHEREAS, GAL volunteers come from a variety of professional, educational and ethnic backgrounds and act as advocates for abused and neglected children in the complicated and often unfamiliar court and child welfare systems; and

WHEREAS, the court appoints GAL advocates to serve as officers of the court, helping to improve the quality of information presented to the court by acting as the court's eyes and ears in the child's life; and

WHEREAS, April 2000 has been proclaimed Child Abuse Prevention Month an observance that reflects the purpose of GAL/CASA programs, which is to protect and defend children from harm and ensure that abused and neglected children are provided with the court-ordered services they need.

NOW, THEREFORE, the Board of Commissioners of Cumberland County hereby proclaims April 6, 2000 "Guardian ad Litem Child Advocate Day" in Cumberland County and urges all citizens to join in this observance.

(2) April 2000 "Alcohol Awareness Month" in Cumberland County.

ACTION: Approve

PROCLAMATION

WHEREAS, about 5.1 million Americans between 12-20 are "binge" drinkers (consuming 5 or more drinks in a row on a single occasion) including 2.3 million heavy drinkers (consuming 5 or more drinks at the same occasion on at least 5 different days); and

WHEREAS, approximately 9% of the nation's 8th graders, 22% of 10th graders and 33% of 12th graders have been drunk during the last month; and

WHEREAS, use of alcohol and other drugs is associated with the leading causes of death and injury (e.g.; motor vehicle crashes, homicides, and suicides) among teenagers and young adults; and

WHEREAS, people who begin drinking before age 15 are 4 times more likely to develop alcoholism than those who begin at 21; and

WHEREAS, alcohol use is implicated in one to two-thirds of sexual assault and acquaintance or "date" rape cases among teenagers and college students; and

WHEREAS, the total cost of alcohol use by youth - including traffic crashes, violent crime, burns, drowning, suicide attempts, fetal alcohol syndrome, alcohol poisonings and treatment - is more than \$58 billion per year.

NOW, THEREFORE the Cumberland County Board of Commissioners hereby proclaims April 2000 "Alcohol Awareness Month in Cumberland County" and calls upon all citizens, parents, governmental agencies, public and private institutions, businesses, hospitals and schools in Cumberland County to support efforts that will prevent underage drinking throughout our community, particularly those that recognize and encourage youth who are free of alcohol and other drugs.

(3) Dedication of the "Cumberland County Fallen Firefighters and EMS Memorial" and to honor and remember those who have lost their lives in the performance of their duty.

WHEREAS, the Cumberland County Board of Commissioners on the occasion of this dedication of the Fallen Firefighters and EMS Memorial, wishes to recognize and pay tribute to those volunteers and career emergency personnel that have given the ultimate sacrifice for the citizens of Cumberland County; and

WHEREAS, the members of the fire departments and EMS agencies of Cumberland County and the municipalities therein daily play a heroic role in protecting the life and property of its citizens; and

WHEREAS, it is important that all citizens understand the problems, duties, sacrifices and responsibilities of their fire and EMS personnel and agencies, and the members of those agencies recognize their duty to protect the life and property of the citizens they serve; and

WHEREAS, the citizens of Cumberland County recognize and appreciate the contributions made to them by the men and women of the fire and EMS community.

NOW THEREFORE, the Cumberland County Board of Commissioners recognizes

the dedication of this

CUMBERLAND COUNTY
FALLEN FIREFIGHTERS AND EMS MEMORIAL

and urges the public to honor those fire and EMS personnel throughout Cumberland County and to remember those members of the fire and EMS community who lost their lives in the performance of duty.

**(4) April 9-15, 2000, National County Government Week in
Cumberland County**

WHEREAS, as we enter the new millennium, it is important to review our past as we look to the future; and

WHEREAS, county governments began as a response to the needs of early settlers in our country, tracing their roots to the Anglo-Saxon local government 1,000 year ago. Counties first appeared in colonial America, making them older than the Republic itself; and

WHEREAS, as our country grew westward, so too did the number of counties. The primary functions of county government during the 1800s and 1900s involved judicial, road, law enforcement and other responsibilities in which the county acted mainly as an arm of the state; and

WHEREAS, over the last century, the responsibilities of county governments have grown enormously. County governments employ more than two million people and spend billions of dollars providing services to the people of the United States; and

WHEREAS, counties, today, are an important link within the nation's governmental structure with duties ranging from public safety to preserving the environment. They run housing and community development programs. They maintain parks, airports and transit systems. They work to solve area-wide problems, such as air pollution, solid waste disposal and drug trafficking. And, when the sick, the aged or the poor have nowhere else to go, it is the county that cares for them; and

WHEREAS, counties realize that volunteers play a vital role in providing services to citizens and saving tax dollars and appreciate the work that volunteers do; and

WHEREAS, county governments truly support the nation's citizenry, serving as their voice in town squares, state houses, Congress and the White House. Counties are providing solutions to meet many of the most challenging needs and ensuring a high quality of life for all.

NOW, THEREFORE, the Cumberland County Board of Commissioners hereby proclaims the week of April 9-15, 2000 "National County Government Week in Cumberland County".

C. Approval of sole source procurement pursuant to NCGS 143-129 (f) for the upgrade to the Law Enforcement Center and Sheriff's Office Annex security systems

BACKGROUND: The Sheriff's office proposes to undertake a project to upgrade the security systems for the Law Enforcement Center and the Sheriff's Office Annex. This project will be funded through a combination of a grant from the Governor's Crime Commission, local matching funds and drug forfeiture monies. The total cost is estimated to be \$153,000. The funding was previously approved by the Board of Commissioners. The Sheriff is requesting authorization pursuant to NCGS 143-129(f) Sole Source Procurement, to purchase the components for the system upgrade from the same vendor that provided the equipment for the existing security systems in the LEC and Annex. The hardware and software for the upgrade must be completely compatible with the existing system to assure a fully integrated, seamless security system. The statute provides that formal bidding requirements do not apply when one or more of three conditions exist, one of which is when "standardization or compatibility is the overriding consideration". In this case of this upgrade, compatibility is essential.

ACTION: Authorize the purchase of components from AFA Southeast, Incorporated, in the total amount of \$138,581.71 and waive the formal bidding requirements pursuant to NCGS 143-129(f) on the basis that standardization and compatibility are the overriding considerations.

D. Report on formal bid awards for \$100,000 or less approved by management.

BACKGROUND: The County Purchasing Policy delegates authority to the County Manager to award formal bids for purchases of \$100,000 or less. Bids were received for sports equipment for the County Recreation and Parks Department (Attachment A to these Minutes)

Management awarded the bids as follows:

A.D. Starr	\$3,240
BSN Sports	\$1,936.88
Clarks	\$23,418.25
Earl Boykin	\$11,314.51

Note: This was part of a joint bid with the City of Fayetteville.

E. Sale of surplus county-owned real property acquired by tax foreclosure - 0.10 acre Reeves Land located in the Eastover Township

BACKGROUND: The County acquired this land by tax foreclosure in 1994. The amount owed on the judgment plus interest and cost is \$518.34. The appraised tax value for this parcel is \$179.00. Mr. James Campbell made an initial bid to purchase this property for \$518.00; no upset bids have been received.

ACTION: Accept Mr. Campbell's bid in the amount of \$518.00 and upon receipt of the balance of the purchase price authorize the Chairman to execute a deed to James and Jacqueline Campbell.

F. Approval of Cape Fear Valley Health System subleases.

BACKGROUND: Cape Fear Valley Health System has submitted two subleases for consideration:

1. An amendment to the sublease with Medical Arts Family Practice, P. A. for unit 202 in the Medical Arts Building (101 Robeson Street). This amendment adds 430 additional square feet for a total leased space of 4,236 square feet. The rate for the additional space is \$15 per square foot, (the same rate as provided in the base lease). The effective date of the amendment is February 1, 2000.

2. An amendment to the sublease with Fayetteville Neurological Clinic, P.A. for unit 307 in the Medical Arts Building (101 Robeson Street). This amendment reduces the amount of space leased by 346 square feet from 1,264 square feet to 918 square feet. The rate remains at \$12 per square foot. The effective date of the amendment is March 1, 2000.

ACTION: Approve

G. Declaration of surplus hospital equipment and authorization for disposition by intergovernmental transfer

BACKGROUND: The Hospital Board of Trustees declared the AECL Treatment Planning system surplus to their needs and authorized disposal through intergovernmental transfer to Pitt Community College School of Radiation.

ACTION: Concur with the Hospital's action.

H. Budget Revisions

ACTION: Approve

(1) **Sheriff:** Revisions in the amount of \$3,217 to reclassify two deputy positions (B00-587 & B00-597) Funding Source - County

(2) **Health:** Revision in the amount of \$17,306 to fund two new positions, a Computer Consultant II and a Deputy Health

Director for Clinical Services (B00-593) Funding Source - County

(3) Social Services

a. Medical Assistance Program: Revision in the amount of \$443,123 to recognize reduction in Federal funding of \$443,123 and to reappropriate funds to provide County match for mandated Medical Assistance Program (B009-519 & 519A) Funding Source - Federal and County

b. Adult Protective Service: Increase in revenue and expenditures in the amount of \$16,138 to recognize additional funding to establish a new Adult Protective Services position (B00-520) Funding Source - State

c. Child Welfare: Increase in revenue and expenditures in the amount of \$15,027 to recognize additional funding to establish a new Child Welfare Social Worker II recruiter position (B00-521) Funding Source - State

(4) 1998 School Bond Projects: Revision in the amount of \$795,000 to budget expenditures for computer hardware and books as approved by the Board of Education (B00-595) Funding Source - Bonds

(5) School C.O. Category I/Category II: Revision in the amount of \$515,000 to reallocate expenditures in school capital outlay to fund an increase in technology expenditures as approved by the Board of Education (B00-596) Funding Source - State

(6) Library

a. Smart Start - Read to Me: Revision in the amount of \$1,898 to reconcile the county budget to the state budget (B00-600) Funding Source - State and County

b. Motherread: Revision in the amount of \$282 to reconcile the county budget to the state budget (B00-601) Funding Source - State

(7) Finance: Revision in the amount of \$4,500 to appropriate fund balance to purchase equipment for previously approved new position (B00-603) Funding Source - County

(8) Civic Center: Revision to transfer \$275,000 between Civic Center Organization to fund additional operating expenditures (B00-604-604C) Funding Source - Food & Beverage

Tax

REGULAR AGENDA

3. Nominations to Boards/Commissions

A. Nursing Home Advisory Board (1 vacancy)

BACKGROUND: Ms. Mary Dillion was nominated to fill a vacancy on the Nursing Home Advisory Board. She has advised she will be unable to serve.

ACTION: Nominate to fill the vacancy.

Nominees: Commissioner Blackwell nominated Vera Fox.

B. Adult Care Home Community Advisory Committee (1 vacancy)

BACKGROUND: Mr. John E. Herndon, a member of this Committee, has failed to attend any of the meetings or participate in the required quarterly visits for over three quarters.

ACTION: Remove Mr. Herndon and make nominations to fill his vacancy.

Nominees: Commissioner Blackwell nominated Melissa E. Reed.

C. Equalization and Review Board (5 vacancies)

At-Large Positions: Thomas E. Jones - not eligible to serve again.
Steve Paris - not eligible to serve again.

Businessman Position: William E. Holland - eligible for reappointment.

Farmer Position: Joe Gillis - not eligible to serve again.

Home Builder Position: Marvin Allen: Does not wish to be reappointed.

Nominees:

At-Large Positions: (2 vacancies)

Commissioner King nominated Ike Collins.

Commissioner Blackwell nominated Frank Matthews & David Dauria,

Businessman Position: (1 position) Commissioner Warren nominated William E. Holland.

Farmer Position: (1 position): Commissioner Warren nominated Sherrill Jernigan.

Home Builder Position: (1 position): Billy King nominated Leslie Manns.

D. Board of Adjustment (1 vacancy)

BACKGROUND: Margaret Davis resigned her position on the Board of Adjustment. She was serving in a regular member position.

ACTION: Nominate to fill the vacancy. (Term will expire 6/30/2000).

Nominee for regular position: J. Norman Moore, Jr. (moved from alternate position).

Nominee for alternate position: Gary Lee Collier

4. Appointments to Boards/Committees

A. Mid Carolina EMS Advisory Council (1 vacancy)

Nominee: Harold Beverage

MOTION: Commissioner Blackwell moved to appoint Harold Beverage.

SECOND: Commissioner King

VOTE: UNANIMOUS

B. Community Health Care Council (3 vacancies)

Nominees: Colonel Ray Terrill
Jim Klemish
Ruhama Bond

Note: The Clerk advised the Board Mr. Kelmish was not eligible to serve as he is not a resident of Cumberland County.

Mr. Kenneth Plummer has been recommended by the Chamber of Commerce to represent the Chamber and the Plant Manager's Association, instead of Mr. Klemish.

MOTION: Commissioner King moved to appoint Colonel Ray Terrill, Kenneth Plummer and Ruhama Bond to the Health Care Council.

SECOND: Commissioner Blackwell

VOTE: UNANIMOUS

C. Adult Care Home Community Advisory Committee (1 vacancy)

Nominee: Theresa H. Raynor

MOTION: Commissioner Blackwell moved to appoint Theresa Raynor.
SECOND: Commissioner King
VOTE; UNANIMOUS

5. Presentation of the Downtown Steering Committee Report

Dr. Franklin Clark, Chairman of the Downtown Steering Committee reviewed the report of his committee with the Board of Commissioners.

The Steering Committee retained a team of professional consultants with downtown experience to come to Fayetteville, meet with the community, assess the current situation and provide recommendations as to the best methods for advancing downtown development. The consultants provided the Committee with a SWOT Analysis (Strengths, Weaknesses, Opportunities, Threats) based on their research and interviews.

Strengths of the Community:

- Present economic momentum
- Historic district
- Cultural facilities
- Marvin plan
- General understanding and interest in downtown development
- Willingness by governmental bodies to invest in downtown

Weaknesses related to downtown development included:

- Lack of community consensus when defining downtown area
- Storefront vacancies
- Defeatist attitudes among a limited number of citizens
- Security and panhandlers
- Adjacent low wealth neighborhoods
- Railroad crossings
- Lack of long-term corporate leaders
- Presence of certain disruptive local civic leadership

Opportunities that exist for development include:

Ongoing catalytic projects such as the PWC building, Airborne Museum, AIT project and Convention & Visitors Center proposal for the old train depot;

Community conditions such as an engaged African-American community, recent property ownership changes, available infill land, engaged institutions of higher education, prominent places of worship, concern for parking management and active NC Division of Community Assistance regional office.

Threats to continued development include:

Inequitable suburban subsidy
Fallout from previous organizations
Undefined roles of area economic development groups

Based on the findings of the consultants, the Steering Committee agreed that ***the focus of any downtown development initiative in Fayetteville should be primarily and consistently economic in nature.*** Dr. Clark also noted that "downtown revitalization is a journey, not an event".

The Steering Committee makes the following recommendations to the Board of Commissioners for consideration:

1. Form a new economic development organization to promote economic development in downtown Fayetteville.
2. The new organization shall be structured as a private-public non-profit 501.c.6 organization.
3. Downtown is defined as follows: the Airborne Museum on the West, County Courthouse on the East, new County Jail on the South and Cross Creek on the North and add the Murchison Road corridor to the Fayetteville State University campus.
4. The budget will initially be funded by the public sector. However the level of funding is below the level enjoyed by the previous organization. The City of Fayetteville will be asked to contribute \$150,000 and the County of Cumberland will be asked to contribute \$48,000.
5. The new organization will require a staff of an executive director and one staff. As economic development occurs, staff expansion to a third person may be appropriate.
6. The office will be located in the new PWC building on Hay Street in downtown Fayetteville.
7. The new organization will need a responsible and dedicated group to guide and direct the efforts of economic development. There shall be 25 voting members on this Board of directors plus 11 ex-officio non-voting directors.

The directors will be:

Keith Allison	System Office Automation
Graham Blanton	Quality Service Administrator
Clarence Briggs	Advanced Internet Technologies
Richard Bryant	Wendy's
Betsy Chapin	Cape Fear Regional Hospital Foundation

Jonathan Charleston	Attorney
Suzan Cheek	Methodist College
Billy Davidson	Chamber of Commerce
Charles Davis	FSU
Robbie Ferris	Schuller & Ferris Architect
Phil Harris, Jr.	First Citizens Bank
Rex Harris	International Develop & Domestic Corp.
Bill Hurley	NC House of Representatives
Anna Kirk	Airborne Museum
Don Latella	Unishippers Assoc.
Ron Matthews	Family Foods
Deborah Mintz	Fayetteville Arts Council
Hank Parfitt	Fayetteville Urology Associates
Mike Pleasant	Ready Mixed Concrete
Todd Smith	Smith Advertising
Dick Soffe	Soffe Manufacturing
Walter Sturdivant	WZFX, WVKS, WTEL
Lila Washington	Attorney
Al Wheatley	Bragg Lines
Lucas Wheeler	Holmes Electric Corp.
James Wilson	KMC Telecommunications

Ex-Officio Directors: (non-voting)

President of FAEDC
President of FCVB
President of Fayetteville Professional & Business League
President of Chamber of Commerce
President of Downtown Merchant & Property Owners Assn.
City Manager of Fayetteville
County Manager of Cumberland County
Commanding Officer of Fort Bragg
Commanding Officer of Pope Air force Base
President of FTCC
Chancellor of FSU
President of Methodist College

ACTION: Authorize county management to enter into negotiations with the Downtown Steering Committee along with the City Manager to develop a proposed service contract that would be coordinated with the City of Fayetteville.

MOTION: Commissioner Warren moved to authorize the County Manager to enter into negotiations with the Steering Committee and City Manager.

SECOND: Commissioner Blackwell

VOTE: UNANIMOUS

6. Consideration of amendments to the Fire Prevention Code Fee

Schedule

BACKGROUND: Ricky Strickland, Fire Marshal, recommends the Board approve the following amendments to the Fee Schedule:

1. Fees for fire protective signaling, detection or fire suppression system permits:
 - a. new installation, including plan review, approval, initial acceptance test and one reinspection - \$35.00
 - b. second & each additional reinspection acceptance test for new installations - \$35.00
 - c. fee for retrofits (alteration or addition) including plan review, approval, initial acceptance test and one reinspection - \$20.00
 - d. fee for second & each additional reinspection acceptance test for retrofits - \$20.00
2. Add civil citation for repeat violations of the Fire Prevention Code - 150% of the amount of the original citation.
3. Add fee for second & each additional reinspection for foster care homes, daycare homes, daycare centers, group homes, nursing homes and rest homes - \$35.00
4. Add fee for ABC Permit inspection - \$35.00
5. Delete fees for liquified natural gas and liquified petroleum gas inspections due to the transfer of responsibility to a state agency.

ACTION: Adopt amendments to the fee schedule as shown above.

Commissioner Warren cautioned that the County needs to keep in mind the effect these increases in fees have on businesses in our community. He said this is just another form of taxes. He said he was not in favor of putting on any additional fees for businesses to operate.

MOTION: Commissioner Warren moved to deny the request for amendments to the fee schedule.

SECOND: Chairman Melvin

DISCUSSION: In response to a question, the Fire Marshal indicated these fees are in line with what other counties are charging. He noted it takes an enormous amount of time and costs money to perform the inspections. In addition, some businesses that are not compliant require second visits. The Fire Marshal's office has three inspectors and one secretary. As the county grows there are more and more inspections to do. Commissioner King noted the Fire Marshal makes some argument for increasing the fees.

SUBSTITUTE

MOTION: Commissioner King moved to refer this item to the Policy Committee for review.

SECOND: Commissioner Baggett

DISCUSSION: Commissioner Tyson said he thought this issue should have been reviewed by a committee prior to coming to the full Board. Commissioner Blackwell noted he was in favor of the Policy Committee reviewing this issue.

VOTE: **FAVOR:** Commissioners King, Baggett, Blackwell

OPPOSED: Commissioners Tyson, Melvin & Warren

VOTE ON

ORIGINAL

MOTION: **FAVOR:** Commissioners Tyson, Melvin, Warren

OPPOSED: Commissioners Baggett, Blackwell, King

Failure of both motions to be adopted results in no action taken.

7. Consideration of an amendment to the Cumberland County Code, Section 10-48, Entrance at Minimum

BACKGROUND: This amendment will authorize the Manager to hire candidates for County employment up to the maximum of the salary ranged established for that position when there is a demonstrated inability to recruit at the minimum salary or if an applicant possesses exceptional qualifications or prior experience. The amendment requires the Manager to report any action hiring a candidate at more than 20% above the minimum range to the next meeting of the Personnel Committee.

ACTION: Adopt Resolution amending the Code.

RESOLUTION

AMENDING CUMBERLAND COUNTY CODE SECTION 10-48

WHEREAS, the Board of Commissioners has previously adopted a Personnel Code for County employees which is codified as Chapter 10 of the Cumberland County Code; and

WHEREAS, the Board of Commissioners has been aware that the market for talented employees is and has been extremely competitive and that Cumberland County's ability to attract highly qualified individuals has been adversely affected; and

WHEREAS, the Board of Commissioners believes that it will be in the best interest of Cumberland County in attracting highly qualified individuals to amend Section 10-48 of the Cumberland County Code to afford the County Manager discretion in individual cases to respond to job market conditions, and that such an amendment would be preferable to a recurring series of ad

hoc reviews and reclassifications of specific position classifications;

NOW, THEREFORE, BE IT RESOLVED by the Cumberland County Board of Commissioners that it amends Section 10-48(s) of the Cumberland County Code to read in its entirety as follows:

"When the county manager shall determine that there has been a demonstrated inability to recruit at the minimum salary, or if an applicant possesses exceptional qualifications or prior experience, the county manager may authorize the employment of the applicant at a salary level up to and including the maximum of the salary range provided for that position classification, subject to the availability of appropriated salary and benefit funds. The county manager shall report each action hiring an applicant at a salary level exceeding twenty percent (20%) above the minimum of the salary range for such classification to the next meeting of the Board of Commissioners' Personnel Committee."

MOTION: Commissioner Baggett moved to approve.

SECOND: Commissioner King

VOTE: UNANIMOUS

8. Consideration of transfer of Franchise Agreement and Ordinance

BACKGROUND: The Board of Commissioners approved a Franchise Ordinance and Franchise Agreement for Sessoms Properties, Inc., to provide food services at the new DSS building. Mr. Sessoms now advises he will be unable to fulfill the terms of the agreement due to family and personal reasons. He requests a transfer of the Ordinance and Agreement to Mr. Bob Biddix, who owns and operates the Dogwood Delis on Eastern Boulevard and Owen Drive. He has agreed to provide food services at the new DSS building pursuant to the terms of the Franchise Agreement. The County's Purchasing Agent advises that Mr. Biddix appears qualified to carry out the franchise.

ACTION: Approve the transfer to Mr. Biddix.

MOTION: Commissioner Baggett moved to approve.

SECOND: Commissioner Blackwell

VOTE: UNANIMOUS

9. Discussion regarding the 2001 NCACC Annual Conference to be held in Cumberland County

BACKGROUND: Cumberland County will host the NC Association of County Commissioners Conference in August, 2001. An Executive Committee has been formed made up of staff (James Martin, Rhonda Raynor, Paul Gerherd, representative from the Convention & Visitors Bureau, and Marsha Fogle). In addition to these people, it would be good to have two county commissioners serving on this Executive Committee. This Committee will oversee every aspect of the conference as it pertains to our county responsibilities to

include transportation, raising money, etc. In addition, the Executive Committee will appoint some working committees to assist in preparation for the conference.

ACTION: Appoint two commissioners to serve on the Committee.

Commissioners Billy King and Breeden Blackwell volunteered to serve.

10. Closed Session - Personnel Matter

MOTION: Commissioner Blackwell moved to go into Closed Session to discuss a Personnel Matter.

SECOND: Commissioner King

VOTE: UNANIMOUS

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

SECOND: Commissioner Blackwell

VOTE: UNANIMOUS

MEETING ADJOURNED: 11:30AM

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