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to the Board of Commissioners for the 1999 Merit Award from the American Institute of Architects of North Carolina Design Awards for the North Regional Branch Library.

CHANGES TO THE AGENDA: The Clerk requests that Item 3F be deleted from this agenda, as some additional information was sent to her after the agenda was prepared that will affect this item.

1. CONSENT AGENDA

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

SECOND: Commissioner Blackwell

VOTE: UNANIMOUS

A. Approval of Minutes: January 3, 2000

ACTION: Approve

B. Approval of a Resolution commending Mr. Marc Joseph for Distinguished Service as Chairman of the Cumberland County Animal Control Board.

ACTION: Adopt Resolution

RESOLUTION

WHEREAS, the Cumberland County Board of Commissioners established the Cumberland County Animal Control Board in January, 1999; and

WHEREAS, the duties of the Animal Control Board include providing advice and information to the Animal Control Department; upon coordination with the Animal Control Director, making recommendations to the Board of Commissioners for the betterment of the County's animal control program; and, in conjunction with the Animal Control Department and the County's Public Information Director, providing for a program of public education, information and outreach concerning responsible pet ownership, animal cruelty and the County's animal control program; and

WHEREAS, the Board of Commissioners appointed Mr. Marc Joseph as one of the five initial members of the Animal Control Board and he was

elected Chairperson by those members; and

WHEREAS, Mr. Joseph served with great distinction as Chairperson of the Animal Control Board until his resignation in December, 1999 to accept employment out-of-state; and

WHEREAS, as its initial Chairperson Mr. Joseph's efforts greatly contributed towards immediately establishing the new Animal Control Board as an effective advisory board of Cumberland County government and to the Board of Commissioners; and

WHEREAS, Mr. Joseph's personal contributions enhanced the credibility and respect of the Animal Control Board and the Cumberland County Animal Control Department in the community; and

WHEREAS, Mr. Joseph's established highly effective relationships with the Board of Commissioners, the Animal Control Department, other animal shelters, animal welfare groups, veterinarians, interested citizens, the public at large and the media; and

WHEREAS, as Chairperson, Mr. Joseph earned a well-deserved reputation for hard work, extensive outreach and communication with stakeholders and constituencies, dialogue and progressive, forward-looking vision; and

WHEREAS, through his contributions Mr. Joseph has helped form a vision of a community-oriented, citizen-responsive County animal control program for the community;

WHEREAS, Mr. Joseph's services will be greatly missed by Cumberland County and all those in the community who care for our animal population;

NOW, THEREFORE, the Cumberland County Board of Commissioners commends Mr. Joseph for his service and accomplishments as initial Chairman of the Animal Control Board and wishes him the very best of good fortune in all his future endeavors.

C. Report on destruction of office records:

(1) Board of Commissioners

The County Manager has approved destruction of the following records, as authorized by a Resolution adopted by the Board of Commissioners on February 4, 1995:

Facilities Committee Packets:	1991-95
Finance Committee Packets:	1991-95
Personnel Committee Packets:	1992-95
Policy Committee Packets:	1991-95
City County Liaison Packets:	1990-94

ACTION: Record report in the Board's official minutes.

(2) Inspection Department

The County Manager has approved destruction of the following records, as authorized by a Resolution adopted by the Board of Commissioners on February 4, 1995:

All Files Dated Prior to January 1, 1993:

- Permit Files
- Minimum Housing & Junk Vehicle files
- Monthly Reports
- Correspondence/Memorandums

ACTION: Record report in the Board's official minutes.

D. Report on the disposal of Surplus Property pursuant to NCGS 160A-266(a).

BACKGROUND: This is a report on the disposal of Surplus 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.

ACTION: Record report in minutes (Attachment A to these Minutes)

E. Approval of Optional Coverage Relocation Plan

Amendment – State Acquisition and Relocation Fund (SARF) for Blairwood Drive Hazard Mitigation Grant Project.

BACKGROUND: Cumberland County was recently awarded \$18,750 in State Acquisition and Relocation Funds to assist with the Blairwood Drive Hazard Mitigation Grant Project. These funds will be used to assist property owners displaced through voluntary acquisition of their properties on Blairwood Drive. A condition for disbursement of the funds is the adoption of an optional coverage plan by the Board of Commissioners that outlines how benefits will be calculated. The assistance offered to the property owners is outlined as follows:

Relocation assistance in the form of moving expenses: Fixed at \$2,580 based on a three bedroom furnished home and a local move of 25 miles or less;

Acquisition assistance in the amount equal to the difference, not to exceed \$1,420, between the fair market value and the maximum allowable purchase price based on Hazard Mitigation Grant Program regulations;

Total amount of funds offered to each property owner shall not exceed \$5,000. (The balance of funds will be used to offset administrative costs)

ACTION: Adopt the amended Optional Coverage Relocation Plan for Cumberland County that incorporates the provisions required by the State Acquisition & Relocation Fund Program.

F. Approval of the sale of surplus county-owned real property acquired by tax foreclosure – Lots 116 & 117 Fairview, located in Cross Creek Township.

BACKGROUND: In 1999, the County acquired said property by tax foreclosure. The amount owed on the foreclosed judgment plus interest and cost is \$3,056.06. The appraised value for this parcel is \$2,500. This property has previously been declared surplus to the needs of the County. Mr. Joe M. McLaughlin made an initial bid to purchase this property for \$1,600. No upset bids have been received.

ACTION: Accept Mr. McLaughlin's bid and upon receipt of the balance of the purchase price execute a deed to him.

G. Accept the Report of Delinquent Taxes for Year 1999 that are liens on real estate and order the Tax Collector to advertise the tax liens.

BACKGROUND: In accordance with NCGS 105-369, the Tax Administrator is reporting the unpaid taxes for the current fiscal year that are liens on real property.

ACTION: Accept the report of the delinquent taxes that are a lien on real estate and order the Tax Collector to advertise the liens in a newspaper of local circulation during March 2000.

H. Approval of Bond Order authorizing the sale of \$29,945,000 General Obligation Bonds for the purpose of financing school facilities.

BACKGROUND: The Bond Order would authorize the issuance of \$29,945,000.00 of the County's General Obligation Bonds for the purpose of financing school facilities. These bonds will be backed by the full faith and credit of the County. The proceeds, together with other available funds of the school system will finance a new high school. The bonds are expected to be sold by the NC Local Government Commission on February 15, 2000. The bond Order sets a maximum interest rate of 7%. The school system currently anticipates that the final \$14,875,000.00 installment of the \$98 million in school bonds approved by the voters in 1997 will be issued July, 2001.

ACTION: Adopt the Bond Order.

RESOLUTION AUTHORIZING THE ISSUANCE AND SALE OF GENERAL OBLIGATION SCHOOL BONDS, SERIES 2000 OF THE COUNTY OF CUMBERLAND, PURSUANT TO A BOND ORDER HERETOFORE APPROVED AND PROVIDING FOR THE FORM, DETAILS AND PAYMENT THEREOF

WHEREAS, the Bond Order hereinafter described was authorized and adopted by the board of Commissioners of the County of Cumberland (the "Board") on July 21, 1997, and approved by the voters on October 7, 1997; and

WHEREAS, the Board desires to provide for the issuance of general obligation school bonds to finance the costs of school facilities pursuant to such Bond Order; and

WHEREAS, under North Carolina law, such bonds are to be sold at public sale by the North Carolina Local Government Commission (the "LGC") after circulation of an official statement with respect to such bonds which describes the terms thereof and the security therefor, including information

concerning the County and its financial resources, and the Board has been provided a draft of such official statement;

NOW, THEREFORE, the Board of Commissioners of the County of Cumberland, meeting in regular session at Fayetteville, North Carolina on February 7, 2000, does the following:

BE IT RESOLVED BY THE BOARD OF COMMISSIONERS FOR THE COUNTY OF CUMBERLAND:

1. The County shall issue its general obligation school bonds in an aggregate principal amount of \$29,945,000 (the "Bonds"), pursuant to and in accordance with the Bond Order Entitled:

**BOND AUTHORIZING THE ISSUANCE OF GENERAL OBLIGATION BONDS
OF THE COUNTY OF CUMBERLAND IN THE MAXIMUM AGGREGATE PRINCIPAL
AMOUNT OF \$98,000,000 FOR THE PURPOSE OF
FINANCING SCHOOL FACILITIES**

2. The Bonds shall be designated "General Obligation School Bonds, Series 2000" and shall be dated March 1, 2000. The Bonds shall mature in annual installments on March 1 in the years and amounts as shall be determined by the County Finance Director, the County Manager and the LGC, as hereafter defined. Each Bond shall bear interest at such rate as shall be determined by the County Manager and the LGC at the time of sale, provided no interest rate on any Bond shall exceed seven percent (7%) payable on September 1, 2000, and semiannually thereafter on each March 1 and September 1.

Initially, one bond certificate for each maturity of each series of the bonds will be issued to The Depository Trust Company, New York, New York ("DTC"), and immobilized in its custody. So long as DTC is securities depository for the Bonds, a book-entry system will be employed, evidencing ownership of the Bonds in principal amounts of \$5,000 or multiples thereof, with transfers of ownership effected on the records of DTC and its participants pursuant to rules and procedures established by DTC and its participants. Interest on the Bonds will be payable to DTC or its nominee as registered owner of the Bonds. Transfer of principal and interest payments to

participants of DTC will be the responsibility of DTC; transfer of principal and interest payments to beneficial owners by participants of DTC will be the responsibility of such participants and other nominees of beneficial owners. The County will not be responsible or liable for maintaining, supervising or reviewing the records maintained by DTC, its participants or persons acting through such participants.

In the event that (a) DTC determines not to continue to act as securities depository for the Bonds or (b) the County Manager determines that continuation of the book-entry system of evidence and transfer of ownership of the Bonds would adversely affect the interests of the beneficial owners of the Bonds, the County will discontinue the book-entry system with DTC. If the County fails to identify another qualified securities depository to replace DTC, the County will authenticate and deliver replacement Bonds in the form of fully registered certificates, and registration of transfer of the Bonds will be permitted as described in paragraph 7.

3. The Bonds maturing prior to March 1, 2011, will not be subject to redemption prior to maturity. The bonds maturing on or after March 1, 2011, will be subject to redemption prior to maturity, at the option of the County, from any moneys that may be made available for such purpose, either in whole or in part (in multiples of \$5,000 of principal amount) on any date not earlier than March 1, 2010, at the principal amount of the Bonds to be redeemed together with interest accrued thereon to the date fixed for redemption, plus a redemption premium of $\frac{1}{2}$ of 1% of the principal amount of each Bond to be redeemed for each period of twelve months or part thereof between the redemption date and the maturity date of such Bond to be redeemed, such premium not to exceed 2% of such principal amount. If less than all of the bonds of any one maturity shall be called for redemption, the particular Bonds or portions of Bonds to be redeemed shall be selected by lot by the County in such a manner as the County may determine, provided that DTC and its participants shall determine which Bonds within a maturity are to be redeemed so long as a book-entry system with DTC is continued.

Notice of redemption shall be given by facsimile transmission,

registered or certified mail or overnight express delivery to DTC or its nominee as the registered owner of the Bonds. Such notice shall be sent or mailed not more than 60 nor less than 30 days prior to the date fixed for redemption. The County will not be responsible for sending or mailing notices of redemption to anyone other than DTC or its nominee unless no qualified securities depository is the registered owner of the Bonds. If no qualified securities depository is the registered owner of the Bonds, notice of redemption will be sent or mailed to the registered owners not less than 30 days prior to the date fixed for redemption.

4. The Bonds shall be signed by the manual or facsimile signature of the Chairman of the Board of Commissioners of the County, shall be countersigned by the manual or facsimile signature of the Clerk to the Board and a manual or facsimile of the County's seal shall be printed or affixed thereon. No Bond shall be valid until it has been endorsed by the manual or facsimile signature of an authorized representative of the LGC.

5. The Bonds shall be in substantially the following form, the terms and requirements of which are incorporated herein by reference:

SEE ATTACHMENT B TO THESE MINUTES

6. The full faith and credit and taxing power of the County are hereby irrevocably pledged for the payment of principal of and interest on the Bonds. Unless other funds are lawfully available and appropriated for timely payment of the Bonds, the Board shall levy and collect taxes and raise other revenues for payment of the principal of and interest on the Bonds, as the same become due and payable.

7. The County shall maintain registration books for the registration of Bonds. If no qualified securities depository is the registered owner of the Bonds, upon surrender of any Bonds at the office of the County, together with an assignment duly executed by the registered owner or his duly authorized attorney or legal representative in such form as shall be satisfactory to the County, the County shall execute and shall authenticate and deliver in

exchange, a new Bond or Bonds having an equal aggregate principal amount, in authorized denominations, of the same form and maturity, bearing interest at the same rate, and registered in names as requested by the then registered owner or his duly authorized attorney or legal representative. Any such exchange shall be at the expense of the County, except that the County may charge the person requesting such exchange the amount of any tax or other governmental charge required to be paid with respect thereto.

The County shall treat the registered owner as the person exclusively entitled to payment of principal and interest and the exercise of all other rights and powers of the owner, except that interest payments shall be made to the person shown as owner on the registration books on the fifteenth day of the month preceding each interest payment date.

8. The LGC is hereby requested to sell said General Obligation School Bonds, Series 2000 by public sale on February 15, 2000, pursuant to an Official Statement in substantially the form of the draft presented to the Board.

9. The Board covenants on behalf of the County that so long as any of the installments of principal and interest on the Bonds are outstanding and unpaid, the County shall not take or omit to take any action the taking or omission of which will cause the Bonds to be "arbitrage bonds" within the meaning of Section 148 of the Internal Revenue Code of 1986, as amended (the "Code"), or otherwise cause interest on the Bonds to be includable in the gross income of the holders thereof.

10. The Board hereby covenants that it will not permit the gross proceeds of the Bonds to be used in any manner that would result in either (a) 5% or more of such proceeds being considered as having been used directly or indirectly in any trade or business carried on by any person other than a governmental unit as provided in Section 141(b) of the Code, (b) 5% of such proceeds being used with respect to any "output facility" (other than a facility for the furnishing of water), within the meaning of Section 141(b)(4) of the Code, or (c) 5% or more of such proceeds being

considered as having been used directly or indirectly to make or finance loans to any person other than a governmental unit as provided in Section 141(c) of the Code; provided, however, that if the Board receives an opinion of the bond counsel acceptable to the LGC that any such restriction is not required to prevent the interest on the Bonds from being includable in the gross income of the registered owners thereof under existing statutes, the Board need not comply with such restriction.

11. The County hereby undertakes, for the benefit of the beneficial owners of the Bonds, to provide:

(a) by not later than seven months from the end of each fiscal year of the County, to each nationally recognized municipal securities information repository ("NRMSIR") and to the state information depository for the State of North Carolina ("SID), if any, audited financial statements of the County for such fiscal year, if available, prepared in accordance with Section 159-34 of the General Statutes of North Carolina, as it may be amended from time to time, or any successor statute, or, if such audited financial statements of the County are not available by seven months from the end of the fiscal year, unaudited financial statements of the County for such fiscal year to be replaced subsequently by audited financial statements of the County to be delivered within 15 days after such audited financial statements become available for distribution;

(b) by not later than seven months from the end of each fiscal year of the County, to each NRMSIR, and to the SID, if any (i) the financial and statistical data as of a date not earlier than the end of the preceding fiscal year for the type of information included under heading "The County – Debt Information and Tax Information" in the Official Statement relating to the Bonds (excluding any information on overlapping or underlying units) and (ii) the combined budget of the County for the current fiscal year, to the extent such items are not included in the audited financial statements referred to in (a) above;

(c) in a timely manner, to each NRMSIR or to the Municipal Securities Rulemaking Board ("MSRB"), and to the SID, if any, notice of any of the following events with respect to the Bonds, if material:

- (1) principal & interest payment delinquencies;
- (2) non-payment related defaults;
- (3) unscheduled draws on debt service reserve reflecting financial difficulties;
- (4) unscheduled draws on any credit enhancements reflecting financial difficulties;
- (5) substitution of any credit or liquidity providers, or their failure to perform;
- (6) adverse tax opinions or events affecting the tax-exempt status of the Bonds;
- (7) modification to the rights of the beneficial owners of the Bonds;
- (8) call of any of the Bonds for redemption;
- (9) defeasance of any of the Bonds;
- (10) release, substitution or sale of any property securing repayment of the Bonds; or
- (11) rating changes.

(d) in a timely manner, to each NRMSIR or to the MSRB, and to the SID, if any, notice of a failure of the County to provide required annual financial information described in (a) or (b) on or before the date specified.

For purposes of this paragraph, "provide" shall mean to initiate delivery by facsimile transmission, registered or certified mail or overnight express.

If the County fails to comply with the undertaking described above, any beneficial owner of the Bonds may take action to protect and enforce the rights of all beneficial owners with respect to such undertaking, including an action for specific performance; provided, however, that failure to comply with such undertaking shall not be an event of default and shall not result in any acceleration of payment of the Bonds. All actions shall be instituted, had and maintained in the manner provided in this paragraph for the benefit of all beneficial owners of the Bonds.

The County reserves the right to modify from time to time the information to be provided to the extent necessary or appropriate in the judgment of the County; provided that:

- (a) any such modification may only be made in connection with a change in circumstances that arises from a change in legal requirements, change in law or change in the identity, nature or status of the County;
- (b) the information to be provided, as modified, would have complied with the requirements of rule 15c2-12 issued under the Securities Exchange Act of 1934 ("Rule 15c2-12") as of the date of the Official Statement relating to the Bonds, after taking into account any amendments or interpretations of rule 15c2-12, as well as any changes in circumstances; and
- (c) any such modification does not materially impair the interests of the beneficial owners, as determined either by parties unaffiliated with the County (such as bond counsel), or by the approving vote of the registered owners of a majority in principal amount of the Bonds pursuant to the terms of this resolution, as it may be amended from time to time, at the time of the amendment.

Any annual financial information containing modified operating data or financial information shall explain, in narrative form, the reasons for the modification and the impact of the change in the type of operating data or financial information being provided.

The provisions of this paragraph shall terminate upon payment, or provision having been made for payment in a manner consistent with rule 15c2-12, in full of the principal of and interest on all of the Bonds.

12. The Chairman and the Clerk are hereby authorized and directed to take all proper steps to have the Bonds prepared and, when they shall have been duly sold by the LGC, to execute the Bonds and to deliver the Bonds to the State Treasurer of North Carolina for delivery to the purchasers thereof.

13. All other actions of officers of the County in conformity with the purposes and intent of this resolution and in furtherance of the

issuance of the Bonds are hereby approved and confirmed.

14. Such officers of the County as may be requested are hereby authorized and directed to execute appropriate closing papers including a certificate setting forth the expected use and investment proceeds of the Bonds in order to show that such expected use and investment will not violate the provisions of Section 148 of the code and regulations issued pursuant thereto, applicable to "arbitrage bonds." Such papers and certificates shall be in such form as may be requested by bond counsel for the County.

15. This resolution, in particular paragraphs 2,3,5,&7 hereof, constitutes a system of registration for the Bonds pursuant to NCGS 159E-4.

16. All resolutions or parts of resolutions in conflict herewith are hereby repealed.

17. This resolution shall take effect immediately.

I. Approval of Bid Awards:

(1) Installation of sports lighting at Lake Rim Park

BACKGROUND: On October 27, 1995, the County entered into a contract with the Rose Group to provide engineering and design services for sports field improvements. The contract was amended on July 27, 1998, to include engineering and design services for sports light improvements on facility elements at Lake Rim Park. Bids were received on January 13, 2000 for installing lights on 3 athletic fields, tennis courts, volleyball courts and a parking lot at Lake Rim Park as follows:

Walter Holmes Elec., Inc.

Skan Electric

	<u>Bid Amount</u>	<u>Bid</u>
<u>Amount</u>		
Lg. Multi-purpose Field Lighting	91,360	118,000
Sm. Youth Field Lighting		33,967
26,000		
Tennis Courts		23,458

33,000		
Volleyball Courts	13,430	
14,300		
Parking Facility	6,876	8,500
Sm. Multi-Purpose field	25,347	
38,000		
Total Base Bid:	\$198,438	\$237,800

ACTION: Award the bid to Walter Holmes Electric in the amount of \$194,438.00 and approve associated budget revision (B00-474).

(2) Roof replacement for the Old DSS Building

BACKGROUND: Bids were received on January 20, 2000 for replacement of the roof system at the Old DSS Building on Maiden Lane in Fayetteville as follows:

AAR of North Carolina

\$159,950

Hamlin Roofing Company

\$176,195

Sunbelt Roofing Service

\$199,149

T.R. Driscoll, Inc.

\$164,000

ACTION: Award the bid to AAR of North Carolina in the amount of \$167,948 which includes a 5% in-contract contingency.

J. Approval of a Resolution in Support of Land, Water and Conservation Fund.

BACKGROUND: Cumberland County has been implementing its 10 Year Recreation Service Plan since FY96. Many improvements have been made with many more to come. A major obstacle that can keep the improvement from becoming reality is the financial limitation within a community. For several years a national initiative has been in motion to encourage congress to pass legislation to restore permanent and full funding to the Land, Water and Conservation Program which would include stateside assistance. The

revenue source for this program has been diverted strictly to US Government uses. House Bill 701 would reverse that trend but it will take unified national support. Arnette Park is our best example of how the old LWCF program impacted Cumberland. Without that funding, Arnette Park would probably not exist today. North Carolina's share of a fully funded LWCF program would total about 12 million dollars. The State would disperse the funds to local governments through an application process requiring a 50 percent match. This program would greatly enhance our ability to reach our goals particularly in the area of purchasing four tracts of land needed to meet our plan's objective of six regional or district parks. (Two of the six park sites have been acquired). Passage of House Bill 701 could mean the difference in meeting our goals.

ACITON: Adopt a resolution supporting funding for the Land, Water and Conservation Program.

RESOLUTION IN SUPPORT OF FUNDING THE LAND AND WATER CONSERVATION PROGRAM

WHEREAS, for over 30 years, the Land and Water Conservation Fund was a legacy left behind by the Outdoor Recreation Review commission of the Federal Government to assist in funding, specifically for the purpose of acquiring and developing natural resources that would provide recreational opportunities and preservation of open space for future generations; and

WHEREAS, Land and Water Conservation Funds were generated from revenue produced from the sale of the country's natural resources, specifically off-shore drilling rights; and

WHEREAS, the need to preserve open spaces and develop and maintain national, state, and local parks and recreational facilities becomes more critical each year due to the demands placed on such facilities by ever increasing populations; and

WHEREAS, during the last sessions of Congress, both the House and the Senate introduced Bills which would reinstate funding for the Land and Water Conservation Fund or similar programs; and

WHEREAS, the County of Cumberland has identified over 12 million dollars of needed improvements for parks and recreational facilities, including renovation to existing facilities, development of new facilities, development of greenways and protection and acquisition of open space, with funding for these projects limited from local sources; and

WHEREAS, reinstatement of funding to the Land and Water

Conservation fund or similar programs would greatly benefit the County of Cumberland as it develops and renovated recreation facilities for future generations.

NOW, THEREFORE BE IT RESOLVED by the Cumberland County Board of Commissioners that:

1. The County of Cumberland urges members of the House of Representatives and Senate of the US Congress to support reinstating the funding for the Land and Water Conservation Fund or similar programs which would greatly benefit both state and local governments as they strive to meet the needs of recreational services for their citizens.
2. A copy of this resolution shall be sent to the Representatives of the 7th and 8th Congressional Districts and to both Senators representing the State of North Carolina.

K. Approval of Brower Park Use and Operating Agreement with the Town of Hope Mills.

BACKGROUND: Cumberland County Parks and Recreation has been using Brower Park in Hope Mills to conduct its youth sports program for the past 25 years. It needs repair and in 1998 the Hope Mills Youth Association, one of the County's many volunteer partners, requested assistance in renovating the facility. The Recreation Advisory Board reviewed the proposal and recommended the park be renovated. It was estimated it would take approximately \$70,000 to perform the work needed to bring it up to the same standards as other recently constructed county facilities. (In 1993, the County invested \$10,000 toward the installation of a new lighting system for the 2 youth fields.) In return for the \$70,000 investment, the County is requesting a long-term use agreement with the park's owner, the town of Hope Mills. The County has negotiated terms and conditions that are acceptable to all parties, including the volunteer user group. Note: In July, the park will be the site of the 2000 Dixie Youth Majors State Baseball Tournament.

ACTION: Approve the Use and Operating Agreement and associated expenditures not to exceed \$70,000. (Money is available in the budget to perform the work).

L. Approval of an extension of the property tax listing period through February 4, 2000.

BACKGROUND: Weather conditions over the last two weeks have prevented the opening of the Tax Office for three full days and limited hours of operation on three other days. In order to better serve the citizens of Cumberland County, the Tax Administrator requests approval to extend the regular listing period through February 4, 2000, 5:00PM pursuant to the Board's authority under NCGS 105-307. These four additional days will allow the citizens to complete the required listings without penalty for any delay that may have been caused by inclement weather.

ACTION: Approve the request for extension of the listing period as recommended above.

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

BACKGROUND: The County Manager has awarded bids for purchases of \$100,000 or less as follows:

In-car recording system for the Sheriff's Office to Kustom Signals, in the amount of \$3,449 per unit for a total bid amount of \$41,388. Bid awarded 1/13/00.

Other bids received are:

\$47,940	Eagleye	\$3,995 per unit for a total bid amount of
\$41,400	Mobile Vision:	\$3,450 per unit for a total bid amount of

ACTION: Record in the Minutes.

N. Budget Revisions:

(1) Bethany Fire District: Increase in revenue/ expenditures in the amount of \$50 for unanticipated refunds to taxpayers (B00-452) funding Source – Fire Tax

(2) Criminal Justice Support – Pretrial Services: Revision in the amount of \$632 to recognize a refund of telephone rental charges from Sprint (B00-453) Funding

Source – Other

(3) Solid Waste – White Goods: Revision in the amount of \$2,021 to reclassify Maintenance Worker I position to Equipment Operator I position (B00-454) Funding Source – Fees

(4) Juvenile Crime Prevention/General Government Other: Revision in the amount of \$5,000 to increase revenue/expenditures due to increase in state allocation and to correct previous revision (B00-459&459A) Funding Source – State

(5) Health Department

(a) Environmental Health: Revision in the amount of \$18,878 to budget additional escrow funds to purchase computer equipment and supplies (B00-455) Funding Source – Escrow

(b) Healthy Families: Decrease in revenues/ expenditures in the amount of \$6,283 to reconcile with State Smart Start Budget (B00-460) Funding Source – County

(c) Adult Health/Dental Clinic: Revision in the amount of \$29,000 to transfer funding from the Dental Clinic to Adult Health to contract with a physician (B00-456 & 456A) Funding Source – County

6. General Government Other:

(a) Revision in the amount of \$125,000 to appropriate fund balance for roof repairs caused to the Agri-Expo building during Hurricane Floyd (B00-461) Funding Source – County

(b) Revision in the amount of \$34,767 to recognize NC

**Gas Tax Refund for July 1-September 30, 1999 (B00-478)
Funding Source – State**

**7. Community Development: Revision in the amount of \$18,000 to budget funds for the preliminary engineering study of the sanitary sewer extension to serve the Kelly Hills & Slocomb Road areas (B00-458)
Funding Source – Federal**

8. Mental Health: Increase in revenue/expenditures in the amount of \$43,531 to budget additional Work First funds for the Enhanced Employee Assistance Program (B00-462) Funding Source – Federal

9. Tax Assessor: Revision in the amount of \$37,300 to appropriate fund balance for payment to TMA for audits (B00-472) Funding Source – County

10. Social Services

(a) Increase in revenue/expenditures in the amount of \$45,760 to budget Work First Transitional – Employment Transportation Assistance Program funds (B00-471) Funding Source – State

(b) Increase in revenue/expenditures in the amount of \$13,184 to recognize additional Adult Day Care funding and associated county match (\$1,648) and a reduction in General Assistance funding of \$1,648 (B00-479 & 479A) Funding Source – State and County

11. 1998 School Bond Projects: Revision to budget additional capital project expenditures for the Pauline Jones Elementary Media addition in the amount of \$365,110 and reduce the capital project expenditures for the T.C. Berrien Elementary Media addition in the amount of \$63,778 and to approve the associated revised capital project ordinances (B00-467) Funding Source – G.O. Bonds

12. County School Fund: School C.O. Category I,II,&III: Revision in the amount of \$3,189,000 to appropriate fund balance to fund facility upgrades and maintenance (B00-468 – 468B) Funding Source – State

13. Community Development: Revision in the amount of \$64,000 to reallocate project funds from the Zion Wall project to the Ashton Woods Transitional Housing project (B00-463 & 463A) Funding Source – Federal

14. NC Elderly & Handicapped Transportation/General Government: Revision in the amount of \$106,626 to recognize revenue & expenditures for the Elderly & Handicapped transportation program, and to reimburse the General Fund for initial year startup funds (B00-470 & 470A) Funding Source - State

REGULAR AGENDA

3. Nominations to Boards/Committees

A. Mid Carolina Emergency Services Advisory Council (2 vacancies)

BACKGROUND: The following vacancies exist on the Emergency Services Advisory Council:

Emergency Department Representative: Angela Cammuse completing second term.

Katie Talk recommended
to fill vacancy.

General Public Representative:
Thora S. Davidson-White completing second term

NOMINEES: Katie Talk – Emergency Department representative

Janet Wood – General Public representative

B. Youth Council Board (2 slots – non-specific)

The new Workforce Investment Act (WIA) which became law January 1, 2000, mandates the establishment of a Youth Council, to be appointed by the local Workforce Development Board. The Workforce Development Board has made appointments and is asking the Board of Commissioners to make two at-large appointments.

NOMINEES: A. Allan Jordan
Mattie Pipkin
Ron Buryk

C. Cumberland County Workforce Development Board (2 vacancies)

BACKGROUND: The following vacancies exist on the Workforce Development Board:

Private Sector representative:
completing second
needed.

Benjimen Washington –
Term. Replacement

* Need 2 nominations for this slot. Only one appointment.

Community Based Organization Rep: Marshall Lanter – completing
second term

replacement needed.

Lloyd Horne, Director

of Windows of

Opportunity has expressed

interest in serving on

this Board. He meets

the qualifications to

serve in this slot.

NOMINEES: Private Sector Position: Kathy Traylor

Ken Smith

*Only one will be appointed.

Community Based Org: Lloyd Horne – Windows of
Opportunity

D. Home & Community Care Block Grant Committee

BACKGROUND: Eloise Haggard resigned her position on this Committee. She was serving in an "older consumer representative" position. A replacement is needed to fill the vacancy.

NOMINEE: Aida Martin

E. Nursing Home Advisory Board (1 vacancy)

BACKGROUND: Mable Smith resigned her position on this Board. A replacement is needed to fill her vacancy.

NOMINEES: Janet Fairbank Norris

F. Cumberland County Community Child Protection/Fatality Prevention Team (3 vacancies)

This item was removed from the agenda.

4. Appointments to Boards/Committees

A. Nursing Home Advisory Board (4 vacancies)

MOTION: Commissioner Warren moved to appoint the nominees listed for the Nursing Home Advisory Board and Adult Care Home Community Advisory Committee by acclamation.

SECOND: Commissioner Baggett

VOTE: UNANIMOUS

Nominees: Betty Freeman (reappointment)
Bob Searle (reappointment)
Karen Collazo
Patricia Prescott

B. Adult Care Home Community Advisory Committee (5 vacancies)

Nominees: Darlease H. Wormack (reappointment)
Phyllis Watson
Mary Porter
Montserrat McArthur
Gertrude Armstrong

5. Consideration of a request from the Eastover Sanitary District for a funding advance for engineering design.

BACKGROUND: The Eastover Sanitary District has submitted a request for a funding advance from the County Water and Sewer fund in the amount of \$170,000 to pay for engineering design services until such time as the district receives funds through the sale of Bond Anticipation Notes. The funding advance will enable the Water System Project to move forward in a timely fashion. The District will repay the county at a later date when it receives its own funds.

ACTION: Approve the funding advance in the amount of \$170,000.

Commissioner Baggett noted he is the attorney for the Eastover Sanitary District and asked to be excused from voting, as it may be seen as a conflict of interest.

MOTION: Commissioner Tyson moved to allow Mr. Baggett to abstain from voting on this issue.

SECO ND: Commissioner King
VOTE: UNANIMOUS

MOTION: Commissioner King moved to approve the advance as recommended.

SECOND: Commissioner Blackwell

VOTE: UNANIMOUS with Commissioner Baggett abstaining.

6. Consideration of a request for funding assistance for the Douglas Byrd High School Band Washington, DC trip

BACKGROUND: The Douglas Byrd High School Marching Band has been invited to participate in the American Musical Salute commemorating the New Millennium and the Bicentennial of the White House in Washington, DC, during the week of May 5-8, 2000. This band is the only band from the

State of North Carolina invited to participate in this event. The cost of the trip is \$60,000 which equates to \$400 per student and chaperone. The band supporters have conducted several fund raisers and are asking the County to consider some amount of financial assistance.

The County has in the past provided some financial assistance on a limited basis to assist youth sports teams attend out of state championship events.

ACTION: Consider the request for financial assistance.

Commissioner King questioned whether the Board of Education has provided funding for this trip. Mr. Kenneth Edge, Board of Education member, indicated they have provided \$8,500. He noted they have a contingency of \$25,000 for such use; however, they would not be able to deplete all of their contingency on one trip.

Susan Zeiber and Nancy Capps urged the Board to do what they can to help the students fund this band trip.

Commissioner Baggett noted this is a worthwhile endeavor and great honor to have a Cumberland County school invited to participate in this event. He said he hoped the Board would look at matching funds raised by the Band.

MOTION: Commissioner Blackwell moved to refer this to the Policy Committee for a recommendation.

SECOND: Commissioner Warren

VOTE: UNANIMOUS

Note: The Policy Committee will meet on Thursday, February 10 to consider this matter.

7. Consideration of Change Order #3 for Player, Inc., Coliseum Locker room Upfit Project

BACKGROUND: This Change Order in the amount of \$16,412.05 is for additional work as follows:

- demolition of concrete floor, removal of obstruction (brick) from sewer drain, repair concrete floor in locker room & investigate leak in telephone room; Add: \$6,281.45;

- furnish materials/labor to paint and install wallpaper, add door, and hardware to the Coliseum Briefing Center in Agri-Expo building which has been converted to reception area and office;
Add: \$10,130.60

ACTION: Approve the Change Order in the amount of \$16,412.05 and increase the total project cost to \$315,662.05.

MOTION: Commissioner King moved to approve.

SECOND: Commissioner Warren

VOTE: UNANIMOUS

Commissioner Baggett extended congratulations to Kendall Wall on the success of the Elton John Concert held this past weekend. He extended his thanks to everyone who had a part in bringing this concert to Cumberland County. It was noted 10,300 tickets were sold for the concert (virtually a sellout).

8. Consideration of an engineering agreement for Moorman, Kizer and Reitzel for Kelly Hills and Slocomb Road area sewer

BACKGROUND: The firm of Moorman, Kizer and Reitzel was selected to perform a preliminary engineering study for this project. The scope of services includes:

- define project requirements & gather pertinent information to assess the study area;
- conduct a sewershed analysis to identify sewer flows and locations;
- provide preliminary design options for review and approval;
- prepare conceptual cost estimates of alternatives;
- prepare final preliminary report detailing the best option for providing sewer to the study area including preliminary layouts, conceptual cost estimates and potential expansion of the sewer system.

Compensation for basic services shall be at the firm's standard hourly rates with a not to exceed amount of \$18,000 including reimbursable expenses. Community Development Block Grant money will be used to fund the study.

ACTION: Approve the agreement with Moorman, Kizer & Reitzel and the

associated budget revision (B00-458).

MOTION: Commissioner Warren moved to approved.

SECOND: Commissioner King

VOTE: UNANIMOUS

9. Consideration of participation in the development of Haymont Green Manor Apartments

BACKGROUND: Murray O. Duggins is asking the County to partner with his firm, United Developers, the City of Fayetteville and the North Carolina Housing Finance Agency to develop Haymont Green Manor, a 48-unit elderly housing project to be located on Bragg Boulevard. The County's role will be to provide financial assistance in the form of a \$300,000 loan from the County's HOME funds. The loan funds will be made available over a two-year period and the terms will be 2% interest (repayment beginning immediately) with a 30-year balloon payment of the principal only. If approved, funding for this project will be included in the FY2002 and FY2003 Community Development Program Action Plans. The City of Fayetteville is participating by providing \$450,000 in funding.

ACTION: Approve the County's participation as noted above and authorize County Management to execute a conditional loan commitment for the use of County HOME funds.

MOTION: Commissioner Warren moved to approve.

SECOND: Commissioner King

VOTE: UNANIMOUS

10. Report & recommendation from the County Policy Committee regarding a Rural Water Service Feasibility Study

BACKGROUND: On January 20, 2000, the County Policy Committee discussed the recommendation adopted by the Joint Planning Committee on Water and Sewer Service that the County and PWC split the cost for a feasibility study for rural water service. The Policy Committee recommends that the County join with PWC to pay for the cost of a Feasibility Study, and that we also use information available from the study done in 1992, if pertinent to our current situation.

ACTION: Approve the request to split the funding for the Study with PWC.

MOTION: Commissioner King moved to approve.

SECOND: Commissioner Blackwell

VOTE: UNANIMOUS

11. CLOSED SESSION: Economic Development matters

MOTION: Commissioner Blackwell moved to go into Closed Session to discuss Economic Development matters.

SECOND: Commissioner Baggett

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

OPPOSED: Commissioner King

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

SECOND: Commissioner Tyson

VOTE: UNANIMOUS

MEETING ADJOURNED: 10:30AM

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