

**CUMBERLAND COUNTY BOARD OF COMMISSIONERS
MAY 7, 2001, 9:00AM
REGULAR MEETING
CUMBERLAND COUNTY COURTHOUSE**

PRESENT: Chairman J. Lee Warren, Jr.
Vice Chairman Breeden Blackwell
Commissioner Jeannette Council
Commissioner Kenneth Edge
Commissioner John Henley
Commissioner Talmage Baggett
Commissioner Billy King
James Martin, County Manager
Juanita Pilgrim, Deputy County Manager
Cliff Spiller, Asst. County Manager
Amy Cannon, Asst. County Manager & Finance Director
Grainger Barrett, County Attorney
Marsha Fogle, Clerk to the Board

INVOCATION: Commissioner Kenneth Edge
Dr. Ernie Johnson, Highland Presbyterian Church

PLEDGE OF ALLEGIANCE

AMENDMENTS TO AGENDA:

Deletions: Item #5 – Home Builders Association Presentation
Additions: Closed Session – Economic Development Matter

1. PUBLIC HEARING

A. Community Development 2001 Annual Action Plan

Ms. Thanena Wilson reviewed the proposed plan with the Board.

Priority Areas

The Plan is submitted every five years to the US Department of Housing and Urban Development. It states how we will address needs over a five year period. The Plan may be viewed in the Office of Community Development.

The priority areas are: Homeless Assistance
Affordable housing
Health care assistance
Economic development
Recreational facilities for seniors/youth
Transportation
Water/sewer

There were no speakers for the Public Hearing.

MOTION: Commissioner Blackwell moved to approve the plan as proposed.
SECOND: Commissioner Council
VOTE: UNANIMOUS

2. CONSENT AGENDA

Items 2D and 2G will be considered separately.

MOTION: Commissioner Blackwell moved to approve staff recommendations on the items on the items on the Consent Agenda, excepting 2D and 2G.
SECOND: Commissioner Edge
VOTE: UNANIMOUS

A. Approval of Minutes: April 16, 2001, April 24, 2001

ACTION: Approve

B. Approval of Proclamation proclaiming May 13-19, 2001 “Cumberland County Law Enforcement Officers’ Week” and May 16, 2001 “Peace Officers Memorial Day” in Cumberland County

ACTION: Approve

PROCLAMATION

WHEREAS, Cumberland County recognizes the heroism of all law enforcement officers who have died in the line of duty – giving their lives to protect and serve the citizens of our county; and

WHEREAS, the Cumberland County Sheriff’s Office has lost eleven officers in the line of duty; and

WHEREAS, a permanent memorial has been designed and erected in memory of all fallen officers and placed on the grounds of the Cumberland County Courthouse and Law Enforcement Center.

NOW, THEREFORE, the Cumberland County Board of Commissioners hereby proclaims May 13-19, “Cumberland County Law Enforcement Officers’ Week” and May 16, 2001 “Peace Officers’ Memorial Day”. With this proclamation, the Board encourages all citizens of Cumberland County to recognize the contributions of those who serve their community in potentially dangerous circumstances and the ultimate sacrifice by those who have given their lives protecting and serving in this county.

C. Approval of a Proclamation proclaiming May 24-June 1, 2001, “Week of the Exceptional Child” in Cumberland County

ACTION: Approve

PROCLAMATION

WHEREAS, children with disabilities have a cognitive impairment, a hearing impairment, deafness, an orthopedic impairment, a speech impairment, an emotional disturbance, a visual impairment, a learning disability, a emotional impairment or a combination of impairments who, by reason thereof, require special education; and

WHEREAS, children with disabilities receive educational, medical, mental health and other services in a variety of community settings including schools and day care facilities; and

WHEREAS, children with disabilities often have multiple educational, mental health and medical impairments that can best be met through interagency collaboration; and

WHEREAS, services to these children with disabilities are provided by the Cumberland County Schools and other community agencies and programs; and

WHEREAS, schools and community agencies provide instructional materials, programs and services for children with disabilities to develop academic, social and vocational skills to use in coping with today’s world; and

WHEREAS, the effects of disabilities may be offset through improved instruction in conjunction with community awareness, knowledge and understanding of disabilities; and

WHEREAS, educators and other community service providers will continue their quest to improve services to children with disabilities.

NOW, THEREFORE, the Cumberland County Board of Commissioners hereby proclaims May 24, 2001 – June 1, 2001 “Week of the Exceptional Child” in Cumberland County, North Carolina and urges its citizens to learn more about children with disabilities and to assist in improving their quality of life in our community.

D. Approval of Fiscal Year 2002 proposed schedule for budget work sessions and public hearing

MOTION: Commissioner Council moved to approve the following schedule:
SECOND: Commissioner Blackwell
VOTE: UNANIMOUS

May 23, 2001, 5:30PM	Budget Work Session	Room 564
May 29, 2001, 5:30PM	Department Head Appeals	Room 564
May 31, 2001, 5:30PM	Budget Work Session	Room 564
June 4, 2001, 6:30PM	Public Hearing	Room 118
June 7, 2001, 5:30PM	Budget Work Session	Room 564
June 11, 2001, 5:30PM	Budget Work Session	Room 564

E. Approval of redemption of sale of surplus county-owned real property acquired by tax foreclosure

BACKGROUND: On March 5, 2001, the County acquired by tax foreclosure sale property listed to Helen Malloy Lee as Lot 2, Lester and Sylvia Gail Carter, located in the Cedar Creek township. Amount owed plus interest: \$760.27. Helen Lee has offered to purchase the County's interest in the property in the amount of \$760.27 and has deposited same with the Finance Department.

ACTION: Consider Ms. Lee's offer to re-purchase the property.

F. Approval of the County Management Records Retention and Disposition Schedule as recommended by the NC Department of Cultural Resources

BACKGROUND: This new schedule replaces the 1991 schedule.

ACTION: Approve the revised schedule.

G. Approval of revised Economic Development Investment Policy

BACKGROUND: The Board adopted an Economic Development Policy in November, 2000 and amended it slightly in February, 2001. It is now desirable to consider a technical adjustment to the eligibility criteria. The proposed revision would allow the Board to consider awarding an economic development inducement to a project that would result in the same or greater revenue benefits to the County as under the current criteria. That proposed amendment is as follows: "Any combination of additional capital investment and/or job creation which will result in an equivalent amount of revenue to the County as for new industry or existing industry, respectively," either (A) or (B) under MINIMUM PROJECT QUALIFICATIONS.

In addition, another proposed amendment would emphasize that the Board will consider the extent of benefit packages offered as compensation to employees in determining whether to consider a project for an economic investment grant. The amendment is as follows: "The nature and extent of the benefits, particularly health benefits, included as compensation to employees by the employer."

ACTION: Approve revisions as noted above.

Commissioner Henley noted that the inducement policy requires that the wage levels of the jobs created must equal at least 100% of the average wage for the applicable industry sector paid in the county. He suggested that the county should ultimately require a higher level, such as the state average.

MOTION: Commissioner Baggett moved to approve the revisions as recommended and ask the Policy Committee to look at the issue raised by Commissioner Henley.
SECOND: Commissioner King
VOTE: UNANIMOUS

H. Approval of Cumberland County's participation in Legion Manor Apartments Development

BACKGROUND: Murray Duggins is asking the County to partner with his firm, United Developers, and the NC Housing Finance Agency to develop Legion Manor, a 48-unit elderly housing project to be located on Legion Road, Hope Mills. The County's role will be to provide financial assistance in the form of a \$150,000 loan from the County's HOME funds, which is a component of the Community Development Program. The loan funds will be made available from one program year and the terms will be 2% interest (repayment beginning immediately) with a thirty-year balloon payment of the principal only.

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

I. Approval of a Resolution authorizing participation in the Fort Bragg/Pope Air Force Base Regional Joint Land Use Study

BACKGROUND: During the summer of 2000, Cumberland County, along with Fort Bragg, Pope Air Force Base, seven counties and ten municipalities, agreed to participate in a reactivated Fort Bragg/Pope Air Force Regional Land Use Study. Cost to the County is calculated at \$.03 per capita which is estimated to be \$3,907.

ACTION: Consider approval of the Resolution authorizing participation, contingent upon the inclusion of \$3,907 in the FY02 adopted budget and the financial participation of the other counties and municipalities.

RESOLUTION

WHEREAS, land use and growth management issues are of mutual concern and interest to the military and to the local government officials in the Fort Bragg/Pope Air Force Base area; and

WHEREAS, the NC Department of Commerce, in cooperation with the Office of Economic Adjustment in the US Department of Defense, has agreed to coordinate a Joint Land Use Study which will: (1) review and analyze the reports and recommendations included in the original JLUS completed ten years ago; (2) consolidate existing digital mapping and aerial photography for the seven county region; (3) conduct a series of public meetings throughout the region to both re-inform the citizens and community officials about the importance of having protective controls in place and to obtain broad public participation, (4) assemble and analyze all of the gathered information; and (5) prepare and present a "Final Plan" which addresses regional land use and growth management issues; and

WHEREAS, the County of Cumberland desires to participate fully in the Joint Land Use Study; and

WHEREAS, the NC Department of Commerce and the Department of Defense have agreed to provide nearly 80% of the financial resources needed to undertake the study; and

WHEREAS, the County of Cumberland wants to contribute its proportionate local share for the study, defined as three cents per capita (July, 1998 estimates, Office of State Budget and Management (with a minimum payment of \$500 regardless of the size.

BE IT RESOLVED that the Board of Commissioners of the County of Cumberland agrees to participate in the Joint Land Use Study; and

BE IT FURTHER RESOLVED that the County of Cumberland agrees to pay its proportionate local share of the cost for the study, as defined above, in the amount of \$3,907, when invoiced for this amount by the NC Department of Commerce.

J. Consideration of a resolution approving the financing by Vander Volunteer Fire Department for two fire apparatus

BACKGROUND: Vander Volunteer Fire Department has determined it has a need for two fire apparatus. One requirement for the loan to be tax-exempt is that the Board of Commissioners approve the transaction. Approval does not obligate the County in any way regarding payment of debt.

ACTION: Adopt Resolution

RESOLUTION

WHEREAS, Vander Volunteer Fire Department, Inc., has determined it needs to finance an amount of up to \$500,000 for two fire apparatus. The US Internal Revenue Code requires, that for such financing to be carried out on a tax-exempt basis, the Board of Commissioners must first approve the financing. The County will not be liable for repayment of the debt. The Department held a public hearing on the financing after published notice, as required by the code. The Department has reported the proceedings of such hearing to this Board.

BE IT THEREFORE RESOLVED by the Board of Commissioners of Cumberland County, North Carolina, as follows:

“The County approves the Department’s entering into the financing, as required under the Code for the financing to be carried out on a tax-exempt basis. The County and the Department acknowledge that the Department will be solely responsible for repayment of such financing and that the County will have no obligation with respect thereto. The Department’s conduct of the required public hearing is approved.

K. Budget Revisions

- (1) Social Services – Revision in the amount of \$144,421 to budget for additional funding for Medicaid De-Lining (Workfirst/Transitional Medicaid) (B01-549) Funding Source – State**
- (2) JCPC Programs – Revision in the amount of \$15,712 to refund excess JCPC funds received in fiscal year 1999-2000 (B01-551) Funding Source – State**
- (3) 1998 School Bond Projects**
 - a. Revision in the amount of \$599,265 to budget additional revenue and expenditures for construction of the new Gray’s Creek High School and to approved associated Revised Capital Project Ordinance (B01-550) Funding Source – Interest**
 - b. Revision in the amount of \$81,270 to recognize proceeds from the Amwest Surety Insurance Company for RJW performance claims related to construction on Cape Fear Senior High School and Raeford Road Elementary School (B01-559) Funding Source – Insurance Proceeds**
- (4) Community Development – Revisions in the amount of \$53,650 to provide additional funds to Humans Giving Greater Service (HUGGS) for the resource center for homeless families with HIV/AIDS (B01-556) Funding Source – Federal**
- (5) Public Buildings Janitorial – Revision in the amount of \$11,982 to appropriate county fund balance to fund additional operating expenditures (B01-558) Funding Source – Appropriate Fund Balance**
- (6) Eastover Water Project – Revision in the amount of \$7,125,593 to establish a Capital Project Fund for the Eastover Water-System Project and to approve the associated Capital Project Ordinance (B01-545 – 454B) Funding Source – Federal, Bond Proceeds, Fees**
- (7) Register of Deeds – Revision in the amount of \$115,000 to appropriate fund balance to renovate and purchase work stations for the Register of Deeds 1st floor area so Vital Statistics can move from the lower level to the newly renovated area (B01-562) Funding – Appropriated Fund Balance**

REGULAR AGENDA

3. Nominations to Boards/Committees

A. Adult Care Home Community Advisory Committee (4 vacancies)

BACKGROUND: The following positions are vacant:

Gertrude Armstrong -	replacement needed
Bessie McLean – resigned	replacement needed
Joan Fitzpatrick Reed – resigned	replacement needed
Teresa H. Raynor – moved	replacement needed

Nominees: Milton Griffin
Beverly Rith
April Smith
Karla Timm

B. Emergency Planning Committee (1 vacancy)

BACKGROUND: The following position is vacant:

Gary Dudley - Law Enforcement Representative – replacement needed

Recommendation: Captain Steve Parlett

Nominees: Captain Steve Parlett

4. Appointments to Boards/Committees

MOTION: Commissioner Blackwell moved to appoint the nominees listed in 4A & 4B.

SECOND: Commissioner Henley

VOTE: UNANIMOUS

Commissioner King suggested that a “consumer” position be added to the Manufactured Housing Task Force.

MOTION: Commissioner Blackwell moved to add a “consumer” position on the Manufactured Housing Task Force.

SECOND: Commissioner Henley

VOTE: UNANIMOUS

A. Health Care Council (5 vacancies)

BACKGROUND: When the Health Care Council was formed, the Commissioners made a slot for a Columbia Highsmith Rainey Board of Trustees representative (Lyndo Tippet). Since Highsmith is now a part of the Cape Fear Valley Health System, it is suggested that the slot be abolished and replaced with a “Community Indigent Care” position. The Health Care Council recommends Pam Jenkins of The Care Clinic to fill that position.

In addition, the following terms have expired:

Public Health Representative (Beatrice Matthews) -	The Health Board recommends Bobby Knight.
Mental Health Representative (Hank Finch) -	Eligible for reappointment
Cape Fear Valley Health System Physician (Dr, David Gilbert) –	Eligible for reappointment
Town of Hope Mills Representative (Renouard Sanders) -	Mr. Sanders does not want to serve again. The Town of Hope Mills recommends Dr. Neil Worden to fill the position

ACTION: Appoint the above named people to the Health Care Council and establish a new position – Community Indigent Care – and appoint Pam Jenkins to that position.

B. Manufactured Housing Task Force (7 members)

BACKGROUND: The Planning Board recommends that this Task Force be composed of the following members:

Moderator from Planning Board	Jeff Reitzel
Manufactured Home Industry	Doug Strickland
Site-built Home Industry	Jim Smith
Appraiser	Tom Keith
Realtor	Steve Cohen
County Inspector	Marvin Hamilton
Tax Administrator	Garrett Alexander

ACTION: Appoint the above named people to the Task Force

5. Deleted from agenda

6. Presentation of the Fayetteville Area Convention & Visitors Bureau Marketing Plan – Appearing – John Meroski

2001 Program of Work – 2001

- sell 20,000 room nights
- conduct quarterly hotel/motel sales meetings
- launch cooperative advertising campaigns
- participate in 15 trade shows and sales missions
- expand free media opportunities
- conduct 4 familiarization tours (meeting planners, travel writers, welcome centers, tour golf group leaders)
- automate sales process and system
- maximize external partnerships (NC Div. Of Tourism & NC CVB Assoc)
- conduct two local education receptions to identify local association board members
- develop Niche Markets – “First Flight 2003” and “Heritage Tourism”

In the area of community relations they want to increase awareness and appreciation of travel and tourism and its role as a major employer and tax generator. They will work with the airport and airlines to build future alliances.

Mr. Meroski noted that they have a new visitor guide and their “attraction shuttle” is up and operating.

Mr. Meroski noted their budget is \$675,000, quite a bit smaller than comparable communities.

Commissioner Henley inquired about the Bureau’s feelings about an increase in the occupancy tax. Mr. Meroski said his Board is discussing it, but has taken no formal action at this time.

Commissioner Baggett noted the radio am signal to cars on I-95 is not as strong as it should be. Mr. Meroski said he would check into matter.

7. CLOSED SESSION – Economic Development Matter

MOTION: Commissioner Blackwell moved to go into Closed Session to discuss an economic development matter.

SECOND: Commissioner Henley

VOTE: UNANIMOUS

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

SECOND: Commissioner Blackwell
VOTE: UNANIMOUS

MEETING ADJOURNED: 10:20AM