

CUMBERLAND COUNTY BOARD OF COMMISSIONERS
APRIL 4, 2005, 9:00AM
REGULAR MEETING

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

INVOCATION Commissioner Billy King

Minister: Rev. Tom Cooperider, Fayetteville Christian Church

Pledge of Allegiance

Presentation: Norman (Tim) McLaurin, Supreme Chancellor, Fayetteville Supreme Lodge
Knights of Pythias

Additions to Agenda:

Item # 5: Consideration of a Resolution supporting a Local Option Lottery to fund
School Construction needs

Closed Session: Property Matter: NCGS 143-318.11(a)(5)
Personnel Matter: NCGS 143.318.11(a)(6)

**MOTION: Commissioner Blackwell moved to add the above items to the
agenda.**

SECOND: Commissioner King

VOTE: UNANIMOUS

1. Presentations

A. Presentation on Jail Health Care by Wayne Raynor, Health Director.

BACKGROUND: A study of the overall Detention Center operation began during the summer of 2003. A study group was convened by Deputy County Manager Juanita Pilgrim. The group included representatives of the Sheriff's Office, Mental Health, Social Services, District Attorney's office, Finance, Human Resources, County Attorney and the County Manager. The objective among other things was to study ways to improve the speed with which inmates are processed and the health and mental health services. The Health Department's role was to research and provide innovative solutions to reduce health care costs at the Detention Center.

Mr. Raynor reported that the original budget amount for jail health during FY02-03 was \$986,439. Expenditures exceeded that amount by \$260,598. Projecting expenditures for FY03-04 became a challenge due to the timing of the jail opening and the lack of cost data associated with the new operation. The Health Department began to study all areas related to jail health services, to include review of psychiatric services, provision and establishment of a drug formulary, establishment of a Utilization Review Committee to monitor drug use, negotiating outpatient discounts with Cape Fear Hospital, staffing mix, drug costs, onsite dental service, etc. The jail was previously staffed primarily by a total of 8 registered nurses and 4.5 full-time employee licensed practical nurses.

Mr. Raynor noted that some changes have been made in the staffing mix, which now includes 13 employees (an Administrator, 3 registered nurses, 4 licensed practical nurses, 4 certified nursing assistants and 1 clerical position). A comparison of jail health costs between the budgeted amount of \$1,550,520 for FY04-05 and FY05-06 indicates a projected savings of \$302,994. Mr. Raynor noted there are many variables that will determine the final budget such as the daily census, the occasional high cost inmate and the rising cost of drugs. Mr. Raynor stated that the

Cumberland County Medication Access Program is contributing significantly to the Health Department's drug costs. In addition, cost savings are being realized because dental care is being provided in-house.

Kenneth Edge said he would like to see comparison data showing the average jail/health care cost per inmate state-wide.

In response to a question, it was noted that that an estimated 15 to 20% of inmates are Medicaid eligible. Mr. Raynor noted that when someone is incarcerated, Medicaid benefits cease. His office and commissioners have spoken to some of the members of the congressional delegation regarding this issue and will continue to speak the delegation regarding this matter.

Chairman Henley noted that the Health Department is looking at providing drugs for county employees to save costs on insurance. The Health Department is also looking at renovations to its building to provide a more efficient and effective method of providing service to the public.

No action needed on this item.

2. Consent Agenda

MOTION: Commissioner King moved to follow staff recommendations on the items on the Consent Agenda, excepting item H.

SECOND: Commissioner Blackwell

VOTE: UNANIMOUS

- A. Approval of minutes for the March 21, 2005 regular meeting.

ACTION: Approve

- B. Approval of New Records Retention Schedule for Tax Administration.

BACKGROUND: The NC Department of Cultural Resources, Division of Historical Resources, has issued an updated Records Retention Schedule for the Tax Administration office.

ACTION: Approve the new schedule.

- C. Approval of Declaration of Surplus Property and Authorization of Upset Bid Process (PIN 0438-92-4104).

BACKGROUND: In May, 1984, the County acquired by tax foreclosure the above noted property. The property is described as a vacant tract between Neville & Eugene Streets, lots 51 and 81 and part of lots 66, 81-85. The amount of the foreclosure judgment plus interest and costs was \$6,142.08. Robert Goodrich and Billy Cain have offered to purchase the property for \$6,142.08 and have deposited \$614.20 in the Finance Office. The tax value of the property is \$8,696.

ACTION: Declare the property surplus to the county's needs, accept the above bid deposit, initiate an upset bid process, and authorize staff to accept the highest qualifying bid plus costs, authorizing the Chairman to execute the deed upon receipt of the balance of the purchase price.

- D. Approval of Sale of Surplus County-Owned Real Property Acquired by Tax Foreclosure – Lot 8, Blk B, College Heights (located on Coley Drive Off Murchison Road) Cross Creek Township; PIN 0438-01-9098.

BACKGROUND: On or about June 26, 2002, the county acquired by tax foreclosure the above noted property. The amount currently owed on the judgment plus interest and costs is \$8,462.63. Mount Sinai Baptist Church through its Trustee, Comar A. Johnson, has offered to purchase the county's interest in the property for \$7,500 and has deposited \$750 in the Finance Office. The tax value of the property is \$7,500. The property is surplus to the needs of the county. The bid has been advertised and the county has received no upset bids.

ACTION: Accept the offer from Mount Sinai Baptist Church and authorize the Chairman to execute the deed upon receipt of the balance of the purchase price.

- E. Approval of Sale of Surplus County-Owned Real Property Acquired by Tax Foreclosure – Lot 7 LR Bennett Land (Located on Memory Road Off Sandhill Road Off Highway 87S) Grays Creek Township; PIN 0443-11-5356.

BACKGROUND: On or about March 19, 2002, the county acquired by tax foreclosure the above noted property. The amount currently owed on the judgment including interest and costs is \$2,365.98. Michael Talbott has offered to purchase the property for \$1,277.62 and has deposited \$130 in the Finance Office. The tax value of the property is \$6,676.00. The property has been advertised and no upset bids have been received.

ACTION: Accept the offer to purchase and authorize the Chairman to execute the deed upon receipt of the balance of the purchase price.

- F. Approval of Report on Formal Bid Awards of \$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. To ensure an adequate public record is maintained, management periodically submits a report to the Board for inclusion into the official minutes listing the purchases approved. A bid was awarded to Gill Security in the amount of \$78,805.38 for digital video surveillance system at the Courthouse.

- G. Approval of Declaration of Surplus Property and Authorization to Dispose of Same Pursuant to NCGS 160A-266(b).

BACKGROUND: Having recently purchased new chairs for the Arena, Exposition Center and Hospitality Rooms, the Crown Center has approximately 3,900 chairs surplus to its needs. Some of the chairs are 40+ years old. An offer has been received in the amount of \$9,300 for the chairs.

ACTION: Declare the chairs surplus and authorize disposition of same by private negotiation and sale, to be effected by the Crown Center Chief Executive Officer.

- H. Approval of a Resolution of Recognition: Sir Norman (Tim) McLaurin, Supreme Chancellor, Supreme Lodge Knights of Pythias.

ACTION: Adopt Resolution

MOTION: Commissioner Blackwell moved to adopt the Resolution.
SECOND: Commissioner Edge
VOTE: UNANIMOUS

RESOLUTION
RECOGNIZING SIR NORMAN (TIM) MCLAURIN\SUPREME CHANCELLOR
FAYETTEVILLE SUPREME LODGE KNIGHTS OF PYTHIAS

WHEREAS, the non-sectarian, Fraternal Order Knights of Pythias was organized by Justus Henry Rathbone on February 19, 1864, in Washington, DC, in the hope that it would bring Northern and Southern brethren together and cease. The Civil War; and

WHEREAS, members of the non-sectarian fraternal order Knights of Pythias strive to practice FRIENDSHIP, CHARITY and BENEVOLENCE in their daily personal and business lives; and

WHEREAS, three U.S. Presidents – William McKinley, Warren G. Harding and Franklin Delano Roosevelt, were members of the Pythian Order; and

WHEREAS, in the Great Domain of North Carolina, a Pythian Knight for at least 35 years of his life, was installed as SIR NORMAN (TIM) MCLAURIN CHANCELLOR of the Fayetteville SUPREME LODGE KNIGHTS OF PYTHIAS and celebrated his accomplishments with a homecoming dinner gala in his Honor on March 19, 2005 in Cary, North Carolina; and

WHEREAS, Tim and Jennie McLaurin are lifelong residents of Cumberland County and serve their community as advocates for the local ARC, Autism Society, United Cerebral Palsy, Eastover Volunteer Fire Department, Eastover Pee-wee and Little League Baseball, Eastover Civic Club, as well as many other humanitarian causes.

NOW, THEREFORE, the Board of Commissioners of Cumberland County recognizes the well-deserved honor bestowed upon SIR NORMAN (TIM) MCLAURIN and thanks him and his family for their contributions to the quality of life in Cumberland County.

- I. Approval of a Resolution Declaring April 30, 2005 as "Cumberland County Litter Free Watershed Day" in Cumberland County.

ACTION: Approve

RESOLUTION
DECLARING APRIL 30, 2005
CUMBERLAND COUNTY LITTER FREE WATERSHED DAY

WHEREAS, Cumberland County is rich in natural resources and beauty; and

WHEREAS, water is a basic and essential need for all life; and

WHEREAS, litter fouls our waterways as well as our landscapes; and

WHEREAS, every citizen should contribute to keeping our environment clean and healthy by working together to preserve clean water and the natural beauty of our surroundings; and

WHEREAS, Litter Free Watershed is partnered with North Carolina Big Sweep, a statewide community effort to retrieve trash from North Carolina's waterways and landscapes.

NOW, THEREFORE, BE IT RESOLVED that the Board of Commissioners of Cumberland County, North Carolina, meeting on April 4, 2005 does hereby declare April 30, 2005 CUMBERLAND COUNTY LITTER FREE WATERSHED DAY in Cumberland County, and urges every citizen to do his or her part to restore the beauty and function of our lakes and streams by volunteering to participate in the Litter Free Watershed event.

- J. Approval of a Resolution Allowing New Hanover County, North Carolina to Rejoin the Southeastern Economic Development Commission.

ACTION: Approve

Resolution
Allowing New Hanover County, North Carolina
To Join the Southeastern Economic Development Commission

WHEREAS, the Counties of Bladen, Brunswick, Columbus, Cumberland, Harnett, Hoke, Pender, Robeson, Sampson and Scotland joined together to mutually assist one another in the various endeavors of these counties in their economic development; and

WHEREAS, the County of New Hanover has officially submitted a resolution to join the Southeastern Economic Development Commission, with said resolution being adopted on March 14, 2005; and

WHEREAS, the Executive Director of the Southeastern Economic Development Commission has recommended the membership of New Hanover County in the Commission as beneficial to the Commission and its existing membership; and

WHEREAS, it is necessary for the membership of the Commission to approve the membership of new members, and the Commissioners of Cumberland County accept and congratulate New Hanover County on its request for membership.

NOW, THEREFORE BE IT RESOLVED that the Commissioners of Cumberland County, sitting in regular session this date, do invite and hereby allow the membership of New Hanover County into the Southeastern Economic Development Commission as a member county with all the rights and appurtenances thereof.

- K. Approval of a Proclamation Proclaiming April 16-30, 2005 as "Spring Litter Sweep" in Cumberland County.

ACTION: Approve

PROCLAMATION

WHEREAS, the NC Department of Transportation organizes an annual Spring statewide roadside cleanup to ensure clean, beautiful roads in North Carolina; and

WHEREAS, the Spring 2005 LITTER SWEEP roadside cleanup will take place April 16-30, 2005. Local governments and communities, civic and professional groups, businesses, churches, schools, families and individual citizens are encouraged to participate in the Department of Transportation cleanup by sponsoring local roadside cleanups; and

WHEREAS, Adopt-a-Highway volunteers, Department of Transportation employees, Department of Correction inmates and community service workers, local government agencies, community leaders, civic and community organizations, businesses, churches, schools and environmentally concerned citizens conduct annual local cleanups during LITTER SWEEP and may receive certificates of appreciation for their participation; and

WHEREAS, the great natural beauty of our state and a clean environment are sources of great pride for all North Carolinians, attracting tourists and aiding in recruiting new industries; and

WHEREAS, the cleanup will increase awareness of the need for cleaner roadsides, emphasize the importance of not littering, and encourage recycling of solid wastes; and

WHEREAS, the 2005 Spring cleanup will celebrate the 17th Anniversary of the NC Adopt-a-Highway program and its 6,000 volunteer groups that donate their labor and time year round to keep our roadsides clean; and

WHEREAS, the LITTER SWEEP cleanup will be a part of educating the children of this Great State and County regarding the importance of a clean environment to the quality of life in North Carolina.

NOW, THEREFORE, the Cumberland County Board of Commissioners proclaims April 16-30, 2005 "SPRING LITTER SWEEP" in Cumberland County and encourages all citizens to take an active role in making the County cleaner and more beautify.

- L. Approval of Adoption of a Proclamation Proclaiming April 10-16, 2005 as "National County Government Week" in Cumberland County.

ACTION: Approve

PROCLAMATION

WHEREAS, county employees serve America.

WHEREAS, county employees police our streets, fight fires, save lives in hospitals and health centers, keep families healthy, help troubled youth and young adults, train laid-off workers, provide veterans services and countless other jobs they deserve to be recognized for.

WHEREAS, counties provide public safety and offer medical and human services. Counties provide opportunities for new businesses to prosper, provide job training and technological solutions. Counties provide needed elderly services for grandmothers and grandfathers and healthcare to the disabled and needy. When natural or man-made disaster strikes, county emergency services keep children and their families safe and informed until order can be restored.

WHEREAS, counties provide services that make America's communities stronger, safer places to live and raise families.

WHEREAS, county officials and employees use their role as local leaders to encourage economic development and therefore improve the lives of their citizens, making their communities more livable.

WHEREAS, counties have a long history of providing critical services. County governments are the citizen's local government voice, providing solutions that bring communities together.

In recognition of the leadership, innovation and valuable service provided by our nation's counties:

NOW, THEREFORE BE IT RESOLVED that the Board of Commissioners of Cumberland County proclaims April 10-16, 2005 "NATIONAL COUNTY GOVERNMENT WEEK" and urges its citizens to recognize the leadership, innovation and valuable services provided by our nation's counties.

- M. Approval of a Proclamation Proclaiming April 7, 2005 as "Read to a Child Day" in Cumberland County.

ACTION: Approve

PROCLAMATION
READ TO A CHILD DAY

WHEREAS, Stephon Ferguson has read to every kindergarten student in the Cumberland County School system (4,300) to help promote the importance of literacy; and

WHEREAS, the citizens of Cumberland County stand firmly committed to promoting reading as their catalyst for our students' future academic success, their preparation for America's jobs of the future and their ability to compete in a global economy; and

WHEREAS, Stephon Ferguson (also known as Steve Blackmon), a local new reporter for news-talk radio – WFNC and a 1986 graduate of 71st High School, stresses the importance of reading by relating it to his duties as a journalist; and

WHEREAS, the six month reading period (October 2004 to April 2005) for 230 kindergarten classes at 50 schools has played a significant role in motivating our youth to read and has helped in generating awareness of the importance of adult involvement in the education of our community's children.

NOW, THEREFORE, the Board of Commissioners of Cumberland County proclaims Thursday, April 7, 2005 "READ TO A CHILD DAY" in Cumberland County and calls on all of its citizens to encourage children to read and further encourages our commitment to engage in programs and activities to make America's children the best readers in the world.

- N. Budget Revisions:

(1) Health

- a. Medical Records/Administration - Revisions in the amount of \$9,000 to reallocate budgeted expenditures for contracted services to scan old medical records into the optical scanning system. (B05-329 and B05-329A) **Funding Source – Reallocation of Budgeted Expenditures**
- b. Center of Disease Control Tuberculosis Project - Revision in the amount of \$7,036 to budget for an increase in state funding. (B05-330) **Funding Source - State**

(2) Cooperative Extension

Revision in the amount of \$11,067 to budget additional funding in support of the 4-H program for Fort Bragg and Pope Air Force Base families with a deployed parent. (B05-331) **Funding Source – Grant**

(3) Board of Elections/General Government Other

Revision in the amount of \$27,120 to reallocate budgeted expenditures for four new voting precincts created from splitting oversized precincts in an effort to eliminate waiting times and long

lines to vote. (B05-334) **Funding Source – Reallocation of Budgeted Expenditures**

(4) Social Services

Revision in the amount of \$17,920 to recognize additional federal funding for the Crisis Intervention Program. (B05-336) **Funding Source – Federal**

(5) Parks and Recreation

Revision in the amount of \$35,000 to budget Coastal Leagues share of improvements at JP Riddle Stadium. (B05-337) **Funding Source – Other**

(6) Sheriff

Revision in the amount of \$25,000 to appropriate fund balance for the installation of radio antenna equipment in the courthouse to improve communications between deputies and improve safety of the public. (B05-338) **Funding Source – General Fund - Fund Balance**

ITEMS OF BUSINESS

3. Nominations to Boards and Committees

A. Cumberland County Finance Corporation and the Cumberland County Industrial Facilities and Pollution Control Financing Authority (1 Vacancy)

BACKGROUND: Billy Butler, a member of this Authority is deceased. A new member needs to be appointed to fill this vacancy. Bobby Gleaton has been recommended.

Nominee: Bobby Gleaton

4. Appointments to Boards and Committees

MOTION: Commissioner King moved to appoint the nominees in items 4A-D.

SECOND: Commissioner Wheatley
VOTE: UNANIMOUS

A. Cape Fear Valley Health System Board of Trustees (1 Vacancy)

Nominee: Medical Doctor: Dr. Dickson Schaefer

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

Nominees:

Older Consumer Representative: Edith Melvin
Caren Hosmer

Aging Service Provider Representative: Belinda Davis
Sam Hutchison
William Duke
Angie Yates

C. Juvenile Crime Prevention Council (1 Vacancy)

Nominee: Local Sheriff or Designee Rep.: Lt. David Cowart

D. Nursing Home Advisory Board (3 Vacancies)

Nominees: Barbara Randolph

Michele Renee Runge
Charlayne R. Stephens

E. Chairman of the Tourism Development Authority

Nominee Recommended by TDA: William S. Wellons, Jr.

Commissioner Jeannette Council noted 37 years ago today Martin Luther King, Jr. was assassinated. She pointed out that Cumberland County is fortunate to have many different ethnic groups as part of our community. She asked that the TDA take another opportunity to look at the request submitted by the Martin Luther King, Jr. Committee. She said that the TDA had provided funding for activities that were not strictly marketing activities, i.e. money for SCAT, money for Averagesboro Battlefield, Cross Creek Linear Park, etc. Commissioner Council said that the City of Fayetteville and Cumberland County have provided funding for the MLK Park and are committed to making sure that all of the citizens enjoy quality of life amenities.

Commissioner King noted that he was very displeased with the action of the TDA with regard to the Martin Luther King, Jr. Committee request for funding. He noted that the legislation provides for funding for capital projects. He said he encourages the TDA to reconsider the request put forward by the MLK Committee. He noted that he had entertained the idea to replace the entire TDA Board.

Chairman Henley noted that this project is clearly a local initiative. He said he was not sure that TDA funding is the source for the capital projects in this park. He suggested that perhaps it is actually up to the Board of Commissioners to look at appropriate funding for the MLK Park. Once the Park is completed, TDA could provide assistance in marketing and bringing people into our community to see the Park.

Commissioner Baggett praised our community for being able to avoid divisive issues. He said that while the MLK project is very worthwhile, he was not sure that the TDA is the vehicle to accomplish the project. He suggested that we find another way to fund the park project.

Commissioner Wheatley suggested that the Board refer this item to the County Facilities Committee.

Commissioner Blackwell suggested that county management, someone from TDA, someone from FACVB, someone from the MLK Committee meet and bring back a plan.

Staff will set up a time for a meeting between the Chairman of the Board of Commissioners, Chairman of the TDA Board, the County Manager and Lula Crenshaw of the Committee to discuss this matter.

MOTION: Commissioner Council moved to appoint Billy Wellons, Jr., Chairman of the TDA.

SECOND: Commissioner Wheatley

VOTE: UNANIMOUS

5. Consideration of adoption of a resolution support a local option lottery to fund school construction needs

MOTION: Commissioner Edge moved to direct the County Attorney to draft a resolution supporting a local option lottery, with a non-supplant action clause, and send it to all members of the General Assembly.

DISCUSSION: Chairman Henley requested that a cover letter be attached outlining how mandates from state and federal government have affected the county and its ability to fund education, noting that our only means of raising funds is with the ad valorem tax.

SECOND: Commissioner King

VOTE: UNANIMOUS

Commissioner Breeden Blackwell told the Board that the US Senate overrode the President's cuts in Medicaid.

6. Closed Session: Property Matter – NCGS 143-318.11(a)(5)
Personnel Matter – NCGS 143-318.11(a)(6)

MOTION: Commissioner Council moved that the Board go into Closed Session for the above noted matters.

SECOND: Commissioner Blackwell
VOTE: UNANIMOUS

MOTION: Commissioner Blackwell moved that the Board go back into Open Session.
SECOND: Commissioner King
VOTE: UNANIMOUS

Grainger Barrett, County Attorney, noted that the Personnel Matter was withdrawn.

MOTION: Commissioner Blackwell moved to adjourn.
SECOND: Commissioner King
VOTE: UNANIMOUS

MEETING ADJOURNED: 10:25AM

Clerk to the Board