

CUMBERLAND COUNTY BOARD OF COMMISSIONERS
JUNE 5, 2006, 9:00AM
REGULAR MEETING

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

INVOCATION Commissioner Talmage Baggett

Pledge of Allegiance

Recognition of Retired County Employees:

Cornelius Rand – Department of Social Services (absent)
Paul Washington – Solid Waste Department

1. Presentation

A. Presentation on the Proposed City of Fayetteville Hope VI Project.

BACKGROUND: The Fayetteville Metropolitan Housing Authority is applying for HOPE VI Grant funds. The City of Fayetteville and County of Cumberland would be partners in this effort by financing public improvements with tax increment financing based on increased value of property after re-development.. The project covers approximately 2 square miles.

MOTION: Commissioner Blackwell moved to adopt the Project in concept and contingent on approval by HUD of the grant funds.

SECOND: Commissioner Henley

VOTE: UNANIMOUS

2. Consent Agenda

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

SECOND: Commissioner Henley

VOTE: UNANIMOUS

A. Approval of minutes for the May 15, 2006 regular meeting and approval of the minutes of the May 22 and May 23, 2006 Budget Work Sessions and the May 30, 2006 Budget Public Hearing and Work Session.

ACTION: Approve

B. Approval of Annual Modification to the Workforce Investment Act Plan.

BACKGROUND: The Work Force Development Center is required each year to prepare a modification to the Local Area Job Training Plan. The purpose for this modification is to incorporate Program Year 2006 (July 1, 2006-June 30, 2007) Workforce Investment Act funding allocations.

ACTION: Approve the Modification to incorporate the new program year funding allocations.

C. Approval of the FY07 Home and Community Care Block Grant for Older Adults Agreement Between County of Cumberland and Mid-Carolina Area Agency on Aging and 2006-2007 County Funding Plan.

BACKGROUND: The funding plan is a means to provide coordination through community-based resources in the delivery of comprehensive aging services to older adults and their families. The total Block Grant for FY06 is \$1,235,846, with a local match in the amount of \$137,316 (County) and \$410 (Other).

ACTION: Approve the Agreement and the Funding Plan.

- D. Approval of Bid Award for Historic Courthouse Roof Replacement Project.

BACKGROUND: The Board of Commissioners established a roof replacement and maintenance fund in the FY2006 budget. The Historic Courthouse roof replacement is the next project in the Plan. Bids were received and opened on May 17, 2006. The low bid was submitted by Baker Roofing Company in the amount of \$171,162.00. There are sufficient monies in the roof replacement budget to fund the project. In addition, a 5% contingency in the amount of \$8,560 is recommended for the project. The contingency will be used for justifiable changes to the contract work recommended by the County Engineer and approved by the County Manager.

ACTION: Accept the bids, award the contract to Baker Roofing in the amount of \$171,162.00 and establish a project contingency in the amount of \$8,560.

- E. Approval for Bids for Phase I – Courthouse Lobby Addition and Plaza Renovation Project.

BACKGROUND: Bids were received on April 6, 2006 for the above project; however, an insufficient number of bids were received, resulting in re-advertisement of the project. Bids were received again on April 20, 2006. The base bid includes construction of the new lobby addition, demolition and replacement of the stairs and landings at the main entrances at the Courthouse and Law Enforcement Center, new ADA ramps and handrails, and new waterproofing at the tunnel between the buildings. Alternate bids were taken for brass handrails in lieu of aluminum (Alt. G1) and painting all exterior concrete stairs (Alt. G2). The low base bid was submitted by Graham Construction in the amount of \$797,980, approximately \$150,000 more than the Engineer's estimate for this phase of the project. The total construction budget for the project is \$2.2 million. Phase II – Plaza Renovations & Security Enhancement and Phase III – Parking lot improvements are to be undertaken after completion of Phase I work. In an attempt to reduce the cost of this work, the Project Architect submitted a list of scope reduction items to the contractor for pricing. The credit offered by Graham Construction of \$53,000 was not acceptable to the Architect. In view of the current construction market and the competitive price from Grahams Construction relative to other bidders, the recommendation of the Project Architect and County Engineer is to accept the bid from Graham Construction for the Base Bid and Alternate G-2 in the amount of \$800,980. Currently there are sufficient funds in the budget to fund this phase of the work, however, when the subsequent phases of the project are bid, there may be a need to increase the project budget or look at opportunities to reduce costs. The County Facilities Committee reviewed this information at its meeting on May 9, but took no action because the architect had not yet concluded his negotiations with the contractor.

ACTION: Accept the bids for Phase I – Courthouse Lobby Addition & Plaza Renovation Project, award the contract to Graham Construction in the amount of \$800,980 (includes Base Bid and Alt. G2), and approved associated budget revision (B06-361).

- F. Approval of an Emergency Services Debris Management Plan and Authorization to Pursue a Joint Request for Proposal (RFP) with the City of Fayetteville for a Debris Management Contractor.

BACKGROUND: The Cumberland County Emergency Services Department has been working and continues to work in cooperation with the City of Fayetteville on our Emergency Operations Plan (EOP), expected to be completed in September. One component of the overall EOP is the Debris Management Plan. The imminency of hurricane season suggests we should expedite approval of the Debris Management Plan and authorize County EMS Staff in cooperation with the City of Fayetteville staff to draft a Request for Proposal for a Debris Management Contractor.

ACTION: Approve the recommendation above.

- G. Approval of Delinquent Accounts from the Health Department to be Turned Over to Outside Collection Agency.

BACKGROUND: At its meeting on April 18, 2006, the Board of Health approved writing off \$33,611.91 as bad debts and turning them over to Professional Recovery Consultants, Inc. for collection.

ACTION: Concur with the Board of Health’s action.

- H. Approval of Declaration of Surplus County Property and Authorization to Accept Insurance Settlement.

BACKGROUND:

Date of Accidents:	April 1, 2006	April 16, 2006
Vehicle:	2000 Dodge Intrepid	2001 Ford Crown Vic
VIN:	2B3HD46RXYH364441	2FAFP71W51X176505
Mileage:	110,000	119,546
Department:	Sheriff’s Office	Sheriff’s Office
Settlement Offer:	\$3,824.80	\$5,440.50
Insurance Company:	Allstate	Selective

ACTION: Declare the above vehicles surplus, authorize the Risk Management Department to accept the insurance settlement offer and allow the insurance companies to take possession of the vehicles.

- I. Approval of Sale of Surplus County-Owned Real Property Acquired by Tax Foreclosure - Res 921 Ellis Street; Located on Ellis Street off Turnpike Road; PIN No. 0437-13-0132.

BACKGROUND: On or about December 8, 2005, the County acquired by tax foreclosure the above noted property. The amount owed on the judgment including interest and costs is \$6,692.93. Costa Builders, LLC, through its agent, Christina Hill of Keller Williams Realty, has offered to purchase the County’s interest in the property for \$6,692.93 and has deposited \$669.30 in the Finance Office. The tax value of the property is \$5,000.

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

- J. Budget Revisions:

ACTION: Approve

- 1) General Government Other

Revisions in the total amount of \$11,115 to reallocate budgeted expenditures to various departments for additional fuel costs for the remainder of the fiscal year. (B06-359 through B06-359E) **Funding Source – Reallocation of Budgeted Expenditures**
- (2) Health

Revision in the amount of \$6,000 to budget additional anticipated fees. (B06-360) **Funding Source – Pharmacy Fees**
- (3) General Litigation/General Government Other

Revisions in the amount of \$100,000 to reallocate budgeted expenditures to cover operating litigation costs which have exceeded budgeted expectations. (B06-363 and B06-363A) **Funding Source – Reallocation of Budgeted Expenditures**
- (4) Day Reporting

Revision in the amount of \$8,600 to recognize additional revenue received from state for the purpose of utilities (\$8,000) and travel (\$600). (B06-365) **Funding Source - State**

(5) Industrial Development Inducement Fund

Revision in the amount of \$17,000 to appropriate fund balance for property taxes and interest on the industrial Park Shell Building. (B06-367) **Funding Source – Industrial Development Inducement Fund Balance**

(6) Mid-Carolina Senior Transportation

Revision in the amount of \$4,445 to adjust county budget to agree with grant budget. (B06-368) **Funding Source – Grant**

(7) Social Services Other/Rural Operating Assistance Program

Revisions in the amount of \$10,000 to reallocate budgeted expenditures to provide transportation for Work First clients. (B06-369 and B06-369A) **Funding Source – Reallocation of Budgeted Expenditures**

(8) Central Maintenance/Solid Waste

Revisions in the amount of \$251,649 to reclassify revenue and expenditures derived from services provided to the Solid Waste Maintenance Department. (B06-372 and B06-372A) **Funding Source – Fees**

(9) Emergency Services Grants

Revision in the amount of \$37,500 to re-budget unspent grant funds from prior fiscal year. (B06-375) **Funding Source – Grant**

(10) Eastover Sanitary District

Revision in the amount of \$65,292 to budget the purchase of a pump station and controls related to the extension of sanitary sewer services to the eastern side of the U.S. 13 and I-95 interchange. (B06-377) **Funding Source – Other**

ITEMS OF BUSINESS

3. Consideration of Board of Education Resolution Requesting 2006 Facility Plan Projects Approval and Subsequent Financing from Certificates of Participation (COPS).

BACKGROUND: The Board of Education, at its meeting on May 9, 2006, requesting the Board of Commissioners to approve \$55 million Certificates of Participation for capital needs at the schools as outlined below:

Baldwin Elementary	\$	2,000,000
North Pre-K Kindergarten (Howard, Raleigh Rd. Longhill)		3,800,000
Walker Spivey		2,400,000
Sherwood Park Elementary		1,200,000
Cumberland Mills Elementary		1,200,000
West Middle School (NEW)		16,500,000
Gray's Creek Middle		4,800,000

Gallberry Elementary	1,200,000
South View Middle	1,700,000
Honeycutt Elementary	1,700,000
Eastover Elementary	1,600,000
Warrenwood Elementary	900,000
Cliffdale Elementary	1,200,000
Owen Elementary	900,000
Glendale Acres Elementary	900,000
McArthur Elementary	900,000
Ponderosa Elementary	900,000
District 7 Elementary	900,000
Seabrook Elementary	900,000
Jeralds Middle School	1,000,000
Ireland Drive Middle School	900,000
 TOTAL	 47,500,000
Contingency	7,500,000
 GRAND TOTAL	 \$ 55,000,000

Estimated debt service on the COPS, \$4.5 million, would be repaid from state lottery proceeds distributed to the County for school construction, projected to exceed \$7 million a year.

James Martin, County Manager, said that while there were some issues regarding lottery fund proceeds and several bills in the NC General Assembly proposing to use the proceeds for a state-wide bond referendum for capital needs for school systems, he felt there is a need in Cumberland County for this capital project(s) and the Board could go ahead and adopt a Resolution approving the COPS.

ACTION: Adopt Resolution approving the COPS issue and setting of a public hearing.

MOTION: Commissioner Edge moved to approve the COPS issue contingent on ADM funds and approval by the Local Government Commission.

SECOND: Commissioner Blackwell

DISCUSSION: Commissioner Henley said he would not support the COPS unless a funding agreement was approved. He noted the importance of the County and the Board of Education having a stable idea of funding from year to year, one that is sustainable. He noted that as the County continues to grow, the amount of funding for the school system increases under the funding agreement. Commissioner Edge noted that regardless of the funding agreement, the County is obligated to fund the capital needs of the school system. Commissioner Wheatley inquired that if a bill at the General Assembly passes approving a bond referendum, will the COPS issue be canceled. Ricky Lopes, Finance Officer, Board of Education, said the Board of Education would recommend in that case that pursuit of the COPS be terminated. Commissioner Wheatley said disfavours COPS in principle, but would support this COPS issue because the number of votes in support would affect the interest rate that will be paid on the COPS. It was noted that a public hearing must be held on the COPS and suggested by the County Attorney that it be held on August 21, 2006 (the third Monday – regular meeting of the Board of Commissioners). Commissioner Council suggested that the public hearing be held at the June 19 meeting, with final approval of the documents at the August 21st meeting. Commissioner Henley inquired of the Board of Education why they were reluctant to approve the funding agreement. Superintendent Bill Harrison noted that it had been approved in concept and that the Board of Education would be discussing the issue this afternoon. Chairman King indicated his dislike of funding the school needs with COPS. He noted it is the most expensive way to pay for capital needs and he was not totally convinced that the School System had addressed redistricting which could bring some relief. He Chairman King said he would not support COPS and he did not think the Board of Education was addressing its long-term needs. Commissioner Blackwell noted some concerns as outlined in an e-mail to commissioners from the NC Association of County Commissioners, i.e., only a two-month track record of lottery revenues and should counties be relying on this funding source for repayment of COPS. In addition, he noted concern about the ADM funding and suggested everyone keep a watchful eye on what is happening in the General Assembly.

AMENDED

MOTION: Adopt the Resolution, setting the date of the Public Hearing for June 19, 2006. (LATER MODIFIED TO SET PUBLIC HEARING DATE FOR AUGUST 21, 2006).

SECOND: Commissioner Blackwell

DISCUSSION: Commissioner Council appealed to Commissioner Henley to support the COPS, who indicated he would vote to approve this first step as this vote was simply the first step in the process, but would reserve the right to vote against final approval of the transaction if a funding agreement has not been reached.

VOTE: FAVOR: Commissioners Baggett, Edge, Council, Blackwell, Henley,
Wheatley

OPPOSED: Chairman King

RESOLUTION AUTHORIZING THE FILING OF AN APPLICATION FOR APPROVAL
OF AN INSTALLMENT FINANCING CONTRACT AUTHORIZED BY NCGS 160a-20, AND
MAKING CERTAIN FINDINGS REQUIRED BY NCGS 159-151

WHEREAS, the Board of Commissioners of the County of Cumberland, North Carolina (the "County") has decided to pursue the financing of certain school projects, including renovation of schools and the construction and equipping of new schools (together with related infrastructure) (collectively, the "Project") pursuant to an installment financing agreement, as permitted under NCGS 160A-20; and

WHEREAS, it is anticipated that a portion of the cost of the Project to be financed will be approximately \$57,000,000, including issuance expenses in connection with the financing; and

WHEREAS, financing of the Project pursuant to NCGS 160A-20 must be approved by the NC Local Government Commission (the "LGC") and will only be approved if the findings of NCGS 159-151(b) have been made;

NOW, THEREFORE, BE IT RESOLVEED by the Board of Commissioners ("the Board") of the County as follows:

1. The proposed Contract is necessary and expedient because of the pressing need for additional schools and the need to update and renovate existing schools within the County.
2. The proposed Contract is preferable to general obligation bond financing for the same purposes because of the urgency of particular needs to be financed, the aggregate volume of financings to be accomplished and the desirability of having available the alternative financing structures and repayment provisions possible in the proposed certificates of participation structure.
3. The cost of the proposed undertaking exceeds the amount of funds that can be prudently raised from currently available appropriations, unappropriated fund balances, and non-voted general obligation bonds that could be issued by the County in the fiscal year pursuant to Article V, Section 4 of the NC Constitution. The project is non-revenue producing so revenue bonds are not an option.
4. The cost of financing under the proposed Contract is not materially greater than the cost of issuing general obligation bonds.
5. The sums to be provided under the Contract are adequate and not excessive for the stated purposes of acquiring, construction and equipping the Project.
6. The County's debt management procedures and policies are good and have been carried out in strict compliance with law and will henceforth be so carried out.
7. There will be no tax increase to meet the sums due under the proposed Contract.
8. The County is not in default in any of its debt service obligations.
9. The attorney for the County has rendered an opinion that the proposed Project is authorized by law and is a purpose for which public funds may be expended pursuant to the Constitution and laws of the State of North Carolina.
10. The Chairman of the Board, the Finance Officer and other officers of the County are hereby authorized and directed to proceed with the Project.
11. The officers of the County are hereby directed to call a public hearing with respect to the Contract to be held on June 19, 2006, and to publish notice of such hearing not less than ten days prior to such date as required by NCGS 160A-20. NOTE: Later on in this meeting, the Board voted to change the Public Hearing date to August 21, 2006 (based on a recommendation from the County Attorney).
12. The Chairman of the Board, the Finance Officer and other officers of the County are hereby authorized and directed to make application to the LGC in connection with the Project and the financing therefore.

13. All other acts of the Board and the officers of the County which are in conformity with the purposes and intent of this Resolution and in furtherance of the financing of the Project are hereby approved and confirmed.
14. All Resolutions or parts thereof in conflict herewith are hereby repealed.

4. Consideration of Approval of Military Mission and Operations Area Conservation and Protection Agreement with McCormick Farms Limited Partnership.

BACKGROUND: As a response to the Fort Bragg Regional Land Use Advisory Commission's report regarding the one mile buffer around Fort Bragg and Pope Air Force Base, the Board of Commissioners adopted a policy suggested by Commissioner Henley to offer owners of critical and important tracts of five acres or more incentives not to develop their properties for urban purposes. In adopting that policy, the Board affirmed that Fort Bragg and Pope Air Force Base should be positioned to enhance and expand their military readiness missions as a result of force re-alignments which will result from the Base Realignment and Closure Realignment. The Small Area Plan Study proposed allowing land uses compatible with military activities, such as factory or defense contractor uses or agricultural uses on Critical and Important parcels in the buffer area. Parcels were designated Critical or Important because of noise, accident potential or endangered species (red cockaded woodpecker) factors. The Board of Commissioners Policy offers owners of Critical or Important tracts of over five acres a VOLUNTARY financial inducement to conserve and protect those tracts from urban development. The Board also approved a general form of easement agreement that was presented at a public hearing of the Joint Planning Board. The agreement would compensate an owner an annual amount measured as 48% of property taxes paid for an agreement to keep land substantially in its current state and/or uses for a term of from five up to ten years. For a term of ten years or more, the compensation would be measured as 96% of property taxes paid. If an owner were to breach the agreement or withdraw early, the owner would have to reimburse all compensation paid for the first five years, and if applicable, half of the compensation payable after the fifth year. The agreement would grant the County a right of first refusal to match any offer to buy the property. After five years, an owner could terminate the agreement early on one year's notice. This agreement could be "tailored" in non-essential aspects to accommodate the needs of various property owners. During this past fall and winter, Tom Brooks of McCormick Farms Limited Partnership, met with the County Attorney and exchanged drafts of the agreement intended to promote the County's objectives and at the same time preserve flexibility to McCormick Farms to conduct over its ten year term a variety of agricultural activities and uses closely related to agricultural activities, i.e., a retail nursery operation selling flowers and plants, etc. The proposed agreements would cover 17 tracts with a cumulative total of an estimated 1,574.16 acres. Much of the land is in the use value program, so the property is assessed for property tax purposes at a significantly reduced level. The current amount of property taxes received annually from the portion of these tracts that would be subject to conservation and protection agreements is \$9,929.70. Because these discussions commenced early in the fall of last year, the County Attorney recommends that the effective date of the agreements be October 1, 2005. This would provide that, for tracts as to which property taxes were timely paid for 2005, conservation and protection agreement payments would be due in January, 2007. For the ten year agreements, the annual payment to McCormick Farms would be \$9,532.51, assuming no change in the property tax rate.

ACTION: Consider approval of the agreements with McCormick Farms for the following tracts:

0531-82-3501, 0523-51-9691, 0512-58-4275, 0523-50-8321, 0512-78-7599, 0522-46-4990, 0532-14-1264, 0522-65-9207, 0512-31-2366, 0522-28-2226, 0523-02-5337, 0513-53-7043, 0512-45-3656, 0523-03-2286, 0522-39-75-67, 0523-23-9960

TOTAL ACREAGE: 1574.16

MOTION: Commissioner Henley moved to approve.
SECOND: Commissioner Council
VOTE: UNANIMOUS

4. Consideration of Designation of a Voting Delegate to the NACo Annual Conference.

Chairman King was appointed as the voting delegate.
Vice Chairman Edge was appointed as the alternate.

5. Nominations to Boards and Committees

A. Adult Care Home Community Advisory Committee (3 Vacancies)

BACKGROUND: The following terms have expired:

Cathy Bain – completed initial term, eligible for reappointment.
Herma Jean Bradley – completed initial term, eligible for reappointment.
John Poulos – completed first term – eligible for reappointment

Nominees: Cathy Bain, Herma Jean Bradley, John Poulos

B. Community Child Protection Fatality Prevention Team (3 Vacancies)

BACKGROUND: The following terms have expired:

Sheriff's office – Lt. Myron Sampson – no longer serves in the position – Sgt. Lynette Hodges is recommended to fill the vacancy.

Fayetteville Policy Department – Sgt Anthony Kelly no longer serves in the position – Chris Davis is recommended to fill the vacancy.

EMS Provider or Firefighter – Tina Joyner no longer serves in this position – Carl Strange is recommended to fill the vacancy.

Nominees: Lynette Hodges, Chris Davis, Carl Strange

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

BACKGROUND: Robert F. McNeill is deceased.

Nominee: Clifton McNeill, Sr.

D. Criminal Justice Partnership Advisory Board (4 Vacancies)

BACKGROUND: The following terms have expired:

District Court Judge – Beth Keever
At-large members – Carrie Heffney & Kirk Nance
County Commissioner – Talmage Baggett

Nominees: Beth Keever, Carrie Heffney, Kirk Nance, Talmage Baggett

E. Storm Water Advisory Board (2 Vacancies)

BACKGROUND: The first term of Dohn Broadwell will expire on June 30, 2006. Mr. Broadwell is the "joint" appointee on the Board, appointed by the Mayor of Fayetteville and the Chairman of the Board of Commissioners. The Mayor and the Chairman recommend that Mr. Broadwell be reappointed. On May 15, 2006, the Board appointed Roosevelt Odom to serve on the Board. He declined the appointment because he teaches a class on Tuesday and Thursday nights. A replacement is needed.

ACTION: Concur in the appointment of Mr. Broadwell and nominate to fill the vacancy (Roosevelt Odom).

The Board concurred in the nomination of Dohn Broadwell to serve a second term on the Storm Water Advisory Board.

Nominee to fill position that Roosevelt Odom declined – last meeting – Dennis Gould

F. Tourism Development Authority (1 Vacancy)

BACKGROUND: Mr. Gene Ammons, Jr., is deceased. His term would have expired in March 2008. He filled the position as owner of a motel/hotel with under 100 rooms.

ACTION: Nominate to fill the vacancy.

Nominee: Vivek Tandon

G. Workforce Development Board (2 Vacancies)

BACKGROUND: On October 17, 2005, the Board of Commissioners approved an organizational change to the Work Force Development Board increasing the membership from 21 to 23 to ensure that the Private Sector category meets the minimum 51 percent representation. A total of 12 slots or 52 percent will be represented by the private sector members. Mike Baldwin and Jean Harrison have been recommended for these two additional slots – private sector.

Nominees: Mike Baldwin and Jean Harrison

MOTION: Commissioner Blackwell moved to appoint George Quigley and Joe Potts to the Board of Adjustment, Phyllis Spain to the Mental Health Authority Board, Family Consumer slot), Rev. Joe Fleming and Navy Thomas to the Nursing Home Advisory Board, and Billy Wellons, Chairman and Gwen Holloman, Vice Chairman of the TDA.

SECOND: Commissioner Wheatley

VOTE: UNANIMOUS

6. Appointments to Boards and Committees

A. ABC Board (1 Vacancy)

Nominees: Edward Maynor
Dr. Annie M. Chavis

VOTING FOR ABC APPOINTMENT:

Edward Maynor: Commissioners Baggett, Henley, Edge, Wheatley, Blackwell
Dr. Annie Chavis: Commissioners King and Council

B. Board of Adjustment (2 Vacancies)

Nominees: George Quigley
Joe Potts (Reappointment)

C. Mental Health Board (2 Vacancies)

Nominees: Developmental Disabilities (Family Consumer):
Louis J. Gloston, Jr.
David Wendelken

VOTING ON DEVELOPMENTAL DISABILITIES SLOT:

Louis J. Gloston, Jr: Commissioners King, Council and Blackwell
David Wendelken: Commissioners Baggett, Henley, Edge, Wheatley

Alcoholism (Family Consumer):
Phyllis M. Spain

D. Nursing Home Advisory Board (2 Vacancies)

Nominees: Rev. Dr. Joe Fleming (Reappointment)
Navy Thomas

E. Appointment of Tourism Development Authority Chairman and Vice Chairman.

Nominees: Chairman: Billy Wellons
Vice Chairman: Gwen Holloman

7. Closed Session A. Attorney-Client Matter Pursuant to NCGS 143-318.(a)(3).
(Jones v. Gwinn)

MOTION: Commissioner Wheatley moved to go into Closed Session for the above noted matter.
SECOND: Commissioner Edge
VOTE: UNANIMOUS

MOTION: Commissioner Edge moved to go back into Open Session.
SECOND: Commissioner Council
VOTE: UNANIMOUS

RECESS BOARD OF COMMISSIONERS MEETING

9. RECONVENE MEETING IN CONFERENCE ROOM 564 FOR BUDGET WORK SESSION AND POTENTIAL BUDGET ADOPTION.

MOTION: Commissioner Council moved to recess this meeting to Room 564 and continue deliberations and possible adoption of the FY 2006-07 budget.
SECOND: Commissioner Wheatley
VOTE: UNANIMOUS

Chairman King reconvened the meeting in Room 564.

Budget Discussion: The Manager presented to the Board the effect of the suggested amendments to the budget made during the budget work sessions, including an increased pay plan for the Sheriff’s Office deputies as a start towards competing with the City of Fayetteville’s recent police pay increases and increasing COLA from 3% to 3.5% with a minimum increase of \$1,000. He noted that he believes the recurring expenses can be sustained.

MOTION: Commissioner Henley moved to adopt the Budget Ordinance.
SECOND: Commissioner Edge
VOTE: UNANIMOUS

BUDGET ORDINANCE FY 2006-07

The Board of Commissioners hereby adopts and enacts the proposed 2006-07 fiscal year budget as recommended by the County Manager with amendments incorporated herein as the County of Cumberland’s budget for FY2006-07 under the following terms and conditions:

- (1) The Budget Ordinance shall govern only total dollar departmental appropriations, including multiple organizations within a department as shown subject to the resolution of September 7, 1982, after any additional personnel costs are factored into each department’s appropriation.
- (2) The amendments to the County Manager’s recommended budget as approved by the Board of Commissioners (Attachment A). The attachment includes all adjustments approved by the Board of Commissioners from May 22, 2006 through adoption of the budget on June 5, 2006 and any subsequent adjustments approved through June 30, 2006 by the Board.
- (3) The county-wide ad valorem tax rate and levy of 88.0 cents per \$100 valuation is hereby adopted.
- (4) The Special Recreation Tax Rate and levy of 5 cents per \$100 valuation is hereby adopted.
- (5) The Fire Tax District rates shown below are hereby adopted and taxes levied:

	<u>Approved Tax Rate Per \$100 Valuation</u>
Beaver Dam Fire District	10 cents
Bethany Fire District	10 cents
Bonnie Doone Fire District	10 cents
Cotton Fire District	10 cents
Cumberland Road Fire District	10 cents
Eastover Fire District	10 cents

Godwin-Falcon Fire District	10 cents
Grays Creek Fire District	10 cents
Lafayette Village Fire District	10 cents
Lake Rim Fire District	10 cents
Manchester Fire District	10 cents
Pearces Mill Fire District	10 cents
Stedman Fire District	10 cents
Stoney Point Fire District	10 cents
Vander Fire District	10 cents
Wade Fire District	10 cents
Westarea Fire District	10 cents
Special Fire Service Fire District	1/2 cent

- (6) The Cumberland County Board of Education's current expense appropriation is hereby adopted at \$65,897,226.
- (7) The County Pay Plan for FY2006-07 includes a 3.5% (minimum of \$1,000) cost of living increase for all permanent employees effective July 9 and a 1% employer contribution to a 401K retirement plan.
- (8) The Pay and Classification Plan previously adopted by the Board of Commissioners is automatically deemed amended and revised to reflect any additional or revised positions and/or classifications specifically approved by this budget.
- (9) Encumbrances outstanding in the prior fiscal year will be included in the coming year (FY2007) budget.
- (10) Any shortfalls or other adjustments in revenues or expenditures created by the above adopted budget shall be adjusted by a like amount appropriation from the fund balance of the County of Cumberland or an adjustment to contingency or other line item so that the 2006-07 fiscal year budget of the County of Cumberland is balanced pursuant to Chapter 159 of the NC General Statutes.
- (11) Storm Water Utility Fee: The monthly service charge per equivalent service unit under the Storm Water Public Enterprise Ordinance, effective July 1, 1995, shall be One Dollar (\$1.00), and shall remain in effect until subsequently amended by appropriate act of the governing body.
- (12) The Solid Waste Management fee is hereby adopted at \$48.00 per household.

The County Attorney asked that the Board change the date of the public hearing for the COPS to August 21st meeting because the General Statutes require that the public hearing be held on the proposed contract and the Attorney said those documents would not be ready by the June 19 meeting.

MOTION: Commissioner Edge moved to change the date of the public hearing from June 19 to August 21, 2006.
 SECOND: Commissioner Blackwell
 VOTE: FAVOR: Commissioners Baggett, Edge, Henley, Blackwell, Council, Wheatley
 OPPOSED: Chairman King

MEETING ADJOURNED

Clerk