

CUMBERLAND COUNTY BOARD OF COMMISSIONERS
AND
FAYETTEVILLE CITY COUNCIL
SPECIAL MEETING
NOVEMBER 18, 2010, 8:00AM
(BREAKFAST MEETING)
DEPARTMENT OF SOCIAL SERVICES, MEETING ROOM B
1225 RAMSEY STREET, FAYETTEVILLE, NC

COMMISSIONERS: Commissioner Billy R. King, Chairman
Commissioner Kenneth S. Edge, Vice Chairman
Commissioner Jeannette Council
Commissioner Marshall Faircloth
Commissioner Phillip Gilfus
Commissioner Jimmy Keefe
Commissioner Ed Melvin

COMMISSIONER
ELECT: Commissioner-Elect Charles E. Evans

COUNTY STAFF: James Martin, County Manager
Juanita Pilgrim, Deputy County Manager
Amy Cannon, Assistant County Manager
James Lawson, Assistant County Manager
Rick Moorefield, County Attorney
Phyllis Jones, Assistant County Attorney
Sally Shutt, Communications and Strategic Initiative Manager
Dr. John Lauby, Animal Services Director
Kenny Currie, Emergency Services Director
Thomas Lloyd, Planning and Inspections Director
Tom Cooney, Public Utilities Director
Marie Colgan, Clerk to the Board
Candice H. White, Deputy Clerk to the Board

FAYETTEVILLE
CITY COUNCIL: Anthony G. Chavonne, Mayor
Council Member D. J. Hair, Mayor Pro Tem
Council Member Keith A. Bates (departed at 8:30 am)
Council Member Kady-Ann Davy
Council Member Robert A. Massey
Council Member Bobby Hurst
Council Member Bill J. L. Crisp
Council Member Valencia A. Applewhite
Council Member Theodore W. Mohn
Council Member Wesley A. Meredith

FAYETTEVILLE
CITY STAFF: Dale E. Iman, City Manager
Kristoff T. Bauer, Assistant City Manager
Doug Hewett, Assistant City Manager
Karen M. McDonald, City Attorney
Michael Gibson, Parks and Recreation Director
Rebecca Rogers-Carter, Management Services Manager
Rita Perry, City Clerk

1. CALL TO ORDER

The meeting was called to order by the Chairman Billy R. King, Board of Commissioners, and Mayor Anthony G. Chavonne, City of Fayetteville.

Chairman King extended greetings to all in attendance and stated both bodies had gathered for discussion of issues affecting the greater community.

2. CONSOLIDATION OF E911 FACILITY

Chairman King called on Kenny Currie, Emergency Services Director, who called attention to information that had been provided regarding the consolidation of the remaining two primary Public Safety Answering Points (PSAPs), Cumberland County's and the City of Fayetteville's. Mr. Currie reviewed the phased consolidation process as envisioned and explained that steps had already been taken by the two centers towards the purchase of compatible equipment and the alignment of training. Mr. Currie stated personnel costs and building construction costs for a consolidated dispatch center were the two funding related issues.

Mr. Currie stated before grant applications could be submitted for brick and mortar to build the consolidated dispatch facility, a commitment would be needed from both the city and the county, through either a letter of understanding or agreement that would state the two agencies are willing to combine into one E-911 center.

Mr. Currie responded to questions and discussion ensued regarding associated personnel costs, salary discrepancies, employee shifts and equipment costs. Mr. Currie stated the county's 50/50 funds would have to be spent by July 1, 2012 and would have to be committed to public safety. Mr. Currie further stated grant applications could be submitted the first of 2011 and because consolidated E-911 centers were one of the top priorities, there would likely not be any limitations on the amount of funds that could be applied for. Mr. Currie also stated if the two centers were merged, the county could possibly get more funds than the centers could get separately.

Dale E. Iman, City Manager, stated the city needed to develop data because it had nothing to support potential personnel costs or savings. Mr. Currie stated the consolidation was not about saving dollars but was about saving seconds and lives, and providing citizens in the city and the county the same level of service. Mr. Currie explained why ultimate efficiencies would not be realized until combined services were under one roof. Mr. Currie responded to additional questions and discussion continued.

Mayor Chavonne stated the city would have their decision by January 31, 2011.

3. REGIONAL TRANSIT STUDY RESULTS AND RECOMMENDATIONS

Mayor Chavonne referenced the Phase 2 or final report on the Consolidated Transportation Development Plan that had been presented to the city and the county by the consultant, RLS Associates, Inc., and stated the next phase would be the development of an interlocal agreement and an implementation plan to accomplish the overall objective of mobility management that would focus on ADA and para-transit. Mayor Chavonne asked whether the county had interest in pursuing efficiencies as identified by the consultant.

Chairman King called on Thomas Lloyd, Planning and Inspections Director, who explained conclusions that were either wrong or omitted in the final report; these included door-to-door transportation for the elderly and disabled; the fact that county ridership has increased rather than decreased; a decrease in the county's per unit cost; and other transportation provided to rural residents through the addition of a partnership with Workforce Development. Mr. Lloyd stated the county would like to see accurate data in the report if it is to be used as a basis for decisions.

Mr. Lloyd responded to questions and discussion followed. James Martin, County Manager, stated it is the county's belief that the recommendation of the report is that the county would agree to consolidate all current county transportation services through the Fayetteville Area System of Transit (FAST). Mr. Martin further stated based on the cost of units for travel with FAST, the bottom line is that the consolidation would result in the county paying a higher cost per unit of travel and therefore reduce the units of service provided to county residents who qualify for county transportation services.

County and city staff responded to additional questions and discussion continued. Commissioner Council inquired whether correct data could be incorporated into the report so that neither party moves forward with incorrect information. Commissioner King suggested that perhaps the Board of Commissioners should reassemble in order to revisit the question. Mr. Martin stated in February, the county indicated to the consultants that it would be willing

to support a recommendation to move forward together if there was a provision that the transportation service could be provided at the lowest unit cost. Mr. Martin further stated his understanding was that this never got included as a recommendation within the report either.

Mayor Chavonne recommended that the consultant be asked to meet with the county and the city at the same time to resolve the issues because both bodies should be able to agree that the facts contained within the report are correct. Mr. Martin asked that the city coordinate the meeting with the consultant.

4. PARTICIPATION OF PWC IN COUNTY WATER PROJECTS
WATER SERVICE AGREEMENT BETWEEN PWC & GRAYS CREEK
WATER AND SEWER DISTRICT
MIA SEWER SERVICE AREA AGREEMENTS

Chairman King stated the county is seeking clarification on two existing agreements related to the Public Works Commission (PWC) that are affecting the Gray's Creek Water and Sewer District. Chairman King called on Rick Moorefield, County Attorney, who stated the county is seeking clarification of the city's interpretation of the term "at the PWC standard wholesale rate". Mr. Moorefield further stated under the terms of the tri-party agreement, the county was led to believe that PWC did have a standard wholesale rate which would be offered to the county, but later learned from Steve Blanchard, PWC CEO/General Manager, that there was no published standard wholesale rate. Mr. Moorefield also stated as of November 15, 2010, he was informed that 65 psi was needed at the connection point and the PWC had 74 psi; however the PWC would not commit to a figure.

Mr. Moorefield advised the county is running out of time because it has to have a contract in place by December 7, 2010 for bond consideration by the Local Government Commission (LGC). Mr. Moorefield advised that this had become such a critical issue that he was prepared to recommend the Board of Commissioners to notice the City that the County considered this lack of commitment from PWC as a breach of the tri-party agreement. Mayor Chavonne advised that PWC had in fact confirmed its wholesale rate is the same rate as bulk water sold to the Town of Stedman, Hoke County, and Aqua NC. Mayor Chavonne stated this had been submitted to the county in a written memorandum the day before. Mr. Moorefield stated that he had been out of the office all of yesterday and was not aware of the memo. Mr. Moorefield stated that this would be an acceptable way to determine the wholesale rate and that understanding would resolve the rate issue. He stated that the county still needed confirmation on the delivery pressure issue. Mayor Chavonne asked Mr. Moorefield to write down the specific questions that were remaining so that he could obtain the answers by the end of the day.

5. DETENTION CENTER CAPACITY

Chairman King stated the Board of Commissioners had agreed to move forward with expansion of the Detention Center. Mr. Iman confirmed Fayetteville City Council members had been invited to attend the Detention Center Expansion Kick-Off meeting on Tuesday, November 23, 2010.

6. MURCHISON ROAD REVITALIZATION

Chairman King stated the understanding is that the Murchison Road Corridor Development, including the implementation of a redevelopment plan and the securing of HUD Section 108 loan funding was one of the Fayetteville City Council's strategic targets for actions. Chairman King inquired regarding the plans for revitalization and whether there was anything the county could do to help move the plan forward.

Mr. Iman provided a brief review of the Murchison Road Revitalization Study to include the project description and background and the funding status. Mr. Iman stated redevelopment of the Washington Drive School, which is owned by the MLK Memorial Park Committee, is included in the targeted southern Murchison Road area and the

property needs to be dealt with in order to advance efforts to redevelop the area into a productive use. Discussion followed regarding the county's gifting of the property to the MLK Memorial Park Committee, the committee's subsequent inability to sell the property, the vandalism and degradation that ensued, and efforts by the city to resolve the issues.

Chairman King stated the Board of Commissioners supports positive action to remediate the school property.

7. ANIMAL CONTROL SERVICES (TO INCLUDE ENFORCEMENT OF THE TETHERING ORDINANCE)

Chairman King called on Dr. John Lauby, Animal Services Director, who provided information regarding the number of calls responded to, citations written against the tethering ordinance, and limitations under the current tethering ordinance that impacts how enforcement is enacted. Dr. Lauby responded to questions and discussion followed.

Mr. Moorefield stated although the city adopted the county's ordinance, problems have arisen because of differences in codification which required the use of different citation books. Mr. Moorefield further stated some of the enforcement aspects had not been well thought out. Mr. Moorefield stated the solution is for the city to apply the same ordinance within its jurisdiction so county Animal Services can then do a better job with enforcement. Mr. Moorefield further stated that he hoped to work with Chief Judge Keever to develop a procedure to take all code enforcement actions through Environmental Court rather than the regular court dockets so the process will be more streamlined. Mayor Chavonne stated the city has interest in having the same ordinance as the county.

Mayor Chavonne inquired regarding service levels on weekends and evenings. Dr. Lauby stated three to four officers are available on Saturday and Sunday, two of which are on standby for emergencies, and two officers are on duty after 6:00 pm. Mayor Chavonne then inquired regarding the telephone messaging system. Dr. Lauby explained a new phone system had just been installed so calls would have a 45 second response time and would be received by a live person; voicemails would be reiterated every two minutes.

County Manager Martin asked Mr. Moorefield to explain the ordinance regulations for barking dogs. Mr. Moorefield advised that barking dogs are encompassed in the city's animal services ordinance from a civil perspective but the city's noise ordinance, which is what citizens generally prefer, is only enforceable by city police.

Dr. Lauby responded to additional questions regarding officer response time, protection for officers and financial resources to include dog license fees. Mayor Chavonne asked that the county explore the collection of fees from veterinarians for remittance to the county and stated this has created a lot more money for animal services in some counties.

8. PARKS AND RECREATION MASTER PLAN

Mayor Chavonne stated the 2006 Parks and Recreation Master Plan did not have an accompanying funding plan and the Fayetteville City Council would like to explore funding in the amount of \$86 million to locate facilities throughout the county through a bond referendum within the next twelve to twenty-four months. Mayor Chavonne asked if the Board of Commissioners would support a bond referendum.

Michael Gibson, Parks and Recreation Director, responded to questions and stated a potential funding package that would incorporate just about everything in terms of facilities would come back to both bodies within the next six months with the hope that there would be an opportunity to place this item on a ballot within the next eighteen months.

9. GATEWAY BEAUTIFICATION

Juanita Pilgrim, Assistant County Manager, stated she had been in contact with Richie Hines, N.C. Department of Transportation, regarding the use of Department of Corrections' state prisoners to help clean up the main roads in Cumberland County at six sites. Ms. Pilgrim stated she received a response that the sites would be reviewed and Mr. Hines would then contact the Department of Corrections to get the county on the schedule for clean up. Mayor Chavonne asked that the sites be forwarded to the city. Mr. Iman stated the city's interest is somewhat broader in that the city would like to see signage, landscape improvements and improved property maintenance.

Commissioner Council stated both she and Council Member Kady-Ann Davy would meet with the joint committee.

10. OTHER MATTERS

There were no other matters of business.

MEETING ADJOURNED AT 10:00 AM.

Deputy Clerk to the Board