

CUMBERLAND COUNTY BOARD OF COMMISSIONERS
AND
CUMBERLAND COUNTY LEGISLATIVE DELEGATION
SPECIAL JOINT MEETING
117 DICK STREET, 1ST FLOOR, ROOM 119
MAY 2, 2011, 7:30 AM
MINUTES

PRESENT: Commissioner Kenneth Edge, Chairman
Commissioner Marshall Faircloth, Vice-Chairman
Commissioner Jeannette Council
Commissioner Charles Evans
Commissioner Jimmy Keefe
Commissioner Billy King
Commissioner Ed Melvin
James Martin, County Manager
Amy Cannon, Deputy County Manager
James Lawson, Assistant County Manager
Rick Moorefield, County Attorney
Howard Abner, Assistant Finance Director
Sally Shutt, Communication and Strategic Initiatives Manager
Lauren Slepian, Multimedia Specialist
Marie Colgan, Clerk to the Board
Candice H. White, Deputy Clerk to the Board
Press

LEGISLATIVE MEMBERS

PRESENT: Senator Wesley Meredith, 19th District
Representative Marvin W. Lucas, 42nd District
Representative Elmer Floyd, 43rd District
Representative Diane Parfitt, 44th District

1. WELCOME AND INTRODUCTIONS

Commissioner Kenneth Edge, Chairman, called the meeting to order and welcomed members of Cumberland County's Legislative Delegation. Commissioner Edge stated the North Carolina Association of County Commissioners (NCACC) has asked each county board to meet with members of their Legislative Delegation to discuss the status of current legislation, to obtain input as to what members of the Legislative Delegation think will happen, to discuss local concerns, to thank members of the Legislative Delegation for the job they are doing, and also to ask members of the Legislative Delegation to put aside their political differences in order to

work together to do what is best for the people of North Carolina. Introductions followed. Commissioner Edge explained how the NCACC's 2011-2012 Legislative Goals were derived and their importance to counties.

2. PRESENTATION OF GOAL: OPPOSE SHIFT OF STATE TRANSPORTATION RESPONSIBILITIES TO COUNTIES

Commissioner Edge stated although legislation to shift the responsibility for road maintenance has not been introduced this year, the issue continues to be discussed. Commissioner Edge stated the shift of secondary roads to counties would devastate them and even be impossible for some of the smaller counties, which is why this became the number one goal of the NCACC.

Commissioner Edge stated Cumberland County has 896.25 miles of paved secondary roads and 23.87 miles of unpaved secondary roads for a total of 920.12 miles. Commissioner Edge further stated the estimated annual cost to Cumberland County would be \$8.5 million which is equal to a 4.10 cent tax increase.

Representative Lucas stated the House budget was finished, would be deliberated on May 3rd and would hopefully be completed by Friday, May 6th. Representative Parfitt stated she serves on the Transportation Committee and her understanding from Transportation chairs is that they are dedicated to infrastructure support and are opposed to dumping maintenance of infrastructure on counties.

At the request of Commissioner Keefe, members of the Legislative Delegation indicated the committees on which they serve.

3. PRESENTATION OF GOAL: REINSTATE ADM AND LOTTERY FUNDS FOR SCHOOL CONSTRUCTION

Commissioner Edge stated the reinstatement of Average Daily Membership (ADM) and lottery funds was the second goal of the NCACC and is very important to Cumberland County. Commissioner Edge also stated Governor Perdue did not include the ADM funds in her budget and the House Appropriations Subcommittee on Education deferred the appropriation of lottery funds to the chairs of the full Joint Appropriations Committee. Commissioner Edge stated his understanding is that a decision has not been made but the projected lottery loss for Cumberland County would be \$5 million and the projected ADM loss would be \$2 million.

Representative Lucas explained some of the history behind the distribution of lottery funds and stated Cumberland County was receiving a lion's share of the funds due to its high tax rates. Representative Lucas also stated the movement has a lot of popularity and some of the counties

may end up losing unless they increase their tax rate, which they do not want to do. A brief discussion followed regarding the importance of the funding to the construction and maintenance of schools. Commissioner Edge emphasized that many of the counties across the state have allocated these revenues to support existing debt service for their schools.

Representative Lucas stated efforts have been made to give a better understanding that the three counties with military bases can not tax Ft. Bragg, Camp LeJeune or Seymour Johnson and for that reason the funding formula should not be tampered with. A brief discussion followed regarding the military's use of state supported county services. Senator Meredith stated the counties should keep lobbying and although the delegation is working together, it will be his responsibility and the responsibility of Senator Mansfield to get it in on the Senate budget if it is not included in the House budget. Commissioner Faircloth stated if it does not pass, then consideration should be given to dropping the word education when referring to the lottery.

Commissioner Council spoke to the funding agreement Cumberland County has with its school system, the tax rate in Cumberland County, and the exceptional needs and expectations for the education of children in Cumberland County. Commissioner Council stated Cumberland County will lose all the way around without the ADM and lottery funds. Representative Lucas concurred that funds for education are woefully short and spoke to the myriad of teacher assistant, office staff and other support staff positions that will be cut. Representative Lucas stated although efforts will be made to retain teaching positions, some of those will be lost as well. A brief discussion followed regarding the impact the job losses will have on county services.

Amy Cannon, Deputy County Manager, explained Cumberland County's annual appropriations over the past several years and how the \$8 million loss for Cumberland County schools was calculated. Commissioner Edge stated the current expense budget for Cumberland County schools has increased from \$51 million in 2001 to \$76 million in 2011. Commissioner Edge also provided an example of the need to better define/clarify responsibilities and roles between the County Commissioners and the Board of Education.

4. PRESENTATION OF GOAL: ENSURE ADEQUATE MENTAL HEALTH FUNDING
and
6. PRESENTATION OF GOAL: PROTECT COUNTY JAIL SYSTEM

Commissioner Edge stated everyone knows that mental health system in North Carolina has been broken for a long time and that as counties have to cut back on their services, there is going to be more and more of a demand for mental health services. Commissioner Edge also stated jails are over capacity, and the county needs to take a look at mental health in general because it is

costing more and more and there are not enough personnel to handle all of the mental health cases.

Howard Abner, Assistant Finance Director, stated that with respect to funding for Mental Health, in FY 2008 there was a \$3 million gain; in FY 2009 there was a \$2,201,448 deficit; in FY 2010 there was a \$2,815,750 deficit; and in FY 2011 there is an estimated \$378,597 with the expectation that the deficit amount will increase. Mr. Abner explained the deficits are related to the mental health reform and the state's reduction in mental health funding. Mr. Abner also explained as a result of the state's reduction in mental health funding, personnel have been reduced and a lot of the services are being contracted out.

Commissioner Edge welcomed Representative Elmer Floyd upon his arrival to the meeting.

Commissioner Council spoke to the direct link between mental health funding and the county jail issues and also recalled the proposal that would compel county jails to accommodate the incarceration of convicted misdemeanants. Commissioner Council stated the county is on target with expanding its jail facility and when looking at all of the services provided by the county, detention and mental health/social services cost more than education. Commissioner Council asked members of the Legislative Delegation whether they had any suggestions for the Board of Commissioners as to how they can maintain the county's level of services in light of all of the forthcoming cuts. Representative Parfitt stated the cuts to mental health are more drastic than they appear and when the cuts were questioned, the answer was that they were not cuts but savings. Representative Parfitt further stated the state is expanding the model of managed care for mental health because the Piedmont Health Plan appears to be working. Representative Parfitt also stated at the present time, it does not appear that Cumberland County will be in one of the designated areas so she is unsure of what this will mean in the overall plan.

Commissioner Keefe asked whether state mental health officials feel mental health is working because officials at the county level know it is not working. Representative Parfitt stated the mental health reform model is effective, but it has not been implemented correctly. Representative Parfitt further stated she believes there is hope in managed care plans that are effective, and the Piedmont Health Plan may be expanded to another third of the state and further depending on how it does. Representative Parfitt stated on paper, the Piedmont Health Plan saves money and provides continuity of care. Commissioner Faircloth briefed members of the Legislative Delegation regarding the county's Crisis Intervention Team (CIT).

Senator Meredith inquired regarding the daily cost for detainees. Commissioner Keefe responded \$60 per day. Commissioner Keefe provided comments regarding the discrepancies between the CIT on paper and its overall effectiveness. Representative Parfitt stated the discrepancies are likely a result of state law and the shortage of psychiatrists due to cuts in reimbursements. A brief discussion followed.

5. PRESENTATION OF GOAL: PRESERVE THE EXISTING LOCAL REVENUE BASE

Chairman Edge stated there is a bill before the House and the Senate that will increase the homestead property tax income level and affect property tax collections for counties. Commissioner Edge further stated a quick review of elderly homestead exemptions offered in other states indicated that North Carolina's program is both generous and expansive, and legislators who serve on the Finance Committee need to take another look at anything that will erode the local revenue base for counties. Commissioner Edge stated the sales tax is the fairest source of revenue because it is voluntary, and if the state left it on another year, it would make the cuts much easier to deal with.

7. PRESENTATION OF GOAL: SUPPORT CONSERVATION OF WORKING LANDS AND FARMLAND PRESERVATION

Commissioner Edge stated the goal is to oppose recommended cuts to the Farmland Preservation Trust and to support legislation to promote and preserve working farmlands. Commissioner Edge also stated the request being made of Legislators is to support legislation to maintain funds in the Agricultural Development and Farmland Preservation Trust Fund and to support legislation authorizing counties to implement Transfer of Development Rights. Commissioner Edge further stated farmers are very important to the way of life in North Carolina and legislators should not forget them.

Representative Floyd stated legislators were able to keep funding to work with military installations to protect the military presence in North Carolina.

8. PRESENTATION OF GOAL: ENHANCE RIVER BASIN MONITORING AND STREAMLINE RULE-MAKING

Commissioner Edge stated the goal is to enhance monitoring for all river basins in North Carolina and to review the rule-making process to enhance regional cooperation. Commissioner Edge further stated North Carolina will be the third fastest growing state over the next ten years, and stormwater management and the Division of Water Quality is important and should be protected for everyone.

Representative Lucas stated this is another area in which the state is in dire straits because the North Carolina Department of Energy and Natural Resources (DENR) will lose a lot of jobs in this area and the Clean Water Trust Fund will also be reduced.

9. STATUS REPORT ON SENATE BILL 143 AUTHORIZING CERTAIN COUNTIES TO CONSTRUCT 64 BED DORMITORY-STYLE LOCAL CONFINEMENT FACILITIES

Commissioner Edge referenced Senate Bill 143 as filed by Senator Mansfield. James Martin, County Manager, outlined the proposed expansion to the jail facility in Cumberland County that would allow for four sixty-four bed dormitories along with higher classifications for inmates requiring higher security. Mr. Martin stated county jail staff have confirmed they will be able to manage the number of inmates under this arrangement and therefore the county is asking that Legislators support the bill.

Commissioner Keefe briefly reviewed the process the Board, county staff, county management and the architects went through that led to their decision for dormitory style incarceration and stated the last piece in order to move forward is to modify the dormitory requirements for detention facilities. Commissioner Keefe stated the current statute states that counties that have a population in excess of 600,000 may house up to fifty-six inmates in each dormitory in a county detention facility. Commissioner Keefe further stated Senate Bill 143 would modify dormitory requirements so that counties that have a population in excess of 300,000 may house up to sixty-four inmates in each dormitory in a county detention facility. Commissioner Keefe pointed out that with over 50% of the county jails being over capacity, there are likely other Legislators that will support the bill. Commissioner Keefe emphasized that without Legislative approval of this modification, the county can not move forward with its jail expansion plans.

Representative Floyd stated that if Senator Mansfield is successful with getting the bill out of committee, there is a great possibility that it will pass. Questions and a brief discussion followed.

10. OPEN DISCUSSION

Commissioner Edge thanked members of the legislative delegation for their time and for what they do for Cumberland County. Commissioner Edge stated the Executive Team of the NCACC met with Speaker Gillis and Senator Byrd and both stated they would not balance the state budget on the backs of counties. Commissioner Edge referenced past discussions regarding fiscal modernization and stated it is more evident now than ever that state government needs to be transformed; this would include the roles of cities, counties and the state and their respective charges related to oversight and funding. Commissioner Edge stated Cumberland County wants to partner to more clearly define these roles and responsibilities. Representative Lucas stated he and Senator Mansfield would be glad to help.

There being no further business, the meeting adjourned at 8:57 a.m.

Approved with/without revision:

Respectfully submitted,

Candice H. White
Deputy Clerk to the Board