

CUMBERLAND COUNTY BOARD OF COMMISSIONERS  
TUESDAY, SEPTEMBER 6, 2011 – 9:00 AM  
117 DICK STREET, 1<sup>ST</sup> FLOOR, ROOM 118  
REGULAR MEETING  
MINUTES

PRESENT: Commissioner Marshall Faircloth, Vice Chairman  
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  
Bob Stanger, County Engineer  
Kristine Wagner, Transportation Planner  
Sally Shutt, Communication and Strategic Initiatives Manager  
Doug Byrd, Fayetteville-Cumberland Chamber of Commerce  
Government Liaison  
Candice White, Clerk to the Board  
Kellie Beam, Deputy Clerk to the Board

ABSENT: Chairman Kenneth Edge  
Commissioner Jeannette Council

Vice Chairman Faircloth called the meeting to order.

INVOCATION: Commissioner Ed Melvin introduced Reverend Tim Hall, Pastor of Faith Community Church in Massey Hill, who provided the invocation followed by the Pledge of Allegiance to the American Flag.

Recognition of Retired County Employees:

Wanda Hunter, Cumberland County Library:

On behalf of the Board of Commissioners, Commissioner Evans recognized Wanda Hunter, who retired from the Cumberland County Library, for the outstanding service she provided to the citizens of Cumberland County. Ms. Hunter offered brief comments.

Phyllis Faircloth, Cumberland County Tax Administration:

On behalf of the Board of Commissioners, Vice Chairman Faircloth recognized Phyllis Faircloth, who retired from the Cumberland County Tax Administration, for the outstanding service she provided to the citizens of Cumberland County. Ms. Faircloth offered brief comments.

Vice Chairman Faircloth announced that Chairman Kenneth Edge was unable to attend the meeting because he was traveling and Commissioner Jeannette Council was also unable to attend the meeting.

James Martin, County Manager, asked that the Board consider adding the following two items to the consent agenda:

Item 2.G. Consideration of Facilities Committee Recommendation to Authorize Contract Negotiations with BE&K for Construction Manager at Risk Services for the Detention Center Expansion, and

Item 2.H. Consideration of Policy Committee Recommendation to “Ban-the-Box” from the County Employment Application and Approval of the Pre-employment Background Check Policy.

Commissioner Keefe requested that the proposed Item 2.G. and Item 2.H. not be placed on the consent agenda but rather added to the agenda for separate discussion and action.

1. Approval of Agenda

MOTION: Commissioner King moved to approve the agenda with the addition of Items 2.G. and Item 2.H., and to pull Item 2.G. and Item 2.H. from the consent agenda for separate discussion and action.

SECOND: Commissioner Evans

VOTE: UNANIMOUS (5-0)

2.G. Consideration of Facilities Committee Recommendation to Authorize Contract Negotiations with BE&K for Construction Manager at Risk Services for Detention Center Expansion

BACKGROUND:

With approval of the Board of Commissioners, staff has undertaken a qualifications-based selection process to procure a Construction Manager at Risk for the County Detention Center Expansion Project. A Request for Proposals was prepared by the Engineering Department that defined the project, outlined the scope of CM services and requested certain documentation from the CM firm. The County received responses from nine (9) firms. A Selection Committee was formed consisting of representatives from the Board of Commissioners, County Management, County Attorney’s Office, Sheriff’s Office, County Maintenance and County Engineering. The Selection Committee met on August 17<sup>th</sup> to review the proposals and shortlist four (4) firms to interview. The interviews were conducted on August 30<sup>th</sup> with the following Construction Management firms.

- BE&K Building Group
- Balfour Beatty Construction/Metcon (joint venture)

- Barnhill Contracting Company/Right Build International
- Rentenbach Constructors/Bordeaux Construction Company (joint venture)

A presentation was made at the County Facilities Committee meeting on September 1<sup>st</sup> to review the CM selection process and offer a recommendation of the CM firm deemed best qualified, in the opinion of the Selection Committee, for the Detention Center Expansion Project.

In general, all the firms interviewed were very qualified to provide CM at Risk services on the Detention Center Expansion Project and presented themselves well, which made the task of selecting one firm a difficult challenge for the Selection Committee.

Upon conclusion of the final interview, each member of the Selection Committee was asked to rank each of the CM firms to determine if there was a consensus on which firm we believed to be best qualified for the Detention Center Expansion Project or if there were one or more firms that should be eliminated from further consideration. Most of the discussion centered on BE&K and Balfour Beatty/Metcon as the top two firms and after considerable deliberation, the Committee agreed to recommend BE&K Building Group for the following reasons:

- BE&K has 100% controlling interest in the project as compared to Balfour Beatty/Metcon which is a 70/30 joint venture. All things being equal, the committee believes that a single entity is preferable to a joint venture.
- BE&K provided more relevant answers to the questions posed by the Committee.
- The County has experience with BE&K's Project Superintendent and Assistant Superintendent who worked on the Crown Coliseum as F.N. Thompson employees.
- BE&K's safety record appeared to be the best among all the firm's interviewed as evidenced by their EMR of 0.40. The other firm's EMR ranged from 0.70 to 0.86. This should translate into reduced insurance costs for the project.
- BE&K's diversity manager, McKeether Williams of Burney & Burney Construction, knows the local MWBE subcontractor community and will lead the recruitment efforts as well as manage the MWBE subcontractors on the job. They will also take advantage of the MWBE services provided by Cumberland Regional Improvement Corporation of which McKeether is a Board Member.
- BE&K has zero litigation.
- BE&K's preconstruction team includes Lee McClure of Construction Control Group who is a Corrections Specialist with 33 years experience in Program and Construction Management.

The recommendation presented to the Facilities Committee from the Selection Committee was to enter into negotiations with BE&K Building Group to provide Construction Manager at Risk services for the Detention Center Expansion Project. After

discussion, the Facilities Committee endorsed the Selection Committee's recommendation which will be forwarded to the Board of Commissioners for its consideration.

**RECOMMENDATION/PROPOSED ACTION:**

The recommendation of the CM Selection Committee, Management and the Facilities Committee is to enter into negotiations with BE&K Building Group to provide Construction Manager at Risk services for the County Detention Center Expansion Project. The proposed action by the Board is to approve the recommendation of staff and the Facilities Committee.

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As chairman of the Facilities Committee and a member of the Construction Manager (CM) Selection Committee, Commissioner Keefe briefly outlined the process involved with selecting the CMR and stated the firm that was selected will ensure the county meets budget and timing for the project. Commissioner Keefe stated he was comfortable bringing forward the recommendation.

Commissioner King asked Bob Stanger, County Engineer, to explain the recommendation for BE&K and the process that was used. Mr. Stanger recalled that the Board had approved the CMR as the construction delivery method for the project and that the selection process was qualifications based. Mr. Stanger explained the Request for Proposal (RFP) and stated the county received responses from nine firms. Mr. Stanger stated the Selection Committee was formed and met on August 17, 2011 to review the proposals; four firms were short-listed for interviews and the interviews were held on August 30, 2011. Mr. Stanger referenced the firms as outlined in the background information above.

Mr. Stanger stated the Selection Committee went through a deliberate process and after the interviews, discussed each of the candidates interviewed. Mr. Stanger further stated the Selection Committee ultimately came to the conclusion that BE&K Building Group was best qualified for the assignment. Mr. Stanger also stated all of the firms interviewed were well qualified, had detention center expertise, had MWBE participation, and had committed to as much local participation on the project as possible. Mr. Stanger stated all firms presented their qualifications well and made the task very difficult for the Selection Committee. Mr. Stanger further stated following discussions by the Selection Committee, the committee concluded that BE&K was best qualified. Mr. Stanger reviewed the reasons for the Selection Committee's recommendation for BE&K as outlined in the background information above.

Commissioner King inquired about office locations for BE&K and Balfour Beatty Construction/Metcon. Mr. Stanger responded BE&K has offices in Charlotte and Raleigh, Metcon is out of Pembroke, and Balfour Beatty Construction is out of Raleigh. Commissioner King asked Mr. Stanger to confirm that if either BE&K or Balfour Beatty

Construction/Metcon was chosen, the county would have a good team. Mr. Stanger confirmed.

MOTION: Commissioner King moved to negotiate with Balfour Beatty Construction /Metcon.

SECOND: Commissioner Evans

DISCUSSION: Commissioner Keefe stated the committee had asked questions about local participation, safety, finances, and work history with regards to the type of facility being constructed, and the motion on the floor completely disregarded the work of the committee. Commissioner Keefe recommended that the Board move forward with BE&K because of the firm's work history. Commissioner King stated the motion in no way disregards the recommendation of the committee and he had confirmed that either firm would be acceptable. Commissioner King also stated Metcon is the closest firm as far as being local. Commissioner King discussed his concern that the firm selected would provide the greatest opportunities for employment of local residents. Commissioner Evans stated he attended two meetings and Metcon had made assurances that local people would be hired, which would bring money into the area.

Rick Moorefield, County Attorney, clarified that the request is not to approve the selection of the CMR, but for authority to begin the negotiation process with a firm. Mr. Moorefield stated there is no guarantee that the county will be able to negotiate successfully with either of the two firms.

Commissioner Keefe stated BE&K also presented a number of recommendations to the county that will help reduce operating costs. Commissioner Keefe asked the Board to accept the committee's recommendation.

Commissioner King stated Metcon is developing a major \$13 million project on the FSU campus and has a major presence in the county in terms of construction.

VOTE: PASSED (3-2) (Commissioners King, Evans and Melvin voted in favor; Commissioner Faircloth and Keefe voted in opposition)

## 2.H. Consideration of Policy Committee Recommendation to "Ban-the-Box" from the County Employment Application and Approval of the Pre-Employment Background Check Policy

### BACKGROUND:

At the September 1, 2011 Policy Committee meeting, staff presented a recommendation to "Ban the Box", which would remove the question on the employment application that asks applicants about criminal convictions. Staff also presented a proposed pre-employment background check policy, which establishes a procedure for conducting comprehensive background checks for prospective candidates for hire. The background checks include various inquiries that would be conducted based on business necessity, as

relevant to the assigned duties of the position. The checks that would be conducted include: criminal records, motor vehicle records, credit history, sexual offender registry, and verification of educational levels/degrees, licensure, certifications or other required credentials. Criminal records checks would be conducted on all prospective candidates for hire. During discussions at the Policy Committee meeting, the Committee directed staff to include the sexual offender registry check along with the criminal background check as part of the standard check to be conducted on all candidates considered for employment.

In addition, staff presented a draft of the supplemental application that would be completed by only those applicants that are selected for interview. This form would require candidates to acknowledge requirements prior to their participation in an interview. Candidates are also asked to provide an explanation of any convictions. This form would provide an opportunity for both the candidate and hiring official to review and discuss areas of concern during the interview.

The Policy Committee voted unanimously to “Ban the Box” from the County employment application and approve the Pre-employment Background Check Policy with the change that the sexual offender registry check would be a required check, along with the criminal background check for all prospective candidates for hire.

**RECOMMENDATION/PROPOSED ACTION:**

Consider whether to adopt the recommendation of the Policy Committee.

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James Lawson, Assistant County Manager reviewed background information as provided above and stated he wanted it made clear for the public’s purpose that the county is not proposing to ignore whether candidates have a prior criminal history but is instead looking at changing its process. Mr. Lawson further clarified that the county is not looking at “banning-the-box” but is in essence looking at “moving-the-box” to a later stage in the process. Mr. Lawson stated the county is ensuring that all applicants understand and perceive that they are getting equal consideration as far as qualifications up to the interview process, and once they reach the interview process in the proposed policy, the county is suggesting that candidates will have to undergo a number of background checks. Mr. Lawson responded to questions. Mr. Lawson noted that when the issue was being researched, the Equal Employment Opportunity Commission advised there could be legal implications involved with having the question on the application because of the potential disparate impact on minorities.

**MOTION:** Commissioner King moved to approve the recommendation of the Policy Committee.

**SECOND:** Commissioner Evans

**VOTE:** UNANIMOUS (5-0)

2. Consent Agenda

- A. Approval of minutes for the August 15, 2011 regular meeting
- B. Approval of Bid Award to Byrd Brothers Emergency Services for Disaster Debris Clearance and Removal and Rejection of Bid for Disaster Debris Management Services

**BACKGROUND:**

The Cumberland County Purchasing Department received formal bids for Disaster Debris Clearance and Removal Services. Kenny Currie, Emergency Services Director and Bobby, Solid Waste Director, have made the request to award the bid to Byrd Brothers Emergency Services. There is also a request to reject the Disaster Debris Management bid and rebid due to the fact that only one bid was received.

**RECOMMENDATION/PROPOSED ACTION:**

County Management and the County Purchasing Department recommend approval to award the Disaster Debris Clearance and Removal Services to Byrd Brothers Emergency Services and also to reject the Disaster Debris Management bid and rebid same.

- C. Approval of Request to Increase Out-of-State Civil Process Fees for the Sheriff's Office

**BACKGROUND:**

The Cumberland County Sheriff's Office is requesting to increase out-of-state civil processing fees due to a change in the General Statute regulating the amount of service fee required to be collected was increased on August 1, 2011. The Sheriff's Office would like to increase their Out-of-State Civil Process Fee to \$50. The fee schedule increase is comparable to surrounding counties.

**RECOMMENDATION/PROPOSED ACTION:**

Recommend approval to increase the Out-of-State Civil Process Fee to \$50 for Cumberland County Sheriff's Office.

- D. Approval of Alcoholic Beverage Control (ABC) Board Travel Policy

**BACKGROUND:**

According to correspondence from Eddie Maynor, Chairman of the Cumberland County ABC Board, the ABC Board is requesting that the Board of County Commissioners approve the ABC Board's adoption of Cumberland County Travel Policy, CP-06. Section 13 of House Bill 1717 – Modernization of the State ABC System states, "With approval of the appointing authority, a local board may adopt a travel policy that conforms to the travel policy of the appointing authority. The local board would be required to annually provide to the (ABC) Commission a copy of its travel policy along with the appointing authority's written confirmation of its approval".

RECOMMENDATION/PROPOSED ACTION:

Approve the ABC Board's request to adopt Cumberland County Travel Policy, CP-06, and direct the Clerk to the Board to send to the ABC Commission written confirmation of said action and a copy of Cumberland County Travel Policy, CP-06.

- E. Approval of a Resolution in Support of "National Moment of Remembrance of the 10<sup>th</sup> Anniversary of September 11<sup>th</sup>"

RESOLUTION

In Support of the Governing Body of Cumberland County Joining the National Moment of Remembrance of the 10<sup>th</sup> Anniversary of September 11<sup>th</sup>

WHEREAS, the governing body of Cumberland County expresses their support of the United State's Senate regarding coming together as a Nation and ceasing all work or other activity for a moment of remembrance beginning at 1:00 p.m. Eastern Daylight Time on September 11, 2011, in honor of the 10th anniversary of the terrorist attacks committed against the United States on September 11, 2001; and

WHEREAS, at 8:46 a.m., on September 11, 2001, hijacked American Airlines Flight 11 crashed into the upper portion of the North Tower of the World Trade Center in New York City, New York; and

WHEREAS, 17 minutes later, at 9:03 a.m., hijacked United Airlines Flight 175 crashed into the South Tower of the World Trade Center; and

WHEREAS, at 9:37 a.m., the west wall of the Pentagon was hit by hijacked American Airlines Flight 77, the impact of which caused immediate and catastrophic damage to the headquarters of the Department of Defense; and

WHEREAS, at approximately 10:00 a.m., the passengers and crew of hijacked United Airlines Flight 93 acted heroically to retake control of the airplane and thwart the taking of additional American lives by crashing the airliner in Shanksville, Pennsylvania, and, in doing so, gave their lives to save countless others; and

WHEREAS, nearly 3,000 innocent civilians were killed in the heinous attacks of September 11, 2001; and

WHEREAS, tens of thousands of individuals narrowly escaped the attacks at the Pentagon and World Trade Center and, as witnesses to this tragedy, are forever changed; and



WHEREAS, countless fire departments, police departments, first responders, governmental officials, workers, emergency medical personnel, and volunteers responded immediately and heroically to those horrific events; and

WHEREAS, the Fire Department of New York suffered 343 fatalities on September 11, 2001, the largest loss of life of any emergency response agency in United States history; and

WHEREAS, the Port Authority Police Department suffered 37 fatalities in the attacks, the largest loss of life of any police force in United States history in a single day; and

WHEREAS, the New York Police Department suffered 23 fatalities as a result of the terrorist attacks; and

WHEREAS, the impact of that day on public health continues through 2011, as nearly 90,000 people are at risk of or suffering from negative health effects as a result of the events of September 11, 2001, including 14,000 workers and 2,400 community residents who are sick, and tens of thousands of others whose health is being monitored; and

WHEREAS, 10 years later, the people of the United States and people around the world continue to mourn the tremendous loss of innocent life on that fateful day; and

WHEREAS, 10 years later, thousands of men and women in the United States Armed Forces remain in harm's way defending the United States against those who seek to threaten the United States; and

WHEREAS, on the 10th anniversary of this tragic day, the thoughts of the people of the United States are with all of the victims of the events of September 11, 2001 and their families; and

WHEREAS, the lives of Americans were changed forever on September 11, 2001, when events threatened the American way of life; and

WHEREAS, in 2009, Congress and the President joined together to designate September 11 as a National Day of Service and Remembrance under the Serve America Act (Public Law 111-13; 123 Stat. 1460); and

WHEREAS, in September 2009 and 2010, President Obama issued Proclamation 8413 (74 Fed. Reg. 47045) and Proclamation 8559 (75 Fed. Reg. 56463) proclaiming September 11, 2009, and September 11, 2010, respectively, as Patriot Day and National Day of Service and Remembrance; and

WHEREAS, September 11 will never, and should never, be just another day in the hearts and minds of all people of the United States;

NOW, THEREFORE BE IT RESOLVED that the governing body of Cumberland County:

(1) recognizes September 11, 2011, as a day of solemn commemoration of the events of September 11, 2001, and a day to come together as a Nation; and

(2) offers its deepest and most sincere condolences to the families, friends, and loved ones of the innocent victims of the September 11, 2001, terrorist attacks; and

(3) honors the heroic service, actions, and sacrifices of first responders, law enforcement personnel, State and local officials, volunteers, and countless others who aided the innocent victims of those attacks and, in doing so, bravely risked and often gave their own lives; and

(4) recognizes the valiant service, actions, and sacrifices of United States personnel, including members of the United States Armed Forces, the United States intelligence agencies, the United States diplomatic service, homeland security and law enforcement personnel, and their families, who have given so much, including their lives and well-being, to support the cause of freedom and defend the security of the United States; and

(5) reaffirms that the people of the United States will never forget the challenges our country endured on and since September 11, 2001, and will work tirelessly to defeat those who attacked the United States; and

BE IT FURTHER RESOLVED that on the 10th anniversary of this tragic day in United States history the governing body of the (*insert the name of municipality*) calls upon all of the people and institutions of the United States to observe a moment of remembrance on September 11, 2011, including (i) media outlets; (ii) houses of worship; (iii) military organizations; (iv) veterans organizations; (v) airlines; (vi) airports; (vii) railroads; (viii) sports teams; (ix) the Federal Government; (x) State and local governments; (xi) police, fire, and other public institutions; (xii) educational institutions; (xiii) businesses; and (xiv) other public and private institutions; and

BE IT FURTHER RESOLVED that the governing body of Cumberland County encourages the observance of the moment of remembrance to last for 1 minute beginning at 1:00 p.m. Eastern Daylight Time by, to the maximum extent practicable ceasing all work or other activity; and marking the moment in an appropriate manner, including by ringing bells, blowing whistles, or sounding sirens.

F. Budget Revisions:

(1) Crown Center

Revision in the amount of \$130,000 to reallocate budgeted expenditures and appropriate fund balance to budget Other Post-Employment Benefits expense for FY2011. (B11-475) Funding Source – Reallocated Budgeted Expenditures and Fund Balance Appropriated

(2) Solid Waste – Ann St. Landfill

Revision in the amount of \$903,154 to appropriate fund balance to fund Other Post-Employment Benefits expense and indirect costs and to pay for repairs to equipment for FY2011. (B11-474) Funding Source – Fund Balance Appropriated

(3) Emergency Services

Revision in the amount of \$2,290 to recognize additional Emergency Management grants. (B12-055) Funding Source – Grant

(4) Location Services

Revision in the amount of \$21,790 to increase contract for additional sign installations on Ft. Bragg. (B12-049) Funding Source – Fees

(5) Senior Aides

Revision in the amount of \$142 to reconcile budget with the State. (B12-060) Funding Source – State

(6) Juvenile Crime Prevention Programs

Revision in the amount of \$128,109 to recognize \$100,000 for Alternatives to Commitment program and to refund revenue received but not spent in FY2011 of \$28,109. (B12-067) Funding Source – State and Fund Balance Appropriated

(7) Health

- a. Administration – Revision in the amount of \$113,108 to budget additional State funding. (B12-051) Funding Source- State
- b. Pregnancy Care Management/Maternity Clinic/Family Planning Clinic – Revisions in the net amount of \$17,805 to reallocate a portion of a Social Worker II position between organizations. (B12-052 thru B12-052B) Funding Source – State and Fees
- c. Bioterrorism Preparedness and Response – Revision in the amount of \$19,218 to reallocate budgeted revenue to Health Fund Balance appropriated from State. (B12-062) Funding Source- Health Fund Balance and State
- d. Care Coordination for Children/Maternity Clinic/Child Health Clinic – Revisions in the net amount of \$8,610 to reallocate a portion of a Foreign Language Interpreter position between organizations. (B12-053 thru B12-053B) Funding Source – State and Fees
- e. Care Coordination for Children/Pregnancy Care Management – Revisions in the net amount of \$11,000 to budget anticipated revenue for contracted services. (B12-054 and B12-054A) Funding Source – Fees
- f. School Health Program – Revision in the amount of \$65,502 to budget additional state funding (\$39,406) and request County funding (\$26,096) to fund a new School Health Nurse position. (B12-064) Funding Source – State and Fund Balance Appropriated

MOTION: Commissioner King moved to approve the consent agenda, Items 2.A. through 2.F.(7)f.

SECOND: Commissioner Evans

VOTE: UNANIMOUS (5-0)

ITEMS OF BUSINESS

3. Public Hearing on the FY 2011-2012 Annual Rural Operating Assistance Program (ROAP) Grant

**BACKGROUND:**

The required public hearing was advertised in the Fayetteville Observer on Tuesday, August 23, 2011 for the Board's September 6, 2011 9:00 am meeting. The application was available for inspection at the Historic County Courthouse located at 130 Gillespie Street from 8:00 am to 4:00 pm, Monday thru Friday. In addition to holding the Public Hearing, it is requested that the Board of Commissioners approve the application. The NCDOT deadline for the county's yearly application for ROAP funds is September 30, 2011.

The ROAP Grant incorporates three parts of the Community Transportation Program, the Elderly and Disabled Transportation Assistance Program (EDTAP) allotment; the Employment Transportation Assistance Program (EMPL) allotment; and the Rural General Public Program (RGP) allotment. The total awarded amount for the FY 2012 ROAP Grant is \$371,431. The breakdown of funding is as follows: EDTAP: \$151,184; EMPL: \$122,344; and RGP: \$97,903.

There is no local match required for the EDTAP or EMPL funds. RGP funds do require a 10% local match. A fare will be charged in order to cover the 10% local match.

**RECOMMENDATION/PROPOSED ACTION:**

Review the attached application and conduct a Public Hearing on September 6, 2011. Conduct the Public Hearing and approve the FY 2012 Application for ROAP grant funds.

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Mr. Martin called on Kristine Wagner, Transportation Planner, who presented the background information for the Annual Rural Operating Assistance Program (ROAP) Grant as provided above. Ms. Wagner stated the total ROAP grant for the current year is \$371,431.

Commissioner King asked Ms. Wagner to explain more about the rural transportation program. Ms. Wagner stated when the grant funding was initially received, the county decided on a demand-response program rather than a bus route because of the vastness of the county's rural area and the cost to run one or two buses through a Fayetteville Area System of Transit (FAST) route. Ms. Wagner further stated the demand-response program serves all rural areas within the county and eligibility is based on census urban and rural data. Mr. Wagner further explained the eligibility process and how clients access the demand-response program for their transportation.

Commissioner Evans asked whether ROAP funds could be used to run a FAST route through rural areas of the county. Ms. Wagner responded the funds could be used for that purpose but there would not be enough money to run even a single route. Ms. Wagner stated it would also mean the county would have to eliminate its demand-response program and its two hundred-fifty clients. Ms. Wagner responded to additional

questions and explained a lot of the transportation marketing/advertising is done through human services agencies and rural fire departments, town halls, and libraries.

This is the duly advertised public hearing set for this date and time. Vice Chairman Faircloth opened the public hearing.

The Clerk to the Board advised there were no speakers.

Vice Chairman Faircloth closed the public hearing.

Commissioner Keefe inquired regarding the prior year's allotment for the RGP. Ms. Wagner responded last year the allotment was about \$154,000 and the RGP allotment for the current year was cut by 36%. Ms. Wagner stated the entire ROAP grant was cut by 18% and the county has applied for 5316 federal funding which, if received, will be included with the RGP funds.

MOTION: Commissioner moved King moved to approve the application for ROAP grant funds.

SECOND: Commissioner Evans

VOTE: UNANIMOUS (5-0)

#### 4. Public Hearing on FY2012 Transportation Fare Changes

##### BACKGROUND:

The required public hearing was advertised in the Fayetteville Observer on August 5, 2011. In addition to holding the public hearing on that date, it is requested that the Board of Commissioners approve the fare changes for FY 2012.

The Cumberland County Community Transportation Program uses fare revenue to meet local match requirements for its funding. In order to meet our local match requirements for the following programs during FY 2012, the Transportation Advisory Board is requesting that the fare be increased for the following programs:

##### Rural General Public Transportation

FY 2011 fare: \$2.05

FY 2012 fare: \$2.25

##### 5310 Elderly and Disabled Non-Medical Transportation

FY 2011 fare: \$2.00

FY 2012 fare: \$2.25

The Urban Employment Transportation program does not have a local match requirement. However, when the program began, fares were not collected as the needs were lower than the funding allocated. However, now the needs have increased, and in

order to assist with these transportation needs, the Transportation Advisory Board is requesting that:

Urban Employment Transportation

FY 2011 fare: \$0

FY 2012 fare: \$2.25

Clients will be given a 30-day notice for fare increases.

RECOMMENDATION/PROPOSD ACTION:

The Transportation Advisory Board would like to request approval to increase the fares for the Rural General Public Transportation program, the 5310 Elderly and Disabled Non-Medical Transportation program, and the Urban Employment Transportation program.

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Mr. Martin called on Ms. Wagner who presented background information for the proposed fare increases as provided above. Ms. Wagner responded to questions.

This is the duly advertised public hearing set for this date and time. Vice Chairman Faircloth opened the public hearing.

The Clerk to the Board advised there were no speakers.

Vice Chairman Faircloth closed the public hearing.

MOTION: Commissioner King moved to approve the request to increase the fares.

SECOND: Commissioner Faircloth

VOTE: PASSED (4-1) (Commissioners King, Faircloth, Melvin and Keefe voted in favor; Commissioner Evans voted in opposition)

5. Nominations to Boards and Committees

There are no nominations scheduled for this meeting.

6. Appointments to Boards and Committees

A) Cumberland County Child Protection/Fatality Prevention Team (2 Vacancies)

Nominees:

EMS Provider or Firefighter Position: Leslie Campbell (Reappointment)

At-Large Position: Trace Griffin (Reappointment)

- B) Cumberland County Finance Corporation and Cumberland County Industrial Facilities and Pollution Control Financing Authority (1 Vacancy)

Nominee: Dr. Joan Cezair

- C) Cumberland County Juvenile Crime Prevention Council (1 Vacancy)

Nominee:

At-Large Representative: Lee Roberts (Reappointment)

- D) Joint Senior Citizens Advisory Commission (3 Vacancies)

Nominees: Albert Munzo  
Tom Cain (Reappointment)  
Brenda Brown (Reappointment)

- E) Nursing Home Advisory Board (1 Vacancy)

Nominee: Mitchell Guy

MOTION: Commissioner King moved to appoint all nominees by acclamation for Items 6.A. through 6.E.

SECOND: Commissioner Evans

VOTE: UNANIMOUS (5-0)

## 7. Closed Session

The Board of Commissioners did not enter into a closed session.

MOTION: Commissioner Evans moved to adjourn.

SECOND: Commissioner King

VOTE: UNANIMOUS (5-0)

There being no further business, the meeting adjourned at 9:45 a.m.

Approved with/without revision:

Respectfully submitted,



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Candice H. White  
Clerk to the Board