

CUMBERLAND COUNTY BOARD OF COMMISSIONERS
TUESDAY, JANUARY 22, 2013 – 6:45 PM
117 DICK STREET, 1ST FLOOR, ROOM 118
REGULAR/REZONING MEETING
MINUTES

PRESENT: Commissioner Jimmy Keefe, Chairman
Commissioner Jeannette Council, Vice Chairman
Commissioner Kenneth Edge
Commissioner Marshall Faircloth
Commissioner Billy King
Commissioner Ed Melvin
James Martin, County Manager
Amy Cannon, Deputy County Manager/Finance Officer
James Lawson, Assistant County Manager
Rick Moorefield, County Attorney
Sally Shutt, Chief Public Information Officer
Tom Lloyd, Planning and Inspections Director
Buck Wilson, Public Health Director
Jeffrey Brown, Engineering and Infrastructure Director
George Hatcher, Code Enforcement Officer
Joey Lewis, Code Enforcement Officer
Candice White, Clerk to the Board
Kellie Beam, Deputy Clerk to the Board
Press

ABSENT: Commissioner Charles Evans

Chairman Keefe called the meeting to order and stated Commissioner Evans was unable to attend as he was indisposed.

INVOCATION

Chairman Keefe provided the invocation followed by the Pledge of Allegiance to the American flag.

Presentation and Report to the Board of County Commissioners by Mr. Johnson Chestnut, ABC Board Chairman, and Mr. Gene Webb, General Manager of the ABC Board

Johnson Chestnutt, ABC Board Chairman, provided a brief history of the North Carolina ABC system, and stated the Cumberland County ABC Board was organized in 1937 with three members and increased to five in 1982. Mr. Chestnutt stated the ABC Commission felt a control system could better regulate the sale of alcoholic beverages, remove liquor sales from politics and emphasize the welfare of society rather than revenue and profits. Mr. Chestnutt stated profits from the Cumberland County ABC are appropriated for alcohol and substance abuse education, rehabilitation, law enforcement and the Cumberland County

general fund. Mr. Chestnutt stated as a local board authorized and defined by North Carolina general statutes, the Cumberland County ABC Board is an independent local political subdivision of the state more commonly known as an enterprise board. Mr. Chestnutt stated over the last ten years, sales have increased from \$13.9 million a year to a current projection of \$30 million for the year ending June 30, 2013. Mr. Chestnutt spoke to ABC store locations and gross sale and general fund percentages for the past fiscal year. Mr. Chestnutt responded to questions. Mr. Chestnutt and Gene Webb, General Manager of the ABC Board, presented a check to Cumberland County representing ABC profits in the amount of \$2,248,817.51.

PUBLIC COMMENT PERIOD (6:45 PM – 7:00 PM)

James Martin, County Manager, read the public comment period policy. Chairman Keefe recognized the Clerk to the Board who called the following speakers:

Regina McLean – Ms. McLean did not appear when her name was called.

Harvey Stewart – Mr. Stewart, President of the Cumberland County Veterans Council, asked the board to consider moving the Veterans' Services Department to the former Board of Elections building because it would provide better access to services and parking for veterans, particularly those who are handicapped.

1. Approval of Agenda

Mr. Martin requested a revision to Item 9.B. for a closed session for Attorney/Client Matter(s) pursuant to NCGS 143-318.11(a)(3).

MOTION: Commissioner King moved to approve the agenda to include the revision to Item 9.B.

SECOND: Commissioner Council

VOTE: UNANIMOUS (6-0)

2. Consent Agenda

A. Approval of minutes for the January 7, 2013 regular meeting

B. Approval of Disposition of Records for the Planning & Inspection Department

BACKGROUND:

In accordance with the Records Retention and Disposition Schedule dated April 1, 2006, the Planning and Inspections Department requests permission to destroy records dated prior to January 1, 2007, on or before March 31, 2013. The maximum time period required to maintain records is six years. This request will allow records to be destroyed that are no longer useful. Records to be destroyed are as follows:

1. Permit Files: Included are Applications for Building, Electrical, Plumbing, Mechanical, Insulation, Demolition, Relocation, and Zoning Permits, Permits Issued, Work Tickets, Certificates of Occupancy, Blueprints and Specifications and related correspondence.
2. Minimum Housing, Junk Vehicle and Zoning Code Enforcement Files.
3. Activity Reports: This file consists of information compiled for the U.S. Bureau of the Census, reports of money collected for permit fees, inspections performed, and permits issued.
4. Correspondence/Memorandums.

Exceptions:

- A. Any record required to be retained permanently or for the life of the structure.
- B. Records, if any, related to any ongoing litigation.

RECOMMENDATION/PROPOSED ACTION:

The department requests that this item be placed on the commissioners' agenda.

- C. Approval of Declaration as Surplus Property and Authorization to Sell on GovDeals a No-Till Grain Drill

BACKGROUND:

The Cumberland Soil and Water Conservation District purchased a new John Deere 1590 No-Till grain drill in December. This piece of equipment will replace an older John Deere 1590 No-Till grain drill (County Property Number 040207/Serial Number NO1590X705611) which was purchased in 2004 for \$24,610. The new equipment will be rented to area farmers and land users to plant seeds using the no-till method.

RECOMMENDATION/PROPOSED ACTION:

That the Board of Commissioners declare the old No-Till grain drill (County Property Number 040207/Serial Number NO1590X705611) as surplus and authorize for sale on GovDeals.

- D. Approval of Establishing a Solid Waste Container Site within the Cumberland Industrial Park

BACKGROUND:

The Solid Waste Department currently operates the McCauley Container Site located off of Research Drive. The County has a lease on this property where this container site is located; however, the lease is set to expire on June 30, 2013. The Solid Waste Department has to return the site to the condition it was prior to the container site being established by the time the lease expires.

The Solid Waste Department has identified two potential sites within the Industrial Park where the container site could be relocated. The first site is located off of Distribution Drive and the second site is located at the end of Production Drive. Due to the fact that there is a significantly large tract at the end of Production Drive, site #1 will have the least impact on the overall development of the Industrial Park.

On January 3, 2013, the Facilities Committee unanimously approved a motion to establish a container site at site #1 which is off of Distribution Drive.

RECOMMENDATION/PROPOSED ACTION:

The Engineering and Infrastructure Director and the Solid Waste Director in conjunction with County Management along with the Facilities Committee recommends site #1 to be selected to replace the McCauley Container Site and now ask that the Board of Commissioners take action to approve the site as well.

E. Approval of Community Development Affordable Housing (HOME) Resale and Recapture Guidelines

BACKGROUND:

The goals of the HOME Investment Partnerships (HOME) Program are to: 1) provide decent affordable housing to lower-income households, 2) expand the capacity of nonprofit housing providers, 3) strengthen the ability of state and local governments to provide housing, and 4) leverage private-sector participation. In creating such affordable housing opportunities, the HOME Program rules require that assisted properties remain affordable for a specific period of time, depending on the level of HOME funds invested in the property. This is called the period of affordability. As the grantee, the County is required to place certain restrictions or provisions on assisted homebuyer properties in order to help preserve affordable housing in our community. If ownership of a HOME-assisted property is transferred during the relevant period of affordability, these provisions are triggered.

There are two options available to ensure that HOME subsidy originally invested in the property is used to preserve affordable housing:

Recapture – Under the “recapture” option, the homeowner repays all or some of the HOME subsidy to the grantee and is then able to sell their home to any buyer at any price.

Resale – Under the “resale” option, an assisted homeowner is obligated to sell their property only to another HOME-eligible buyer at a price that is deemed by the grantee to be fair to both parties.

The Affordable Housing Resale and Recapture Guidelines are to be implemented through Community Development for compliance with the HOME Program. These guidelines have been reviewed and approved by the HUD-Greensboro Field Office.

RECOMMENDATION AND PROPOSED ACTION:

Community Development recommends approval of the Affordable Housing Resale and Recapture Guidelines as presented for compliance with HOME Program requirements.

F. Update on Cumberland County Medical Plan and Future Wellness Strategy

BACKGROUND:

Mark Browder with Mark III Brokerage gave a presentation to the Finance Committee on the Cumberland County medical insurance plan which included a future wellness strategy. Background information was provided regarding our claims experience for the year ended June 30, 2012. Claims were up about 11% but based on the funding strategy for that year, the fund ended up in a break-even position.

Information was presented on the FY12 plan experience regarding the county's risk score of 1.87 compared to the Blue Cross/Blue Shield (BCBS) book of business average score of 1.18. This difference indicates that the county employees and covered dependents have health issues that need to be addressed. The top three episodes for claims were identified as Hypertension, Diabetes and Heart Disease, which are all driven, in some part, by individual behavior. Obesity trends over a 20 year period were included as a basis of the high risk factor score. Based on these facts, Mr. Browder has recommended that we improve the health of our employee population through consumerism and employee accountability. It was noted that other factors such as access to health care, genetics, and environment were attributable to the health of our covered population. Behavior however, is the number one driver in healthcare utilization and improved behavior will have a positive impact on the healthcare plan.

Mr. Browder outlined accountability strategies for the 2014-2015 plan years. These strategies require that employees not only participate in the wellness program to qualify for reduced healthcare premiums; they must also meet 3 out of 4 risk factor categories. These factors are waist circumference, blood pressure, cholesterol ratio and hemoglobin levels. Employees must meet certain thresholds or make improvement to retain the discounted premium. Per Mr. Browder, these thresholds are reasonable and attainable and should motivate employees to place greater emphasis on their health status. Additionally, it was recognized that there will be employees that will legitimately not meet the standards, and a system will be developed to set alternative standards through the individual's personal physician. These standards will not be implemented until July 1, 2014. The biometrics obtained this spring will provide the baseline for measurement in the following year. This will allow an opportunity for employees to be notified and educated on these new principles.

The Finance Committee approved moving forward with these accountability measures since changes in healthcare will continue to occur. If the status of employee health does not improve, claims will continue to rise, therefore resulting in an erosion of health benefits which will further exacerbate the health status of our population.

RECOMMENDATION / PROPOSED ACTION:

Accept the report and recommendation of the Finance Committee and move forward with the development of accountability measures to be effective July 1, 2014 through the annual biometrics testing.

G. Approval of Ordinance Assessing Property for the Cost of Demolition:

- (1) Case Number: MH 6781-2012
Property Owner: Joseph R. Thompson
Property Location: 6823 Cooper's Creek Drive, Hope Mills, NC
Parcel Identification Number: 0431-79-1751

ORDINANCE ASSESSING PROPERTY FOR THE COSTS
OF DEMOLITION OF A STRUCTURE PURSUANT TO
THE MINIMUM HOUSING CODE OF CUMBERLAND COUNTY
CASE NUMBER: MH 6781-2012
PROPERTY OWNER: Joseph Thompson

WHEREAS, the Board of County Commissioners of Cumberland County, North Carolina, on September 17, 2012, enacted an ordinance directing the demolition by the owner(s) of the structure(s) Joseph Thompson, located at 6823 Cooper's Creek, Hope Mills, NC, PIN: 0431-79-1751, said ordinance being recorded in Book 9001, page 595, of the Cumberland County Registry of Deeds;

WHEREAS, the time within which said demolition was to be performed has expired and the owner(s) failed to comply with the ordinance within such period; and

WHEREAS, the said ordinance further directed the Minimum Housing Inspector to effect the demolition of the structure(s) in the event the owner(s) failed to do so;

WHEREAS, the Minimum Housing Inspector has reported to this Board that:

- (1) Said work had been accomplished.
- (2) The cost of such work was \$1,200.00.
- (3) There were no salable materials resulting from said work.

NOW THEREFORE, the above report coming on to be considered and the Board of County Commissioners' finding it to be a true and accurate accounting, the said Board hereby ORDAINS:

- (1) That the real property on which the work was performed be, and it hereby is, assessed in the amount of \$1,200.00, said sum being the unpaid balance of the cost of the work set forth in the Inspector's Report;
- (2) That as provided in the Ordinance of Cumberland County dated September

17,2012, and in Section 160A-443(6) of the General Statutes of North Carolina, the amount of the foregoing assessment be, and hereby does constitute, a lien against the real property upon which such costs were incurred, such property being more particularly described as follows:

The structure and premises located at 6823 Cooper's Creek Drive, Hope Mills, NC, as described in Deed Book 6564, page 752, of the Cumberland County Registry and identified in County tax records as PIN 0431-79-1751.

(3) That as further provided in Section 160A-443(6) of the General Statutes of North Carolina, such lien shall be filed, have the same priority, and be collected as the lien for special assessment provided in Article 10 of Chapter 160A of said General Statutes;

(4) That one copy of this resolution be filed in the minutes of this Board of County Commissioners and another copy certified and delivered by the Clerk as a charge to the Tax Collector, who shall thereupon enter the amount of the assessment set forth above upon the Tax Books of the County as a special assessment against the above described property.

- (2) Case Number: MH 6752-2012
Property Owner: Ella W. Lipscomb
Property Location: 2615 Blossom Road, Fayetteville, NC
Parcel Identification Number: 0442-33-7365

ORDINANCE ASSESSING PROPERTY FOR THE COSTS
OF DEMOLITION OF A STRUCTURE PURSUANT TO
THE MINIMUM HOUSING CODE OF CUMBERLAND COUNTY
CASE NUMBER: MH6752-2012
PROPERTY OWNER: Ella W. Lipscomb

WHEREAS, the Board of County Commissioners of Cumberland County, North Carolina, on September 17, 2012, enacted an ordinance directing the demolition by the owner(s) of the structure(s) Ella W. Lipscomb, located at 2615 Blossom Road, Hope Mills, NC, PIN: 0442-33-7365, said ordinance being recorded in Book 9001, page 589, of the Cumberland County Registry of Deeds;

WHEREAS, the time within which said demolition was to be performed has expired and the owner(s) failed to comply with the ordinance within such period; and

WHEREAS, the said ordinance further directed the Minimum Housing Inspector to effect the demolition of the structure(s) in the event the owner(s) failed to do so;

WHEREAS, the Minimum Housing Inspector has reported to this Board that:

- (1) Said work had been accomplished.
(2) The cost of such work was \$700.00.

- (3) There were no salable materials resulting from said work.

NOW THEREFORE, the above report coming on to be considered and the Board of County Commissioners' finding it to be a true and accurate accounting, the said Board hereby ORDAINS:

(1) That the real property on which the work was performed be, and it hereby is, assessed in the amount of \$700.00, said sum being the unpaid balance of the cost of the work set forth in the Inspector's Report;

(2) That as provided in the Ordinance of Cumberland County dated September 17, 2012, and in Section 160A-443(6) of the General Statutes of North Carolina, the amount of the foregoing assessment be, and hereby does constitute, a lien against the real property upon which such costs were incurred, such property being more particularly described as follows:

The structure and premises located at 2615 Blossom Road, Hope Mills, NC, as described in Deed Book 3685, page 892, of the Cumberland County Registry and identified in County tax records as PIN 0442-33-7365.

(3) That as further provided in Section 160A-443(6) of the General Statutes of North Carolina, such lien shall be filed, have the same priority, and be collected as the lien for special assessment provided in Article 10 of Chapter 160A of said General Statutes;

(4) That one copy of this resolution be filed in the minutes of this Board of County Commissioners and another copy certified and delivered by the Clerk as a charge to the Tax Collector, who shall thereupon enter the amount of the assessment set forth above upon the Tax Books of the County as a special assessment against the above described property.

- (3) Case Number: MH 6760-2012
Property Owner: Clarence D. Godwin
Property Location: 2856 Dobbin Holmes Road, Eastover, NC
Parcel Identification Number: 0459-75-0386

ORDINANCE ASSESSING PROPERTY FOR THE COSTS
OF DEMOLITION OF A STRUCTURE PURSUANT TO
THE MINIMUM HOUSING CODE OF CUMBERLAND COUNTY
CASE NUMBER: MH6760-2012
PROPERTY OWNER: Clarence D. Godwin

WHEREAS, the Board of County Commissioners of Cumberland County, North Carolina, on September 17, 2012, enacted an ordinance directing the demolition by the owner(s) of the structure(s) Clarence D. Godwin, located at 2856 Dobbin Holmes Road, Eastover, NC, PIN: 0459-75-0386, said ordinance being recorded in Book 9001, page 592, of the Cumberland County Registry of Deeds;

WHEREAS, the time within which said demolition was to be performed has expired and the owner(s) failed to comply with the ordinance within such period; and

WHEREAS, the said ordinance further directed the Minimum Housing Inspector to effect the demolition of the structure(s) in the event the owner(s) failed to do so;

WHEREAS, the Minimum Housing Inspector has reported to this Board that:

- (1) Said work had been accomplished.
- (2) The cost of such work was \$1,975.00.
- (3) There were no salable materials resulting from said work.

NOW THEREFORE, the above report coming on to be considered and the Board of County Commissioners' finding it to be a true and accurate accounting, the said Board hereby ORDAINS:

(1) That the real property on which the work was performed be, and it hereby is, assessed in the amount of \$1,975.00, said sum being the unpaid balance of the cost of the work set forth in the Inspector's Report;

(2) That as provided in the Ordinance of Cumberland County dated September 17, 2012, and in Section 160A-443(6) of the General Statutes of North Carolina, the amount of the foregoing assessment be, and hereby does constitute, a lien against the real property upon which such costs were incurred, such property being more particularly described as follows:

The structure and premises located at 2856 Dobbin Holmes, Eastover, NC, as described in Deed Book 4386, page 445, of the Cumberland County Registry and identified in County tax records as PIN 0459-75-0386.

(3) That as further provided in Section 160A-443(6) of the General Statutes of North Carolina, such lien shall be filed, have the same priority, and be collected as the lien for special assessment provided in Article 10 of Chapter 160A of said General Statutes;

(4) That one copy of this resolution be filed in the minutes of this Board of County Commissioners and another copy certified and delivered by the Clerk as a charge to the Tax Collector, who shall thereupon enter the amount of the assessment set forth above upon the Tax Books of the County as a special assessment against the above described property.

H. Approval of a Proclamation Proclaiming February 1, 2013 as "National Wear Red Day" in Cumberland County

COUNTY OF CUMBERLAND

NORTH CAROLINA

PROCLAMATION

WHEREAS, currently some 8 million women in the U.S. are living with heart disease, yet only one in five American women believes that heart disease is her greatest health threat; and

WHEREAS, 90 percent of women have one or more risk factors for developing heart disease; and

WHEREAS, 26 percent of women die within a year of suffering a heart attack – compared with 19 percent of men; and

WHEREAS, while one in 30 American women dies from breast cancer each year, one in three dies of cardiovascular disease; and

WHEREAS, cardiovascular disease claims the lives of over 419,000 American females each year, almost one death per minute; and

WHEREAS, only 43 percent of African American women and 44 percent of Hispanic women know that heart disease is their greatest health risk, compared with 60 percent of white women; and

WHEREAS, nearly as many women die of heart disease, stroke, and all other cardiovascular diseases than the next three leading causes of death combined, including all cancers; and

WHEREAS, only 16 percent of women surveyed in 2009 identified cardiovascular disease as the greatest health problem facing them; and

WHEREAS, in women, heart disease is too often a silent killer – less than a third of women in a recent survey reported any early warning signs such as chest pain or discomfort before a heart attack, compared with most men; and

WHEREAS, common symptoms for women included pain of the jaw, arm or back, but most reported a delay in seeking treatments after the symptoms began of anywhere from 15 minutes to two weeks; and

WHEREAS, women are less likely to call 911 for themselves when experiencing symptoms of a heart attack than they are if someone else were having a heart attack; and

WHEREAS, Go Red For Women® is the American Heart Association's national call to increase awareness about heart disease—the leading cause of death for women—and to inspire women to take charge of their heart health; and

WHEREAS, all women should learn their own personal risk for heart disease, using tools such as the American Heart Association's My Life Check, Go Red For Women® Heart Checkup, Go Red For Women® Better U - and by talking to their healthcare provider; and

WHEREAS, making the right choices relating to proper nutrition, physical activity, and other healthy lifestyle choices are essential to living a heart healthy life; and

WHEREAS, the truth is: our lives are in our hands. We can stop our number one killer together by sharing the truth. We can be the difference between life and death.

NOW, THEREFORE, the Cumberland County Board of Commissioners, in recognition of the importance of the ongoing fight against heart disease and stroke, do hereby proclaim Friday, February 1, 2013 to be

NATIONAL WEAR RED DAY

in the County of Cumberland, NC and urge all citizens to show their support for women and the fight against heart disease by commemorating this day by the wearing of the color red. By increasing awareness, speaking up about heart disease, and empowering women to reduce their risk for cardiovascular disease, we can save thousands of lives each year.

- I. Approval of a Proclamation Proclaiming February 12, 2013 as “Methodist University Loyalty Day” in Cumberland County

COUNTY OF CUMBERLAND

NORTH CAROLINA

PROCLAMATION

WHEREAS, the Fayetteville College Foundation was formed in 1955 to bring a four-year, church related college to Cumberland County; and

WHEREAS, Methodist University has provided a quality education for thousands of Cumberland County residents since 1960; and

WHEREAS, Methodist University attracts students and visitors from all over the world; and

WHEREAS, over a third of Methodist University’s more than 10,000 alumni live, work and worship in Cumberland County, contributing in many ways to the quality of life for all citizens; and

WHEREAS, Cumberland County is positively affected by the economic impact of Methodist University’s over \$50 million budget and over 400 faculty members and staff; and

WHEREAS, the Methodist University Foundation is seeking to raise \$130,000 locally for student scholarships during the month of February.

NOW THEREFORE, I, Jimmy Keefe, Chairman of the Cumberland County Board of Commissioners, and the Cumberland County Board of Commissioners, do hereby proclaim Wednesday, February 12, 2013, to be

METHODIST UNIVERSITY LOYALTY DAY

in Cumberland County and applaud Methodist University for its continued commitment to education.

J. Budget Revisions:

(1) Emergency Services Grants

Revision in the amount of \$34,653 to recognize NC Domestic Preparedness Regional Training Grant. (B13-221) Funding Source – Federal

MOTION: Commissioner King moved to approve consent agenda items 2.A. – 2.J.(1).

SECOND: Commissioner Faircloth

VOTE: UNANIMOUS (6-0)

3. Public Hearings

Mr. Martin explained the Board of Commissioners' procedures for public hearings.

Uncontested Rezoning Cases

- A. Case P12-76: Rezoning of 2.57+/- acres from M(P) Planned Industrial to M1(P) Planned Light Industrial, or to a more restrictive zoning district, located at 1069 Wilkes Road, submitted by Gene Rogers on behalf of NC Natural Gas Corporation (owner) and Robert Ruffo.

Staff Recommendation: Approval

Planning Board Action: Approval

RECOMMENDATION: Members present at the December 18, 2012 meeting of the Joint Planning Board recommended adoption and approval of the consistency and reasonableness statements and to approve M1(P) Planned Light Industrial District.

Tom Lloyd, Planning and Inspections Director, presented this item. Mr. Lloyd showed vicinity maps and aerial views of the subject property, and provided overviews of the current land uses, current zonings, and surrounding land uses and zonings.

This is the duly advertised/noticed public hearing set for this date and time.

Chairman Keefe opened the public hearing.

The Clerk to the Board advised there were no speakers.

Chairman Keefe closed the public hearing.

- B. Case P12-78: Rezoning of 6.92+/- acres from R6A Residential to C(P) Planned Commercial, or to a more restrictive zoning district, located at 1220 W Manchester Road, submitted by Paul Kirby on behalf of Preserve LLC. (owner) and Mike Adams.

Staff Recommendation: Approval
Planning Board Action: Approval

RECOMMENDATION: Members present at the December 18, 2012 meeting of the Joint Planning Board recommended adoption and approval of the consistency and reasonableness statements and to approve C(P) Planned Commercial District.

Tom Lloyd, Planning and Inspections Director, presented this item. Mr. Lloyd showed vicinity maps and aerial views of the subject property, and provided overviews of the current land uses, current zonings, and surrounding land uses and zonings.

This is the duly advertised/noticed public hearing set for this date and time.

Chairman Keefe opened the public hearing.

The Clerk to the Board advised there were no speakers.

Chairman Keefe closed the public hearing.

MOTION: Commissioner King moved to follow staff recommendations for Case P12-76 and P12-78.
SECOND: Commissioner Melvin
VOTE: UNANIMOUS (6-0)

Contested Rezoning Case

- C. Case P12-75: Rezoning of 3.35+/- acres from RR Rural Residential to R6A Residential, or to a more restrictive zoning district, located at 4228 and 4232 NC Hwy 210 South, submitted by Jesus G. Irizarry (owner) and Robert M. Bennett.

Staff Recommendation: Denial
Planning Board Action: Denial

RECOMMENDATION: Members present at the December 18, 2012 meeting of the Joint Planning Board recommended not to adopt or approve the consistency and reasonableness statements agreeing that the request is not reasonable and will not be in harmony with the surrounding areas.

Tom Lloyd, Planning and Inspections Director, presented this item. Mr. Lloyd showed vicinity maps and aerial views of the subject property, and provided overviews of the current land uses, current zonings, and surrounding land uses and zonings. Mr. Lloyd stated the soil presents limitations because it is unsuitable for conventional septic systems due to wetness within thirty inches of the ground surface. Mr. Lloyd stated R6A is the only zoning district that allows mobile home parks. Mr. Lloyd also stated the district requested is inconsistent with the location criteria for “medium density residential” and there should be public water and sewer available. Mr. Lloyd further stated staff and the Joint Planning Board recommended denial.

This is the duly advertised/noticed public hearing set for this date and time.

Chairman Keefe opened the public hearing.

The Clerk to the Board called the following speakers:

Robert M. Bennett – Mr. Bennett appeared in favor as the engineer for the owner, Jesus G. Irizarry, who had received several requests to develop the property for R6A and a mobile home park. Mr. Bennett stated Mr. Irizarry recognized limitations posed by the soil conditions and the neighborhood opposition. Mr. Bennett further stated Mr. Irizarry does not want opposition to his project and will accept the determination of the board.

Sharan Golston – Ms. Golston appeared in opposition and expressed concern that a mobile home park would impact the neighborhood’s simple way of life and increase traffic on Highway 210. Ms. Golston stated she feared a mobile home park would result in contamination because of the high water table and increased density on the 3.35 acres.

Joe Fort – Mr. Fort appeared in opposition and expressed concern that thirty plus mobile homes would be placed on 3 acres. Mr. Fort stated he is aware of crimes that result from mobile home parks and expressed concern that crime would infest the quiet family neighborhood. Mr. Fort stated his father lives across the street on a 1.2 acre lot.

Chairman Keefe closed the public hearing.

Mr. Lloyd advised the R20 residential district could be considered suitable for the property.

MOTION: Commissioner King moved to following the recommendation of staff and the Joint Planning Board to deny the request.
SECOND: Commissioner Edge
VOTE: UNANIMOUS (6-0)

Uncontested Conditional Zoning Case

- D. Case P12-77: Rezoning of .85+/- acre from A1 Agricultural to C(P) Planned Commercial/CZ Conditional Zoning District for second hand sales, book sales, indoor recreation for profit, barbering and hairdressing, day care, motor vehicle parts sales and motor vehicle sales or to a more restrictive zoning district; located at 7064 Maxwell Road; submitted by Leiburn Ralph Strickland (owner) and Michael Tate.

Staff Recommendation: Approval with Ordinance Related Conditions
Planning Board Action: Approval with Ordinance Related Conditions

RECOMMENDATION: Members present at the December 18, 2012 meeting of the Joint Planning Board recommended adoption and approval of the consistency and reasonableness statements and to approve the rezoning request to C(P) Planned Commercial/CZ Conditional Zoning District for second hand sales, book sales, indoor recreation for profit, barbering and hairdressing, day care, motor vehicle parts sales and motor vehicle sales.

Tom Lloyd, Planning and Inspections Director, presented this item. Mr. Lloyd showed vicinity maps and aerial views of the subject property, and provided overviews of the current land uses, current zonings, and surrounding land uses and zonings.

This is the duly advertised/noticed public hearing set for this date and time.

Chairman Keefe opened the public hearing.

The Clerk to the Board advised there were no speakers.

Chairman Keefe closed the public hearing.

MOTION: Commissioner Edge moved to follow the recommendation of the Joint Planning Board for approval with ordinance related conditions.
SECOND: Commissioner Melvin
VOTE: UNANIMOUS (6-0)

Other Public Hearings

Minimum Housing Code Enforcement

Mr. Martin explained the Board of Commissioners' procedure for minimum housing code enforcement public hearings.

The Clerk to the Board administered an oath to George Hatcher, Inspector for the County of Cumberland Inspection Department, who provided information to the Board of Commissioners regarding the following cases:

- E. Case Number: MH 6864-2012
Property Owner: Grace G. Edwards
Property Location: 4624 Gray's Creek Church Road, Hope Mills, NC
Parcel Identification Number: 0442-63-8035

AFFIDAVIT OF THE HOUSING INSPECTOR'S REPORT BEFORE THE BOARD OF CUMBERLAND COUNTY COMMISSIONERS

I, George Hatcher, Inspector for the County of Cumberland Inspection Department, acting in my official capacity, being duly sworn, depose and say:

BACKGROUND: That the following is a report on Minimum Housing case number MH 6864-2012.

Property Owner: Grace G. Edwards
Home Owner: Grace G. Edwards
Property Address: 4624 Gray's Creek Church Road, Hope Mills, NC
Tax Parcel Identification Number: 0442-63-8035

SYNOPSIS: This property was inspected on 7/30/2012. The property owners and parties of interest were legally served with Notice of Violations and were afforded a Hearing on 9/27/2012. No one attended the Hearing. It was ordered that the structure be repaired to a minimum standard for human habitation, or be demolished and the debris removed from the premises by a date not later than 10/27/2012. The property owners and parties of interest were notified of the appeal procedures when they were served with the Findings of Fact and Order. No appeal was filed. Upon my visit to the property on 1/10/2013, no corrective action had been made to the structure. The structure is presently vacant and unsecured. In its present state, the structure constitutes a fire, health, and safety hazard.

The estimated cost to repair the structure to a minimum standard for human habitation is \$20,000.00. The Assessor for Cumberland County has the structure presently valued at \$2,199.00.

RECOMMENDATION: IT IS THE RECOMMENDATION OF THE PLANNING & INSPECTION DEPARTMENT THAT THE STRUCTURE BE DEMOLISHED, AND THE DEBRIS REMOVED FROM THE LOT.

This is the duly advertised/noticed public hearing set for this date and time.

Chairman Keefe opened the public hearing.

The Clerk to the Board advised there were no speakers.

Chairman Keefe closed the public hearing.

MOTION: Commissioner Edge moved to adopt the order and report of the Minimum Housing Inspector as the true facts in this case; to order the property owner to remove or demolish the dwelling within 30 days; to order the Inspector to remove or demolish the dwelling if the owner fails to do so and impose a lien on the real property for the cost of such action; and to direct the clerk to incorporate the foregoing findings and orders in an ordinance certified by the Chairman and record the same in the Register of Deeds.

SECOND: Commissioner Melvin

VOTE: PASSED (5-1) (Commissioners Melvin, Council, Keefe, Faircloth and Edge voted in favor; Commissioner King voted in opposition)

F. Case Number: MH 6865-2012
Property Owner: Alice G. Nelson Heirs c/o Ruby McMillian
Property Location: 4610 Gray's Creek Church Road, Hope Mills, NC
Parcel Identification Number: 0442-63-8230

AFFIDAVIT OF THE HOUSING INSPECTOR'S REPORT
BEFORE THE BOARD OF CUMBERLAND COUNTY COMMISSIONERS

I, George Hatcher, Inspector for the County of Cumberland Inspection Department, acting in my official capacity, being duly sworn, depose and say:

BACKGROUND: That the following is a report on Minimum Housing case number MH 6865-2012.

Property Owner: Alice G. Nelson Heirs, C/O Ruby McMillian
Home Owner: Alice G. Nelson Heirs, C/O Ruby McMillian
Property Address: 4610 Gray's Creek Church Road, Hope Mills, NC
Tax Parcel Identification Number: 0442-63-8230

SYNOPSIS: This property was inspected on 7/30/2012. The property owners and parties of interest were legally served with Notice of Violations and were afforded a Hearing on 9/6/2012. Laura G. Johnson attended the Hearing. It was ordered that the structure be

repaired to a minimum standard for human habitation, or be demolished and the debris removed from the premises by a date not later than 11/6/2012. The property owners and parties of interest were notified of the appeal procedures when they were served with the Findings of Fact and Order. No appeal was filed. Upon my visit to the property on 1/10/2013, no corrective action had been made to the structure. The structure is presently vacant and unsecured. In its present state, the structure constitutes a fire, health, and safety hazard.

The estimated cost to repair the structure to a minimum standard for human habitation is \$20,000.00. The Assessor for Cumberland County has the structure presently valued at \$1,593.00.

RECOMMENDATION: IT IS THE RECOMMENDATION OF THE PLANNING & INSPECTION DEPARTMENT THAT THE STRUCTURE BE DEMOLISHED, AND THE DEBRIS REMOVED FROM THE LOT.

This is the duly advertised/noticed public hearing set for this date and time.

Chairman Keefe opened the public hearing.

The Clerk to the Board advised there were no speakers.

Chairman Keefe closed the public hearing.

MOTION: Commissioner Council moved to adopt the order and report of the Minimum Housing Inspector as the true facts in this case; to order the property owner to remove or demolish the dwelling within 30 days; to order the Inspector to remove or demolish the dwelling if the owner fails to do so and impose a lien on the real property for the cost of such action; and to direct the clerk to incorporate the foregoing findings and orders in an ordinance certified by the Chairman and record the same in the Register of Deeds.

SECOND: Commissioner Melvin

VOTE: PASSED (5-1) (Commissioners Melvin, Council, Keefe, Faircloth and Edge voted in favor; Commissioner King voted in opposition)

G. Case Number: MH 6861-2012
Property Owner: James Harris
Property Location: 9481 Hillsboro St, Linden, NC
Parcel Identification Number: 0574-66-7132

AFFIDAVIT OF THE HOUSING INSPECTOR'S REPORT
BEFORE THE BOARD OF CUMBERLAND COUNTY COMMISSIONERS

I, George Hatcher, Inspector for the County of Cumberland Inspection Department, acting in my official capacity, being duly sworn, depose and say:

BACKGROUND: That the following is a report on Minimum Housing case number MH 6861-2012.

Property Owner: James Harris
Home Owner: James Harris
Property Address: 9481 Hillsboro Street, Linden, NC
Tax Parcel Identification Number: 0574-66-7132

SYNOPSIS: This property was inspected on 7/30/2012. The property owners and parties of interest were legally served with Notice of Violations and were afforded a Hearing on 9/6/2012. Diane Harris attended the Hearing. It was ordered that the structure be repaired to a minimum standard for human habitation, or be demolished and the debris removed from the premises by a date not later than 11/6/2012. The property owners and parties of interest were notified of the appeal procedures when they were served with the Findings of Fact and Order. No appeal was filed. Upon my visit to the property on 1/10/2013, no corrective action had been made to the structure. The structure is presently vacant and unsecured. In its present state, the structure constitutes a fire, health, and safety hazard.

The estimated cost to repair the structure to a minimum standard for human habitation is \$20,000.00. The Assessor for Cumberland County has the structure presently valued at \$1,483.00.

RECOMMENDATION: IT IS THE RECOMMENDATION OF THE PLANNING & INSPECTION DEPARTMENT THAT THE STRUCTURE BE DEMOLISHED, AND THE DEBRIS REMOVED FROM THE LOT.

This is the duly advertised/noticed public hearing set for this date and time.

Chairman Keefe opened the public hearing.

The Clerk to the Board advised there were no speakers.

Chairman Keefe closed the public hearing.

MOTION: Commissioner Council moved to adopt the order and report of the Minimum Housing Inspector as the true facts in this case; to order the property owner to remove or demolish the dwelling within 30 days; to order the Inspector to remove or demolish the dwelling if the owner fails to do so and impose a lien on the real property for the cost of such action; and to direct the clerk to incorporate the foregoing findings and orders in

an ordinance certified by the Chairman and record the same in the Register of Deeds.

SECOND: Commissioner Melvin

VOTE: UNANIMOUS (6-0)

The Clerk to the Board administered an oath to Joey Lewis, Inspector for the County of Cumberland Inspection Department, who provided information to the Board of Commissioners regarding the following cases:

H. Case Number: MH 6925-2012
Property Owner: Billy W. & Rachel Wilson
Property Location: 6621 Rockfish Road, Fayetteville, NC
Parcel Identification Number: 0404-26-9762

AFFIDAVIT OF THE HOUSING INSPECTOR'S REPORT
BEFORE THE BOARD OF CUMBERLAND COUNTY COMMISSIONERS

I, Joey Lewis, Inspector for the County of Cumberland Inspection Department, acting in my official capacity, being duly sworn, depose and say:

BACKGROUND: That the following is a report on Minimum Housing case number MH 6925-2012.

Property Owner: Billy W. & Rachel Wilson
Home Owner: Billy W. & Rachel Wilson
Property Address: 6621 Rockfish Road, Fayetteville, NC
Tax Parcel Identification Number: 0404-26-9762

SYNOPSIS: This property was inspected on 9/25/2012. The property owners and parties of interest were legally served with Notice of Violations and were afforded a Hearing on 10/29/2012. No one attended the Hearing. It was ordered that the structure be repaired to a minimum standard for human habitation, or be demolished and the debris removed from the premises by a date not later than 11/30/2012. The property owners and parties of interest were notified of the appeal procedures when they were served with the Findings of Fact and Order. No appeal was filed. Upon my visit to the property on 1/10/2013, no corrective action had been made to the structure. The structure is presently vacant and unsecured. In its present state, the structure constitutes a fire, health, and safety hazard.

The estimated cost to repair the structure to a minimum standard for human habitation is \$50,000.00. The Assessor for Cumberland County has the structure presently valued at \$7,124.00.

RECOMMENDATION: IT IS THE RECOMMENDATION OF THE PLANNING & INSPECTION DEPARTMENT THAT THE STRUCTURE BE DEMOLISHED, AND THE DEBRIS REMOVED FROM THE LOT.

Mr. Lewis stated an attorney with Ocwen Loan Servicing signed up as a speaker and an extension could be granted if the property was immediately secured and the lot maintained.

This is the duly advertised/noticed public hearing set for this date and time.

Chairman Keefe opened the public hearing.

The Clerk to the Board administered an oath to the following speaker:

Cameron Scott – Mr. Scott appeared in opposition on behalf of Ocwen Loan Servicing, first place mortgage holder of the property, and stated Ocwen was notified in November 2012 of the need for structural repairs and the corrective action that needed to be taken. Mr. Scott stated Ocwen is currently in the process of securing the property and a foreclosure hearing is scheduled for February 11, 2013. Mr. Scott stated Ocwen is not yet the owner of the property but under the terms of the deed of trust can secure and make the necessary repairs to the property. Mr. Scott requested additional time so a determination could be made as to the ownership of the property. Mr. Ocwen stated although the property was abandoned in 2009, mortgage payments were made. Mr. Scott stated the property can be sold at public auction within 21 days of the foreclosure hearing and the sale would become final after a 10 day period for upset bids. Mr. Scott stated ownership could be determined mid to late March, 2013.

Chairman Keefe closed the public hearing.

Commissioner Council inquired regarding the county's liability should an extension be granted. Rick Moorefield, County Attorney, stated a directive to secure the property has been issued and there is a movement in that direction. Mr. Moorefield advised with the property being in foreclosure, the note holder has no authority to do anything. Mr. Moorefield stated his advice would be to table the matter and instruct Mr. Lewis to monitor the property until ownership could be determined. Commissioner Faircloth asked whether tabling until May 15, 2013 would be possible. Mr. Moorefield responded in the affirmative.

MOTION: Commissioner Faircloth moved to adopt the order and report of the Minimum Housing Inspector as the true facts in this case and to delay a decision on the case until May 15, 2013 in order to give the property owner or parties of interest time to inspect and make the necessary adjustments to secure the property.

SECOND: Commissioner King

VOTE: UNANIMOUS (6-0)

I. Case Number: MH 6837-2012
Property Owner: Teresa Brown
Property Location: 250 S. Betty Street, Spring Lake, NC
Parcel Identification Number: 0511-26-2248

AFFIDAVIT OF THE HOUSING INSPECTOR'S REPORT
BEFORE THE BOARD OF CUMBERLAND COUNTY COMMISSIONERS

I, Joey Lewis, Inspector for the County of Cumberland Inspection Department, acting in my official capacity, being duly sworn, depose and say:

BACKGROUND: That the following is a report on Minimum Housing case number MH 6837-2012.

Property Owner: Teresa Brown
Home Owner: Teresa Brown
Property Address: 250 S. Betty Street, Spring Lake, NC
Tax Parcel Identification Number: 0511-26-2248

SYNOPSIS: This property was inspected on 7/16/2012. The property owners and parties of interest were legally served with Notice of Violations and were afforded a Hearing on 8/20/2012. Teresa Brown attended the Hearing. It was ordered that the structure be repaired to a minimum standard for human habitation, or be demolished and the debris removed from the premises by a date not later than 9/21/2012. The property owners and parties of interest were notified of the appeal procedures when they were served with the Findings of Fact and Order. No appeal was filed. Upon my visit to the property on 1/10/2013, no corrective action had been made to the structure. The structure is presently vacant and unsecured. In its present state, the structure constitutes a fire, health, and safety hazard.

The estimated cost to repair the structure to a minimum standard for human habitation is \$30,000.00. The Assessor for Cumberland County has the structure presently valued at \$2,332.00.

RECOMMENDATION: IT IS THE RECOMMENDATION OF THE PLANNING & INSPECTION DEPARTMENT THAT THE STRUCTURE BE DEMOLISHED, AND THE DEBRIS REMOVED FROM THE LOT.

This is the duly advertised/noticed public hearing set for this date and time.

Chairman Keefe opened the public hearing.

The Clerk to the Board advised there were no speakers.

Chairman Keefe closed the public hearing.

MOTION: Commissioner Melvin moved to adopt the order and report of the Minimum Housing Inspector as the true facts in this case; to order the property owner to remove or demolish the dwelling within 30 days; to order the Inspector to remove or demolish the dwelling if the owner fails to do so and impose a lien on the real property for the cost of such action; and to direct the clerk to incorporate the foregoing findings and orders in an ordinance certified by the Chairman and record the same in the Register of Deeds.

SECOND: Commissioner Council

VOTE: UNANIMOUS (6-0)

J. Case Number: MH 6707-2012
Property Owner: Bernetta M. Weeks
Property Location: 2330 Lake Upchurch Drive, Parkton, NC
Parcel Identification Number: 9493-66-7917

AFFIDAVIT OF THE HOUSING INSPECTOR'S REPORT
BEFORE THE BOARD OF CUMBERLAND COUNTY COMMISSIONERS

I, Joey Lewis, Inspector for the County of Cumberland Inspection Department, acting in my official capacity, being duly sworn, depose and say:

BACKGROUND: That the following is a report on Minimum Housing case number MH 6707-2012.

Property Owner: Bernetta M. Weeks
Home Owner: Bernetta M. Weeks
Property Address: 2330 Lake Upchurch Road, Parkton, NC
Tax Parcel Identification Number: 9493-66-7917

SYNOPSIS: This property was inspected on 3/15/2012. The property owners and parties of interest were legally served with Notice of Violations and were afforded a Hearing on 5/30/2012. No one attended the Hearing. It was ordered that the structure be repaired to a minimum standard for human habitation, or be demolished and the debris removed from the premises by a date not later than 6/29/2012. The property owners and parties of interest were notified of the appeal procedures when they were served with the Findings of Fact and Order. No appeal was filed. Upon my visit to the property on 1/10/2013, no corrective action had been made to the structure. The structure is presently vacant and unsecured. In its present state, the structure constitutes a fire, health, and safety hazard.

The estimated cost to repair the structure to a minimum standard for human habitation is \$50,000.00. The Assessor for Cumberland County has the structure presently valued at \$542.00.

RECOMMENDATION: IT IS THE RECOMMENDATION OF THE PLANNING & INSPECTION DEPARTMENT THAT THE STRUCTURE BE DEMOLISHED, AND THE DEBRIS REMOVED FROM THE LOT.

This is the duly advertised/noticed public hearing set for this date and time.

Chairman Keefe opened the public hearing.

The Clerk to the Board advised there were no speakers.

Chairman Keefe closed the public hearing.

MOTION: Commissioner Faircloth moved to adopt the order and report of the Minimum Housing Inspector as the true facts in this case; to order the property owner to remove or demolish the dwelling within 30 days; to order the Inspector to remove or demolish the dwelling if the owner fails to do so and impose a lien on the real property for the cost of such action; and to direct the clerk to incorporate the foregoing findings and orders in an ordinance certified by the Chairman and record the same in the Register of Deeds.

SECOND: Commissioner Edge

VOTE: UNANIMOUS (6-0)

K. Case Number: MH 6884-2012
Property Owner: Virginia H. Bohrk
Property Location: 5009 New Moon Drive, Fayetteville, NC
Parcel Identification Number: 0415-55-3174

AFFIDAVIT OF THE HOUSING INSPECTOR'S REPORT
BEFORE THE BOARD OF CUMBERLAND COUNTY COMMISSIONERS

I, Joey Lewis, Inspector for the County of Cumberland Inspection Department, acting in my official capacity, being duly sworn, depose and say:

BACKGROUND: That the following is a report on Minimum Housing case number MH 6884-2012.

Property Owner: Virginia H. Bohrk
Home Owner: Virginia H. Bohrk
Property Address: 5009 New Moon Drive, Fayetteville, NC

Tax Parcel Identification Number: 0415-55-3174

SYNOPSIS: This property was inspected on 8/22/2012. The property owners and parties of interest were legally served with Notice of Violations and were afforded a Hearing on 9/17/2012. No one attended the Hearing. It was ordered that the structure be repaired to a minimum standard for human habitation, or be demolished and the debris removed from the premises by a date not later than 10/18/2012. The property owners and parties of interest were notified of the appeal procedures when they were served with the Findings of Fact and Order. No appeal was filed. Upon my visit to the property on 1/10/2013, no corrective action had been made to the structure. The structure is presently vacant and unsecured. In its present state, the structure constitutes a fire, health, and safety hazard.

The estimated cost to repair the structure to a minimum standard for human habitation is \$35,000.00. The Assessor for Cumberland County has the structure presently valued at \$500.00.

RECOMMENDATION: IT IS THE RECOMMENDATION OF THE PLANNING & INSPECTION DEPARTMENT THAT THE STRUCTURE BE DEMOLISHED, AND THE DEBRIS REMOVED FROM THE LOT.

This is the duly advertised/noticed public hearing set for this date and time.

Chairman Keefe opened the public hearing.

The Clerk to the Board advised there were no speakers.

Chairman Keefe closed the public hearing.

MOTION: Commissioner Edge moved to adopt the order and report of the Minimum Housing Inspector as the true facts in this case; to order the property owner to remove or demolish the dwelling within 30 days; to order the Inspector to remove or demolish the dwelling if the owner fails to do so and impose a lien on the real property for the cost of such action; and to direct the clerk to incorporate the foregoing findings and orders in an ordinance certified by the Chairman and record the same in the Register of Deeds.

SECOND: Commissioner Melvin

VOTE: UNANIMOUS (6-0)

Items of Business

4. Consideration of Agreement Between the County and Alliance Behavioral Healthcare

BACKGROUND:

The proposed funding agreement between the county and Alliance Behavioral Healthcare is attached. It provides that Alliance will purchase behavioral health services for eligible Cumberland County residents for whom other payors such as private pay, private insurance, government programs or Medicaid are not available. The essential provisions are as follows:

Term: Covers eligible services authorized between January 1 and June 30, 2013; does not create any commitment beyond June 30, 2013

County Funding Commitment:

- (1) Budgeted start-up funds in the amount of \$514,940
- (2) Budgeted fee-for-service funds in the amount of \$1,200,000

Alliance Responsibilities:

- (1) To manage the provision of high-quality, cost-effective services
- (2) To spend county money only on county consumers
- (3) To adhere to all State requirements
- (4) To contract with the County's Public Health Department for State-funded services through a standard DHHS contract that caps the maximum amount that will be spent to no more than the State funds allocated for outpatient services

Audit Provision: County has the right to audit all records related to the performance of services under the contract

NOTE: The direct provision of services by the county through the mental health clinic in the Public Health Department with county employees creates a management issue for the Alliance that is not addressed in this contract. The operations and personnel costs of the clinic are included in the county budget and paid out of local funds. These costs must remain in the county budget because they are actual obligations of the county. The local funding provided by the county is really absorbed by the clinic operations. For this reason, the contract only requires the Alliance to exercise MCO functions for State-funded services provided by the mental health clinic.

RECOMMENDATION/PROPOSED ACTION:

Approval of the proposed contract for the remainder of the fiscal year.

**AGREEMENT BETWEEN CUMBERLAND COUNTY
AND ALLIANCE BEHAVIORAL HEALTHCARE**

THIS AGREEMENT is made and entered into this the _____ day of January, 2013, by and between the COUNTY OF CUMBERLAND (hereinafter referred to as the "County") and ALLIANCE BEHAVIORAL HEALTHCARE, a Local Management Entity - Managed Care Organization ("LME-MCO") existing and operating under N.C.G.S. Chapter 122C and 42 CFR Part 438 and serving the citizens of Cumberland, Durham, Johnston and Wake Counties, having

a mailing address of 4600 Emperor Blvd. Durham, NC 27713 (hereinafter referred to as "Alliance").

WITNESSETH:

WHEREAS, The Durham Center Area Authority Mental Health, Developmental Disabilities and Substance Abuse Services ("The Durham Center") entered into an Interlocal Agreement in September 2011 with Cumberland County Area Authority for Mental Health, Developmental Disabilities and Substance Abuse Services ("Cumberland Area Authority") and Johnston County Area Authority for Mental Health, Developmental Disabilities and Substance Abuse Services ("Johnston Area Authority") defining the roles, responsibilities and contributions of each of the three Area Authorities concerning: 1) the expansion of the 1915 b/c Medicaid Waiver approved by the Centers for Medicare and Medicaid Services mandated by the North Carolina General Assembly; and 2) designation of The Durham Center to be the lead agency responsible for operating a Medicaid Prepaid Inpatient Health Plan ("PIHP") in Cumberland, Durham and Johnston Counties; and

WHEREAS, Alliance is the successor in interest to The Durham Center as a result of the July 1, 2012 merger between The Durham Center and Wake County Local Management Entity; and has been established as a Multi-County Area Authority by joint resolution of the Wake County and Durham County Boards of County Commissioners pursuant to N.C. G.S. 122C-115; and

WHEREAS, Alliance has been authorized by the Secretary of the North Carolina Department of Health and Human Services pursuant to N.C. Session Law 2011-264 (HB 916) to manage the provision of high quality, cost-effective mental health, intellectual/ developmental disabilities, and substance abuse ("MH/I-DD/SA") services to consumers in the Cumberland, Durham, Johnston and Wake catchment areas; and

WHEREAS, Alliance assumed responsibility for authorization of non-Medicaid publicly funded MH/I-DD/SA services in Cumberland County effective December 17, 2012, and for reimbursement of those services effective January 1, 2013; and

WHEREAS, Alliance is scheduled to begin operating the Medicaid PIHP for Cumberland, Durham, Johnston and Wake Counties effective February 1, 2013; and

WHEREAS, the County and Alliance desire to enter into this Agreement to set forth the rights and obligations to provide mental health, intellectual/ developmental disabilities, and substance abuse services to residents of Cumberland County, funding and other matters related to the provision of mental health services; and

NOW THEREFORE, for and in consideration of mutual covenants herein and the mutual benefits to result therefrom, the parties hereby agree as follows:

ARTICLE I: TERM

This Agreement will take effect on the 1st day of February, 2013 and shall continue through and until June 30, 2013.

ARTICLE II: CUMBERLAND COUNTY RESPONSIBILITIES

2.1 FUNDING COMMITMENT

a. START-UP FUNDS

The Cumberland Area Authority, Johnston Area Authority and Alliance entered into an Interlocal Agreement on or about September, 2011, which sets forth the terms and conditions upon which Cumberland County will tender initial start-up funding to Alliance in the amount of \$533,940.00. Pursuant to a Memorandum of Agreement between Cumberland Area Authority and Alliance, Cumberland Area Authority agreed to requisition the amount of \$514,940.00 for payment to Alliance on or before January 18, 2013. This amount represents the estimated funds remaining from the \$533,940.00 allocated by Cumberland County as funding for initial start-up costs.

b. ALLOCATION

The County agrees to direct funding in an amount not to exceed One Million Two Hundred Thousand Dollars (\$1,200,000) to Alliance for the purchase of behavioral health services for eligible Cumberland County residents to the extent that other payor sources such as private pay, private insurance, government programs, or Medicaid funds are not available. This funding shall be for the period from January 1 to June 30, 2013, and shall be paid to Alliance as set forth below.

c. PAYMENT

The County shall pay to Alliance through a wire transfer Two Hundred Thousand Dollars (\$200,000) beginning on January 1, 2013, and monthly thereafter. This amount shall represent one-sixth of the funds allocated pursuant to this agreement. Any funds left unspent at the end of this contract term shall be applied to the next year's annual allocation if a funding contract is executed for the next fiscal year.

2.2 FUTURE YEAR FUNDING COMMITMENTS

Nothing herein shall be construed to obligate Cumberland County to make funding commitments to Alliance in future fiscal years. If Cumberland County elects to make a funding commitment, it shall take into consideration the consumption rate for services and balance of any unused funding allocated to behavioral health services from the previously funded fiscal years.

ARTICLE III: ALLIANCE RESPONSIBILITIES

3.1 In consideration of the Annual Allocation and other good and valuable consideration agreed to herein, Alliance shall manage the provision of high quality cost-effective mental health, developmental disabilities, and substance abuse services to consumers in Cumberland County.

3.2 For the Fiscal Year 2013, Alliance agrees to use the direct funding provided by the County exclusively for the purchase of services for eligible Cumberland County residents. For the purpose of this Agreement, a person is considered a Cumberland County resident if he or she lives in Cumberland County at the time services are requested with the intent to remain in Cumberland County for an indefinite period of time.

3.3 Alliance shall not apply any direct funding under this Agreement to the cost of services for patients who are not Cumberland County residents.

3.4 Funds not used within the fiscal year may be placed by Alliance in a restricted fund balance for the purchase of services for Cumberland County residents in the next fiscal year.

3.5 Alliance is responsible for oversight of all funding stipulations set forth herein.

3.6 Alliance shall adhere to the requirements of Chapter 122C of the North Carolina General Statutes, APSM 30-1, Division of Medical Assistance (DMA), Division of Mental Health, Developmental Disabilities and Substance Abuse Services' (DMH/DD/SAS) State Plan as updated, and DMHDDSA Performance Agreement as updated, and any other applicable local, state, or federal law. Alliance shall adhere to the terms and conditions of this Agreement and effect such by-laws, resolutions, and actions as are reasonably required to carry out the terms and conditions of this Agreement.

ARTICLE IV: CUMBERLAND COUNTY PUBLIC HEALTH DEPARTMENT

4.1 Alliance will credential and enter into a properly authorized and executed Service Provider Agreement and Medicaid Contract with the Cumberland County Public Health Department for the reimbursement of services provided by the Health Department.

- a. The Service Provider Agreement shall identify an annual contract maximum for State-funded services and shall detail services to be provided, reimbursement rates, reporting, performance standards, and an appeals process meeting or exceeding the requirements set forth in the then current NCDHHS Provider Agreement template.
- b. The Medicaid Contract shall utilize the Medicaid provider template required by the NC Division of Medical Assistance.
- c. The Health Department and its practitioners must meet the credentialing requirements of State and federal law and URAC in order for any contract(s) or agreement(s) to be issued by Alliance.
- d. Alliance shall provide copies of the executed Service Provider Agreement and Medicaid Contract to the County within five (5) business days of execution.

4.2 State funding available for the provision of outpatient services through the Cumberland County Health Department may not exceed available state funds allocated to Alliance for Cumberland County treatment services.

ARTICLE V: GENERAL TERMS AND CONDITIONS

5.1 RELATIONSHIP OF PARTIES

Cumberland County and Alliance agree that Alliance is an independent contractor and shall not represent itself or be deemed as an officer, agent or employee of Cumberland County for any purpose. Alliance represents that it has or will secure at its own expense, all personnel required in performing the services under this Agreement. Such personnel shall not be employees of or have any contractual relationship with Cumberland County. Alliance agrees that all personnel engaged in work under this Agreement shall be fully qualified and shall be authorized or permitted under state and local law to perform such services. Alliance further agrees that it shall obey all State and Federal statutes, rules and regulations which are applicable to provisions of the services called for herein.

5.2 NON-ASSIGNMENT

Alliance shall not assign any portion of this Agreement, including the right to receive payment hereunder, to any party without the prior written consent of Cumberland County.

5.3 NO THIRD PARTY BENEFICIARIES

This Agreement is not intended for the benefit of any third party. The rights and obligations contained herein belong exclusively to the parties hereto, and shall not confer any rights or remedies upon any person or entity other than the parties hereto.

5.4 GOVERNING LAW

The parties acknowledge that this Agreement shall be governed by the laws of the State of North Carolina.

5.5 ENTIRE AGREEMENT

The terms and provisions herein contained constitute the entire agreement by and between Cumberland County and Alliance and shall supersede all previous communications, representations or agreements, either oral or written between the parties hereto with respect to the subject matter hereof.

5.6. WAIVER

The failure of a party to insist upon strict adherence to any term of this Agreement on any occasion shall not be considered a future waiver of the term or deprive that party of its right thereafter to insist upon strict adherence to that term or any other term of this Agreement. Any waiver must be in writing, and no waiver of any breach of any provision of this Agreement shall constitute a waiver of any other breach of such provision or of any other provision thereof.

5.7 PARAGRAPH HEADINGS

Paragraph headings contained in this Agreement are included for convenience only and do not define, limit, or describe the scope of intent of this Agreement or in any way affect this Agreement.

5.8 EXECUTION

The Parties agree to execute all documents, instruments, or further assurances as may be necessary or required to effectuate and complete all transactions contemplated by this Agreement.

5.9 SURVIVAL

This Agreement shall be construed as a continuing contract so as to bind future boards to the extent permitted by law.

5.10 AUDIT RIGHTS

For all Services being provided hereunder, County shall have the right to inspect, examine, and make copies of any and all books, accounts, invoices, records and other writings relating to the performance of the Services identified in this contract. Audits shall take place at times and locations mutually agreed upon by both parties. Notwithstanding the foregoing, Alliance must make the materials to be audited available within two (2) weeks of the request for them.

5.11 COUNTY NOT RESPONSIBLE FOR EXPENSES: County shall not be liable to Alliance for any expenses paid or incurred by Alliance, unless otherwise agreed in writing.

5.12 EQUIPMENT: Alliance shall supply, at its sole expense, all equipment, tools, materials, and/or supplies required to provide Services hereunder, unless otherwise agreed in writing.

5.13 NOTICES

All notices, reports, records, or other communications which are required or permitted to be given to the parties under the terms of this Agreement shall be sufficient in all respects if given in writing and delivered in person, by confirmed facsimile transmission, by overnight courier, or by registered or certified mail, postage prepaid, return receipt requested, to the receiving party at the following address:

If to Cumberland County:

James E. Martin
County Courthouse
117 Dick Street, Room 512
Fayetteville, NC 28301

If to Alliance:

Ellen Holliman
Chief Executive Officer
Alliance Behavioral Healthcare
4600 Emperor Blvd. Durham, NC 27703

5.14 SEVERABILITY

If any provision of this Agreement shall be determined to be unenforceable by a court of competent jurisdiction, such determination will not affect any other provision of this Agreement.

5.15 COUNTERPARTS

This Agreement may be executed in several counterparts, each of which shall be deemed an original.

5.16 EFFECTIVE DATE OF AGREEMENT

The effective date of this Agreement shall be the date upon which the authorized agent of Cumberland County executes this agreement.

ARTICLE VI: Authorization and Binding Obligation

The parties hereto each have the authority to enter the Agreement set forth herein, and that execution of this Agreement has been duly approved and authorized by resolution or any other necessary action, and this Agreement constitutes a legal, binding, and valid obligation.

Mr. Moorefield reviewed the background information as referenced above. Mr. Moorefield advised the proposed funding agreement is between the county and Alliance Behavioral Healthcare and provides that the Alliance will purchase behavioral health services for eligible Cumberland County residents. Commissioner Faircloth asked whether the funds had already been budgeted. Mr. Martin responded in the affirmative. Mr. Moorefield confirmed the contract would run through June 30, 2013.

MOTION: Commissioner Edge moved to approve the proposed contract for the remainder of the fiscal year.
SECOND: Commissioner Council
VOTE: UNANIMOUS (6-0)

5. Report on Mental Health Clinic Services by Buck Wilson, Public Health Director

BACKGROUND:

The following documents were presented:

- Productivity report, December 1st – 31st
- Productivity report for full time staff, December 1st – 31st
- Productivity report for other/exceptions, December 1st – 31st

The following individual will address the Board of Commissioners:

- Buck Wilson, Public Health Director

RECOMMENDATION/PROPOSED ACTION:

At this time there is no recommendation other than to accept the presentation of the productivity reports as presented.

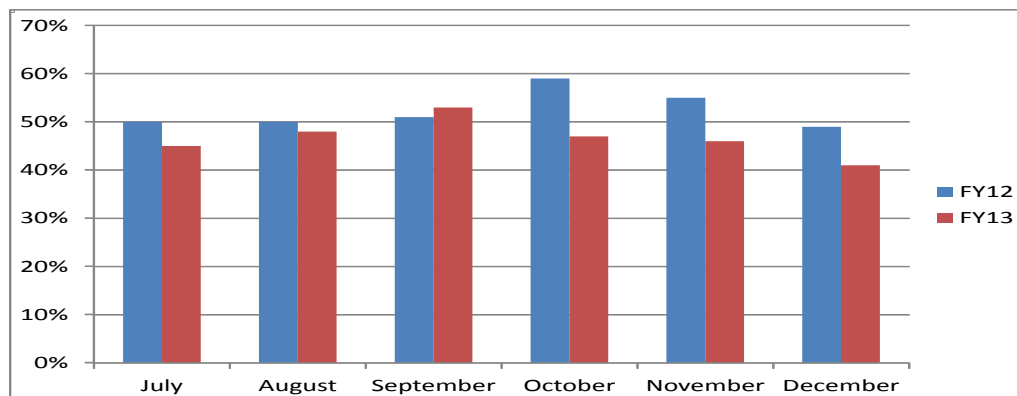
Chairman Keefe recognized Buck Wilson, Public Health Director. Mr. Wilson reported the direct time of 41% as reflected in the productivity report was less than the goal of 49% in 2011. For full-time staff, Mr. Wilson reported four of the top five physician producers resigned and the fifth would soon resign. Mr. Wilson stated three clinicians also resigned. Mr. Wilson reported the direct time of 47% was less than the goal of 79% in 2011; however, the no-show rate of 8% was an improvement over the prior year.

Mr. Wilson reported the vacant court psychologist position had been posted and the percentages for the nursing staff were lower because their hours were not billable. Mr. Wilson also stated the medical director's percentages were up for December because he was handling patients for the psychiatrists that had resigned. Mr. Wilson stated the part-time child physician assistant position required a psychiatrist on staff and because of the resignation of the psychiatrists, this may need to be handled by contract.

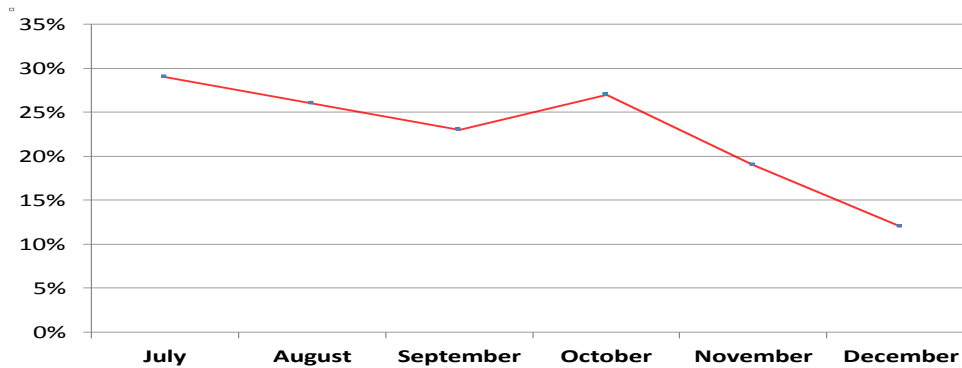
Mr. Wilson reviewed the number of patients served and the number of services provided as follows, and stated some clients may receive multiple services.

Month	#Clients Served	#Services Provided
July 2012	1030	1337
August 2012	1150	2187
September 2012	1063	1754
October 2012	1239	2399
November 2012	1219	1772
December 2012	1105	1408

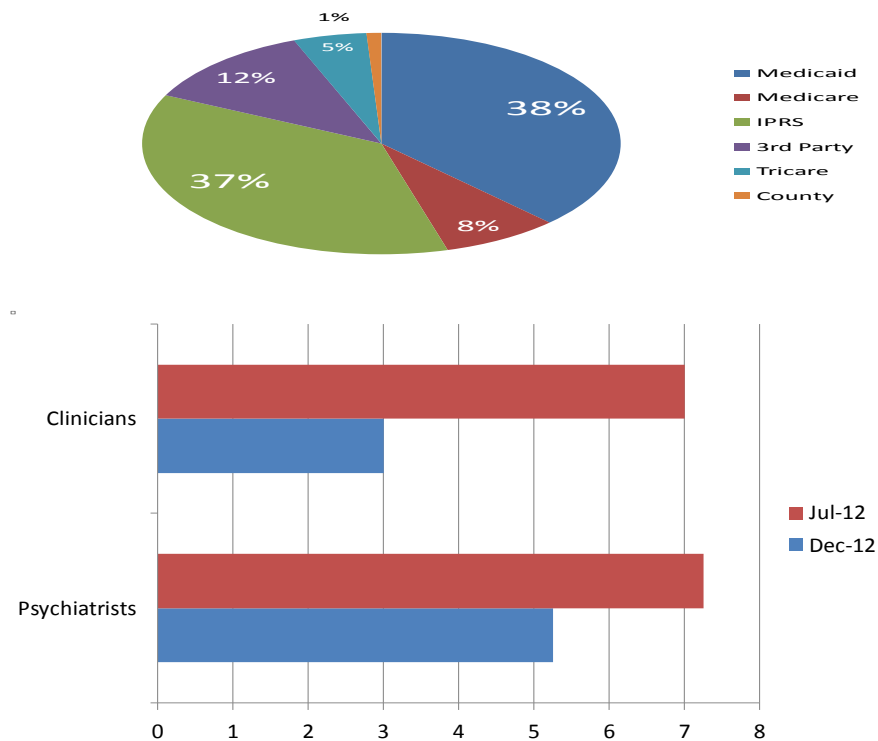
Mr. Wilson reviewed the Mental Health Clinic productivity comparison as follows and stated September had a higher percentage than the previous year.



Mr. Wilson reported no-show percentages for July-December, 2012.



Mr. Wilson displayed reimbursement sources and the number of staff providing billable services.



Mr. Wilson reported the patient assistance program, which is comprised of a part time registered pharmacist and a full time patient assistance program coordinator, gave out over \$1 million in wholesale value per year to citizens of Cumberland County at a very limited cost to the county. Mr. Wilson stated some of the members of the community only have access to the following drugs through the patient assistant program.

Anti-psychotics:

Abilify	\$2,000-\$3,000/90 days
Geodon	\$2,000-\$2,500/90 days
Risperdal	\$2,000-\$3,000/90 day
Seroquel	\$3,000/90 days

Anti-depressants:

Cymbalta	\$600-\$700/90 days
Prozac	\$1,200-\$2,400/90 days
Wellbutrin	\$2,500/90 days
Trileptal	\$1,500-\$3,000/90 days

*used for Anxiety

Chairman Keefe asked why so many doctors resigned. Mr. Wilson stated the uncertainty surrounding mental health caused many staff to take jobs that provide greater certainty and a future. Commissioner Council expressed concern that individuals were falling through the cracks while staff that could not provide services were being paid, and asked that the matter be referred to the Finance Committee. Commissioner King stated the Board of Health discussed the loss of staff and that the effectiveness of the program would be in jeopardy if it continued. Commissioner Council stated services are needed and the matter needs to be resolved quickly.

Chairman Keefe asked Mr. Wilson for input regarding the Mental Health Clinic's staffing issues. Mr. Wilson stated it was his understanding that decisions need to be made about the clinic's relationship with the Managed Care Organization. Mr. Wilson also stated speculation is that there may be a merger and if so, then the clinic would no longer be able to provide services and staff would be without jobs.

6. Report on Career and Technical Educational Task Force-Chip Lucas

BACKGROUND:

Cumberland County's 2011-2012 Strategic Plan included the objective of providing youth development programs in order to help reduce youth crime and gang involvement. Under the plan, commissioners advocated for alternatives to the high school academic track and an increased focus on vocational and military programs to combat the drop-out rate.

Chip Lucas, Executive Director for Career and Technical Education with Cumberland County Schools, will report on the findings and recommendations of the Career and Technical Education Task Force and update the board on the steps taken to build upon the CTE programs in the county. Mr. Lucas last appeared before the board to discuss CTE programs on October 11, 2011.

RECOMMENDATION/PROPOSED ACTION:

The information is provided to update the board on the Career and Technical Education Task Force recommendations and steps taken to advance CTE programs in Cumberland County.

Commissioners and the public are invited to the High School Connections Open House in the General Classroom Building at Fayetteville Technical Community College on February 12 from 5:30 to 7:30 p.m.

Chairman Keefe recognized Dr. Frank Till, Superintendent for Cumberland County Schools, and Chip Lucas, Executive Director for Career and Technical Education, with Cumberland County Schools.

Mr. Lucas stated the report on the Career and Technical Educational (CTE) Task Force was given to the Cumberland County School Board on November 29, 2012. Mr. Lucas reported the following organizations were represented on the task force and the task force is currently collaborating with the directors of the Centers for Entrepreneurship at both Fayetteville State University (FSU) and Methodist University.

- Cumberland County Schools
- Fayetteville Technical Community College
- Fayetteville Regional Chamber of Commerce
- Cumberland County Government
- Fayetteville State University
- Methodist University

Mr. Lucas stated the task force used the following as data sources.

- 2012-2013 CCS High School Course Selection Guide
- 2011 State of the Region: Annual Economic Indicators Report
- Garner Report for the Chamber
- Pathways to Prosperity: Meeting the Challenge of Preparing Young Americans for the 21st Century
- Cumberland County Working Lands Protection Plan

Mr. Lucas explained the High School Course Selection Guide provided information on career and technical education and high school courses currently available to students. Mr. Lucas stated other reports provided local and regional economic and workforce trends and data, and the Garner Economics Report provided holistic economic development strategies for Fayetteville and Cumberland County. Mr. Lucas stated the Pathways to Prosperity was a Harvard Study and the Cumberland County Working Lands Protection Plan provided additional insight on agriculture and agribusiness.

Mr. Lucas stated the task force identified the following as strengths:

- Post-secondary Partnerships
- High School Connections
 - Culinary Arts (Demi-Chef)
 - Medical Coding and Billing
 - Nail Technology
 - Simulation and Game Development
- Career Clusters
 - Health Sciences
 - Business Management & Administration
 - Hospitality & Tourism
- Career Academies - STEM Focus
 - Engineering (Jack Britt, Douglas Byrd and Westover)
 - Information Technology (Gray's Creek and Pine Forest)

- Health (Pine Forest and Westover)
- Agriculture (Cape Fear)
- CCS Fire Academy (EE Smith)
- Finance (Douglas Byrd)
- Public Safety (Southview)

Mr. Lucas stated the task force partnered with Fayetteville Technical Community College (FTCC), FSU and Methodist University for career fairs, shadowing, tours/field trips, and advisory boards, and High School Connections already offered a wide variety of certificate opportunities to eligible high school juniors and seniors to include Demi Chef, Medical Coding, Nail Technology and Simulation and Game Design. Mr. Lucas reported eleven career academies are offered in eight high schools, most of which are Science, Technology, Engineering and Mathematics (STEM) related. Mr. Lucas reported courses in the Health Sciences, Business Management and Administration, and Hospitality and Tourism Career clusters are offered in all ten comprehensive high schools.

Mr. Lucas stated the task force identified the following career gaps:

- STEM (Science, Technology, Engineering & Mathematics)
- Information Technology
- Advanced Manufacturing
- Accounting & Finance
- Agribusiness/Agritourism
- Entrepreneurship

Mr. Lucas stated there are STEM opportunities in all high schools but some lack opportunities for science and pre-engineering curriculums. Mr. Lucas stated there are limitations in Information Technology course offerings except for the Microsoft courses and Multimedia and Webpage Design and High School Connections offers Computer-Integrated Machining. Mr. Lucas stated advanced manufacturing is growing in North Carolina and FTCC is now part of the Advanced Manufacturing Alliance and will come into schools to market these programs to students. Mr. Lucas explained the program is designed to develop fundamental skills in the operation of machine tools including drilling, turning, milling, grinding, basic measuring, layout, and blueprint reading.

Mr. Lucas stated the need for accountants and auditors is great and although accounting courses are offered in several high schools, enrollment is low. Mr. Lucas stated there are agriculture programs at Cape Fear and Gray's Creek High Schools, but few of those students are going to FTCC. Mr. Lucas stated FTCC currently offers Horticulture and will need to expand into Agribusiness & Agritourism if it wishes to attract the current high school agriculture students. Mr. Lucas stated Entrepreneurship is offered in most high schools but enrollment is not as high as it could be. Mr. Lucas stated the hope is to build student interest through partnering activities with FSU and Methodist University because Entrepreneurship is a key to economic growth.

Mr. Lucas reported CTE's short-term goals are as follows:

- Addition of STEM, IT, and Finance CTE courses in high schools
- Addition of Computer Programming and “Trades” programs to High School Connections
- Increased promotion of opportunities through High School Connections

Mr. Lucas stated Scientific and Technical Visualization will be added at Gray’s Creek and E. E. Smith High Schools and conversations are being held with principals about offering AP Computer Science and Business Financial Planning in several high schools. Mr. Lucas stated High School Connections will add a Visual Basic Computer Programming certificate option for students and Automotive, HVAC, and Welding programs for high school students will also be promoted as evening courses. Mr. Lucas stated Carpentry, Collision Repair, Computer Integrated Manufacturing and Electrical are offered.

Mr. Lucas stated a number of things are being done to promote opportunities through High School Connections. FTCC is including High School Connections in their rotation of electronic billboards, print materials are being developed, and a video and commercial are being developed by FTCC to be shown on FCE TV and YouTube. Mr. Lucas stated FTCC will also host an Open House on February 12 from 5:30 to 7:30 p.m. and it being promoted through the Cumberland County’s “Cumberland Matters” broadcast as well as Cumberland County School’s “Get Connected” program.

Mr. Lucas stated CTE’s long-term goals include the following:

- Greater collaboration between CCS, FTCC, FSU, MU, Chamber and local government
 - Alignment between economic development goals and curriculum offerings
 - Work-based learning opportunities
 - Job Shadowing
 - Internships
 - Partnerships with businesses for student success
 - Funding for FTCC textbooks
 - Mentors

Mr. Lucas stated the intent is not to just put a band aid on current gaps and then go back to business as usual because the goal is to continue to work together to meet the workforce and economic needs of the community and to more closely engage local business in education. Mr. Lucas stated this will help CTE create a career pathway that will lead to an educated and skilled workforce and create a vibrant economy.

7. Nominations to Boards and Committees

A. Cumberland County Local Emergency Planning Committee (4 Vacancies)

Commissioner Council nominated Antionette Barnes, Captain Kenneth Eaker, Cristobal Berry-Caban and Ray Jackson.

B. Transportation Advisory Board (4 Vacancies)

Commissioner Faircloth nominated Dorothy A. Harris, Pamela S. Story, Faye Lewis and Nicole Jackson.

8. Appointments to Boards and Committees

A. Cape Fear Valley Hospital System Board of Trustees (4 Vacancies)

Nominees: Jennifer Twaddell
Marion Frances Gillis-Olson
Dr. John Henley
Don Porter

B. Human Relations Commission (2 Vacancies)

Nominees: Noelle Kendrick
Mario Burnette

There being an equal number of vacancies and nominees,

MOTION: Commissioner Council moved to appoint by acclamation all nominees to their respective positions.

SECOND: Commissioner Faircloth

VOTE: UNANIMOUS (6-0)

Chairman Keefe recessed the Cumberland County Board of Commissioners' meeting and convened the NORCRESS Water and Sewer District Governing Board meeting.

1. Approval of Minutes for the June 20, 2011 Regular Meeting

MOTION: Commissioner Faircloth moved to approve the June 20, 2011 meeting minutes.

SECOND: Commissioner Melvin

VOTE: UNANIMOUS (6-0)

2. Approval of a Rate Increase for Sewer Service for the NORCRESS Sanitary Sewer System

BACKGROUND:

After reviewing the operational costs of the NORCRESS sewer system, it has revealed that the present rate of collections for sewer service is not meeting the costs being incurred by the system for operations and maintenance. There have been increases by our sewer service provider and our electrical providers. At the present rate we are not generating any revenue to set aside as a capital reserve fund to pay for replacement equipment or needed repairs.

There was a meeting of the NORCRESS Advisory Board to discuss this issue and to make a recommendation to increase the rates. Although the members of the Advisory Board do not wish to see the rates increase in these times of economic stress, they understand the necessity of the rate increase.

The rates were last increased in 2010, in which the increase raised the rate on sewer service to \$5.50 per 1,000 gallons. The NORCRESS Advisory Board suggested the following proposed rate increases at its November 29th meeting:

Rate Description	Current Rate	Proposed Rate
Residential Customers	\$5.50/thousand gallons	\$6.50/thousand gallons
Commercial Customers	\$5.50/thousand gallons	\$7.00/thousand gallons
Lift Station Maintenance Fee Residential	\$1.00/month	\$2.00/month
Lift Station Maintenance Fee Commercial	\$0.50/thousand gallons	\$1.00/thousand gallons

The flat rate customers have not had an increase in usage since the system went online in 2006, a proposed rate increase to the flat rate customers of \$5.00 per month, making the new rate \$31.42. This increase is necessary due to the high cost of treating the force mains to prevent damage and odor problems, as well as, to begin to establish a capital reserve for future needs.

The average monthly usage throughout this system is 4,500 gallons per residential user, this equates to an average increase of \$5.50 per month to the individual customer for sewer service.

Spreadsheets showing the monthly costs associated with the operation of the system as well as revenue requirements to meet these costs have been provided.

RECOMMENDATION/PROPOSED ACTION:

The Engineering and Infrastructure Director, the NORCRESS Advisory Board, Management and the Finance Committee recommend to the NORCRESS Governing Board that:

1. NORCRESS increase its sewer usage rate to \$6.50 per 1,000 gallons for residential service and \$7.00 per 1,000 gallons for commercial service.
2. NORCRESS increase the Lift Station Maintenance Fee to \$2.00 per month per residential customer and \$1.00 per 1,000 gallons for commercial customer.
3. NORCRESS increase its flat rate sewer user's rate to \$31.42 per month.

The proposed action by the Board is to follow the staff recommendation.

Jeffrey Brown, Engineering and Infrastructure Director, reviewed the background information and recommendations as recorded above and responded to questions. Mr. Martin stated staff propose that the increases be effective with billings on or after March 1, 2013. Commissioner Edge noted the mayors for the three towns sit on the NORCRESS Advisory Board.

MOTION: Commissioner Faircloth moved to approve the increases as set forth in the recommendations.

SECOND: Commissioner King

DISCUSSION: Chairman Keefe expressed concern that the commercial rates were higher than the residential rates even though residential usage was greater. Chairman Keefe stated commercial accounts were looking at a 17% increase in their sewer bill. Chairman Keefe stated he is fearful that “nickeling and diming” will slowly kill off job creators.

VOTE: PASSED (5-1) (Commissioners Melvin, Council, King, Faircloth and Edge voted in favor; Commissioner Keefe voted in opposition)

3. Any Other Matters of Interest

There were no other matters of interest.

MOTION: Commissioner King moved to adjourn the meeting of the NORCRESS Water and Sewer District governing board.

SECOND: Commissioner Edge

VOTE: UNANIMOUS (6-0)

Chairman Keefe reconvened the Cumberland County Board of Commissioners’ meeting.

9. Closed Session: A. Economic Development Matter(s)
Pursuant to NCGS 143-318.11(a)(4)

B. Attorney/Client Matter(s) Pursuant
To NCGS 143-318.11(a)(3)

MOTION: Commissioner Faircloth moved to go into closed session for economic development matter(s) pursuant to NCGS 143-318.11(a)(4) and for attorney/client matter(s) pursuant to NCGS 143-318.11(a)(3).

SECOND: Commissioner Council

VOTE: UNANIMOUS (6-0)

MOTION: Commissioner King moved to go into open session.
SECOND: Commissioner Melvin
VOTE: UNANIMOUS (6-0)

MOTION: Commissioner Melvin moved to adjourn.
SECOND: Commissioner King
VOTE: UNANIMOUS (6-0)

There being no further business, the meeting adjourned at 9:15 p.m.

Approved with/without revision:

Respectfully submitted,

Candice H. White
Clerk to the Board