

CUMBERLAND COUNTY BOARD OF COMMISSIONERS  
THURSDAY, DECEMBER 3, 2015 – 8:30 AM  
CUMBERLAND COUNTY COURTHOUSE, 117 DICK STREET, 5TH FLOOR, ROOM 564  
SPECIAL MEETING / WORK SESSION  
MINUTES

PRESENT: Commissioner Kenneth Edge, Chairman  
Commissioner Marshall Faircloth, Vice Chairman  
Commissioner Glenn Adams  
Commissioner Jeannette Council  
Commissioner Charles Evans (attended by telephone until 10:30 a.m.)  
Commissioner Jimmy Keefe  
Commissioner Larry Lancaster  
Amy Cannon, County Manager  
Melissa Cardinali, Assistant County Manager  
Tracy Jackson, Assistant County Manager  
Rick Moorefield, County Attorney  
Sally Shutt, Governmental Affairs Officer  
Vicki Evans, Finance Director  
Deborah Shaw, Budget Analyst  
Joe Utley, Tax Administrator  
Jeffrey Brown, Engineering and Infrastructure Director  
Brenda Jackson, Department of Social Services Director  
Kim McLamb, Department of Social Services Facilities and Operations  
Tom Lloyd, Planning and Inspections Director  
Dr. Frank Till, Cumberland County Schools Superintendent  
Tim Kinlaw, Cumberland County Schools Associate Superintendent  
Auxiliary Services  
Clyde Locklear, Cumberland County Schools Associate  
Superintendent for Business Operations  
Mitch Colvin, Fayetteville City Council  
Mayor Charles McLaurin, Town of Eastover  
Kim Nazarchyk, Eastover Town Manager  
Addison D. Davis, Spring Lake Town Manager  
Candice H. White, Clerk to the Board  
Kellie Beam, Deputy Clerk to the Board  
Press

Chairman Edge called the meeting to order, welcomed Commissioner Evans who was attending by telephone, and welcomed other elected officials and attendees. Commissioner Lancaster provided the invocation.

Amy Cannon, County Manager, requested additions to the agenda of a closed session for Attorney Client Matter(s) pursuant to NCGS 143-318.11(a)(3) and a closed session for Economic Development Matter(s) pursuant to NCGS 143-318.11(a)(4).

1. Approval of Agenda

MOTION: Commissioner Council moved to approve the agenda to include the additions of a closed session for Attorney Client Matter(s) pursuant to NCGS 143-318.11(a)(3) and a closed session for Economic Development Matter(s) pursuant to NCGS 143-318.11(a)(4).

SECOND: Commissioner Faircloth

VOTE: UNANIMOUS (7-0)

2. Discussion of Local Sales Tax Distribution Agreement

Ms. Cannon thanked the Board for holding a work session in lieu of committee meetings and stated she wanted to provide the Board with her recommendations for local sales tax distribution prior to providing her presentation. Ms. Cannon stated her recommendation is to first seek renewal of the current sales tax distribution agreement on a long term basis, and her presentation will provide the basis for her recommendation.

Ms. Cannon stated the state has given exclusive authority to counties to levy sales tax and as an arm of state government, counties are mandated to provide human services. Ms. Cannon stated

her belief is that the state gave counties levying authority in order to provide them with additional revenue to provide those state mandated human services. Ms. Cannon reviewed the four articles below and noted the ½ cent under Articles 40 and 42 that is shared with the school system for restricted services such as construction, building maintenance and repair, and to pay debt service.

Sales Tax Articles

Article 39	1 cent
Article 40	½ cent - 30% shared with schools
Article 42	½ cent - 60% shared with schools
Article 46	¼ cent

Ms. Cannon stated not only has the state given counties levying authority, the state has given counties the authority to choose the method for distributing sales tax proceeds within the County. Ms. Cannon reviewed the methods below and stated the per capita distribution to municipalities is based on their relative population and ad valorem distribution is based on the tax levy of all taxing districts within the community.

Sales Tax Distribution Methods

County Commissioners are authorized to choose between two methods to establish the distribution of sales tax proceeds between the county and its municipalities.

Per Capita Distribution	Ad Valorem Distribution
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County Commissioners may change the method of distribution annually in month of April.

Ms. Cannon provided the following historical perspective of sales tax distributions in Cumberland County:

Cumberland County Distributions

- Sales taxes in Cumberland County have historically been distributed using the per capita distribution method.
- Using the per capita distribution method, as Fayetteville and other municipal populations grew through annexation:
  - The County’s relative share of sales tax distribution declined.
  - The County’s responsibilities did not decline.
- Result: a shift in revenue from the County to the municipalities – most significantly to the City of Fayetteville.

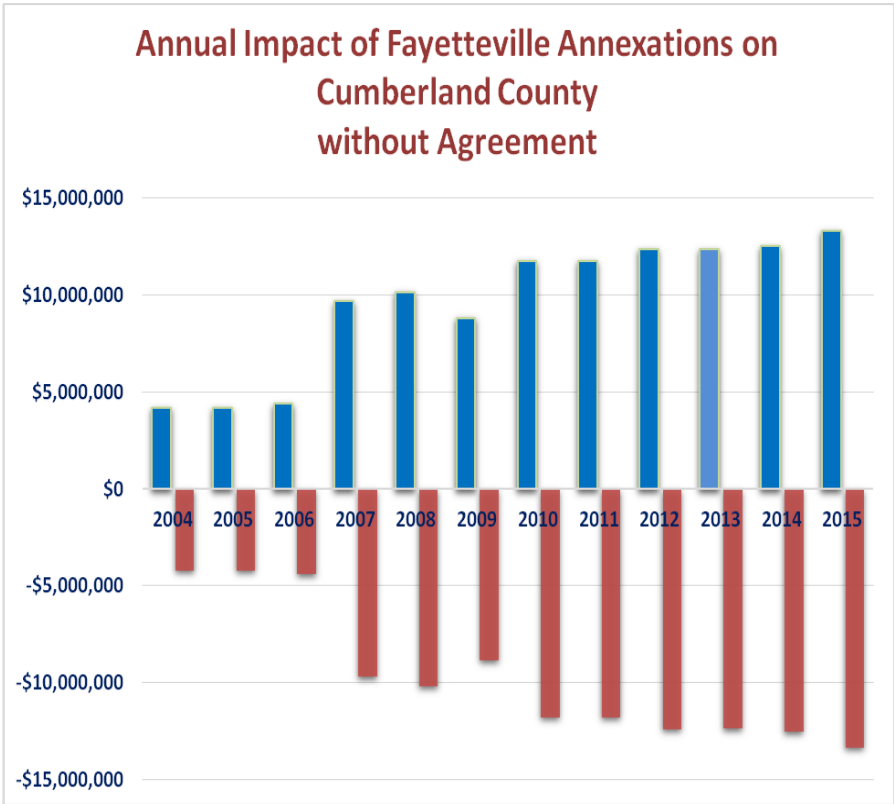
Ms. Cannon stated because Cumberland County experienced a \$4 million loss, a Sales Tax and Annexation Working Group as outlined below was formed to bring together a compromise to seek a balance between municipalities and their additional cost of extending services to their newly annexed areas. Ms. Cannon stated this was to be balanced with the County’s continued loss of annual funds to provide basic human services. Ms. Cannon stated many Mayors participated in the working group. Ms. Cannon stated the working group was not just put together to deal with the County’s \$4 million loss prior to 2001; the City of Fayetteville had additional annexations planned, and one was effective June 30, 2003, so issues involving the current loss and future anticipated losses were dealt with by the working group.

Ms. Cannon stated although there are many references to the City of Fayetteville in her presentation, it is not meant to impugn the City. Ms. Cannon stated she is just trying to provide factual information. Ms. Cannon stated over a ten year period, the City just about doubled its population through annexations and that is where the County sustained its greatest sales tax loss.

Sales Tax Working Group

- Sales tax/annexation working group formed in 2002
- Purpose – balance cost of extending services through annexation with the concurrent loss of sales tax revenue to the County
- Working group included representatives from each municipality, the Board of Education and the County

Ms. Cannon reviewed the chart below stating the blue bars represent the sales tax the City would gain without an agreement based on the planned annexations for 2003 and years ahead, and the red bars represent the County’s projected sales tax loss without any agreement.



Ms. Cannon stated she was one of the members of the working group and the group took the charge seriously to negotiate and develop a compromise. Ms. Cannon stated the group worked for a 14-month period to develop the compromise and brought in a facilitator because no member of the group knew quite how to begin work on a successful agreement. Ms. Cannon reviewed the following:

Tenets of Successful Agreement

- School of Government facilitated work group’s creation of successful agreement tenants
- Address short (\$4 million already lost) and long-term impacts (future anticipated losses) of annexation on sales tax:
  - Equitable impact; each municipality should be represented and treated equally in the process
  - Protect and stabilize sufficient County revenue to continue to provide basic mandated services as an arm of state government
  - Acknowledge role and value of each jurisdiction and issues shared by all
- Solution or compromise should be agreed on and supported by ALL

Ms. Cannon stated all entities supported the compromise in the agreement.

Ms. Cannon presented the following specifics contained in the current agreement:

Current Distribution Agreement

- Reimbursement per agreement:
  - A portion of losses prior to 2003 (the \$4 million loss)
  - Beginning 2003 - 50% of sales tax gains by cities and towns from annexations shared with or reimbursed to the County
- Represents a “win-win” for all jurisdictions:
  - Recognizes County’s undiminished obligations to provide basic human services, including education, which do not cease under annexation
  - Acknowledges financial responsibility of cities & towns due to annexation
    - Cities and towns retain 50% of sales tax gain

Ms. Canon presented the following financial information:

County Sales Tax Loss to City of Fayetteville

	Cumulative
Sales tax loss (FY 1995 through FY 2015)	\$(116,910,759)
Reimbursed through agreements (FY 2004 – 15)	57,848,206
Net sales tax loss due to annexations	\$(59,062,553)

Ms. Cannon noted that the County agreed to the net sales tax loss of \$59,062,553 in the compromise agreement so the cities and towns could keep 50% of their sales tax gain.

Ms. Cannon reviewed the following FY 2015 Actual figures stating they reflect revenues the City gained on an annual basis through annexations. Ms. Cannon pointed out that sales tax is not the only revenue gained through annexation because property tax revenues are also gained.

City of Fayetteville Annexation Gains

	FY 2015 Actual
Sales tax gain	\$13,343,469
Sales tax share 50% with County	(6,671,734)
Property tax gain	7,475,622
Total annexation revenue gain	\$14,147,357

Ms. Cannon reviewed the following:

Current Distribution Agreement

- Original agreement expired on June 30, 2013
- Agreement extended by all parties through the Mayors’ Coalition through June 30, 2016
- The County and all municipalities, except Fayetteville, agreed to extend the agreement through June 30, 2023.

Ms. Cannon responded to questions and shared discussions held with the Fayetteville City Manager. Ms. Cannon stated he reaffirmed his commitment not to recommend renewal of the agreement and provided two options: 1) a phase down from the roughly \$6 million reimbursement to \$3 million and 2) a complete phase out of the agreement and reimbursement. Ms. Cannon stated an impasse was created as she did not support either of those scenarios because it is not financially prudent to agree to that type of increase or complete phase out. Ms. Cannon stated either option would put County services at significant risk moving forward without the revenue.

Ms. Cannon reviewed the following financial impact if the agreement is not renewed:

Financial Impact of Current Agreement Expiration

	FY 2015 Per Capita Distribution (no agreement)	FY 2015 Per Capita Distribution (w/agreement)	Net Gain / (Loss)
Cumberland County	\$30,656,635	\$36,605,112	\$(5,948,477)
County Schools	9,458,762	10,542,503	(1,083,741)
Fayetteville	37,214,408	30,377,116	6,837,292

Ms. Cannon stated the County receives minimal reimbursements from the smaller municipalities which equates to a small amount of gain under the per capita method.

Ms. Cannon provided the following comparison provided by a faculty member from the School of Government and reiterated that the County is statutorily mandated to provide the listed services to citizens, regardless of where they live, even when cities annex.

NC General Statutes Mandated Services

County	City
Law enforcement	Building code enforcement
Jails	
Medical examiner	
Courts	
Building code enforcement	
Public schools	
Social services	
Public health	
Deed registration	
Election administration	
Tax assessment	
Child support	
Community college – capital outlay	

Ms. Cannon stated the County provides more than the mandated services and reviewed the following:

County Services

- County service responsibility is not significantly reduced by annexation.
- County services are available to *all* citizens without regard to where they live within the county.
  - Schools, social services, child support, health, mental health, jail, public safety, Register of Deeds, Board of Elections
- County provides quality of life services: animal control, libraries, FTCC, veterans’ services, cooperative extension

Ms. Cannon provided the following data as it relates to the annual and monthly impact of County services. Ms. Cannon stated about six years ago, the state ceased funding Child Support for Cumberland County and it cost the County about \$1 million the first year to provide this important service for children who live with custodial parents in this community. Ms. Cannon stated the County brings in over \$40 million for these custodial parents and it is infused into the local economy. Ms. Cannon stated Child Support performance has increased dramatically for children in the community.

Ms. Cannon further stated the County does not receive any state or federal dollars to help veterans in the community navigate the system to claim the benefits they are entitled to as a result of their service to our country. Ms. Cannon also elaborated on the impact the Department of Social Services’ programs have on children residing in the County.

Annual Impact of County Services

Animal Control	
Calls	41,519
Animals entering shelter	12,115
Child Support	
Open cases	20,791
Total collections	\$40,217,084
Veterans Services	
Veterans seen to date for 2015	8,472

Monthly Impact of County Services

Department of Social Services:	
Food & Nutrition Services cases	34,114
Medicaid cases	77,515
Children in foster care	905 (as of 11/20/15)
Children receiving child care subsidy	3,741

Ms. Cannon then reviewed the annual impact of services provided by the Public Health Department and quality of life services provided by the Public Library and stated the Public Health Department helps keep citizens out of the Emergency Department at the local hospital which would cost the community more money. Ms. Cannon shared information about the well-attended programs provided by the County’s award winning library to include extended services to assist citizens who are seeking employment.

Annual Impact of County Services

-Department of Public Health:	
Facilities inspected by Environmental Health –	
(restaurants, daycares, lodging, schools, pools, institutions, etc.)	2,244
Patients served (unduplicated)	17,594
-Public Library:	
Program attendance	101,243
Cardholders	191,658
Door count	1,345,163

Ms. Cannon stated there are very few options available to the County should the current agreement expire. Ms. Cannon further stated the County is still dealing with NCFAST issues, the Affordable Care Act related to Medicaid and new USDA timeliness guidelines in which the County could lose over \$2 million in federal funds in 2016. Ms. Cannon reviewed the following and stated the school system will lose \$1 million of capital funds without an agreement and the area of education would have to be reduced as well. Ms. Cannon stated other difficult options include a potential tax increase for county residents that would put an increased burden on all

property owners and a change in the sales tax distribution method which creates a shift of sales tax from the municipalities to the county and other taxing districts.

Options – Current Agreement Expires

- Potential reduction to services
  - Libraries
  - Education
  - Animal Control
  - Veterans Services
- Potential tax increase to ALL county residents
  - Impact is potential 3-cent County tax increase
- Change sales tax distribution method
  - All municipalities lose revenue

Ms. Cannon reviewed the following table which shows the net change for all taxing districts should the distribution method be changed to ad valorem. Ms. Cannon responded to questions.

Net Financial Impact of Distribution Change

	Per Capita Distribution	Ad Valorem Distribution	Impact of Distribution Change	Eliminate Agreement Payments	Net Impact of Distribution Change
Cumberland County	\$ 39,752,575	\$ 47,945,083	\$ 8,192,508	\$(5,948,478)	\$ 2,244,030
Schools	9,458,762	11,267,532	1,808,770	(1,083,740)	725,030
Fire districts	-	2,667,057	2,667,057	-	2,667,057
Recreation district	-	1,214,692	1,214,692	-	1,214,692
City of Fayetteville	37,214,408	25,793,775	(11,420,633)	6,673,107	(4,747,526)
All other municipalities	6,005,330	3,542,936	(2,462,394)	359,111	(2,103,283)

Ms. Cannon reviewed the table below and stated although the dollar amounts for the smaller municipalities are equally less, they are equally significant.

Estimated Impact of Change in Distribution Method

Municipality	Projected Sales Tax Net Loss	Tax Increase Needed for Revenue Loss
Eastover	\$ (422,161)	0.16
Falcon	(52,159)	0.37
Godwin	(11,695)	0.09
Hope Mills	(1,118,044)	0.11
Linden	(17,178)	0.22
Spring Lake	(492,435)	0.11
Stedman	(84,010)	0.10
Wade	(69,790)	0.20

Ms. Cannon stated she is not asking for any additional money but she is asking to keep the current agreement and renew it on a long term basis. Ms. Cannon reviewed the following and stated it is in the community’s best interest to look beyond jurisdictional lines and renew the agreement.

Community Issue

- This is a community issue.

- It does not reside with the City of Fayetteville and Cumberland County alone.
- This agreement directly impacts ALL residents, regardless of where they reside within the county.
- Maintaining the current agreement:
  - Minimizes budget implications for ALL jurisdictions in the county.
  - Maintains the “win-win” solution.

Ms. Cannon reviewed the following timeline and stated she believes that citizens need to be educated about this important issue that leaders across this community are facing.

#### Timeline

- Extension of current agreement signed by ALL jurisdictions no later than January 31, 2016
- Failure to have approved agreement by January 31, 2016:
  - February 4 committee/work session:
    - Discussion regarding budget impact
    - Discussion regarding alternatives
  - March 7 BOCC – consideration of sales tax distribution methods for FY 2016-17
    - Adequate budget planning

Questions and discussion followed. Consensus was to support the timeline recorded above.

3. Cumberland County Schools Facility Needs Survey 2016-2020 by Tim Kinlaw, Associate Superintendent Auxiliary Services

#### BACKGROUND:

The North Carolina General Statutes (NCGS 115C-426.2) strongly encourage local school boards to develop a five-year facility needs plan and to share that plan with the local county commissioners. The goal is to promote greater mutual understanding of immediate and long-term budgetary issues and constraints affecting both public schools and county government.

In their continued adherence to this policy and goal, Cumberland County Schools is submitting their Facility Needs Survey for years 2016 – 2020 to the Board of Commissioners.

#### RECOMMENDATION/PROPOSED ACTION:

It is recommended the Board of Commissioners receives the report. Receipt of the survey does not necessarily constitute endorsement of or commitment to fund the survey.

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Tim Kinlaw, Cumberland County Schools Associate Superintendent Auxiliary Services, recognized Dr. Frank Till, Cumberland County Schools Superintendent, and introduced Clyde Locklear, Cumberland County Schools Associate Superintendent for Business Operations. Mr. Kinlaw stated every five years local boards of education are required to prepare and submit their facilities needs assessment or long range plans to the State Board of Education. Mr. Kinlaw explained a statewide standard is used in the assessment to calculate state average costs and therefore the costs reflected in the assessment are not necessarily costs in Cumberland County. Mr. Kinlaw stated the Facility Needs Survey 2016-2020 is really a snapshot and a need could arise over the five year period that is not part of the survey. Mr. Kinlaw stated the survey reflects what the school system needs to do to bring all of its facilities up to minimum state standards, not what it plans to do.

Mr. Kinlaw stated the survey contains a need for two new schools over the next five years. Mr. Kinlaw stated the BRAC High School was part of the BRAC study, reflects the desire of Ft. Bragg to have a high school in closer proximity to the base and is not based on the school system's capacity needs at this time. Mr. Kinlaw stated the high school can only be constructed using federal funds, not local or state funds. Mr. Kinlaw explained the facility needs as listed in the survey are not in priority order. Mr. Kinlaw stated the other new school listed is North Elementary to accommodate growth along the north corridor that adjoins I-295. Questions and discussion followed regarding the BRAC High School.

Mr. Kinlaw provided a summary of maintenance needs for existing facilities at \$62 million, furniture and equipment at \$12 million and land purchase at \$75,000. Mr. Kinlaw stated the total assessment is \$220 million and clarified he is not requesting \$220 million but in his opinion,

maintaining existing facilities is a priority and he thinks \$62 million is likely a legitimate number for the maintenance needs over the next five years.

Mr. Kinlaw reviewed a table of Cumberland County Schools' capital outlay revenue and stated the 2014-2105 debt of \$5.3 million will likely stay consistent over the next five years, the total revenue of \$12.5 million was \$19.3 million in 2007-2008 and there is \$7.2 million in available funds which was down to \$1.9 million in 2011-2012. Mr. Kinlaw noted that if the sales tax agreement is not renewed, that figure will go down to \$6.2 million next year. Mr. Kinlaw concluded his presentation by recalling the \$62 million and stated he cannot maintain the schools' facilities with any additional reductions, it is critical that current funding sources remain in place and the hope is that when the \$98 million bond is retired in the future, there can be discussions about additional revenues to assist the school system. Additional questions and discussion followed regarding sales tax and lottery funds.

Consensus was for a ten minute break following which the meeting resumed. Commissioners Evans departed the meeting during the break.

Out of consideration for staff time, consensus was to rearrange the order of the agenda items recorded below.

4. County Office Space Update:

A) DSS Expansion at Spring Lake Family Resource Center

**BACKGROUND:**

DSS Director Brenda Jackson has expressed interest in utilizing the unoccupied space at the Family Resource Center in Spring Lake for Children's Services. DSS already has two teams of Children's Services social workers, along with two supervisors, at the facility and would like to expand to the unoccupied areas. Based upon staff reports, customers often come in requesting food stamp (FNS) services. This area already has a lobby for customers and the conference room will be used as a family visitation room for the Children's Services social workers.

**RECOMMENDATION/PROPOSED ACTION:**

No action is required. This is for information only.

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Jeffrey Brown, Engineering and Infrastructure Director, reviewed the background information as recorded above and the floor plan for the proposed use of the unallocated space. Mr. Brown stated some of the space became available when Workforce Development moved to its location at Fayetteville Technical Community College and some of the space has been vacant for several years. Mr. Brown highlighted the unoccupied areas, the area that will house the Teen Unit, including a supervisor along with a few community services aides and a program manager, and the area that will house two income maintenance caseworkers to primarily work with FNS and family and children's Medicaid. Mr. Brown stated Ms. Jackson indicated the unallocated space will accommodate the expansion needs of DSS.

B) Creation of Additional Office Space for District Attorney on Fourth Floor of Courthouse by Jeffery Brown

**BACKGROUND:**

District Attorney Billy West has requested space for four additional employees. According to Mr. West, he has the opportunity to fund the additional positions through a grant, and the understanding is that these positions will be funded for a minimum of three years. Staff has met with Mr. West and his staff several times to determine the best way to expand the existing work space for the new employees. It has been determined that four work areas can be created by taking space from the waiting area adjacent to the District Attorney's reception area. The proposed changes will create space for four additional employees and enhance employee safety and security.

The proposed improvements, which include necessary furnishings, are projected to cost approximately \$9,000. There is sufficient funding within the Courts Facilities budget to cover the expenses of the proposed improvements and therefore no budget revision will be required.



There is a need for a timely turn-around on this project as the understanding is that the District Attorney could have these positions in place early in 2016. Engineering and Infrastructure Staff plan to begin this project as soon as possible since it will take time to make the necessary renovations and the forthcoming holidays could slow down the process.

**RECOMMENDATION/PROPOSED ACTION:**

No action is required. This is for information only.

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Mr. Brown reviewed the background information recorded above and elaborated on some of the proposed modifications and improvements.

5. Stormwater Impervious Surface Verification Project by Joe Utley

**BACKGROUND:**

Effective July 1, 1995, Cumberland County in conjunction with the City of Fayetteville established a Storm Water Utility. Currently the City does not maintain a separate database for stormwater fees and the related impervious surfaces. Under an existing agreement, the City relies on the County's property tax data base for billing of their stormwater fees.

Recently the City of Fayetteville (City) entered into an agreement with an outside vendor in which the vendor would audit the impervious surfaces of commercial properties and provide new values when appropriate. The anticipated result was increased stormwater fees for the City; however, any "discoveries" would directly affect the County's property tax data base used for valuation purposes.

Under the existing system, the County maintains the property tax database. A stormwater program pulls the relevant information from that database in order to calculate the appropriate stormwater fee for the taxpayer. There is currently not a separate database for stormwater. Therefore, using information provided by the vendor would require the County to alter the property tax record with data that was not originated nor verified by the County Tax Office.

Since the database in question is the property tax database, we wanted to insure we moved forward in the proper manner. Therefore, to maintain compliance with the N.C. General Statutes a reappraisal of parcels is required. The Tax Administrator is willing to provide this reappraisal of impervious surfaces. However, since the County tax staff is fully involved in the process of revaluation the process of reviewing the impervious areas of commercial properties cannot take place with county tax staff until the 2017 revaluation is complete. The proposed solution to this is to engage a N.C. Department of Revenue (NCDOR) approved firm to act as an extension of County appraisal staff to verify the impervious surfaces (no structures) of all parcels within the city limits of the City of Fayetteville that receive a commercial storm water fee in conjunction with the 2017 county-wide reappraisal.

The City of Fayetteville has agreed to reimburse the County for this effort. An RFP was issued for such a quote to firms on the NCDOR approved list having met qualification as outlined in NCGS 105-289(i). Two firms responded with the lowest quote being \$87,600.

**RECOMMENDATION/PROPOSED ACTION:**

The Tax Administrator recommends that a budget revision in the amount of \$96,360 (quote plus 10%) be made to allow for a contract with vendor Pearson Appraisals to accomplish the aforementioned "Storm Water Project" in conjunction with the 2017 county-wide reappraisal.

NCGS 105-299 gives the County Board of Commissioners authority to employ firms having expertise in the duties of the assessor to assist the assessor in the performance of his duties.

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Joe Utley, Tax Administrator, reviewed the background information as recorded above. Mr. Utley stated the concern was expressed to the City of Fayetteville that the County Tax Office could not substitute the County's data with the vendor's data without the opportunity to verify information on the property record card. Mr. Utley also stated an additional concern of the County Tax Office was that it maintain compliance with the general statutes because the office felt that doing a blanket project of this nature would not meet the intentions of the statute as it relates to conducting an reappraisal separate from the 2017 county-wide reappraisal. Mr. Utley

further stated the County Tax Office informed the City of Fayetteville that it was willing to support it in verifying data; however, it had to be done correctly and the County did not have staff available at this time to handle the large number of plots. Mr. Utley stated the request is for approval for the County Tax Office to contract with a firm to handle the project in conjunction with the 2017 reappraisal and approval of the associated budget revision. Mr. Utley stated the City of Fayetteville has agreed to reimburse the County for this effort.

Mr. Utley responded to questions. Rick Moorefield, County Attorney, clarified that only the Board of Commissioners can hire an outside firm to assist the Tax Assessor with an audit of the impervious areas of certain properties. Mr. Moorefield explained if changes are made, the changes are made to the County's tax records so this has to be regarded as an audit of specific tax records; the value of some commercial properties may be increased and the value of some commercial properties may be decreased. Ms. Cannon stated the interlocal agreement with the City of Fayetteville for tax collection services will be amended to include reimbursement of this contract.

**MOTION:** Commissioner Council moved to approve a budget revision in the amount of \$96,360 to allow for a contract with vendor Pearson Appraisals to accomplish the stormwater verification project in conjunction with the 2017 county-wide reappraisal.

**SECOND:** Commissioner Adams

**DISCUSSION:** Commissioner Keefe asked the County Manager to review the agreement with the City of Fayetteville for processing tax bills to be sure it is updated and current with today's funding and costs.

**VOTE:** UNANIMOUS (6-0)

## 6. Comprehensive Capital Improvement Plan (CIP) Update

- A) Establishment of a List of Professional Architectural/Engineering Services to Expedite CIP Projects by Jeffery Brown

### BACKGROUND:

North Carolina General Statute 143-64.31 requires local governments to select firms to provide architectural, engineering and surveying services on the basis of demonstrated competence and qualifications for the type of professional services required without regard to fee other than unit price information. Based on the number of Capital Improvement Plan (CIP) projects that will necessitate professional services, the most feasible way to accomplish this task is to establish a list of qualified firms that can provide specialized consulting based upon the discipline needed to successfully initiate and complete any given project. The primary benefit of this approach is that it can reduce the amount of time required to issue a Request for Qualifications (RFQ) and review multiple vendor submissions for each project.

The Engineering & Infrastructure Department issued a RFQ for Professional Services on October 9<sup>th</sup> with submittals due on October 30<sup>th</sup>. The RFQ was for architectural services and various disciplines of engineering and surveying. Recorded below you will find a list of qualified firms sorted into areas of expertise and competency. The Department received submittals from twenty-two separate firms of which 50% of the firms are located within Cumberland County. No more than five firms were selected for each discipline and all of the twenty-two firms represented on the proposed list are qualified to provide professional services to the County.

The County will still reserve the right to issue a separate RFQ for a specific project(s) when it is determined to be in the County's best interest. The list shall be effective for a period of three years with an option to extend for two additional one-year periods not to exceed five total years.

### RECOMMENDATION/PROPOSED ACTION:

Staff recommends approval of the list of professional consulting firms as recorded below that will be utilized to provide services for Cumberland County on an as needed basis.

<b>ARCHITECUTURAL BUILDING DESIGN</b>	<b>ARCHITECUTURAL LANDSCAPING DESIGN</b>	<b>ARCHITECUTURAL BUILDING RENOVATIONS</b>
Gordon Johnson Architecture sfL+a Architects The LSV Partnership The Wooten Company	Crawford Design Company McGill Associates	Gordon Johnson Architecture sfL+a Architects The LSV Partnership The Wooten Company
<b>SURVEYING</b>	<b>MECHANICAL/PLUMBING/ELECTRICAL</b>	<b>CONSTRUCTION MANAGEMENT</b>
4D Site Solutions Joyner Keeny, PLC McGill Associates Moorman, Kizer & Reitzel, Inc. The Wooten Company	Dibble & Pledger, PA Locklear, Locklear & Jacobs, PLLC Progressive Design Collaborative Stanford White The Wooten Company	Atlas Engineering, Inc. Fleming & Associates, PA Gordon Johnson Architecture Moorman, Kizer & Reitzel, Inc. The Wooten Company
<b>STRUCTURAL DESIGN BUILDING ENVELOPE REPAIRS</b>	<b>STRUCTURAL DESIGN SPECIAL INSPECTIONS</b>	<b>STRUCTURAL DESIGN ROOFS</b>
Atlas Engineering, Inc. Fleming & Associates, PA Rooftop Systems Engineers	Fleming & Associates, PA Rooftop Systems Engineers	Atlas Engineering, Inc. Fleming & Associates, PA Rooftop Systems Engineers
<b>CIVIL DESIGN SIDEWALKS</b>	<b>CIVIL DESIGN PARKING LOTS</b>	<b>CIVIL DESIGN SITE DESIGN</b>
4D Site Solutions Crawford Design Company Draper Aden Associates McGill Associates Moorman, Kizer & Reitzel, Inc.	4D Site Solutions Crawford Design Company Draper Aden Associates Moorman, Kizer & Reitzel, Inc. US Infrastructure of Carolina, Inc.	4D Site Solutions Crawford Design Company Draper Aden Associates McGill Associates Moorman, Kizer & Reitzel, Inc.
<b>CIVIL DESIGN GRADING/STORM DRAINAGE</b>	<b>CIVIL DESIGN UTILITIES (WATER &amp; SEWER)</b>	<b>GEOTECHNICAL/TESTING/ ENVIRONMENTAL</b>
4D Site Solutions Crawford Design Company Draper Aden Associates Moorman, Kizer & Reitzel, Inc. US Infrastructure of Carolina, Inc.	4D Site Solutions Draper Aden Associates Koonce, Noble & Associates, Inc. McGill Associates Moorman, Kizer & Reitzel, Inc.	Building & Earth Sciences Frehling & Robertson, Inc. S&ME

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Mr. Brown reviewed the background information and the list of architectural and engineering firms as recorded above to help expedite the CIP projects approved in the current year budget. Mr. Brown stated the County is embarking on a fairly aggressive capital improvement plan to focus on roofs, parking lots and building exteriors over the next three years and when looking at the approximately \$9.5 million projects, a number of the projects will require the use of consultants. Mr. Brown stated the general statutes require the selection of firms based on qualifications and not costs. Mr. Brown stated the list of professional architectural and engineering firms was developed to alleviate the need for consulting firms to submit a separate package for each project and to eliminate the need for staff to read and rank proposals each time a consultant is needed. Mr. Brown stated the firms qualified based on their area of expertise for the particular discipline and five firms were selected for each discipline so the workload of the firms does not slow down the County’s progress on its projects.

Mr. Brown responded to questions about how it was determined who should receive the RFQ, how the firms were selected and how the listed firms will be selected to handle the various projects. In response to a question from Commissioner Keefe, Mr. Brown stated there are no local firms qualified to handle some of the services that are needed; however, the intent is to use local whenever possible. Commissioner Keefe stated he would like for the County to emphasize its policy about using local businesses.

- MOTION: Commissioner Lancaster moved to approve the list of professional consulting firms as recorded above to be utilized to provide services for Cumberland County on an as needed basis.
- SECOND: Commissioner Faircloth
- VOTE: UNANIMOUS (6-0)

B) Status of Capital Improvement Project Financing by Vicki Evans

**BACKGROUND:**

The FY2016 Adopted budget included funds for principal and interest in both the General and Crown funds, related to financing the first three years of the Capital Improvement Plan. In addition, a reimbursement resolution was approved on August 17, 2015. Since that time Finance and Budget staff have been working with Jeffery Brown along with the County's Financial Advisors, DEC and Associates, to determine the best timing and the best type of financing with which to proceed.

It is anticipated that the County will put the financing in place with local approval required at the first and second meetings in February with Local Government Commission approval in March. In the meantime, the Board of Commissioners has approved a funding resolution which allows the County to utilize its own funds and be reimbursed with financing proceeds once the financing has been secured. There is a budget revision to coincide with the reimbursement resolution in the amount of \$1.1 million. That amount is sufficient to cover the costs of obtaining engineering plans on the larger projects to ensure the County does not over or under borrow and allow work to begin.

**RECOMMENDATION/PROPOSED ACTION:**

Management is requesting approval of the \$1.1 million budget revision.

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Vicki Evans, Finance Director, reviewed the background information as recorded above. Ms. Evans stated the budget revision includes 2010 remaining proceeds from the Crown Center in the amount of \$88,000 and these funds will be utilized prior to the \$1.1 million.

**MOTION:** Commissioner Lancaster moved to approve the \$1.1 million budget revision.

**SECOND:** Commissioner Adams

**VOTE:** UNANIMOUS (6-0)

7. Closed Session – If Needed

**MOTION:** Commissioner Keefe moved to go into closed session for Attorney Client Matter(s) pursuant to NCGS 143-318.11(a)(3) and Economic Development Matter(s) pursuant to NCGS 143-318.11(a)(4).

**SECOND:** Commissioner Lancaster

**VOTE:** UNANIMOUS (6-0)

**MOTION:** Chairman Edge moved to reconvene in open session.

**SECOND:** Commissioner Lancaster

**VOTE:** UNANIMOUS (6-0)

**MOTION:** Commissioner Lancaster moved to adjourn.

**SECOND:** Commissioner Keefe

**VOTE:** UNANIMOUS (7-0)

There being no further business, the meeting adjourned at 11:40 a.m.

Approved with/without revision:

Respectfully submitted,

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Candice H. White  
Clerk to the Board