

CUMBERLAND COUNTY BOARD OF COMMISSIONERS
MONDAY, OCTOBER 5, 2015 – 9:00 AM
117 DICK STREET, 1ST FLOOR, ROOM 118
REGULAR MINUTES

PRESENT: Commissioner Kenneth Edge, Chairman
Commissioner Marshall Faircloth, Vice Chairman (arrived 9:04 a.m.)
Commissioner Glenn Adams
Commissioner Jeannette Council
Commissioner Charles Evans
Commissioner Jimmy Keefe
Commissioner Larry Lancaster
Amy Cannon, County Manager
Melissa Cardinali, Assistant County Manager
Tracy Jackson, Assistant County Manager
Rick Moorefield, County Attorney
Rob Hasty, Assistant County Attorney
Sally Shutt, Governmental Affairs Officer
Vicki Evans, Finance Director
Deborah Shaw, Budget Analyst
Jeffrey Brown, Engineering and Infrastructure Director
Brenda Jackson, Social Services Director
Joel Strickland, Fayetteville Area Metropolitan Planning Organization
Executive Director
Russ Rogerson, Economic Development Alliance, Executive
Director
Juawana Colbert, Economic Development Alliance, Director of
Economic Development
Cathy Johnson, Economic Development Alliance, Director of
Economic Development
Candice H. White, Clerk to the Board
Kellie Beam, Deputy Clerk to the Board
Press

Chairman Edge called the meeting to order.

INVOCATION AND PLEDGE OF ALLEGIANCE – Chairman Edge provided the invocation followed by the Pledge of Allegiance to the American Flag.

Recognition of Ms. Lisa Scales, Deputy Senior Assistant of the Cumberland County Register of Deeds Office, being awarded the prestigious Charles W. Moore Award from the North Carolina Association of Registers of Deeds at the 63rd Annual Register of Deeds Conference

Commissioner Lancaster recognized Lisa Scales, Deputy Senior Assistant of the Cumberland County Register of Deeds Office, for having been awarded the Charles W. Moore Award from the North Carolina Association of Registers of Deeds at the recent 63rd annual conference in Concord, NC. Commissioner Lancaster stated this honor is to be given annually to an Assistant or Deputy in a Register of Deeds Office to recognize outstanding service to the association. Commissioner Lancaster stated Ms. Scales has served in the Register of Deeds Office for the past 30 years.

1. Approval of Agenda

MOTION: Commissioner Faircloth moved to approve the agenda.
SECOND: Commissioner Adams
VOTE: UNANIMOUS (7-0)

Commissioner Adams requested the removal of Item 2.D. for separate discussion and action.

2. Consent Agenda

A. Approval of minutes for the September 21, 2015 regular meeting

- B. Approval of Sole Source Purchase Request for Watch Guard In-Car Camera Systems for the Sheriff's Office

BACKGROUND:

All of the Cumberland County Sheriff's Office fleet has Watch Guard in-car camera systems. This is the only system that will work with the evidence software system the Sheriff's Office currently utilizes. Therefore, the Sheriff's Office is requesting this system be standardized on all of the Sheriff's Office fleet, which requires a sole source exception approved by the Board of Commissioners.

RECOMMENDATION/PROPOSED ACTION:

Management is requesting approval of a sole source exception (GS 143-129)(e)(6) based on standardization and compatibility requirements to remain consistent with Sheriff's Office camera systems currently in place.

- C. Approval of a Resolution to Lease Certain Real Property to Fellowship Health Resources Inc.

BACKGROUND:

The Board adopted the required resolution of intent at its September 21, 2015 meeting. Pursuant to G.S. 160 A-272, the notice of intent was advertised in the Fayetteville Observer on September 24, 2015. Adoption of the following resolution will authorize the chairman to execute the lease.

RECOMMENDATION/PROPOSED ACTION:

Adopt the following resolution:

The Cumberland County Board of Commissioners finds:

The real property located at 412 West Russell Street, Fayetteville, (the Cumberland County Community Corrections Center) will not be needed for government purposes for the term proposed for the lease of the property to Fellowship Health Resources, Inc.;

The Board adopted a resolution of intent to lease the property described herein at its regular meeting held September 21, 2015; and

The notice of intent to lease the property was advertised in the *Fayetteville Observer* on September 21, 2015.

BE IT THEREFORE RESOLVED that the chairman is authorized to execute a lease to Fellowship Health Resources, Inc., for that property consisting of approximately 1,005 square feet of office space located at 412 West Russell Street, Fayetteville, NC, for a term of not more than 2 years commencing October 6, 2015, and at an annual rental rate of Fifteen Thousand Seventy Five Dollars (\$15,075.00).

- D. Removed for separate discussion and action as recorded below.

- E. Approval of Health Department Delinquent Accounts to be Written Off and Turned over to the NC Debt Set-Off Program

BACKGROUND:

At the Board of Health meeting on August 18, 2015 the Board approved writing off a total of \$39,123.24 as bad debts. The bad debt accounts with balances of \$50.00 or higher will be processed through the North Carolina Debt Set-Off Program which can attach a debtor's State Income Tax refund for payment of bad debts. The accounts with balances under \$50.00 will continue to be worked for collection through our in-house collection efforts. This write-off of bad debts is in compliance with the Board of Health's recommendation to write-off bad debts every quarter.

RECOMMENDATION/PROPOSED ACTION:

Approve write off of \$39,123.24 bad debts to the North Carolina Debt Set-Off Program.

CUMBERLAND COUNTY DEPARTMENT OF PUBLIC HEALTH
DELINQUENT ACCOUNTS TO BE TURNED OVER FOR COLLECTION
BAD DEBT WRITE OFF #43
June 30, 2015

PROGRAM	AMOUNT
ADULT HEALTH	\$23,375.69
CHILD HEALTH	\$4,089.79
DENTAL	\$1,780.92
EXPRESS CARE	\$1,734.04
FAMILY PLANNING	\$4,045.66
MATERNITY	\$4,097.14
TOTAL	\$39,123.24

All bad debt accounts with balances of \$50.00 or higher, will be sent to the North Carolina Debt Set-Off Program, which can attach a debtor's State Income Tax Refund for payment of bad debts.
The above accounts are 90 days old or older as of 06/30/2015

F. Approval of Cumberland County Finance Committee Report and Recommendations:

1) DSS Request for Food and Nutrition Positions

BACKGROUND:

Continued funding for 35 time-limited positions was included in the FY 2016 budget for the Department of Social Services (DSS). These time-limited positions have been in existence for two years to assist in the NCFAST transition, to clear the backlog of food stamp and Medicaid cases and to assist with challenges created by the Affordable Care Act (ACA) enrollment.

Since the adoption of the budget, the United States Department of Agriculture (USDA) notified the North Carolina Department of Health and Human Services (DHHS) of our State’s failure to meet the federal regulatory processing requirements for the Food and Nutrition Services Program (FNS). Our State has been placed on a corrective action plan by USDA.

In order to comply with USDA requirements, North Carolina must achieve the processing standards below:

- 85% average statewide timeliness by December 2015
- 95% average statewide timeliness by June 2016

These timeline rates must be achieved to avoid suspension of federal dollars counties receive to administer the FNS program. Currently, Cumberland County receives over \$2 million in federal FNS funds.

On August 26, the Social Services Board met and approved the Director’s request to County management for consideration of converting the 35 time-limited positions to permanent positions. Since that time, County management has met with the DSS Director several times to develop strategies to successfully meet all the state and federal mandates. The table below provides FNS caseload data and staffing levels for the top four counties.

County	2015 FNS Household Cases	Percent Increase Since 2008	2015 FNS FTE’s	Caseload Per FTE
Mecklenburg	157,400	92%	169.9	926 Cases
Guilford	95,326	92.5%	66.8	1,427 Cases
Wake	83,220	84%	62.4	1,332 Cases
Cumberland	70,780	77%	43.58	1,624 Cases

The top four counties noted above will determine the statewide success or failure in achieving the federal mandated timeliness standards. The County's research further indicates that all the urban counties except Cumberland have added permanent full-time positions to address the multiple challenges in the FNS and Medicaid program since 2014.

It appears the County's strategy of utilizing time-limited slots and mandatory overtime for the last two years to meet state and federal mandates is not proving to be effective. The County's timeliness rate is less than 70% and its payment accuracy standards are out of compliance as well. In addition, the turnover rates for income maintenance caseworker positions (for FNS and Medicaid) mean the County is continuing to lose experienced staff.

County management believes the County must take immediate steps in improving the quality and timeliness in processing FNS applications. The following steps are recommended:

1. Convert 13 time-limited positions to full-time FNS positions as of October 18, 2015. (No additional funding is necessary since retirement and health insurance has been funded previously for these time-limited positions.)
2. Seek assistance from a third party through June 30, 2016, to assist in the processing of Medicaid applications, which significantly increase during the open enrollment period for the ACA beginning in November.
3. Continue to seek creative solutions, such as non-traditional hours and work weeks, telecommuting, etc., to address the cyclical demands in Medicaid and the on-going challenges in improving our FNS timeliness and accuracy rates.
4. Implement board approved recommendation to employ Business Intelligence techniques and methodology in reviewing the business processes at DSS to seek efficiencies. This initiative will be advanced once the new positions in the County's Information Services Department have been filled.

G. Budget Revisions:

(1) Education

Revision in the amount of \$906,613 to budget unused FY2015 FTCC capital outlay funds. (B16-083) Funding Source – Fund Balance Appropriated

(2) JCPC Programs

Revision in the amount of \$25,665 to adjust budgeted revenues to State Contract. (B16-087) Funding Source – State

(3) Health – NC Environmental Health

Revision in the amount of \$70,000 to budget FDA Grant received. (B16-088) Funding Source – Federal

(4) Library Grants

Revision in the amount of \$104,227 to recognize E-rate checks received. (B16-089) Funding Source – State Other

(5) Workforce Development

Revision in the amount of \$706,124 to recognize the remaining funds after the FTCC year-end close. (B16-090) Funding Source – State

(6) Sheriff's Office

- a. Revision in the amount of \$9,872 to recognize additional SCAAP funds to be received. (B16-091) Funding Source – State

- b. Revision in the amount of \$175,000 to recognize award of the Paul Coverdell Forensic Science Improvement Grant. (B16-092) Funding Source – Federal
- c. NC Controlled Substance Tax-Revision in the amount of \$50,000 to recognize the revenue received and appropriate fund balance for the remaining cost of IBIS equipment and other supplies that are needed. (B16-093) Funding Source – NC Controlled Substance Tax and NC Controlled Substance Tax Fund Balance Appropriated

MOTION: Commissioner Council moved to approve consent agenda Items 2.A. – 2.G.(6)c. with the exception of Item 2.D. as pulled for separate discussion and action.

SECOND: Commissioner Faircloth

VOTE: UNANIMOUS (7-0)

2.D. Approval of Submission of the FY16 Application for the Rural Operating Assistance Program (ROAP) Grant

BACKGROUND:

In previous years the Rural Operating Assistance Program (ROAP) grant was required to have a public hearing prior to the submission of the grant to the North Carolina Department of Transportation. This year NCDOT has made several changes in the requirements and one of them is that the grant no longer requires a public hearing. However, we are requesting approval of submission of the ROAP grant to NCDOT.

Although the General Assembly has not approved a state budget yet, the ROAP Allocation Table as recorded below is final.

The ROAP Grant incorporates three parts of the Community Transportation Program; the Elderly and Disabled Transportation Assistance Program (EDTAP) allotment, the Employment Transportation Assistance Program (EMPL) allotment and the Rural General Public Program (RGP) allotment. The total awarded amount for the FY2016 ROAP Grant is \$283,930. The breakdown of funding is as follows: EDTAP: \$139,792, EMPL: \$76,901 and RGP: \$67,237.

There is no local match required for the EDTAP or EMPL portion of the grant. However, the RGP portion does require a 10% local match. A fare will be charged in order to cover the 10% local match.

RECOMMENDATION/PROPOSED ACTION:

Approve submission of the FY2016 Rural Operating Assistance Program (ROAP) Grant to the North Carolina Department of Transportation to meet the October 19, 2015 deadline.

COUNTIES	EDTAP	EMPL	RGP	TOTAL 2015-2016
Alamance	\$93,280	\$36,849	\$67,572	\$197,701
Alexander	\$54,754	\$10,369	\$59,209	\$124,332
Alleghany	\$45,170	\$5,140	\$42,483	\$92,793
Anson	\$50,540	\$8,478	\$54,861	\$113,879
Ashe	\$51,513	\$9,146	\$55,195	\$115,854
Avery	\$46,794	\$6,587	\$47,836	\$101,217
Beaufort	\$62,254	\$13,486	\$71,252	\$146,992
Bertie	\$48,916	\$7,588	\$50,512	\$107,016
Bladen	\$56,563	\$11,595	\$61,216	\$129,374
Brunswick	\$92,507	\$29,729	\$86,639	\$208,875
Buncombe	\$132,332	\$53,983	\$78,611	\$264,926
Burke	\$80,295	\$22,497	\$64,227	\$167,019
Cabarrus	\$87,395	\$43,301	\$60,882	\$191,578
Caldwell	\$74,762	\$21,607	\$56,199	\$152,568
Camden	\$43,218	\$4,696	\$41,480	\$89,394
Carteret	\$71,515	\$18,381	\$85,970	\$175,866
Caswell	\$50,539	\$7,700	\$52,519	\$110,758

Catawba	\$91,648	\$37,850	\$75,601	\$205,099
Chatham	\$62,898	\$16,044	\$78,277	\$157,219
Cherokee	\$53,793	\$8,924	\$55,195	\$117,912
Chowan	\$46,789	\$6,030	\$45,495	\$98,314
Clay	\$44,682	\$4,696	\$42,149	\$91,527
Cleveland	\$81,429	\$26,168	\$101,693	\$209,290
Columbus	\$67,299	\$16,601	\$79,280	\$163,180
Craven	\$80,789	\$25,278	\$75,266	\$181,333
Cumberland	\$139,792	\$76,901	\$67,237	\$283,930
Currituck	\$47,440	\$8,812	\$52,185	\$108,437
Dare	\$53,136	\$16,155	\$60,213	\$129,504
Davidson	\$102,567	\$39,296	\$94,334	\$236,197
Davie	\$54,426	\$11,372	\$60,547	\$126,345
Duplin	\$62,415	\$15,822	\$79,615	\$157,852
Durham	\$114,644	\$63,996	\$45,495	\$224,135
Eastern Band of the Cherokee	\$0	\$0	\$40,142	\$40,142
Edgecombe	\$64,523	\$18,492	\$64,561	\$147,576
Forsyth	\$144,282	\$82,575	\$0	\$226,857
Franklin	\$62,567	\$16,378	\$77,608	\$156,553
Gaston	\$119,274	\$51,090	\$70,583	\$240,947
Gates	\$44,358	\$5,141	\$43,487	\$92,986
Graham	\$42,895	\$5,364	\$40,476	\$88,735
Granville	\$67,451	\$15,377	\$79,949	\$162,777
Greene	\$47,278	\$7,032	\$50,512	\$104,822
Guilford	\$182,052	\$119,623	\$82,291	\$383,966
Halifax	\$68,109	\$16,601	\$76,604	\$161,314
Harnett	\$76,547	\$29,729	\$114,069	\$220,345
Haywood	\$65,662	\$15,599	\$59,544	\$140,805
Henderson	\$85,157	\$24,721	\$61,551	\$171,429
Hertford	\$51,512	\$8,033	\$53,188	\$112,733
Hoke	\$53,616	\$14,265	\$49,509	\$117,390
Hyde	\$42,247	\$4,251	\$38,469	\$84,967
Iredell	\$90,202	\$39,296	\$80,953	\$210,451
Jackson	\$55,740	\$12,039	\$62,889	\$130,668
Johnston	\$91,514	\$40,409	\$136,816	\$268,739
Jones	\$45,174	\$4,807	\$41,814	\$91,795
Lee	\$60,433	\$17,157	\$78,946	\$156,536
Lenoir	\$67,934	\$16,712	\$80,284	\$164,930
Lincoln	\$69,702	\$20,606	\$86,639	\$176,947
Macon	\$56,395	\$10,592	\$60,213	\$127,200
Madison	\$49,238	\$7,143	\$48,505	\$104,886
Martin	\$51,027	\$8,256	\$52,854	\$112,137
McDowell	\$62,083	\$12,707	\$68,910	\$143,700
Mecklenburg	\$258,169	\$228,766	\$41,480	\$528,415
Mitchell	\$47,445	\$6,253	\$45,829	\$99,527
Montgomery	\$51,190	\$8,367	\$55,530	\$115,087
Moore	\$77,701	\$21,830	\$103,031	\$202,562
Nash	\$76,715	\$26,726	\$69,580	\$173,021
New Hanover	\$107,139	\$50,868	\$36,462	\$194,469
Northampton	\$52,495	\$7,477	\$51,181	\$111,153
Onslow	\$88,743	\$38,407	\$90,319	\$217,469
Orange	\$73,755	\$31,620	\$63,558	\$168,933
Pamlico	\$46,310	\$5,363	\$44,156	\$95,829
Pasquotank	\$54,422	\$12,929	\$65,565	\$132,916
Pender	\$61,927	\$15,043	\$72,925	\$149,895
Perquimans	\$46,633	\$5,697	\$44,156	\$96,486
Person	\$56,063	\$12,040	\$64,561	\$132,664
Pitt	\$89,716	\$42,745	\$73,259	\$205,720
Polk	\$48,906	\$6,698	\$49,843	\$105,447

Randolph	\$89,244	\$34,513	\$128,119	\$251,876
Richmond	\$62,898	\$13,486	\$70,249	\$146,633
Robeson	\$93,319	\$36,071	\$138,489	\$267,879
Rockingham	\$81,925	\$24,722	\$107,045	\$213,692
Rowan	\$92,482	\$34,291	\$75,935	\$202,708
Rutherford	\$72,169	\$18,492	\$86,974	\$177,635
Sampson	\$64,856	\$17,157	\$83,294	\$165,307
Scotland	\$57,525	\$12,039	\$62,220	\$131,784
Stanly	\$63,377	\$15,821	\$81,287	\$160,485
Stokes	\$58,829	\$13,041	\$61,885	\$133,755
Surry	\$70,864	\$18,603	\$91,322	\$180,789
Swain	\$45,173	\$6,698	\$41,480	\$93,351
Transylvania	\$55,902	\$9,591	\$59,544	\$125,037
Tyrrell	\$41,597	\$3,695	\$0	\$45,292
Union	\$88,241	\$47,307	\$76,939	\$212,487
Vance	\$68,090	\$14,375	\$69,244	\$151,709
Wake	\$241,218	\$205,178	\$86,974	\$533,370
Warren	\$54,120	\$7,477	\$50,178	\$111,775
Washington	\$46,636	\$5,920	\$44,156	\$96,712
Watauga	\$54,262	\$14,153	\$73,928	\$142,343
Wayne	\$84,029	\$30,397	\$81,956	\$196,382
Wilkes	\$71,198	\$17,602	\$87,977	\$176,777
Wilson	\$70,849	\$24,611	\$97,010	\$192,470
Yadkin	\$53,782	\$10,593	\$63,892	\$128,267
Yancey	\$48,748	\$6,476	\$47,836	\$103,060
TOTALS	\$7,231,728	\$2,472,210	\$6,689,979	\$16,393,917

Commissioner Adams asked whether the RGP portion that requires a 10% local match would involve a fare increase. Joel Strickland, Fayetteville Area Metropolitan Planning Organization Executive Director, stated the same fare that has been charged in the past will be charged moving forward in order to cover the 10% local match.

- MOTION: Commissioner Council moved to approve Item 2.D. with the same fare that has been charged in the past in order to cover the RGP required 10% local match.
- SECOND: Commissioner Faircloth
- VOTE: UNANIMOUS (7-0)

ITEMS OF BUSINESS

3. Nominations to Boards and Committees

A. Board of Adjustment (2 Vacancies)

Commissioner Adams nominated Yvette Carson for a regular position and Alberta Ortiz for an alternate position.

Commissioner Faircloth nominated Wilton McHenry for a regular position.

Commissioner Keefe nominated George Turner for a regular position.

B. Cumberland County Library Board of Trustees (3 Vacancies)

Commissioner Adams nominated Katrina M. Tiffany, Donald W. LaHuffman and Dr. Connette P. McMahon.

4. Appointments to Boards and Committees

A. Cumberland County Local Emergency Planning Committee (2 Vacancies)

Nominees:

Print and Broadcast Media Representative: Kevin Arata

Community Group Representative: Steve Rogers

There being an equal number of vacancies and nominees,

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

SECOND: Commissioner Lancaster

VOTE: UNANIMOUS (7-0)

5. Closed Session
- A. Attorney Client Matter(s)
Pursuant to NCGS 143-318.11(a)(3)
 - B. Economic Development Matter(s)
Pursuant to NCGS 143-318.11(a)(4)

MOTION: Commissioner Lancaster 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 Council

VOTE: UNANIMOUS (7-0)

MOTION: Commissioner Lancaster moved to reconvene in open session.

SECOND: Commissioner Evans

VOTE: UNANIMOUS (7-0)

MOTION: Commissioner Evans moved to adjourn.

SECOND: Commissioner Lancaster

VOTE: UNANIMOUS (7-0)

There being no further business, the meeting adjourned at 10:50 a.m.

Approved with/without revision:

Respectfully submitted,

Candice H. White
Clerk to the Board