

CUMBERLAND COUNTY BOARD OF COMMISSIONERS
TUESDAY, JANUARY 17, 2017 – 6:45 PM
117 DICK STREET, 1ST FLOOR, ROOM 118
REGULAR/REZONING MEETING
MINUTES

PRESENT: Commissioner Glenn Adams, Chairman
Commissioner Charles Evans, Vice Chairman
Commissioner Michael Boose
Commissioner Jeannette Council
Commissioner Marshall Faircloth
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
Debra Shaw, Budget Analyst
Jeffrey Brown, Engineering and Infrastructure Director
Tom Lloyd, Planning and Inspections Director
Candice H. White, Clerk to the Board
Press

Chairman Adams called the meeting to order.

INVOCATION / PLEDGE OF ALLEGIANCE

Commissioner Lancaster provided an invocation. Pastor Dr. Lillian Spearman, Second Chance Christian Fellowship, also provided an invocation followed by the Pledge of Allegiance to the American flag led by Ronald Christopher Crosby, III, 7th grader at John Griffin Middle School.

Introduction of Fayetteville-Cumberland Youth Council Members: Rebecca Mitchell, FCYC Vice President and Kaydee Stafford, FCYC Senior Secretary

Chairman Adams recognized Crystal McNair, Advisor to the Fayetteville-Cumberland Youth Council, and introduced Rebecca Mitchell and Kaydee Stafford.

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

Amy Cannon, County Manager, read the public comment policy. Chairman Adams recognized the clerk to the board who advised there were no speakers.

Recognition of Retired County Employee: Peggy D. Elliott - Cumberland County Cooperative Extension

Chairman Adams advised Ms. Elliott was unable to be present.

Recognition of Cumberland Soil and Water District as Area VII Outstanding District for 2016

Commissioner Evans called and recognized Supervisor Clifton McNeill, Chair of Cumberland Soil and Water Conservation District and Past President of North Carolina Association of Soil and Water Conservation Districts for Area VII; Supervisor Bob White, Vice Chair of Cumberland Soil and Water Conservation District; Supervisor Wayne Collier, Secretary/Treasurer of North Carolina Association of Soil and Water Conservation District of Area VII; newly elected Supervisor Cathy Dickens; Larry Simpson, Cumberland District Technician, Agriculture Specialist; and Donna Foster, Administrative Program Officer for the Cumberland Soil and Water District. Commissioner Evans stated Supervisor Wingate Collier and Supervisor Reuben Cashwell were unable to be present.

Commissioner Evans stated the mission of the Cumberland Soil and Water Conservation District is to take available technical, financial and educational

resources and administer programs designed to encourage individual responsibility to conserve, improve and sustain our soil and water resources for future generations.

Commissioner Evans stated the Cumberland County Soil and Water Conservation District was named Outstanding Soil and Water Conservation District for 2016 at the N.C. Association of Soil and Water Conservation District's Area VII fall meeting. Commissioner Evans stated Area VII includes 9 counties in central and southeast N.C.; Bladen, Columbus, Cumberland, Harnett, Hoke, Richmond, Robeson, Sampson and Scotland counties.

Commissioner Evans stated the Cumberland Soil and Water District was named as the outstanding district for 2016 based on its 2015-2016 Annual Report.

Commissioner Evans stated Cumberland County Soil and Water Conservation District Board of Supervisors Wingate Collier and Bob White were also recognized at the Area VII fall meeting. Commissioner Evans stated Mr. Collier, who is the board's secretary, was recognized for 20 years of service and Mr. White was recognized for 10 years of service.

Introduction of Mr. Robert Van Geons, President and Chief Executive Officer of the Fayetteville-Cumberland County Economic Development Corporation

Ms. Cannon introduced Robert Van Geons, President and Chief Executive Officer of the Fayetteville-Cumberland County Economic Development Corporation (FCEDC). Mr. Van Geons commented on his past experience in economic development and what he feels he can bring to Cumberland County. Mr. Van Geons stated he is grateful for the opportunity and the trust the FCEDC Board of Directors and the community have put in him. Mr. Van Geons stated he believes Cumberland County has the right pieces to be incredibly successful.

Ms. Cannon requested the removal of Item 3.F.1) from the consent agenda to allow for further review and discussion and the addition under Item 9. of a Closed Session for Economic Development Matter(s) pursuant to NCGS 143-318.11(a)(4).

1. Approval of Agenda

MOTION: Commissioner Lancaster moved to approve the removal of Item 3.F.1) from the consent agenda.

SECOND: Commissioner Council

VOTE: UNANIMOUS (7-0)

MOTION: Commissioner Council moved to approve the addition of a Closed Session for Economic Development Matter(s) pursuant to NCGS 143-318.11(a)(4).

SECOND: Commissioner Boose

VOTE: UNANIMOUS (7-0)

MOTION: Commissioner Council moved to approve the agenda as amended.

SECOND: Commissioner Faircloth

VOTE: UNANIMOUS (7-0)

2. Presentation of the FY2016 Annual Audit by Ms. Linda Suggs, CPA, Cherry Bekaert, L.L.P. and Vicki Evans, Finance Director

Ms. Cannon called on Vicki Evans, Finance Director who introduced Linda Suggs, CPA with Cherry Bekaert, LLP. Ms. Evans stated the FY16 Comprehensive Annual Financial Report is available on the County's website. Ms. Suggs stated generally accepted auditing standards require that the auditor provide an opinion on whether the basic financial statements are presented fairly. Ms. Suggs stated the slide below presents a summary of the results:

AUDIT RESULTS
Generally Accepted Auditing Standards
Basic Financial Statements:
Unmodified – “clean opinion”
Represents *highest* level of assurance

Title 2 U.S. *Code of Federal Regulations* Part 200, *Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards* (Uniform Guidance):
Unmodified – “clean opinion”

Ms. Suggs stated the County received an unmodified or “clean opinion” which is the highest level of assurance that a Certified Public Accountant can give. Ms. Suggs stated when performing an audit of a governmental entity, an additional set of auditing standards called Governmental Auditing Standards must be applied. Ms. Suggs stated these additional standards require that a report is issued on compliance and internal controls over financial reporting. Ms. Suggs stated the purpose of this report is to describe the scope and the results of that testing, and not to provide an opinion on the internal control over financial reporting or on compliance. Ms. Suggs stated under the requirement of Title 2, a single audit of federal and state grant expenditures was performed. Ms. Suggs stated the auditor is required to express an opinion on whether the government complied with laws, regulations and provisions of contracts or grant agreements that could have a direct and material effect on each major federal or state program. Ms. Suggs stated for the record, the County received an unmodified or “clean opinion”. Ms. Suggs stated in addition to the CAFR, the Board has been provided with one letter known as the Statement of Auditing Standards No. 114, Communication with Governing Boards. Ms. Suggs stated the letter is required by auditing standards and generally accepted in the United States, and discusses the firms responsibilities, the County’s significant accounting policies and the County’s accounting estimates. Ms. Suggs encouraged the Board to review the letter at their convenience.

Ms. Evans reviewed the key financial results for the FY2016 General Fund as recorded below and reported the General Fund’s revenues and transfers in exceeded expenditures and transfers out by \$1.37 million in the current year, which reflects a loss. Ms. Evans further reported this loss when applied to the beginning Fund Balance of \$115.6 million results in an ending Fund Balance of \$114.1 million.

General Fund Summary
(County school fund included)

	Original Budget	Final Budget	Actual	Variance
Revenue & other financing sources	\$ 318,368,603	\$ 323,354,636	\$ 330,148,746	\$ 6,794,110
Expenditures & other financing uses	332,892,478	355,624,983	331,521,269	24,103,714
Revenue and other financing sources under expenditures and other financing uses	(14,523,875)	(32,270,347)	(1,372,523)	30,897,824
Fund balance appropriated	14,523,875	32,270,347		(32,270,347)
Total Revenue and other financing sources under total expenditures and other financing uses	\$ -	\$ -		\$ (1,372,523)
Fund balances:				
Beginning of year, July 1, 2015 (as re-stated)			115,507,831	
End of year, June 30, 2016			\$ 114,135,308	

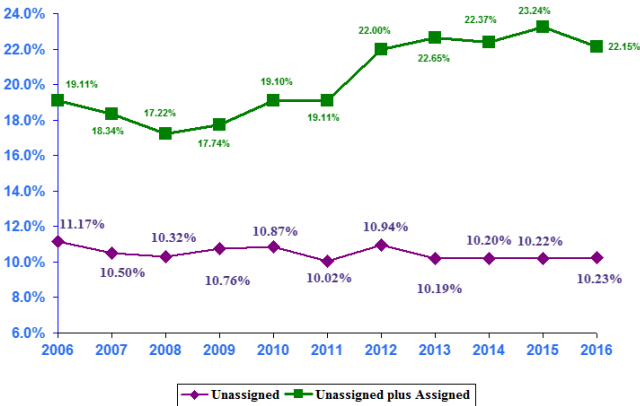
Ms. Evans reviewed the Fund Balance categories as recorded below totaling \$103.2 million and stated this amount does not include the County school fund. Ms. Evans stated Fund Balance categories include nonspendable, restricted, committed and assigned and unassigned. Ms. Evans reported there is no flexibility within the nonspendable, restricted, committed categories and explained assigned categories are funds set aside by the Board for purposes of future use and total \$41.4 million. Ms. Evans stated the total for unassigned categories is \$32.6 million which represents 10.23% of fiscal year 2016 expenditures.

General Fund - Fund Balance
(County school fund excluded)

Nonspendable	
Inventories	\$ 191,535
Prepaids	210
Restricted:	
Stabilization by state statute	25,250,461
Register of deeds	867,507
Committed:	
Property revaluation	602,906
LEO special separation allowance	2,215,961
Assigned:	
Subsequent year's expenditures	16,337,899
Tax office software	4,500,000
Water & sewer industrial expansion	4,626,523
Economic development incentives	968,841
Mental health services	2,364,920
Public health	2,510,625
Renovations & maintenance	3,621,105
Special purposes	4,500,000
Technology Upgrades	2,000,000
Unassigned	32,603,540
Total fund balance	\$ 103,162,033
2016 expenditures	\$ 318,556,232
Unassigned fund balance as a percentage of the FY2016 expenditures	10.23%

Ms. Evans reviewed the trends in fiscal Fund Balance below over the past ten years. Ms. Evans stated Cumberland County policy requires a General Fund Balance unassigned Fund Balance of no less than 10% as reflected by the purple line, which has been stable and slightly above the 10% set by policy over all years shown. Ms. Evans stated policy also requires assigned and unassigned Fund Balance be a minimum of 15% of total expenditures, and the green line shows this percentage and compliance over all years shown.

Fund Balance Percentage - Ten Year History
(Fund Balance / Actual Expenditures)



Ms. Evans reviewed the breakdown of FY16 General Fund actual revenues below and stated ad valorem tax revenues make up over one-half of General Fund revenues. Ms. Evans reported ad valorem taxes represent well over one-half of the total General Fund revenues of \$15,227,740.

FY16 General Fund Actual Revenues
(County school fund excluded)

Ad Valorem Taxes	\$173,965,471	55.3%
Restricted		
Intergovernmental	60,283,858	19.1%
Sales Tax	41,038,421	13.0%
Sales & Services	11,131,954	3.5%
Unrestricted		
Intergovernmental	11,869,220	3.8%
Other Financing Sources	7,357,201	2.3%
Miscellaneous	5,349,422	1.7%
Licenses & Permits	2,248,884	.7%
Other Taxes	1,983,309	.6%

Ms. Evans reviewed the breakdown of FY16 General Fund actual expenditures below and stated education is the highest percentage of General Fund expenditures followed by social services and public safety, the three of which make up over two-thirds of General Fund expenditures.

**FY16 General Fund Actual Expenditures
(County school fund excluded)**

Education	\$89,610,246	28.1%
Social services	68,008,553	21.4%
Public safety	54,941,286	17.2%
General government	26,250,791	8.2%
Debt	24,660,550	7.7%
Health	20,697,491	6.5%
Library	11,361,682	3.6%
Economic & Physical Development	5,098,407	1.6%
Mental Health	5,328,495	1.7%
Other Human Services	5,117,684	1.6%
Other Financing Uses	\$7,481,947	2.4%

Ms. Evans recognized financial staff who participated in the audit with Cherry Bekaert, LLP and stated the request of the Board is for acceptance of the FY2016 CAFR. Ms. Evans responded to questions that followed.

- 3. Consent Agenda
 - A. Approval of minutes for the January 3, 2017 regular meeting
 - B. Approval of Destruction of Departmental Records for:
 - 1) County Administration

BACKGROUND
Pursuant to the current County Management Records Retention and Disposition Schedule issued by the North Carolina Division of Archives and History on April 15, 2013 and adopted by the Board of Commissioners on May 6, 2013, authorization is requested to destroy County Administration records as recorded below:

Standard 1 – Item #18

2012-2014 County Administration Correspondence
2012-2014 County Administration Memoranda

RECOMMENDATION/PROPOSED ACTION:
Approve destruction of the records as noted above.

- 2) Planning & Inspections Department

In accordance with the Records Retention and Disposition Schedule dated April 1, 2006, permission is being requested to destroy records dated prior to January 1, 2011, on or before March 31, 2016. The maximum time period we are 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.

3) Tax Administration

Pursuant to a resolution adopted by the Board of Commissioners on February 4, 1985, authorization is requested to destroy the following records from the Tax Administration Departments:

2006 Real Estate Void Record Cards
2012 and 2013 Daily Reports 101 (Collections)
2012, 2013 Lockbox Payment Records (Collections)
2006 Tax Listing Scrolls, Personal Abstracts
2004, 2005 and 2006 Real Property Appeals completed
2004, 2005, 2006 Boat Discovery Letters Mailed
2012-2013 Various Daily Cashiers Receipts (Collections)
2006 DMV Scrolls, Cycles 01-12
2005 DMV Scrolls, Cycles 01-04; Onsite Appraisals, Cycle 13-2005
2010-2012 Room Occupancy, Prepared Food & Beverage, & Rental Vehicle Returns
2003 Barred Tax Bills

The destruction of these records is in accordance with the current Records Retention and Disposition Schedule and all approved Amendments as issued by the North Carolina Division of Archives and History, and adopted by the Board of Commissioners.

C. Approval of Purchase of Heavy Equipment for Landfill Operations

BACKGROUND:

The Solid Waste Department receives an average of 400 tons of municipal solid waste and 200 tons of construction and demolition debris material daily. Proper equipment is critical to the successful operation of the landfill facility. The equipment must be durable and capable of performing its required task daily. If the primary equipment fails, there must be sufficient backup equipment available to properly operate the landfill and comply with regulatory requirements.

The dozers and compactors, the most used equipment at the landfill, need repair that exceeds the value of the equipment. In addition to the age and condition of the heavy equipment, we also must consider the handling capacities for each piece, as well as the projected waste quantities they process. Temporarily renting the equipment has been explored, but due to the demands placed on a compactor, one is not available for rent.

The equipment can be purchased on State contract. There is a significant lead-time between the order and receipt of heavy equipment; therefore, approval is requested to address this critical need as soon as possible with the purchase of a dozer and a compactor.

The ability to begin the equipment replacement process is critical to operations. Therefore, the request not only includes the immediate purchase of a dozer and compactor, but also a request to begin working with the Finance Director to explore the installment purchase of the second dozer and compactor through a financial institution in the next 30 days. This will ensure we have reliable backup at both the MSW and C&D sites.

RECOMMENDATION/PROPOSED ACTION:

The Solid Waste Director and County Management recommend that the Board of Commissioners approve the following recommendations.

1. Approve Budget Ordinance Amendment B170234 in the total amount of \$1,557,993 to increase Capital Outlay Other for the purchase of one dozer and one compactor. This amendment requires the use of Solid Waste fund balance.
2. To allow the Solid Waste Department work with the Finance Director to explore the purchase of a second dozer and compactor through installment purchase in the next 30 days.

D. Approval of Submission of the Revised 2018 North Carolina Department of Transportation Administrative Grant Application for the Community Transportation Program

BACKGROUND:

This is a follow up to the annual request that funds the administration portion of the Cumberland County Community Transportation Program. The funding period runs from July 1, 2017 to June 30, 2018. Approval by the Cumberland County Board of Commissioners is required, as is a Public Hearing, which took place on November 21, 2016. The administrative funding will be used for salaries and fringes of the Transportation Coordinator and the Transportation Assistants, office supplies, driver drug and alcohol testing, travel to meetings and conferences, program marketing for all services provided to County residents, legal advertising (public hearing advertisements for grants), and North Carolina Public Transportation Association (NCPTA) membership.

The Public Hearing Notice was advertised in both English and Spanish in the Fayetteville Observer on November 6, 2016 with no responses. The additional funding does not require a new Public Hearing. The Community Transportation Program requested and received approval of the original grant application from the Cumberland County Board of Commissioners for the following funding amounts from the North Carolina Department of Transportation:

<i>Project</i>	<i>Total Amount</i>	<i>Local Share</i>
Administrative	\$132,078	\$19,812 (15%)

Since that time, the North Carolina Department of Transportation has given the Community Transportation Program a Five Year Budget, including the Fiscal Year 2018 budget. The new budget increases Cumberland County's funding by \$10,210, which in turn increases the Local Share by \$1,531 as shown below.

<i>Project</i>	<i>Total Amount</i>	<i>Local Share</i>
Administrative	\$142,288	\$21,343 (15%)

As shown above, the new local share is \$21,343 which equals 15% of the total funds. The remaining funds come from the state and federal governments.

RECOMMENDATION/PROPOSED ACTION:

Approve submission of the revised FY 2018 Community Transportation Program Grant Application to the North Carolina Department of Transportation.

E. Approval of Memorandum of Agreement and Associated Budget Revision B170451 in the amount of \$53,000 for the North Carolina Department of Public Safety Homeland Security Grant Program Award

BACKGROUND:

Emergency Services received notification that Cumberland County is eligible for a grant through the 2016 Homeland Security Grant Program (HSGP) in the amount of \$53,000. The Grant award is from the DPR (Domestic Preparedness Region). The Grant will assist in the purchase of a Prime Mover vehicle. The vehicle will be utilized through Cape Fear Valley Health Systems to move heavy equipment. The vehicle will support the Ambulance Strike Team and the State Medical Assistant Team. The Prime Mover will provide support by transporting the Mass Casualty Trailer, State Medical Support Trailer and the Ambulance Strike Team Trailer. In addition the Prime Mover will be available as needed by the 10 counties in the Domestic Preparedness Region.

RECOMMENDATION/PROPOSED ACTION:

Staff recommends approval of Budget Ordinance Amendment B170451 in the amount of \$53,000 to recognize a grant award and to purchase a prime mover.

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

- 1) REMOVED FROM AGENDA
- 2) Contract for Flood Damage Repairs at Headquarters Library and the Associated Budget Revision BR170020 in the amount of \$148,982

BACKGROUND:

The lower level of the Head Quarters Library located at 300 Maiden Lane received approximately 5" of water inside the facility during Hurricane Matthew. Belfor, which is a disaster recovery and property restoration company, was hired to removed damaged materials and contents and clean the impacted area. The lower level is now ready for repairs to begin.

A pre-bid meeting was held with local contractors on December 15th at 9:00 AM to review and discuss the needed repairs. Informal bids were received on January 3, 2017 at 2:00 PM for the flood damage repairs. The received bids were presented to the Facilities Committee on January 5th along with a recommendation to award a contract to the lowest responsible and responsive bidder. H2 Contracting, LLC submitted the lowest bid in the amount of \$135,482. The Committee was also asked to establish a contingency in the amount \$13,500 for the project as well as approve the necessary budget revision.

RECOMMENDATION/PROPOSED ACTION:

The Engineering and Infrastructure Director, County Management and the Facilities Committee recommend that the Board of Commissioners approve the following recommendations.

1. Award a contract to H2 Contracting, LLC in the amount of \$135,482 for flood damage repairs to the Headquarters Library.
2. Establish a contingency in the amount of \$13,500 to be used for additional work recommended by the Engineering & Infrastructure Director and approved by the County Manager.
3. Approve Budget Ordinance Amendment B170020 in the amount of \$148,982 for flood related repairs to the Headquarters Library. The total amount consists of the following: \$135,482 to be used towards the repairs; and \$13,500 represents a 10% contingency at the request of the Engineering and Infrastructure Director.

Please note that this amendment requires no additional county funds.

G. Approval of Cumberland County Finance Committee Report and Recommendation:

- 1) Bond Counsel Pursuant to a Request for Proposal Process

BACKGROUND:

The following information was presented to the Finance Committee on January 5, 2017. A request for proposal for bond counsel was advertised in June 2016. A total of seven responses were received from various entities located across the state of North Carolina. County Attorney Rick Moorefield, Assistant County Manager Melissa Cardinali and Finance Director Vicki Evans collectively reviewed the responses, selected three firms for interviews and conducted interviews in early December. Based on the responses to the requests for proposals, years and depth of experience and interview presentation, the interviewers ranked the firms in the following order:

1. Womble Carlyle – with representatives of the Raleigh office presenting
2. Parker Poe – with representatives of the Raleigh office presenting

- 3. McGuire Woods/Charleston Group – with a representative of the Raleigh office presenting for McGuire Woods and a representative of the Fayetteville office presenting for the Charleston Group

In terms of overall quoted costs, each proposal included examples of different financing types. Quotes by entity are as follows with the lowest for each type shown in green:

	Womble Carlyle	Parker Poe	McGuire Woods/ Charleston
Financing Type	Quoted Amount		
\$50M GO bonds	45,000	30,000	50,000
\$70M revenue bonds	60,000 - 75,000	70,000	60,000
\$50M COPs	60,000	55,000	45,000
\$10M installment	35,000	25,000	15,000
\$100M fixed GO bonds	55,000	40,000	50,000
\$100M LO bonds	60,000	70,000	45,000

During consideration of the interviews, the County Attorney noted the applicability of the policy of providing local preference for services. The policy states: *It is the policy of Cumberland County that all contracts for the provision of services in any amount and all contracts for the purchase of apparatus, materials, supplies and equipment in which the aggregate purchase price in any single contract is less than \$30,000 shall be awarded to local vendors or suppliers, to the greatest extent possible, in accordance with the further conditions set out herein.*

For the purpose of implementing this policy, local vendors or suppliers shall be those who demonstrate that they pay business personal or real property taxes to Cumberland County and are either self-employed residents of Cumberland County or employ at least one resident of Cumberland County as an employee or officer of the contracting business entity.

Even though McGuire Woods/Charleston Group was ranked lowest of the three firms that were interviewed, the interviewers found the following to be significant:

- 1. McGuire Woods/Charleston Group agreed that McGuire Woods would be the contact for all matters, make the determination as to the division of the county’s work between the two firms and invoice for all county work.
- 2. Although the Charleston Group is a small firm without resources comparable to the other firms that were considered, it is a Fayetteville firm with a local presence and significant community involvement which meets the requirements of the local preference policy.
- 3. McGuire Woods/Charleston Group proposed the lowest fees in four of the six categories.

For these reasons, the interviewers recommend McGuire Woods/Charleston Group as co-bond counsel.

After discussion, the Finance Committee approved the interviewers’ recommendation and agreed to forward the recommendation of approval to the full Board of Commissioners meeting for its consideration at the January 17, 2017 meeting.

RECOMMENDATION/PROPOSED ACTION:
Management recommends the Board of Commissioners accept the Finance Committee’s recommendation of approval of the bond counsel contract award to McGuire Woods/Charleston Group serving as co-bond counsel.

- H. Approval of Cumberland County Policy Committee Report and Recommendation:
 - 1) Cumberland County’s 2017 Federal Legislative Issues

BACKGROUND:

The North Carolina Association of County Commissioners is soliciting proposals from North Carolina counties concerning federal issues that impact counties. The NCACC Board of Directors will review proposals at its Feb. 15 meeting and set the federal agenda for the 115th session of Congress for 2017-18.

This list of top federal priorities will be presented to the North Carolina Congressional delegation in Washington, D.C., when the NCACC hosts a Congressional delegation breakfast during the National Association of Counties Legislative Conference, which will be held February 25-March 1.

The Policy Committee approved the proposed list of federal priorities at its Jan. 5, 2017, meeting and recommended bringing the list before the full Board of Commissioners for approval.

PROPOSED FEDERAL PRIORITIES:

Support Increased Funding for Military and Veterans Programs, Including Impact Aid

- Protect, support and enhance military missions at Fort Bragg and other installations in North Carolina.
- Repeal sequestration. The strict discretionary spending caps set by the 2011 Budget Control Act are due to return in FY2018, which starts October 1, 2017, putting additional pressures on defense and other domestic programs.
- Support funding for programs serving veterans. Cumberland County is home to a large veteran population. By their service, veterans are entitled to certain services from the federal government. With such a large veteran population, if those federal services are curtailed, the impact would be widely felt in the community.

Protect the tax-exempt status of municipal bonds – Tax-exempt bonds are a well-established financing tool and without the exemption, the expense of financing capital needs will increase sharply.

Support county authority to collect existing sales and use taxes from remote, internet sellers - This issue has been a priority for states and counties for many years and has escalated as online sales have increased. North Carolina counties are losing uncollected sales taxes that could help fund infrastructure and services. Federal legislation would utilize a destination-based tax system, maintain the ability of state and local governments to set tax policy and establish parity at the point of sale, which would level the playing field for all retailers, whether online or on Main Street.

Preserve federal funding for Health and Human Services programs and prevent unfunded mandates to counties. For decades, the federal and local governments have worked in partnership to tackle difficult human service issues. Community-based programs are essential to the county government's ability to meet the needs of its citizens. The National Association of County Human Services Administrators and the National Association of Counties have agreed to develop a work group to discuss advocacy efforts as new leadership takes office and the Affordable Care Act faces possible repeal.

It is important to highlight the responsibility counties have in providing federally mandated services in state-supervised, locally-administered programs and seek a commitment to reinvest federal funds back in county-operated systems.

- A key priority is to protect the Social Services Block Grant. Adult services programs, such as adult protective services and Temporary Assistance for Needy Families, as well as SSBG funds for child welfare services would be at risk. North Carolina is among 10 states that pass the SSBG funds directly to counties.

Improve Health Services for Individuals in County Jail – Support legislation that would allow individuals in custody to continue receiving Medicaid and other federal benefits until they are convicted, sentenced and incarcerated. Counties are required by federal law to provide adequate health care to individuals who pass through jails each year. NACo says, "Approximately two-thirds of those detained in jails at any given time are pre-trial and presumed innocent, until proven guilty. Nevertheless, Section 1905(a)(A) of the Social Security Act prohibits federal Medicaid matching funds from being used to pay for

their medical care, even if they are eligible and enrolled. This results in counties covering the full cost of health care services.”

Earlier in December, the 21st Century Cures Act was signed and includes provisions to address the number of people with mental illness in jails and other criminal justice issues like the opioid epidemic. However, NACo has concerns that the measures will be funded by cuts to the Prevention and Public Health Fund, which helps fund county public health departments.

Ensure that proposed changes in how deployed military personnel and their family members are counted locally in the upcoming 2020 decennial Census are approved and included in the Census Bureau’s “2020 Census Residence Rule and Residence Situations.” The City of Fayetteville and Cumberland County have worked with the U.S. Census Bureau, the State of North Carolina and the Greater Fayetteville Chamber to ensure that deployed military personnel and their family members are counted locally in the upcoming 2020 decennial Census. Since a portion of Fort Bragg is within Cumberland County and the Fayetteville city limits, the local governments believe that any deployed military personnel and their family members from Fort Bragg should be included in local Census numbers to accurately reflect the city and county populations.

For the past several decades, the Census Bureau has used a procedure for counting deployed military personnel that has resulted in an undercount of population at the state, county and city levels, which impacts federal funding levels.

Proposed changes in the Census process were announced June 30 when the Census Bureau published the “2020 Census Residence Rule and Residence Situations” in the Federal Register. The changes address the deployed military issue by counting deployed military at a residence within a community rather than apportioning them to a total state population only, which had been a joint federal goal for the City and County, as well other North Carolina military communities. The Census Bureau sought public comment in writing through Sept. 1 and a final announcement for the 2020 rules is expected in 2017.

RECOMMENDATION/PROPOSED ACTION:

Approve the list of federal legislative priorities for 2017-18 and submit them to the North Carolina Association of County Commissioners by the Jan. 20 deadline.

- I. Approval of a Proclamation Recognizing February 1-28, 2017 as “Career and Technical Education Month” in Cumberland County

COUNTY OF CUMBERLAND

NORTH CAROLINA

PROCLAMATION

WHEREAS: February 1-28, 2017, has been designated Career and Technical Education Month by the Association for Career and Technical Education; and

WHEREAS: profound economic and technological changes in our society are rapidly reflected in the structure and nature of work, thereby placing new and additional responsibilities on our educational system; and

WHEREAS: career and technical education provides Americans with a school-to-careers connection and is the backbone of a strong, well-educated workforce, which fosters productivity in business and industry and contributes to America’s leadership in the international marketplace; and

WHEREAS: career and technical education gives high school students experience in practical, meaningful applications of skills such as reading, writing and mathematics, thus improving the quality of their education, motivating potential dropouts and giving all students leadership opportunities in their fields and in their communities; and

WHEREAS: career and technical education offers individuals lifelong opportunities to learn new skills, which provide them with career choices and potential satisfaction; and

WHEREAS: the ever-increasing cooperative efforts of career and technical educators, business and industry stimulate the growth and vitality of our local economy and that of the entire nation by preparing graduates for career fields forecast to experience the largest and fastest growth in the next decade;

THEREFORE, we do hereby proclaim February 1-28, 2017, as Career and Technical Education Month in Cumberland County Schools, and urge all citizens to become familiar with the services and benefits offered by the career and technical education programs in this community and to support and participate in these programs to enhance their individual work skills and productivity.

Adopted this 17th day of January, 2017.

J. Budget Revision:

General Fund 101

- 1) Tax Administration - Budget Ordinance Amendment B170052 in the amount of \$26,492 to recognize revenue received from a tax audit performed on behalf of the County's tax department

The Board is requested to approve Budget Ordinance Amendment B170052 in the amount of \$26,492. This additional revenue was received from a tax audit and will be used towards related audit expenses.

Please note this amendment requires no additional county funds.

MOTION: Commissioner Evans moved to approve consent agenda items 3.A. –3.J.1) with the exception of Item 3.F.1) as removed.

SECOND: Commissioner Faircloth

VOTE: UNANIMOUS (7-0)

4. Public Hearings

Ms. Cannon explained the Board of Commissioners' procedures for public hearings.

Uncontested Cases

Tom Lloyd, Planning and Inspections Director, stated there were no speakers signed up in opposition to Case P16-48 or Case P17-01 at the Planning Board meeting and the Planning Board recommended approval of Case P16-48 and Case P17-01.

- A. Case P16-48: Rezoning of 3.66+/- acres from C(P) Planned Commercial to A1A Agricultural, or to a more restrictive zoning district, located at 5208 NC HWY 87 S and the adjacent tract to the south, submitted by Betty Bennett Walters (owner) and Donald Lee Walters (agent).

Planning Board Meeting Date: December 20, 2016

Planning Board Action: Approve the staff recommendation.

Staff Recommendation: 1st motion for Case P16-48: Move to find the request for rezoning consistent with the 2030 Growth Vision Plan, and any other applicable land use plan, reasonable and in the public interest for the reasons stated in the recommendations of the Planning Staff.

2nd motion for Case P16-48: Move to approve the rezoning for A1A Agricultural district.

Chairman Adams opened the public hearing for Case P16-48.

The clerk to the board advised there were no speakers for Case P16-48.

Chairman Adams closed the public hearing for Case P16-48.

MOTION: Commissioner Council moved in Case P16-48 to find the request for rezoning consistent with the 2030 Growth Vision Plan, and any other applicable land use plan, reasonable and in the public interest for the reasons stated in the recommendations of the Planning Staff.

SECOND: Commissioner Faircloth

VOTE: UNANIMOUS (7-0)

MOTION: Commissioner Council moved in Case P16-48 to approve the rezoning for A1A Agricultural district.

SECOND: Commissioner Boose

VOTE: UNANIMOUS (7-0)

- B. Case P17-01: Rezoning of 2.07+/- acres from R40 Residential/CU Conditional Use to allow a manufactured home to R40A Residential, or to a more restrictive zoning district, located at 815 Fred Hall Road, submitted by Delvin S. McAllister (owner).

Planning Board Meeting Date: December 20, 2016

Planning Board Action: Approve the staff recommendation.

Staff Recommendation: 1st motion for Case P17-01: Move to find the request for rezoning consistent with the 2030 Growth Vision Plan, and any other applicable land use plan, reasonable and in the public interest for the reasons stated in the recommendations of the Planning Staff.

2nd motion for Case P17-01: Move to approve the rezoning for R40A Residential district.

Chairman Adams opened the public hearing for Case P17-01.

The clerk to the board advised there were no speakers for Case P17-01.

Chairman Adams closed the public hearing for Case P17-01.

MOTION: Commissioner Council moved in Case P17-01 to find the request for rezoning consistent with the 2030 Growth Vision Plan, and any other applicable land use plan, reasonable and in the public interest for the reasons stated in the recommendations of the Planning Staff.

SECOND: Commissioner Boose

VOTE: UNANIMOUS (7-0)

MOTION: Commissioner Council moved in Case P17-01 to approve the rezoning for R40A Residential district.

SECOND: Commissioner Boose

VOTE: UNANIMOUS (7-0)

Items of Business

5. Consideration of Endorsement of the North Carolina Civil War History Center

BACKGROUND:

The North Carolina Civil War History Foundation presented a resolution to the Cumberland County Finance Committee on September 1, 2016, seeking a funding commitment of \$7.5 million from the County. No action was taken at that meeting. It was recommended that this request be considered in conjunction with other capital requests during the FY2018 budget process.

Recently, the Foundation asked the Board of Commissions to take action on financial support for the History Center before the end of January 2017, in advance of our FY2018 budget process. The Foundation cites recent state budget surpluses as an opportunity to seek State support as the North Carolina General Assembly begins their new session later this month. On December 12, 2016, the City of Fayetteville committed to an investment of \$7.5 million for the project contingent upon matching county support and state funding.

The total project is estimated to cost \$65 million. The proposed funding sources for the History Center are as follows:

State of North Carolina	\$30,000,000
City of Fayetteville	\$ 7,500,000
Cumberland County	\$ 7,500,000
Private Donations	<u>\$20,000,000</u>
	\$65,000,000

The Foundation sought an independent study to calculate the economic benefit of the History Center to our community. This study calculated almost \$20,000,000 in new economic activity annually through the creation of 200 permanent new jobs and the attraction of up to 130,000 new tourists annually. Our community would fully benefit from this potential economic growth because the State would own and operate the museum.

RECOMMENDATION/PROPOSED ACTION:

Consider endorsement of the North Carolina Civil War History Center through a commitment of project funding up to \$7.5 million.

**A RESOLUTION OF THE CUMBERLAND COUNTY
BOARD OF COMMISSIONERS IN SUPPORT OF
THE PROPOSED NORTH CAROLINA CIVIL WAR HISTORY CENTER**

WHEREAS, more than \$2,500,000 in State, local and private monies have been expended over the past eight years toward the creation of the North Carolina Civil War History Center; and

WHEREAS, an independent study projects an economic benefit to the community by the History Center including attracting up to 130,000 new tourists annually, creating more than 200 permanent new jobs, and generating almost \$20,000,000 in new economic activity annually; and

WHEREAS, the development of the \$65,000,000 History Center will serve as a catalyst for major economic development resulting in an increase in property values; and

WHEREAS, the citizens of Fayetteville, Cumberland County, and the State of North Carolina have contributed more than \$6,000,000 toward creation of the History Center; and

WHEREAS, the plans for the Center have been approved by the Department of Natural and Cultural Resources for the State of North Carolina; and

WHEREAS, funds from the State of North Carolina in combination with admissions, rentals, food and beverages, and endowment income will cover the annual operating expenses; and

WHEREAS, the Community can realize all the benefits of the History Center without being responsible for any annual operating expenses since the Center will be owned and operated by the State of North Carolina; and

WHEREAS, State legislative leadership has indicated that it will consider providing significant State monies only after an investment by the City and County governments; and

WHEREAS, budget discussions by local and State legislative leaders will begin in earnest after January 1, 2017;

NOW, THEREFORE, BE IT RESOLVED, the Cumberland County Board of Commissioners does hereby resolve to endorse the Civil War History Center and will commit funding up to \$7.5 million towards the project subject to the following:

- The final results of our 2017 Property Revaluation; and
- Continued review and verification of the projected economic impact; and
- Commitment of matching funds from the City of Fayetteville; and
- Allocation of the entire \$30 million State share by the North Carolina General Assembly in the 2017-2019 biennium budget; and
- The Foundation's successful completion of their private donation campaign through receipt of \$20 million; and
- Utilization of County funding exclusively for construction of the History Center building; and
- County funding being released incrementally on a dollar-for-dollar basis with City, State and private funding.

Cumberland County's commitment of funding for the History Center Project will sunset if construction of the History Center has not commenced by December 31, 2020.

Adopted this 17th day of January, 2017.

Ms. Cannon provided copies of the resolution and reviewed the background information recorded above. Ms. Cannon stated within the resolution are suggested parameters surrounding the County's contribution.

MOTION: Commissioner Lancaster moved to accept the resolution as presented by the county manager in support of the proposed N. C. Civil War History Center.
SECOND: Commissioner Boose
VOTE: UNANIMOUS (7-0)

6. Presentation of Preliminary Hurricane Matthew Response and Recovery Report by Mr. Tracy Jackson, Assistant County Manager

BACKGROUND

Staff has completed an after-action review (AAR) with the cooperation and participation of our partner agencies that responded to Hurricane Matthew this past October. The AAR utilized a survey and face-to-face meetings to uncover strengths, challenges, and recommendations. The information gathered from the AAR will be used to refine and improve emergency response, planning, and training within and across organizations.

RECOMMENDATION/PROPOSED ACTION:

This item is for information only. No further action is requested.

Mr. Jackson reviewed the background information recorded above and presented a summary of the Hurricane Matthew After-Action Review. Mr. Jackson stated 19 to 20 groups participated in the survey utilized as part of the AAR. Mr. Jackson also stated County fire departments were not included in the first phase of the AAR but will be included in the second phase.

Mr. Jackson provided highlights of the following strengths:

- Collaboration
 - Unified Emergency Operations Center (EOC)

- Multi-agency coordination
- Senior leadership and elected officials
- Joint Information Center
- Communications
 - Unified Joint Information Center
 - Utilization of all media platforms; CodeRED; conference calls
 - Access to Incident Command & decision makers
 - Addition of Communications Center to EOC; an assigned channel for operations
- Preparation
 - Pre-planning and early notification
 - Internal County coordination (vehicles fueled, rosters updated, etc.)
 - External coordination with partners
 - EOC team had trained together during drills in the Spring
- Performance
 - Smooth EOC activation and operation; had time to plan knowing event was coming towards the County
 - Shelter coverage by County staff ; DSS and Public Health coverage was excellent in terms of efforts put forward, hours worked and dedication in operating shelters
 - DSS food stamp distribution; efficient and caring process to get resources in the hand of those who needed it in a timely manner
 - Partner support; City, PWC, Cape Fear Valley EMS, School System were able to address issues “on the fly”, executed plans and when it came time to change direction because of the unexpected, they did so and went above and beyond expectations. Fuel was provided for EMS, county fire and out-of-county swift water rescue teams that arrived and needed resources in order to be operational in the field.

Mr. Jackson also provided highlights of the challenges and recommendations that were divided into the following four categories:

- Pre-Event/Preparations
- EOC – Facility and Operational
- Sheltering – Facility and Operational
- Communications

Mr. Jackson stated for the future, there is a need for more staff in the EOC at least three positions deep to cover more shifts for multiple days. Mr. Jackson stated staff need to be brought from other departments such as Planning and Tax Administration, in addition to administration/clerical staff, so training can be provided in emergency operations. Mr. Jackson stated this will allow them to be plugged in when needed in order to expand the emergency operations force. Mr. Jackson stated media training needs to be provided in the EOC in order to provide information to the media while at the same time protecting the confidentiality of victims.

- Pre-Event/Preparations
 - Training across the board
 - Increase trained staff to support Emergency Management and others in EOC
 - Training for elected officials
 - Post disaster damage assessment tools, planning and training; better software and processes needed; more drills and exercises will be provided in Planning and Tax Administration in performing assessments

Mr. Jackson provided highlights of the EOC facility and operational challenges and recommendations. Mr. Jackson stated one of the two generators in the LEC went down during the storm due to the power loss to the 911 Center; backup communications were handled via a communications trailer brought in and placed in the parking lot adjoining the LEC. Mr. Jackson stated short term recommendations include connecting the 911 consoles to large battery backup systems, which has been completed. Mr. Jackson stated another recommendation was adding phone and internet connections to the Emergency Management Office that was used as the joint information center; wifi access also needs to be provided as well as additional white boards for tracking statuses of different information.

- EOC – Facility
 - System issues – power back-ups, technology
 - Modern EOC needed with critical system redundancy and standalone capability

- EOC – Operational Challenges
 - Agency representation needed (in person, direct lines); would be beneficial in making decisions when situation calls for it
 - Updates, information sharing; provide briefings on a regular basis to others in the EOC; grant access to internal data system to all emergency operation participants to ensure everyone has similar information and can make sound and timely decisions based on the information; time coordinator needed to keep briefings and processes on schedule
 - Ordering commodities (Web EOC); need to assign a position to track and work with logistics for distribution of commodities such as water, etc.
 - Establish/update County Animal Response Team

Mr. Jackson reviewed challenges occurring at shelters and stated residents at Southview High School had to be moved twice due to a generator problem, roof leak and plumbing issues. Mr. Jackson stated once schools opened after the storm, there was a question as to whether the shelter should remain open while school was in session; recommendation is to find another location in the Hope Mills area that's more conducive to multi-day emergency shelter. Mr. Jackson stated shelter staff recommended using recreational centers in lieu of schools for shelter locations.

Mr. Jackson stated a special needs shelter needs to be provided locally but during this event it could not be set up because the special needs equipment trailer was flooded.

- Sheltering – Facility
 - Locations
 - Special Needs
- Sheltering – Operational
 - Issues involve Red Cross coordination, staffing, follow-up with shelters, including maintaining a continuous Red Cross presence in EOC
 - Inconsistent rules at shelters; clear guidance needed with things such as ADA requirements; needed greater availability of a medical liaison in shelter situations; safety concerns related to delivery of perishable foods; issues with process for screening sex offenders from shelter population; need identified for mental health representation in shelters for long term periods of time; work closely with hospital system on discharging patients; need to address issues involving homeless population before and after a disaster

Mr. Jackson reviewed challenges associated with communications systems such as CodeRed and stated there are newer products with greater functionality and more features. Mr. Jackson stated a need was identified for more training and adequate staffing as it relates to screening and routing calls within the EOC. Mr. Jackson stated call center coordination needs to be established to handle calls from citizens that are received from different routes and to handle calls from travelers passing through the area, both of which increase the volume of calls.

- Communications
 - Mass notification system
 - Routing calls within the EOC

Mr. Jackson concluded his presentation and responded to questions and comments that followed.

Prior to the departure of FCYC members, Chairman Adams provided an opportunity for Rebecca Mitchell and Kaydee Stafford to share what they learned from attending the meeting. Ms. Mitchell stated she would conduct a mock county commissioners meeting at an upcoming conference and Ms. Stafford stated she saw the value of getting involved and knowing what is going on in the community.

7. Nominations to Boards and Committees

A. Cumberland County Juvenile Crime Prevention Council (5 Vacancies)

Commissioner Council nominated Michael Onufer, Austin Campbell, Terri Thomas, Deborah L. Rosen and Dwight Creech.

B. Cumberland County Local Emergency Planning Committee (3 Vacancies)

Commissioner Boose nominated Captain J. T. Morgan, Greg Phillips and James Bullard, Jr.

8. Appointments to Boards and Committees

A. Board of Health (1 Vacancy)

Nominee: Optometrist: Dr. William Philbrick (Reappointment)

B. Cape Fear Valley Health System Board of Trustees (2 Vacancies)

Nominees:

General Public Positon – County Commissioner Appointments:

Alicia Marks
Bradley J. Broussard, MD

There being an equal number of vacancies and nominees,

MOTION: Commissioner Evans moved to appoint all nominees to their respective positions.
SECOND: Commissioner Faircloth
VOTE: UNANIMOUS (7-0)

9. Closed Session Economic Development Matter(s)
 Pursuant to NCGS 413-318.11(a)(4)

MOTION: Commissioner Lancaster moved to go into closed session for Economic Development Matters 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 Keefe
VOTE: UNANIMOUS (7-0)

MOTION: Commissioner Council moved to adjourn.
SECOND: Commissioner Lancaster
VOTE: UNANIMOUS (7-0)

There being no further business, the meeting adjourned at 8:40 p.m.

Approved with/without revision:

Respectfully submitted,

Candice H. White
Clerk to the Board