

CUMBERLAND COUNTY BOARD OF COMMISSIONERS
MONDAY, JUNE 5, 2017 – 9:00 AM
117 DICK STREET, 1ST FLOOR, ROOM 118
REGULAR MEETING MINUTES

PRESENT: Commissioner Glenn Adams, Chairman
Commissioner Charles Evans
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
Sally Shutt, Assistant County Manager
Rick Moorefield, County Attorney
Vicki Evans, Finance Director
Deborah Shaw, Budget Analyst
Heather Harris, Budget Analyst
Sylvia McLean, Community Development
Jeffrey Brown, Engineering and Infrastructure Director
Brenda Jackson, Social Services Director
Robert Van Geons, Fayetteville-Cumberland Economic
Development Corporation President/CEO
Candice H. White, Clerk to the Board
Kellie Beam, Deputy Clerk to the Board
Press

Chairman Adams called the meeting to order.

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

1. Approval of Agenda

MOTION: Commissioner Council moved to approve the agenda.

SECOND: Commissioner Evans

VOTE: UNANIMOUS (7-0)

2. Consent Agenda

A. Approval of minutes for May 15, 2017 regular meeting

B. Approval of Health Department Request for Payment of Prior Year Invoice

BACKGROUND:

The Department of Public Health is requesting payment of invoice number 1818520 totaling \$96.02 from Evenflo Company, Inc. for items received in March 2016. A past due invoice was recently received but there is no evidence showing the invoice was previously sent. Staff have verified the invoice has not yet been paid and is in fact due. Sufficient funds are available in the current year budget to cover this expenditure.

RECOMMENDATION:

Management is requesting approval to pay the prior year invoice to Evenflo Company, Inc., totaling \$96.02.

C. Approval of Health Department Delinquent Accounts to be Turned Over to the N.C. Debt Set-Off Program

BACKGROUND:

At the Board of Health meeting on May 16, 2017, the Board approved writing off a total of \$10,876.53 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. This program 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 \$10,876.53 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 #49
March 31, 2017

PROGRAM	AMOUNT
ADULT HEALTH CLINIC	\$2,996.00
BCCCP	\$74.31
CHILD HEALTH CLINIC	\$2,375.00
DENTAL HEALTH CLINIC	\$1,807.73
FAMILY PLANNING CLINIC	\$2,397.28
IMMUNIZATIONS	\$187.00
MATERNAL HEALTH CLINIC	\$1,039.21
TOTAL	\$10,876.53

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 12/31/2016

D. Approval of Facilities Committee Report and Recommendations:

1) Review of Paving Priorities (For Information Only)

BACKGROUND:

At the May 4, 2017 Facilities Committee, the Committee was asked to approve a contract to repave the parking lot at the Historic Courthouse. The question was raised during discussion of the item as to how the Historic Courthouse parking lot was selected over other parking lots at other facilities that may be more heavily utilized. In FY 15, the Engineering & Infrastructure Department issued a Request for Qualifications (RFQ) for the completion of a pavement condition survey on all County parking lots. US Infrastructure of Carolina, Inc. out of Greensboro, NC was selected to complete this evaluation based on their experience and their approach in completing the task. The results of the pavement condition survey were presented to the Board of Commissioners at a Budget Work Session on March 5, 2015.

All County parking lots were evaluated and assigned a Pavement Condition Index (PCI) which is a numerical indicator that rates the surface condition of asphalt pavement. The rating scale is from 0 to 100 with 100 being the highest, most desired ranking. The brief presentation recorded below, as provided to the Facilities Committee, reviews the ratings in order to provide a better understanding of the Department’s paving priorities moving forward.

RECOMMENDATION/PROPOSED ACTION:

This item was reviewed by the Facilities Committee at its June 1, 2017 meeting. The Board is not being asked to take any action. This purpose of this item is to

provide the Board additional background information on the paving priorities of County parking lots.

Review of Paving Priorities
June 1, 2017
Facilities Committee Meeting

Background Information

- Request for Qualifications (RFQ) issued in Fall of 2014
- US Infrastructure of Carolina, Inc. selected to perform Pavement Condition Survey
- Final results provided to the County in February 2015

Pavement Condition Index (PCI)

1. A numerical indicator that rates the surface condition of asphalt pavement
2. PCI is determined by:
 - Type of Distress – 20
 - Severity of Distress – low, medium, high
 - Quantity of Distress – amount identified

CIP Strategy for Parking Lots

- Balance between maintenance and replacement
- Preventive maintenance (PM) measures must be taken early
- Focus PM initiatives on parking lots with Pavement Condition Index (PCI) > 60 (Industry Guidelines)
- Consider usage of parking lot

LOCATION	DESCRIPTION OF PREVENTIVE MAINTENANCE	PCI	COST ESTIMATE
Wellness/Risk Management	Striping and pavement markings	95	\$900
Eastover Recreation Center	Striping and Pavement Markings	95	1,400
Sheriff's Training Center	22 SY of full depth patching, striping and pavement markings	93	2,000
Department of Social Services	Crack sealing	91	8,700
Animal Services Center	Crack sealing, striping and pavement markings	91	1,700
Public Health	Milling and replacement of certain sections of asphalt, fog seal and striping and pavement markings	89	58,800
Bradford Place	Crack sealing	89	4,100
Detention Center	33 SY of full depth patching, crack sealing, striping and pavement markings	87	5,800
Domestic Violence Center	Slurry seal, striping and pavement markings	85	6,200
North Regional Library	Crack Sealing, slurry seal, striping and pavement markings	83	50,700
Community Corrections Bldg	29 SY of full depth patching, crack sealing, slurry seal, striping and pavement markings	82	14,000
Arnette Park Maintenance Bldg	Crack sealing, slurry seal and striping	80	3,300
Cliffdale Library	4 SY of full depth patching, crack sealing, slurry seal, striping and pavement markings	79	22,000
County Courthouse (Lot #2)	Crack sealing	75	7,400
Fuller Building	Crack sealing and repair sidewalk	73	2,500
Building Maintenance Facility	6 SY of full depth patching and crack sealing	70	1,700
Dorothy Spainhour School	9 SY of full depth patching, crack sealing, striping and pavement markings	70	4,700
East Regional Library	620 SY of full depth patching and crack sealing	69	38,100
Headquarters Library - North	28 SY of full depth patching, crack sealing, microsurfacing and striping	67	7,600
Law Enforcement Center (Lot #4)	Crack sealing	67	14,600
Headquarters Library - East	58 SY of full depth patching, crack sealing, microsurfacing, striping and pavement markings	66	17,700
Hope Mills Library	17 SY of full depth patching, crack sealing, slurry seal, striping and pavement markings	65	23,200
Total Estimated Cost			= \$297,100

Substantial Improvements – Resurfacing/Rebuild

LOCATION	AREA (SF)	PCI	COST ESTIMATE
JP Riddle Stadium	308,270	68	\$588,542
Spring Lake Branch Library/Family Resource Center	136,840	67	111,595
Convention and Visitors Bureau	12,550	65	28,037
Agricultural Expo Office Building	46,067	59	102,566
Bordeaux Branch Library	30,810	59	67,997
Alphin House	7,810	57	5,402
Landscaping	32,560	54	15,874
Arnette Park Administrative Building	13,580	50	30,370
Winding Creek Executive Place	70,780	47	155,852
Historic Courthouse	18,620	47	95,258
E. Newton Smith Center	101,040	31	220,604
Sheriff's Annex	39,440	31	46,275
Central Maintenance Facility	64,060	26	139,104
Veterans Services	12,440	24	84,250
TOTAL ESTIMATED COST			= \$1,691,726

2) Consideration of Lease Renewal with First Presbyterian Church of Fayetteville

BACKGROUND:

Cumberland County renewed a lease agreement for parking lot space from the First Presbyterian Church of Fayetteville in November of 2016. This current agreement will expire on June 30, 2017. The following proposed terms for a renewal have been put forth and are agreeable to the Church:

- Five-year term starting July 1, 2017 and ending June 30, 2022
- Annual lease rate of \$21,000 per year payable in monthly installments of \$1,750 (present rate is \$23,242/year)
- County continues to maintain property as specified in current agreement (estimated annual cost to the County of \$3,400/year)
- County and Church agree to split cost one-time for parking lot repair (ie, potholes, cracks, and restriping) estimated at \$3,750 per party for an estimated total project cost of \$7,500

RECOMMENDATION/PROPOSED ACTION:

This item was approved by the Facilities Committee at its June 1, 2017 meeting and moved forward to the full Board of Commissioners for further consideration. Staff recommends approval of the revised lease agreement with First Presbyterian Church of Fayetteville.

STATE OF NORTH CAROLINA
COUNTY OF CUMBERLAND

PARKING LOT LEASE

This Lease Agreement made and entered into this ____ day of June, 2017, to be effective July 1, 2017, by and between First Presbyterian Church of Fayetteville, North Carolina, Inc., and Cumberland County, a body politic and corporate of the State of North Carolina;

WITNESSETH:

WHEREAS, the County of Cumberland, hereinafter referred to as "COUNTY," wishes to obtain additional overflow parking space to accommodate persons conducting business in the Courthouse; and

WHEREAS, the First Presbyterian Church of Fayetteville, North Carolina, Inc., Bow and Ann Streets, Fayetteville, North Carolina 28302, hereinafter referred to as "CHURCH," has parking space in excess of its immediate needs which it desires to lease to the COUNTY.

NOW THEREFORE, COUNTY and CHURCH, in consideration of the mutual benefits to be derived hereunder, agree as follows:

1. CHURCH leases to COUNTY, and COUNTY leases from CHURCH, the areas identified as "A" and "B" on the attached plat (the "Space"), consisting of approximately 111 parking spaces. COUNTY shall use the Space for parking by COUNTY employees and the public using the COUNTY Courthouse during the weekdays (Monday through Friday) from 7 a.m. until 7 p.m. CHURCH reserves the right to use the Space at all other times.
2. This lease term shall be for five (5) years from July 1, 2017, to June 30, 2022.
3. Ingress and egress to the Space shall be strictly limited to the Person Street entrance.
4. For this lease term, COUNTY will pay CHURCH rental in the annual amount of \$21,000, payable on the first of each month in advance equal monthly installments of \$1,750 with the first installment due upon execution of this lease by the parties. In addition to the rent for this term, COUNTY shall pay any COUNTY property taxes assessed or charged against the Space by COUNTY. COUNTY property taxes shall not include any CITY taxes or any fees other than property taxes.

5. COUNTY will use signs to indicate the location of the leased premises and will be responsible for traffic control, mowing, landscaping, cleaning and repair of any potholes occurring on the leased premises. CHURCH will maintain the existing outdoor lighting and pay the utilities expense for the existing lighting.
5. During the lease term, COUNTY and CHURCH will equally split the cost for one-time repairs to the Space to fill potholes, cracks, and restripe the parking spaces for an estimated total project cost not to exceed \$7,500.
6. COUNTY will indemnify and hold harmless CHURCH from and against all losses, claims, or damages of any kind whatsoever out of the use by COUNTY, its employees or invitees.

IN AGREEMENT hereto, the parties intending to be bound hereby have authorized the affixing of their signatures and seals by their duly authorized officers on their behalf and as their respective acts.

3) Consideration of Approval for a Contract for Improvements to Parks for the Towns of Godwin and Wade

BACKGROUND:

Fayetteville Cumberland Parks & Recreation in conjunction with the Towns of Godwin and Wade identified improvements that would be made at each of the Town's respective parks along with a budget for each of the proposed improvements. An expansion to town hall to be used for meeting space and special events was the most significant project for the Town of Godwin. A budget was set aside in the amount of \$175,000 for this project which also includes the architectural fees associated with the design of this addition. The most significant project for the Town of Wade was the addition of outside restrooms to their Community Building along with some other building improvements. A budget of \$150,000 was set aside for this project to include architectural fees.

It was decided that it would be more economically feasible to bid the projects together as one project. A mandatory pre-bid conference was held for these projects on February 13, 2017 to review the project scope with all interested bidders. A bid opening was held on March 2nd in which four local contractors submitted bids for the proposed improvements. The lowest responsible and responsive bid was submitted by Hayes, Inc. in the amount of \$436,000. The certified bid tabulation along with a letter of recommendation to award the contract to Hayes, Inc. provided by the project architect have been attached.

With the architectural design fees for each project along with the funding that has already been spent on the building improvements for the Wade Community Building, there is \$244,442 remaining for this project. There is Parks and Recreation fund balance available that can be used to cover the additional cost. It is recommended that \$225,000 be transferred to this project budget. This will cover the additional cost of the project as well as establish a contingency in the amount of \$25,000 to be used for any required changes during construction.

RECOMMENDATION/PROPOSED ACTION:

The Facilities Committee approved this item at its June 1, 2017 meeting and recommended it be moved forward to the full Board for further consideration. Staff recommends the Board approve the following recommendations:

1. Accept the bids for the improvements to the parks for the Town of Godwin and the Town of Wade and award a contract to Hayes, Inc. in the amount of \$436,000.
2. Establish a contingency in the amount of \$25,000 to be used for additional work recommended by the Engineering & Infrastructure Director and approved by the County Manager.

3. Authorize the transfer of \$225,000 from Parks and Recreation fund balance and approve associated Budget Ordinance Amendment B170008. Please note this amendment recognizes the use of Parks and Recreation fund balance.

- 4) Consideration of Request from NCDOT for a Drainage Easement

BACKGROUND:

NCDOT has requested what it describes as a temporary drainage easement on a county parcel located on Camden Road for construction of the Fayetteville Outer Loop. The property is the site of a solid waste convenience site. The easement is located at the extreme western end of the triangular shaped parcel. Although it is described as a temporary drainage easement, it is a permanent easement because the property will not be restored to its original condition. Also, the county will not be able to use the easement area in any manner that the NCDOT deems will obstruct or impair the use of the easement by the NCDOT after the drain is installed. The use of this portion of the lot for a drainage easement does not impact the current use of the property as a convenience center. The Facilities Committee recommended approval of the request at its June 1, 2017, meeting.

RECOMMENDATION/PROPOSED ACTION:

The county attorney recommends the easement be granted.

- 5) Update on Headquarters Library Flood Damage Repairs

BACKGROUND:

The Headquarters Library located at 300 Maiden Lane flooded during Hurricane Matthew. The Board of Commissioners approved a contract for the interior flood damage repairs on January 17, 2017 in the amount of \$135,482. In addition, to the interior damage the parking lot received some damage that also had to be repaired. The cost of making the parking lot repairs is \$13,746. Interior repairs are complete and the parking lot should be completely repaired by the end of this week weather permitting.

RECOMMENDATION/PROPOSED ACTION:

The Facilities Committee reviewed this item at its June 1, 2017 meeting. The Board is not being asked to take any action. This purpose of this item is to provide the Board an update on the status of the repairs that have been made.

E. Approval of Policy Committee Report and Recommendations:

- 1) Consideration and Approval of Local Priorities for the Governor's Resilient Redevelopment Program

BACKGROUND:

After Hurricane Matthew, the North Carolina Legislature approved a Resilient Redevelopment Planning effort as part of the 2016 Disaster Recovery Act which was then rolled out by the Governor in January of 2017. This program provided follow-up assistance for the communities that were damaged by the hurricane, specifically to prepare locally driven recovery plans to identify redevelopment strategies, innovative reconstruction projects, and retrospective actions needed to make the communities more resilient. Fifty (50) Counties were to have plans by May of 2017, which required holding a series of three community meetings in each county, one each in February, March, and mid-April.

The state hired a consultant who was assigned to Cumberland County and facilitated a process that identified unmet needs which could be presented to the State for additional resources. The plan included:

- Building on what had already done in terms of recovery actions
- Working with local officials and the community to verify firsthand experience about the flood impacts
- Determine where current resources were not adequate and then help tie these unmet needs to specific areas such as housing, infrastructure, economic

development, and environment to more formally identify the unmet needs in the community

The recommended priorities that resulted from meetings with public officials and the public are listed below:

HIGH	<ul style="list-style-type: none">• 1 - Critical Facilities Flood Protection (Fayetteville, Spring Lake/Hope Mills, PWC)• 2 - Critical Facilities Backup Power• 3 - Fayetteville and Cumberland County Acquisition/Elevation of Damaged Homes and Mitigation Reconstruction• 4 - Fayetteville/Cumberland County Housing Rehabilitation Assistance• 5 - Fayetteville Affordable Housing Supply• 6 - City/County PWC Resilient Power (Microgrid)• 7 - Fayetteville/Cumberland County Dam Rehabilitation and Replacement
MODERATE	<ul style="list-style-type: none">• 8 - Cumberland County Stream Restoration• 9 - Stream Gauges and Early Warning Network• 10 - Stormwater Management Improvements• 11 - Cumberland County Qualified Local Contractor Program for Reconstruction• 12 - Augmented Flood Mapping• 13 - Fayetteville Downtown Revitalization
LOW	<ul style="list-style-type: none">• 14 - Open Space and Flood/Stormwater Retention Areas• 15 - Flood Protection of Roads• 16 - Flood Protection of Bridges• 17 - Cumberland County Agricultural Alternative Energy Supply• 18 - Interstate-95 Multi-County Coordinated Evacuation/Rerouting Plan

RECOMMENDED/PROPOSED ACTION:

This item was approved by the Policy Committee at its June 1, 2017 meeting and forwarded on to the full Board for further consideration. Staff recommends approval of the rankings as shown above.

2) Consideration of Revisions to the County Purchasing Policy

BACKGROUND:

During the policy committee meeting of June 1, 2017, Vicki Evans, Finance Director, and Amanda Bullard, Purchasing Manager, presented changes to the County’s Purchasing Policy. Recent changes to staffing, financial software updates and the finance department’s added role within the contract review process created the need for a revision. The revised policy is more comprehensive and now addresses several key practices that have been an integral part of County procurement, including: dollar thresholds for contractual signatures and bid requirements for the purchase of services.

The policy committee recommended approval of the revised policy contingent on a change within section 3.3 Purchases & Services, under the section \$1,000 - \$89,999.99. The first sentence shall now read as follows: Department heads shall solicit proposals for services or purchases of apparatus, supplies, materials or equipment when the estimated cost is between \$1,000 - \$29,999.99. The correction is shown in the revised policy recorded below.

RECOMMENDATION/PROPOSED ACTION:

Management recommends the Board of Commissioners accept the Policy Committee’s recommendation and approve the revised Purchasing Policy.

COUNTY OF CUMBERLAND
POLICIES AND PROCEDURES

Purchasing Policy

1.0 PURPOSE

This manual has been developed as a resource for Cumberland County employees to follow when procuring goods and services on behalf of the County. The policy and

procedures provided in this manual were established to ensure the fair and equitable treatment of all persons involved in public purchasing, to maximize the purchasing value of public funds in procurement, and to provide safeguards for maintaining a procurement system of quality and integrity, in accordance with North Carolina General Statutes (N.C.G.S).

2.0 SCOPE

This policy applies to all County employees conducting purchases on behalf of Cumberland County.

3.0 POLICY

3.1 Local Preference Policy

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.

Local vendors or suppliers shall be those who demonstrate that they pay business personal or real property taxes 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.

3.2 Purchase Orders

All services and purchases in amounts of \$1,000 and more must have a purchase order prior to the purchase being made or the services being rendered. All purchases of goods in an amount greater than \$500 requires a document (invoice, quote, proposal, etc.) with sale details.

3.3 Purchases & Services

Less than \$1,000

Department heads may authorize services or purchases of apparatus, supplies, materials or equipment up to \$999.99 without a purchase order if sufficient funds are budgeted and available within the department budget. Prior to the purchase departments must ensure there is an appropriation authorizing the obligation and that sufficient funds will remain in the appropriation to pay the amounts that are expected to come due in the fiscal year in which the obligation is incurred.

\$1,000 – \$29,999.99

Department heads shall solicit proposals for services or purchases of apparatus, supplies, materials or equipment when the estimated cost is between \$1,000 - \$29,999.99. County Purchasing will review the purchase upon receipt of requisition to ensure compliance with County policies. County Purchasing may elect to solicit additional proposals on a random basis or if experience has revealed that a more favorable price is available.

3.4 Purchases of apparatus, supplies, materials, or equipment

\$30,000 – \$89,999.99

Informal bids are required for any purchase of apparatus, supplies, materials, or equipment that requires an expenditure of \$30,000 - \$89,999.99, except for purchases that qualify under the Competitive Bidding Exceptions as per N.C.G.S 143-129(e). Departments shall submit specifications to County Purchasing for purchases in this category.

\$90,000 and Above

Formal bids are required for any purchase of apparatus, supplies, materials, or equipment in amounts of \$90,000 or more, with exception of purchases that qualify under the Competitive Bidding Exceptions as per N.C.G.S 143-129(e). Departments shall submit specifications to County Purchasing for purchases in this category. The County Manager will must approve bid awards in amounts between \$90,000 - \$99,999.99. The Board of County Commissioners must approve bid awards in amounts of \$100,000 or greater.

3.5 Purchase of Services

\$30,000 and Above

An Informal RFP process is required for services estimated to cost \$30,000 or more. County Purchasing will review the proposal upon receipt of requisition to ensure compliance with county policies. County Purchasing may elect to solicit additional proposals on a random basis or if experience has revealed that a more favorable price is available.

3.6 Procurement Cards

The procurement card program was established to provide a more rapid turnaround of requisitions for low dollar value goods, and to reduce paperwork and handling costs. Procurement cardholders may initiate transactions in person, or by telephone, within the established limits of these procedures. Department heads may designate individuals to receive procurement cards. Procurement cardholders must attend a class in County Purchasing addressing the guidelines involved in the responsibility associated with the card. To ensure pre-audit requirement compliance, funds for each department's estimated procurement card charges shall be encumbered at the beginning of each fiscal year.

3.7 Contracts

All contracts for expenditures, in amounts of \$50,000 or more require County Manager signature. Contracts resulting from a formal bid process for expenditures in amounts of \$100,000 or more require Chairman to the Board of Commissioners signature, after Board approval. Contracts with a total amount less than \$50,000 may be signed by the Department head.

These signature requirements pertain to all contracts in which the county is obligated to expend funds, even if the funds have been approved by the Board of Commissioners in the original budget.

3.8 General Statute Compliance

North Carolina general statutes allow local policy to be more restrictive than general statute. This policy is more restrictive regarding bid requirements of services and dollar thresholds for contractual signatures. Periodically, legislation results in changes to general statutes. This policy shall be automatically updated upon changes in general statutes referenced within this policy, except for bid requirements of services and dollar thresholds for contractual signatures.

4.0 IMPLEMENTATION

The Finance Director is responsible for implementing and enforcing this Policy and to interpret it consistent with its spirit and intent, fiscal prudence and accountability. The Finance Director is authorized to prescribe additional administrative instructions for implementing the above policy.

- F. Approval of Declaration of Surplus County Property and Authorization to Accept Insurance Settlement and Approval of Budget Ordinance Amendment B170848

BACKGROUND:

DATE OF ACCIDENT: APRIL 30, 2017

VEHICLE: 2015 FORD EXPLORER

VIN: 1FM5K8AR5FGA35589
FLEET#: FL572
DEPARTMENT: Sheriff's Office
SETTLEMENT OFFER: \$17,595.91
INSURANCE COMPANY: Travelers

This is a total loss settlement offer.

RECOMMENDATION/PROPOSED ACTION:

Management recommends that the Board of Commissioners:

1. Declares the vehicle described above as surplus
 2. Authorizes the Risk Management Coordinator to accept \$17,595.91 (\$18,595.91 - \$1,000 deductible) as settlement
 3. Allows Travelers to take possession of the wrecked (surplus) vehicle
 4. Approves Budget Ordinance Amendment 170848 in the amount of \$17,596, recognizing the insurance settlement. Please note this amendment requires no additional county funds.
- G. Approval of a Proclamation Recognizing Saturday, June 10, 2017 as "International Kingdom Covenant Churches' Youth Summit Day"

COUNTY OF CUMBERLAND

NORTH CAROLINA

PROCLAMATION

WHEREAS, the International Kingdom Covenant Churches is conducting a "Plan, Purpose, Process and Promise Conference 2017" in Cumberland County Sunday, June 4 through Saturday, June 10, 2017; and

WHEREAS, the "Plan, Purpose, Process and Promise Conference 2017" will conclude on Saturday, June 10 with a powerful Youth Summit at Fayetteville State University; and

WHEREAS, topics of discussion and roundtable events will include real talk-sexting and social media, school versus prison, financial networking, leadership development, a sport component and college tours; and

WHEREAS, the Youth Summit is designed to empower, enlighten and reach the youth in Cumberland County and surrounding areas and is expected to host 500 plus young people; and

WHEREAS, the Youth Summit will be followed by a Gospel concert with world renowned gospel youth artist Jekalyn Carr; and

WHEREAS, the objective is to incorporate City and County leaders and officials to sponsor this event with time, donations and educational materials to ensure that our youth continue to achieve the necessary tools available to become successful citizens someday.

NOW THEREFORE, WE, the Cumberland County Board of Commissioners, do hereby proclaim Saturday, June 10, 2017 as

"INTERNATIONAL KINGDOM COVENANT CHURCHES' YOUTH SUMMIT DAY"

in Cumberland County and recognize that the future of our Cumberland County community depends upon the abilities of today's youth as they prepare to assume future roles in our community.

Adopted this 5th day of June, 2017.

- H. Approval of Budget Ordinance Amendments:

General Fund 101

- 1) Health Department - Budget Ordinance Amendment B171068 to recognize additional Food and Lodging State funds received in the amount of \$19,340 to support Environmental Health operating needs.

The Board is requested to approve Budget Ordinance Amendment B171068 in the amount of \$19,340 representing State funds received by Environmental Health. These funds will be used to support Environmental Health program supplies.

Please note this amendment requires no additional county funds

School Fund 106

- 2) School Capital Outlay Category I - Budget Ordinance Amendment B170570 in the amount of \$760,714 for capital outlay Category I.

The Board is requested to approve Budget Ordinance Amendment B170570 in the amount of \$760,714. This revision is to appropriate fund balance (sales tax) for capital outlay category I (buildings) expenditures as approved by the Cumberland County Board of Education on May 9, 2017.

Please note this amendment requires no additional county funds.

- 3) School Capital Outlay Category II - Budget Ordinance Amendment B170572 in the amount of \$177,723 for capital outlay category II.

The Board is requested to approve Budget Ordinance Amendment B170572 in the amount of \$177,723. This revision is to appropriate fund balance (sales tax) for capital outlay category II (equipment) expenditures as approved by the Cumberland County Board of Education on May 9, 2017.

Please note this amendment requires no additional county funds.

- 4) School Capital Outlay Category III - Budget Ordinance Amendment B170577 in the amount of \$31,946 for capital outlay category III.

The Board is requested to approve Budget Ordinance Amendment B170577 in the amount of \$31,946. This revision is to appropriate fund balance (sales tax) for capital outlay category III (vehicles) expenditures as approved by the Cumberland County Board of Education on May 9, 2017.

Please note this amendment requires no additional county funds.

Fire Districts

- 5) Cotton Fire District Budget Ordinance Amendment B170592 to recognize additional tax revenue of \$21,911.

The Board is requested to approve Budget Ordinance Amendment number B170592 to recognize additional tax revenue of \$21,911 to be used towards all expenses associated with the fire district.

Please note that this amendment requires no additional County funds.

- 6) Eastover Fire District Budget Ordinance Amendment B170593 to recognize additional tax revenue of \$11,066.

The Board is requested to approve Budget Ordinance Amendment number B170593 to recognize additional tax revenue of \$11,066 to be used towards all expenses associated with the fire district.

Please note that this amendment requires no additional County funds.

- 7) Gray's Creek Fire District #18 Budget Ordinance Amendment B170595 to recognize additional tax revenue of \$8,000.

The Board is requested to approve Budget Ordinance Amendment number B170595 to recognize additional tax revenue of \$8,000 to be used towards all expenses associated with the fire district.

Please note that this amendment requires no additional County funds.

- 8) Gray's Creek Fire District #24 Budget Ordinance Amendment B170596 to recognize additional tax revenue of \$8,000.

The Board is requested to approve Budget Ordinance Amendment number B170596 to recognize additional tax revenue of \$8,000 to be used towards all expenses associated with the fire district.

Please note that this amendment requires no additional County funds.

Crown Center Fund

- 9) Crown Center Budget Ordinance Amendment B170896 to repair the retaining wall at the Crown Complex of \$40,000.

The Board is requested to approve Budget Ordinance Amendment number B170896 to repair the retaining wall at the Crown Complex in the amount of \$40,000. These funds will be needed to cover the repair of the retaining wall that was damaged by Hurricane Matthew. FEMA funds from the Federal government in the amount of \$30,000 and from the State of North Carolina in the amount of \$10,000 are being recognized.

Please note that this amendment requires no additional County funds.

Federal Drug Forfeiture Fund

- 10) Federal Drug Forfeiture Budget Ordinance Amendment B171212 to purchase ballistic vests in the amount of \$27,000.

The Board is requested to approve Budget Ordinance Amendment number B171212 to purchase ballistic vests for new employees. This expenditure will be paid from forfeiture funds.

Please note that this amendment requires no additional County funds

MOTION: Commissioner Evans moved to approve consent agenda items 2.A. – 2.H.10).
SECOND: Commissioner Council
VOTE: UNANIMOUS (7-0)

PUBLIC HEARING

3. Public Hearing on Economic Development Incentives for eClerx LLC

BACKGROUND:

The June 5, 2017 public hearing is to consider an economic development incentive package for eClerx, LLC. If we are successful with this recruitment effort, the proposed project would create 130 new jobs with an average salary of approximately \$33,500 and a comprehensive benefits package. The company would invest approximately \$1.3M in equipment and building improvements. The company is also working with the State of North Carolina, the North Carolina Community College System and the City of Fayetteville for additional economic development support.

We are requesting consideration of a local incentive grant, not to exceed \$37,500. The grant would be paid on a pro-rata basis, as jobs are created. Cumberland County and the City of Fayetteville are working together to secure an equal amount of support for this important project. If approved, funds from the County and the City of Fayetteville would be eligible to qualify as "Matching Funds" for discretionary grants from the State of North Carolina.

The notice for Public Hearing was published on May 25, 2017 in the Fayetteville Observer and is attached to this memo.

RECOMMENDATION/PROPOSED ACTION:

Hold the June 5, 2017 public hearing for eClerx, LLC and direct staff to process the appropriate paperwork.

Amy Cannon, County Manager, recognized Robert Van Geons, Fayetteville-Cumberland Economic Development Corporation President/CEO, who reviewed the background information recorded above. Mr. Van Geons stated the jobs will breakdown to approximately 25-30 in financial management and 105 or more in analyst and other pro-rated positions. Mr. Van Geons stated it will be at the facility where eClerx, LLC has previously established a separate division located at 235 N. McPherson Church Road. Mr. Van Geons stated the company considering the community for this potential project expects to make a decision in the next month or so.

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

Chairman Adams opened the public hearing.

The clerk to the board advised there were no speakers.

Chairman Adams closed the public hearing.

MOTION: Commissioner Boose moved to approve a local incentives as laid out for eClerx, LLC.

SECOND: Commissioner Lancaster

VOTE: UNANIMOUS (7-0)

ITEMS OF BUSINESS

4. Consideration of Policy Committee Report and Recommendation Request to Name the Cumberland County Courthouse in Honor of Judge E. Maurice Braswell

BACKGROUND

At the May 23, 2017 Policy Committee Meeting, a request and petition from Superior Court Judge James Ammons, Jr. and others to name the Cumberland County Courthouse in honor of Judge E. Maurice Braswell was reviewed. There was a brief presentation showing possible options for displaying the proposed name on the Cumberland County Courthouse. This item was first considered by the Facilities Committee on May 4, 2017, and Superior Court Judge James Ammons, Jr. and Register of Deeds Lee Warren both spoke briefly about the request at the May 15, 2017 Board of Commissioners' meeting.

RECOMMENDATION/PROPOSED ACTION:

The Policy Committee unanimously approved Option 1 of the staff recommendation in addition to approving a brass plaque be placed in the interior of the courthouse. The proposed action is to consider approval of the Policy Committee's recommendation.

Jeffrey Brown, Engineering and Infrastructure Director, reviewed the background information recorded above and highlighted options for signage and estimated costs for each as shown below.

Option #1

Leave the current 16-inch letters in place with Judge Braswell's name above in 12-inch letters.....

- Materials - \$3,014
- Installation - \$2,700
- Total = \$5,714

Option #2

Lower the current letters and place Judge Braswell's name in 16-inch letters above it.....

- Materials - \$4,606
- Installation - \$5,950
- Total = \$10,556

Mr. Brown also offered options for a dedication plaque to be located near the first floor metal detector where the Mission, Vision and Goals or the fire exit map are currently displayed. Mr. Brown stated the estimated cost for exterior signage under option #1 is \$5,714 and the interior plaque is \$3,450 bringing the total to a little over \$9,000. Questions followed.

MOTION: Commissioner Evans moved to follow the Policy Committee report and recommendation to name the Cumberland County Courthouse in honor of Judge E. Maurice Braswell.

SECOND: Commissioner Boose

VOTE: UNANIMOUS (7-0)

MOTION: Commissioner Boose moved to approve Option #1 with the smaller lettering above the pre-existing name of the courthouse and approve the plaque location where the Mission, Vision and Goals are currently displayed.

SECOND: Commissioner Faircloth

VOTE: UNANIMOUS (7-0)

5. Update on State Legislative Issues Affecting Counties by Brenda Reid Jackson

BACKGROUND:

- North Carolina Senate Bill 546 supports improvement in the accuracy of Medicaid eligibility by holding counties financially responsible for inaccurate determinations. We support accuracy in all public assistance programs; however, there are many factors that should be considered before enacting legislation that would increase the financial responsibility of counties who already pay 25% of the administrative cost. State as the supervising entity for county Medicaid administration needs to improve technology performance, streamline and develop user-friendly Medicaid policies and procedures, provide quality training for county staff, ensure reliable performance measures, and provide on the ground consultative/technical support. These factors should be addressed prior to any efforts to hold counties responsible for inaccurate Medicaid eligibility determinations.
- North Carolina Senate Bill 594 proposes to mandate regionalization of all county departments of social services programs by 2022. County departments of social services are federally-mandated and state-supervised. The federal government pays on average 50% of the cost to administer social services programs. Counties pay on

average 50% of the cost to administer child welfare, economic services and adult protective/guardianship services to citizens in their community. The State has little financial investment for administrative responsibilities. Counties as major financial stakeholders in the mandated administration of social services programs should have authority to provide services in a manner that protects the safety net in each of their unique 100 counties and not in a mandated regionalized model.

RECOMMENDATION/PROPOSED ACTION:

Legislative briefing is for informational purposes only. No action required.

Brenda Jackson, Social Services Director, reviewed the background information recorded above and stated SB 546 is only in the Senate and there is not a House companion bill nor is it in the House budget. Ms. Jackson stated the County pays 25% of the administrative costs and errors in Medicaid currently go through Social Service's program integrity process. Ms. Jackson stated if it is determined there is an error, Social Services works with the customer to recoup any loss or benefits. Ms. Jackson stated the Directors' and Board Associations have been working diligently with the bill's sponsor and her understanding is that the originator of the bill thinks counties need to have more skin in the game as it relates to Medicaid and counties should be held responsible for those customers who are, but should not be, receiving Medicaid. Ms. Jackson stated if approved, this could cause an additional financial hardship for counties. Ms. Jackson stated this is critical because legislators will be going into conference soon and the Associations need to make sure they are staying on top of this legislation so it does not enter into the House budget or any final budget or legislation through the General Assembly. Ms. Jackson stated concerns have been communicated to the County's legislative delegation and thus far they have been very supportive. Ms. Jackson asked the Board to continue to advocate and support the efforts to prevent this legislation from coming into play.

Ms. Jackson stated SB 594 is more complicated because it is also HB 608 and in the Senate budget as SB 207. Ms. Jackson stated this bill is a child welfare bill and has about eight components. Ms. Jackson stated components two through eight contain good things about ways to improve child welfare services; however, there are concerns associated with part one which mandates regionalization of county departments of social services. Ms. Jackson stated this will change the governance structure for the state's 100 counties and calls for the creation of a work group to develop an implementation plan for 2020. Ms. Jackson stated this is concerning because counties on average pay 50% of the cost to administer social services programs across the board and should have the authority to determine how they want to organize or govern their social services department. Ms. Jackson stated it is not known what this will mean for the funding stream from draw downs from the federal government's indirect cost plan or how it will be shared. Ms. Jackson stated this bill has far reaching implications for service delivery in Cumberland County and asked the Board for its support in opposition to forced state regionalization as this bill goes into the conferee process.

Commissioner Keefe spoke to present and increased demands being placed on counties with financial assistance and stated it is important to support Ms. Jackson for what she brings to the table as the County's director of social services and also the state president of the social services administration. Chairman Adams asked whether there had been any conversation about slowing this down in order to see what happens to federal block grants. Ms. Jackson stated any considerations about slowing it down are because the state is under federal program improvement for failing to set outcomes for the child and family services review. Ms. Jackson stated it is believed that trying to go through this program review process over the next five years and re-organize departments of social services at the same time will jeopardize the infrastructure of the child welfare system. Additional questions and comments followed.

Ms. Jackson stated the request is not to pull the bill but amend it to make it a study or a state regionalized model versus a county regionalized model in order to bring more state support to counties rather than change the infrastructure of counties. Chairman Adams queried the Board about sending a letter related to SB 546 and SB 594.

MOTION: Commissioner Boose moved that the Board accept Ms. Jackson's summary and direct the Chairman to sign a letter on behalf of the Board in support of the recommendations of the Director of Social Services.

SECOND: Commissioner Council

VOTE: UNANIMOUS (7-0)

6. Consideration of Grant Submission to the NC 911 Board for a Consolidated 911 Center

BACKGROUND:

On May 24, 2016, the Joint City-County Liaison Committee agreed in principle to recommend each respective governing body support the concept of a consolidated 9-1-1 communications center. It was and is believed that combining the City's and the County's 9-1-1 centers will lead to better 9-1-1 services for citizens and user agencies alike. This conclusion was reached after a feasibility study by Mission Critical Partners (MCP) identified potential benefits for consolidation as far as operations, technology and facilities. At the June 20, 2016 Board of Commissioners' Meeting, a joint resolution with the City of Fayetteville was approved calling for the formation of a committee charged with exploring the creation of a consolidated 9-1-1 communications center. Forming this committee was the next step in the collaboration between the City and County regarding this project and included the completion of a grant application to the North Carolina 911 Board for funding of a consolidated 911 Center. A draft grant application has been completed and is attached.

At present, the grant application does not include an agreement for the operational responsibility of the consolidated 911 Center. Per the Director of the NC 911 Board, Richard Taylor, an agreement will be needed prior to an actual grant award, but it does not have to be submitted with the grant application. It has been proposed that the City be the entity with operational authority, but other viable options have yet to be explored. As another possibility worthy of consideration, Cumberland County is in an advantageous position to provide operational responsibility for a consolidated 911 Center based on the following:

- The County serves all residents inside its borders regardless of municipal jurisdiction.
- The County is more familiar with the needs of its partners such as local municipalities, the volunteer fire departments, and Cape Fear Valley EMS which would make-up most of the users of a consolidated 911 Center.
- The County is in a better position to collaborate with other counties in the area to address regional 911 public safety answering point (PSAP) needs.
- The County currently provides services that cross jurisdictional lines such as Animal Control, Emergency Management, Public Health, Sheriff's Office & Jail/Detention Services, etc.
- The County has already facilitated the first step in consolidating 911 services by collaborating to bring the Sheriff's Office, Hope Mills Police Department, and Spring Lake Police Department into one communications center. The County also championed universal training, protocols and technology between the City and County to provide better call-taking and dispatching services county-wide.

The deadline for submission of the grant application to the NC 911 Board is Wednesday, June 7, 2017.

RECOMMENDED/PROPOSED ACTION:

Staff requests review and approval to move forward with submission of a grant application to the NC 911 Board for a consolidated 911 Center.

Tracy Jackson, Assistant County Manager, reviewed the background information recorded above and stated staff, the City and County, user agencies such as fire departments, law enforcement agencies and staff of 911 Centers and elected officials have been meeting to discuss and put together a grant application and assemble all the different part to encourage and promote the idea of getting as much funding from the 911 Board as possible. Mr. Jackson stated the grant request is for \$15 million and the total project is estimated at \$30 million. Mr. Jackson stated the ask in the grant of \$15 million

is just a percentage of what would be covered under the requirements of the 911 Board. Mr. Jackson stated this is really a starter to the county as the grant sponsor and party responsible for moving the project forward. Mr. Jackson stated this application is due June 7 so there is some urgency in moving forward. Mr. Jackson stated a positive meeting was held with the city manager and assistant city manager but the operational agreement yet to be worked out will not hold up the grant application. Mr. Jackson stated a facilitator, such as Mission Critical Partners, will be engaged to assist with the process.

Commissioner Boose asked whether there was a deadline for the interlocal agreement. Mr. Jackson stated based on discussions with the 911 Board and the consultant, it would be key to have this worked out in August. Commissioner Boose inquired whether the meetings were noticed. Mr. Jackson responded in the affirmative.

Chairman Adams inquired regarding the second \$15 million. Mr. Jackson stated it is his understanding that both parties have worked this into their Capital Improvement Plans so it is being discussed and planned for. Mr. Jackson stated he will look into it and provide details at a later time.

Commissioner Keefe stated the state level 911 Commission is interested in regional services and is looking for this type of project. Commissioner Keefe stated there are no deal breakers on the table at present and as discussions continue, it will get worked out. Commissioner Council concurred with Commissioner Keefe and stated this has been worked on for years and a compromise will be needed because the primary purpose is the protection of all citizens. Commissioner Council stated through this effort, the County will be a regional leader.

MOTION: Commissioner Keefe moved to submit the grant application to the NC 911 Board for a consolidated 911 Center as requested by county management.
SECOND: Commissioner Faircloth
VOTE: UNANIMOUS (7-0)

Chairman Adams called on Lisa Childers, Agricultural Extension Director, to introduce the Extension's intern, Haley Bueing.

7. Consideration of Resolution Authorizing the Filing of an Application for Approval of an Installment Financing Contract Authorized by North Carolina General Statutes §160A-20, Making Certain Findings Required by North Carolina General Statutes §159-151 and Authorization to Call Public Hearing on the Proposed Financing for June 19, 2017

BACKGROUND:

PNC recently provided finance staff with an advance refunding analysis of the Series 2009A certificates of participation and 2011B limited obligation bonds. The analysis showed that based on today's market, the County has the potential to generate over \$1.5 million in interest rate savings by refunding these two sources of debt in the public market. The total up-front cost of the refunding is anticipated to be approximately \$304,000. The total interest savings on the debt is projected to be \$1.5 million, resulting in a projected annual average interest savings of approximately \$128,000 over twelve years (2018 – 2029).

Bond refundings are most commonly used by state and local governments to achieve savings on interest costs. Pursuing this opportunity to obtain interest rate savings by advance refunding is consistent with the County's financial policy of achieving a present value savings, at a minimum, in the range of 2.5 – 3 percent, before a refunding process begins. The percentage of savings on this refunding is projected to be approximately 7.41 percent.

Recorded below you will find a resolution which authorizes the filing of an application with the Local Government Commission. The purpose of the resolution is to make the findings of fact which include: the installment purchase is preferable to issuing bonds, the amount proposed is not excessive for the stated purpose, the County's debt management procedures and policies are good and in strict compliance with the law, a tax increase is not necessary to pay the debt, and the County is not in default on any existing

debt. Additionally, a notice of the public hearing on the proposed installment financing contract is provided for your review.

Adoption of the approving resolution and the public hearing will be considered during the June 19 Board meeting. The LGC meeting for which approval is being sought is scheduled for July 11, 2017.

RECOMMENDATION/PROPOSED ACTION:

1. Approve the resolution authorizing the filing of an application to the LGC as well as the findings required by G.S. 159-151.
2. Call for a public hearing on the proposed financing to be held June 19, 2017.

BOARD OF COMMISSIONERS
OF THE
COUNTY OF CUMBERLAND, NORTH CAROLINA

Excerpt of Minutes
of Meeting of
June 5, 2017

Present: Chairman Adams presiding, and Commissioners _____

Absent: _____

* * * * *

Commissioner _____ introduced the following resolution, the title of which was read:

RESOLUTION AUTHORIZING THE FILING OF AN APPLICATION
FOR APPROVAL OF AN INSTALLMENT FINANCING CONTRACT
AUTHORIZED BY NORTH CAROLINA GENERAL STATUTES
§160A-20, MAKING CERTAIN FINDINGS REQUIRED BY NORTH
CAROLINA GENERAL STATUTES §159-151, AND CALLING A
PUBLIC HEARING ON THE PROPOSED FINANCING FOR JUNE
19, 2017, IN CONNECTION THEREWITH

WHEREAS, the County of Cumberland, North Carolina (the “County”) previously entered into an Installment Financing Agreement dated as of March 1, 2009, between the County and the Cumberland County Finance Corporation (the “Corporation”), pursuant to which the Corporation advanced the proceeds of the Corporation’s Certificates of Participation (Cumberland County Improvement Projects), Series 2009A (the “2009A COPs”) to the County, to provide funds to finance the acquisition and construction of an elementary school and branch library for the County (collectively, the “2009 Project”); and

WHEREAS, the County previously issued its Refunding Limited Obligation Bonds, Series 2011B (the “2011B Bonds”), the proceeds of which were used to refinance certain installment financing contracts entered into by the County to finance (a) the acquisition, construction and equipping of Gray’s Creek Middle School, (b) the acquisition, construction and equipping of a new public health center for the County, and (c) improvements to the County’s (1) animal control center, (2) mental health facility and (3) central maintenance building (collectively, the “2011 Project” and, together with the 2009 Project, the “Projects”); and

WHEREAS, the Board of Commissioners of the County desires to pursue (a) the refinancing of all or a portion of the County’s obligations with respect to the 2009A COPs and (b) the refunding of all or a portion of the 2011B Bonds pursuant to one or more installment financing contracts, as permitted under N.C.G.S. §160A-20; and

WHEREAS, it is anticipated that the cost of refinancing the County’s obligations with respect to the 2009A COPs and refunding the 2011B Bonds will be not more than \$25,000,000, which may include issuance expenses in connection therewith; and

WHEREAS, refinancing the County’s obligations with respect to the 2009A COPs and refunding the 2011B Bonds pursuant to N.C.G.S. §160A-20 must be approved by the North Carolina Local Government Commission (the “LGC”) and will only be approved if the findings of N.C.G.S. §159-151(b) have been made;

NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners of the County (the “Board”), as follows:

1. After consideration, the Board has determined that the most advantageous manner of refinancing the County’s obligations with respect to the 2009A COPs and refunding the 2011B Bonds is by one or more installment financing contracts pursuant to Section 160A-20 of the General Statutes of North Carolina, as amended. In support thereof, the Board hereby makes the following findings of fact:

(a) The proposed financing is necessary or expedient because of the need to refinance the 2009A COPs and refund the 2011B Bonds to provide debt service savings for the County.

(b) The proposed financing is preferable to a general obligation bond financing for the same purposes because the County’s obligations with respect to the 2009A COPs and the 2011B Bonds were themselves installment financing contracts under Section 160A-20 of the General Statutes of North Carolina, and the refinancing can be done in an expedient manner to take advantage of debt service savings.

(c) The cost of the proposed undertaking exceeds the amount of funds that can be prudently raised from currently available appropriations, unappropriated fund balances, and non-voted general obligation bonds that could be issued by the County pursuant to Article V, Section 4, of the North Carolina Constitution. The Projects are non-revenue producing, so revenue bonds are not an option.

(d) The cost of financing under the proposed financing will not be materially greater than the cost of issuing general obligation bonds and will result in cost savings because of reduced debt service.

(e) The sums proposed to be provided under the financing are adequate and not excessive for the stated purpose of refinancing the 2009A COPs and refunding the 2011B Bonds.

(f) The County’s debt management procedures and policies are good and have been carried out in strict compliance with law and will henceforth be so carried out.

(g) There will be no increase in taxes necessary to meet the sums to fall due under the proposed financing.

(h) The County is not in default in any of its debt service obligations.

2. Pursuant to N.C.G.S. § 160A-20, the County, through its staff, is hereby authorized to refinance the County’s obligations with respect to the 2009A COPs and refund the 2011B Bonds by entering into an installment financing contract that will be secured by the deed of trust that currently secures the 2011B Bonds or other security instruments that create a security interest in some or all of the property being refinanced to secure repayment of such financing.

3. The attorney for the County will render an opinion that the refinancing of the 2009A COPs and refunding of the 2011B Bonds is authorized by law and constitutes a purpose for which public funds may be expended pursuant to the Constitution and laws of North Carolina.

4. Each of the County Manager, the County Finance Director and other appropriate officers of the County is hereby authorized and directed to file an application with the LGC for its approval of the financing described above in an amount not to exceed \$25,000,000, and the actions of any of the County Manager, the County Finance Director, and other officers of the County in connection therewith are hereby approved and confirmed.

5. The officers of the County are hereby directed to call a public hearing with respect to the proposed financing to be held June 19, 2017, and to publish notice of such public hearing not less than ten days prior to such date as required by § 160A-20 of the General Statutes of North Carolina.

6. All other acts of the Board and the officers of the County which are in conformity with the purposes and intent of this resolution and in furtherance of the refinancing of the 2009A COPs and refunding of the 2011B Bonds are hereby ratified, approved and confirmed.

7. This resolution shall take effect immediately.

Commissioner _____ moved the passage of the foregoing resolution and Commissioner _____ seconded the motion and the resolution was passed by the following vote:

Ayes: Commissioners _____

Nays: Commissioners _____

Not voting: Commissioners _____

Vicki Evans, Finance Director, reviewed the background information recorded above. Commissioner Keefe inquired regarding the current maturity dates. Ms. Evans stated the maturity dates are June 30, 2029. Ms. Evans stated the maturity date is not being extended, the proposed refinancing is for an interest rate savings.

MOTION: Commissioner Faircloth moved to approve the resolution authorizing the filing of an application to the LGC as well as the findings required by G.S. 159-151.

SECOND: Commissioner Council

VOTE: UNANIMOUS (7-0)

MOTION: Commissioner Lancaster moved to call for a public hearing on the proposed financing to be held June 19, 2017.

SECOND: Commissioner Boose

VOTE: UNANIMOUS (7-0)

8. Nominations to Boards and Committees

A) Adult Care Home Community Advisory Committee (7 Vacancies)

Commissioner Council nominated Dorothy McNeil, Mary Dillon, Donna Atkins, Laura Hardy, Gary Blackwell, Dawn O'Donnell and Lillie White.

B) Fayetteville Technical Community College Board of Trustees (1 Vacancy)

Commissioner Keefe nominated Hilton Terry Hutchens.

Commissioner Lancaster nominated Suzanna Tucker.

C) Library Board of Trustees (1 Vacancy)

Commissioner Council nominated Belinda Wilkerson.

D) Nursing Home Advisory Board (1 Vacancy)

Commissioner Council nominated Christie Davis.

E) Social Services Board (1 Vacancy)

Commissioner Faircloth nominated Commissioner Jimmy Keefe.

F) Transportation Advisory Board (4 Vacancies)

Commissioner Faircloth nominated Nedra Rodriguez, Cecil Combs, Deloma West-Graham and Antionette Wiggins.

9. Appointments to Boards and Committees

A. ABC Board (2 Vacancies)

Nominees: Appoint Two (2) Individuals:

Lee Boughman

Kenneth Edge

Tammy Sinclair

There being three nominees for two vacancies,

Commissioners Keefe, Evans, Adams and Boose voted to appoint Lee Boughman for a total of four votes.

Commissioners Keefe, Faircloth, Lancaster, Council and Boose voted to appoint Kenneth Edge for a total of five votes.

Commissioners Faircloth, Evans, Adams, Council and Lancaster voted to appoint Tammy Sinclair for a total of five votes.

Having received the most votes, Kenneth Edge and Tammy Sinclair were appointed to the ABC Board.

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

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

SECOND: Commissioner Lancaster

VOTE: UNANIMOUS (7-0)

MOTION: Commissioner Lancaster moved to reconvene in open session.

SECOND: Commissioner Faircloth

VOTE: UNANIMOUS (7-0)

MOTION: Commissioner Faircloth moved to adjourn.

SECOND: Chairman Adams

VOTE: UNANIMOUS (7-0)

There being no further business, the meeting adjourned at 11:00 a.m.

Approved with/without revision:

Respectfully submitted,

Candice H. White
Clerk to the Board