
AGENDA
CUMBERLAND COUNTY BOARD OF COMMISSIONERS
REGULAR AGENDA SESSION
JUDGE E. MAURICE BRASWELL
CUMBERLAND COUNTY COURTHOUSE - ROOM 564
JANUARY 3, 2019
8:30 AM

1. APPROVAL OF AGENDA
2. APPROVAL OF MINUTES
 - A. Facilities Committee Minutes - December 6, 2018 Special Meeting
 - B. Finance Committee Minutes - December 6, 2018 Special Meeting
 - C. Policy Committee Minutes - August 2, 2018 Regular Meeting
3. PRESENTATIONS
 - A. Update on the Overhills Park Water and Sewer District Sewer Construction Project
 - B. Fiscal Year 2018 Audit Results
4. CONSIDERATION OF AGENDA ITEMS
 - A. Request for Cumberland County to Serve as Lead Agency for the Affordable Housing Objective of the Pathways for Prosperity Collaborative Comprehensive Action Plan
 - B. Amendments to the FCEDC By-Laws
 - C. Selection of Hazard Mitigation Grant Program Options for Hurricane Florence-Related Flood Damage
 - D. Contract For Department of Social Services Chiller Replacement Project
 - E. Assignment of Professional Services Agreement for Crown Coliseum Ice Plant and Floor Project to Another Engineering Firm
 - F. Legislative Agenda Items to Discuss with the Cumberland County General Assembly Delegation at Meeting on January 28, 2019
 - G. Interlocal Agreement with the Town of Falcon to Enforce the County's Minimum Housing Ordinance within the Town of Falcon
 - H. Revisions to the Board of Commissioners' Rules of Procedure Adopted August 17, 2009; and Rescission of Policy No. 1-2: Placing an Item on a Board of Commissioners Committee Agenda
 - I. Discussion of a Policy Establishing the Minimum Bid for the Sale of Surplus Property
 - J. Discussion of Establishing a Separate Travel Policy for Commissioners
 - K. Discussion of Establishing a Policy for Expending Public Funds for Events and Organizations Specific to Commissioner Travel

5. MONTHLY REPORTS

- A. Monthly Community Development Block Grant - Disaster Recovery (CDBG-DR) Update
- B. Monthly Financial Report - Fiscal Year 2019, November Year-to-Date
- C. Monthly Project Updates
- D. Monthly Health Insurance Update

ADJOURN

REGULAR AGENDA SESSIONS:

February 7, 2019 (Thursday) 8:30 AM

March 7, 2019 (Thursday) 8:30 AM



CLERK TO THE BOARD OF COMMISSIONERS

**MEMORANDUM FOR THE AGENDA OF THE JANUARY 3, 2019
AGENDA REVIEW SESSION**

TO: BOARD OF COUNTY COMMISSIONERS

FROM: CANDICE H. WHITE, CLERK TO THE BOARD

DATE: 1/3/2019

SUBJECT: FACILITIES COMMITTEE MINUTES - DECEMBER 6, 2018 SPECIAL MEETING

Requested by:

Presenter(s):

BACKGROUND

The draft minutes of the December 6, 2018 special meeting of the Facilities Committee are attached for review and approval.

RECOMMENDATION / PROPOSED ACTION

Consider approval of the draft minutes of the December 6, 2018 special meeting of the Facilities Committee.

ATTACHMENTS:

Description	Type
Facilities Committee Minutes-December 6, 2018	Backup Material

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CUMBERLAND COUNTY FACILITIES COMMITTEE
CUMBERLAND COUNTY DEPARTMENT OF SOCIAL SERVICES
1225 RAMSEY STREET, CONFERENCE ROOM C
DECEMBER 6, 2018
SPECIAL MEETING MINUTES

MEMBERS PRESENT: Commissioner Glenn Adams, Facilities Committee Chairman
Commissioner Jeannette Council

MEMBERS ABSENT: Commissioner Michael Boose

OTHER COMMISSIONERS
PRESENT:

Commissioner Charles Evans
Commissioner Marshall Faircloth
Commissioner Jimmy Keefe
Commissioner Larry Lancaster

OTHERS PRESENT:

Amy Cannon, County Manager
Melissa Cardinali, Assistant County Manager
Duane Holder, Assistant County Manager
Tracy Jackson, Assistant County Manager
Jeffery Brown, County Engineer
A.J. Riddle, Assistant County Engineer
Vicki Evans, Finance Director
Heather Harris, Budget Analyst
Deborah Shaw, Budget Analyst
Phyllis Jones, Assistant County Attorney
Geneve Mankel, Communications & Outreach Coordinator
Julean Self, Human Resources Director
Dr. Larry Keen, Fayetteville Technical Community College
Jeremy Aagard, Swampdogs
Terri Thomas, Vision Resource Center
Candice White, Clerk to the Board
Kellie Beam, Deputy Clerk to the Board

Commissioner Glenn Adams called the meeting to order.

1. APPROVAL OF MINUTES – NOVEMBER 1, 2018 SPECIAL MEETING

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MOTION: Commissioner Council moved to approve the November 1, 2018 Facilities Committee meeting minutes as presented.
SECOND: Commissioner Adams
VOTE: UNANIMOUS (2-0)

2. CONSIDERATION OF PERMANENT EASEMENT FOR PWC SEWER LINE RELOCATION AT HEADQUARTERS LIBRARY

BACKGROUND

Cumberland County Engineering & Infrastructure (E&I) Staff was contacted by Public Works Commission (PWC) Staff about the need for a permanent easement on County owned property. PWC has a project to replace the existing water and sewer mains underneath the CSX railroad tracks at the intersection of Maiden Lane and Ray Avenue. PWC is proposing to locate a sewer manhole just outside of the street right-of-way on the property for the Headquarters Library. This will allow the bore for the sewer line to extend across the traffic circle with no impacts to the pavement infrastructure.

A map of the permanent easement and the easement document has been attached. E&I Staff does not feel that granting this permanent easement to PWC would have a negative impact on Headquarters Library property nor on library operations.

RECOMMENDATION/PROPOSED ACTION:

The Engineering and Infrastructure Director and County Management recommend that the Facilities Committee approve granting a permanent easement to the Public Works Commission at the Headquarters Library and forward it to the Board of Commissioners for its approval at their December 6, 2018 meeting.

Jeffery Brown, Engineering and Infrastructure Director, reviewed the background information and recommendation as recorded above.

There were no questions or discussion.

MOTION: Commissioner Council moved to recommend to the full board approval to grant a permanent easement to the Public Works Commission at the Headquarters Library and forward to the December 6, 2018 Board of Commissioners meeting.
SECOND: Commissioner Adams
VOTE: UNANIMOUS (2-0)

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3. CONSIDERATION OF CONSTRUCTION CONTRACTS:

A. DEPARTMENT OF SOCIAL SERVICES (DSS) CHILLER REPLACEMENT

BACKGROUND:

The Capital Improvement Plan (CIP) identified the replacement of both chillers at the Department of Social Services. The CIP that was approved as part of the FY 2019 budget adoption included one chiller for replacement in the current fiscal year with the second chiller to be replaced in FY 2020.

A pre-bid meeting was held on November 15, 2018, in which all local contractors were invited to attend. The bid opening is scheduled for November 29, 2018. The certified bid tab and a recommendation from Progressive Design Collaborative, LTD (PTC) on awarding a contract to the lowest, responsible and responsive bidder will be presented to the Facilities Committee at the December 6, 2018 meeting. A contingency amount will also be presented to the Facilities Committee for approval as part of the project to address any changes or additional work recommended by the Engineering & Infrastructure (E&I) Director and approved by the County Manager.

RECOMMENDATION/PROPOSED ACTION:

The Engineering and Infrastructure Director and County Management recommend that the Facilities Committee approve the following recommendations and forward them to the Board of Commissioners for its consideration at their December 6, 2018 meeting:

1. Accept the bids and award a contract to the lowest, responsible and responsive bidder.
2. Establish a contingency to be used for additional work recommended by the E&I Director and approved by the County Manager.

Mr. Brown reviewed the background information and recommendation as recorded above. Mr. Brown stated he spoke with Commissioner Adams, Facilities Committee Chairman, and Commissioner Adams believes since the chillers would both be replaced within six months of each other it would make more sense to reach out to the contractor to see if any economy of scales could be reached by replacing both chillers at the same time. Mr. Brown stated he would work with the County Finance Department as well as the contractor over the next month to see if Commissioner Adams idea could be possible.

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Ms. Cannon asked if this was a formal bid. Mr. Brown stated this was not a formal bid. Mr. Brown stated if there is no economy of scales or if the finances do not work out, he will bring this item back to the Facilities Committee in January 2019.

B. REPLACEMENT OF DETENTION CENTER BOILER AND SEWER GRINDER PUMP INSTALLATION

BACKGROUND:

The Capital Improvement Plan (CIP) for FY2019 identified the replacement of a pair of water heaters with boilers and storage tanks within the Detention Center. Additionally, the Public Works Commission (PWC) has notified the County of inappropriate waste being discharged from the Detention Center into the sanitary sewer collection system. These inappropriate items being improperly disposed of by inmates within the facility lead to sewer blockages and have the potential to cause sanitary sewer overflows with the sanitary sewer collection system. PWC has placed the County on notice that corrective actions are needed, or the County could be penalized. There are two different locations in which wastewater flows from the Detention Center into the PWC sewer collection system. To help address this issue, a sewer grinder pump is being installed at the Worth Street connection in this fiscal year.

A pre-bid meeting was held on November 2, 2018, in which all local contractors were invited to attend. The bid opening was held on November 15, 2018. One bid was received from Haire Plumbing and Mechanical Company, Inc., in the amount of \$394,997. Following the bid opening, Engineering & Infrastructure Staff met with the contractor to explore value engineering opportunities to reduce the bid amount to the established budget for this project. Based upon these discussions, the contract bid price has been reduced to \$379,997.

The certified bid tab and letter of recommendation to award a contract to the lowest, responsible and responsive bidder from Progressive Design Collaborative, LTD.

RECOMMENDATION/PROPOSED ACTION:

The Engineering and Infrastructure Director and County Management recommend that the Facilities Committee approve the following recommendations and forward them to the Board of Commissioners for its consideration at their December 6, 2018 meeting:

1. Accept the bids and award a contract to the lowest, responsible and responsive bidder Haire Plumbing and Mechanical Company, Inc., in the amount of \$379,997.00

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2. Establish a contingency in the amount of \$18,000.00 to be used for additional work recommended by the E&I Director and approved by the County Manager.

Mr. Brown reviewed the background information and recommendation as recorded above. Mr. Brown stated through the Capital Improvement Plan, his department is trying to recognize what improvements need to be made and be proactive in replacing older infrastructure prior to things breaking down or failing, especially in facilities that are operational twenty-four (24) hours a day.

There were no further questions or discussion.

MOTION: Commissioner Council moved to recommend to the full board approval to accept the bids and award a contract to the lowest, responsible and responsive bidder, Haire Plumbing and Mechanical Company, Inc., in the amount of \$379,997.00 and establish a contingency in the amount of \$18,000.00 to be used for additional work recommended by the Engineering & Infrastructure Director and approved by the County Manager and forward this item to the Board of Commissioners at the December 6, 2018 meeting.

SECOND: Commissioner Adams

VOTE: UNANIMOUS (2-0)

4. CONSIDERATION OF JUDGE E. MAURICE BRASWELL CUMBERLAND COUNTY COURTHOUSE GENERATOR EVALUATION AND RECOMMENDATION

BACKGROUND:

The existing emergency generator that serves the Judge E. Maurice Braswell Cumberland County Courthouse is the original generator to the building and it is over forty years old. The generator provides emergency power for life safety features (fire pump, sprinkler system jockey pump, emergency lighting, etc.) and the Cumberland County IS Data Center. There has been a desire over the last several years to add additional electrical loads to the generator. For that reason, the Engineering & Infrastructure (E&I) Staff budgeted funding for a study in FY19 and worked with Progressive Design Collaborative, Ltd (PDC) to complete an engineering evaluation of the current generator and the existing loads on the generator.

The engineering evaluation has been completed and has been attached for your review. It has been determined that if all the equipment that is currently on emergency power were

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required to operate simultaneously during a commercial power outage, the generator could have a catastrophic failure. Since the existing electrical loading on the generator exceeds its design capacity and the age of the generator, the generator needs to be replaced to ensure that critical infrastructure always remains operational.

The evaluation provides several different options that are explained in detail within the report that has been attached. The desired solution is Option E. With this option, the single existing generator gets removed and is replaced with two 750 KVA generators.

The room that houses the existing generator will become the new emergency power distribution room and the two new generators will be installed in a grassed area directly outside of this room. The benefit of having two generators is that all critical functions will not be lost if a single generator fails to start or operate effectively during a time of need. This has been an issue with the current configuration. During Hurricane Florence, the existing generator failed to start, and the IS Data Center lost power which had a negative impact on emergency operations. This led to some of the equipment within the data center having to be replaced due to the power failure.

Based on the critical functions that are a necessity for this facility, it is being recommended that E&I Staff be able to move forward with completing the necessary engineering work required to replace the generator outside of the normal budget cycle. If approved by the Facilities Committee and the Board of Commissioners, E&I Staff would negotiate with the selected engineering firm for a price to compete the engineering work. This step would possibly allow the generator to be replaced prior to entering hurricane season in June of 2019. A completed project design will also allow the design engineer to determine a more accurate construction cost estimate.

RECOMMENDATION/PROPOSED ACTION:

The Engineering and Infrastructure Director and County Management recommend that the Facilities Committee approve the recommendation that the E&I Department move forward with the required engineering design work in having the existing generator at the Judge E. Maurice Braswell Courthouse be replaced and forward it to the Board of Commissioners for its consideration at their December 6, 2018 meeting.

Commissioner Adams, Chairman of the Facilities Committee, stated the background information and associated documents were provided prior to the meeting in the agenda packet. Mr. Brown stated this item has been brought forward due to the issues with the generator in the courthouse and the critical infrastructure that needs to be operated when

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the generator comes on. Mr. Brown further stated there were issues with this generator during Hurricane Florence, so it is his intent to move forward with negotiating a professional engineers service contract if the Facilities Committee approves this item to look into getting a replacement generator for the Courthouse.

Commissioner Faircloth asked what would happen if there was no generator. Ms. Cannon stated the generator is the backup for the County's computer systems and technology and it would impact computers, switches, servers and Emergency Operations. Commissioner Council asked which option staff is recommending. Mr. Brown stated staff is recommending Option E and with this option, the single existing generator gets removed and is replaced with two 750 KVA generators.

Ms. Cannon stated if the Facilities Committee desires to move forward with this step, once the engineering evaluation is complete, Mr. Brown's staff would work with the Finance Director to identify funding and come back to the Facilities Committee about actual replacement and funding for the generators.

MOTION: Commissioner Council moved to recommend to the full board approval of the recommendation that the Engineering & Infrastructure Department move forward with the required engineering design work in having the existing generator at the Judge E. Maurice Braswell Courthouse be replaced and forward to the Board of Commissioners at their December 6, 2018 meeting.

SECOND: Commissioner Adams

VOTE: UNANIMOUS (2-0)

5. CONSIDERATION OF REQUEST TO TRANSFER J.P. RIDDLE STADIUM TO FAYETTEVILLE TECHNICAL COMMUNITY COLLEGE (FTCC)

BACKGROUND:

At the November 1, 2018 Facilities Committee meeting, the Committee recommended further discussion of transferring J.P. Riddle Stadium to Fayetteville Technical Community College (FTCC). Present at that meeting were Dr. Larry Keen, President of FTCC, and Jeremy Aagard, General Manager of the SwampDogs. Hometown America Sports, Inc. (d.b.a., Fayetteville SwampDogs) currently holds a lease that will expire on December 31, 2018, but the SwampDogs have requested a one-year extension of the lease as allowed in the current agreement with the County. Simultaneously, FTCC has expressed interest in utilizing J.P. Riddle for its 2019 baseball program, and arrangements have been made between the County, the SwampDogs, and FTCC so this can occur. The recent discussion

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at the November 1, 2018 Facilities Committee meeting brought to light the potential benefits of allowing FTCC to become the potential owner of the stadium such as:

- Removes the challenges associated with three different parties managing resources and executing projects at the ballpark
- Greater opportunities for upgrades and enhancements to occur if FTCC is the lead instead of the County
- Enhanced opportunity for curriculum programs to expand learning and internship opportunities and provide service to the ballpark in areas such as:
 - Horticulture – landscaping and turf management
 - Culinary Arts – concession stand and kitchen operations
 - Marketing – advertising and promotions
 - Information Technology/Audio-Visual – scoreboard operations

It was the expressed desire of the Facilities Committee to explore this possibility further as a result of the aforementioned advantages.

RECOMMENDATION/PROPOSED ACTION:

This item is intended for further discussion by the Facilities Committee, and no formal action is being requested by staff at this time.

Commissioner Adams, Chairman of the Facilities Committee, stated this item was brought forward from the November 1, 2018 Facilities Committee meeting where Fayetteville Technical Community College (FTCC) and the SwampDogs came forward because they wanted to expand the number of days the SwampDogs could use the J.P. Riddle Stadium for FTCC's new baseball program. Commissioner Adams stated he believed it may be better use of this facility to transfer the stadium to FTCC. Commissioner Adams further stated he sees it as an opportunity as a learning laboratory for FTCC such as: horticulture, concessions, culinary arts, marketing, etc. Commissioner Adams stated he asked staff at the November 1, 2018 Facilities Committee meeting to research this subject with the intent to possibly transfer J.P. Riddle to FTCC and Dr. Keen was going to ask the FTCC Board if they would be willing to accept the transfer. Commissioner Adams stated he believes if there is a transfer there should be a reversion clause included that states if the stadium is no longer used for baseball, it would come back to Cumberland County.

Ms. Cannon stated she and Tracy Jackson, Assistant County Manager, met individually with FTCC and Mr. Jeremy Aagard regarding this matter. Ms. Cannon stated FTCC cannot

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make significant capital contributions to a facility they do not own or have a very long-term lease for so in order for FTCC to be able to work with the SwampDogs there either needs to be a long-term capital lease or a transfer of ownership in order for the partnership to be fully beneficial.

Commissioner Council stated she likes the idea of a transfer because it involves so much of this community and FTCC would not have to always go through county government in order to work with the SwampDogs. Commissioner Council further stated she supports the idea to provide this experience for the young people.

Commissioner Keefe stated the J.P. Riddle Stadium is a community asset and asked if the County had done a title search to see if there are any restrictions on the transfer of the stadium. Ms. Cannon stated the County had done a limited search and had not found anything that would prevent the County from transferring the stadium to FTCC. Commissioner Keefe stated he believes the Board of Commissioners should have a public hearing to hear the public's thoughts on taking a public asset and transferring it to a school system where the public may not be able to use the facility at the same level as in the past. Commissioner Keefe further stated he can see benefits on both sides but ultimately, this would be taking a piece of County property and taking it out of the County's control.

Commissioner Council stated she agreed with Commissioner Adams' suggestion about adding a reversion clause that if FTCC fails to use the facility as a baseball stadium, it would revert back to Cumberland County.

MOTION: Commissioner Council moved to recommend to the full board approval of the consideration of request to transfer J.P. Riddle Stadium and associated real property to FTCC once all legal research is complete and absent any legal entanglements and include a revision clause that if FTCC fails to use the facility as a baseball stadium, it will revert back to Cumberland County

SECOND: Commissioner Adams

VOTE: UNANIMOUS (2-0)

6. CONSIDERATION OF LEASE OF VACANT COUNTY PROPERTY TO THE VISION RESOURCE CENTER

BACKGROUND:

The Vision Resource Center (VRC) provides services to enhance the lives of adults and children with visual impairments by advocating for their needs, identifying and sharing

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information about community resources, providing education, skill development and socialization opportunities.

Services for the visually impaired are very limited. The Division of Blind Services of NCDHHS provides very basic services for a short duration to adults diagnosed with an impairment and for children age 14 and above. There are no public support services for birth to age 13.

The VRC receives referrals from the Division of Blind Services and from eye care providers in the community. VRC offers opportunities and resources to improve the quality of life of adults and children who are blind or visually impaired, focusing on four specific areas of need; independent living skills, physical and mental health, socialization and civic engagement. Youth activities focus on socialization to reduce isolation and prevent depression.

VRC approached county staff regarding assistance with their space needs to be eligible for the foundation grant, to provide adequate space for the specialized programming and to serve an expanded population. Currently the county owns property at 2736 Cedar Creek Road (known as the Alphin House) that has been vacant for most of the sixteen years since the county purchased the property. The house would be an ideal setting for independent skills training with a full kitchen, laundry area, bedroom and bathroom, space for a computer lab and an outdoor area for gardening and programs for children.

VRC is developing a plan to expand and enhance current services and to reach out to the underserved visually impaired population. VRC will provide specialized classes, training, information and support to help the visually impaired reach their full potential. The goal is to provide independent living skills training that will allow the participant to become gainfully employed and remain self-sufficient in their own home avoiding the need for institutional care. For visually impaired children, VRC will develop early childhood support services and activities, increase the awareness of educational devices that support blind and impaired student's academic goals for kindergarten through high school and provide counseling for children and their parents to facilitate adjustment to visual impairment.

Currently, VRC's ability to expand is limited by funding and space. VRC is applying for a foundation grant from LC Industries to support the specialized training and support services to create independence and employment opportunities. Currently, the VRC rents space for \$2,400 annually from the City of Fayetteville at the Dorothy Gilmore Recreation Center. VRC is limited in the programming that can be provided from this facility due to other Parks and Recreation Programming.

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RECOMMENDATION/PROPOSED ACTION:

Consider a lease of vacant county property at 2736 Cedar Creek Road to the Vision Resource Center at the current lease rate charged by the City of Fayetteville to provide space for programming to meet the unmet needs of the visually impaired in our community and to provide the required space for foundation grant eligibility.

Ms. Cannon stated she believes the County has an opportunity to meet an unmet need with a piece of property located near the Cedar Creek Business Center that was previously a home. Ms. Cannon further stated the County has owned this home since 2002 and the County has continually maintained this property. Ms. Cannon introduced Terri Thomas, Director of the Vision Resource Center. Ms. Cannon stated the Vision Resource Center has a unique opportunity with a vision for expanding services with very limited space. Ms. Cannon stated the Vision Resource Center (VRC) is currently located at the Dorothy Gilmore Recreation Center in two small offices that the VRC has to share with Parks and Recreation services. Ms. Cannon stated since the VRC has to share the two small offices they do not have full access for their clients to come in on a daily basis.

Ms. Cannon stated VRC is currently working with LC Industries, out of Durham, to create employment opportunities for the visually impaired. Ms. Cannon further stated LC Industries is currently looking to locate a division in Cumberland County, so they are looking to Ms. Thomas to add to her adult clients to help them in the independent living skills, so they can be gainfully employed. Ms. Cannon stated LC Industries has a foundation and provide grants to organizations that assist those that are visually impaired and are interested in possibly investing in the VRC but in order for the VRC to apply for a grant they have to have appropriate space to provide this type of training which could help expand the adult side as well as the children's side. Ms. Cannon stated youth ages birth – 13 years old do not have access to state services until they turn 14 years old. Ms. Cannon stated the VRC is trying through the LC Industries and the grant to reach the unmet need in the youth population.

Ms. Cannon stated Ms. Thomas reached out to the County to assist in providing her a bigger space. Ms. Cannon stated the VRC is in the process of submitting a grant to the foundation. Ms. Cannon stated currently the VRC leases space for \$200/month from the City of Fayetteville. Ms. Cannon stated she is asking the Facilities Committee if they are willing to consider allowing the VRC to utilize the space at 2736 Cedar Creek Road at the same rate they are paying the City of Fayetteville for the Dorothy Gilmore Recreation Center.

Commissioner Adams stated he believes the Board of Commissioners should talk to Sally Shutt about possibly requesting the legislative delegation look into the issue where youth

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ages birth – 13 years old that are visually impaired do not have access to state services. Commissioner Council stated she hopes there would be transportation to this facility. Ms. Cannon stated that Ms. Thomas is working with the City of Fayetteville FAST because they currently stop services at the bridge over I-95 at Cedar Creek Road which is only about $\frac{3}{4}$ mile from the property. Ms. Cannon stated Ms. Thomas is requesting the City of Fayetteville to extend to the 2736 Cedar Creek Road property because the visually impaired will need that transportation. Commissioner Adams suggested the transportation piece could be coordinated with Robert Van Geons as far as the economic development standpoint so FAST could go out to the Cedar Creek Business Park as well as the VRC.

Commissioner Evans commended Ms. Thomas and the work she has done with the Vision Resource Center. Commissioner Evans stated he is in favor of the County leasing this property to the Vision Resource Center.

Commissioner Keefe stated he does not think \$200/month will cover the utilities for this location. Commissioner Keefe stated he does believe the VRC needs a new location like this facility, but he believes this facility may not be the right fit because it is located 22 minutes from the current location at the Dorothy Gilmore Recreation Center. Commissioner Keefe further stated he is concerned about the fact that clients will have to go so far out to get to this facility when there may be other facilities closer that would work better internally.

Commissioner Faircloth stated he agrees with the consideration of leasing this property to the Vision Resource Center but before a lease is entered, he would like to know what it costs to operate this facility. Ms. Cannon stated she would be happy to provide that information to the Board of Commissioners. Commissioner Council stated since this is a time sensitive issue, she would like staff to distribute the financial information to the full board prior to the December 17, 2018 Board of Commissioners meeting. Ms. Cannon stated she would provide the financial information to the full board prior to the meeting and this item will be brought to the December 17, 2018 meeting for consideration to develop a lease.

MOTION: Commissioner Council moved to recommend to the full board approval of the consideration of the lease of vacant County-owned property to the Vision Resource Center pending further financial information being provided by County Management.

SECOND: Commissioner Adams

VOTE: UNANIMOUS (2-0)

7. MONTHLY PROJECT UPDATES

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All references to any materials which are described in these minutes or incorporated into these minutes are to the materials that are contained in the same numbered item in the agenda for this meeting. These may be viewed online in the agenda set out on this webpage

<http://co.cumberland.nc.us/departments/commissioners-group/commissioners/committee-agendas-and-minutes>

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Mr. Brown provided the monthly project updates in the agenda packet.

8. OTHER ITEMS OF BUSINESS

There were no other items of business.

MEETING ADJOURNED AT 10:47 AM.



CLERK TO THE BOARD OF COMMISSIONERS

**MEMORANDUM FOR THE AGENDA OF THE JANUARY 3, 2019
AGENDA REVIEW SESSION**

TO: BOARD OF COUNTY COMMISSIONERS

FROM: CANDICE H. WHITE, CLERK TO THE BOARD

DATE: 1/3/2019

SUBJECT: FINANCE COMMITTEE MINUTES - DECEMBER 6, 2018 SPECIAL MEETING

Requested by:

Presenter(s):

BACKGROUND

The draft minutes of the December 6, 2018 special meeting of the Finance Committee are attached for review and approval.

RECOMMENDATION / PROPOSED ACTION

Consider approval of the draft minutes of the December 6, 2018 special meeting of the Finance Committee.

ATTACHMENTS:

Description	Type
Finance Committee Minutes - December 6, 2018	Backup Material

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CUMBERLAND COUNTY FINANCE COMMITTEE
DEPARTMENT OF SOCIAL SERVICES-1225 RAMSEY STREET
CONFERENCE ROOM C
DECEMBER 6, 2018 – 8:30 AM
SPECIAL MEETING MINUTES

MEMBERS PRESENT: Commissioner Jimmy Keefe, Chairman
Commissioner Glenn Adams
Commissioner Marshall Faircloth

OTHERS: Commissioner Jeannette Council
Commissioner Charles Evans
Commissioner Larry Lancaster
Amy Cannon, County Manager
Melissa Cardinali, Assistant County Manager
Tracy Jackson, Assistant County Manager
Duane Holder, Assistant County Manager
Phyllis Jones, Assistant County Attorney
Vicki Evans, Finance Director
Jeffery Brown, Engineering and Infrastructure Director
AJ Riddle, Assistant County Engineer
Amy Hall, Public Utilities
Heather Harris, Budget Analyst
Deborah Shaw, Budget Analyst
Geneve Mankel, Communications and Outreach Coordinator
Julean Self, Human Resources Director
Nedra Rodriguez, Workforce Development Director
Dee Taylor, Community Development Interim Director
Ronnie Mitchell, Legal Advisor to Sheriff
Major Tandra Adams, Chief Jailer
Teddy Warner, FCEDC Director of Business Development
Jimmy Abbatiello, FCEDC Manager of Marketing and
Communications
Candice H. White, Clerk to the Board
Kellie Beam, Deputy Clerk
Press

Commissioner Keefe called the meeting to order.

1. CONSIDERATION OF APPROVAL OF MINUTES – NOVEMBER 1, 2018 SPECIAL MEETING

MOTION: Commissioner Faircloth moved to approve the November 1, 2018 special meeting minutes.

All references to any materials which are described in these minutes or incorporated into these minutes are to the materials that are contained in the same numbered item in the agenda for this meeting. These may be viewed online in the agenda set out on this web page <http://co.cumberland.nc.us/departments/commissioners-group/commissioners/committee-agendas-and-minutes>

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SECOND: Commissioner Adams

VOTE: UNANIMOUS (3-0)

2. PRESENTATION ON JAIL HEALTH PROGRAM BY SOUTHERN HEALTH PARTNERS

BACKGROUND

Southern Health Partners has been delivering health services to the inmate population within the Cumberland County Detention Center since July 1, 2017. Ms. Hairsine and staff of Southern Health Partners will be providing a presentation on the jail health program to include related data and statistics.

RECOMMENDATION/PROPOSED ACTION

No action needed – for discussion and information purposes only.

Amy Cannon, County Manager, reviewed the background information recorded above. Vicki Evans, Finance Director, introduced Jennifer Hairsine, President and CEO of Southern Health Partners, and Shelly Weaver, Regional Director of Operations for Southern Health Partners.

Ms. Hairsine stated Southern Health Partners operates in fourteen states, has 240 contracts with the largest being 1,100 beds and takes care of 46,000 incarcerated lives on any given day. Ms. Hairsine stated Southern Health Partners provides Cumberland County 24/7 medical coverage on-site, 868 hours of on-site medical staffing and 55 hours of on-site provider staffing.

Ms. Hairsine stated services began in July 2017 and the following data and trends can be reported:

	6 Months-2017	12 month Trend	YTD (Oct) 2018	12 month Trend
Average Daily Population	758		751	
Hospital Admissions	12	24	22	24
ER Visits	36	72	72	79
Specialty MD Visits	59	118	124	136
On-Site X-rays	88	176	262	288
# Seen/Mental Health	1980	3960	2456	2702
# Seen/Physician	286	572	983	1081
# Seen/Dental	133	266	202	222
# Seen/Sick Call-Nurses	5015	10,030	11,658	12,824

Ms. Hairsine summarized changes Southern Health Partners made when it began delivering inmate healthcare services:

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- Working with Community Providers to Facilitate Patient Care Including Mental Health Services Throughout Incarceration and Upon Discharge
- Staff Retention
- Streamlined Services/Schedules
- Utilization Management
- Training Initiatives
- Supply Ordering / Inventory Management – Key Piece of Cost Effectiveness
- Drug Formulary Management – Also Has Nonformulary Process When Needed
- Bill Scrubbing of Outside Service Billings
- Monthly Staff Meetings Among Medical Staff
- Monthly Medical Based CEU Training

Ms. Hairsine summarized cost comparison trends from prior year to current year as follows:

7/1/2017-6/30/2018	7/1/2018-6/30/2019
Dialysis = \$480	Dialysis = \$0
ER = \$14,462	ER = \$10,637.77
Inpatient Costs = \$126,952	Inpatient Costs = \$34,651
Lab = \$17,359	Lab = \$5,349
Pharmacy = \$382,143	Pharmacy = \$104,463
X-ray = \$21, 187	X-ray = \$8,691

Ms. Hairsine stated next steps include continued EMR enhancements, review of medical staff matrix (PRN and travel nurses utilized as needed), self-audits as a quality improvement piece and staff retention. Ms. Hairsine stated Southern Health Partners provide services under the standards and guidelines of the National Commission on Correctional Healthcare and she is a Certified Correctional Health Professional. Questions and comments followed.

3. PRESENTATION ON THE PRELIMINARY ENGINEERING REPORT FOR GRAY'S CREEK WATER AND SEWER DISTRICT

BACKGROUND:

At the February 19, 2018 Board of Commissioners' meeting, the Board approved a professional services agreement with Moorman, Kizer & Reitzel, Inc (MKR) to complete an update to the existing Preliminary Engineering Report (PER) for extending public water into the Gray's Creek Water & Sewer District. In addition, the Board approved an Interlocal Agreement with the Public Works Commission (PWC) to share equally in the cost of updating the PER.

In July, MKR provided the Engineering & Infrastructure (E&I) Department and PWC a technical memorandum completed by CDM Smith (sub-consultant hired by MKR to perform the necessary water modeling) outlining the water demands and sizing of proposed water lines to provide public

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water to the entire Gray's Creek Water & Sewer District. This report has been attached for your review and is labeled as "Attachment A" in the technical memo dated November 28, 2018. The construction cost to provide public water to residents on both public and private streets is estimated at \$98,900,000 (page #16). This cost includes constructing the water system to PWC Standards and including fire flow protection to the residents.

After both E&I staff and PWC staff reviewed the report, a meeting was held with MKR to determine the next steps and to begin discussion on critical components of moving this forward. At this time, MKR was instructed to go back and reevaluate the water model to only provide public water along public streets and exclude private streets. This was evaluated since PWC does not customarily extend public water lines down private streets. The cost estimate and map depicting service to only public streets within the District has been attached. The estimated construction cost to only serve public streets within the District is \$66,290,000. This information was provided to both the County and PWC staff in mid-September.

After further discussion between PWC and County staff, it was determined that the first phase of extending public water into the District should focus on serving the two Cumberland County Schools as well as the residents that have drinking water wells exceeding the State's health goal for GenX of 140 parts per trillion. It was also determined that it was critical to install the main loop in the first phase of this project to make it financially feasible to serve the entire District in future phases. By installing a loop system, it drastically reduces the likelihood of having to flush stagnant water out of dead-end lines, thus reducing operating costs for the water provider. In order to provide public water to the residents whose wells exceed the State health goal, public water will have to be extended down private streets in certain locations.

MKR provided a technical memo dated September 28, 2018 from CDM Smith that outlines the cost of providing public water to the two schools and all the residents in which their drinking water wells exceeded the State health goal. This memo has been attached. The estimated construction cost to serve Phase I is \$19,640,000. Please note that this does not include the cost of engineering or land acquisition if needed to install the water lines.

County staff have determined there are two major steps in moving forward with extending public water in the Gray's Creek Water & Sewer District. The first step is to continue conversations with PWC regarding development of a structure that is long-term, sustainable and cost effective for the Gray's Creek water expansion. System ownership, construction funding and system operations are critical components to be decided.

The second step, in conjunction with step one, is to seek input from the residents of the Gray's Creek Water & Sewer District regarding their desire to have a public water system and gauge their interest in connecting to a public water system. A draft letter and survey have been attached for your review that could be sent to all residents within the District.

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RECOMMENDATION/PROPOSED ACTION:

County staff is seeking guidance and input from the Finance Committee as to the above steps that have been outlined in moving forward with the Phase I extension of public water into the Gray's Creek Water & Sewer District.

Ms. Cannon introduced Jerry Reitzel, Principal Engineer with MKR, Inc. Jeffery Brown, Engineering and Infrastructure Director, presented the following:

Background Information

- Board of Commissioners approved the following on February 19, 2018
 - Professional Services Agreement with MKR to update the PER done in 2009
 - Interlocal Agreement with PWC to equally share cost of providing and updating the PER

Why PER is Being Updated

- Report is nearly 10 years old
- Scope of work has expanded from 2009
 - Fire flow protection added
- PER requirements have changed
- District characteristics have changed since 2009
 - Increase in population
 - Increase in water demands

Mr. Brown displayed a map of proposed water districts and infrastructure and Gray's Creek District with public and private streets served from the 2009 PER previously provided by Marziano and McCougan. Mr. Brown stated the Gray's Creek Water and Sewer District was created after this plan was put in place.

Mr. Reitzel stated the Gray's Creek study is located in the southwestern portion of Cumberland County and PER looks at three main items: 1) whether or not the area qualifies for public grants such as USDA, 2) alternate sources of water in other areas, and 3) costs. Mr. Reitzel stated the most feasible partner would be PWC because it is the least expensive and best alternate of those reviewed to serve the entire district with water. Mr. Reitzel stated the first option reviewed was to serve public and private streets to see how many residents would be served and what it would cost. Mr. Reitzel stated all options are to PWC standards and provide fire protection. Mr. Reitzel stated there are currently 3,350 homes in the area with 4,500 homes projected in 2040.

Mr. Reitzel reviewed the first option at \$98.8 million in 2018 dollars and stated this option has no right of way and other things that may be encountered and has a construction contingency of 30%.

Gray's Creek District with Public and Private Streets Served

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	Item	Quantity	Unit	Unit Cost ²	Extended Cost	Notes
1	8-inch Water Main (open-cut installation)	555,400	LF	\$80	\$44,430,000	3, 4
2	8-inch Water Main (trenchless installation)	5,000	LF	\$250	\$1,250,000	5
3	12-inch Water Main (open-cut installation)	85,800	LF	\$100	\$8,580,000	3, 4
4	12-inch Water Main (trenchless installation)	900	LF	\$425	\$380,000	5
5	16-inch Water Main (open-cut installation)	13,100	LF	\$150	\$1,970,000	3, 4
6	16-inch Water Main (trenchless installation)	200	LF	\$600	\$120,000	5
7	Fire Hydrant Assembly	700	EA	\$6,500	\$4,550,000	6
8	Master Meter Connection to PWC System	3	EA	\$50,000	\$150,000	7
9	Pressure Reducing Valve	4	EA	\$30,000	\$120,000	8
10	1-inch Water Service Connection	4,470	EA	\$3,250	\$14,530,000	9
	Subtotal				\$76,080,000	
11	Construction Contingency (30%)				\$22,820,000	2
	TOTAL				\$98,900,000	

1) Costs are in June 2018 dollars and do not include land acquisition. Costs are rounded to the nearest \$10,000.

2) Unit costs include contractor overhead, profit, sales tax, bonds, insurance, and general conditions. Construction contingency of 30 percent is added in line item 11.

3) Assumes C900 PVC pipe for 6-inch through 12-inch diameters; assumes restrained joint ductile iron (pressure class 250) for 16-inch diameter pipe. Assumes normal dewatering; 4 feet cover.

4) Includes valves located every 1,000 LF and DI fitting every 1,000 LF.

5) Trenchless installation assumed for road and stream crossings. Length is estimated based on the number of trenchless crossings. Installation assumes Horizontal Directional Drill (HDD) with DIPS HDPE pipe with adapters.

6) Assumes hydrants located every 1,000 LF.

7) Includes meter vault, valves and meter with a bypass.

8) Includes valve and meter vault.

9) Assumes 30 LF of 1" IPS copper water service and meter box, per PWC design standards. Number of connections estimated based on projected households in 2040.

Mr. Reitzel displayed and reviewed the second option for public streets only at \$66 million.

Gray's Creek District with Public Streets Only Served

	Item	Quantity	Unit	Unit Cost ²	Extended Cost	Notes
1	8-inch Water Main (open-cut installation)	385,800	LF	\$80	\$30,860,000	3, 4
2	8-inch Water Main (trenchless installation)	3,600	LF	\$250	\$900,000	5
3	12-inch Water Main (open-cut installation)	85,600	LF	\$100	\$8,560,000	3, 4
4	12-inch Water Main (trenchless installation)	1,100	LF	\$425	\$470,000	5
5	Fire Hydrant Assembly	500	EA	\$6,500	\$3,250,000	6
6	Master Meter Connection to PWC System	3	EA	\$50,000	\$150,000	7
7	Pressure Reducing Valve	4	EA	\$30,000	\$120,000	8
8	1-inch Water Service Connection	3,340	EA	\$2,000	\$6,680,000	9
	Subtotal				\$50,990,000	
9	Construction Contingency (30%)				\$15,300,000	2
	TOTAL				\$66,290,000	

1) Costs are in June 2018 dollars and do not include land acquisition. Costs are rounded to the nearest \$10,000.

2) Unit costs include contractor overhead, profit, sales tax, bonds, insurance, and general conditions. Construction contingency of 30 percent is added in line item 9.

3) Assumes C900 PVC pipe for 6-inch through 12-inch diameters. Assumes normal dewatering; 4 feet cover.

4) Includes valves located every 1,000 LF and DI fitting every 1,000 LF.

5) Trenchless installation assumed for road and stream crossings. Length is estimated based on the number of trenchless crossings. Installation assumes Horizontal Directional Drill (HDD) with DIPS HDPE pipe with adapters.

6) Assumes hydrants located every 1,000 LF.

7) Includes meter vault, valves and meter with a bypass.

8) Includes valve and meter vault.

9) Assumes 30 LF of 1" IPS polyethylene water service and meter box, per PWC design standards. Number of connections estimated based on projected households in 2040.

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Mr. Reitzel then reviewed the final option for wells exceeding the 140 parts per trillion, to provide water to schools along School Road and Alderman Road and also to build a backbone for pressures needed for fire protection and to help water circulate through the system so it does not become stagnant. Mr. Reitzel stated this option is \$19.6 million and also has a contingency of 30%. Mr. Reitzel stated even though there may be only 100 wells that exceed the provision health goal, water lines have to be run by other homes to get to those wells, so 550 homes would potentially be served or 700 homes in 2040. Mr. Reitzel stated it does not consider all the homes that would be served by extensions off the loop such as the density and subdivisions along Chicken Foot Road and County Line Road.

Gray's Creek District Phase 1-Wells Exceeding Health Goal Served

	Item	Quantity	Unit	Unit Cost ²	Extended Cost	Notes
1	8-inch Water Main (open-cut installation)	66,500	LF	\$80	\$5,320,000	3, 4
2	8-inch Water Main (trenchless installation)	500	LF	\$250	\$130,000	5
3	12-inch Water Main (open-cut installation)	51,800	LF	\$100	\$5,180,000	3, 4
4	12-inch Water Main (trenchless installation)	700	LF	\$425	\$300,000	5
5	16-inch Water Main (open-cut installation)	13,100	LF	\$150	\$1,970,000	3, 4
6	16-inch Water Main (trenchless installation)	200	LF	\$600	\$120,000	5
7	Fire Hydrant Assembly	130	EA	\$6,500	\$850,000	6
8	Master Meter Connection to PWC System	2	EA	\$50,000	\$100,000	7
9	Pressure Reducing Valve	2	EA	\$30,000	\$60,000	8
10	1-inch Water Service Connection	540	EA	\$2,000	\$1,080,000	9
	Subtotal				\$15,110,000	
11	Construction Contingency (30%)				\$4,530,000	2
	TOTAL				\$19,640,000	

1) Costs are in November 2018 dollars and do not include land acquisition. Costs are rounded to the nearest \$10,000.

2) Unit costs include contractor overhead, profit, sales tax, bonds, insurance, and general conditions. Construction contingency of 30 percent is added in line item 11.

3) Assumes C900 PVC pipe for 6-inch through 12-inch diameters. Assumes normal dewatering; 4 feet cover.

4) Includes valves located every 1,000 LF and DI fitting every 1,000 LF.

5) Trenchless installation assumed for road and stream crossings. Length is estimated based on the number of trenchless crossings. Installation assumes Horizontal Directional Drill (HDD) with DIPS HDPE pipe with adapters.

6) Assumes hydrants located every 1,000 LF.

7) Includes meter vault, valves and meter with a bypass.

8) Includes valve and meter vault.

9) Assumes 30 LF of 1" IPS polyethylene water service and meter box, per PWC design standards. Number of connections estimated based on estimated existing households to be served.

In response to a question posed by Commissioner Keefe, Mr. Reitzel stated the loop line will have the capacity to serve the entire district with both public and private streets. Mr. Reitzel also stated the area does not qualify for grants because it exceeds the household median income.

Ms. Cannon stated next steps include developing a long-term, sustainable and cost-effective funding structure with PWC. Ms. Cannon stated discussion has included the County participating in the capital side and PWC constructing, owning, operating and maintaining the system which is

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the most feasible and sustainable approach for the County. Ms. Cannon stated another step discussed was to survey at least the Phase I district or 500 homes to determine interest in the water system and see whether residents will connect.

Commissioner Adams stated he supported the manager's approach. Commissioner Faircloth concurred. Commissioner Adams stated the N.C. Department of Environmental Quality (DEQ) needs to be at the table as it relates to the GenX settlement to see whether any of that money can be used for the County's plan. Ms. Cannon stated anything characterized as a fine or forfeiture has to be passed onto the school system by statute and the County will not have access to it. Ms. Cannon referenced a consent order and comment period and stated there are some exceptions in the order that allow Chemours to respond to the contamination issue by implementing filters and not contributing financially to extending water lines. Ms. Cannon stated staff will begin working on a response and her recommendation is to place a resolution on the December 17 agenda in response to the consent order. Discussion followed about conversation with DEQ and Chemours prior to a resolution and whether the local school system would benefit from the settlement. Ms. Cannon stated it is important to identify this phase so it can be isolated and there can be discussions with Chemours about their participation. Ms. Cannon stated it does not limit further expansion.

Mr. Brown stated an exception to providing public water to private streets in Phase 1 would be for those with contaminated wells above 140 parts per trillion within the Gray's Creek Water and Sewer District and not those on the east side of the river. Mr. Reitzel stated the \$66 million in the Phase 1 area includes public streets and contaminated wells that exceed the provisional health goal and the fact that that the Gray's Creek area has a lot of private streets needs to be taken into consideration.

Commissioner Keefe stated no one on the Finance Committee is interested in being in the business of installation, operation, maintenance and billing for a water system. Ms. Cannon stated that assists staff with knowing how to move forward with PWC.

MOTION: Commissioner Faircloth moved that the Finance Committee recommend to the full Board that staff move forward with determining the feasibility of Phase 1 extension of public water lines in the Gray's Creek Water and Sewer District to encompass developing and sending out the water survey and continuing conversations with PWC, DEQ and Chemours.

SECOND: Commissioner Adams

DISCUSSION: Commissioner Faircloth pointed out that PWC may have issues with sustainability as it relates to the private streets in Phase 1. Mr. Reitzel stated a lot of those streets are in developed subdivisions so if the residents want water, the County could assist them with forming a homeowner's association to maintain their private streets. Mr. Reitzel stated generally if there is an established and functional homeowner's association, it would be acceptable to PWC to extend the mains. Mr. Reitzel stated if the survey indicates a desire for water, then the hope is the residents would want to form a homeowner's association to facilitate the extension of public water.

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VOTE: UNANIMOUS (3-0)

4. CONSIDERATION OF REQUEST TO INCREASE WORKFORCE DEVELOPMENT CONTRACT FOR PROGRAM SERVICES WITH EDUCATIONAL DATA SYSTEMS, INC. (EDSI) AND BUDGET ORDINANCE AMENDMENT #190849

BACKGROUND:

Workforce Development Boards under the Workforce Innovation and Opportunity Act (WIOA) do not provide training services to customers. Therefore, these services are procured through a competitive process. Under that arrangement, the Board of Commissioners awarded the current program service contract to Educational Data Systems, Inc. (EDSI) at its June 18, 2018 meeting.

Since the award of that contract to EDSI, additional funding has been received by Workforce Development. The first award is a National Dislocated Worker Grant (NDWG) for Hurricane Florence in the amount of \$2,244,000. In October the Board of Commissioners amended the budget to recognize these funds; however, the EDSI contract has not been updated to reflect this award.

The second award is \$54,000 in Finish Line Grant Funds (FLG) to assist community college students with emergencies that may prevent them from completing their credentials. The committee is requested to approve a budget ordinance amendment to recognize this award. In addition, the contract with EDSI needs to be amended for the FLG funds.

Finally, the contract with EDSI needs to be increased by \$447,249. WIOA funds are awarded for a two-year period. Funds unspent at the end of the County's fiscal year are considered carryover.

RECOMMENDATION/PROPOSED ACTION:

Staff recommends approval of the following items:

- Approve budget ordinance amendment #190849 in the amount of \$54,000 to recognize funding from FLG.
- Increase the training services contract with EDSI for \$2,745,249 to reflect items –
 - NDWG for Hurricane Florence \$2,244,000
 - FLG award \$54,000
 - Carryover WIOA funds \$447,249

Nedra Rodriguez, Workforce Development Director, reviewed the background information recorded above. Ms. Rodriguez stated the contract is multi-year and this will increase the period of performance through December 2019 to allow expenditure of the emergency grant funding. Commissioner Adams asked why an RFP was not utilized for the non-emergency funding and it was rolled over into the contract with EDSI. Tracy Jackson, Assistant County Manager, stated it

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is ultimately the Board's decision but in terms of service delivery, there are already goals and performance standards set up for this single provider in all the different programs so if another provider is brought in at this point, it could potentially slow down some of the services. Ms. Rodriguez stated these new dollars will serve an additional 86 individuals with the emergency funding, an additional 54 through the FLG and the \$447,249 will be split between each one of the programs to serve an additional 20 individuals in each program without changing staffing levels with the existing contract. Ms. Rodriguez stated if there is a new contract, a portion of that cost will go to staffing and other related expenses. Ms. Rodriguez stated the matrix and performance levels come with rolling in the additional funds and serving the additional individuals.

MOTION: Commissioner Adams moved that the Finance Committee recommend to the full Board to approve budget ordinance amendment #190849 in the amount of \$54,000, to recognize funding from FLG and increase the training services contract with EDSI for \$2,745,249 to reflect items: NDWG for Hurricane Florence/\$2,244,000; FLG award/\$54,000; Carryover WIOA funds/\$447,249.

SECOND: Commissioner Faircloth

VOTE: UNANIMOUS (3-0)

5. CONSIDERATION OF REVISED MEMORANDUM OF AGREEMENT FOR DISASTER RECOVERY ACT OF 2017 RELATED TO HURRICANE MATTHEW WITH THE N. C. DEPARTMENT OF PUBLIC SAFETY-DIVISION OF EMERGENCY MANAGEMENT AND BUDGET ORDINANCE AMENDMENT #191048

BACKGROUND

Attached you will find a revised Memorandum of Agreement (MOA) for Disaster Recovery Act Of 2017 (DRA-17) and potential State Acquisition Relocation Fund (SARF) program projects (SARF program guidance and sub-grantee application are attached). Funding in the amount of \$1,903,500 which includes: \$1,782,500 for ten (10) DRA-17 Mitigation acquisitions and \$121,000 for two (2) SARF Hazard Mitigation Grant Program (HMGP) acquisitions. The agreement used to grant these funds is the same agreement used for DRA-17 Housing and Mitigation because they are funded from the same legislation.

The SARF provides gap funds for HMA acquisitions of homes in the 100-year floodplain to provide additional incentive for a homeowner to move out of the floodplain, where a similar home outside the floodplain may be more expensive. This funding will be provided as a grant to the homebuyer at the time of purchase. There is an application for the SARF funds that NCEM is requesting the County complete and return even though the State has already determined the amount of funding to provide based on the County's approved HMGP project. The maximum available benefit per homeowner is \$50,000 plus up to \$5,000 for moving expenses. Additionally, 10% is awarded to the County, as the subgrantee, to administer the funds including hiring of housing counselors to help locate suitable housing for the displaced disaster survivor. There is

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one complicating factor to the SARF funding, the legislation that makes some of the funding available requires it to be used only for Low-to-Medium Income (LMI) households. The County will have to conduct income verification on all acquisition projects so that funds can be committed appropriately.

RECOMMENDATION/PROPOSED ACTION:

Staff requests the Finance Committee approve this item to move forward for consideration by the full Board of Commissioners as a Consent Agenda item at its regular meeting on December 17, 2018 with these specific actions being requested:

- 1) Approval of the revised MOA and signature by the Chairman of the Board of Commissioners,
- 2) Approval of Budget Amendment #191048 in the amount of \$1,903,500,
- 3) Approval to complete the application for the SARF program and authorization for the County Manager to sign the application once it has been determined how many applicants are eligible for the SARF program.

Mr. Jackson reviewed the background information recorded above. Mr. Jackson stated the County has been working with the State on the MOA for Hurricane Matthew for quite some time and the delay in getting the MOA to the County has been on the part of the State. Mr. Jackson stated in his opinion, the delay has been because the State has had to go back to the drawing board numerous times to develop the appropriate wording for the MOA in terms of what was required at the federal level in addition to the fact that the amount of money has increased. Mr. Jackson stated the two residents in line for the \$121,000 have been out of their homes for over one and one-half years and the State is basically providing money for individuals that probably do not need it. Mr. Jackson stated although he is not pleased with the process, the County needs to move forward to get the ten homes mitigated. Mr. Jackson stated due to the period of time that has passed and changes related to the applicants during this period of time, the County is going to have to re-review the applications to see who is truly eligible based on the State's requirements and also revisit priorities. Questions followed. Mr. Jackson spoke to the cost/benefit analysis and lengthy process involved in determining eligibility. Mr. Jackson stated the County does not decide what applicants receive but only acts as the conduit back to the State.

MOTION: Commissioner Faircloth moved to recommend to the full Board on the consent agenda for December 17 approval of the revised MOA and signature by the Chairman of the Board of Commissioners, approval of Budget Amendment #191048 in the amount of \$1,903,500 and approval to complete the application for the SARF program and authorization for the County Manager to sign the application once it has been determined how many applicants are eligible for the SARF program.

SECOND: Commissioner Adams

VOTE: UNANIMOUS (3-0)

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6. CONSIDERATION OF REQUEST FOR PARTICIPATION IN FUNDING THE COMMUNITY-WIDE BRANDING INITIATIVE AND BUDGET ORDINANCE AMENDMENT #191161

BACKGROUND:

The Fayetteville Cumberland Collaborative Branding Committee is pursuing the development of a community-wide branding strategy to establish a clear and common brand that encapsulates and leverages the community's strengths, assets, diversity, vision and potential, and develops a common branding platform that all partners may incorporate and expand upon in their individual promotion, messaging, and marketing strategies.

The committee is comprised of representatives from the City of Fayetteville, Cumberland County, the Greater Fayetteville Chamber, the Fayetteville Cumberland Economic Development Corporation, Vision 2026, the Tourism Development Authority, Cool Spring Downtown District, the Fayetteville Area Convention and Visitors Bureau, Cumberland County Schools, the Crown Complex, and the Arts Council of Fayetteville / Cumberland County.

The committee developed a Request for Proposals for brand development services and sought solicitations this summer from highly-qualified agencies, with relevant experience, to develop a community-wide branding strategy for the City of Fayetteville, Cumberland County, and community branding partners.

The RFP generated nine proposals from agencies across the nation. The Fayetteville Cumberland Collaborative Branding Committee selected Northstar Ideas as the firm that can best help shape and create a collaborative brand for our use in promoting ourselves to others inside and outside the area.

Please see the attached memo from Robert Van Geons, FCEDC President and CEO. FCEDC is seeking \$25,000 from the County to help fund the anticipated \$150,000-\$200,000 price tag associated with this project.

To date, the Tourism Development Authority has committed \$50,000, FCEDC has committed \$25,000, and Vision 2026 has committed \$25,000. FCEDC is requesting \$25,000 from both the City and the County to help fund this project and anticipates securing another \$25,000 from other outside sources.

RECOMMENDATION/PROPOSED ACTION:

Staff recommends -

- Approval of FCEDC's request to contribute \$25,000 to the FCCBC funding model to assist in securing Northstar Ideas to shape and create a collaborative regional brand,
- Approval of budget ordinance amendment #191161 to appropriate fund balance in the amount of \$25,000,
- Forwarding the item to the full Board of Commissioners for approval.

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Ms. Cannon reviewed the background information and recommendation/proposed action recorded above and stated Teddy Warner, FCEDC Director of Business Development, and Jimmy Abbatiello, FCEDC Manager of Marketing and Communications, and available for questions. Commissioner Adams stated it is important to note that the County is contributing \$25,000 and also \$12,500 to the effort because it funds the FCEDC.

MOTION: Commissioner Adams moved to approve FCEDC's request to contribute \$25,000 to the FCCBC funding model to assist in securing Northstar Ideas to shape and create a collaborative regional brand, to approve budget ordinance amendment #191161 to appropriate fund balance in the amount of \$25,000 and forward the item to the full Board of Commissioners for approval.

SECOND: Commissioner Faircloth

DISCUSSION: Commissioner Keefe inquired regarding Northstar Ideas. Mr. Abbatiello stated they are a branding agency with extensive experience in branding government and private organizations together, to include military communities. Commissioner Keefe stated he hopes this branding effort will result in increased economic development and tourism. Commissioner Faircloth stated he recalls this being a recommendation from a prior study. Commissioner Keefe stated the County gives the TDA \$2.3 million each year and of that, the TDA gives over \$2 million to the CVB to promote the community. Commissioner Keefe stated now there will be two entities promoting the community and asked why anything different should be expected. Mr. Abbatiello stated the CVB is part of the collaborative branding initiative and all partners will use this same platform to brand and promote the community. Commissioner Keefe asked whether the CVB had committed funding to the initiative. Mr. Abbatiello stated not as of yet. Commissioner Keefe asked who would be in charge of the overall branding initiative. Mr. Abbatiello stated the entire community will be a part of the process and the FCEDC is currently working with the contractor to facilitate the branding process.

VOTE: PASSED (2-1) (Commissioners Adams and Faircloth voted in favor; Commissioner Keefe voted in opposition)

7. CONSIDERATION OF FISCAL YEAR 2018 AUDIT CONTRACT AMENDMENT WITH CHERRY BEKAERT, LLP

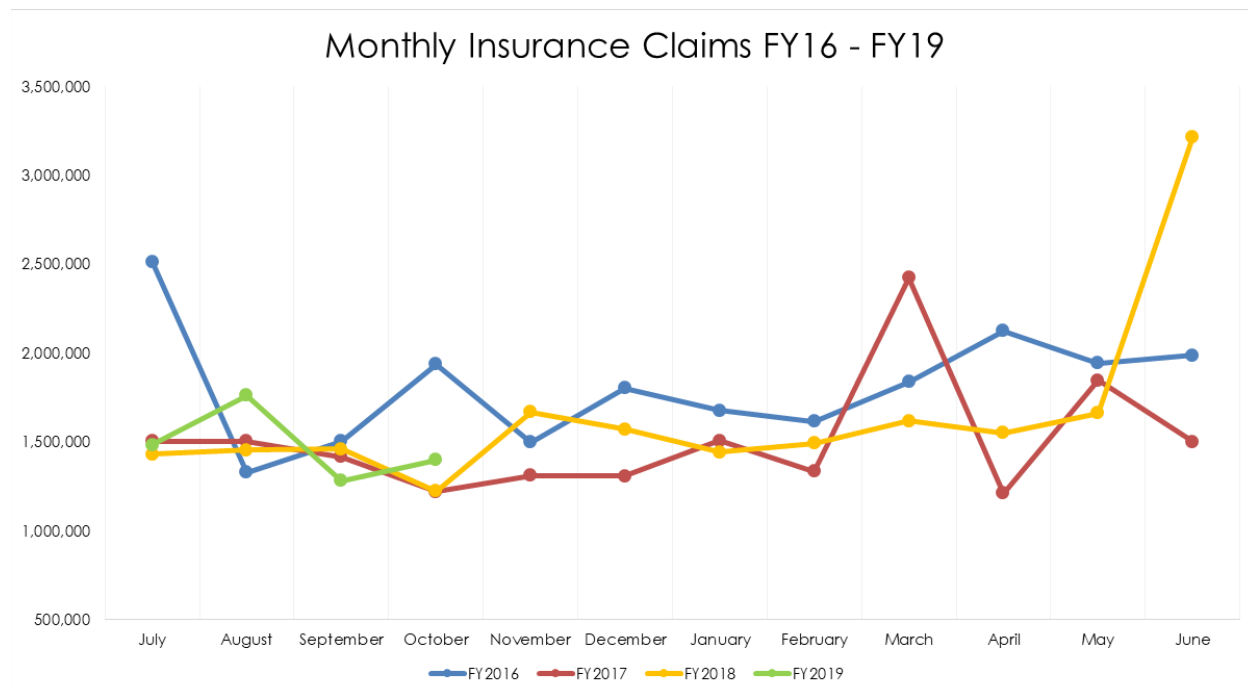
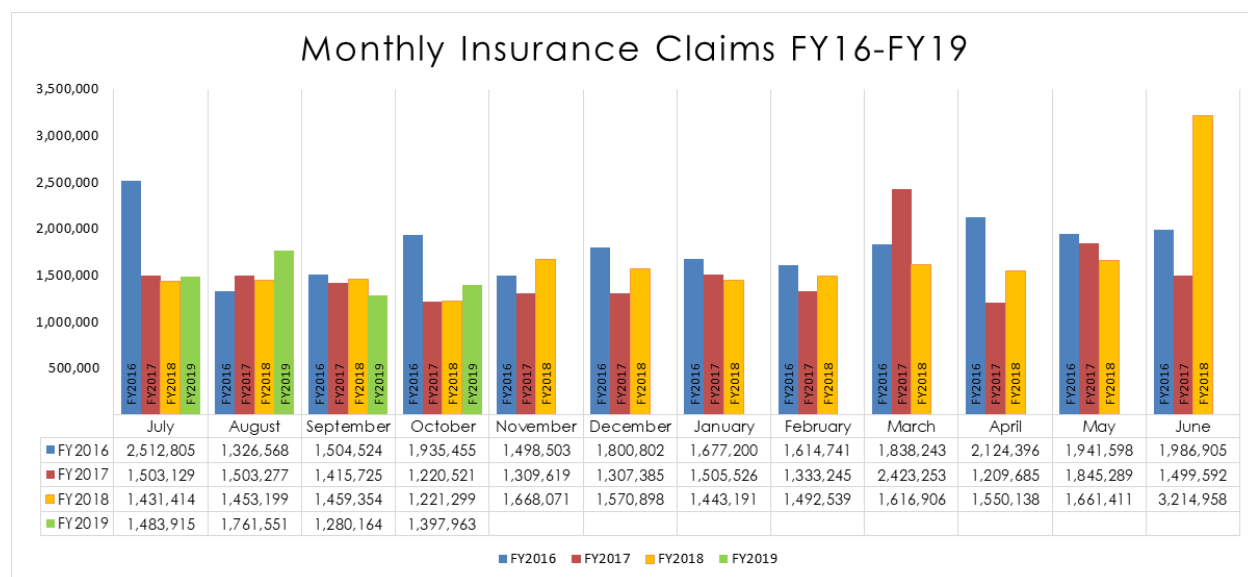
Ms. Cannon stated this item can be removed from the agenda because even though additional testing was required to meet the thresholds, the Finance Department in conjunction with Cherry Bekaert, LLP was able to submit the audit in a timely manner to the LGC. Ms. Cannon stated as a result, the contract does not need to be extended.

8. MONTHLY UPDATES

All references to any materials which are described in these minutes or incorporated into these minutes are to the materials that are contained in the same numbered item in the agenda for this meeting. These may be viewed online in the agenda set out on this web page <http://co.cumberland.nc.us/departments/commissioners-group/commissioners/committee-agendas-and-minutes>

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A. HEALTH INSURANCE



B. CDBG-DR

CUMBERLAND COUNTY CDBG-DR PROGRAM UPDATE FOR THE DECEMBER 6, 2018 FINANCE COMMITTEE MEETING

Status as of November 21, 2018:

All references to any materials which are described in these minutes or incorporated into these minutes are to the materials that are contained in the same numbered item in the agenda for this meeting. These may be viewed online in the agenda set out on this web page <http://co.cumberland.nc.us/departments/commissioners-group/commissioners/committee-agendas-and-minutes>

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Total Applications	County Application Intake (Step 1)	State Eligibility Check (Step 2)	State Duplication of Benefits Check (Step 3)	State Under Further Review /Withdrawn /Ineligible
297	63 (14county/49 city)	16(4 county/12 city)	45 (8 county/37 city)	44 / 15 / 10
State Inspection & Environmental Review (Step 4)	State Grant Determination (Step 5)	Contractor Selection (Step 6)	Construction (Step 7)	Completion (Step 8)
60 (9 county/51 city)	43 (10 county/33 city)	0	0	1 (1 county/0 city)

**Step 1 performed by County; Steps 2-5 performed by State; 6-8 performed by County/City/State*

Milestones/Activities:

- Professional Project Management Services – recommendation at upcoming Board meeting;
- Board approved proposed Draft Amendment One to CDBG-DR Agreement between State and County submitted to NCEM/Commerce – pending HUD approval State’s Action Plan Amendment;
- Ongoing– County staff processing applications and submitting to State for conducting Steps 2-5;
- Robins Meadow Permanent Supportive Housing Project notice to proceed with environmental review issued; Robins Meadow Permanent Supportive Housing Project A/E Services RFQ due December 21;
- County & City staff preparing detail project information form requested by State for Community Resource Center Project due December 7th

Current Staffing:

- State: – David Cauthorn, CD Specialist II, Dept. of Public Safety – (Community Outreach for CDBG-DR)
- Cumberland County:
 - Sylvia McLean, P.T. Community Development (CD) Consultant; Terrinique Washington, Admin Support Specialist; Chavaungh McLamb, Admin Housing Coordinator II; Tye Vaught, Admin Program Officer II
- City of Fayetteville: Cindy Blot, CD Director; Anedra Walls, Admin Assistant

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Hours of Operation (Cumberland County Application Intake Center):

- Monday – Friday, 9 a.m. to 4 p.m.
- Location – Cumberland County Community Development Dept – 707 Executive Place

C. FINANCIAL REPORT

BACKGROUND

The financial report is included which shows results of the general fund for fiscal year 2019, October year-to-date. Results of fiscal year ended 2018 will be added upon completion and presentation of the audit. Additional detail has been provided on a separate page explaining any percentages that may appear inconsistent with year-to-date budget expectations.

RECOMMENDATION/PROPOSED ACTION

No action needed – for discussion and information purposes only.

	FY18-19	FY18-19	YTD ACTUAL	PERCENT OF	
	ADOPTED BUDGET	REVISED BUDGET	AS OF October 31, 2018	BUDGET TO DATE	*
REVENUES					
Ad Valorem Taxes					
Current Year	\$ 163,777,000	\$ 163,777,000	\$ 22,764,630	13.9%	(1)
Prior Years	1,121,000	1,121,000	758,778	67.7%	
Motor Vehicles	18,326,000	18,326,000	4,936,063	26.9%	(2)
Penalties and Interest	500,000	500,000	192,020	38.4%	
Other	908,000	908,000	355,384	39.1%	
Total Ad Valorem Taxes	184,632,000	184,632,000	29,006,876	15.7%	
Other Taxes					
Sales	42,625,774	42,625,774	3,117,231	7.3%	(3)
Real Estate Transfer	700,000	700,000	502,888	71.8%	
Other	1,060,000	1,060,000	168,433	15.9%	
Total Other Taxes	44,385,774	44,385,774	3,788,551	8.5%	
Unrestricted & Restricted Intergovernmental Revenues	62,049,904	63,709,649	9,967,522	15.6%	(4)
Charges for Services	12,312,681	12,319,181	3,722,539	30.2%	
Other Sources (includes Transfers In)	2,442,205	2,528,266	710,681	28.1%	
Proceeds Refunding Bonds	-	-	-	0.0%	
Premium on COPS Sold	-	-	-	0.0%	
County Closing Contribution	-	-	-	0.0%	
Lease Land CFVMC	3,714,637	3,714,637	3,533,596	95.1%	(5)
Total Other	6,156,842	6,242,903	4,244,277	68.0%	
Total Revenue	\$ 309,537,201	\$ 311,289,507	\$ 50,729,765	16.3%	
Fund Balance Appropriation	7,447,195	12,340,313	-	0.0%	
Total Funding Sources	\$ 316,984,396	\$ 323,629,820	\$ 50,729,765	15.7%	

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Fiscal Year 2019 - October Year-to-Date Actuals (Report Run Date: November 20, 2018)	
Additional Detail	
General Fund Revenues	
*	
(1)	Current Year Ad Valorem 13.9% - Normal for this time of year. The bulk of revenues are typically recorded between November - January.
(2)	Motor Vehicles 26.9% - YTD Actual reflects 3 months of collections.
(3)	Sales Tax 7.3% - YTD Actual reflects 1 month of collections.
(4)	Unrestricted/Restricted Intergovernmental 15.6% - There is typically a one-two month lag in receipt of this funding.
(5)	Lease Land CFVMC 95.1% - Typically paid in the beginning of the fiscal year.
General Fund Expenditures	
**	
(1)	Youth Diversion 15.8% - Staff has not been hired. An allocation is done for the administrative assistant that is helping with the program currently.
(2)	Public Safety Other 17.2% - Outside agencies lag in submitting invoices during the first half of the year.
(3)	Location Services 16.0% - Vacant position within the department was hired in mid-October.
(4)	Economic Incentive 6.2% - Economic incentives are budgeted at 100% of agreements but are not paid unless/until the company complies.
(5)	Water and Sewer 0% - No expenditures have been incurred.
(6)	Transfers Out 0.8% - Transfers are generally prepared towards the end of the fiscal year.
(7)	Debt Service 0% - Expenditures on this report are those of the General Fund only. Debt service is now included within the Capital Investment Fund.

9. OTHER ITEMS OF BUSINESS

There were no other items of business.

MOTION: Commissioner Faircloth moved to adjourn.

SECOND: Commissioner Adams

VOTE: UNANIMOUS (3-0)

There being no further business, the meeting adjourned at 9:50 a.m.

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CLERK TO THE BOARD OF COMMISSIONERS

**MEMORANDUM FOR THE AGENDA OF THE JANUARY 3, 2019
AGENDA REVIEW SESSION**

TO: BOARD OF COUNTY COMMISSIONERS

FROM: CANDICE H. WHITE, CLERK TO THE BOARD

DATE: 1/3/2019

SUBJECT: POLICY COMMITTEE MINUTES - AUGUST 2, 2018 REGULAR MEETING

Requested by:

Presenter(s):

BACKGROUND

The draft minutes of the August 2, 2018 regular meeting of the Policy Committee are attached for review and approval.

RECOMMENDATION / PROPOSED ACTION

Consider approval of the draft minutes of the August 2, 2018 regular meeting of the Policy Committee.

ATTACHMENTS:

Description	Type
Policy Committee Minutes-August 2, 2018	Backup Material

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CUMBERLAND COUNTY POLICY COMMITTEE
JUDGE E. MAURICE BRASWELL CUMBERLAND COUNTY COURTHOUSE
117 DICK STREET, 5TH FLOOR, ROOM 564
AUGUST 2, 2018
MINUTES

MEMBERS PRESENT: Commissioner Charles Evans
Commissioner Larry Lancaster, Policy Committee Chair

MEMBERS ABSENT: Commissioner Michael Boose

OTHER COMMISSIONERS
PRESENT:

Commissioner Glenn Adams
Commissioner Jeannette Council
Commissioner Marshall Faircloth
Commissioner Jimmy Keefe

OTHERS PRESENT: Amy Cannon, County Manager
Sally Shutt, Assistant County Manager
Duane Holder, Assistant County Manager
Melissa Cardinali, Assistant County Manager
Rick Moorefield, County Attorney
Deborah Shaw, Budget Analyst
Heather Harris, Budget Analyst
Vicki Evans, Finance Director
Geneve Mankel, Communications & Outreach Coordinator
Darsweil Rogers, PWC Commissioner
Brenda Jackson, Department of Social Services Director
AJ Riddle, Assistant County Engineer
Ivonne Mendez, Accounting Supervisor
Julean Self, Human Resources Director
Amanda Bullard, Purchasing Manager
Candice White, Clerk to the Board
Press

Policy Committee Chair Lancaster called the meeting to order.

1. APPROVAL OF MINUTES – JUNE 7, 2018 REGULAR MEETING

MOTION: Commissioner Evans moved to approve the June 7, 2018 meeting minutes as presented.

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SECOND: Commissioner Lancaster
VOTE: UNANIMOUS (2-0)

2. CONSIDERATION OF ORDINANCE REGULATING MAINTENANCE OF VEGETATION IN RESIDENTIAL SUBDIVISIONS

BACKGROUND:

Commissioner Evans requested the county attorney to draft an ordinance to address the issue of overgrown lots in residential neighborhoods. The proposed ordinance would make it unlawful to allow any weeds, grass, or other vegetation on a lot in a residential subdivision to grow to a height of eight inches, other than bushes, trees, or similar plants intended to be used for landscaping. It would apply to both vacant lots and lots with dwellings located thereon which are located within a residential subdivision for which a plat has been recorded in the Register of Deeds. It would only apply to lots which are adjacent to at least one lot in the same subdivision with an occupied dwelling located thereon.

Enforcement would be the responsibility of the Minimum Housing Inspectors in the Planning and Inspections Department. The county does not have the authority to cut the vegetation except through a court action to abate a nuisance. For that reason, enforcement actions will usually take several months. In the past, complaints about overgrown lots have been directed at lots with dwellings that had been abandoned by the owner. We have encountered owners in bankruptcy court in other states, active duty soldiers who are deployed or relocated and protected by the Soldiers and Sailors Relief Act, and lots owned by unknown heirs due to estates not being administered. All of these create serious problems in pursuing legal remedies. For someone in bankruptcy court in another state, we will have to hire an attorney licensed in that state to petition the court for a release of the bankruptcy stay. That would have to be approved by the Board of Commissioners.

For those violations occurring on a lot which contains an occupied dwelling, the occupant would be responsible to maintain the lot in accordance with the ordinance. If the dwelling is vacant but the owner is a resident of the county, the owner would be the responsible party. Violation of the ordinance would be a misdemeanor with a maximum fine of \$50 or up to 30 days in jail. For those violations where there is an occupied dwelling on the lot, enforcement would be by criminal prosecution in Environmental Court. Enforcement of the ordinance would be in the same manner as other code violations taken to Environmental Court. The judge usually orders the defendant to correct the code violation.

For those lots which are unoccupied, and the owner is out of state or cannot be identified, the only option is to pursue injunctive relief in court. The county would end up with responsibility for correction of the violation, but we could attach a lien on the property for

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the costs incurred. The county attorney recommends that we should issue an RFP to establish a list of contractors that would accept this work on an as-needed basis. This is how most of these cases would be handled.

RECOMMENDATION/PROPOSED ACTION:

The county attorney does not have a recommendation on adoption of this ordinance.

Rick Moorefield, County Attorney, reviewed the background information and recommendation as recorded above. Commissioner Evans stated he has received a number of complaints from citizens without housing areas regarding overgrown lots in neighborhoods. Commissioner Evans stated he believes this proposed ordinance would be a starting point for the Board of Commissioners to begin in trying to clear up these problems throughout Cumberland County.

Cecil Combs, Assistant Planning & Inspections Director, stated this would only work in neighborhoods but legal service on owners can become an issue because certified mail usually ends up being returned. Mr. Combs stated if you can't contact the individual by mail you have to advertise in the newspaper and that costs money that has not been budgeted. Mr. Combs further stated manpower could possibly be an obstacle that needs to be considered. Commissioner Adams stated the Spring Lake Mayor has contacted him several times about properties in the County that make municipalities look bad. Commissioner Council stated this is a budgetary item as to whether or not we can address this issue. Commissioner Council stated she believes this ordinance would be difficult to enforce. Commissioner Council further stated this can be added to a list to look into another budget year.

Commissioner Evans stated he believes a plan needs to be developed because this is a grave concern with residents within Cumberland County and the board needs to start looking and preparing for these items. Commissioner Council stated she believes the County should gather more information, see how much it would cost and how other counties deal with this issue.

Policy Committee Chair Lancaster stated Commissioner Evans could either make a motion to go to the full board or defer to a later time with more information to see if the issue can be brought forward. Commissioner Adams stated Commissioner Faircloth is on the NCACC Board of Directors and he suggests he talks to other counties to see how other counties handle this issue and bring the information back and put on the strategic planning list. Ms. Shutt stated the association will be working on bi-annual goals in September and this could possibly be discussed if all the information can be gathered in time.

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Ms. Cannon stated County staff can reach out to other counties to see how other counties are addressing. The consensus of the committee was for staff to look into other counties procedures and bring it back to the Policy Committee.

3. CONSIDERATION OF AMENDMENT TO THE PURCHASING POLICY TO REFLECT UPDATES IN THE FEDERAL UNIFORM PROCUREMENT STANDARDS

BACKGROUND:

The last update to the County Purchasing Policy occurred on June 18, 2018. That update incorporated the Federal Uniform Guidance Procurement Standards within an addendum to the Policy. On June 20, 2018, the Office of Management and Budget (OMB) released a statement that the micro-purchase threshold has increased from \$3,500 to \$10,000. The statement also revealed that the simplified acquisition threshold was increased from \$150,000 to \$250,000.

The policy addendum has been updated to reflect the recent dollar threshold changes. All changes are shown via track changes, beginning on page five of the attached document.

RECOMMENDATION/PROPOSED ACTION:

Management recommends the Policy Committee approve and forward to the Board of Commissioners the revised Purchasing Policy.

Vicki Evans, Finance Director, reviewed the background information and recommendation as recorded above.

MOTION: Policy Committee Chair Lancaster moved to recommend to the full board approval of the amendment to the Purchasing Policy to reflect update in the Federal Uniform Procurement Standards and forward this item to the full board at the August 6, 2018 meeting.

SECOND: Commissioner Evans

VOTE: UNANIMOUS (2-0)

4. UPDATE FROM PUBLIC INFORMATION AND GOVERNMENTAL AFFAIRS: COLLABORATIVE COMMUNITY BRANDING PROJECT

BACKGROUND:

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A working group was formed in 2017 to discuss collaborative marketing among several organizations in the county. By early 2018, the group expanded and became the Fayetteville & Cumberland Collaborative Branding Committee (FCCBC). Participants include the City of Fayetteville, Cumberland County, the Tourism Development Authority, Crown Complex, Greater Fayetteville Chamber of Commerce, Fayetteville Cumberland County Arts Council, Fayetteville Area Convention & Visitors Bureau, Vision 2026, Cool Spring Downtown District and Fayetteville Cumberland County Economic Development Corporation (FCEDC).

The group is pursuing the development of a community-wide branding strategy in order to:

- Establish a clear and common brand, that encapsulates and leverages the community's strengths, assets, diversity, vision, and potential;
- Develop a common branding platform that all partners may incorporate and expand upon in their individual promotion, messaging, and marketing strategies.

The creation of this centralized messaging and brand identity is intended to:

- Aggressively promote Fayetteville and Cumberland County as a superior destination in which to live, work, visit, explore, create, or grow a business;
- Differentiate our community from others, separating ourselves from others with similar names and demographics;
- Demonstrate the unity and collaboration that exists between our public, private and non-profit partners to the local community and external audiences.

Request for Proposals

The committee developed a Request for Proposals for brand development services and sought solicitations this summer from highly-qualified agencies, with relevant experience, to develop a community-wide branding strategy for the City of Fayetteville, Cumberland County, and community branding partners. This collaborative branding platform will establish a clear and common brand that highlights and leverages the community's strengths, assets, diversity, vision, and potential.

The RFP generated nine proposals from agencies across the nation. The FCCBC is in the process of selecting an agency based on 10 criteria. The firm selected will advise FCCBC during all stages of the project and at a minimum will:

- Review /analyze all data and research that has been previously compiled
- Conduct research among community stakeholders and external audiences to identify existing assets, advantages, perceptions, opportunities, and challenges regarding our area's image
- Create a common brand guide and resource/promotional content library

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- Facilitate brand implementation, promotion, and stakeholder engagement
- Recommend long-term implementation and evaluation methods

The committee is looking for innovative, creative proposals for a brand that all partners may incorporate and expand upon in their individual branding, promotion, messaging, and marketing strategies.

Robert Van Geons, FCEDC President and CEO, and Jimmy Abbatiello, Marketing and Communications Manager, have facilitated the meetings and the RFP process.

We will bring updated information once the committee completes its review and recommends next steps for this collaborative initiative.

Funding

The proposed budget of the project is \$150,000-\$200,000. Funding for the collaborative community branding project has not been finalized. It is anticipated that the branding partners would participate in the cost-sharing of the project.

RECOMMENDATION/PROPOSED ACTION:

For information purposes only.

Sally Shutt, Assistant County Manager, reviewed the background information and recommendation as recorded above.

Robert Van Geons, President of the Fayetteville-Cumberland Economic Development Corporation, presented the following information:

- The Fayetteville Cumberland Collaborative Branding Committee (FCCBC) is made up of the following entities: Cumberland County, City of Fayetteville, Greater Fayetteville Chamber, FACVB, TDA, FCEDC, Cool Spring Downtown District, Vision 2026, Crown Complex, Arts Council
- Background
 - In late 2017, as an out growth of collaboration efforts, the FCCBC completed an inventory of existing materials, marketing messages, research, and implementation plans
 - Upon review, the members found that we largely promote the same positive aspects of our community and often share similar audiences

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- The partners recognized that while each organization's promotions are positive, branding and messages are largely disconnected and regularly overlap
- Community Research
 - SWOT Analysis Conducted by FSU for Impact Greater Fayetteville (2017)
 - Participants: Community Members from Cumberland, Hoke and Harnett Counties and Fayetteville
 - Strengths Identified: Cost of Living, Small Town Attitude
 - Weaknesses Identified: Identity/Vision, Perception of Community, Lack of Connectivity, Better Connected Partnerships
 - Opportunities Identified: Create an Identity, Marketing, becoming a Destination, Better Organized Communities to Attract Youth, Leverage Talent, Regional Strategy
 - Threats Identified: Lack of Connectivity, Coordination
- Consensus of Need
 - Focus Group Research (2017)
 - Participants: Local Business, Industry, Arts, Education, City and County Leadership
 - Participants were asked "Do you believe that one, combined brand identity should be used for all public organizations in Fayetteville and Cumberland County?"
 - 61% of Participants said YES
 - 39% of Participants said NO
- Vision
 - After taking these factors into consideration and with the urging of elected officials from the County and City, all partners agreed to pursue an overarching brand identity and strategy
 - The creation of this centralized messaging platform and brand identity is intended to:
 - Aggressively promote the community locally, statewide, nationally and internationally as a superior destination in which to live, work, visit, explore, create, and/or grow a business
 - Promote a healthy economy to attract private investment, new residents, and young professionals while ensuring retention of key businesses and talent

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- Differentiate our community from others with similar names and demographics
- Deliver an adaptable platform, meeting the needs of various organizations, government departments, and other business partners in their specific marketing initiatives, while maintaining consistency within the overall brand
- Demonstrate the unity and collaboration that exists between our public, private and non-profit partners to the local community and external audiences
- Create a community-wide identity that our partnering organizations, elected officials, business community and citizens can embrace and proudly share
- Progress
 - The FCCBC submitted a Request for Proposals (RFP) for brand development services to highly-qualified agencies, with demonstrated subject matter competency, from across the country
 - These firms were selected based on their experience in developing community marketing platforms that incorporate governments, NGOs, private businesses, and other partners
 - The RFP generated 9 proposals which the FCCBC are currently reviewing based on 10 criteria (including relevant experience/qualifications, local engagement model, demonstrated brand integration across partners with multiple verticals, originality, quality of creative work, and value for the price)
 - Once we identify 3-4 finalists, we will survey references provided in the proposals and reach out to past clients, to gauge client satisfaction and results.
- Next Steps & Budget
 - The contracted firm will, at a minimum:
 - Review/analyze all data and research that has been previously compiled
 - Conduct research among community stakeholders and external audience to identify existing assets, advantages, perceptions, opportunities, and challenges regarding our area's image
 - Create a common brand guide and resource/promotional content library
 - Facilitate brand implementation, promotion, and stakeholder engagement

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- Recommend long-term implementation and evaluation methods
- The proposed budget of the project is \$150-200K. This would be provided by the members of the FCCBC. A tentative breakdown is:
 - FCEDC - \$25,000
 - Vision 2026 - \$25,000
 - Cumberland County – Anticipated Request – TBD
 - City of Fayetteville – Anticipated Request – TBD
 - Other funding sources – TBD

This item was for information only. No action taken.

5. OTHER ITEMS OF BUSINESS

No other items of business.

MEETING ADJOURNED AT 10:16 AM



ENGINEERING AND INFRASTRUCTURE DEPARTMENT

MEMORANDUM FOR THE AGENDA OF THE JANUARY 3, 2019 **AGENDA REVIEW SESSION**

TO: BOARD OF COUNTY COMMISSIONERS

FROM: JEFFERY P. BROWN, PE, ENGINEERING & INFRASTRUCTURE DIRECTOR

DATE: 12/20/2018

SUBJECT: UPDATE ON THE OVERHILLS PARK WATER AND SEWER DISTRICT SEWER CONSTRUCTION PROJECT

Requested by: JEFFERY P. BROWN, PE, ENGINEERING & INFRASTRUCTURE DIRECTOR

Presenter(s): JEFFERY P. BROWN, PE, ENGINEERING & INFRASTRUCTURE DIRECTOR

BACKGROUND

Construction of the Overhills Sewer Project was nearly complete prior to Hurricane Florence with the exception of few minor items. All the main sewer lines, sewer taps, and manholes were installed, but both pump stations sustained damage from the hurricane and need repairs and/or replacement of critical parts. The contractor has stated that they will begin removing a fallen tree, repairing a broken fence and starting repair work on the pump stations within the next two weeks. The Brinkley pump station received the heaviest damage and those pumps must be replaced since they were submerged under flood waters for a long period of time.

The lead time for the new pumps is approximately twenty (20) weeks. The contractor is working with the supplier trying to get that time reduced to get the lift stations operational as quickly as possible.

The cost for the repairs and/or replacement of both pump stations that were damaged will be paid by the contractor, Park Construction, since the system had not been turned over to the County and placed into operation. If the contractor orders the new pumps by the end of the year, the delivery of the pumps may not be until May 2019, making the final completion date sometime in July of 2019.

A letter will be mailed out to all property owners regarding the status of this project.

RECOMMENDATION / PROPOSED ACTION

No action is necessary. The purpose of this item is to provide information regarding the repairs to the damaged system and the status of the project.



FINANCE OFFICE

MEMORANDUM FOR THE AGENDA OF THE JANUARY 3, 2019
AGENDA REVIEW SESSION

TO: BOARD OF COUNTY COMMISSIONERS

FROM: VICKI EVANS, FINANCE DIRECTOR

DATE: 12/18/2018

SUBJECT: FISCAL YEAR 2018 AUDIT RESULTS

Requested by: AMY CANNON, COUNTY MANAGER

Presenter(s): VICKI EVANS, FINANCE DIRECTOR

BACKGROUND

The fiscal year 2018 audit results will be presented. A presentation to the full Board of Commissioners is planned for the Monday, January 7, 2019 meeting.

RECOMMENDATION / PROPOSED ACTION

No action needed - for discussion and information purposes only.



OFFICE OF THE COUNTY MANAGER

MEMORANDUM FOR THE AGENDA OF THE JANUARY 3, 2019
AGENDA REVIEW SESSION

TO: BOARD OF COUNTY COMMISSIONERS

FROM: SALLY SHUTT, ASSISTANT COUNTY MANAGER

DATE: 12/20/2018

SUBJECT: REQUEST FOR CUMBERLAND COUNTY TO SERVE AS LEAD AGENCY FOR THE AFFORDABLE HOUSING OBJECTIVE OF THE PATHWAYS FOR PROSPERITY COLLABORATIVE COMPREHENSIVE ACTION PLAN

Requested by: SALLY SHUTT, ASSISTANT COUNTY MANAGER

Presenter(s): SALLY SHUTT, ASSISTANT COUNTY MANAGER

BACKGROUND

On May 21, 2018, the Cumberland County Board of Commissioners passed a resolution in support of ongoing efforts by local governmental agencies, community-based organizations and residents to address poverty through the Pathways for Prosperity initiative and the Comprehensive Action Plan.

The Pathways for Prosperity collaborative was launched in Fayetteville and Cumberland County as a result of a Harvard University study released in May 2015 that ranked Fayetteville last among the country's 100 largest economic centers in earnings potential for children growing up in poverty.

The North Carolina Justice Center received a grant in 2017 to support the City of Fayetteville in convening the multi-year Pathways for Prosperity initiative, which endeavors to improve economic prospects for all residents and to break the cycle of generational poverty by bringing together local government leaders, community-based organizations and community members in a coordinated effort.

Cumberland County has participated as a community partner; and representatives from the Board of Commissioners, Department of Social Services, the Public Library, Workforce Development and County Management served on the Core Leadership Team.

DSS hosted the full-day poverty summit in November 2017 that convened 250 local leaders and community members. Through the course of that event, the community chose five focus areas to drive the work going forward: Pre-Kindergarten Education, K-12 Education, Life Skills, Affordable Housing, and Workforce-

Industry Alignment. Workgroups for each of these focus areas worked with agency leaders and community members to jointly develop a set of objectives and strategies to support measurable improvements in each area. The Comprehensive Action Plan is attached.

The P4P Collaborative is requesting that Cumberland County Community Development serve as the lead agency for the Affordable Housing objective, which is outlined in the attached Comprehensive Action Plan. Adam Svolto, the Justice Center's Deputy Director of Policy & Engagement, will join Interim Community Development Director Dee Taylor in presenting information on the Affordable Housing Objective.

RECOMMENDATION / PROPOSED ACTION

Staff recommends forwarding this item to the Board of Commissioners for consideration and approval of Cumberland County Community Development serving as the lead agency for the Affordable Housing Program at the January 22, 2019 meeting as an item of business.

ATTACHMENTS:

Description	Type
P4P Comprehensive Action Plan	Backup Material
Resolution	Backup Material

Comprehensive Action Plan

Introduction:

The Pathways for Prosperity initiative emerged as a response to a 2015 Harvard University study ranking Fayetteville last among the country's 100 largest economic centers in earnings potential for children growing up in poverty. Convened by the City of Fayetteville, Pathways for Prosperity endeavors to improve economic prospects for all residents and to break the cycle of generational poverty by bringing together local government leaders, community based organizations and community members in a coordinated effort. In November of 2017, Pathways for Prosperity held a full day summit event, convening 250 local leaders and community members. Through the course of that event, the community chose five focus areas to drive the work going forward: Early Childhood Education, Quality K-12 Education, Life Skills, Affordable Housing, and Workforce-Industry Alignment. Over the ensuing months, workgroups empaneled around each of these focus areas worked with agency leaders and community members to jointly develop a set of objectives and strategies to support measurable improvements in each area.

Communities of Focus:

In order to direct interventions and resources to areas of greatest need, the Pathways for Prosperity Core Leadership Team reviewed the most recent American Community Survey data. Based on that data, the team chose to focus on 11 communities comprised of 15 census tracts. The communities where poverty is most concentrated in Cumberland County include:

Old Wilmington Road / B Street Area – Census Tract 2
Massey Hill – Census Tract 5
Murchison Road – Census Tract 10
Murchison Road – Census Tract 11
Ramsey Street – Country Club Drive – Census Tract 12
Cedar Creek Road—Census Tract 14
Bonnie Doone – Census Tract 22
Bonnie Doone – Census Tract 23
Shaw Heights / University Estates – Census Tract 24.01
Shaw Heights / University Estates – Census Tract 24.02
SE Cumberland CO (unincorporated) – Census Tract 29
Bunce Road – Census Tract 33.02
Spring Lake – Census Tract 35
Spring Lake – Census Tract 36
Downtown Fayetteville – Census Tract 38

Key Objectives:

The objectives below are designed to build on assets and programs that already exist in the community and to create synergy between systems that sometimes operate in silos. For each objective, a lead agency is established and supportive strategies are listed.

Early Childhood Education:

Objective 1: We will reduce the chronic absenteeism rate for children attending Head Start programs in Cumberland County by ten percentage points (**from 25 percent to 15 percent**) within three years.

Lead Agency: Partnership for Children of Cumberland County

Strategies:

- Educate childcare providers and parents of the importance of attendance through a local campaign. Emulate the “Every minute counts” that K-12 does. Promote September as attendance month; leverage American Academy of Pediatrics policy statement.
- Institute an evidence-based kindergarten readiness and transition program for pre-school aged children in our 11 focus communities.
- Institute an evidence-based program to reward good attendance for children enrolled in pre-kindergarten classes in our 11 focus communities.
- Increase the proportion of children in Cumberland County ages 0-5 who receive early intervention or special education services **from 3.15 percent to 5 percent** within three years.
 - Launch a local campaign to educate parents of very young children of the importance of completing well-child visits
 - Engage private pediatric providers on development/behavioral health screening and referral
 - Direct contact with target audience (texting and other digital media)
 - Advocate for a policy requiring annual physicals for pre-k enrollment

Objective 2: We will increase the number of available slots in high-quality childcare centers by converting **X** centers located in our 11 focus communities to 4/5 star centers within three years.

Lead Agency: Partnership for Children of Cumberland County

Strategies:

- Complete a mapping of childcare facilities labeled with their ratings within our 11 focus communities to identify areas where high quality facilities are not available; create a target list of facilities for conversion to 4/5 star centers (with particular focus on Census Tracts 2, 11, 29, 33.02, and 36).
- Increase the provider capacity in our private centers by leveraging model demonstration sites that facilitate observation and mentoring.
- Increase provider quality through access to professional development (form relationships with local colleges and universities to assist).

- Advocate for improving the attractiveness of the early childcare and early childhood education professions with competitive compensation with a priority for educators in the 11 focus areas.

Quality K-12 Education:

Objective 1: We will double enrollment in work-based learning opportunities (from **1,874** (2017/18 school year) to **3,748**) for Cumberland County public school students (ideally, those students eligible for free or reduced price lunch) within three years.

Lead Agency: Community-Agency Council (to be empaneled)

Strategies:

- Build an awareness campaign for parents and students through communication channels (social media, application development, community channels, local community TV channel, organizations that provide access to technology within the 11 focus communities).
- Collaborate with Workforce-Industry Alignment and Life Skills lead agencies.
- Develop a community-agency council (comprised of community members and Cumberland County Schools staff) for this objective.

Objective 2: We will reduce the number of infractions leading to out-of-school suspensions (up to 10 days in length) by 15 percent in our 11 focus communities over three years as follows:

- Elementary--from an average of **51** suspensions/school to **43** (2017/18: 1,229 suspensions, 24 schools)
- Middle--from an average of **224** suspensions/school to **190** (2017/18: 2,019 suspensions, 9 schools)
- High--from an average of **363** suspensions/school to **309** (2017/18: 2,540 suspensions, 7 schools)

Lead Agency: Community-Agency Council (to be empaneled)

Strategies:

- Implement evidence based practices to reduce suspension; focus on repeat offenders.
- Review alternatives to suspension listed in Duke University publication: https://law.duke.edu/childedlaw/schooldiscipline/downloads/instead_of_suspension.pdf
- Consider: alternative schools (with community service and job-based learning within the alternative schools), substance abuse interventions, community partnerships, community service programs, restorative justice, reviewing school district policies to reduce use of suspension as a discipline.

- Develop a community-agency council (comprised of community members and Cumberland County Schools staff) to support this objective.

Life Skills:

Objective 1: We will increase parental resilience by connecting **500** families (of children enrolled in pre-school and elementary schools in our 11 focus communities) to community resources within three years.

Lead Agency: Communities in Schools

Strategies:

- Leverage the Communities in Schools model to engage parents of children in preschool and elementary school (expand Walker-Spivey Elementary School *Parent University* model across 11 focus communities).
- Coordinate and deliver quarterly resource fairs in schools located in our 11 focus communities (include resources/local expertise on: job training, access to health care, social services, housing, financial literacy, parenting resources, and community programs).
- Support Cumberland County Department of Public Health in referring parents/primary caregivers to the Positive Parenting Program (“Triple P”).

Objective 2: We will recruit and mentor **10 percent** of parent participants to pursue leadership development opportunities in order to serve as mentors themselves.

Lead Agency: Communities in Schools

Strategies:

- Coordinate leadership development workshops for first year parent participants of the Communities in Schools model to train and empower **five** prospective parents for mentorship in each of the 11 focus communities.
 - By mid-year, provide one to one mentorship; reward with certificate
 - By end of year, host community leaders celebration

Affordable Housing:

Objective 1: We will **increase** the inventory of safe, affordable housing available to households earning at or below 50% of Annual Median Income (AMI) who are severely cost burdened (paying more than 50% of their income in rent/housing (currently 9,110 households in the Fayetteville MSA) in our 11 focus communities within three years.

Lead Agency: PENDING

Strategies:

- Explore approaches adopted by other jurisdictions to expand affordable housing for severely cost burdened residents

- Partner with the City of Fayetteville and Town of Spring Lake to build a coordinated plan (establish a multi-party letter of agreement)
- Identify dedicated revenue source(s) to support a Housing Trust Fund (HTF) (revenue sources may include a general obligation bond, budget line item, allocation of fees, or special taxing district)

Objective 2: We will build capacity for community members living in the 11 focus communities to engage in local housing policy and resource allocation decisions within three years.

Lead Agency: PENDING

Strategies:

- Engage community members from the 11 focus communities to participate in local housing policy decisions, including the use of HTF funds.
- Complete a review of expiring rent restraints in Cumberland County.
- Complete a study to understand why clients/customers are not being approved for or denied housing opportunities.
- Establish a homeless services committee to align organizations (such as the Continuum of Care) in supporting and advocating for homeless individuals.
- Coordinate with Communities in Schools in building a curriculum for parent education/life skills training that includes a housing resource component.

Workforce-Industry Alignment:

Objective 1: We will improve alignment and coordination between regional industry demand/opportunity and education/training resources available to individuals living in our 11 focus communities.

Lead Agency: Cumberland County Workforce Development Board/K-12 Community-Agency Council

Strategies:

- Build an effective partnership/network among 11 focus community anchor institutions, Cumberland County Workforce Development Board, high schools serving our 11 focus communities, and local employers to drive candidate identification and recruitment for job training and placement.
 - Establish a forum for lead agencies named in this plan to meet semiannually with stakeholders in the workforce development space
- Based on a review of promising industry sectors, increase the number of certified NC Works career pathways from **two** to **five** within three years.
- Explore the merits of instituting a first source hiring program in Cumberland County; align with Historically Underutilized Business (HUB) utilization and employment.

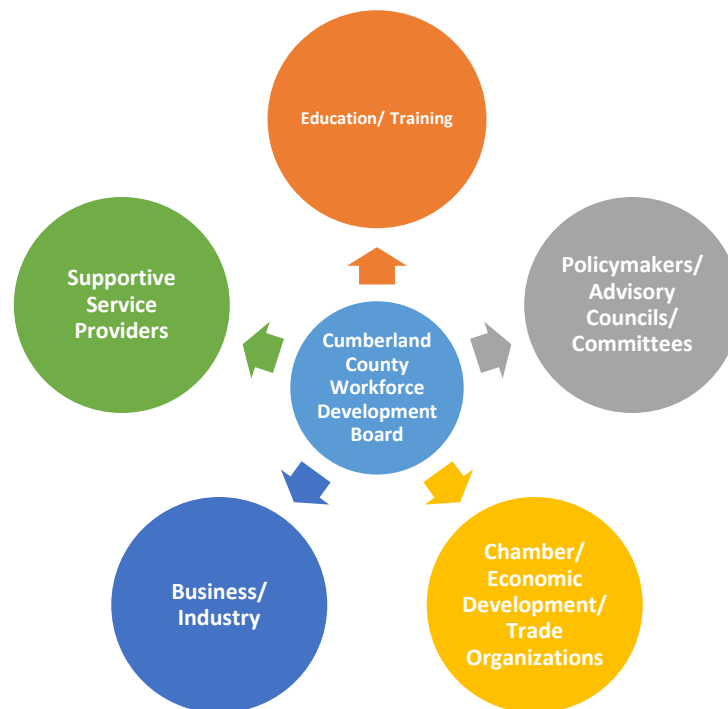
- Launch a HUB certification campaign for businesses operating in our 11 focus communities.

Objective 2: We will increase capacity for the local education and training system to serve individuals living in our 11 focus communities.

Lead Agency: Cumberland County Workforce Development Board/K-12 Community-Agency Committee

Strategies:

- Increase completion rates for training programs that lead to employment for individuals across Cumberland County (from **69.6 percent** to **75 percent**).
- Develop a process for entrepreneurship training with a focus on transitioning veterans, family owned businesses, and young adults.
- Explore programs to support remote workers in partnership with the Cumberland County library system.



Next Steps:

The next phase of planning will require identification of revenue sources (e.g., foundation grants, federal grants, local government financing) as well as appropriate fiscal agents. The Pathways for Prosperity Core Leadership Team will continue working with lead agencies to support grant applications and program/operational expansion. In tandem, the initiative will support Community Revitalization Teams in each of the 11 communities of focus. These teams will be responsible for building networks in their communities and implementing the plan at the local level.

CUMBERLAND COUNTY BOARD OF COMMISSIONERS

RESOLUTION IN SUPPORT OF ONGOING EFFORTS BY LOCAL GOVERNMENTAL AGENCIES, COMMUNITY-BASED ORGANIZATIONS AND RESIDENTS TO ADDRESS POVERTY THROUGH THE PATHWAYS FOR PROSPERITY INITIATIVE AND THE COMPREHENSIVE ACTION PLAN

WHEREAS, a 2015 Harvard University study ranked the City of Fayetteville in Cumberland County last among the country's 100 largest economic centers in earnings potential for children growing up in poverty; and

WHEREAS, Cumberland County partnered with the City of Fayetteville on the Pathways for Prosperity summit in November 2017, which brought together 250 local government leaders, community-based organization representatives and residents to outline key focus areas for battling poverty in the community; and

WHEREAS, during the event, the participants chose five focus areas to concentrate efforts: Pre-Kindergarten Education, Quality K-12 Education; Life Skills; Affordable Housing and Workforce-Industry Alignment; and

WHEREAS, counties play an essential role in providing human services to residents and county representatives participated on the core leadership team and the empaneled work groups that developed objectives and strategies to support improvements in each area; and

WHEREAS, the objectives support local systems that impact workforce readiness, build on assets already present in the community, and represent an opportunity to bolster the local economy for the benefit of all residents;

NOW, THEREFORE, BE IT RESOLVED that the Cumberland County Board of Commissioners supports the ongoing efforts by local governmental agencies, community-based organizations and residents to address poverty through the Pathways for Prosperity Initiative and the Comprehensive Action Plan.

This the 21st day of May 2018.

Larry Lancaster, Chairman
Board of Commissioners

ATTEST:

Candice White, Clerk
Board of Commissioners



OFFICE OF THE COUNTY MANAGER

MEMORANDUM FOR THE AGENDA OF THE JANUARY 3, 2019
AGENDA REVIEW SESSION

TO: BOARD OF COUNTY COMMISSIONERS

FROM: AMY H. CANNON, COUNTY MANAGER

DATE: 12/28/2018

SUBJECT: AMENDMENTS TO THE FCEDC BY-LAWS

Requested by: PREVIOUSLY CONSIDERED NOVEMBER 19, 2018

Presenter(s): ROBERT VAN GEONS

BACKGROUND

The FCEDC Board of directors approved revisions to their by-laws which must be considered by the county. This item was originally discussed at the November 19, 2018 Board of Commissioners meeting. The Board delayed action at that meeting and referred this item to the Policy Committee (now Agenda Review Session) for further information and discussion regarding the private sector.

Attached are the following documents for your review:

- FCEDC Private Sector Engagement Model
- Materials presented at the November 19, 2018 meeting
- Minutes from that meeting

RECOMMENDATION / PROPOSED ACTION

Consider additional information presented by Mr. Van Geons on the FCEDC Private Sector Engagement Model.

ATTACHMENTS:

Description	Type
FCEDC Private Sector Engagement Model	Backup Material

Materials Presented at the November 19, 2018 Meeting
Minutes from November 19, 2018 Meeting

Backup Material
Backup Material

TO: Commission Chair Council, Vice- Chairman Faircloth, and County Commissioners
CC: County Manager Amy Cannon
FROM: Robert Van Geons, President and CEO
DATE: December 27, 2018
RE: *FCEDC Private Sector Engagement Model & Requested Changes to FCEDC By-Laws*

Dear Commission Chair Council, Vice- Chairman Faircloth, and County Commissioners:

Thank you again for your continued support of our organization, its Board of Directors, and our ongoing economic development efforts. We appreciate this opportunity to share our transformed private sector engagement platform and look forward to answering any questions you may have regarding this or the requested changes to our ByLaws.

Background - When our organization was formed, a little more than three years ago, it was envisioned that FCEDC would provide direct accountability to the County and City, while also maintaining strong ties to the private sector. Our board and our team remain convinced that the most effective Economic Development Organizations are true public-private partnerships. When the efforts of pro-economic development elected leadership are expanded through private sector networks and informed by industry knowledge, our efforts are exponentially improved.

Based on this ideal, our Board of Directors was established with three members appointed by the County, three by the City of Fayetteville, and two by the "Community Development Foundation d/b/a The Alliance Foundation" (CDF). The CDF appointed two private-sector representatives and provided funding during our first two years of operations, then entering a period of relative dormancy.

Expanding the Conversation - Roughly a year ago, our Board began discussing ways that we could increase the number and diversity of voices involved in our broader economic development conversations. To achieve this goal we identified, and are pursuing, two complementary initiatives. The first was to expand our Board, increasing the number of County and City appointees from three to four. As mentioned in previous correspondence, this would immediately expand the number of voices at our table, with the public sector appointing 80% of our Board (which also correlates to the 80% of our funding we receive from the City and County). These recommended changes were adopted by our Board and forwarded to the City and County for approval.

Redesigning Private Sector Engagement – To transform our local economy, we must engage, connect, promote and facilitate opportunities for our entire business community, regardless of size or sector. To achieve this, we are proposing a complete redesign of how the private sector interacts with our

Board. Recognizing that we have a unique opportunity to revolutionize our local business network, connecting with companies across all of Cumberland County, we are preparing to launch a new business advisory board. While I look forward to presenting this concept in detail next week, this new advisory board would:

- Be open to all businesses regardless of size or industry
- Deliver sector specific programming
- Link companies by common sector
- Create opportunities for very small businesses to connect with larger companies
- Provide affordable access (as low as \$150 per year for small businesses)
- Offer "scholarships" to startup businesses.
- Recognize and promote success stories, across our business community
- Annually, celebrate our private sector businesses and industries
- Establish a governance structure that facilitates diversity of perspective and representation
- Aggressively recruit participation from sectors and business leaders that have previously not been engaged in the economic development conversation

While this structural transformation has the full support of the existing CDF Board and the FCEDC Board of Directors, we recognize that it will not be successful without your encouragement. We sincerely believe that this advisory board will create new business opportunities and improve our efforts while maintaining the spirit of public-private partnership that has generated substantial results in recent years.

Once presented this concept in its entirety, we hope that both the proposed advisory board and the previously requested ByLaw amendments will meet with your approval. I look forward to seeing you next Thursday and am happy to answer any questions you may have, in the interim.

Sincerely



Robert Van Geons
President and CEO



OFFICE OF THE COUNTY MANAGER

MEMORANDUM FOR BOARD OF COMMISSIONERS AGENDA OF NOVEMBER 19, 2018

TO: BOARD OF COUNTY COMMISSIONERS

FROM: AMY H. CANNON, COUNTY MANAGER

DATE: 11/13/2018

SUBJECT: CONSIDERATION OF AMENDMENTS TO THE FCEDC BY-LAWS

BACKGROUND

The FCEDC Board of Directors has adopted the attached FCEDC By-Law Amendments for consideration of approval at the November 19, 2018 Board of Commissioners meeting.

The amendments are summarized below:

1. The number of Cumberland County and City of Fayetteville appointments shall increase from 3 each to 4 each. Effective December 2018, the County will appoint 4 members (with the Chairman or his/her Designee), the City of Fayetteville will appoint 4 members (with the Mayor or his Designee), and 2 members will continue to be appointed by the private sector. Ex-Officio Officers would remain the County Manager, City Manager, and Community College President.
2. Election of Officers will now occur at the July meeting, versus the current practice of election of officers in December.
3. Amendment to FCEDC Address: The FCEDC By-Laws will now reflect their new office address at 201 Hay Street, Suite 401A, Fayetteville, NC 28301.

A copy of the amended FCEDC By-Laws is attached showing all changes and mark-ups.

RECOMMENDATION / PROPOSED ACTION

Consider approval of amendments to the FCEDC By-Laws.

ATTACHMENTS:

Description

Type

TO: Chairman Larry L. Lancaster, Vice Chair Dr. Jeannette M. Council, Cumberland County Commissioners
CC: County Manager Amy Cannon
FROM: Robert Van Geons, President and CEO
DATE: October 24, 2018
RE: *Amendments to the FCEDC By-Laws approved by Board of Directors*

Dear Chairman Lancaster, Chairwoman Council, and Cumberland County Commissioners:

Thank you again for your continued support of our organization, its Board of Directors, and our ongoing economic development efforts. Over the past year, the size of our Board, the ratio of appointments-to-funding and our operational calendar, have been topics of pragmatic discussion.

After considerable conversation and review, the FCEDC Board of Directors has adopted the attached amendments to our By-Laws, which require your approval to become effective. The unanimously passed amendments can be summarized as follows:

1. The number of City of Fayetteville and Cumberland County appointments shall increase from 3 (each) to 4 (each). Effective December of 2018, the County will appoint 4 members (with the Chairman or his designee being one), the City will appoint 4 members (with the Mayor or his designee being one), and 2 members will continue to be appointed by the private sector. Our Ex officio officers would remain the County Manager, City Manager, and Community College President.
2. Election of Officers will now occur at the July meeting: This is a change from our current practice of electing officers at the December meeting.
3. Amendment to FCEDC Address. The FCEDC By-Laws will now reflect our new office address of 201 Hay Street, Suite 401A, Fayetteville, NC 28301.

The Board of Directors believe this expansion will provide multiple operational benefits. Primarily, the appointment-to-funding ratio for our Board will more closely align with our operational resources. Currently, our funding is approximately 40% from Cumberland County, 40% from the City of Fayetteville, and 20% from other sources (private sector funding / grants / contracted services). With this update, each appointed member will represent approximately 10% of our funding. Subsequently, it will also help us ensure quorum for our meetings.

The Board appreciates the value this expansion will bring to our economic development endeavors, as we continue to build partnerships. These amendments will allow us to tap a greater range of expertise, while also diversifying the industry sectors and perspectives represented by Board. Most importantly, it ensures additional opportunities for the City and County to appoint members from the broader business community and expand our engagement with local business leaders and stakeholders.

While Board Member terms will remain as they currently are (December – November), we believe that moving the election of officers to July will provide newly appointed members time to acclimate themselves, prior to being asked to serve as an officer (or support other Board Members for an Officers position). Additionally, officer terms will now coincide with our fiscal year.

It is our hope that you will support these modifications to the FCEDC By-Laws, and approve them as presented. For your reference, we have attached a “red-line” version of our By-Laws, an updated membership roster, and an “Requested Action Memo”. Please do not hesitate to contact me with any questions you may have, or should you wish to discuss this in greater detail.

Sincerely,



Robert Van Geons
President and CEO

TO: Chairman Larry L. Lancaster, Vice Chair Dr. Jeannette M. Council, Cumberland County Commissioners
CC: County Manager Amy Cannon
FROM: Robert Van Geons, President and CEO
DATE: October 24, 2018
RE: *Request for Approval of Amendments to the FCEDC ByLaws*

Request for Approval of Amendments to the FCEDC ByLaws

Per our previous correspondence, the FCEDC Board of Directors (BOD) is requesting approval of amendments to our ByLaws, which would increase the number of County Commission Appointees to the FCEDC Board.

Requested Action: We respectfully request approval of the amendments

Request for Appointment / Re-Appointment to BOD

Currently, the County appoints three voting members to our Board. Those are the Chairman (or his designee), Kelvin Farmer (term expires November 30, 2020) and Vice-Chairman Juanita Pilgrim (term expires November 30, 2018). Vice-Chairman Pilgrim is not requesting reappointment.

Requested Action – We respectfully request that the County Commissioners appoint a qualified individual to a 3 year term on the FCEDC Board of Directors

Request for Initial Appointment to the BOD

If the requested amendments to our ByLaws are approved, Cumberland County will gain an additional appointment to the Board of Directors. In order to provide a proper staggering of terms, we respectfully request that this initial term be for 1 year. If granted, one (non-elected) BOD seat will be open for appointment (or reappointment) each year.

Requested Action – We respectfully request that the County Commissioners appoint a qualified individual, of your choosing, to a 1-year term on the FCEDC Board of Directors. Subsequent appointments, or reappointments, shall be for a term of 3 years.

BYLAWS OF THE
FAYETTEVILLE-CUMBERLAND COUNTY ECONOMIC DEVELOPMENT CORPORATION
As Amended Month Day 2018

ARTICLE I
Offices

1.1 *Principal Office.* The principal office of the Corporation shall be located at 201 Hay Street, Suite 401A, Fayetteville, NC, or at such other location designated by the Board of Directors.

Deleted: 1594
Maxwell Street

1.2 *Registered Office.* The registered office of the Corporation required by law to be maintained in the State of North Carolina shall be identical with the principal office.

ARTICLE II
Board of Directors

2.1 *General Powers.* The business and affairs of the Corporation shall be managed by its Board of Directors. Except as otherwise expressly provided by law, the Articles of Incorporation, or these Bylaws, all of the power of the Corporation shall be vested in the Board of Directors.

2.2 *Number, Term, and Qualifications.* The number of directors constituting the Board of Directors shall be ten, voting members and three *ex officio*, non-voting members. Each director shall hold office until his or her successor shall have been appointed. The terms of directors serving in an *ex officio* capacity shall run with their principal offices. The terms of all other directors shall be for three years and shall be staggered. Directors must be residents of Cumberland County, North Carolina.

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2.3 *Appointment of Directors.* Directors shall be appointed as follows:

2.3.1 The Cumberland County Manager, the Fayetteville City Manager and the President of Fayetteville Technical Community College shall each serve in a non-voting, *ex officio* capacity.

2.3.2 The Cumberland County Board of Commissioners shall appoint four directors consisting of one member of the Board of County Commissioners (an "Elected Official") and three other residents of Cumberland County.

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2.3.3 The Fayetteville City Council shall appoint four directors consisting of either the Mayor or a Member of the City Council (an "Elected Official") and three other residents of Cumberland County.

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Deleted: two

2.3.4 Community Development Foundation shall appoint two directors consisting of one member of its Board of Directors and one other resident of Cumberland County.

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2.4 *Commencement and Staggering of Terms.* The terms of all appointed directors shall commence on the first Monday in December in the year of their appointments. The Elected Officials shall serve a one year term; all other appointments shall be for a full term of three years. Should the number of Directors increase, in order to appropriately stagger terms, initial appointments may be for a term of less than three years, subsequent appointments or reappointments shall be for a full term of three years.

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Deleted: one of the other appointments made by the Fayetteville City Council and the County Board of Commissioners, and the Director appointed from the Board of Directors of Community Foundation, d/b/a The Alliance Foundation, shall be for an initial term of two years;

2.5 *Vacancies.* Any vacancy occurring in the Board of Directors shall be filled by the authority which appointed the director whose seat becomes vacant. The seat of an Elected Official who ceases to hold elected office during his or term as a director shall become vacant at the time he or she ceases to hold elected office; provided, however, the City Council or Board of County Commissioners may elect to continue the former Elected Official in his or her term as a director until the expiration of his or her term as a director, or may elect to appoint another Elected Official to that vacant seat. A director elected to fill a vacancy shall be elected for the unexpired term of his predecessor in office.

2.6 *Removal.* Directors may only be removed with cause by the authority which appointed them. The Board of Directors may, but is not required to, make a recommendation to the appointing authority for the removal of a director.

2.7 *Chairman of the Board.* There shall be a Chairman and Vice-chairman of the Board of Directors elected by the directors from their number during a meeting held in the month of July each year. The terms of office for the Chairman and Vice-chairman shall be for the following calendar year and these officers may be elected for successive terms. The Chairman, or in his or her absence the Vice-Chairman, shall preside at all meetings of the Board of Directors, and each shall perform such other duties as may be directed by the Board of Directors. The Chairman and Vice-Chairman shall be officers of the Corporation.

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2.8 *Compensation.* The Board of Directors shall serve without compensation for their services as directors. The Board of Directors may approve the reimbursement of the reasonable expenses incurred by individual directors in attending to the business of the Corporation.

ARTICLE III Meetings of Directors

3.1 *Annual Meetings.* The annual meeting of the Board of Directors shall be held during the month of July of each year, for the purpose of electing directors and officers of the Corporation and for the transaction of any other business properly before the Board of Directors. Notice of the date of the annual meeting shall be given in accordance with the notice provisions of these Bylaws.

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3.2 *Special Meetings.* Special meetings of the Board of Directors may be called by or at the request of the Chairman or any two directors.

3.3 *Place of Meetings.* The annual or any special meeting of the Board of Directors may be held at the principal office of the Corporation or at such other place as shall be designated in

the notice of the meeting or in a waiver of notice of the meeting signed by all the directors then in office.

3.4 Notice of Meetings. The Secretary shall give notice of each annual meeting of the Board of Directors by mailing or emailing such notice to each director to such mailing or email address provided by each director at least ten days before the meeting. The Chairman or other persons calling a special meeting of the Board of Directors shall give notice thereof (or cause the Secretary to give notice) by mailing or emailing such notice to each director in the same manner as for notice of the annual meeting at least three days before the special meeting. Unless otherwise indicated in the notice thereof, any and all business may be transacted at a meeting of the Board of Directors, except as otherwise provided by law or these Bylaws.

3.5 Waiver of Notice. Any director may waive notice of any meeting, either before or after the meeting. Written waivers of notice shall be filed by the Secretary with the corporate records or as part of the minutes of the meeting. The attendance by a director at a meeting shall constitute a waiver of notice of such meeting, except where a director attends a meeting for the express purpose of objecting to the transaction of any business because the meeting is not lawfully called or convened.

3.6 Quorum. A majority of the number of voting directors fixed by these Bylaws shall constitute a quorum for the transaction of business at any meeting of the Board of Directors.

3.7 Manner of Acting. Except as otherwise provided in these Bylaws, the act of the majority of the voting directors present at a meeting at which a quorum is present shall be the act of the Board of Directors.

3.8 Presumption of Assent. A director of the Corporation who is present at a meeting of the Board of Directors at which action on any corporate matter is taken shall be presumed to have assented to the action taken unless he objects at the beginning of the meeting, or promptly upon his arrival, to holding it or transacting business at the meeting, or his dissent or abstention from the action is otherwise entered in the minutes of the meeting.

3.9 Informal Action by Directors. Action taken by a majority of the directors without a meeting is nevertheless action of the Board of Directors if written consent to the action in question is signed by all of the directors and filed with the minutes of the proceedings of the Board of Directors, whether done before or after the action so taken.

3.10 Participation by Telephone. Any one or more directors may participate in a meeting of the Board of Directors by means of a conference telephone or similar communications device that allows all persons participating in the meeting to hear each other. Participation by these means shall be deemed presence in person at the meeting.

ARTICLE IV **Officers**

4.1 Officers of the Corporation. The officers of the Corporation shall consist of a Chairman, a Vice-Chairman, a President, a Secretary, and a Treasurer. Other officers, including

one or more Vice-Presidents (whose seniority and titles, including Executive Vice-Presidents and Senior Vice-Presidents, may be specified by the Board of Directors), Assistant Secretaries, and Assistant Treasurers, may from time to time be elected by the Board of Directors. Any two or more offices, except Chairman or President and Secretary, may be held by the same person. No officer may act in more than one capacity where the actions of two or more officers are required.

4.2 Election and Term. The officers of the Corporation shall be elected by the Board of Directors, and each officer shall hold office for such term and upon such conditions as are stated in these Bylaws or as determined by the Board of Directors.

4.3 Removal. Any officer or agent elected or appointed by the Board of Directors may be removed by the Board of Directors whenever in its judgment the best interests of the Corporation will be served thereby.

4.4 President. The President shall be the chief executive officer of the Corporation and shall be primarily responsible for the implementation of policies of the Board of Directors. He shall have authority over the general management of the Corporation in accordance with these Bylaws, subject only to the ultimate authority of the Board of Directors. He may sign and execute instruments in the name of the Corporation except in cases where the signing and the execution thereof shall be expressly delegated by the Board of Directors or by these Bylaws to some other officer or agent of the Corporation or shall be required by law otherwise to be signed or executed. In addition, he shall perform all duties incident to the office of the President and such other duties as from time to time may be assigned to him by the Board of Directors. The President shall be a full-time employee of the Corporation and shall not be engaged in any other business or employment except with the consent of the Board of Directors.

4.6 Vice-Presidents. Each Vice-President, if any, shall have such powers and duties as may from time to time be assigned to him by the Board of Directors.

4.7 Secretary. The Secretary shall keep the minutes of the meetings of the Board of Directors. He shall keep all minutes of all such meetings in books designated for those purposes. The Secretary shall see that all notices are duly given in accordance with the provisions of these Bylaws or as required by law. He shall have charge of the books, records, and papers of the Corporation. He shall have custody of the seal of the Corporation and see that the seal of the Corporation is affixed to all documents the execution of which on behalf of the Corporation under its seal is duly authorized, and shall sign such instruments as may require his signature. He shall in general perform all duties incident to the office of Secretary and such other duties as from time to time may be assigned to him by the Chairman, by the Board of Directors, or by these Bylaws.

4.8 Assistant Secretaries. In the absence of the Secretary, any Assistant Secretary designated by the Chairman, unless otherwise determined by the Board of Directors, shall perform the duties of the Secretary and when so acting shall have all the powers of and be subject to all the restrictions upon the Secretary.

4.9 Treasurer. The Treasurer shall have charge of and be responsible for all funds and

securities, receipts, and disbursements of the Corporation, and shall deposit all monies and securities of the Corporation in such banks and depositories as shall be designated by the Board of Directors, provided that the Board of Directors may appoint a custodian or depository for any such funds or securities, and the Board of Directors may designate those persons upon whose signature or authority such funds may be disbursed.

4.10 *Assistant Treasurers.* In the absence of the Treasurer any Assistant Treasurer designated by the Chairman, unless otherwise determined by the Board of Directors, shall perform the duties of the Treasurer, and when so acting shall have all the powers of and be subject to all the restrictions upon the Treasurer.

4.11 *Compensation.* The compensation of the President shall be fixed by the Board of Directors. The compensation of the Secretary and Treasurer shall also be fixed by the Board of Directors; provided, however; that these shall not be positions of full-time employment and if these Officers are otherwise employed by the Corporation their duties as Secretary or Treasurer shall be conducted incident to such other employment without additional compensation.

ARTICLE V Indebtedness

The Corporation shall not incur any indebtedness other than accounts payable and payroll liabilities incurred in the normal course of business, except as may be approved by resolution adopted by the Board of Directors.

ARTICLE VI Contracts, Loans, Checks, and Deposits

6.1 *Contracts.* Unless specifically authorized by the Board of Directors, all contracts or instruments in the name of and on behalf of the Corporation must be executed by the President or Chairman and attested by the Secretary or Assistant Secretary.

6.2 *Loans.* No loans shall be contracted on behalf of the Corporation, and no evidence of indebtedness shall be issued in its name unless authorized by a resolution of the Board of Directors. Such authority may be general or confined to specific instances.

6.3 *Checks and Drafts.* All checks, drafts, or other orders for the payment of money, issued in the name of the Corporation, shall be signed by such officer or officers, agent or agents, or employee or employees of the Corporation and in such manner, including facsimile signatures, as shall from time to time be determined by resolution of the Board of Directors.

6.4 *Deposits.* All funds of the Corporation not otherwise employed shall be deposited from time to time to the credit of the Corporation in such depositories as the Board of Directors may select.

6.5 *Appointment of Fiscal Agent.* The Board of Directors may appoint Cumberland County as the fiscal agent for the Corporation with the county to deposit all the Corporation's

funds and issue all checks and drafts on behalf of the Corporation subject to the fiscal controls governing the county.

ARTICLE VII

Provisions Subject to Restrictions on Amendment

7.1 *Statutory Authority.* Pursuant to N.C.G.S. § 55A-10-30, the provisions contained or referenced in this Article VII may not be amended by action of the Board of Directors. The provisions contained or referenced in this Article VII may only be amended by the approval of the Fayetteville City Council and the Cumberland County Board of Commissioners. This amendment restriction applies to the following provisions:

7.2 *This Article.* The provisions contained in this Article VII of these Bylaws, Provisions Subject to Restrictions on Amendment, are subject to this amendment restriction.

7.3 *Article II.* The provisions contained in Article II of these Bylaws, Board of Directors, are subject to this amendment restriction.

7.4 *Fiscal Year.* The fiscal year of the Corporation shall commence on July 1.

7.5 *Audit, Financial Statements and Tax Returns.* If Cumberland County is not designated as the fiscal agent for the Corporation, the Board of Directors shall engage a certified public accountant to annually audit the financial transactions, prepare financial statements and prepare and file income tax returns for the Corporation. The audit, financial statements and income tax returns shall be presented to the city and county managers within ninety days of the close of the fiscal year. If Cumberland County is designated as the fiscal agent for the Corporation, the county shall be responsible to obtain the audit and financial statements and engage a certified public accountant to prepare and file the Corporation's income tax returns.

7.6 *Articles of Incorporation.* Articles IX and XII of the Articles of Incorporation are subject to this amendment restriction.

ARTICLE VIII

General Provisions

8.1 *Seal.* The corporate seal of the Corporation shall contain the name of the Corporation and shall be in such form as approved by the Board of Directors.

8.2 *Waiver of Notice.* Whenever any notice is required to be given to any director by law, by the Articles of Incorporation, or by these Bylaws, a waiver thereof in writing signed by the director or directors entitled to such notice, whether before or after the time stated therein, shall be equivalent to the giving of such notice.

8.3 *Indemnification.* The Corporation shall indemnify its officers and directors to the maximum extent required or permitted by Part 5 of Article 8 of Chapter 55A of the General Statutes of North Carolina as from time to time amended, and such officers and directors shall be

deemed to have relied upon this Part.

8.4 *Gender Specific Words.* All words referencing the masculine gender herein are meant to include the feminine gender.

8.5 *Amendment of Bylaws.* Except as otherwise provided by law, by the Articles of Incorporation or herein, these Bylaws may be amended or repealed, and new Bylaws may be adopted by the affirmative vote of a majority of the voting directors then holding office at any annual or special meeting of the Board of Directors; provided, however, that notice of the proposed action shall have been included in the notice of the meeting or shall have been waived as provided in these Bylaws.

Adopted in duly called meeting held December 18, 2015. Amended Month, Day, 2018

Chairman, Board of Directors

THE FCEDC BOARD OF DIRECTORS HAS ADOPTED THE ATTACHED FCEDC BY-LAW AMENDMENTS FOR consideration of approval at the November 19, 2018 Board of Commissioners meeting.

The amendments are summarized below:

1. The number of Cumberland County and City of Fayetteville appointments shall increase from 3 each to 4 each. Effective December 2018, the County will appoint 4 members (with the Chairman or his/her Designee), the City of Fayetteville will appoint 4 members (with the Mayor or his Designee), and 2 members will continue to be appointed by the private sector. Ex-Officio Officers would remain the County Manager, City Manager, and Community College President.
2. Election of Officers will now occur at the July meeting, versus the current practice of election of officers in December.
3. Amendment to FCEDC Address: The FCEDC By-Laws will now reflect their new office address at 201 Hay Street, Suite 401A, Fayetteville, NC 28301.

A copy of the amended FCEDC By-Laws is attached showing all changes and mark-ups.

RECOMMENDATION / PROPOSED ACTION

Consider approval of amendments to the FCEDC By-Laws.

Robert Van Geons, Fayetteville-Cumberland Economic Development Corporation President/CEO, presented this item and summarized amendments to the by-laws. Mr. Van Geons stated the Fayetteville City Council and Board of Commissioners must approve changes in the membership of the FCEDC Board of Directors, and the Fayetteville City Council has approved the amendments to the by-laws.

Commissioner Adams stated when the FCEDC Board of Directors was set up, there was clearly an entity for the private sector he has a major concern now that no one knows who the private sector entity is that appoints two members.

MOTION: Commissioner Adams moved to send the amended FCEDC By-Laws to the Policy Committee for discussion about the private sector.

SECOND: Commissioner Boose

DISCUSSION: Commissioner Boose asked Mr. Van Geons who notifies the FCEDC of appointments from the private sector. Mr. Van Geons stated the Community Development Foundation (CDF) still exists as an entity and Linda Lee Allen was a subset of that entity. Mr. Van Geons stated the CDF still makes appointments to the Board of Directors and recognizing the contributions by the Tourism Development Authority (TDA), they appointed Vivek Tandon to fill one of the private sector positions representing hoteliers. Mr. Van Geons stated the goal has always been that private sector appointments should represent sectors supporting the FCEDC. Mr. Van Geons stated Jack Rostetter of H&H Homes is the other private sector appointee. Commissioner Adams asked who determines who the private sector entity is and why is it the CDF since there are a lot of groups in the community. Commissioner Faircloth suggested approving the amended by-laws and then study how the private sector entity is chosen, especially since the Fayetteville City Council has approved the amendments. Commissioner Adams states if the amended by-laws are approved, then there is no need for discussion. Mr. Van Geon stated should the Board approve the amended by-laws, he will take this conversation back to the FCEDC Board of Directors. Commissioner Adams stated he has always had an issue with an entity that the City and County do not appoint making appointments to the Board of Directors, especially since that entity is not inclusive of the entire community. Commissioner Adams stated the Board

Commissioner Council stated this has been an ongoing concern because the Board is not reflective of the population. Commissioner Council asked whether a time limit could be placed on the matter, so it can be settled. Ms. Cannon asked whether it could be placed on the agenda for the December 6 meeting of the Policy Committee. Mr. Van Geons stated he would be attending a trade show on December 6 and unable to attend.

C. Consideration of Adoption of 2019 Board of Commissioners' Regular Meeting Dates

BACKGROUND

Each year the Board of Commissioners considers adoption of its regular meeting dates for the upcoming calendar year and each year there are exceptions that have to be considered. The exceptions for calendar year 2019 include the following:

- The second meeting in January has been moved to Tuesday, January 22 because the preceding Monday, January 21 will be observed as Martin Luther King, Jr. Day.
- The first meeting in March has been cancelled because the NACo Legislative Goals Conference will be held March 2-6, 2019, Saturday through Wednesday, in Washington, DC.
- The second meeting in April has been moved to Tuesday, April 23 because the preceding Monday, April 22 is Easter Monday. The Board at its November 19, 2012 meeting acted to continue moving the Easter Monday meeting to Tuesday.
- The first meeting in September has been moved to Tuesday, September 3 because the preceding Monday, September 2 will be observed as Labor Day.

RECOMMENDATION / PROPOSED ACTION

Adopt the 2019 Board of Commissioners' regular meeting dates as proposed or amended.

Ms. Cannon reviewed the background information recorded above. Commissioner Council asked whether the second meeting in April should continue to be moved to Tuesday since the County observes Good Friday and not Easter Monday. Ms. Cannon stated it has been a continued practice because there are still people who travel that weekend.

MOTION: Commissioner Council moved to adopt the 2019 Board of Commissioners' regular meeting dates as proposed.
SECOND: Commissioner Adams
VOTE: UNANIMOUS (6-0)

D. Designation of Voting Delegate to the NCACC's 2019 Legislative Goals Conference

BACKGROUND

The NCACC's 2019 Legislative Goals Conference will be held Thursday and Friday, January 10-11, 2019, at the Raleigh Marriott Crabtree Valley in Wake County. The Board of Commissioners is hereby requested to designate a commissioner or other official as a voting delegate to the conference. The voting delegate designation form is to be returned to the NCACC no later than Friday, December 28, 2018.

RECOMMENDATION / PROPOSED ACTION

Appoint a voting delegate to the NCACC's 2019 Legislative Goals Conference.



OFFICE OF THE COUNTY MANAGER

MEMORANDUM FOR THE AGENDA OF THE JANUARY 3, 2019
AGENDA REVIEW SESSION

TO: BOARD OF COUNTY COMMISSIONERS

FROM: TRACY JACKSON, ASST. COUNTY MANAGER

DATE: 12/19/2018

**SUBJECT: SELECTION OF HAZARD MITIGATION GRANT PROGRAM OPTIONS
FOR HURRICANE FLORENCE-RELATED FLOOD DAMAGE**

Requested by: TRACY JACKSON, ASST. COUNTY MANAGER

Presenter(s): TRACY JACKSON, ASST. COUNTY MANAGER

BACKGROUND

As part of the long-term recovery process for Hurricane Florence, the NC Division of Emergency Management is moving forward with its Hazard Mitigation Grant Program (HMGP) and has collaborated with declared counties to determine local needs as far as mitigating future losses. A major part of this process involves the evaluation of property losses to determine if acquisition, elevation or demolition/reconstruction in the Special Flood Hazard Area (SFHA), also known as the 100-year flood zone, is justified from a benefit-cost perspective. Local Emergency Management staff have identified structures in the 100-year flood zone and the 500-year flood zone that were substantially or severely damaged. After examining the extent of damage caused by Hurricane Florence, staff is recommending that all three mitigation options (i.e., acquisition, elevation or demolition/reconstruction) be offered in the unincorporated portion of Cumberland County in both the 100- *and* 500-year flood zones. Municipalities must determine their own needs and submit their own plans and priorities for their respective communities.

Part of the HMGP process involves local governments soliciting applications from property owners in the aforementioned flood areas and submitting those applications to the NC Department of Public Safety - Division of Emergency Management for review and determination of program eligibility.

The deadline for submitting applications to the State is February 18, 2019

RECOMMENDATION / PROPOSED ACTION

Staff recommends forwarding this item to the full Board of Commissioners for approval as a Consent Agenda at the January 7, 2019 Regular Meeting with the following actions:

- 1) Approval to offer all three HMGP options (acquisition, elevation or demolition/reconstruction) to applicants in the unincorporated area of the county, in the previously specified flood areas, that sustained substantial or severe damage due to Hurricane Florence in 100- and 500-year zones
- 2) Approval to solicit and submit applications for the Hurricane Florence HMGP to the State



ENGINEERING AND INFRASTRUCTURE DEPARTMENT

MEMORANDUM FOR THE AGENDA OF THE JANUARY 3, 2019 **AGENDA REVIEW SESSION**

TO: BOARD OF COUNTY COMMISSIONERS

FROM: JEFFERY P. BROWN, PE, ENGINEERING & INFRASTRUCTURE DIRECTOR

DATE: 12/20/2018

SUBJECT: CONTRACT FOR DEPARTMENT OF SOCIAL SERVICES CHILLER REPLACEMENT PROJECT

Requested by: AMY H. CANNON, COUNTY MANAGER

Presenter(s): JEFFERY P. BROWN, PE, ENGINEERING & INFRASTRUCTURE DIRECTOR

BACKGROUND

The Capital Improvement Plan (CIP) identified the replacement of both chillers at the Department of Social Services. The CIP that was approved as part of the FY 2019 budget adoption included one chiller for replacement in the current fiscal year with the second chiller to be replaced in FY 2020.

A pre-bid meeting was held on November 15, 2018, in which all local contractors were invited to attend, with a bid opening on November 29, 2018. The certified bid tab and letter of recommendation from Progressive Design Collaborative, LTD. (PDC) are attached. The lowest, responsible and responsive bidder is Haire Plumbing and Mechanical, Inc., in the amount of \$ 471,600.

This item was discussed at the December 6th Facilities Committee Meeting. The committee asked staff to determine if any cost savings could be realized by performing the replacement of both chillers through one project. This option was discussed with Haire Plumbing and Mechanical and also with the design engineer. The contractor stated both chillers would have to be removed simultaneously to realize significant savings in mobilization cost, as the crane mobilization is a significant amount of the installation cost. Removal of both chillers would cause the building to be without cooling for two to three weeks and due to the amount of

technology, building occupants and citizens, this is not a feasible option. Additional engineering design work to be completed at this time if both chillers were to be replaced under one project as additional piping would be required now instead of when the second chiller is replaced.

RECOMMENDATION / PROPOSED ACTION

The Engineering & Infrastructure Director and County Management recommend the proposed actions be placed on the January 7th Board of Commissioners agenda as a consent item:

1. Accept the bids and award a contract to the lowest, responsible and responsive bidder, Haire Plumbing and Mechanical, Inc., in the amount of \$ 471,600.
2. Establish a contingency in the amount of \$ 19,000 to be used for additional work recommended by the E&I Director and approved by the County Manager.

ATTACHMENTS:

Description	Type
Letter of Recommendation	Backup Material
Certified Bid Tab	Backup Material



Progressive Design Collaborative, Ltd
3101 Poplarwood Court, Suite 320
Raleigh, North Carolina 27604
919-790-9989

November 29, 2018

Mr. Jeffery Brown, P.E.
Engineering & Infrastructure (E&I) Director
130 Gillespie Street, Room 214
Fayetteville, NC 28301

Re: Cumberland County DSS Bldg.
Chiller Replacement
PDC Project 18064

Mr. Brown:

Based on the attached bid tab for the referenced project, I am recommending Haire Plumbing be awarded the project for the amount of \$471,600 to provide the Chiller Replacement using the Alternate #1 magnetic bearing chiller at Cumberland County Department of Social Services Building.

Sincerely,

Scott Ennis, P.E.
PROGRESSIVE DESIGN COLLABORATIVE, LTD.

Attachments:

Certified Bid Tabulation
Haire Plumbing Bid Submittal



pdcengineers.com



Progressive Design Collaborative, Ltd
3101 Poplarwood Court, Suite 320
Raleigh, North Carolina 27604
919-790-9989

CERTIFIED BID TABULATION

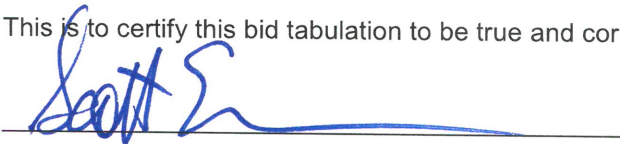
CUMBERLAND COUNTY DSS CHILLER

PDC# 18064

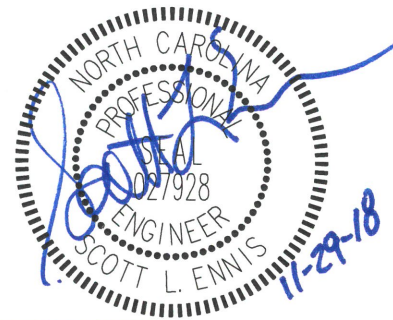
November 29, 2018

CONTRACTOR	LICENSE #	M/ WBE	BASE BID	ALT. #1	ADDENDUM 01
Ivey Mechanical Company	10838	X	\$463,000	Add \$63,000	X
Haire Plumbing	PH4230	X	\$362,445	\$471,600	X

This is to certify this bid tabulation to be true and correct:



Scott Ennis, P.E.
PROGRESSIVE DESIGN COLLABORATIVE, LTD.





ENGINEERING AND INFRASTRUCTURE DEPARTMENT

MEMORANDUM FOR THE AGENDA OF THE JANUARY 3, 2019 **AGENDA REVIEW SESSION**

TO: BOARD OF COUNTY COMMISSIONERS

FROM: JEFFERY P. BROWN, PE, ENGINEERING & INFRASTRUCTURE DEPARTMENT

DATE: 12/21/2018

SUBJECT: ASSIGNMENT OF PROFESSIONAL SERVICES AGREEMENT FOR CROWN COLISEUM ICE PLANT AND FLOOR PROJECT TO ANOTHER ENGINEERING FIRM

Requested by: AMY H. CANNON, COUNTY MANAGER

Presenter(s): JEFFERY P. BROWN, PE, ENGINEERING & INFRASTRUCTURE DEPARTMENT

BACKGROUND

On October 15, 2018, the Cumberland County Board of Commissioners approved a professional services agreement with Stevens Engineers, Inc. for the design replacement of the ice rink chiller, cooling tower and ice floor at the Crown Coliseum for an amount not to exceed \$233,700. On December 20th, the Engineering & Infrastructure Director received a written request from the design engineer, Scott Ward, PE, requesting that the contract be assigned to B32 Engineering Group, Inc. This letter has been attached for your review. According to the professional services agreement, Stevens Engineers, Inc. cannot assign all or any part of its contract without first obtaining written approval by the County. This request is being submitted due to the formation of B32 Engineering Group, Inc. because of a split in engineering functions within Stephens Engineers, Inc.

It is imperative that the County continue the relationship with Scott Ward, PE as the design professional for this project based on the compressed time schedule in getting this project completed as well as his demonstrated knowledge and experience in designing ice rink floors. According to the County Attorney's Office, action is required by the Board of Commissioners to reassign the existing contract from Stephens

Engineers, Inc. to B32 Engineering Group, Inc.

RECOMMENDATION / PROPOSED ACTION

The Engineering and Infrastructure Director and County Management recommend that this item be forwarded to the Board of Commissioners as a Consent Item on the January 7th Board of Commissioners Meeting for approval.

ATTACHMENTS:

Description	Type
Letter Requesting Transfer of Contract	Backup Material
Assignment and Assumptions Agreement - Cumberland County.pdf	Backup Material



December 20, 2018

Board of Commissioners
Cumberland County
Attn: Mr. Jeffery P. Brown, P.E.
Engineering & Infrastructure Director
Historic Courthouse
130 Gillespie Street, Suite 214
Fayetteville, NC 28301
Via email: jbrown@co.cumberland.nc.us

RE: Crown Coliseum Ice System Replacement Project – Request to transfer contract.

Dear Mr. Brown, Ms. Chair Council, Mr. Vice Chair Faircloth and Commissioners:

On December 14, 2018, my former business partner, Angela Popenhagen, and I signed an agreement for me purchase the ice rink engineering business from Stevens Engineers, Inc. That agreement assigns all ice rink contracts to my new company named B32 Engineering Group, Inc. I am requesting that the County acknowledge this assignment and transfer the contract with Stevens Engineers, Inc. to B32 Engineering Group, Inc.

If approved, all other terms and conditions of the existing contract/agreement with Stevens will remain in full force and effect with B32 Engineering Group, Inc and we will send you an updated W9 form and insurance certifications. I do need to request documentation of approval (email, meeting minutes, etc.) No further action is required on your part.

Under my new company, I have the same experienced ice rink engineers, designers and support team as before, located in the same office, and have the same professional liability insurance company and insurance coverage. We simply changed our business name, main telephone number and email addresses.

Any invoices you received and are dated prior to December 2, 2018 from Stevens Engineers, Inc. should be paid to Stevens. All other invoices dated after December 2 or later will come from B32 Engineering Group, Inc.

I apologize for any inconvenience this may cause and will work closely with you to minimize the inconvenience. I would be happy to discuss this change in more detail with you and the Board of Commissioners, at any time. My mobile phone number is 651.492.1376 and new email address is scott.ward@b32eng.com. Thank you for your past and current support and we are very excited to continue working with you on your ice rink project.

Sincerely,

B32 ENGINEERING GROUP, INC.

A handwritten signature in black ink, appearing to read "Scott A. Ward".

Scott A. Ward, P.E.
President

ASSIGNMENT AND ASSUMPTION AGREEMENT

THIS ASSIGNMENT AND ASSUMPTION AGREEMENT (this "Assignment and Assumption Agreement") is made effective as of December 2, 2018 (the "Effective Date") by and between Stevens Engineers, Inc., a Wisconsin corporation ("Assignor"), and B32 Engineering Group, Inc., a Wisconsin corporation ("Assignee" and together with Assignor, the "Parties", and each, a "Party"). Capitalized terms used herein that are not otherwise defined herein shall have the meanings set forth in that certain Asset Purchase Agreement, dated effective as of December 2, 2018, by and among Assignor and Assignee (the "Purchase Agreement").

WHEREAS, pursuant to the Purchase Agreement, Assignor has agreed, among other things, to transfer and assign to Assignee, and Assignee desires to accept and assume from Assignor, the Assigned Contracts and Customers; and

WHEREAS, this Assignment and Assumption Agreement is being executed and delivered pursuant to Sections 2.02(a)(iv) of Purchase Agreement.

NOW, THEREFORE, in consideration of the promises and agreements set forth in this Assignment and Assumption Agreement and for other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, the Parties hereto agree as follows:

1. Assignment and Assumption. Seller hereby sells, assigns, grants, conveys and transfers to Buyer all of Seller's right, title and interest in and to the Assigned Contracts and Customers. Buyer hereby accepts such assignment and assumes all of Seller's duties and obligations under the Assigned Contracts and Customers and agrees to pay, perform and discharge, as and when due, all of the obligations of Seller under the Assigned Contracts and Customers accruing on and after the Effective Date.

2. Terms of the Purchase Agreement. The terms of the Purchase Agreement, including the representations, warranties, covenants, agreements and indemnities relating thereto, are incorporated herein by this reference. The Parties acknowledge and agree that the representations, warranties, covenants, agreements and indemnities contained in the Purchase Agreement shall not be superseded hereby but shall remain in full force and effect to the full extent provided therein. Nothing herein shall be construed to limit, terminate or expand any terms and conditions contained in the Purchase Agreement. In the event of any conflict or inconsistency between the terms of this Assignment and Assumption Agreement and the terms of the Purchase Agreement, the terms of the Purchase Agreement shall govern, supersede and prevail.

3. Further Assurances. Each of the parties hereto shall execute and deliver, at the reasonable request of the other party hereto, such additional documents, instruments, conveyances and assurances and take such further actions as such other party may reasonably request to carry out the provisions hereof and give effect to the transactions contemplated by this Agreement.

[Signature page follows]

IN WITNESS WHEREOF, the parties hereto have executed this Assignment and Assumption Agreement on the date first written above.

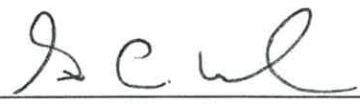
ASSIGNOR:

Stevens Engineers, Inc.

By: 
Name: Angela Popenhagen
Title: President

ASSIGNEE:

B32 Engineering Group, Inc.

By: 
Name: SCOTT A. WARD
Title: PRESIDENT

Schedule 5.02

Assigned Contracts and Customer List

See attached.

Ice Rink Summary of Projects

Project No.		Project Name		Facility		Project Owner/Client		Address		Year	
Column1	Column2	Column3	Column4	Column5	Column6	Column7	Column8	Column9	Column10	Column11	Column12
6001/6006		Southwest Fargo Arena									
6002		East Bethel Ice Arena									
6003/6010		Stems Sports Arena									
6004		Bleacher Replacement									
6005		Commissioning									
6007		New Ice System									
6008		Rink 1 Floor Replacement									
6009		Dasher Board Replacement									
6011		Evaluation Study									
6012		Walker Community Center									
6012		Rink 1 Floor Replacement									
6013		Demolition Package									
6014/6018		Refrigeration System Replacement									
6015		Ice System Evaluation									
6015		Ice Rink Floor Renovation									
6015		Ice Rink Floor Renovation									
6016		Ice System Evaluation									
6017		Feasibility Study									
6019		Ice System Replacement									
6020		Dasher Board Replacement									
6021a/6022a		Ice System Design									
6021b/6022b		Site Design									
6023/6024		Ice System Repairs and Improvements									
6025/6026		Ice System Design									
6027		Ice Rink Design									
6028		Refrigeration System Improvements									
6029/6036/6037		Ice System Replacement									
6030/6031		Ice Rink Floor Replacement									
6032/6033		Ice System Design									
6034/6035		Ice System Improvements									
6038		Ice System Evaluation									
6039		Ice System Replacement									
6040		Dasher Board Replacement									
6041		Feasibility Study									
6042		Ice System Design									
6043		Dasher Board System Design									
6044/6045		Ice System Design									
6046		Feasibility Study									
6047/6048		Ice System Design									
6049		Xcel Energy Rebate									
6050		O&M Manual									
6051		Ice System Evaluation									
900-06-001		General Ice rink Marketing									
900-06-002		General Ice									
900-06-003		Not Used									
900-06-004/006		Ice Rink Floor Replacement									
900-06-005		Ice System Design									
900-06-007		Ice System Design									
900-06-008		Dasher Board System Design									
900-06-009		Ice System Design									
900-06-010		Dasher Board System Design									

Ice Rink Summary of Projects

Project No.	Project Name	Facility	Project Owner/Client	Address	Year
Column1	Column2	Column3	Column4	Column5	Column6
900-06-011/012	Ice Rink Floor Replacement	Duluth Entertainment and Convention Center	Updated 12-12-18		
900-07-013	Ice System Design				
900-07-014	Evaluation Study				
900-07-015/016	Condenser Replacement				
900-07-017	Evaluation Study				
900-07-018	Evaluation Study				
900-07-019	Ice Rink Floor Replacement				
900-07-020	Feasibility Study				
900-07-021	Ice System Evaluation				
900-07-021	Miners Memorial Building				
900-07-022	Ice Rink Floor Replacement				
900-07-023A/025	Ice Rink Floor Replacement				
900-07-023A/025	Ice System Design				
900-07-024	Geothermal Design				
900-07-023A/025	Dasher Board System Design				
900-07-027/028	Ice System Design				
900-07-027/028	Dasher Board System Design				
900-07-029	Evaluation Study				
900-07-030/031	2008 Ice System Improvements				
900-08-032	Ice System Evaluation				
900-08-033	Feasibility Study				
900-08-034	Concept Design				
900-08-035	Ice System Evaluation				
900-08-036	Ice System Design				
900-08-037/038	Ice System Replacement				
900-08-039	Ice System Construction				
900-08-040	Condenser Sizing				
900-08-041	Ice System Replacement				
900-08-042	Evaluation Study				
900-08-043	Feasibility Study				
900-08-044	Dasherboard System Design				
900-08-045/046	Ice System Design				
900-08-045/046	Dasherboard System Design				
900-08-047	Ice System Design				
900-08-048	Floor Warranty Issues				
900-08-049	Evaluation Study				
900-08-050	Rink Floor Survey				
900-08-051	Ice System Replacement				
900-08-052	Ice System Design				
900-08-053	Peer Review				
900-08-054	Feasibility Study				
900-08-055	Cost Estimates				
900-08-056	Ice System Replacement-Phase I				
900-08-056	Ice System Replacement-Phase II				
900-08-057	Feasibility Study				
900-08-058/059	Ice System Design				
900-08-058/059	Dasherboard System Design				
900-08-060/061	Condenser Replacement				
900-08-062/063	Ice System Design				
900-08-062/063	Dasherboard System Design				
900-08-064	Evaluation Study				

Ice Rink Summary of Projects

Project No.	Project Name	Facility	Project Owner/Client	Address	Year
Column1	Column2	Column3	Column4	Column5	Column6
900-08-065	Evaluation Study		Updated 12-12-18		
900-08-066	Evaluation Study				
900-08-067	Preliminary Design				
900-08-068	Construction				
900-08-069	Lund Arena				
900-08-070	Renovation				
900-08-071	Renovation				
900-08-072	Ice System Replacement				
900-08-073	Recovery Act-Energy Efficiency Grant				
900-08-074	Retrofit				
900-08-075	2010 Renovation (DD)				
900-08-076	2010 Improvements				
900-08-077	Ice Rink Floor Replacement				
900-08-078	Arena Facilities Evaluation				
900-08-079	Ice System Warranty				
900-08-080	2010 Improvements				
900-08-081	Ice Rink Floor Repl-Construction				
900-08-082	2010 Improvements and Dasherboard System Design				
900-08-083	Ice System Improvements				
900-08-084	Relocate Rink Floor Inserts				
900-08-085	Ice System Replacement				
900-08-086	Warranty Items				
900-08-087	The Homestead Resort Ice Rink				
900-08-088	Evaluation Study				
900-10-089	Ice Arena Evaluation				
900-10-090	Ice Rink Evaluation				
900-10-091	REA Ice Rink Floor Replacement				
900-10-092	Improvement Study				
900-10-093	Ice System Compressor Replacement				
900-10-094	Arena Improvements				
900-10-095	Energy Analysis				
900-10-096	Anaheim Practices Arena				
900-10-097	Ice Rink Evaluations				
900-10-098	Vadnais Heights Sports Complex				
900-10-099	Condenser Replacement				
900-10-100	Ice System Improvements				
900-10-101	Global Athletic Village Ice Arena@Fort Snelling				
900-10-102	Studio Rink Addition				
900-10-103	Lighting & Control Improvements				
900-10-104/105	Ice System Replacement				
900-10-106	Lighting & HVAC Improvements				
900-10-107	Ice Center Posterboard				
900-10-108	Preliminary Design				
900-10-109	Preliminary Design				
900-10-110	Evaluation/CIP				
900-10-111	Ice Arena				
900-11-112	Rink 1 Condenser Replacement				
900-11-113	Ice System Evaluation				
900-11-114	Daher Board System Replacement				
900-11-115	Tahquamenon Area Recreation Authority Project				
900-11-116	Outdoor Ice Rink				

Ice Rink Summary of Projects					Updated 12-12-18	
Project No.	Project Name	Facility	Project Owner/Client	Address	Year	
Column1	Column2	Column3	Column4	Column5	Column6	Column7
900-11-117	Refrigeration System Improvements					
900-11-118	Ice Arena Expansion-Ice System Design					
900-11-119	Ice Arena Expansion-Ice System Design					
900-11-120	Evaluation and Preliminary Design					
900-11-121	2010 Ice Arena Improvements					
900-11-122	Arena Study					
900-11-123	Ralston Sports and Entertainment Complex					
900-11-124	Condenser Replacement					
900-11-125	Goal Inserts					
900-11-126	Ice System Design					
900-11-127	Ice System Replacement					
900-11-128	New Ice Arena - Marketing only					
900-11-129	Greenway Coleraine Ice Arena					
900-11-130	Golela; California Ice Skating Facility					
900-11-131	West Haymarket Arena					
900-11-132	Fogarty Arena					
900-11-133	Lobby Addition					
900-11-134	Ice Arena Expansion					
900-11-135	New Arena					
900-11-136	Ice System Replacement					
900-11-137	Ice System Replacement					
900-11-138	New Outdoor Ice System					
900-11-139	Cloquet Ice Rink Evaluation					
900-11-140	New Arena					
900-11-141	Ice System Design					
900-11-142	New Ice Arena					
900-11-143	Expansion					
900-11-144	Hoover, Alabama Ice Rink					
900-11-145	Recreation Center Renovation					
900-11-146	Floor problems					
900-11-147	Ice Arena Renovation - Evaluation					
900-11-148	Arena 1 Floor Replacement					
900-11-149	Evaluation					
900-11-150	Evaluation - MARKETING ONLY					
900-11-151	Evaluation and Potential Legal - MARKETING ONLY					
900-11-152	Design					
900-11-153	Outdoor Ice Rink and Other					
900-11-154	Ice Arena Addition					
900-12-155	Interior Improvement Project					
900-12-156	Ice System Evaluation					
900-12-157	Newberry Outdoor Ice rink - Synthetic ice					
900-12-158	Ice System Evaluation					
900-12-159	System Evaluation					
900-12-160	Energy and Architectural Improvement Project					
900-12-161	Community Center Rink 2 Floor Replacement & Ice					
900-12-162	Curfing Rink					
900-12-163	Braemar Arena - 2012 CJP					
900-12-164	Ice System Replacement					
900-12-165	Ice Rink Refrigeration					
900-12-166	Rock Springs - Evaporative Condenser Replacement					

Ice Rink Summary of Projects

Project No.	Project Name	Facility	Project Owner/Client	Address	Year
Column1	Column2	Column3	Column4	Column5	Column6
900-12-167	Evaluation Study	Traverse Arena	Updated 12-12-18		
900-12-168	Renovation & Expansion				
900-12-169	Riverside Arena Evaluation				
900-12-170	Ice System Design				
900-12-171	Michigan State University Munn Ice Arena				
900-12-172	U of MI - Yost Arena Study				
900-12-173	Western MI University Lawson Ice Arena				
900-12-174	Feasibility Study				
900-12-175	Franklin Park Ice Arena				
900-12-176	West Arena Chiller Repair				
900-12-177	Anchorage Ice System Evaluation / MOA Ice Rink Si				
900-13-178	Casper Ice System Replacement				
900-13-179	Hutchinson Ice Rink Evaluation and Feasibility Study				
900-13-180	R-Funding				
900-13-181	Marshall Ice Arena				
900-13-182	Ice System Design/Ventilation System Design/Seals				
900-13-183	Ice System Design/Dasher Board System Design/E				
900-13-184	Design				
900-13-185	Ice System Study				
900-13-186	Design				
900-13-187	Design				
900-13-188	Ice Den Ice System Replacement				
900-13-189	Alexandria Ice Arena Expansion (3rd Sheet)				
900-13-190	Ice System Study				
900-13-191	Ice System Design and Construction Observation				
900-13-192	Hopkins Pavilion Feasibility and Evaluation Study				
900-13-193	Mechanical System Evaluation Study				
900-13-194	Edina - Braemar Arena Outdoor Rink				
900-13-195	Morgan Park Sports Complex				
900-13-196	Condenser Relocation				
900-14-197	Arena Assessment				
900-14-198	Ice System Repair				
900-14-199	Floor Replacement				
900-14-200	Third Street Addition				
900-14-201	Ice System Replacement				
900-14-202	Arena Improvements				
900-14-203	Refrigeration System Evaluation				
900-14-204	Ice System Evaluation Study				
900-14-205	Refrigeration System Replacement				
900-14-206	Dasher Board System Design				
900-14-207	Ice System Design				
900-14-208	Renovation Project				
900-14-209	Ice System Improvements				
900-14-210	Ice System Design				
900-14-211	Ice System Replacement				
900-14-212	PreDesign				
900-14-213	Evaluation Study				
900-14-214	Grand Forks Icon Sports Center Rink Floor C				
900-14-215	St Paul Academy Ice Arena PreDesign Study				
900-14-216	Chaska Curling and Event Center				
900-14-217	Watford City Event Center				

Ice Rink Summary of Projects					
Project No.	Project Name	Facility	Project Owner/Client	Address	Year
Column1	Column2	Column3	Column4	Column5	Column6
900-14-218	Ice System Evaluation Update		Updated 12-12-18		
900-14-219	Apple Valley Sports Center				
900-14-220	EPA R-22 Rink Case Studies				
900-14-221	Hobbs Multigenerational Facility				
900-14-222	Arena Improvements				
900-14-223	Anchorage - Sullivan Arena				
900-14-224	Colgate University				
900-14-225	Ice System Evaluation				
900-14-226	Refrigeration System Improvements				
900-15-227	Shakopee Community Center Feasibility Study				
900-15-228	West St. Paul Ice Arena Renovation				
900-15-229	Ice System Replacement				
900-15-230	Bemidji - Neilson Reese Arena HVAC System Improv				
900-15-231	Willmar Civic Center HVAC System Improvements				
900-15-232	Thief River Falls Ice Arena Evaluation				
900-15-233	St. Louis Park Ice System Replacement				
900-15-234	Deerfield Academy New Ice Arena				
900-15-235	Condenser Replacement				
900-15-236	Reno New Ice Arena				
900-15-237	Phillips Academy Refrigeration System				
900-15-238	Ben Boeke Ice Arena Ice System Replacement				
900-15-239	Benlley University New Ice Arena				
900-15-240	Clearwater Florida New Ice Arena				
900-15-241	Mandan Sports Complex Ice System Design				
900-15-242	Snow King Event Center Ice System Evaluation Stur				
900-15-243	Casper Ice Arena Ice Chiller System Replacement				
900-15-244	DECC Curling Floor Replacement				
900-15-245	Burich Arena Conceptual Planning of Building Imprc				
900-15-246	Fargo - Coliseum Renovation Project				
900-15-247	MN Wild Practice Facility				
900-15-248	Runestone Community Center Ice System Replacer				
900-15-249	Anaheim Ducks New Practice Facility				
900-15-250	Colby College New Arena				
900-15-251	Buffalo MN Civic Center Ice System Study Ice Syate				
900-16-252	All Seasons Arena Ice System Status Report				
900-16-253	North Buffalo NY Ice Arena Ice System Replacemei				
900-16-254	Northern Michigan Univ Berry Events Center Study				
900-16-255	Elk River Community Center Feasibility Plan				
900-16-256	West Fargo Feasibility Plan				
900-16-257	Ice System Study				
900-16-258	Equipment Room Study				
900-16-259	Lasker Pool & Ice Rink Renovation				
900-16-260	Title Town Outdoor Ice Rink				
900-16-261	Shakopee Lions Park Ice Rink				
900-16-262	Chesterfield New Ice Arena Facility				
900-16-263	Pagel Ice Arena Expansion Ice System Design				
900-16-264	Columbia Assoc-Athletic Club & Ice Rink Renovatlc				
900-16-265	Ice System Replacement				
900-16-266	2017 Ice System Improvements				
900-16-267	Hastings Civic Arena - Ice System Improvements				
900-16-268	Bowling Green State Univ - Ice Rink Floor Replacer				

Ice Rink Summary of Projects					
Project No.	Project Name	Facility	Project Owner/Client	Address	Year
Column1	Column2	Column3	Column4	Column5	Column6
900-16-269	IGH East Rink Floor Replacement		Updated 12-12-18		
900-16-270	Mankato All Seasons Arena North Rink Ice System Study				
900-16-271	Watertown New Ice Arena				
900-16-272	Polar Arena Ice System Replacement				
900-16-273	Richfield Ice Arena Ice System Replacement				
900-17-274	White Bear Lake Sports Center - Ice System Replacement				
900-17-275	Iowa River Landing Hockey Arena Project				
900-17-276	Park Ridge Park District - Oakton Ice Arena				
900-17-277	Norwich University Evaluation Study				
900-17-278	Proctor Public Schools New Arena				
900-17-279	Scottrade Center - Ice System Replacement				
900-17-280	Brett Memorial Ice System Replacement - Wasilla AK				
900-17-281	Apple Valley Sports Arena Ice System Replacement				
900-17-282	Sioux Falls Outdoor Rink Study				
900-17-283	St Michael-Albertville New Arena				
900-17-284	Hopkins Pavilion 2018 Building and Mechanical Improvements				
900-17-285	San Jose Sharks - Solar4 America Rinks 1 and 2 Replacement				
900-17-286	Litchfield Civic Center Ice System Replacement				
900-17-287	Windom Ice Arena Ice System Replacement				
900-17-288	University of Michigan Dearborn Dasher Boards Replacement				
900-17-289	St Louis Ice Center				
900-17-290	Augsburg College - Ice System Replacement Project				
900-17-291	Minneapolis Parks Ice Arena Life Cycle Cost Management Plan				
900-17-292	Rockford IL - Riverview Ice House Study				
900-17-293	Elk River Ice Arena				
900-17-294	Missoula MT Glacier Ice Rink Study				
900-17-295	Willmar Civic Center - Master Plan				
900-17-296	St Olaf College New Ice Arena Northfield MN				
900-17-297	Willmar Civic Center - Ice System Replacement				
900-17-298	Target Center - Ice System Third Party Review				
900-17-299	Centennial Sports Arena Evaluation Study				
900-17-300	Lawrenceville Athletic Center				
900-18-301	Aurora MN - Mesabi School District Outdoor Ice Rinks				
900-18-302	Inver Groves Heights West Rink Floor Replacement				
900-18-303	International Falls Bronco Arena - Ice System Replacement				
900-18-304	Andover Community Center Expansion				

Ice Rink Summary of Projects

Project No.		Project Name	Facility	Project Owner/Client	Address	Year
Column1	Column2	Column3	Column4	Column5	Column6	Column7
900-18-305						
900-18-306						
900-18-307						
900-18-308						
900-18-309						
900-18-310						
900-18-311						
900-18-312						
900-18-313						
900-18-314						
900-18-315						
900-18-316						
900-18-317						
900-18-318						
900-18-319						
900-18-320						
900-18-321						
900-18-322						
900-18-323						
900-18-324						
900-18-325						
900-18-326		Crown Coliseum Ice System Replacement	Crown Coliseum	Cumberland County, NC	Fayetteville, NC	2018
900-18-327		Crown Coliseum Ice System Replacement	Crown Coliseum	Cumberland County, NC	Fayetteville, NC	2018
TOTALS						





OFFICE OF THE COUNTY MANAGER

MEMORANDUM FOR THE AGENDA OF THE JANUARY 3, 2019
AGENDA REVIEW SESSION

TO: BOARD OF COUNTY COMMISSIONERS

FROM: SALLY SHUTT, ASSISTANT COUNTY MANAGER

DATE: 12/21/2018

**SUBJECT: LEGISLATIVE AGENDA ITEMS TO DISCUSS WITH THE
CUMBERLAND COUNTY GENERAL ASSEMBLY DELEGATION AT
MEETING ON JANUARY 28, 2019**

Requested by: SALLY SHUTT, ASSISTANT COUNTY MANAGER

Presenter(s): SALLY SHUTT

BACKGROUND

The Board of Commissioners will meet on January 28, 2019, at 8 a.m. with Cumberland County's legislative delegation to the N.C. General Assembly.

A proposed list of topics is attached for the board's consideration.

RECOMMENDATION / PROPOSED ACTION

Consider the attached topics for inclusion on the agenda for the January 28, 2019, meeting with the Cumberland County General Assembly delegation.

ATTACHMENTS:

Description

2019 Legislative Delegation Proposed Topics

Type

Backup Material

Proposed topics for Meeting with Cumberland County General Assembly Delegation

Tax and Finance:

- Sales tax as an option for public safety funding. *(Submitted by Commissioner Keefe)*
- Food & Beverage Tax: Amend the Prepared Food and Beverage Tax to repeal the sunset provision *(Submitted by Commissioner Keefe)*
- Local Occupancy Tax: Amend the Local Occupancy Tax to allow the County to operate under House Finance Committee Guidelines *(Submitted by Commissioner Keefe)*
- State participation in the Gray's Creek water project *(Submitted by Commissioner Keefe)*
- Effects of sales tax revenue in Cumberland County and the inability to collect on sales tax for services and online sales. *(Submitted by Commissioner Keefe)*

School Funding/Public Education:

- Eligibility of school funding to Cumberland County as a Tier 1 county; but not eligible because of population. *(Submitted by Commissioner Keefe)*
- Ability of school boards to sue County governments over funding *(Submitted by Commissioner Keefe)*
- Increase funding to State Aid to Public Libraries and fund NC Kids and NC Live with recurring funds. *(Submitted by Library Director Jody Risacher)*

Public Safety:

- Sales tax funding as an option for public safety funding. Also listed above. *(Submitted by Commissioner Keefe.)*
- Funding for 911 services and a center, to include equipment, renovations, etc. *(Submitted by Commissioner Keefe)*

Human Services:

- Extending provision of services to the blind to children birth to age 14. Currently, services do not start until age 14. *(Submitted by Commissioners Adams and Keefe)*
- Reduction in funding on Mental Health funding and the increased demands of human services *(Submitted by Commissioner Keefe)*

Social Services:

- Provide adequate funding at the local departments of social services for adult protective services and guardianship. Ensure greater protection of this population by evaluating current state laws while also improving behavioral health services for vulnerable, older and disabled adults. *(Submitted by DSS Director Brenda Jackson)*
- Amend GS 108A-70.49 regarding Medicaid Eligibility Determination and apply a cap for claims against county departments of social services for overpayments. Ensure a state

Proposed topics for Meeting with Cumberland County General Assembly Delegation

level appeals process prior to an assessment for reimbursement. Establish a waiver of the payback if they can demonstrate the payback will create an undue financial hardship on the county. *(Submitted by DSS Director Brenda Jackson)*

- Preserve Federal and State Block Grants for county administered programs (TANF, SSBG, CSBG, CCDBG, HCCBG), oppose unfunded mandates, and prevent unnecessary workload increases to counties (including shifting state responsibilities to counties). *(Submitted by DSS Director Brenda Jackson)*

Public Health:

- Oppose any bill or amendment that weakens the ability of local health departments to protect and promote the public's health. *(Submitted by Interim Health Director Duane Holder)*
- Increase funding to Local Public Health to address rapidly emerging infectious diseases (e.g. ZIKA, Hepatitis C, Escherichia coli (E. coli) O121 or E. coli O26, Antibiotic Resistant Infections, Coronavirus (MERS), Meningitis, Drug Resistant Tuberculosis, Influenza, etc.) *(Submitted by Interim Health Director Duane Holder)*
- Enact Tobacco 21: Raise the legal age to 21 to purchase tobacco. The National Youth Tobacco Survey reports that in 2014 overall use of tobacco among youth rose, exposing dangerous new trends. Clever marketing of emerging tobacco products (i.e. electronic cigarettes, hookah, and flavored cigars) have reversed the downward trend of overall tobacco use among youth in North Carolina and is putting millions of youth at risk of lifelong lethal nicotine addiction. An estimated 180,000 children now under the age of 18 in North Carolina will eventually die early due to smoking, with 6,800 children in North Carolina becoming daily smokers each year. Between 2011 and 2015, use of electronic cigarettes among North Carolina high school students increased by 888% (from 1.7% to 16.8%). Between 2011 and 2013, overall tobacco use increased by 3.9% from 25.8% to 29.7% due to the increased use of emerging tobacco products. *(Submitted by Interim Health Director Duane Holder)*

Planning and Inspections:

- The difference between cities and counties as it relates Public Health Nuisances, specifically the word “*summarily*” in Article 57 of Chapter 106: Nuisance Liability of Agricultural and Forestry Operations. *(Submitted by Assistant County Manager Tracy Jackson)*

§ 160A-193. Abatement of public health nuisances.

(a) **A city shall have authority to summarily** remove, abate, or remedy everything in the city limits, or within one mile thereof, that is dangerous or prejudicial to the public health or public safety. Pursuant to this section, the governing board of a city may order the removal of a swimming pool and its appurtenances upon a finding that the swimming pool or its

appurtenances is dangerous or prejudicial to public health or safety. The expense of the action shall be paid by the person in default. If the expense is not paid, it is a lien on the land or premises where the nuisance occurred. A lien established pursuant to this subsection shall have the same priority and be collected as unpaid ad valorem taxes.

(b) The expense of the action is also a lien on any other real property owned by the person in default within the city limits or within one mile of the city limits, except for the person's primary residence. A lien established pursuant to this subsection is inferior to all prior liens and shall be collected as a money judgment. This subsection shall not apply if the person in default can show that the nuisance was created solely by the actions of another.

(c) The authority granted by this section does not authorize the application of a city ordinance banning or otherwise limiting outdoor burning to persons living within one mile of the city, unless the city provides those persons with either (i) trash and yard waste collection services or (ii) access to solid waste dropoff sites on the same basis as city residents. (1917, c. 136, subch. 7, s. 4; C.S., s. 2800; 1971, c. 698, s. 1; 1979, 2nd Sess., c. 1247, s. 20; 2001-448, s. 1; 2002-116, s. 3; 2014-120, s. 24(h).)

§ 153A-140. Abatement of public health nuisances.

A county shall have authority, subject to the provisions of Article 57 of Chapter 106 of the General Statutes, to remove, abate, or remedy everything that is dangerous or prejudicial to the public health or safety. Pursuant to this section, a board of commissioners may order the removal of a swimming pool and its appurtenances upon a finding that the swimming pool or its appurtenances is dangerous or prejudicial to public health or safety. The expense of the action shall be paid by the person in default, and, if not paid, shall be a lien upon the land or premises where the nuisance arose, and shall be collected as unpaid taxes. **The authority granted by this section may only be exercised upon adequate notice, the right to a hearing, and the right to appeal to the General Court of Justice.** Nothing in this section shall be deemed to restrict or repeal the authority of any municipality to abate or remedy health nuisances pursuant to G.S. 160A-174, 160A-193, or any other general or local law. This section shall not affect bona fide farms, but any use of farm property for nonfarm purposes is subject to this section. (1981 (Reg. Sess., 1982), c. 1314, s. 1; 2002-116, s. 2.)

Solid Waste:

- Maintain local regulation of solid waste container sites. State agencies are required by N.C. General Statute 150B-21.3A to review existing rules every 10 years. Transfer Facility rules (15A NCAC 13B .0400) are currently being discussed in a rule adoption working group. Solid waste collection sites are our state's first line of defense against illegal dumping and littering. Collection sites differ from transfer stations in two critical ways: (1) the volume of waste received and (2) the primary users are citizens, not commercial users. Our focus should be on keeping these collection sites viable and assessable for the community. These sites are provided as a community service and are generally not profitable. These sites are best regulated at a local level, subject to local zoning and solid waste ordinances, without state regulation. Further regulation from a state level may challenge the ability of local governments to keep convenience sites open and available for its citizens. *(Submitted by Solid Waste Director Amanda Bader)*

Proposed topics for Meeting with Cumberland County General Assembly Delegation

Other:

- Endorsement of Cumberland County being established as the location for the North Carolina Military Hall of Fame *(Submitted by Commissioner Jimmy Keefe)*
- Allow the flexibility for Cumberland County to participate with local companies and vendors as was passed in the legislature by the City of Fayetteville. *(Submitted by Commissioner Jimmy Keefe)*



OFFICE OF THE COUNTY ATTORNEY

MEMORANDUM FOR THE AGENDA OF THE JANUARY 3, 2019
AGENDA REVIEW SESSION

TO: BOARD OF COUNTY COMMISSIONERS

FROM: COUNTY ATTORNEY

DATE: 12/21/2018

**SUBJECT: INTERLOCAL AGREEMENT WITH THE TOWN OF FALCON TO
ENFORCE THE COUNTY'S MINIMUM HOUSING ORDINANCE
WITHIN THE TOWN OF FALCON**

Requested by: TOWN OF FALCON

Presenter(s): COUNTY ATTORNEY

BACKGROUND

The Town of Falcon adopted a resolution applying the County's Minimum Housing Ordinance within the Town's corporate limits and has now requested to enter into an interlocal agreement with the County for the County to enforce the County's Minimum Housing Ordinance within the Town's corporate limits. All costs will be the responsibility of the County. The Town of Falcon is requesting the same enforcement agreement that was done for the Towns of Eastover and Stedman. Copies of the Resolution and Interlocal Agreement are attached.

RECOMMENDATION / PROPOSED ACTION

The County Attorney recommends that this item be forwarded to the Board of Commissioner's January 22, 2019 meeting as a consent item for approval.

ATTACHMENTS:

Description

Falcon Agreement

Type

Backup Material

NORTH CAROLINA

CUMBERLAND COUNTY

AGREEMENT FOR INTERLOCAL UNDERTAKING TO ENFORCE THE MINIMUM HOUSING CODE

THIS AGREEMENT is made and entered into by and between the TOWN OF FALCON, a municipality duly incorporated under the laws of North Carolina (hereinafter referred to as TOWN), and CUMBERLAND COUNTY, a body politic and corporate of the State of North Carolina (hereinafter referred to as COUNTY);

WITNESSETH:

***WHEREAS**, pursuant to N.C.G.S. § 160A-441, COUNTY adopted a Minimum Housing Code codified as Chapter 4, Article IV of the Cumberland County Code; and*

***WHEREAS**, COUNTY enforces its Minimum Housing Code through designated inspectors in its Department of Planning and Inspections; and*

***WHEREAS**, by Resolution ⁰¹⁻2018 adopted on October 1, 2018, TOWN'S governing board approved the application of COUNTY'S Minimum Housing Code within TOWN'S corporate limits pursuant to N.C.G.S. § 160A-441; and*

***WHEREAS**, TOWN desires that COUNTY'S Minimum Housing Code be enforced within TOWN'S corporate limits by COUNTY to the extent that COUNTY and COUNTY'S Board of Commissioners shall be acting in the stead of TOWN and TOWN'S governing board for all purposes related to enforcement of COUNTY'S Minimum Housing Code within TOWN'S corporate limits; and*

***WHEREAS**, the governing boards of TOWN and COUNTY have by resolutions ratified the provisions of this Agreement for Interlocal Undertaking pursuant to North Carolina General Statutes, Chapter 160A, Article 20, Part I, for the purpose of providing for the enforcement of COUNTY'S Minimum Housing Code within TOWN'S corporate limits.*


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

1. ***PURPOSE:** The purpose of this Agreement is to establish an interlocal undertaking, as provided in N.C.G.S. §160A-460, et seq., whereby COUNTY shall enforce COUNTY'S Minimum Housing Code within TOWN'S corporate limits to the same extent as COUNTY'S Minimum Housing Code applies in COUNTY'S jurisdiction outside of TOWN'S corporate limits.*
2. ***DURATION:** This Agreement shall commence on the last date it is approved by either COUNTY'S or TOWN'S governing board and shall endure so long as the parties hereto exist and have the power to make and maintain such an agreement, unless sooner terminated as hereinafter provided; provided that this Agreement shall not extend beyond 99 years.*
3. ***NO JOINT AGENCY:** This Agreement shall not create a joint agency between COUNTY and TOWN and COUNTY shall at all times enforce its Minimum Housing Code within TOWN'S corporate limits in such manner as COUNTY'S Board of Commissioners deems prudent and within the constraint of funds budgeted for this purpose.*
4. ***PERSONNEL:** All personnel necessary to implement, administer and enforce COUNTY'S Minimum Housing Code within TOWN'S corporate limits shall be those employees of the COUNTY designated by COUNTY for that purpose.*

5. **COUNTY'S RESPONSIBILITIES FOR FINANCING THE UNDERTAKING:** All costs of enforcing COUNTY'S Minimum Housing Code within TOWN'S corporate limits shall be borne by COUNTY and TOWN shall not be required to allocate any funds to COUNTY for these costs. Costs shall include, but are not limited to, the following:
- a. The personnel cost for any inspectors or other COUNTY employees related to enforcement actions.
 - b. The personnel cost associated with the provision of legal services to determine the ownership of any real or personal for which enforcement is sought, to provide legal advice to any inspectors or other COUNTY officials related to enforcement actions and to defend any appeal of an inspector's decision to the courts.
 - c. All costs associated with service of process for any enforcement action.
 - d. The costs of demolition and disposal of demolition debris.
6. **TOWN'S RESPONSIBILITIES FOR FINANCING THE UNDERTAKING:** TOWN shall be solely liable and responsible for all costs associated with any claim made or lawsuit filed against COUNTY or any of its officials or employees arising out of, occasioned by or incident to the alleged or actual actions, omissions, negligence or constitutional violations by any of COUNTY'S employees or officials. Such costs shall include, but are not limited to, the following:
- a. Attorney's fees and any other litigation costs incurred for representation of COUNTY or any of its employees or officials.
 - b. Negotiated settlements of any claims made or lawsuits filed against COUNTY or any of its employees or officials.
 - c. Judgments rendered against COUNTY or any of its employees or officials.
7. **REAL PROPERTY:** This Agreement does not require the purchase, acquisition, or disposition of real property by either party.
8. **AMENDMENT:** This Agreement may be amended at any time by mutual agreement between the parties in writing and duly ratified by their respective governing boards in conformance with N.C.G.S. § 160A-461.
9. **TERMINATION:** This Agreement may be terminated by either party at the end of any fiscal year on June 30 by the governing board of the party wishing to terminate giving written notice to the other governing board no less than 90 days in advance of the termination. Any enforcement actions pending at the time of termination shall become the sole responsibility of TOWN.

THEREFORE, the parties have set their hands and seals pursuant to action of their respective governing boards on the date indicated for each.

TOWN OF FALCON

By: 
Clinton L. Turpin, Jr., Mayor

ATTEST:

Belinda D. White

Belinda D. White, Town Clerk

Ratified by Town's Governing Board on September 10, 2018



CUMBERLAND COUNTY

By: _____

~~Larry L. Lancaster, Chairman~~
Board of Commissioners *Chair*
Jeannette M. Council

ATTEST:

Candice White, Clerk of the Board

Ratified by the Cumberland County Board of Commissioners on _____

NORTH CAROLINA

CUMBERLAND COUNTY

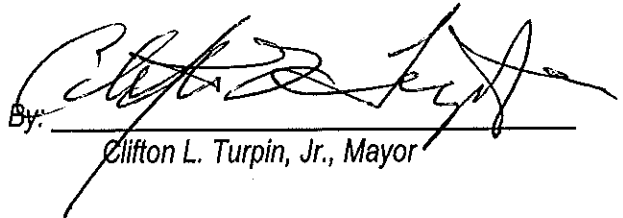
RESOLUTION # 01-2018

The Town of Falcon by vote of its Board of Commissioners dated October 1, 2018 hereby adopts the following resolution:

The Town of Falcon's governing board hereby approves the use and application of Cumberland County's (North Carolina) minimum housing code within the Town of Falcon corporate limits pursuant to N.C.G.S. § 160A-441 subject to amendments that may be made from time to time by the said County or Town.

This the 1st day of October 2018.

This above resolution was adopted by vote of the Board of Commissioners on October 1, 2018 by a unanimous vote.

By: 
Clifton L. Turpin, Jr., Mayor

ATTEST:


Belinda D. White, Town Clerk





OFFICE OF THE COUNTY ATTORNEY

MEMORANDUM FOR THE AGENDA OF THE JANUARY 3, 2019
AGENDA REVIEW SESSION

TO: BOARD OF COUNTY COMMISSIONERS

FROM: COUNTY ATTORNEY AND CLERK TO THE BOARD

DATE: 12/19/2018

SUBJECT: REVISIONS TO THE BOARD OF COMMISSIONERS' RULES OF PROCEDURE ADOPTED AUGUST 17, 2009; AND RESCISSION OF POLICY NO. 1-2: PLACING AN ITEM ON A BOARD OF COMMISSIONERS COMMITTEE AGENDA

Requested by: CLERK TO THE BOARD AND COUNTY MANAGER

Presenter(s): COUNTY ATTORNEY

BACKGROUND

The Board's Rules of Procedure have not been amended to account for the changes in technology which are now being used in the agenda process, the participation of an absent member by telephone, the changes to the Zoning Ordinance which eliminated the use of quasi-judicial hearings for certain zoning cases, and the changes in the agenda process resulting from the dissolution of the standing committees and establishment of the Agenda Session as a regular meeting. The proposed revisions to Rules 6, 8, 9, 25 and 26 are for the purpose of bringing the Rules up to date with these changes and the practices in place. The Resolution is to rescind the Board's adopted policy for placing an item on one of the Standing Committees

RECOMMENDATION / PROPOSED ACTION

The Clerk and the County Attorney recommend that this item be forwarded to the January 22, 2019 Board of Commissioner's meeting as a consent item for:

- (1) adoption of these revisions to the Rules of Procedure as set out in the attached marked-up copy of the

Rules, and

(2) adoption of the Resolution set out below.

Whereas, the Board of Commissioners has dissolved its standing committees and established an additional regular meeting designated as an Agenda Session to serve the purpose of the former standing committees; and

Whereas, the Board's Policy No. 1-2: Placing an Item on a Board of Commissioners Committee Agenda is no longer applicable.

BE IT THEREFORE RESOLVED that Policy No. 1-2: Placing an Item on a Board of Commissioners Committee Agenda is hereby rescinded.

ATTACHMENTS:

Description

REVISED RULES OF PROCEDURE

Type

Backup Material

COUNTY SEAL

RULES OF PROCEDURE

For

THE CUMBERLAND COUNTY BOARD OF COMMISSIONERS

Adopted - August 17, 2009
Revised – January 7, 2019

RULES OF PROCEDURE

I. APPLICABILITY OF RULES

Rule 1 Applicability of Rules:

These rules apply to all meetings of the Board of Commissioners of Cumberland County at which the Board is empowered to exercise any of the executive, quasi-judicial, administrative, or legislative powers conferred on it by law.

II. OPEN MEETINGS

Rule 2 Meetings to be Open:

The public policy of North Carolina and of Cumberland County is that the hearings, deliberations and actions of the Cumberland County Board of Commissioners and its committees be conducted openly.

Rule 3 Closed Sessions:

Notwithstanding the provisions of Rule 2, the Board may hold a Closed Session in accordance with G.S. 143-318.11.

The Board may go into Closed Session only upon motion made and adopted at an open meeting. The motion shall state the general purpose of the Closed Session and must be approved by a majority of Commissioners present and voting.

The County Manager, County Attorney and County Clerk, and their immediate staff, shall attend the Closed Session, unless expressly excluded in the motion. Other persons shall not attend the Closed Session unless expressly included in the motion or otherwise called into the Session.

III. ORGANIZATION OF THE BOARD

Rule 4 Organizational Meeting

At the first regular meeting in December of the Board of Commissioners, the Board shall choose a Chairman and Vice Chairman.

At the first regular meeting in the month of December, following a general election in which county officers are elected, the Board shall conduct the following business:

- Approve the Minutes of previous meeting(s);
- Recognize outgoing Commissioners;
- Administer oath of office to new Commissioners;
- Elect Chairman and Vice Chairman;
- Recognize outgoing Chairman;
- Approve bonds for public officials;
- Approve Consent Agenda items as well as any necessary items of business.

Rule 5 Election of Chairman and Vice Chairman

The Chairman and Vice Chairman shall be elected annually for a term of one year and shall not be removed from that office unless he/she becomes disqualified to serve as a Commissioner or resigns from said position.

IV. REGULAR /SPECIAL /EMERGENCY MEETINGS

Rule 6 Regular Meetings:

- First Monday of the Month at 9:00 AM
- First Thursday of the Month at 8:30 AM as an Agenda Session
- Third Monday of the Month at 6:45 PM

If a regular meeting falls on a holiday on which county offices are closed, the meeting shall be held on the next business day or such succeeding day as may be specified by the Board of Commissioners. (Note: The Board of Commissioners adopts its regular meeting schedule at its first regular meeting in December. The schedule is posted on the county website).

A public comment period shall be the first item of business at the 3rd Monday of the month meeting. Comments shall be limited to three minutes per person and the Board of Commissioners may adopt other rules for the conduct of the public comment period.

Meetings of the Board are held in Room 118, Cumberland County Courthouse, 117 Dick Street, Fayetteville, NC, unless otherwise specified by the Board of Commissioners.

The Board may change or cancel the time or place of a particular regular meeting by motion adopted and posted on the courthouse bulletin board on the lower level of the courthouse and on the front door of the courthouse at least seven days before the change takes place. Notice of change must be sent to the County Sunshine List.

Special Meetings

The Chairman or a majority of the Board of Commissioners may at any time call a special meeting of the Board of Commissioners by signing a notice stating the time and place of the meeting and the subject(s) to be discussed. Forty-eight hours notice must be given. The Clerk shall cause the notice to be posted on the courthouse bulletin board on the lower level of the courthouse and on the front door of the courthouse, and placed on the desk and/or emailed or faxed to each commissioner and mailed, e-mailed or faxed to the Sunshine List. Only the item(s) specified in the Special Meeting Notice may be transacted, unless all members are present or those not present have signed waivers.

Emergency Meetings

The Chairman or a majority of the Board of Commissioners may call an emergency meeting to deal with an unexpected circumstance requiring immediate consideration. The person or persons calling the meeting shall cause notice of the meeting to be given to other Commissioners and the Sunshine List. Notice shall be given either by telephone or by the same method used to notify commissioners and shall be given immediately after notice has been given to the commissioners. Only business connected with the emergency may be discussed at the meeting, pursuant to G.S. 143-318.12(b)(3).

Work Sessions, Retreats, Committee Meetings

The Board may schedule work sessions, retreats, forums, conventions, committee meetings, and other informal meetings of the Board or of a majority of its members at such times and concerning such subjects as may be established by the Board. A schedule of such meetings held regularly shall be filed in the same place and manner as the schedule of regular meetings. Any meetings not held regularly are considered to be special meetings and the 48-hour rule of notice applies and notice shall be given as for special meetings.

Sunshine List

Any individual and/or newspaper, wire service, radio station and television station desiring notice of all special/emergency meetings shall file a written request with the Clerk to the Board of Commissioners on an annual basis (December of each year). Requests made by persons other than the media are subject to a \$10.00 non-refundable annual fee. Requests by media are not subject to a fee.

Rule 7 Location of Meetings

All meetings shall be held within the boundaries of Cumberland County, except as otherwise allowed by statute or herein.

A joint meeting with the governing board of any other political subdivision of this or any other state may be held within the boundaries of either subdivision as may be specified in the call of the meeting. Proper notice of the meeting shall be given. At any such joint meeting, the Board reserves the right to vote as a separate Board on all matters coming before the joint meeting.

Rule 8 Broadcasting /Recording of Meetings

Regular commissioners' meetings, except those designated as Agenda Sessions, ~~are cablecast live on Time Warner Cable.~~ will be streamed live through the County's website and meetings will also be broadcast live on Fayetteville/Cumberland Educational TV (FCETV), Spectrum Channel 5. In addition, any radio or television station may broadcast all or any part of an official Board meeting. The County may adopt reasonable rules concerning the set up of these media in broadcasting or taping the meetings.

V. AGENDA

Rule 9 Agenda

The County Manager shall prepare the agenda for each regular, special or emergency meeting. A request to have an item of business placed on the agenda for a regular meeting which is not an Agenda Session should be received by the County Manager's Office by the close of business of the second Thursday preceding

the regular meeting day, and for an Agenda Session, the second Wednesday preceding the day of the Agenda Session. Any Commissioner may, by a timely request, have an item placed on the agenda. Other requests to place an item on the agenda shall be at the discretion of the County Manager.

The agenda packet shall include the agenda document, any proposed ordinances or resolutions and supporting documentation and background information relevant to the items on the agenda. For a regular meeting that is not an Agenda Session, the agenda packet shall be available and uploaded to the County's website no later than the Thursday prior to that meeting. For an Agenda Session, the agenda packet shall be available and uploaded to the County's website no later than the Friday prior to that Agenda Session. The County Manager may propose a consent agenda as part of the main agenda. The consent agenda may include those routine items of business that do not normally involve debate to include but not limited to:

- Approval of Minutes;
- Approval of Budget Revisions;
- Approval of Declaration of Surplus Property;
- Approval of granting right-of-way easements to NC DOT on county owned properties;
- Approval of Proclamations/Resolutions;
- Approval of adding streets to the NC DOT Road System for maintenance; and
- Other items as deemed appropriate by the County Manager.

Any member of the Board may ask questions about a consent agenda item or transfer it to the regular agenda.

The Board may by unanimous vote of all of the members present add an item to the agenda.

The agenda with packet information will be published on the County's website.

Actions taken by the Board and Minutes of Board meetings will be published on the website.

VI. CONDUCT OF DEBATE

Rule 10

Powers of the Chairman

The Chairman shall preside at all meetings. In the absence of the Chairman, the Vice Chairman shall preside. In the absence of the Vice Chairman, the Board may appoint someone to preside at the meeting.

The Chairman shall have the following powers:

- Rule on points of parliamentary procedure;
- Determine whether a speaker has gone beyond reasonable standards of courtesy in his/her remarks and to entertain and rule on objections from other members on this ground;
- Call a brief recess at any time; and
- Adjourn in an emergency.

The Chairman shall be a voting member of the Board. He/she may make and second a motion.

Rule 11 Action by the Board

The Board shall proceed by motion. A second to the motion is required in order for discussion to ensue. A motion shall be ruled dead by the Chairman if a second is not received within a reasonable period of time.

Rule 12 One Motion at a Time

A Commissioner may make only one motion at a time.

Rule 13 Substantive Motion

A substantive motion is out of order while another substantive motion dealing with another subject is pending.

Rule 14 Substitute Motion

A substitute motion or amended motion dealing with the same subject matter as the original substantive motion shall be acted upon prior to action on the original motion. A substitute motion must be germane to and may not be the opposite of the original motion.

Rule 15 Debate

The Chairman shall state the motion and open the floor for discussion, following a second to the motion.

Rule 16 Adoption by Majority Vote

A motion shall be adopted if approved by a majority of the votes cast. Votes shall be recorded in the Minutes.

Rule 17 Procedural Motions

In addition to substantive motions, the procedural motions listed below in order of priority, and no others, shall be in order:

- Motion to adjourn. This motion may be made only at the conclusion of action on a pending matter; it may not interrupt deliberation of a pending matter. A motion to adjourn is not debatable.
- Motion to recess.
- Motion to follow the agenda. The motion must be made at the first reasonable opportunity or it is waived.
- Motion to suspend rules. This motion requires a two-thirds vote of the members present.
- Motion to divide a complex motion and consider it by sub-parts.
- Motion to defer consideration. A substantive motion whose consideration has been deferred expires unless a motion to revive consideration is adopted within one hundred days.
- Motion to call the previous question. This motion is not in order until there has been at least ten minutes of debate and every member has had one opportunity to speak.
- Motion to postpone to a certain time and/or day.
- Motion to refer to committee. Sixty days after a motion has been referred to a committee, the introducer may compel consideration of the measure by the entire Board, regardless of whether the committee has reported back to the Board.
- Motion to amend. An amendment to a motion must be germane to the subject of the main motion. A motion to amend must receive a second. Any amendment to a proposed ordinance must be presented in writing.
- Motion to revive consideration. This motion is in order at any time within one hundred days of a vote deferring consideration.
- Motion to reconsider. This motion must be made at the same meeting where the original vote was taken and by a member who voted with the prevailing side. It cannot

interrupt deliberation on a pending matter, but is in order any time before adjournment.

- Motion to prevent reconsideration for six months. This motion shall be in order only immediately following the defeat of a substantive motion. It requires a vote equal to a quorum and is valid for six months or until the regular election of county commissioners, whichever comes first.

Rule 18 Renewal of Motion

A defeated motion may not be renewed at the same meeting.

Rule 19 Withdrawal of a Motion

The maker of a motion may withdraw it at any time before the Chairman puts it to a vote.

Rule 20 Duty to Vote

It is the duty of each member to vote unless excused by a majority vote according to law. The Board may excuse members from voting on matters involving their own financial interest or official conduct. A member wishing to be excused from voting shall so inform the Chairman who shall take a vote of the remaining members. A member who fails to vote, not having been excused, shall be recorded as voting in the affirmative.

The effect of a tie vote is that the motion did *NOT* carry.

Rule 21 Prohibition of Secret Voting

No vote may be taken by secret ballot. The Clerk shall record the vote of each member in the minutes.

Rule 22 Action by Reference

The Board of Commissioners shall not deliberate, vote or otherwise act on any matter by reference to an agenda, or document number unless copies of the agenda or documents being referenced are available for public inspection at the meeting and are so worded that people at the meeting can understand what is being discussed or acted upon.

Rule 23 Introduction of Ordinances

A proposed ordinance shall be deemed introduced at the first meeting where it is on the agenda, regardless of whether it is actually considered by the Board, and the introduction shall be recorded in the Minutes.

Rule 24 Adoption, Amendment or Repeal of Ordinances

To be adopted at the meeting where it is first introduced, an ordinance must be adopted by UNANIMOUS vote with all members present. If the ordinance is not approved unanimously it must come before the Board for a second reading anytime within 100 days of its introduction. It may then be adopted by majority vote. (EXCEPTION: A Budget Ordinance, Bond Order or any ordinance requiring a public hearing before adoption may be adopted at any meeting by majority vote at which a quorum is present). Note: A FRANCHISE ORDINANCE must be adopted at two regular meetings.

Rule 25 Quorum and Attendance by Teleconference

A majority of the Board shall constitute a quorum. The number required for a quorum is not affected by vacancies. A quorum is determined at the beginning of a meeting and is not broken by a Commissioner subsequently leaving. A member for whom the Chairman announces at the beginning of the meeting has an excused absence, may attend the meeting and vote by teleconference, provided that, the excused member has notified the Clerk to the Board in sufficient time for the Clerk to have the teleconference set up at the meeting. A member attending by teleconference shall count for purposes of establishing a quorum and the member's vote on each matter shall be recorded in the minutes.

Rule 26 Public Hearings

For all public hearings except those held for rezoning cases and those conducted as quasi-judicial proceedings, ~~The~~ the time limit for each speaker ~~at public hearings~~ shall be three minutes. ~~Except, For~~ for public hearings on rezoning cases, the total time limit shall be ten minutes for the proponent side and ten minutes for the opponent side, ~~(broken up into three minutes for each speaker or five minutes for a speaker representing a group, and If there is only one speaker, he/she may use five minutes).~~ For any public hearing conducted as a quasi-judicial proceeding, those persons for whom the Board has found standing to speak shall be allowed sufficient time to present relevant and material

testimony. Persons desiring to speak at a public hearing must register with the Clerk prior to commencement of the meeting.

The Board of Commissioners reserves the right to limit the length of public hearings to avoid redundant or repetitive comment or testimony.

Rule 27 Minutes

Minutes shall be kept of all board meetings and all committee meetings.

Rule 28 Appointments – a County Commissioner vacancy, a Register of Deeds vacancy and a vacancy in the Office of the Sheriff

The Board shall fill county commissioner vacancies in accordance with G.S. 153A-27. A Register of Deeds vacancy shall be filled in accordance with G.S. 162-5. A vacancy in the Office of the Sheriff shall be filled in accordance with G.S. 162-5.

Rule 29 Appointments – Boards/Committees

The Board of Commissioners appoints citizens to serve on various boards/committees within the County. The procedure for making appointments shall be:

- All members appointed to a board/committee must maintain residence in Cumberland County.
- All appointments will be made in accordance with the Statute or Ordinance that created the board or committee, if applicable.
- No citizen may serve more than two appointed positions simultaneously or more than one appointive position if holding an elective position.
- No citizen may serve more than two consecutive terms on any board/committee (must be off at least one year before returning to board/committee). **Note:** the Board of Commissioners reserves the right to waive this requirement, based on special circumstances.
- If a person is appointed to serve an unexpired term, and serves less than half of the full term, he/she is eligible to serve two full terms. If the person serves more than half of the full term, that is considered to be one full term, and the person may only serve one additional full term.

- Unless otherwise provided by Statute, the Board of Commissioners may remove any appointee for cause, which may include chronic non-attendance at board/committee meetings.
- Appointee must uphold County policies pertaining to the work of the committee and comply with the County Code of Ethics.
- The Board of Commissioners will ordinarily nominate to fill vacancies at one meeting and appoint at the next meeting.
- The Board of Commissioners will accept recommendations for vacancies but is under no obligation to follow those recommendations.
- The Clerk's office maintains an applicant list for boards/committees; however, the Board may nominate/appoint someone who is not on the applicant list.
- Once the official appointment has been made, the Clerk's office will notify the person appointed, forwarding any necessary information to that person. Upon confirmation from the appointee of acceptance of the appointment, the Clerk's office will notify the board/committee of the appointment.
- Applications for appointment to boards/committees are available in the Clerk's office and also on the County's website <http://www.co.cumberland.nc.us>.

Rule 30 Changes to Rules of Procedure

The Board may change these rules of procedure upon a vote of two-thirds of the entire membership of the Board. Changes shall be effective at the next regular meeting.

Suspension of the Rules shall require a two-thirds vote of the members present.



CLERK TO THE BOARD OF COMMISSIONERS

MEMORANDUM FOR THE AGENDA OF THE JANUARY 3, 2019 AGENDA REVIEW SESSION

TO: BOARD OF COUNTY COMMISSIONERS

FROM: RICK MOOREFIELD, COUNTY ATTORNEY

DATE: 12/27/2018

**SUBJECT: DISCUSSION OF A POLICY ESTABLISHING THE MINIMUM BID FOR
THE SALE OF SURPLUS PROPERTY**

Requested by: COMMISSIONER JIMMY KEEFE

Presenter(s): RICK MOOREFIELD, COUNTY ATTORNEY

BACKGROUND

At the Board's October 1, 2018, Commissioner Keefe expressed his concern with the number of surplus properties being sold substantially below their tax value and asked that the Policy Committee review the process by which the minimum bid is established to determine if a better process could be used. The county attorney was informed in 2010 that the minimum bid established by the Board of Commissioners was to be the costs and delinquent taxes at the time the county acquired any property through a tax foreclosure. The county attorney has not found a record of any action with respect to this issue in the Board's minutes. In any event, the Board can establish a policy with respect to the minimum bid that it will accept for a surplus property.

There are currently 35 surplus properties owned solely by the county. For six of these, the amount of the foreclosure judgment is more than the tax value with three of these being the longest held properties on the surplus list. There are also currently 50 surplus properties owned jointly by the county and city. For 18 of these, the amount of the foreclosure judgment is more than the tax value with half of these having been held ten years or more. The attached chart shows this data.

RECOMMENDATION / PROPOSED ACTION

If the Board wishes to establish a minimum bid for surplus properties, it should consider that the Board always has the option of not accepting a bid; there have been no sales of surplus property at the tax value in recent years; those properties with foreclosure judgments in an amount greater than the tax value may be unsaleable; for jointly held properties, the city often assesses lot cleaning liens which increase the bid price to where these properties typically do not sale; and securing and maintaining these properties to code requirements is on-going and costly. If the Board wishes to establish a minimum bid policy, the county attorney recommends that the factors discussed above be taken into account by also including a period of time after which any amount of bid may be considered.

ATTACHMENTS:

Description	Type
Holding Period for Surplus Properties	Backup Material

HOLDING PERIOD FOR SURPLUS PROPERTIES

	NUMBER OF PARCELS		
Year Acquired	County Owned	County-City Owned	Judgment >Tax Value
1994	1		1
2002	2		2
2003	1	1	
2005	3	1	1
2006	3	2	1
2007	3	3	2
2008		7	5
2009		5	1
2010	4	3	
2011	2	9	5
2012	3	3	1
2013	3	5	4
2014	2	4	1
2015	1		
2016	5	2	
2017	2	5	
Total Parcels	35	50	24



CLERK TO THE BOARD OF COMMISSIONERS

MEMORANDUM FOR THE AGENDA OF THE JANUARY 3, 2019 **AGENDA REVIEW SESSION**

TO: BOARD OF COUNTY COMMISSIONERS

FROM: RICK MOOREFIELD, COUNTY ATTORNEY

DATE: 12/27/2018

SUBJECT: DISCUSSION OF ESTABLISHING A SEPARATE TRAVEL POLICY FOR COMMISSIONERS

Requested by: COMMISSIONER JIMMY KEEFE

Presenter(s): RICK MOOREFIELD, COUNTY ATTORNEY

BACKGROUND

Commissioner Keefe asked that the county attorney provide supplemental information to Commissioner Keefe's memo for the discussion of the expenditure of public funds for attendance at certain local events. For clarification, the county attorney notes that the total governing board travel budget of \$83,000 includes the monthly travel allocations in the total amount of \$54,000, leaving only \$29,000 for discretionary travel. Currently, expenditures for tables or tickets to local organizational events are paid from a separate budget line item. This agenda item is not a proposed policy but is for discussion only. The county attorney has recommended changes to the travel policy as stated in the Recommendations, but needs direction from the Policy Committee as to what changes the Committee prefers, if any.

There is no established policy addressing attendance at local organizational events. The practice is to purchase tables or tickets for attendance at local organizational events as has been done historically. A summary of the events for which tables and tickets have been purchased within the last two years is shown in the section entitled, Other Expenses for Tables and Tickets/Miscellaneous, in the attachment.

The issue of establishing a policy addressing the expenditure of public funds for attendance at local organizational events is part of the broader budget for commissioner travel. Currently commissioners are subject to the same travel policy as employees. With respect to travel, the practice is to continue to fund attendance at conferences, association meetings, and for training as has been funded historically. A summary

of the conferences, association meetings and training that has been funded in the last two years is shown in the section entitled, Travel, in the attachment. The decision as to what conferences to attend or training to receive is discretionary with each commissioner. Occasionally an issue arises as to whether a particular request for travel or training serves a public purpose that relates to the official business of Cumberland County. For that reason, the Clerk, the Finance Officer, and the County Attorney are put in the position of telling a commissioner that the request for travel is outside the scope of the county's travel policy and cannot be funded.

A significant distinction between commissioner and employee travel is that all employee travel must be approved by the department head. Also, the \$40 per diem that is provided to commissioners for overnight travel is not included in the travel policy. These differences should be taken into account within the travel policy as it is applied to commissioners and warrant consideration of establishing a separate travel policy for commissioners.

There is a broad range of commissioner travel policies in other jurisdictions. Examples of these are as follows:

- Any business travel by members of the Board of Commissioners outside of NCACC or NACo events require notification to the Chair or Vice-chair prior to approval of reimbursement for such travel.
- Out of town travel on official county business is reimbursed.
- Commissioners shall be reimbursed for expenses incurred in the course of conducting official county business once the travel report has been reviewed by the Finance Officer and approved by the County Manager.
- Travel expenses submitted for reimbursement by members of the Board of Commissioners are to be approved by the Assistant County Manager.
- The City Council shall, upon adoption of the Annual Budget, set an expense allowance for each Council Member. The expense allowance shall cover travel expenses, workshops, subscriptions and memberships. Upon agreement of both parties involved, and approval by the City Council, Council Members may transfer funds among themselves as long as expenditures do not exceed the budgeted amount.
- During the City's annual budget process, a pool of funds shall be appropriated for City Council travel with the Mayor receiving 20% of the total amount and each Councilor receiving 10% of the total budgeted travel funds. The Travel Authorization Request for all trips exceeding an estimated \$200, which are not approved during the annual budget process, will be approved by City Council ten (10) days prior to the travel.

RECOMMENDATION / PROPOSED ACTION

To provide certainty to the Board's stated intent in the current travel policy, the county attorney recommends establishing a separate travel policy applicable to commissioners to address the following:

(1) To establish the public purpose being served by commissioners attending certain local events, adopt the following policy statement:

The Board of Commissioners finds that commissioners' attendance at local events sponsored by our community's non-profit organizations, educational institutions, Chamber of Commerce, and other local agencies which promote the public health, education and welfare, serves the public purpose of enhancing the county's mission to provide excellent customer service to its citizen in a fiscally responsible manner. To that end, commissioners are encouraged to attend such local events as the elected officials of Cumberland County. The following local events are

recognized by the Board of Commissioners as promoting this goal and for which appropriated funds may be used to purchase tickets or tables for commissioners:

[Establish a list of community events for which this section will apply.]

(2) To establish the public purpose being served by commissioners attending certain association meetings and conferences and obtaining certain training, adopt the following policy statement:

The Board of Commissioners finds that commissioners' attendance at meetings and conferences of North Carolina and national associations which promote and advocate for county issues, and commissioners' obtaining training in ethics, leadership, and expertise in the functions of county government, serves the public purpose of enhancing the county's mission to provide excellent customer service to its citizen in a fiscally responsible manner. To that end, commissioners are encouraged to attend such meetings and conferences and obtain such training as the elected officials of Cumberland County. The following conferences, associations and training are recognized by the Board of Commissioners as promoting this goal and for which appropriated funds may be used.

[Establish a list for which this section will apply.]

(3) Establish the process for the approval of a commissioner to attend a local event or other meeting, conference or training that is not on the lists approved by the Board.

(4) Establish the per diem travel allowance as a matter of policy.

ATTACHMENTS:

Description	Type
Past Two Years of County Funds Expended for Donations, Meals, Tickets, Events	Backup Material

Past Two Years of County Funds Expended for Donations, Meals, Tickets, Events

County funds were expended for the following from the travel line item:

- NC Black Summit
- National Organization of Black County Officials Economic Development Conference
- NCACC Annual Conference
- NCACC Banquet Tickets
- NCACC Congressional Breakfast
- NCACC Legislative Goals Conference
- NCACC Tax and Finance Steering Committee Meeting
- NCACC Stepping Up Summit
- NCACC County Assembly Day
- NCACC District Meeting
- NACO Annual Conference
- NACO Legislative Goals Conference
- NACO Forum
- SOG Ethics for Local Elected Officials on-Demand Webinar
- NC Association of Community Alternatives for Youth Regional Meeting
- NC State Treasurers Conference/School of Government
- NC Justice and Public Safety Committee
- Mid-Carolina Council of Governments Annual Dinner Meeting
- The Southeastern Partnership Annual Meeting
- SOG Leading Your Governing Board Course
- SOG Essentials of County Government
- North Carolina Council of Community Programs Conference
- NC African Heritage Commission Meeting
- Open House of Holly Hill Adult Behavioral Hospital
- NC Department of Health and Human Services Public Hearing/Feedback on Medicaid Reform

Travel line items funds:

- mileage for out of county travel
- School of Government course registrations, webinars
- Monthly travel allowance (\$4,500 budgeted per month)
- registration, hotel, transportation, meals, baggage

County funds were expended for tables/tickets for the following from the miscellaneous line item:

- Fayetteville Cumberland County Ministerial Council, Inc.
- CityBiz Business Breakfast
- Human Relations Banquet
- Greater Fayetteville Chamber Annual Awards Banquet
- Greater Fayetteville Chamber State of the Community Luncheon
- United Way Annual Luncheon Meeting
- NAACP Banquet

In relation to travel as an event, commissioners were paid \$40 per diem each day of out-of-county travel from the per diem line item.



CLERK TO THE BOARD OF COMMISSIONERS

MEMORANDUM FOR THE AGENDA OF THE JANUARY 3, 2019 **AGENDA REVIEW SESSION**

TO: BOARD OF COUNTY COMMISSIONERS

FROM: COMMISSIONER JIMMY KEEFE

DATE: 12/27/2018

**SUBJECT: DISCUSSION OF ESTABLISHING A POLICY FOR EXPENDING
PUBLIC FUNDS FOR EVENTS AND ORGANIZATIONS SPECIFIC TO
COMMISSIONER TRAVEL**

Requested by: COMMISSIONER JIMMY KEEFE

Presenter(s): COMMISSIONER JIMMY KEEFE

BACKGROUND

The policy of commissioner travel and expending of public funds for events and organizations is being discussed by the policy committee. Our current policy seems to not have protocols or procedures in place for approved travel and seminars. There seems to be no standard on which events and organizations the county purchases a table or tickets for commissioners.

Commissioners are consistently asked to attend charitable, civic and non-profit events as elected representatives of Cumberland County. It is not uncommon for a member of the Board of Commissioners to receive 6-10 invitations a month to support local organizations. The Chairman can easily receive twice as many.

The current practice is that commissioners are financially responsible for all ticket purchases, unless the county has purchased a table. I am aware of commissioners not attending some of the events because of the large financial burden. Many times, it may look like the leadership of the county is not supporting an event, but the truth is that it is a personal economic hardship to attend many of these functions.

RECOMMENDATION / PROPOSED ACTION

I am not requesting that we increase the travel budget, but only that individual tickets to local charitable, civic and non-profit events be authorized as an approved expense under the Commissioners travel budget and that this line item be changed to "Commissioner Travel & Event" expenditure.

In order to allow for fair and equitable distribution of these funds, I would suggest that each member of the board receive a \$8,000.00 annual budget for Travel & Event expenses and that the Chairman be allotted \$12,000.00. This would be less than our current budget line item for Commissioner travel. It would be appropriate that County Management may also use their travel budget line item to attend local events as a representative of the county.

Finally, if this policy is approved, I would recommend that the county cease to purchase tables for community events unless approved by the board.



OFFICE OF THE COUNTY MANAGER

MEMORANDUM FOR THE AGENDA OF THE JANUARY 3, 2019
AGENDA REVIEW SESSION

TO: BOARD OF COUNTY COMMISSIONERS

FROM: TRACY JACKSON, ASST. COUNTY MANAGER

DATE: 12/18/2018

**SUBJECT: MONTHLY COMMUNITY DEVELOPMENT BLOCK GRANT -
DISASTER RECOVERY (CDBG-DR) UPDATE**

Requested by: TRACY JACKSON, ASST. COUNTY MANAGER

Presenter(s): N/A

BACKGROUND

Monthly report of Hurricane Matthew applicants seeking disaster recovery housing assistance under the State of North Carolina's CDBG-DR program.

RECOMMENDATION / PROPOSED ACTION

No recommendation or proposed action. For information only.

ATTACHMENTS:

Description	Type
January 2019 CDBG-DR Monthly Update	Backup Material

CUMBERLAND COUNTY CDBG-DR PROGRAM UPDATE
FOR THE JANUARY 3, 2019
BOARD OF COMMISSIONER'S AGENDA SESSION

Status as of December 18, 2018:

Total Applications	County Application Intake (Step 1)	State Eligibility Check (Step 2)	State Duplication of Benefits Check (Step 3)	State Under Further Review /Withdrawn /Ineligible
304	49 (9county/40 city)	33(11 county/22 city)	12 (1county/11 city)	54 / 17 /17
State Inspection & Environmental Review (Step 4)	State Grant Determination (Step 5)	Contractor Selection (Step 6)	Construction (Step 7)	Completion (Step 8)
63 (13 county/50 city)	58 (13 county/45 city)	0	0	1 (1 county/0 city)

**Step 1 performed by County; Steps 2-5 performed by State; 6-8 performed by County/City/State*

Milestones/Activities:

- The 58 in Step 5 consist of: 11 Appeals; 7 Consultation Requests; 28 Accepted; and 12 Pending Applicants Decision;
- Professional Project Management Services – recommendation at upcoming Board meeting;
- Board approved proposed Draft Amendment One to CDBG-DR Agreement between State and County submitted to NCEM/Commerce – pending HUD approval State's Action Plan Amendment;
- Ongoing– County staff processing applications and submitting to State for conducting Steps 2-5;
- Robins Meadow Permanent Supportive Housing Project notice to proceed with environmental review issued; Robins Meadow Permanent Supportive Housing Project A/E Services RFQ due December 21;
- City staff reviewing sites to submit to the County for preliminary project information form for submission to the State for Community Resource Center Project
- The State is still currently developing policies before implementing the following programs – Buyout/Acquisition; Renters/Landlords; and Temporary/Relocation Programs

Current Staffing:

- State: – David Caulthorn, CD Specialist II, Dept. of Public Safety – (Community Outreach for CDBG-DR)
- Cumberland County:
 - Sylvia McLean, P.T. Community Development (CD) Consultant; Terrinique Washington, Admin Support Specialist; Chavaungh McLamb, Admin Housing Coordinator II; Tye Vaught, Admin Program Officer II
- City of Fayetteville: Cindy Blot, Eco & CD Director; Anedra Walls, Admin Assistant

Hours of Operation (Cumberland County Application Intake Center):

- Monday – Friday, 9 a.m. to 4 p.m.
- Location – Cumberland County Community Development Dept – 707 Executive Place



FINANCE OFFICE

**MEMORANDUM FOR THE AGENDA OF THE JANUARY 3, 2019
AGENDA REVIEW SESSION**

TO: BOARD OF COUNTY COMMISSIONERS

FROM: VICKI EVANS, FINANCE DIRECTOR

DATE: 12/20/2018

**SUBJECT: MONTHLY FINANCIAL REPORT - FISCAL YEAR 2019, NOVEMBER
YEAR-TO-DATE**

Requested by: AMY CANNON

Presenter(s): VICKI EVANS, FINANCE DIRECTOR

BACKGROUND

The financial report is included which shows results of the general fund for fiscal year 2019, November year-to-date. Results of fiscal year 2018 will be added upon completion and presentation of the audit. Additional detail has been provided on a separate page explaining any percentages that may appear inconsistent with year-to-date budget expectations.

RECOMMENDATION / PROPOSED ACTION

No action needed - for discussion and information purposes only.

ATTACHMENTS:

Description	Type
Monthly Revenues FY19 Nov ytd	Backup Material
Monthly Expenditures FY19 Nov ytd	Backup Material
Monthly explanations FY19 Nov ytd	Backup Material

**County of Cumberland
General Fund Revenues**

REVENUES	FY18-19		YTD ACTUAL		PERCENT OF BUDGET TO DATE	*
	ADOPTED BUDGET	REVISED BUDGET	AS OF November 30, 2018			
Ad Valorem Taxes						
Current Year	\$ 163,777,000	\$ 163,777,000	\$ 90,981,335		55.6%	(1)
Prior Years	1,121,000	1,121,000	858,798		76.6%	
Motor Vehicles	18,326,000	18,326,000	6,615,267		36.1%	(2)
Penalties and Interest	500,000	500,000	219,712		43.9%	
Other	908,000	908,000	438,102		48.2%	
Total Ad Valorem Taxes	184,632,000	184,632,000	99,113,214		53.7%	
Other Taxes						
Sales	42,625,774	42,625,774	6,812,987		16.0%	(3)
Real Estate Transfer	700,000	700,000	585,382		83.6%	
Other	1,060,000	1,060,000	298,936		28.2%	
Total Other Taxes	44,385,774	44,385,774	7,697,305		17.3%	
Unrestricted & Restricted Intergovernmental Revenues	62,049,904	63,727,061	12,980,005		20.4%	(4)
Charges for Services	12,312,681	12,349,416	4,418,881		35.8%	
Other Sources (includes Transfers In)	2,442,205	2,530,071	1,388,231		54.9%	
Proceeds Refunding Bonds	-	-	-		0.0%	
Premium on COPS Sold	-	-	-		0.0%	
County Closing Contribution	-	-	-		0.0%	
Lease Land CFVMC	3,714,637	3,714,637	3,533,596		95.1%	(5)
Total Other	6,156,842	6,244,708	4,921,828		78.8%	
Total Revenue	\$ 309,537,201	\$ 311,338,959	\$ 129,131,232		41.5%	
Fund Balance Appropriation	7,447,195	23,007,377	-		0.0%	
Total Funding Sources	\$ 316,984,396	\$ 334,346,336	\$ 129,131,232		38.6%	

County of Cumberland
General Fund Expenditures

DEPARTMENTS	FY18-19	FY18-19	YTD ACTUAL	PERCENT OF	**
	ADOPTED BUDGET	REVISED BUDGET	AS OF November 30, 2018	BUDGET TO DATE	
Governing Body	\$ 628,960	\$ 628,960	\$ 309,768	49.3%	
Administration	1,525,894	1,565,394	610,135	39.0%	
Public Affairs/Education	497,286	523,286	189,143	36.1%	
Human Resources	924,551	924,551	380,880	41.2%	
Print, Mail, and Design	788,684	788,684	377,808	47.9%	
Court Facilities	156,220	156,220	31,491	20.2% (1)	
Facilities Maintenance	1,024,101	1,024,101	404,615	39.5%	
Landscaping & Grounds	669,140	669,140	288,377	43.1%	
Carpentry	162,507	162,507	71,816	44.2%	
Facilities Management	1,316,856	1,316,856	533,478	40.5%	
Public Buildings Janitorial	724,839	724,839	305,354	42.1%	
Central Maintenance	948,724	948,724	319,196	33.6%	
Information Services	4,336,330	7,087,516	2,002,874	28.3%	
Board of Elections	2,237,329	2,237,329	1,053,516	47.1%	
Finance	1,295,351	1,295,351	511,112	39.5%	
Legal	804,578	804,578	309,970	38.5%	
Register of Deeds	2,394,577	2,846,373	884,396	31.1%	
Tax	5,683,071	5,820,571	2,328,347	40.0%	
Debt Service	-	-	-	0.0%	
General Government Other	3,967,735	4,542,628	1,313,224	28.9%	
Sheriff	52,720,576	53,070,455	21,308,360	40.2%	
Emergency Services	3,674,666	3,976,373	1,583,808	39.8%	
Criminal Justice Pretrial	564,038	564,038	201,494	35.7%	
Youth Diversion	63,654	63,654	11,482	18.0% (2)	
Animal Control	3,248,915	3,293,898	1,370,482	41.6%	
Public Safety Other (Medical Examiners, NC Detention Subsidy, etc.)	1,444,268	1,444,268	379,974	26.3%	
Public Health	23,104,110	23,581,896	9,729,594	41.3%	
Mental Health	5,463,227	5,471,227	3,790,740	69.3%	
Social Services	60,359,879	60,539,520	23,923,004	39.5%	
Veteran Services	408,159	408,159	169,580	41.5%	

**County of Cumberland
General Fund Expenditures**

DEPARTMENTS	FY18-19	FY18-19	YTD ACTUAL AS OF	PERCENT OF	**
	ADOPTED BUDGET	REVISED BUDGET	November 30, 2018	BUDGET TO DATE	
Child Support	5,205,713	5,205,713	1,936,116	37.2%	
Spring Lake Resource Administration	34,332	34,332	11,258	32.8%	
Library	10,807,325	10,822,037	4,483,637	41.4%	
Stadium Maintenance	117,296	117,296	34,558	29.5%	
Culture Recreation Other (Some of the Community Funding)	268,069	268,069	136,356	50.9%	
Planning	3,522,591	3,528,841	1,335,404	37.8%	
Engineering	1,987,178	1,587,178	604,798	38.1%	
Cooperative Extension	717,173	719,173	252,884	35.2%	
Location Services	315,177	315,177	62,743	19.9% (3)	
Soil Conservation	142,570	647,875	87,474	13.5% (4)	
Public Utilities	87,153	87,153	38,032	43.6%	
Economic Physical Development Other	20,000	20,000	20,000	100.0%	
Industrial Park	1,104	11,254	512	4.6% (5)	
Economic Incentive	461,677	461,677	28,749	6.2% (6)	
Water and Sewer	250,000	250,000	-	0.0% (7)	
Education	92,457,009	93,143,900	45,942,950	49.3%	
Other Uses:					
Transfers Out	19,451,804	30,645,565	194,471	0.6% (8)	
TOTAL	\$ 316,984,396	\$ 334,346,336	\$ 129,863,959	38.8%	

Expenditures by Category	FY18-19	FY18-19	AS OF	PERCENT OF
	ADOPTED BUDGET	REVISED BUDGET	November 30, 2018	BUDGET TO DATE
Personnel Expenditures	\$ 140,421,227	\$ 140,517,208	\$ 56,478,544	40.2%
Operating Expenditures	153,678,512	159,611,794	71,653,435	44.9%
Capital Outlay	2,655,876	2,794,792	1,117,193	40.0%
Transfers To Other Funds	20,228,781	31,422,542	614,787	2.0%
TOTAL	\$ 316,984,396	\$ 334,346,336	\$ 129,863,959	38.8%

COUNTY OF CUMBERLAND

Fiscal Year 2019 - November Year-to-Date Actual (Report Run Date: December 20, 2018)

Additional Detail

General Fund Revenues

*

- (1) **Current Year Ad Valorem** 55.6% - the bulk of revenues are typically recorded between November - January.
- (2) **Motor Vehicles** 36.1% - YTD Actual reflects 4 months of collections.
- (3) **Sales Tax** 16.0% - YTD Actual reflected 2 month of collections.
- (4) **Unrestricted/Restricted Intergovernmental** 20.4% - There is typically a one-two month lag in receipt of this funding.
- (5) **Lease Land CFVMC** 95.1% - typically paid in the beginning of the fiscal year.

General Fund Expenditures

**

- (1) **Court Facilities** 20.0% - Expenses are low due to repairs and maintenance expenses not being expended thus far.
- (2) **Youth Diversion** 18.0% - Staff has not been hired. An allocation is done for the administrative assistant that is helping with the program currently.
- (3) **Location Services** 19.9% - Vacant position within the department was hired mid-October.
- (4) **Soil Conservation** 13.5% - The Stream Debris Removal grants were moved to this department from Engineering earlier this fiscal year. Contracts have not yet been executed.
- (5) **Industrial Park** 4.6% - Budget revision was approved at 11/5/18 BOCC meeting to fund surveying cost for the land transfer and a substation. Cost has not been expended at this time.
- (6) **Economic Incentive** 6.2% - Economic incentives are budgeted at 100% of agreements but are not paid unless/until the company complies.
- (7) **Water and Sewer** 0% - No expenditures have been incurred.
- (8) **Transfers Out** 0.6% - Transfers are generally prepared toward the end of the fiscal year.



ENGINEERING AND INFRASTRUCTURE DEPARTMENT

MEMORANDUM FOR THE AGENDA OF THE JANUARY 3, 2019
AGENDA REVIEW SESSION

TO: BOARD OF COUNTY COMMISSIONERS

FROM: JEFFERY P. BROWN, PE, ENGINEERING & INFRASTRUCTURE DIRECTOR

DATE: 12/27/2018

SUBJECT: MONTHLY PROJECT UPDATES

Requested by: AMY H. CANNON, COUNTY MANAGER

Presenter(s): JEFFERY P. BROWN, PE, ENGINEERING & INFRASTRUCTURE DIRECTOR

BACKGROUND

Please find attached the monthly project update report for your review.

RECOMMENDATION / PROPOSED ACTION

This is for information purposes only as there is no action required for this item.

ATTACHMENTS:

Description	Type
Monthly Project Update	Backup Material

MONTHLY PROGRESS REPORT

Project Location	Construction Amount	Project Status	Contract Duration
Courthouse, Detention Center, Community Corrections, Headquarters Library Parking Lots	\$174,251.53	Contractor has completed Detention Center, Community Corrections lot and Courthouse lots. Contractor is awaiting notice to proceed from County for HQ Library lots. The HQ Library lots are postponed until PNG completes their gas installation.	90 days
Veteran's Services Parking Lot	\$135,462.33	Contractor is preparing project schedule.	35 days
Spring Lake Library and Family Resource Center Parking Lots	\$203,544.50	Project is complete.	45 days
Building Envelope Repairs Project	\$551,479.00	Contractor has completed Spring Lake Library and Family Resource Center and the Judge E. Maurice Braswell Courthouse. The contractor is pursuing work at Bradford Place, the Historic Courthouse and Department of Social Services.	120 days
Crown Coliseum Membrane and Sealant	\$1,735,100.00	Contractor is pursuing installation of membrane across the Coliseum. The sealant installation is complete.	180 days
Judge E. Maurice Braswell Courthouse Room 564 Renovation	\$173,497.00	Project is complete.	75 days
Crown Complex Stormwater Pond A	\$642,212.50	Contractor is installing drainage on the project. Grading operations are completed	150 days
Crown Complex Stormwater Pond B	\$705,040.00	Contractor is installing ground cover on the project. Grading operations are completed. The County is waiting on FEMA to respond to a request for sheet pile installation.	150 days
Overhills Park Water and Sewer District	\$4,131,106.59	Contractor is preparing schedule for repairs due to Hurricane Florence to both lift stations.	565 days



ASSISTANT COUNTY MANAGER GENERAL GOVERNMENT AND STEWARDSHIP

MEMORANDUM FOR THE AGENDA OF THE JANUARY 3, 2019
AGENDA REVIEW SESSION

TO: BOARD OF COUNTY COMMISSIONERS

FROM: MELISSA C. CARDINALI

DATE: 12/27/2018

SUBJECT: MONTHLY HEALTH INSURANCE UPDATE

Requested by: AMY H. CANNON

Presenter(s): N/A

BACKGROUND

Total health insurance claims for FY19 are up 6.8% for the month of November as compared to the same month in FY18. To provide some perspective on the claims, below is the 5-month average for the past 5 fiscal years. This average represents the average claims for July - November of each fiscal year. Additionally, graphs are provided as an aid to the analysis.

Average claims per fiscal year through November:

FY15 \$1,566,598
FY16 \$1,755,571
FY17 \$1,390,454
FY18 \$1,446,668
FY19 \$1,540,991

RECOMMENDATION / PROPOSED ACTION

No action needed – for information only.

ATTACHMENTS:

Description

Type

Health Insurance Memo
Health Insurance Graphs

Backup Material
Backup Material

AMY H. CANNON
County Manager

MELISSA C. CARDINALI
Assistant County Manager



DUANE T. HOLDER
Assistant County Manager

TRACY JACKSON
Assistant County Manager

SALLY S. SHUTT
Assistant County Manager

OFFICE OF THE COUNTY MANAGER

**MEMO FOR THE AGENDA OF THE JANUARY 3, 2019
AGENDA REVIEW SESSION**

TO: BOARD OF COMMISSIONERS

FROM: MELISSA C. CARDINALI, ASSISTANT COUNTY MANAGER

THRU: AMY H. CANNON, COUNTY MANAGER

DATE: DECEMBER 27, 2018

SUBJECT: MONTHLY HEALTH INSURANCE REPORT

Requested by: AMY H. CANNON, COUNTY MANAGER

Presenter: N/A

Estimate of Committee Time Needed: For Information Only

BACKGROUND:

Total health insurance claims for FY19 are up 6.8% for the month of November as compared to the same month in FY18. To provide some perspective on the claims, below is the 5-month average for the past 5 fiscal years. This average represents the average claims for July - November of each fiscal year. Additionally, graphs are provided as an aid to the analysis.

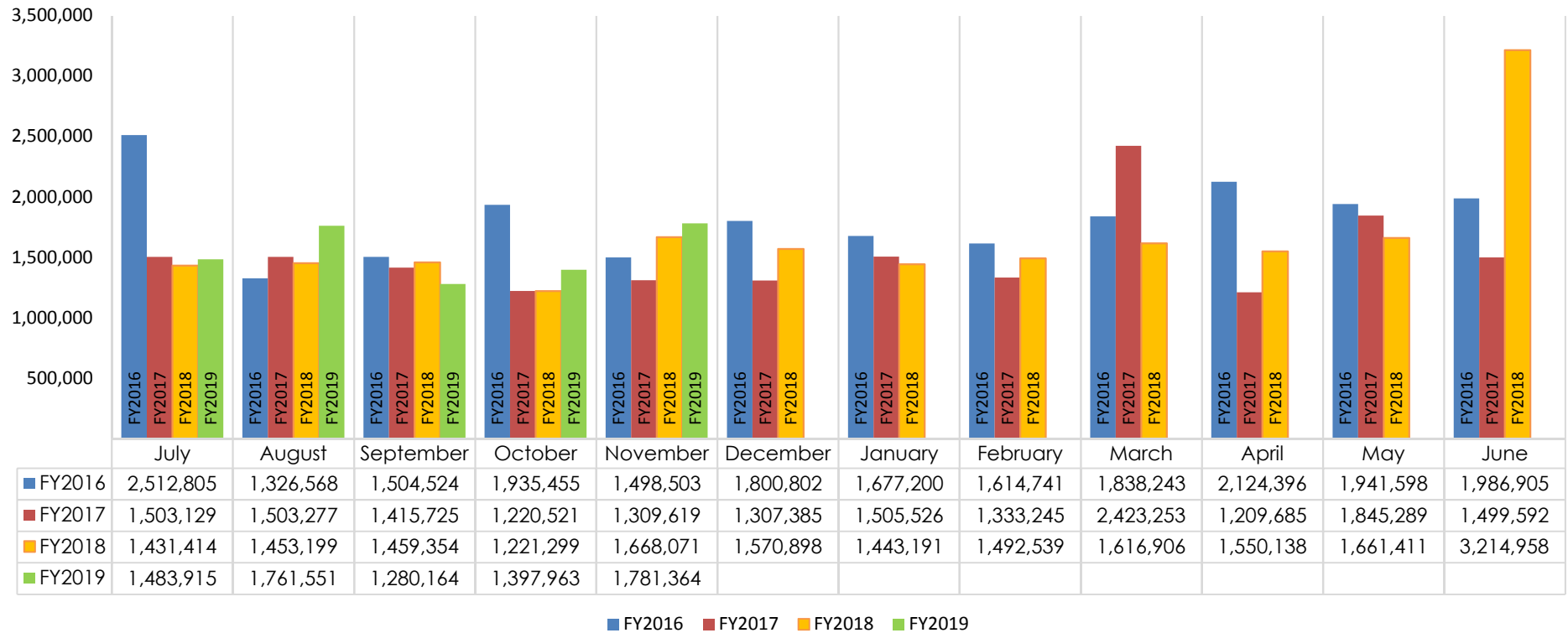
Average claims per fiscal year through November:

FY15 \$1,566,598
FY16 \$1,755,571
FY17 \$1,390,454
FY18 \$1,446,668
FY19 \$1,540,991

RECOMMENDATION/PROPOSED ACTION:

No action needed – for information only.

Monthly Insurance Claims FY16-FY19



Monthly Insurance Claims FY16 - FY19

