

CUMBERLAND COUNTY BOARD OF COMMISSIONERS
MONDAY, JUNE 4, 2018 – 9:00 AM
117 DICK STREET, 1ST FLOOR, ROOM 118
REGULAR MEETING MINUTES

PRESENT: Commissioner Larry Lancaster, Chairman
Commissioner Jeannette Council, Vice Chair
Commissioner Glenn Adams
Commissioner Michael Boose
Commissioner Charles Evans
Commissioner Marshall Faircloth
Commissioner Jimmy Keefe
Amy Cannon, County Manager
Melissa Cardinal, Assistant County Manager
Sally Shutt, Assistant County Manager
Duane Holder, Assistant County Manager/Interim Health Director
Rick Moorefield, County Attorney
Vicki Evans, Finance Director
Deborah Shaw, Budget Analyst
Heather Harris, Budget Analyst
Brenda Jackson, Social Services Director
Jeffrey Brown, Engineering and Infrastructure Director
Candice White, Clerk to the Board
Kellie Beam, Deputy Clerk
Press

Chairman Lancaster called the meeting to order.

INVOCATION / PLEDGE OF ALLEGIANCE

Commissioner Faircloth provided the invocation followed by the Pledge of Allegiance to the American flag.

Amy Cannon, County Manager, asked to have Item 8.A. Closed session for Attorney Client Matter(s) Pursuant to NCGS 143-318.11(a)(3) changed to a Closed Session for Personnel Matter(s) Pursuant to NCGS 143-318.11(a)(6).

1. APPROVAL OF AGENDA

MOTION: Commissioner Adams moved to approve the agenda with the change as requested.
SECOND: Chairman Boose
VOTE: UNANIMOUS (7-0)

2. PRESENTATIONS

A. Presentation of the Fayetteville-Cumberland Human Relations Commission 2017/2018 Annual Report by Chair Shiela Cuffee

BACKGROUND

A presentation of the Fayetteville-Cumberland Human Relations Commission's 2017/2018 Annual Report will be presented by Chair Shiela Cuffee at the June 4, 2018 Board of Commissioners' Meeting.

RECOMMENDATION / PROPOSED ACTION

Accept the report as presented.

Human Relations Commission Chair Shiela Cuffee stated the Fayetteville-Cumberland Human Relations Commission had a remarkable year and her overview will summarize who the HRC is and what they have accomplished in support of the community's residents. Ms. Cuffee shared the names of current HRC members and other HRC members who served during the past year. Ms. Cuffee provided HRC highlights for 2017-2018 and stated as of May 31, 2018, HRC members

have contributed 1,123.83 hours of volunteer service resulting in a saving in terms of in-kind dollars of \$25,836.81.

3. CONSENT AGENDA

A. Approval of May 21, 2018 Regular Meeting Minutes

B. Approval of Destruction of Records in the County Attorney's Office

BACKGROUND

In accordance with the County Management Records Retention and Disposition Schedule issued by the North Carolina Division of Archives and History and adopted by the Board of Commissioners at its May 6, 2013, meeting, authorization is requested to destroy Legal Department records as recorded below.

AUDITS: FINANCIAL RECORD SERIES:

Per Standard 4 – Budget, Fiscal, and Payroll Records – Item#6

Destroy in office working papers and remaining records 3 years after the date of the report.

Documents: 1 item from 1996-2009

BANK STATEMENTS, CANCELED CHECKS, DEPOSIT SLIPS, RECEIPTS, RECONCILIATIONS, AND WARRANTS RECORD SERIES:

Per Standard 4 – Budget, Fiscal, and Payroll Records –

Item#8 Destroy in office after 3 years.

Documents: 12 items from 2007-2012

BUSINESS DEVELOPMENT SUBJECT FILES RECORD SERIES:

Per Standard 1 – Administration and Management Records –

Item#8 Destroy in office after 3 years or when superseded.

Documents: 5 items from 2000-2007

CITIZEN COMPLAINTS, PETITIONS, AND SERVICE REQUESTS RECORD SERIES:

Per Standard 1 – Administration and Management Records –

Item#13 Destroy in office 1 year after resolution.

Documents: 4 items from 2002-2009

CONTRACTS AND AGREEMENTS RECORD SERIES:

Per Standard 9 – Legal Records – Item#6

Destroy in office construction (capital improvements) contracts 6 years after completion or termination of project.

Destroy in office all other contracts and agreements 3 years after expiration, termination, or completion.

Documents: 122 items from 1984-2012

CORRESPONDENCE (LEGAL) RECORD SERIES:

Per Standard 9 – Legal Records – Item#7

Destroy in office 5 years after resolution.

Documents: 205 items from 1982-2012

EMPLOYEE TRAINING AND EDUCATIONAL RECORD SERIES:

Per Standard 11 – Personnel Records – Item#28

Destroy in office non-employee-specific records 1 year from date record was created.

Destroy in office remaining records when administrative value ends.

Documents: 2 items from 2006-2010

LEGAL REVIEW RECORDS RECORD SERIES:

Per Standard 9 – Legal Records – Item#13

Destroy in office records (without historical value) when administrative value ends or after expiration of relevant statute of limitations, whichever is longer.

Documents: 99 items from 1989-2012

LITIGATION CASE RECORDS RECORD SERIES:

Per Standard 9 – Legal Records – Item#14
Destroy in office adjudicated cases 5 years after final disposition (per North Carolina State Bar recommendations, litigation records are kept 6 years).
Destroy in office non-adjudicated cases (out of court claims) 5 years after final disposition or expiration of relevant statute of limitations (per North Carolina State Bar recommendations, litigation records are kept 6 years).
Documents: 91 items from 1990-2011

REFERENCE (READING) RECORD SERIES:

Per Standard 1 – Administration and Management Records –
Item#52 Destroy in office when superseded or obsolete.
Documents: 2 items from 1995-2006

SURPLUS PROPERTY FILE RECORD SERIES:

Per Standard 1 – Administration and Management Records –
Item#57 Destroy in office 3 years after disposition of property.
Documents: 1 item from 2002

RECOMMENDATION / PROPOSED ACTION

Approve destruction of the record series as noted above.

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

BACKGROUND

At the Board of Health meeting on May 15, 2018, the Board approved writing off a total of \$16,958.89 as bad debts. The bad debt accounts, with balances of \$50.00 or higher, will be processed through the North Carolina Debt Set-Off Program. This program can attach a debtor’s State Income Tax refund and/or lottery winnings for payment of bad debts. The accounts with balances under \$50.00 will continue to be worked for collection through our in-house collection efforts. This write-off of bad debts is in compliance with the Cumberland County Department of Public Health Debt Collection Policy 02-03 to write-off bad debts every quarter.

RECOMMENDATION / PROPOSED ACTION

Approve write off of \$16,958.89 bad debts to the North Carolina Debt Set-Off Program.

CUMBERLAND COUNTY DEPARTMENT OF PUBLIC HEALTH
DELINQUENT ACCOUNTS TO BE TURNED OVER FOR COLLECTION BAD DEBT
WRITE OFF #53
March 31, 2018

PROGRAM	AMOUNT
ADULT HEALTH CLINIC	\$5,113.42
CHILD HEALTH CLINIC	\$4,770.09
DENTAL HEALTH CLINIC	\$747.40
FAMILY PLANNING CLINIC	\$3,803.46
IMMUNIZATIONS	\$898.00
MATERNAL HEALTH CLINIC	\$1,626.52
TOTAL	\$16,958.89

All bad debt accounts with balances of \$50.00 or higher, will be sent to the North Carolina Debt Set-Off Program, which can attach a debtor's State Income

Tax Refund and/or lottery winnings for payment of bad debts.
The above accounts are 90 days old or older as of 12/31/2017

D. Approval of Cumberland County Public Health Department Billing Guide Effective July 1, 2018

BACKGROUND

At the Board of Health meeting on April 17, 2018 the Board approved the Revised Billing Guide to be followed when providing services to Health Department patients. The Billing Guide provides detailed billing information for each program offered by the Health Department. The guidelines are in compliance with requirements from NC Department of Public Health, NC Department of Health and Human Services, Division of Medical Assistance and Centers for Medicaid and Medicare Services.

The revised version includes the following changes:

- Effective July 1, 2018, proof of income will be required for Family Planning Services. Title X Funding Guidelines changed during FY14, allowing Health Departments the option to require income verification for Family Planning Services. During the agency's last monitoring visit conducted by the NC Department of Public Health, a recommendation was documented to update our policy requiring proof of income for Family Planning Services. Proof of Income is already required for all other clinics. (Page 10)
- Family Planning patients with insurance coverage can elect to not have services billed to their carrier to avoid receiving an explanation of benefits in the mail. All services will be billed to the patient based on the sliding scale fee assessment. This is a Title X requirement that must be followed in order to receive Title X Funding. (Page 10)
- Statement added to clarify that patients are required to provide proof of income and family size annually. Income presented will be used for charges across all Health Department Clinics. (Page 16)
- Medical Record Copy Fee Charges updated to reflect a charge of \$0.50 per page up to 100 pages and \$0.25 for each page over 100. (Page 22)
- Removed Adult Health Primary Care Clinic and Dental Health Services as we no longer provide those services directly.

If the changes are approved, the agency will post public notices in the clinics and patient registration areas at least 30-day prior to the effective date. In addition, all patients with scheduled appointments will be contacted to notify them of our policy change immediately. Patients requesting appointments after approved will be informed of our proof of income policy prior to scheduling an appointment.

RECOMMENDATION / PROPOSED ACTION

Requesting approval of the Revised Billing Guide as presented.

E. Approval of Sale of Surplus Real Property Being 1.00 Acre Godwin Land, Located Off Leitha Lane

BACKGROUND

On May 7, 2018, the Board adopted a resolution of its intent to accept an offer to purchase property with PIN 0593-83-0211, being 1.00 Acre Godwin Land, located off Leitha Lane, Fayetteville for \$3,547.44.

Notice of the proposed sale, subject to the upset bid process required by G. S. § 160A-269, was advertised in the Fayetteville Observer on May 11, 2018. The publisher's affidavit has been provided. More than 10 days have elapsed since the notice was published. No upset bid was received.

RECOMMENDATION / PROPOSED ACTION

County Attorney recommends the Board accept this offer and authorize the Chair to execute a deed for the property upon the County's receipt of the balance of the purchase price.

F. Approval of Sale of Surplus Real Property Being Lot 50 Golden Creek Mobile Home Sub., Located at 222 Bream Place, Plat Book 63, Page 6

BACKGROUND

On May 7, 2018, the Board adopted a resolution of its intent to accept an offer to purchase property with PIN 0425-70-6131, being Lot 50 Golden Creek Mobile Home Sub., located at 222 Bream Place, Fayetteville, Plat Book 63, Page 6, for \$4,952.82.

Notice of the proposed sale, subject to the upset bid process required by G. S. § 160A-269, was advertised in the Fayetteville Observer on May 11, 2018. The publisher's affidavit has been provided. More than 10 days have elapsed since the notice was published. No upset bid was received.

RECOMMENDATION / PROPOSED ACTION

County Attorney recommends the Board accept this offer and authorize the Chair to execute a deed for the property upon the County's receipt of the balance of the purchase price.

- G. Approval of Budget Ordinance Amendments for the June 4, 2018 Board of Commissioners' Agenda

BACKGROUND

General Fund 101

1. Health – Environmental Health - Budget Ordinance Amendment B180636 to recognize funds from the North Carolina Department of Health and Human Services (NCDHHS) in the amount of \$16,271

The Board is requested to approve Budget Ordinance Amendment B180636 in the amount of \$16,271 to recognize funds from NCDHHS. These funds will be used to purchase supplies and to support local travel expenses for Environmental Health staff conducting inspections.

Please note this amendment requires no additional county funds.

Lake Rim Fire District Fund 230

2. Lake Rim Fire District - Budget Ordinance Amendment B180673 to recognize additional tax revenue in the amount of \$5,610

The Board is requested to approve Budget Ordinance Amendment B180673 to recognize additional tax revenue of \$5,610 to be used toward expenses within the fire district.

Please note this amendment requires no additional county funds.

Contingency Funds Report – FY18

The County Manager approved the following uses of contingency funds totaling \$80,000:

- \$80,000 was needed to cover unforeseen repairs such as replacement of the fire panel and the hot water heater at the Detention Center, installation of an exhaust fan at Animal Control, and additional elevator repairs.

RECOMMENDATION / PROPOSED ACTION

Approve Budget Ordinance Amendments.

MOTION: Commissioner Adams moved to approve consent agenda Items 3.A. – 3.G.

SECOND: Commissioner Council

VOTE: UNANIMOUS (7-0)

4. PUBLIC HEARINGS

- A. Public Hearing on Proposed Economic Development Incentives for "Project Intelligence"

BACKGROUND

The June 4, 2018 public hearing is to consider an economic development incentive package for

"Project Intelligence", an existing company in Cumberland County that specializes in management consulting and engineering services. The expanded operations would be located in an existing building, within the City of Fayetteville. If we are successful with this recruitment effort, the proposed project would retain 40 existing jobs through December 31, 2022, and create 178 new jobs by December 31, 2020, with 208 jobs projected by 2023. The company offers a competitive average annual salary of \$64,300, as well as a comprehensive benefits package. The company would make a significant investment in real estate and equipment of approximately \$1,200,000 with projected future investment to exceed \$5,000,000.

We are requesting consideration of a local incentive grant, not to exceed \$89,000. The City of Fayetteville has also scheduled a public hearing in support of this project. The notice for Public Hearing was published on May 25, 2018 in the Fayetteville Observer and has been provided.

RECOMMENDATION / PROPOSED ACTION

Hold the June 4, 2018 public hearing for "Project Intelligence". After the public hearing, consider approval of the local incentive grant in an amount not to exceed \$89,000.

Robert Van Geons, Fayetteville-Cumberland Economic Development Corporation President/CEO, reviewed the background information recorded above. Mr. Van Geons stated the lowest annual salary with this company is \$50,000 so all salaries are above the average. Mr. Van Geons stated the company has operations in multiple states and has expressed interest in working with the community to secure talent from non-traditional applicants to help them find pathways to jobs like this and long-term careers. Mr. Van Geons stated work is also underway with Ft. Bragg to attract and train soldiers who are transitioning to the private sector. Mr. Van Geons provided information regarding publication of the public hearing and reviewed the recommendation/proposed action recorded above.

Chairman Lancaster opened the public hearing

The clerk to the board advised there were no speakers.

Chairman Lancaster closed the public hearing.

MOTION: Commissioner Council moved to approve the local incentive grant in an amount not to exceed \$89,000.

SECOND: Commissioner Faircloth

VOTE: UNANIMOUS (7-0)

5. ITEMS OF BUSINESS

A. Approval of Local Workforce Development Area Annual Plan

BACKGROUND

The Workforce Innovation and Opportunity Act (WIOA) requires each Workforce Development Board (WDB) to develop and submit, in partnership with the local chief elected official, a comprehensive four-year plan. Four-Year Plans were submitted in May 2016. Annually, each WDB is to provide updates to the Comprehensive Four-Year Plan (PY 2016). The WIOA Program Year (PY) 2018 Plan provides current plan year updates which will be effective July 1, 2018 - June 30, 2019 and will include all current local policies. The Comprehensive Four-Year Plan (PY 2016) should be maintained and updated, as appropriate.

The PY 2018 Plan includes information related to the Workforce Development Board Overview, NCWorks Career Center, WIOA Title I Programs (Adult and Dislocated Worker Services and Youth Services), and Local Innovations. The complete document and attachments are available on the Cumberland County website. The Cumberland County Workforce Development Board approved the PY 2018 Cumberland County Local Workforce Development Area Plan at their May 15, 2018 meeting.

RECOMMENDATION / PROPOSED ACTION

The Workforce Development Board recommends approval of the PY 2018 Cumberland County Local Workforce Development Area Plan. Upon approval, the Chair of the Cumberland County Board of Commissioners will sign the Signatory page and the County Manager will sign the Certification form.

Nedra Rodriguez, Workforce Development Director, reviewed the background information recorded above and stated the four-year plan is reviewed annually. Mr. Rodriguez stated the third year looks at regionalization and updates information about what has changed in the community. Ms. Rodriguez stated the plan analyses regional economic conditions, looks into knowledge, skills and abilities job seekers and employers need to be successful, analyzes the current labor market as well as looks into an analysis of education and training being offered in the community. Ms. Rodriguez stated the plan updates each year information that has changed from the prior fiscal year. Ms. Rodriguez also stated the plan must be maintained at the State level.

MOTION: Commissioner Council moved to approve the PY 2018 Cumberland County Workforce Development Area Plan.
SECOND: Commissioner Adams
VOTE: UNANIMOUS (7-0)

6. NOMINATIONS

A. Cumberland County Workforce Development Board (3 Vacancies)

Commissioner Evans nominated Kevin Brooks. Commissioner Council nominated Naynesh Mehta and Sherri Turner. Commissioner Faircloth nominated Kirk deViere. Commissioner Boose nominated Gary Burton.

7. APPOINTMENTS

A. ABC Board (2 Vacancies)

NOMINEE(S):

Wade Hardin (unexpired term)
Paul Crenshaw (unexpired term)
Lee Boughman (new appointment)

Rick Moorefield, County Attorney, responded to questions posed by Commissioner Boose, Commissioner Faircloth and Commissioner Keefe regarding the Board of Commissioners' Rule 29 - Appointments/Boards and Committees, nominations made at the May 21, 2018 meeting, requests for term extensions and wavier of the required two consecutive term limit based on special circumstances. A brief discussion followed.

MOTION: Commissioner Boose moved to appoint Paul Crenshaw to fill the unexpired term of Kenneth Edge and Lee Boughman to fill the open seat vacated at the expiration of Wade Hardin's term.
SECOND: Commissioner Evans
VOTE: PASSED (4-3) (Commissioner Lancaster, Boose, Adams and Evans voted in favor; Commissioners Faircloth, Keefe and Council voted in opposition)

8. CLOSED SESSION:

A. Attorney-Client Matter(s) Pursuant to NCGS 143.318.11(a)(3)

MOTION: Commissioner Boose moved to go into closed session for Personnel Matter(s) pursuant to NCGS 143-318.11(a)(6).
SECOND: Commissioner Faircloth
VOTE: UNANIMOUS (7-0)

MOTION: Commissioner Evans moved to reconvene in open session.
SECOND: Commissioner Faircloth
VOTE: UNANIMOUS (7-0)

MOTION: Commissioner Adams moved to adjourn.
SECOND: Commissioner Evans
VOTE: UNANIMOUS (7-0)

There being no further business, the meeting adjourned at 9:53 a.m.

Approved with/without revision:

Respectfully submitted,

Candice H. White
Clerk to the Board