

CUMBERLAND COUNTY BOARD OF COMMISSIONERS
THURSDAY, JANUARY 3, 2019 – 8:30 AM
JUDGE E. MAURICE BRASWELL CUMBERLAND COUNTY COURTHOUSE
117 DICK STREET, 5TH FLOOR, ROOM 564
AGENDA SESSION REGULAR MEETING MINUTES

PRESENT: Commissioner Jeannette Council, Chair
Commissioner Marshall Faircloth, Vice Chairman
Commissioner Glenn Adams
Commissioner Michael Boose (departed at 12:20 p.m.)
Commissioner Charles Evans
Commissioner Jimmy Keefe
Commissioner Larry Lancaster (departed at 10:15 a.m.)
Amy Cannon, County Manager
Melissa Cardinali, Assistant County Manager
Tracy Jackson, Assistant County Manager
Duane Holder, Assistant County Manager
Rick Moorefield, County Attorney
Vicki Evans, Finance Director
Deborah Shaw, Budget Analyst
Heather Harris, Budget Analyst
Brenda Jackson, Department of Social Services Director
Amanda Bader, Solid Waste Department Director
Dee Taylor, Community Development Director
Jeffery Brown, Engineering & Infrastructure Director
A.J. Riddle, Assistant Engineering & Infrastructure Director
Julean Self, Human Resources Director
Geneve Mankel, Communications & Outreach Coordinator
Joel Strickland, Interim Planning & Inspections Director
Scott Walters, Planning & Inspections
Robert Van Geons, Fayetteville-Cumberland Economic Development
Corporation President/CEO
Cynthia Wilson, Pathways to Prosperity
Adam Svolto, Pathways to Prosperity
Candice White, Clerk to the Board
Kellie Beam, Deputy Clerk
Press

Chair Council called the meeting to order and welcomed everyone in attendance. Chair Council provided the invocation.

Amy Cannon, County Manager, requested the following items be added to the agenda: video by the Public Information Office (PIO) showing the construction and renovations of room 564, introduction of the new Solid Waste Director and discussion regarding the impacts of the government shut down on Cumberland County.

1. APPROVAL OF AGENDA

MOTION: Commissioner Faircloth moved to approve the agenda with the additions of the video by the Public Information Office (PIO) of renovations of room 564, introduction of new Solid Waste Director and the impacts of the government shut down on Cumberland County presented by the County Manager.

SECOND: Commissioner Lancaster

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VOTE: UNANIMOUS (7-0)

Ms. Cannon presented a video made by the Public Information Office (PIO) showing the renovations of room 564 of the Courthouse.

Melissa Cardinali, Assistant County Manager, introduced Amanda Bader, the new Solid Waste Director and gave a brief background of Ms. Bader.

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

MOTION: Commissioner Lancaster moved to approve the December 6, 2018 Facilities and Finance Committee minutes and the August 2, 2018 Policy Committee minutes as presented.

SECOND: Commissioner Faircloth

VOTE: UNANIMOUS (7-0)

3. PRESENTATIONS

- A. Update on the Overhills Park Water and Sewer District Sewer Construction Project

BACKGROUND

Construction of the Overhills Sewer Project was nearly complete prior to Hurricane Florence with the exception of a 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 (2) 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.

Jeffery Brown, Engineering & Infrastructure Director, presented an update on the Overhills Park Water and Sewer District Sewer Construction Project by reviewing the background information recorded above. Mr. Brown recalled the Overhills Park Water & Sewer District project is being funded by 75% USDA grants and 25% USDA loans. Mr. Brown stated this item is for information only and no action is required at this time.

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There were no questions or discussion. No action taken.

B. Fiscal Year 2018 Audit Results

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.

Vicki Evans, Finance Director, provided the following presentation on the audit results for fiscal year ended June 30, 2018 and stated at the Monday, January 7, 2019 meeting, the CAFR will be provided by April Adams, partner with Cherry Bekaert.

Ms. Evans stated the County received an unmodified or clean audit opinion and each month a financial report is shared that focuses on the general fund. Ms. Evans stated at this time, she will focus on other funds in addition to the general fund. Ms. Evans stated the County policy is a minimum of 10% of expenditures for the unassigned category.

General Fund - Fund Balance
(County school fund / Capital investment fund excluded)

Nonspendable	
Inventories	\$ 155,968
Prepaids	5,400
Restricted:	
Stabilization by state statute	29,382,818
Register of deeds	1,022,258
Public health	3,952,885
Committed:	
Tax revaluation	1,877,327
LEOSA pension obligation	1,756,915
Assigned:	
Subsequent year's expenditures	7,447,195
Tax office software	4,406,300
Economic development incentives	4,000,000
Capital Investment Fund	10,583,825
Special purposes	809,045
Unassigned	53,191,505
Total fund balance	\$ 118,591,441
2018 expenditures	\$ 337,259,412
Unassigned fund balance as a percentage of FY2018 expenditures	15.77%

Ms. Evans stated the slide above shows the different categories of fund balance by amount. Ms. Evans stated there was a total of \$27.2 million assigned and \$53.2 million unassigned. Ms. Evans stated the unassigned fund balance represents 15.77% of FY2018 expenditures. Ms. Evans stated for FY2018, as compared to FY2017, there are fewer fund balance assignments because Public Health moved from Assigned to Restricted and the Board approved fund balance movement of assigned Water & Sewer, capital investment funds, renovation, maintenance and technology upgrades into the CIF during FY2018 and the Mental Health fund balance was depleted during FY2018.

In response to questions posed by Commissioner Keefe, Ms. Cannon explained Medicaid dollars for Mental Health do not come directly to the County but go directly to Alliance Behavioral Healthcare and are restricted on their books. Ms. Cannon stated the only payments the County has on its books are the \$4.8 million to the Alliance.

General Fund - Results
CAFR pages H-2 – H-5

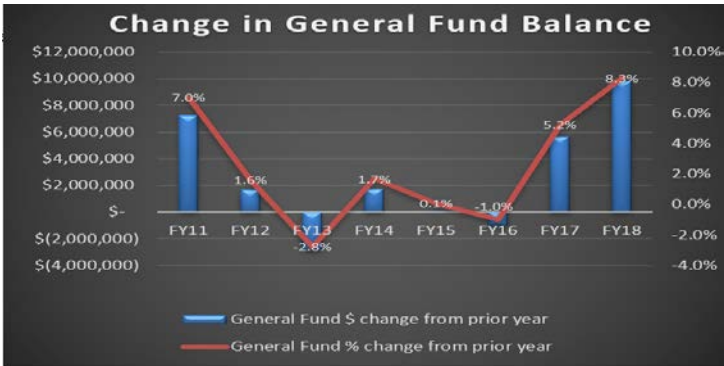
General Fund Increase in Fund Balance	Approximate, Rounded Amounts
Revenues	
Tax revenues above budget (Real 1.30%, Vehicle 1.60%, Sales/Other .91%)	\$ 3,400,000
Fees, Licenses, Permits above budget	1,600,000
Interest earnings on investments above budget	650,000
Intergovernmental revenues under budget	(7,100,000) (1)
Total Revenues (under budget -0.46%)	(1,450,000)
Expenditures	
Personnel costs budgeted not realized across all functions	10,400,000 (1)net \$1.2M
DSS program costs budgeted not realized	4,600,000 (1)net \$1.7M
Group Health Insurance Fund budgeted transfer not needed at year-end	2,500,000
Equipment, improvements, maintenance and repair budgeted not realized	2,500,000
Stream Debris Removal Contract budgeted not realized	2,100,000 (1)net \$2.0M
Other - contracted services, utilities, contingency budgeted not realized	3,500,000
Total Expenditures (under budget 7.8%)	25,600,000
Other financing sources (uses)	(14,300,000) (2)
Total Increase in Fund Balance	\$ 9,850,000

(1) Expenditures not realized have a direct impact on this revenue source.
(2) Appropriated, not used.

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Ms. Evans stated in reference to the slide above, there was an overall increase to general fund fund balance of \$9.8 million. Ms. Evans stated the biggest contributors to the increase were:

- Revenue came in under budget in the intergovernmental categories of revenue which offset the over-budgets in all other categories of revenue.
 - Intergovernmental revenues under budget is a direct result of expenditures not incurred, that would have resulted in \$7.1 million of revenue.
- Personnel costs budgeted not realized across all functions also had a major impact.



Ms. Evans stated the graph in the chart above shows percentage changes in fund balance within the general fund. Ms. Evans stated the amounts have fluctuated up and down over the years. Ms. Evans stated the red line represents the percentage changes from year to year in the general fund, while the blue bars represent the increases or decreases in dollars.

History of Fund Balance
(General Fund/School Capital Fund/Capital Investment Fund)

	GENERAL (101)	\$ change from prior year	% change from prior year	SCHOOL CAPITAL (106)	\$ change from prior year	% change from prior year	CAPITAL INVESTMENT (107)	\$ change from prior year	% change from prior year
FY18	\$ 120,727,455	\$11,970,983	9.9%	\$ 14,012,135	\$ (874,831)	-6.2%	\$ 8,090,585	\$ 8,090,585	100.0%
FY17	108,756,472	5,675,330	5.2%	14,886,966	3,913,691	26.3%			
FY16	103,162,033	(997,133)	-1.0%	10,973,275	1,955,969	17.8%			
FY15	104,159,166	66,020	0.1%	9,017,306	1,597,800	17.7%			
FY14	104,093,146	1,745,630	1.7%	7,419,506	(133,629)	-1.8%			
FY13	102,347,516	(2,852,737)	-2.8%	7,553,135	568,381	7.5%			
FY12	105,200,253	1,663,262	1.6%	6,984,754	(979,605)	-14.0%			
FY11	\$ 103,536,991	\$ 7,273,948	7.0%	\$ 7,964,359	\$ (537,626)	-6.8%			

Ms. Evans stated the slide above shows the changes in total fund balance over the past eight (8) years. Ms. Evans stated for FY2018, the general fund’s fund balance increased by 8.3% or \$9.83 million. Ms. Evans stated the school capital fund’s fund balance decreased 6.2% or \$874,000.

School Capital Fund - Results
CAFR Page H-6

	2018			2017
	Budget	Actual	Variance Positive (Negative)	
Revenues				
Other taxes	\$ 9,593,012	\$ 10,895,436	\$ 1,302,424	\$ 10,415,026
Unrestricted intergovernmental revenue	800,000	938,179	138,179	920,719
Restricted intergovernmental revenue	3,592,098	3,592,098	-	3,674,258
Interest earned on investments	-	94,258	94,258	24,775
Miscellaneous	-	110,223	110,223	80,278
Total revenues	13,985,110	15,620,194	1,635,084	15,115,066
Expenditures				
Education				
School capital outlay I	10,840,977	6,224,334	4,616,643	2,904,748
School capital outlay II	7,110,626	4,627,751	2,482,875	2,341,637
School capital outlay III	629,558	177,133	452,425	589,063
Total expenditures	18,581,161	11,029,218	7,551,943	5,835,448
Revenues over expenditures	(4,596,051)	4,590,976	9,187,027	9,279,608
Other financing sources (uses)				
Transfers (out)	(5,560,735)	(5,465,807)	94,928	(5,365,917)
Appropriated fund balance	10,156,786	-	(10,156,786)	-
Total other financing sources (uses)	4,596,051	(5,465,807)	(10,061,858)	(5,365,917)
Revenues and other financing sources (uses) over (under) expenditures	\$ -	(874,831)	\$ (874,831)	3,913,691
Fund balances				
Beginning of year - July 1		14,886,966		10,973,275
End of year - June 30		\$ 14,012,135		\$ 14,886,966

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Ms. Evans reviewed the slide above and stated there was a decrease in fund balance of \$875,000. Ms. Evans stated the 2018 actual column as compared to the 2017 column shows expenditures of 2018 are far greater than expenditures of 2017.

Capital Investment Fund – Results				
CAFR Page H-7				
	2018		Variance Positive (Negative)	2017
	Budget	Actual		
Revenues	\$ -	\$ -	\$ -	\$ -
Expenditures	8,090,585	-	8,090,585	-
Revenues over expenditures	(8,090,585)	-	8,090,585	-
Other financing sources				
Transfers in	8,090,585	8,090,585	-	-
Total other financing sources	8,090,585	8,090,585	-	-
Revenues and other financing sources (uses) over (under) expenditures	\$ -	8,090,585	\$ 8,090,585	-
Fund balances				
Beginning of year - July 1		-		-
End of year - June 30		\$ 8,090,585		\$ -

Ms. Evans stated the Capital Investment Fund’s fund balance totaled \$8,090,585 as of June 30, 2018 reflecting the amount appropriated by the Board for FY2018.

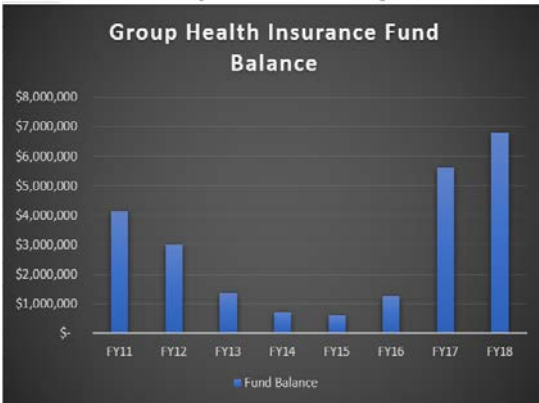
Group Health Insurance Fund – Results
CAFR Page N-5

Group Health Insurance Fund

Increase in Fund Balance

Actual revenues were below budget	\$ (2,450,000)
Actual expenditures were below budget	3,650,000
Total Increase in Fund Balance	\$ 1,200,000
Fund Balance as of June 30, 2018	\$ 6,789,580

Ms. Evans stated there was an increase in the group health insurance fund balance of \$1.2 million due to changes that were implemented, which is good news compared to prior years. Ms. Evans stated actual revenues were below budget in the amount of \$2.45 million as the direct result of a transfer not being done from the general fund to the group health insurance fund because it was not needed at year end. Ms. Evans responded to questions regarding contributions and claims to the group health insurance fund.



Ms. Evans stated the bar graph above shows total fund balance in the Health Insurance Fund over eight fiscal years and how much healthier it was in FY2018.

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SOLID WASTE FUND

Details on CAFR page M-1

	2018		Variance Positive (Negative)	2017
	Budget	Actual		
Operating revenues				
Charges for services	\$ 5,242,400	\$ 4,220,716	\$ (1,021,684)	\$ 4,615,491
Other operating revenue	11,388	11,388	-	11,388
Solid waste fees	5,160,381	5,835,700	675,319	4,975,987
Total operating revenues	10,414,169	10,067,804	(346,365)	9,602,866
Nonoperating revenues and other financing sources				
Interest earned on investments	188,560	442,280	253,730	183,559
Gain (loss) on disposal of capital assets	-	69,987	69,987	194,768
Miscellaneous	189,572	24,704	(164,868)	28,384
Grant revenue	601,322	734,831	133,509	3,384,721
Transfers in	12,251,188	-	(12,251,188)	-
Total Nonoperating revenues and other financing sources	13,230,632	1,271,802	(11,958,830)	3,791,432
Appropriated fund balance	1,425,523	-	(1,425,523)	-
Total revenues, other financing sources and fund balance appropriations	\$ 25,070,324	\$ 11,339,606	\$ (13,730,718)	\$ 13,394,298
Operating expenditures				
Salaries and employee benefits	\$ 4,269,746	\$ 2,982,475	\$ 1,287,271	\$ 3,519,965
Repairs and maintenance	1,628,240	1,566,692	61,548	1,344,493
Utilities	177,700	148,778	28,922	126,969
Administrative costs	5,552,349	4,347,741	1,204,608	3,794,838
Landfill closure and postclosure care costs	700,000	852,930	(152,930)	648,547
Total operating expenditures	12,328,035	9,898,616	2,429,419	9,434,812
Other expenditures and financing uses				
Capital outlay	12,435,766	8,441,259	3,994,507	2,327,953
Transfers out	306,523	-	306,523	-
Total other expenditures and financing uses	12,742,289	8,441,259	4,301,030	2,327,953
Total expenditures and other financing uses	\$ 25,070,324	\$ 18,339,875	\$ 6,730,449	\$ 11,762,765

Solid Waste Fund – (continued)

CAFR Page M-1

Reconciliation of modified accrual basis to full accrual basis

Total revenues and other financing sources	\$ 11,339,606
Total expenditures and other financing uses	18,339,875
	(7,000,269)
Capital outlay	8,441,259
Depreciation	(880,483)
Change in net pension liability	201,014
Change in deferred outflows of resources - pensions	(229,170)
Change in deferred inflows of resources - pensions	9,371
Change in net OPEB liability	345,878
Change in deferred outflows of resources - OPEB	180,508
Change in deferred inflows of resources - OPEB	(783,565)
Change in net position	\$ 284,543

Ms. Evans reviewed the two slides above and stated the Solid Waste fund is an enterprise fund, it is accounted for as a business-type activity similar to those found in the private sector and has to fund itself.

Ms. Evans stated the reconciliation shown adds back in capital outlay costs for the year and subtracts out the depreciation and other pension and other employment benefits; the result is an increase of \$284,543 in the net position of the Solid Waste fund. Ms. Evans state the unrestricted net position of the Solid Waste funds as of June 30, 2018 is \$21.9 million and remains a healthy fund.

Governmental Accounting
Standards Board (GASB)

Implementation of Required Statements

Government-wide statements ~ Now fully
Accounting for future costs of Other Post-Employment Benefits (OPEB)

Ms. Evans stated the Governmental Accounting Standards Board (GASB) has gradually required governments to account for future costs as long-term liabilities within the Government-wide statement of net position.

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	Governmental Activities		Business-type Activities		Total	
	2017	2018	2017	2018	2017	2018
ASSETS						
Current and other assets	\$ 167,385,280	\$ 190,438,314	\$ 61,611,098	\$ 55,409,858	\$ 228,996,378	\$ 245,848,172
Capital assets	200,139,303	194,037,900	62,097,812	69,956,865	262,237,115	263,994,765
Total Assets	367,524,583	384,476,214	123,708,910	125,366,723	491,233,493	509,842,937
Deferred outflows of resources	29,365,766	26,893,284	2,145,305	1,888,255	31,511,071	28,781,519
LIABILITIES						
Long-term liabilities outstanding	268,340,236	406,767,936	44,241,651	46,862,544	312,581,887	453,630,480
Other liabilities	17,279,992	22,935,452	3,115,814	2,406,637	20,395,806	25,342,089
Total Liabilities	285,620,228	429,703,388	47,357,465	49,269,181	332,977,693	478,972,569
Deferred inflows of resources	1,916,309	28,057,570	160,723	865,045	2,077,032	28,922,615
NET POSITION						
Net investments in capital assets	163,004,686	161,369,905	37,152,240	46,331,906	200,156,926	207,701,811
Restricted	66,301,394	75,001,538	10,374,109	3,759,889	76,675,503	78,761,427
Unrestricted	(119,952,268)	(282,762,923)	30,809,678	27,028,957	(89,142,590)	(255,733,966)
Total Net Position (Deficit)	\$ 109,353,812	\$ (46,391,480)	\$ 78,336,027	\$ 77,120,752	\$ 187,689,839	\$ 30,729,272

Ms. Evans stated examples of future costs include retirement and pension expense and health insurance benefits for eligible employees and retirees. Ms. Evans stated the County has implemented these changes over the years as required. Ms. Evans stated to prepare for the FY2018 implementation of GASB statement number 75, which is accounting for the OPED liability, the County engaged in an actuary fund to provide for the future liability amounts that could impact the long-term cost of health insurance. Ms. Evans stated restatements occurred at the fund level because the amount of OPEB under an old statement, GASB number 45, had to be backed out and updated and the amount from the actuary had to be added in. Ms. Evans stated governmental funds are greatly impacted which resulted in a negative total net position for government activity in FY2018.

Ms. Evans stated to prepare for the huge liability and reporting impact, back in 2016 the Board took action to no longer allow new hires the benefit of insurance upon retirement. Ms. Evans stated another way the County can improve the negative net position in future years is to begin to set aside funding in a trust for the future liability. Ms. Evans stated during the FY2020 budget process, staff will develop options on setting aside funding and will make a recommendation as this statement is considered for future bond ratings.

This item was for information only. No action taken.

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

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.

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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.

Ms. Cannon stated the NC Justice Center received a grant in 2017 to convene a multiyear Pathways for Prosperity (P4P) initiative and the goal is to address generational poverty. Ms. Cannon further stated in May 2018 the Cumberland County Board of Commissioners passed a resolution in support of that initiative. Ms. Cannon stated Cumberland County has participated as a community partner with representatives from the Cumberland County Board of Commissioners, Department of Social Services, Public Library, Workforce Development and Cumberland County Management. Ms. Cannon stated Dee Taylor, Interim Community Development Director, would present the request on the housing piece.

Ms. Taylor introduced Cynthia Wilson and Adam Svolto who both serve on the core Leadership Team for the P4P. Ms. Taylor stated P4P consists of a coalition of agencies: community-based organizations, community leaders and advocates interested in improving the economic mobility of the residents in our local area. Ms. Taylor stated in November 2017 a full day summit was hosted at Department of Social Services that brought together community leaders and members to identify five key focus areas:

1. Improving the quality of early education for children (ages birth – 5)
2. Improving the quality of education for the K-12 education system (ages 5-18)
3. Focusing on life skills (parenting skills)
4. Aligning workforce and industry
5. Expand affordable housing options in our community

Ms. Taylor stated within each of the five focus areas recorded above a work group was established to develop 2-3 objectives/strategies to work through each of the five focus areas. Ms. Taylor further stated she would highlight the main objectives for the affordable housing focus area and the other four focus area objectives would be outlined in the comprehensive action plan that was included in the attached materials.

Ms. Taylor stated the objectives for addressing affordable housing will involve coordinating with local units of government, developers, and P4P community members to address affordable housing needs for residents who are severely cost burdened, that have a household income at or below 50% of the area median income and are paying 50% or more of their income in rent or housing. Ms. Taylor stated another objective of the affordable housing focus area is to focus on the effort to

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develop affordable housing such as multi-family rental units and single-family homes for homeownership for households earning between 60-80% of the area median income. Ms. Taylor stated within the five focus areas a lead agency was designated to help with pushing forward the efforts of all objectives except the affordable housing focus area. Ms. Taylor stated P4P is looking to designate a lead agency to help with addressing the affordable housing focus area. Ms. Taylor stated the role of the lead agency will be to explore approaches and best practices that are being used in other jurisdictions to expand affordable housing for severely cost burden residents. Ms. Taylor further stated another role of the lead agency would be to partner with other local units of government such as the City of Fayetteville and Town of Spring Lake to help build a coordinated plan. Ms. Taylor stated an additional role of the lead agency would be to explore funding options to help leverage the current resources that exist in our community. Ms. Taylor stated funding applications that are usually submitted to federal agencies (such as HUD) stand a better chance of being funded when strong community partnerships are shown.

Ms. Taylor stated Cumberland County Community Development currently serves as the lead agency on behalf of the Continuum of Care to address homelessness in our community. Ms. Taylor stated Cumberland County Community Development helps support this community by bringing in funding resources that are available through federal agencies through the Continuum of Care Program and the Emergency Solutions Grant Program, therefore, it seems appropriate that Cumberland County Community Development also serves as the lead agency for helping with affordable housing objectives. Ms. Taylor stated on behalf of the P4P, they are requesting the Cumberland County Board of Commissioners consider approving Cumberland County Community Development to serve as the lead agency for the affordable housing focus area objectives of the P4P comprehensive plan and move the item forward to the January 22, 2019 agenda for consideration.

Commissioner Adams stated looking at the census track, most areas are in the City of Fayetteville, so he believes it makes more sense for the City of Fayetteville Community Development to be the lead agency. Commissioner Boose stated he agrees with Commissioner Adams that the City of Fayetteville Community Development should be the lead agency for the affordable housing focus area. Ms. Cynthia Wilson, P4P, stated P4P is requesting Cumberland County Community Development be the lead agency because they want to be able to go after funding for rural development funds and possibilities will be greater if Cumberland County Community Development is the lead agency. Commissioner Boose asked if the funds would be restricted to rural areas. Ms. Taylor stated it depends on the funding source as far as the limitations on the areas that can be served.

Commissioner Keefe stated he believes the City of Fayetteville Community Development would be the proper lead agency for the affordable housing objective instead of the Cumberland County Community Development. Commissioner Keefe asked Ms. Taylor to provide the Board of Commissioners a copy of the waiting list for affordable housing in Cumberland County.

Commissioner Faircloth stated he agrees the City of Fayetteville should be the lead agency and he has concerns about responsibility and authority. Commissioner Adams stated he would like more information on this item and what it means to be a lead agency. Duane Holder, Assistant County Manager, stated County Management would work with Community Development to bring more information back to the Board of Commissioners including more detailed information on the role of the lead agency.

The consensus of the Board of Commissioners was for County Management and Community Development to bring additional information back to the February 7, 2019 Agenda Session. Commissioner Adams suggested staff send the information to the Board of Commissioners prior to the February 7, 2019 meeting so it can be reviewed.

B. Amendments to the FCEDC By-Laws

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 the November 19, 2018 meeting

RECOMMENDATION / PROPOSED ACTION

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

Ms. Cannon stated this item was presented at the November 19, 2018 regular board meeting and the board delayed action at that meeting and referred this item to the Policy Committee meeting, now the Agenda Review Session, for further information and discussion regarding the private sector. Ms. Cannon stated new information is included in the agenda packet about the private sector engagement model.

Mr. Van Geons stated he appreciates the opportunity to explain the work the FCEDC has been doing regarding their private sector engagement model.

Mr. Van Geons presented the following PowerPoint presentation:

Private Sector Engagement:

- When founded – it was envisioned that FCEDC would provide direct accountability to the County and City, while maintaining strong ties to the private sector
- The most effective EDO's are true public-private partnerships
- Our efforts are exponentially improved when work of elected leadership is expanded through private sector networks and informed by industry knowledge

FCEDC 2017-2018 By the Numbers

- Unemployment is 4.5% (as of October 2018) – down from 6.1% in December 2016
- 3,386 more people working in the Cumberland Region in October 2018 than in December 2016
- 5,400 more jobs in the Fayetteville MSA in October 2018 than in October 2016
- 128,189 Cumberland County Civilian Labor Force Up from 126,686 in December 2016
- 1,154 new jobs
- \$64.5 million in new investment
- 20 Healthcare providers joined the first next-gen partnership in NC
- 1 million square feet of new construction

Expanding the Conversation

- In late 2017, our Board began discussing ways to increase the number and diversity of voices involved in Economic Development
- Separately, private sector companies began to ask how they could support our work
- Two complementary initiatives were identified
 - Expanding public representation on our Board, increasing the number of County and City appointees from 3 to 4

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- Expanding our engagement of the private sector
- At your November 2018 meeting, additional information was requested regarding our private sector engagement model, the Community Development Foundation (CDF), and their appointments to the FCEDC Board

A Unique Opportunity

- Recognizing we were missing opportunities to broaden the conversation and involve new participants, the CDF is preparing a complete transformation of their efforts
- This redesign of private sector interaction will:
 - Revolutionize our local business network
 - Facilitate business connections and collaboration across all of Cumberland County

Business Advisory Council

Goal: Create a dynamic business engagement model that:

- Is open to all businesses, regardless of size or industry
- Delivers sector specific programming
- Links companies by sector and interest
- Creates opportunities for very small businesses to connect with larger companies
- Provides affordable access
- Offers “scholarships” to startup businesses
- Recognizes and promotes success stories, across our business community
- Celebrates our private sector business and industries
- Establishes a governance structure that facilitates diversity of perspective and representation
- Will aggressively recruit participation from sectors and business leaders that have previously not been engaged in the conversation

Transforming Yesterday’s Structure

- Strikeforce & Predecessors
- Alliance Foundation (When Chamber & EDC were merged)
 - Operated as a d.b.a. of the CDF with 23 Board Members
 - Heavily integrated in to the operations of the Chamber
- CDF: Amended after FCEDC’s Creation
 - Once separated from the Chamber and EDC, the Board size was reduced, and the organization went into a period of relative dormancy
 - Provided funding to FCEDC during our first two operating years
- Challenge:
 - We must engage, connect, promote, and facilitate opportunities for our entire business community – regardless of size or sector
 -

Outgoing Board of the CDF:

- Under the proposal, the full board and Chair would step down when the new Board is elected

Member	Role
Rajan Shamdasani	Interim Chairman
Chris Bostock	Member
Tim Richardson	Member
Mac Healy	Member
Vivek Tandon	Member
Jack Rostetter	Member
Terry Hutchens	Member

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Business Advisory Council:

- The Business Advisory Council will be made up of private supporters of Economic Development. FCEDC Staff would manage communication and events, with the Council's direction and input.
- "Micro-Enterprise" investors, who contribute between \$150 and \$500 per year would be eligible for election to the Board. (1-5 employees & less than \$500k in annual revenue) – 5 seats
 - Scholarships will be available to entrepreneurs and "start-up" companies
- "Business Level" investors who contribute at least \$1,250 per year would be eligible for election to the Board – 7 seats
- "Corporate Level" investors who contribute more than \$5,000 annually would be eligible for election to the Board – 4 seats
- The full membership would elect the Board Chair and Vice-Chair

Business Advisory Council Leadership:

- 100% new board – elected by the new membership
- 18 Member Board
- 5 Micro Investors – elected by their peers
- 7 Corporate Investors – elected by their peers
- 4 Executive Investors – elected by their peers
- 2 – Chair and Vice Chair – elected by the full membership

Reasons to participate:

- Annual Events
- Business Relevant Programing
- Industry Sector Networks
- Promotion of Members
 - Incorporated into PR/Promotional efforts
 - Participate in Sector Related recruitment events
- Connect with sector partners to increase local business opportunities
- Be engaged and improve our economic development efforts

Final Thoughts on the CDF

- No company is obligated to participate
- Making local, relevant business connections – easy
- A way for those who want to support economic development to engage and be part of the process
- We have businesses that want to participate by choice vs requirement
- Our goal is to grow and expand collaboration
- We believe this advisory board will create new business opportunities and improve our efforts

Next Steps – Going Forward

- CDF & FCEDC Board are supportive of this concept
- Creating a working group to discuss effective strategies to ensure the broadest possible reach regarding this opportunity
- Requesting your conceptual support of the BAC and advice on ways to promote this opportunity
- If acceptable, request approval of the Amendments to FCEDC Bylaws
- If amendments are approved, appoint 2 members to the FCEDC Board (1 vacant seat & 1 new seat)

Commissioner Adams stated he would recommend the County have 5 seats and the City of Fayetteville have 5 seats on the new proposed board and the FCEDC board would make

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recommendations to the Board of Commissioners for the private sector positions. Commissioner Adams further stated he suggests Mr. Van Geons work with the County Attorney to change the bylaws, so the Board does not have to approve new bylaws every time the address is changed, they should just list generic language wherever the headquarters are located so that the bylaws do not have to come back each time the FCEDC moves. Mr. Van Geons stated the address change may not require new bylaws be adopted.

Commissioner Keefe stated he would like to see more involvement of the FCEDC board in making recommendations on what the vision of economic development should be in our community. Commissioner Keefe stated he believes to have a viable economic development you need engagement from the business owners because they provide a value. Commissioner Adams stated there needs to be diversity on the new board because it was lacking in the prior board. Chairman Council stated it is incumbent upon the City and County to recognize the fact that there needs to be more diverse appointments.

MOTION: Commissioner Adams moved to approve the FCEDC bylaws as presented and place on the consent agenda of the January 22, 2019 regular meeting.
SECOND: Commissioner Council
VOTE: UNANIMOUS (7-0)

Commissioner Larry Lancaster departed the meeting at 10:15 a.m.

C. Selection of Hazard Mitigation Grant Program Options for Hurricane Florence-Related Flood Damage

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 item 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

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Tracy Jackson, Assistant County Manager, reviewed the background information and recommendation as recorded above.

There were no questions or discussion.

MOTION: Commissioner Boose moved to place this item on the consent agenda at the January 7, 2019 regular meeting.

SECOND: Commissioner Council

VOTE: UNANIMOUS (6-0)

D. Contract for Department of Social Services Chiller Replacement Project

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 FY2019 budget adoption included one chiller for replacement in the current fiscal year with the second chiller to be replaced in FY2020.

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 6, 2018 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 7, 2019 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.

Jeffery Brown, Engineering & Infrastructure Director, reviewed the background information and recommendation as recorded above. Questions followed regarding the certified bid tabulation and price differences between Haire Plumbing and Ivey Mechanical Company.

Commissioner Keefe asked about the policy for companies being qualified for M/WBE. Mr. Moorefield stated the County uses the state statute definition of M/WBE and Mr. Brown stated it

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is the state's designation whether a company is considered an M/WBE company. Mr. Brown further stated companies are not required to be an M/WBE company to do business with Cumberland County.

MOTION: Commissioner Faircloth moved to place this item on the consent agenda at the January 7, 2019 regular meeting.
SECOND: Commissioner Council
VOTE: UNANIMOUS (6-0)

E. Assignment of Professional Services Agreement for Crown Coliseum Ice Plant and Floor Project to Another Engineering Firm

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 20, 2018, 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 7, 2019 Board of Commissioners Meeting for approval.

Mr. Brown reviewed the background information and recommendation as recorded above.

Mr. Moorefield stated he would like to clarify that the County is not reassigning this contract, the County is approving the firm's assignment of the contract to this other group. Mr. Moorefield further stated his office has been made aware that the individuals in this new company are the same individuals that were in the former firm so there are no problems under those assumptions.

MOTION: Commissioner Faircloth moved to place this item on the consent agenda at the January 7, 2019 regular meeting.
SECOND: Commissioner Council
VOTE: UNANIMOUS (6-0)

F. Legislative Agenda Items to Discuss with the Cumberland County General Assembly Delegation at Meeting on January 28, 2019

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.

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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.

Ms. Cannon reviewed the background information and recommendation as recorded above. Ms. Cannon stated the goal is to review and discuss the initiatives listed below and determine which ones will move forward to the legislation delegation meeting scheduled for January 28, 2019.

Tax and Finance:

- Sales tax as an option for public safety funding. (*Submitted by Commissioner Keefe*)

Ms. Cannon stated this item was brought forward last year and is also listed under the "Public Safety" category recorded below. Ms. Cannon further stated all sales tax articles are enacted except Article 43 and currently Article 43 is designated for transit. Ms. Cannon stated there was discussion last year about having Article 43 changed to allow it to be used for public safety. Commissioner Keefe stated this was a recommendation from the Public Safety Task Force. The consensus of the board was to remove this item from the "Tax and Finance" category and include it under "Public Safety" below.

- Food & Beverage Tax: Amend the Prepared Food and Beverage Tax to repeal the sunset provision. (*Submitted by Commissioner Keefe*)

Commissioner Keefe stated he believes this item is very important and time is running out. Ms. Cannon stated if the Board of Commissioners want maximum flexibility in the future on Food and Beverage Tax, there are some additional changes that may need to be made because right now Food and Beverage is limited to the footprint of the Crown Coliseum Complex. The consensus of the board was for County Management to work with the County Attorney to come up with draft language that is more comprehensive and allows greater flexibility and send out to the Board of Commissioners prior to the Legislative Delegation meeting scheduled for January 28, 2019 for feedback.

- Local Occupancy Tax: Amend the Local Occupancy Tax to allow the County to operate under House Finance Committee Guidelines (*Submitted by Commissioner Keefe*)

The consensus of the board was to remove this item.

- State participation in the Gray's Creek water project (*Submitted by Commissioner Keefe*)

The consensus of the board was to remove this item from the "Tax and Finance" category and include this item under the "Public Health" category.

- 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*)

Ms. Cannon stated this was another item that was presented to the Legislative Delegation last year and explained there has been a shift from the Supreme Court in forcing companies that do not have a physical address in Cumberland County to remit sales tax. Ms. Cannon stated the challenge is the Department of Revenue does not provide a breakdown of sales tax collected for services or online sales. Ms. Cannon further stated the Finance Director has reached out multiple times to the Department of Revenue seeking a breakdown. Commissioner Faircloth stated this item is being

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taken up by the NCACC and is now a viable state goal. Commissioner Adams suggested we move this item forward and mirror it with the state goal. The consensus of the board was to move this item forward and mirror the language from the NCACC.

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)*

Ms. Cannon stated Cumberland County has moved to a Tier 1 county but there are grant funds that Cumberland County is not eligible for because of population. Commissioner Keefe stated that he hopes to express to the Legislative Delegation that because of our military population in our school system our population numbers may be skewed. Commissioner Council asked if County Management had discussed this issue with the Cumberland County Board of Education. Ms. Cannon stated County Management has a meeting set up in the coming weeks with the Dr. Connelly, Cumberland County Schools Superintendent, and this item will be discussed. The consensus of the board was for County Management to discuss this item with the School Superintendent.

- Ability of school boards to sue County governments over funding. *(Submitted by Commissioner Keefe)*

Ms. Cannon stated House Bill 1031 was approved in June 2018 and the general statutes were revised for settling the litigation phase. Ms. Cannon further stated the mediation phase stays in, but it eliminates litigation and puts in a default funding formula if there is not an agreement during the mediation phase. Ms. Cannon stated the second piece of House Bill 1031 directed the Local Government Commission and the School of Government to put together a committee to look at and develop recommendations on the statutory perimeters maintained by the local Board of Education. Commissioner Faircloth stated House Bill 1031 only covered current expenses, so the state goals have been adopted to include the capital outlay portion pending committee action. The consensus of the board was to move this item forward and mirror the language from the NCACC.

- Increase funding to State Aid to Public Libraries and fund NC Kids and NC Live with recurring funds. *(Submitted by Library Director Jody Risacher)*

Jody Risacher, Library Director, stated the ask is for three (3) million dollars in recurring funds added to state aid for libraries. Ms. Risacher further stated there had not been a significant increase to state aid to libraries for recurring funds in several decades. Ms. Risacher stated the second ask is for \$200,000 in recurring funds for NC Kids which are digital books accessible to all kids throughout the state. Ms. Risacher stated the third ask is for \$500,000 in recurring funds for NC Live which is a database that libraries cannot afford that is important to students and job seekers across North Carolina. The consensus of the board was to move this item forward.

Public Safety:

- Sales tax funding as an option for public safety funding. Also listed above. *(Submitted by Commissioner Keefe)*

The consensus of the board was to move this item forward.

- Funding for 911 services and a center, to include equipment, renovations, etc. *(Submitted by Commissioner Keefe)*

Tracy Jackson, Assistant County Manager, stated there has been discussion about a future Emergency Services Center. The consensus of the board was for County Management to put together terminology to provide background information and move this item forward.

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)*

The consensus of the board was to move this item forward.

- Reduction in funding on Mental Health funding and the increased demands of human services *(Submitted by Commissioner Keefe)*

Duane Holder, Assistant County Manager, stated the ask is for the General Assembly to stop the recurring reductions that continue to take place. Commissioner Adams suggested this item be broken down to a part A & part B. A) to stop reductions and B) stop recurring reductions. The consensus of the board was to move this item forward.

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)*

Brenda Jackson, Department of Social Services Director, stated there are no state dollars on the table for services that protect elderly and disabled adults, so the ask is for support for advocating for state funds as these are mandated programs. The consensus of the board was to move this item forward.

- 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 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)*

The consensus of the board was to move this item forward.

- 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)*

The consensus of the board was to move this item forward.

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)*

The consensus of the board was to move this item forward.

- 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)*

The consensus of the board was to move this item forward.

- 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)*

The consensus of the board was to move this item forward.

- The Board moved the following item “State participation in the Gray’s Creek Water Project *(Submitted by Commissioner Jimmy Keefe)* to the “Public Health” category from the “Tax and Finance” category.

The consensus of the board was to move this item forward.

Commissioner Keefe explained the difficult time the County has had in placing school nurses in the schools and the shortage of Registered Nurse’s (RN) in our community. Commissioner Keefe stated there are state statutes that require RN’s in the schools in order for a school nurse to be recognized. Commissioner Keefe stated legislative action requires an RN be in the school. Commissioner Keefe stated he suggests asking the Legislative Delegation to consider at least allowing someone that is moving towards an RN be qualified as a school nurse. The consensus of the board was for Duane Holder, Interim Health Director and staff to work on additional language for this item.

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 proposed topics for Meeting with Cumberland County General Assembly Delegation 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 drop-off 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.)

Tracy Jackson, Assistant County Manager, stated this item came forward from Commissioner Evans trying to address nuisances in different subdivisions. Mr. Jackson stated the suggestion is to have the Legislative Delegation look into giving County's similar type authority as City's have in reference this type enforcement. Rick Moorefield, County Attorney, stated the County has the authority to abate public health nuisances, the problem is most of these issues do not meet the standards to be a public health nuisance. The consensus of the board was for the County Manager to work with the County Attorney on language to move this item forward.

Solid Waste:

- Maintain local regulation of solid waste container sites. State agencies are required by N.C. General Statute 150B-21.3 A to review existing rules every ten (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)*

The consensus of the board was to move this item forward.

Other:

- Endorsement of Cumberland County being established as the location for the North Carolina Military Hall of Fame. *(Submitted by Commissioner Jimmy Keefe)*

The consensus of the board was to move this item forward.

- 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)*

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Commissioner Faircloth stated he would like to see the language of the City of Fayetteville's bid process. Commissioner Adams stated he would like to know if costs have increased at the City of Fayetteville due to their bid procedures regarding local vendors. The consensus of the board was for more information on this item to be provided.

G. Interlocal Agreement with the Town of Falcon to Enforce the County's Minimum Housing Ordinance within the Town of Falcon

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.

Mr. Moorefield stated the background information and associated documents were provided prior to the meeting.

There were no questions or discussion.

MOTION: Commissioner Boose moved to place this item on the consent agenda at the January 22, 2019 regular meeting.
SECOND: Commissioner Adams
VOTE: UNANIMOUS (6-0)

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

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.

Mr. Moorefield reviewed the background information and recommendation as recorded above and discussed the revisions being recommended to the Board of Commissioners' Rules of Procedure.

MOTION: Commissioner Faircloth moved to place this item on the consent agenda at the January 22, 2019 regular meeting.

SECOND: Commissioner Keefe

DISCUSSION:

Commissioner Keefe asked who can put items on the regular board meeting agenda. Mr. Moorefield replied there has been no changes to who can put items on the regular board meeting agenda. Commissioner Adams suggested the Rules of Procedure be revised to reflect the new Agenda Session.

Commissioner Faircloth withdrew his motion. Commissioner Keefe withdrew his second.

The consensus of the board was for the County Attorney to make further revisions to the Rules of Procedure pertaining to the new Agenda Session and bring back to the February 7, 2019 Agenda Session for consideration and the board will email any further revisions/recommendations to the County Attorney prior to the February 7, 2019 meeting.

I. Discussion of a Policy Establishing the Minimum Bid for the Sale of Surplus Property

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

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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.

Mr. Moorefield reviewed the background information and recommendation as recorded above.

Commissioner Keefe stated he requested this item to be placed on an agenda because of how low some surplus properties have been sold for in the past. Commissioner Keefe stated he suggests the board establish a formal policy of some sort of threshold to start the bidding process on surplus property. Commissioner Keefe further suggested any bid under the threshold established by the board would need to come to an Agenda Session for consideration.

The consensus of the board was for Commissioner Keefe to work with the County Attorney on a proposed policy establishing a minimum bid for the sale of surplus property and bring back to the February 7, 2019 Agenda Review Session.

J. Discussion of Establishing a Separate Travel Policy for Commissioners

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.

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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

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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.

Mr. Moorefield reviewed the background information and recommendation as recorded above. Mr. Moorefield stated he gathered information from other jurisdictions on how commissioner travel is handled and shared the information with the board. Mr. Moorefield stated all county expenditures have to be for a public purpose and a separate travel policy applicable to commissioners needs to be established. Questions and discussion followed.

Commissioner Keefe stated he believes for the betterment of staff there should be a separate commissioner's travel policy. Mr. Moorefield stated he strongly encourages the board to adopt the language in the recommendation recorded above to cover all scenarios regardless of the details.

K. Discussion of Establishing a Policy for Expending Public Funds for Events and Organizations Specific to Commissioner Travel

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

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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.

Commissioner Keefe reviewed the background information and recommendation as recorded above. Commissioner Keefe stated the commissioners are invited to many different events locally and some events are covered by the County and some are not. Commissioner Keefe stated he is suggesting the board consider including local events that the commissioners are invited to an accepted travel expense item that will be reimbursed.

MOTION: Commissioner Keefe moved to approve reimbursement to any commissioner that wants to attend the Martin Luther King, Jr. Breakfast.

SECOND: Commissioner Boose

DISCUSSION: Commissioner Council stated the Martin Luther King, Jr. Breakfast table is only \$300, and the County has always purchased a table for the breakfast and it should be no different this year.

Commissioner Boose departed the meeting at 12:15 p.m.

SUBSTITUTE MOTION: Commissioner Evans moved to approve the purchase of a table for the Martin Luther King, Jr. Breakfast and place on the consent agenda of the January 7, 2019 regular meeting.

SECOND TO SUBSTITUTE MOTION: Commissioner Faircloth

VOTE ON SUBSTITUTE MOTION: UNANIMOUS (5-0)

Chairman Council appointed Commissioner Keefe and Commissioner Adams to work with the County Attorney on a list of local events and what Commissioner’s can attend and be reimbursed for along with a possible separate commissioner travel policy.

5. MONTHLY REPORTS

A. Monthly Community Development Block Grant - Disaster Recovery (CDBG-DR) Update

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

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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

B. Monthly Financial Report - Fiscal Year 2019, November Year-to-Date

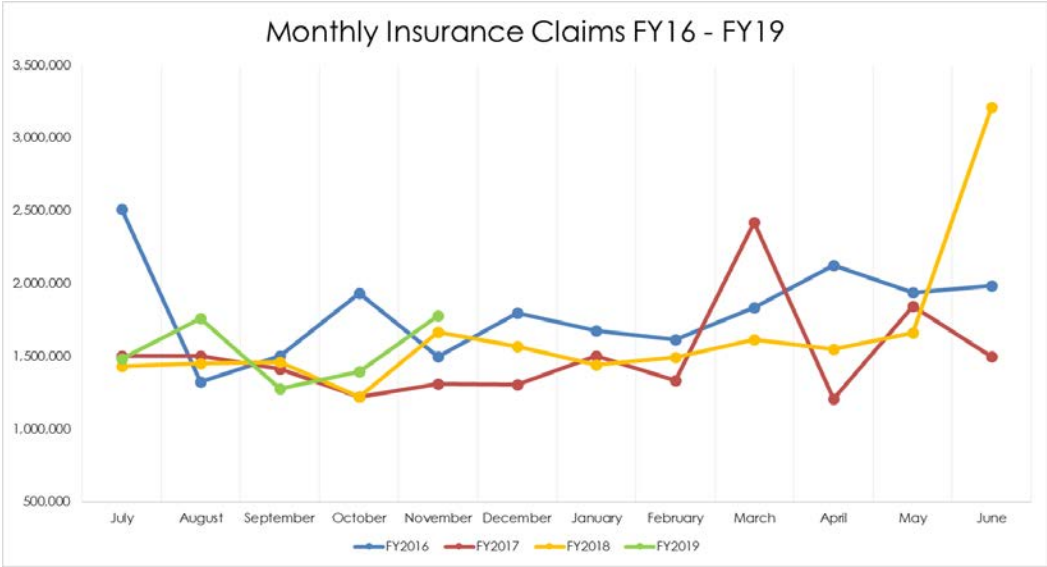
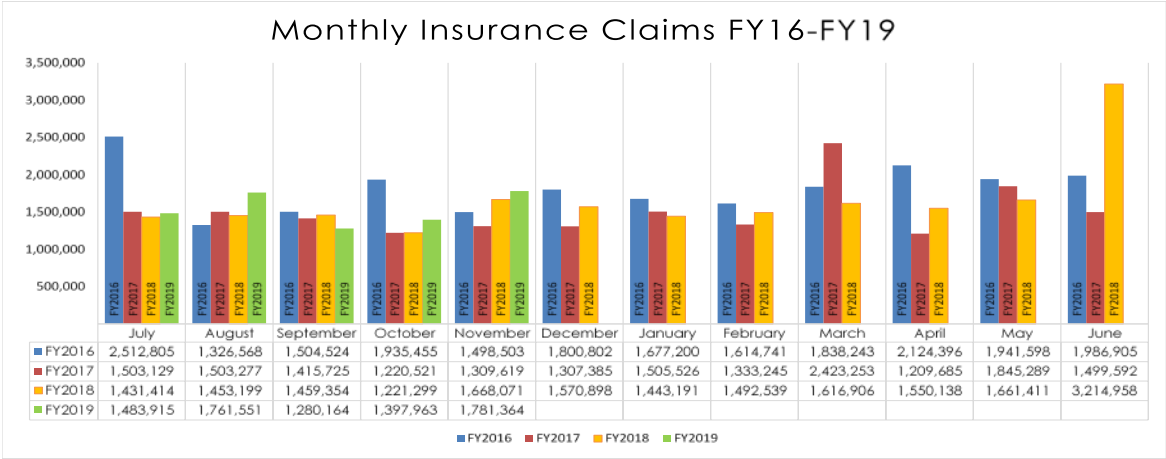
The following information was provided in reference to Revenues:

REVENUES	FY18-19	FY18-19	YTD ACTUAL	PERCENT OF	
	ADOPTED BUDGET	REVISED BUDGET	AS OF November 30, 2018	BUDGET TO DATE	
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%	

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D. Monthly Health Insurance Update



MOTION: Commissioner Faircloth moved to accept all monthly reports.
SECOND: Commissioner Council
VOTE: UNANIMOUS (5-0)

Brief discussion followed about suggestions of future agenda sessions.

There being no further business, the meeting adjourned at 12:32 p.m.
Approved with/without revision:
Respectfully submitted,

Kellie Beam
Deputy Clerk to the Board

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