

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

PRESENT: Commissioner Jeannette Council, Chair
Commissioner Marshall Faircloth, Vice Chairman
Commissioner Glenn Adams
Commissioner Michael Boose
Commissioner Charles Evans
Commissioner Jimmy Keefe
Commissioner Larry Lancaster
Amy Cannon, County Manager
Melissa Cardinal, Assistant County Manager
Tracy Jackson, 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
Jeffrey Brown, Engineering and Infrastructure Director
Joe Utley, Tax Administrator
Brenda Jackson, Social Services Director
Candice White, Clerk to the Board
Kellie Beam, Deputy Clerk
Press

Chair Council called the meeting to order.

INVOCATION / PLEDGE OF ALLEGIANCE

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

Employee Recognition

Amy Cannon, County Manager, recognized Deputy Register of Deeds Laura Scales by presenting her the Exceptional Employee Award for acting quickly, courageously and compassionately by saving the life of someone she did not know. Ms. Cannon stated Ms. Scales took a huge risk to her personal safety by trying to distract a dog who was attacking Clifford Locklear. Ms. Cannon stated the dog's owner arrived before police and rescue personnel and managed to gain control of the dog, but Ms. Scales stayed with Mr. Locklear until he was transported to the hospital. Ms. Cannon stated Ms. Scales visited Mr. Locklear in the hospital where he thanked her for saving his life. Register of Deeds Lee Warren presented Ms. Scales with the Register of Deeds Good Deed award in recognition of her outstanding contributions to Cumberland County residents.

1. APPROVAL OF AGENDA

MOTION: Commissioner Adams moved to approve the agenda.
SECOND: Commissioner Faircloth
VOTE: UNANIMOUS (7-0)

2. CONSENT AGENDA

- A. Approval of January 22, 2019 Regular Meeting Minutes
- B. Approval of Health Department Delinquent Accounts to be Turned Over to the NC Debt Set-Off Program

BACKGROUND

At the Board of Health meeting on January 15, 2019, the Board approved writing off a total of \$29,996.89 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 \$29,996.89 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 #55
December 31, 2018**

PROGRAM	AMOUNT
ADULT HEALTH CLINIC	\$998.74
CHILD HEALTH CLINIC	\$5,051.90
FAMILY PLANNING CLINIC	\$18,522.86
IMMUNIZATIONS	\$2,941.78
MATERNAL HEALTH CLINIC	\$2,481.61
TOTAL	\$29,996.89

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 for payment of bad debts.
The above accounts are 90 days old or older as of 9/30/2018

C. Approval of Report of Delinquent Real Property Taxes for the Year 2018

BACKGROUND

North Carolina General Statute 105-369 requires the Tax Administrator to report unpaid taxes for the current fiscal year that are liens on real property by the first Monday in February. The purpose of the reporting is to allow you to order the Tax Administrator to advertise the tax liens. Upon receipt of your order, I will advertise the tax liens by posting notice at the County Courthouse and by publishing each lien at least one time in one or more of the newspapers having general circulation in Cumberland County.

The statute requires the advertisement period for unpaid taxes that are liens on real property to occur during the period of March 1st through June 30th. It is my intention to deliver a list of delinquent taxes to the Fayetteville Observer newspaper prior to June 30th for advertisement.

Total delinquent taxes on real property for Year 2018 as of 1/26/19:
\$11,582,484 on 15,647 parcels

RECOMMENDATION / PROPOSED ACTION

Accept the report of unpaid taxes for the current fiscal year that are liens on real property and charge the Tax Administrator to advertise a list of the tax liens on real property by posting notice at the County Courthouse and by publishing each lien at least one time in the Fayetteville Observer no later than the month of June 2019.

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	A	B	C	D	E	F	G	H	I
2	2018 Delinquent Real Property Taxes as of January 26, 2019								
3			Total Municipality Delinquent				GRAND TOTAL TAXES & FEES DELINQUENT:		
4									
5	County Tax	\$ 7,636,758	Muni. Tax	\$ 3,367,845		Total Delinquent County Taxes	\$ 8,200,702	Delinquent	
6	Fire Tax	329,249	Revit. Tax	13,937		Total Delinquent Municipality Taxes	\$ 3,381,782	Parcel Count:	
7	Special Fire Tax	41,156				Total Taxes Delinquent	\$ 11,582,484	15,647	
8	Recreation Tax	193,539				Total Delinquent Fees	\$ 2,711,902		
9	TOTAL	\$ 8,200,702	TOTAL	\$ 3,381,782		Total Delinquet Taxes & Fees Owed	\$ 14,294,386		
10									
12	Tax District	Total Value of Delinquent Bills* (Taxable)	Total Amount Taxes Owed*	County Tax @ .799	Fire Tax @.10	Special Fire Tax @ .0125	Recreation Tax @.05	Municipal Tax	Revitalization Tax
13									
14									
15	Cotton	36,738,813	329,242	273,598	34,243	4,280	17,121		
16	Cumberland Road	25,484,421	219,882	182,720	22,869	2,859	11,434		
17	Stoney Point	35,344,038	301,894	250,872	31,398	3,925	15,699		
18	Bonnie Doone	-	-	-	-	-	-		
19	Pearces Mill	37,006,919	325,142	270,191	33,816	4,227	16,908		
20	Westarea	30,526,299	274,451	228,067	28,544	3,568	14,272		
21	Westarea10	14,270,748	131,392	109,186	13,665	1,708	6,833		
22	Grays Creek	45,044,175	391,831	325,609	40,752	5,094	20,376		
23	Vander	57,124,548	507,910	422,070	52,825	6,603	26,412		
24	ETWN Vander	29,100	292	243	30	4	15		
25	Manchester	6,792,228	60,325	50,130	6,274	784	3,137		
26	Wade	7,411,025	62,937	52,300	6,546	818	3,273		
27	Stedman	9,715,795	85,867	71,355	8,931	1,116	4,465		
28	Godwin/Falcon	8,197,407	68,305	56,761	7,104	888	3,552		
29	Lake Rim	-	-	-	-	-	-		
30	Eastover	13,271,596	112,003	93,074	11,649	1,456	5,824		
31	Bethany	17,587,270	151,878	126,210	15,796	1,974	7,898		
32	Beaver Dam	15,805,782	142,379	118,316	14,808	1,851	7,404		
33	Fire District Total	360,350,164	3,165,730	2,630,700	329,249	41,156	164,625		
35	Municipalities								
36	Fayetteville	\$ 642,891,338	\$ 6,857,863	\$ 4,219,817				\$ 2,638,046	
37	Downtown Revitali	15,544,613	194,905	\$ 111,354				\$ 69,614	13,937
38	Hope Mills	51,632,946	597,815	\$ 364,900			22,835	\$ 210,080	
39	Spring Lake	31,338,484	399,282	\$ 212,826				\$ 186,456	
40	Stedman	7,296,127	84,792	\$ 57,954			3,627	\$ 23,211	
41	Wade	2,873,282	28,381	\$ 20,634			1,291	\$ 6,456	
42	Falcon	1,342,195	13,409	\$ 10,725			671	\$ 2,013	
43	Godwin	568,625	5,344	\$ 3,921			245	\$ 1,178	
44	Linden	598,066	5,646	\$ 3,926			246	\$ 1,474	
45	Eastover	26,005,127	229,317	\$ 182,494			\$ -	\$ 229,317	
46	Total Municipaliti	\$ 780,090,803	\$ 8,416,754	\$ 5,006,057	\$ -	\$ -	\$ 28,915	\$ 3,367,845	\$ 13,937
47		-							
48	Fire District Total	\$ 360,350,164	\$ 3,165,730	\$ 2,630,700	\$ 329,249	\$ 41,156	\$ 164,625		

D. Approval of Report on the Disposal of Surplus Property Pursuant to N.C.G.S.160A- 226(a)

BACKGROUND

On June 15, 1998, the Board adopted a resolution found in the statutes allowing disposal of County “personal property, worth less than \$5,000 per item or group of similar items, which have become obsolete, unusable, economically unrepairable, or otherwise surplus to the needs of the county.”

All items were disposed of at the Ann Street Landfill.

RECOMMENDATION / PROPOSED ACTION

That the Board adopts the attached report and that the report be duly recorded in the official minutes.

SURPLUS PROPERTY DISPOSAL LIST
June 28, 2018 - January 29, 2019

ITEM NO.	PROPERTY DESCRIPTION	RENDERING DEPARTMENT	DISPOSAL METHOD
1	Couch	Winding Creek Annex	Landfill-Ann Street
2	Small Desk	Winding Creek Annex	Landfill-Ann Street
3	Big Desk	Winding Creek Annex	Landfill-Ann Street
4	Office Chair	Winding Creek Annex	Landfill-Ann Street
5	10 Office Chairs	CS	Landfill-Ann Street
6	Bookcase	CS	Landfill-Ann Street
7	Table	Courthouse	Landfill-Ann Street
8	Office Desk	Courthouse	Landfill-Ann Street
9	5 Office	Courthouse	Landfill-Ann Street
10	2 Medium Sized Office Desks	Courthouse	Landfill-Ann Street
11	5 Office Chairs	Health Department	Landfill-Ann Street
12	3 Printers	Health Department	Landfill-Ann Street
13	Paper Shredder	Health Department	Landfill-Ann Street

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14	3 Desk Chairs	Health Department	Landfill-Ann Street
15	4 Broken Office Chairs	Courthouse	Landfill-Ann Street
16	25 Desktop Computers	Health Department	Landfill-Ann Street
17	10 Laptops	Health Department	Landfill-Ann Street
18	10 Monitors	Health Department	Landfill-Ann Street
19	3 Printers	Health Department	Landfill-Ann Street
20	Printer	IS	Landfill-Ann Street
21	Office Desk	IS	Landfill-Ann Street
22	Office Chair	Register of Deeds	Landfill-Ann Street
23	2 Mini Mag Floor Scrubbers	Historic Courthouse	Landfill-Ann Street
24	Buffer	Historic Courthouse	Landfill-Ann Street
25	Broken Desk	Clerk of Court	Landfill-Ann Street
26	Bookcase	IS	Landfill-Ann Street
27	2 Office Chairs	IS	Landfill-Ann Street
28	4 Pallets of Electronics (Monitors, CPUS,	LEC	Landfill-Ann Street
29	Large Refrigerator/Small Refrigerator	LEC	Landfill-Ann Street
30	2 Large Wooden Doors	LEC	Landfill-Ann Street
31	2 Old Microwaves	LEC	Landfill-Ann Street
30	Wooden Office Desk	LEC	Landfill-Ann Street
31	3 Desk Chairs	Historic Courthouse	Landfill-Ann Street

E. Approval of Sale of Surplus Real Property Located at 810 Silk Lane, Fayetteville, NC

BACKGROUND

On January 7, 2019, the Board adopted a resolution of its intent to accept an offer to purchase property with PIN 0437-22-0702, located at 810 Silk Lane, Fayetteville, NC, and directed that it be advertised and sold pursuant to the upset bid process of G.S. § 160A-269. Synthia McNair has made an outbid offer to purchase the property for the purchase price of \$9,577.83. The parcel is zoned MR5, with a tax value of \$85,000.00. Based on the County GIS Parcel Viewer System and the tax records, there is a structure on the lot.

Notice of the proposed sale, subject to the upset bid process required by G. S. § 160A-269, was advertised in the Fayetteville Observer on January 11, 2019. The publisher's affidavit is attached. 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 or County Manager 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 .26 AC J.A. Livingston Ld., Fayetteville, NC

BACKGROUND

On January 7, 2019, the Board adopted a resolution of its intent to accept an offer to purchase property with PIN 0413-58-8250, being .26 AC J.A. Livingston Ld., Fayetteville, NC, and directed that it be advertised and sold pursuant to the upset bid process of G.S. § 160A-269. Philip Kelly has made an offer to purchase the property for the purchase price of \$1,700.18. The parcel is zoned R6A with a tax value of \$6,563.00. Based on the County GIS Parcel Viewer System and the tax records, there is no structure on the lot.

Notice of the proposed sale, subject to the upset bid process required by G. S. § 160A-269, was advertised in the Fayetteville Observer on January 11, 2019. The publisher's affidavit is attached. 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 or County

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Manager to execute a deed for the property upon the County's receipt of the balance of the purchase price.

G. There were no budget ordinance amendments for this meeting.

MOTION: Commissioner Lancaster moved to approve consent agenda Items 2.A. – 2.F.

SECOND: Commissioner Adams

VOTE: UNANIMOUS (7-0)

3. ITEMS OF BUSINESS

A. Impact of Partial Government Shutdown

BACKGROUND

As the Board is aware, the federal government temporarily ended an unprecedented 35-day partial government shutdown, effective January 25, 2019. During the shutdown, federal agencies worked collaboratively and creatively with state governments to make all efforts to reduce the impact of the shutdown at the local level.

The County-operated programs most impacted by the partial shutdown are among those provided in the departments of Social Services and Public Health. The Food and Nutrition Services program, also known as SNAP, was most impacted at the local level due to the timing of benefits distributed.

Active Food and Nutrition Services households received their February FNS benefits on January 20, 2019. Benefits received are not extra and no additional benefits will be loaded onto EBT cards until March 2019 or when the any potential federal shutdown in February is resolved. Benefits received by the household do not have to be used by the end of January. Households have one year to use benefits loaded onto their EBT Cards. Families are asked to budget their benefits, so they will be able to purchase food until additional resources are made available by the federal government.

NC DHHS is informing individuals or families if they run out of food, they should contact their county department of social services to find out about other resources available within the community. The Department of Social Services has alerted community resource agencies including the local food banks and pantries of the potential need for emergency food services beginning next month. Meetings have also been held with the school system as it relates to potential increases in breakfast and lunch needs. No additional state or federal funds will be allocated to address any potential food crisis that may arise.

RECOMMENDATION / PROPOSED ACTION

For information only.

Duane Holder, Assistant County Manager, stated the federal government temporarily ended the partial government shutdown; however, he needs to emphasize it is only temporary because it is dependent upon resolution of the government budget conflict by the February 15, 2019 deadline. Mr. Holder stated there have been impacts to citizens resulting from the shutdown, which Brenda Jackson, Social Services Director, will address.

Ms. Jackson stated concern continues with the Food and Nutrition Services (FNS) program, also known as SNAP, which is administered at the federal level. Ms. Jackson explained the role of Social Services is only to determine eligibility for the program and the State issues benefits directly to citizens who are eligible. Ms. Jackson stated benefits are issued every month in a staggered process but with the federal shutdown, all February benefits were issued on January 20, 2019. Ms. Jackson stated the next time eligible citizens will receive benefits will be in March using the staggered process for issuance, which means a lot of citizens may run out of money. Ms. Jackson stated citizens have been cautioned to budget their benefits so they will be able to purchase food until additional resources are made available by the federal government, because 45-60 days is a long time for citizens to go without benefits. Ms. Jackson stated there have been communications

with local resource agencies and the school system to make sure they are prepared and alerted that there may be citizens without food.

Ms. Jackson stated one problem is that federal policy states a citizen may go no longer than 40 days from the time they are issued benefits and the federal shutdown has created a situation in which it may be over 40 days. Ms. Jackson stated the federal government has two options: 1) waive the 40 days which means eligible citizens will not get their benefits until their staggered time in March, or 2) authorize North Carolina to issue all March benefits on March 1 rather than stagger the March issuance. Ms. Jackson stated this has yet to be resolved but Social Services did receive information that March benefits will be issued regardless of a future federal shutdown. Ms. Jackson stated anything beyond March benefits is unknown. Mr. Holder stated everything Ms. Jackson has explained also applies to the Women, Infants and Children's (WIC) program at the Health Department.

B. Consideration of a Resolution Supporting the Juvenile Crime Prevention Council Allocation Expansion

BACKGROUND

The Juvenile Justice Reinvestment Act, passed in 2017, also referenced as North Carolina's Raise the Age legislation, expands the age of juvenile jurisdiction, increasing it to include juveniles 16 and 17 years of age effective, December 1, 2019. Raise the Age legislation will increase the need for immediate and age-appropriate sanctions and diversion services for juvenile offenders and those at-risk of delinquency.

Annually, JCPC funded programs serve over 20,000 youth and families, preventing the vast majority from penetration or deeper penetration of the juvenile justice system. Youth development center commitments have dropped from 1,360 in 1998 to 187 commitments in 2017.

Without a correlating increase in JCPC funding to serve the additional youth with evidence-based approaches, seamless implementation will be improbable, as training and staff resources have been weakened over the years by stagnant funding. There has been no increase in JCPC funding awarded by the General Assembly in over nine years.

Cumberland County JCPC is requesting a resolution from the commissioners to fully support an adequate and timely increase of local Juvenile Crime Prevention funding to ensure program expansion and successful implementation of the Juvenile Justice Reinvestment Act Raise the Age Legislation.

RECOMMENDATION / PROPOSED ACTION

Consider approval of the resolution recorded below supporting the Juvenile Crime Prevention Council Allocation Expansion and the Juvenile Justice Reinvestment Act Raise the Age Legislation, set for December 1, 2019.

**Cumberland County Board of Commissioners
Resolution Supporting
Juvenile Crime Prevention Council Allocation Expansion**

WHEREAS, Juvenile Crime Prevention Council (JCPC) funding is a partnership between the State of North Carolina and the County to ensure a local continuum of services for court involved and at-risk juveniles; and,

WHEREAS, the Juvenile Crime Prevention Council, under the authority of NCGS§143B-851, and within the scope of its powers and duties, "Each County Council shall annually review the needs of juveniles in the county who are at risk of delinquency or who have been adjudicated undisciplined or delinquent and the resources available to address those needs. In particular, each County Council shall assess the needs of juveniles in the county who are at risk or who have been associated with gangs or gang activity, and the local resources that are established to address those needs," and,

WHEREAS, the Juvenile Justice Reinvestment Act passed in 2017, also referenced as North Carolina's Raise the Age legislation, expands the age of juvenile jurisdiction, increasing

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it to include juveniles ages 16 and 17 years of age effective December 1, 2019; and,

WHEREAS, Raise the Age legislation also encourages the formulation of School Justice Partnerships to address the reduction of school-based juvenile complaints; and,

WHEREAS, Raise the Age legislation will increase the need for immediate and age-appropriate sanctions and diversion services for juvenile offenders and those at-risk of delinquency; and,

WHEREAS, JCPC funding has seen no increase in more than nine years; and,

WHEREAS, the effort to immediately and effectively address juvenile offending behavior is an evidence-based investment in North Carolina's future;

NOW, THEREFORE BE IT RESOLVED, that Cumberland County fully supports an adequate and timely increase of local Juvenile Crime Prevention funding to ensure program expansion and successful implementation of the Juvenile Justice Reinvestment Act Raise the Age Legislation, set for December 1, 2019.

Adopted this 4th day of February 2019.

Mr. Holder reviewed the background information recorded above and stated in response to the Raise the Age legislation, the State encouraged local Juvenile Crime Prevention Councils to garner support of their Boards of Commissioners through approval of a resolution to ensure program expansion and successful implementation of the Juvenile Justice Reinvestment Act Raise the Age Legislation.

Commissioner Keefe inquired regarding the funding and the county's match. Mr. Holder stated it is too preliminary to project what the additional funding will be, but the county has responsibility for matching 20% of the existing funding. Commissioner Boose expressed concern about the request to fully support an adequate and timely increase of funding without knowing the level of funding and stated it is like a blank check. Commissioner Adams stated through the resolution, counties are showing support for an increase in funding because the current amount is not enough to implement the program. Mr. Holder clarified the Board's endorsement and support of the resolution in no way precludes its authority at the local level to approve or disapprove JCPC's funding.

MOTION: Commissioner Boose moved to approve the resolution supporting adequate and timely increases to the local Juvenile Crime Prevention Council.

SECOND: Commissioner Faircloth

VOTE: UNANIMOUS (7-0)

4. NOMINATIONS

A. Civic Center Commission (1 Vacancy)

Commissioner Evans nominated Dineen Morton.

Commissioner Boose nominated Greg Edge.

B. Fayetteville/Cumberland County Economic Development Corporation (FCEDC) - (1 Vacancy)

Commission Keefe nominated Dohn Broadwell.

C. Cumberland County Home and Community Care Block Grant Committee (1 Vacancy)

Commissioner Adams nominated Devin Trego.

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5. APPOINTMENTS

- A. Cumberland County Juvenile Crime Prevention Council (JCPC) (2 Vacancies)
- B. Equalization and Review Board (5 Vacancies)
- C. Cumberland County Local Emergency Planning Committee (2 Vacancies)
- D. Board of Health (5 Vacancies)
- E. Farm Advisory Board (2 Vacancies)

MOTION: Commissioner Faircloth moved to appoint Gregory Raymond Koonce, Jr. and Stephanie Dixon to the Cumberland County Juvenile Crime Prevention Council; Curtis Alexander, Marsha D. Mello, Charles McBryde Grannis, Derwood Clark and Carroll Beard to the Equalization and Review Board; Gary Tew and Caleb Stoker to the Cumberland County Local Emergency Planning Committee; Dr. Kent Dean, Dr. Kingsley Momodu, Commissioner Jeannette Council, Dr. Connette McMahon and Stacy Cox to the Board of Health; and Tracy Gardner and Sherill Jernigan to the Farm Advisory Board, all in their respective positions.

SECOND: Commissioner Adams

VOTE: UNANIMOUS (7-0)

MOTION: Commissioner Adams moved to adjourn.

SECOND: Commissioner Lancaster

VOTE: UNANIMOUS (7-0)

There being no further business, the meeting adjourned at 9:30 a.m.

Approved with/without revision:

Respectfully submitted,

Candice H. White
Clerk to the Board