

CUMBERLAND COUNTY BOARD OF COMMISSIONERS
MONDAY, JUNE 17, 2019 – 6:45 PM
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
Tracy Jackson, Assistant County Manager
Sally Shutt, Assistant County Manager
Duane Holder, Assistant County Manager
Darian Cobb, Fellow with NCACC County Manager Fellowship Program
Rick Moorefield, County Attorney
Vicki Evans, Finance Director
Deborah Shaw, Budget Analyst
Heather Harris, Budget Analyst
A.J. Riddle, Engineering and Infrastructure
Brenda Jackson, Social Services Director
Gene Booth, Emergency Services Director
Joel Strickland, FAMPO Director and Interim Planning Director
Ed Byrne, Senior Planner
Dee Taylor, Community Development Director
Candice H. White, Clerk to the Board
Kellie Beam, Deputy Clerk to the Board

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 led by Alexis and Addison Hester, students at Ashley Elementary School.

Introduction of Fayetteville-Cumberland Youth Council Members

Dede Effen 2019-2020 Chair
Alexis Diana 2019-2020 Vice Chair

Chair Council recognized Crystal R. Glover, Fayetteville-Cumberland Parks & Recreation Youth Development & Cultural Arts Program Coordinator, who introduced new members of the Fayetteville-Cumberland Youth Council Executive Board. Dede Effen, 2019-2020 Chair, and Alexis Diana, 2019-2020 Vice Chair, provided a brief FY 2018-2019 end-of-year update highlighting Fayetteville-Cumberland Youth Council's award as the 2019 Most Outstanding Youth Council in the State of North Carolina.

PUBLIC COMMENT PERIOD

There were no public comment speakers.

Amy Cannon, County Manager, requested the removal of Item 5.A. Consideration of Contract with AECOM for Architectural & Engineering Services for 500 Executive Place from the agenda for forward to the August 5, 2019 meeting.

1. APPROVAL OF AGENDA

MOTION: Commissioner Lancaster moved to approve the agenda with the removal of Item 5.A.

SECOND: Chair Council

VOTE: UNANIMOUS (7-0)

2. PRESENTATIONS

A. Presentation by the Cumberland County Fire Chiefs' Association on Volunteer Firefighter Recruitment

BACKGROUND

Cumberland County fire departments, like others across North Carolina and the United States, are facing decreasing numbers of volunteers while at the same time increasing demand for fire and rescue services. Fire departments need volunteers with various types of knowledge, skills and abilities to do operational and administrative work.

The North Carolina Association of Fire Chiefs is providing marketing, training and support to fire departments and chiefs' associations across the state for recruitment and retention efforts.

Stoney Point Fire Chief Freddy Johnson, the president of the Cumberland County Fire Chiefs' Association, and Stedman Fire Chief Justin Nobles, chair of the association's volunteer recruitment committee, will discuss the local recruitment campaign.

RECOMMENDATION / PROPOSED ACTION

No action requested. For information purposes only.

On behalf of the Public Safety Task Force and member agencies of the Cumberland County Fire Chiefs' Association, Stoney Point Fire Chief Freddy Johnson, president of the Cumberland County Fire Chiefs' Association, thanked the Board of Commissioners for making improvements to the County's emergency services system possible. Chief Johnson stated the new funding formula, a process that was almost three years in the making, addresses system improvements and the service delivery citizens expect. Chief Johnson thanked the County Manager's office, former Fire Commissioner Jimmy Keefe and current Fire Commissioner Marshall Faircloth for also being instrumental in the funding formula. Chief Johnson stated along with the new funding formula comes a new fire contract that addresses much needed service levels and performance measures. Chief Johnson stated these, along with the partnership with FTCC for a state-of-the-art fire training center and the remodeled facility that will house the 911 Communications and Emergency Operations Center, greatly and historically enhance emergency services in Cumberland County, the beneficiaries of which are citizens.

Stedman Fire Chief Justin Nobles, chair of the association's volunteer recruitment committee, stated the Cumberland County Fire Chiefs' Association was awarded a county-wide SAFER grant to assist in increasing the number of firefighters. Chief Nobles explained some of the recruitment efforts undertaken to attract volunteer firefighters and stated so far in the program this year, 50 individuals have signed up and 10 are still in place. Chief Nobles stated the SAFER grant has saved Cumberland County approximately \$450,000 and without the grant, the number of volunteer firefighters would continue to decrease while the demand for fire and rescue services increased. Chief Nobles thanked the Board of Commissioners for their support.

B. Opioid Crisis Support Grant Update by Duane Holder & Melissia Larson, Opioid Grant Coordinator

BACKGROUND

It has been one year since Blue Cross and Blue Shield of North Carolina and the UNC School of Government announced that Cumberland County and the City of Fayetteville were one of ten North Carolina local government teams awarded a grant to work on addressing the opioid crisis in the community through an intensive two-year program. Thirty-nine local government teams applied for the program.

As a result of planning efforts related to the grant, the Cumberland-Fayetteville Opioid Response Team (or C- FORT) was formed. C-FORT is a cross-sector opioid task force of more than 100 community partners committed to eradicating our community of the incidence of opioid-related injury and death.

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

Ms. Melissia Larson, Project Coordinator, will brief the Board on grant-related activities, progress and plans for the initiative going forward.

RECOMMENDATION / PROPOSED ACTION

No action required; for information purposes only.

Ms. Cannon called on Duane Holder, Assistant County Manager/Interim Health Director who reviewed the background information recorded above and introduced Melissia Larson, Project Coordinator, for the opioid crisis support grant. Mr. Holder recognized members of the Opioid Response Team who were present.

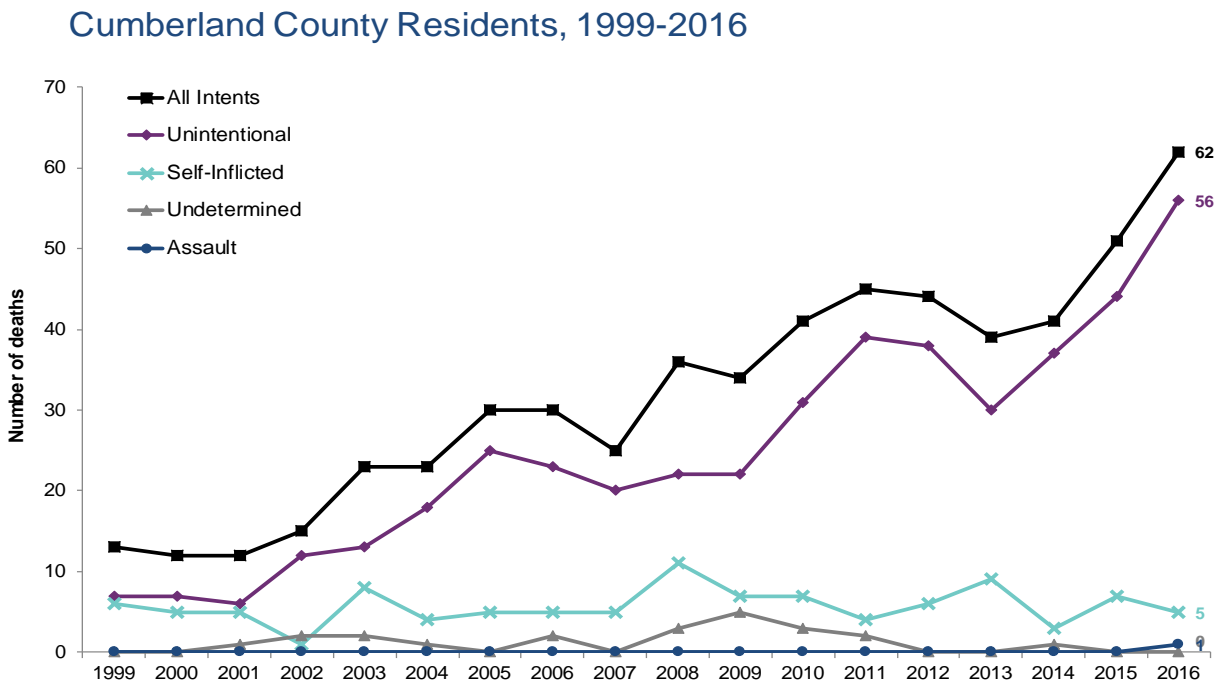
Ms. Larson provided the following presentation as an update to the Opioid Crisis Support Grant.

Collective Impact Model

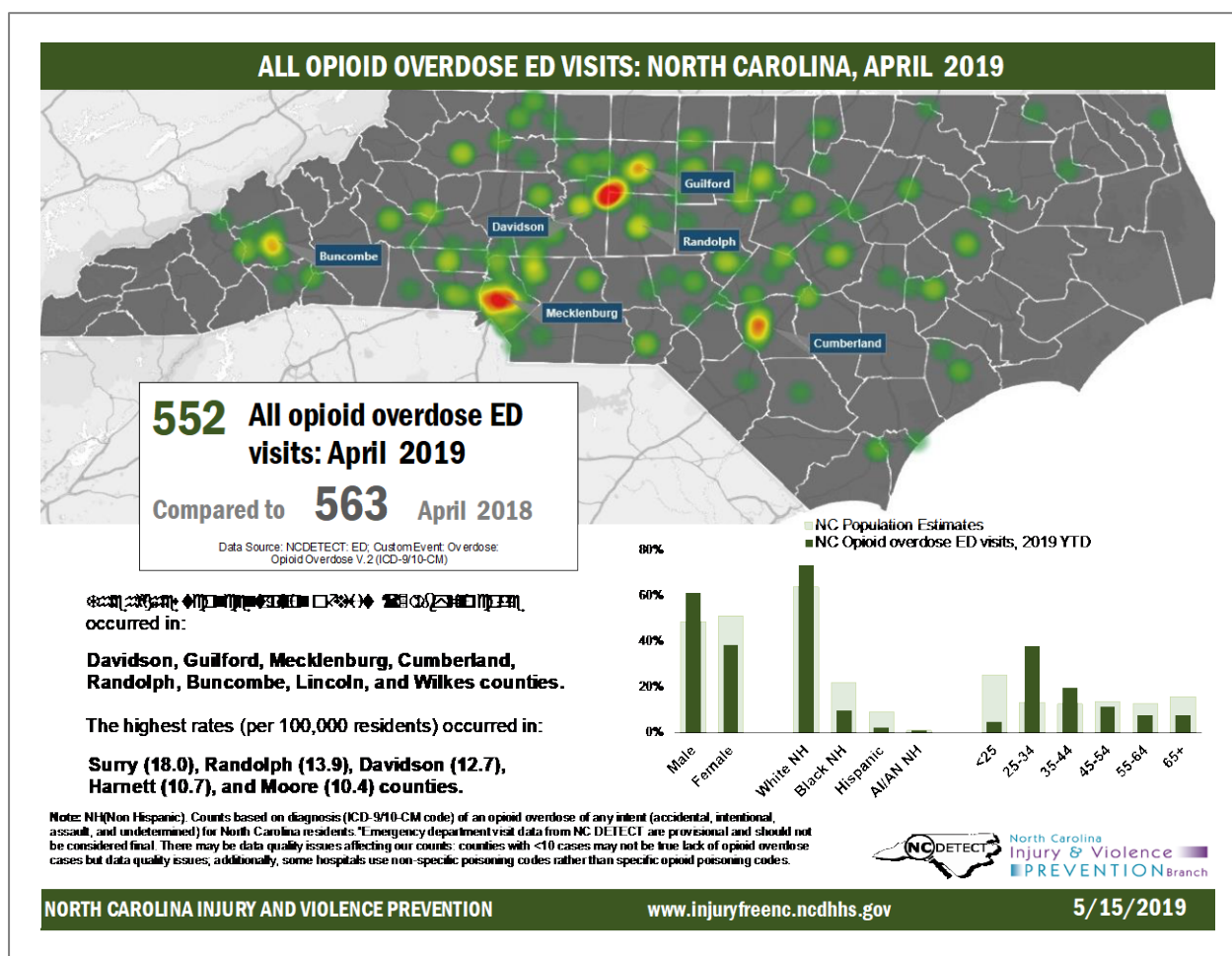
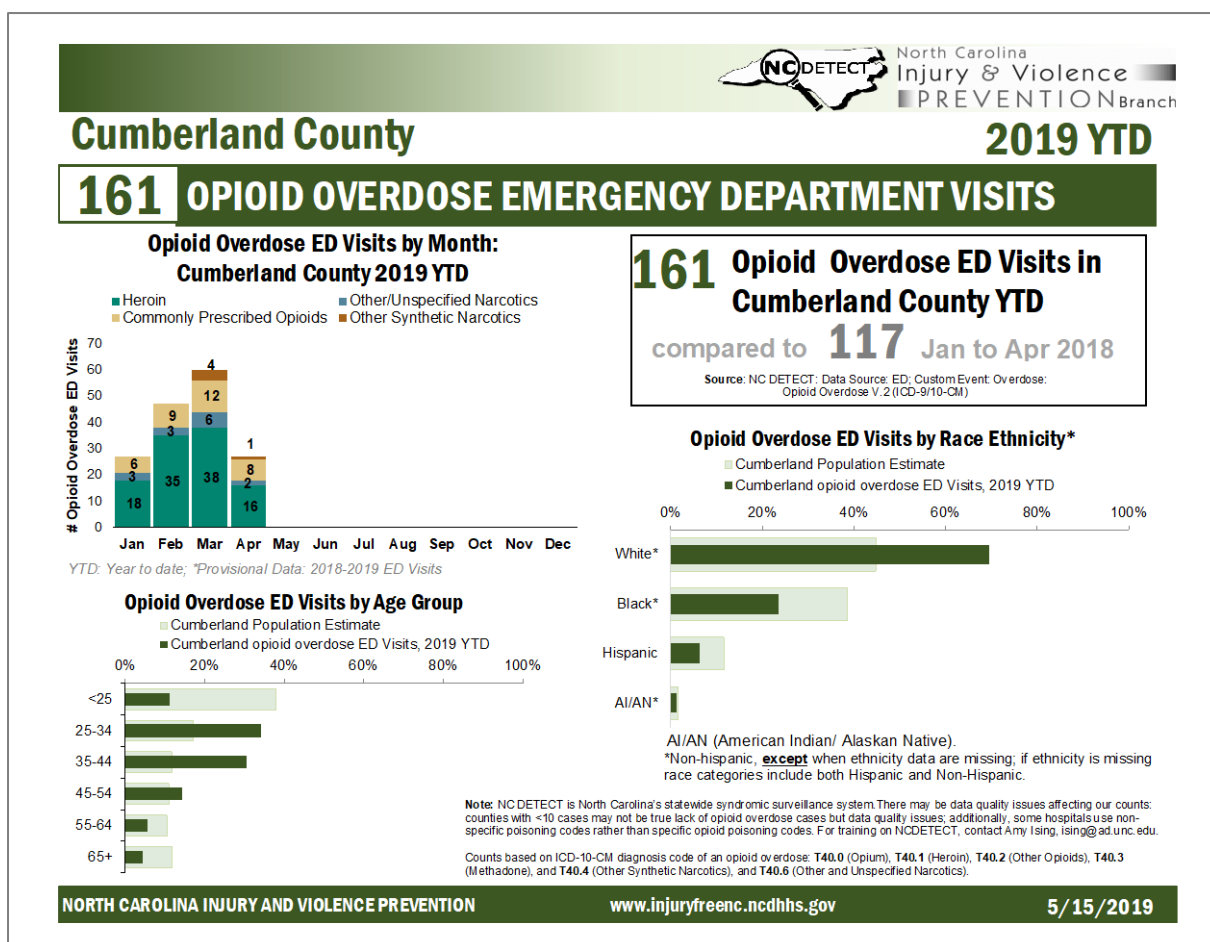
- Funding from Blue Cross and Blue Shield of North Carolina to engage in a collective impact initiative; 1 of 10 sites
- Receive technical assistance from UNC-Chapel Hill School of Government
- Engage in a collective impact initiative to bring stakeholders together to develop localized potential solutions to the opioid crisis
- Engage in a series of planning activities to include assessing community resources and gaps, reviewing local data, and strategic planning

Ms. Larson stated five conditions of a successful collective impact model include a common agenda, a shared measurement system, mutually reinforcing activities, continuous communication and a backbone support organization. Ms. Larson stated Cumberland County has a lot of stakeholders with C-Fort involvement.

Ms. Larson stated examining the local need includes looking at overdose injuries, overdose deaths and foster care. Ms. Larson displayed the following chart of County medication and drug overdose deaths by intent from 1999-2016. Ms. Larson stated 62 is a high number and this is what C-FORT is working to address.

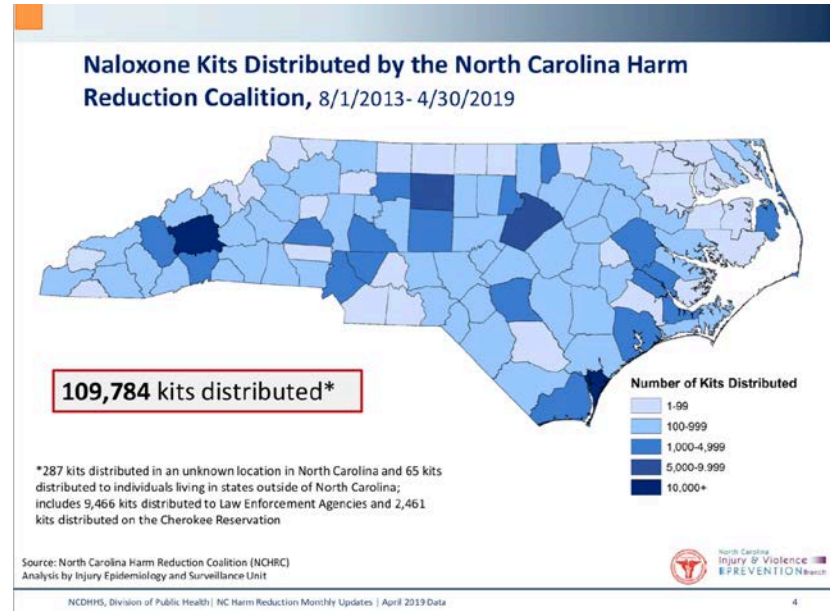


Ms. Larson then displayed 2019 year-to-date statistics for Cumberland County and a heat map depicting opioid overdose Emergency Department visits compiled by the N. C. Injury and Violence Prevention branch of the N. C. Department of Health and Human Services. Ms. Larson stated these are numbers C-FORT looks at each month and uses as a guide. Ms. Larson stated the heat map that is published each month gives a depiction of the entire state and there is a high rate of opioid dose, injury and death in Cumberland County. Ms. Larson stated Cumberland County needs to get off of the heat map.

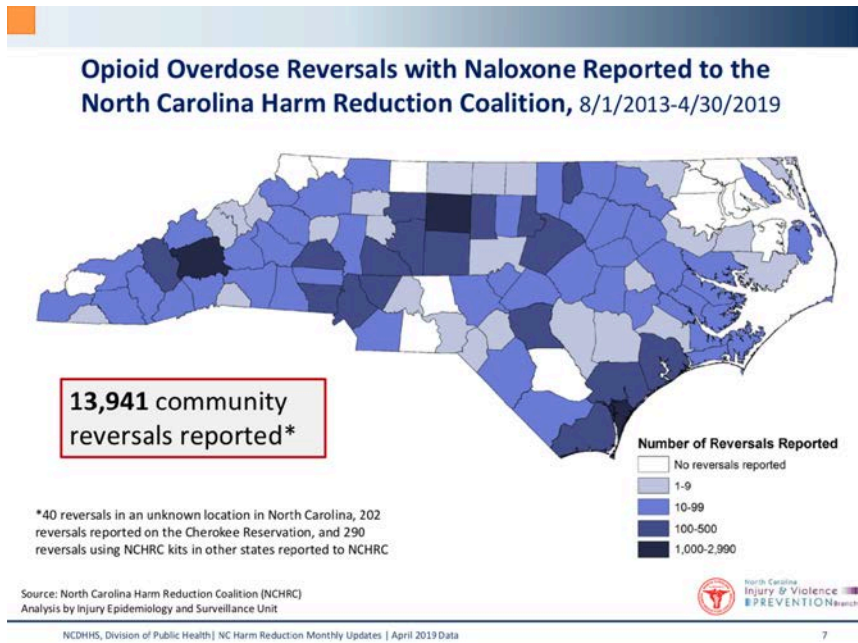


Ms. Larson reviewed the distribution of Naloxone kits in North Carolina and stated Cumberland County has easily received several thousand of kits. Ms. Larson stated when it can be confirmed that the kits have been used, it is reported back to the State.

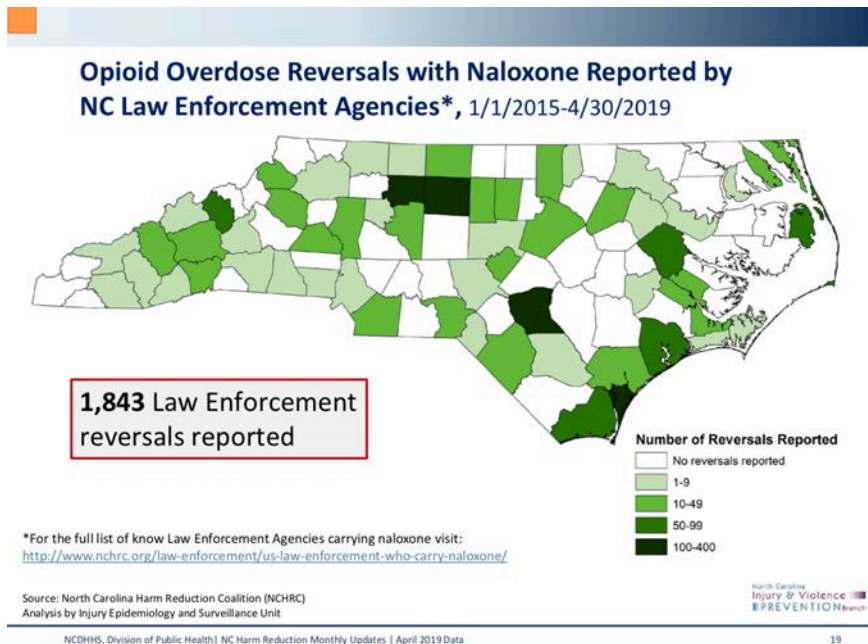
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Ms. Larson reviewed community reversals with Naloxone kits reported in North Carolina. Ms. Larson stated Cumberland County has a lot of people engaged in understanding they need access to Naloxone and the purpose of the program is to make sure people stay alive and have an opportunity to receive treatment.

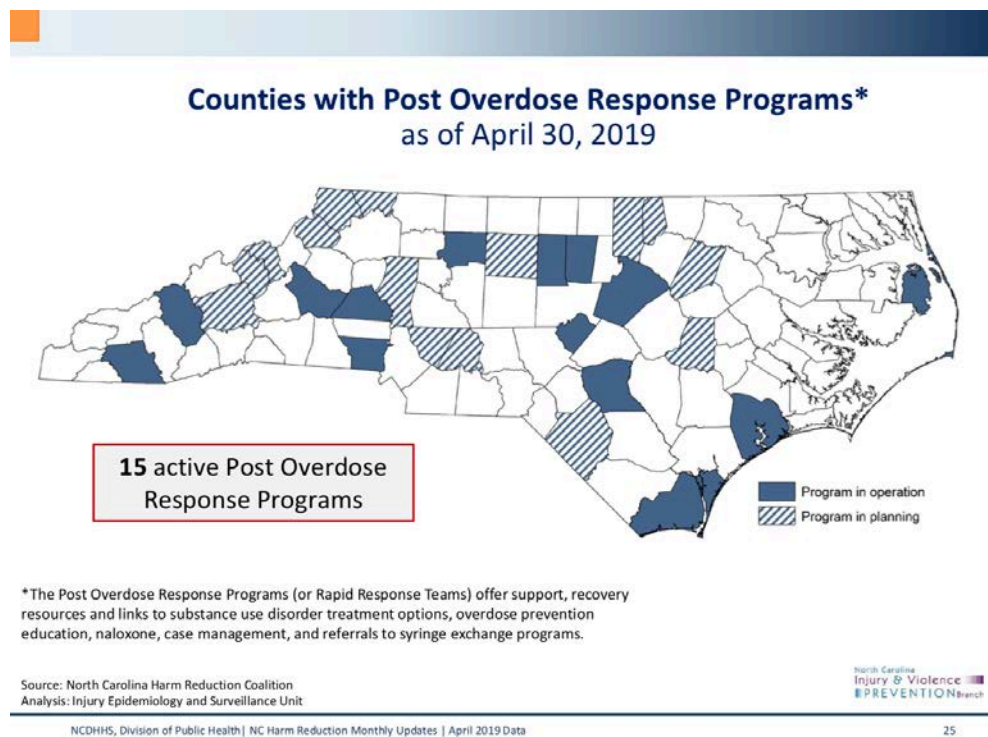


Ms. Larson reviewed the chart depicting law enforcement reversals. Ms. Larson stated the Cumberland County Sheriff’s Office carries Naloxone as does the Fayetteville Police Department, and both have been extremely supportive of the program and are reporting overdose reversals.

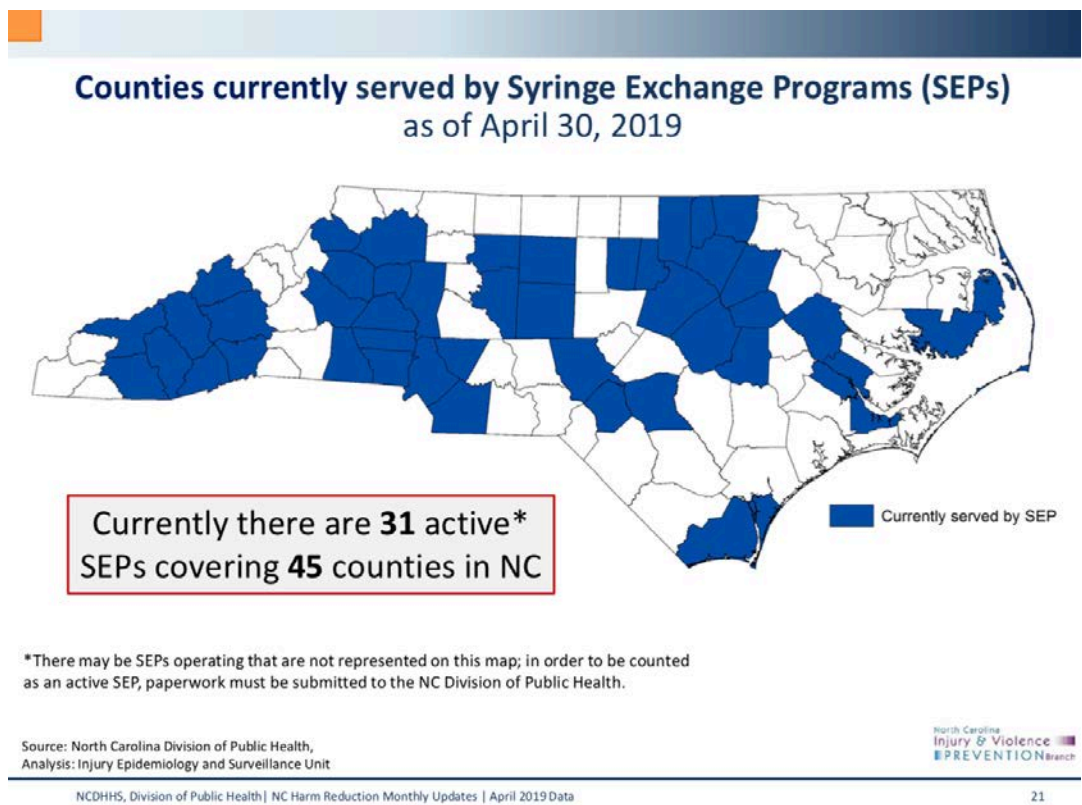


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Ms. Larson stated because law enforcement and EMS are the only ones who know when an overdose reversal has happened, the question becomes how to connect a person to services. Ms. Larson stated overdose response programs need to be expanded in Cumberland County. Ms. Larson reviewed the chart below and stated there are two part-time outreach workers in Cumberland County who conduct post-overdose visits so when individuals are ready to seek services, they know with whom to connect. Ms. Larson stated one of C-FORTS strategies is to expand post-overdose outreach throughout the community and Cumberland County is already part of the solution.



Ms. Larson reviewed the chart below and stated Cumberland County is currently part of and being served by the Syringe Exchange Program.



Ms. Larson highlighted the following C-FORT goals and objectives and stated because there is so much talent among stakeholders, work has been divided between a Healthy Committee, a Safety Committee and a Supportive Committee to streamline efforts to achieve the goals.

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Goals and Objectives

Goal 1: Improve linkage to care and access to health and recovery resources for those with a substance use disorder

Goal 2: Implement strategies that focus on creating a safer community by reducing drug-related offenses and decreasing the spread of communicable diseases

Goal 3: Improve community education & awareness on substance use/misuse

Ms. Larson provided a breakdown of the goals and work of the committees as follows:

Goal 1: Improve linkage to care and access to health and recovery resources for those with a substance use disorder

Healthy Committee (Goal 1):

- Objective #1: Assess current processes for Referral and Discharge for SUD Providers by March 30, 2020. Define who and where these access points are.
- Objective #2: Increase number of follow-up contacts to overdose victims by 20% by January 2020
- Objective #3: Identify best practices for OUD referrals and create a central phone number or location for referral by December 2019

Goal 2: Implement strategies that focus on creating a safer community by reducing drug-related offenses and decreasing the spread of communicable diseases

Safety Committee (Goal 2):

- Objective #1: Expand opioid overdose prevention programming by developing partnerships between public safety and public health (including C-FORT) by October 2019
- Objective #2: Increase number of pills dropped off at collection events by 20% by February 2020
- Objective #3: Decrease spread of communicable diseases by increasing mobile exchange access and education among the target population by January 2020

Goal 3: Improve community education & awareness on substance use/misuse

Supportive Committee (Goal 3):

- Objective #1: Increase community awareness by expanding the reach of current opioid education campaigns by 50%; build capacity to launch a new campaign with evidence-based messaging strategies by August 30, 2019
- Objective #2: Increase community reach and number of populations served by expanding organization/agency and youth prevention education, and recovery ready community programs through community partnerships; determine knowledge gaps for new program development by August 30, 2019

Ms. Larson provided a snapshot of Committee strategies as follows:

Vision:

Together....creating a healthy, safe, and supportive community for everyone

- **Healthy:**
 - Create Access Tool
 - Identify best practices for referral
 - Expand post-overdose response
- **Safety:**
 - Expand syringe exchange services
 - Develop judicial benchcard on local services
 - Expand pre-arrest diversion

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- **Supportive**

- Survey the community on knowledge and attitudes regarding substance use disorder
- Identify current campaigns while identifying gaps
- Develop and present media and educational campaigns that target the gaps in knowledge and attitude

Ms. Larson highlighted efforts moving forward to maintain sustainability as follows:

- Technical support from UNC-Chapel Hill School of Government
- Forums hosted by School of Government
- BJA Grant: decision in Fall 2019
- Seeking funding opportunities
- Updating C-FORT website
- Support from community and governmental bodies

Ms. Larson concluded her presentation, extended an invitation to attend C-FORT meetings and responded to questions. Mr. Holder stated the current grant is funneled through the Health Department and the proposal for the federal grant is for the Health Department to be the lead entity that will manage the project. Mr. Holder stated for it to be sustainable, it should live through the Health Department because the department touches so many other involved entities. Commissioner Keefe stated the Board of Commissioners need to be involved to assist at a higher level and the project needs to include more preventative efforts. Ms. Larson stated the school system is one of the partners and conversations can be held about what education is currently being provided. Ms. Larson stated one of the strategies is to make sure it is preventative in nature and also evidence based.

3. CONSENT AGENDA

- A. Approval of Minutes for May 30, 2019 Special Meeting for FY20 Budget Presentation, June 3, 2019 Regular Meeting, June 3, 2019 Special Meeting for FY20 Budget Work Session and June 10, 2019 Special Meeting for FY20 Budget Public Hearing
- B. Approval of Appointments of Deputy Finance Officers for Check Signing Purposes for Staff of the Sheriff's Office

BACKGROUND

North Carolina General Statute 159, Article 3, entitled "The Local Government Budget and Fiscal Control Act" requires all checks drawn on an official depository be signed by the Finance Officer or a properly designated Deputy Finance Officer and countersigned by another official of the local government designated for this purpose by the Governing Board. The act also requires the Deputy Finance Officer to have a faithful performance bond in an amount not less than \$10,000 or more than \$250,000.

The Sheriff's Office is requesting approval of the resolutions recorded below to accommodate staffing changes that have occurred since the last approval on September 4, 2018. Approval will ensure compliance with G.S. 159 as check signers on the specified accounts will then be properly designated as Deputy Finance Officers. Upon approval, staff will then move forward in securing faithful performance bonds for each of the named employees and removing the faithful performance bonds for employees who are no longer on the signature cards.

RECOMMENDATION / PROPOSED ACTION

1. Approve the appointment of the named employees of the Sheriff's Office as Deputy Finance Officers for the Inmate Trust Fund Bank Account and the Civil Bank Account as specified on each resolution.
2. Provide a faithful performance bond in the amount of \$50,000 for each of the named individuals.
3. Approve the two resolutions recorded below implementing the above recommendations.

STATE OF NORTH CAROLINA
COUNTY OF CUMBERLAND

RESOLUTION

WHEREAS, due to the operation requirements unique to the Cumberland County Sheriff's Office; and

WHEREAS, the timing, amounts, or payees of these checks cannot be anticipated, and in most cases, the checks must be issued immediately; and

WHEREAS, the timing of the checks requires the appointment of a Deputy Finance Officer and, in addition, more than one person must be authorized to countersign each check; and

WHEREAS, North Carolina General Statute Chapter 159, Article 3, entitled "The Local Government Budget and Fiscal Control Act", authorized the Governing Board to appoint Deputy Finance Officers to designate individual(s) to countersign the checks, and to fix the amount of the faithful performance bond to be provided by the appointee.

NOW THEREFORE, to facilitate the operational requirement of the Cumberland County Sheriff's Office, the Board of County Commissioners hereby RESOLVES that:

1. The employees listed below are appointed as Deputy Finance Officer and are authorized to sign the checks/drafts issued on the checking accounts maintained by the Cumberland County Sheriff's Office, Inmate Trust Account, Number 333200001106.
 - a. Ennis Wright, Sheriff
 - b. Richard Jenkins, Chief Deputy
 - c. Tandra Adams, Chief Jailer
 - d. Nichole Hoking, Captain
 - e. Donald Williams, Captain
 - f. Brenda English, Captain
 - g. Victor Worsley, Lieutenant
 - h. Freeman Jones, Lieutenant
 - i. Brandon Smith, Lieutenant
 - j. Donald Carl, Lieutenant
 - k. Vida Harrington, Lieutenant
 - l. Tiffany Bryant, Lieutenant
 - m. Matthew Middleton, Lieutenant
 - n. Evelena Bunche, Sergeant
 - o. Shermire Nelms, Sergeant
 - p. Gilbert Sanchez, Sergeant
 - q. Anthony Webster, Sergeant
 - r. Carla Thomas, Sergeant
 - s. Channing Locklear, Sergeant
2. Each appointee shall execute a faithful performance bond in the amount of \$50,000.00, which the County shall acquire.

Adopted this 17th day of June 2019.

STATE OF NORTH CAROLINA
COUNTY OF CUMBERLAND

RESOLUTION

WHEREAS, due to the operation requirements unique to the Cumberland County Sheriff's Office; and

WHEREAS, the timing, amounts, or payees of these checks cannot be anticipated and, in most cases, the checks must be issued immediately; and

WHEREAS, the timing of the checks requires the appointment of a Deputy Finance Officer and, in addition, more than one person must be authorized to countersign each check; and

WHEREAS, North Carolina General Statute Chapter 159, Article 3, entitled "The Local Government Budget and Fiscal Control Act", authorized the Governing Board to appoint Deputy Finance Officers to designate individual(s) to countersign the checks, and to fix the amount of the faithful performance bond to be provided by the appointee.

NOW THEREFORE, to facilitate the operational requirement of the Cumberland County Sheriff's Office, the Board of County Commissioners hereby RESOLVES that:

1. The employees listed below are appointed as Deputy Finance Officer and are authorized to sign the checks/drafts issued on the checking accounts maintained by the Cumberland County Sheriff's Office, Civil Process Account, Number 560036649906.
 - a. Richard Jenkins, Chief Deputy
 - b. Terry Ray, Major
 - c. Rita Tatum, Captain
 - d. Clavion Morning, Lieutenant
2. Each appointee shall execute a faithful performance bond in the amount of \$50,000.00, which the County shall acquire.

Adopted this 17th day of June 2019.

C. Approval of ABC Board's Request to Adopt Cumberland County's Travel Policy

BACKGROUND

According to the attached correspondence from Harold Lee Boughman, Chairman of the Cumberland County ABC Board, the ABC Board is requesting that the Cumberland County Board of Commissioners approve the ABC Board's adoption of Cumberland County's Travel Policy No. 3-2: Travel Policy, in accordance with House Bill 1717: Modernization of the State ABC System; Section 13.

RECOMMENDATION / PROPOSED ACTION

Consider approval of the ABC Board's request to adopt Cumberland County's Travel Policy No. 3-2: Travel Policy and direct the Clerk to the Board to send to the ABC Commission written confirmation of said action and a copy of Cumberland County's Travel Policy No. 3-2: Travel Policy.

D. Approval of Sole Source for Motorola Solutions, Inc. Contract

BACKGROUND

The Cumberland County Emergency Services Department is upgrading the Communications (911) Center's radio logger software from version 7.14 to 7.17. The 911 Center currently utilizes the North Carolina Highway Patrol's radio towers. These towers were recently updated, requiring the 911 Center to upgrade in order to continue services.

The current equipment used in the 911 Center is manufactured by Motorola Solutions, Inc. The software that is required for the upgrade was created to work specifically with Motorola equipment; therefore, the upgrade can only be provided by Motorola.

Funds in the amount of \$39,385 have been appropriated in fiscal year 2019 for this purchase.

RECOMMENDATION / PROPOSED ACTION

Management recommends approval of utilizing the sole source bid exception based on North Carolina General Statute 143-129 (e) (6) (ii), whereas a needed product is only available from one source of supply.

E. Approval of Submission of 2019 Community Development Annual Action Plan

BACKGROUND

As part of the Five-Year Consolidated Planning process, an Action Plan is presented each year by Community Development outlining activities to be carried out over the next program year. The 2019 Annual Action Plan is to be submitted to the U.S. Department of Housing and Urban Development (HUD) within 60 days after notification of allocations or by August 16, 2019 (whichever is first). The proposed estimated entitlement funding for this year is as follows: Community Development Block Grant (CDBG) - \$836,657; and HOME Investment Partnership Act (HOME) - \$364,750. The proposed competitive funding awards for our community for programs administered and managed by Community Development this year is the Continuum of Care (CoC) - \$162,955.

A public hearing was held at the May 20, 2019 Board of Commissioners meeting. The Annual Action Plan was made available at several locations throughout the County for a 30-day public review and comment period from April 18, 2019 through May 17, 2019. No comments were received during the public hearing or public review period. A final copy of the plan will be available at the Community Development Office.

RECOMMENDATION / PROPOSED ACTION

Community Development recommends that the Board of County Commissioners approve submission of the Annual Action Plan to HUD within the required deadline.

F. Approval of Budget Ordinance Amendments for the June 17, 2019 Board of Commissioners' Agenda

BACKGROUND

General Fund 101

1) Sheriff's Office School Law Enforcement- Budget Ordinance Amendment B190353 in the amount of \$497,826 to recognize revenue from the Cumberland County Schools Board of Education

The Board is requested to approve Budget Ordinance Amendment B190353 in the amount of \$497,826. The Cumberland County School Board of Education has been awarded a two-year grant for six additional School Resource Officers. A contract amendment has been completed between the Sheriff's Office and the Cumberland County School system effective May 2019. Due to the effective date, the money awarded for FY19 will be used to pay for the salaries for the remainder of FY19 and the necessary items to upfit these positions. This item was discussed at the budget work session of the Cumberland County Board of County Commissioners on June 3, 2019.

Please note this amendment requires no additional county funds.

2) Social Services Other - Budget Ordinance Amendment B190139 in the amount of \$340,000 for foster care board and basic needs

The Board is requested to approve Budget Ordinance Amendment B190139 in the amount of \$340,000. There has been an increase in the number of children entering foster care. The additional funds will provide licensed foster placement for children as well as basic needs for the foster children.

Please note this amendment requires appropriation of fund balance.

Juvenile Crime Prevention Council (JCPC) Fund 245

3) Juvenile Crime Prevention Council (JCPC) - Budget Ordinance Amendment B190154 to recognize funds from the NC Department of Public Safety in the amount of \$29,342

The Board is requested to approve Budget Ordinance Amendment B190154 to recognize funds in the amount of \$29,342 from the NC Department of Public Safety in support of FY19 JCPC programs.

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Please note this amendment requires no additional county funds.

Recreation Fund 250

- 4) Parks and Recreation - Budget Ordinance Amendment B191321 to recognize a donation from the Grays Creek Ruritan Club in the amount of \$25,000

The Board is requested to approve Budget Ordinance Amendment B191321 to recognize a \$25,000 donation from the Grays Creek Ruritan Club. This money will be used to purchase playground equipment at Hall Park.

Please note this amendment requires no additional county funds.

- 5) Hope Mills Recreation - Budget Ordinance Amendment B191255 to recognize additional tax revenue in the amount of \$9,350

The Board is requested to approve Budget Ordinance Amendment B191255 to recognize additional tax revenue in the amount of \$9,350 collected for the Hope Mills Recreation district to be used, as required, towards all expenses within the Hope Mills recreation district.

Please note this amendment requires no additional county funds.

Community Development Support Housing Fund 267

- 6) Community Development Support Housing Fund - Budget Ordinance Amendment B191244 to transfer general fund dollars to Community Development Support Housing Fund in the amount of \$16,757

The Board is requested to approve Budget Ordinance Amendment B191244 in the amount of \$16,757 to transfer general fund dollars to the Community Development Support Housing Fund. The County is required to provide matching funds for federal grants and \$16,757 is the amount needed to meet the FY 2019 requirement. All matching funds are used for eligible activities for program participants like supportive services such as rental assistance, child care, education assistance.

Please note this amendment requires appropriation of general fund balance in the amount of \$16,757.

NC Elderly Handicap Transportation Fund 277

- 7) Mid Carolina Senior Transportation - Budget Ordinance Amendment B190104 to transfer general fund dollars to Mid Carolina Senior Transportation in the amount of \$977

The Board is requested to approve Budget Ordinance Amendment B190104 in the amount of \$977 to transfer general fund dollars to Mid Carolina Senior Transportation. This revision is necessary for payment of a prior year invoice as approved by the Board of County Commissioners on March 13, 2019. The invoice was for a prior year medical transportation service and cannot be reimbursed from current year grant funds.

Please note this amendment requires appropriation of general fund balance.

- 8) Non-Medical Transport Grant - Budget Ordinance Amendment B190100 to recognize grant funds from the Federal Transit Administration Section 5310 Program in the amount of \$36,525 and a transfer of general fund dollars in the amount of \$3,653

The Board is requested to approve Budget Ordinance Amendment B190100 to recognize additional grant funds in the amount of \$36,525 from the Federal Transit Administration Section 5310 Program. These funds will be used for transportation services for the remainder of the fiscal year. The grant requires a local match of 10% (\$3,653) to be transferred from the General Fund.

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Please note this amendment requires appropriation of general fund balance in the amount of \$3,653.

Group Insurance Fund 801

9) Group Insurance - Budget Ordinance Amendment B190138 to appropriate Group Insurance Fund balance in the amount of \$1,000,000

The Board is requested to approve Budget Ordinance Amendment B190138 to appropriate Health Insurance Fund balance in the amount of \$1,000,000 to prepare for a potential above average increase in medical costs during the month of June as a result of the medical insurance coverage change for post-65 retirees, which will become effective July 1.

Please note this amendment requires appropriation of Group Insurance fund balance.

Contingency Funds Report – FY19

The County Manager approved the following uses of contingency funds totaling \$30,000.

- \$30,000 was transferred to Facilities Maintenance for repairs at Roxie Detox & Crisis Stabilization Center (1724 Roxie Avenue).

RECOMMENDATION / PROPOSED ACTION

Approve Budget Ordinance Amendments

G. Approval of Cumberland County Board of Commissioners Agenda Session Items

1. Establishing a Capital Project Budget Ordinance #190032 for 500 Executive Place

BACKGROUND

In FY18 the Board of Commissioners embraced the use of the Capital Planning Model and established the Capital Investment Fund for project planning and financing. To date, all costs incurred related to 500 Executive Place have been paid out of the Capital Investment Fund. For accounting purposes, it is time to move the EOC project from the Capital Investment Fund to a capital project fund for the Emergency Operations Center project.

A capital project budget ordinance totaling \$15 million is requested. The basis for the \$15 million was the March 2016 EOC/911 study conducted by Mission Critical Partners. This represents the entire estimated cost divided in half to arrive at the County-only portion of the cost. The amount is conceptual only and was used as a placeholder in the Capital Planning Model and is needed as a placeholder to comply with the Local Budget & Fiscal Control Act.

In November 2018 the County purchased property located at 500 Executive Place for \$5,113,537, paid from the Capital Investment Fund. In January 2019 the Board of Commissioners adopted a resolution of official intent to pursue tax exempt financing and to reimburse expenditures with proceeds of a borrowing in an amount not currently expected to exceed \$15 million.

Establishment of capital project budget ordinance #190032 for the EOC project is being requested at this time as authorized by North Carolina General Statute 159-13.2. Total project costs have not been determined but could include items such as: building purchase, surveying, licensing and permitting, architect fees, engineering fees, construction, technology, furniture and fixtures, and fees associated with debt issuance. The determination of total project costs will be made by the Board of Commissioners as the project progresses.

The initial revenue source for the capital project will be a transfer from the Capital Investment Fund balance.

Once capital financing is secured, debt proceeds are received, and a proper budget ordinance revision is approved by the Board of Commissioners, the Capital Investment Fund will be reimbursed. At that time the revenue source for the EOC capital project will become debt proceeds.

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Any other modification that would increase or decrease the total project placeholder of \$15 million requires the Board of Commissioners' approval.

RECOMMENDATION / PROPOSED ACTION

At the June 13, 2019 Agenda Session meeting, the Board of Commissioners voted 3-2 to place the action below as a Consent Item on the June 17, 2019 Board of Commissioners' Meeting:

Approval of Capital Project Budget Ordinance #190032 to establish a capital project fund for the Emergency Operations Center project totaling \$15 million.

CAPITAL PROJECT BUDGET ORDINANCE #190032 500 EXECUTIVE PLACE EMERGENCY OPERATIONS CENTER CAPITAL PROJECT

The Cumberland County Board of Commissioners hereby adopt the following Capital Project Ordinance in accordance with North Carolina General Statutes 159-13.2:

Section 1. The project authorized is the Emergency Operations Center building and capital improvements project, located at 500 Executive Place. The revenue source will initially be a transfer from the Capital Investment Fund Balance, to then be reimbursed by proceeds from a borrowing upon approval by the Local Government Commission.

Section 2. The following projected expenditure is appropriated for this project:

	<u>Expenditure</u>
Capital Outlay – Building and Improvements	\$15,000,000

Section 3. The following associated revenue is appropriated for this project:

	<u>Revenue</u>
Transfer from the Capital Investment Fund	\$15,000,000

Section 4. The County Manager, as Budget Officer, is hereby authorized to transfer funds between line items within this capital project ordinance, however, any net increases or decreases to total capital project ordinance appropriations shall require a capital project ordinance amendment by the Board of Commissioners.

Section 5. Within five days after adoption, copies of this ordinance shall be filed with the Finance Officer, Budget Officer, and Clerk to the Board, to be kept on file by them for their direction in the disbursement of County funds for this project.

Adopted this 17th day of June 2019.

EMERGENCY OPERATIONS CENTER – CAPITAL IMPROVEMENTS PROJECT

Project Description: This project includes the purchase of a building located at 500 Executive Place, Fayetteville, North Carolina. Project costs to house and upfit an emergency operations center include but may not be limited to the following: building purchase, surveying, licensing and permitting, architect fees, engineering fees, construction, technology, furniture and fixtures, and fees associated with debt issuance. The initial revenue source for the capital project will be a transfer from the Capital Investment Fund. After capital financing has occurred and once proceeds of the borrowing are received, the County will reimburse the Capital Investment Fund for the amount of the transfer into this project fund. At that time the revenue source will become debt proceeds.

Reference: On January 7, 2019, the Board of Commissioners adopted a resolution of official intent to pursue tax exempt financing and to reimburse expenditures with proceeds of a borrowing in an amount not currently expected to exceed \$15,000,000.

2. Workforce Development Annual Plan

BACKGROUND

The Workforce Innovation and Opportunity Act (WIOA) requires each Workforce Development Board (WDB) to develop and submit, in partnership with the local chief elected official, a comprehensive four-year plan. The most recent Four-Year Plan was submitted in May 2016. Annually, each WDB is to provide updates to the Comprehensive Four-Year Plan. The WIOA Program Year (PY) 2019 Plan provides updates which will be effective July 1, 2019 - June 30, 2020 and will include all current local and WIOA-required policies.

The PY2019 Plan includes information related to the Workforce Development Board Overview, NCWorks Career Center, WIOA Title I Programs (i.e., Adult and Dislocated Worker Services and Youth Services), and Local program innovations. The complete document and attachments are available via <http://www.co.cumberland.nc.us/departments/career-center-group/career-center/local-area-plan>. The Cumberland County Workforce Development Board approved the PY2019 Cumberland County Local Workforce Development Area Plan at their May 21, 2019 meeting.

RECOMMENDATION / PROPOSED ACTION

At the June 13, 2019 Agenda Session Meeting, the Board of Commissioners approved placing the proposed action below on the Consent Agenda for the June 17, 2019 Board of Commissioners' Meeting.

Approve the Workforce Development Annual Plan by allowing the Chair of the Cumberland County Board of Commissioners to sign the Signatory page and authorizing the County Manager to sign the Certification form.

3. Contract for Replacement of Generator at Judge E. Maurice Braswell Cumberland County Courthouse and Associated Budget Ordinance Amendment #190062

BACKGROUND

The existing emergency generator that serves the Judge E. Maurice Braswell Cumberland County Courthouse is the original generator to the building and it is over forty years old. The generator provides emergency power for life safety features (fire pump, sprinkler system jockey pump, emergency lighting, etc.) and the Cumberland County IS Data Center. There has been a desire over the last several years to add additional electrical loads to the generator. Based on the existing electrical loads exceeding the design capacity, the age of the generator, and the need to add additional loads, the Board of Commissioners approved moving forward with the engineering design associated with the generator replacement at the Board of Commissioners' meeting in December.

E&I staff selected Progressive Design Collaborative, LTD (PDC) from the List of Qualified Architectural/Engineering Firms approved by the Board of Commissioners at the December 3rd, 2015 meeting to perform the design of the project. The project was publicly advertised, and all local contractors were invited to the pre-bid that was held on May 22, 2019. The bid opening was held on June 4, 2019. Due to an insufficient number of bids being received, the project was re-advertised. The bids are scheduled to be opened on June 12th. The certified bid tab and letter of recommendation to award a contract to the lowest, responsible, and responsive bidder from PDC will be presented at the Agenda Session on June 13th. The lowest, responsible, and responsive bid was provided by Haire Plumbing & Mechanical Company, Inc. in the amount of \$2,737,200.

RECOMMENDATION / PROPOSED ACTION

At the June 13, 2019 Agenda Session Meeting, the Board of Commissioners approved placing the proposed actions below as a Consent Item on the June 17, 2019 Board of Commissioners' Meeting:

1. Accept the bid and award a contract to the lowest, responsible and responsive bidder which is Haire Plumbing & Mechanical Company, Inc. in the amount of \$2,737,200.
2. Establish a 10% contingency in the amount of \$273,720 to be used for additional work recommended by the E&I Director and approved by the County Manager.
3. Approve associated Budget Ordinance Amendment #190062 for the project bid amount plus a 10% project contingency for a total of \$3,010,920.

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4. Contract for Janitorial Services at the Judge E. Maurice Braswell Cumberland County Courthouse

BACKGROUND

During my tenure as the Engineering & Infrastructure (E&I) Director, evening janitorial services have been provided for the Judge E. Maurice Braswell Cumberland County Courthouse by individuals employed by a temporary staffing agency but supervised by a County employee. Over the last several years, this method of providing janitorial services has become more challenging with the frequent turnover of employees provided by the temporary staffing agency. With constant turnover, it is difficult to maintain the level of service that is desired for this facility.

On January 3, 2019, a Request for Proposal was issued for evening janitorial services beginning July 1, 2019, within the Judge E. Maurice Braswell Cumberland County Courthouse. Our Department received submittals from the following companies:

Fayetteville Janitorial, Inc.	\$20,675/month
Jani-King RDU	\$19,950/month
360 Clean	\$13,689.21/month

E&I Staff have met with representatives from 360 Clean on several occasions and have checked references provided as part of their proposal. The responses we received were all positive. Our department believes this will be a positive change that will result in an overall improvement in cleanliness to the facility. Although these services are being contracted for FY20, we are able to maintain the same funding level within the Public Buildings Janitorial budget. Since these contracted services are slated to begin July 1, 2019, the contract for these services is being brought before the Board of Commissioners for approval prior to the beginning of FY 20.

RECOMMENDATION / PROPOSED ACTION

At the June 13, 2019 Agenda Session Meeting, the Board of Commissioners approved placing the proposed action below as a Consent Item on the June 17, 2019 Board of Commissioners' Meeting:

Approve a contract with 360 Clean in the amount not to exceed \$164,270.52 for evening janitorial services within the Judge E. Maurice Braswell Cumberland County Courthouse for FY 20.

5. Request to Transfer Funds to NORCRESS Water & Sewer District Due to Increase in Utility Bills and Associated Budget Ordinance Amendment #191181

BACKGROUND

Sewer treatment utility bills for the NORCRESS Water and Sewer District have increased over the last several months, requiring a transfer of funding from available water and sewer funds. It is projected that NORCRESS will need \$50,000 to get through the end of the fiscal year. FEMA and the State will reimburse the County \$8,709 for a portion of the PWC utility bill because of Hurricane Florence and the remaining portion will come from available water and sewer funds. The Board of Commissioners approved a rate increase for the NORCRESS system with the effective date of July 1, 2018. This increase was based on a small rate increase by PWC for treatment cost as well as increased operational costs of the system. A summary of rates for the NORCRESS System have been attached.

Staff has been working with Public Works Commission (PWC) to determine the cause of the increased operating and maintenance costs for the system, and several issues have been identified.

- Invoices from PWC following Hurricane Florence were significantly higher based on the excessive rainfall received from the storm event. Treatment costs remained high for months following the hurricane prompting staff to seek details from PWC regarding the increased costs. A comparison of the previous fiscal years has been attached for your review. PWC reported increased volume system-wide due to excessive rainfall for months following Hurricane Florence. Within in the last couple of months, E&I Staff learned that the magnetic meter used to measure flow, flooded out during Hurricane Florence and has been inoperable since. PWC has indicated that a new meter will be installed within the next 30 days. Since the meter has been inoperable, PWC has been relying on Supervisory Control

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and Data Acquisition (SCADA) data to determine the flow for billing purposes. Once the meter has been installed, PWC and the County will monitor the difference between flows measured on the meter against the flow estimated by SCADA for a couple of months. If there are significant differences between the two, PWC has agreed to revisit the previous invoices to determine if adjustments are warranted.

- Cost of chemical additives to the system for odor control continue to rise yearly. PWC Staff and E&I Staff are working with the hog slaughtering plant located in Falcon to determine additional steps that need to be taken to lower the odor impacts caused by the concentration of waste that is entering the system from their site.
- Last fiscal year required video inspections were completed by an outside contractor of all the gravity lines within the NORCRESS system. The purpose of this project was to identify any areas in which stormwater inflow or infiltration could possibly be entering the system.

E&I Staff will work with the Finance Department to determine steps that need to be taken to address current and future O&M costs in order to assure the financial sustainability of the NORCRESS Water and Sewer District moving forward.

RECOMMENDATION / PROPOSED ACTION

At the June 13, 2019 Agenda Session meeting, the Board of Commissioners approved placing the proposed action as a Consent Item on both the June 17, 2019 Board of Commissioners' meeting and the June 17, 2019 NORCRESS Governing Board meeting:

Approve Budget Ordinance Amendment #191181 in the amount of \$50,000 which will transfer funds to the NORCRESS Water and Sewer District from available water and sewer funds and FEMA/State reimbursable funds.

6. Resolution Requesting the Hospital to Convey the Roxie Avenue Center Back to the County

BACKGROUND

At its June 13, 2019, agenda session, the Board of Commissioners approved placing this matter on the Consent Agenda for the June 17, 2019, regular meeting.

The minutes of the October 6, 2008, meeting of the Board of Commissioners reflect that the Board approved a contract for the replacement of the roof at the Roxie Avenue Center, used at that time as a center for mental health crisis stabilization. The minutes of the February 3, 2011, meeting of the Facilities Committee, reflect that Cape Fear Valley Health System was operating the Roxie Avenue Center to provide mental health services through a lease with the former Cumberland County Area Mental Health Authority and the County still had the obligation to maintain the property. Cape Fear Valley has continued to provide mental health services at the Center as a vendor under a contract with Alliance Behavioral Healthcare.

At the time of the merger of the Cumberland County Mental Health Authority into Alliance Behavioral Healthcare in 2013, the County Attorney discovered that the Roxie Avenue Center was included as one of the 52 parcels of property the County transferred to Cumberland County Hospital System, Inc., (Cape Fear Valley Health System) by the deed recorded May 6, 2006, in Book 7225 at page 436. At that time, Hank Debnam, former director of the Cumberland County Area Mental Health Authority, told the County Attorney that the County did not intend to include the Roxie Avenue Center in the transfer of the hospital assets to Cape Fear Valley Health System because the facility had been acquired with mental health funds for the provision of mental health services and no other facilities that had been used for the provision of mental health services were included in the 2006 transfer to the hospital.

The treatment of the Roxie Center as a rental to Cape Fear Valley Health System since the 2006 transfer of property to Cape Fear Valley Health System is consistent with Mr. Debnam's report that there was no intent to transfer it with the other properties. It cannot be determined from the deed description that the property which is the Roxie Avenue Center is even located on Roxie Avenue.

Based on all of these facts, it appears there was no intent to include the Roxie Avenue Center with the transfer to Cape Fear Valley Health System.

Alliance Behavioral Healthcare has now entered into a contract with a new vendor to provide the mental health services at the Roxie Avenue Center and it is necessary to provide the facility for the new vendor.

RECOMMENDATION / PROPOSED ACTION

The county attorney recommends the Board adopt the following resolution to request Cape Fear Valley Health System to convey the Roxie Avenue Center back to the County:

RESOLUTION TO REQUEST CAPE FEAR VALLEY HEALTH SYSTEM TO CONVEY THE ROXIE AVENUE CENTER BACK TO THE COUNTY

Whereas, the Roxie Avenue Center has been used for the provision of mental health services by the county's former Area Mental Health Authority and by Cape Fear Valley Health System as a contract vendor with the former Area Authority and currently with Alliance Behavioral Healthcare; and

Whereas, the Roxie Avenue Center was conveyed to Cape Fear Valley Health System along with more than 50 other parcels containing various facilities in 2006 pursuant to the terms of a transfer agreement and deed recorded in Book 7225 at page 436, being described as Tracts C & D of Tract 21 in the deed description; and

Whereas, the Board finds that the transfer of this former mental health facility was unintended and done in error.

Be it resolved that the Board of Commissioners request Cape Fear Valley Health System to convey the Roxie Avenue Center back to the County in accordance with the form of the deed attached hereto.

Adopted this 17th day of June 2019.

MOTION: Commissioner Adams moved to approve consent agenda Items 3.A. – 3.G.6.
SECOND: Commissioner Evans
VOTE: UNANIMOUS (7-0)

4. PUBLIC HEARINGS

Ms. Cannon explained the Board of Commissioners' procedures for public hearings.

Uncontested Rezoning Cases

- A. Case P19-24: Rezoning of 2.35+/- acres from A1 Agricultural to R40 Residential, or to a more restrictive zoning district, located at 1122 John McMillan Road, submitted by Wanda C. & Wendy A. Austin (owner).

Joel Strickland, FAMPO Director and Interim Planning Director, presented this item. Mr. Strickland stated the Planning Board unanimously recommended approval of the rezoning.

Chair Council opened the public hearing for Case P19-24.

The clerk to the board stated there were no speakers for Case P19-24.

Chair Council closed the public hearing for Case P19-24.

MOTION: Commissioner Lancaster moved in Case P19-24 to approve the rezoning from A1 Agricultural to R40 Residential and find the request is consistent with the adopted South Central Land Use Plan (2015) which calls for "farmland" at this location, the "farmland" designation allows for one unit per acre with suitable soils for septic,

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and further find that approval of the request is reasonable and in the public interest because the district requested is in harmony with surrounding zoning and existing land uses.

SECOND: Commissioner Faircloth

VOTE: UNANIMOUS (7-0)

B. Case P19-25: Rezoning of 31.89+/- acres from R10 Residential & C(P) Planned Commercial to R6 Residential, or to a more restrictive zoning district, located at 3681 Elk Road; submitted by Dave Averette on behalf of Land Associates, Inc. (owner) and Michael T. Blakley on behalf of Drafting and Design Services, Inc. (agent).

Joel Strickland, FAMPO Director and Interim Planning Director, presented this item. Mr. Strickland stated the Planning Board unanimously recommended approval of the rezoning.

Chair Council opened the public hearing for Case P19-25.

The clerk to the board stated there were no speakers for Case P19-25.

Chair Council closed the public hearing for Case P19-25.

MOTION: Commissioner Faircloth moved in Case P19-25 to approve the rezoning from R10 Residential & C(P) Planned Commercial to R6 Residential and find:

a. The approval is an amendment to the adopted current Southwest Cumberland Land Use Plan (2013) map; and that the Board of Commissioners should not require any additional request or application for amendment to said map for this request;

b. The following change in conditions was considered in amending the zoning ordinance (zoning map) to meet the development needs of the community: the subject property meets most of the location criteria for “medium density residential” as defined in the Land Use Policies Plan (2009), and the “heavy commercial” designation was likely put in place due to the existing C(P) Planned Commercial zoning on the subject property;

c. And, this rezoning approval is reasonable and in the public interest because the district requested is in harmony with the surrounding zoning and existing land uses.

SECOND: Chair Council

DISCUSSION: Commissioner Keefe asked how many houses could be constructed under R6 Residential zoning and whether mobile homes could be placed on the property. Mr. Strickland stated it would have to be R6A to allow for mobile homes and 346 units could be gotten out of the acreage with R6. Commissioner Keefe asked whether there had been an engineering study of the area. Mr. Strickland stated he was not aware of whether such a study had been conducted. Commissioner Keefe stated 346 units were a lot for the area.

VOTE: PASSED (6-1) (Commissioner Lancaster, Faircloth, Council, Boose, Adams and Evans voted in favor; Commissioner Keefe voted in opposition)

C. Case P19-26: Rezoning of 2.53+/- acres from A1 Agricultural to RR Rural Residential, or to a more restrictive zoning district, located at 5137 Maxwell Road; submitted by Kevin Carroll on behalf of Bunce Carroll Investments, LLC (owner).

Joel Strickland, FAMPO Director and Interim Planning Director, presented this item. Mr. Strickland stated the Planning Board unanimously recommended approval of the rezoning.

Chair Council opened the public hearing for Case P19-26.

The clerk to the board stated there were no speakers for Case P19-26.

Chair Council closed the public hearing for Case P19-26.

MOTION: Chair Council moved in Case P19-26 to approve the rezoning from A1 Agricultural to RR Rural Residential and find it is consistent with the adopted Eastover Land Use Plan (2018) which calls for “rural density residential” at this location, the text of the plan states that RR Rural Residential is an applicable district under the “rural density residential” designation and further find approval of the request is reasonable and in the public interest because the district requested is in harmony with surrounding zoning and existing land uses.

SECOND: Commissioner Faircloth

VOTE: UNANIMOUS (7-0)

Contested Rezoning Cases

D. Case P19-22: Rezoning of 0.73+/- acres from R10 Residential to C2(P) Planned Service and Retail, or to a more restrictive zoning district, located at 6050 Camden Road, submitted by Jeffrey Wright (owner).

Joel Strickland, FAMPO Director and Interim Planning Director, presented this item. Mr. Strickland showed vicinity maps and aerial views of the subject property, and provided overviews of the current land uses, current zonings, and surrounding land uses and zonings. Mr. Strickland stated water and sewer is available through PWC and there are no hydric soils on the property. Mr. Strickland stated the Planning Board unanimously recommended denial of the rezoning due to lack of existence of commercial properties on the same side of Camden Road, and because the R5 behind the subject property was just rezoned in 2018 from R10.

In response to a question posed by Commissioner Adams, Mr. Strickland stated the average daily traffic count is 19,000 and the road is scheduled to be widened. In response to questions from Commissioner Boose, Mr. Strickland stated the structure to the left of the property is a house, the property abuts the Town of Hope Mills and the residential loop was approved in the late 90s. Commissioner Keefe stated the area is surrounded by the Town of Hope Mills and asked whether there had been any outreach to Hope Mills. Mr. Strickland stated it was sent to Hope Mills for their review and he was not aware of having received a response. Commissioner Adams stated Hope Mills has a member on the Planning Board and the Board voted unanimously to deny. Commissioner Boose asked whether the property owner was amenable to the recommendation of staff to give a lower density commercial that would fit in better as a transition zoning from residential to commercial. Mr. Strickland stated the property owner was fine with it but did not attend the meeting of the Planning Board to state his case, which is another reason the Planning Board voted to deny the rezoning.

Chair Council opened the public hearing for Case P19-22.

The clerk to the board stated there were no speakers for Case P19-22.

Chair Council closed the public hearing for Case P19-22.

MOTION: Commissioner Adams moved in Case P19-22 to deny the rezoning from R10 Residential to C2(P) Planned Service and Retail although the request is consistent with the Southwest Cumberland Land Use Plan (2013) which calls for “mixed use development” at this location; and further find that denial of the rezoning is reasonable and in the public interest because the requested district would allow the encroachment of commercial zoning in an established residentially zoned area on the north side of Camden Road.

SECOND: Chair Council

VOTE: UNANIMOUS (7-0)

Commissioner Adams stated there is so much commercial and pending commercial development in that area that he would encourage the Planning Board and staff to revisit the Cumberland Southwest Land Use Plan.

5. ITEMS OF BUSINESS

A. Removed from agenda.

B. Consideration of Construction Delivery Method for 500 Executive Place Renovation Project

BACKGROUND

Staff recommends consideration of construction delivery method available to the County for the 9-1- 1/Emergency Operations Center project at 500 Executive Place. Over the years, changes in North Carolina legislation have provided local governments with more options for construction of public facilities. The traditional Multi-Prime (general, plumbing, mechanical & electrical) competitive bidding requirement has been expanded to allow local governments to use Single-Prime bids and most recently Construction Manager-at-Risk (CM-at-Risk) to construct public facilities. Based on experience with previous projects of similar scope, and after weighing the advantages and disadvantages of various construction delivery methods, staff believes that CM-at-Risk is in the best interest of this project for the following reasons:

- CM-at-Risk is qualifications-based as opposed to accepting the low bid from any contractor that can get bonded for the job regardless of past performance.
- CM-at-Risk promotes a partnership arrangement with the owner. It is less adversarial than the other construction delivery methods because the fees (profit margin) are negotiated upfront which tends to mitigate the contractor looking for money through the change order process.
- CM-at-Risk can be incentive driven which can lead to a shortened project timeline. Any reduction in the construction timeline should result in reduced construction costs due to inflationary factors.
- CM-at-Risk is open book meaning that all costs are disclosed to the architect and owner.
- CM-at-Risk can have more impact on keeping the construction dollars local through subdividing the work into packages for which local subcontractors can reasonably submit bids. This can also be an effective tool for recruiting MBE participation on the project.
- The owner has more control over the selection process for subcontractors, hence more control over quality of construction.
- CM-at-Risk provides a higher level of construction oversight which helps mitigate problems in the field and expedite solutions to keep the project on schedule.
- CM-at-Risk can be brought on during the design process to provide pre-construction services such as constructability reviews as the design of the facility evolves and value engineering for cost control purposes.

CM-at-Risk was successfully used on the Public Health Department Building project and for the Detention Center Expansion Project and should be given serious consideration for the renovation of 500 Executive Place.

RECOMMENDATION / PROPOSED ACTION

Consideration of utilizing the Construction Manager-at-Risk as the construction delivery method for the 500 Executive Place Project and directing staff to initiate the process for soliciting a CM-at-Risk.

Tracy Jackson, Assistant County Manager, reviewed the background information and recommendation/proposed action recorded above.

MOTION: Commissioner Boose moved to approve utilizing the Construction Manager-at-Risk as the construction delivery method for the 500 Executive Place Project and directing staff to initiate the process for soliciting a CM-at-Risk.
SECOND: Chair Council
VOTE: UNANIMOUS (7-0)

C. Consideration of Fiscal Year 2020 Community Transportation Services Contract Extensions

BACKGROUND

As NCDOT is restructuring the Public Transportation Division into a merged Public Transportation and Bike and Pedestrian Division, there have been numerous changes occurring within the NCDOT Public Transportation Division and there is speculation about the effects this merged department will have. As staff adjust to these changes, the Transportation Advisory Board (TAB) believes it is in the best interest of the local program and the county that we extend the Community Transportation Services contracts for the Fiscal Year 2020 (FY20), as stated as an option on page 5 of the original Request for Proposals (RFP) (recent TAB Meeting Minutes and the RFP are attached for reference), as approved and awarded by the Board of County Commissioners at their regular meeting on May 15, 2017, to B & W Transporting, Inc. and Famiks Transport, Inc. Both providers are in good standing and meeting performance requirements. This will be the second and final extension of the contract for transportation services.

Staff will continue to assure that the local program is efficient, safe, dependable, accessible, and affordable for transportation of our county residents to medical appointments, work and for general errands.

RECOMMENDATION / PROPOSED ACTION

County Staff and the Transportation Advisory Board (TAB) requests approval of the extension of the contracts awarded to the existing transportation providers, B & W Transporting, Inc. and Famiks Transport, Inc., for community transportation services in FY20.

Mr. Strickland stated the Board of Commissioners is being asked to consider extending the existing contracts for service providers for the upcoming 2020 fiscal year. Mr. Strickland stated the Transportation Advisory Board met April 2 and feels it is in the best interest of the local program and the County to extend the contracts for one more year. Mr. Strickland stated an option is spelled out in the original RFP to carry the contracts out for two additional years. Mr. Strickland stated this would be the last year to extend the contracts and the two transportation providers have provided great service. Mr. Strickland responded to questions and stated as far as advertising the Community Transportation Services program, staff are working with FAST to implement a mobility manager who would refer citizens to the appropriate transportation service depending on their qualifications.

MOTION: Commissioner Adams moved to approve extension of the contracts awarded to the existing transportation providers B & W Transporting, Inc. and Famiks Transport, Inc. for community transportation services in FY20.
SECOND: Commissioner Boose
VOTE: UNANIMOUS (7-0)

D. Consideration of a Lease of the Roxie Avenue Center to Alliance Health

BACKGROUND

At its June 13, 2019, Agenda Session, the Board directed that if the terms of the lease of the Roxie Avenue Center to Alliance Health were finalized to place it on the June 17, 2019, agenda as an

item of business. The lease terms have been finalized. The proposed lease is attached. Of course, the lease will be subject to the Hospital conveying the property back to the County.

The essential lease terms are:

- Ten-year term at \$0 rent
- Alliance shall sublet to Recovery Innovations, Inc., subject to the lease terms and at a rent of \$0 County is responsible for substantial repairs listed on Schedule A
- Alliance is responsible for substantial improvements listed on Schedule B
- Tenant will be responsible for all maintenance of the interior floors, doors, ceilings, walls and windows; County will remain responsible for all other building and grounds maintenance
- Tenant will pay for all utilities

RECOMMENDATION / PROPOSED ACTION

County attorney recommends approval of the lease and authorization for the county manager to enter into any further agreements as may be necessary to coordinate the work to make the repairs and improvements described in the lease.

Rick Moorefield, County Attorney, reviewed the background information and recommendation/proposed action recorded above. Mr. Moorefield stated the Board approved a resolution to convey the Roxie Avenue Center to the County which will be necessary before a lease can be undertaken.

Commissioner Boose stated he is in opposition because the lease is for ten-years with \$0 rent and he thought there was discussion about a provision that the tenant could not sublet unless the County received the rent, especially when considering everything the County will be responsible for. Commissioner Faircloth he concurred with Commissioner Boose and stated there had been discussion that the County would receive credit for the market rate rental amount as part of its funding contribution. Mr. Moorefield stated the contribution credit would have to be part of the annual funding agreement.

Commissioner Keefe stated he does not understand a ten-year lease term with the Alliance when considering the uncertain future of the State's local management entities because a ten-year commitment may not even be possible. Mr. Moorefield stated the lease contains a provision that the rights of the lease would inure to the benefit of any successor to the Alliance.

Commissioner Adams stated to charge the Alliance rent would be a wash because the County's funding of the Alliance would be used to pay the rent. Commissioner Adams also suggested a six-year lease would likely give the County some protection as it relates to the point made by Commissioner Keefe. Commissioner Adams spoke to the important role Recovery Innovations, Inc. will have in the community and encouraged Board members not to vote against the lease.

Ms. Cannon stated the Alliance will pay for renovations to the facility as part of its "living room approach" and this was part of the consideration of \$0 rent. Ms. Cannon also stated if the Alliance is charged rent, it will reduce the services delivered as Commissioner Adams alluded to.

Chair Council summarized the discussion by offering the following motion,

MOTION: Chair Council moved to approve the lease by changing it to a six-year term and changing the language for subletting to read that if any sublessee pays rent, that rent would be transferred to Cumberland County, and to authorize the county manager to enter into any further agreements as may be necessary to coordinate the work to make the repairs and improvements described in the lease.

SECOND: Commissioner Boose

VOTE: UNANIMOUS (7-0)

Chair Council recognized the Fayetteville-Cumberland Youth Council 2019-2020 Chair and Vice Chair who provided comments about what they learned from attending the meeting.

6. NOMINATIONS

There are no nominations for this meeting.

7. APPOINTMENTS

- A. Nursing Home Advisory Board (1 Vacancy)
- B. Alliance Health Board of Directors (1 Vacancy)
- C. Board of Adjustment (5 Vacancies)
- D. Fayetteville Technical Community College Board of Trustees (1 Vacancy)
- E. Fayetteville Area Convention and Visitors Bureau (FACVB) Board of Directors (1 Vacancy)

There being an equal of vacancies and nominees,

MOTION: Commissioner Faircloth moved to appoint Keith Howard to the Nursing Home Advisory Board; Duane Holder to the Alliance Health Board of Directors; Winton McHenry, Robert E. Davis, Stacy M. Long, Marva Lucas-Moore and Nathan Galbreath to the Board of Adjustment; Dr. Linwood Powell to the Fayetteville Technical community College Board of Trustees; and Sharon Lee to the Fayetteville Area Convention and Visitors Bureau Board of Directors in their respective positions.

SECOND: Commissioner Boose

VOTE: UNANIMOUS (7-0)

Chair Council recessed the meeting of the Board of Commissioner.

Chair Council convened the meeting of the NORCRESS Water and Sewer District Governing Board.

8. NORCRESS WATER AND SEWER CONSENT AGENDA

- A. Approval of the NORCRESS Governing Board Minutes for August 21, 2017 and the May 21, 2018 meeting

MOTION: Commissioner Faircloth moved to approve the minutes for August 21, 2017 and May 21, 2018.

SECOND: Commissioner Boose

VOTE: UNANIMOUS (7-0)

- B. Request to Transfer Funds to NORCRESS Water & Sewer District Due to Increase in Utility Bills and Associated Budget Ordinance Amendment #191181

BACKGROUND

Sewer treatment utility bills for the NORCRESS Water and Sewer District have increased over the last several months, requiring a transfer of funding from available water and sewer funds. It is projected that NORCRESS will need \$50,000 to get through the end of the fiscal year. FEMA and the State will reimburse the County \$8,709 for a portion of the PWC utility bill because of Hurricane Florence and the remaining portion will come from available water and sewer funds. The Board of Commissioners approved a rate increase for the NORCRESS system with the effective date of July 1, 2018. This increase was based on a small rate increase by PWC for treatment cost as well

as increased operational costs of the system. A summary of rates for the NORCRESS System have been attached.

Staff has been working with Public Works Commission (PWC) to determine the cause of the increased operating and maintenance costs for the system, and several issues have been identified.

- Invoices from PWC following Hurricane Florence were significantly higher based on the excessive rainfall received from the storm event. Treatment costs remained high for months following the hurricane prompting staff to seek details from PWC regarding the increased costs. A comparison of the previous fiscal years has been attached for your review. PWC reported increased volume system-wide due to excessive rainfall for months following Hurricane Florence. Within in the last couple of months, E&I Staff learned that the magnetic meter used to measure flow, flooded out during Hurricane Florence and has been inoperable since. PWC has indicated that a new meter will be installed within the next 30 days. Since the meter has been inoperable, PWC has been relying on Supervisory Control and Data Acquisition (SCADA) data to determine the flow for billing purposes. Once the meter has been installed, PWC and the County will monitor the difference between flows measured on the meter against the flow estimated by SCADA for a couple of months. If there are significant differences between the two, PWC has agreed to revisit the previous invoices to determine if adjustments are warranted.
- Cost of chemical additives to the system for odor control continue to rise yearly. PWC Staff and E&I Staff are working with the hog slaughtering plant located in Falcon to determine additional steps that need to be taken to lower the odor impacts caused by the concentration of waste that is entering the system from their site.
- Last fiscal year required video inspections were completed by an outside contractor of all the gravity lines within the NORCRESS system. The purpose of this project was to identify any areas in which stormwater inflow or infiltration could possibly be entering the system.

E&I Staff will work with the Finance Department to determine steps that need to be taken to address current and future O&M costs in order to assure the financial sustainability of the NORCRESS Water and Sewer District moving forward.

RECOMMENDATION / PROPOSED ACTION

At the June 13, 2019 Agenda Session Meeting, the Board of Commissioners approved placing the proposed action as a Consent Item on both the June 17, 2019 Board of Commissioners' Meeting and the June 17, 2019 NORCRESS Governing Board meeting:

Approve Budget Ordinance Amendment #191181 in the amount of \$50,000 which will transfer funds to the NORCRESS Water and Sewer District from available water and sewer funds and FEMA/State reimbursable funds.

MOTION: Commissioner Boose moved to approve Budget Ordinance Amendment #191181 in the amount of \$50,000 which will transfer funds to the NORCRESS Water and Sewer District from available water and sewer funds and FEMA/State reimbursable funds.

SECOND: Chair Council

VOTE: UNANIMOUS (7-0)

Chair Council adjourned the meeting of the NORCRESS Water and Sewer District Governing Board.

Chair Council reconvened the meeting of the Board of Commissioners.

9. CLOSED SESSION:

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

MOTION: Commissioner Boose moved to go into closed session for Attorney Client Matter(s) pursuant to NCGS 143.318.11(a)(3).
SECOND: Commissioner Faircloth
VOTE: UNANIMOUS (7-0)

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

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

There being no further business, the meeting adjourned at 8:55 p.m.

Approved with/without revision:

Respectfully submitted,

Candice H. White
Clerk to the Board