

CUMBERLAND COUNTY BOARD OF COMMISSIONERS
TUESDAY, SEPTEMBER 3, 2019 – 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 (departed 10:45 a.m.)
Commissioner Charles Evans (departed at 10:00 a.m.)
Commissioner Jimmy Keefe
Commissioner Larry Lancaster
Amy Cannon, County Manager
Melissa Cardinali, Assistant County Manager
Tracy Jackson, Assistant County Manager
Sally Shutt, Assistant County Manager
Duane Holder, Assistant County Manager/Interim Health Director
Darian Cobb, Fellow with NCACC County Manager Fellowship Program
Rick Moorefield, County Attorney
Vicki Evans, Finance Director
Heather Harris, Budget Analyst
Jeffrey Brown, Engineering and Infrastructure Director
Joel Strickland, FAMPO Director and Interim Planning Director
Candice White, Clerk to the Board
Press

ABSENT: Commissioner Michael Boose

Chair Council called the meeting to order.

INVOCATION / PLEDGE OF ALLEGIANCE

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

Commissioner Evans recognized advisory board members in attendance. Chair Council recognized in attendance Sheriff Ennis Wright and Chief Deputy Sheriff Richard Jenkins.

Recognition of Corliss Parson on Being Named One of North Carolina's 100 Distinguished Public Health Nurses

Chair Council recognized Corliss Parson stating she has been named one of North Carolina's 100 Distinguished Public Health Nurses by the North Carolina Public Health Association. Chair Council stated Ms. Parson has worked for the Cumberland County Department of Public Health for 28 years and over the years, she has worked in different areas of the Health Department, including the school nurse program and currently serves as a Newborn Postpartum Home Visiting nurse.

Chair Council stated the award recognizes excellence in four areas - professionalism, community-centered care, innovation and collaboration. Chair Council stated Ms. Parson collaborates with various clinics and programs within the Health Department and in the community as she works to meet the needs of her patients. Chair Council stated Ms. Parson exemplifies the best in public health nursing, and we are proud that she is a member of the Cumberland County Department of Public Health. On behalf of the Board of Commissioners, Chair Council extended congratulations to Ms. Parson.

Amy Cannon, County Manager, asked to correct the number of the Budget Ordinance Amendment under Item 2.C. to B201108 and to add Item 4.D. Consideration of Budget Ordinance Revision B201337 to Prepare for Impacts of Hurricane Dorian, Assign Signature Authority to County Manager to Execute Standby Debris and Consulting Contract Notices and Storm Staging Agreement at the Crown Complex with Duke Energy.

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>

1. APPROVAL OF AGENDA

MOTION: Commissioner Faircloth moved to approve the agenda with the correction and additions under Item 4.D. as stated by the County Manager.
SECOND: Commissioner Lancaster
VOTE: UNANIMOUS (6-0)

2. CONSENT AGENDA

- A. Approval of August 19, 2019 Regular Meeting Minutes
- B. Approval of Budget Ordinance Amendments for the September 3, 2019 Board of Commissioners' Agenda

BACKGROUND

General Fund 101

- 1) General Government Other - Budget Ordinance Amendment B201089 to recognize revenue in the amount of \$58,000 for Human Trafficking Court

The Board is requested to approve Budget Ordinance Amendment B201089 to recognize grant funds in the amount of \$58,000 from the Center for Human Trafficking Court Solutions (CHTCS). This memorandum of understanding was approved by the Board on August 5, 2019 and will support staff costs for a Human Traffic Coordinator, including associated operating costs, through June 30, 2020.

Please note this amendment requires no additional county funds.

Federal Drug Forfeiture Fund 204

- 2) Federal Drug Forfeiture - Budget Ordinance Amendment B200975 to purchase a mobile command post unit in the amount of \$100,000

The Board is requested to approve Budget Ordinance Amendment B200975 to purchase a contained incident command vehicle in the amount of \$100,000. This vehicle will replace the older existing command post and can be used during natural disasters, terrorist attacks and major crimes.

Please note this amendment requires the use of federal drug forfeiture fund balance in the amount of \$100,000.

REGARDING THE FOLLOWING ITEMS 3 – 7 PLEASE NOTE:

Each fiscal year County departments may have projects that are not complete by the fiscal year end (6/30/19) or items ordered that have not been received by fiscal year end. These projects or items were approved in the Fiscal Year 2019 budget; however, the money was not spent by June 30, 2019.

The following amendments seek to bring those funds forward from FY 2019 into the current fiscal year, allowing departments to complete and pay for these items. These revisions are not using 'new' funds but are recognizing the use of FY19 funds in FY20.

General Fund 101

- 3) Tax Department - Budget Ordinance Amendment B200321 to re-appropriate FY19 funds in the amount of \$21,500 for tax audit fees

The Board is requested to approve Budget Ordinance Amendment B200321 to re-appropriate FY19 funds in the amount of \$21,500. These funds are for tax audits which began in FY19 and were still in process at the end of the fiscal year.

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>

4) Information Services - Budget Ordinance Amendment B200451 to re-appropriate FY19 funds in the amount of \$2,192,925 for tax software, planning software, and server upgrades. The Board is requested to approve Budget Ordinance Amendment B200451 to re-appropriate FY19 funds in the amount of \$2,192,925 for technology projects that were not complete by the end of the fiscal year to include tax software implementation, EnerGov Land Management and server upgrades.

5) Public Affairs/Education - Budget Ordinance Amendment B200720 to re-appropriate FY19 funds in the amount of \$16,170 for equipment installation in conference room 119.

The Board is requested to approve Budget Ordinance Amendment B200720 to re-appropriate FY19 funds in the amount of \$16,170. This project updated equipment and technology for room 119 to include a projection screen, video equipment, and software.

Capital Investment Fund 107

6) Information Technology - Budget Ordinance Amendment B200454 to re-appropriate FY19 funds in the amount of \$8,365 for the completion of the server-based fax system.

The Board is requested to approve Budget Ordinance Amendment B200454 to re-appropriate FY19 funds in the amount of \$8,365 for completion of the server-based fax system. This project was approved during the FY19 budget process but not completed by year-end.

Parks and Recreation Fund 250

7) Parks and Recreation - Budget Ordinance Amendment B200546 to re-appropriate FY19 funds in the amount of \$147,294 for projects that were not completed within the districts by June 30th

The Board is requested to approve Budget Ordinance Amendment B200546 to re-appropriate FY19 funds in the amount of \$147,294 for projects not completed in the districts by June 30th.

RECOMMENDATION / PROPOSED ACTION

Approve Budget Ordinance Amendments.

C. Approval of FY 2019-2020 Agreement of Conditions and Local Governmental Resolution and Budget Ordinance Amendment B201108 for Continued Funding of the Governor's Highway Safety Program Grant for Cumberland County Sobriety Court

BACKGROUND

The Cumberland County Sobriety Court was established in September 2010 to respond to our community's need to address the number of high-risk defendants charged with alcohol related offenses.

The attached Agreement of Conditions and Local Governmental Resolution must be reviewed and approved by the Board of Commissioners. The Federal Funding for this fiscal year has been approved in the amount of \$55,462.00, which is 50%, and this year there will be a County match of \$55,461.00, which is 50% of the grant.

RECOMMENDATION / PROPOSED ACTION

Approve Budget Ordinance Amendment B201108 and the attached Agreement of Conditions and Local Governmental Resolution to finalize the application process of the Sobriety Court Grant for Cumberland County and direct staff to submit the paperwork to the North Carolina Governor's Highway Safety Program.

MOTION: Commissioner Faircloth moved to approve consent agenda Items 2.A. – 2.C.

SECOND: Chair Council

VOTE: UNANIMOUS (6-0)

3. PUBLIC HEARINGS

Other Public Hearings

- A. Public Hearing on the Proposed Financing Authorized by G.S. 159-151 and Consideration of Approval to Adopt the Resolution Authorizing the Execution and Delivery of an Installment Financing Contract to Refinance the Cumberland County Finance Corporation Certificates of Participation Series 2009B and a 2017 Installment Financing Contract

BACKGROUND

At the August 19th Board of Commissioners' meeting, a resolution which authorized the filing of an application to the Local Government Commission (LGC) for this financing was approved. The resolution also documented certain findings that are required for the transaction under G.S. 159-151. Additionally, authorization was given to publish a notice of public hearing on the proposed installment financing contract.

A request for proposals process was conducted by DEC Associates, the County's financial advisors, on the Series 2009B COPs to be paid back over a five-year period, and the 2017 installment financing to be paid back over a seven-year period. PNC Bank offered the most advantageous business terms which include a 1.56% interest rate on the five-year refinancing and a 1.73% interest rate on the seven-year refinancing.

To complete this transaction, Board of Commissioner approval is being requested to authorize County staff to execute documents including the installment financing contract and deed of trust. The LGC will consider this financing at their October 1, 2019 meeting. The closing is scheduled to occur on or before October 15, 2019.

RECOMMENDATION / PROPOSED ACTION

1. Hold the public hearing on the proposed financing authorized by G.S. 159-151.
2. Adopt the resolution authorizing the execution and delivery of an installment financing contract to refinance the Cumberland County Finance Corporation Series 2009B COPs and the 2017 Installment Financing Contract.

BOARD OF COMMISSIONERS
OF
CUMBERLAND COUNTY, NORTH CAROLINA

Excerpt of Minutes
of Meeting of
September 3, 2019

Present: Chairman _____ presiding, and Commissioners _____

Absent: _____

* * * * *

Commissioner _____ introduced the following resolution, the title of which was read:

RESOLUTION AUTHORIZING THE EXECUTION AND
DELIVERY OF AN INSTALLMENT FINANCING CONTRACT
TO REFINANCE THE CUMBERLAND COUNTY FINANCE
CORPORATION CERTIFICATES OF PARTICIPATION
(CUMBERLAND COUNTY IMPROVEMENT PROJECTS),
SERIES 2009B AND A 2017 INSTALLMENT FINANCING
CONTRACT

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>

WHEREAS, the County of Cumberland, North Carolina (the “County”) previously entered into an Installment Financing Agreement dated as of May 1, 2009, between the County and the Cumberland County Finance Corporation (the “Corporation”), pursuant to which the Corporation advanced the proceeds of the Corporation’s Certificates of Participation (Cumberland County Improvement Projects), Series 2009B (the “2009B COPs”) to the County, to provide funds to refund (a) certain maturities of the outstanding \$52,950,000 Refunding Certificates of Participation (Cumberland County Civic Center Project), Series 1998, issued to refinance certain costs of the County’s civic center complex, (b) the outstanding \$37,350,000 Installment Payment Revenue Bonds (Public Building and Equipment Projects), Series 1998, issued to finance a social services facility, a corrections center and equipment for use by the County, and (c) the outstanding \$50,780,000 Installment Payment Revenue Refunding Bonds (Detention Center and Mental Health Facility Projects), Series 2000, issued to refinance the costs of certain County office buildings (collectively, the “2009B Project”); and

WHEREAS, the County previously entered into an Installment Financing Contract dated September 20, 2017, between the County and PNC Bank, National Association (the “2017 IFC”), the proceeds of which were used to finance the construction, renovation and equipping of various capital improvements throughout the County (the “2017 Project” and, together with the 2009B Project, the “Projects”); and

WHEREAS, the Board of Commissioners (the “Board”) of the County desires to pursue the refinancing of (a) all the County’s remaining obligations with respect to the 2009B COPs and (b) all of the County’s obligations under the 2017 IFC, pursuant to one or more installment financing contracts, as permitted under N.C.G.S. § 160A-20; and

WHEREAS, the County sent out a request for proposals to a number of banks relating to the financing; and

WHEREAS, PNC Bank, National Association (the “Bank”) submitted a proposal dated August 21, 2019 (the “Proposal”), pursuant to which the Bank offered to enter into an installment financing contract with the County in the amount of up to \$33,850,000 (the “Contract”) to refinance the 2009B COPs and the 2017 IFC and to pay certain costs associated with the financing, to be secured by a deed of trust and security agreement that creates a lien on a portion of the Projects consisting of the Spring Lake Family Resource Center and the Hope Mills Branch Library (the “Property”) for the benefit of the Bank (the “Deed of Trust”); and

WHEREAS, the County has today held a public hearing regarding the refinancing of the Projects through the execution and delivery of the Contract, as evidenced by the Certificate and Summary of Public Hearing attached hereto;

NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners of the County (the “Board of Commissioners”), as follows:

1. The Board of Commissioners hereby accepts the Proposal, and authorizes and directs the Chairman, the County Manager, the Finance Officer, and the Clerk, or any of them, to execute, acknowledge and deliver the Contract and the Deed of Trust in the form presented to the Board of Commissioners and conforming to the terms of such Proposal on behalf of the County, with such changes and modifications as the person executing and delivering such instruments on behalf of the County shall find acceptable, such execution to be conclusive evidence of approval of such changes. The Clerk is hereby authorized to affix the official seal of the County to the Contract and the Deed of Trust and to attest the same.

2. Each of the County Manager, the Finance Officer and other appropriate officers of the County is hereby authorized and directed to execute and deliver any and all papers, instruments, agreements, tax certificates, opinions, certificates, affidavits and other documents, and to do or cause to be done any and all other acts and things necessary or proper for carrying out this resolution, the Contract and the Deed of Trust and the financing of the Project.

3. All other acts of the Board of Commissioners and the officers of the County, which are in conformity with the purposes and intent of this resolution and in furtherance of the financing of the Project, are hereby ratified, approved and confirmed.

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>

4. This resolution shall take effect immediately.

Commissioner _____ moved the passage of the foregoing resolution and Commissioner _____ seconded the motion, and the resolution was passed by the following vote:

Ayes: Commissioners _____

Nays: Commissioners _____

Not voting: Commissioners _____

Vicki Evans, Finance Director, presented the background information recorded above and stated the refunding of the 2009B COPs will generate approximately \$1.75 million or 7.8% in net present value interest payments. In response to a question posed by Commissioner Keefe, Ms. Evans stated the COPs will mature December 31, 2024.

Chair Council opened the public hearing.

The clerk to the board stated there were no speakers.

Chair Council closed the public hearing.

MOTION: Commissioner Keefe moved to adopt the resolution authorizing the execution and delivery of an installment financing contract to refinance the Cumberland County Finance Corporation Series 2009B COPs and the 2017 Installment Financing Contract.

SECOND: Commissioner Adams

VOTE: UNANIMOUS (6-0)

4. ITEMS OF BUSINESS

A. Consideration of a Contract to Engage Outside Counsel for Status of Coverage Claim

BACKGROUND

In closed session on August 19, 2019, the Board discussed issues related to a claim arising out of a personal injury at the Crown Complex with the County Attorney. One of those issues is whether this claim is covered by liability insurance provided by Spectra as the facility manager under which the County and/or Civic Center Commission are additional named insureds. The insurance carrier has not responded to the County Attorney's inquiries as to coverage. The County Attorney requested the Board hire Cranfill, Sumner & Hartzong, LLP, as outside counsel to represent the County and/or Civic Center Commission with respect to the coverage issue, including litigation if necessary. The Board gave its tentative approval to engage that firm for this purpose. The County Attorney's Office will represent the County and/or Civic Center Commission in the personal injury claim while the coverage claim is pending. A copy of the proposed contract is attached.

RECOMMENDATION / PROPOSED ACTION

County Attorney recommends the Board approve the proposed contract.

MOTION: Commissioner Faircloth moved to approve the proposed contract.

SECOND: Commissioner Adams

VOTE: UNANIMOUS (6-0)

B. Consideration of City of Fayetteville's Request for the County to Apply for Additional Federal Transit Administration Grant Funds for Expanded Elderly and Disabled Transportation Services

BACKGROUND

The Vision Resource Center (VRC) recently relocated its office from the Gilmore Center to the Alphin House on Cedar Creek Road. In preparation of that move, VRC requested the continuation of FASTRAC! transportation services for the visually impaired at their new location. The new location is outside of the City's ADA service area (radius of 3/4 of a mile of a regular bus route).

FAST and the County's Community Transportation Program (CTP) receive federal and state funding to provide services to the elderly and disabled persons outside the FASTRAC! service area. FAST is eligible for 50% Federal Transit Administration (FTA) while the County is eligible for 80% funding if the services are provided to the elderly and disabled. It should be noted that the transportation to the VRC can be provided at a much lower cost if provided through the County's contract operator which allows more trips to be provided under the available grant funding. It is projected that additional \$40,000 of grant funds are needed to provide the level of services requested by VRC.

This item was presented by Mayor Colvin at the City-County Liaison Meeting on August 15, 2019. Specifically, the City is requesting the County to apply for additional FTA funds in the amount of \$40,000 since the match is only 20% or \$8,000. It appears from the discussion at the meeting, the City is willing to pay the entire grant match if the County applies for the funding so that transportation services to the VRC may continue.

Attached you will find an excerpt of the presentation and discussion from the draft minutes of the August 15, 2019 City-County Liaison Meeting.

RECOMMENDATION / PROPOSED ACTION

Based upon the discussion at the City-County Liaison Meeting, Management recommends the Board of Commissioners approve requesting \$40,000 of additional FTA (5310) grant funds for continued VRC transportation contingent upon the 20% match being provided by the City of Fayetteville.

Amy Cannon, County Manager, presented the background information and recommendation from county management recorded above.

MOTION: Commissioner Adams moved to approve requesting \$40,000 of additional FTA (5310) grant funds for continued VRC transportation contingent upon the 20% match being provided by the City of Fayetteville.

SECOND: Commissioner Evans

DISCUSSION: Commissioner Keefe stated the VRC provides an important service in the community but when the relocation of the VRC was first presented, he questioned the wisdom of locating this human services program outside a current bus route. Commissioner Keefe stated now matters are at the point where the VRC has relocated to a nice facility but in the wrong location and in an effort to support a poor decision, a solution is being recommended to expend more funds on a partial bus service that will cost almost \$50,000 between the city, the county, the state and the federal government. Commissioner Keefe stated although there will be a required match, the state and federal government will provide \$40,000 for the transportation. Commissioner Keefe stated the county also provides in-kind support to the VRC in the form of rent, janitorial services, landscaping and utilities. Commissioner Keefe stated the more prudent and fiscally responsible action would be to provide a facility located within the city limits of Fayetteville on a current bus route. Commissioner Keefe stated this way VRC clients would have access to public transportation any time bus service is running.

Commissioner Adams stated the location of the VRC was not a poor decision and the Board of Commissioners made the decision after looking at all of the available information. Commissioner Adams stated the VRC had to relocate in order to receive grant funding and the VRC director indicated the Alphin House was a great location. Commissioner Adams stated even though the location may be a minor inconvenience, the gain to the VRC is far greater when balancing efficiencies.

Commissioner Faircloth stated at this point the county is into this matter and needs to see it through. Commissioner Faircloth stated time was of the essence to get the VRC relocated and the county had a building that was unoccupied, and it was in the county's best interest to keep it maintained and viable pending some future use of the property. Commissioner Faircloth stated he concurred with Commissioner Keefe that at some future time, it would be better to look at a location on a bus route.

Chair Council stated she supported the motion for all the reasons stated and also because the City and County are collaborating and working together.

VOTE: PASSED (5-1) (Commissioners Lancaster, Faircloth, Council, Adams and Evans voted in favor; Commissioner Keefe voted in opposition)

C. Consideration of Request for Spectra Venue Management to Utilize Funds Set Aside in the 2017 Management Agreement for the Engagement of a Firm to Conduct a Market Analysis and Feasibility Study

BACKGROUND

As you know, there are concerns about the approaching deadline to close the Crown Theatre/Arena and the corresponding loss of touring productions, concerts and community events resulting in a loss of revenue to the Crown Complex business model. Spectra is committed to the County and this community and wants to partner with us in developing a plan for facilities that complement the coliseum and the Crown Complex business model.

Specifically, Spectra is offering to manage the process of engaging a firm to conduct a feasibility study to analyze and determine the need for a new facility to replace the Crown Theatre/Arena. Spectra recommends using the funds previously set aside in the 2017 management agreement between Spectra and the County, for mutually agreed upon projects. This approach provides the following advantages:

- Eliminates the need to use county/food & beverage funds for the study
- Expedites the timeline for the study completion and delivery of the results
- Management of the process is led by a neutral, third party with industry experience which may enhance community reception and engagement

Attached you will find a letter from Spectra which provides details on this approach to procuring the market analysis and feasibility study. Please note that if the County should move forward with this approach, Spectra is seeking assurance that they will not be precluded from managing and operating any resulting new facility.

RECOMMENDATION / PROPOSED ACTION

Request Spectra Venue Management utilize funds set aside in the 2017 management agreement for the engagement of a firm to conduct a market analysis and feasibility study.

Ms. Cannon presented the background information recorded above.

MOTION: Commissioner Lancaster moved to approve Spectra Venue Management's utilization of funds set aside in the 2017 management agreement for the engagement of a firm to conduct a market analysis and feasibility study.

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>

SECOND: Commissioner Faircloth
VOTE: UNANIMOUS (6-0)

- D. Consideration of Budget Ordinance Revision B201337 to Prepare for Impacts of Hurricane Dorian, Assign Signature Authority to County Manager to Execute Standby Debris and Consulting Contract Notices and Storm Staging Agreement at the Crown Complex with Duke Energy

Tracy Jackson, Assistant County Manager, provided an update on Hurricane Dorian stating the N. C. Governor has declared a State of Emergency. Mr. Jackson stated the County is better prepared than in years past due to the previous two hurricanes and staff have prepared a local State of Emergency which will be rolled out later today or tomorrow and will include the smaller municipalities that wish to participate in the County's declaration, and the Emergency Operations Center is now partially activated will fully activate tomorrow morning. Mr. Jackson encouraged everyone to sign up for Cumberland Alerts.

Mr. Jackson stated Budget Ordinance Revision B201337 is requested to prepare for potential impacts of Hurricane Dorian with a fund balance appropriation of \$600,000 to offset contracted services to include debris removal and monitoring, meals for the EOC, and FEMA professional consulting services. Mr. Jackson further stated upon Presidential declaration of a disaster, the revenue source will be changed from fund balance to FEMA at 75% and NCEM at 25%. Mr. Jackson stated the second request is for the Board of Commissioners to assign the County Manager signature authority to execute standby debris and consulting contract notices to proceed in amounts not to exceed \$200,000 each.

Commissioner Adams asked who decides how much of the \$600,000 will be used or whether partial amounts of the \$600,000 will be used and whether a consultant, who will have to be paid, will be used. Mr. Jackson stated although he cannot state an exact number, it is an up-to amount depending on the amount of damage and the amount of debris. Mr. Jackson stated the consulting work is typically on the back end when it comes to FEMA paperwork and making sure all processes are in place that need to be monitored. Mr. Jackson stated based on the last two hurricanes, this is something that has to be put in place. Ms. Cannon stated Emergency Management and staff will conduct initial surveys to identify before any contractors are employed. Mr. Jackson stated surveys will be conducted in conjunction with contractors.

In response to a question from Commissioner Keefe, Ms. Cannon stated the contract language does include pick up in smaller towns but excludes Hope Mills, Spring Lake and Fayetteville because they are better staffed and can request FEMA reimbursement. Commissioner Faircloth asked whether there would have to be a fund balance charge back to the smaller towns. Rick Moorefield, County Attorney, stated there would have to be a charge back.

MOTION: Commissioner Lancaster moved to approve Budget Ordinance Revision B201337 to prepare for potential impacts of Hurricane Dorian with a fund balance appropriation of \$600,000 to offset contracted services to include debris removal and monitoring, meals for the EOC, and FEMA professional consulting services, and to assign the County Manager signature authority to execute standby debris and consulting contract notices to proceed in amounts not to exceed \$200,000 each.
SECOND: Commissioner Adams
VOTE: UNANIMOUS (6-0)

BACKGROUND:

Cumberland County Engineering & Infrastructure (E&I) Staff was contacted by Spectra Venue Management in reference to a proposed agreement with Duke Energy Progress utilizing the Crown Complex parking lots for storm staging activities. Duke Energy Progress has utilized the parking lot at the Crown Complex in support of power restoration activities from storm damage to their electric transmission/distribution system as a result of storm damage from both Hurricane Matthew and Hurricane Florence. This proposed right of entry benefits the citizens of Cumberland County

and surrounding areas by permitting a significant staging area for Duke Energy Progress to support the electric transmission/distribution restoration efforts.

A copy of the Right of Entry - Operations and Parking document is attached for your review. E&I staff does not feel that granting the right of entry to Duke Energy Progress, would have a negative impact on the Crown Complex property nor their operations. This agreement has been reviewed and approved by the County Attorney's Office.

RECOMMENDATION/PROPOSED ACTION:

The Engineering and Infrastructure Director and County Management recommend that the proposed action below be placed on the September 16th Board of Commissioners agenda as a consent item:

- Approve granting the proposed Right of Entry to Duke Energy Progress at the Crown Complex.

Mr. Jackson referenced the background information and recommendation/proposed action recorded above stating it had been emailed to Board members earlier.

MOTION: Commissioner Adams moved to approve granting the propose right of entry to Duke Energy Progress at the Crown Complex.

SECOND: Commissioner Lancaster

VOTE: UNANIMOUS (6-0)

5. NOMINATIONS

A. Southeastern Economic Development Commission (1 Vacancy)

Commissioner Adams nominated Commissioner Jeannette Council.

6. APPOINTMENTS

A. Board of Adjustment (1 Vacancy)

B. Mid-Carolina Aging Advisory Council (1 Vacancy)

MOTION: Commissioner Faircloth moved to appoint Nathan Galbreath to the Board of Adjustment and Katherine Marable to the Mid-Carolina Aging Advisory Council in the Volunteer category.

SECOND: Commissioner

VOTE: UNANIMOUS (6-0)

7. CLOSED SESSION:

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

MOTION: Commissioner Lancaster moved to go into closed session for Attorney Client Matter(s) pursuant to NCGS 143-318.11(a)(3).

SECOND: Commissioner Faircloth

VOTE: UNANIMOUS (6-0)

MOTION: Commissioner Faircloth moved to reconvene in open session.

SECOND: Commissioner Lancaster

VOTE: UNANIMOUS (6-0)

Chair Council recessed the Board of Commissioners' meeting to conference room 564 for a computer security training session at 10:00 a.m.

Commissioner Evans departed the meeting at 10:00 a.m.

Chair Council reconvened the meeting in conference room 564 for the computer security training session at 10:10 a.m.

Ms. Cannon thanked the Board for the opportunity to share the security training that has been rolled out to county departments. Ms. Cannon called on Keith Todd, Information Services Director, who stated over the past year local governments have been under attack by cyber criminals because of government's vast amount of data that is of interest to them to either sell or encrypt for ransom. Mr. Todd stated cyber criminals also think local governments are the least likely to invest in technology, train employees or be prepared to defend themselves from attack. Mr. Todd shared a recent news article from the New York Times regarding cyber assaults on local governments. Mr. Todd stated in Cumberland County the Board has funded technology to allow the purchase and installation of software to practice prevention but in almost every case, hacking has occurred by an employee inadvertently opening an attachment, clicking on a link or responding to a social engineering request. Mr. Todd stated with that in mind, Cumberland County has over 2,000 points of entry because it has over 2,000 employees. Mr. Todd stated cyber experts agree that the best way to mitigate these attacks is to train the users of the systems.

David Wilkes, Information Services Infrastructure Manager, provided training on maintaining security of the county computer systems with a focus on becoming the organization's first line of defense.

Commissioner Adams departed the meeting at 10:45 a.m.

Mr. Wilkes responded to questions that followed.

MOTION: Chair Council moved to adjourn.
SECOND: Commissioner Faircloth
VOTE: UNANIMOUS (5-0)

There being no further business, the meeting adjourned at 11:30 a.m.

Approved with/without revision:

Respectfully submitted,

Candice H. White
Clerk to the Board