

CUMBERLAND COUNTY BOARD OF COMMISSIONERS
MONDAY, OCTOBER 21, 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 Larry Lancaster
Amy Cannon, County Manager
Tracy Jackson, Assistant County Manager
Sally Shutt, Assistant County Manager
Darian Cobb, Fellow with NCACC County Manager Fellowship Program
Rick Moorefield, County Attorney
Rob Hasty, Assistant County Attorney
Vicki Evans, Finance Director
Deborah Shaw, Budget Analyst
Heather Harris, Budget Analyst
Jeffery Brown, Engineering and Infrastructure Director
Rawls Howard, Planning and Inspections Director
Joel Strickland, FAMPO/Interim Planning and Inspections Director
Ed Byrne, Senior Planner
Jody Risacher, Library Director
Elaine Smith, Animal Control Director
Candice H. White, Clerk to the Board
Kellie Beam, Deputy Clerk to the Board

ABSENT: Commissioner Jimmy Keefe

Chair Council called the meeting to order.

INVOCATION / PLEDGE OF ALLEGIANCE

Chair Council provided the invocation followed by the Pledge of Allegiance to the American flag led by Faith Samone Backman, kindergarten student at Berean Baptist Academy

Chair Council recognized in attendance representatives of the commissioner-appointed boards and committees and local groups/organizations.

Introduction of the Fayetteville-Cumberland Youth Council Members

There were no Fayetteville-Cumberland Youth Council Members able to be present because of a scheduling conflict.

Retired Cumberland County Employees

Alberto Alcala - Cumberland County Sheriff's Office

Commissioner Lancaster stated Alberto Alcala began his career with Cumberland County on December 14, 1998 and during his 20 years of service with the County, Mr. Alcala served many roles at the Sheriff's Office including Deputy I, Deputy II and Deputy Sheriff. Commissioner Lancaster stated Mr. Alcala retired from the Sheriff's Office on August 1, 2019. On behalf of the Board of Commissioners, Commissioner Lancaster thanked Mr. Alcala for his service to Cumberland County and its citizens.

Jane Casto - Cumberland County Library

Commissioner Evans stated Jane Casto began her career with Cumberland County on October 24, 1994 and during her 24 years of service with Cumberland County, Ms. Casto served many roles at the Library including Librarian I, Librarian II, Librarian III and Librarian IV. Commissioner Evans stated Ms. Casto retired from the Library on July 1, 2019. On behalf of the Board of Commissioners, Commissioner Evans thanked Ms. Casto her for her service to Cumberland County and its citizens.

Donna McFayden - Cumberland County Planning & Inspections

Commissioner Lancaster stated Donna McFayden began her career with Cumberland County on June 5, 1974 and after a break in service, Ms. McFayden returned to the County on February 25, 1991. Commissioner Lancaster stated during her 28 years of service with the County, Ms. McFayden served many roles at the Planning & Inspections Department including Draftsman I, Tech Draft Person, Planning Assistant and Administrative Program Officer I and II. Commissioner Lancaster stated Ms. McFayden retired from Planning & Inspections in 2017. On behalf of the Board of Commissioners, Commissioner Lancaster thanked Ms. McFayden for her service to Cumberland County and its citizens.

Gloria Nelson - Cumberland County Library

Commissioner Evans stated Gloria Nelson began her career with Cumberland County on April 20, 1992 and during her 27 years of service with the County, Ms. Nelson served many roles at the Library including Librarian I, Librarian II and Librarian III. Commissioner Evans stated Ms. Nelson retired from the Library on July 1, 2019. On behalf of the Board of Commissioners, Commissioner Evans thanked Ms. Nelson for her service to Cumberland County and its citizens.

Ms. Cannon called on Tracy Jackson, Assistant County Manager, to introduce a new member of the county's leadership team, Rawls Howard. Mr. Jackson stated Mr. Howard is the new Cumberland County Planning and Inspections Director and as of this meeting, he has been working with the county for one week. The Board of Commissioners extended a welcome to Mr. Howard. Mr. Howard provided brief comments.

PUBLIC COMMENT PERIOD

There were no speakers for the public comment period.

MOTION: Commissioner Lancaster moved to table the five vacancies under Item 6.C. Nominations to the Fayetteville-Cumberland Parks and Recreation Advisory Commission until the next night meeting.

SECOND: Commissioner Boose

DISCUSSION: Commissioner Adams stated nothing will change or be achieved between this meeting and the next night meeting unless there is conversation.

AMENDED MOTION: Commissioner Adams moved to table Item 6.C. Nominations to the Fayetteville-Cumberland Parks and Recreation Advisory Commission and forward to the next Agenda Session for discussion.

SECOND TO AMENDED MOTION: Commissioner Faircloth

VOTE ON AMENDED MOTION: UNANIMOUS (6-0)

Rick Moorefield, County Attorney, requested the removal of Item 7.A. Closed Session for Attorney-Client Matter(s) Pursuant to NCGS 143.318.11(a)(3) stating the closed session is no longer needed.

1. APPROVAL OF AGENDA

MOTION: Commissioner Adams moved to approve the agenda with the changes as requested.

SECOND: Commissioner Boose

VOTE: UNANIMOUS (6-0)

2. PRESENTATIONS

A. Update on the Roxie Avenue Crisis Center

BACKGROUND

As the Board is aware, Alliance Health has selected RI International to operate the Roxie Crisis Center. Management has requested that representatives from the new provider give the Board of Commissioners an overview of their services, an update on the current status of building renovations, and a forecast of when the Center will resume operations.

RECOMMENDATION / PROPOSED ACTION

For information purposes only.

Duane Holder, Assistant County Manager, recognized in attendance Rob Robinson, Alliance Health Executive Director and Kate Peterson, Alliance Health Healthcare Network Project Manager. Mr. Holder stated Alliance Health issued an RFP to identify a provider entity to assume crisis services at the Roxie Avenue crisis facility. Mr. Holder stated after a competitive bidding process, RI International was selected. Mr. Holder introduced Amy Pugsley, RI Vice President for East Coast Operations, and Joy Brunson, RI Recovery Services Administrator/Cumberland County Site Administrator, and stated they are present to provide an overview of RI International and an update on Roxie Avenue crisis services.

Ms. Pugsley stated RI is an international nonprofit company that provides a continuum of crisis services as well as outpatient services. Ms. Pugsley stated RI's programs are located in Arizona, California, Delaware, Texas, Washington State, Louisiana and North Carolina. Ms. Pugsley stated RI has crisis facilities in Henderson, Durham and Jacksonville in addition to RI's new facility in Fayetteville. Ms. Pugsley stated Fayetteville's location will be a 24/7 crisis facility with a crisis stability unit on one side with a facility-based short-term psychiatric stay area on the other side.

Ms. Brunson stated she will serve as the site director at the Cumberland County Recovery/Response Center, formerly know as the Roxie Avenue Center. Ms. Brunson stated the facility will have a 10-chair 23-hour unit as well as a 16-bed facility-based crisis side for a three to five day stay. Ms. Brunson stated non-hospital detox services, mental health stabilization and overall crisis stabilization for adults will be provided and it will be an Involuntary Commitment (IVC) designated site and will conduct first evaluations. Ms. Brunson stated under the Crisis Now model, anyone, anytime, anywhere can access services. Ms. Brunson stated another part of the Crisis Now model is collaboration with law enforcement; the facility will accept individuals with behavioral health needs and have transports officers out in three to five minutes. Ms. Brunson stated RI's Fusion Model ensures clinical, medical and peer support are integrated as part of recovery. Ms. Brunson stated renovations are underway at the Cumberland County Recovery/Response Center and it should be up and running soon. Questions followed.

B. Proposed School Funding Agreement with Cumberland County Schools

BACKGROUND

The Proposed Funding Agreement with the Cumberland County School System will be presented at the October 21, 2019 Board of Commissioners' Meeting.

RECOMMENDATION / PROPOSED ACTION

For information purposes only.

Ms. Cannon thanked the Board of Commissioners for the opportunity to share progress made on developing a proposed school funding agreement. Ms. Cannon stated the long-term funding agreement expired June 30, 2018 and the Board of Education submitted a budget request that included an almost \$9 million increase in the FY20 funding appropriation. Ms. Cannon stated this presented a challenge for the county from the financial sustainability perspective as it began developing the new budget because natural growth in property tax base for this budget year was only \$2.1 million. Ms. Cannon stated the request for a \$9 million increase exceeded the county's revenue growth almost four times. Mr. Cannon stated the next challenge from the county's point of view was that the school system had a significant fund balance greater than any school system in North Carolina.

Ms. Cannon stated the recommended budget began by holding the line at the FY19 appropriation of \$80,550,000 and conducting meetings with staff of both organizations. Ms. Cannon stated meetings occurred on the following dates and were successful in developing a proposed funding agreement that staff of both organizations could support and recommend to their respective bodies.

- August 1
- August 21
- September 11

Ms. Cannon stated key factors that were important in the new funding agreement were:

- Had to be financially sustainable over a long period of time based on the county's ongoing revenue stream – no increase in taxes
- CCSS Fund Balance – The Board of Education needs a plan to strategically reduce unassigned CCSS fund balance over a period of time
- Simple – straightforward funding calculation
- Hold Harmless – Exclude “hold harmless” provision due to revaluation (cost to county in 2017 was about \$3 million due to a decline in revaluation and the cost contributed to the tax increase in that budget year)
- True-Up – Exclude true-up for tax collections, as this results in increased fund balance

Ms. Cannon stated since the true-up is received after the audit process and six months into the new school year, it actually adds to the fund balance because the school system is not in a position to budget for it and spend it.

Ms. Cannon stated prior agreements were based on a dedicated tax rate on ad valorem taxes and the basis of the proposed agreement is on two key revenue sources.

- Revenue Sources – Ad valorem and sales tax account for 72% of general fund revenue
- Growth Rate
 - Ad valorem: 1.1 %
 - Sales tax: 1.4 %
- Starting Point for Agreement Current Expense – Base at FY20 level of \$80,550,000

Ms. Cannon provided highlights of the proposed funding agreement as follows:

1. Term = 5 Years
 - July 1, 2020 through June 30, 2025
2. Basis of Funding
 - FY20 current expense budget, \$80,550,000

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>

- 35.22% of tax revenue (ad valorem & sales tax)
- 3. Annual Funding Formula
 - Ad Valorem & Sales Tax Budget X 35.22% = Annual Current Expense

Ms. Cannon stated by structuring the agreement based on sharing at a percentage, the Board of Education will share in any revenue growth and conversely, the Board of Education will also share in any budgeted revenue reductions in the event there is a shift in the economy. Ms. Cannon stated during discussions, school attendees became concerned over the lack of a safety net and the following was added to the proposed agreement:

- School allocation/current expense allocation will not decrease more than 1.25% each year from the previous year's appropriation

Ms. Cannon presented additional highlights of the proposed funding agreement:

4. Allows early termination by BOCC
 - Due to NC General Assembly changes regarding sales tax revenue
5. Spending CCSS Fund Balance
 - CCSS will provide a plan & multi-year timeline to include:
 - Expenditures for one-time, non-recurring items
 - Spending to occur no later than June 30, 2025
 - BOE will adopt fund balance policy with a target for unassigned fund balance of 8% or less
 - BOE will adopt fund balance policy no later than June 30, 2020
6. Agreement recognizes other support for schools = \$3.8 million not included in the \$80,5500,000
 - School Resource Officers
 - School Crossing Guards
 - School Health Nurses
7. Renewable every 5 years
 - As agreed upon by respective boards

Ms. Cannon concluded her presentation and stated it was intended as information only and no action is requested of the Board.

C. Update on Census 2020

BACKGROUND


Cumberland County Library Director Jody Risacher and Dr. Anthony Wade, Director of the Fayetteville- Cumberland Human Relations Department, are the co-chairs for the Cumberland County Complete Count Committee.

Ms. Risacher's update includes information on two grants that have been awarded to help Cumberland County in reaching historically undercounted populations.

RECOMMENDATION / PROPOSED ACTION


For information only.

Jody Risacher recognized her co-chair Dr. Anthony Wade, identified members of the steering committee and provided the following presentation as an update on Census 2020.



Complete Count Committee

- Dr. Anthony Wade, Fayetteville-Cumberland Human Relations Department Director, serving as co-chair
- Nov. 13 at 2 p.m. in the Crown Ballroom – next General Meeting
- Invite interested groups and individuals to attend. We will split into groups for government/military, faith-based, business/economic development, non-profits/service groups, education and media/communications.






Community Foundation Census Grants


- Library received grant to purchase five laptops to loan to groups that want to do Census outreach and registration
- NC Counts Coalition received a grant to fund a part-time, limited Census Fellow position to work in Cumberland County with the Complete Count Committee on outreach strategies
 - Position (20-hrs./week) works for NC Counts Coalition
 - County will provide office space at library
 - Grant includes \$2,000 for promotional funding






NC Counts Coalition


- The Fellow will support the county's complete count committee by identifying trusted messengers, organizing nonprofit organizations, identifying opportunities for Census Questionnaire Assistance centers throughout the county and hosting community forums in identified hard-to-count Census tracts.
- By January 2020, NC Counts will support development of a strategic education and outreach plan for Census 2020 in Cumberland County.





NC Counts Coalition

- NC Counts, in coordination with Cumberland County's Complete Count Committee, will host five community outreach forums for Census participation in five of Cumberland County's hard-to-count Census tracts.
- NC Counts plans to issue an RFP to provide outreach funds to non-profit groups to assist in reaching historically undercounted populations.

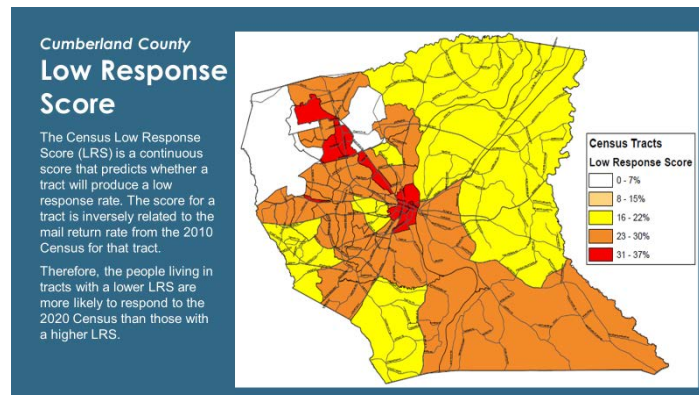




Hard to Count Populations and Low Response Areas

- Young Children
- Populations that speak little or no English
- Highly mobile people
- High poverty areas





In conclusion, Ms. Risacher stated the map underscores the challenges ahead identifying locations of the hard-to-count populations. Commissioner Adams spoke to the importance of the census as it relates to money coming into the community and political representation.

3. CONSENT AGENDA

- A. Approval of October 7, 2019 Regular Meeting Minutes
- B. Approval to Pay Prior Year Invoices

BACKGROUND

There is a period of time after June 30th of fiscal year-end in which transactions of the prior fiscal year will continue to be processed (typically until the third week in August). After that cutoff date has passed, a department may still receive a vendor invoice that is payable for services that were rendered, or goods were received in the prior fiscal year. When that occurs, approval by the Board of Commissioners is required for payment. The following departmental invoices meet that criteria:

Engineering & Infrastructure Department
Vendor: Baker Roofing Company
Invoice Date: 5/2/2019
Total amount: \$597.49

Solid Waste Management
Vendor: Bobby Taylor Oil Co., Inc. (2 invoices)
Invoice Date: 3/22/2018
Total Amount: \$1,113.17

Solid Waste Management
Vendor: Belflex Staffing Network (2 invoices)
Invoice Dates: 3/17/2019 and 8/11/2019 (for services rendered in February and April 2019)
Total amount: \$7,117.57

Staff have verified these invoices have not been paid. There are sufficient funds within the fiscal year 2020 departmental budgets to cover these expenditures.

RECOMMENDATION / PROPOSED ACTION

Management is requesting approval to pay prior year invoices for the Engineering & Infrastructure Department and Solid Waste Management totaling \$8,828.23.

- C. Approval of Health Department Delinquent Accounts to be Turned Over to the NC Debt Setoff Program

BACKGROUND

At the Board of Health meeting on October 15, 2019, the Board approved writing off a total of \$34,243.17 as bad debts. The bad debt accounts with balances of \$50.00 or higher will be processed through the North Carolina Debt Setoff Program. This program can attach to a debtor's

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>

State Income Tax refund and/or lottery winnings for payment of bad debts. The accounts with balances under \$50.00 will continue to be worked for collection through our in-house collection efforts. This write-off of bad debts is compliant with the Cumberland County Health Department's Debt Collection Policy 02-03 to write-off bad debts every quarter.

RECOMMENDATION / PROPOSED ACTION

The Health Department recommends approval to write-off \$34, 243.17 in bad debts and to turn these debts over to the North Carolina Debt Setoff Program.

**CUMBERLAND COUNTY DEPARTMENT
OF PUBLIC HEALTH
DELINQUENT ACCOUNTS TO BE TURNED OVER FOR COLLECTION
BAD DEBT WRITE OFF #58
October 1, 2019**

PROGRAM	AMOUNT
ADULT HEALTH CLINIC	\$1,026.88
CHILD HEALTH CLINIC	\$4,667.75
FAMILY PLANNING CLINIC	\$22,888.52
IMMUNIZATIONS	\$2,931.36
MATERNAL HEALTH CLINIC	\$2,728.66
TOTAL	\$34,243.17

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

The above accounts are 90 days old or older as of 06/30/2019

D. Approval of Flu Vaccine Increase to Medicaid Rate

BACKGROUND

The Health Department provides flu vaccines to the citizens of Cumberland County. Fees are recommended for each vaccine by considering the acquisition cost of the vaccine, the Medicaid rate, 3rd Party rates and the type of vaccine being administered. After a review of the flu vaccines to be administered during FY20, it was determined that the fee for Flublok (CPT-90682) was set below the Medicaid rate. During the Board of Health on October 15, 2019 the Board approved to increase the rate from \$41.00 to \$50.00.

RECOMMENDATION / PROPOSED ACTION

Recommend approval to increase Flu Vaccine (90682) from \$41.00 to \$50.00 based on the current approved Medicaid rate.

E. Approval of Budget Ordinance Amendments for the October 21, 2019 Board of Commissioners' Agenda

BACKGROUND

General Fund 101

1) Detention Center - Budget Ordinance Amendment B201073 to budget additional revenue in the amount of \$145,500 for North Carolina Prisoner Housing

The Board is requested to approve Budget Ordinance Amendment B201073 in the amount of \$145,500. This revision is to budget additional revenue being paid to house prisoners from state facilities. The Department of Public Safety has recently announced they are closing three correctional institutes statewide resulting in an increase of state prisoners housed at the detention center. Funds will be used to purchase additional operating items such as food and supplies, replace

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>

a washing machine, increased cost for the Jail Management System, upgrades to cell phone services and provide additional funds needed for the finger printing machine approved during the FY20 budget. The quote obtained for the finger printing machine is higher than the amount budgeted for FY20.

Please note this amendment requires no additional county funds.

2) Sheriff's Office Grants - Budget Ordinance Amendment B200117 to recognize a Byrne Grant award in the amount of \$140,829 from the U.S. Department of Justice

The Board is requested to approve Budget Ordinance Amendment B200117 in the amount of \$140,829 to be distributed as follows: \$14,128 for Cumberland County Sheriff's Office and \$126,701 for Fayetteville Police Department. The allocation of funds is determined by the U.S. Department of Justice and is based on population. The Sheriff's Office will use the funds to connect computers in the deputy's cars to the SBI and FBI databases. The Fayetteville Police Department intends to utilize the funds for equipment and training. A public hearing was held on August 19, 2019 during the Cumberland County Board of Commissioners' meeting regarding this item.

Please note this amendment requires no additional county funds.

Contingency Funds Report – FY20

The County Manager approved the following use of contingency funds totaling \$8,500.

- \$8,500 was transferred to Court Facilities for two metal detectors.

RECOMMENDATION / PROPOSED ACTION

Approve Budget Ordinance Amendments.

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

1. Interlocal Agreement Between Cumberland County and the City of Fayetteville for the Locks Creek Project

BACKGROUND

The Cumberland County Soil & Water Conservation District has received Hurricane Florence funding to perform stream debris clearance on Locks Creek and some of its associated tributaries to mitigate future flooding risk. Since a portion of the project lies within the City of Fayetteville, and because the Soil & Water District does not have the capacity to administer and oversee such a large project, staff sought a partnership with the City to execute the entire project to the benefit of both the County and the City.

The project will remove vegetative debris and sediment from the channel of Locks Creek beginning at Evans Dairy Road and moving upstream along its North Branch to LA Dunham Road to Sunnyside School Road (approximately 18,381 Linear Feet for the Main Branch). The City will also pursue the removal of vegetative debris and sediment from the channel of the South Branch of Locks Creek to Judson Church Road (approximately 10,134 LF – South Branch) as an add alternate to the Main Branch work. This work will be pursued to the extent that funding is available.

The total amount available for this project is \$446,234.00. Attached is a copy of the agreement approved by the City of Fayetteville at the September 23, 2019 City Council Meeting. The Soil & Water Conservation District Board of Supervisors approved the pursuit of this joint project at their September 13, 2019 Meeting.

RECOMMENDATION / PROPOSED ACTION

This item was approved to move forward at the October 10, 2019 Agenda Session as a Consent

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>

Agenda item for consideration by the full Board of Commissioners at the October 21, 2019 regular meeting.

2. Endorsement of Golden LEAF Community-Based Grant Initiative Proposals

BACKGROUND

Golden LEAF is soliciting proposals for its Community-Based Grant Initiative (CBGI) for the Sandhills Prosperity Zone. Part of the screening process involves county endorsement of potential projects prior to submitting a letter of interest to Golden LEAF. There was a very short turnaround period from the time the County was formally notified of the process for reviewing applications to the actual review. At the time of this agenda, County staff had not completed its formal review. County Management Staff will meet and review the proposals and provide a recommendation to the Board prior to the October 10th Agenda Session.

Golden LEAF may provide up to \$1.5 million in grant funds per county for projects it believes will meet its expectations and outcomes. Six local proposals were submitted for combined requests totaling \$2,633,200. At the October 10, 2019 Agenda Session, the Board of Commissioners reached consensus on the endorsement of four proposals (attached).

RECOMMENDATION / PROPOSED ACTION

This item is being moved forward to the Consent Agenda of the October 21, 2019 Board of Commissioners regular meeting after consensus was reached to endorse the proposals from Cape Fear Valley Health System, Fayetteville Technical Community College, Fayetteville State University, and the Greater Cumberland Sector Partnership.

3. 2019 Community Transportation System Safety Plan and Resolution

BACKGROUND

Staff is submitting the Cumberland County Community Transportation Program System Safety Plan and Resolution for FY2019 for consideration by the Board of Commissioners.

This plan has been updated in order to meet requirements from the North Carolina Department of Transportation – Public Transportation Division.

The plan includes six core elements: Driver/Employee Selection, Driver/Employee Training, Safety Data Acquisition/Analysis, Drug and Alcohol Abuse Programs, Vehicle Maintenance and Security.

The purpose of the plan is to ensure that our transportation through private contractors provide safe and reliable transportation for Cumberland County residents.

RECOMMENDATION / PROPOSED ACTION

At the October 10, 2019 Agenda Session, this item was forwarded as a Consent Agenda item to the full Board of Commissioners for the October 21, 2019 regular meeting for adoption of the plan and resolution as submitted in order to meet requirements from the North Carolina Department of Transportation – Public Transportation Division and execution of the signature page by the Chair of the Board of Commissioners.

4. Community Transportation Program Title VI Plan

BACKGROUND

Staff is submitting the Community Transportation Program (CTP) Title VI Plan for consideration by the Board of Commissioners to meet the NCDOT requirement as a grant recipient.

The plan states that it is the policy of the Cumberland County Community Transportation Program to ensure that no person shall, on the grounds of race, color, sex, age, national origin, or disability, be excluded from participation in, be denied the benefits of, or be otherwise subjected to

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>

discrimination under any program or activity as provided by Title VI of the Civil Rights Act of 1964, the Civil Rights Restoration Act of 1987, and any other related non-discrimination Civil Rights laws and authorities.

This plan was developed to guide CTP in its administration and management of Title VI related activities conducted by both the Cumberland County CTP and its contractors.

RECOMMENDATION / PROPOSED ACTION

At the October 10, 2019 Agenda Session, this item was forwarded as a Consent Agenda item to the full Board of Commissioners for the October 21, 2019 regular meeting for adoption of the plan as submitted in order to meet the requirements from the North Carolina Department of Transportation – Public Transportation Division.

5. Fiscal Year 2020 North Carolina 9-1-1 Grant and Associated Budget Amendment #200166

BACKGROUND

Cumberland County has been awarded a grant totaling \$2,251,387.00 from the North Carolina 9-1-1 Board for the new 9-1-1 Call Center to be located in the future Emergency Services Building at 500 Executive Place. The money will help fund renovation, hardware, equipment and associated technology costs for the call center, which will include space for 15 workstations and five live training workstations. The amount awarded represents the 22% of the total estimated project cost. The Grant award is for the time period starting with the effective date of the signature to June 30, 2021.

The County 9-1-1 Committee has recommended a project funding cap of approximately \$16,000,000. To date, approximately \$5.2 million has been spent for the purchase of the building and other associated costs leaving approximately \$9.8 million for the project. The Committee has proposed reducing the County's portion of the project by using 9-1-1 grant funds in the amount of \$1,251,387 to increase the total project fund to approximately \$16,000,000. In essence, this will leave approximately \$10,800,000 for construction/renovation, technology, and furnishings and fixtures. AECOM's early estimate for the complete renovation, including technology and furnishings and fixtures, was \$11,291,494 before construction bids have been solicited.

However, we will not know the true cost for the project until construction bids are received.

RECOMMENDATION / PROPOSED ACTION

This item was approved to move forward to the Consent Agenda to the full Board of Commissioners at their October 21, 2019 regular meeting for acceptance of a grant award from the North Carolina 9-1-1 Board, execution of the grant agreement between Cumberland County and the North Carolina 9-1-1 Board, and approval of Budget Ordinance Amendment B200166 in the amount of \$2,251,387.00.

6. Establishment of New Position in Human Resources

BACKGROUND

In the FY20 budget, the Board approved the recruitment of a Human Resources (HR) Consultant II. The intent of the position was to cross train with the current HR Consultant II who is retiring effective December 31, 2019. In order to fill the position, an extensive recruitment effort has been conducted over the past 90 days with no positive results.

The HR Consultant II position is one that requires an advanced skill set. The applicant must possess a broad knowledge of both classification and compensation to develop, revise, and maintain the County's Classification and Pay Plan. The combination of these two skill sets is not a standard in the human resources world. Cumberland County was extremely fortunate to find both skillsets in the current employee.

Therefore, a request is being made to establish a new position within Human Resources to accomplish following actions –

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>

- Recruit a HR Consultant I for the classification role
- Reallocate an existing employee into a second HR Consultant I position for compensation
- Establish a new HR Associate position to provide full administrative support for the department

These actions will allow Human Resources the opportunity to create a structure that allows cross training in the areas of compensation and classification, creating an effective succession plan.

However, this movement leaves a gap in the administrative support area of the department. Therefore, HR is requesting the establishment of a Human Resources Associate position to provide department-wide administrative processing as well as serve as the records manager and testing administrator.

Recently the HR Training Manager retired. With this retirement, HR has developed a new approach to training which includes online learning opportunities. By not replacing this training position, funds are available to address the more pressing needs in classification and compensation. Funds are available in the current budget to support the additional position. These funds are a result of:

- Downgrading the HR Consultant II into a HR Consultant I (classification)
- Allocating the current HR Representative up to a HR Consultant I (compensation)
- Retirement of the HR Training Manager

RECOMMENDATION / PROPOSED ACTION

At the October 10, 2019 agenda session meeting the Board of County Commissioners approved placing the proposed action below as a consent item on the October 21, 2019 Board of Commissioners meeting agenda:

- Establish a Human Resources Associate position within the Human Resources Department effective immediately. Establishment of the position does not require additional funding.
7. Approval of Resolution in Support of Requesting the North Carolina Department of Transportation to Name Two Bridges in Honor of Fallen N.C. State Highway Patrol Troopers

BACKGROUND

Captain J. C. Morton, Troop B Commander, North Carolina State Highway Patrol, has requested the Board of Commissioners to request the North Carolina Department of Transportation to name the I-95 Bridge over the Cape Fear River in honor of Trooper Damion C. Roberts and the I-95 Overpass at N.C. Highway 87 in honor of Trooper John H. Duncan, Jr. Both of these troopers were killed in the line of duty as is set out in the applications for bridge naming for each which are attached. Captain Morton is not requesting any county funding for these bridge naming applications. Resolutions requesting each bridge naming are also attached.

RECOMMENDATION / PROPOSED ACTION

If the Board wishes to make the requests for naming these two bridges in honor of Troopers Roberts and Duncan, adopt each of the attached resolutions.

At its October 10, 2019, Agenda Session, the Board approved moving this item to the Consent Agenda of the October 21, 2019 Regular Meeting.

CUMBERLAND COUNTY BOARD OF COMMISSIONERS Resolution Requesting NC DOT to Name the I-95 Bridge over the Cape Fear River in Honor of Trooper Damion C. Roberts

WHEREAS, Trooper Damion C. Roberts was an employee of the North Carolina State Highway Patrol assigned to Troop B, District 1; and

WHEREAS, Trooper Roberts served with distinguished honor during his tenure with the North Carolina State Highway Patrol; and

WHEREAS, Trooper Roberts was active in his community, a dedicated family man, and is remembered as a friend and hero by his coworkers and fellow citizens; and

WHEREAS, the citizens of Cumberland County and the State of North Carolina are grateful for individuals who are willing to make the ultimate sacrifice to protect their family, friends, and neighbors; and

WHEREAS, Trooper Roberts made this sacrifice and was killed in the line of duty while protecting the citizens of Cumberland County on August 8, 1996; and

WHEREAS, the citizens of Cumberland County and the Cumberland County Board of Commissioners are indebted to Trooper Roberts for his sacrifice and wish to remember and honor his name.

NOW, THEREFORE, BE IT RESOLVED, the Cumberland County Board of Commissioners respectfully requests that the North Carolina Department of Transportation name the I-95 Bridge over the Cape Fear River in honor of Trooper Damion C. Roberts for his distinguished public service to the State of North Carolina and fellow citizens of Cumberland County.

Adopted this 21st day of October 2019.

CUMBERLAND COUNTY BOARD OF COMMISSIONERS
Resolution Requesting NC DOT to Name the I-95 Overpass at NC Highway 87
in Honor of Trooper John H. Duncan, Jr.

WHEREAS, Trooper John H. Duncan, Jr., was an employee of the North Carolina State Highway Patrol assigned to Troop B, District 1; and

WHEREAS, Trooper Duncan served with distinguished honor during his tenure with the North Carolina State Highway Patrol; and

WHEREAS, Trooper Duncan was active in his community, a dedicated family man, and is remembered as a friend and hero by his coworkers and fellow citizens; and

WHEREAS, the citizens of Cumberland County and the State of North Carolina are grateful for individuals who are willing to make the ultimate sacrifice to protect their family, friends, and neighbors; and

WHEREAS, Trooper Duncan made this sacrifice and was killed in the line of duty while protecting the citizens of Cumberland County on January 9, 2001; and

WHEREAS, the citizens of Cumberland County and the Cumberland County Board of Commissioners are indebted to Trooper Duncan for his sacrifice and wish to remember and honor his name.

NOW, THEREFORE, BE IT RESOLVED, the Cumberland County Board of Commissioners respectfully requests that the North Carolina Department of Transportation name the I-95 Overpass at NC Highway 87 in honor of Trooper John H. Duncan, Jr., for his distinguished public service to the State of North Carolina and fellow citizens of Cumberland County.

Adopted this 21st day of October 2019.

MOTION: Commissioner Adams moved to approve consent agenda Items 3.A. – 3.F.7.

SECOND: Commissioner Evans

VOTE: UNANIMOUS (6-0)

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. PUBLIC HEARINGS

Contested Rezoning Cases

A. Case P19-38: Rezoning of 1.38+/- acres from R20 Residential to R15 Residential or to a more restrictive zoning district, located at 8589 & 8591 Clinton Road, submitted by Wendell C. Smith (owner).

Joel Strickland, FAMPO/Interim Planning and Inspections Director, presented Case P19-38. 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 there are no hydric soils, there is access to water and currently no access to public sewer. Mr. Strickland further stated the 2030 Growth Vision Plan calls for this area to be rural. Mr. Strickland stated staff recommendation was for denial based on the rural area designation of no higher than two units per acre and the lack of access to public sewer. Mr. Strickland stated the Planning Board recommended approval because there were four units on the property until NC 24 was widened and improved which took away two of the units. Mr. Strickland stated the Planning Board thought this was a unique and extenuating circumstance and the rezoning would be appropriate.

Commissioner Adams stated the 2030 Growth Vision Plan needs to be revisited as it relates to NC 24 because it did not take widening the highway into account. Mr. Strickland the Stedman Comprehensive Land Use Plan is in draft form now and will come before the Board in the next few months for review and approval. Mr. Strickland stated that LUP takes into account many things related to improvements to the highway. In response to a question posed by Commissioner Boose, Mr. Strickland explained the difference in the recommendation of staff and the Planning Board caused the case to become contested. Mr. Strickland stated there was no opposition at the public hearing before the Planning Board.

Chair Council opened the public hearing.

The clerk to the board called the following speaker:

Wendell Smith – Mr. Smith elected not to speak when his name was called.

Chair Council closed the public hearing.

MOTION: Commissioner Adams moved in Case P19-38, to approve the rezoning from R20 Residential to R15 Residential and find:

a. The approval is an amendment to the adopted 2030 Growth Vision Plan (2009); and the Board of Commissioners shall not require any additional request or application for amendment to the comprehensive plan 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 change in condition was the NCDOT widening project of NC Hwy 24, in addition the applicant has purchased more land to be more conforming to the Land Use Plans involved, they do have water provided by Autryville and a septic permit was obtained by the applicant, photos shown to the board show commercial in the area, and a petition was submitted in support by surrounding land owners.

c. And, this rezoning approval is reasonable and in the public interest because it does not disrupt current land use.

SECOND: Commissioner Faircloth

VOTE: UNANIMOUS (6-0)

5. ITEMS OF BUSINESS

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>

A. Consideration of Cumberland County Schools Contract and Associated Budget Ordinance Amendment #200127

BACKGROUND

Cumberland County Schools has provided funding to the Health Department to support (10) School Health nurses since 2004. The School System has increased funding beginning in Fiscal Year 20 to fund (14) School Health nurses. Currently, the School System has 51,359 students enrolled. With the existing nursing positions the nurse to student ratio is 1:1511. The additional (4) nurses will decrease the ratio to 1:1351, allowing Cumberland County to move closer to the National Association of School Nurses recommendation of 1:750.

RECOMMENDATION / PROPOSED ACTION

The Health Department recommends approval of Budget Ordinance Amendment 200127 to recognize additional allocated funds from Cumberland County Schools in the amount \$231,691 to establish (4) new School Health nurse positions.

There were no questions or discussion.

MOTION: Commissioner Adams moved to approve Budget Ordinance Amendment 200127 to recognize additional allocated funds from Cumberland County Schools in the amount \$231,691 to establish (4) new School Health nurse positions.
SECOND: Commissioner Boose
VOTE: UNANIMOUS (6-0)

B. Feline Trap-Neuter-Vaccinate-Release (TNVR) Program and Approval of Associated Budget Ordinance Amendment B201018

BACKGROUND

Each year, Cumberland County Animal Control takes in approximately 5,000 cats into the shelter. Cats make up almost 50% of the animals taken into the shelter in a given year. Many of these cats are free roaming without an owner and are highly unlikely to be adopted. Attached to this memo is information describing a different approach to addressing this particular cat population. Known as Feline Trap-Neuter-Vaccinate-Release, this program addresses the core issues associated with this population which is mainly uncontrolled reproduction and deadly diseases. Animals are humanely trapped, neutered by a veterinarian, vaccinated against diseases such as rabies, and released where they were found. This effort relies on partnerships with trained volunteers, veterinarians who volunteer their time, and Animal Control. The goal is to reduce the number of unwanted cats in the community over time and protect animals and humans from rabies exposure from these cats. This ultimately will reduce the number of cats taken into the shelter and produce a broad range of benefits.

Animal Control has been awarded a grant to help offset some of the surgical costs of this program from the Best Friends Animal Society/Rachel Ray Foundation in the amount of \$21,500. These funds will be used to purchase equipment and supplies for all types of surgeries performed at the shelter including TNVR.

RECOMMENDATION / PROPOSED ACTION

Staff requests the Best Friends Animal Society/Rachel Ray Foundation Grant be approved in the amount of \$21,500 along with Budget Ordinance Amendment #B201018 to support the surgical spay/neuter portion of the TNVR Program.

Elaine Smith, Animal Control Director, provided the following presentation on Feline Trap-Neuter-Vaccinate-Release (TNVR) Program.

What Is A Feral Cat?

- Often called “community, stray, wild, alley, barn, or neighborhood” cats
- Live outdoors
- Avoid humans
- Not socialized, cannot be touched
- Unadoptable
- 100% euthanasia rate at our shelter

Why Are Feral Cats an Issue?

- Feral cats are a nuisance, a public health hazard, and a financial burden to the Animal Control Department.
- Animal Control Employees are exposed to potential injury and/or illness when handling feral cats.
- Well-meaning citizens provide food and shelter to feral cats, but without sterilization, this encourages the cats to reproduce.

What Are We Doing Now?

- Current policy is to Trap and Euthanize any feral cats identified by citizen contact. Traps are loaned to the citizen, and Animal Control Officers pick up cats from the traps.
- State mandated 72-hour hold for all stray animals, therefore an impounded feral cat is housed and fed for at least 3 days before being euthanized.
- Each feral cat trapped and transported to our shelter costs the county approximately \$27 in labor and \$2 in materials, for a total cost of \$29, not including vehicle costs (fuel and mileage)

Number of Feral Cats Trapped and Euthanized At CCAC Annually



Why Do We Need to Change?

- Clearly, the current policy is not working, as the number of feral cats is continuing to increase.
- The current procedure is arguably inhumane to the cats, it is costly for the county, and it puts our employees at risk of illness and injury while handling these cats.
- Euthanizing over 1,000 feral cats each year has a serious impact on employee morale.
- Each year, the shelter is inundated with kittens that are produced by feral cats and brought in by concerned citizens.
- Are there other alternatives to Trap and Euthanize?

Trap, Neuter, Vaccinate and Return (TNVR)

- Instead of bringing trapped feral cats into the shelter, they are spayed or neutered, vaccinated for rabies and other diseases, and returned to where they were trapped.
- Cats that have serious injuries or illness are humanely euthanized.
- The left ear of each cat is “tipped” to allow easy identification in the future.
- Small kittens are “rehabilitated” and placed in homes.

Why Does This Work?

Wouldn't euthanizing the cats be the “ultimate deterrent”?

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>

TNVR vs. Trap and Euthanize

- With Trap and Euthanize, we are essentially trying to empty a full bathtub with a teaspoon while the tap is running – we can never euthanize more cats than are being produced.
- With TNVR, we are “turning off the tap” by sterilizing as many cats as possible. Each year, some will die from natural causes or accidents, so the total number will decline with time.
- 3-year study of 6 municipal TNVR programs
- Albuquerque, San Antonio, Baltimore, Philadelphia, Tucson and Columbus, GA
- 72,970 cats total.
- 60,613 were “TNVRd”, 10,698 were adopted or rescued, 459 were returned to an owner, 349 were euthanized for serious health concerns, 204 were relocated due to unsafe location to return, 140 died during surgery

Study Results

- 83% decline in feline euthanasia in the six shelters involved
- 87% reduction in euthanasia of kittens
- 84% decline in euthanasia of cats per 1,000 residents in all 6 locations
- 32% reduction in feline intake at the six shelters
- Live release rate increased by 53%
- In other studies, Jacksonville FL and San Jose, CA observed 70% reduction in feline euthanasia due to TNVR. Las Vegas dropped 80% in feline euthanasia after implementing TNVR.

Benefits Of TNVR

- Reduction in number of feral cats over time.
- More humane approach than Trap and Euthanize.
- Cost savings to the county (less than \$15 for female cat, less than \$6 for a male cat) vs Trap and Euthanize (\$29 per cat). This is due to volunteer labor for the TNVR clinics.
- Grant funding can reduce cost of materials for TNVR to zero.
- Less risk of injury or illness to county employees from feral cats.
- Fewer citizen complaints due to nuisance behaviors.
- Lower euthanasia rate and improved live release rate for the shelter.

Who in NC Already Does TNVR?

- 64 NC Counties have some form of TNVR program
- Mecklenburg, Wake, Guilford, Forsyth, Durham, Buncombe, Union, New Hanover, Gaston, Cabarrus, Johnston, Onslow, Pitt counties all have programs.
- These programs are frequently operated by non-profit organizations within the county. Feral Cat Coalition of Cumberland County has been created to assist with a local TNVR program, if approved.

Concerns About TNVR

Concern	Response
Cats kill the wild birds. TNVR will return the cats to kill more birds.	TNVR will, in time, reduce the overall population of cats, therefore saving more birds than the current program of Trap and Euthanize, which is not reducing the number of cats.
Stray cats at my house are creating a nuisance, I don’t want them returned, I want them gone!	If the cat is causing property damage or other nuisance behavior, CCAC will provide assistance with deterrents for the cat, and if this doesn’t solve the issue, the cat will be removed and either relocated or euthanized.

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>

- Stray cats spread diseases to people or pet cats.
- Feral cats have been found to have the same incidence of Feline Leukemia and FIV as pet cats, and therefore pose no higher risk than outdoor pet cats. Feral cats that are ill are euthanized, not returned.
 - TNVR cats are vaccinated for rabies, reducing the risk of that deadly disease.
 - TNVR will ultimately reduce the number of cats, whereas trap and euthanize will not.

Ms. Smith responded to questions posed by Commissioner Adams about neutering and then releasing the cats.

MOTION: Commissioner Boose moved to approve the Best Friends Animal Society/Rachel Ray Foundation Grant in the amount of \$21,500 along with Budget Ordinance Amendment #B201018 to support the surgical spay/neuter portion of the TNVR Program.

SECOND: Chair Council

VOTE: UNANIMOUS (6-0)

C. Memorandum of Understanding Between the Cumberland County Public Library and the City of Fayetteville for StoryWalk® Project

BACKGROUND

The Friends of the Cumberland County Public Library, Inc. has been awarded a grant for \$12,148 by The Giving Circle, through the Cumberland Community Foundation to develop the County's first ever StoryWalk®. StoryWalk® is an innovative and delightful way for children and adults to enjoy reading and the outdoors at the same time. Laminated pages from a children's book are attached to wooden stakes, which are installed along an outdoor path. As you stroll down the trail, you're directed to the next page in the story. The project combines literature, nature, and physical activity to provide young children and their families with an enriching experience.

The Friends have requested, through agreement, that Library staff administer the grant, coordinate with Parks & Recreation officials for placement of the storyboards, assume ownership of said storyboards, make arrangements for ongoing maintenance, and provide programming that will enhance the use of the project.

Library staff have contacted Clark Park rangers and staff to provide space for the multi-panels of the installation. Panels will be spaced several yards apart and each depicts two pages of a story. The stories are nature-themed, and the panels also include suggestions for movements to accompany the story.

A Memorandum of Understanding (MOU) between the County of Cumberland and the City of Fayetteville is necessary to delineate the responsibilities for installation and maintenance of the StoryWalk®. The MOU also describes an ongoing partnership with the staff at Clark Park in the provision of children's programs by the library. Ms. Meg Smith, Library Division Manager for Youth Services, authored the successful grant application.

This item was presented at the October 10, 2019 Board of Commissioners Agenda Session and was referred to the October 21, 2019 Board of Commissioners meeting as an Items of Business.

RECOMMENDATION / PROPOSED ACTION

The Public Library & Information Center staff and County Management recommend approval of the Memorandum of Understanding Between the County of Cumberland and the City of Fayetteville for the StoryWalk® Project.

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. Risacher presented the background information recorded above and provided pictures of existing StoryWalk® displays.

MOTION: Commissioner Lancaster moved to approve the Memorandum of Understanding Between the County of Cumberland and the City of Fayetteville for the StoryWalk® Project.
SECOND: Commissioner Boose
VOTE: UNANIMOUS (6-0)

6. NOMINATIONS

A. Cumberland County Juvenile Crime Prevention Council (2 Vacancies)

Chair Council nominated Trenton Hightower and Terrasine Gardner.

B. Cumberland County Workforce Development Board (2 Vacancies)

Commissioner Adams stated the Rules of Procedure are in place for a reason and although he understands the reason for the request, he does not support the Workforce Development Boards' request to extend the terms of Charlese Cross and Jody Risacher.

MOTION: Commissioner Adams moved that nominations for the two vacancies on the Cumberland County Workforce Development Board be tabled to the second meeting in November.
SECOND: Commissioner Boose
VOTE: UNANIMOUS (6-0)

C. Removed from agenda.

7. APPOINTMENTS

A. Cumberland County Library Board of Trustees (3 Vacancies)

B. Southeastern Economic Development Commission (SEDC) (1 Vacancy)

C. Adult Care Home Community Advisory Committee (5 Vacancies)

D. Nursing Home Advisory Board (7 Vacancies)

MOTION: Commissioner Faircloth moved to appoint Dennis Cedzo, Ann McRae and Jeremy Fiebig to the Cumberland County Library Board of Trustees; Glenn Adams to the Southeastern Economic Development Commission; Dr. Dennis E. Corbin, William C. Duke, Joseph M. Dykes, Connie Parker and Darell Evans to the Adult Care Home Community Advisory Committee; and Christell Wallace, Rhonnisha Rivers, Dorothy McNeil, Westana Williams, Florence McEachern, Angela Stewart and Connie Parker to the Nursing Home Advisory Board.
SECOND: Commissioner Adams
VOTE: UNANIMOUS (6-0)

8. CLOSED SESSION:

A. Removed from agenda.

MOTION: Commissioner Adams moved to adjourn.
SECOND: Commissioner Evans
VOTE: UNANIMOUS (6-0)

There being no further business, the meeting adjourned at 8:45 p.m.

Approved with/without revision:

Respectfully submitted,

Candice H. White
Clerk to the Board