

CUMBERLAND COUNTY BOARD OF COMMISSIONERS  
FEBRUARY 3, 2020 – 9:00 AM  
117 DICK STREET, 1ST FLOOR, ROOM 118  
REGULAR MEETING MINUTES

PRESENT: Commissioner Marshall Faircloth, Chairman  
Commissioner Glenn Adams, Vice Chairman  
Commissioner Michael Boose  
Commissioner Jeannette Council (departed at 10:55 a.m.)  
Commissioner Charles Evans  
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  
Rick Moorefield, County Attorney  
Vicki Evans, Finance Director  
Jeffery Brown, Engineering and Infrastructure Director  
Gene Booth, Emergency Services Director  
Joe Utley, Tax Administrator  
James McQueen, Child Support Director  
Nedra Rodriguez, Workforce Development Director  
Mike Nagowski, Cape Fear Valley Health System CEO  
Heather Harris, Budget and Data Performance Analyst  
Andrew Jakubiak, Budget Analyst  
Candice H. White, Clerk to the Board

Chairman Faircloth called the meeting to order.

INVOCATION / PLEDGE OF ALLEGIANCE

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

Chairman Faircloth recognized commissioner-appointed board and committee members in attendance, Spring Lake Mayor Larry Dobbins and Cape Fear Valley Health System CEO Mike Nagowski.

Recognition of Emergency Services Director Gene Booth on Graduation from Leading for Results Fellowship Program

BACKGROUND

Cumberland County Emergency Services Director Gene Booth completed the Leading for Results course at the University of North Carolina at Chapel Hill School of Government on Dec. 13. Booth participated in the course as a 2019 Local Government Federal Credit Union (LGFCU) Fellow.

The Leading for Results program develops leadership skills for local government professionals. The program meets for two intensive one-week sessions with cohorts of 25 participants. Participants gain insight into their individual leadership styles and strengths, practice critical leadership behaviors and work with individual coaches on ways to increase effectiveness within their organizations.

Selection for the program is competitive. Mr. Booth was chosen as an LGFCU Fellow from 150 applicants across the state. LGFCU Fellows are a select group of individuals who represent the future of North Carolina local government leadership.

Mr. Booth has been the Emergency Services Director since January 2019. In his 16 years with Cumberland County Emergency Services, he has also served as Emergency Management Program Coordinator and Fire Marshal.

## RECOMMENDATION / PROPOSED ACTION

Recognize and congratulate Gene Booth on being a Local Government Federal Credit Union Fellow and completing the Leading for Results course at the UNC School of Government.

\*\*\*\*\*

Commissioner Lancaster conducted the recognition of Emergency Services Director Gene Booth by presenting his accomplishments outlined in the background information recorded above. The Board of Commissioners extended their congratulations to Mr. Booth on being a Local Government Federal Credit Union Fellow and completing the Leading for Results course at the UNC School of Government. Mr. Booth expressed his appreciation for the support provided by the Board of Commissioners and County Management.

Amy Cannon, County Manager, asked the Board to consider adding to the agenda Item 3.F. Approval of a Proclamation Congratulating Judge Edward A. Pone on Being Appointed the First African American Chief District Court Judge in Cumberland County.

### 1. APPROVAL OF AGENDA

MOTION: Commissioner Lancaster moved to approve the agenda with the addition of Item 3.F.

SECOND: Commissioner Council

VOTE: UNANIMOUS (7-0)

### 2. PRESENTATIONS

#### A. County Department Spotlight - Child Support by James McQueen

Ms. Cannon stated a presentation spotlighting a county department will be provided at each regular morning meeting of the Board of Commissioners. Ms. Cannon called on James McQueen, Child Support Director, to provide a presentation about the Cumberland County Child Support Department.

Mr. McQueen stated he appreciated the opportunity to provide information about the Child Support department that provides one of the best services available to citizens of Cumberland County. Mr. McQueen stated the department has 74 positions, handles 19,935 cases and is the fifth largest child support agency in North Carolina. Mr. McQueen stated Child Support benefits the Department of Social Services by recovering public assistance expenditures, recouping foster care board rates and offsetting Medicaid costs to save State and Medicaid dollars. Mr. McQueen stated DSS works in cooperation with Child Support to collect money from noncustodial parents which is recirculated back to the county or the funding source. Mr. McQueen stated Child Support receives cases through referrals from DSS and citizens can apply for services by paying a nonpublic assistance application fee of \$25 or a reduced fee of \$10 based on their income.

Mr. McQueen provided an overview of the basic services provided by Child Support:

- Locate the noncustodial parent
- Establish parentage—including DNA testing
- Establish a legal order of support
- Collecting, receipting, and disbursing support
- Enforcing support orders

Mr. McQueen stated each year the State gives performance measures to each child support agency based on that agency's previous year's performance. Mr. McQueen stated for the most part, the goals match up with the services provided by Child Support. Mr. McQueen highlighted the following performance measures for the Cumberland County Child Support Department:

	<u>Goal</u>	<u>Dec 2019 (mid-year)</u>
Paternity Establishment	100%	96.66%
Cases Under Order 8	3.47%	81.63%

Current Support Collections	67.52%	67.71%
Collections of Arrears	63.85%	54.11%
Total Collections	\$39,826,602	\$19,266,602

Mr. McQueen explained Child Support’s service impact on the Cumberland County community as it relates to the following:

- Public assistance (reimbursement and collection)
- Parentage established for genetic information and/or inheritance rights
- Medical Insurance

Mr. McQueen highlighted the cost to provide child support services and stated for every dollar Cumberland County spends, the federal government reimburses the county 66 cents and also gives Cumberland County incentive money based on how well they perform on their goals. Mr. McQueen stated the net cost to Cumberland County for the child support program is 14%.

	Expenditure	Reimbursement	Net Cost
2019	\$4,805,597	\$4,122,389	\$683,208
2018	\$4,757,954	\$3,931,717	\$826,237

Mr. McQueen provided highlights of the child support program’s cost effectiveness using figures from FY2019.

Gross Expenditures	\$4,805,597
Collections	\$39,826,602
Ratio	\$1 spent to every \$8.29 collected and returned to the community
Net Expenditures	\$683,208
Collections	\$39,826,602
Ratio of Net Cost	for every \$1 spent there is a \$58.29 return for the community

Mr. McQueen concluded his presentation by speaking to myths that circulate about child support and addressing questions that followed.

- “No one pays support when we have joint custody.”
- “Child support stops at age 18.”
- “If you quit your job, you don’t have to pay.”
- “They don’t spend the money on my kids.”
- “After X kids, I don’t have to pay anymore.”

Chairman Faircloth thanked Mr. McQueen for his presentation.

B. Presentation on Upcoming Cumberland County Citizens' Academy

BACKGROUND

Cumberland County will hold its 2020 Citizens' Academy from March 24-May 5. Residents are invited to register for the program to gain a better understanding of the role of county government and the services provided by the various departments.

RECOMMENDATION / PROPOSED ACTION

For information purposes only.

\*\*\*\*\*

Ms. Cannon called on Assistant County Manager Sally Shutt for a presentation on the upcoming Cumberland County Citizen’s Academy. Ms. Shutt stated the 2020 Citizens’ Academy will run March 24 – May 5, the academy is a free six-session program held on Tuesdays from 6:00 p.m. to 9:00 p.m. and provides an opportunity for citizens to learn about County government’s roles and responsibilities. Ms. Shutt stated the academy is held at different locations to include the Courthouse, Health Department, Headquarters Library, tours of the landfill, Crown Complex and a fire station. Ms. Shutt stated registration is required, space is limited and the application is available on the County’s website.

3. CONSENT AGENDA

A. Approval of January 21, 2020 Regular Meeting Minutes

B. Approval of Resolution Endorsing Safety Improvements in Cumberland County

BACKGROUND

Request was received from Richie Hines, Jr., NCDOT Division of Highways District Engineer, for a resolution endorsing safety improvements near the Gates Four community at the intersection of SR 1108 (Lakewood Drive) and Towbridge Road.

RECOMMENDATION / PROPOSED ACTION

The Board of Commissioner is respectfully requested to approve the resolution endorsing safety improvements in Cumberland County near the Gates Four community.

CUMBERLAND COUNTY BOARD OF COMMISSIONERS  
RESOLUTION ENDORSING SAFETY IMPROVEMENTS IN  
CUMBERLAND COUNTY BY NORTH CAROLINA  
DEPARTMENT OF TRANSPORTATION

WHEREAS, the North Carolina Department of Transportation has requested a resolution from the Cumberland County Board of Commissioners endorsing safety improvements at the intersection of SR 1108 (Lakewood Drive) and Towbridge Road; and

WHEREAS, the North Carolina Department of Transportation proposed to make improvements to this intersection. Said improvements will construct left and right turn lanes and a signal to enhance the safety of this intersection; and

WHEREAS, the construction of this improvement will be at no cost to Cumberland County.

NOW THEREFORE, BE IT RESOLVED, that the Cumberland County Board of Commissioners endorses the North Carolina Department of Transportation constructing left and right turn lanes and a signal to the intersection of SR 1108 (Lakewood Drive) and Towbridge Road to enhance its safety.

C. Approval of Report of Delinquent Real Property Taxes for 2019

BACKGROUND

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

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

Total delinquent taxes on real property for Year 2019 :  
\$13,971,049 on 16,906 parcels as of 1/21/2020

RECOMMENDATION / PROPOSED ACTION

Accept the report of unpaid taxes for the current fiscal year that are liens on real property and charge the Tax Administrator to advertise a list of the tax liens on real property by posting notice at the County Courthouse and by publishing each lien at least one time in the Fayetteville Observer no later than the month of June 2020.

2019 Delinquent Real Property Taxes as of January 21, 2020						
Cumberland County & Recreation	Original Total Levy	Net Collected	Adjustments to Balance	Unpaid Balance *	Paid Percentage	Unpaid Percentage
Recreation (County & Municipalities)	\$ 3,287,775	\$ 3,072,413	\$ (1,411)	\$ 213,951	93.49%	6.51%
Cumberland County Taxes Owed	\$ 152,377,003	\$ 143,060,835	\$ 110,102	\$ 9,426,270	93.82%	6.18%
TOTALS	\$ 155,664,778	\$ 146,133,248	\$ 108,691	9,640,221	93.8%	6.19%
Fire Protection Service Districts	Original Billed Levy	Net Collected	Adjustments to Balance	Unpaid Balance *	Paid Percentage	Unpaid Percentage
0011-Cotton	\$ 1,102,992	\$ 1,051,204	\$ (233)	\$ 51,555	95.32%	4.68%
0021-Cumberland Rd	\$ 522,462	\$ 477,489	\$ (401)	\$ 44,572	91.46%	8.54%
0031-Stoney Point	\$ 1,234,556	\$ 1,188,291	\$ 4,322	\$ 50,587	95.92%	4.08%
0051-Pearce's Mill	\$ 946,928	\$ 884,227	\$ (13)	\$ 62,688	93.38%	6.62%
0071-Bonnie Doone	\$ 3,256	\$ 3,256	\$ -	\$ -	100.00%	0.00%
0081-Westarea	\$ 854,347	\$ 801,693	\$ 2,243	\$ 54,897	93.59%	6.41%
0082-Westarea10	\$ 254,909	\$ 234,311	\$ 179	\$ 20,777	91.85%	8.15%
0091-Grays Creek	\$ 1,042,515	\$ 975,711	\$ 1,498	\$ 68,302	93.46%	6.54%
0101-Vander	\$ 1,030,402	\$ 946,805	\$ 317	\$ 83,914	91.86%	8.14%
0111-Manchester	\$ 89,256	\$ 78,968	\$ (127)	\$ 10,161	88.60%	11.4%
0121-Blk Riv./Wade	\$ 109,095	\$ 98,295	\$ (89)	\$ 10,711	90.17%	9.83%
0131-Stedman	\$ 171,901	\$ 157,627	\$ 354	\$ 14,628	91.51%	8.49%
0141-Godwin/Falcon	\$ 100,068	\$ 88,922	\$ 437	\$ 11,583	88.48%	11.52%
0151-Lake Rim	\$ 6,882	\$ 11,419	\$ 5,818	\$ 1,281	89.91%	10.09%
0161-Eastover	\$ 178,569	\$ 157,390	\$ 1,045	\$ 22,224	87.63%	12.37%
0181-Bethany	\$ 282,903	\$ 261,127	\$ 2,406	\$ 24,182	91.52%	8.48%
0191-Beaver Dam	\$ 162,927	\$ 140,731	\$ 33	\$ 22,229	86.36%	13.64%
TOTALS	\$ 8,093,967	\$ 7,557,466	17,790	554,291	93.17%	6.83%
Municipalities	Original Total Levy	Net Collected	Adjustments to Balance	Unpaid Balance *	Paid Percentage	Unpaid Percentage
Fayetteville	\$ 59,222,659	\$ 55,719,977	\$ (6,367)	\$ 3,496,315	94.10%	5.90%
Downtown Revitalization	\$ 131,771	\$ 123,933	\$ 0	\$ 7,838	94.05%	5.95%
Hope Mills	\$ 4,678,076	\$ 4,464,982	\$ (1,722)	\$ 211,372	95.48%	4.52%
Spring Lake	\$ 2,699,842	\$ 2,509,904	\$ (563)	\$ 189,375	92.98%	7.02%
Stedman	\$ 276,935	\$ 254,921	\$ (0)	\$ 22,014	92.05%	7.95%
Wade	\$ 83,086	\$ 77,039	\$ (1)	\$ 6,046	92.72%	7.28%
Falcon	\$ 19,604	\$ 17,854	\$ 0	\$ 1,750	91.07%	8.93%
Godwin	\$ 15,001	\$ 13,047	\$ 0	\$ 1,954	86.97%	13.03%
Linden	\$ 20,529	\$ 18,003	\$ 0	\$ 2,526	87.70%	12.30%
Eastover	\$ 538,749	\$ 487,423	\$ 200	\$ 51,526	90.44%	9.56%
0102-ETWN Vander	\$ 18,282	\$ 18,180	\$ (0)	\$ 103	99.44%	0.56%
TOTALS	\$ 67,704,534	\$ 63,705,262	(8,452)	3,990,820	94.10%	5.90%
GRAND TOTALS	Original Total Levy	Net Collected	Adjustments to Balance	Unpaid Balance *	Paid Percentage	Unpaid Percentage
COUNTY ONLY	\$ 152,377,003	\$ 143,060,835	\$ 110,102	\$ 9,426,270	93.82%	6.18%
FIRE DISTRICTS	\$ 8,093,967	\$ 7,557,466	\$ 17,790	554,291	93.17%	6.83%
MUNICIPALITIES	\$ 67,704,534	\$ 63,705,262	\$ (8,452)	\$ 3,990,820	94.10%	5.90%
GRAND TOTALS	\$ 228,175,504	\$ 214,323,564	\$ 119,440	\$ 13,971,381	93.88%	6.12%
				*Does not include Interest or Fees due		

D. Approval to Record and Pay Prior Year Expenditures and Approval of Budget Ordinance Amendment B200318 for Workforce Development

BACKGROUND

The Workforce Development (WFD) Department's annual budget consists of Workforce Innovative Opportunity Act (WIOA) Title I funds which are awarded annually for a minimum of two years, as well as any additional funds that may be allocated for special activities throughout the year. Each year, once the annual audit has been completed, the County must recognize any unused WFD funds from the prior year. For FY2019 the amount to be recognized is \$2,545,400.

In addition, FY2020 awards received to date total \$354,000, resulting in a total budgetary increase of \$2,899,400. Funds will be utilized for program services and program administration.

A portion of this total budget is to cover expenditures of the prior year. WFD contracted service provider, EDSI, has delivered FY2019 services totaling \$462,112 for which they have not yet been paid. Payment is pending the state's audit of EDSI files. Upon audit completion, all allowed costs will become payable and any disallowed costs per the audit will not be paid. The total FY2019 payable amount will not exceed \$462,112 per contracted terms. Any disallowed costs will be adjusted through an accounting entry.

RECOMMENDATION / PROPOSED ACTION

1. The Board of Commissioners is requested to approve Budget Ordinance Amendment B200318 to recognize FY2019 revenue totaling \$2,545,400 and FY2020 newly awarded revenue totaling \$354,000 for WFD program services and program administration.

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>

2. Board of Commissioner approval is requested to recognize the \$462,112 prior year expenditure amount along with the off-setting liability. Upon notification from the state, the County will pay EDSI for allowable costs up to \$462,112. Any disallowed costs will be adjusted through an accounting entry.
- E. Approval of Budget Ordinance Amendments for the February 3, 2020 Board of Commissioners' Agenda

#### BACKGROUND General Fund 101

- 1) Library Grants – Budget Ordinance Amendment B200402 to recognize an increase in State aid for the FY 2020 allocation in the amount of \$11,381

The Board is requested to approve Budget Ordinance Amendment B200402 to recognize \$11,381 from Aid to Public Libraries Grant Funds. These funds will be used to purchase door counters as well as additional electronic audio and electronic book materials for the library.

Please note this amendment requires no additional county funds.

#### Recreation Fund 250

- 2) Parks and Recreation – Budget Ordinance Amendment B200105 to appropriate fund balance for land purchase in the amount of \$80,000

The Board is requested to approve Budget Ordinance Amendment B200105 to appropriate greenspace fund balance for a 10-acre purchase of land as requested by Fayetteville-Cumberland Parks and Recreation. The 10- acre purchase is within Parks and Recreation Gray's Creek District (District 3) in the amount of \$80,000. This land purchase will be used to expand Hall Park in the Grays Creek area.

Please note this amendment requires appropriation of Recreation fund balance.

#### RECOMMENDATION / PROPOSED ACTION Approve Budget Ordinance Amendments

- F. Approval of Proclamation Congratulating Judge Edward A. Pone on Being Appointed the First African American Chief District Court Judge in Cumberland County

COUNTY OF CUMBERLAND

NORTH CAROLINA

#### PROCLAMATION

WHEREAS, the Honorable Edward A. Pone is a lifetime resident of Cumberland County who was born and raised in the Gray's Creek community; he is married to Beverly V. Pone and they have two children and one grandchild; and

WHEREAS, Judge Pone is a 1975 honors graduate of South View High School, a 1979 high honors graduate of North Carolina Central University and a 1982 graduate of the University of North Carolina at Chapel Hill School of Law; and

WHEREAS, Judge Pone was an Assistant Public Defender for the 12th Judicial District from 1982-1989; a member of the Rand, Finch and Gregory Law Firm from 1989-1994 and a member of the Finch and Pone Law Firm from 1994-1996; in February 1996, he was appointed as a District Court Judge for the 12th Judicial District by Governor James B. Hunt, Jr. and has been elected by the citizens of Cumberland County every four years since 1996; he is currently running for reelection unopposed; and

WHEREAS, Judge Pone is a member of the N. C. Bar Association, the Cumberland County Bar Association and the N. C. Association of District Court Judges; he is a certified

Juvenile Court Judge, the presiding Judge for Cumberland County's Family Court, both domestic and juvenile divisions, the presiding judge for Cumberland County's Family Drug Treatment Court, the presiding judge for Cumberland County's Misdemeanor Diversion Program and the Judicial Fellow for Cumberland County's Reclaiming Futures Initiative, an effort designed to assist young people with substance abuse issues; and

WHEREAS, Judge Pone has been a keynote speaker and presenter at numerous schools, churches, and civic and community organizations; he has served as a presenter at various conferences and seminars on a variety of topics, among them the areas of abuse, neglect and dependency and juvenile justice and delinquency prevention at the New Judges School at the UNC School of Government; he is currently a member of Cumberland County's Juvenile Crime Prevention Council and has served as a mentor and supporter of youth and young adults throughout his professional career; he previously served as a basketball and soccer coach for the Gray's Creek Youth Association; and

WHEREAS, Judge Pone is a member of the Willis Creek A.M.E. Zion Church where he currently serves as a Trustee, Sunday School Teacher, Assistant Youth Leader and Class Leader; he works in the ministry of music with the church choirs; he is the District Director for the Men of Zion of the Fayetteville District of the A.M.E. Zion Church; he is a lecturer and motivational speaker for the young, old and in between.

NOW THEREFORE, BE IT PROCLAIMED, that We, the Cumberland County Board of Commissioners, do hereby congratulate Judge Edward Pone on being appointed the first African American Chief District Court Judge in Cumberland County, North Carolina.

Adopted this 3rd day of February 2020.

MOTION: Commissioner Lancaster moved to approve consent agenda Items 3.A. – 3.F.  
SECOND: Commissioner Boose  
VOTE: UNANIMOUS (7-0)

#### 4. ITEMS OF BUSINESS

##### A. Consideration of Contract for Hope Mills Library Boiler Replacement and Chilled Water Line Repair

#### BACKGROUND

The FY20 Capital Improvement Plan (CIP) identified the replacement of the Hope Mills Library Boiler as a priority. In July, Engineering & Infrastructure (E&I) staff contacted Progressive Design Collaborative, LTD (PDC), to perform the design for the replacement of the boiler. During the design phase, the engineering team discovered a chilled water line that was previously damaged. It was determined that the boiler replacement and chilled water line repair should be performed at the same time to reduce impacts to the facility. This would also provide some cost savings through reducing contractor mobilization cost to the project location.

The project was advertised electronically on the Cumberland County Vendor Self Service site. The project pre-bid meeting was held on November 20, 2019. The bid date was advertised for December 5, 2019. The certified bid tab and letter of recommendation to award the project from PDC are attached. The lowest, responsible and responsive bid was provided by Harrelson Mechanical Contractors, Inc. in the amount of \$120,266. This bid amount includes the acceptance of bid alternate #1 for the repair of the chilled water pipe. Budgeted funds are available for the completion of this project. The Hope Mills Library Boiler and the repairs to the Detention Center Cooling Tower were both budgeted in Minor Building Systems within the CIP for \$96,000 each. The repairs to the Detention Center Cooling Tower were under-budget and completed at a cost of \$45,540. Therefore, the remaining funds from the Detention Center Cooling Tower project will be used for the overage of the Hope Mills Boiler project and the replacement of the chilled water line.

#### RECOMMENDATION / PROPOSED ACTION

The Engineering and Infrastructure Director and County Management recommend that the Board of Commissioners approve the following recommendations:

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. Accept the bids and award a contract to the lowest, responsible and responsive bidder Harrelson Mechanical Contractors, Inc. in the amount of \$120,266.
2. Establish a contingency in the amount of \$10,000 to be used for additional work recommended by the E&I Director and approved by the County Manager.

\*\*\*\*\*

Jeffery Brown, Engineering and Infrastructure Director, presented the background information and recommendation/proposed action recorded above. In response to a question from Commissioner Adams, Ms. Cannon stated the County has ongoing maintenance programs for its chillers and boilers which also assist with determining when equipment is at the end of its useful life. Mr. Brown stated this item is time sensitive in that the bids are only good for a certain number of days. In response to questions posed by Commissioner Boose, Mr. Brown stated he thinks Hockaday and Harrelson are located in Raleigh and although the project was advertised to local bidders and posted on the State's website, Hockaday and Harrelson were the only two companies that bid on this project. Mr. Brown stated no local bids were submitted. Mr. Brown also explained bid Alternate #1 and how project estimates are derived when developing the Capital Improvement Plan. At the request of Commissioner Keefe, Finance Director Vicki Evans explained the project came in short and the overage from the Detention Center project is going to help make up the difference between the amount budgeted and the bid.

**MOTION:** Commissioner Boose moved to accept the bids and award a contract to the lowest, responsible and responsive bidder Harrelson Mechanical Contractors, Inc. in the amount of \$120,266 and establish a contingency in the amount of \$10,000 to be used for additional work recommended by the E&I Director and approved by the County Manager.

**SECOND:** Commissioner Keefe

**VOTE:** UNANIMOUS (7-0)

Commissioner Council inquired about the policy for bids. Ms. Cannon stated there is a local policy preference, but it is under the statutory limit of \$30,000. Ms. Cannon also stated formal bids are fully prescribed by a general statute process and there is no preference for local vendors by law.

**B. Consideration of Proposed Schedule for Fiscal Year 2021 Budget Work Sessions and Budget Public Hearing**

**BACKGROUND**

Management anticipates submitting the FY21 Recommended Budget to the County Commissioners on Thursday, May 28, 2020. Several work sessions may be needed for review of the recommended budget.

**RECOMMENDATION / PROPOSED ACTION**

The following schedule is recommended for consideration with all meetings to be held in the Judge E. Maurice Braswell Courthouse, 117 Dick Street, Fayetteville, NC.

Thursday, May 28, 2020 at 7:00 PM - Budget Presentation, Room 118

Wednesday, June 3, 2020 at 5:30 PM - Budget Work Session, Room 564

Monday, June 8, 2020 at 7:00 PM - Budget Public Hearing / Work Session, Room 118 / 564

Tuesday, June 9, 2020 at 5:30 PM - Budget Work Session, Room 564

Thursday, June 11, 2020 at 1:00 PM - Optional Budget Work Session, Room 564

Wednesday, June 17, 2020 at 5:30 PM - Budget Work Session, Room 564

Adopt the schedule for FY21 budget work sessions and public hearing as recommended or modified.

\*\*\*\*\*

Ms. Cannon reviewed the background information and the proposed schedule for FY21 budget work sessions and public hearing recorded above.

MOTION: Commissioner Council moved to adopt the schedule for FY21 budget work sessions and public hearing as recommended.

SECOND: Commissioner Lancaster

VOTE: UNANIMOUS (7-0)

#### C. Consideration of Transfer of the 707 and 711 Executive Place Buildings to Hospital

##### BACKGROUND

On November 20, 2017, the Board approved the transfer of the E. Newton Smith and Executive Place facilities to Cumberland County Hospital System, Inc., (the "Hospital") pursuant to G.S. §131E-8 and subject to certain conditions. At that time the county attorney recommended that the Executive Place facilities not be transferred due to the portion of the property that was being leased to Alliance Behavioral Healthcare, now known as Alliance Health, because the statute only allows the County to transfer real property to a non- profit corporation without consideration if the property is to be used for hospital purposes. Commercial leasing is not a hospital purpose. The Board approved the transfer of the E. Newton Smith facility April 3, 2018.

Alliance Health continues to lease a portion of the premises and has the right to continue its lease through December 31, 2023. The Hospital now wishes for the transfer to be made subject to the lease to Alliance Health in order to renovate the building for the use in the Hospital's residency program. The transfer must be made subject to the county's reservation of the leasehold interest. The smaller building located on the property is used by the County as offices for its Community Development Department and Senior Community Service Employment Program. The County will retain a leasehold interest in that smaller building for so long as it uses the building for its governmental purposes, not to exceed 90 years. The County and the Hospital must also enter into an agreement on how maintenance of the premises will be shared due to the County's continued possession of the leasehold interests.

The stature requires the Board to adopt a resolution approving the transfer after publishing notice of intent at least ten days prior to adoption of the resolution. The proposed notice is recorded below.

##### RECOMMENDATION / PROPOSED ACTION

County Attorney recommends that the Board direct the notice be advertised for the adoption of the Resolution of Conveyance at the Board's Regular Meeting February 17, 2020.

##### NOTICE OF TRANSFER OF HOSPITAL FACILITIES PURSUANT TO G.S. § 131E-8

Take notice, that at its regular meeting to be held February 17, 2020, at 6:45 p.m., in Room 118 in the Judge E. Maurice Braswell Courthouse, Fayetteville, the Cumberland County Board of Commissioners intends to approve the conveyance of the property identified as PIN 0427-32- 5970 containing two office buildings with the addresses of 707 and 711 Executive Place, Fayetteville, to Cumberland County Hospital System, Inc., without further consideration pursuant to N.C.G.S. § 131E-8. The conveyance of the building with the address of 711 Executive Place will be subject to the reservation of a leasehold interest in a portion thereof. The conveyance of the building with the address of 707 Executive Place will be subject to the reservation of a leasehold interest in the entire building. This conveyance will be made pursuant to the terms and consideration stated in the 2006 Transfer Agreement recorded in Book 7225 at page 441 in the Cumberland County Registry.

February 4, 2020

\*\*\*\*\*

Rick Moorefield, County Attorney, reviewed the background information recorded above and stated he believes details can be worked out for the continuing lease with Alliance Health because it has a right to continue to lease its portion of the premises through December 31, 2023. Mr.

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>

Moorefield stated Alliance Health has indicated that unless there is some action by the State, they will continue with the lease.

Commissioner Boose asked about the nature of the details that have to be worked out. Mr. Moorefield stated the Executive Place facility only has one meter for electrical and the details will be laid out in documents presented to the Board before it adopts the resolution. Commissioner Boose asked whether the transfer was for general hospital use. Mr. Moorefield stated his understanding is that the Hospital wants the transfer specifically for use in its residency program. Commissioner Boose inquired about a reversionary clause should the use not be for the Hospital's residency program. Mr. Moorefield stated the statute requires a reversionary clause if the Hospital does not use the facility for its hospital purposes and that statutory language was also used in the transfer of the E. Newton Smith facility. In response to a question posed by Commissioner Adams, Mr. Moorefield explained the notice is for a hearing on the Board's consideration of the Resolution of Conveyance. Commissioner Keefe stated he did not understand why the county was considering the transfer of property it is using for county functions and he questions whether it is in the best interest of Cumberland County to transfer the building.

Chairman Faircloth recognized Mike Nagowski, Cape Fear Valley Health System CEO, who stated the Hospital needs the space to conduct its psychiatric residency program and see patients, and a pediatric psychiatry fellowship program using the Executive Place space is planned for 2021. Mr. Nagowski stated the space provided by the county will bring the operation of these programs to fruition and the residency programs will go a long way to help solve the physician shortage in Southeastern North Carolina.

MOTION: Commissioner Lancaster moved to advertise the notice for the adoption of the Resolution of Conveyance at the Board's regular meeting February 17, 2020.  
SECOND: Commissioner Evans  
VOTE: PASSED (6-1) (Commissioners Evans, Lancaster, Council, Faircloth, Boose and Adams voted in favor; Commissioner Keefe voted in opposition)

## 5. NOMINATIONS

### A. Transportation Advisory Board (4 Vacancies)

Commissioner Adams nominated Tracy Honeycutt, Dana Davis, Amber Gulch and Sharon Batten.

## 6. APPOINTMENTS

### A. Equalization and Review Board (1 Vacancy)

Commissioner Adams withdrew his nomination of Mark A. Knight.

MOTION: Commissioner Adams moved to appoint George Turner to the Equalization and Review Board  
SECOND: Commissioner Evans  
VOTE: UNANIMOUS (7-0)

## 7. CLOSED SESSION:

### A. Attorney-Client Matter(s) Pursuant to NCGS 143-318.11(a)(3)

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

Commissioner Council departed during the closed session.

MOTION: Commissioner Lancaster moved to reconvene in open session.  
SECOND: Commissioner Boose  
VOTE: UNANIMOUS (6-0)

MOTION: Commissioner Keefe moved to adjourn.  
SECOND: Commissioner Boose  
VOTE: UNANIMOUS (6-0)

There being no further business, the meeting adjourned at 11:20 a.m.

Approved with/without revision:

Respectfully submitted,

---

Candice H. White  
Clerk to the Board