

CUMBERLAND COUNTY FACILITIES COMMITTEE
NEW COURTHOUSE, 117 DICK STREET, 5TH FLOOR, ROOM 564
SEPTEMBER 6, 2012 - 8:30 A.M.
MINUTES

MEMBERS PRESENT: Commissioner Jimmy Keefe, Chair
Commissioner Kenneth Edge
Commissioner Billy King (arrived at 8:40 a.m.)

OTHER COMMISSIONERS
PRESENT: Commissioner Marshall Faircloth (arrived at 8:45 a.m.)

OTHERS PRESENT: James Martin, County Manager
Amy Cannon, Deputy County Manager
James Lawson, Assistant County Manager
Sally Shutt, Chief Public Information Officer
Rick Moorefield, County Attorney
Jeffery Brown, Engineering and Infrastructure Director
Rodney Jenkins, Deputy Health Director
Howard Abner, Assistant Finance Director
Tom Lloyd, Planning & Inspections Director
Darrell Handelsman, Fayetteville Swampdogs
John Meroski, FACVB
Candice White, Clerk to the Board
Kellie Beam, Deputy Clerk to the Board
Press

Commissioner Jimmy Keefe called the meeting to order.

1. APPROVAL OF MINUTES – JUNE 7, 2012 MEETING

MOTION: Commissioner Edge moved to approve the minutes.

SECOND: Commissioner Keefe

VOTE: UNANIMOUS (2-0)

2. CONSIDERATION OF REQUEST FROM ARTS COUNCIL TO USE THE
HISTORIC COURTHOUSE FOR EVENTS

James Martin, County Manager, stated the request from the Arts Council to use the Historic Courthouse had been withdrawn. Commissioner Keefe stated this was the third request this year to use the Historic Courthouse for various events. Commissioner Keefe stated the Historic Courthouse is a nice facility and he would like to see it used conservatively for members of the public.

Commissioner Keefe further stated he would like to see the Policy Committee come up with a policy regarding the use of the Historic Courthouse. Commissioner Edge stated there was already a policy in place regarding the use of county facilities that needs be updated. Rick Moorefield, County Attorney, stated his recommendation would be to revise the outdated policy regarding the use of county facilities. Mr. Martin stated Commissioner Keefe's request would be referred to the October Policy Committee agenda.

3. UPDATE ON STATUS OF E. NEWTON SMITH BUILDING

James Lawson, Assistant County Manager, stated the new county pharmacy and the employee clinic are open and seeing patients. Mr. Lawson further stated the Board of Elections has completely moved into the E. Newton Smith Building and are preparing for the upcoming election.

Mr. Lawson stated the former Board of Elections building is empty and is in great condition. Sally Shutt, Chief Public Information Officer, stated information is on the website informing citizens of the new location of the Board of Elections. Ms. Shutt further stated there have also been several press releases sent out regarding the move. Commissioner Edge suggested a sign be placed on the doors of the former Board of Elections building notifying citizens of the new location.

4. UPDATE ON THE LEASE FOR THE J.P. RIDDLE STADIUM

Rick Moorefield, County Attorney, stated the current lease for the J.P. Riddle Stadium expires at the end of this year. Mr. Moorefield stated the current lease was developed before the merger of the City of Fayetteville and the Cumberland County Parks and Recreation departments. Mr. Moorefield further stated everything in the current lease refers to maintenance by Cumberland County, rather than the joint recreation department. Mr. Moorefield stated the county is awaiting a letter from Michael Gibson, City of Fayetteville, to clarify the responsibilities of the city and county for maintenance. Mr. Moorefield stated once he receives that letter, a draft lease will be presented for the board's consideration.

Commissioner Edge stated he would like to make a suggestion that lease considerations be brought to the Facilities Committee for consideration and then the Facilities Committee would make a recommendation to the full board. Commissioner Edge further stated there needs to be a system put in place when leases become due to ensure they are renewed in a timely manner. Mr. Moorefield stated he is currently working with Mr. Lawson on a comprehensive database for all leases.

Mr. Moorefield stated once he receives clarification from the City of Fayetteville on the outside maintenance at J.P. Riddle Stadium he will have the draft lease ready to bring back to the Facilities Committee for consideration of approval.

5. CONSIDERATION OF REQUEST TO LEASE BOTH FLOORS OF THE ROBESON S & L BUILDING TO THE FACVB

Mr. Moorefield stated Community Development has vacated the second floor of the old Robeson S & L building on Person Street. Mr. Moorefield further stated the FACVB is currently housed on the first floor and has requested to lease both floors of the building, consisting of 7,049 square feet. Mr. Moorefield stated the FACVB has leased the ground floor since June 16, 1997 for \$10,000 annually. Mr. Moorefield explained the FACVB lease expired on June 1, 2007 and the FACVB has continued as a holdover tenant.

Mr. Moorefield stated the FACVB has requested an annual rental rate of \$22,000 for the entire building for a ten year term. Mr. Moorefield explained the FACVB would be responsible for all utilities, janitorial, signage and minor repairs to the interior. Mr. Moorefield further explained the county would remain responsible for the parking lot, the exterior of the building and the landscaping. Mr. Moorefield stated the FACVB would maintain general liability insurance with \$1,000,000 coverage.

Mr. Moorefield stated because the FACVB's original term extended beyond ten years and must be counted toward any renewal; the lease must be treated as a sale. Mr. Moorefield stated the FACVB is a non-profit entity that carries on a public purpose, so it would only be required that the lease terms be advertised which would avoid the transaction being subject to the upset bid procedure.

John Meroski, FACVB, stated in 2007 the FACVB spent \$140,000 to renovate the first floor of the building and if the lease is approved the FACVB would renovate the second floor within the first couple of years. Mr. Meroski stated if the FACVB is able to expand to the second floor, the FACVB would be able to expand services which would benefit economic development.

Commissioner Keefe stated he feels the rental rate should be more along the lines of the state approved rate. Mr. Martin stated an option for the Facilities Committee would be to defer action on the FACVB lease until October so staff would be able to sit down with Mr. Meroski to discuss the rental rate. The consensus of the Facilities Committee was to direct staff to discuss the rental rate further with Mr. Meroski and bring back a proposal to the Facilities Committee in October.

6. OTHER ITEMS OF BUSINESS

There were no other items of business.

MEETING ADJOURNED AT 9:23 AM.