

CUMBERLAND COUNTY FACILITIES COMMITTEE
COURTHOUSE, 117 DICK STREET, 5TH FLOOR, ROOM 564
JUNE 4, 2015 - 8:30 A.M.
MINUTES

MEMBERS PRESENT: Commissioner Glenn Adams
Commissioner Jimmy Keefe (arrived at 8:37 a.m.)
Commissioner Larry Lancaster

COMMISSIONERS PRESENT:
Commissioner Kenneth Edge
Commissioner Jeannette Council

OTHERS PRESENT: Amy Cannon, County Manager
James Lawson, Deputy County Manager
Tracy Jackson, Assistant County Manager
Melissa Cardinali, Assistant County Manager for Finance /
Administrative Services
Sally Shutt, Governmental Affairs and Public Information
Officer
Rick Moorefield, County Attorney
Jeffery Brown, Engineering and Infrastructure Director
Vicki Evans, Finance Accounting Manager
Amy Hall, Administrative Program Officer
Doug Noble, Lamar Advertising
Mark Stocks, Lamar Advertising
Amanda Hurlburt, Easter Seals/UCP
Mark Germann, Easter Seals/UCP
Candice White, Clerk to the Board
Kellie Beam, Deputy Clerk to the Board
Press

Commissioner Glenn Adams called the meeting to order.

1. APPROVAL OF MINUTES – MAY 7, 2015 REGULAR MEETING

MOTION: Commissioner Lancaster moved to approve the minutes.
SECOND: Commissioner Adams
VOTE: UNANIMOUS (2-0)

2. CONSIDERATION OF LEASE TERMS FOR DOROTHY SPAINHOUR
FACILITY

BACKGROUND:

During the March 5, 2015, Special Meeting of the Board of Commissioners, an update was provided regarding the Dorothy Spainhour facility located at 223 Hull Road. Easter Seals United Cerebral Palsy (UCP) is a nonprofit agency currently housed in the 12,310 square foot building. They provide children's educational and therapeutic day services in a developmentally appropriate environment for infants, toddlers and preschoolers requiring specialized care, including autistic clients. These services are unique and unavailable elsewhere in the region.

These services are similar to those provided by the former Cumberland County Mental Health Local Management Entity (LME) until 2004 when the LME divested of this service. At that time, the LME established an agreement with Easter Seals UCP to utilize the Spainhour facility for the specific and sole purpose of continuing developmental day services for children, with the understanding that Easter Seals UCP would pay utility costs and provide ongoing maintenance for the building. Under this arrangement, they have been able to sustain this critical service within a limited budget.

Easter Seals UCP continues to be the only certified developmental day center in our region. The Spainhour Center is also the largest Easter Seals Center in North Carolina, with a staff of 30 serving up to 92 enrollees, including approximately 30 referrals from the Cumberland County School System. They are also the only agency providing year-round, full-day child care, before and after school, including the summer. They fill a gap in our community by supplementing childcare needs for the Partnership for Children, and clients who are no longer eligible for DSS childcare subsidies.

Tracy Jackson, Assistant County Manager, and James Lawson, Deputy County Manager, have been in discussions with Mr. Mark Germann, Community Director for Easter Seals/UCP, and Amanda Hurlburt, Spainhour Site Manager regarding their operations, financial condition and terms for a lease agreement. Mr. Germann has indicated that due to their budgetary constraints, additional costs incurred by Easter Seals/UCP would probably create financial difficulties, and likely result in a reduction of services in our community. A review of their financial data reflects an uncertain trend from year-to-year that widely varies from end-of-year shortfalls to break-even to surplus. Mr. Germann indicates that Easter Seals UCP North Carolina & Virginia, Inc. and Affiliate have had to take on some debt in order to help sustain their operations.

CONSIDERATIONS:

In considering reasonable lease terms for the Easter Seals UCP to continue operations in the Spainhour facility, the following should be taken into account:

- Community impact; critical nature and lack of alternative resources for this specialized service.
- Services were previously under the umbrella of Cumberland County.
- Spainhour facility has been generally maintained in a structurally sound condition.

- Over the past 5 years, Easter Seals UCP has spent an average of over \$37,000 annually for utilities and maintenance; recently covered \$13,000 cost of replacing an aging HVAC unit.
- Easter Seals UCP's financial condition.

RECOMMENDATION

Consider whether to extend a 3-year agreement with the Easter Seals UCP to remain in the Dorothy Spainhour Center located at 223 Hull Road with the following requirements:

- Continue the same developmental day programs and services currently provided; Cumberland County must receive 30 days advance notice of changes in services.
- Maintain responsibility for utility costs and ongoing maintenance of the facility to the County's standard; this includes building and grounds; HVAC, plumbing, electrical and telephone systems; parking area, playground and fencing. Any replacement of mechanical equipment or proposed renovation must be coordinated through the County for approval.
- Provide annual financial statements.
- Be subject to periodic facility inspections conducted by the County; and correct any noted deficiencies within a reasonable timeframe.
- Payment of an annual \$1 lease rate.

James Lawson, Deputy County Manager, reviewed the background information and recommendation as recorded above. Mr. Lawson introduced Mr. Mark Germann and Amanda Hurlburt from Easter Seals UCP. Mr. Lawson stated he feels Easter Seals provides a substantial public benefit to this community.

MOTION: Commissioner Lancaster moved to recommend to the full board approval to extend a 3-year agreement with Easter Seals UCP to remain in the Dorothy Spainhour Center located at 223 Hull Road along with the requirements listed in the recommendation above.

SECOND: Commissioner Adams

DISCUSSION: Commissioner Adams stated he would like the public to know the value of this lease because this is a benefit to this community.

VOTE: UNANIMOUS (3-0)

3. CONSIDERATION OF PROFESSIONAL SERVICES AGREEMENT WITH MCGILL ASSOCIATES FOR BRAGG ESTATES SEWER PROJECT

BACKGROUND:

The Bragg Estates Water and Sewer (BEWS) District has received notification from the USDA Rural Development of their intent to fund the installation of sewer within the District. The application may be completed on the basis of a Rural Utilities Service

(RUS) loan not to exceed \$497,000, a RUS grant not to exceed \$1,453,000 and a contribution from Cumberland County of \$50,000 for a total project cost of \$2,000,000. The next step in moving forward with the application is to hire an engineer for the design, bidding and construction oversight of the wastewater collection system. A Request for Qualifications (RFQ) for Engineering Services for the Bragg Estates Sewer Project was sent out to engineering firms in December 2014, with responses received on January 9, 2015. A selection committee was formed and tasked with evaluating the Qualification Statements submitted by the engineering firms responding to the RFQ. An evaluation matrix was used to evaluate the written qualification statements and a numerical score was assigned to each engineering firm. McGill Associates was selected by the committee to complete the design, bidding and construction oversight for the BEWS District.

RECOMMENDATION/PROPOSED ACTION:

The Engineering and Infrastructure Director and County Management recommend that the Facilities Committee approve the Professional Services Agreement with McGill Associates and place it on the agendas of the June 15, 2015 Board of Commissioners and Bragg Estates Water and Sewer District meetings for approval.

Jeffery Brown, Engineering and Infrastructure Director, reviewed the background information and recommendation as recorded above.

Mr. Brown stated last year the County was awarded a significant grant in addition to a loan amount to fund the installation of a sewer project in an area just north of Spring Lake that has failing septic systems. Mr. Brown stated a part of this process is to acquire the services of an engineer to design and administer construction for the project. Mr. Brown stated the County issued a Request for Qualifications for Engineering Services and received proposals back from several firms. Mr. Brown further stated the County has compiled a team that evaluated the responses that were received and a firm has been selected. Mr. Brown stated the next step in the process is to move forward with a contract with the most qualified firm.

Mr. Brown stated the recommendation to the Facilities Committee is to approve a professional service agreement with McGill Associates and place on the June 15, 2015 Board of Commissioners agenda and the Bragg Estates Water and Sewer District agenda for approval.

MOTION: Commissioner Keefe moved to recommend to the full board approval of the Professional Services Agreement with McGill Associates and place it on the agendas of the June 15, 2015, Board of Commissioners and Bragg Estates Water and Sewer District meetings.

SECOND: Commissioner Lancaster

VOTE: UNANIMOUS (3-0)

4. CONSIDERATION OF PUBLIC UTILITIES POLICY REGARDING DELINQUENT ACCOUNT COLLECTIONS

BACKGROUND:

The purpose of the Delinquent Account Policy is to set forth uniform collection actions for all of the Cumberland County Water and Sewer Districts. The policy establishes the steps that will be taken should an account become delinquent. The policy will be for all existing and future Water and Sewer Districts created by Cumberland County Board of Commissioners.

RECOMMENDATION/PROPOSED ACTION:

The Engineering and Infrastructure Director and County Management recommend that the Facilities Committee approve the Delinquent Account Policy and place it on the agenda of the June 15, 2015 Board of Commissioners meeting for approval.

Cumberland County Public Utilities Division Delinquent Account Policy

The Public Utilities Division will take the following steps to collect past due payments from the customers:

Water Customers and Sewer Customers with Elder Valves

1. Send a cutoff notice (certified and regular mail) informing the customer that payment needs to be paid by 5:00 PM the day prior to the cutoff date stated on the notice. In addition, the customer will receive a door hanger at the service address on the day prior to the cutoff date stated on the notice.
2. If no payment is made, the customer will then be disconnected from the service. Service will not be restored until all outstanding bills and charges are paid, and all service or reconnection charges are paid in accordance with the rate currently in effect and approved by the Board of Commissioners of Cumberland County.
3. For sewer customers, the Environmental Health Division of the Cumberland County Health Department will be notified that sewer service has been disconnected which in turn may render the residence uninhabitable.
4. Accounts delinquent over 90 days and in excess of \$50.00 will be submitted to the NC Debt Set-Off program, which will allow the County to retrieve monies owed through income tax returns and lottery winnings.
5. Accounts delinquent in excess of \$200 will then be sent to Small Claims Court to seek judgment against the customer.
6. Any returning customer with a previous debt and who is legally responsible shall be required to pay the debt before being allowed to sign up for a new service.

Sewer Customers without Elder Valves

1. Send a cutoff notice (certified and regular mail) informing the customer that payment needs to be paid by 5:00 p.m. the day prior to the cutoff date stated on

- the notice. In addition, the customer will receive a door hanger at the service address on the day prior to the cutoff date stated on the notice.
2. If no payment is made, Public Utilities staff will then place a work order to have an elder valve installed to disconnect the service. Service will not be restored until all outstanding bills and charges are paid, and all service or reconnection charges are paid in accordance with the rate currently in effect and approved by the Board of Commissioners of Cumberland County.
 3. The Environmental Health Division of the Cumberland County Health Department will be notified that sewer service has been disconnected which in turn may render the residence uninhabitable.
 4. Accounts delinquent over 90 days and in excess of \$50.00 will be submitted to the NC Debt Set-Off program, which will allow the County to retrieve monies owed through income tax returns and lottery winnings.
 5. Accounts delinquent in excess of \$200 will then be sent to Small Claims Court to seek judgment against the customer.
 6. Any returning customer with a previous debt and who is legally responsible shall be required to pay the debt before being allowed to sign up for a new service.

Customers Not Connected and Only Paying Availability Fee

1. Accounts delinquent over 90 days and in excess of \$50.00 will be submitted to the NC Debt Set-Off program, which will allow the County to retrieve monies owed through income tax returns and lottery winnings.
2. Accounts delinquent in excess of \$200 will then be sent to Small Claims Court to seek judgment against the customer.
3. Any returning customer with a previous debt and who is legally responsible shall be required to pay the debt before being allowed to sign up for a new service.

Mr. Brown reviewed the background information and recommendation as recorded above. Mr. Brown stated during the May Facilities Committee meeting Kelly Hills rate structure item discussion there was a suggestion for a written internal policy on how to deal with delinquent accounts. Mr. Brown stated Amy Hall developed a Public Utilities Division Delinquent Account Policy that will allow the County to specify which path the County can take to collect on accounts if customers are not paying their bills.

Commissioner Adams stated he feels sending certified mail, regular mail and putting a door hanger on the customers door will be too much work for the small staff in the Public Utilities Department. Mr. Brown stated he feels it would give customers one last opportunity to become current on their bill and he does not anticipate a large number of customers becoming delinquent. Commissioner Keefe stated he does not feel the letter needs to be sent by certified mail.

MOTION: Commissioner Keefe moved to recommend to the full board approval of the Delinquent Account Policy and removing the need for certified mail to delinquent customers.

SECOND: Commissioner Lancaster
VOTE: UNANIMOUS (3-0)

5. DISCUSSION OF CIP ITEMS ASSOCIATED WITH CROWN COLISEUM COMPLEX

BACKGROUND:

In consultation with Heery International, PC, staff has recently identified a number of basic maintenance and repair items associated with the Crown Coliseum Complex that should be included in the Capital Improvement Projects Plan. Addressing these items in a timely manner is viewed as taking a proactive step towards handling various compliance issues which have been recently identified. Many of these items can be addressed utilizing in-house labor while some items may have to be contracted. County staff will be utilized where possible to complete the work that needs to be done. In all, the total cost of completing the repair items is not expected to exceed \$74,500.

Along these lines, staff wishes to make the Facilities Committee aware of two individuals employed by the County that have responsibility for ADA-related concerns. John Holmes with the Human Resources Department handles the processing of ADA-related grievances involving Cumberland County while Jeffrey Brown, Engineering and Infrastructure Director, is charged with reviewing any ADA issues involving County facilities.

RECOMMENDATION/PROPOSED ACTION:

Staff recommends including the repair items and associated costs as part of the Capital Improvement Projects Plan so that work can begin without delay.

Tracy Jackson, Assistant County Manager, reviewed the background information and recommendation as recorded above.

Ms. Cannon stated the repair items will be included in the FY 2016 budget for the Crown Coliseum. Ms. Cannon stated the County will do as much as possible in-house.

MOTION: Commissioner Lancaster moved to recommend to the full board approval of the recommended repairs and associated costs as part of the Capital Improvement Projects Plan so that work can begin without delay.

SECOND: Commissioner Keefe
VOTE: UNANIMOUS (3-0)

6. REVIEW OF COURTHOUSE SPACE UTILIZATION LAYOUT

BACKGROUND:

At the conclusion of the Facilities Committee in May, Chairman Adams asked if the County had an existing layout of the Courthouse indicating how the space was being utilized on each floor. It was communicated that the County had space allocation layouts on some of the floors but that they needed to be updated and that it would take some time to compile the information for the floors that were missing. This space utilization layout of each floor will be completed early next week in time to be presented during the Facilities Committee meeting scheduled for June 4, 2015.

RECOMMENDATION:

The Facilities Committee is not being asked to take action. The purpose of this item was to inform the Facilities Committee as to how space within the Courthouse is currently being utilized.

Mr. Brown reviewed the background information and recommendation as recorded above. Commissioner Adams stated between all the different agencies that are housed in the courthouse he felt it was important to have a current layout to see what space is being occupied and if any space is available at this time.

Commissioner Edge asked if the Law Library on the 3rd floor is used and still needed. Mr. Brown stated the Law Library was recently made smaller when the waiting room for SafeLink was created and he does feel it is still being used and needed. Commissioner Adams stated he feels it is an asset to have in the Courthouse. Commissioner Keefe stated he feels most of the books in the Law Library need to be updated. Commissioner Keefe asked Mr. Brown to track the number of people using the Law Library. Mr. Moorefield stated the Law Library is actually designated by the legislature as the Cumberland County Courthouse Library with a funding mechanism associated with it so if the commissioners want to do something different it would need to be done in conjunction with the statute. Mr. Brown stated when the renovations were made to the Law Library he worked with library staff and the Cumberland County Lawyers Association to identify which books were not utilized and current and they were disposed properly.

Commissioner Adams stated he sees four spaces on the 3rd floor for Clerk's Office storage and there is one storage space on the 2nd floor. Commissioner Adams asked Mr. Brown to possibly talk to the Clerk about getting a bigger location and putting all of the small storage areas in one location.

No action taken.

7. CONSIDERATION OF DISPOSITION OF THE WELLS HOUSE

BACKGROUND:

During the March 5, 2015 Budget Work Session, it was recommended to the Board of Commissioners that the Wells House located at 111 Bradford Avenue be considered for

demolition based on the facility's current condition and utilize the vacant space to expand the existing paved parking lot that serves 109 Bradford Avenue. Funding has been included in the FY 2016 budget for demolition. To demolish the structure the following steps along with the projected timeframes will have to be taken.

Complete Asbestos Survey on the Structure	30 days
Advertise and Award Demolition Project	45 days
Complete Demolition	30 days
Survey, Design, and Permit Parking Lot Area	60 days
Advertise and Award Construction Project	45 days
Complete Construction Project	45 days

If approved, the Engineering & Infrastructure Department would anticipate beginning this process in July 2015.

RECOMMENDATION:

The Engineering and Infrastructure Director and County Management recommend that the Facilities Committee approve the demolition of the Wells House based upon the above schedule, to utilize the vacant space for the expansion of the existing paved parking for 109 Bradford Avenue and place it on the agenda of the June 15, 2015 Board of Commissioners meeting for approval.

Mr. Brown reviewed the background information and recommendation as recorded above. Mr. Brown stated the parking at 109 Bradford Ave is currently very tight if the Facilities Committee moves forward with the demolition of the Wells House the vacant area will be utilized for an expanded parking lot.

Commissioner Keefe asked if there is any historical salvage to the Wells House. Mr. Brown stated he would look into any historical salvage before the demolition. Commissioner Council asked Mr. Brown to have Bobby Howard look through the Wells House for any salvage or value.

MOTION: Commissioner Lancaster moved to recommend to the full board approval of the demolition of the Wells House based upon the schedule recorded above, to utilize the vacant space for the expansion of the existing paved parking for 109 Bradford Avenue.

SECOND: Commissioner Keefe

VOTE: UNANIMOUS (3-0)

8. UPDATE ON OFFER OF LAMAR COMPANIES TO LEASE OR PURCHASE SITES OF EXISTING BILLBOARDS

BACKGROUND

At its May meeting the Facilities Committee expressed interest in simply licensing both parcels on which the Lamar billboards are located instead of selling the triangular portion in the intersection of Ramsey Street and the MLK Expressway.

RECOMMENDATION/PROPOSED ACTION

The county attorney requests that the Facilities Committee consider whether a license agreement for the use of these parcels is its preference, as opposed to the option of selling subdividing and selling the parcel that is separated from the DSS campus by the railroad tracks.

Rick Moorefield, County Attorney, reviewed the background information and recommendation recorded above. Mr. Moorefield stated if the County is going to continue a non-sale situation with Lamar billboards it is Mr. Moorefield's preference to establish with a license agreement as opposed to a lease because it gives the County more flexibility.

MOTION: Commissioner Keefe moved to recommend to the full board approval of a license agreement for the use of both parcels on which the Lamar billboards are located on Ramsey Street and the MLK Expressway.

SECOND: Commissioner Lancaster

VOTE: UNANIMOUS (3-0)

9. OTHER ITEMS OF BUSINESS

Mr. Lawson stated Alliance Behavioral Healthcare has provided notice to vacate the Winding Creek facility. Mr. Lawson further stated the Alliance has asked the County to give them an extension on the current lease which expires at the end of June 2015. Mr. Lawson stated the Alliance projects they will be out of the Winding Creek facility by the first of January 2016. Mr. Moorefield suggested the amendment be extended to a month to month lease once the current lease expires in June 2015. Commissioner Edge stated once the Alliance Behavioral Healthcare vacates the Winding Creek facility it will give the County the opportunity to utilize the building for some other reason or sell it.

MOTION: Commissioner Lancaster moved to recommend to the full board approval of an amendment to the Alliance Behavioral Healthcare lease to convert to a month to month lease once the current lease expires in June 2015 with the same terms.

SECOND: Commissioner Keefe

VOTE: UNANIMOUS (3-0)

No other items of business.

MEETING ADJOURNED AT 9:31 AM.