

CUMBERLAND COUNTY FACILITIES COMMITTEE
COURTHOUSE, 117 DICK STREET, 5TH FLOOR, ROOM 564
AUGUST 6, 2015 - 8:30 A.M.
MINUTES

MEMBERS PRESENT: Commissioner Glenn Adams
Commissioner Jimmy Keefe
Commissioner Larry Lancaster

COMMISSIONERS PRESENT:
Commissioner Kenneth Edge

OTHERS PRESENT: Amy Cannon, County Manager
James Lawson, Deputy County Manager
Tracy Jackson, Assistant County Manager
Melissa Cardinali, Assistant County Manager
Sally Shutt, Governmental Affairs and Public Information
Officer
Rick Moorefield, County Attorney
Jeffery Brown, Engineering and Infrastructure Director
Vicki Evans, Finance Accounting Manager
Tammy Gillis, Internal Audit
Deborah Shaw, Finance Accountant
Mick Noland, PWC Chief Operations Officer
Jim Lyde, NC Division of Forest Resources
Craig Gottfried, NC Division of Forest Resources
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 – JUNE 4, 2015 REGULAR MEETING

MOTION: Commissioner Keefe moved to approve the minutes.
SECOND: Commissioner Lancaster
VOTE: UNANIMOUS (3-0)

2. UPDATE ON THE PWC INTERBASIN APPEAL BY MICK NOLAND, PWC
CHIEF OPERATIONS OFFICER

BACKGROUND:

Mr. Mick Noland, PWC Chief Operations Officer of the Water Services Division, will be providing an update on the PWC Interbasin Appeal at the August 6, 2015 Facilities Committee meeting.

RECOMMENDATION

Receive the update regarding the PWC Interbasin Appeal.

Mr. Noland distributed and discussed the following Cary/Apex Interbasin Transfer (IBT) Timeline to the Facilities Committee:

- September 30, 2013: Notice of intent to modify IBT Certificate
- November 24, 2014: Public meeting held in Fayetteville to explain Jordan Lake Allocation & IBT process
- December 18, 2014: Environmental Assessment (EA)/Finding of No Significant Impact (FONSI) available for review for additional 9 million gallons per day (MGD) transfer.
- January 7, 2015: Public hearing on IBT request held in Apex
- January 22, 2015: Public hearing on IBT request held in Fayetteville (46 attended)
- February 5, 2015: Deadline to submit comments on the EA
- March 12, 2015: Environmental Management Commission (EMC) approves the transfer of an additional 9 MGD out of the Cape Fear River Basin
- May 5, 2015: Petition for a contested case hearing filed by the City of Fayetteville and the Public Works Commission of the City of Fayetteville
- June 15, 2015: Pre-hearing statement filed with OAH
- June 18, 2015: Motion to intervene by Cary and Apex
- June 30, 2015: Letters to Cape Fear Public Utilities, Lower Cape Fear Water and Sewer, Harnett County and Cumberland County inquiring about their interest in participating in the hearing.
- July 13, 2015: Request for admissions, interrogatories and production of documents (Discovery) sent to DENR/EMC
- July 20, 2015: Motion to Intervene granted for Towns of Apex and Cary
- August 13, 2015: Informal settlement meeting with OAH
- August 17, 2015: DENR/EMC's Discovery Responses due to City of Fayetteville and the Public Works Commission of the City of Fayetteville
- February 2016: Tentative date for Hearing

Commissioner Adams thanked Mr. Noland and PWC for staying on top of this issue and stated this is definitely important to this community.

For information only. No action taken

3. CONSIDERATION OF APPROVAL OF THE RADIO TOWER AGREEMENT WITH NC DIVISION OF FOREST RESOURCES

BACKGROUND:

The Emergency Management Department was contacted by the NC Division of Forest Resources to see if Cumberland County had available radio tower space for installation of

an antenna. Their existing agreement for the tower on Palestine Road has expired and their goal is to find a more centrally located site within Cumberland County to provide better radio communication coverage. The Emergency Management Department then contacted the Engineering & Infrastructure Department to discuss the possibility of the Forestry Service using available space on the tower located atop of the County facility located at 109 Bradford Avenue, the former Mental Health Building.

There is available space on one of the existing towers located at the facility and there is actually an existing VHF antenna that is currently not in service that the Forestry Division utilized to test the communication coverage. It was determined from the test that this location did indeed meet their needs and it was also determined that their antenna would not have a negative impact on the existing communication antennas, as their antenna will be on a different frequency from the existing antennas. The use of the available space on the tower will provide more effective and efficient services to the citizens of Cumberland County without any negative impact to existing operations.

This was initially presented and approved by the Facilities Committee on November 6, 2014, however there was liability language within the tower agreement that the County Attorney requested to be changed after it was presented. Therefore, it was determined that this should be brought back to the Committee for review and approval.

RECOMMENDATION/PROPOSED ACTION:

The Engineering and Infrastructure Director along with County Management recommend that the Facilities Committee approve the use of available space on the radio tower located atop of 109 Bradford Avenue for the purposes of the NC Division of Forest Resources operating a radio antenna and forward it to the Board of Commissioners for its consideration at their August 17, 2015 meeting.

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

MOTION: Commissioner Lancaster moved to recommend to the full board approval of the use of available space on the radio tower located atop of 109 Bradford Avenue for the purposes of the NC Division of Forest Resources operating a radio antenna.

SECOND: Commissioner Keefe

VOTE: UNANIMOUS (3-0)

4. DELI FRANCHISE AGREEMENT UPDATE

BACKGROUND:

In 2011, Cumberland County entered into a franchise agreement allowing the Happy Deli to provide food services at two County-owned facilities. That particular agreement was

set to expire in 2014, but during the November 6, 2014, Facilities Committee Meeting, a motion was made by Commissioner Edge to recommend to the full board consideration of approval to extend the franchise agreement for operation of the Courthouse and DSS snack bars until September 15, 2015 and then look into bidding it out. In addition, the committee requested that our Internal Auditor complete a compliance review based upon the franchise agreement, and for County Management to pursue a discussion with the Happy Deli regarding acceptance of debit/credit cards and other suggested changes.

RECOMMENDATION/PROPOSED ACTION:

Consider the development of an RFQ process for a deli franchise that will service the Courthouse and DSS.

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

Tammy Gillis, Internal Auditor, stated she conducted a review of the Happy Deli to verify the accuracy of the daily sales reported to the County as well as to identify any changes that have been implemented in the deli. Ms. Gillis stated the daily sales reports generated by the deli's cash register system for the months of October 2014 through June 2015 were compared to the monthly sales reports that were submitted to County Finance. Ms. Gillis stated the receipts from July 2014 through September 2014 were not reviewed because the proprietors van was broken into and his backpack containing his sales receipts and other items were stolen. Ms. Gillis further stated she did review the police report regarding the stolen backpack and receipts.

Ms. Gillis stated all reports and rent payments were submitted to the County on time. Ms. Gillis further stated on eight (8) occasions the proprietor over reported sales amounts and on six (6) occasions sales were under reported. Ms. Gillis stated the result was a net overpayment of \$181.03 to the County.

Ms. Gillis stated in November 2014, the proprietor began accepting debit/credit cards as payments which has resulted in an approximate 20% increase in the deli's monthly sales. Ms. Gillis stated in February 2015, the tables in the deli were rearranged and many decorative items were removed, which has resulted in a less cluttered appearance. Ms. Gillis stated the deli has consistently received a sanitation rating in the high 90's to 100 and currently has a 99 rating. Ms. Gillis stated the deli offers a menu with a wide variety of items to choose from and is willing and does prepare special order items that are within their abilities.

Ms. Gillis stated during FY 2015, the Happy Deli reported accurate sales information and paid the correct amount of rent timely. Ms. Gillis further stated the Happy Deli made changes and improvements as requested by the County and customers.

Commissioner Keefe stated he feels the reporting procedure has been too loose with this contract. Commissioner Keefe stated he feels a system needs to be in place to ensure the

County is getting the proper percentage of sales rate outlined in the agreement. Ms. Cannon stated the debit/credit card system is an electronic system. Commissioner Adams asked how long the RFQ process would take. Ms. Cannon stated the agreement would need to be extended for a period of time (through the end of December 2015) to do a thorough RFQ process.

MOTION: Commissioner Keefe moved to recommend to the full board to begin the RFQ process for a deli franchise that will service the Courthouse and DSS and extend the current contract to December 31, 2015 but have staff present the RFP to the Facilities Committee no later than 90 days prior to the end of the extension of the agreement.

SECOND: Commissioner Lancaster

VOTE: UNANIMOUS (3-0)

5. OTHER ITEMS OF BUSINESS

No other items of business.

MEETING ADJOURNED AT 9:10 AM.