



CITY OF LUMBERTON
COUNCIL POLICY COMMITTEE
MINUTES • JANUARY 8, 2020

Regular Meeting

Third Floor Conference Room

11:00 AM

500 N Cedar St, Third Floor, Lumberton, NC 28358

I. INVOCATION

Attendee Name	Title	Status	Arrived
Bruce W. Davis	Mayor	Present	
Leroy Rising	Mayor Pro Tem	Present	
Melissa Robinson	Precinct 2	Present	
John R. Carroll	Precinct 3	Present	
Karen Higley	Precinct 4	Present	
John Cantey	Precinct 5	Present	
Chris Howard	Precinct 6	Present	
Eric Chavis	Precinct 7	Present	
Owen Thomas	Precinct 8	Present	
Wayne Horne	City Manager	Present	
Brandon Love	Deputy City Manager	Present	
Holt Moore	City Attorney	Present	
Laney Mitchell-McIntosh	City Clerk	Present	

B. Presentation - Maggie Battaglin Gurule, Buyout Manager, North Carolina Office of Recovery and Resiliency –

Ms. Maggie Battaglin Gurule, Buyout Manager, North Carolina Office of Recovery and Resiliency, appeared before the committee and presented the following presentation. Good morning, and thank you so much for inviting me to come with an introductory presentation into the ReBuild NC Buyout Program. ReBuild NC is a program of the North Carolina Office of Recovery and Resiliency. My name is Maggie Battaglin Gurule, and I am the manager for this buyout program.

There are multiple federally-funded buyout programs currently ongoing in hurricane impacted communities, most notably the FEMA-funded Hazard Mitigation Grant Program, or HMGP. This program, the ReBuild NC Buyout program, is HUD-funded, through the Community Development Block Grant for Disaster Recovery (CDBG-DR). While there are several notable similarities between these two programs, there are also significant differences. Both programs are completely voluntary on the part of the homeowner. Both programs result in local ownership of the property. Both programs require the resultant land to have a deed restriction placed on it, restricting further development and requiring that the land be held as open space in perpetuity. In addition, it is generally the case that the homeowner receives pre-storm fair market value for their home, minus any duplicated benefits. NCEM's HM office has also secured funding to offer homeowners an incentive, called SARF. We have made the conscious decision to mirror our incentives as much as possible to increase parity and discourage program shopping.

There are also significant differences between HMGP and CDBG-DR. HMGP is the first in a wave of potential mitigation opportunities following any presidentially-declared disaster. CDBG-DR is intended to be the funding of last resort, and is only available following major disasters, such as Hurricanes Matthew and Florence. HMGP has a one-year application window following the declaration date, that can be extended for up to six months. CDBG-DR funding can take much longer to come through – in fact we are still waiting on the Federal Register Notification associated with Hurricane Florence CDBG-DR.

North Carolina Emergency Management administers the HMGP program through its Hazard Mitigation office. The state serves as the grantee, but has a subgrantee relationship with local governments that have been awarded grants. This means that local governments are responsible for paying project costs upfront and awaiting reimbursement, procuring services, and managing the relationship between the homeowner and the program. NCORR has decided to pursue a state-centric model of program delivery, which means that my team and myself will be managing this program entirely. We will be procuring all the necessary services at a state-level, which we believe will lead to faster program delivery, as well as having a dedicated case management and intake specialist staff available locally to support homeowners through this process.

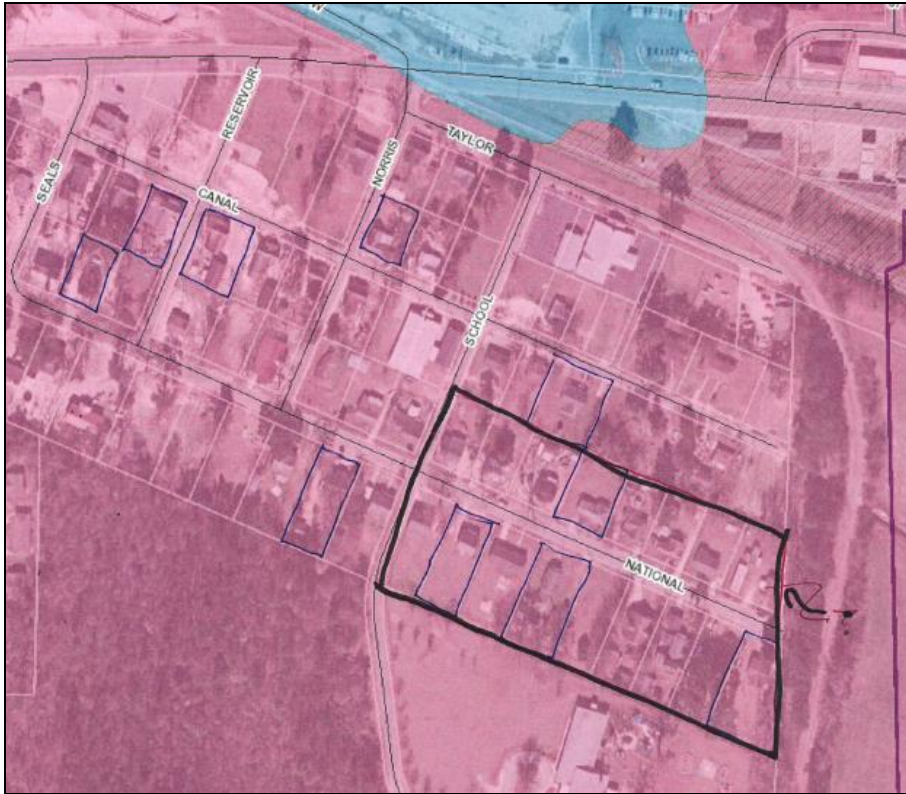
In addition to this, the programs have different requirements. HMGP projects work best when they are in a special flood hazard area and meet certain cost effective principles. Because CDBG-DR is funded by HUD, we have a directive that we have to focus the majority of our funds on programs that benefit low-to-moderate income homeowners.

The focus for these programs is also different – HMGP sets priorities at a state-level to decide which eligible projects will be funded. This tends to lead to a checker boarding effect, which can disrupt neighborhoods and make local maintenance of the resultant parcels more difficult. CDBG-DR tries to focus on buying out vulnerable neighborhoods around existing mitigation efforts.

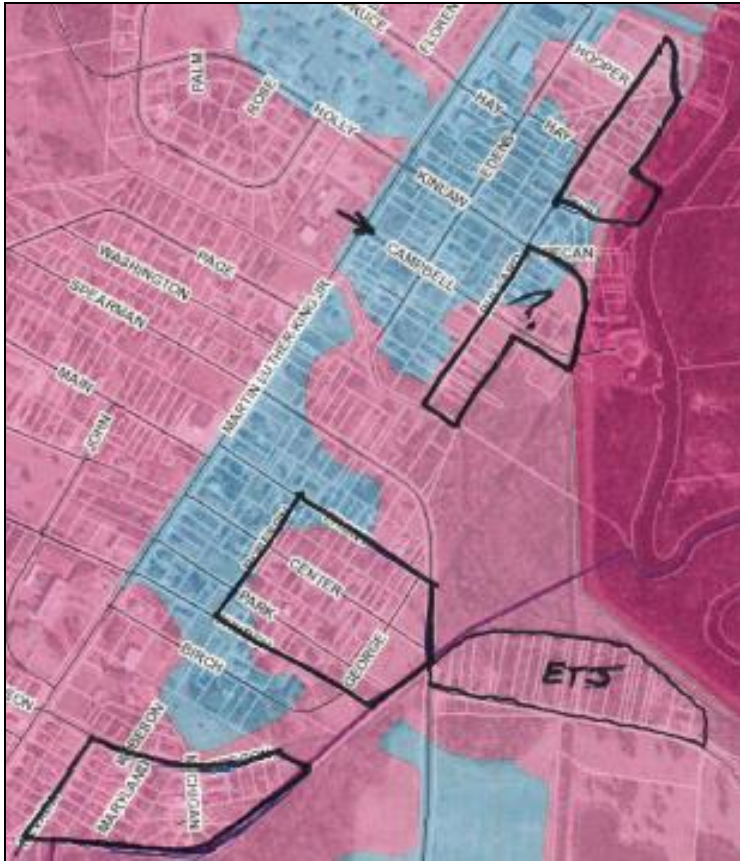
Currently, this program has \$25 million dollars from the Hurricane Matthew CDBG-DR allocation. We know the need for buyouts greatly exceeds this allocation, so we are anticipating adding another \$109 million from CDBG-Mitigation later this spring. More money might be added if deemed necessary following the release of the Hurricane Florence CDBG-DR funding. Because the funding we currently have is related to Hurricane Matthew, we are targeting buyouts in five of the most impacted and distressed counties: Columbus, Cumberland, Edgecombe, Robeson and Wayne. We will expand the ReBuild NC program to include buyout zones in counties affected by Hurricane Florence once funding is released.

As mentioned previously, CDBG-DR heavily focuses on mitigating full neighborhoods through buyouts. Through careful analysis of flood zones, census tract data, inundation data, and information from other sources, we drafted two areas that we felt were particularly vulnerable to future risks. We then began working with local officials, including Mr. Horne, Mr. Love, and Mr. Nolley to further refine our existing areas, as well as discuss alternatives.

South of I-95. Currently in the floodplain (the pink overlay), but infrastructure development ongoing. Significant HMGP interest and activity, so CDBG-DR would target remaining homes (approx. 13 structures).



East of MLK Jr. Drive and west of the Lumber River. North of the Gum Branch Canal. Pink areas are within the floodplain. Targeting outlined areas (minus the area identified on the map as ETJ), approximately 80 structures.



Located north of the junction of I-95 and 211, on Hamstead Road and Piccadilly Circle. Approximately 20 houses, building on HMGP activity in the area. This area is in and out of the floodplain depending on the address.



Eligibility for this program is two-pronged: the property must be eligible, and the owner is eligible. Some of these eligibility criteria are listed above. In addition, due to the fact that this is a HUD funded program, we are obligated to spend 70% of these funds on activities benefiting low-to-moderate income families for the CDBG-DR funded buyouts, and 50% of the CDBG-MIT funds benefitting the same.

Homeowner Compensation:

- Assuming all eligibility criteria are met and the homeowner is still interested in participating, they will be offered pre-storm fair market value, minus any duplication of benefits. Their final award amount cannot fall below current market value.
- Incentives:
 - Risk Reduction Incentive, available to program participants that move to an area of reduced risk in the amount of either:
 - **\$10,000** if they relocate in the same county, or
 - **\$5,000** if they relocate within the state
 - Affordability Incentive, **up to \$50,000** available to program participants to assist in the purchase of a comparable, decent, safe, and sanitary home in an area of reduced risk.

She stated that in total; they are expecting in the neighborhood of \$150 million over 22 neighborhoods and 80 structures in South and West Lumberton. She spoke to the incentives. Several concerns were voiced by Council as to the Mayor Davis thanked Ms. Gurule for coming and presenting

RESULT: ANNOUNCED

C. Presentation - Ms. Kathy Hunt - Southeastern Health - Community Health Needs Assessments –

Ms. Kathy Hunt presented the attached information to the Council Policy Committee concerning Healthy Robeson. She spoke to Council about a partnership to do Community Needs Assessments. She gave a brief overview of what the program is about and how it is beneficial to all of our needs.

Council instructed Ms. Hunt to call the City Manager and he will advise her.

RESULT: ANNOUNCED

II. ITEMS FOR COUNCIL POLICY COMMITTEE CONSIDERATION

III. AGENDA ITEMS

A. *Minutes Approval*

- B. Adopt an Ordinance Directing the Building Inspector to Demolish and Remove the Unsafe structure located at 35 State Street – Ben Andrews, Inspections Director
- The structure located at 35 State Street was inspected by our department and was determined to be unsafe. A Notice of Condemnation and Hearing was sent. A hearing was heard on October 30, 2019. An order to demolish the structure was issued. The time in which the owner had to comply expired on December 30, 2019.
- Staff recommends the City Council direct the building inspector to demolish and remove the unsafe structure located at 35 State Street.

RESULT:	REFERRED [8 TO 0]	Next: 1/13/2020 6:00 PM
MOVER:	Eric Chavis, Precinct 7	
SECONDER:	Leroy Rising, Mayor Pro Tem	
AYES:	Robinson, Rising, Carroll, Higley, Cantey, Howard, Chavis, Thomas	
ABSTAIN:	Davis	

- C. Approval of Demolition Bid for HGMP to Corbett Clearing & Demolition, LLC for 113 Fuller Ave. & 151 LaClaire Road – Brian Nolley, CDBG Administration
- The Planning Dept. is seeking approval to award the contract for 3 home demolitions to Corbett Clearing & Demolition, LLC. of Goldsboro, NC. A bid opening was held on Dec. 3, 2019 with Corbett Clearing & Demolition submitting the lowest bid. The homes are part of the acquisition project under the city's Hazard Mitigation Grant Program – Hurricane Matthew. The structures are located at:
- 113 Fuller Ave.
151 LaClaire Rd.
69 National Ave.
- The Planning Dept. recommends awarding the contract the lowest licensed bidder Corbett Clearing & Demolition, LLC.

RESULT:	REFERRED [8 TO 0]	Next: 1/13/2020 6:00 PM
MOVER:	Chris Howard, Precinct 6	
SECONDER:	Owen Thomas, Precinct 8	
AYES:	Robinson, Rising, Carroll, Higley, Cantey, Howard, Chavis, Thomas	
ABSTAIN:	Davis	

- D. Approval of change to Safety Accountability Policy – Bill French, Emergency Services Director

Our current Safety Accountability Policy states that if an employee has an avoidable accident, they will pay \$100 or the cost of the repair, whichever is less. For the second and subsequent avoidable accidents, the cost goes to \$250 or the cost of the repair whichever is less. This has been the policy for some time, but due to a considerable increase in avoidable accidents, this policy now longer works and needs to be changed.

Last this fiscal year we almost could not get liability insurance due to the significant increase in avoidable automobile accidents, but did find a company at the last minute. They said we needed to make a significant change in our policy to help reduce the number of accidents we are having.

I have attached the current accountability policy, and the three options discussed in a meeting with City Management and legal, along with department heads that have a fleet of vehicles. It was recommended by a majority of Departments Heads in attendance that Option 1 (1st occurrence, \$500 or the cost of the repair whichever is less, additional avoidable occurrences within three years are \$1000 or the cost of the repair whichever is less. Additionally, the employee must attend a Defensive Driving Course, and take a drug/alcohol test immediately after the avoidable accident. Repeat offenses are subject to suspension and/or termination. The payment of the fine is done through payroll deduction, and it cannot be applied in such a

way as to violate the Fair Labor Standards Act. We recommend approval of Option 1.

Council Approved Option 1.

RESULT:	REFERRED [8 TO 0]	Next: 1/13/2020 6:00 PM
MOVER:	Chris Howard, Precinct 6	
SECONDER:	Owen Thomas, Precinct 8	
AYES:	Robinson, Rising, Carroll, Higley, Cantey, Howard, Chavis, Thomas	
ABSTAIN:	Davis	

- E. Approval to Purchase a 2020 Digger Line Truck – Lamar Brayboy, Electric Utilities Director
The Electric Utilities Department seeks approval to purchase a 2020 Digger Line truck from Altec Industries, Inc. through the Sourcewell bid contract (national government contract) for the price of \$217,817.00. This truck will replace two Digger trucks. Truck # 267, 1986 Terex model and Truck # 257, 2002 Altec model. The amount approved was \$220,000 in our 2019-2020 Capital Budget.

The Electric Utilities Department is requesting Council approval of the purchase of a 2020 Digger Line truck from Altec Industries, Inc. in the amount of \$217,817.00.

RESULT:	REFERRED [8 TO 0]	Next: 1/13/2020 6:00 PM
MOVER:	Owen Thomas, Precinct 8	
SECONDER:	John R. Carroll, Precinct 3	
AYES:	Robinson, Rising, Carroll, Higley, Cantey, Howard, Chavis, Thomas	
ABSTAIN:	Davis	

- F. Permission to purchase a 2020 Dodge Durango SSV vehicle – Paul Ivey, Fire Chief
This agenda item is a request to purchase a 2020 Dodge Durango SSV for the Lumberton Fire Department administration. The vehicle was approved within the 2019 capital budget year. The vehicle will replace a 2009 Mercury Grand Marquis. The vehicle will be assigned and utilized daily by the Assistant Chief of Operations. The vehicle through the NC Sheriff's Association and meets the NC procurement requirements.
I recommend that the vehicle be purchased through the NC Sheriff's Association buying alliance for the amount of \$31,934.00.

RESULT:	REFERRED [8 TO 0]	Next: 1/13/2020 6:00 PM
MOVER:	Owen Thomas, Precinct 8	
SECONDER:	John R. Carroll, Precinct 3	
AYES:	Robinson, Rising, Carroll, Higley, Cantey, Howard, Chavis, Thomas	
ABSTAIN:	Davis	

- G. Request to purchase 2020 Ferrara MVP Fire Apparatus – Paul Ivey, Fire Chief
This agenda item is a request to purchase a 2020 custom fire apparatus for Lumberton Fire Department. The apparatus would be assigned to Central Fire Station located at 600 N. Cedar Street. The apparatus will serve as the primary response engine for Station 1 response district. The apparatus will be replacing a 2003 Pierce Fire Engine as a front line engine. The 2003 Pierce engine will be assigned as a reserve engine. The current reserve engine is a 1993 Grumman that is currently out of service due to inability to meet minimum pump

performance requirements dictated by NC Office of State Fire Marshal. The requested 2020 fire apparatus is available on the HGAC buying group. The bid process meets the NC general statute for procurement and the City of Lumberton has utilized the purchasing alliance in the past. The apparatus meets all pump capacity requirements and will serve many roles as a front line engine for the central fire station's district.

The Lumberton Fire Department recommends that Council approve the purchase of a 2020 Ferrara MVP Custom Fire apparatus from C&C Fire Apparatus of NC, Inc. in the amount of \$598,617.00 through the HGAC buying group.

RESULT:	REFERRED [8 TO 0]	Next: 1/13/2020 6:00 PM
MOVER:	John R. Carroll, Precinct 3	
SECONDER:	Owen Thomas, Precinct 8	
AYES:	Robinson, Rising, Carroll, Higley, Cantey, Howard, Chavis, Thomas	
ABSTAIN:	Davis	

- H. Purchase of Street Department Utility Truck – Rob Armstrong, Public Works Director
Public Works is requesting Council approval to purchase a new crew cab utility truck for the Street Department off of the NC State Contract for \$64,000. We have budgeted \$75,000 in the current Fiscal Year Capital Code 10-00-8131-5430 for this purchase, which is part of the recently approved equipment loan.

Public Works is requesting council approval to purchase a 2020 4WD Chevrolet Crew Cab utility truck from the State Contract vendor, Modern Chevrolet in Winston Salem, for \$64,000 from Capital Code 10-00-8131-5430.

RESULT:	REFERRED [8 TO 0]	Next: 1/13/2020 6:00 PM
MOVER:	John Cantey, Precinct 5	
SECONDER:	Chris Howard, Precinct 6	
AYES:	Robinson, Rising, Carroll, Higley, Cantey, Howard, Chavis, Thomas	
ABSTAIN:	Davis	

- I. Approval of Architectural Contract for Carolina Civic Center Addition – Brandon Love, Deputy City Manager

At its November meeting, City Council authorized the Carolina Civic Center to proceed with Maurer Architecture as its project architect for the recently approved building expansion and authorized staff to secure the necessary contract documents for the project. Attached you will find a draft of the architectural contract, along with additional proposal documentation and an hourly fee schedule. Total compensation for the architectural and engineering services will be in the amount of \$145,000 and equals approximately 9 ½% of the project cost. This total is in line with typical fees for professional services and will be paid by the Carolina Civic Center Foundation.

Authorize the execution of the architectural contract with Maurer Architecture for the Carolina Civic Center annex project.

RESULT:	REFERRED [8 TO 0]	Next: 1/13/2020 6:00 PM
MOVER:	Leroy Rising, Mayor Pro Tem	
SECONDER:	Karen Higley, Precinct 4	
AYES:	Robinson, Rising, Carroll, Higley, Cantey, Howard, Chavis, Thomas	
ABSTAIN:	Davis	

- J. Ratification of Telephone Poll - De-Obligation of Funds – Wayne Horne, City Manager
City Clerk McIntosh conducted a telephonic poll on December 19, 2019, regarding de-obligating funds to be for the Toys for Kids program from Precincts 5 & 6.
Ratify telephone poll approving the de-obligation of funds.

RESULT:	REFERRED [8 TO 0]	Next: 1/13/2020 6:00 PM
MOVER:	John Cantey, Precinct 5	
SECONDER:	Chris Howard, Precinct 6	
AYES:	Robinson, Rising, Carroll, Higley, Cantey, Howard, Chavis, Thomas	
ABSTAIN:	Davis	

- K. Final plat approval for Amberdale Section3, Part 3 lots #40, 41 and 42 – ArTriel Kirchner, Interim Planning Director
The Planning Department received a request from B.G. French for the final plat approval for Amberdale Section3, Part 3 lots #40, 41 and 42.
Recommend that City Council approve the subdivision of Amberdale Section3, Part 3 lots #40, 41 and 42.

RESULT:	REFERRED [8 TO 0]	Next: 1/13/2020 6:00 PM
MOVER:	Leroy Rising, Mayor Pro Tem	
SECONDER:	Chris Howard, Precinct 6	
AYES:	Robinson, Rising, Carroll, Higley, Cantey, Howard, Chavis, Thomas	
ABSTAIN:	Davis	

- L. Approve the designation of \$750.00 of CRF for the Dr. Martin Luther King, Jr. Celebration as follows: P1 - \$50.00 P2 - \$100.00 P3 - \$100.00 P4 - \$100.00 P6 - \$50.00 P7 - \$100.00 and P8 - \$100.00 – John Cantey, Precinct 5
Councilman Cantey requests \$150.00 of CRF to be given to the Robeson County Black Caucus for the Dr. Martin Luther King, Jr. Celebration on January 20, 2020, located at First Baptist Church.
Designate \$150.00 of CRF to the Robeson County Black Caucus for the Dr. Martin Luther King, Jr. Celebration.

RESULT:	REFERRED [UNANIMOUS]	Next: 1/13/2020 6:00 PM
MOVER:	John Cantey, Precinct 5	
SECONDER:	Owen Thomas, Precinct 8	
AYES:	Robinson, Davis, Rising, Carroll, Higley, Cantey, Howard, Chavis, Thomas	

- M. Approve the Designation of \$1,000.00 of CRF in Support of Bishop Barnes 40th Anniversary – Owen Thomas, Precinct 8

Councilmen Carroll, Chavis and Thomas would like to designate CRF in support of the 40th Anniversary of Rev. Barnhill as follows: P3 - \$400, P7 - \$300.00 and P8 - \$300.00 for a total of \$1,000.

Designate \$1,000.00 of CRF to in support of Rev. Barnhill's 40th Anniversary as indicated above.

RESULT:	REFERRED [8 TO 0]	Next: 1/13/2020 6:00 PM
MOVER:	Owen Thomas, Precinct 8	
SECONDER:	Eric Chavis, Precinct 7	
AYES:	Robinson, Rising, Carroll, Higley, Cantey, Howard, Chavis, Thomas	
ABSTAIN:	Davis	

- N. Approve the Designation of \$500.00 of CRF to Mayfair Home Owners' Association (HOA) for Beautification – Owen Thomas, Precinct 8

Councilman Thomas would like to designate \$500.00 of CRF to the Mayfair HOA for beautification.

Designate \$500.00 of CRF to Mayfair HOA.

RESULT:	REFERRED [8 TO 0]	Next: 1/13/2020 6:00 PM
MOVER:	John Cantey, Precinct 5	
SECONDER:	Owen Thomas, Precinct 8	
AYES:	Robinson, Rising, Carroll, Higley, Cantey, Howard, Chavis, Thomas	
ABSTAIN:	Davis	

- O. Approve the Appointments of Councilman John Carroll as Commissioner; Director Lamar Brayboy, First Alternate and City Manager Horne as Second Alternate to the NCEMPA Board of Commissioners – Wayne Horne, City Manager

The North Carolina Eastern Municipal Power Agency is requesting a Lumberton Appointment to the NCEMPA BOC. Mayor Davis is requesting that Councilman John Carroll be appointed as Commissioner to the NCEMPA Board; City Manager Horne as the Second Alternate and Electric Utilities Director Lamar Brayboy as First Alternate. An Oath of Office must be executed for each appointment.

Approve the Appointments of Councilman John Carroll as Commissioner; Director Lamar Brayboy, First Alternate and City Manager Horne as Second Alternate to the NCEMPA Board of Commissioners.

RESULT:	REFERRED [8 TO 0]	Next: 1/13/2020 6:00 PM
MOVER:	John Cantey, Precinct 5	
SECONDER:	Chris Howard, Precinct 6	
AYES:	Robinson, Rising, Carroll, Higley, Cantey, Howard, Chavis, Thomas	
ABSTAIN:	Davis	

- P. Purchase of a Mini Excavator – Rob Armstrong, Public Works Director
Public Works Director is requesting the purchase of a mini excavator. We have received to bids ranging from \$119,000 to \$76,000. Public Works is requesting to purchase the mini

excavator at price of \$76,000 paid from the Water and Sewer Capital Reserve Fund from Branch Construction, Inc.

Approve purchase of the mini excavator from Branch Construction, Inc., for \$76,000 paid from the Water and Sewer Capital Reserve Fund for Public Works.

RESULT:	REFERRED [8 TO 0]	Next: 1/13/2020 6:00 PM
MOVER:	Owen Thomas, Precinct 8	
SECONDER:	John R. Carroll, Precinct 3	
AYES:	Robinson, Rising, Carroll, Higley, Cantey, Howard, Chavis, Thomas	
ABSTAIN:	Davis	

IV. CLOSED SESSION

V. OPEN SESSION

On a motion from Councilman Chavis and second of Councilman Cantey, direction was given to staff to move forward for potential property acquisition.

VI. ADJOURNMENT

There being no further business to come before the Board, the meeting was adjourned.