

The Executive Board Agenda

Chairman Johnson will convene a meeting of the Centralina COG Executive Board at 6:30 p.m. on Wednesday, March 9, 2016. He also invites Executive Board Members to attend an **Executive Board Orientation at 5:00 p.m.** A light dinner will be served at 6:00 p.m. Both sessions will be held in the **Catawba Room of the Centralina CCOG Office on the 12th floor of the 525 North Tryon Street building.**

| Time | Item | Presenter |
|---|--|-----------------|
| 5:00 p.m. | CCOG Executive Board Orientation This orientation session for new and returning Executive Board Members will present an overview of CCOG’s business model, finances, initiatives, and the role of the Executive Board. | Jim Prosser |
| 6:00 p.m. | Dinner Please RSVP to Kelly Weston at kweston@centralina.org or (704) 348-2728 by 12:00 p.m. on Monday, March 7th so that catering can be arranged. | Kelly Weston |
| 6:30 p.m. | Call to Order, Welcome & Declaration of Quorum | Michael Johnson |
| | Amendments to the Agenda (if any) | Michael Johnson |
| Consent Items: <i>Consent agenda items may be considered in one motion and without discussion except for those items removed by a Board member.</i> | | |
| 6:35 p.m. Item 1 Pages 3 – 7 | Approval of the January 13, 2016 Executive Board Meeting Minutes The minutes of the January 13, 2016 meeting have been distributed to all members of the Executive Board and should be approved if correct. Action/Recommendation: <i>I move to approve the January 13, 2016 Executive Board Meeting minutes.</i> | Michael Johnson |
| Regular Business Items: | | |
| 6:40 p.m. Item 2 5 minutes | Installation of CCOG Treasurer The Clerk to the Board will install Mayor Bill Feather, Town of Granite Quarry, as Treasurer for 2016. He was elected as part of the slate of officers at the February 10, 2016 Board of Delegates meeting. | Kelly Weston |
| 6:45 p.m. Item 3 10 minutes Pages 8 – 15 | Critical Signal Technologies Contract Review Staff will provide a quick review of the “Carenect” Personal Emergency Response System (PERS) provided by Critical Signal Technologies (CST) and an update regarding questions proposed by both the Executive Board at the last meeting as well as Centralina Legal Counsel, Mr. Bill McNair. Action/Recommendation: The Board may take either of two recommended actions, depending on the degree to which all of its questions and concerns have been satisfactorily answered: EITHER <i>I move that CCOG staff be directed to continue efforts to address the Executive Board’s questions and provide an update at the April 2016 Executive Board meeting.</i> OR, <i>I move that with all Executive Board and Legal Counsel questions satisfactorily addressed, the Executive Board supports the Executive Director in negotiating and executing a contract with CST for a license to market CST’s Carenect equipment and services within the Centralina region.</i> | Linda Miller |
| 6:55 p.m. Item 4 10 minutes Pages 16 – 18 | Strategic Plan Update The Executive Director will present an overview of the 2016 strategic Board initiatives plan. Action/Recommendation: Discuss and refine strategic initiatives action plan. Identify opportunities to assist with implementation of 2016 priorities. <i>Motion to approve 2016 strategic initiatives implementation plan with specific assignments for Executive Board members.</i> | Jim Prosser |

The Executive Board Agenda

| Time | Item | Presenter |
|--|---|-----------------|
| 7:05 p.m. Item 5 10 minutes Pages 19 – 24 | Federal Relations Update As part of the CCOG Strategic Plan Update, staff will report on the Federal Relations priority, including: <ol style="list-style-type: none"> 1. Federal Action Plan implementation and results to date; 2. Ask Executive Board members to have local meetings with Congressional Delegation members during the upcoming congressional recess (March 24 – April 3). Action/Recommendation: <ul style="list-style-type: none"> • <i>I move that the Status Report be accepted.</i> • Individual Executive Board members are urged to: <ul style="list-style-type: none"> ○ Contact their Member of Congress to request/schedule a local meeting during the March 24 – April 3 recess to introduce themselves, their community, and CCOG, using the support materials provided. ○ Let CCOG staff and Strategics Consulting know when trips to Washington, DC are planned, for assistance with scheduling a meeting with a member of the Congressional Delegation and specific talking points. | Vicki Bott |
| 7:15 p.m. Item 6 10 minutes Pages 25 – 27 | Private-Sector Fundraising Update As part of the CCOG Strategic Plan Update, staff will report on the Private-Sector Fundraising priority, including: <ol style="list-style-type: none"> 1. Philanthropic Strategic Plan implementation and results to date; 2. Forecast upcoming opportunities for Executive Board member participation via “friend-raising”, “door opening”, and “prospect meetings”. Action/Recommendation: Executive Board members are asked to identify where they can assist with these efforts by letting Vicki Bott or Jennifer Nichols know. The Board is also asked to accept the Status Report: <i>I move that the Status Report be accepted.</i> | Vicki Bott |
| 7:25 p.m. Item 7 5 minutes Page 28 | CCOG Regional Conference Update Staff will present a brief report of a February 16, 2016 conference call CCOG Delegates held to provide direction related to date, location, and sponsorship opportunities for the next CCOG Regional Conference. Action/Recommendation: Receive as information. | Kelly Weston |
| 7:30 p.m. Item 8 5 minutes Pages 29 – 38 | CCOG Building Committee Update Progress report for Centralina office space options and request for approval of Broker Agreement with Cushman Wakefield. Action/Recommendation: Review and affirm broker selection, if appropriate. | Jim Prosser |
| 7:35 p.m. 5 minutes | Comments from the Executive Board | Board Members |
| 7:40 p.m. 5 Minutes | Comments from the Chair | Michael Johnson |
| 7:45 p.m. 5 minutes | Comments from the Executive Director | Jim Prosser |
| 7:50 p.m. | Adjournment | Michael Johnson |

Centralina Council of Governments complies with the Americans with Disabilities Act (ADA), which prohibits discrimination on the basis of disability. Centralina Council of Governments will make reasonable accommodations in all programs/services to enable participation by an individual with a disability who meets essential eligibility requirements. Centralina Council of Governments' programs will be available in the most integrated setting for each individual. If any accommodations are necessary for participation, please contact the Clerk to the Board, 525 North Tryon Street, 12th Floor, Charlotte, NC 28202, phone (704) 348-2728. Please allow 72 hours advance notice for preparation. Visit our website: www.centralina.org.



Executive Board Minutes

January 13, 2016

| Officers Present | Delegates Present | Delegates Not Present | Centralina Staff |
|--|--|---|---|
| Michael Johnson, Chair Patsy Kinsey, Secretary Bill Feather, Treasurer | Joe Carpenter Bobby Compton Martha Sue Hall Bill Lawhon Martin Oakes Devin Rhyne Jerry Simpson Jarvis Woodburn <i>Other Delegates:</i> Charles Guignard | Will Cauthen Warren Chapman Bill Deter George Dunlap | Vicki Bott Debi Lee Mike Manis Linda Miller Jim Prosser Erika Ruane Marsha Sutton Angel Trietley Kelly Weston Venecia White <i>Guests:</i> Sarah McAulay Jennifer Nichols |

Call to Order and Welcome

Chairman Michael Johnson, City of Statesville, called the meeting to order and noted that a quorum was present. He welcomed Commissioner Bill Lawhon, Stanly County, to his first meeting as a member of the Executive Board. Chairman Johnson also welcomed new CCOG Delegate Commissioner Charles Guignard, Town of Huntersville, who was visiting the meeting.

Amendments to the Agenda

There were no amendments to the agenda. Council Member Martha Sue Hall, City of Albemarle, made a motion to adopt the agenda. Secretary Patsy Kinsey, City of Charlotte, seconded the motion and it was carried unanimously.

Consent Items

Chairman Johnson read the Consent Agenda as follows:

1. Approval of the November 17, 2015 Executive Board Meeting Minutes

Commissioner Joe Carpenter, Gaston County, made a motion to approve the minutes. Secretary Kinsey seconded the motion and it carried unanimously.

2. Preliminary Budget Report

Marsha Sutton, Finance Director, gave the presentation on this item. She noted that the “Interest Revenue” listed in the proposed annual budget ordinance should be labeled as “Other Revenue.”

Jim Prosser, Executive Director, added that most of CCOG’s budget is determined by federal funds received through the state and that information is not available at this time. Staff prepared the placeholder budget which the Board can amend once the additional information is received from the state.

Council Member Hall made a motion to recommend to the Board of Delegates the Fiscal Year 2016-2017 Centralina COG annual operating budget ordinance proposal in the amount of \$5,062,901 for adoption. Commissioner Carpenter seconded the motion and it carried unanimously.

Council Member Hall made a motion to accept the Fiscal Year 2016-2017 grants project budget proposal as presented. Commissioner Carpenter seconded the motion and it carried unanimously.

3. Critical Signal Technologies Contract Review

Linda Miller, Aging Programs Director, gave the presentation on this item. She explained that under the contract with Critical Signal Technologies (CST), Centralina Area Agency on Aging (AAA) would receive monthly payment for marketing and distributing the Carenect personal emergency response system.

Mr. Prosser added that CCOG's attorney, Bill McNair, has expressed concerns about how this service ties into CCOG's mission. He noted that CCOG's mission and business model have changed and the system is consistent with other services AAA provides.

Council Member Hall stated that she could not support the contract without Mr. McNair's approval.

Chairman Johnson inquired if CCOG could receive a commission for each referral instead of becoming a licensee.

Commissioner Martin Oakes, Lincoln County, suggested talking with other AAAs who have entered into the contract with CST about their legal concerns.

Commissioner Guignard suggested providing clients with collateral materials for other companies providing the same service.

In response to a question from Treasurer Bill Feather, Town of Granite Quarry, Angel Trietley, Aging Specialist, noted that a regional cost analysis indicated that the average price for a personal emergency response system is \$30-35 per month.

Commissioner Bobby Compton, Town of Mooresville, noted that the service is a life-saving measure.

Treasurer Feather made a motion that the Executive Director be authorized to negotiate a contract with CST for a license to market its Carenect equipment for consideration for approval at a later meeting. Commissioner Carpenter seconded the motion.

Commissioner Oakes requested reassurance that there would not be problems with competitors.

Commissioner Carpenter inquired about companies offering the same service.

The motion carried unanimously.

4. Strategic Planning Initiatives Report

Mr. Prosser gave the presentation on this item.

Chairman Johnson noted that presentations on the CONNECT Our Future project would be a strong catalyst for attracting new members.

Mr. Prosser added that CCOG staff is prepared to visit any city, town, or county in the region to discuss that jurisdiction's needs and how CCOG can meet them.

Council Member Hall made a motion to approve the 2016 strategic initiatives as approved, with the addition of giving direct presentations to all member governments listed in CCOG's charter and conducting an Executive Board orientation. Commissioner Carpenter seconded the motion and it was carried unanimously.

5. Federal Relations Action Plan Update

Vicki Bott, Grants Development Director, gave the presentation on this item.

Council Member Hall, Commissioner Carpenter, and Commissioner Oakes requested a list of talking points Board members can use when meeting with members of the Congressional Delegation.

Treasurer Feather expressed concern about having results to justify the Strategics Consulting, LLC contract by July 2016.

Council Member Devin Rhyne, City of Lincolnton, made a motion that the Status Report be accepted and that staff and Strategics Consulting be directed to work with Executive Board members and other CCOG Delegates to (a) identify CCOG Delegates willing to act as local elected liaisons to a specific elected member of the Congressional Delegation, and (b) prepare specific materials and coaching for the CCOG liaisons with respect to the anticipated federal appropriations hearings. Secretary Kinsey seconded the motion and it carried unanimously.

6. Private-Sector Fundraising Update

Ms. Bott gave the presentation on this item.

Commissioner Carpenter made a motion that the Status Report be accepted and contingent upon agreement by Centralina Foundation that (a) the existing contract with Jennifer Nichols be amended to a) treat it as a subcontract under CCOG's contract with Centralina Foundation, and b) extend its term through June 30, 2016; and (b) CCOG staff be directed to prepare an amended contract with Centralina Foundation for CCOG services specific to subcontracting with Jennifer Nichols and providing program management of the four regional initiatives. Treasurer Feather seconded the motion and it carried unanimously.

7. Proposal to Establish Ad Hoc Community Advisory Committee

Chairman Johnson gave the presentation on this item. He explained that following Jennifer Nichols' recommendation, the Board will identify other non-Board members to serve on a Community Advisory Committee. He added that the Centralina Foundation met and approved expanding the Board of Trustees by one seat and named Sarah McAulay as a new Trustee.

A motion was made and seconded.

Commissioner Carpenter suggested making the Centralina Foundation an orientation topic.

The motion carried unanimously.

8. 2015 CCOG Conference Report

Kelly Weston, Clerk to the Board, gave the report on this item. She explained that the 2015 CCOG Conference experienced a revenue shortfall due to a decrease in registrations and sponsorships.

Board Members expressed concern about the selected date, noting there are many conflicts in December.

Council Member Rhyne suggested reducing the registration fee.

Commissioner Oakes suggested contacting architectural firms for sponsorship.

Mr. Prosser stated that staff will conduct a conference call with Executive Board members who would like to review date research and discuss sponsorship. He added that staff will provide Board Members with a list of Conference sponsorship prospects solicited in 2015.

Commissioner Compton suggested adding the item to the February Board of Delegates agenda.

Treasurer Feather made a motion tabling discussion of the item until the February Board of Delegates meeting. Secretary Kinsey seconded the motion and it carried unanimously.

Treasurer Feather, Secretary Kinsey, and Commissioner Jerry Simpson, Union County, volunteered to participate in a conference call with staff to discuss Conference date research and sponsorship opportunities.

9. Building Committee Report

Mr. Prosser gave the presentation on this item. He explained that since the Board's last meeting, the Building Committee's focus has been to identify brokers that can assist with location options for CCOG office space. The Committee has interviewed five brokers and will interview another firm on Friday, and should have a recommendation for selection within the next two weeks. CCOG will not enter into a contract until after presenting the recommendation to the Board.

10. Nominating Committee Report

Commissioner Jarvis Woodburn, Anson County, gave the presentation on this item. The Committee's slate of officers is as follows:

- Chair – Michael Johnson, City of Statesville
- Vice Chair – Patsy Kinsey, City of Charlotte
- Treasurer – Bill Feather, Town of Granite Quarry
- Secretary – Stacy Thomas, Town of Dallas

Comments from the Executive Board

Commissioner Lawhon stated that a CCOG orientation session is definitely needed.

Council Member Hall thanked CCOG staff for fighting for the constituency of the region.

Comments from the Chair

Chairman Johnson noted that the annual Board of Delegates meeting will be held on Wednesday, February 10th at 6:15 p.m. at the Levine Senior Center in Matthews. This meeting will require a quorum for electing officers, conducting municipal caucuses to appoint Executive Board representatives, and adopting CCOG's FY 2016-17 budget. He asked the Board Members to attend or send an alternate and encourage other Delegates to attend.

The NC Rural Center is accepting applications for the 2016 Rural Economic Development Institute that will be held in March, April, and May. The class is open to local elected officials, members of the faith community, local non-profit leaders, active civic leaders, employees of state and local government, community-engaged rural business owners and private sector employees.

The Centralina AAA was selected to participate in the National Council on Aging's Diabetes Self-Management Training (DMST). This collaborative will provide a rich learning environment to support the agency as it furthers its Medicare and DMST efforts.

The January 2016 issue of Cabarrus Magazine featured an article on the new NCWorks Career Center-Cabarrus, which opened in October 2015. The center is one of eight NCWorks Career Centers in the Centralina region.

The American Planning Association's 2016 National Conference will feature two sessions highlighting CONNECT Our Future and the Community-Based Housing efforts in Mooresville. The conference's planning committee was impressed with how CONNECT has gone from plan to implementation in a short timeframe.

On behalf of the National Association of Regional Commissions, Placeways is undertaking a research project to investigate how regional planning agencies are using scenario planning tools. Planning Director Michelle Nance was interviewed for CCOG's process and results.

Catawba Regional Council of Governments received the Project of the Year Award for the CONNECT project at the South Carolina Association of Regional Councils' Annual Conference in November.

Comments from the Executive Director

There were no comments from the Executive Director.

Adjournment

With no further business to be discussed, Chairman Johnson adjourned the meeting at 8:45 p.m.

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Board Agenda Item Cover Sheet

| | | | | | |
|--|---------------|----------------------------------|--|-----------------|---|
| Board Meeting Date: | March 9, 2016 | Agenda Item Type: | Consent: | Regular: | X |
| Submitting Person: | Linda Miller | Presentation Time (est.): | 10 minutes with discussion | | |
| Presenter at meeting: | Linda Miller | Phone Number/Ext: | 704-348-2712 | | |
| | | Email: | lmiller@centralina.org | | |
| Alternate Contact Person: | Vicki Bott | Phone Number/Ext: | 704-348-2702 | | |
| | | Email: | vbott@centralina.org | | |
| Submitting Department: | Aging | Department Head Approval: | <i>Linda H. Miller</i> | | |
| Board Expectation: <i>(required action or responsibility expected from Board members)</i> | | | | | |
| Review information and provide direction to staff regarding the Critical Signal Technologies (CST) Carenect service proposed by Centralina. | | | | | |
| Description of Agenda Item: | | | | | |
| Staff will provide a quick review of the “Carenect” Personal Emergency Response System (PERS) provided by CST and an update regarding questions proposed by both the Executive Board at the last meeting as well as Centralina Legal Counsel, Mr. Bill McNair. | | | | | |
| Background & Basis of Recommendations: | | | | | |
| <p>Through a membership-only partnership between the National Association of Area Agencies on Aging (n4a) and CST, Centralina is exploring providing an important new service to assist residents as they age in place: The “Carenect” Personal Emergency Response System (PERS) provided by CST. This service for older and disabled adults presents a unique opportunity for Centralina Area Agency on Aging and a needed community service to those in the Centralina region.</p> <p>At the initial presentation in January 2016 regarding CST/Carenect services, the Executive Board raised questions regarding both programmatic and contractual issues and directed staff to continue exploring those issues and report back at the March meeting.</p> <p>As of this writing (2-22-16), staff has obtained information on most, but not all, questions and concerns previously raised. Centralina staff have found nothing to date that would bar provision of this service or present an insurmountable hurdle to it, and proposes to continue gathering information on the remaining questions and negotiating satisfactory contract terms with CST.</p> | | | | | |
| Action / Recommendation: | | | | | |
| <p>The Board may take either of two recommended actions, depending on the degree to which all of its questions and concerns have been satisfactorily answered:</p> <p>EITHER</p> <p style="padding-left: 40px;"><i>I move that CCOG staff be directed to continue efforts to address the Executive Board’s questions and provide an update at the April 2016 Executive Board meeting.</i></p> <p>OR,</p> <p style="padding-left: 40px;"><i>I move that with all Executive Board and Legal Counsel questions satisfactorily addressed, the Executive Board supports the Executive Director in negotiating and executing a contract with CST for a license to market CST’s Carenect equipment and services within the Centralina region.</i></p> | | | | | |
| Time Sensitivity (none or explain): | N/A | | | | |



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| <p>Budget Impact <i>(if applicable):</i></p> | <p>None. There is no prepayment or outlay of Centralina funds unless Centralina elects to stock PERS equipment rather than have clients order directly from CST. Staff time for initial development and marketing of the program is covered under current Aging funding. There is potential for revenue related to the number of PERS clients subscribed through Centralina AAA.</p> |
| <p>List of Attachments <i>(if any):</i></p> | <p>Answers to questions posed by CCOG Executive Board at January 2016 meeting</p> |



CST/Carenect FAQ

Questions and Issues for Executive Board Review

| 1. Mission Fit | |
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| <p>a. Q. How does the proposed Carenect program fit with CCOG’s mission and existing services?</p> | <p>A. This program aligns closely with our mission to promote quality of life and aging in place and with existing services we provide to allow older and disabled adults to continue living independently, such as our Evidence-Based Health Promotion programs. The Carenect service supports independence in the home as a stand-alone service and in conjunction with other services. Nearly 90% of all older adults wish to age in place in their current home and need the resources to do so. Carenect meets a clear community need that fits with CAAA’s mission and capabilities, while providing a sustainable revenue stream. Carenect would also be able to help control the cost of government as</p> <ul style="list-style-type: none"> • older adults can remain in their home which is much less expensive than government paid facility-based care (Medicaid, Special Assistance) • it would potentially reduce other services such as healthcare costs if falls can be reduced (i.e. less ER visits) and older adults can have linkages to other services • it would potentially reduce Fire and EMS costs to towns and counties if falls decrease and trips are lessened <p>As funding from government programs continues to decrease, all AAAs have been charged by the Administration for Community Living/Administration on Aging with developing business models for services needed in the community and to provide new and sustainable income sources.</p> |
| <p>b. Q. Why select CST/Carenect? What makes the Carenect program different from other in-home monitoring services?</p> | <p>A. CST is a Health Services Company committed to offering innovative, cost effective patient monitoring strategies for homes, hospitals, and senior independent living facilities. Carenect has been vetted by and received the endorsement of the National Association of Area Agencies on Aging (n4a). With over 600 AAA members across the country, n4a has been instrumental in developing these crucial partnerships, vetting services and providing opportunities to AAAs that might not otherwise be available. Carenect is unlike other personal emergency response systems in that it provides more than emergency services only and is a “concierge” service. It is able to provide direct connections to services and help the client in ways that other services do not.</p> |
| <p>c. Q. Is there anything that prevents CCOG from marketing a private-sector service like this to the public or setting up the service in the purchaser’s home?</p> | <p>A. No, not that legal counsel is aware of. While counsel has not really researched this, he is unaware of any statute which would prevent CCOG from undertaking this on behalf of the CAAA, and believes the “public health” nature of the service makes it unlikely more research would turn up a legal barrier. Legal counsel advises that despite the lack of a legal bar to offering this service, CCOG should be aware of the potential for the perception that CCOG is favoring one private sector vendor over others. (CCOG staff believe this concern is addressed by ensuring that when the service is offered, it is always accompanied by a list of other vendors of similar services.)</p> |



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| <p>d. Q. How are other NC AAA's that plan on delivering the CST service addressing the concerns raised by us?</p> | <p>A. Currently there are 3 other NC AAAs in the process of developing the Carenect program. All three have already signed the contract. They have not increased their insurance coverage and currently have ample coverage. All are moving forward.</p> <p>We have also interviewed 4-5 out of state AAA who have been providing the program for at least one year. These include AAAs housed in Lead Regional Planning Organizations, independent non-profits, and government entities. They have been pleased with the CST services, response to any concerns they have, and their return on their investment.</p> |
| <p>2. Business Model & Taxes</p> | |
| <p>a. Q. What is the projected revenue for the program?</p> | <p>A. Approx. \$30-70k/year. See attached scenarios.</p> |
| <p>b. Q. Is it possible for CCOG to receive a commission for referrals to CST instead of being a licensee?</p> | <p>A. Yes. However, this option reduces the revenue per client to CAAA by about \$150-170 per subscriber (from \$200 over the typical 20-month subscription at \$10/month to a one-time \$30-50 flat fee.) A contract must still be signed and completion of the intake paperwork with the client must still be completed. This arrangement is not conducive to the investment of staff time nor an ongoing, sustainable and recurrent funding source.</p> |
| <p>c. Q. What, if any, are the tax consequences for CCOG?</p> | <p>A. It is not likely the program will generate net income. Legal counsel believes that it is not likely that a tax liability would be created for CCOG, even if the program generates net income, as such net income is not likely to be considered reportable "unrelated" business income. CCOG staff is also conferring with auditors and awaiting their response.</p> |
| <p>3. Liability</p> | |
| <p>a. Q. What information do we have about the Carenect service itself and its reliability?</p> | <p>A. CST has been providing this service for 10 years and handles over 2,700 calls per day at the CST Call Center. Checking with multiple sources has revealed no concerns:</p> <ul style="list-style-type: none"> • According to CST there has never been a lawsuit against the CST/carenect service. • There were no unresolved BBB complaints. • Contact with other AAAs was overwhelmingly positive as well as our repeated discussions with n4a regarding CST and the potential partnership. |
| <p>b. Q. What liability risks does the proposed CST/Carenect contract expose CCOG to?</p> | <p>A. The primary risks are:</p> <ul style="list-style-type: none"> • <u>A failure of the equipment or the monitoring service</u> such that a subscriber's emergency response need is not met, either at all or not in a timely or appropriate manner, and the subscriber suffers harm or death as a result. <p>The primary exposure to this risk for CCOG is:</p> <ul style="list-style-type: none"> • If CCOG installs the equipment. CCOG would need to defend a lawsuit, regardless of whether the installation was the cause of the problem. If the installation was the cause, CCOG would be liable. • Even if CCOG does not install any equipment, CCOG could still be sued, even though there is probably no legal liability for CCOG. In that case, if CST installed, CST indemnifies CCOG. In cases |

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| | <p>where subscribers self-installed, CCOG would need to defend a lawsuit, but is unlikely to be held liable.</p> <p>CCOG will manage its exposure to this risk by:</p> <ul style="list-style-type: none"> Declining to install equipment at all – CCOG will market but not install equipment, and subscribers will either self-install or have CST install. |
| <p>c. Q. Can CCOG obtain liability insurance coverage and at what cost?</p> | <p>A. Yes, and at no additional cost, provided that CCOG only markets the service and does not install any equipment or participate in equipment maintenance or testing. CCOG’s current \$2 million per occurrence in general liability coverage, and the proposed contract’s indemnification provisions, are deemed to be adequate for this level of exposure. <i>See written communication from Charles Eaton, CCOG’s insurance rep from NCACC, attached.</i></p> |
| <p>d. Q. What additional actions will CCOG take to reduce or mitigate risk?</p> | <p>A. These are the actions CCOG will take:</p> <ul style="list-style-type: none"> <u>Include appropriate disclaimers</u> on relevant materials shared with prospective subscribers and provide staff training to ensure staff understand the disclaimers, their importance, and how to share them with prospective subscribers. <u>Establish & follow clear procedures</u> for handling subscriber complaints about the equipment or the monitoring service, informing the subscriber of CST’s responsibility and directing them to work with CST to resolve their concerns. Monitor staff compliance with these procedures and periodically assess the volume and nature of subscriber complaints received about CST. |
| <p>e. Q. What other risks are there?</p> | <p>A. There are some risks other than the liability issues:</p> <ul style="list-style-type: none"> Negative publicity related to: <ul style="list-style-type: none"> The liability issues mentioned above, particularly should CCOG be drawn into a lawsuit regarding a failure of the equipment or the monitoring service, even if CCOG is not at fault; The sole-source/private-sector issues mentioned above. Program operating at a net loss, if insufficient sales are made compared to staff time invested. |
| <p>f. Q. How can CCOG reduce or mitigate these other risks?</p> | <p>A. There are actions CCOG can take:</p> <p><u>Re: negative publicity arising from liability issues:</u></p> <ul style="list-style-type: none"> <u>Have a written articulation of CCOG/CAAA’s position</u> on this issue prepared as a contingency measure, for adaptation by legal counsel as a press release if needed. <u>Establish & follow clear procedures</u> for ensuring that only authorized staff or legal counsel respond to inquiries about liability issues. <p><u>Re: negative publicity arising from “sole source” concerns:</u></p> <ul style="list-style-type: none"> <u>Include a list of similar services provided by other vendors</u> in materials shared with all prospective subscribers, and provide staff training to ensure staff understand why and how to share this information. |



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| | <ul style="list-style-type: none"> • <u>Establish & follow clear procedures</u> for ensuring that prospective subscribers are appropriately informed of the availability of similar services and are appropriately informed as to why CAAA offers CST/Carenect. Monitor staff compliance with these procedures. • <u>Have a written articulation of CCOG/CAAA's position</u> on this issue prepared as a contingency measure, for adaptation as a press release if needed. <p><u>Re: any program operating deficit:</u> as with any program, monitor financial performance, make adjustments, and be prepared to cease operations if needed.</p> |
| 4. Legal and Contractual: | |
| <p>a. Q. On legal issues, is Bill McNair satisfied that he can give his approval-as-to-form to the negotiated contract?</p> | <p>A. Yes, if CST accepts all of the currently-requested changes and makes no additional change requests. CST's response is still pending as of this writing (3-2-16)</p> |
| <p>b. Q. On business issues, do either Bill or staff have any remaining concerns about the contract?</p> | <p>A. None from CCOG staff or legal counsel.</p> |

Centralina AAA/CCOG Potential CST Carenect Income

| LOW END SCENARIO | | | | |
|----------------------------------|--|--------------------------|----------------------------------|------------------------|
| Equipment/Service | Payment to CCOG per Client from CST per month | Number of Clients | Income per Month from CST | Income per Year |
| CST Base Service | \$10.00 | 100 | \$1000.00 | \$12,000.00 |
| With Daily Reminder Call | \$5.00 | 10 | \$50.00 | \$600.00 |
| 2 nd Person w/Pendant | \$5.00 | 10 | \$50.00 | \$600.00 |
| CST Cellular Service | \$14.00 | 50 | \$700.00 | \$8,400.00 |
| w/Fall Detection | \$20.00 | 10 | \$200.00 | \$2,400.00 |
| Medication Dispenser | \$15.00 | 10 | \$150.00 | \$1,800.00 |
| Medication and PERS package | \$25.00 | 10 | \$250.00 | \$3,000.00 |
| Installation of Unit | \$50.00 | 10 | NA | \$500.00 |
| TOTAL | | | \$2,400.00 | \$29,300.00 |
| HIGH END SCENARIO | | | | |
| Equipment/Service | Payment to CCOG per Client from CST per month | Number of Clients | Income per Month from CST | Income per Year |
| CST Base Service | \$10.00 | 250 | \$2,500.00 | \$30,000.00 |
| Daily Reminder Call | \$5.00 | 30 | \$150.00 | \$1,800.00 |
| 2 nd Person w/Pendant | \$5.00 | 20 | \$100.00 | \$1,200.00 |
| CST Cellular Service | \$14.00 | 100 | \$1,400.00 | \$16,800.00 |
| w/Fall Detection | \$20.00 | 20 | \$400.00 | \$4,800.00 |
| Medication Dispenser | \$15.00 | 20 | \$300.00 | \$3,600.00 |
| Medication and PERS package | \$25.00 | 20 | \$500.00 | \$6,000.00 |
| Installation of Unit | \$50.00 | 60 | NA | \$3,000.00 |
| TOTAL | | | \$5,350.00 | \$67,200.00 |

2/1/16 Linda Miller

RE: CST Installation insurance questions

Charles Eaton <charles.eaton@ncacc.org>

Tue 3/1/2016 2:55 PM

To: Vicki Bott <vbott@centralina.org>;

Vicki,

Your summation below is correct. The other option of CCOG simply marketing the Carenect program is acceptable and your current liability coverage with NCACC should be adequate for that purpose.

Charlie



Charlie Eaton, CPCU, AU
Deputy Director
NCACC Risk Management Services
North Carolina Association of County
Commissioners
Phone (919) 719-1130 | Fax (919) 719-1173
www.ncacc.org
www.welcometoyourcounty.org

From: Vicki Bott [mailto:vbott@centralina.org]

Sent: Tuesday, March 01, 2016 2:48 PM

To: Charles Eaton

Subject: CST Installation insurance questions

Charlie,

Based on the conversation we just had, here's my understanding of what CCOG's options are regarding liability insurance should CCOG decide to offer installation of equipment for the CST/Carenect program previously reviewed with you:

1. CCOG's current general liability insurance with NCACC will NOT cover any liability arising out of CCOG's installation of the CST/Carenect equipment in our client homes. In fact, installation of such equipment would result in NCACC's terminating CCOG's participation in the current pool.
2. CCOG would thus need to obtain all of its liability coverage from another insurer.

~~~~~  
Vicki Bott

Grants Development Director

Centralina Council of Governments

525 North Tryon Street, 12<sup>th</sup> Floor

Charlotte, NC 28202

704-348-2702

[vbott@centralina.org](mailto:vbott@centralina.org) / [www.centralina.org](http://www.centralina.org)

Pursuant to NC General Statutes, Chapter 132, email  
correspondence to and from this address may be  
considered public record under the NC Public  
Records Law and may be disclosed to third parties



## Board Agenda Item Cover Sheet

|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |                |                                  |                                                                      |                 |   |
|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------|----------------------------------|----------------------------------------------------------------------|-----------------|---|
| <b>Board Meeting Date:</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           | March 10, 2016 | <b>Agenda Item Type:</b>         | <b>Consent:</b>                                                      | <b>Regular:</b> | X |
| <b>Submitting Person:</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            | Jim Prosser    | <b>Presentation Time (est.):</b> | 10 minutes                                                           |                 |   |
| <b>Presenter at meeting:</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         | Jim Prosser    | <b>Phone Number/Ext:</b>         | (704) 748-2703                                                       |                 |   |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |                | <b>Email:</b>                    | <a href="mailto:jprosser@centralina.org">jprosser@centralina.org</a> |                 |   |
| <b>Alternate Contact Person:</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     | None           | <b>Phone Number/Ext:</b>         |                                                                      |                 |   |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |                | <b>Email:</b>                    |                                                                      |                 |   |
| <b>Submitting Department:</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        | Executive      | <b>Department Head Approval:</b> |                                                                      |                 |   |
| <b>Board Expectation:</b> <i>(required action or responsibility expected from Board members)</i>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     |                |                                  |                                                                      |                 |   |
| Strategic Planning Initiatives                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |                |                                  |                                                                      |                 |   |
| <b>Description of Agenda Item:</b><br>2016 strategic Board initiatives action plan.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  |                |                                  |                                                                      |                 |   |
| <b>Background &amp; Basis of Recommendations:</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    |                |                                  |                                                                      |                 |   |
| <p>This item is a follow up to Board direction regarding 2016 strategic initiatives. The past year has focused on continuation of efforts to build regional growth framework and strategies to support member communities' efforts in job and economic growth, controlling cost of government and improving quality of life. These efforts have received significant support and recognition within our region, state and nationally. We have developed systems and products that help enable our communities to compete. The challenge for the next year is to sustain that effort, especially in light of limitations of state and federal funding and the need to capitalize in the financial investments made by Centralina in developing our regional framework and strategies.</p> <p>The attached plan outlines the specific opportunities for Board Members to assist with the identified priorities reflected herein:</p> <ol style="list-style-type: none"> <li>1. <b>Focus on fundraising.</b> The addition of Jennifer Nichols to guide private and philanthropic fundraising has moved rapidly to develop a strong basis to begin funder meetings. There will be a very specific need for our Executive Board to play a key role in these efforts.</li> <li>2. <b>Recruit new members.</b> Cabarrus and Rowan Counties, and the cities of Kannapolis, Concord and Harrisburg would add approximately \$87,000 - \$144,000 annually. Our Board Members are in the best position to influence the elected leaders from these governments to join Centralina.</li> <li>3. <b>Retain existing members.</b> We have experienced some membership erosion without clear understanding of why members have withdrawn. Our Board Members are in the best position to meet and develop better means to communicate the value of Centralina to existing members.</li> <li>4. <b>Promote Centralina services.</b> Centralina has developed a broad spectrum of products and services for individual local government units as well as others serving local governments. Promoting use of these services helps our member communities and generates much needed revenue.</li> <li>5. <b>Build stronger relationships.</b> Building relationships with our state and federal delegation, member communities and collaborating organizations is essential to achieving our long-term goals.</li> </ol> |                |                                  |                                                                      |                 |   |
| <b>Action / Recommendation:</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |                |                                  |                                                                      |                 |   |
| <p>Discuss and refine strategic initiatives action plan. Identify opportunities to assist with implementation of 2016 priorities.</p> <p><i>Motion to approve 2016 strategic initiatives implementation plan with specific assignments for Executive Board members.</i></p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |                |                                  |                                                                      |                 |   |



|                                                   |                                                                                                                                                                                                                                                      |
|---------------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <b>Time Sensitivity</b> <i>(none or explain):</i> | No specific time sensitivity, although this will provide direction for the Board going forward.                                                                                                                                                      |
| <b>Budget Impact</b> <i>(if applicable):</i>      | No specific budget impact for the current year. Diversification of revenue sources has been a key objective for several years. In addition, there is a need to replenish fund and cash balances. These initiatives will help achieve that objective. |
| <b>List of Attachments</b> <i>(if any):</i>       | 2016 Centralina Priorities Implementation Plan                                                                                                                                                                                                       |

## 2016 Centralina Priorities Implementation Plan

| Strategic Area                                 | Description                                                                                                                                                                                                                                                                                   | Specific Task Request                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |
|------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Focus on fundraising                           | The addition of Jennifer Nichols to guide private and philanthropic fundraising has moved rapidly to develop a strong basis to begin funder meetings.                                                                                                                                         | <ol style="list-style-type: none"> <li>1. Friend-raiser: Review donor prospect lists for priority projects and suggest additional prospects/stakeholders.</li> <li>2. Door-opener: Coordinate with Jennifer/staff to introduce Jennifer to your contact on the prospect list.</li> <li>3. Prospect meeting participant: Attend introductory prospect meetings as a “befriender” (not required to make specific donation requests).</li> </ol>                                                                                                                  |
| Recruit new members<br>Retain existing members | <p>Maintaining strong relationships with member communities is essential to achieving our long-term goals.</p> <p>Renewing lapsed memberships of Cabarrus and Rowan Counties, and the cities of Kannapolis, Concord and Harrisburg would add approximately \$87,000 - \$144,000 annually.</p> | <ol style="list-style-type: none"> <li>1. Identify “team leaders” to develop and coordinate plan for relationship building with prospective members (Cabarrus and Rowan Counties, and the cities of Kannapolis, Concord and Harrisburg).</li> <li>2. Contact member governments that have withdrawn to better understand why they did so.</li> <li>3. Provide recommendations to respond to concerns identified.</li> </ol>                                                                                                                                    |
| Promote Centralina services                    | Centralina has developed a broad spectrum of products and services for individual local government units as well as others serving local governments.                                                                                                                                         | <ol style="list-style-type: none"> <li>1. Review existing services and supporting materials and recommend improvements.</li> <li>2. Recommend new strategies to communicate services to members.</li> <li>3. Identify potential elected officials/staff that would provide testimonials for new services.</li> </ol>                                                                                                                                                                                                                                           |
| Build stronger relationships                   | Building relationships with our state and federal delegation, member communities and collaborating organizations is essential to achieving our long-term goals.                                                                                                                               | <ol style="list-style-type: none"> <li>1. Designate “relationship managers” to each member of our region’s Congressional Delegation (Senators and Members of Congress).</li> <li>2. Assure regular contact with Federal delegation:               <ol style="list-style-type: none"> <li>a. Invite to meet locally during Mar-April recess;</li> <li>b. Notify Staff/Consultant of planned trips to DC and coordinate for meeting scheduling/talking points.</li> </ol> </li> <li>3. Develop systems to build relationships with State delegations.</li> </ol> |



## Board Agenda Item Cover Sheet

|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |                                  |                         |  |                 |   |
|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------------------|-------------------------|--|-----------------|---|
| <b>Board Meeting Date:</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  | March 9, 2016                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             | <b>Agenda Item Type:</b>         | <b>Consent:</b>         |  | <b>Regular:</b> | x |
| <b>Submitting Person:</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   | Vicki Bott                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                | <b>Presentation Time (est.):</b> | 10 min                  |  |                 |   |
| <b>Presenter at meeting:</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                | Vicki Bott                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                | <b>Phone Number/Ext:</b>         | 704-348-2702            |  |                 |   |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           | <b>Email:</b>                    | vbott@centralina.org    |  |                 |   |
| <b>Alternate Contact Person:</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            | Jim Prosser                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               | <b>Phone Number/Ext:</b>         | 704-348-2703            |  |                 |   |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           | <b>Email:</b>                    | jprosser@centralina.org |  |                 |   |
| <b>Submitting Department:</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               | <b>Grants Dev.</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        | <b>Department Head Approval:</b> |                         |  |                 |   |
| <b>Board Expectation:</b> <i>(required action or responsibility expected from Board members)</i>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |                                  |                         |  |                 |   |
| Receive information and consider a request for Executive Board members' assistance.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |                                  |                         |  |                 |   |
| <b>Description of Agenda Item:</b> <i>(same wording as on agenda summary)</i>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |                                  |                         |  |                 |   |
| As part of the CCOG Strategic Plan Update, staff will report on the Federal Relations priority, including: <ol style="list-style-type: none"> <li>1. Federal Action Plan implementation and results to date;</li> <li>2. Ask Executive Board members to have local meetings with Congressional Delegation members during the upcoming congressional recess (March 24 – April 3).</li> </ol>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |                                  |                         |  |                 |   |
| <b>Background &amp; Basis of Recommendations:</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |                                  |                         |  |                 |   |
| <p>The CCOG Executive Board has approved entering into a contract with Strategic Consulting, Inc., for the 2015-2016 fiscal year, to provide consulting services in support of building stronger federal relations and enhancing success with competitive federal grants. In September, 2015, the Executive Board approved the Federal Relations Strategic Plan developed by Strategic Consulting and CCOG staff.</p> <p>The Strategic Plan is being implemented through the activities included in the Federal Relations Status Report presented as part of this agenda item:</p> <ul style="list-style-type: none"> <li>• Support has been developed for elected-to-elected relationship-building.</li> <li>• Staff-to-staff relationship building is being developed through the quarterly “Regional Connections” webinar series, launched in December, 2015.</li> <li>• Ongoing grant opportunities notices &amp; grants writing assistance.</li> </ul> |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |                                  |                         |  |                 |   |
| <b>Action / Recommendation:</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |                                  |                         |  |                 |   |
| <ul style="list-style-type: none"> <li>• <i>I move that the Status Report be accepted.</i></li> <li>• Individual Executive Board members are urged to:             <ul style="list-style-type: none"> <li>○ Contact their Member of Congress to request/schedule a local meeting during the <b>Mar 24 – Apr 3</b> recess to introduce themselves, their community, and CCOG, using the support materials provided.</li> <li>○ Let CCOG staff and Strategic Consulting know when trips to DC are planned, for assistance with scheduling a meeting with a member of the Congressional Delegation and specific talking points.</li> </ul> </li> </ul>                                                                                                                                                                                                                                                                                                         |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |                                  |                         |  |                 |   |
| <b>Time Sensitivity (none or explain):</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  | Elected-to-elected local meetings to occur in late March-early April need to be scheduled as soon as possible.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            |                                  |                         |  |                 |   |
| <b>Budget Impact (if applicable):</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       | None.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     |                                  |                         |  |                 |   |
| <b>List of Attachments (if any):</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        | <ul style="list-style-type: none"> <li>• Federal Relations Status Report</li> <li>• Available at the Delegates Resources Page at <a href="http://www.centralina.org/communications">www.centralina.org/communications</a>:             <ul style="list-style-type: none"> <li>○ CCOG Delegates Building Federal Relations</li> <li>○ CCOG Talking Points for Introductory Meetings with Congressional Delegation (aka ‘Elevator Speech’)</li> <li>○ Federal Relations Delegate Laisons</li> <li>○ 2016 Congressional Timeline</li> </ul> </li> <li>• Debriefing Reports (M Johnson mtg w Rep Foxx; B Feather mtg w Rep Hudson)</li> </ul> |                                  |                         |  |                 |   |



## **Federal Relations Status Report**

January 1 – February 29, 2015

### **Completed:**

- Elected-to-Elected federal relations-building:
  - Federal Relations Delegate Liaisons List developed
  - Talking points & debriefing report for Michael Johnson’s meeting with Rep. V. Foxx (1/19)
  - Talking points & debriefing report for Bill Feather’s meeting with Rep. R. Hudson (1/29)
  - Talking points for US Conference of Mayors Winter Meeting in DC (Jan 20-22)
  - Talking points for National Association of Counties’ Legislative Conference in DC (Feb 20-24)
  - Talking points for National League of Cities conference in DC (Mar 5-9)
  - February Board of Delegates handouts:
    - “Delegates’ Role in Building Federal Relations” / “Elevator Speech” for CCOG Delegates meeting w/ Members of Congress
    - 2016 Congressional Timeline (recess dates, key hearings, etc.)
- Communications:
  - Draft plan for targeted opportunities to testify at Congressional hearings
  - Weekly Consultant/staff strategy calls
- Regular updates on Congressional action & federal grant competition announcements
  - Memos detailing FAST Act freight provisions and new funding opportunities
  - Special report on Rural Development grants
  - Highlighted possible planning grants (research ongoing)
  - Outlined timing and purposes for “Fire” grants

### **Next Steps:**

#### March - April

- Ongoing updates on Congressional action & federal grant competition announcements
- Develop talking points for:
  - March 2016 appropriations hearings (tbd which are applicable to CCOG initiatives)
  - Rep. Foxx’s requested Congressional Delegation transportation meeting
- Explore impacts of Congressional re-districting on elected-to-elected relationship-building \*  
debrief from Feb-Mar meetings with Congressional Delegation
- Assist w/ development of 2<sup>nd</sup> “Regional Connections” webinar for Congressional Delegation staff  
(re federal programs CCOG relies on to benefit their constituents)
- Develop Federal Relations/Grants workshops for Spring/Fall 2016
- Assist w/ development of CDBG strategies
- Monitor: Older Americans Act re-authorization, Water Resources Development Act
- Assess Federal Action Plan and adjust as needed



## De-Briefing Report: Michael Johnson 1/19/16 Meeting with U.S. Representative Virginia Foxx

On January 19, 2016, CCOG Chairman and Statesville Mayor Pro Tem Michael Johnson (“MJ”) met with U.S. Representative Virginia Foxx (“Rep. Foxx”). Rep. Foxx’s district covers portions of Iredell and Rowan counties within the CCOG region, including the municipalities of Salisbury and Statesville.

### Meeting Objectives

CCOG’s objective for this meeting was to build awareness of CCOG overall and establish the foundation that regional councils have the capability and network in place to be regional grant administrators and should be called upon by Congress more often for that purpose. We also hoped to share information about CCOG initiatives in our region that are impacting Rep. Foxx’s district, and to let her know that we may ask for letters of support from her for those initiatives.

### Meeting Prep

CCOG’s staff and federal relations consultant briefed MJ before his meeting with Rep. Foxx with the following talking points and the referenced handouts:

- Established in 1968 as your district’s regional council of governments, CCOG is the state-designated lead regional organization for the nine-county Centralina Region in North Carolina.
- Our 65 members of local governments include Statesville, and all municipalities within our 9 county region.
- CCOG’s Board consists of elected officials from each member local government unit, and as you know I serve as Chairman.
- CCOG manages over \$20 million annually in federally-funded programs that directly benefit your constituents. So that our Members of Congress and their staff have a better understanding of CCOG and how it serves our region, we have launched a quarterly webinar series called “Regional Connections.”
- I hope you will encourage multiple staff members in your office to attend the webinar series and that you, too, will either join the webinar when your schedule permits, or listen to the recorded versions that CCOG sends to all who register for the webinar.
- CCOG is well-equipped to be a valuable resource to your office, so I hope you and your staff will call upon them for information, advice, tours, or whatever it is that you need to most effectively represent our region.
- We are going to be better, too, about notifying you of events we’re hosting locally and hope you will do your best to attend and take advantage of these opportunities to discuss regional issues with me and other local elected officials.
- CCOG is working with regional partners on two projects that will be of interest as they have grown out of the 3-yr CONNECT Our Future regional planning project funded by a federal Sustainability grant from HUD, DOT, EDA, EPA and USDA:
  - **Regional Freight Study** (*refer to the Project Fact Sheet for specifics re outcomes & linking it to CONNECT*). The Freight Study is underway with a target completion date of December 31, 2016, and is partially funded by the US DOT and US EDA, with locally-generated matching funds.
  - **Innovation Corridors** (*ditto re Fact Sheet.*) The Innovation Corridors project is in conceptual development stage, and will likely look to diverse federal agencies for relevant grant programs (HUD, EDA, DOT, etc.)
- As you know, the new surface transportation reauthorization bill (FAST Act) contains substantial new freight policy and funding provisions that will be helpful to local governments over the life of



the bill. Both CCOG and Statesville are going through the details of the FAST Act to determine what grant programs we qualify for -- freight related and otherwise. For CCOG, it is to determine whether either the Freight Study or Innovation Corridors projects would be a good fit. Similarly, Statesville is reviewing the Fast Act's bus and bus facility competitive grant program that has been reinstated. Once we know what we're pursuing, we will be in touch with you to request your assistance and support in helping us to maximize those opportunities in Statesville and the region.

- Additionally, where we could really use your help in the meantime is to direct DOT and other federal agencies to carve out a certain percentage for planning grants.

Handouts:

- CCOG "10 Fast Facts"
- Regional Freight Project Investment Sheet
- Innovation Corridors Project Concept Sheet

#### Outcomes & Follow-up

MJ reported his meeting with Rep Foxx went very well, and that she is very interested in the Regional Freight and Innovation Corridors projects. In fact, she wants CCOG's help in setting up a meeting or webinar with our Congressional Delegation and their transportation staffs.

MJ will provide CCOG staff with the contact information for Rep Foxx's staff person that she would like us to work with. CCOG staff will make that contact, and, with federal relations consultant assistance as appropriate, will begin planning the proposed meeting/webinar.



## **De-Briefing Report: Bill Feather 1/29/16 Meeting with U.S. Representative Richard Hudson**

On January 29, 2016, CCOG Treasurer and Granite Quarry Councilman Bill Feather (“BF”) met locally with U.S. Representative Richard Hudson (“Rep. Hudson”). Rep. Hudson’s district covers portions of Rowan and counties within the CCOG region, including the municipality of Granite Quarry.

### Meeting Objectives

CCOG’s objective for this meeting was to build awareness of CCOG overall and establish the foundation that regional councils have the capability and network in place to be regional grant administrators and should be called upon by Congress more often for that purpose. We also hoped to share information about CCOG initiatives in our region that are impacting Rep. Hudson’s district, and to let him know that we may ask for letters of support from him for those initiatives.

### Meeting Prep

CCOG’s staff and federal relations consultant briefed BF before his meeting with Rep. Hudson with background information, the following talking points and the referenced handouts:

1.
  - About the Centralina Council of Governments:
    - Established in 1968 as your congressional district’s regional council of governments, CCOG is the state-designated lead regional organization for the nine-county Centralina Region in North Carolina:
      - Our 65 members of local governments in a 9 county region, including Anson, Cabarrus, Mecklenburg Rowan, Stanley and Union counties in your district – and, most of the municipalities within those counties, like Granite Quarry.
      - CCOG’s Board consists of elected officials from each member local government unit. I serve as the Treasurer on the Executive Board.
      - CCOG manages over \$20 million annually in federally-funded programs that directly benefit your constituents.
    - We want to be a resource for you:
      - Our “Regional Connections” quarterly webinar series launched in December is designed specifically for our Members of Congress and their staff, to give them a better understanding of CCOG and how it serves our region and congressional districts.
      - I hope you will encourage multiple staff members in your office to attend the webinar series and that you, too, will either join the webinar when your schedule permits, or listen to the recorded versions available on YouTube or through CCOG’s website ([www.centralina.org](http://www.centralina.org)).
      - We are going to be better, too, about notifying you of events we’re hosting locally and hope you will do your best to attend and take advantage of these opportunities to discuss regional issues with me and other local elected officials.
      - CCOG is well-equipped to be a valuable resource to your office, so I hope you and your staff will call upon CCOG for information, advice, tours, or whatever it is that you need to most effectively represent our region.
2. With regard to some of our specific initiatives:
  - CCOG is working with regional partners on two projects that will be of interest as they have grown out of a federally-funded project – the 3-yr CONNECT Our Future regional planning project funded by a federal Sustainability grant from HUD, DOT, EDA, EPA and USDA:
    - Regional Freight Study (*refer to the Project Fact Sheet for specifics re outcomes & linking it to CONNECT*). The Freight Study is underway with a target completion date of December 31, 2016, and is partially funded by the US DOT and US EDA, with locally-generated matching funds.



- Innovation Corridors (*ditto re Fact Sheet.*) The Innovation Corridors project is in conceptual development stage, and will likely look to diverse federal agencies for relevant grant programs (HUD, EDA, DOT, etc.)
- As you know, the new surface transportation reauthorization bill (FAST Act) contains substantial new freight policy and funding provisions that will be helpful to local governments over the life of the bill. CCOG and Granite Quarry are going through the details of the FAST Act to determine what grant programs we qualify for and should pursue.
  - For CCOG, it is to determine whether either the Freight Study or Innovation Corridors projects would be a good fit.
  - Similarly, CCOG is assisting Granite Quarry on the rural provisions and how we might apply.
- Last week, CCOG's Chairman met with Rep. Virginia Foxx to discuss these same issues:
  - As a result, the Congresswoman has called upon CCOG to work with her staff to set up a meeting with CCOG's Members of Congress and their transportation staff. The purpose of the meeting is to determine how our congressional delegation can collectively help our regional council secure resources available to us to move our priorities forward.
  - I wanted you to know the invitation to that meeting is forthcoming and that I will follow-up personally to make sure you and your staff have what you need to participate.
- For example, where we could really use your help overall is to direct DOT and other federal agencies to have their funding opportunity notices:
  - Specifically list regional councils as eligible applicants, or possibly even preferred applicants, and to also,
  - Carve out a certain percentage of funding in their programs for regional planning grants.
- Another area that may be of interest, given that you serve on the House's Energy and Commerce Committee, is our "Centralina Clean Fuels Coalition":
  - CCOG is the coordinator for this US Dept. of Energy-designated Clean Cities coalition, established in 2004.
  - Its mission is to reduce petroleum dependence, improve air quality, and expand alternative fuel use and technology in the Centralina region.
  - We will keep you informed of our local CCFC events that you or your staff may wish to attend.

Handouts:

- CCOG "10 Fast Facts"
- Regional Freight Project Investment Sheet
- Innovation Corridors Project Concept Sheet

Outcomes & Follow-up

BF reported his meeting with Rep Hudson was an opportunity to ride along with Rep Hudson as he stopped at several places in the community for appearances, interviews, etc. This left little time for discussion of the specific talking points, but did allow for building their elected-to-elected relationship and for delivery to Rep Hudson of the CCOG 10 Fast Facts and two project information sheets. BF would like to find another time to meet with Rep Hudson when the two can sit down together with a focus on how CCOG and Rep Hudson can be mutually supportive.



## Board Agenda Item Cover Sheet

|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  |                           |                                  |                                                                      |  |                 |   |
|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------|----------------------------------|----------------------------------------------------------------------|--|-----------------|---|
| <b>Board Meeting Date:</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       | March 9, 2016             | <b>Agenda Item Type:</b>         | <b>Consent:</b>                                                      |  | <b>Regular:</b> | X |
| <b>Submitting Person:</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        | Vicki Bott                | <b>Presentation Time (est.):</b> | 10 minutes                                                           |  |                 |   |
| <b>Presenter at meeting:</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     | Vicki Bott                | <b>Phone Number/Ext:</b>         | (704) 348-2702                                                       |  |                 |   |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  |                           | <b>Email:</b>                    | <a href="mailto:vbott@centralina.org">vbott@centralina.org</a>       |  |                 |   |
| <b>Alternate Contact Person:</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 | Jim Prosser               | <b>Phone Number/Ext:</b>         | (704) 348-2703                                                       |  |                 |   |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  |                           | <b>Email:</b>                    | <a href="mailto:jprosser@centralina.org">jprosser@centralina.org</a> |  |                 |   |
| <b>Submitting Department:</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    | <b>Grants Development</b> | <b>Department Head Approval:</b> |                                                                      |  |                 |   |
| <b>Board Expectation:</b> <i>(required action or responsibility expected from Board members)</i>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |                           |                                  |                                                                      |  |                 |   |
| Receive information and consider requests for Executive Board members' assistance.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               |                           |                                  |                                                                      |  |                 |   |
| <b>Description of Agenda Item:</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               |                           |                                  |                                                                      |  |                 |   |
| <p>As part of the CCOG Strategic Plan Update, staff will report on the Private-Sector Fundraising priority, including:</p> <ol style="list-style-type: none"> <li>1. Philanthropic Strategic Plan implementation and results to date;</li> <li>2. Forecast upcoming opportunities for Executive Board member participation via "friend-raising", "door opening", and "prospect meetings".</li> </ol>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             |                           |                                  |                                                                      |  |                 |   |
| <b>Background &amp; Basis of Recommendations:</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |                           |                                  |                                                                      |  |                 |   |
| <p>The Centralina Foundation in January of this year adopted the Philanthropic Strategic Plan prepared for CCOG by private-sector fundraising consultant Jennifer Nichols and assumed responsibility for CCOG's contract with Ms. Nichols through June 30, 2016, and \$2,500 in other costs for re-branding the Foundation (including design and production of logo, website, business cards, and brochures.) CCOG continues to manage those contracted services, working with Ms. Nichols, on behalf of the Foundation.</p> <p>The Philanthropic Strategic Plan identifies four priority regional initiatives with a combined fundraising goal of \$890,000, which have been the focus of Ms. Nichols' work:</p> <ul style="list-style-type: none"> <li>• Career Headlight</li> <li>• Community-based Housing Strategies</li> <li>• Regional Freight Study</li> <li>• Volunteer Transportation Services</li> </ul> <p>The Philanthropic Strategic Plan includes Gift Charts for each of the four initiatives, identifying prospects for leadership/top-tier and lower level/tier donations that meet or exceed the funding goals. Top-tier prospects are approached first and then lower level or tier prospects. A total of \$325,000 from 14 top-tier prospects is identified on the Gift Charts, with an additional \$565,000 from more than 30 lower-tier prospects. The "Intentional Approach" method is used, which means a game plan is developed with specific roles for specific persons (Ms. Nichols, CCOG staff, Foundation Trustees/CCOG Delegates), the game plan is walked-through, and then carried out in an introductory meeting with the prospect.</p> <p>Board members can assist with these efforts in any of three ways:</p> <ul style="list-style-type: none"> <li>• "Friend-raising": Identify prospects and/or stakeholders who can in turn recommend prospects.</li> <li>• "Door-opening": Contact a prospect to introduce Ms. Nichols who will call or email to request a meeting.</li> <li>• "Prospect meeting participant": Accompany Ms. Nichols (and other CCOG/Centralina Foundation persons) on the prospect meeting, carrying out a designated role in the meeting.</li> </ul> |                           |                                  |                                                                      |  |                 |   |



|                                                                                                                                        |                                                                                                                                         |
|----------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------|
| Initial “Intentional Approaches” began in January and more are continuing.                                                             |                                                                                                                                         |
| <b>Action / Recommendation:</b>                                                                                                        |                                                                                                                                         |
| Executive Board members are asked to identify where they can assist with these efforts by letting Vicki Bott or Jennifer Nichols know. |                                                                                                                                         |
| The Board is also asked to accept the Status Report:<br><i>I move that the Status Report be accepted.</i>                              |                                                                                                                                         |
| <b>Time Sensitivity</b> ( <i>none or explain</i> ):                                                                                    | Capitalizing on prospecting opportunities over the next two months is critical to securing funding for efforts during this fiscal year. |
| <b>Budget Impact</b> ( <i>if applicable</i> ):                                                                                         | Potential increase in revenue to fund CCOG’s regional initiatives.                                                                      |
| <b>List of Attachments</b> ( <i>if any</i> ):                                                                                          | Philanthropic Fundraising Status Report (Jan-Feb 2016)                                                                                  |



## **Philanthropic Fundraising Status Report**

### **Goal:**

- \$800,000 in private-sector funding for CCOG's four priority regional initiatives
  - \$300,000 Career Headlight
  - \$325,000 Community-based Housing Strategies
  - \$200,000 Regional Freight Study
  - \$ 65,000 VTS

### **Completed:**

#### January-February

- Completed Centralina Foundation collateral materials design/production, part 1
- Intentional Approach (for top tier prospects):
  - Freight Study: Norfolk Southern, Duke Energy/PNG
  - VTS: Blue Cross Blue Shield
- Stakeholder Prospecting:
  - VTS: Lincoln County
- CF Board Development/Diversification:
  - Bylaws Amended to allow four additional Trustees
  - Sarah McAulay appointed to CF Board
- Other:
  - Talking points for Feb 29 meeting with Mayor Roberts
  - Input/collaboration on presentation to Charlotte Executive Leadership Council
  - Philanthropic instruction/positioning for writing proposals, collaterals, etc.

### **Next Steps:**

#### March-April

- Complete Centralina Foundation collateral materials design/production, part 2
- Follow-up/game plan for initial set of top tier prospects (Lowe's Foundation, BCBS)
- Initiate intentional inquiries/game plan (for additional top tier prospects):
  - Bundled projects Housing/Freight: National Gypsum
  - Bundled projects (2-4): J.M. Belk Endowment, High Wealth Advisors/Brokers
  - Housing Strategies Pilots: Lowe's Foundation
  - Housing Strategies Pilots: Major Employers, Builders/Developers
  - Career Headlight: Golden Leaf, Fifth Third Bank
- Stakeholder Prospecting:
  - Freight Study: Norfolk Southern's input re lower tier prospects (freight providers, logistics firms, manufacturers, distributors)
  - Housing Strategies Pilots: major employers, builders/developers
- Initiate intentional inquiries/game plan for lower tier prospects:
  - Freight Study: some freight providers, logistics firms, manufacturers, distributors
  - Housing Study: smaller employers, realtors, banks
- Develop Case for Projects:
  - Career Headlight/Attainment & Career Pathways (Lumina): integrate & develop joint Gift Chart, prospects lists, including CH 2.0 launch
- Officer elections for Centralina Foundation
- Board recruitment/development for Centralina Foundation and VTS (Centralina Connection)



## Board Agenda Item Cover Sheet

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| <b>Board Meeting Date:</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   | March 9, 2016                                                                                                                                                                                              | <b>Agenda Item Type:</b>         | <b>Consent:</b>                                                    |  | <b>Regular:</b> | X |
| <b>Submitting Person:</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    | Kelly Weston                                                                                                                                                                                               | <b>Presentation Time (est.):</b> | 5 minutes                                                          |  |                 |   |
| <b>Presenter at meeting:</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 | Kelly Weston                                                                                                                                                                                               | <b>Phone Number/Ext:</b>         | (704) 348-2728                                                     |  |                 |   |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |                                                                                                                                                                                                            | <b>Email:</b>                    | <a href="mailto:kweston@centralina.org">kweston@centralina.org</a> |  |                 |   |
| <b>Alternate Contact Person:</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             |                                                                                                                                                                                                            | <b>Phone Number/Ext:</b>         |                                                                    |  |                 |   |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |                                                                                                                                                                                                            | <b>Email:</b>                    |                                                                    |  |                 |   |
| <b>Submitting Department:</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                | <b>General Government</b>                                                                                                                                                                                  | <b>Department Head Approval:</b> | Jim Prosser                                                        |  |                 |   |
| <b>Board Expectation:</b> <i>(required action or responsibility expected from Board members)</i>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             |                                                                                                                                                                                                            |                                  |                                                                    |  |                 |   |
| The Executive Board is asked to receive a report of a recent conference call CCOG Delegates held to review and discuss date selection and sponsorship prospects for the next CCOG Regional Conference.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |                                                                                                                                                                                                            |                                  |                                                                    |  |                 |   |
| <b>Description of Agenda Item:</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |                                                                                                                                                                                                            |                                  |                                                                    |  |                 |   |
| Staff will present a brief report of a February 16, 2016 conference call CCOG Delegates held to provide direction related to date, location, and sponsorship opportunities for the next CCOG Regional Conference.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            |                                                                                                                                                                                                            |                                  |                                                                    |  |                 |   |
| <b>Background &amp; Basis of Recommendations:</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            |                                                                                                                                                                                                            |                                  |                                                                    |  |                 |   |
| <p>The CCOG Regional Conference, “Creative Solutions for Thriving Communities,” is designed to provide elected officials and local government staff with practical tools and solutions to address their communities’ biggest challenges. On December 3, 2015, CCOG held the second annual Conference in Gastonia, NC with a program that focused on economic and social resilience.</p> <p>At its January 13, 2016 meeting, the Executive Board received a summary of the 2015 CCOG Regional Conference and voted to table discussion of proceeding with the next Conference until the February 10, 2016 Board of Delegates meeting. Several Delegates (Mayor Pro Tem Will Cauthen – Town of Cramerton; Mayor Bill Feather – Town of Granite Quarry; Council Member Patsy Kinsey – City of Charlotte; Commissioner Martin Oakes – Lincoln County; and Commissioner Jerry Simpson – Union County) volunteered to participate in a conference call to discuss date research and sponsorship prospects for the event. Because schedules did not present an opportunity to conduct a call with this group of Delegates prior to the February Board of Delegates meeting, staff did not include a Conference report on that meeting’s agenda.</p> |                                                                                                                                                                                                            |                                  |                                                                    |  |                 |   |
| <b>Action / Recommendation:</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |                                                                                                                                                                                                            |                                  |                                                                    |  |                 |   |
| Receive as information.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |                                                                                                                                                                                                            |                                  |                                                                    |  |                 |   |
| <b>Time Sensitivity</b> <i>(none or explain):</i>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            | Delegates have asked staff to identify potential dates in April 2017 for the next Regional Conference. To secure a venue and begin recruiting sponsors, event planning needs to begin as soon as possible. |                                  |                                                                    |  |                 |   |
| <b>Budget Impact</b> <i>(if applicable):</i>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 | The 2015 Conference had a revenue deficit of approximately \$11,600. A financial plan for increasing registration and sponsorship revenue will make the next Conference a self-funding event.              |                                  |                                                                    |  |                 |   |
| <b>List of Attachments</b> <i>(if any):</i>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  | None                                                                                                                                                                                                       |                                  |                                                                    |  |                 |   |



## Board Agenda Item Cover Sheet

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| <b>Board Meeting Date:</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       | March 10, 2016 | <b>Agenda Item Type:</b>         | <b>Consent:</b>                                                      | <b>Regular:</b> | X |
| <b>Submitting Person:</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        | Jim Prosser    | <b>Presentation Time (est.):</b> | 5 minutes                                                            |                 |   |
| <b>Presenter at meeting:</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     | Jim Prosser    | <b>Phone Number/Ext:</b>         | (704) 748-2703                                                       |                 |   |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  |                | <b>Email:</b>                    | <a href="mailto:jprosser@centralina.org">jprosser@centralina.org</a> |                 |   |
| <b>Alternate Contact Person:</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 | Linda Miller   | <b>Phone Number/Ext:</b>         | (704) 348-2712                                                       |                 |   |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  |                | <b>Email:</b>                    | <a href="mailto:lmiller@centralina.org">lmiller@centralina.org</a>   |                 |   |
| <b>Submitting Department:</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    | Executive      | <b>Department Head Approval:</b> |                                                                      |                 |   |
| <b>Board Expectation:</b> <i>(required action or responsibility expected from Board members)</i>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |                |                                  |                                                                      |                 |   |
| Review progress of facilities options for Centralina operations and authorize Broker Agreement.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  |                |                                  |                                                                      |                 |   |
| <b>Description of Agenda Item:</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               |                |                                  |                                                                      |                 |   |
| Progress report for Centralina office space options and request for approval of Broker Agreement with Cushman Wakefield.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |                |                                  |                                                                      |                 |   |
| <b>Background &amp; Basis of Recommendations:</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |                |                                  |                                                                      |                 |   |
| <p>The current lease for Centralina office space at 525 North Tryon expires in May of 2018. Board of Delegates members have previously suggested that the Executive Board develop options to renew the current lease, which has an annual cost of \$360,000.</p> <p>While May of 2018 seems like a long time in the future, some options for lease renewal will require lead time of up to two years. Accordingly, Centralina Executive Board has directed staff to develop options for building space in anticipation of our current lease expiration. A Building Committee comprised of Sarah McAulay, Devin Rhyne, Bill Feather and Joe Carpenter is providing oversight on this process.</p> <p><i>Since the last update, the Building Committee has solicited proposals for Broker services to assist us with identifying building and site options as well as potential negotiations for lease extension or early termination for CCOG's current location. All firms submitting proposals were interviewed and included: Avison Young, Cherry &amp; Associates, CRJ International, Cushman Wakefield, Hughes Realty Advisors, and the Knox Group.</i></p> <p><i>Based on the interviews the Board Committee recommended that Keith Bell with Cushman Wakefield be selected to serve as Broker. There is no budget impact for this contract in the current year. Cost would be incurred only upon purchase of a building, site or execution of a lease. Then, typically, the broker fee would be paid by the seller or building owner.</i></p> <p>The Building Committee has met several times since April. Key issues discussed include suggested criteria for evaluating office space options including:</p> <ol style="list-style-type: none"> <li>1. Budget impact</li> <li>2. Operating cost savings (lease/debt service, including meeting space expense, parking expense, financing options, energy costs, maintenance)</li> <li>3. Travel time for members and staff</li> <li>4. Parking availability</li> <li>5. Visibility</li> <li>6. Program space requirements (including ability to recover fees for program use of meeting space)</li> </ol> |                |                                  |                                                                      |                 |   |



Options to be considered will include renewing the current lease, leasing building space at another location, building and owning office space and purchasing/remodeling office space. Additionally, the Board has directed staff to identify organizations that may co-locate with Centralina.

The Executive Board has approved a contract with LaBella Associates (formerly Pease Engineering and Architects) to provide services including development of a report outlining the office space requirements and a concept plan. Their work would include preparation of an initial draft report and editing draft based on feedback from the Board and staff. The cost for this work is \$5,000 payable within 18 months of project initiation.

The committee will also be developing a survey that will seek input for the decision criteria from member communities. Delegates that have an interest in serving on the Building Committee should contact Kelly Weston at (704) 348-2728 or [kweston@centralina.org](mailto:kweston@centralina.org).

**Action / Recommendation:**

Review and affirm broker selection, if appropriate.

|                                                     |                                                                                                                                                                                                                                        |
|-----------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <b>Time Sensitivity</b> ( <i>none or explain</i> ): | It is intended that the Facilities Study, including options, be completed for consideration by the Executive Board by summer 2016. Authorization to proceed with execution of Broker Agreement would facilitate meeting this deadline. |
| <b>Budget Impact</b> ( <i>if applicable</i> ):      | No budget impact in current year. Fees typically paid by seller or building owner.                                                                                                                                                     |
| <b>List of Attachments</b> ( <i>if any</i> ):       | Broker Agreement                                                                                                                                                                                                                       |

**Cassidy Turley Commercial Real Estate Services, Inc. d/b/a Cushman & Wakefield**  
**550 S. Tryon Street**  
**Suite 3400**  
**Charlotte, NC, 28202**  
**704-375-7771**

**EXCLUSIVE REPRESENTATION AGREEMENT**

The undersigned, CENTRALINA COUNCIL OF GOVERNMENTS ("Client"), hereby employs CASSIDY TURLEY COMMERCIAL REAL ESTATE SERVICES, INC. d/b/a CUSHMAN & WAKEFIELD ("Buyer/Tenant Agency"), to act through R. KEITH BELL ("Buyer/Tenant Agent"), License # 228848 as Exclusive Representative to secure for Client acceptable properties and assist in negotiating terms and conditions acceptable to Client, for the purchase or lease of such properties.

1. This Agreement shall commence this date and terminate at midnight on MAY 31, 2018 ("Expiration Date"). On the Expiration Date this Agreement shall terminate, without notice provided that the Client's indemnities, representations and warranties, and other obligations contained herein that by their terms are intended to survive the termination of this Agreement shall so survive the termination of this Agreement.
2. General requirements and purposes of the properties and transactions sought will be outlined by the specifications outlined in the Scope of Services attached as Exhibit A. In the event the Client modifies these specifications, Client will notify Buyer/Tenant Agency in writing of the new requirements and/or purposes. These requirements and/or purposes are informational only in nature and are not a condition of this contract.
3. The geographic scope of this Agreement contemplates any properties in the following locations: Iredell, Rowan, Lincoln, Gaston, Mecklenburg, Cabarrus, Stanly, Union and Anson counties.
4. In consideration of this exclusive right to represent Client, Buyer/Tenant Agency, through Buyer/Tenant Agent, will pursue diligently the locations of acceptable properties and transactions as specified by Client. Any purchase or lease of property by Client during the term of this exclusive right will be subject to the terms of this Agreement.
5. Client agrees that Buyer/Tenant Agency will be entitled to and will have earned fees as outlined on the attached Exhibit B (the "Schedule of Commissions") upon successful completion of a transaction. Buyer/Tenant Agency shall submit for payment its commission stated hereunder to the owner or agent of the property being acquired and/or leased by Client.

Buyer/Tenant Agent agrees to disclose, in writing to client, any compensation paid to Buyer/Tenant Agency in excess of the fees described on the attached Exhibit "B".

**Notice:** Client understands and acknowledges that there is the potential for a conflict of interest generated by a percentage of price based fee for representing Client. The amount, format or rate of real estate commissions is not fixed by law. They are set by each broker individually and may be negotiable between Client and Broker.

6. In the event that, during the six (6) months following the termination or cancellation of this Agreement, Client consummates a transaction involving property disclosed to him by Buyer/Tenant Agent or Buyer/Tenant Agency, or a different property from a party introduced to Client by Buyer/Tenant Agent or Buyer/Tenant Agency during the representation period, Client will support Buyer/Tenant Agency in its efforts to obtain the payment to Buyer/Tenant Agency of the Commission set forth in paragraph 5 hereof; provided that the name of respective prospective property, owner or other agency, as the case may be, was delivered or postmarked to the Client by Buyer/Tenant Agent or Buyer/Tenant Agency within thirty (30) days after the expiration or cancellation of this agreement. In such event and upon Client's request, Buyer/Tenant Agent will provide negotiation and closing services to Client in connection with such transaction.
7. Buyer/Tenant Agency, through Buyer/ Tenant Agent will act as agent on behalf of the Client and will disclose its agency relationship in connection with any transaction hereunder. Client will cooperate with Buyer/Tenant Agency and Buyer/Tenant Agent in executing a written disclosure of agency, if required, in connection with any transaction hereunder.

8. Client will provide Buyer/Tenant Agency, upon request, relevant personal and financial information to assist Buyer/Tenant Agent's efforts to locate property as outlined. Client further agrees to view or consider property of the general nature set forth in this Agreement, to negotiate a transaction in good faith if acceptable to Client, and cooperate fully with Buyer/Tenant Agency, including referring to Buyer/Tenant Agent all inquires and proposals received regarding potential properties. Client will provide Buyer/Tenant Agent with a letter of authorization disclosing Buyer/Tenant Agency's and Buyer/Tenant Agent's exclusive rights to represent.
9. **THE BUYER/TENANT AGENCY AND BUYER/TENANT AGENT SHALL CONDUCT ALL HIS BROKERAGE ACTIVITIES IN REGARD TO THIS AGREEMENT WITHOUT RESPECT TO RACE, COLOR, RELIGION, SEX, NATIONAL ORIGIN, HANDICAP OR FAMILIAL STATUS OF ANY BUYER OR PROSPECTIVE BUYER, SELLER OR PROSPECTIVE SELLER, TENANT OR PROSPECTIVE TENANT, LANDLORD OR PROSPECTIVE LANDLORD.**
10. The "Working with Real Estate Agents" publication is attached as Exhibit C. By signing below, Client acknowledges having read and reviewed the "Working with Real Estate Agents" publication. Client authorizes Buyer/Tenant Agency to act as a Dual Agent representing both the Landlord/Seller and the Client in the same transaction, as set forth in the attached Dual Agency Addendum.
11. All notices or requests under this Exclusive Representation Agreement shall be given by US Mail, postage prepaid, registered or certified mail with return receipt requested, or by a nationally recognized overnight delivery service (e.g. Federal Express, Purolator, UPS or Airborne) and shall be effective upon delivery.

**ADDRESS OF CLIENT:**

Centralina Council of Governments  
525 N. Tryon St, 12<sup>th</sup> Floor  
Charlotte, NC 28202  
 Attn: Jim Rosser, Executive Director

**CASSIDY TURLEY COMMERCIAL REAL ESTATE SERVICES, INC.**  
**D/B/A CUSHMAN & WAKEFIELD**  
 550 South Tryon Street  
 Suite 3400  
 Charlotte, NC 28202-1916  
 Attn: Steven H. Gassaway

12. This agreement shall be binding upon and inure to the benefit of the parties, their heirs, successors and assigns and their personal representatives. Each signatory to this agreement represents and warrants that he or she has full authority to sign this agreement on behalf of the party for whom he or she signs and that this agreement binds such party. This agreement contains the entire agreement of the parties and may not be modified except in writing signed by all of the parties hereto.

**CLIENT:** Centralina Council of Governments  
 (Name of Firm or individual(s))

By: \_\_\_\_\_ (SEAL)

Title: \_\_\_\_\_ Date: \_\_\_\_\_

**BUYER/TENANT AGENCY: CASSIDY TURLEY COMMERCIAL REAL ESTATE SERVICES, INC.**  
**d/b/a CUSHMAN & WAKEFIELD**

By: \_\_\_\_\_ (SEAL)  
 Steven H. Gassaway

Title: Market Leader Date: \_\_\_\_\_

**EXHIBIT A**  
**Scope of Work**

Client seeking an existing or new building or space available for lease, purchase or retrofit. Broker will also search for land to purchase or lease to build a new facility, and look for land controlled by developers to consider build to suit options. Search will include the Iredell, Rowan, Lincoln, Gaston, Mecklenburg, Cabarrus, Stanly, Union and Anson County area.

## EXHIBIT B

### Cassidy Turley Commercial Real Estate Services, Inc. d/b/a Cushman & Wakefield Schedule of Commissions

#### SALES

Commissions on sales are calculated at six percent (6%) of the gross sales price.

In the event Client buys the real property or any interest therein (whether by outright purchase, exchange, or otherwise), the term "gross sales price" means the total consideration transferred for the real property or any interest therein. In the event Client acquires the real property or any interest therein from a joint venture, partnership, or other business entity, the term "gross sales price" means the fair market value of the real property. In the event the seller is a joint venture, partnership, or other business entity, and an interest in such entity is transferred (by merger, purchase, or otherwise) in lieu of a sale of the real property, the term "gross sales price" means the fair market value of the real property multiplied by the percentage of the interest so transferred.

#### LEASES AND SUBLEASES

##### RATES:

Four percent (4%) of the aggregate rental for the entire lease term.

##### TIME OF PAYMENT:

Commissions on leases shall be paid one half (1/2) upon the execution and delivery of the lease by and between the Landlord and Client and one half (1/2) upon the commencement of the term of the lease as stated in the lease document.

##### RENEWALS OR EXTENSIONS:

If a lease is renewed or extended Landlord or Client shall pay additional commissions to Cassidy Turley d/b/a Cushman & Wakefield equal to four percent (4%) of the rental payable during the renewal or extension term. Any such additional commissions shall be paid at the time of the exercise of the agreement to renew, extend the lease term.

##### EXPANSIONS:

If the Client leases additional space from the Landlord as an expansion or substitute space, Landlord or Client shall pay additional commissions to Cassidy Turley d/b/a Cushman & Wakefield equal to four percent (4%) of the rental payable during the term of the lease of such additional or other space. Any such additional commissions shall be paid at the time of the exercise of the agreement to lease other or additional space.

##### COMPUTATION OF RENTAL:

Commission shall be computed in accordance with the above rates based upon the gross rental set forth in the lease or sublease including any percentage or additional rental based upon the gross receipts of, or sales by the tenant, but excluding any additional rental payable pursuant to tax and operating expense escalation provisions.

##### CANCELLATION CLAUSES:

Where the Client has the right to cancel the lease at a time subsequent to the commencement of the term but prior to the expiration date set forth in the lease, the Landlord or Client agrees to pay Cassidy Turley d/b/a Cushman & Wakefield a full commission as if no right of cancellation existed.

##### SALE OF LANDLORD'S INTEREST:

In the event of a sale or other conveyance or disposition of the Landlord's interest in the property, Landlord shall continue to be responsible to pay Cassidy Turley d/b/a Cushman & Wakefield the commission due pursuant to this Schedule unless Landlord obtains from the grantee of Landlord's interest and delivers to Cassidy Turley d/b/a Cushman & Wakefield a written agreement pursuant to which the grantee assumes the Landlord's commission obligations under this Schedule.

## EXHIBIT C

# WORKING WITH REAL ESTATE AGENTS

*NOTE: Effective July 1, 2001, in every real estate sales transaction, a real estate agent shall, at first substantial contact directly with a prospective buyer or seller, provide the prospective buyer or seller with the following information [NC Real Estate Commission Rule 21 NCAC 58A. 0104(c)].*

When buying or selling real estate, you may find it helpful to have a real estate agent assist you. Real estate agents can provide many useful services and work with you in different ways. In some real estate transactions, the agents work for the seller. In others, the seller and buyer may each have agents. And sometimes the same agents work for both the buyer and the seller. It is important for you to know whether an agent is working for you as **your** agent or simply working **with** you while acting as an agent of the other party.

This brochure addresses the various types of working relationships that may be available to you. It should help you decide which relationship you want to have with a real estate agent. It will also give you useful information about the various services real estate agents can provide buyers and sellers, and it will help explain how real estate agents are paid.

## SELLERS

### Seller's Agent

If you are selling real estate, you may want to "list" your property for sale with a real estate firm. If so, you will sign a "listing agreement" authorizing the firm and its agents to represent you in your dealings with buyers as your *seller's agent*. You may also be asked to allow agents from other firms to help find a buyer for your property.

Be sure to read and understand the listing agreement before you sign it.

*Duties to Seller:* The listing firm and its agents must • promote your best interests • be loyal to you • follow your lawful instructions • provide you with all material facts that could influence your decisions • use reasonable skill, care and diligence, and • account for all monies they handle for you. Once you have signed the listing agreement, the firm and its agents may not give any confidential information about you to prospective buyers or their agents without your permission so long as they represent you. But **until you sign the listing agreement, you should avoid telling the listing agent anything you would not want a buyer to know.**

*Services and Compensation:* To help you sell your property, the listing firm and its agents will offer to perform a number of services for you. These may include • helping you price your property • advertising and marketing your property • giving you all required property disclosure forms for you to complete • negotiating for you the best possible price and terms • reviewing all written offers with you and • otherwise promoting your interests.

For representing you and helping you sell your property, you will pay the listing firm a sales commission or fee. The listing agreement must state the amount or method for determining the commission or fee and whether you will allow the firm to share its commission with agents representing the buyer.

### Dual Agent

You may even permit the listing firm and its agents to represent you **and** a buyer at the same time. This "dual agency relationship" is most likely to happen if an agent with your listing firm is working as a *buyer's agent* with someone who wants to purchase your property. If this occurs and you have not already agreed to a dual agency relationship in your listing agreement, your listing agent will ask you to sign a separate agreement or document permitting the agent to act as agent for both you and the buyer.

It may be difficult for a *dual agent* to advance the interests of both the buyer and seller. Nevertheless, a *dual agent* must treat buyers and sellers fairly and equally. Although the *dual agent* owes them the same duties, buyers and sellers can prohibit *dual agents* from divulging **certain** confidential information about them to the other party. Some firms also offer a form of dual agency called "designated agency" where one agent in the firm represents the seller and another agent represents the buyer. This option (when available) may allow each "designated agent" to more fully represent each party.

If you choose the "dual agency" option, remember that since a dual agent's loyalty is divided between parties with competing interests, it is especially important that you have a clear understanding of • what your relationship is with the *dual agent* and • what the agent will be doing for you in the transaction.

## BUYERS

When buying real estate, you may have several choices as to how you want a real estate firm and its agents to work with you. For example, you may want them to represent only you (as a **buyer's agent**). You may be willing for them to represent both you and the seller at the same time (as a **dual agent**). Or you may agree to let them represent only the seller (seller's **agent** or **subagent**). Some agents will offer you a choice of these services. Others may not.

### Buyer's Agent

*Duties to Buyer:* If the real estate firm and its agents represent you, they must • promote your best interests • be loyal to you • follow your lawful instructions • provide you with all material facts that could influence your decisions • use reasonable skill, care and diligence, and • account for all monies they handle for you. Once you have agreed (either orally or in writing) for the firm and its agents to be your *buyer's agent*, they may not give any confidential information about you to sellers or their agents without your permission so long as they represent you. But **until you make this agreement with your buyer's agent, you should avoid telling the agent anything you would not want a seller to know.**

Buyer(s) \_\_\_\_\_

Seller(s) \_\_\_\_\_

*Unwritten Agreements:* To make sure that you and the real estate firm have a clear understanding of what your relationship will be and what the firm will do for you, you may want to have a written agreement. However, some firms may be willing to represent and assist you for a time

as a *buyer's agent* without a written agreement. But if you decide to make an offer to purchase a particular property, the agent must obtain a written agency agreement. If you do not sign it, the agent can no longer represent and assist you and is no longer required to keep information about you

confidential. Furthermore, if you later purchase the property through an agent with another firm, the agent who first showed you the property may seek compensation from the other firm. Be sure to read and understand any agency agreement before you sign it.

*Services and Compensation:* Whether you have a written or unwritten agreement, a *buyer's agent* will perform a number of services for you. These may include helping you • find a suitable property • arrange financing • learn more about the property and • otherwise promote your best interests. If you have a **written** agency agreement, the agent can also help you prepare and submit a written offer to the seller. A *buyer's agent* can be compensated in different ways. For example, you can pay the agent out of your own pocket. Or the agent may seek compensation from the seller or listing agent first, but require you to pay if the listing agent refuses. Whatever the case, be sure your compensation arrangement with your *buyer's agent* is spelled out in a buyer agency agreement before you make an offer to purchase property and that you carefully read and understand the compensation provision.

### Dual Agent

You may permit an agent or firm to represent you **and** the seller at the same time. This "dual agency relationship" is most likely to happen if you become interested in a property listed with your *buyer's agent* or the agent's firm. If this occurs and you have not already agreed to a dual agency relationship in your (written or oral) buyer agency agreement, your *buyer's agent* will ask you to sign a separate agreement or document permitting him or her to act as agent for both you and the seller. It may be difficult for a *dual agent* to advance the interests of both the buyer and seller. Nevertheless, a *dual agent* must treat buyers and sellers fairly and equally. Although the *dual agent* owes them the same duties, buyers and sellers can prohibit *dual agents* from divulging **certain** confidential information about them to the other party.

Some firms also offer a form of dual agency called "designated agency" where one agent in the firm represents the seller and another agent represents the buyer. This option (when available) may allow each "designated agent" to more fully represent each party. If you choose the "dual agency" option, remember that since a *dual agent's* loyalty is divided between parties with competing interests, it is especially important that you have a clear understanding of • what your relationship is with the *dual agent* and • what the agent will be doing for you in the transaction. This can best be accomplished by putting the agreement in writing at the earliest possible time.

### Seller's Agent Working With a Buyer

If the real estate agent or firm that you contact does not offer *buyer agency* or you do not want them to act as your *buyer agent*, you can still work with the firm and its agents. However, they will be acting as the *seller's agent* (or "subagent"). The agent can still help you find and purchase property and provide many of the same services as a *buyer's agent*. The agent must be fair with you and provide you with any "material facts" (such as a leaky roof) about properties. But remember, the agent represents the seller - not you - and therefore must try to obtain for the seller the best possible price and terms for the seller's property.

Furthermore, a *seller's agent* is required to give the seller any information about you (even personal, financial or confidential information) that would help the seller in the sale of his or her property. Agents must tell you *in writing* if they are *sellers' agents* before you say anything that can help the seller. But **until you are sure that an agent is not a seller's agent, you should avoid saying anything you do not want a seller to know.**

*Sellers' agents* are compensated by the sellers.

Buyer(s) \_\_\_\_\_

Seller(s) \_\_\_\_\_

**WORKING WITH REAL ESTATE AGENTS**

**This is not a contract**

By signing, I acknowledge that the agent named below furnished a copy of this brochure and reviewed it with me.

**BUYER** \_\_\_\_\_

**DATE** \_\_\_\_\_

**SELLER** \_\_\_\_\_

**DATE** \_\_\_\_\_

**FIRM**

**Cassidy Turley Commercial Real Estate Services, Inc. d/b/a Cushman & Wakefield  
550 S. Tryon Street  
Suite 3400  
Charlotte, NC 28202  
704-375-7771**

Agent Name and License Number R. Keith Bell, NC License# 228848

**DISCLOSURE OF SELLER SUBAGENCY**

*When showing you property and assisting you in the purchase of a property, the above agent and firm will represent the SELLER.*

*For more information, see "Seller's Agent Working with a Buyer" in the brochure.*

*Buyer's Initials Acknowledging Disclosure:* \_\_\_\_\_

***Agents must retain this acknowledgment for their files.***

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**550 S. Tryon Street**  
**Suite 3400**  
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**704-375-7771**

**DUAL AGENCY ADDENDUM**

This DUAL AGENCY ADDENDUM hereby modifies the attached (*check the appropriate box*):

- Cassidy Turley d/b/a Cushman & Wakefield Form #330 (Non-Exclusive Buyer/Tenant Representation Agreement) dated \_\_\_\_\_
- Cassidy Turley d/b/a Cushman & Wakefield Form #370 (Exclusive Buyer/Tenant Representation Agreement – (Buyer/Tenant) dated \_\_\_\_\_
- Cassidy Turley d/b/a Cushman & Wakefield Form #380 (Exclusive Buyer/Tenant Representation Agreement – (Seller/Landlord) dated \_\_\_\_\_
- Cassidy Turley d/b/a Cushman & Wakefield Form #510 (Exclusive Right to Lease Listing Agreement) dated \_\_\_\_\_
- Cassidy Turley d/b/a Cushman & Wakefield Form #520 (Exclusive Right to Sell Listing Agreement) dated \_\_\_\_\_
- Cassidy Turley d/b/a Cushman & Wakefield Form #530 (Exclusive Right to Lease And/Or Sell Listing Agreement) dated \_\_\_\_\_

employing Cassidy Turley Commercial Real Estate Services, Inc. d/b/a/ Cushman & Wakefield  
 (hereinafter referred to as "Firm"). The term "Firm" shall sometimes hereinafter include Firm and its individual sales associates, as the sense requires.

The potential for dual agency arises if a buyer/tenant who has an agency relationship with the Firm becomes interested in viewing a property listed with the Firm. The Firm may represent more than one party in the same transaction only with the knowledge and informed consent of all parties for whom the Firm acts.

1. **DUAL AGENCY:** It is agreed that Firm, acting by and through its individual sales associates, may serve as both Seller/Landlord's Agent and Buyer/Tenant's Agent in the sale/lease of Seller/Landlord's property to Buyer/Tenant should circumstances creating dual agency arise. In the event Firm serves as a dual agent, the parties agree that without permission from the party about whom the information pertains, Firm shall not disclose to the other party the following information:
  - (a) that a party may agree to a price, terms, or any conditions of sale/lease other than those offered;
  - (b) the motivation of a party for engaging in the transaction, unless disclosure is otherwise required by statute or rule; and
  - (c) any information about a party which that party has identified as confidential unless disclosure is otherwise required by statute or rule.
2. **FIRM'S DUAL AGENCY ROLE:** If Firm serves as Agent for both Seller/Landlord and Buyer/Tenant in a transaction, Firm shall make every reasonable effort to represent Seller/Landlord and Buyer/Tenant in a balanced and fair manner. Firm shall also make every reasonable effort to encourage and effect communication and negotiation between Seller/Landlord and Buyer/Tenant. Seller/Landlord and/or Buyer/Tenant understand and acknowledge that:
  - (a) Prior to the time dual agency occurs, Firm will act as the exclusive agent of Seller/Landlord and/or Buyer/Tenant;
  - (b) In those separate roles Firm may obtain information which, if disclosed, could harm the bargaining position of the party providing such information to Firm;
  - (c) Firm is required by law to disclose to Buyer/Tenant and Seller/Landlord any known or reasonably ascertainable material facts.

**Seller/Landlord and/or Buyer/Tenant agree Firm shall not be liable to either party for (1) disclosing material facts required by law to be disclosed; and (2) refusing or failing to disclose other information the law does not require to be disclosed which could harm or compromise one party's bargaining position but could benefit the other party.**

3. **SELLER/LANDLORD'S AND BUYER/TENANT'S ROLES:** Should Firm become a dual agent, Seller/Landlord and/or Buyer/Tenant understand and acknowledge that:
  - (a) They have the responsibility of making their own decisions as to what terms are to be included in any purchase and sale agreement or lease between them;
  - (b) They are fully aware of and understand the implications and consequences of Firm's dual agency role as expressed herein to provide balanced and fair representation of Seller/Landlord and Buyer/Tenant and to encourage and effect communication between them rather than as an advocate or exclusive agent or representative;
  - (c) They have determined that the benefits of entering into this dual agency relationship with Firm, acting as agent for them both, outweigh any disadvantages or adverse consequences;
  - (d) They may seek independent legal counsel to assist them with the negotiation and preparation of a purchase and sale agreement or lease or with any matter relating to the transaction which is the subject matter of a purchase and sale agreement or lease.

Seller/Landlord and/or Buyer/Tenant agree to indemnify and hold Firm harmless against all claims, damages, losses, expenses or liabilities, other than violations of the North Carolina Real Estate License Law and intentional wrongful acts, arising from Firm's role as a dual agent. Seller/Landlord and Buyer/Tenant shall have a duty to protect their own interests and should read this agreement and any purchase and sale agreement or lease carefully to ensure that they accurately set forth the terms which they want included in said agreements.

4. **DESIGNATED AGENT OPTION:** (initial only if applicable):
  - Buyer/Tenant hereby authorizes the Broker (Firm) to designate an agent(s) to represent the Buyer/Tenant, to the exclusion of any other licensees associated with the Broker. The agent(s) shall not be so designated and shall not undertake to represent only the interests of the Buyer/Tenant if the agent(s) has actually received confidential information concerning the Seller/Landlord in connection with the transaction. The designated agent(s) shall represent only the interests of the Buyer/Tenant to the extent permitted by law.
  - Seller/Landlord hereby authorizes the Broker (Firm) to designate an agent(s) to represent the Seller/Landlord, to the exclusion of any other licensees associated with the Broker. The agent(s) shall not be so designated and shall not undertake to represent only the interest of the Seller/Landlord if the agent(s) has actually received confidential information concerning the Buyer/Tenant in connection with the transaction. The designated agent(s) shall represent only the interest of the Seller/Landlord to the extent permitted by law.

THIS IS INTENDED TO BE A LEGALLY BINDING DUAL AGENCY ADDENDUM THAT MAY ULTIMATELY RESTRICT YOUR LEGAL RIGHTS OR REMEDIES. IF YOU DO NOT UNDERSTAND THIS ADDENDUM OR FEEL THAT IT DOES NOT PROVIDE FOR YOUR LEGAL NEEDS, YOU SHOULD CONSULT AN ATTORNEY BEFORE YOU SIGN IT.

**CLIENT:**

\_\_\_\_\_  
 Signature Date Signature Date

**FIRM:** Cassidy Turley Commercial Real Estate Services, Inc. d/b/a Cushman & Wakefield  
 550 S. Tryon Street  
 Suite 3400  
 Charlotte, NC 28202  
 704-375-7771

By: \_\_\_\_\_  
 Signature Date License Number