

CUMBERLAND COUNTY BOARD OF COMMISSIONERS  
MONDAY, DECEMBER 20, 2021 – 6:45 PM  
117 DICK STREET, 1ST FLOOR, ROOM 118  
REGULAR MEETING MINUTES

PRESENT: Commissioner Glenn Adams, Chairman  
Commissioner Toni Stewart, Vice Chairman  
Commissioner Jeannette Council  
Commissioner Charles Evans  
Amy Cannon, County Manager  
Tracy Jackson, Assistant County Manager  
Rick Moorefield, County Attorney  
Vicki Evans, Finance Director  
Jermaine Walker, County Engineer  
Rawls Howard, Planning and Inspections Director  
Dee Taylor, Community Development Director  
Keith Todd, ITS Director  
Tye Vaught, Management Analyst  
Robert Van Geons, Fayetteville-Cumberland Economic Development Corporation President/CEO  
Candice H. White, Clerk to the Board

ABSENT: Commissioner Michael Boose  
Commissioner Jimmy Keefe  
Commissioner Larry Lancaster

Chairman Adams called the meeting to order.

INVOCATION / PLEDGE OF ALLEGIANCE

Chairman Adams provided the invocation followed by the Pledge of Allegiance to the American flag.

PUBLIC COMMENT PERIOD

Amy Cannon, County Manager, read the public comment policy. Chairman Evans recognized the clerk to the board who stated there were no speakers.

1. APPROVAL OF AGENDA

MOTION: Commissioner Evans moved to approve the agenda.  
SECOND: Commissioner Council  
VOTE: UNANIMOUS (4-0)

2. PRESENTATIONS

A. Presentation of Plaque to Outgoing Chairman

Chairman Adams presented a plaque to Commissioner Evans in appreciation of his leadership while serving as Chairman of the Board of Commissioners December 7, 2020 through December 6, 2021.

B. Retirement Proclamation by Commissioner Charles Evans

The retirement proclamation was not presented because Ms. Mary Louise Hollingsworth Melvin, recipient of the proclamation, was unable to attend the meeting.

C. Presentation of the Fiscal Year 2021 Annual Audit by Jami Crampton, Manager, Elliott Davis, PLLC, and Vicki Evans, Finance Director

**BACKGROUND**

Jami Crampton, Manager, Elliott Davis, PLLC and Vicki Evans, Finance Director, will make a presentation of the fiscal year 2021 annual audit results.

**RECOMMENDATION / PROPOSED ACTION**

Accept the audited Annual Comprehensive Financial Report for the fiscal year ended June 30, 2021.

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Vicki Evans, Finance Director, introduced Jami Crampton, Manager with Elliott Davis, PLLC, who presented an overview of the 2021 audit results aided by the following PowerPoint presentation. Mr. Crampton stated all the required communications shown below were covered in the audit and there were no reportable findings.

**Required Communications**

Audit Planning Process
Materiality in Planning and Executing the Audit
Internal Control Relevant to the Audit
Auditor's Responsibilities Under Professional Standards
Significant Accounting Policies
Management Judgments and Accounting Estimates
Financial Statement Disclosures
Unrecorded and Corrected Misstatements
Management Representations
Disagreements with Management
Consultation with Other Accountants
Significant Issues Discussed with Management
Difficulties Encountered in Performing the Audit
Significant Deficiencies and Material Weaknesses
Other Written Communication

Mr. Crampton reviewed the following slide and stated the financial statements are materially in conformity with general accepted accounting principles and provide reasonable assurance that no material misstatements exist. Mr. Crampton stated the audit report received an unmodified opinion which is a clean opinion.

**Audit Results**

Auditor's Report on Financial Statements	
Audit Responsibilities	Issue an opinion as to whether the financial statements are materially in conformity with generally accepted accounting principles (GAAP).
	Obtain <i>reasonable</i> (not absolute) assurance regarding material misstatements
	Financial statement audit procedures are <i>not</i> designed to detect fraud
Management Responsibilities	Preparation and fair presentation of the financial statements in accordance with GAAP
	Maintain sufficient internal control over the preparation of financial statements
Result	An <i>unmodified opinion</i> has been issued on the financial statements.

Mr. Crampton stated the following report is to report any internal control deficiencies or non-compliance with laws and regulations as it pertains to the financial statement; this report has an unmodified opinion and there were no internal controls or noncompliance instances to report on the financial statement side.

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Report on Internal Control and Compliance	
Internal Control Over Financial Reporting	Consideration of internal control over financial reporting
	Not to express an opinion on the effectiveness of the County's internal control
Compliance and Other Matters	Compliance with requirements having a <i>direct and material effect</i> on the financial statement amounts.
	Providing an opinion on compliance was <i>not</i> an objective of our audit
Result	Internal controls – No deficiencies identified.
	Noncompliance - No instances having a direct and material effect identified.

Mr. Crampton stated the last two reports on federal and state compliance reports are to issue an opinion on the major federal and state program requirements; there was an unmodified opinion on these reports with deficiencies reported.

Report on Compliance with Major Programs	
Auditor Responsibilities	Issue an opinion on compliance with major federal program requirements
	Conduct the audit in accordance with: Generally Accepted Auditing Standards; Government Auditing Standards, and OMB's Uniform Guidance
Management Responsibilities	Compliance with laws, regulations, contracts, and grants applicable to its federal programs.
	Maintain effective internal control over compliance
Result	The County complied in all material respects, with major program requirements.
	Deficiencies identified.

Mr. Crampton stated there were three findings under federal and state awards. Mr. Crampton reviewed the following slide and stated each finding was related to the eligibility process for the three programs below; when DSS was notified, they were able to provide additional documents to support the eligibility of individuals receiving the benefits so there were no ineligible benefits received and no questioned costs as part of the findings.

## Findings

Federal and State Awards
Medicaid Verifications
Low Income Home Energy Assistance Income Verifications
Foster Care and Adoption Assistance Approvals

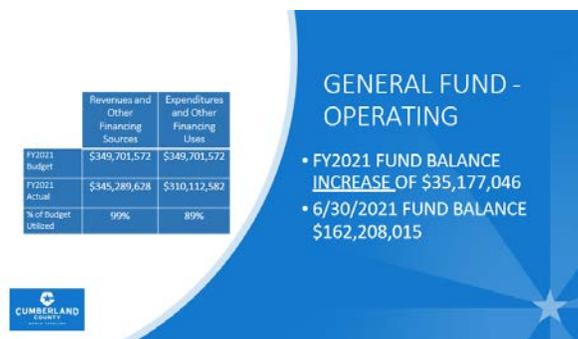
Ms. Evans stated the audited Annual Comprehensive Financial Report for the fiscal year ended June 30, 2021 has been posted to the county's website. Ms. Evans presented the FY2021 financial results by fund aided by the following PowerPoint presentation. Ms. Evans stated the combined general fund consists of the general operating fund, the capital fund and capital investment fund. Ms. Evans stated there was a fund balance increase of \$62.77M and the fiscal year ended with a total fund balance of \$234.9M. Ms. Cannon stated the capital investment fund and school fund are part of the 34.62% unassigned fund balance which exceeds the minimum of 10% by policy.

FY2021 GENERAL FUND COMBINED FUND BALANCE																																	
FY2021 Total Expenditures	\$ 318,782,822																																
Unassigned Fund Balance as a Percentage of FY2021 Expenditures	34.62%																																
<table border="1"> <thead> <tr> <th colspan="2">Nonspendable</th> </tr> </thead> <tbody> <tr> <td>Inventories</td> <td>\$ 200,505</td> </tr> <tr> <td>Prepays</td> <td>210</td> </tr> <tr> <td colspan="2">Restricted</td> </tr> <tr> <td>Stabilization by State Statute</td> <td>36,417,479</td> </tr> <tr> <td>Register of Deeds</td> <td>987,528</td> </tr> <tr> <td>Public health</td> <td>6,052,823</td> </tr> <tr> <td>County school capital</td> <td>5,982,196</td> </tr> <tr> <td colspan="2">Committed</td> </tr> <tr> <td>Tax revaluation</td> <td>2,296,335</td> </tr> <tr> <td>Capital Investment Fund</td> <td>61,459,283</td> </tr> <tr> <td colspan="2">Assigned</td> </tr> <tr> <td>Subsequent year's expenditures</td> <td>9,159,873</td> </tr> <tr> <td>Economic development incentives</td> <td>2,000,000</td> </tr> <tr> <td>Unassigned</td> <td>110,366,459</td> </tr> <tr> <td>Total fund balance</td> <td>\$ 234,922,691</td> </tr> </tbody> </table>		Nonspendable		Inventories	\$ 200,505	Prepays	210	Restricted		Stabilization by State Statute	36,417,479	Register of Deeds	987,528	Public health	6,052,823	County school capital	5,982,196	Committed		Tax revaluation	2,296,335	Capital Investment Fund	61,459,283	Assigned		Subsequent year's expenditures	9,159,873	Economic development incentives	2,000,000	Unassigned	110,366,459	Total fund balance	\$ 234,922,691
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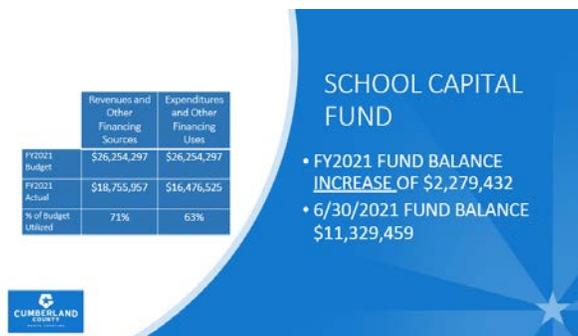
Ms. Evans stated revenues came in over budget including ad valorem taxes, real and personal, by \$7.2M; sales tax came in \$13M above budget; and ABC came in \$1.9M above budget. Ms. Evans

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stated expenditures also came in 89% below budget and personnel costs were \$15M under budget resulting in continued recruitment and retention concerns.



Ms. Evans stated the school capital fund came in under budget by \$2.3M with a fund balance of \$11.3M and sales tax came in above budget in this fund.



Ms. Evans stated during fiscal year 2021, there was a financing of the EOC capital project and the FTCC fire training center. Ms. Evans stated a portion of the \$25M increase is the \$10M that will be paid to FTCC upon receipt of invoice and the \$6M that was paid back to the CIF as part of the EOC project.



Ms. Evans concluded her presentation and recognized and thanked county staff who worked with Elliott Davis, PLLC to complete the audit.

- MOTION:** Commissioner Council moved to accept the audited Annual Comprehensive Financial Report for the fiscal year ended June 30, 2021
- SECOND:** Commissioner Stewart
- VOTE:** UNANIMOUS (4-0)

3. CONSENT AGENDA

- A. Approval of December 6, 2021 Regular Meeting Minutes
- B. Revision to the 2022 Public Health Billing Guide

**BACKGROUND**

The Billing Guide provides detailed billing information for each program offered by the Health Department. The guidelines are in compliance with requirements from NC Department of Public Health, NC Department of Health and Human Services, Division of Medical Assistance and

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Centers for Medicaid and Medicare Services. The revised version includes the following changes effective December 20, 2021:

- PG 10 & 18: Proof of income will be requested in Family Planning. Patients can self-declare if proof of income is unavailable effective 11-8-2021 per Title X Regulations.
- PG 19: Family Planning patients may self-declare if they are unable to provide income effective 11-8-2021 per Title X Regulations.

The Board of Health approved the Billing Guide updates at their meeting on September 21, 2021. The Board of Commissioners approved the guide at their October 18, 2021 meeting. The Billing Guide was presented again with new changes required by Title X Federal Regulations at the Board of Health November 16, 2021 meeting and was approved.

#### RECOMMENDATION / PROPOSED ACTION

Approve changes to the 2022 Billing Guide effective December 20, 2021.

#### C. Contract with Logos Imaging for Direct Radiology (DR) Imaging System

##### BACKGROUND

The Cumberland County Sheriff's Office (CCSO) wishes to contract with Logos Imaging LLC to purchase a Direct Radiology (DR) Imaging X-Ray System for the CCSO Bomb Squad. This contract is based on RFP 22-06-SO approved by the BOCC on October 18, 2021.

#### RECOMMENDATION / PROPOSED ACTION

Approve the contract and authorize the Board Chair to sign the contract.

#### D. Approval of Sale of Surplus Real Property Located at 7645 Maggie Circle, Fayetteville

##### BACKGROUND

On November 15, 2021, the Board adopted a resolution of its intent to accept the offer of Maline Crupi to purchase the property with PIN 9486-57-1515, being Lot IMP with Lot 166.1 x 165 Gillis Land, located at 7645 Maggie Circle, Fayetteville, for \$6838.39 and directed that it be advertised and sold pursuant to the upset bid process of G.S. § 160A-269. The parcel is zoned AR, with a tax value of \$14,625.00. Based on the County GIS Parcel View System and the tax records, there is a structure on the lot.

Notice of the proposed sale, subject to the upset bid process required by G.S. § 160A-269, was advertised in the Fayetteville Observer on November 19, 2021. The publisher's affidavit is attached. More than 10 days have elapsed since the notice was published. No upset bid was received.

#### RECOMMENDATION / PROPOSED ACTION

County Attorney recommends the Board approve this sale and authorize the Chair or the County Manager to execute a deed for the property upon the County's receipt of the balance of the purchase price.

#### E. Acceptance of Offer to Purchase Surplus Property Located at 1716 Bladen Circle, Fayetteville

##### BACKGROUND

The County acquired the real property with the PIN 0466-39-8246, being .55 Acre Hall Land, located at 1716 Bladen Circle, Fayetteville, at a tax foreclosure sale in 2011 for a purchase price of \$2,299.62. The property is zoned RR with a tax value of \$6,000.00. Based on the GIS Mapping and the tax records, there is no structure on the lot. Josh Speiss on behalf of Joshua Tree Associates, LLC, has made an offer to purchase the property for \$2,299.62. If the Board proposes to accept this offer, the proposed sale must be advertised subject to the upset bid process of G. S. § 160A-269. The proposed advertisement is included in the recommendation below.

#### RECOMMENDATION / PROPOSED ACTION

County Attorney recommends the Board consider the offer of Josh Speiss on behalf of Joshua Tree

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Associates, LLC. If the Board proposes to accept the offer, resolve that the described real property is not needed for governmental purposes and direct that it be advertised and sold pursuant to the upset bid process of G. S. § 160A-269.

**CUMBERLAND COUNTY BOARD OF COMMISSIONERS  
ADVERTISEMENT OF PROPOSAL TO ACCEPT AN OFFER TO PURCHASE  
CERTAIN REAL PROPERTY PURSUANT TO N.C.G.S. § 160A-269**

Take notice that the Board of Commissioners finds the real property with PIN 0466-39-8246, being .55 Acre Hall Land, located at 1716 Bladen Circle, Fayetteville, is not needed for governmental purposes and proposes to accept an offer to purchase the property for \$2,299.62. Within 10 days of this notice any person may raise the bid by not less than ten percent (10%) of the first one thousand dollars (\$1,000) and five percent (5%) of the remainder by making a five percent (5%) deposit of the bid with the Clerk. This procedure shall be repeated until no further qualifying upset bids are received. The Board of Commissioners may at any time reject any and all offers. Further details may be obtained from the Office of the County Attorney, Suite 551-Courthouse, Fayetteville, NC 28302.

F. Approval of Sale of Surplus Real Property Located at 778 Rembrandt Drive, Fayetteville

**BACKGROUND**

On November 15, 2021, the Board adopted a resolution of its intent to accept the offer of Tracey McDonald on behalf of Source Property Management, LLC, to purchase the property with PIN 9487-62-8787, being Lot 15, Sunset Park, Section 1, Plat Book 27 at Page 25, located at 778 Rembrandt Drive, Fayetteville, for \$7,506.24 and directed that it be advertised and sold pursuant to the upset bid process of G.S. § 160A-269. Tracey McDonald wishes to have the deed made to him instead of his company. The parcel is zoned SF6, with a tax value of \$8,000.00. Based on the County GIS Parcel View System and the tax records, there is no structure on the lot.

Notice of the proposed sale, subject to the upset bid process required by G.S. § 160A-269, was advertised in the Fayetteville Observer on November 19, 2021. The publisher's affidavit is attached. More than 10 days have elapsed since the notice was published. No upset bid was received.

**RECOMMENDATION / PROPOSED ACTION**

County Attorney recommends the Board approve this sale and authorize the Chair or the County Manager to execute a deed to Tracey McDonald for the property upon the County's receipt of the balance of the purchase price.

G. Acceptance of Offer to Purchase Surplus Property Located at 325 Bonnie Street, Fayetteville

**BACKGROUND**

The County acquired the real property with the PIN 0418-19-4368, being Lots 79-81 Oakland Subdivision, Section 1, Part 4, Plat Book 22, Page 73, located at 325 Bonnie Street, Fayetteville, at a tax foreclosure sale in 2003 for a purchase price of \$3,194.26. The property is zoned SF6 with a tax value of \$5,063.00. Based on the GIS Mapping and the tax records, there is no structure on the lot. Josh Speiss on behalf of Joshua Tree Associates, LLC, has made an offer to purchase the property for \$3,194.26. If the Board proposes to accept this offer, the proposed sale must be advertised subject to the upset bid process of G. S. § 160A-269. The proposed advertisement is included in the recommendation below.

**RECOMMENDATION / PROPOSED ACTION**

County Attorney recommends the Board consider the offer of Josh Speiss on behalf of Joshua Tree Associates, LLC. If the Board proposes to accept the offer, resolve that the described real property is not needed for governmental purposes and direct that it be advertised and sold pursuant to the upset bid process of G. S. § 160A-269.

**CUMBERLAND COUNTY BOARD OF COMMISSIONERS  
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Take notice that the Board of Commissioners finds the real property with PIN 0418-19-4368, being Lots 79-81 Oakland Subdivision, Section 1, Part 4, Plat Book 22, Page 73, located at 325 Bonnie Street, Fayetteville, is not needed for governmental purposes and proposes to accept an offer to purchase the property for \$3,194,26. Within 10 days of this notice any person may raise the bid by not less than ten percent (10%) of the first one thousand dollars (\$1,000) and five percent (5%) of the remainder by making a five percent (5%) deposit of the bid with the Clerk. This procedure shall be repeated until no further qualifying upset bids are received. The Board of Commissioners may at any time reject any and all offers. Further details may be obtained from the Office of the County Attorney, Suite 551-Courthouse, Fayetteville, NC 28302.

H. Acceptance of Offer to Purchase Surplus Property Located Off Turnpike Road, Fayetteville

**BACKGROUND**

The County acquired the real property with the PIN 0427-81-9722, being Lots 7&8 Lakeview Heights, Section 1, Plat Book 12 at Page 48, located off Turnpike Road, Fayetteville, at a tax foreclosure sale in 2007 for a purchase price of \$3,108.72. The property is zoned MR5 with a tax value of \$3,750.00. Based on the GIS Mapping and the tax records, there is no structure on the lot. Bonita F. Davis has made an offer to purchase the property for \$3,108.72. If the Board proposes to accept this offer, the proposed sale must be advertised subject to the upset bid process of G. S. § 160A-269. The proposed advertisement is included in the recommendation below.

**RECOMMENDATION / PROPOSED ACTION**

County Attorney recommends the Board consider the offer of Bonita F. Davis. If the Board proposes to accept the offer, resolve that the described real property is not needed for governmental purposes and direct that it be advertised and sold pursuant to the upset bid process of G. S. § 160A-269.

**CUMBERLAND COUNTY BOARD OF COMMISSIONERS  
ADVERTISEMENT OF PROPOSAL TO ACCEPT AN OFFER TO PURCHASE  
CERTAIN REAL PROPERTY PURSUANT TO N.C.G.S. § 160A-269**

Take notice that the Board of Commissioners finds the real property with PIN 0427-81-9722, being Lots 7&8 Lakeview Heights, Section 1, Plat Book 12 at Page 48, located off Turnpike Road, Fayetteville, is not needed for governmental purposes and proposes to accept an offer to purchase the property for \$3,108.72. Within 10 days of this notice any person may raise the bid by not less than ten percent (10%) of the first one thousand dollars (\$1,000) and five percent (5%) of the remainder by making a five percent (5%) deposit of the bid with the Clerk. This procedure shall be repeated until no further qualifying upset bids are received. The Board of Commissioners may at any time reject any and all offers. Further details may be obtained from the Office of the County Attorney, Suite 551-Courthouse, Fayetteville, NC 28302.

I. Approval of Budget Ordinance Amendments for the December 20, 2021 Board of County Commissioners' Agenda

**BACKGROUND**

**General Fund 101**

- 1) Register of Deeds Automation – Budget Ordinance Amendment B220347 to appropriate Register of Deeds Automation fund balance in the amount of \$125,000

The Board is requested to approve Budget Ordinance Amendment B220347 to appropriate Register of Deeds Automation fund balance in the amount of \$125,000. These funds will be needed for steel shelves, carpet, and workstations to complete a current access project.

Please note this amendment requires appropriation of Register of Deeds Automation fund balance.

- 2) General Government Other – Budget Ordinance Amendment B220435 to appropriate fund balance in the amount of \$3,851,732

The Board is requested to approve Budget Ordinance Amendment B220435 to appropriate fund balance in the amount of \$3,851,732 of which \$2.4M is CARES funding. This is for the pandemic

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pay and the associated fringes as discussed with the Board of Commissioners at the November 9, 2021, agenda session and approved at the November 15, 2021 Board of Commissioners meeting.

Please note this amendment requires appropriation of general fund balance.

- 3) Emergency Services Grants – Budget Ordinance Amendment B220049 to recognize a grant award in the amount of \$10,000 from the North Carolina Department of Public Safety

The Board is requested to accept the grant award and approve Budget Ordinance Amendment B220049 in the amount of \$10,000 to recognize grant funds from the North Carolina Department of Public Safety Hazardous Materials Emergency Preparedness Grant Program (HMEP). This funding will be used to conduct a full-scale hazardous materials spill exercise. Cumberland County Emergency Services along with the Local Emergency Planning Committee will work in conjunction with local industries to perform this exercise.

Please note this amendment requires no additional county funds.

- 4) Health Department – Budget Ordinance Amendment B220004 to recognize federal funds in the amount of \$567,643 from the North Carolina Department of Health and Human Services, Division of Public Health

The Board is requested to approve Budget Ordinance Amendment B220004 to recognize federal funds from the North Carolina Department of Health and Human Services, Division of Public Health in the amount of \$567,643. These funds will be used to provide vaccinations to children and adolescents under 18 years of age, boosters, and primary COVID-19 vaccination series.

Please note this amendment requires no additional county funds.

- 5) Health Department – Budget Ordinance Amendment B220168 to recognize federal funds in the amount of \$1,997,255 from the North Carolina Department of Human Services, Division of Public Health

The Board is requested to approve Budget Ordinance Amendment B220168 to recognize federal funds from the North Carolina Department of Health and Human Services, Division of Public Health. The Division of Public Health selected Cumberland County to lead initiatives for Region 6. They are requiring a new position called a Regional Director, with funding being sustained through June 30, 2023, to lead and collaborate across counties. These funds will also be utilized to establish, expand, train, and sustain the local public health workforce to support jurisdictional COVID-19 prevention, preparedness, response, and recovery initiatives.

Please note this amendment requires no additional county funds.

#### Capital Investment Fund 107/General Fund 101

- 6) Capital Investment Fund/General Fund – Budget Ordinance Amendment B220254 to record a transfer between the Capital Investment Fund and General Fund in the amount of \$2,978,558

The Board is requested to approve Budget Ordinance Amendment B220254 in the amount of \$2,978,558. In the FY22 Adopted Budget, vehicles were budgeted in the Capital Investment Fund. However, no transfer was recorded from the General Fund to the Capital Investment Fund. Instead, the Capital Investment fund balance was appropriated.

Please note this amendment requires a decrease in Capital Investment fund balance.

#### Inmate Welfare Fund 207

- 7) Inmate Welfare Fund – Budget Ordinance Amendment B221059 to recognize \$11,222 of tablet commissions revenue and appropriate \$208,978 of Inmate Welfare fund balance appropriation

The Board is requested to approve Budget Ordinance Amendment B221059 in the amount of \$11,222 for tablet commission revenue and appropriating \$208,978 of Inmate Welfare fund balance. Additional equipment such as the body scanner \$147,000, industrial washing machine, kitchen steamer, convection oven, range and griddle will be purchased. These are replacement items.

Please note this amendment requires appropriation of Inmate Welfare fund balance.

**REGARDING THE FOLLOWING ITEM #8 PLEASE NOTE:**

Each fiscal year County departments may have projects that have been approved and initiated but were not complete by the fiscal year end (6/30/21) or items ordered that had not been received by fiscal year end. These projects or items were approved in the Fiscal Year 2021 budget; however, the money was not spent by June 30, 2021.

The following amendment seeks to bring these funds forward from FY 2021 into the current fiscal year, allowing departments to complete and pay for these projects and items. This revision is not using 'new' funds but is recognizing the use of FY21 funds in FY22.

General Fund 101, Community Development Block Grant Disaster Recovery Fund 264, Community Development Fund 265, Community Development Home Fund 266, Community Development Supportive Housing Fund 267

8) Community Development, Housing Activities, Economic Development, Public Facilities, Public Services, CD Miscellaneous Grants, HOME Administration, HOME Housing Activity, Supportive Housing Program Grants – Budget Ordinance Amendment B221395 to re-appropriate FY21 funds in the amount of \$4,838,703

The Board is requested to approve Budget Ordinance Amendment B221395 to re-appropriate fund balance in the amount of \$279,298, FY21 funds in the amount of \$1,694,582 of program income, \$1,233,073 in HOME Entitlement funds, \$279,298 for a General Fund match – HOME, \$614,355 in CDBG Entitlement funds, \$215,322 in CDBG Coronavirus Aid, Relief and Economic Security (CARES) funds, \$48,167 in Continuum of Care Planning, and \$474,608 in Community Development Block Grant Disaster Recovery.

**RECOMMENDATION / PROPOSED ACTION**

Approve Budget Ordinance Amendments

J. Approval of Cumberland County Board of Commissioners Agenda Session Items

1. Proposal to Develop a Regional Workforce Agency

**BACKGROUND**

The Mid-Carolina Council of Governments (MCCOG) is contemplating the formation of a multi-county Workforce Development Agency that would consist of Cumberland, Harnett, and Sampson counties. Justin Hembree, MCCOG Executive Director, presented a proposal and provided details to the Board of Commissioners at their December 9, 2021 Agenda Session.

**RECOMMENDATION / PROPOSED ACTION**

At the December 9, 2021 Agenda Session meeting, the Board approved placing the proposed action below as a Consent Item on the December 20, 2021 Board of Commissioner's Meeting agenda:

- Approve the proposal to form a multi-county regional Workforce Development Agency consisting of Cumberland, Harnett, and Sampson counties.

2. Resolution Designating County Plat Review Officers

**BACKGROUND**

In accordance with NC General Statutes 47-30.2, every county in the State needs to designate, by resolution, a plat review officer or officers tasked with ensuring subdivision plats are properly reviewed and recorded to specific standards. The last resolution designation by the Board of County Commissioners was adopted on September 23, 1997. Since 1997, there has been

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significant staff turnover. There is a need for an updated resolution with new names of staff members to comply with State Statutes.

#### RECOMMENDATION / PROPOSED ACTION

At the December 9, 2021 Agenda Session meeting, the Board approved placing the proposed action below as a Consent Item on the December 20, 2021 Board of Commissioner's Meeting agenda.

- Approve the resolution designating staff as plat review officers.

#### NORTH CAROLINA

#### RESOLUTION APPOINTING COUNTY OF CUMBERLAND PLAT REVIEW OFFICERS

WHEREAS, the North Carolina General Assembly has adopted North Carolina General Statute 47-30.2 which requires the appointment of a Plat Review Officer to review plats prior to their recording in the Register of Deeds Office; and,

WHEREAS, Cumberland County wishes to continue this program with the least possible disruption of the current system; and,

WHEREAS, it is desirable to have persons skilled in mapping and land records management to fill the role of Plat Review Officer;

NOW, THEREFORE, be it resolved by the Board of Commissioners of the County of Cumberland that:

1. Rawls Howard, Mark Blackwell, David Moon, Aaron Calloway, Sabrina Greer, Aristotle Shinas, and Annie Melvin are hereby appointed Plat Review Officers for Cumberland County;
2. A copy of this Resolution is to be recorded in the Register of Deeds Office of Cumberland County and indexed in the Grantor Index in the name of the above-named person(s);
3. The Director of Planning and Inspections is hereby empowered to appoint additional persons in the Planning and Inspections Department of the County to assist in the expeditious review of plats;
4. The Plat Review Officer shall notify the local Cumberland County surveyor and engineer boards of those person(s) designated to review plats within the County.

Adopted this the 20<sup>th</sup> day of December 2021.

3. Building Resilient Infrastructure and Communities Grant

#### BACKGROUND

As part of the Disaster Relief and Recovery Act of 2018, the Federal Government restructured what was previously known as the Pre-Disaster Mitigation Program. The new program is called Building Resilient Infrastructure and Communities (BRIC). Cumberland County Emergency Services applied for the new BRIC program in 2020 with the assistance of a consultant. Utilizing the Resilient Redevelopment Plan for Cumberland County created by North Carolina Emergency Management and damage sustained during Hurricane Florence, Emergency Services staff and the consultant identified projects for the 2020 submission. Although projects did not eventually get funded, the process did provide lessons learned to strengthen future project submissions.

Utilizing the feedback received from NCEM and the consultant that assisted with the 2020 BRIC application, Cumberland County Emergency Services, Emergency Management submitted letters of interest to NCEM for consideration for the three potential BRIC projects. NCEM approved all three projects to move forward for submission into the FEMA grant portal. A committee from the NCEM Mitigation section will review the program submissions and offer recommendations to strengthen the application. The final draft of the project submission is January 7, 2022.

If awarded, each project has a 75% FEMA and 25% Local cost share. This cost-share can be in-kind and county funds. In addition to the final draft, a letter of commitment to the 25% match dependent upon grant approval is required.

Spring Lake Flood Mitigation (State Allocation)

Overall Cost: \$122,975.00

Proposed Federal Share: \$92,231.25

Proposed Non-Federal Share: \$30,734.75

Linden Drainage Project (State Allocation)

Overall Cost: \$122,975.00

Proposed Federal Share: \$92,231.25

Proposed Non-Federal Share: \$30,734.75

Stream Gauge Project (Nationwide Competitive Project)

\*Competitive project reflects a 70% FEMA and 30% local cost share. This ratio is suggested by NCEM because the State of North Carolina automatically loses points in the technical evaluation criteria.

Overall Cost: \$300,000.00

Proposed Federal Share: \$210,000.00

Proposed Non-Federal Share: \$90,000.00

RECOMMENDATION / PROPOSED ACTION

At the December 9, 2021 Agenda Session meeting, the Board approved placing the proposed action below as a Consent Item on the December 20, 2021 Board of Commissioner's Meeting agenda:

- Approve submission of the grants and authorize the Chairman to sign the letter of commitment for the local match.

4. Amendment to the Homeless Advisory Committee Interlocal Agreement

BACKGROUND

At the October 18, 2021 Board of Commissioners meeting, the Board approved the Homeless Advisory Committee makeup expansion as follows:

(2) County Commissioners

(2) City Council Members Deputy City Manager Assistant County Manager  
City and County Community Development Directors Continuum of Care Chairperson  
School Superintendent or designee Board of Education Member

Attached is a copy of the proposed amended agreement. This document reflects the addition of the aforementioned seats to the Homeless Advisory Committee.

RECOMMENDATION / PROPOSED ACTION

At the December 9, 2021 Agenda Session meeting, the Board approved placing the proposed action below as a Consent Item on the December 20, 2021 Board of Commissioner's Meeting agenda:

- Approve the amended agreement.

5. Emergency Rental Assistance Program Agreement with the North Carolina Office of Budget and Management

BACKGROUND

In June 2021, Cumberland County was notified by the North Carolina Office of State Budget and Management of funding in the amount of \$31,175,381 made available from the U.S. Department of Treasury for the Emergency Rental Assistance (ERA) Program. The funds will be awarded in two installments. The first award from the State will be in the amount of \$17,452,503.07 to Cumberland County. The term of the agreement (attached) is from August 30, 2021 to December 31, 2022. Funds must be incurred by September 1, 2022.

The purpose of the ERA program is to provide financial assistance to renters at risk of eviction due to the COVID-19 pandemic. Funds may be used for rent, utility assistance payments, and housing stability services to eligible households in Cumberland County adversely affected by the COVID-19 pandemic.

#### RECOMMENDATION / PROPOSED ACTION

At the December 9, 2021 Agenda Session meeting, the Board approved placing the proposed action below as a Consent Item on the December 20, 2021 Board of Commissioner's Meeting agenda:

- Accept the grant award in the amount of \$17,452,504
- Recognize the associated budget ordinance amendment # B220053 in the amount of \$17,452,504 for the first installment
- Authorize the Chairman to execute the agreement

#### 6. Lease Renewal for Family Visitation Center

#### BACKGROUND

Due to the number of children in foster care, DSS is unable to accommodate court ordered visits within the building's limited visitation space. In January 2020, with approval from the Board of Commissioners and County Manager, a Family Visitation Center was identified and approval was obtained to lease the property at 2504 Raeford Road, Fayetteville, NC. This location is optimal and accessible by public transportation. Additionally, this location provides sufficient office and visitation space to continue serving our community and allow parents, siblings and other relatives to visit children in foster care in a family-friendly location. The terms of the initial contract remain unchanged with an annual rental of \$20,400 payable in equal installments of \$1700.00 a month. The renewal agreement has been reviewed by County Legal.

#### RECOMMENDATION / PROPOSED ACTION

At the December 9, 2021 Agenda Session meeting, the Board approved placing the proposed action below as a Consent Item on the December 20, 2021 Board of Commissioner's Meeting agenda:

- Approve renewal of the Weeks Rental Properties, LLC lease agreement for two years at a total cost of \$40,800.00 payable in equal installments of \$1700.00 a month for the Family Visitation Center effective December 31, 2021.

#### 7. Amendment to North Carolina Department of Agriculture - Division of Soil & Water Stream Debris Removal Grant Contract #17-175-4064 and Associated Budget Amendment #220349

#### BACKGROUND

A Hurricane Matthew Stream Debris Removal Grant was awarded to Cumberland County in February 2018 in the amount of \$208,292. In May of 2019, the award amount was increased by \$300,000 to a total of \$508,292 for this particular grant. Along the way, various extensions were requested and approved as stream debris removal projects were undertaken across the county.

The current grant will expire on December 31, 2021 unless otherwise extended (see attached amendment #03- 2020). There is no change to the grant award amount. Staff requests the Board of Commissioners reappropriate the remaining grant funds from Stream Debris Removal from the NC Division of Soil and Water in the amount of \$353,072. This project has now been extended to December 31, 2022. This grant is sub-contracted to the City of Fayetteville through an interlocal agreement.

#### RECOMMENDATION / PROPOSED ACTION

At the December 9, 2021 Agenda Session meeting, the Board approved placing the proposed action below as a Consent Item on the December 20, 2021 Board of Commissioner's Meeting agenda:

- Approve of the amended contract;
- Approve the associated Budget Amendment #220349 and reappropriate the remaining grant funds in the amount of \$353,072; and
- Extend the agreement to December 31, 2022.

8. Amendment to FY2022 CIP Projects

**BACKGROUND**

The Engineering and Infrastructure Department is seeking approval to push the first three projects listed in the table below to FY23 and utilize the funds allocated to those projects to fund a more pressing need.

<b>Project Description</b>	<b>Current Fiscal Year</b>	<b>Proposed Fiscal Year</b>	<b>Amount</b>
Historic Courthouse Elevator Modernization	FY22	FY23	\$250K
Parking Lot Repair/Resurfacing	FY22	FY23	\$139K (remaining)
Detention Center Window Replacement	FY22	FY23	\$160K
Detention Center Heating Boilers	FY23	FY22	\$300K

Amending the timing of these projects is necessary to perform a complete and appropriate replacement of the existing Detention Center Boilers. Currently, there is \$300,000 budgeted in the CIP (Capital Investment Fund) for the replacement of one of the two heating boilers in the Detention Center. The second boiler, estimated to cost \$300,000, has been identified in the CIP as a FY23 project. After meeting with the design engineer, it was discovered that both of the old boilers share one exhaust vent that protrudes through the roof. According to the manufacturer, the warranty of the new boiler will be voided if just one of the two boilers is replaced and a new boiler is connected to the existing vent. A new vent hole would have to be put in the roof of the Detention Center if only one boiler is replaced and increases the overall cost of the project.

The Detention Center roof was replaced within the last year and it is highly recommended that the County avoids adding another penetration. It is always a goal to minimize the number of roof penetrations for any roof to reduce the likelihood of a roof leak in the area around the penetration. If both boilers were being replaced at

the same time, then the existing exhaust vent could be replaced with an updated vent. This would eliminate the requirement for an additional vent and roof penetration.

In addition, the return pumps for both boilers are currently elevated and are extremely difficult and dangerous to maintain by Facilities Management Staff. The piping can be reconfigured to relocate both return pumps on a concrete pad on the floor if both boilers are being replaced simultaneously. Coincidentally, there is a cost savings in engineering and mobilization costs from the contractor if both boilers can be replaced as one project.

The only time that the boilers can be replaced is during a time in which sensible heating is not required to maintain a comfortable environment in the building. If the project is delayed until FY23 and following the current procurement process and long lead times for equipment; we estimate a start date of early October 2022. This leaves little time to replace the boilers before sensible heating would be required. This would push the project start date to May of 2023. Both boilers are over 20 years-old and it be catastrophic to lose a heating boiler for a facility that operates 24 hours a day and 365 days a year.

The current working estimate for the second boiler replacement is approximately \$357K. Any additional funding sans change orders will be returned to the Capital Investment Fund upon project completion.

**RECOMMENDATION / PROPOSED ACTION**

At the December 9, 2021 Agenda Session meeting, the Board approved placing the proposed action below as a Consent Item on the December 20, 2021 Board of Commissioner's Meeting agenda:

- Approve the proposed amendment to FY2022 CIP Projects.

9. Revised Register of Deeds Door Project Costs

All references to any materials which are described in these minutes or incorporated into these minutes are to the materials that are contained in the same numbered item in the agenda for this meeting. These may be viewed online in the agenda set out on this web page <https://www.cumberlandcountync.gov/departments/commissioners-group/commissioners/meetings/agendas-minutes-and-videos>

## BACKGROUND

On June 21, 2021, the Board of Commissioners approved the Budget Ordinance Amendment #B210338 for \$50K. The budget ordinance amendment was a shared cost to fund the construction of a vault doorway for the Register of Deeds. The doorway would provide a secondary egress and allow public and attorney access to the records vault without having to utilize the main Register of Deeds entrance.

Guidance from the Board was to move forward with planning and design with 50% of total project costs to be funded from the County's CIP fund not to exceed \$50K.

The planning and design costs are \$12K and the overall project costs were \$125,028. Complying with the original guidance the project now had a shortfall of \$37,028.00.

During the November 15, 2021 Board of Commissioners' Regular Meeting, the Board of Commissioners approved the following:

1. De-scoping of the terrazzo flooring from the project.
2. Funding of the project not to exceed \$100K.

The Engineering and Infrastructure Department de-scoped the terrazzo flooring and negotiated a new contract price of \$103,330.08. After planning and design this still left a shortfall of roughly \$15K. The additional \$15K will be funded with savings from previously completed projects.

At the December 9, 2021 Agenda Session, the Board discussed the revised project costs of \$115,000 and agreed to move forward with the project by utilizing \$15,000 of savings realized from other projects.

## RECOMMENDATION / PROPOSED ACTION

At their December 9, 2021 Agenda Session, the Board of Commissioners' approved placing the proposed action below on the December 20, 2021 Regular Meeting agenda as a Consent Item:

- Approve the revised project costs of \$115,000 by utilizing \$15,000 of savings realized from other capital projects.

MOTION: Commissioner Evans moved to approve consent agenda Items 3.A. – 3.J.9.

SECOND: Commissioner Council

VOTE: UNANIMOUS (4-0)

Commissioner Evans departed the meeting without having been excused.

## 4. PUBLIC HEARINGS

Ms. Cannon explained the Board of Commissioners' procedures for public hearings.

### Uncontested Rezoning Cases

A. Case ZON-21-0018: Rezoning from A1 Agricultural District to R40A Residential District on 2.00 +/- acres or more restrictive zoning district; located at 3215 John Hall Road; submitted by MAPS Surveying, Inc. (agent) on behalf of Terry Nance and Amy Nance (owners).

\*\*\*\*\*

Rawls Howard, Planning and Inspections Director, showed vicinity or location maps and aerial views of the subject property. Mr. Howard provided overviews of the current land uses, current zonings, and surrounding land uses and zonings as well as soil conditions. Mr. Howard stated the request is consistent with the South-West Cumberland Land Use map and the intent is to add a second manufactured home to the site. Mr. Howard stated the site will have to be served by well and septic. Mr. Howard stated Planning and Inspections staff recommended approval and the Planning Board recommended approval by a unanimous 6-0 vote.

Chairman Adams opened the public hearing for Case ZON-21-0018.

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The clerk to the board called the following speaker for Case ZON-21-0018:

Trevor Nance – Mr. Nance appeared as a proponent and stated he was present representing his parents who want to build a second home on their property for family.

Chairman Adams closed the public hearing for Case ZON-21-0018.

**MOTION:** Commissioner Stewart moved in Case ZON-21-0018 to approve the rezoning request from A1 Agricultural District to the R40A Residential District and find that the request is consistent with the Southeast Cumberland Land Use Plan which calls for Rural Density Residential at this location. Approval of the request is reasonable and in the public interest because the R40A Residential District would allow residential uses at a density that would be compatible and in harmony with the surrounding land use activities and zoning.

**SECOND:** Commissioner Council

**VOTE:** UNANIMOUS (4-0) (Commissioner Evans departed the meeting without having been excused.)

B. Case ZON-21-0019: Rezoning from R10 Residential District and C(P) Planned Commercial District to C(P) Planned Commercial District on 4.98 +/- acres or more restrictive zoning district; located at 3563 Camden Road; submitted by EEB, LLC (owner).

\*\*\*\*\*

Mr. Howard showed vicinity or location maps and aerial views of the subject property. Mr. Howard provided overviews of the current land uses, current zonings, and surrounding land uses and zonings as well as soil conditions. Mr. Howard stated the applicant is requesting the rezoning to consolidate the entire parcel into a single zoning district. Mr. Howard stated the request is not consistent with the South-West Cumberland Land Use Plan map and Planning and Inspections staff thought it warranted a plan change due to the surrounding industrial uses and because the commercial use would be a sensible transition between heavier industrial uses. Mr. Howard stated a PWC water line is available along the frontage of Camden Road and the nearest PWC sewer line is approximately 875 feet from the subject property. Mr. Howard stated Planning and Inspections staff recommended approval and the Planning Board recommended approval by a unanimous 6-0 vote.

Chairman Adams opened the public hearing for Case ZON-21-0019.

The clerk to the board called the following speakers for Case ZON-21-0019.

Ben Berger – Mr. Berger appeared as a proponent and stated he is the property owner and wants to rezone the back portion of the parcel to commercial to accommodate a business he is setting up after retiring from the U.S. Army.

Kenneth Smith – Mr. Smith appeared as a proponent and stated he assisted Mr. Berger with the site plan and rezoning. Mr. Smith stated Mr. Berger wants to clean up the zoning and consolidate the entire parcel into 100% commercial for future development so there would be no zoning conflict.

Chairman Adams closed the public hearing for Case ZON-21-0019.

**MOTION:** Commissioner Council moved in Case ZON-21-0019 to approve the rezoning request from R10 Residential District and C(P) Planned Commercial District to C(P) Planned Commercial District and find the request is not consistent with the Southwest Cumberland Land Use Plan which calls for Light Industrial at this location. However, the request:

a. Is an approval of an amendment to the adopted, current Southwest Cumberland Land Use Plan and that the Board of Commissioners should not

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require any additional request or application for amendment to said map for this request.

b. The requested C(P) district is an appropriate transition between industrial and residential zoning districts, would be less intensive, and would further eliminate potential compatibility concerns associated with light industrial and residential uses.

c. Is reasonable and in the public interest because the C(P) district would allow commercial uses at an intensity that would be compatible and in harmony with the surrounding land use activities and zoning.

SECOND: Commissioner Stewart

VOTE: UNANIMOUS (4-0) (Commissioner Evans departed the meeting without having been excused.)

C. Case ZON-21-0020: Rezoning from PND Planned Neighborhood Development District to RR Rural Residential District on 1.81 +/- acres or more restrictive zoning district; located at 412 Slocumb Road; submitted by William Lee Elliott and Dessie F. Elliott (owners).

\*\*\*\*\*

Mr. Howard showed vicinity or location maps and aerial views of the subject property. Mr. Howard provided overviews of the current land uses, current zonings, and surrounding land uses and zonings as well as soil conditions. Mr. Howard stated the request is to go from PND which is a dormant district, and the intent of the applicant is to do a recombination of the plat to add a second residence to the property. Mr. Howard stated the request is not consistent with the North Central Cumberland Land Use Plan map but is going from one residential designation to another residential designation. Mr. Howard stated PWC water and sewer lines are available the frontage of Slocumb Road. Mr. Howard stated Planning and Inspections staff recommended approval and the Planning Board recommended approval by a unanimous 6-0 vote.

Chairman Adams opened the public hearing for Case ZON-21-0020.

The clerk to the board stated there were no speakers for Case ZON-21-0020.

Chairman Adams closed the public hearing for Case ZON-21-0020.

MOTION: Commissioner Stewart moved in Case ZON-21-0020 to approve the rezoning request from PND Planned Neighborhood Development District to the RR Rural Residential District and find the request is not consistent with the North Central Cumberland Land Use Plan which calls for Low Density Residential at this location. However, the request:

a. Is an approval of an amendment to the adopted, current North Central Cumberland Land Use Plan and that the Board of Commissioners should not require any additional request or application for amendment to said map for this request.

b. Would allow minimum lot sizes that are above what the land use plan calls for.

c. Is reasonable and in the public interest because the RR Rural Residential District would allow residential uses at a density that would be compatible and in harmony with the surrounding land use activities and zoning.

SECOND: Commissioner Council

VOTE: UNANIMOUS (4-0) (Commissioner Evans departed the meeting without having been excused.)

#### Contested Rezoning Cases

D. Case ZON-21-0017: Rezoning from RR Rural Residential District and C1(P) Planned Local Business District to C1(P) Planned Local Business District on 0.84 +/- acres or more

restrictive zoning district; located at 5254 and 5242 Maxwell Road; submitted by William McPhail (owner).

\*\*\*\*\*

Mr. Howard showed vicinity or location maps and aerial views of the subject property. Mr. Howard provided overviews of the current land uses, current zonings, and surrounding land uses and zonings as well as soil conditions. Mr. Howard stated the subject property is currently split zoned, and the request is not consistent with the Stedman Land Use Plan which calls for the entire area to be residential. Mr. Howard stated the site would have to be served by septic and well. Mr. Howard stated Planning and Inspections staff recommended denial because the request was not consistent with the adopted land use plan and the Planning Board recommended approval by a unanimous 6-0 vote because part of the property is already zoned commercial, and it will not be inconsistent with the area.

Chairman Adams asked how the smaller section of the parcel got zoned differently. Mr. Howard stated it has been that way for quite some time and he thinks there used to be a mini storage facility on the property that got torn down by the applicant who applied for the rezoning to construct a bigger and more modern storage facility.

Chairman Adams opened the public hearing for Case ZON-21-0017.

The clerk to the board called the following speakers for Case ZON-21-0017.

William McPhail – Mr. McPhail appeared as a proponent and stated there was a florist on the property for several years and he wants to put storage units on the property. Mr. McPhail stated the storage units do not need utilities and the site plan was approved contingent on the decision of the Board of Commissioners. Mr. McPhail stated NCDOT approved the driveway and the neighbors across the street are not in opposition to the rezoning.

Wayne L. Bullock – Mr. Bullock appeared as a proponent and stated the property looks neat and clean and when the neighbors ask him what he thinks, he tells them the storage units are the best thing that could happen to the property because if a mobile home is placed on the property and not supervised, it will be a mess. Mr. Bullock stated he favors the rezoning and hopes the Board of Commissioners will approve it.

Chairman Adams closed the public hearing for Case ZON-21-0017.

**MOTION:** Commissioner Council moved in Case ZON-21-0017 to approve the approve the rezoning request from RR Rural Residential District and C1(P) Planned Local Business District to C1(P) Planned Local Business District and find that the request is not consistent with the Stedman Land Use Plan which calls for Suburban Density Residential at this location. However, the request:

- a. Requires an amendment to the adopted, current Stedman Area Land Use Plan and that the Board of Commissioners should not require any additional request or application for amendment to said map.
- b. Would not materially increase the intensity of uses to what has been existing on the site.
- c. Is reasonable and in the public interest because the requested C1(P) Planned Local Business District would allow commercial uses at an intensity that would be compatible, in character, and in harmony with the existing C1(P) zoning.

**SECOND:** Commissioner Stewart

**VOTE:** UNANIMOUS (4-0) (Commissioner Evans departed the meeting without having been excused.)

## 5. ITEMS OF BUSINESS

### A. Consideration of the Proposed Diversity, Equity, and Inclusion (DE&I) Strategic Plan

All references to any materials which are described in these minutes or incorporated into these minutes are to the materials that are contained in the same numbered item in the agenda for this meeting. These may be viewed online in the agenda set out on this web page <https://www.cumberlandcountync.gov/departments/commissioners-group/commissioners/meetings/agendas-minutes-and-videos>

## BACKGROUND

The Diversity, Equity, and Inclusion (DE&I) Advisory Committee, in collaboration with the consulting firm of K.L. Scott and Associates, has completed its work on the final draft of the DE&I Strategic Plan for Cumberland County government. The draft plan is designed to assist the organization in its strategic decision making by ensuring that decisions are made through the lens of diversity, equity, and inclusion. Four strategic goals are supported through the draft plan:

Goal 1: Strengthen diversity, equity and inclusion policy development, execution, and oversight throughout County government

Goal 2: Improve diversity, equity and inclusion community outreach and partnership

Goal 3: Ensure employee equity within staff representation, compensation, and promotion opportunities and create an inclusive workplace

Goal 4: Improve internal operations to execute diversity, equity and inclusion policies and procedures

## RECOMMENDATION / PROPOSED ACTION

At their December 9, 2021 Agenda Session, the Board of Commissioners approved placing the proposed action below on the December 20, 2021 regular meeting agenda as an Item of Business.

- Approve the proposed strategic plan including the creation of a Chief Diversity Officer position in January 2022 to lead the County's DE&I efforts.

\*\*\*\*\*

Ms. Evans presented the background information recorded above and stated the requested rewording was made to Section 3.7 to remove the word minority so all employees could be included. Ms. Evans stated at the December 9, 2021 Agenda Session meeting, Commissioner Keefe requested a change to include all commissioner-appointed boards and committees in the Diversity, Equity, and Inclusion (DE&I) Strategic Plan but the Board of Commissioners felt that could be better addressed separately from the Diversity, Equity, and Inclusion (DE&I) Strategic Plan so Commissioner Keefe's request has not been carried forward.

**MOTION:** Commissioner Council moved to approve proposed strategic plan including the creation of a Chief Diversity Officer position in January 2022 to lead the County's DE&I efforts

**SECOND:** Commissioner Stewart

**VOTE:** UNANIMOUS (4-0) (Commissioner Evans departed the meeting without having been excused.)

B. Consideration of Amended Professional Services Agreement for the Emergency Rental Assistance Program with Innovative Emergency Management, Inc.

## BACKGROUND

In January 2021, Cumberland County was awarded \$3,735,545.10 through the Emergency Rental Assistance Program established by the U.S. Department of Treasury. At the Board of Commissioners meeting held on May 17, 2021, the Board approved a Professional Services Agreement between Cumberland County and Innovative Emergency Management (IEM) Inc. to administer the Emergency Rental Assistance Program for the County for a term beginning May 18, 2021 and ending December 31, 2021. Cumberland County and the City of Fayetteville are contracting with the same firm to administer the Emergency Rental Assistance Program.

In May 2021, a second allocation was awarded to the County in the amount of \$1,182,304.80. In order to maintain continuity, Cumberland County Community Development Department desires to amend the current agreement to include the second round of allocation and extend the term to June 30, 2022.

According to the U.S. Treasury (documented in the FAQ publication) the administrative cost allowed has increased from the first allocation of funds. For the second allocation, up to 15% is allowable for administrative costs and up to 10% is allowable for case management services.

#### RECOMMENDATION / PROPOSED ACTION

This item was presented at the December 9, 2021 Agenda Session meeting. The Board did not unanimously approve this item and therefore, this item will be placed as an Item of Business on the December 20, 2021 Board of Commissioners' Meeting agenda.

- Accept the additional allocation of Emergency Rental Assistance Program funds in the amount of \$1,182,304.80.
- Approve the contract amendment which extends the contract period to June 30, 2022 and the program fee for the second allocation at an amount not to exceed 25% of the program funds (15% for administrative costs and 10% for housing stability costs).

\*\*\*\*\*

Dee Taylor, Community Development Director, presented the background information and recommendation/proposed action recorded above.

**MOTION:** Commissioner Council moved to accept the additional allocation of Emergency Rental Assistance Program funds in the amount of \$1,182,304.80 and to approve the contract amendment which extends the contract period to June 30, 2022 and the program fee for the second allocation at an amount not to exceed 25% of the program funds (15% for administrative costs and 10% for housing stability costs).

**SECOND:** Commissioner Stewart

**VOTE:** UNANIMOUS (4-0) (Commissioner Evans departed the meeting without having been excused.)

#### 6. NOMINATIONS

A. Fayetteville Cumberland Economic Development Corporation Board of Directors (1 Vacancy)

Commissioner Stewart nominated Dymond Spain.

B. Human Relations Commission (2 Vacancies)

Commissioner Stewart nominated Jessica Black and Elmore Lowery.

C. Joint Planning Board (1 Vacancy)

Chairman Adams nominated William Walters.

D. Cumberland County Local Emergency Planning Committee (1 Vacancy)

Commissioner Stewart nominated Amy Mateo in the category of Local Environmental Representative.

E. Board of Health (9 Vacancies)

Commissioner Stewart nominated the following to the Board of Health in their respective categories:

Veterinarian Category - Dr. William Kent Dean

Dentist Category - Dr. Kingsley Momodu

Registered Nurse Category - Cynthia McArther-Kearney

Pharmacist Category - Dr. Olusola A. Ojo

Engineer Category - John Larch III

General Public Representatives Category - Jennifer Brayboy, Kierra Wade and Joseph Fiser

MOTION: Commissioner Stewart moved to waive Rule 29 of the Board of Commissioners' Rules of Procedure and nominate Commissioner Jeannette Council to the Board of Health in the Cumberland County Commissioner Category for a third term.  
SECOND: Chairman Adams  
VOTE: UNANIMOUS (Commissioner Evans departed the meeting without having been excused.)

7. APPOINTMENTS

A. Farm Advisory Board

B. Animal Services Board

MOTION: Commissioner Stewart moved to appoint to the Farm Advisory Board in the Farmer Category - Tracy Gardner, Craig Tyson, David Gillis, in the N.C. Cooperative Extension Category - Liz Joseph and in the Cumberland County Joint Planning Board Category - Mark Williams; and to appoint to the Animal Services Board in the Promoting Goals of the Animal Protection Society or the Humane Society or Another Such Broadly-Based and Representative Organization Interested in the Care and Protection of the Animals Category - Lee Ward.  
SECOND: Commissioner Council  
VOTE: UNANIMOUS (4-0) (Commissioner Evans departed the meeting without having been excused.)

8. CLOSED SESSION:

A. Economic Development Matter(s) Pursuant to NCGS 143.318.11(a)(4)

MOTION: Commissioner Council moved to go into closed session for Economic Development Matter(s) Pursuant to 143-318.11(a)(4).  
SECOND: Commissioner Stewart  
VOTE: UNANIMOUS (4-0) (Commissioner Evans departed the meeting without having been excused.)

MOTION: Commissioner Council moved to come out of closed session.  
SECOND: Commissioner Stewart  
VOTE: UNANIMOUS (4-0) (Commissioner Evans departed the meeting without having been excused.)

MOTION: Commissioner Stewart moved to adjourn.  
SECOND: Commissioner Council  
VOTE: UNANIMOUS (4-0) (Commissioner Evans departed the meeting without having been excused.)

There being no further business, the meeting adjourned at 7:50 p.m.

Approved with/without revision:

Respectfully submitted,

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Candice H. White  
Clerk to the Board