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**AGENDA**  
**CUMBERLAND COUNTY BOARD OF COMMISSIONERS**  
**JUDGE E. MAURICE BRASWELL**  
**CUMBERLAND COUNTY COURTHOUSE - ROOM 118**  
**APRIL 19, 2021**  
**6:45 PM**

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INVOCATION - Commissioner Glenn Adams, Vice Chair

PLEDGE OF ALLEGIANCE -

Recognition of 2021 Governor's Volunteer Service Awards:

Melode Dickerson, Cape Fear CERT  
Metter Ann Montoya, Vision Resource Center  
Patricia Nusbaum, Vision Resource Center  
Amelia Smith, NC Guardian ad Litem Program

**PUBLIC COMMENT PERIOD**

1. APPROVAL OF AGENDA
2. PRESENTATIONS
  - A. Update from Ms. Sharon Moyer, Partnership for Children of Cumberland County Regarding Family Connects Home Visiting Program
  - B. Update from Chairman Charles Evans on the Board's Accomplishments
3. CONSENT AGENDA
  - A. Approval of April 5, 2021 Regular Meeting Minutes
  - B. Approval of Proclamation Recognizing April 22 as Arbor Day in Cumberland County
  - C. Approval of Declaration of Surplus County Property and Authorization to Accept Insurance Settlement and Budget Ordinance Amendment #B210149
  - D. Approval of Formal Bid Award for Sheriff's Office Emergency Responder Radio Cover Bi-Directional Amplifiers
  - E. Approval of Budget Ordinance Amendments for the April 19, 2021 Board of Commissioners' Agenda
  - F. Approval of Cumberland County Board of Commissioners Agenda Session Items
    1. Approval of the Fayetteville Area Metropolitan Planning Organization (FAMPO) Multi-Modal Congestion Management Process (CMP)
    2. Lease Agreement for Right Track Group Home
    3. Approval of Strategic Objectives for the Board's Priorities
    4. Request of the Town of Linden to Relinquish Its Jurisdiction to the County for Minimum Housing Code Enforcement

5. Use and Occupancy Agreement with North Carolina Department of Transportation for the NORCRESS System

4. PUBLIC HEARINGS

**Uncontested Rezoning Cases**

- A. Case P21-17

**Other Public Hearings**

- B. Street Renaming Case SN0475
- C. Street Renaming Case SN0477
- D. Public Hearing - PY 2021 Draft Community Development Annual Action Plan

5. ITEMS OF BUSINESS

- A. Confirmation of Priorities and Projects within the Capital Planning Model
- B. Consideration of Amendment of Section 605, Holidays, of the Cumberland County Personnel Ordinance
- C. Consideration of Establishing Commissioner Work Group to Develop Plan for Use of ARP Funds
- D. Consideration of Third Amendment to the Economic Development Incentives Agreement with Campbell Soup Supply Company, L.L.C.

6. NOMINATIONS

- A. Southeastern Economic Development Commission (1 Vacancy)

7. APPOINTMENTS

- A. Home and Community Care Block Grant Committee (1 Vacancy)

**RECESS THE BOARD OF COMMISSIONERS' MEETING**

**CONVENE THE NORCRESS WATER AND SEWER DISTRICT GOVERNING BOARD MEETING**

**NORCRESS WATER AND SEWER DISTRICT GOVERNING BOARD AGENDA:**

8. NORCRESS WATER AND SEWER CONSENT AGENDA

- A. Use and Occupancy Agreement With North Carolina Department of Transportation for the NORCRESS System

**ADJOURN THE NORCRESS WATER AND SEWER DISTRICT GOVERNING BOARD MEETING**

**RECONVENE THE REGULAR BOARD OF COMMISSIONERS MEETING**

9. CLOSED SESSION: If Needed

**ADJOURN**

**WATCH THE MEETING LIVE**

**THIS MEETING WILL BE STREAMED LIVE THROUGH THE COUNTY'S WEBSITE, CO.CUMBERLAND.NC.US. LOOK FOR THE LINK AT THE TOP OF THE HOMEPAGE.**

**THE MEETING WILL ALSO BE BROADCAST LIVE ON CCNC-TV SPECTRUM CHANNEL 5**

**REGULAR BOARD MEETINGS:**

**May 3, 2021 (Monday) - 9:00 AM**  
**May 17, 2021 (Monday) - 6:45 PM**  
**June 7, 2021 (Monday) - 9:00 AM**  
**June 21, 2021 (Monday) - 6:45 PM**



**OFFICE OF THE COUNTY MANAGER**

**MEMORANDUM FOR BOARD OF COMMISSIONERS AGENDA OF APRIL 19, 2021**

**TO: BOARD OF COUNTY COMMISSIONERS**

**FROM: AMY H. CANNON, COUNTY MANAGER**

**DATE: 3/31/2021**

**SUBJECT: UPDATE FROM MS. SHARON MOYER, PARTNERSHIP FOR  
CHILDREN OF CUMBERLAND COUNTY REGARDING FAMILY  
CONNECTS HOME VISITING PROGRAM**

**BACKGROUND**

Ms. Sharon Moyer, Partnership for Children Community Engagement Administrator, will provide a brief update to the Commissioners about the implementation of the Family Connects universal home visiting program for families with newborns.

This program, currently funded by the Partnership's Smart Start dollars and the Elizabeth A. Hudspeth Endowment Fund of the Cumberland Community Foundation, has been awarded federal funding to implement it as a regional pilot.

The presentation will include information about new federal funding, the regional approach, and the expected outcomes for children and families in our community.

**RECOMMENDATION / PROPOSED ACTION**

Accept the update as presented, no action is required.





**BOARD OF COMMISSIONERS' OFFICE**

**MEMORANDUM FOR BOARD OF COMMISSIONERS AGENDA OF APRIL 19, 2021**

**TO: BOARD OF COUNTY COMMISSIONERS**

**FROM: CANDICE H. WHITE, CLERK TO THE BOARD**

**DATE: 4/19/2021**

**SUBJECT: UPDATE FROM CHAIRMAN CHARLES EVANS ON THE BOARD'S ACCOMPLISHMENTS**

**BACKGROUND**

Chairman Charles Evans will provide a brief update regarding the Board's achievements and activities through the first quarter of 2021.

**RECOMMENDATION / PROPOSED ACTION**

For informational purposes. No action is required.



**CLERK TO THE BOARD OF COMMISSIONERS**

**MEMORANDUM FOR BOARD OF COMMISSIONERS AGENDA OF APRIL 19, 2021**

**TO: BOARD OF COUNTY COMMISSIONERS**

**FROM: CANDICE H. WHITE, CLERK TO THE BOARD**

**DATE: 4/19/2021**

**SUBJECT: APPROVAL OF PROCLAMATION RECOGNIZING APRIL 22 AS ARBOR DAY IN CUMBERLAND COUNTY**

**BACKGROUND**

The City of Fayetteville is planning to host an Arbor Day event at Cross Creek Park on Thursday, April 22 at 10:00 a.m. with a tree planting ceremony and is requesting a proclamation from the County to be read at the event.

**RECOMMENDATION / PROPOSED ACTION**

Respectfully request approval of the proclamation.

**ATTACHMENTS:**

Description

Arbor Day Proclamation

Type

Backup Material

COUNTY OF CUMBERLAND

NORTH CAROLINA

## Proclamation

*WHEREAS, the County of Cumberland recognizes the importance of trees to the economic, aesthetic, and ecological well-being of our community; AND*

*WHEREAS, it is recognized that planting and maintaining healthy trees in our ever-changing society are both desirable and necessary; AND*

*WHEREAS, Arbor Day is a long-standing American tradition that represents an important element of our national heritage; AND*

*WHEREAS, the County-City Joint Appearance Commission is a leader in the encouragement of environmental stewardship; AND*

*WHEREAS, Cumberland County-Cooperative Extension is a community resource for information and provides technical assistance regarding the care and maintenance of our trees; AND*

*WHEREAS, individuals can act in this county to improve the environment by planting trees and ensuring that these trees are protected and receive proper maintenance in the years ahead.*

*NOW, THEREFORE, We, the Board of Commissioners of Cumberland County, North Carolina, do hereby proclaim Thursday, April 22, 2021 to be Arbor Day in Cumberland County and urge our citizens to take an active part to ensure our community has a better quality of life by providing a clean environment with more trees.*

*Adopted the 22nd day of April 2021.*

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*CHARLES E. EVANS, Chairman*  
*Cumberland County Board of Commissioners*



## **RISK MANAGEMENT**

### **MEMORANDUM FOR BOARD OF COMMISSIONERS AGENDA OF APRIL 19, 2021**

**TO: BOARD OF COUNTY COMMISSIONERS**

**FROM: IVONNE MENDEZ, ACCOUNTING SUPERVISOR**

**DATE: 4/7/2021**

**SUBJECT: APPROVAL OF DECLARATION OF SURPLUS COUNTY PROPERTY  
AND AUTHORIZATION TO ACCEPT INSURANCE SETTLEMENT AND  
BUDGET ORDINANCE AMENDMENT #B210149**

#### **BACKGROUND**

DATE OF ACCIDENT: MARCH 24, 2021  
VEHICLE: 2016 FORD EXPLORER  
VIN: 1FM5K8AR6GGB28557  
FLEET#: FL1616  
DEPARTMENT: Sheriff's Office  
SETTLEMENT OFFER: \$12,585  
INSURANCE COMPANY: Travelers

This is a total loss settlement offer.

#### **RECOMMENDATION / PROPOSED ACTION**

Risk Management recommends that the Board of Commissioners:

1. Declare the vehicle described above as surplus.
2. Authorize the Accounting Supervisor to accept \$12,585 (\$13,585 - \$1,000 deductible) as settlement.
3. Allow Travelers' to take possession of the wrecked (surplus) vehicle.
4. Approve Budget Ordinance Amendment #B210149 in the amount of \$12,585 recognizing the insurance settlement. Please note this amendment requires no additional county funds.

#### **ATTACHMENTS:**

Description	Type
Market Valuation Report	Backup Material



# MARKET VALUATION REPORT

Prepared for TRAVELERS - THE TRAVELERS INDEMNITY COMPANY



## REPORT SUMMARY



### CLAIM INFORMATION

Owner	Cumberland County Fayetteville, NC 28302
Loss Unit	Police 2016 Ford EXPLORER 4X4 POLICE 6cyl. 3.7l Sport Utility Vehicle
Loss Unit Type	SPECIALTY VEHICLES
Loss Incident Date	03/24/2021
Claim Reported	04/01/2021



### INSURANCE INFORMATION

Report Reference Number	101420940
Claim Reference	FNU9270001
Adjuster	Lanzy, Amanda N
Appraiser	Laurie B., Daniel
Odometer	111,532
Last Updated	04/01/2021 02:25 PM



### VALUATION SUMMARY

Base Value	\$ 13,585.00
Adjusted Value	\$ 13,585.00
Deductible	- \$ 1,000.00

**Total** **\$ 12,585.00**

The total may not represent the total of the settlement as other factors (e.g. license and fees) may need to be taken into account.

The CCC ONE® Market Valuation Report reflects CCC Information Services Inc.'s opinion as to the value of the loss unit, based on information provided to CCC by TRAVELERS - THE TRAVELERS INDEMNITY COMPANY.

#### BASE VALUE

This is derived from comparable unit(s) available or recently available in the marketplace at the time of valuation, per our valuation methodology described on the next page.

#### Inside the Report

Valuation Methodology.....	2
Loss Unit Information.....	3
Comparable Units.....	6
Valuation Notes.....	9
Supplemental Information.....	10



## **FINANCE OFFICE**

### **MEMORANDUM FOR BOARD OF COMMISSIONERS AGENDA OF APRIL 19, 2021**

**TO: BOARD OF COUNTY COMMISSIONERS**

**FROM: IVONNE MENDEZ, ACCOUNTING SUPERVISOR**

**DATE: 4/6/2021**

**SUBJECT: APPROVAL OF FORMAL BID AWARD FOR SHERIFF'S OFFICE  
EMERGENCY RESPONDER RADIO COVER BI-DIRECTIONAL  
AMPLIFIERS**

#### **BACKGROUND**

Funds in the amount of \$680,000 were appropriated in the Fiscal Year 2021 Capital Investment Fund budget for the Sheriff's Office to purchase bi-directional amplifiers/repeaters for the Detention Center, Courthouse, and Law Enforcement Center to accommodate the transition to a 925 NC State Viper Radio Network.

A formal bid process was conducted. Mobile Communications America (MCA) was the only respondent. The MCA proposal was responsive and met all specifications. The proposed cost totaling \$486,577.09, was lower than the budgeted amount., which contributed to this vendor providing the best overall value to the County.

#### **RECOMMENDATION / PROPOSED ACTION**

Finance staff and County Management recommends awarding Bid Number 21-18-SO, totaling \$486,577.09 to Mobile Communications America based on the best overall value standard of award.

#### **ATTACHMENTS:**

Description	Type
Bid Award Approval Form	Backup Material
Bid Summary Sheet	Backup Material



## Formal Bid Award Request

**Please Note:** This form is required for purchases in the formal bid range and must be completed and signed prior to any final bid award recommendations being submitted to a committee or the Board. Please complete all applicable fields.

Date: 3/23/2021 Department: SHERIFF'S OFFICE

Bid Description (If additional space necessary, may attach a separate sheet): BID 21-18-SO BDA SYSTEM

Amount of Bid Award (or estimated contract amount): 486,577.09 (If \$90,000 – \$99,999.99 County Manager approval required only, if \$100,000 or more County Manager and Board approval required.)

Budgeted Amount for Project: 680,000 Original Budget (Y/N): Y or Budget Revision #: \_\_\_\_\_

Budget Line: Org. 1074187 Object Code: 522510 Project 21008

Department Bid Award Recommendation (specify the vendor):  
MOBILE COMMUNICATIONS AMERICA

Justification (ex. lowest bidder) (Please note that if the lowest bidder is not selected a detailed explanation must be provided. If additional space necessary, may attach a separate sheet.):

MCA WAS THE ONLY RESPONDENT. PROPOSAL WAS RESPONSIVE & MET ALL SPECIFICATIONS.

Has this project (not the bid award, just the actual project or funds for the project) been reviewed by a committee? Y If so, which committee? CCSOIT on what date? 3/22/21 (Please note committee review/approval is not necessarily required for all bids, if a department is not certain if committee review is necessary, they should consult their Assistant County Manager.)

Recommended By: [Signature]  
Department Head

### Reviewed and Accepted By:

This is within the County Manager's authority to approve range ☐

This is within the BOCC authority to approve range, requesting County Manager approval to send forward to BOCC ☒

Walter Evans Date: 3/30/21  
Finance Director (Please see question below)

Should this bid be submitted to the Agenda Session?  
Yes \_\_\_\_\_ No \_\_\_\_\_

[Signature] Date: 3/30/21  
County Purchasing Manager

Amy Cunniff Date: 4/1/2021  
County Manager (Please see question below)

Is the County Manager approval contingent upon any committee review/approvals of bid award? If so, please specify the required committee:

FOR PURCHASING ONLY BELOW THIS LINE

SAM CHECKED [Signature]  
DOA CHECKED [Signature]  
IRAN CHECKED [Signature]

Revised 1/14/2020

Cumberland County Sheriff's Office  
 Bid 21-4-SO-Temperature Scanners/Facial Recognition Technology  
 8/14/2020 3:00:00 PM  
 Bid Summary Sheet

Vendor Name	Meets Selection Criteria?	Meets Product Specifications/Minimum Qualifications?	Cost	Attended Required Site Visit	Provided Cover Letter?	Signed & Executed Attachment B?	Signed & Executed Attachment D?
Mobile Communications of America	Yes	Yes	486,577.09	Yes	Yes	Yes	Yes, Last Audit Date is 12/31/19

**Technical Approach**

1. Provide overview and benefits of proposed hardware and software. Include in this section the implementation plan
2. Provide customer care processes. Include in the section problem resolution policies, technical support, replacement parts, repairs, etc. Describe warranty options
3. Demonstrated expertise & functionality as evidenced by client references, company experience, & site visit.
4. Ability to provide a superior level of customer service & technical support, both pre & post-installation to clients as evidenced by references and company experience.

**Pages 5 to 33 of the Proposal address all items in "Technical Approach". Vendor described Baseline Testing Procedure, System Design, Code Compliance, Product Solution, Project Development and Deployment, Guarantee, and Ongoing Support. Information provided show vendor is capable of providing the product and service requested.**

**Vendor Experience**

Vendor has provided like services to Cumberland County, City of Fayetteville, Sampson, Robeson, Hoke, Harnett, and Moore Counties for over 20 years.  
 Vendor has been designing and depolying systems since 2002.  
 Vendor has adequate Engineering, Project Management, Construction, Maintenance, and Monitoring staff with adequate experience.

**References**

University of Tennessee  
 Contact: Steve Keys  
[jkeys@vtk.edu](mailto:jkeys@vtk.edu)  
 865-974-6500

Buncombe County Schools  
 Vance Bell  
[vancebell@cuncombecounty.org](mailto:vancebell@cuncombecounty.org)  
 828-250-6854

Wake County Public Schools  
 Vass Johnson  
[vjohnson@wcpss.net](mailto:vjohnson@wcpss.net)  
 919-694-0102





## **BUDGET DIVISION**

### **MEMORANDUM FOR BOARD OF COMMISSIONERS AGENDA OF APRIL 19, 2021**

**TO: BOARD OF COUNTY COMMISSIONERS**

**FROM: DUANE T. HOLDER, DEPUTY COUNTY MANAGER**

**DATE: 4/13/2021**

**SUBJECT: APPROVAL OF BUDGET ORDINANCE AMENDMENTS FOR THE  
APRIL 19, 2021 BOARD OF COMMISSIONERS' AGENDA**

#### **BACKGROUND**

##### **General Fund 101**

**1) Sheriff's Office – Budget Ordinance Amendment B211406 to recognize proceeds from the sale of weapons in the amount of \$7,500**

The Board is requested to approve Budget Ordinance Amendment B211406 to recognize proceeds from the sale of weapons in the amount of \$7,500. The Sheriff's Office has an inventory of seized and or old/damaged weapons that can no longer be used by their agency. This sale was approved at the March 16, 2020 Board of Commissioners regular meeting. These funds will be used to purchase weapons and sights.

Please note this amendment requires no additional county funds.

**2) Facilities Management – Budget Ordinance Amendment B211205 to recognize reimbursement from Alliance Behavioral Healthcare for a roof replacement at the Right Track Group Home in the amount of \$15,000**

The Board is requested to approve Budget Ordinance Amendment B211205 to recognize reimbursement from Alliance Behavioral Healthcare for a roof replacement at the Right Track Group Home in the amount of \$15,000.

Please note this amendment requires no additional county funds.

## **Capital Investment Fund 107**

### **3) Maintenance & Repair - Capital Investment Fund (CIF) - Budget Ordinance Amendment B210129 to recognize insurance reimbursement funds in the amount of \$36,014**

The Board is requested to approve Budget Ordinance Amendment B210129 to recognize insurance reimbursement funds in the amount of \$36,014. Damage was sustained on March 21, 2021 when a water supply line broke, causing significant flooding and damage to the flooring, carpet, and ceiling tiles. These funds will be used to make repairs to the affected areas.

Please note this amendment requires no additional county funds.

## **Tourism Development Authority Fund 285**

### **4) Tourism Development Authority – Budget Ordinance Amendment B210150 to recognize anticipated receipt of higher than budgeted occupancy tax funds in the amount of \$1,259,659**

The Board is requested to approve Budget Ordinance Amendment B210150 to recognize anticipated receipt of higher than budgeted occupancy tax funds in the amount of \$1,259,659. This amount is projected based on fiscal year 2021 actual collections.

Please note this amendment requires no additional county funds.

## **RECOMMENDATION / PROPOSED ACTION**

Approve Budget Ordinance Amendments



## **PLANNING AND INSPECTIONS DEPARTMENT**

### **MEMORANDUM FOR BOARD OF COMMISSIONERS AGENDA OF APRIL 19, 2021**

**TO: BOARD OF COUNTY COMMISSIONERS**

**FROM: RAWLS HOWARD, DIRECTOR OF PLANNING & INSPECTIONS**

**DATE: 3/23/2021**

**SUBJECT: APPROVAL OF THE FAYETTEVILLE AREA METROPOLITAN  
PLANNING ORGANIZATION (FAMPO) MULTI-MODAL CONGESTION  
MANAGEMENT PROCESS (CMP)**

#### **BACKGROUND**

FAMPO has identified the need to update and create a comprehensive, multi-modal Congestion Management Process (CMP). The CMP is a study that will develop and implement strategies to manage congestion in the Fayetteville metropolitan planning area and involves all modes of transportation.

As of 2019, the FAMPO area had a population of 388,337, with anticipated growth especially in Harnett and Hoke Counties. This continued growth is expected to have a significant, and potentially negative, impact on the transportation network and land use patterns of the study area. Increase in traffic volumes, development activities, congestion and population can all be expected in the region

FAMPO has programmed and allocated a total of \$200,000 for this project, which will span over a period of two fiscal years. The FAMPO Transportation Policy Board (TPB) approved an amendment to the FY 2021 Unified Planning Work Program budget on January 27, 2021, which includes \$100,000 in Special Studies for the project to begin in FY 2021. The TPB also approved the FY 2022 Unified Planning Work Program budget on January 27, 2021, which includes \$100,000 in Special Studies specifically for the completion of the CMP in FY 2022.

A Request for Letters of Interest (RFLOI) was issued for consultant services to lead this project. A NCDOT-approved consultant was chosen through the selection process with a bid of \$199,948.88.

The project will be spanning the FY21 and FY22 fiscal years, with expenditures starting in FY21. The County's budget office has reviewed this project. Approval from the Board of County Commissioners is required for the execution of the contract to begin this study.

#### **RECOMMENDATION / PROPOSED ACTION**

This item was presented at the April 8, 2021 Board of Commissioners' Agenda Session and approved to moved forward to the April 19, 2021 Regular Meeting as a Consent Agenda Item. Staff recommends the approval of the FAMPO Multi-Modal Congestion Management Process to be implemented by a North Carolina Department of Transportation pre-qualified consulting firm in the amount of \$199,948.88.

**ATTACHMENTS:**

Description	Type
NCDOT APPROVAL MEMO	Backup Material
FAMPO CMP Agreement	Backup Material



STATE OF NORTH CAROLINA  
DEPARTMENT OF TRANSPORTATION

ROY COOPER  
GOVERNOR  
MEMORANDUM

J. ERIC BOYETTE  
SECRETARY

To: Fayetteville Area Metropolitan Planning Organization

From: Hemal Shah, MPO Coordinator   
NCDOT - Transportation Planning Branch

Date: 3/19/2021

RE: PEF Review for FAMPO Multi Modal Congestion Management

Please be advised that after a careful review, the NCDOT Transportation Planning Division has determined that Kittelson & Associates is eligible to perform planning services for the Fayetteville Area MPO.

Transportation Planning Comments -  
Please provide the information requested by OIG below.

Office of Inspector General/Consultant Audit Comments –  
A. Please respond in writing as to the results of final negotiations.  
B. It is requested that a copy of the final cost/rate estimate be attached to the agreement when entered into SAP. Please scan a copy of audit report as well.

Once an agreement is signed, please forward an original signed copy to TPD for our records.

If you have questions or require further information please contact me at [hjshah@ncdot.gov](mailto:hjshah@ncdot.gov).

cc: Lonnetta Raynor, Manager, Consultant, Utility, Railroad & Turnpike (CURT)  
Behshad Norowzi, Coastal Planning Group Supervisor  
Travis Marshall, Technical Services Unit Head

*Mailing Address:*  
NC DEPARTMENT OF TRANSPORTATION  
TRANSPORTATION PLANNING DIVISION  
1554 MAIL SERVICE CENTER  
RALEIGH, NC 27699-1554

*Telephone:* (919) 707-0900  
*Fax:* (919) 733-9794  
*Customer Service:* 1-877-368-4968

*Location:*  
1 SOUTH WILMINGTON ST  
RALEIGH, NC 27601

*Website:* [www.ncdot.gov](http://www.ncdot.gov)



**STATE OF NORTH CAROLINA**

**PROFESSIONAL SERVICES AGREEMENT**

**COUNTY OF CUMBERLAND**

**THIS AGREEMENT** entered into and be effective as of the \_\_\_\_ day of April 2021 by and between the COUNTY OF CUMBERLAND, as Lead Planning Agency for the Fayetteville Area Metropolitan Planning Organization (Sometimes herein referred to as “FAMPO”), a body politic and corporate of the State of North Carolina, referred to herein as “COUNTY”, and Kittelson & Associates, Inc. referred to herein as “CONTRACTOR”.

**W I T N E S S E T H:**

**WHEREAS**, the CUMBERLAND COUNTY Planning and Inspections Department (hereafter sometimes referred to as “COUNTY”), is the authorized Lead Planning Agency for FAMPO, and the COUNTY for FAMPO desires to contract with a qualified Firm to provide a FAMPO Multi-Modal Congestion Management Process in support of FAMPO’s Long Range Transportation Planning Process in accordance with a Request for Letters of Interest issued by FAMPO on January 26, 2021;

**AND WHEREAS** the COUNTY is acting for FAMPO in executing this Agreement, and all designations of the COUNTY herein are actions for FAMPO:

**NOW, THEREFORE**, the parties agree as follows:

1. **PURPOSE:** The COUNTY agrees to purchase, and the CONTRACTOR agrees to provide the FAMPO Multi-Modal Congestion Management Process for the COUNTY under the terms and conditions set forth therein.
2. **TERM OF AGREEMENT:** The term of this Agreement shall begin in April 2021, and continue through June 2022, unless sooner terminated as provided herein. The COUNTY may terminate this Agreement prior to the expiration of the term if the CONTRACTOR fails or neglects to furnish or perform the necessary services to the reasonable satisfaction of the COUNTY. The CONTRACTOR may terminate this Agreement prior to the expiration of the term with a 30-day prior notice.
3. **SERVICES PROVIDED:** CONTRACTOR shall provide the requirements outlined in ATTACHMENT A. (Scope of services, FAMPO Multi-Modal Congestion Management Process, Dated April 2021)
4. **PAYMENT:** The COUNTY will pay CONTRACTOR for this service as outlined in ATTACHMENT A, up to a maximum of \$199,948.88.
5. **NOTICES:** Any notice required or permitted hereunder shall be deemed served if personally hand-delivered, or mailed certified mail return receipt requested, to:

If to COUNTY:	If to CONTRACTOR:
Deloma Graham FAMPO Interim Executive Director Cumberland County Planning and Inspections Dept 130 Gillespie Street Fayetteville, NC 28301	Bastian Schroeder, PhD, PE Principal Engineer Kittelsohn & Associates, Inc. 272 N. Front Street Wilmington, NC 28401

6. **BENEFIT:** This Agreement shall be binding upon and shall inure to the benefit of the parties, their legal representatives, successors, and assigns, provided that the provisions with respect to assignment and delegation are fully complied with.
7. **ASSIGNMENT:** The CONTRACTOR shall not assign all or any part of its contract rights under this Agreement, or delegate or subcontract any performance hereunder, without first obtaining the COUNTY'S written approval thereof.
8. **COMPLIANCE WITH LAW:** CONTRACTOR will comply with all local, state, and federal laws in carrying out his responsibilities hereunder.
9. **APPLICABLE LAW:** This Agreement shall be governed by the internal laws of the State of North Carolina without regard to the conflict of laws provisions thereof, and the parties mutually agree that the courts of the State of North Carolina shall have exclusive jurisdiction of any claim arising under the terms of this Agreement.
10. **TITLE VI:** Reference Appendix A for guidance.
11. **MODIFICATION:** This Agreement may be modified only by an instrument duly executed by the parties or their respective successors.
12. **INDEPENDENT CONTRACTOR:** CONTRACTOR is an independent CONTRACTOR and not an agent, officer or employee of the COUNTY and shall have no authority to act as an agent of the COUNTY, nor enter any Agreement for or on behalf of the COUNTY. The parties agree that the relationship of CONTRACTOR with the COUNTY is as an "independent contractor", as that term is defined by the law of the State of North Carolina, and that CONTRACTOR is not a "common law employee" of the COUNTY, as that term is defined, and that status is treated by the Internal Revenue Service. CONTRACTOR's sole compensation shall be as outlined in ATTACHMENT A up to the maximum of \$199,948.88. COUNTY shall not be obligated to provide CONTRACTOR any group insurance, health benefits, worker's compensation benefits, unemployment insurance, or retirement benefits. CONTRACTOR shall be responsible for the payment of all Federal, State, and Local taxes, which may be due as a result of this Agreement.
13. **IRAN DIVESTMENT ACT CERTIFICATION.** CONTRACTOR hereby certifies that CONTRACTOR, and all subcontractors, are not on the Iran Final Divestment List ("List") created by the North Carolina State Treasurer pursuant to N.C.G.S. 147-86.55-69. CONTRACTOR shall not utilize any subcontractor that is identified on the List.

14. **BUDGET LINE:** The total funds expended pursuant to this contract shall not exceed \$199,948.88.

IN WITNESS WHEREOF, the parties hereto have executed this Agreement this \_\_\_\_ day of April 2021, as their act and intending to be bound thereby.

ATTEST: \_\_\_\_\_  
Clerk to the Cumberland County  
Board of Commissioners

BY: \_\_\_\_\_  
Chair, Cumberland County Board  
of Commissioners

CUMBERLAND COUNTY FOR FAMPO

WITNESS:

\_\_\_\_\_

Approved by:

\_\_\_\_\_  
Rawls Howard, Director  
Cumberland County Planning and Inspections  
Department

WITNESS:

\_\_\_\_\_

BY: \_\_\_\_\_

Bastian Schroeder, PhD, PE  
Principal Engineer  
Kittelsohn & Associates, Inc.

This instrument has been pre-audited  
in the manner required by the Local  
Government Budget and Fiscal Control Act.

Approved for Legal Sufficiency

BY: \_\_\_\_\_  
County Attorney's Office

BY: \_\_\_\_\_  
County Finance Director



## APPENDIX A

During the performance of this contract, the contractor, for itself, its assignees and successors in interest (hereinafter referred to as the "contractor") agrees as follows:

- (1) **Compliance with Regulations:** The contractor shall comply with the Regulations relative to nondiscrimination in Federally assisted programs of the Department of Transportation (hereinafter, "DOT") Title 49, Code of Federal Regulations, Part 21, as they may be amended from time to time, (hereinafter referred to as the Regulations), which are herein incorporated by reference and made a part of this contract.
- (2) **Nondiscrimination:** The Contractor, with regard to the work performed by it during the contract, shall not discriminate on the grounds of race, age, sex, color, disability, or national origin in the selection and retention of subcontractors, including procurements of materials and leases of equipment. The contractor shall not participate either directly or indirectly in the discrimination prohibited by section 21.5 of the Regulations, including employment practices when the contract covers a program set forth in Appendix B of the Regulations.
- (3) **Solicitations for Subcontractors, Including Procurements of Materials and Equipment:** In all solicitations either by competitive bidding or negotiation made by the contractor for work to be performed under a subcontract, including procurements of materials or leases of equipment, each potential subcontractor or supplier shall be notified by the contractor of the contractor's obligations under this contract and the Regulations relative nondiscrimination on grounds of race, color, or national origin.
- (4) **Information and Reports:** The contractor shall provide all information and reports required by the Regulations or directives issued pursuant thereto, and shall permit access to its books, records, accounts, other sources of information, and its facilities as may be determined by the Fayetteville Area Metropolitan Planning Organization, the North Carolina Department of Transportation or the Federal Highway Administration to be pertinent to ascertain compliance with such Regulations, orders and instructions. Where any information required of a contractor is in the exclusive possession of another who fails or refuses to furnish this information the contractor shall so certify to the Fayetteville Area Metropolitan Planning Organization, the North Carolina Department of Transportation, or the Federal Highway Administration as appropriate, and shall set forth what efforts it has made to obtain the information.
- (5) **Sanctions for Noncompliance:** In the event of the contractor's noncompliance with the nondiscrimination provisions of this contract, the Fayetteville Area Metropolitan Planning Organization and/or the North Carolina Department of Transportation shall impose such contract sanctions as it or the Federal Highway Administration may determine to be appropriate, including, but not limited to:
  - (a) withholding of payments to the contractor under the contract until the contractor complies, and/or
  - (b) cancellation, termination or suspension of the contract, in whole or in part.
- (6) **Incorporation of Provisions:** The contractor shall include the provisions of paragraph (1) through (6) in every subcontract, including procurements of materials and leases of equipment, unless exempt by the Regulations, or directives issued pursuant thereto.

The contractor shall take such action with respect to any subcontract or procurement as the Fayetteville Area Metropolitan Planning Organization, North Carolina Department of Transportation or the Federal Highway Administration may direct as a means of enforcing such provisions including sanctions for non-compliance: Provided, however, that, in the event a contractor becomes involved in, or is threatened with, litigation with a subcontractor or supplier as a result of such direction, the contractor may request the Fayetteville Area Metropolitan Planning Organization to enter into such litigation to protect the interests of the Fayetteville Area Metropolitan Planning Organization, and, in addition, the contractor may request the United States to enter into such litigation to protect the interests of the United States.



## **OFFICE OF THE COUNTY MANAGER**

### **MEMORANDUM FOR BOARD OF COMMISSIONERS AGENDA OF APRIL 19, 2021**

**TO: BOARD OF COUNTY COMMISSIONERS**

**FROM: DUANE T. HOLDER, DEPUTY COUNTY MANAGER**

**DATE: 4/12/2021**

**SUBJECT: LEASE AGREEMENT FOR RIGHT TRACK GROUP HOME**

#### **BACKGROUND**

During the December 10, 2020 Agenda Session, the Board received a report from Alliance Health officials regarding the provision of Behavioral Health services. During that presentation, Alliance advised the County on measures it is taking, in coordination with the Cumberland County Department of Social Services (DSS) and North Carolina Department of Health & Human Services (NC DHHS) to better arrange for services for children in DSS custody that have a need for out of home placement for treatment. One such measure is the establishment of a group home for referrals.

In an effort to meet this and other unmet needs in Cumberland County, the Board granted approval for the utilization of up to \$1M of restricted Cumberland County fund balance that is currently kept by Alliance Health. A portion of these funds will be utilized to establish a residential group home, in Cumberland County, that will help facilitate placement of children that are court-involved, and/or in DSS custody and found to be in need of residential treatment services.

Alliance Health has worked with County management and Cumberland County DSS to solicit the services of a reputable child residential treatment provider for the operation of this program. The attached lease agreement between Cumberland County and Alliance Health will enable utilization of the current Right Track Group Home, which is owned by the County, by Thompson Child & Family Focus for the operation of these residential services. Referrals for these vital services will be for Cumberland County youth.

#### **RECOMMENDATION / PROPOSED ACTION**

Approve the lease agreement with Alliance Health for utilization of the Right Track Group Home located at 162 Sally Hill Circle, Fayetteville, for the provision of Level 3 child residential treatment services

#### **ATTACHMENTS:**

Description

Type



STATE OF NORTH CAROLINA

LEASE AGREEMENT

COUNTY OF CUMBERLAND

This Lease Agreement, is made and entered into the      day of     , 2021, by and between the **County of Cumberland**, a body politic and corporate of the State of North Carolina, hereinafter referred to as "County" or "Landlord" and **Alliance Health**, a political subdivision of the State of North Carolina, existing under N.C.G.S. Chapter 122C, hereinafter referred to as "Alliance" or "Tenant", pursuant to the authority set forth in N.C.G.S. 160A-272 and N.C.G.S. 122C-147(d).

WITNESSETH:

WHEREAS, over the last fiscal year, the County has seen a significant increase in youth in DSS custody losing their living arrangements and alternative placements were unable to be identified resulting in long stays in the ED or other unsuitable locations; and

WHEREAS, these inappropriate placements create significant negative impacts on the youth involved and considerable stress and concern on the individuals and agencies charged with supporting them; and

WHEREAS, Recognizing that securing suitable placement and treatment for these youth is a pervasive issue across North Carolina, Alliance developed a comprehensive plan to address this issue in Cumberland County; and

WHEREAS, Alliance, in collaboration with the County, has committed to create a higher-level crisis bed response capacity in a Level 3 group home setting for youth involved with Cumberland DSS; and

WHEREAS, the County has agreed to lease property to Alliance to use for the group home, and Alliance has agreed to select an enhanced service provider having an expertise in assessment and treatment planning to assist with transition back into a community family setting to operate the residential setting.

NOW THEREFORE, IN CONSIDERATION of the mutual promises and subject to the terms and conditions contained or referred to herein, Landlord does hereby lease and demise to Tenant, that land and building(s) located at 162 Sally Hill Circle Fayetteville, NC 28306, North Carolina, owned by Cumberland County, as more fully described herein (hereinafter referred to as the "Leased Premises").

TO HAVE AND TO HOLD said property, together with all privileges and appurtenances thereto belonging including easements of ingress and egress, to the said Tenant, under the terms and conditions hereinafter set forth:

1. LEASED PREMISES: 162 Sally Hill Circle Fayetteville, NC 28306, North Carolina, a 1 acre parcel containing a 3 bedroom 2 bath approx. 2,976 sq. ft. residential

structure.

2. TERM: The Lease shall commence the \_\_\_\_\_, 2021, and unless sooner terminated, continue for a term of approximately 5 years, expiring at midnight on June 31, 2026. The parties may agree to extend the Term thereafter upon mutual agreement, so long as Alliance is utilizing the Leased Premises as permitted herein.

3. RENT: The rent shall be at an annual rate of \$1.00.

4. DEPOSIT: Landlord shall not require a security deposit from the Tenant.

5. CONDITION OF PREMISES: Tenant accepts the Leased Premises as is, subject to any improvements required to bring the premises up to current code for the Tenants intended use. Landlord acknowledges that Tenant intends to make improvements to the property, including improvements necessary for the property to be licensed as a Level 3 Group Home, new roof and demolishing the barn/garage accessory building prior to occupying the Leased Premises. Tenant shall be solely responsible for bidding and managing the design and the construction of the improvements in accordance with the North Carolina General Statutes. Tenant shall keep Landlord informed of the progress and status of the improvement projects.

Tenant shall return the Leased Premises to Landlord at the termination or expiration hereof in as good condition and state of repair as the same was at the commencement of the term hereof, except for loss, damage, or depreciation occasioned by reasonable wear and tear or damage by fire or other casualty.

6. ASSIGNMENT and SUBLEASE: The Tenant shall not assign this lease or sublet the Leased Premises or any part thereof, without the written consent of the Landlord. Such written consent will not be unreasonably withheld by Landlord; provided however; that if Tenant enters into any sublease for which rent is paid, all rent shall be assigned to Landlord. Notwithstanding the foregoing, Landlord hereby consents to a sublease, which sublease shall be subject to the terms and conditions of this Lease, and shall be for \$0 rent, between Tenant and the selected service provider, Thompson Child and Family Focus and/or its wholly owned subsidiary, for the operation of the Group Home.

7. USE AND POSSESSION: The Leased Premises shall be used by Tenant to provide behavioral health, substance abuse, intellectual and developmental disability and physical health services, including a Group Home. Landlord acknowledges and agrees that the proposed use is permitted under R6A zoning, which allows Group Homes with 6 or less clients (per Hope Mills Zoning Ordinance).

8. DESTRUCTION OF PREMISES: If the Leased Premises should be completely destroyed or damaged by fire, explosion, accident or any act of God, so that more than fifty percent (50%) of the Leased Premises are rendered unusable, this Lease shall immediately terminate as of the date of such destruction or damage. In the event that said building including the Leased Premises is damaged by fire, explosion, accident or any act of God, so as to materially affect the use of the building and Leased Premises but less than fifty percent (50%) of the Leased Premises are rendered unusable, this Lease shall automatically

terminate as of the date of such damage or destruction, provided, however, that if such building and Leased Premises are repaired so as to be available for occupancy and use within sixty (60) days after said damage, then this lease shall not terminate; provided further, that the Tenant shall pay no rent during the period of time that the Leased Premises are unfit for occupancy and use. Landlord shall not have any obligation to make repairs under this section but may elect to make such repairs in its sole discretion. Tenant shall not have any obligation to make repairs under this section but may elect to make such repairs in the event Landlord does not make the repairs.

9. CONDEMNATION: If during the Term of this Lease, the whole of the Leased Premises, or such portion thereof as will make the Leased Premises unusable for the purpose leased, be condemned by public authority for public use, then the term hereby granted shall cease and come to an end as of the date of the vesting of title in such public authority, or when possession is given to such public authority, whichever event occurs last. Upon such occurrence the rent shall be apportioned as of such date and any rent paid in advance at the due date for any space condemned shall be returned to Tenant. Landlord shall be entitled to reasonable compensation for such taking except for any statutory claim of Tenant for injury, damage or destruction of Tenant's business accomplished by such taking. If a portion of the Leased Premises is taken or condemned by public authority for public use so as not to make the remaining portion of the leased premises unusable for the purpose leased, this lease will not be terminated but shall continue. In such case, the rent shall be equitably and fairly reduced or abated for the remainder of the term in proportion to the amount of leased premises taken. In no event shall Landlord be liable to Tenant for any interruption of business, diminution in use or for the value of any unexpired term of this lease.

10. INTERRUPTION OF SERVICE: Landlord shall not be or become liable for damages to Tenant alleged to be caused or occasioned by, or in any way connected with, or the result of any interruption in service, or defect or breakdown from any cause whatsoever in any of the electric, water, plumbing, fire suppression, heating, air conditioning, ventilation or elevator systems, or any other structural component of the building, unless such damage arises from an intentional or negligent act or omission of Landlord, its employees or officers.

11. LANDLORD'S RIGHT TO INSPECT: Landlord shall have the right, at reasonable times during the term of this lease, to enter the Leased Premises, for the purposes of examining and inspecting same and of making such repairs or alterations therein as Landlord shall deem necessary. Landlord shall provide at least 48 hours' notice to Tenant and shall be subject to confidentiality procedures deemed necessary for the safety and privacy of the occupants of the property.

12. INSURANCE: Landlord will be responsible for insuring its interest in the building and Tenant will be responsible for insuring its personal property within the leased premises. Tenant shall at all times during the term hereof, at its own expense, maintain and keep in force a policy or policies of general and premises liability insurance against claims for bodily injury, death or property damage occurring in, on, or about the demised premises in a coverage amount of no less than \$1,000,000 per occurrence and naming Landlord as an additional named insured. Tenant shall provide current copies of all such policies of insurance to Landlord's office of risk management.

13. **LANDLORD'S RESPONSIBILITY FOR MAINTENANCE & REPAIRS:** Landlord shall, at Landlord's own cost and expense, during the term of this Lease provide maintenance and repairs to the Premises including but not limited to:

- (i) roof, sidewalls, structural supports, exterior windows and foundation of the Premises
- (ii) septic system and water well systems
- (iii) electrical system, plumbing system and heating, air conditioning and ventilation system components.
- (iv) fire alarm system, overhead lighting system (including bulb replacement)
- (v) landscaping (including trimming, mowing, planting, mulching and fertilizing as needed).
- (vi) Pest Control
- (vii) Security and fire alarm system monitoring (currently provided)
- (viii) The private street serving the property to keep it passable

Unless otherwise stated on Schedule A, Landlord shall provide regular and ongoing maintenance on an as needed basis.

However, in no event shall Landlord be responsible for (and Tenant will be responsible for):

- (i) any maintenance, repair or replacement required by this Lease to be made by Landlord that are rendered necessary by the negligence of or the abuse of Tenant its employees, agents, subtenants, licensees or invitees; or
- (ii) any damages resulting from Landlord's failure to make any repairs required by this Lease to be made by Landlord unless Tenant provides written notice to Landlord specifying the need for repairs and Landlord fails to make the repairs within thirty (30) days after Tenant gives notice.

Repairs or replacements shall be made within a reasonable time (depending on the nature of the repair or replacement needed) after receiving notice from Tenant or Landlord having actual knowledge of the need for a repair or replacement.

Landlord shall make such repairs and perform such maintenance as is necessary to keep the premises in compliance with all ADA and OSHA requirements.

14. **TENANT'S RESPONSIBILITY FOR MAINTENANCE & REPAIRS:** Tenant shall be responsible for all other maintenance of the Leased Premises not specified as the responsibility of Landlord above. Tenant shall be responsible for the regular maintenance and good condition of all interior surfaces including floors, doors, ceilings, and walls. Tenant shall not be responsible for ordinary wear and tear or for major damage or destruction caused by casualty or disaster for which there is insurance coverage.

15. **TRADE FIXTURES and IMPROVEMENTS:** Any additions, fixtures, or improvements placed or made by the Tenant in or upon the Leased Premises, which are permanently affixed to the Leased Premises and which cannot be removed without unreasonable damage to said premises, shall become the property of the Landlord and remain upon the premises as a part thereof upon the termination of this Lease. All other additions, fixtures, or improvements, to include trade fixtures, furniture and equipment, and similar



items, which can be removed without irreparable damage to the leased premises, shall be and remain as the property of the Tenant and may be removed from the leased premises by the Tenant upon the termination of this lease. Tenant is permitted to make alterations and improvements to the Leased Premises and shall bear the expense of such improvements not otherwise the responsibility of Landlord. Tenant shall obtain Landlord's written consent before making any alterations or changes to the building or Leased Premises, such consent shall not be unreasonably withheld.

16. TAXES: Landlord acknowledges that all business personal property owned by Tenant is exempt from property taxation. Notwithstanding the foregoing, in the event any property of Tenant becomes taxable, Tenant will list and pay all business personal property taxes on its taxable personal property located within the Leased Premises.

17. NOTICE: Any notices to be given by either party to the other under the terms of this Agreement shall be in writing and shall be deemed to have been sufficiently given if delivered by hand, with written acknowledgement of receipt, mailed by certified mail, return receipt requested, or delivered by receipt controlled express service, to the other party at their respective business addresses listed below:

Landlord: Cumberland County  
117 Dick Street-Courthouse  
Fayetteville, North Carolina 28301  
Attn: County Manager

Tenant: Alliance Health  
5200 W. Paramount Parkway, Suite 200  
Morrisville, North Carolina 27560  
Attn: General Counsel

18. SUCCESSORS AND ASSIGNS: This Lease shall bind and inure to the benefit of the successors and assigns of the parties hereto.

19. UTILITIES: Tenant shall pay the cost of water, gas, electricity, light, heat, and electric power utilities rendered or supplied upon or in connection with the Premises. Landlord shall not be liable for any failure of any public utility to provide utility services over such connections and such failure shall not constitute a default by Landlord in performance of this Lease. The installation, maintenance and service charges for any other utilities or services such as telephone, cable television, internet, or wireless connectivity shall be the sole responsibility of Tenant.

20. RISK OF LOSS: As between the Landlord and the Tenant, any risk of loss of personal property placed by the Tenant in or upon the Leased Premises shall be upon and the responsibility of the Tenant, regardless of the cause of such loss.

21. EVENTS OF DEFAULT/TERMINATION:  
a.) The occurrence of any of the following shall constitute an Event of Default and breach of this Lease:

- (i) Tenant abandons or vacates the Leased Premises without written notification to the Landlord.
- (ii) Tenant utilizes the Leased Premises in a manner not consistent with this Lease.
- (iii) Failure by either Party to observe and perform any other obligation of this Lease, where such failure continues for thirty (30) days after Written Notice Of Default by the non-breaching party to the breaching party; provided, however, that if the nature of such default is such that the same cannot reasonably be cured within such thirty (30) day period a party shall not be deemed to be in default if that party shall within such period commence such cure and thereafter diligently prosecute the same to completion.

b.) Termination in Event of Default. In the event either party Defaults, and such default shall continue for a period of thirty (30) days after written notice of default, the non-defaulting party, at its discretion, may declare the lease terminated. If Landlord shall fail to perform any of the terms and conditions heretofore set forth and shall continue such default thirty (30) days after written notice of such default, Tenant, at its discretion, may terminate this Lease and vacate the Leased Premises without further obligation to pay rent as theretofore provided from date of said termination, without prejudice to any other remedies provided by law. In the event Tenant is unable or chooses not to use the Leased Premises for the intended uses, then Tenant may terminate this Lease upon ninety (90) days prior written notice to Landlord, and in such event pay rent to Landlord through the end of the month which Tenant vacates.

c.) Termination. In the event Tenant is unable to use the Leased Premises for the purpose of providing behavioral health, substance abuse, intellectual and developmental disability and physical health services, including a Group Home before the expiration of this Lease, then this Lease shall be immediately terminated upon 10 days written notice. On or before the termination date or date of expiration, Tenant shall vacate and surrender the Leased Premises to Landlord.

d.) Condition of Premises upon Termination/Holding Over. On or before the termination date or date of expiration, Tenant shall vacate and surrender the Leased Premises to Landlord. All keys to the Premises shall be delivered to the Landlord at that time. Upon the termination or expiration of this Lease, Tenant shall return the Leased Premises to Landlord substantially in the same condition as received ordinary wear and tear and approved improvements excepted. If Tenant does not surrender possession of the Premises at the expiration or earlier termination of the Term, Landlord shall be entitled to recover compensation for such use and occupancy at the monthly rate equal to Fair Market Value (as hereinafter defined) for the property at the expiration or earlier termination of the Term, and Tenant shall be liable to Landlord for any loss or damage it may sustain by reason of Tenant's failure to surrender possession of the Premises immediately upon the expiration or earlier termination of the Term. For the purposes of this Lease, "Fair Market Value" shall be the monthly rent that a willing user would pay and a willing owner would accept in an arm's length, bona fide negotiation for a monthly lease of the Premises.

22. OCCUPANCY AND QUIET ENJOYMENT: Landlord promises that Tenant shall have quiet and peaceable possession and occupancy of the Leased Premises in accordance with the terms of this Lease, and that Landlord will defend and hold harmless the

Tenant against any and all claims or demands of others arising from Tenant's occupancy of the premises or in any manner interfering with the Tenant's use and enjoyment of said premises

23. MODIFICATION: This Agreement may be modified only by an instrument duly executed by the parties or their respective successors.

24. WAIVER: Failure or delay of either party to insist upon the strict performance of the covenants, agreements, or conditions of this Lease, or any of them, shall not be construed as a waiver or relinquishment of that party's right to enforce such, but the same shall continue in full force and effect.

25. APPLICABLE LAW: This Lease is entered into in North Carolina and shall be construed under the laws, statutes and ordinances of this State. All actions relating in any way to this Lease shall be brought in the General Court of Justice in the County of Cumberland and State of North Carolina.

26. COMPLIANCE WITH LAWS: Tenant represents that it is in compliance with all Federal, State, and local laws, regulations or orders, as amended or supplemented.

IN WITNESS WHEREOF, Landlord and Tenant have caused this Lease Agreement to be executed in duplicate originals by their duly authorized officers, to be effective for the term as stated above.

[SIGNATURE PAGE FOLLOWS]

Landlord: County of Cumberland

By: \_\_\_\_\_  
Amy Cannon, County Manager  
117 Dick Street, Fayetteville, North Carolina

Tenant: Alliance Health

By: \_\_\_\_\_  
Rob Robinson, CEO  
5200 W. Paramount Parkway Suite 200  
Morrisville, North Carolina 27560

This instrument has been pre-audited in the  
manner required by the Local Government  
Budget and Fiscal Control Act.

\_\_\_\_\_  
Sara Pacholke, Finance Director

Attached hereto and incorporated herein:  
Schedule A – Landlord Repair and Maintenances Schedule

**Schedule A – Landlord Maintenance Schedule**  
162 Sally Hill Circle Fayetteville, NC 28306, North Carolina

The Leased Premises includes a 3 bedroom 2 bath approx. 2,976 sq. ft. residential structure to be occupied by adolescents and provider staff. In order to ensure the property remains in good condition and is safe for the intended use, Landlord agrees to provide maintenance pursuant to the following schedule. If not listed below, maintenance and repairs required by the Lease, section 13, shall be made as needed.

- Inspect and Pump Septic system every 2-3 years, or more often as needed. Alternative systems with electrical float switches, pumps, or mechanical components should be inspected more often, generally once a year
- Regular services related to the landscaping and grassed areas, including trimming, mowing, mulching as needed
- Pest control inspection annually, treatment as necessary
- Roof inspection annually or as may be needed (i.e. after major storms)
- Clean gutters seasonally as needed
- Air filter replacement every 3-5 months
- Water heater maintenance (flushed) 1 to 2 times per year
- Evaluate water well annually by a licensed or certified water well systems professional
- Annual mechanical and fire inspections
- Annual fire extinguisher maintenance and inspections
- Annual fire alarm system inspection by an outside vendor and submitted to the local Fire Marshall. Repairs made as needed.



**ASSISTANT COUNTY MANAGER STRATEGIC MANAGEMENT/ GOVERNMENTAL  
AFFAIRS**

**MEMORANDUM FOR BOARD OF COMMISSIONERS AGENDA OF APRIL 19, 2021**

**TO: BOARD OF COUNTY COMMISSIONERS**

**FROM: SALLY SHUTT, ASSISTANT COUNTY MANAGER**

**DATE: 4/14/2021**

**SUBJECT: APPROVAL OF STRATEGIC OBJECTIVES FOR THE BOARD'S  
PRIORITIES**

**BACKGROUND**

The Board of Commissioners identified seven top priorities for Fiscal Year 2022 during a special meeting on February 16, 2021. The priorities are listed below along with the commissioner liaison assigned to each one.

County management and staff worked with the commissioner liaisons to develop objectives and key performance indicators of success for each goal. The attached Priorities and Objectives report was presented during the Agenda Session on April 8 and approved to move forward to the Consent Agenda for the April 19 Regular Board Meeting.

- Performing Arts Center – Commissioner Boose
- Grays Creek public water access – Commissioner Lancaster
- County Wide public water – Commissioner Evans
- Homelessness – Commissioner Stewart
- Government Communication – Commissioner Keefe
- Economic Development – Commissioner Council
- County Facility Asset Inventory and Audit – Commissioner Adams

**RECOMMENDATION / PROPOSED ACTION**

Approve the attached Priorities and Objectives for Fiscal Year 2022.

**ATTACHMENTS:**

Description	Type
2021-2022 Priorities and Objectives	Backup Material

# Cumberland County Priorities & Objectives

2021-2022



**CUMBERLAND  
COUNTY**

NORTH CAROLINA

## PRIORITY 1: Performing Arts Center

### Priority 1 Objective 1

#### Complete Market Analysis and Feasibility Study

Work began on the feasibility study for the PAC before the onset of COVID-19, roughly January 21-23, 2020. Work on this item is currently paused. The final phase of the engagement with Spectra's vendor, CSL, is the community survey. Schedule timelines were negatively impacted due to COVID-19.

#### Action Steps

- Vendor conducts community survey (projected to begin late spring or early summer)
- Vendor reports study results to Spectra Venue Management (projected completion date is late summer or early fall)
- Spectra provides market analysis and feasibility study results to the Board of Commissioners

#### Key Performance Indicators

- Percent of County residents and other community stakeholders participating in the survey
- Completion of study and delivery of results to BOC

### Priority 1 Objective 2

#### Board direction based on results of Market Analysis and Feasibility Study

#### Action Steps

- Board of Commissioners directs staff on next steps for the PAC based on market analysis and feasibility study results
- Staff begins background work with financial advisors and bond counsel to determine how a financing package might be structured

#### Key Performance Indicators

- Staff adherence to timelines provided by Board of Commissioners



## PRIORITY 2: Gray's Creek Public Water Access

<b>Priority 2 Objective 1</b>	<b>Develop a long-term financially sustainable water system to address GenX contamination in the Gray's Creek District</b>
<b>Action Steps</b>	<ul style="list-style-type: none"> <li>• Extend water to the schools in Gray's Creek District</li> <li>• Continue extension of water lines throughout the district</li> <li>• Develop operational plan that provides long-term financial sustainability</li> </ul>
<b>Key Performance Indicators</b>	<ul style="list-style-type: none"> <li>• Public water extended to schools in Gray's Creek</li> <li>• Operational Plan completed</li> <li>• Timeframe developed for completion of remaining phases</li> </ul>
<b>Priority 2 Objective 2</b>	<b>Partner with the Public Works Commission (PWC) as the primary water provider</b>
<b>Action Steps</b>	<ul style="list-style-type: none"> <li>• Determine the role of PWC in operation of water system</li> <li>• Develop agreement for provision of water to the district</li> </ul>
<b>Key Performance Indicators</b>	<ul style="list-style-type: none"> <li>• Role and participation from PWC defined</li> <li>• Agreement with PWC completed</li> </ul>
<b>Priority 2 Objective 3</b>	<b>Identify funding sources for costs of extending water lines</b>
<b>Action Steps</b>	<ul style="list-style-type: none"> <li>• Continue to engage Chemours in seeking funding</li> <li>• Work with Federal lobbyist to identify grants and financial assistance</li> <li>• Partner with USDA for long-term, low-interest loans</li> </ul>
<b>Key Performance Indicators</b>	<ul style="list-style-type: none"> <li>• Agreement from Chemours to fund Gray's Creek construction</li> <li>• Funding secured through grants or long-term loans</li> </ul>

## PRIORITY 3: Countywide Public Water

### Priority 3 Objective 1

**Explore long-term plan to extend public water throughout the county**

### Action Steps

- Update 2009 Countywide Water Study
- Conduct financial feasibility study of water expansion in each identified district
- Seek funding sources to create long-term financial sustainability

### Key Performance Indicators

- Select consultant to update the Preliminary Engineering Report (PER)
- Initiate study
- Report findings to the Board

## PRIORITY 4: Homelessness

### Priority 4 Objective 1

**Work with homeless consultant, OrgCode, to develop a Three-Year Homelessness Strategic Plan**

On March 11, 2021, Dee Taylor presented the contract for OrgCode as an information item since it did not require Board approval. OrgCode is the consultant selected to work with Cumberland County and project stakeholders through a process that will produce a fully vetted three-year homelessness strategic plan. The plan will be the first step towards a comprehensive plan that will lay out how the County will handle homelessness for the next several years. This document will capture the action steps outlined in OrgCode's scope of work. The strategic plan will provide the County with the following: action steps, funding sources, and key performance indicators. The completion date for this effort will be no later than June 30, 2021 as indicated by the proposed project timeline below.

### Action Steps

Phase SCHEDULE / TIMELINE ESTIMATES	
Start-Up Tele-Conference	By week two after Contract Execution
Phase 1	March - April
Phase 2	May
Phase 3	May - June
Project Completion	No later than June 30, 2021

<b>Key Performance Indicators</b>	<ul style="list-style-type: none"> <li>• Hold start-up teleconference no later than week two after contract execution</li> <li>• Manage the schedule and ensure that the consultant stays on task regarding the schedule</li> <li>• Stakeholder identification</li> </ul>
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<b>Priority 4 Objective 2</b>	<b>Phase 1: Assessment of Current Programs and Resources</b>
<b>Action Steps</b>	<ul style="list-style-type: none"> <li>• Use scientific methods to measure and assess the context, formation, process, impacts and outcomes of the tools, approaches and activities involved in the current homeless response system</li> <li>• Manage the schedule and ensure that the consultant stays on task regarding the schedule</li> <li>• OrgCode will conduct a comprehensive operational and fidelity review of the status of the homeless response system</li> <li>• Research available program, funding, inventory and HMIS homeless data to examine the local capacity to address existing and projected need for the next three years (2021-2024)</li> <li>• OrgCode will seek to engage and receive data from the City and County along with the housing authority to gather the most comprehensive funding perspective of housing and supports</li> <li>• Gather data and review documentation</li> <li>• Community and Stakeholder Feedback</li> </ul>
<b>Key Performance Indicators</b>	<ul style="list-style-type: none"> <li>• Adherence to the schedule as outlined by the contract</li> <li>• Percentage of work completed</li> </ul>

<b>Priority 4 Objective 3</b>	<b>Phase 2: Needs Assessment and Gaps Analysis Report</b>
<b>Action Steps</b>	<ul style="list-style-type: none"> <li>• Data Organization and System Mapping: <ul style="list-style-type: none"> <li>○ Conduct qualitative and quantitative analysis of the information gathered in Phase 1</li> <li>○ The data will be organized to clearly represent the current state of the homeless in Cumberland County</li> <li>○ Identify any observable differences in homelessness experiences utilizing a racial, gender and familial lens</li> <li>○ Highlight other subpopulations such as persons fleeing violence, unaccompanied youth, and veterans</li> </ul> </li> </ul>

	<ul style="list-style-type: none"> <li>• Gaps Analysis Report: <ul style="list-style-type: none"> <li>○ OrgCode to write and present a Gaps Analysis Report to the County and the Continuum of Care</li> <li>○ Present supply and demand comparisons</li> <li>○ The Gap Analysis Report will set the stage for developing and organizing a data driven, evidence-informed, community led strategic plan</li> </ul> </li> </ul>
<b>Key Performance Indicators</b>	<ul style="list-style-type: none"> <li>• Adherence to the schedule as outlined by the contract</li> <li>• Percent of work completed</li> </ul>

<b>Priority 4 Objective 4</b>	<b>Phase 3: Developing the Three-Year Strategic Plan on Homelessness</b>
<b>Action Steps</b>	<p>Critical to the development of the final strategic plan will be an understanding of the community's vision and priorities in their effort to end homelessness.</p> <ul style="list-style-type: none"> <li>• Community Public Forums: OrgCode will conduct two facilitated public forums (approximately 90 minutes each) to focus on: service provider audiences such as community leaders, faith-based organizations, neighborhood associations, business, and housing developer communities.</li> <li>• Stakeholder Forums: OrgCode will conduct two forums (likely Zoom-based) with primary and secondary stakeholders. The feedback forums will reflect on the status of the homeless response system and develop priorities on impacts on other community systems and supportive services and housing providers.</li> <li>• Continuum of Care Operations Workshop: OrgCode will conduct a facilitated workshop with specific homeless service system operations providers.</li> <li>• Leadership Strategic Planning Retreat: OrgCode will develop a preliminary draft framework to serve as the working document of the Three-Year Homelessness Strategic Plan. This will be presented at a final County and CoC executive leadership strategic planning retreat. The retreat is envisioned to be either a site visit gathering of at least a half-day (if possible given COVID) or a multi-part Zoom facilitated retreat. This session will help develop goals and strategies for each impact area and prioritize goals and strategies.</li> <li>• Draft Strategic Plan: The final phase of the project will be the compilation of the Three-Year Homelessness Strategic Plan. The leadership staff will have an opportunity to review the document and make recommendations for edits during this time.</li> </ul>

	<ul style="list-style-type: none"> <li>Final Homelessness Strategic Plan Document: OrgCode recommends at least a two-week comment period and review. Consultant will finalize and make delivery of the final plan for adoption by the County and the COC. The final deliverables will be the strategic plan document, a brief PPT covering the highlights of the plan and a one-pager summarizing the plan for education, training, and marketing of the plan.</li> </ul>
<b>Key Performance Indicators</b>	<ul style="list-style-type: none"> <li>Adherence to the schedule as outlined by the contract</li> <li>Percent of work completed</li> </ul>

## PRIORITY 5: Government Communication

*Continue to build the County's internal and external communication channels and overall reach*

<b>Priority 5 Objective 1</b>	<b>Improve internal communication and employee access to information</b>
<b>Action Steps</b>	<ul style="list-style-type: none"> <li>Continue to use multiple communication channels such as "all employee" emails, County Connection and Wellness Connection newsletters, Cumberland Alerts and employee town halls to effectively reach employees/internal audiences</li> <li>Upgrade the look, feel and functionality of the Intranet to improve the user experience</li> <li>Deploy WebEx in more departments for virtual meetings and collaborative communication</li> <li>Provide monthly departmental presentations to commissioners and create other content spotlighting departments for internal and external use</li> </ul>
<b>Key Performance Indicators</b>	<ul style="list-style-type: none"> <li>Internal employee survey with questions on internal communication – percentage who use County website, Intranet and social media; satisfaction with content of employee newsletters; use of Cumberland Alerts and town hall meetings</li> <li>Percentage of employees who open newsletters, participate in town halls, open Alerts</li> <li>Intranet ease of navigation survey questions</li> <li>Implementation of WebEX and usage</li> </ul>

<b>Priority 5 Objective 2</b>	<b>Improve external communication by updating website design and functionality and providing excellent social media and web content to better inform and engage with residents</b>
<b>Action Steps</b>	<ul style="list-style-type: none"> <li>• Complete website redesign including content migration and departmental review, bringing library website under the County's website</li> <li>• Launch redesigned website in spring</li> <li>• Develop and implement countywide social media strategy in accordance with best practices and policy</li> <li>• Better coordinate posts across all County social media properties using content calendar and other strategies</li> <li>• Develop a comprehensive communications plan/program that includes how citizens contact and engage with county departments (email, website, social media, future mobile apps, telephone and other channels)</li> <li>• Develop an updated comprehensive communications plan for sharing information to citizens through various outlets (website, print, radio, TV, billboards, in-house Countywide digital signage, telephone, text messaging, etc.)</li> </ul>
<b>Key Performance Indicators</b>	<ul style="list-style-type: none"> <li>• Website launch</li> <li>• Tracked growth in website usage</li> <li>• Social media strategy development and implementation</li> <li>• Tracked growth in social media reach</li> <li>• Comprehensive communications plan for citizen contact/engagement</li> <li>• Comprehensive communications plan for information sharing</li> </ul>
<b>Priority 5 Objective 3</b>	<b>Improve and expand digital media production for CCNC-TV and web channels</b>
<b>Action Steps</b>	<ul style="list-style-type: none"> <li>• Live broadcast of three Boards of Commissioners meetings each month and rebroadcasting on CCNC-TV</li> <li>• Continue live broadcast of monthly advisory board meetings held virtually</li> <li>• Promote all live videos via the county website, social media and local media</li> <li>• Develop content that spotlights departments and educates citizens about services and the Board of Commissioners</li> <li>• Share and promote content related to municipalities and other governmental agencies, including features on smaller communities, current events and other information</li> </ul>

	<ul style="list-style-type: none"> <li>• Complete creation of Cablecast Screenweave app for on-demand and streaming service on multiple platforms</li> </ul>
<b>Key Performance Indicators</b>	<ul style="list-style-type: none"> <li>• Number of meetings and events live streamed</li> <li>• Percentage of departments with content created for channel</li> <li>• Percentage of municipalities sharing information</li> <li>• Usage of Screenweave app</li> </ul>

<b>Priority 5 Objective 4</b>	<b>Improve intergovernmental communication and maintain strong relationships with municipal, regional, state and federal officials</b>
<b>Action Steps</b>	<ul style="list-style-type: none"> <li>• Work with lobbyist and federal elected officials to develop and implement federal action plan and provide updates to the BOC</li> <li>• Provide updates with BOC on state legislation and Cumberland County delegation actions; share county information with delegation, including all media releases</li> <li>• Provide updates with BOC from municipalities, Fort Bragg and Board of Education on issues that have impact on county government</li> <li>• Participate in Mayors' Coalition; schedule departmental presentations to the group at quarterly meetings and provide communications support to the coalition</li> <li>• Share and promote content related to municipalities and other governmental agencies on CCNC-TV and other platforms; feature one municipality each month</li> </ul>
<b>Key Performance Indicators</b>	<ul style="list-style-type: none"> <li>• Level of grant awards and other federal funding applied for and obtained</li> <li>• Number of updates provided on federal, state and municipal activities</li> <li>• Level of information and content sharing on County platforms</li> </ul>

<b>Priority 5 Objective 5</b>	<b>Develop, launch and promote web applications to improve citizen and employee engagement</b>
<b>Action Steps</b>	<ul style="list-style-type: none"> <li>• Fully implement WebEx videoconferencing/online meeting software across the County</li> <li>• Fully implement ONESolution public safety mobile software</li> <li>• Launch EnerGOV planning and environmental health software to the public</li> <li>• Complete the build out of the Public Records Request online submission and tracking platform</li> </ul>

	<ul style="list-style-type: none"> <li>Promote GIS applications on website to the public and employees.</li> <li>Implement single point platform to accept payments (web and mobile)</li> <li>Implement a citizen reporting web app for Solid Waste, Animal Services and other departments</li> <li>Begin business requirements gathering for the development of a comprehensive county app that offers information on departments and the ability to communicate with departments and elected officials</li> </ul>
<b>Key Performance Indicators</b>	<ul style="list-style-type: none"> <li>WebEX implementation, training and usage</li> <li>OneSolution usage</li> <li>Energov usage (employees and citizens), number of permits, online transactions (types and revenue amounts), customer survey responses</li> <li>Public Records Request – usage, number requests, number responses, customer survey responses, time to respond to request, request type trends</li> <li>GIS apps – New app development, usage and adoption of GIS across the County, number of GIS apps hits on the website. Usage rates based on Arc Data, customer survey responses</li> <li>Payment app – implementation, usage, total revenue collected, total collection index</li> <li>Percentage of completion of business plan for comprehensive county app and development of the app</li> </ul>

## PRIORITY 6: Economic Development

<b>Priority 6 Objective 1</b>	<b>Close any remaining service gaps and ensure affordable access to broadband</b>
<b>Action Steps</b>	<ul style="list-style-type: none"> <li>Work with existing and new service providers</li> <li>Identify any remaining infrastructure gaps and pursue potential grants and partnerships to facilitate 100% County-wide coverage</li> <li>Work to secure grant, state, and federal funding to make broadband access affordable for students and low-income households</li> </ul>
<b>Key Performance Indicators</b>	<ul style="list-style-type: none"> <li>Broadband coverage areas</li> </ul>



<b>Priority 6 Objective 2</b>	<b>Identify and develop infrastructure-served industrial sites to support job creation</b>
<b>Action Steps</b>	<ul style="list-style-type: none"> <li>• Work with FCEDC, PWC / utility providers, the Mayors Coalition and planning staff to identify 1,000 acres for future job creation</li> <li>• Develop cost estimates for infrastructure extensions</li> </ul>
<b>Key Performance Indicators</b>	<ul style="list-style-type: none"> <li>• Inventory of infrastructure-served industrial sites</li> </ul>

<b>Priority 6 Objective 3</b>	<b>Expand support for expungement efforts and reentry programs</b>
<b>Action Steps</b>	<ul style="list-style-type: none"> <li>• Consider pursuing a structured program to increase expungement program participation</li> <li>• Create financial incentives for employers that hire reentry candidates</li> </ul>
<b>Key Performance Indicators</b>	<ul style="list-style-type: none"> <li>• Program creation</li> <li>• Number of individuals with past convictions enrolled in program and hired</li> </ul>

<b>Priority 6 Objective 4</b>	<b>Connect with key business sectors</b>
<b>Action Steps</b>	<ul style="list-style-type: none"> <li>• Facilitate a series of quarterly dialogue sessions with local business stakeholders with the support of the FCEDC</li> <li>• Propose cohort groups to include major employers, micro enterprises and startups, defense and technology companies, and the development / construction industries</li> <li>• Create candid dialogue with local companies on issues they are facing and how best the County could support their growth</li> <li>• Join FCEDC staff on select existing industry visits</li> </ul>
<b>Key Performance Indicators</b>	<ul style="list-style-type: none"> <li>• Participation in session</li> <li>• Participation in industry visits</li> </ul>

## PRIORITY 7: County Facility Asset Inventory and Audit

<b>Priority 7 Objective 1</b>	<b>Perform a Feasibility Study for a General Government Services Building</b>
<b>Action Steps</b>	<ul style="list-style-type: none"> <li>• Project approved and budgeted in FY21</li> <li>• Develop a scope of work and distribute a request for proposals</li> <li>• Evaluate proposals and choose the most responsive firm</li> <li>• Initiate study</li> <li>• Report findings to the BOC</li> </ul>
<b>Key Performance Indicators</b>	<ul style="list-style-type: none"> <li>• Successful selection of a firm</li> <li>• Successful completion of the study</li> </ul>
<b>Priority 7 Objective 2</b>	<b>Perform a Space Utilization Study of All County Facilities</b>
<b>Action Steps</b>	<ul style="list-style-type: none"> <li>• Determine an estimated cost and obtain BOC approval</li> <li>• Develop a scope of work and distribute a request for proposals</li> <li>• Evaluate proposals and choose the most responsive firm</li> <li>• Initiate study</li> <li>• Report findings to the BOC</li> </ul>
<b>Key Performance Indicators</b>	<ul style="list-style-type: none"> <li>• Budget approval for study successfully obtained</li> <li>• Successful selection of a firm</li> <li>• Successful completion of the study</li> </ul>
<b>Priority 7 Objective 3</b>	<b>Perform an ADA/Accessibility Assessment of All County Facilities</b>
<b>Action Steps</b>	<ul style="list-style-type: none"> <li>• Determine an estimated cost and obtain BOC approval</li> <li>• Develop a scope of work and distribute a request for proposals</li> <li>• Evaluate proposals and choose the most responsive firm</li> <li>• Initiate study</li> <li>• Report findings to the BOC</li> </ul>
<b>Key Performance Indicators</b>	<ul style="list-style-type: none"> <li>• Budget approval for study successfully obtained</li> <li>• Successful selection of a firm</li> <li>• Successful completion of the study</li> </ul>

<b>Goal 7 Objective 4</b>	<b>Identify Life Cycles of All County Facilities and Associated Critical Building Infrastructure</b>
<b>Action Steps</b>	<ul style="list-style-type: none"> <li>• Determine an estimated cost and obtain BOC approval</li> <li>• Develop a scope of work and distribute a request for proposals</li> <li>• Evaluate proposals and choose the most responsive firm</li> <li>• Initiate study</li> <li>• Report findings to the BOC</li> </ul>
<b>Key Performance Indicators</b>	<ul style="list-style-type: none"> <li>• Budget approval for study successfully obtained</li> <li>• Successful selection of a firm</li> <li>• Successful completion of the study</li> </ul>

<b>Priority 7 Objective 5</b>	<b>Centralization of Custodial and Facilities Services Across County Departments</b>
<b>Action Steps</b>	<ul style="list-style-type: none"> <li>• Determine potential costs associated with centralization</li> <li>• Plan for the centralization of the employees and assets in question</li> <li>• Implement the centralization</li> <li>• Assess post-centralization for success/opportunities for improvement</li> </ul>
<b>Key Performance Indicators</b>	<ul style="list-style-type: none"> <li>• Identification of potential costs</li> <li>• Successful integration of employees and assets</li> <li>• Visible improvement in service capabilities and response to facility and custodial needs</li> </ul>



**OFFICE OF THE COUNTY ATTORNEY**

**MEMORANDUM FOR BOARD OF COMMISSIONERS AGENDA OF APRIL 19, 2021**

**TO: BOARD OF COUNTY COMMISSIONERS**

**FROM: COUNTY ATTORNEY**

**DATE: 4/14/2021**

**SUBJECT: REQUEST OF THE TOWN OF LINDEN TO RELINQUISH ITS  
JURISDICTION TO THE COUNTY FOR MINIMUM HOUSING CODE  
ENFORCEMENT**

**BACKGROUND**

On November 17, 2020, the Town of Linden Board of Commissioners adopted a formal resolution to subject the jurisdiction of the Town of Linden to the County's Minimum Housing Code and to request the Board of County Commissioners to accept the jurisdiction of the Town of Linden for this purpose and apply and enforce the County's Minimum Housing Code within the town's jurisdiction. A copy of the Resolution is attached.

The Town of Linden and the County have the authority to undertake this transfer of jurisdiction and application of the County's Minimum Housing Code pursuant to N.C.G.S. § 160D-202. Chapter 160D is new and is in effect now, but it allows the existing local Minimum Housing Ordinances to also remain in effect until July 1, 2021. (Session Law 20-25, Section 51.(a) and (b)) Staff is currently working on revisions to the County's Minimum Housing Code. The process by which the County may accept the jurisdiction of a town and apply the County's ordinance requires that both governing boards adopt formal resolutions and the County will have to amend its Ordinance to include the town's jurisdiction. The Ordinance amendment will require a public hearing.

This action requested by the Town of Linden is what the Board of Commissioner approved for the Town of Wade. At its Agenda Session April 8, 2021, the Board unanimously approved the request of the Town of Linden.

**RECOMMENDATION / PROPOSED ACTION**

The Board may accept the jurisdiction of the Town of Linden for the purpose of applying and enforcing the

County's Minimum Housing Code as set forth in Article IV, Chapter 4, *Cumberland County Code* by adopting the resolution set out as follows:

Cumberland County Board of Commissioners  
Resolution to Accept the Jurisdiction of the Town of Linden for the  
Application and Enforcement of the County's Minimum Housing Code

Whereas, N.C.G.S. § 160D-202 authorizes a town to relinquish its jurisdiction to a county for the application and enforcement of the county's Minimum Housing Code and authorizes a county to accept such jurisdiction to apply and enforce its Minimum Housing Code; and

Whereas, on November 17, 2020, the Town of Linden Board of Commissioners adopted a resolution relinquishing its jurisdiction to the County of Cumberland for the purpose of applying and enforcing the County's Minimum Housing Code, being Article IV, Chapter 4, *Cumberland County Code*, with a copy of the Town's resolution being attached hereto.

Now therefore, be it resolved that the Cumberland County Board of Commissioners do accept the jurisdiction of the Town of Linden for the application and enforcement of the County's Minimum Housing Code, being Article IV, Chapter 4, *Cumberland County Code*.

Be it further resolved that the County's Minimum Housing Code, being Article IV, Chapter 4, *Cumberland County Code*, shall be amended to include the jurisdiction of any town within Cumberland County which requests to relinquish its jurisdiction to the County for this purpose and for which the Cumberland County Board of Commissioners accepts such jurisdiction.

Be it further resolved that the effective date of the application of the County's Minimum Housing Code within the jurisdiction of the Town of Linden shall be the date the amendment expanding the jurisdiction of the Cumberland County Minimum Housing Code is adopted by the Board of Commissioners after public hearing.

Adopted April 19, 2021.

Cumberland County Board of Commissioners  
By:

\_\_\_\_\_  
Charles Evans, Chair

**ATTACHMENTS:**

Description	Type
Linden Resolution for MH Enforcement	Backup Material
Linden Request	Backup Material

**RESOLUTION NO. 2020-1**

**RESOLUTION SUBJECTING THE TOWN OF LINDEN TO THE MINIMUM HOUSING  
STANDARDS OF CUMBERLAND COUNTY**

**WHEREAS**, the Town of Linden Board of Commissioners desires to voluntarily subject the Town of Linden to the specific provisions of the Cumberland County Code, Article IV, Minimum Housing Code; and

**WHEREAS**, the Town of Linden Board of Commissioners desires to subject the Town of Linden to the jurisdiction of the Cumberland County's Code Enforcement Division of the Department of Planning and Inspections; and

**WHEREAS**, the Town of Linden Board of Commissioners desires to comply with N.C.G.S. 160D-202 *et seq.* pursuant to which a county may, on request of a city council, exercise any or all of the powers contained in N.C.G.S. 160D-1201 local government may enact minimum housing standards and provide for the enforcement thereof.


**NOW, THEREFORE, BE IT RESOLVED** that the Town of Linden Board of Commissioners approves and adopts this Resolution to approve the application of Article IV, Minimum Housing Code of the Cumberland County Code within the corporate limits of the Town of Linden, pursuant to N.C.G.S. 160D-1201 *et seq.*; and further requests the Cumberland County Board of Commissioners to accept the jurisdiction of the Town of Linden for this purpose and apply and enforce the Cumberland County Code, Article IV, Minimum Housing Code, within the jurisdiction of the Town of Linden.

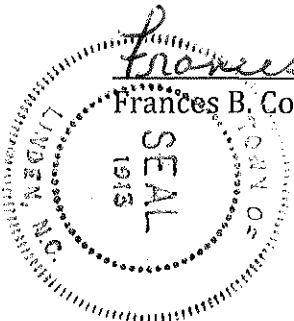
Adopted and effective this 17<sup>th</sup> day of November, 2020.

**TOWN OF LINDEN**

**ATTEST:**

  
Frances B. Collier, Mayor

  
Kimberly Turner, Town Clerk



**YARBOROUGH, WINTERS & NEVILLE, P.A.**

**Attorneys at Law**

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J. Thomas Neville [jtn Neville@ywnlaw.com](mailto:jtn Neville@ywnlaw.com)

March 24, 2021

Mr. Rick Moorefield, Esq.  
Cumberland County Attorney's Office  
P.O. Box 1829  
Fayetteville, NC 28302

**Re: Town of Linden Minimum Housing Resolution**

Dear Rick:

This letter is written on behalf of my client, the Town of Linden. I recently provided you with the Town of Linden's Resolution Subjecting the Town of Linden to the Minimum Housing Standards of Cumberland County (Town of Linden Resolution N0. 2020-1). My client hereby requests that Cumberland County Board of Commissioners take action on this matter and accept the jurisdiction of the Town of Linden for the purpose stated in the resolution and apply and enforce the Cumberland County Code, Article IV, Minimum Housing Code with the jurisdiction of the Town of Linden. Please present the resolution to the Cumberland County Board of Commissioners at the earliest session.

If you need anything else from me, please let me know. Thank you for cooperation in this matter.

Thank you,

**Yarborough, Winters & Neville, P.A.**



J. Thomas Neville  
Attorney at Law

JTN/kk  
cc: Town of Linden



## **PUBLIC UTILITIES DEPARTMENT**

### **MEMORANDUM FOR BOARD OF COMMISSIONERS AGENDA OF APRIL 19, 2021**

**TO: BOARD OF COUNTY COMMISSIONERS**

**FROM: JERMAINE WALKER, COUNTY ENGINEER**

**DATE: 4/14/2021**

**SUBJECT: USE AND OCCUPANCY AGREEMENT WITH NORTH CAROLINA  
DEPARTMENT OF TRANSPORTATION FOR THE NORCRESS SYSTEM**

#### **BACKGROUND**

The Public Utilities Department has received a Use and Occupancy Agreement from North Carolina Department of Transportation (NCDOT) for the NORCRESS system. This agreement between the NCDOT and NORCRESS outlines the terms for pre-existing sewer lines to remain within the highway right-of-way. NCDOT is widening I-95 from I-95 Business/US 301 to SR 1001 (Long Branch Road, Exit 71) to eight lanes. This project requires the relocation and adjustment of specific NORCRESS-owned sewer lines located within NCDOT right-of-way. All work will be completed at the expense of NCDOT and in accordance with General Statute 136-27.1. Included with this agreement is a North Carolina Department of Environmental Quality Permit Application requisite for NCDOT to be able to move forward with relocating the sewer lines. The County Attorney has reviewed the attached Use and Occupancy Agreement.

#### **RECOMMENDATION / PROPOSED ACTION**

This item was presented to the Board of Commissioners' April 8, 2021 Agenda Session and was approved to move forward as a Consent Agenda item for the April 19, 2021 Board of Commissioners Meeting. The actions to be pursued are:

1 ) Authorize the Chairman to sign the Use and Occupancy Agreement with the NCDOT to facilitate the relocation of the NORCRESS-owned sewer lines located within the NCDOT right-of-way.

#### **ATTACHMENTS:**

Description

I-5986A NORCRESS Use and Occupancy Agreement

Type

Backup Material





STATE OF NORTH CAROLINA  
DEPARTMENT OF TRANSPORTATION

ROY COOPER  
GOVERNOR

J. ERIC BOYETTE  
SECRETARY

DATE: March 30, 2021

WBS ELEMENT: 47532.3.2

PROJECT: I-5986A, Section 3

COUNTY: Cumberland County

DESCRIPTION: Widen I-95 from I-95 Business/US 301 (Exit 56) to SR 1001 (Long Branch Road, Exit 71) to Eight Lanes

Ms. Amy Hall  
Public Utilities Specialist  
Public Utilities Department, Cumberland County  
113 Gillespie Street, Suite 214  
Fayetteville, NC 28301

SUBJECT: Use and Occupancy Agreement (Design Build Projects) – Northern Cumberland Regional Sewer System (NORCRESS)

Greetings Ms. Hall:

The proposed improvements for the I-95 Design Build project has let. The construction of this project will require the relocation and adjustment of certain sewer lines owned by the NORCRESS and located within the limits of the above noted project. As discussed with you previously, the design and relocation will be handled by the NCDOT Design Build Contractor. This work will be done at the expense of the Department of Transportation in accordance with General Statute 136-27.1.

Attached, for your approval are the Plans and Special Provisions showing the sewer relocation work. In accordance with State and Federal Regulations, it will be necessary for the NORCRESS and the Department of Transportation to agree in writing as to the terms of use and occupancy for the sewer lines to remain within the highway right of way. Accordingly, the following conditions will apply with regards to the sewer lines:

- (1) The sewer lines will be located and accommodated in a manner that will not impair the planned highway or the construction or maintenance or interfere with the safe operation.
- (2) NORCRESS will be responsible for maintenance and service of the sewer lines to be retained within the Department of Transportation's right of way limits in accordance with the mandate of the statutes and such other laws, rules, and regulations that have been or may be validly enacted or adopted now or hereafter.
- (3) That upon satisfactory completion of the relocation work, NORCRESS agrees that it shall release the Department of Transportation from any and all claims for damage in

*Mailing Address:*  
NC DEPARTMENT OF TRANSPORTATION  
1555 MAIL SERVICE CENTER  
RALEIGH, NC 27699-1555

*Telephone:* (919) 707-6690  
*Fax:* (919) 250-4151  
*Customer Service:* 1-877-368-4968

*Website:* [www.ncdot.gov](http://www.ncdot.gov)

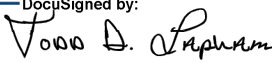
*Location:*  
1000 BIRCH RIDGE DRIVE  
RALEIGH, NC 27610

connection with the relocation made to the sewer lines, and further, that it shall release the Department of Transportation of any further responsibility for the cost of maintenance to the sewer lines. This release shall be deemed to be given by the NORCRESS upon completion of construction of the project and its acceptance by the Department of Transportation from the Design Build Contractor unless the NORCRESS notifies the Department of Transportation in writing to the contrary prior to the Department's acceptance of the project.

(4) The Department's Special Provisions binds the contractor to guarantee materials and workmanship against latent and patent defects arising from faulty materials, faulty workmanship or negligence for a period of twelve months following the date of final acceptance of the work for maintenance and shall replace such defective materials and workmanship without cost to the Department. The highway contractor will not be responsible for damage due to faulty design, normal wear and tear, for negligence on the part of the Department, and/or for use in excess of the design. Where items of material carry a manufacturer's guarantee for any period in excess of twelve months, then the manufacturer's guarantee shall apply for that particular piece of material. Appropriate provisions of the payment and/or performance bonds shall cover this guarantee for the project. Should any failure result from the conditions found in line item (4) the Department would then enter into a Contract with the NORCRESS for reimbursement to be made to NORCRESS for necessary repairs performed by the NORCRESS and/or its contractor. The Utility Relocation Agreement would be issued by the NCDOT Utilities Unit and the repairs would be coordinated between the NORCRESS and the Departments assigned Resident Engineer.

Please indicate your concurrence in these conditions and attached plans by signing in the appropriate space provided below and return to Donna Jackson at Mott MacDonald, 7621 Purfoy Road, Suite 115, Fuquay Varina 27526 no later than April 30, 2021. If our office has not received this agreement by the due date, the highway project may be delayed by the Department of Transportation.

Sincerely,

DocuSigned by:  
  
6082FF96FCAC434...

Design Build Utility Engineer

Attachment

Approved and Accepted For:

\_\_\_\_\_  
BY: \_\_\_\_\_  
\_\_\_\_\_ TITLE

N.C.G.S. § 133-32 and Executive Order 24 prohibit the offer to, or acceptance by, any State Employee of any gift from anyone with a contract with the State, or from any person seeking to do business with the State. By execution of any response in this procurement, you attest, for

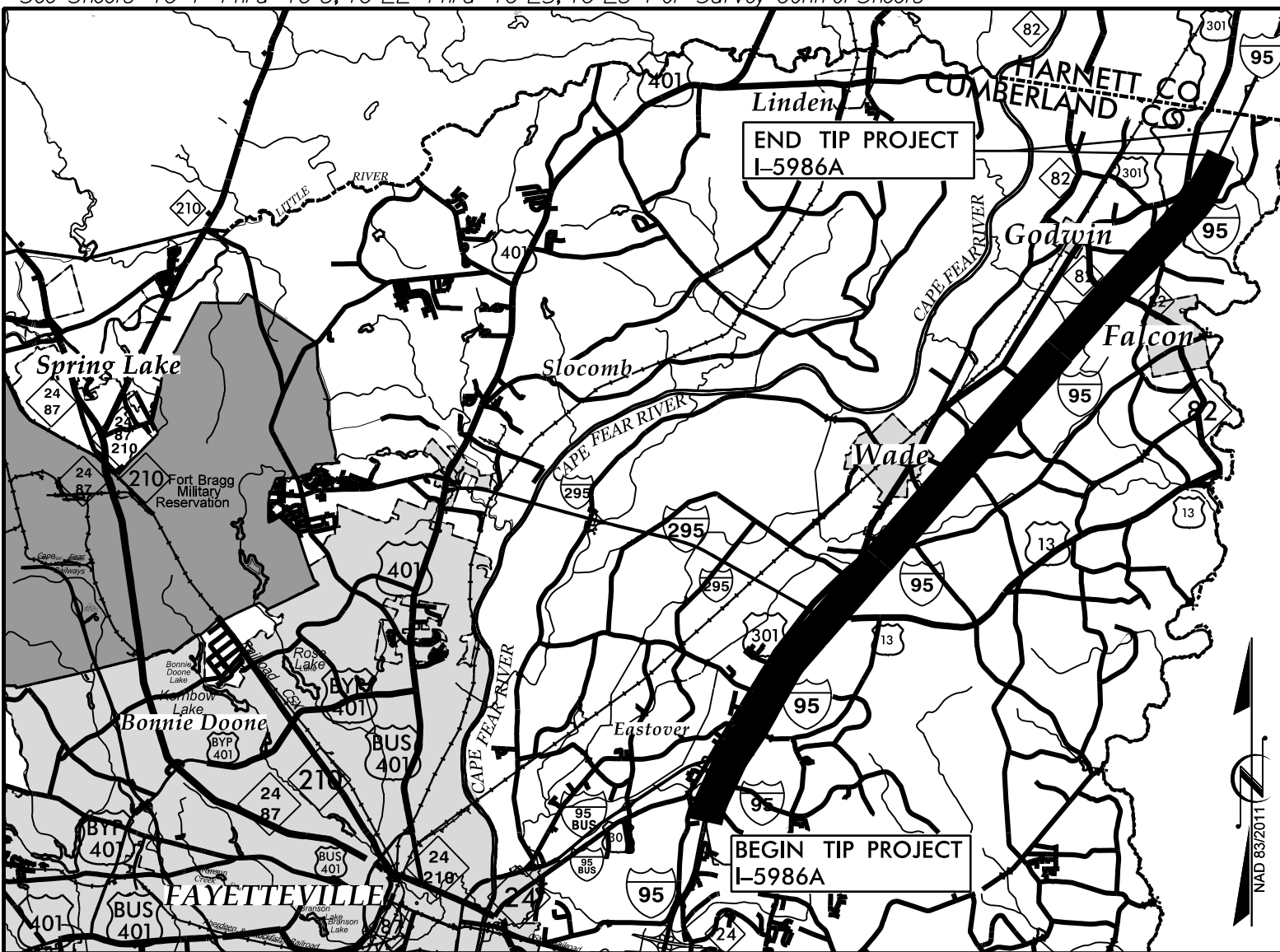
your entire organization and its employees or agents, that you are not aware that any such gift has been offered, accepted, or promised by any employees of your organization.

09.08/19  
3/25/2021  
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TIP PROJECT: I-5986A

CONTRACT: C204283

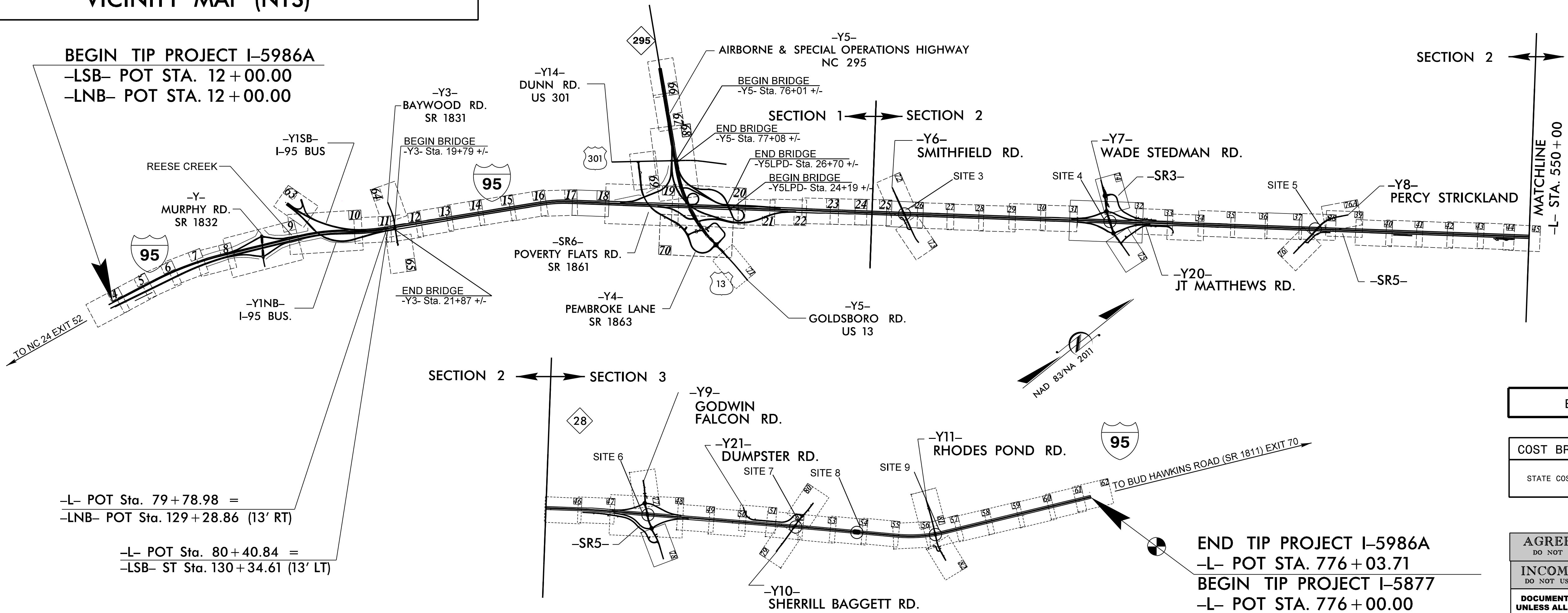
See Sheet 1A For Index of Sheets  
See Sheet 1B For Conventional Symbols  
See Sheets 1C-1 Thru 1C-8, 1C-22 Thru 1C-25, 1C-28 For Survey Control Sheets



VICINITY MAP (NTS)

BEGIN TIP PROJECT I-5986A

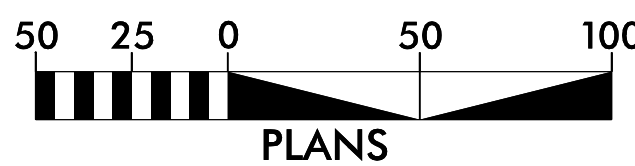
-LSB- POT STA. 12+00.00  
-LNB- POT STA. 12+00.00



-L- POT Sta. 79+78.98 =  
-LNB- POT Sta. 129+28.86 (13' RT)

-L- POT Sta. 80+40.84 =  
-LSB- ST Sta. 130+34.61 (13' LT)

GRAPHIC SCALES



PLANS



PROFILE (HORIZONTAL)



PROFILE (VERTICAL)

UTILITY OWNERS

NORTHERN CUMBERLAND REGIONAL  
SEWER SYSTEM  
DISTRICT (NORCRESS): SEWER

INDEX OF SHEETS

SHEET NO.:

UC-1  
UC-2  
UC-3  
UC-3A  
UC-32,74,75,78  
UC-85,86

DESCRIPTION:

TITLE SHEET  
UTILITY SYMBOLOGY  
NOTES  
DETAIL SHEET  
UTILITY CONSTRUCTION  
SHEETS  
PROFILE SHEETS

PLANS PREPARED BY:

**RK&K** RUMMEL, KLEPPER & KAHL, LLP  
8601 SIX FORKS ROAD, FORUM 1, SUITE 700  
RALEIGH, NORTH CAROLINA 27615-3960  
NC LICENSE NO. F-0112

FOR NORTH CAROLINA  
DEPARTMENT OF TRANSPORTATION

2018 STANDARD SPECIFICATIONS

LETTING DATE:  
AUGUST 20, 2019



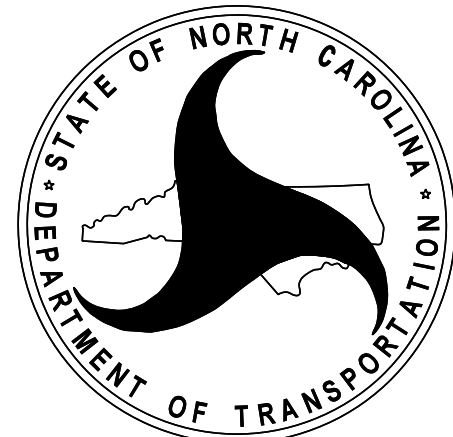
Michael T. Merritt, P.E.  
PROJECT ENGINEER

Anthony A. Houser, P.E.  
PROJECT DESIGN ENGINEER

UTILITY ENGINEER

SIGNATURE:

P.E.



STATE OF NORTH CAROLINA  
DIVISION OF HIGHWAYS

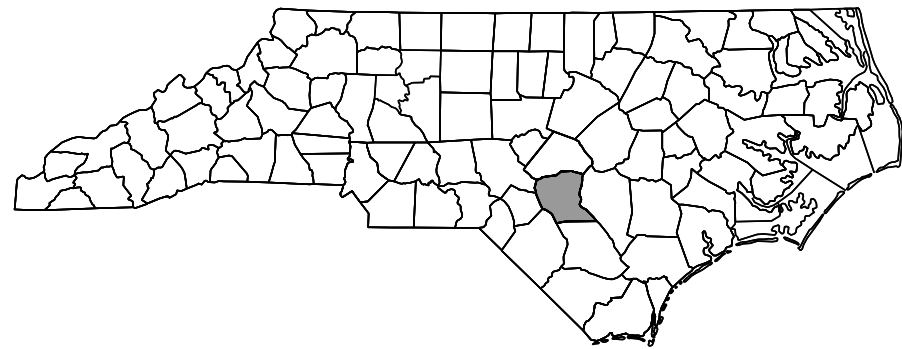
CUMBERLAND COUNTY

LOCATION: I-95 WIDENING FROM SOUTH OF SR 1832  
(MURPHY ROAD- EXIT 55) TO SOUTH OF SR 1811  
(BUD HAWKINS ROAD-EXIT 70)

TYPE OF WORK: SEC 2 AND SEC 3 AGREEMENT PLANS FOR NORCRESS

INDICATES SHEETS WITH  
NO SEWER CONFLICTS

STATE	STATE PROJECT REFERENCE NO.	SHEET NO.	TOTAL SHEETS
N.C.	I-5986A	UC-1	10
STATE PROJ. NO.	F.A. PROJ. NO.	DESCRIPTION	
47532.3.2	NHP-0095(057)		



SECTION 2 SECTION 3

EXHIBIT A

COST BREAKDOWN LEGEND

STATE COST

AGREEMENT PLANS  
DO NOT USE FOR CONSTRUCTION

INCOMPLETE PLANS  
DO NOT USE FOR R/W ACQUISITION

DOCUMENT NOT CONSIDERED FINAL  
UNLESS ALL SIGNATURES COMPLETED

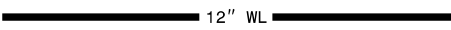



























STATE OF NORTH CAROLINA  
DIVISION OF HIGHWAYS

PROJECT REFERENCE NO.	SHEET NO.
I-5986A	UC-2

UTILITIES PLAN SHEET SYMBOLS





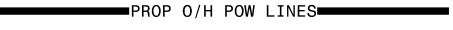
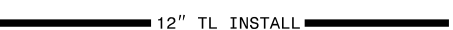


PROPOSED WATER SYMBOLS








Water Line (Sized as Shown)	
11¼ Degree Bend	
22½ Degree Bend	
45 Degree Bend	
90 Degree Bend	
Plug	
Tee	
Cross	
Reducer	
Gate Valve	
Butterfly Valve	
Tapping Valve	
Line Stop	
Line Stop with Bypass	
Blow Off	
Fire Hydrant	
Relocate Fire Hydrant	
Remove Fire Hydrant	
Water Meter	
Relocate Water Meter	
Remove Water Meter	
Water Pump Station	
RPZ Backflow Preventer	
DCV Backflow Preventer	
Relocate RPZ Backflow Preventer	
Relocate DCV Backflow Preventer	

PROPOSED SEWER SYMBOLS

Gravity Sewer Line (Sized as Shown)	
Force Main Sewer Line (Sized as Shown)	
Manhole (Sized per Note)	
Sewer Pump Station	

PROPOSED MISCELLANEOUS UTILITIES SYMBOLS





















Power Pole	
Telephone Pole	
Joint Use Pole	
Telephone Pedestal	
Utility Line by Others (Type as Shown)	
Trenchless Installation	
Encasement by Open Cut	
Encasement	

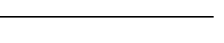
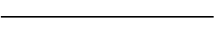
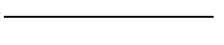
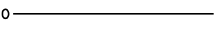
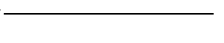


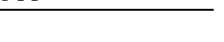
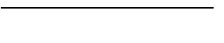
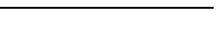
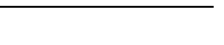

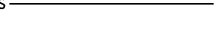
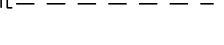





Thrust Block	
Air Release Valve	
Utility Vault	
Concrete Pier	
Steel Pier	
Plan Note	
Pay Item Note	

NOTE

PAY ITEM

EXISTING UTILITIES SYMBOLS

Power Pole	
Telephone Pole	
Joint Use Pole	
Utility Pole	
Utility Pole with Base	
H-Frame Pole	
Power Transmission Line Tower	
Water Manhole	
Power Manhole	
Telephone Manhole	
Sanitary Sewer Manhole	
Hand Hole for Cable	
Power Transformer	
Telephone Pedestal	
CATV Pedestal	
Gas Valve	
Gas Meter	
Located Miscellaneous Utility Object	
Abandoned According to Utility Records	
End of Information	

*Underground Power Line	
*Underground Telephone Cable	
*Underground Telephone Conduit	
*Underground Fiber Optics Telephone Cable	
*Underground TV Cable	
*Underground Fiber Optics TV Cable	
*Underground Gas Pipeline	
Aboveground Gas Pipeline	
*Underground Water Line	
Aboveground Water Line	
*Underground Gravity Sanitary Sewer Line	
Aboveground Gravity Sanitary Sewer Line	
*Underground SS Forced Main Line	
Underground Unknown Utility Line	
SUE Test Hole	
Water Meter	
Water Valve	
Fire Hydrant	
Sanitary Sewer Cleanout	

*For Existing Utilities
Utility Line Drawn from Record (Type as Shown)
Designated Utility Line (Type as Shown)

PROJECT REFERENCE NO.	SHEET NO.
I-5986A/I-5877	UC-3
<div><div>INCOMPLETE PLANS DO NOT USE FOR R/W ACQUISITION</div><div>AGREEMENT PLANS DO NOT USE FOR CONSTRUCTION</div></div>	
DOCUMENT NOT CONSIDERED FINAL UNLESS ALL SIGNATURES COMPLETED	

## GENERAL NOTES:

1. THE PROPOSED UTILITY CONSTRUCTION SHALL MEET THE APPLICABLE REQUIREMENTS OF THE NC DEPARTMENT OF TRANSPORTATION'S "STANDARD SPECIFICATIONS FOR ROADS AND STRUCTURES" DATED JANUARY 2018 AND AS NOTED HEREIN.

2. THE SANITARY SEWER FACILITIES ARE OWNED BY NORCRESS. THE WATER FACILITIES ARE OWNED BY HARNETT COUNTY AND TOWN OF FALCON. HARNETT COUNTY CONTACT PERSON IS SHANE CUMMINGS, PHONE NUMBER 910-893-7575. TOWN OF FALCON CONTACT PERSON IS CLIFTON TURPIN JR., PHONE NUMBER 910-850-5838. NORTHERN CUMBERLAND REGIONAL SEWER SYSTEM DISTRICT (NORCRESS) CONTACT PERSON IS AMY HALL, PHONE NUMBER 910-678-7637.

3. ALL WATER LINES TO BE INSTALLED WITHIN COMPLIANCE OF THE RULES AND REGULATIONS OF THE NORTH CAROLINA DEPARTMENT OF ENVIRONMENTAL QUALITY, DIVISION OF WATER RESOURCES, PUBLIC WATER SUPPLY SECTION, AND NORCRESS (PWC) SPECIFICATIONS AND DESIGN STANDARDS. ALL SEWER LINES TO BE INSTALLED WITHIN COMPLIANCE OF THE RULES AND REGULATIONS OF THE NORTH CAROLINA DEPARTMENT OF ENVIRONMENT QUALITY, DIVISION OF WATER RESOURCES, WATER QUALITY SECTION AND NORCRESS SPECIFICATIONS AND DESIGN STANDARDS. PERFORM ALL WORK IN ACCORDANCE WITH THE APPLICABLE PLUMBING CODES.

4. THE UTILITY OWNER OWNS THE EXISTING UTILITY FACILITIES AND WILL OWN THE NEW UTILITY FACILITIES AFTER ACCEPTANCE BY THE DEPARTMENT AND OWNERS. THE DEPARTMENT OWNS THE CONSTRUCTION CONTRACT AND HAS ADMINISTRATIVE AUTHORITY. COMMUNICATIONS AND DECISIONS BETWEEN THE CONTRACTOR AND UTILITY OWNER ARE NOT BINDING UPON THE DEPARTMENT OR THIS CONTRACT UNLESS AUTHORIZED BY THE ENGINEER. AGREEMENTS BETWEEN THE UTILITY OWNER AND CONTRACTOR FOR THE WORK THAT IS NOT PART OF THIS CONTRACT OR IS SECONDARY TO THIS CONTRACT ARE ALLOWED, BUT ARE NOT BINDING UPON THE DEPARTMENT.

5. PROVIDE ACCESS FOR THE DEPARTMENT PERSONNEL AND THE OWNER'S REPRESENTATIVES TO ALL PHASES OF CONSTRUCTION. NOTIFY DEPARTMENT PERSONNEL AND THE UTILITY OWNER TWO WEEKS PRIOR TO COMMENCEMENT OF ANY WORK AND ONE WEEK PRIOR TO SERVICE INTERRUPTION. KEEP UTILITY OWNERS' REPRESENTATIVES INFORMED OF WORK PROGRESS AND PROVIDE OPPORTUNITY FOR INSPECTION OF CONSTRUCTION AND TESTING.

6. THE PLANS DEPICT THE BEST AVAILABLE INFORMATION FOR THE LOCATION, SIZE, AND TYPE OF MATERIAL FOR ALL EXISTING UTILITIES. CONTRACTOR SHALL PERFORM INVESTIGATIONS FOR DETERMINING THE EXACT LOCATION, SIZE, AND TYPE MATERIAL OF THE EXISTING FACILITIES AS NECESSARY FOR THE CONSTRUCTION OF THE PROPOSED UTILITIES AND FOR AVOIDING DAMAGE TO EXISTING FACILITIES. REPAIR ANY DAMAGE INCURRED TO EXISTING FACILITIES TO THE ORIGINAL OR BETTER CONDITION AT NO ADDITIONAL COST TO THE DEPARTMENT.

7. CONTRACTOR SHALL PERFORM FINAL CONNECTIONS OF THE NEW WORK TO THE EXISTING SYSTEM WHERE INDICATED ON THE PLANS, AS REQUIRED TO FIT THE ACTUAL CONDITIONS, OR AS DIRECTED.

8. CONTRACTOR SHALL PERFORM CONNECTIONS BETWEEN EXISTING AND PROPOSED UTILITIES AT TIMES MOST CONVENIENT TO THE PUBLIC, WITHOUT ENDANGERING THE UTILITY SERVICE, AND IN ACCORDANCE WITH THE UTILITY OWNER'S REQUIREMENTS. CONTRACTOR SHALL PERFORM CONNECTIONS ON WEEKENDS, AT NIGHT, AND ON HOLIDAYS IF NECESSARY.

9. ALL UTILITY MATERIALS SHALL BE APPROVED PRIOR TO DELIVERY TO THE PROJECT. SEE 1500-7, " SUBMITTALS AND RECORDS" IN SECTION 1500 OF THE STANDARD SPECIFICATIONS.



P: (919) 878-8560  
8601 Six Forks Road, Forum 1, Suite 700  
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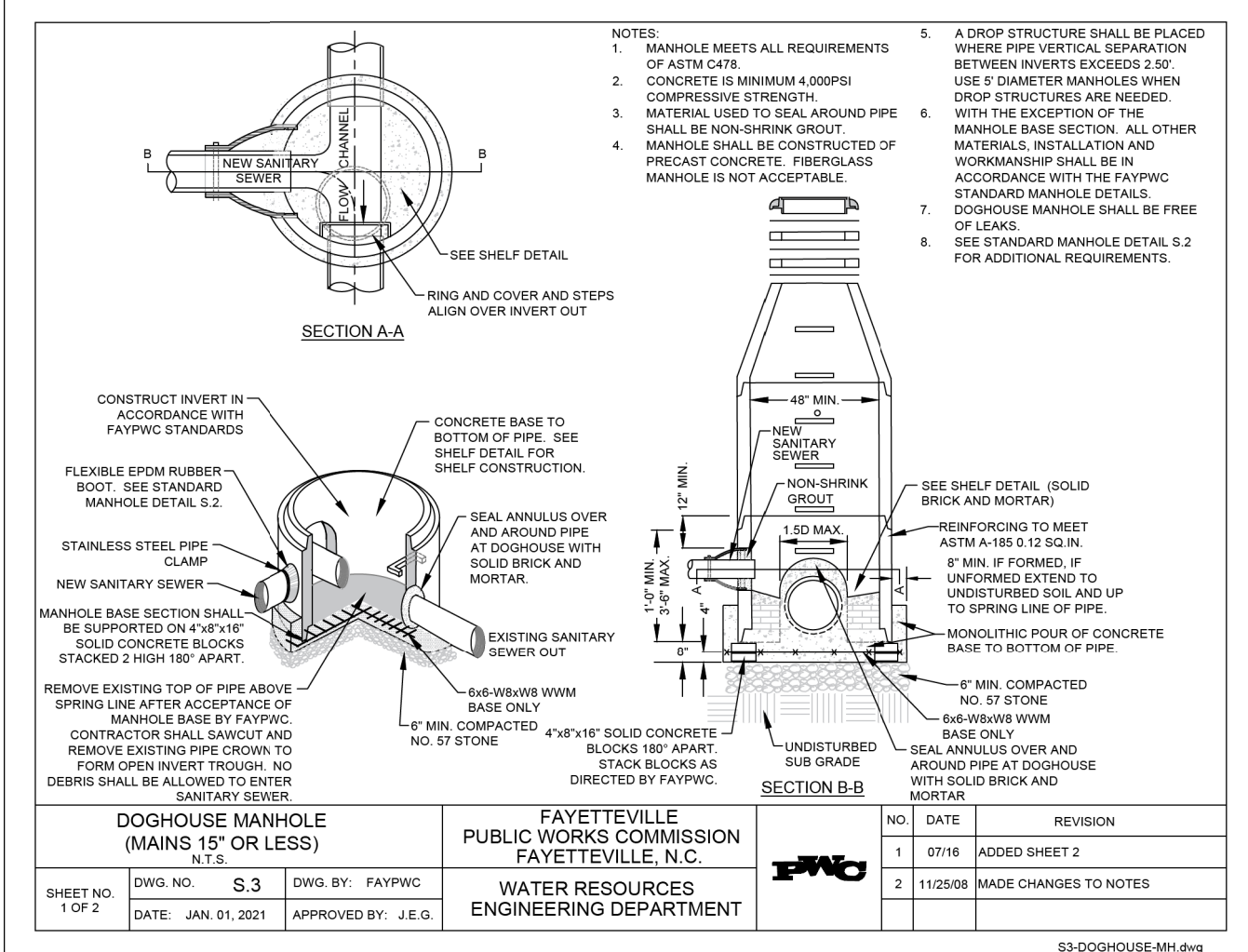
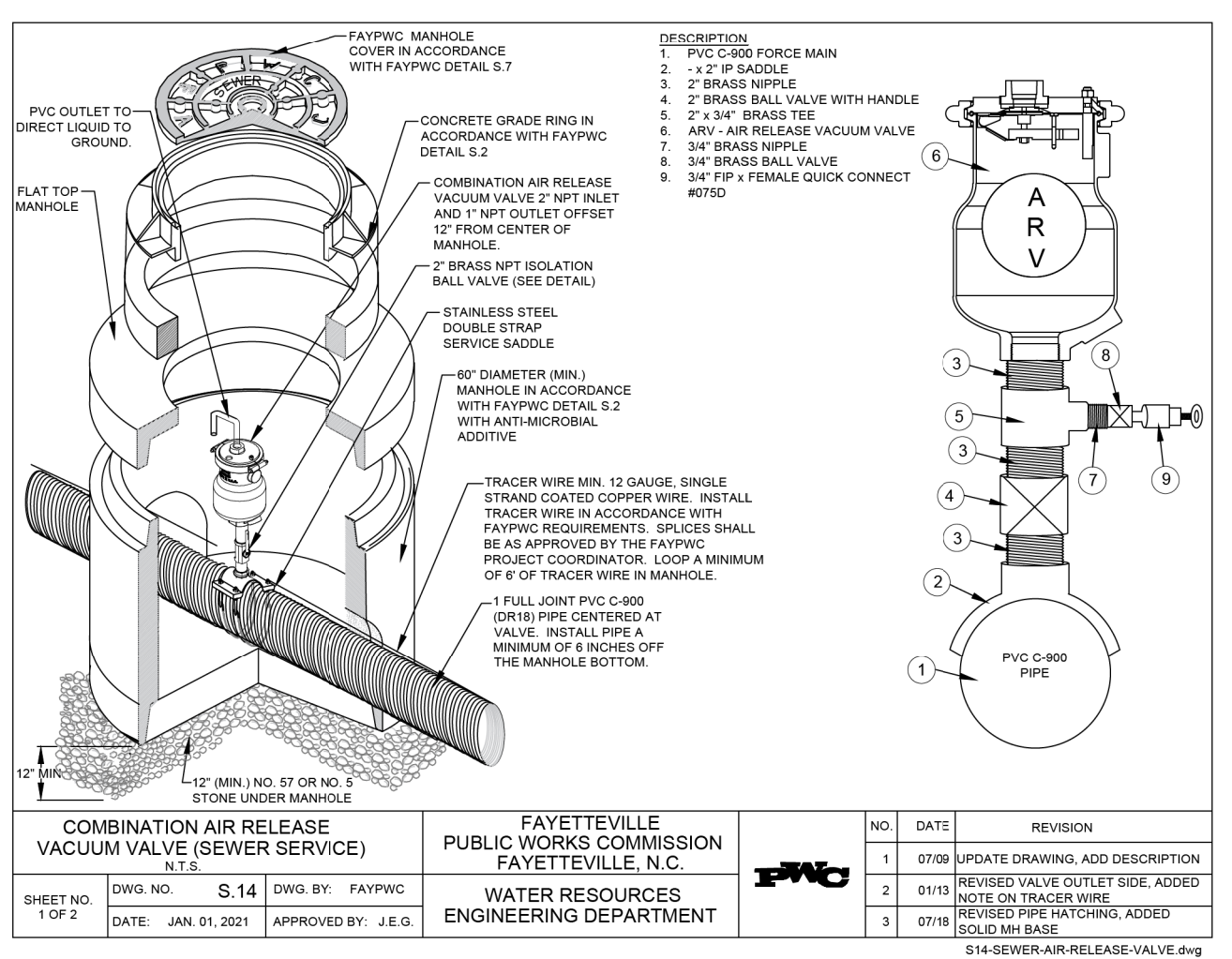
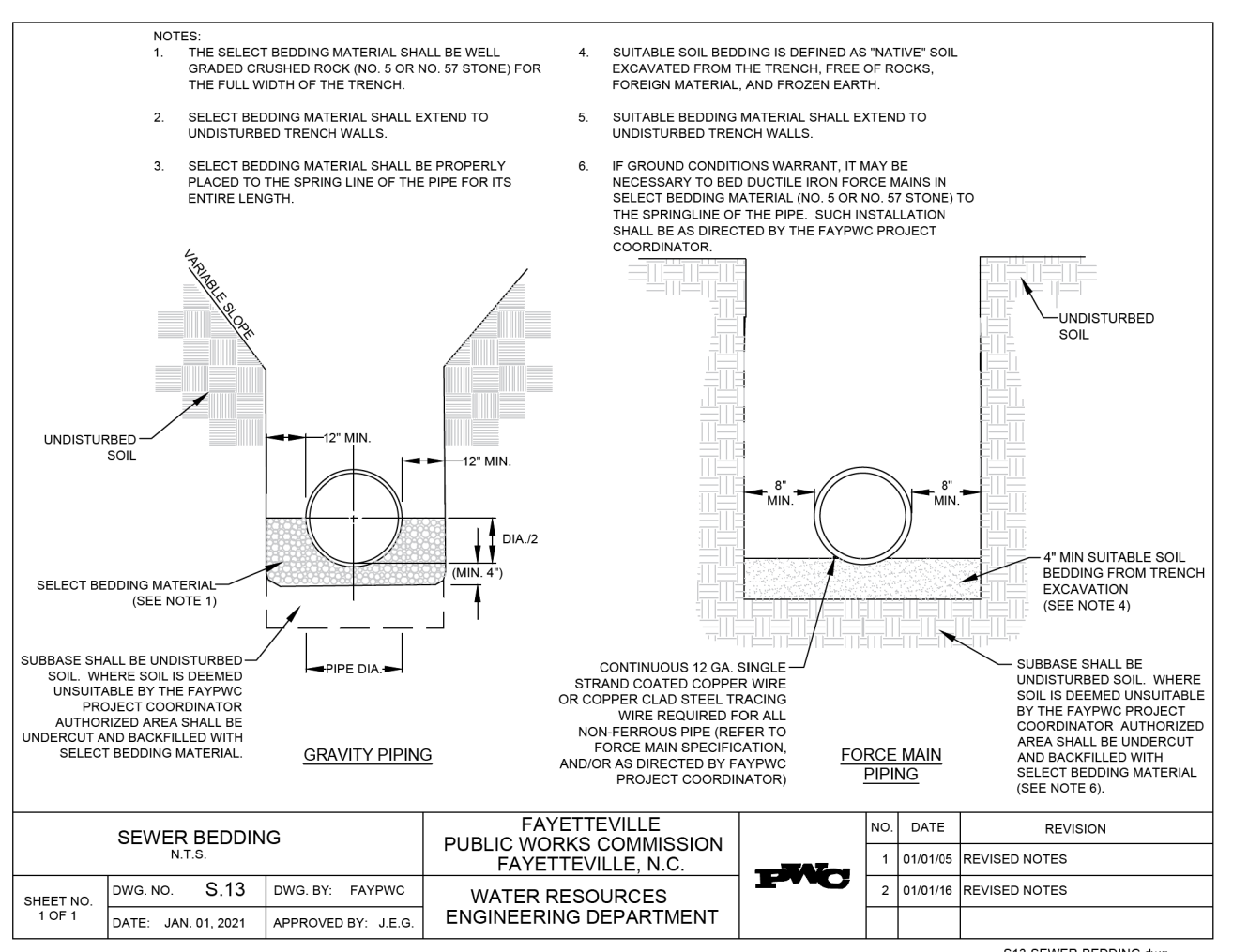
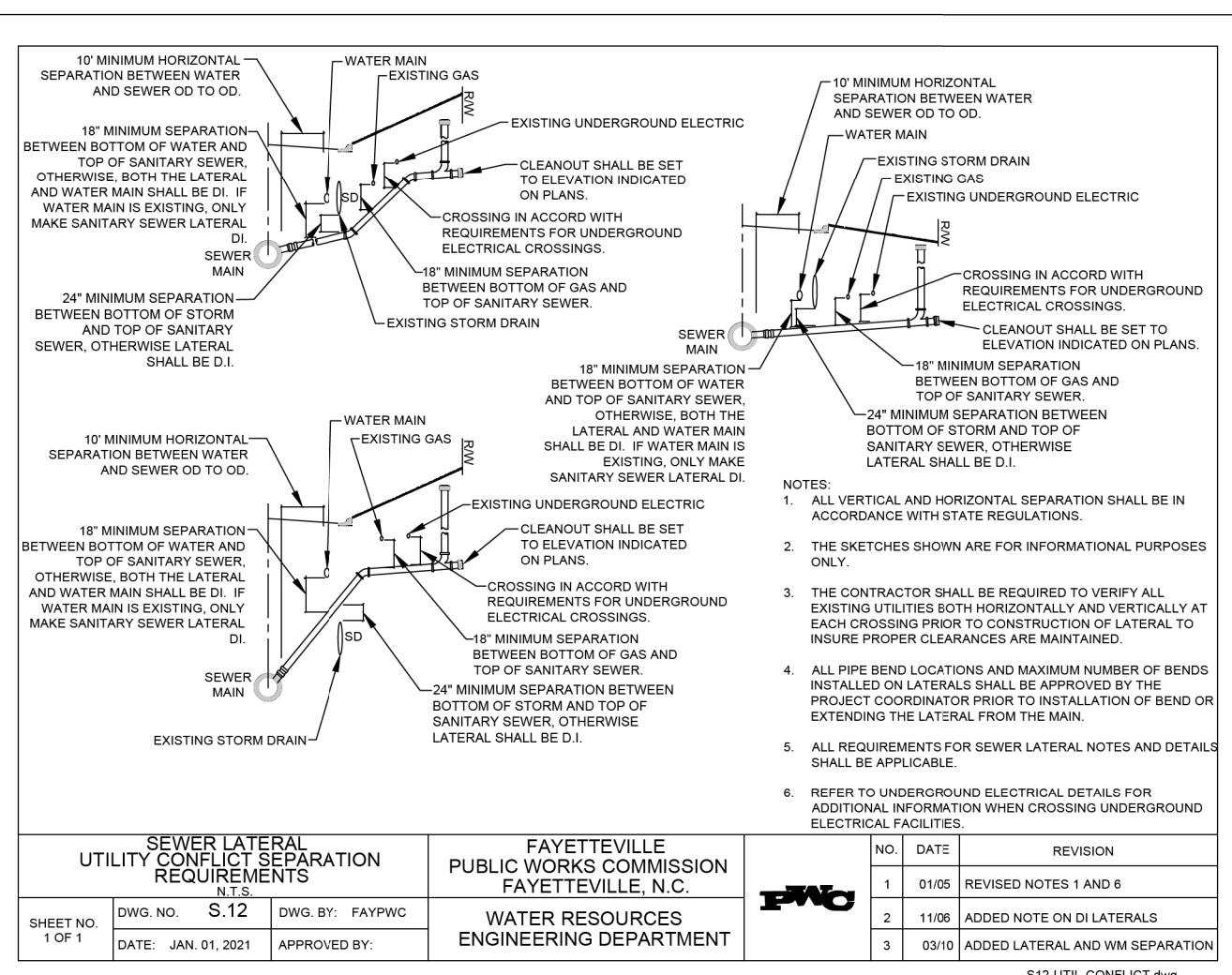
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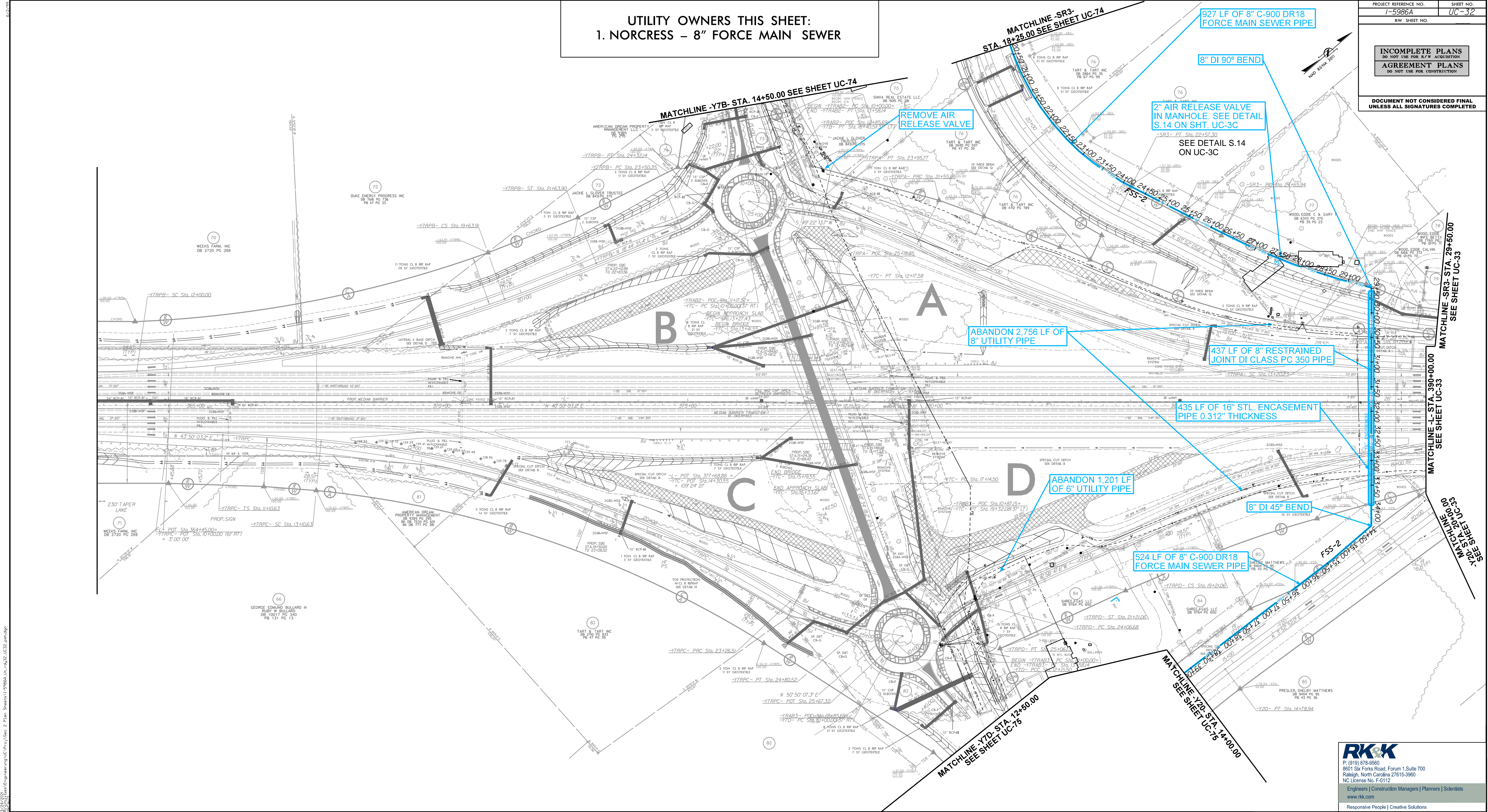
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<b>DOCUMENT NOT CONSIDERED FINAL UNLESS ALL SIGNATURES COMPLETED</b>	





UTILITY OWNERS THIS SHEET:  
1. NORCRESS - 8" FORCE MAIN SEWER

PROJECT REFERENCE NO.	SHEET NO.
1-5986A	UC-32
R/W SHEET NO.	
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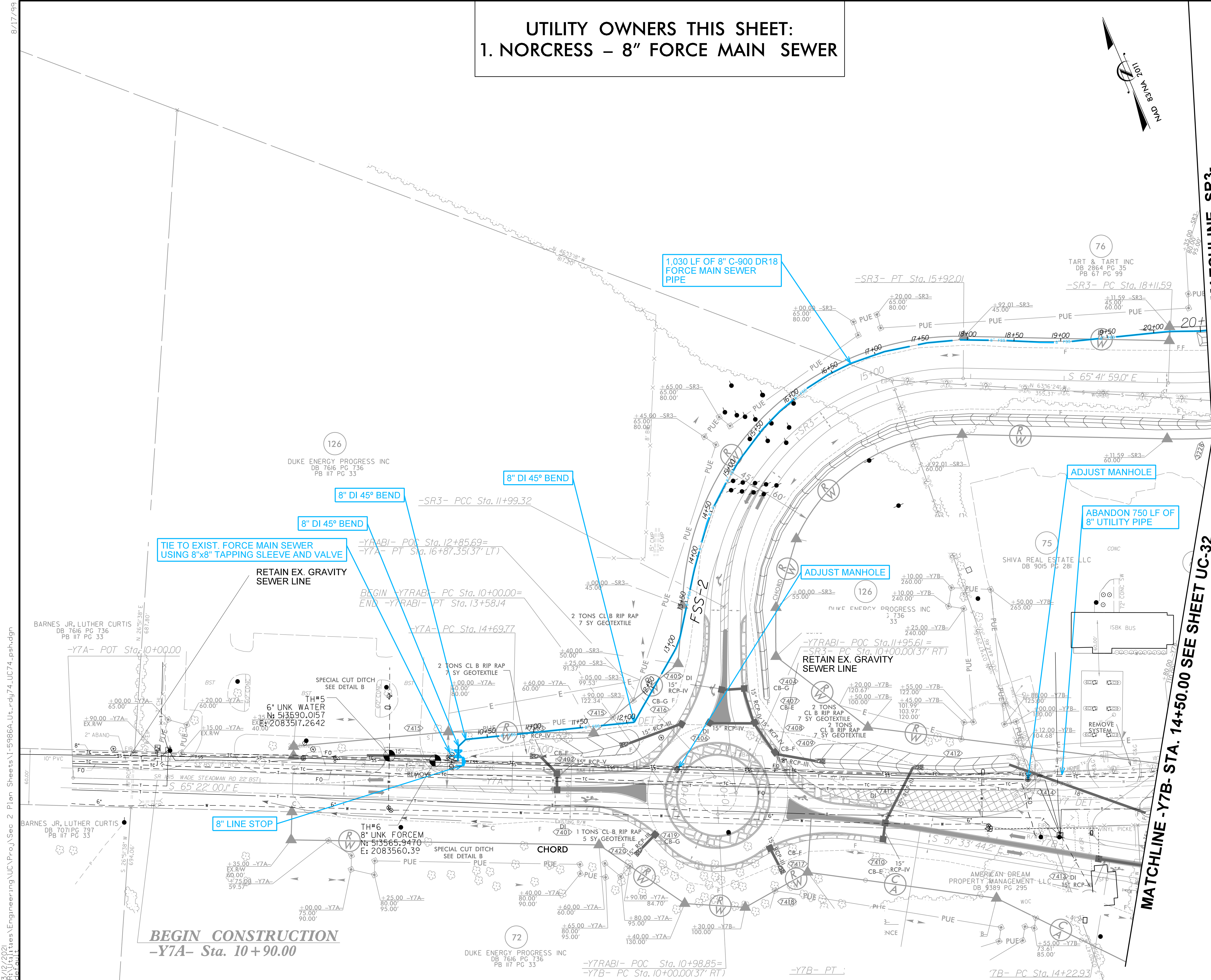




8/17/99

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3/12/2021

UTILITY OWNERS THIS SHEET:  
1. NORCRESS - 8" FORCE MAIN SEWER



MATCHLINE -SR3-  
STA.18+50.00 SEE SHEET UC-32

MATCHLINE -Y7B- STA. 14+50.00 SEE SHEET UC-32

PROJECT REFERENCE NO.	SHEET NO.
1-5986A	UC-74
RW SHEET NO.	

**INCOMPLETE PLANS**  
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**AGREEMENT PLANS**  
DO NOT USE FOR CONSTRUCTION

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UTILITY OWNERS THIS SHEET:  
1. NORCRESS – 8" FORCE MAIN SEWER



**MATCHLINE**  
**-Y20- STA. 14+00.00**  
**SEE SHEET UC-32**

**MATCHLINE -Y7D- STA. 12+50.00  
SEE SHEET UC-32**

(2) 8" DI 45° BENDS

96 LF OF 8" RESTRAINED  
JOINT DI CLASS PC 350 PIPE

94 LF OF 16" STL.  
ENCASEMENT PIPE  
0.312" THICKNESS

ABANDON 413 LF OF  
8" UTILITY PIPE

8" DI 22.5° BEND

8" C-900 DR18  
RAIN SEWER PIPE

8" DI 45° BEND

8" LINE STOP

**END CONSTRUCTION**  
-Y7D- Sta. 16+25.00

INERDUCT

8" DI 22.5° BEND

42 LF OF 8" RESTRAINED  
JOINT DI CLASS PC 350 PIPE

40 LF OF 16" STL.  
ENCASEMENT PIPE  
0.312" THICKNESS

TIE TO EXIST. FORCE MAIN USING  
8"x8" TAPPING SLEEVE AND VALVE



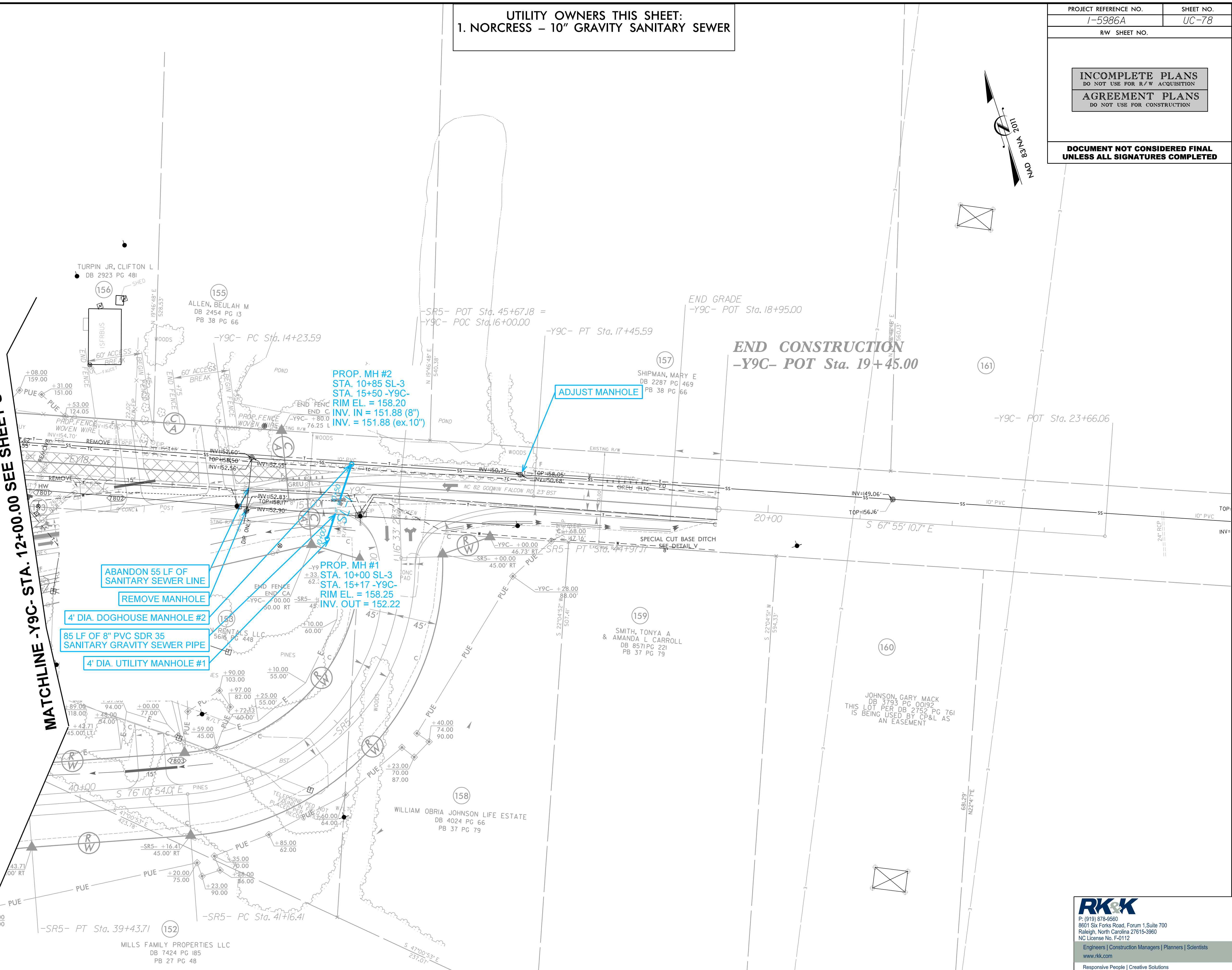
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3/23/2021  
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UTILITY OWNERS THIS SHEET:  
1. NORCRESS - 10" GRAVITY SANITARY SEWER

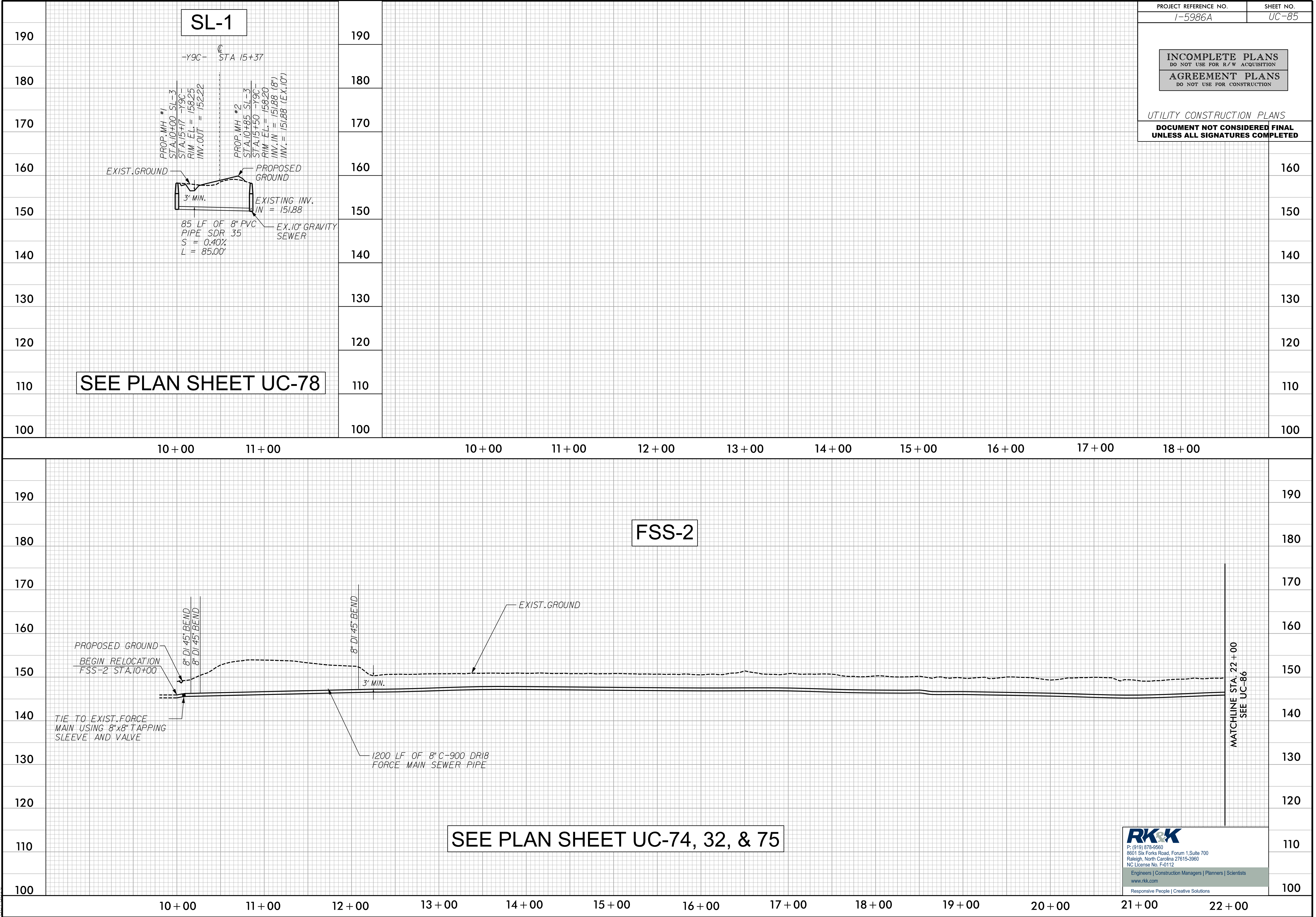
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RW SHEET NO.	
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MATCHLINE -Y9C- STA. 12+00.00 SEE SHEET UC-48



5/28/99

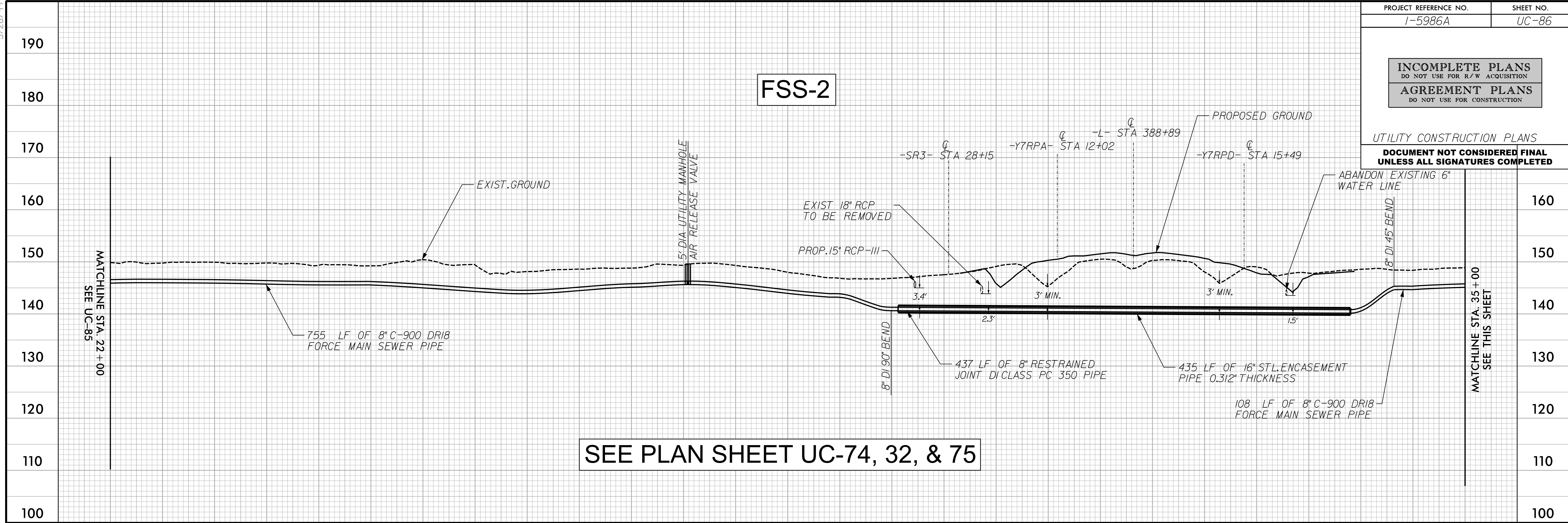
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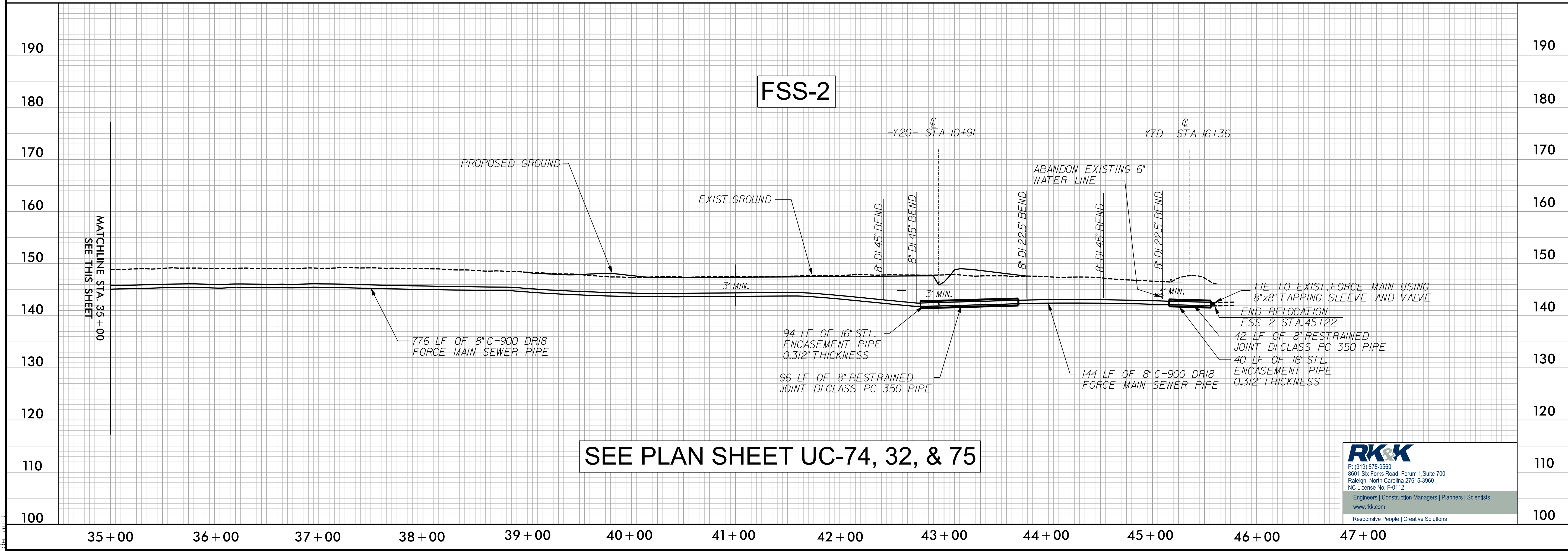


5/28/99

3/25/2021  
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PROJECT REFERENCE NO.	SHEET NO.
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<b>AGREEMENT PLANS</b> DO NOT USE FOR CONSTRUCTION	
UTILITY CONSTRUCTION PLANS	
<b>DOCUMENT NOT CONSIDERED FINAL</b> <b>UNLESS ALL SIGNATURES COMPLETED</b>	



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PROJECT SPECIAL PROVISIONS

NORCRESS

Utility Construction Sec 2 & 3

3/23/2021

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8601 Six Forks Road  
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Raleigh, NC 27615

**Exhibit C**

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--

The proposed utility construction shall meet the NCDOT 2018 “Standard Specifications for Roads and Structures” and Northern Cumberland Regional Sewer System District (NORCRESS) which follows the Fayetteville Public Works Commission (PWC) “Standard Specifications latest revision” with amendments noted below.

Contractor shall coordinate closely with NCDOT and Utility owners during installation of water and sanitary sewer lines for any necessary shut downs or by-pass pumping.

The locations, sizes, and type material of the existing utilities shown on the plans are from the best available information. The contractor will be responsible for determining the exact location, size, and type of material of the existing facilities necessary for the construction of the proposed utilities and to avoid damage to existing facilities. All water and sanitary sewer services disturbed during construction shall be reconnected, even if not shown on the plans.

**Revise the 2018 Standard Specifications as follows:**

**Page 10-57, Sub-article 1034-4(A), Gravity Flow Sewer Pipe, second paragraph**

Add the following paragraph:

The interior of pipe and fittings shall be coated with ceramic epoxy to produce a minimum dry film thickness of 40 mils.

**Page 10-57, Sub-article 1034-4(B), Force Main Sewer Pipe, second paragraph**

Replace the paragraph with:

Use ductile iron pipe fittings and specials conforming to ANSI/AWWA C110/A21.10. The interior of pipe and fittings shall be coated with ceramic epoxy to produce a minimum dry film thickness of 40 mils.

**Page 15-1, Sub-article 1500-2 Cooperation with the Utility Owner, paragraph 2:**  
add the following sentences:

The sanitary sewer facilities are owned by Northern Cumberland Regional Sewer System District (NORCRESS) contact person is Amy Hall, phone number 910-678-7637. The contractor shall provide access for the owner's representatives to all phases of construction. The owner shall also be notified two (2) weeks prior to commencement of any work and one (1) week prior to service interruption.

**Page 15-2, Sub-article 1500-9 Placing Pipelines into Service**  
add the following sentence:

Obtain approval from the NCDEQ and NORCRESS prior to placing a new line into service. A representative from NORCRESS will witness all tests performed on their sanitary sewer facilities.

**Page 15-4, Sub-article 1505-3(E), Thrust Restraint, third paragraph**  
Replace the paragraph with:

Use joint restraint methods, such as integral restraining bells and spigots, restraining retainer glands, or restraining gaskets. Use factory restraint for all pipes larger than 12". Use concrete reaction backing and thrust collars only where joint restraint is impractical with the approval of the Engineer.

**Page 15-4, Sub-article 1505-3(E), Thrust Restraint**  
add the following:

Use at least the minimum length of restraint from this table in each direction of thrust in linear feet.

Size of Pipe (Inches)	Valves, Tees & Dead Ends	45° Bends	22.5° Bends
6	55 Feet	13 Feet	7 Feet
8	72 Feet	17 Feet	8 Feet

**Page 15-8, sub-article 1515-3(E) Line Stops,**  
Add the following sentence:

Do not use line stops without the authorization of the Engineer and the owner.

**Page 15-10, Sub-article 1520-2 Materials:**

Add the following sentences:

Ductile iron pipe for sanitary sewer will be lined with 40 mils of Protecto 401 Ceramic Epoxy. All bells and spigots for sanitary sewer pipe must be lined with a minimum of 8 mils of Protecto 401 Joint Compound or approved equal. The exterior of all pipe shall be coated with a bituminous coating.

**Page 15-11, Sub-article 1520-3(A)(2) Testing, line 5,**

replace the second paragraph with the following:

Test all 24" and smaller gravity sewer lines for leakage using infiltration, exfiltration, or air test. Perform visual inspection on gravity sewer lines larger than 24". Perform line and grade testing and deflection testing on all gravity sewer lines.

**Page 15-11, Sub-article 1520-3(A)(2)(c) Air Test,**

Replace Table 1520-1 with:

AIR TEST TIME			
Pipe Dia (in)	Minimum time (minutes)	Length for Min Time (ft)	Time for Longer Length (sec)
4	3:46	597	0.380L
6	5:40	398	0.854L
8	7:34	298	1.520L
10	9:26	239	2.374L
12	11:20	199	3.418L
15	14:10	159	5.342L
18	17:00	133	7.692L
21	19:50	114	10.470L
24	22:40	99	13.674L
27	25:30	88	17.306L
30	28:20	80	21.366L
33	31:10	72	25.852L
36	34:00	66	30.768L

**Page 15-14, Article 1525-3 Construction Methods,**

Replace the second paragraph with:

The invert channel shall be constructed of brick and mortar, in accordance with the manhole details in the plans. Precast inverts are not allowed. The invert channel shall be smooth and semicircular in shape conforming to the inside of the connecting sewer section. Changes in direction of flow shall be made with a smooth curve as large as a radius as the size of the manhole will permit without a decrease in flow velocity. Changes in size and grade of the channel shall be made gradually and evenly. The invert channel walls shall be constructed to three quarters (3/4) of the height of the crown of the outlet sewer and in such a manner not to obstruct maintenance,



inspection or flow in the sewers. The inverts shall have a minimum slope of one (1) percent across the bottom of the manhole. A shelf shall be provided on each side of any manhole invert channel. Inverts in manholes with standing water will not be acceptable. The shelf shall be sloped not less than 1:12 (min) and no more than 2:12 (max). The bottom of the boot for the new sewer main or lateral shall be set one inch above existing shelf unless otherwise indicated.

**Page 15-16, sub-article 1530-3(A) Abandoning Pipe,**

Add the following paragraph:

Remove valves, or close valves and remove the top of the valve box to an elevation 2 ft below the roadway subgrade or finished grade and backfill.



## **PLANNING AND INSPECTIONS DEPARTMENT**

### **MEMORANDUM FOR BOARD OF COMMISSIONERS AGENDA OF APRIL 19, 2021**

**TO: BOARD OF COUNTY COMMISSIONERS**

**FROM: CUMBERLAND COUNTY JOINT PLANNING BOARD**

**DATE: 4/8/2021**

**SUBJECT: CASE P21-17**

#### **BACKGROUND**

**Case P21-17:** Rezoning of 0.85+/- acres from C(P) Planned Commercial and C2(P) Planned Service and Retail to C(P) Planned Commercial or to a more restrictive zoning district, located at 3830 Boone Trail, submitted by Brian V. Barber on behalf of Be All You Can Be Real Estate, LLC (owner).

#### **RECOMMENDATION / PROPOSED ACTION**

**Planning Board Action:** Recommended approval of the rezoning request from C(P) Planned Commercial and C2(P) Planned Service and Retail to C(P) Planned Commercial at the March 16, 2021 meeting for the reasons stated and as fully reflected in the minutes of the Planning Board Meeting which are incorporated herein by reference.

**Staff Recommendation:** In Case P21-17, the Planning & Inspections staff recommends approval of the rezoning request from C(P) Planned Commercial and C2(P) Planned Service and Retail to C(P) Planned Commercial and finds the request consistent with the Southwest Cumberland Land Use Plan (2013) designation of "Heavy Commercial". The "Heavy Commercial" designation is designed to provide for shopping needs of the immediate neighborhood and traveling public and is usually located at major intersections. Approval of the request is reasonable and in the public interest as the district requested is in harmony with surrounding existing land uses, zoning, and the site is located at a heavily trafficked intersection.

**If the Board of Commissioners wishes to follow the recommendation of the Planning Board in this case, the following motion is appropriate:**

#### **MOTION:**

In Case P21-17, I move to approve the rezoning request from C(P) Planned Commercial and C2(P) Planned

Service and Retail to C(P) Planned Commercial and finds the request consistent with the Southwest Cumberland Land Use Plan (2013) designation of “Heavy Commercial”. The “Heavy Commercial” designation is designed to provide for shopping needs of the immediate neighborhood and traveling public and is usually located at major intersections. Approval of the request is reasonable and in the public interest as the district requested is in harmony with surrounding existing land uses and zoning, and the site is located at a heavily trafficked intersection.

**If the Board of Commissioners does not wish to follow the recommendation of the Planning Board in this case, the following motion is appropriate:**

**MOTION:**

In Case P21-17, I move to deny the rezoning request from C(P) Planned Commercial and C2(P) Planned Service and Retail to C(P) Planned Commercial and find the request (consistent/not consistent) with the Southwest Land Use Plan (2013) designation of “Heavy Commercial”. Denial of the request is reasonable and in the public interest because \_\_\_\_\_.

**ATTACHMENTS:**

Description

Action Memo

Type

Backup Material

Amy H. Cannon  
County Manager

Tracy Jackson  
Assistant County Manager



Rawls Howard  
Director

David Moon  
Deputy Director

## Planning & Inspections Department

APRIL 8, 2021

MEMO TO: Cumberland County Board of Commissioners

FROM: Cumberland County Joint Planning Board

SUBJECT: **Case P21-17:** Rezoning of 0.85+/- acres from C(P) Planned Commercial and C2(P) Planned Service and Retail to C(P) Planned Commercial or to a more restrictive zoning district, located at 3830 Boone Trail, submitted by Brian V. Barber on behalf of Be All You Can Be Real Estate, LLC (owner).

ACTION: Recommended approval of the rezoning request from C(P) Planned Commercial and C2(P) Planned Service and Retail to C(P) Planned Commercial at the March 16, 2021 meeting for the reasons stated and as fully reflected in the minutes of the Planning Board Meeting which are incorporated herein by reference.

### MINUTES OF MARCH 16, 2021

In Case P21-17, the Planning & Inspections staff recommends approval of the rezoning request from C(P) Planned Commercial and C2(P) Planned Service and Retail to C(P) Planned Commercial and finds the request consistent with the Southwest Cumberland Land Use Plan (2013) designation of "Heavy Commercial". The "Heavy Commercial" designation is designed to provide for shopping needs of the immediate neighborhood and traveling public and is usually located at major intersections. Approval of the request is reasonable and in the public interest as the district requested is in harmony with surrounding existing land uses, zoning, and the site is located at a heavily trafficked intersection.

In Case P21-17, Mrs. Moody made a motion, seconded by Mr. Burton to recommend approval of the rezoning request from C(P) Planned Commercial and C2(P) Planned Service and Retail to C(P) Planned Commercial and finds the request consistent with the Southwest Cumberland Land Use Plan (2013) designation of "Heavy Commercial". The "Heavy Commercial" designation is designed to provide for shopping needs of the immediate neighborhood and traveling public and is usually located at major intersections. Approval of the request is reasonable and in the public interest as the district requested is in harmony with surrounding existing land uses, zoning, and the site is located at a heavily trafficked intersection. Unanimous approval.

#### First Class and Record Owners' Mailed Notice Certification

*A certified copy of the tax record owner(s) of the subject and adjacent properties and their tax record mailing address is contained within the case file and is incorporated by reference as if delivered herewith. The record owners' certified receipt of notice is also included.*



Cumberland County  
PLANNING & INSPECTIONS

PLANNING STAFF REPORT  
REZONING CASE # P21-17  
Planning Board Meeting: March 16, 2021



Jurisdiction: Cumberland County

EXPLANATION OF THE REQUEST

This is a request for rezoning of one parcel located at 3830 Boone Trail from C(P) Planned Commercial and C2(P) Planned Service and Retail to C(P) Planned Commercial. This would eliminate the split zoning on the property. This is a conventional rezoning, and no conditions are proposed at this time.

OWNER/APPLICANT

OWNER/APPLICANT: Brain V. Barber on behalf of Be All You Can Be Real Estate (owner)

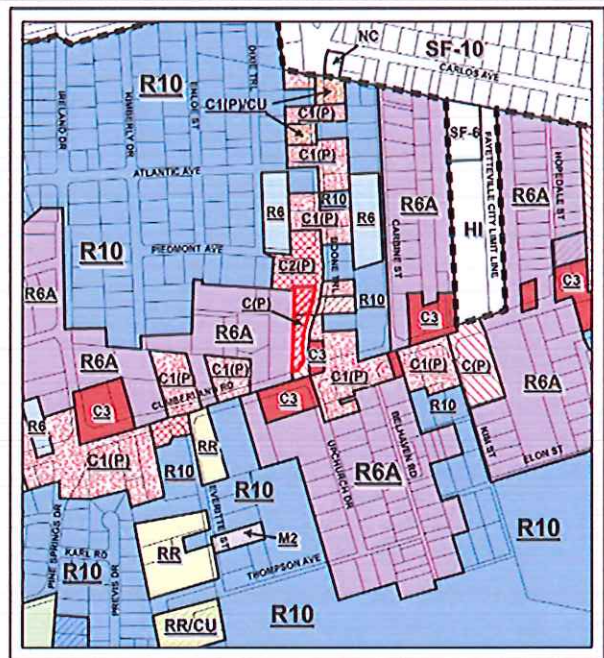
PROPERTY INFORMATION

ADDRESS/LOCATION: 3830 Boone Trail; more specifically REID 0416903438000.

SIZE: This request includes one parcel totaling approximately 0.85 acres. The property has 438' +/- of street frontage along Boone Trail and 34' +/- of street frontage along Cumberland Road.

EXISTING LAND USE: The parcel is developed with two vacant commercial structures.

OTHER SITE CHARACTERISTICS: The property is not located within the watershed or the Special Flood Hazard Area. There are no soil limitations to development on the property. The property is located within Fayetteville's MIA.

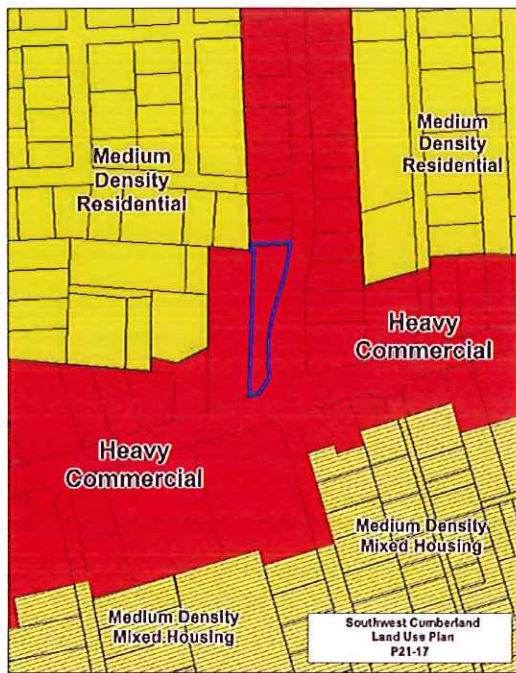


**DEVELOPMENT REVIEW:** A site plan review was just completed on this parcel (Case 21-014). If the rezoning is approved, a revised site plan for the previously zoned C2(P) portion will be required prior to use.

**SURROUNDING LAND USE:** There are residential uses in the surrounding area, including multifamily dwellings and a manufactured home park. There is also motor vehicle repair, repair shop, a substation, religious worship activity, convenience retail with gasoline sales, fitness center and office uses in the surrounding areas.







**ZONING HISTORY:** The property was initially zoned C1 as part of the Area 3 initial zoning on August 1, 1975. A portion of the property was rezoned R10 on April 25, 1979 (Case P79-20). A portion of the property was rezoned to C-1 on February 28, 1984 (Case P84-4). The property was rezoned to a Conditional Use Overlay District to allow a nursery operation in C1 and C3 Districts on March 15, 2004 (Case P04-17). A portion of the property was rezoned to C(P) on February 21, 2006 (Case P06-02). A portion of the property was rezoned to C2(P) on October 19, 2009 (Case P09-39).

**UTILITIES:** The property is served by PWC water and private septic. There are no public sewer lines available. The property is not located within a water/sewer district.

**MINIMUM YARD SETBACKS:** If approved, the parcel would be subject to C(P) setbacks: Front yard: 50 foot, Side yard: 30 foot, Rear yard: 30 foot.

**COMPREHENSIVE PLANS:** The 2030 Growth Vision Plan designates this area as "Urban". The Southwest Cumberland Land Use Plan (2013) designates this parcel as "Heavy Commercial". The "Heavy Commercial" designation is designed to provide for shopping needs of the immediate neighborhood and traveling public and is usually located at major intersections. **Request is plan compliant.**

#### IMPACTS ON LOCAL INFRASTRUCTURE AND/OR FACILITIES

**TRAFFIC:** The subject property sits on Boone Trail and is identified as a thoroughfare needing improvement in the Metropolitan Transportation Plan. There are no construction projects planned, and the subject property will have no impact on the Transportation Improvement Plan. The Average Daily Traffic Count (2016) on Boone Trail is 9,800.

\*Please note that Cumberland Road has been identified in previous prioritization, but no funding has been awarded.

**SCHOOLS CAP/ENROLL:** Mary McArthur Elementary: 465/381; Douglas Byrd Middle: 600/595; Douglas Byrd High: 1280/899

**ECONOMIC DEVELOPMENT:** Fayetteville Cumberland County Economic Development Corporation has reviewed the request and had no comment at this time.

**EMERGENCY SERVICES:** Cumberland County Fire Marshal's office has reviewed the request and stated the following: 1. Ensure all fire department access requirements are met; 2. Submit building plans; 3. Ensure emergency responder radio coverage is achieved.

**FAYETTEVILLE REGIONAL AIRPORT:** The property is not located within the Airport Overlay District.

## STAFF RECOMMENDATION

In Case P21-17, the Planning & Inspections staff **recommends approval** of the rezoning request from C(P) Planned Commercial and C2(P) Planned Service and Retail to C(P) Planned Commercial and finds the request consistent with the Southwest Cumberland Land Use Plan (2013) designation of "Heavy Commercial". The "Heavy Commercial" designation is designed to provide for shopping needs of the immediate neighborhood and traveling public and is usually located at major intersections. Approval of the request is reasonable and in the public interest as the district requested is in harmony with surrounding existing land uses, zoning, and the site is located at a heavily trafficked intersection.

### Attachments:

Zoning Application

Notification Mailing List

TO THE CUMBERLAND COUNTY JOINT PLANNING BOARD AND THE BOARD OF  
COUNTY COMMISSIONERS OF CUMBERLAND COUNTY, NC:

I (We), the undersigned, hereby submit this application, and petition the County Commissioners to amend and to change the zoning map of the County of Cumberland as provided for under the provisions of the County Zoning Ordinance. In support of this petition, the following facts are submitted:

1. Requested Rezoning from C (2P) and C(P) to C(P)
2. Address of Property to be Rezoned: 3830 Boone Trail, Fayetteville, NC 28306
3. Location of Property: Corner of Cumberland Road and Boone Trail;  
North of Cumberland Road and West of Boone Trail
4. Parcel Identification Number (PIN #) of subject property: 0416-90-3438  
(also known as Tax ID Number or Property Tax ID)  
Acreage: .85 Frontage: 97.25' Cumberland Depth: 130.44' N; 34.22 S  
436.10' Boone Trail  
Water Provider: Well: \_\_\_\_\_ PWC: X Other (name): \_\_\_\_\_
7. Septage Provider: Septic Tank yes; Phillips Septic PWC NA
8. Deed Book \_\_\_\_\_, Page(s) \_\_\_\_\_, Cumberland County Registry. (Attach copy of deed of subject property as it appears in Registry).
9. Existing use of property: Auto Repair
10. Proposed use(s) of the property: Auto Repair and sales; AND  
Flea market
11. Do you own any property adjacent to or across the street from this property?  
Yes \_\_\_\_\_ No X If yes, where? \_\_\_\_\_
12. Has a violation been issued on this property? Yes \_\_\_\_\_ No X

A copy of the recorded deed(s) and/or recorded plat map(s) must be provided. If the area is a portion of a parcel, a written legal description by metes and bounds, showing acreage must accompany the deeds and/or plat. If more than one zoning classification is requested, a correct metes and bounds legal description, including acreage, for each bounded area must be submitted.

*The Planning and Inspections Staff is available for advice on completing this application; however, they are not available for completion of the application.*



The undersigned hereby acknowledge that the County Planning Staff has conferred with the petitioner or assigns, and the application as submitted is accurate and correct.

Be All You Can Be Real Estate, LLC (Brian Barber)  
NAME OF OWNER(S) (PRINT OR TYPE)

3613 Bentwinds Bluffs Lane, Fuquay-Varina, NC 27526  
ADDRESS OF OWNER(S)

919-676-8010  
HOME TELEPHONE #

Same  
WORK TELEPHONE #

Brian V. BARBER  
NAME OF AGENT, ATTORNEY, APPLICANT (PRINT OR TYPE)

3613 Bentwinds Bluffs Lane, Fuquay-Varina NC 27526  
ADDRESS OF AGENT, ATTORNEY, APPLICANT

Brian.BARBER @ DMV HUB . com  
E-MAIL

919-676-8010 cell  
HOME TELEPHONE #

Same  
WORK TELEPHONE #

  
SIGNATURE OF OWNER(S)

\_\_\_\_\_  
SIGNATURE OF AGENT, ATTORNEY OR APPLICANT

\_\_\_\_\_  
SIGNATURE OF OWNER(S)

The contents of this application, upon submission, become "public record."

OWNER_NAME	ADDRESS	CITYSTATEZIP
RANDOLPH, HOWARD GLENN;SHARON, RANDOLPH TAYLOR RS	602 GLENVILLE AVE	FAYETTEVILLE, NC 28303
STEEDLY, CAROLYN FAY LIFE ESTATE;STEEDLY, ROBERT C. LIFE ESTATE	906 MIDDLE RD	FAYETTEVILLE, NC 28312
DOUGLAS, TOMMIE L JR	510 OAKFIELD TER	CLAYTON, NC 27520
BLANTON, GLADYS A	3329 BOONE TRL	FAYETTEVILLE, NC 28306
DOUGLAS, TOMMIE L JR	510 OAKFIELD TER	CLAYTON, NC 27520
CUMBERLAND RD FIRE DEPT	3543 CUMBERLAND RD	FAYETTEVILLE, NC 28306
MCCAULEY & MCDONALD INVESTMENT	PO BOX 361	FAYETTEVILLE, NC 28302
CLARK, CARLTON JR	PO BOX 1114	FAYETTEVILLE, NC 28302
WALSH, STEPHEN C	207 SUTTON ST	FAYETTEVILLE, NC 28305
TRANSFORMATIVE, REI 401K	003947 DUNN RD 5	EASTOVER, NC 28312

P21-17 1st Class

OWNER_NAME	ADDRESS	CITYSTATEZIP
FAYMONT BAPTIST CHURCH TRUSTEE	3663 CUMBERLAND RD	FAYETTEVILLE, NC 28306
FAYMONT BAPTIST CHURCH INC	3663 CUMBERLAND RD	FAYETTEVILLE, NC 28306
FAYMONT BAPTIST CHURCH INC	3663 CUMBERLAND RD	FAYETTEVILLE, NC 28306
RANDOLPH, HOWARD GLENN;SHARON, RANDOLPH TAYLOR RS	602 GLENVILLE AVE	FAYETTEVILLE, NC 28303
INMAN, ERNESTINE	2670 UPCHURCH DR	FAYETTEVILLE, NC 28306
CUMBERLAND ROAD VOLUNTEER FIRE DEPARTMENT	3543 CUMBERLAND RD	FAYETTEVILLE, NC 28306
CUMBERLAND RD FIRE DEPT	3543 CUMBERLAND RD	FAYETTEVILLE, NC 28306
COPPEDGE, OTHA D;COPPEDGE, PAMELA	2651 UPCHURCH DR	FAYETTEVILLE, NC 28306
ASTROP, ROSLYN E	16276 EAGLE FLIGHT CIR	WOODBIDGE, VA 22191
SHULER, ESTHER JOHNSON	1223 MARTINDALE DR	FAYETTEVILLE, NC 28304
CHASTAIN, LOIS LIFE ESTATE	2632 BELHAVEN RD	FAYETTEVILLE, NC 28306
RITTER, H E HEIRS	304 MONLANDIL DR	WILMINGTON, NC 28403
WILSON, JOSEPH	4133 KNOLLWOOD DR	FAYETTEVILLE, NC 28304
MAITLAND, DONALD J;MAITLAND, PATRICIA B	2409 KIMBERLY DR	FAYETTEVILLE, NC 28306
MAITLAND, DONALD J	2409 KIMBERLY DR	FAYETTEVILLE, NC 28306
HERRING, EDWARD;HERRING, JUDITH	2407 KIMBERLY DR	FAYETTEVILLE, NC 28306
HERRING, EDWARD;HERRING, JUDITH	2407 KIMBERLY DR	FAYETTEVILLE, NC 28306
CARTER, PATRICIA LOUISE JACKSON	3927 STONE ST	HOPE MILLS, NC 28348
SCOTT, CLAUDE W III;WHEELER, LAURIE SCOTT;BILL, LISA SCOTT	4055 DEADWYLER DR	FAYETTEVILLE, NC 28311
JSC ENTERPRISES & ASSOC LLC	3668 CUMBERLAND RD	FAYETTEVILLE, NC 28306
THORNTON, LAWRENCE W	3630 CUMBERLAND RD	FAYETTEVILLE, NC 28306
BROWN, MELBA F HEIRS	4649 CHELTENHAM RD	FAYETTEVILLE, NC 28304
THORNTON, LAWRENCE	3630 CUMBERLAND RD	FAYETTEVILLE, NC 28306
THORNTON, LAWRENCE W	3630 CUMBERLAND RD	FAYETTEVILLE, NC 28306
SHORT, ROY G II	4309 PIEDMONT AVE	FAYETTEVILLE, NC 28306
HERNANDEZ, DORCA VALENCIA	2313 ENLOE ST	FAYETTEVILLE, NC 28306
HARDIN, MABEL R	3316 CUMBERLAND RD	FAYETTEVILLE, NC 28306
THORNTON, LAWRENCE	3630 CUMBERLAND RD	FAYETTEVILLE, NC 28306
JONES, ESTHER ELIZABETH SHORT	4301 PIEDMONT AVE	FAYETTEVILLE, NC 28306
CASTELLANOS-LUQUE, JOSE LUIS	2312 DIXIE TRL	FAYETTEVILLE, NC 28306
KDM SOLO 401K TRUST F/K	2309 ENLOE ST	FAYETTEVILLE, NC 28306
DOUGLAS, TOMMIE L JR;REBECCA, M HATFIELD	510 OAKFIELD TER	CLAYTON, NC 27520
HATFIELD, REBECCA M;TOMMIE, L DOUGLAS HEIRS	4211 PIEDMONT AVE	FAYETTEVILLE, NC 28306
DOUGLAS, TOMMIE L HEIRS;HATFIELD, REBECCA M	4211 PIEDMONT AVE	FAYETTEVILLE, NC 28306
THORNTON, LAWRENCE	3630 CUMBERLAND RD	FAYETTEVILLE, NC 28306
THORNTON, LAWRENCE	3630 CUMBERLAND RD	FAYETTEVILLE, NC 28306
THORNTON, LAWRENCE WESTLY	3630 CUMBERLAND RD	FAYETTEVILLE, NC 28306
HATFIELD, REBECCA M LIFE ESTATE	4211 PIEDMONT DR	FAYETTEVILLE, NC 28306
STEEDLY, CAROLYN FAY LIFE ESTATE;STEEDLY, ROBERT C. LIFE ESTATE	906 MIDDLE RD	FAYETTEVILLE, NC 28312
DOUGLAS, TOMMIE L JR	510 OAKFIELD TER	CLAYTON, NC 27520
BLANTON, GLADYS A	3329 BOONE TRL	FAYETTEVILLE, NC 28306
DOUGLAS, TOMMIE L JR	510 OAKFIELD TER	CLAYTON, NC 27520
DOUGLAS, TOMMIE L JR	510 OAKFIELD TER	CLAYTON, NC 27520
COLLINS, QUENTIN A;COLLINS, KRISTY D	2010 WHISPER LN	FAYETTEVILLE, NC 28303
CUMBERLAND RD FIRE DEPT	3543 CUMBERLAND RD	FAYETTEVILLE, NC 28306
MC GEE, WILLIAM M.	1843 STOCKTON DR	FAYETTEVILLE, NC 28304
MCCAULEY & MCDONALD INVESTMENT	PO BOX 361	FAYETTEVILLE, NC 28302
CLARK, CARLTON JR	PO BOX 1114	FAYETTEVILLE, NC 28302

600' Rad

P21-17 3<sup>rd</sup> class

WALSH, STEPHEN C  
TRANSFORMATIVE, REI 401K  
LUGO, NOE A.  
CAMPBELL, WILLIAM  
BUTTS, HARRIETT GERTRUDE AXLER TRUSTEE  
MORRISON, TONTO HEIRS  
GOINS, CLARENCE W JR;GOINS, AMBER H  
KHAN, MAMOON  
CITY OF FAYETTEVILLE  
BETANCOURT, CARMEN GRAFF  
DEAN, JANICE V  
BOYS & GIRLS CLUBS OF CUMBERLAND CO INC  
HAMILTON MARKETING GROUP, LLC  
BOYS CLUB OF CUMBERLAND CTY IN  
HAMILTON MARKETING GROUP, LLC  
MARTINEZ-VELA, MARTIN;MARTINEZ-VELA, MERCEDES GONZALEZ  
VELA, MARTIN MARTINEZ;VELA, MERCEDES GONZALEZ  
HAMILTON MARKETING GROUP, LLC  
HAMILTON MARKETING GROUP, LLC  
BUCKHEAD INVESTMENTS LLC  
ICENOGL, CHARLOTTE M  
GEHRING, REX  
HUDSON, WILLIAM H;HUDSON, PEGGY A  
BUTTS, HARRIETT GERTRUDE AXLER TRUSTEE  
FLEISCHMANN, MARK A  
BUCKHEAD INVESTMENTS LLC  
HAMILTON MARKETING GROUP, LLC

207 SUTTON ST	FAYETTEVILLE, NC 28305
003947 DUNN RD 5	EASTOVER, NC 28312
13135 PECTONVILLE RD	BIG POOL, MD 21711
PO BOX 65564	FAYETTEVILLE, NC 28306
310 FARM ESTATES DR	ROCKWELL, NC 28138
679 HOLLOW BRIDGE RD	AUTRYVILLE, NC 28318
1711 JONCEE DR	EASTOVER, NC 28312
1972 GRACE POINT RD	MORRISVILLE, NC 27560
433 HAY ST	FAYETTEVILLE, NC 28301
818 MORISTON RD	FAYETTEVILLE, NC 28314
2621 BELHAVEN RD	FAYETTEVILLE, NC 28306
PO BOX 48155	CUMBERLAND, NC 28331
3096 S HOMER BLVD #270	SANFORD, NC 27330
0 P O BOX 53632 N/A	FAYETTEVILLE, NC 28305
3096 S HOMER BLVD #270	SANFORD, NC 27330
5205 SEQUOIA RD	FAYETTEVILLE, NC 28304
5205 SEQUOIA RD	FAYETTEVILLE, NC 28304
3096 S HOMER BLVD #270	SANFORD, NC 27330
3096 S HOMER BLVD #270	SANFORD, NC 27330
PO BOX 53309	FAYETTEVILLE, NC 28305
3221 BOONE TR	FAYETTEVILLE, NC 28306
8206 SHOREWAY DR	FAYETTEVILLE, NC 28304
2507 PENNY DR	FAYETTEVILLE, NC 28306
310 FARM ESTATES DR	ROCKWELL, NC 28138
3709 BOONE TRL	FAYETTEVILLE, NC 28306
PO BOX 53309	FAYETTEVILLE, NC 28305
3096 S HOMER BLVD #270	SANFORD, NC 27330

600' Rad

P21-17 3<sup>rd</sup> class

**FAYETTEVILLE PUBLISHING COMPANY**  
 458 Whitfield Street, Fayetteville, NC 28306  
 Phone (910) 678-9000 Toll Free 1-800-345-9895 Fax (910) 323-1451

**Order Confirmation**

**PUBLIC NOTICE**

The Cumberland County Board of Commissioners will meet at 6:45 p.m. on April 19, 2021 in room 118 of the County Courthouse at 117 Dick Street to hear the following:

P21-17 rezoning 0.85 +/- ac C(P) & C2(P) to C(P) or more restrictive zoning 3830 Boone Trail owner Be All You Can Be Real Estate, LLC

SN0475 consideration of renaming a portion of Sand Hill Rd to Rainforest Rd.

SN0477 consideration of renaming a portion of Camden Rd to Carville Rd and Oakland Ave to Belle Ave  
 4/5, 12

5241157

Ad Order Number

0005241157

Sales Rep.

0090

Order Taker

0001

Order Source

Telephone

Order Invoice Text

CCBoC - 4/19/21 meeting

Customer

CUMB CO JOINT PLANNING

Customer Account

003661000

Customer Address

130 Gillespie Street, Attn: Laverne Howard,  
 FAYETTEVILLE NC 28301 USA

Customer Phone

910-678-7600

Payor Customer

CUMB CO JOINT PLANNING

PO Number

Payor Account

003661000

Ordered By

Payor Address

130 Gillespie Street, Attn: Laverne Howard  
 FAYETTEVILLE NC 28301 USA

Customer Fax

910-678-7631

Customer EMail

lhoward@co.cumberland.nc.us

Payor Phone

910-678-7600

Special Pricing

None

Net Amount

\$151.60

Tax Amount

\$0.00

Total Amount

\$151.60

Amount Due

\$151.60

Payment Method

Payment Amount

\$0.00

Ad Number

0005241157-01

Ad Type

CL Legal Line

Ad Size

: 1.0 X 20 cl

Color

<NONE>

Product

Placement/Classification

Run Dates

# Inserts

Cost

FO::

401 - Legals

4/5/2021, 4/12/2021

2

\$145.60

OL::

401 - Legals

4/5/2021, 4/12/2021

2

\$6.00



**PLANNING AND INSPECTIONS DEPARTMENT**

**MEMORANDUM FOR BOARD OF COMMISSIONERS AGENDA OF APRIL 19, 2021**

**TO: BOARD OF COUNTY COMMISSIONERS**

**FROM: RAWLS HOWARD, DIRECTOR OF PLANNING & INSPECTIONS**

**DATE: 4/8/2021**

**SUBJECT: STREET RENAMING CASE SN0475**

**BACKGROUND**

Due to North Carolina Department of Transportation projects, a portion of Sand Hill Rd was realigned. With the implementation of the Next Gen E911 standards you cannot have two streets with the same name within the County. Sand Hill Road was realigned to intersect with Chicken Foot Rd at its existing intersection with Braxton Rd. Our staff contacted every parcel owner that abutted the old portion of Sand Hill Rd. They were given the chance to suggest their own name or pick from the County approved list. Twelve property owners were contacted, Rainforest Road received the majority votes.

<b><u>Current Names</u></b>	<b><u>PROPOSED</u></b>
<b>PORTION OF SAND HILL RD</b>	<b>RAINFOREST RD</b>

**RECOMMENDATION / PROPOSED ACTION**

Staff recommends approval of the street name change.

**ATTACHMENTS:**

Description

Case SN 0475 Backup Material

Type

Backup Material

Amy H. Cannon  
County Manager

Tracy Jackson  
Assistant County Manager



Rawls Howard  
Director

David Moon  
Deputy Director

## Planning & Inspections Department

### MEMORANDUM FOR BOARD OF COMMISSIONERS AGENDA OF APRIL 19, 2021

**TO:** BOARD OF COUNTY COMMISSIONERS

**FROM:** RAWLS HOWARD, DIRECTOR OF PLANNING & INSPECTIONS

**DATE:** APRIL 19, 2021

**SUBJECT:** PUBLIC HEARING AND CONSIDERATION OF RENAMING A PORTION OF SAND HILL RD TO RAINFOREST RD – SN0475

#### BACKGROUND

Due to North Carolina Department of Transportation projects, a portion of Sand Hill Rd was realigned. With the implementation of the Next Gen E911 standards you cannot have two streets with the same name within the County. Sand Hill Road was realigned to intersect with Chicken Foot Rd at its existing intersection with Braxton Rd. Our staff contacted every parcel owner that abutted the old portion of Sand Hill Rd. They were given the chance to suggest their own name or pick from the County approved list. Twelve property owners were contacted, Rainforest Road received the majority votes.

<u>Current Names</u>	<u>PROPOSED</u>
PORTION OF SAND HILL RD	RAINFOREST RD

#### RECOMMENDATION/PROPOSED ACTION

Staff recommends approval of the street name change.

#### ATTACHMENTS:

Case SN0475 Backup Material  
Material

Type  
Backup

Cumberland County Board of Commissioners

Ordinance Renaming a Portion of Sand Hill Road to Rainforest Road

This Ordinance Renaming a Portion of Sand Hill Road to Rainforest Road is authorized by G.S. § 153A-239.1 and is enacted pursuant to Sec. 4-172 of the Cumberland County Code.

Whereas, SR 2238, Sand Hill Road, has been realigned at its intersection with SR 2252, Chicken Foot Road; and

Whereas, the realigned portion of SR 2238, Sand Hill Road, at its intersection with SR 2252, Chicken Foot Road, will continue to be named Sand Hill Road; and

Whereas, to avoid the potential confusion, the Board of Commissioners finds it necessary to rename the old portion of SR 2238 between its intersection with the new alignment of Sand Hill Road and its former intersection with SR 2252, Chicken Foot Road; and

Whereas, a duly advertised public hearing was conducted on this matter at the April 19, 2021, regular meeting of the Board of Commissioners.

Now therefore be it ordained as follows:

(1) The old portion of SR 2238 lying between its intersection with the new alignment of Sand Hill Road and its former intersection with SR 2252, Chicken Foot Road, is hereby renamed Rainforest Road.

(2) Planning staff is directed to cause notice of this action to be given to the local postmaster with jurisdiction over the road, to the Board of Transportation, and to any city within five miles of the road.

Adopted April 19, 2021.

Cumberland County Board of Commissioners  
By:

---

Charles Evans, Chair

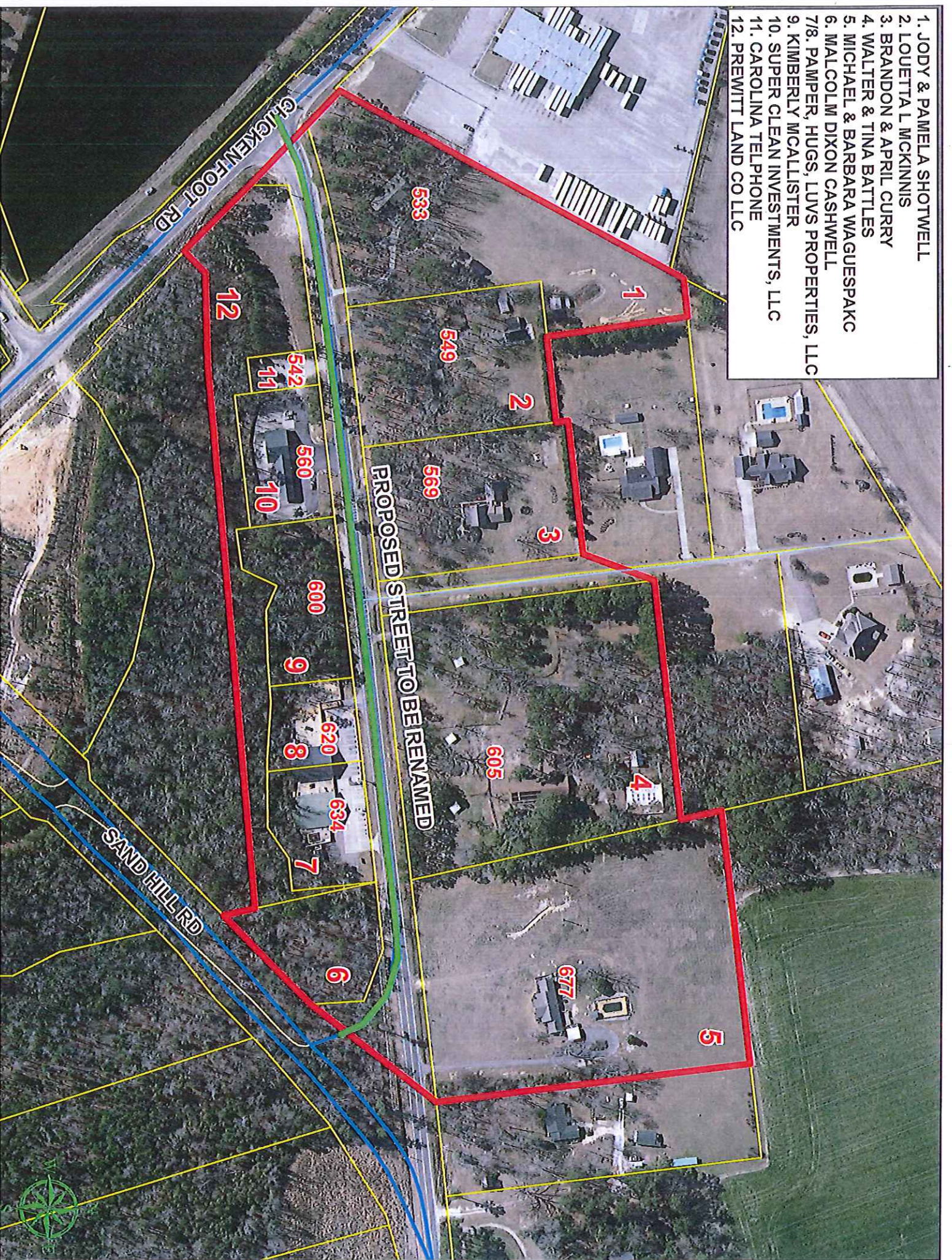
Attest:

---

Candice White, Clerk to the Board



1. JODY & PAMELA SHOTWELL
2. LOUETTA L MCKINNIS
3. BRANDON & APRIL CURRY
4. WALTER & TINA BATTLES
5. MICHAEL & BARBARA WAGUESPAK
6. MALCOLM DIXON CASHWELL
- 7/8. PAMPER, HUGS, LUVS PROPERTIES, LLC
9. KIMBERLY MCALLISTER
10. SUPER CLEAN INVESTMENTS, LLC
11. CAROLINA TELPHONE
12. PREWITT LAND CO LLC





AMY H. CANNON  
County Manager

RAWLS HOWARD  
Director

TRACY JACKSON  
Assistant County Manager



David Moon  
Deputy Director

---

*Planning & Inspections Department*

**11-23-2020**

**PROPERTY OWNERS FOR SAND HILL RD SEVERED BY ROAD REALIGNMENT**

(1) 0422598667000  
JODY & PAMELA SHOTWELL  
533 SAND HILL RD  
HOPE MILLS, NC 28348

(2) 0422690694000  
LOUETTA L MCKINNIS  
549 SAND HILL RD  
HOPE MILLS, 28348

(3) 0422693627000  
BRANDON & APRIL CURRY  
569 SAND HILL RD  
HOPE MILLS, NC 28348

(4) 0422696797000  
WALTER & TINA BATTLES  
605 SANDHILL RD  
HOPE MILLS, NC 28348

(5) 0422790786000  
MICHAEL & BARBARA WAGUESPACK  
5904 PENTAGON CT  
FAYETTEVILLE, NC 28304

(6) 0422792000000  
MALCOLM DIXON CASHWELL  
3407 E YACHT DR  
OAK ISLAND, NC 28465

(7/8) 0422698472000  
PAMPER, HUGS, LUVS PROPERTIES, LLC  
PO BOX 627  
HOPE MILLS, NC 28348

(9) 0422694388000  
KIMBERLY MCALLISTER  
PO BOX 627  
HOPE MILLS, NC 28348

(10) 0422692366000  
SUPER CLEAN INVESTMENTS, LLC  
408 DEVANE ST  
FAYETTEVILLE, NC 28305

(11) 0422691325000  
CAROLINA TELEPHONE  
PO BOX 7090  
OVERLAND PARK, KS 66207

(12) 0422693208000  
PREWITT LAND CO LLC  
2126 CYPRESS LAKES RD  
HOPE MILLS NC 28348

**FAYETTEVILLE PUBLISHING COMPANY**  
 458 Whitfield Street, Fayetteville, NC 28306  
 Phone (910) 678-9000 Toll Free 1-800-345-9895 Fax (910) 323-1451

**Order Confirmation**

**PUBLIC NOTICE**

The Cumberland County Board of Commissioners will meet at 6:45 p.m. on April 19, 2021 in room 118 of the County Courthouse at 117 Dick Street to hear the following:

P21-17 rezoning 0.85+/- ac C(P) & C2(P) to C(P) or more restrictive zoning 3830 Boone Trail owner Be All You Can Be Real Estate, LLC

SN0475 consideration of renaming a portion of Sand Hill Rd to Rainforest Rd.

SN0477 consideration of renaming a portion of Camden Rd to Carville Rd and Oakland Ave to Belle Ave  
 4/5, 12

5241157

Ad Order Number

0005241157

Sales Rep.

0090

Order Taker

0001

Order Source

Telephone

Order Invoice Text

CCBoC - 4/19/21 meeting

Customer

CUMB CO JOINT PLANNING

Customer Account

003661000

Customer Address

130 Gillespie Street, Attn: Laverne Howard,  
 FAYETTEVILLE NC 28301 USA

Customer Phone

910-678-7600

Payor Customer

CUMB CO JOINT PLANNING

PO Number

Payor Account

003661000

Ordered By

Payor Address

130 Gillespie Street, Attn: Laverne Howard  
 FAYETTEVILLE NC 28301 USA

Customer Fax

910-678-7631

Customer Email

lhoward@co.cumberland.nc.us

Payor Phone

910-678-7600

Special Pricing

None

Net Amount

\$151.60

Tax Amount

\$0.00

Total Amount

\$151.60

Amount Due

\$151.60

Payment Method

Payment Amount

\$0.00

Ad Number

0005241157-01

Ad Type

CL Legal Line

Ad Size

: 1.0 X 20 cl

Color

<NONE>

Product

Placement/Classification

Run Dates

# Inserts

Cost

FO::

401 - Legals

4/5/2021, 4/12/2021

2

\$145.60

OL::

401 - Legals

4/5/2021, 4/12/2021

2

\$6.00



## PLANNING AND INSPECTIONS DEPARTMENT

### MEMORANDUM FOR BOARD OF COMMISSIONERS AGENDA OF APRIL 19, 2021

**TO: BOARD OF COUNTY COMMISSIONERS**

**FROM: RAWLS HOWARD, DIRECTOR OF PLANNING & INSPECTIONS**

**DATE: 4/8/2021**

**SUBJECT: STREET RENAMING CASE SN0477**

#### **BACKGROUND**

Due to North Carolina Department of Transportation projects, a portion of Camden Rd was realigned and Oakland Ave was severed. With the implementation of the Next Gen E911 standards, you cannot have two streets with the same name within the County. Camden Rd was realigned between the 4100 block of Camden Rd and Schrams Ave. Oakland Ave has been severed because of the widening of Camden Rd and the new flow of traffic. So, the northern section must be renamed. Our staff contacted every parcel owner that abutted the old portion of Camden Rd and Oakland Ave. They were given the opportunity to suggest their own name or pick from the County approved list. Nine property owners were contacted, Carville Rd received the majority votes for Camden Rd and three property owners were contacted, Belle Ave for Oakland Ave.

<b><u>Current Names</u></b>	<b><u>PROPOSED</u></b>
<b>PORTION OF CAMDEN RD</b>	<b>CARVILLE RD</b>
<b>PORTION OF OAKLAND AVE</b>	<b>BELLE AVE</b>

#### **RECOMMENDATION / PROPOSED ACTION**

Staff recommends approval of the street name change

#### **ATTACHMENTS:**

Description	Type
Case SN0477 Backup Material	Backup Material

Amy H. Cannon  
County Manager

Tracy Jackson  
Assistant County Manager



Rawls Howard  
Director

David Moon  
Deputy Director

## Planning & Inspections Department

### MEMORANDUM FOR BOARD OF COMMISSIONERS AGENDA OF APRIL 19, 2021

**TO:** BOARD OF COUNTY COMMISSIONERS

**FROM:** RAWLS HOWARD, DIRECTOR OF PLANNING & INSPECTIONS

**DATE:** APRIL 19, 2021

**SUBJECT:** PUBLIC HEARING AND CONSIDERATION OF RENAMING A PORTION OF  
CAMDEN RD TO CARVILLE RD SN0477

PUBLIC HEARING AND CONSIDERATION OF RENAMING A PORTION OF  
OAKLAND AVE TO BELLE AVE SN0477

### BACKGROUND

Due to North Carolina Department of Transportation projects, a portion of Camden Rd was realigned and Oakland Ave was severed. With the implementation of the Next Gen E911 standards, you cannot have two streets with the same name within the County. Camden Rd was realigned between the 4100 block of Camden Rd and Schrams Ave. Oakland Ave has been severed because of the widening of Camden Rd and the new flow of traffic. So, the northern section must be renamed. Our staff contacted every parcel owner that abutted the old portion of Camden Rd and Oakland Ave. They were given the opportunity to suggest their own name or pick from the County approved list. Nine property owners were contacted, Carville Rd received the majority votes for Camden Rd and three property owners were contacted, Belle Ave for Oakland Ave.

<u>Current Names</u>	<u>PROPOSED</u>
PORTION OF CAMDEN RD	CARVILLE RD
PORTION OF OAKLAND AVE	BELLE AVE

### RECOMMENDATION/PROPOSED ACTION

Staff recommends approval of the street name change.

### ATTACHMENTS:

Case SN0477 Backup Material

Type  
Backup Material

Cumberland County Board of Commissioners  
Ordinance Renaming a Portion of Camden Road to Carville Road

This Ordinance Renaming a Portion of Camden Road to Carville Road is authorized by G.S. § 153A-239.1 and is enacted pursuant to Sec. 4-172 of the Cumberland County Code.

Whereas, SR1003, Camden Road, has been realigned between the 4100 block of SR 1003 Camden Rd and SR4059 Schrams Ave and

Whereas, the realigned portion of SR1003, Camden Road, between the 4100 block of SR1003 Camden Rd and Schrams Ave SR4059, will continue to be named Camden Road; and

Whereas, to avoid the potential confusion, the Board of Commissioners finds it necessary to rename the old portion of SR1003 Camden Road between the 4100 block of SR1003 Camden Rd and CSX Railroad right-of-right; and

Whereas, a duly advertised public hearing was conducted on this matter at the April 19, 2021, regular meeting of the Board of Commissioners.

Now therefore be it ordained as follows:

(1) The old portion of SR1003 Camden Rd lying between the 4100 block of SR1003 Camden Rd and CSX Railroad right-of-right, is hereby renamed Carville.

(2) Planning staff is directed to cause notice of this action to be given to the local postmaster with jurisdiction over the road, to the Board of Transportation, and to any city within five miles of the road.

Adopted April 19, 2021.

Cumberland County Board of Commissioners  
By:

\_\_\_\_\_  
Charles Evans, Chair

Attest:

\_\_\_\_\_  
Candice White, Clerk to the Board

Cumberland County Board of Commissioners  
Ordinance Renaming a Portion of Oakland Ave to Belle Ave

This Ordinance Renaming a Portion of Oakland Ave to Belle Ave is authorized by G.S. § 153A-239.1 and is enacted pursuant to Sec. 4-172 of the Cumberland County Code.

Whereas, Oakland Ave, has been severed because of the widening of SR1003 Camden Rd and the flow of traffic as designed by NCDOT, so the northern section must be renamed; and

Whereas, the southern portion of Oakland Ave will continue to be named Oakland Ave; and

Whereas, to avoid the potential confusion, the Board of Commissioners finds it necessary to rename the northern portion of Oakland Ave; and

Whereas, a duly advertised public hearing was conducted on this matter at the April 19, 2021, regular meeting of the Board of Commissioners.

Now therefore be it ordained as follows:

- (1) The northern portion of Oakland Ave, is hereby renamed Belle Ave.
- (2) Planning staff is directed to cause notice of this action to be given to the local postmaster with jurisdiction over the road, to the Board of Transportation, and to any city within five miles of the road.

Adopted April 19, 2021.

Cumberland County Board of Commissioners  
By:

\_\_\_\_\_  
Charles Evans, Chair

Attest:

\_\_\_\_\_  
Candice White, Clerk to the Board



1. AOM INVESTMENT LLC
2. ALVIN C CARTER
3. DAVID RESTON JOHNSON SR
4. ALICE & GEORGE HOBBS
5. DANA S GERLOSKY
6. ALICE M BATEMAN
7. ALHOBISHI CONVENIENCE STORES
8. PAUL & LIANIE SANTANA
9. DUKE ENERGY PROGRESS, INC





AMY H. CANNON  
County Manager



RAWLS HOWARD  
Director

TRACY JACKSON  
Assistant County Manager



David Moon  
Deputy Director

---

*Planning & Inspections Department*

**12-10-2020**

**Property owners for Camden Rd realignment**

**REID: 0425054648000**  
**(1) AOM INVESTMENTS LLC**  
**PO BOX 361**  
**FAYETTEVILLE, NC 28302**

**REID: 0425052149000**  
**(2) ALVIN C CARTER**  
**3029 WOOLARD DR**  
**HOPE MILLS, NC 28348**

**REID: 0425041901000**  
**(3) DAVID RESTON JOHNSON SR**  
**4170 CAMDEN RD**  
**FAYETTEVILLE, NC 28306**

**REID: 0425042813000**  
**(4) ALICE & GEORGE HOBBS**  
**4151 CAMDEN RD**  
**FAYETTEVILLE, NC 28306**

**REID: 0425042657000**  
**(5) DANA S GERLOSKY**  
**4146 CAMDEN RD**  
**FAYETTEVILLE, NC 28306**

**REID: 0425040497000**  
**(6) ALICE M BATEMAN**  
**4151 CAMDEN RD**  
**FAYETTEVILLE, NC 28306**

**REID: 0415949572000**  
**(7) ALHOBISHI CONVENIENCE STORES**  
**PO BOX 807**  
**ST PAULS, NC 28384**

**REID: 0415947654000**  
**(8) PAUL & LIANIE SANTANA**  
**830 MARCH BANKS PL**  
**HOPE MILLS, NC 28348**

**REID: 0415946712000**  
**(9) DUKE ENERGY PROGRESS, INC**  
**411 N 210 HWY**  
**SPRING LAKE, NC 28390**

Amy H. Cannon  
County Manager

Tracy Jackson  
Assistant County Manager



Rawls Howard  
Director

David Moon  
Deputy Director

## Planning & Inspections Department

**2-1-2021**

### Property Owners for Oakland Ave realignment

Laura Anne Kenny  
6617 Winthrop Dr  
Fayetteville, NC 28311  
REID: 0415947512000

Raul & Lianie Santana  
830 March Banks Pl  
Hope Mills, NC 28348  
REID: 0415947654000

Alhobishi Convenience Stores  
PO Box 807  
St Pauls, NC 28384  
REID: 0415949572000



1. Paul & Lianie Santana
2. Laura Anne Kenny
3. Alhobishi Convenience Stores

CAMDEN RD

PROPOSED STREET  
TO BE RENAMED

2

1

3





**FAYETTEVILLE PUBLISHING COMPANY**  
 458 Whitfield Street, Fayetteville, NC 28306  
 Phone (910) 678-9000 Toll Free 1-800-345-9895 Fax (910) 323-1451

**Order Confirmation**

**PUBLIC NOTICE**

The Cumberland County Board of Commissioners will meet at 6:45 p.m. on April 19, 2021 in room 118 of the County Courthouse at 117 Dick Street to hear the following:

P21-17 rezoning 0.85+/- ac C(P) & C2(P) to C(P) or more restrictive zoning 3830 Boone Trail owner Be All You Can Be Real Estate, LLC

SN0475 consideration of renaming a portion of Sand Hill Rd to Rainforest Rd.

SN0477 consideration of renaming a portion of Camden Rd to Carville Rd and Oakland Ave to Belle Ave  
 4/5, 12

5241157

<u>Ad Order Number</u>	<u>Customer</u>
0005241157	CUMB CO JOINT PLANNING
<u>Sales Rep.</u>	<u>Customer Account</u>
0090	003661000
<u>Order Taker</u>	<u>Customer Address</u>
0001	130 Gillespie Street, Attn: Laverne Howard, FAYETTEVILLE NC 28301 USA
<u>Order Source</u>	<u>Customer Phone</u>
Telephone	910-678-7600
<u>Order Invoice Text</u>	
CCBoC - 4/19/21 meeting	

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<u>Payor Customer</u>	<u>PO Number</u>
CUMB CO JOINT PLANNING	
<u>Payor Account</u>	<u>Ordered By</u>
003661000	
<u>Payor Address</u>	<u>Customer Fax</u>
130 Gillespie Street, Attn: Laverne Howard FAYETTEVILLE NC 28301 USA	910-678-7631
<u>Payor Phone</u>	<u>Customer Email</u>
910-678-7600	lhoward@co.cumberland.nc.us
	<u>Special Pricing</u>
	None

<u>Net Amount</u>	<u>Tax Amount</u>	<u>Total Amount</u>	<u>Amount Due</u>
\$151.60	\$0.00	\$151.60	\$151.60

<u>Payment Method</u>	<u>Payment Amount</u>
	\$0.00

<u>Ad Number</u>	<u>Ad Type</u>	<u>Ad Size</u>	<u>Color</u>
0005241157-01	CL Legal Line	: 1.0 X 20 cl	<NONE>

<u>Product</u>	<u>Placement/Classification</u>	<u>Run Dates</u>	<u># Inserts</u>	<u>Cost</u>
FO::	401 - Legals	4/5/2021, 4/12/2021	2	\$145.60
OL::	401 - Legals	4/5/2021, 4/12/2021	2	\$6.00



## **COMMUNITY DEVELOPMENT**

### **MEMORANDUM FOR BOARD OF COMMISSIONERS AGENDA OF APRIL 19, 2021**

**TO: BOARD OF COUNTY COMMISSIONERS**

**FROM: DEE TAYLOR, DIRECTOR OF COMMUNITY DEVELOPMENT**

**DATE: 4/8/2021**

**SUBJECT: PUBLIC HEARING - PY 2021 DRAFT COMMUNITY DEVELOPMENT  
ANNUAL ACTION PLAN**

#### **BACKGROUND**

Community Development is in the planning process for the Program Year 2021 Annual Action Plan. The Annual Action Plan is a required document that must be submitted to the U.S. Department of Housing and Urban Development (HUD) by May 15, 2021 in order to continue to receive annual entitlements of the Community Development Block Grant (CDBG) and Home Investment Partnerships Program (HOME) funds.

The Program Year 2021 Annual Action Plan includes information about how Community Development plans to use CDBG, HOME, and other funding sources to address the priority needs identified in the 2020-2024 Consolidated Plan. In addition, the plan identifies projects that will be undertaken during the period from July 1, 2021 through June 30, 2022. The draft 2021 Annual Action Plan is available for a 30-day public review and comment period throughout Cumberland County from March 22, 2021 to April 20, 2021.

As part of following the citizen participation process, a public hearing must be held during the comment period. All comments received regarding the plan will be addressed by Community Development within 15 days of receipt and will be included in the final plan that will be submitted to HUD. After the public review period, the final copy of the plan will be submitted to the Board of Commissioners for approval to submit to HUD by the deadline.

#### **RECOMMENDATION / PROPOSED ACTION**

Community Development requests that the Board of County Commissioners hold a public hearing on the draft Program Year 2021 Annual Action Plan to offer input and comments, as well as to receive comments from the public. No other action is necessary.

#### **ATTACHMENTS:**

**Description**

2021 Annual Action Plan - Community Development PowerPoint Presentation  
Draft Community Development PY 2021 Annual Action Plan  
Public Notice of 2021 Community Development Annual Action Plan

**Type**

Backup Material  
Backup Material  
Backup Material



# COMMUNITY DEVELOPMENT DEPARTMENT

## PROGRAM YEAR 2021 ANNUAL ACTION PLAN (DRAFT)

(JULY 1, 2021 – JUNE 30, 2022)

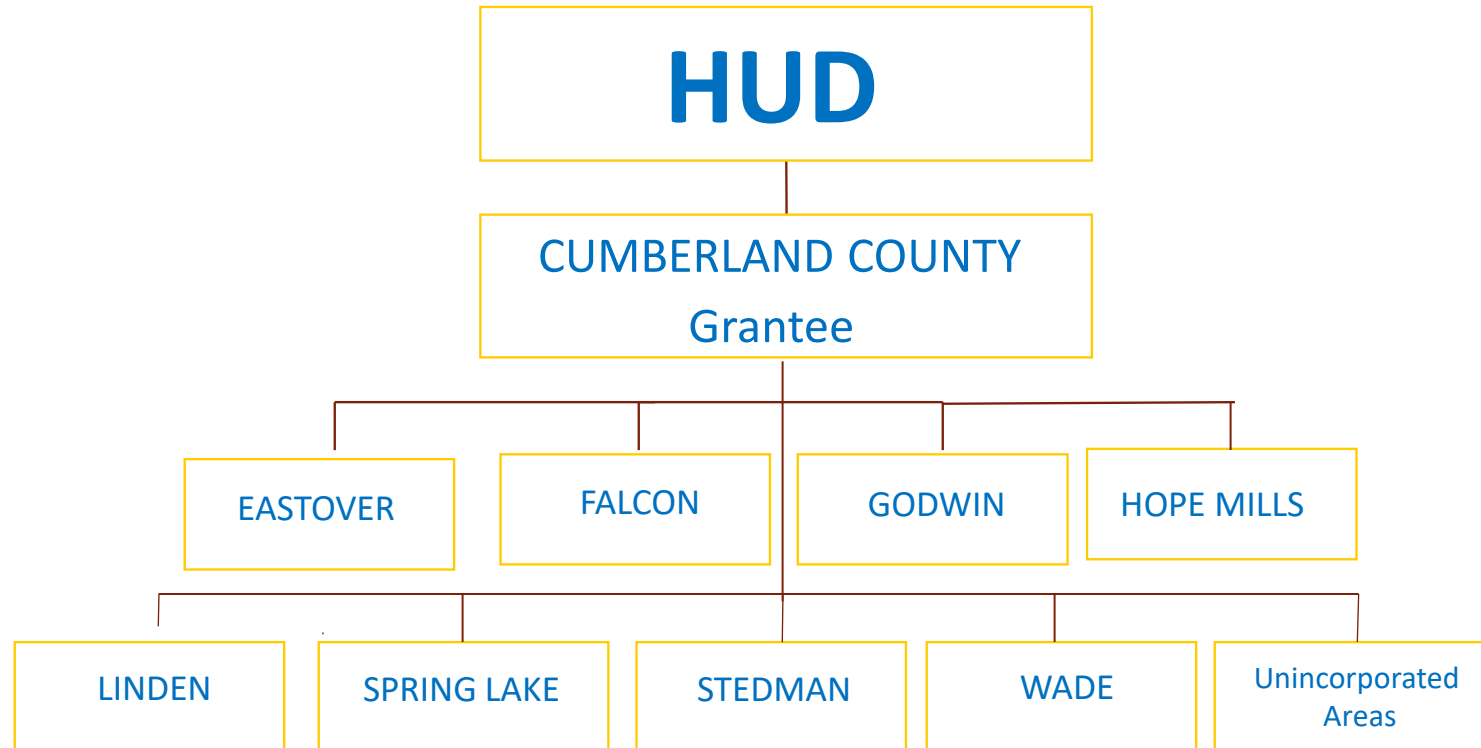


Public Hearing: April 19, 2021 @ 6:45 p.m.

# HUD Entitlement Funding

Community Development Block Grant (CDBG)	Home Investment Partnerships Program (HOME)
<ul style="list-style-type: none"><li>• Principally benefit low- and moderate-income persons;</li><li>• Aid in the elimination of slum and blight; or</li><li>• Meet urgent need.</li></ul>	<ul style="list-style-type: none"><li>• Provide decent affordable housing to low-income households;</li><li>• Expand the capacity of non-profit housing providers;</li><li>• Strengthen the ability of state and local governments to provide housing; and</li><li>• Leverage private-sector participation.</li></ul>

# Participating Jurisdictions



# Consolidated Planning Process

## **CONSOLIDATED PLAN**

(Plan due within 45 days prior to the beginning of the first FY)

(Period: July 1, 2020 through June 30, 2025)

2020 – 2021	2021 – 2022	2022 – 2023	2023 – 2024	2024 - 2025
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## **ANNUAL ACTION PLAN**

(Plan due every year within 45 days prior to the beginning of the FY) /

## **CONSOLIDATED ANNUAL PERFORMANCE & EVALUATION REPORT**

(Report due every year within 90 days following the ending of the FY)

# Priority Needs

Need	Goal
Housing	Improve, preserve, and expand the inventory of affordable housing for low- and moderate- income persons and families living in Cumberland County.
Homeless	Improve the living conditions and support services and increase the availability of housing for homeless persons and families in Cumberland County and eliminate unfair housing practices that may lead to homelessness.
Special Needs	Improve, preserve, and expand opportunities and services for persons with special needs and the disabled in Cumberland County.
Community Development	Improve, preserve, and create new public and community facilities, infrastructure, and public services to ensure the quality of life for all residents of Cumberland County.
Economic Development	Increase and promote job creation, job retention, self-sufficiency, education, job training, technical assistance, and economic empowerment of low- and moderate-income residents of Cumberland County.

# 2021 Funding Resources

Program	Allocation	Program Income (Est)	Prior Yr. CF (Est)	Total (Est)
CDBG	\$890,600	\$175,624	\$200,000	\$1,266,224
HOME	\$396,328	\$300,000	\$500,000	\$1,196,328
County General Funds	\$314,544	-	-	\$314,544
Other General Funds (City/County)	\$200,000	-	-	\$200,000



## 2021 Project Goals Summary

Goal	CDBG	HOME	GENERAL FUNDS
Homeownership	\$5,000	\$100,000	-
Housing Construction	-	\$920,918	\$99,082
Housing Rehabilitation	\$424,514	\$120,777	-
Housing for Special Needs	\$50,000	\$15,000	-
Housing Education	\$50,000	-	-
Clearance/Demolition	\$50,000	-	-

## 2021 Project Goals Summary (Cont'd)

Goal	CDBG	HOME	GENERAL FUNDS
Public Services – Homeless Services	\$50,293	-	\$200,000
Public Services – General Human Services	\$83,297	-	-
Infrastructure / Community Facilities	\$250,000	-	-
Economic Development - Employment	\$100,000	-	-
Economic Development -Financial Assistance	\$25,000	-	-
Administration / Planning	\$178,120	\$39,633	\$215,462

## 2021 Action Plan Timeline

ACTIVITY	DEADLINE
PUBLIC REVIEW PERIOD	March 22, 2021 – April 20, 2021
PUBLIC HEARING BEFORE COUNTY COMMISSIONERS	April 19, 2021 @ 6:45 pm
APPROVAL TO SUBMIT FINAL ACTION PLAN	May 3, 2021
ACTION PLAN DUE TO HUD	May 15, 2021

**For more information  
contact:**

**Cumberland County  
Community Development  
707 Executive Place  
Fayetteville, NC 28305**

**910-323-6112**



COMMUNITY DEVELOPMENT DEPARTMENT

## PROGRAM YEAR 2021 ANNUAL ACTION PLAN (DRAFT)

(JULY 1, 2021 – JUNE 30, 2022)



Public Review Comment Period:  
March 22, 2021 through April 20, 2021

Public Hearing:  
April 19, 2021 @ 6:45 p.m.  
Cumberland County Courthouse  
117 Dick Street, Fayetteville, NC

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## Executive Summary

### AP-05 Executive Summary - 24 CFR 91.200(c), 91.220(b)

#### 1. Introduction

Cumberland County, as a designated urban county entitlement, receives annual allocations from the United States Department of Housing and Urban Development (HUD). As required by HUD, Cumberland County is required to prepare a one-year action plan which describes the proposed projects that will be funded during the Program Year / Fiscal Year. The Action Plan is also part of the 2020-2024 Consolidated Plan (5-Year Strategic Plan) which includes the priority needs and the goals and objectives Cumberland County plans to accomplish to meet the needs of the community during the five-year period. This Annual Action Plan represents the Program Year 2021 grant cycle and will be the second year of achieving the goals outlined in the Consolidated Plan. The grant cycle will begin July 1, 2021 and end June 30, 2022.

Cumberland County receives two HUD entitlement grants that are included in the Action Plan:

- Community Development Block Grant (CDBG): The purpose of the CDBG program is to develop viable urban communities by providing decent housing and a suitable living environment, and by expanding economic opportunities. Projects funded through this program must meet one of three National Objectives:
  - Benefit low- and moderate-income persons;
  - Aid in the prevention or elimination of slums or blight; or
  - Meet other community development needs having a particular urgency because existing conditions pose a serious and immediate threat to the health or welfare of the community where other financial resources are not available to meet such needs.
- Home Investment Partnerships Program (HOME): The purpose of the HOME program is to expand the supply of decent, safe, sanitary, and affordable housing for low-income persons.

Cumberland County uses other sources of funding to support the needs of the community. Through competitive grants, Cumberland County also receives Continuum of Care Program funds to support housing programs and the local Continuum of Care (CoC). The County also uses its general funds to address the needs of the homeless.

Cumberland County, through its Community Development Department, administers these programs by providing direct assistance to the residents of community or through partnerships with private and public agencies to include for-profits, nonprofits, local units of government, and other public agencies such as the local housing authority.

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## 2. Summarize the objectives and outcomes identified in the Plan

This could be a restatement of items or a table listed elsewhere in the plan or a reference to another location. It may also contain any essential items from the housing and homeless needs assessment, the housing market analysis or the strategic plan.

Cumberland County identified the following priority needs, goals, and objectives:

1. Housing: Improve, preserve, and expand the inventory of affordable housing for low- and moderate-income persons and families living in Cumberland County. This will be done by developing homeownership opportunities for low- and moderate-income households; expanding new affordable housing inventory for both rental and sales housing; preserving existing owner and renter occupied housing inventory; promoting fair housing choice; providing housing education to homeowners, tenants, landlords, and potential homebuyers; and providing down payment assistance and acquisition for rehabilitation to make housing affordable to low- and moderate-income persons and families.
2. Homeless: Improve the living conditions and support services and increase the availability of housing for homeless persons and families in Cumberland County and eliminate unfair housing practices that may lead to homelessness. The goal will be achieved by developing housing opportunities for persons and families experiencing homelessness, and those who are at-risk of becoming homeless; expanding program support services; assist in anti-eviction and prevention of unfair housing practices which may contribute to homelessness; assisting in the development of permanent supportive housing and services; and assisting in the development and operation of shelters for persons who are homeless or victims of domestic violence.
3. Special Needs: Improve, preserve, and expand opportunities and services for persons with special needs and the disabled in Cumberland County. This will be accomplished by increasing the supply of affordable, decent, safe, sound, and accessible housing for the elderly, persons with disabilities, the developmentally delayed, and persons with other special needs through rehabilitation of existing housing construction of new accessible housing; assisting in supporting social service programs and facilities for the elderly, persons with disabilities, the developmentally delayed, and persons with other special needs; assisting in making accessibility improvements to owner occupied housing through rehabilitation and improve renter occupied housing by promoting reasonable accommodations for the physically disabled; and supporting and advocating for reasonable accommodations that should be made to assist the physically disabled to live in accessible housing.
4. Community Development: Improve, preserve, and create new public and community facilities, infrastructure, and public services to ensure the quality of life for all residents of Cumberland County. To accomplish this goal, Cumberland County will improve infrastructure through rehabilitation, reconstruction, and new construction of streets, walks, curbs, ADA ramps, retaining walls, sewer, linear lines, water, flood control, storm water management and separation, bridges, bike trails, green infrastructure, etc.; improve the County's parks, recreational centers, and public and community facilities through rehabilitation, preservation, and new construction; expand public service programs

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for the youth, the elderly, developmentally delayed, disabled, and target income population, including nutrition programs and social/welfare programs throughout the County; expand the public transportation system for low- and moderate-income persons and special needs; remove and eliminate slum and blighting conditions through demolition of vacant and abandoned structures; remove architectural barriers and make public community facilities accessible to all residents; improve public safety through upgrades to facilities, purchase of new equipment, crime prevention, community policing, and ability to respond to emergency situations; and assist in the stabilization of residential neighborhoods by removing slums and blight, assembling sites for new housing, rehabilitation of existing housing, code enforcement, and designation of an NRSA project area.

5. Economic Development: Increase and promote job creation, job retention, self-sufficiency, education, job training, technical assistance, and economic empowerment of low- and moderate-income residents of Cumberland County. To achieve this goal, Cumberland County will support job creation / retention, workforce development, employment, and job training services; support business retention and commercial growth through expansion and new development with technical assistance and low interest loan programs including Section 108 loans; and encourage new economic development through local, state, and Federal tax incentives and programs.
6. Administration, Planning, and Management: Provide sound and professional planning, administration, oversight and management of Federal, state, and local funded programs. This goal will be accomplished by continuing to provide sound and professional planning, program management and oversight for the successful administration of Federal programs; continuing to develop and plan for special studies, environmental clearance, fair housing, Section 108 Loan Application, NRSA Plans, and compliance with all Federal, state, and local laws and regulations; and preparing a Neighborhood Revitalization Strategy Area (NRSA) Plan for the Shaw Heights Neighborhood.

### **3. Evaluation of past performance**

This is an evaluation of past performance that helped lead the grantee to choose its goals or projects.

For the Program Year 2020, Cumberland County had to shift its priorities to address the most critical needs during an unprecedented crisis our community has ever experienced. Like many communities across the United States, the COVID-19 pandemic caused many businesses to suffer an economic hardship. In addition, many residents lost employment and as a result, were facing foreclosures or evictions. Additional funding was made available from HUD through the Coronavirus Aid, Relief, and Economic Security Act (CARES Act) that was signed into law by the President on March 27, 2020 to prevent, prepare for, and respond to the coronavirus.

During the latter part of Program Year 2019 and Program Year 2020, Cumberland County used a portion of its entitlement CDBG funds and additional funds (CDBG-CV) to subcontract with nonprofits to provide emergency payments for eligible low- and moderate-income residents for rent/mortgage assistance and other services needed to address the financial hardships residents were facing. In addition, a portion of

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the CDBG-CV funds were provided to small businesses. Aide was provided to the businesses in the form of a grant not to exceed \$10,000 per business. The goal of this activity was to retain jobs in the community.

CDBG and HOME entitlement funds were also designated for other activities to include housing rehabilitation, affordable housing development, public facilities, and other public services activities.

#### **4. Summary of Citizen Participation Process and consultation process**

Summary from citizen participation section of plan.

The Annual Action Plan will be placed at several locations within Cumberland County to solicit input from the local residents. To continue practicing social distancing during the COVID-19 pandemic, the Community Development Department scheduled a virtual public meeting to be held April 13, 2021 at 1 pm and at 6 pm. A public hearing is scheduled to be held before the Board of County Commissioners on the evening of April 19, 2021 in the County Courthouse building, located at 117 Dick Street.

#### **5. Summary of public comments**

This could be a brief narrative summary or reference an attached document from the Citizen Participation section of the Con Plan.

A summary of the comments will be included in the attached citizen participation comments section.

#### **6. Summary of comments or views not accepted and the reasons for not accepting them**

Public comments will be considered.

#### **7. Summary**

Cumberland County will continue to use its entitlement funding to address the goals and objectives outlined in the 2020-2024 Consolidated Plan. As our communities continue to recover from the economic hardship caused by the COVID-19 pandemic, Cumberland County will continue to provide support where it is most needed. For this Program Year, the County will make the necessary changes in its CDBG and HOME program policies and procedures to ensure flexibility and residents are able to access assistance without barriers, even if it involves creating new programs. The County will maintain strong public-private partnerships to develop affordable housing, rehab or construct public facilities and improvements, provide aide to small businesses, expand public services (human services), and address homelessness in the community.

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## PR-05 Lead & Responsible Agencies – 91.200(b)

### 1. Agency/entity responsible for preparing/administering the Consolidated Plan

Describe the agency/entity responsible for preparing the Consolidated Plan and those responsible for administration of each grant program and funding source.

Agency Role	Name	Department/Agency
CDBG Administrator	Cumberland County	Department of Community Development
HOME Administrator	Cumberland County	Department of Community Development

**Table 1 – Responsible Agencies**

### Narrative (optional)

Cumberland County’s Community Development Department administers the CDBG and HOME programs. The Community Development Department is responsible for preparing the Consolidated Plan, Annual Action Plans, and the Consolidated Annual and Performance Evaluation Report (CAPER). The Department is also responsible for monitoring and oversight of the programs funded through the CDBG and HOME programs.

### Consolidated Plan Public Contact Information

Ms. Delores Taylor, Director Cumberland County

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Website: [www.co.cumberland.nc.us/communitydevelopment](http://www.co.cumberland.nc.us/communitydevelopment)

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## **AP-10 Consultation – 91.100, 91.200(b), 91.215(I)**

### **1. Introduction**

Cumberland County continues to work closely with our partners to identify community needs and address gaps in the services delivery system. Our community partners include local non-profits, the Fayetteville Metropolitan Housing Authority, housing providers, social service agencies, community and economic development organizations, members of the faith-based community, the Fayetteville/Cumberland County Continuum of Care on Homelessness (CoC), City of Fayetteville and County agencies, and elected officials.

### **Provide a concise summary of the jurisdiction's activities to enhance coordination between public and assisted housing providers and private and governmental health, mental health and service agencies (91.215(I))**

Cumberland County continues to work closely with the following agencies to enhance coordination:

- **Fayetteville Metropolitan Housing Authority** – Provides funding for improvements to public housing communities.
- **Social Services Agencies** – Provides funding to improve services to low- and moderate-income persons.
- **Housing Providers** – Provides funding to rehabilitate and develop affordable housing and provide housing options for low- and moderate-income households.
- **Community and Economic Development Agencies** – Provides funding to improve services to low- and moderate-income persons.

### **Describe coordination with the Continuum of Care and efforts to address the needs of homeless persons (particularly chronically homeless individuals and families, families with children, veterans, and unaccompanied youth) and persons at risk of homelessness.**

The current Fayetteville/Cumberland County Continuum of Care (CoC) encompasses all of Cumberland County, including the City of Fayetteville and the Towns of Eastover, Falcon, Godwin, Hope Mills, Linden, Spring Lake, Stedman, and Wade. Cumberland County Community Development Department acts as Lead Agency/Collaborative Applicant for the CoC, providing institutional knowledge and leadership for the CoC Board and coordinating its ESG and CoC program funding. Our community has implemented a Coordinated Entry System (CES), which is currently operated by Cumberland HealthNET. The CES follows the intake, assessment, and prioritization process developed by HUD and our CoC, and makes referrals for homeless persons and persons at risk of becoming homeless within Cumberland County. During the intake process, a homeless person is evaluated with the VI-SPDAT, scored, ranked in terms of services needed, and referred to an available bed. Available beds are coordinated with providers in a by-name list meeting every other week. Our community has a large unsheltered homeless population, and the CoC has determined that the chronically homeless, disabled homeless persons, and homeless families with children are to be prioritized for housing. Due to our proximity to Fort Bragg, our community also has a large veteran population, and CES coordinates with the Veterans Administration and Volunteers of



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America to house and provide services to homeless veterans. Any unaccompanied youth would be assessed and referred to appropriate housing and service providers, and providers must collaborate with local school district homeless liaisons to allow for a smooth transition to continued service and support for educational needs. The Point-in-Time Homeless Count for Sheltered and Unsheltered homeless persons is conducted on a specific date during the last week in January. Due to the COVID pandemic, the Point-In-Time Homeless Count in January 2021 was only for sheltered homeless persons. The results of the count each year are made available to the public on the Fayetteville-Cumberland County CoC website, [www.fcccoc.org](http://www.fcccoc.org).

The County continues to coordinate with the CoC by developing performance standards, identifying training needs and conducting training, contributing resources to support the CoC, the HMIS system, and the CES, serving on the CoC Board and other CoC committees, and frequently engaging with our community partners.

**Describe consultation with the Continuum(s) of Care that serves the jurisdiction's area in determining how to allocate ESG funds, develop performance standards for and evaluate outcomes of projects and activities assisted by ESG funds, and develop funding, policies and procedures for the operation and administration of HMIS**

Upon receiving notice of the Request for Applications from the NC Department of Health and Human Services, the County's Community Development Department forwards the information to the CoC for dissemination to the listserv, soliciting applications and further describing the process. After projects have been submitted, the CoC's grant review committee meets to review, score applicants, and determine which ESG projects are selected and allocations for each. The selected project applicant(s) must demonstrate it has the capacity and performance record to provide services to persons who are homeless or at-risk of being homeless through the eligible activities listed. The Community Development Department and the CoC provides training to grant recipients so that providers have a clear understanding of the documentation and reporting requirements.

ESG recipients are required to enter client and service information into HMIS, and submit quarterly performance reports through SAGE. The County employs a Data and Evaluation Analyst, funded through the Homeless Initiative Fund Program, who provides access, training, and technical assistance to HMIS users. The Community Development Department assists the CoC in developing policies and procedures for the operation and administration of HMIS, and the Data and Evaluation Analyst works closely with the CoC's HMIS/CE Committee to implement best practices. The County (in a joint effort with the City of Fayetteville) provides funding for the HMIS administrator (currently Michigan Coalition Against Homelessness), and licensing HMIS users in Cumberland County.

**2. Describe Agencies, groups, organizations and others who participated in the process and describe the jurisdiction’s consultations with housing, social service agencies and other entities**

Cumberland County Community Development Department has ongoing consultations and discussions with our community partners. These include the agencies and organizations that participate in the CoC, as well as other service providers. Examples include:

- **Fayetteville Metropolitan Housing Authority** – Improvements to public housing communities and connecting homeless persons to public housing and Section 8 Vouchers.
- **Social Services Agencies** (Department of Social Services, Salvation Army, Action Pathways, Endeavors, Fayetteville Urban Ministry, Cumberland HealthNET, Communicare, Alliance Health, etc.) – Improve services to low- and moderate-income persons.
- **Housing Providers** (Endeavors, Family Promise, Kingdom CDC) –Rehabilitate and develop affordable housing and provide housing options for low- and moderate-income households.
- **Community and Economic Development Agencies** (Kingdom CDC, City of Fayetteville)– Improve services to low- and moderate-income persons.

1	Agency/Group/Organization	Towns of Eastover, Falcon, Godwin, Hope Mills, Linden, Spring Lake, Stedman, and Wade, Cumberland County community at large
	Agency/Group/Organization Type	Housing Services-homeless Other government - Local Neighborhood Organization
	What section of the Plan was addressed by Consultation?	Housing Need Assessment Economic Development
	How was the Agency/Group/Organization consulted	Include feedback and participation from citizens and local leaders. Due to COVID, a Public Notice was published in the Fayetteville Observer that a copy of the Action Plan would

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<p><b>and what are the anticipated outcomes of the consultation or areas for improved coordination?</b></p>	<p>be available for review at each municipality’s Town Hall, and on the County’s website. Town leaders can gain a better understanding of the Community Development Department programs and disseminate that information to their constituents. Further, as sites of planned or potential affordable housing, infrastructure or development efforts, many of these towns are key partners in implementation of the elements of the Action Plan.</p>
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Table 2 – Agencies, groups, organizations who participated.

Notice for the Public Review and Public Meeting was published in the Fayetteville Observer on March 10, 2021. The draft plan was available for review at the Cumberland County Community Development Department and other locations from March 22, 2021 through April 20, 2021 by appointment only. Copies of the draft plan were available for review on Cumberland County’s website at [www.co.cumberland.nc.us](http://www.co.cumberland.nc.us) (through the Community Development Department), or upon request, could be emailed.

All citizens of Cumberland County were invited to listen in on the public hearing that was held live on April 19, 2021 via the Cumberland County website ([co.cumberland.nc.us](http://co.cumberland.nc.us)), Facebook page ([facebook.com/CumberlandNC](https://facebook.com/CumberlandNC)), YouTube page ([youtube.com / user / CumberlandCountyNC / videos](https://youtube.com/user/CumberlandCountyNC)), and on Cumberland County North Carolina TV (CCNC-TV) Spectrum Cable Channel 5.

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**Table 2 – Agencies, groups, organizations who participated**

**Identify any Agency Types not consulted and provide rationale for not consulting**

**Other local/regional/state/federal planning efforts considered when preparing the Plan**

<b>Name of Plan</b>	<b>Lead Organization</b>	<b>How do the goals of your Strategic Plan overlap with the goals of each plan?</b>
CoC Action Plan	Fayetteville / Cumberland County Continuum of Care on Homelessness	The goals of both plans seek to develop more housing options for homeless and low-income populations, as well as increase coordinated support services.
Connecting North Carolina State Broadband Plan	North Carolina DIT Broadband Infrastructure Office	They are incorporated in the Five Year Consolidated Plan and the Annual Action Plans.

**Table 3 – Other local / regional / federal planning efforts**

**Narrative (optional)**

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## AP-12 Participation – 91.105, 91.200(c)

### 1. Summary of citizen participation process/Efforts made to broaden citizen participation Summarize citizen participation process and how it impacted goal-setting

The County's Community Development Department normally engages in a process of including citizen participation within the Consolidated Planning Process through a series of public meetings that is held in conjunction with town board meetings. However, in order to continue practicing social distancing during the COVID-19 pandemic, the Community Development Department determined it would benefit the community by hold a virtual public meeting in April 2021. The Department provided the public the opportunity to review and comment on the proposed Annual Action Plan through its display at 10 public locations, including government offices.

#### Citizen Participation Outreach

Sort Order	Mode of Outreach	Target of Outreach	Summary of response/ attendance	Summary of comments received	Summary of comments not accepted and reasons	URL (If applicable)
1.	Public Meeting	Minorities  Persons with disabilities  Non-targeted/ broad community  Residents of Public and Assisted Housing				Not Applicable.



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		Agencies/ Organizations Persons with disabilities  Non-targeted/ broad community  Residents of Public and Assisted Housing  Agencies/ Organizations				
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Sort Order	Mode of Outreach	Target of Outreach	Summary of response/ attendance	Summary of comments received	Summary of comments not accepted and reasons	URL (If applicable)
2.	Newspaper Ad	Minorities  Persons with disabilities	None.	None.	None.	Not Applicable.

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		Non-targeted/ broad community				
		Residents of Public and Assisted Housing				
		Agencies/ Organizations				

**Table 4 – Citizen Participation Outreach**

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## Expected Resources

### AP-15 Expected Resources – 91.220(c)(1,2)

#### Introduction

Cumberland County is receiving \$890,600 in CDBG entitlement funds and \$396,328 in HOME entitlement funds for FY 2021. The County is expecting to receive \$175,624 in CDBG program income and \$300,000 in HOME Program income. The program year goes from July 1, 2021 through June 30, 2022. These funds will be used to address the following priority needs:

- Housing
- Community Development
- Public Services
- Economic Development
- Planning & Administration

The accomplishments of these projects/activities will be reported in the PY 2021 Consolidated Annual Performance and Evaluation Report (CAPER).

#### Anticipated Resources

Program	Source of Funds	Uses of Funds	Expected Amount Available Year 1	Expected Amount Available Reminder of Con Plan \$	Narrative Description
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			Annual Allocation: \$	Program Income: \$	Prior Year Resources: \$	Total: \$		
<b>CDBG</b>	public - federal	Acquisition Admin and Planning Economic Development Housing Public Improvements Public Services	\$890,600	\$175,624	\$200,000	\$1,266,224	\$2,671,800	
<b>HOME</b>	public - federal	Acquisition Homebuyer assistance Homeowner rehab Multifamily rental new construction Multifamily rental rehab New construction for ownership TBRA	\$396,328	\$300,000	\$500,000	\$1,196,328	\$1,188,984	

<b>General Funds</b>	Public-local	Admin and Planning Housing						General funds to assist in administering programs and match funds
			314,544	0	0	314,544	-	
<b>Other</b>	public - local	Housing Other						General funds through partnership between City and County government to address homelessness.
			200,000	0	0	200,000	-	

**Table 5 - Expected Resources – Priority Table**



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**Explain how federal funds will leverage those additional resources (private, state and local funds), including a description of how matching requirements will be satisfied**

In addition to the entitlement funds, Cumberland County anticipates the following Federal resources may be available to local non-profit organizations to undertake the housing strategies identified in the Five Year Consolidated Plan.

- Supportive Housing Program
- Low-Income Housing Tax Credit Program (LIHTC)
- Section 8 Rental Assistance Program
- Public Housing Capital Fund Program
- Rental Assistance Demonstration (RAD)

Private and non-Federal resources that may be available to Cumberland County in PY 2021 to address needs identified in the FY 2020-2024 Five Year Consolidated Plan are listed below.

- **Cumberland Community Foundation, Inc.** – The Cumberland Community Foundation provides grants from its endowment in six areas considered to be of great need: growing philanthropy and local giving; growing sustainable support for local nonprofit organizations; increasing college access and affordability; improving education outcomes; improving quality of life for all; and strengthening local nonprofit organizations.
- **Golden LEAF Funding** – This North Carolina grant supports workforce development and disaster recovery in areas of the state of North Carolina that were once dependent on agriculture and tobacco farming.
- **Low-Income Housing Tax Credits** – The North Carolina Housing and Finance Agency administers this program for the State. The program provides Federal tax credits to owners and developers of qualified low-income rental housing. These tax credits provide incentives for private investment in affordable housing. Costs eligible under the program include acquisition, construction and rehabilitation of affordable housing.
- **Federal Home Loan Bank Affordable Housing Program (AHP)** – Congress has mandated that ten (10%) of the Federal Home Loan Bank's profits be allocated to provide affordable housing. The FHLB encourages its members to work with public agencies and non-profit housing development organizations in creating highly leveraged affordable housing initiatives. Both sales and rental housing are eligible.

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**If appropriate, describe publically owned land or property located within the jurisdiction that may be used to address the needs identified in the plan**

Not applicable.

**Discussion**

Not applicable.

## Annual Goals and Objectives

### AP-20 Annual Goals and Objectives

#### Goals Summary Information

Sort Order	Goal Name	Start Year	End Year	Category	Geographic Area	Needs Addressed	Funding	Goal Outcome Indicator
1.	HSS-6 Homeownership Assistance	2020	2024	Affordable Housing	Low- and Moderate-Income Areas Countywide-Other	Housing	CDBG: \$5,000 HOME: \$100,000	Direct Financial Assistance to Homebuyers: 5 Households Assisted Other: 1
2.	HSS-2 Housing Construction	2020	2024	Affordable Housing	Low- and Moderate-Income Areas Countywide-Other	Housing	CDBG: \$0 HOME: \$920,918 General Funds: \$99,082	Rental units constructed: 20 Household Housing Units Homeowner Housing Added: 5 Household Housing Unit
3.	HSS-3 Housing Rehabilitation	2020	2024	Affordable Housing	Countywide-Other	Housing	CDBG: \$424,514 HOME: \$120,777	Homeowner Housing Rehabilitated: 11 Household Housing Unit Rental Units Rehabilitated: 3

4.	SNS-1 Housing	2020	2024	Affordable Housing	Countywide-Other	Housing	CDBG: \$50,000 HOME: \$15,000	Homeowner Housing Rehabilitated: 4 Household Housing Unit Rental Units Rehabilitated: 1
5.	HOM-2 Operations/Support	2020	2024	Homeless	Low- and Moderate-Income Areas Countywide-Other	Homeless	CDBG: \$25,146	Public Service Activities other than Low/Moderate Income Housing Benefit: 50 Persons Assisted

6.	HOM-3 Homeless Prevention	2020	2024	Homeless	Low- and Moderate- Income Areas Countywide- Other	Homeless	CDBG: \$25,147 General Funds: \$200,000	Tenant-Based Rental Assistance/Rapid Rehousing: 25 Persons Assisted Homelessness Prevention: 25 Households Assisted
7.	CDS-1 Infrastructure	2020	2024	Non-Housing Community Development	Low- and Moderate- Income Areas Countywide- Other Shaw Heights	Community Development	CDBG: \$125,000	Public Facility or Infrastructure Activities for Low/Moderate Income Housing Benefit: 10 Households Assisted
8.	CDS-2 Community Facilities	2020	2024	Non-Housing Community Development	Low- and Moderate- Income Areas Countywide- Other Shaw Heights	Community Development	CDBG: \$125,000	Public Facility of Infrastructure Activities other than Low/Moderate Income Housing Benefit: 40 Persons Assisted



Sort Order	Goal Name	Start Year	End Year	Category	Geographic Area	Needs Addressed	Funding	Goal Outcome Indicator
9.	CDS-3 Public Services	2020	2024	Non-Housing Community Development	Low- and Moderate-Income Areas Countywide-Other	Community Development	CDBG: \$83,297	Public Service Activities other than Low/Moderate Income Housing Benefit: 100 Persons Assisted
9.	HSS-5 Housing Education	2020	2024	Affordable Housing	Low- and Moderate-Income Areas Countywide-Other	Housing	CDBG: \$50,000	Other: 1
10.	CDS-5 Clearance	2020	2024	Non-Housing Community Development	Low- and Moderate-Income Areas Countywide-Other	Community Development	CDBG: \$50,000	Buildings Demolished: 3 Buildings Other: 1
11.	EDS-1 Employment	2020	2024	Non-Housing Community Development	Low- and Moderate-Income Areas Countywide-Other	Economic Development	CDBG: \$100,000	Jobs Created/Retained: 5
12.	EDS-2 Financial Assistance	2020	2024	Non-Housing Community Development	Low- and Moderate-Income Areas Countywide-Other	Economic Development	CDBG: \$25,000	Businesses Assisted: 1

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13.	APM-1 Management APM-2 Planning	2020	2024	Administration	Low- and Moderate-Income Areas Countywide-Other Shaw Heights	Administration, Planning, and Management	CDBG: \$178,120 HOME: \$39,633 General Funds: \$215,462	Other: 2
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**Table 6 – Goals Summary**

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## Goal Descriptions

1.	Goal Name	HSS-6 Housing Purchase
	Goal Description	Provide funds for down payment assistance and acquisition for rehabilitation to make housing affordable to low- and moderate-income persons and families.
2.	Goal Name	HSS-2 Housing Construction
	Goal Description	Promote and assist in the development of new affordable housing inventory for both rental and sales housing.
3.	Goal Name	HSS-3 Housing Rehabilitation
	Goal Description	Promote and assist in the preservation of existing owner and renter occupied housing inventory in Cumberland County.
4.	Goal Name	SNS-1 Housing
	Goal Description	Promote and assist to increase the supply of affordable, decent, safe, sound, and accessible housing for the elderly, persons with disabilities, the developmentally delayed, and persons with other special needs through rehabilitation of existing housing and construction of new accessible housing.
5.	Goal Name	HOM-2 Operations/Support
	Goal Description	Promote and assist in program support services for the homeless.
6.	Goal Name	HOM-3 Homeless Prevention
	Goal Description	Promote and assist in anti-eviction and prevention of unfair housing practices which may contribute to homelessness.
7.	Goal Name	CDS-1 Infrastructure

	<b>Goal Description</b>	Improve the County's infrastructure through rehabilitation, reconstruction, and new construction of streets, walks, curbs, ADA ramps, retaining walls, sewer, linear lines, water, flood control, storm water management and separation, bridges, bike trails, green infrastructure, etc.
8.	<b>Goal Name</b>	<b>CDS-5 Clearance and Demolition</b>
	<b>Goal Description</b>	Remove and eliminate slum and blighting conditions through demolition of vacant and abandoned structures throughout the County.
	<b>Goal Name</b>	<b>CDS-2 Community Facilities</b>
	<b>Goal Description</b>	Improve the County's parks, recreational centers, and public and community facilities through rehabilitation, preservation, and new construction.
9.	<b>Goal Name</b>	<b>CDS-3 Public Services</b>
	<b>Goal Description</b>	Improve and increase public service programs for the youth, the elderly, developmentally delayed, disabled, and target income population, including nutrition programs and social/welfare programs throughout the County.
10.	<b>Goal Name</b>	<b>HSS-5 Housing Education</b>
	<b>Goal Description</b>	Promote and assist in educating homeowners, tenants, landlords, and new homebuyers in best practices for purchase and maintenance of affordable housing rentals, including foreclosure and eviction prevention.
11.	<b>Goal Name</b>	<b>EDS-1 Employment</b>
	<b>Goal Description</b>	Support and encourage new job creation, job retention, workforce development, employment, and job training services.
	<b>Goal Name</b>	<b>EDS-2 Financial Assistance</b>
12.	<b>Goal Description</b>	Support business retention and commercial growth through expansion and new development with technical assistance and low interest loan programs including Section 108 loans.

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13.	Goal Name	APM-1 Management
	Goal Description	Continue to provide sound and professional planning, program management and oversight for the successful administration of Federal programs.
14.	Goal Name	APM-2 Planning
	Goal Description	Continue to develop and plan for special studies, environmental clearance, fair housing, Section 108 Loan Application, NRSA Plans, and compliance with all Federal, state, and local laws and regulations.



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## Projects

### AP-35 Projects – 91.220(d)

#### Introduction

All projects in Cumberland County are determined based on the HUD CDBG and HOME allocations, as well as the County's goals and objectives.

#### Projects

#	Project Name	Budget
1.	HOUSING REHABILITATION	CDBG: \$ 245,844 HOME: \$135,777
2.	AFFORDABLE HOUSING (2019)	CDBG: \$ 50,000 HOME: \$920,918
3.	HOMEOWNERSHIP ASSISTANCE	CDBG: \$5,000 HOME: \$100,000
4.	HOUSING PROJECT DELIVERY	CDBG: \$228,670
5.	PUBLIC SERVICES	CDBG: \$83,297
6.	HOMELESS SERVICES	CDBG: \$50,293
7.	PUBLIC FACILITIES / INFRASTRUCTURE	CDBG: \$250,000
8.	CLEARANCE / DEMOLITION	CDBG: \$50,000
9.	ECONOMIC DEVELOPMENT	CDBG: \$125,000
10.	GENERAL ADMINISTRATION / PLANNING	CDBG: \$178,120 HOME: \$39,633

Table 7 - Project Information

#### Describe the reasons for allocation priorities and any obstacles to addressing underserved needs

Cumberland County has allocated its CDBG funds for PY 2021 to principally benefit low-

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and moderate-income persons.

- The infrastructure improvement activities are either located in a low- and moderate-income census tract/block group or have a low- and moderate-income service area benefit or clientele over 51% low- and moderate-income.
- The Public Facilities activities are either located in a low- and moderate-income census area or have a low- and moderate-income service area benefit or clientele.

Areas with multiple housing problems are concentrated in the block groups that are greater than 51% Low- and Moderate-Income. The following census tracts and block groups have at least 51% of the households with low- and moderate-incomes:

- C.T. 001400 B.G. 1
- C.T. 001603 B.G. 1
- C.T. 001604 B.G. 2
- C.T. 001700 B.G. 1
- C.T. 001700 B.G. 3
- C.T. 000200 B.G. 3
- C.T. 002401 B.G. 1
- C.T. 002402 B.G. 1
- C.T. 002504 B.G. 1
- C.T. 003500 B.G. 1
- C.T. 003500 B.G. 2
- C.T. 003500 B.G. 3
- C.T. 003500 B.G. 2
- C.T. 003600 B.G. 3

Additionally, Cumberland County is designated as an “exception” community by HUD. Any Block Groups below the County’s designated “exception” level of 50.76% low- and moderate-income is also eligible for the use of CDBG funds. The following Census Tracts and Block Groups are eligible based on exception criteria:

- C.T. 001100 B.G. 1
- C.T. 001700 B.G. 2
- C.T. 003104 B.G. 3

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## AP-38 Project Summary

### Project Summary Information

1.	Project Name	HOUSING REHABILITATION
	Target Area	Low- and Moderate-Income Areas Countywide-Other
	Goals Supported	HSS-3 Housing Rehabilitation
	Needs Addressed	Housing Priority
	Funding	CDBG: \$245,844 HOME: \$135,777
	Description	Funds provided for housing repairs through the following programs: Owner-occupied rehabilitation; Investor-owner (rental) rehabilitation); and Purchase/Rehab/Resale. All programs must benefit homeowners or renters with incomes 80% or below the median income for Cumberland County. Housing Rehabilitation program was expanded to address disaster housing repairs to eligible homeowners in Cumberland County's jurisdiction.
	Target Date	6/30/2022
	Estimate the number and type of families that will benefit from the proposed activities	5 Rental Units Rehabilitated. 15 Homeowner Housing Units Rehabilitated
	Location Description	County-wide
	Planned Activities	The national objective is Low/Mod-Income Housing. The Matrix Code is 14A Rehabilitation; Single-Unit Residential.
2.	Project Name	AFFORDABLE HOUSING DEVELOPMENT (2019)
	Target Area	Low- and Moderate-Income Areas Countywide-Other
	Goals Supported	HSS-2 Housing Construction HSS-5 Housing Education
	Needs Addressed	Housing Priority

	<b>Funding</b>	CDBG: \$50,000 HOME: \$920,918
	<b>Description</b>	Funds will be used to assist CHDOs, CBDOs, and developers with the development of affordable housing for low and moderate-income residents of Cumberland County. HOME Funds provided under this activity represent at least 15% of the HOME entitlement mandated for affordable housing development by CHDOs. In addition, funds will be used to provide housing education / counseling to potential homebuyers, renters, and landlords.
	<b>Target Date</b>	6/30/2022
	<b>Estimate the number and type of families that will benefit from the proposed activities</b>	Rental units constructed: 20 Household Housing Units Homeowner Housing Added: 5 Household Housing Unit 1 Other
	<b>Location Description</b>	County-wide
	<b>Planned Activities</b>	The national objective is Low/Mod-Income Housing. The Matrix Code is 12 Construction of Housing.
<b>3.</b>	<b>Project Name</b>	<b>HOMEOWNERSHIP ASSISTANCE</b>
	<b>Target Area</b>	Low- and Moderate-Income Areas Countywide-Other
	<b>Goals Supported</b>	HSS-6 Housing Purchase
	<b>Needs Addressed</b>	Housing Priority
	<b>Funding</b>	CDBG: \$5,000 HOME: \$100,000
	<b>Description</b>	Assistance will be provided to potential home buyers for down payment and/or closing costs and GAP financing. Housing counseling will be provided to increased knowledge and resources related to purchasing a home
	<b>Target Date</b>	6/30/2022

	Estimate the number and type of families that will benefit from the proposed activities	5 Households Assisted. 1 Other.
	Location Description	County-wide
	Planned Activities	The national objective is Low/Mod-Income Housing. The Matrix Code is 05R Homebuyer Down payment Assistance – Excluding Housing Counseling, under 24 CFR 5.100.
4.	Project Name	<b>HOUSING PROJECT DELIVERY</b>
	Target Area	Countywide-Other
	Goals Supported	HSS-3 Housing Rehabilitation HSS-5 Housing Education
	Needs Addressed	Housing Priority
	Funding	CDBG: \$228,670
	Description	Staff and overhead costs directly related to carrying out housing projects, such as work specification preparation, loan process, inspections, and other housing-related services. In addition, funds will be used to provide housing counseling services to potential homebuyers, tenants, and landlords.
	Target Date	6/30/2022
	Estimate the number and type of families that will benefit from the proposed activities	1 Other. 10 Households
	Location Description	707 Executive Place, Fayetteville, NC 28305
	Planned Activities	The national objective is Low/Mod-Income Housing. The Matrix Code is 14H Rehabilitation: Administration.
	Project Name	<b>PUBLIC SERVICES</b>
	Target Area	Low- and Moderate-Income Areas Countywide-Other
	Goals Supported	CDS-3 Public Services



5.	Needs Addressed	Housing Priority Community Development Priority
	Funding	CDBG: \$83,297
	Description	Partner with agencies in providing social services programs. Staff and overhead costs directly related to carrying out public services activities.
	Target Date	6/30/2022
	Estimate the number and type of families that will benefit from the proposed activities	100 Persons Assisted.
	Location Description	County-wide 707 Executive Place, Fayetteville, NC 28305
	Planned Activities	The national objective is Low/Mod-Income Clientele (LMC).  The Matrix Codes are: 13A Housing Counseling, under 25 CFR 5.100, for Homeownership Assistance (13B);  05Z Other Public Services Not Listed in 03T and 05A-05Y.
6.	Project Name	<b>HOMELESS SERVICES</b>
	Target Area	Countywide-Other
	Goals Supported	HOM-2 Operations/Support HOM-3 Homeless Prevention
	Needs Addressed	Homeless Priority
	Funding	CDBG: \$50,293 General Funds: \$200,000
	Description	Activities to benefit homeless persons to help prevent homelessness and to reduce homeless population. This activity will also be leveraged with local government funds of as a part of the joint city/county homeless initiative program. A portion of the local government funds will also be used to support the local HMIS and Data and Evaluation Analyst position.
	Target Date	6/30/2022

	Estimate the number and type of families that will benefit from the proposed activities	100 Persons assisted.
	Location Description	County-wide
	Planned Activities	The national objective is Low/Mod-Income Clientele (LMC). The Matrix Codes are: 03T Homeless/AIDS Patients Programs; 05S Rental Housing Subsidies; and 05 Public Services.
7.	Project Name	<b>PUBLIC FACILITIES / INFRASTRUCTURE</b>
	Target Area	Low- and Moderate-Income Areas Shaw Heights
	Goals Supported	CDS-1 Infrastructure CDS-2 Community Facilities
	Needs Addressed	Community Development Priority
	Funding	CDBG: \$250,000
	Description	Funding provided to make public facilities/infrastructure available for low- to moderate- income citizens of Cumberland County.
	Target Date	6/30/2022
	Estimate the number and type of families that will benefit from the proposed activities	10 Households Assisted. 40 Persons Assisted
	Location Description	TBD
	Planned Activities	The national objective is Low/Mod-Income Area Benefit (LMA). The Matrix Codes are: 03E Neighborhood Facilities; 03J Water/Sewer Improvements; 03K Street Improvements.
	Project Name	<b>CLEARANCE / DEMOLITION</b>

8.	Target Area	Low- and Moderate-Income Areas Shaw Heights
	Goals Supported	CDS-4 Clearance and Demolition
	Needs Addressed	Community Development Priority
	Funding	CDBG: \$50,000
	Description	Funding provided for clearance and demolition of buildings/improvements to eliminate slum / blighted areas.
	Target Date	6/30/2022
	Estimate the number and type of families that will benefit from the proposed activities	1 Building
	Location Description	County-wide
	Planned Activities	The national objective is Low/Mod-Income Area Benefit (LMA).  The Matrix Codes are: 04 Clearance and Demolition
9.	Project Name	<b>ECONOMIC DEVELOPMENT</b>
	Target Area	Low- and Moderate-Income Areas Countywide-Other
	Goals Supported	EDS-1 Employment EDS-2 Financial Assistance
	Needs Addressed	Economic Development Priority
	Funding	CDBG: \$125,000
	Description	CDBG funding will be provided to increase the number of new private sector jobs and expand job training opportunities to low- and moderate-income residents of Cumberland County.
	Target Date	6/30/2022
	Estimate the number and type of families that will benefit from the proposed activities	10 Jobs 1 Business Assisted
	Location Description	707 Executive Place, Fayetteville, NC 28305

	<b>Planned Activities</b>	The national objective is Low/Mod-Income Clientele (LMC). The Matrix Code is 18A Economic Development Direct Financial Assistance to For-Profit Businesses.
10.	<b>Project Name</b>	<b>GENERAL ADMINISTRATION / PLANNING</b>
	<b>Target Area</b>	Countywide-Other
	<b>Goals Supported</b>	APM-1 Administration APM-2 Planning
	<b>Needs Addressed</b>	Administration, Planning, and Management Priority
	<b>Funding</b>	CDBG: \$178,120 HOME: \$39,633 General Funds: \$215,462
	<b>Description</b>	CDBG funding will be provided to support administrative cost associated with carrying out the 2021 Action Plan Goals and Priority needs. Local government funds will also be used to help support this activity.
	<b>Target Date</b>	6/30/2022
	<b>Estimate the number and type of families that will benefit from the proposed activities</b>	2 Other.
	<b>Location Description</b>	707 Executive Place, Fayetteville, NC 28305
	<b>Planned Activities</b>	The Matrix Code is 21A General Program Administration.

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**AP-50 Geographic Distribution – 91.220(f)**

**Description of the geographic areas of the entitlement (including areas of low-income and minority concentration) where assistance will be directed**

**Geographic Distribution**

Target Area	Percentage of Funds
Low- and Moderate-Income Areas	42.9%
Countywide-Other	50.0%
Shaw Heights	7.1%

**Table 8 - Geographic Distribution****Rationale for the priorities for allocating investments geographically**

Areas with multiple housing problems are concentrated in the block groups that are greater than 51% Low- and Moderate-Income. The following census tracts and block groups have at least 51% of the households with low- and moderate-incomes:

- ☐ C.T. 001400 B.G. 1
- ☐ C.T. 001603 B.G. 1
- ☐ C.T. 001604 B.G. 2
- ☐ C.T. 001700 B.G. 1
- ☐ C.T. 001700 B.G. 3
- ☐ C.T. 000200 B.G. 3
- ☐ C.T. 002401 B.G. 1
- ☐ C.T. 002402 B.G. 1
- ☐ C.T. 002504 B.G. 1
- ☐ C.T. 003500 B.G. 1
- ☐ C.T. 003500 B.G. 2
- ☐ C.T. 003500 B.G. 3
- ☐ C.T. 003500 B.G. 2
- ☐ C.T. 003600 B.G. 3

Additionally, Cumberland County is designated as an “exception” community by HUD. Any Block Groups below the County’s designated “exception” level of 50.76% low- and moderate-income is also eligible for the use of CDBG funds. The following Census Tracts and Block Groups are eligible based on exception criteria:

- ☐ C.T. 001100 B.G. 1

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☐ C.T. 001700 B.G. 2

☐ C.T. 003104 B.G. 3

### **Discussion**

The geographic locations and the public benefit for the FY 2021 CDBG and HOME Activities/Projects are as follows:

- ☐ **HOUSING REHABILITATION** – Low- and Moderate-Income Areas; Countywide-Other
- ☐ **AFFORDABLE HOUSING DEVELOPMENT** – Low- and Moderate-Income Areas
- ☐ **HOMEOWNERSHIP ASSISTANCE** – Low- and Moderate-Income Areas; Countywide-Other
- ☐ **HOUSING PROJECT DELIVERY** – Countywide-Other
- ☐ **PUBLIC SERVICES** – Low- and Moderate-Income Areas; Countywide-Other
- ☐ **HOMELESS SERVICES** – Countywide-Other
- ☐ **PUBLIC FACILITIES / INFRASTRUCTURE** – Low- and Moderate-Income Areas; Shaw Heights
- ☐ **ECONOMIC DEVELOPMENT** – Low- and Moderate-Income Areas; Countywide-Other
- ☐ **GENERAL ADMINISTRATION / PLANNING** – Countywide-Other



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## Affordable Housing

### AP-55 Affordable Housing – 91.220(g)

#### Introduction

One Year Goals for the Number of Households to be Supported	
Homeless	100
Non-Homeless	135
Special-Needs	5
<b>Total</b>	

Table 9 - One Year Goals for Affordable Housing by Support Requirement

One Year Goals for the Number of Households Supported Through	
Rental Assistance	100
The Production of New Units	20
Rehab of Existing Units	20
Acquisition of Existing Units	5
<b>Total</b>	

Table 10 - One Year Goals for Affordable Housing by Support Type

#### Discussion

During this program year the County is funding the following affordable housing projects/activities with CDBG and HOME funds:

- **HOUSING REHABILITATION** – 20 housing units
- **AFFORDABLE HOUSING DEVELOPMENT (2019)** – 20 new housing units
- **HOMELESS SERVICES** – 100 households
- **PUBLIC FACILITIES / INFRASTRUCTURE** – 50 households

Additionally, the County is funding two programs that assist with low- and moderate-income homeownership, which are not included in the above chart:

- **HOMEOWNERSHIP ASSISTANCE** – 5 households
- **PUBLIC SERVICES** – 100 households

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## **AP-60 Public Housing – 91.220(h)**

### **Introduction**

Cumberland County does not own or operate public housing units but will continue to partner with the Fayetteville Metropolitan Housing Authority (FMHA) and other agencies to address the needs of affordable housing availability.

Fayetteville Metropolitan Housing Authority's mission is to meet its community's housing needs by providing decent, safe and affordable housing. It is the goal of the Housing Authority to promote self-sufficiency, personal growth and neighborhood revitalization by maximizing its resources and maintaining the fiscal veracity of the agency. It is FMHA's belief that housing is a basic right and the substance for a successful life. The Housing Authority staff are committed to serving the Fayetteville community in a manner that demonstrates professionalism, care and consideration. Because the Fayetteville Metropolitan Housing Authority receives applications from all over the United States (due to the presence of Fort Bragg and the large number of people moving to the area for military service), FMHA rarely accepts applications.

Fayetteville Metropolitan Housing Authority is rated as a "high performer" by HUD. Fayetteville Metropolitan Housing Authority owns and professionally manages ten (10) family communities and elderly/disabled rental apartments. Within these communities are 1,045 public housing units. The Housing Authority is currently working on the development of a 272 unit public housing community on Grove Street. Additionally, one 52 unit structure is undergoing the RAD conversion process, and an additional 32 unit structure has gone through RAD conversion.

The waiting list for public housing is currently open, and is open indefinitely. The breakdown of the waiting list is 61.3% single-person households, 34.7% two-person households, 3.5% three-person households, 0.8% four-person households, and 0.5% five-person or greater households, for a total of 354 households on the waiting list as of January 9, 2020 (the last waiting list available). With public housing occupancy at 98%, there is a greater demand than supply. However, public housing residents have been converting to Section 8, and demand for public housing has decreased among households who qualify for Section 8.

Fayetteville Metropolitan Housing Authority does not have any homebuyer programs for residents. FMHA has a Family Self-Sufficiency program, a resident services program, and a Step Up to Work program where they average two (2) participants per year. FMHA also has a pilot program for tax forgiveness.

The Fayetteville Metropolitan Housing Authority administers 1,749 Section 8 Housing Choice Vouchers as of October 15, 2019, as well as an additional 223 VASH vouchers. A total of 1,714 of these vouchers are living in Section 8 Housing. Demand for a quality Section 8 Housing rental exceeds the supply of decent, affordable rental units. Section 8 Housing is currently at 98% occupancy. There were 218 families/individuals on the Housing Choice Voucher waiting list as of January 9, 2020 (the last waiting list available). The waiting list is currently closed.

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The FMHA and the City of Fayetteville have been awarded a \$450,000 HUD Choice Neighborhood Program grant, which will be used to preserve and create new affordable and mixed-income housing in the Murchison Road Corridor. The FMHA and the City plan to apply for a \$30 million Choice Neighborhood implementation grant to continue to revitalize this area.

The County has used CDBG and HOME funds in the past to provide funding for the development of new affordable housing units and will continue to look for new ways to partner.

### **Actions planned during the next year to address the needs to public housing**

The Fayetteville Metropolitan Housing Authority has determined the needs for its properties through interviews with its Resident Advisory Board. The FMHA has completed its Five Year Plan for its FY 2019 through FY 2023 Public Housing Capital Fund Program Grant, and submitted its complete Five Year Plan for FY 2019-2023 in Summer of 2019.

The Housing Authority has constructed just over 270 units in Grove View Terrace and 32 units in Hillside Manor for RAD conversion. In addition to the RAD conversion, the Housing Authority will replace the units with 56 tax credit units in conjunction with the 270 RAD units.

### **Actions to encourage public housing residents to become more involved in management and participate in homeownership**

According to the Five Year and Annual Plan for 2019-2023, FMHA's progress in meeting their mission and goals states that FMHA set the goal of cooperating with Cumberland County, the City of Fayetteville, and other neighborhood partners to promote neighborhood revitalization and economic development in designated areas of the City. FMHA has an active resident council that expresses needs for all public housing communities under the Fayetteville Metropolitan Housing Authority. The Resident Advisory Board has actively contributed to the FMHA's 2019-2023 Five Year and Annual Plans.

Section 8 Voucher Holders have the opportunity to plan and reach goals that they set for themselves and their families, as well as save a significant amount of money. This opportunity is available to Section 8 holders who choose to become participants in Section 8's Family Self-Sufficiency Program. There are two parts to the program. The first part of the program is the Self-Sufficiency program where participants have the opportunity to work toward meeting its goals that they set for their families, as well as save money that will become theirs when they have completed their goals. The second part of the program is the Homeownership Program. In this part of the program, a Section 8 participant can choose to use his or her Section 8 voucher to assist with the purchase and payment of a home. Each part of the Self-Sufficiency program is detailed below.

Family Self-Sufficiency (FSS) is a voluntary HUD program that encourages and assists families to become self-

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sufficient. Anyone currently on the Section 8 Housing Choice Voucher program is eligible for this program. FSS offers a financial incentive to families through an escrow account, which is based on an increase in a families earned income.

Fayetteville Metropolitan Housing Authority conducts various workshops and activities that promote self-sufficiency and economic independence. Efforts are put forth in developing partnerships to educate tenants on the process of purchasing a home to prepare them for future homeownership.

**If the PHA is designated as troubled, describe the manner in which financial assistance will be provided or other assistance**

Not applicable. Fayetteville Metropolitan Housing Authority has been designated a high performing housing authority.

**Discussion**

The Fayetteville Metropolitan Housing Authority is continuing to meet its goals by securing funding through RAD conversion, development of Section 8 Project-Based Voucher Developments, and revitalization of its existing units.

The Fayetteville Metropolitan Housing Authority will be partnering with the City of Fayetteville in its pursuit of a Choice Neighborhoods Initiative Grant for the Murchison Road Corridor.

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## **AP-65 Homeless and Other Special Needs Activities – 91.220(i)**

### **Introduction**

Cumberland County continues to engage and support our local and regional partners to reduce homelessness within Cumberland County, as outlined in the 2020-2024 Five-Year Consolidated Plan. The Homelessness Strategy includes increasing our affordable housing supply, developing more permanent supportive housing and emergency shelter housing, improving access to support services, and assisting persons who may be at risk of becoming homeless through prevention services.

According to the 2020 Point-in-Time count, 297 individuals experienced homelessness on a single night in January in Cumberland County, with 38 individuals residing in Emergency Shelters, 94 individuals residing in transitional housing, and 165 individuals living in unsheltered conditions.

### **Describe the jurisdictions one-year goals and actions for reducing and ending homelessness including reaching out to homeless persons (especially unsheltered persons) and assessing their individual needs**

#### **Continuum of Care and Coordinated Entry**

The County supports outreach services by partnering with our nonprofit and faith-based homelessness assistance providers. Cumberland County Community Development (CCCD) serves as the Lead Agency for the Fayetteville/Cumberland County Continuum of Care (CoC) on Homelessness, with the Director serving as an *Ex-officio* Board Member. The County has also employed a CoC Coordinator to assist the CoC Board in its mission of making homelessness rare, brief, and non-recurring.

The County will continue to work closely with the CoC to facilitate the coordination of the community's human services agencies, including the operation of our Coordinated Entry System, which is administered by Cumberland HealthNET. Through Coordinated Entry, our community supports a Housing First model, and uses standardized assessment, prioritization, and referral strategies at multiple access points to connect our homeless population with housing and services.

#### **Emergency Services Grants**

The CCCD serves as the Lead Agency for contracts awarded via the Emergency Services Grant (ESG), and coordinates with the CoC to conduct grant reviews and submit our Regional Application. The Salvation Army was awarded a Street Outreach grant in 2020 and will connect our unsheltered homeless population with emergency shelter, human services, and housing opportunities.

#### **Homeless Initiative Fund**

The County and City of Fayetteville have collaborated in a joint venture project, the Homeless Initiative Fund Program, whereby each local government contributes an agreed-upon amount from their General Funds to address any gaps in services for homeless individuals that may not qualify for federally funded programs. Through this initiative, the County will continue to serve homeless or at-risk persons who are at

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or below 80% of the area median income by providing direct financial assistance and support services, including rent and utility payments and deposits.

## **Addressing the emergency shelter and transitional housing needs of homeless persons**

### **Emergency Shelters**

The County will continue to allocate CDBG funds to support our homeless shelter providers, as well as serve as the Lead Agency for the Emergency Services Grant. The Salvation Army and the Care Center Family Violence Program both operate Emergency Shelters for families, each of which receive ESG and CDBG funding. The Hope Center had in the past been used as a women's shelter, but due to a loss of volunteers and staff during the COVID-19 pandemic, the shelter closed and is now being operated as a "White Flag" shelter by the Salvation Army. Cumberland County homeless shelters are located predominantly in downtown Fayetteville, where there is a concentration of low- and moderate-income populations.

Due to the COVID-19 pandemic, our shelters have been challenged to provide the same number of beds while following CDC guidelines regarding social distancing. To address this problem, homeless individuals are being housed in local motels with funding from FEMA, federal grants, and the Homeless Initiative Program. The County will continue to work with our community partners and local motels to house our homeless population while the COVID-19 guidelines are in place.

Cumberland County has a high population of veterans due to the presence of Ft. Bragg, and several organizations in the region target our homeless veteran population. The Salvation Army has beds designated for veterans. Volunteers of America works with the Veterans Administration and our Coordinated Entry System to provide housing and employment training, with a focus on female homeless veterans. Veteran Services of the Carolinas serves veterans in Cumberland County through the Homeless Veterans Reintegration Program (HVRP) grant, helping homeless veterans who need assistance to enter, re-enter, remain, or advance in the workforce.

### **Transitional Housing**

The County operates a Transitional Housing program called Robin's Meadow and partners with Coordinated Entry and domestic violence shelters to house families who are literally homeless or fleeing domestic violence. This program allows families to reside in an apartment for 12 months while they apply for permanent housing and address any barriers that may prevent them from acceptance into permanent housing, including unemployment, substance abuse, bad credit, or criminal history. Robin's Meadow served approximately 15 families in the 2020 program year, and the County anticipates the same in 2021.

The County will participate in the PATH program and enter into a Memorandum of Understanding with



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Communicare, Inc. for the 2021 Program Year to provide services to homeless individuals with severe mental illness.

Additional programs have been created to address those displaced by Hurricane Florence, which is run through the Back at Home Program for disaster relief and administered by Volunteers of America. The County is developing a project to build new townhomes at the Robin's Meadow location for displaced persons to utilize in the event of future disasters.

**Helping homeless persons (especially chronically homeless individuals and families, families with children, veterans and their families, and unaccompanied youth) make the transition to permanent housing and independent living, including shortening the period of time that individuals and families experience homelessness, facilitating access for homeless individuals and families to affordable housing units, and preventing individuals and families who were recently homeless from becoming homeless again**

#### **Rapid Rehousing**

The County will continue to work closely with the City and community partners of the FCCCoC to help homeless individuals and families make the transition from homelessness to permanent housing. The Coordinated Entry System evaluates individuals when they present themselves, then will be directed toward the emergency shelter, transitional housing, or permanent supportive housing facilities that will best meet their needs. Cumberland County, along with the State of North Carolina, has prioritized expanding our rapid rehousing programs, and a lack of suitable landlords has been identified as a barrier to quickly housing our homeless population. The County will increase efforts to recruit landlords with incentives, including down payments, extra rental payments, and repair costs.

#### **Permanent Supportive Housing**

Cumberland County has also identified a need for additional permanent supportive housing. According to care providers, approximately 20% of the homeless people in the area require more substantive services. These services could be provided through additional permanent supportive housing. Many of the organizations associated with the FCCCoC focus on providing additional services to complement housing services. These services include job training, health services, and case management.

#### **Increasing affordable housing**

Cumberland County has partnered with Kingdom Community Development Corporation to develop affordable housing units in the Town of Spring Lake, using CDBG and HOME funds for acquisition, infrastructure, and construction. This will be a multi-year project, and construction should begin this year. The County has also allocated CDBG funding for the Fayetteville Metropolitan Housing Authority's Hillside

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Manor project, to replace the HVAC system for a facility that provides affordable housing to seniors.

### **Public Services**

The County allocates CDBG funding each year for public services, with The Salvation Army, Cumberland County Medication Access Program, Better Health of Cumberland County, Cumberland HealthNET, and Fayetteville Urban Ministry receiving funding for the 2020 Program Year. These organizations provide health and medication services, financial assistance to homeless individuals, and other supportive services. The County will continue to allocate CDBG funding for Public Service Programs to community partners for Program Year 2021.

**Helping low-income individuals and families avoid becoming homeless, especially extremely low-income individuals and families and those who are: being discharged from publicly funded institutions and systems of care (such as health care facilities, mental health facilities, foster care and other youth facilities, and corrections programs and institutions); or, receiving assistance from public or private agencies that address housing, health, social services, employment, education, or youth needs.**

### **Prevention Services**

For Program Year 2021, the County will continue to allocate funding to community partners for prevention services and direct financial assistance; previous recipients include Endeavors, Fayetteville Urban Ministry, and Kingdom CDC. Additionally, the County and City of Fayetteville are collaborating to distribute federal funding received from the Treasury Department and will begin jointly implementing the Emergency Rental Assistance Program (ERAP) in early Spring, 2021.

The County will continue to work with the City, the FCCCoC, and other community partners to identify and address any gaps in service that may occur due to discharge from institutions and systems of care. Increasing the regular participation of representatives from these facilities in the FCCCoC will be a goal for Program Year 2021.

Cumberland County Department of Social Services provides a variety of services to low-income people to provide them with support and help them maintain stability. These services target populations that have a significant amount of crossover with homeless populations, such as addiction and mental health services.

### **Discussion**

Not Applicable.

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## **AP-75 Barriers to affordable housing – 91.220(j)**

### **Introduction:**

The City of Fayetteville's and Cumberland County's 2020 Analysis of Impediments to Fair Housing Choice has identified the following impediments, along with goals and strategies to address those impediments and affirmatively further fair housing in the City and County:

**Actions it planned to remove or ameliorate the negative effects of public policies that serve as barriers to affordable housing such as land use controls, tax policies affecting land, zoning ordinances, building codes, fees and charges, growth limitations, and policies affecting the return on residential investment**

**Impediment 1: Fair Housing Education and Outreach** - There is a continuing need to educate persons about their rights under the Fair Housing Act and to raise community awareness to affirmatively further fair housing choice, especially for low-income residents, minorities, and the disabled population.

**Goal:** Improve the public's and local officials' knowledge and awareness of the Fair Housing Act, related laws, regulations, and requirements to affirmatively further fair housing throughout the City of Fayetteville and Cumberland County.

**Strategies:** To meet this goal, the following activities and strategies may be undertaken by the City of Fayetteville and Cumberland County:

- **1-A:** Continue to promote Fair Housing awareness through the media, hosting seminars, and training to provide educational opportunities for all persons to learn about their rights under the Fair Housing Act and Americans with Disabilities Act.
- **1-B:** Continue to prepare and distribute literature and informational material concerning fair housing issues, an individual's housing rights, and a landlord's responsibilities to comply with the Fair Housing Act by making reasonable accommodations.
- **1-C:** Educate residents that they have the right to live outside concentrated areas of poverty.
- **1-D:** Work with the local Board of Realtors to educate and promote fair housing.
- **1-E:** Strive for better intergovernmental cooperation between state and local partners, as well as community groups, to effectively identify and address potential barriers to affordable housing choice.
- **1-F:** Publish forms, informational material, etc. in both English and Spanish.

**Impediment 2: Quality of Rental Housing vs. Affordability** - The City of Fayetteville and Cumberland County have a large supply of rental housing that does not meet the minimum property standards and 35.9% of all households are cost overburdened and spend 30% or more of their monthly income on housing.

**Goal:** Increase the supply of decent, safe, sound and affordable rental housing through new construction and rehabilitation.

**Strategies:** To meet this goal, the following activities and strategies may be undertaken by the City of

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Fayetteville and Cumberland County:

- **2-A:** Provide funding and incentives for the rehabilitation of rental housing for low- and moderate-income renters.
- **2-B:** Continue to enforce local codes and ordinances, and develop a Rental Registry Program in the City of Fayetteville and Cumberland County.
- **2-C:** Promote and encourage the Public Housing Authority to offer Section 8 Housing Choice Voucher holders the option to convert to homeownership.
- **2-D:** Continue to support Low Income Housing Tax Credit applications to develop decent, safe, sound and affordable rental housing.
- **2-E:** Target and rehabilitate rental housing in the Murchison Road Corridor and Shaw Heights Neighborhood Revitalization Strategy Areas.

**Impediment 3: Lack of Quality Affordable Homeowner Housing** - There is a lack of housing resources for low- and moderate-income households to purchase a home. Many houses that are available for purchase are in need of substantial rehabilitation work.

**Goal:** Increase the supply of various types of affordable housing for sale through new construction and rehabilitation activities.

**Strategies:** To meet this goal, the following activities and strategies may be undertaken by the City of Fayetteville and Cumberland County:

- **3-A:** Financially support and assist low- and moderate-income households to purchase homes at affordable prices throughout Cumberland County.
- **3-B:** Support and promote the development of affordable infill housing on vacant land.
- **3-C:** Continue to fund and support homeowner rehabilitation and emergency repair programs.
- **3-D:** Provide financial and development incentives to private developers and non-profits to construct and/or rehabilitate affordable housing.
- **3-E:** Encourage and promote the development, construction, and/or rehabilitation of mixed-income housing in areas that are not low-moderate income.
- **3-F:** Target and rehabilitate homeowner-occupied housing in the Murchison Road Corridor in Fayetteville and the Shaw Heights Neighborhood in Cumberland County.

**Impediment 4: Continuing Need for Accessible Housing Units** - As an older built-up environment, there is a lack of accessible housing units in the City of Fayetteville and Cumberland County. 21.9% of the County's housing units (including the City of Fayetteville) were built over 60 years ago and do not have accessibility features, while 16.6% of the County's population is classified as disabled.

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**Goal:** Increase the number of accessible units for the physically disabled and developmentally delayed through new construction and rehabilitation of existing housing.

**Strategies:** To meet this goal, the following activities and strategies may be undertaken by the City of Fayetteville and Cumberland County:

- **4-A:** Promote programs to increase the amount of accessible housing through rehabilitation of existing housing stock by homeowners and landlords.
- **4-B:** Encourage the development of new construction of accessible and visitable housing through financial or development incentives.
- **4-C:** Continue to enforce ADA and Fair Housing requirements for landlords to make “reasonable accommodations” for tenants who are disabled.
- **4-D:** Continue to promote programs to assist elderly homeowners with accessibility improvements to their properties so they may remain in their own homes.

**Impediment 5: Economic Issues Affecting Housing Choice** - There is a lack of economic opportunities in the City of Fayetteville and Cumberland County which prevents low-income households from increasing their financial resources to be able to choose to live outside areas of concentrated poverty.

**Goal:** The local economy will continue to improve by providing new job opportunities, which will increase household income, and will promote fair housing choice.

**Strategies:** To meet this goal, the following activities and strategies may be undertaken by the City of Fayetteville and Cumberland County:

- **5-A:** Strengthen partnerships that enhance local businesses, expand the tax base, and create a more sustainable economy for residents and businesses.
- **5-B:** Support and enhance workforce development and skills training that results in increased job opportunities and a living wage.
- **5-C:** Continue to support programming that enhances entrepreneurship and small business development, expansion, and retention within low- and moderate-income, and minority neighborhoods.
- **5-D:** Continue to promote and encourage economic development with local commercial and industrial firms to expand their operations and increase employment opportunities.
- **5-E:** Support and enhance entrepreneurship training programs, with a particularly focus on programs that assist women, minority, and veteran-owned businesses.

**Impediment 6: Impacted Areas of Concentration** - There are specific high poverty, racially segregated areas throughout the City of Fayetteville and Cumberland County where the concentration of low- income minority persons exceeds 70% of the area’s corresponding population.

**Goal:** Promote the de-concentration of minorities outside the Central and Northern sections of the City of Fayetteville and areas of the County bordering Fort Bragg in order to reduce minority concentration.

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**Strategies:** To meet this goal, the following activities and strategies may be undertaken by the City of Fayetteville and Cumberland County:

- **6-A:** Support, promote, and plan for affordable housing developments outside areas of minority concentration.
- **6-B:** Market and promote housing opportunities for minorities outside areas of minority concentration.
- **6-C:** Provide assistance to minority households to locate their residences outside areas of high minority concentration.

**Discussion:**



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## **AP-85 Other Actions – 91.220(k)**

### **Introduction:**

The community will use funding from various available resources to expand affordable housing units for low- to moderate- income persons. Partnering agencies within the community will continue to apply for funding through the State Emergency Solutions Grant program and other funding sources to help alleviate some of the problems with the homeless population.

Cumberland County has developed the following actions planned to: address obstacles to meeting underserved needs, foster and maintain affordable housing, reduce lead-based hazards, reduce the number of poverty-level families, develop institutional structures, and enhance coordination between public and private housing and social service agencies.

### **Actions planned to address obstacles to meeting underserved needs**

The primary obstacle in meeting underserved needs is the lack of funding resources available for affordable housing targeted to very low, low to moderate income persons and housing for the homeless with comprehensive case management and support services. Through the Fayetteville / Cumberland County Continuum of Care on Homelessness network, improvements are being made on how services are coordinated in the community. This process helps prioritize the needs of those who are the most vulnerable in the community and ensures this population is able to access services.

The community will use funding from various available resources to expand affordable housing units for low- to moderate- income persons. Partnering agencies within the community will continue to apply for funding through the State Emergency Solutions Grant program and other funding sources to help alleviate some of the problems with the homeless population.

Despite efforts made by Cumberland County and social service providers, a number of significant obstacles remain to meeting underserved needs. With funding resources being scarce, funding becomes the greatest obstacle for Cumberland County to meet its underserved needs. Insufficient funding lessens the ability to fund many worthwhile public service programs, activities, and agencies. Through its planning efforts, the County will use its limited resources to address Cumberland County's greatest needs and improve the quality of life for its residents. The following obstacles need to be overcome in order to meet underserved needs:

- Lack of decent, safe, sound, and affordable owner and renter housing.
- The transition of owner-occupied housing into renter-occupied housing.
- Aging in place population who need accessibility improvements.
- Need major rehabilitation of the County's aging housing stock.
- The increasing number of vacant and abandoned properties.
- Low wages in the service and retail sector job market.
- Vacant and abandoned buildings in major commercial corridors.

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## **Actions planned to foster and maintain affordable housing**

To foster and maintain affordable housing, Cumberland County proposes the following Five-Year Goals and Strategies:

- **HSS-1 Homeownership Assistance** - Promote and assist in developing homeownership opportunities for low- and moderate-income households.
- **HSS-2 Housing Construction** - Promote and assist in the development of new affordable housing inventory for both rental and sales housing.
- **HSS-3 Housing Rehabilitation** - Promote and assist in the preservation of existing owner and renter occupied housing inventory in Cumberland County.
- **HSS-4 Fair Housing** - Affirmatively further fair housing by promoting fair housing choice throughout Cumberland County.
- **HSS-5 Housing Education** - Promote and assist in educating homeowners, tenants, landlords, and new homebuyers in best practices for purchase and maintenance of affordable housing rentals, including foreclosure and eviction prevention.
- **HSS-6 Housing Purchase** - Provide funds for down payment assistance and acquisition for rehabilitation to make housing affordable to low- and moderate-income persons and families.

Cumberland County Community Development will continue to encourage developers that seek funding through the department, to set aside a certain percentage of developed units for households with incomes at or below 30% of the area median income. Cumberland County intends to reprogram previous year's CDBG and HOME funds into housing construction and housing rehabilitation to meet the need for affordable housing. Cumberland County is designating a Neighborhood Revitalization Strategy Area in the Shaw Heights Neighborhood, and will be targeting resources for infrastructure development in this area, followed by housing development and rehabilitation.

Cumberland County will continue to work with the Fayetteville-Cumberland County Human Relations Commission during this program year to again provide education and outreach.

## **Actions planned to reduce lead-based paint hazards**

The revised Federal lead-based paint regulations published on September 15, 1999 (24 CFR Part 35) have had a significant impact on many activities – rehabilitation, tenant based rental assistance, and property acquisition – supported by the CDBG and HOME programs. Cumberland County will comply with Title 24 Part 35: Lead-Based Paint Poisoning Prevention in Certain Residential Structures (Current Rule).

For any housing rehabilitation program using Federal funds, Cumberland County will ensure that:

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- A pre-test is conducted for rehabilitation activities in housing units built before 1978 with occupants with children.
  - A post-test is conducted for rehabilitation activities in housing units built before 1978 without children.
  - Applicants for rehabilitation funding receive the required lead-based paint information and understand their responsibilities.
  - Staff properly determines whether proposed projects are exempt from some or all lead-based paint requirements.
  - The level of federal rehabilitation assistance is properly calculated and the applicable lead-based paint requirements determined.
  - Properly qualified personnel perform risk management, paint testing, lead hazard reduction, and clearance services when required.
  - Required lead hazard reduction work and protective measures are incorporated into project rehabilitation specifications.
  - Risk assessment, paint testing, lead hazard reduction, and clearance work are performed in accordance with the applicable standards established in 24 CFR Part 35.
  - Required notices regarding lead-based paint evaluation, presumption, and hazard reduction are provided to occupants and documented.
  - Program documents establish the rental property owner's responsibility to perform and document ongoing lead-based paint maintenance activities, when applicable.
  - The contractor handbook includes guidelines prohibiting the use of lead-based paints in new construction and citing safety regulation 40 CFR Part 745 for housing rehabilitation.

Program staff monitors owner compliance with ongoing lead-based paint maintenance activities, when applicable.

In addition, The Community Development Department's housing rehabilitation staff will continue to receive training to implement lead-based paint safe work practices. Actions taken include implementation of lead-based paint hazard reduction measures as part of our housing rehabilitation program to comply with 24 CFR 35; contractors who rehabilitate homes built prior to 1978 are required to attend Safe Work Practices training for lead-based paint; staff persons are trained in the new HUD/EPA regulations that require contractors to use safe work practices to mitigate lead-based paint hazards in private homes and childcare centers; and distribution of the brochure to all housing rehabilitation program applicants on the hazards of lead-based paint ("The Lead-Safe Certified Guide To Renovate Right").

### **Actions planned to reduce the number of poverty-level families**

According to the 2013-2017 American Community Survey, approximately 18.2% of Cumberland County's

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residents live in poverty, which is higher than the State of North Carolina where 16.1% of residents live in poverty. Female-headed households with children are more affected by poverty at 45.4%. Youth poverty is an acute problem in Cumberland County, as 26.5% of all youth under the age of 18 were living in poverty.

The County's anti-poverty strategy is based on attracting a range of businesses and supporting workforce development, including job-training services for low-income residents. The County allocates a large portion of CDBG funding to economic development activities to provide programs that lift families out of poverty and support small business development. In addition, the County is going to continue to partner with local social service organizations that target low-income residents.

Planned economic development and anti-poverty programs include:

- Job-training services through NCWorks.
- Partnerships for job training with Fayetteville Technical Community College.
- Business consulting with the Center for Economic Empowerment and Development (CEED).
- Homeless prevention services.
- Employment training for homeless persons and special needs populations, including veterans.
- Promotion of new job opportunities.

Cumberland County will continue to make progress in reducing the number of poverty-level families in the community. This is done through leveraging resources and partnering with other human services agencies that provide assistance through programs such as housing rehabilitation and public services programs to assist with medical needs.

### **Actions planned to develop institutional structure**

Cumberland County has years of experience and is well equipped to implement and coordinate activities among public, private and nonprofit agencies. Although funding has continued to decrease over the years, Community Development will continue to streamline processes and procedures for efficiency and effectiveness, in addition to searching for additional funding resources to strengthen its ability to serve and offer programs and services that improve the quality of life for the residents and meet the community's need.

Cumberland County works with the following agencies to enhance coordination:

- **Cumberland County Department of Community Development** - oversees the CDBG and HOME programs and oversees the Continuum of Care for Fayetteville-Cumberland County.
- **Fayetteville Metropolitan Housing Authority** - oversees the improvements to public housing communities and the Section 8 Housing Choice Voucher Program.
- **United Management II** - oversees development of affordable housing through Low-Income

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Housing Tax Credits (LIHTC).

- **Social Services Agencies** - the County provides funds to address the needs of low- and moderate-income persons.
- **Housing Providers** - the County provides funds to rehabilitate and develop affordable housing for low- and moderate-income families and individuals.
- **Cumberland County Department of Social Services** - provides mainstream social services to individuals and families in Cumberland County and the City of Fayetteville.

As part of the CDBG and HOME application planning process, local agencies, and organization are invited to submit proposals for CDBG and HOME funds for eligible activities. These groups participate in the planning process by attending the public hearings, informational meetings, and completing survey forms.

### **Actions planned to enhance coordination between public and private housing and social service agencies**

Cumberland County Community Development will enhance the coordination between agencies by providing funding through a request for proposal process to eligible agencies to improve access to services.

**Public Institutions:** The County will act as a clearinghouse and facilitator for many of the activities described in the annual action plan. As the local unit of government, the County is empowered to apply for and administer certain types of grants. Support from the County, expressed as a certification of consistency or some other instrument, may be all that is required for some activities. Other activities will involve the more direct participation of the County for funding, acquisition of land or buildings, or in convening meetings of various agencies coordinate strategies on how to seize opportunities. The County will continue to administer the CDBG and HOME programs.

The Fayetteville Metropolitan Housing Authority administers public housing and Section 8 Housing Choice Voucher programs throughout the County. This Authority is responsible for the management and maintenance of public housing units. The Housing Authority will continue in its efforts to modernize these public housing units in order to provide decent, affordable housing in the County.

Cumberland County is the lead entity for the Fayetteville-Cumberland County CoC, and coordinates strategies to reduce homelessness and provide services for those that are homeless in the County. Efforts are made to coordinate with developers to create permanent supportive housing units, and with shelters and care providers to transition the homeless population into the housing that meets their specific needs. Cumberland County holds monthly CoC meetings with members to discuss strategies to assist the homeless population in the County.

**Non-Profit Organizations:** Non-profit housing agencies play a role in the implementation of this plan. Through the construction of new housing, and the rehabilitation of existing units, these agencies access financing sources such as the Low-Income Housing Tax Credit, Golden LEAF funding, and charitable

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contributions that increase the supply of affordable housing. While some groups focus on the rehabilitation of single units for resale to first time homebuyers, others have attempted to create assisted rental developments. In the future, the union of such groups with social service agencies that serve specific special needs populations will address the Five-Year Consolidated Plan strategy for creation of supportive housing and affordable housing opportunities.

Social service agencies are a link between the provision of housing and the population it is intended to serve. The agencies work directly with providers of services to persons with special needs including: mental health, elderly, drug and alcohol addiction and families that are at-risk of becoming homeless. Although these agencies cannot provide housing, they can direct housing efforts where needed and are integral in the planning of housing and services for target populations. Emergency shelters, including the Salvation Army and Endeavors, will continue to provide shelter for the homeless.

**Private Industry:** The County partners with agencies and organizations that coordinate economic development activities. The County partners with the City of Fayetteville's Department of Economic & Community Development, which has multiple programs to assist in job development and retention that are targeted toward private businesses. Small business consulting, loans, and grants are designed to assist entrepreneurs in areas with high low- and moderate-income populations. Additionally, larger financial incentive programs are implemented by the County to recruit businesses that provide jobs that pay decent wages for residents of the County.

### **Discussion:**

Cumberland County allocates CDBG and HOME funds annually to implement actions designed to accomplish goals and objectives that meet community needs identified in its Consolidated Plan. Consequently, the County is responsible for ensuring that funding recipients (i.e., subrecipients and CHDOs) comply with applicable regulations and requirements governing their administrative, financial and programmatic operations. In accordance with 24 CFR 91.230, the County utilizes a local monitoring and compliance plan that describes the standards and procedures that will be used to monitor activities carried out in each One-Year Action Plan and will be used to ensure long-term compliance with requirements of the programs involved; the plan also includes a schedule of projected monitoring visits for the program year.

The County's monitoring and compliance plan is designed to accomplish the following objectives:

**Pre-disbursement / pre-monitoring conferences** are conducted to ensure that sub grantees understand the rules and requirements of the programs. During each conference, specific contract requirements, documentation and filing procedures, reporting requirements, and reimbursement procedures were explained to the sub grantee.



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**Desk reviews** are conducted periodically as requests for reimbursements are submitted by the sub grantees on a monthly basis to ensure timely expenditure of funds. The County disburses its funds via a reimbursement process. The County reimburses sub grantees only when a request for reimbursement was accompanied with supporting documentation such as copies of invoices, cancelled checks, receipts, time sheets, etc. Sub-grantees were also required to submit budget summary reports so that these reports can be compared for accuracy. Activity summary reports are required to be submitted on a regular basis to monitor the sub grantee's progress towards meeting their goals.

**Onsite monitoring visits** are performed during the program year on selected sub-grantees. Some of the areas reviewed most often during onsite visits include:

- Compliance with participant eligibility, income certification requirements, and documentation guidelines; and reporting;
- Confidentiality procedures;
- Progress towards meeting projected goals and timely use of funds;
- Compliance with specific contractual requirements; and
- Review of audit report.

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## Program Specific Requirements

### AP-90 Program Specific Requirements – 91.220(l)(1,2,4)

#### Introduction:

#### **Community Development Block Grant Program (CDBG) Reference 24 CFR 91.220(l)(1)**

Projects planned with all CDBG funds expected to be available during the year are identified in the Projects Table. The following identifies program income that is available for use that is included in projects to be carried out.

1. The total amount of program income that will have been received before the start of the next program year and that has not yet been reprogrammed	\$0.00
2. The amount of proceeds from section 108 loan guarantees that will be used during the year to address the priority needs and specific objectives identified in the grantee's strategic plan	\$0.00
3. The amount of surplus funds from urban renewal settlements	\$0.00
4. The amount of any grant funds returned to the line of credit for which the planned use has not been included in a prior statement or plan.	\$0.00
5. The amount of income from float-funded activities	\$0.00
<b>Total Program Income</b>	<b>\$0.00</b>

#### Other CDBG Requirements

1. The amount of urgent need activities	\$0.00
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2. The estimated percentage of CDBG funds that will be used for activities that benefit persons of low and moderate income. Overall Benefit - A consecutive period of one, two or three years may be used to determine that a minimum overall benefit of 70% of CDBG funds is used to benefit persons of low and moderate income. Specify the years covered that include this Annual Action Plan.

100%

**HOME Investment Partnership Program (HOME)  
Reference 24 CFR 91.220(l)(2)**

1. A description of other forms of investment being used beyond those identified in Section 92.205 is as follows:

Cumberland County does not intend to use any other forms of investment other than those described in 24 CFR 92.205(b).

2. A description of the guidelines that will be used for resale or recapture of HOME funds when used for homebuyer activities as required in 92.254, is as follows:

In applying the resale provisions to affordable housing development for homeownership, the County will designate a unit as an affordable unit. When a unit is designated affordable and it is sold during the affordability period, the sale must meet the following criteria:

The new purchaser must be low-income, meeting the HOME Program definition, and occupy the property as the family's principle residence.

The sales price must be "affordable" to the new purchaser. Cumberland County Community Development defines affordable as the homebuyer paying no more than 30% of their annual gross income toward principal, interest, taxes, and insurance (PITI).

The County will ensure that the housing will remain affordable to a reasonable range of low- income homebuyers whose incomes fall within the range of 60% to 80% of the area median income.

3. A description of the guidelines for resale or recapture that ensures the affordability of units acquired with HOME funds? See 24 CFR 92.254(a)(4) are as follows:

Cumberland County's resale recapture guidelines for units acquired with HOME funds break down in the following manner:

**HOME amount per unit**

**Minimum Period of Affordability**

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Under \$15,000	5 years
\$15,000 to \$40,000	10 years
Over \$40,000	15 years

4. Plans for using HOME funds to refinance existing debt secured by multifamily housing that is rehabilitated with HOME funds along with a description of the refinancing guidelines required that will be used under 24 CFR 92.206(b), are as follows:

Cumberland County does not intend to refinance any existing debt for multifamily housing that will be rehabilitated with HOME Funds.

**Discussion:**

Cumberland County and the City of Fayetteville both receive HOME funds. For this reason, Cumberland County does not participate in a HOME Consortium.

PUBLIC NOTICE  
CUMBERLAND COUNTY COMMUNITY  
DEVELOPMENT  
2021 ANNUAL ACTION PLAN PUBLIC  
REVIEW & COMMENT PERIOD

In continuing our efforts to enhance citizen participation among County residents, Cumberland County Community Development (CCCD) has made available for your review and comment a draft of the 2021 Annual Action Plan. The 2021 Annual Action Plan, which must be submitted to the United States Department of Housing and Urban Development (HUD), describes the specific projects that will be undertaken in the 2021 Program Year (July 1, 2021 - June 30, 2022).

Due to temporary closures of certain facilities and to help protect the community and staff from the spread of novel coronavirus (COVID-19), the draft plan at the Cumberland County Community Development Department will be available for review from March 22, 2021 through April 20, 2021 by appointment only. The Department's office is located at 707 Executive Place, Fayetteville, NC 28302. Copies of the draft plan will be available for review on Cumberland County's website at [www.co.cumberland.nc.us](http://www.co.cumberland.nc.us) (through the Community Development Department), or upon request, can be emailed to you.

A draft of the 2021 Annual Action Plan will also be available at the following locations for review from March 22, 2021 through April 20, 2021. Please contact your local Town Hall to determine if they are open to the public or by appointment only.

Eastover Town Hall, 3863 Dunn Rd, Eastover, NC  
Falcon Town Hall, 7156 West Street, Falcon, NC

Godwin Town Hall, 7827 Royal Street, Godwin, NC

Hope Mills Town Hall, 3411 Golfview Road, Hope Mills, NC

Linden Town Hall, 9456 Academy Street, Linden

Spring Lake Town Hall, 300 Ruth Street, Spring Lake, NC

Stedman Town Hall, 5110 Front Street, Stedman

Wade Town Hall, 7128 Main St, Wade, NC

PUBLIC HEARING

All citizens of Cumberland County are invited to listen in on the public hearing that will be held live on April 19, 2021 via the Cumberland County website ([co.cumberland.nc.us](http://co.cumberland.nc.us)), Facebook page ([facebook.com/CumberlandNC](https://facebook.com/CumberlandNC)), YouTube

([youtube.com/user/CumberlandCountyNC/videos](https://youtube.com/user/CumberlandCountyNC/videos)), and on Cumberland County North Carolina TV (CCNC-TV) Spectrum Cable Channel 5. The meeting will begin at 6:45 p.m.

CCCD is committed to providing equal access to its facilities, programs, and services for persons with disabilities by holding all meetings in locations that are handicapped accessible. Individuals requesting any form of reasonable accommodations for public meetings/hearings should do so five (5) business days prior to the advertised meeting. However, if a request is made within the five (5) business days, every reasonable effort will be made to accommodate the request.

If you have questions or comments con-

cerning the 2021 Annual Action Plan or the public hearing, call (910) 323-6112 / TTY: (910) 223-9386.

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## **FINANCE OFFICE**

### **MEMORANDUM FOR BOARD OF COMMISSIONERS AGENDA OF APRIL 19, 2021**

**TO: BOARD OF COUNTY COMMISSIONERS**

**FROM: VICKI EVANS, FINANCE DIRECTOR**

**DATE: 4/8/2021**

**SUBJECT: CONFIRMATION OF PRIORITIES AND PROJECTS WITHIN THE  
CAPITAL PLANNING MODEL**

#### **BACKGROUND**

During the February 16, 2021 Special Meeting of the Board of County Commissioners, seven items were prioritized by the Board. Those items include:

Performing Arts Center  
Grays Creek Water Access  
Countywide Water (drinking water quality)  
County Facility Asset Inventory and Audit  
Homelessness  
Government Communication  
Economic Development

In comparison, the capital planning model is currently not consistent with three of the capital project priorities on the list above. The table below on the left identifies each capital project and related feasibility study as it is currently presented within the model. The table on the right shows proposed changes to update the model to be consistent with current capital priorities. Proposed changes are highlighted in yellow.



Current Capital Planning Model			Proposed Updated Capital Planning Model		
Fiscal Year Ending	Project Estimate	Project Description	Fiscal Year Ending	Project Estimate	Project Description
2021	\$ 277,944	Feasibility Study - Grays Creek Water	2021	\$ 277,944	Feasibility Study - Grays Creek Water
2021	500,000	Feasibility Study - County Facilities	2021	500,000	Feasibility Study - County Facilities
2022	50,000,000	Performing Arts Center	2023	50,000,000	Performing Arts Center
2022	7,500,000	Civil War Museum	remove		
2022	35,000,000	County General Services Building/Courthouse Renovation	2023	35,000,000	County General Services Building/Courthouse Renovation
2025	20,000,000	Grays Creek Water	2025	20,000,000	Grays Creek Water
2033	70,000,000	Water Expansion	2033	70,000,000	Water Expansion

Please note: Project estimates can be updated at a later time, upon receipt of feasibility study results.

This item was discussed during the April 8, 2021 Agenda Session meeting. Removal of the Civil War Museum came into question because it was on the project list as a result of a Resolution of the Board of Commissioners. To provide clarity, the County Attorney stated that the Board of Commissioners' Resolution in support of the Civil War Museum was no longer applicable.

#### **RECOMMENDATION / PROPOSED ACTION**

Approval of the following updates to the Capital Planning Model:

- Change the Performing Arts Center project debt takeout from fiscal year ending 2022 to 2023,
- Remove the Civil War Museum project from the model, and
- Change the County General Services Building/Courthouse Renovation project debt takeout from fiscal year ending 2022 to 2023.



**OFFICE OF THE COUNTY ATTORNEY**

**MEMORANDUM FOR BOARD OF COMMISSIONERS AGENDA OF APRIL 19, 2021**

**TO: BOARD OF COUNTY COMMISSIONERS**

**FROM: COUNTY ATTORNEY**

**DATE: 4/13/2021**

**SUBJECT: CONSIDERATION OF AMENDMENT OF SECTION 605, HOLIDAYS, OF  
THE CUMBERLAND COUNTY PERSONNEL ORDINANCE**

**BACKGROUND**

At its meeting February 15, 2021, the Board approved the addition of a floating holiday to the County's current holiday schedule. The Board's action constituted an amendment to the County's Personnel Ordinance which must be formally adopted. The County's Finance Director has requested that the language in the ordinance also be clarified to state that it applies only to full-time and part-time employees with benefits. The attached Ordinance Amendment incorporates the amendment to Section 605, Holidays, as approved by the Board at its Agenda Session April 8, 2021. The vote was not unanimous.

**RECOMMENDATION / PROPOSED ACTION**

County attorney recommends the amendments be approved to make the ordinance consistent with the Board's action and payroll policy.

**ATTACHMENTS:**

Description	Type
Floating Holiday Amendment	Backup Material

**AN ORDINANCE OF THE CUMBERLAND COUNTY BOARD OF COMMISSIONERS  
TO AMEND SECTION 605, HOLIDAYS  
OF THE CUMBERLAND COUNTY PERSONNEL ORDINANCE**

**WHEREAS**, to make the County's holiday schedule more inclusive, the County's Diversity, Equity and Inclusion Advisory Committee, after lengthy discussion and consideration, recommended several options to the Executive Steering Committee. From those options, the Executive Steering Committee recommended that the County add a floating holiday in addition to keeping the current 12 holidays as provided for under Section 605, to offer employees the opportunity to support diversity and offer flexibility by giving employees discretion to choose a holiday, event or paid day off that is significant to them.; and

**WHEREAS**, the Board of Commissioners approves the Committee's recommendation.

**NOW, THEREFORE**, the Cumberland County Board of Commissioners ordains as follows:

1. Article VI, Section 605 of the Cumberland County Personnel Ordinance is amended by inserting a second sentence in Section 605(a), inserting clarifying language in the last sentence in Section 605(a), and inserting a second sentence in Section 605(b), with Section 605 to read in its entirety as follows:

**Section 605. Holidays**

- (a) The County shall observe the same holidays as the State of North Carolina. In addition, all eligible employees can take one additional floating holiday to be taken during the course of a calendar year. All full-time or part-time employees with benefits in a pay status the day before the holiday shall be eligible.
- (b) The County manager shall develop and implement holiday pay administration procedures consistent with applicable federal and state laws.

2. This ordinance shall be effective upon its final adoption as by law provided.

This the 19<sup>th</sup> day of April, 2021.

\_\_\_\_\_  
CHARLES EVANS  
Chairman, Board of Commissioners

ATTEST:

\_\_\_\_\_  
CANDICE WHITE  
Clerk to the Board



**OFFICE OF THE COUNTY ATTORNEY**

**MEMORANDUM FOR BOARD OF COMMISSIONERS AGENDA OF APRIL 19, 2021**

**TO: BOARD OF COUNTY COMMISSIONERS**

**FROM: COUNTY ATTORNEY FOR CHAIRMAN EVANS**

**DATE: 4/14/2021**

**SUBJECT: CONSIDERATION OF ESTABLISHING COMMISSIONER WORK  
GROUP TO DEVELOP PLAN FOR USE OF ARP FUNDS**

**BACKGROUND**

Chairman Evans has requested Vice-chairman Adams and Commissioners Keefe and Stewart to serve as a workgroup to assist with developing a plan for the County's use of the American Rescue Program funds, estimated at approximately \$65 million. The Board's Rules of Procedure do not vest authority in the Chair to establish or make appointments to committees and require that all action taken by the Board be done by motion. For this reason, Chairman Evans requests the Board to take action to establish the American Rescue Program Workgroup, consisting of these three commissioners, for the purposes of developing a plan to maximize the uses of the American Rescue Plan funding and advising the full Board on the plan, with the Workgroup to serve as a committee of the Board in the capacity of a public body.

**RECOMMENDATION / PROPOSED ACTION**

Chairman Evans asks the Board to accept his request as a motion made by him to establish the American Rescue Program Workgroup, consisting of Vice-chairman Adams and Commissioners Keefe and Stewart for the purposes of developing a plan to maximize the uses of the American Rescue Plan funding and advising the full Board on the plan, with the Workgroup to serve as a committee of the Board in the capacity of a public body.



**OFFICE OF THE COUNTY ATTORNEY**

**MEMORANDUM FOR BOARD OF COMMISSIONERS AGENDA OF APRIL 19, 2021**

**TO: BOARD OF COUNTY COMMISSIONERS**

**FROM: COUNTY ATTORNEY**

**DATE: 4/14/2021**

**SUBJECT: CONSIDERATION OF THIRD AMENDMENT TO THE ECONOMIC  
DEVELOPMENT INCENTIVES AGREEMENT WITH CAMPBELL SOUP  
SUPPLY COMPANY, L.L.C.**

**BACKGROUND**

Campbell Soup Supply Company, L.L.C., has created thirteen (13) management jobs at the end of 2020 instead of the intended number of eighteen (18). The attached Third Amendment reduces the number of intended management jobs from 18 to 13 for the company to qualify for an incentive payment for 2020.

**RECOMMENDATION / PROPOSED ACTION**

County attorney recommends approval of the Third Amendment and authorization for the county manager to sign it.

**ATTACHMENTS:**

Description	Type
Third Amendment to Campbell Agreement	Backup Material

**THIRD AMENDMENT TO THAT  
ECONOMIC DEVELOPMENT INCENTIVES AGREEMENT**

**between**

**CAMPBELL SOUP SUPPLY COMPANY L.L.C.**

**and**

**CUMBERLAND COUNTY, NORTH CAROLINA**

*This Third Amendment Approved by the Board of Commissioners  
At Its Regular Meeting \_\_\_\_\_, 2021*

THIS THIRD AMENDMENT to that ECONOMIC DEVELOPMENT INCENTIVES AGREEMENT between CAMPBELL SOUP SUPPLY COMPANY, L.L.C. and CUMBERLAND COUNTY, NORTH CAROLINA, which was approved by the Board of Commissioners January 16, 2018 (the "Agreement"), is dated the last date executed by either party to be effective according to the terms set forth herein (as supplemented or amended, this "First Amendment"), and is between, **CAMPBELL SOUP SUPPLY COMPANY L.L.C.**, a Delaware limited liability company having an office at 1 Campbell Place, Camden, NJ 08103 (the "Company"), and **CUMBERLAND COUNTY, NORTH CAROLINA**, a body politic and corporate and a political subdivision of the State of North Carolina, having an address of P.O. Box 1829, Fayetteville, NC 28302-1829 (the "County"). The Company and the County may from time to time hereinafter be referred to individually as a "Party" or collectively as the "Parties."

**RECITALS:**

WHEREAS, the Company wishes to enter into this Third Amendment for the purpose of matching the intended management jobs creation with the actual management jobs creation.

NOW, THEREFORE, for and in consideration of the mutual promises and covenants contained in this Agreement, and for other good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, the Parties hereby agree as follows:

**1.0** Section 3.4 of the Agreement is amended by reducing the intended number of management jobs with annual salaries of at least \$62,000 or \$29.81 per hour from eighteen (18) management jobs to thirteen (13) management jobs.

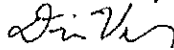
**2.0** All other terms and provisions of the Agreement shall remain in full force and effect.

IN WITNESS WHEREOF, the Parties have caused this Third Amendment to be executed in their corporate and governmental names, respectively by their duly authorized officers, all as of the dates indicated with the signature for each.



CAMPBELL SOUP SUPPLY COMPANY L.L.C.

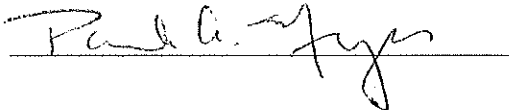
by:



Its Managing Member

Date Signed: 04/08/2021

Attest:



CUMBERLAND COUNTY, NORTH CAROLINA

by:

(SEAL)

Amy Cannon, County Manager

Date Signed: \_\_\_\_\_

Attest:

\_\_\_\_\_  
Candice White, Clerk to the Board

This instrument has been pre-audited in the manner required  
by the Local Government Budget and Fiscal Control Act .

\_\_\_\_\_  
Vicki Evans, Finance Officer

Approved for legal sufficiency. .

\_\_\_\_\_  
Rickey L. Moorefield, County Attorney



## **CLERK TO THE BOARD OF COMMISSIONERS**

### **MEMORANDUM FOR BOARD OF COMMISSIONERS AGENDA OF APRIL 19, 2021**

**TO: BOARD OF COUNTY COMMISSIONERS**

**FROM: KELLIE BEAM, DEPUTY CLERK TO THE BOARD**

**DATE: 4/13/2021**

**SUBJECT: SOUTHEASTERN ECONOMIC DEVELOPMENT COMMISSION (1 VACANCY)**

#### **BACKGROUND**

The Southeastern Economic Development Commission will have the following vacancy on April 30, 2021:

**Robert Van Geons** – completing first term on April 30, 2021.

Eligible for reappointment.

The SEDC recommends the reappointment of Robert Van Geons. (See attached)

#### **RECOMMENDATION / PROPOSED ACTION**

**Nominate an individual to fill the one (1) vacancy above.**

#### **ATTACHMENTS:**

Description

SEDC Nomination Backup Information

Type

Backup Material

**Southeastern Economic Development Commission**

**Member Specifications:**

4 Members from Each Representative County

**Term:** 4 Years

**Compensation:** None

**Duties:**

**Meetings:** Full Board meets one time annually - Usually in April

**Meeting Location:** 707 West Broad Street, Elizabethtown, NC



# SOUTHEASTERN ECONOMIC DEVELOPMENT COMMISSION

*Serving Southeastern North Carolina Since 1968*

## BOARD OF DIRECTORS

Amy Cannon  
Chairman  
Cumberland County

Chuck Heustess  
Vice Chairman  
Bladen County

Mark Ward  
Secretary/Treasurer  
Scotland County

Bill Early  
Brunswick County

Gary Lanier  
Columbus County

Carnell Robinson  
Harnett County

Gwen McGougan  
Hoke County

Randall Johnson  
New Hanover County

Jackie Newton  
Pender County

Martie Butler  
Richmond County

Jerry Stephens  
Robeson County

John Swope  
Sampson County

March 29, 2021

Ms. Amy Cannon, County Manager  
County of Cumberland  
PO Box 1829  
Fayetteville, North Carolina 28302

*Amy*  
Ms. Cannon

The term of Mr. Robert Van Geons on the Southeastern Economic Development Commission (SEDC) Board of Directors will expire on April 30, 2021. Mr. Van Geons is representing Cumberland County and serving on the full board of the Commission.

To ensure that Cumberland County has adequate representation on our Board at all times, and that the Commission meets representation requirements imposed by current Federal legislation, we are requesting that your Board of Commissioners reappoint Mr. Van Geons to the SEDC Full Board. The appointment should be for a four-year term to expire on April 30, 2025.

Once action has been taken, please notify this office in writing. Should there be questions, please call me at (910) 862-6985, Ext. 320. Thank you.

Sincerely,

*Pamela H. Bostic*

Pamela H. Bostic  
Executive Director

CC: Robert Van Geons  
201 Hay Street, Suite 401A  
Fayetteville, NC 28301

EXECUTIVE DIRECTOR  
Pamela H. Bostic

SOUTHEASTERN ECONOMIC DEVELOPMENT COMMISSION  
COUNTY APPOINTEES  
(4-year terms)

**(Minority and elected official requirements.)**

<u>Name/Address</u>	<u>Date Appointed</u>	<u>Term</u>	<u>Expires</u>	<u>Eligible For Reappointment</u>
*Amy Cannon County Manager P.O. Box 1829 Fayetteville, North Carolina 28302 678-7723	4/18	3rd	Sept/21 9/30/21	No
Robert Van Geons Fayetteville Cumberland Economic Development Corporation 411 Forest Lake Road Fayetteville, NC 28305 704-985-3483/500-6464	4/17	1 <sup>st</sup>	Apr/21 4/30/21	Yes
Glenn Adams (B/M) 407 Hilliard Drive Fayetteville, NC 28311 223-1400	10/19	2nd	Oct/23 10/31/23	No
Jeannette M. Council (B/F) PO Box 1829 Fayetteville, NC 28302 678-7771 or 678-7772	09/19	3rd	Sept/23 9/30/23	No

*(BOC voted 9/16/19 to reappoint for a 3<sup>rd</sup> term)*

\*Designated to serve on the Executive Committee.

County Manager attends the Board of Director Meetings held 4<sup>th</sup> Tuesday of each month at 10:00 a.m. till around 12:00 noon; lunch is usually served following the meeting. Location for the meeting is 707 West Broad Street, Elizabethtown, N.C.

*(Commissioners and other position only attend the annual meeting-usually in April)*

Members appointed by the Board of Commissioners in November of 2001.

Terms were staggered initially when members were appointed on 11/5/01.

Contact: Pam Bostic [pbostic@sedcnc.org](mailto:pbostic@sedcnc.org)

Address: PO Box 921, Elizabethtown, NC 28337

Phone: 910-862-6985

Fax: 910-862-1482

Contact persons are Amy Cannon or Pamela Bostic

**APPLICANTS FOR**  
**SOUTHEASTERN ECONOMIC DEVELOPMENT COMMISSION**

<b>NAME/ADDRESS/TELEPHONE</b>	<b>OCCUPATION</b>	<b>EDUCATIONAL BACKGROUND</b>
KEITH, THOMAS J (W/M) 121 S COOL SPRING ST FAYETTEVILLE NC 28301 483-4780/323-3222/850-3222 <a href="mailto:TJK@KEITHVALUATION.COM">TJK@KEITHVALUATION.COM</a> Graduate-County Citizens' Academy: NO Graduate-Institute for Community Leadership: NO Graduate-Leadership Fayetteville: YES Graduate-United Way's Multi-Cultural Leadership Program: NO Graduate-other leadership academy: NO <b>CATEGORY: GENERAL PUBLIC</b>	TOM KEITH & ASSOCIATES COMMERCIAL & INDUSTRIAL APPRAISER	BS, MAI
LOWERY, ELMORE (B/M) 5420 AHOSKIE DRIVE HOPE MILLS NC 28348 910-224-3578 <a href="mailto:DR.ELMORELOWERY@GMAIL.COM">DR.ELMORELOWERY@GMAIL.COM</a> Graduate-County Citizens' Academy: No Graduate-Institute for Community Leadership: No Graduate-Leadership Fayetteville: No Graduate-United Way's Multi-Cultural Leadership Program: No Graduate-other leadership academy: No <b>CATEGORY: GENERAL PUBLIC</b>	EDUCATION FTCC	DOCTORATE MASTERS
SILVERMAN, GARY A (W/M) 1174 DERBYSHIRE ROAD FAYETTEVILLE NC 28314 910-574-9952 <a href="mailto:GSILVERMAN001@GMAIL.COM">GSILVERMAN001@GMAIL.COM</a> Graduate-County Citizens' Academy: NO Graduate-Institute for Community Leadership: NO Graduate-Leadership Fayetteville: NO Graduate-United Way's Multi-Cultural Leadership Program: NO Graduate-other leadership academy: NO <b>CATEGORY: GENERAL PUBLIC</b>	LT COLONEL US ARMY RETIRED/PT INSTRUCTOR	SCHOOL LISTED





## **CLERK TO THE BOARD OF COMMISSIONERS**

### **MEMORANDUM FOR BOARD OF COMMISSIONERS AGENDA OF APRIL 19, 2021**

**TO: BOARD OF COUNTY COMMISSIONERS**

**FROM: KELLIE BEAM, DEPUTY CLERK TO THE BOARD**

**DATE: 4/13/2021**

**SUBJECT: HOME AND COMMUNITY CARE BLOCK GRANT COMMITTEE (1 VACANCY)**

#### **BACKGROUND**

On April 5, 2021, the Board of Commissioners nominated the following individual to fill one (1) vacancy on the Cumberland County Home and Community Care Block Grant Committee:

NOMINEE(S)

Aging Service Provider:

**Meagan Honaker** (new appointment)

I have attached the current membership list for this Committee.

#### **RECOMMENDATION / PROPOSED ACTION**

**Appoint individual to fill the one (1) vacancy above.**

#### **ATTACHMENTS:**

Description

Home and Community Care Block Grant Committee Membership Roster

Type

Backup Material

HOME AND COMMUNITY CARE BLOCK GRANT COMMITTEE  
(PLANNING COMMITTEE FOR AGING SERVICES)  
4 Year Term

<u>Name/Address</u>	<u>Date Appointed</u>	<u>Term</u>	<u>Expires</u>	<u>Eligible For Reappointment</u>
<u>Older Consumer</u>				
Joanne Yokely 302 Abington Street Fayetteville, NC 28314 910-213-4215	12/20	1 <sup>st</sup> full term	Sept/24 9/30/24	Yes
Stephen MacDonald 1783 Cawdor Drive Fayetteville, NC 28304 426-8117 <a href="mailto:SMACDONALD3@NC.RR.COM">SMACDONALD3@NC.RR.COM</a>	12/17	1 <sup>st</sup>	Dec/21 12/31/21	Yes
Paul Taylor 3283 Florida Drive Fayetteville, NC 28301 910-751-0435	2/18	1 <sup>st</sup>	Feb/22 2/28/22	Yes
Rebecca Campbell 7027 Darnell Street Fayetteville, NC 28314 487-7555	12/20	2 <sup>nd</sup>	Sept/24 9/30/24	No
Willie McKoy 1632 Greenock Ave Fayetteville NC 28304	12/20	1 <sup>st</sup>	Dec/24 12/31/24	Yes
Edna Cogdell 734 Ashburton Drive Fayetteville, NC 28301 488-4582/624-4558	12/20	2 <sup>nd</sup>	Sept/24 9/30/24	No
Judy Dawkins 2004 Morganton Rd Fayetteville, NC 28305	12/20	1 <sup>st</sup>	Dec/24 12/31/24	Yes
Rebecca "Becky" Rebec 4010-204 Bardstown Ct Fayetteville, NC 28304 248-535-1804 <a href="mailto:Babchab6@gmail.com">Babchab6@gmail.com</a>	2/18	1 <sup>st</sup>	Feb/22 2/28/22	Yes

<u>Name/Address</u>	<u>Date Appointed</u>	<u>Term</u>	<u>Expires</u>	<u>Eligible For Reappointment</u>
<u>Aging Service Provider</u>				
Kevin Walker 3420 Dorado Cir #304 Fayetteville, NC 28304 734-218-1392/676-8676 <a href="mailto:kevinwalker@rdltherapeutic.com">kevinwalker@rdltherapeutic.com</a>	6/19	1st	Feb/22 2/28/22	Yes
(serving unexpired term; eligible for one additional term)				
Kendra Haywood 603 Sugaridge Lane Fayetteville, NC 28311 354-6743	12/17	1st	Dec/21 12/31/21	Yes
Robert Williams 2517 N. Edgewater Drive Fayetteville, NC 28304 910-484-2596	2/18	1 <sup>st</sup>	Feb/22 2/28/22	Yes
Terri Thomas 508 Spaulding Street Fayetteville, NC 28301	12/20	1st	Dec/24 12/31/24	Yes
Felicia Johnson 2606 Raeford Rd Fayetteville, NC 28303 910-771-4499	2/18	1st	Feb/22 2/28/22	Yes
Devin Trego 1006 McKimmon Road Fayetteville, NC 28303 910-493-3449/610-223-2165 <a href="mailto:devint@legalaidnc.org">devint@legalaidnc.org</a>	2/19	1st	April/22 4/30/22	Yes
(serving unexpired term; eligible for one additional term)				
Lisa Hughes 5524 Shady Pine Ct Hope Mills, NC 28348 339-6579/988-8727/484-0111 <a href="mailto:LHUGHES@CCCCOOA.ORG">LHUGHES@CCCCOOA.ORG</a>	12/17	1st	Dec/21 12/31/21	Yes
Doris Snider Spring Lake Senior Enrichment Center 301 Ruth Street Spring Lake, NC 28390	12/16	2nd	Dec/19 12/31/19	No

<u>Name/Address</u>	<u>Date Appointed</u>	<u>Term</u>	<u>Expires</u>	<u>Eligible For Reappointment</u>
<u>Aging Service Provider</u>				
Helen Godwin 805 Retriever Court Fayetteville, NC 28311 630-3674/670-2451	12/20	2 <sup>nd</sup>	Dec/24 12/31/24	No
<u>Civic Representative</u>				
Robin Kivett Cape Fear Valley 4042 Pleasant View Drive Fayetteville, NC 28312 483-6964/615-5649	12/17	2 <sup>nd</sup>	Nov/20 11/30/20	No
<u>Elected Official</u>				
Frances Collier PO Box 47 Linden, NC 28356	12/20	2 <sup>nd</sup>	Sept/24 9/30/24	No
<u>County Representative</u>				
Amy Cannon County Manager PO Box 1829 Fayetteville, NC 28302-1829	02/11	NA	NA	NA

Meets as needed at various service providers within Cumberland County

Contact: Tracy Honeycutt - 323-4191 x27 - Fax 323-9330 – [thoneycutt@mccog.org](mailto:thoneycutt@mccog.org)



## **PUBLIC UTILITIES DEPARTMENT**

### **MEMORANDUM FOR BOARD OF COMMISSIONERS AGENDA OF APRIL 19, 2021**

**TO: BOARD OF COUNTY COMMISSIONERS**

**FROM: JERMAINE WALKER, COUNTY ENGINEER**

**DATE: 4/14/2021**

**SUBJECT: USE AND OCCUPANCY AGREEMENT WITH NORTH CAROLINA  
DEPARTMENT OF TRANSPORTATION FOR THE NORCRESS SYSTEM**

#### **BACKGROUND**

The Public Utilities Department has received a Use and Occupancy Agreement from North Carolina Department of Transportation (NCDOT) for the NORCRESS system. This agreement between the NCDOT and NORCRESS outlines the terms for pre-existing sewer lines to remain within the highway right-of-way. NCDOT is widening I-95 from I-95 Business/US 301 to SR 1001 (Long Branch Road, Exit 71) to eight lanes. This project requires the relocation and adjustment of specific NORCRESS-owned sewer lines located within NCDOT right-of-way. All work will be completed at the expense of NCDOT and in accordance with General Statute 136-27.1. Included with this agreement is a North Carolina Department of Environmental Quality Permit Application requisite for NCDOT to be able to move forward with relocating the sewer lines. The County Attorney has reviewed the attached Use and Occupancy Agreement.

#### **RECOMMENDATION / PROPOSED ACTION**

This item was presented to the Board of Commissioners' April 8, 2021 Agenda Session and was approved to move forward as a Consent Agenda item for the April 19, 2021 NORCRESS Water & Sewer District Governing Board Meeting. This item was moved forward to the Consent Agenda for the April 19, 2021 Board of Commissioners Meeting. The actions to be pursued are:

1) Authorize the Chairman to sign the Use and Occupancy Agreement with the NCDOT to facilitate the relocation of the NORCRESS-owned sewer lines located within the NCDOT right-of-way

#### **ATTACHMENTS:**

Description

I-5986A NORCRESS Use and Occupancy Agreement

Type

Backup Material



STATE OF NORTH CAROLINA  
DEPARTMENT OF TRANSPORTATION

ROY COOPER  
GOVERNOR

J. ERIC BOYETTE  
SECRETARY

DATE: March 30, 2021

WBS ELEMENT: 47532.3.2  
PROJECT: I-5986A, Section 3  
COUNTY: Cumberland County  
DESCRIPTION: Widen I-95 from I-95 Business/US 301 (Exit 56) to SR 1001 (Long Branch Road, Exit 71) to Eight Lanes

Ms. Amy Hall  
Public Utilities Specialist  
Public Utilities Department, Cumberland County  
113 Gillespie Street, Suite 214  
Fayetteville, NC 28301

SUBJECT: Use and Occupancy Agreement (Design Build Projects) – Northern Cumberland Regional Sewer System (NORCRESS)

Greetings Ms. Hall:

The proposed improvements for the I-95 Design Build project has let. The construction of this project will require the relocation and adjustment of certain sewer lines owned by the NORCRESS and located within the limits of the above noted project. As discussed with you previously, the design and relocation will be handled by the NCDOT Design Build Contractor. This work will be done at the expense of the Department of Transportation in accordance with General Statute 136-27.1.

Attached, for your approval are the Plans and Special Provisions showing the sewer relocation work. In accordance with State and Federal Regulations, it will be necessary for the NORCRESS and the Department of Transportation to agree in writing as to the terms of use and occupancy for the sewer lines to remain within the highway right of way. Accordingly, the following conditions will apply with regards to the sewer lines:

- (1) The sewer lines will be located and accommodated in a manner that will not impair the planned highway or the construction or maintenance or interfere with the safe operation.
- (2) NORCRESS will be responsible for maintenance and service of the sewer lines to be retained within the Department of Transportation's right of way limits in accordance with the mandate of the statutes and such other laws, rules, and regulations that have been or may be validly enacted or adopted now or hereafter.
- (3) That upon satisfactory completion of the relocation work, NORCRESS agrees that it shall release the Department of Transportation from any and all claims for damage in

*Mailing Address:*  
NC DEPARTMENT OF TRANSPORTATION  
1555 MAIL SERVICE CENTER  
RALEIGH, NC 27699-1555

*Telephone:* (919) 707-6690  
*Fax:* (919) 250-4151  
*Customer Service:* 1-877-368-4968

*Website:* [www.ncdot.gov](http://www.ncdot.gov)

*Location:*  
1000 BIRCH RIDGE DRIVE  
RALEIGH, NC 27610

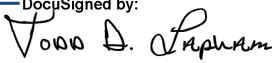


connection with the relocation made to the sewer lines, and further, that it shall release the Department of Transportation of any further responsibility for the cost of maintenance to the sewer lines. This release shall be deemed to be given by the NORCRESS upon completion of construction of the project and its acceptance by the Department of Transportation from the Design Build Contractor unless the NORCRESS notifies the Department of Transportation in writing to the contrary prior to the Department's acceptance of the project.

(4) The Department's Special Provisions binds the contractor to guarantee materials and workmanship against latent and patent defects arising from faulty materials, faulty workmanship or negligence for a period of twelve months following the date of final acceptance of the work for maintenance and shall replace such defective materials and workmanship without cost to the Department. The highway contractor will not be responsible for damage due to faulty design, normal wear and tear, for negligence on the part of the Department, and/or for use in excess of the design. Where items of material carry a manufacturer's guarantee for any period in excess of twelve months, then the manufacturer's guarantee shall apply for that particular piece of material. Appropriate provisions of the payment and/or performance bonds shall cover this guarantee for the project. Should any failure result from the conditions found in line item (4) the Department would then enter into a Contract with the NORCRESS for reimbursement to be made to NORCRESS for necessary repairs performed by the NORCRESS and/or its contractor. The Utility Relocation Agreement would be issued by the NCDOT Utilities Unit and the repairs would be coordinated between the NORCRESS and the Departments assigned Resident Engineer.

Please indicate your concurrence in these conditions and attached plans by signing in the appropriate space provided below and return to Donna Jackson at Mott MacDonald, 7621 Purfoy Road, Suite 115, Fuquay Varina 27526 no later than April 30, 2021. If our office has not received this agreement by the due date, the highway project may be delayed by the Department of Transportation.

Sincerely,

DocuSigned by:  
  
6082FF96FCAC434...

Design Build Utility Engineer

Attachment

Approved and Accepted For:

\_\_\_\_\_  
BY: \_\_\_\_\_  
\_\_\_\_\_ TITLE

N.C.G.S. § 133-32 and Executive Order 24 prohibit the offer to, or acceptance by, any State Employee of any gift from anyone with a contract with the State, or from any person seeking to do business with the State. By execution of any response in this procurement, you attest, for

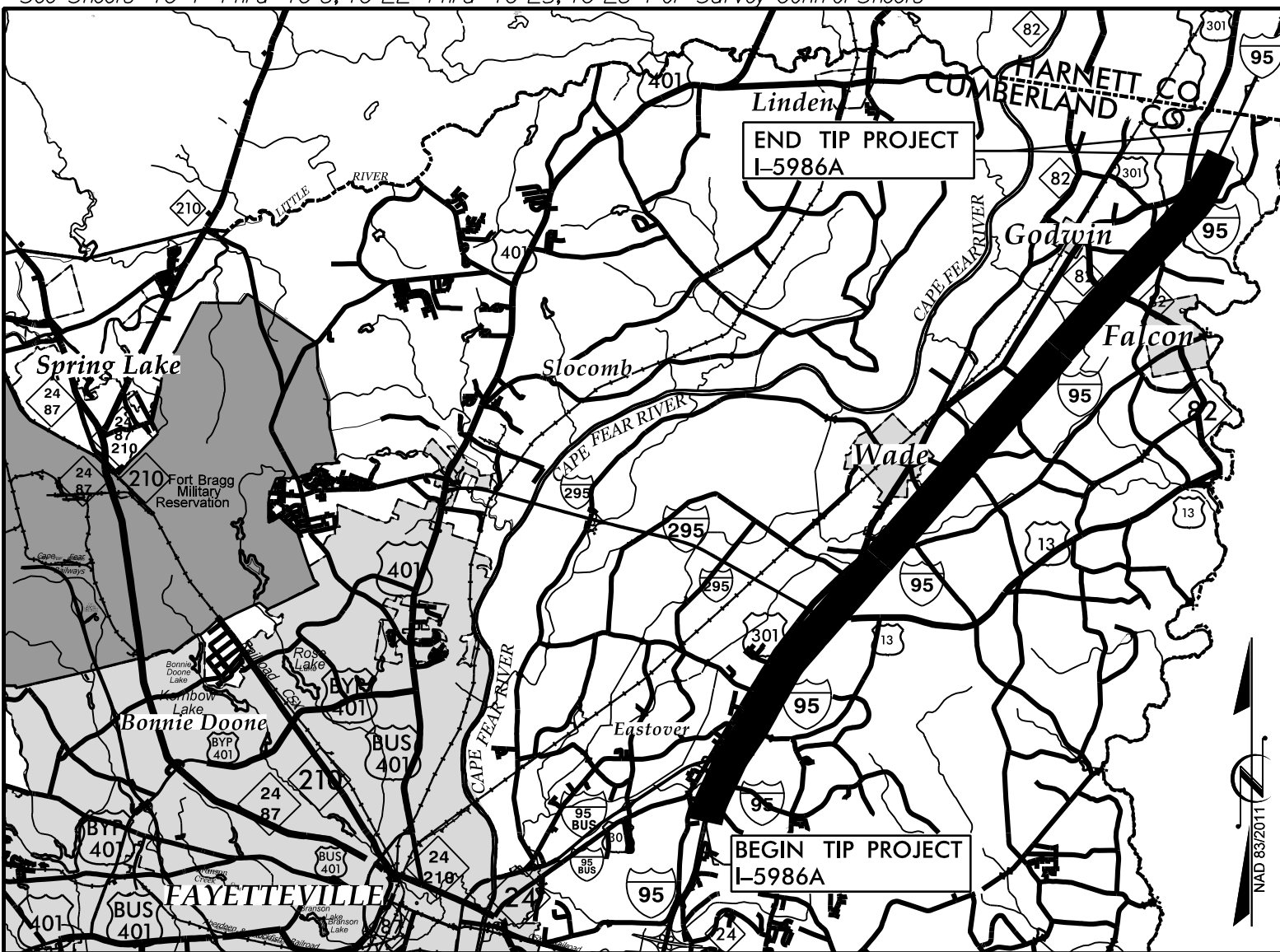
your entire organization and its employees or agents, that you are not aware that any such gift has been offered, accepted, or promised by any employees of your organization.

09.08/19  
3/25/2021  
R:\Utilities\Engineering\UC\Proj\Sec. 3 Plan Sheets\I-5986A\UC.TSH - Agreement.dgn  
default

TIP PROJECT: I-5986A

CONTRACT: C204283

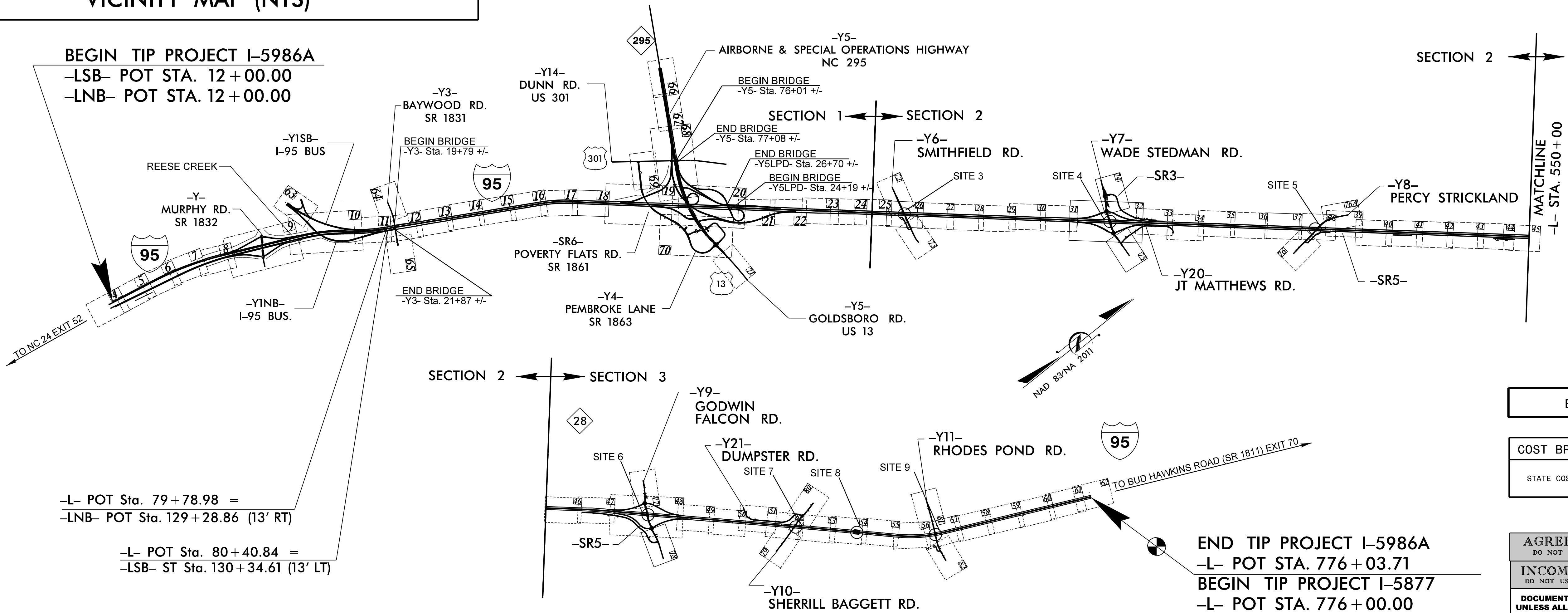
See Sheet 1A For Index of Sheets  
See Sheet 1B For Conventional Symbols  
See Sheets 1C-1 Thru 1C-8, 1C-22 Thru 1C-25, 1C-28 For Survey Control Sheets



VICINITY MAP (NTS)

BEGIN TIP PROJECT I-5986A

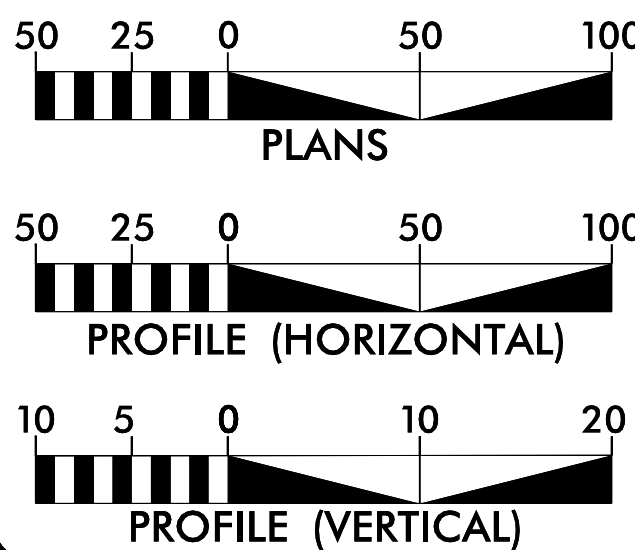
-LSB- POT STA. 12+00.00  
-LNB- POT STA. 12+00.00



-L- POT Sta. 79+78.98 =  
-LNB- POT Sta. 129+28.86 (13' RT)

-L- POT Sta. 80+40.84 =  
-LSB- ST Sta. 130+34.61 (13' LT)

GRAPHIC SCALES



UTILITY OWNERS

NORTHERN CUMBERLAND REGIONAL  
SEWER SYSTEM  
DISTRICT (NORCRESS): SEWER

INDEX OF SHEETS

SHEET NO.:

UC-1  
UC-2  
UC-3  
UC-3A  
UC-32,74,75,78  
UC-85,86

DESCRIPTION:

TITLE SHEET  
UTILITY SYMBOLOGY  
NOTES  
DETAIL SHEET  
UTILITY CONSTRUCTION  
SHEETS  
PROFILE SHEETS

PLANS PREPARED BY:

**RK&K** RUMMEL, KLEPPER & KAHL, LLP  
8601 SIX FORKS ROAD, FORUM 1, SUITE 700  
RALEIGH, NORTH CAROLINA 27615-3960  
NC LICENSE NO. F-0112

FOR NORTH CAROLINA  
DEPARTMENT OF TRANSPORTATION

2018 STANDARD SPECIFICATIONS

LETTING DATE:  
AUGUST 20, 2019



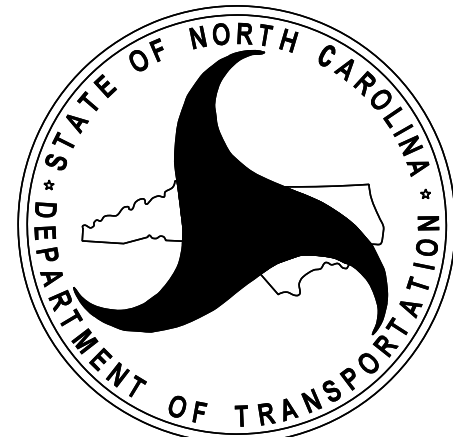
Michael T. Merritt, P.E.  
PROJECT ENGINEER

Anthony A. Houser, P.E.  
PROJECT DESIGN ENGINEER

UTILITY ENGINEER

SIGNATURE:

P.E.



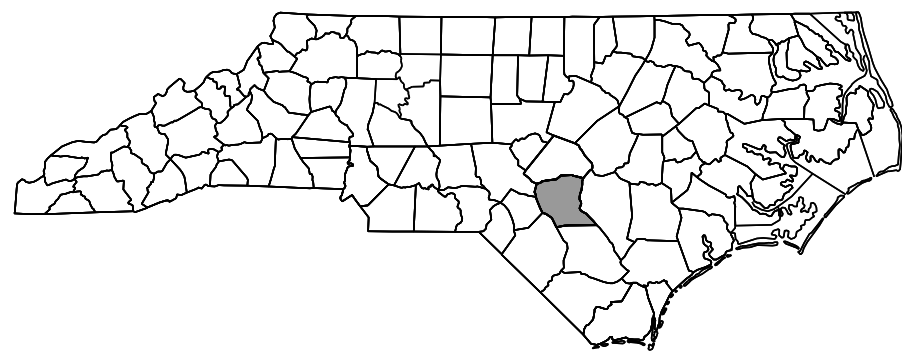
STATE OF NORTH CAROLINA  
DIVISION OF HIGHWAYS

CUMBERLAND COUNTY

LOCATION: I-95 WIDENING FROM SOUTH OF SR 1832  
(MURPHY ROAD- EXIT 55) TO SOUTH OF SR 1811  
(BUD HAWKINS ROAD-EXIT 70)

TYPE OF WORK: SEC 2 AND SEC 3 AGREEMENT PLANS FOR NORCRESS

INDICATES SHEETS WITH  
NO SEWER CONFLICTS



STATE	STATE PROJECT REFERENCE NO.	SHEET NO.	TOTAL SHEETS
N.C.	I-5986A	UC-1	10
STATE PROJ. NO.	F.A. PROJ. NO.	DESCRIPTION	
47532.3.2	NHP-0095(057)		

SECTION 2 SECTION 3

EXHIBIT A

COST BREAKDOWN LEGEND

STATE COST

AGREEMENT PLANS  
DO NOT USE FOR CONSTRUCTION

INCOMPLETE PLANS  
DO NOT USE FOR R/W ACQUISITION

DOCUMENT NOT CONSIDERED FINAL  
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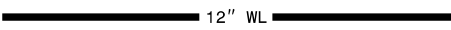



























STATE OF NORTH CAROLINA  
DIVISION OF HIGHWAYS

PROJECT REFERENCE NO.	SHEET NO.
I-5986A	UC-2

UTILITIES PLAN SHEET SYMBOLS





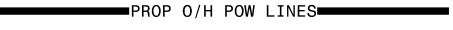
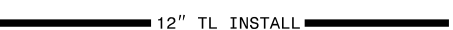


PROPOSED WATER SYMBOLS








Water Line (Sized as Shown)	
11¼ Degree Bend	
22½ Degree Bend	
45 Degree Bend	
90 Degree Bend	
Plug	
Tee	
Cross	
Reducer	
Gate Valve	
Butterfly Valve	
Tapping Valve	
Line Stop	
Line Stop with Bypass	
Blow Off	
Fire Hydrant	
Relocate Fire Hydrant	
Remove Fire Hydrant	
Water Meter	
Relocate Water Meter	
Remove Water Meter	
Water Pump Station	
RPZ Backflow Preventer	
DCV Backflow Preventer	
Relocate RPZ Backflow Preventer	
Relocate DCV Backflow Preventer	

PROPOSED SEWER SYMBOLS

Gravity Sewer Line (Sized as Shown)	
Force Main Sewer Line (Sized as Shown)	
Manhole (Sized per Note)	
Sewer Pump Station	

PROPOSED MISCELLANEOUS UTILITIES SYMBOLS





















Power Pole	
Telephone Pole	
Joint Use Pole	
Telephone Pedestal	
Utility Line by Others (Type as Shown)	
Trenchless Installation	
Encasement by Open Cut	
Encasement	




















Thrust Block	
Air Release Valve	
Utility Vault	
Concrete Pier	
Steel Pier	
Plan Note	
Pay Item Note	

NOTE

PAY ITEM

EXISTING UTILITIES SYMBOLS

Power Pole	
Telephone Pole	
Joint Use Pole	
Utility Pole	
Utility Pole with Base	
H-Frame Pole	
Power Transmission Line Tower	
Water Manhole	
Power Manhole	
Telephone Manhole	
Sanitary Sewer Manhole	
Hand Hole for Cable	
Power Transformer	
Telephone Pedestal	
CATV Pedestal	
Gas Valve	
Gas Meter	
Located Miscellaneous Utility Object	
Abandoned According to Utility Records	
End of Information	

*Underground Power Line	
*Underground Telephone Cable	
*Underground Telephone Conduit	
*Underground Fiber Optics Telephone Cable	
*Underground TV Cable	
*Underground Fiber Optics TV Cable	
*Underground Gas Pipeline	
Aboveground Gas Pipeline	
*Underground Water Line	
Aboveground Water Line	
*Underground Gravity Sanitary Sewer Line	
Aboveground Gravity Sanitary Sewer Line	
*Underground SS Forced Main Line	
Underground Unknown Utility Line	
SUE Test Hole	
Water Meter	
Water Valve	
Fire Hydrant	
Sanitary Sewer Cleanout	

*For Existing Utilities
Utility Line Drawn from Record (Type as Shown)
Designated Utility Line (Type as Shown)

GENERAL NOTES:

1. THE PROPOSED UTILITY CONSTRUCTION SHALL MEET THE APPLICABLE REQUIREMENTS OF THE NC DEPARTMENT OF TRANSPORTATION'S "STANDARD SPECIFICATIONS FOR ROADS AND STRUCTURES" DATED JANUARY 2018 AND AS NOTED HEREIN.

2. THE SANITARY SEWER FACILITIES ARE OWNED BY NORCRESS. THE WATER FACILITIES ARE OWNED BY HARNETT COUNTY AND TOWN OF FALCON. HARNETT COUNTY CONTACT PERSON IS SHANE CUMMINGS, PHONE NUMBER 910-893-7575. TOWN OF FALCON CONTACT PERSON IS CLIFTON TURPIN JR., PHONE NUMBER 910-850-5838. NORTHERN CUMBERLAND REGIONAL SEWER SYSTEM DISTRICT (NORCRESS) CONTACT PERSON IS AMY HALL, PHONE NUMBER 910-678-7637.

3. ALL WATER LINES TO BE INSTALLED WITHIN COMPLIANCE OF THE RULES AND REGULATIONS OF THE NORTH CAROLINA DEPARTMENT OF ENVIRONMENTAL QUALITY, DIVISION OF WATER RESOURCES, PUBLIC WATER SUPPLY SECTION, AND NORCRESS (PWC) SPECIFICATIONS AND DESIGN STANDARDS. ALL SEWER LINES TO BE INSTALLED WITHIN COMPLIANCE OF THE RULES AND REGULATIONS OF THE NORTH CAROLINA DEPARTMENT OF ENVIRONMENT QUALITY, DIVISION OF WATER RESOURCES, WATER QUALITY SECTION AND NORCRESS SPECIFICATIONS AND DESIGN STANDARDS. PERFORM ALL WORK IN ACCORDANCE WITH THE APPLICABLE PLUMBING CODES.

4. THE UTILITY OWNER OWNS THE EXISTING UTILITY FACILITIES AND WILL OWN THE NEW UTILITY FACILITIES AFTER ACCEPTANCE BY THE DEPARTMENT AND OWNERS. THE DEPARTMENT OWNS THE CONSTRUCTION CONTRACT AND HAS ADMINISTRATIVE AUTHORITY. COMMUNICATIONS AND DECISIONS BETWEEN THE CONTRACTOR AND UTILITY OWNER ARE NOT BINDING UPON THE DEPARTMENT OR THIS CONTRACT UNLESS AUTHORIZED BY THE ENGINEER. AGREEMENTS BETWEEN THE UTILITY OWNER AND CONTRACTOR FOR THE WORK THAT IS NOT PART OF THIS CONTRACT OR IS SECONDARY TO THIS CONTRACT ARE ALLOWED, BUT ARE NOT BINDING UPON THE DEPARTMENT.

5. PROVIDE ACCESS FOR THE DEPARTMENT PERSONNEL AND THE OWNER'S REPRESENTATIVES TO ALL PHASES OF CONSTRUCTION. NOTIFY DEPARTMENT PERSONNEL AND THE UTILITY OWNER TWO WEEKS PRIOR TO COMMENCEMENT OF ANY WORK AND ONE WEEK PRIOR TO SERVICE INTERRUPTION. KEEP UTILITY OWNERS' REPRESENTATIVES INFORMED OF WORK PROGRESS AND PROVIDE OPPORTUNITY FOR INSPECTION OF CONSTRUCTION AND TESTING.

6. THE PLANS DEPICT THE BEST AVAILABLE INFORMATION FOR THE LOCATION, SIZE, AND TYPE OF MATERIAL FOR ALL EXISTING UTILITIES. CONTRACTOR SHALL PERFORM INVESTIGATIONS FOR DETERMINING THE EXACT LOCATION, SIZE, AND TYPE MATERIAL OF THE EXISTING FACILITIES AS NECESSARY FOR THE CONSTRUCTION OF THE PROPOSED UTILITIES AND FOR AVOIDING DAMAGE TO EXISTING FACILITIES. REPAIR ANY DAMAGE INCURRED TO EXISTING FACILITIES TO THE ORIGINAL OR BETTER CONDITION AT NO ADDITIONAL COST TO THE DEPARTMENT.

7. CONTRACTOR SHALL PERFORM FINAL CONNECTIONS OF THE NEW WORK TO THE EXISTING SYSTEM WHERE INDICATED ON THE PLANS, AS REQUIRED TO FIT THE ACTUAL CONDITIONS, OR AS DIRECTED.

8. CONTRACTOR SHALL PERFORM CONNECTIONS BETWEEN EXISTING AND PROPOSED UTILITIES AT TIMES MOST CONVENIENT TO THE PUBLIC, WITHOUT ENDANGERING THE UTILITY SERVICE, AND IN ACCORDANCE WITH THE UTILITY OWNER'S REQUIREMENTS. CONTRACTOR SHALL PERFORM CONNECTIONS ON WEEKENDS, AT NIGHT, AND ON HOLIDAYS IF NECESSARY.

9. ALL UTILITY MATERIALS SHALL BE APPROVED PRIOR TO DELIVERY TO THE PROJECT. SEE 1500-7, " SUBMITTALS AND RECORDS" IN SECTION 1500 OF THE STANDARD SPECIFICATIONS.



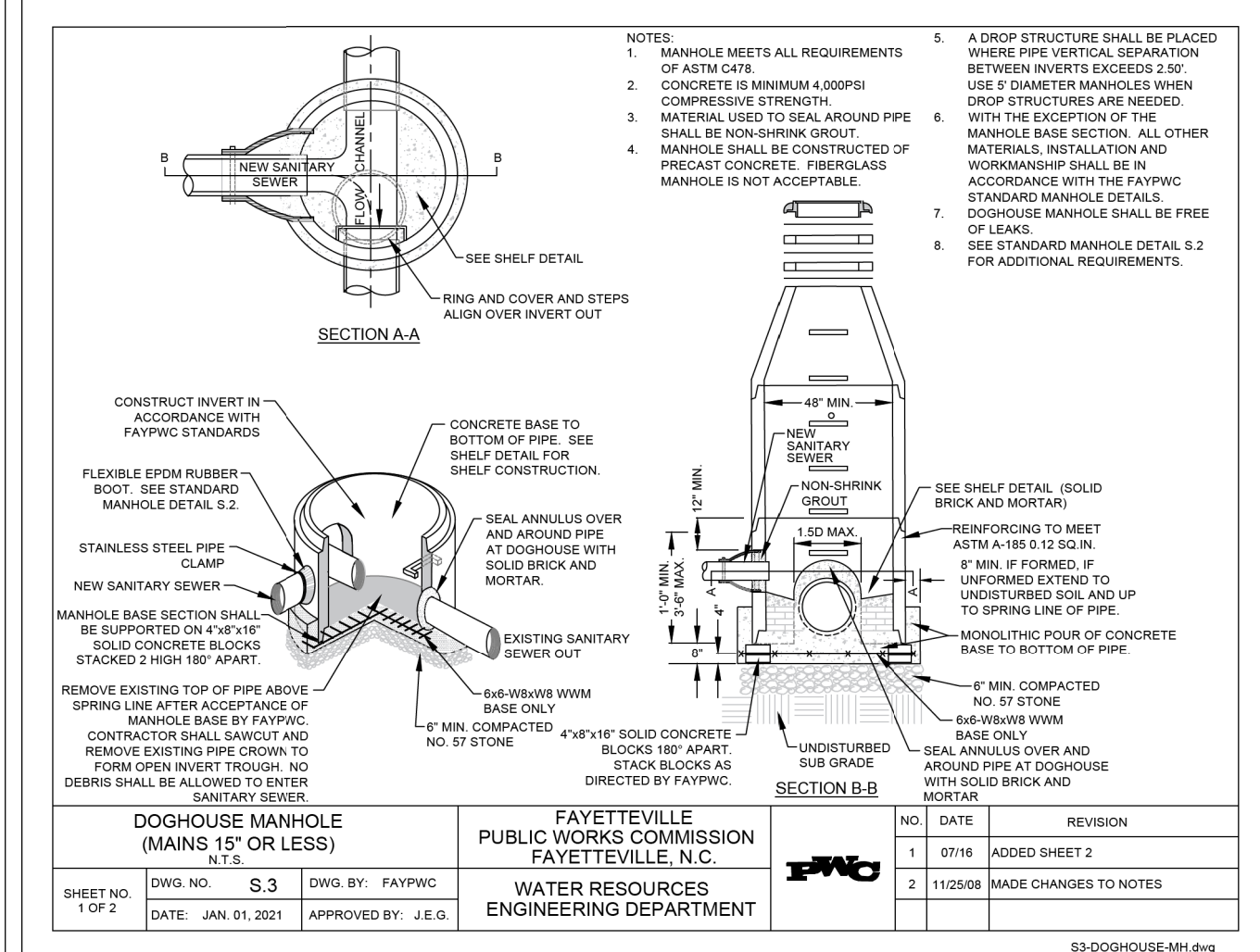
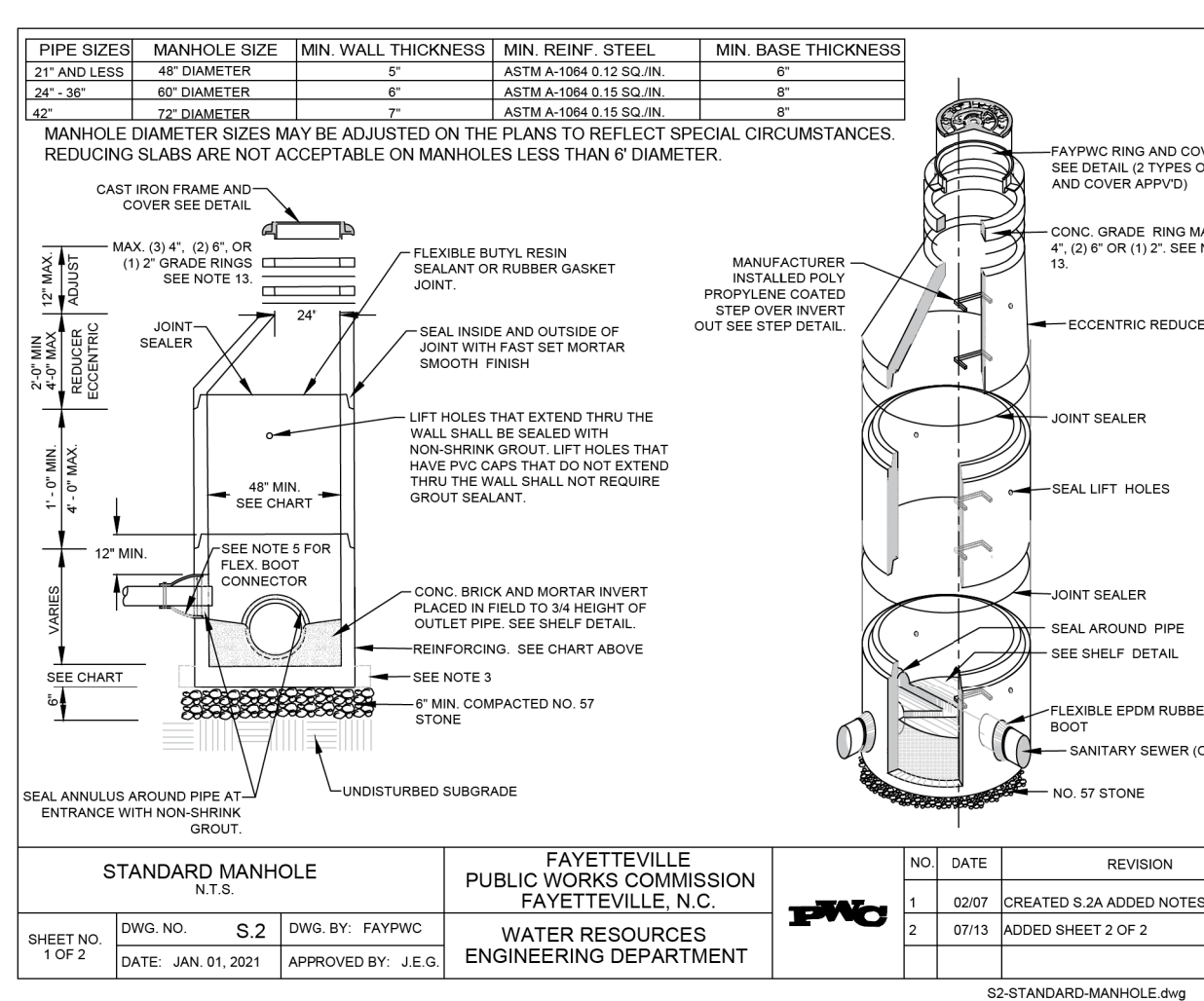
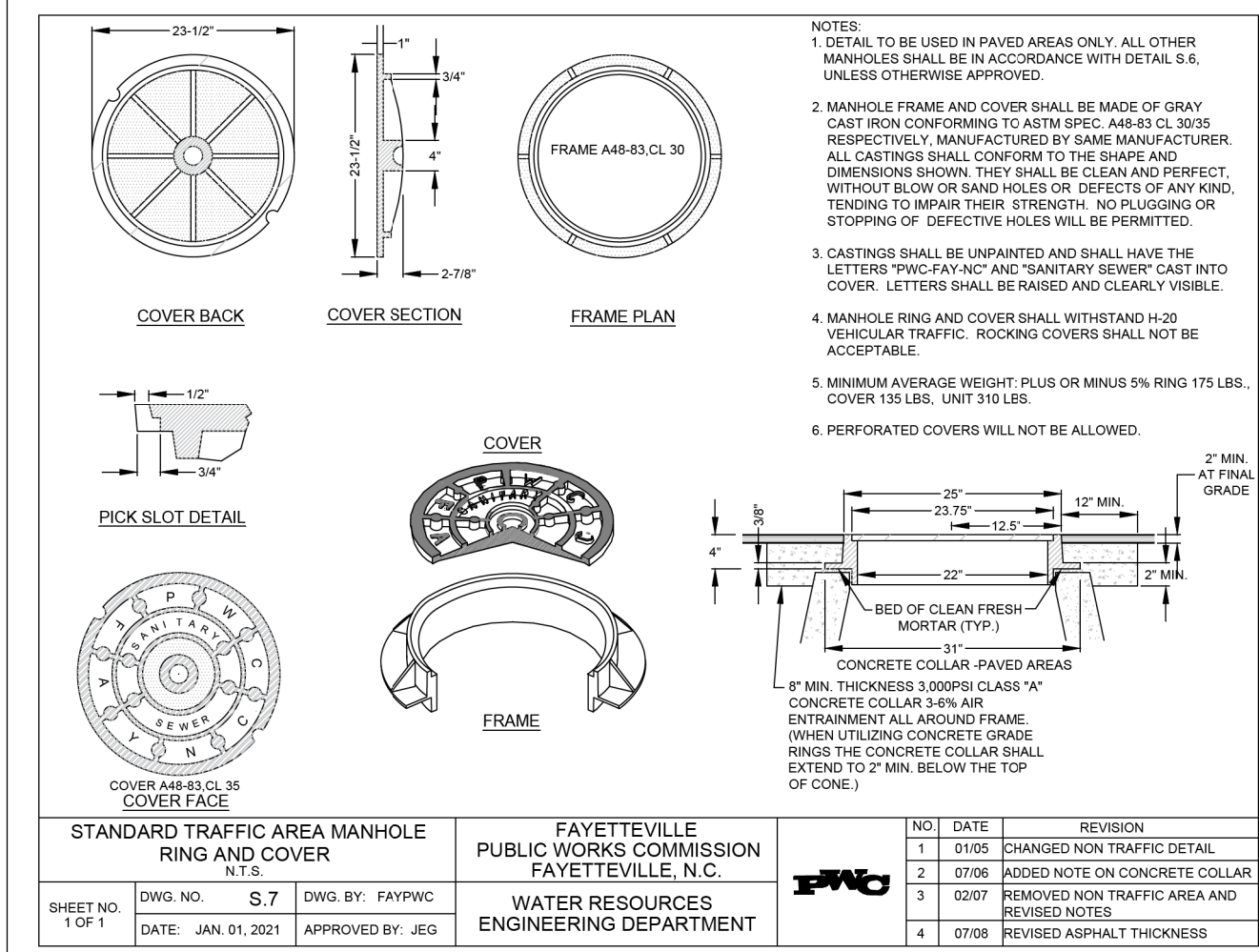
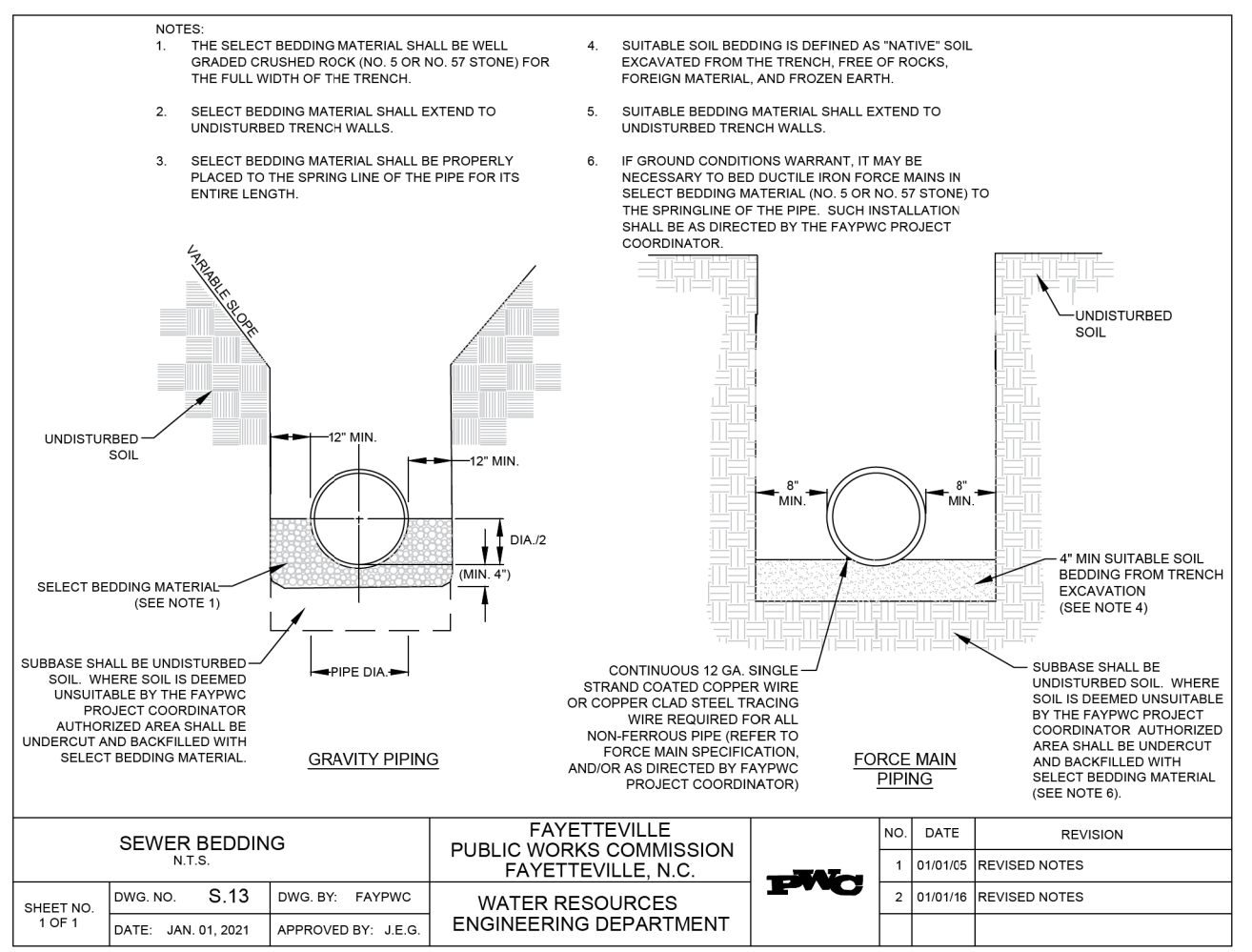
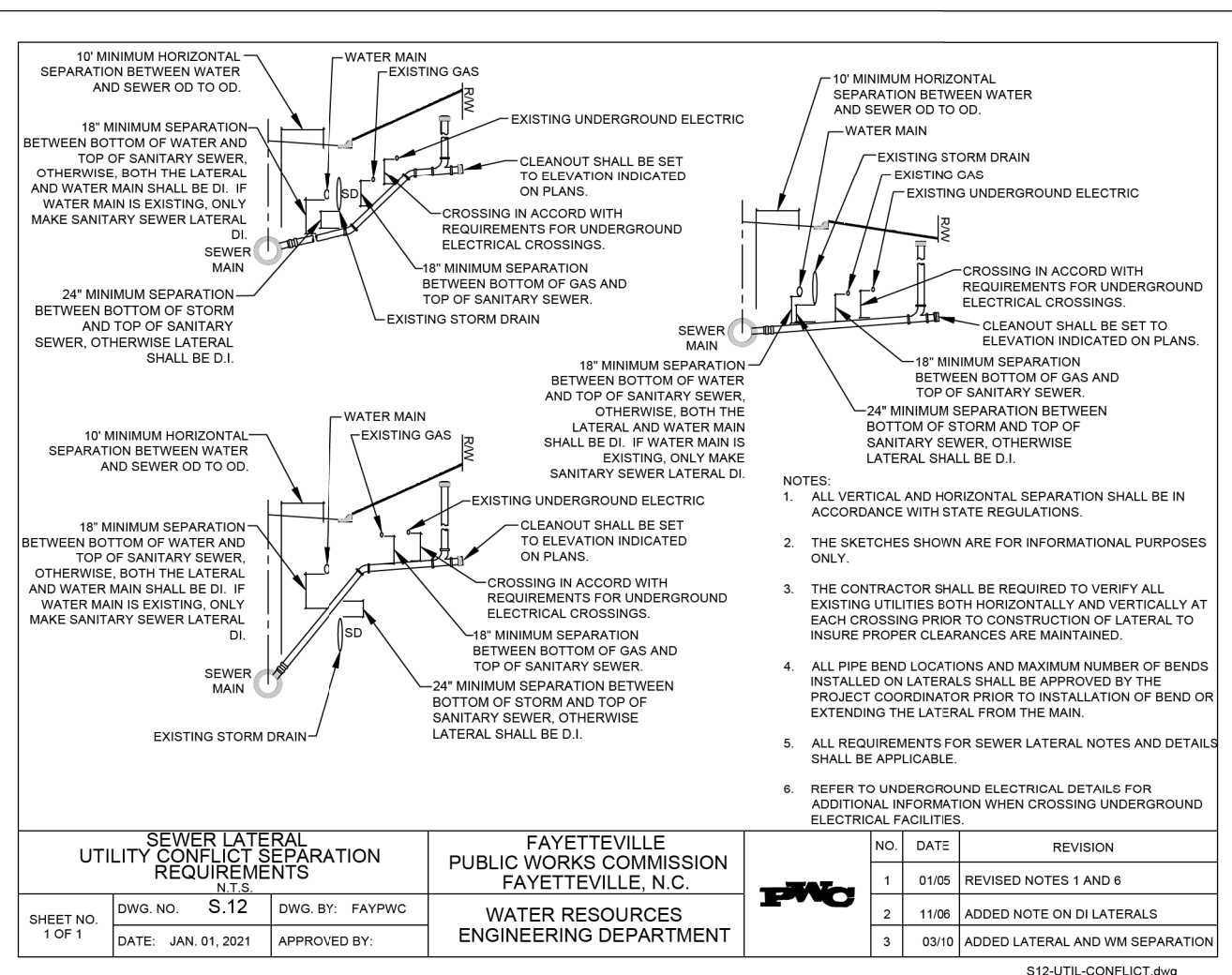
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PROJECT REFERENCE NO.	SHEET NO.
1-5986A	UC-3A
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UTILITY OWNERS THIS SHEET:  
1. NORCRESS - 8" FORCE MAIN SEWER

<p><b>INCOMPLETE PLANS</b> DO NOT USE FOR R/W ACQUISITION</p>
<p><b>AGREEMENT PLANS</b> DO NOT USE FOR CONSTRUCTION</p>

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**HLINE -SR3- STA. 29+50.00  
SEE SHEET UC-33**

CHLINE -L- STA. 390+00.00  
SEE SHEET UC-33

MATCHLINE  
STA. 20+00.00  
TUC-33

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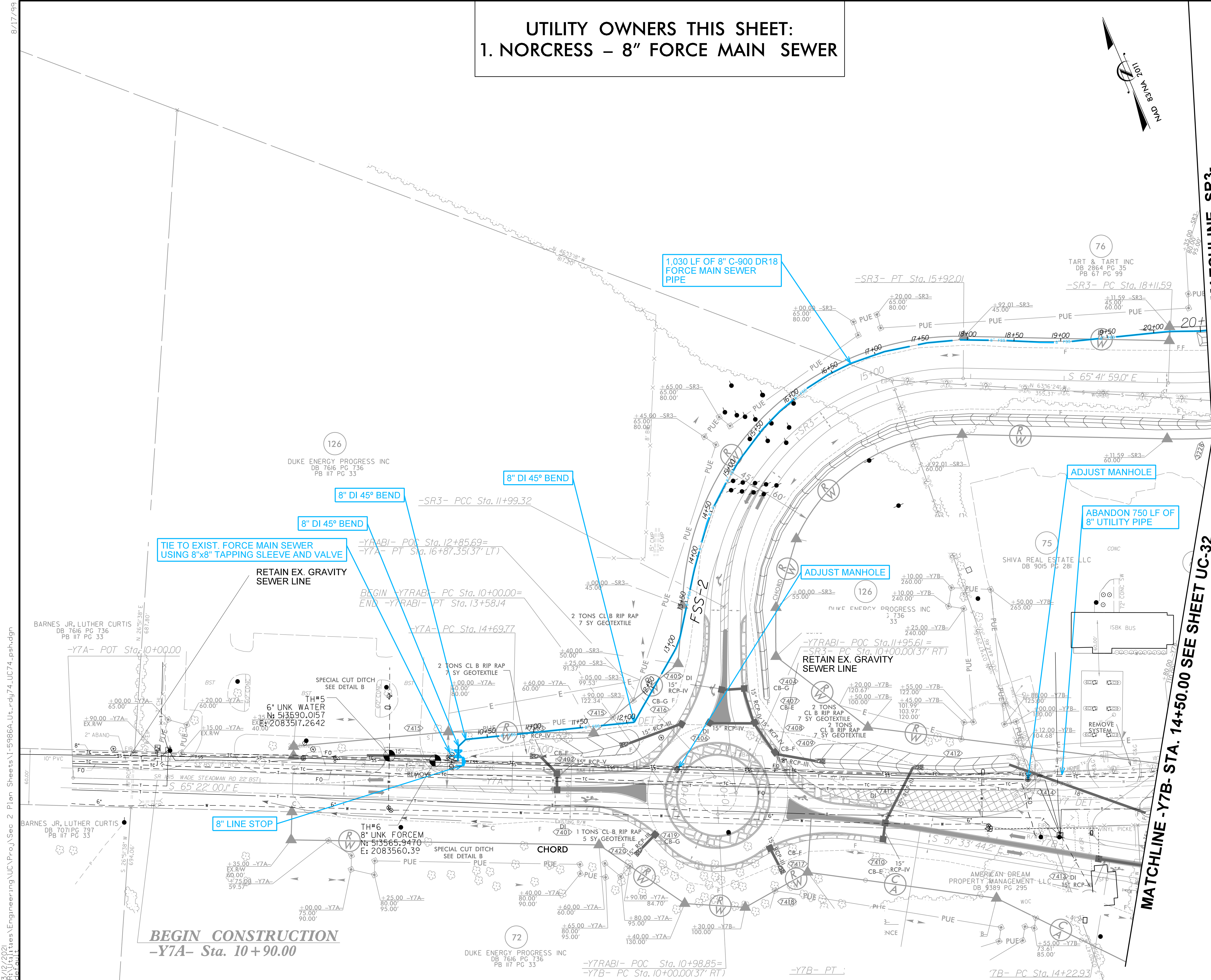
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UTILITY OWNERS THIS SHEET:  
1. NORCRESS - 8" FORCE MAIN SEWER



MATCHLINE -SR3- STA.18+50.00 SEE SHEET UC-32

MATCHLINE -Y7B- STA. 14+50.00 SEE SHEET UC-32

PROJECT REFERENCE NO.	SHEET NO.
1-5986A	UC-74
RW SHEET NO.	

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UTILITY OWNERS THIS SHEET:  
1. NORCRESS – 8" FORCE MAIN SEWER



**MATCHLINE**  
**-Y20- STA. 14+00.00**  
**SEE SHEET UC-32**

**MATCHLINE -Y7D- STA. 12+50.00  
SEE SHEET UC-32**

(2) 8" DI 45° BENDS

96 LF OF 8" RESTRAINED  
JOINT DI CLASS PC 350 PIPE

94 LF OF 16" STL.  
ENCASEMENT PIPE  
0.312" THICKNESS

ABANDON 413 LF OF  
8" UTILITY PIPE

8" DI 22.5° BEND

8" C-900 DR18  
RAIN SEWER PIPE

8" DI 45° BEND

8" LINE STOP

**END CONSTRUCTION**  
-Y7D- Sta. 16+25.00

INNERDUCT

8" DI 22.5° BEND

42 LF OF 8" RESTRAINED  
JOINT DI CLASS PC 350 PIPE

40 LF OF 16" STL.  
ENCASEMENT PIPE  
0.312" THICKNESS

TIE TO EXIST. FORCE MAIN USING  
8"x8" TAPPING SLEEVE AND VALVE



8/17/99

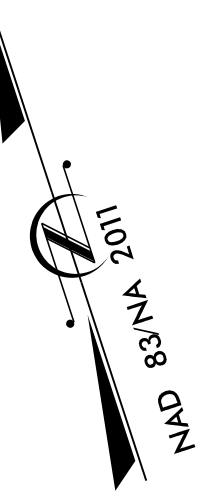
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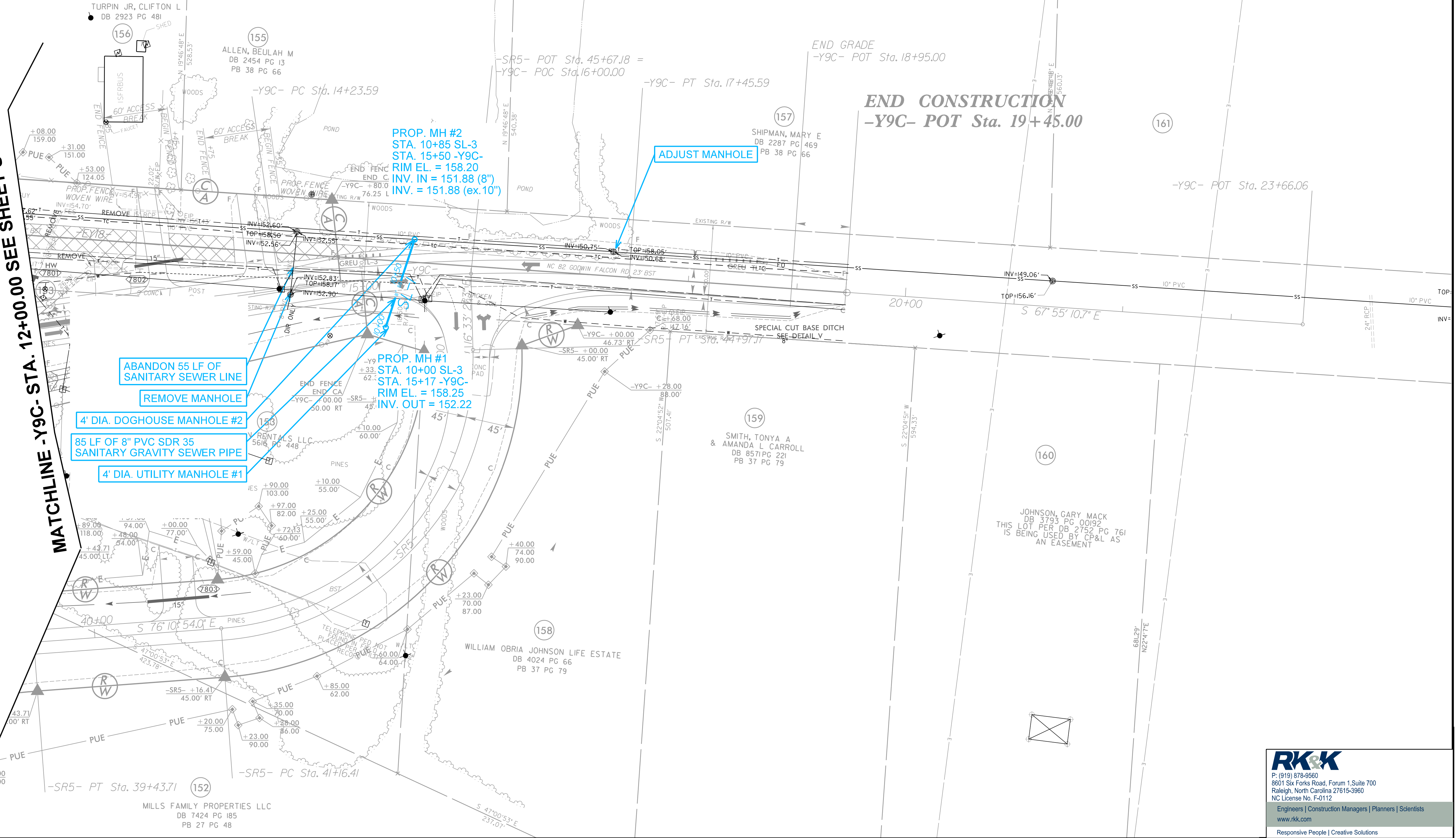
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1-5986A	UC-78
RW SHEET NO.	

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AGREEMENT PLANS  
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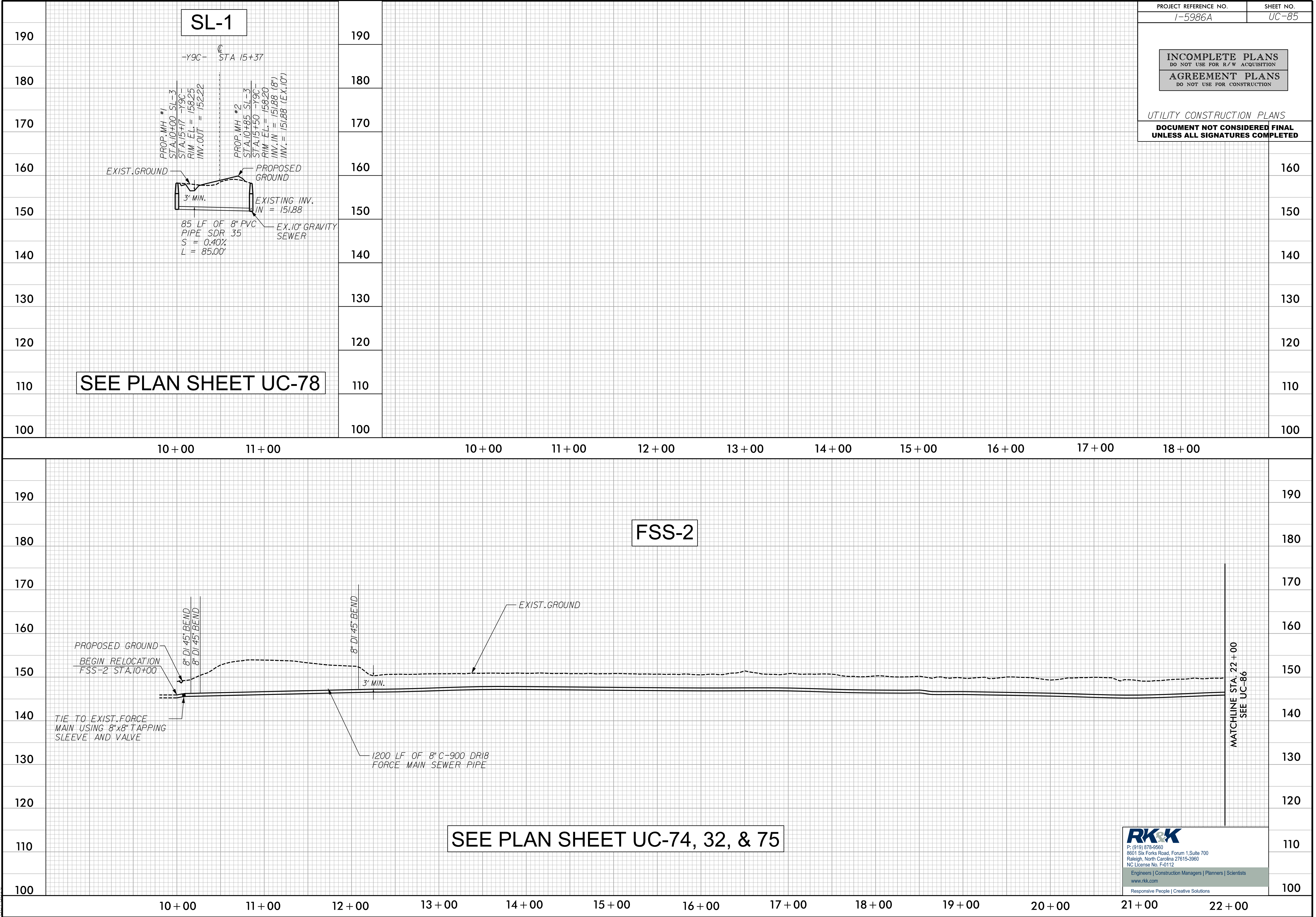
MATCHLINE -Y9C- STA. 12+00.00 SEE SHEET UC-48



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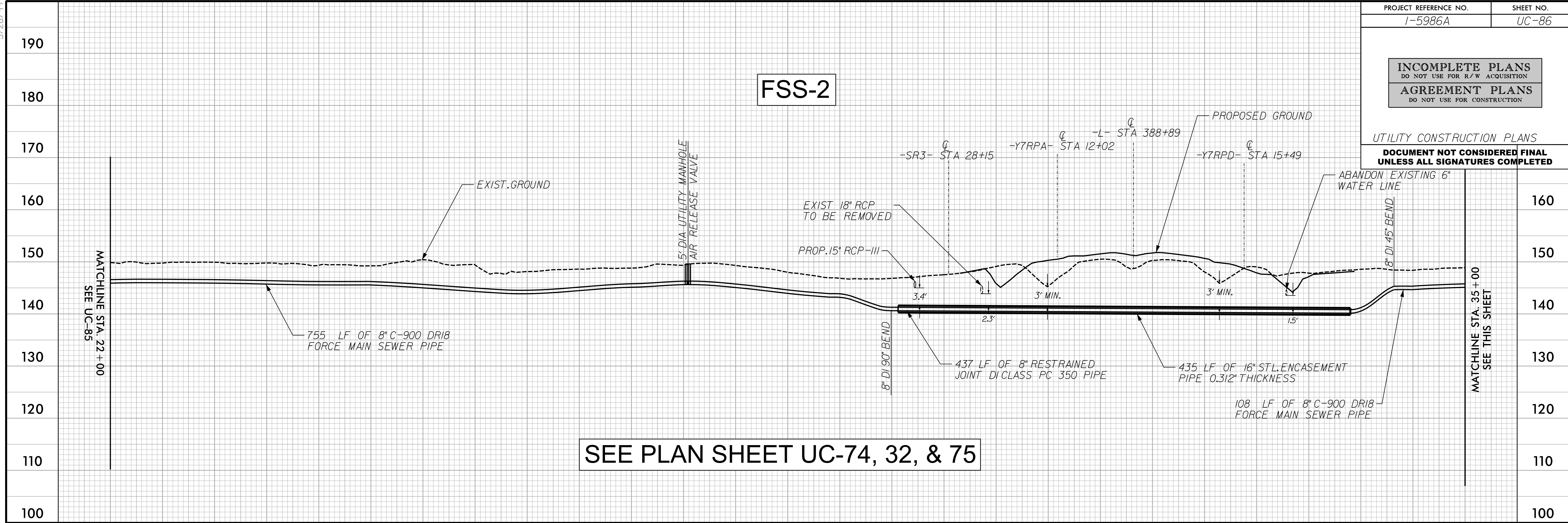
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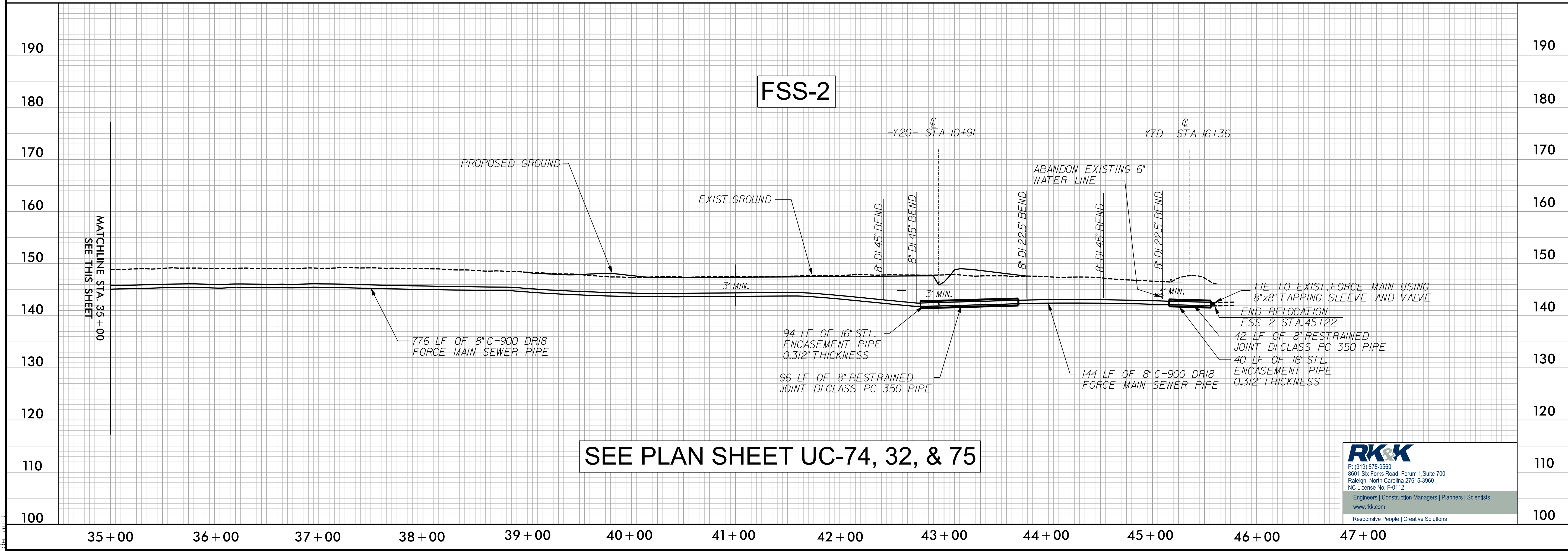


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PROJECT REFERENCE NO.	SHEET NO.
I-5986A	UC-86
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UTILITY CONSTRUCTION PLANS	
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PROJECT SPECIAL PROVISIONS

NORCRESS

Utility Construction Sec 2 & 3

3/23/2021

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**Exhibit C**

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--

The proposed utility construction shall meet the NCDOT 2018 “Standard Specifications for Roads and Structures” and Northern Cumberland Regional Sewer System District (NORCRESS) which follows the Fayetteville Public Works Commission (PWC) “Standard Specifications latest revision” with amendments noted below.

Contractor shall coordinate closely with NCDOT and Utility owners during installation of water and sanitary sewer lines for any necessary shut downs or by-pass pumping.

The locations, sizes, and type material of the existing utilities shown on the plans are from the best available information. The contractor will be responsible for determining the exact location, size, and type of material of the existing facilities necessary for the construction of the proposed utilities and to avoid damage to existing facilities. All water and sanitary sewer services disturbed during construction shall be reconnected, even if not shown on the plans.

**Revise the 2018 Standard Specifications as follows:**

**Page 10-57, Sub-article 1034-4(A), Gravity Flow Sewer Pipe, second paragraph**

Add the following paragraph:

The interior of pipe and fittings shall be coated with ceramic epoxy to produce a minimum dry film thickness of 40 mils.

**Page 10-57, Sub-article 1034-4(B), Force Main Sewer Pipe, second paragraph**

Replace the paragraph with:

Use ductile iron pipe fittings and specials conforming to ANSI/AWWA C110/A21.10. The interior of pipe and fittings shall be coated with ceramic epoxy to produce a minimum dry film thickness of 40 mils.

**Page 15-1, Sub-article 1500-2 Cooperation with the Utility Owner, paragraph 2:**  
add the following sentences:

The sanitary sewer facilities are owned by Northern Cumberland Regional Sewer System District (NORCRESS) contact person is Amy Hall, phone number 910-678-7637. The contractor shall provide access for the owner's representatives to all phases of construction. The owner shall also be notified two (2) weeks prior to commencement of any work and one (1) week prior to service interruption.

**Page 15-2, Sub-article 1500-9 Placing Pipelines into Service**  
add the following sentence:

Obtain approval from the NCDEQ and NORCRESS prior to placing a new line into service. A representative from NORCRESS will witness all tests performed on their sanitary sewer facilities.

**Page 15-4, Sub-article 1505-3(E), Thrust Restraint, third paragraph**  
Replace the paragraph with:

Use joint restraint methods, such as integral restraining bells and spigots, restraining retainer glands, or restraining gaskets. Use factory restraint for all pipes larger than 12". Use concrete reaction backing and thrust collars only where joint restraint is impractical with the approval of the Engineer.

**Page 15-4, Sub-article 1505-3(E), Thrust Restraint**  
add the following:

Use at least the minimum length of restraint from this table in each direction of thrust in linear feet.

Size of Pipe (Inches)	Valves, Tees & Dead Ends	45° Bends	22.5° Bends
6	55 Feet	13 Feet	7 Feet
8	72 Feet	17 Feet	8 Feet

**Page 15-8, sub-article 1515-3(E) Line Stops,**  
Add the following sentence:

Do not use line stops without the authorization of the Engineer and the owner.

**Page 15-10, Sub-article 1520-2 Materials:**

Add the following sentences:

Ductile iron pipe for sanitary sewer will be lined with 40 mils of Protecto 401 Ceramic Epoxy. All bells and spigots for sanitary sewer pipe must be lined with a minimum of 8 mils of Protecto 401 Joint Compound or approved equal. The exterior of all pipe shall be coated with a bituminous coating.

**Page 15-11, Sub-article 1520-3(A)(2) Testing, line 5,**

replace the second paragraph with the following:

Test all 24" and smaller gravity sewer lines for leakage using infiltration, exfiltration, or air test. Perform visual inspection on gravity sewer lines larger than 24". Perform line and grade testing and deflection testing on all gravity sewer lines.

**Page 15-11, Sub-article 1520-3(A)(2)(c) Air Test,**

Replace Table 1520-1 with:

AIR TEST TIME			
Pipe Dia (in)	Minimum time (minutes)	Length for Min Time (ft)	Time for Longer Length (sec)
4	3:46	597	0.380L
6	5:40	398	0.854L
8	7:34	298	1.520L
10	9:26	239	2.374L
12	11:20	199	3.418L
15	14:10	159	5.342L
18	17:00	133	7.692L
21	19:50	114	10.470L
24	22:40	99	13.674L
27	25:30	88	17.306L
30	28:20	80	21.366L
33	31:10	72	25.852L
36	34:00	66	30.768L

**Page 15-14, Article 1525-3 Construction Methods,**

Replace the second paragraph with:

The invert channel shall be constructed of brick and mortar, in accordance with the manhole details in the plans. Precast inverts are not allowed. The invert channel shall be smooth and semicircular in shape conforming to the inside of the connecting sewer section. Changes in direction of flow shall be made with a smooth curve as large as a radius as the size of the manhole will permit without a decrease in flow velocity. Changes in size and grade of the channel shall be made gradually and evenly. The invert channel walls shall be constructed to three quarters (3/4) of the height of the crown of the outlet sewer and in such a manner not to obstruct maintenance,

inspection or flow in the sewers. The inverts shall have a minimum slope of one (1) percent across the bottom of the manhole. A shelf shall be provided on each side of any manhole invert channel. Inverts in manholes with standing water will not be acceptable. The shelf shall be sloped not less than 1:12 (min) and no more than 2:12 (max). The bottom of the boot for the new sewer main or lateral shall be set one inch above existing shelf unless otherwise indicated.

**Page 15-16, sub-article 1530-3(A) Abandoning Pipe,**

Add the following paragraph:

Remove valves, or close valves and remove the top of the valve box to an elevation 2 ft below the roadway subgrade or finished grade and backfill.