
AGENDA
CUMBERLAND COUNTY BOARD OF COMMISSIONERS
JUDGE E. MAURICE BRASWELL
CUMBERLAND COUNTY COURTHOUSE - ROOM 118
DECEMBER 19, 2022
6:45 PM

INVOCATION - Commissioner Toni Stewart, Chairwoman

PLEDGE OF ALLEGIANCE -

INTRODUCTIONS

Fayetteville-Cumberland Youth Council Members

Johnathan Charleston

Xen Woods

EwingCole Project Architect Design Firm for the Crown Event Center

RECOGNITION

Alex Gathright- Presidential Volunteer Award

PUBLIC COMMENT PERIOD

1. APPROVAL OF AGENDA
2. CONSENT AGENDA
 - A. Approval to Pay Prior Year Invoice
 - B. Approval of Sole Source Upgrade of Tech Logic Software and Hardware for Library
 - C. Approval of Fee Schedule Updates
 - D. Approval of the Request to Allocate Freed Up Capacity Funding to True Vine Ministries to Support the White Flag Event and Budget Ordinance Amendment #B230175
 - E. Resolution Supporting Compression Increases For NC Division Of Juvenile Justice and Delinquency Prevention Detention, Youth Development Center and Court Services Staff
 - F. Acceptance of Offer to Purchase Surplus Properties Located at 814 Anita Road, 822 Anita Road, 751 Johnson Street, and Off Clyde Street, Fayetteville
 - G. Approval of Budget Ordinance Amendments for the December 19, 2022 Board of Commissioners' Agenda
 - H. Approval of Cumberland County Board of Commissioners Agenda Session Items
 1. Recipient Agreement with the State of North Carolina for Methodist University Stream Restoration Funding

2. Formal Bid Award for Emergency Watershed Program (EWP)
3. Request NCDOT to Abandon a Portion of SR 4089 (King Road)
4. Piedmont Natural Gas Request for Easement
5. Request by Sheriff to Use Funds From Detention Center Telecommunications Contract For Detention Staff Retention Incentives and Approval of Budget Ordinance Amendments #B230191 and #B230189

3. PUBLIC HEARINGS

- A. Request by Robert Van Geons for Matching Funds for Economic Development Services
- B. Economic Development Incentive Agreement with Goodyear

Rezoning Cases

- C. Case ZON-22-0043
- D. Case ZON-22-0064
- E. Case ZON-22-0072
- F. Case ZON-22-0074

4. ITEMS OF BUSINESS

- A. Amendment to Contract to Audit Accounts
- B. Grant of a Franchise Agreement for a Deli at the Courthouse and DSS - Second Reading
- C. Consideration of Ordinances to Prohibit Camping on County Property
- D. Consideration of Approval of Standing Committees of the Board of Commissioners

5. NOMINATIONS

- A. Cumberland County Juvenile Crime Prevention Council (6 Vacancies and 5 Designees)
- B. Cumberland County Board of Health (2 Vacancies)

6. CLOSED SESSION

- A. Attorney Client Matter Pursuant to NCGS 143-318.11(a)(3)
- B. Real Property Acquisition Pursuant to NCGS 143-318.11(a)(5)
- C. Personnel Matter(s) Pursuant to NCGS 143-318.11(a)(6)

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:

January 3, 2023 (Tuesday) - 9:00 AM

January 17, 2023 (Tuesday) - 6:45 PM



MEMORANDUM FOR BOARD OF COMMISSIONERS AGENDA OF DECEMBER 19, 2022

TO: BOARD OF COUNTY COMMISSIONERS

FROM: VICKI EVANS, FINANCE DIRECTOR

DATE: 11/23/2022

SUBJECT: APPROVAL TO PAY PRIOR YEAR INVOICE

BACKGROUND

There is a period of time after June 30th of fiscal year-end in which transactions of the prior fiscal year will continue to be processed (typically until the third week in August). After that cutoff date has passed, a department may still receive a vendor invoice that is payable for services that were rendered, or goods were received in the prior fiscal year. When that occurs, approval by the Board of Commissioners is required prior to payment. The following departmental invoices meet those criteria:

Department: Library
Vendor: Latia Emanuel
Invoice Date: May 14, 2022
Total Amount: \$42.71

Department: Department of Social Services
Vendor: North Carolina Department of Information Technology
Services Rendered: April 2021
Total Amount: \$12,692.04

Department: Department of Social Services
Vendor: Devereux Advanced Behavioral Health
Invoice Date: April 2021
Total Amount: \$200.00

Department: Department of Social Services
Vendor: New Possibilities Homes for Children, LLC

Services Rendered: May 30-31, 2022, June 2022
Total Amount: \$743.03

Department: Department of Social Services
Vendor: Inspirationz, LLC
Services Rendered: May – June 2022
Total Amount: \$2,451.00

Department: Department of Social Services
Vendor: Ms. Carey's Tutoring Services
Services Rendered: June 22, 2022
Total Amount: \$1,200.00

Department: Fayetteville/Cumberland County Economic Development
Vendor: Development Counsellors International LTD.
Invoice Date: March 1, 2022
Total Amount: \$10,200.00

RECOMMENDATION / PROPOSED ACTION

Management is requesting approval to pay prior year invoices for the Cumberland County Library totaling \$42.71 and Department of Social Services invoices totaling \$17,286.07 and Fayetteville/Cumberland County Economic Development invoices totaling \$10,200.00.

ATTACHMENTS:

Description	Type
Prior Year Invoice - Library	Backup Material
Prior Year Invoice - FCEDC	Backup Material
Prior Year Invoice - Social Services	Backup Material

FAITH B. PHILLIPS
DIRECTOR



HEATHER HALL
INTERIM DEPUTY DIRECTOR

MEMORANDUM

To: Vicki Evans, Finance Director

From: Faith Phillips, Library Director

Date: November 21, 2022

Subject: Request to approve payment of a FY 22 invoice for Mileage Reimbursement

The library would like to request payment of the prior year mileage reimbursement dated 5/14/2022 in the amount of \$42.71 for Latia Emanuel. The library verified that the mileage reimbursement form was not received until November 21, 2022 and that the reimbursement has not been provided to the employee. The funds to pay this invoice will come from the FY 23 travel budget. The library will continue to require mileage reimbursement forms to be turned in a timely manner. In addition, supervisors will include mileage discussions with staff when extended leaves of absences occur to ensure reimbursement forms are submitted for the appropriate fiscal year.

Attachments: Mileage Reimbursement-Latia Emanuel

MEMO

To: Cumberland County Finance Department

From: Robert Van Geons

Date: November 15, 2022

Re: Prior Year Invoice Payment

This memo is to serve as a request for prior year invoice payment. The information is as follows:

Vendor Name: Development Counsellors international LTD.

Invoice Number: 103862

Amount Due: \$10,200.00

Reason for late payment: An invoice was not sent in March 2022. Future statements were received and paid, with no mention of a past due balance. A statement reflecting a past due balance was emailed on October 31, 2022. This prompted the request for immediate payment.

Impact to budget: This is an additional project taken on, funded in part by additional contributions received. There should be no lasting impact to our budget.

Next Steps: The attached statement shows the invoice in question as the only past due balance. This campaign will end December 31 of this year and no further invoices are anticipated.



Signature

11/17/22

Date

Brenda Jackson
Director

Patrick Kuchyt
Legal Services
Deputy Director

VACANT
Business Operations
Division Director



Department of Social Services

LaDawn Pearson
Deputy Director, Core Services

Core Division Directors:

Kristin Bonoyer
Adult Services

Delores Long
Children's Services

Vivian Tookes
Economic Services

Sharon McLeod
Performance Management

MEMORANDUM

TO: VICKI EVANS, FINANCE DIRECTOR

THROUGH: BRENDA JACKSON, DIRECTOR *BJ*

THROUGH: LADAWN PEARSON, DEPUTY DIRECTOR *LP*

FROM: CASSANDRA TOOLE, ACCOUNTANT I *CT*
COURTNEY WILLIAMS, ACCOUNTING TECHNICIAN IV *CW*

DATE: NOVEMBER 3, 2022 *gn*

SUBJECT: REQUEST TO PAY PRIOR YEAR (FY21, FY 22) INVOICES

Please approve the attached prior year invoices which were presented for payment after the deadline to pay Fiscal Year 2021 and Fiscal Year 2022 invoices.

Validation Statement: We have validated service delivery for each of the invoices attached.

Verification Statement: We have verified for each of the invoices attached that none are duplicates and have not been previously paid.

Measures of Prevention: Vendors have been counseled on the importance of submitting invoices timely. We have also strengthened additional tracking measures to easily identify when recurring vendor invoices have not been submitted.

Attachments

CUMBERLAND COUNTY DEPARTMENT of SOCIAL SERVICES

Prior Fiscal Year Invoices Presented for Payment

VENDOR NAME	INVOICE NUMBER	DOLLAR AMOUNT	REASON INVOICE IS LATE	IMPACT TO CURRENT FISCAL YEAR BUDGET
INFORMATION TECHNOLOGY SERVICE	VENDOR 3572	\$12,692.04	RECEIVED INVOICE #2105009905 ON 11/2/2022 AFTER REPEATED REQUESTS FOR THE MISSING INFORMATION WERE SENT TO THE VENDOR STARTING OVER 12 MONTHS AGO	CAN BE ABSORBED INTO THE CURRENT YEAR BUDGET
DEVEREAUX ADVANCED BEHAVIORAL HEALTH	VENDOR 9478	\$200.00	RECEIVED INVOICE FROM DEVEREAUX ADVANCED BEHAVIORAL HEALTH ON 8/17/2022. THE VENDOR WAS SENDING THE INVOICE TO THE WRONG E-MAIL BOX.	CAN BE ABSORBED INTO THE BUDGET
NEW POSSIBILITIES HOME FOR CHILDREN	VENDOR 1819	743.03	THE YOUNG ADULT AGED OUT OF FOSTER CARE AND HAS ENROLLED IN THE FOSTER CARE 18-21 PROGRAM. COURT APPROVAL IS REQUIRED BEFORE YOUNG ADULTS CAN ENTER THIS PROGRAM. WE RECEIVED CONFIRMATION OF APPROVAL ON 10/5/2022	CAN BE ABSORBED INTO THE BUDGET
INSPIRATIONZ	VENDOR 7061	2451.00	THE YOUNG ADULT AGED OUT OF FOSTER CARE AND HAS ENROLLED IN THE FOSTER CARE 18-21 PROGRAM. COURT APPROVAL IS REQUIRED BEFORE YOUNG ADULTS CAN ENTER THIS PROGRAM. WE RECEIVED CONFIRMATION OF APPROVAL ON 10/18/2022	CAN BE ABSORBED INTO THE BUDGET
MS. CAREY'S TUTORING SERVICES	VENDOR 10104	1200.00	THE INVOICE WAS RECEIVED IN A TIMELY MANNER BUT WAS NOT ABLE TO BE PAID BECAUSE THE VENDOR WAS INACTIVE. VENDOR SATISFIED W-9 REQUIREMENT AFTER 8/15/2022 CUTOFF IN MUNIS FOR OLD YEAR INVOICES.	CAN BE ABSORBED INTO THE BUDGET

TOTAL: \$17,286.07



**MEMORANDUM FOR BOARD OF COMMISSIONERS AGENDA OF DECEMBER 19,
2022**

TO: BOARD OF COUNTY COMMISSIONERS

FROM: JESSICA HULLENDER, FINANCE ACCOUNTANT II

DATE: 11/23/2022

**SUBJECT: APPROVAL OF SOLE SOURCE UPGRADE OF TECH LOGIC
SOFTWARE AND HARDWARE FOR LIBRARY**

BACKGROUND

Funds in the amount of \$202,160 were appropriated in the fiscal year 2023 Capital Investment Fund budget for the upgrade of the Tech Logic check-out system for the Library. This upgrade will bring the hardware up-to-date as most of it has not been upgraded since 2012 and the department is beginning to have issues with the hardware. This upgrade will include the replacement of 16 RFID (radio-frequency identification) self-checkout stations and RFID gates for 6 of the 8 library locations. The RFID gates for the Headquarters and West Regional branches have already been upgraded due to failure.

In addition, this upgrade to the hardware will allow for the use of an updated software by Tech Logic called BaseCAMP, at no additional cost. The implementation of Tech Logic's BaseCAMP Central Automation Management Portal will allow for real time data and statistics on circulation of materials and down to the hour door count information of patrons who have both entered and exited library locations. This information will allow the department to better understand the communities' needs and wants, as well as the needs of staffing and open hours for locations.

All eight locations of the Library contain Tech Logic hardware and software, to include self-checkout stations, staff check-out stations, staff material processing stations, security gates, and shelf management. RFID tags are located in all books and other materials, so they can interact with this hardware and software. Staff check-out stations and self-check-out stations allow for a quick and easy check-in and check-out experience with a pad that detects the RFID tags in the materials. The security gates allow for protection of library materials, in addition to providing a door count to offer information needed for statistical reports and decision-making. RFID wands are used to walk along the shelves to help staff detect materials that may have been marked as lost, missing, or claimed returned. These hardware items all communicate together and with the Tech Logic

software and server.

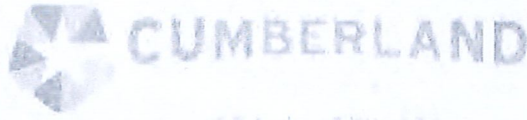
The Library has already upgraded RFID gates for two locations and six RFID wands. Switching to another vendor would require the Library to also replace the RFID gates for two additional locations, six RFID wands, and software licenses for staff check-in/-out stations, self-checkout stations, and staff material processing stations. For compatibility with the Library's current hardware and software and standardization for all eight locations, these upgrades need to be procured from and installed by Tech Logic. A quote has been submitted in the amount of \$197,967.50. This quote is for the replacement of 16 RFID self-checkout stations and RFID gates for six of the eight locations, to include installation and estimated shipping.

RECOMMENDATION / PROPOSED ACTION

Finance and Purchasing staff recommend utilizing the sole source bid exception for the upgrade of the Tech Logic software and hardware based on North Carolina General Statute 143-129 (e) (6) (iii), as standardization and compatibility is the overriding consideration.

ATTACHMENTS:

Description	Type
Sole Source Request Form	Backup Material
Sole Source Request Memo	Backup Material
Quote	Backup Material



Sole Source Request Form (Eff. 6/21/21)

Submit Completed Form to Purchasing

Date: 11/28/22 Department: Library

1. Vendor Name (Legal Name): Tech Logic Corporation

****Important Note for Item #2:** Confirm all required budgetary processes are complete and the funds are available before submitting "Original Budget" means the funds were approved by the Board in the original adopted budget for the current fiscal year. If a budget revision was completed after the adopted budget please answer N (No), and provide the budget revision number OR if original budget and budget revision both apply answer accordingly

2. Amount Budgeted for Purchase: \$202,160.00 Original Budget (Y/N): Y or Budget Revision #: _____

Budget Codes (The budget the purchase will be made from):

Org. 1074187 Object Code: 522510 Project Code: _____

Additional Notes Regarding Budget: _____

3. Federal Funding (Y/N): N

4. Detailed Description of Purchase (brand, what is the purchase, why is it being purchased, how is it used):

The Library is purchasing updated RFID gates at six locations to self check materials and update hardware and software. This technology has not been updated since 2012. With updates we will be able to use the camp management portal for statistical analysis for better management of resources. Please see memo for more information.

5. Which General Statute Sole Source Standard Does this Request Meet?

☐ (1) Performance or price competition is not available. Explain Below.

☐ (2) Product is available from only one source. Explain Below.

☒ (3) Standardization or compatibility is the overriding consideration. Explain Below.

Explain the Selection Above (Why is this brand required, Why is this vendor required, Why is standardization Required, etc.).

Two of the six library locations RFID gates have been updated due to failure. In order for all locations to be able to use the camp management portal, they must be compatible. Tech Logic is only compatible. Please see memo for more information.

6. Required Attachments:

a. If applicable, attach a memo, statement or certification from the vendor supporting their sole source claim.

b. Attach the quote submitted by the vendor for the purchase.

Recommended By: Jaich B. Phillips

Department Head Signature

FOR FINANCE ONLY BELOW THIS LINE

Reviewed and Confirmed By:

Jessica Hallen Date: 11/28/22

BOCC Meeting Date: 12/19/22 Deadline for Novus Entry: 12/18/22

FAITH B. PHILLIPS
DIRECTOR



HEATHER HALL
INTERIM DEPUTY DIRECTOR

MEMORANDUM

TO: Board of County Commissioners

THRU: Jessica Hullender, Finance Accountant II

FROM: Faith B. Phillips, Library Director

DATE: 11/28/2022

SUBJECT: Approval of Sole Source Purchase of TechLogic Software and Hardware for Library Circulation and basecamp

Funds in the amount of \$202,160.00 were appropriated in FY23 through technology requests for the upgrade of the library's check in and check out software and hardware. The library has been upgrading circulation hardware and software in some instances, but the associated servers and most of the hardware has not been upgraded since 2012. As a result, the library has been experiencing difficulties with the outdated software and hardware. This update will include replacement of 16 RFID self-checkout stations and RFID gates for six library locations. The gates at Headquarters and West Regional Libraries have already been replaced and upgraded due to failure.

The upgraded software and hardware will allow the library to utilize TechLogic's BaseCAMP, which is a central management portal that will allow for real time data and statics on circulation, and down to the hour door counts of customers entering and exiting library facilities. This specific, down to the hour door count data will allow for better evidence-based budgeting of library resources. The library will be able to use this information, as well as circulation information to better understand the needs of our community, and then use our resources to best meet those needs.

The library has already upgraded two location's RFID gates as well as six RFID wands, which are used for checking in materials, and for finding materials in the book stacks that may have been thought to be lost or missing. The two replaced gates are already using the BaseCAMP portal, providing down to the hour information. The BaseCAMP portal for data management is not compatible with other vendors. To utilize the BaseCAMP portal for data management, the library is requesting a sole source authorization for the attached quote for \$197,967.50 based on standardization and compatibility. If approved, this would allow for centralized management of the library's door count information for better understanding and utilization of resources, as well as centralized use of TechLogic's staffCIRC TRAK system that is only compatible with Tech Logic's software.



Prepared For: Cumberland County Public Library					11/10/2022
					Quote Number: 20221110 TH
QTY	PN	Self-Checkout System Products and Services	Unit Price	Extended Price	Optional 2nd Year Hardware Price
selfCIRC PRIME					
16	80505210-0	PRIME Standalone RFID	\$8,750.00	\$140,000.00	\$12,961.60
rfid GATE					
5	83002001	Tech Logic Single Aisle Crystal Gate Excellence with People Counter	\$5,595.00	\$27,975.00	\$2,287.33
1	83002002	Tech Logic B Pedestal Crystal Gate Excellence with People Counter	\$3,497.50	\$3,497.50	\$614.49
Installation and Training Costs					
1	Total	Remote Installation Kiosks/Gate Installation Onsite	\$13,500.00	\$13,500.00	
Shipping					
1		Estimated+++	\$12,995.00	\$12,995.00	
				Sub Total (USD)	\$197,967.50
				Total (USD)	\$197,967.50
					\$ 15,863.42
Prices contained in this quote are good for 120 days.					
Required Annual Software Licensing (beginning in year 2)					
No. of seats					
1		rfidGATE Software			\$325
				Total (USD)	\$325
Extended Hardware Warranty (beginning in year 2)					
Years					
2					\$15,863.42
2-3					\$30,140.50
2-4					\$44,258.94
2-5					\$57,742.85
2-6					\$71,385.39
Optional Hardware Warranty Shown in USD					

Note: Due to an unusual level of volatility in the price and availability of some raw materials used in our manufacturing process, Tech Logic may find it necessary to increase some of the above prices should there be a delay between purchase order and delivery of these products. Tech Logic will do everything in our power to avoid this but these market-price changes are well outside of our control.

More information about these challenges can be found here: <https://www.reuters.com/article/us-usa-economy-steel-insight/u-s-manufacturers-grapple-with-steel-shortages-soaring-prices-idUSKBN2AN0YQ>

Please feel free to reach out to your Tech Logic Solutions Specialist if you have questions or concerns—we are committed to working closely and transparently with our libraries during these unique times.



DEPARTMENT OF PUBLIC HEALTH

MEMORANDUM FOR BOARD OF COMMISSIONERS AGENDA OF DECEMBER 19, 2022

TO: BOARD OF COUNTY COMMISSIONERS

FROM: DR. JENNIFER GREEN, PUBLIC HEALTH DIRECTOR

DATE: 11/16/2022

SUBJECT: APPROVAL OF FEE SCHEDULE UPDATES

BACKGROUND

The Immunization Clinic requested approval to add 4 new vaccines to the approved Fee Schedule. These vaccines are required for school entry and/or recommended by the CDC. In addition, the Health Department is requesting to adjust the fee for the Yellow Fever vaccine. The proposed fee is determined by reviewing Medicaid, Medicare, and 3rd Party Payer rates, cost of the vaccine, indirect costs not covered by the Administration fee and a comparison of rates among surrounding Health Departments. The Board of Health unanimously approved these fees during their November 15, 2022 meeting.

The proposed fee schedule is summarized in the table below.

Vaccine	Why?	Approved Ages	Recommended vaccine in the US?	Proposed Fee
MenQuadfiCPT 90619	Manufacturer has updated their meningococcal vaccine formula, this replaces Menactra.	2 years and up	Yes. Required vaccine for school children. VFC approved	\$155
VaxneuvanceCPT 90671	CDC updates for pneumococcal vaccine	19 years through 64 years	Yes, for those with certain medical conditions and a prescription from their provider. VFC approved	\$225
Prevnar 20 CPT 90677	CDC updates for pneumococcal vaccine	19 years through 64	Yes. Per medical director's new standing	\$260

		years	order and for those who	
		65 years for	bring a prescription from	
		older	their provider.	
Vaxelis CPT 90697	Newcombination6-in-1 vaccine approved in the US. (Diphtheria/Tetatus/Pertussis/ Polio/HepB/Influenza type b)	6 weeks through 4 years	Yes, required vaccine for childhood immunization schedule. VFC approved	\$145
Yellow Fever CPT 90717	Vaccine recently available.Requesting to increase rate to cost of vaccine.	9 months and up	Yes, for people traveling to areas where Yellow Fever is present.	\$175

RECOMMENDATION / PROPOSED ACTION

Move to establish and approve the proposed fees for the MenQuadfi, Vaxneuvance, Prevnar 20, Vaxelis, and Yellow Fever vaccines, effective December 20, 2022.

ATTACHMENTS:

Description	Type
BOCC Fee Schedule Updates	Backup Material
Billing Guide	Backup Material

Cumberland County Board of
Commissioners
Jennifer Green
Cumberland County Department of Public
Health
December 8, 2022



Approval of Updated Fee Schedule

- Requesting to add 4 new vaccines to the approved Fee Schedule. These vaccines are required for school entry and/or recommended by the CDC.
- Requesting to adjust the fee for the Yellow Fever vaccine.
- The proposed fee is determined by reviewing Medicaid, Medicare, and 3rd Party Payer rates, cost of the vaccine, indirect costs not covered by the Administration fee and a comparison of rates among surrounding Health Departments.
- The Board of Health unanimously approved these fees during their November 15, 2022 meeting.

Approval of Updated Fee Schedule

Vaccine	Why?	Approved Ages	Recommended vaccine in the US?	Proposed Fee
MenQuadfi CPT 90619	Manufacturer has updated their meningococcal vaccine formula, this replaces Menactra.	2 years and up	Yes. Required vaccine for school children. VFC approved	\$155
Vaxneuvance CPT 90671	CDC updates for pneumococcal vaccine	19 years through 64 years	Yes, for those with certain medical conditions and a prescription from their provider. VFC approved	\$225
Prevnar 20 CPT 90677	CDC updates for pneumococcal vaccine	19 years through 64 years 65 years for older	Yes. Per medical director's new standing order and for those who bring a prescription from their provider.	\$260

Approval of Updated Fee Schedule

Vaccine	Why?	Approved Ages	Recommended vaccine in the US?	Proposed Fee
Vaxelis CPT 90697	New <i>combination</i> 6-in-1 vaccine approved in the US. (Diphtheria/Tetanus/Pertussis/ Polio/HepB/Influenza type b)	6 weeks through 4 years	Yes, required vaccine for childhood immunization schedule. VFC approved	\$145
Yellow Fever CPT 90717	Vaccine recently available. Requesting to increase rate to cost of vaccine.	9 months and up	Yes, for people traveling to areas where Yellow Fever is present.	\$175

Recommendation

- Move to establish and approve the proposed fees for the MenQuadfi, Vaxneuvance, Prevnar 20, Vaxelis, and Yellow Fever vaccines, effective December 20, 2022
- Add approval on the December 19, 2022 Consent Agenda

Cumberland County
Department of Public Health
Billing & Collection Policies

*Approved by the Cumberland County
Board of Health – 8/16/22*

*Approved by the Cumberland County
Board of Commissioners - 9/6/22*



Cumberland County Health Department
Fees, Eligibility & Billing Policies & Procedures

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Fees

Foundation

Public health services are increasingly costly to provide. The Health Department serves the public interest best by assuring that all legally required public health services are furnished for all citizens and then providing as many recommended public health services as it can for those citizens with greatest need.

Cumberland County Health Department provides services without regard to religion, race, color, national origin, creed, disability, age, sex, sexual orientation, gender identity, sex characteristics, number of pregnancies, marital status, parity, or contraceptive preference.

Fees are a means to help distribute services to citizens of the county and help finance and extend public health resources as government funding cannot support the full cost of providing all requested services in addition to required services. Fees are considered appropriate, in the sense that while the entire population benefits from the availability of subsidized public health services for those in need, it is the actual users of such services who gain benefits for themselves.

Fees for Health Department services are authorized under North Carolina 130A-39 (g), provided that 1) they are in accordance with a plan recommended by the Health Director and approved by the Board of Health and the County Commissioners, and 2) they are not otherwise prohibited by law. Fees are based on the cost of providing the service.

Fee Setting

Health Departments must develop a pricing policy addressing establishment of usual and customary charges, applying income-based discounts, non-sliding fee scale services, third party billing/reconciliation, Medicaid (physician administered drugs, fee for service drugs (340b), managed care, Medicaid as secondary payer). (See attachment A Fee Setting Policy)

Vaccine and Administration

Cumberland County Health Department will not charge a fee to clients for state supplied vaccines provided to clients that are eligible for such vaccine in accordance with the NCIP Coverage Criteria and Vaccine for Children. Administration fees for the rendering of state supplied vaccine may be billed to Medicaid. State supplied vaccine will be identified with a SL modifier. The appropriate NDC code must also be included.

Clients and Third- Party Payers may be charged and/or billed the administration fee and the cost of purchased vaccine by the Cumberland County Health Department as a non-sliding fee when provided outside of programs.

Vaccine administration and vaccine provided within Child Health, Family Planning, and Maternal Health program will be subject to the sliding fee scale.

340b Drugs and Devices

Cumberland County Health Department bills Medicaid the acquisition cost of medication or devices purchased through the 340b drug program. All 340b drugs and devices are identified with a UD modifier in the billing system. 340b drugs and devices are billed to Medicaid with an FP and UD modifier. The appropriate NDC code must also be included. Drugs and devices purchased through the 340b program are labeled as 340b and stored separately from other medications and supplies.

Non-Sliding Fees

The terminology, “Flat Fees” has been replaced and is now known as Non-Sliding Fees.

Cumberland County Health Department provides specific services at a non-discounted rate regardless of federal poverty level outside Child Health, Family Planning, Maternal Health and Communicable Disease programs. These fees will not slide on the sliding fee scale. These fees include, but are not limited to TB skin test for employment or school, non-programmatic pregnancy tests, and purchased vaccine rendered outside of Child Health, Family Planning, Maternal Health and Communicable Disease. There is a mechanism in place for waiving fees of individuals who, for good cause, are unable to pay. This process is approved by the Health Director or their designee. Waived fees will be documented in the Electronic Health Record with whom waived the fees and the reason for fees being waived.

Eligibility

Identification

It is considered “best practice” for each person presenting for services to establish identity either with a birth certificate, driver’s license, military I.D., passport, visa, or green card, etc. A local health department may not require a client to present identification that includes a picture of the client for at least immunization, pregnancy prevention, sexually transmitted disease and communicable disease services (Consolidated Agreement, B, 16). However, you may take a photograph of the client, (with their permission) for internal use only.

Determining Family Size

A family is defined as a group of related or non-related individuals who are living together as one economic unit. Individuals are considered members of a single family or economic unit when their production of income and consumption of goods are related. An economic unit must have its own source of income. Also, groups of individuals living in the same house with other individuals may be considered a separate economic unit if each group support only their unit. A pregnant woman is counted as two (including the unborn child) in determining family size.

Examples		Determining Family Size
1	A foster child assigned by DSS with income considered to be paid to the foster parent for support of the child.	Family of 1
2	A student maintaining a separate residence and receiving most of her/his support from her/his parents or guardians. (Self-supporting students maintaining a separate residence would be a separate economic unit.)	Dependent of the family
3	An individual in an institution.	Separate Economic unit
4	A client who requests "confidential services", regardless of age.	Family of 1
5	If a Family Planning client presents for a service and is considered to be a minor or is covered by a parent's medical insurance policy, interview questions may include the following: 1) <i>Ask the client if their parents are aware of their visit?</i> 2) <i>Ask if "both" parents are aware of their visit, since sometimes the mother may be present with the client, however, the father may not be aware of the visit.</i> 3) <i>Ask if you can send a bill to the home, to both parents.</i>	<p>If the client states both parents are aware and it is not a confidential visit, you should treat as such and use all family members in the economic unit.</p> <p>If both parents are not aware, treat this as a confidential visit and use the income of the individual, counting the individual as a family of 1.</p>

Determining Gross Income

Gross income is the total of all cash income before deductions for income taxes, employee's social security taxes, insurance premiums, bonds, etc. For self-employed applicants (both farm and non-farm) this means net income after business expenses.

1. Alimony
2. Bank Statement
3. Cash (any cash earnings, contributions received)
4. Check Stub (includes regular wages, overtime, etc.)
5. Child Support (cannot consider as income for Family Planning)
6. Client Statement
7. Disability
8. Dividends
9. Employment Security Commission
10. Income Tax Return (annual, not quarterly)
11. Letter of Verification from Employer
12. Military Earnings Statement
13. NC Unemployment
14. Pensions
15. Social Security
16. SSI
17. Tips

Exceptions

1. Payments to volunteers under Title I (VISTA) and Title II (RSVP, foster grandparents, and others) of the Domestic Volunteer Service Act of 1973
2. Payments received under the Job Training Partnership Act
3. Payments under the Low-Income Energy Assistance Act
4. the value of assistance to children or families under the National School Lunch Act, the Child Nutrition Act of 1966 and the Food Stamp Act of 1977
5. Veteran's Disability payments

No client will be refused services when presenting for care based on lack of income documentation. With the exception of Family Planning clients*, each client will be billed at 100% until proof of income and family size is provided to the agency. The client will have 15 days to present this documentation in order to adjust the previous 100% charge to the sliding fee scale. If no documentation is produced in 15 days, then the charge stands at 100% for that visit. This does not apply to non-sliding fee scale services which should be paid in full on the date of service.

*For Family Planning clients, the agency may use information from other Health Department programs to which the agency has legal access to verify income, but the agency may not charge clients at 100% simply because the client has not provided proof of income. In cases where the agency has no access to income reported in another program and the client does not provide proof of income, eligibility for discounts must be determined based on the client's verbal attestation of income. Reasonable attempts to verify income include only asking the client for proof of income at the initial and all subsequent Family Planning visits. Under no circumstance should measures to verify income burden clients from low-income families.

Computation of Income

Income will be based on a twelve (12) month period. If the client is working the day they present for a service, income will be calculated weekly, bi-weekly, monthly or annually, depending on the documentation obtained.

If the client is unemployed the day they present for their service, their "employment only" income will be calculated at zero (0), however the client should be required to provide "their mechanism", in regard to their paying for food, clothing, shelter, utility bills, etc. Refer to "sources of income" counted and apply all sources, as appropriate. "Regular contributions received from other sources outside of the home" is most often considered one of those sources. If the client is receiving unemployment or other "sources" of income, as designated above, all of those sources should be counted.

	The client's income will be determined by the following:
Regular Income Formula: (Based on 12 month Period)	Use Gross Income or for self-employed income after business expenses. Weekly = pay x 52 Biweekly = pay x 26 Twice a month = pay x 24
Unemployment or Irregular Income Formula:	
Six months' formula (Based on 12 month Period)	<ul style="list-style-type: none"> • Unemployed today = last 6 months income + projected unemployment (if applicable) or zero if client won't receive unemployment. This will give you income for the client for a 12 month period. <ul style="list-style-type: none"> ○ If no unemployment compensation – ask how the client is going to support themselves. • Employed today but unemployed last 6 months – Did the client receive unemployment the last 6 months? If no, record as zero and then project 6 months forward at current income. This will give you income for the client for a 12 month period.

Healthy Mothers Healthy Children (HMHC)/Title V (Well-Child Funding)

Title V policy on applying sliding fee scale: any client whose income is less than the federal poverty level will not be charged for a service if that service is partly or wholly supported by Title V funds. For clients having income above the federal poverty level, the sliding fee scale of the Cumberland County Health Department will be used to determine the percent of client participation in the cost of the service.

The guidance regarding Title V funding and sliding Child Health services to zero is as follows: Any Maternal and Child Health services (even outside of Child Health Clinics) must use a sliding fee scale that slides to "0" at 100% of the Federal Poverty Level per the NC Administrative Code – 10A NCAC 43B.0109 Client and Third-Party Fees.

The NC Administrative Code goes beyond the Title V/351 AA requirements, that all child health services, whether sick or well, no matter where delivered, must be billed on a sliding fee scale that slides to zero.

10A NCAC 43B .0109 CLIENT AND THIRD-PARTY FEES

- (1) If a local provider imposes any charges on clients for maternal and child health services, such charges:
 - (a) Will be applied according to a public schedule of charges;
 - (b) Will not be imposed on low-income individuals or their families;
 - (c) Will be adjusted to reflect the income, resources, and family size of the individual receiving the services.

- (2) If client fees are charged, providers must make reasonable efforts to collect from third party payors.
- (3) Client and third-party fees collected by the local provider for the provision of maternal and child health services must be used, upon approval of the program, to expand, maintain, or enhance these services. No person shall be denied services because of an inability to pay.

History Note: Authority G.S. 130A-124; Eff. April 1, 1985; Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. October 3, 2017

Child Health funds may not be used to supplement Medicaid services, support services or activities supported by other Agreement Addenda, and may not support services and activities that have not been approved by the Child & Youth Branch.

Title X Requirements Related to Income Collection for Confidential Clients

Title X requires that any client seeking confidential services be considered a family of one and that only their income would be used in assessing their percent pay on the sliding fee scale.

A copy of the Income and Eligibility Statement should be maintained for future reference. The number in the household, annual gross income and percentage of pay should be reflected on the financial documentation. The documentation should be signed and dated by the interviewer and client. Use of electronic signatures is acceptable.

Income is re-assessed annually unless there has been a change in financial status. Following the initial financial eligibility determination, the client will be asked at each visit if there has been a change in their financial status. Income will always be based on the “actual date” of service. If there has been a change or it is time for their annual review the income determination process should take place.

Client fees are assessed according to the rules and regulations of each program and the recommended Program’s Poverty Level Scale (Sliding Fee Scale) will be used to determine fees. All third-party providers will be billed, without discount, where applicable.

Clients presenting with third party health insurance coverage where copayments are required shall be subject to collection of the required copayment at the time of service. For Family Planning (Title X) clients the copay may not exceed the amount they would have paid for services based on sliding fee scale.

Income information reported during the financial eligibility screening for one program can be used through other programs offered in the agency, rather than to re-verify income or rely solely on the client’s self-report. Exception to the rule, effective November 8, 2021, for family planning, if income was not provided and the client was charged at 100% previously, clients will **not** automatically be charged at 100% in family planning.

Child Health/Health Check

Well child exams (Health Check) conducted by Physician Assistant or Nurse Practitioner; exam includes medical, social, development, nutritional history, lab work, physical exam and immunizations as needed.

Primary Care (Child Health) for sick children provided by Physician Assistant or Nurse Practitioner.

Eligibility: Cumberland County resident; birth to 20 years; 101 to 200% Sliding Fee Scale is Applied. Medicaid and Private Insurance is accepted.

Maternal Health

Prenatal care for eligible pregnant women.

Eligibility: Cumberland County resident; Presumptive Medicaid, Medicaid and Private Insurance accepted. 101 to 200% Sliding Fee Scale is Applied.

Family Planning or Women's Health Services

Clinic designed to assist women, including adolescents, with their family planning needs; services include, but are not limited to detailed history, lab work, physical exam, counseling and education given by appropriate provider.

All family planning services must be client centered, culturally and linguistically appropriate, inclusive, and trauma informed.

Eligibility: Women of childbearing age regardless of residency; 101-250% Sliding Fee Scale is Applied; Medicaid, or Insurance

The following shall apply to Family Planning clients:

- (1) Clients may not be coerced to use contraception, or to use any particular method of contraception or service.
- (2) If a client, including adolescents, is seeking confidential services, they will be considered "confidential" and it will be documented on the Financial Eligibility form. Charges to clients seeking confidential services will be based solely on the individual's income.
- (3) The use of NC Debt Setoff is acceptable for collecting past due amounts for Family Planning clients.
- (4) Confidential clients should NOT be referred to Debt Set-off.
- (5) The "Bad Debt Write-Off" method of aging accounts will be strictly followed. The list of bad debts will be approved by the Health Director, prior to submission to the Board of Health and Board of County Commissioners. Bad debts will not be written off until the approval of the Board of Health and Board of County Commissioners has been acquired. Board of Health and Board of County Commissioners minutes will serve as documentation that the write-offs have been approved.
- (6) Bills/receipts will be given to clients at the time of service show total charges, as well as any allowable discounts.

- (7) Where a third party is responsible, bills are submitted to that party. Bills to third parties show total charges, without discounts, unless there is a contracted reimbursement rate that must be billed per the third-party agreement.
- (8) Verifying a Family Planning client's income should not burden patients with low incomes or impede access to care. If a Family Planning client's income cannot be verified through access to enrollment in another program within your agency, and the Family Planning client has not provided proof of income, then you must charge the client based on the client's self-reported income.
- (9) If a Family Planning client refuses to provide a verbal declaration of income, and income cannot be verified through access to enrollment in another program within your agency, then you may charge 100% of the cost of services after informing the client that failure to declare income will result in the client owing 100% of the fee.
- (10) Family Planning clients will pay the lesser of the copay and additional fees or where they fall on Sliding Fee Scale as required by Title X.

Communicable Disease Control

This program deals with the investigation and follow-up of all reportable communicable and/or sexually transmitted diseases, to include testing, diagnosis, treatment, and referring as appropriate. It also provides follow-up and treatment of TB cases and their contacts.

Eligibility: No residency requirements. No fees charged to the client for these services as stated in program rules. Medicaid and Insurance can be billed.

Breast and Cervical Cancer Control Program (BCCCP)

Provides pap smears, breast exams and screening mammograms, assists women with abnormal breast examinations/mammograms, or abnormal cervical screenings to obtain additional diagnostic examinations.

Eligibility: No residency requirements; determined by specific policies and procedures including income guidelines defined by the Breast and Cervical Cancer Control Program (BCCCP). 101-250% Sliding Fee Scale Applied.

Immunizations

Provides adult and child immunizations. International Travel vaccines are also provided.

Eligibility: No residency requirements; no sliding scale applied; Medicaid and private insurance accepted.

Women's, Infants and Children's Nutrition (WIC)

Supplemental nutrition and education program to provide specific nutritional foods and education services to improve health status of target groups.

Eligibility: WIC is available to pregnant, breastfeeding, and postpartum women as well as infants and children up to age 5. The following criteria must also be met: 1) be at medical and/or

nutritional risk; 2) have a family income less than 185% of the US Federal Poverty Level; Medicaid, AFDC, or food stamps automatically meet the income eligibility requirement.

Billing & Revenue

In accordance with G.S. 130-A-39(g), which allows local health departments to implement a fee for services rendered at the Cumberland County Health Department, (with the approval of the Cumberland County Board of Health and the Cumberland County Commissioners) will implement specific fees for services and seek reimbursement. Specific methods used in seeking reimbursement will be through third-party coverage, including Medicaid, Medicare, private insurance, and individual client pay. Cumberland County Health Department currently participates in many third-party networks. See Attachment B. The agency will adhere to billing procedures as specified by Program/State regulations in seeking reimbursement for services provided.

Charging for Services

1. There shall be no minimum fee requirement or surcharge that is indiscriminately applied to all clients.
2. Persons requesting program services will be encouraged to apply for Medicaid.
3. Charges will not be assessed when income falls below 100% of Federal Poverty Guidelines, for Child Health, Family Planning and Maternity programs.
4. There shall be a consistent applied method of “aging” accounts.
5. No one shall be denied services based solely on the inability to pay.
6. Clients shall be given a receipt each time a payment is collected
7. Donations shall be accepted, regardless of income status if they are truly voluntary. The client account will not be reduced due to a donation. There shall be no “schedule of donations”, bills for donations, or implied or overt coercion.
8. Provider will use best efforts to continue to provide services to clients at or below 150% of Federal Poverty Level.

Fee Collection

1. Charges in all programs will be determined by a fee scale based on Federal Poverty with the exception of any services deemed as non-sliding fees. (i.e. TB skin test, Non-programmatic pregnancy tests, Adult Health services).
2. Upon each clinic visit, Management Support staff will determine the income and sliding fee scale status of each client. Staff will be responsible for documentation of financial eligibility in the Electronic Health Records system. Proof of income will be scanned or documented. With the exception of family planning, clients without required verification will be charged at 100% until income documentation is received.
3. Payment is due and expected at the time services are rendered. If a balance remains, a payment agreement and schedule will be established and signed by the client. (See Attachment C)
4. There is a mechanism in place for waiving fees of individuals who, for good cause, are unable to pay. This process is approved by the Health Director or their designee, and

each instance of fee waiver shall be documented in agency records and communicated to the client according to protocol.

5. Enrollment under Title XIX (Medicaid) shall be presumed to constitute full payment for billable services to Medicaid.
6. The Accounts Receivable System will be balanced daily.
7. Emergency services will never be denied.
8. Monthly statements will be mailed to the client/responsible party as long as confidentiality is not jeopardized.

Billing Medicaid and Third-Party Insurance

1. Clients presenting with third party health insurance coverage where copayments are required shall be subject to collection of the required copayment at the time of service. For Family Planning (Title X) clients, the copay/deductible may not exceed the amount they would have paid for services based on the sliding fee scale.
2. Clients will sign on paper to be scanned or electronically sign a consent allowing the Health Department to file insurance and a copy of the insurance card will be scanned at that time into the client's medical record.
3. Third party is billed the total amount of the service provided they will not receive the benefit of the sliding fee scale. The charge and any remaining balance with the exception of copayments, is billed to the client based on the sliding fee scale. Copayments are not subject to the sliding fee scale, except that Family Planning clients may not be charged more in copayments and deductibles than they would have been responsible for on the sliding fee scale.
4. Claims are filed electronically.
5. Payments are posted electronically/manually to client accounts. If applicable, secondary insurance is filed.
6. Denials are researched using the Remittance Advice (RA) for Medicaid and Explanation of Benefits' for private insurance. Any denials deemed incorrect are resubmitted as quickly as possible. Any remittance or final denial is posted to the client's account. Remaining balance for Medicaid clients are adjusted off. (unless it was for a non-covered service that the client was made aware of prior to the service being rendered.)
 - a. If a client has any form of third-party reimbursement, that payer must be billed with the patient's consent, unless confidentiality is a barrier*. Medicaid will be billed as the payer of last resort. Clients should be made aware that they will be responsible for any balance remaining after the claim has been processed. This may include copays, coinsurance, deductibles and non-allowed charges. As required by Title X, Family Planning clients whose family income is between 101%-250% FPL will not pay more in copayments or additional fees than they would otherwise pay when the schedule of discounts is applied.
7. If an encounter with a client is found to be coded incorrectly, the provider may make corrections by appending the provider's note and e-superbill within the client's medical record and notifying the billing department's supervisor. The billing department will review the corrections and update the charges accordingly. If a client has been charged and have received a monthly statement and the addition or correction of the service made by the provider will increase the client's balance, the correction will be made with no additional cost to the client, unless, the client was over charged.

* Third party billing is processed in a manner that does not breach client confidentiality, particularly in sensitive cases (e.g., adolescents or young adults seeking confidential services, or individuals for whom billing the policy holder could result in interpersonal violence). The confidential client may give you their insurance card not thinking that the subscriber is not aware of the visit. Filing an insurance claim will result in an EOB (explanation of benefits) being sent to the subscriber which would violate confidentiality. Be certain to have the client sign/initial if they want insurance to be filed.

Overpayments and Refunds

Payment for copays, deductibles, coinsurance, account balances and non-sliding fees will be collected at the time of service. If an overpayment is made by the client, the client will be notified of the overpayment and given the option for refund, or application of the overpayment to another date of service balance or for an upcoming appointment. Overpayments that clients choose to have refunded, will be refunded based on county policy.

Overpayments paid by Medicaid, Medicare and insurance will be reviewed and refunded in accordance to the guidelines set forth in our network participatory agreement.

Bad Debt Write Off and NC Debt Setoff

1. Bad Debt Write Off
 - a. Outstanding accounts having no activity in more than 2 months shall be written off as bad debts, at least annually upon approval of the Cumberland County Board of Health and the Cumberland County Commissioners.
 - b. Once an account has been written off as a bad debt it should not be reinstated. Only if the client returns to the clinic and wants to make a payment should action be taken to reinstate only the payment amount, post the payment and leave the remaining balance that was initially written off as it stands.
2. NC Debt Setoff
 - a. Client accounts fulfilling the requirements of NC Debt Setoff will be submitted to the NC Debt Setoff Program, at least annually. The account balance must be 1) greater than \$50.00, and 2) must be 60 days delinquent before it is eligible for Debt Set Off. After being delinquent for a minimum of 60 days, the client/guarantor will be notified of the process of debt setoff, via letter. The client/guarantor has 30 days to make payment or request a payment plan or the debt will be submitted to NC Debt Setoff.
 - b. Debt Setoff should not be used for Family Planning clients for whom confidentiality may be breached.

Bankruptcy

When legal notification is received from Bankruptcy court, there is no further collection of the outstanding account unless a payment schedule is set up by the Bankruptcy court.

- The client's account is notated/flagged with bankruptcy information, such as the time frame to which the bankruptcy references.
- The account maybe written off if mandated by court.
- The client may volunteer to pay.
- Additional visits to which are not included in the bankruptcy time frame, will be the client's responsibility.

Limiting or Restricting services

- Women's Health: The Title X guidelines do not distinguish between "inability" and "unwillingness" to pay. For Family Planning clients who do not pay, the agency can use debt set-off. Even if a client establishes a payment plan but then refuses to honor the plan services cannot be denied or restricted.
- In Maternal Health, denying or restricting services would constitute client abandonment. Therefore, services for Maternal Health may not be denied because a client is unwilling or unable to pay.
- Child Health may not restrict Child Health services due to an outstanding bill. Title V funds are used to prevent barriers to care for clients that are Non-Medicaid, non-insured as well.

No Mail Policy for Confidential Clients

1. When a client requests no mail, discussion of payment of outstanding debts shall occur at the time service is rendered.
2. If the client is unable to pay in full at the time of service rendered, a receipt will be given to the client reflecting the partial payment and the client will sign a payment agreement.
3. Medical record is flagged reflecting-- **"NO MAIL" and every precaution should be taken to ensure bills are "not" sent to clients, requesting "NO MAIL"**.
4. Client is reminded every visit of the amount they still owe.
5. No letters or correspondence concerning insurance, past due accounts or other billing issues will be sent to any client that requests "NO MAIL".

CUMBERLAND COUNTY DEPARTMENT OF PUBLIC HEALTH

Policy/Procedure Title: Cumberland County Department of Public Health Fee Policy	
Policy #: 02-01 Date Created: September 19, 2016 Date Revised: 5/19/2017;10/20/2020 Date Reviewed: 5/19/2017; 10/31/17; 07/01/2020; 10/20/2020; 07/01/2021; 07/01/2022	
Approved By/Date:	
<div style="border-bottom: 1px solid black; height: 1.2em; margin-bottom: 5px;"></div> Division Director	
<div style="border-bottom: 1px solid black; height: 1.2em; margin-bottom: 5px;"></div> N/A	<div style="border-bottom: 1px solid black; height: 1.2em; margin-bottom: 5px;"></div> N/A
Director of Nursing	Medical Director/Dentist
<div style="border-bottom: 1px solid black; height: 1.2em; margin-bottom: 5px;"></div> Board of Health Chair	<div style="border-bottom: 1px solid black; height: 1.2em; margin-bottom: 5px;"></div> Public Health Director
Category:	
<div style="margin-left: 20px;"> <input type="checkbox"/> 00-Introductory: Authority & Responsibility <input type="checkbox"/> 01-General Administration <input checked="" type="checkbox"/> 02-Finance <input type="checkbox"/> 03-Communication & Administration <input type="checkbox"/> 04-Personnel & Employee Relations <input type="checkbox"/> 05-Nursing-Overarching <input type="checkbox"/> 06-Nursing-Community/Personal Health Services Program Policies <input type="checkbox"/> 07-Nursing-Preparedness & Surveillance <input type="checkbox"/> 08- Environmental Health <input type="checkbox"/> 09-Community Health/Health Education <input type="checkbox"/> 10-WIC <input type="checkbox"/> 11-Dental Health <input type="checkbox"/> 12- Laboratory <input type="checkbox"/> 13-Jail Health <input type="checkbox"/> 14- Pharmacy <input type="checkbox"/> 15- Medical Records </div>	

I. PURPOSE:

- A. To establish equitable fees for all public health services based on a plan recommended by the Health Director, approved by the Board of Health and Board of County Commissioners.
- B. The Cumberland County Department of Public Health assures that all mandated public health services are provided for all residents. The department provides recommended and requested public health services based upon the priorities established by the Cumberland County Board of Health, the most recent Community Health Assessment, and North Carolina Department of Health and Human Services.
- C. Establishing fees help finance and extend public health resources, as government funding cannot support the full cost of providing all requested and necessary services.
- D. Fees for Health Department services are authorized under North Carolina General Statute 130A-39 (g), provided that:
 - 1. They are in accordance with a plan recommended by the Health Director, approved by the Board of Health and the County Commissioners.
 - 2. They are not otherwise prohibited by law.
 - 3. Fees to self-pay patients are calculated on a Sliding Scale Fee.
- E. Funds generated through reimbursement will be recorded in separate line items in the Health Department's County Budget.

II. REFERENCES:

- A. North Carolina General Statutes 130A-39, 130A-41(b) (13), 130A-153(a), 130A-433(b)
- B. North Carolina Administrative Codes 10A NCAC 43.0204, 10A NCAC 0205
- C. North Carolina Health and Human Services www.ncdhhs.gov
- D. North Carolina Department of Public Health www.publichealth.nc.gov
- E. North Carolina Division of Medical Assistance www.ncdhhs.gov/dma
- F. Center for Medicare/Medicaid Services www.cms.gov

III. DEFINITIONS:

- A. Fee - A charge for services rendered.
- B. Copayment - An amount established by a health insurance plan that must be paid to the healthcare provider at time of service.
- C. Sliding Fee Scale - Fee schedule guideline based on family size and income levels at or below poverty level. Patients pay a percentage of the full charge based on their income and family size.

IV. FOCUS POPULATION:

- A. Cumberland County Department of Public Health staff, patients and customers.

V. POLICY:

- A. The Cumberland County Department of Public Health provides services without regard to religion, race, national origin, creed, gender, marital status, age or contraceptive preference.
- B. The Cumberland County Department of Public Health will establish fees for services and obtain approval from the Board of Health and Board of County Commissioners. Reimbursement for services will be received through third-party coverage such as Medicaid, Medicare, private insurance, and self-pay. Self-Pay charges will be subject to fee adjustment based on the current Sliding Fee Scale. We ensure patients are aware we provide services with the use of a Sliding Fee Scale by advertisement throughout our facility and on our website.
- C. Billing procedures specified by Program/State regulations will be adhered to when seeking reimbursement. Fees will be assessed for all services rendered unless prohibited by law.
- D. Program reviews and committee meetings comprised of all disciplines will meet, within the Health Department, as necessary to determine the cost of providing services and discuss the “setting of rates”, for the services provided. The following procedures define the methods used for setting rates:
1. The *Medicaid Cost Analysis* provided by the Office of Medicaid Reimbursement will be utilized to compare how much it costs the Health Department to provide a service. The *Medicaid Cost Study* is performed annually in all Health Departments. The actual results are in this document and shared with each County. The cost of providing services is compared throughout the State, from one Health Department to another. This information gives a realistic figure to work with and compares cost to perform a service to all other counties within the State.
 2. The Office of Medicaid Reimbursement issues their reimbursement rates, usually in January of each year. These rates will be used as a baseline when comparing to other third parties.
 3. Medicare, surrounding community rates (ex: community physician rates, local labs, hospital rates, etc.), including a comparison of surrounding counties’ Health Department fees are also contributing factors in determining rates.
 4. Once the above information has been reviewed and discussed with the Health Department staff, fees will be taken to the Board of Health and Board of County Commissioners for their discussion and final approval. Once approval has been received, the appropriate fees are set and will be maintained in the Health

Department, noted as the approved "schedule of charges." Board approvals (Health and County Commissioners) will be reflected in the respective minutes.

- E. Services implemented during the year or fee adjustments will be presented to the Board of Health and Board of County Commissioners for approval.
- F. The Health Director may make an exception to the fee schedule for very limited specific situations.

VI. PROCEDURES:

- A. Patients seeking health services are required to provide proof of residency as required by Program Guidelines and proof of income. Patients will be informed when making an appointment the fees will be assessed at 100% unless proof of income is provided.
- B. Income and family size will be based upon North Carolina Administrative Codes and North Carolina Department of Health and Human Services rules.
- C. Fees for Environmental Health Services will be collected prior to delivery of service. Copayments and flat rate charges for medical services are expected at time-of-service delivery. However, patients will not be denied services based on inability to pay.
- D. Patients with insurance must present a valid coverage card at time of service.
- E. **Uninsured patients will receive information on how to apply for Medicaid benefits.**
- F. Fees collected from Medicaid constitute payment in full. Medicare plans that apply co-insurance or deductibles are billed to the patient based on the Sliding Fee Scale. Copays are not applied to the Sliding Fee Scale. Any remaining expense after private insurance has paid will be billed to the patient based on the Sliding Fee Scale.

Network Participation In Network Third Party Insurances

Cumberland County Health Department is in network and participates with the following Third-Party Insurances.

- Blue Cross Blue Shield of North Carolina
- Medcost
- North Carolina Health Choice
- Tricare
- United Healthcare

Participating Governmental Payers

Cumberland County Health Department is in network and participates with the following Governmental payers.

- Medicare
- NC Medicaid
 - Including Prepaid Health Plans provided by the following
 - Healthy Blue
 - United Health Care
 - Well Care
 - AmeriHealth Caritas
 - Carolina's Complete Care

Jennifer Green, PhD, MPH
Health Director

Ashley Curtice, MS
Deputy Health Director



Payment Agreement

In accordance with the policy of the Cumberland County Health Department, payment is due when a service is rendered. However, we realize that there are times when an individual does not have the total amount of money owed to the clinic, therefore, this written agreement is established as a method of adopting a payment plan for those clients who have an outstanding balance.

NAME----- DATE OF BIRTH ----- ADDRESS----- AND OTHER INFORMATION, AS REQUIRED

I, _____, agree to establish a payment plan for my account and to the stipulations herein stated:

_____ My account balance is \$_____

_____ I will pay the amount of \$_____ on my bill

_____ Monthly_____ Weekly_____ Bi-weekly_____

_____ I understand that the Cumberland County Health Department cannot operate efficiently without me adhering to the agreement as stated above. I further state that my options were explained to me and I fully understand.

_____ I understand that I am responsible for any balance left owing if my insurance company should not pay the bill in full and that it will be based on my sliding fee scale status.

This is a binding agreement by signatures of both parties.

I understand that failure to comply with this agreement will greatly affect the overall operations of the Cumberland County Health Department and may result in my debt being referred to NC Debt Setoff for collection.

Signature of Client_____

Signature of Staff Witness_____

Name: DOB:	Cumberland County Health Department 1235 Ramsey St Fayetteville, NC 28301 910-433-3600
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Income & Eligibility Statement

Circle Correct Answers:

Resident of North Carolina	Yes	No
Medicaid Eligible	Yes	No
Insurance	Yes	No
Self-Pay	Yes	No
No-Pay	Yes	No

Gross annual income of economic unit:**Total number in household supported by income above:****Sliding Fee Scale Percentage:** %

Gross income is defined as salary, wages, overtime pay, earnings from self-employment, investment income (stocks, bonds, savings account interest, rentals, etc.), public assistance monies, unemployment compensation, alimony and child support payments, military allotments, Social Security benefits, limited Veterans Administration benefits, retirement and pension, Workers Compensation, regular contributions from individuals not living in the household, Supplementary Security Income (SSI) benefits, prize winnings, lawn maintenance as a business and house cleaning as a business.

Economic unit includes persons living in the household, related or non-related, who share their production of income and consumption of goods.

Verification of income is required as noted in the Cumberland County Health Dept. Eligibility & Fee Policy.

Patients who do not provide proof of income at time of registration will be charged 100% of our current fees for services provided, except Family Planning clients. Patients **will have 15 calendar days to return** to the Health Department with proof of income in order for the sliding fee scale to apply. If proof of income has not been provided **within the 15 calendar day period**, charges will remain at the full 100% of our current fees. Patients who prefer not to provide proof of income will be charged 100% of our current fees. Effective November 8, 2021, Family Planning clients may self-report income, and may not be charged at 100% simply because they did not provide proof of income. **Payment is due the day services are rendered.**

Upon penalties prescribed by law, I hereby affirm that to the best of my knowledge and belief, this income statement is true and correct.

- ☐ I prefer not to provide CCHD with proof of income or declaration of income; therefore, I understand that I am fully obligated for payment of fees for services provided at 100% of Cumberland Cty Health Department's standard fees.
- ☐ Confidential Contact or Emancipated Minor – considered family of one and based on minor's income only
- ☐ Declaration of "no income" - reasonable answers for living expenses provided – all programs.
- ☐ Proof of income has been provided as required or attested to for family planning services.
- ☐ **Proof of income will be provided within 15 calendar days of signature date below. I understand if proof of income is not provided within the 15 calendar day period, charges will remain at 100% of current fees.**
- ☐ Proof of income has been provided for date of service: **Within 15 calendar days:** Yes No
- ☐ I have health insurance but prefer that it not be filed for this visit. I understand that I will be responsible for payment of fees based on income eligibility under the Sliding Fee Scale.

I, the undersigned, verify the above information is true to the best of my knowledge and I understand payment is expected at the time of service for all services rendered.

Signature of Patient/Parent/Authorized Representative	Date	Relationship of Authorized Representative
Signature of Witness	Date	

01/2022



COMMUNITY DEVELOPMENT

MEMORANDUM FOR BOARD OF COMMISSIONERS AGENDA OF DECEMBER 19, 2022

TO: BOARD OF COUNTY COMMISSIONERS

FROM: DEE TAYLOR, DIRECTOR OF COMMUNITY DEVELOPMENT

DATE: 12/9/2022

SUBJECT: APPROVAL OF THE REQUEST TO ALLOCATE FREED UP CAPACITY FUNDING TO TRUE VINE MINISTRIES TO SUPPORT THE WHITE FLAG EVENT AND BUDGET ORDINANCE AMENDMENT #B230175

BACKGROUND

Cumberland County issued a Request for Information (RFI) to seek providers to partner with Cumberland County to provide shelter during the White Flag event. A White Flag shelter will be activated when the temperature and / or wind chill is forecasted at 32 degrees or below, night and/or day.

An interest meeting was held on November 10, 2022, and the deadline for providers to submit their response was November 17, 2022. Cumberland County received responses (attached) from the following providers:

- Family Endeavors (d/b/a Endeavors) / Estimated Budget Amount: \$312,200
- True Vine Ministries / Estimated Budget Amount: \$80,000

The estimated budgets are computed based on a per person, per night rate during the White Flag event. It is estimated that the White Flag event occurred 31 days between January 1, 2022, through March 31, 2022. The estimates listed above reflect a total of 35 days.

As indicated in the RFI, the County may finalize a contract with a selected vendor(s) based on all factors involved in the written response submittal without further discussion or interviews. Therefore, Cumberland County desires to contract with True Vine Ministries based on their past experience, capacity, and cost reasonableness to operate a White Flag event. Freed up capacity funds are available to support this effort. Contracting with True Vine Ministries during the White Flag event will ensure that additional shelter beds are available for all citizens in need.

RECOMMENDATION / PROPOSED ACTION

At the December 9, 2022 ARP Committee meeting, the Committee approved to move the following action to the December 19, 2022 Board of Commissioners meeting as a Consent Agenda Item:

- Approve contracting with True Vine Ministries for an amount not to exceed \$80,000 to provide additional shelter beds and services during White Flag that will be held through March 31, 2022; and
- Approve Budget Ordinance Amendment #B230175.

ATTACHMENTS:

Description	Type
ARP Committee Presentation - White Flag	Backup Material
Request for Information for White Flag	Backup Material
True Vine Ministries Scope of Work	Backup Material
Family Endeavors Scope of Work	Backup Material



WHITE FLAG EVENT

AMERICAN RESCUE PLAN COMMITTEE

December 9, 2022

BACKGROUND

County issued Request for
Information (RFI) on October 26,
2022

RFI due on November 17, 2022



Interest meeting held on November
10, 2022



Purpose of White Flag?

- Provide temporary shelter and services to homeless individuals
- When temperature and/or wind chill is forecasted at 32 degrees or below, night and/or day.

MAIN PROBLEMS

Lack of shelter beds;

Agencies lack capacity;

Gaps in service delivery; and

Lack of continuity.





2022 Point-in-Time
Homeless Count
475 Homeless
Persons

Unsheltered = 372
Females = 168
Males = 307

Next Steps

- Follow-up meetings and a site visit(s);
- Coordinate logistics and finalize community plan;
- Publish/distribute White Flag information
- Implement activities; and
- Conduct follow-up meetings for updates and changes.

REQUEST

To allocate freed up capacity funding to True Vine Ministries to Support the White Flag Event not to exceed \$80,000.

RECOMMENDATION / PROPOSED ACTION

Staff recommends the following action be moved to the December 19, 2022 Board of Commissioners meeting as a Consent Agenda Item:

- Contract with True Vine Ministries on a per person, per night rate not to exceed \$80,000 during white flag events to provided additional shelter beds between through March 31, 2022.



REQUEST FOR INFORMATION
RFI 2022 - WHITE FLAG SHELTER

Date of Issue: October 26, 2022

Questions due date: November 3, 2022 at 3:00 PM ET

Interest Meeting: November 10, 2022 at 9:00 AM ET

RFI due date: November 17, 2022 at 3:00 PM ET

Direct all inquiries concerning this RFI to:

Delores Taylor

Community Development

Email: dtaylor@cumberlandcountync.gov

1.0 PURPOSE AND BACKGROUND

Cumberland County is seeking information on providers (“Vendors”) who would partner with the County to provide vital White Flag shelters based on criteria for need. White Flag shelters is defined as meeting the following requirements:

- **Temperature and/or wind chill is forecasted at 32 degrees or below, night and/or day**

From January 1, 2022 – March 31, 2022, Cumberland County experienced approximately 31 White Flag days. We anticipate no more than 35 days a year during the months of December through March.

The County welcomes the responses of all legally qualified vendors, including service providers, as well as competitive providers, nonprofit organizations, and other entities that are interested in partnering with the County. Providers may respond as part of a partnership with other organizations or may provide separate responses.

2.0 REQUEST FOR INFORMATION INSTRUCTIONS

2.1 REQUEST FOR INFORMATION DOCUMENT

Vendors are required to read, understand, and comply with all information contained within this Request for Information (“RFI”).

Any questions regarding this RFI should be submitted to Delores Taylor, Community Development Supervisor by email to dtaylor@cumberlandcountync.gov by no later than November 3, 2022, at 3:00 PM.

An interest meeting will be held at the Department of Social Services, first floor conference room, 1225 Ramsey Street, Fayetteville, NC 28301 on November 10, 2022 at 9:00 AM ET.

Responses received after the Due Date/Time will not be considered. Cumberland County reserves the right to terminate this RFI at any time, as determined by County in its sole discretion.

The RFI packet may be found on the Cumberland County website Vendor Self Service Site, <https://ccmunis.co.cumberland.nc.us/MSS/Vendors/default.aspx>.

Complete RFI responses must be emailed to dtaylor@cumberlandcountync.gov **on or before 3:00 PM ET on November 17, 2022**. The subject line of the email must identify the RFI title: **RFI 2022- White Flag Shelter**.

Vendors are responsible for all costs associated with the preparation, submittal, and presentation of their responses. This RFI is not a solicitation for bids or proposals. It is a request for information regarding the matters described below.

Any information disclosed in the submission of the RFI could be utilized for potential agreement with the county to provide the services. The County reserves the right to finalize a contract with one or more Vendors based on all factors involved in the written response submittal without further discussion or interviews.

3.0 NOTICES TO VENDOR

3.1 PROHIBITED COMMUNICATIONS AND CONFIDENTIALITY

PROHIBITED COMMUNICATION: Each vendor submitting a response (including its representatives, sub-contractors and/or suppliers) is prohibited from having any communications with any person outside of the contact listed before. A Vendor not in compliance with this provision may be disqualified from contract award.

4.0 RESPONSE CONTENT REQUIREMENTS

4.1 RESPONSE CONTENT

Response should address the following information:

- 1) Organizational name and brief background summary of mission and scope of services
- 2) Primary contact information
- 3) Number and location of designated White Flag beds available
- 4) Population eligible for shelter
- 5) Commitment to service delivery, ensuring shelter is meaningfully accessible to people in need as long as they are able to safely participate
- 6) Commitment to providing data for the Homeless Management Information System (HMIS) system
- 7) Ability to provide for basic needs to include food, showers, cots, linens, and bathrooms
- 8) Ability to demonstrate capacity through staffing ratios (volunteers or paid staff)
- 9) Ability to keep families and children safe and free from potential misconduct
- 10) Response time needed to “stand up” the facility
- 11) Indicate the hours of operation during White Flag event
- 12) Indicate if the shelter will operate as a low barrier shelter during White Flag and include any barriers to entry.
- 13) Proof of Insurance
- 14) Total White Flag budget clearly showing per person per night rate with the maximum beds available

4.2 RESPONSE REQUIREMENTS

It is in the best interest of Vendors to submit responses that are clear, concise, and easily understood. Responses should provide information essential for a straightforward and concise description of vendor capabilities to satisfy the below requirements.

Submissions must not exceed 10 pages in length. Please adhere to the following format when assembling the response:

- An 8.5” X 11” format, either vertical or horizontal
- A font size no smaller than 11 points
- Do not include any web links or any materials not requested in this RFI



REQUEST FOR INFORMATION

RFI 2022 – WHITE FLAG SHELTER

Addendum I

(County responses and changes are in red)

1. I have a question about the proof of insurance request. We would host White Flag on our church campus in our gymnasium as we did the five years prior to COVID-19. Our insurance is in the name of our church and not White Flag as a particular. However, whatever we do on campus is covered. I just wanted to ensure that the church insurance would suffice as proof of insurance.

In response to your question, an active insurance with general liability and worker's comp coverage will be adequate for meeting the insurance requirements.

Response Content Requirements

RFI 2022 – WHITE FLAG SHELTER

1) Organizational name and brief background summary of mission and scope of services

The organizational name is True Vine Ministries. The mission of our White Flag Shelter is to “help those who need it most, when they need it most.” The White Flag Shelter will provide a place to sleep with bedding items to include, blankets, sheets, and pillows, on those nights when the temperature drops below freezing in our region. Also, we will provide two meals (dinner and breakfast), as well as snacks for the residents while they are in our facility. We also have available showers with towels and toiletry items. Additionally, we have chaplains who will visit our facility to be available to talk to our residents.

2) Primary contact information

Ernest W. Jones 910-988-6440 or 910-867-6762

3) Number and location of designated White Flag beds available

We have 50 beds available in our gymnasium located at 5315 Morganton Road, Fayetteville, NC. The contact phone number is listed above.

4) Population eligible for shelter

The homeless population is eligible to use the shelter and anyone who may be experiencing a heat emergency or deficiency in their home.

5) Commitment to service delivery, ensuring shelter is meaningfully accessible to people in need as long as they are able to safely participate.

We are completely committed to opening the shelter during the designated nights and ensuring that it is accessible. We have five years of experience in operating a White Flag Shelter and we were very successful in meeting the needs of our community.

6) Commitment to providing data for the Homeless Management Information System (HMIS) system

We will provide all necessary data to the Homeless Management Information System.

7) Ability to provide for basic needs to include food, showers, cots, linens, and bathrooms

Since we have already been engaged in White Flag, we are equipped to provide for all the basic needs of our guests. We will provide meals through our commercial kitchen facility. We have available commercial sized bathrooms with showers for both male and female residents. We have linen and towels on hand that we will make available to our guests, along with toiletry items as well. All of the basic needs are available and will be supplied.

8) Ability to demonstrate capacity through staffing ratios (volunteers or paid staff)

Our shelter will be staffed by a director, two check-in specialists, two supply specialists (who oversee towel and toiletry distribution), four kitchen personnel (who cook and serve meals), and two security personnel. The director and security positions would be paid staff. The other positions would be operated through volunteers.

9) Ability to keep families and children safe and free from potential misconduct.

We will employ two security personnel to be available during operational hours. In the past, we have also arranged to have police department personnel conduct regular checks on the facility as a part of their daily routine.

10) Response time needed to “stand up” the facility

We currently have on hand all equipment needed to stand up a facility. On a day-to-day basis we would need to be informed by 9 am that day as to the need to provide services that evening.

11) Indicate the hours of operation during White Flag event.

We would operate White Flag from 6 pm until 7 am.

12) Indicate if the shelter will operate as a low barrier shelter during White Flag and include any barriers to entry.

We will not allow anyone who is intoxicated or under the influence of drugs to stay in our facility. Also, if someone comes in being combative with staff or other residents, we will not check them in.

13) Proof of Insurance

ATTACHED

14) Total White Flag budget clearly showing per person per night rate with the maximum beds available.

White Flag Budget:

	Per person	Per capacity (50 people)
Resident lodging	\$20	\$1000 (lodging covers the operational cost of the facility for 13 hours a day)
Meals	\$10	\$500
Total	\$30	\$1500

Additional Costs

Laundry \$100 per day to clean all linen and towels

Director \$20 an hour, \$260 per day

Two security personnel \$15 an hour, \$390 per day

Total additional cost per day: \$750

Combined cost per day at capacity: \$2,250 per day

Total maximum cost based on number of White Flag Days (31) experienced in 2021: \$69,750

We have two passenger vans that we will use for transportation. Each van can hold up to 15 passengers.

Our drivers can travel from our location to pick up guests at the downtown library and transport them to True Vine Ministries in the evening and back to the library the following morning after White Flag.

TVM will charge \$3.00 per mile per van.

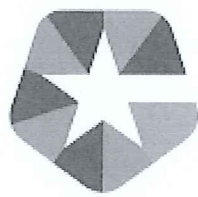
TVM will make three trips to pick up guests per White Flag iteration.

Estimated miles per trip would be 10 miles.

Two vans per trip.

Estimated 31 days of White Flag.

$30 \text{ (miles)} \times \text{Trips (3)} \times \text{Estimated days (31)} = \$2,883.00$ estimated total cost.



CUMBERLAND
COUNTY

NORTH CAROLINA

Family Endeavors Inc. dba Endeavors
Response to
Request for Information (RFI)
RFI 2022 – White Flag Shelter



1. Organizational name and brief background summary of mission and scope of services

Endeavors' mission is to passionately serve vulnerable people in crisis through our innovative, personalized approach. Endeavors is a 53-year-old faith-based national non-profit founded by five Presbyterian churches who came together to serve San Antonio's homeless population. Providing health care, childcare, education, homelessness support, and senior citizen support, Endeavors began pursuing a mission "to RESPOND to and SERVE the needs within the San Antonio community." By the 1980s, additional programs such as youth recreation, emergency shelters for youth, food banks, clothing, professional counseling, and more became available to more areas in need across the city.

Over the next three decades, programs initiated by Endeavors became household names within the community and the region, and by year 2000 we expanded the scope of the organization nationally, through supportive housing, job training, employment, case management, homeless prevention, group and individual counseling, and youth development services to assist chronically homeless women with mental disabilities and their children. During this period, Endeavors also became a staffing provider of qualified bi-lingual direct care providers for Unaccompanied Migrant Children (UAC) emergency shelters, rapidly deploying the necessary staff to provide effective and quality direct care and supervision in large-scale emergency congregate shelters. Since 2012, Endeavors has provided rapid response staffing in the form of clinicians, case management staff, direct care staff, teachers, recreational specialists and transport/escort staff in support of the largest UAC influx shelters in our nation's history. We have served in more than 35 deployments in multiple states since 2012.

Endeavors, since 2015, has worked to develop into one of the largest providers of Disaster Case Management Services (DCM) for survivors of federally declared disasters. We have provided DCM services in response to hurricanes Maria in Puerto Rico, Harvey in Texas, Florence in North Carolina, Irma in Florida, Imelda in Texas, Laura in Texas, Ida in Louisiana, and Ian in Florida. Additionally, we have provided DCM services for five federally declared flooding events within Texas. Endeavors has on-going contracts with the Texas Health and Human Services Commission and the Office of Emergency Management of North Carolina to provide disaster case management services.

In response to the COVID-19 Pandemic, Endeavors has demonstrated the ability to provide non-emergency congregate shelters for the homeless within hotels deploying a turn-key response with wrap-around services, hotel provisions, booking technology, and medical support. We have provided emergency shelter operations and staffing for the most vulnerable populations impacted by COVID-19 in El Paso and San Antonio; both in congregant and non-congregant settings. Endeavors has also provided 1,239 emergency non-congregate shelter beds in Texas and Arizona to temporarily house migrant families for the U.S. Department of Homeland Security.

Our experience providing successful emergency shelter management services over the past 10 years, and our direct work with disaster survivors demonstrates a level of expertise surpassing



most providers and qualifies us to provide sheltering operations for displaced/homeless individuals and families affected by all hazard incidents, and emergencies. Endeavors has demonstrated successful past and current performance that directly replicates the requirements in this bid opportunity.

Past Emergency Shelter Experience:

Lackland UAC Influx Shelter 03.2014-02.2015

Throughout 2014-2015, Endeavors deployed staff to a variety of surge camps to handle the first major influx of Central American UAC, including Lackland AFB in San Antonio and Fort Sill AFB in Oklahoma. During this active period, Endeavors:

- Activated, trained, and deployed more than 125 Case Managers
- Activated, trained, and deployed more than 1,000 Direct Care Reservists
- Activated, trained, and deployed 17 Credentialed Clinicians
- Staffed over 13 job positions such as: Team Lead, Direct Care Supervisors, Division Officer, Unit Manager, Direct Care, Floater, Transporter, Transport Lead, Clinician, Case Manager, Liaison Officer, Logistics Coordinator, and Teachers
- Provided shelter management service operations and direct care to more than 7,000 youth in 140 days
- Deployed reservists who worked a total of 422,913 hours

Donna Anna UAC Influx Shelter 08.2016-02.2017

Deployed a 540-person staff, consisting of 75% Spanish speakers, to the Donna Anna Range Complex in New Mexico, and UAC Surge Shelter in October of 2016. As shelter capacity increased dramatically, necessary measures were taken:

- Activated, trained, and deployed a total of 1,400 Direct Care Reservists
- Staffed over 13 essential job positions such as: Direct Care Supervisors, Unit Manager, Direct Care, Floater, Escort, Escort Lead, Teacher, Liaison Officer, Drivers, and Hotel Administrator.
- Provided shelter management services and direct care to more than 7,000 youth
- Direct Care and management staff operated 24 hours a day, seven (7) days a week
- Deployed reservists worked a total of 88,449 hours over an eight-month commitment

Tornillo UAC Influx Shelter 06.2018-01.2019

Throughout 2018 and 2019, Endeavors activated and deployed over 1600 total staff to the Tornillo, Texas surge Shelter.

- Emergency Services Reservist coordinated in planning and implementation of children services 24 hours a day, seven days a week
- Provided shelter management services and specialized care to 6,200 children
- Staffed multiple shelter positions concurrently
- Persisted in providing services for a seven-month commitment

Carrizo Springs UAC Influx Shelter 08.2019-10.2019 & 2.2021-4.2021

Throughout 2019 and 2021, Endeavors activated, deployed, and managed over 400 total staff for the Carrizo Springs, Texas surge Shelter. Staff worked in various capacities throughout the shelter assisting Unaccompanied Minors.



- Emergency Services Reservist coordinated the planning and implementation of children services 24 hours a day, 7 days a week
- Provided Shelter Management services and direct care to 2500 unaccompanied children
- Provided logistical support to shelter
- Provided transporters to accompany children during reunification
- Remained in warm status for turnkey response for a duration of 2 years
- Provided agency oversight of emergency reservist

More recently, during 2020 and 2021 Endeavors initiated, staffed, managed and demobilized hotel based non-congregate shelters in San Antonio and El Paso. These operations were focused on COVID-19 sheltering during the height of the pandemic. We also provided non-congregate shelter in Texas for Hurricane Laura evacuees and homeless individuals and families who were forced out of traditional shelters due to COVID-19 distancing requirements. Endeavors is currently providing shelter services to the of San Antonio.

City of Dallas, Texas OHS Emergency Homeless Shelter COVID, Inclement Weather Shelters (Congregate & Non-Congregate) 04.2020-01.2022

At the start of COVID-19 in 2020, Endeavors activated and deployed 45 staff in a 72-hour period. These Emergency Services Reservist executed the mobilization and operations of congregate and non-congregate shelters 24 hours a day, seven days a week providing the following:

- Served 300 homeless clients daily
- Followed COVID-19 protocols and procedures
- Hyper-Sanitization
- All laundry services
- Handwash stations
- Meals & Snack distribution
- Staffing multiple shelter sites concurrently

**City of Dallas, Texas Hurricane Laura Hotel Shelters (Non-Congregate)
08.20 – 10.20**

On August 25, 2020 the City of Dallas Office of Emergency Management requested assistance in mobilizing and sheltering Hurricane Laura evacuees. Endeavors activated and deployed 40 staff within 48 hours. Emergency Services Reservist executed the mobilization and operations of non-congregate shelters 24 hours a day, seven days a week providing the following:

- Served 3,000 disaster evacuees daily
- Followed COVID-19 protocols and procedures
- Hyper-Sanitization
- Meals
- Intake/Discharge
- Supply Management
- Staffed multiple shelter sites concurrently



City of El Paso, Texas COVID-19 Shelters (Congregate & Non-Congregate) 4.14.20 – 10.31.22

At the start of COVID-19 in 2020, Endeavors activated and deployed 72 staff within 72 hours. Emergency Services Reservist executed the mobilization and operations of congregate and non-congregate shelters 24 hours a day, seven days a week providing the following:

- Served 150 homeless clients daily
- Followed COVID-19 protocols and procedures
- Hyper-Sanitization
- Laundry
- Handwash stations
- Meals
- Staffed multiple shelter sites concurrently

City of San Antonio, Texas COVID-19 ICF (Isolation Care Facility) Shelter (Non-Congregate) 1.20.21 – 10-31-22

Within 72 hours, Emergency Services Reservist executed the mobilization and operations of a non-congregate shelter 24 hours a day and seven days a week providing the following:

- Currently serving 30 clients daily
- Following COVID-19 protocols and procedures
- Hyper-Sanitization
- Laundry
- Handwash stations
- Meals
- Staffed multiple shelter sites concurrently

Department of Homeland Security- ICE (Non-Congregate) 3.2021 – 3.2022

Within 72 hours, Emergency Services Reservist & Migrant Services executed mobilization and operations of non-congregate shelter 24 hours a day, seven days a week providing the following:

- Currently served over 38,000 individuals & 13,000 Families
- Following COVID-19 protocols and procedures
- 24/7 medical and mental health care.
- Rapid COVID Testing
- Transportation
- Site information technology
- Culturally appropriate Meals
- 24/7 access to Snacks
- Clothing
- Case Management
- Client Transportation Assistance
- Access to Religious and Legal Services
- Security
- Daily reporting to Immigration and Customs Enforcement



Endeavors Family Reception Centers

Endeavors was tasked by ICE in March of 2021, in response to the unprecedented numbers of families converging on the U.S. Southern Border, to provide non-congregate beds totaling 1,560. These beds were activated to help relieve the intense pressure on Border Patrol Processing Centers due to their unsuitability for families with children. Endeavors contracted with eight hotel providers in Texas and Arizona to provide the required bed capacity and activated our bi-lingual reservist staff to provide direct care. Endeavors also activated a series of vetted partner subcontractors to provide medical care, security, transportation and food services at each hotel. To date, we have served over 38,000 individuals.

Administration for Children and Families-Office of Refugee and Resettlement-ORR (Congregate) 3.2021 - Current

Within 72 hours, Emergency Services Reservist & Migrant Services executed mobilization and operations of a congregate shelter 24 hours a day, seven days a week providing the following:

- Current Capacity of 2,000 beds for Unaccompanied Minors
- Served over 34,000 youth
- Following COVID-19 protocols and procedures
- 24/7 medical and mental health care
- Rapid COVID Testing
- Site maintenance
- Site Information Technology
- Transportation Meals
- Snacks
- Clothing
- Case Management
- Client Transportation
- Access to Religious and Educational Services Recreation
- Programming activities
- Pet, Music and Horticultural Therapy
- Daily reporting to office of refugee resettlement to include significant incident reporting process

U.S. Department of Health and Human Services - Office of Refugee Resettlement

The Pecos Children's Center, a congregate children's shelter, was activated by Endeavors in April of 2021, on behalf of the Office of Refugee Resettlement. As the prime contractor for this effort, we were responsible for securing a facility, staffing the facility and all required operations. Within 20 days, we welcomed and completed the intake process for several hundred children. This effort is now serving on average over 1200 children every day. Endeavors has successfully provided 558 direct care staff, 223 medical staff, (to include Doctors, Registered Nurses, Vocational Nurses, Mental Health Counselors and Medical Records Clerks) all security staff, an education and



recreation team and a case management team consisting of 120 case managers. Our goal within this shelter is the same as all of our shelters, to get individuals to their permanent home as soon as possible while keeping them safe and healthy. To date we have completed over 12,000 reunifications.

2. Primary Contact Information

Organization: Family Endeavors Inc. dba. Endeavors

Address: 6363 De Zavala Rd. San Antonio, TX 78249

Phone: 210.431.6466

Website: <https://endeavors.org/>

POC: Dr. David Hernandez, Senior Director of Emergency Services

Email: dahernandez@endeavors.org

3. Number and location of designated White Flag beds available

Endeavors is prepared to provide 25 individual beds and 20 family beds for a total of 45 White Flag beds and 9 ½ bathrooms at Endeavors' Reveille house located at 120 Langdon St. Fayetteville, NC in Cumberland County. Previously utilized as permanent supportive housing location, the Reveille house is outfitted to accommodate 45 individuals seeking shelter during a white flag activation period. With easy access to the public transportation line, this makes the Reveille house an ideal location for bed spaces.

4. Population Eligible for shelter

Endeavors will provide the White Flag bed spaces for individuals who are experiencing homelessness in Cumberland County during the White Flag weather activations, and do not have a pre-identified shelter that they are currently enrolled in. Endeavors will verify homeless status via HMIS, homeless verification forms, and HUD definition for homeless for all intakes into the White Flag shelter. Endeavors will work with the local COC to ensure all referrals are verified as well. In addition, Endeavors will dedicate two open areas with cots to single adult males. In the upstairs portion of the shelter, there are 5 private bedrooms, with 4 cots each, that will be utilized for single females and families who are needing sheltering during the White Flag activation.

5. Commitment to Service Delivery

One of Endeavors' core values is, commitment to making a difference. Endeavors is committed to ensuring accessibility to the identified population above during ALL White Flag activations. This is an integral part of Endeavors core values. As a part of the commitment, Endeavors will establish activation triggers in accordance with the temperature/wind chill measurements to ensure readiness and accessibility to the shelter. Community coordination and case conferencing will also take place to provide as many resources to clients who are enrolled in the shelter at the time of the White Flag activations. Our experience in rapid mobilization, also speaks to our commitment to ensure service delivery is prompt, and organized. Endeavors can provide transportation via a 15-passenger van, to ensure clients who meet the requirements have a way of arriving to the shelter during the White Flag period.



6. Commitment to Providing Data for the Homeless Management Information System (HMIS)

Endeavors has, and currently utilizes the HMIS platform across multiple programs within our organization. Endeavors commitment to providing data to HMIS is something that can be easily accomplished, given our experience. Endeavors understands the importance of HMIS data collection, and integrity of the data as well. Endeavors utilizes the HMIS platform to our advantage in assisting clients connect with other available resources. Endeavors has utilized the HMIS platform when working with various homeless populations such as Veterans, Migrants, and chronically homeless and in various geographical locations. Endeavors will ensure to coordinate and align with the HMIS governing entity, to ensure all HMIS data points are captured timely and accurately.

7. Ability to Provide for basic needs to include food, showers, cots, linens, and bathrooms

Endeavors shelter management will consist of managing the Common Basic needs area which provides basic necessities, the separate dormitory sleeping area's (Single men, Single women, Families and Families with Children) and restrooms and showers. Each individual will be provided full sleeping accommodations to include, cot, pillow, blanket and a fully stocked hygiene kit for each family member. Additionally, an unlimited supply of drinking water, snacks, diapers, formula and wipes will be provided. We have established contacts with both private and NGO's that can assist in providing these resources.

Endeavors has a proven past performance with a surplus of vendors and partners enabling us to provide critical sheltering supplies to meet the needs of the operational tempo. We have, and continue to provide cots/beds, linen, hygiene products, meals, clothing, first aid, and a number of other resources for our current shelter operations. These supplies are dropped off to the site by our vendors, or they are received by our logistics team in San Antonio, TX and then transported to location of operation, and captured within our shelter management software, Vision Link, for tracking, distribution, and re-ordering purposes.

Endeavors has the ability to work with local food providers to establish a source of meals during the White Flag activations. In the past, Endeavors has partnered with local food banks to obtain snacks, waters, and sometimes they are able to provide meals for our shelter operations. In addition, Endeavors encompasses working partnerships with multiple food providers who have experience in preparing and serving meals for emergency homeless shelters. Depending on length of activations, menu's will be provided for the duration of the operation.

The layout of our non-congregate/congregate shelters provides separated sleeping areas which are typically established prior to the mobilization as indicated above. Within the identified location for Endeavors' White Flag shelter, there are 9 full bathrooms across the location which allows 1 bathroom/shower combo for every 5 shelter clients and 1 half bathroom located in the common area. Based on our past congregate sheltering experience with adults, Endeavors suggests providing a 1:10 staff to adult guest ratio with a shift shelter manager for the shelter. The mentioned ratio allows Endeavors to provide 24-hour shelter oversight at all times. In addition to the Common Basic Needs area, dormitory sleeping areas, and bathrooms/showers,



Endeavors would also establish a supervised children's area where family members can take their children for recreation and play while being supervised by a family member.

8. Ability to demonstrate capacity through staffing ratios

Through past performance, Endeavors can demonstrate our ability to sufficiently mobilize, and staff emergency operations with safe and efficient staff ratios. Within our Rapid Deployment Services (RDS), we contain approximately 1500 emergency reservist who are primarily concentrated in Texas, Florida, and Puerto Rico, but also have personnel located in North Carolina from our previous work with Disaster Case Management program for Hurricane Florence. These personnel are available to deploy within a 48-hour notice of activation. Round the clock staffing, to include a dorm shelter manager, is critical to ensuring successful site shelter management and overall operational control and oversight.

Personnel Positions and Training

All emergency reservist, at Endeavors, have attended a new employee orientation, in addition to their position specific training. The onboarding process and training typically address the shelter's mission and code of conduct; the overall humanitarian context from which the shelter is providing respite; and the specific role the staff member is filling. Training topics include:

- Working with Disaster Survivors
- Homeless Sensitivity Training
- Cultural Sensitivity
- Disaster recovery process and plans
- Red Cross First Aid & CPR
- Resiliency training
- COVID-19 safety training
- Compassion Fatigue Training
- Trauma Informed Care
- FEMA NIMS & ICS 100, 200, 700, 800
-

Endeavors is capable of provided a wide spectrum of shelter positions contingent upon the mission and client population. Some of the positions include, but are not limited to, Shelter Managers, Case Management, Unit Leads, Hyper-Sanitization, Supply & Logistics, Clinicians, and Shelter Support.

Staff sign a code of conduct that delineates the shelter's rules and ethical principles, along with a waiver and release form, before beginning work at the shelter. Each shelter retains the signed copies and each staff member receives a photocopy. All Endeavors shelter personnel have gone through a full background check to include the following:

- County Criminal Records Search
- State Criminal Court Search
- Federal Criminal Records Search
- National Criminal Database Alias Search
- Global Security Watch List
- Sex Offender Records Search



- Trade House Data
- Healthcare Compliance Search

9. Ability to keep families and children safe and free from potential misconduct

While operating emergency shelters such as a White Flag shelter outlined in this RFI, constant shelter monitoring is critical to ensuring all shelter guests' safety. In addition to a shelter monitoring cadence during active operations, Endeavors personnel are trained in de-escalation techniques to assist with client safety. Endeavors facilities serving children have appropriate childproofing measures and modifications including: childproof electrical outlets, locked screens or other barriers to prevent any injury to children. During intake of clients, client's belongings will be searched to ensure there are no weapons, illegal substances, or alcohol being brought into the shelter.

Endeavors has extensive experience providing 24/7 armed and unarmed site security for our larger shelter operations to include our 2,000-bed operation supporting unaccompanied migrant children in PECOS and our non-congregate shelters throughout the southwest border supporting department of homeland security operations. Endeavors utilizes our trusted private security partners in addition to closely coordinating with the local law enforcement entities. In the past, as a supplement to our private security staff, we have successfully utilized off-duty police officers. A site security plan will be developed based on our previous operational experience and any unique needs the site presents or special asks from Cumberland County.

10. Response time needed to "Stand Up" the facility

Endeavors takes pride in their Rapid Deployment Service capability allowing for turn-key mobilizations of shelters such as White Flag activations in Cumberland County. There are many factors that play a key component into rapid mobilization such as having personnel on standby, and having a pre-identified location for the shelter operations. With these measures in place, Endeavors can have a White Flag Shelter fully operational within 8 hours notification of a "White Flag Activation". Endeavors will proactively monitor weather in Cumberland County to ensure Endeavors and Cumberland County are on in stride step when activating for White Flag day.

11. Indicate Hours of Operation during White Flag Event

Endeavors will operate the White Flag shelter 24 hours a day once activated. Endeavors will demobilize the shelter 24 hours after White Flag conditions have subsided and are not expected to return within 48 hours from subsiding.

12. Indicate if the Shelter will operate as a low barrier shelter and include any barriers to Entry

Endeavors will operate the White Flag shelter as a low barrier shelter, with a few key barriers in place that will disqualify a client from accessing the shelter. The barriers are as follows:

- Active warrants revealed from warrant search
- Visibly intoxicated or under the influence of drugs
- No registered sexual offenders
- Unable to understand and abide by shelter rules
- Attempting to access shelter with drugs/alcohol 2 or more times



Any additional barriers will be evaluated on a case by case basis when clients are going through intake into the White Flag Shelter.

13. Proof of Insurance:

ACORD [®]		CERTIFICATE OF LIABILITY INSURANCE		DATE (MM/DD/YYYY) 6/14/2022	
THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AFFIRMATIVELY OR NEGATIVELY AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW. THIS CERTIFICATE OF INSURANCE DOES NOT CONSTITUTE A CONTRACT BETWEEN THE ISSUING INSURER(S), AUTHORIZED REPRESENTATIVE OR PRODUCER, AND THE CERTIFICATE HOLDER.					
IMPORTANT: If the certificate holder is an ADDITIONAL INSURED, the policy(ies) must have ADDITIONAL INSURED provisions or be endorsed. If SUBROGATION IS WAIVED, subject to the terms and conditions of the policy, certain policies may require an endorsement. A statement on this certificate does not confer rights to the certificate holder in lieu of such endorsement(s).					
PRODUCER Marsh Worthing, a division of Marsh USA, Inc. 131 Interpark Blvd. San Antonio, TX 78216 www.marshinsurance.com		CONTACT NAME: Ashley Patkowski PHONE (A/C No., Ext.): 210-249-2399 FAX (A/C No.): EMAIL: ashley.patkowski@marshusa.com			
INSURED Family Endeavors, Inc. Endeavors 6363 De Zavala Road, Suite 101 San Antonio TX 78249		INSURER(S) AFFORDING COVERAGE		NAIC #	
		INSURER A: Berkley Insurance Company		32603	
		INSURER B: Texas Mutual Insurance Company		22945	
		INSURER C: Argonaut Insurance Company		15801	
		INSURER D: Starr Indemnity & Liability Company		38318	
		INSURER E:			
		INSURER F:			
COVERAGES		CERTIFICATE NUMBER: 68741702		REVISION NUMBER:	
THIS IS TO CERTIFY THAT THE POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE INSURED NAMED ABOVE FOR THE POLICY PERIOD INDICATED. NOTWITHSTANDING ANY REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THIS CERTIFICATE MAY BE ISSUED OR MAY PERTAIN, THE INSURANCE AFFORDED BY THE POLICIES DESCRIBED HEREIN IS SUBJECT TO ALL THE TERMS, EXCLUSIONS AND CONDITIONS OF SUCH POLICIES. LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS.					
INSR	TYPE OF INSURANCE	ADDL. INSURER (INSR. NO.)	POLICY NUMBER	POLICY EFF. DATE (MM/DD/YYYY)	POLICY EXP. DATE (MM/DD/YYYY)
A	<input checked="" type="checkbox"/> COMMERCIAL GENERAL LIABILITY <input type="checkbox"/> CLAIMS-MADE <input checked="" type="checkbox"/> OCCUR <input type="checkbox"/> GEN'L AGGREGATE LIMIT APPLIES PER: <input type="checkbox"/> POLICY <input type="checkbox"/> PROJECT <input type="checkbox"/> LOC <input type="checkbox"/> OTHER:		HHS 8530492-11	6/15/2022	10/1/2023
					LIMITS
					EACH OCCURRENCE \$1,000,000
					DAMAGE TO RENTED PREMISES (EA occurrence) \$100,000
					MED EXP (Any one person) \$5,000
					PERSONAL & ADV INJURY \$1,000,000
					GENERAL AGGREGATE \$3,000,000
					PRODUCTS - COMP/OP AGG \$3,000,000
					\$
A	<input checked="" type="checkbox"/> AUTOMOBILE LIABILITY <input checked="" type="checkbox"/> ANY AUTO <input type="checkbox"/> OWNED AUTOS ONLY <input type="checkbox"/> SCHEDULED AUTOS <input checked="" type="checkbox"/> HIRED AUTOS ONLY <input type="checkbox"/> NON-OWNED AUTOS ONLY <input checked="" type="checkbox"/> AUTOS ONLY		HHS 8530492-11	6/15/2022	10/1/2023
					LIMITS
					COMBINED SINGLE LIMIT (EA accident) \$1,000,000
					BODILY INJURY (Per person) \$
					BODILY INJURY (Per accident) \$
					PROPERTY DAMAGE (Per accident) \$
					\$
A	<input checked="" type="checkbox"/> UMBRELLA LIAB <input checked="" type="checkbox"/> CLAIMS-MADE <input type="checkbox"/> EXCESS LIAB <input type="checkbox"/> RETENTION \$		HHS 8530492-11	6/15/2022	10/1/2023
					LIMITS
					EACH OCCURRENCE \$5,000,000
					AGGREGATE \$5,000,000
					\$
B	WORKERS COMPENSATION AND EMPLOYERS' LIABILITY ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? (Mandatory in NH) If yes, describe under DESCRIPTION OF OPERATIONS below	Y/N <input type="checkbox"/> N/A <input type="checkbox"/>	0001277121	10/1/2021	10/1/2022
					<input checked="" type="checkbox"/> PER STATUTE <input type="checkbox"/> OTHER
					E.L. EACH ACCIDENT \$500,000
					E.L. DISEASE - EA EMPLOYEE \$500,000
					E.L. DISEASE - POLICY LIMIT \$500,000
A	Professional Liability - E&O		HHS 8530492-11	6/15/2022	10/1/2023
A	Abuse or Molestation Liability		HHS 8530492-11	6/15/2022	10/1/2023
C	Workers' Comp - Other Than TX		WC928818767504	12/31/2021	10/1/2022
D	Commercial Crime & Fidelity		1000623420211	6/15/2022	10/1/2023
					\$1,000,000/\$3,000,000 \$1,000,000/\$3,000,000 \$1,000,000/\$1,000,000/\$1,000,000 \$500,000
DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES (ACORD 101, Additional Remarks Schedule, may be attached if more space is required)					
CERTIFICATE HOLDER			CANCELLATION		
For Record Only			SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, NOTICE WILL BE DELIVERED IN ACCORDANCE WITH THE POLICY PROVISIONS.		
			AUTHORIZED REPRESENTATIVE		
			Marsh Worthing, a division of Marsh USA, Inc.		

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14. Total White Flag Budget



See Separate Attachment A



White Flag Activation Shelter
Cumberland County
Capacity of 45 Clients

Labor Category	A Shift	B Shift	# FTE's	Regular Hours	Overtime Hours	Hourly Rate	Overtime Rate	Daily	Week	35 Act. Total	Assumptions
Shelter Manager	1	1	2	80	88	\$ 45.00	\$ 67.50	\$ 1,362.86	\$ 9,540.00	\$ 47,700.00	1 Shelter Manager per shift
Shelter Support	4	4	8	320	352	\$ 34.00	\$ 51.00	\$ 4,118.86	\$ 28,832.00	\$ 144,160.00	4 Shelter Support staff- Intake/Sanitization/Monitoring
Security	1	1	2	80	88	\$ 50.00	\$ 75.00	\$ 1,514.29	\$ 10,600.00	\$ 53,000.00	1 Unarmed Guard per Shift
Fringe											All Fringe is included in the rates
Total Personnel	6	6	12					\$ 6,996.00	\$ 48,972.00	\$ 244,860.00	
Other Than Personnel (OTPS)											
REQUIRED COSTS:											
Hygiene Kits	1575							\$ 225.00	\$ 1,575.00	\$ 7,875.00	1575 Hygiene Kits to Cover 45 beds over 35 potential activations
Sanitization Supplies								\$ 57.14	\$ 400.00	\$ 2,000.00	Hyper Sanitization Supplies
Food Services								\$ 675.00	\$ 4,725.00	\$ 23,625.00	3 meals/day @\$5.00/meal/45 Clients for 35 potential activations
Admin Supplies								\$ 114.29	\$ 800.00	\$ 4,000.00	Admin supplies for 35 potential activations
PPE								\$ 34.29	\$ 240.00	\$ 1,200.00	Daily PPE for all staff -Masks-Gloves-Shields-Gowns
ONE TIME COSTS:											
Cot Mobilization								\$ 71.43	\$ 500.00	\$ 2,500.00	One Time Cost - Cot Mobilization (Fixed at \$2,500)
VisionLink Shelter Management Sftwr	10							\$ 42.86	\$ 300.00	\$ 1,500.00	One Time Cost - VisionLink Shelter Management Software (Fixed at \$1,500)
IT Equipment								\$ 100.00	\$ 700.00	\$ 3,500.00	One Time Cost - Shelter Phones/ IT Equipment (Fixed at \$3,500)
CONTINGENT COSTS:											
HMIS License Fees (If Applicable)	10							\$ 42.86	\$ 300.00	\$ 1,500.00	HMIS (Monthly) License Fees "If Applicable"
Transportation Fuel (Contingency Transport)								\$ 42.86	\$ 300.00	\$ 1,500.00	Fuel for transport van as contingency transportation
Facility Maint. Charges								\$ 428.57	\$ 3,000.00	\$ 15,000.00	Contingency Maint. & Facility Utilities
Total OTPS								\$ 1,834.29	\$ 12,840.00	\$ 64,200.00	
Total Program								\$ 8,830.29	\$ 61,812.00	\$ 309,060.00	

Price Per Client /Night \$ 196.23

Note: Will go down after 35 days when one time costs are billed at Fixed amounts



ASSISTANT COUNTY MANAGER COMMUNITY SUPPORT SERVICES

MEMORANDUM FOR BOARD OF COMMISSIONERS AGENDA OF DECEMBER 19, 2022

TO: BOARD OF COUNTY COMMISSIONERS

FROM: HEATHER SKEENS

DATE: 12/19/2022

**SUBJECT: RESOLUTION SUPPORTING COMPRESSION INCREASES FOR NC
DIVISION OF JUVENILE JUSTICE AND DELINQUENCY PREVENTION
DETENTION, YOUTH DEVELOPMENT CENTER AND COURT
SERVICES STAFF**

BACKGROUND

North Carolina Department of Public Safety, Division of Juvenile Justice and Delinquency Prevention Chief Deputy Secretary William L. Lassiter is seeking endorsement from Cumberland County JCPC stakeholders and the Board of Commissioners to adopt and sign the attached resolution. NCDJJDP is seeking legislative support to address vacancy, recruitment and retention issues experienced by the Division. Step pay plan and salary compression relief is the Divisions number one priority.

This resolution received unanimous approval by the JCPC Council on December 14, 2022 to request the Board of Commissioners to adopt and sign the resolution.

RECOMMENDATION / PROPOSED ACTION

JCPC Council is requesting consideration of adopting the resolution to support NCDJJDP.

ATTACHMENTS:

Description
Resolution

Type
Backup Material

**CUMBERLAND COUNTY
BOARD OF COMMISSIONERS**

**RESOLUTION SUPPORTING COMPRESSION INCREASES for
NC DIVISION OF JUVENILE JUSTICE AND DELINQUENCY PREVENTION
DETENTION, YOUTH DEVELOPMENT CENTER, AND COURT SERVICES STAFF**

WHEREAS, the North Carolina Division of Juvenile Justice and Delinquency Prevention (NCDJJP) provides short term secure confinement in Juvenile Detention Centers and long term commitment services in the State's Youth Development Centers; and

WHEREAS, the NCDJJP provides community supervision and case management services through Juvenile Court Services; and

WHEREAS, the overarching mission of NCDJJP and the local Juvenile Crime Prevention Council is to provide services and programming to ensure the protection of the community and rehabilitation of youth offenders; and

WHEREAS, Cumberland County is home to Cumberland Regional Juvenile Detention Center in the city of Fayetteville on Coliseum Drive, and the staff of this facility along with other State juvenile facility staff have been passed over for pay increases that would recognize and reward the experienced staff, and make compensation more competitive as well as ensure qualified staff recruitment and retention; and

WHEREAS, NCDJJP facilities are contending with a 54% vacancy rate with some facilities exceeding 60%, largely due to impact of the pandemic which has driven salaries and wages higher across the board; and

WHEREAS, NCDJJP Juvenile Court Services is experiencing a 38% vacancy rate impacting the provision of intake and supervision services for undisciplined and delinquent juveniles within a continuum of services that provides care and control within the community setting as an alternative to facility confinement; and

WHEREAS, Compression Salary Increases for NCDJJP facility and court services staff were removed from the state's budget prior to final approval; and

WHEREAS, similar salary adjustments or increases WERE approved for the North Carolina Department of Public Safety staff in adult facilities;

NOW, THEREFORE BE IT RESOLVED, that Cumberland County Commissioners support the adequate and timely increase of the salaries of NCDJJP facilities and court service staff in Cumberland County and across the State of North Carolina to make those positions competitive and to ensure qualified staff are compensated adequately for years of experience for the purposes of retention, as well as lay the groundwork for recruitment of qualified staff for youth facilities and community supervision which will ensure the immediate and ongoing protection of the community and strengthen rehabilitative services for those juveniles most in need.

Adopted this _____ day of _____, 2022.

Chair, Cumberland County Board of Commissioners

Clerk to the Board of County Commissioners



OFFICE OF THE COUNTY ATTORNEY

MEMORANDUM FOR BOARD OF COMMISSIONERS AGENDA OF DECEMBER 19, 2022

TO: BOARD OF COUNTY COMMISSIONERS

FROM: COUNTY ATTORNEY

DATE: 12/12/2022

**SUBJECT: ACCEPTANCE OF OFFER TO PURCHASE SURPLUS PROPERTIES
LOCATED AT 814 ANITA ROAD, 822 ANITA ROAD, 751 JOHNSON
STREET, AND OFF CLYDE STREET, FAYETTEVILLE**

BACKGROUND

The county and City of Fayetteville acquired the following real properties for a total price of \$28,133.07 at a tax foreclosure in 2010:

PIN 0419-61-7062, being Lot 21, Golden Properties Investments LLC, Section 1, Plat Book 110, Page 196, located at 814 Anita Road, Fayetteville; tax value \$4,500, zoned SF10;

PIN 0419-60-8951, being Lot 10, Golden Properties Investments LLC, Section 1, Plat Book 110, Page 75, located at 751 Johnson Street; Fayetteville; tax value \$4,500, zoned SF10;

PIN 0419-50-3201, being Lot 233 Bonnie Acres, Section 1, Plat Book 9, Page 75, located off Clyde Street, Fayetteville; tax value \$4,500, zoned SF6; and

PIN 0419-61-8009, being Lot 20, Golden Properties Investments LLC, Section 1, Plat Book 110, Page 196, located at 822 Anita Road, Fayetteville; tax value \$4,500, zoned SF10.

Based on the GIS Mapping and the tax records, there are no structures on these lots. The city conveyed its interest in these properties to the county on October 9, 2020, by a quitclaim deed recorded in Book 10899 at Page 650. Abel Young, on behalf of Young Enterprise Properties, LLC, has made an offer to purchase these properties for \$7,500.00. If the Board proposes to accept this offer, the proposed sale must be advertised subject to the upset bid process of G. S. § 160A-269. The proposed advertisement is included in the

recommendation below.

RECOMMENDATION / PROPOSED ACTION

The county attorney recommends the board consider the offer of Abel Young, on behalf of Young Enterprise Properties, LLC. If the board proposes to accept the offer, resolve that the described real property is not needed for governmental purposes and direct that it be advertised and sold pursuant to the upset bid process of G. S. § 160A-269.

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

Take notice that the board of commissioners finds the real properties with PIN 0419-61-7062, being Lot 21 Golden Properties Investments LLC, Section 1, Plat Book 110, Page 196, located at 814 Anita Road, Fayetteville; PIN 0419-60-8951, being Lot 10 Golden Properties Investments LLC, located at 751 Johnson Street; Fayetteville; PIN 0419-50-3201, being Lot 233 Bonnie Acres, located off Clyde Street, Fayetteville; and PIN 0419-61-8009, being Lot 20 Golden Properties Investments LLC, Section 1, Plat Book 110, Page 196, located at 822 Anita Road, Fayetteville, are not needed for governmental purposes and proposes to accept an offer to purchase the properties for \$7,500.00. Within 10 days of this notice any person may raise the bid by not less than ten percent (10%) of the first one thousand dollars (\$1,000) and five percent (5%) of the remainder by making a five percent (5%) deposit of the bid with the clerk. This procedure shall be repeated until no further qualifying upset bids are received. The board of commissioners may at any time reject any and all offers. Further details may be obtained from the Office of the County Attorney, Suite 551-Courthouse, Fayetteville, NC 28302.

December ____, 2022 Andrea Tebbe, Clerk to the Board



BUDGET DIVISION

MEMORANDUM FOR BOARD OF COMMISSIONERS AGENDA OF DECEMBER 19, 2022

TO: BOARD OF COUNTY COMMISSIONERS

FROM: RENEE PASCHAL, INTERIM COUNTY MANAGER

DATE: 12/14/2022

**SUBJECT: APPROVAL OF BUDGET ORDINANCE AMENDMENTS FOR THE
DECEMBER 19, 2022 BOARD OF COMMISSIONERS' AGENDA**

BACKGROUND

General Fund

1) General Government Other– Budget Ordinance Amendment B230177 to appropriate funds in the amount of \$3,234,000

The Board is requested to approve Budget Ordinance Amendment B230177 to recognize funds in the amount of \$3,234,000 of general fund freed up capacity funds (from American Rescue Plan expenditure category 3.2) as follows: Cape Fear Valley Health Systems: \$874,000 for a Community Paramedics Program; \$117,900 for Narcan purchases and \$37,181 for defibrillator pad purchases, both to be distributed to County Fire Districts. Fayetteville State University: \$250,000 to reimburse costs specific to the Historically Underutilized Business Program. Unallocated: \$1,954,919 remaining available amount to balance the budget amendment to be allocated to a specific purpose as approved by the BOCC in the future. This item was first presented to the ARPA committee on November 4, 2022, and at the Agenda Session meeting on November 10, 2022.

Please note this amendment requires appropriation of general fund freed up capacity funds.

Solid Waste Fund 625

2) Solid Waste – Budget Ordinance Amendment B230167 to appropriate solid waste fund balance in the amount of \$600,000

The Board is requested to approve Budget Ordinance Amendment B230167 to appropriate solid waste fund

balance in the amount of \$600,000. These funds will be used for the construction of cell gas collection and control system at the Ann Street Subtitle D Landfill.

Please note this amendment requires appropriation of solid waste fund balance.

3) Solid Waste – Budget Ordinance Amendment B230185 to appropriate solid waste fund balance in the amount of \$400,000

The Board is requested to approve Budget Ordinance Amendment B230185 to appropriate solid waste fund balance in the amount of \$400,000. These funds will be used for replacing the roof at the bailing facility at the Ann Street Landfill. A contract for the new sprinkler system has been awarded and due to concerns of the existing structural roof framing, the roof replacement is required before the new sprinkler system can be installed.

Please note this amendment requires appropriation of solid waste fund balance.

REGARDING THE FOLLOWING ITEM #4 PLEASE NOTE:

Each fiscal year County departments may have projects that have been approved and initiated but were not complete by the fiscal year end (6/30/22) or items ordered that had not been received by fiscal year end. These projects or items were approved in the Fiscal Year 2022 budget; however, the money was not spent by June 30, 2022.

The following amendment seek to bring those funds forward from FY 2022 into the current fiscal year, allowing departments to complete and pay for these projects and items. This revision is not using ‘new’ funds but is recognizing the use of FY22 funds in FY23.

Emergency Telephone System Fund 260

4) Emergency Telephone System – Budget Ordinance Amendment B230168 to re-appropriate FY22 grant funds from the North Carolina 911 Board in the amount of \$978,010

The Board is requested to approve Budget Ordinance Amendment B230168 to re-appropriate FY22 grant funds from North Carolina 911 Board in the amount of \$978,010. These funds will be used for the remaining construction costs of the new 911 Communication Center.

RECOMMENDATION / PROPOSED ACTION

Approve Budget Ordinance Amendments



GENERAL MANAGER FINANCIAL SERVICES

MEMORANDUM FOR BOARD OF COMMISSIONERS AGENDA OF DECEMBER 19, 2022

TO: BOARD OF COUNTY COMMISSIONERS

FROM: VICKI EVANS, FINANCE DIRECTOR

DATE: 12/11/2022

**SUBJECT: RECIPIENT AGREEMENT WITH THE STATE OF NORTH CAROLINA
FOR METHODIST UNIVERSITY STREAM RESTORATION FUNDING**

BACKGROUND

Late in 2021, staff learned that \$2 million in funding had been proposed in the state budget for a stream restoration project at Methodist University. The funding was eventually approved and the county was awarded the funding as a recipient. Attached is a recipient agreement between the state and Cumberland County for this project as well as an agreement between Cumberland County and Methodist University who will manage this project.

The County will serve as the conduit for the funding to Methodist University who will administer and manage the project. The county's role in this project is strictly fiduciary.

RECOMMENDATION / PROPOSED ACTION

At the December 8, 2022 Agenda Session Meeting, the Board of Commissioners approved placing the proposed actions below as a consent item on the December 19, 2022 Board of Commissioners' Meeting:

1. Approve the agreement between the North Carolina Department of Public Safety and Cumberland County and authorize the Interim County Manager to sign the agreement and any extensions of the agreement.
2. Approve the agreement between Cumberland County and Methodist University and authorize the Interim County Manager to sign the agreement and any extensions of the agreement.

ATTACHMENTS:

Description

Type

State of NC-CC Agreement
County-Methodist University Agreement

Backup Material
Backup Material

North Carolina Department of Public Safety

Agreement #CUMBERLANDCO 2021-2023

This Agreement is hereby entered into by and between the Department of Public Safety (the "AGENCY") and the Cumberland County (the "RECIPIENT") (referred to collectively as the "Parties"). The RECIPIENT's federal tax identification number is 566000291.

1. EFFECTIVE TERM

This agreement shall be effective starting November 18, 2021 and this agreement shall terminate on June 30, 2023.

2. RECIPIENT'S DUTIES

The RECIPIENT shall provide the services as described below:

The RECIPIENT is authorized to use funds by this agreement for stream restoration on the Methodist University campus in Fayetteville as directed by the NC General Assembly in Session law 2021-180 (House Bill-105).

The RECIPIENT's scope of work is a complete and concise scope of goods or services supported by this agreement and consistent with language in Session Law 2021-180. See Attachment A.

The RECIPIENT agrees to use the funds in the amounts allocated for the budget cost items set forth in the RECIPIENT's Budget. RECIPIENT may reallocate and/or redistribute among budgeted items up to 10% in overall budget costs without the express written permission of the AGENCY. RECIPIENT agrees that it will not reallocate and/or redistribute any overall budget costs that will exceed 10% on any annual basis without first obtaining the express authorization of the AGENCY in writing.

The RECIPIENT understands and acknowledges that total funding level available under this agreement will not exceed \$2,000,000. Attachment A provides scope of work and payment amounts to be paid to RECIPIENT. RECIPIENT agrees to complete all sections of the Quarterly or Periodic Status Report & Accounting (Attachment B) following each quarter, and provide all supporting documentation when the quarterly Accounting is submitted.

The RECIPIENT shall provide the following forms: W-9/Electronic Payment/Vendor Verification form (09 NCAC 03M.002), Conflict of Interest Statement (N.C.G.S. 143C- 6-23.(b)). and No Overdue Tax Debt Certification (N.C.G.S. 143C-6-23.(c)) to the Agency.

Pursuant to N.C.G.S 143C-6-8, the RECIPIENT understands and agrees that agreement funding shall be subject to the availability of appropriated funds. However, in the event of agreement termination due to lack of adequate appropriated funds, the AGENCY will ensure that it will pay for services and goods acquired and obligated on or before the notice of agreement termination.

Directed grants to nonprofit organizations are for nonsectarian, nonreligious purposes only (S.L. 2021-180, Sec. 5.2 (b)5). State funds for any one employee of a nonprofit are capped at \$120,000.00 (S.L. 2021-180, Sec. 5.3). Funds shall not revert until June 30, 2023 (S.L. 2021-180, Sec. 5.2).

The RECIPIENT understands and acknowledges required compliance with all statutory provisions outlined in N.C.G.S. 143C-6-22 Use of State funds by non-State entities, and 09 NCAC 03M .0205, Minimum Reporting Requirements for Recipients and Subrecipients.

AGENCY'S DUTIES & PAYMENT PROVISIONS

The AGENCY shall ensure that funds allocated and disbursed pursuant to Session Law 2021-180, comply with the intent and guidance found in this Session Law and ensure compliance with related state statutes and financial management standards.

The AGENCY shall pay the RECIPIENT a total not to exceed \$2,000,000. The appropriation shall be distributed on a quarterly basis from North Carolina General Fund for \$500,000 and submit to the AGENCY, along with all required documentation. Once the AGENCY is satisfied that the RECIPIENT has provided all the required documentation, the requested distributions can be processed for payment. The distributions of funds will be coded to 536627 2E50-1175.

3. QUARTERLY STATUS REPORTING

The RECIPIENT agrees to provide quarterly, or 90-day project status reports to be sent electronically from the RECIPIENT to the AGENCY and shall at a minimum include:

- a. Period stating beginning balance of the Project Fund.
 - i. Total expenses disbursed (aggregate totals) by the following project uses:
 - a. Employee Expenses (e.g program related staffing).
 - b. Service and Contract expenses (e.g. utilities, telephone, data, lease related expenses).
 - c. Goods (e.g. supplies and equipment) expenses.
 - d. Administration Expenses (e.g overhead & project management).
 - e. Other expenses (e.g. related charges not assigned above and described by recipient).
 - ii. Period ending balance of the RECIPIENT funding disbursed pursuant to this agreement.
 - iii. A descriptive summary of how the funds were used including outcomes and specific deliverables or accomplishments to date

ATTACHMENT B is a copy of the quarterly status tracking report.

- b. Quarterly project status reports shall be emailed to Nancy Gemma; nancy.gemma@ncdps.gov

4. FUNDS MANAGEMENT

The RECIPIENT agrees that funds paid through this contract shall be accounted for in a separate fund and accounting structure within the RECIPIENT's central accounting and grant management system. The RECIPIENT agrees to manage all accounts payable disbursements, check register disbursements and related transactions in a detailed manner that supports fully transparent accounting of all financial transactions associated with this funding allocations described in Section 3 above. Expenditures for travel mileage, meals, lodging and other travel expenses incurred in the performance of this Contract shall be reasonable and supported by documentation. State rates should be used as guidelines. International travel shall not be eligible under this Contract. If eligible, the Recipient and all subrecipients shall: (a) ask the North Carolina Department of Revenue for a refund of all sales and use taxes paid by them in the performance of this Contract, pursuant to N.C.G.S. 105-164.14; and (b) exclude all refundable sales and use taxes from all reportable expenditures before the expenses are entered in their quarterly project status reports.

5. AGREEMENT ADMINISTRATORS

All notices permitted or required to be given by one Party to the other and all questions about the Agreement from one Party to the other shall be addressed and delivered to the other Party's Agreement Administrator. The name, post office address, street address, telephone number, fax number, and email address of the Parties' respective initial Agreement Administrators are set out below. Either Party may change the name, post office

address, street address, telephone number, fax number, or email address of its Agreement Administrator by giving timely written notice to the other Party.

For the AGENCY	
IF DELIVERED BY US POSTAL SERVICE	IF DELIVERED BY ANY OTHER MEANS
Tara Williams-Brown, Controller NC Department of Public Safety 4220 Mail Service Center Raleigh, NC 27699-4220 Telephone: 919-324-1409 Fax: 919-324-6240 Email: tara.williams-brown@ncdps.gov	Tara Williams-Brown, Controller NC Department of Public Safety 2020 Yonkers Road Raleigh, NC 27604 Telephone: 919-324-1409 Fax: 919-324-6240 Email: tara.williams-brown@ncdps.gov

For the RECIPIENT	
IF DELIVERED BY US POSTAL SERVICE	IF DELIVERED BY ANY OTHER MEANS
Gene Booth, Cumberland County Emergency Serv Cumberland County P.O. Box 1829 Fayetteville, NC 28302-1829 Telephone: 910-678-7740 Fax: 910-678-7717 Email: wbooth@co.cumberland.nc.us	Gene Booth, Cumberland County Emergency Serv Cumberland County P.O. Box 1829 Fayetteville, NC 28302-1829 Telephone: 910-678-7740 Fax: 910-678-7717 Email: wbooth@co.cumberland.nc.us

6. MONITORING AND AUDITING

The RECIPIENT acknowledges and agrees that, from and after the date of execution of this Agreement and for five (5) years following its termination, the books, records, documents and facilities of the RECIPIENT are subject to being audited, inspected and monitored at any time by the AGENCY upon its request (whether in writing or otherwise). The RECIPIENT further agrees to provide AGENCY staff and staff of the Office of State Auditor with access to financial and accounting records to support internal audit, financial reporting and related requirements.

The RECIPIENT acknowledges and agrees that, regarding the grant funds, it will be subject to the audit and reporting requirements prescribed in N.C.G.S. 159-34, Local Government Finance Act – Annual Independent Audit, rules and regulations. Such audit and reporting requirements may vary depending upon the amount and source of grant funding received by the RECIPIENT and are subject to change.

7. TAXES

The RECIPIENT shall be considered to be an independent RECIPIENT and as such shall be responsible for all taxes. The RECIPIENT agrees to provide the AGENCY with the RECIPIENT'S correct taxpayer identification number upon the execution of this Agreement. The RECIPIENT agrees that failure to provide the AGENCY

with a correct taxpayer identification number authorizes the AGENCY to withhold any amount due and payable under this Agreement.

8. SITUS

This Agreement shall be governed by the laws of North Carolina and any claim for breach or enforcement of this Agreement shall be filed in State court in Wake County, North Carolina.

9. SUBCONTRACTING AND ASSIGNMENT

The RECIPIENT agrees that by assigning or subcontracting any work related to the contract to a subcontractor or SUB-RECIPIENT, that such entities shall comply with the following:

- (a) The RECIPIENT or SUB-RECIPIENT is not relieved of any of the duties and responsibilities of the original contract; and
- (b) The SUB-RECIPIENT agrees to abide by the standards contained in this contract and to shall provide all information to allow the RECIPIENT to comply with these standards.

RECIPIENT agrees that all SUB-RECIPIENTS to this agreement shall comply with the following provisions of the North Carolina Administrative Code: "09 NCAC 03M .0203 SUB-RECIPIENT RESPONSIBILITIES."

10. ADVERTISING

RECIPIENT agrees not to use the existence of this contract, the name of the AGENCY, the or the name of the State of North Carolina as part of any commercial advertising, without prior written approval of the AGENCY.

11. COMPLIANCE WITH LAW

The RECIPIENT shall remain an independent RECIPIENT and as such shall be wholly responsible for the scope of work to be performed under this Agreement and for the supervision of his employees and assistants. The RECIPIENT represents that it has, or will secure at its own expense, all personnel required in performing the services under this agreement. Such employees shall not be employees of, or have any individual contractual relationship with the AGENCY. The RECIPIENT shall be responsible for compliance with all laws, ordinances, codes, rules, regulations, licensing requirements and other regulatory matters that are applicable to the conduct of his business and work performance under this Agreement, including those of Federal, State, and local agencies having appropriate jurisdiction.

The Recipient acknowledges and agrees that, in its conduct under this Contract and in connection with any and all expenditures of grant funds made by it, it shall comply with the cost principles enunciated in the Code of Federal Regulations, 2 CFR, Part 200. The Recipient further acknowledges and agrees that, if it grants any of the grant funds awarded hereunder to one or more sub-recipients or sub-sub-recipients, the Recipient shall, by contract, ensure that said cost principles are made applicable to and binding upon any and all such sub-recipients, sub-sub-recipients, etc. in their handling, use and expenditure of the funds awarded to the Recipient hereunder.

12. TERMINATION OF AGREEMENT

This agreement may be terminated by mutual consent upon sixty (60) days written notice to the other party, or as otherwise provided by law. As soon as reasonably possible following termination of this agreement, the amount of any residual unexpended funds shall be transferred to the AGENCY.

13. AMENDMENTS

This Agreement may be amended in writing which documents approval of changes by both the AGENCY and the RECIPIENT.

14. AGREEMENT CLOSE-OUT PROCESS

The RECIPIENT agrees to submit to the AGENCY a complete performance and expenditure status report (final report) within ninety (90) days after expiration of this agreement June 30, 2023:

- 1) A complete accounting of how the appropriated funds were used;
- 2) A complete performance status report; and
- 3) A Certification stating the funds were used for the purpose appropriated (AGENCY will supply template).

The above noted reports shall include RECIPIENT and SUB-RECIPIENT reporting information related to the above noted quantitative results and accomplishments. RECIPIENT and any SUB-RECIPIENTS agree that all program activity results information reported shall be subject to review and authentication as described in Paragraph 7 and RECIPIENT will provide access to work papers, receipts, invoices and reporting records, if requested by the AGENCY, as the AGENCY executes any audit internal audit responsibilities.

RECIPIENT will be deemed noncompliant if its final report is not submitted within the 90-day period stated above. Once the complete final performance and financial status report package has been received and evaluated by the AGENCY, the RECIPIENT will receive official notification of agreement close-out. The letter will inform the RECIPIENT that the AGENCY is officially closing the agreement and retaining all agreement files and related material for a period of five (5) years or until all audit exceptions have been resolved, whichever is longer.

15. AUTHORIZED SIGNATURE WARRANTY

The undersigned represent and warrant that they are authorized to bind their principals to the terms of this agreement. **In Witness Whereof**, the RECIPIENT and the AGENCY have executed this Agreement in duplicate originals, with one original being retained by each party.

CUMBERLAND COUNTY

Signature

Date

Renee Paschal

Interim County Manager

Printed Name

Title

NC DEPARTMENT OF PUBLIC SAFETY

Signature

Date

Tara Williams-Brown

Controller

Printed Name

Title

Attachment A

Scope of Work and Annual Budget

Before it will be possible to finalize this award and make any disbursement, you are required to provide to the Agency a description for how the organization will spend the amount of funding allocated for the specific purpose as stated in the grant contract. This will include a scope of work, information related to any potential subgrants and an annual budget for the grant funds. Please attach additional sheets as necessary.

1. Organization:	
Organization Name:	County of Cumberland, North Carolina
Tax Identification #:	56-6000291
Organization Fiscal Year End: (mmddyyyy)	June 30, 2023

2. Scope of Work:
<p>Recipient shall detail below how the organization will spend the amount of funding allocated for the specific purpose as stated in the grant contract. The description should include services to be provided, objectives to be achieved, and expected results. The description should also include anticipated timing of those services, objectives and expected results.</p> <p>Phase 2 at Methodist University will complete an overall project aimed at eliminating downstream sediment loading to the Cape Fear River. The streambanks and surrounding floodplain on all three Reaches will be planted extensively with native riparian vegetation. Detailed scope of work is attached.</p> <p>2500 linear feet at an estimated cost of \$958 per linear foot = \$2,395,000 – Methodist University to cover the additional cost</p>

3. Subgrants:			
a. Does the Recipient anticipate that it will subgrant or pass down any funds to another organization?	X	Yes	No
If yes, answer the following:			
b. Name of Subrecipient	c. Program Name	d. Amount to Subrecipient	
Methodist University	Stream Debris Removal	\$2,000,000	

Below are general expenditure descriptions that can serve as a **guide** for preparing the organization's annual budget related to the grant award. Please add or delete expenditure captions for clarity if needed. The annual budget must be signed by an authorizing official.

The following annual budget is for the time period beginning (12/19/2022.) and ending (6/30/2023.).

EXPENDITURE DESCRIPTION	AMOUNT
Employee Expenses (e.g. salaries, benefits, program related staffing).	\$
Services and Contract Expenses (e.g. utilities, telephone, data, lease related expenses)	\$
Goods (e.g. supplies and equipment) Expenses	\$
Administration Expenses (e.g. overhead & project management)	\$
Other Expenses (e.g. related charges not assigned above with descriptions) Stream Restoration (design & construction costs)	\$2,000,000
Total Beginning Balance of the Project Fund	\$2,000,000

With regard to the information contained herein, I certify that the annual budget has been approved by the Recipient's Chief Fiscal Officer, CEO or Board Chair.

Vicki Evans

12/5/22

Signature

Date

Vicki Evans

Finance Director

Printed Name

Title

METHODIST STREAM RESTORATION – PHASE 2

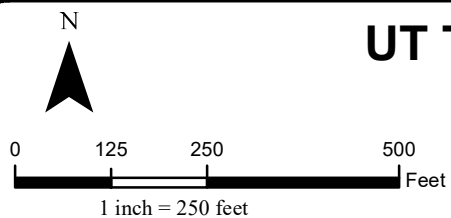
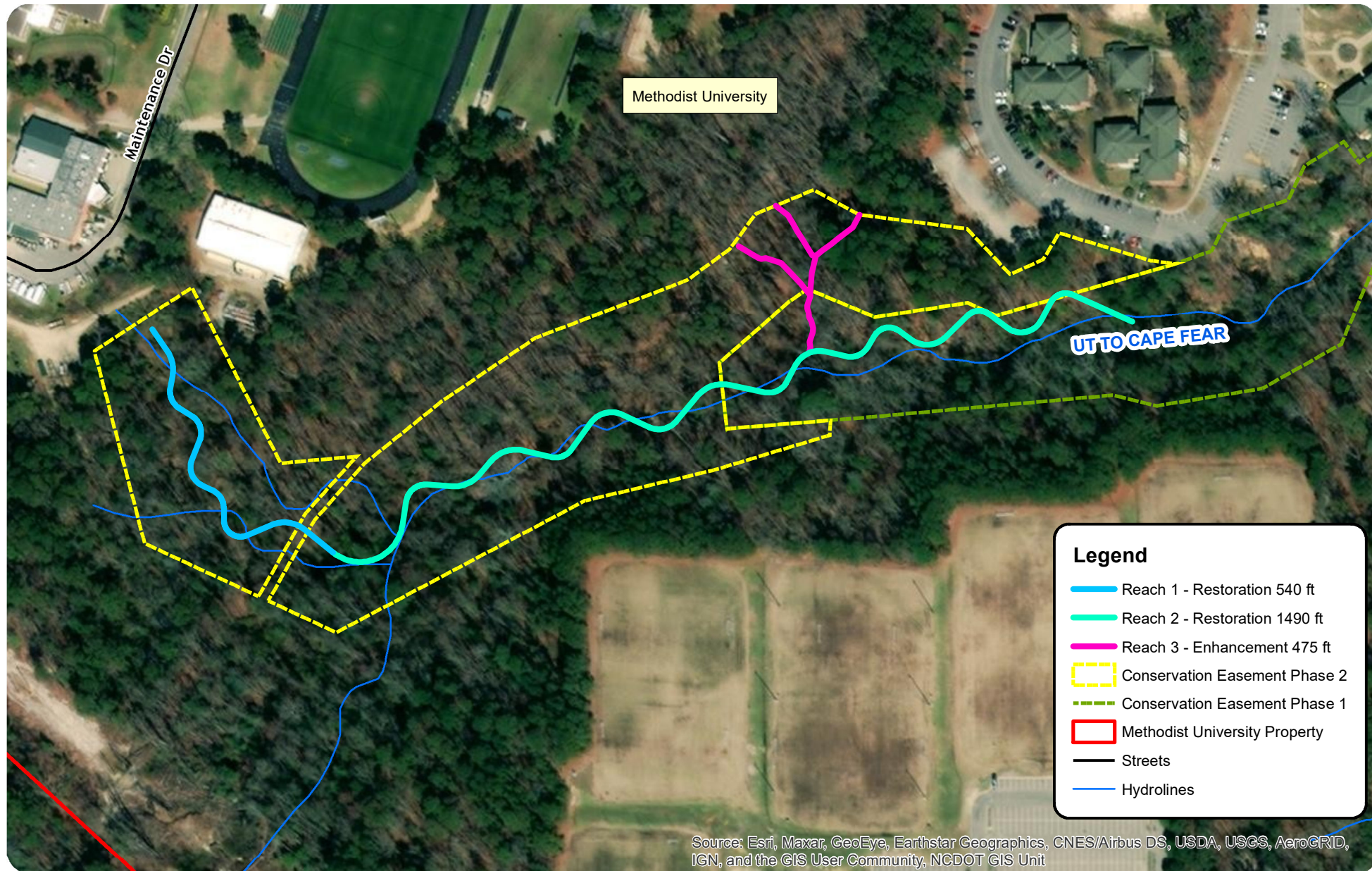
PROJECT DESCRIPTION + NEED:

An approximately 2,300 linear foot (lf) impaired unnamed tributary (UT) on the Methodist University campus drains 186 acres of urban watershed toward the Cape Fear River. This section of stream is immediately upstream of the recently completed restoration of 2,200 lf funded jointly by Methodist University and Clean Water Management Trust Fund and now considered Phase 1. Phase 1 began at an existing head cut and extended 2,200 lf to the sanitary sewer crossing immediately upstream from the railroad crossing. Phase 2 proposes to continue restoration of the same UT starting at a 30" CMP outlet approximately 1,900 lf upstream and ending at the Phase 1 start. Phase 2 is comprised of three impaired reaches to be restored that are laterally and vertically unstable as indicated by the level of severe incision and actively eroding streambanks that contribute a high sediment load downstream. Channel and bank instability is systemic and threatens water quality of the Cape Fear River Basin. To rate the existing condition of all three reaches, the NC SAM method was utilized. An overall composite LOW rating was determined for both Reach 1 and Reach 2 of the 1,900-ft UT to Cape Fear and an overall composite LOW rating as well for Reach 3 (tributary to UT to Cape Fear). LOW and MEDIUM performing metrics for Hydrology, Water Quality and Habitat are targeted for functional uplift in all three Reaches. The University is committed to restoring the stream channel and floodplain ecosystem to a natural equilibrium condition with healthy riparian buffer to be protected by a permanent conservation easement. Restoration of the additional 1,900 lf in Phase 2 will complete an overall project aimed at eliminating downstream sediment loading to the Cape Fear River.

Reaches 1 and 2 will be designed using natural channel design techniques including appropriate dimension, pattern, profile, substrate, and vegetation based on reference stream data in the watershed and observed performance of the constructed Phase 1 stream. Using predominantly a "Priority Two" approach, the existing incised channel will be filled to allow for meandering of the proposed channel and creation of an accessible floodplain. The proposed design will ensure that bankfull stage is at the elevation of the newly graded floodplain terrace providing sufficient area to dissipate hydraulic energy during bankfull and greater flood events countering erosive forces that have resulted in continued incision and bank erosion. This geomorphic condition will be sustained by increasing sinuosity to reduce stream slope, thereby reducing bankfull shear stress and velocity. Channel bedform will create scour pools and natural riffles supplemented by cascades including rock and logs for habitat diversity and grade control. Reach 3 is an approximately 90-lf channel that will be enhanced through modifications to channel dimension. During preliminary design, the longitudinal profile of Reach 3 will be assessed and grade control structures incorporated as needed. Laying back bank slopes and grading a floodplain bench at bankfull stage is proposed. The streambanks and surrounding floodplain on all three Reaches will be planted extensively with native riparian vegetation.

SCOPE OF WORK SUMMARY:

- > Consult with relevant permitting and regulatory agencies
- > Draft and complete engineering designs and plans
- > Secure all required local, State and Federal permits
- > Secure conservation agreements on riparian areas
- > Construct project per engineering design and plans
- > Manage the project in total and report to the Fund



UT TO CAPE FEAR STREAM RESTORATION - PHASE 2

PROJECT MAP

PROJECT #: SPEC-18131

FAYETTEVILLE, NORTH CAROLINA



March 11, 2022

Ms. Sheila Kinsey
Vice President for Planning & Administration
Methodist University
5400 Ramsey Street
Fayetteville, North Carolina 28311

**RE: Methodist University Stream Restoration – Phase 2
 Fayetteville, North Carolina**

Dear Ms. Kinsey,

The Phase 2 project reach for the UT to Cape Fear River begins at a CMP outlet pipe near the Football Field House in the center of campus and extends to the beginning of the Phase 1 restored section. The stream is actively eroding and contributing a high sediment load to the downstream channel. Phase 2 proposes to restore this upstream section to complete a full restoration of the UT to Cape Fear on Methodist University's campus, providing the University long-term stability of this channel and protection of its infrastructure.

Phase 1 of this project was a similar section of stream totaling 2,244 linear feet (lf) of restored stream that was completed in December 2020. Since the scope of work of Phase 2 is similar to Phase 1, design and construction costs for Phase 2 were estimated using Phase 1 as a basis and factoring in inflation of both material, labor, and professional services. Below is a cost per lf comparison of Phase 1 actual costs to estimated Phase 2 costs which have guided the budget for Phase 2.

Phase 1 = 2,244 linear feet
\$883 / lf

Phase 2 = ~2,500 linear feet
\$958 / lf

Sincerely,

MCADAMS



Rebecca Stubbs, PE
Stream Restoration Practice Lead, Water Resources

GLENN B. ADAMS
Chairman

DR. TONI STEWART
Vice Chairwoman

MICHAEL C. BOOSE
JEANNETTE M. COUNCIL
CHARLES E. EVANS
JIMMY KEEFE
LARRY L. LANCASTER



CUMBERLAND
COUNTY
NORTH CAROLINA

CANDICE WHITE
Clerk to the Board

BOARD OF COMMISSIONERS

Appendix C: State Grant Certification - No Overdue Tax Debts

Date of Certification 01/31/2022

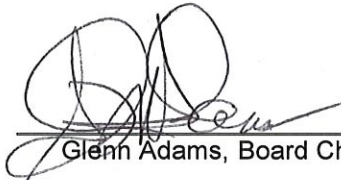
To: Office of State Budget and Management, Director and Chief Fiscal Officer


Certification:

We certify that the County of Cumberland does not have any overdue tax debts, as defined by N.C.G.S. 105-243.1, at the federal, State, or local level.

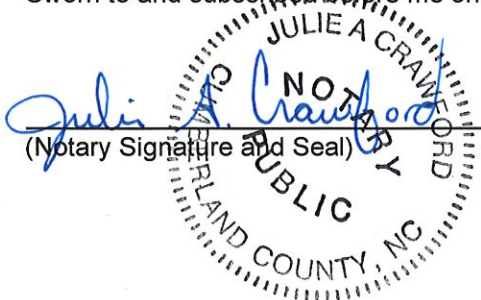
Sworn Statement:

Glenn Adams and Dr. Toni Stewart being duly sworn, say that we are the Board Chair and Vice Chairwoman respectively, of County of Cumberland of Fayetteville in the State of North Carolina; and that the foregoing certification is true, accurate and complete to the best of our knowledge and was made and subscribed by us. We also acknowledge and understand that any misuse of State funds will be reported to the appropriate authorities for further action.


Glenn Adams, Board Chair


Dr. Toni Stewart, Vice Chairwoman

Sworn to and subscribed before me on the day of the date of said certification.



My Commission Expires: May 9, 2022

CUMBERLAND COUNTY PERSONNEL ORDINANCE

(AMENDED BY THE BOARD OF COMMISSIONERS AUGUST 16, 2021)

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ARTICLE V. CONDITIONS OF EMPLOYMENT

Sec. 501. Code of ethics.

(a) *Declaration of policy.* It is the policy of the county that the proper operation of democratic government requires that public officials and employees be independent, impartial and responsible to the people; that governmental decisions and policy be made in proper channels of the governmental structure; that public office not be used for personal gain; and that the public has confidence in the integrity of its government. In recognition of these goals, a code of ethics for all county employees is adopted.

(b) This code has four purposes as follows:

- (1) To encourage high ethical standards in official conduct by county employees;
- (2) To establish guidelines for ethical standards of conduct for all county employees by setting forth those acts or actions that are incompatible with the best interests of the county;
- (3) To require that county employees disclose private financial or other interests in matters affecting the county; and
- (4) To serve as a basis for disciplining and/or punishing those employees who refuse to abide by its terms.

(c) *Definitions.* As used in this code of ethics, the following terms shall have the following meanings unless the context clearly indicates that a different meaning is intended:

- (1) *Business* shall mean a corporation, partnership, sole proprietorship, firm, organization or other legal entity carrying on business;
- (2) *Confidential information* shall mean information which is not available to the general public and which is obtained only by reason of an employee's position.
- (3) *County* shall mean the County of Cumberland.
- (4) *Employee* shall mean all officials, officers, members and employees, whether elected or appointed and whether paid or unpaid, of the government of the county and of all of its agencies. Employees shall include former employee if the violation occurred during county employment.
- (5) *Financial interest* shall mean any interest which shall yield, directly or indirectly, any monetary or other material benefit to a county employee. The term, financial interest, shall not include the employee's salary or other compensation received pursuant to county employment. The fact that an employee owned ten percent or less of the stock of a corporation or has a ten percent or less ownership in any business entity or is an employee of said business entity does not create a financial interest.
- (6) *Official act* shall mean an official decision, vote, approval, disapproval or other action which

involves the use of decision-making authority.

(7) *Personal interest* shall mean any interest arising from blood or marriage relationships or from employment or business whether or not any financial interest is involved. A blood or marriage relationship for the purpose of this section shall mean wife, husband, mother, father, brother, sister, daughter, son, grandmother and grandfather, grandson and granddaughter, aunts and uncles. Included are the step, half, in-law, in loco parentis relationships and persons living within the same household.

(8) *Political activity* shall mean any act aimed at supporting or opposing the election of any candidate for public office or supporting or opposing a particular political party.

(d) *Standards of Conduct.* Employees must in all instances maintain their conduct at the highest standards. Official conduct guided by high ethical standards gives the public confidence in the integrity of its government and assures the public that government is responsible to the people. The following standards of conduct are goals which public employees should strive to attain so as to avoid even the appearance of impropriety in the conduct of the public's business:

(1) Employees have an obligation to act morally and honestly in discharging their responsibilities;

(2) Employees shall conduct themselves with propriety, discharge their duties impartially and fairly and make continuing efforts toward attaining and maintaining high standards of conduct;

(3) Employees shall not improperly use, directly or indirectly, their county positions to secure any financial interest or personal benefit for themselves or others;

(4) Employees shall not use nor attempt to use their positions to improperly influence other employees in the performance of their official duties; and

(5) While in the conduct of their official duties employees shall not nor request other employees to grant or make available to any person any consideration, treatment, advantage or favor beyond that which it is the general practice to grant or to make available to the public at large.

(e) *Use of County Resources.*

(1) No employee shall use or permit the use of county employees or county-owned material, property, funds, or other resources of any kind for the private gain, personal benefit, or political advantage of any person, except where such use is made available to the public at large. Nothing herein shall be interpreted or construed to limit the use of county-owned facilities for public gatherings in accordance with established facilities use policies.

(2) County-owned vehicles shall not be used for the personal business of any employee. No county automobile shall be used by a county employee going to or from home, except when such use is for the benefit of the county and such use has been authorized by the department head, county manager or sheriff.

(f) *Conflict of Interest.*

- (1) No employee shall engage in any employment or business which conflicts with the proper discharge of his or her official duties.
- (2) No employee shall have a financial interest, directly or indirectly, in any transaction with any county agency as to which the employee has the power to take or influence official action. No employee shall take or influence official action in any transaction with any county agency that would confer a benefit based on a personal interest where such benefit is not made available to the public at large.
- (3) If an employee has any direct or indirect financial interest in the outcome of any matter coming before the agency or department of which he or she is a member or by which he or she is employed, such employee shall disclose on the record of the agency or department and to his superior or other appropriate authority the existence of such financial interest. An employee having such an interest shall not engage in deliberations concerning the matter, shall disqualify himself from acting on the matter and shall not communicate about such matter with any person who will participate in the action to be taken on such matter. However, the excusal from voting by members of the board of county commissioners shall be governed exclusively by G.S. § 153A-44.
- (4) No employee shall represent or appear on behalf of any individual or entity, either personally or through an associate or partner, against the interests of the county or any of its agencies in any action or proceeding in which the county or any of its agencies is a party, unless the action or proceeding is sufficiently remote from his official duties, so that no actual conflict of interest exists.
- (5) Nothing herein shall be interpreted or construed to prohibit any employee from exercising his or her legal rights as to his or her own personal interests in processing a claim against, making a request to the county or any of its agencies or in defending a claim made against him or her by the county or any of its agencies, or to prohibit an employee from testifying as a witness in any administrative or judicial proceeding.
- (6) No employee may participate in the selection, award, or administration of a contract supported by a Federal award if he or she has a real or apparent conflict of interest. Such a conflict of interest would arise when the employee, or any member of his or her immediate family, his or her partner, or an organization which employs or is about to employ any of the parties indicated herein, has a financial or other interest in or a tangible personal benefit from a firm considered for a contract. The employees may neither solicit or accept gratuities, favors, or anything of monetary value from contractors or parties to subcontracts. (Reference § 2 CFR 200.318(c)(1).

(g) *Confidential Information.*

- (1) No employee shall, without legal authority, disclose confidential information gained as a result of his or her employment or position with the county.

(2) No employee shall use confidential information gained as a result of his or her employment or position with the county to advance his or her own financial or personal interest or the financial or personal interests of any other person.

(3) Nothing in this subsection shall be construed as prohibiting the disclosure of information required by law to be disclosed.

(h) *Gifts, Gratuities, and Favors.* No employee shall knowingly solicit or accept a gift, whether in the form of money, things, favor, loan or promise, or gratuity, from any person or entity which, to the employee's knowledge, is interested directly or indirectly, in any manner whatsoever, in a transaction with the county or any of its departments or agencies as to which the employee has the power to take or influence official action. This section is not intended to prevent the gift and/or receipt of the following:

(1) Honorariums in an amount not to exceed \$25.00 or expenses to include meals, travel and lodging for participating in meetings, seminars, conferences, grand openings, or anniversary celebrations of businesses, or other similar activities where the official or employee is either a speaker, participant or invited in his or her official capacity;

(2) Nominal advertising items or souvenirs of \$25.00 or less in value, or meals furnished at banquets;

(3) Customary gifts or favors received by any employee from friends, relatives or other employees where it is clear that it is the relationship of the donor which is the motivating factor for the gift or favor;

(5) Gifts, favors, discounts, and gratuities offered by commercial enterprises to members of the general public; and

(6) Political contributions by elected county officials.

(i) *False Statements Prohibited.*

(1) No employee shall willfully make any false statement, or in any manner commit any fraud, conceal any wrongdoing or fail to answer fully and truthfully questions about wrongdoing connected with the business of the county or connected with the work-related conduct of any county employee.

(2) No employee shall willfully make any false statement, certificate, mark, report or rating with the intent to obtain public funds or other public benefit for himself or herself or anyone else to which the employee or such other person is not by law entitled or otherwise authorized.

(3) No person seeking appointment to, or promotion in, the service of the county, shall either directly or indirectly give, render or pay any money, service or other valuable thing to any person for, on account of or in connection with his or her test, appointment, proposed appointment, promotion or proposed promotion; provided, however, that this provision shall not apply to payments made to duly licensed employment agencies or educational institution.

(j) *Nepotism Prohibited.* No relative of a county employee, by blood or marriage, may be employed in any position with the county in which the employee may be able to supervise directly or control or influence the work or employment status of the relative or the affairs of the organizational unit in which the relative is employed. Relative for the purposes of this section shall mean wife, husband, mother, father, brother, sister, daughter, son, grandmother and grandfather, grandson and granddaughter, aunts and uncles. Included are the step, half, in-law, in loco parentis relationships and persons living within the same household.

(k) *Outside Employment.* Except for county elected officials or appointees, no employee shall engage in outside employment without prior approval of the employee's department head. Approval will be granted except where the employment has a probability of creating a conflict with the performance of the county's business or creating a division of loyalty, or where the performance of the outside duties would most likely impair the employee's ability to perform his or her county duties.

(l) *Political Activity.*

(1) *Generally.* Every employee of the county has a civic responsibility to support good government by every available means and in every appropriate manner except where in conflict with the law. County employees may join or affiliate with civic organizations of a political nature, may attend political meetings, may serve as officers of civic or political organizations, and may advocate and support principles or policies of civic or political organizations in accordance with the Constitution and laws of the United States and North Carolina.

(2) *Prohibitions.* No employee of the county shall:

(a) Engage in any political activity while on duty, unless serving as an elected county official;

(b) Place any pressure, direct or indirect, on any employee to support any candidate or party, contribute to, solicit for, or act as custodian of funds for political purposes;

(c) Offer any county position, promotion, job related benefit, remuneration or other advantage to any person as a reward for political activity or support;

(d) Take adverse action against any employee based on that employee's engaging in or refusing to engage in permitted political activity; or

(e) Permit or require any county employee to engage in political activity while the employee is on duty.

(3) *Candidates running for public office; etc.* Engaging in political activity while on duty shall not include the casual greeting or encounter by employees with persons running for public office. Candidates for public office visiting public offices shall be received and treated with respect. For the purpose of this section, employees who are on authorized breaks or

on lunch periods shall not be deemed to be on county time.

(m) *Violations.* Any violation of this section shall be deemed improper conduct and may subject an employee to disciplinary action, dismissal, or removal, as appropriate. Additionally, a violation of subsection (e), use of county resources, or subsection (i), false statements prohibited, is declared a misdemeanor and may be punished as provided by law. The board of county commissioners, upon notice and hearing, may declare void and rescind any contract, grant, subsidy, license, right, permit, franchise, use, authority, privilege, benefit certificate, ruling, decision, performance of any service, or transfer or delivery of anything which the board determines was awarded, granted, paid, furnished, or otherwise performed in violation of this article.

Sec. 502. Unlawful workplace harassment and retaliation.

The county manager shall develop strategies, policies and practices to ensure that all employees are guaranteed the right to work in an environment free from unlawful workplace harassment, sexual harassment or retaliation based on opposition to unlawful workplace harassment.

Sec. 503. Work week, work schedules.

(a) The established work week for the county for pay purposes is a seven-day period beginning Sunday at 12:00 a.m. and ending Saturday at 11:59 p.m.

(b) County offices shall be open for business on weekdays from 8:00 a.m. until 5:00 p.m.; provided, however; that department heads, with the approval of the county manager, shall schedule those hours necessary to conduct the operations of their departments and may vary work schedules and business hours to best meet the needs of the department's customers and the operations of the department.

(c) Full time employees shall normally work forty (40) hours per week.

(d) Department heads shall work the hours necessary to assure the satisfactory performance of their departments but not less than forty (40) hours per week.

Sec. 504. Overtime.

Department heads shall arrange the work schedules of their employees so as to accomplish the required work within the normal workweek schedule. The county manager shall establish policies and procedures to administer any overtime and/or compensatory time that may become necessary due to unforeseen circumstances. All overtime and compensatory time shall be administered in compliance with the *Fair Labor Standards Act*.

Sec. 505. Accountability for work time.

All employees shall accurately reflect the hours worked by the employee in a form prescribed by the county manager for this purpose.

NORTH CAROLINA

CUMBERLAND COUNTY

CONTRACT FOR ALLOCATION OF STATE FUNDS FOR STREAM RESTORATION ON THE
CAMPUS OF METHODIST UNIVERSITY PURSUANT TO SESSION LAW 2021-180 (SB-105)

This contract is entered on the last date signed by either party as indicated with the signatures, by and between Cumberland County, a body politic and corporate of the State of North Carolina, (“RECIPIENT”) and The Methodist University, Inc., a nonprofit corporation organized under the laws of the State of North Carolina (“SUBRECIPIENT”) with a business address at:

5400 Ramsey St.
Fayetteville, NC 28311

Whereas, Session Law 2021-180 (SB-105) appropriated a directed grant to RECIPIENT in the amount not to exceed \$2,000,000 through the North Carolina Department of Public Safety (the “AGENCY”) for a project of stream restoration on SUBRECIPIENT’S campus in Fayetteville (the “Project”); and

Whereas, RECIPIENT is responsible for the administration of the Project in accordance with the terms of Agreement #CUMBERLANDCO 2021-2023 between RECIPIENT and the AGENCY, attached hereto (the “State Agreement”); and

Whereas, RECIPIENT does not have sufficient staff resources to add the Project to the construction projects it is currently undertaking; and

Whereas, Section 9 of the State Agreement allows RECIPIENT to assign any work related to the Project to SUBRECIPIENT; and

Whereas, SUBRECIPIENT wishes to undertake the Project in accordance with the terms of the State Agreement and this contract.

Now therefore, in consideration of the State’s appropriation of a direct grant in an amount not to exceed \$2,000,000 in Session Law 2021-180 (SB -105), the parties agree as follows:

1. ASSIGNMENT

RECIPIENT assigns its rights and obligations under the State Agreement to SUBRECIPIENT and SUBRECIPIENT accepts that assignment subject to the terms and conditions of this contract.

2. STATE PUBLIC CONTRACTING REQUIREMENTS

SUBRECIPIENT agrees that the Project is a public construction project in an amount greater than \$500,000 and is subject to the public contracting laws set forth in Chapter 143 of the General Statutes, to specifically include Articles 3D and 8. SUBRECIPIENT further agrees that it shall comply in all respects with the applicable State public contracting laws and administrative code regulations.

3. FEDERAL PROCUREMENT AND CONTRACTING REQUIREMENTS

RECIPIENT has not determined whether the funds are solely funds of the State or whether any portion of the funds are Federal funds passed through the AGENCY. If any portion of the funds are Federal funds passed through the AGENCY, Section 11 of the State Agreement subjects the Project to compliance with all laws, ordinances, codes, rules, regulations, licensing requirements and other regulatory matters that are applicable to the conduct of business and work performance, including those of Federal, State, and local agencies having appropriate jurisdiction. SUBRECIPIENT agrees that it shall determine whether any the funding source subjects the Project to the jurisdiction of any Federal agency, specifically to include the Federal procurement laws set forth in Title 2 of the Code of Federal Regulations. If SUBRECIPIENT determines the Project is subject to the jurisdiction of any Federal agency, SUBRECIPIENT shall comply fully with all applicable Federal requirements.

4. STATE AGREEMENT TERMS AND CONDITIONS

SUBRECIPIENT shall comply with all the terms of the State Agreement, and stand in the place and stead of RECIPIENT for all purposes of the State Agreement, to specifically include compliance with all the statutes and Administrative Code provisions referenced in the State Agreement, provided that, if 09 NCAC 03M .0203 SUBRECIPIENT RESPONSIBILITIES referenced in Section 9 of the State Agreement is now repealed, SUBRECIPIENT shall comply with 09 NCAC 03M .0202 RECIPIENT AND SUBRECIPIENT RESPONSIBILITIES.

5. SUBRECIPIENT'S DUTIES TO REPORT

SUBRECIPIENT shall timely make all reports to AGENCY required by the State Contract and shall provide a copy to RECIPIENT. SUBRECIPIENT shall, within a reasonable time of any request for the same, further provide RECIPIENT any vendor's reports or forms required by RECIPIENT.

6. DISTRIBUTION OF PAYMENTS

Funds shall be distributed in accordance with the payment provisions set forth in the State Contract. If AGENCY allows SUBRECIPIENT to receive direct payment, SUBRECIPIENT shall follow AGENCY'S requirements to do so. If AGENCY will only make distributions to RECIPIENT, then RECIPIENT shall distribute payment to SUBRECIPIENT in accordance with AGENCY guidance with SUBRECIPIENT to provide all requested documentation.

7. CONTRACT ADMINISTRATORS

All notices and communications between the parties with respect to this contract shall be through their respective contract administrators. RECIPIENT'S contract administrator shall be RECIPIENT'S administrator for the State Agreement. SUBRECIPIENT'S contract administrator and contact information is:

Sheila Kinsey
Vice President for Planning and Administration/Chief of Staff
Methodist University
5400 Ramsey St.
Fayetteville, NC 28311
skinsey@methodist.edu

8. NO JOINT UNDERTAKING

The parties agree that the Project is solely the project and responsibility of SUBRECIPIENT and RECIPIENT'S only role in the PROJECT is serving as the pass-through entity for AGENCY to fund the Project as a direct grant appropriation in Session Law 2021-180 (SB-105). RECIPIENT shall have no role in selecting the engineer and contractors, determining the Scope of Work, or undertaking the Project in any way.

9. INDEMNITY PROVISION

SUBRECIPIENT shall fully indemnify and hold harmless RECIPIENT for any claim, injury, damages, causes of action or any matters whatsoever causing any claims to be made against RECIPIENT arising out of the conduct of work on the Project by SUBRECIPIENT or any of its contractors or their subcontractors, to include, without limitation, any claims for personal injury or death, any claims for property damage, or any costs disallowed by AGENCY, or demands for reimbursement of Project funds by AGENCY. Such indemnification shall extend to any costs incurred by RECIPIENT, including attorney fees, and settlements made by RECIPIENT, in defense or settlement of any claims made against it. Notwithstanding the foregoing, this indemnity shall not extend to any claim, injury, damages, causes of action or any matters whatsoever arising out of the conduct of RECIPIENT or any of its employees, contractors, representatives, or other agents.

10. ATTACHMENTS

This contract includes and fully incorporates the terms of the attached unsigned draft of the State Contract, North Carolina Department of Public Safety Agreement #CUMBERLANDCO 2021-2023 with Attachment A–Scope of Work and Annual Budget and Attachment B–Quarterly or Periodic Status Report & Reimbursement Request.

11. AUTHORIZED SIGNATURE WARRANTY

The undersigned represent and warrant that they are authorized to bind their principals to the terms of this contract.

In witness whereof, RECIPIENT and SUBRECIPIENT have executed this contract in triplicate originals, with one original being retained by each party and one original being delivered to the AGENCY.

[Signature Page Follows]

SUBRECIPIENT:
The Methodist University, Inc.
By:

Name & Title

Date: _____

Attest:

Name
(Asst) Corporate Secretary

RECIPIENT:
Cumberland County
By:

Renee Paschal, Interim
County Manager

Date: _____

Attest:

Andrea Tebbe, Interim Clerk to the Board



ENGINEERING AND INFRASTRUCTURE DEPARTMENT

**MEMORANDUM FOR BOARD OF COMMISSIONERS AGENDA OF DECEMBER 19,
2022**

TO: BOARD OF COUNTY COMMISSIONERS

**FROM: JERMAINE WALKER, DIRECTOR OF ENGINEERING AND
INFRASTRUCTURE**

DATE: 12/12/2022

**SUBJECT: FORMAL BID AWARD FOR EMERGENCY WATERSHED PROGRAM
(EWP)**

BACKGROUND

The Emergency Watershed Protection (EWP) Program is a recovery effort aimed at relieving imminent hazards to life and property caused by natural disasters. EWP addresses watershed impairments such as: debris clogged waterways, unstable streambanks, and severe erosion jeopardizing public infrastructure. Due to the impacts of Hurricane Florence, Cumberland County will be using EWP Funding to help mitigate some of these watershed impairments.

This project was solicited for bid on October 14, 2022, and November 1, 2022. Carolina Cleaning and Restoration, LLC., submitted a qualifying bid of \$910,741.

The County has secured funding for this project in the amount of \$2.023M with the breakdown being \$1.168M in federal and \$855K in state funding.

RECOMMENDATION / PROPOSED ACTION

This item was presented during the December 8, 2022, Board of Commissioners' Agenda Session and was moved to the December 19, 2022, Board of Commissioner's Meeting as a Consent Agenda Item under the following conditions:

1. Approval of bid award for the Emergency Watershed Program project based on Carolina Cleaning and Restoration's qualifying bid.

2. Authorize the Chair to execute the agreement once the contract has been approved for legal sufficiency.

ATTACHMENTS:

Description

Type

Project Bid Tab

Backup Material

Project Bid Summary

Backup Material

**BID TABULATION
CUMBERLAND COUNTY
HURRICANE FLORENCE EMERGENCY WATERSHED**

BID DATE/TIME: Tuesday, November 1st, 2022 @ 2:00 PM

TWC No. 2877-G

CONTRACTORS	BID BOND	ADD. NO. 1	ADD. NO. 2	BASE BID	REMARKS
Carolina Cleaning and Restoration, LLC	✓	✓	✓	\$910,741.00	Apparent Low Bidder
Hall's Tree Service Incorporated	✓	✓	✓	\$939,394.00	

This is to certify that the bids tabulated herein were publicly opened and read aloud at 2:00 p.m. on the 1st day of November 2022, at Cumberland County Engineering & Infrastructure, located at 130 Gillespie Street, room 214, Fayetteville, NC 28301 and that all said bids were accompanied by either a certified check or bidder's bond except as otherwise noted.

THE WOOTEN COMPANY120 N. Boylan Avenue
Raleigh, NC 27603
License No. F-0115



BID SUMMARY
HURRICANE FLORENCE EMERGENCY WATERSHED
CUMBERLAND COUNTY, NORTH CAROLINA

120 N. Boylan Avenue
Raleigh, NC 27603
(919) 828-0531

THE WOOTEN COMPANY
November 1st, 2022 at 2:00 PM

Item No.	Segment Name	Description	EWP Project #	LF Planned	Carolina Cleaning & Restoration		Hall's Tree Service Inc.	
					Unit Cost	Total Cost	Unit Cost	Total Cost
1	Locks Creek (Autry Site)	Clearing and Snagging	37-09-18-5038-032	700	\$ 8.50	\$ 5,950.00	\$ 10.00	\$ 7,000.00
2	Cedar Creek	Clearing and Snagging	37-09-18-5038-033	13,824	\$ 8.50	\$ 117,504.00	\$ 10.00	\$ 138,240.00
3	UT (McBryde Rd)	Clearing and Snagging	37-09-18-5038-034	300	\$ 8.50	\$ 2,550.00	\$ 10.00	\$ 3,000.00
4	Carvers Creek (Ramsey St)	Clearing and Snagging; Remove Obstruction	37-09-18-5038-035	800	\$ 8.50	\$ 6,800.00	\$ 10.00	\$ 8,000.00
5	UT to Cape Fear River (Slocumb Rd)	Clearing and Snagging	37-09-18-5038-036	900	\$ 8.50	\$ 7,650.00	\$ 10.00	\$ 9,000.00
6	UT to Little River (Vass Rd)	Clearing and Snagging	37-09-18-5038-037	5,300	\$ 8.50	\$ 45,050.00	\$ 10.00	\$ 53,000.00
7	Little River (Manchester Rd)	Clearing and Snagging	37-09-18-5038-038	300	\$ 8.50	\$ 2,550.00	\$ 10.00	\$ 3,000.00
8	Baywood Rd Reece Cr	Stream Debris Removal	37-09-18-5038-067	800	\$ 8.50	\$ 6,800.00	\$ 10.00	\$ 8,000.00
9	Buck Cr Magnolia Church Rd	Stream Debris Removal	37-09-18-5038-068	300	\$ 8.50	\$ 2,550.00	\$ 10.00	\$ 3,000.00
10	Canady Pond Rd Unnamed Trib	Stream Debris Removal	37-09-18-5038-069	400	\$ 8.50	\$ 3,400.00	\$ 10.00	\$ 4,000.00
11	Cedar Cr Rd Lock Cr	Stream Debris Removal	37-09-18-5038-070	6,100	\$ 8.50	\$ 51,850.00	\$ 10.00	\$ 61,000.00
12	Council Rd Cold Camp Cr	Stream Debris Removal	37-09-18-5038-071	500	\$ 8.50	\$ 4,250.00	\$ 10.00	\$ 5,000.00
13	Coventry Rd Buckhead Cr	Stream Debris Removal	37-09-18-5038-072	600	\$ 8.50	\$ 5,100.00	\$ 10.00	\$ 6,000.00
14	Galatia Church Rd Stuart Cr	Stream Debris Removal	37-09-18-5038-074	800	\$ 8.50	\$ 6,800.00	\$ 10.00	\$ 8,000.00
15	Hwy 53 McKinnon Rd	Stream Debris Removal	37-09-18-5038-075	500	\$ 8.50	\$ 4,250.00	\$ 10.00	\$ 5,000.00
16	Morgan Rd Hybarts Br Branson Cr	Stream Debris Removal	37-09-18-5038-076	8,500	\$ 8.50	\$ 72,250.00	\$ 10.00	\$ 85,000.00
17	Peters Cr	Stream Debris Removal	37-09-18-5038-076	11,400	\$ 8.50	\$ 96,900.00	\$ 7.00	\$ 79,800.00
18	Rt 295 Underwood Rd Gum Log Canal	Stream Debris Removal	37-09-18-5038-078	32,622	\$ 8.50	\$ 277,287.00	\$ 7.00	\$ 228,354.00
19	Spencer Rd Beaver Dam Cr	Stream Debris Removal	37-09-18-5038-079	400	\$ 8.50	\$ 3,400.00	\$ 10.00	\$ 4,000.00
20	Butler Nursery Rd Gray Cr	Stream Debris Removal	37-09-18-5038-173	800	\$ 8.50	\$ 6,800.00	\$ 10.00	\$ 8,000.00
21	Callie Rd Ditch	Stream Debris Removal	37-09-18-5038-174	2,500	\$ 8.50	\$ 21,250.00	\$ 10.00	\$ 25,000.00
22	Cedar Cr Rd Harrison Cr	Stream Debris Removal	37-09-18-5038-175	2,500	\$ 8.50	\$ 21,250.00	\$ 10.00	\$ 25,000.00
23	Gillis Hill Rd Little Rockfish Creek	Stream Debris Removal	37-09-18-5038-176	2,500	\$ 8.50	\$ 21,250.00	\$ 10.00	\$ 25,000.00
24	Hwy 210 Beaver Dam Cr Trib	Stream Debris Removal	37-09-18-5038-177	300	\$ 8.50	\$ 2,550.00	\$ 10.00	\$ 3,000.00
25	Slocumb Rd Trib	Stream Debris Removal	37-09-18-5038-179	200	\$ 8.50	\$ 1,700.00	\$ 10.00	\$ 2,000.00
26	Slocumb Rd 2	Stream Debris Removal	37-09-18-5038-356	800	\$ 8.50	\$ 6,800.00	\$ 10.00	\$ 8,000.00
27	Suggs Turnbull Cr	Stream Debris Removal	37-09-18-5038-357	800	\$ 8.50	\$ 6,800.00	\$ 10.00	\$ 8,000.00
28	Myrover-Reese	Stream Debris Removal	37-09-18-5038-392	3200	\$ 8.50	\$ 27,200.00	\$ 10.00	\$ 32,000.00
29	Bainbridge Rd	Stream Debris Removal	37-09-18-5038-393	8500	\$ 8.50	\$ 72,250.00	\$ 10.00	\$ 85,000.00
					\$ 910,741.00		\$ 939,394.00	

TWC NO. 2877-G



OFFICE OF THE COUNTY ATTORNEY

**MEMORANDUM FOR BOARD OF COMMISSIONERS AGENDA OF DECEMBER 19,
2022**

TO: BOARD OF COUNTY COMMISSIONERS

FROM: COUNTY ATTORNEY

DATE: 12/12/2022

**SUBJECT: REQUEST NCDOT TO ABANDON A PORTION OF SR 4089 (KING
ROAD)**

BACKGROUND

N.C.G.S. § 136-63 authorizes a board of county commissioners, on its own motion or on petition of a group of citizens, to abandon any road in the secondary system when the best interest of the people of the county will be served thereby. Attorney Gregory T. Whitley has presented petitions on behalf of the three property owners abutting the section of SR 4089 approximately 0.1 mile in length connecting King Road and Rockfish Road south of the crossroads intersection of King Road, Stoney Point Road, Lakewood Drive, and Rockfish Road in the City of Fayetteville. The petitions signed by Frances Ferguson as the owner of the parcels with PIN 9494-58-0282 and PIN 9494-47-9506, George Myers as the owner of the parcel with PIN 9494-58-1901, and Phillip N. Smith as the owner of the parcels with PIN 9494-58-3040 and PIN 9494-57-4949 are attached.

Daniel S. Mitchell, P.E., has presented verification by NCDOT that this section of King Road is currently in the state-maintained network. Mr. Mitchell's letter and the verification from Troy Baker of NCDOT are attached.

The property owners are petitioning the board to request this section of road to be abandoned by NCDOT because these properties have been annexed into the City of Fayetteville under a conditional zoning/limited commercial designation to accommodate the development of these parcels into a commercial development with a major grocery store and multi-use parcels. The petitioners are under contracts to sell their properties for this development. Attorney Whitley's attached letter dated November 29, 2022, states these facts.

The county attorney advises these petitions, verification from NCDOT, and statement of purpose for the request meet the statutory requirements for the board to find the best interest of the people of the county will be served by the abandonment of this section of SR 4089 from the state-maintained network of secondary roads.

At the December 8, 2022 Agenda Session, the board voted unanimously to move this matter to the December 19, 2022 Regular Meeting as a consent item.

RECOMMENDATION / PROPOSED ACTION

The county attorney recommends the board, on behalf of these petitioners, request NCDOT to abandon the described section of SR 4089 by adopting the attached resolution.

ATTACHMENTS:

Description	Type
Resolution Requesting NCDOT to Abandon a Portion of King Road	Backup Material
Signed Petition - Ferguson	Backup Material
Signed Petition - Myers	Backup Material
Signed Petition - Smith	Backup Material
KING RD - DOT CERTIFICATION	Backup Material
KING RD - LETTER TO MOOREFIELD	Backup Material

**RESOLUTION OF THE CUMBERLAND COUNTY BOARD OF COMMISSIONERS
REQUESTING THE NORTH CAROLINA DEPARTMENT OF TRANSPORTATION TO
ABANDON A SECTION OF SR 4089 (KING ROAD) PURSUANT TO G.S. 136-63**

Whereas, N.C.G.S. § 136-63 authorizes a board of county commissioners, on its own motion or on petition of a group of citizens, to request the North Carolina Board of Transportation to abandon any road in the secondary system when the best interest of the people of the county will be served thereby; and

Whereas, the three owners abutting a section of SR 4089 within the City of Fayetteville in Cumberland County have petitioned the board of commissioners to request NCDOT to abandon that section of SR 4089 approximately 0.1 mile in length connecting King Road and Rockfish Road south of the crossroads intersection of King Road, Stoney Point Road, Lakewood Drive, and Rockfish Road as shown on the right-of-way abandonment exhibit in each petition attached hereto; and

Whereas, the petitions signed by Frances Ferguson as the owner of the parcels with PIN 9494-58-0282 and PIN 9494-47-9506, George Myers as the owner of the parcel with PIN 9494-58-1901, and Phillip N. Smith as the owner of the parcels with PIN 9494-58-3040 and PIN 9494-57-4949 are attached; and

Whereas, the property owners are petitioning the board to request this section of SR 4089 be abandoned by NCDOT because these properties have been annexed into the City of Fayetteville under a conditional zoning/limited commercial designation to accommodate the development of these parcels into a commercial development with a major grocery store and multi-use parcels, and the petitioners are under contracts to sell their properties for this development.

Be it resolved, the board of commissioners finds petitioners' request to be reasonable and in the best interest of the people of Cumberland County by enabling this property to be developed for commercial retail purposes beneficial to the community.

Be it further resolved, the board of commissioners requests the North Carolina Department of Transportation to abandon the section of SR 4089 described herein from the state-maintained secondary road system.

Adopted this 19th day of December 2022.

Cumberland County Board of Commissioners
By:

Attest:

Toni Stewart, Chair

Andrea Tebbe, Clerk to the Board

**North Carolina Department of Transportation
Division of Highways
Abandonment Petition**

North Carolina

County of Cumberland

Petition request for the abandonment of Secondary Road King Road (SR 4089) from the State.

Maintained System

We the under signed, being all of the property owners on Secondary Road King Road (SR 4089)
in Cumberland County do hereby request the Division of Highways of the Department of
Transportation to abandon the road from the State Maintained System.

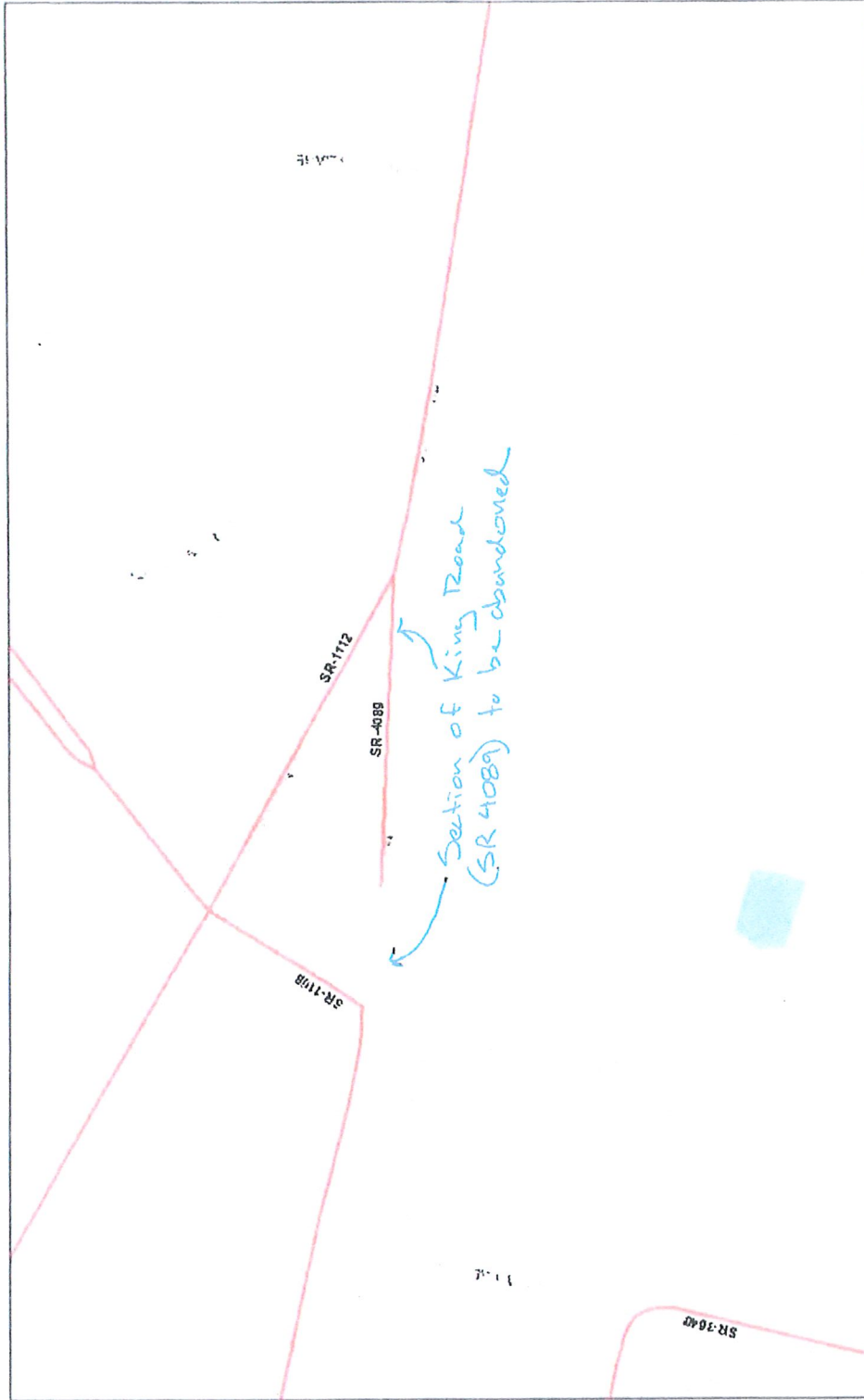


PROPERTY OWNERS

<u>Name</u>	<u>Address</u>
Robert L Ferguson PIN (9494-48-7094)	7605 King Road, Fayetteville, NC 28306 <i>Robert L. Ferguson by Frances Ferguson - executor</i>
Frances Ferguson PIN (9494-58-0282)	7483 Rockfih Road, Fayetteville, NC 28306 <i>Frances Ferguson</i>
Frances Ferguson PIN (9494-47-9506)	7483 King Road, Fayetteville, NC 28306 <i>Frances Ferguson</i>
George E Myers PIN (9494-58-1091)	7475 Rockfish Road, Fayetteville, NC 28306
Phillip N Smith PIN (9494-58-3040)	7467 Rockfish Road, Fayetteville, NC 28306
Phillip N Smith PIN (9494-57-4949)	7461 Rockfish Road, Fayetteville, NC 28306

ff

(3) NCDOT State Maintained Network Map (Quarterly) Exhibit A



11/4/2022

1:2,779

0 0.02 0.04 0.07 mi

0 0.03 0.06 0.12 km

NCDOT GIS Unit, County of Cumberland, State of North Carolina DOT, East, HERE Garmin, GeoTechnologies, Inc., USGS, EPA, USDA

ff

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PROJECT.

**RETAIL
DEVELOPMENT**
ROOFISH RD. & KING ROAD
CUMBERLAND COUNTY, NC 28306

FOR:

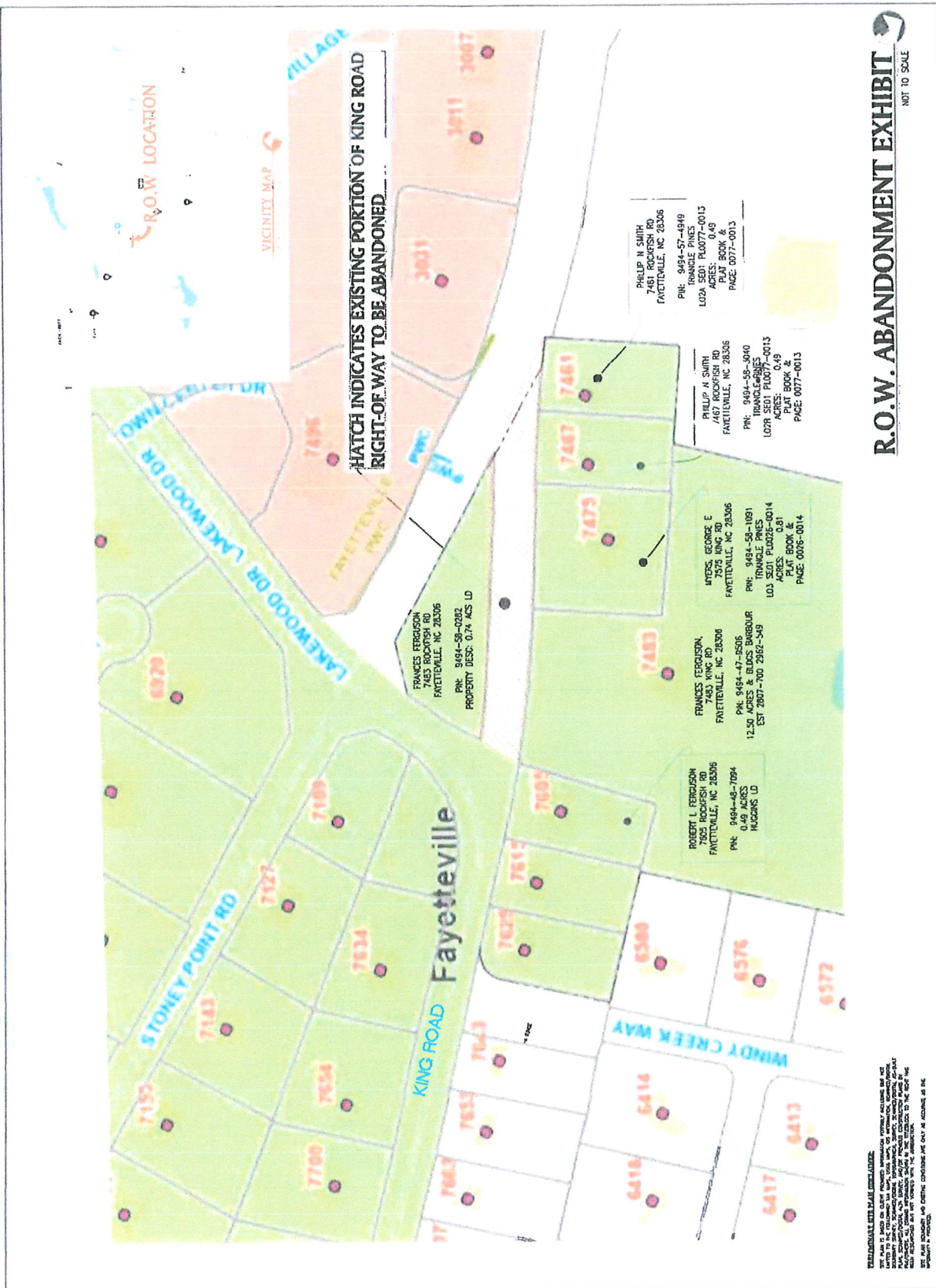
CP^{INC}
COLUMBIA PAPER, INC.
1355 ITRREL MILL RD
BLOC 1478, SUITE 200
MARIETTA, GA 30067

ZONING INFORMATION

09.13.2022

R.O.W. ABANDONMENT
EXHIBIT

ROW EXH-1



kk

Exhibit C

ALTANSPS SURVEY FOR Columbia Properties Capital I, LLC

Rockfish Township City of Fayetteville
Cumberland County North Carolina
November 9, 2022 Scale 1" = 80'

Title Reference: Deed Book 6274, Page 274;
Deed Book 7308, Page 589; Deed Book 7212,
Page 166; Deed Book 2497, Page 676; Deed
Book 9550, Page 334; Deed Book 4853, Page
384; Deed Book 8782, Page 455;
Plat Book 135, Page 61; Plat Book 26, Page 14;
Plat Book 77, Page 13; Plat Book 100, Page 165;
Plat Book 62, Page 52; Plat Book 62, Page 92
REIDS: 949458028000, 949448609000,
949448609700, 949448709400,
949447950600, 949458109100,
949458304000, 949457484800

COMMITMENT NO. 214-00203
The undersigned, JOHN D. POWERS, Jr., Professional Land Surveyor
No. 13719, being duly sworn to in the presence of the State of North
Carolina, do hereby certify that the foregoing is a true and correct
description of the property described herein.
To: CHICAGO TITLE COMPANY, LLC, Commercial Properties
Capital I, LLC, a LLC
This is a survey of the site of the proposed development of the
Standard Hotel (hereinafter referred to as the "Standard Hotel")
located in Rockfish Township, Cumberland County, North Carolina,
Items 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35, 36, 37, 38, 39, 40, 41, 42, 43, 44, 45, 46, 47, 48, 49, 50, 51, 52, 53, 54, 55, 56, 57, 58, 59, 60, 61, 62, 63, 64, 65, 66, 67, 68, 69, 70, 71, 72, 73, 74, 75, 76, 77, 78, 79, 80, 81, 82, 83, 84, 85, 86, 87, 88, 89, 90, 91, 92, 93, 94, 95, 96, 97, 98, 99, 100, 101, 102, 103, 104, 105, 106, 107, 108, 109, 110, 111, 112, 113, 114, 115, 116, 117, 118, 119, 120, 121, 122, 123, 124, 125, 126, 127, 128, 129, 130, 131, 132, 133, 134, 135, 136, 137, 138, 139, 140, 141, 142, 143, 144, 145, 146, 147, 148, 149, 150, 151, 152, 153, 154, 155, 156, 157, 158, 159, 160, 161, 162, 163, 164, 165, 166, 167, 168, 169, 170, 171, 172, 173, 174, 175, 176, 177, 178, 179, 180, 181, 182, 183, 184, 185, 186, 187, 188, 189, 190, 191, 192, 193, 194, 195, 196, 197, 198, 199, 200, 201, 202, 203, 204, 205, 206, 207, 208, 209, 210, 211, 212, 213, 214, 215, 216, 217, 218, 219, 220, 221, 222, 223, 224, 225, 226, 227, 228, 229, 230, 231, 232, 233, 234, 235, 236, 237, 238, 239, 240, 241, 242, 243, 244, 245, 246, 247, 248, 249, 250, 251, 252, 253, 254, 255, 256, 257, 258, 259, 260, 261, 262, 263, 264, 265, 266, 267, 268, 269, 270, 271, 272, 273, 274, 275, 276, 277, 278, 279, 280, 281, 282, 283, 284, 285, 286, 287, 288, 289, 290, 291, 292, 293, 294, 295, 296, 297, 298, 299, 300, 301, 302, 303, 304, 305, 306, 307, 308, 309, 310, 311, 312, 313, 314, 315, 316, 317, 318, 319, 320, 321, 322, 323, 324, 325, 326, 327, 328, 329, 330, 331, 332, 333, 334, 335, 336, 337, 338, 339, 340, 341, 342, 343, 344, 345, 346, 347, 348, 349, 350, 351, 352, 353, 354, 355, 356, 357, 358, 359, 360, 361, 362, 363, 364, 365, 366, 367, 368, 369, 370, 371, 372, 373, 374, 375, 376, 377, 378, 379, 380, 381, 382, 383, 384, 385, 386, 387, 388, 389, 390, 391, 392, 393, 394, 395, 396, 397, 398, 399, 400, 401, 402, 403, 404, 405, 406, 407, 408, 409, 410, 411, 412, 413, 414, 415, 416, 417, 418, 419, 420, 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2013, 2014, 2015, 2016, 2017, 2018, 2019, 2020, 2021, 2022, 2023, 2024, 2025, 2026, 2027, 2028, 2029, 2030, 2031, 2032, 2033, 2034, 2035, 2036, 2037, 2038, 2039, 2040, 2041, 2042, 2043, 2044, 2045, 2046, 2047, 2048, 2049, 2050, 2051, 2052, 2053, 2054, 2055, 2056, 2057, 2058, 2059, 2060, 2061, 2062, 2063, 2064, 2065, 2066, 2067, 2068, 2069, 2070, 2071, 2072, 2073, 2074, 2075, 2076, 2077, 2078, 2079, 2080, 2081, 2082, 2083, 2084, 2085, 2086, 2087, 2088, 2089, 2090, 2091, 2092, 2093, 2094, 2095, 2096, 2097, 2098, 2099, 2100, 2101, 2102, 2103, 2104, 2105, 2106, 2107, 2108, 2109, 2110, 2111, 2112, 2113, 2114, 2115, 2116, 2117, 2118, 2119, 2120, 2121, 2122, 2123, 2124, 2125, 2126, 2127, 2128, 2129, 2130, 2131, 2132, 2133, 2134, 2135, 2136, 2

**North Carolina Department of Transportation
Division of Highways
Abandonment Petition**

North Carolina

County of Cumberland

Petition request for the abandonment of Secondary Road King Road (SR 4089) from the State.

Maintained System

We the under signed, being all of the property owners on Secondary Road King Road (SR 4089)
in Cumberland County do hereby request the Division of Highways of the Department of
Transportation to abandon the road from the State Maintained System.

PROPERTY OWNERS

Name

Address

Robert L Ferguson
PIN (9494-48-7094)

7605 King Road, Fayetteville, NC 28306


Frances Ferguson
PIN (9494-58-0282)

7483 Rockfish Road, Fayetteville, NC 28306

Frances Ferguson
PIN (9494-47-9500)

7483 King Road, Fayetteville, NC 28306

George E Myers
PIN (9494-58-1091)




16 Nov 22

7475 Rockfish Road, Fayetteville, NC 28306

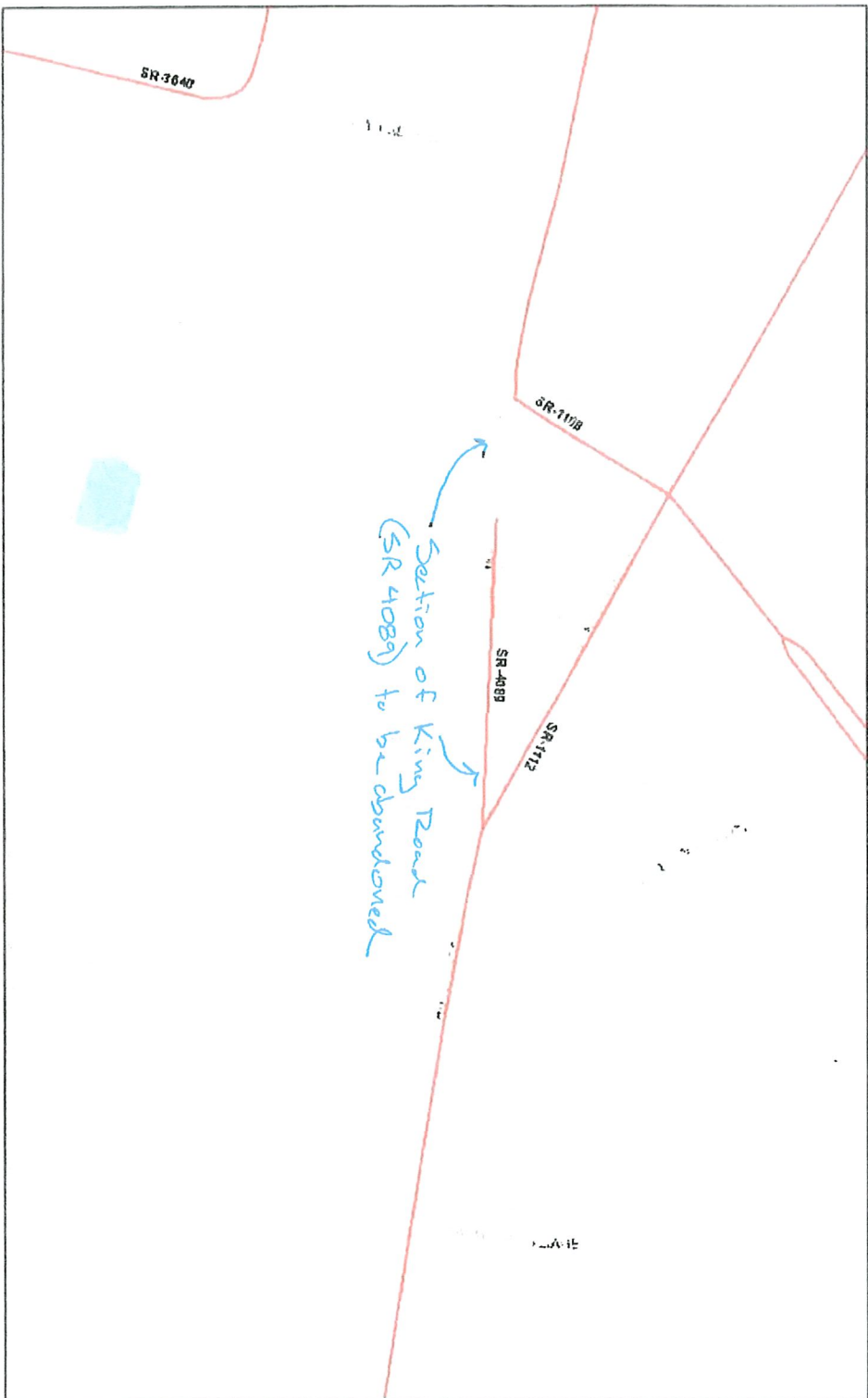
Phillip N Smith
PIN (9494-58-3040)

7467 Rockfish Road, Fayetteville, NC 28306

Phillip N Smith
PIN (9494-57-4949)

7461 Rockfish Road, Fayetteville, NC 28306

(3) NCDOT State Maintained Network Map (Quarterly) *Exhibit A*



11/14/2022

1:2,779

0 0.02 0.04 0.06 0.07 mi

0 0.03 0.06 0.12 km

NCDOT GIS Unit, County of Cumberland, State of North Carolina DOT, Esri, HERE, Garmin, GeoTechnologies, Inc., USGS, EPA, USDA

16 Nov 22

[illegible]

NOT TO SCALE

16 Nov 21

**North Carolina Department of Transportation
Division of Highways
Abandonment Petition**

North Carolina

County of Cumberland

Petition request for the abandonment of Secondary Road King Road (SR 4089) from the State.

Maintained System

We the under signed, being all of the property owners on Secondary Road King Road (SR 4089)
in Cumberland County do hereby request the Division of Highways of the Department of
Transportation to abandon the road from the State Maintained System.

PROPERTY OWNERS

Name

Address

Robert L Ferguson
PIN (9494-48-7094)

7605 King Road, Fayetteville, NC 28306

Frances Ferguson
PIN (9494-58-0282)

7483 Rockfish Road, Fayetteville, NC 28306

Frances Ferguson
PIN (9494-47-9506)

7483 King Road, Fayetteville, NC 28306

George E Myers
PIN (9494-58-1091)

7475 Rockfish Road, Fayetteville, NC 28306

Phillip N Smith
PIN (9494-58-3040)

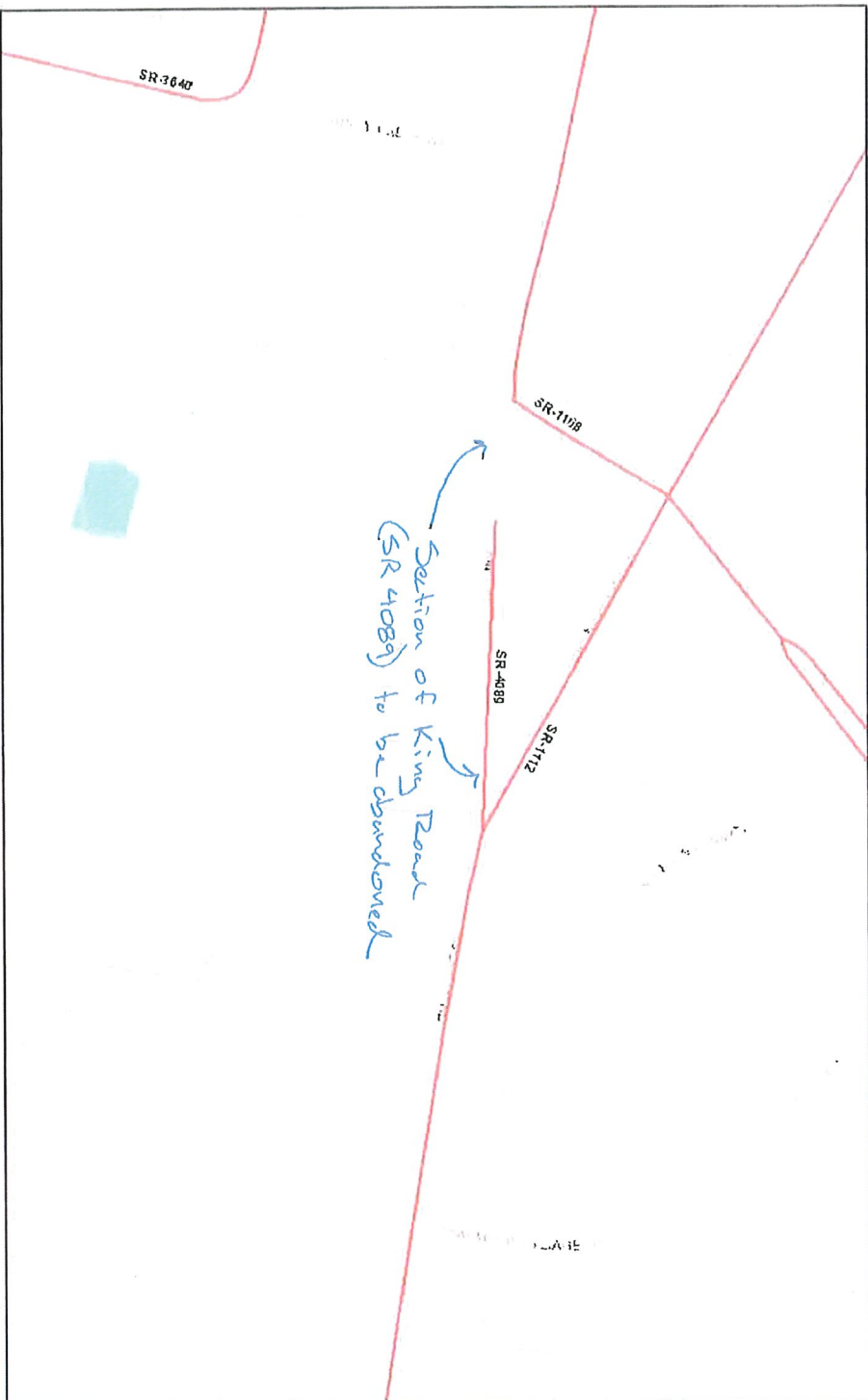
7467 Rockfish Road, Fayetteville, NC 28306

Phillip N Smith
PIN (9494-57-4949)

7461 Rockfish Road, Fayetteville, NC 28306

(3) NCDOT State Maintained Network Map (Quarterly)

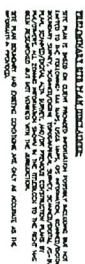
Exhibit A



11/4/2022

1:2,779
0 0.02 0.04 0.07 mi
0 0.03 0.06 0.12 km
NCDOT GIS Unit, County of Cumberland, State of North Carolina DOT, Esri,
HERE, Garmin, GeoTechnology, Inc., USGS, EPA, USDA

3. 5. 7. 9. 11.



R.O.W. ABANDONMENT EXHIBIT

SUBJECT

IV

Original Price

EXHIBIT

IV

CUMBER

2011

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To

15

GA
768

• Sur
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51 cr

50-7

Index

Arch

1

7540 King Road
Fayetteville, NC 28306
& surrounding properties

Rockfish Township City of Fayetteville
Cumberland County North Carolina
November 9, 2022 Scale 1" = 80'

Title Reference: Deed Book 6274, Page 27
Deed Book 7308, Page 589; Deed Book 7211

384; Deed Book 8782, Page 455;
Plat Book 135, Page 61; Plat Book 26, Page

REID: 9494580282000, 9494486009000

9494583040000, 9494574949000

It was recognized, JOHN O. POWERS, JR., Professional Land Surveyor No. 1-27718 does hereby certify to the aforesaid parties, as of the date hereon, that I have made a careful survey of the tract of land as described herein.

This is to certify that this map or plot and the survey on which it is based were made in accordance with the 2021 Minimum Standard Detail Requirements for All Townships Land Title Surveys.

North Carolina Professional Surveyor John C. Powers, Jr.
Professional and Survey No. 1-3719

10/11/2019

TH CAROL

HOF
NYL
L-5719
FOR
JR.

LEGEND

ecm - existing concrete marker found
ems - existing railroad spike found

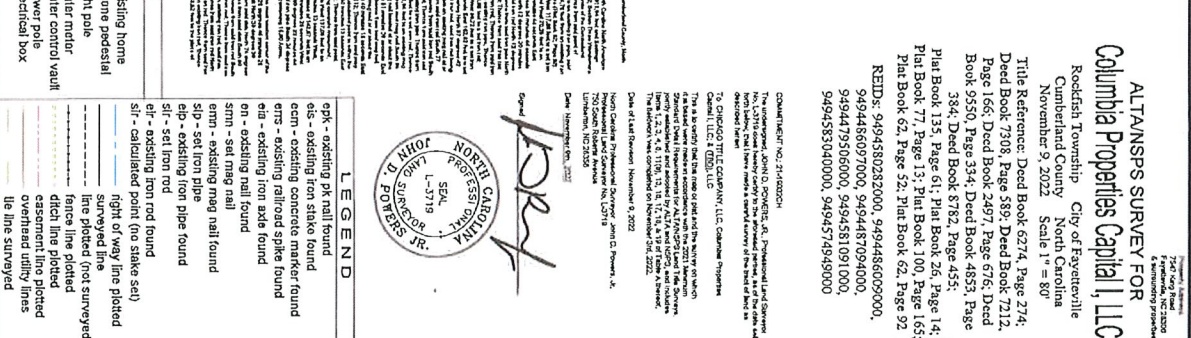
smn - set mag nail
emn - existing mag nail found

slr - sel iron rod
elr - existing iron rod found

— surveyed line
- - - line plotted (not surveyed)

**casement line plotted
overhead utility lines**

1



November 16, 2022

Rick Moorefield
Cumberland County
117 Dick St
Fayetteville, NC 28301

RE: King Road (SR 4089) Road Abandonment Petition, Cumberland County, NC

Dear Mr. Moorefield,

We confirmed with Troy Baker at NCDOT that the section of road shown on the Division of Highways Abandonment Petition included with this letter is currently shown as SR 4089 within the State maintained network.

Thank you for the time.

Sincerely,
PM Engineering, Inc.



Daniel S. Mitchell, PE
Principal

Gregory Whitley

From: Baker, Troy L <tlbaker@ncdot.gov>
Sent: Tuesday, November 8, 2022 5:13 PM
To: Gregory Whitley; Kyle Kritz
Subject: RE: [External] RE: [EXTERNAL]RE: Rockfish Road Retail Development

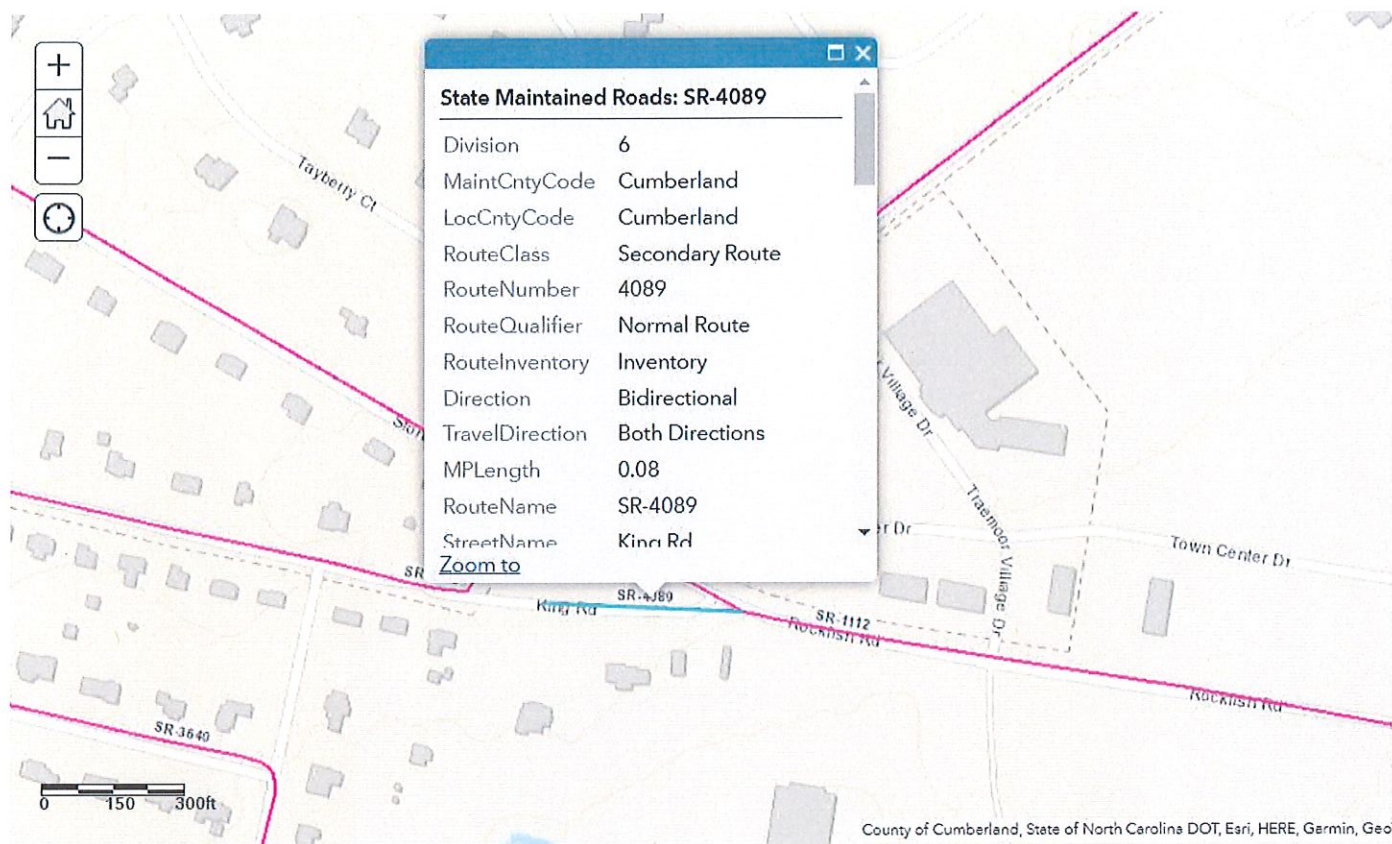
Gregory,

I am unsure to why someone had placed that verbiage on that drawing as shown ("State Road Closed") excepting that the meaning may have been that the road no longer connects to the other portion of SR 1108 (King Road). According to our records, this road is currently SR 4089 as shown within the state maintained network.

The abandonment process will still be required to be completed. We are in receipt of the required SR-3 form in which you had previously supplied. A resolution from the County Commissioners (or City of Fayetteville) will be needed to added to the abandonment package (includes right of way NCDOT certification) for state maintenance. Once approved locally at the Division level, the Board of Transportation member will sign thence the completed package will be forwarded so that it can be added to the Board of Transportation (BOT) agenda. This process only abandons state maintenance and the removal of the classification as secondary road 4089... The public right of way will still exist. This process is typically completed at the county (or local municipality) level as the Department no longer has interest in the right of way.

Please let me know if further clarification is required or what additional information can be provided.

Thank you,
Troy



From: Gregory Whitley <gwhitley@mpmlawnc.com>

Sent: Monday, November 7, 2022 2:59 PM

To: Baker, Troy L <tlbaker@ncdot.gov>; Kyle Kritz <kkritz@columbiapropertiesinc.com>

Subject: RE: [External] RE: [EXTERNAL]RE: Rockfish Road Retail Development

CAUTION: External email. Do not click links or open attachments unless you verify. Send all suspicious email as an attachment to [Report Spam](#).

Troy, hope you're doing well. I'm reaching back out to you on this as we're attempting to go through this abandonment process with the County but are still trying to sort out a couple of questions. Attached is a map our engineers got from DOT; I highlighted the portion of road in question and we noticed that it indicates (also highlighted) "STATE ROAD CLOSED."

Sorry for the ignorance but can you tell me if that means the road is no longer maintained? That would obviously help us make this thing easier to finalize.

Please let me know your thoughts when you have a chance, thanks.

Gregory Whitley
MacRae & Whitley, LLP
P.O. Box 1167
Fayetteville, NC 28301
(910) 483-0107

*NCDRC Certified Superior Court Mediator

MACRAE, PERRY, MACRAE AND WHITLEY, L.L.P.

ATTORNEYS AND COUNSELORS AT LAW
131 S. COOL SPRING STREET
FAYETTEVILLE, NORTH CAROLINA 28301

JAMES C. MACRAE
DANIEL T. PERRY, III
JAMES C. MACRAE, JR.
GREGORY T. WHITLEY

MAIL REPLY TO:
P.O. BOX 1167
FAYETTEVILLE, NC 28302-1167
TELEPHONE: 910-483-0107
FAX: 910-323-3813
EMAIL: MAIL@MPMLAWNC.COM

November 29, 2022

Rick Moorefield
Cumberland County Attorney
VIA EMAIL: rmoorefield@cumberlandcountync.gov

Re: Road Maintenance Abandonment Request – King Road

Dear Rick:

Per our recent communications, I'm writing to provide you some supplemental information concerning our request that the County Commissioners recommend to the Division of Highways that Secondary Road "King Road," also known as "SR 4089," be abandoned from the State Maintained System.

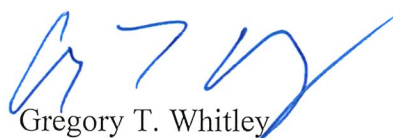
The portion of road in question, approximately .1 miles in length, was previously closed off from the main portion of King Road and is now only used by one or two landowners whose properties abut the road. As you're aware, those landowners have all signed petitions in support of this request.

The properties owned by the petitioners here were recently annexed into the City of Fayetteville under a conditional zoning/limited commercial designation. The plans submitted with the application that was ultimately approved call for a commercial development with a major grocery store as the anchor tenant and a number of multi-use outparcels. Petitioners are under contract to sell the properties to a developer who has already expended significant resources in moving forward with the development.

As you know, the area in question is one of the fastest-growing population areas in Cumberland County. The proposed development will bring a great benefit to County citizens in the area by providing additional grocery, dining and retail outlets.

If you or anyone else have any questions, please do not hesitate to contact me.

Sincerely,



Gregory T. Whitley



OFFICE OF THE COUNTY ATTORNEY

MEMORANDUM FOR BOARD OF COMMISSIONERS AGENDA OF DECEMBER 19, 2022

TO: BOARD OF COUNTY COMMISSIONERS

FROM: COUNTY ATTORNEY

DATE: 12/12/2022

SUBJECT: PIEDMONT NATURAL GAS REQUEST FOR EASEMENT

BACKGROUND

Jerry Higgins, Jr., on behalf of Piedmont Natural Gas, has presented a proposal to purchase two easements for Piedmont Natural Gas. One easement is for a 100' x 100' area for an above-grade regulator station on the county's 159-acre Sandhills Road tract adjacent to the county's 33-acre tract in the Cumberland Industrial Center. The other easement is for a 30' wide access road adjacent to the existing utility easements on the county's 33-acre tract in the Cumberland Industrial Center and running from Technology Drive to the new regulator station. PNG has an existing access road located mostly on the existing utility easements which it acknowledges it can continue to use. PNG has offered \$10,000 for these easements. A GIS map of the existing parcel boundaries and a drawing of the locations of the proposed easements are attached. The county attorney will use GIS maps on the large screen to present this item at the meeting.

The county attorney advises that the addition of this above-grade station adjacent to the existing smaller station parcel owned by PNG at the location requested by PNG makes the triangular shaped area west of the exiting utility easements unusable

RECOMMENDATION / PROPOSED ACTION

The county attorney recommends the board to offer PNG the portion of the land lying west of the city's 1.6-acre lot and PNG's existing station lot with a strip parallel to the city's lot to the existing utilities easements for access. The county attorney further advises the board to subdivide the remainder of the 159-acre tract lying west of the utility easements and combine it with the adjacent 33-acre tract fully lying west of the utility easements. The small portion cut off from the 159-acre tract by the 170' wide utility easements is much more valuable for use with the 33-acre tract.

At the Agenda Session December 8, 2022, the board unanimously voted to follow the recommendations of the county attorney on this matter with the offer to PNG to only be for the property it needed and to proceed with the transaction subject to a survey being prepared and any statutory requirements being done. This matter is on the consent agenda of the December 19, 2022, Regular Meeting and the final documents will be brought back for board approval when the process is complete.

PNG has responded to the county attorney and is willing to proceed in this manner.

ATTACHMENTS:

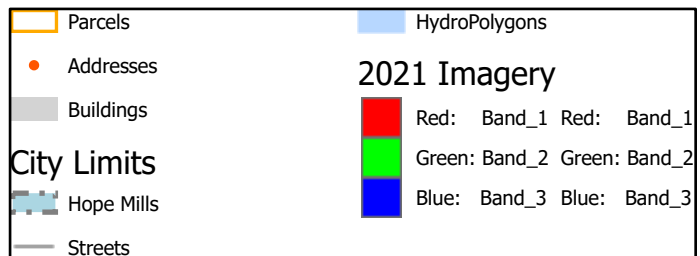
Description	Type
PNG EXISTING REG STATION	Backup Material
PNG - EASEMENT REQUESTED	Backup Material



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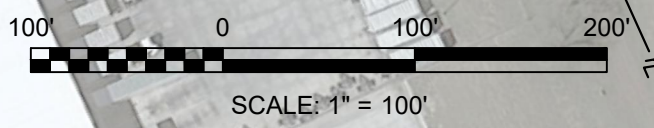
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- LEGEND:
- PROPOSED PERMANENT ACCESS EASEMENT
 - EXISTING ACCESS ROAD CL
 - PROPERTY LINE
 - EASEMENT
 - GRAVEL
 - TREE LINE
 - GAS LINE
 - SANITARY LINE
 - FENCE
 - EDGE OF PAVEMENT



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A	09/21/2022	ISSUED FOR INFORMATION	JAM	BLO		AREA CODE
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						PROJECT NUMBER
						FO234353
						DWG TYPE
						STATION ID
						82-T-90-FAY-0829

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REG 0829 - CUMBERLAND CO
INDUSTRIAL PARK REBUILD
SITE LAYOUT AND ACCESS ROAD OPTIONS

FAYETTEVILLE RESOURCE CENTER

REF. DWG(S)				
SHEET(S)		1 OF 1	DWG SCALE	NOTED
DWG DATE		09/21/2022	SUPERSEDED	-
DRAWING NUMBER				REVISION
PNG -X-XXX-0000000				A
DISCIPLINE / RESOURCE CENTER / LINE NUMBER				



OFFICE OF THE COUNTY MANAGER

**MEMORANDUM FOR BOARD OF COMMISSIONERS AGENDA OF DECEMBER 19,
2022**

TO: BOARD OF COUNTY COMMISSIONERS

FROM: RENEE PASCHAL, INTERIM COUNTY MANAGER

DATE: 12/13/2022

**SUBJECT: REQUEST BY SHERIFF TO USE FUNDS FROM DETENTION CENTER
TELECOMMUNICATIONS CONTRACT FOR DETENTION STAFF
RETENTION INCENTIVES AND APPROVAL OF BUDGET ORDINANCE
AMENDMENTS #B230191 AND #B230189**

BACKGROUND

On November 29, County Manager Amy Cannon received the attached memo from Sheriff Wright requesting Board of Commissioner approval of retention incentives for Jail staff to be funded by a grant from the telecommunications provider. The proposal from the Sheriff is described in the attached memo and requests Board of Commissioner approval for incentives of \$600 per employee for current employees who remain with the agency through the time the incentive is paid. The estimated cost of the one-time incentive and benefits for 155 detention center staff is approximately \$116,000.

The incentives would be funded from a \$200,000 grant provided by the telecommunications provider. The other items funded from the telecommunications provider are included in the memo, but do not require Board action.

The Sheriff's Office has been made aware that the bonuses cannot be processed through payroll until January.

The Sheriff requested that this item be moved forward to the December 19, 2022 Board of Commissioners meeting for approval.

The County Manager recommended including language that employees would be eligible if they remain with the detention center through the pay period immediately preceding the date the incentive is paid.

RECOMMENDATION / PROPOSED ACTION

At the December 8, 2022 Agenda Session Meeting, the Board of Commissioners approved placing the following action as a consent item on the December 19, 2022 Board of Commissioners Meeting:

Approval of incentive bonuses of \$600 to Detention Center employees to be funded by a grant from the Detention Center Telecommunications Provider. The incentive bonus will be paid to employees that remain with the detention center through the pay period immediately preceding the date the incentive is paid.

Approval of Budget Ordinance Amendment #B230191 in the amount of \$86,488 and Budget Ordinance Amendment #B230189 in the amount of \$1,457.

ATTACHMENTS:

Description

Sheriff's Request

Type

Backup Material



Cumberland County SHERIFF'S OFFICE

Ennis W. Wright, Sheriff



An Internationally Accredited Law Enforcement Agency

memorandum

To: The Board of County Commissioners and Amy H. Cannon, County Manager,
Cumberland County

From: Ennis W. Wright, Sheriff

Ref: Contract with Via Path - Technology and Staffing Grant

Date: November 29, 2022

The Cumberland County Sheriff's Office has contracted for a period of time with the company formerly known as GTL, a leading provider of telecommunications services for jails in the United States, for that company to provide communications equipment and services to the Cumberland County Jail. In a previous amendment to our contract with the company, GTL offered to provide a grant for technology up to the sum of two hundred thousand dollars (\$200,000.00) for use in the discretion of the Sheriff in a single sum or incremental amounts.

GTL has recently modified its corporate status and is now known as the corporate entity Via Path. As a part of the changes, the company wishes to modify the preexisting contract. As a part of that modification, Via Path remains willing to offer the grant of up to the sum of two hundred thousand dollars (\$200,000.00) for use in the discretion of the Sheriff in a single sum or incremental amounts, but because the company is well familiar with the difficulties in the hiring and retention of detention officers and support personnel for jails, Via Path has proposed that the grant be used for employee benefits which might aid in recruitment and retention of personnel as well as other technology.

My Detention Center Commander and Assistant Jail Commanders have suggested, and Via Path has agreed, that the funds should be used in the following ways.

- a. To update and modernize the classrooms where in-service training and the Detention Officer Certification course are conducted. This will be accomplished through the purchase of smart boards, sound enhancements (*e.g.*, microphones and speakers) and other technological improvements to supplement and improve the training experience in a modern, up to date classroom.
- b. The purchase of laptops for the training and recruitment division and laptops for the use by officers attending training.
- c. To provide Detention Staff with a one-time performance and retention incentive of six hundred dollars (\$600.00) per employee up to 155, the current total number of persons working in the Detention Center. Most detention staff do not qualify for the County's longevity incentive. The use of these funds, in this manner, would greatly aid morale and would create as an incentive for the individual responsible for the maintaining the efficient operation, on a daily basis, of the detention center.

November 29, 2022

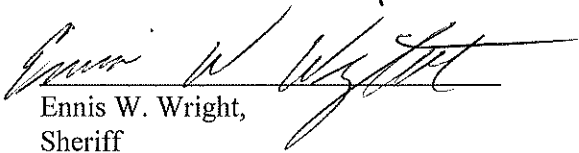
Re: Contract with Via Path - Technology and Staffing Grant

Page 2

In light of the use to be made of the funds with respect to employee benefits, I ask that this matter be placed on the Commissioners' agenda for their approval.

I am convinced that acceptance of the grant (and its terms) would be in the best interests of the County of Cumberland and the taxpayers as well as the Office of Sheriff. There are no "matching funds" requirements and the potential use of these funds in the manner requested would greatly aid in recruitment and retention of employees in the Detention Center.

Accordingly, I request the Board's consideration and approval.


Ennis W. Wright,
Sheriff





OFFICE OF THE COUNTY ATTORNEY

MEMORANDUM FOR BOARD OF COMMISSIONERS AGENDA OF DECEMBER 19, 2022

TO: BOARD OF COUNTY COMMISSIONERS

FROM: COUNTY ATTORNEY AND ROBERT VAN GEONS

DATE: 12/13/2022

SUBJECT: REQUEST BY ROBERT VAN GEONS FOR MATCHING FUNDS FOR ECONOMIC DEVELOPMENT SERVICES

BACKGROUND

The legal basis for the state grant of \$2.5 million to the Community Development Fund (CDF) is the excerpt from S.L 2021-180 below:

Senate Bill 105, Session Law 2021-180, Page 483

COMMUNITY DEVELOPMENT FOUNDATION CHALLENGE GRANT/EQUITY VENTURE CAPITAL FUND

SECTION 24.7. Of the funds appropriated in this act to the Office of State Budget and Management (OSBM), the sum of two million five hundred thousand dollars (\$2,500,000) in nonrecurring funds for the 2021-2022 fiscal year shall be provided to the Community Development Foundation (Foundation), a nonprofit corporation, as a matching grant for its Equity Venture Capital Fund. OSBM shall disburse State funds provided in this section to the Foundation on a periodic basis contingent upon the Foundation raising an equal amount of non-State funds. Any funds not matched as of December 31, 2022, shall revert to the General Fund.

The state funds are up to \$2.5 million as a match for the funds raised by the CDF by December 31, 2022, for its Equity Venture Capital Fund. The state funds will be disbursed periodically. There is currently no funding agreement between the state and the CDF. The information Mr. Van Geons presented about the Equity Venture Capital Fund is attached. Attachment "A" to that document states, "Funds Received from Cumberland County: The CDF anticipates receiving \$1.25 million from Cumberland County of which 100% will qualify for grant conversion." Counties do not have the authority to make grants for any purpose and may only contract with nonprofits to provide services or undertake activities that the county has the authority to do.

The county attorney advises the county does not have the authority to make this appropriation for the purpose stated in Attachment A.

If Mr. Van Geons can change the language in Attachment A (1) to use the county funds for the creation of jobs in accordance with the CDF's goal of assisting ten companies to each create ten jobs within five years, and (2) accept a contract for the CDF to be responsible for the job creation of the businesses it assists with claw-back provisions requiring the CDF to repay any funds provided to businesses which do not create the required jobs, those conditions will suffice to comply with the legal requirements for economic development activities.

At the December 8, 2022, Agenda Session the board voted to move this item forward to the December 19, 2022, Regular Meeting as an item of business. This is an expenditure for economic development and requires a public hearing. The public hearing was advertised in the *Fayetteville Observer* by Robert Van Geons.

Mr. Van Geons has now agreed that the funding can be made to the FCEDC through a contract for economic development. A contract has not been prepared but Mr. Van Geons has agreed the contract shall contain the following essential terms and conditions:

- (1) County shall transfer \$1.25 million to FCEDC.
- (2) FCEDC shall provide services to assist businesses located in Cumberland County and employing less than 50 employees to grow their businesses and create at least 100 new full-time jobs in Cumberland County within five years, commencing when the transfer of funds is made.
- (3) FCEDC may use and withdraw up to \$12,500 for each job created up to 100 jobs.
- (4) If any new job is not maintained by the employer for one year, FCEDC shall repay \$12,500 to the county. Maintaining the job includes hiring another employee to fill the newly created position if an employee separates from employment.
- (5) If FCEDC fails to repay any funds, the county shall withhold those funds from other county funds appropriated to FCEDC.
- (6) Any funds not used for this purpose during the contract term shall be repaid to the county.

The county attorney advises that a contract for the FCEDC to provide these economic development services with these essential terms and conditions will be sufficient to comply with the legal requirements for funding economic development activities.

RECOMMENDATION / PROPOSED ACTION

The county attorney makes no recommendation in this matter.

If the Board of Commissioners decide to move forward with the \$1.25M transfer to FCEDC, a budgetary appropriation will be required as follows:

Approval of Budget Ordinance Amendment B230176 appropriating \$1.25M in freed up capacity funding to the FCEDC for the contracted services described within the memo.

ATTACHMENTS:

Description	Type
Van Geons Description of Economic Equity Venture Capital Fund	Backup Material

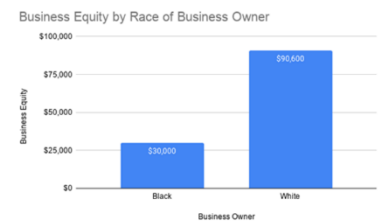
Economic Equity Venture Capital Fund

The Economic Equity Venture Capital Fund concept was developed to respond to studies that found that barriers to non-interest-bearing capital significantly impeded the creation of sustainable minority-owned businesses. Designed to overcome the hurdles of traditional lending models, the fund will provide patient, non-interest bearing capital. Targeting small (but established) minority-owned companies, the Fund's goal is to grow 10 firms, by 10 or more employees each, within five years.

This uniquely conceived fund, administered by the 501 (c) (3) Community Development Foundation (CDF) will go beyond funding capital needs such as equipment and inventory. Participating companies will benefit from business counseling provided by local partners including the Center for Economic Empowerment & Development (NCCEED), Fayetteville Technical Community College (FTCC), the Fayetteville State University Regional Entrepreneur & Business Hub (FSU), the North Carolina Small Business Technical Development Center (NCSBTDC) and volunteers from locally owned private sector companies.

Secondary Goals:

In 2018, a joint supply chain mapping project, led by the Fayetteville Public Works Commission (PWC), the City of Fayetteville, Cumberland County, FSU, FTCC, and the Cape Fear Valley Regional Hospital system, identified more than \$600 million of local spending for which local vendors could compete. Despite significant interest, our community has not been able to reach its goals for local procurement. This fund will strategically partner with small businesses to pursue these opportunities, leveraging both our community's policy goals and approved legislation supporting local procurement. Working with procuring partners will substantially increase the likelihood of sustainable success by providing the client businesses a low risk and motivated customer base.



About the CDF:

The 501 (C) (3) Community Development Foundation was founded in 2009 for the express purpose of improving the economic prosperity of our citizens through job creation and business expansion. Comprised of business professionals, the Board of Directors is diverse in terms of ethnicity, gender, and business type. In addition to supporting the general economic development of the community, the CDF is facilitating more than \$5 million of local projects including the HR Talent Portal Project (serving transitioning soldiers, military spouses and veterans) and the new City-County supported Black Voices History Project.

Funding:

The Fund will be launched with at least \$5 million in total assets. The State of North Carolina has approved \$2.5 million, which requires an equal match. Currently, Cumberland County and the City of Fayetteville are discussing providing up to \$1.25 million each (\$2.5 million total). The CDF is actively pursuing additional public and institutional investment to increase the capacity and longevity of the fund.

Minimum Criteria:

- Business must be established within the state of North Carolina and operating.
- A business/expansion plan (if none – assistance will be provided to create one).
- First priority will be given to businesses owned by residents in low to moderate income census tracts.
- Second priority will be given to businesses operating within, and employing residents of, the aforementioned census tracts.
- The fund will initially focus on recruiting businesses that provide goods or services in demand by institutional partners (City, County, PWC, Hospital, etc.).
- Applications will be reviewed by an investment committee made up of Fund investors, CDF Board Members, and local business support professionals (SBTDC, CEED, FCEDC, etc.).

Structure of the Engagement:

The CDF will work with each business to craft a final package, depending on the client's specific needs and growth strategy. Upon meeting agreed-upon performance goals and, assuming compliance with all reporting requirements, companies will be eligible for 50%- 100% of the CDF's investment to be converted into a grant (see Attachment "A" for additional information).

Should a company fail to meet documentation or performance standards, full repayment of the investment will be required. Terms for repayment for investments that do not convert to a grant will be negotiated based on the total amount invested and the anticipated duration of the investment. However, the cost of capital to the company shall not exceed 2.5X the CPI during the life of the investment. Repaid funds will be reallocated upon receipt and made available to qualifying businesses.

In most cases:

- The CDF's first preference will be to provide partial or complete funding for the acquisition of capital equipment and inventory (See Attachment "B" for a list of funding priorities).
- On a project-by-project basis, the CDF will consider providing working capital to cover a portion of operational costs associated with secured contracts.
- It is anticipated that most investments will be between \$100,000 and \$750,000.
- Prior to disbursing funds, the CDF and Company will agree to job creation and/or financial performance goals.
- Once performance goals are met, 75%-100% of the company's debt will be converted to a grant. Any remaining investment by the CDF will be repaid per the agreement.
- The CDF shall secure their interests through legally binding agreements, ensuring reimbursement should the business or equipment be sold prior to goals being met.
- Client companies will be required to participate in scheduled financial reviews and business counseling sessions while the funds are invested.
- Client businesses will commit to partnering in entrepreneur educational events and educational outreach.

Application, Fund Administration, and Accountability:

Applicants:

- Applicant companies must be registered with the State of North Carolina Secretary of State and of good standing.
- The Company and officers shall provide a business plan and three (3) years of certified, CPA prepared financial statements, or similar documentation as may be required to adequately review the capacity of the Company.
- The Company shall be required to create an agreed upon number of new full-time jobs, complying with the laws of North Carolina. The Company shall allow for review of their NCUI 101 forms, as may be required to document employment performance.
- Repayment forgiveness will be offered upon successful verification of the required job creation and satisfaction of all performance criteria.

Fund Administration:

- The funds will be administrated by an “Investment Committee” of no less than six members and no more than ten. At inception, two will be appointed by Cumberland County, two appointed by the City of Fayetteville, one appointed by FCEDC, and one appointed by the CDF. The CEO of FCEDC shall serve as an ex-officio, non-voting member.
- Additional members may be added by a vote of the Investment Committee in order to include participation by additional funding partners.
- The CDF shall secure its interests, through reasonable means, which may include promissory notes, deeds of trust, legally binding contracts or other forms of collateral. Should the Company fail to meet conditions set in the Agreement, the CDF shall use all reasonable efforts to facilitate repayment.

Accountability:

- The CDF will separately account for all income, expenses and disbursements related to Fund, contracting with a qualified CPA firm for bookkeeping, ensuring compliance and appropriate financial controls.
- Distribution of funds shall require an affirmative vote by a majority of the Investment Committee.
- All funding partners shall receive a “project summary” for each investment approved.
- At a minimum, the CDF shall complete an annual audit, a copy of which shall be provided to the funding partners, for each year during which the Fund is active.
- The above requirements shall be in addition to those set by the State of North Carolina, as a condition of funding.
- If the CDF is unable to secure the committed funds awarded by the State of North Carolina by March 1, 2023, all funds received from the City and County will be returned.

“Attachment A”

A primary goal of the fund is to facilitate a net increase in equity for the participating companies. At a minimum, it is anticipated that at least 50% of each equity investment will be convertible into a grant. The maximum amount eligible for conversion will be determined by the source of funds provided.

As of January 1, 2023, the CDF anticipates the following (assuming compliance with all reporting requirements and performance measures):

Funds Received from the State of North Carolina:

The CDF anticipates receiving \$2.5 million from the State of North Carolina, of which 100% will qualify for grant conversion.

Funds Received from the City of Fayetteville:

The CDF anticipates receiving \$1.25 million from the City of Fayetteville, of which 100% will qualify for grant conversion.

Funds Received from Cumberland County:

The CDF anticipates receiving \$1.25 million from Cumberland County of which 100% will qualify for grant conversion.

Funds Received from Private Donors and Institutions:

The CDF is actively recruiting additional investments. Repayment will recapitalize the fund for redeployment. Eligibility for grant conversion will vary.

Attachment “B”

The following are examples of capital investments preferred by the CDF:

- Purchase of machinery and equipment
- Acquisition or Capital Lease of commercial vehicles
- Purchase of computer equipment and/or systems
- Purchase of materials, supplies, furniture, fixtures, or equipment
- Purchase of inventory (not for resale)
- Real estate (except for real estate acquired and held primarily for sale, lease, or investment)
- Improvements and/or expansion of facilities in order to accommodate additional employees



OFFICE OF THE COUNTY ATTORNEY

MEMORANDUM FOR BOARD OF COMMISSIONERS AGENDA OF DECEMBER 19, 2022

TO: BOARD OF COUNTY COMMISSIONERS

FROM: COUNTY ATTORNEY AND ROBERT VAN GEONS

DATE: 12/13/2022

SUBJECT: ECONOMIC DEVELOPMENT INCENTIVE AGREEMENT WITH GOODYEAR

BACKGROUND

Robert Van Geons will present this. A contract was not completed at the time for submission to the agenda. The amounts of the incentive payments are set out in the attached calculation. The number of direct jobs to be maintained during the term of the incentive is 1,789. The essential terms of the agreement are:

- (1) Incentive payments for 6 years in an amount not more than 50% of the increase in Goodyear's taxes annually due to its increased investment in taxable property after January 1, 2023.
- (2) The direct jobs must be maintained all years, to include beyond the five years required by the state grant.
- (3) Any breach of the state grant shall constitute a breach of the county agreement.

The public hearing was advertised in the *Fayetteville Observer*. The publisher's Proof of Publication is attached.

The county attorney advises a contract with these essential terms will comply with the legal requirements for an economic development incentive agreement.

RECOMMENDATION / PROPOSED ACTION

The county attorney does not make a recommendation in this matter

ATTACHMENTS:

Description

Goodyear Incentive Calculation

Type

Backup Material

Company Expansion or Location Investment and Tax Impact									
	Time Period								six years of grants
	Fiscal Year	2023	2024	2025	2026	2027	2028	2029	Totals
Total Capital Investment	Total planned amount of expansion project	\$ 45,000,000	\$ 60,000,000	\$ 75,000,000	\$ 90,000,000	\$ 105,000,000	\$ 120,000,000	\$ 135,000,000	
Building Value	Building						\$ -		
Equipment Value *	Equipment Purchased	\$ 45,000,000	\$ 15,000,000	\$ 15,000,000	\$ 15,000,000	\$ 15,000,000	\$ 15,000,000	\$ 15,000,000	
Cumberland County Tax Rate	0.799								
County Tax Revenue	County Tax Total	\$ 359,550	\$ 479,400	\$ 599,250	\$ 719,100	\$ 838,950	\$ 958,800	\$ 1,078,650	\$ 5,033,700
Incentive Grant %		50%	50%	50%	50%	50%	50%	50%	
Incentive Grant	Company Incentive	\$ 179,775	\$ 239,700	\$ 299,625	\$ 359,550	\$ 419,475	\$ 479,400	\$ 539,325	\$ 2,516,850
County Net Revenue	County Net Tax	\$ 179,775	\$ 239,700	\$ 299,625	\$ 359,550	\$ 419,475	\$ 479,400	\$ 539,325	\$ 2,516,850

* Please Note that the investment and tax impacts listed above are estimates and may not reflect that actual total which is determined annually by the County.

LOCALiQ

StarNews | The Dispatch | Times-News
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The Free Press | Gaston Gazette
The Fayetteville Observer

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PROOF OF PUBLICATION

Myra Brooks
County Attorney's Office/Legal Dept.
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Po Box 1829

Fayetteville NC 28302-1829

STATE OF NORTH CAROLINA, COUNTY OF CUMBERLAND

The Fayetteville Observer, a newspaper distributed in the county of Cumberland, published in the City of Fayetteville, County of Cumberland, State of North Carolina printed and published and personal knowledge of the facts herein state and that the notice hereto annexed was Published in said newspapers in the issues dated on:

12/08/2022

and that the fees charged are legal. The Fayetteville Observer was a newspaper meeting all the requirements and qualifications prescribed by Sec. No. 1-597 G.S. of N.C.
Sworn to and subscribed before on 12/08/2022

Legal Clerk

Notary, State of WI, County of Brown

My commission expires

Publication Cost: \$94.83

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Please do not use this form for payment remittance.

The Cumberland County Board of Commissioners will hold a Public Hearing at 6:45 p.m. on Monday, December 19, 2022, in Room 118 of the Cumberland County Courthouse, 117 Dick Street, Fayetteville, to consider an economic development incentive agreement for Goodyear Inc. The project consists of the installation of additional equipment, through December 31, 2028, with a projected tax value of \$120,000,000, and the retention of 1,789 jobs, all at the existing facility in Cumberland County. The proposed incentive is a cash grant, paid in installments over six years, not to exceed the lessor of \$1,977,525 or 50% of the property taxes on the increase in the assessed value of the business personal property.

December 8, 2022 Clerk to the Board

12/8/22 8158777

MARIAH VERHAGEN
Notary Public
State of Wisconsin



PLANNING AND INSPECTIONS DEPARTMENT

**MEMORANDUM FOR BOARD OF COMMISSIONERS AGENDA OF DECEMBER 19,
2022**

TO: BOARD OF COUNTY COMMISSIONERS

FROM: CUMBERLAND COUNTY JOINT PLANNING BOARD

DATE: 12/8/2022

SUBJECT: CASE ZON-22-0043

BACKGROUND

ZON-22-0043: Rezoning from A1 Agricultural District to RR Rural Residential/CZ Conditional Zoning District or to a more restrictive zoning district for 106.75 +/- acres; located east of Hummingbird Place and west of Maxwell Road; submitted by George Rose (applicant) on behalf of Astrakel International LTD (owner).

RECOMMENDATION / PROPOSED ACTION

Planning Board Action: Recommended denial of the rezoning request from A1 Agricultural District to RR/CZ Rural Residential Conditional Zoning District at the November 15, 2022 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 ZON-22-0043, Planning and Inspections staff recommends approval of the rezoning request from A1 Agricultural District to RR/CZ Rural Residential Conditional Zoning District. Staff finds that the request is consistent with the Eastover Area Land Use Plan which calls for "Rural Density Residential" at this location. Staff also finds that the request is reasonable and in the public interest as the requested district is compatible to and in harmony with the surrounding land use activities and zoning.

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 ZON-22-0043, I move to deny the rezoning request from A1 Agricultural District to RR Rural

Residential District/CZ Conditional Zoning at this location. The Board finds the request is not consistent with the Eastover Area Land Use Plan which calls for “Rural Density Residential” at this location. The Board also finds that the request is not reasonable or in the public interest as the requested district is not compatible to or in harmony with the surrounding land use activities and zoning due to concerns of water retention, stormwater runoff, and other environmental impacts.

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 ZON-22-0043, I move to approve the rezoning request from A1 Agricultural District to RR Rural Residential District/CZ Conditional Zoning and find that the request is consistent with the Eastover Area Land Use Plan which calls for “Rural Density Residential” at this location. The request is reasonable and in the public interest as it is in harmony with and compatible to the character of the surrounding land uses and zoning.

ATTACHMENTS:

Description	Type
Case ZON-22-0043	Backup Material

Amy H. Cannon
County Manager

Tracy Jackson
Assistant County Manager



Rawls Howard
Director

David Moon
Deputy Director

Planning & Inspections Department

DECEMBER 8, 2022

MEMO TO: Cumberland County Board of Commissioners

FROM: Cumberland County Joint Planning Board

SUBJECT: **ZON-22-0043:** Rezoning from A1 Agricultural District to RR Rural Residential / CZ Conditional Zoning District or to a more restrictive zoning district for 106.75 +/- acres; located east of Hummingbird Place and west of Maxwell Road; submitted by George Rose (applicant) on behalf of Astrakel International LTD (owner).

ACTION: Recommended denial of the rezoning request from A1 Agricultural District to RR/CZ Rural Residential Conditional Zoning District at the November 15, 2022 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 NOVEMBER 15, 2022

Mr. Moon presented the case information and photos.

There were people signed up to speak in favor and in opposition.

In Case ZON-22-0043, Planning and Inspections staff recommends approval of the rezoning request from A1 Agricultural District to RR/CZ Rural Residential Conditional Zoning District. Staff finds that the request is consistent with the Eastover Area Land Use Plan which calls for "Rural Density Residential" at this location. Staff also finds that the request is reasonable and in the public interest as the requested district is compatible to and in harmony with the surrounding land use activities and zoning.

Mr. Howard stated that the differences between what they are seeing this time and what they saw last time are primarily the lot size and the setbacks.

Mr. Scott Flowers spoke in favor. Mr. Flowers stated that this is a logical location for this development, you are not looking at the same problems as the last case with traffic density. It's an ideal location as water and sewer are being brought in, they went from fifteen thousand square feet to twenty thousand square feet lots, zero lot line setbacks to regular setbacks, and this case was approved by staff. This is the right kind of development for Cumberland County.

Mr. George Rose spoke in favor. Mr. Rose stated that the developer scheduled two community meetings and worked with the town and at the last meeting there were three people who showed up. The same speakers who were here before, the developers have tried to work with them, Mr. Rose stated that he thinks they just don't want development next to them.

Amy H. Cannon
County Manager

Tracy Jackson
Assistant County Manager



Rawls Howard
Director

David Moon
Deputy Director

Planning & Inspections Department

Mr. Burton said that his concerns were with the hydric soils.

Mr. Rose said that a soil scientist went out and investigated the site for wetlands and existing ground water conditions. Hydric soils can be a challenge, but not so much where you can't build on them. There are ways to handle the ground water so that you can still build on it.

There were questions from the Board about how water would get into the stormwater retention ponds.

Mr. Rose said the side ditches would be graded to the retention ponds. There are a series of ponds and that will evolve with the final design. The ponds will be designed so the runoff from them does not exceed any predevelopment flows. They would be sized to contain, at a minimum, the ten-year storm.

Mr. Burton asked where the water goes after the basins fill up.

Mr. Rose stated that the basins wouldn't overflow except in an extreme storm and they are not required by the State to design for anything above the ten-year storm. So, they would be meeting the State's requirements for stormwater.

Mrs. Moody asked who was responsible for maintaining the ditches.

Mr. Rose said the Department of Transportation (DOT) will accept the roadways after a certain number of homes have been built and maintain it.

Ms. Donna Wilson spoke in opposition. Ms. Wilson stated that her concerns are with water. When it rains, you sink. She also has concerns with increased traffic.

Mr. Wayne Bullock said that he was for and against. Mr. Bullock stated that his concerns are with water and feels that canals will be needed. Mr. Bullock said that he was concerned about how to get the water out. Otherwise, he is for development.

Ms. Robin Bridges spoke in opposition. Ms. Bridges stated that this request was not compatible with the area. Ms. Bridges said that the area is swampy and that this development would bring traffic congestion and backups.

Public meeting closed.

Mr. Stewart asked if the street was a part of conditional zoning.

Mr. Howard said that it was.

Amy H. Cannon
County Manager

Tracy Jackson
Assistant County Manager



Rawls Howard
Director

David Moon
Deputy Director

Planning & Inspections Department

Mr. Scott Flowers spoke in rebuttal to address some of the concerns that were raised. Mr. Flowers said that the speakers had legitimate concerns, but the whole thing is about appropriate development, and the plan presented is appropriate development.

Mr. Rose stated that they had addressed all of the concerns that came up at the last meeting and still feels confident that when this goes before the Board of Commissioner's again, they will be in favor of it and confident that they can make the development work.

Mr. Lloyd asked if Mr. Rose revised his stormwater to include thousand-year flood how many developments would be in this County.

Mr. Rose said there would be none. You couldn't design for that type of storm. Mr. Rose went on to explain the difference between the type of storms.

Mr. Lloyd asked Mr. Howard about the number of lots from the first time they heard this case to now and asked about the setbacks.

Mr. Howard said it went from 195 to 168 lots and to standard setbacks for the lots.

Mr. Lloyd asked what the Planning Board vote was last time for their previous request.

Mr. Howard said it was a 5 – 4 vote to approve the previous request at the Planning Board.

In Case ZON-22-0043, Mrs. Moody made a motion, seconded by Mr. Lloyd to recommend approval of the rezoning request from A1 Agricultural District to RR/CZ Rural Residential Conditional Zoning District. The Board finds that the request is consistent with the Eastover Area Land Use Plan which calls for "Rural Density Residential" at this location. The Board also finds that the request is reasonable and in the public interest as the requested district is compatible to and in harmony with the surrounding land use activities and zoning. The motion failed with Mr. Stewart, Mr. Baker, Mr. Burton, Chair Crumpler, Mr. Walters, and Mr. Williams voting against.

In Case ZON-22-0043, Chair Crumpler made a motion, seconded by Mr. Baker to recommend denial of the rezoning request from A1 Agricultural District to RR/CZ Rural Residential Conditional Zoning District. The Board finds that the request is not consistent with the Eastover Area Land Use Plan which calls for "Rural Density Residential" at this location. The Board also finds that the request is not reasonable or in the public interest as the requested district is not compatible to or in harmony with the surrounding land use activities and zoning due to concerns of water retention, stormwater runoff, and other environmental impacts. The motion for denial passed with Mr. Lloyd, Mrs. Moody, and Mrs. McLaughlin voting against the denial.

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.

Historic Cumberland County Courthouse | 130 Gillespie Street | P.O. Box 1829
Fayetteville, North Carolina 28301 | Phone: 910-678-7600 | Fax: 910-678-7631

cumberlandcountync.gov

REQUEST

Rezoning A1 to RR/CZ

Applicant requests a rezoning from A1 Agricultural District to RR/CZ Rural Residential Conditional Zoning District for ten parcels of approximately 106.04 +/- combined acres located off Hummingbird Place, as shown in Exhibit "A". All parcels are under the same ownership. Nine parcels are currently vacant or wooded land, but one parcel (REID 0477402183000) along Hummingbird Place is occupied by a single-family home. The intent of the property owner is to recombine and subdivide, creating a proposed zero-lot-line subdivision with a maximum of 168 residential lots having a minimum lot size of 20,000 sq. ft. The project is planned in two phases with Phase 1 proposing 54 lots and Phase 2 with 114 lots. Phase 2 cannot proceed to construction until a second road access connection to Maxwell Road is obtained by the project owner.

The proposed Conditional Zoning Site Plan appears in Exhibits "B" to "E" (attached) and the Conditional Zoning use and development conditions appear in Exhibit "F". While the RR zoning district allows manufactured homes as a permitted use, the conditional zoning prohibits them.

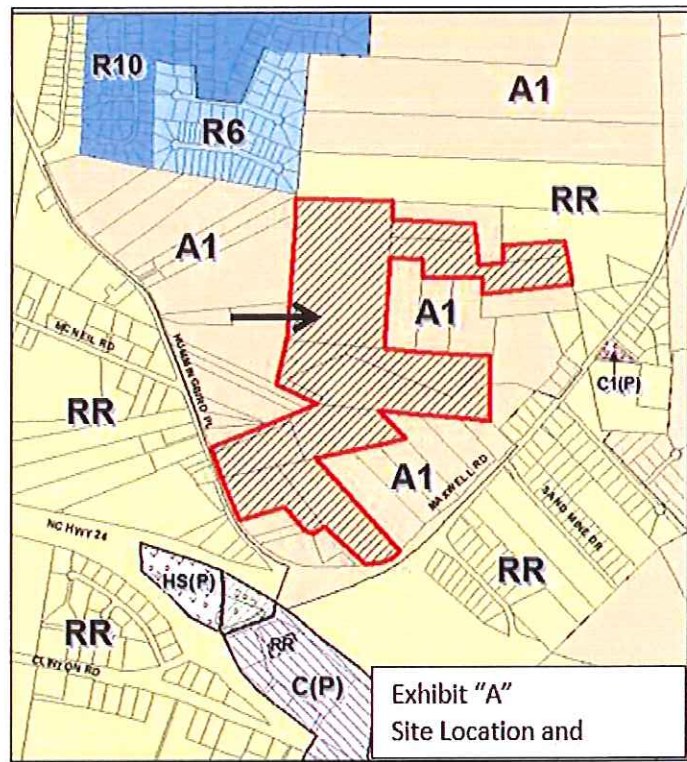
PROPERTY INFORMATION

OWNER/APPLICANT: Astrakel International LTD (Owner); George Rose, P.E. (Applicant)

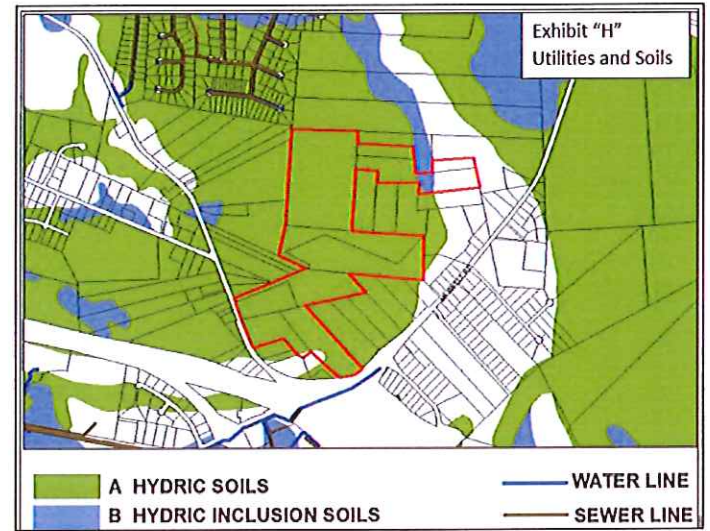
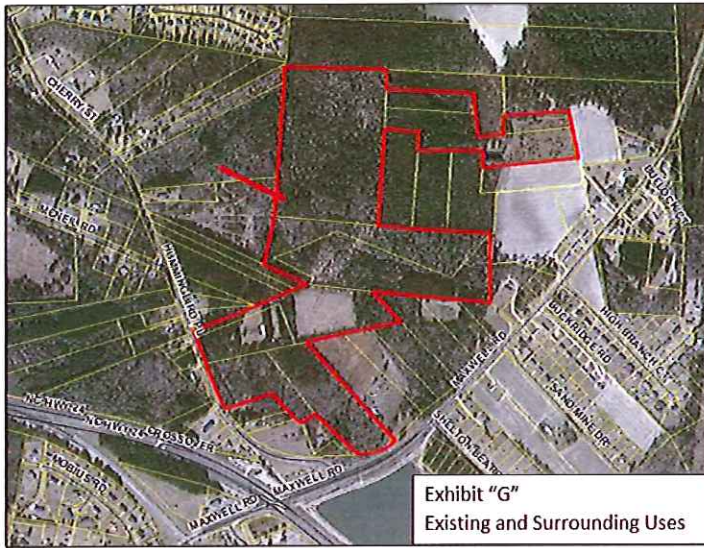
ADDRESS/LOCATION: Refer to Exhibit "A", Location and Zoning Map. REID number: 0477407361000, 0477529285000, 0477614952000, 0477402183000, 0476494728000, 0476590576000, 0477629056000, 0477600910000, 0477510886000, 0477505792000

SIZE: 106.04 +/- acres within 10 parcels. Road frontage along Hummingbird Place is 755 +/- feet. Road frontage along Maxwell Road is 369 +/- feet. The property has a varying depth due to its irregular shape but is approximately 3,611 +/- feet in length at its deepest point.

EXISTING ZONING: The subject property is currently zoned A1 Agricultural District, as shown in Exhibit "A". Minimum lot size for this district is two acres. This district is intended to promote and protect agricultural lands, including woodland, within the County. The general intent of the district is to permit all agricultural uses to exist free from most private urban development except for large lot, single-family development. Some public and/or semi-public uses as well as a limited list of convenient commercial uses are permitted to ensure essential services for the residents.



EXISTING LAND USE: Nine parcels are currently vacant or wooded land, but one parcel (0477402183000) has a single-family home located on it. Exhibit "G" shows the existing use of the subject property.



SURROUNDING LAND USE: Exhibit "G" illustrates the following:

- **North:** Wooded land and Baywood residential subdivision with single family and duplex homes
- **East:** Wooded lands and single-family subdivisions
- **West:** Wooded lands and single-family home parcels
- **South:** Wooded lands and single-family homes

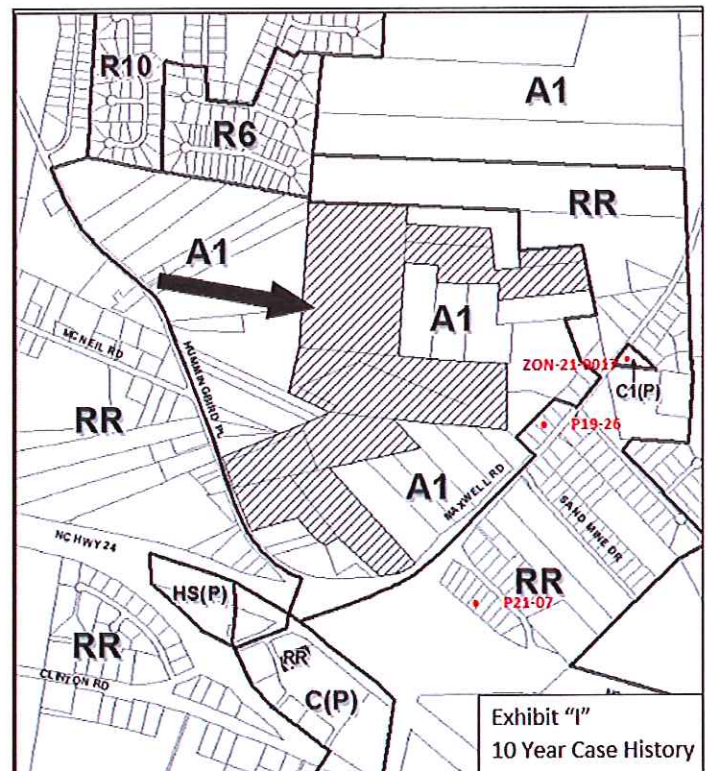
OTHER SITE CHARACTERISTICS: The site is not located in a Watershed Protection Area or within a Flood Zone Hazard Area. The subject property, as delineated in Exhibit "H", illustrates presence of hydric and hydric inclusion soils on the entirety of the property.

TEN YEAR ZONE CASE HISTORY:

Exhibit "I" denotes the location of the zoning case history described below.

- P19-26; Approved A1 to RR
- P21-07; Approved C(P) to RR
- ZON-21-0017; Approved RR & C1(P) to C1(P)

DEVELOPMENT REVIEW: Subdivision review (Recombination Plat and Subdivision Plan) by County Planning & Inspections will be required before any development. The project is proposed to occur in two phases. The second phase cannot commence construction until a second road access is connected at one of the two additional road connections leading to Maxwell Road.



DIMENSIONAL PROVISIONS FOR REQUESTED DISTRICT:

Minimum Standard	A1 (Existing Zoning)	RR	RR/CZ* (Proposed)
Front Yard Setback	50 feet	30 feet	30 feet
Side Yard Setback	20 feet (one story) 25 feet (two story)	15 feet	15 feet
Rear Yard Setback	50 feet	35 feet	35 feet
Lot Area	2 acres	20,000 sq. ft.	20,000 sq. ft.
Lot Width	100'	100'	85'

DEVELOPMENT POTENTIAL (BASED ON MAXIMUM ALLOWED DENSITY):

Existing Zoning (A1)	RR*	Proposed Zoning (RR/CZ) **
53 lots	232 lots	168 lots

(*) Calculation based on the following:

- Assumes 100% of land is usable for development based on maximum allowed density for the zoning district. For conventional zoning, maximum density is not feasible once land for roads and open considered.
- Calculation: $(\text{total developable area}) / \text{minimum lot size for zone district}$.
- Section 202 (A): Lot count may be rounded-up when a fraction occurs. When any requirement of this ordinance results in a fraction of a unit, a fraction of one-half or more shall be considered a whole unit, and a fraction of less than one-half shall be disregarded.

(**) based on the conditional zoning site plan appearing in Exhibit "B" to "E"

MAXIMUM ALLOWED DENSITY:

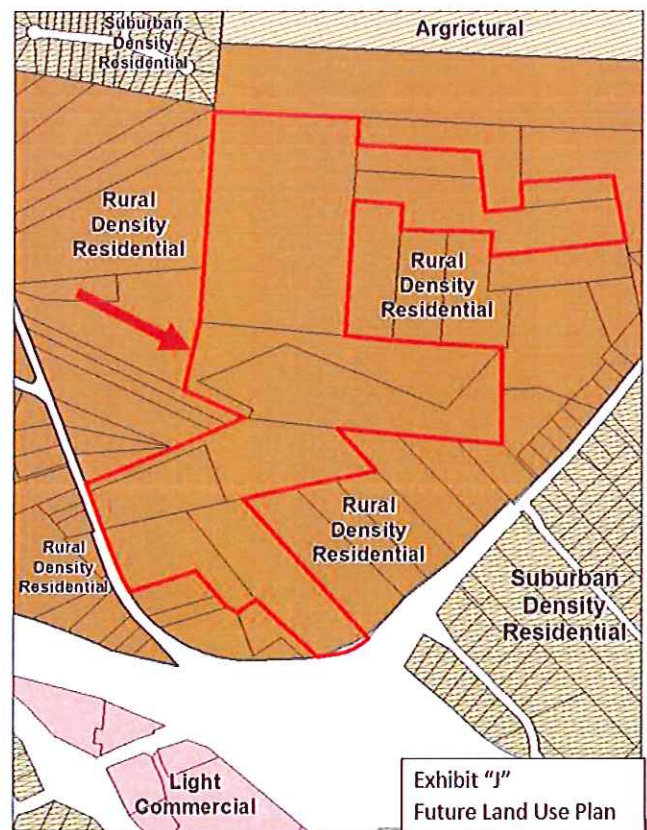
Allowed (A1): 0.5 du/ac	RR: 2.2 du/ac	Proposed (RR/CZ): 1.58 du/ac
--------------------------------	----------------------	-------------------------------------

COMPREHENSIVE PLANS: This property is located within the Eastover Area Land Use Plan (2018), as shown in Exhibit "J". The future land use designation of the property is "Rural Density Residential". **The proposed request is consistent with the adopted Land Use Plan.**

Residential Development Goal:

Provide for a full range of housing types with adequate infrastructure throughout that is in harmony with the surrounding areas and accommodates the future needs of the residents while maintaining the character of the area.

- Improve and/or add street lighting in residential areas.
- Use development techniques that preserve the rural character of the area.
- Encourage more than one means of ingress/egress in new residential subdivisions and connectivity to existing subdivisions. (Eastover Area Land Use Plan, p. 49.)



IMPACTS ON LOCAL INFRASTRUCTURE AND/OR FACILITIES

UTILITIES: PWC water and sewer lines are available along the Maxwell Road frontage. It is the responsibility of the applicant to determine if these utilities will adequately serve their development. Information regarding availability of water and sewer lines is shown on Exhibit "I". Sewer lines will need to be extended to the project. Water lines are currently located along Maxwell Road. The Conditions of Approval require the project to connect to central water and sewer.

TRANSPORTATION: According to the Fayetteville Area Metropolitan Planning Organization (FAMPO), the subject parcels are located on Hummingbird Place, which is identified as a local road in the Metropolitan Transportation Plan. There are no roadway construction improvement projects planned and the subject property will have no significant impact on the Transportation Improvement Program. In addition, there is no 2020 AADT for Hummingbird Place as well, there is no available road capacity data.

SCHOOLS CAPACITY/ENROLLMENT:

School	Capacity	Enrollment
Armstrong Elementary	441	389
Mac Williams Middle	1164	1141
Cape Fear High	1476	1519

Source: Cumberland County Public Schools

ECONOMIC DEVELOPMENT: Fayetteville Cumberland County Economic Development Corporation has reviewed the request and had no objection to the proposal.

EMERGENCY SERVICES: Cumberland County Fire Marshal's office has reviewed the request and stated to ensure all applicable fire department access requirements are met in accordance with Section 503 of the 2018 NC Fire Code, to ensure fire protection water supply requirements are met in accordance with Section 507 of the 2018 NC Fire Code, and the additional access will be required to be completed prior to the start of Phase 2 of this project.

SPECIAL DISTRICTS: The property is not located within the Fayetteville Regional Airport Overlay District or within five miles of Fort Bragg Military Base.

CONDITIONS OF APPROVAL: This is a conditional zoning with a conceptual subdivision plan, Exhibit "F" provides the proposed zoning and development conditions. The proposed conditional zoning site plan (conceptual subdivision plan) appear as an exhibit to the "Conditional Zoning Conditions of Approval" and in more detail within Exhibits "B" through "E".

STAFF RECOMMENDATION

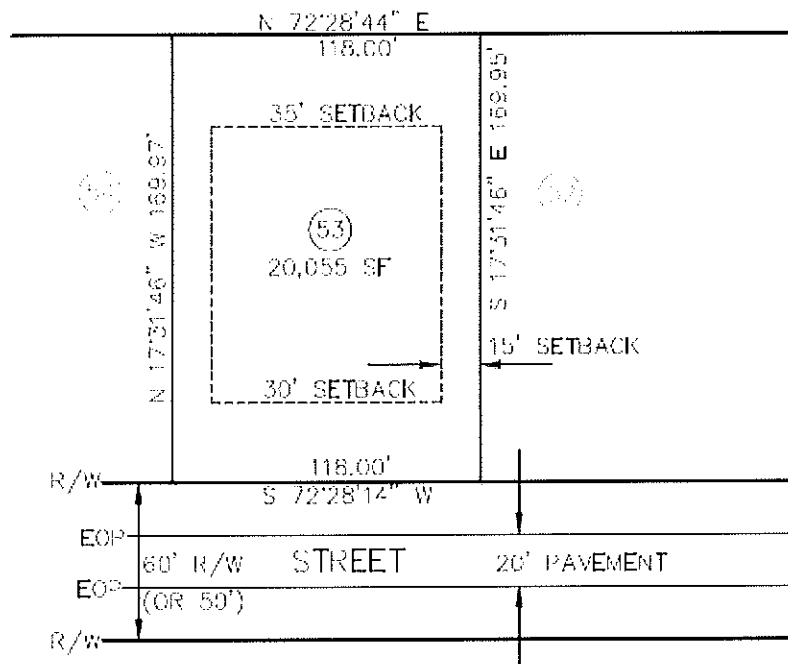
In Case ZON-22-0043, Planning and Inspections staff **recommends approval** of the rezoning request from A1 Agricultural District to RR/CZ Rural Residential Conditional Zoning District. Staff finds that the request is consistent with the Eastover Area Land Use Plan which calls for "Rural Density Residential" at this location. Staff also finds that the request is reasonable and in the public interest as the requested district is compatible to and in harmony with the surrounding land use activities and zoning.

Attachments:
Conditional Site Plan
Condition Sheet
Notification Mailing List
Application

Exhibit "C"
Conditional Zoning Site Plan

SITE NOTES

1. PROPERTY BOUNDARIES SHOWN HAVE NOT BEEN FIELD SURVEYED AND WERE PLOTTED FROM EXISTING DEED DESCRIPTIONS, RECORDED PLATS AND GIS INFORMATION. SOME METES & BOUNDS SHOWN WERE GENERATED USING FORCED CLOSURE OF DEED AND PLAT DATA.
2. PHASE TWO OF THIS SUBDIVISION CANNOT COMMENCE DEVELOPMENT UNTIL SUCH TIME AS A SECONDARY ENTRANCE IS SECURED TO MAXWELL ROAD.
3. STREETS WITHIN THIS DEVELOPMENT ARE TO BE CONSTRUCTED TO NCDOT STANDARDS FOR THE PURPOSES OF ADDING THEM TO THE STATE SYSTEM FOR MAINTENANCE.
4. PUBLIC WATER AND SEWER UTILITIES WILL BE PROVIDED TO ALL LOTS IN THIS SUBDIVISION BY DEVELOPMENT OF A CENTRAL PUMP STATION AND SEWER FORCE MAIN FOR SEWER SERVICE AND PWC WATER FOR WATER SERVICE.
5. LANDSCAPING PLAN WILL BE PROVIDED FOR EACH PHASE OF THE SUBDIVISION PLAN AT THE TIME OF THE SUBDIVISION APPLICATION.
6. ASPHALT AND BASE SPECIFICATIONS SHALL BE PER THE DETAILS.
7. ENTIRE DEVELOPMENT WILL BE SUBJECT TO ONE HOMEOWNERS ASSOCIATION.
8. ALL WASTE MATERIAL SHALL BE DISPOSED OF OFF-SITE IN ACCORDANCE WITH STATE AND LOCAL LAWS AND REGULATIONS.
9. ALL SITE IMPROVEMENTS SHALL BE INSTALLED PER CUMBERLAND COUNTY STANDARDS AND SPECIFICATIONS.



TYPICAL LOT DETAIL

(LOT DIMENSIONS VARY - MINIMUM LOT AREA = 20,000 SF)
(MINIMUM LOT WIDTH = 85' WITH 40' AT FRONT SETBACK ON PIE LOTS)
SCALE 1"=50'

SITE DATA

TOTAL AREA IN TRACT = 106.04 ACRES

OWNER/DEVELOPER:
ASTRAKEL INTERNATIONAL, LTD
335 W. BARBEE CHAPEL ROAD
CHAPEL HILL, NC 27517
ghrjr@ghrjr-pa.com
910-587-2699

REFERENCE: DB 11343 PG 786

REID NO: 0477407361, 0477529285000, 0477614952000,
0477402183000, 0476484728000, 0476590576000,
0477629036000, 0477505792000, 0477600910000,
0477510886000

CURRENT ZONING: A1

EXISTING USE: UNDEVELOPED

PROPOSED USE: SINGLE-FAMILY RESIDENTIAL

PROPOSED BUILDING LOTS: 168

PHASE ONE AREA = 34.28 ACRES

PHASE ONE DENSITY = 54 LOTS/34.28 ACRES = 1.58 LOTS/ACRE

PHASE TWO AREA = 71.84 ACRES

PHASE TWO DENSITY = 114 LOTS/71.84 ACRES = 1.59 LOTS/ACRE

GROSS DENSITY: 168 LOTS/106.12 ACRES = 1.58 LOTS/ACRE

PARK/OPEN SPACE REQUIRED: $168(800) = 134,400 \text{ SF} = 3.09 \text{ ACRES}$

PARK/OPEN SPACE PROVIDED: 197,543 SF = 4.53 ACRES

OS-1 IS OPEN SPACE WITH SIGNAGE EASEMENT

OS-2 IS PARK SPACE

OS-3 IS PARK WITH STORMWATER BASIN

OS-4 IS OPEN SPACE STORMWATER BASIN

PROPOSED ZONING: RR CONDITIONAL ZONING

PROPOSED SETBACKS: FRONT 30'
SIDE 15'
REAR 35'

SED DITCH SERVES
VEGETATIVE
EYANCE

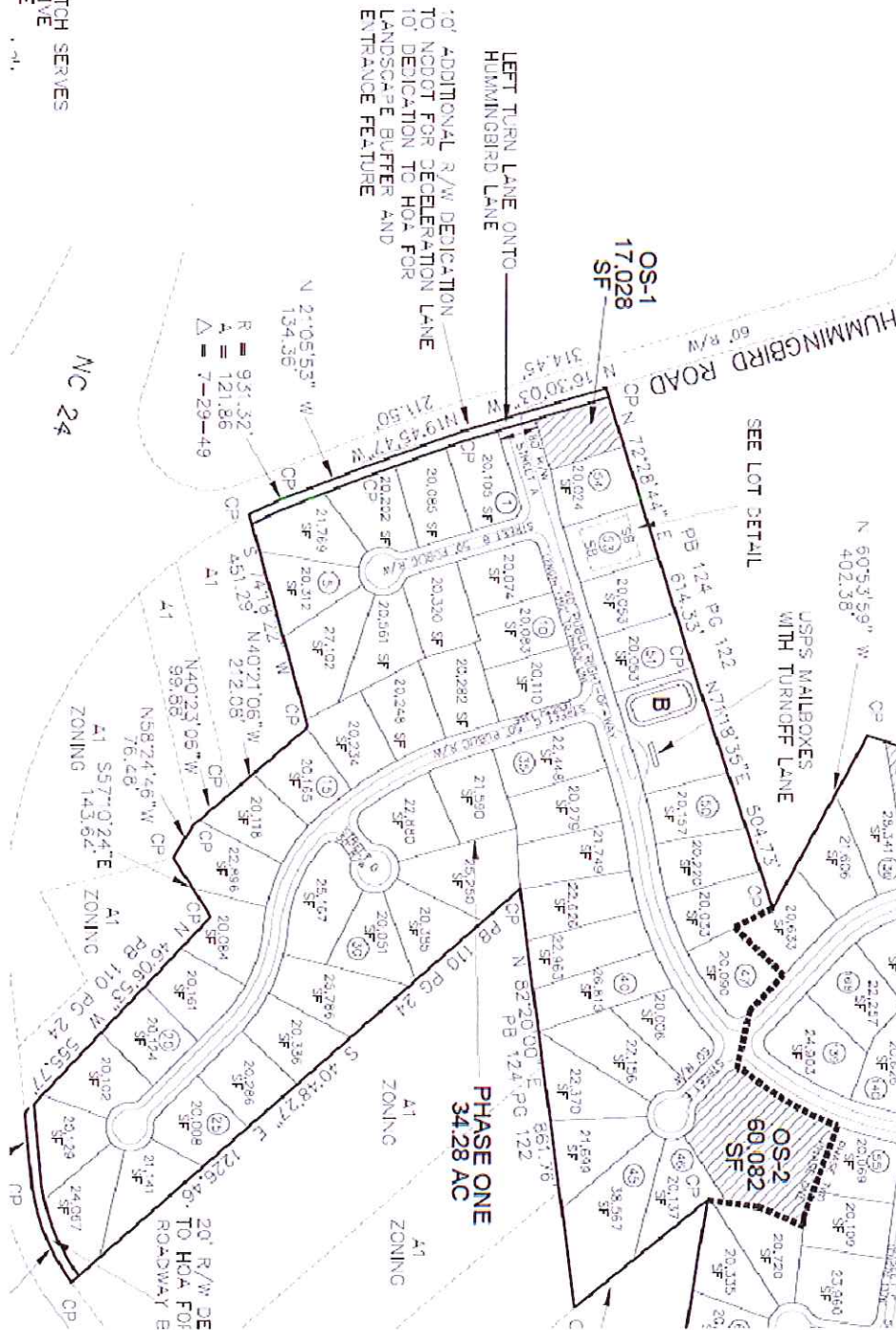


Exhibit "E" Conditional Zoning Site Plan - Phase 2

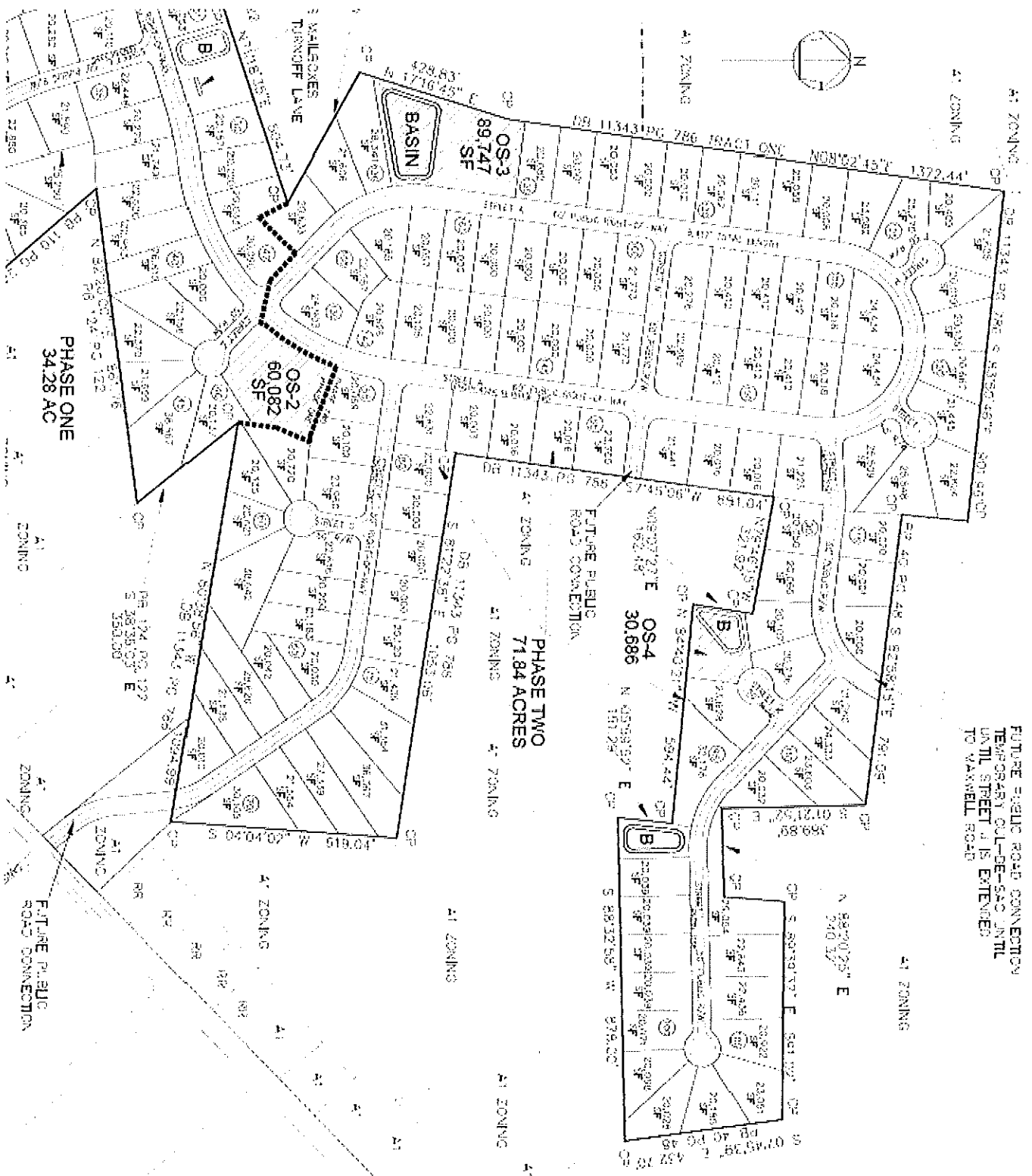


Exhibit "F"

CONDITIONAL ZONING CONDITIONS OF APPROVAL CASE ZON-22-0043

RR/CZ RESIDENTIAL/CONDITIONAL ZONING DISTRICT

Ordinance Related Conditions *For up to a 168 Lot Zero Lot Line Subdivision*

A. Applicability: All use and development of the property applicable to this Conditional Zoning (ZON-22-043) and as delineated in Exhibit "A" shall occur consistent with the standards and requirements of the RR Rural Residential Zoning District unless otherwise stated herein. If any standards herein are inconsistent with the Zoning or Subdivision ordinance, the conditions set forth herein shall supersede and apply to the development of the property delineated in Exhibit "A."

B. Permitted and Prohibited Uses.

1. Uses within residential lots are limited to single-family residential and associated accessory uses. Group development, including duplexes and multi-family housing are not allowed. Manufactured homes are not allowed, including Class "A", "B", and "C". Mother-in-law or guest housing is allowed on the same lot as the primary residential structure, but such accessory dwelling unit shall not have a kitchen in order to qualify as insubordinate and accessory to the primary residential structure.
2. Common areas shall only be used for open space, parks and recreation, stormwater facilities, buffer areas or public utilities as declared within the CZ Site Plan shown within Exhibit "A".
3. The development is limited to a maximum of 168 single family lots.

C. Development Standards

1. Site Development: Development shall occur consistent with the Conditional Zoning Site Plan provided in Exhibit "A" and as set forth herein, and with the County Zoning and Subdivision Ordinance. Any standards or regulations not addressed herein shall then follow the County Zoning and Subdivision Codes,

2. Setback Standards. Minimum setback standards for this residential subdivision shall be:

Front – 30 feet
Side – 15 feet
Rear-- 35 feet
Corner lot-- 30 feet

Accessory structures: minimum setback standards as set forth for the RR zoning district, Zoning Ordinance.

All corner lots as well as lots fronting more than one street must provide front yard setbacks from each street. (Secs. 1101.G & 1102.B, County Zoning Ord.)

3. No primary or accessory structure shall encroach the minimum setback standard established herein unless a variance is granted by the Board of Adjustment. After the initial plat is recorded, no replat can be used to change the minimum setback standards through a zero-lot line plat.

D. Infrastructure and Utilities

1. Water and sewer. All residential homes and any within common areas shall be served by central water and sewer systems. No lot or tract shall be served by on-site septic systems.

a. Any lift or pump station facilities for central water or sewer systems shall be placed in a tract owned by the utility provider and not placed in an easement within a residential lot. A lift station site shall not be used to meet open space requirements.

b. No certificate of occupancy for a residential home shall be issued until central water and sewer is available to a residential structure.

2. Roads. All internal roads shall be public roads.

a. This review does not constitute a "subdivision" approval by NC Department of Transportation (NCDOT). The NC Department of Transportation's (NCDOT) approval of the driveway plans is required, and any street improvements are required to be constructed to the NCDOT standards for secondary roads. (Sec. 2304B, County Subdivision Ord. & NCGS §136-102.6

b. Off-Site Road Improvements. Turn lanes may be required by the NC Department of Transportation (NCDOT). [Art. XIV, County Zoning Ord. & NCGS §136-18(5) & §136-93]. Developer must coordinate with NCDOT prior to submittal of any preliminary subdivision plan regarding off-site road improvements.

c. All residential driveways shall be connected to internal roads and shall not connect directly to Hummingbird Place or Maxwell Road.

d. Road signs. Developer is responsible for installation of all required traffic safety signs prior to recording a plat or issuance of a building permit, whichever occurs first.

e. Sidewalks. Developer is not required to construct sidewalks within any internal or external road, including any portion of a subdivision within the boundaries of a municipal influence area. However, the developer may install sidewalks at the developer's discretion on at least one side of the road if the road rights-of-way are public roads and the HOA establishes an agreement with NCDOT placing maintenance responsibility to the HOA. If NCDOT does not accept the roads, then the HOA shall be responsible for maintaining any sidewalks installed within the road right-of-way.

f. Road ownership/maintenance. Prior to NCDOT acceptance of street construction, road rights-of-way, and related drainage systems, the developer is responsible for their maintenance and that all roads meet conditions suitable for safe passage for vehicles used by County inspection personnel. The County Building Official may delay inspections if determined that road conditions do not provide safe passage for vehicles used by County inspectors.

g. The development(s) and any future lot owners are responsible for the maintenance and upkeep of the streets until such time the streets are added to the State system by the NC Department of Transportation (NCDOT) for maintenance purposes. The developer is advised to give notice of the street status to any future lot owners in the event the lots are conveyed prior to the NCDOT's acceptance.

h. In the event the NCDOT driveway permit or road acceptance process substantially alters the conditional zoning site plan, as such determination will be made by the County Planning & Inspections Director, such modification to the conditional zoning site plan must be approved by the Board of County Commissioners following the same review and hearing process for a conditional zoning application.

i. Certification of Completion. Prior to recording of any plat, the developer's engineer must submit to Cumberland County Planning and Inspection Department a sealed document certifying that the streets have been constructed to the NC Department of Transportation (NCDOT) standards for secondary roads.

3. Stormwater and Drainage.

a. Stormwater. For any new development, an adequate drainage system must be installed by the developer in accordance with the NC Department of Environmental Quality (NCDEQ) *Manual on Best Management Practices* and all drainage ways must be kept clean and free of debris. (Section 2307.A, County Subdivision Ord.) The homeowner's association shall be responsible for maintain all stormwater facilities unless otherwise required by the NCDEQ.

b. In the event a stormwater utility structure is required by the NC Department of Environmental Quality (NCDEQ), the owner/developer must secure the structure with a four-foot-high fence with a lockable gate and is required to maintain the detention/retention basin, keeping it clear of debris and taking measures for the prevention of insect and rodent infestation. (Sec. 1102.O, County Zoning Ord.)

c. All stormwater facilities shall be owned and maintained by the homeowner's association unless NCDEQ requires otherwise.

4. Utilities. For new development, all utilities, except for 25kv or greater electrical lines, must be located underground. (Section 2306.C, County Subdivision Ord.)

E. Phasing and Preliminary Subdivision Plan

1. Project Phasing. Development shall occur in two phases. Construction, including clearing and grading, for Phase 2, as illustrated in Exhibit "A" shall not commence until a second public road access connects Phase 2 to Maxwell Road. Such connector road design and alignment must be approved and accepted by NCDOT prior to any road construction. Such road shall be owned and maintained by the developer until the road improvements have been accepted by and transferred in ownership to NCDOT. A performance bond, if requested by the County, shall be provided to the County to ensure construction and completion of the connector road. Said performance bonds shall be consistent with the provisions of the Subdivision Code and N.C. general statutes.

2. Preliminary Subdivision Plan.

a. A preliminary subdivision plan must be submitted to and approved by the Cumberland County Department of Planning and Inspections prior to any on-site clearing, grading or construction activity. Such subdivision plan must be consistent with the conditions set forth herein and the County's zoning and subdivision ordinances.

b. Prior to submitting an application for a preliminary subdivision plan, the applicant must coordinate with the US Postal Growth Coordinator or Postmaster for the Mid-Carolinas District to determine the appropriate location for the cluster boxes. If community cluster mailboxes are required, the County may require appropriate off-street parking or drive-aisle to avoid traffic safety and pedestrian conflicts.

3. Landscape/Street tree planting will be provided with the preliminary subdivision plan as is consistent and required by the Zoning and Subdivision Ordinances, where applicable.

4. The application for a preliminary subdivision plan, including all supporting plans and support documents, shall be submitted through the Cumberland County Customer Self-Service electronic permitting system.

F. Plat-Related:

1. A copy of the recorded deed or deeds conveying all common area to the owner's association must be provided to the Current Planning Division within thirty (30 days) of the recording of the plat or prior to issuance of the first building permit, whichever is first. No building permit will be issued after the recording of a plat until such time the ownership of all common areas appearing in the plat is transferred to the owner's association.
2. The street name signs, in compliance with the County Street Sign Specifications, must be installed prior to final plat approval.
3. The builder/developer must provide the buildable envelopes on the preliminary subdivision plan.
4. Any/All easements must be reflected on the preliminary subdivision plan and final plat and labeled as to type of easement, reference number for document creating the easement, and the name of the agency, individual, etc. who holds the easement.
5. Entire development shall be subject to one homeowner's association.
6. Once an initial plat is recorded, no further subdivision of a residential lot will occur unless necessary to accommodate lot line changes necessary to accommodate road right-of-way, utilities, or lot combinations. Lot line changes are allowed only if the changes results in an increase in the number of residential lots above the maximum of 195 lots.

G. Other Relevant Conditions:

1. Use and Development Conditions. This conditional zoning and the site plan conditions of approval are not to be construed as all-encompassing of the applicable rules, regulations, etc., which must be complied with for any development. Other regulations, such as building, environmental, health, State agencies, and so forth, may govern the specific development. The developer is the responsible party to ensure full compliance with all applicable Federal, State, and local regulations.
2. This conditional approval is contingent upon continued compliance with the County's Zoning and Subdivision Ordinance. the conditions set forth herein, including applicable NC State Statue 160-D requirements.
3. Any revision or addition to this conditional zoning site plan, whether initiated by the developer or necessary to meet requirements promulgated by local state, or federal requirements, necessitates re-submission for Current Planning Section review and approval prior to the commencement of the change. Should the change be determined to be a substantial modification, as determined by the County Planning & Inspections, the substantial changes must be reviewed and approved by the Board of Cuntly Commissioners following the same process as a conditional zoning application.

David Moon

From: George Rose <george@gmrpe.com>
Sent: Monday, November 7, 2022 2:33 PM
To: David Moon
Subject: RE: ZON-22-0043 Staff Report and Conditions of Approval

CAUTION: This email originated from outside of the County. Do not open attachments, click on links, or reply unless you trust the sender or are expecting it.

David,

The conditions are acceptable as noted on the staff report.

George M. Rose
P.O. Box 53441
Fayetteville, NC 28305
george@gmrpe.com
Mobile: 910-977-5822
Office: 910-485-5822

From: David Moon <dmoon@cumberlandcountync.gov>
Sent: Thursday, November 3, 2022 9:50 AM
To: George Rose <george@gmrpe.com>
Subject: ZON-22-0043 Staff Report and Conditions of Approval

George:

Attached is the staff report and the conditions of approval (which are an exhibit to the staff report) for the Tuesday, November 15 Joint Planning Board meeting, 6:00 p.m. Please let me know if you or your client have any concerns regarding the conditional of approval. There are not changes other than those necessary to the conditions of approval to make it consistent with the revised site plan.

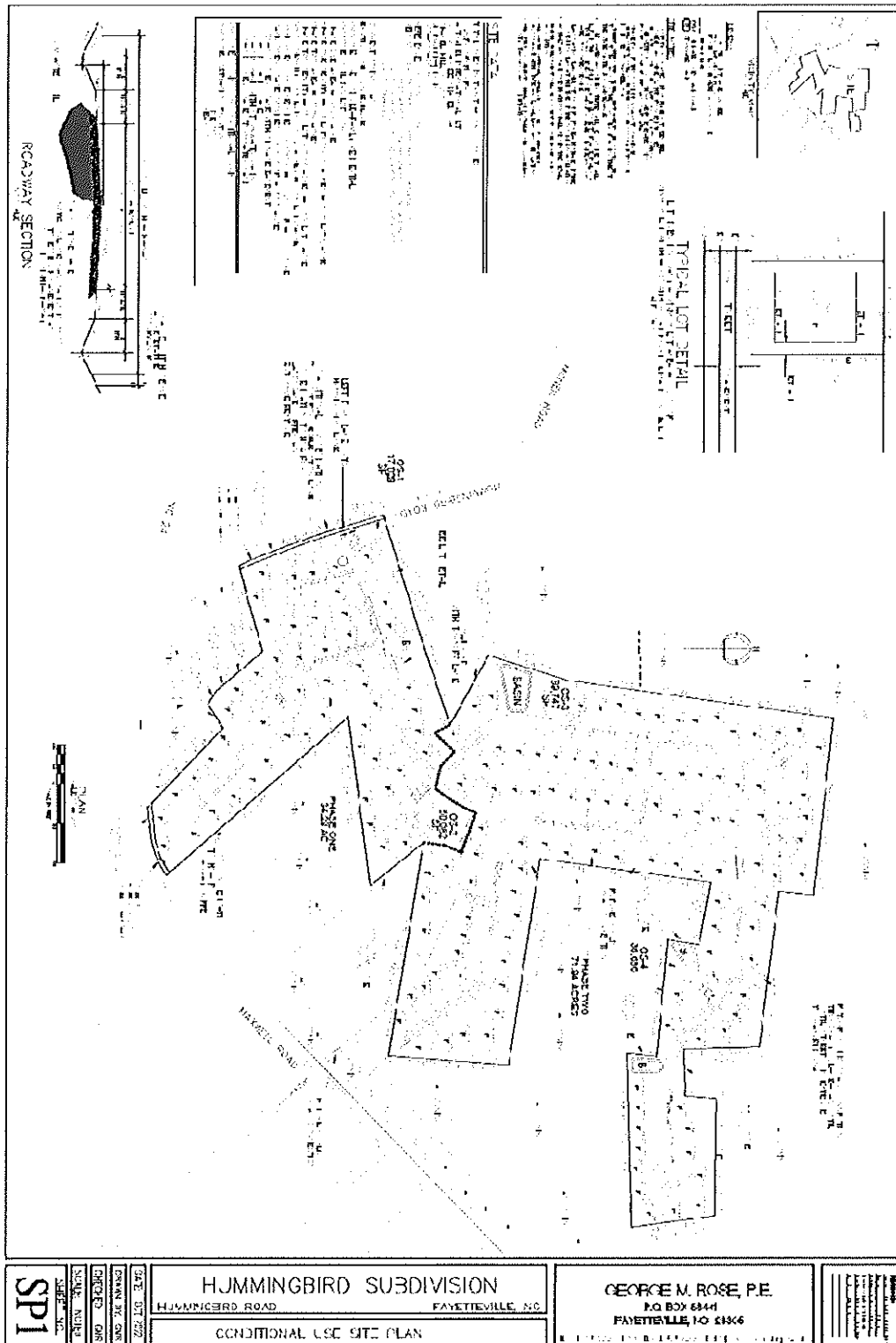
Though this returns to the Joint Planning Board, your team should treat it as a new application and be prepared to present your plan. I believe the only change between the November 15 meeting and the last meeting before the Joint Planning Board will be more detailed questions regarding stormwater management/drainage.

David B. Moon, AICP
Deputy Director

Department of Planning & Inspections
130 Gillespie Street
Fayetteville, NC 28301
Phone: (910) 678-7606
www.cumberlandcountync.gov



**EXHIBIT "A" OF THE CONDITIONS OF APPROVAL
CONDITIONAL USE SITE PLAN**



[illegible]

ATTACHMENT – MAILING LIST

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FAYETTEVILLE, NC 28306

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TIMOTHY M HUTCHINGS
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CHARLES MCNEILL
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GEORGE D SKENANDORE JR
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MATTHEW SPILLERS
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CHRISTOPHER WETMORE
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MILTON F. LOCK JR
PO BOX 65239
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INTER-TRUST FINANCE CO INC
PO BOX 766
SPRING LAKE, NC 28390

ATTACHMENT: APPLICATION



County of Cumberland
—◆—
Planning & Inspections Department

CASE #: _____

PLANNING BOARD
MEETING DATE: _____

DATE APPLICATION
SUBMITTED: _____

RECEIPT #: _____

RECEIVED BY: _____

**APPLICATION FOR
CONDITIONAL ZONING DISTRICT
REZONING REQUEST
CUMBERLAND COUNTY ZONING ORDINANCE**

Upon receipt of this application (petition), the County Planning & Inspections Staff will present to the Joint Planning Board the application at a hearing. In accordance with state law and board's policy, the staff will provide notice of the hearing to the appropriate parties and in the proper manner.

The Joint Planning Board will make a recommendation to the Cumberland County Board of Commissioners concerning the request. The Board of Commissioners will schedule a public hearing and issue a final decision on the matter. Generally, the Commissioners will hold their public hearing in the month following the meeting of the Planning Board. The Conditional Zoning District shall not be made effective until the request is heard and received approval by the Board of Commissioners.

The following items are to be submitted with the completed application:

1. A copy of the *recorded* deed and/or plat.
2. If a portion of an existing tract is/are being submitted for rezoning, an accurate written legal description of only the area to be considered;
3. A copy of a detailed site plan drawn to an engineering scale, showing the location of all buildings, yard dimensions, driveways, fencing, lighting parking areas, landscaping, and all other pertinent data to the case; and
4. A check made payable to the "Cumberland County" in the amount of \$ 150.

(ADDITIONAL FEE)

The Planning & Inspections Staff will advise on zoning options, inform applicants of development requirement and answer questions regarding the application and rezoning process. For further questions, call (910)678-7627. Hours of operation are 8:00 a.m. to 5:00 p.m., Monday through Friday.

NOTE: Any revisions, inaccuracies or errors to the application may cause the case to be delayed and will be scheduled for the next available board meeting according to the board's meeting schedule. Also, the application fee is *nonrefundable*.

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

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. Applicant/Agent GEORGE M. ROSE
2. Address: P.O. BOX 53441 FAYETTEVILLE Zip Code 28305
3. Telephone: (Home) _____ (Work) 910-977-5822
4. Location of Property: HUMMINGBIRD ROAD
5. Parcel Identification Number (PIN #) of subject property: 0477407361000
(also known as Tax ID Number or Property Tax ID) 0477529285000
6. Acreage: 106.75 Frontage: 60 HUMMINGBIRD PUKE Depth: IRREGULAR
7. Water Provider: PWC
8. Sewer Provider: PWC SEWER PUMP STATION
9. Deed Book 11343, Page(s) 786, Cumberland County Registry. (Attach copy of deed of subject property as it appears in Registry).
10. Existing use of property: FARMLAND, WOODLAND
11. Proposed use(s) of the property: SINGLE-FAMILY RESIDENTIAL

*
SEE
BELOW

NOTE: Be specific and list all intended uses.

12. Has a violation been issued on this property? Yes _____ No ☒
13. It is requested that the foregoing property be rezoned FROM: A1

TO: (Select one)

- ☒ Conditional Zoning District, with an underlying zoning district of RR
(Article V)
☐ Mixed Use District/Conditional Zoning District (Article VI)
☐ Density Development/Conditional Zoning District, at the _____ Density
(Article VIII)

* 0477402183000 0477629056000
0476494728000 0477505192000
0476590576000 0477600910000
0477510886000

APPLICATION FOR
CONDITIONAL ZONING

1. PROPOSED USE(S):

- A. List the use(s) proposed for the Conditional Zoning. (Use of the underlying district will be restricted to only the use(s) specified in this application.)

ZERO LOT LINE SINGLE-FAMILY RESIDENTIAL

- B. Density: List the amount of acreage that will be residential, commercial, and/or open space, and the number of lots and/or dwelling units proposed, and the square footage of the non-residential units.

*PHASE ONE IS 58 LOTS ON 29.8 ACRES TOTAL
OPEN SPACE MINIMUM 800 SQUARE FEET PER
LOT OR 46,400 SF.*

2. DIMENSIONAL REQUIREMENTS:

- A. Reference either the dimensional requirements of the district (Sec. 1004) or list the proposed setbacks.

*PROPOSED SETBACKS:
FRONT 30'
REAR 35'
SIDES 5'*

- B. Off-street parking and loading (Sec. 1202 & 1203): List the number of spaces, type of surfacing material and any other pertinent information.

*MINIMUM 2 OFFSTREET PARKING SPACES
PER LOT.*

3. SIGN REQUIREMENTS:

Reference the district sign regulations proposed from Article XIII.

SECTION 1306 DEVELOPMENT SIGN

4. LANDSCAPE AND BUFFER REQUIREMENTS:

- A. For all new non-residential and mixed-use development abutting a public street, indicate the number and type of large or small ornamental trees used in the streetscape, yard space, and/or parking areas, plus the number and type of shrubs. (Sec. 1102N). **NOTE: All required landscaping must be included on the site plan.**

N/A

- B. Indicate the type of buffering and approximate location, width and setback from the property lines.

N/A

5. MISCELLANEOUS:

List any information not set forth above, such as the days and hours of the operation, number of employees, exterior lighting, noise, odor and smoke, emission controls, etc.

6. SITE PLAN REQUIREMENTS:

The application must include a site plan drawn to the specifications of Sec. 1402. If the proposed uses involve development subject to the Godwin Subdivision Ordinance, the site plan required may be general in nature, showing a generalized street pattern, if applicable, and the location of proposed uses. If the proposed uses include development not subject to the subdivision ordinance, the site plan shall be of sufficient detail to allow the County Planning and Inspections Staff, and the Joint Planning Board to analyze the proposed uses and arrangement of uses on the site. It shall also include the footprints of all buildings (proposed and existing), the proposed number of stories, location and number of off-street parking and loading spaces, proposed points of access to existing streets and internal circulation patterns. In addition, the location of all proposed buffers and fences and landscaping shall be included on the site plan.

7. STATEMENT OF ACKNOWLEDGMENT:

It is understood by the undersigned that the official zoning map, as originally adopted and subsequently amended, is presumed to be appropriate to the property involved and that the burden of proof for a zoning amendment (rezoning) rest with the petitioner.

It is the responsibility of the petitioner (personally or by agent) to submit to the County Planning and Department a valid request, not incompatible with existing neighborhood zoning patterns.

I further understand I must voluntarily agree to all ordinance related conditions prior to the first hearing on the case. The undersigned hereby acknowledge that the County Planning & Inspections Staff has conferred with the petitioner or assigns, and the application as submitted is accurate and correct.

ASTRAKEL INTERNATIONAL LTD.

Name of Owner(s) (Print or Type)

324 GLENBURNEX DRIVE, UNIT 103

Address of Owner(s)

ghajr@ghajr-pa.com

E-Mail

910-587-2699

Home Telephone

Work Telephone

George M. Rose, Jr.

Signature of Owner(s)

Signature of Owner(s)

GEORGE M. ROSE

Name of Agent, Attorney, Applicant (by assign) (Print or Type)

P.O. BOX 53441 FAYETTEVILLE, NC 28305

Address of Agent, Attorney, Applicant

910-977-5822

Home Telephone

Work Telephone

george@gmrpe.com

E-Mail Address

Fax Number

George M. Rose, Jr.

Signature of Agent, Attorney,
or Applicant

* ALL record property owners must sign this petition.

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

Ad Preview

PUBLIC NOTICE

The Cumberland County Board of Commissioners will meet at 6:45 p.m. on December 19, 2022, in room 118 of the County Courthouse at 117 Dick Street to hear the following:

ZON-22-0043: Rezoning A1 Agricultural Dis. to RR Rural Residential/CZ Conditional Zoning Dis. or a more restrictive zoning dis., 106.75 +/- ac; east of Hummingbird Pl and west of Maxwell Rd; George Rose (applicant) Astrakel International Ltd (owner).

ZON-22-0064: Rezoning A1 Agricultural Dis. to R15 Residential Dis/CZ Conditional Zoning or a more restrictive zoning dis., 5.47 +/- ac.; 1376 & 1384 Cypress Lakes Rd and two abutting properties, Michael Adams (applicant), Ricky & Tina Nelson (owner).

ZON-22-0072: Rezoning R6 Residential Dis/CU Conditional Use to R5 Residential / CZ Conditional Zoning or a more restrictive zoning dis., 20.48 +/- ac.; off Celebration Drive, East of Chicken Foot Rd; June Cowles (applicant), Carolinian Properties Inc (owner).

ZON-22-0074: Rezoning R6 Residential Dis., C3 Commercial Dis. & C(P) Commercial Dis. to C(P) Commercial/CZ Conditional Zoning or a more restrictive zoning dis., 5.51 +/- acres; West of Gillespie St., South of Moody St; Ronald Hammond (applicant), Annette Autry Trust (owner).

8120613 12/5 12/12/22



PLANNING AND INSPECTIONS DEPARTMENT

**MEMORANDUM FOR BOARD OF COMMISSIONERS AGENDA OF DECEMBER 19,
2022**

TO: BOARD OF COUNTY COMMISSIONERS

FROM: CUMBERLAND COUNTY JOINT PLANNING BOARD

DATE: 12/8/2022

SUBJECT: CASE ZON-22-0064

BACKGROUND

ZON-22-0064: Rezoning from A1 Agricultural District to R15 Residential District/CZ Conditional Zoning or to a more restrictive zoning district for 5.47 +/- acres; located at 1376 and 1384 Cypress Lakes Road and two directly abutting properties; submitted by Michael Adams (applicant) on behalf of Ricky & Tina Nelson (owner).

RECOMMENDATION / PROPOSED ACTION

Planning Board Action: Recommended approval of the rezoning request from A1 Agricultural District to R15/CZ Residential District Conditional Zoning at the November 15, 2022 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 ZON-22-0064, Planning and Inspections staff recommends approval of the rezoning request from A1 Agricultural District to R15/CZ Residential District Conditional Zoning. Staff finds the request is consistent with the South-Central Land Use Plan which calls for "Low Density Residential" at this location. Staff finds that the request is reasonable and in the public interest as the request is in harmony with the character of surrounding land use activities and zoning.

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

In Case ZON-22-0064, I move to approve the rezoning request from A1 Agricultural District to R15 Residential District/CZ Conditional Zoning and find the request consistent with the South-Central Cumberland Land Use Plan which calls for "Low Density Residential" at this location. The Board finds the request is

reasonable and in the public interest as it is in harmony with the character of the surrounding land use activities and zoning.

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 ZON-22-0064, I move to deny the rezoning request from A1 Agricultural District to R15 Residential District/CZ Conditional Zoning and find the request is not consistent with the South-Central Land Use Plan which calls for “Low Density Residential” at this location. The Board finds that the request is not reasonable or in the public interest because _____

ATTACHMENTS:

Description

Case ZON-22-0064

Type

Backup Material

Amy H. Cannon
County Manager

Tracy Jackson
Assistant County Manager



Rawls Howard
Director

David Moon
Deputy Director

Planning & Inspections Department

DECEMBER 8, 2022

MEMO TO: Cumberland County Board of Commissioners

FROM: Cumberland County Joint Planning Board

SUBJECT: **ZON-22-0064:** Rezoning from A1 Agricultural District to R15 Residential District / CZ Conditional Zoning or to a more restrictive zoning district for 5.47 +/- acres; located at 1376 and 1384 Cypress Lakes Road and two directly abutting properties; submitted by Michael Adams (applicant) on behalf of Ricky & Tina Nelson (owner).

ACTION: Recommended approval of the rezoning request from A1 Agricultural District to R15/CZ Residential District Conditional Zoning at the November 15, 2022 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 NOVEMBER 15, 2022

Mr. Moon presented the case information and photos.

In Case ZON-22-0064, Planning and Inspections staff recommends approval of the rezoning request from A1 Agricultural District to R15/CZ Residential District Conditional Zoning. Staff finds the request is consistent with the South-Central Land Use Plan which calls for "Low Density Residential" at this location. Staff finds that the request is reasonable and in the public interest as the request is in harmony with the character of surrounding land use activities and zoning.

There were people signed up to speak in favor and in opposition.

Mr. Mike Adams spoke in favor. Mr. Adams stated that this plan is straight forward, we are asking for eight units. It will be four, two-unit buildings.

Ms. Danya Williams spoke in opposition. Ms. Williams stated that her concerns were with flooding, noise, safety, and traffic.

Mr. Herbert Beckwith spoke in opposition. Mr. Beckwith stated that he was opposed because the request is not compatible with the rural area. He also feels that the increased traffic will be an issue. Mr. Beckwith submitted copies of State statutes for consideration.

Ms. Diane Libeck-Long spoke in opposition. Ms. Long asked questions about whether these homes were going to be rental properties or ownership, and if there would be privacy fences.

Amy H. Cannon
County Manager

Tracy Jackson
Assistant County Manager



Rawls Howard
Director

David Moon
Deputy Director

Planning & Inspections Department

Mr. Dennis Jones spoke in opposition. Mr. Jones stated that the scaled plan looks like the units are small, and you can't zoom in and read the map. This is surrounded by single family dwellings, where there are no multi-family homes. This is not in harmony with the area.

Mr. William Daybell did not respond as it appeared he must have left.

Mr. Michael Pierce yielded his time.

Mr. Heath McDonald spoke in opposition. Mr. McDonald said his concerns were with flooding, traffic, lighting, and crime.

Mr. Adams spoke in rebuttal. Mr. Adams said that the properties will be rentals, Mr. Adams couldn't answer the fence question. Mr. Adams said it is his client's intent to maintain the property to help them in their retirement.

Public meeting closed.

Mr. Lloyd said that duplex uses are a permitted use in A1.

Mr. Howard also noted the applicant is utilizing the setbacks for A1 as their minimum for the request.

In Case ZON-22-0064, Mrs. Moody made a motion, seconded by Mr. Lloyd to recommend approval of the rezoning request from A1 Agricultural District to R15/CZ Residential District Conditional Zoning. The Board finds the request is consistent with the South-Central Land Use Plan which calls for "Low Density Residential" at this location. The Board finds that the request is reasonable and in the public interest as the request is in harmony with the character of surrounding land use activities and zoning. The motion passed with Mr. Stewart, Mr. Baker, and Mr. Walters voting in opposition.

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.

Historic Cumberland County Courthouse | 130 Gillespie Street | P.O. Box 1829
Fayetteville, North Carolina 28301 | Phone: 910-678-7600 | Fax: 910-678-7631

cumberlandcountync.gov

Location: 1376 & 1384 Cypress Lakes Road
Jurisdiction: County-Unincorporated

REQUEST

Rezoning A1 to R15/CZ

Applicant requests a rezoning from A1 Agricultural District to R15/CZ Residential District Conditional Zoning for four parcels of approximately 5.47 combined acres located at 1376 and 1384 Cypress Lakes Road and two directly abutting properties. The site location appears in Exhibit "A". Two parcels are occupied by a single-family home while the other two abutting parcels are vacant. The intent of the property owner is to recombine the four lots into two lots for a total of nine residential units. A multifamily housing development with 4 structures, 8 units in total, is proposed for 3.83 acres of the site. The request will also create a 1.64-acre parcel containing the single-family home, separate from the 3.76 acres multi-family project. All 5.47 acres is subject to the conditional zoning and the conditions of approval. The Conditional Zoning Site Plan and the Conditions of Approval appears within Exhibit "E".

PROPERTY INFORMATION

OWNER/APPLICANT: Michael Adams (Applicant);
Ricky & Tina Nelson (Owner)

ADDRESS/LOCATION: Refer to Exhibit "A",
Location and Zoning Map. REID number:
0432390350000, 0432299103000,
0432391357000, 0432299542000

SIZE: 5.47 +/- acres within four parcels. The
individual parcel acreage is below:

0432390350000: 2.21 acres
0432299103000: 1.96 acres
0432391357000: 0.76 acres
0432299542000: 0.54 acres

Road frontage along Cypress Lakes Road is a
combined 325 +/- feet. The property has a varying
depth due to its shape but is approximately 897 +/-
feet in length at its deepest point.

EXISTING ZONING: The subject property is currently
zoned A1 Agricultural District. Minimum lot size for this
district is two acres. This district is intended to promote and protect agricultural lands, including woodland,
within the County. The general intent of the district is to permit all agricultural uses to exist free from most private
urban development except for large lot, single-family development. Some public and/or semi-public uses as
well as a limited list of convenient commercial uses are permitted to ensure essential services for the residents.

EXISTING LAND USE: Two parcels contain a single-family home. Two parcels are vacant. Exhibit "B" shows
the existing use of the subject property.

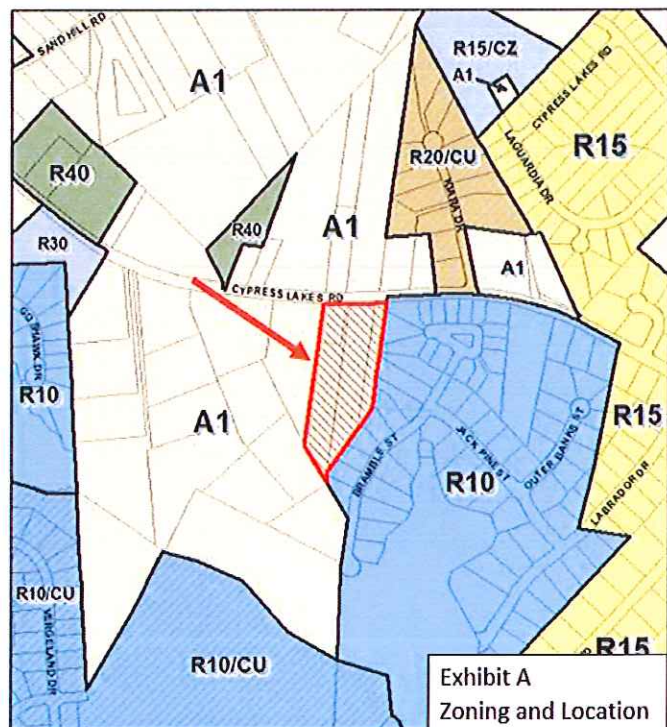
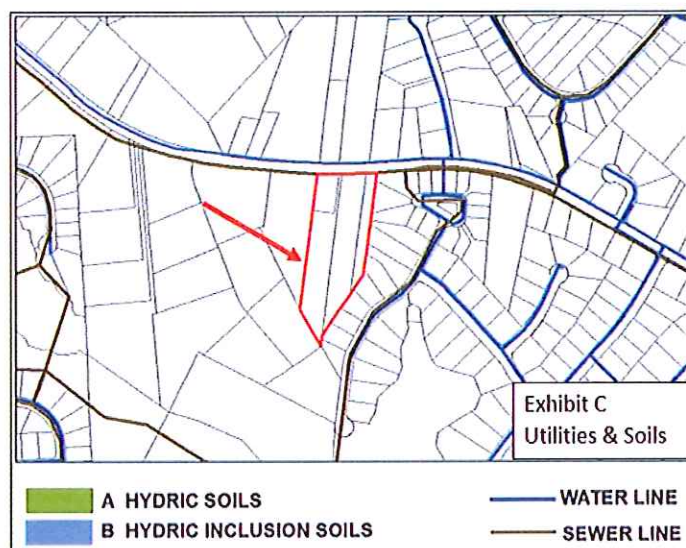


Exhibit A
Zoning and Location

SURROUNDING LAND USE: Exhibit "B" illustrates the following:

- **North:** Single family homes
- **East:** Cypress Cove & Labrador Lake single-family neighborhood
- **West:** Ole Cypress Spring neighborhood
- **South:** Labrador Lake & Ole Cypress Spring neighborhood

OTHER SITE CHARACTERISTICS: The site is not located in a Watershed or within a Flood Zone Hazard Area. The subject property, as delineated in Exhibit "C", illustrates no presence of hydric or hydric inclusion soils.



DEVELOPMENT REVIEW: Subdivision and site plan review by County Planning & Inspections will be required before any development.

DIMENSIONAL PROVISIONS FOR REQUESTED DISTRICT:

Minimum Standard	A1 (Existing Zoning)	R15 (Zoning)	R15/CZ (Proposed)
Front Yard Setback	50 ft	30 ft	50 ft
Side Yard Setback	20 ft (one story) 25 ft (two story)	10 ft (one story) 15 ft (two story)	20 ft (one story) 25 ft (two story)
Rear Yard Setback	50 ft	35 ft	50 ft
Lot Area	2 acres	15,000 sq. ft.	15,000 sq. ft.
Lot Width	100'	75'	75'

Development Potential:

Existing Zoning (A1)	Zoning (R15)	Proposed Zoning (R15/CZ)
3 dwelling units	13 dwelling units	9 dwelling units

- Assumes 80% of land is usable for development after exclusion of potential area for roads and drainage.
- Calculation: $(\text{total developable area times } 0.8) / \text{minimum lot size for zone district}$.
- Section 202 (A): Lot count may be rounded-up when a fraction occurs. When any requirement of this ordinance results in a fraction of a unit, a fraction of one-half or more shall be considered a whole unit, and a fraction of less than one-half shall be disregarded.

COMPREHENSIVE PLANS:

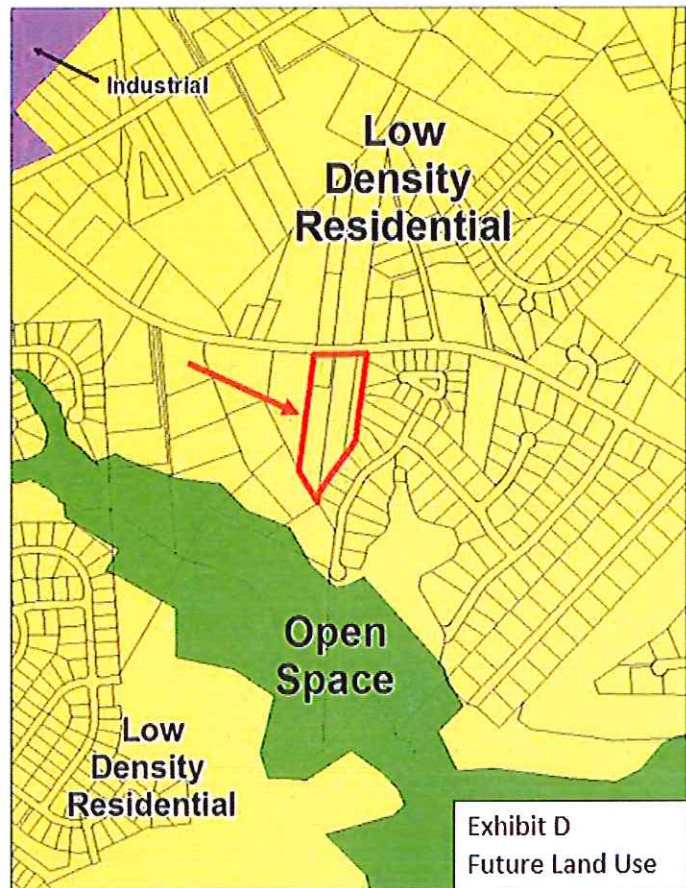
This property is located within the South-Central Cumberland Land Use Plan (2015). The future land use classification of the property is "Low Density Residential". Associated zoning districts for this classification are R7.5 & R15

The proposed rezoning request is consistent with the adopted Land Use Plan.

APPLICABLE PLAN GOALS/POLICIES:

Residential Development Goal: "Provide a complete range of residential housing types that accommodates the needs of all residents with adequate infrastructure while preserving the character of the area and protecting environmentally sensitive areas."

- Promote the building of quality housing.
- Promote infill development.
- Provide flexibility for mixed-use and higher density developments to locate close to existing or future commercial centers.



IMPACTS ON LOCAL INFRASTRUCTURE AND/OR FACILITIES

UTILITIES: PWC water and sewer lines are available, and a sewer main extension is located along the frontage of Cypress Lakes Road. This multi-family development will be required to connect to central water and sewer. It is the responsibility of the applicant to determine if these utilities will adequately serve their development. Utilities for water and sewer are shown on Exhibit "C".

TRAFFIC: According to the Fayetteville Area Metropolitan Planning Organization (FAMPO), The subject parcels are located on Cypress Lakes Road which is identified as a local road in the Metropolitan Transportation Plan. There are no roadway construction improvement projects planned and the subject property will have no significant impact on the Transportation Improvement Program. In addition, there is no 2020 AADT for Cypress Lakes Road. There is no available road capacity data. Due to lack of data and the small scale, the new conditional zoning request does not demand a trip generation. The development proposed in the conditional zoning site plan should not generate enough traffic to significantly impact Cypress Lakes Road.

SCHOOLS CAPACITY/ENROLLMENT:

School	Capacity	Enrollment
Alderman Rd Elem	707	667
Gray's Creek Mid	1083	1125
Gray's Creek High	1517	1396

ECONOMIC DEVELOPMENT: Fayetteville Cumberland County Economic Development Corporation has reviewed the request and had no objection to the proposed request.

EMERGENCY SERVICES: Cumberland County Fire Marshal's office has reviewed the request and stated to ensure all applicable fire department access requirements are met in accordance with Section 503 of the 2018 NC Fire Code, the developer must ensure fire protection water supply requirements are met, and to submit building plans to scale for new construction and building renovation. The Fire Marshall also stated that the current "T" turnaround size shown on the Conditional Zoning Site Plan will need to be increased at the time of the development site plan application.

SPECIAL DISTRICTS: The property is not located within the Fayetteville Regional Airport Overlay District or within five miles of Fort Bragg Military Base.

CONDITIONS OF APPROVAL: This is a conditional zoning; conditions of approval are listed under Exhibit "F" with the conditional zoning site plan.

STAFF RECOMMENDATION

In Case ZON-22-0064, Planning and Inspections staff **recommends approval** of the rezoning request from A1 Agricultural District to R15/CZ Residential District Conditional Zoning. Staff finds the request is consistent with the South-Central Land Use Plan which calls for "Low Density Residential" at this location. Staff finds that the request is reasonable and in the public interest as the request is in harmony with the character of surrounding land use activities and zoning.

Attachments:

Condition Sheet

Site Plan

Notification Mailing List

Application

Exhibit "E"

CONDITIONAL ZONING NO. ZON-22-0064

ZON-22-0064: Rezoning from A1 Agricultural District to R15 Residential District / CZ Conditional Zoning or to a more restrictive zoning district for 5.47 +/- acres; located at 1376 and 1384 Cypress Lakes Road and two directly abutting properties.

The property delineated with Exhibit "A" is subject to the following conditions:

A. Applicability. All use and development of the property applicable to this Conditional Zoning (ZON-22-064) and as delineated in Exhibit "A" shall occur consistent with the standards and requirements of the R15 Residential Zoning District unless otherwise stated herein. If any standards herein are inconsistent with the Zoning or Subdivision ordinance, the conditions set forth herein shall supersede and apply to the development of the property delineated in Exhibit "A." If not expressly stated herein the R15 Residential standards shall apply.

B. Permitted and Prohibited Uses.

1. Uses within residential lots are limited to single-family residential and multi-use residential for the portions of the project site as delineated within Exhibit "A".
2. The development is limited to a maximum of 8 multi-family dwelling units and one single family lot.
3. The single-family lot shall stand on its own and is not required to be part of the homeowners association.

C. Development Standards.

1. Site Development: Development and use shall occur consistent with the Conditional Zoning Site Plan provided in Exhibit "A" and as set forth herein, and with the County Zoning and Subdivision Ordinance. Any standards or regulations not addressed herein shall then follow the County Zoning and Subdivision Codes,
2. Setback Standards. Minimum setback standards for this residential development -- for both the single family and multi-family lots -- shall be:

Front -- 25 feet
Side -- 10 feet (one-story); 25 feet (two or more stories)
Rear-- 30 feet
Corner lot-- 25 feet

Accessory structures: minimum setback standards as set forth for the R15 zoning district, Zoning Ordinance.

3. No primary or accessory structure shall encroach the minimum setback standard established herein unless a variance is granted by the Board of Adjustment. After the initial plat is recorded, no replat can be used to change the minimum setback standards through a zero-lot line plat.

D. Infrastructure and Utilities.

1. Water and Sewer. All residential homes shall be served by central water and sewer systems. No lot or tract shall be served by on-site septic systems.

- a. Any lift or pump station facilities for central water or sewer systems shall be placed in a tract owned by the utility provider and not placed in an easement within a residential lot. A lift station site shall not be used to meet open space requirements.

- b. The Public Works Commission must approve water and sewer plans prior to application for any permits. The development shall connect to the central water and sewer systems available to it. No certificate of occupancy shall be issued until central water and sewer is available. On-site septic tanks are not allowed.

- c. Authorization for wastewater system construction required before other permits to be issued. The County Health Department must approve sewer plans. Lots not served by public sewer systems are required to be large enough and of such physical character to comply with the Health Department's minimum standards. Site and soil evaluations must be conducted on the property by the County Environmental Health Department. A copy of the Health Department approval must be provided to Code Enforcement. (Note: All Health Department requirements must be met prior to issuance of final permits.) (NCGS § 130A-338 & Sec. 2306 A, County Subdivision Ord. & Sec. 1101.E, County Zoning Ord.)

2. Roads/Access

- a. Off-Site Road Improvements. Turn lanes may be required by the NC Department of Transportation (NCDOT). [Art. XIV, County Zoning Ord. & NCGS §136-18(5) & §136-93]. Developer must coordinate with NCDOT prior to submittal of any preliminary subdivision plan regarding off-site road improvements.

- b. At the time of a site plan application or plat for the multi-family lot, the type of roadway or driveway serving the eight multi-family units shall be determined.

- c. Road signs. If required, developer is responsible for installation of all required traffic safety signs prior to recording a plat or issuance of a building permit, whichever occurs first. That the street name signs, in compliance with the Cumberland County Street Sign Specifications, shall be installed prior to final plat approval. Note: The developer is responsible for contacting 678-7621, once the street name sign(s) are installed, to schedule an inspection of said sign(s) and notice of a satisfactory inspection must be received by Current Planning prior to the approval of the final plat.

- d. This review does not constitute a "subdivision" or "site plan" approval by NC Department of Transportation (NCDOT). The NC Department of Transportation's (NCDOT) approval of the driveway plans is required, and any street improvements are required to be constructed to the NCDOT standards for secondary roads. (Sec. 2304B, County Subdivision Ord. & NCGS §136-102.6

- e. Road ownership/maintenance. Prior to NCDOT acceptance of street construction, road rights-of-way, and related drainage systems, the developer is responsible for their maintenance and that all roads meet conditions suitable for safe passage for vehicles used by County inspection personnel. The County Building Official may delay inspections if determined that road conditions do not provide safe passage for vehicles used by County inspectors.

- f. The developer(s) and any future owners of the multi-family lot are responsible for the maintenance and upkeep of any internal streets until such time the streets are added to the State system by the NC Department of Transportation (NCDOT) for maintenance purposes. The

developer is advised to give notice of the street status to any future owners in the event the lots are conveyed prior to the NCDOT's acceptance.

- g. In the event the NCDOT driveway permit or road acceptance process substantially alters the conditional zoning site plan, as such determination will be made by the County Planning & Inspections Director, such modification to the conditional zoning site plan must be approved by the Board of County Commissioners following the same review and hearing process for a conditional zoning application.
- h. Certification of Completion. Prior to recording of any plat or certificate of completion for a driveway, the developer's engineer must submit to Cumberland County Planning and Inspection Department a sealed document certifying that the streets or driveways have been constructed to the NC Department of Transportation (NCDOT) standards for secondary roads.
- i. The street name signs, in compliance with the County Street Sign Specifications, must be installed prior to final plat approval.

3. Stormwater and Drainage.

- a. The single-family lot and the multi-family lot shall stand on their own regarding drainage and stormwater management.
- b. For any new development, an adequate drainage system must be installed by the developer in accordance with the NC Department of Environmental Quality (NCDEQ) *Manual on Best Management Practices* and all drainage ways must be kept clean and free of debris. (Section 2307.A, County Subdivision Ord.) The homeowner's association shall be responsible for maintain all stormwater facilities unless otherwise required by the NCDEQ.
- c. In the event a stormwater utility structure is required by the NC Department of Environmental Quality (NCDEQ), the owner/developer must secure the structure with a four-foot-high fence with a lockable gate and is required to maintain the detention/retention basin, keeping it clear of debris and taking measures for the prevention of insect and rodent infestation. (Sec. 1102.O, County Zoning Ord.)
- d. Stormwater facilities on the multi-family lot shall be owned and maintained by the homeowner's association unless NCDEQ requires otherwise.
- e. Prior to permit application, the developer must provide to the Code Enforcement Section documentation of NC Department of Environmental Quality Division of Energy, Mineral and Land Resources' (NCDEQ DEMLR) approval of the Sedimentation and Erosion control plan for this project. NCDEQ DEMLR requires a Sedimentation and Erosion control plan be submitted and approved 30 days prior to land disturbing activities if said land disturbing activity will exceed one acre

If a plan is not required, per 15ANCAC 04B.0105 "Person conducting land disturbing activity shall take all reasonable measures to protect public and private property from damage cause by such activities." Sedimentation and erosion control measures will need to be installed to protect adjacent properties. [Sec. 4-8(b)(6), County Code; originally under County jurisdiction relinquished to NCDEQ around 2000]

- f. New development where the developer will disturb or intends to disturb more than one acre of land is subject to the Post-Construction Stormwater Management Permitting Program (Phase II Stormwater Management Requirements) administered by the Department of Energy, Minerals and Land Resources, NC Department of Environmental Quality (DEMLR NCDEQ). If one acre or more of land is to be disturbed, a copy of the State's Post-Construction Permit must be provided

to County Code Enforcement prior to the issuance of the Certificate of Occupancy. (Note: If any retention/detention basins are required for state approval of this plan, three copies of a revised plan (and \$25/\$50 revision fee) must be submitted and approved by Planning & Inspections.) (Sec. 2306.D, County Subdivision Ord. & 2006-246, NC Session Law)

4. Other Utilities. For new development, all utilities, except for 25kv or greater electrical lines, must be located underground. (Section 2306.C, County Subdivision Ord.) That any lighting used to illuminate off-street parking areas shall be subject to the same standards as listed in Section 1102.M.

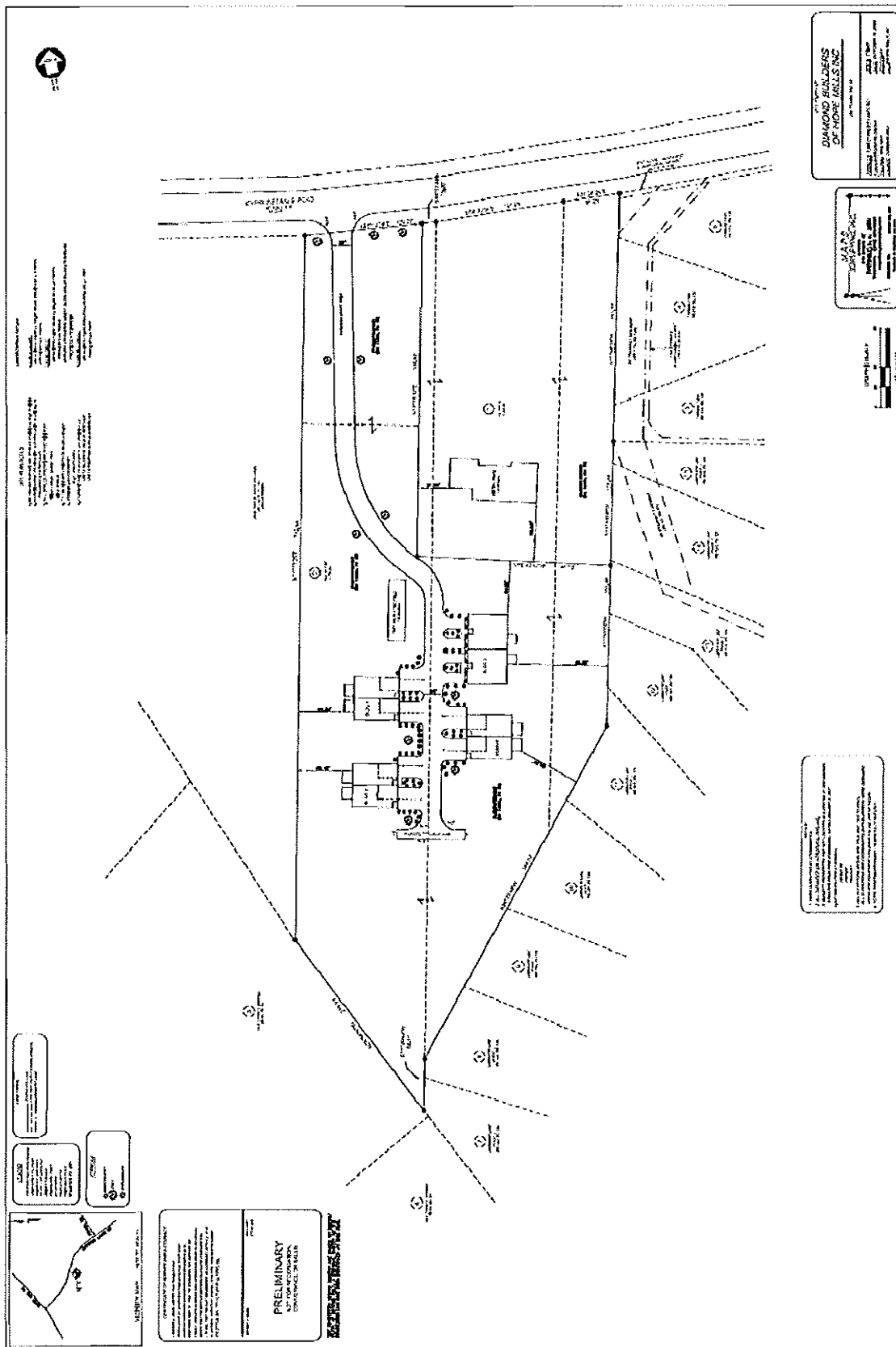
F. Plat-Related.

1. A recombination plat shall be submitted to create the multi-family and single family lots.
2. The developer must provide a site-specific address and tax parcel number at the time of building/zoning permit application. [Sec. 4-8(b)(2), County Code]
3. That all uses, and setbacks be compatible with those permitted in the A1 zoning classification.
4. Any/All easements must be reflected on the final plat and labeled as to type of easement, reference number for document creating the easement, and the name of the agency, individual, etc. who holds the easement.
5. Prior to Final Plat submittal, the Engineer of Record shall submit certification to Current Planning Section that the hydrant provisions, water, and sewer extension have been met and installed with required acceptance from the utility provider.

G. Other Relevant Conditions:

1. Use and Development Conditions. This conditional zoning and the site plan conditions of approval are not to be construed as all-encompassing of the applicable rules, regulations, etc., which must be complied with for any development. Other regulations, such as building, environmental, health, State agencies, and so forth, may govern the specific development. The developer is the responsible party to ensure full compliance with all applicable Federal, State, and local regulations.
2. This conditional approval is contingent upon continued compliance with the County's Zoning and Subdivision Ordinance. the conditions set forth herein, including applicable NC State Statue 160-D requirements.
3. Any revision or addition to this conditional zoning site plan, whether initiated by the developer or necessary to meet requirements promulgated by local state, or federal requirements, necessitates re-submission for Current Planning Section review and approval prior to the commencement of the change. Should the change be determined to be a substantial modification, as determined by the County Planning & Inspections, the substantial changes must be reviewed and approved by the Board of Cuntly Commissioners following the same process as a conditional zoning application.

EXHIBIT "A" of the Conditional Zoning Conditions of Approval (ZON-22-0064)



ATTACHMENT – MAILING LIST

Hick, Joyce
1345 Cypress Lakes RD
Hope Mills, NC 28348

STEWART, THOMAS H III; STEWART, LISA GAIL
4705 BRAMBLE ST
HOPE MILLS, NC 28348

LOLUS, WILLIAM P JR; LOLLIS, KATHRYN R
822 JACK PINE ST
HOPE MILLS, NC 28348

LONG, JACK E; LONG, DIANE R KENNEY
5318 OLE CYPRESS SPRINGS RD
HOPE MILLS, NC 28348

JACKSON, ERIC J; JACKSON, JENNIFER R
4725 BRAMBLE ST
HOPE MILLS, NC 28348

JOHNSON, LINDA
4923 BRAMBLE ST
HOPE MILLS, NC 28348

STANFIELD, STEVEN W; STANFIELD, MARTHA
4931 BRAMBLE ST
HOPE MILLS, NC 28348

TROGDON, BRENDA
4812 BRAMBLE ST
HOPE MILLS, NC 28348

DIAMOND BUILDERS OF HOPE MILLS INC
PO BOX 68
HOPE MILLS, NC 28348

THRELKELD, BARRY L; THRELKELD, MINDY L
4736 BRAMBLE ST
HOPE MILLS, NC 28348

HANNAH, MICHAEL D; HANNAH, UMI S
828 JACK PINE ST
HOPE MILLS, NC 28348

WILLIAMS, JONATHAN ERIC; WILLIAMS,
DANYA MICHELE
1348 CYPRESS LAKES RD
HOPE MILLS, NC 28348

BROWN, JOSEPH W
4828 KIARA DR
HOPE MILLS, NC 28348

VANSOELEN, WILLIAM ROELOF;
VANSOELEN, JENNIFER ANN
5319 OLE CYPRESS SPRINGS RD
HOPE MILLS, NC 28348

CAYLOR, DOUGLAS L; CAYLOR, KATHERINE
M
4907 BRAMBLE ST
HOPE MILLS, NC 28348

PEGRAM, CLARNCE EUGENE
4717 BRAMBLE ST
HOPE MILLS, NC 28348

LOCKLEAR, LAUREN S; LOCKLEAR, JOSHUA
A
4908 BRAMBLE ST
HOPE MILLS, NC 28348

PREWITT, MERLE R
2126 CYPRESS LAKES RD
HOPE MILLS, NC 28348

KOONCE, PEGGY DAVIS
4728 BRAMBLE ST
HOPE MILLS, NC 28348

HENSLEY, DANIEL P; HENSLEY, HEATHER S
4716 BRAMBLE ST
HOPE MILLS, NC 28348

PREWITT, THOMAS; PREWITT, WILLIAM E;
PREWITT, JAMES R
2126 CYPRESS LAKES RD
HOPE MILLS, NC 28348

CHAIONN, PAUL
3394 HAWTHORNE ST
HOPE MILLS, NC 28348

SMITH, ANNETTE RICCI; SMITH, NATHAN
TRACY
4920 BRAMBLE ST
HOPE MILLS, NC 28348

CARTER, URSULA
5308 OLE CYPRESS SPRINGS RD
HOPE MILLS, NC 28348

HINSON, WILLIAM AUBREY; HINSON,
LAURA WILLEY
4812 KIARA DR
HOPE MILLS, NC 28348

ZAHIRAN, GAIL P
1101 BELMONT CIR
FAYETTEVILLE, NC 28305

CYPRESS COVE OF CUMBERLAND
HOMEOWNERS ASSOC. INC
1561 CYPRESS LAKES RD
HOPE MILLS, NC 28348

ANDREWS FEDERAL CREDIT UNION
PO BOX 4000
CLINTON, MD 20735

JONES, DENNIS DEWAYNE; JONES,
MELINDA ANN
PO BOX 1154
HOPE MILLS, NC 28348

HODGES, LYNETTE JOHNSON; HODGES,
CHARLES LEONARD
4917 BRAMBLE ST
HOPE MILLS, NC 28348

COWLEY, NICHOLAS; COWLEY, VICTORIA
ELIZABETH
4721 BRAMBLE ST
HOPE MILLS, NC 28348

MANG, JASON
4927 BRAMBLE ST
HOPE MILLS, NC 28348

CONNOR, SANDY
4704 BRAMBLE ST
HOPE MILLS, NC 28348

NANCE, JEFFREY; NANCE, JODIE
4820 KIARA DR
HOPE MILLS, NC 28348

HARRISON, LORI
4904 BRAMBLE ST
HOPE MILLS, NC 28348

JONES, LOLITA
4740 BRAMBLE ST
HOPE MILLS, NC 28348

PUMMILL, WILLIAM ELLIS
1333 CYPRESS LAKES RD
HOPE MILLS, NC 28348

JEFFREYS, GEORGE WESLEY R; JEFFREYS,
KIMBERLY R
4712 BRAMBLE ST
HOPE MILLS, NC 28348

LOVELACE, SHAWN ELLIS ALLEN, MARINA
LUZ
4713 BRAMBLE ST
HOPE MILLS, NC 28348

SCOTT, W ROSS; SCOTT, KATHILEEN M
VERKULEN
5325 OLE CYPRESS SPRINGS RD
HOPE MILLS, NC 28348

OAKMAN, JAMES R; OAKMAN, NOREEN
ZENNS
4916 BRAMBLE ST
HOPE MILLS, NC 28348

MATTHEWS, THERESA; MORRIS, MOROE;
MORRIS, RENEE
1389 CYPRESS LAKES RD
HOPE MILLS, NC 28348

FREEMAN, CONNIE M LEFE ESTATE
1413 CYPRESS LAKES RD
HOPE MILLS, NC 28348

STATON, DARRELL K; LINDA, C
815 JACK PINE ST
HOPE MILLS, NC 28348

JONES, JOHN BENNETT; JONES, KATHY D
4700 BRAMBLE ST
HOPE MILLS, NC 28348

BAILEY, SUSAN R
4935 BRAMBLE ST
HOPE MILLS, NC 28348

THOMSON, KELVIN G; BENTLEY-
THOMPSON SABRINA
1309 CYPRESS LAKES RD
HOPE MILLS, NC 28348

LAVERIC, ROBERT JR; LAVERICK, JILL A
4825 KIARA DR
HOPE MILLS, NC 28348

WHISNANT, MARY
1233 CYPRESS LAKES RD
HOPE MILLS, NC 28348

ROPPOLI, JEAN
5301 OLE CYPRESS SPRINGS RD
HOPE MILLS, NC 28348

ULIASZ, CORINTHA K
4732 BRAMBLE ST
HOPE MILLS, NC 28348

COLE, DANIEL SANTOS
4912 BRAMBLE ST
HOPE MILLS, NC 28348

WRIGHT, ROBIN
4724 BRAMBLE ST
HOPE MILLS, NC 28348

ARNETT, DENNY M; ARNETT, WANDA B
809 JACK PINE ST
HOPE MILLS, NC 28348

BIRCHWOOD FARMS INC
2126 CYPRESS LAKES RD
HOPE MILLS, NC 28348

BECKWITH, PRISCILLA GIBBS; BECKWITH,
HERBERT JR
PO BOX 183
HOPE MILLS, NC 28348

EANES, MICHAEL W LIFE ESTATE; EANES,
JUDY B LIFE ESTATE
821 JACK PINE ST
HOPE MILLS, NC 28348

CYPRESS COVE OF CUMBERLAND
HOMEOWNERS ASSOC. INC
4701 BRAMBLE ST
HOPE MILLS, NC 28348

SMITH, CALVIN M; SMITH, AGNES B
PO BOX 838
HOPE MILLS, NC 28348

RAEFORD, JAMES M; RAEFORD, LINDA F
16705 STOCKLAND CT
HUNTERSVILLE, NC 28078

MCDONALD, WILLIAM H; MCDONALD,
ALLISON P
4900 BRAMBLE ST
HOPE MILLS, NC 28348

GOODMAN JOSEPH, GOODMAN, ANGELA B
4720 BRAMBLE ST
HOPE MILLS, NC 28348

STEPHENS, JOHN T; STEPHENS, ANN H;
PREWITT WILLIAMS; PREWITT JAMES
810 JACK PINE ST
HOPE MILLS, NC 28348

SHELTON, TYSON L; SHELTON, SANDRA E
4924 BRAMBLE ST
HOPE MILLS, NC 28348

MCLEOD, DONALD C; MCLEOD, JENNIFER
HALL
4709 BRAMBLE ST
HOPE MILLS, NC 28348

JORDAN, CURTIS J; JORDAN, MISTY G
4928 BRAMBLE ST
HOPE MILLS, NC 28348

LYNCH, COLLINE KAREN
5314 OLE CYPRESS SPRINGS ROAD
HOPE MILLS, NC 28348

PIERCE, MICHAEL W; PIERCE, WENDI L
GOZA
4816 BRAMBLE ST
HOPE MILLS, NC 28348

ATTACHMENT: APPLICATION



County of Cumberland
— ♦ —
Planning & Inspections Department

CASE #: _____

PLANNING BOARD
MEETING DATE: _____

DATE APPLICATION
SUBMITTED: _____

RECEIPT #: _____

RECEIVED BY: _____

**APPLICATION FOR
REZONING REQUEST
CUMBERLAND COUNTY ZONING ORDINANCE**

The following items are to be submitted with the completed application:

1. A copy of the *recorded* deed and/or plat.
2. If a portion(s) of the property is being considered for rezoning, an accurate written legal description of only the area to be considered;
3. A check made payable to "Cumberland County" in the amount of \$ 400.
(See attached Fee Schedule).

Rezoning Procedure:

1. Completed application submitted by the applicant.
2. Notification to surrounding property owners.
3. Planning Board hearing.
4. Re-notification of interested parties / public hearing advertisement in the newspaper.
5. County Commissioners' public hearing (approximately four weeks after Planning Board public hearing)
6. If approved by the County Commissioners, rezoning becomes effective immediately.

The Planning & Inspections Staff will advise on zoning options, inform applicants of development requirement and answer questions regarding the application and rezoning process. For further questions, call (910)678-7603 or (910)678-7609. Hours of operation are 8:00 a.m. to 5:00 p.m., Monday through Friday.

NOTE: Any revisions, inaccuracies or errors to the application may cause the case to be delayed and will be scheduled for the next available board meeting according to the board's meeting schedule. Also, the application fee is *nonrefundable*.

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 AI to R 7.5
2. Address of Property to be Rezoned: 1384 Cypress Lakes Rd
3. Location of Property: Cypress Lakes Rd (West of Cypress Cove Subdivision)
4. Parcel Identification Number (PIN #) of subject property: 0432390350000 0432299103000
(also known as Tax ID Number or Property Tax ID) 0432391357000 0432299542000
5. Acreage: 5.47 (Total) Frontage: 325 (Total) Depth: 897
6. Water Provider: Well: _____ PWC: X Other (name): _____
7. Septage Provider: Septic Tank _____ PWC X
8. Deed Book 11539, Page(s) 18, Cumberland County Registry. (Attach copy of deed of subject property as it appears in Registry).
9. Existing use of property: Residential - Single Family
10. Proposed use(s) of the property: Residential - Multi Family
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.

Ricky + Tina Nelson
NAME OF OWNER(S) (PRINT OR TYPE)

6309 Clem Rose Lane
4618 Salem Prince Dr Hope Mills NC 28348
ADDRESS OF OWNER(S)

910- HOME TELEPHONE # 910-237-1391 WORK TELEPHONE #

Michael J. Adams (MAPS Surveying)
NAME OF AGENT, ATTORNEY, APPLICANT (PRINT OR TYPE)

216 Mason St Fayetteville NC 28301
ADDRESS OF AGENT, ATTORNEY, APPLICANT

Maps@mapssurveying.com
E-MAIL

910-484-6432
HOME TELEPHONE # WORK TELEPHONE #

[Signature]
SIGNATURE OF OWNER(S)

[Signature]
SIGNATURE OF AGENT, ATTORNEY OR APPLICANT

[Signature]
SIGNATURE OF OWNER(S)

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

Ad Preview

PUBLIC NOTICE

The Cumberland County Board of Commissioners will meet at 6:45 p.m. on December 19, 2022, in room 118 of the County Courthouse at 117 Dick Street to hear the following:

ZON-22-0043: Rezoning A1 Agricultural Dis. to RR Rural Residential/CZ Conditional Zoning Dis. or a more restrictive zoning dis., 106.75 +/- ac.; east of Hummingbird Pl and west of Maxwell Rd; George Rose (applicant) Astrakel International Ltd (owner).

ZON-22-0064: Rezoning A1 Agricultural Dis. to R15 Residential Dis/CZ Conditional Zoning or a more restrictive zoning dis., 5.47 +/- ac.; 1376 & 1384 Cypress Lakes Rd and two abutting properties, Michael Adams (applicant), Ricky & Tina Nelson (owner).

ZON-22-0072: Rezoning R6 Residential Dis/CU Conditional Use to R5 Residential / CZ Conditional Zoning or a more restrictive zoning dis., 20.48 +/- ac.; off Celebration Drive, East of Chicken Foot Rd; June Cowles (applicant), Carolinian Properties Inc (owner).

ZON-22-0074: Rezoning R6 Residential Dis., C3 Commercial Dis. & C(P) Commercial Dis. to C(P) Commercial/CZ Conditional Zoning or a more restrictive zoning dis., 5.51 +/- acres; West of Gillespie St., South of Moody St; Ronald Hammond (applicant), Annette Autry Trust (owner).

8120613 12/5 12/12/22



PLANNING AND INSPECTIONS DEPARTMENT

**MEMORANDUM FOR BOARD OF COMMISSIONERS AGENDA OF DECEMBER 19,
2022**

TO: BOARD OF COUNTY COMMISSIONERS

FROM: CUMBERLAND COUNTY JOINT PLANNING BOARD

DATE: 12/8/2022

SUBJECT: CASE ZON-22-0072

BACKGROUND

ZON-22-0072: Rezoning from R6 Residential District/CU Conditional Use Zoning to R5 Residential District/CZ Conditional Zoning or to a more restrictive zoning district for 20.48 +/- acres; located off Celebration Drive, east of Chicken Foot Road; submitted by June Cowles (applicant) on behalf of Carolinian Properties INC (owner).

RECOMMENDATION / PROPOSED ACTION

Planning Board Action: Recommended denial of the rezoning request from R6/CU Residential District Conditional Use to R5/CZ Residential Conditional Zoning District at their November 15, 2022 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 ZON-22-0072, Planning and Inspections staff recommends approval of the rezoning request from R6/CU Residential District Conditional Use to R5/CZ Residential Conditional Zoning District. Staff finds the request is consistent with the South-Central Land Use Plan which calls for "Mixed Use" at this location. Staff also finds that the request is reasonable and in the public interest as it is compatible to and in harmony with the surrounding land use activities and zoning.

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 ZON-22-0072, I move to deny the rezoning request from R6 Residential District/CU Conditional Use to R5 Residential District/CZ Conditional Zoning and find that the request is not consistent with the South-Central Cumberland Land Use Plan which calls for “Mixed Use” at this location. The Board finds the request is not in harmony with the character of the surrounding land use activities and zoning due to concerns of increased traffic and school overcrowding generated by the request.

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 ZON-22-0072, I move to approve the rezoning request from R6 Residential District/CU Conditional Use to R5 Residential District/CZ Conditional Zoning and find that the request is consistent with the South-Central Cumberland Land Use Plan which calls for “Mixed Use” at this location. The Board finds the request is reasonable and in the public interest as it is in harmony with and compatible to the surrounding land use activities and zoning.

ATTACHMENTS:

Description	Type
Case ZON-22-0072	Backup Material

Amy H. Cannon
County Manager

Tracy Jackson
Assistant County Manager



Rawls Howard
Director

David Moon
Deputy Director

Planning & Inspections Department

DECEMBER 8, 2022

MEMO TO: Cumberland County Board of Commissioners

FROM: Cumberland County Joint Planning Board

SUBJECT: **ZON-22-0072:** Rezoning from R6 Residential District / CU Conditional Use Zoning to R5 Residential District / CZ Conditional Zoning or to a more restrictive zoning district for 20.48 +/- acres; located off Celebration Drive, east of Chicken Foot Road; submitted by June Cowles (applicant) on behalf of Carolinian Properties INC (owner).

ACTION: Recommended denial of the rezoning request from R6/CU Residential District Conditional Use to R5/CZ Residential Conditional Zoning District at their November 15, 2022 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 NOVEMBER 15, 2022

Mrs. Garcia presented the case information and photos.

In Case ZON-22-0072, Planning and Inspections staff recommends approval of the rezoning request from R6/CU Residential District Conditional Use to R5/CZ Residential Conditional Zoning District. Staff finds the request is consistent with the South-Central Land Use Plan which calls for "Mixed Use" at this location. Staff also finds that the request is reasonable and in the public interest as it is compatible to and in harmony with the surrounding land use activities and zoning.

Mrs. Moody asked if there was any contact with the school system because she noticed that the elementary and middle schools were already over capacity.

Mrs. Garcia stated that the applicant had been in touch with Grays Creek High School in relation to a possible sidewalk connection and how students would get to the high school.

Mr. Howard stated that the comments go out to the school district and that the numbers in the staff report come from the district and not the staff.

Chair Crumpler asked for more explanation on the emergency access.

Mrs. Garcia proceeded to explain that the Fire Code for North Carolina requires that if there are over one hundred units, there needs to be a second means of access. She indicated where that would be located.

Amy H. Cannon
County Manager

Tracy Jackson
Assistant County Manager



Rawls Howard
Director

David Moon
Deputy Director

Planning & Inspections Department

Mr. Moon stated that there was a letter from the abutting property owner agreeing to allow access easements to accommodate the temporary access.

There were people signed up to speak in favor and in opposition.

Public meeting opened.

Ms. June Cowels spoke in favor. Ms. Cowels explained that everything would be temporary until the commercial comes in. Ms. Cowels went on to explain some of the benefits of the proposed development.

Mrs. Moody asked about the access from Celebration Drive and Chicken Foot Road.

Ms. Cowels said they had discussions with the Department of Transportation (DOT) and there is already a driveway cut on Celebration Drive and they have the second access point.

Mr. Burton asked if the emergency access point was an existing stub out already.

Ms. Cowels said that she wasn't sure if the driveway was there right now, but it will pretty much line up with the intersection. It will eventually service the commercial and pointed out where there will be another access point.

Mr. Rob Caudle spoke in favor. Mr. Caudle stated that he was the engineer and was present to answer any question the board may have. Mr. Caudle stated that they would be handling engineering, design, and permitting for the owner.

Mr. Ben Roberts spoke in opposition. Mr. Roberts voiced his opposition to any development in the area. His concerns are with overcrowding of the schools, they are already at capacity. He also has concerns with increased traffic.

Ms. Barbara Kulp spoke in opposition. Ms. Kulp stated that she is opposed and has concerns about the increased traffic.

Mark Lupton spoke in opposition. Mr. Lupton stated that his concerns are with school overcrowding.

Mr. Joshua Delgado spoke in opposition. Mr. Delgado stated he agreed with the previous speakers, but no one was talking about the third phase of the Cypress Lakes community which will bring additional housing and population. Mr. Delgado stated that building should be done in a more suitable area.

Amy H. Cannon
County Manager

Tracy Jackson
Assistant County Manager



Rawls Howard
Director

David Moon
Deputy Director

Planning & Inspections Department

Mr. Vallery Mason spoke in opposition and stated that his concerns were with the increased traffic. He asked the board to defer case for a month to allow time for a petition to go around to all of the residents.

Mr. Marc Glenn declined to speak but agreed with the previous speakers.

Mrs. Lisa Glenn spoke in opposition and said she agreed with the previous speakers.

Ms. Jillian Erhardt spoke in opposition and stated that she was concerned about the crossing guards in the school zones with the increased traffic, she was also concerned about safety of the children, and concerned about wildlife.

Mr. Robert Erhardt declined to speak.

Ms. Courteney Hancock stated that her concerns had already been mentioned.

Ms. June Cowles spoke in rebuttal. Ms. Cowels stated that with the wetland area, they are staying out of that area and not developing it. They will do a survey later in the process to address animal concerns mentioned by the opposition.

Public meeting closed.

Mrs. Moody said she doesn't see how they can approve this with the hydric soils and the traffic and the kids going to school.

Mr. Walters stated that he thought it was too congested in that area already.

Mr. Lloyd said he wanted to address the overcrowding of the schools. The County does the best it can and is mandated to give the schools a percentage of money out of the budget. Most schools in this County if they're not overcrowded, they are about at capacity. It's difficult for road engineers to deal with the problem of congestion.

In Case ZON-22-0072, Mrs. Moody made a motion, seconded by Mr. Lloyd to recommend denial of the rezoning request from R6/CU Residential District Conditional Use to R5/CZ Residential Conditional Zoning District. The Board finds the request is not in harmony with the character of the surrounding land use activities and zoning due to concerns of increased traffic and school overcrowding generated by the request. The motion passed unanimously.

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.

Historic Cumberland County Courthouse | 130 Gillespie Street | P.O. Box 1829
Fayetteville, North Carolina 28301 | Phone: 910-678-7600 | Fax: 910-678-7631

cumberlandcountync.gov

Location: South of Celebration Dr. and
East of Chickenfoot Rd.
Jurisdiction: County-Unincorporated

REQUEST

Rezoning R6/CU to R5/CZ

Applicant requests a rezoning from R6/CU Residential Conditional Use District to R5/CZ Residential Conditional Zoning District for one parcel of approximately 20.48 acres located on Celebration Dr. east of Chickenfoot Rd. The site location is shown in Exhibit "A". The parcel is currently vacant land. The intent of the property owner is to increase the density for a multifamily apartment complex to allow the unit yield to increase from 206 units to 264 units.

The proposed multi-family development includes 264 apartments, a management office/swimming pool facility, and several enclosed garages/storage buildings. Primary public road access is from Celebration Drive and an emergency access is proposed from the southwest project area to Chickenfoot Road. A conditional use site plan is provided in Exhibit "F" with the conditions of approval.

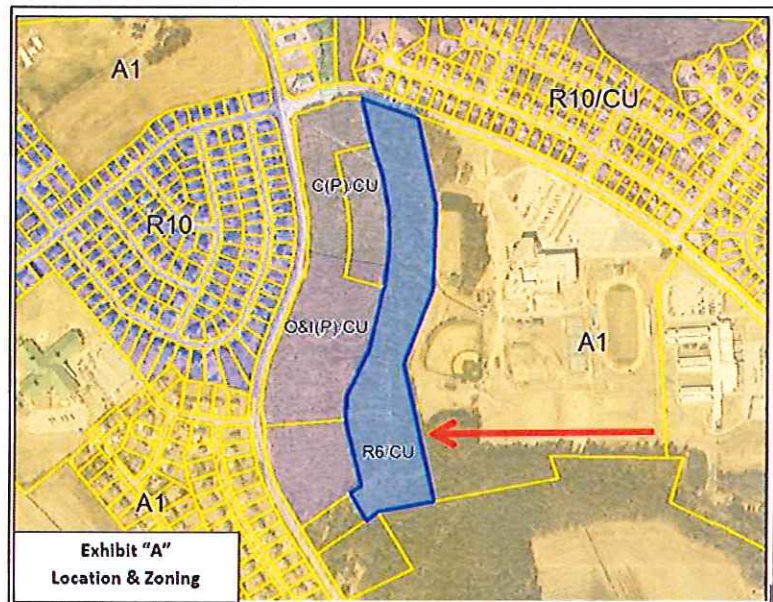
PROPERTY INFORMATION

OWNER/APPLICANT: Carolinian Properties, Inc. (Owner). June Cowles of WitherRavenel (Applicant)

ADDRESS/LOCATION: Refer to Exhibit "A", Location and Zoning Map. REID number: 0422767202000.

SIZE: 20.48 +/- acres within one parcel. Road frontage along Celebration Dr. is a combined 385 +/- feet. The property is approximately 2,600 +/- feet in length at its deepest point.

EXISTING ZONING: The subject property is currently zoned R6/CU. Minimum lot size for this district is 6,000 sq ft. This is a district designed for a mix of single- and multi-family dwellings.

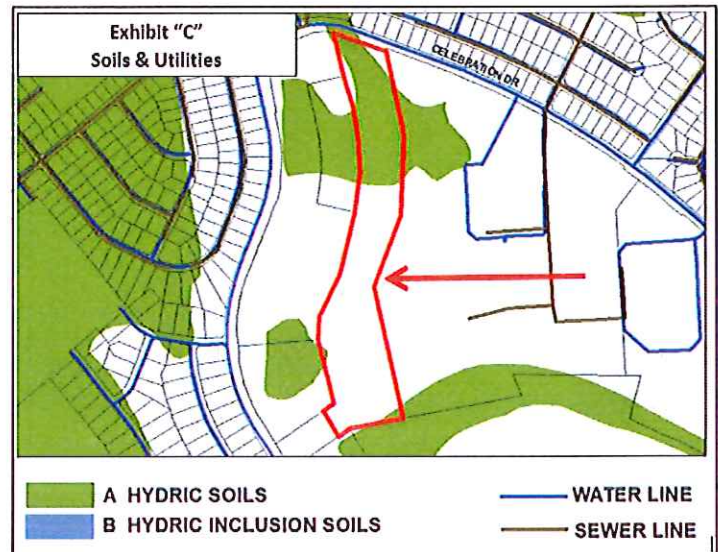


EXISTING LAND USE: Land is currently vacant woodland. Exhibit "B" shows the existing use of the subject property.

SURROUNDING LAND USE: Exhibit "B" illustrates the following:

- **North:** Single family residential neighborhood
- **East:** Grays Creek High School
- **West:** Wooded lands and single-family residential neighborhoods
- **South:** Wooded lands and farmland

OTHER SITE CHARACTERISTICS: The site is not located in a Watershed or within a Flood Zone Hazard Area. The subject property, as delineated in Exhibit "D", illustrates presence of hydric soils at the northern third of the property.



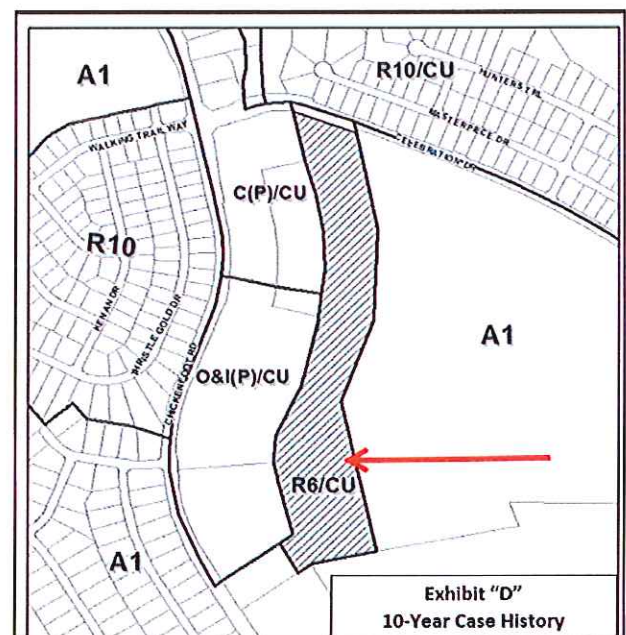
TEN YEAR ZONE CASE HISTORY:

Exhibit "E" denotes the location of the 10-year zoning case history described below. There is no case history for this area

DEVELOPMENT REVIEW:

Applicant has submitted a site plan addressing submittal requirement pursuant to Zoning Ordinance Section 1402, as well as the additional review criteria of Zoning Ordinance Sections 1102 & 1202. The proposed site plan has been submitted also addressing submittal requirements pursuant to Subdivision Ordinance Section 2401.

-Applicant has reviewed conditions presented by Current Planning Staff (Attachment F)



DIMENSIONAL PROVISIONS FOR REQUESTED DISTRICT:

Minimum Standard	R6/CU (Existing Zoning)	R5 (Zoning)	R5/CZ (Proposed)
Front Yard Setback	25 ft	25 ft	As shown on site plan and within the conditions of approval – see below.
Side Yard Setback	10 ft (one story) 12 ft (two story)	10 ft (one story) 10 ft (two story); rises w/additional stories	
Rear Yard Setback	30 ft	30 ft	
Lot Area	6,000 sq ft	5,000 sq.ft., then varies by unit count	
Lot Width	60 ft	60 ft	

Project Setbacks:

Setback Standards. Minimum setback standards for this residential development – for both the single family and multi-family lots --shall be:

Grey's Creek High School Property Line --	Building or garage --	21 feet
	All other --	30 feet
South property line --	Building or garage --	30 feet
	All other --	50 feet
Celebration Drive ROW --	Building or accessory structure ---	50 feet
Western property line --	Building, garage, or accessory structure-	21 feet

DEVELOPMENT POTENTIAL:

Existing Zoning (R6/CU)	Zoning (R5)*	Proposed Conditional Zoning (R5\CZ)**
174 dwelling units	468 dwelling units	264 Units

(*) Estimated lot yield based on the following calculation

- Assumes 80% of land is usable for development after exclusion of potential area for roads and drainage.
- Calculation: $(\text{total developable area times } 0.8) / \text{minimum lot size for zone district}$.
- Section 202 (A): Lot count may be rounded-up when a fraction occurs. When any requirement of this ordinance results in a fraction of a unit, a fraction of one-half or more shall be considered a whole unit, and a fraction of less than one-half shall be disregarded.

(**) Based on the Conditional Zoning Site Plan

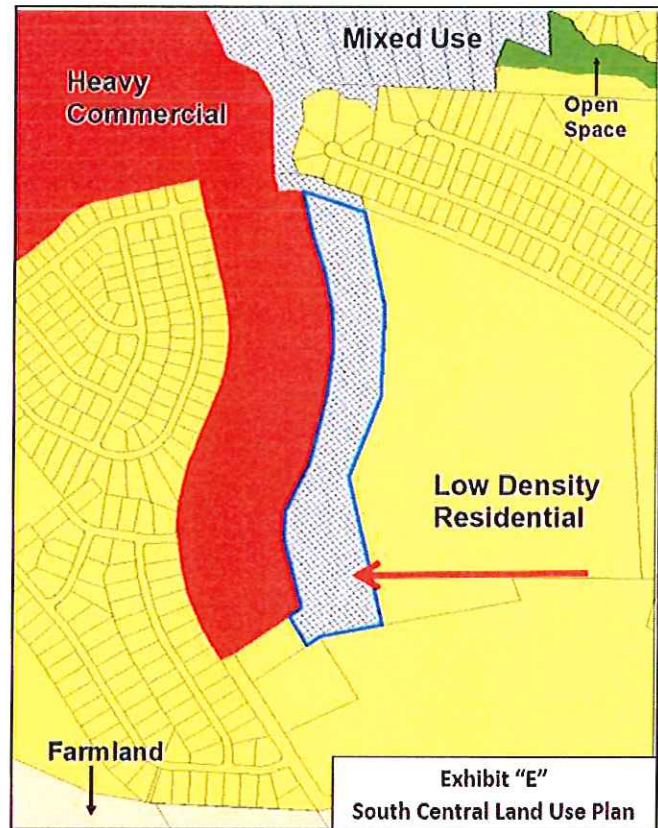
COMPREHENSIVE PLANS:

This property is located within the South-Central Land Use Plan (2015). The future land use classification of the property is "Mixed Use".

Associated zoning districts for this classification are: R5, MXD/CZ, C(P), C1(P), C2(P) and O&I(P). **The proposed rezoning request is consistent with the adopted Land Use Plan.**

Associated plan goals and policies that may be considered include the following:

- Promote the building of quality housing.
- Provide flexibility for mixed-use and higher density developments to locate close to existing or future commercial centers.
- Promote infill development.



IMPACTS ON LOCAL INFRASTRUCTURE AND/OR FACILITIES

UTILITIES: PWC water and sewer lines are available near the subject property. It is the applicant's responsibility to determine if this utility provider will serve their development. Utilities for water and sewer are shown on Exhibit "D". The project will be required to connect to the central water and sewer systems.

TRANSPORTATION: According to the Fayetteville Area Metropolitan Planning Organization (FAMPO), the subject property sits just east of the corner of Celebration Drive and Chickenfoot Road. Celebration Drive is identified as a local road in the Metropolitan Transportation Plan and Chickenfoot Road is identified as a major collector in the Metropolitan Transportation Plan. There are no roadway construction improvement projects planned and the subject property will have no significant impact on the Transportation Improvement Program.

In addition, Chickenfoot Rd has a 2020 AADT of 12,000 and an estimated road capacity of 15,800. Celebration Drive does not have a 2020 AADT nor does it have a road capacity listed. The trip generation of 264 multi-family housing is calculated below:

AM Peak: 74 trips, 17% entering, 83% exiting (264 dwelling units X average rate of 0.28 = 74 trips)
PM Peak: 84 trips, 63% entering, 37% exiting (264 dwelling units X average rate of 0.32 = 84 trips)

The proposed development will not generate enough traffic to place it over its current capacity of 15,800 and will not significantly impact Chickenfoot Rd.

SCHOOLS CAPACITY/ENROLLMENT:

School	Capacity	Enrollment
Galberry Farm Elementary	884	897
Gray's Creek Middle	1083	1125
Gray's Creek High	1517	1396

The proposed apartment complex abuts Greys Creek High School along the entire eastern project boundary line. Galberry Farm Elementary School is located one-quarter mile to the west of the temporary emergency road entrance to the apartment complex.

ECONOMIC DEVELOPMENT: Fayetteville Cumberland County Economic Development Corporation has reviewed the request and had no objection to the proposed request.

EMERGENCY SERVICES: Cumberland County Fire Marshal's office has reviewed the request and states that all applicable fire department access requirements must be met in accordance with Section 503 of the 2018 NC Fire Code & the fire protection water supply requirements must be met in accordance with Section 507 of the 2018 NC Fire Code.

SPECIAL DISTRICTS: The property is not located within the Fayetteville Regional Airport Overlay District or within five miles of Fort Bragg Military Base.

CONDITIONS OF APPROVAL: See Exhibit "F" for the Conditions of Approval and Conditional Zoning Site Plan. The applicant has reviewed and accepted these conditions.

STAFF RECOMMENDATION

In Case ZON-22-0072, Planning and Inspections staff **recommends approval** of the rezoning request from R6/CU Residential District Conditional Use to R5/CZ Residential Conditional Zoning District. Staff finds the request is consistent with the South-Central Land Use Plan which calls for "Mixed Use" at this location. Staff also finds that the request is reasonable and in the public interest as it is compatible to and in harmony with the surrounding land use activities and zoning.

Attachments: Notification Mailing List; Application; Access Agreement

Exhibit "F"
Conditions of Approval
ZON-22-0072

ZON-22-0072: Rezoning from R6 Residential District / CU Conditional Use Zoning to R5 Residential District / CZ Conditional Zoning or to a more restrictive zoning district for 20.48 +/- acres; located off Celebration Drive, east of Chicken Foot Road

The property delineated with Exhibit "A" is subject to the following conditions:

A. Applicability: All use and development of the property applicable to this Conditional Zoning (ZON-22-0072) and as delineated in Exhibit "A" shall occur consistent with the standards and requirements of the R5 Residential Zoning District unless otherwise stated herein. If any standards herein are inconsistent with the Zoning or Subdivision ordinance, the conditions set forth herein shall supersede and apply to the development of the property delineated in Exhibit "A." If not expressly stated herein the R5 Residential standards shall apply.

B. Permitted and Prohibited Uses.

1. Use of the site is limited to 264 multi-family units and accessory structures as shown on the Conditional Zoning Site Plan appearing in Exhibit "A".

C. Development Standards.

1. Setback Standards. Minimum setback standards for this residential development – for both the single family and multi-family lots --shall be:

Grey's Creek High School Property Line -- Building or garage -- 21 feet
All other -- 30 feet

South property line -- Building or garage -- 30 feet
All other -- 50 feet

Celebration Drive ROW – Building or accessory structure --- 50 feet

Western property line -- Building, garage, or accessory structure -- 21 feet

Minimum distance between buildings shall be determined by building code.

2. Accessory structure: garage/storage buildings and the office/club house/pool facility shall have minimum setback as shown on the conditional zoning site plan. Any other accessory structures shall follow the minimum setback standards for the R5 zoning district.
3. Signage for this development be in accordance with the applicable sign regulations as set forth in Article IX of the County Zoning Ordinance and that the proper permit(s) be obtained prior to the installation of any permanent signs on the property. Note: This conditional approval is NOT approval for the size, shape, or location of any signs.

D. Infrastructure and Utilities

1. Water and Sewer:

- a. A building must be connected to connected to central water and sewer prior before issuance of a certificate of occupancy.
- b. Authorization for wastewater system construction required before other permits to be issued. The County Health Department must approve sewer plans. Lots not served by public sewer systems are required to be large enough and of such physical character to comply with the Health Department's minimum standards. Site and soil evaluations must be conducted on the property by the County Environmental Health Department. A copy of the Health Department approval must be provided to Code Enforcement. (Note: All Health Department requirements must be met prior to issuance of final permits.) (NCGS § 130A-338 & Sec. 2306 A, County Subdivision Ord. & Sec. 1101.E, County Zoning Ord.)

2. Roads/Access:

- a. The developer must obtain a driveway permit from the NC Department of Transportation prior to construction of the driveway.
- b. The proposed emergency access connecting to Chickenfoot Road shall be permanent unless changed to a public road in the future or if its relocation is approved by the Current Planning Division. The emergency access driveway shall be designed and constructed according to minimum standards set forth in Chapter V, Section 503 of the State Fire Code: 20 foot wide, 13.6 foot high clearing; capable of supporting at minimum a 75,000 lbs. vehicle in all-weather driving conditions, provides a suitable turnaround area in the form of a cul-de-sac or hammerhead at the end of the access driveway; and as further described in Section 503 and by the County Fire Marshal. The secondary access must be constructed and established prior to issuance of a certificate of occupancy for the building holding the 100th residential unit.
- c. Off-Site Road Improvements. Turn lanes may be required by the NC Department of Transportation (NCDOT). [Art. XIV, County Zoning Ord. & NCGS § 136-18(5) & § 136-93]. Developer must coordinate with NCDOT prior to submittal of any preliminary subdivision plan regarding off-site road improvements.

3. Stormwater and Drainage:

- a. New development where the developer will disturb or intends to disturb more than one acre of land is subject to the Post- Construction Stormwater Management Permitting Program (Phase II Stormwater Management Requirements) administered by the Division of Water Quality, North Carolina Department of Environmental Quality. If one acre or more of land is to be disturbed, prior to the issuance of any building/zoning permits for this site, a copy of the State's *Post-Construction Permit* must be provided to County Code Enforcement.
- b. For any new development, an adequate drainage system must be installed by the developer in accordance with the NC Department of Environmental Quality (NCDEQ) *Manual on Best Management Practices* and all drainage ways must be kept clean and free of debris. (Section 2307.A, County Subdivision Ord.) The homeowner's association shall be responsible for maintain all stormwater facilities unless otherwise required by the NCDEQ.
- c. In the event a stormwater utility structure is required by the NC Department of Environmental Quality (NCDEQ), the owner/developer must secure the structure with a four-foot-high fence with a lockable gate and is required to maintain the detention/retention basin, keeping it clear of debris and taking measures for the prevention of insect and rodent infestation. (Sec. 1102.O, County Zoning Ord.)

d. Prior to permit application, the developer must provide to the Code Enforcement Section documentation of NC Department of Environmental Quality Division of Energy, Mineral and Land Resources' (NCDEQ DEMLR) approval of the Sedimentation and Erosion control plan for this project. NCDEQ DEMLR requires a Sedimentation and Erosion control plan be submitted and approved 30 days prior to land disturbing activities if said land disturbing activity will exceed one acre

If a plan is not required, per 15ANCAC 04B.0105 "Person conducting land disturbing activity shall take all reasonable measures to protect public and private property from damage cause by such activities." Sedimentation and erosion control measures will need to be installed to protect adjacent properties. [Sec. 4-8(b)(6), County Code; originally under County jurisdiction relinquished to NCDEQ around 2000]

4. Other Utilities.

a. For new development, all utilities, except for 25kv or greater electrical lines, must be located underground. (Section 2306.C, County Subdivision Ord.) That any lighting used to illuminate off-street parking areas shall be subject to the same standards as listed in Section 1102.M.

b. That garbage collection be provided in a manner approved by the County Environmental Health Department. Dumpsters shall be located on a concrete pad and screened around three sides at minimum.

F. Development Review Process.

1. That the owner(s)/developer(s) of these lots obtain detailed instructions on permits required to place a structure within this development from the Inspections Department at 130 Gillespie Street Room 106. The Inspections Department will need a copy of the approved condition sheet and map for additional information.
2. Prior to any clearing or grading of the subject property, a group development permit and site plan must be approved by the County Current Planning Section. A construction phasing plan shall be provided with the group development site plan and shall identify construction staging areas.
3. No occupancy permit be issued until the zoning administrator inspects the site and certifies that the site is developed in accordance with plans.

G. Plat-Related. If a plat is required, the following must be met by the developer/owner:

1. All building footprints shall be shown on the final plat and all common areas, recreation areas and facilities shall be labeled on the final plat.
2. That the final plat must be submitted to Planning Staff for review and approval for recording; and that the plat must be consistent with the conditional zoning site plan and the group development site plan. The final plat must be recorded prior to any permit application on any structure and/or prior to the sale of any lot or unit in this development.
3. That any/all easements appear on the final plat.

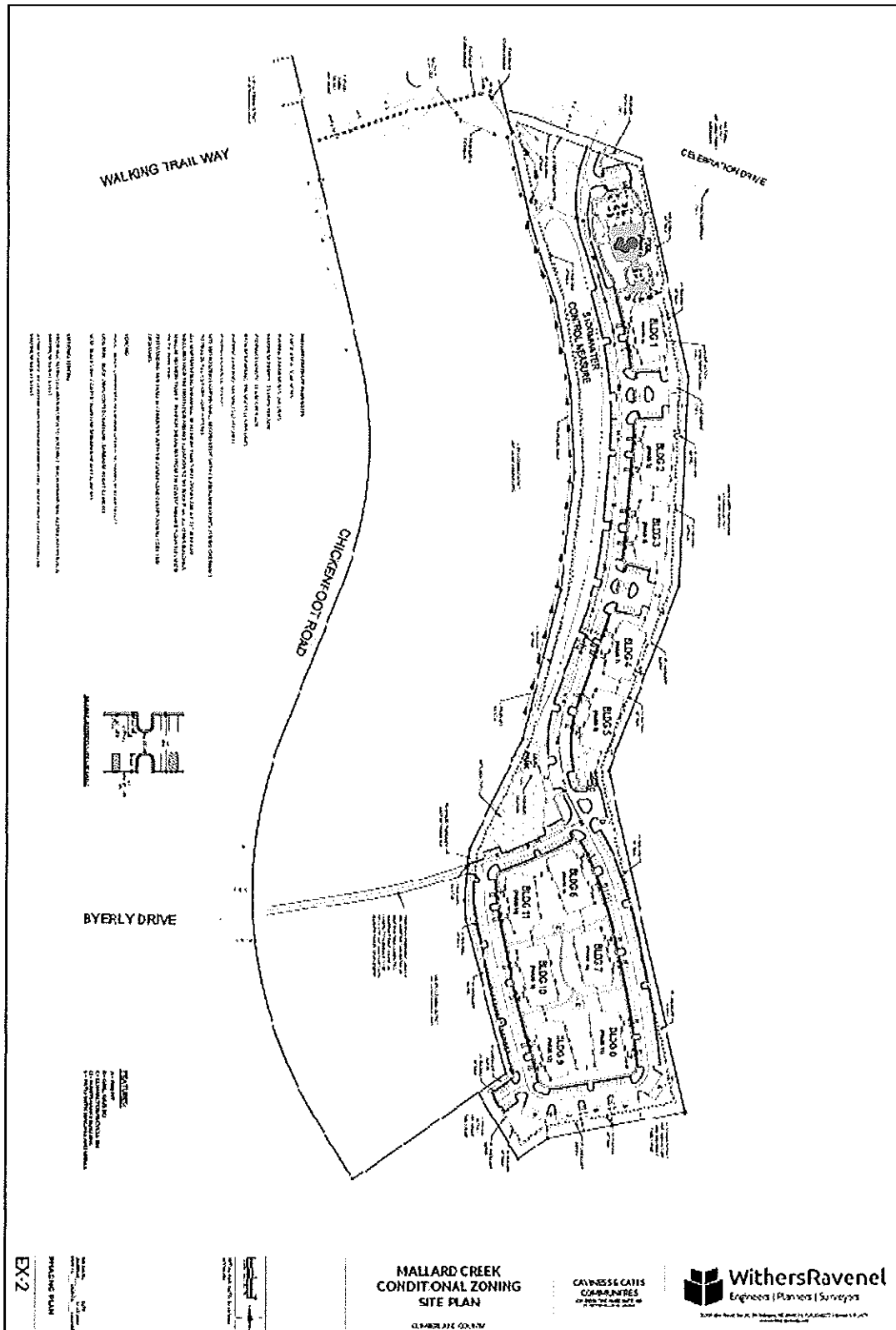
H. Other Conditions.

1. Use and Development Conditions. This conditional zoning and the site plan conditions of approval are not to be construed as all-encompassing of the applicable rules, regulations, etc., which must be complied with for any development. Other regulations, such as building, environmental, health, State agencies, and so forth, may govern the specific development. The developer is the

responsible party to ensure full compliance with all applicable Federal, State, and local regulations.

2. This conditional approval is contingent upon continued compliance with the County's Zoning and Subdivision Ordinance. the conditions set forth herein, including applicable NC State Statue 160-D requirements.
3. All modifications, including changes in use and/or increase in density, to approved Conditional Zoning districts, other than those listed below, shall be reviewed in the same manner as a new project (Cumberland County Zoning Ordinance, Section 506).
4. A site-specific address and tax parcel number be provided at the time of building/zoning permit application.
5. A phased development, phase two and subsequent phases be recorded showing the changes of the number of units for buildings 2-11, to include garages and parking spots allotted.

**EXHIBIT "A" of the CONDITIONS OF APPROVAL
CONDITIONAL USE SITE PLAN**



ATTACHMENT – ACCESS AGREEMENT

From: Prewitt Land Company, LLC
2126 Cypress Lakes Road
Hope Mills, NC 28348

October 4th, 2022

To: Watson Caviness
639 Executive Place, Suite 400
Fayetteville, NC 28305

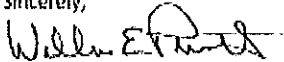
RE: Cross Access Agreement, Tax Parcel 0422762439000, 20.43 acs

Dear Mr. Caviness,

Please accept this letter as an agreement from Prewitt Land Company, LLC to provide an access easement through the parcel 0422762439000.

The access easement will be established through a formal agreement and exhibit to be recorded with the Cumberland County Registrar of Deeds at the time of site plan or rezoning approval. The easement will stay in place until such time when the property is developed to its intended use of commercial. When the parcel is developed, the cross-access easement will be honored.

Sincerely,



Prewitt Land Company, LLC, member

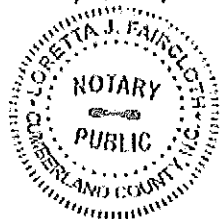
Cumberland County, North Carolina

I certify that the following person(s) personally appeared before me this day, each acknowledging to me that he or she sign the foregoing document:

William E. Prewitt

Name of principal

Date: October 4, 2022



Official Signature of Notary

Loretta J. Faircloth, Notary Public

My commission expires June 8, 2023

ATTACHMENT – MAILING LIST

PREWITT LAND CO LLC
2126 CYPRESS LAKES RD
HOPE MILLS, NC 28348

SHIRLEY MOORE; JONTHAN R. HAIR
1104 MASTERPIECE DR
HOPE MILLS, NC 28348

KAREN B. HILL
1208 MASTERPIECE DR
HOPE MILLS, NC 28348

JAMES P. GROSS; LISA A. GROSS
1188 HUNTERS TRL
HOPE MILLS, NC 28348

JEROME L ROUSE
625 TORHUNTA DR
HOPE MILLS, NC 28348

JILLIAN R. THOMPSON
1112 MASTERPIECE DR
HOPE MILLS, NC 28348

JASON F GONZALES; JOSIE ROJAS
1017 THISTLE GOLD DR
HOPE MILLS, NC 28348

TYLER L BRANSCOM; GENIFER BRANSCOM
1135 MASTERPIECE DR
HOPE MILLS, NC 28348

CHRISTOPHER MOSSE; JEWELS GROVE
517 TORHUNTA DRIVE
HOPE MILLS, NC 28348

5490 CELEBRATION DRIVE LLC
5490 CELEBRATION DR
HOPE MILLS, NC 28348

THOMAS H BARBER; SILVIA P BARBER
1127 MASTERPIECE DR
HOPE MILLS, NC 28348

DAMON C AUBIN; CARSON A AUBIN
1184 HUNTERS TRL
HOPE MILLS, NC 28348

JEFFREY EVENS; DIANA BROWN-EVENS
1209 MASTERPIECE DR
HOPE MILLS, NC 28348

BIRCHWOOD FARMS INC
2126 CYPRESS LAKES RD
HOPE MILLS, NC 28348

ERIC J DERCOLE
1111 MASTERPIECE DR
HOPE MILLS, NC 28348

ANTHONY F PILLOT; ROSALINA PILLOT
605 TORHUNTA DR
HOPE MILLS, NC 28348

KENNETH L HOWARD; NURECINE L
HOWARD
5310 GENERATOR LN
HOPE MILLS, NC 28348

DONALD J KULP; BARBARA J KULP
1021 THISTLE GOLD DR
HOPE MILLS, NC 28348

RONNIE M HOLLAND; PATSY T HOLLAND
1132 MASERPIECE DR
HOPE MILLS, NC 28348

DANNY GLEATON; MARGARET GLEATON
3022 POLLY ISLAND RD
AUTRYVILLE, NC 28348

CYNTHIA B OSGOOD
621 TORHUNTA DR
HOPE MILLS, NC 28348

MARK W COBB; SUTASINI N COBB
1100 MASTERPIECE DR
HOPE MILLS, NC 28348

FRANK A VILLAR; MEGAN J VILLAR
1105 MASTERPIECE DR
HOPE MILLS, NC 28348

PAUL ANTHONY REBULTAN
1119 MASTERPIECE DR
HOPE MILLS, 28348

MARK T ABENDSCHEIN; BELINDA A
ABENDSCHEIN
5499 WALKING TRAIL WAY
HOPE MILLS, NC 28348

LEO WAITE; NANCY WAITE
2021 BRAXTON ST
CLERMONT, FL 34711

JOSHUA DELGADO; CARISSA R DELGADO
1128 MASTERPIECE DR
HOPE MILLS, NC 28348

CHARLIE SMALL JR; ELENITA SMALL
1013 THISTLE GOLD DR
HOPE MILLS, NC 28348

TERRY DANIELS; MIRANDA DANIELS
1005 THISTLE GOLD
HOPE MILLS, NC 28348

TINA C NELSON
521 TORHUNTA DR
HOPE MILS, NC 28438

ATTACHMENT – MAILING LIST

CAROLINIAN PROPERTIES INC
639 EXECUTIVE PL 400
FAYETTEVILLE, NC 28305

MARSHALL BARNETTE; TERRI MARLEY
1579 CHICKEN FOOT RD
HOPE MILLS, NC 28348

BRYNTON E HESTER; KATHRYN N HESTER
1123 MASTERPIECE DR
HOPE MILLS, NC 28348

PAULA A JOHNSON; ROSEANNE M
JOHNSON
1202 HUNTERS TRL
HOPE MILLS, NC 28348

TOMI KING; WILLASEANIA KING
1101 MASTERPIECE DR
HOPE MILLS, NC 28348

GERARD E WINFREY; SHERION B WINFREY
1115 MASTERPIECE DR
HOPE MILLS, NC 28348

LEOTIS BELL; RENIE D BELL
1205 MASTERPIECE DR
HOPE MILLS, NC 28348

JEFFREY F MONROE; KAREN R MONROE
1131 MASTERPIECE DR
HOPE MILLS, NC 28348

TEAM INVESTORS IN
120 WESTLAKE RD 4B
FAYETTEVILLE, NC 28306

JOHN D FARBY; ANGEL FABRY
1120 MASTERPIECE DR
HOPE MILLS, NC 28348

MARK R LUPTON; LAURA L LUPTON
1025 THISTLE GOLD DR
HOPE MILLS, NC 28348

MICHAEL B CLARK; SHANNON D CLARK
1029 THISTLE GOLD DR
HOPE MILLS, NC 28348

THOMAS M STOVALL; AMY G STOVALL
1204 MASTERPIECE DR
HOPE MILLS, NC 28348

MATTHEW SHAWON PUHR; LISA PUHR
1212 MASTERPIECE DR
HOPE MILLS, NC 28348

ARMANDO RUIZ JR; GABRIELA E RUIZ
1009 THISTLE GOLD DR
HOPE MILLS, NC 28348

ESTERLENE LILLY
7010 KALMIA LN
HOPE MILLS, NC 28348

CUMBERLAND COUNTY BD OF ED
PO BOX 2357
FAYETTEVILLE, NC 28302

JOSE YE TRUSTEE; NILDA YE TRUSTEE
921 RIVERA ST
SAN FRANCISCO, CA 94116

AMBER TILLMAN MORROW
609 TORHUNTA DR
HOPE MILLS, NC 28348

MCNEIL FARM I LLC
1471 CLIFTON MCNEIL RD
HOPE MILLS, NC 28348

JEOL M RAINEY
1116 MASTERPIECE DR
HOPE MILLS, NC 28348

SOUTHEASTERN REGIONAL MEDICAL
CENTER
300 W. 27TH ST
LUMBERTON, NC 28358

MARY GAINEY
3314 FIRE DEPT RD
HOPE MILLS, NC 28348

JOSLYN DIXON
5498 WALKING TRAIL WAY
HOPE MILLS, NC 28348

DAVID K SHOEMAKER; KATIE C SHOEMAKER
1192 HUNTERS TRL
HOPE MILLS, NC 28348

VIEMARIE FLORES
617 TORHUNTA DR
HOPE MILLS, NC

SHAWN E LUDLUM; ROBIN H LUDLUM
1216 MASTERPIECE DR
HOPE MILLS, NC 28348

DAVID LEE SYLVESTER; AMY M SYLVESTER
1108 MASTERPIECE DR
HOPE MILLS, NC 28348

RUSSELL LUGO; NAOMI LUGO
18 E 37TH ST
PATTERSON, NJ 07514

ATTACHMENT: APPLICATION



County of Cumberland

Planning & Inspections Department

APPLICATION FOR CONDITIONAL ZONING DISTRICT REZONING REQUEST CUMBERLAND COUNTY ZONING ORDINANCE

CASE #: _____

PLANNING BOARD
MEETING DATE: _____

DATE APPLICATION
SUBMITTED: _____

RECEIPT #: _____

RECEIVED BY: _____

Upon receipt of this application (petition), the Planning and Inspections Staff will present to the Planning Board the application at a hearing. In accordance with state law and board's policy, a notice of the hearing will be mailed to the owners of the adjacent and surrounding properties, which may be affected by the proposed Conditional Zoning. In addition, a sign will be posted on the property.

The Planning Board will make a recommendation to the Cumberland County Board of Commissioners concerning the request. The Board of Commissioners will schedule a public hearing and issue a final decision on the matter. Generally, the Commissioners will hold the public hearing four weeks following the Planning Board meeting. The Conditional Zoning District is not effective until the request is heard and approval granted by the Board of Commissioners.

The following items are to be submitted with the completed application:

1. A copy of the recorded deed and/or plat,
2. If a portion of an existing tract is/are being submitted for rezoning, an accurate written legal description of only the area to be considered;
3. A copy of a detailed site plan drawn to an engineering scale, showing the location of all buildings, yard dimensions, driveways, fencing, lighting parking areas, landscaping, and all other pertinent data to the case; and
4. A check made payable to the "Cumberland County" in the amount of \$ 500.00 (See attached Fee Schedule)

NOTE: Any revisions, inaccuracies or errors to the application or site plan may cause the case to be delayed and will be scheduled for the next available Board meeting according to the Board's meeting schedule. Also, the application fee is *nonrefundable*.

The Planning and Inspections Staff is available for advice on completing this application; however, they are not available for completion of the application or preparation of the site plan. For questions call (910)678-7603 or (910) 678-7602. Hours of operation are 8:00 a.m. to 5:00 p.m., Monday through Friday.

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, as hereinafter requested, the following facts are submitted:

1. Applicant/Agent WithersRavenel
2. Address: 137 S. WILMINGTON ST #200, RALEIGH, NC Zip Code 27601
3. Telephone: (Home) _____ (Work) 919-469-3340
4. Location of Property: 0 CELEBRATION DR
5. Parcel Identification Number (PIN #) of subject property: 0422-76-7202
(also known as Tax ID Number or Property Tax ID)
6. Acreage: 20.48 ac Frontage: ~385 ft Depth: ~2,600 ft
7. Water Provider: PWC Septage Provider: PWC
8. Deed Book 6338, Page(s) 0785-0788, Cumberland County Registry. (Attach copy of deed of subject property as it appears in Registry).
9. Existing use of property: Vacant
10. Proposed use(s) of the property: Multi-family dwellings

NOTE: Be specific and list all intended uses.

11. Do you own any property adjacent to, including across the street from, the property being submitted for rezoning? Yes _____ No X
12. Has a violation been issued on this property? Yes _____ No X
13. It is requested that the foregoing property be rezoned FROM: R6 CU

TO: (Select one)

- X _____ Conditional Zoning District, with an underlying zoning district of R5
(Article V)
- _____ Mixed Use District/Conditional Zoning District (Article VI)
- _____ Planned Neighborhood District/Conditional Zoning District (Article VII)
- _____ Density Development/Conditional Zoning District, at the _____ Density
(Article VIII)

APPLICATION FOR
CONDITIONAL ZONING

1. PROPOSED USE(S):

- A. List the use(s) proposed for the Conditional Zoning. (Use of the underlying district will be restricted only to the use(s) specified in this application if approved.)

Please see the attached list of Proposed uses.
15 units per acre Maximum Density.

- B. Density: List the amount of acreage that will be residential, commercial, and/or open space, and the number of lots and/or dwelling units proposed, and the square footage of the non-residential units.

20.48 acres of residential units. 264 dwelling units proposed.
Approximately 12.89 units/acre.

2. DIMENSIONAL REQUIREMENTS:

- A. Reference either the dimensional requirements of the district, Sec. 1104 or list the proposed setbacks.

The proposed site shall meet the dimensional requirements of the proposed underlying district (R5) per Sec. 1104 of the Cumberland County Zoning Ordinance.

- B. Off-street parking and loading, Sec. 1202 & 1203: List the number of spaces, type of surfacing material and any other pertinent information.

569 spaces proposed. Off-street parking spaces, drive areas and entrances to any structure shall be designed and constructed to the standards of the N.C. Building Code, or other applicable Federal, State or local regulation.

3. SIGN REQUIREMENTS:

Reference the district sign regulations proposed from Article XIII.

The proposed site shall meet the requirements of Article XIII Sign Regulations of the Cumberland County Zoning Ordinance.

4. **LANDSCAPE AND BUFFER REQUIREMENTS:**

- A. For all new non-residential and mixed use development abutting a public street, indicate the number and type of large or small ornamental trees used in the streetscape, yard space, and/or parking areas, plus the number and type of shrubs. (Sec. 1102N). **NOTE: All required landscaping must be included on the site plan.**

No trees required, only multi-family dwellings proposed. The required landscaping will be included on the site plan for Multi-family dwellings. A preliminary site plan is included showing landscape buffers.

- B. Indicate the type of buffering and approximate location, width and setback from the property lines. (Sec. 1102G). **NOTE: All required buffers must be included on the site plan.**

Please see the preliminary site plan. Buffers are located along the perimeter as shown on the preliminary site plan:

5. **MISCELLANEOUS:**

List any information not set forth above, such as the days and hours of the operation, number of employees, exterior lighting, noise, odor and smoke, emission controls, etc.

No additional information. The proposed use is multi-family buildings and as such the site will be consistent with the Zoning Ordinance, (lighting, parking, setbacks, height, etc).

6. **SITE PLAN REQUIREMENTS:**

The application must include a site plan drawn to the specifications of Sec. 1402. If the proposed uses involve development subject to the County Subdivision Ordinance, the site plan required may be general in nature, showing a generalized street pattern, if applicable, and the location of proposed uses. If the proposed uses include development not subject to the Subdivision Ordinance, the site plan must be of sufficient detail to allow the Planning and Inspections Staff, Planning Board and County Commissioners to analyze the proposed uses and arrangement of uses on the site. It also must include the footprints of all buildings (proposed and existing), the proposed number of stories, location and number of off-street parking and loading spaces, proposed points of access to existing streets and internal circulation patterns. In addition, the location of all proposed buffers and fences and landscaping shall be included on the site plan.

7. STATEMENT OF ACKNOWLEDGMENT:

It is understood by the undersigned that the official zoning map, as originally adopted and subsequently amended, is presumed to be appropriate to the property involved and that the burden of proof for a zoning amendment (rezoning) rest with the petitioner.

It is the responsibility of the petitioner (personally or by agent) to submit to the Planning and Inspections Department a valid request within a complete application.

I further understand I must voluntarily agree to all ordinance related conditions prior to the first hearing on the case or any disagreement may be cause for an unfavorable recommendation. The undersigned hereby acknowledge that the Planning and Inspections Staff has conferred with the petitioner or assigns, and the application as submitted is accurate and correct.

CAROLINIAN PROPERTIES INC

NAME OF OWNER(S) (PRINT OR TYPE)

639 EXECUTIVE PL 400, FAYETTEVILLE, NC 28305

ADDRESS OF OWNER(S)

Casey@cavinessandcates.com
E-MAIL

HOME TELEPHONE

910-481-0503
WORK TELEPHONE

SIGNATURE OF OWNER(S)

Watson Caviness

SIGNATURE OF OWNER(S)

WithersRavenel, June Cowles Senior Planner

NAME OF AGENT, ATTORNEY, APPLICANT (by assign) (PRINT OR TYPE)

137 S. WILMINGTON ST #200, RALEIGH, NC 27601

ADDRESS OF AGENT, ATTORNEY, APPLICANT

HOME TELEPHONE

919-469-3340
WORK TELEPHONE

jcowles@withersravenel.com

E-MAIL ADDRESS

FAX NUMBER

Cowles, June

Digitally signed by Cowles, June
DN: E=jcowles@withersravenel.com, CN="Cowles, June",
OU=Raleigh, OU=WRUsers, DC=wrinternal01, DC=com
Date: 2022.09.13 07:47:08-0400

SIGNATURE OF AGENT, ATTORNEY, OR APPLICANT

Proposed Permitted Uses:

Accessories Uses, (Incidental to any permitted use)

Bed and Breakfast

Dwelling Multiple Family and Single

Fire Station/Emergency Services

Home Occupation (Incidental)

Library

Public Utilities/Substation

Religious Worship Activities

Schools

Swimming Pools (Incidental to principal use)

Proposed Uses that Require Special Use Permits:

Assemblies, Community assembly hall, armory, stadium, coliseum, community centers, etc)

Club or Lodge

Daycare Facility

Nursing Home/Convalescent Home/Hospital/Retirement Home

Recreation or Amusement Public/Private

Tower

Ad Preview

PUBLIC NOTICE

The Cumberland County Board of Commissioners will meet at 6:45 p.m. on December 19, 2022, in room 118 of the County Courthouse at 117 Dick Street to hear the following:

ZON-22-0043: Rezoning A1 Agricultural Dis. to RR Rural Residential/CZ Conditional Zoning Dis. or a more restrictive zoning dis., 106.75 +/- ac.; east of Hummingbird Pl and west of Maxwell Rd; George Rose (applicant) Astrakel International Ltd (owner).

ZON-22-0064: Rezoning A1 Agricultural Dis. to R15 Residential Dis/CZ Conditional Zoning or a more restrictive zoning dis., 5.47 +/- ac.; 1376 & 1384 Cypress Lakes Rd and two abutting properties, Michael Adams (applicant), Ricky & Tina Nelson (owner).

ZON-22-0072: Rezoning R6 Residential Dis/CU Conditional Use to R5 Residential / CZ Conditional Zoning or a more restrictive zoning dis., 20.48 +/- ac.; off Celebration Drive, East of Chicken Foot Rd; June Cowles (applicant), Carolinian Properties Inc (owner).

ZON-22-0074: Rezoning R6 Residential Dis., C3 Commercial Dis. & C(P) Commercial Dis. to C(P) Commercial/CZ Conditional Zoning or a more restrictive zoning dis., 5.51 +/- acres; West of Gillespie St., South of Moody St; Renold Hammond (applicant), Annette Autry Trust (owner).

8120613 12/5 12/12/22



PLANNING AND INSPECTIONS DEPARTMENT

**MEMORANDUM FOR BOARD OF COMMISSIONERS AGENDA OF DECEMBER 19,
2022**

TO: BOARD OF COUNTY COMMISSIONERS

FROM: CUMBERLAND COUNTY JOINT PLANNING BOARD

DATE: 12/8/2022

SUBJECT: CASE ZON-22-0074

BACKGROUND

ZON-22-0074: Rezoning from R6 Residential, C3 Heavy Commercial and C(P) Planned Commercial Districts to C(P) Planned Commercial District/CZ Conditional Zoning or to a more restrictive zoning district for 5.51 +/- acres; located West of Gillespie Street, South of Moody Street; submitted by Ronald Hammond (applicant) on behalf of Annette Autry Trust (owner).

RECOMMENDATION / PROPOSED ACTION

Planning Board Action: Recommended approval of the rezoning request from R6 Residential District, C3 Heavy Commercial District, and C(P) Planned Commercial District to C(P)/CZ Planned Commercial District Conditional Zoning at their November 15, 2022 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 ZON-22-0074, Planning and Inspections staff recommends approval of the rezoning request from R6 Residential District, C3 Heavy Commercial District, and C(P) Planned Commercial District to C(P)/CZ Planned Commercial District Conditional Zoning. Staff finds the request is consistent with the Southwest Cumberland Land Use Plan which calls for "Heavy Commercial" at this location. Staff also finds that the request is reasonable and in the public interest as it is compatible to and in harmony with the surrounding land use activities and zoning.

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 ZON-22-0074, I move to approve the rezoning request from R6 Residential District, C3 Heavy Commercial District, and C(P) Planned Commercial District to C(P) Planned Commercial District/CZ Conditional Zoning. The Board finds the request is consistent with the Southwest Cumberland Land Use Plan which calls for “Heavy Commercial” at this location. The request is reasonable and in the public interest as it is compatible to and in harmony with the surrounding land use activities and zoning.

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 ZON-22-0074, I move to deny the rezoning request from R6 Residential District, C3 Heavy Commercial District, and C(P) Planned Commercial District to C(P) Planned Commercial District/CZ Conditional Zoning and find that the request is not consistent with the Southwest Cumberland Land Use Plan. The request is not reasonable or in the public interest because _____.

ATTACHMENTS:

Description	Type
Case ZON-22-0074	Backup Material

Amy H. Cannon
County Manager

Tracy Jackson
Assistant County Manager



Rawls Howard
Director

David Moon
Deputy Director

Planning & Inspections Department

DECEMBER 8, 2022

MEMO TO: Cumberland County Board of Commissioners

FROM: Cumberland County Joint Planning Board

SUBJECT: **ZON-22-0074:** Rezoning from R6 Residential, C3 Planned Commercial and C(P) Planned Commercial Districts to C(P) Planned Commercial District / CZ Conditional Zoning or to a more restrictive zoning district for 5.51 +/- acres; located West of Gillespie Street, South of Moody Street; submitted by Ronald Hammond (applicant) on behalf of Annette Autry Trust (owner).

ACTION: Recommended approval of the rezoning request from R6 Residential District, C3 Heavy Commercial District, and C(P) Planned Commercial District to C(P)/CZ Planned Commercial District Conditional Zoning at their November 15, 2022 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 NOVEMBER 15, 2022

In Case ZON-22-0074, Planning and Inspections staff recommends approval of the rezoning request from R6 Residential District, C3 Heavy Commercial District, and C(P) Planned Commercial District to C(P)/CZ Planned Commercial District Conditional Zoning. Staff finds the request is consistent with the Southwest Cumberland Land Use Plan which calls for "Heavy Commercial" at this location. Staff also finds that the request is reasonable and in the public interest as it is compatible to and in harmony with the surrounding land use activities and zoning.

In Case ZON-22-0074, Mrs. Moody made a motion, seconded by Mr. Baker to recommend approval of the rezoning request from R6 Residential District, C3 Heavy Commercial District, and C(P) Planned Commercial District to C(P)/CZ Planned Commercial District Conditional Zoning. Staff finds the request is consistent with the Southwest Cumberland Land Use Plan which calls for "Heavy Commercial" at this location. Staff also finds that the request is reasonable and in the public interest as it is compatible to and in harmony with the surrounding land use activities and zoning. The motion passed unanimously with Mr. Lloyd abstaining from the vote.

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.

Historic Cumberland County Courthouse | 130 Gillespie Street | P.O. Box 1829
Fayetteville, North Carolina 28301 | Phone: 910-678-7600 | Fax: 910-678-7631

cumberlandcountync.gov



NORTH CAROLINA
PLANNING & INSPECTIONS

PLANNING STAFF REPORT
REZONING CASE # ZON-22-0074
Planning Board Meeting: Nov.15, 2022

Location: West of Mountain Drive
Jurisdiction: County-Unincorporated

REQUEST

Rezoning R6, C3, & C(P) to C(P)/CZ

Applicant requests a rezoning from R6 Residential District, C3 Heavy Commercial District, and C(P) Planned Commercial District to C(P)/CZ Planned Commercial District Conditional Zoning for a 5.51 acre parcel located south of Charles Street, north of W. Mountain Drive and west of Gillespie Street, as shown in Exhibit "A". The applicant is proposing a trades contractor vehicle and dump truck parking for a business owned by the applicant. The property owner also owns a half-acre parcel that abuts the southwest corner of subject rezoning property, which is assigned a C3 Commercial zoning district. This parcel has approximately 105 lineal feet of frontage along W. Mountain Drive, allowing access to the rezoning property. The subject rezoning site also abuts Charles Street, but the applicant has indicated that this residential street will not be used by the proposed trade contractor yard, and the Conditions of Approval prohibit use of Charles Street. If the rezoning is approved for the 5.5 acre rezoning site, the applicant proposes to purchase both parcels. A conditional zoning site plan and conditions of approval appear in Exhibit "E" and "F", respectively.

PROPERTY INFORMATION

OWNER/APPLICANT: Ronald Hammond (Applicant) on behalf of Annette Autry Trustee (Owner).

ADDRESS/LOCATION: Refer to Exhibit "A", Location and Zoning Map. REID number: 0426909378000

SIZE: 5.51 +/- acres with 21.1 +/- feet along Gillespie Street. The property has a varying depth due to its rectangular shape but is approximately 1,182.61 +/- feet in length at its deepest point.

EXISTING ZONING: The buildable portion of the subject property is currently zoned R6 Residential District. C3 and C(P) zoning are located along the flagpole portion. The minimum lot size for the R6 district is 6,000 square feet. This district is designed for a mix of single- and multi-family dwellings.



EXISTING LAND USE: The parcel is currently vacant. Exhibit "B" shows the existing use of the subject property.

SURROUNDING LAND USE: Exhibit "B" illustrates the following:

- **North:** Single Family residential, Commercial, and Fayetteville City Limits
- **East:** Commercial, Fayetteville City Limits
- **West:** Commercial; truck storage yard
- **South:** Single Family residential, Commercial, and Fayetteville City Limits

Exhibit "B"
Existing & Surrounding Uses

DEVELOPMENT REVIEW: Site Plan review by County Planning & Inspections will be required before any development. This site plan must be consistent with the conditional zoning site plan.

DIMENSIONAL PROVISIONS FOR REQUESTED DISTRICT:

Minimum Standard	R6 (Existing Zoning)	C(P)/CZ (Proposed)
Front Yard Setback	25 feet	50 feet
Side Yard Setback	10 feet (one story) 12 feet (two story)	30 feet
Rear Yard Setback	30 feet	30 feet
Lot Area	6,000 sq. ft.	N/A
Lot Width	60'	N/A

Development Potential:

Existing Zoning (R6)	Proposed Zoning (C(P)/CZ)
32 dwelling units	N/A

- Assumes 80% of land is usable for development after exclusion of potential area for roads and drainage.
- Calculation: *(total developable area times 0.8)/minimum lot size for zone district.*
- Section 202 (A): Lot count may be rounded-up when a fraction occurs. When any requirement of this ordinance results in a fraction of a unit, a fraction of one-half or more shall be considered a whole unit, and a fraction of less than one-half shall be disregarded.

COMPREHENSIVE PLANS: This property is located within the Southwest Cumberland Land Use Plan (2013). The future land use classification of the property is "Heavy Commercial". An associated zoning district for this classification is C(P). **The proposed rezoning request is consistent with the adopted Land Use Plan.**

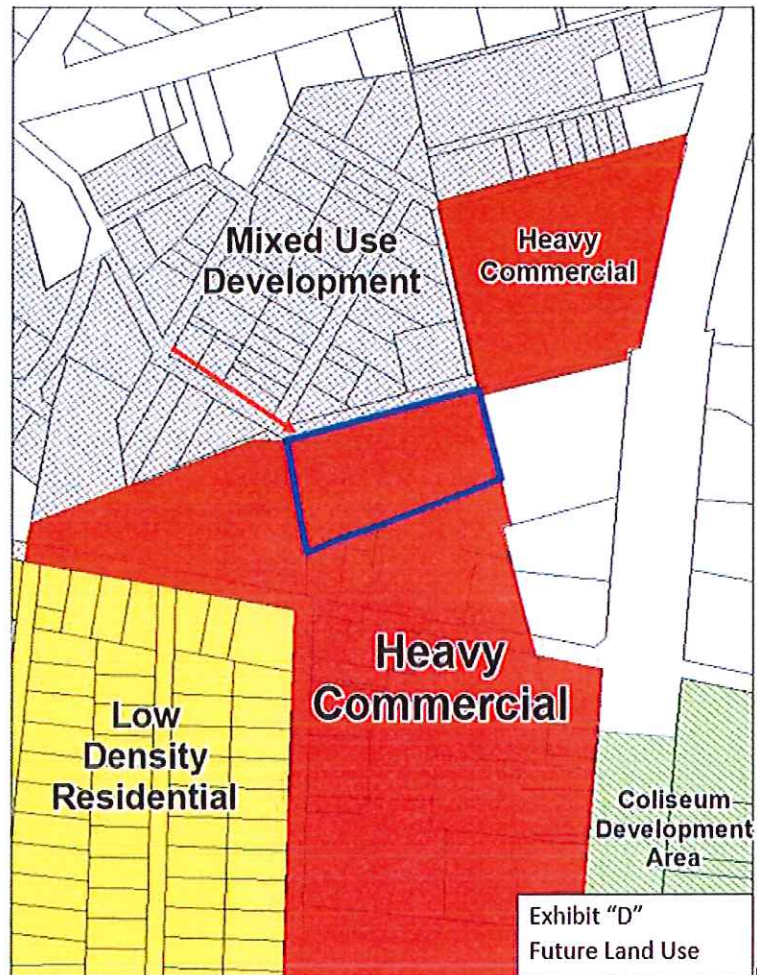
APPLICABLE PLAN GOALS/POLICIES:

Commercial Goal:

Create an atmosphere that supports existing and future commercial activities while complimenting the existing residential area; encourages and fosters economic development that is harmonious with the character of the area; respects environmentally sensitive areas; is well-designed and attractive; located in areas with sufficient infrastructure to support the type of commercial activities; and provides a range of commercial locations that accommodate market demands that meet the needs of area residents.

Objectives:

- Concentrate regional and community oriented commercial development in nodes at major intersections
- Commercial development must be constructed so as not to impact the privacy of residential areas on the ground or by air (height).
- All commercial development in an established residential area should be in harmony with the area in scale, size, appearance, and accessibility.



IMPACTS ON LOCAL INFRASTRUCTURE AND/OR FACILITIES

UTILITIES: PWC water and sewer utilities are available along the frontage of Gillespie Street and W. Mountain Drive. It is the applicant's responsibility to determine if this utility provider will serve their development. Utilities for water and sewer are shown on Exhibit "C".

TRANSPORTATION/ACCESS: Access to the 5.5 acre rezoning site, as shown in the conditional zoning site plan in Exhibit "E", will occur from a new driveway or street connection to W. Mountain Drive. The subject site also has 21 foot wide strip of land that connects to Gillespie Street, which could also likely be used for access.

The subject property sits on the corner of Gillespie St. and W. Mountain Drive. Gillespie Street is a local road in the Metropolitan Transportation Plan and W. Mountain Drive is a major collector in the Metropolitan Transportation Plan. There are no roadway construction improvement projects planned for Gillespie St. There are no roadway construction improvement projects planned for W. Mountain Drive, and the subject property will have no significant impact on the Transportation Improvement Program. In addition, here is no 2020 AADT for this portion of Gillespie St. However, the road capacity for this portion of Gillespie St. is 22,200. The 2020 AADT for W. Mountain Drive is 4300. However, the road capacity for W. Mountain Drive is 9800. Due to lack of data and the small scale, the new zoning request does not demand

a trip generation. The new development should not generate enough traffic to significantly impact Gillespie St. or W. Mountain Drive.

SCHOOLS CAPACITY/ENROLLMENT: This rezoning will not generate any additional school-age children; thus, no impact will occur on public school enrollment.

School	Capacity	Enrollment
Cumberland Road Elementary	461	287
Douglas Byrd Middle	768	699
Douglas Byrd High	1466	1159

ECONOMIC DEVELOPMENT: Fayetteville Cumberland County Economic Development Corporation has reviewed the request and had no objection to the proposed request.

EMERGENCY SERVICES: Cumberland County Fire Marshal's office has reviewed the request and stated to ensure all fire department access requirements are met in accordance with section 503 of the 2018 NC fire code, and to submit building plans to scale for new construction and building renovation.

SPECIAL DISTRICTS: The property is located within the Cumberland County Airport Overlay District and is located approximately 1.68 +/- miles from the airport runway. The property is not located within five miles of the Fort Bragg Military Base.

CONDITIONS OF APPROVAL: This is a conditional zoning with a conceptual site plan appearing in "Exhibit E" and conditions of approval shown in "Exhibit F".

STAFF RECOMMENDATION

In Case ZON-22-0074, Planning and Inspections staff **recommends approval** of the rezoning request from R6 Residential District, C3 Heavy Commercial District, and C(P) Planned Commercial District to C(P)/CZ Planned Commercial District Conditional Zoning. Staff finds the request is consistent with the Southwest Cumberland Land Use Plan which calls for "Heavy Commercial" at this location. Staff also finds that the request is reasonable and in the public interest as it is compatible to and in harmony with the surrounding land use activities and zoning.

Attachments:

Site Plan

Conditions Sheet

Notification Mailing List

Application

Exhibit "E" Conditional Zoning Site Plan

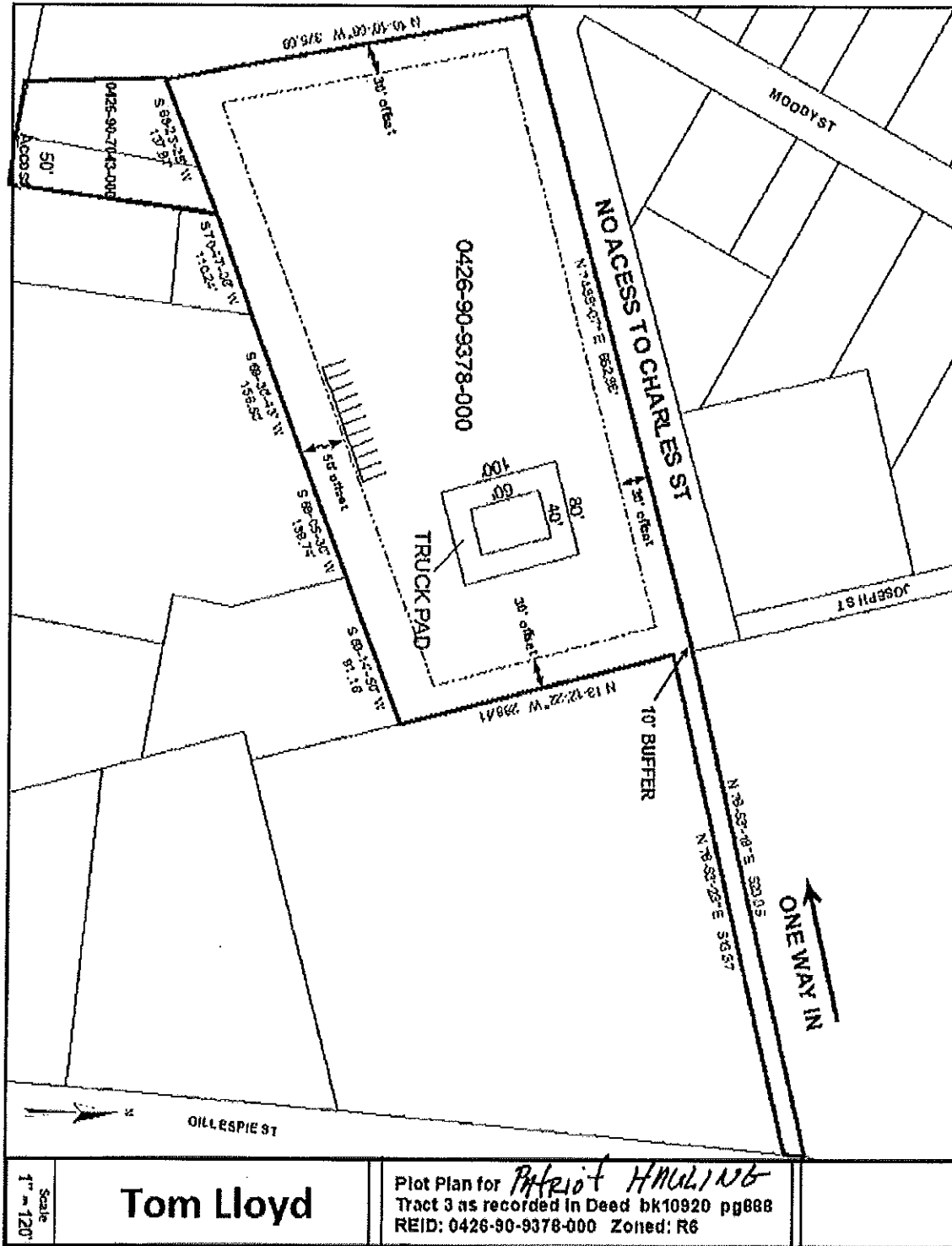


Exhibit "F"

Conditions of Approval

ZON-22-0074

The property delineated with Exhibit "A" is subject to the following conditions:

ZON-22-0074: Rezoning from R6 Residential, C3 Planned Commercial and C(P) Planned Commercial Districts to C(P) Planned Commercial District / CZ Conditional Zoning or to a more restrictive zoning district for 5.51 +/- acres; located West of Gillespie Street, South of Moody Street.

A. Applicability: All use and development of the property applicable to this Conditional Zoning (ZON-22-0074) and as delineated in Exhibit "A" shall occur consistent with the standards and requirements of the C(P) Commercial Zoning unless otherwise stated herein. If any standards herein are inconsistent with the Zoning or Subdivision ordinance, the conditions set forth herein shall supersede and apply to the development of the property delineated in Exhibit "A."

B. Permitted and Prohibited Uses.

1. Use of the site is limited to trades contractor vehicle and dump truck parking as shown on the Conditional Zoning Site Plan appearing in Exhibit "A".
2. No truck storage or parking shall occur within the minimum setback area shown on the Conditional Zoning Site Plan (Exhibit "A").

C. Development Standards.

1. Setback Standards. Minimum setback standards for this residential development – for both the single family and multi-family lots --shall be:

Front – 50 feet
Side – 30 feet (one-story); 25 feet (two or more stories); rises with each additional floor.
Rear-- 30 feet
2. Accessory structure: minimum setback for accessory structures shall be that which is allowed for the C(P) zoning district.
3. Signage for this development be in accordance with the applicable sign regulations as set forth in Article IX of the County Zoning Ordinance and that the proper permit(s) be obtained prior to the installation of any permanent signs on the property. Note: This conditional approval is NOT approval for the size, shape, or location of any signs.
4. A solid buffer must be provided and maintained between the outside storage areas and the public right-of-way; the buffer must screen the outside storage from public view and be provided in accordance with the provisions of Section 1102 G, Buffer Requirements, County Zoning Ordinance. (Note: Chain link fencing cannot be used to satisfy the buffer requirement.) This buffer shall be show of the development site plan.
5. Any newly required off-street parking spaces are required to be a minimum of 9' x 20' and shall be surfaced, with a permanent material such as asphalt or concrete, and striped prior to application for the building final inspection. A minimum of one off- street parking space for each vehicle used

directly in the conduct of the use, plus two additional spaces for each three employees on the largest shift is required for this development.

6. All vehicles, including trucks and equipment stored at the site, shall only occur at the designated parking and storage areas appearing on the development site plan.
7. A recombination plat is required prior to site plan submittal to combine the rezoning parcel with the parcel abutting W. Mountain Drive.

D. Infrastructure and Utilities

1. Water and Sewer:

- a. All buildings constructed within the property shall be connected to central water and sewer prior to issuance of a certificate of occupancy.
- b. Authorization for wastewater system construction required before other permits to be issued. The County Health Department must approve sewer plans. Lots not served by public sewer systems are required to be large enough and of such physical character to comply with the Health Department's minimum standards. Site and soil evaluations must be conducted on the property by the County Environmental Health Department. A copy of the Health Department approval must be provided to Code Enforcement. (Note: All Health Department requirements must be met prior to issuance of final permits.) (NCGS § 130A-338 & Sec. 2306 A, County Subdivision Ord. & Sec. 1101.E, County Zoning Ord.)

For any new construction with utilities, the developer is encouraged to consider extension of the Public Works Commission (PWC) water to serve this site public water and sewer.

2. Roads/Access:

- a. The developer must obtain a driveway permit from the NC Department of Transportation prior to construction of any driveway connecting to a state-maintained road. If driveways are changed or added, the developer must obtain a driveway permit from the NC Department of Transportation (NCDOT). If required, a copy of the approved driveway permit must be provided to Code Enforcement at the time of application for building/zoning permits.
- b. No vehicular access or driveway cut to Charles Street will be allowed. All traffic shall ingress and egress the property in accordance with the general driveway locations appearing in the Conditional Zoning Site Plan (Exhibit "A").
- c. Off-Site Road Improvements. Turn lanes may be required by the NC Department of Transportation (NCDOT). [Art. XIV, County Zoning Ord. & NCGS § 136-18(5) & § 136-93]. Developer must coordinate with NCDOT prior to submittal of any preliminary subdivision plan regarding off-site road improvements.

3. Stormwater and Drainage:

- a. New development where the developer will disturb or intends to disturb more than one acre of land is subject to the Post- Construction Stormwater Management Permitting Program (Phase II Stormwater Management Requirements) administered by the Division of Water Quality, North Carolina Department of Environmental Quality. If one acre or more of land is to be disturbed, prior to the issuance of any building/zoning permits for this site, a copy of the State's *Post-Construction Permit* must be provided to County Code Enforcement.

b. For any new development, an adequate drainage system must be installed by the developer in accordance with the NC Department of Environmental Quality (NCDEQ) *Manual on Best Management Practices* and all drainage ways must be kept clean and free of debris. (Section 2307.A, County Subdivision Ord.) The homeowner's association shall be responsible for maintain all stormwater facilities unless otherwise required by the NCDEQ.

c. In the event a stormwater utility structure is required by the NC Department of Environmental Quality (NCDEQ), the owner/developer must secure the structure with a four-foot-high fence with a lockable gate and is required to maintain the detention/retention basin, keeping it clear of debris and taking measures for the prevention of insect and rodent infestation. (Sec. 1102.O, County Zoning Ord.)

d. Stormwater facilities shall be owned and maintained by the property owner(s) unless NCDEQ requires otherwise.

e. Prior to permit application, the developer must provide to the Code Enforcement Section documentation of NC Department of Environmental Quality Division of Energy, Mineral and Land Resources' (NCDEQ DEMLR) approval of the Sedimentation and Erosion control plan for this project. NCDEQ DEMLR requires a Sedimentation and Erosion control plan be submitted and approved 30 days prior to land disturbing activities if said land disturbing activity will exceed one acre

If a plan is not required, per 15ANCAC 04B.0105 "Person conducting land disturbing activity shall take all reasonable measures to protect public and private property from damage cause by such activities." Sedimentation and erosion control measures will need to be installed to protect adjacent properties. [Sec. 4-8(b)(6), County Code; originally under County jurisdiction relinquished to NCDEQ around 2000]

4. Other Utilities.

a. For new development, all utilities, except for 25kv or greater electrical lines, must be located underground. (Section 2306.C, County Subdivision Ord.) That any lighting used to illuminate off-street parking areas shall be subject to the same standards as listed in Section 1102.M., Subdivision Code.

b. That garbage collection be provided in a manner approved by the County Environmental Health Department. Dumpsters shall be located on a concrete pad and screened around three sides at minimum.

F. Development Review Process.

1. The owner(s)/developer(s) shall obtain detailed instructions on permits required to place a structure within this development from the Inspections Department at 130 Gillespie Street Room 106. The Inspections Department will need a copy of the approved condition sheet and map for additional information.
2. Prior to any clearing or grading of the subject property, a development site plan must be approved by the County Current Planning Section.
3. No occupancy permit shall be issued until the zoning administrator inspects the site and certifies that the site is developed in accordance with plans.

G. Plat-Related. If a plat is required, the following must be met by the developer/owner:

1. If a plat is required, all building footprints shall be shown on the final plat and all common areas, recreation areas and facilities shall be labeled on the final plat.
2. If a plat is required, the final plat must be submitted to Current Planning Staff for review and approval for recording; and that the plat must be consistent with the conditional zoning site plan and the group development site plan. The final plat must be recorded prior to any permit application on any structure and/or prior to the sale of any lot or unit in this development.
3. Any and all easements shall appear on the final plat. The owner/developer is responsible for ensuring easements which may exist on the subject property are accounted for, not encumbered and that no part of this development is violating the rights of the easement holder.
4. To prevent access to Charles Street, a "no access" easement shall be depicted along the entire frontage of Charles Street.

H. Other Conditions.

1. Use and Development Conditions. This conditional zoning and the site plan conditions of approval are not to be construed as all-encompassing of the applicable rules, regulations, etc., which must be complied with for any development. Other regulations, such as building, environmental, health, State agencies, and so forth, may govern the specific development. The developer is the responsible party to ensure full compliance with all applicable Federal, State, and local regulations.
2. This conditional approval is contingent upon continued compliance with the County's Zoning and Subdivision Ordinance. the conditions set forth herein, including applicable NC State Statue 160-D requirements.
3. Any revision or addition to this conditional zoning site plan, whether initiated by the developer or necessary to meet requirements promulgated by local state, or federal requirements, necessitates re-submission for Current Planning Section review and approval prior to the commencement of the change. Should the change be determined to be a substantial modification, as determined by the County Planning & Inspections, the substantial changes must be reviewed and approved by the Board of County Commissioners following the same process as a conditional zoning application.
4. A site-specific address and tax parcel number be provided at the time of building/zoning permit application.
5. The owner/developer is responsible and liable for maintenance and upkeep of this site, all structures, and appurtenances, to include ensuring that the site is kept free of litter and debris, all grass areas mowed, all buffers and shrubbery kept trim and maintained, so that the site remains in a constant state of being aesthetically and environmentally pleasing.

Advisories:

1. A concrete sidewalk may be required at the development site plan application if a new building is proposed; however, this approval is not conditioned upon sidewalk construction due to no new site (building) construction being proposed.
2. The developer is strongly encouraged to leave as much existing vegetation and tree grouping as possible on this site, particularly along the frontage of Charles Street.

Plot Plan for Patriot Housing

Tract 3 as recorded in Deed bk10920 pg888
REID: 0426-90-9378-000 Zoned: R6

Tom Lloyd

Scale: 1" = 120'

Scale
1" = 120'

Tom Lloyd

Plot Plan for *Patriot HMO/126*
Tract 3 as recorded in Deed bk10920 pg888
REID: 0426-90-9378-000 Zoned: R6

ATTACHMENT – MAILING LIST

THOMAS, TERRI WILLIAMS
699 SAND HILL RD
HOPE MILLS, NC 28348

HORNE, CHARLES E
PO BOX 325
STEDMAN, NC 28391

THOMPSON, JAMES HOWARD JR
2401 MOODY ST
FAYETTEVILLE, NC 28303

BABU, SURESH; PATEL, KOKILABEN R
2502 GILLESPIE ST
FAYETTEVILLE, NC 28306

AREC 28 LLC
2727 N CENTRAL AVE
POENIX, AZ 85004

LEE, WILLIAM
2512 BEL AIRE ST
FAYETTEVILLE, NC 28306

BREWINGTON, WARREN
2424 MOODY ST
FAYETTEVILLE, NC 28306

WILLIAMS, JOHN DENNIS LIFE ESTATE
5106 PAUL PEEL PLACE
HOPE MILLS, NC 28348

WILLIAMS, TERESA L
328 CHARLES ST
FAYETTEVILLE, NC 28306

BENTLEY, BEATRICE O
2423 MOODY ST
FAYETTEVILLE, NC 28306

HARRIS, CONRAD
840 ZAPATA LN
FAYETTEVILLE, NC 28314

WELL OF LIVING WATER MINISTRIES INC
117 W MOUNTAIN DR
FAYETTEVILLE, NC 28306

POMEROY, TRACY G
241 W MOUNTAIN DR
FAYETTEVILLE, NC 28306

SMITH, RALPH
2440 MOODY ST
FAYETTEVILLE, NC 28306

DEPANI, MONAL
6017 BUR TRL
RALEIGH, NC 27616

BCC OF EDENTON LLC
PO BOX 827
EDENTON, NC 27932

WILLIAMS, JOHN JOSEPH
5106 PAUL PEEL PLACE
HOPE MILLS, NC 28348

AUTRY, ANNETTE M. TRUSTEE
222 LITCHFIELD PL
FAYETTEVILLE, NC 28305

2858 INVESTMENTS LLC
2858 OWEN DR
FAYETTEVILLE, NC 28302

CHU, DANH D
9002 W MALL DR
EVERETT, WA 98208

TRIPP, DALE ANN W
339 CHARLES ST
FAYETTEVILLE, NC 28306

DORDAL, PAUL; DORDAL, LAUREEN M G
4624 SW DEVANE RD
SHALLOTTE, NC 28470

WILLIAMS, TERRI CHRISTINE
699 SAND HILL RD
HOPE MILLS, NC 28348

RAMAN, NATARAJAN; RAMAN, BALA
2832 FRANZIA DR
FAYETTEVILLE, NC 28306

WILLIAMS, MATTHEW EDWARD; WILLIAMS,
MIRANDA PAIGE; WILLIAMS, JOHN JOSEPH
5106 PAUL PEEL PLACE
HOPE MILLS, NC 28348

KEITH, TOM J; KEITH MARY ANN BELL
121 S. COOL SPRING ST
FAYETTEVILLE, NC 28301

ARNETT, APRIL
2517 CARRIAGE CREED RD
FAYETTEVILLE, NC 28312

HAGANS, RONALD D
226 CHARLES ST
FAYETTEVILLE, NC 28306

BROWN, CHAD; BROWN, ERIN
PO BOX 64902
FAYETTEVILLE, NC 28306

WILLIS, RUBY WILLIAMS
3536 INMAN CIR
FAYETTEVILLE, NC 28306

SMOTHERMAN, SANDRA LEE;
SMOTHERMAN, LARRY
2467 POWELL ST
FAYETTEVILLE, NC 28306

ROBINSON, GEDARIN
2515 MURIEL DR
FAYETTEVILLE, NC 28306

MELTON, LARRY ROGER
320 LADLEY ST
FAYETTEVILLE, NC 28306

WRIGHT, KAREN STEWART
207 W MOUNTAIN DR
FAYETTEVILLE, NC 28306

BEAMAN, JASON CLINT
2513 BEL AIRE ST
FAYETTEVILLE, NC 28306

BENTLEY, THOMAS NOAH HEIRS
93 SOUTHFORK RD
PARKTON, NC 28371

MCCONNAUGHY, ADA LOU HEIRS;
QUINELL, STEDMAN
2510 MURIEL DR
FAYETTEVILLE, NC 28306

BOOHER, ERICA
5021 BUTLER NURSERY RD
FAYETTEVILLE, NC 28306

CAROLINA HOLDINGS (VA) LLC
14200 JUSTICE RD
MIDLOTHIAN, VA 23113

BENNETT, MD HEIRS
114 VILLAGE CIR
CLINTON, NC 28328

AMERCO REAL ESTATE CO
PO BOX 29046
PHOENIX, AZ 85038

REECE, JOHNNY; REECE, ELLA B
2405 MOODY ST
FAYETTEVILLE, NC 28306

HORNE, CHARLES E; HORNE, BILLY D;
HORNE, FAY J
PO BOX 205
FAYETTEVILLE, NC 28302

REYNOLDS, MARY T LIFE ESTATE
3342 HIGH ST
EASTOVER, NC 28312

CAROLINA SUN INVESTMENTS LLC
1662 MIDDLE RD
FAYETTEVILLE, NC 28312

TRIPP, DALE WILLIAMS
339 CHARLES ST
FAYETTEVILLE, NC 28306

CAROLINA SUN INVESTMENTS LLC
PO BOX 205
FAYETTEVILLE, NC 28302

TEMPLETON, THOMAS D
2520 MURIEL DR
FAYETTEVILLE, NC 28306

WBM LLC
PO BOX 26210
FAYETTEVILLE, NC 28314

THRASH, JAMES T; THRASH, APRIL R
2454 JOSEPH ST
FAYETTEVILLE, NC 28306

WILLIAMS, MATTHEW EDWARD;
WILLIAMS, MIRANDA PAIGE; WILLIAMS,
JOHN JOSEPH
2610 JOHNS SMITH RD
FAYETTEVILLE, NC 28306

STEWART, WILLIAM JR I
2429 MOODY ST
FAYETTEVILLE, NC 28306

INGRAM, NELSON D
235 W MOUNTAIN DR
FAYETTEVILLE, NC 28306

WILLIAMS, CLIFFORD M
2008 BONNER BUSSELLS DR
SOUTHPORT, NC 28461

ATTACHMENT: APPLICATION



County of Cumberland
◆
Planning & Inspections Department

CASE #: ZON-22-0074

PLANNING BOARD
MEETING DATE: _____

DATE APPLICATION
SUBMITTED: _____

RECEIPT #: _____

RECEIVED BY: _____

**APPLICATION FOR
REZONING REQUEST
CUMBERLAND COUNTY ZONING ORDINANCE**

The following items are to be submitted with the completed application:

1. A copy of the *recorded* deed and/or plat.
2. If a portion(s) of the property is being considered for rezoning, an accurate written legal description of only the area to be considered;
3. A check made payable to "Cumberland County" in the amount of \$ 475.00.
(See attached Fee Schedule).

Rezoning Procedure:

1. Completed application submitted by the applicant.
2. Notification to surrounding property owners.
3. Planning Board hearing.
4. Re-notification of interested parties / public hearing advertisement in the newspaper.
5. County Commissioners' public hearing (approximately four weeks after Planning Board public hearing)
6. If approved by the County Commissioners, rezoning becomes effective immediately.

The Planning & Inspections Staff will advise on zoning options, inform applicants of development requirement and answer questions regarding the application and rezoning process. For further questions, call (910)678-7603 or (910)678-7609. Hours of operation are 8:00 a.m. to 5:00 p.m., Monday through Friday.

NOTE: Any revisions, inaccuracies or errors to the application may cause the case to be delayed and will be scheduled for the next available board meeting according to the board's meeting schedule. Also, the application fee is *nonrefundable*.

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 R6, C3, C(P) to C(P)
2. Address of Property to be Rezoned: 0 Gillespie St.
3. Location of Property: _____
4. Parcel Identification Number (PIN #) of subject property: 0426-90-9378
(also known as Tax ID Number or Property Tax ID)
5. Acreage: 5.51 Frontage: 261 ft. Depth: 513'
6. Water Provider: Well: _____ PWC: ☒ Other (name): _____
7. Septage Provider: Septic Tank _____ PWC _____
8. Deed Book 10920, Page(s) 0886, Cumberland County Registry. (Attach copy of deed of subject property as it appears in Registry).
9. Existing use of property: VACANT
10. Proposed use(s) of the property: TRUCK PARKING (PERSONAL/
TRADE VEHICLES)
11. Do you own any property adjacent to or across the street from this property?
Yes ☒ No _____ If yes, where? PIN
12. Has a violation been issued on this property? Yes _____ No ☒

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.

ANETTE Autry TRUST
NAME OF OWNER(S) (PRINT OR TYPE)

222 LITCHFIELD PL, FAYETTEVILLE NC 28305
ADDRESS OF OWNER(S)

(910) 988-7431
HOME TELEPHONE #

WORK TELEPHONE #

RONALD HAMMOND
NAME OF AGENT, ATTORNEY, APPLICANT (PRINT OR TYPE)

2804 Sand Trap Lane Hope Mills NC 28348
ADDRESS OF AGENT, ATTORNEY, APPLICANT

patriothauling11@gmail.com
E-MAIL

(910) 551-2469
HOME TELEPHONE #

WORK TELEPHONE #

James R. Hammond Trustee
SIGNATURE OF OWNER(S)

James R. Hammond
SIGNATURE OF AGENT, ATTORNEY OR APPLICANT

SIGNATURE OF OWNER(S)

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

Ad Preview

PUBLIC NOTICE

The Cumberland County Board of Commissioners will meet at 6:45 p.m. on December 19, 2022, in room 118 of the County Courthouse at 117 Dick Street to hear the following:

ZON-22-0043: Rezoning A1 Agricultural Dis. to RR Rural Residential/CZ Conditional Zoning Dis. or a more restrictive zoning dis., 106.75 +/- ac; east of Hummingbird Pl and west of Maxwell Rd; George Rose (applicant) Astrakel International Ltd (owner).

ZON-22-0064: Rezoning A1 Agricultural Dis. to R15 Residential Dis/CZ Conditional Zoning or a more restrictive zoning dis., 5.47 +/- ac.; 1376 & 1384 Cypress Lakes Rd and two abutting properties, Michael Adams (applicant), Ricky & Tina Nelson (owner).

ZON-22-0072: Rezoning R6 Residential Dis./CU Conditional Use to R5 Residential / CZ Conditional Zoning or a more restrictive zoning dis., 20.48 +/- ac.; off Celebration Drive, East of Chicken Foot Rd; June Cowles (applicant), Carolinian Properties Inc (owner).

ZON-22-0074: Rezoning R6 Residential Dis., C3 Commercial Dis. & C(P) Commercial Dis. to C(P) Commercial/CZ Conditional Zoning or a more restrictive zoning dis., 5.51 +/- acres; West of Gillespie St., South of Moody St; Ronald Hammond (applicant), Annette Aulry Trust (owner).

8120613 12/5 12/12/22



GENERAL MANAGER FINANCIAL SERVICES

MEMORANDUM FOR BOARD OF COMMISSIONERS AGENDA OF DECEMBER 19, 2022

TO: BOARD OF COUNTY COMMISSIONERS

FROM: VICKI EVANS, FINANCE DIRECTOR

DATE: 12/11/2022

SUBJECT: AMENDMENT TO CONTRACT TO AUDIT ACCOUNTS

BACKGROUND

The finance director gave an update to the Board of Commissioners regarding the incomplete status of the fiscal year 2022 audit. April Adams, Certified Public Accountant and Cherry Bekaert LLP audit partner, has provided a letter to the Board of Commissioners explaining what led to the untimely completion of the annual audit and report submission. Because the financial report was not submitted to the Local Government Commission on or before the December 1, 2022 grace period deadline, the attached amendment is required to be executed.

The revised timeline of audit completion and report submission has an expected LGC submission date of no later than January 11, 2023. The results of the audit and presentations of the annual comprehensive financial report are expected to occur during the January Agenda Session meeting and at the January 17, 2023 evening meeting.

There has been an update in the status of the audit and the Finance Director will present this as an item of business.

RECOMMENDATION / PROPOSED ACTION

Approve the Amendment to Contract to Audit Accounts for fiscal year 2022 by extending the submission date to January 18, 2023.

ATTACHMENTS:

Description

CB letter to BOCC

Type

Backup Material

To: The Board of Commissioners of Cumberland County
From: April Adams, Partner, Cherry Bekaert LLP
RE: FY22 Audit Delays

This memo is to document the reasons we are experiencing delays in the FY22 financial and single audit of the County.

There are many things that can impact the progression of an audit and several things have occurred within firm that have impacted our ability to properly progress the FY22 audit as planned.

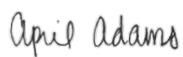
At the beginning of every audit season (May to November) we set out a schedule of planned assigned team members to all engagements that allows the proper balance of levels of staffing for each engagement. The senior team member assigned to the County resigned shortly after the schedule was set, leaving us with a need to replace that team member. Unfortunately, this team member was not the only turnover that CB experienced during this time “commonly referred to as the great resignation”. These are unprecedented times for accounting firms across the nation, but especially in North Carolina to find governmental auditors. CB has had to spend countless hours reallocating resources as turnover and client delays occur (mostly due to their own experiences of turnover). This process hasn’t been perfect and we do feel that we have done the best that we can, but it has greatly affected our ability to properly service the County as intended.

Another instance that occurred that is causing significant delays is the importing of the trial balance and budget into our system a procedure that has to occur in order to prepare the financial statements. CB started with the PY trial balance into the already existing trial balance from where we performed your audit and prepared statements in FY19. Unfortunately, the lower level team member handling that task experienced performance issues and imported the amounts several times in the wrong way (wrong extensions on the accounts) which has taken significant time to understand what occurred and to undo what was improperly done. The correction of which we deemed had to only be performed by the senior manager on the engagement to ensure was done properly and not to experience further delays. We believe that we have finally achieved correcting those issues and have moved on to the FY22 part of the process but we are significantly behind the timeline set out for that part of the process.

Through all of this we have had a team of auditors carrying out the other areas of the audit. Internal control review, the audit area test work, and the single audit have been in process. However, those areas can’t be completed and reviewed until the FY22 trial balance is in the system and the balances tied out.

We are doing everything we can to catch up on the audit by reassigning work of the senior manager to free up more time for her to focus on the audit and financial statement preparation and are doing everything that we can with the resources we have to get the audit completed as soon as we can.

Sincerely,



April Adams
Audit Partner

Whereas	Primary Government Unit Cumberland County, North Carolina
and	Discretely Presented Component Unit (DPCU) (if applicable) Cumberland County Tourism Development Authority
and	Auditor Cherry Bekaert LLP

entered into a contract in which the Auditor agreed to audit the accounts of the Primary Government Unit and DPCU (if applicable)

for	Fiscal Year Ending 06/30/22	and originally to be submitted to the LGC on	Date 10/31/22
-----	--------------------------------	---	------------------

hereby agree that it is now necessary that the contract be modified as follows.

☒ Modification to date submitted to LGC

☐ Modification to fee

Original date 10/31/22	Modified date 12/19/22
Original fee	Modified fee

Primary Other
(choose 1)(choose 0-2)

Reason(s) for Contract Amendment

- | | | |
|----------------------------------|--------------------------|--|
| <input type="radio"/> | <input type="checkbox"/> | Change in scope |
| <input type="radio"/> | <input type="checkbox"/> | Issue with unit staff/turnover |
| <input checked="" type="radio"/> | <input type="checkbox"/> | Issue with auditor staff/workload |
| <input type="radio"/> | <input type="checkbox"/> | Third-party financial statements not prepared by agreed-upon date |
| <input type="radio"/> | <input type="checkbox"/> | Unit did not have bank reconciliations complete for the audit period |
| <input type="radio"/> | <input type="checkbox"/> | Unit did not have reconciliations between subsidiary ledgers and general ledger complete |
| <input type="radio"/> | <input type="checkbox"/> | Unit did not post previous years adjusting journal entries resulting in incorrect beginning balances in the general ledger |
| <input type="radio"/> | <input type="checkbox"/> | Unit did not have information required for audit complete by the agreed-upon time |
| <input type="radio"/> | <input type="checkbox"/> | Delay in component unit reports |
| <input type="radio"/> | <input type="checkbox"/> | Software - implementation issue |
| <input type="radio"/> | <input type="checkbox"/> | Software - system failure |
| <input type="radio"/> | <input type="checkbox"/> | Software - ransomware/cyberattack |
| <input type="radio"/> | <input type="checkbox"/> | Natural or other disaster |
| <input type="radio"/> | <input type="checkbox"/> | Other (please explain) |

Plan to Prevent Future Late Submissions

If the amendment is submitted to modify the date the audit will be submitted to the LGC, please indicate the steps the unit and auditor will take to prevent late filing of audits in subsequent years. Audits are due to the LGC four months after fiscal year end. Indicate NA if this is an amendment due to a change in cost only.

The combinations of several issues encountered by the audit firm prohibited their ability to complete the audit by the 10/31 deadline and the grace period of 12/1. These issues should not be encountered in the future as a portion of them are due the County being a new client in the current year.


Additional Information

Please provide any additional explanation or details regarding the contract modification.

By their signatures on the following pages, the Auditor, the Primary Government Unit, and the DPCU (if applicable), agree to these modified terms.

SIGNATURE PAGE

AUDIT FIRM

Audit Firm*	
Cherry Bekaert LLP	
Authorized Firm Representative* (typed or printed)	Signature*
April Adams	
Date*	Email Address
11/28/22	aadams@cbh.com

GOVERNMENTAL UNIT

Governmental Unit*	
Cumberland County, North Carolina	
Date Primary Government Unit Governing Board Approved Amended Audit Contract* (If required by governing board policy)	
Mayor/Chairperson* (typed or printed)	Signature*
Date	Email Address

Chair of Audit Committee (typed or printed, or "NA")	Signature
Date	Email Address

GOVERNMENTAL UNIT – PRE-AUDIT CERTIFICATE

ONLY REQUIRED IF FEES ARE MODIFIED IN THE AMENDED CONTRACT

(Pre-audit certificate not required for hospitals)

Required by G.S. 159-28(a1) or G.S. 115C-441(a1)

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

Primary Governmental Unit Finance Officer*	Signature*
Date of Pre-Audit Certificate*	Email Address*

SIGNATURE PAGE – DPCU
(complete only if applicable)

DISCRETELY PRESENTED COMPONENT UNIT

DPCU Cumberland County Tourism Development Authority	
Date DPCU Governing Board Approved Amended Audit Contract (If required by governing board policy)	
DPCU Chairperson (typed or printed)	Signature
Date	Email Address

Chair of Audit Committee (typed or printed, or "NA")	Signature
Date	Email Address

DPCU – PRE-AUDIT CERTIFICATE
ONLY REQUIRED IF FEES ARE MODIFIED IN THE AMENDED CONTRACT
(Pre-audit certificate not required for hospitals)

Required by G.S. 159-28(a1) or G.S. 115C-441(a1)

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

DPCU Finance Officer (typed or printed)	Signature
Date of Pre-Audit Certificate	Email Address



OFFICE OF THE COUNTY MANAGER

**MEMORANDUM FOR BOARD OF COMMISSIONERS AGENDA OF DECEMBER 19,
2022**

TO: BOARD OF COUNTY COMMISSIONERS

FROM: COUNTY MANAGER'S OFFICE

DATE: 11/22/2022

**SUBJECT: GRANT OF A FRANCHISE AGREEMENT FOR A DELI AT THE
COURTHOUSE AND DSS - SECOND READING**

BACKGROUND

At its Agenda Session meeting held November 10, 2022, the Board of Commissioners recommended award of the franchise to the Yi's (Lee's) d/b/a Go 'N Joy Restaurant for a term of three years. A bid tab was presented to the Board and approved to move forward to the November 21, 2022, Board of Commissioners' meeting for the grant of a franchise which will require two readings. Shana B. Yi and Jae Yong Yi (Lee) have been operating the deli/snack bar in the Courthouse since 2003 and at DSS since 2008 under a franchise granted by the Board of Commissioners. The franchise expires on December 31, 2022. Staff advertised for proposals to operate and provide deli/snack bar services on September 16, 2022, and the Yi's (Lee's) were the only respondent. The first reading was completed at the November 21, 2022, Board of Commissioners' meeting.

Attached is a copy of the proposed franchise agreement.

RECOMMENDATION / PROPOSED ACTION

This is the second of two required readings approving grant of a franchise to the Yi's (Lee's) d/b/a Go 'N Joy Restaurant for a term of three years.

ATTACHMENTS:

Description

Deli Franchise Agreement

Type

Backup Material

NORTH CAROLINA

COUNTY OF CUMBERLAND

SNACK BAR FRANCHISE AGREEMENT

First Reading November 21, 2022

Second Reading December __, 2022

THIS AGREEMENT, made and entered into December ____, 2022, by and between Shana B. Yi and Jae Yong Yi (Lee), located at 304 Wagoner Drive, Fayetteville, North Carolina 28303, hereinafter referred to as "FRANCHISEE", and the COUNTY OF CUMBERLAND, a body politic and corporate of North Carolina, hereinafter referred to as "COUNTY".

W I T N E S S E T H:

WHEREAS, the COUNTY is desirous of continuing the grant of a franchise to a food services vendor for the purpose of operating a Snack Bar to provide food services to the visitors and staff of the Cumberland County Courthouse located at 117 Dick Street, Fayetteville, North Carolina 28301 (Courthouse Snack Bar) and the Cumberland County Department of Social Services (DSS) located at 1225 Ramsey Street, Fayetteville, North Carolina 28301(DSS Snack Bar); and

WHEREAS, the COUNTY, through its Board of Commissioners, approved the grant of a franchise for the operation of these two snack bars to the FRANCHISEE upon a second reading at the regular meeting of the Board of Commissioners held December __, 2022; and

WHEREAS, FRANCHISEE is a food services vendor and has operated the DSS Snack Bar as a franchisee of the County under a franchise agreement dated September 23, 2008, and the Courthouse Snack Bar as a franchisee of the County under a franchise agreement dated September 29, 2003; and

WHEREAS, FRANCHISEE desires to renew the franchises on the same terms in order to continue to provide the food services at the DSS Snack Bar and the Courthouse Snack Bar; and

WHEREAS, the Board of Commissioners of Cumberland County, North Carolina, finds that FRANCHISEE has fully performed all its obligations under the franchise agreements and each renewal thereof: and

WHEREAS, the Board of Commissioners desires to renew the described franchises on the same terms and to fully re-state those terms in this franchise agreement.

NOW, THEREFORE, for and in consideration of the promises and agreements hereafter set forth and the mutual benefits to be derived by the parties, the FRANCHISEE and the COUNTY promise and agree as follows:

1. **TERM:** The FRANCHISEE shall utilize the spaces occupied by the Courthouse Snack Bar and the DSS Snack Bar for the continued operation of those Snack Bars from January 1, 2023 through December 31, 2025,

2. **AGENCY AND AUTHORITY:** The COUNTY hereby designates the County Manager as its agent with respect to this Agreement. The County Manager is authorized, on behalf of the COUNTY, to negotiate directly with the FRANCHISEE on all matters pertaining to this Agreement. The FRANCHISEE agrees that all of its dealings with the COUNTY in respect to the terms and conditions of this Agreement shall be with the County Manager. Further, the FRANCHISEE specifically agrees that it shall not implement any requested modifications in the specifications of any of the services subject to this Agreement except in the manner described in the paragraph entitled MODIFICATION.
3. **SERVICES:**
- a. During the term of this Agreement, COUNTY agrees that the FRANCHISEE shall be authorized to operate a Snack Bar for the purpose of providing food services at the Cumberland County Courthouse, 117 Dick Street, Fayetteville, North Carolina 28301 and at the DSS Building, 1225 Ramsey Street, Fayetteville, North Carolina 28301 (the Snack Bars). The FRANCHISEE has provided, at FRANCHISEE'S own expense, all the construction and equipment necessary to operate these snack bars and FRANCHISEE'S construction and equipment have been approved by the COUNTY. No external signage shall be allowed.
 - b. Food and drink items which are sold at the Snack Bars shall be palatable and of high quality. Prices charged for food and drink shall be no higher than that charged for similar merchandise in other similarly situated local places of business. Said prices are subject to reasonable, periodic adjustments by the FRANCHISEE in order to maintain reasonable profit margins in the operation of the Snack Bars.
 - c. The hours of operation for the FRANCHISEE to provide food services at the Snack Bars shall be weekdays from 7:30 a.m. until 3:00 p.m., closed Saturdays and Sundays, and COUNTY recognized holidays.
 - d. The FRANCHISEE shall employ adequate personnel to provide the needed food services and render prompt, courteous service. The FRANCHISEE will keep the kitchen facilities and equipment clean and orderly.
 - e. Trash disposal services, convenient to the Snack Bars, shall be provided by the COUNTY.
 - f. The FRANCHISEE shall operate the Snack Bars as an independent business enterprise and shall hire and pay the wages and compensation of all its employees and agents. The FRANCHISEE shall be responsible for the conduct of its employees and agents.
 - g. The FRANCHISEE shall not use or occupy, nor permit the Snack Bars or any part thereof, to be used or occupied for any unlawful business use or purpose deemed disreputable or extra hazardous or which will constitute a public or private nuisance,

or which is in any way detrimental, harmful, or prejudicial to the COUNTY, or is in violation of any laws, regulations, ordinances or codes, present or future.

- h. If the COUNTY deems the performance of the FRANCHISEE and the operation of the Snack Bars as unsatisfactory for any reason, COUNTY will notify the FRANCHISEE in writing, providing details of said unsatisfactory performance. FRANCHISEE shall have thirty (30) days to eliminate any deficiencies. Failure to eliminate the deficiencies shall result in termination pursuant to paragraph 12.
 - i. In its operation of the Snack Bars, FRANCHISEE shall maintain a Grade "A" Health Inspection Rating issued by the North Carolina Department of Health and Human Resources, Division of Environmental Health Services. Failure to do so shall result in the immediate termination of the agreement.
 - j. Only those foods that have been properly inspected by U.S. Government agencies and maintained according to Cumberland County Health Department standards may be utilized by the Snack Bar.
- 4. **RECORD KEEPING:** The FRANCHISEE agrees to keep its books, documents, and records relating to the provision of food services under this Agreement for a minimum of one year after the expiration of this franchise.
- 5. **FEES:** During the term of this Agreement, FRANCHISEE shall pay to the COUNTY Six Percent (6%) of the net sales generated by each of the Snack Bars ("the Commission") with a minimum Commission of \$500.00 per month for each of the Snack Bars. The term "net sales" shall mean the gross receipts of the Snack Bars less sales tax and discounts. The Commission shall be paid monthly, by the 15th day of the following month (i.e.: the Commission payable for the month of December shall be paid by January 15th). FRANCHISEE shall provide proof of sales to Cumberland County in the form of a copy of its "Monthly Business Report", along with a copy of cash register tapes, invoices, or other documentation as required by the County. Payments shall be made by check payable to "Cumberland County". Monthly checks and reporting information shall be mailed to: Cumberland County; Attention: Finance Director; P. O. Box 1829; Fayetteville, NC 28302-1829.
- 6. **UTILITIES:** The COUNTY shall provide, at its own expense, to the FRANCHISEE power and water utilities necessitated by the operation of the Snack Bars to include the provision of potable water, all lighting, heating, and cooling requirements for the operation of each of the Snack Bars. The COUNTY shall provide electrical service for all equipment and outlets at the Snack Bars. Any natural gas service shall be provided by FRANCHISEE.
- 7. **MAINTENANCE:** The FRANCHISEE shall maintain, and leave said premises in substantially as good condition as when received by it, excepting reasonable wear and tear. The FRANCHISEE shall provide all of the janitorial services necessary to properly maintain the snack bar.

10. **NOTICES:** Unless otherwise specified herein, any written notices to the parties shall be sufficient if sent by certified mail, return receipt requested, or hand-delivered to:
- | | |
|------------------------|-----------------------------|
| For FRANCHISEE: | FOR COUNTY: |
| Shana B. Yi | Acting County Manager |
| 304 Wagoner Drive | PO Box 1829 |
| Fayetteville, NC 28303 | Fayetteville, NC 28302-1829 |
| (910) 487-6919 | (910) 678-7726 |
| | (910) 678-7726 |
11. **ASSIGNMENT:** The FRANCHISEE shall not assign its contract rights under this Agreement or any part thereof, nor delegate any performance hereunder, nor subcontract without first obtaining the COUNTY'S written approval.
12. **TERMINATION:** This Agreement may be terminated immediately by the COUNTY or the COUNTY may pursue any other remedy recognized in law or equity upon the violation of any of the terms of the contract. Either party may terminate the contract upon thirty (30) days' notice in writing to the other party. Upon the entering of a judgment of bankruptcy or insolvency by or against the FRANCHISEE, the COUNTY may immediately terminate this Agreement for cause. Upon termination or expiration of this Agreement, FRANCHISEE will immediately remove all equipment, food products, etc., owned by FRANCHISEE from the Snack Bars or any other areas at either Courthouse or the DSS facility controlled by FRANCHISEE.
13. **MISCELLANEOUS:**
- a. The parties hereto, for themselves, their agents, officials, employees, and servants agree not to discriminate in any manner on the basis of race, color, creed, handicap, or national origin in the course of fulfilling any obligation, duty, or service that arises as a result of this Agreement. More specifically, FRANCHISEE shall comply with Title VI and VII of the Civil Rights Act of 1964, Section 504 of the Rehabilitation Act of 1973, and the Americans with Disabilities Act of 1990 (ADA), and all requirements imposed by Federal regulations, rules, and guidelines issues pursuant to these Titles for both personnel employed and customers served.
 - b. The FRANCHISEE will make no alterations or changes in the present facilities without prior approval of the COUNTY.
14. **MODIFICATIONS:** This Franchise Agreement may be modified only by an instrument duly executed by the parties or their respective successors.

IN WITNESS WHEREOF, the FRANCHISEE and the COUNTY have caused their duly authorized officers to execute this instrument the day and year first above written, in triplicate originals, with one being retained by the FRANCHISEE, and two by the COUNTY.

[Signature Page Follows]

COUNTY OF CUMBERLAND

ATTEST:

BY: _____
[Current Chair], Chair

BY: _____
[Current Clerk], Clerk

[COUNTY SEAL]

FRANCHISEE:

Shana B. Yi

Jae Yong Yi (Lee)

ATTEST:

BY: _____
Witness

Approved for Legal Sufficiency

County Attorney
Expiration Date:



OFFICE OF THE COUNTY ATTORNEY

MEMORANDUM FOR BOARD OF COMMISSIONERS AGENDA OF DECEMBER 19, 2022

TO: BOARD OF COUNTY COMMISSIONERS

FROM: COUNTY ATTORNEY

DATE: 12/12/2022

SUBJECT: CONSIDERATION OF ORDINANCES TO PROHIBIT CAMPING ON COUNTY PROPERTY

BACKGROUND

The City of Fayetteville adopted an ordinance August 8, 2022, making camping unlawful on city-owned property. The enforcement of that ordinance will likely shift the homeless persons camping in the city parking lot across the street from the downtown library to the library property. As the city continues to enforce its ordinance, it is likely more camp sites will be shifted to county property. The library is already experiencing human waste being dumped in the dumpsters and persons urinating and defecating in the storm drain grate and urinating on the public walkways on the property. The ordinance prohibiting camping and parking unlicensed vehicles on county property is intended to avoid the public nuisance created by persons staying on the property overnight. The proposed amendment to the ordinance regulating parking on county property and the ordinance prohibiting camping on county property are attached.

The new ordinance prohibiting camping on county property and amendment to the parking ordinance are on the December 19, 2022, agenda for a second reading because they were not approved by all the commissioners at the first reading on November 21, 2022.

RECOMMENDATION / PROPOSED ACTION

The county attorney recommends the amendment to the ordinance regulating parking on county property and the ordinance prohibiting camping on county property be adopted.

ATTACHMENTS:

Description

Ordinance Prohibiting Camping on County Property

Type

Backup Material

**CUMBERLAND COUNTY BOARD OF COMMISSIONERS
ORDINANCE PROHIBITING CAMPING ON COUNTY PROPERTY**

Whereas, the Cumberland County Board of Commissioners finds that camping on county-owned property that is not intended for use as camping interferes with the rights of others to use the property for its intended use; and

Whereas, the Cumberland County Board of Commissioners finds that the accumulation of trash, garbage, or waste, and the lack of sanitary disposal facilities at camping sites create conditions upon county property which constitute a public nuisance; and

Whereas, the City of Fayetteville adopted an ordinance August 8, 2022, which makes camping on city-owned property unlawful; and

Whereas, the Cumberland County Board of Commissioners finds that the impact of the city's ordinance will be the concentration of persons camping on county-owned property in the City of Fayetteville; and

Whereas, the Cumberland County Board of Commissioners further finds the prohibition of camping on county-owned property to be in the public interest and to promote the public health, safety and welfare.

NOW, THEREFORE, BE IT ORDAINED by the Cumberland County Board of Commissioners that a new Article XII, *Camping Prohibited on County Property*, shall be inserted into Chapter 9.5 of the Cumberland County Code as set out in Section 1 below:

Section 1.

ARTICLE XII. CAMPING PROHIBITED ON COUNTY PROPERTY

Sec. 9.5-160. Statutory authority.

This article is enacted pursuant to G.S. 153A-169.

Sec. 9.5-161. Territorial jurisdiction.

This article is applicable to any county-owned property within the geographical area of Cumberland County, including all county-owned property located in any municipality within Cumberland County.

Sec. 9.5-162. Definition.

As used in this article, camp or camping means sleeping, preparing to sleep (including lying down or the laying down of bedding for the purpose of sleeping); storing personal belongings; the placement of tents, huts, or tarps; or parking a motor vehicle, motor home, trailer, or any other type of structure for living accommodation purposes.

Sec. 9.5-163. Camping on county property declared a public nuisance.

The use of county property for camping interferes with the rights of others to use the property for its intended use and the accumulation of trash, garbage, or waste, and the lack of sanitary disposal facilities at camping sites create conditions upon county property which constitute a public nuisance. Nothing in this article shall be deemed or interpreted to abrogate or limit the authority of the county public health director

to abate public health nuisances.

Sec. 9.5-164. Camping on county property prohibited.

To avoid a public health nuisance being created by the accumulation of trash, garbage, or waste, and the lack of sanitary disposal facilities, camping or establishing a camp on county property is prohibited.

Sec. 9.5-165. Camping on county property deemed a trespass.

Any person camping or establishing a camp on county property shall be deemed trespassing on county property.

Sec. 9.5-166. Enforcement.

(a) The Cumberland County Sheriff shall have the authority to enforce this ordinance by giving notice of trespass to the person or persons camping or establishing a camp on county property, directing such person or persons to remove, within a time appropriate to the circumstances, all the personal property in the control of such person or persons located at the camp site, and requesting the county manager to dispatch appropriate county staff to remove any personal property not removed from the site within the time directed.

(b) The Cumberland County Sheriff shall keep a sworn law enforcement officer on site while any county staff are present to remove personal property.

(c) Any personal property removed from the site shall be disposed of in accordance with county policy.

(d) Any person or persons who are noticed of trespass for camping or establishing a camp on county property shall be subject to being charged with trespass if they come onto the same county property again.

Section 2. It is the intention of the Cumberland County Board of Commissioners that this ordinance shall be effective immediately upon its adoption.

Adopted on second reading December 19, 2022.

Cumberland County Board of Commissioners

By:

Toni Stewart, Chair

Attest:

Andrea Tebbe, Clerk to the Board

**CUMBERLAND COUNTY BOARD OF COMMISSIONERS
ORDINANCE AMENDING CHAPTER 9, ARTICLE II, PARKING ON COUNTY-OWNED
PROPERTY, OF THE CUMBERLAND COUNTY CODE**

Whereas, the Cumberland County Board of Commissioners adopted an Ordinance Regulating Parking on County-owned Property, September 5, 1978, and has amended it from time to time; and

Whereas, the Cumberland County Ordinance Regulating Parking on County-owned Property has been codified as Chapter 9, Article II, *Parking on County-owned Property*, of the Cumberland County Code; and

Whereas, the Board of Commissioners wishes to amend the Ordinance Regulating Parking on County-owned Property.

NOW, THEREFORE, BE IT ORDAINED by the Cumberland County Board of Commissioners that:

Chapter 9, Article II, *Parking on County-owned Property*, of the Cumberland County Code is hereby amended by inserting a new subsection c to Section 9-26 set out fully in Section 1 as follows:

Section 1.

Sec. 9-26. Unlawful parking.

(c) It shall be unlawful to willfully park any vehicle in any county-owned parking lot which does not display a current license plate.

Section 2. It is the intention of the Cumberland County Board of Commissioners that this ordinance shall be effective immediately upon its adoption.

Adopted on second reading December 19, 2022.

Cumberland County Board of Commissioners
By:

Toni Stewart, Chair

Attest:

Andrea Tebbe, Clerk to the Board



OFFICE OF THE COUNTY MANAGER

MEMORANDUM FOR BOARD OF COMMISSIONERS AGENDA OF DECEMBER 19, 2022

TO: BOARD OF COUNTY COMMISSIONERS

FROM: RENEE PASCHAL, INTERIM COUNTY MANAGER

DATE: 12/12/2022

SUBJECT: CONSIDERATION OF APPROVAL OF STANDING COMMITTEES OF THE BOARD OF COMMISSIONERS

BACKGROUND

North Carolina General Statute § 153A-76 authorizes a board of commissioners to create, change, abolish, and consolidate offices, positions, departments, boards, commissions, and agencies of the county government in order to promote orderly and efficient leadership regarding county issues.

Cumberland County Board of Commissioners currently has the following committees established to develop strategies for achieving Board priorities:

- Finance/Audit Committee—Required by the internal audit charter; the NC State Treasurer requires and Audit Committee to agree to annual audit contract. This committee was established originally in the early 1990s.
- Grays Creek Countywide Water Committee—Established by the Chairman in January 2022 to make recommendations on providing water to communities affected by the Chemours contamination.
- Crown Event Center (formerly Multi-Purpose Center Committee)—Established by the Chairman in January 2022 to oversee the process for constructing the new Crown Event Center.
- American Rescue Plan (ARP) Committee—Established by the Board of Commissioners in April 2021 to provide recommendations on expenditure of ARP funds and freed up capacity.
- County 911 Committee—Established in 2019 to oversee the construction of the Emergency Services Center and make recommendations on 911 matters.

Chairwoman Toni Stewart would like to form the following additional committees.

- General Government Services Committee—New committee to oversee planning and construction of

General Government Services Campus.

- Committee to Address Homelessness—New committee to oversee planning and construction of homeless shelter and to provide guidance on policies related to homelessness.

The following guidelines are recommended in accordance with historic practices:

1. Committees will consist of three Board members appointed by the Board of Commissioners Chairperson each January. The committee can include additional members if deemed beneficial by the committee.
2. One of the committee members will be designated as the committee chair by the Board of Commissioners Chairperson.
3. Unless a meeting schedule is established by the committee, each committee shall meet as needed, provided public notice is provided in accordance with the NC Open Meetings Law.
4. Committees should make periodic updates to the full Board of Commissioners. The committees are also charged, where appropriate, to make recommendations to the full Board of Commissioners on issues under their purview.

RECOMMENDATION / PROPOSED ACTION

Motion to affirm previously established committees, approve the establishment of new committees, and establish guidelines outlined above.

ATTACHMENTS:

Description

Presentation on Board And Committees 12-19-22

Type

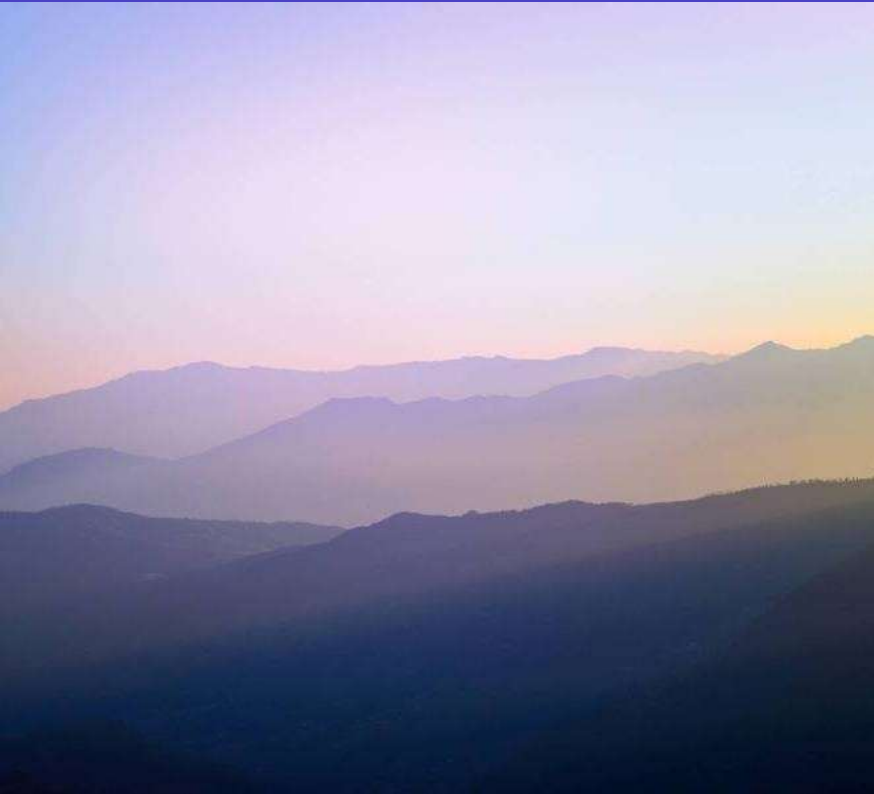
Backup Material

Establishing Committees of the Board of Commissioners

**Renee Paschal, Interim County
Manager**

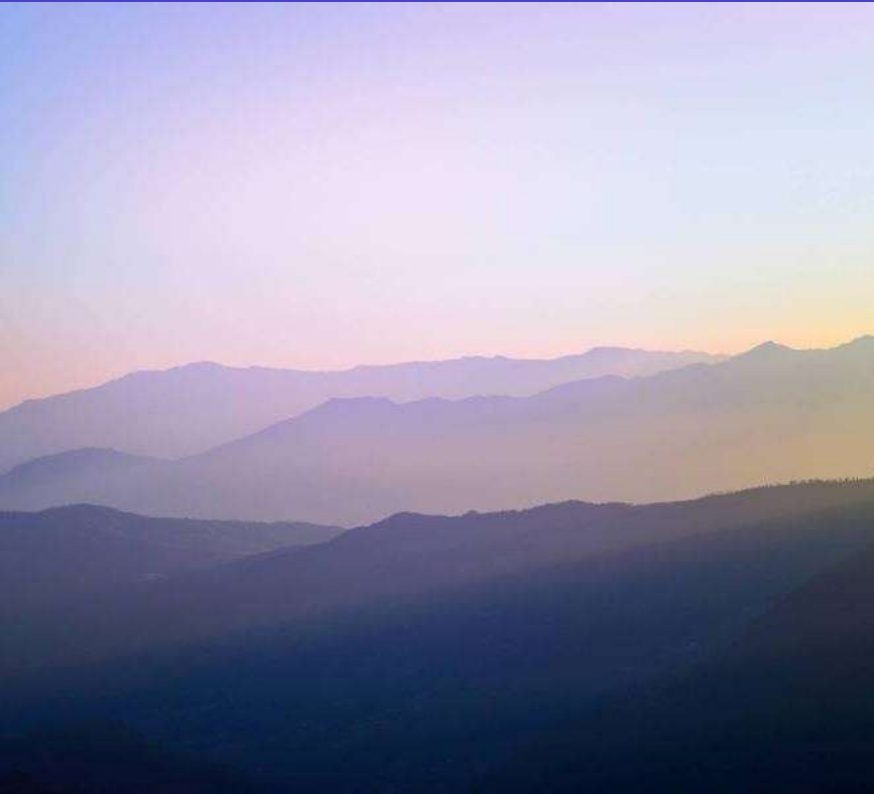


Previously Established/ Existing Committees



- Finance/Audit Committee
- Grays Creek Countywide Water Committee
- Crown Event Center (formerly Multi-Purpose Center Committee)
- American Rescue Plan (ARP) Committee
- County 911 Committee

Proposed New Committees



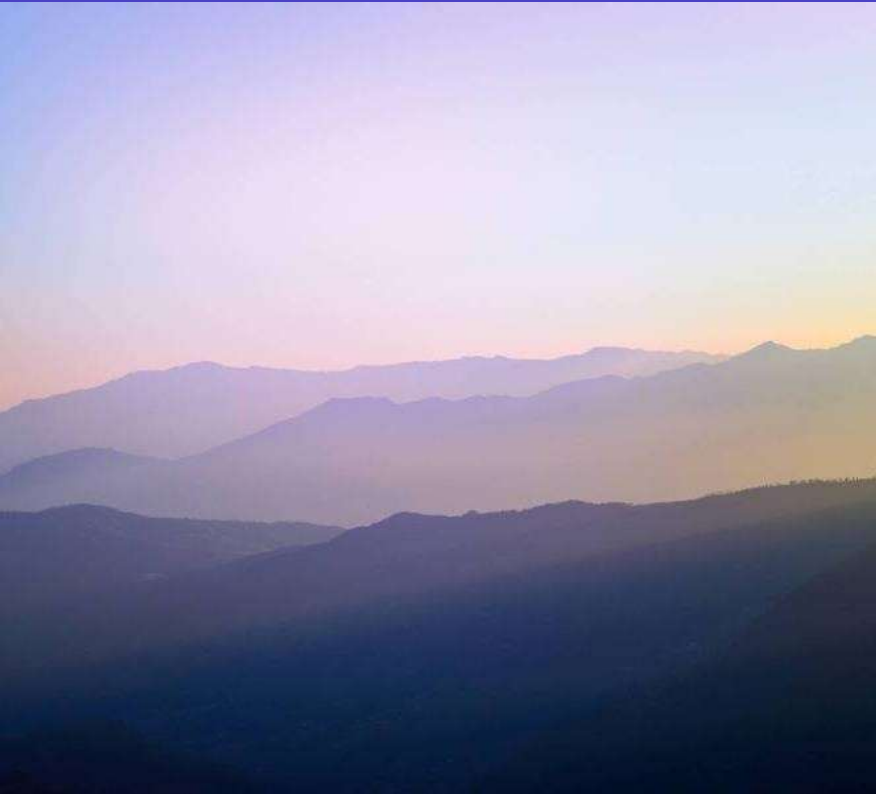
- **General Government Services Committee**—New committee to oversee planning and construction of General Government Services Campus.
- **Committee to Address Homelessness**—New committee to oversee planning and construction of homeless shelter and to provide guidance on policies related to homelessness.

Recommended Guidelines



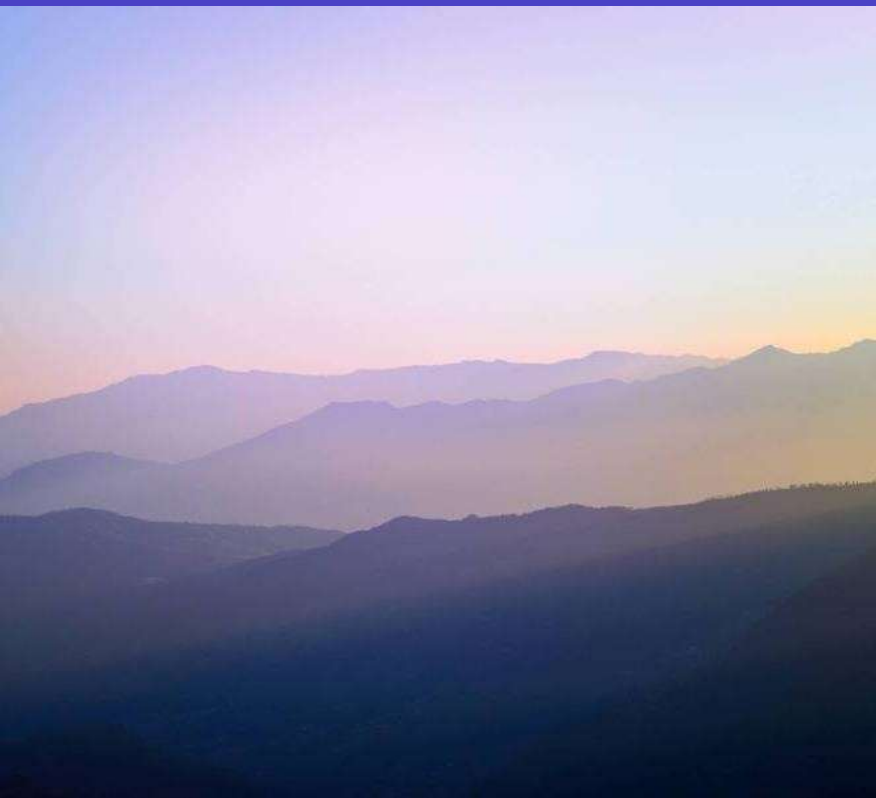
- Committees will consist of three Board members appointed by the Board of Commissioners Chairperson each January. The committee can include additional members if deemed beneficial by the committee.
- One of the committee members will be designated as the committee chair by the Board of Commissioners Chairperson.
- Unless a meeting schedule is established by the committee, each committee shall meet as needed, provided public notice is provided in accordance with the NC Open Meetings Law.
- Committees should make periodic updates to the full Board of Commissioners. The committees are also charged, where appropriate, to make recommendations to the full Board of Commissioners on issues under their purview.

Recommended Motion



Motion to affirm previously established committees, approve the establishment of proposed new committees, and establish guidelines outlined above.

Questions





CLERK TO THE BOARD OF COMMISSIONERS

MEMORANDUM FOR BOARD OF COMMISSIONERS AGENDA OF DECEMBER 19, 2022

TO: BOARD OF COUNTY COMMISSIONERS

FROM: ANDREA TEBBE, CLERK TO THE BOARD

DATE: 12/19/2022

**SUBJECT: CUMBERLAND COUNTY JUVENILE CRIME PREVENTION COUNCIL
(6 VACANCIES AND 5 DESIGNEES)**

BACKGROUND

The Cumberland County Juvenile Crime Prevention Council has the following vacancies.

United Way / Non-Profit Representative

Amy Navejas. Completed first term. Eligible for reappointment. The Juvenile Crime Prevention Council recommends **Amy Navejas** for reappointment.

Member of Faith Community

Gregory Davis: Completed first term. Eligible for reappointment. The Juvenile Crime Prevention Council recommends **Sandra Renee Lanford** for appointment.

Substance Abuse Representative

Stephanie Dixon: Completed second term. Not eligible for reappointment. The Juvenile Crime Prevention Council recommends **Louise Leake** for appointment.

At Large Representative

Dr. Antonio Jones: Completed second term. Not eligible for reappointment. The Juvenile Crime Prevention Council recommends **Clarissa Reese** for appointment.

Nicole Hawkins Jones: Completed second term. Not eligible for reappointment. The Juvenile Crime Prevention Council recommends **Renarde Earl** for appointment.

Terrasine Gardner: Completed Second term. Not eligible for reappointment.

The Juvenile Crime Prevention Council recommends **Dwight Palmer** for appointment as an At Large Representative.

Dwight Palmer: Completed first term as a Member of Business Community. Eligible for reappointment.

County Manager Designee: **Heather Skeens**

District Court Judge Designee: **Judge Cheri Siler-Mack**

CCSO Designee: **Sgt. Melody Farnham**

FAY PD Designee: **Lt. Mike Mulcahy**

District Attorney Designee: **Caitlyn Lacey**

The applicant list, membership roster and recommendation are attached.

RECOMMENDATION / PROPOSED ACTION

Nominate individuals to fill the six (6) vacancies and five (5) designee positions on the Juvenile Crime Prevention Council.

ATTACHMENTS:

Description	Type
Juvenile Crime Prevention Council Roster	Backup Material
Juvenile Crime Prevention Council Applicant List	Backup Material
Juvenile Crime Prevention Council Recommendation	Backup Material

CUMBERLAND COUNTY
JUVENILE CRIME PREVENTION COUNCIL
(Two-year terms)

Name/Address	Date Appointed	Term	Expires	Eligible For Reappointment
<u>Local School Superintendent or designee</u>				
Bruce Morrison Cumberland County Schools P.O. Box 2357 Fayetteville, North Carolina 28302 Phone: 678-2495	1/12			
<u>Chief of Police or designee</u>				
Lt. Mike Petti Fayetteville Police Department 467 Hay Street Phone: 433-1910	3/15			
<u>Local Sheriff or designee</u>				
Ssg. Maura Laney Cumberland County Sheriff's Office 131 Dick Street Fayetteville, North Carolina 28301 Phone: 677-5474	11/20			
<u>District Attorney or designee</u>				
Brandy Brutsch Assistant District Attorney District Attorney's Office 117 Dick Street, Suite 427 Fayetteville, North Carolina 28301 Phone: 678-2915	10/17			
<u>Chief Court Counselor or designee</u>				
Jason Hunter Department of Juvenile Justice P.O. Box 363 Fayetteville, North Carolina 28302 Phone: 321-3712	8/19			
<u>Mental Health Representative or designee</u>				
Tina Higgs Alliance Health – Community Relations, Court Liaison 711 Executive Place Fayetteville, North Carolina 28305 910-491-4794	04/14			

Cumberland County Juvenile Crime Prevention Council Page 2

<u>Name/Address</u>	<u>Date Appointed</u>	<u>Term</u>	<u>Expires</u>	<u>Eligible For Reappointment</u>
<u>Director of Social Services or designee</u>				
Natasha Tomlinson	11/17			
Cumberland County Department of Social Services				
P.O. Box 2429				
Fayetteville, North Carolina 28302-2429				
Phone: 321-6459				
<u>County Manager or designee</u>				
VACANT (Vacated by D. Holder)	10/17			
Assistant County Manager				
Cumberland County Courthouse				
P.O. Box 1829				
Fayetteville, North Carolina 28302-1829				
Phone: 678-7725				
<u>Chief District Judge or designee</u>				
Judge Toni King	1/21			
P.O. Box 363				
Fayetteville, North Carolina 28302				
Phone: 678-2901				
<u>Health Director or designee</u>				
Dr. Jennifer Green	10/20			
1235 Ramsey Street				
Fayetteville, North Carolina 28301				
Phone: 433-3783				
<u>Parks and Recreation Representative</u>				
Crystal Glover	10/20			
City of Fayetteville				
Parks and Recreation Dept.				
433 Hay Street				
Fayetteville, North Carolina 28301				
Phone: 433-1547				
<u>County Commissioner</u>				
Glenn Adams	3/15			
P.O. Box 1829				
Fayetteville, NC 28302-1829				
Phone: 678-7771				

Cumberland County Juvenile Crime Prevention Council, Page 3

<u>Name/Address</u>	<u>Date Appointed</u>	<u>Term</u>	<u>Expires</u>	<u>Eligible For Reappointment</u>
<u>Substance Abuse Professional</u> Stephanie Dixon Carolina Treatment Center 1664 Wellons Drive Fayetteville, NC 28304 366-2613/864-8739	3/21	2nd	Feb/23 2/28/23	No
<u>Member of Faith Community</u> Gregory L. Davis 3419 Bayham Ct Fayetteville, NC 28304 491-7080/678-270-0226/570-6466 Gzusiz1st@hotmail.com	1/21	1st	Jan/23 1/31/23	Yes
<u>Person Under Age 21</u> Trenton Hightower 165 Wolfpoint Drive Fayetteville, NC 28311 910-850-2249 Trentonhightower2004@gmail.com	3/21	1 st full term	Dec/22 12/31/22	Yes
<u>Member of Public Representing the Interests of Families of At-Risk Individuals:</u> Mariamarta Conrad PO Box 64 Stedman, NC 28391 988-2293/759-0350 mmtconrad@gmail.com	3/21	1st	Mar/23 3/31/23	Yes
<u>Juvenile Defense Attorney</u> Michael Fiala 6213 Castlebrooke Lane Linden, NC 28356 910-988-6907 Mike.fiala@smithdickey.com	3/21	2nd	Jan/23 1/31/23	No
<u>Member of Business Community</u> Dwight E. Palmer Jr. 1139 Helmsley Drive Fayetteville, NC 28314 868-2575/476-0799/892-6405 depalmerjr@yahoo.com	1/21	1st	Jan/23 1/31/23	Yes

<u>Name/Address</u>	<u>Date Appointed</u>	<u>Term</u>	<u>Expires</u>	<u>Eligible For Reappointment</u>
<u>United Way or Non-Profit</u>				
Amy Navejas 3496 Thamesford Rd Fayetteville, NC 28311 910-964-0171 Amynavejas@gmail.com	1/21	1st	Jan/23 1/31/23	Yes
<u>At Large Representatives</u>				
Terrasine Gardner 1187 Helmsley Drive Fayetteville, NC 28314 536-3886/491-4816 tegardner@alliancehealthplan.org	12/21	2nd	Dec/23 12/31/23	Yes
Dr. Antonio Jones 505 Platinum Street Fayetteville, NC 28311 302-0057/729-4144 drjonesa@gmail.com	3/21	2nd	Jan/23 1/31/23	No
Nicole Hawkins-Jones 418 Taipei Ct Fayetteville, NC 28303 758-4771 Nicole.hawkins@ncdps.gov	11/19	2nd	Nov/21 11/30/21	No
Dr. Mark Kendrick 2927 Rosecroft Drive Fayetteville, NC 28304 988-3126 Mkendrick2927@gmail.com	3/21	2 nd	Apr/23 4/30/23	No

Non-Voting Member

Lance Britt lance.britt@ncdps.gov 919-323-6845 (cell)

Meetings: Second Wednesday of each month at 1:15 PM. CC CommuniCare Conference Room –109
Bradford Ave, Lower-Level Conference Room, Fayetteville, NC 28301.

Contact: Cindy Tucker 910-678-7723

**APPLICANTS FOR
CUMBERLAND COUNTY JUVENILE CRIME PREVENTION COUNCIL**

NAME/ADDRESS/TELEPHONE	OCCUPATION	EDUCATIONAL BACKGROUND
BAILEY, TIARRA (B/F) 3205 WINTERWOOD DRIVE FAYETTEVILLE NC 28306 910-587-1212 BAILEYTIARRA3@GMAIL.COM 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 CATEGORY: GENERAL PUBLIC, MEMBER OF FAITH COMMUNITY	PUBLIC HEALTH STUDENT	BS-HUMAN SERVICES & BIOLOGY
BENAVENTE, MARIO (LAT/M) 3549 HASTINGS DRIVE FAYETTEVILLE NC 28311 910-551-5659 MBFNC14@GMAIL.COM Graduate-County Citizens' Academy: NO Graduate-Institute for Community Leadership: YES Graduate-Leadership Fayetteville: NO Graduate-United Way's Multi-Cultural Leadership Program: NO Graduate-other leadership academy: MILLENNIAL ADVISORY COMMISSION CATEGORY: GENERAL PUBLIC & MEMBER OF A BUSINESS COMMUNITY	LAW STUDENT NCCU SCHOOL OF LAW	BA & CURRENT STUDENT
BOONE, CHERYL (-/F) 310 DURANT DRIVE FAYETTEVILLE, NC 28304 910- BLESSED4085@MSN.COM Graduate-County Citizens' Academy: YES Graduate-Institute for Community Leadership: NO Graduate-Leadership Fayetteville: NO Graduate-United Way's Multi-Cultural Leadership Program: NO Graduate-other leadership academy: CITY OF FAYETTEVILLE CITIZENS ACADEMY CATEGORY: GENERAL PUBLIC	TEACHER	FAYETTEVILLE STATE/MASTERS
BOWER, MEREDITH (A/F) 2634 MIDDLE ROAD FAYETTEVILLE NC 28304 574-9646/827-1582 MERB8121@GMAIL.COM 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 CATEGORY: UNITED WAY OR NONPROFIT REPRESENTATIVE	SOCIAL WORKER NC YOUTH VIOLENCE PREVENTION CENTER NON-PROFIT	BS-SOCIOLOGY

CUMBERLAND COUNTY JUVENILE CRIME PREVENTION COUNCIL, PAGE 2

NAME/ADDRESS/TELEPHONE	OCCUPATION	EDUCATIONAL BACKGROUND
BROWN, DONNITTA (B/F) 2119 MANNINGTON DRIVE FAYETTEVILLE NC 28306 484-3884/381-8010/907-6903 RNITA76@GMAIL.COM 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 CATEGORY: GENERAL PUBLIC	HEALTH SYSTEM ASSISTANT DEPT OF DEFENSE WOMACK ARMY MEDICAL CENTER	FSU-BA-SOCIOLOGY
BROWN, PAULA (B/F) 3500 BENNETT DRIVE FAYETTEVILLE NC 28301 703-8399/709-8595/483-0153 PHOWARD924@YAHOO.COM Graduate-County Citizens' Academy: YES Graduate-Institute for Community Leadership: YES Graduate-Leadership Fayetteville: YES Graduate-United Way's Multi-Cultural Leadership Program: YES Graduate-other leadership academy: NO CATEGORY: GENERAL PUBLIC	RETIRED	MASTERS-ED
DEBERRY, AN-QUE (-/F) 1405 E YELLOW RIBBON DRIVE FAYETTEVILLE NC 28314 702-978-0960 ANQUEDEBERRY@GMAIL.COM 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 CATEGORY: GENERAL PUBLIC	SOCIAL WORKER MAGELLAN HEALTH	BA-POLITICAL SCIENCE MASTERS-SOCIAL WORK
EARL, RENARDE D. (B/M) 6919 SOUTH STAFF RD FAYETTEVILLE NC 28306 336-682-4424 RDE9498@GMAIL.COM Graduate-County Citizens' Academy: YES Graduate-Institute for Community Leadership: NO Graduate-Leadership Fayetteville: NO Graduate-United Way's Multi-Cultural Leadership Program: NO Graduate-other leadership academy: LEADERSHIP WINSTON SALEM CATEGORY: GENERAL PUBLIC	ASSOCIATE VICE CHANCELLOR OF POLICE/PUBLIC SAFETY FSU	BACHELORS

CUMBERLAND COUNTY JUVENILE CRIME PREVENTION COUNCIL, PAGE 3

NAME/ADDRESS/PHONE	OCCUPATION	EDUCATIONAL BACKGROUND
<p>GIRAUD, CHAR'KARIA D. (B/F) 1632 MAN O WAR DRIVE HOPE MILLS NC 28348 629-255-6008/396-1017 CHARKARIA.GIRAUD@GMAIL.COM Graduate-County Citizens' Academy: NO Graduate-Institute for Community Leadership: YES Graduate-Leadership Fayetteville: YES Graduate-United Way's Multi-Cultural Leadership Program: NO Graduate-other leadership academy: NO CATEGORY: MEMBER OF BUSINESS COMMUNITY</p>	<p>ACCOUNTANT DEPT OF DEFENSE</p>	<p>BACHELORS</p>
<p>GRAHAM, DERRICK (M) 132 TREETOP DR. APT G FAYETTEVILLE, NC 28311 derrick@magnificentvp.com 469-588-1847 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 CATEGORY: GENERAL PUBLIC</p>	<p>BUSINESS DEVELOPMENT</p>	<p>NO INFO PROVIDED</p>
<p>JETER, DARCELLE(B/F) 1000 WOOD CREEK DRIVE #4 FAYETTEVILLE, NC 28314 201-654-2776 DARCELLEJETER@GMAIL.COM Graduate-County Citizens' Academy: NO Graduate-Institute for Community Leadership: NO Graduate-Leadership Fayetteville: NO Graduate-United Way's Multi-Cultural Leadership Program: YES Graduate-other leadership academy: YES, URBAN MINISTRY MENTORSHIP PROGRAM CATEGORY: UNITED WAY OR NONPROFIT REPRESENTATIVE</p>	<p>COSMETOLOGIST</p>	<p>BS MASS COMMUNICATIONS</p>
<p>JONES_LAFORD, SANDRA (B/F) 714 EMERALD DRIVE FAYETTEVILLE, NC 28311 910-489-1258 H 910 429-7491 W Lanfords4christ@yahoo.com 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 CATEGORY: Member of Faith Community</p>	<p>SOCIAL WORK MGR</p>	<p>MASTER OF SOCIAL WORK BACHELORS IN SOCIOLGY</p>

CUMBERLAND COUNTY JUVENILE CRIME PREVENTION COUNCIL, PAGE 4

NAME/ADDRESS/PHONE	OCCUPATION	EDUCATIONAL BACKGROUND
KNIGHT, KIM (M) 3604 CHESANNING PLACE FAYETTEVILLE, NC 28311 910-821-4836 klknight8@gmail.com 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 CATEGORY: GENERAL PUBLIC	ENVIRONMENTAL SERVICES DIRECTOR	ASSOCIATES IN CRIMINAL JUSTICE
LASHLEY, DR. TRACIE HINES (B/F) 1540 EPIC WAY HOPE MILLS NC 28348 922-4575/432-4165 TRACIE@DRTRACIELASHLEY.COM 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: JOHN MAXWELL TEAM CATEGORY: GENERAL PUBLIC <i>Currently appointed to Cumberland County Industrial Facilities and Pollution Control Financing</i>	CHIEF, CYBER COMPLIANCE BRANCH DEPT OF DEFENSE; WEBSTER UNIVERSITY	DOCTORATE
LEWIS, DAWANE (-/M) BUSINESS ADMIN 3602 RIDGECREST AVE FAYETTEVILLE NC 28303 703-577-5089 BARNES621@HOTMAIL.COM 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: SENIOR LEADERSHIP COURSE CATEGORY: GENERAL PUBLIC	RETIRED MASTER SERGEANT	BACHELORS-
LEWIS SHAW, KIM (B/F) DEVELOPMENT 7550 BEVERLY DR FAYETTEVILLE NC 28314 910-331-9690 KIM.SHAW@NCDPS.GOV 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 CATEGORY: UNITED WAY OR NONPROFIT REPRESENTATIVE	REGIONAL RECRUITER	MASTERS-ORGANIZATIONAL LEADERSHIP

CUMBERLAND COUNTY JUVENILE CRIME PREVENTION COUNCIL, PAGE 5

NAME/ADDRESS/PHONE	OCCUPATION	EDUCATIONAL BACKGROUND
MCNEILL, TREVONE (B/M) 8436 ENGLISH SADDLE DRIVE FAYETTEVILLE NC 28314 910-391-1726 FDECYP@GMAIL.COM 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 CATEGORY: MEMBER OF FAITH COMMUNITY	CHILDCARE SELF EMPLOYED	ASSOCIATES/BA
MELVIN, JOY N. Ed.D (B/F) 846 WIGWAM DR FAYETTEVILLE NC 28314 910-778-3697(M)/678-8498(W) MELVINJOYN@GMAIL.COM Graduate-County Citizens' Academy: NO Graduate-Institute for Community Leadership: YES Graduate-Leadership Fayetteville: NO Graduate-United Way's Multi-Cultural Leadership Program: NO Graduate-other leadership academy: NO CATEGORY: GENERAL PUBLIC	INSTRUCTOR FTCC	DOCTORATE – HIGHER EDUCATION
MINER, JOHN (B/M) 4020 BAYWOOD POINT DRIVE FAYETTEVILLE, NC 28312 910-583-4466 (M) 910-935-0015 (W) Graduate-County Citizens' Academy: NO Graduate-Institute for Community Leadership: NO Graduate-Leadership Fayetteville: NO Graduate-United Way's Multi-Cultural Leadership Program: YES Graduate-other leadership academy: NO CATEGORY: MEMBER OF FAITH COMMUNITY, Nonprofit Representative	CEO, EMPACT ONE FOUNDATION	GED/SOME COLLEGE
OSBORN, JENNIFER (W/) 3828 LITTLE JOHN COURT FAYETTEVILLE, NC 910-644-4921 JENNIFEROZ@OUTLOOK.COM Graduate-County Citizens' Academy: NO Graduate-Institute for Community Leadership: CURRENTLY TAKING PART IN ICL Graduate-Leadership Fayetteville: NO Graduate-United Way's Multi-Cultural Leadership Program: NO Graduate-other leadership academy: NO CATEGORY: GENERAL PUBLIC	PROFESSOR, FORMER POLICE OFFICER VETERAN	MASTERS JUSTICE ADMIN

CUMBERLAND COUNTY JUVENILE CRIME PREVENTION COUNCIL, PAGE 6

NAME/ADDRESS/PHONE	OCCUPATION	EDUCATIONAL BACKGROUND
POWELL, KIERSTEN (B/F) 430 VALMONT AVENUE FAYETTEVILLE, NC 28303 910-751-9453(H) 910-323-4191 (W) KPOWELL@MCCOG.ORG 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 CATEGORY: UNITED WAY OR NON-PROFIT REPRESENTATIVE <i>*SERVING ON SAMPSON COUNTY JUVENILE JUSTICE CRIME-PREVENTION COUNCIL AS WORKFORCE LIAISON</i>	YOUNG ADULT PROGRAM ANALYST	ASS. IN GENERAL STUDIES
PRICE, WANDA C. (B/F) 1995 CHRISTOPHER WAY FAYETTEVILLE, NC 28303 583-3929(H/M)/709-2131(W) WC.PRICE@YAHOO.COM 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 CATEGORY: SUBSTANCE ABUSE PROFESSIONAL (SERVES ON BOARD OF ELECTIONS)	COGNITIVE BEHAVIOR INTERVENTION	HS/AS
RAY, TISHA (B/F) 401 TRADEWINDS DR APT D FAYETTEVILLE, NC 28314 910 -853-4577 (H) tisha272@gmail.com 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 CATEGORY: GENERAL PUBLIC	LICENSED SCHOOL COUNSELOR MASTERS	
REESE, CLARISSA MCRAE (B/F) 1736 SHAW RD FAYETTEVILLE NC 28311 910-354-0912 MRSCMREESE2017@GMAIL.COM 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 CATEGORY: GENERAL PUBLIC & MEMBER OF FAITH COMMUNITY	INSTRUCTOR/JCPC LIAISON DUNN POLICE ATHLETIC & ACTIVITIES LEAGUE	AAS, BS

CUMBERLAND COUNTY JUVENILE CRIME PREVENTION COUNCIL, PAGE 7

NAME/ADDRESS/PHONE	OCCUPATION	EDUCATIONAL BACKGROUND
ROGERS, KENNETH CARL JR. (B/M) 2512 HUNTINGBOW DRIVE HOPE MILLS, NC 28348 910-584-3785 KENNYROGERS8181@GMAIL.COM 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 CATEGORY: GENERAL PUBLIC	SALES CONSULTANT FRED ANDERSON TOYOTA OF SANFORD	BACHELORS
SESSOMS, KARLA D (B/F) 6624 JACOBS CREEK CIRCLE FAYETTEVILLE NC 28306 481-8447/494-3102 KARLALIFE@ICLOUD.COM 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 CATEGORY: GENERAL PUBLIC	REGISTERED NURSE NURSESTAFF LLC	MSN, NE
SHAW, KIM LEWIS (B/F) 7550 BEVERLY DRIVE FAYETTEVILLE NC 28314 910-331-9690/919-805-2353 KIM.SHAW@NCDPS.GOV 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 CATEGORY: UNITED WAY OR NONPROFIT REPRESENTATIVE	REGIONAL RECRUITER NC DEPT OF PUBLIC SAFETY	MASTERS
SILVERMAN, GARY A (W/M) 1174 DERBYSHIRE ROAD FAYETTEVILLE NC 28314 910-574-9952 GSILVERMAN001@GMAIL.COM 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 CATEGORY: GENERAL PUBLIC Currently appointed to Cumberland County Industrial Facilities and Pollution Control Financing	LT COLONEL US ARMY RETIRED/PT INSTRUCTOR	SCHOOL LISTED

CUMBERLAND COUNTY JUVENILE CRIME PREVENTION COUNCIL, PAGE 8

NAME/ADDRESS/PHONE	OCCUPATION	EDUCATIONAL BACKGROUND
<p>SIMMONS, RENATA (B/F) 2057 WOOD DUCK DRIVE FAYETTEVILLE NC 28304 627-1332/678-9799 SIMMONSRENATA02@GMAIL.COM Graduate-County Citizens' Academy: NO Graduate-Institute for Community Leadership: YES Graduate-Leadership Fayetteville: NO Graduate-United Way's Multi-Cultural Leadership Program: NO Graduate-other leadership academy: NO CATEGORY: GENERAL PUBLIC/MEMBER OF BUSINESS COMMUNITY</p>	<p>CAREER DEVELOPMENT CENTER TECH FTCC</p>	<p>BA-SOCIOLOGY MA-SOCIOLOGY</p>
<p>SINCLAIR, TIMOTHY (B/M) 7834 ADRIAN DRIVE FAYETTEVILLE, NC 28314 910-864-7417 (H) 910-797-7693 (C) TIMSINCLAIR@YAHOO.COM Graduate-County Citizens' Academy: NO Graduate-Institute for Community Leadership: YES Graduate-Leadership Fayetteville: NO Graduate-United Way's Multi-Cultural Leadership Program: NO Graduate-other leadership academy: NO CATEGORY: GENERAL PUBLIC</p>	<p>ESL INSTRUCTOR</p>	<p>Ed. S. Education Spec.</p>
<p>SKINNER-COLEMAN (B/F) 916 BRAMBLEWOOD COURT FAYETTEVILLE, NC 28314 910-988-8185 (M) 910-907-0209 (W) en1dc8ve@gmail.com 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: CATEGORY: MEMBER OF FAITH COMMUNITY</p>	<p>School Counselor</p>	
<p>TAYLOR, MADELEINE A (-M) 812 TAMARACK DRIVE APT 8202 FAYETTEVILLE, NC 28311 919-924-5901 MABBYO@GMAIL.COM 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 CATEGORY: GENERAL PUBLIC</p>	<p>NONE LISTED</p>	<p>HIGH SCHOOL</p>

CUMBERLAND COUNTY JUVENILE CRIME PREVENTION COUNCIL, PAGE 9

<u>NAME/ADDRESS/PHONE</u>	<u>OCCUPATION</u>	<u>EDUCATIONAL BACKGROUND</u>
<p>TWITTY, MARTELLE (B/F) 6404 DAVIS BYNUM FAYETTEVILLE NC 28306 910-922-2014 MARTELLECOKE@GMAIL.COM 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 CATEGORY: GENERAL PUBLIC</p>	<p>DENTAL HYGIENIST DAY AND NIGHT FAMILY DENTAL</p>	<p>DENTAL HYGIENE, BS</p>
<p>WALTERS, JAIMIE (W/F) 4829 MURPHY ROAD FAYETTEVILLE NC 28312 910-461-8873 JAIMIEMELTON@YAHOO.COM Graduate-County Citizens' Academy: NO Graduate-Institute for Community Leadership: YES Graduate-Leadership Fayetteville: NO Graduate-United Way's Multi-Cultural Leadership Program: NO Graduate-other leadership academy: NO CATEGORY: GENERAL PUBLIC</p>	<p>SENIOR PLANNER MOORE COUNTY</p>	<p>BA HISTORY/MPA</p>
<p>WILLIAMS, AMANDA 674 BAYWOOD ROAD FAYETTEVILLE, NC 28312 435-0960(H)/658-7541(M)/907-7029(W) AMANDAW67@HOTMAIL.COM Graduate-County Citizens' Academy: NO Graduate-Institute for Community Leadership: NO Graduate-Leadership Fayetteville: NO Graduate-United Way's Multi-Cultural Leadership Program: YES Graduate-other leadership academy: NO CATEGORY: GENERAL PUBLIC</p>	<p>TRAINING-DEFENSE HEALTH AGENCY</p>	<p>NC AGRICULTURAL & TECHNICAL STATE UNIV</p>
<p>WILLIAMS, EBONE (B/F) 2755 BARDOLINO DRIVE FAYETTEVILLE, NC 28306 410-776-9408 EBONE.WILLIAMS@OUTLOOK.COM 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 CATEGORY: MEMBER OF THE BUSINESS COMMUNITY</p>	<p>SPEECH LANGUAGE PATH. AFFINITY THERAPY SERVICES</p>	<p>BACHELORS</p>



Juvenile Crime Prevention Council

TO: ANDREA TEBBE, DEPUTY CLERK TO THE BOARD
FROM: NICHELLE GAINS, JCPC COORDINATOR
DATE: NOVEMBER 14, 2022
SUBJECT: JCPC MEMBERSHIP NOMINATIONS FOR DECEMBER 19, 2022
CUMBERLAND COUNTY BOARD OF COMMISSIONERS' MEETING

The JCPC Council met on Wednesday, December 14, 2022, and approved the following membership applications for consideration at the December 19, 2022, Board of Cumberland County Commissioners' meeting:

United Way / Non-Profit Representative(Reappointment): Amy Navejas, President, United Way

Member of the Faith Community:	Sandra Renee Lanford
Substance Abuse Representative:	Louis Leake
At- Large (3):	Dwight Palmer(reappointment)
	Renarde Earl
	Clarissa Reese

The following membership names will need official appointment by the BOC as they have replaced previous member in these positions:

County Manager Designee:	Heather Skeens
District Court Judge Designee:	Judge Cheri Siler-Mack
CCSO Designee:	Sgt. Melody Farnham
FAY PD Designee:	Lt. Mike Mulcahy
District Attorney Designee:	Caitlyn Lacey

Each applicant has submitted the required application through the Boards and Committees process on the Board of Commissioners' website. Please place these nominations on the December 19, 2022, Board of Commissioner's agenda for Nomination to the JCPC Council.

Should you have any questions please do not hesitate to contact me at (910) 437-1884.

Thank You –



CLERK TO THE BOARD OF COMMISSIONERS

MEMORANDUM FOR BOARD OF COMMISSIONERS AGENDA OF DECEMBER 19, 2022

TO: BOARD OF COUNTY COMMISSIONERS

FROM: ANDREA TEBBE, CLERK TO THE BOARD

DATE: 12/19/2022

SUBJECT: CUMBERLAND COUNTY BOARD OF HEALTH (2 VACANCIES)

BACKGROUND

The Cumberland County Board of Health has the following two (2) vacancies.

Physician

Dr. Sam Fleishman. Completed second term. Not eligible for reappointment. The Cumberland County Board of Health recommends that **Dr. Sam Fleishman** be reappointed.

Optometrist

Dr. Hakkam Alsaidi. Completed first term. Eligible for reappointment. The Cumberland County Board of Health recommends **Dr. Hakkam Alsaidi** for reappointment.

The applicant list, membership roster and recommendation are attached.

RECOMMENDATION / PROPOSED ACTION

Nominate individuals to fill the two (2) vacancies on the Cumberland County Board of Health.

ATTACHMENTS:

Description	Type
Cumberland County Board of Health Recommendation	Backup Material
Cumberland County Board of Health Applicant List	Backup Material
Cumberland County Board of Health Membership Roster	Backup Material



Public Health
Prevent. Promote. Protect.

Cumberland County Board of Health

Cumberland County Department of Public Health

Dr. Jennifer Green

Cumberland County Health Director

1235 Ramsey Street | Fayetteville, NC 28301

Main Phone (910) 433-3705 | Administration Fax (910) 433-3649

Reappointment Request

Olusola Ojo

Pharmacist/BOH Chair

December 14, 2022

Cynthia McArthur-Kearney

Registered Nurse/Vice Chair

The Cumberland County Board of Health unanimously voted to recommend the appointment of another term to Dr. Sam Fleishman and Dr. Hakkam Alsaidi last night at the regular Board of Health Meeting.

Kent Dean

Veterinarian

John Larch III

Professional Engineer

The Board of Health would like for you to approve this nomination for Reappointment to the Board for both Dr. Fleishman and Dr. Alsaidi.

Jeannette Council

County Commissioner

Thank you for your consideration.

Jennifer Brayboy-Locklear

Public Representative

Sam Fleishman

Physician

Dr. Jennifer Green
Cumberland County Public Health Director

Kingsley Momodu.

Dentist

Joseph Fiser

General Public

Kierra Wade

Public Representative

Hakkam Alsaidi

Optometrist

**APPLICANTS FOR
BOARD OF HEALTH**

<u>NAME/ADDRESS/TELEPHONE</u>	<u>OCCUPATION</u>	<u>EDUCATIONAL BACKGROUND</u>
BAILEY, TIARRA (B/F) 3205 WINTERWOOD DRIVE FAYETTEVILLE NC 28306 910-587-1212 BAILEYTIARRA3@GMAIL.COM 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 CATEGORY: GENERAL PUBLIC	PUBLIC HEALTH STUDENT	BS-HUMAN SERVICES & BIOLOGY
BARNES, EQUILLA (B/F) 4522 RUBY RD FAYETTEVILLE NC 28311 313-433-7820 BARNES621@HOTMAIL.COM 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 CATEGORY: REGISTERED NURSE	REGISTERED NURSE CAPE FEAR VALLEY MEDICAL CENTER	BACHELORS-NURSING
BOSTIC, MELISSA (H/F) 3931 BROOKGREEN DR FAYETTEVILLE NC 28304 910-364-2345 MBOSTIC19@ICLOUD.COM Graduate-County Citizens' Academy: NO Graduate-Institute for Community Leadership: YES Graduate-Leadership Fayetteville: NO Graduate-United Way's Multi-Cultural Leadership Program: NO Graduate-other leadership academy: NO CATEGORY: GENERAL PUBLIC	HR MANAGER MOUNTAIRE FARMS	MBA, DOCTORATE BUSINESS ADMINISTRATION
BRADSHAW, BETSY M. 2816 MILLBROOK ROAD FAYETTEVILLE, NC 28303 824-1510/486-1605 BETSY.BRADHSAW@DHHS.NC.GOV 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 CATEGORY: GENERAL PUBLIC & REGISTERED NURSE	FAMILY NURSE PRACTITIONER CHILDREN'S DEVELOPMENTAL SVC AGENCY	BS/FNP
BROWN, PAULA (B/F) 3500 BENNETT DRIVE FAYETTEVILLE NC 28301 703-8399/709-8595/483-0153 PHOWARD924@YAHOO.COM Graduate-County Citizens' Academy: YES Graduate-Institute for Community Leadership: YES Graduate-Leadership Fayetteville: YES Graduate-United Way's Multi-Cultural Leadership Program: YES Graduate-other leadership academy: NO CATEGORY: GENERAL PUBLIC	RETIRED	MASTERS-ED

APPLICANTS FOR BOARD OF HEALTH Page 2

NAME/ADDRESS/TELEPHONE	OCCUPATION	EDUCATIONAL BACKGROUND
<p>BREECE, DAVID (W/M) 500 RAMSEY STREET FAYETTEVILLE, NC 28301 910-635-7706 ROGERSANDBREECE.DAVID@GMAIL.COM 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 CATEGORY: GENERAL PUBLIC</p>	GENERAL MANAGER- FUNERAL HOME	BA IN BUSINESS
<p>BUSH-MCMANUS, PATRICIA (B/F) 3472 THORNDIKE DRIVE FAYETTEVILLE NC 28311 488-1314/202-468-3065 PATRICIA.BUSH-MCMANUS@PBMCONSULTING 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 CATEGORY: GENERAL PUBLIC</p>	BUSINESS/HIGHER EDUCATION CONSULTANT CONSULTANT & PROFESSOR	EDS/MA
<p>CARTER-SHARPE, NATALIE 421 HILLIARD DRIVE FAYETTEVILLE, NC 28311 910-423-4604 H, 910-286-6884 M/W NSHARPEAKA@GMAIL.COM 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: LEADERSHIP, ELIZABETH CITY CATEGORY: REGISTERED NURSE</p>	RN-CHIEF CLINICAL OFFICER CARROLTON FACILITY MGMT	DOCTOR OF NURSING-ECU
<p>COX, ANICCA (W/F) 6911 BROCKWOOD STREET FAYETTEVILLE NC 28314 575-770-4349 NO EMAIL LISTED 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 CATEGORY: GENERAL PUBLIC</p>	EDUCATION METHODIST UNIVERSITY	PHD
<p>DAVIDSON, HANK (W/M) 2088 TEESDALE DRIVE HOPE MILLS NC 28348 813-832-3290/910-322-6186 HMDAVID@TWC.COM 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 CATEGORY: GENERAL PUBLIC</p>	GOVERNMENT CONTRACTOR OWT GLOBAL	NONE LISTED

APPLICANTS FOR BOARD OF HEALTH Page 3

NAME/ADDRESS/TELEPHONE	OCCUPATION	EDUCATIONAL BACKGROUND
GRAHAM, DERRICK (M) 132 TREETOP DR. APT G FAYETTEVILLE, NC 28311 derrick@magnificentvp.com 469-588-1847 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 CATEGORY: GENERAL PUBLIC	BUSINESS DEVELOPMENT	NO INFO PROVIDED
GRANT, KELLEY Y (-/F) 3921 TASHA DRIVE HOPE MILLS NC 28348 818-0254/615-1344 KELBLAZE34@GMAIL.COM 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 CATEGORY: REGISTERED NURSE	CLINICAL EDUCATOR RN	BSN
HODGES, LEROY (ASIAN/M) 2536 THORNGROVE CT FAYETTEVILLE NC 28303 578-8592/676-7570 LEROY@QWIKMED.NET 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: ASHP FOUNDATION PHARMACY LEADERSHIP ACADEMY CATEGORY: PHARMACIST	PHARMACIST QWIKMED PHARMACY & CLINIC	PHARMD-UNC CHAPEL HILL
HODGES, STEPHANIE (W/F) 2536 THORNGROVE COURT FAYETTEVILLE, NC 28303 910-584-0358 NP@QWIKMED.NET 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 CATEGORY: REGISTERED NURSE	FAMILY NURSE PRACTITIONER QWIKMED PHARMACY	MASTERS-NURSING
HOLLOMAN, GWEN (-/-) 721 EDGEHILL DRIVE FAYETTEVILLE, NC 28314 910-868-1691 GHOLL80180@AOL.COM 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 CATEGORY: GENERAL PUBLIC	RETIRED VA MEDICAL CENTER	BACHELORS MASTERS

APPLICANTS FOR BOARD OF HEALTH Page 4

NAME/ADDRESS/TELEPHONE	OCCUPATION	EDUCATIONAL BACKGROUND
HONDROS, DENO (W/M) 304 COURTYARD LANE FAYETTEVILLE NC 28303 977-0685/802-0076/864-2626 DJHONDROS@HOTMAIL.COM 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 CATEGORY: GENERAL PUBLIC	COMMERCIAL REAL ESTATE BROKER SELF EMPLOYED	SOME COLLEGE
KALRA, DR. SUMIT (AI/M) 6824 MUNFORD DRIVE FAYETTEVILLE NC 28306 221-1903/485-6470/423-534-5990 DRSUMITKALRA@GMAIL.COM 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 CATEGORY: PHYSICIAN	PHYSICIAN CARDIOLOGIST CAPE FEAR CARDIOLOGY ASSOCIATES	PHYSICIAN
LASHLEY, DR. TRACIE H. (B/F) 1540 EPIC WAY HOPE MILLS NC 28348 922-4575/759-3375 TRACIE@DRTRACIELASHLEY.COM 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 CATEGORY: GENERAL PUBLIC	PRESIDENT/CEO THE LEADER'S INNOVATIVE GROWTH SOLUTIONS	DOCTORATE
MAY, SHANTIQUA (B/F) 9582 HOLBROOK LANE FAYETTEVILLE NC 28314 910-583-4231 TQUALADSON@GMAIL.COM 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 CATEGORY: REGISTERED NURSE	REGISTERED NURSE HIGHSMITH RAINEY	COLLEGE LISTED
MCENTIRE, RASHAD (B/M) 142 SORGHUM WAY FAYETTEVILLE NC 28314 706-763-0632 RASHADMCENTIRE@GMAIL.COM 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 CATEGORY: GENERAL PUBLIC	FOOD SAFETY US ARMY	BA-BUSINESS ADMIN

APPLICANTS FOR BOARD OF HEALTH Page 5

NAME/ADDRESS/TELEPHONE	OCCUPATION	EDUCATIONAL BACKGROUND
MCKOY, DATREZ RAHEAM (B/M) 418 ACACIA CIRCLE APT H FAYETTEVILLE, NC 28314 910-736-8169 MCKOYDATREZ@YAHOO.COM 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 CATEGORY: GENERAL PUBLIC	GENERAL LABOR	HIGH SCHOOL
MCLAUGHLIN, JAQUALLA (B/F) 3608 PINE LAKE DRIVE, APT. 13 FAYETTEVILLE, NC 28311 758-8024(M) JAQUALLAM@YAHOO.COM 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 CATEGORY: GENERAL PUBLIC	FOSTER CARE SOCIAL WORKER ROBESON COUNTY DSS	BS OF SOCIAL WORK
OATMAN, LEWIS S. (-/M) 5575 HALLWOOD DRIVE FAYETTEVILLE, NC 28348 884/5020 LEWIS_OATMAN@MSN.COM 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 CATEGORY: GENERAL PUBLIC	ADJUNCT PROFESSOR HEALTH CARE EXECUTIVE	PHD HEALTH SCIENCES GLOBAL HEALTH
SESSOMS, KARLA D (B/F) 6624 JACOBS CREEK CIRCLE FAYETTEVILLE NC 28306 481-8447/494-3102 KARLALIFE@ICLOUD.COM 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 CATEGORY: REGISTERED NURSE	REGISTERED NURSE NURSESTAFF LLC	MSN, NE
SHARPE, NATALIE (B/F) 421 HILLIARD DRIVE FAYETTEVILLE NC 28311 423-4604/286-6884 NSHARPEAKA@GMAIL.COM 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: ELIZABETH CITY LEADERSHIP ACADEMY CATEGORY: REGISTERED NURSE	REGISTERED NURSE CHIEF CLINICAL OFFICER CARROLTON FACILITY	MS-NURSING

APPLICANTS FOR BOARD OF HEALTH Page 6

NAME/ADDRESS/TELEPHONE	OCCUPATION	EDUCATIONAL BACKGROUND
<p>STEEGER, VICTORIA (A/F) 408 MCPHERSON AVE FAYETTEVILLE, NC 28303 918-809-3695/919-346-0947 VICTORIASTEEGER@GMAIL.COM 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 CATEGORY: GENERAL PUBLIC</p>	<p>DIRECTOR SMI CONSULTANCY</p>	<p>BSE, MED, PHD</p>
<p>TWADDELL, ROBERT DC (W/M) 1332 BRAGG BLVD. FAYETTEVILLE, NC 28301 257-7246(H/M)/303-2690(W) DOCTOR@AHEALTHYBACK.COM 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: SERVES POSITION ON CHIROPRACTIC ADVANTAGE CATEGORY: GENERAL PUBLIC</p>	<p>CHIROPRACTOR</p>	<p>DC DOCTOR OF CHIROPRACTIC MEDICINE</p>
<p>TWITTY, MARTELLE (B/F) 6404 DAVIS BYNUM FAYETTEVILLE NC 28306 910-922-2014 MARTELLECOKE@GMAIL.COM 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 CATEGORY: GENERAL PUBLIC</p>	<p>DENTAL HYGIENIST DAY AND NIGHT FAMILY DENTAL</p>	<p>DENTAL HYGIENE, BS</p>
<p>UBA, DANIEL C. (B/M) 109 GREEN STREET FAYETTEVILLE NC 28301 286-5400/864-4357 DUBAMD@GMAIL.COM 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 CATEGORY: PHYSICIAN</p>	<p>MEDICAL DOCTOR RAPHA HEALTH SYSTEM</p>	<p>DOCTORATE</p>
<p>WALTERS, JAIMIE (W/F) 4829 MURPHY ROAD FAYETTEVILLE NC 28312 910-461-8873 JAIMIEMELTON@YAHOO.COM Graduate-County Citizens' Academy: NO Graduate-Institute for Community Leadership: YES Graduate-Leadership Fayetteville: NO Graduate-United Way's Multi-Cultural Leadership Program: NO Graduate-other leadership academy: NO CATEGORY: GENERAL PUBLIC</p>	<p>SENIOR PLANNER MOORE COUNTY</p>	<p>BA HISTORY/MPA</p>

APPLICANTS FOR BOARD OF HEALTH Page 7

<u>NAME/ADDRESS/TELEPHONE</u>	<u>OCCUPATION</u>	<u>EDUCATIONAL BACKGROUND</u>
WRIGHT, DAKOTA WAYNE (-/-) 3431 REGIMENT DRIVE FAYETTEVILLE NC 28303 919-770-3783 KOTA03WRIGHT@HOTMAIL.COM 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 CATEGORY: GENERAL PUBLIC	US ARMY	BS-POLITICAL SCIENCE

Currently appointed to Cumberland County Industrial Facilities and Pollution Control Financing

BOARD OF HEALTH
3 Year Term

(All terms expire on December 31st per NCGS § 130A-35)

Name/Address	<u>Date</u> Appointed	Term	Expires	<u>Eligible For</u> Reappointment
<u>Veterinarian</u>				
Dr. William Kent Dean (W/M) 5733 Rockfish Road Hope Mills, NC 28348 424-2508/624-8691/424-3011 deannoone@aol.com	1/22	2nd	Dec/24 12/31/24	No
<u>Physician</u>				
Dr. Sam Fleishman 3308 Melrose Road Fayetteville, NC 28304 910-615-3200	1/20	2nd	Dec/22 12/31/22	No
<u>Dentist</u>				
Dr. Kingsley Momodu (B/M) 6806 South Staff Road Fayetteville, NC 28306 401-2616/443-762-1987/568-5669 komomodu@yahoo.co.uk	1/22	2nd	Dec/21 12/31/24	No
<u>Registered Nurse</u>				
Cynthia McArthur-Kearney (B/F) 819 Alexwood Drive Hope Mills, NC 28348 424-3640/308-3772/672-1111 Kearney01.clrk@gmail.com	1/22	2nd	Dec/21 12/31/24	No
<u>Optometrist</u>				
Hakkam Alsaïdi (-/M) 4275 Goldsboro Rd Wade, NC 28395 910-429-6539 alsaidihakkam@gmail.com	5/20	1st	Dec/22 12/31/22	Yes
<u>Pharmacist</u>				
Dr. Olusola A. Ojo (B/F) PO Box 8 Hope Mills, NC 28348 322-6032/488-2120 Oluojo12@hotmail.com	1/22	2nd	Dec/21 12/31/24	No

(All terms expire on December 31st per NCGS § 130A-35)

<u>Name/Address</u>	<u>Date Appointed</u>	<u>Term</u>	<u>Expires</u>	<u>Eligible For Reappointment</u>
<u>Engineer</u>				
John Larch III. (W/M) 2500 North Edgewater Dr. Fayetteville, NC 28303 261-8746/433-1240 jlarch@ci.fay.nc.us	1/22	2nd	Dec/21 12/31/24	No
<u>Cumberland County Commissioner</u>				
Jeannette Council 3310 Lake Bend Drive Fayetteville, NC 28311 488-0691 (H) / 273-4585 (C)	1/22	3rd	Dec/21 12/31/24	No
<u>General Public Reps.</u>				
Joseph Fiser (-M) 1010 Hay Street Fayetteville, NC 28305 513-885-4988/615-5572 Bfize53@yahoo.com	1/22	1st	Dec/21 12/31/24	Yes
Jennifer Brayboy (NA/F) 4616 Hoe Court Fayetteville, NC 28314 919-702-4293 jenniferbrayboy@gmail.com	1/22	1st	Dec/21 12/31/24	Yes
Kiera Wade (B/F) 316 McKenzie Road Apt. F Spring Lake, NC 28390 215-495-5228 kierapafred@gmail.com	1/22	1st	Dec/21 12/31/24	Yes

Contact: Dr. Jennifer Green, Public Health Director
 Kelly Smith, Administrative Assistant
 Phone: 433-3705
 Fax: 433-3659

Meetings: 3rd Tuesday of the month - 6:00 PM - Board Room, Health Department, 1235 Ramsey Street
 (July and September meetings take place only if desired).

