
AGENDA
CUMBERLAND COUNTY BOARD OF COMMISSIONERS
JUDGE E. MAURICE BRASWELL
CUMBERLAND COUNTY COURTHOUSE- ROOM 118
MARCH 20, 2023
6:45 PM

INVOCATION - Commissioner Toni Stewart

PLEDGE OF ALLEGIANCE -

INTRODUCTIONS

Fayetteville-Cumberland Youth Council Members

Alexandria Hinkle

Dayana Allison

RECOGNITION

Recognition of Vivian Tookes

PUBLIC COMMENT PERIOD

1. APPROVAL OF AGENDA

2. PRESENTATIONS

A. Fiscal Year 2022 Compliance Audit Presentation by Cherry Bekaert LLP

3. CONSENT AGENDA

A. Consideration of Approval of Property Tax Collection Agreements With the Towns of Linden, Falcon, and Hope Mills

B. Consideration of Approval of an Interlocal Agreement for Sales Tax Distribution

C. Approval of Proclamation Proclaiming March 2023 as Social Worker Month

D. Acceptance of Offer to Purchase Surplus Property Located at 724 North Street, Fayetteville

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

1. Fiscal Year 2024 Health Insurance Benefit Plan Changes

2. Historic Orange Street School Restoration Project Funding Request

4. PUBLIC HEARINGS

Rezoning Cases

A. Case ZON-22-0080

B. Case ZON-23-0002

5. ITEMS OF BUSINESS

- A. Consideration of April 13, 2023 Agenda Session Schedule Change
- B. Consideration of Proposed Schedule for Fiscal Year 2024 Budget Work Sessions and Budget Public Hearing

6. CLOSED SESSION: If Needed

ADJOURN

REGULAR BOARD MEETINGS:

April 3, 2023 (Monday) 9:00 AM
April 17, 2023 (Monday) 6:45 PM
May 1, 2023 (Monday) 9:00 AM

WATCH THE MEETING LIVE

THIS MEETING WILL BE STREAMED LIVE THROUGH THE COUNTY'S WEBSITE, www.cumberlandcountync.gov. LOOK FOR THE LINK AT THE TOP OF THE HOMEPAGE.

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



OFFICE OF THE COUNTY MANAGER

MEMORANDUM FOR BOARD OF COMMISSIONERS AGENDA OF MARCH 20, 2023

TO: BOARD OF COUNTY COMMISSIONERS

FROM:

DATE:

SUBJECT: FAYETTEVILLE-CUMBERLAND YOUTH COUNCIL MEMBERS



CLERK TO THE BOARD OF COMMISSIONERS

MEMORANDUM FOR BOARD OF COMMISSIONERS AGENDA OF MARCH 20, 2023

TO: BOARD OF COUNTY COMMISSIONERS

FROM: ANDREA TEBBE, CLERK TO THE BOARD

DATE: 3/20/2023

SUBJECT: RECOGNITION OF VIVIAN TOOKES

BACKGROUND

Chairwoman Stewart will recognize Ms. Vivian Tookes as the current longest serving female for Cumberland County as part of Women's History Month.

Ms. Tookes has been a Cumberland County employee since October 1, 1982.



GENERAL MANAGER FINANCIAL SERVICES

MEMORANDUM FOR BOARD OF COMMISSIONERS AGENDA OF MARCH 20, 2023

TO: BOARD OF COUNTY COMMISSIONERS

FROM: VICKI EVANS, FINANCE DIRECTOR

DATE: 3/14/2022

**SUBJECT: FISCAL YEAR 2022 COMPLIANCE AUDIT PRESENTATION BY
CHERRY BEKAERT LLP**

BACKGROUND

April Adams, CPA and partner with Cherry Bekaert LLP, will present results of the fiscal year 2022 compliance audit which was finalized on March 9th. As a reminder, the financial audit results were presented during the January 17, 2023 Board of Commissioners meeting. Also during that meeting, commissioners approved an audit contract extension through March 31, 2023, to allow additional time for the compliance audit to be completed.

In addition, the Local Government Commission now requires local governments to submit responses into a portal if the audited financial statements presented to the governing board included one or more significant deficiencies, material weaknesses, other findings or if the auditor identified Financial Performance Indicators of Concern (FPIC). The attached "Letter of Response to the LGC" requires signatures of at least 2/3 of the governing body. Cumberland County's Fiscal Year 2022 Performance Indicators are also attached. Please note the item of concern is shown in the red shaded cell in the "Unit Results" column.

RECOMMENDATION / PROPOSED ACTION

Receive presentation. After presentation, the Board of County Commissioners, County Manager and Finance Director are requested to sign the response to be sent to the Local Government Commission in accordance with 20 NCAC 03 .0508, Response to the Independent Auditor's Findings, Recommendations and Fiscal Matters.

ATTACHMENTS:

Description

FY2022 Compliance Audit Presentation

Type

Backup Material

FY2022 Compliance Audit
FY2022 Performance Indicators Summary
Letter of Response to LGC

Backup Material
Backup Material
Backup Material

CUMBERLAND COUNTY **Single Audit Results**

March 20, 2023



Agenda

- ▶ Major programs tested
- ▶ Results of the Single Audit

This information is intended solely for the use of Board of Commissioners who are charged with governance and management of Cumberland County, North Carolina and is not intended to be, and should not be, used by anyone other than these specified parties.



Major Programs Tested for Single Audit

Federal Major Programs

- Coronavirus State and Local Fiscal Recovery Funds (ARPA)
- Temporary Assistance for Needy Families
- Child Support Enforcement
- Medicaid
- Emergency Rental Assistance Program
- Epidemiology Lab Capacity



State Major Programs

- DSS Crosscutting
- Juvenile Crime Prevention Program
- State Foster Care & Guardianship Associated Benefits

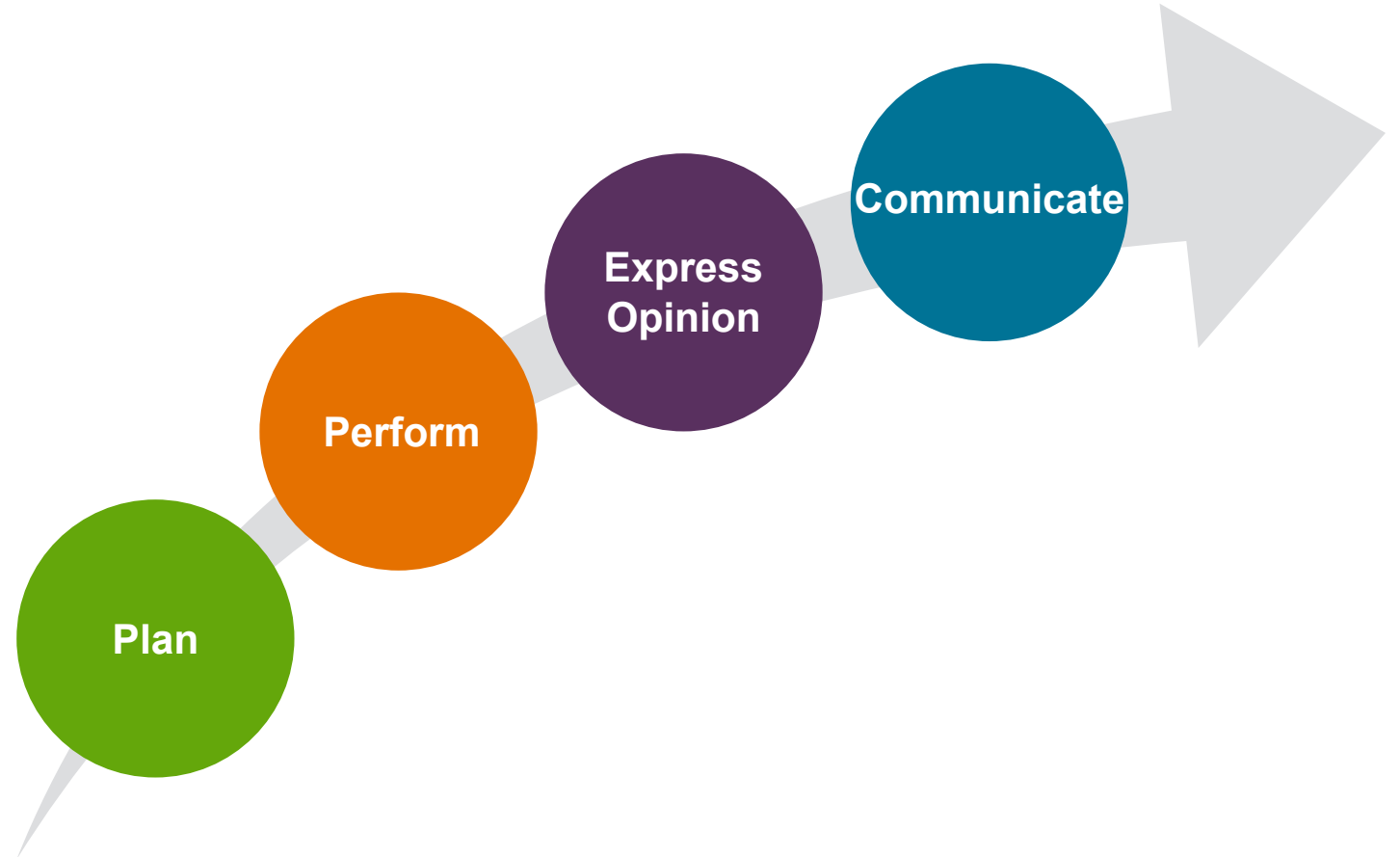


Results of the Single Audit

We have audited the compliance of Cumberland County, North Carolina (the “County”) for the year ended June 30, 2022, with the OMB Uniform Grant Guidance and the State Single Audit Implementation Act and we have issued our reports thereon dated March 9, 2023.

We have issued a Federal and State compliance report.

There were two findings reported related to the Emergency Rental Assistance Program.



Single Audit Findings

2022 – 001 – Material Weakness over Eligibility

County could not provide supporting documentation of the quality reviews that took place over each case for 54 of the 60 case files selected.

2022 – 002 – Nonmaterial Noncompliance over Eligibility

One instance out of the 60 case files tested in which the supporting documentation of the payment for rent in arrears did not properly support the amount of payment made.



Status of Prior Year Findings

Prior year findings

2021 – 001 – Corrected.

2021 – 002 – Corrected.

2021 – 003 – Corrected.



LGC Performance Indicators

Audit Report –

One financial performance indicator of concern noted.

Audit was not submitted within five (5) months from fiscal year-end

Requires Response to Local Government Commission (within 60 days)



Questions?

April Adams, CPA
Audit Partner
aadams@cbh.com
919-782-1040

Linda Suggs, CPA
Senior Manager
lsuggs@cbh.com

About Cherry Bekaert

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CUMBERLAND COUNTY, NORTH CAROLINA

COMPLIANCE REPORT

As of and for the Year Ended June 30, 2022

And Reports on Compliance and Internal Control

CUMBERLAND COUNTY, NORTH CAROLINA
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Compliance and Other Matters Based on an Audit of Financial Statements Performed
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**Report of Independent Auditor on Internal Control over Financial Reporting and on
Compliance and Other Matters Based on an Audit of Financial Statements
Performed in Accordance with Government Auditing Standards**

To the Board of Commissioners
County of Cumberland, North Carolina

We have audited, in accordance with the auditing standards generally accepted in the United States of America and the standards applicable to the financial audits contained in *Government Auditing Standards* issued by the Comptroller General of the United States, the financial statements of the governmental activities, the business-type activities, the aggregate discretely presented component units, each major fund, and the aggregate remaining fund information of Cumberland County, North Carolina (the "County"), as of and for the year ended June 30, 2022, and the related notes to the financial statements, which collectively comprises the County's basic financial statements, and have issued our report thereon dated January 17, 2023. Our report includes a reference to other auditors who audited the financial statements of Cumberland County ABC Board (the "ABC Board") as described in our report on County's financial statements. This report does not include the results of the other auditor's testing of internal control over financial reporting or compliance and other matters that are reported separately by those auditors. The financial statements of the Fayetteville Area Convention and Visitors Bureau (the "Bureau") and the ABC Board were not audited in accordance with the *Governmental Auditing Standards* and accordingly, this report does not include reporting on internal control over financial reporting or compliance and other matters associated with the Bureau and the ABC Board.

Report on Internal Control Over Financial Reporting

In planning and performing our audit of the financial statements, we considered the County's internal control over financial reporting ("internal control") as a basis for designing audit procedures that are appropriate in the circumstances for the purpose of expressing our opinions on the financial statements, but not for the purpose of expressing an opinion on the effectiveness of the County's internal control. Accordingly, we do not express an opinion on the effectiveness of the County's internal control.

A *deficiency in internal control* exists when the design or operation of a control does not allow management or employees, in the normal course of performing their assigned functions, to prevent or detect and correct misstatements on a timely basis. A *material weakness* is a deficiency, or a combination of deficiencies, in internal control, such that there is a reasonable possibility that a material misstatement of the entity's financial statements will not be prevented or detected and corrected on a timely basis. A *significant deficiency* is a deficiency, or a combination of deficiencies, in internal control that is less severe than a material weakness, yet important enough to merit attention by those charged with governance.

Our consideration of internal control was for the limited purpose described in the first paragraph of this section and was not designed to identify all deficiencies in internal control that might be material weaknesses or significant deficiencies. Given these limitations, during our audit we did not identify any deficiencies in internal control that we consider to be material weaknesses. However, material weaknesses or significant deficiencies may exist that were not identified.

Report on Compliance and Other Matters

As part of obtaining reasonable assurance about whether the County's financial statements are free from material misstatement, we performed tests of its compliance with certain provisions of laws, regulations, contracts, and grant agreements, noncompliance with which could have a direct and material effect on the financial statements. However, providing an opinion on compliance with those provisions was not an objective of our audit, and accordingly, we do not express such an opinion. The results of our tests disclosed no instances of noncompliance or other matters that are required to be reported under *Government Auditing Standards*.

Purpose of this Report

The purpose of this report is solely to describe the scope of our testing of internal control and compliance and the results of that testing, and not to provide an opinion on the effectiveness of the County's internal control or on compliance. This report is an integral part of an audit performed in accordance with *Government Auditing Standards* in considering the County's internal control and compliance. Accordingly, this communication is not suitable for any other purpose.

Cherry Bekaert LLP

Raleigh, North Carolina
January 17, 2023

**Report of Independent Auditor on Compliance for Each Major
Federal Program and on Internal Control Over Compliance Required by
OMB Uniform Guidance and the State Single Audit Implementation Act**

To the Board of Commissioners
County of Cumberland, North Carolina

Report on Compliance for Each Major Federal Program

Opinion on Each Major Federal Program

We have audited Cumberland County, North Carolina's (the "County") compliance with the types of compliance requirements described in the OMB *Compliance Supplement* and the *Audit Manual for Governmental Auditors in North Carolina*, issued by the Local Government Commission, that could have a direct and material effect on each of the County's major federal programs for the year ended June 30, 2022. The County's major federal programs are identified in the summary of auditor's results section of the accompanying schedule of findings and questioned costs.

In our opinion, the County complied, in all material respects, with the compliance requirements referred to above that could have a direct and material effect on each of its major federal programs for the year ended June 30, 2022.

Basis for Opinion on Each Major Federal Program

We conducted our audit of compliance in accordance with auditing standards generally accepted in the United States of America; the standards applicable to financial audits contained in *Government Auditing Standards*, issued by the Comptroller General of the United States; the audit requirements of Title 2 U.S. *Code of Federal Regulations* Part 200, *Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards* ("Uniform Guidance"); and the State Single Audit Implementation Act. Our responsibilities under those standards, the Uniform Guidance, and the State Single Audit Implementation Act are further described in the *Auditor's Responsibilities for the Audit of Compliance* section of our report.

We are required to be independent of the County and to meet our other ethical responsibilities, in accordance with relevant ethical requirements relating to our audit. We believe the audit evidence we have obtained is sufficient and appropriate to provides a reasonable basis for our opinion on compliance for each major federal program. Our audit does not provide a legal determination of the County's compliance with the compliance requirements referred to above.

Responsibilities of Management for Compliance

Management is responsible for compliance with the requirements referred to above and for the design, implementation, and maintenance of effective internal control over compliance with the requirements of laws, statutes, regulations, rules, and provisions of contracts or grant agreements applicable to the County's federal programs.

Auditor's Responsibilities for the Audit of Compliance

Our objectives are to obtain reasonable assurance about whether material noncompliance with the compliance requirements referred to above occurred, whether due to fraud or error, and express an opinion on the County's compliance based on our audit. Reasonable assurance is a high level of assurance but is not absolute assurance and, therefore, is not a guarantee that an audit conducted in accordance with generally accepted auditing standards, *Government Auditing Standards*, the Uniform Guidance, and the State Single Audit Implementation Act will always detect material noncompliance when it exists. The risk of not detecting material noncompliance resulting from fraud is higher than for that resulting from error, as fraud may involve collusion, forgery, intentional omissions, misrepresentations, or the override of internal control. Noncompliance with the compliance requirements referred to above is considered material, if there is a substantial likelihood that, individually or in the aggregate, it would influence the judgment made by a reasonable user of the report on compliance about the County's compliance with the requirements of each major federal program as a whole.

In performing an audit in accordance with generally accepted auditing standards, *Government Auditing Standards*, the Uniform Guidance, and the State Single Audit Implementation Act, we:

- Exercise professional judgment and maintain professional skepticism throughout the audit.
- Identify and assess the risks of material noncompliance, whether due to fraud or error, and design and perform audit procedures responsive to those risks. Such procedures include examining, on a test basis, evidence regarding County's compliance with the compliance requirements referred to above and performing such other procedures as we considered necessary in the circumstances.
- Obtain an understanding of the County's internal control over compliance relevant to the audit in order to design audit procedures that are appropriate in the circumstances and to test and report on internal control over compliance in accordance with the Uniform Guidance and the State Single Audit Implementation Act, but not for the purpose of expressing an opinion on the effectiveness of the County's internal control over compliance. Accordingly, no such opinion is expressed.

We are required to communicate with those charged with governance regarding, among other matters, the planned scope and timing of the audit and any significant deficiencies and material weaknesses in internal control over compliance that we identified during the audit.

Other Matters

The results of our auditing procedures disclosed instances of noncompliance which are required to be reported in accordance with Uniform Guidance and which are described in the accompanying schedule of findings and questioned costs as item 2022-002. Our opinion on each major federal program is not modified with respect to this matter.

Government Auditing Standards requires the auditor to perform limited procedures on the County's response to the noncompliance finding identified in our audit described in the accompanying schedule of findings and questioned costs. The County's response was not subjected to the other auditing procedures applied in the audit of compliance and, accordingly, we express no opinion on the response.

Report on Internal Control Over Compliance

Our consideration of internal control over compliance was for the limited purpose described in the *Auditor's Responsibilities for the Audit of Compliance* section above and was not designed to identify all deficiencies in internal control over compliance that might be material weaknesses or significant deficiencies in internal control over compliance and, therefore, material weaknesses or significant deficiencies may exist that were not identified. However, as discussed below, we did identify a certain deficiency in internal control over compliance that we consider to be a material weakness.

A deficiency *in internal control over compliance* exists when the design or operation of a control over compliance does not allow management or employees, in the normal course of performing their assigned functions, to prevent, or detect and correct, noncompliance with a type of compliance requirement of a federal program on a timely basis. A *material weakness in internal control over compliance* is a deficiency, or a combination of deficiencies, in internal control over compliance, such that there is a reasonable possibility that material noncompliance with a type of compliance requirement of a federal program will not be prevented, or detected and corrected, on a timely basis. We consider the deficiency in internal control over compliance described in the accompanying schedule of findings and questioned costs as item 2022-001 to be a material weakness.

A *significant deficiency in internal control over compliance* is a deficiency, or a combination of deficiencies, in internal control over compliance with a type of compliance requirement of a federal program that is less severe than a material weakness in internal control over compliance, yet important enough to merit attention by those charged with governance.

Our audit was not designed for the purpose of expressing an opinion on the effectiveness of internal control over compliance. Accordingly, no such opinion is expressed.

Government Auditing Standards requires the auditor to perform limited procedures on the County's response to internal control over compliance finding identified in our audit described in the accompanying schedule of findings and questioned costs. The County's response was not subjected to the other auditing procedures applied in the audit of compliance and, accordingly, we express no opinion on the response.

Report on Schedule of Expenditures of Federal and State Awards Required by the Uniform Guidance

We have audited the financial statements of the governmental activities, the business-type activities, the aggregate discretely presented component units, each major fund, and the aggregate remaining fund information of the County as of and for the year ended June 30, 2022, and the related notes to the financial statements, which collectively comprise the County's basic financial statements. We issued our report thereon dated January 17, 2023, which contained an unmodified opinion on those financial statements. Our audit was performed for the purpose of forming opinions on the financial statements that collectively comprise the County's basic financial statements. The accompanying schedule of expenditures of federal and state awards is presented for purposes of additional analysis as required by the Uniform Guidance and the State Single Audit Implementation Act and is not a required part of the basic financial statements. Such information is the responsibility of management and was derived from and relates directly to the underlying accounting and other records used to prepare the financial statements. The information has been subjected to the auditing procedures applied in the audit of the basic financial statements and certain additional procedures, including comparing and reconciling such information directly to the underlying accounting and other records used to prepare the financial statements themselves, and other additional procedures in accordance with auditing standards generally accepted in the United States of America. In our opinion, the schedule of expenditures of federal and state awards is fairly stated, in all material respects, in relation to the basic financial statements taken as a whole.

The purpose of this report on internal control over compliance is solely to describe the scope of our testing of internal control over compliance and the results of that testing based on the requirements of the Uniform Guidance and the State Single Audit Implementation Act. Accordingly, this report is not suitable for any other purpose.

Cherry Bekaert LLP

Raleigh, North Carolina
March 9, 2023

**Report of Independent Auditor on Compliance for Each Major
State Program and on Internal Control Over Compliance in Accordance with
OMB Uniform Guidance and the State Single Audit Implementation Act**

To the Board of Commissioner
County of Cumberland, North Carolina

Report on Compliance for Each Major State Program

Opinion on Each Major State Program

We have audited the County of Cumberland, North Carolina's (the "County") compliance with the types of compliance requirements identified as subject to audit in the OMB Compliance Supplement and the *Audit Manual for Governmental Auditors in North Carolina*, issued by the Local Government Commission, that could have a direct and material effect on each of the County's major state programs for the year ended June 30, 2022. The County's major state programs are identified in the summary of auditor's results section of the accompanying schedule of findings and questioned costs.

In our opinion, the County complied, in all material respects, with the compliance requirements referred to above that could have a direct and material effect on each of its major state programs for the year ended June 30, 2022.

Basis for Opinion on Each Major State Program

We conducted our audit of compliance in accordance with auditing standards generally accepted in the United States of America; the standards applicable to financial audits contained in *Government Auditing Standards*, issued by the Comptroller General of the United States; the audit requirements of Title 2 U.S. *Code of Federal Regulations* Part 200, *Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards* ("Uniform Guidance"); and the State Single Audit Implementation Act. Our responsibilities under those standards, the Uniform Guidance, and the State Single Audit Implementation Act are further described in the *Auditor's Responsibilities for the Audit of Compliance* section of our report.

We are required to be independent of the County and to meet our other ethical responsibilities, in accordance with relevant ethical requirements relating to our audit. We believe the audit evidence we have obtained is sufficient and appropriate to provides a reasonable basis for our opinion on compliance for each major state program. Our audit does not provide a legal determination of the County's compliance with the compliance requirements referred to above.

Responsibilities of Management for Compliance

Management is responsible for compliance with the requirements referred to above and for the design, implementation, and maintenance of effective internal control over compliance with the requirements of laws, statutes, regulations, rules, and provisions of contracts or grant agreements applicable to the County's state programs.

Auditor's Responsibilities for the Audit of Compliance

Our objectives are to obtain reasonable assurance about whether material noncompliance with the compliance requirements referred to above occurred, whether due to fraud or error, and express an opinion on the County's compliance based on our audit. Reasonable assurance is a high level of assurance but is not absolute assurance and, therefore, is not a guarantee that an audit conducted in accordance with generally accepted auditing standards, *Government Auditing Standards*, the Uniform Guidance, and the State Single Audit Implementation Act will always detect material noncompliance when it exists. The risk of not detecting material noncompliance resulting from fraud is higher than for that resulting from error, as fraud may involve collusion, forgery, intentional omissions, misrepresentations, or the override of internal control. Noncompliance with the compliance requirements referred to above is considered material, if there is a substantial likelihood that, individually or in the aggregate, it would influence the judgment made by a reasonable user of the report on compliance about the County's compliance with the requirements of each major state program as a whole.

In performing an audit in accordance with generally accepted auditing standards, *Government Auditing Standards*, the Uniform Guidance, and the State Single Audit Implementation Act, we:

- Exercise professional judgment and maintain professional skepticism throughout the audit.
- Identify and assess the risks of material noncompliance, whether due to fraud or error, and design and perform audit procedures responsive to those risks. Such procedures include examining, on a test basis, evidence regarding the County's compliance with the compliance requirements referred to above and performing such other procedures as we considered necessary in the circumstances.
- Obtain an understanding of the County's internal control over compliance relevant to the audit in order to design audit procedures that are appropriate in the circumstances and to test and report on internal control over compliance in accordance with the Uniform Guidance and the State Single Audit Implementation Act, but not for the purpose of expressing an opinion on the effectiveness of County's internal control over compliance. Accordingly, no such opinion is expressed.

We are required to communicate with those charged with governance regarding, among other matters, the planned scope and timing of the audit and any significant deficiencies and material weaknesses in internal control over compliance that we identified during the audit.

Report on Internal Control Over Compliance

A deficiency *in internal control over compliance* exists when the design or operation of a control over compliance does not allow management or employees, in the normal course of performing their assigned functions, to prevent, or detect and correct, noncompliance with a type of compliance requirement of a state program on a timely basis. A *material weakness in internal control over compliance* is a deficiency, or a combination of deficiencies, in internal control over compliance, such that there is a reasonable possibility that material noncompliance with a type of compliance requirement of a state program will not be prevented, or detected and corrected, on a timely basis. A *significant deficiency in internal control over compliance* is a deficiency, or combination of deficiencies, in internal control over compliance with a type of compliance requirement of a state program that is less severe than a material weakness in internal control over compliance, yet important enough to merit attention by those charged with governance.

Our consideration of internal control over compliance was for the limited purpose described in Auditor's Responsibilities for the Audit of Compliance section and above and was not designed to identify all deficiencies in internal control over compliance that might be material weaknesses or significant deficiencies or material weaknesses in internal control over compliance. Given these limitations, during our audit, we did not identify any deficiencies in internal control over compliance that we consider to be material weaknesses. However, material weaknesses or significant deficiencies may exist that were not identified.

Our audit was not designed for the purpose of expressing an opinion on the effectiveness of internal control over compliance. Accordingly, no such opinion is expressed.

Report on Schedule of Expenditures of Federal and State Awards Required by the Uniform Guidance

We have audited the financial statements of the governmental activities, the business-type activities, the aggregate discretely presented component units, each major fund, and the aggregate remaining fund information of the County as of and for the year ended June 30, 2022, and the related notes to the financial statements, which collectively comprise the County's basic financial statements. We issued our report thereon dated January 17, 2023, which contained an unmodified opinion on those financial statements. Our audit was performed for the purpose of forming opinions on the financial statements that collectively comprise the County's basic financial statements. The accompanying schedule of expenditures of federal and state awards is presented for purposes of additional analysis as required by the Uniform Guidance and the State Single Audit Implementation Act and is not a required part of the basic financial statements. Such information is the responsibility of management and was derived from and relates directly to the underlying accounting and other records used to prepare the financial statements. The information has been subjected to the auditing procedures applied in the audit of the basic financial statements and certain additional procedures, including comparing and reconciling such information directly to the underlying accounting and other records used to prepare the financial statements themselves, and other additional procedures in accordance with auditing standards generally accepted in the United States of America. In our opinion, the schedule of expenditures of federal and state awards is fairly stated, in all material respects, in relation to the basic financial statements taken as a whole.

Purpose of this Report

The purpose of this report on internal control over compliance is solely to describe the scope of our testing of internal control over compliance and the results of that testing based on the requirements of the Uniform Guidance and the State Single Audit Implementation Act. Accordingly, this report is not suitable for any other purpose.

Cherry Bekaert LLP

Raleigh, North Carolina
March 9, 2023

YEAR ENDED JUNE 30, 2022

Financial Statements

Unmodified

Federal Awards

Identification of major federal programs:

9

CUMBERLAND COUNTY, NORTH CAROLINA
SCHEDULE OF FINDINGS AND QUESTIONED COSTS (CONTINUED)

YEAR ENDED JUNE 30, 2022

Section I. Summary of Auditor's Results (continued)

Dollar threshold used to distinguish
between Type A and Type B Programs \$ 1,630,710

Auditee qualified as low-risk auditee? X yes no

State Awards

Internal control over Major State Programs:

- Material weakness(es) identified? yes X no
- Significant deficiency(s) identified
that are not considered to be
material weaknesses? yes X none

Noncompliance material to State awards? yes X no

Type of auditor's report issued on compliance
for major federal programs: *Unmodified*

Any audit findings disclosed that are
required to be reported in accordance
with the State Single Audit Implementation Act? yes X no

Identification of major state programs:

Program Name

State Foster Care & Guardianship Associated Benefits
Juvenile Crime Prevention Program

Section II – Financial Statement Findings

None reported.

CUMBERLAND COUNTY, NORTH CAROLINA
SCHEDULE OF FINDINGS AND QUESTIONED COSTS (CONTINUED)

YEAR ENDED JUNE 30, 2022

Section III – Federal Award Findings and Questioned Costs

U.S. Department of Treasury
Pass-through Entity: N.C. Pandemic Recovery Office
Program Name: Emergency Rental Assistance Program
Federal Assistance Listing Number 21.023
Eligibility
Material Weakness
Finding 2022-001

Criteria: Section 200.303 of the Uniform Grant Guidance states that, a non-federal entity must establish and maintain effective internal control over the federal award that provides reasonable assurance that the non-federal entity is managing the federal award in compliance with Federal statutes, regulations, and the terms and conditions of the federal award.

Condition: The County did not retain evidence of the initial review and approval or the secondary review and approval for each participant.

Effect: Without additional documentation retained, the County cannot demonstrate to a third party reviewer it has appropriate controls in place to ensure applications are properly reviewed and approved prior to the payment of the benefit.

Cause: The system used to maintain documentation of the program does not provide evidence of the secondary review prior to payment of the benefit.

Recommendation: The County should either modify the system used to review and approve to include evidence of the review and approval process or create manual procedures that document the review and approval process.

Views of responsible officials and planned corrective actions: The County agrees with this finding.

U.S. Department of Treasury
Pass-through Entity: N.C. Pandemic Recovery Office
Program Name: Emergency Rental Assistance
Federal Assistance Listing Number 21.023
Eligibility
Nonmaterial Noncompliance
Finding 2022-002

Criteria: In accordance with the requirements of the Emergency Rental Assistance Program (ERAP), funds can be used for prospective rent and rent arrears. Grantees must obtain, if available, a current lease, signed by the applicant and the landlord or sublessor, that identifies the unit where the applicant resides and establishes the rental payment amount. If a household does not have a signed lease, documentation of residence may include evidence of paying utilities for the residential unit, an attestation by a landlord who can be identified as the verified owner or management agent of the unit, or other reasonable documentation as determined by the grantee. In the absence of a signed lease, evidence of the amount of a rental payment may include bank statements, check stubs, or other documentation that reasonably establishes a pattern of paying rent, a written attestation by a landlord who can be verified as the legitimate owner or management agent of the unit, or other reasonable documentation as defined by the grantee in its policies and procedures.

Condition: We noted one instance in which the supporting documentation of the payment for rent in arrears did not properly support the amount of payment made.

CUMBERLAND COUNTY, NORTH CAROLINA
SCHEDULE OF FINDINGS AND QUESTIONED COSTS (CONTINUED)

YEAR ENDED JUNE 30, 2022

Section III – Federal Award Findings and Questioned Costs (continued)

Effect: The County could potentially provide more funding to a participant than permitted.

Context: We examined 60 participants' case files to review the calculation of the program benefits, noting one instance where the participant was potentially overpaid benefits based on the supporting documentation provided.

Questioned Costs: We noted a total of \$2,800 in questioned costs related to the overpayment noted above. All claims tested totaled \$350,045, with the projected questioned costs estimated to be \$62,200, a calculated 0.8% error rate.

Cause: The supporting documentation used for payment of rent in arrears included consideration of a reimbursement of funds already paid to the landlord by the tenant.

Recommendation: The County should review its processes to ensure payments are properly calculated within each case file.

Views of responsible officials and planned corrective actions: The County agrees with this finding.

Section IV – State Award Findings and Questioned Costs

None noted.

Clarence G. Grier
County Manager

Brian Haney
Assistant County Manager



Sally S. Shutt
Assistant County Manager

Heather Skeens
Assistant County Manager

Office of the County Manager

CUMBERLAND COUNTY, NORTH CAROLINA
CORRECTIVE ACTION PLAN
|
YEAR ENDED JUNE 30, 2022

Section III – Federal Award Findings and Questioned Costs

Finding 2022-001

Name of Contact Person: Vivian Tookes, DSS Division Director for Economic Services and DSS Director when appointed.

Corrective Action: After approval of the disbursement, a 2nd party QA check will be completed and documented in the file by a lead or supervisor. This review will satisfy the requirement in the control documents that every case will have a 2nd party review prior to monies being distributed.

Proposed Completion Date: February 28, 2023

Finding 2022-002

Name of contact person: Vivian Tookes, DSS Division Director for Economic Services and DSS Director when appointed.

Corrective Action: All cases will utilize guidance provided by Treasury to determine eligibility and will clearly document and store all copies of evidence to support the eligibility determination to issue payments. This will also be clearly documented as to the evidence gathered in the case file for each determination.

Proposed Completion Date: February 28, 2023

Section IV – State Award Findings and Questioned Costs

None noted.

CUMBERLAND COUNTY, NORTH CAROLINA
SCHEDULE OF PRIOR YEAR FINDINGS

YEAR ENDED JUNE 30, 2022

2021-001: Corrected

2021-002: Corrected

2021-003: Corrected

CUMBERLAND COUNTY, NORTH CAROLINA
SCHEDULE OF EXPENDITURES OF FEDERAL AND STATE AWARDS

YEAR ENDED JUNE 30, 2022

Grantor/Pass-through Grantor/Program Title	Federal Assistance Listing Number	State/ Pass-through Grantor's Number	Fed. (Direct & Pass-through) Expenditures	State Expenditures	Provided to Subrecipients
1(a) Federal Awards:					
<u>U.S. Dept. of Agriculture</u> <u>Food and Consumer Service</u> Passed-through N.C. Dept. of Agriculture: Food Distribution	10.550		\$ 1,755	\$ -	\$ -
Passed-through the N.C. Dept. of Health and Human Services: Division of Social Services: Administration: SNAP Cluster Food Stamp Incentive Retention	10.551		17,525	-	-
State Administrative Matching Grants for the Food Stamp Program	10.561		4,068,708	-	-
Total Food Stamp Cluster			4,086,233	-	-
Passed-through the N.C. Dept. of Health and Human Services: Division of Public Health: Administration: WIC Special Supplemental Nutrition Program for Women, Infants, & Children	10.557		2,300,643	-	-
Total U.S. Dept. of Agriculture			6,388,631	-	-
<u>U.S. Department of Housing and Urban Development</u> <u>Community Planning and Development</u> Passed-through the N.C. Dept. of Health and Human Services: Department of Administration: Emergency Solutions Grants Program	14.231		-	21,663	-
Direct Program: Community Development Block Grants/Entitlement Grants	14.218		398,953	-	-
CDBG-CV Grant	14.218		236,199	-	-
Disaster Relief Act 2017	14.218		103,409	-	-
HOME Investment Partnerships Program	14.239		31,933	-	-
Continuum of Care Program	14.267		139,496	-	139,496
Total U.S. Dept. of Housing and Urban Development			909,990	21,663	139,496

CUMBERLAND COUNTY, NORTH CAROLINA
SCHEDULE OF EXPENDITURES OF FEDERAL AND STATE AWARDS (CONTINUED)

YEAR ENDED JUNE 30, 2022

Grantor/Pass-through Grantor/Program Title	Federal Assistance Listing Number	State/ Pass-through Grantor's Number	Fed. (Direct & Pass-through) Expenditures	State Expenditures	Provided to Subrecipients
1(a)					
<u>U.S. Dept. of Justice</u>					
Passed-through the N.C. Dept. of Crime:					
Control and Public Safety:					
Crime Victim Assistance	16.575		\$ 147,673	\$ -	\$ -
Direct Program:					
Edward Byrne Memorial Justice Assistance Grant	16.579		203,474	-	-
Total U.S. Dept. of Justice			351,147	-	-
<u>U.S. Dept. of Transportation</u>					
<u>Federal Highway Administration</u>					
Passed-through the N.C. Department of Transportation:					
Highway Planning and Construction Cluster:					
Highway Planning and Construction Grants	20.205		395,817	-	395,817
<u>Federal Transit Administration</u>					
Passed-through the N.C. Department of Transportation:					
Federal Transit Cluster					
Federal Transit - Metropolitan Planning Grants	20.505		60,158	7,435	-
Formula Grants for Other Than Urbanized Areas	20.509		136,559	8,717	-
Covid 19 Cares Grant	20.509		-	-	-
Total Federal Transit Cluster			196,717	16,152	-
<u>Federal Transit Administration</u>					
Passed-through the N.C. Department of Public Safety					
Hazardous Materials Emergency Preparedness	20.703		50,541	-	-
Total U.S. Dept. of Transportation			643,075	16,152	395,817
<u>U.S. Department of the Treasury</u>					
Direct Program:					
Equitable Sharing	21.016		295,199	-	-
Emergency Rental Assistance Program	21.023		6,690,199	-	-
Passed-through the Office of State Budget and Management:					
NC Pandemic Recovery Office					
Coronavirus Relief Fund	21.019		81,898	-	-
Coronavirus State and Local Fiscal Recovery Fund (ARPA)	21.027		5,095,835	-	-
Emergency Rental Assistance Program	21.023		1,085,765	-	-
Total U.S. Department of the Treasury			13,248,896	-	-

CUMBERLAND COUNTY, NORTH CAROLINA
SCHEDULE OF EXPENDITURES OF FEDERAL AND STATE AWARDS (CONTINUED)

YEAR ENDED JUNE 30, 2022

Grantor/Pass-through Grantor/Program Title	Federal Assistance Listing Number	State/ Pass-through Grantor's Number	Fed. (Direct & Pass-through) Expenditures	State Expenditures	Provided to Subrecipients
1(a)					
<u>Institute of Museum and Library Services</u>					
Passed-through the State Library of NC					
Grants to States	45.310		\$ 86,360	\$ -	\$ -
<u>Department of Military and Veteran's Affairs</u>					
Passed-through the NC Division of Veteran's Affairs					
VA Supportive Services for Veteran Families	64.033		2,109	-	-
<u>Administration for Children and Families</u>					
Passed-through the N.C. Dept. of Health and Human Services:					
Division of Social Services:					
TANF - Work First	93.558		5,545,551	-	-
Division of Public Health:					
TANF - Work First	93.558		63,562	-	-
Total Temporary Assistance for Needy Families (TANF)			5,609,113	-	-
Special Children Adoption	93.558		12,186	-	-
N.C. Child Support Enforcement Section	93.563		3,942,607	-	-
Low-Income Home Energy Assistance Block Grant:					
Administration	93.568		350,814	-	-
Crisis Intervention Program	93.568		6,318,062	-	-
Stephanie Tubbs Jones Child Welfare Services Program:					
Permanency Planning - Families for Kids	93.645		102,602	-	-
SSBG - Other Services and Training	93.667		1,985,118	-	-
LINKS (formerly Independent Living Grant)	93.674		137,078	34,269	-
<u>Foster Care and Adoption Cluster:</u>					
Title IV-E Foster Care	93.658		4,318,780	1,456,619	-
Total Foster Care and Adoption Cluster			4,318,780	1,456,619	-
Division of Aging:					
Division of Social Services:					
SSBG-Adult Day Care	93.667		66,525	11,848	-
Division of Child Development:					
Subsidized Child Care (Note 4)					
<u>Child Care Development Fund Cluster:</u>					
Division of Social Services:					
Child Care and Development Fund-Administration	93.596		717,958	-	-
Total Child Care Development Fund Cluster			717,958	-	-

CUMBERLAND COUNTY, NORTH CAROLINA
SCHEDULE OF EXPENDITURES OF FEDERAL AND STATE AWARDS (CONTINUED)

YEAR ENDED JUNE 30, 2022

Grantor/Pass-through Grantor/Program Title	Federal Assistance Listing Number	State/ Pass-through Grantor's Number	Fed. (Direct & Pass-through) Expenditures	State Expenditures	Provided to Subrecipients
1(a)					
Division of Social Services: Administration: Medicaid Cluster Medical Assistance Program	93.778		\$ 6,195,156	\$ 16,583	\$ -
Division of Social Services: Administration: Children's Health Insurance Program - NC Health Choice	93.767		119,318	4,819	-
Centers for Disease Control and Prevention passed-through the N.C. Dept. of Health and Human Services: Division of Public Health: Public Health Emergency Preparedness Affordable Care Act (ACA) Personal Responsibility Education Program	93.069		49,105	-	-
Project Grants & Cooperative Agreements for Tuberculosis Control Program	93.116		22,284	-	-
Immunization Cooperative Agreements	93.268		130,111	-	-
Covid-19 - Immunization Cooperative Agreements	93.268		316,381	-	-
Epidemiology and Laboratory Capacity for Infectious Diseases	93.323		868,538	-	-
Covid-19 - Public Health Emergency Response: Cooperative Agreement for Emergency Response: Public Health Crisis Response	93.354		40,467	-	-
National and State Tobacco Control Programs	93.387		104,461	-	-
Covid-19 Activities to Support State, Tribal, Local and Territorial (STLT) Health Department Response to Public Health or Healthcare Crises	93.391		9,916	-	-
Temporary Assistance for Needy Families	93.558		54,290	-	-
Refugee and Entrant Assistance/Replacement Designee Administers Program	93.566		2,820	-	-
Cancer Prevention and Control Programs for State, Territorial	93.898		26,000	-	-
Preventative Health and Health Services Block Grant	93.991		30,481	-	-
Preventative Health Services - Sexually Transmitted Diseases Control Grants	93.977		10,654	-	-
Health Resources and Service Administration passed-through the N.C. Dept. of Health and Human Services: Division of Public Health Maternal and Child Health Services Block Grant	93.994		393,340	50,889	-
Office of Population Affairs passed-through the N.C. Dept. of Health and Human Services: Office of Population Affairs Family Planning Services	93.217		164,438	-	-
Total U.S. Dept. of Health and Human Services			32,098,603	1,575,027	-

CUMBERLAND COUNTY, NORTH CAROLINA
SCHEDULE OF EXPENDITURES OF FEDERAL AND STATE AWARDS (CONTINUED)

YEAR ENDED JUNE 30, 2022

Grantor/Pass-through Grantor/Program Title	Federal Assistance Listing Number	State/ Pass-through Grantor's Number	Fed. (Direct & Pass-through) Expenditures	State Expenditures	Provided to Subrecipients
1(a)					
Department of Homeland Security passed-through N.C. Dept. of Crime Control and Public Safety:					
Division of Emergency Management:					
Disaster Grants - Public Assistance	97.036		\$ 542,452	\$ 145,020	\$ -
Emergency Management Performance Grants	97.042		82,718	-	-
Homeland Security Grant Program	97.067		3,013	-	-
Total Homeland Security			628,183	145,020	-
Total Federal Awards			54,356,994	1,757,862	535,313
State Awards:					
<u>N.C. Dept. of Health and Human Services</u>					
Division of Social Services:					
State Foster Care Benefits Program			-	2,066,277	-
Energy Assistance - CP&L Energy Program			-	24,752	-
State CPS Caseload Reduction			-	218,117	-
CPS State			-	154,396	-
Child Welfare State In-Home Expansion			-	169,074	-
Special Links			-	437,843	-
AFDC Incentives			-	22	-
Adult Protective Services			-	57,354	-
Smart Start Administration			-	214,815	-
Family Violence Prevention Grant			-	38,187	-
Total Division of Social Services			-	3,380,837	-
Division of Public Health:					
School Nurse Funding Initiative			-	144,821	-
Public Health Capacity Building			-	233,260	-
General Communicable Disease Control			-	24,648	-
Food and Lodging Fees			-	53,092	-
Triple P			-	125,000	-
Breast & Cervical Cancer Program			-	21,450	-
Women's Health Service Fund			-	19,058	-
Child Health			-	72,874	-
Family Planning - State			-	93,722	-
Maternal Health			-	146,438	-
HIV/STD State			-	36,260	-
Healthy Communities			-	22,613	-
Tuberculosis Control			-	90,093	-
Total Division of Public Health			-	1,083,329	-
Total N. C. Department of Health and Human Services			-	4,464,166	-

CUMBERLAND COUNTY, NORTH CAROLINA
SCHEDULE OF EXPENDITURES OF FEDERAL AND STATE AWARDS (CONTINUED)

YEAR ENDED JUNE 30, 2022

Grantor/Pass-through Grantor/Program Title	Federal Assistance Listing Number	State/ Pass-through Grantor's Number	Fed. (Direct & Pass-through) Expenditures	State Expenditures	Provided to Subrecipients
1(a)					
<u>N.C. Dept. of Environment & Natural Resources</u>					
Division of Water and Soil Conservation:					
Agriculture Cost Share Program			\$ -	\$ 22,570	\$ -
Soil and Water District Projects			-	3,600	-
Total N.C. Department of Environment & Natural Resources			-	26,170	-
<u>Department of Public Safety</u>					
Juvenile Crime Prevention Program			-	1,310,990	1,310,990
NC Tier II Grant			-	986	-
Total N. C. Department of Public Safety			-	1,311,976	1,310,990
<u>N.C. Dept. of Cultural Resources</u>					
State Aid to Public Libraries			-	336,218	-
<u>N.C. Department of Transportation</u>					
Governor's Highway Safety Program					
Rural Operating Assistance Program Cluster:					
Elderly and Disabled Transportation Assistance Program (E&DTAP)			-	166,859	-
Rural General Program			-	80,564	-
Work First Transitional/Employment Trans. Assistance			-	79,175	-
Total Rural Operating Assistance Program Cluster			-	326,598	-
Total N. C. Department of Transportation			-	326,598	-
<u>N.C. Administrative Office of the Courts</u>					
Innovative Court Pilot Program (Recovery Court)			-	102,918	-
Human Trafficking Court Pilot Program			-	8,430	-
Total N.C. Administrative Office of the Courts			-	111,348	-
<u>N.C. Dept. of Administration</u>					
Domestic Violence Program			-	95,307	-
Total State Awards			-	6,671,783	1,310,990
Total Federal and State Awards			\$ 54,356,994	\$ 8,429,645	\$ 1,846,303

CUMBERLAND COUNTY, NORTH CAROLINA

NOTES TO THE SCHEDULE OF EXPENDITURES OF FEDERAL AND STATE AWARDS

YEAR ENDED JUNE 30, 2022

Note 1—Basis of presentation

The accompanying schedule of expenditures of federal and State awards ("SEFSA") includes the federal and state grant activity of Cumberland County under the programs of the federal government and the state of North Carolina for the year ended June 30, 2022. The information in this SEFSA is presented in accordance with the requirements of Title 2 U.S. *Code of Federal Regulations Part 200, Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards* and the State Single Audit Implementation Act. Because the SEFSA presents only a selected portion of the operations of Cumberland County, it is not intended to, and does not, present the financial position, changes in net position or cash flows of Cumberland County.

Note 2—Summary of significant accounting policies

Expenditures reported in the SEFSA are reported on the modified accrual basis of accounting. Such expenditures are recognized following the cost principles contained in Uniform Guidance, wherein certain types of expenditures are not allowable or are limited as to reimbursement.

Note 3—Indirect cost rate

Cumberland County has elected not to use the 10% de minimis indirect cost rate as allowed under the Uniform Guidance.

Note 4—Cluster of programs

The following are clustered by the N.C. Department of Health and Human Services and are treated separately for state audit requirement purposes: Foster Care and Adoption.

PERFORMANCE INDICATORS

The self-reported information from your unit's audit report was used to generate the following trends and performance indicators. We have created this Performance Indicator tab to make these indicators available to auditors and local governments when your audit is conducted. If any unit's results are shaded red, the unit must submit a "Response to the Auditor's Findings, Recommendations, and Fiscal Matters" within 60 days from the auditor's board presentation. The response must address all performance indicators shaded in red.

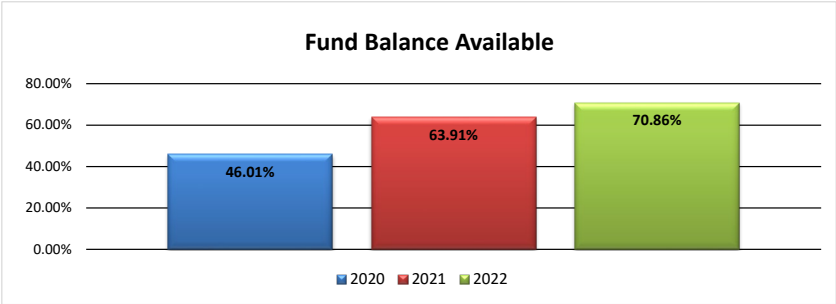
Unit Name:	Cumberland County	Fiscal Year 2022	Explanation of Performance Indicator
Unit Number:	5125		

In the past, units of government have been grouped by population to evaluate ratios and benchmarking (including Fund Balance Available). Beginning with fiscal year 2020, we have grouped units by General Fund expenditures for purposes of evaluating the minimum amount of fund balance a unit needs to operate. A unit's General Fund expenditures proved to be a better correlation to the amount of funds balance needed to operate, especially for units with large higher education or tourism populations. Activity from Debt Service Funds (if applicable) is included in the calculation because these funds typically originate from the General Fund and are transferred to a Debt Service Fund.

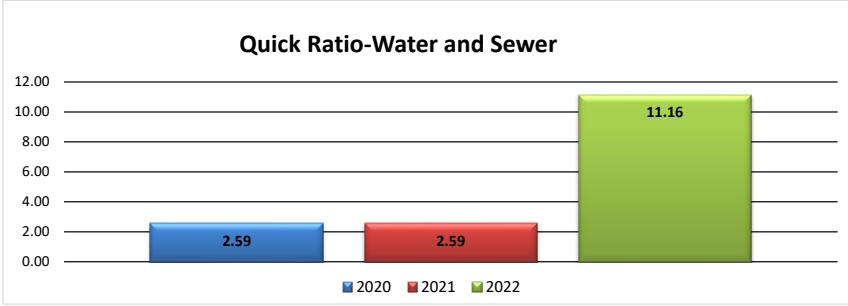
The table below lists the thresholds that are used in the analysis of your unit's fiscal health. These thresholds were determined based on an analysis of previous years general fund activity. These thresholds will be monitored and updated as applicable.

Municipalities			
General Fund Expenditures below:	Median FBA as % of Expenditures without Powell Bill	Minimum Thresholds FBA as % of Expenditures	# of Months FBA using Annualized Expenditures
\$100,000	260%	100%	12.00
\$100,000 to \$999,999	132%	71%	8.52
\$1,000,000 to \$9,999,999	63%	34%	4.08
Above \$10,000,000	46%	25%	3.00
Counties			
General Fund Expenditures below:	Median FBA as % of Expenditures without Powell Bill	Minimum Thresholds FBA as % of Expenditures	# of Months FBA using Annualized Expenditures
Below \$100,000,000	39%	20%	2.40
\$100,000,000 and above	32%	16%	1.92

Units of government are grouped by general fund expenditures for purposes of evaluating available fund balance as a percentage of expenditures (GF FBA%). Each grouping category has its own minimum threshold. If you are in the lower quartile your GF FBA% might be considered a performance indicator of concern and you might be asked to co-H18mmunicate to us. To the left are the minimum thresholds for Municipalities and Counties.

GENERAL FUND:		Minimum Threshold	Unit Results	
1.	 <p>Fund Balance Available</p> <p>80.00% 60.00% 40.00% 20.00% 0.00%</p> <p>46.01% 63.91% 70.86%</p> <p>■ 2020 ■ 2021 ■ 2022</p>	16%--Median of similar units is 32%	70.86%	<p>Fund balance available for appropriation is an important reserve for local governments to provide cash flow during periods of declining revenues and to be used for emergencies and unforeseen expenditures. The information to the left indicates the amount of available cash on hand. You will also see the average for units of your size. Note that 8.33% represents enough fund balance to cover only one month of expenditures. Normally, a unit has to either increase revenues or decrease expenditures to increase fund balance available.</p> <p>This calculation looks at fund balance available plus debt service fund balance (if applicable). This number is then divided by the total of total expenditures plus transfers out less bond proceeds.</p>

	Unit Name:	Cumberland County	Fiscal Year 2022		Explanation of Performance Indicator	
	Unit Number:	5125				
2.	There was appropriated fund balance for the General Fund in the 2022 budget <u>AND</u> your change in fund balance was negative.		Positive Change in Fund Balance	N/A	If the General Fund has more expenditures than revenues because of operational issues and fund balance was appropriated to cover the loss, the continuation of this practice could result in deterioration of a unit's fund balance available.	
3.	The General Fund had total fund balance less than zero - Fund Deficit		Positive Fund Balance	\$280,375,543	The General Fund has a fund deficit which means that the unit's revenues and other receipts are inadequate to support its operations. G.S. 159 13(b)(2) requires that the board fund the full amount of a prior fiscal year's deficit in the current fiscal year's budget. Therefore, this deficit should have been funded immediately after the June 30, fiscal year-end. The law requires such action be taken to stop any further deterioration of the overall financial condition of the fund. Please let us know if the deficit was funded in the budget, and what actions the unit plans to take to bring the general fund balance up to an acceptable level.	

	Unit Name:		Cumberland County		Fiscal Year 2022		Explanation of Performance Indicator									
	Unit Number:		5125													
	WATER SEWER FUND:				Minimum Threshold	Unit Results	Note: If more than one performance indicator is identified, one proposed solution may solve all water and sewer performance indicators.									
4.	<div><div>Quick Ratio-Water and Sewer</div><table><thead><tr><th>Year</th><th>Quick Ratio</th></tr></thead><tbody><tr><td>2020</td><td>2.59</td></tr><tr><td>2021</td><td>2.59</td></tr><tr><td>2022</td><td>11.16</td></tr></tbody></table></div>				Year	Quick Ratio	2020	2.59	2021	2.59	2022	11.16	Equal or greater than 1	11.16	A Quick Ratio less than 1 indicates that the unit owes mores for its current bills than what it has on hand in unrestricted cash and investments plus what is owed from customers (accounts receivable). This could indicate that the fund may have difficulty paying its current bills. If this pattern continues, the water and/or sewer system may not be sustainable.	
Year	Quick Ratio															
2020	2.59															
2021	2.59															
2022	11.16															
	Cash Flow Indicators:		2020	2021	2022	Minimum Threshold	Unit Results									
5.	Operating Net Income (loss) excluding depreciation, including debt service principal and interest		(\$47,211)	(\$187,857)	\$145,274	Greater than zero	\$145,274	This calculation subtracts operating expenses from operating revenues. Depreciation expense is not included the calculation but debt principal and interest payments are included. A negative balance indicates that your rates are not covering your operating expenses and debt service payments.								
6.	Unrestricted cash /total expenses excluding depreciation, including debt service principal and interest		83.87%	55.39%	191.49%	Greater than 16% (2 months)	191.49%	This indicator calculates how many month's worth of expenses (including debt principal and interest but not depreciation) a unit can pay based on the amount of unrestricted cash at year-end. The typical billing cycle is one month (8.33%) and one extra month usually gives a local government enough cash to handle unusual monthly expenses (16.66%). This 16% would be the bare minimum necessary to keep the fund from experiencing cash flow issues.								
7.	It appears your Water Sewer Fund has transfers-in for the support of operations that are greater than 3% of the total of operating and non-operating expenses. Please discuss the purpose of such transfers-in and if you plan to continue these transfers-in.				No		No	The rate structure of the Water and Sewer Fund should support the operating expenses of the fund without operating subsidies or transfers from other funds.								
	GENERAL PERFORMANCE INDICATORS:				2022	Target										
8.	The 2022 Audit Report is expected to be submitted within five months plus one day from the fiscal year end per the auditor. (December 1st for most units)				No	5 months plus one day after the fiscal year end	Late	As stewards of the public’s resources, the governing body is responsible for ensuring that the audited financial statements are available to the public in a timely manner. External groups such as the North Carolina General Assembly, federal and State agencies that provide funding, and other public associations need current financial information about your local government as well.								
					2022	Target										
9.	The budgeted ad valorem tax (including motor vehicles) for the General fund had more than 3% uncollected for the fiscal year audited. Decreases are shown by a negative percentage.				1.90%	Less than 3%	1.90%	This indicator shows that the local government did not collect 3% (or more) of its budgeted ad valorem taxes. This could be an indicator of negative economic events, inaccurate budgeting, and/or issues with the collection process. Uncollected revenues at the 3% level represent several pennies of the tax rate.								
					2022	Target										
10.	You indicated that you expect a decrease in property value for your next property revaluation. In your FPIC Response Letter please discuss the magnitude of the drop in valuation, the overall cause of the drop and how you plan to recover the lost revenues.				N/A	Any estimated decrease	N/A	You indicated that you expect a decrease in property value for your next property revaluation which could result in lost tax revenue.								
					2022	3 Target										

	Unit Name:	Cumberland County	Fiscal Year 2022		Explanation of Performance Indicator
	Unit Number:	5125			
11.	Did your audit disclose as a finding any budget violations? (Yes or No)	No	No over-expenditures	No	The unit has expenditures that exceed the legal budget ordinance. This indicates that the unit's purchase order system, contract approval process and / or payment process is not in compliance with North Carolina General Statute 159.
		2022	Target		
12.	If a unit has no performance indicators of concern that would require them to submit a Response to Audit Findings, Recommendations and Fiscal Matters, but they are currently on the Unit Assistance List, they must still submit an FPIC Response Letter. Their response should discuss the financial plan they have developed to address the issues that placed them on the Unit Assistance List and the progress they have made to date.	Unit is not on the Unit Assistance List at this time		Unit is not on the Unit Assistance List at this time	N/A-Unit is not on the Unit Assistance List.
		2022	Target		
13.	The Unit had material weaknesses, significant deficiencies, and/or statutory violations that should be addressed in the FPIC Response Letter.	No		No	This indicator lists whether the unit has any material weaknesses, significant deficiencies, or management letter comments that require a response.
14.	The unit had a board-appointed finance officer the entire fiscal year.	Yes		Yes	This indicator is to determine if during the fiscal year, the unit was without a board-appointed finance officer.

	Unit Name:	Cumberland County	Fiscal Year 2022		Explanation of Performance Indicator
	Unit Number:	5125			
	GENERAL PERFORMANCE INDICATORS:		2022	Target	
15.	The unit had problems with debt service payments being late and/or did not comply with the bond covenants.		No		No
			2022	Target	
16.	Are there additional issues the unit should address that affect the fiscal health or internal controls of the unit that were communicated to the unit during the audit presentation? <u>Please include details of the issue in cell J36 to the right and in your FPIC Response.</u>		0		No



March 20, 2023

Local Government Commission
3200 Atlantic Avenue
Raleigh, North Carolina 27604

Signed letter to be transmitted electronically into the LGC File Transfer Portal

To Whom it may Concern:

In accordance with 20 NCAC 03 .0508 (b)(2), Cumberland County submits the following written description of the procedure, process, or action plan developed by the government unit to address the fiscal year 2022 Financial Performance Indicator of Concern:

The 2022 Audit Report is expected to be submitted within five months plus one day from the fiscal year end as required by the Local Government Commission. As stewards of the public's resources, the governing body is responsible for ensuring that the audited financial statements are available to the public in a timely manner. External groups such as the North Carolina General Assembly, federal and State agencies that provide funding, and other public associations need current financial information about your local government as well.

What happened: A combination of several issues encountered by the audit firm prohibited their ability to complete the audit by the October 31st deadline and the grace period of December 1st. Fiscal year 2022 was Cumberland County's initial year with Cherry Bekaert LLP after contracting with Elliott Davis for two years. This was a transition year for the County and Cherry Bekaert which required additional set up. Cherry Bekaert experienced a crash on their system that is utilized to produce the comprehensive financial report for the County. They also experienced a staff shortage that led to issues with workload volume. In addition, single audit testing occurred much later than usual in an effort to complete the financial audit and report first with available resources and then utilize those resources to address the single audit. During single audit testing, the County experienced delays in receiving third party information related to one of the programs being audited.

Action plan: Per Cherry Bekaert, their issues should not be encountered in the future as a portion of them are due to the County being a new client in the current year. In regard to report writing, a project is currently being planned to implement software that will enable the County to create and write the annual comprehensive financial report in future years as a contingency to Cherry Bekaert writing the report. The County is also planning to implement earlier cutoffs for fiscal year-end processing activities. In addition, the County's Innovation and Technology Services staff are working with a third-party vendor to store and access data required for single audit, all in-house.

-----SIGNATURE PAGE FOLLOWS-----

Respectfully submitted,

Dr. Toni Stewart, Chairwoman

Glenn Adams, Vice-Chairman

Michael C. Boose, Commissioner

Dr. Jeannette M. Council, Commissioner

W. Marshall Faircloth, Commissioner

Veronica B. Jones, Commissioner

Jimmy Keefe, Commissioner

Clarence Grier, County Manager

Vicki Evans, Finance Director



OFFICE OF THE COUNTY MANAGER

MEMORANDUM FOR BOARD OF COMMISSIONERS AGENDA OF MARCH 20, 2023

TO: BOARD OF COUNTY COMMISSIONERS

FROM: RENEE PASCHAL, INTERIM ASSISTANT COUNTY MANAGER

DATE: 3/20/2023

SUBJECT: CONSIDERATION OF APPROVAL OF PROPERTY TAX COLLECTION AGREEMENTS WITH THE TOWNS OF LINDEN, FALCON, AND HOPE MILLS

BACKGROUND

As the County Attorney explained recently, it is important that the county renew its property tax collection agreements with its municipalities. Currently, Cumberland County collects taxes for all municipalities within its borders.

The following towns have approved the property tax collection agreement drafted by the County Attorney:

Linden
Falcon
Hope Mills

County staff anticipates that additional agreements will be forthcoming. They will be placed on the agenda as they are received.

RECOMMENDATION / PROPOSED ACTION

Move to approve the property tax collection agreements with the towns of Linden, Falcon and Hope Mills.

ATTACHMENTS:

Description	Type
Falcon Agreement	Backup Material
Hope Mills Agreement	Backup Material
Linden Agreement	Backup Material

**INTERLOCAL COOPERATION AGREEMENT FOR THE COLLECTION OF TAXES
BETWEEN CUMBERLAND COUNTY AND THE TOWN OF FALCON**

Approved by the Cumberland County Board of Commissioners _____

Approved by the Governing Board of the Town of Falcon March 6, 2023

This contract is made and entered into March 6, 2023, between Cumberland County, a political subdivision of the State of North Carolina, hereinafter referred to as the "County" and the Town of Falcon, a North Carolina municipal corporation, hereinafter referred to as the "City."

WITNESSETH:

WHEREAS, the governing bodies of the County and the Town have found and determined that it is in the public benefit and interest to provide for the collection by the County of real and personal property taxes levied by the Town as well as certain special assessments assessed by the City, gross receipts taxes on vehicle and equipment rentals and leases, fees authorized to be collected with property taxes, and motor vehicle license fees levied by the City; and

WHEREAS, the North Carolina General Statutes in Chapter 160A, Article 20, Part 1, provide that units of local government may enter into agreements in order to execute an undertaking providing for the contractual exercise by one unit of any power, function or right, including the collection of taxes, of another unit; and

WHEREAS, the governing bodies of the County and Town have ratified this agreement by resolutions being recorded in their respective minutes.

NOW THEREFORE, for and in consideration of the mutual covenants contained herein and the mutual benefits to result therefrom, the parties agree as follows:

1. DEFINITIONS:

- A. Consolidated Tax Bill: A tax bill for both the County and the Town prepared by the County in those situations where both County and Town Revenues are due, i.e. where property lies both within the County and the City.
- B. Non-Consolidated Tax Bill: A tax bill for either the County only or the Town only prepared by the County in those situations where only County or only Town Revenues are due, i.e., where property lies within the County and outside the City, or within the Town and outside of the County, or where property is annexed into the Town at any time other than at the beginning of the fiscal year.

IN WITNESS WHEREOF, the parties hereto have caused this instrument to be signed on the date indicated by their proper officials.



Town of Falcon

By: _____

Mayor Clifton Turpin, Jr.

Date: March 6, 2023

ATTEST:

Belinda D. White
Belinda White, Town Clerk

Cumberland County

By: _____

Toni Stewart, Chair
Board of Commissioners

Date: _____

ATTEST:

By: _____

Andrea Tebbe, Clerk to the Board

THIS INSTRUMENT HAS BEEN PRE-AUDITED
IN THE MANNER REQUIRED BY THE LOCAL
GOVERNMENT BUDGET AND FISCAL CONTROL
ACT.

Vicki Evans, Finance Director

Draft by R. Moorefield, 2-9-23

APPROVED FOR LEGAL SUFFICIENCY

Rickey L. Moorefield, County Attorney

**INTERLOCAL COOPERATION AGREEMENT FOR THE COLLECTION OF TAXES
BETWEEN CUMBERLAND COUNTY AND THE TOWN OF HOPE MILLS**

Approved by the Cumberland County Board of Commissioners _____

Approved by the Governing Board of the Town of Hope Mills March 6, 2023

This contract is made and entered into _____, 2023, between Cumberland County, a political subdivision of the State of North Carolina, hereinafter referred to as the "County" and the Town of Hope Mills, a North Carolina municipal corporation, hereinafter referred to as the "City."

WITNESSETH:

WHEREAS, the governing bodies of the County and the Town have found and determined that it is in the public benefit and interest to provide for the collection by the County of real and personal property taxes levied by the Town as well as certain special assessments assessed by the City, gross receipts taxes on vehicle and equipment rentals and leases, fees authorized to be collected with property taxes, and motor vehicle license fees levied by the City; and

WHEREAS, the North Carolina General Statutes in Chapter 160A, Article 20, Part 1, provide that units of local government may enter into agreements in order to execute an undertaking providing for the contractual exercise by one unit of any power, function or right, including the collection of taxes, of another unit; and

WHEREAS, the governing bodies of the County and Town have ratified this agreement by resolutions being recorded in their respective minutes.

NOW THEREFORE, for and in consideration of the mutual covenants contained herein and the mutual benefits to result therefrom, the parties agree as follows:

I. DEFINITIONS:

- A. Consolidated Tax Bill: A tax bill for both the County and the Town prepared by the County in those situations where both County and Town Revenues are due, i.e. where property lies both within the County and the City.
- B. Non-Consolidated Tax Bill: A tax bill for either the County only or the Town only prepared by the County in those situations where only County or only Town Revenues are due, i.e., where property lies within the County and outside the City, or within the Town and outside of the County, or where property is annexed into the Town at any time other than at the beginning of the fiscal year.

- C. Revenues: Any current or delinquent property taxes, gross receipts taxes on vehicle rentals and heavy equipment rentals, dog, license, privilege, and franchise taxes which are charged by the governing body of the County or the Town including interest, penalties or costs; any current or delinquent fees such as stormwater and solid waste fees authorized to be collected with property taxes; and any special assessments due to the Town or County on property being foreclosed on as a part of a tax foreclosure action and which are collectable by the Tax Administrator within the scope of this agreement.
 - D. Tax Collector: The person appointed by the Board of Commissioners of Cumberland County pursuant to N.C.G.S. §105-349, or its successor statute, by whatever title given, and currently known as the Cumberland County Tax Administrator. For all purposes of this agreement, the Town confirms that the Tax Administrator as appointed hereunder shall be deemed to have also been appointed by the Town as its Tax Collector pursuant to N.C.G.S. §105-349.
 - E. Tax Levy: The amount of County or Town property taxes due for the then current fiscal year as determined by the Tax Administrator. That number is generally determined as the product of the County's and the City's tax rate multiplied by the total assessed value of all property listed in the County or the Town respectively.
- 2. PURPOSE: The purpose of this agreement is to establish the undertakings, as provided in N.C.G.S. Chapter 160A, Article 20, Part 1, whereby the Tax Administrator collects for the County and the Town all current and delinquent Revenues, as defined in Section 1.C of this agreement.
 - 3. METHODS AND PROCEDURES: The methods and procedures which shall be followed by the County, the City, and the Tax Administrator to implement this undertaking shall be as follows:
 - A. The Tax Administrator shall perform, on behalf of the City, those duties specified in N.C.G.S. §105-350, and for all Revenues, shall perform those duties prescribed by the Town Charter with respect to the assessment, levy and collection of taxes, and any other duties specified herein.
 - B. The County shall provide the Tax Administrator with such assistants and employees as are necessary for the Tax Administrator to accomplish his or her duties to collect the Revenues as set forth herein.
 - C. The governing body of the County shall cause to be performed all actions pertaining to or ancillary to the collection of Revenues for the City, required by N.C.G.S. Chapter 105, including but not limited to the following:

1. Preparation of tax scrolls and tax books or a combined record as required by N.C.G.S. §105-319;
 2. Adoption of the Order to Collect Taxes as required by N.C.G.S. § 105-321;
 3. Review of listings and evaluations as required by N.C.G.S. Chapter 105, Subchapter II, Article 21;
 4. Listing, appraising and assessing of property as required by N.C.G.S., Chapter 105, Subchapter II, Article 22;
 5. Delivery of tax receipts to the Tax Administrator as required by N.C.G.S., § 105-352;
 6. Execution of settlements as required by N.C.G.S., §105-373.
- D. The Tax Administrator shall follow the tax collection and settlement procedures set forth in N.C.G.S. Chapter 105, Subchapter II (the Machinery Act) and the administrative and accounting practices of Cumberland County, except that the following special procedures shall apply to the extent that they are not inconsistent with said General Statutes:
1. The Tax Administrator, county manager, and town manager or administrator may agree from time to time in writing as to how the Revenues collected for the Town under this agreement shall be remitted to the Town and about such other administrative matters as shall be necessary to effectuate this agreement. That understanding may be amended in writing from time to time as technological advancements are made. The County shall be responsible for the safeguarding of all Revenues collected on behalf of the Town until such time as said Revenues are remitted to and received by the Town.
 2. Records maintained by the Tax Administrator shall show separately the amount collected on behalf of each taxing unit and such records shall be available for inspection at any time to the City, either in written or digital form, as may be available .
 3. The Tax Administrator shall prepare and mail one Consolidated Tax Bill per parcel for each parcel on which both County and Town taxes are owed, detailing all County and Town taxes, and fees authorized to be collected with property taxes, due. In the event of a partial payment on such a Consolidated Tax Bill, where the taxpayer has not specifically designated how payment is to be applied, the amount of such payment shall first be applied in satisfaction of the taxes owed with the amount to be applied pro rata to each taxing unit's share of

the principal amount of the taxes which were the basis of said collection, then pro rata to each taxing unit's share of the principal amount of the fees which were the basis of said collection, then pro rata to any special assessments to be collected under this agreement. Any remaining monies shall then be applied to the motor vehicle license fees levied by the City, if any. The Tax Administrator shall prepare and mail one Non-Consolidated Tax Bill per parcel for each parcel on which either the County only or the Town only taxes are owed.

4. **COLLECTIONS:** The Tax Administrator shall collect Revenues due the Town in the same manner as the Tax Administrator collects revenues due the County. The Tax Administrator shall report delinquent Revenues due the Town in the same manner as the Tax Administrator reports delinquent revenues due the County.
 - A. Where both County and Town Revenues are delinquent, any action, including but not limited to a foreclosure action, to collect such Revenues shall be brought in the names of both taxing units.
 - B. Where special assessments are due the Town on property which is the subject of a tax foreclosure action by the County, the Tax Administrator shall collect these special assessments as part of the tax foreclosure proceeding, regardless of whether the taxes due are paid subsequent to the institution of the tax foreclosure proceeding. This shall be the only circumstance in which the Tax Administrator shall have the duty to collect special assessments owing to the City.
 - C. The County's governing board has determined that if the County becomes the purchaser of any property at a foreclosure sale, the County shall pay only that part of the purchase price that would not be distributed to it and other taxing units on account of taxes, penalties, interest, and such costs as accrued prior to the initiation of the foreclosure action under G.S. 105-374 or docketing of a judgment under G.S. 105-375, and thereafter hold and dispose of the property in accordance with the further provisions of G.S. 105-376(b). Any costs incurred by the County using its own employees or a contractor to maintain and safeguard any property acquired the County at foreclosure shall be allocated to the costs to be first recouped by the County upon sale of the property. The County shall provide an accounting to the Town for such costs.
5. **APPORTIONMENT:** Penalties and interest collected, proceeds recovered from tax foreclosures and sales pursuant thereto, and discounts, settlements, or compromises allowed shall be apportioned between the County and the Town pro rata in proportion to each taxing unit's share of the principal amount which was the basis of said collections, recoveries, or allowances.

6. **REPORTS:** The Tax Administrator shall make an annual written report and a monthly written report to both governing bodies, which shall include:
 - A. Current property tax collections on behalf of each taxing unit, stated in dollars and as a percentage of the levies;
 - B. Delinquent property tax collections on behalf of taxing unit, stated in dollars and as a percentage of the outstanding levies;
 - C. Collections of County and Town Revenues other than property taxes by type, stated in dollars and as a percentage of the budget projections;
 - D. Significant policy changes and recommendations pertaining to the Office of the Tax Administrator; and
 - E. Significant operational changes and recommendations pertaining to the Office of the Tax Administrator.
7. **DURATION:** This agreement shall take effect July1, 2023, and shall apply to all collections made by the Tax Administrator after that date and shall remain in place until terminated by either party in accordance with the termination provision stated herein.
8. **FINANCES:** The County shall retain a collection fee as a percentage of the amount of the actual Revenue collected for each tax year as follows:
 - A. For collections made by the date taxes become delinquent for a tax year (January 5), the fee shall be a sum equal to three-quarters of a percent (0.75%) of the actual Revenue collected for the Town as consideration for this agreement.
 - B. For collections made after the date taxes become delinquent for a tax year (January 5), the fee shall be a sum equal to one and three-quarters of a percent (1.75%) of the actual Revenue collected for the Town as consideration for this agreement
9. **APPOINTMENTS:** The Tax Administrator shall be appointed by the Cumberland County Board of Commissioners for a term not to exceed four (4) years.
 - A. The appointment of the Tax Administrator shall be made by the governing body of the County in accordance with the provisions of N.C.G.S. § 105-349. The appointment, approval, and acknowledgment thereof will be entered into the minutes of the appropriate proceedings of the governing body of the County.
 - B. Appointments of all assistants, consultants, attorneys or employees provided by the County to implement this undertaking shall be made by the appropriate County officials and shall not be subject to the approval of the City. Such

appointees shall be employees, agents, consultants or contractors, as the case may be, of the County and not of the City.

10. GENERAL PROVISIONS:

- A. The participation of the Office of the Tax Administrator in this undertaking, except as otherwise provided by law or this agreement, shall be under the supervision of the Board of Commissioners of Cumberland County and the county manager, which officials shall have exclusive authority as provided by law to regulate and control the administration of said office. Any problems experienced by the Town with regard to this undertaking shall be communicated to the county manager to be resolved as the county manager deems appropriate.
- B. A bond shall be given by the Tax Administrator, in his official capacity pursuant to N.C.G.S. § 105-349(c) in an amount set by the board of commissioners. Bonds shall also be given by such of said Tax Administrator's assistants and clerks as may be designated by the board of commissioners. Such bonds shall be subject to the approval of the board of commissioners for the County's and City's protection and the County shall pay the premiums required therefore. The County shall provide legal defense to the Tax Administrator to the same extent it does its employees under its applicable policies.
- C. The governing body of the Town may, at its own expense, provide for an audit of the records relating to taxes owed the Town and collected on its behalf by the Tax Administrator in addition to any audit required by law. The Tax Administrator shall cooperate in any audit provided by the Town pursuant to this subsection.
- D. Tax settlements shall be made annually by the Tax Administrator to the Board of Commissioners pursuant to N.C.G.S. § 105-373, before tax records are delivered to him for the subsequent tax year. Copies of all tax settlement reports of the Tax Administrator shall be provided to the governing body of the Town.
- E. TERMINATION: This agreement may be terminated by either party with at least six (6) months' prior written notice delivered to the other party's manager, administrator, or clerk; provided, however, termination shall be effective only at the end of a fiscal year.
- F. This agreement shall be recorded in the Office of the Clerk of both parties.
- G. Amendments to this agreement shall be effective only when reduced to writing and duly executed by the parties.

- H. With respect to all Revenues collected by the County under the terms of this agreement, the County shall have sole and absolute authority upon compliance with and subject to applicable law:
1. To set discount schedules after consultation with the town manager or administrator;
 2. To determine the status and taxability of all property;
 3. To prescribe the minimum amount or percentage of tax liability that may be accepted as a partial payment;
 4. To designate the method or methods of collection to be employed, whether by garnishment, levy, foreclosure, or such other remedy or remedies, against any taxpayer, his or her real or personal property, as may be provided by law;
 5. To employ such professional services, (legal, accounting, etc.) as may be required for the efficient collection of Revenues; and
 6. To make any and all elections, decisions and determinations available to County or Town under the Machinery Act (as now in existence or hereafter amended) with respect to the listing, appraisal, assessment of property, refunds and releases, and collection of taxes, except for establishment of City's tax rate, which shall remain City's sole responsibility.

[SIGNATURE PAGE FOLLOWS]

IN WITNESS WHEREOF, the parties hereto have caused this instrument to be signed on the date indicated by their proper officials.

ATTEST:

Jane Starling
Jane Starling, Town Clerk

Jackie Warner
Mayor Jackie Warner

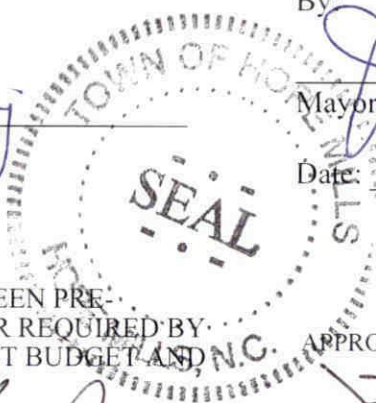
Date: 3-6-23

THIS INSTRUMENT HAS BEEN PRE-AUDITED IN THE MANNER REQUIRED BY THE LOCAL GOVERNMENT BUDGET AND FISCAL CONTROL ACT.

Drew Holland
Drew Holland, Finance Director

APPROVED FOR LEGAL SUFFICIENCY

Dan Hartzog, Jr.
Dan Hartzog, Jr. Hope Mills Town Attorney



ATTEST:

By:

Andrea Tebbe, Clerk to the Board

THIS INSTRUMENT HAS BEEN PRE-AUDITED IN THE MANNER REQUIRED BY THE LOCAL GOVERNMENT BUDGET AND FISCAL CONTROL ACT.

Vicki Evans, Finance Director

Draft by R. Moorefield, 2-9-23

Cumberland County

By:

Toni Stewart, Chair
Board of Commissioners

Date: _____

APPROVED FOR LEGAL SUFFICIENCY

Rickey L. Moorefield, County Attorney

**INTERLOCAL COOPERATION AGREEMENT FOR THE COLLECTION OF TAXES
BETWEEN CUMBERLAND COUNTY AND THE TOWN OF LINDEN**

Approved by the Cumberland County Board of Commissioners _____

Approved by the Governing Board of the Town of Linden _____

This contract is made and entered into March 2nd, 2023, between Cumberland County, a political subdivision of the State of North Carolina, hereinafter referred to as the "County" and the Town of Linden, a North Carolina municipal corporation, hereinafter referred to as the "City."

WITNESSETH:

WHEREAS, the governing bodies of the County and the Town have found and determined that it is in the public benefit and interest to provide for the collection by the County of real and personal property taxes levied by the Town as well as certain special assessments assessed by the City, gross receipts taxes on vehicle and equipment rentals and leases, fees authorized to be collected with property taxes, and motor vehicle license fees levied by the City; and

WHEREAS, the North Carolina General Statutes in Chapter 160A, Article 20, Part 1, provide that units of local government may enter into agreements in order to execute an undertaking providing for the contractual exercise by one unit of any power, function or right, including the collection of taxes, of another unit; and

WHEREAS, the governing bodies of the County and Town have ratified this agreement by resolutions being recorded in their respective minutes.

NOW THEREFORE, for and in consideration of the mutual covenants contained herein and the mutual benefits to result therefrom, the parties agree as follows:

I. DEFINITIONS:

- A. Consolidated Tax Bill: A tax bill for both the County and the Town prepared by the County in those situations where both County and Town Revenues are due, i.e. where property lies both within the County and the City.
- B. Non-Consolidated Tax Bill: A tax bill for either the County only or the Town only prepared by the County in those situations where only County or only Town Revenues are due, i.e., where property lies within the County and outside the City, or within the Town and outside of the County, or where property is annexed into the Town at any time other than at the beginning of the fiscal year.

- C. Revenues: Any current or delinquent property taxes, gross receipts taxes on vehicle rentals and heavy equipment rentals, dog, license, privilege, and franchise taxes which are charged by the governing body of the County or the Town including interest, penalties or costs; any current or delinquent fees such as stormwater and solid waste fees authorized to be collected with property taxes; and any special assessments due to the Town or County on property being foreclosed on as a part of a tax foreclosure action and which are collectable by the Tax Administrator within the scope of this agreement.
 - D. Tax Collector: The person appointed by the Board of Commissioners of Cumberland County pursuant to N.C.G.S. §105-349, or its successor statute, by whatever title given, and currently known as the Cumberland County Tax Administrator. For all purposes of this agreement, the Town confirms that the Tax Administrator as appointed hereunder shall be deemed to have also been appointed by the Town as its Tax Collector pursuant to N.C.G.S. §105-349.
 - E. Tax Levy: The amount of County or Town property taxes due for the then current fiscal year as determined by the Tax Administrator. That number is generally determined as the product of the County's and the City's tax rate multiplied by the total assessed value of all property listed in the County or the Town respectively.
- 2. PURPOSE: The purpose of this agreement is to establish the undertakings, as provided in N.C.G.S. Chapter 160A, Article 20, Part 1, whereby the Tax Administrator collects for the County and the Town all current and delinquent Revenues, as defined in Section 1.C of this agreement.
 - 3. METHODS AND PROCEDURES: The methods and procedures which shall be followed by the County, the City, and the Tax Administrator to implement this undertaking shall be as follows:
 - A. The Tax Administrator shall perform, on behalf of the City, those duties specified in N.C.G.S. §105-350, and for all Revenues, shall perform those duties prescribed by the Town Charter with respect to the assessment, levy and collection of taxes, and any other duties specified herein.
 - B. The County shall provide the Tax Administrator with such assistants and employees as are necessary for the Tax Administrator to accomplish his or her duties to collect the Revenues as set forth herein.
 - C. The governing body of the County shall cause to be performed all actions pertaining to or ancillary to the collection of Revenues for the City, required by N.C.G.S. Chapter 105, including but not limited to the following:

1. Preparation of tax scrolls and tax books or a combined record as required by N.C.G.S. §105-319;
 2. Adoption of the Order to Collect Taxes as required by N.C.G.S. § 105-321;
 3. Review of listings and evaluations as required by N.C.G.S. Chapter 105, Subchapter II, Article 21;
 4. Listing, appraising and assessing of property as required by N.C.G.S., Chapter 105, Subchapter II, Article 22;
 5. Delivery of tax receipts to the Tax Administrator as required by N.C.G.S., § 105-352;
 6. Execution of settlements as required by N.C.G.S., §105-373.
- D. The Tax Administrator shall follow the tax collection and settlement procedures set forth in N.C.G.S. Chapter 105, Subchapter II (the Machinery Act) and the administrative and accounting practices of Cumberland County, except that the following special procedures shall apply to the extent that they are not inconsistent with said General Statutes:
1. The Tax Administrator, county manager, and town manager or administrator may agree from time to time in writing as to how the Revenues collected for the Town under this agreement shall be remitted to the Town and about such other administrative matters as shall be necessary to effectuate this agreement. That understanding may be amended in writing from time to time as technological advancements are made. The County shall be responsible for the safeguarding of all Revenues collected on behalf of the Town until such time as said Revenues are remitted to and received by the Town.
 2. Records maintained by the Tax Administrator shall show separately the amount collected on behalf of each taxing unit and such records shall be available for inspection at any time to the City, either in written or digital form, as may be available .
 3. The Tax Administrator shall prepare and mail one Consolidated Tax Bill per parcel for each parcel on which both County and Town taxes are owed, detailing all County and Town taxes, and fees authorized to be collected with property taxes, due. In the event of a partial payment on such a Consolidated Tax Bill, where the taxpayer has not specifically designated how payment is to be applied, the amount of such payment shall first be applied in satisfaction of the taxes owed with the amount to be applied pro rata to each taxing unit's share of

the principal amount of the taxes which were the basis of said collection, then pro rata to each taxing unit's share of the principal amount of the fees which were the basis of said collection, then pro rata to any special assessments to be collected under this agreement. Any remaining monies shall then be applied to the motor vehicle license fees levied by the City, if any. The Tax Administrator shall prepare and mail one Non-Consolidated Tax Bill per parcel for each parcel on which either the County only or the Town only taxes are owed.

4. COLLECTIONS: The Tax Administrator shall collect Revenues due the Town in the same manner as the Tax Administrator collects revenues due the County. The Tax Administrator shall report delinquent Revenues due the Town in the same manner as the Tax Administrator reports delinquent revenues due the County.
 - A. Where both County and Town Revenues are delinquent, any action, including but not limited to a foreclosure action, to collect such Revenues shall be brought in the names of both taxing units.
 - B. Where special assessments are due the Town on property which is the subject of a tax foreclosure action by the County, the Tax Administrator shall collect these special assessments as part of the tax foreclosure proceeding, regardless of whether the taxes due are paid subsequent to the institution of the tax foreclosure proceeding. This shall be the only circumstance in which the Tax Administrator shall have the duty to collect special assessments owing to the City.
 - C. The County's governing board has determined that if the County becomes the purchaser of any property at a foreclosure sale, the County shall pay only that part of the purchase price that would not be distributed to it and other taxing units on account of taxes, penalties, interest, and such costs as accrued prior to the initiation of the foreclosure action under G.S. 105-374 or docketing of a judgment under G.S. 105-375, and thereafter hold and dispose of the property in accordance with the further provisions of G.S. 105-376(b). Any costs incurred by the County using its own employees or a contractor to maintain and safeguard any property acquired the County at foreclosure shall be allocated to the costs to be first recouped by the County upon sale of the property. The County shall provide an accounting to the Town for such costs.
5. APPORTIONMENT: Penalties and interest collected, proceeds recovered from tax foreclosures and sales pursuant thereto, and discounts, settlements, or compromises allowed shall be apportioned between the County and the Town pro rata in proportion to each taxing unit's share of the principal amount which was the basis of said collections, recoveries, or allowances.

6. REPORTS: The Tax Administrator shall make an annual written report and a monthly written report to both governing bodies, which shall include:
 - A. Current property tax collections on behalf of each taxing unit, stated in dollars and as a percentage of the levies;
 - B. Delinquent property tax collections on behalf of taxing unit, stated in dollars and as a percentage of the outstanding levies;
 - C. Collections of County and Town Revenues other than property taxes by type, stated in dollars and as a percentage of the budget projections;
 - D. Significant policy changes and recommendations pertaining to the Office of the Tax Administrator; and
 - E. Significant operational changes and recommendations pertaining to the Office of the Tax Administrator.
7. DURATION: This agreement shall take effect July 1, 2023, and shall apply to all collections made by the Tax Administrator after that date and shall remain in place until terminated by either party in accordance with the termination provision stated herein.
8. FINANCES: The County shall retain a collection fee as a percentage of the amount of the actual Revenue collected for each tax year as follows:
 - A. For collections made by the date taxes become delinquent for a tax year (January 5), the fee shall be a sum equal to three-quarters of a percent (0.75%) of the actual Revenue collected for the Town as consideration for this agreement.
 - B. For collections made after the date taxes become delinquent for a tax year (January 5), the fee shall be a sum equal to one and three-quarters of a percent (1.75%) of the actual Revenue collected for the Town as consideration for this agreement
9. APPOINTMENTS: The Tax Administrator shall be appointed by the Cumberland County Board of Commissioners for a term not to exceed four (4) years.
 - A. The appointment of the Tax Administrator shall be made by the governing body of the County in accordance with the provisions of N.C.G.S. § 105-349. The appointment, approval, and acknowledgment thereof will be entered into the minutes of the appropriate proceedings of the governing body of the County.
 - B. Appointments of all assistants, consultants, attorneys or employees provided by the County to implement this undertaking shall be made by the appropriate County officials and shall not be subject to the approval of the City. Such

appointees shall be employees, agents, consultants or contractors, as the case may be, of the County and not of the City.

10. GENERAL PROVISIONS:

- A. The participation of the Office of the Tax Administrator in this undertaking, except as otherwise provided by law or this agreement, shall be under the supervision of the Board of Commissioners of Cumberland County and the county manager, which officials shall have exclusive authority as provided by law to regulate and control the administration of said office. Any problems experienced by the Town with regard to this undertaking shall be communicated to the county manager to be resolved as the county manager deems appropriate.
- B. A bond shall be given by the Tax Administrator, in his official capacity pursuant to N.C.G.S. § 105-349(c) in an amount set by the board of commissioners. Bonds shall also be given by such of said Tax Administrator's assistants and clerks as may be designated by the board of commissioners. Such bonds shall be subject to the approval of the board of commissioners for the County's and City's protection and the County shall pay the premiums required therefore. The County shall provide legal defense to the Tax Administrator to the same extent it does its employees under its applicable policies.
- C. The governing body of the Town may, at its own expense, provide for an audit of the records relating to taxes owed the Town and collected on its behalf by the Tax Administrator in addition to any audit required by law. The Tax Administrator shall cooperate in any audit provided by the Town pursuant to this subsection.
- D. Tax settlements shall be made annually by the Tax Administrator to the Board of Commissioners pursuant to N.C.G.S. § 105-373, before tax records are delivered to him for the subsequent tax year. Copies of all tax settlement reports of the Tax Administrator shall be provided to the governing body of the Town.
- E. TERMINATION: This agreement may be terminated by either party with at least six (6) months' prior written notice delivered to the other party's manager, administrator, or clerk; provided, however, termination shall be effective only at the end of a fiscal year.
- F. This agreement shall be recorded in the Office of the Clerk of both parties.
- G. Amendments to this agreement shall be effective only when reduced to writing and duly executed by the parties.

- H. With respect to all Revenues collected by the County under the terms of this agreement, the County shall have sole and absolute authority upon compliance with and subject to applicable law:
1. To set discount schedules after consultation with the town manager or administrator;
 2. To determine the status and taxability of all property;
 3. To prescribe the minimum amount or percentage of tax liability that may be accepted as a partial payment;
 4. To designate the method or methods of collection to be employed, whether by garnishment, levy, foreclosure, or such other remedy or remedies, against any taxpayer, his or her real or personal property, as may be provided by law;
 5. To employ such professional services, (legal, accounting, etc.) as may be required for the efficient collection of Revenues; and
 6. To make any and all elections, decisions and determinations available to County or Town under the Machinery Act (as now in existence or hereafter amended) with respect to the listing, appraisal, assessment of property, refunds and releases, and collection of taxes, except for establishment of City's tax rate, which shall remain City's sole responsibility.

[SIGNATURE PAGE FOLLOWS]

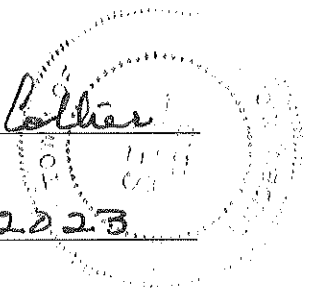
IN WITNESS WHEREOF, the parties hereto have caused this instrument to be signed on the date indicated by their proper officials.

Town of Linden

By:

Frances B. Collier
Mayor Frances B. Collier

Date: March 6, 2023



ATTEST:

Kimberly Turner
Kimberly Turner, Town Clerk

Cumberland County

By:

Toni Stewart, Chair
Board of Commissioners

Date: _____

ATTEST:

By:

Andrea Tebbe, Clerk to the Board

THIS INSTRUMENT HAS BEEN PRE-AUDITED
IN THE MANNER REQUIRED BY THE LOCAL
GOVERNMENT BUDGET AND FISCAL CONTROL
ACT.

Vicki Evans, Finance Director

Draft by R. Moorefield, 2-9-23

APPROVED FOR LEGAL SUFFICIENCY

Rickey L. Moorefield, County Attorney



OFFICE OF THE COUNTY MANAGER

MEMORANDUM FOR BOARD OF COMMISSIONERS AGENDA OF MARCH 20, 2023

TO: BOARD OF COUNTY COMMISSIONERS

FROM: RENEE PASCHAL, INTERIM ASSISTANT COUNTY MANAGER

DATE: 3/20/2023

**SUBJECT: CONSIDERATION OF APPROVAL OF AN INTERLOCAL AGREEMENT
FOR SALES TAX DISTRIBUTION**

BACKGROUND

The Board of Commissioners has discussed the possibility of moving to the ad valorem distribution of sales tax, which means distribution by the proportion of the total tax levy each entity makes up. The county currently distributes sales tax on a per capita basis, but has an interlocal agreement with all of the municipalities to share the growth in sales tax revenue on a 40/60 basis, with the county receiving 40% of the growth.

On February 3, the Chairwoman and Vice Chairman, along with county staff, attended the Mayor's Coalition, where the Chairwoman was presented with an agreement signed by all Cumberland municipalities. That agreement provided for a five-year term and continued the current 40/60 split of sales tax growth shared by the county and towns. On March 16, the Chairwoman and Vice Chairman met with the Chair and Vice Chair of the Mayor's Coalition to discuss the terms of a possible renewal of the agreement. Following that meeting, the Mayor's Coalition offered a shorter term and 100% of growth for the county.

At the direction of the Board of Commissioners, the County Attorney drafted a new sales tax agreement with a two-year term and a provision that the county would receive 100% of sales tax growth. The agreement also puts the municipalities on notice that the Board of Commissioners intends to adopt the ad valorem distribution method, effective July 1, 2025. The agreement was sent to all municipalities in Cumberland County with a due date of March 15, 2023. All municipalities have approved the attached agreement.

RECOMMENDATION / PROPOSED ACTION

Motion to approve the interlocal sales tax agreement, effective July 1, 2023 through June 30, 2025.

ATTACHMENTS:

Description

Interlocal Sales Tax Agreement

Type

Backup Material

STATE OF NORTH CAROLINA
COUNTY OF CUMBERLAND

INTERLOCAL AGREEMENT

THIS INTERLOCAL AGREEMENT is entered into in March 2023 as indicated by the date executed by each party, by and among the City of Fayetteville (hereinafter “Fayetteville”), the Town of Hope Mills (hereinafter “Hope Mills”), the Town of Spring Lake (hereinafter “Spring Lake”), the Town of Stedman (hereinafter “Stedman”), the Town of Wade (hereinafter “Wade”), the Town of Falcon (hereinafter “Falcon”), the Town of Godwin (hereinafter “Godwin”), the Town of Linden (hereinafter “Linden”), the Town of Eastover (hereinafter “Eastover”), (hereinafter referred to collectively as the “Municipalities”), and the County of Cumberland (hereinafter the “County”).

RECITALS:

Whereas, the County and the Municipalities entered into an interlocal agreement in 2003 for the County to continue to elect the per capita method of sales tax distribution conditioned upon certain reimbursements by the Municipalities to mitigate the re-allocation of sales tax revenue as a result of municipal annexations (the “Sales Tax Distribution Interlocal Agreement”); and

Whereas, the County and the Municipalities have maintained the Sales Tax Distribution Interlocal Agreement through certain amendments and extensions to a term ending June 30, 2023, which together constitute the current Sales Tax Distribution Interlocal Agreement; and

Whereas, during the term of last amendment and extension of the current Sales Tax Distribution Interlocal Agreement entered into in 2019, certain changes have occurred with the interlocal agreements described therein as follows:

- (a) the County Recreation Service District now includes Spring Lake;

(b) Linden, Falcon, Godwin, Eastover, and Stedman have subjected their jurisdictions to the County's Minimum Housing Code;

(c) the County has agreed to participate with Fayetteville in funding improvements to Fayetteville's Martin Luther King, Jr., Memorial Park;

(d) the County has committed funding and agreed to enter an interlocal agreement with Hope Mills to participate with Hope Mills in funding the operation of an aquatics center to be constructed in Hope Mills for recreation purposes;

(e) the tax collection agreements between the County and each of the Municipalities must be updated and renewed; and

Whereas, the County's Board of Commissioners have expressed the intent to change the sales tax distribution to the ad valorem method pursuant to N.C.G.S. § 105-472; and

Whereas, the Municipalities have requested the County's Board of Commissioners to extend the current Sales Tax Distribution Interlocal Agreement and the County's Board of Commissioners have agreed to do so in accordance with the terms of this amendment and extension.

Now therefore, in partial consideration of the services provided by the County to the Municipalities and any services provided by any of the Municipalities to the County, to clarify the relationships between the Sales Tax Distribution Interlocal Agreement and the various other interlocal agreements between the County and the Municipalities, and to further extend the current Sales Tax Distribution Interlocal Agreement, the parties hereby amend the current Sales Tax Distribution Interlocal Agreement as follows:

1. Consideration. The parties agree that the transfers of sales tax funds from any of the Municipalities to the County or to any other municipality pursuant to the Sales Tax Distribution

Interlocal Agreement constitute partial consideration for the County to continue to maintain the services and/or funding through the other interlocal agreements described herein with each the Municipalities, while continuing to elect the distribution of sales tax revenue by the per capita method, subject to such adjustments as may be required due to inflation and increased personnel costs, and subject to the actions of any party to any of the interlocal agreements which constitute a breach of the agreement.

2. Term. The current Sales Tax Distribution Interlocal Agreement shall be extended for two (2) additional years commencing July 1, 2023, and terminating June 30, 2025, subject to the terms stated herein.

3. Base Year and Apportionment of Growth or Decline in Sales Tax Revenue. The sales tax distribution for FY2022 shall be the basis for the distribution in FY2024 and FY2025 as follows:

(a) Any increase in the sales tax revenue for either year over the amount distributed for FY2022 shall be fully apportioned to the County.

(b) Any decline in the sales tax revenue for either year below the amount distributed for FY2022 shall be apportioned to the parties with each party's share of the decline being its percentage of the total distribution for FY2022.

4. Early Termination. As this amendment and extension is for a term of only two years, none of the parties shall have a right to early termination of this Sales Tax Distribution Interlocal Agreement during the term of this amendment and extension.

4. Notice of County's Intent to Elect Ad Valorem Method. The County has entered into this extension agreement at the request of the Municipalities and gives notice that County's

Board of Commissioners intends to elect the ad valorem method for the distribution of sales tax in April 2024 in accordance with N.C.G.S. § 105-472.

5. Effect of this Amendment. The other terms of the current Sales Tax Distribution Interlocal Agreement, as amended and in effect until June 30, 2023, shall remain in place until June 30, 2023. Upon this amendment and extension commencing on July 1, 2023, the other terms of the current Sales Tax Distribution Interlocal Agreement, as amended and in effect until June 30, 2023, which are not inconsistent with this amendment and extension shall continue in full force and effect. The terms of this amendment and extension shall supersede any terms in the current Sales Tax Distribution Interlocal Agreement, as amended and in effect until June 30, 2023, upon the commencement this amendment and extension July 1, 2023, to the end that the terms of this amendment and extension are the controlling terms.

6. Continuing Agreement. This Sales Tax Distribution Interlocal Agreement shall be a continuing interlocal agreement which shall be approved by the governing body of each party and entered the minutes of the meeting at which it is approved.

IN WITNESS WHEREOF the parties, intending to be bound and by authority duly given, have caused this agreement to be signed by their appropriate officials, the day and year designated by each.

[Signature Pages Follow]

ATTEST:

COUNTY OF CUMBERLAND

Andrea Tebbe, Clerk to the Board

BY: _____
Toni Stewart, Chair
Board of Commissioners

Date Signed: _____

Approved for Legal Sufficiency

Rickey J. Monopulos
County Attorney

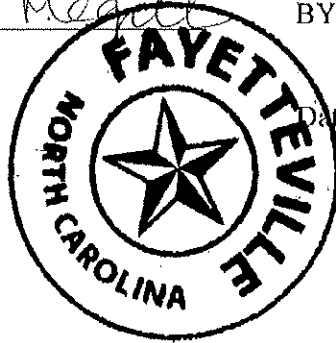
ATTEST:

CITY OF FAYETTEVILLE

Pamela J. Megall
City Clerk

BY: [Signature]
Mayor

Date Signed: 03/06/23

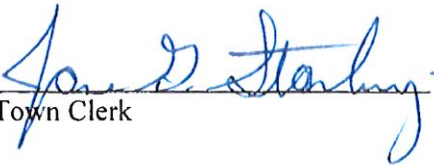


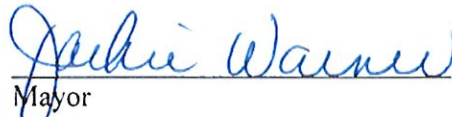
Approved for Legal Sufficiency

[Signature]
City Attorney

ATTEST:


TOWN OF HOPE MILLS


Town Clerk

BY: 
Mayor

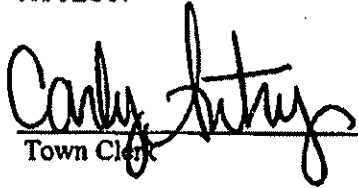
Date Signed: 3-6-23

Approved for Legal Sufficiency

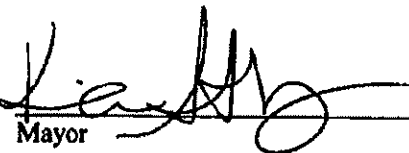

Town Attorney




ATTEST:


Town Clerk

TOWN OF SPRING LAKE

BY: 
Mayor

Date Signed: 2/28/23

Approved for Legal Sufficiency

Town Attorney

ATTEST:

TOWN OF WADE

Cindy Burdett
Town Clerk

BY: Joseph Dixon
Mayor

Date Signed: 3-2-2023

Approved for Legal Sufficiency

[Signature]
Town Attorney

ATTEST:

TOWN OF FALCON

Belinda D. White
Town Clerk Belinda D. White

BY:

Clifton L. Turpin, Jr.
Mayor Clifton L. Turpin, Jr.

Date Signed: March 6, 2023

Approved for Legal Sufficiency

Donald C. Hudson
Town Attorney Donald Hudson



ATTEST:

TOWN OF GODWIN

Jacqueline Cooper-Kelley
Town Clerk

BY: Willie Bussell
Mayor

Date Signed: 3/6/23

Approved for Legal Sufficiency

E. Hankins
Town Attorney

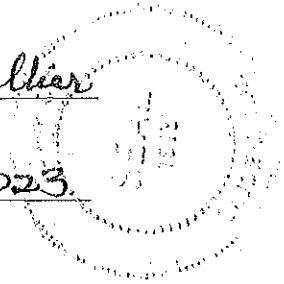
ATTEST:

TOWN OF LINDEN

Kimberly Turner
Town Clerk

BY: Frances B. Collier
Mayor

Date Signed: March 6, 2023



Approved for Legal Sufficiency
[Signature]
Town Attorney

ATTEST:

TOWN OF STEDMAN

Connie P. Weeden
Town Clerk

BY: Mark D. Jeff
Mayor

Date Signed: 3-9-2023

Approved for Legal Sufficiency

Donald C. Bud
Town Attorney

ATTEST:

TOWN OF EASTOVER

Elizabeth B.
Town Clerk



BY: Charles S. Raus
Mayor

Date Signed: 3-1-2023

Approved for Legal Sufficiency

Donald A. Hill
Town Attorney



CLERK TO THE BOARD OF COMMISSIONERS

MEMORANDUM FOR BOARD OF COMMISSIONERS AGENDA OF MARCH 20, 2023

TO: BOARD OF COUNTY COMMISSIONERS

FROM: IVA CLARK, DEPUTY CLERK

DATE: 3/20/2023

**SUBJECT: APPROVAL OF PROCLAMATION PROCLAIMING MARCH 2023 AS
SOCIAL WORKER MONTH**

BACKGROUND

Request was received for a proclamation declaring March 2023 as Social Workers Month in Cumberland County.

RECOMMENDATION / PROPOSED ACTION

Respectfully request Board of Commissioners consider approval of proclamation.

ATTACHMENTS:

Description	Type
Social Worker's Month Proclamation	Backup Material

Proclamation

WHEREAS, Social Workers enter the profession because they have a strong desire to help and empower individuals, families, communities, and our nation overcome issues that prevent them from reaching their full potential; and

WHEREAS, Social Workers have worked for more than a century to improve the well-being and enhance the basic needs of all people; and

WHEREAS, Social Workers follow a Code of Ethics that call on them to fight social injustice and respect the dignity and worth of all people. They have helped this nation live up to its values by advocating for equal rights for all, including people of color, people who are Indigenous, people who are LGBTQIAS+, and people who follow various faiths; and

WHEREAS, Social Workers positively touch the lives of millions of Americans each day and in a variety of places, including schools, hospitals, the military, child welfare agencies, community centers and in federal, state, and local government; and

WHEREAS, Social Workers are the largest group of mental health care providers in the United States. They are on the front lines of the nation's opioid addiction crisis, assist with recovery from natural disasters and help people cope with death and grief; and

WHEREAS, Social Work is one of the fastest growing careers in the United States, with around 708,000 social workers today and more than 60,000 social workers expected to enter the profession over the next decade; and

WHEREAS, the 2023 Social Work Month theme, "Social Work Breaks Barriers" embodies how social workers help empower individuals, families, communities and our society. Social Workers continue to push for changes that make our society a better place to live.

NOW THEREFORE, We, the Cumberland County Board of Commissioners, do hereby proclaim March 2023 as Social Worker Month in Cumberland County and call upon all citizens to honor and support the Social Work Profession.

Adopted this 20th day of March 2023.

*Dr. Toni Stewart, Chairwoman
Cumberland County Board of Commissioners*



OFFICE OF THE COUNTY ATTORNEY

MEMORANDUM FOR BOARD OF COMMISSIONERS AGENDA OF MARCH 20, 2023

TO: BOARD OF COUNTY COMMISSIONERS

FROM: COUNTY ATTORNEY

DATE: 3/15/2023

**SUBJECT: ACCEPTANCE OF OFFER TO PURCHASE SURPLUS PROPERTY
LOCATED AT 724 NORTH STREET, FAYETTEVILLE**

BACKGROUND

The county and City of Fayetteville acquired the real property with PIN 0437-78-2317, being Lots 3 & 4 Alexander McArthur Property, Section 1, BLD, Plat Book 8 at Page 3, located at 724 North Street, Fayetteville, at a tax foreclosure sale in 2013 for a purchase price of \$11,259.62. The property is zoned MR5 with a tax value of \$3,375.00. Based on the GIS Mapping and the tax records, there is no structure on the land. The city conveyed its interest in the property to the county on March 8, 2023, by a quitclaim deed recorded in Book 11687 at Page 124. Michael Nepstad, Jr., has made an offer to purchase the property for \$13,700. 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 Michael Nepstad, Jr. 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 property with PIN 0437-78-2317, being Lots 3 & 4 Alexander McArthur Property, Block D, Plat Book 8, page 3, located at 724 North Street, Fayetteville, is not needed for governmental purposes and proposes to accept an offer to purchase the property for \$13,700. 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 offers. Further details may be obtained from the Office of the County Attorney, Suite 551-Courthouse, Fayetteville, NC 28302.



GENERAL MANAGER FINANCIAL SERVICES

MEMORANDUM FOR BOARD OF COMMISSIONERS AGENDA OF MARCH 20, 2023

TO: BOARD OF COUNTY COMMISSIONERS

FROM: VICKI EVANS, FINANCE DIRECTOR

DATE: 3/12/2023

SUBJECT: FISCAL YEAR 2024 HEALTH INSURANCE BENEFIT PLAN CHANGES

BACKGROUND

During the March 7, 2023 Agenda Session meeting, Kevin Quinn and Ed Boardman, brokers with USI, presented recommendations for the fiscal year 2024 Health Insurance Plan. That presentation is attached. Board members agreed to move these recommendations forward for approval as a consent agenda item.

RECOMMENDATION / PROPOSED ACTION

Approval of the fiscal year 2024 Health Insurance Plan changes as follows:

1. Change the current PPO plan design to include a \$50 specialist copay.
2. Remove the \$1,000 HRA deductible reimbursement benefit from the current PPO plan.
3. Increase employee contributions (non-wellness) on the current PPO plan by 11.6%, as shown on slide 6 of the presentation.
4. Change the pharmacy drug formulary to exclude higher cost wasteful medications.
5. Implement a manufacturer coupon assistance program to help reduce high cost specialty medications.
6. Implement Livongo population health management program to help manage chronic conditions.
7. Continue post-65 retiree AmWins plan.

ATTACHMENTS:

Description	Type
FY2023 Health Insurance Plan Presentation & Recommendations	Backup Material



COUNTY OF CUMBERLAND, NC

2023-24 EMPLOYEE BENEFITS RENEWAL MEETING

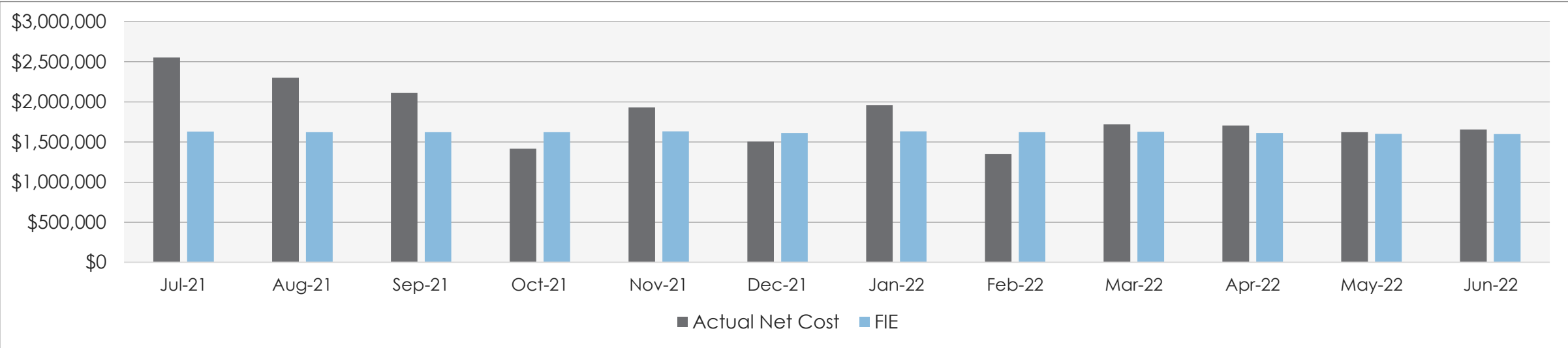
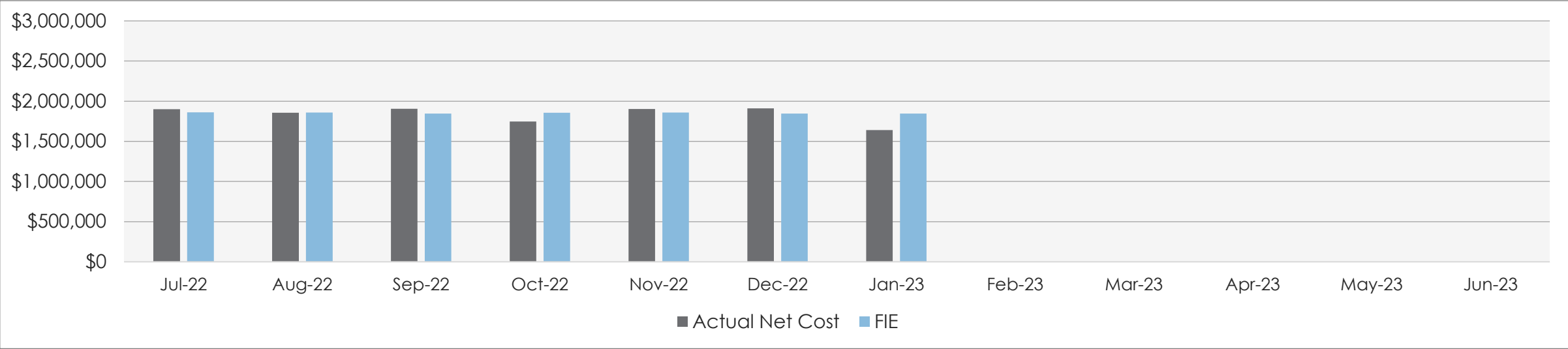
March 7th 2023

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Current Year vs. Prior Year Cost Summary - July 1, 2021– January 31, 2023



Financial Summary

Stop Loss Coverage		Enrollment	Current 2022-2023	USI Renewal 2023-2024
TPA/Network			BCBS of NC	BCBS of NC
Stop Loss Carrier			BCBS of NC	BCBS of NC
Specific Stop Loss			\$200,000	\$200,000
Agg. Specific Deductible			\$200,000	\$200,000
Lasers Included			None	1-\$1M, 2-\$600K
Fixed Costs				
Administration		1855	\$33.00	\$33.00
Annual Total			\$734,580	\$734,580
Percentage Change				0%
Specific Stop Loss Premium				
Annual Total		1855	\$75.27	\$92.09
Percentage Change			\$1,675,510	\$2,049,923
				22.3%
Annual Total Fixed Costs			\$2,410,090	\$2,784,503
Percentage Change				15.5%
Claims Liability				
Claim PEY		1855	\$895.79	\$995.00
Annual Claims Total			\$19,940,285	\$22,148,700
Percentage Change				11.1%
Total Costs				
Annual Projected Costs			\$22,350,376	\$24,933,203
Annual Dollar Difference				\$2,582,828
Percentage Change				11.6%

Notes

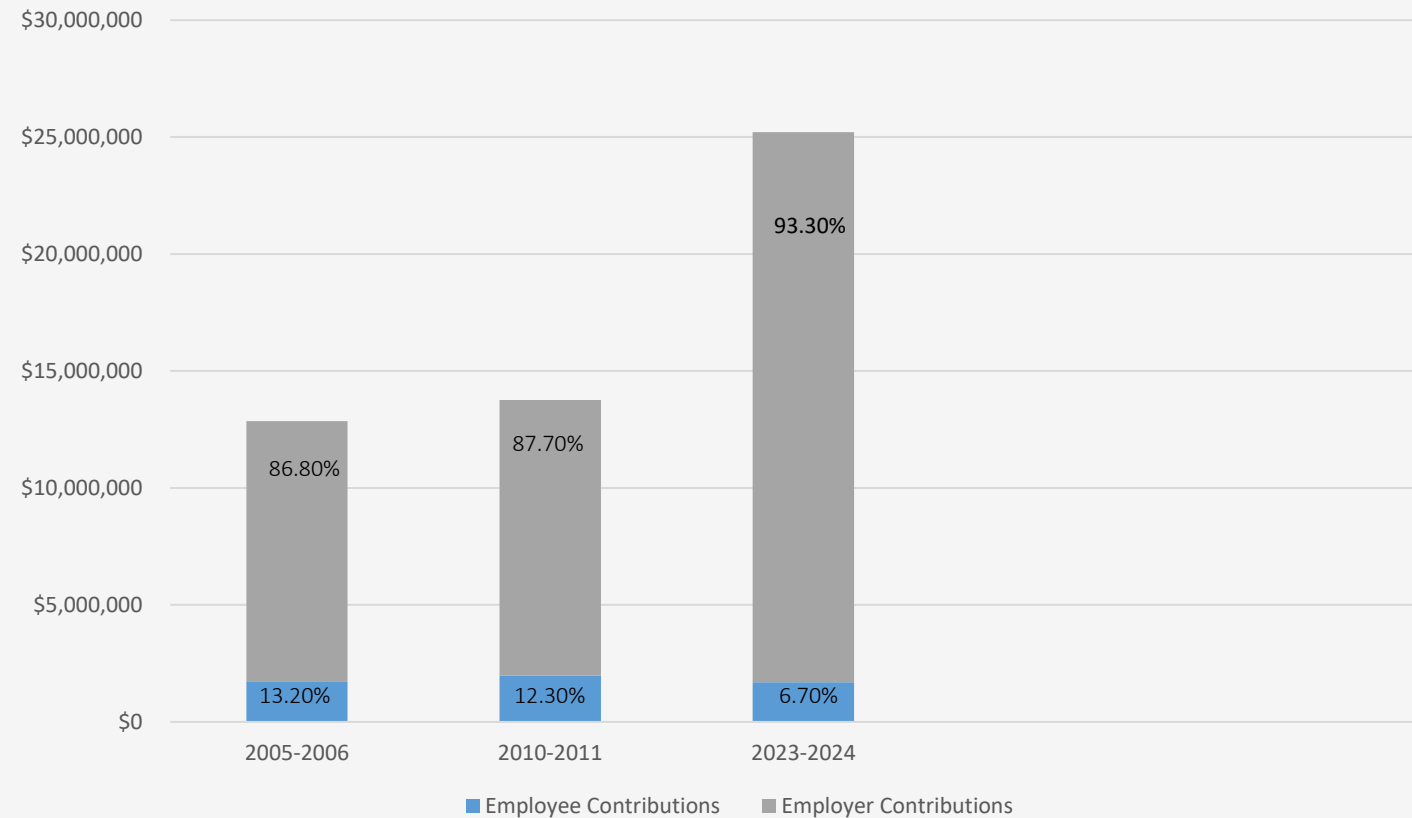
Claim projection includes additional laser liability with the stop loss from two large claimants of \$1.2M. Projection includes 2% margin and annual Carrier trend of 7.4%. Claims data through January 2023.

Current 2022-2023 Plan Design

Benefit Outline	Current/Renewal
Carrier	BCBSNC
Plan Type, Name, Network	Medical PPO Blue Options \$2000
Deductible (Individual / Family)	\$2,000 / \$6,000
Non-Network Deductible (Individual / Family)	\$3,000 / \$9,000
Deductible Embedded / Non-Embedded	Embedded
Out-of-Pocket Maximum (Individual / Family)	\$5,000 / \$12,000
Non-Network OOP Max (Individual / Family)	\$6,000 / \$21,000
Coinsurance (In / Out)	80% / 70%
Wellness / Preventive Care	Covered 100%
Primary Care Office Visit	\$30 copay
Specialist Office Visit	80% after Ded
Walk-In / Urgent Care Visit	80% after Ded
Emergency Room	80% after Ded
Outpatient Lab / X-Ray	Lab only (PCP & Hosp) - Covered 100% Lab and X-ray: 80% after Ded
Complex Imaging (MRI, CAT, PET, et al.)	80% after Ded
Outpatient Surgical Facility	80% after Ded
Inpatient Hospital Facility	80% after Ded
Retail Prescription Drug Copays	\$150 Rx Ded (T2/T3) \$10 / \$55 / \$70
Mail Order Prescription Drug Copays	2.5x Retail
Specialty Prescription Drugs	25% (\$100 max)

An HRA funded by Cumberland County was designed for reimbursement of medical plan services subject to the deductible once a member satisfied the first half of the deductible (\$1,000). All county employees enrolled in the BCBS Medical plan were automatically enrolled and eligible for the HRA from July 1, 2022 – June 30, 2023.

Employee Contributions vs. Total Plan Cost



Contributions- Current PPO Plan with Illustrative Increase

2022 Current		
PPO Non-Wellness	Enrollment	
Employee	353	\$51.00
Employee + Spouse	31	\$241.00
Employee + Child	42	\$157.00
Employee + Child (ren)	26	\$254.00
Family	35	\$326.00
Monthly Total	487	\$50,082
Annual Total		\$600,984

2022 Current		
PPO Wellness	Enrollment	
Employee	979	\$21.00
Employee + Spouse	83	\$211.00
Employee + Child	147	\$127.00
Employee + Child (ren)	73	\$224.00
Family	62	\$296.00
Monthly Total	1344	\$91,445
Annual Total		\$1,097,340

Total Annual Employee Contributions	\$1,698,324
-------------------------------------	-------------

2023 Proposed + 11.6%			
PPO Non-Wellness	Enrollment		Diff
Employee	353	\$56.92	\$5.92
Employee + Spouse	31	\$268.96	\$27.96
Employee + Child	42	\$175.21	\$18.21
Employee + Child (ren)	26	\$283.46	\$29.46
Family	35	\$363.82	\$37.82
Monthly Total	487	\$55,892	11.6%
Annual Total		\$670,698	

2023 Proposed \$30 Credit			
PPO Wellness	Enrollment		Diff
Employee	979	\$26.92	\$5.92
Employee + Spouse	83	\$238.96	\$27.96
Employee + Child	147	\$145.21	\$18.21
Employee + Child (ren)	73	\$253.46	\$29.46
Family	62	\$333.82	\$37.82
Monthly Total	1344	\$106,730	
Annual Total		\$1,280,757	

Total Annual Employee Contributions	\$1,951,455
-------------------------------------	-------------

Difference \$253,131.02

Notes

Assumes a 11.6% increase in the current employee non-wellness contributions as an illustration.

2023-2024 Recommendations to the Board

Coverage	Recommendation	Estimated Cost Impact	Comments
Medical- Plan Design Changes	Specialty Copay Change \$50 Copay	\$303,000	<ul style="list-style-type: none"> Current specialist visits are subject to the plan deductible and coinsurance amounts.
Medical- Plan Design Changes	Remove the \$1,000 HRA deductible reimbursement from the PPO plan	(\$1,085,000)	<ul style="list-style-type: none"> Savings assumes the total amount included in the annual budget.
Medical- Plan Contributions	Increase PPO contributions with \$30 wellness credit	(\$253,000)	<ul style="list-style-type: none"> Assumes a 11.6% illustrative increase.
Pharmacy- Net Results Formulary	Change the formulary option removing the Outlier Drugs(Wasteful Drugs).	(\$201,000)	<ul style="list-style-type: none"> Tier Change: 26 members impacted Medical Necessity Prior Authorization: 67 members impacted
Pharmacy- Flex Access	Cumberland County can take advantage of using the drug manufacturer coupons. The program only impacts the PPO plan.	(\$377,000)	<ul style="list-style-type: none"> Program Fee – Shared Savings (80% ASO Group & 20% BCBSNC)
Population Health- Livongo Diabetes Management	Implement platform for clients to manage population of members with multiple chronic conditions (Diabetes, Cardiovascular and Pre-Diabetes).	(\$410,000)	<ul style="list-style-type: none"> Estimated savings \$4.64 PMPM

Post 65-Retiree- Projected 2024 Renewal- Current Plan

January 1, 2024

Benefit Outline

	Current 2023	Initial 2024 Projection
Carrier	AmWins	AmWins
Plan Type, Name, Network	Medical Retirees	Medical Retirees
Deductible (Individual / Family)	\$233	\$233
Out-of-Pocket Maximum (Individual / Family)	\$2,000	\$2,000
Coinsurance (In / Out)	20%	20%
Wellness / Preventive Care	100%	100%
Primary Care Office Visit	\$30 copay	\$30 copay
Prescription Drug Deductible CY	\$150.00 (Tiers 3-5 only)	\$150.00 (Tiers 3-5 only)
Retail Prescription Drug Copays	\$0 / \$10 / \$55 / \$70	\$0 / \$10 / \$55 / \$70
Mail Order Prescription Drug Copays	\$25 copay subject to RX ded / \$137.5 copay / \$175 copay subject to RX ded	\$25 copay subject to RX ded / \$137.5 copay / \$175 copay subject to RX ded
Specialty Prescription Drugs	25% with a \$50 min and \$100 max	25% with a \$50 min and \$100 max

Rates & Total Cost

Employee	557	\$297.65	\$312.53
Total Employees	557		
Annual Premium Total (w/out HSA/HRA)		\$1,989,493	\$2,088,967
Change from Current			\$99,474
Percentage Change			5.0%

Summary of Recommendations for Board Consideration

- Change the current PPO plan design to include a \$50 specialist copay.
- Remove the \$1,000 HRA deductible reimbursement benefit from the current PPO plan.
- Increase employee contributions (non-wellness) on the current PPO plan by 11.6%.
- Change the pharmacy drug formulary to exclude higher cost wasteful medications.
- Implement a manufacturer coupon assistance program to help reduce high-cost specialty medications.
- Implement Livongo population health management program to help manage chronic conditions.
- Continue post-65 retiree AmWins plan.
- The recommended changes will reduce the over all 2023 increase by \$938,000.

20

3 Custom Financial Analytics

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ASSISTANT COUNTY MANAGER GENERAL GOVERNMENT AND STEWARDSHIP

MEMORANDUM FOR BOARD OF COMMISSIONERS AGENDA OF MARCH 20, 2023

TO: BOARD OF COUNTY COMMISSIONERS

FROM: BRIAN HANEY, ASSISTANT COUNTY MANAGER FOR GENERAL GOVERNMENT & STEWARDSHIP

DATE: 3/13/2023

SUBJECT: HISTORIC ORANGE STREET SCHOOL RESTORATION PROJECT FUNDING REQUEST

BACKGROUND

The Cumberland County Board of Commissioners, during their regular meeting on Sept. 20, 2021, discussed a request to provide \$500,000 in funding for the Historic Orange Street School Restoration Project. The Board asked for a presentation from Orange Street School at their Oct. 14, 2021 agenda session regarding what the requested funding would be used for prior to considering the request for funding. It does not appear that a presentation was made to the Board related to this request.

Staff have received an updated funding request from Fayetteville-Cumberland Parks & Recreation (FCPR) for \$350,000 from the County for the Historic Orange Street School Restoration Project. State funding has been used for repairs and renovations to the facility and grounds. The requested funding from the County would be used to purchase equipment and supplies required for youth, cultural arts and community programming that will be held at the Historic Orange Street School. This Arts & Technology-focused programming is designed for community youth interested in additional opportunities outside of the school environment. The purchase of FFE would allow for the continuation and development of additional programming primarily serving disadvantaged youth.

This request is for County funding outside of the traditional recreation funding process. An itemized list of items that would be purchased with this funding is included in this agenda packet.

FCPR Director Michael Gibson gave the requested presentation to the Board of Commissioners during the Board's March 7, 2023 Agenda Session and during that meeting, the Board voted to move the request forward as a consent agenda item at the March 20, 2023 Regular Meeting.

RECOMMENDATION / PROPOSED ACTION

Approve the funding request from FCPR, directing staff to include the funding allocation in the FY 2024 Budget.

ATTACHMENTS:

Description	Type
Orange Street School - FCPR Memo	Backup Material
Orange Street School - FCPR Presentation	Backup Material
Orange Street School - Itemized FFE	Backup Material



Memorandum

Date: February 14, 2023

To: Renee Paschal, Interim County Manager

Cc: Brian Haney, Assistant County Manager

From: Michael Gibson, Director Parks & Recreation

Subject: Historic Orange Street School Capital Project Funding Request

The Fayetteville-Cumberland Parks & Recreation (FCPR) Department is requesting \$350,000 from Cumberland County for the Historic Orange Street School restoration project. These monies will be used to cover FFE expenses associated with the project.

The Historic Orange Street School facility currently houses the Greater Life of Fayetteville. In addition this facility will host FCPR Youth and Cultural Arts Programming.

The department's intent is to keep pace with the growing needs of the community as it relates to the quality of life and leisure time experience.

Approved by: _____
Renee Paschal, Interim County Manager

Date

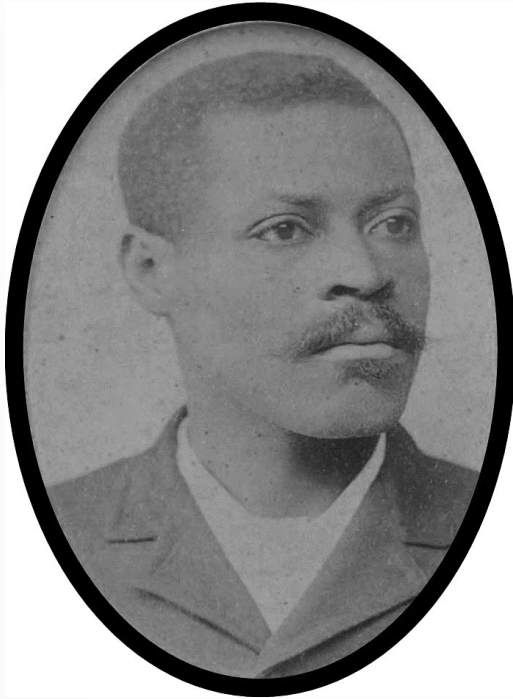


Orange Street School

March 2023



- To promote history, the arts, and sciences; while being Cumberland County's leader for integrated awareness of history, community, and culture.

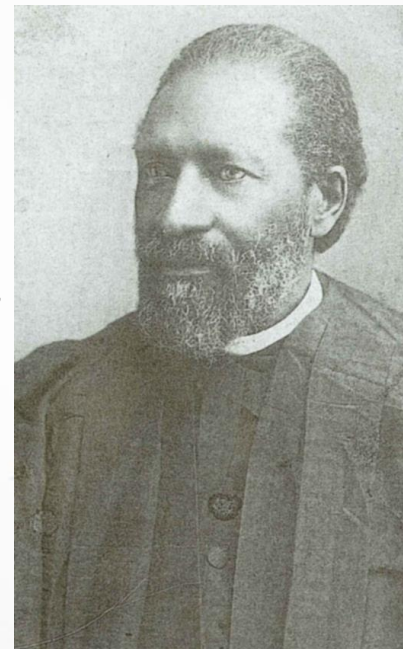


Professor Edward Evans
1st Principal of the Orange Street School



Vision Statement

- Diversity and inclusion are the foundation stones upon which the Orange Street School is built. The experiences offered are intended to foster a community embracing a wide range of backgrounds and celebrating differences in perspectives. Our vision is to be recognized as a regional model for innovative instruction, interpretation, presentation, and preservation of Black American history, art, social justice and culture locally and globally. Originally built in 1915 by African-American contractor James Waddell, the Orange Street School made it possible for black students to attend school in a large educational environment and not a small, aging one-room schoolhouse. Fine arts are a vital part of providing students with a well-rounded education. From improving vocabulary and test scores, to increasing learning experiences in communication and leadership, arts education plays a vital role in preparing students for success in career and personal life.



Bishop James Walker Hood
Many accomplishments included
serving as Assistant State
Superintendent of Education in
the late 1860s

Goals

- To ensure equitable access for learning opportunities and the utilization of fine arts and scientific resources
- For high quality student outcomes including mastery of 21st century skills in STEM subjects; artistic endeavors and expression; critical thinking and problem solving; communications and collaboration; creativity and innovation; digital literacy; information and communication technologies; and social/emotional intelligence
- To recognize the diverse experiences of the Black American community and to reflect the broad spectrum of social and cultural activities of this community; to cherish traditions and beliefs that the past should inform the future; and that bringing together diverse groups of people can create new approaches to cultural understanding



1944 Parade on Person St
4-H Club Members

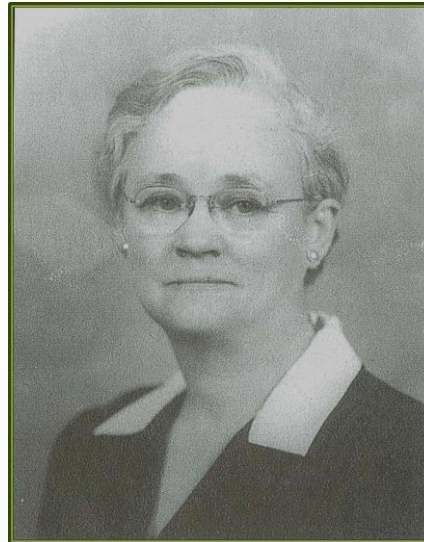
- I. Making Students Self-Aware
- II. Improving Academic Performance
- III. Strengthening School Community



- IV. Preparing for Future Careers
- V. Uphold a Commitment to Diversity through an Inclusive, Supportive Environment
- VI. Elevate Educational and Artistic Standards to Encourage Perfection of a Students Craft



Newbold School Students ca. 1950



Ms. Anne Chesnutt Wadell



Howard School Graduating Class 1904

- To work in partnership with the local school system to develop a diverse range of programming and instruction
- To seek out additional resources from local colleges and universities in order to extend service opportunities
- To expose students to visiting artists and presentations
- To work in partnership with other nonprofit and community enrichment organizations

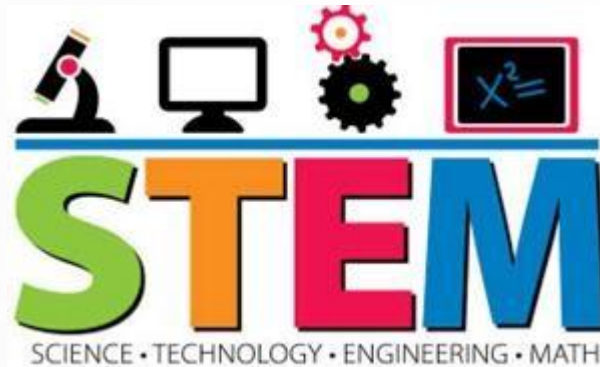


Current Progress



Future Programming

- Fayetteville-Cumberland Parks and Recreation plans to utilize the renovated Orange Street School to host Cultural Arts and STEM based programs targeted toward community youth.
- Increase opportunities in Cultural Arts and STEM outside of the traditional school setting.
- Facility will continue to host The Greater Life of Fayetteville.



- Requesting \$350,000 from Cumberland County for FFE at Orange Street School.
 - \$70,050 – Furniture
 - \$22,500 – Appliances
 - \$27,450 – Miscellaneous Supplies
 - \$90,000 – Technology Equipment
 - \$ 140,000 – Recording Studio Equipment





FayettevilleNC.gov

Orange Street School FFE Cost Breakdown

Item	Quantity	Estimated Unit Cost	Estimated Total Cost
60 Inch Round Tables	20	\$400	\$8,000
Table Dollies	3	\$450	\$1,350
Banquet Chairs	120	\$100	\$12,000
Chair Dollies	10	\$100	\$1,000
Table Clothes 90"	20	\$75	\$1,500
Coat Rack	1	\$200	\$200
Smart Television	3	\$2,000	\$6,000
Office Desks	4	\$1,500	\$6,000
Office Chair	4	\$400	\$1,600
Office Sofa	2	\$2,000	\$4,000
Office File Cabinets	4	\$500	\$2,000
Additional Office Furniture	1	\$2,500	\$2,500
Glass Display Curio	4	\$2,500	\$10,000
3D Printer/Scanner	1	\$5,000	\$5,000
Portable Smartboard	2	\$5,000	\$10,000
Desktop Computers	12	\$1,000	\$12,000
Laptop Computers	16	\$1,000	\$16,000
Printers	2	\$3,000	\$6,000
Wifi Mesh System	1	\$10,000	\$10,000
Security System & Cameras	1	\$25,000	\$25,000
Rolling Storage Cabinets	3	\$1,200	\$3,600
Partition Boards	3	\$5,000	\$15,000
Wood blinds w/ Cornices	20	\$100	\$2,000
File Cabinets	2	\$1,800	\$3,600
Stove	1	\$6,000	\$6,000
Refrigerator	1	\$3,500	\$3,500
Freezer	1	\$4,500	\$4,500
Dish Washer	1	\$2,500	\$2,500
Ice Machine	1	\$6,000	\$6,000
Metal Picnic Table	6	\$1,200	\$7,200
Industrial Metal Shelving	5	\$1,000	\$5,000
Athletic Equipment	1	\$2,500	\$2,500
Board Games & Activities	1	\$2,500	\$2,500
Craft Supplies	1	\$2,500	\$2,500
Recording Studio Equipment	1	\$139,000	\$139,000
		FFE Total	\$345,550



PLANNING AND INSPECTIONS DEPARTMENT

MEMORANDUM FOR BOARD OF COMMISSIONERS AGENDA OF MARCH 20, 2023

TO: BOARD OF COUNTY COMMISSIONERS

FROM: CUMBERLAND COUNTY JOINT PLANNING BOARD

DATE: 3/9/2023

SUBJECT: CASE ZON-22-0080

BACKGROUND

ZON-22-0080: Rezoning from A1 Agricultural District to R40A Residential District or to a more restrictive zoning district for three parcels comprising 3.10 +/- acres; located at 1811 and 1815 Sweetie Road; submitted by Jerald Kennon (applicant) on behalf of Herbert Dukes (owner).

RECOMMENDATION / PROPOSED ACTION

Planning Board Action: Recommended approval of the rezoning request from A1 Agricultural District to R40A Residential District at their February 21, 2023 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: Staff recommends approval of the rezoning request from A1 Agricultural District to R40A Residential District. Staff finds 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 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-22-0080, I move to approve the rezoning request from A1 Agricultural District to R40A Residential District 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 the requested district 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-22-0080, I move to deny the rezoning request from A1 Agricultural District to R40A Residential District and find that the request is not consistent with the Eastover Area Land Use Plan. The request is not reasonable or in the public interest because _____.

ATTACHMENTS:

Description

Case ZON-22-0080

Type

Backup Material

Renee Paschal
Interim County Manager

Sally Shutt
Assistant County Manager



Rawls Howard
Director

David Moon
Deputy Director

Planning & Inspections Department

MARCH 9, 2023

MEMO TO: Cumberland County Board of Commissioners

FROM: Cumberland County Joint Planning Board

SUBJECT: **ZON-22-0080:** Rezoning from A1 Agricultural District to R40A Residential District or to a more restrictive zoning district for three parcels comprising 3.10 +/- acres; located at 1811 and 1815 Sweetie Road; submitted by Jerald Kennon (applicant) on behalf of Herbert Dukes (owner).

ACTION: Recommended approval of the rezoning request from A1 Agricultural District to R40A Residential District at their February 21, 2023 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 FEBRUARY 21, 2023

In Case ZON-22-0080, Staff recommends approval of the rezoning request from A1 Agricultural District to R40A Residential District. Staff finds 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 it is compatible to and in harmony with the surrounding land use activities and zoning.

In Case ZON-22-0080, Mr. Baker made the motion, seconded by Mr. Burton to recommend approval of the rezoning request from A1 Agricultural District to R40A Residential District. The Board finds 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 it is compatible to and in harmony with the surrounding land use activities and zoning. Unanimous approval.

First Class and Record Owners' Mailed Notice Certification

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

REQUEST

Rezoning A1 to R40A

Applicant requests a rezoning from A1 Agricultural District to R40A Residential District for three parcels of approximately 3.10 acres combined and under the same ownership, located at 1811 and 1815 Sweetie Road. One single-family home is located on the western parcel. The intent of the property owner is to have all three parcels under the same R40A zoning category to create compliance with setback standards for the northern most parcel. Also, the rezoning will allow the owner to change lot lines, recombine, or subdivide in the future without creating split zoning – two zoning categories assigned to a single parcel. The rezoning request will also allow the owner in the future to eliminate the landlocked northern parcel by changing lot lines to form a flag lot. Uses allowed in the R40A district are similar to those allowed under the R40 district except manufactured homes are a permitted use in the R40A.

PROPERTY INFORMATION

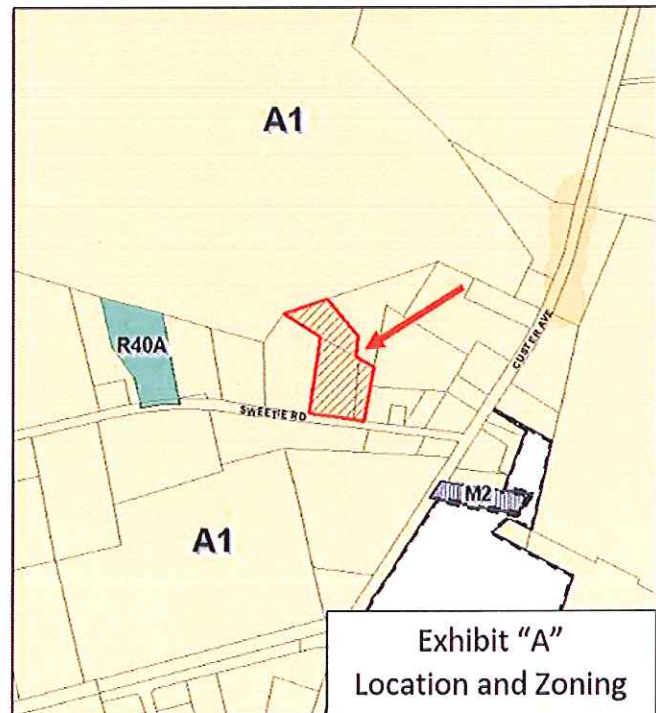
OWNER/APPLICANT: Herbert Dukes (Owner); Jerald Kennon (Applicant)

ADDRESS/LOCATION: Refer to Exhibit "A", Location and Zoning Map. REID number: 0459021543000, 0459021284000, 0459023221000

SIZE: 3.10 +/- acres within three parcels. Road frontage along Sweetie Road is a combined 282 +/- feet. The property has a varying depth due to its irregular shape but is approximately 587 +/- 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.

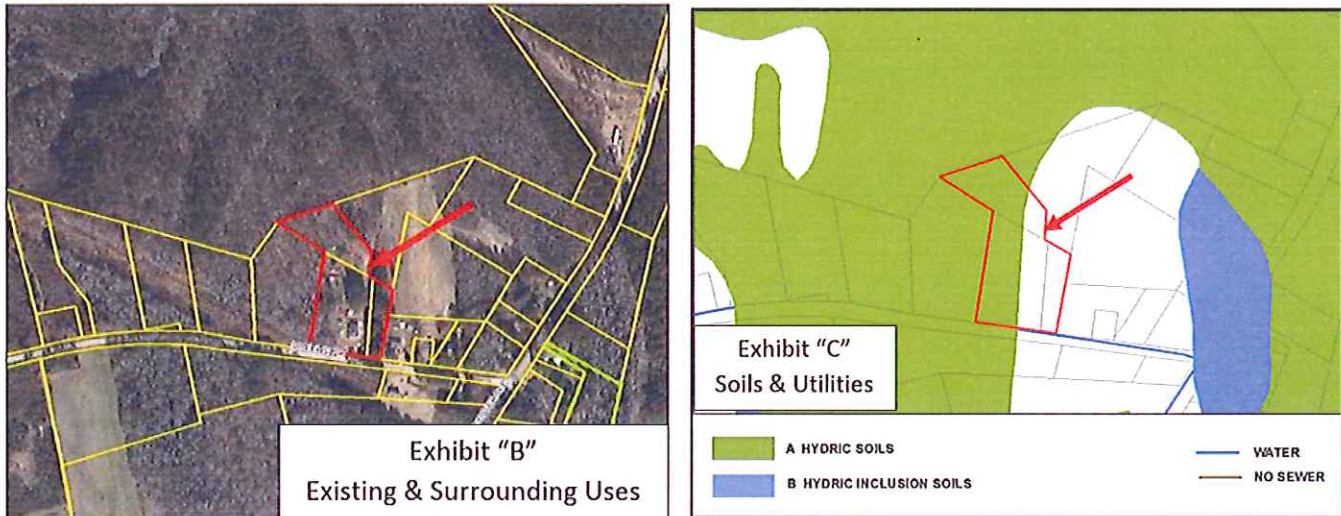
EXISTING LAND USE: One single-family home occurs at the site located on the western parcel. The driveway for the lot is located on the eastern parcel. Exhibit "B" shows the existing use of the subject property.



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

- **North:** Vacant wooded land
- **East:** Wooded lands and single-family homes
- **West:** Wooded land
- **South:** Farmland and a single-family home

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 presence of hydric soils on the western side of the property.



DEVELOPMENT REVIEW: Subdivision review by County Planning & Inspections will be required before any development.

DIMENSIONAL PROVISIONS FOR REQUESTED DISTRICT:

Minimum Standard	A1 (Existing Zoning)	R40A (Proposed)
Front Yard Setback	50 feet	30 feet
Side Yard Setback	20 feet (one story) 25 feet (two story)	15 feet
Rear Yard Setback	50 feet	35 feet
Lot Area	2 acres	40,000 sq. ft.
Lot Width	100'	100'

Development Potential:

Existing Zoning (A1)	Proposed Zoning (R40A)
1 dwelling units	3 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.

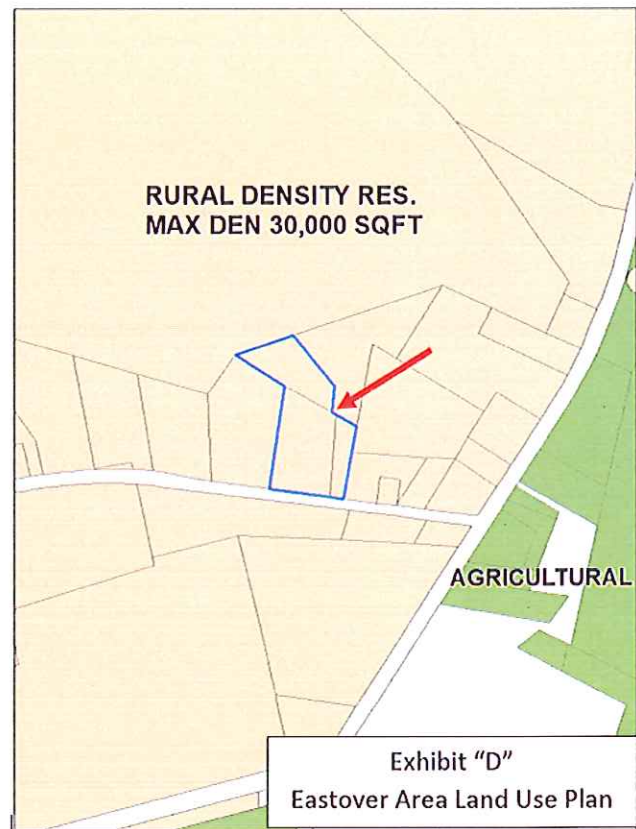
COMPREHENSIVE PLANS: This property is located within the Eastover Area Land Use Plan (2018). The future land use classification of the property is Rural Density Residential Maximum Density 30,000 square feet (Exhibit D). Associated Zoning districts for this classification are R30, R30A, R40, R40A. **The proposed request is consistent with the adopted Land Use Plan.**

APPLICABLE PLAN GOALS/POLICIES:

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."

"Use development techniques that preserve the rural character of the area."



IMPACTS ON LOCAL INFRASTRUCTURE AND/OR FACILITIES

UTILITIES: Sewer lines are not 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 "C". Septic will likely be required, and the lot size must meet the minimum area necessary to accommodate both. Please note, building applications do not guarantee that septic tank permits can be written.

TRAFFIC: The subject parcels are located on 1811 and 1815 Sweetie 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 2021 AADT for Sweetie Road as well, 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 new zoning should not generate enough traffic to significantly impact Sweetie Road.

SCHOOLS CAPACITY/ENROLLMENT:

School	Capacity	Enrollment
Armstrong Elementary	441	457
Mac Williams Middle	1164	1166
Cape Fear High	1476	1590

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

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

CONDITIONS OF APPROVAL: This is a conventional zoning and there are no conditions at this time.

STAFF RECOMMENDATION

In Case ZON-22-0080, Staff **recommends approval** of the rezoning request from A1 Agricultural District to R40A Residential District. Staff finds 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 it is compatible to and in harmony with the surrounding land use activities and zoning.

Attachments:
Notification Mailing List
Application

ATTACHMENT – MAILING LIST

LOUDENIA UNDERWOOD
LURDINE UNDERWOOD
JAMES UNDERWOOD
566 JEROME ST
BROOKLYN NY 11207

HERBERT DUKES
1815 SWEETIE RD
FAYETTEVILLE NC 28312

EVANGELINE FRYAR
126 E DEL A VUE AVE
CARNEYS POINT NJ 08069

LILLIE E ALLRED
1841 SWEETIE RD
FAYETTEVILLE NC 28312

CITY OF FAYETTEVILLE
433 HAY ST
FAYETTEVILLE NC 28301

DANIEL P PRESCOTT
1827 SWEETIE RD
FAYETTEVILLE NC 28312

THOMAS N MURRAY
2010 E CHELTEN AVE
PHILDELPHIA PA 19138

ADALIA FULLER
1311 S HOLLOW COVE RD
FLORENCE SC 29506

LAWRENCE FULLER
2201 PEACHTREE ST
FLORENCE SC 29505

HERBERT DUKES
1811 SWEETIE RD
FAYETTEVILLE NC 28312

WESLEY MCMILLAN HEIRS
25 LOGGER CT
DURHAM NC 27713

PHILLIP L LEWIS, LINDWOOD LEWIS
JERRY LEWIS, MARVIN LEWIS, ALICE
SMITH & DONNA GREEN
2431 CUSTER AVE
FAYETTEVILLE NC 28312

RIVER ROAD NEIGHBORHOOD
CENTER
TRUSTEES
2096 DOBBIN HOLMES RD
EASTOVER NC 28312

JOSEPH LEWIS
LOUIE LEWIS
382 LANDER DR
HENDERSON NV 89074

NATHANIEL GIENGER
2112 RIVER RD
FAYETTEVILLE NC 28312

CARLOS A ESCOBAR
JUAN F ESCOBAR
1854 SWEETIE RD
FAYETTEVILLE NC 28312

CLARA MAE JACKSON
1210 NE EASTERN AVE 201
WASHINGTON DC 20019

ALPHONZO BURNETTE
PO BOX 6975
FT BLISS TX 79906

GENNIE LEWIS
RUBY LEWIS
2431 CUSTER AVE
FAYETTEVILLE NC 28312

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 \$ _____.
(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 A1 to R40A
2. Address of Property to be Rezoned: 1811 Sweetie Rd, 1815 Sweetie Road, and adjacent lot
3. Location of Property: Sweetie Road, Fayetteville NC
4. Parcel Identification Number (PIN #) of subject property: 0459-02-1545/0459-02-1284, 0459-02-3221
(also known as Tax ID Number or Property Tax ID)
5. Acreage: 3.10 acre Frontage: 282.33 ft Depth: 489.49 ft
6. Water Provider: Well: _____ PWC: _____ Other (name): Easton Sanitary
7. Septage Provider: Septic Tank ☒ PWC _____
8. Deed Book 7002, Page(s) 0821, Cumberland County Registry. (Attach copy of deed of subject property as it appears in Registry).
9. Existing use of property: Homesite
10. Proposed use(s) of the property: Homesite for new construction
11. Do you own any property adjacent to or across the street from this property?
Yes ☒ No _____ If yes, where? Adjacent to, front of
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.

Herbert Dukes
NAME OF OWNER(S) (PRINT OR TYPE)

1811 Sweetie Road, Fayetteville NC 28312
ADDRESS OF OWNER(S)

910-644-4095 W/A
HOME TELEPHONE # WORK TELEPHONE #

Sergel Kennan
NAME OF AGENT, ATTORNEY, APPLICANT (PRINT OR TYPE)

208 Hay Street, Fayetteville NC 28301
ADDRESS OF AGENT, ATTORNEY, APPLICANT

Sergel @ C-21-Liberty.com
E-MAIL

W/A 910-748-6832
HOME TELEPHONE # WORK TELEPHONE #

[Signature] [Signature]
SIGNATURE OF OWNER(S) 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 March 20, 2023 in room 118 of the County Courthouse at 117 Dick Street to hear the following:

ZON-22-0080: Rezoning from A1 Agricultural Dis. to R40A Residential Dis.; 3.10 +/- ac.; 1811 & 1815 Sweetie Road; Jerald Kennon (applicant); Herbert Dukes (owner).

ZON-23-0002: Rezoning from CD/CUD Conservancy Conditional Use Dis. to R15/CUD Residential Conditional Use Dis.; portions of two lots compromising 0.57 +/- ac.; 2241 and 2245 Mannington Drive; James Kizer, Jr. (applicant); Jagjit Mehmi (owner).

3/6/23, 3/13/23 8513270



PLANNING AND INSPECTIONS DEPARTMENT

MEMORANDUM FOR BOARD OF COMMISSIONERS AGENDA OF MARCH 20, 2023

TO: BOARD OF COUNTY COMMISSIONERS

FROM: CUMBERLAND COUNTY JOINT PLANNING BOARD

DATE: 3/9/2023

SUBJECT: CASE ZON-23-0002

BACKGROUND

ZON-23-0002: Rezoning from CD/CUD Conservancy Conditional Use District to R15/CUD Residential Conditional Use District or to a more restrictive zoning district for portions of two lots comprising 0.57 +/- acres; located at 2241 and 2245 Mannington Drive; submitted by James Kizer, Jr. (applicant) on behalf of Jagjit Mehmi (owner).

RECOMMENDATION / PROPOSED ACTION

Planning Board Action: Recommended approval of the rezoning request from CD/CUD Conservancy Conditional Use District to R15/CUD Residential Conditional Use District at their February 21, 2023 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: Staff recommends approval of the rezoning request from CD/CUD Conservancy Conditional Use District to R15/CUD Residential Conditional Use District and find (a) The approval is an amendment to the adopted, current South-Central Land Use Plan and that the Board of Commissioners should not require any additional request or application for amendment to said map for this request; (b) The applicant has obtained a "Letter of Map Revision" from FEMA to remove the flood boundaries from the affected lots; (c) The existing land use plan designation of "open space" is based off the pre-existing flood hazard lines, not the recently approved FEMA flood hazard lines. The request is reasonable and in the public interest as the requested district would be 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-23-0002, I move to approve the rezoning request from CD/CUD Conservancy Conditional Use District to R15/CUD Residential Conditional Use District and find:

1. The approval is an amendment to the adopted, current South-Central Land Use Plan and the Board of Commissioners should not require any additional request or application for amendment to said map for this request.
2. The applicant has obtained a “Letter of Map Revision” from FEMA to remove the flood boundaries from the affected lots.
3. The existing land use plan designation of “open space” is based off the pre-existing flood hazard lines, not the recently approved FEMA flood hazard lines.

The request is reasonable and in the public interest as the requested district would be 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-23-0002, I move to deny the rezoning request from CD/CUD Conservancy Conditional Use District to R15/CUD Residential Conditional Use District and find the request is not consistent with the South-Central Land Use Plan. The request is not reasonable or in the public interest because

ATTACHMENTS:

Description

Case ZON-23-0002

Type

Backup Material

Renee Paschal
Interim County Manager

Sally Shutt
Assistant County Manager



Rawls Howard
Director

David Moon
Deputy Director

Planning & Inspections Department

MARCH 9, 2023

MEMO TO: Cumberland County Board of Commissioners

FROM: Cumberland County Joint Planning Board

SUBJECT: **ZON-23-0002:** Rezoning from CD/CUD Conservancy Conditional Use District to R15/CUD Residential Conditional Use District or to a more restrictive zoning district for portions of two lots comprising of 0.57 +/- acres; located at 2241 and 2245 Mannington Drive; submitted by James Kizer, Jr. (applicant) on behalf of Jagjit Mehmi (owner).

ACTION: Recommended approval of the rezoning request from CD/CUD Conservancy Conditional Use District to R15/CUD Residential Conditional Use District at their February 21, 2023 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 FEBRUARY 21, 2023

In Case ZON-23-0002, Staff recommends approval of the rezoning request from CD/CUD Conservancy Conditional Use District to R15/CUD Residential Conditional Use District and find (a) The approval is an amendment to the adopted, current South-Central Land Use Plan and that the Board of Commissioners should not require any additional request or application for amendment to said map for this request; (b) The applicant has obtained a "Letter of Map Revision" from FEMA to remove the flood boundaries from the affected lots; (c) The existing land use plan designation of "open space" is based off the pre-existing flood hazard lines, not the recently approved FEMA flood hazard lines. The request is reasonable and in the public interest as the requested district would be compatible to and in harmony with the surrounding land use activities and zoning.

In Case ZON-23-0002, Mr. Baker made a motion, seconded by Mr. Burton to recommend approval of the rezoning request from CD/CUD Conservancy Conditional Use District to R15/CUD Residential Conditional Use District and find (a) The approval is an amendment to the adopted, current South-Central Land Use Plan and that the Board of Commissioners should not require any additional request or application for amendment to said map for this request; (b) The applicant has obtained a "Letter of Map Revision" from FEMA to

Renee Paschal
Interim County Manager

Sally Shutt
Assistant County Manager



Rawls Howard
Director

David Moon
Deputy Director

Planning & Inspections Department

remove the flood boundaries from the affected lots; (c) The existing land use plan designation of "open space" is based off the pre-existing flood hazard lines, not the recently approved FEMA flood hazard lines. The request is reasonable and in the public interest as the requested district would be compatible to and in harmony with the surrounding land use activities and zoning. Unanimous approval.

First Class and Record Owners' Mailed Notice Certification

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

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 CD/CUD to R15/CUD

The intent by the applicant is to expand the buildable area for future home sites for lots 302 and 303 of the Village at Rockfish Plat, which have a portion of the lots assigned both R15 District and Conservancy District (CD). The CD district is designed to preserve and protect identifiable natural resources from urban encroachment. For these two lots, the CD District boundary follows the flood zone boundary established by the Federal Emergency Management Agency (FEMA). The applicant submitted an application to FEMA to modify the flood zone boundary crossing these two lots. After review by FEMA, the agency approved and issued a "Letter of Map Revision", thus removing the flood hazard zone from the lots.

A copy of the "Letter of Map Revision" is included with this staff report. Both lots no longer have any portion of the lot within a Flood Hazard Zone. Exhibit "F" of the Staff Report provides the recorded Village at Rockfish Plat with the two subject lots highlighted. Exhibit "H" provides the FEMA "Letter of Map Revisions" that removes the flood zone boundary from the two lots.

As the Conservancy District (CD) prohibits residential uses, a rezoning is necessary to change the CD zoning on the back portion of each lot to the R15/CUD district; thus, creating sufficient area inside the lots to make them useable for single family home construction. If the rezoning is approved, the entire lot area within these two lots will be subject to the zoning and development standards that apply to all the other lots within the Rockfish Plat, also zoned R15/CUD through zoning case P10-09.

PROPERTY INFORMATION

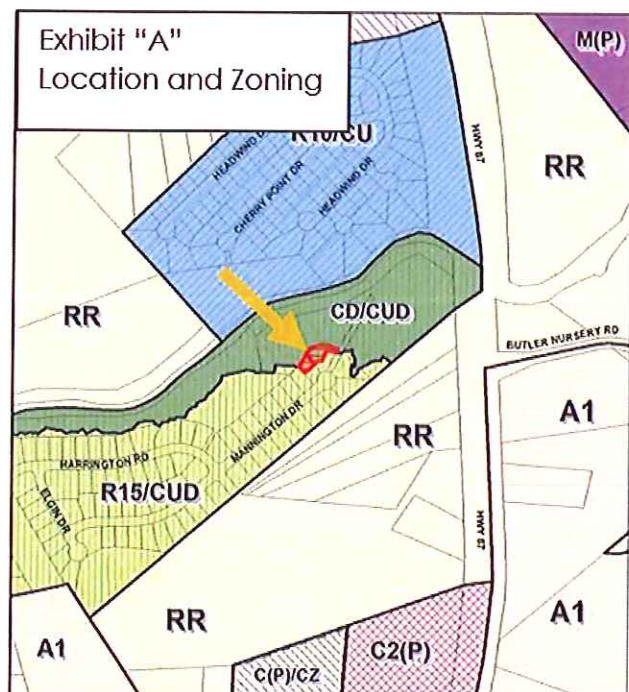
OWNER/APPLICANT:

Moorman, Kaiser, And Reitzel, Inc. on behalf of Jagjit Mehmi (Owner)

ADDRESS/LOCATION: Located at 2241 & 2245 Mannington Drive Refer to Exhibit "A", Site Location. REID numbers: 0443587534000 & 0443587691000.

SIZE: For the lot addressed 2241 Mannington Dr. (Lot 302), 0.20 +/- acres, this lot has approximately 78 +/- feet of street frontage along the north side of Mannington Drive. The property has a depth of about 130 feet. For the lot addressed 2245 Mannington Dr (Lot 303), 0.38 +/- acres. The property has approximately 27.6 +/- feet of street frontage along the north side of Mannington Drive. This lot has a depth of about 150 feet.

EXISTING ZONING: The property is zoned R15 Residential District which is a district designed primarily for single-family dwelling units with a lot area of 15,000 square feet or above.



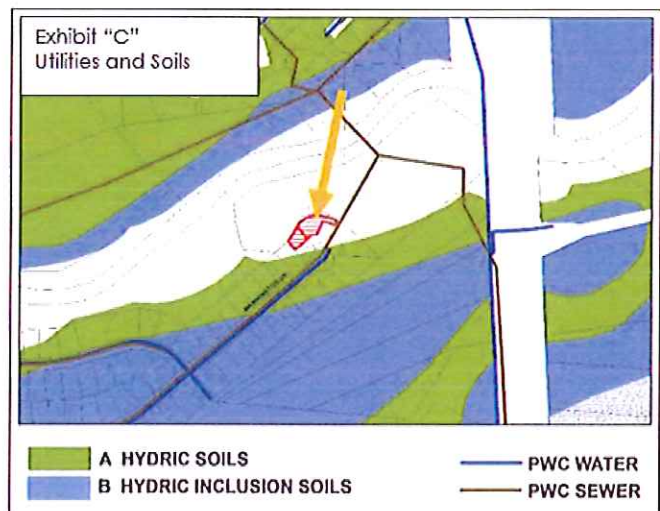
EXISTING LAND USE: The two platted lots are undeveloped but part of the Village at Rockfish Plat, which is a 39-lot residential zero-lot-line development. Exhibit "B" shows the existing use of the subject properties.

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

- North:** Vacant and wooded lots buffer the river to the north and are zoned CD/CUD and R10 CU. Further north is the Grays Creek Villas subdivision on property zoned R10 CU.
- East:** Vacant and wooded lots, included in the Village at Rockfish subdivision and zoned R15/CUD and CD/CUD, buffer the subject site and Highway 87.
- West:** The lots to the west are included in the Village at Rockfish subdivision and zoned R15/CUD and CD/CUD.
- South:** Directly south are vacant lots included in the subject subdivision. Further south are vacant and wooded properties zoned RR.

OTHER SITE CHARACTERISTICS: The site is not located in a Watershed. The properties were previously located within a Special Flood Hazard Area. The property owner applied to FEMA to re-evaluate the placement of flood lines and received a FEMA "Letter of Map Revision" approved by FEMA. Thus, the Flood Hazard Area designation has been removed from the lots.

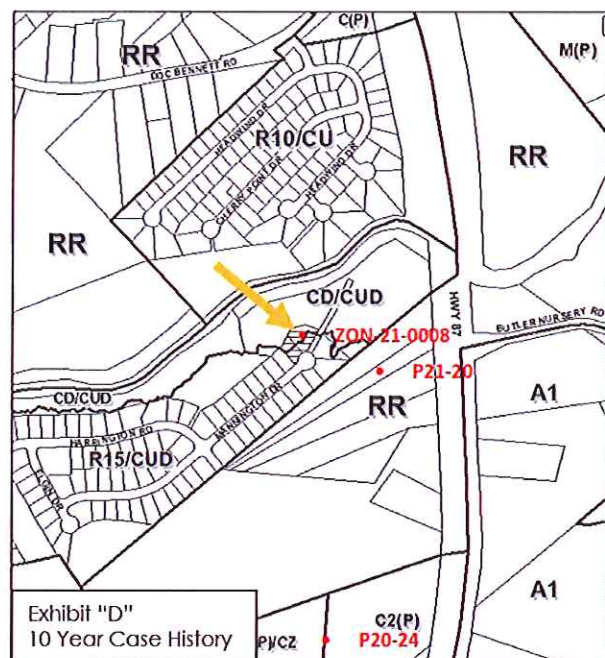
The subject property, as delineated in Exhibit "C" illustrates no presence of hydric nor hydric inclusion soils.



TEN YEAR ZONE CASE HISOTRY:

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

- **P20-24:** RR to C2(P) & C(P)/ CZ for Mini-warehousing and Outside Storage; **Approved;** 13.35 acres
- **P21-20:** RR to R7.5/CZ; **Withdrawn;** 1.85 acres
- **ZON-21-0008:** CD/CDU to R15/CUD; **Denied**



DIMENSIONAL PROVISIONS FOR REQUESTED DISTRICT:

Minimum Standard	CD/CUD (Existing Zoning)	R15/CUD (Proposed)
Front Yard Setback	50 feet from ROW, 80 feet from CL	30 feet
Side Yard Setback	50 feet	10 feet: 1 story, 15 feet: 2 story
Rear Yard Setback	50 feet	35 feet
Lot Area	N/A	15,000 feet
Lot Width	N/A	75 feet

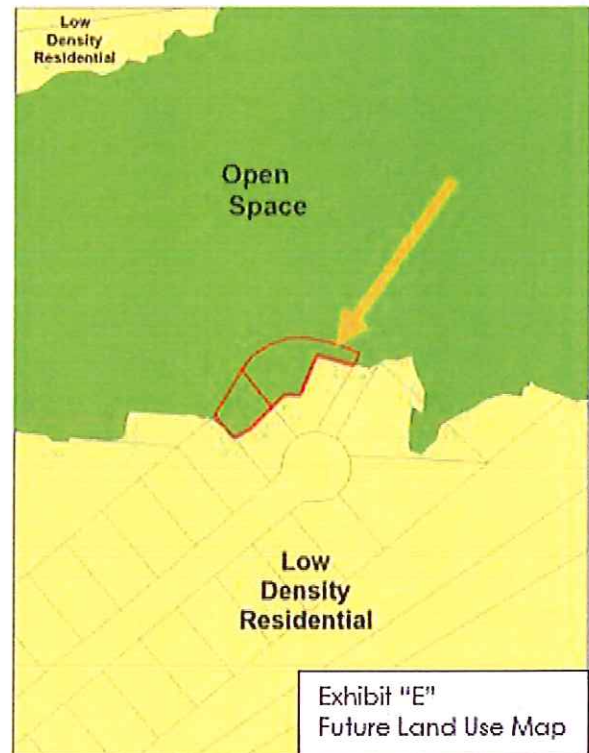
COMPREHENSIVE PLANS:

This property is located within the South-Central Land Use Plan (2015), as shown in Exhibit "E". The future land use classification of the property is "Low Density Residential" and "Open Space". Associated Zoning districts for this classification are R7.5, R15 (Low Density Residential) and CD (Open Space). **The proposed request is consistent with the adopted Land Use Plan.**

Additional notes: This should be looked at as a technical correction. The future land use map and zoning map follow the 100-year floodplain at the time of adoption. For consistency's sake, only one zoning classification should be assigned to each parcel.

Residential Development Goal:

"Locate residential areas with respect to natural and environmental sensitive areas." (South Central Land Use Plan, p. 93) – adjacent lots in the floodplain are owned by the Homeowner's Association and have been left undeveloped.

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

UTILITIES: PWC water and sewer utilities are available along the Mannington Drive frontage. It is the applicant's responsibility to determine if these utilities will serve their development. Utilities for water and sewer are shown on Exhibit "C".

TRAFFIC: The subject parcels are located on 2241 and 2245 Mannington Drive 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 2021 AADT for Mannington Drive as well, 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.

SCHOOLS CAPACITY/ENROLLMENT:

School	Capacity	Enrollment
Alderman Rd Elem	707	661
Gray's Creek Mid	1083	1152
Gray's Creek High	1517	1452

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

EMERGENCY SERVICES: Cumberland County Fire Marshal's office has reviewed the request and has no comments.

SPECIAL DISTRICTS: The property is located within the Fayetteville Regional Airport Overlay District, but not within five miles of Fort Bragg Military Base. The director the Fayetteville Regional Airport has no comments regarding this request.

CONDITIONS OF APPROVAL: As the rezoning request is for Conditional Use, Exhibit "G" includes conditions that the property must meet through an approved site plan, site development, and use of the property should this request be approved. The applicant is to maintain the conditions already present on the property from zoning case P10-09.

STAFF RECOMMENDATION

In Case ZON-23-0002, Staff **recommends approval** of the rezoning request from CD/CUD Conservancy Conditional Use District to R15/CUD Residential Conditional Use District and find:

- a. The approval is an amendment to the adopted, current South-Central Land Use Plan; and that the Board of Commissioners should not require any additional request or application for amendment to said map for this request.
- b. The applicant has obtained a "Letter of Map Revision" from FEMA to remove the flood boundaries from the affected lots.
- c. The existing land use plan designation of "open space" is based off the pre-existing flood hazard lines, not the recently approved FEMA flood hazard lines.

The request is reasonable and in the public interest as the requested district would be compatible to and in harmony with the surrounding land use activities and zoning.

Attachments:

Existing Plat

Conditions of Approval

FEMA LOMR-F Determination Materials

Notification Mailing List

Application

Site Photo

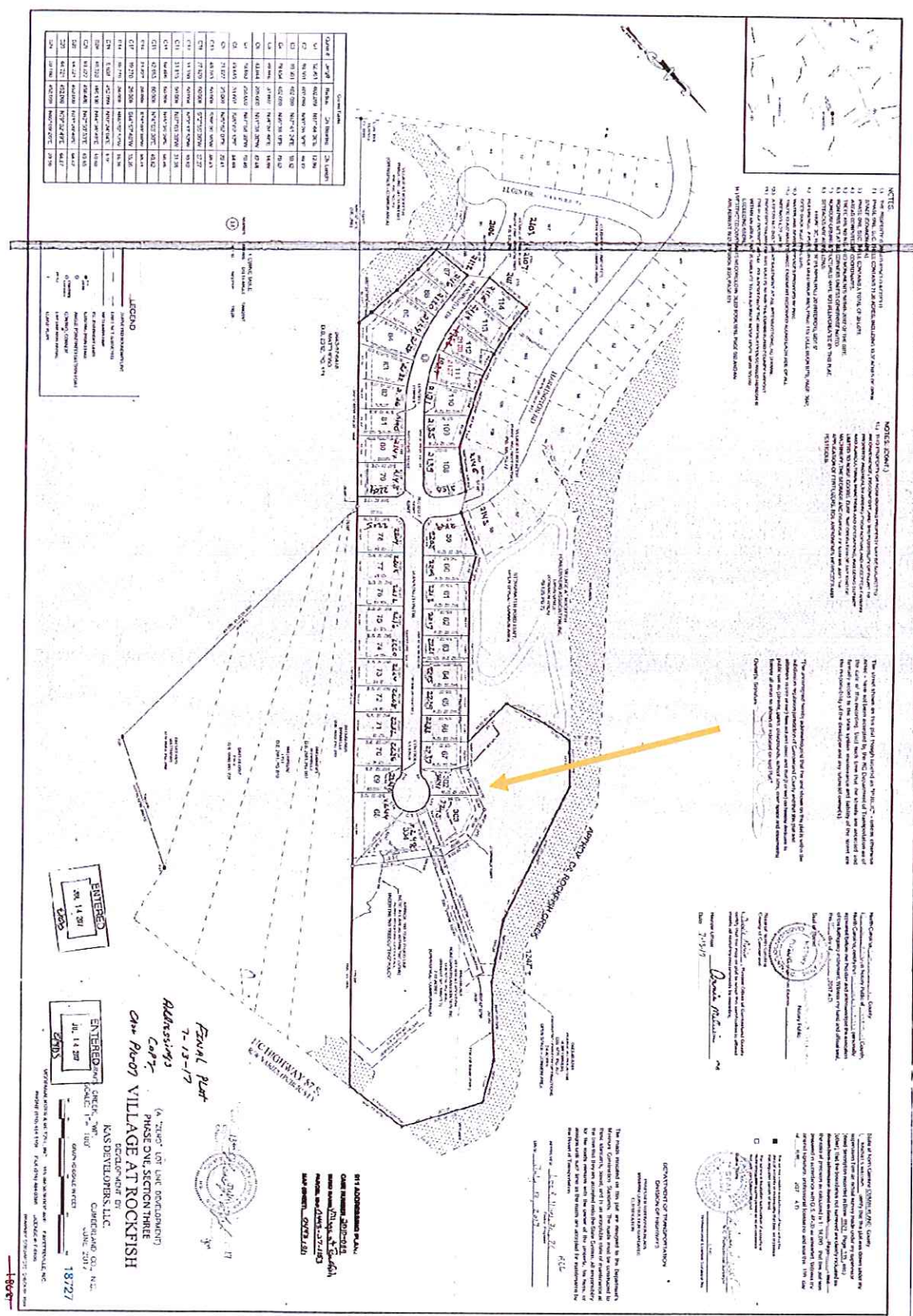


EXHIBIT "G"
CONDITIONS OF APPROVAL Case P10-09 (2010)

Permit-Related:

1. The owner/developer(s) of these lots must obtain detailed instructions on provisions of the County Zoning Ordinance and permits required to place any structure within this development from the County Code Enforcement Section, Room 101 in the Historic Courthouse at 130 Gillespie Street. For additional information, the developer should contact a Code Enforcement Officer.
2. Connection to public water and sewer is required, the Public Works Commission (PWC) must approve water and sewer plans prior to application for any permits. A copy of the PWC approval must be provided to Code Enforcement at the time of application for building/zoning permits. (Section 2306 A.1, Public Water and Sewer Systems County Subdivision Ordinance)
3. 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 Environment and Natural Resources. 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.
4. For any new development where the developer disturbs or intends to disturb more than one acre of land, the developer must provide the Code Enforcement Section with an approved NC Department of Environment and Natural Resources (NCDENR) sedimentation and erosion control plan (S&E) prior to any application for permits. (Note: If any retention/detention basins are required for state approval of this plan, then three copies of a revised plan must be submitted and approved by Planning & Inspections prior to application for any building/zoning permits.) A copy of the NCDENR approval must be provided to Code Enforcement at the time of application for any building/zoning permits.
5. The developer must provide a site-specific address and tax parcel number at the time of building/zoning permit application.
6. The *Special Flood Hazard Area* (SFHA) exists on this tract; any development within SFHA must have first flood elevations, including all mechanical and electrical equipment above base flood elevation (BFE) plus two feet of freeboard. Proper flood plain development permits are required, issued by the County Engineer, prior to any building/permit application. A copy of the approved flood plain permit must be provided to Code Enforcement at the time of building/zoning permit applications.
7. The building final inspection cannot be accomplished until a Code Enforcement Officer inspects the site and certifies that the site is developed in accordance with the approved plans.

Site-Related:

8. All uses, dimensions, setbacks and other related provisions of the County Subdivision and Zoning Ordinances for the CD/CUD & R15/CUD zoning districts and the Permit must be complied with, as applicable.
9. All corner lots and lots fronting more than one street must provide front yard setbacks from each street.

10. This conditional approval is not approval of any freestanding signs. If a freestanding sign is desired, re-submittal of the site plan for staff review and approval is required prior to application for any freestanding sign permits. Attached signage for this development must be in accordance with the applicable sign regulations as set forth in Article XIII of the County Zoning Ordinance and that the proper permit(s) must be obtained prior to the installation of any permanent signs on the property. (Note: This conditional approval is **not** approval of the size, shape, or location of any signs.)
11. All applicable provisions of Section 2401, "Group Developments", County Subdivision Ordinance, must be complied with.
12. Curbs and gutters must meet the NC Department of Transportation's (NCDOT) standards and specifications or the City of Fayetteville street specifications, whichever standard is more stringent. Rolled concrete curb, if required, must not be less than 24 inches in width. (Section 2304 B.4, Curbs and Gutters, County Subdivision Ordinance)
13. For any new development, an adequate drainage system must be installed by the developer in accordance with the NC Department of Environment and Natural Resources' (NCDENR) *Manual on Best Management Practices* and all drainage ways must be kept clean and free of debris. (Section 2306 D, County Subdivision Ordinance)
14. Fire hydrants must be installed along all proposed streets and drives; hydrants must be located no further than 1,000 feet apart and at a maximum of 500 feet from any lot. (Section 2306 B, Fire hydrants, County Subdivision Ordinance)
15. For new development, all utilities, except for 25kv or greater electrical lines, must be located underground. (Section 2306 C, County Subdivision Ordinance)
16. The owner/developer shall secure and maintain the detention/retention basin, keeping it clear of debris and taking measures for the prevention of insect and rodent infestation. The basins must be secured with a four-foot-high fence with a lockable gate.
17. This review does not constitute a "subdivision" approval by NC Department of Transportation (NCDOT). A separate submittal to NCDOT will be required prior to consideration for addition to the system of any street within this development.
18. The developer must obtain a driveway permit from the NC Department of Transportation (NCDOT). A copy of the approved driveway permit must be provided to Code Enforcement at the time of application for building/zoning permits.
19. The NC Department of Transportation (NCDOT) must approve the street plans and the street(s) are required to be constructed to the NCDOT standards for secondary roads.
20. Turn lanes may be required by the NC Department of Transportation (NCDOT).
21. All lots within this development are required to be served by an internal street system.
22. The owner's association is responsible and liable for maintenance and upkeep of all structures, and appurtenances within the common areas, 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.
23. All notes and calculations as shown on the site plan and contained within the application are to be considered as a part of this conditional approval.

Plat-Related:

24. The 5.72 acre tract (conflict area) which is not a part of this approval, must be given road frontage by either a 20 foot strip of land along an existing or proposed road, or by recombining this property with an adjacent property which has road frontage.
25. All phases of this development must be labeled as a "Zero Lot Line" development on each final plat.
26. All common areas for each phase must be clearly labeled as "common area" on the final plat.
27. The final plat must clearly reflect a "No Tree Cutting" easement for the land area within the Special Flood Hazard Area (SFHA) along the Rockfish Creek, with the exception of utility installation/easements crossing through the (SFHA) area. **(Note: The utility easements must be clearly reflected on the final plat.)**
28. The proposed development is located in a Special Flood Hazard Area (SFHA). The final plat must show the limits of the SFHA; information may be obtained from the County Engineer's office or the Federal Emergency Management Agency's (FEMA) website at www.ncfloodmaps.com. Any development within the SFHA is subject to the requirements of the County Flood Damage Prevention Ordinance administered by the County Engineering Department.
29. A concrete sidewalk must be constructed along SR 2220 (Tom Starling Road) (2 to 5 du/ac). (Section 2305, Sidewalks, County Subdivision Ordinance)
30. A concrete sidewalk must be constructed along NC HWY 87 South and along SR 2220 (Tom Starling Road). (Sewer Service Area, City/County Interlocal Agreement, dated June 9, 2008)
31. The developer is required to submit to Land Use Codes:
 - a. Three copies of proposed covenants, by-laws and articles of incorporation for the proposed development designating responsibility for maintenance and upkeep of all common areas, stormwater basins and addressing the "no tree cutting" requirement within the Special Flood Hazard Area (SFHA) by the owners' association for the development;
 - b. One copy of the deed(s) proposed for recordation conveying all common area to the proposed owners association;
 - c. One copy of any proposed supplemental covenants if the proposed development is to be submitted for final approval in phases; and
 - d. Two copies of each proposed final plat prior to the submission for final approval – can be a phase of the approved development or the complete development as approved.
32. The developer must record the deed conveying all common areas to the owners association at the same time that each final plat for each phase of this development is recorded.
33. Prior to final plat approval the developer must contact the Street Naming and Addressing Section of the Planning & Inspections Department for approval of the street names for the proposed streets within this development. The approved street names must be reflected on the final plat.
34. The street name signs, in compliance with the County Street Sign Specifications, must be installed prior to final plat approval. The developer should contact E911 Street Naming/Signs for inquiries regarding the County's policy for street sign installation or, if the sign is commissioned from a private source, to schedule an inspection of the street sign(s). Land Use Codes must receive notice of agreement with the Street Naming & Addressing Section for sign installation or of satisfactory inspection prior to the approval of the final plat.
35. "Tom Starling Road" must be labeled as "SR 2220 (Tom Starling Road)" on the final plat.

36. "NC HWY 87" must be labeled as "NC HWY 87 S" on the final plat.
37. Dedication of 10 feet of right-of-way and reservation of 10 feet of right-of way along SR 2220 (Tom Starling Road) is required and the metes and bounds for both dedication and reservation is required to be shown on the final plat and/or reflected on any future site plans.. The location of all improvements, required or otherwise, and all building setback lines are to be measured from the ultimate right-of-way line. (Section 2302 F, Planned Public Right-of-Way, County Subdivision Ordinance)
38. The builder/developer must provide the buildable envelopes on the final plat: providing a five-foot maintenance easement along each side of all common internal lines with all other applicable setbacks being provided for; or at the time of permit application, the individual plot plans must be approved by Land Use Codes prior to issuance of any permits.
39. 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.
40. All lots within this development must be served by an internal street system and a "no access" easement must be reflected on the final plat along SR 2220 (Tom Starling Road) on Lots 1- 10, 87, 107, 108, 133, 173 – 177, 192 and the open space areas.
41. All lots within this development must be served by an internal street system and a "no access" easement must be reflected on the final plat along NC HWY 87 S on the open space area.
42. A 10' x 70' sight distance easements is required at the intersection of SR 2220 (Tom Starling Road) with the two proposed streets and must be reflected on the final plat.
43. A 25' right-of-way radius is required at all intersections and must be reflected on the final plat. (Section 2304.10.c, Street Design, County Subdivision Ordinance)
44. The NC Department of Transportation (NCDOT) stamp must be affixed to the final plat prior to submission for final plat approval by Land Use Codes.
45. The notarized signature(s) of all current tax record owner(s) and notary certifications appear on the final plat when submitted for final approval. (Section 2503 D, Certificate of Ownership and Dedication, County Subdivision Ordinance)
46. The developer is reminded that the improvements must be in place or that final plat approval will only be granted in accordance with Section 2502 B, C, or D, Final Plat – Guarantees of Improvements, Subdivision Ordinance. (Note: Once the improvements are in place, the developer is responsible for contacting Jeff Barnhill to schedule an inspection of the improvements.)
47. The final plat must be submitted to Land Use Codes for review and approval for recording with the County Register of Deeds, and the plat must be recorded prior to any permit application for any structure and/or prior to the sale of any lot or unit within this development.

Plat-Required Statements:

48. Since this development is located within the *Airport Overlay District* as shown on the official zoning map, the following disclosure statement is required to be provided on the final plat (Section 8.101.E, Notice and Disclosure of Noise Impact Discloser, County Zoning Ordinance):

"Property shown on this plan/plat is within the Cumberland County Airport Overlay District and all or a portion of the property described hereon is within an area that is subject to an average noise level near to or exceeding 65 dnl."

49. All structures shall be shown on the final plat or the final plat shall reflect the following statement (Section 2504 D, County Subdivision Ordinance):

"Nonconforming structures have not been created by this subdivision."

Other Relevant Conditions:

50. The applicant is advised to consult an expert on wetlands before proceeding with any development.

51. There may be wetlands located in the project area that are subject to the permit requirements of Section 404 of the Clean Water Act. To avoid a violation of federal and/or state law, it is recommended the developer contact the Office of the Army Corp of Engineers or hire an environmental consultant to identify and delineate any wetlands in the project area prior to construction. A Section 404 permit will be required if the applicant needs to fill wetlands for the construction of the convenience store and/or development of the remaining parent tract.

52. 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.

EXHIBIT "H"
LOMR-F DETERMINATION DOCUMENT



Federal Emergency Management Agency
Washington, D.C. 20472

June 04, 2021

THE HONORABLE CHARLES EVANS
CHAIR, BOARD OF COMMISSIONERS
CUMBERLAND COUNTY
P.O. BOX 1829
FAYETTEVILLE, NC 28302

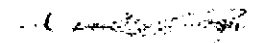
CASE NO.: 21-04-2844A
COMMUNITY: CUMBERLAND COUNTY, NORTH
CAROLINA
(UNINCORPORATED AREAS)
COMMUNITY NO.: 370076

DEAR MR. EVANS:

This is in reference to a request that the Federal Emergency Management Agency (FEMA) determine if the property described in the enclosed document is located within an identified Special Flood Hazard Area, the area that would be inundated by the flood having a 1-percent chance of being equaled or exceeded in any given year (base flood), on the effective National Flood Insurance Program (NFIP) map. Using the information submitted and the effective NFIP map, our determination is shown on the attached Letter of Map Revision based on Fill (LOMR-F) Determination Document. This determination document provides additional information regarding the effective NFIP map, the legal description of the property and our determination.

Additional documents are enclosed which provide information regarding the subject property and LOMR-F's. Please see the List of Enclosures below to determine which documents are enclosed. Other attachments specific to this request may be included as referenced in the Determination/Comment document. If you have any questions about this letter or any of the enclosures, please contact the FEMA Map Information eXchange (FMIX) toll free at (877) 336-2627 (877-FEMA MAP) or by letter addressed to the Federal Emergency Management Agency, Engineering Library, 3601 Eisenhower Ave Ste 500, Alexandria, VA 22304-6426.

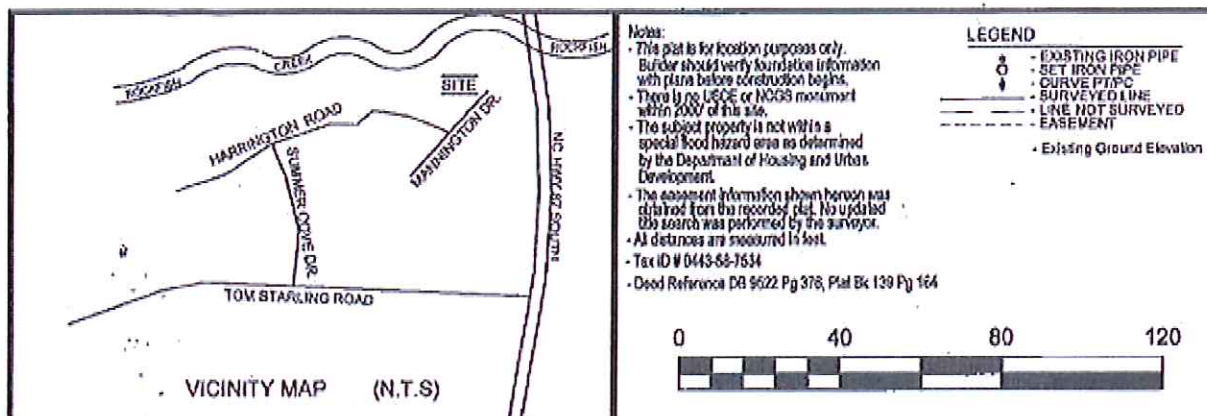
Sincerely,


Luis V. Rodriguez, P.E., Director
Engineering and Modeling Division
Federal Insurance and Mitigation Administration

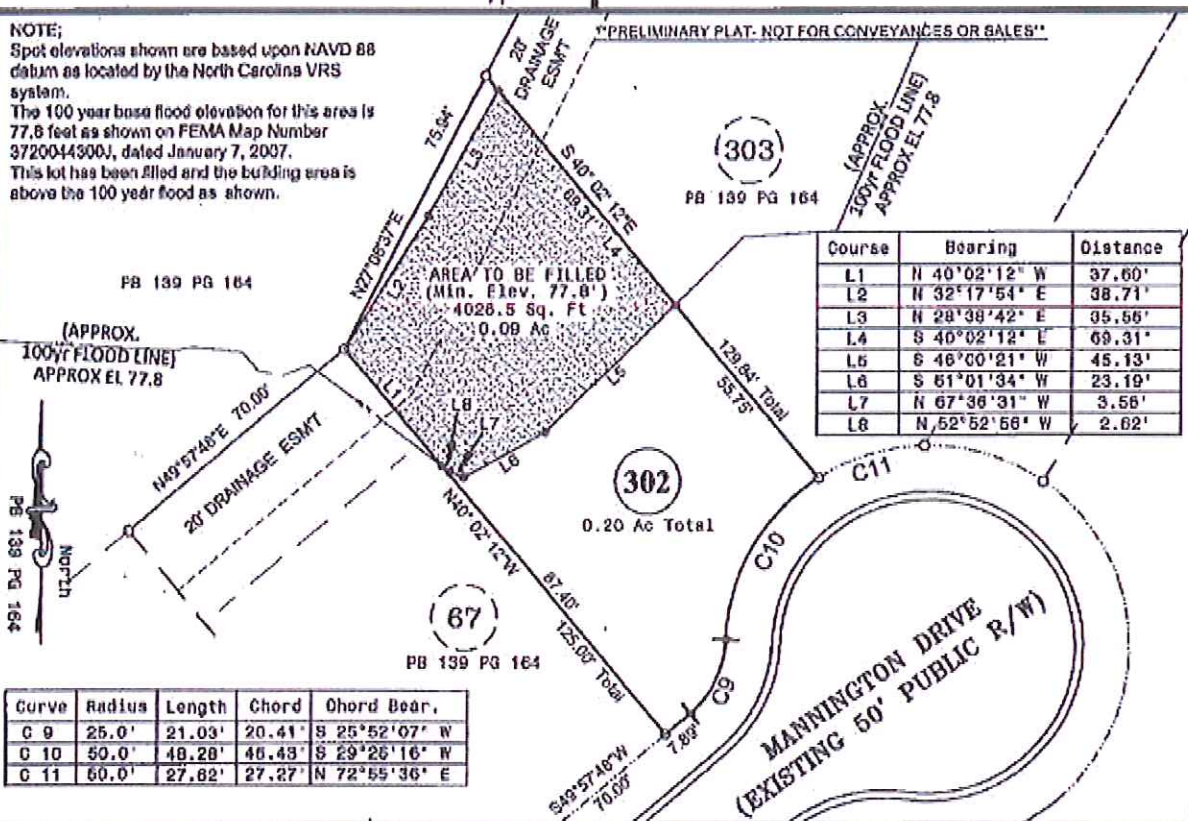
LIST OF ENCLOSURES:

LOMR-F DETERMINATION DOCUMENT (REMOVAL)

cc: State/Commonwealth NFIP Coordinator
Community Map Repository
Region
Mr. Thomas J. Gooden



NOTE:
Spot elevations shown are based upon NAVD 88 datum as located by the North Carolina VRS system.
The 100 year base flood elevation for this area is 77.8 feet as shown on FEMA Map Number 3720044300J, dated January 7, 2007.
This lot has been filled and the building area is above the 100 year flood as shown.



DEED REFERENCE
DEED BK 9522 PG 376
PLAT BK 139 PG 164
TAX ID # 0443-58-7534

- FLOOD CERT. PLAN FOR -
VILLAGE AT ROCKFISH, LLC
- A "ZERO LOT LINE" SUBDIVISION -
VILLAGE AT ROCKFISH - PHASE ONE-SEC. 3

GRAYS CREEK TWP.
CUMBERLAND COUNTY
NORTH CAROLINA

DEC 2, 2020
SCALE 1" = 40'
FIELD BOOK #8176

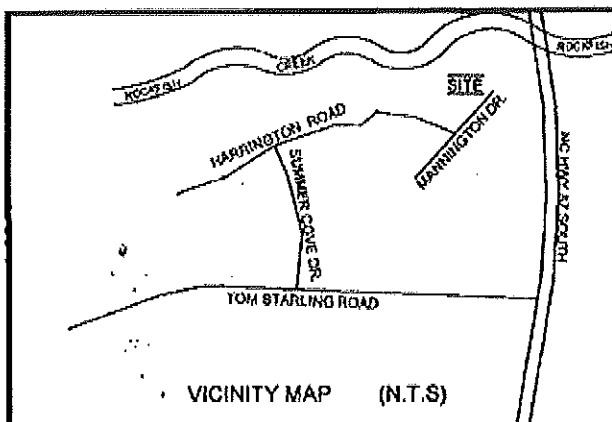
REFERENCE
BOOK 139, PAGE 164
CUMBERLAND COUNTY NORTH CAROLINA REGISTRY

ENGINEERS
PLANNERS
SURVEYORS
MOORMAN, KOZER & REITZEL, INC.

115 broadfoot ave.
p.o. box 50774
fayetteville, n.c. 28308
phone: 810-484-5191
fax: 810-484-0388
LICENSE #: F-0108

PROF. SURVEYOR NO.





Notes:

- This plat is for location purposes only. Buyer should verify foundation information with plans before construction begins.
- There is no USCE or HCSS measurement within 200' of this site.
- The subject property is not within a special flood hazard area as determined by the Department of Housing and Urban Development.

The assessment information shown herein was obtained from the recorded plat. No updated site search was performed by the surveyor.

All distances are measured in feet.

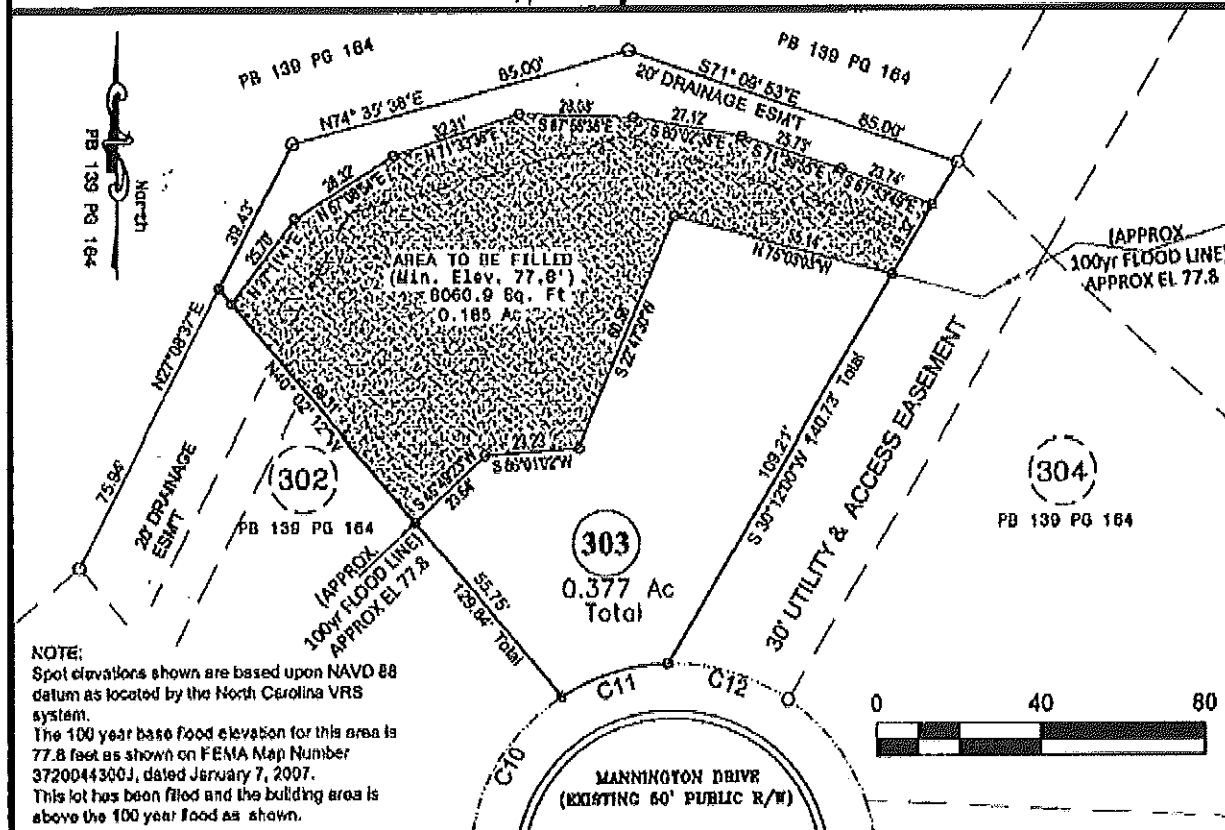
Tax ID # 0443-58-7681

Deed Reference DG 9522 Pg 378, Plat Bk 139 Pg 154

LEGEND

- EXISTING IRON PIPE
- SET IRON PIPE
- CURVE PTWC
- SURVEYED LINE
- LINE NOT SURVEYED
- EASEMENT
- Existing Ground Elevation

Curve	Radius	Length	Chord	Chord Bear.
C 12	60.0'	31.33'	30.82'	S 73° 17' 52" E
C 10	50.0'	48.28'	46.43'	N 20° 28' 16" E
C 11	60.0'	27.62'	27.27'	S 72° 55' 35" W



DEED REFERENCE
DEED BK 9522 PG 376
PLAT BK 139 PG 164
TAX ID # 0443-58-7691

- FLOOD CERT. PLAN FOR -
VILLAGE AT ROCKFISH, LLC
- A "ZERO LOT LINE" SUBDIVISION -
VILLAGE AT ROCKFISH - PHASE ONE-SEC. 3

GRAY'S CREEK TWP.
CUMBERLAND COUNTY
NORTH CAROLINA

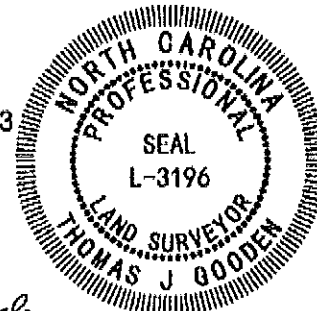
DEC 2, 2000
SCALE 1" = 40'
FIELD BOOK #0116

REFERENCE
BOOK 139, PAGE 164
CUMBERLAND COUNTY NORTH CAROLINA REGISTRY

ENGINEERS
PLANNERS
SURVEYORS
MOORMAN, KIZER & REITZEL, INC.

110 Broadfoot Ave.
p.o. box 53774
Fayetteville, N.C. 28305
phone 810-404-5191
fax 810-404-0388
LICENSE # F-9168

PROF. SURVEYOR NO.



ATTACHMENT – MAILING LIST

CHRISTOPHER GODWIN
4557 HEADWIND DR
FAYETTEVILLE, NC 28306

SHAQUANA TAMISHA PALMER
JONATHAN TIMOTHY PALMER
2220 MANNINGTON DR
FAYETTEVILLE, NC 28306

DONALD LEROY MATTHEWS JR
DONALD JOSHUA MATTHEWS
3274 BUTLER NURSERY RD
FAYETTEVILLE, NC 28306

CHRISTOPHER J TURNER
MEAGAN N TURNER
1754 CHERRY POINT DRIVE
FAYETTEVILLE, NC 28306

YUSIF ALHASSAN
AYEISHA ALHASSAN
1726 CHERRY POINT DR
FAYETTEVILLE, NC 28306

ROOSEVELT MARSDEN
CAROL MARSDEN
2131 MANNINGTON DR
FAYETTEVILLE, NC 28306

MI'SHELLE MARIE ROBINSON
GARY LEE ROBINSON
4564 HEADWIND DR
FAYETTEVILLE, NC 28306

LAWRENCE D CARROLL
STEPHANIE D CARROLL
1721 CHERRY POINT DR
FAYETTEVILLE, NC 28306

GRAYS CREEK VILLAS HOMEOWNER
ASSOCIATION INC
PO BOX 87209
FAYETTEVILLE, NC 28304

BRIAN STEPHAN MILLER
2144 MANNINGTON DR
FAYETTEVILLE, NC 28306

JESSE SIZEMORE
ANNE SIZEMORE
4808 HEADWIND DR
FAYETTEVILLE, NC 28306

CUMBERLAND VENTURES LLC
PO BOX 25640
FAYETTEVILLE, NC 28314

SAMUEL JAMES WENDTE
MOLLY AREE JENSEN
2007 ROCKY STREAM COURT
FAYETTEVILLE, NC 28306

LATIA A BEDENBAUGH
1718 CHERRY POINT DRIVE
FAYETTEVILLE, NC 28306

MARVIN DIXON JR, ELENA DIXON
4525 HEADWIND DR
FAYETTEVILLE, NC 28306

WILLIAM V PATE JR,
PATRICIA MAYHEW PATE
4045 S NC 87 HWY
FAYETTEVILLE, NC 28306

MCKEE HOMES LLC
4208 SIX FORKS RD SUITE 810
RALEIGH, NC 27609

BARRY SMITH, GWENDOLYN R SMITH
2237 MANNINGTON DR
FAYETTEVILLE, NC 28306

THE VILLAGE AT ROCKFISH
HOMEOWNERS ASSOCIATION, INC
3400 WALSH PKWY
FAYETTEVILLE, NC 28311

BRIAN NESS
2217 MANNINGTON DR
FAYETTEVILLE, NC 28306

GEORGE D SCHULTZ III
L FLEGLER SHEKEEMA
4832 HEADWIND DR
FAYETTEVILLE, NC 28306

KEOSHA MICKENS
4548 HEADWIND DR
FAYETTEVILLE, NC 28306

SHARON FORD
4533 HEADWIND DR
FAYETTEVILLE, NC 28306

ESSIE M FARMER
2136 MANNINGTON DR
FAYETTEVILLE, NC 28306

JOSEF KING
2224 MANNINGTON DR
FAYETTEVILLE, NC 28306

TIMOTHY EVANS
4239 CAMERON RD
FAYETTEVILLE, NC 28306

CAITLYN FLEMING PAYNE
2012 CASON ST
FAYETTEVILLE, NC 28306

BRIAN OSWALT
MELINDA OSWALT
2129 HARRINGTON RD
FAYETTEVILLE, NC 28306

TANARI A SMITH
4541 HEADWIND DR
FAYETTEVILLE, NC 28306

CRAIG A GOWDIE
1731 CHERRY POINT DR
FAYETTEVILLE, NC 28348

COREY J ABBOTT
BETHANY ABBOTT
2006 ROCKY STREAM COURT
FAYETTEVILLE, NC 28306

MANUEL E PEREZ RIVERA
TAMARA ROSA PEREZ RIVERA
2205 MANNINGTON DR
FAYETTEVILLE, NC 28306

STARLING B UNDERWOOD
R PHELISA
1742 CHERRY POINT DR
FAYETTEVILLE, NC 28306

BRANDEN RANDY STAIN
BAILEY STAIN
4561 HEADWIND DR
FAYETTEVILLE, NC 28306

DONALD L MATTHEWS
CHRISTINA G MATTHEWS
690 EUGENIA RD
VERO BEACH, FL 32963

SAMUEL AYODEJI OJO
VICTORIA MODUPE ADEOTI
4809 HEADWIND DR
FAYETTEVILLE, NC 28306

MAHALIA GAINES
4573 HEADWIND DR
FAYETTEVILLE, NC 28306

KENT D GOTTSCHALL
VIVIANA GOTTSCHALL
2221 MANNINGTON DR
FAYETTEVILLE, NC 28306

ANEILA SMITH, BRANDON ROGERS
1706 CHERRY POINT DR
FAYETTEVILLE, NC 28306

JAMES W COFFEY
FERNAVEL E COFFEY
PO BOX 72610
FT BRAGG NC 28307

MARIA LILIA URENA
JOSE LUIS URENA
2142 HARRINGTON RD
FAYETTEVILLE, NC 28306

NICHOLAS S DRURY, SARAH DRURY
2135 MANNINGTON DR
FAYETTEVILLE, NC 28306

SHANEKA FISHER
4537 HEADWIND DR
FAYETTEVILLE, NC 28306

CODY PENNINGTON
4816 HEADWIND DRIVE
FAYETTEVILLE, NC 28306

JANCARLOS LOPEZ ZAYAS
DADMARY P BONILLA
2209 MANNINGTON DR
FAYETTEVILLE, NC 28306

LARRY SMITH
4804 HEADWIND DR
FAYETTEVILLE, NC 28306

CONSTANCE LAWANDA STERLING
2246 MANNINGTON DR
FAYETTEVILLE, NC 28306

LORETTA MCKNIGHT
4544 HEADWIND DR
FAYETTEVILLE, NC 28306

DUWAYNE ANTHONY EVANS
JAMEELAH BULLOCK
1738 CHERRY POINT DRIVE
FAYETTEVILLE, NC 28306

MATTHEW A SESSOMS
TAMARA L SESSOMS
4560 HEADWIND DR
FAYETTEVILLE, NC 28306

BRANDI ANNE BOWMAN
1746 CHERRY POINT DR
FAYETTEVILLE, NC 28306

TOREY ARTHUR, BLANCA ARTHUR
4576 HEADWIND DR
FAYETTEVILLE, NC 28306

MATTHEW PENNISON
MEGHAN MARIE MAESTRI PENNISON
2134 HARRINGTON ROAD
FAYETTEVILLE, NC 28306

GEORGE WILLIAM BRADSHER
SHERRY K BRADSHER
2225 MANNINGTON DR
FAYETTEVILLE, NC 28306

KELLY J BROWN, LESLIE Q BROWN
1722 CHERRY POINT DR
FAYETTEVILLE, NC 28306

DENISE MCNEELY
4803 HEADWIND DRIVE
FAYETTEVILLE, NC 28306

LISA BAILEY
2208 MANNINGTON DR
FAYETTEVILLE, NC 28306

GEORGE R MANNING
2142 HARRINGTON RD
FAYETTEVILLE, NC 28306

KISHOR NEUPANE, KAMANA PAUDEL
2014 ROCKY STREAM COURT
FAYETTEVILLE, NC 28306

JESSICA D'NEA GAGE
1712 CHERRY POINT DR
FAYETTEVILLE, NC 28306

JAGJIT MEHMI
4812 ADDIE LN
FAYETTEVILLE, NC 28306

MARCUS D SELLERS,
SHIKIRA P SELLERS
661 HEATHROW DR
SPRING LAKE, NC 28390

JEANENE RENEE SMYTH
MARTIN SMYTH
1762 CHERRY POINT DR
FAYETTEVILLE, NC 28306

BENJAMIN JOHANSON
4569 HEADWIND DRIVE
FAYETTEVILLE, NC 28306

JO LYNN THOMAS
1753 CHERRY POINT DR
FAYETTEVILLE, NC 28306

REX ALLEN PIERCE,
CASEY GRAY PIERCE
1739 CHERY POINT DR
FAYETTEVILLE, NC 28306

TONISHA PULLEN SMITH
4572 HEADWIND DR
FAYETTEVILLE, NC 28306

DELOY BARNES
MAXEEN V CAMPBELL BARNES
4817 HEADWIND DRIVE
FAYETTEVILLE, NC 28306

BRYAN MICHAEL TEATON
2138 HARRINGTON RD
FAYETTEVILLE, NC 28306

STACY DAVIS, JEFFERY DAVIS
2228 MANNINGTON DR
FAYETTEVILLE, NC 28306

TOWANIA L CALDWELL
2212 MANNINGTON DR
FAYETTEVILLE, NC 28306

SAMUEL MANCINI, TRESSA MANCINI
2133 HARRINGTON RD
FAYETTEVILLE, NC 28306

ASHLEY CUTHBERTSON
4800 HEADWIND DRIVE
FAYETTEVILLE, NC 28306

ANGELA WILLIAMS
2145 HARRINGTON RD
FAYETTEVILLE, NC 28306

TONY A BALDWIN,
LENORA P BALDWIN
4521 HEADWIND DR
FAYETTEVILLE, NC 28348

CHAD ANTHONY RODRIGUEZ
MORGAN R RODRIGUEZ
1725 CHERRY POINT DRIVE
FAYETTEVILLE, NC 28306

ADRIAN D GRAY
2008 CASON CREEK DRIVE
FAYETTEVILLE, NC 28306

REGINA DANIELLE GOODE BASSETT
4813 HEADWIND DRIVE
FAYETTEVILLE, NC 28306

MARK BULLOCK,
CLARISA CAMARA ALVAREZ
4825 HEADWIND DRIVE
FAYETTEVILLE, NC 28306

TYLER JOHN AMBROSE
JACLYN MICHELLE DITT
4565 HEADWIND DRIVE
FAYETTEVILLE, NC 28306

BRIAN MACE
1730 CHERRY POINT DR
FAYETTEVILLE, NC 28306

ASHLEY M LIENTZ
4553 HEADWIND DR
FAYETTEVILLE, NC 28306

CODY W BATTLE
PAULA MORGANA C BATTLE
2127 MANNINGTON DR
FAYETTEVILLE, NC 28306

TERRELL WILSON, LATOYA WILSON
4568 HEADWIND DRIVE
FAYETTEVILLE, NC 28306

JUSTIN E RUNK
STEPHANIE L RUNK
2213 MANNINGTON DR
FAYETTEVILLE, NC 28306

AMANDA MARIE DURAN
HERIBERTO DURAN
4549 HEADWIND DRIVE
FAYETTEVILLE, NC 28306

JONATHAN WYLLIE
4807 HEADWIND DRIVE
FAYETTEVILLE, NC 28306

JOHN GILMORE, ALAUNDA GILMORE
2150 HARRINGTON RD
FAYETTEVILLE, NC 28306

SARITA M NELSON
NAKIA T NELSON
2137 HARRINGTON RD
FAYETTEVILLE, NC 28306

JOI E MILLS
ANTONIO BREWTON
2009 CASON CREEK DRIVE
FAYETTEVILLE, NC 28306

LISA M GEDDIE
2003 ROCKY STREAM COURT
FAYETTEVILLE, NC 28306

DEAN J HENDERSON
ROBYN J HENDERSON
4540 HEADWIND DR
FAYETTEVILLE, NC 28306

JESSICA REINHARDT
1741 CHERRY POINT DR
FAYETTEVILLE, NC 28306

PAUL RAYMOND BROWN
DONNITTA R BROWN
2119 MANNINGTON DR
FAYETTEVILLE, NC 28306

PHILLIP D ANDERSON
GALINA ANDERSON
2232 MANNINGTON DR
FAYETTEVILLE, NC 28306

JOHN H BUTLER III
CRYSTAL K BUTLER
2248 MANNINGTON DR
FAYETTEVILLE, NC 28306

ISSAKA TRAORE
1735 CHERRY POINT DRIVE
FAYETTEVILLE, NC 28306

ROBERT A CROCKWELL
3361 COURTNEY PL
BALDWIN, NY 11510

BRIAN C COLLIER
SUMMER B COLLIER
2132 MANNINGTON DR
FAYETTEVILLE, NC 28306

THUNDERCLOUD LUIS HIRAJETA
APRIL MICHELLE HIRAJETA
2123 MANNINGTON DR
FAYETTEVILLE, NC 28306

JOSHUA M CHAVEZ
JAQUELYNN E CHAVEZ
4552 HEADWIND DR
FAYETTEVILLE, NC 28306

RUDOLPH FLETCHER
BROOK FLETCHER
2229 MANNINGTON DR
FAYETTEVILLE, NC 28314

ZACHERY DALE BROOKS
BRIANNA MARIE BROOKS
2013 CASON CREEK DRIVE
FAYETTEVILLE, NC 28306

TANIA PERVIER
4805 HEADWIND DR
FAYETTEVILLE, NC 28306

GINSOPHIE T DEBOLLETTE
4545 HEADWIND DR
FAYETTEVILLE, NC 28306

SHAHRON LOUIS JAMES
NATALIE MARIE JAMES
2148 MANNINGTON DR
FAYETTEVILLE, NC 28306

CHRISTIN ANN ETCHISON
2125 HARRINGTON RD
FAYETTEVILLE, NC 28306

KIMBERLY A MALLOY
2010 ROCKY STREAM CT
FAYETTEVILLE, NC 28306

JOSHUA E WILLIS
DANIELLE T WILLIS
2130 HARRINGTON ROAD
FAYETTEVILLE, NC 28306

RYAN LEE WEIS
2236 MANNINGTON DR
FAYETTEVILLE, NC 28306

DEREK SEAN LUNSFORD II
MARILYN ANIKA LANGSHAW
2216 MANNINGTON DR
FAYETTEVILLE, NC 28306

KIMBERLY A BARNES
1711 CHERRY POINT DR
FAYETTEVILLE, NC 28306

CLARIBEL RODERIGUEZ
4821 HEADWIND DRIVE
FAYETTEVILLE, NC 28306

FRIEDRICH PROPERTIES LLC
CHERRY POINT SERIES
8117 FAIRFIELD CRESCENT CT
LAS VEGAS, NV 89113

KIMBERLY EDGE, TANNER EDGE
2128 MANNINGTON DR
FAYETTEVILLE, NC 28306

SANGHUN BAE
4529 HEADWIND DR
FAYETTEVILLE, NC 28306

DERRICK B HUBBARD JR
AKIA L HUBBARD
2140 MANNINGTON DR
FAYETTEVILLE, NC 28306

JANET M SPEARMAN
5036 DOC BENNETT RD
FAYETTEVILLE, NC 28306

OQUINDLE J BENNETT
VIOLENE K WILKERSON
2205 MANNINGTON DR
FAYETTEVILLE, NC 28306

WAYNE CLAIBORNE JR
MIRYOKU CLAIBORNE
4812 HEADWIND DRIVE
FAYETTEVILLE, NC 28306

ERJUNMWIMSE JONBOSCO OSAGUONA
4802 HEADWIND DRIVE
FAYETTEVILLE, NC 28306

CITY OF FAYETTEVILLE
433 HAY STREET
FAYETTEVILLE, NC 28301

CHARLENE D FRINK
2146 HARRINGTON RD
FAYETTEVILLE, NC 28306

RASHAD MCENTIRE
2240 MANNINGTON DR
FAYETTEVILLE, NC 28306

NEW CLOUD LLC
1020 WEST LAMARK LANE
ANAHEIM, CA 92802

TYLER CHRISTMAN, AMY CHRISTMAN
4556 HEADWIND DRIVE
FAYETTEVILLE, NC 28306

ANDREW DIRADDI
TAYLOR DIRADDI
1750 CHERRY POINT DRIVE
FAYETTEVILLE, NC 28306

EMMA HERNANDEZ
1749 CHERRY POINT DRIVE
FAYETTEVILLE, NC 28306

ATTACHMENT – APPLICATION



County of Cumberland
Planning & Inspections Department

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

CASE #: _____

PLANNING BOARD
MEETING DATE: Feb. _____

DATE APPLICATION
SUBMITTED: 12/21/22 _____

RECEIPT #: _____

RECEIVED BY: AG _____

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 \$_____ (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 PAMI REMODELING CO, INC
2. Address: 4812 ADDIE LN, FAYETTEVILLE, NC Zip Code 28306
3. Telephone: (Home) _____ (Work) 910-489-9121
4. Location of Property: Off of Tom Starling Rd in the Village at Rockfish Subdivision
Phase One Section Three, Lots 302 & 303
5. Parcel Identification Number (PIN #) of subject property: Portion of 0443-58-7534
(also known as Tax ID Number or Property Tax ID) Portion of 0443-58-7691
6. Acreage: 0.526 Frontage: 102' Depth: 147'
7. Water Provider: PWC Septage Provider: PWC
8. Deed Book 10650, Page(s) 0216-0218, Cumberland County Registry. (Attach copy of deed of subject property as it appears in Registry).
9. Existing use of property: Vacant land
10. Proposed use(s) of the property: Single family residential home

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: CD
TO: (Select one)

X Conditional Zoning District, with an underlying zoning district of R15
(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.)

SINGLE FAMILY RESIDENTIAL HOME ON EACH LOT. THESE LOTS
ARE WITHIN THE VILLAGE AT ROCKFISH SUBDIVISION.

- 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.

0.526 ACRES RESIDENTIAL

2. DIMENSIONAL REQUIREMENTS:

- A. Reference either the dimensional requirements of the district, Sec. 1104 or list the proposed setbacks.

SETBACKS: FRONT 30', REAR 30' (PERIPHERAL), 20' (INTERIOR), SIDE 5'

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

N/A

3. SIGN REQUIREMENTS:

Reference the district sign regulations proposed from Article XIII.

N/A

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. (Sec. 1102G). NOTE: All required buffers must be included on the site plan.

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.

N/A

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.

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.

JAGJIT MEHMI
NAME OF OWNER(S) (PRINT OR TYPE)

4812 ADDIE LANE, FAYETTEVILLE, NC
ADDRESS OF OWNER(S)

jnehmi@gmail.com
E-MAIL.

910-489-9121	
HOME TELEPHONE	WORK TELEPHONE

SIGNATURE OF OWNER(S) _____ SIGNATURE OF OWNER(S) _____

MOORMAN, KIZER & REITZEL, INC. - JAMES KIZER, JR., PE
NAME OF AGENT, ATTORNEY, APPLICANT (by assign) (PRINT OR TYPE)

PO Box 53774, Fayetteville, NC 28305
ADDRESS OF AGENT, ATTORNEY, APPLICANT

HOME TELEPHONE _____ 910-484-5191
WORK TELEPHONE _____

jkizerjr@mkrinc.com
E-MAIL ADDRESS FAX NUMBER

SIGNATURE OF AGENT, ATTORNEY, OR APPLICANT

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.

JAGJIT MEHMI

NAME OF OWNER(S) (PRINT OR TYPE)

4812 ADDIE LANE, FAYETTEVILLE, NC

ADDRESS OF OWNER(S)

jmeelmi@gmail.com

E-MAIL

910-489-9121

HOME TELEPHONE

WORK TELEPHONE

SIGNATURE OF OWNER(S)

SIGNATURE OF OWNER(S)

PAMI REMODELING CO., INC.

NAME OF AGENT, ATTORNEY, APPLICANT (by assign) (PRINT OR TYPE)

4812 ADDIE LANE, FAYETTEVILLE, NC 28306

ADDRESS OF AGENT, ATTORNEY, APPLICANT

910-489-9121

HOME TELEPHONE

WORK TELEPHONE

jmeelmi@gmail.com

E-MAIL ADDRESS

FAX NUMBER

SIGNATURE OF AGENT, ATTORNEY, OR APPLICANT



ST-1

Test Date: 02/04/2021
Field Technician: Ian Callaway
Tests requested by: N/R
Results provided to: N/R

Photographs

Picture ID	Lot 302
26187	

Ad Preview

PUBLIC NOTICE

The Cumberland County Board of Commissioners will meet at 6:45 p.m. on March 20, 2023 in room 118 of the County Courthouse at 117 Dick Street to hear the following:

ZON-22-0080: Rezoning from A1 Agricultural Dis. to R40A Residential Dis.; 3.10 +/- ac.; 1811 & 1815 Sweetie Road; Jerald Kennon (applicant); Herbert Dukes (owner).

ZON-23-0002: Rezoning from CD/CUD Conservancy Conditional Use Dis. to R15/CUD Residential Conditional Use Dis.; portions of two lots comprising 0.57 +/- ac.; 2241 and 2245 Mannington Drive; James Kizer, Jr. (applicant); Jagjit Mehmi (owner).

3/6/23, 3/13/23 8513270



CLERK TO THE BOARD OF COMMISSIONERS

MEMORANDUM FOR BOARD OF COMMISSIONERS AGENDA OF MARCH 20, 2023

TO: BOARD OF COUNTY COMMISSIONERS

FROM: ANDREA TEBBE, CLERK TO THE BOARD

DATE: 3/20/2023

**SUBJECT: CONSIDERATION OF APRIL 13, 2023 AGENDA SESSION SCHEDULE
CHANGE**

BACKGROUND

The NCACC requested that Cumberland County host the 2023 District Meeting on March 9, 2023. The event was then postponed to a later date of April 13, 2023. The Cumberland County Board of Commissioners Agenda Session is scheduled for the requested meeting date. I am requesting to change the date of the agenda session from Thursday, April 13, 2023 to Tuesday, April 11, 2023.

RECOMMENDATION / PROPOSED ACTION

Reschedule the April 2023 Agenda Session from Thursday, April 13, 2023 to Tuesday, April 11, 2023.



OFFICE OF THE COUNTY MANAGER

MEMORANDUM FOR BOARD OF COMMISSIONERS AGENDA OF MARCH 20, 2023

TO: BOARD OF COUNTY COMMISSIONERS

FROM: CLARENCE GRIER, COUNTY MANAGER

DATE: 3/15/2023

**SUBJECT: CONSIDERATION OF PROPOSED SCHEDULE FOR FISCAL YEAR 2024
BUDGET WORK SESSIONS AND BUDGET PUBLIC HEARING**

BACKGROUND

Management anticipates submitting the FY24 Proposed Budget to the Commissioners on Thursday, May 25, 2023. Several work sessions may be needed for your review.

The following schedule is recommended for your consideration with all meetings to be held in the Cumberland County Courthouse, 117 Dick Street, Fayetteville, NC.

Thursday, May 25, 2023	7:00 PM	Budget Presentation	Room 118
Wednesday, May 31, 2023	5:30 PM	Budget Work Session	Room 564
Monday, June 5, 2023	7:00 PM	Budget Public Hearing/Optional Budget Work Session	Room 118
Wednesday, June 7, 2023	5:30 PM	Budget Work Session	Room 564
Wednesday, June 14, 2023	5:30 PM	Budget Work Session	Room 564
Thursday, June 15, 2023	5:30 AM	Budget Work Session (If Needed)	Room 564

RECOMMENDATION / PROPOSED ACTION

Adopt a schedule for FY24 budget work sessions and public hearing as recommended or modified.