

CUMBERLAND COUNTY BOARD OF COMMISSIONERS
APRIL 20, 2020 – 9:00 AM
117 DICK STREET, 5TH FLOOR, ROOM 564
REGULAR MEETING MINUTES

In order to comply with the N. C. Governor's Executive Order 121, Section 3.A.a., this meeting was available to the public and media live via the Cumberland County website (co.cumberland.nc.us), Facebook page (facebook.com/CumberlandNC), Youtube page (youtube.com/user/CumberlandCountyNC/videos), and on Fayetteville Cumberland Education Channel (FCE-TV) Spectrum Cable Channel 5. Staff entered and exited meeting room 564 so no more than ten (10) persons were gathered at the same time in accordance with the Governor's Executive Order.

PRESENT: Commissioner Marshall Faircloth, Chairman
Commissioner Glenn Adams, Vice Chairman
Commissioner Michael Boose (attended by video conference)
Commissioner Jeannette Council
Commissioner Charles Evans (attended by video conference)
Commissioner Jimmy Keefe (attended by video conference)
Commissioner Larry Lancaster (attended by video conference)
Amy Cannon, County Manager
Duane Holder, Deputy County Manager (attended by video conference)
Tracy Jackson, Assistant County Manager
Sally Shutt, Assistant County Manager
Rick Moorefield, County Attorney
Dr. Jennifer Green, Public Health Director (attended by video conference)
Dee Taylor, Community Development Director
Rawls Howard, Planning and Inspections Director
Candice H. White, Clerk to the Board
Kellie Beam, Deputy Clerk (attended by video conference)

Chairman Faircloth called the meeting to order. Chairman Faircloth recognized Commissioners Adams and Council who were present and confirmed the video conference attendance of Commissioners Boose, Evans, Keefe and Lancaster.

INVOCATION / PLEDGE OF ALLEGIANCE

Commissioner Evans provided the invocation followed by the Pledge of Allegiance to the American flag.

PUBLIC COMMENT PERIOD

Chairman Faircloth recognized the clerk to the board who stated no public comments had been submitted for the public comment period through the online form posted on the county's website.

1. APPROVAL OF AGENDA

MOTION: Commissioner Adams moved to approve the agenda.

SECOND: Commissioner Council

Commissioners Adams, Council and Faircloth who were present voted in favor.

Commissioners Boose, Evans, Keefe and Lancaster who attended by video conference voted in favor.

VOTE: UNANIMOUS (7-0)

2. PRESENTATIONS

A. Update on COVID-19 (Coronavirus) Local Activities by Dr. Jennifer Green, Public Health Director and Duane Holder, Deputy County Manager

Amy Cannon, County Manager, called on Dr. Green, Public Health Director, who began her update on COVID-19 with the following disclaimer:

- This is a rapidly evolving situation and recommendations will change
- Data on these slides are up to date as of 4/19/2020
- Data are from Centers for Disease Control and Prevention (CDC) and NC Department of Health and Human Services (NC DHHS)

Dr. Green presented data on National, North Carolina and Cumberland County COVID-19 Cases and stated cases and deaths are updated by 6:00 PM daily, demographic data is updated Monday through Friday and NC DHHS has advised caution when sharing data that contains personal health information.

Dr. Green provided the following information as it related to Executive Order 131: Long Term Care Facilities:

- Mandated for skilled nursing facilities, recommended for LTC
- Screen staff daily, including temperatures
- Cancel communal dining and outings
- Universal facemasks for staff, as available
- Notify health department of new, confirmed, suspected cases
- NC DHHS Outbreak Recommendations
 - 2 or more residents
 - Test all residents and staff, as testing capacity permits
 - Priority for testing symptomatic residents and staff and close contacts

Dr. Green stated Cumberland County's response to COVID-19 includes the following:

- EOC activated
- Initial contact investigation to assess risk for positive cases
- Public notification when necessary
- Testing for those that meet NC DHHS guidelines
- Supply testing kits
- Weekly call w/ NC DHHS
- Weekly call w/ large and high impact LHDs
- Weekly call w/ first responders
- Collaboration with partners to assess and meet community needs
- Education for public and local businesses

Dr. Green stated as of this presentation, updated testing criteria from the NCDHHS is as follows:

- Testing not recommended for asymptomatic persons
- Stay home if you have mild symptoms, such as fever and cough without shortness of breath or difficulty breathing.
- If you are experiencing severe symptoms, call a doctor or 911
- Prioritizing
 - Hospitalized patients
 - Healthcare workers or first responders
 - Patients who live or have regular contact with a high-risk setting
 - Persons who are at higher risk of severe illness and for whom a clinician has determined that results would inform clinical management.

Dr. Green presented Testing FAQ:

- Can antibody, or serology, tests be used to diagnose?
 - FDA does not expect that an antibody test can be shown to definitively diagnose or exclude COVID-19 infection
 - Negative results do not rule out COVID 19
 - Follow-up testing with a molecular testing is recommended
- Turn-around time at the State Lab
 - 24-48 hours

Dr. Green stated individuals can still get tested by commercial laboratories that do not utilize NCDHHS criteria.

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Dr. Green stated NC DHHS is staying ahead of the curve by:

- Testing
 - Increase testing capacity
 - Private and public testing – diagnostic and antibody test
 - Conserving personal protective equipment (PPE)
- Tracing
 - Increased staff capacity for contact tracing of new cases
 - Use of technology
- Trends
 - Analyze numbers of new cases, hospitalizations, deaths, PPE, hospital capacity, etc.

Dr. Green concluded her presentation and responded to questions and comments that followed. On behalf of the Board of Commissioners, Chairman Faircloth thanked Dr. Green for her update.

Ms. Cannon stated other components of COVID-19 include available resources and recovery. Ms. Cannon called on Duane Holder, Deputy County Manager, who stated during COVID-19, Cumberland County has remained resilient as county governments have taken a lead role in identifying, organizing and messaging community resources available to citizens. Mr. Holder stated Cumberland County has also relied on federal, state and local government, non-profits and other community agencies to help citizens meet daily challenges and weather the COVID-19 storm.

Mr. Holder outlined community resource directories and resources available through links on the homepage of the county's website. Mr. Holder stated the county received notification from HUD last week that it will receive an additional \$509,194 from the Coronavirus Aid Relief and Economic Security Act or CARES Act. Mr. Holder stated the CARES Act jurisdiction includes unincorporated Cumberland County and the towns of Eastover, Falcon, Godwin, Hope Mills, Linden, Spring Lake, Stedman and Wade; the City of Fayetteville has received its own entitlement allocation. Mr. Holder stated these HUD funds will be used to expand access to public and human services for those in the community who are at low to moderate income levels as defined by federal guidelines to include assistance with rent, utilities, transportation, child care and prescription medications. Mr. Holder stated the county currently contracts with the Salvation Army, Family Endeavors and Fayetteville Urban Ministries for CDBG HUD funded services and the CARES Act programs. Mr. Holder stated although Community Development currently offers low interest loan programs designed for small businesses, the county is internally vetting the idea of creating what will be known as a small business resiliency grant program for the jurisdiction that will provide grants up to \$10,000 for small for-profit businesses employing up to ten employees. Mr. Holder stated pending legal and other necessary approvals, the May 4, 2020 regular meeting is being targeted as the date for the Board's consideration. Mr. Holder responded to questions that about how low to moderate income will be verified as it relates to first time applicants for CARES Act funding, whether usual CDBG funding requirements will be waived for the coronavirus economic situation and response times for applicants.

3. CONSENT AGENDA

- A. Approval of March 30, 2020 Special Meeting Minutes and April 6, 2020 Regular Meeting Minutes
- B. Approval of Sole Source for Voting Machines and Software

BACKGROUND

Funds are appropriated in the Board of Elections fiscal year 2020 budget for the purchase of Election Systems and Software, Express Vote voting machines, and Ballot on Demand systems.

The machines will replace rented ADA equipment used on election day for voters who are unable to mark their ballot because of disabilities. The Express Vote voting machine is compatible with the current voting machines and election software. This Ballot on Demand system is compatible

with the current system being used in One Stop. Additional systems are needed to handle the Presidential Election.

This agenda item is related to the April 9, 2020 Agenda Session item: Recommendation from the Board of Elections on the Purchase of Voting Equipment Required under the Help America Vote Act.

RECOMMENDATION / PROPOSED ACTION

Finance and Purchasing staff recommend utilizing the sole source bid exception based on North Carolina General Statute 143-129 (e) (6) (ii), as standardization is the overriding consideration and the needed product is only available from one source of supply.

- C. Approval of Health Department Delinquent Accounts to be Turned Over to the NC Debt Set-Off Program

BACKGROUND

At the Board of Health meeting on April 9, 2020, the Board approved writing off a total of \$28,000.85 as bad debts. The bad debt accounts with balances of \$50.00 or higher will be processed through the North Carolina Debt Setoff Program. This program can attach to a debtor's State Income Tax refund and/or lottery winnings for payment of bad debts. The accounts with balances under \$50.00 will continue to be worked for collection through our in-house collection efforts. This write-off of bad debts is compliant with the Cumberland County Health Department's Debt Collection Policy 02-03 to write-off bad debts every quarter.

RECOMMENDATION / PROPOSED ACTION

The Health Department requests approval to write-off \$28,000.85 in bad debts and to turn these debts over to the North Carolina Debt Setoff Program.

CUMBERLAND COUNTY DEPARTMENT OF PUBLIC HEALTH
DELINQUENT ACCOUNTS TO BE TURNED OVER
FOR COLLECTION BAD DEBT WRITE OFF #60
March 31, 2020

PROGRAM	AMOUNT
ADULT HEALTH CLINIC	\$905.54
CHILD HEALTH CLINIC	\$5,105.69
FAMILY PLANNING CLINIC	\$19,151.61
IMMUNIZATIONS	\$851.28
MATERNAL HEALTH CLINIC	\$1,986.73
TOTAL	\$28,000.85

All bad debt accounts with balances of \$50.00 or higher, will be sent to the North Carolina Debt Set-Off Program, which can attach a debtor's State Income Tax Refund for payment of bad debts.
The above accounts are 90 days old or older as of 12/31/2019

- D. Approval of Request for Resolution of Support for Liberty Point Sewer Line Project Grant

BACKGROUND

In February, Fayetteville Cumberland County Economic Development Corporation (FCEDC) Staff prepared and submitted a "Preliminary Application" to the State of North Carolina's Industrial Development Fund-Utility Account grant program. In response to this initial submittal, Cumberland County was invited to make formal application for a \$1,946,511 grant, which will help construct approximately 8,600' of new gravity sewer line along I-95, parallel to Corporation Drive. This infrastructure would immediately serve 100 acres of shovel ready land and facilitate

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the construction of private sector funded speculative buildings, supporting up to 1.1 million square feet of new industrial space.

The total estimated cost of the project is approximately \$2.5 million. At completion, this infrastructure would improve PWC's capacity within the vicinity and reduce their operating costs. Recognizing this, PWC has agreed to provide up to \$600,000 toward its construction.

The Grant Application requires the County adopt a resolution of support and the Chairman's signature. We do not anticipate requesting any additional resources from the County, beyond the staff time required to monitor and process the grant. This grant is designed to enhance our economic development efforts and is not directly tied to any particular company or prospect. As such, there is no claw back provision associated with these funds.

RECOMMENDATION / PROPOSED ACTION

Considering that this project will be accomplished with external funds, we respectfully ask that the Board of Commissioners adopt the required Resolution in Support for Liberty Point Sewer Line Project Grant and authorize the Chairman to execute the Utility Account Grant Application.

CUMBERLAND COUNTY BOARD OF COMMISSIONERS RESOLUTION

BE IT RESOLVED, that a grant from the Department of Commerce through the County of Cumberland be made to assist the Liberty Point Sewer Line project.

BE IT FURTHER RESOLVED, that Cumberland County will administer this grant in accordance with the rules and regulations of the Department of Commerce.

BE IT FURTHER RESOLVED, that the County will administer this grant through the County Finance Office.

BE IT FURTHER RESOLVED, that the grant will be monitored quarterly to assure compliance with this proposal and the Department of Commerce regulations.

BE IT FURTHER RESOLVED, that the amount of the grant application will be \$1,946,511.

Adopted this 20th day of April 2020.

- E. Approval of Cumberland County Board of Commissioners Agenda Session Items
 - 1. Approval of the Recommendation by the Board of Elections to Purchase Voting Equipment Required Under the Help America Vote Act

BACKGROUND

The Ivotronic voting machines were purchased in 2006; they have been decertified and can no longer be used in an election. This was the equipment used to meet the requirements of the Help America Vote Act, that mandates that a voting system provide the same opportunity for access and participation to voters with disabilities as it does to voters without disabilities.

On September 17, 2019, three Board of Elections members attended a demonstration of the certified equipment as required by the State Board of Elections. The State also requires that before voting equipment can be purchased it must be tested in an election. The Express Vote was tested during the November 2019 municipal election in one precinct. The board proposes to utilize the Express Vote ballot marking device and its accessible peripherals to meet ADA requirements to allow for accessible voting.

The Express Vote is compatible with the DS200 our current paper ballot system. Election Systems and Software is the vendor for both. The county board has requested approval from the State Board of Elections to purchase this equipment. The statute requires the Board of Elections to make

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preliminary recommendation to the Board of County Commissioners as to which type of voting equipment should be acquired by the county. The cost of the Express Vote system is \$277,300, this money has been budgeted to purchase the equipment.

This agenda item is related to the April 20, 2020, Consent Agenda Item: Approval of Sole Source for Voting Machines and Software.

RECOMMENDATION / PROPOSED ACTION

This item was heard at the April 9, 2020 Board of Commissioners' Agenda Session. The Board of Elections makes the recommendation to the Board of Commissioners, to move forward with the purchase of the Express Vote using the funds that have been budgeted for ADA equipment.

2. Contract Renewal with Southern Health Partners for Healthcare Delivery Services at the Cumberland County Detention Center

BACKGROUND

As a result of a recommendation from a formal Request for Proposals process, the Board of Commissioners awarded Southern Health Partners, Inc. (SHP) the contract to provide healthcare delivery services at the Cumberland County Detention Center beginning July 1, 2017. The initial three-year term covered by the contract ends on June 30, 2020. The current contract language allows for extensions of additional one-year terms as follows:

SHP shall provide written notice to County of the amount of compensation increase requested for renewal periods effective on or after July 1, 2020 or shall otherwise negotiate mutually agreeable terms with County prior to the beginning of each annual renewal period.

Consistent with percentage increases in effect during the three-year initial term, SHP is requesting a two percent increase above the FY2020 base fee and per diem rate. This contract cost and the overall cost of jail health services in FY2020 remains below the FY2017 actual cost of Public Health providing jail health services. In addition, SHP provides a monthly, calendar year cumulative statistical report to the Deputy County Manager, Public Health Director, and Finance Director.

Through staff, the Sheriff has communicated that his office is satisfied with the services being provided by SHP and would like to seek renewal with this company.

RECOMMENDATION / PROPOSED ACTION

At the April 9, 2020 Agenda Session Meeting, there was a unanimous decision by the Board of Commissioners to approve placing the action below as a Consent Agenda item on the April 20, 2020 Board of Commissioners' Meeting.

Approval of the contract renewal with Southern Health Partners to provide Jail Health Services for FY2021. The annual renewal includes a two percent increase over the FY2020 base fee and per diem rate. In addition, staff will begin forwarding a quarterly report of statistical data provided by SHP to the Board of Commissioners. The statistical data will be shown in comparative format to show changes that have occurred over periods of time.

3. Establishment of Irrevocable Trust for Other Post-Employment Benefits (OPEB)

BACKGROUND

The fiscal year 2020 budget included a recommendation to establish an irrevocable trust for the County's OPEB liability with an initial budgeted contribution of \$1,000,000. Establishing an irrevocable trust is one way to demonstrate to the Local Government Commission and to bond rating agencies that the County is being more proactive in managing its substantial OPEB liability. As of June 30, 2019, the OPEB liability totaled \$171,702,000. This OPEB liability is specific to medical coverage benefits of eligible current and future retirees.

The NC State Treasurer's Office has provided step-by-step resources to help local governments in establishing irrevocable trusts for OPEB. They have also established the Ancillary Governmental

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Participants' Investment Program (AGPIP) into which local governments may invest its assets. In addition, our County Attorney has assisted in making the language of the documents specific to Cumberland County. To implement all of this, a resolution must be approved by the Board of Commissioners which includes adoption of the Trust Agreement; appointment of the Plan Administrator, Trustees, and authorized representatives directed to execute the documents.

RECOMMENDATION / PROPOSED ACTION

At the April 9, 2020 Agenda Session Meeting, there was a unanimous decision by the Board of Commissioners to approve placing the actions below as a Consent Agenda item on the April 20, 2020 Board of Commissioners' Meeting.

1. Approval of the Resolution to Establish a Trust for OPEB and Participation in the AGPIP.
2. Approval of the Trust Agreement establishing the OPEB Trust.

RESOLUTION TO ESTABLISH A TRUST FOR OTHER POST-EMPLOYMENT BENEFITS (OPEB) AND PARTICIPATE IN THE ANCILLARY GOVERNMENTAL PARTICIPANTS INVESTMENT PROGRAM (AGPIP)

WHEREAS, the Cumberland County Board of Commissioners wishes to establish a Local Government Other Post-Employment Benefits Trust ("OPEB Trust") pursuant to N.C.G.S. § 159-30.1 for the purpose of paying post-employment benefits for which Cumberland County is liable;

WHEREAS, the OPEB Trust will be an irrevocable trust, and the assets of the OPEB Trust will not be subject to the claims of the Cumberland County's creditors;

WHEREAS, the Cumberland County Board of Commissioners wishes to invest assets from the OPEB Trust in the Ancillary Governmental Participants Investment Program ("AGPIP") established by the Treasurer of the State of North Carolina (the "Treasurer");

WHEREAS, the Cumberland County Board of Commissioners has determined that it is advisable and in the best interests of the Cumberland County to contribute assets from the OPEB Trust to AGPIP, as provided in the Deposit Agreement between the Cumberland County and the Treasurer, which is attached to this resolution as Attachment 2 (the "Deposit Agreement").

NOW, THEREFORE, BE IT RESOLVED, that

The OPEB Trust is established by adoption of the Trust Agreement (Attachment 1 to this resolution);

The person serving as Finance Director for Cumberland County is appointed the Plan Administrator pursuant to the provisions of the trust agreement for the OPEB Trust;

The OPEB Trust is established for the purpose of paying post-employment benefits for which Cumberland County is liable;

The Trustee of the OPEB Trust shall be a Board of Trustees consisting of the County Manager, Deputy County Manager and Finance Director.

The OPEB Trust shall participate in AGPIP pursuant to the terms and conditions of the Deposit Agreement (Attachment 2 to this resolution);

The initial contribution of the OPEB Trust to AGPIP shall be \$1,000,000 (the "Contribution").

The Plan Administrator and the following officers, managers, or representatives of Cumberland County (collectively, the "Authorized Representatives") are authorized and directed to execute and deliver the Deposit Agreement, to take any other actions deemed necessary or appropriate to consummate the transactions provided for therein, and to cause the Contribution to be made:

County Manager,

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Clerk to the Board of Commissioners,
Trustee, acting through the Board of Trustees,
County Attorney.

The Authorized Representatives, acting on behalf of Cumberland County, are authorized to take all such actions as they may deem necessary or appropriate to give effect to the foregoing resolutions; and

All actions heretofore taken by any of the Authorized Representatives acting on behalf of Cumberland County in furtherance of the foregoing resolutions are hereby ratified, adopted, approved, and confirmed in all respects.

This Resolution adopted by the Board of Commissioners of Cumberland County April 20, 2020, in a duly noticed Regular Meeting.

4. Encroachment Agreement with North Carolina Department of Transportation (NCDOT) for Bragg Estates Water & Sewer District

BACKGROUND

The Board of Commissioners (BOC) accepted and approved the Letter of Conditions from USDA Rural Development for the Bragg Estates Loan and Grant at their meeting on December 15, 2014. The following conditions were accepted; a Rural Utilities Service (RUS) loan not to exceed \$497,000, a RUS grant not to exceed \$1,453,000 and a contribution from Cumberland County of \$50,000 for a total project cost of \$2,000,000.

After the easement from the Corps of Engineers was finalized, McGill Associates and the Public Utilities Division began work to complete the design of the sanitary sewer system for the construction bid phase of the project. It has been determined that one of the items needed to move the project forward is an Encroachment Agreement with North Carolina Department of Transportation (NCDOT). This agreement is the same that has been used in previous water and sewer projects and is their standard agreement. County Legal has reviewed the agreement.

RECOMMENDATION / PROPOSED ACTION

At the April 9, 2020 Agenda Session, the Board of Commissioners approved placing the approval of the NCDOT Encroachment Agreement as a Consent Item on both the April 20, 2020 Board of Commissioners' Meeting and the Bragg Estates Water and Sewer District Governing Board agenda.

5. Interlocal Agreement with the Town of Spring Lake to Provide Sanitary Sewer Treatment and Operation and Maintenance of the Sanitary Sewer System for the Bragg Estates Water and Sewer District

BACKGROUND

In response to the approval of the USDA Rural Utilities funding to construct a sanitary sewer system in the Bragg Estates Water and Sewer District, the Town of Spring Lake has agreed to provide sanitary sewer treatment and the operation and maintenance of the Bragg Estates sewer system. The attached agreement between the Town of Spring Lake and the Bragg Estates Water and Sewer District spells out the terms and conditions of each party and is a requirement to move forward with the funding process. This agreement mirrors the interlocal agreement that is currently in place for the Overhills Water and Sewer District and the Town. County Legal has reviewed the agreement.

RECOMMENDATION / PROPOSED ACTION

At the April 9, 2020 Agenda Session, the Board of Commissioners approved placing the approval of the Interlocal Agreement with the Town of Spring Lake as a Consent Item on both the April 20, 2020 Board of Commissioners' Meeting and the Bragg Estates Water and Sewer District Governing Board agenda.

6. Amendments to the Kelly Hills/Slocomb Road Water and Sewer District Rate Structure

BACKGROUND

A review of the operational costs of the Kelly Hills sewer system has revealed that the current rate structure for sewer service is not meeting the operation and maintenance costs being incurred by the system nor generating revenue for future capital costs. The North Carolina Rural Water Association (NCRWA) assisted the Public Utilities Division in a rate study. The present rate structure is not generating sufficient revenue to set aside a capital reserve fund for future operation and maintenance of the system. The NCRWA recommended a rate structure that generates revenue to cover these future costs.

The rates were last changed in 2015, when the County took over billing from PWC. PWC has increased their cost to the District since this time. The attached rate structure is proposed for the Kelly Hills/Slocomb Road Water and Sewer District. The proposed rate structure will be mailed to all the customers on the system no later than June 1, 2020 and will go into effect on July 1, 2020. The existing rate structure and proposed rate structure are provided in the chart below.

	<u>Existing</u> <u>Rate</u> <u>Connected</u>	<u>Existing Rate</u> <u>Nonconnected</u>	<u>Proposed</u> <u>Rate</u> <u>Connected</u>	<u>Proposed</u> <u>Rate</u> <u>Nonconnected</u>
	<u>Customer</u>	<u>Customer</u>	<u>Customer</u>	<u>Customer</u>
Flat Rate Sewer Usage	\$39.74	-	\$43.50	-
Operation and Maintenance	-	-	6.00	6.00
Availability	10.00	10.00	10.00	10.00
Administration	2.00	2.00	2.00	2.00
Total	\$51.74	\$12.00	\$61.50	\$18.00

The attached rate structure also includes a suggested rate increase of 5% per year for the next three years. During our rate study we reached out to the UNC School of Government to see how other counties handle their rate increases and this option was suggested since many other utilities employ this as a standard industry practice. The benefit of setting the rates this way allows the customers to know exactly how much the rates will be increased yearly as opposed to something different each year.

RECOMMENDATION / PROPOSED ACTION

At the April 9, 2020 Agenda Session, the Board of Commissioners approved placing the amendments to the Kelly Hills/Slocomb Water and Sewer District Rate Structure as a Consent Item on both the April 20, 2020 Board of Commissioners' Meeting and the Kelly Hills/Slocomb Road Governing Board agenda.

7. Amendments to the Southpoint Water System Rate Structure Located in the Gray's Creek Water and Sewer District

BACKGROUND

The North Carolina Rural Water Association (NCRWA) recently completed a rate study for the Southpoint water system. After reviewing the operational costs of the Southpoint water system, it has revealed that the present rate structure for water service is not meeting the costs being incurred by the system for future capital costs as well as future operating and maintenance costs. The NCRWA recommended that the rate structure generate revenue to cover anticipated future costs.

The rates have not changed since the system went live in 2013. The attached rate structure proposed for the Southpoint water system, located in the Gray's Creek Water and Sewer District, will provide adequate funding for these future costs. The proposed rate structure must be mailed to all the Southpoint customers no later than June 1, 2020 and will go into effect on July 1, 2020. The existing rate structure and proposed rate structure are provided in the chart below.

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	<u>Existing</u> <u>Rate</u>	<u>Existing Rate</u>	<u>Proposed</u> <u>Rate</u>	<u>Proposed</u> <u>Rate</u>
	<u>Connected</u>	<u>Nonconnected</u>	<u>Connected</u>	<u>Nonconnected</u>
	<u>Customer</u>	<u>Customer</u>	<u>Customer</u>	<u>Customer</u>
AverageRate Water Usage (4,000 gallons)	\$32.00	-	\$33.50	-
Operation and Maintenance	-	-	2.50	2.50
Availability	10.00	10.00	10.00	10.00
Administration	2.00	2.00	2.00	2.00
Total	\$44.00	\$12.00	\$48.00	\$14.50

The attached rate structure also includes a suggested rate increase of 5% per year for the next three years for operation and maintenance and water usage. During our rate study we reached out to the UNC School of Government to see how other Counties handle their rate increases and this option was suggested since many other utilities employ this as a standard industry practice. The benefit of setting the rates this way allows the customers to know exactly how much the rates will be increased yearly as opposed to something different each year.

RECOMMENDATION / PROPOSED ACTION

At the April 9, 2020 Agenda Session, the Board of Commissioners approved placing the amendments to the Southpoint Water System Rate Structure as a Consent Item on both the April 20, 2020 Board of Commissioners' Meeting and the Gray's Creek Water and Sewer District Governing Board agenda.

- 8. Amended Memorandum of Agreement for State Acquisition Relocation Funds with the North Carolina Department of Public Safety - Division of Emergency Management

BACKGROUND

The NC Office of Recovery and Resiliency, or NCORR, has removed State Assistance for Relocation Funding, or SARF, related to Hurricane Matthew from a prior agreement and moved it into a separate agreement. Previously this funding was combined with another funding stream, and we understand this change is necessary for administrative purposes.

The amount available for SARF remains unchanged at \$121,000. SARF can be utilized for two primary reasons by eligible homeowners: 1) Gap assistance up to \$50,000 per property: which is paid at closing to cover the gap needed to purchase a replacement home, or 2) Relocation assistance for moving expenses up to \$5,000 per property.

To date, none of this funding has been utilized, but some applicants have instead received funding from DRA-17 which did not count against the County's amount for SARF. Staff will execute the MOU on behalf of the Board as its previously approved Designated Applicant's Agent for Hurricane Matthew Public Assistance (November 7, 2016 Board of Commissioners' Meeting).

RECOMMENDATION / PROPOSED ACTION

This item was heard at the April 9, 2020 Board of Commissioners' Agenda Session, and the Board agreed to forward it as a Consent Agenda item for approval at the April 20, 2020 regular meeting.

- MOTION: Commissioner Council moved to approve consent agenda Items 3.A. – 3.E.8.
- SECOND: Commissioner Adams
- DISCUSSION: Commissioner Keefe requested clarification of Item 3.C., The Health Department's Delinquent Accounts. Mr. Holder stated Family Planning Clinics across the state have historically had bad debts because there was no sliding scale for patients receiving services. Mr. Holder stated every effort was supposed to have been made to collect out of pocket expenses from patients, but instead counties began carrying the balances. Mr. Holder stated debt account balances are sent to the N. C. Debt Set Off Program only after there has been an assessment of the patients' ability to pay.

Commissioners Adams, Council and Faircloth who were present voted in favor.
Commissioners Boose, Evans, Keefe and Lancaster who attended by video conference voted in favor.

VOTE: UNANIMOUS (7-0)

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4. PUBLIC HEARINGS

A. Draft 2020 - 2024 Consolidated Plan / 2020 Annual Action Plan / Neighborhood Revitalization Strategy Area Plan

BACKGROUND

Community Development is in the planning process for the 2020 – 2024 Consolidated Plan and 2020 Annual Action Plan. The Consolidated Plan (including the Analysis of Impediments to Fair Housing Choice) and Annual Action Plan are required documents that must be submitted to the U.S. Department of Housing and Urban Development (HUD) by May 15, 2020 in order to receive our annual entitlements of the Community Development Block Grant (CDBG) and Home Investment Partnership Act (HOME) funds.

The Consolidated Plan is an assessment of the needs and resources of the community and establishes priorities and strategies for addressing those needs. HUD also mandates that Community Development consult with local public and private agencies and local units of government in order to assist in the assessment of the community's needs. Community Development has secured the services of Urban Design Ventures, Inc. to assist in the preparation of these plans and to facilitate consultations with the local agencies. The 2020 – 2024 Consolidated Plan covers the period from July 1, 2020 through June 30, 2025 and the 2020 Annual Action Plan covers the period from July 1, 2020 – June 30, 2021. Community Development will also submit a Neighborhood Revitalization Strategy Area Plan (targeting the Shaw Heights neighborhood) in conjunction with the Consolidated Plan. The purpose of the Neighborhood Revitalization Strategy Area Plan is to allow the County to target resources within an economically disadvantaged community. These plans are available for a 30-day citizen's review and comment period throughout Cumberland County from April 2, 2020 to May 1, 2020.

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

RECOMMENDATION / PROPOSED ACTION

Community Development requests that the Board of County Commissioners hold a public hearing on the draft 2020-2024 Consolidated Plan, 2020 Annual Action Plan, and the Neighborhood Revitalization Strategy Area Plan to offer input and comments, as well as to receive comments from the public. No other action is necessary.

Ms. Cannon called on Dee Taylor, Community Development Director, who presented the background information recorded above. Ms. Taylor introduced consultant Walter J. Haglund, President of Urban Design Ventures, LLC., and Brandon Wilson, Planner with Urban Design Ventures, LLC., both of whom participated in the meeting by video conference. Mr. Haglund provided the following presentation on the draft 2020 - 2024 Consolidated Plan, 2020 Annual Action Plan and Neighborhood Revitalization Strategy Area Plan.

Entitlement Community

The U.S. Department of Housing and Urban Development (HUD) Entitlement Program provides annual grants on a formula basis to entitled cities and counties to develop viable urban communities by providing decent housing and a suitable living environment, and by expanding economic opportunities, principally for low- and moderate-income persons.

Cumberland County receives the following entitlement grants:

- Community Development Block Grant (CDBG) FY 2020 Grant = \$865,583
- HOME Investment Partnerships Program (HOME) FY 2020 Grant = \$398,574

Every 5 years, Cumberland County prepares the following plans in order to continue to receive Federal Funds:

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- Five Year Consolidated Plan and Annual Action Plan
- Analysis of Impediments to Fair Housing Choice (A.I.)
- Neighborhood Revitalization Strategy Area (NRSA) Plan

Five-Year Consolidated Plan

The Five-Year Consolidated Plan is designed to help states and local jurisdictions to assess their affordable housing and community development needs and market conditions, and to make data-driven, place-based investment decisions.

Annual Action Plan

The Consolidated Plan is implemented through the Annual Action Plans, which provide a concise summary of the actions, activities, and the specific Federal and non-Federal resources that will be used each year to address the priority needs and specific goals identified by the Five Year Consolidated Plan.

Housing Strategy

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

Homeless Strategy

- HOM-1 Housing - Promote and assist in developing housing opportunities for persons and families experiencing homelessness, and those who are at-risk of becoming homeless.
- HOM-2 Operations/Support - Promote and assist in program support services for the homeless.
- HOM-3 Homeless Prevention - Promote and assist in anti-eviction and prevention of unfair housing practices which may contribute to homelessness.
- HOM-4 Permanent Supportive Housing - Promote and assist in the development of permanent supportive housing and services.
- HOM-5 Shelter Housing - Support and assist in the development and operations of shelters for persons who are homeless or victims of domestic violence.

Other Special Need Strategy

- SNS-1 Housing - Promote and assist to increase the supply of affordable, decent, safe, sound, and accessible housing for the elderly, persons with disabilities, the developmentally delayed, and persons with other special needs through rehabilitation of existing housing and construction of new accessible housing.
- SNS-2 Social Services - Promote and assist in supporting social service programs and facilities for the elderly, persons with disabilities, the developmentally delayed, and persons with other special needs.
- SNS-3 Accessibility - Promote and assist in making accessibility improvements to owner occupied housing through rehabilitation and improve renter occupied housing by promoting reasonable accommodations for the physically disabled.
- SNS-4 Reasonable Accommodations - Promote, support, and advocate for reasonable accommodations that should be made to assist the physically disabled to live in accessible housing.

Community Development Strategy

- CDS-1 Infrastructure - Improve the County's infrastructure through rehabilitation, reconstruction, and new construction of streets, walks, curbs, ADA ramps, retaining walls, sewer, linear lines, water, flood control, storm water management and separation, bridges, bike trails, green infrastructure, etc.
- CDS-2 Community Facilities - Improve the County's parks, recreational centers, and public and community facilities through rehabilitation, preservation, and new construction.
- CDS-3 Public Services - Improve and increase public service programs for the youth, the elderly, developmentally delayed, disabled, and target income population, including nutrition programs and social/welfare programs throughout the County.
- CDS-4 Public Transit - Promote the expansion and development of additional bus routes and improvements to the public transportation system for low- and moderate-income persons, and special needs
- CDS-5 Clearance - Remove and eliminate slum and blighting conditions through demolition of vacant and abandoned structures throughout the County.
- CDS-6 Architectural Barriers - Remove architectural barriers and make public and community facilities accessible to all residents.
- CDS-7 Public Safety - Improve public safety through upgrades to facilities, purchase of new equipment, crime prevention, community policing, and ability to respond to emergency situations.
- CDS-8 Revitalization - Promote and assist in the stabilization of residential neighborhoods by removing slums and blight, assembling sites for new housing, rehabilitation of existing housing, code enforcement, and designation of an NRSA project area.

Economic Development Strategy

- EDS-1 Employment - Support and encourage new job creation, job retention, workforce development, employment, and job training services.
- EDS-2 Financial Assistance - Support business retention and commercial growth through expansion and new development with technical assistance and low interest loan programs including Section 108 loans.
- EDS-3 Small Business Assistance - Support and encourage new economic development through local, state and Federal tax incentives and programs.

Administration, Planning and Management Strategy

- APM-1 Management - Continue to provide sound and professional planning, program management and oversight for the successful administration of Federal programs.
- APM-2 Planning - Continue to develop and plan for special studies, environmental clearance, fair housing, Section 108 Loan Application, NRSA Plans, and compliance with all Federal, state, and local laws and regulations.
- APM-3 NRSA - Prepare a Neighborhood Revitalization Strategy Area (NRSA) Plan for the Shaw Heights Neighborhood.

FY2020 Annual Action Plan Budget

Cumberland County proposes to undertake the following activities with the FY 2020 CDBG and HOME funds:

- Housing Rehabilitation \$ 389,000.00
- Affordable Housing (2019) \$ 275,000.00
- Homeownership Assistance \$ 225,000.00
- Housing Rehabilitation Program \$ 280,000.00
- Housing Project Delivery \$ 220,000.00
- Public Services \$ 70,000.00
- Homeless Services \$ 55,100.00
- Public Facilities / Infrastructure \$ 200,000.00
- Economic Development \$ 200,000.00
- General Administration / Planning \$ 187,000.00

Analysis of Impediments to Fair Housing

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An Analysis of Impediments (AI) is an assessment of a unit of local government's laws, ordinances, statutes, and administrative policies as well as local conditions that affect the location, availability, and accessibility of housing.

Identified Impediments

1. Fair Housing Education and Outreach

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

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

Strategies

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

2. Quality of Rental Housing vs. Affordability

Cumberland County has a large supply of rental housing that does not meet the minimum property standards and 35.9% of all households are cost overburdened and spend 30% or more of their monthly income on housing.

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

Strategies

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

3. Lack of Affordable Homeownership Housing

There is a lack of housing resources for low- and moderate-income households to purchase a home. Many houses that are available for purchase are in need of substantial rehabilitation work.

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

Strategies

- 3-A: Financially support and assist low- and moderate-income households to purchase homes at affordable prices throughout Cumberland County.

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- 3-B: Support and promote the development of affordable infill housing on vacant land.
- 3-C: Continue to fund and support homeowner rehabilitation and emergency repair programs.
- 3-D: Provide financial and development incentives to private developers and non-profits to construct and/or rehabilitate affordable housing.
- 3-E: Encourage and promote the development, construction, and/or rehabilitation of mixed income housing in areas that are not low-moderate income.
- 3-F: Target and rehabilitate homeowner-occupied housing in the Shaw Heights Neighborhood Revitalization Strategy Areas.

4. Continuing Need for Accessible Housing Units

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

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

Strategies

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

5. Economic Issues Affecting Housing Choice

There is a lack of economic opportunities in Cumberland County which prevents low-income households from increasing their financial resources to be able to choose to live outside areas of concentrated poverty.

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

Strategies

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

6. Impacted Areas of Concentration

There are specific high poverty, racially segregated areas throughout Cumberland County where the concentration of low income minority persons exceeds 70% of the area's corresponding population.

Goal: Promote the de-concentration of minorities outside the areas of the County bordering Fort Bragg in order to reduce minority concentration.

Strategies

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

Neighborhood Revitalization Strategy Areas (NRSA)

A Neighborhood Revitalization Strategy Area (NRSA) is a Community Development Block Grant (CDBG) grantee-designated area targeted for revitalization. An NRSA is different from other local targeted areas in that the designation is reviewed and approved by HUD.

Communities with approved NRSAs are offered enhanced flexibility in undertaking economic development, housing, and public service activities with their CDBG funds.

Areas of Enhanced Regulatory Flexibility

Job creation or retention effort focused on the selected neighborhood may be classified as meeting the LMI area benefit national objective requirements.

Aggregation of housing units for which CDBG funds are obligated during each program year and treat them as a single structure.

- 51 percent of total number of units must be occupied by LMI households.

Economic development activities carried out in the NRSA may be excluded from the aggregate public benefit standards.

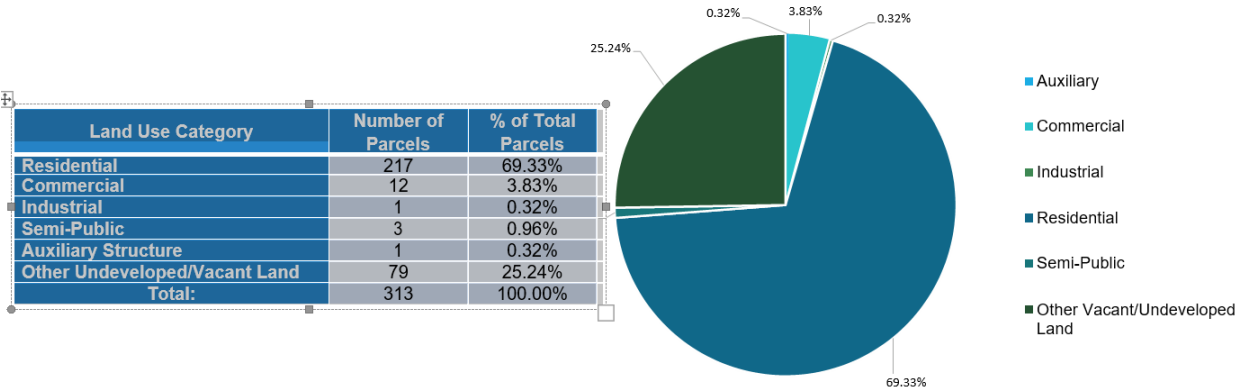
Target Areas

The NRSA comprises the following Census Tract/Block Group:

- Census Tract 24.01, Block Group 1

Boundary and existing land use maps were displayed.

Existing Land Use



A structural conditions map was displayed and structural conditions were reported as follows:

- Sound Condition – 133 Structures (24.1%)
- Minor Rehabilitation – 231 Structures (41.8%)
- Major Rehabilitation – 151 Structures (27.9%)
- Economically Infeasible – 38 Structures (6.9%)

Short Term Goals

- Remove substandard structures and properties which impede economic growth and residential stability.
- Utilize homeownership programs to expand homeownership opportunities in the Shaw Heights NRSA through construction of new affordable housing to qualified low- and moderate-income buyers.
- Promote mixed income housing developments in the NRSA to help stabilize the area.
- Assemble sites for additional housing development.

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- Select sites for the development of infrastructure for new affordable housing development, including paved roads, sewers and septic tanks.
- Promote homeownership in the Shaw Heights NRSA through housing counseling programs and partnerships with Kingdom CDC.
- Continue to rehabilitate owner occupied housing in the Shaw Heights Neighborhood.
- Continue to rehabilitate owner occupied housing in the Shaw Heights Neighborhood.
- Rehabilitate renter occupied housing in the NRSA.
- Increase the presence of the County’s code enforcement program in the Shaw Heights NRSA.
- Increase the police patrols and community policing in the Shaw Heights NRSA.
- Apply for a Section 108 Loan Guarantee to develop the Shaw Heights NRSA.
- Partner with the Housing Authority to encourage the development of public housing and increased participation in the Section 8 Housing Choice Voucher Program in Shaw Heights.
- Develop partnerships for financial literacy programs in the neighborhood.

Long Term Goals

- Continue acquisition/relocation/clearance activities in the Shaw Heights NRSA to develop attractive and marketable development sites.
- Revitalize vacant and underutilized land in a manner that provides tax base stabilization, including potential commercial or industrial development.
- Ensure the continued preservation of the existing housing stock in the Shaw Heights NRSA through a comprehensive rehabilitation program including incentives for homeowners to improve their property.
- Reconstruct streets, sidewalks, curbs, and infrastructure in the Shaw Heights NRSA.
- Provide information and refer Shaw Heights NRSA residents to employment training programs such as NCWorks for job placement opportunities through the trades or other skills.
- Market Shaw Heights to members of the military and civilians who work at Fort Bragg based on its proximity and affordability to the base.
- Decrease the school drop-out rate for men and women in the Shaw Heights NRSA.
- Assist 18-35 year olds to obtain their high school equivalency diploma or GED.
- Develop infrastructure to create dense, multi-family affordable housing using a Section 108 Loan.
- Recruit banks, pharmacies, and a grocery store to the Shaw Heights NRSA.
- Continue to promote and market the County’s housing rehabilitation programs in the Shaw Heights NRSA.
- Create a revolving loan program targeted toward the Shaw Heights NRSA.
- Promote home occupations and develop small business enterprises in the Shaw Heights NRSA.
- Develop a “loan pool” with the local banks with bank funds to match Federal and State funds.
- Continue to work with Kingdom CDC and other CHDOs to undertake larger development projects.

Measurable Outcomes

NEIGHBORHOOD IMPROVEMENT	NEW HOUSING DEVELOPMENT
<ul style="list-style-type: none">• Rehabilitate 25 owner occupied homes per year in the NRSA for a total of 125 homes.• Rehabilitate 100 renter occupied units in the NRSA.• Demolition of 20 structures per year in the NRSA, total of 100 structures.• Clean-up of 10 vacant lots per year.• Reconstruction of main streets in the area, 1 <u>streets</u> per year for a total of 5 streets.• Installation of handicapped ramps on reconstructed streets of 12 per year for a total of 60.	<ul style="list-style-type: none">• Increase homeownership opportunities for forty-five (45) low- to moderate-income homebuyers.• Increase homeownership opportunities for twenty-five (25) above income families.• Identification of potential homebuyers and housing counseling services provided to 15 potential homebuyers per year by the local non-profit housing counseling agency.• Construction of 5 new single-family houses per year by housing partners.• Assist in the development of a CBDO and CHDO in Cumberland County to help develop housing in the NRSA.

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PUBLIC SAFETY IMPROVEMENTS <ul style="list-style-type: none">• Formation of a block watch/crime watch organization.• Assignment of a police patrol cars to Shaw Heights NRSA.• Decrease in crime statistics in the NRSA	CITIZEN INVOLVEMENT <ul style="list-style-type: none">• Distribution of informational material to NRSA residents on an annual basis.• Organize citizen meetings in the neighborhood to explain progress and solicit citizen input.• Promoting the formation of task forces and citizen participation for housing, public safety, public relations, etc.
INTER-AGENCY COOPERATION <ul style="list-style-type: none">• Support the formation of joint ventures between the non-profit housing development corporations and private developers.• Assemble sites to build new houses and purchase existing houses for rehab and resale using a new non-profit and other housing development agencies.• Partner with NCWorks, the Center for Economic Empowerment and Development (CEED), and Pathway 4 Prosperity to bring job training to the area.• Continue to utilize County code enforcement on a systematic block by block basis.• Demolition of up to 15 vacant dilapidated structures per year.	ECONOMIC DEVELOPMENT ACTIVITIES <ul style="list-style-type: none">• Assemble sites for new economic development.• Promote job training partnerships with area nonprofits.

Chairman Faircloth opened the public hearing on the draft 2020-2024 Consolidated Plan, 2020 Annual Action Plan, and the Neighborhood Revitalization Strategy Area Plan.

The clerk to the board stated no public hearing remarks had been submitted through the online form posted on the county’s website for the draft 2020-2024 Consolidated Plan, 2020 Annual Action Plan, and the Neighborhood Revitalization Strategy Area Plan.

Chairman Faircloth closed the public hearing on the draft 2020-2024 Consolidated Plan, 2020 Annual Action Plan, and the Neighborhood Revitalization Strategy Area Plan.

Commissioner Adams expressed concern about the displacement of long-term residents of Shaw Heights. Mr. Haglund stated one of the goals under the HUD Program is to retain affordable housing, afford opportunities for current residents to acquire ownership and also provide better quality housing for current residents. In response to questions posed by Commissioner Keefe, Ms. Taylor stated this is the first time a high poverty neighborhood in the county’s jurisdiction such as Shaw Heights has been targeted as part of the Neighborhood Revitalization Strategy Area Plan. Mr. Haglund stated the City of Fayetteville is doing a similar NRSA in the Murchison Road area that ties in with Shaw Heights. Mr. Haglund stated the NRSA has to be part of a five-year plan and this area has so much potential for new development, revitalization and redevelopment that its time for it to be included in the NRSA.

MOTION: Commissioner Adams moved to accept the 2020 - 2024 Consolidated Plan, the 2020 Annual Action Plan and the Neighborhood Revitalization Strategy Area Plan.
SECOND: Commissioner Council

Commissioners Adams, Council and Faircloth who were present voted in favor.
Commissioners Boose, Evans, Keefe and Lancaster who attended by video conference voted in favor.

VOTE: UNANIMOUS (7-0)

Uncontested Rezoning Cases

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B. Case P20-06: Revision and amendment to the Cumberland County Zoning Ordinance by amending Article IV Permitted, Conditional, and Special Uses, Section 403. Use Matrix allowing school (business and commercial for nurses or other medically oriented professions, trade, vocational & fine arts) as a permitted use within the M1(P) Planned Light Industrial and M(P) Planned Industrial districts by inserting a “P” in the M1(P) and M(P) column and updating the table of contents as appropriate.

Chairman Faircloth opened the public hearing for Case P20-06.

The clerk to the board stated no public hearing remarks had been submitted through the online form posted on the county’s website for Case P20-06.

Chairman Faircloth closed the public hearing on for Case P20-06.

MOTION: Commissioner Adams moved in Case P20-06 to approve the text amendment to the Cumberland County Zoning Ordinance and find this text amendment consistent with the adopted 2030 Growth Vision Plan (2009) Policy 1.3 of local governments being partners in the creation of business and industrial development opportunities by capitalizing upon the unique human and economic resources of the area and Policy 1.12 of identifying appropriate sites for manufacturing and new technology enterprises and protecting them through appropriate zoning. Approval of this text amendment is also reasonable and in the public interest because vocational schools, especially ones in fire safety such as the proposed school by the applicant, could certainly avoid any potential harmful impacts on surrounding properties by utilizing industrial development standards and approval of the amendment would prevent a potential rezoning to a commercial zoning district within the County industrial park.

SECOND: Commissioner Council

Commissioners Adams, Council and Faircloth who were present voted in favor.

Commissioners Boose, Evans, Keefe and Lancaster who attended by video conference voted in favor.

VOTE: UNANIMOUS (7-0)

C. Case P20-10: Revision and amendment to the Cumberland County Zoning Ordinance by amending Article II Interpretations, Calculations, and Definitions, Section 203. Definitions of Specific Terms and Words and amending Article IX Individual Uses, Section 921. Recreation Vehicle Park and/or Campground and updating the table of contents as appropriate.

Chairman Faircloth opened the public hearing for Case P20-10.

The clerk to the board stated no public hearing remarks had been submitted through the online form posted on the county’s website for Case P20-10.

Chairman Faircloth closed the public hearing on for Case P20-10.

MOTION: Commissioner Council moved in Case P20-10 to approve the text amendment to the Cumberland County Zoning Ordinance and find this text amendment consistent with the adopted 2030 Growth Vision Plan (2009) Policy Area 2 of Well-Managed Growth and Development where the vision is to create development standards for application across rural and urban areas to ensure efficient and quality development is achieved. Approval of this text amendment is also reasonable and in the public interest because clearly defined standards for cabins and inspection requirements

for a logbook will likely prevent future code violations of permanent residents in what is meant to be a use for temporary habitation.

SECOND: Commissioner Adams

Commissioners Adams, Council and Faircloth who were present voted in favor.

Commissioners Boose, Evans, Keefe and Lancaster who attended by video conference voted in favor.

VOTE: UNANIMOUS (7-0)

D. Case P20-11: Rezoning of 2.70+/- acres from RR Rural Residential to C2(P) Planned Service and Retail District or to a more restrictive zoning district, located on the south side of SR 1006 (Clinton Road), west of intersection with SR 1831 (Baywood Road), submitted by David Allen on behalf of New Homes, Inc. (owner) and Scott Brown on behalf of 4D Site Solutions, Inc. (agent).

Chairman Faircloth opened the public hearing for Case P20-11.

The clerk to the board stated no public hearing remarks had been submitted through the online form posted on the county's website for Case P20-11.

Chairman Faircloth closed the public hearing on for Case P20-11.

MOTION: Commissioner Adams moved in Case P20-11 to approve the rezoning from RR Rural Residential to C2(P) Planned Service and Retail and find that the request is consistent with the text of the Vander Land Use Plan (2017) which recommends allowing small concentrated commercial areas to serve the immediate needs of the residents. I further find approval of the request is reasonable and in the public interest because the subject property is currently served by public water and sewer, Clinton Road is classified as an existing freeway in the 2045 Metropolitan Transportation Plan, and the district request is in harmony with adjacent, existing zoning.

SECOND: Commissioner Council

Commissioners Adams, Council and Faircloth who were present voted in favor.

Commissioners Boose, Evans, Keefe and Lancaster who attended by video conference voted in favor.

VOTE: UNANIMOUS (7-0)

5. ITEMS OF BUSINESS

A. Consideration of Adding Telehealth and COVID Testing to the Cumberland County Public Health Department's Fee Schedule

BACKGROUND

Effective March 13, 2020, NC Medicaid is offering reimbursement for virtual patient communication and telephonic evaluation and management for established patients due to COVID-19. In addition, the Health Department is providing COVID testing to patients either referred by a healthcare provider or after screening by our Epidemiology staff. The Health Department would like to add these services to our fee schedule effective March 13, 2020. Fees will not be charged to self-pay patients per guidance received from NC Department of Health and Human Services. The Board of Health approved this request during the meeting held on April 9, 2020.

RECOMMENDATION / PROPOSED ACTION

Requesting approval to add Telehealth and COVID testing fees to the Health Department’s fee schedule with an effective date of March 13, 2020. Fees will not be charged to self-pay patients per guidance received from NC DHHS.

CPT	Description	PROPOSED FEE
87635	COVID-19 lab	\$65.00
99000	Swab Collection	\$10.00
99441	Telephone E/M 5-10 minutes	\$15.00
99442	Telephone E/M 11-20 minutes	\$30.00
99443	Telephone E/M 21-30 minutes	\$45.00

Dr. Green presented the background information recorded above and reviewed the proposed fees. In response to a question from Commissioner Adams, Dr. Green stated uninsured and self-pay clients are considered one in the same.

- MOTION: Commissioner moved to approve the addition of Telehealth and COVID testing fees to the Health Department’s fee schedule with an effective date of March 13, 2020. Fees will not be charged to self-pay patients per guidance received from NC DHHS.
- SECOND: Commissioner

Commissioners Adams, Council and Faircloth who were present voted in favor.
Commissioners Boose, Evans, Keefe and Lancaster who attended by video conference voted in favor.

VOTE: UNANIMOUS (7-0)

6. NOMINATIONS

A. Board of Health (1 Vacancy)

Commissioner Council nominated Hakkam Alsaidi for the Optometrist position.

B. Cape Fear Valley Health System Board of Trustees (2 Vacancies)

Commissioner Adams stated the Cape Fear Valley Health System Board of Trustees asked that both nominations and appointments be made for the two vacancies so the Board of Trustees can move forward with the appointment of its officers and committee members.

- MOTION: Commissioner Adams moved to nominate and appoint Alicia Marks and Dr. Bradley Broussard to the Cape Fear Valley Health System Board of Trustees in the General Public positions.
- SECOND: Commissioner Keefe
- VOTE: UNANIMOUS (7-0)

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C. Fayetteville Technical Community College Board of Trustees (1 Vacancy)

Commissioner Adams nominated Charles Harrell.

7. APPOINTMENTS

There were no further appointments scheduled for this meeting.

Chairman Faircloth recessed the Board of Commissioners' meeting.

Chairman Faircloth convened the meeting of the Bragg Estates Water and Sewer District Governing Board.

8. BRAGG ESTATES WATER AND SEWER DISTRICT CONSENT AGENDA

A. Approval of Minutes of the May 20, 2019 Bragg Estates Water & Sewer District Governing Board Meeting

MOTION: Commissioner Adams moved to approve minutes of the May 20, 2019 Bragg Estates Water and Sewer District Governing Board meeting.

SECOND: Chairman Faircloth

Commissioners Adams, Council and Faircloth who were present voted in favor.

Commissioners Boose, Evans, Keefe and Lancaster who attended by video conference voted in favor.

VOTE: UNANIMOUS (7-0)

B. Encroachment Agreement with North Carolina Department of Transportation (NCDOT) for Bragg Estates Water & Sewer District

BACKGROUND

The Board of Commissioners (BOC) accepted and approved the Letter of Conditions from USDA Rural Development for the Bragg Estates Loan and Grant at their meeting on December 15, 2014. The following conditions were accepted; a Rural Utilities Service (RUS) loan not to exceed \$497,000, a RUS grant not to exceed \$1,453,000 and a contribution from Cumberland County of \$50,000 for a total project cost of \$2,000,000.

After the easement from the Corps of Engineers was finalized, McGill Associates and the Public Utilities Division began work to complete the design of the sanitary sewer system for the construction bid phase of the project. It has been determined that one of the items needed to move the project forward is an Encroachment Agreement with North Carolina Department of Transportation (NCDOT). This agreement is the same that has been used in previous water and sewer projects and is their standard agreement. County Legal has reviewed the agreement.

RECOMMENDATION / PROPOSED ACTION

At the April 9, 2020 Agenda Session, the Board of Commissioners approved placing the approval of the NCDOT Encroachment Agreement as a Consent Item on both the April 20, 2020 Board of Commissioners' Meeting and the Bragg Estates Water and Sewer District Governing Board agenda.

C. Interlocal Agreement with the Town of Spring Lake to Provide Sanitary Sewer Treatment and Operation and Maintenance of the Sanitary Sewer System for the Bragg Estates Water and Sewer District

BACKGROUND

In response to the approval of the USDA Rural Utilities funding to construct a sanitary sewer system in the Bragg Estates Water and Sewer District, the Town of Spring Lake has agreed to

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provide sanitary sewer treatment and the operation and maintenance of the Bragg Estates sewer system. The attached agreement between the Town of Spring Lake and the Bragg Estates Water and Sewer District spells out the terms and conditions of each party and is a requirement to move forward with the funding process. This agreement mirrors the interlocal agreement that is currently in place for the Overhills Water and Sewer District and the Town. County Legal has reviewed the agreement.

RECOMMENDATION / PROPOSED ACTION

At the April 9, 2020 Agenda Session, the Board of Commissioners approved placing the approval of the Interlocal Agreement with the Town of Spring Lake as a Consent Item on both the April 20, 2020 Board of Commissioners' Meeting and the Bragg Estates Water and Sewer District Governing Board agenda.

MOTION: Commissioner Council moved to approve consent agenda Items 8.B. and 8.C. for the Bragg Estates Water and Sewer District.
SECOND: Commissioner Adams

Commissioners Adams, Council and Faircloth who were present voted in favor.
Commissioners Boose, Evans, Keefe and Lancaster who attended by video conference voted in favor.

VOTE: UNANIMOUS (7-0)

Chairman Faircloth adjourned the meeting of the Bragg Estates Water and Sewer District Governing Board.

Chairman Faircloth convened the meeting of the Kelly Hills Water and Sewer District Governing Board.

9. KELLY HILLS WATER AND SEWER CONSENT AGENDA

- A. Approval of Minutes of the August 7, 2017 Kelly Hills/Slocumb Road Water & Sewer District Governing Board Meeting
- B. Amendments to the Kelly Hills/Slocumb Road Water and Sewer District Rate Structure

BACKGROUND

A review of the operational costs of the Kelly Hills sewer system has revealed that the current rate structure for sewer service is not meeting the operation and maintenance costs being incurred by the system nor generating revenue for future capital costs. The North Carolina Rural Water Association (NCRWA) assisted the Public Utilities Division in a rate study. The present rate structure is not generating sufficient revenue to set aside a capital reserve fund for future operation and maintenance of the system. The NCRWA recommended a rate structure that generates revenue to cover these future costs.

The rates were last changed in 2015, when the County took over billing from PWC. PWC has increased their cost to the District since this time. The attached rate structure is proposed for the Kelly Hills/Slocumb Road Water and Sewer District. The proposed rate structure will be mailed to all the customers on the system no later than June 1, 2020 and will go into effect on July 1, 2020. The existing rate structure and proposed rate structure are provided in the chart below.

	<u>Existing</u> <u>Rate</u> <u>Connected</u> <u>Customer</u>	<u>Existing Rate</u> <u>Nonconnected</u> <u>Customer</u>	<u>Proposed</u> <u>Rate</u> <u>Connected</u> <u>Customer</u>	<u>Proposed</u> <u>Rate</u> <u>Nonconnected</u> <u>Customer</u>
Flat Rate Sewer Usage	\$39.74	-	\$43.50	-
Operation and Maintenance	-	-	6.00	6.00
Availability	10.00	10.00	10.00	10.00
Administration	2.00	2.00	2.00	2.00
Total	\$51.74	\$12.00	\$61.50	\$18.00

The attached rate structure also includes a suggested rate increase of 5% per year for the next three years. During our rate study we reached out to the UNC School of Government to see how other counties handle their rate increases and this option was suggested since many other utilities employ this as a standard industry practice. The benefit of setting the rates this way allows the customers to know exactly how much the rates will be increased yearly as opposed to something different each year.

RECOMMENDATION / PROPOSED ACTION

At the April 9, 2020 Agenda Session, the Board of Commissioners approved placing the amendments to the Kelly Hills/Slocomb Water and Sewer District Rate Structure as a Consent Item on both the April 20, 2020 Board of Commissioners' Meeting and the Kelly Hills/Slocomb Road Governing Board agenda.

MOTION: Commissioner Council moved to approve consent agenda Items 9.A. and 9.B. for the Kelly Hills/Slocomb Water and Sewer District.
SECOND: Commissioner Adams

Commissioners Adams, Council and Faircloth who were present voted in favor.
Commissioners Boose, Evans, Keefe and Lancaster who attended by video conference voted in favor.

VOTE: UNANIMOUS (7-0)

Chairman Faircloth adjourned the meeting of the Kelly Hills/Slocomb Water and Sewer District Governing Board.

Chairman Faircloth convened the meeting of the Gray’s Creek Water and Sewer District Governing Board.

10. GRAY'S CREEK WATER AND SEWER CONSENT AGENDA

- A. Approval of Minutes of the January 21, 2020 Gray's Creek Water & Sewer District Governing Board Meeting
- B. Amendments to the Southpoint Water System Rate Structure Located in the Gray's Creek Water and Sewer District

BACKGROUND

The North Carolina Rural Water Association (NCRWA) recently completed a rate study for the Southpoint water system. After reviewing the operational costs of the Southpoint water system, it has revealed that the present rate structure for water service is not meeting the costs being incurred by the system for future capital costs as well as future operating and maintenance costs. The NCRWA recommended that the rate structure generate revenue to cover anticipated future costs.

The rates have not changed since the system went live in 2013. The attached rate structure proposed for the Southpoint water system, located in the Gray’s Creek Water and Sewer District, will provide adequate funding for these future costs. The proposed rate structure must be mailed

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to all the Southpoint customers no later than June 1, 2020 and will go into effect on July 1, 2020. The existing rate structure and proposed rate structure are provided in the chart below.

	<u>Existing</u> <u>Rate</u>	<u>Existing Rate</u>	<u>Proposed</u> <u>Rate</u>	<u>Proposed</u> <u>Rate</u>
	<u>Connected</u>	<u>Nonconnected</u>	<u>Connected</u>	<u>Nonconnected</u>
	<u>Customer</u>	<u>Customer</u>	<u>Customer</u>	<u>Customer</u>
AverageRate WaterUsage(4,000 gallons)	\$32.00	-	\$33.50	-
Operation and Maintenance	-	-	2.50	2.50
Availability	10.00	10.00	10.00	10.00
Administration	2.00	2.00	2.00	2.00
Total	\$44.00	\$12.00	\$48.00	\$14.50

The attached rate structure also includes a suggested rate increase of 5% per year for the next three years for operation and maintenance and water usage. During our rate study we reached out to the UNC School of Government to see how other Counties handle their rate increases and this option was suggested since many other utilities employ this as a standard industry practice. The benefit of setting the rates this way allows the customers to know exactly how much the rates will be increased yearly as opposed to something different each year.

RECOMMENDATION / PROPOSED ACTION

At the April 9, 2020 Agenda Session, the Board of Commissioners approved placing the amendments to the Southpoint Water System Rate Structure as a Consent Item on both the April 20, 2020 Board of Commissioners' Meeting and the Gray's Creek Water and Sewer District Governing Board agenda.

MOTION: Commissioner Boose moved to approve consent agenda Items 10.A. and 10.B. for the Gray’s Creek Water and Sewer District.

SECOND: Commissioner Adams

Commissioners Adams, Council and Faircloth who were present voted in favor.
Commissioners Boose, Evans, Keefe and Lancaster who attended by video conference voted in favor.

VOTE: UNANIMOUS (7-0)

Chairman Faircloth adjourned the meeting of the Gray’s Creek Water and Sewer District Governing Board.

Chairman Faircloth reconvened the Board of Commissioners’ meeting.

A. Attorney-Client Matter(s) Pursuant to NCGS 143.318.11(a)(3)

MOTION: Commissioner Adams moved to go into closed session for Attorney-Client Matter(s) Pursuant to NCGS 143.318.11(a)(3).

SECOND: Commissioner Council

Commissioners Adams, Council and Faircloth who were present voted in favor.
Commissioners Boose, Evans, Keefe and Lancaster who attended by video conference voted in favor.

VOTE: UNANIMOUS (7-0)

Chairman Faircloth recessed the Board of Commissioners’ meeting so the closed session portion of this meeting would no longer be available to the public and media live via the Cumberland County website (co.cumberland.nc.us), Facebook page (facebook.com/CumberlandNC), Youtube page (youtube.com/user/CumberlandCountyNC/videos), and on Fayetteville Cumberland Education Channel (FCE-TV) Spectrum Cable Channel 5.

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Chairman Faircloth reconvened the Board of Commissioners' meeting in closed session.

MOTION: Commissioner Adams moved to reconvene in open session.

SECOND: Chairman Faircloth

Commissioners Adams, Council and Faircloth who were present voted in favor.

Commissioners Boose, Evans, Keefe and Lancaster who attended by video conference voted in favor.

VOTE: UNANIMOUS (7-0)

MOTION: Commissioner Council moved to adjourn.

SECOND: Commissioner Adams

Commissioners Adams, Council and Faircloth who were present voted in favor.

Commissioners Boose, Evans, Keefe and Lancaster who attended by video conference voted in favor.

VOTE: UNANIMOUS (7-0)

There being no further business, the meeting adjourned at 11:35 a.m.

Approved with/without revision:

Respectfully submitted,

Candice H. White
Clerk to the Board