

CUMBERLAND COUNTY BOARD OF COMMISSIONERS  
OCTOBER 5, 2020 – 9:00 AM  
117 DICK STREET, FIRST FLOOR, ROOM 118  
REGULAR MEETING MINUTES

PRESENT: Commissioner Marshall Faircloth, Chairman  
Commissioner Glenn Adams, Vice Chairman  
Commissioner Michael Boose (arrived 9:10 a.m.)  
Commissioner Jeannette Council  
Commissioner Charles Evans  
Commissioner Jimmy Keefe  
Commissioner Larry Lancaster  
Amy Cannon, County Manager  
Duane Holder, Deputy County Manager  
Tracy Jackson, Assistant County Manager  
Sally Shutt, Assistant County Manager  
Rick Moorefield, County Attorney  
Vicki Evans, Finance Director  
Deborah Shaw, Senior Budget Management Analyst  
Andrew Jakubiak, Budget Analyst  
Dee Taylor, Community Development Director  
Candice H. White, Clerk to the Board  
Kellie Beam, Deputy Clerk

Chairman Faircloth called the meeting to order.

INVOCATION / PLEDGE OF ALLEGIANCE

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

Commissioner Adams acknowledged the passing of architect Daniel MacMillan whose projects included Cumberland County public schools, the courthouse and public library.

1. APPROVAL OF AGENDA

MOTION: Commissioner Lancaster moved to approve the agenda.

SECOND: Commissioner Adams

VOTE: UNANIMOUS (6-0)

2. PRESENTATIONS

A. Small Business Resiliency Grant Program

BACKGROUND

In May 2020, Cumberland County Community Development established a Small Business Resiliency Grant Program to assist qualified local businesses that have suffered economic hardship as a result of the COVID-19 pandemic. The program is supported by Community Development Block Grant funding from the U.S. Department of Housing and Urban Development through the Coronavirus Aid, Relief, and Economic Security (CARES) Act. The program provides grants up to \$10,000 and targets small for-profit businesses with 10 or fewer full-time equivalent employees. The goal is to help businesses retain employees and maintain economic stability during the crisis.

As part of the first grant cycle, 22 local businesses have received notice of awards. Seven of the local businesses will be presented grant checks by Commissioners during the October 5 regular board meeting.

Community Development opened a new grant cycle in August for the Small Business Resiliency Program. To be eligible, businesses must operate within the Cumberland County geographic service area (\*not within the City of Fayetteville). This includes the unincorporated areas of the

county, as well as the towns of Eastover, Falcon, Godwin, Hope Mills, Linden, Spring Lake, Stedman and Wade.

To learn more, visit the Small Business Resiliency Grant Program link on the Community Development page on the Cumberland County website at [co.cumberland.nc.us](http://co.cumberland.nc.us).

#### RECOMMENDATION / PROPOSED ACTION

Present the local business owners with their grant checks and encourage other eligible small businesses to apply for the Small Business Resiliency Grant Program.

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Dee Taylor, Community Development Director, presented the background information recorded above and extended her appreciation to the Board of Commissioners, County Management, the Fayetteville Cumberland Economic Development Corporation and Community Development staff for their support of and efforts towards the Small Business Resiliency Grant Program.

Chairman Faircloth and Commissioner Adams took part in a \$10,000 check presentation to Cumberland Coffee Roasters, LLC. Commissioner Council and Commissioner Evans took part in a \$10,000 check presentation to Megaplay, LLC. (Commissioner Boose arrived.) Commissioner Lancaster, Commissioner Keefe and Commissioner Boose took part in a \$10,000 check presentation to Competition Auto, Inc.

Ms. Taylor concluded the presentation and stated applications are available for the new grant cycle and to learn more, visit the Small Business Resiliency Grant Program link on the Community Development page on the Cumberland County website at [co.cumberland.nc.us](http://co.cumberland.nc.us).

### 3. CONSENT AGENDA

A. Approval of September 21, 2020 Regular Meeting Minutes

B. Approval of Sole Source Replacement of Network Automation Engines (NAE)

#### BACKGROUND

Funds were appropriated in the fiscal year 2021 Capital Improvement Plan budget for the replacement of Network Automation Engines (NAE) at multiple County facilities. NAEs allow staff the ability to remotely control building scheduling and energy management using Metasys software.

The replacement of the NAEs will allow the latest Metasys software and hardware to be installed, ensuring effectiveness and security. Metasys software is proprietary to Johnson Controls, Inc. The NAEs need to be purchased from and installed by Johnson Control, Inc. to maintain standardization and compatibility. A quote has been submitted in the amount \$74,228.50.

#### RECOMMENDATION / PROPOSED ACTION

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

C. Approval to Pay Prior Year Invoices

#### BACKGROUND

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

Wellness Services

Vendor: Publicom, Inc.

Services rendered: June 2020

Total Amount: \$157.29

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Solid Waste

Vendor: Dewberry Engineers, Inc.  
Services rendered: June 2020  
Total Amount: \$2,700

Solid Waste

Vendor: BelFlex Staffing  
Services rendered: April 2020  
Total Amount: \$275.10

Community Development

Vendor: 22nd Century Technologies, Inc.  
Services rendered: June 2020  
Total Amount: \$3,908.52

Library

Vendor: Baker & Taylor  
Goods received: May 2020-June 2020  
Total Amount: \$2,444.52

Sheriff's Office

Vendor: Concentra  
Services rendered: March 2020-May 2020  
Total Amount: \$2,375.00

Staff have verified these invoices have not been paid. There are sufficient funds within the fiscal year 2021 departmental budgets to cover these expenses.

RECOMMENDATION / PROPOSED ACTION

Management is requesting approval to pay prior year invoices for Wellness Services totaling \$157.29; Solid Waste totaling \$2,975.10; Community Development totaling \$3,908.52; the Library totaling \$2,444.52; and the Sheriff's Office totaling \$2,375.

- D. Approval of Budget Ordinance Amendments for the October 5, 2020 Board of County Commissioners' Agenda

BACKGROUND

General Fund 101

- 1) Department of Social Services – Budget Ordinance Amendment B210752 to recognize additional funds received from the Department of Health and Human Services (DHHS) in the amount of \$366,131

The Board is requested to approve Budget Ordinance Amendment B210752 to recognize additional funds received from the Department of Health and Human Services (DHHS) in the amount of \$366,131 representing federal Coronavirus Aid, Relief, and Economic Security (CARES) act funds. These funds will be used for the Adult Protective Services (APS)/Child Protective Services (CPS) program.

Please note this amendment requires no additional county funds.

- 2) General Government Other – Budget Ordinance Amendment B210852 to allocate Coronavirus Relief Fund (CRF) funds to Cumberland County Volunteer Fire Departments in the amount of \$500,000

The Board is requested to approve Budget Ordinance Amendment B210852 to allocate CRF funds to Cumberland County Volunteer Fire Departments in the amount of \$500,000. These funds will be used to provide defibrillators, trainers, misters, and Personal Protective Equipment (PPE) to fire departments and staff. This action was approved at the September 10, 2020 Agenda Session.

Please note this amendment requires the use of general fund balance appropriation of CRF funds.

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- 3) General Government Other – Budget Ordinance Amendment B210946 to allocate Coronavirus Relief Fund (CRF) funds for glass barrier construction in the amount of \$10,594

The Board is requested to approve Budget Ordinance Amendment B210946 to allocate CRF funds for glass barrier construction in the amount of \$10,594. Barriers will be constructed in the Clerk of Court's office and the tax office.

Please note this amendment requires the use of general fund balance appropriation of CRF funds.

- 4) General Government Other – Budget Ordinance Amendment B210948 to allocate Coronavirus Relief Fund (CRF) funds for Virtual Learning Academy Partnerships in the amount of \$250,000

The Board is requested to approve Budget Ordinance Amendment B210948 to allocate CRF funds for community-based Virtual Learning Academy Partnerships in the amount of \$250,000. This action was approved at the September 10, 2020 Agenda Session.

Please note this amendment requires the use of general fund balance appropriation of CRF funds.

- 5) Emergency Services Grants – Budget Ordinance Amendment B210930 to recognize 2020 Homeland Security Grant Program (HSGP) funds in the amount of \$5,000

The Board is requested to approve Budget Ordinance Amendment B210930 to recognize 2020 Homeland Security Grant Program (HSGP) funds in the amount of \$5,000. These funds will be used to conduct a planning exercise by the Emergency Services Department. This exercise will demonstrate how the Emergency Operations Center will operate during a hurricane and pandemic and will emphasize sheltering in the pandemic environment.

Please note this amendment requires no additional county funds.

Crown Fund 600 and General Fund 101

- 6) Crown Center and General Government Other – Budget Ordinance Amendment B210943 to appropriate and transfer Coronavirus Relief Fund (CRF) funds for touchless fixture upgrades in the amount of \$138,900

The Board is requested to approve Budget Ordinance Amendment B210943 to appropriate and transfer CRF funds for touchless fixture upgrades in the amount of \$138,900. These funds will be used to install touchless toilets, sinks, and soap dispensers in Crown Center Facilities.

Please note this amendment requires the appropriation and transfer of general fund balance of CRF funds.

REGARDING THE FOLLOWING ITEMS #7 - #9 PLEASE NOTE:

Each fiscal year County departments may have projects that have been approved and initiated but were not complete by the fiscal year end (6/30/20) or items ordered that had not been received by fiscal year end. These projects or items were approved in the Fiscal Year 2020 budget; however, the money was not spent by June 30, 2020.

The following amendments seek to bring those funds forward from FY 2020 into the current fiscal year, allowing departments to complete and pay for these projects and items. These revisions are not using 'new' funds but are recognizing the use of FY20 funds in FY21.

General Fund 101

- 7) Information Services – Budget Ordinance Amendment B210025 to re-appropriate FY20 funds designated for the EnerGov project in the amount of \$18,000

The Board is requested to approve Budget Ordinance Amendment B210025 to re-appropriate funds designated for the EnerGov project in the amount of \$18,000. These funds are needed to purchase Bluebeam Licenses and iPads as part of the ongoing EnerGov project.

8) Department of Social Services – Budget Ordinance Amendment B210751 to re-appropriate FY20 funds for a disinfectant sprayer ordered but not received in the amount of \$2,303

The Board is requested to approve Budget Ordinance Amendment B210751 to re-appropriate FY20 funds for a disinfectant sprayer ordered but not received in the amount of \$2,303.

#### Solid Waste Fund 625

9) Solid Waste – Budget Ordinance Amendment B210561 to re-appropriate FY20 funds for items that were ordered but not completed in the amount of \$7,621

The Board is requested to approve Budget Ordinance Amendment B210561 to re-appropriate funds for items that were ordered but not completed in the amount of \$7,621. These funds are needed for diagnostic software, cabling, and aerial surveys.

#### RECOMMENDATION / PROPOSED ACTION

Approve Budget Ordinance Amendments.

MOTION: Commissioner Council moved to approve consent agenda Items 3.A. – 3.D.9).

SECOND: Commissioner Evans

VOTE: UNANIMOUS (7-0)

#### 4. ITEMS OF BUSINESS

A. Consideration of Memorandum of Agreement Between Cumberland County and the Cumberland County Board of Education for Remote Learning Facilities and Associated Budget Ordinance Amendment

#### BACKGROUND

The County continues to deal with the unprecedented challenges that the COVID-19 pandemic presents for the fulfillment of our mission to provide quality services to our citizens while being fiscally responsible. As mentioned during your August 13, 2020 Agenda Session meeting, one of the most recent challenges we are facing come as a result of the Cumberland County Schools' decision to begin the academic year fully virtual. Because of virtual learning, many County employees have struggled and continue to struggle with the provision of adequate supervision for their school-aged children during normal working hours. New federal legislation enacts emergency leave provisions that provide for employment security for employees but place the County as an employer at a tremendous deficit. This struggle has begun to impact our ability to provide basic, core and mandated services.

A workgroup from the Public Library, Public Health, Department of Social Services, Information Services and County Management has researched different models for Virtual Learning Centers (VLC's) across the state that are operating safely and successfully. We have considered regulatory, licensure and legal issues. We are pleased that Cumberland County Schools have agreed to partner with the County on our VLC. They will be providing staffing as available to supplement our County staff. In addition, the schools will also be preparing and transporting meals and daily snacks for the children. We are excited about this partnership and believe this will assist us in creating a structured, successful center for these children.

Additionally, the Library has reached out to Cooperative Extension, which operates the 4-H program, Fayetteville Parks and Recreation and the Public Health Department's Health Education section to assist with afternoon programming.

Attached you will find a Memorandum of Agreement with the Cumberland County Schools. Under this agreement, the County will reimburse the Schools the costs of any School District staff

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assigned to the VLC, who would not otherwise be paid from state or local funds. The County will utilize our CARES funding for these costs. The Schools will prepare and transport lunch meals for each student enrolled in the VLC without reimbursement.

We have received applications from County employees for approximately 160 children. These students will be assigned to six Library locations based upon capacity and home address. Our goal is to begin opening the VLC's the week of October 12, 2020.

RECOMMENDATION / PROPOSED ACTION

Consider approval of the Memorandum of Agreement between the County and the Cumberland County Board of Education for Virtual Learning Centers and the Associated Budget Ordinance Amendment.

Exhibit 1: Library Locations and Number of Students

Location	Address	Number of Students
Bordeaux Branch Library	3711 Village Drive Fayetteville, NC 28304-1530	14
Cliffdale Regional Library	6882 Cliffdale Road Fayetteville, NC 28314-1936	26
East Regional Library	4809 Clinton Road Fayetteville, NC 28312-8401	20
Headquarters Library	300 Maiden Lane Fayetteville, NC 28301-5032	60
Hope Mills Branch Library	3411 Golfview Road Hope Mills, NC 28348-2266	14
North Regional Library	855 McArthur Road Fayetteville, NC 28311-2053	27
Total:		161

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Amy Cannon, County Manager, presented the background information recorded above and stated the associated Budget Ordinance Amendment is #210020. Ms. Cannon stated she understands the VLC is a difficult decision for the Board of Commissioners and there are concerns within the community about this plan. Ms. Cannon stated this solution is only being presented out of a dire need which is to ensure that critical services can be provided to citizens without delay or disruption. Ms. Cannon stated she reported in August that Child Support Court had to be cancelled for a week due to the large number of Child Support staff out on emergency leave with their children who were starting their virtual learning at the beginning of the school year. Ms. Cannon stated the county has a lot of other departments that provide critical services that have staff on emergency leave to include Health Department staff who are responsible for contract tracing for COIVD-19 and Department of Social Services staff who are responsible for processing Medicaid eligibility. Ms. Cannon stated the application process revealed that 80% of the employees who applied for the VLC are from the Health Department, the Department of Social Services, the Sheriff's Office, Child Support, Emergency Services and Animal Control. Ms. Cannon stated these are departments that provide central public safety and human services.

Ms. Cannon stated state guidelines for remote learning centers will be followed in the operation of the county's VLC and measures will be taken to protect the children and the staff. Ms. Cannon stated there have been references to the VLC being a day care facility but the county's VLC is only open for grades K-8 and has been set up solely to provide a safe, social distanced space for each child to participate in their online virtual learning with their own school. Ms. Cannon stated staff on site will assist them with making their initial connection and then provide supervision, and afternoon programming will be provided by library staff, the Cooperative Extension, Parks and Recreation and the county's health education department. Ms. Cannon stated although the county's VLC is being established to meet the temporary need of county employees and their children, the Board just approved a Budget Ordinance Amendment on the consent agenda for \$250,000 that will go to community-based organizations to set up their own virtual learning centers. Ms. Cannon stated the Board of Commissioners is concerned about children of citizens who are not county employees, and the belief is that these funds can assist citizens and their challenges with the virtual learning environment.

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Ms. Cannon stated the county's VLC concept is unprecedented, but it addresses one of the many unprecedented challenges that the county faces in fulfilling the mission of providing quality services to citizens in the middle of a pandemic. Ms. Cannon stated the goal is to provide a solution that ensures services are delivered without delay or disruption.

In response to questions posed by Commissioner Boose, Ms. Cannon stated no fees will be charged for students of county employees enrolled in the VLC and an RFP has been developed and will go out this week so community-based organizations can help those citizens who may be unemployed, unable to pay and unable to assist their children in a virtual learning environment. Additional questions followed.

Commissioner Keefe asked that staff fast track agreements/contracts with the community-based organizations.

In response to a question posed by Commissioner Evans, Ms. Cannon stated in order to meet DHHS requirements for licensure, the only avenue for the county to open a VLC was a partnership with the Board of Education. Ms. Cannon stated in discussions with the school superintendent and his staff, they are willing to assist the county in the VLC endeavor and will provide staffing throughout the branch libraries to assist the county in the virtual learning environment. Ms. Cannon stated any school staff that are not being paid by local or state dollars will be reimbursed through CARES funding for their salaries and fringe benefits. Ms. Cannon stated the partnership and additional staffing will assist library staff.

Commissioner Adams stated the East Regional Library is an early voting site and 20 children will be at that site. Ms. Cannon stated that was anticipated and the VLC will be completely segregated from the polling area.

Commissioner Boose concurred that staff should fast track agreements/contract with community-based organizations and asked whether additional funds could be added to the \$250,000. Commissioner Adams suggested additional funding could be discussed at the October 8, 2020 Agenda Session.

MOTION: Commissioner Lancaster moved to approve the Memorandum of Agreement between the County and the Cumberland County Board of Education for Virtual Learning Centers and the Associated Budget Ordinance Amendment.  
SECOND: Commissioner Council  
VOTE: UNANIMOUS (7-0)

## 5. NOMINATIONS

### A. Library Board of Trustees (2 Vacancies)

Commissioner Adams nominated Dennis Cedzo and Pamela Story.

### B. Mid-Carolina Aging Advisory Council (1 Vacancy)

MOTION: Commissioner Adams moved that the Board of Commissioners' waive the requirement under their Rules of Procedure that states, "No citizen may serve more than two consecutive terms."  
SECOND: Commissioner Boose  
VOTE: UNANIMOUS (7-0)

Commissioner Adams nominated Willie McKoy, Jr. for an extension of his second term until December 31, 2020.

### C. Animal Control Board (3 Vacancies)

Commissioner Adams nominated Charlotte Davis, Shannon Pingitore and Jennifer Castello.

6. APPOINTMENTS

A. Cumberland County Workforce Development Board (1 Vacancy)

MOTION: Commissioner Adams moved to appoint Melissa Pennington to the Workforce Development Board in the category of Representative of Business.

SECOND: Commissioner Lancaster

VOTE: UNANIMOUS (7-0)

7. CLOSED SESSION

There was no closed session.

MOTION: Commissioner Adams moved to adjourn.

SECOND: Commissioner Boose

VOTE: UNANIMOUS (7-0)

There being no further business, the meeting adjourned at 9:30 a.m.

Approved with/without revision:

Respectfully submitted,

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Candice H. White  
Clerk to the Board