

CUMBERLAND COUNTY BOARD OF COMMISSIONERS
MONDAY, OCTOBER 19, 2020 – 6:45 PM
117 DICK STREET, 1ST FLOOR, ROOM 118
REGULAR MEETING MINUTES

PRESENT: Commissioner Marshall Faircloth, Chairman
Commissioner Glenn Adams, Vice Chairman
Commissioner Michael Boose
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
Brenda Jackson, Social Services Director
Rawls Howard, Planning and Inspections Director
Vicki Evans, Finance Director
Dr. Jennifer Green, Public Health Director
Candice H. White, Clerk to the Board
Kellie Beam, Deputy Clerk

Chairman Faircloth called the meeting to order.

INVOCATION / PLEDGE OF ALLEGIANCE

Chairman Faircloth provided the invocation followed by the Pledge of Allegiance to the American flag.

RECOGNITIONS

Commissioner Jimmy Keefe on Receiving the Award of Merit at the 2020 Valor Awards Ceremony

Chairman Faircloth recognized Commissioner Jimmy Keefe who was honored during the 2020 Valor Awards Ceremony hosted by the Greater Fayetteville Chamber on October 13 at Manna Church. The Valor Awards have been presented annually by the Greater Fayetteville Chamber to show appreciation to first responders and other public safety officials throughout Cumberland County for their service to the community. Chairman Faircloth stated Commissioner Keefe received the Award of Merit for his work while serving as the Cumberland County Fire Commissioner and for his participation on the County's Public Safety Task Force. The Award of Merit recognizes outstanding public safety work that demonstrates initiative, ingenuity, and diligence. Chairman Faircloth stated the Public Safety Task Force brought forth a revised funding model for fire service in Cumberland County that was eventually approved by the Board of Commissioners. On behalf of the full Board, Chairman Faircloth extended congratulations to Commissioner Keefe and thanked him for his service. Commissioner Keefe spoke to the training of first responders and thanked Dr. Keen and County Management for their support. Commissioner Keefe stated his efforts would not have gone anywhere without the support of the Board of Commissioners who want to make this community a better place to live.

Dr. Jennifer Green on Honor Received at the 2020 Valor Awards

Chairman Faircloth recognized Dr. Green who was honored during the Valor Awards on October 13 by the Greater Fayetteville Chamber for her service to the community in the battle against the coronavirus. Chairman Faircloth stated Dr. Green moved to Cumberland County from Kansas not quite a year ago to become the county's Public Health Director and she hit the ground running and has not slowed down in leading the Health Department's response to COVID-19. Chairman

Faircloth stated the community has a much deeper appreciation for the role that public health plays in our community and we are grateful to Dr. Green and her staff for what they are doing every day. On behalf of the full Board, Chairman Faircloth extended congratulations to Dr. Green and thanked her for her service. Dr. Green thanked the excellent team at the Health Department who have literally run along side of her and thanked staff of the Department of Social Services, PIO and Library for their efforts during the coronavirus.

PUBLIC COMMENT PERIOD

Amy Cannon, County Manager, read the public comment policy. Chairman Faircloth recognized the clerk to the board who called the following speakers:

Kathy Gregg – Ms. Gregg of the Fayetteville Police Accountability Community Taskforce (PACT) referenced two individuals killed by Sheriff’s deputies and stated she sent a binding contract she felt the county should have for mental health response. Ms. Gregg stated she has problem with Sheriff’s Deputies who respond but are not certified.

Allison Smutherman – Ms. Smutherman spoke to her nephew who was killed at Cape Fear Valley Medical Center by a Fayetteville police officer. Ms. Smutherman stated Fayetteville police should be held accountable for their misconduct, are not equipped to handle individuals with mental health issues and should hire crisis intervention specialists in law enforcement.

Jeffery Harley – Mr. Harley was not present when his name was called.

Shaun McMillan – Mr. McMillan of the Fayetteville PACT referenced individuals killed by local law enforcement and stated he has been asking for specialized response for mental health crisis intervention. Mr. McMillan requested a special meeting with the Board of Commissioners to discuss a nonbinding resolution for oversight of police, Sheriff deputy body cams, oversight of Sheriff’s deputies and policy reform.

1. APPROVAL OF AGENDA

MOTION: Commissioner Adams moved to approve the agenda.

SECOND: Commissioner Boose

VOTE: UNANIMOUS (7-0)

2. PRESENTATIONS

- A. COVID-19 & Influenza Update by Dr. Jennifer Green, Cumberland County Public Health Director and Request for Approval of Influenza Rate Increase

BACKGROUND

Dr. Jennifer Green, Cumberland County Public Health Director, will provide an update on COVID-19 and Influenza (flu) during the meeting.

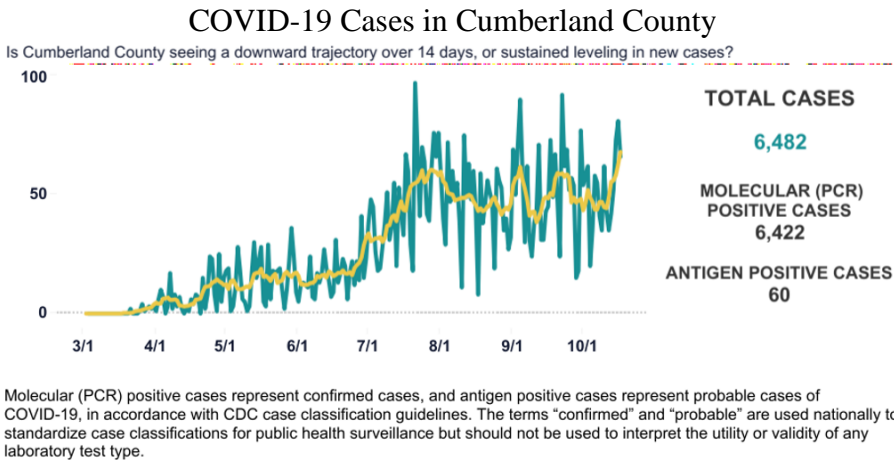
The Health Department provides flu vaccines to the citizens of Cumberland County. Fees are recommended for each vaccine by considering the acquisition cost of the vaccine, the Medicaid rate, 3rd party rates and the type of vaccine being administered. After a review of the flu vaccines to be administered during FY21, it was determined that the fees for Flublok (CPT-90682), Fluzone High Dose (CPT-90662), and Flu Preservative Free (CPT-90686) were set below the Medicaid rate. During the Board of Health Special Meeting on October 9, 2020, the Board approved to increase rates based on the current approved Medicaid rate.

RECOMMENDATION / PROPOSED ACTION

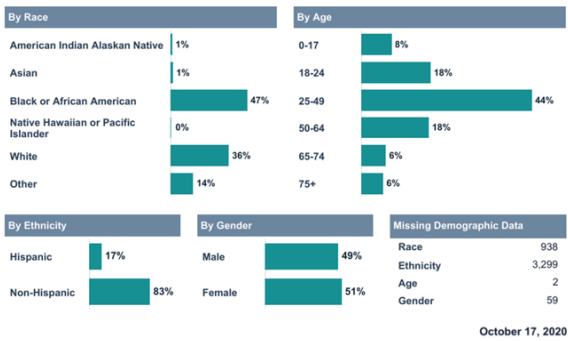
Consider the request for approval of the Flu Vaccine Proposed Rates based on the current approved Medicaid rate.

Vaccine	Current Rate	CMS Rate	Proposed Rate	Justification
90662 Fluzone High Dose 65 and up	\$50.00	\$61.00	\$61.00	CMS Rate Increase
90682 Flublok 50-64 years	\$45.00	\$61.00	\$61.00	CMS Rate Increase
90686-Flu Preservative Free (36 months and up)	\$19.00	\$20.00	\$20.00	CMS Rate Increase

Dr. Jennifer Green, Cumberland County Public Health Director, provided a COVID-19 update by presenting the following PowerPoint presentation. Dr. Green stated an increase in cases has been seen in the community over the last ten days, this is concerning and the data is being monitored closely. Dr. Green stated a sustained decrease in cases has not been seen in the community.



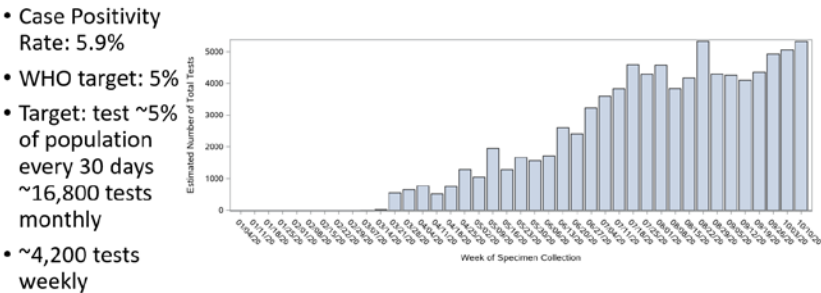
Dr. Green reviewed the following data and stated COVID-19 is disproportionately impacting African Americans and young adults ages 25 to 49. Dr. Green stated the difference between the last 7 days and the last 14 days shows the number of cases is increasing more rapidly than it was several weeks ago. Dr. Green also stated the daily average of cases at 56.7 is too high, has not come back down from the April and June levels and she would like to see it come down. Dr. Green stated there are also 15.7 cases per 100,000 population and she would like to see that number come down below 10.



- Last 7 Days: 380 cases
- Last 14 Days : 709 cases
- Daily Average of Cases: 56.7
- Daily Cases Per 100,000*: 16.9

*7 day moving average

Dr. Green stated the case positivity rate is the percentage of tests that come back positive from all the tests conducted by all healthcare providers in the county. Dr. Green stated the WHO target is 5%. Dr. Green stated one way to bring the number down is to conduct more testing and the state health department has a new initiative that will bring more testing to Cumberland County.



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Dr. Green presented the data below.

Recovery Data

- Active: 574
 - Deceased: 97
 - Recovered: 5721
 - Estimated presumed recovery
 - 14 days since test date
 - 28 days since test date if hospitalized or hospitalization status unknown
 - *As of 10/16/20
- Death
 - 82% Age 65+
 - 69% Male
 - 56% African-American
 - 75% Hospitalized
 - 88% Had comorbidities
 - 51% Lived in Congregate living settings

Dr. Green stated recovery data is reported using the North Carolina Department of Health and Human Services (NCDHHS) estimated median time to recover of 14 days from the date of specimen collection for non-fatal COVID-19 cases who were not hospitalized or if hospitalization status is unknown. Dr. Green stated the estimated median recovery time is 28 days from the date of specimen collection for hospitalized non-fatal COVID-19 cases. Dr. Green explained estimates are used since patient-specific data on the actual time to resolution of all symptoms are not available for all COVID-19 cases in North Carolina.

Dr. Green presented the new state-launched initiatives below and stated Cumberland County is the fiscal agent for the grant although it supports counties in this region.

Regional Prevention Support Teams

- Funding from NC DHHS to provide on-site infection prevention and control training and consultation to Long Term Care Facilities
- Reduce introduction of disease
- Use evidence-based infection control procedures
- Hired 1 Coordinator and 3 trainers to support Region 6
 - 1 vacant position

Dr. Green provided the following update on the COVID-19 vaccine and stated Cumberland County has a vaccination plan as part of its emergency operation procedures that will help guide the county's implementation of the vaccine when it becomes available.

COVID-19 Vaccine Updates

- NC DHHS submitted vaccination plan to Centers of Disease Control and Prevention (CDC)
- Health Department Submitted Vaccination Provider Agreement to NC DHHS
- Phase 1 (Limited supply of doses)
 - Critical healthcare workers
 - Essential workers (EM, Fire, etc.)
 - Long-term care staff and residents
 - Congregate settings (farms, homeless, incarcerated)
 - Workers in high density occupations and frontline workers

Dr. Green stated on October 30, Secretary Cohen invited counties with an increase in cases the last ten days, which included Cumberland County, to participate in a call about mitigating the spread of COVID-19 by enacting local ordinances for stronger enforcement of the Governor's Executive Orders.

Dr. Green stated flu season has started and the CDC has outlined three key actions: individuals over 6 months of age should get a flu vaccination every flu season; practice everyday preventive measures; and take anti-viral medications should one contract the flu and their doctor prescribes them. Dr. Green stated the same categories of individuals that are at high risk for COVID-19 are also the same individuals that are at high risk for flu, and an individual can have both respiratory illnesses at the same time although they are very different. Dr. Green explained what the Public Health Department is doing in preparation to launch flu immunization clinics across Cumberland County. Dr. Green stated because of COVID-19, Cumberland County is expecting to receive

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additional doses of flu vaccine for uninsured adults; similar to the flu vaccine received each year for uninsured children. Dr. Green explained options for receiving the flu vaccine.

Dr. Green concluded her update, reviewed the proposed rates for the flu vaccine and asked the Board to consider approval of the flu vaccine proposed rates based on the current approved Medicaid rate.

MOTION: Commissioner Adams moved to approve the Flu Vaccine Proposed Rates based on the current approved Medicaid rate and waiver of vaccination fees for those who are uninsured.

SECOND: Commissioner Lancaster

DISCUSSION: Commissioner Keefe asked whether an individual with health insurance would pay for the vaccination. Dr. Green stated a citizen with insurance will not pay. Chairman Faircloth asked whether commercial insurance paid a higher amount than CMS. Dr. Green stated she did not know although typically private insurance will pay more than CMS.

VOTE: UNANIMOUS (7-0)

Dr. Green responded to additional questions.

3. CONSENT AGENDA

A. Approval of October 5, 2020 Regular Meeting Minutes

B. 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:

Sheriff's Office

Vendor: Staples

Goods received: June 2020

Total amount: \$683.69

Sheriff's Office

Vendor: Dana Safety Supply

Goods received: May 2020

Total amount: \$ 872.60

Workforce Development

Vendor: Carolina Trucking Academy

Services rendered: Jan 2020-March 2020

Total amount: \$31,000.00

Staff have verified these invoices have not previously 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 the Sheriff's Office totaling \$1,556.29, and Workforce Development totaling \$31,000.

C. Approval to Pay Prior Year Invoice and Budget Ordinance Amendment #B210381

BACKGROUND

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There is a period of time after June 30th of the 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. If a department does not have budgetary availability to pay the invoice in the current year budget, the Board of Commissioners is also requested to approve a budget ordinance amendment. The Information Services department has requested budgetary approval and payment of the following invoice:

Vendor: Superion, LLC, a Central Square Company
Invoice Date: 2/26/2020
Amount: \$10,485.98 (\$9,800 expense, \$686 sales tax)

RECOMMENDATION / PROPOSED ACTION

Management is requesting approval to a prior year invoice for the Information Services department totaling \$10,485.98 and approval of Budget Ordinance Amendment #210381 to re-appropriate FY20 funds for the CAD Server Upgrade for Emergency Services.

D. Approval of Sole Source Exception for Upgrades to Broadcasting Equipment

BACKGROUND

The Public Information Office (PIO) currently broadcasts videos to the Fayetteville-Cumberland Education Channel (Channel 5) and YouTube, through Fayetteville Technical Community College (FTCC). The operations of Channel 5 will be transitioning from FTCC to the County, as a government channel. Upgrades to the existing equipment will allow this transition as well as the ability to utilize additional streaming platforms. Staff will also have the ability to schedule videos and digital signage that can run 24 hours a day 7 days a week.

Technical Video Systems, Inc. installed the existing broadcasting equipment and is currently contracted to provide maintenance and support. In order to ensure standardization and compatibility the Information Services department is advising the County use this same vendor for upgrades. The vendor has provided a quote in the amount of \$52,364.

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 are the overriding considerations.

E. Approval of Offer to Purchase Surplus Properties Being Lts. 8-9 Pleasant View Park, 873 W Orange Street, 892 W Orange Street, and 882 W Orange Street, All in Fayetteville

BACKGROUND

The County and the City of Fayetteville acquired the four parcels described below at a tax foreclosure sale in 2017 for a total purchase price of \$25,945.59.

PIN 0437-58-6814, Lts. 8-9 Pleasant View Pk, Fayetteville; tax value of \$23,604; zoned CC
PIN 0437-59-5476, 873 W Orange Street, Fayetteville; tax value of \$30,300; zoned MR5; structure on property
PIN 0437-59-5002, 892 W Orange Street, Fayetteville, tax value of \$4,000; zoned MR5
PIN 0437-59-3265, 882 W Orange Street, Fayetteville, tax value of \$24,900; zoned MR5; structure on property

The City quitclaimed its interest to the County by a deed recorded July 8, 2020, in Book 10813 at Page 433. Cameron Hunter-Cameron has made an offer to purchase these parcels for a single price of \$25,945.59. If the Board proposes to accept this offer, the proposed sale must be advertised subject to the upset bid process of G. S. § 160A-269.

RECOMMENDATION / PROPOSED ACTION

County Attorney recommends that the Board consider the offer of Cameron Hunter-Cameron and if the Board proposes to accept the offer, resolve that the described real properties are not needed

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for governmental purposes and direct that it be advertised and sold pursuant to the upset bid process of G. S. § 160A-269.

- F. Approval of Offer to Purchase Surplus Property Being 0.55 Ac. Jones-Ratley Ld, Located Off Patterson Rd, Fayetteville

BACKGROUND

County acquired the real property with PIN 9493-84-1667, being 0.55 Ac Jones-Ratley Ld, located off Patterson Road, Fayetteville, at a tax foreclosure sale in 2016 for a purchase price of \$4,119.06. The property is zoned RR with a tax value of \$15,000.00. Based on the GIS Mapping and the tax records, there is no structure on the lot. Maline Crupi made an offer to purchase the property for \$4,119.06. If the Board proposes to accept this offer, the proposed sale must be advertised subject to the upset bid process of G.S. § 160A-269. The proposed advertisement is included in the recommendation below.

RECOMMENDATION / PROPOSED ACTION

County Attorney recommends the Board consider the offer of Maline Crupi. If the Board proposes to accept the offer, resolve that the described real property is not needed for governmental purposes and direct that it be advertised and sold pursuant to the upset bid process of G. S. § 160A-269.

- G. Approval of Offer to Purchase Surplus Property Located at 2709 Larry Street, Fayetteville

BACKGROUND

County acquired the real property with PIN 0415-78-1330, being Lt 11 Maness Prop, PB 33, Pg. 53, located at 2709 Larry Street, Fayetteville, at a tax foreclosure sale in 2011 for a purchase price of \$6,540.45. The property is zoned R10 with a tax value of \$14,000.00. Based on the GIS Mapping and the tax records, there is no structure on the lot. Jocelyn Bradley on behalf of Pint-Sized Properties, LLC, made an offer to purchase the property for \$6,540.45. If the Board proposes to accept this offer, the sale must be advertised subject to the upset bid process of G. S. § 160A-269. The proposed advertisement is included in the recommendation below

RECOMMENDATION / PROPOSED ACTION

County Attorney recommends the Board consider the offer of Jocelyn Bradley on behalf of Pint-Sized Properties, LLC. If the Board proposes to accept the offer, resolve that the described real property is not needed for governmental purposes and direct that it be advertised and sold pursuant to the upset bid process of G. S. § 160A-269.

- H. Approval of Offer to Purchase Surplus Property Located at 508 Orlando Street, Fayetteville

BACKGROUND

County and the City of Fayetteville acquired the real property with PIN 0436-04-0696 located at 508 Orlando St, Fayetteville, at a tax foreclosure sale in 2014 for a purchase price of \$17,851.44. The property is zoned MR5 with a tax value of \$18,300.00. The City conveyed its interest in the property to the County on July 10, 2018, by a quitclaim deed recorded in Book 10339 at Page 306. Based on the GIS Mapping and the tax records, there is a structure on the lot. Maline Crupi made an offer to purchase the property for \$17,851.44. If the Board proposes to accept this offer, the proposed sale must be advertised subject to the upset bid process of G. S. § 160A-269. The proposed advertisement is included in the recommendation below.

RECOMMENDATION / PROPOSED ACTION

County Attorney recommends the Board consider the offer of Maline Crupi. If the Board proposes to accept the offer, resolve that the described real property is not needed for governmental purposes and direct that it be advertised and sold pursuant to the upset bid process of G. S. § 160A-269.

- I. Approval of Offer to Purchase Surplus Properties Being 12.44 Ac. Vacant Land and 1511 Rhone Street, Fayetteville

BACKGROUND

County and the City of Fayetteville acquired the two parcels of real property described below at a tax foreclosure sale in 2012 for a total purchase price of \$35,078.79.

PIN 0446-33-1463, 12.44 Acres of Vacant Land, Fayetteville; tax value of \$62,200.00; zoned SF6
PIN 0446-53-5958, 1511 Rhone Street, Fayetteville, tax value of \$61,900.00; zoned SF6

Based on the GIS Mapping and the tax records, there is a structure on the lot located at 1511 Rhone Street. The City conveyed its interest in the property to the County on July 8, 2020, by a quitclaim deed recorded in Book 10813 at page 436. John Nwokolo, on behalf of JN DUM, Inc., made an offer to purchase the properties for \$35,078.79. If the Board proposes to accept this offer, the proposed sale must be advertised subject to the upset bid process of G. S. § 160A-269. The proposed advertisement is included in the recommendation below.

RECOMMENDATION / PROPOSED ACTION

County Attorney recommends the Board consider the offer of JN DUM, Inc. If the Board proposes to accept the offer, resolve that the described real properties are not needed for governmental purposes and direct that it be advertised and sold pursuant to the upset bid process of G. S. § 160A-269.

J. Approval of Budget Ordinance Amendments for the October 19, 2020 Board of Commissioners' Agenda

BACKGROUND

General Fund 101

- 1) Public Health – Budget Ordinance Amendment B210027 to recognize North Carolina Division of Public Health (DPH) funds for COVID-19 response in the amount of \$382,064

The Board is requested to approve Budget Ordinance Amendment B210027 to recognize North Carolina Department of Public Health (DPH) funds for COVID-19 response in the amount of \$382,064. These funds will be used to prevent, prepare for, and respond to Coronavirus Disease 2019 by carrying out surveillance, epidemiology, testing and laboratory capacity, infection control, mitigation, communications, and other preparedness and response activities.

Please note this amendment requires no additional county funds.

- 2) Public Health – Budget Ordinance Amendment B210029 to recognize Special Supplemental Nutrition Program for Women, Infants, and Children (WIC) funds in the amount of \$44,484

The Board is requested to approve Budget Ordinance Amendment B210029 to recognize Special Supplemental Nutrition Program for Women, Infants, and Children (WIC) funds in the amount of \$44,484. The Health Department received additional state funds to further enhance the department's ability to provide supplemental nutritious food, nutrition education and referrals to health care for low- income persons during critical periods of growth and development.

Please note this amendment requires no additional county funds.

- 3) General Government Other – Budget Ordinance Amendment B210384 to allocate Coronavirus Relief Fund (CRF) freed-up capacity funds for County disinfecting in the amount of \$150,000

The Board is requested to approve Budget Ordinance Amendment B210384 to allocate Coronavirus Relief Fund (CRF) freed-up capacity funds for building disinfecting in the amount of \$150,000. These funds will be used for building disinfecting services.

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

General Fund 101 and Capital Investment Fund 107

- 4) General Government Other and Capital Investment Fund – Budget Ordinance Amendment B210131 to transfer GovDeals funds from the general fund to the Capital Investment Fund in the amount of \$554,540

The Board is requested to approve Budget Ordinance Amendment B210131 to transfer GovDeals funds from the general fund to the Capital Investment Fund in the amount of \$554,540. Per the FY2021 Adopted Budget, vehicles are to be placed in the Capital Investment Fund. Funds are needed to replace an unrepairable vehicle utilized by Location Services at a cost of \$36,500. Additionally, funds in the amount of \$9,017 are needed to purchase three vehicles with quotes higher than the budgeted amount.

Please note this amendment requires the transfer of General Fund balance to the Capital Investment Fund.

Community Development Fund 265

5) Community Development Miscellaneous Grants - Budget Ordinance Amendment B210040 to receive Community Development Block Grant Coronavirus (CDBG-CV) funds in the amount of \$435,210

The Board is requested to approve Budget Ordinance Amendment B210040 to receive Community Development Block Grant Coronavirus (CDBG-CV) funds in the amount of \$435,210. These additional CDBG-CV funds will be used to continue to provide CDBG-CV eligible services in the County to include, but not limited to, public services (health/human services), rental/utility assistance, and small business assistance. Funds must be used to prepare for and respond to the Coronavirus Pandemic.

Please note this amendment requires no additional county funds.

REGARDING THE FOLLOWING ITEM #6 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 amendment seeks to bring these funds forward from FY 2020 into the current fiscal year, allowing the department 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.

Workforce Development Fund 255

6) Workforce Development Fund – Budget Ordinance Amendment B210028 to re-appropriate two-year grants and reconcile to the FY21 budget in the amount of \$2,136,924

The Board is requested to approve Budget Ordinance Amendment B210028 to re-appropriate and reconcile to the FY21 budget for grant funds in the amount of \$2,136,924. These grant funds cover a two-year period.

RECOMMENDATION / PROPOSED ACTION

Approve Budget Ordinance Amendments

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

1. Fayetteville-Cumberland Request to Use Fund Balance for Newly Proposed County Recreation Projects

BACKGROUND

Fayetteville-Cumberland Parks & Recreation has identified two new projects that would be beneficial to the County District. These projects are:

1. Lighting for a community football/soccer field adjacent to Mac Williams Middle School (estimated cost: \$190,000)
2. Construction of a splashpad at E. Melvin Honeycutt Elementary School (estimated cost: \$225,000 - County Share [total project \$450,000])

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Director Michael Gibson has provided justification for, and requests approval of, these proposed projects. Funding is available from the County District and is accessible by FCPR. FCPR is requesting approval to expend District funds for these projects which were not originally included in the FY21 Budget.

Staff agrees that these projects will be beneficial to citizens who reside in the County Parks & Rec District.

RECOMMENDATION / PROPOSED ACTION

This request was heard at the October 8, 2020 Board of Commissioners' Agenda Session and sent forward to the October 19, 2020 Board of Commissioners' Regular Meeting as a Consent Agenda Item.

2. Allied Universal Contract Renewal and Increase for Department of Social Services

BACKGROUND

The purpose of this contract renewal and increase is to continue the enhanced security at the Department of Social Service building on Ramsey Street. This renewal and increase will extend the contract for three (3) armed security guards for another fiscal year. These three (3) armed security guards along with the Sheriff Deputy will enhance the security presence to improve customer and employee safety. Funds for this contract were approved in the FY 2020-2021 annual budget.

RECOMMENDATION / PROPOSED ACTION

At the October 8, 2020 Agenda Session Meeting, the Board of Commissioners approved placing the proposed action below as a Consent Agenda Item on the October 19, 2020 Board of Commissioners' Meeting:

Approval of Contract Renewal and Increase for Universal Protection Service, LP d/b/a Allied Universal Security Services in the amount of \$244,400.

3. Coronavirus Relief Funds Tracking and Approval of Associated Budget Ordinance Amendments #B210048 & #B210061

BACKGROUND

During the September 10 Agenda Session, the Board approved a plan for utilization of the federally approved Coronavirus Relief Funds. As a result of that funding and the plan for reporting, the Board approved several internal and community projects for utilization of freed up budget capacity.

Staff have provided detail of projects, and discussed plans for future tracking and reporting of expenditures to the Board during a subsequent Agenda Session. The following Budget revisions were presented at the October 8 Agenda Session and were approved to move forward to the October 19, 2020 Board of Commissioners' agenda:

#B210048 \$4,731,641 Technology, Contracted Services, Maintenance & Repair

#B210061 \$ 150,000 Technology (Emergency Services Building Project)

RECOMMENDATION / PROPOSED ACTION

Approve the associated Budget Ordinance Amendments #B210048 in the amount of \$4,731,641 and #B210061 in the amount of \$150,000.

MOTION: Commissioner Adams moved to approve consent agenda Items 3.A. – 3.K.3.

SECOND: Commissioner Boose

VOTE: UNANIMOUS (7-0)

4. PUBLIC HEARINGS

Ms. Cannon explained the Board of Commissioners' procedures for public hearings.

Uncontested Rezoning Cases

A. Case P20-24: Rezoning of 13.35+/- acres from RR Rural Residential to C(P) Planned Commercial or to a more restrictive zoning district, located at the northwest corner of the intersection of NC Hwy 87 S & SR 2220 (Tom Starling Road), submitted by Rebecca F. Person on behalf of Francis N. Person Heirs & Susan P. Strickland (owners) & Yarborough, Winters & Neville, PA (agent). (Applicant has revised request to C2(P) Planned Service & Retail and C(P) Planned Commercial/CZ Conditional Zoning for mini- warehousing with outside vehicle storage)

Rawls Howard, Planning and Inspections Director, showed vicinity or location maps and aerial views of the subject property. Mr. Howard provided overviews of the current land uses, current zonings, and surrounding land uses and zonings as well as soil conditions and the availability of water and sewer. Mr. Howard stated staff did not support the initial rezoning request for C(P) because it is one of the most intense commercial districts and is not plan compliant. Mr. Howard stated the Planning Board supported staff's recommendation and it was suggested to the applicant that she tailor her request down a little more to be plan compliant. Mr. Howard stated the applicant agreed to do so and the request was changed to C(P) Planned Commercial/CZ Conditional Zoning, which essentially split the property. Mr. Howard stated staff agreed with this request and the Planning Board supported the request by a full vote.

Chairman Faircloth opened the public hearing for Case P20-24.

The clerk to the board stated there were no speakers for Case P20-24.

Chairman Faircloth closed the public hearing for Case P20-24.

MOTION: Commissioner Adams moved in Case P20-24 to approve the rezoning request from RR Rural Residential to C(P) Planned Commercial/CZ Conditional Zoning for mini-warehousing with outside vehicle storage & C2(P) Planned Service & Retail and find the request consistent with the South Central Land Use Plan (2015) which designates these parcels for "Light Commercial" as the use requested under the conditional zoning as well as the conventional C2(P) district are considered light commercial uses. Approval of the request is reasonable and in the public interest as the conditional zoning portion will provide adequate buffering from the existing residential uses and the conventional portion, which will cause the higher traffic impact, is located further from the existing residential.

SECOND: Commissioner Lancaster

VOTE: UNANIMOUS (7-0)

B. Case P20-30: Rezoning of 44.23+/- acres from M(P) Planned Industrial to A1 Agricultural or to a more restrictive zoning district, located on west side of SR 2337 (Wilmington Hwy), south of SR 2210 (Wilkes Road), submitted by Warren & Dawn Bishop (owners) & Patrick Bishop (agent). (Applicant has revised request to A1 Agricultural/CZ Conditional Zoning for one single-family dwelling unit).

Rawls Howard, Planning and Inspections Director, showed vicinity or location maps and aerial views of the subject property. Mr. Howard provided overviews of the current land uses, current zonings, and surrounding land uses and zonings as well as soil conditions and the availability of water and sewer. Mr. Howard stated the applicant's initial request for A1 Agricultural, a larger lot single family residential district, went to the Planning Board and got negotiated down. Mr. Howard stated this is a heavy commercialized area and the "Airport Oriented Uses" designation is meant to protect the airport from unwanted encroachment. Mr. Howard stated staff initially made a recommendation against it and when the Planning Board asked the applicants what they wanted to get out of the rezoning, they responded they wanted to put a home on the subject property. Mr. Howard stated staff spoke with the applicants about CZ Conditional Zoning to allow for one single-family dwelling and the applicant agreed. Mr. Howard stated this does not change the Land Use Plan and the Planning Board supported it by a full vote.

In response to a question posed by Commissioner Adams, Mr. Howard stated rezoning to A1 Agricultural would open the 44.23+ acres up for 50 homes but with the CZ Conditional Zoning

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for one single-family dwelling, the applicant would have to come back for a rezoning if they wanted anything other than one single-family dwelling. Commissioner Evans stated it does not sound right to him for the applicant to have to come back before the Board. Mr. Howard stated to rezone to A1 Agricultural would put a residential land use plan designation on the property and set a precedent for further homes should someone come forward in the future. Mr. Howard stated staff and the Planning Board were trying to mitigate that to the best degree possible.

Chairman Faircloth opened the public hearing for Case P20-30.

The clerk to the board stated there were no speakers for Case P20-30.

Chairman Faircloth closed the public hearing for Case P20-30.

MOTION: Commissioner Adams moved in Case P20-30 to approve the rezoning request from M(P) Planned Industrial to A1 Agricultural/CZ Conditional Zoning for one single-family dwelling unit and find the request consistent with the South Central Land Use Plan (2015) which designates this parcel for “Airport Oriented Uses” and “Open Space”. The “Airport Oriented Uses” designation is meant to protect the Airport from unwanted encroachment, protect human life and allow for further expansion. The site will be limited to a single-family dwelling unit and would be less density/people on site than potential nonresidential uses or a fully developed subdivision. Approval of the request is also reasonable and in the public interest as the intended use is in harmony with existing zoning and uses to the south and the site has access to public water.

SECOND: Commissioner Council

VOTE: PASSED (6-1) (Commissioners Keefe, Faircloth, Adams, Council, Boose and Lancaster voted in favor; Commissioner Evans voted in opposition)

Contested Rezoning Cases

C. Case P20-44: Rezoning of 2.06+/- acres from C3 Heavy Commercial & RR Rural Residential to RR Rural Residential or to a more restrictive zoning district, located at 3830 Elijah B Place, submitted by Heather Young Gorman & Robert E. Gorman (owners) & Yarborough, Winters & Neville, P.A. (agent).

Rawls Howard, Planning and Inspections Director, showed vicinity or location maps and aerial views of the subject property. Mr. Howard provided overviews of the current land uses, current zonings, and surrounding land uses and zonings as well as soil conditions and the availability of water and sewer. Mr. Howard explained zoning iterations over the years for this tract and stated currently it is split-zoned RR Rural Residential and C3 Heavy Commercial. Mr. Howard pointed out the high transmission power easement on the map and stated this piece of property is impacted by massive utilities. Mr. Howard stated the South Central Land Use Plan designates this area for heavy commercial and an RR Rural Residential designation is not in harmony with the area at this interchange. Mr. Howard stated staff recommended denial of the request for RR Rural Residential and the Planning Board suggested an alternative designation of R40 for one single family per acre due to concerns about density under RR Rural Residential that allows one single family per half acre. Mr. Howard stated the applicants had no objection to the compromise of R40 because they only intend to put their house on the property.

In response to a question posed by Commissioner Keefe, Mr. Howard stated RR Rural Residential zoning allows for mobile/manufactured homes and R40 zoning does not.

Chairman Faircloth opened the public hearing for Case P20-44.

The clerk to the board called the following speaker for Case P20-44.

Thomas Neville – Attorney Neville appeared in favor representing the applicants and stated Heather Gorman inherited the land from her grandmother and stated there is an easement on Elijah Drive that allows for access to the property. Mr.

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Neville stated his recollection of the Planning Board meeting was that RR Rural Residential was never denied and the case was presented that both sides of the split zoned parcel belonged to the applicants; for the most part, other family members own the surrounding property; and the only thing the applicants want to do is put their house on the parcel with a bigger front yard. Mr. Neville stated when the discussion moved to mobile/manufactured homes, the applicants stated they were not interested in that and only wanted to put their home on the property. Mr. Neville stated his clients as the applicants stated they were fine with R40 when it was mentioned, and he should probably have submitted the application for R40 to begin with. Mr. Neville stated in the 1970's there was a house on the property, then that house was taken down and in 1999 another house was constructed in the part that is zoned RR, but that house is no longer there and salvage yards in the area have come and gone. Mr. Neville explained why the subject property was not prime commercial property. Mr. Neville stated no one is contesting R40.

Chairman Faircloth closed the public hearing for Case P20-44.

Commissioner Adams asked whether the RR Rural Residential on a portion of the subject property would retain that designation. Mr. Howard responded in the affirmative. Commissioner Keefe stated either way it will still be split zoning. Commissioner Adams stated he just wanted to clarify which part of the subject property was going to be rezoned and whether R40 was enough for the applicants. Commissioner Keefe asked whether it would be better if the tracts were zoned the same. Mr. Howard stated that would be the ideal situation and provide clean boundaries. Chairman Faircloth asked how many houses could be on the tract. Mr. Howard stated under the R40 tract, one house would be allowed and the RR Rural Residential tract has the high transmission power easement.

MOTION: Commissioner Keefe moved in Case P20-44 to deny the rezoning request from C3 Heavy Commercial and RR Rural Residential to RR Rural Residential and instead move to approve a rezoning to R40 Residential and find:

- a. This rezoning request is an amendment to the adopted current South Central Land Use Plan (2015) map; and that the Board of Commissioners should not require any additional request or application for amendment to said map for this request.
- b. The following change in conditions was considered in amending the zoning ordinance (zoning map) to meet the development needs of the community: the parcel meets the location criteria for R40 Residential as defined in the Land Use Policies Plan (2009) and while the South Central Plan designates this parcel for "Heavy Commercial", much of the surrounding area that is zoned commercial has never been developed and would not have access to public water or sewer.
- c. And this rezoning approval of R40 Residential is reasonable and in the public interest as the R40 district is in harmony with the existing residential uses that have been developed in the area and the access road is better suited for residential traffic as opposed to commercial usage.

SECOND: Commissioner Adams

VOTE: UNANIMOUS (7-0)

5. ITEMS OF BUSINESS

There were no items of business.

6. NOMINATIONS

A. Animal Services Board (1 Vacancy)

Commissioner Adams nominated Jeffery Brooks.

Commissioner Boose nominated Theresa Blackwell.

7. APPOINTMENTS

- A. Library Board of Trustees (2 Vacancies)
- B. Mid-Carolina Aging Advisory Council (1 Vacancy)
- C. Animal Services Board (3 Vacancies)

MOTION: Commissioner Adams moved to appoint Dennis Cedzo and Pamela Story to the Library Board of Trustees, Willie McKoy, Jr. to the Mid-Carolina Aging Advisory Council in the category of Volunteer and Charlotte Davis, Shannon Pingitore and Jennifer Castello to the Animal Services Board in their respective categories.

SECOND: Commissioner Boose

VOTE: UNANIMOUS (7-0)

8. CLOSED SESSION

There was no closed session.

MOTION: Commissioner Adams moved to adjourn.

SECOND: Chairman Faircloth

VOTE: UNANIMOUS (7-0)

There being no further business, the meeting adjourned at 8:00 p.m.

Approved with/without revision:

Respectfully submitted,

Candice H. White
Clerk to the Board